



CITY OF WESTWOOD, KANSAS

PLANNING COMMISSION MEETING

4700 RAINBOW BLVD. WESTWOOD, KS 66205

Monday, January 08, 2024 at 7:00 PM

AGENDA

Welcome to your Westwood City Council meeting. This meeting may be attended remotely via Zoom:

Access Online: <https://us02web.zoom.us/j/89009964959>

Access by Phone: (312) 626-6799 / **Webinar ID:** 890 0996 4959

[Note: This agenda is subject to changes, additions, or deletions at the discretion of the Governing Body]

REGULAR MEETING AGENDA

I. CALL TO ORDER

II. APPROVAL OF THE AGENDA AND MEETING MINUTES

A. Consider approving the November 6, 2023 Planning Commission meeting minutes

B. Consider approving the January 8, 2024 Planning Commission meeting agenda

III. PUBLIC HEARINGS

IV. PRESENTATIONS

A. Everygy Report on Service Continuity and Improvements (Scott Jones, Senior Community Business Manager)

V. OLD BUSINESS

VI. NEW BUSINESS

A. 2024 Issues of General Interest and Training Needs and Requests

VII. ANNOUNCEMENTS/PLANNING COMMISSIONER COMMENTS

VIII. STAFF REPORTS

A. Administrative Report (City Administrator Leslie Herring)

B. Public Works Report (Public Works Director John Sullivan)

IX. UPCOMING ITEMS

X. ADJOURNMENT

UPCOMING MEETINGS

Regular meetings of the Westwood Planning Commission are held at 7:00 PM on the first Monday of each month. The next regular meeting of the Westwood Planning Commission will be held February 5, 2024, at 7:00 PM at Westwood City Hall or virtually, depending on current public health protocols in place. The City Calendar may be accessed at www.westwoodks.org. To receive further updates and communications, please see or sign up for the following:

Westwood Buzz Email: <https://bit.ly/3wA4DWx>

Facebook: [City of Westwood Kansas-Government](#)
[Westwood, KS Police Department](#)

**City of Westwood, Kansas
Planning Commission Meeting
4700 Rainbow Boulevard
November 6, 2023 – 7:00 PM**

Commissioners Present: Kevin Breer, Vice Chair
Clay Fulghum
Ann Holliday
Samantha Kaiser
Sarah Page, Chair
Matt Prout
M. Scott Weaver

Commissioners Absent: David Kelman
Mark Neibling

Staff Present: Leslie Herring, City Administrator
John Sullivan, Public Works Director
Spencer Low, City Attorney Co-Counsel

Call to Order

Chair Page called the meeting to order at 7:00 PM on November 6, 2023.

Approval of Agenda and Meeting Minutes

Chair Page called for modifications or discussion of the October 9, 2023 meeting minutes. Commissioner Breer moved to approve the minutes. Commissioner Weaver seconded. Motion passed unanimously.

Chair Page called for modifications or discussion of the November 6, 2023 agenda. Commissioner Breer moved to approve the minutes. Commissioner Fulghum seconded. Motion passed unanimously.

Public Hearings

None.

Old Business

FDP-2023-01 Consider application of Karbank Holdings, LLC on behalf of owners Shawnee Mission School District and City of Westwood, KS, jointly, for approval of a final development plan at 2511 W. 50th St., 5000 Rainbow Blvd., and 5050 Rainbow Blvd, Westwood, KS 66205.

Chair Page invited City Staff to address the Planning Commission. City Administrator Herring provided a summary of the staff report included in the meeting packet. Herring noted that Commissioner Neibling contacted her ahead of the meeting to acknowledge that the items he brought to the attention of the Commission and the applicant at the last meeting had been sufficiently resolved.

Commissioner Breer asked Herring whether all items on the application checklist had been satisfied. Herring affirmed. Chair Page invited additional questions of City Staff from the Planning Commissioners. No further questions received.

Chair Page invited the applicant to address the Planning Commission. Kenny Miller, Architect with Perspective Architecture + Design, addressed the Planning Commission.

Commissioner Breer asked for clarification on the modifications to the plan since the October 9th meeting. Miller confirmed that the only two changes since that last meeting were the removal of stone pillars lining Rainbow Blvd. and the inclusion of a low retaining wall on the development site per Neibling's request.

