

CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, April 3, 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

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

COMMISSIONERS ABSENT

Commissioner Jason Leib

STAFF PRESENT

Scott McCullough, Director of Community Development
Stephanie Kisler, Planning and Development Administrator
Tim Collins, Engineering Construction Services Administrator
Andrew Diekemper, Fire Division Chief
Stephen Shrout, Assistant City Attorney
Dave Dalecky, Planner II
Gloria Lambert, Senior Administrative Assistant

APPROVAL OF MINUTES

The minutes of the March 6, 2023 meeting were presented for approval. Chairman Poss entertained a motion to **APPROVE** the minutes as amended. Moved by Commissioner Horine, seconded by Commissioner Katterhenry, and **APPROVED** by a majority voice vote.

CONSENT AGENDA

1. **Berger Convenience Store - Consideration of a final plan for a convenience store with a fueling station for property located near the northeast corner of Ridgeview Road and K-10 Highway within CP-3, Planned Regional Commercial District. PL23-06F**
2. **College Crossings Business Park, Fourth Plat - Consideration of a final plat to replat business park property located near the northeast corner of College Boulevard and Strang Line Road within the BP-1, Planned Business Park District. PT23-11F**

3. **Kids Empire - Consideration of a final plan for an indoor entertainment use for property located at 12124 95th Street within the CP-3, Planned Regional Commercial District. PL23-05F**
4. **Residences at Renner 95 - Consideration of a final plan for a mixed-use development for property located at 9401 Renner Boulevard within the PMU, Planned Mixed Use District. PL23-07F**
5. **Rolling Magic Skate Park - Consideration of a final plan for a public park use for property located at Sar-Ko-Par Trails Park at 14915 W. 87th Street Parkway within the R-1, Single-Family Residential District. PL23-09F**
6. **Trailridge Middle School Addition - Consideration of a revised final plan for a secondary school use for property located at 7500 Quivira Road within the R-1, Single-Family Residential District. PL23-03FR**

Chairman Poss entertained a motion to **APPROVE** Consent Agenda Items 1 through 8. Moved by Commissioner Handley, seconded by Commissioner Harber, and carried by a unanimous voice vote.

Chairman Poss entertained a motion to **APPROVE** the continuance of **Prairie Chase I and Prairie Chase II**, Items 10 and 11. Moved by Commissioner Burson, seconded by Commissioner Handley, and carried by a unanimous voice vote.

REGULAR AGENDA

7. Kiewit K3 - Consideration of a final plan for an office use for property located at the southwest corner of 89th Street and Hampton Street within the CC, Planned City Center District. PL23-08F

APPLICANT PRESENTATION:

Alan Lincoln, of Kiewit Companies, presented for the applicant and began by giving background information and the progression of Kiewit as it concerns Lenexa. The first two buildings in Lenexa City Center are called K1 and K2. K4 located at 8801 Penrose was constructed in 2020 and the construction of the new building is referenced as K3. Jake Baker, an architect with HOK, presented an overview of the proposed project. In addition to the new building there will be site improvements, expansion of the parking garage for K4, as well as additional surface parking. The new K3 building will be 177,000 square feet and five stories, the same height as the K4 building. They are proposing a central plaza for campus employees with outdoor amenities. The architecture of the building will be a continuation of K1, K2 and K4. Some of the features will be balconies overlooking the golf course, plaza seating and the recess patio along Penrose. He showed elevation exhibits of the proposed plans and concluded by saying he would take any questions upon the completion of staff's presentation.

STAFF PRESENTATION:

David Dalecky gave staff's report and showed an aerial of the site and surrounding area. This is the fourth and final building constructed in the Kiewit campus at City Center. Expansion to the parking will be an added two-level parking structure that will service the entire campus. Part of the city's parking trail system will be relocated to the property edge that runs on the south side of the Kiewit campus. The applicants will also add additional landscaping. He showed a table explaining the parking analysis. He explained that parking is proposed at a ratio of 3.3 per 1,000 for the entire campus. They will make parking accommodations with other developments in the area if necessary. He showed the parking structure and explained the solar array that may possibly be installed over the parking addition at final plan stage. He pointed out where all the additional landscaping would be placed and highlighted the plaza and amenity zone. The architecture of the building is proposed of clear glass on all floors, like the K4 building. Staff is supportive of the building architecture and materials.

PLANNING COMMISSION DISCUSSION:

Commissioner Katterhenry said he likes the architecture and likes that it blends with the other buildings.

Commissioner Burson asked what the city's code and zoning requirements are for the solar array. David said there is not a specific standard for solar arrays in the city's code. Scott McCollough clarified that there are some residential standards for solar panels but no specific standards for commercial, as David previously stated. Commissioner Burson said he is supportive of the solar array because it fits in with the architecture.

Commissioner Horine asked if the signage would be proposed to the Planning Commission at a later date. David Dalecky replied that the final plan will address the details of the applicant's signage.

Chairman Poss remarked that he liked the project and is looking forward to it going forth.

MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** of a final plan at the southwest corner of 89th Street and Hampton Street within the CC, Planned City Center District.

Moved by Commissioner Harber, seconded by Commissioner Horine, and carried by a unanimous voice vote.

