

PLANNING COMMISSION MINUTES
CITY OF ROELAND PARK
4600 W 51st Street, Roeland Park, KS 66205
October 18, 2016, 7:00 P.M.

The Roeland Park Planning Commission met on October 18, 2016, in City Hall, 4600 West 51st Street.

Chair Mohart declared a quorum and called the meeting to order.

Present: Paula Gleason Bill Ahrens Darren Nielsen Mike Hickey
 Mark Kohles Kyle Rogler Julie Mohart

Absent: Mark Kohles

Staff: Jennifer Jones-Lacy, Assistant City Administrator
 Neil Shortlidge, City Attorney
 John Jacobson, Building Official

I. Roll Call

Chair Gleason called the roll and noted that Commissioners Hickey and Kohles were absent.

II. MINUTES

1. **August 16, 2016 Planning Commission Meeting Minutes**
2. **September 13, 2016 Planning Commission Meeting Minutes**

MOTION: COMMISSIONER MOHART MOVED AND COMMISSIONER GLEASON SECONDED TO APPROVE THE AUGUST 16, 2016 AND SEPTEMBER 13, 2016 PLANNING COMMISSION MINUTES.
(MOTION PASSED 6-0)

III. ACTION ITEMS

1. **Review of Preliminary/Final Plat for Izabel Heights Neighborhood (4928 Fontana)**

Ms. Jones-Lacy said that before the Planning Commission is a request for a final plat received from developer MoJo Build. John Moffitt, Tim Woods and Craig Jameson representing the development were present at the meeting.

The request has been submitted to re-plat the property at 4928 Fontana. Included in the staff report is a visualization from AIMS detailing the area to be developed. Currently the property is four lots and will be converted to three. Currently there is one house on the property will be demolished and three single-family homes will be built. The lot does not follow the City's 35-foot setback in the code, but was built, along with the surrounding neighborhood, prior to the institution of the code. Most of the homes on this street have a 26 to 28-foot setback. Staff is recommending Section 16-424 to allow for the zoning variance.

Sec. 16-424. - Yard Exceptions—Residential Districts; Front Yards.

In residential districts where lots comprising 40 percent or more of the frontage on the same side of a street between two intersecting streets are developed with buildings having front yards with a variation of not more than ten feet in depth, the average of these front yards shall establish the

minimum front yard depth for the entire frontage; provided, however, that where a recorded plat has been filed showing a setback line which otherwise complies with the requirements of this title, but which is less than the established setback for the block as provided herein, the setback line shall control. Provided further, that the Board of Zoning Appeals may establish a reasonable setback by variance where the configuration of the ground and buildings is such as to make conformity with the front yard requirements established pursuant to this section impractical. An exception to this restriction can be made for a covered front porch as outlined in section 16-425(a)(1).

John Moffitt (5300 College Blvd. Overland Park). Mr. Moffitt is a real estate developer on the project along with co-applicant with Joe Woods. He said that the project will create a great streetscape and will be consistent with the neighborhood. He also provided an information packet on his company and detailed information of the project. He said that he feels it will be a great addition to Roeland Park and he is looking forward to working with the Planning Commission and staff.

Ms. Jones-Lacy said that SKW has reviewed the plat and approved it and stated it is compliance with the City's zoning regulations.

Commissioner Gleason said that the plans looked great and asked when they would start construction. Mr. Moffitt said that construction would begin as soon as possible.

Commissioner Nielsen questioned the depth of one of the lots in the illustration. The developer stated that the neighbor purchased part of that lot.

Commissioner Nielsen asked staff if approved, would a front porch be allowed in the future. Ms. Jones-Lacy said that the front porch setback is not included in the property front setback per the amendment.

Commissioner Rogler questioned whether the setback should be less than 25 feet for two of the homes to blend more with the existing homes. Ms. Jones-Lacy said that the code was interpreted based upon the interior lots that would remain. One part of the code states that there should not be more than a 10-foot setback variation than the other homes. This particular street has a wide range of variations and in reviewing the block staff feels the intent of the zoning code will be fulfilled at a 27-foot setback.

Staff is requesting that the Planning Commission approve a 27-foot setback from the front property line for the three new homes. They feel it will fit within the character of the neighborhood and will not be a large variation with the homes currently on the street.

