

CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, December 4, 2023. The meeting was held in the Community Forum at Lenexa City Hall at 17101 W. 87th Street Parkway, Lenexa, Kansas.

ROLL CALL

COMMISSIONERS PRESENT

Chairman Chris Poss
Vice-Chairman Mike Burson
Commissioner Ben Harber
Commissioner Don Horine
Commissioner David Woolf
Commissioner John Handley
Commissioner Brenda Macke
Commissioner Cara Wagner
Commissioner Curt Katterhenry

COMMISSIONERS ABSENT

None

STAFF PRESENT

Scott McCullough, Director of Community Development
Stephanie Kisler, Planning Manager
Tim Collins, Engineering Construction Services Administrator
Andrew Diekemper, Assistant Chief – Fire Prevention
Spencer Throssell, Assistant City Attorney II
Kim Portillo, Planner III
Dave Dalecky, Planner II
Logan Strasburger, Planner I
Will Sharp, Planning Intern
Gloria Lambert, Senior Administrative Assistant

APPROVAL OF MINUTES

The minutes of the November 6, 2023 meeting were presented for approval. Chairman Poss entertained a motion to **APPROVE** the minutes. Moved by Commissioner Handley, seconded by Commissioner Horine, and **APPROVED** by a unanimous voice vote.

CONSENT AGENDA

1. **St. James Academy Sports Field (Stadium) Improvements - Consideration of a revised final plan for construction of concession stands, restrooms, a press box, bleachers, and additional parking for property located at 24505 Prairie Star Parkway within the R-1, Planned Residential (Low Density) District. PL23-07FR**
2. **Towneplace Hotel at Vista Ridge - Consideration of a final plan for a new four-story hotel located near the northeast corner of K-10 Highway & Ridgeview Road within the CP-3, Planned Regional Commercial District. PL23-23F**
3. **Arise Sales Center - Consideration of a final plan for a new office building located near the northwest corner of W 87th Street Parkway & Maurer Road within the CP-2, Planned Community Commercial District. PL23-24F**

Chairman Poss entertained a motion to **APPROVE** Consent Agenda Items 1-3. Moved by Commissioner Harber, seconded by Commissioner Macke, and carried by a unanimous voice vote.

REGULAR AGENDA

4. **Cedar Canyon West Commercial - Consideration of a preliminary plan/plat for a multibuilding commercial development located near the southeast corner of future 100th Street & Canyon Creek Boulevard within the CP-2, Planned Community Commercial District. PL23-08P**

APPLICANT PRESENTATION

Dan Foster, Schlager Associates, explained the application was part of the master plan for the overall Cedar Canyon West project that was previously approved. Mr. Foster gave the history and background on the existing condition of the property. He said the first thing they will need to do is clean up the area so it will appeal to prospective developers. Their plan is to get the preliminary plan approved, clean up the area by doing some minor grading on the site. The proposed plan has a few minor changes after working with Staff to reorientate the convenient store so the building will face the east. The code requires 50-feet around the perimeter of fuel canopy for stacking and circulation and the plans propose a 30-foot setback, which aligns with other fuel canopies in Lenexa. The plans updated the orientation of two other buildings to angle towards K-10 Highway. All the buildings are at least 100-feet from the right-of-way of K-10 Highway and are still one-story buildings. To address possible drainage concerns from adjacent residents the plans include constructing a detention basin during construction of 100th Street to prevent drainage issues. He showed architecture and displayed conceptual elevations.

STAFF PRESENTATION

Logan Strasburger presented the Staff Report. Ms. Strasburger gave the site location and spoke about the previously approved plan and provided some background and history of the project. She showed the Future Land Use and Zoning Map and said the property has been previously rezoned from AG, Agricultural to CP-2, Planned Community Commercial District. She highlighted the 12.52-acre portion of

Cedar Canyon West concept plan that was previously approved and noted the changes. She showed a rendering and stated that 100th Street will need to be built before construction of the commercial development can begin. She discussed the preliminary plat, pointing out the layout of the lots and tracts. She noted that Tract C is within a stream buffer and therefore cannot be built upon. There are three full points of access to 100th Street, two on 100th Street and one right-in and right-out onto 100th Street. She explained that parking requirements have been met. She showed the landscape plan and said the applicant has made efforts to preserve several trees along the south property line adjacent to K-10 Highway, as well as within other areas. She displayed images of the architecture and said the design of the buildings may change at final plan stage. She pointed out the applicant's four deviation requests and mentioned the fuel canopy, stating the applicant is requesting a 30-foot setback instead of the 50-foot required setback around the perimeter of the canopy. She said there are several gas stations that have been approved with the same setback and the site has adequate circulation in this context, so Staff is supportive. Staff recommends approval of the preliminary plan and deviations as requested.

