

**COUNCIL MEETING AGENDA  
CITY OF PRAIRIE VILLAGE  
Council Chambers  
Monday, March 02, 2020  
6:00 PM**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE**

**IV. APPROVAL OF THE AGENDA**

**V. INTRODUCTION OF STUDENTS & SCOUTS**

**VI. PRESENTATIONS**

New Officer swearing in ceremony

Presentation by Deb Settle, President/CEO of the Northeast Johnson County Chamber of Commerce

**VII. PUBLIC PARTICIPATION**

(5 minute time limit for items not otherwise listed on the agenda)

**VIII. CONSENT AGENDA**

All items listed below are considered to be routine by the Governing Body and will be enacted by one motion (Roll Call Vote). There will be no separate discussion of these items unless a Council member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the regular agenda.

By Staff

1. Approval of regular City Council meeting minutes - February 18, 2020
2. Consider appointment to Tree Board
3. Consider appointment to Civil Service Commission
4. Consider appointment to Arts Council
5. Consider bid award for pavement marking services

**IX. COMMITTEE REPORTS**

Planning Commission

PC2020-101 Consider Ordinance 2414 to rezone 4820 W. 75th Street and the vacant lot directly to the east from R-1A (single family) to C-0 (office)  
Jamie Robichaud

PC2020-103 Consider Ordinance 2415 to rezone the Public Works facility from R-1A, R-3 and RP-4 to RP-1A  
Jamie Robichaud

X. **MAYOR'S REPORT**

XI. **STAFF REPORTS**

XII. **OLD BUSINESS**

XIII. **NEW BUSINESS**

COU2020-05 Consider contract amendment #1 with New Line Skate Parks FL, Inc., for the final design of the Harmon Park skate park, Project BG390001  
Keith Bredehoeft

COU2020-06 Consider agreement with Municode for online code hosting services  
Adam Geffert

XIV. **COUNCIL COMMITTEE OF THE WHOLE** (Council President presiding)

2021 Budget goals and objectives:

- (1) Goals and objectives
- (2) Mill rate handout
- (3) Decision package discussion

Wes Jordan and Lisa Santa Maria

Discuss using future transient guest taxes from the Meadowbrook Inn to fund a fireworks display in coordination with VanTrust at Meadowbrook Park  
Courtney McFadden and Wes Jordan

XV. **ANNOUNCEMENTS**

XVI. **ADJOURNMENT**

**If any individual requires special accommodations - for example, qualified interpreter, large print, reader, hearing assistance - in order to attend the meeting, please notify the City Clerk at 385-4616, no later than 48 hours prior to the beginning of the meeting. If you are unable to attend this meeting, comments may be received by e-mail at [cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com)**



**CITY COUNCIL  
CITY OF PRAIRIE VILLAGE  
FEBRUARY 18, 2020**

The City Council of Prairie Village, Kansas, met in regular session on Monday, February 18, 2020, at 6:00 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. Mayor Mikkelson presided.

**ROLL CALL**

Roll was called by the City Clerk with the following Council Members in attendance: Chad Herring, Jori Nelson, Inga Selders, Ron Nelson, Bonnie Limbird, Sheila Myers, Piper Reimer, Dan Runion, Courtney McFadden, Ian Graves and Terrence Gallagher. Staff present: Tim Schwartzkopf, Chief of Police; Keith Bredehoeft, Director of Public Works; Melissa Prenger, Public Works; City Attorney David Waters, attorney with Lathrop & Gage; Wes Jordan, City Administrator; Jamie Robichaud, Deputy City Administrator; Lisa Santa Maria, Finance Director; Meghan Buum, Assistant City Administrator; Adam Geffert, City Clerk.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mrs. Myers made a motion to approve the agenda for February 18, 2020. Mr. Nelson seconded the motion, which passed unanimously.

**INTRODUCTION OF STUDENTS & SCOUTS**

No students or scouts were in attendance.

**PRESENTATIONS**

Lobbyist Stuart Little with Little Government Relations gave a report on current legislation in Topeka. He noted that he had provided testimony on five different bills, and shared information about specific bills that could impact cities in Northeast Johnson County:

- Senate Bill 294 - Mr. Little stated that the Senate Tax Committee made amendments to the bill to remove the proposed tax lid, leaving a requirement that municipalities must pass a resolution or ordinance prior to raising the tax rate. Additionally, public informational hearings must be held, along with mail notification to all taxpayers. The bill continues to be debated by the Senate.
- House Bill 2625 - This bill would prevent cities and counties in Kansas from prohibiting or regulating paper or plastic bags and other single-use plastic items. A hearing will be held in the House Committee on Commerce on February 20.



Ms. Nelson asked if Mr. Little would offer testimony on the bill on the City's behalf. Mr. Little said that while there had been conversation about giving testimony, he had not been given guidance stating the City's position. He added that an amendment to the bill which would allow cities to opt out of the ban had been considered but not yet introduced.

Councilmembers agreed that Mr. Little should develop a strategy to convey their opposition to the elimination of local control presented in the bill.

### **PUBLIC PARTICIPATION**

With no one present to address the Council on other topics, public participation was closed at 6:38.

### **CONSENT AGENDA**

Mayor Mikkelson asked if there were any items to remove from the consent agenda for discussion. He noted that David Dikeman needed to be removed from the committee appointment list, as he had voluntarily withdrawn from his appointment to the Tree Board.

1. Approval of regular City Council meeting minutes - February 3, 2020
2. Approval of Expenditure Ordinance #2987
3. Consider appointment of committee members
4. Consider interlocal agreement with Johnson Count Wastewater - Project DELN0001 - Delmar and Fontana low water crossing removal and drainage project
5. Consider interlocal agreement with Johnson County for Project DELN0001 - Delmar and Fontana low water crossing removal and drainage project
6. Consider interlocal agreement with Johnson County and the City of Overland Park for project NAAV0003: Nall Avenue, 83rd Street to 95th Street
7. Consider approval of the 2020 agreements with Johnson County Parks and Recreation District

**Mr. Nelson made a motion to approve the consent agenda as presented.**

**A roll call vote was taken with the following votes cast: "aye": Herring, J. Nelson, Selders, R. Nelson, Limbird, Myers, Reimer, Runion, McFadden, Graves, Gallagher.**

### **COMMITTEE REPORTS**

- Ms. Limbird stated that the Arts Council met on February 12 and voted to approve its final 2020 monthly exhibit schedule. Additionally, two new members were appointed: Nancy Maxwell and Sherrod Taylor.
- Mrs. McFadden reported that Van Trust had suggested collaborating with the City for a Fourth of July fireworks display at Meadowbrook Park. When the Inn at





Meadowbrook hotel opens in April, a transient guest tax will begin to be collected, the first \$25,000 of which must be used to increase economic development and/or tourism in the City. While there won't be enough funding built up from the tax by July 4, a contingency fund was proposed to pay for the fireworks show, which would be paid back at a later date with guest tax dollars. Staff is working with the Johnson County Parks and Recreation District to determine if the plan is feasible in 2020. VillageFest would remain a separate event this year, but could be combined in the future.

Mr. Jordan added that Van Trust would be financially responsible for event logistics, including performers, vendors, and portable restrooms.

- Ms. Selders shared that the first JazzFest meeting of the year was held on February 13. Preliminary discussion included the placement of tents and a different price structure on alcoholic beverages.

### **MAYOR'S REPORT**

Mayor Mikkelson reported the following:

- The Mayor and Mr. Jordan met with First Washington on February 5 to discuss potential plans for the Macy's location in the Village Shops after the store closes.
- The Mayor participated in a servant leadership panel at Village Presbyterian Church with Brad Stratton from the Shawnee Mission School Board, Overland Park Mayor Carl Gerlach and former Senator Terry Huntington on February 5.
- The Council held a work session on February 15, featuring discussions on the Climate Action KC playbook and Village Vision 2.0.
- A Coffee with Consolidated Fire District #2 event will be held on February 19.
- The Mayor will attend a Northeast Johnson County Mayors lunch on February 21.
- The Kansas City Mayor's Prayer Breakfast will be held on February 25.
- The Mayor will attend a D.A.R.E. graduation at Belinder Elementary on February 25.
- Commission Becky Fast invited Councilmembers to an educational discussion regarding county government operations on February 27.
- The Mayor, along with staff, will meet with the new Johnson County Appraiser on February 28.
- Finally, the Mayor stated that historically, when a Council meeting falls during the Shawnee Mission School District's spring break, it is cancelled. He asked if the meeting scheduled for March 16 should be cancelled, per staff recommendation.

**Mr. Herring made a motion to cancel the March 16, 2020 Council meeting. Mr. Nelson seconded the motion, which passed unanimously.**

### **STAFF REPORTS**

#### **Public Safety**



- None.

### **Public Works**

- Mr. Bredehoeft said that the City would be working in conjunction with the City of Leawood on a drainage project on Reinhardt near the Corinth shops.

He added that Public Works staff would likely move into the Community Center in March prior to the start of construction at the Public Works facility.

### **Administration**

- Mr. Jordan noted that the forthcoming Johnson County municipalities housing study would be coordinated by United Community Services. A firm named RDG Planning and Design was hired, and staff has been asked to assist in assessing different housing variety in the northeast section of the county.

Mr. Jordan added that the Fire Department Lunch and Learn event on February 11 was very informative, and recommended Councilmembers attend future events.

### **OLD BUSINESS**

There was no old business to come before the Council.

### **NEW BUSINESS**

**Discuss a plan of action to consider next steps in consideration of a Prairie Village civic center with community aquatic and wellness facilities operated by the YMCA and a new Johnson County Library branch**

Mr. Bredehoeft stated that on July 15, 2019, the City Council executed a Memorandum of Understanding (MOU) with the YMCA and the Johnson County Library to conduct a market sustainability study for a potential combined Prairie Village, YMCA, and Johnson County Library civic center. The results of that study were presented to City Council on January 27, 2020, and direction was given for staff to develop a plan of action and identify next steps to move forward based on the results of the study. The following plan was proposed:

1. The MOU contemplated two additional phases: to further engage the public and to develop a site design study. In order to complete the next steps, a second MOU will need to be completed.
2. Second MOU - A second MOU will be developed between the City, YMCA, and Library in which all parties agree to complete the public engagement and the site design study for the new civic center. Similar to the first MOU, it will include shared funding for the study. The currently estimated not-to-exceed cost of the public engagement and site design process study is \$150,000, of which a



maximum of \$60,000 would come from the City. Funding is available in unallocated funds in the 2020 budget.

3. Following the MOU approval by Council, a Request for Proposal (RFP) will be drafted and the process will begin to select an architectural firm to develop the public engagement and site design process, which will be approved by Council at the contract stage. The process will include multiple public involvement meetings throughout the site design process. It is anticipated the study will be completed near the end of 2020.
4. Staff will also work simultaneously to identify what type of secondary operational and real estate agreements would be needed with the YMCA and Library for a Civic Center and co-location of the Library should the project move forward.
5. The City will need to evaluate and have discussions concerning the viability of a medical/health component and impact on school parking, etc.
6. Staff will likely explore drafting a Request for Qualifications (RFQ) for an owner's representative who has expertise in this field. This would be further discussed with the Council.
7. It is anticipated the design site study would be completed by the end of the year and presented to Council.
8. If the Council elected to move forward funding the project, a public vote would be required.

Mrs. Myers asked what additional expenses would be required for architectural work and legal fees. Mr. Jordan stated there would likely not be a significant amount of legal fees due to the use of a standard template for the MOU. Additionally, most work, such as development of the RFP and RFQ, will be completed by staff with minimal legal review. Architectural expenses will be paid with the \$60,000 allocated to the project.

Ms. Nelson asked how much money was available in the unallocated fund. Mr. Bredehoeft stated the contingency fund had approximately \$500,000; Mr. Jordan added that the unallocated funds from the 2020 budget totaled roughly \$430,000.

Mr. Runion asked how much funding each entity would provide if the civic center project was approved. Mayor Mikkelson stated that the Library would pay for 100% of its building, which would likely be a separate structure. There had also been some discussion about sharing the cost of a parking garage. He added that the YMCA will not contribute a significant amount of dollars, but will provide the land, membership base and operational expertise.



Mr. Herring asked what would be included in a site design study. Mr. Bredehoeft said that it would be similar to the study that was recently completed for the Public Works facility, in that it would lay out the site and determine the building design. Mr. Herring asked what would happen to the existing pool complex. Mr. Bredehoeft said that had not been determined yet, but that if the existing pool remains, significant repair work would need to be completed over the next 5-10 years.

Mr. Gallagher asked when a public vote on the civic center would be held. Mr. Jordan stated that there was not enough time to put it on the general election ballot in 2020, so a special election would have to be scheduled in 2021.

Ms. Nelson asked how much had been spent on the project thus far. Mr. Jordan stated that the City paid 40% of the roughly \$33,000 for the feasibility survey, and would likely need to spend approximately \$75,000 for a special election.

**Mr. Nelson made a motion to approve the general plan of action with specific direction that staff move forward in drafting a second MOU with the YMCA and Johnson County Library considering comments made by Council. Ms. Limbird seconded the motion, which passed 11-0.**

**Ms. Limbird made a motion that the City Council move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Nelson and passed unanimously.**

#### **COUNCIL COMMITTEE OF THE WHOLE** **2021 Budget Calendar**

Mr. Jordan stated that the budget calendar process for 2021 was similar to what had been developed over the past two years. He noted that the annual budget is based on the goals and objectives set by the Council.

Ms. Nelson recalled that specific departmental budget details were provided in presentations in prior years. She asked that each department give a presentation to the Council as had been done previously. Mayor Mikkelson noted the number of Council meetings included on the proposed budget calendar, and suggested there would be numerous opportunities to discuss the budget over the next several months.

**Mr. Gallagher made a motion to approve the 2021 budget calendar as presented. Ms. Limbird seconded the motion.**

Mrs. Santa Maria introduced the budget calendar and said that Council had an opportunity to assign funds to specific goals through the use of decision packages. She added that staff will meet the week of April 6 to review each departmental budget in



detail, and that Councilmembers were welcome to attend those meetings to obtain specific information.

**With no further discussion, the motion to approve the 2021 budget calendar passed 11-0.**

**Discussion of LEED certification development for new Public Works facility (Project BG70002)**

Ms. Prenger introduced Rick Wise, representing Clark Enersen Partners, along with Lauren Koval and Pat Contreras, representing McCown Gordon. She stated that staff had been meeting with partners on a regular basis to discuss how the new Public Works facility could be designed to meet the various levels of LEED certification. She also provided a “scorecard” breaking down the point system to achieve LEED silver, gold and platinum certification levels.

Ms. Prenger noted that the base building, without any major cost impact, qualified at the low end of LEED silver certification. Implementing strategies such as demolition waste management, light pollution reduction and renewable energy production in the form of solar panels would result in the new facility being certified at the gold level for an estimated cost of \$255,000. While there is a significant jump to move from gold to platinum, the project team identified the necessary points needed to move the project to the highest level. Platinum certification could be reached for an additional \$380,000 on top of the gold package, for a total estimated cost of \$635,000. Meeting the platinum certification had been initially budgeted to cost \$600,000 to \$800,000.

Mr. Runion asked which elements of the plan aligned with the City’s environmental policy, specifically in regard to reducing greenhouse gas emissions. Ms. Prenger stated that all the proposed measures, other than reducing light pollution, would have some impact on emissions. Mrs. McFadden asked if the City would need to purchase environmental credits to achieve platinum certification, and Ms. Prenger said it would not.

**Mr. Herring made a motion to authorize staff to move forward with plan development for the new public works facility to include items for LEED platinum certification. Ms. Nelson seconded the motion.**

Ms. Limbird asked how likely it was that the City would be given all of the points anticipated to reach the platinum level. Mr. Wise said it was likely that it would not receive 100% of them, but that the United State Green Council would review plans and provide comments once they are submitted.

Mayor Mikkelson asked whether any of the options selected would compromise the goals or functionality of the Public Works building. Ms. Prenger said they would not.

**After further discussion, the motion to proceed with LEED platinum certification passed unanimously.**



**Mrs. McFadden moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion passed unanimously.**

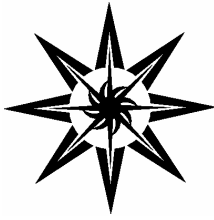
**ANNOUNCEMENTS**

Announcements were included in the Council meeting packet.

**ADJOURNMENT**

With no further business to come before the City Council, Mayor Mikkelson declared the meeting adjourned at 9:17 p.m.

Adam Geffert  
City Clerk



**MAYOR**

**Council Meeting Date: March 2, 2020  
CONSENT AGENDA**

**Consider Appointment to the Tree Board**

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**RECOMMENDATION**

Mayor Mikkelson requests Council ratification of the appointment of Kimberley Biagioli to the Tree Board, for a three-year term ending in 2023.

**BACKGROUND**

Kimberley is an attorney who moved with her family to Prairie Village recently, and is eager to get involved in her new community.

**ATTACHMENTS**

Volunteer Application

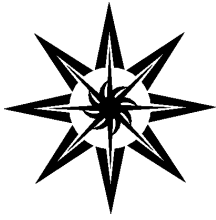
**PREPARED BY**

Adam Geffert  
City Clerk

Date: February 24, 2020

Name	Ward	Committee	Please tell us about yourself, listing any special skills or experiences you have.
Kimberley Biagioli	3	Tree Board	I just moved to Prairie Village from DC with my family and am eager to get involved in my new community. I am a lawyer, and am comfortable working with contracts, project management, litigation, etc. I also have experience as a member of the Board of Directors of a non profit in DC.





**MAYOR**

**Council Meeting Date: March 2, 2020**

## **Consider Appointment to Civil Service Commission**

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### **RECOMMENDATION**

Mayor Mikkelson requests Council ratification of the appointment of Kathy Arthur and Jeff Anthony to the Prairie Village Civil Service Commission effective March 9, 2020.

### **BACKGROUND**

In an effort to give other Prairie Village residents an opportunity to volunteer on this Commission, we did not reappoint two of our longer standing members to the Commission. Lori Sitek has been on the Commission for 24 years and Tom Brill for 15 years.

The Police Department reviewed volunteer applications and met with three candidates. After these meetings, the Department recommended to the Mayor that the City appoint Kathy Arthur and Jeff Anthony to the Commission.

See attached information on Kathy Arthur and Jeff Anthony.

Kathy and Jeff have met with Police Department Staff, and they are in full support of their appointment.

Ratification of this appointment will be included on the Consent Agenda.

### **PREPARED BY**

Tim Schwartzkopf

Chief of Police

Date: February 19, 2020

**Kathleen R Arthur**  
**7221 Mission Road #205**  
**Prairie Village, Kansas 66208**  
**816 719 1687 [kcarthurs816@gmail.com](mailto:kcarthurs816@gmail.com)**

**Professional:** Registered Medical Technologist BS, MT (ASCP)#124050

2015-2017 Kansas City Police Department Crime Laboratory Volunteer Auxiliary Technologist

2007-2014 University of Kansas Hospital Transfusion Services Technologist

**Civic Involvement:**

KCPD Citizens Academy 2008

FBI Citizens Academy 2010

21<sup>st</sup> Century Policing KCPD Metro Ad Hoc Committee 2016

UMKC Neighborhood Advisory Council 2013-2017

KCATA Country Club Right-of-Way Advisory Committee 2013-2017

Kansas City Neighborhood Advisory Council 2014-2015

Kansas City Streetcar Brookside Expansion Advisory Panel 2014

Countryside Homes Association Board of Directors 2007-2017

Parkway 103 Homes Association Board of Directors 2017-present

# JEFFREY A. ANTHONY

8431 CEDAR  
PRAIRIE VILLAGE, KS 66207  
816-260-9880  
[Jeffa@mcautogroup.com](mailto:Jeffa@mcautogroup.com)

## EMPLOYMENT:

**1994 - MCCARTHY AUTOMOTIVE GROUP Olathe, KS**  
675 N. Rawhide Olathe, KS 66061  
(913) 324-7200

A dealership group controlling seven franchises with revenues of over \$450 million.  
**Chief Financial Officer**

**1990-1994 HOUSE PARK & CO., CPA's Kansas City, MO**

Local accounting firm specializing in the industries of manufacturing, printing & retail.  
**Certified Public Accountant – Manager**

**1986-1990 DONNELLY MEINERS JORDAN, CPA's Kansas City, MO**

Local accounting firm specializing in medical, manufacturing, governmental & non-profit.  
**Certified Public Accountant – Supervisor**

## EDUCATION:

**University of Missouri - Columbia** (B.S. in Accounting-1985)  
-Member of **Kappa Sigma** Fraternity  
-Bartender - **Harpo's**

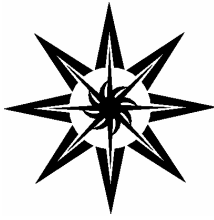
**Shawnee Mission South High School** - 1981

## OTHER:

**City of Prairie Village, KS** Councilman 2002-2006 (President – 2006)  
**Kansas Auto Dealers Association** Worker Comp Board 2000-present (Chairman 2006 -)  
Board of Governors **Indian Hills Country Club** 2017 - present  
Board of Directors **The First Tee of Greater Kansas City** 2017 - present  
**Missouri Auto Dealers Association** Worker Comp Board 2016-present  
Honored as a **2019 CFO of the Year** - Kansas City Business Journal  
Board Member **Hands & Hearts for Children** (Children's Mercy Hospital) 2009-2018  
**Certified Public Accountant** - 1988  
Board Member - **KC Motor Car Dealers Association Health Insurance Trust** 2015-2019  
Board of Directors **Harvesters -The Community Food Network** 1989-1998  
Board Member **Village Presbyterian Church** Endowment Trust Fund 2006-2008  
Board of Governors **Milburn Country Club** 2005-2007 (President –2007)  
Board of Directors (ex officio) **Marillac Center** for Children 1989-1990  
Board of Directors **Ozanam** Foundation 2005  
Various Shawnee Mission school district PTA and school-related committees

## PERSONAL:

Married, excellent health, two children, ages twenty-seven and twenty-four  
Hobbies include tennis, golf, photography



**MAYOR**

**Council Meeting Date: March 2, 2020  
CONSENT AGENDA**

**Consider Appointment to the Arts Council**

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**RECOMMENDATION**

Mayor Mikkelson requests Council ratification of the appointment of Jessamyn Cartwright to the Arts Council, for a two-year term ending in 2022.

