

## Call to Order

The meeting of the Gardner Planning Commission was called to order at 7:00 pm on Monday, August 26, 2024, by Chair Jueneman. Commissioners present: Austin Jueneman, Cleverson Souza, Robin Berg, Stacy Cooper, Matt Combs, and Adriana Meder. Staff present: Community Development Director Dave Knopick, Principal Planner Robert Case, Planner Jesse Hunter, Administrative Assistant Jenny Steele-Gray, and representing the City, Attorney Katie Dumovich. Commissioner Allen Vonderschmidt was absent.

## Pledge of Allegiance

Chair Jueneman led the Pledge of Allegiance.

## Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the Planning Commission for study. These items are considered to be routine and will be enacted upon by one motion with no separate discussion. If separate discussion is desired on an item, from either the Planning Commission or from the floor, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

1. Standing approval of the minutes as written for the meeting on July 22, 2024.

**This item was moved to the regular agenda by Commissioner Meder.**

2. [Clare Crossing 24-302-15 Final Plat](#)- Located at the southeast corner of the intersection of 175<sup>th</sup> St. and Clare Rd.

**This item was moved to the regular agenda by Commissioner Meder.**

## Regular Agenda

1. [Standing approval of the minutes as written for the meeting on July 22, 2024.](#)

Commissioner Meder noticed a couple of errors in the minutes. First was page one Tuscan Farm staff presentation where it talked about rezoning from either RP3 to either RP2 or PR4. It needs to read RP4 so we have no confusion. The second is item number two University Park staff presentation in the second sentence ID was put instead of IS.

### Motion:

**Motion made to approve the consent agenda with corrections. This has been added to the city's website.**

Motion: Commissioner Meder

Second: Commissioner Souza

**Motion carries unanimously 6-0**

2. **Clare Crossing 24-302-15 Final Plat** – Located at the southeast corner of the intersection of 175<sup>th</sup> St. and Clare Rd.

Commissioner Meder wanted clarification for herself and the newer members on the analysis which says that the entire 58.2 acres is being platted but the lots will be undevelopable, since the excise tax will not be paid with this plat.

Director Knopick stated the developer's next step is installing infrastructure, that is roads, water, sewer, and electrical. They also need right of ways and easements established so they can start on public improvements. Right now they are not sure how they will configure the lots as they go to sell so they do not want to plat the lots as there could be adjustments and they would have to replat. Also, by labeling the land as tracts, the right-of-way and easements can be in place to allow for the infrastructure, without having to pay excise tax. Once a buyer has been found for a portion of the property, that section will be replatted, and the excise tax will be paid then.

Commissioner Meder then stated that it's unbuildable not undevelopable.

Director Knopick agreed.

Chair Jueneman noticed the agenda number read 24-304-08, while the staff report number read 24-304-15 and wanted to make sure we had the right number. The agenda was incorrect, the staff report included the correct item number.

**Motion:**

**Motion made after review of application 24-302-15, a final plat for Clare Crossing, and staff report dated August 21, 2024, the Planning Commission approves that application and recommends the Governing Body accept the dedication of right-of way and easements, provided the following conditions are met:**

- 1. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording;**
- 2. Label 178th Street;**
- 3. Provide a note on the plat stating: "Tracts 1 thru 5 are platted as unbuildable until such time they are re-platted into lots" and will be subject to all applicable excise tax;**
- 4. All taxes/fees shall be paid prior to the release of the plat for recording; and**
- 5. The application shall be reviewed and approved by the Johnson County Airport Commission and Board of County Commissioners prior to the release of the plat for recording.**

Motion: Commissioner Meder

Second: Commissioner Combs

**Motion carries unanimously 6-0**

3. **Tuscan Farms 24-304-03 \*WITHDRAWN\*** – The southwest corner at 196<sup>th</sup> St and Gardner Rd.

**Staff Presentation**

Director Knopick stated that Tuscan Farm brought this item before the commission two months ago and held a public hearing that was continued to the next month's meeting as the applicant was going to look into ways to address the issues brought forward. Tuscan Farm has decided to pursue a different route so they have requested to withdraw this application – and will submit a new application when ready with

the new materials. Director Knopick informed the commission that there is no action needed and to just recognize that the application has been formally withdrawn.