MOTION: COMMISSIONER MOHART MOVED AND COMMISSIONER ROGLER SECONDED TO APPROVE THE PLAT. MOTION PASSES (6-0)

IV. PUBLIC HEARING

1. PUBLIC HEARING: Chapter 16 Updates Related to Cell Phone Towers in the Right-of-Way

a) ACTION – Recommendation to City Council on approval

City Attorney Shortlidge said that the Kansas legislature passed a bill that eliminates a lot of authority that cities previously had to regulate telecommunications facilities in the right-of-way. The new bill requires that cities allow these towers in the public right-of-way. The City of Overland Park has worked extensively to try and preserve as much authority as they can and many cities have followed their lead. Roeland Park would like to do the same. The two-prong approach taken by Overland Park was to amend the right-of-way management ordinance and to amend the zoning regulations to

provide for the facilities. Roeland Park staff proposes to take the Overland Park regulations and try to conform and match them as closely as they can to the Roeland Park regulations. Roeland Park is different in that it requires a special use permit for more facilities than Overland Park does. One problem with the legislation is there are certain types of applications that must be approved or denied within 60 days of filing the application. In the context of a special use permit public hearing process, it will be difficult to achieve that from the date of the application, going to the Planning Commission for a public hearing, and then to City Council to approve the special use permit. In the alternative, staff has chosen to be able to administratively approve certain types of applications.

City Attorney Shortlidge said that most of the applications they will be seeing are for the smaller DAS antennas and most are requested to be attached to streetlight poles in the public right-of-way. In theory, they will provide better cell coverage.

Commissioner Ahrens clarified that these are for public right-of-way towers and not a private tower.

Commissioner Mohart opened the public hearing, but noted there was no public present at the meeting. She then officially closed the public hearing.

MOTION: COMMISSIONER MOHART MOVED AND COMMISSIONER AHRENS SECONDED TO RECOMMEND TO CITY COUNCIL TO APPROVE THE PROPOSED CHAPTER 16 UPDATES RELATED TO CELL PHONE TOWERS IN THE RIGHT-OF-WAY. (MOTION PASSED 6-0)

2. PUBLIC HEARING: Updates to City's Comprehensive Plan

a) ACTION – Recommendation to City Council on approval

Ms. Jones-Lacy reviewed the proposed updates to the Comprehensive Plan made by the Planning Commission in August after their annual review.

- Removed the reference to the East Gateway Redevelopment and changed to “collaborative effort in redevelopment of the Mission Mall site across three cities.” One of the key issues is to work in concert with the cities of Mission and Fairway to promote the redevelopment of the Mission Mall site into a mixed use development which enhances this highly visible gateway for the three communities.
- The original goal was to redevelop the Roeland Park Walmart site should they have left. They are intending to stay and planning to renovate. Currently Walmart has \$1.6 million in a CID. The hope is also a redesign of the parking lot to be a more user-friendly lot
- “Promote a somewhat higher density of owner-occupied residential development to include townhomes and senior citizen facilities.” Updated to say that higher density residential should be provided options attractive to all ages, affording young people to make memories, raise a family and enjoy their retirement years all within our community. The language should reflect the goal to be a Community for All Ages.
- Updated all of the demographic information using updated census data from Mid-America Regional Council. Ms. Jones-Lacy thanked intern Ian Hutchinson for his work on this.
- The land use has not changed, but they did update the zoning map as it was outdated.

Commissioner Ahrens asked for color shading as the black and white map is difficult to read. The Planning Commissioners concurred and Ms. Jones-Lacy said that she will make a color version.

Commissioner Ahrens recommended looking at other communities' land use maps as the color variations are fairly standard for different land use types.

- Created an updated TIF, TDD and overlay district map.

City Attorney Shortlidge asked about the CID. Ms. Jones-Lacy said that the only CID is Walmart and will add it to the map.

- Updated the 47th and Mission Road Concept Plan Information.
- Added under Planning goals, City Character and Image, and added there is a re-branding committee working to establish a clear identity for the City.

Ms. Jones-Lacy said that the ETC survey showed that residents in Roeland Park are more satisfied than the region in general and the region has a higher satisfaction rate than the country as a whole.

- Key development components were updated for assessment of the highest and best use on the East Cloverleaf site that is also recommended to be developed as a mixed use development. Also added were the Commerce Bank and hospital illustrations.
- Johnson Drive between Roe and Ash, the single family homes converted to businesses were identified as areas the City would like to redevelop to complement the planned retail and residential uses across the street.
- Updated the caves information to reflect the hiring of a development consultant to assist in finding suitable development for the property. The caves will be filled in as they are not stable for development. The goal is to expend the TIF funds before their expiration in 2018.
- Updated the transit plan, and talked about the CARS program, SEP and Roe Boulevard redevelopment.

MOTION: COMMISSIONER GLEASON MOVED AND COMMISSIONER ROGLER SECONDED TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE REVISED COMPREHENSIVE PLAN. (MOTION PASSED 8-0)

V. ADJOURNMENT

Ms. Jones-Lacy notified Mr. Rogler that his term would be expiring. He said that he will submit his application for renewal.

MOTION: COMMISSIONER MOHART MOVED AND COMMISSIONER GLEASON SECONDED TO ADJOURN. (MOTION PASSED 6-0)

(Roeland Park Planning Commission Meeting Adjourned)

Scheduled Meeting Dates for 2016:

January 26	February 16	March 15	April 19	May 17	June 26
July 19	August 16	September 20	October 18	November 22	December 20