
CALL TO ORDER

Chairman Poss called the regular meeting of the Lenexa Planning Commission to order at 7:00 p.m. on Monday, January 9, 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 John Handley
Commissioner Ben Harber
Commissioner Jerry Harper
Commissioner Don Horine
Commissioner Jason Leib
Commissioner David Woolf
Commissioner Brenda Macke
Vice-Chairman Mike Burson
Chairman Chris Poss

COMMISSIONERS ABSENT

Commissioner Curt Katterhenry

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
Christa McGaha, Planner II
Kim Portillo, Planner II
Gloria Lambert, Senior Administrative Assistant

APPROVAL OF MINUTES

The minutes of the December 5, 2022 meeting were presented for approval. Hearing no changes or corrections to the minutes of the regular meeting, Chairman Poss entertained a motion to **APPROVE** the minutes as written. Moved by Commissioner Handley, seconded by Commissioner Horine and **APPROVED** by a majority voice vote.

CONSENT AGENDA

1. **City Center Lenexa Area A (Restaurant Row) - Consideration of a final plan for property located near the southeast corner of W. 87th Street Parkway & Scarborough Street within the CC, Planned City Center, Zoning District. PL23-02F**
Consideration of a final plan for the development of two restaurant/retail buildings (A1 and A4) on a 4.51 acre site in Lenexa City Center. Building A1 is 9,191 square feet and Building A4 is 8,534 square feet.
2. **Redevelopment Project Plan 1J for the City Center TIF District - Consideration of a resolution for property located near the southeast corner of W. 87th Street Parkway & Scarborough Street within the CC, Planned City Center, Zoning District.**
Consideration for adopting a resolution and making findings that the proposed Project Plan 1J is consistent with the City's Comprehensive Plan.
3. **Southlake Twenty-First Plat (DataBank Expansion) - Consideration of a final plat for property located at 11200 Lakeview Avenue within the BP-2, Planned Manufacturing District. PT23-04F**
Consideration of a final plat to replat two existing lots and one tract to facilitate the expansion of a data center and equipment yard in the BP-2, Planned Manufacturing District.
4. **Lenexa Logistics Centre, 8th Plat - Consideration of a final plat for property located at the northwest corner of 113th & Renner Boulevard within the BP-2, Planned Manufacturing District. PT23-01F**
Consideration of a final plat for a 5.96 acre industrial development.
5. **Lenexa Logistics Centre North, Sixth Plat - Consideration of a final plat for property located near the northwest corner of College Boulevard & Mill Creek Road within the BP-2, Planned Manufacturing District. PT23-03F**
Consideration of a final plat for a 6.04 acre industrial development.
6. **Prairie Star Medical Office Building - Consideration of a final plan for property located at 9471 Meadow View Drive within the CP-1, Planned Neighborhood Commercial District. PL23-03F**
Consideration of a final plan for the development of an 11,641 square foot medical office building on a 1.35 acre site.
7. **Watercrest Landing Amenity Center - Consideration of a final plan for a subdivision amenity zrea on property located at 9096 Monticello Road within the RP-1, Planned Residential (Low-Density) District. PL23-01F**
Consideration of a final plan for the development of a private residential subdivision amenity center on a 2.28 acre site in the Watercrest Landing subdivision.

Chairman Poss entertained a motion to **APPROVE** Consent Agenda Items one through seven. Moved by Commissioner Leib, seconded by Commissioner Burson, and carried by a unanimous voice vote.

REGULAR AGENDA

8. Belmont Estates - Consideration of a preliminary plat and final plat for property located at approximately 8110 Belmont Drive.

Consideration of a preliminary plat to replat six existing lots into two lots for the development of two single-family residences and a cul-de-sac at the north end of Belmont Drive. PT23-01PR

Consideration of a final plat to replat six existing lots into two lots for the development of two single-family residences and a cul-de-sac at the north end of Belmont Drive. PT23-02F

APPLICANT PRESENTATION:

Jake Hattock of Schlagel and Associates stated the applicant is in agreement with the conditions within the Staff Report and would be available to answer any questions concerning the project.

STAFF PRESENTATION:

Christa McGaha presented the Staff Report. She noted the history of the site. The proposed use of the site is single-family residential. The existing flood zone makes the northernmost existing lots undevelopable. She displayed multiple graphics on the PowerPoint that showed the current configuration of six lots and the proposed replat that would reconfigure the area into two lots. Another graphic showed the buildable area in red and the preservation area in green. Staff recommends approval of the preliminary and final plat.

