

**PLANNING COMMISSION MINUTES**  
CITY OF ROELAND PARK  
4600 W 51<sup>st</sup> Street, Roeland Park, KS 66205  
August 16, 2016, 7:00 P.M.

The Roeland Park Planning Commission met on August 16, 2016, in City Hall, 4600 West 51<sup>st</sup> Street.

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

Present: Julie Mohart Mike Hickey Bill Ahrens  
Paula Gleason Kyle Rogler

Absent: Mark Kohles Darren Nielsen

Staff: Jennifer Jones-Lacy, Assistant City Administrator  
Anna Krstulic, City Attorney

**I. Roll Call**

Chair Mohart called the roll and noted that Commissioners Kohles and Nielsen were absent.

**II. PUBLIC HEARING**

**1. Amendment to Section 16, Article 9 regarding sign regulations**

Commissioner Mohart opened the Public Hearing on the Amendment to Section 16.

Ms. Jones-Lacy said a change in state law provides that political signs can be on the private right-of-way and cities could not dictate the number of signs on a private property. This change is incongruent to the Constitution. The City Council agreed to follow federal law as opposed to making changes to the state law. In doing so, City Attorney Shortlidge noticed several areas that need to be clarified in the ordinance, specifically defining what a sign is and what it is not.

The substantial changes are as follows:

- Government Sign – A government sign means a sign that is constructed, placed or maintained by federal, state or local government, or a sign that the federal, state or local government requires a property owner to construct, place, maintain, or place, or maintain either directly, or to enforce a property owner to rights including, but not limited to traffic control devices, parking control devices, street identification signs, warning signs, legal postings, and signs prohibiting or controlling access to property.
- Sign – A name, identification, description, display or illustration which is affixed to, painted, or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed, or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization, or business. Each display surface of a sign or sign face must be considered to be a sign.

- Signs are not, however, considered signs when they are located completely within an enclosed building and not exposed to view from street, and bumper stickers that are no larger than 18 inches in length and five inches in height.
- Vehicle signs are defined as being attached to or displayed upon a motor vehicle.
- The Governing Body will establish sign permit fees which shall be set by a resolution that is adopted annually.

**MOTION:** COMMISSIONER GLEASON MOVED AND COMMISSIONER MOHART SECONDED TO RECOMMEND TO THE CITY COUNCIL FOR APPROVAL THE CHANGES REGARDING SIGN REGULATIONS. (MOTION PASSED 5-0)

Commissioner Mohart then closed the Public Hearing following the vote.

### III. DISCUSSION ITEMS

#### 1. Comprehensive Plan Annual Review

Ms. Jones-Lacy said she was previously asked by the Planning Commission to provide a staff update of certain components of the Comprehensive Plan as the Planning Commission is to review the plan annually. She was requested to look at the development sites and make any amendments to those based upon activity in the City.

Commissioner Gleason said she has read through the report and thanked Ms. Jones-Lacy for her updates.

Ms. Jones-Lacy said she made her initial review and provided that to City Administrator Moody for his review and input. She noted there were some demographic changes, but did not feel that an annual revised report was necessary and when the plan is to be revised, then those future updates could be made at that time.

Key Issue updates:

- The redevelopment of the Walmart site and creating a town center is a key issue. Commissioner Kohles has recommended a review of the site by the Planning Commission and to possibly have some plan in place should Walmart decide to leave.
- To remove the reference to the East Gateway Redevelopment and change to collaborative effort in the redevelopment of the Mission Mall site across the three cities. (p. 10)
- Remove the section regarding higher density to read, "Note the importance of making Roeland Park a Community for All Ages in the development process. Promote higher density residential development where it complements public uses and supports mixed use development. Higher density residential design should provide options attractive to all ages, affording young people to make memories, and raise a family, and enjoy their retirement years all within our community." (p. 11)
- TIF district map have been updated.
- The 47<sup>th</sup> Street & Mission Road area concept plan includes current plans for the Roeland Park property. Council approved an SUP for the site adding that parking on the site expires at the time of the SUP. Also added to the report is that the land at the Southwest Corner of

47<sup>th</sup> and Mission in Roeland Park was purchased by developers in 2015. The buildings were demolished with the goal of installing a permanent sit-down restaurant. The developer also purchased a single-family lot adjacent to the property with a hope to rezone to a planned district.

- East Gateway Redevelopment. On July 26, 2016, the Mission Planning Commission approved a revised preliminary development plan for the Mission Gateway site to be anchored by a Walmart Supercenter with a 182 market apartment, retail office buildings and a 200 room hotel. The plan goes before the Mission City Council in August 2016, where it needs to approve a financing plan as well as development plans. Roeland Park Walmart is set to subsequently close upon successful completion of the Mission Walmart Supercenter.

Commissioner Gleason said she likes the addition of dates and noted how many times things have changed in the past that this addition gives a frame of reference in the current plan.

- With the creation of the Comprehensive Plan it included different “center” concepts. There was a town center, Bella Roe and then a neighborhood center that included 47<sup>th</sup> Street and the Bishop Miege campus, Roeland Park Village, which is the Northeast corner of Johnson and Roe, and then a gateway area to include a neighborhood support center. Under the neighborhood village component it talks about an assessment of highest and best use for the East Cloverleaf in light of its size, neighboring uses and accessibility. This assessment, along with the Comprehensive Plan, should then serve as the plan for the redevelopment of the site.