Commissioner Kaiser asked whether the bathroom placement had been changed or moved since Commissioner Neibling's request that the park restrooms be incorporated into the pavilion building, such that the City would not need to construct separate restroom facilities on the park site. Miller confirmed that the location of the restrooms has not been changed and Herring confirmed that no movement had been made since the previous meeting on the applicant agreeing to allow park users to use restroom facilities in the pavilion. Herring noted that the final location of the park restrooms – and whether or not Karbank would allow park visitors to use restrooms in the development – will next be discussed during the park planning process to take place in 2024. Karbank will have a representative on the park planning steering committee.

Commissioner Breer asked whether park restrooms and other improvements could and would be paid for using TIF proceeds from the development. Herring confirmed this.

Chair Page noted that the park planning steering committee is forming and that communication inviting interested residents to apply has been shared by the City. Commissioner Breer encouraged residents to apply for the committee as there has been so much community interest in this project to-date.

Commissioner Fulghum asked the applicant whether they are agreeable to the park planning steering committee outline and process. Miller affirmed.

Commissioner Kaiser asked for clarification on the state of the park property once the sale closes and also asked how the applicant's and City's timeline for doing work on the site coordinate. Miller stated that Fall of 2024 is when demolition would take place if the sale closes according to schedule and that the property for the future park would be rough graded and seeded for the City to begin its activities. Commissioner Breer asked staff for a comparison of the grading performed at 5050 Rainbow Blvd. where the Westwood Christian Church was demolished and what is being planned for the future park property. Public Works Director Sullivan stated that 5050 Rainbow Blvd. was completed to a finish grade and seeded.

Chair Page asked for any additional questions or conversation amongst the Planning Commission members before calling for action.

Commissioner Breer stated that the applicant did a good job being responsive to what has been heard by the community and Planning Commissioners so far. Commissioner Breer moved to approve Case No. FDP-2023-01, application of Karbank Holdings, LLC on behalf of owners Shawnee Mission School District and City of Westwood, KS, jointly, for approval of a final development plan at 2511 W. 50th St., 5000 Rainbow Blvd., and 5050 Rainbow Blvd, Westwood, KS 66205. Commissioner Weaver seconded. Motion passed unanimously.

New Business

Consider 2024 Application and Review Schedule

City Administrator Herring presented the recommended 2024 Planning Commission Application & Review Schedule. Chair Page called for modifications or discussion of same or a motion. Commissioner Breer moved to approve the minutes. Commissioner Weaver seconded. Motion passed unanimously.

Staff Reports

City Administrator Report – Leslie Herring

Herring shared the status of the Rainbow Blvd. PSP study to evaluate possible changes to improve multi-modal transportation options.

Public Works Director Report – John Sullivan

Sullivan shared a status update on the 47th Street Complete Streets project. Chair Page asked whether City staff has had contact with Evergy staff to resolve the intermittent outages that are occurring more frequently now. Sullivan stated he would follow-up with our contacts.

Adjournment

Motion by Commissioner Breer to adjourn the meeting. Second by Commissioner Prout. Motion passed unanimously. The meeting adjourned at 7:34 PM.

Upcoming Items

The Planning Commission agreed not to hold a meeting in December as no cases had been filed for consideration and there would be no business to conduct.

APPROVED: _____
Sarah Page, Chair

ATTEST: _____
Leslie Herring, Secretary

From: [Leslie Herring](#)
To: [Stephen Platt](#)
Cc: kevin@breerlawfirm.com
Bcc: [Info](#)
Subject: RE: Request to amend September 11 Westwood Planning Commission Meeting Notes
Date: Monday, October 9, 2023 2:16:00 PM
Attachments: [image001.png](#)

Steve:

Your email has been received. As I'm sure you can understand, the minutes don't reflect the full extent and language used by public commenters nor do they reflect every point made; these are a very short summary to capture concisely what main points are shared and serve as a historical record that can be understood decades from now. I appreciate that you would like a fuller account of your comments included in the public record. What I am willing to do is attach a copy of this email to the minutes and ask that the Planning Commission consider approving the minutes tonight with this additional attachment.

I hope this resolution will be acceptable to you.