**BACKGROUND**

Jessamyn is a Prairie Village resident with an extensive arts education and exhibition background. She has a devotion to the fine and performing arts.

**ATTACHMENTS**

Volunteer Application

**PREPARED BY**

Adam Geffert  
City Clerk

Date: February 27, 2020



**City of Prairie Village  
APPLICATION TO VOLUNTEER**

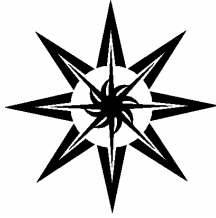
Please complete this form and return it to the City Clerk's Office, 7700 Mission Road, Prairie Village, Kansas 66208. If you have any questions, please contact the City Clerk's Office at 913-381-6464 or send an e-mail to [cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com).

Name Jessamyn E. Cartwright Spouse's Name \_\_\_\_\_  
Address 2810 W. 73<sup>rd</sup> Terrace Zip 66208 Ward 3  
Telephone: Home 913 334-8961 Work \_\_\_\_\_ Fax \_\_\_\_\_  
E-mail jessamyn2810@gmail.com Other Number(s): \_\_\_\_\_  
Business Affiliation \_\_\_\_\_  
Business Address \_\_\_\_\_  
What Committee(s) interests you? Prairie Village Arts Council

Please tell us about yourself, listing any special skills or experiences you have which would qualify you for a volunteer with the City of Prairie Village.

Fine Arts background, BA Art History, Visual Arts  
educator 20+ years, Fiber Design Artist, Museum  
exhibition experience, and a devotion to  
the fine and performing arts

Thank you for your interest in serving our community.



## PUBLIC WORKS DEPARTMENT

Consent Agenda: March 2, 2020

### **CONSIDER BID AWARD FOR PAVEMENT MARKING SERVICES**

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#### **RECOMMENDATION**

Move to approve the contract for Pavement Marking Services to K&G Striping for 2020 and renewal in 2021 and 2022.

#### **BACKGROUND**

On Friday, February 21, 2020, the City Clerk received bids for a three year contract to provide Pavement Marking Services. The contract is to provide Pavement Marking Services for City streets. There was one bidder, K & G Striping. K & G Striping has provided this service for past 10+ years. A spreadsheet comparing the bids to their previous pricing is attached.

Sharrows and other pavement markings for bike lanes are included in the bid tab to facilitate the continued implementation of the Bike Plan.

#### **FUNDING SOURCE**

Funding is available in the 2020 Streets Operating Budget and in the CIP project BIKE2017.

2020 Streets Operating Budget:	\$35,000
BIKE2017:	\$175,680

#### **ATTACHMENTS**

1. Comparison Spreadsheet
2. Bid for Pavement Marking Services with K&G Striping

#### **PREPARED BY**

Melissa Prenger, Senior Project Manager

February 26, 2020

## 2020

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$ 1.50	\$ 0.40	
2	6" White Stripe	LF	\$ 2.00	\$ 0.65	\$ 65.00
3	12" White Stripe	LF	\$ 5.00	\$ 3.00	\$ 3.00
4	24" White Stripe	LF	\$ 10.00	\$ 6.00	\$ 6.00
5	4" Yellow Stripe	LF	\$ 1.50	\$ 0.42	\$ 0.42
6	4" Yellow Stripe - Skip	LF	\$ 3.00	\$ 0.80	\$ 0.80
7	18" Yellow Stripe	LF	\$ 8.00	\$ 5.00	\$ 5.00
8	Single Arrow	Each	\$ 100.00	\$ 65.00	\$ 65.00
9	Double Arrow	Each	\$ 140.00	\$ 85.00	\$ 85.00
10	"ONLY" Symbol	Each	\$ 150.00	\$ 95.00	\$ 95.00
11	Accessible Parking Emblem	Each	\$ 100.00	\$ 50.00	\$ 50.00
12	Marking Removal	LF	\$ 4.50	\$ 4.50	\$ 4.50
13	Sharrow	Each	\$ 130.00	\$ 85.00	\$ 85.00

## 2021

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$ 1.55	\$ 0.42	\$ 0.42
2	6" White Stripe	LF	\$ 2.10	\$ 0.68	\$ 0.68
3	12" White Stripe	LF	\$ 5.25	\$ 3.25	\$ 3.25
4	24" White Stripe	LF	\$ 10.50	\$ 6.50	\$ 6.50
5	4" Yellow Stripe	LF	\$ 1.55	\$ 0.44	\$ 0.44
6	4" Yellow Stripe - Skip	LF	\$ 3.25	\$ 0.85	\$ 0.85
7	18" Yellow Stripe	LF	\$ 8.25	\$ 5.25	\$ 5.25
8	Single Arrow	Each	\$ 105.00	\$ 70.00	\$ 70.00
9	Double Arrow	Each	\$ 145.00	\$ 90.00	\$ 90.00
10	"ONLY" Symbol	Each	\$ 155.00	\$ 100.00	\$ 100.00
11	Accessible Parking Emblem	Each	\$ 105.00	\$ 55.00	\$ 55.00
12	Marking Removal	LF	\$ 4.50	\$ 4.50	\$ 4.50
13	Sharrow	Each	\$ 135.00	\$ 90.00	\$ 90.00

## 2022

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$ 1.60	\$ 0.44	\$ 0.44
2	6" White Stripe	LF	\$ 2.20	\$ 0.70	\$ 0.70
3	12" White Stripe	LF	\$ 5.40	\$ 3.40	\$ 3.40
4	24" White Stripe	LF	\$ 11.00	\$ 6.80	\$ 6.80
5	4" Yellow Stripe	LF	\$ 1.60	\$ 0.45	\$ 0.45
6	4" Yellow Stripe - Skip	LF	\$ 3.40	\$ 0.90	\$ 0.90
7	18" Yellow Stripe	LF	\$ 8.50	\$ 5.50	\$ 5.50
8	Single Arrow	Each	\$ 110.00	\$ 75.00	\$ 75.00
9	Double Arrow	Each	\$ 150.00	\$ 95.00	\$ 95.00
10	"ONLY" Symbol	Each	\$ 160.00	\$ 105.00	\$ 105.00
11	Accessible Parking Emblem	Each	\$ 110.00	\$ 60.00	\$ 60.00
12	Marking Removal	LF	\$ 4.50	\$ 4.50	\$ 4.50
13	Sharrow	Each			

## 2019 PRICES

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF		\$ 0.33	\$ 0.35
2	6" White Stripe	LF		\$ 0.45	\$ 0.47
3	12" White Stripe	LF		\$ 2.13	\$ 2.23
4	24" White Stripe	LF		\$ 3.25	\$ 3.30
5	4" Yellow Stripe	LF		\$ 0.33	\$ 0.33
6	4" Yellow Stripe - Skip	LF			
7	18" Yellow Stripe	LF		\$ 2.70	\$ 2.85
8	Single Arrow	Each		\$ 46.00	\$ 48.00
9	Double Arrow	Each		\$ 65.00	\$ 67.00
10	"ONLY" Symbol	Each		\$ 75.00	\$ 78.00
11	Accessible Parking Emblem	Each		\$ 41.00	\$ 43.00
12	Marking Removal	LF		\$ 1.00	\$ 1.00
13	Sharrow	Each			

**AGREEMENT for TRAFFIC MARKING SERVICES**

This Agreement, made this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between \_\_\_\_\_, hereinafter referred to as Contractor, and the CITY OF PRAIRIE VILLAGE, KANSAS, hereinafter referred to as City, shall be in full force and effect during calendar years 2020 through 2022 with the following terms and conditions.

The Contractor proposes and agrees to provide all necessary machinery, tools, and equipment; and to do all the work specified in these documents of the agreement in the manner herein prescribed and according to the requirements of the City as herein set forth.

This document will be the only executed agreement. Any additions or changes must be added as a written supplement to this agreement at time of proposal. City Council must approve each year the terms of this agreement based on the budgetary allowance.

**1.0 Service Specifications**

- 1.1 The Contractor will provide pavement marking services for the City.
- 1.2 The Contractor is required to have a valid City of Prairie Village Non-Domicile Business License while under contract with the City. License and information can be obtained at the Codes Office located at 7700 Mission Road.
- 1.3 All work must follow the most recent published guidelines of Part 3 Markings of the Manual of Uniform Traffic Control Devices (MUTCD).
- 1.4 The material and its application specifications will be as provided in the City of Prairie Village Standard Specifications S721 - Painted Pavement Marking and Special Provision SP725 - Methyl Methacrylate (MMA) Pavement Marking (attached).
- 1.5 The Contractor will provide traffic control during all marking operations in accordance with the City of Prairie Village Standard Specifications S701 - Traffic Control (attached).
- 1.6 The Contractor will prepare a daily report showing units of work for the previous day and review the report with the City representative.
- 1.7 The Contractor will review the daily schedule with the City representative prior to starting work.
- 1.8 The Contractor will supply a contact name, direct phone number and email and will notify the City if this contact information changes during the Contract period.
- 1.9 The Contractor is admonished that their employees will be properly attired, refrain from abusive language, refrain from improper behavior, and be aware that they are representing the City.

**2.0 General**



- 2.1 This signed agreement will be the authorization for the Contractor to provide the described services as requested by the City.
- 2.2 Melissa Prenger, Project Manager, at phone (913) 385-4655, fax (913) 642-0117 Email-mprenger@pvkansas.com, will be the City coordinator for the Contractor for providing any service and responding to any special needs.
- 2.3 The Contractor will contact Public Works to schedule work. All work should be performed between 7:00am through 3:30pm weekdays unless otherwise scheduled or approved by the City.
- 2.4 All work performed by the Contractor will be of acceptable workmanlike quality and installation normally associated with this trade and shall occur to the satisfaction of the City before payment will be made by the City to the Contractor.
- 2.5 Payment. Based upon Applications for Payment submitted to the Project Manager by the Contractor and Certificates for Payment issued by the Project Manager, the City shall make progress payments on account of the contract sum to the Contractor. The Project Manager will, upon receipt of a written Application for Payment from the Contractor, review the amount of Work performed during the preceding period and the value thereof at the unit prices contracted. From the amounts so ascertained, there shall be deducted ten percent (10%) to be retained until after final completion of the entire Work to the satisfaction of the City. The Project Manager will submit an estimate each month to the City for payment to the Contractor, except that no amount less than \$500.00 will be submitted unless the total amount of the Contract remaining unpaid is less than \$500.00.
- 2.6 Invoices shall be submitted for payment within sixty days of completion of work.
- 2.7 Insurance:
  - A. The Contractor shall procure and maintain, at its expense, the following insurance coverage: (a) Workers' Compensation -- Statutory Limits, with Employer's Liability limits of \$100,000 each employee, \$500,000 policy limit; (b) Commercial General Liability for bodily injury and property damage liability claims with limits of not less than \$1,000,000 per occurrence and \$2,000,000 in the aggregate; and (c) Commercial Automobile Liability for bodily injury and property damage with limits of not less than \$1,000,000 each accident for all owned, non-owned and hired automobiles.
  - B. All property damaged shall be repaired or replaced to a condition immediately prior to the time of damage, and to the satisfaction of the City.
  - C. All loss or damage arising out of the nature of the work to be done, or from the action of the elements, or from floods or overflows, or from ground water, or from unusual obstructions or difficulties, or any other natural or existing circumstances either known or unforeseen, which may be encountered in the prosecution of the said work shall be sustained and borne by the Contractor at its own cost and expense.
  - D. The City shall be a named insured on such policies. Satisfactory certificates of insurance shall be filed with the City prior to starting any construction work on this Contract. The certificates shall state that thirty (30) days written notice will be given to the City before any policy coverage thereby is changed or canceled.

- 2.8 It is the express intent of the parties that this Contract shall not create an employer-employee relationship. Employees of the Contractor shall not be deemed to be employees of the City and employees of the City shall not be deemed to be employees of the Contractor. The Contractor and the City shall be responsible to their respective employees for all salary and benefits. Neither the Contractor's employees nor the City's employees shall be entitled to any salary, wages, or benefits from the other party, including but not limited to overtime, vacation, retirement benefits, workers' compensation, sick leave or injury leave. Contractor shall also be responsible for maintaining workers' compensation insurance, unemployment insurance for its employees, and for payment of all federal, state, local and any other payroll taxes with respect to its employees' compensation.
- 2.9 To the fullest extent permitted by law, with respect to the performance of its obligations in this Contract or implied by law, and whether performed by Contractor or any permitted subcontractors hired by Contractor, the Contractor agrees to indemnify City, and its agents, servants, and employees from and against any and all claims, damages, and losses arising out of personal injury, death, or property damage, caused by the negligent acts, errors, or omissions of the Contractor or its subcontractors, to the extent and in proportion to the comparative degree of fault of the Contractor and its subcontractors. Contractor shall also pay for City's reasonable attorneys' fees, expert fees, and costs incurred in the defense of such a claim to the extent and in proportion to the comparative degree of fault of the Contractor and its subcontractors.
- 2.10 Applicable Laws and Permits:
- A. The Contractor shall observe and comply with all applicable federal, state, and local laws, regulations, standards, ordinances or codes and shall be in compliance with all applicable licensure and permitting requirements at all times.
  - B. Pursuant to K.S.A. No. 16-113, if the Contractor does not have a resident agent in the State of Kansas, it shall execute and file "Certificate of Appointment of Process of Agent" with the Clerk of the District Court at the Johnson County, Kansas Courthouse. These forms may be obtained at the Office of the Clerk of the District Court. After execution of the documents, it shall be filed with the Clerk of the District Court. Contractor shall be responsible for the filing fee. This certificate is pursuant to the General Statutes of Kansas, and shall be filed prior to the formal execution of the Contract Documents. Failure to comply with these requirements shall disqualify the Contractor for the awarding of this Contract.
- 2.11 The Contractor warrants to the City that any materials furnished under this Contract will be of good quality and new unless the Contract Documents require or permit otherwise. The Contractor further warrants that the Work will conform to the requirements of the Contract Documents and will be free from defects, except for those inherent in the quality of the Work the Contract Documents require or permit. Work, materials, or equipment not conforming to these requirements may be considered defective. The Contractor's warranty excludes remedy for damage or defect caused by abuse, alterations to the Work not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage. The Contractor shall furnish satisfactory evidence as to the kind and quality of materials and equipment. This warranty shall be in addition to and not in limitation of any other warranty or remedy required by law or by the Contract Documents.

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- 2.12 The Contractor may not use any subcontractors without the prior written consent of the City, which may be withheld for any reason at the City's discretion.
- 2.13 If, on account of a continued default or breach by either party of such party's obligations under the terms of this agreement after any notice and opportunity to cure as may be required hereunder, it shall be necessary for the other party to employ one or more attorneys to enforce or defend any of such other party's rights or remedies hereunder, then, in such event, any reasonable amounts incurred by such other party, including but not limited to attorneys' fees, experts' fees and all costs, shall be paid by the breaching or defaulting party.
- 2.14 This Contract shall not be assigned by Contractor to any other party without first obtaining the written consent of the City.
- 2.15 Non-Discrimination - The Contractor agrees that it shall abide by the Prairie Village Non Discrimination Code (Section 5-801 et seq) and shall not discriminate against any person in the performance of Work under the present contract because of race, religion, color, sex, sexual orientation, gender identity, disability, age, national origin, or ancestry. If the City determines that the Contractor has violated any applicable provision of any local, state or federal law, or has discriminated against any person because of race, religion, color, sex, sexual orientation, gender identity, disability, age, national origin, or ancestry, such violation and/or discrimination shall constitute a breach of contract and the City may cancel, terminate or suspend this agreement in whole or in part.
- 2.16 This Contract shall be governed by and interpreted in accordance with the laws of the State of Kansas. Venue for all actions relating to this contract shall be in the district court of Johnson County, Kansas.
- 2.17 This Agreement is for the period of January 1, 2020 through December 31, 2022. Either party may terminate this agreement by giving sixty (60) days prior written notice to the other party, or immediately upon a default by the other party.
- 2.18 The Contractor will commence work within ten (10) calendar days from and after receiving instructions from the City.

## 3.0 Fees

## 3.1 The fees for these services in 2020 are:

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$1.50	\$ .40	
2	6" White Stripe	LF	\$2.00	\$ .65	\$ .65
3	12" White Stripe	LF	\$5.00	\$3.00	\$3.00
4	24" White Stripe	LF	\$10.00	\$6.00	\$6.00
5	4" Yellow Stripe	LF	\$1.50	\$ .42	\$ .42
6	4" Yellow Stripe - Skip	LF	\$3.00	\$ .80	\$ .80
7	18" Yellow Stripe	LF	\$8.00	\$5.00	\$5.00
8	Single Arrow	Each	\$100.00	\$65.00	\$65.00
9	Double Arrow Black	Each	\$140.00	\$85.00	\$85.00
10	"ONLY" Symbol	Each	\$150.00	\$95.00	\$95.00
11	Accessible Parking Emblem	Each	\$100.00	\$50.00	\$50.00
12	Marking Removal	LF	\$4.50	\$4.50	\$4.50
13	Sharrow	Each	\$130.00	\$85.00	\$85.00

## 3.2 The fees for these services in 2021 are:

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$1.55	\$ .42	\$ .42
2	6" White Stripe	LF	\$2.10	\$ .68	\$ .68
3	12" White Stripe	LF	\$5.25	\$3.25	\$3.25
4	24" White Stripe	LF	\$10.50	\$6.50	\$6.50
5	4" Yellow Stripe	LF	\$1.55	\$ .44	\$ .44
6	4" Yellow Stripe - Skip	LF	\$3.25	\$ .85	\$ .85
7	18" Yellow Stripe	LF	\$8.25	\$5.25	\$5.25
8	Single Arrow	Each	\$105.00	\$70.00	\$70.00
9	Double Arrow Black	Each	\$145.00	\$90.00	\$90.00
10	"ONLY" Symbol	Each	\$155.00	\$100.00	\$100.00
11	Accessible Parking Emblem	Each	\$105.00	\$55.00	\$55.00
12	Marking Removal	LF	\$4.50	\$4.50	\$4.50
13	Sharrow	Each	\$135.00	\$90.00	\$90.00

## 3.3 The fees for these services in 2022 are:

ITEM #	DESCRIPTION	UNIT	MMA	SOLVENT-BASED PAINT	WATER-BASED PAINT
1	4" White Stripe	LF	\$ 1.60	\$ .44	\$ .44
2	6" White Stripe	LF	\$ 2.20	\$ .70	\$ .70
3	12" White Stripe	LF	\$ 5.40	\$ 3.40	\$ 3.40
4	24" White Stripe	LF	\$ 11.00	\$ 6.80	\$ 6.80
5	4" Yellow Stripe	LF	\$ 1.60	\$ .45	\$ .45
6	4" Yellow Stripe - Skip	LF	\$ 3.40	\$ .90	\$ .90
7	18" Yellow Stripe	LF	\$ 8.50	\$ 5.50	\$ 5.50
8	Single Arrow	Each	\$ 110.00	\$ 75.00	\$ 75.00
9	Double Arrow Black	Each	\$ 150.00	\$ 95.00	\$ 95.00
10	"ONLY" Symbol	Each	\$ 160.00	\$ 105.00	\$ 105.00
11	Accessible Parking Emblem	Each	\$ 110.00	\$ 60.00	\$ 60.00
12	Marking Removal	LF	\$ 4.50	\$ 4.50	\$ 4.50
13	Sharrow	Each			

4.0 References

4.1 The Contractor will provide three (3) references of comparable work from the last twelve (12) months.

Company: City of Blue Springs Contact: Donna Caton  
 Phone #: 816-228-0277 Email: DCaton@bluespringsgov.com  
 Brief Description on Work: City maintenance striping on existing surface.