PLANNING COMMISSION DISCUSSION:

Chairman Poss asked if anyone wished to speak on this item. No one from the audience requested to speak. He said this is a routine request and it is pretty straightforward. He asked if the Commissioners had questions. There were no questions.

MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** for a preliminary plat for **Belmont Estates** located at 8110 Belmont Drive within the R-1, Planned Residential (Low Density) Zoning District.

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

Chairman Poss entertained a motion to recommend **APPROVAL** for a final plat for **Belmont Estates** located at 8110 Belmont Drive within the R-1, Planned Residential (Low Density) Zoning District

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

9. Cedar Canyon West - Remanded to the Planning Commission by the City Council. Consideration for rezoning and a concept plan for property located at the northeast corner of Canyon Creek Boulevard & K-10 Highway.

Consideration for rezoning property from the AG, Agricultural, and CP-2, Planned Community Commercial, Zoning Districts to the CP-2, Planned Community Commercial, CP-O, Planned General Office, BP-2, Planned Manufacturing, RP-2, Planned Residential (Intermediate Density), and RP-5, Planned Residential (High-Density) Zoning Districts. RZ22-09

Consideration of a concept plan for the development of a mixed-use site consisting of commercial, office, business park, and residential uses on approximately 112 acres. PL22-04CP

APPLICANT PRESENTATION:

Dan Foster of Schlagel and Associates presented information about the proposed project. He provided an overview of the development. The main topics of discussion from the remand from City Council were related to Tract 4 and traffic for Tract 7.

He highlighted that Tract 4 adds rooftops and enhances the marketability for commercial uses. Tract 4 also provides an additional housing choice. The multi-family area is similar in context to other multi-family developments because it is surrounded by RP-2 zoning and highways. According to market data, an apartment development needs about 300 units to be viable. There is a significant cost to bring utilities to the site. He showed a graphic that provides a cross-section of the buildings on Tract 4 and noted that the majority of the buildings are three story and only two buildings on the east side have a fourth story on one side. He said the three would potentially be visible to existing single family and the four story is on the side facing the open space. The building would be stepped down in relation to the grade. The buildings are about 900' from the closest single-family buildings and there are other two-family structures and streets between the single-family and the multi-family. The roof lines of the single-family and the multi-family are only three feet different due to the change in elevation between the existing subdivisions and the subject site. There is approximately 80 acres of open green space within the site.

He began talking about Tract 7. He noted several business park areas in Lenexa that use arterial roads for transportation. He noted that College Crossover uses College and Plumm or Lackman to get to the highway. A truck route is possible without an interchange at Clare Road. It is unlikely that a distributor would want to use the site if there was no interchange at Clare Road. He mentioned several users that could be located at the site, including general construction sales and service, plumbing services, electrical services, specialty building product sales, a fitness center, veterinary services, laundry services and light manufacturing. Those are the kinds of uses that they wish to have flexibility to attract on this site. He pointed out that there were a couple of code provisions that allow the City to review each use as it comes in. He said Section 4-1-B-19 states "Businesses within the BP-2 districts shall not create incompatible land use relationships or hazards." He reminded the Commission that this is a concept plan and requires further review in the future. He said the engineering staff requested that they submit a traffic study at preliminary plan stage, which would include some type of truck route analysis. He noted that Staff recommends approval and Mr. Foster requested approval from the Planning Commission.

STAFF PRESENTATION:

Christa McGaha presented the Staff Report. She provided a short history of the development's entitlement process. The Planning Commission recommended approval of the project on November 7, 2022 and the City Council voted to remand the project to the Planning Commission for further discussion on December 6, 2022.

She provided an overview of the entire plan and noted that tonight the discussion is focused on the City Council's remand topics related to Tract 4 and Tract 7.

She provided a slide with a table that compared the original submittal and the current submittal in relation to zoning, building height, number of dwelling units, and the density. The applicant reduced the request for zoning from RP-5 to RP-4 since the last Planning Commission meeting. The applicant requests a deviation for building height for the east side of the two easternmost buildings. The proposed maximum height in this area is 48'.

She discussed truck traffic routes for Tract 7. Four colored routes were provided on a graphic. The yellow route on 99th and Canyon Creek Boulevard is the most feasible because the infrastructure is not yet in place for the alternative routes. Staff recommends approval without any conditions; however, if a condition related to the truck traffic is needed, she provided a slide with some sample language:

The potential land uses for Tract 7 may generate heavy truck traffic that may require the construction of the Clare Road and K-10 Highway interchange. Any preliminary plan application for Tract 7 shall be accompanied by a traffic study and engineering review that reflects the amount and distribution of trucks on the City's street network so that a determination can be made regarding the impact to the City's street network, uses along the network, and the necessity of the Clare Road and K-10 Highway interchange.

