

PLANNING COMMISSION
GLADSTONE, MISSOURI
Council Chambers
February 18, 2014 (Tues)
7:30 pm

Item 1 on the Agenda: Roll Call.

Present: Ms. Alexander
Mr. Mallams
Mr. Hartman
Ms. Poindexter
Mr. Ringhausen
Ms. Van Duser
Mr. Ward
Mr. Whitton
Mr. Yarber
Chairman Turnage

Absent: Mr. New
Mr. Steffens

Council & Staff Present:

Mayor Pro-Tem Brian Hill
Councilman Gary Markenson
Scott Wingerson, Assist. City Mgr.
Melinda Mehaffy, Econ. Dev. Admin.

Item 2 on the Agenda: Pledge of Allegiance.

Chairman Turnage led the group in reciting the Pledge of Allegiance.

Item 3 on the Agenda: Approval of the January 21, 2014 minutes.

MOTION: By Mr. Ringhausen, second by Mr. Whitton to approve the January 21, 2014 minutes as submitted. All said aye. The motion carried.

This portion of the meeting was transcribed by Cross Reporting Service. Please see attached.

Item 4 on the Agenda: CONTINUATION: Of a Site Plan and Rezoning at property generally known as 2801 and 2901 NE 72nd Street. File #1387.

Item 5 on the Agenda: Consideration: Of a Final Plat "Maplewoods Village" a subdivision in Gladstone, Clay County, Missouri. File #1388.

Item 6 on the Agenda: Communications from the City Council and the City Staff.

Mayor Pro-Tem Hill thanked the Commission for their work tonight and the time they spent reviewing the information. He announced the recent lease with Snow & Company for development of a restaurant in the Gladstone 18 building. They recently won a national contest of \$40,000 to help with renovations. Mayor Pro-Tem Hill also spoke of a new pedestrian crosswalk coming to 73rd & M-1 Highway.

Mr. Wingerson clarified with Ms. Alexander that her motion included recommending approval of the rezoning, the site plan and the final plat. Ms. Alexander agreed. Mr. Wingerson welcomed new member Van Duser.

Item 7 on the Agenda: Communications from the Planning Commission Members.

Ms. Poindexter said she wishes this type of project would have been around for the last couple of people she has known that have passed away.

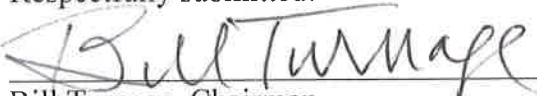
Chairman Turnage welcomed Ms. Van Duser.

Ms. Alexander said that someone left the last public hearing (Jan. 21) saying that no matter what was said it wouldn't matter. She doesn't think that the average person in Gladstone realizes how much this group spends figuring out what would be best for Gladstone. The Commission cares. The same thing with the City Council. She appreciates the work the developer has done.

Item 8 on the Agenda: Adjournment

Chairman Turnage adjourned the meeting at 8:31 pm.

Respectfully submitted:



Bill Turnage, Chairman

Approved as submitted  _____



Becky Jarrett, Recording Secretary

Approved as corrected _____

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1 CITY OF GLADSTONE, MISSOURI

2 PLANNING COMMISSION MEETING

3

4 FEBRUARY 18, 2014

5 7:30 P.M.

6

7

8 TRANSCRIPT OF PROCEEDINGS

9 In Re: Public Hearing - A Site Plan and Rezoning

10 of property generally known as 2801 and

11 2901 N.E. 72nd Street. File #1387.

12

13 Held at City of Gladstone City Hall,

14 7010 North Holmes Street, in Gladstone, Missouri.

15

16 A P P E A R A N C E S :

17 Planning Commission:

18 Mr. Bill Turnage, Chairman

19 Mr. Don Ward, Member

20 Mr. Larry Whitton, Member

21 Mr. Kyle Yarber, Member

22 Mr. Alan Ringhausen, Member

23 Ms. Shari Poindexter, Member

24 Mr. R.D. Mallams, Member

25 Ms. Anne Alexander, Member

Mr. Shawn Hartman, Member

Ms. Sarah Van Duser, Member

Mr. Scott Wingerson, Assistant City Manager

Ms. Becky Jarrett, Administrative Assistant

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1 CHAIRMAN TURNAGE: The next item is a

2 continuation of a site plan, rezoning property

3 generally known as 2801, 2901 Northeast 72nd

4 Street. This is not a public hearing tonight, so

5 those of you in the audience will not have a

6 chance to speak publicly tonight. However, if

7 this is approved and sent on to the City Council,

8 there will be a public hearing and you will have

9 an opportunity to speak then at that time.

10 If you have any questions, any concerns,

11 anything to bring up after the meeting, I'm sure

12 Scott Wingerson, Assistant City Manager, will be

13 here to try to address those, or maybe during the

14 week, during business hours would be fine, too.

15 Okay? Scott.

16 MR. WINGERSON: Chairman Turnage and

17 members of the Planning Commission, thank you very

18 much. First off, Chris Helmer normally would do

19 this. He is sick and couldn't be with us tonight,

20 so I will do my best to fill in his place.

21 I thought we would start by going

22 through the contents of your packet to get

23 everybody on the same page. Go over the draft

24 ordinance. Allow the developer to make a

25 presentation from the Public Hearing last time.

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1 Of course, allow the Planning Commission to ask or

2 answer any questions that they may have, and then

3 I would like to reserve some time at the end for a

4 summary and your possible actions moving to the

5 City Council.

6 So in your packet is the transcript.

7 Special thanks to Cross Reporting for their great

8 work on a tight time schedule. Also in your

9 packet is a memo from Chris that just sort of

10 highlights the issues from the public hearing and

11 their response in a narrative form.

12 The draft ordinance with a red line.

13 We'll spend some time going through that in just a

14 second. And supplemental information from the

15 developer is the majority of your packet. Support

16 for the new retirement community. It kind of

17 looks like a petition in your packet. Letters

18 from other cities, things like that. Site plan.

19 Just to get everybody on the same page and

20 refreshed with what we're talking about. An

21 exhibit regarding 72nd Street. An exhibit

22 regarding drainage. An exhibit regarding tree

23 preservation. An exhibit regarding site

24 distances. And an exhibit regarding train

25 movements at 72nd Street.

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1 So that's kind of what is in your

2 packet. All of those are issues and responses to

3 issues raised in the Planning Commission public

4 hearing.

5 In terms of the draft ordinance, really

6 just for understanding what is in your packet, is

7 a red lined and blue lined version. Red lines are

8 cross-throughs or changes and blue lines are

9 additions.

10 The first condition was to donate

11 right-of-way to allow for 72nd Street widening.

12 That condition has been removed and the developer

13 will explain that there is sufficient right-of-way

14 to allow the expansion of 72nd Street the way it

15 exists today.

16 Condition 3.2 originally said something

17 to the effect of manicured storm water detention

18 basin. That has been revised to allow for a

19 natural planting bottom and manicured side slopes.

20 Condition Number 6 required originally a

21 six-foot chain link fence all the way around the

22 property. That has been revised based on public

23 hearing comments to primarily be on the south side

24 for the protection of children that live in the

25 homes adjoining the property. And a fence and a

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1 gate at the entrance to 72nd Street.
 2 Condition Number 10 has been changed.
 3 The applicant has submitted a photometric study
 4 and agreed to use ground mounted lighting where
 5 possible. Exterior low-impact lighting package
 6 shall be in accordance with City Code and will be
 7 approved by the City. Full cutoff fixtures shall
 8 be utilized to limit lighting to zero foot-candles
 9 beyond the property line.
 10 Condition Number 17. A minimum
 11 installed size of shrubs shall be 24 inches in
 12 height and the size of trees shall be two-inch
 13 caliper. That is a revision from the previous
 14 submittal. Provide a tree preservation plan.
 15 Originally it said focus on the south and east
 16 property lines. That has been stricken.
 17 Condition number 20 has been removed in
 18 its entirety. It read at the time, "Exterior
 19 lighting shall be designed, installed and
 20 maintained to reduce any impact on the surrounding
 21 neighbors."
 22 Then Condition 19 is new, it has been
 23 added. This is a condition that Staff has been
 24 working with the developer since the original
 25 discussions. It has to do with mitigating the

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1 impacts of this development on emergency services.
 2 The condition reads, "Prior to the issuance of
 3 development permits, the applicant shall provide
 4 \$100,000 in escrow to mitigate impacts of this
 5 development on emergency services. In addition,
 6 the applicant is exploring alternative funding
 7 mechanisms that will need to be acceptable to the
 8 City. It is the applicant's responsibility for
 9 securing necessary approvals."
 10 Pause there for just one moment. That
 11 is not a land use condition. That is not
 12 something that the Planning Commission has seen or
 13 anything relative to that. That is really under
 14 the jurisdiction of the City Council to address
 15 these impacts as it relates to emergency services.
 16 So I would ask that you kind of set that aside and
 17 allow the City Council to take up Condition Number
 18 19 and focus on Conditions 1 through 18.
 19 With that, I would be glad to answer any
 20 questions. I know the developer has a
 21 presentation to address each and every one of
 22 those exhibits. I may kick it over to them if it
 23 is okay with you, Chairman Turnage.
 24 CHAIRMAN TURNAGE: Questions? Not at
 25 this time?

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1 MR. WINGERSON: Developer.
 2 MR. WOOD: How are you doing? My name
 3 is Gibb Wood. I am the managing partner of Scenic
 4 Development who is developing Maple Woods. Just
 5 to refresh your memory, that we are proposing a
 6 continuing care retirement community. Well, I'll
 7 go on. Anyway, continuing care retirement
 8 community that will have 46 units of independent
 9 living, 34 units of assisted living. There we go.
 10 And a 40-bed nursing facility.
 11 These are renderings of the project. It
 12 is going to be two-story on the independent
 13 living, assisted living. And the skilled nursing
 14 will be one story. This is the back, the skilled
 15 nursing. This is where most of the neighbors will
 16 face that are adjacent to the project. And this,
 17 again, is our Lenexa project, so you can see it is
 18 very similar to our renderings. Very residential
 19 in appeal, especially the backside where the
 20 skilled nursing portion is, which would be the
 21 lower picture.
 22 What I would like to do is go over some
 23 of the comments and concerns that came up in the
 24 last meeting. Go through each one of those. One
 25 of the concerns brought up was fire protection.