Company: Clay Center Kansas Contact: Ken Shivers  
 Phone #: 785-630-0681 Email: citystreetdept@claycenterks.com  
 Brief Description on Work: striping of city parking stalls, roadway markings

Company: City of Lawrence Contact: Bob Brower  
 Phone #: 785-832-3137 Email: bbrower@lawrenceks.org  
 Brief Description of Work: MMA bike lane markings, 2019

Contractor Contact: Mitch Dolt  
 Company Name: K+G Striping  
 Address: 4125 NW Riverside St.  
Riverside, MO 64150  
 Telephone Number: 816-741-3334  
 Fax Number: 816-741-3699  
 Email: mitch@kgstriping.com  
  
 Contractor Agent Date 02/20/20

ATTEST:

\_\_\_\_\_  
Adam Geffert, City Clerk Date

\_\_\_\_\_  
David Waters, City Attorney Date

\_\_\_\_\_  
Eric Mikkelsen, Mayor Date

## S-701 TRAFFIC CONTROL

### Description

This work shall consist of furnishing, erecting, moving, cleaning, replacing, maintaining and removing signs, barricades, lights and other traffic control devices as required by the Engineer or as proposed by the Contractor and approved by the Engineer.

Bid items are: There is no bid item for traffic control.

### Reference Standard Specification

Primary Reference Standard Specification is KDOT Standard Specifications for State Road and Bridge Construction Section 805, as amended.

The above Reference Standard Specification may contain modifications in the form of additions, deletions, and substitutions. Where any part of the Reference Standard Specification is so modified, the unaltered provisions shall remain in effect.

### Construction Requirements

The Reference Standard Specification is amended as follows:

#### ADD

1. The Contractor responsible for erecting, removing, relocating and maintaining the traffic control devices shall be properly trained and certified. The American Traffic Safety Services Association (ATSSA) is an approved certification program.

The safe and satisfactory movement of traffic through the project is of paramount importance and shall be the responsibility of the Contractor. At the onset of the project, the Contractor shall provide the Engineer with the name and telephone number of an individual who shall be available on a 24-hour basis to repair, replace, remove, relocate, clean and maintain any traffic control device required or as directed by the Engineer. The Contractor shall be responsible for maintaining all traffic control devices on an around-the-clock basis, whether or not work is actively being pursued and any deficiencies noted shall be corrected immediately.

When the traffic control devices are no longer needed, immediate removal of said devices shall be included in this agreement and any agreement the Contractor has for traffic control devices. When temporary signs are removed, the Contractor shall completely remove the sign post as well. The Contractor is prohibited from cutting the sign post off and leaving a portion of the post in the ground.

2. Work hours

No work shall be conducted between the hours of 10 PM and 7 AM, Monday through Friday. No work shall be undertaken on Saturdays, Sundays and Holidays without the express approval or permission of the City.

No work may be performed on non-residential streets between 7:00 a.m. to 8:30 a.m. and 4:00 p.m. to 6:00 p.m. on weekdays. Non-residential streets may not be closed to all traffic unless permitted by the City.

Non-residential streets are defined as: 63<sup>rd</sup> Street, 67<sup>th</sup> Street, 69<sup>th</sup> Street, 71<sup>st</sup> Street, 75<sup>th</sup> Street, 79<sup>th</sup> Street, 83<sup>rd</sup> Street, 87<sup>th</sup> Street (Nall Avenue to Somerset Drive), 95<sup>th</sup> Street, Belinder Avenue, Booth Drive, Cambridge Street (State Line Road to Somerset Drive), Cherokee Drive,

Colonial Drive, Lamar Avenue, Mission Road, Nall Avenue, Roe Avenue, Somerset Drive, State Line Road, Tomahawk Road, and Windsor Street (Cherokee to 75<sup>th</sup> Street).

Evening work may be established by the Contractor, as a regular procedure, with the written permission of the City; such permission, however, may be revoked at any time by the City if the Contractor fails to maintain adequate equipment for the proper prosecution and control of all operations performed as part of the Work.

### 3. Lane Closures/Detours

Local traffic on all streets shall be carried through construction whenever possible. Detours of traffic will be permitted, with prior permission from the City, when necessary and in accordance with the traffic control plan. Streets may be closed for short periods of time under authority of proper permit issued by the City or authority having jurisdiction. However, the Contractor shall conduct his/her work to interfere as little as possible with public travel, whether vehicular or pedestrian, on such streets.

The Contractor shall only work on one side of the road at a time and no more than two streets at one time unless permitted to do so by the City.

Non-residential streets may not be closed to all traffic unless permitted by the City. Lanes may be reduced or closed, with permission from the Engineer, between the hours of 8:30 a.m. and 4:30 p.m.

Residential street closure may occur only from 8:00 a.m. until 5:00 p.m. with permission from the Engineer.

Proper notification to City Police and County Paramedic units, Fire Districts, School Districts and City refuse collector shall be given by the Contractor before closing any street.

The Contractor shall conduct his/her work to interfere as little as possible with public travel, whether vehicular or pedestrian. Whenever it is necessary to cross, obstruct, or close roads, driveways and walks, whether public or private, the Contractor shall, at his/her own expense, provide and maintain suitable and safe bridges, detours, or other temporary expedients for the accommodation of public and private travel, and shall give reasonable notice to owners of private drives before interfering with them provided that maintenance of traffic will not be required where the Contractor has obtained permission from the City and tenant of private property, or from the authority having jurisdiction over public property involved, to obstruct traffic for the duration of time as may be agreed upon.

### 4. Modifications and Maintenance

The Contractor must use proper flagging procedures when limiting traffic to one lane during working hours.

The Contractor will supply, install, and maintain the necessary traffic control devices required to maintain traffic as outlined herein. These devices include, but are not limited to, advance construction warning signs, barricades, flagmen, and other traffic control devices. All such devices shall be fabricated and installed in accordance with the M.U.T.C.D. and N.C.H.R.P. 350, latest editions. Temporary striping shall be tape and this work shall conform to Section 821 of the KDOT Standard Specification. In addition to the placement of lane lines and centerline stripes, the Contractor shall also be responsible for the proper placement of required turn arrows.



All stop, yield and street name signs removed shall be temporarily erected in the appropriate locations (no less than 7 feet vertical from grade) until permanent signing can be installed.

In addition to traffic control devices shown on the Plans, the Contractor shall provide and maintain all barricades, cones, construction warning signs, flagmen, temporary pavement marking, and incidental devices to protect the traveling public and the Contractor's personnel or equipment on the job site. During all phases of construction, the Contractor shall display the required signs. Any traffic control device not in use shall be covered, removed, or turned away from the view of on-coming traffic. Whenever the Work area changes, all construction warning signs and traffic channelization devices shall be made current, in both legend and function.

All existing traffic signs, stop signs, and street signs in the way of the Work shall be carefully removed by the Contractor and shall be returned to the City. The required function of stop signs and other signs affecting driver safety shall be preserved by the Contractor whenever a street is open to traffic. Upon completion of the Project, all street signs shall be reset by the Contractor as approved by the Engineer.

The Inspector may review the Work area at various times to determine if any additional traffic control devices are necessary or if any maintenance is required to the traffic control devices in place. Any traffic control device, which requires maintenance or any additional traffic control needs found during these reviews, will be reported to the Contractor. It will be the responsibility of the Contractor to perform the necessary maintenance or provide additional traffic control devices as requested by the Engineer. Failure to comply with this request will result in one of the following:

- a. Employ another agency to correct deficiencies in signing or warning devices and deduct the cost from the contractor's pay estimate.
- b. Suspend all pay estimates until deficiencies are corrected.
- c. Stop the work until deficiencies are corrected.
- d. Place the contractor in default.

During periods of inclement weather or during periods of unusually heavy traffic, the Engineer may require all operations to cease in order to adequately handle the traffic. The Engineer reserves the right to require the suspension or delay of certain operations, or the speeding up of other operations to insure a proper sequence of operations and thus aid the satisfactory movement of traffic.

Any request for changes in the required devices or methods of maintaining traffic should be submitted in writing to the Engineer a minimum of 72 hours prior to the time the Contractor wishes to make the change.

## 5. Worksite Access

The Worksite shall be cleaned up at the end of each working day and temporary surfacing shall be placed such that access will be had to all driveways during the night, weekends, holidays and other days when Work is not in progress and when the stage of the Work does not directly interfere with the drive. The Engineer, at his/her discretion, may grant short-term exceptions to this requirement in connection with preparing sub-grade and paving.

Driveway entrances, sidewalks, steps and finish grading shall be completed as soon as practicable behind construction of curb and gutter so that access may be had from the street adjacent property as soon as possible. Temporary grading shall be provided where required to negotiate the difference in elevation from the graded roadbed to the finished curb at driveway

entrances. The Contractor shall provide as many barricades with appropriate warning lights as needed to protect effectively pedestrians or traffic from exposed objects or excavations.

Trash Collection: The Contractor shall maintain access for refuse collection. If refuse cannot be picked up because of construction activities, the Contractor will be required to collect the refuse and to coordinate with the refuse collector to designate an alternate pick-up site.

**Method of Measurement**

Not applicable.

**Basis of Payment**

Not applicable.

**END OF SECTION**

## **S-721 PAINTED PAVEMENT MARKING**

### **Description**

This work shall include furnishing of all labor, equipment, tools and materials for installation of traffic lines and emblems of specified type and material to either asphalt concrete or Portland Concrete pavement as designated on the Plans or by the Engineer and in accordance with these specifications

Bid items are: PAINTED PAVEMENT MARKING (type)  
PAINTED PAVEMENT SYMBOL (type)

### **Reference Standard Specification**

Primary Reference Standard Specification is APWA standard specification 2306, as amended.

The above Reference Standard Specification may contain modifications in the form of additions, deletions, and substitutions. Where any part of the Reference Standard Specification is so modified, the unaltered provisions shall remain in effect.

### **Construction Requirements**

The Reference Standard Specification is amended as follows:

#### **ADD**

The permanent pavement markings shall be installed immediately after the roadway surface is complete unless prior approval is received by the Engineer. The installation of the yellow markings (as required) is the first priority. If the permanent markings cannot be installed and thus the roadway would be unmarked overnight, temporary removable markings shall be installed and remain until the permanent markings can be installed. The contractor shall make every possible effort to remove the temporary pavement markings and install permanent pavement markings within 48 hours. Only under extreme circumstances and with the approval of the Engineer, will the duration of the temporary pavement markings be extended.

#### **Material**

Lead-Free, Water-Borne Emulsion Based White and Yellow Traffic Paint -

The pavement marking paint shall be rapid dry. The traffic paint shall provide optimum adhesion for glass spheres when both binder and glass spheres are applied in the recommended quantities.

1. Drying Time: When applied at a wet film thickness of 15 mils with a top dressing of 6-10 pounds of glass spheres per gallon of paint and when the pavement temperature is between 50° F and 120° F and the relative humidity doesn't exceed 80%, the binder shall dry to a no-tracking condition in a minimum of 20 seconds and a maximum of 60 seconds. These dry times shall not be exceeded when the paint is applied with specialized equipment so as to have the pigmented binder at a temperature of 1500 F to 1700 F at the spray gun. The no-tracking condition shall be determined by passing over the applied line in a simulated passing maneuver with a passenger car traveling 35 MPH. There shall be no visual deposition of the paint to the pavement surface when viewed from a distance of 50 feet. Furthermore, the pigmented binder, without glass spheres, shall dry to no-tracking condition in 180 seconds or less when tested in accordance with ASTM D 711.
2. Directional Reflectance: The daylight directional reflectance of white pigmented binder (without glass spheres) shall be not less than 85% relative to magnesium oxide when tested in accordance with Federal Test Method Standard No. 141d, Method 6242. If yellow, after drying shall suitably match color 13538 of Federal Standard 595.
3. The paint for the pavement markings shall contain no lead and/or chromium and shall have volatile organic content conforming to the latest Environmental Protection Agency regulations.

4. In addition, the paint and/or components shall conform to the American Society for Testing Materials (ASTM) per the APWA specification 2306.

The paint shall show no cracking, flaking, blistering, appreciable loss of adhesion, softening, coagulation, discoloration, and have a minimum bleeding ratio of 0.97 when tested in accordance with Federal Specification TT-P-1952B.

The paint shall be capable of dilution with water at all levels without curdling or precipitation such that the wet paint can be readily cleaned up with water only. The minimum contrast ratio shall be 0.96 when drawing down with a 0.005 bird film applicator on a 2A Leneta Chart or equal and air-dried for 24 hours. Contrast Ratio = Black/White.

These materials will be used to paint centerlines, edge lines, parking lot lines, symbols, and no-passing lines and shall be furnished in one grade and in colors as noted on the plans.

All markings shall be applied in accordance with the manufacturer's recommendations. Marking configurations shall be in accordance with the *Manual on Uniform Traffic Control Devices*. The finished lines shall be free from waviness and the lateral deviation shall not exceed 1 inch in 10 feet.

Installation:

The proposed permanent markings shall be laid out by the Contractor as shown on the Plans in advance of the marking installation. Markings shall not be applied until the layout and conditions of the surface have been approved by the Engineer. If a paint line is used for layout purposes (in lieu of a chalk line or string line) the paint line shall not be wider than 1/2-inch in width. If wider, the paint shall be removed following the application of the final permanent marking.

New markings shall match existing markings as applicable in areas abutting existing road surfaces. The surface shall be dry and all dust, debris, oil, grease, dirt, temporary markings and other foreign matter shall be removed from the road surface prior to the application of the permanent marking material. The Contractor shall be responsible for keeping traffic off freshly applied markings until they have set sufficiently to bear traffic. Traffic control is the responsibility of the Contractor and shall conform to the MUTCD.

Failure to comply with traffic control guidelines will result in the pavement marking Contractor being directed to stop operations and leave the site until proper and approved traffic control has arrived and is put in place.

The Contractor shall furnish and install white and yellow retro-reflectorized pavement marking paint material at the location shown on the Plans, in conformance with the material specifications included herein.

1. The wet thickness and dry thickness of the pavement marking paint shall not be less than 15 mils and 12 mils, respectively without glass beads.
2. Glass beads shall be applied uniformly over the entire length of line at the rate of 6 to 10 lbs. per gallon of paint. Glass beads shall conform to the APWA specification 2306.
3. The gun tip shall be oriented perpendicular to the centerline to ensure that the beginning and ends of all lines are perpendicular to the centerline and not skewed.
4. The equipment shall be maintained such that the needle can be fully closed when shut as to ensure square cut lines at the beginning and ends.

**Method of Measurement**

The PAINTED PAVEMENT MARKING or PAINTED PAVEMENT SYMBOL will be measured either by linear foot and per each type of signs, letters or symbols whichever is called for on the Plans or by the

Engineer. When measured per linear foot, it will be measured by the linear foot for each length of various widths complete in place.

**Basis of Payment**

The amount of completed and accepted work measured as provided above will be paid at the Contract unit prices per linear foot or unit prices per each signs, letters or symbols of the various widths and classes of PAINTED PAVEMENT MARKING or PAINTED PAVEMENT SYMBOL. The price will be full compensation for all layouts required, furnishing and placing all materials and for all labor, equipment, tools and incidentals necessary to complete the work.

No payment will be made for temporary pavement marking.

**END OF SECTION**

## **SP-725 METHYL METHACRYLATE (MMA) PAVEMENT MARKING**

### **Description**

This work shall include furnishing of all labor, equipment, tools and materials for installation of traffic lines and emblems of specified type and material to either asphalt concrete or Portland Concrete pavement as designated on the Plans or by the Engineer and in accordance with these specifications

Bid items are: PAVEMENT MARKING (MMA) (type)  
PAVEMENT SYMBOL (MMA) (type)

### **Reference Standard Specification**

Primary Reference Standard Specification is APWA standard specification 2306, as amended.

The above Reference Standard Specification may contain modifications in the form of additions, deletions, and substitutions. Where any part of the Reference Standard Specification is so modified, the unaltered provisions shall remain in effect.

### **Construction Requirements**

The Reference Standard Specification is amended as follows to ADD specifications for MMA material:

MMA material shall be HPS-6 or approved equal.

#### Application and Site Conditions

Air and surface temperatures shall be in the range of 40° F. (4.4°C.) to 105° F. (40.5°C.) during installation and cure. Application temperatures outside this range can negatively affect product performance.

Relative humidity in the specific location of the installation shall be less than 85% and the surface temperature shall be at least 5° F. above the dew point.

The pavement shall be dry and rain-free 24 hours prior to installation.

Asphalt substrates shall be dry, clean and free of contaminants such as surface oils. Newly placed asphalt substrates shall be allowed to age a minimum of 14 days prior to application of Markings.

Concrete must be fully cured for a minimum of 28 days prior to installation of Markings. Surface contaminants such as curing agents, membranes, bond breakers or laitance shall not be used in areas to be marked. Moisture content shall not exceed 0.5%.

Existing markings with a presence of 25% or more are also deemed contaminants and shall be removed. Placement of Markings over existing methacrylates shall be allowed when surface inspection indicates a clean, dry, sound surface.

#### Glass Beads

Drop on glass beads shall be applied at a rate between 6 - 10 lbs/100 ft.2

Use of the proper bead is critical to initial and long term retro-reflectivity. Bead type and gradation varies with the different HPS-6 types. Manufacturer shall be consulted for proper bead type and gradation.

Drop on beads shall be coated with a Methacrylate compatible coupling agent per manufacturers recommendation.

#### Material Storage

Materials shall be kept in dry protected areas between 40° F. (4.4° C.) and 77° F. (25° C.) out of direct sunlight, protected from open flame and with all containers grounded. Hardener component shall be stored separately from other materials.

Manufacturer's specific label instructions and prudent safety practices for storage and handling shall be followed at all times.

#### Application Equipment

Acceptable application equipment shall be "airless" or "air atomized" in design and capable of applying SPRAY MMA.

#### **Method of Measurement**

The PAVEMENT MARKING (MMA) or PAVEMENT SYMBOL (MMA) will be measured either by linear foot and per each type of signs, letters or symbols whichever is called for on the Plans or by the Engineer. When measured per linear foot, it will be measured by the linear foot for each length of various widths complete in place.

#### **Basis of Payment**

The amount of completed and accepted work measured as provided above will be paid at the Contract unit prices per linear foot or unit prices per each signs, letters or symbols of the various widths and classes of PAVEMENT MARKING (MMA) or PAVEMENT SYMBOL (MMA). The price will be full compensation for all layouts required, furnishing and placing all materials and for all labor, equipment, tools and incidentals necessary to complete the work.

No payment will be made for temporary pavement marking.

**END OF SECTION**



**PC2020-101: Consider Ordinance 2414 to rezone 4820 W 75<sup>th</sup> Street and the vacant lot directly to the East from R-1A (Single-Family) to C-0 (Office)**

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**RECOMMENDATION**

Make a motion to accept the Planning Commission's recommendation and approve PC2020-101, rezoning 4820 W 75<sup>th</sup> Street and the vacant lot directly to the East from R-1A (Single-Family) to C-0 (Office).

**BACKGROUND**

The applicant is Sharp Law Firm, who is requesting to combine two lots along 75<sup>th</sup> Street and rezone them from R-1A to C-0 to build a 10,000 square foot law office directly to the west of Prairie Baptist Church. Sharp Law Office currently operates in Prairie Village under a special use permit at 5301 W 75<sup>th</sup> Street.

The Planning Commission originally heard the application at their January 7<sup>th</sup> meeting. There were concerns expressed at the public hearing by the residential property owner directly to the west of the proposed development, and the Planning Commission had some concerns about the massing and screening along the west boundary. The Planning Commission voted to continue the application to their February meeting and requested that the applicant work with the property owner to the west to come up with a design that addressed concerns about massing, façade design, and screening along the west boundary in order to fit in better with the neighborhood.

The applicant met with the property owner to the west on a couple different occasions in January and submitted a revised plan for consideration at the February 4, 2020 Planning Commission meeting that addressed the concerns that were expressed in the January meeting. Two people were present at the February 4 meeting to speak on the application. The first was the resident to the west of the proposed development, who expressed concerns about the value of her home decreasing if the office is to be built at this location. The second person was a licensed appraiser who informed the Planning Commission that he was hired by Sharp Law to look at the impacts on property value when commercial buildings are located adjacent to residential buildings. The Planning Commission closed the public hearing and voted unanimously to approve the requested rezoning.

A rezoning application requires the City Council to act in its quasi-judicial role. When acting in this capacity, rather than a legislative capacity, the governing body must set aside personal opinions and, like a judge, apply the law to facts presented in the public record, taking into consideration the following criteria, commonly referred to as the "Golden" factors:

1. The character of the neighborhood.
2. The zoning and uses of property nearby.
3. The suitability of the property for the uses to which it has been restricted under its existing zoning.
4. The extent that a change will detrimentally affect neighboring property.
5. The length of time of any vacancy of the property.
6. The relative gain to public health, safety, and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners.
7. City staff recommendations.
8. Conformance with the Comprehensive Plan.



An analysis of all of these factors is provided in the attached Planning Commission staff report.

According to Section 19.52.040 of the Zoning Regulations, the Governing Body can take the following actions on a rezoning recommendation from the Planning Commission:

1. Adopt the Planning Commission's recommendation by a simple majority (7 votes including the Mayor)
2. Override the Planning Commission's recommendation by a 2/3 majority vote of the entire Governing Body (9 votes including the Mayor)
3. Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove by a simple majority. The Planning Commission can then submit the original recommendation or submit a new and amended recommendation. The Governing Body then can adopt or amend the recommendation by a simple majority (7 votes) or take no further action.

Chris Brewster, the City's Planning Consultant, will be present at the meeting to provide a short presentation and answer any associated questions. The architects for the proposed development will also be present to give a short presentation.