PLANNING COMMISSION DISCUSSION

Commissioner Horine asked why the code requires a 50-foot setback for the fuel canopy. He mentioned it may make more sense to have a 30-foot setback. Scott McCullough said it is on list of code requirements to review in the future. He discussed the circulation around gas pumps. Commissioner Horine said he did not have any issues with the deviations and liked how that site looked but he felt the elevations looked alike, although there should be continuity in style and color. Mr. Foster said there will be continuity, but the buildings will not be identical.

Chairman Poss asked about the right-in and right-out and questioned the route for fuel customers to get back to the highway. Mr. Foster pointed out the route the traffic would need to take and said that it was not ideal, but it is similar to other intersections. Chairman Poss asked if there will ever be a traffic signal at the intersection of 100th and Canyon Creek Boulevard. Tim Collins said potentially, depending on development west of Canyon Creek Boulevard. Mr. Foster said that is why they provided the turn lanes at the two full intersections. Chairman Poss asked how the fuel canopy setback is 50-foot is measured. Mr. McCullough replied it is intended to be space for circulation and queuing for the gas pumps.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan/plat for PL23-08P – **Cedar Canyon West Commercial** located near the northeast corner of K-10 Highway and Canyon Creek Boulevard for a multitenant commercial development with deviations as outlined in the Staff Report.

Moved by Commissioner Handley, seconded by Commissioner Burson, and carried by a unanimous voice vote.

5. Express Oil Change & Tire Engineers - Consideration of a preliminary plan for a new auto service center located at 8610 Pflumm Road within the CP-2, Planned Community Commercial District. PL23-10P

APPLICANT PRESENTATION

Ashley Bernatski, Express Oil Change & Tire Engineers, represented the applicant. Ms. Bernatski gave some history and background of the company. She explained the company is a quick oil change service and provides drive-thru service within an average appointment time of twelve minutes. They service

about 46 cars per day at their highest average store. The company does not do any major automotive repair or autobody work and only focuses on tires, brakes, and oil changes. Proposed business hours are 8:00 am – 6:00 pm, Monday through Saturday. They do not typically store cars overnight, but if they do, they pull them into the bay and lock them up. This will be the sixth Express Oil Change built in the Kansas City metropolitan area. There are about 486 stores nationwide and they partner with Brakes Plus. They revised their elevations to match the brick color of the area to make it more aesthetically compatible with the structures in the vicinity.

STAFF PRESENTATION

Kim Portillo presented the Staff Report. Ms. Portillo explained the application is for an auto service, limited use providing light automotive work such as tire rotation and oil changes and does not include heavy mechanical work. It is a previously platted lot within the Heritage Shops subdivision. She provided the location of the site and displayed the Future Land Use and Zoning Map and stated that the use fits within its CP-2, Planned Community Commercial Zoning District. She showed the site plan and said it meets the dimensions and requirements of the zoning district; therefore, there are no deviation requests. It has approximately 50% open space. The site is an infill site and was previously a Sonic drive-up restaurant but the site is currently undeveloped land because the Sonic structure was demolished. She described the intended flow of traffic around the site. She showed the design of the building and said it will match the surrounding buildings. The proposed landscape plan meets or exceeds the requirements and features some tree preservation. She noted that because there is an apartment building to the north of the site, Staff has made a request for the applicant to enhance the landscaping on the north side of the site. There is some existing berming and additional landscaping is planned to mitigate concerns from the nearby residents of the apartments.