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1 We will have fire hydrants strategically placed
 2 around the building, and that will be approved by
 3 the fire chief prior to the issuance of our
 4 building permits. In addition, the building is
 5 going to be sprinkled at NFPA-13, which is the
 6 highest for residential properties. This is what
 7 is required for nursing homes. Independent living
 8 only requires a 13-R, which is a lower level.
 9 However, it is our company policy to go to the
 10 NFP-13, which is a higher level. So in other
 11 words, all the rooms, all the closets and any void
 12 spaces will have a sprinkler head in them.
 13 Another issue was, someone was concerned
 14 that all of our other projects are built on flat
 15 sites and this is a sloping site, and that we may
 16 not have the expertise to do that. Actually our
 17 Lenexa site slopes -- well, this site, from this
 18 corner to this corner, is a 22-foot slope. It
 19 goes from 966 to 944. Our Lenexa project, it is
 20 actually the opposite corner, from this corner to
 21 that corner slopes 44 feet, so it is twice as
 22 steep as this lot. It goes from 1,024 feet down
 23 to 980 feet. So in actuality, this is a flatter
 24 site than our last project. So we do have
 25 expertise at building on sloping sites. And

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1 sloping sites does allow us to have a basement
2 garage, which we'll have here. So we'll have
3 underground parking, which is less obtrusive to
4 the neighbors.
5 The other issue that came up is
6 ambulance. We have agreed with the City -- or we
7 have agreed with the Staff that after hours the
8 ambulance will come to this area and it will not
9 come to the back of the building. So that will
10 mitigate some of the effects of ambulances coming
11 to the project. In other municipalities we
12 request that the ambulance service turn their
13 lights and sirens off once they get past the last
14 intersection, which would be at 72nd and Antioch.
15 The reason we do that, is because this is the home
16 for our residents. And ambulances coming to our
17 facility will disturb them, especially at night.
18 So we don't want our residents disturbed by the
19 lights or by the sound, much as I'm sure the
20 neighbors don't want to be disturbed by that
21 either.
22 The other issue Scott addressed, the
23 City is at near capacity on ambulance service. So
24 we have committed to put that \$100,000 in escrow.
25 The next issue that was brought up was

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1 drainage. There was concern about drainage
2 flowing onto 72nd Street, and Dr. Ballard's place
3 receives a lot of drainage from this site also.
4 The blue line shows the current drainage ridge.
5 So everything here will flow to the northeast, and
6 everything on this side of it flows to the south
7 and southwest. Our project, once it is complete,
8 this ridge will change to where the red line is.
9 So if you can see, these will drain into
10 collection areas here and here, and then will be
11 piped down to the detention pond. So this area in
12 gray will stop draining towards 72nd Street and
13 towards Dr. Ballard's house and will now drain to
14 the southwest corner. Jordan Anderson, our
15 project manager, did meet with Dr. Ballard, and
16 she still has concerns about the whatever is left
17 over, draining on her property.
18 So to alleviate that, we'll have to work
19 with the City, because we have to put a berm
20 somewhere along through here. And there are a lot
21 of trees there at this point, so we'll have to
22 work with Staff to see how we can put a berm in
23 there and keep as many trees as possible. I know
24 the Staff had wanted tree preservation on the east
25 side.

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1 The other issue that was brought up
2 concerning the drainage was Art Lambart. His
3 property is right here, (indicating). This is our
4 proposed detention pond. We had to tie into this
5 outlet from the HyVee detention pond. He was
6 concerned about the welfare of his children with
7 the construction going on back there. So we had
8 met with Art also, and we talked with him about
9 fencing in all of that area. There is a permanent
10 maintenance easement back there, so we have the
11 right to go on that property. However, we wanted
12 to make sure that he is okay with how we do it.
13 So we've met with him. We will fence all of that
14 in so his children won't have access to it. And
15 it will be about a two-day job once we get to it,
16 so it will be real quick. It will be one of the
17 first things done on the project, because grading
18 is always one of the first items done.
19 So if there's any further settlement --
20 cause sometimes when you dig a trench it settles.
21 So we'll be on the site for another year before
22 we're done, so he can -- if there's any issues, he
23 can go to our job superintendent to get those
24 handled. So he said he is willing to work with us
25 on it.

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1 The other thing, too, is that we will
2 alleviate some of the issues with HyVee. Now, Joe
3 Arce had brought up, he thought it would be a good
4 idea to tie these two detention basins in
5 together. When HyVee did their detention basin,
6 which is right here, the standards back then were
7 not as stringent as they are now. So it was built
8 to handle a 25 year rain event. And currently the
9 condition that it is in, it won't even handle
10 that, so it over-tops quite frequently. HyVee is
11 planning on cleaning that out this spring.
12 However, we have approached HyVee, and they are
13 open to combining the two detention basins. So if
14 we do that, this is what that would look like. So
15 it would be all of this here. And this would then
16 be -- this is designed, as it sits, to contain a
17 100 year event, both on our property and HyVee's.
18 So it should alleviate the problem that HyVee is
19 having with over-topping their dam.
20 The other issue that came up was
21 traffic. Concerns about site distance. You can't
22 see this very well, but the minimum site distance
23 requirement is 385 feet. Our project is 407 feet
24 of site distance going east on 72nd to our
25 driveway. Going west, the required is 445 feet,

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1 and we have well over 800 feet of site distance.
2 So we meet and exceed the required site distance
3 requirements.
4 Another issue -- here is a photograph
5 that shows. We are standing -- this photograph
6 was taken actually further back from the 407 feet.
7 And that car you can see, that red car is in our
8 driveway. So you can still see vehicles coming
9 out of there even from further back.
10 The other issue that came to our
11 attention is semis that go into Wal-Mart, and
12 there are several semis that show up at once and
13 they back up and they can't pull in and park, so
14 they end up parking in the center lane waiting for
15 a turn to come in. So our engineers drew this
16 diagram to show that even if the semis are parked
17 out here, people in our project can still turn
18 left onto 72nd Street, or people coming up 72nd
19 Street can still turn in to our project. So those
20 semis won't affect our project or the traffic
21 coming in and out of our project. Regardless of
22 what kind of use goes into this land -- I mean,
23 that's still an issue -- but our driveway is set
24 up in such a manner that that won't affect our
25 project or the traffic flow.

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1 The Traffic Study showed that this
2 project will have a minimal effect on the traffic.
3 The most effect it will have is during peak time.
4 The traffic engineer used standards for set up for
5 CCRC requirement communities, which showed
6 staffing to take place during peak hours of 7:30
7 to 8:15 and then 6:45 to 7:30. However, all of
8 our shift changes in all of our buildings are
9 either at 6:00 o'clock in the morning or 7:00
10 o'clock in the morning. So our shifts are 6, 2
11 and 10, or they are 7, 3 and 11. So none of our
12 shifts, which are the most active time for
13 traffic, are during the peak hours of 7:30 to 8:15
14 or 4:45 to 5:30. So we'll have minimal effect on
15 those peak hours.
16 The other thing I wanted to point out is
17 the other potential uses for our site. Obviously
18 commercial will have higher impact than our
19 proposed use. Apartments will have a higher
20 impact than our proposed use. And so will any
21 retail that could go in there would also have
22 that, or an office building. The only thing
23 really -- it is zoned currently for single-family
24 residential. As you can see right here, Agnes
25 dead ends. So any developer that wants to put

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1 single-family on this project will want to connect
2 up Agnes to 72nd Street. And if that happens,
3 this now becomes a cut-through from Agnes to 72nd
4 Street, so that will create a lot more traffic at
5 this area.
6 In addition, even if that street wasn't
7 allowed, residential, for the density required to
8 make this economically feasible, would create more
9 traffic than our project would. So really, the
10 only thing that -- aside from a park, there is
11 really not -- or a cemetery, there is really
12 probably not a use that has less impact than our
13 use.
14 In addition, if there is single-family
15 residential, there is going to be a lot of street
16 lights on this project. So not only from a
17 traffic standpoint, but from a lighting
18 standpoint, our project will have less impact than
19 how it is currently zoned.
20 I did include a letter from the City of
21 Lenexa. Our project in Lenexa, this letter states
22 that there are no traffic impacts or concerns that
23 they are aware of. The project we have in Lenexa
24 is at the corner of 87th and Pflumm. So it is a
25 block north of 87th. So 87th is every bit as

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1 traveled, probably more so, than Antioch is. It
2 is the main street through Lenexa. And Pflumm is
3 a two-lane road in front of our building, with
4 similar site distance issues. Its traffic count
5 is 10,924, and 72nd Street's traffic count is
6 10,330. So the traffic count is very similar,
7 however, we have four lanes in front of our
8 building, as opposed to two in Lenexa. So I think
9 it is pretty comparable, but a little better
10 situation, and they haven't had any issues with
11 the traffic at our building there in Lenexa.
12 There are also two letters, one from the
13 City of Grimes, Iowa, where we have a similar
14 project, and then a letter from Sedalia. Both of
15 them stating that not only we are good citizens,
16 but our projects create very little impact. I
17 think those letters were included in the packets.
18 The next issue is the lighting issue.
19 Right now, if you remember from the first meeting,
20 they requested that we do no pole lighting behind
21 the front portion of the building. And as we
22 indicated, we really couldn't do that and meet our
23 requirements, Federal requirements for life safety
24 codes for nursing homes. Really the only
25 alternative, and one of the alternatives we have

1 here is to use wall lighting and bollards or
2 ground lighting wherever possible. Really, if we
3 did do that without light poles, we would actually
4 have a worse lighting situation, because
5 wall-mounted lighting needs floodlights. So it
6 would be on the building flooding out into the
7 parking lots and towards the neighbors. So that
8 really isn't a good alternative.

9 What we're showing here is reducing the
10 pole lighting to 12 feet. So we have actually
11 more lights than we previously had shown. So here
12 we have five lights on the west side and about
13 seven now. However, they will be lower profile,
14 so they will have less effect on the neighbors.
15 And we're happy to do that.

16 The other thing, too, is that we've
17 agreed to a low impact lighting package. The same
18 lighting package used in Lenexa. However, we have
19 decided to change that and increase it one step
20 further. We are going to be using dark sky
21 compliant lighting. So that lighting will reduce
22 lighting even more. This photometric study shows
23 that. One of the reasons we do this, is not only
24 for the neighbors, but for our residents. I don't
25 know if any of you have been to our project in

1 Lenexa at nighttime. I know some of the residents
2 that surround it have. But as can you see, we
3 have zero foot-candles up next to the building.
4 If you could read this, we have very small
5 foot-candles right next to the building, because
6 this is our residents' home and nothing is worse
7 than having lights shining into your home. I'm
8 sure you've all stayed in a motel where there is
9 lighting, and that light just shines in all night
10 long. That's one of the main reasons we want to
11 go with this.