#### **ATTACHMENTS**

Ordinance 2414

Planning Commission Staff Report

Rezoning Application

Excerpt from January 7, 2020 Planning Commission Minutes

Excerpt from February 4, 2020 Planning Commission Minutes

#### **PREPARED BY**

Jamie Robichaud

Deputy City Administrator

Date: February 26, 2020

ORDINANCE 2414

AN ORDINANCE REZONING PROPERTY LOCATED AT 4820 W 75<sup>th</sup> STREET, PRAIRIE VILLAGE, KANSAS FROM R1-A (SINGLE-FAMILY RESIDENTIAL) TO C-0 (OFFICE BUILDING DISTRICT); DIRECTING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF PRAIRIE VILLAGE, KANSAS; AND REINCORPORATING SAID ZONING MAP BY REFERENCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:

**Section I. Planning Commission Recommendation.** That having received a recommendation from the Planning Commission; having found favorably on the findings of fact, proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the zoning classification or districts of the lands hereinafter legally described are changed from R-1A (Single-Family Residential) to C-0 (Office Building District) as set forth in Section II.

**Section II. Rezoning of Property.** That the real estate located at 4820 W 75<sup>th</sup> Street, Prairie Village, Kansas, and hereinafter described to Wit: 21-12-25 BG 812.7' E SW CR SE1/4 NW1/4 E 75.9' X N 180' .31 AC AUBJ TO ST PVC-0572 AND 21-12-25 BG 888.6' E SW CR SE1/4 NW1/4 180 X 75.9' .31 ACS M/L PVC F71A BOTA 98 502 TX, commonly referred to as:

4820 W 75<sup>th</sup> Street and vacant lot directly to the east in Prairie Village, Kansas

is hereby rezoned in its entirety from R-1A (Single-Family Residential) to C-0 (Office Building District).

**Section III. Reincorporation by Reference of Prairie Village, Kansas Zoning District Map as Amended.** The official Zoning District Map of the City is hereby amended in accordance with Section II of this Ordinance and is hereby reincorporated by reference and declared to be the Official Zoning District Map of the City as provided for and adopted pursuant to the provisions of Section 19.04.010 of the Prairie Village Zoning Regulations.

**Section IV. Take Effect.** That this ordinance shall take effect and be in full force from and after its publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS DAY OF 2<sup>nd</sup> DAY OF MARCH, 2020.

\_\_\_\_\_  
Mayor Eric Mikkelson

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Adam Geffert, City Clerk

\_\_\_\_\_  
David E. Waters, City Attorney

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, Gould Evans, Planning Consultant  
**DATE:** February 4, 2020 Planning Commission Meeting

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**Application:** PC 2020-101 - REVISED

**Request:** Rezoning from R-1A to C-O and Site plan review for proposed office; and Survey Plat for lot combination.

**Action:** *A Rezoning requires that the planning commission evaluate facts and weigh evidence, and based on balancing the factors and criteria in the ordinance, make a recommendation to the City Council.*

*A Site Plan requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application.*

*A Survey Plat / Lot Combination requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application.*

**Property Address:** 4820 West 75<sup>th</sup> Street

**Applicant:** GastingerWalker&, Laura Pastine, for Rex Sharp c/o Sharp Law

**Current Zoning and Land Use:** R-1A Single-Family District - Single-Family Dwelling

**Surrounding Zoning and Land Use:** **North:** R-1A Single-Family District – Church (parking lot)  
**East:** R-1A Single-Family District - Church  
**South:** R-1B Single-Family District – Single-Family Dwellings  
**West:** R-1A Single-Family District - Single-Family Dwellings

**Legal Description:** 21-12-25 BG 812.7' E SW CR SE1/4 NW1/4 E 75.9'X N180' .31 AC SUBJ TO ST abbreviated, and lot immediately to east similarly abbreviated.

**Property Area:** 11,384.42 sq. ft. (0.26 ac.) and 11,385.85 (0.26 ac)

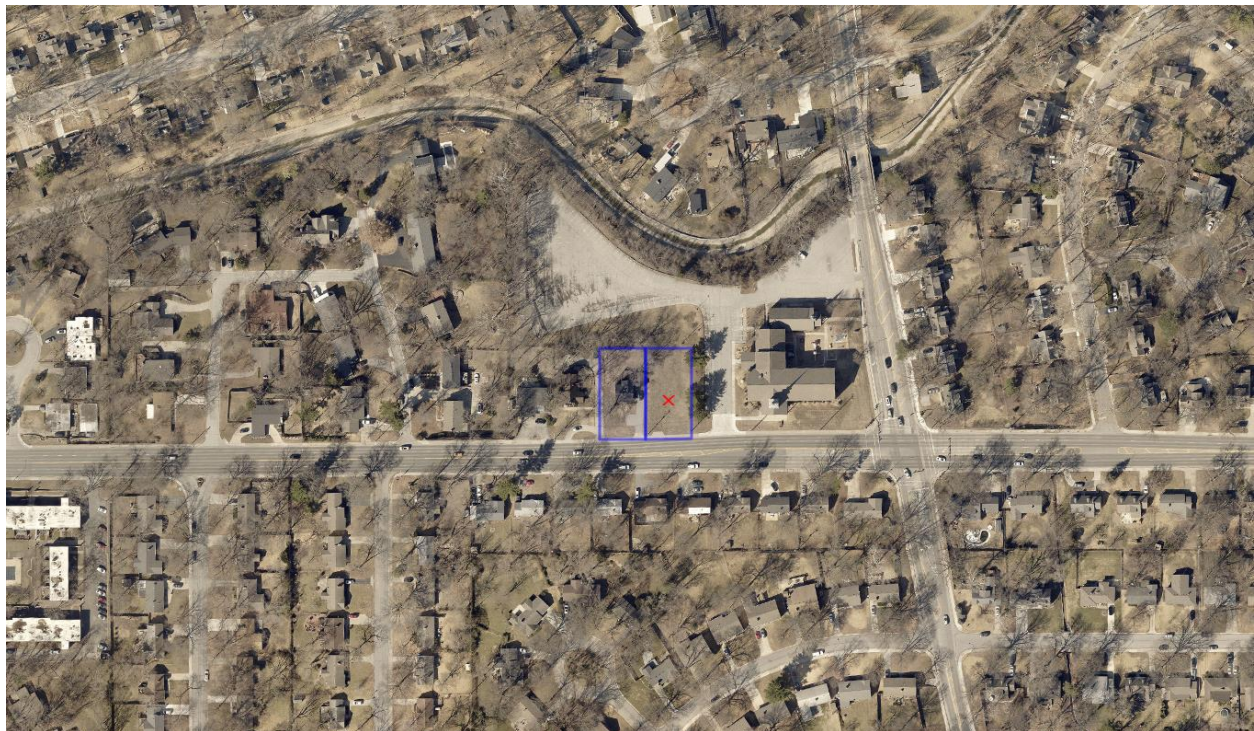
**Related Case Files:** none

**Attachments:** Application, Site Plan, Elevations, Lot Combination Plat.

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General Location – Map



General Location – Aerial





**Site – Aerial**



**Birdseye**





**Street View** (looking west on 75th Street)



**Street View** (looking east on 75<sup>th</sup> Street)

**UPDATE:**

The Planning Commission originally heard this application at the January 7, 2020 meeting and conducted a public hearing. The Commission voted to continue the public hearing until the February 4, 2020 meeting, so that the applicant could work with adjacent property owners and address some concerns about the massing, facade design, and/or screening that affected the relationship of the site and building to the existing home on the west property line. The applicant submitted a revised plan.

This report includes all of the original staff report recommendations from the January 7, 2020 meeting, and is supplemented with the following points to address how the revised application addresses the issue of the relationship of the west boundary.

- The extent of the two-story elevation along the west property line has been shortened from 99'10" in the original application, to 79' in the revised application.
- The west elevation includes a significant off-set in the wall plane covering approximately half of the wall on the lower level with an off-set of an additional 4 feet (approximate – not dimensioned).
- A foundation and retaining wall on the west side will allow grading and landscape to better transition between the adjacent structures. This has the effect of minimizing the larger mass to the rear portion of the building that becomes larger with the grade.
- Material changes have been refined to include differentiation of the first and second story on the west elevation, particularly closer to the front portion of the building. Windows have been changed from vertical proportions to horizontal proportions.
- The landscape plan has been updated, and in particular includes substantial screening on the entire west boundary, including along the parking area to the north end of the site. (recommended Green Giant Arborvitae)

Other corresponding changes to the plan, not directly related to the west elevation include:

- Shifting some floor area to a second story above the main mass on the east side, opening up to a smaller, rooftop balcony.
- Identifying the landscape and grading that cuts off the through drive of the parking lot on the east side. (discussed in concept prior to the January 7 meeting, and identified in recommended conditions).
- The revised plan has 33 spaces compared to 34 on the original plans that were submitted, but still meets the ordinance requirements.

Staff recommends approval of the rezoning, site plan, and survey plat for lot merger, subject to the same conditions included in the original report below, as supplemented by these revisions to the plan. The original recommendations are restated below, with notes on how the revised plans affect them.

1. The conceptual drainage plan be carried out and finalized in a manner that either has no impact on the existing drainage issue on the property to the north, or is coordinated with the required fix of that situation. The final drainage plan is subject to final approval by Public Works. *[This condition remains in effect as an item for further action prior to permits.]*
2. Any change in the proposed access (through access in the parking) be coordinated with grading, drainage, and traffic circulation and approved by Public Works. Plans shall include an extension and enhancement of the site landscape plan (with additional plants) into any areas that are not connected parking. *[The revised plan shows this change with a retaining wall separating the upper front parking from the lower rear parking. All parking arrangements remain subject to the easement conditions in number 3, below.]*
3. The easement for the parking area be verified by the City Attorney and properly noted on (or connected with) the survey plat prior to recording. An exception is noted to the following standards – side parking setback; rear parking setback; rear building setback – which is conditioned on this site plan, and the maintenance of all required landscape areas on the property granting the easement, so that the standards are otherwise met. *[This condition remains in effect as an item for further action prior to permits.]*

4. A pedestrian connection from the public sidewalk to the entry feature (courtyard area) of the building be added. *[The revised plan does not appear to have a connection, and we still recommend that the crushed limestone garden and front entry area should have a sidewalk connection to the public sidewalk along the street.]*
5. Prior to a permit for the monument sign, the applicant specify to staff the location of the sign in relation to the street and property lines, verify the location meets all site distance requirements, and provide landscape plans for the base of the sign. *[This condition remains in affect as an item for further action prior to permits.]*
6. The following changes are recommended for the landscape plan:
  - a. Add 4 ornamental trees along the frontage, 2 specifically to frame a pedestrian connection to the sidewalk.
  - b. Add perimeter parking buffers on the east and north edges of the parking and address the maintenance as a condition of the easement for parking and buffers on adjacent property. Specifically, this should include 7 shade trees (accounting for replacement of the removed trees) and 45 shrubs.
  - c. Change the buffer on the west property boundary from 4 Norway Spruce to 14 Green Giant Arborvitae (6'), and extend the planting buffer to the north edge of the parking area.*[All landscape recommendations have been met in the revised plan. In addition to the enhanced screening on the sensitive west edge, the applicant has also reduced the massing of the west elevation with a combination of reduced building mass, variation in the massing and materials, and grading.]*
7. The Planning Commission recommends approval of the rezoning conditioned on the site plan. Approval of the site plan and survey plat by the Planning Commission is subject to the City Council approval of the rezoning recommendation, or amended approval of the recommendation that does not significantly impact these plans. *[This condition remains in affect.]*

[January 7, 2020 report, prior to revised submittal follows]

#### **BACKGROUND:**

The applicant is requesting to rezone two lots equaling approximately 0.52 acres from R-1A to C-O. The application also includes a site plan to build an approximately 10,000 square feet office (4,724 square feet footprint) and a survey plat to combine the two lots into one lot. The property is immediately west of Prairie Baptist Church, and fronts on the north side of 75<sup>th</sup> Street west of the Roe Avenue intersection. One lot is vacant and the other lot has a detached single-family home proposed for removal. Two other lots with detached single family houses front on 75<sup>th</sup> Street immediately to the west. The vicinity is primarily single-family residential (with the exception of the church) and transitions to an office and institutional node further west at the 75<sup>th</sup> and Nall intersection.

The Site Plan proposes a multi-level office building that is primarily single story, with a two-story wing running north-south on the west edge of the building. It includes some rooftop accessory space on the single-story level. Access is proposed off 75<sup>th</sup> Street, and due to grades, most of the parking is proposed in both covered and surface parking on the rear portion of the lot with access to a sub-grade level of the building exposed on the rear portion of the building footprint. Parking and access in the rear is proposed on an easement granted from the church, who is the current owner of the two lots as well as the church property. The rear parking also includes access to the larger church parking area to the north. The Site Plan also proposes several "green" features, including a roof garden on the 1-story portion and a rain garden in the front courtyard with native plants. A shade structure is also proposed with the entry feature to the building, oriented towards the front courtyard.

Since the building is proposed on two existing lots, a survey plat has been submitted to merge the two lots into one lot.

Public notice of a public hearing has been published as required by the zoning ordinance [Section 19.52.015] and the applicant held a neighborhood meeting on December 29, 2019 at Prairie Baptist Church,



as required by the Citizen Participation Policy. The applicant has provided details of this meeting to supplement the application materials.

## **ANALYSIS – REZONING:**

When reviewing a request to rezone property, the Planning Commission must consider the following criteria in association with a site plan for development of the property, commonly referred to as the “Golden” factors, which are the recommended factors incorporated into the City’s Zoning Ordinance [19.52.030]. The factors include, but are not limited to the following:

### **1. The character of the neighborhood;**

*This area is primarily single-family residential, with the exception of a large institutional use (church) immediately abutting this property to the east at the intersection of Roe Avenue and 75<sup>th</sup> Street. The church parking area wraps this property to the north and is separated from neighborhoods further north by a drainage channel. The property fronts on 75<sup>th</sup> Street, which is a significant east-west arterial corridor through the center of the city limit. A node further west on this block includes a mix of office, institutional, and multi-family uses at the intersection of Nall. The residential areas between this node have homes that have sides on 75<sup>th</sup> Street and front on side streets; however, some homes front on 75<sup>th</sup> Street on the west end of the corridor.*

### **2. The zoning and uses of property nearby;**

**North:** R-1A Single Family Residential – church (parking lot) with detached single-family homes further north across the drainage channel (zoned R-1B)

**East:** R-1A Single Family Residential - church

**South:** R-1B Single-Family Residential – detached single-family homes

**West:** R-1A Single-Family Residential – detached single-family homes

*All of the property abutting this site is zoned residential with some property permitted as institutional uses. However, the extent of the corridor between Nall Avenue and Roe Avenue contains a mix of R-1B, R-3, and C-O zoning, with the multi-family, office and institutional uses occurring towards the Nall Avenue intersection.*

### **3. The suitability of the property for the uses to which it has been restricted under its existing zoning;**

*The property is generally suited for single-family residential uses, as evidenced by the many existing detached houses in the area that are similarly situated. However, single-family homes that front on 75<sup>th</sup> Street tend to be less desirable than those that side to the corridor due to access challenges and traffic impacts. Regardless, the best urban design strategy is to have buildings and sites front on important corridors of in the City. The specific property includes one detached house (it is owned by the church and unclear how it has been used recently) and a vacant lot, that has been vacant for at least 10 years, but AIMS records indicate the lot previously had a detached house on it (1993).*

### **4. The extent that a change will detrimentally affect neighboring property;**

*This property is surrounded by single-family zoning, although most of the adjacent property (north and east) is used for a large institutional use (church). Further, the property is located on a busy corridor and low-intensity non-residential uses would not significantly impact residential uses across the street to the south. The largest impact will be on the two detached houses immediately to the west that also front on 75<sup>th</sup> Street. The C-O district is the least intense non-residential use in terms of permitted uses and development capacity, and is often used as a transition to neighborhoods in circumstances like this. However, if the zoning is changed, site design and*

*landscape design should address this sensitive relationship to ensure any potential negative impacts on these properties is mitigated through proper design.*

**5. The length of time of any vacancy of the property;**

*The east lot has been vacant and unbuilt for at least 10 years, and it is uncertain how long beyond that period. The west lot contains a detached single-family home and it is not clear how that has been used recently, under church ownership.*

**6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;**

*Rezoning and development of this property will permit the use of an existing vacant lot; however, it also includes the removal of an existing detached house that appears to be in good condition. The area is a transition area between single-family homes and institutional uses on a busy corridor. The proposed zoning and use is a low-intensity non-residential use that is not likely to increase significantly the traffic or access issues on 75<sup>th</sup> Street, and should not have a significant impact on abutting property with proper site design and screening.*

**7. City staff recommendations;**

*Staff's opinion is that this is a logical request based on the context, the city planning policies, the intent and standards of the C-O district, and the proposed site plan. See below for specific recommendations.*

**8. Conformance with the Comprehensive Plan;**

*Village Vision identifies this area as a Corridor Redevelopment area in the Conceptual Development Framework. The general policies stated for Corridor Redevelopment areas are:*

- *Creating "windows" to the community / revealing community character.*
- *Create well-defined public spaces.*
- *Balance pedestrian and car access, and coordinate access points*
- *Infill underutilized properties with a mix of uses.*
- *Create sensitive edges to neighborhoods. There are no specific policies, plans or concepts for this portion of the 75<sup>th</sup> Street corridor.*

*The 75<sup>th</sup> Street Corridor also has specific policies that elaborate on the above elements with specific design concepts. These concepts emphasize:*

- *Improving the public realm with street trees and streetscape.*
- *Revising zoning to promote a mix of uses and transitional redevelopment.*
- *Emphasize walking by strengthening a well-designed system of sidewalks and paths.*
- *Construct buildings in a way that frames the public realm and improves the relationships of buildings and sites to the street.*
- *Promote uses that orient to neighborhoods (support neighborhood needs)*
- *Encourage larger-scale redevelopment into nodes along the corridor.*

*An initiative to redesign 75<sup>th</sup> Street based on Village Vision was discontinued, and some other elements in Village Vision with respect to Corridor Redevelopment and the 75<sup>th</sup> Street Corridor will be reconsidered as the City finalizes Village Vision 2.0. However, the above stated elements from the plan remain valid planning policies and principles for this context, regardless of these developments since the adoption of Village Vision.*

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**ANALYSIS – SITE PLAN:**

The application is in association with a proposed new office building, which requires approval of a Site Plan in the proposed C-O zoning district. The following are the Site Plan review criteria: [Section 19.32.030.]

**A. Generally.**

1. **The plan meets all applicable standards**
2. **The plan implements any specific principles or policies of the comprehensive plan that are applicable to the area or specific project.**
3. **The plan does not present any other apparent risks to the public health, safety, or welfare of the community.**

*The proposed plan generally meets all of the requirements of the C-O district, except that the parking is proposed partially off-site (to the rear of the lot) through an easement with the Church, and setback exceptions are noted below.*

	C-O Requirement	Proposed Plan
Height	35'	32' (approx. based on average finished grade)
Setback – Front	30'	30'
Side	10' (1-story); 15' (2-story); 20' (2.5-story)	20'
Rear	35'	35' generally (exception for rear northwest portion; related to parking and easement)
Parking - Quantity	Office 1 per 300 s.f. (34 spaces)	34
Parking setback – Front	15'	30'
Other property line	8'	Exception on side and rear due to easement
Monument Sign - Size	20 s.f.	20 s.f.
Monument Sign Location	3' from property line; 12' from curb (greater)	unclear – location not dimensioned

*The parking is proposed to be met by a combination of on-site and off-site parking, though the lot will be designed and have the appearance of an integrated site and building. This is proposed through an easement with the property owner to the north and east for the off-site portion of the parking. As a result, the property line on the north bi-sects the parking area and the property line on the east is along the edge of the parking lot. Although this means the parking will not meet the required setbacks for the side and rear, the configuration of this site with the easements will have the appearances as if it does meet the parking setback (buffer) standards. This is an acceptable arrangement, particularly with uses that have differing peak parking demands.*

*Similarly, most of the building meets the required 35' rear setback. However, the northwest corner of the building is approximately 21' from the rear property line. However, in association with the easement, it is greater than 35' from the edge of the back parking area and landscape buffer.*

*There is a monument sign that is proposed on the southwest portion of the site in front of the building. The size and design meet all standards; however, the location is not specifically dimensioned to indicate that it meets location standards, and there is no landscape proposed with the sign.*

**B. Site Design and Engineering.**

1. **The plan provides safe and easy access and internal circulation considering the site, the block and other surrounding connections, and appropriately balances vehicle and pedestrian needs.**
2. **The plan provides or has existing capacity for utilities to serve the proposed development.**
3. **The plan provides adequate stormwater runoff.**

**4. The plan provides proper grading considering the prevailing grades and the relationship of adjacent uses.**

*Public works has reviewed the site plan with respect to traffic, access, and storm drainage, and as an infill site, it is anticipated that the site has existing utility capacity to serve the development.*

*A conceptual drainage plan has been reviewed and is acceptable to Public Works. The primary concern is the impact to an ongoing drainage issue associated with the parking area on the property to the north. It is that property owner's obligation to fix this existing situation (erosion of bank and parking at the channel to the north). Any development of this site cannot impact that situation further, or to the extent drainage from this site affects that area, it would need to fix the current situation. The conceptual drainage plan is proposing to ensure that development of this site has no impact on that situation, and final design of this concept will be further reviewed by Public Works as the project proceeds to permits.*

*The site proposes access directly from 75<sup>th</sup> Street, with a secondary access point through the church parking lot to the north in relation to the parking easement. Due to the low-level of expected traffic from this use, Public Works has determined that this is an acceptable arrangement. However, there is some concern of inappropriate cut-through traffic from the church's use of the property that could create an undesirable situation (both 75<sup>th</sup> Street access points being used by Church patrons during its limited peak use time). Due to the grade of this property, there are opportunities for adjustments to the proposed plan that limits or eliminates this concern.*

**C. Building Design.**

- 1. The location, orientation, scale, and massing of the building creates appropriate relationships to the streetscape and to adjacent properties.**
- 2. The selection and application of materials will promote proper maintenance and quality appearances over time.**
- 3. The architectural design reflects a consistent theme and design approach. Specifically, the scale, proportion, forms and features, and selection and allocation of materials reflect a coordinated, unified whole.**
- 4. The building reinforces the character of the area and reflects a compatible architectural relationship to adjacent buildings. Specifically, the scale, proportion, forms and features, and materials of adjacent buildings inform choices on the proposed building.**

*The building is a predominantly 1- and 2-story building when viewed from 75<sup>th</sup> Street. It includes a 1-story main mass (11' 2 1/2" from grade) fronting on the courtyard, and a 2-story wing mass (27' 2 1/2" from grade) running north-south for the extent of the buildable area on the west side. Due to the grade, the building does extend to a 3-story massing (38') at the northwest corner. The ordinance states that building height is measured from the average finished grade abutting the building. Since over 50% of the building is at the entry grade and only the extreme most portion approaches 38', the proposed building is under the 35' height limit. Additionally, the building meets the required setbacks for a building of this scale (except as noted in Section A. above with the easement exception).*

*Although the building is appropriately scaled for the site and according to the standards, this plan does place the tallest portion and largest mass of the building along the transition to residential property on the west. The sliding-scale setback requirements arguably account for this as an acceptable transition; however, with this building placement and the sloping grade, additional / revised landscape treatments are recommended in Section D. below. This plan does not affect building design criteria not already addressed through the building permit.*

*Otherwise, the building is properly oriented to the public realm through access from a landscaped courtyard relating the project to the frontage. All elevations related to these public spaces include windows, doors and enhanced architectural details that break down the scale of the building mass and relates to the spaces surrounding the building. The plan does not show any pedestrian access*

to the site, other than from the parking lot, so some connection to the entry areas from the public sidewalk should be provided.