8. Kiewit K3 Redevelopment Project Plan 1K for the City Center TID District - Consideration of a resolution for property located at the southwest corner of 89th Street and Hampton Street within the CC, Planned City Center District.

STAFF PRESENTATION:

Steven Strout said it would have normally been on the Consent agenda but due to the previous project on the agenda for discussion, they moved it from Consent for purposes of making sure things were in order. He explained the 1K Project Plan covers .9 acres in the City Center TIF District and reimburses certain eligible cost associated with the Kiewit building project. He said it is Planning Commission's purpose to find the agreement consistent with the Comprehensive Plan.

PLANNING COMMISSION DISCUSSION:

There was no Planning Commission discussion.

MOTION:

Chairman Poss entertained a motion finding that Kiewit K3 Redevelopment Project Plan 1K for the City Center TID District is consistent with the Comprehensive Plan.

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

9. Proposed Amendment to the Unified Development Code - Regulations related to fences, walls, and retaining walls -

STAFF PRESENTATION:

Stephanie Kisler presented staff's report and gave a summary of the objectives. Because of some of the question concerning fences, staff wanted to address and update the City's code. They wanted to create best practices for the City. There are also some new requirements for fences, walls and retaining walls both residential and nonresidential. There is also a new deviation process being proposed. She summarized the six reasons of exemption from permit requirement. She stated one of the standards, if replacing less than 50% of the fence line, you do not need a permit, but it will need to be the same materials and height. She pointed out other standards pertaining to fences and retaining walls. She showed three graphics explaining the proposed code requirements. The first example showed dimension requirements for a walkway and retaining wall for the fence and the distance between. The middle graphic showed a height maximum for a fence on top of a retaining wall. The third image showed if a retaining wall is taller than six feet, the fence needs to be more than 24 inches away for safety reasons. Stephanie showed several examples and open styles fencing and retaining walls in Lenexa.

Chairman Poss asked what is driving the 2 feet setback requirement for retaining walls taller than 6-foot? He asked how they would mow that 2-foot strip. Stephanie said it would just be the privacy fence that would require the 2-foot setback from the retaining wall. Scott McCollough asked Stephanie to go back to her diagrams to discuss the setbacks requirements further. He noted a case that a homeowner wanted privacy for their pool. He said they are trying to balance the appearance of the wall by reducing the overall height, also trying to effect when there must be a fence on top and what the esthetic looks like. Chairman Poss said the code is geared more towards commercial construction. Scott said it deals with the perimeter of the subdivision for residential developments. They discussed possible option

requirements for fence setbacks and retaining walls. She showed a table to make things more understandable. She pointed out the changes from the current code to what is now being proposed for amendment. Scott stated that the big picture is to open things up for the community and also to bring some fences into conformity. Stephanie showed more aerial and street view examples of fences with corner lots, angled properties, cul-de-sacs, parallel lots. She pointed out that when we allow fences to encroach within a typical front yard, it encourages residents to put other objects within that fenced area. She then used an example of a homeowner that had previously requested a fence appeal with a couple of other examples. Several of them are on a case-by-case basis. She explained to the Commissioners that they could talk about what they would like to have in the code. Stephanie talked about the process and stated there would no longer be fence appeals only deviations. The Planning Commissioner's would review it at the time of a plan approval, but it would otherwise go through an administrative process by seeking the director's approval. Scott stated staff is trying to clarify the issue with deviation and fence appeals that are requested. When a deviation is denied, the applicant may then go through the Board of Zoning Appeals process to acknowledge whether the Planning Commission correctly applied the City's code.

PUBLIC HEARING:

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

Amanda Williams, who resides at 23600 West 90th Street, said her family wants to make more room in their yard for the four kids to play. She said the issue was the layout of their yard and that the flat space on their property is along the side of their home. The back of their yard is slopped so the kids are unable to fully utilize it as a play area. She explained the layout of her corner lot home and how the code affects her current situation. She stated her HOA only allows the 4-foot open fencing.

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

PLANNING COMMISSION DISCUSSION:

Commissioner Burson commented that if the amended regulations were made the most stringent, there would always be allowances for conditions. Staff would have the ability to make more decisions that are inline with what we want as a city without coming before the Planning Commission.

Scott suggested the table be updated for submittal to the Governing Body for their approval.

Commissioner Horine said he was good with staff updating the table accordingly without having the Amendment return to the next Planning Commission meeting.

MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** Amending the Unified Development Code for regulations related to fences, walls, and retaining walls with the following revisions to staff's proposal:

1. When retaining walls include fences on top of the retaining wall or within close proximity of the retaining wall, the total height of the combined retaining wall and fence shall not be greater than ten (10) feet.

2. Fences installed along the street-side side yard 15' setback may be made of opaque materials up to the rear corner of a house in residential instances, but a fence line shall be open-style if the fence is in front of the rear corner of the house.

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

STAFF REPORT

Scott McCullough announced that Monday, May 8th the Comprehensive Plan steering committee will meet again and Tuesday, May 9th a joint meeting will take place between Planning Commission and City Council to review the steering committee's discussion on land use alternative exercise.

Stephanie showed photos sent to her from attendees of the National Planning Conference in Philadelphia, Pennsylvania.

ADJOURNMENT

Chairman Poss ended the regular meeting of the Lenexa Planning Commission at 8:52 p.m. on Monday, April 3, 2023.