12 What we have in Lenexa would work fine,
13 it exceeds city standards, but we are going to
14 take it up one more step to this dark sky
15 compliance. Some cities and municipalities are
16 adopting that code. So we have guidelines to
17 follow on that.

18 The City requirements is that our light
19 shed overflow cannot be more than 10 feet past our
20 property line or into the neighbors. And as you
21 can see here, this is zero foot-candles. And
22 these are all zero foot-candles. So we won't have
23 any light shed within 300 feet of these neighbors.
24 So we'll be actually well within the boundary of
25 our property. This is a light fixture we used in

1 Lenexa. You've probably seen similar ones. They
2 are directional. They keep the light from
3 overflowing too much. This is the dark sky
4 compliant. So the way it will be designed, is all
5 of these light poles will be on the outside
6 pointing towards the building, so that none of
7 them will be pointing back towards the neighbors.

8 This lens is recessed in there. So not
9 only is it an LED light that can be directional,
10 the lens are recessed, so this can be put in a
11 very directional manor. One of the issues, I know
12 that folks have with pole lighting, is that even
13 though there won't be any light shed, you can
14 still occasionally see the bulb. With this light
15 fixture, the neighbors to the rear, they are
16 approximately four to six feet below the back of
17 the building, but they are also 300 feet away. So
18 our engineer tells us that -- our lighting
19 contractor tells us they should not be able to see
20 the bulb. That's one of the reasons for the
21 recess on this.

22 We did our very first neighborhood
23 meeting, we invited residents in Tall Timbers and
24 in North Haven Gardens to come visit our project
25 in Lenexa, and we had about 12 people show up.

1 The folks that showed up that are adjacent to the
2 building are Pat Anthony, Linda Estes, Don and
3 Jesse Kittelson and Walt and Donna Kelly. They
4 came, and it was at evening time. So they all got
5 to see the building, and they all got to see how
6 the lighting functioned at that project. And all
7 of them are supporters of this project. As you
8 can see, three of them back to the building and
9 they have no concern.

10 If it is appropriate -- I don't know if
11 it is appropriate or not. I know the Kittelsons
12 are here, if you want to ask them a question about
13 the lighting, I think they would be willing to
14 speak. Is it appropriate?

15 CHAIRMAN TURNAGE: I don't think so.

16 MR. WOOD: That's fine. Everybody -- I
17 have yet to meet somebody who has actually visited
18 our building that isn't for the project. But I
19 don't know -- we've had some people drop in that I
20 am not aware of. Everybody that has visited that
21 project is for the project.

22 The next issue is landscaping.
23 Initially we were requested to use 10 gallon
24 shrubs, which we found out were not always
25 commercially available, or very seldom

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1 commercially available, and three-inch calipers in
2 all our trees. So instead, we've gone with a
3 minimum shrub size, 24 inches, and then two inches
4 caliper on the trees. This was our adjusted --
5 this was our plant schedule from previous. And
6 you see we have two and a half inch caliper on the
7 trees, and one and a half inch on the ornamental
8 trees, so we'll adjust those up to two inches. It
9 is harder to get ornamental trees much over two
10 inches in caliper. And then we will adjust our
11 shrub schedule to show that minimum of 24 inches.
12 One of the issues, going back to HyVee.
13 We've worked with HyVee in the past on other
14 projects. So we are going to approach HyVee about
15 the lights on their building, and working with
16 them and try to get them to be dark sky compliant
17 also. Because we have issues with our residents,
18 too. Those lights will be shining in our
19 residents' eyes. So I anticipate they will be
20 open to it and try to work something out with them
21 some way to make that work. So we'll be setting
22 up a meeting with them in Des Moines to go over
23 those issues.
24 The other landscaping issue was the tree
25 preservation plan. We are asked to see if we

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1 could preserve trees on the east and southwest.
2 These grayer lines here are the existing trees and
3 tree line. And we are able to save quite a few
4 trees along the east side that abutt up to Dr.
5 Ballard's property. There is a tree or two up
6 here we can save. I think there's a couple trees
7 right here. However, we were not able to save
8 these trees down here. That is where the
9 detention pond is. And the grading of the
10 detention pond is such that there is just no way
11 to save those trees. However, you can see there
12 is a fairly substantial berm right here, a level
13 berm. So what we plan on doing is spading in
14 trees where those trees -- oak trees used to
15 exist, and use a larger tree than the three
16 caliper tree. A tree that will require a tree
17 spade. So we'll replace them with as large a tree
18 as feasible. Because I think you know, if you do
19 too big a tree, the chance of survival is slim.
20 So you got to reach a happy medium on it. We are
21 perfectly willing to replace those trees with a
22 tree spade.
23 The other issue is, if the HyVee pond
24 goes in, we cannot obviously replace those trees
25 there. However, we do have a berm here that we

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1 could spade in trees on there also.
2 One of the things that I wanted to point
3 out was the need for Clay County and for
4 Gladstone. The State has determined that Clay
5 County has an assisted living bed need of 87 beds,
6 and a nursing facility need of 477 beds. So it is
7 quite a huge need. We had our own market study
8 done by Moore Diversified Services out Of Fort
9 Worth, Texas, and they are nationally known for
10 the market studies for senior housing. And they
11 determined what the market area was for our site,
12 and they determined six to eight miles -- a six to
13 eight mile radius around this current location.
14 And they determined there's a need for 107
15 independent living units, 75 assisted living units
16 and 175 nursing units. So what this shows is that
17 right here in Gladstone, in this immediate area,
18 is really the largest need. Because most of that
19 Clay County need is right here. So there's a huge
20 need for your senior citizens and people for this
21 type of project.
22 Another thing is that, most people think
23 the baby boomers are driving a lot of this. But
24 the average age of people living in our projects
25 are between 83 and 85 years old. So baby boomers

Page 24

1 don't hit our project for another 18 to 20 years.
2 So this need is going to go on and on and on for a
3 long, long time.
4 Just some of the benefits to this
5 project. This is an infill project, it is totally
6 underutilized from a tax standpoint, so it will
7 create additional tax revenues for all taxing
8 jurisdictions. As I pointed out before, it is
9 going to be probably the lowest impact use,
10 feasible impact use, and it provides housing for
11 Gladstone senior citizens. Right now Gladstone
12 has two older assisted livings that are both full.
13 Actually they are not even assisted livings. They
14 are licensed as RCF's, residential care
15 facilities. So they cannot even provide the level
16 of care that we can provide in assisted living.
17 But they are both full. And the only other thing
18 in Gladstone is an income restricted independent
19 living. So if you want market rate independent
20 living, or if you want a nursing home, or if you
21 want a modern assisted living, you have to leave
22 Gladstone. And in the Northland, all of the newer
23 projects are all full and with waiting lists. So
24 then you have to settle for a project that is
25 either not performing as well or you have to go on

Page 25

1 a waiting list.

2 Secondly, we provide housing for the

3 adult children of Gladstone who want to bring

4 their parents in. 30 percent of the people living

5 in our project will be the parents of adult

6 children who live in the Gladstone market. Their

7 parents can live somewhere else in the

8 metropolitan area or out of state. We have people

9 from seven different states in our Grimes project.

10 People move back in.

11 And lastly, people who live in Gladstone

12 who move into our project, this will free up

13 housing for younger residents to move back into

14 Gladstone. So that's all I have, and if you have

15 any questions I would be --

16 CHAIRMAN TURNAGE: Let's find out.

17 Questions?

18 COMMISSIONER RINGHAUSEN: Mr. Chairman,

19 a handful of questions for you. Did I follow your

20 presentation correctly, the combining of the storm

21 water detention from this property and HyVee, is

22 that a done deal or is that still being discussed

23 with HyVee?

24 MR. WOOD: It is still being discussed

25 with HyVee. But their exact words were, we're

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1 open to it. They understand that they have an

2 issue back there.

3 COMMISSIONER RINGHAUSEN: If you

4 wouldn't mind, could you go back to the slide with

5 that?

6 MR. WOOD: Sure.

7 COMMISSIONER RINGHAUSEN: Which is

8 essentially the ridge line break for existing

9 drainage and future drainage. I appreciate this

10 figure in particular, because it is a good one, I

11 think, in terms of illustrating the situation.

12 The current site is trees and grass.

13 MR. WOOD: Uh-huh.

14 COMMISSIONER RINGHAUSEN: With the

15 addition of this development, the amount of

16 pavement and roofs obviously is going to increase

17 because there's currently nothing there.

18 MR. WOOD: Sure.

19 COMMISSIONER RINGHAUSEN: So in general,

20 is it safe to say that the amount of water, as you

21 have identified here -- the amount of storm water

22 that you have identified here flowing to the

23 southwest, would necessarily increase as it is

24 flowing to the southwest? I hope I just made

25 myself clear in that question.

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1 MR. WOOD: Actually I will let our

2 engineers answer that question.

3 MS. SHANNON BUSTER: In answer to your

4 question, yes, obviously when you increase

5 impervious area on a site, it is going to increase

6 the amount of runoff, which is why we put in the

7 detention basin. So the gray area, and then the

8 area from the other parking, the area that is

9 close to the southwest, all that water is going to

10 be captured in a system of curb inlets and storm

11 sewers and it will all discharge into the basin,

12 which basically has a small outlet structure

13 allowing water to pond up and be released from the

14 site more slowly. So the rate at which how fast

15 the water leaves the site, it will actually go

16 down, because there is a large holding pond where

17 water can back up and slowly be released back into

18 the public system.

19 COMMISSIONER RINGHAUSEN: I appreciate

20 that. It is the bathtub principle. It takes less

21 time to fill a bathtub than it does to empty a

22 bathtub.

23 MS. BUSTER: Precisely.

24 COMMISSIONER RINGHAUSEN: Did I

25 understand you correctly when you said that

Page 28

1 previous to the discussions with HyVee to merge

2 those two ponds, your pond was 100 year detention

3 pond?