She concluded her presentation.

PUBLIC HEARING:

Chairman Poss noted the application did not require a public hearing but asked if anyone wanted to make any comments on behalf of the item.

Richard Baumgartner said there are questions about Tract 4. He stated he is not opposed to RP-4 but asked if it was premature to discuss deviations beyond RP-4 during this phase. He asked if the deviation request could wait until the preliminary plan stage to see who the developer is that wants to request RP-4. If they need a deviation, it can be granted at that time. His second issue is with truck traffic for Tract 7. He said if there are mitigating circumstances, the plans will be reviewed by the Planning Commission and City Council regarding the specific uses for the BP-2 rezoning. He stated, then, we do not have a big argument. They have a concern about trucks travelling up Canyon Creek Boulevard and 99th Street in order to reach that location.

Jerry Tanner said this is a concept plan and did not understand why we would grant a deviation at this time. There are no buildings here over three stories. There are a lot of elevation changes in the area. He thinks we are jumping the gun to allow a deviation on a concept plan. The bigger issue for Tract 7 is that if we don't have the interchange at Clare he doesn't think the site is feasible. He said there is a lot of traffic on Prairie Star Parkway and there are circles (roundabouts). He is concerned that 99th Street has bike lanes and could include tractor trailers. He has no objection on Tract 7 as long as the Clare interchange is complete. He said it would be a bad situation for traffic otherwise.

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

PLANNING COMMISSION DISCUSSION:

Chairman Poss said he does not have an issue with the height proposal for Tract 4. He was comfortable with RP-5 in the original proposal. He reviewed the potential truck routes on the graphic for the audience.

He asked Tim Collins which interchanges are planned along K-10. Tim Collins said there are future plans for Clare Road and Lone Elm Road to have interchanges. Chairman Poss asked if there are any plans to have an interchange at Monticello. Tim Collins replied no, there is not a plan to have an interchange at Monticello Road at K-10.

Commissioner Handley said that businesses may not be interested in the site if there isn't an interchange. A less traffic-heavy user would not select that site without good access. He was comfortable with Tract 4 being RP-5 when it was previously presented in November because of the significant grade change. Overall, he was more comfortable with the concept plan an RP-5 with the ability to say no if it came back with RP-4 and substantial deviations. He stated on the record that he is fine with the application as is.

Commissioner Woolf said a traffic study would be needed for Tract 7.

Commissioner Burson said that RP-4 with a deviation accomplishes the same thing as before. The project will be seen again in preliminary and final plan stages. He is okay with the height deviation because of the grade change. The four-story part is also adjacent to green space. He is not supportive of something like an Amazon warehouse on Tract 7 without the Clare interchange, but a lower-traffic use could be appropriate in BP-2 zoning. Although the public has voiced their concern, he thinks the potential condition provided by Staff tonight is appropriate. He is in support of Tract 7 with the condition proposed tonight.

Commissioner Leib said he agreed with other regarding Tract 4. He is trying to understand if there is any difference between the language provided in the original staff report and the condition currently presented. Scott McCullough said he believes that staff had not recommended a specific condition on Tract 7. It was information about the normal analysis of development projects. It brings focus and greater attention to the interchange itself and that is what the condition is meant to do. It is because of the attention brought to the matter that condition is worth placing on the concept plan. Commissioner Leib said that seeing "shall" on the report he assumed that was required. If it is not required and part of the process he does not think "shall" should be a part of the notes. He is supportive of the condition being there now.

Chairman Poss said the path that the project has to take to move forward should be clear. He supported this previously and thought that it was addressed well the first time, but this discussion should solidify their position.

MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** for rezoning property from AG and CP-2 to CP-2, RP-2, RP-4, CP-O and BP-2 for **Cedar Canyon West** located at the northeast corner of Canyon Creek Boulevard and K-10 Highway.

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the concept plan for **Cedar Canyon West** located at the northeast corner of Canyon Creek Boulevard and K-10 Highway in the proposed CP-2, RP-2, RP-4, CP-O and BP-2 Zoning Districts with the following deviation:

1. A building height deviation for the two easternmost buildings of Tract 4 to allow a maximum height of 48 feet (four stories) on the east sides of the buildings.

