

**MERRIAM CITY COUNCIL MINUTES
CITY HALL
9001 WEST 62ND STREET
July 22, 2019
7:00 P.M.**

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE

Mayor Ken Sissom called the meeting to order at 7:00 pm.

II. ROLL CALL

Scott Diebold
Al Frisby
Chris Evans Hands
Nancy Hupp was absent
Brian Knaff
David Neal
Bob Pape
Jason Silvers

Staff present: Chris Engel, City Administrator; Meredith Hauck, Assistant City Administrator; Nicole Proulx Aiken, City Attorney; Troy Duvanel, Police Captain; Cindy Ehart, Finance Director; Jim MacDonald, Acting Public Works Director; Jenna Gant, Communication and Public Engagement Manager; Mike Casey, Deputy Fire Chief; Anna Slocum, Parks and Recreation Director; Bryan Dyer, Community Development Director and Juli Pinnick, City Clerk.

III. PUBLIC ITEMS

Members of the public are encouraged to use this time to make comments about matters that do not appear on the agenda. Comments about items on the regular agenda will be taken as each item is considered. ***Please note: individuals making Public Comments will be limited to 5 minutes.***

IV. CONSENT AGENDA

All items listed under the heading are considered to be routine by the City Council and may be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case that item will be removed from the Consent Agenda and considered separately.

1. Consider approval of the minutes of the City Council Meeting held July 8, 2019.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL APPROVE CONSENT AGENDA ITEM 1. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

V. MAYOR'S REPORT

1. Confirm the appointment of Lisa Feingold to the Parks and Recreation Advisory Board for the term expiring December 31, 2019.

This item was removed from the Agenda.

VI. PLANNING COMMISSION

1. Consider approval for a Preliminary Development Plan for an automobile dealership located at 7020 W. Frontage Rd.

Community Development Director Bryan Dyer provided the background for this item.

The applicant and property owner, Reed Family Properties, represented by BHC Rhodes Engineering, is requesting approval of a preliminary development plan for the development of a 61,589 square foot (48,704 square foot building footprint) automotive dealership on Merriam Pointe Seventh Plat, Lot 1 located at 7020 W. Frontage Road. The building will house the Reed Jeep Chrysler Dodge Ram facility that is currently located in Overland Park.

In 2004, the Merriam City Council approved Ord #1503, rezoning the subject property to Planned Unit Development – General (PUD-G) and the associated preliminary development plan (Z-8-04) for Merriam Pointe. That preliminary development plan showed an automobile dealership being constructed on the subject property. The land use assumptions in the technical studies (stormwater and traffic) associated with the preliminary development plan were based on the development of an automobile dealership on the subject property.

The Planning Commission approved a final development plan (Z-8-04/FP2-0805) in 2005 for the development of an automobile dealership located on Lot 13 (south of the subject property) at 7050 W. Frontage Road. The Shawnee Mission Hyundai dealership was subsequently constructed in 2007.

In October of 2007, the Planning Commission approved a final development plan (Z-8-04/FP4-2007) for the Phase 1 construction of an auto dealership vehicle storage and parking area, with an associated automobile dealership of approximately 22,600 square foot to be developed in Phase II for the subject property. Those improvements were not constructed.

In 2012, the Planning Commission approved a final development plan for the phased development of an automobile dealership on the subject property. The final development plan showed the development of a display lot for 129 spaces with the dealership facility being constructed in “1-2 years”.

In 2017, the property owner, Group 1, submitted a final plat (PA17-000006), preliminary development plan (Z-8-04 PD8-0817) and subsequent final development plan (Z-8-04 FP13-1017) to combine 7020 W. Frontage Road and the subject property into one lot (Merriam Pointe Fifth Plat, Lot 20). This was done in anticipation of constructing a parking lot addition to the existing Hyundai automotive dealership. Those applications were approved, but the parking lot was not constructed and the 7020 W. Frontage Road property remained undeveloped.

In 2019, Group 1 sold the Hyundai dealership and the vacant land north of the dealership to Reed Family Properties. Reed Family Properties then requested and received approval of a final plat (PA19-000002) dividing the property back in to two lots. The plat (Merriam Pointe Seventh Plat) created Lots 1 and 2 with the existing Hyundai dealership being located on Lot 2. This proposal is for a new automotive dealership to be located on Lot 1 (7020 W. Frontage Road), which is located directly north of the Hyundai dealership.

The applicant is requesting that the Planning Commission and City Council grant the Community Development Director the ability to approve the final development plan. With that request, the applicant has incorporated those items normally reviewed as a part of the final development plan into this application.

On July 3, 2019, the Planning Commission held a public hearing and received no comments from the public. The Planning Commission then closed the public hearing and based on information supplied by the applicant, as well as the criteria outlined in the Merriam Code and Kansas law as outlined in the Planning Commission Staff Report, unanimously recommended approval of the rezoning and associated preliminary development plan, with conditions.

There were some questions from the council regarding drainage on the site. Mr. Dyer displayed a rendering and pointed out the collection and discharge locations for the storm water. The applicant met the city's criteria for a detention waiver. The City Engineer reviewed the request and agreed to grant the waiver.

Randy Reed, applicant, commented that the dealership will replace their current dealership on Metcalf. The dealership will be the same size as the Metcalf location. The Metcalf location is a leased facility with that lease ending next summer. The new dealership will employ 95 people which is an increase of 10 additional employees. The projected move date to Merriam will be next June/July and they are very excited to move to the new state of the art facility in Merriam.

COUNCILMEMBER HANDS MOVED THAT THE COUNCIL CONCUR WITH THE RECOMMENDATION OF THE PLANNING COMMISSION AND APPROVE, WITH CONDITION, A PRELIMINARY DEVELOPMENT PLAN FOR AN AUTOMOBILE DEALERSHIP LOCATED AT 7020 W. FRONTAGE RD AND AUTHORIZE THE MAYOR TO SIGN THE EFFECTUATING ORDINANCE. COUNCILMEMBER PAPE SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

VII. COUNCIL ITEMS

A. Finance and Administration

B. Community Development/Public Works/CIP

1. Community Development Update.

Community Development Director Bryan Dyer provided the following updates:

Switzer Senior Villas development plans to begin their project in late summer. They have received their tax credits from the state for the affordable senior housing complex. Mayor Sissom asked if the project will change since they have received the tax credits. Mr. Dyer commented that the only change will be the number of units that will be income restricted. Had they not received the tax credits, a larger number of the units would be at market rate rent, so this allows for more units to be affordable for lower to middle income folks in the age-restricted community.

The Residential Exterior Grant Program is nearly completed for the year with the 8-9 projects nearing completion.

July 31 will be the first meeting of the Comprehensive Plan Update Advisory Committee at 6:30 pm. The meeting will be held in the Community Training Room at City Hall.

VIII. STAFF ITEMS

City Administrator Chris Engel commented that the 5701 Drive Committee are reviewing the final draft of their recommendation to the city council. He sent that draft to the council just before tonight's meeting. This is just the draft and it will go before that committee for their final approval before coming to city council.

IX. NEW BUSINESS

X. EXECUTIVE SESSION

XI. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COUNCIL, COUNCILMEMBER HANDS MOVED TO ADJOURN AT 7:31 PM. COUNCILMEMBER FRISBY SECONDED AND THE MOTION WAS UNANIMOUSLY APPROVED.

APPROVED: AUGUST 12, 2019

Respectfully submitted,

Juliana Pinnick

Juliana Pinnick
City Clerk