4 MS. BUSTER: Yes, that's correct.

5 COMMISSIONER RINGHAUSEN: Thank you.

6 There was another graphic that you showed, and I

7 don't remember if it is prior to in your slide

8 deck or after your slide deck, but if the

9 discussions with merging the detention ponds with

10 HyVee doesn't go through, you've got a pipe that

11 connects to an existing discharge outlet from the

12 HyVee property.

13 MR. WOOD: Right here.

14 COMMISSIONER RINGHAUSEN: With the

15 combination of HyVee, which may be further on in

16 your slide deck there. Is that to say that the

17 existing pipe -- yes, "Existing pipe to remain."

18 So you are intending to utilize that same pipe?

19 MR. WOOD: Yes. Right now there's a

20 pretty good chance that pipe is clogged. Or at

21 least not at its full capacity. If that's the

22 situation, we wouldn't have to get onto Mr.

23 Lambert's land at all.

24 COMMISSIONER RINGHAUSEN: Really just

25 one more question. I am shifting gears here to

Page 29

1 lighting. Did I understand, I think previously
 2 you had mentioned the light fixtures or the light
 3 poles, and we talked a little bit about spacing of
 4 the lights to throw the right amount of
 5 foot-candles and things of that nature. I heard
 6 tonight 12 foot poles. Is that across the entire
 7 site or is that just on the southwest parking
 8 side.
 9 MR. WOOD: Right now we're showing 12
 10 foots -- let's see here. Let me make sure. Yeah,
 11 right know we're just showing the 12 foot on this
 12 southwest portion, because there's no tree buffers
 13 here. So over here we have nothing across the
 14 street. We do have Pat Anthony's house here,
 15 however, from an elevation standpoint, there's not
 16 that much change. Then we do still have the tree
 17 buffers all through here.
 18 COMMISSIONER RINGHAUSEN: So you would
 19 have a 16 foot pole everywhere except on that
 20 southwest portion there?
 21 MR. WOOD: Yep.
 22 COMMISSIONER RINGHAUSEN: But your
 23 fixtures would all be the dark sky compliant?
 24 MR. WOOD: All fixtures will be the dark
 25 sky, yes.

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1 COMMISSIONER RINGHAUSEN: Thank you. I
 2 have no other questions.
 3 COMMISSIONER WHITTON: Mr. Chairman.
 4 There is an alternative to this, it could be
 5 single family. I mean, you pointed out it could
 6 be commercial --
 7 MR. WOOD: Sure.
 8 COMMISSIONER WHITTON: -- it could be
 9 this, it could still -- and I have lived here all
 10 my life, and I would love to see that as single
 11 family. Always have. It is a beautiful piece of
 12 property.
 13 The water run-off down there toward Ms.
 14 Ballard's place. I have been there many times at
 15 her house towing her cars and picking them up and
 16 delivering them. And there's a terrible problem
 17 there now already with drainage and erosion in her
 18 driveway and stuff. So I really think -- I hope
 19 you take care of that. I'm talking about the City
 20 Staff staying on top of it to make sure it is done
 21 right. I went to -- I walked the whole thing
 22 again today, and the HyVee, it is terrible. It is
 23 a mess.
 24 MR. WOOD: They told me they are going
 25 to have to spend \$50,000 to clean it up.

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1 COMMISSIONER WHITTON: I hate that they
 2 have to do that. It is like all these projects,
 3 you approve them with this to be done, and then
 4 down the road. I walked between the Gardens,
 5 which I own a home in the Gardens. But that tree
 6 line down through there is beautiful, and I hate
 7 to see you remove those trees, because that's
 8 going to eliminate a lot of lighting going in
 9 there and the noise. It is a buffer for that.
 10 MR. WOOD: Yeah. We do have a berm, a
 11 significant berm that starts about right here and
 12 comes down through here.
 13 COMMISSIONER WHITTON: A berm is not
 14 going to eliminate the lighting problem.
 15 MR. WOOD: We will have plantings on top
 16 of the berm. Tree plantings. Quite a few of
 17 them, actually.
 18 COMMISSIONER WHITTON: Here is my --
 19 we've let Wal-Mart go in there. We've let HyVee
 20 go in there. They are all really lit. You've got
 21 residential behind HyVee, beside of it. You've
 22 got Tall Timbers across the street. Now we're
 23 going to add a ton more lighting to it. I would
 24 like to see you lower those poles down to keep the
 25 lighting even more on your project. I don't know

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1 what kind of lighting you have to have there, but
 2 I've got a neighbor that has got a flood light
 3 that shines right in my bedroom.
 4 MR. WOOD: Sure. Nothing is worse.
 5 COMMISSIONER WHITTON: I know. It
 6 lights up my whole house. But the lighting is a
 7 big problem, especially for these residents. You
 8 see, we're putting more commercial. This is a
 9 commercial project. You are going to make money
 10 off of that, that's why you're doing this.
 11 MR. WOOD: Sure.
 12 COMMISSIONER WHITTON: This is the same
 13 as a commercial project. It is just less abusive
 14 than a, like you said, a gas station or -- which I
 15 would never -- I hope nobody on the City Council
 16 would ever even think about putting something like
 17 that there. It should have been single family.
 18 But I can see this, but I hate to see you do away
 19 with that beautiful tree line down through there.
 20 And the lighting. I go to my daughter's in
 21 Oklahoma and I go down through them little towns,
 22 and every high school has a football stadium and
 23 on Friday night it looks like a flying saucer
 24 lived there, all the way down through there. And
 25 with all this additional light there -- I mean,

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1 yours aren't going to go off after the football
2 game is over. They are going to be on all night.
3 MR. WOOD: Our lights are going to be
4 extremely directional, so they will shine down.
5 If you were to drive to Lenexa right now, you
6 would think we had our lights off.
7 COMMISSIONER WHITTON: I'm not in
8 Lenexa, I'm in Gladstone.
9 MR. WOOD: I know you're in Gladstone,
10 but I mean, it shines on the parking lot. You
11 drive down, you see these other projects,
12 commercial projects, and it is very, very bright.
13 And they do that.
14 COMMISSIONER WHITTON: Yes, it is.
15 We've already got two there. Now we're going
16 farther back into the neighborhood.
17 MR. WOOD: This dark sky compliant
18 lighting and the directional lighting we'll be
19 using, there will be no overflow onto -- that's
20 what the photometric study shows.
21 COMMISSIONER WHITTON: I would just like
22 to say for the record that I hope the City
23 Council, when it gets to them, addresses these
24 problems and makes it as best they can for the
25 neighborhoods back there. Because they've already

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1 been abused with these other two big projects.
2 MR. WOOD: Like I said, we have
3 residents that we have to be concerned about. We
4 don't want lights shining in their eyes.
5 COMMISSIONER WHITTON: Sure.
6 CHAIRMAN TURNAGE: Are you done, Larry?
7 COMMISSIONER WHITTON: That's all I
8 have.
9 CHAIRMAN TURNAGE: Thank you, Larry.
10 COMMISSIONER ALEXANDER: Scott, is that
11 the kind of lights that we put on the Wal-Mart
12 employee parking lot? A similar, where they shown
13 down so they wouldn't affect the nearby homes?
14 MR. WINGERSON: They are similar type of
15 lighting, but they are one step better in terms of
16 their directional capability.
17 COMMISSIONER ALEXANDER: Okay.
18 MR. WOOD: Ours or Wal-Mart's?
19 MR. WINGERSON: The applicant's are one
20 step better.
21 COMMISSIONER MALLAMS: Thank you for
22 addressing our concerns. And I would like to go
23 back to that slide where you've combined the
24 detention basins. And I am going to echo what
25 Larry has said down here. Like him, I was out

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1 there and walked the area today. That east-west
2 tree line is beautiful. Those trees are 12 to 14
3 inches in diameter. If you combined the basins,
4 are you able to save those trees that run
5 east-west on the south part of the property? To
6 me it looks like you could move the basin to the
7 north and still save that tree line.
8 MR. WOOD: I would have to let my
9 engineer speak on that. Right now you can see we
10 need to grade all the way to the property line to
11 make that. Because we have to put a stop or a
12 berm here. It looks like we might be able to save
13 a couple of these trees, but --
14 COMMISSIONER MALLAMS: It is more to the
15 southwest. It provides a nice barrier between
16 your property and them being a resident in that
17 area.
18 MS. BUSTER: In an effort to have a
19 rather simplified exhibit that focuses on the
20 detention basin, the rest of the site grading is
21 not shown on this particular exhibit. The
22 slope -- it looks like there is just a lot of
23 space between the parking and the edge of the
24 basin, but that slope actually continues right up
25 to the parking lot.

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1 So there really isn't any -- I mean, it
2 looks like there is, but there really isn't room
3 to move that farther north. If we could, we
4 would. I think people think that we like to go in
5 and rip and tear and do whatever. When we see
6 nice big trees like that, we do like to save them.
7 To get the proper sizing for the detention basin,
8 which in this case, of course, is not just to
9 handle the 100 year storm event from our property,
10 but we well also be handling the 100 year storm
11 event from the Hy-Vee property, which their
12 current basin doesn't even come close to.
13 COMMISSIONER MALLAMS: It's a mess.
14 MS. BUSTER: You look at their site and
15 how much pavement and rooftop is on that site, and
16 look at our site, and we are really -- we are
17 taking on a significant amount of stormwater that
18 is not generated by our site. That has been a big
19 concern that we've heard from the neighbors about.
20 So in order to accomplish that, this is what the
21 basin looks like. If we push all that further
22 back, it just reduces the size of the basin to the
23 extent that we can't get the necessary volume.
24 There's not enough room in the bathtub to hold the
25 water back and not overtop, not come out over the

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1 top.

2 COMMISSIONER MALLAMS: I know it is hard

3 to visualize. The actual construction, where the

4 parking lots and the facility is, with the open

5 area that is there. But could you not move the

6 basin to the north?

7 MS. BUSTER: The way the site is graded,

8 the grading goes right from the edge of the

9 parking lot, and then a hill down into the basin.

10 So you could not -- you can't shift that slope

11 back. That would push the slope out into the

12 parking lot. Like I said, this looks like there's

13 a big flat spot or something, open space, but it

14 really isn't. From the edge of the parking lot,

15 it is going to slope down right down to the bottom

16 of the basin. So if you shift the basin, you are

17 shifting the slope into the parking area.

18 COMMISSIONER MALLAMS: Another question

19 I have would be for the actual detention basins.

20 Since it allows the water to move slowly out and

21 then to drain, do you ever have problems with

22 standing water then becoming a health hazard?