Kind regards,

Leslie



Leslie Herring
City Administrator
City of Westwood, KS
Phone: 913-942-2128
Mobile: 913-406-7164

From: Stephen Platt <westport.platt@gmail.com>
Sent: Sunday, October 8, 2023 8:14 PM
To: Info <info@westwoodks.org>; kevin@breerlawfirm.com
Subject: Request to amend September 11 Westwood Planning Commission Meeting Notes

Some people who received this message don't often get email from westport.platt@gmail.com. [Learn why this is important](#)

Dear Gentlemen and Ladies,

The meeting notes read as follow –

Steven Platt, 4910 Glendale Rd., Westwood Hills, addressed the Planning Commission. Platt expressed a preference for single family residential homes on the school property and that Karbank focus on redeveloping existing commercial buildings and not this site.

Although accurate, the minutes are not complete. I would like the meeting notes revised to reflect my comments for these additional points I voiced.

- 1) The city is about to give away \$1- \$2 million dollars based on the values presented in the

2022 City Facilities Assessment and feasibility Analysis.

- 2) There are significant risks that this project may not be developed as an office park and return less revenue than anticipated. At worst Westwood could end up with a project like Mission Gateway.
- 3) Leaving the zoning as R-1 will generate tax revenue going forward but less. Leaving the zoning as it is has lower risk.

My a complete reference my comments from which I read are included below-

My name is Stephen Platt. I live at 4910 Glendale which is within 1000 feet of the proposed rezoning. I also own some commercial property and am an accountant.

I have personally spoken with a number of residents, some say they like the Karbank proposal because it raises revenue. Like it or not, the city's own tax revenues have become a key part of Karbank's proposal.

The feasibility study in my opinion was stacked to get different outcomes from those in the Master Plans and the conclusions in the Urban Land Institute study.

The feasibility study values commercial parcels suitable for sale or development at \$30-\$35 per square foot. By making a zoning change from residential to commercial, more than 4 acres of land ... including the Joe D. Dennis park and church... would be valued at over 6 million to 6.5 million dollars. Considering Karbank is paying approximately \$4 million dollars for the property and demolition, it appears the Westwood City Government is about to give away \$1 to 2 million dollars.

Second point – How much office space do we need? Karbank has 100,000 square feet of office space for lease in Olathe and an acre of vacant commercial industrial land advertised for sale and build to suit in Merriam. On a local level closer to home, First Washington realty has 128,000 square feet of empty space at the old Macy's store in Prairie Village. In Westwood, there is currently empty space already zoned commercial at 47th and Rainbow

After a developer has ownership and rights to the property there is no recourse to claw back the property. This proposal is a big ask and the city has been let down by developments in the past. Yes, if this is office space it will return \$50-60,000 in additional property tax a year for the city. However, if the development changes to mixed use, office and retail get assessed at 25%, but the residential apartment units get assessed at only 11.5% based on income valuation. That's a big drop. Worst case is the development gets resold to a non profit and the city collects no tax.

There are promises but no guarantees, The city could end up with another Mission Gateway project.

Third. The city does not have to buy the school. If residential homes are built as zoned, it could add \$20 to \$25,000 of city tax revenue. In other words, The school property would remain zoned residential if the planning commission does nothing. These lots are easy to sell.

Residential revenue is lower but more secure and more in line with the long-standing vision of the community. The residential homes don't have TIF's and **do** pay sales taxes on building materials.

It is unnecessary to try to frighten Westwood residents over large property tax increases if this proposal is not pushed through. And let's avoid the spin that the city is tripling the size of the park when there is already 3 acres of green space along Rainbow. Many would like to see the green space improved, but by not changing the rezoning we do not have to start over.

The cart is before the horse. With all due respect for those behind this proposal, I suggest focusing on and developing the currently zoned commercial property first and solicit Mr. Karbank in that pursuit. Secondly, get a loan or roll over the debt which is possible. Buy the city time to consider less controversial plans.

The planning commission needs to leave the zoning alone and vote NO.

Thank you, Stephen Platt

WESTWOOD PLANNING COMMISSION

Staff Report
 Meeting Date: January 8, 2024
 Staff Contact: Leslie Herring, City Administrator

Discussion Item – 2024 Issues of General Interest and Training Needs and Requests

Background

In the two (2) years since a majority of the Westwood Planning Commission held a facilitated retreat in November 2021 around the Commission’s purpose, roles, goals, and behaviors, the Planning Commission has developed a work plan at the beginning of each year in alignment with the actions identified in the consensus outcomes from that work. Those items are excerpted from the Retreat Summary and provided below for convenient reference.