And the following condition:

1. The potential land uses for Tract 7 may generate heavy truck traffic that may require the construction of the Clare Road and K-10 Highway interchange. Any preliminary plan application for Tract 7 shall be accompanied by a traffic study and engineering review that reflects the amount and distribution

of trucks on the City's street network so that a determination can be made regarding the impact to the City's street network, uses along the network, and the necessity of the Clare Road and K-10 Highway interchange.

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

10. Stone Ridge North - Consideration of rezoning and a preliminary plat for property located at the northeast corner of W. 83rd Street & Cedar Niles Road.

Consideration for rezoning property from the NP-O, Planned Neighborhood Office, RP-1, Planned Residential (Low Density), CP-1, Planned Neighborhood Commercial, and AG, Agricultural, Zoning Districts to the RP-2, Planned Residential (Intermediate Density) and RP-1, Planned Residential (Low Density), Zoning Districts. RZ22-05

Consideration of a preliminary plat for the development of 381 single-family and 53 two-family residential lots on 168.35 acres. PT22-01P

APPLICANT PRESENTATION:

Austin Chamberlin of Arise Homes presented information about the proposed project. He provided a map showing several of their developments. He displayed a graphic of the site plan. The site is 168 acres and includes 381 dwellings. They worked with the Catholic Church to relocate them closer to 83rd and Cedar Niles. There may be a school and church there in the future.

Justin Milburn of Milburn Civil Engineering said that they had been working with staff for over a year. He thanked staff for their time and patience while working with them on the plan. He said that they request rezoning and approval of a preliminary plat. The rezoning request is for RP-1 and RP-2 for single-family and multi-family development. There will be street and utility improvements. Cedar Niles curves into Future 79th Street. There are multiple tracts for open space, stream buffers, detention, and BMPs. There are three access points along 83rd Street. The third connection, west of the church site, will not be necessary if other connections to adjacent developments are completed before the later phases. There have been seven to eight revisions of the plan throughout the design phase. They have talked to developers on both sides of the site. They worked with staff on the alignment of Cedar Niles and 79th Street. They also coordinated with Shawnee on the alignment in the northwest corner. They request approval of the rezoning and preliminary plan. He asked that the following additional comments be added for the record:

On page 6 of the Staff Report, they would like to include within the language that the improvements will be based on the approved traffic study they have presented to the city. Also, on page 8 of the Staff Report, they would like to add that if any of the additional connections at the specific points are not connected prior to beginning construction of phase two, the fire access lane will not be required.

Austin Chamberlin discussed the architecture and the requested deviations for front yard setback and lot width because of how they build and design their homes. He said there are no requests for side and rear yard deviations. They design all of the homes as single-story ranches. The average lot size is 8,868 square feet. Narrower lots result in savings of 20 to 30% on infrastructure and maintenance. The architecture is full brick and stone masonry and is virtually maintenance-free exterior around the home. They have a 1,350-point checklist for each home and four to five people build one home. The homes have a 10-year warranty. The twin homes range from 1,200-1,700 square feet.

Chairman Poss asked Justin Milburn to clarify his comments about the Staff Report. Mr. Milburn said the first paragraph on page 8 says "Due to code, fire code access restrictions, and access road along the western portion of the Roman Catholic Archdiocese property must be complete prior to permitting for phase two". What he was getting at was if there are additional connections at Future 79th Street, the connection to the east that goes over to Mise and the connection to the west prior to phase two, the access road is not needed. After Chairman Poss reread the statement from the report he asked Tim Collins if that was the intent. Tim Collins replied yes, they just need to have appropriate access. Chairman Poss then asked Tim Collins about page 6. That if any improvements at 83rd Street that are based upon their traffic study that was completed in July of 2022, it would be generally accepted. Tim Collins replied correct, that is why the language was added to the report so that is properly designed. Stephanie Kisler said she wanted to clarify

the point made concerning the access roads. The reason it is in the report as a phase two item is because the applicant does not have control over those other roads being extended to the east, but they would have control over the extension along the west property line through the Roman Catholic Archdiocese property.