23 MS. BUSTER: It is designed as a dry

24 detention basin. There is not -- it doesn't have

25 any sort of over-excavation in the bottom to pond

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1 water. The only -- if there was ponded water,

2 that would be an indication that there was

3 something wrong with the outflow structure.

4 Again, the bathtub is a great example. The drain

5 is down at the bottom of the basin. The water

6 will continue to go down to the level of the

7 outlet structure, which is at the very bottom. So

8 you should not have standing water. If you did,

9 then there's a maintenance issue with the pipe.

10 Of course, it is in our ordinance that

11 they are going to have to be responsible for the

12 maintenance of the basin in perpetuity, and that

13 would involve maintenance of the outflow

14 structure.

15 COMMISSIONER MALLAMS: I'm still

16 concerned about that barrier and trying to keep

17 the trees.

18 COMMISSIONER WHITTON: I am too. Mr.

19 Chairman. I think if you look back in the minutes

20 when Gardens was developed, I'm sure we required

21 them to put those trees in there. And now they've

22 grown for 20 years and they're doing something and

23 now we are going to have to take them out.

24 COMMISSIONER RINGHAUSEN: Mr. Chairman,

25 I have another question. You indicated in your

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1 discussions with HyVee that they felt that it was

2 going to cost them so many dollars to just repair

3 what is there now. Has there been any discussion

4 or any consideration of, in an effort to preserve

5 those particular trees, would HyVee potentially be

6 open to additional modifications that would put

7 more of the detention onto their property? Even

8 though it is a combined detention basin between

9 the two entities.

10 MR. WOOD: They actually probably have

11 less space than we do. If you drive out there,

12 their driveway goes almost up to the back side of

13 the detention basin.

14 COMMISSIONER RINGHAUSEN: Is that the

15 line shown -- the dark line there shown by the 976

16 contour?

17 MR. WOOD: Yes, it is. Inside of that

18 is a fence. It is certainly a discussion we can

19 have with them, but I don't think they have much

20 leeway there.

21 COMMISSIONER RINGHAUSEN: I don't have

22 any other questions.

23 CHAIRMAN TURNAGE: Anyone else?

24 MR. WINGERSON: Mr. Chairman, thank you

25 very much. First off I would like to, just by way

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1 of summary, thank the development team for efforts

2 to address the technical criteria. I think they

3 heard information from the hearing. They heard

4 staff in a variety of ways. I thank them for

5 their responsiveness. I would also like to thank

6 the Planning Commission for some very thoughtful

7 questions and examination of the issues. That's

8 important. I know that the City Council

9 appreciates that in making their decision.

10 Staff is recommending approval of this

11 request, and should it ultimately be approved by

12 the City Council, I have no doubt that it will be

13 a first class development and one that the City

14 will be proud of. That said, I think it is really

15 important to reflect what was said tonight, about

16 the lighting and the fixtures and the stormwater

17 detention, the grading and the landscaping and all

18 of that, which is our responsibility and we'll

19 take care of sort of that technical criteria.

20 I wouldn't be doing my job fairly to the

21 Planning Commission, or ultimately to the City

22 Council, if I didn't also express some

23 reservations. The conversation that was held

24 during the public hearing again tonight, the one

25 about spacing and dimension and can't move things

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1 and flexibility and accommodate stormwater
2 capacity. Those are all sort of discussions about
3 density. More than anything else, this
4 application is about density and whether this
5 density as proposed tonight is appropriate for
6 this piece of land and this part of the community.
7 If it is appropriate, then it should
8 move forward to the City Council with a positive
9 recommendation. However, density is the key here.
10 If it is too dense, and some of the flags for
11 density are capacity and movement and the site
12 doesn't accommodate, and those types of phrases
13 make it pretty difficult. To say that it is not
14 10 pounds of potatoes in a five pound sack. So
15 that's kind of the analogy like we were using the
16 bathtub.
17 Again, Staff is recommending approval.
18 I just want to provide the reservation that I am
19 very confident that the City Council will have
20 thorough discussions about the appropriate density
21 of this project. I just wanted to pass that along
22 as sort of a reservation, although we are
23 recommending approval.
24 CHAIRMAN TURNAGE: Thank you, Mr.
25 Wingerson. I would accept a motion for a vote.

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1 COMMISSIONER ALEXANDER: I move that we
2 accept the plan as it stands now under Gladstone
3 city guidance.
4 CHAIRMAN TURNAGE: Okay. Been moved. Is
5 there a second?
6 COMMISSIONER POINDEXTER: I'll second
7 that.
8 CHAIRMAN TURNAGE: It has been moved and
9 seconded. Becky, would you call the roll.
10 MS. JARRETT: Ms. Alexander?
11 COMMISSIONER ALEXANDER: Yes.
12 MS. JARRETT: Mr. Hartman?
13 COMMISSIONER HARTMAN: Yes.
14 MS. JARRETT: Mr. Mallams?
15 COMMISSIONER MALLAMS: Yes.
16 MS. JARRETT: Ms. Poindexter?
17 COMMISSIONER POINDEXTER: Yes.
18 MS. JARRETT: Mr. Ringhausen?
19 COMMISSIONER RINGHAUSEN: No.
20 MS. JARRETT: Ms. Van Duser?
21 COMMISSIONER VAN DUSER: Yes.
22 MS. JARRETT: Mr. Ward?
23 COMMISSIONER WARD: Yes.
24 MS. JARRETT: Mr. Whitton?
25 COMMISSIONER WHITTON: No.

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1 MS. JARRETT: Mr. Yarber?
2 COMMISSIONER YARBER: Yes.
3 MS. JARRETT: Chairman Turnage?
4 CHAIRMAN TURNAGE: Yes. The motion
5 carries. The City Council will consider this in
6 March, is that correct?
7 MR. WINGERSON: Yes. We'll get notice
8 out to the neighbors of the specific date.
9 CHAIRMAN TURNAGE: Okay. Thank you very
10 much.

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C E R T I F I C A T E

1
2
3 I, JAMES A. LEACOCK, Certified Court Reporter,
4 do hereby certify that I appeared at the time and place
5 hereinbefore set forth; I took down in shorthand the
6 entire proceedings had at said time and place, and the
7 foregoing 42 pages constitute a true, correct and
8 complete transcript of my said shorthand notes.
9 Certified to this 24th day of February, 2014.
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James A. Leacock, CCR.
Certified Court Reporter No. 662 (G)
Notary Public, State of Missouri

Page 1

1 CITY OF GLADSTONE, MISSOURI
2 PLANNING COMMISSION MEETING
3
4 FEBRUARY 18, 2014
5 7:30 P.M.
6
7
8 TRANSCRIPT OF PROCEEDINGS
9 In Re: Public Hearing - A Site Plan and Rezoning
10 of property generally known as 2801 and
11 2901 N.E. 72nd Street. File #1387.
12
13 Held at City of Gladstone City Hall,
14 7010 North Holmes Street, in Gladstone, Missouri.
15
16 A P P E A R A N C E S :
17 Planning Commission:
18 Mr. Bill Turnage, Chairman
19 Mr. Don Ward, Member
20 Mr. Larry Whitton, Member
21 Mr. Kyle Yarber, Member
22 Mr. Alan Ringhausen, Member
23 Ms. Shari Poindexter, Member
24 Mr. R.D. Mallams, Member
25 Ms. Anne Alexander, Member
26 Mr. Shawn Hartman, Member
27 Ms. Sarah Van Duser, Member
28
29 Mr. Scott Wingerson, Assistant City Manager
30 Ms. Becky Jarrett, Administrative Assistant

Page 2

1 CHAIRMAN TURNAGE: The next item is a
2 continuation of a site plan, rezoning property
3 generally known as 2801, 2901 Northeast 72nd
4 Street. This is not a public hearing tonight, so
5 those of you in the audience will not have a
6 chance to speak publicly tonight. However, if
7 this is approved and sent on to the City Council,
8 there will be a public hearing and you will have
9 an opportunity to speak then at that time.
10 If you have any questions, any concerns,
11 anything to bring up after the meeting, I'm sure
12 Scott Wingerson, Assistant City Manager, will be
13 here to try to address those, or maybe during the
14 week, during business hours would be fine, too.
15 Okay? Scott.
16 MR. WINGERSON: Chairman Turnage and
17 members of the Planning Commission, thank you very
18 much. First off, Chris Helmer normally would do
19 this. He is sick and couldn't be with us tonight,
20 so I will do my best to fill in his place.
21 I thought we would start by going
22 through the contents of your packet to get
23 everybody on the same page. Go over the draft
24 ordinance. Allow the developer to make a
25 presentation from the Public Hearing last time.

Page 3

1 Of course, allow the Planning Commission to ask or
2 answer any questions that they may have, and then
3 I would like to reserve some time at the end for a
4 summary and your possible actions moving to the
5 City Council.
6 So in your packet is the transcript.
7 Special thanks to Cross Reporting for their great
8 work on a tight time schedule. Also in your
9 packet is a memo from Chris that just sort of
10 highlights the issues from the public hearing and
11 their response in a narrative form.
12 The draft ordinance with a red line.
13 We'll spend some time going through that in just a
14 second. And supplemental information from the
15 developer is the majority of your packet. Support
16 for the new retirement community. It kind of
17 looks like a petition in your packet. Letters
18 from other cities, things like that. Site plan.
19 Just to get everybody on the same page and
20 refreshed with what we're talking about. An
21 exhibit regarding 72nd Street. An exhibit
22 regarding drainage. An exhibit regarding tree
23 preservation. An exhibit regarding site
24 distances. And an exhibit regarding train
25 movements at 72nd Street.