PLANNING COMMISSION DISCUSSION

Commissioner Horine asked if Express Oil Change & Tire Engineers tries to locate next to other similar automotive businesses. Ashley Bernatski replied that their company partners with Auto Zone. Commissioner Horine commented on their company locating so close to a competitor – Jiffy Lube.

Commissioner Harber said he is pleased to see this infill development and appreciates the applicant being considerate of the neighbors. Ms. Bernatski said they wanted to be considerate of the residents in the apartment complex.

Commissioner Katterhenry said the landscape plan showed a gap around the trash enclosure and he encourages them to increase the plantings around the masonry walls. Ms. Bernatski said they will add additional screening if needed.

Chris Poss asked about some of the technical wording in the Stormwater Report. Tim Collins explained there would be hot spot treatment required due to the automotive nature of the business. Staff recommends approval of the preliminary plan.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for PL23-10P – **Express Oil Change & Tire Engineers** at 8610 Pflumm Road, for an auto service, limited use.

Moved by Commissioner Burson, seconded by Commissioner Handley, and carried by a unanimous voice vote.

6. **The Residences on Woodsonia - Consideration of rezoning and a preliminary plan for a multifamily residential development on property located near future 86th Street between Woodsonia Drive & Monticello Road. PL23-11P, RZ23-08 (Public Hearing)**
 - a. **Consideration of a rezoning from the AG, Agricultural District to the RP-2, Planned (Intermediate-Density) District and the RP-4, Planned Residential (High Density) District. RZ23-08**
 - b. **Consideration of a preliminary plan for a multifamily residential development. PL23-11P**

APPLICANT PRESENTATION

Jason Swords, Sunflower Development, explained that it is a two-phase project that includes townhomes and apartments. He displayed the site plan and said the project consisted of 240 apartments and 481 parking spaces. The dwelling units include 60 one-bedroom units, 120 two-bedroom units and 60 three-bedroom units. They will be adding a new public street going through the site and separating the townhomes from the apartments. There will be a park-like setting on the interior of the apartment homes. Amenities will be provided for both townhomes and apartments. They are aware that Woodsonia Drive needs to be completed along the west property line before they are granted a building permit for the residential developments. More detailed landscaping plans will be provided at final plan stage, but they plan to heavily landscape the site. He talked about the building height and noted they are not proposing to construct the taller buildings next to the single-family homes. He spoke further about the materials and architecture.

STAFF PRESENTATION

Dave Dalecky presented the Staff Report and provided the location of the property and showed the context in relation to the surrounding properties. Mr. Dalecky showed the City's Criteria for Review to rezone properties. He displayed the Future Land Use and Zoning Map and said the requested density is within the FLU designation of units per acre. He showed the site plan and described it as having a ring design. The construction of Woodsonia Drive along the west property line to complete the gap between approximately 86th and the west side of Watercrest Landing is required and will be completed by the applicant or by another developer of a neighboring development. The completion of this section of Woodsonia Drive is a public improvement required for whichever project moves forward first. The landscape plan submitted by the applicant with the preliminary plan shows the number of trees and shrubs that satisfy code requirements. The City Park trail that crosses the site is shown on the Park Trail Master Plan is intended to follow the utility easement and is highlighted on the conceptual plan. It is Staff's recommendation that the trail alignment is pulled away from Monticello Road and moved further to the interior of the site. He discussed the architecture and building design and displayed images of the building elevations. The proposed height of the apartments is 38-feet tall and because regulations the RP-4, Planned Residential (High-Density) District limit the maximum height to 35-feet tall, the applicant is requesting a 3-foot deviation. Staff is supportive of the deviation and recommends approval of the rezoning and preliminary plan.

PUBLIC HEARING

Chairman Poss **OPENED** the Public Hearing and asked if anyone wished to speak on this item.

Paul Griesemer, resident of Watercrest Landing, stated that Sunflower Development met with the Watercrest Landing Homeowners Association (HOA) and the consensus of those that attended the

meeting were very supportive of the development. Mr. Griesemer said the HOA appreciated the developer's efforts to be a good neighbor to their subdivision.