CONSENSUS OUTCOMES

In addition to discussing the purpose and roles, significant discussion took place around information flows, board norms, orientation of new members and training of commissioners. These discussions yielded the following work items:

ACTIONS IDENTIFIED	WHO	WHEN
1. Provide annual training for roles and legal issues for PC	David Waters	TBD
2. Joint City Council / Planning Commission work session	David Waters	Jan. 2022
3. PC to hold work sessions re: “issues of general interest” in order to ensure that all members have the same information	Sarah Page	Feb. 2022 at “Agenda setting” session
4. Develop board norms	Kevin Breer	Feb. 2022
5. Develop Planning Commission orientation	Sarah Page	Dec. 2021
6. Training needs and requests (each commissioner to bring suggestions for training)	Sarah Page	Feb. 2022 at “Agenda setting” session

Item Nos. 3 and 6 are the topic of today’s discussion.

Staff Comments/Recommendations

Comments

In alignment with the consensus outcomes of the facilitated process, Planning Commission Chair Sarah Page and City Administrator Leslie Herring recommended an annual work plan in 2022, which has been used since that time and is provided below. This framework includes calendaring action items required of the Planning Commission by State statute and/or the Planning Commission’s Bylaws. It also includes

annual, predictable opportunities for Planning Commissioners to more deeply engage with planning and zoning in Westwood.

Recommended 2024 Work Plan Outline for Planning Commission Discussion and Consideration

January 8th

- Creation/discussion of work plan and calendar for the year, including modifications to annual standing calendar and also introduction of study topics for presentations at meetings by regional guests and topics for continued education of Planning Commission members)
- Secure confirmation of term renewal or non-renewal for Planning Commissioners whose term is expiring effective the last day of February (**Commissioners Breer, Neibling, and Weaver are up for reappointment in 2024**)

February 5th

- Approval of work plan and calendar for the year

March 4th

- Appointment/reappointment of Planning Commissioners

April 1st

- Annual legalities training (i.e. ethics, [KOMA/KORA](#), responsibilities set-out by State statute ([K.S.A. Chapter 12 Article 7](#)), City Code ([Westwood Municipal Code Chapter 16](#)), and [Planning Commission bylaws](#))

May 6th

- Election of officers (Chair, Vice-Chair, and Secretary), [per Article 3 Section 1 of the bylaws](#)

June 3rd

- Review of the Planning Commission bylaws, [per Article 6 Section 4 of the bylaws](#); determine if any revisions are appropriate

July 1st

- Review of the Zoning Ordinance draft prepared for recodification as part of the City's greater process to recodify all chapters of the City Code (moving to a searchable, digital version of Code vs. current static pdf format)

August 5th

- Consideration of the City's next five-year CIP being recommended to the Governing Body for adoption

September 9th

- Introduction of zoning ordinance text amendments and/or comp plan changes by Planning Commissioners, City Council members, and/or City staff

October 7th

- Annual joint work session between Planning Commission and Governing Body to discuss topics of joint interest, concern, etc. (possibly meeting would be preceded by updated professional photos of Planning Commission, City Council, and City staff and followed by joint annual off-site social mixer)

November 4th

- Second work session on amendments/changes introduced in September; set for public hearing in December

- Determination of any updates to the City's zoning map
- Adoption of the next year's application and review schedule

December 2nd

- Hold public hearing on amendments/changes introduced in September

As in years past, the Planning Commission should identify issues of general interest and training needs and requests for the year. Once a list is compiled, those issues and needs should be assigned to Planning Commission leads to develop the concept for presentation and a meeting date should be determined for each priority. Past years topics have included:

- Presentation by Evergy
- Environmental Design (Presentation by Commissioners Holliday and Neibling)
- Diverse Housing Types (Presentation by Commissioners Kelman and Page)
- Transportation Planning and Design (Presentation by Commissioners Kaiser and Weaver)
- Communities for All Ages (Presentation by Councilmember Jeff Harris)

Any special guest speakers who represent organizations of interest to the Planning Commission should likewise be identified for the Secretary to coordinate a presentation date. Additionally, the Secretary can pursue resources for any training requested once directed by the Planning Commission.