Page 4

1 So that's kind of what is in your
2 packet. All of those are issues and responses to
3 issues raised in the Planning Commission public
4 hearing.
5 In terms of the draft ordinance, really
6 just for understanding what is in your packet, is
7 a red lined and blue lined version. Red lines are
8 cross-throughs or changes and blue lines are
9 additions.
10 The first condition was to donate
11 right-of-way to allow for 72nd Street widening.
12 That condition has been removed and the developer
13 will explain that there is sufficient right-of-way
14 to allow the expansion of 72nd Street the way it
15 exists today.
16 Condition 3.2 originally said something
17 to the effect of manicured storm water detention
18 basin. That has been revised to allow for a
19 natural planting bottom and manicured side slopes.
20 Condition Number 6 required originally a
21 six-foot chain link fence all the way around the
22 property. That has been revised based on public
23 hearing comments to primarily be on the south side
24 for the protection of children that live in the
25 homes adjoining the property. And a fence and a

<p>1 gate at the entrance to 72nd Street.</p> <p>2 Condition Number 10 has been changed.</p> <p>3 The applicant has submitted a photometric study</p> <p>4 and agreed to use ground mounted lighting where</p> <p>5 possible. Exterior low-impact lighting package</p> <p>6 shall be in accordance with City Code and will be</p> <p>7 approved by the City. Full cutoff fixtures shall</p> <p>8 be utilized to limit lighting to zero foot-candles</p> <p>9 beyond the property line.</p> <p>10 Condition Number 17. A minimum</p> <p>11 installed size of shrubs shall be 24 inches in</p> <p>12 height and the size of trees shall be two-inch</p> <p>13 caliper. That is a revision from the previous</p> <p>14 submittal. Provide a tree preservation plan.</p> <p>15 Originally it said focus on the south and east</p> <p>16 property lines. That has been stricken.</p> <p>17 Condition number 20 has been removed in</p> <p>18 its entirety. It read at the time, "Exterior</p> <p>19 lighting shall be designed, installed and</p> <p>20 maintained to reduce any impact on the surrounding</p> <p>21 neighbors."</p> <p>22 Then Condition 19 is new, it has been</p> <p>23 added. This is a condition that Staff has been</p> <p>24 working with the developer since the original</p> <p>25 discussions. It has to do with mitigating the</p>	<p>Page 5</p> <p>1 MR. WINGERSON: Developer.</p> <p>2 MR. WOOD: How are you doing? My name</p> <p>3 is Gibb Wood. I am the managing partner of Scenic</p> <p>4 Development who is developing Maple Woods. Just</p> <p>5 to refresh your memory, that we are proposing a</p> <p>6 continuing care retirement community. Well, I'll</p> <p>7 go on. Anyway, continuing care retirement</p> <p>8 community that will have 46 units of independent</p> <p>9 living, 34 units of assisted living. There we go.</p> <p>10 And a 40-bed nursing facility.</p> <p>11 These are renderings of the project. It</p> <p>12 is going to be two-story on the independent</p> <p>13 living, assisted living. And the skilled nursing</p> <p>14 will be one story. This is the back, the skilled</p> <p>15 nursing. This is where most of the neighbors will</p> <p>16 face that are adjacent to the project. And this,</p> <p>17 again, is our Lenexa project, so you can see it is</p> <p>18 very similar to our renderings. Very residential</p> <p>19 in appeal, especially the backside where the</p> <p>20 skilled nursing portion is, which would be the</p> <p>21 lower picture.</p> <p>22 What I would like to do is go over some</p> <p>23 of the comments and concerns that came up in the</p> <p>24 last meeting. Go through each one of those. One</p> <p>25 of the concerns brought up was fire protection.</p>
<p>Page 6</p> <p>1 impacts of this development on emergency services.</p> <p>2 The condition reads, "Prior to the issuance of</p> <p>3 development permits, the applicant shall provide</p> <p>4 \$100,000 in escrow to mitigate impacts of this</p> <p>5 development on emergency services. In addition,</p> <p>6 the applicant is exploring alternative funding</p> <p>7 mechanisms that will need to be acceptable to the</p> <p>8 City. It is the applicant's responsibility for</p> <p>9 securing necessary approvals."</p> <p>10 Pause there for just one moment. That</p> <p>11 is not a land use condition. That is not</p> <p>12 something that the Planning Commission has seen or</p> <p>13 anything relative to that. That is really under</p> <p>14 the jurisdiction of the City Council to address</p> <p>15 these impacts as it relates to emergency services.</p> <p>16 So I would ask that you kind of set that aside and</p> <p>17 allow the City Council to take up Condition Number</p> <p>18 19 and focus on Conditions 1 through 18.</p> <p>19 With that, I would be glad to answer any</p> <p>20 questions. I know the developer has a</p> <p>21 presentation to address each and every one of</p> <p>22 those exhibits. I may kick it over to them if it</p> <p>23 is okay with you, Chairman Turnage.</p> <p>24 CHAIRMAN TURNAGE: Questions? Not at</p> <p>25 this time?</p>	<p>Page 7</p> <p>1 We will have fire hydrants strategically placed</p> <p>2 around the building, and that will be approved by</p> <p>3 the fire chief prior to the issuance of our</p> <p>4 building permits. In addition, the building is</p> <p>5 going to be sprinkled at NFPA-13, which is the</p> <p>6 highest for residential properties. This is what</p> <p>7 is required for nursing homes. Independent living</p> <p>8 only requires a 13-R, which is a lower level.</p> <p>9 However, it is our company policy to go to the</p> <p>10 NFP-13, which is a higher level. So in other</p> <p>11 words, all the rooms, all the closets and any void</p> <p>12 spaces will have a sprinkler head in them.</p> <p>13 Another issue was, someone was concerned</p> <p>14 that all of our other projects are built on flat</p> <p>15 sites and this is a sloping site, and that we may</p> <p>16 not have the expertise to do that. Actually our</p> <p>17 Lenexa site slopes -- well, this site, from this</p> <p>18 corner to this corner, is a 22-foot slope. It</p> <p>19 goes from 966 to 944. Our Lenexa project, it is</p> <p>20 actually the opposite corner, from this corner to</p> <p>21 that corner slopes 44 feet, so it is twice as</p> <p>22 steep as this lot. It goes from 1,024 feet down</p> <p>23 to 980 feet. So in actuality, this is a flatter</p> <p>24 site than our last project. So we do have</p> <p>25 expertise at building on sloping sites. And</p>

<p style="text-align: right;">Page 9</p> <p>1 sloping sites does allow us to have a basement 2 garage, which we'll have here. So we'll have 3 underground parking, which is less obtrusive to 4 the neighbors. 5 The other issue that came up is 6 ambulance. We have agreed with the City -- or we 7 have agreed with the Staff that after hours the 8 ambulance will come to this area and it will not 9 come to the back of the building. So that will 10 mitigate some of the effects of ambulances coming 11 to the project. In other municipalities we 12 request that the ambulance service turn their 13 lights and sirens off once they get past the last 14 intersection, which would be at 72nd and Antioch. 15 The reason we do that, is because this is the home 16 for our residents. And ambulances coming to our 17 facility will disturb them, especially at night. 18 So we don't want our residents disturbed by the 19 lights or by the sound, much as I'm sure the 20 neighbors don't want to be disturbed by that 21 either. 22 The other issue Scott addressed, the 23 City is at near capacity on ambulance service. So 24 we have committed to put that \$100,000 in escrow. 25 The next issue that was brought up was</p>	<p style="text-align: right;">Page 11</p> <p>1 The other issue that was brought up 2 concerning the drainage was Art Lambart. His 3 property is right here, (indicating). This is our 4 proposed detention pond. We had to tie into this 5 outlet from the HyVee detention pond. He was 6 concerned about the welfare of his children with 7 the construction going on back there. So we had 8 met with Art also, and we talked with him about 9 fencing in all of that area. There is a permanent 10 maintenance easement back there, so we have the 11 right to go on that property. However, we wanted 12 to make sure that he is okay with how we do it. 13 So we've met with him. We will fence all of that 14 in so his children won't have access to it. And 15 it will be about a two-day job once we get to it, 16 so it will be real quick. It will be one of the 17 first things done on the project, because grading 18 is always one of the first items done. 19 So if there's any further settlement -- 20 cause sometimes when you dig a trench it settles. 21 So we'll be on the site for another year before 22 we're done, so he can -- if there's any issues, he 23 can go to our job superintendent to get those 24 handled. So he said he is willing to work with us 25 on it.</p>
<p style="text-align: right;">Page 10</p> <p>1 drainage. There was concern about drainage 2 flowing onto 72nd Street, and Dr. Ballard's place 3 receives a lot of drainage from this site also. 4 The blue line shows the current drainage ridge. 5 So everything here will flow to the northeast, and 6 everything on this side of it flows to the south 7 and southwest. Our project, once it is complete, 8 this ridge will change to where the red line is. 9 So if you can see, these will drain into 10 collection areas here and here, and then will be 11 piped down to the detention pond. So this area in 12 gray will stop draining towards 72nd Street and 13 towards Dr. Ballard's house and will now drain to 14 the southwest corner. Jordan Anderson, our 15 project manager, did meet with Dr. Ballard, and 16 she still has concerns about the whatever is left 17 over, draining on her property. 18 So to alleviate that, we'll have to work 19 with the City, because we have to put a berm 20 somewhere along through here. And there are a lot 21 of trees there at this point, so we'll have to 22 work with Staff to see how we can put a berm in 23 there and keep as many trees as possible. I know 24 the Staff had wanted tree preservation on the east 25 side.</p>	<p style="text-align: right;">Page 12</p> <p>1 The other thing, too, is that we will 2 alleviate some of the issues with HyVee. Now, Joe 3 Arce had brought up, he thought it would be a good 4 idea to tie these two detention basins in 5 together. When HyVee did their detention basin, 6 which is right here, the standards back then were 7 not as stringent as they are now. So it was built 8 to handle a 25 year rain event. And currently the 9 condition that it is in, it won't even handle 10 that, so it over-tops quite frequently. HyVee is 11 planning on cleaning that out this spring. 12 However, we have approached HyVee, and they are 13 open to combining the two detention basins. So if 14 we do that, this is what that would look like. So 15 it would be all of this here. And this would then 16 be -- this is designed, as it sits, to contain a 17 100 year event, both on our property and HyVee's. 18 So it should alleviate the problem that HyVee is 19 having with over-topping their dam. 20 The other issue that came up was 21 traffic. Concerns about site distance. You can't 22 see this very well, but the minimum site distance 23 requirement is 385 feet. Our project is 407 feet 24 of site distance going east on 72nd to our 25 driveway. Going west, the required is 445 feet,</p>

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1 and we have well over 800 feet of site distance.
 2 So we meet and exceed the required site distance
 3 requirements.
 4 Another issue -- here is a photograph
 5 that shows. We are standing -- this photograph
 6 was taken actually further back from the 407 feet.
 7 And that car you can see, that red car is in our
 8 driveway. So you can still see vehicles coming
 9 out of there even from further back.
 10 The other issue that came to our
 11 attention is semis that go into Wal-Mart, and
 12 there are several semis that show up at once and
 13 they back up and they can't pull in and park, so
 14 they end up parking in the center lane waiting for
 15 a turn to come in. So our engineers drew this
 16 diagram to show that even if the semis are parked
 17 out here, people in our project can still turn
 18 left onto 72nd Street, or people coming up 72nd
 19 Street can still turn in to our project. So those
 20 semis won't affect our project or the traffic
 21 coming in and out of our project. Regardless of
 22 what kind of use goes into this land -- I mean,
 23 that's still an issue -- but our driveway is set
 24 up in such a manner that that won't affect our
 25 project or the traffic flow.

