

**REGULAR PLANNING COMMISSION MEETING  
CITY OF MERRIAM, KANSAS  
9001 W. 62<sup>nd</sup> St.  
COUNCIL CHAMBERS  
MINUTES**

**July 3, 2019  
7:00 P.M.**

The Regular Planning Commission meeting for the City of Merriam, Kansas was called to order at 7:00 p.m. by Chair Brian Dailey on Wednesday, July 3, 2019 in the Council Chambers with the Chair inviting everyone present to participate in the Pledge of Allegiance to the Flag.

**I. ROLL CALL**

Members Present: Bill Bailey, Secretary  
Reuben Cozmyer  
Brian Dailey, Chair  
Judy Devereay  
Mitchell Fowler  
Russ Harmon  
Leah Ann McCormick, Vice Chair-arrived 7:03 p.m.  
Cole Stephens

Members Absent: Bill Carter

Also Present: Bryan Dyer, Community Development Director, and Nancy Yoakum, Recording Secretary.

**II. APPROVAL OF MINUTES OF MAY 1, 2019**

Chair Brian Dailey stated that the Planning Commission members had received a copy of the May 1, 2019 meeting minutes and asked if there were any corrections or additions.

Hearing no comments, Chair Brian Dailey entertained a motion.

**BILL BAILEY MOVED THAT THE MINUTES OF THE PLANNING COMMISSION MEETING OF MAY 1, 2019 BE APPROVED. REUBEN COZMYER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.**

**III. ITEMS OF BUSINESS**

- 1. PUD19-000007 Preliminary Development Plan for an automotive dealership located at 7020 W. Frontage Rd. located in a PUD-G (Planned Unit Development –General) District.**

Chair Brian Dailey presented to the Planning Commission application PUD19-000007 a request for an automotive dealership located at 7020 W. Frontage Rd.

Community Development Director Bryan Dyer stated the applicant is requesting a preliminary development plan for an automobile dealership. Mr. Dyer stated the property is located at 7020 W. Frontage Rd. Mr. Dyer reviewed the surrounding zoning and land uses.

Mr. Dyer stated that Reed Family Properties is the owner of the property represented by BHC Rhodes. Mr. Dyer stated the request is for approval of a preliminary development plan for a 62,000 sq. ft. automobile dealership, and the dealership will have a footprint of approximately 49,000 sq. ft. The building will house Jeep, Chrysler, Dodge & Ram automobiles.

Mr. Dyer reviewed the history of the site, rezoning and approved uses. Mr. Dyer stated that in 2004 stormwater and traffic studies were completed for the development of automobile dealerships. Mr. Dyer stated in 2017 a final plat was submitted which combined two lots in one. In 2019 the final plat was approved dividing it back into two lots. Mr. Dyer stated that in addition to the application the applicant is requesting that Planning Commission and City Council give the Community Development Director the ability to approve the final development plan.

Mr. Dyer reviewed the stormwater and grading plan. Mr. Dyer stated the applicant has submitted a revised stormwater management report that has been reviewed and approved by the city engineer. Mr. Dyer stated that this property met all the requirements for a stormwater detention waiver, which the city engineer has reviewed and approved.

Mr. Dyer reviewed the storm water collection system on the site.

Mr. Dyer reviewed the vehicular access points and stated the property currently only had one access point and would like to move one access point and create a secondary access point. Mr. Dyer stated that when staff received this application all utilities were notified including Kansas Department of Transportation (KDOT) since East Frontage Rd. is in their right-of-way. Mr. Dyer stated that the utilities are provided a deadline to provide comments, however the response from KDOT was received two (2) days prior to sending out staff reports, so there is an additional condition of approval that the applicant work with KDOT in regards to the second access point. Mr. Dyer reviewed the truck turning template and the plans note there will be no vehicle deliveries in the public right of way.

Mr. Dyer stated the plan shows 261 parking spaces, 213 spaces are needed for parking, so there are more than required by code. Mr. Dyer stated the parking spaces are located in the required setbacks.

Mr. Dyer reviewed the landscaping plan which shows approximately 10% non-pervious surfaces and there is less greenspace than other dealerships in the area. Mr. Dyer stated that other dealerships have provided 20% greenspace. Mr. Dyer stated that staff's only concern is the area by the northern property line. Mr. Dyer stated once the northern property is developed if the future development extends their parking lot area to the southern property line there will be a limited amount of greenspace between the two dealerships. Mr. Dyer stated that staff realizes there are four automobile lines so the need is great to maximize the parking.

Mr. Dyer reviewed the elevation drawings for the proposed dealership which provides a unique look of two different buildings in one space. Mr. Dyer stated the materials, finishes and glazing are in line with the other dealerships in the area.

