



Mission Woods City Planning Commission  
August 29, 2015 at 4:00 p.m. Westwood City Hall

Members Present: David Immenschuh, CPC Chair  
Don Greenwell - absent  
Michael Braude  
Steve Reiff  
Ernie Yarnevich  
Mimi Ahsmuhs  
Rick Ralls - absent

Also Present: Chase Simmons, Polsinelli  
Jesse Peckham, Olsson Associates  
Mary Hunkeler  
Jay Sidie  
Darrell Franklin  
Steve Karbank  
John Sullivan, Public Works Director  
Eddie McNeal, Building Official/Enforcement Officer  
Mr. and Mrs. Aleshire

Chairman Immenschuh called the meeting to order at 4:01 p.m. The first item on the agenda involved the replatting of the KU Medical Center property at SMP/Rainbow Blvd. Mr. Immenschuh asked Mr. Simmons, counsel for KU Medical Center, and Mr. Peckham, engineer for the replatting, to address the Commission.

As part of the City-review of the permit application for the renovations to the parking lot on this property, City staff became aware of the need to clean up old plats, some of which pre-date incorporation of the City. The old, existing plats reflect paper streets never installed by the City and do not reflect all the utilities that are contained within the area. At the City's request, KU agreed to re-plat the property.

Mr. Simmons showed the Commissioners the existing plats, with old lot lines and old rights of way. He then showed the Commissioners the proposed plat, which will be one lot and will vacate the paper streets, alleviating the City of potential liability associated therewith. Appropriate utility easements have been added to allow the existing utilities to remain. Some discussion occurred on the nature of the existing utilities in the area and the neighboring properties served thereby, including an 8 inch sanitary line serving homes on 51<sup>st</sup> Terrace. Mr. Simmons showed the Commissioners a survey from when the property brought from Sprint.

Mr. Immenschuh asked whether City staff had questions or comments related to the replat. The Commissioners were given the recommendation of Fred Sherman, who served as point person for the City of Mission Woods on the issue. Mr. Sullivan stated his primary concern was to make sure plenty of space was preserved with respect to utility easements for future development and that KU has worked with the various utility providers to ensure this.

Mr. Immenschuh then asked if any members of the public in attendance had questions or concerns. Mr. Karbank noted that some of his previously-stated concerns had been addressed by the most recent version of the plat, as he had previously been provided an earlier iteration. He addressed his remaining concerns to the Commissioners.

He noted that the City has certain rights to the cell phone tower and the new plat does not provide for right to access it. There was some discussion concerning the manner in which the cell tower is accessed for maintenance now. He also noted that the plat does not address drainage between the north and south property line and queried whether storm water designs had been completed for the parcels. The KU representatives confirmed that full calculations were done. Mr. Karbank suggested the City might consider addressing the flow of storm water on the plat. Lastly, Mr. Karbank noted that on the proposed plat, 51<sup>st</sup> is not platted to go through to Rainbow; therefore, whatever access the City may have had from 51<sup>st</sup> to Rainbow will be eliminated with this plan.

Mr. Immenschuh noted that the City and its residents have been very concerned about this parcel of property for years. As part of a master planning process many years ago, various ideas were suggested for the property, including housing, but none were really embraced by the City. There has been no recent conversation about development of this property in a manner that would require 51<sup>st</sup> Street to cut through to Rainbow. The City Attorney confirmed that when the issue was raised at a Council meeting, the City Council did not support it, citing concern for residents to the north of the property.

Mr. Simmons noted that he believed access issues were addressed in the lease agreements, but he and the City Attorney agreed to confirm and make necessary adjustments to the plat to account for access in the event the lease agreements at issue do not address this.

Jeff Allen Aleshire, who lives near the property being replatted, asked generally about the process of platting and how it might affect his property. Mr. Simmons answered, noting that the process of replatting will not change anything physically on the property itself, but changes the legal record filed with the Register of Deeds that is essentially a map of the property.

Commissioner Braude moved to recommend to the City Council approval of the proposed plat, with the understanding that cell tower access will be determined and Mr. Yarnevich seconded the motion. The Commissioners voted and the motion carried unanimously.

The second item on the agenda was the recommendation to the City Council of approval of a change to the City's zoning ordinance related to signage on property zoned as Planned Office District. The City's current zoning allows for one sign and the City Council is proposing that properties on a corner lot be allowed two signs, one on each bordering street. The proposed amended ordinance was circulated. There were no questions or comments. Commissioner Immenschuh moved to recommend the proposed change to the City Council and Commissioner Braude seconded the motion. Upon vote of the Commissioners, the motion carried unanimously.

Meeting adjourned at approximately 4:28 p.m.

/s/ Heather S. Esau Zerger

Heather S. Esau Zerger, City Attorney