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1 The Traffic Study showed that this
 2 project will have a minimal effect on the traffic.
 3 The most effect it will have is during peak time.
 4 The traffic engineer used standards for set up for
 5 CCRC requirement communities, which showed
 6 staffing to take place during peak hours of 7:30
 7 to 8:15 and then 6:45 to 7:30. However, all of
 8 our shift changes in all of our buildings are
 9 either at 6:00 o'clock in the morning or 7:00
 10 o'clock in the morning. So our shifts are 6, 2
 11 and 10, or they are 7, 3 and 11. So none of our
 12 shifts, which are the most active time for
 13 traffic, are during the peak hours of 7:30 to 8:15
 14 or 4:45 to 5:30. So we'll have minimal effect on
 15 those peak hours.
 16 The other thing I wanted to point out is
 17 the other potential uses for our site. Obviously
 18 commercial will have higher impact than our
 19 proposed use. Apartments will have a higher
 20 impact than our proposed use. And so will any
 21 retail that could go in there would also have
 22 that, or an office building. The only thing
 23 really -- it is zoned currently for single-family
 24 residential. As you can see right here, Agnes
 25 dead ends. So any developer that wants to put

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1 single-family on this project will want to connect
 2 up Agnes to 72nd Street. And if that happens,
 3 this now becomes a cut-through from Agnes to 72nd
 4 Street, so that will create a lot more traffic at
 5 this area.
 6 In addition, even if that street wasn't
 7 allowed, residential, for the density required to
 8 make this economically feasible, would create more
 9 traffic than our project would. So really, the
 10 only thing that -- aside from a park, there is
 11 really not -- or a cemetery, there is really
 12 probably not a use that has less impact than our
 13 use.
 14 In addition, if there is single-family
 15 residential, there is going to be a lot of street
 16 lights on this project. So not only from a
 17 traffic standpoint, but from a lighting
 18 standpoint, our project will have less impact than
 19 how it is currently zoned.
 20 I did include a letter from the City of
 21 Lenexa. Our project in Lenexa, this letter states
 22 that there are no traffic impacts or concerns that
 23 they are aware of. The project we have in Lenexa
 24 is at the corner of 87th and Pflumm. So it is a
 25 block north of 87th. So 87th is every bit as

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1 traveled, probably more so, than Antioch is. It
 2 is the main street through Lenexa. And Pflumm is
 3 a two-lane road in front of our building, with
 4 similar site distance issues. Its traffic count
 5 is 10,924, and 72nd Street's traffic count is
 6 10,330. So the traffic count is very similar,
 7 however, we have four lanes in front of our
 8 building, as opposed to two in Lenexa. So I think
 9 it is pretty comparable, but a little better
 10 situation, and they haven't had any issues with
 11 the traffic at our building there in Lenexa.
 12 There are also two letters, one from the
 13 City of Grimes, Iowa, where we have a similar
 14 project, and then a letter from Sedalia. Both of
 15 them stating that not only we are good citizens,
 16 but our projects create very little impact. I
 17 think those letters were included in the packets.
 18 The next issue is the lighting issue.
 19 Right now, if you remember from the first meeting,
 20 they requested that we do no pole lighting behind
 21 the front portion of the building. And as we
 22 indicated, we really couldn't do that and meet our
 23 requirements, Federal requirements for life safety
 24 codes for nursing homes. Really the only
 25 alternative, and one of the alternatives we have

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1 here is to use wall lighting and bollards or
2 ground lighting wherever possible. Really, if we
3 did do that without light poles, we would actually
4 have a worse lighting situation, because
5 wall-mounted lighting needs floodlights. So it
6 would be on the building flooding out into the
7 parking lots and towards the neighbors. So that
8 really isn't a good alternative.

9 What we're showing here is reducing the
10 pole lighting to 12 feet. So we have actually
11 more lights than we previously had shown. So here
12 we have five lights on the west side and about
13 seven now. However, they will be lower profile,
14 so they will have less effect on the neighbors.
15 And we're happy to do that.

16 The other thing, too, is that we've
17 agreed to a low impact lighting package. The same
18 lighting package used in Lenexa. However, we have
19 decided to change that and increase it one step
20 further. We are going to be using dark sky
21 compliant lighting. So that lighting will reduce
22 lighting even more. This photometric study shows
23 that. One of the reasons we do this, is not only
24 for the neighbors, but for our residents. I don't
25 know if any of you have been to our project in

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1 Lenexa at nighttime. I know some of the residents
2 that surround it have. But as can you see, we
3 have zero foot-candles up next to the building.
4 If you could read this, we have very small
5 foot-candles right next to the building, because
6 this is our residents' home and nothing is worse
7 than having lights shining into your home. I'm
8 sure you've all stayed in a motel where there is
9 lighting, and that light just shines in all night
10 long. That's one of the main reasons we want to
11 go with this.

12 What we have in Lenexa would work fine,
13 it exceeds city standards, but we are going to
14 take it up one more step to this dark sky
15 compliance. Some cities and municipalities are
16 adopting that code. So we have guidelines to
17 follow on that.

18 The City requirements is that our light
19 shed overflow cannot be more than 10 feet past our
20 property line or into the neighbors. And as you
21 can see here, this is zero foot-candles. And
22 these are all zero foot-candles. So we won't have
23 any light shed within 300 feet of these neighbors.
24 So we'll be actually well within the boundary of
25 our property. This is a light fixture we used in

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1 Lenexa. You've probably seen similar ones. They
2 are directional. They keep the light from
3 overflowing too much. This is the dark sky
4 compliant. So the way it will be designed, is all
5 of these light poles will be on the outside
6 pointing towards the building, so that none of
7 them will be pointing back towards the neighbors.

8 This lens is recessed in there. So not
9 only is it an LED light that can be directional,
10 the lens are recessed, so this can be put in a
11 very directional manor. One of the issues, I know
12 that folks have with pole lighting, is that even
13 though there won't be any light shed, you can
14 still occasionally see the bulb. With this light
15 fixture, the neighbors to the rear, they are
16 approximately four to six feet below the back of
17 the building, but they are also 300 feet away. So
18 our engineer tells us that -- our lighting
19 contractor tells us they should not be able to see
20 the bulb. That's one of the reasons for the
21 recess on this.

22 We did our very first neighborhood
23 meeting, we invited residents in Tall Timbers and
24 in North Haven Gardens to come visit our project
25 in Lenexa, and we had about 12 people show up.

Page 20

1 The folks that showed up that are adjacent to the
2 building are Pat Anthony, Linda Estes, Don and
3 Jesse Kittelson and Walt and Donna Kelly. They
4 came, and it was at evening time. So they all got
5 to see the building, and they all got to see how
6 the lighting functioned at that project. And all
7 of them are supporters of this project. As you
8 can see, three of them back to the building and
9 they have no concern.

10 If it is appropriate -- I don't know if
11 it is appropriate or not. I know the Kittelsons
12 are here, if you want to ask them a question about
13 the lighting, I think they would be willing to
14 speak. Is it appropriate?

15 CHAIRMAN TURNAGE: I don't think so.

16 MR. WOOD: That's fine. Everybody -- I
17 have yet to meet somebody who has actually visited
18 our building that isn't for the project. But I
19 don't know -- we've had some people drop in that I
20 am not aware of. Everybody that has visited that
21 project is for the project.

22 The next issue is landscaping.
23 Initially we were requested to use 10 gallon
24 shrubs, which we found out were not always
25 commercially available, or very seldom

1 commercially available, and three-inch calipers in
 2 all our trees. So instead, we've gone with a
 3 minimum shrub size, 24 inches, and then two inches
 4 caliper on the trees. This was our adjusted --
 5 this was our plant schedule from previous. And
 6 you see we have two and a half inch caliper on the
 7 trees, and one and a half inch on the ornamental
 8 trees, so we'll adjust those up to two inches. It
 9 is harder to get ornamental trees much over two
 10 inches in caliper. And then we will adjust our
 11 shrub schedule to show that minimum of 24 inches.

12 One of the issues, going back to HyVee.
 13 We've worked with HyVee in the past on other
 14 projects. So we are going to approach HyVee about
 15 the lights on their building, and working with
 16 them and try to get them to be dark sky compliant
 17 also. Because we have issues with our residents,
 18 too. Those lights will be shining in our
 19 residents' eyes. So I anticipate they will be
 20 open to it and try to work something out with them
 21 some way to make that work. So we'll be setting
 22 up a meeting with them in Des Moines to go over
 23 those issues.

24 The other landscaping issue was the tree
 25 preservation plan. We are asked to see if we

1 could preserve trees on the east and southwest.
 2 These grayer lines here are the existing trees and
 3 tree line. And we are able to save quite a few
 4 trees along the east side that abutt up to Dr.
 5 Ballard's property. There is a tree or two up
 6 here we can save. I think there's a couple trees
 7 right here. However, we were not able to save
 8 these trees down here. That is where the
 9 detention pond is. And the grading of the
 10 detention pond is such that there is just no way
 11 to save those trees. However, you can see there
 12 is a fairly substantial berm right here, a level
 13 berm. So what we plan on doing is spading in
 14 trees where those trees -- oak trees used to
 15 exist, and use a larger tree than the three
 16 caliper tree. A tree that will require a tree
 17 spade. So we'll replace them with as large a tree
 18 as feasible. Because I think you know, if you do
 19 too big a tree, the chance of survival is slim.
 20 So you got to reach a happy medium on it. We are
 21 perfectly willing to replace those trees with a
 22 tree spade.

23 The other issue is, if the HyVee pond
 24 goes in, we cannot obviously replace those trees
 25 there. However, we do have a berm here that we

1 could spade in trees on there also.