The area around this property is primarily residential, with the only significant non-residential space being Prairie Baptist Church abutting to the east. As such, all of the adjacent construction uses traditional materials such as brick and wood siding and pitched roofs. The majority of the proposed structure is sided with metal panels (prefinished architectural metal panel, charcoal) which are not characteristic of the neighborhood. However, care has been taken to introduce wood and other “softer” simulated wood materials that help give the building a more residential feel. This is done through shade structures, window ornamentation and canopies associated with the walkways, entry feature and courtyard.

#### D. Landscape Design.

1. The plan creates an attractive aesthetic environment and improves relationships to the streetscape and adjacent properties.
2. The plan enhances the environmental and ecological functions of un-built portions of the site.
3. The plan reduces the exposure and adverse impact of more intense activities or components of the site or building.

The landscape ordinance establishes planting criteria based on 4 site elements – streetscape/frontage, foundation, parking, and buffers. These standards can then be adjusted to meet adequate performance criteria for each particular site. The proposed landscape plan compared to the base requirement is:

	Landscape Requirements	Proposed Plan
Streetscape / Frontage	1 large tree per 40' lot frontage (4 required)	none
Foundation	1 ornamental tree per 25' building frontage (4 required) 5 shrubs per 25' building frontage (17 required)	3 trees no shrubs – ornamental grasses
Parking	1 large tree per 40' parking perimeter (8 required) 1 large tree per 40 parking spaces (1 required) 5 shrubs per 25' parking perimeter (59 required)	none none 14 –concentrated at front
Buffer	performance standard (see comments on west boundary)	4 Norway Spruce

- **Streetscape / Frontage.** The ordinance, the intent of the landscape standards and the corridor redevelopment policies are all coordinated towards the goal of landscape being used to shape space with vertical elements aligned along streets. In this case, there are complications associated with overhead power lines along the lot line. The plan does include four trees setback approximately 25 feet from the property line, however these trees more specifically frame the parking entry, the courtyard and the corner of the building (thus were allocated to the Foundation planting requirement). Four ornamental trees should be added along the front lot line to substitute for the street tree requirement, two potentially to frame a recommended pedestrian connection to the sidewalk.
- **Foundation.** The ordinance requires four trees, and three are provided (two in the courtyard and one at the southwest corner; the other two frame the parking entry and are contributing to the parking perimeter requirement). Based on the intent of the standards and configuration of the site with other landscape elements, this is an acceptable number. The ordinance would also require shrubs along the build frontage. The plan includes perennial grasses, which also meet the intent of this requirement.
- **Parking.** The ordinance requires nine trees (counting the perimeter and per space requirements) and 59 shrubs). The intent of these standards is to define edges of parking near property boundaries and to screen and mitigate the parking impacts. Most of the planting is located at the gateway on the front, which is desirable. However, there is no landscape around the edges, and the plan appears to remove three existing large trees on the east boundary. This area is also subject to the exception for parking being handled by easements, including some parking, the setback and the parking buffer on adjacent property. Due to this, it is important to account for landscape on the north and east edges of the parking, replacing the removed trees at greater rate and account for easement exceptions. Seven additional shade

trees and 45 additional shrubs should be added to this area, and maintenance of these areas should be accounted for in the easement agreement between the property owners.

- **Buffer.** The ordinance has performance criteria for buffers and in this case, the condition of transition of land uses applies (office transition to residential). This side includes the largest portion of the building mass, and although the proposed building meets all setbacks, a strong buffer should be provided here. Four Norway Spruce are proposed in the plan. While these are generally an acceptable buffer, they tend to widen at the base the larger they become and in some cases then need to be limbed from the bottom when they reach mature heights. This could ultimately limit the effectiveness of the buffer at ground levels at a time when it should otherwise become most effective. Instead, fourteen 6' green giant arborvitae should be used along the entire west side, including the surface parking area to the rear of the property.

#### **ANALYSIS – SURVEY PLAT / LOT COMBINATION:**

The City of Prairie Village Subdivision Regulations have an abbreviated process for lot splits that do not involve any infrastructure issues of public land dedications. There is no similar process for lot combinations, but the City has interpreted this same process to apply to routine lot combinations. According to this section, the Planning Commission may approve any lot combination (or lot spit) provided all resulting lots meet the zoning district standards. The proposed lot resulting from the survey plat would meet the proposed C-O lot standards.

#### **RECOMMENDATION:**

Based on the information submitted with the application and considerations in this staff report, but without the benefit of any testimony introduced at the public hearing, planning staff recommends that the rezoning, site plan, and survey plat be approved subject to the following conditions:

1. The conceptual drainage plan be carried out and finalized in a manner that either has no impact on the existing drainage issue on the property to the north, or is coordinated with the required fix of that situation. The final drainage plan is subject to final approval by Public Works.
2. Any change in the proposed access (through access in the parking) be coordinated with grading, drainage, and traffic circulation and approved by Public Works. Plans shall include an extension and enhancement of the site landscape plan (with additional plants) into any areas that are not connected parking.
3. The easement for the parking area be verified by the City Attorney and properly noted on (or connected with) the survey plat prior to recording. An exception is noted to the following standards – side parking setback; rear parking setback; rear building setback – which is conditioned on this site plan, and the maintenance of all required landscape areas on the property granting the easement, so that the standards are otherwise met.
4. A pedestrian connection from the public sidewalk to the entry feature (courtyard area) of the building be added.
5. Prior to a permit for the monument sign, the applicant specify to staff the location of the sign in relation to the street and property lines, verify the location meets all site distance requirements, and provide landscape plans for the base of the sign.
6. The following changes are recommended for the landscape plan:
  - a. Add 4 ornamental trees along the frontage, 2 specifically to frame a pedestrian connection to the sidewalk.
  - b. Add perimeter parking buffers on the east and north edges of the parking and address the maintenance as a condition of the easement for parking and buffers on adjacent property. Specifically, this should include 7 shade trees (accounting for replacement of the removed trees) and 45 shrubs.
  - c. Change the buffer on the west property boundary from 4 Norway Spruce to 14 Green Giant Arborvitae (6'), and extend the planting buffer to the north edge of the parking area.

7. The Planning Commission recommends approval of the rezoning conditioned on the site plan. Approval of the site plan and survey plat by the Planning Commission is subject to the City Council approval of the rezoning recommendation, or amended approval of the recommendation that does not significantly impact these plans.
-



**CITY OF PRAIRIE VILLAGE**  
The Star of Kansas

App# 0021888  
Awt# 010611

## Planning Commission Application

For Office Use Only
Case No.: <u>PC2020-101</u>
Filing Fee: <u>150.00</u>
Deposit: <u>500.00</u>
Date Advertised:
Date Notices Sent:
Public Hearing Date:

Please complete this form and return with Information requested to:

Assistant City Administrator  
City of Prairie Village  
7700 Mission Rd.  
Prairie Village, KS 66208

Applicant: GastingerWalker& Phone Number: 816-569-0841  
 Address: 817 Wyandotte, Kansas City, MO 64105 E-Mail: lpastine@gastingerwalker.com  
 Owner: Rex Sharp c/o Sharp Law Phone Number: 913-901-0505  
 Address: 5301 West 75th St, Prairie Villiage, Kansas Zip: 66208  
 Location of Property: 4820 West 75th St, Prairie Villiage, Kansas 66208  
 Legal Description: 21-12-25 BG 812.7' E SW CR SE1/4 NW1/4 E 75.9' X N  
180' .31 AC SUBJ TO ST PVC-0572  
 Applicant requests consideration of the following: (Describe proposal/request in detail) Commercial Site Plan, Commercial Monument Sign Review

### AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for Rex Sharp c/o Sharp Law.

As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

[Signature]  
Applicant's Signature/Date

[Signature]  
Owner's Signature/Date



App# 0021888  
Cost# 010611

CITY OF PRAIRIE VILLAGE, KANSAS  
REZONING APPLICATION FORM

For Office Use Only  
Case No.: PC 2020-101  
Filing Fees: 150.00  
Deposit: 500.00



GastingerWalker &  
Laura Pastine

Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: 7 January, 2020

APPLICANT: lpastine@gastingerwalker.com PHONE: 816-569-0841  
ADDRESS: 817 Wyandotte, Kansas City, MO 64105 ZIP: 64105  
OWNER: Rex Sharp c/o Sharp Law PHONE: 913-901-0505  
ADDRESS: 5301 West 75th St, Prairie Villiage, Kansas ZIP: 66208  
LOCATION OF PROPERTY: 4820 West 75th St, Prairie Villiage, Kansas 66208  
LEGAL DESCRIPTION: 21-12-25 BG 812.7' E SW CR SE1/4 NW1/4 E 75.9' X N 180' .31 AC  
SUBJ TO ST PVC-0572 AND 21-12-25 BG 888.6' E SW CR SE1/4 NW1/4 180 X 75.9' .31  
ACS M/L PVC 571A BOTA 98 502 TX (FOR VACANT LOT)

Present Zoning R-1A Requested Zoning: C-0 (Light Intensity Commercial)  
Present Use of Property: 1101 Single Family Residence AND Vacant Lot

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>6610 - Church / Place of Worship (parking lot)</u>	<u>R-1A</u>
South	<u>75th Street</u>	
East	<u>6610 - Church / Place of Worship</u>	<u>R-1A</u>
West	<u>1101 - Single Family Residence</u>	<u>R-1A</u>

CHARACTER OF THE NEIGHBORHOOD: 75th Street corridor mix of residential and light commercial

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?  
No, there are similar conditions along the 75th Street Corridor
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?  
Yes  
If yes, explain: The new building will be a change in use from residential to light commercial.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes

DEVELOPMENT PLAN SUBMITTAL:

- Development Plan
- Preliminary Sketches of Exterior Construction

LIST OF NEIGHBORING PROPERTIES:

\_\_\_\_\_ Certified list of property owners within 200 feet To be separately submitted after Application before Planning Commission meeting

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: 75th Street and Roe Boulevard
2. Classification of Street(s):  
Arterial 75th Street Collector Roe Boulevard Local \_\_\_\_\_
3. Right-of-Way Width: 60' for 75th Street
4. Will turning movements caused by the proposed use create an undue traffic hazard?  
No

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? Yes, these 2 parcels are to be replatted
2. Properly Size Street Right-of-Way? \_\_\_\_\_
3. Drainage Easements? \_\_\_\_\_
4. Utility Easements:  
Electricity? \_\_\_\_\_  
Gas? \_\_\_\_\_  
Sewers? \_\_\_\_\_  
Water? \_\_\_\_\_
5. Additional Comments: The 2 parcels are to be replatted to allow for the new building footprint, with permanent parking easement to the north

UNIQUE CHARACTERISTICS OF PRPOERTY AND ADDITIONAL COMMENTS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

SIGNATURE: 

DATE: 6 December, 2019

BY: Laura Pastine c/o GastingerWalker&

TITLE: Senior Associate

Lori Sharp, being duly sworn upon his oath, deposes and states:

1. I am the owner of (attorney for) (agent of) the property described in the attached notice upon which an application has been filed before the Planning Commission of the City of Prairie Village, Kansas.
  
2. On the 16th day of December, 2019, I did comply with notification requirements to landowners as stated in Municipal Code 1973, Section 19.42.010 (E), and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

<u>Owner Name</u>	<u>Situs Address</u>	<u>Owner Address</u>
Prairie Baptist Church	7416 Roe Avenue 4820 W. 75th Street	7416 Roe Avenue, PVKS 66208
Kaden James	4840 W. 75th Street	1000 W. 96th Terrace KCMO 64114
David and Renin Gilmore	4808 W. 76th Street	<i>same</i>
Maggie Kerkvliet	4716 W. 76th Street	<i>same</i>
Brad Kelsey and Amanda White	4717 W. 75th Street	<i>same</i>
Josh Sigler	7429 Briar Street	<i>same</i>
Paloma Olmo	4830 W. 75th Street	<i>same</i>
Deron Denton and Jeannie Irons	4812 W. 76th Street	<i>same</i>

I certify that the foregoing is true and correct.

Lori Sharp

Name  
5301 West 75th Street  
Prairie Village, KS 66208

Address

913-901-0505

Phone

Lori Sharp, being duly sworn upon his oath, deposes and states:

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2. On the 16th day of December, 2019, I did comply with notification requirements to landowners as stated in Municipal Code 1973, Section 19.42.010 (E), and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

<u>Owner Name</u>	<u>Situs Address</u>	<u>Owner Address</u>
Pei-In Yang LLC	4825 W. 75th Street	3200 W 122nd St., Leawood KS 66209
JMD Holdings LLC	4709 W. 75th Street	PO Box 23732, Overland Park, KS 66283
Abby Vannordstrand	4809 W. 75th Street	<i>same</i>
Jerad and Jessica Foster	7348 Roe Circle	<i>same</i>
Gregory Corbin and Cynthia Hendrickson	7415 Briar Street	<i>same</i>
Zachary and Patricia Winkelbauer	7425 Briar Street	<i>same</i>
Gary Forristal	7427 Briar Street	<i>same</i>
Todd Richardson	4801 W. 75th Street	<i>same</i>

I certify that the foregoing is true and correct.

Lori Sharp  
Name  
 5301 West 75th Street  
 Prairie Village, KS 66208  
Address  
913-901-0505  
Phone

Lori Sharp, being duly sworn upon his oath, deposes and states:

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2. On the 16th day of December, 2019, I did comply with notification requirements to landowners as stated in Municipal Code 1973, Section 19.42.010 (E), and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

<u>Owner Name</u>	<u>Situs Address</u>	<u>Owner Address</u>
Manchester Partners LLC	4817 W. 75th Street	PO Box 15144, Lenexa KS 66285
Carlos and Ada Munar	4805 W. 75th Street	<i>same</i>
James Reagan	4821 W. 75th Street	<i>same</i>

I certify that the foregoing is true and correct.

Lori Sharp  
Name  
5301 West 75th Street  
Prairie Village, KS 66208  
Address  
913-901-0505  
Phone

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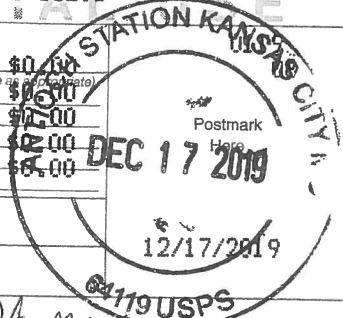
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To Carlos + APA Monar  
 Street and Apt. No., or PO Box No. 4805 W 75<sup>th</sup> St  
 City, State, ZIP+4® PRAIRIE Village, KS 66208

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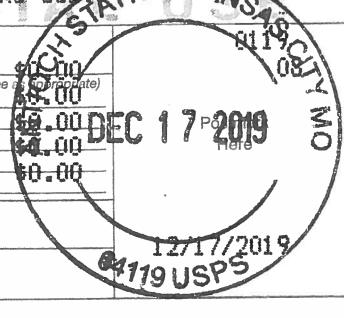
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To Josh Sigler  
 Street and Apt. No., or PO Box No. 7429 BRIAR ST  
 City, State, ZIP+4® PRAIRIE Village, KS 66208

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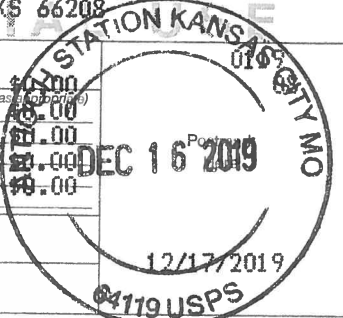
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To James Regan  
 Street and Apt. No., or PO Box No. 4821 W 75<sup>th</sup> St  
 City, State, ZIP+4® PRAIRIE Village, KS 66208

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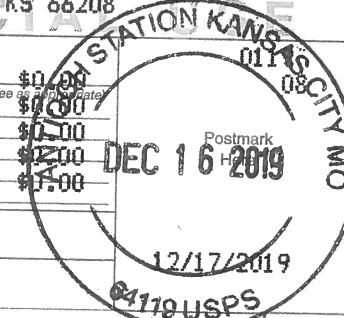
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<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To Brad Kelsey + Amanda White  
 Street and Apt. No., or PO Box No. 4717 W 75<sup>th</sup> St  
 City, State, ZIP+4® PRAIRIE Village, KS 66208

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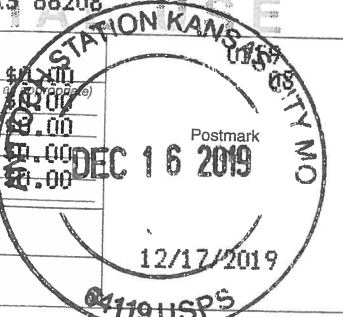
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To Paloma Olmo  
 Street and Apt. No., or PO Box No. 4830 W 75<sup>th</sup> Street  
 City, State, ZIP+4® PRAIRIE Village, KS 66208

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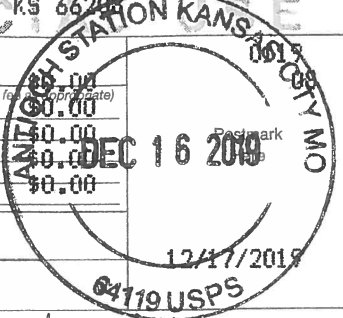
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To *Todd Richardson*  
Street and Apt. No., or PO Box No. *4001 W 75th St*  
City, State, ZIP+4® *Prairie Village, KS 66208*

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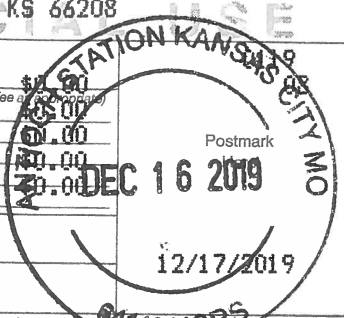
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To *Gregory Corbin + Christina Hendrichsen*  
Street and Apt. No., or PO Box No. *7415 Briar St*  
City, State, ZIP+4® *Prairie Village, KS 66208*

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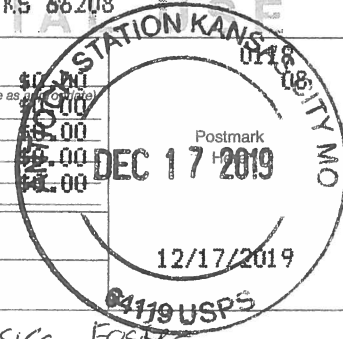
Extra Services & Fees (check box, add fee as appropriate)  
 Return Receipt (hardcopy) \$0.00  
 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To *Terad + Jessica Foster*  
Street and Apt. No., or PO Box No. *7348 Roe Circle*  
City, State, ZIP+4® *Prairie Village, KS 66208*