Mr. Dyer stated the applicant has six (6) façade signs on the front of the building, for which a waiver can be granted in a PUD by the Planning Commission. Mr. Dyer stated this has been done with other dealerships in the area such as Aristocrat Motors. Mr. Dyer stated the freeway pylon sign is 44' in height, and reviewed the grade which ends up being 35' above the I-35 site line. Mr. Dyer stated this is more than what is allowed by code, however the Planning Commission has approved similar signs at neighboring dealerships and reviewed the elevations for comparison.

Mr. Dyer stated that staff does recommend approval and would answer questions from the Planning Commission, and stated the applicant's representative is present.

Chair Brian Dailey inquired if any of the Planning Commissioners had questions for Mr. Dyer.

Commissioner Russ Harmon inquired why the Overland Park Fire Department was involved with the third condition of approval.

Mr. Dyer stated that Overland Park Fire Department stated there is a distance requirement for fire hydrants.

Commissioner Russ Harmon inquired about the fourth condition of approval regarding bike racks and if that is a new requirement with developments.

Mr. Dyer stated that that bike racks are usually included in the plans, but since they weren't it is a condition of approval.

Chair Brian Dailey invited the applicant to address the Planning Commission.

Scott Slaggie, 600 Madison St., Kansas City, MO from Slaggie Architects introduced himself to the Planning Commission. Mr. Slaggie stated that Randall Reed, property owner and Austin Lage from BHC Rhodes were also present. Mr. Slaggie stated they have reviewed staff's stipulations and agree to them as written. Mr. Slaggie stated he would answer any questions from the Planning Commission.

Chair Brian Dailey stated that he noticed in the south east corner the curb goes into the property line down to zero and there is a light pole which he believes creates a conflict on the property line.

Mr. Slaggie stated the light pole will be placed within the property line, and if there is a conflict they will coordinate the placement in the final development plan.

Commissioner Bill Bailey inquired if there could be a review of the area in question to be redesigned.

Further discussion followed between the Planning Commission and Mr. Slaggie with the outcome resulting in an additional condition of approval regarding greenspace.

Chair Brian Dailey inquired if there were any additional questions.

Commissioner Reuben Cozmyer inquired if there are any efforts being made with regards to storm water quality since there is such a large amount of impervious surface to help settle out contaminants before it reaches Turkey Creek.

Mr. Dyer stated that what staff has suggested in the past if there is any type of Best Management Practices(BMP) that can be placed at the outfall of the stormwater area similar to what the school district has done with the outflow. Mr. Dyer stated the city does not have any specific requirements, but that could be one option if Planning Commission desires.

Mr. Slaggie confirmed with Mr. Dyer stated it was not a requirement, but could be something to be considered.

Mr. Dyer verified the two additional conditions of approval with the Planning Commission as follows:

1. Revise the final development plan and photometric plan to show all light poles to be at least 2.5 feet from the property lines.
2. In order to provide adequate setback between the parking lot and the south property line, revise the final development plan by removing the landscape island in the middle of the line of parking spaces on the south property line and enlarge the parking lot landscaping located in the southeast corner by the same amount as the landscape island that was removed.

The Planning Commissioners agreed with the additional conditions of approval.

Chair Brian Daily inquired if there were any additional questions for Mr. Dyer. Hearing none, he inquired if the Planning Commission had any questions for the applicant. Hearing none, he entertained a motion.

**BILL BAILEY MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION PUD19-000007 PRELIMINARY DEVELOPMENT PLAN FOR AN AUTOMOBILE DEALERSHIP LOCATED AT 7020 W. FRONTAGE RD. WITH THE CONDITIONS LISTED IN THE STAFF REPORT AND THE TWO ADDITIONAL CONDITIONS AS STATED BY MR. DYER AND FORWARD IT TO CITY COUNCIL. MITCHELL FOWLER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.**

**IV. BUSINESS FROM THE FLOOR**

- The Comprehensive Plan Committee that was scheduled for July 24, 2019 has been rescheduled to July 31<sup>st</sup> at 6:30p.m.
- Freddy's Frozen Custard & Steak Burger demolished more of the old Winstead's building due to the poor conditions they observed once demolition commenced. The developer has been working closely with staff.
- Switzer Villas has received the tax credits for the development and their Engineer is revising the development plan and boring is occurring for soil assessments.
- The last lot in the Merriam Pointe development will likely be the next development coming forward to the Planning Commission.

**V. UNFINISHED BUSINESS**

None

**VI. OLD BUSINESS**

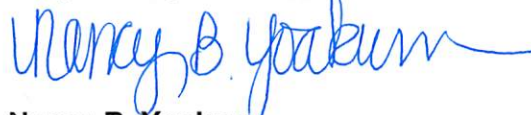
None

**VII. ADJOURNMENT**

With no further business for discussion, Chair Brian Dailey asked for a motion for adjournment.

**LEAH ANN MCCORMICK MOVED FOR ADJOURNMENT.** The meeting was adjourned 7:41 p.m.

**Respectfully Submitted,**



**Nancy B. Yoakum  
Recording Secretary**

Approved: September 4, 2019