2 One of the things that I wanted to point
 3 out was the need for Clay County and for
 4 Gladstone. The State has determined that Clay
 5 County has an assisted living bed need of 87 beds,
 6 and a nursing facility need of 477 beds. So it is
 7 quite a huge need. We had our own market study
 8 done by Moore Diversified Services out Of Fort
 9 Worth, Texas, and they are nationally known for
 10 the market studies for senior housing. And they
 11 determined what the market area was for our site,
 12 and they determined six to eight miles -- a six to
 13 eight mile radius around this current location.
 14 And they determined there's a need for 107
 15 independent living units, 75 assisted living units
 16 and 175 nursing units. So what this shows is that
 17 right here in Gladstone, in this immediate area,
 18 is really the largest need. Because most of that
 19 Clay County need is right here. So there's a huge
 20 need for your senior citizens and people for this
 21 type of project.

22 Another thing is that, most people think
 23 the baby boomers are driving a lot of this. But
 24 the average age of people living in our projects
 25 are between 83 and 85 years old. So baby boomers

1 don't hit our project for another 18 to 20 years.
 2 So this need is going to go on and on and on for a
 3 long, long time.

4 Just some of the benefits to this
 5 project. This is an infill project, it is totally
 6 underutilized from a tax standpoint, so it will
 7 create additional tax revenues for all taxing
 8 jurisdictions. As I pointed out before, it is
 9 going to be probably the lowest impact use,
 10 feasible impact use, and it provides housing for
 11 Gladstone senior citizens. Right now Gladstone
 12 has two older assisted livings that are both full.
 13 Actually they are not even assisted livings. They
 14 are licensed as RCF's, residential care
 15 facilities. So they cannot even provide the level
 16 of care that we can provide in assisted living.
 17 But they are both full. And the only other thing
 18 in Gladstone is an income restricted independent
 19 living. So if you want market rate independent
 20 living, or if you want a nursing home, or if you
 21 want a modern assisted living, you have to leave
 22 Gladstone. And in the Northland, all of the newer
 23 projects are all full and with waiting lists. So
 24 then you have to settle for a project that is
 25 either not performing as well or you have to go on

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1 a waiting list.

2 Secondly, we provide housing for the

3 adult children of Gladstone who want to bring

4 their parents in. 30 percent of the people living

5 in our project will be the parents of adult

6 children who live in the Gladstone market. Their

7 parents can live somewhere else in the

8 metropolitan area or out of state. We have people

9 from seven different states in our Grimes project.

10 People move back in.

11 And lastly, people who live in Gladstone

12 who move into our project, this will free up

13 housing for younger residents to move back into

14 Gladstone. So that's all I have, and if you have

15 any questions I would be --

16 CHAIRMAN TURNAGE: Let's find out.

17 Questions?

18 COMMISSIONER RINGHAUSEN: Mr. Chairman,

19 a handful of questions for you. Did I follow your

20 presentation correctly, the combining of the storm

21 water detention from this property and HyVee, is

22 that a done deal or is that still being discussed

23 with HyVee?

24 MR. WOOD: It is still being discussed

25 with HyVee. But their exact words were, we're

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1 open to it. They understand that they have an

2 issue back there.

3 COMMISSIONER RINGHAUSEN: If you

4 wouldn't mind, could you go back to the slide with

5 that?

6 MR. WOOD: Sure.

7 COMMISSIONER RINGHAUSEN: Which is

8 essentially the ridge line break for existing

9 drainage and future drainage. I appreciate this

10 figure in particular, because it is a good one, I

11 think, in terms of illustrating the situation.

12 The current site is trees and grass.

13 MR. WOOD: Uh-huh.

14 COMMISSIONER RINGHAUSEN: With the

15 addition of this development, the amount of

16 pavement and roofs obviously is going to increase

17 because there's currently nothing there.

18 MR. WOOD: Sure.

19 COMMISSIONER RINGHAUSEN: So in general,

20 is it safe to say that the amount of water, as you

21 have identified here -- the amount of storm water

22 that you have identified here flowing to the

23 southwest, would necessarily increase as it is

24 flowing to the southwest? I hope I just made

25 myself clear in that question.

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1 MR. WOOD: Actually I will let our

2 engineers answer that question.

3 MS. SHANNON BUSTER: In answer to your

4 question, yes, obviously when you increase

5 impervious area on a site, it is going to increase

6 the amount of runoff, which is why we put in the

7 detention basin. So the gray area, and then the

8 area from the other parking, the area that is

9 close to the southwest, all that water is going to

10 be captured in a system of curb inlets and storm

11 sewers and it will all discharge into the basin,

12 which basically has a small outlet structure

13 allowing water to pond up and be released from the

14 site more slowly. So the rate at which how fast

15 the water leaves the site, it will actually go

16 down, because there is a large holding pond where

17 water can back up and slowly be released back into

18 the public system.

19 COMMISSIONER RINGHAUSEN: I appreciate

20 that. It is the bathtub principle. It takes less

21 time to fill a bathtub than it does to empty a

22 bathtub.

23 MS. BUSTER: Precisely.

24 COMMISSIONER RINGHAUSEN: Did I

25 understand you correctly when you said that

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1 previous to the discussions with HyVee to merge

2 those two ponds, your pond was 100 year detention

3 pond?

4 MS. BUSTER: Yes, that's correct.

5 COMMISSIONER RINGHAUSEN: Thank you.

6 There was another graphic that you showed, and I

7 don't remember if it is prior to in your slide

8 deck or after your slide deck, but if the

9 discussions with merging the detention ponds with

10 HyVee doesn't go through, you've got a pipe that

11 connects to an existing discharge outlet from the

12 HyVee property.

13 MR. WOOD: Right here.

14 COMMISSIONER RINGHAUSEN: With the

15 combination of HyVee, which may be further on in

16 your slide deck there. Is that to say that the

17 existing pipe -- yes, "Existing pipe to remain."

18 So you are intending to utilize that same pipe?

19 MR. WOOD: Yes. Right now there's a

20 pretty good chance that pipe is clogged. Or at

21 least not at its full capacity. If that's the

22 situation, we wouldn't have to get onto Mr.

23 Lambart's land at all.

24 COMMISSIONER RINGHAUSEN: Really just

25 one more question. I am shifting gears here to

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1 lighting. Did I understand, I think previously
2 you had mentioned the light fixtures or the light
3 poles, and we talked a little bit about spacing of
4 the lights to throw the right amount of
5 foot-candles and things of that nature. I heard
6 tonight 12 foot poles. Is that across the entire
7 site or is that just on the southwest parking
8 side.
9 MR. WOOD: Right now we're showing 12
10 foot -- let's see here. Let me make sure. Yeah,
11 right now we're just showing the 12 foot on this
12 southwest portion, because there's no tree buffers
13 here. So over here we have nothing across the
14 street. We do have Pat Anthony's house here,
15 however, from an elevation standpoint, there's not
16 that much change. Then we do still have the tree
17 buffers all through here.
18 COMMISSIONER RINGHAUSEN: So you would
19 have a 16 foot pole everywhere except on that
20 southwest portion there?
21 MR. WOOD: Yep.
22 COMMISSIONER RINGHAUSEN: But your
23 fixtures would all be the dark sky compliant?
24 MR. WOOD: All fixtures will be the dark
25 sky, yes.

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1 COMMISSIONER RINGHAUSEN: Thank you. I
2 have no other questions.
3 COMMISSIONER WHITTON: Mr. Chairman.
4 There is an alternative to this, it could be
5 single family. I mean, you pointed out it could
6 be commercial --
7 MR. WOOD: Sure.
8 COMMISSIONER WHITTON: -- it could be
9 this, it could still -- and I have lived here all
10 my life, and I would love to see that as single
11 family. Always have. It is a beautiful piece of
12 property.
13 The water run-off down there toward Ms.
14 Ballard's place. I have been there many times at
15 her house towing her cars and picking them up and
16 delivering them. And there's a terrible problem
17 there now already with drainage and erosion in her
18 driveway and stuff. So I really think -- I hope
19 you take care of that. I'm talking about the City
20 Staff staying on top of it to make sure it is done
21 right. I went to -- I walked the whole thing
22 again today, and the HyVee, it is terrible. It is
23 a mess.
24 MR. WOOD: They told me they are going
25 to have to spend \$50,000 to clean it up.

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1 COMMISSIONER WHITTON: I hate that they
2 have to do that. It is like all these projects,
3 you approve them with this to be done, and then
4 down the road. I walked between the Gardens,
5 which I own a home in the Gardens. But that tree
6 line down through there is beautiful, and I hate
7 to see you remove those trees, because that's
8 going to eliminate a lot of lighting going in
9 there and the noise. It is a buffer for that.
10 MR. WOOD: Yeah. We do have a berm, a
11 significant berm that starts about right here and
12 comes down through here.
13 COMMISSIONER WHITTON: A berm is not
14 going to eliminate the lighting problem.
15 MR. WOOD: We will have plantings on top
16 of the berm. Tree plantings. Quite a few of
17 them, actually.
18 COMMISSIONER WHITTON: Here is my --
19 we've let Wal-Mart go in there. We've let HyVee
20 go in there. They are all really lit. You've got
21 residential behind HyVee, beside of it. You've
22 got Tall Timbers across the street. Now we're
23 going to add a ton more lighting to it. I would
24 like to see you lower those poles down to keep the
25 lighting even more on your project. I don't know

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1 what kind of lighting you have to have there, but
2 I've got a neighbor that has got a flood light
3 that shines right in my bedroom.
4 MR. WOOD: Sure. Nothing is worse.
5 COMMISSIONER WHITTON: I know. It
6 lights up my whole house. But the lighting is a
7 big problem, especially for these residents. You
8 see, we're putting more commercial. This is a
9 commercial project. You are going to make money
10 off of that, that's why you're doing this.
11 MR. WOOD: Sure.
12 COMMISSIONER WHITTON: This is the same
13 as a commercial project. It is just less abusive
14 than a, like you said, a gas station or -- which I
15 would never -- I hope nobody on the City Council
16 would ever even think about putting something like
17 that there. It should have been single family.
18 But I can see this, but I hate to see you do away
19 with that beautiful tree line down through there.
20 And the lighting. I go to my daughter's in
21 Oklahoma and I go down through them little towns,
22 and every high school has a football stadium and
23 on Friday night it looks like a flying saucer
24 lived there, all the way down through there. And
25 with all this additional light there -- I mean,