4. **Plaza South Lot 5 Sano Medical Office 24-304-05 Rezoning, Preliminary Development Plan & Final Development Plan (Public Hearing)** – Located at the Northeast corner of the intersection of 188<sup>th</sup> St. and Vivian St.

### **Staff Presentation**

Planner Jesse Hunter gave a presentation on the Plaza South Lot 5 Sano Medical Office. Topics discussed are as follows: background/ history, surrounding zoning and land use, utilities/ infrastructure, roadway network & vehicular access, sidewalks, and the criteria that was to be reviewed. The criteria submitted are as follows: zoning map amendment, preliminary development plan, and final development plan. There are two motions brought to the table to be approved. To view a more detailed report please watch our YouTube live, the link will be posted at the bottom of the report.

### **Applicant Presentation**

Gary Gossett, Vice President of Capital SS Development is doing the work for Sano Orthopedics. Gary stated they have done other projects with Sano Orthopedics in Raymore, Overland Park, and Lee's Summit areas and are excited to work in Gardner as they love the area.

### **Public Hearing**

Chair Jueneman opened the public hearing asking that they come forward state name and address individuals are allotted 3 minutes or 7 minutes to a person representing a group. No one approached the podium.

### **Motion made to close the public hearing.**

Motion: Commissioner Cooper

Second: Commissioner Meder

**Motion carries unanimously 6-0**

### **Commissioner Discussion**

Commissioner Berg asked the applicant if the office had same day surgery or anything like that.

Gary stated it is only physical therapy. They have 18 doctors in the area and plan on adding more.

Commissioner Meder asked for explanation on the rezoning motion.

Director Knopick explained because it is a revised preliminary development plan and that it does fit into the Plaza South concept which had a medical office building.

Commissioner Meder asked about the ACP-2 zoning.

Director Knopick said Plaza South is the only ACP-2 zoning designation in the City, it is Activity Center Planned District.

Commissioner Meder asked about the façade and since they did not receive the digital copy of the plans. The lack of deviation requests and building entrances were also questioned.

Director Knopick explained the email issues the city as a whole had and didn't know they had not received the email. He confirmed there are no deviation requests and the development meets all code requirements.

Chair Jueneman asked about the parking.

Greg Watson with McClure Engineering stated ADA parking has 4 proposed and with 87 parking slots only 3 are required so they have one extra.

## Motions:

### Rezoning and Associated Preliminary Development Plan

After review of application 24-304-05 a rezoning for 2.2 acres located at the northeast corner of the intersection of W 188th St and Vivian St, from ACP-2 to ACP-2 and associated revised Preliminary Development Plan for Plaza South Lot 5, and staff report dated August 21, 2024, the Planning Commission recommends the Governing Body approve the applications as proposed.

Motion: Commissioner Meder

Second: Commissioner Cooper

**Motion carries 6-0**

### Final Development Plan

After review of application 24-304-05 Final Development Plan for Plaza South Lot 5 Sano Medical Office, and staff report dated August 21, 2024, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. Governing Body approval of application 24-304-05 rezoning and associated Preliminary Development Plan for Plaza South Lot 5;
2. The construction plans for any utilities, infrastructure, storm water or other public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the issuance of a building permit; and
3. The portion of the access easement within the proposed building footprint will be vacated prior to building permit issuance.

Motion: Commissioner Meder

Second: Commissioner Souza

**Motion carries 6-0**

## Discussion Items

If a Commissioner has scheduling conflicts due to the summer, staff should be made aware as soon as possible to ensure there will be a quorum. September 23, 2024 is the next meeting. If you do not receive the electronic packet before that meeting please reach out to staff. There was further discussion of digital packets only or continuing with paper packets.

## Adjournment

### Motion:

Motion made to adjourn at 7:39 PM

Motion: Commissioner Cooper

Second: Commissioner Combs

**Motion carries unanimously 6-0**