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Certified Mail Fee \$3.50

Extra Services & Fees (check box, add fee as appropriate)  
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 Return Receipt (electronic) \$0.00  
 Certified Mail Restricted Delivery \$0.00  
 Adult Signature Required \$0.00  
 Adult Signature Restricted Delivery \$0.00

Postage \$0.55

Total Postage and Fees \$4.05

Sent To *Gary Forristal*  
Street and Apt. No., or PO Box No. *7477 Briar St*  
City, State, ZIP+4® *Prairie Village, KS 66208*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





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**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: **Zachary + Patricia Winkelbauer**  
 Street and Apt. No., or PO Box No.: **2425 Briar St**  
 City, State, ZIP+4®: **Prairie Village, KS 66208**

Postmark: **DEC 16 2019**  
 12/17/2019  
 64119 USPS

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**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: **David + Renin Gilmore**  
 Street and Apt. No., or PO Box No.: **4808 W 76th St**  
 City, State, ZIP+4®: **Prairie Village, KS 66208**

Postmark: **DEC 16 2019**  
 12/17/2019  
 64119 USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0002 2876 2168

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**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: **Prairie Baptist Church**  
 Street and Apt. No., or PO Box No.: **416 Roe Ave**  
 City, State, ZIP+4®: **Prairie Village, KS 66208**

Postmark: **DEC 16 2019**  
 12/17/2019  
 64119 USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0002 2876 2175

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**LEAWOOD, KS 66209**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: **Pei-in Yang LLC**  
 Street and Apt. No., or PO Box No.: **3200 W 122nd St**  
 City, State, ZIP+4®: **Leawood, KS 66209**

Postmark: **DEC 16 2019**  
 12/17/2019  
 64119 USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7019 1640 0002 2876 2182

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**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$2.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: **Maggie Kerkuliet**  
 Street and Apt. No., or PO Box No.: **4716 W 76th St**  
 City, State, ZIP+4®: **Prairie Village, KS 66208**

Postmark: **DEC 16 2019**  
 12/17/2019  
 64119 USPS

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0002 2876 2236

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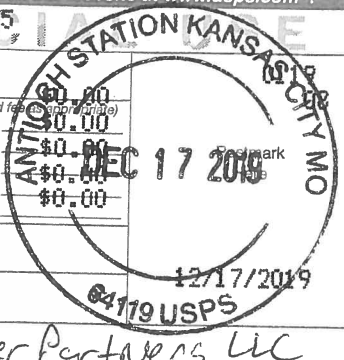
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**LENEXA, KS 66285**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To  
 Manchester Portavers LLC  
 P.O. Box 15144  
 Lenexa, KS 66285

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0002 2876 2229

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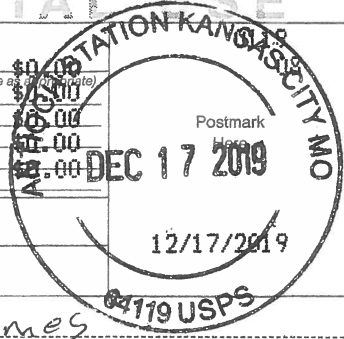
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**KANSAS CITY, MO 64114**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To  
 Kaden James  
 1000 W 96th Terrace  
 Kansas City, MO 64114

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0002 2876 2045

**U.S. Postal Service™**  
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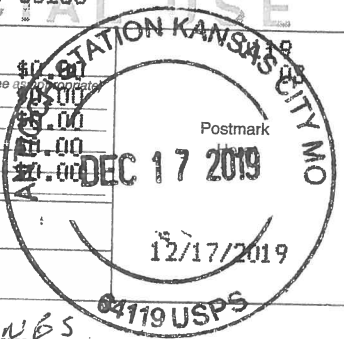
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OVERLAND PARK, KS 66283**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
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<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To  
 JMD HOLDINGS  
 P.O. Box 23732  
 Overland Park, KS 66283

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0002 2876 2052

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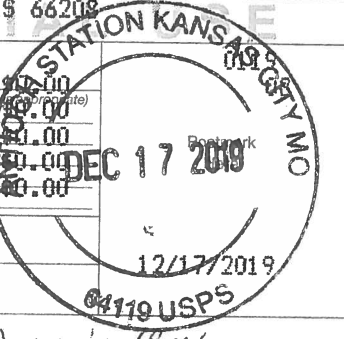
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To  
 Deron Denton + Jeanne Trons  
 4812 W 76th St  
 Prairie Village, KS 66208

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7019 1640 0002 2876 2069

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**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

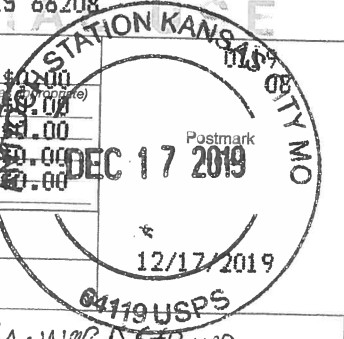
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**PRAIRIE VILLAGE, KS 66208**

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To  
 ABBY LYNN VANNOR-STRAND  
 4809 W 75th St  
 Prairie Village, KS 66208

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



# Notes

<b>DATE</b>	29 December 2019
<b>PROJECT</b>	Sharp Law GW& #2019.473
<b>SUBJECT</b>	<b>Neighborhood Meeting @ Prairie Baptist</b>
<b>BY</b>	Laura Pastine
<b>PEOPLE INVOLVED</b>	Greg Corbin – Neighbor at 7415 Briar Street Kathy Pickett – Neighbor at 7416 Roe Avenue (Prairie Baptist) Sara McClure – Neighbor at 7416 Roe Avenue (Prairie Baptist) Jay Watters – GastingerWalker& Kevin Harden – GastingerWalker& Laura Pastine – GastingerWalker&

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1. The GastingerWalker& team shared with neighbors the site plan drawings on how the building, parking, and planted areas would be organized. And floor plans to highlight how the building would be organized with public and working spaces, the heights of the building areas and how they would be read from 75<sup>th</sup> Street, and materials which would be cohesive with the surrounding residential community.
2. Greg shared the two questions he had coming into the Neighborhood Meeting – how will the building look (he would not be in favor of an “ugly building”) and how will the parking be organized (he would not be in favor of all parking right on 75<sup>th</sup> Street “like a strip mall”)
  - a. He said the project is favorable for him in both the overall aesthetic of the building and how the parking is located.
3. There was a question about people crossing through the Sharp Law lot to get to 75<sup>th</sup> Street, either by church members or by the public.
  - a. GastingerWalker& mentioned Public Works has also identified this potential problem. One option moving forward is to create an upper lot (at the South end connected to 75<sup>th</sup> Street) and a lower lot (at the North end, connected to the Prairie Baptist lot).
  - b. This would allow church members to park in the North lot of Sharp Law as overflow parking without the issues of connecting to 75<sup>th</sup> Street
  - c. This would also ease grading issues as the project gets further into the design process.
4. Greg asked about how this project connects to the PV Vision Master Plan
  - a. GastingerWalker& shared the conversation we had with PV about the City’s openness to 75<sup>th</sup> Street corridor mixed use that was done thoughtfully with natural materials, integrated landscaping, and sustainable approaches.

5. Kathy asked about any trees to be retained between Prairie Baptist and the Sharp Law site. She is in favor of the existing conifers in poor condition to be removed, with the dedicated memorial tree recently planted to be transplanted to a new location.
  - a. GastingerWalker& agreed that these trees would need to be removed both for their condition and in the land disturbance process, these trees would be affected.
  - b. GastingerWalker& agreed to coordinate with Prairie Baptist where the memorial tree will be located as the site developed further.

**Next Steps:**

- Planning Commission meeting January 7<sup>th</sup> at 7pm

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***The preceding is our interpretation of the occurrences and conversations. Please contact us if any details appear to be in error or if you have questions or comments.***

*Docu J:\Sharp Law Office\1 Design\Written*



## Sharp Law **PROJECT NARRATIVE**

Rezoning and Site Plan Applications to the City of Prairie Village Planning Commission  
Submittal date: 6 December 2019

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### **Project Description:**

Rex and Lori Sharp currently have an Option to Buy two single family residential lots owned by Prairie Baptist Church, located at 75<sup>th</sup> and Roe Boulevard.

These two lots are to be rezoned as C-0 (Low Intensity Commercial) and replatted as a single parcel to allow the construction of a new approx. 10,000SF law office for Sharp Law, currently located at 5301 W. 75<sup>th</sup> Street (75<sup>th</sup> and Ash Street).

Part of their purchase agreement with Prairie Baptist includes the permanent easement of a portion of land, directly north of these 2 lots, for parking.

The design team for this project had 3 meetings with key stakeholders in this process to help inform this application including the following conversations:

- Pre-application meeting with Jamie Robichaud (Deputy City Administrator), Chris Brewster (Urban Planner), and Mitch Dringman (Building Official) – 6 November, 2019
- Public Works meeting with Keith Bredehoeft (Public Works Director) and Cliff Speegle (Storm Water Project Manager) – 20 November, 2019
- Fire Department meeting with Todd Kerkhoff (Fire Marshal) – 2 December, 2019

Per the requirements for Rezoning and Site Plan applications, this submittal includes drawings containing the following content:

### **SUBMITTED IN THIS APPLICATION**

#### **Cover Sheet**

Initial code information, project information, locator map, drawing set sheet index

#### **Zoning Plan**

Parcel information including boundaries, setbacks, buildable area

**Site Plan**

Layout of building footprint, parking stalls, entry drives, drive aisles, trash location, monument signage

**Landscape Plan**

Initial landscape plan locating areas of new pervious surfaces and planted areas (both on the site and on the building) with typical materials

**Building Plans**

Early schematic design layout of Basement, Entry Level, and Upper Level areas.

**Exterior Elevations**

Elevations of all faces of the proposed building showing areas of glazing and materials. Proposed materials are highlighted with manufacturer information and precedent imagery.

**ITEMS IN PROGRESS**

Currently Olsson is completing field services and beginning initial design to allow us to submit further information for:

- **Survey / Replatting documentation**
- **Stormwater Management Plan**
- **Traffic Flow Patterns**

**ITEMS TO BE SUBMITTED SEPARATELY****Neighborhood Meeting**

A Neighborhood Meeting will be held on site at Prairie Baptist Church (date to be determined) between the Application submittal date and the January 7<sup>th</sup> Planning Commission meeting, with Meeting Notes also shared before the Planning Commission meeting.

**Site Signage**

A site sign will be installed on the lots to be rezoned between the Application submittal date and the January 7<sup>th</sup> Planning Commission meeting, with Affidavit of Sign installation also shared before the Planning Commission meeting.

**Notice of Hearing**

Notice of Hearing letters will be sent via certified mail to property owners within 200 feet of the lots to be rezoned at least 20 days before the January 7<sup>th</sup> Planning Commission meeting. Affidavit of Notice of Hearing mailings will be submitted at least 2 weeks before the January 7<sup>th</sup> Planning Commission meeting.



**Final Plat**  
**Sharp Law Offices, First Plat**  
 An unplatted tract lying in the Northwest Quarter of Section 21, Township 12 South, Range 25 East in the City of Prairie Village, Johnson County, Kansas

**Property Description**

All that part of an unplatted tract of land, lying in the Northwest Quarter of Section 21, Township 12 South, Range 25 East, in the City of Overland Park, Johnson County, Kansas, described as follows:

COMMENCING at the Southeast corner of the Northwest Quarter of Section 21, Township 12 South, Range 25 East; thence South 87 degrees 17 minutes 02 seconds West, on the South line of said Northwest Quarter, a distance of 360.10 feet to the POINT OF BEGINNING; thence South 87 degrees 17 minutes 02 seconds West, continuing on said South line, a distance of 151.71 feet to a point; thence North 02 degrees 16 minutes 18 seconds West, departing said South line, a distance of 181.05 feet to a point; thence North 87 degrees 17 minutes 02 seconds East a distance of 151.71 feet to a point; thence South 02 degrees 16 minutes 18 seconds East a distance of 181.05 feet to the POINT OF BEGINNING, containing 27,466 Square Feet or 0.6305 Acres, more or less.

Area Summary Table		
Lot 1	102,036 S.F.	2.3424 Ac.
Dedicated W. 75th Street R/W	178,489 S.F.	4.0975 Ac.
Total	27,466 S.F.	0.6305 Ac.

**Dedication**

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "Sharp Law Offices, First Plat."

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on this plat as streets, terraces, places, roads, drives, lanes, parkways, and avenues not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby absolve and agree to indemnify the City of Prairie Village, Johnson County, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easements.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, under and through these areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Prairie Village, Kansas. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of sidewalk facilities upon, over, and under these areas outlined and designated on this plat as "Sidewalk Easement" or "SW/E" is hereby granted to the City of Prairie Village.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, poles, wires, drainage facilities, ducts and cables, and similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Prairie Village, Kansas. No above ground facilities associated with the uses herein permitted shall be constructed, located, or maintained in any area of the "U/E" that crosses or intersects with a "Drainage Easement" or "D/E".

**Restrictions**

The use of, and access to, all Lots in this subdivision shall hereafter be subject to the Covenants and Restrictions which are to be recorded in the Office of the Register of Deeds of Johnson County, Kansas, and shall hereby become a part of the dedication of this plat as though set hereon.

**Consent to Levy**

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Prairie Village, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

**Execution**

IN TESTIMONY WHEREOF, the undersigned proprietor has hereunto subscribed his name.

OWNER - (Company Name)

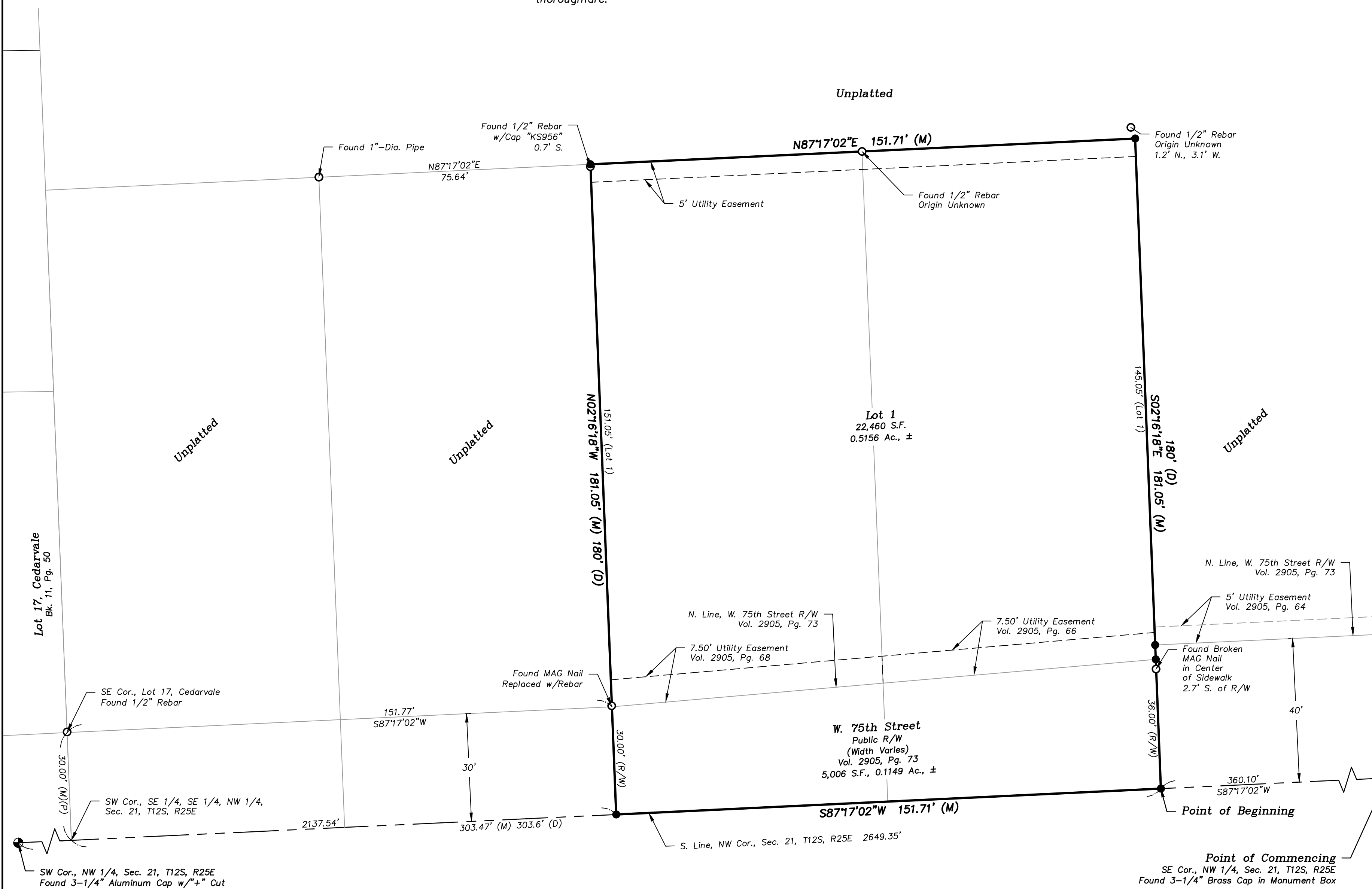
By \_\_\_\_\_  
 (Person), (Title)

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS

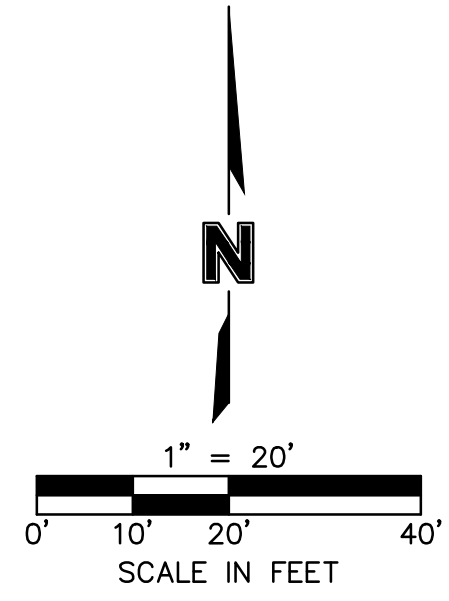
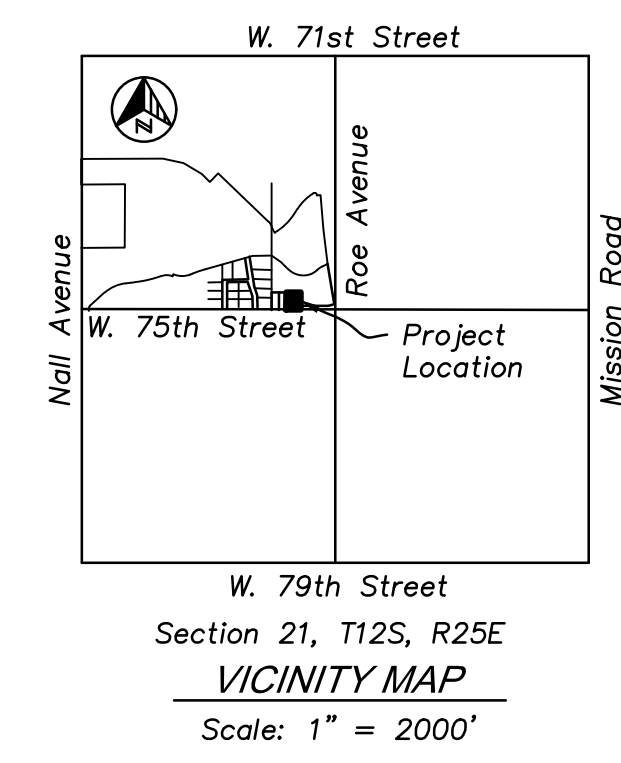
Be it remembered, that on this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, a notary public in and for said county and state, came (Person), (Title) of (Company), who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said owner, and he duly acknowledged the execution of the same to be the free act and deed of said owner.

In witness hereof, I have hereunto subscribed my name and affixed my notarial seal this day and year last above written.

Notary: \_\_\_\_\_ My appointment expires: \_\_\_\_\_



- LEGEND**
- SECTION CORNER
  - SET 1/2"x24" REBAR W/LC 114 CAP
  - FOUND MONUMENT AS NOTED
  - (M) MEASURED DIMENSION - THIS PLAT
  - (P) PREVIOUSLY PLATTED DIMENSION
  - (C) CALCULATED DIMENSION FROM RECORD
  - (D) PREVIOUSLY DEEDED DIMENSION
  - D/E PERMANENT DRAINAGE EASEMENT
  - R/W RIGHT OF WAY
  - S/E SANITARY SEWER EASEMENT
  - U/E SUBSURFACE UTILITY EASEMENT
  - W/E WATER LINE EASEMENT

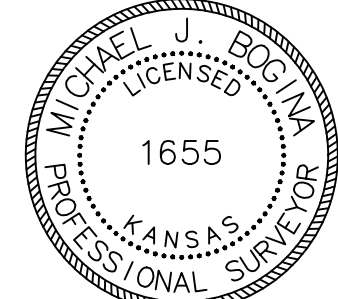


**Surveyor's Notes:**

1. Basis of Bearings: Held South Line, Northwest Quarter, Section 21, Township 12 South, Range 25 East = S87°17'02"W, Kansas Coordinate System 1983, North Zone. Distances shown hereon are ground distances in US Survey Feet.
2. Subject Property lies within "Zone X - Areas determined to be outside the 0.2% annual chance floodplain," according to the FEMA Flood Insurance Rate Map Number 20091C0039G, Revised August 3, 2009.
3. Subject Property contains 27,466 Square Feet or 0.6305 Acres, more or less.
4. This plat lies within the required minimum error of closure of 1:10,000.

