



MINUTES

Planning Commission Meeting: July 22, 2019

Application:	<u>UDO19-0001</u>: Unified Development Ordinance Amendments
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Zachary Moore, Planner II, presented a brief introduction, explanation, and overview stating that community engagement has occurred since February 2019. Mr. Moore then introduced our consultant.

Christopher Shires with **Confluence**, the City’s consultant for this project, approached the podium to address the existing and proposed building design standards in the UDO.

Proposed updates to the code include the purpose and intent and addressing four-sided architecture. . This would apply to all buildings within the city. He notes that building additions need to meet the new standard, although there are exceptions.

Mr. Shires addressed Section D, Terms and General Provisions, and updating definitions for primary façade, street-facing, major façade material and façade area, and how these apply to accessory buildings on a commercial site. Section E addresses general requirements, including franchise architecture, use of trim, shutters in scale, soffits, overhangs and cornices, screening for equipment and trash enclosures, and building lighting, etc.

Section F addresses the materials table, discussing the various classes and added that this code is somewhat fluid and may be changed over time.

Section G lists the many different types of buildings, including agricultural, single-family homes, two-family residential, commercial/retail buildings, office/civic buildings, industrial, etc.

Mr. Moore added that there has been a lot of discussion about using EIFS as a building material. He has been meeting with industry representatives to discuss the pros and cons of using EIFS material. Changes to the code regarding EIFS include listing it as a Building Material Class 3 which increases the allowance from today’s code to be consistent with our research and with past requests that have been approved.

Mr. Moore concluded by saying staff is continuing to reach out to stakeholders for feedback as we continue through this process.

Chair Vakas asked if a procedure exists for an applicant to propose an increase use of EIFS on a project and Mr. Moore confirmed there is

Mr. Moore briefly outlined some minor updates to the Site Design Standards section of 18.15, including streamlining language and clarifying the standards and how they are administered. The standards themselves are not changing, just making them simpler to read and interpret. He concluded his presentation and was available for questions.

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Chair Vakas opened the public hearing. He noted that the Planning Commission has received letters from eight architects in the Kansas City area, who all spoke favorably about EIFS. **Travis Schram, 11282 South Belmont**, Olathe, approached the podium as president of Grata Development. He is requesting continuance of this hearing because he has not had ample time to review the documents as he did not receive them until Friday. He outlined his multiple interactions with staff, expressing concerns... He believes that building permits have decreased significantly year over year and the price of new construction continue to outpace the growth of wages. He believes the decision needs to be made with caution and with the property time for consideration, which has not been given.

Aimee Nassif, Chief Planning and Development Officer, stated that documents did not get distributed until late because packets did not go out until later than typical as well. , Staff is sending out another stakeholder update after this evening's meeting and opportunities to engage staff has not stopped.

Tracy Tanking, 15301 Cordell Road, Kearny, MO, approached the podium. He is the general manager for Architectural Building Systems, which is the local Dryvit distributor. He appreciates staff's efforts to educate everyone about EIFS and the communication staff has had with them. During the 18 months they have been working with the City, they have received variances to allow EIFS over what is currently allowed in the City. He believes he has addressed multiple concerns with staff, including concerns about EIFS, including appearance, flammability, and availability, which staff has assured them is no longer an issue. **Mr. Tanking** said his company believes EIFS meets the criteria to be a Category 1 Material.

Richard Nickloy, 10403 South Highland Circle, Olathe, approached the podium. He is also concerned with the classification of EIFS and believes that categorizing it as a Category 3 material limits their opportunities in the city of Olathe. He requests that EIFS be considered as a Category 1 material.

Kevin Nickloy, 17411 West 163rd Street, Olathe, approached the podium. He works for Architectural Building Systems. He works extensively with the Catholic community to help get St. Paul's church built. He helped redesign the building with EIFS. ,A second Catholic church is being built near his home and he hopes to save the church money by using EIFS. He believes using EIFS will make the building much more efficient.

Don Crabtree, 10340 South Highland Lane, Olathe, approached the podium. He is an Olathe general contractor; his projects include the I-35 Logistics Business Park. He has built numerous projects using EIFS and supports classifying it as a Class 1 material.

Bob Nickloy, 27590 West Highland Circle, Olathe, approached the podium. He said his company has been marketing EIFS since 1981, and it has become very popular over time. Today, EIFS represents an approximate 20 percent of the market share in the commercial exterior wall market. In summary, he also supports classifying EIFS as a Class 1 material.

Jeff Sykes, 1608 SW Smith, Blue Springs, MO, approached the podium. He has also been in this industry a long time in many capacities. He has a lot of experience with EIFS and many other products and pointed out that the product has changed for the better over the past 50 years. He also supports classifying EIFS as a Class 1 material.

There being no one else to be heard, **Chair Vakas** called for a motion to close the public hearing.

Motion by Comm. Fry, seconded by Comm. Rinke, to close the public hearing.

Motion passed 7-0.

Comm. Fry said he is comfortable with the UDO being a living document that is meant to be adjusted and changed on a continual basis. He believes this update improves the use of EIFS in

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Olathe. ,. **Comm. Freeman** appreciates the input from staff and the public and encourages everyone to continue to provide feedback. **Chair Vakas** echoed comments about the UDO being a living document and believes the right steps are being taken regarding EIFS. He called for a motion.

Motion by Comm. Rinke, seconded by Comm. Fry, to recommend approval of UDO19-0001, for the following reasons:

Staff recommends approval of the proposed amendments to the Unified Development Ordinance (UDO), as detailed in the attached UDO Amendments Exhibit for Chapter 18.15.

Aye: *Freeman, Nelson, Rinke, Fry, Munoz, Corcoran, Vakas (7)*

No: *(0)*

Motion was approved 7-0.