STAFF PRESENTATION:

Kim Portillo presented the Staff Report. She noted the request is for a single-family and two-family residential subdivision. She noted the rezoning considerations after showing an image of the site location within the City limits. She displayed a graphic showing the plat in black and white. The next graphic displayed the density calculation and a table of the calculation. The RP-1 property is 2.85 dwelling units per acre and the RP-2 property is 3.04 dwelling units per acre and the overall development density is 2.89 dwelling units per acre. She discussed the deviation requests. The requests include front yard setback, minimum lot size, minimum lot width, minimum corner lot width, minimum lot depth, and minimum site area per dwelling unit. Staff did take into consideration that the applicant is providing a unique product in Lenexa and there is considerable open space within the site. She showed a graphic of where the deviations are requested. She provided a graphic of the phasing plan and explained the different phases. The next slide included pedestrian connections. She provided context of the surrounding area and how the nearby developments interact with the site. She pointed out areas where there are sidewalks through the development. The next slide highlighted the location of the various storm shelters proposed for the subdivision.

She displayed a graphic of the access points along 83rd Street. Tim Collins noted the middle access point shown on the street will only be right-in-right-out and includes a "pork chop" island to direct traffic movements.

Kim Portillo displayed an sample image of the architecture and noted the four-sided architecture and quality materials. She noted that staff recommends approval of the rezoning and preliminary plat.

PUBLIC HEARING:

Chairman Poss **OPENED** the Public Hearing and asked if anyone wished to speak on this item. Hearing no comments from the public, Chairman Poss entertained a motion to **CLOSE** the Public Hearing. Moved by Commissioner Handley, seconded by Commissioner Burson, and carried by a unanimous voice vote.

PLANNING COMMISSION DISCUSSION:

Commissioner Horine asked the applicant about the amenity area shown on their maps by the two-family area. He asked what that amenity area was and asked if that was the only area for amenities. Austin Chamberlin said that they would distinguish more details about amenities during the final plan phase and they intend to carve out more space for amenities. Commissioner Horine said he appreciated that the small lots still had about 16' between houses. He asked what the storm shelter house would look like. Mr. Chamberlin said there are options for in-home shelters, but the standalone shelters will appear in-kind to the other home structures. Commissioner Horine noted that page 11 of the Staff Report shows floor plans and asked if they were accurate. Mr. Chamberlin said those are not correct and they have some 1,500 square foot plans selling elsewhere now.

Commissioner Harber asked about pedestrian cut throughs on the west side. Scott McCullough noted that code requires breaks for connections. He added that staff was also looking at destination points to connect to.

Commissioner Leib said he had concerns originally but also noted that other developments that the applicant has done in Lenexa are unique and successful. He appreciated that the applicant worked with staff to get to this point and that staff is supportive. This is the third or fourth project the Commission has seen in the last six months. He asked about when 83rd Street will be improved. Tim Collins said he can't

tell when all of the projects along 83rd Street will develop and the road improvements will be needed. He anticipates an incremental improvement due to the cost of the improvements to 83rd Street. Intersection improvements will likely be first. As developments are realized it will push 83rd Street closer to capacity. Commissioner Leib asked for clarification for incremental improvements. Tim Collins said the City will take a look and see what is needed as development progresses. Commissioner Leib said he is supportive of the project.

Commissioner Macke had concerns when she looked at the development plans originally but is now supportive of the plans after learning more. She likes the type of new development coming to Lenexa.

Chairman Poss echos the thoughts from other commissioners and said he also had concerns about the deviations prior to the discussion. He appreciated the graphics and explanation of the density calculations. He is supportive of the project.

MOTION:

Chairman Poss entertained a motion to recommend **APPROVAL** for rezoning property from AG, RP-1, NP-O, and CP-1 to RP-1 and RP-2 for **Stone Ridge North** located north of 83rd Street near Cedar Niles Road.

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

Chairman Poss entertained a motion to recommend **APPROVAL** of the preliminary plat for **Stone Ridge North** located north of 83rd Street near Cedar Niles Road in the proposed RP-1 and RP-2 Zoning Districts with the following deviations:

1. Lot width, lot depth, lot area, corner lot width, and front yard setback in the RP-1 Zoning District as noted within the Staff Report and the proposed plans.
2. Lot width and lot area in the RP-2 Zoning District as noted within the Staff Report and the proposed plans

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

STAFF REPORT

Scott McCullough shared an update on the Comprehensive Plan. They are looking at task five of a seven-task program. He has a call with the consultant this week. They are currently working on land use and transportation.

Stephanie Kisler noted the changes within the staff reports and packet. She asked for feedback and ideas for additional improvements. The Commissioners said that the new format allowed them to read the reports more quickly. Commissioner Handley asked for more information to be added to the template regarding nearby nodes.

ADJOURNMENT

Chairman Poss ended the regular meeting of the Lenexa Planning Commission at 8:34 pm. on Monday, January 9, 2023.