**Certification:**

This is to certify that on December 30, 2019, this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 66-12-1.



Michael J. Bogina, PS-1655  
 Olsson, LS-114  
 mjbogina@olsson.com

**Approvals**

APPROVED BY, the Planning Commission of the City of Prairie Village, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Chairman Nancy Wallerstein

APPROVED BY, the Governing Body of the City of Prairie Village, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Eric Mikkelsen, Mayor

ATTEST: Adam Geffert, City Clerk

DWS: F:\2019\3601-4000\019-3626\40-Design\Survey\SURV\SURV Sheets\LP\_93626.dwg USER: mjbogina DATE: Dec 30, 2019 4:52pm XREFS:

**Property Owner:**  
 Prairie Baptist Church  
 7416 Roe Avenue  
 Prairie Village, Kansas 66208  
**Prepared For:**  
 GastingWalker  
 817 Wyandotte  
 Kansas City, Missouri 64105  
**Prepared By:**  
 Olsson  
 7301 W. 133rd Street, Suite 200  
 Overland Park, Kansas 66213  
 Telephone (913) 381-1170

**olsson**

7301 West 133rd Street, Suite 200  
 Overland Park, KS 66213-4750  
 TEL 913.381.1170  
 www.olsson.com

REV. NO.	DATE	REVISIONS DESCRIPTION

2019

Final Plat  
 Sharp Law Offices, First Plat

An unplatted tract lying in the Northwest Quarter of Section 21, Township 12 South, Range 25 East

Prairie Village, Johnson County, Kansas

drawn by: \_\_\_\_\_ MJB  
 checked by: \_\_\_\_\_ TBW  
 approved by: \_\_\_\_\_ MJB  
 QA/QC by: \_\_\_\_\_ TBW  
 project no.: 019-3626  
 drawing no.: V 19-93626  
 date: 2019.12.30

**SHEET**

1 of 1



# Sharp Law Office



Project Location  
4820 West 75th Street  
Prairie Village, KS 66208

Vicinity Map

## SHEET INDEX:

**GENERAL**  
CS Cover Sheet

**CIVIL**  
C100 Grading and Utility Plan  
C200 Landscape Plan  
C300 Grading and Utility Plan

## ARCHITECTURAL

A0 Zoning Plan  
A1 Site Plan  
A2 Basement Level Plan  
A3 Entry Level Floor Plan  
A4 Upper Level Floor Plan  
A6 Exterior Elevations  
A7 Exterior Elevations

## PROJECT INFORMATION:

Project Name: Sharp Law Office  
Project Address: 4820 West 75th Street  
Prairie Village, KS 66208  
Proposed Use: Commercial, Office Building  
Code Jurisdiction: City of Prairie Village, KS

Scope of Work:  
Rezone existing residential lots into a single replatted commercial C-0 lot

Building Codes: 2012 International Building Code  
2012 International Plumbing Code  
2012 International Mechanical Code  
2012 International Fuel Gas Code  
2012 International Fire Code  
2011 National Electrical Code

### Building Information

Construction Type: Type V-B (Entry and Upper Level)  
Type II-B (Basement Level)  
Automatic Sprinkler: Not Provided  
Occupancy Type: Group B - Business

### General Building Heights & Areas

Allowable Height: 40'-0"  
Allowable Gross Area: 9,000 SF/Floor  
Actual Area: 10,175sf Total (4,280sf at Entry Level)  
Actual Height: 3-story, 38'-5" from Basement Level

### Means of Egress

Occupant Load: 103 occupants  
Number of Exits Required: 2 exits required, 2 exits provided from Basement Level, 3 exits provided from Entry Level  
Exit Access Travel Distance: 200-feet maximum allowed  
Provided: Approx 105 feet  
Distance between Exits: 1/2 the maximum distance of the building  
Dead Ends: Shall not exceed 20-feet  
Minimum Door Width: 103 occupants x .2" = 20.6" total

**Accessibility**  
All construction shall meet the minimum requirements of the Americans with Disabilities Act and ANSI 117.1

### Parking Information

Site Area: 22,500sf  
Building Footprint: 10,175sf  
Parking Stalls: 1 per 300sf  
34 required; 34 provided  
Area of Paving: 14,333sf  
Planted Roof Area: 1,538sf  
Garden Area: 1,300sf

### Energy Conformance Information

Roof Insulation: min. R-25 ci (above deck)  
Wood-framed exterior walls: min. R-13 in wall cavity + min. R-3.8 ci outboard of sheathing OR R-20 in wall cavity  
Floor Insulation: min. R-30



**GastingerWalker &**

Architects | Interior Designers | Construction Managers  
817 Wyandotte Kansas City, Missouri 64110 816.421.8200 gastingerwalker.com

CIVIL ENGINEER & LANDSCAPE DESIGN  
Olsson Associates  
8141 Parallel Parkway  
Kansas City, KS 66112  
913.334.2600

## Sharp Law Office

4820 West 75th Street  
Prairie Village, Kansas 66208

### Sharp Law

5301 West 75th Street  
Prairie Village, Kansas 66208  
913-901-0505

### ISSUED FOR:

Planning Commission 06 December, 2019  
Planning Commission REV 27 January, 2020

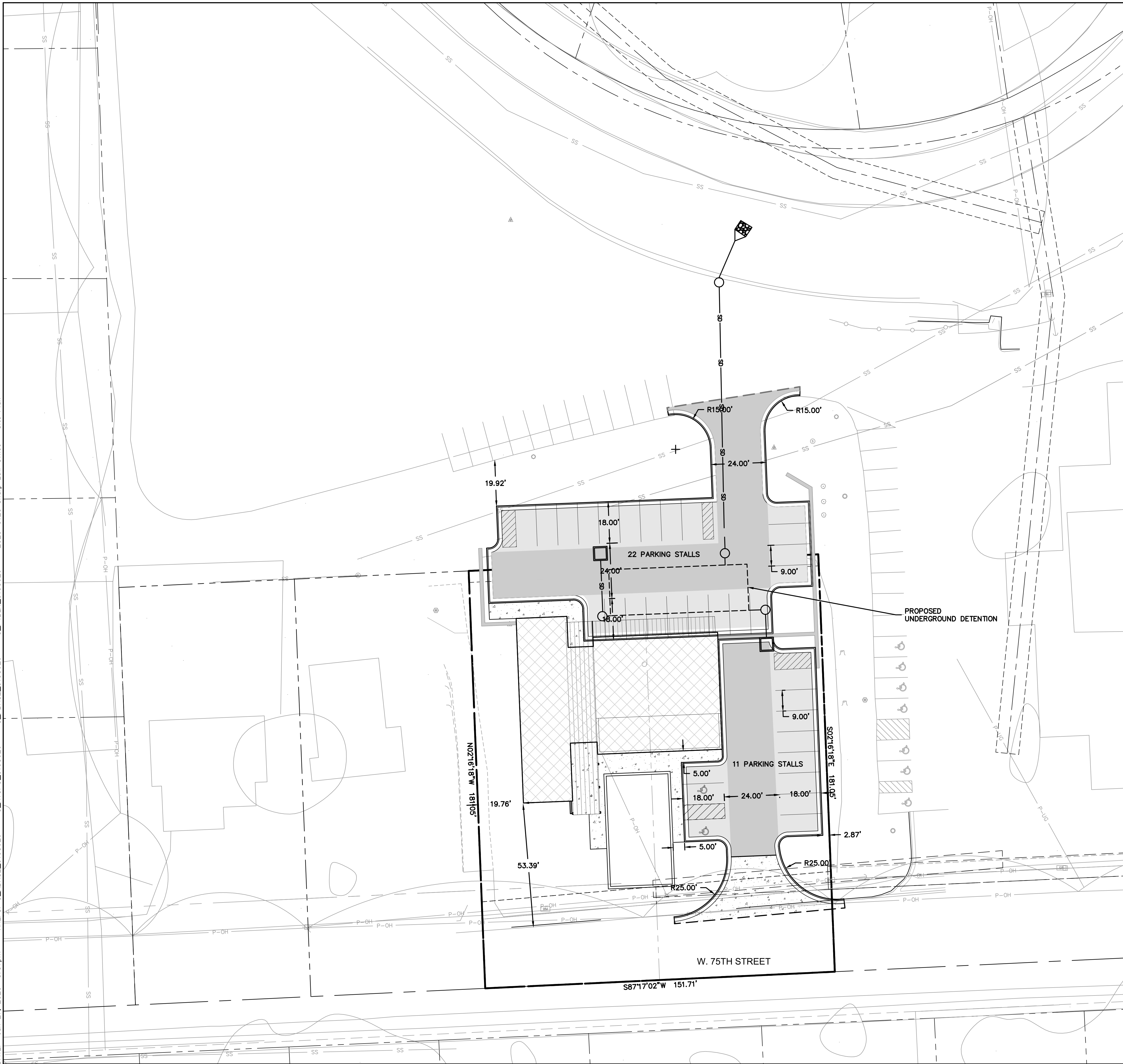
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Checked By LP

Cover Sheet

**CS**



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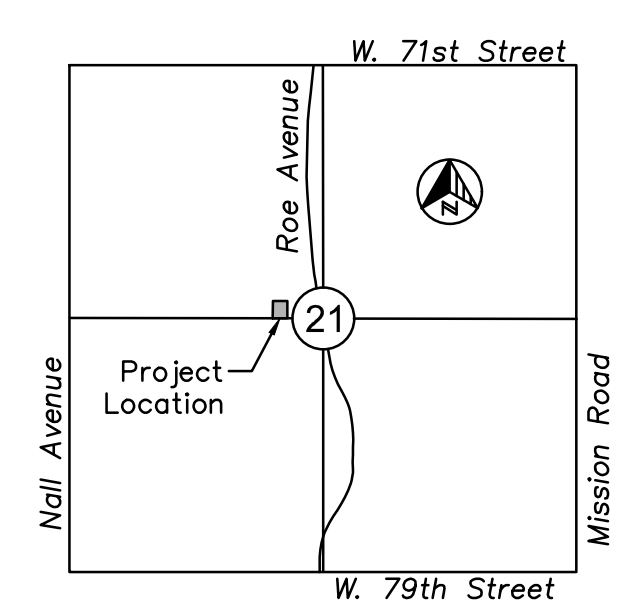


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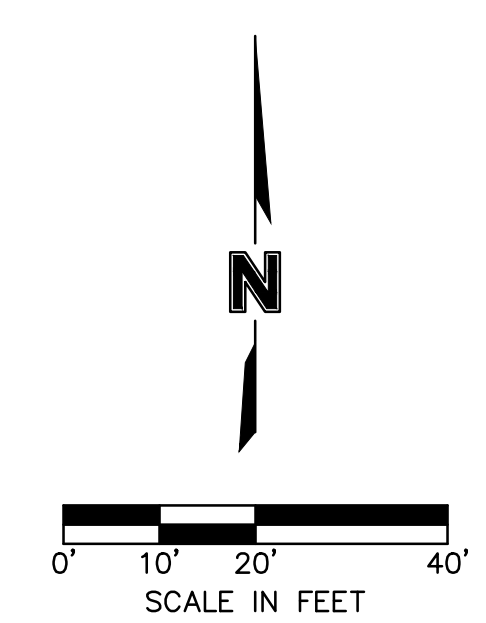
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---	PROPOSED MINOR CONTOUR
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SD	EXISTING STORM SEWER
P-UG	EXISTING ELECTRICAL LINE
W	EXISTING DOMESTIC WATER
G	PROPOSED GAS SERVICE
SS	PROPOSED SANITARY SEWER
SD	PROPOSED STORM SEWER
P-UG	PROPOSED ELECTRICAL LINE
W	PROPOSED DOMESTIC WATER
G	PROPOSED GAS SERVICE
---	PROPOSED CONCRETE CURB & GUTTER
[Pattern]	PROPOSED CONCRETE
[Pattern]	PROPOSED HEAVY DUTY ASPHALT PAVEMENT
[Pattern]	PROPOSED LIGHT DUTY ASPHALT PAVEMENT

**SITE DATA**

SITE:	+/- 0.5156 ACRES
PROPOSED USE:	OFFICE
EXISTING ZONING:	R-1A
PROPOSED ZONING:	C-0
BUILDING SF:	10,000 SF
PROVIDED PARKING:	TOTAL: 33 PARKING SPACES



Section 21-T12S-R25E  
 VICINITY MAP  
 Scale: 1" = 2000'



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BY

REV. NO.	DATE	REVISIONS DESCRIPTION
1	1.27.2020	PER STAFF COMMENTS

REVISIONS

SITE PLAN  
 SITE PLAN  
 SHARP LAW  
 REZONING PLAN

PRAIRIE VILLAGE, KS

drawn by: SG  
 checked by: BS  
 approved by: TP  
 QA/QC by: BS

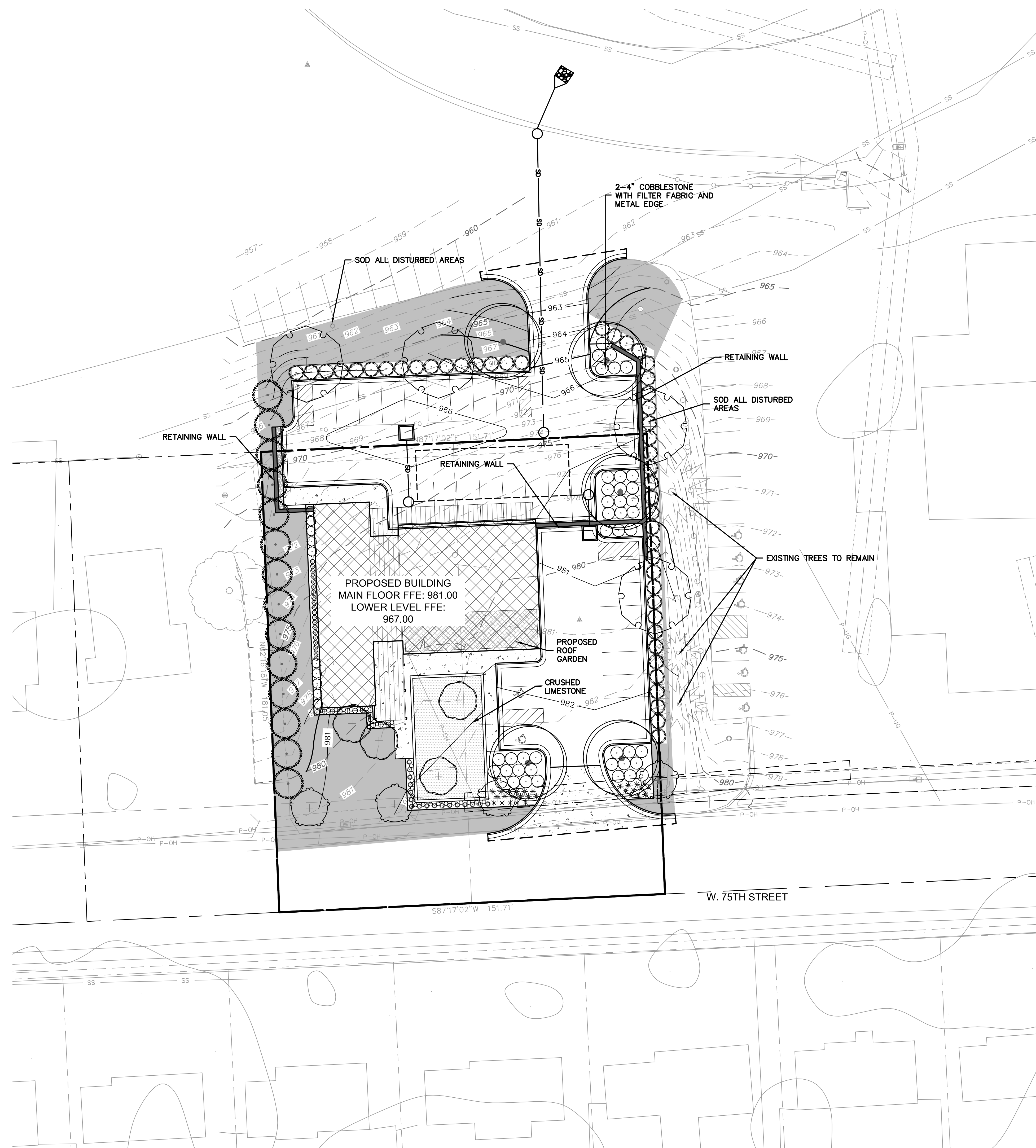
project no.: 019-3626  
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2019

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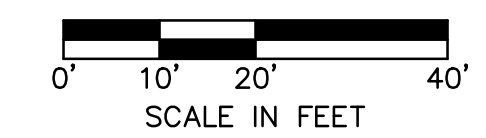
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- - - - - 995 EXISTING MAJOR CONTOUR
- - - - - 995 EXISTING MINOR CONTOUR
- 998 PROPOSED MAJOR CONTOUR
- 998 PROPOSED MINOR CONTOUR

**LANDSCAPE CALCULATIONS**

- Street Tree Requirements**  
 1 Tree/40 L.F. Street Frontage (within setback)  
 W. 75th Street: 150 L.F.  
 4 Trees Required  
 4 Trees Provided
- Foundation Requirements**  
 1 Ornamental Tree/25 L.F. Building Frontage  
 5 Shrubs/25' Building Frontage  
 4 Trees Required  
 4 Trees Provided  
 17 Shrubs Required  
 22 Shrubs Provided
- Parking Requirements**  
 1 Tree/40 L.F. Parking Perimeter  
 8 Trees Required  
 8 Trees Provided
- 1 Tree/40 Parking Spaces  
 1 Tree Required  
 1 Tree Provided  
 5 Shrubs/25' Parking Perimeter  
 59 Shrubs Required  
 88 Shrubs Provided
- Buffer Requirements**  
 14 Green Giant Arborvitae Along West Side

**PLANT SCHEDULE**

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CALIPER
	4	QUERCUS ROBUR 'REGAL PRINCE' REGAL PRINCE ENGLISH OAK	2" CAL.	
DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CALIPER
	4	ACER GRiseum PAPERBARK MAPLE	B & B	2" CAL
	4	PLATANUS X ACERIFOLIA 'EXCLAMATION'™ EXCLAMATION LONDON PLANE TREE	B & B	2" CAL
	5	QUERCUS BICOLOR SWAMP WHITE OAK	B & B	2"
EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	SIZE	CALIPER
	14	THUJA OCCIDENTALIS 'GREEN GIANT' GREEN GIANT ARBORVITAE	B&B, 6' HT.	
SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	
	10	JUNIPERUS CHINENSIS 'OLD GOLD' OLD GOLD JUNIPER	5 GAL	
EVERGREEN SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	
	12	BUXUS MICROPHYLLA VAR. JAPONICA 'GREGEM' BABY GEM BOXWOOD	3 GAL	
	46	JUNIPERUS CHINENSIS 'SEA GREEN' SEA GREEN JUNIPER	5 GAL	
	42	JUNIPERUS SABINA 'BUFFALO' BUFFALO JUNIPER	5 GAL	
GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	
	20	CAREX GLAUCA 'BLUE ZINGER' BLUE ZINGER SEDGE	1 GAL	
	17	PANICUM VIRGATUM 'NORTH WIND' NORTHWIND SWITCH GRASS	1 GAL	
	28	SPOROBOLUS HETEROLEPIS PRAIRIE DROPSEED	1 GAL	
PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE	
	27	ALLIUM X 'MILLENIUM' MILLENIUM ORNAMENTAL ONION	1 GAL	