Jason Spengel, general manager of Powder Creek Shooting Park, said their property is the 84-acres east of the proposed project. He presented a folder with information about their business and Stephanie Kisler offered to scan the information he provided and email it to the Commissioners the next day. He stated that he was not taking a stance for or against the proposed project. He said Powder Creek has been at that location for 75 years and feels their business is a wonderful recreational concept. They are members of the Chamber of Commerce and want to continue business as usual. They have spoken to Sunflower Development. They would like for Sunflower Development to proactively make potential residents aware of their nearby gun range and the likelihood of hearing gunfire while living at the development.

Chairman Poss informed Jason Spengel that from a legal perspective the developer is not required to disclose that information, it is incumbent upon the perspective resident to do their homework. Jason Swords said it would be bad business practice if they did not let their future tenants know that the range has been there for 75 years. Mr. Swords supports Powder Creek and noted they were aware of their business prior to entering the contract to purchase the land for the residential development.

Chairman Poss entertained a motion to **CLOSE** the Public Hearing. Moved by Commissioner Horine, seconded by Commissioner Burson, and carried by a unanimous voice vote.

PLANNING COMMISSION DISCUSSION

Commissioner Woolf asked about the sequence of construction in relation to density of townhomes to the apartments. Scott McCullough replied that he is aware of the risk that comes with land use and property concerning future plans and revisions, but Staff is building a solid record of intent with an attempt to lock in the overall design.

Commissioner Burson asked if anyone knew who owned the existing farmhouse located in the northwest corner of the development. Jason Swords replied that a letter was mailed to the homeowner but did not get a response. Commissioner Burson stated it would be appropriate to buffer the apartments for the adjacent property with the farmhouse.

Commissioner Katterhenry said he was glad to see them buffer between the apartments and the single-family development. He said that if there were a change to the townhomes, he encouraged that it would not be at a higher density than what is proposed on this application.

Commissioner Handley asked about whether residents would park at the west side of the main access drive to pick up mail at the clubhouse. Mr. Swords responded that they have not finalized the parking design for the clubhouse yet. Residents will be assigned parking spaces. The clubhouse and pool will likely increase in size and additional parking will be provided in that area. Commissioner Handley asked about the shared amenities and Mr. Swords confirmed that the townhomes and apartment residents will share the amenities.

Commissioner Harber said he appreciates the applicant partnering with Powder Creek and Watercrest Landing residents. Commissioner Harber talked asked if additional parking can be provided for the townhomes so residents and visitors do not parallel park along the drives. Cars parked along the drives detract from the aesthetics of the development.

Commissioner Wagner asked if there was anything within the design of the windows that would add a sound barrier from the gunfire for the residents. Mr. Swords said they have not gotten that far with the plans but will inform future residents of the existing shooting range.

Commissioner Horine and Mr. Swords discussed the access for townhome residents to get to the amenity center. Mr. Swords said there will be crosswalks that are designed for safe pedestrian crossing of the new public street.

Chairman Poss said he is struggling with the application for several reasons. He has concerns with the layout of the 62 townhomes. He talked about the density proposed for the development and the uncertain future of the property. Mr. Swords said the apartment owner will be different from the townhome owner and there will be two different financing packages. They are doing their best to meet requirements for height and parking. Chairman Poss talked about the density of the development. He said the south portion of the project does not seem to be far enough along to be a part of the current layout and plan. Although he approves of the applicant's product, he is not in support of the proposed plans because he feels the density of the north and south should be distributed more evenly. He is concerned with the viability of the plan for the RP-2, Planned Residential (Low Density) District area to the south.

MOTION

Chairman Poss entertained a motion to recommend **APPROVAL** of rezoning property from AG to RP-4 and RP-2 for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive.

Moved by Commissioner Horine, seconded by Commissioner Handley, and carried by a voice vote of 8 to 1 with Chairman Poss dissenting.

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plan for **The Residences on Woodsonia** located at the northeast corner of 86th Street (future) and Woodsonia Drive, for multifamily uses, with a deviation from the UDC as listed in the Staff Report.

Moved by Commissioner Burson, seconded by Commissioner Wagner, and carried by a voice vote of 8 to 1 with Chairman Poss dissenting.

STAFF REPORT

Staff had nothing to report.

ADJOURNMENT

Chairman Poss ended the regular meeting of the Lenexa Planning Commission at 8:01 p.m. on Monday, December 4, 2023.