Commissioner Rogler mentioned that the West Cloverleaf site reference as being owned by the City should be changed as it is not owned by the City. Commissioner Gleason said that it does mention that the property was purchased by Commerce Bank.

Ms. Jones-Lacy reviewed the plans of the cloverleaf site to include a new Commerce Bank building and a hospital facility. She stated it was the City’s intent that the property generates taxes for the City and believes that the hospital will be able to generate a lot of property tax and will be a better deal for the City. Also the development plan submitted by Commerce Bank requires they provide one percent for art with either an artistic element equal to one percent of construction cost or they can give the City the one percent for them to do the art installation.

Negotiations are continuing with KDOT to acquire right-of-way property that the City has maintained though the years.

- Replaced language of “old municipal pool” with “cave site.” This section has been changed to reflect the work that has been done. TIF funds are to be used to stabilize or demolish caves as they are not stable for construction. It is possible they may be able to leave some aspects of the cave walls as an aesthetic element. A change has been made to reflect the relocation of the Public Works department and getting a new building. Their site will be available for redevelopment as well.
- Cave site goals include creating a regional landmark with an anchor tenant, a mix of lodging and restaurants. The City has received a letter of intent for an adventure-type venue.
- Future city land use plans are to promote owner-occupied higher density use such as townhouses and senior citizen facilities within and adjacent to the village centers.

Ms. Jones-Lacy said she didn't know if the future land use plans were still a goal as she has never heard this item discussed.

Commissioner Rogler said the plan also talks about creating a buffer zone of townhomes between areas of single family residential and commercial, but there has not specifically been a designated effort to do that and no major efforts to rezone have been made to have that higher use zoning.

Commissioner Gleason said there currently isn't this type of housing in the City, and if they want to do what plan lays out, this would be an opportunity to do that.

The Commissioners agreed to leave that language in the CIP.

Ms. Jones-Lacy said the Council was very impressed with the final report from Commissioner Rogler by the Bike-Ped Committee and they appreciated its thoroughness.

- Alternative Transportation – Language from the Pedestrian and Bicycle Safety Ad Hoc Committee final report was added to help guide the redevelopment of Roe Boulevard. Also added to the plan was the addition of bus stops in the City by KCATA.
- Roe Boulevard updates for the 2018 CARS project were added. CARS will provide 50 percent of construction funding not funded by other grants and STP will provide up to 80 percent of construction funding as well. None of them provide for design funding. TIF funds are also available for a portion of the project. The project is planned to include new streetscapes with new lighting, landscaping, sidewalk extension, street resurfacing and new signals. The project will help create an identity for Roeland Park and provide landmark elements for the City.

The Planning Commission expressed their appreciation for the work done by Ms. Jones-Lacy to the Comprehensive Plan.

Assistant City Attorney Krstulic said the Planning Commissioner will follow the same procedure as when they adopted the original plan. It has to be adopted and amended by a single resolution. The resolution shall identify specifically any written presentations, maps, plats, charts or other materials made a part of such plan. Before adopting or amending any plan the Planning Commission shall hold a public hearing.

Ms. Jones-Lacy said a public hearing could be held at the September 13<sup>th</sup> Planning Commission meeting. Currently scheduled for that meeting is the Commerce Bank and hospital presentation for their final redevelopment and final rezoning. There is also an item for an initial plat and development plan for a property in the industrial park seeking to divide one property into two.

Assistant City Attorney said after the adoption or amendment of the plan, a certified copy of the plan or part, together with a written summary of the hearing shall be submitted to the Governing Body.

Ms. Jones-Lacy said on August 22<sup>nd</sup> at 6:00 p.m., there will be a Community Forum which will be a volunteer reception to which the Planning Commission is invited.

## **2. Neighborhood Revitalization Act Draft Plan Review**

The Neighborhood Revitalization Act (NRA) is a program designed to encourage investment and improvements to residential and/or commercial properties within an established district. Roeland Park and the City of Westwood each have individual plans, but the goal is to get together when

making their request to the county and the various taxing jurisdictions and to have the same reimbursement rate. The Chairman of the 47<sup>th</sup> Street Overlay Committee has been asking for a status. The area would include the entire city with the exclusion of the TIF districts and is set to be a ten-year abatement period. City Administrator Moody has recommended doing a five-year program at 100 percent of abatement for single-family residential properties or duplexes, and an 80 percent abatement for commercial property for a five-year period. Single family and duplex residential properties must invest at least \$15,000 and see an increase of assessed valuation of at least five percent. Multi-family residential, commercial and industrial properties must invest at least 50 percent of the existing assessed value and result in at least a 10 percent increase in assessed valuation. Qualifying residential properties would be eligible for a 100 percent rebate on the incremental increase and assessed value for five years with commercial properties eligible for 80 percent rebate for that five years.

A homeowner who demolishes a property and rebuilds would be eligible for rebate, but only based upon the assessed valuation of the property prior to demolition. Ms. Jones-Lacy said there may be some conflict with the state statute and this item needs to be researched further.

**IV. OTHER MATTERS BEFORE THE PLANNING COMMISSION/FUTURE ITEMS**

*There were no items to discuss.*

**V. ADJOURNMENT**

**MOTION: COMMISSIONER MOHART MOVED AND COMMISSIONER AHRENS SECONDED TO ADJOURN. (MOTION PASSED 5-0)**

(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