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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. WINGERTSON: 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. WINGERTSON: 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

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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