LANDSCAPE PLAN  
 SITE PLAN

SHARP LAW  
 REZONING PLAN

PRAIRIE VILLAGE, KS

2019

REVISIONS

REV. NO.	DATE	REVISIONS DESCRIPTION	BY
1	1.27.2020	PER STAFF COMMENTS	

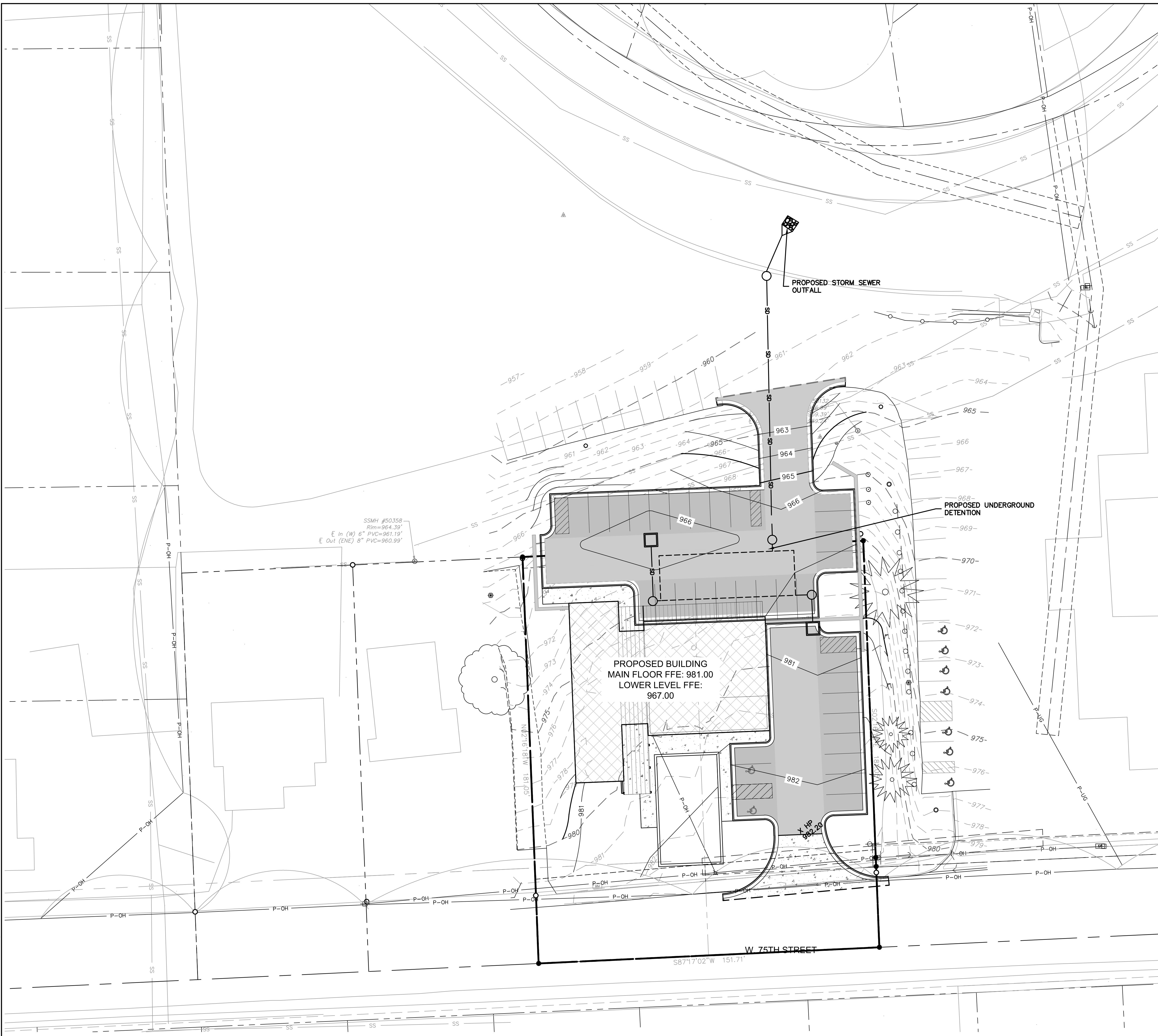
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 checked by: BS  
 approved by: TP  
 QA/QC by: BS  
 project no.: 019-3626  
 drawing no.: G\_R0\_0193626.DWG  
 date: 12.30.19

SHEET  
 C200

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---	PROPOSED MAJOR CONTOUR
---	PROPOSED MINOR CONTOUR
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SD	PROPOSED STORM SEWER
P-UG	PROPOSED ELECTRICAL LINE
W	PROPOSED DOMESTIC WATER
G	PROPOSED GAS SERVICE

DRAWING TITLE		BY
GRADING AND UTILITY PLAN SITE PLAN		
PROJECT TITLE		DATE
SHARP LAW REZONING PLAN		
REV. NO.	REVISIONS DESCRIPTION	DATE
PROJECT LOCATION		2019
PRAIRIE VILLAGE, KS		
DRAWN BY		DATE
checked by: SG		
APPROVED BY		DATE
approved by: TP		
QA/QC BY		DATE
QA/QC by: BS		
PROJECT NO.		DATE
project no.: 019-3626		
DRAWING NO.		DATE
drawing no.: C_GRD_0193626.DWG		
DATE		DATE
date: 12.30.18		
SHEET		DATE
C200		

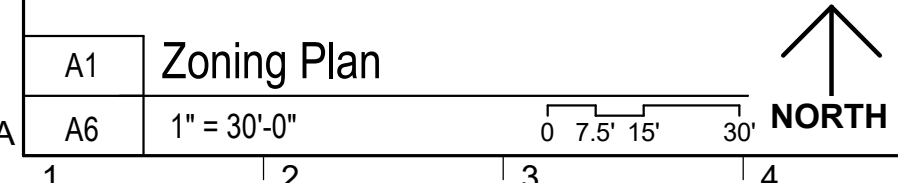
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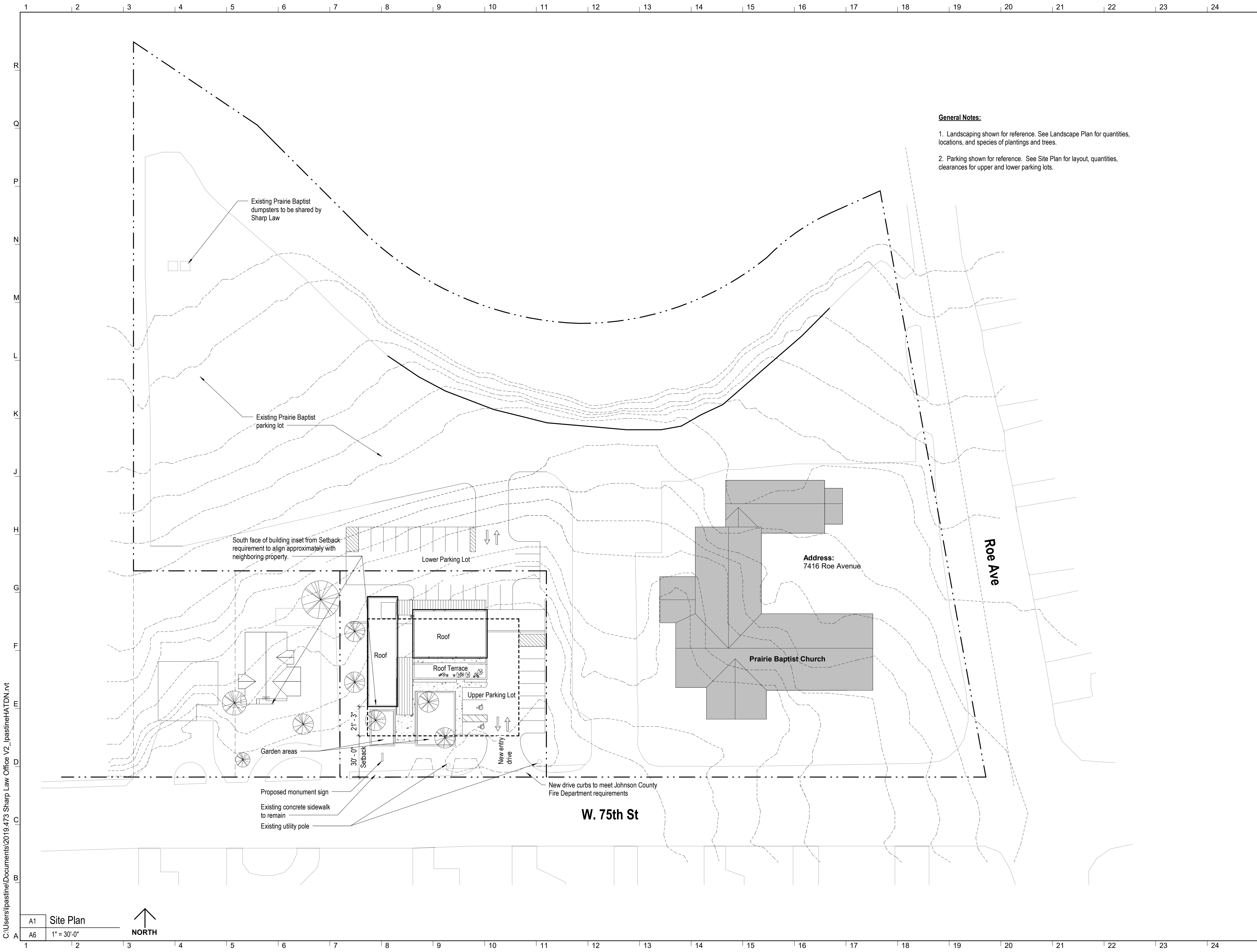
ISSUED FOR:  
Planning Commission 06 December, 2019  
Planning Commission REV 27 January, 2020

Drawn By: JMW  
Checked By: LP

Zoning Plan

**A0**

Project Number: 2019.473 © Copyright 2020



- General Notes:**
1. Landscaping shown for reference. See Landscape Plan for quantities, locations, and species of plantings and trees.
  2. Parking shown for reference. See Site Plan for layout, quantities, clearances for upper and lower parking lots.

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 Planning Commission REV 27 January, 2020

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 Checked By Checker

**Site Plans**

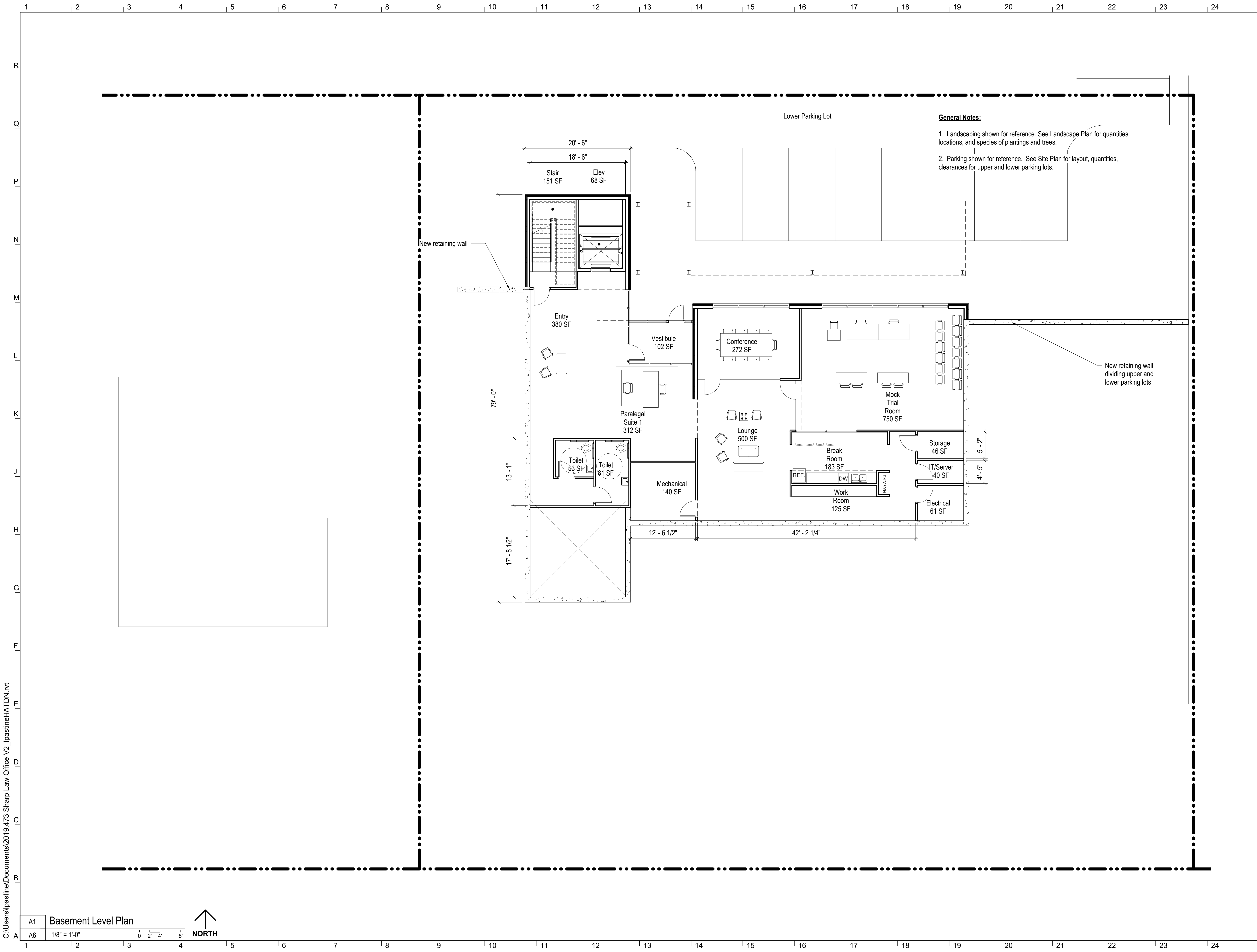
**A1**

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A1	Site Plan
A6	1" = 30'-0"

**NORTH** ↑





**General Notes:**

1. Landscaping shown for reference. See Landscape Plan for quantities, locations, and species of plantings and trees.
2. Parking shown for reference. See Site Plan for layout, quantities, clearances for upper and lower parking lots.

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**ISSUED FOR:**

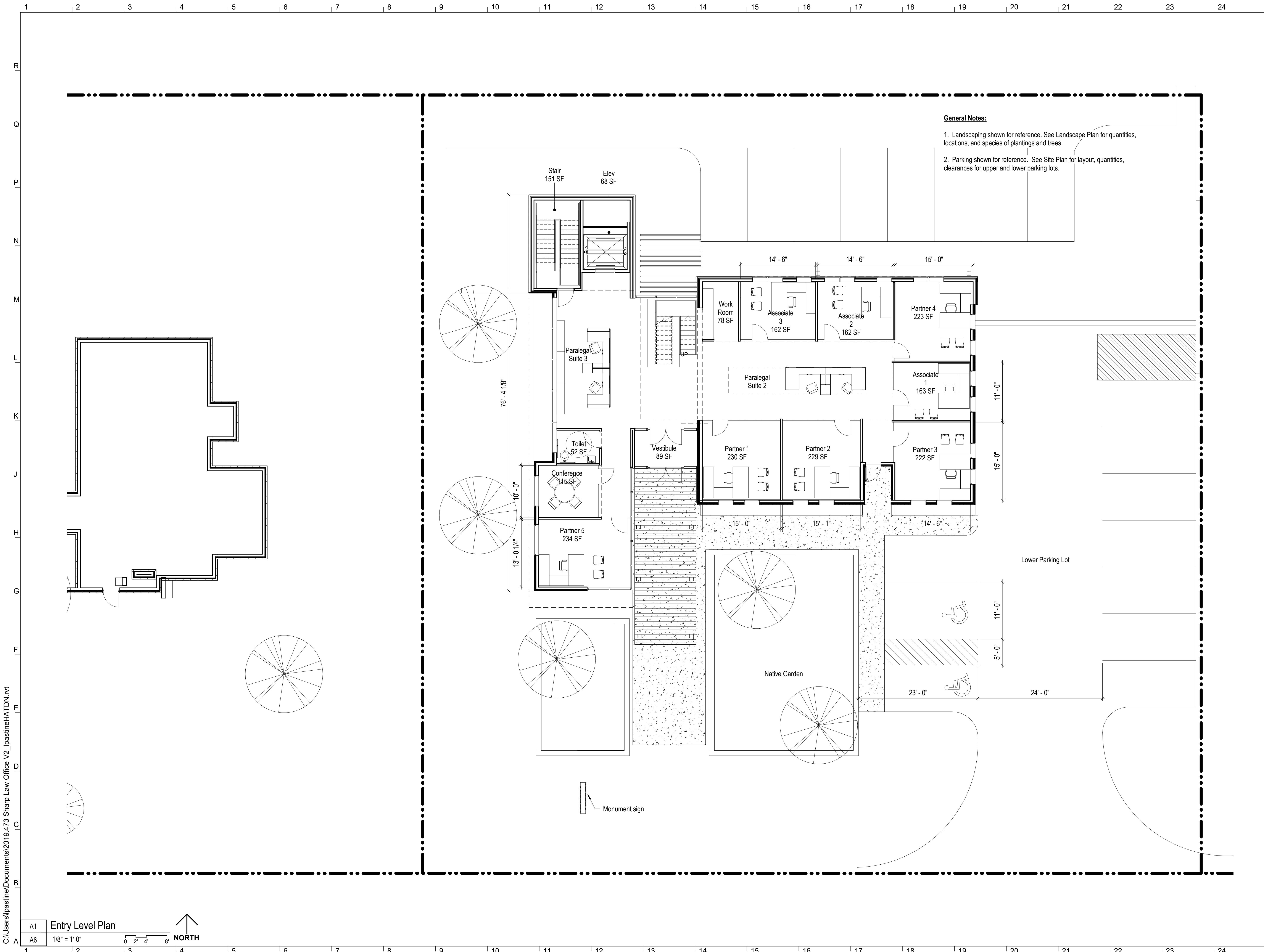
Planning Commission 06 December, 2019  
 Planning Commission REV 27 January, 2020

Drawn By: JMW  
 Checked By: Checker

Basement Level Floor Plan

**A2**

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**General Notes:**

1. Landscaping shown for reference. See Landscape Plan for quantities, locations, and species of plantings and trees.
2. Parking shown for reference. See Site Plan for layout, quantities, clearances for upper and lower parking lots.

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A1	Entry Level Plan
A6	1/8" = 1'-0"

0 2' 4' 8'

NORTH

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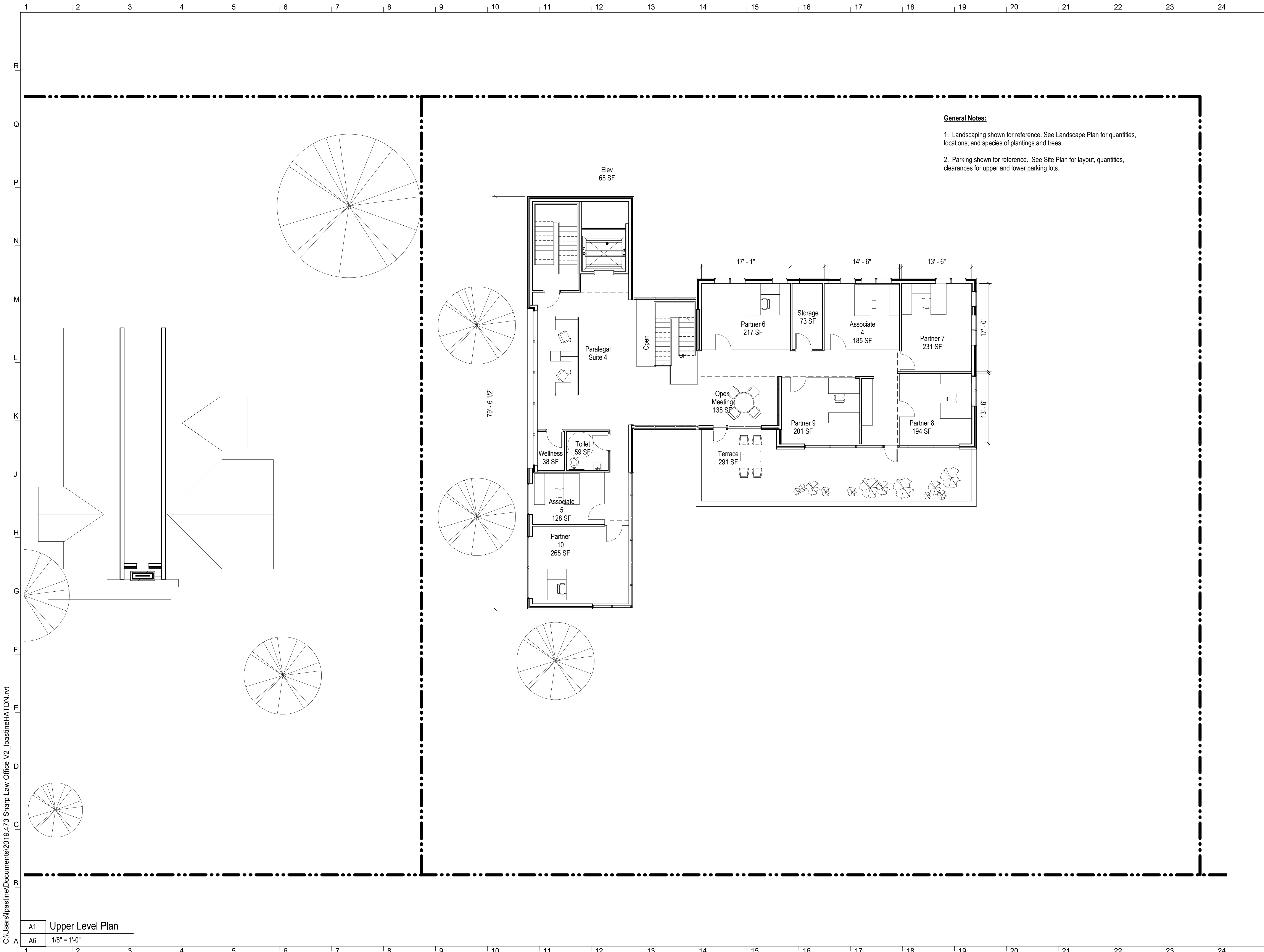
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Planning Commission 06 December, 2019  
 Planning Commission REV 27 January, 2020

Drawn By JMW  
 Checked By Checker

Entry Level Floor Plan

**A3**



**General Notes:**

1. Landscaping shown for reference. See Landscape Plan for quantities, locations, and species of plantings and trees.
2. Parking shown for reference. See Site Plan for layout, quantities, clearances for upper and lower parking lots.

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 Planning Commission REV 27 January, 2020

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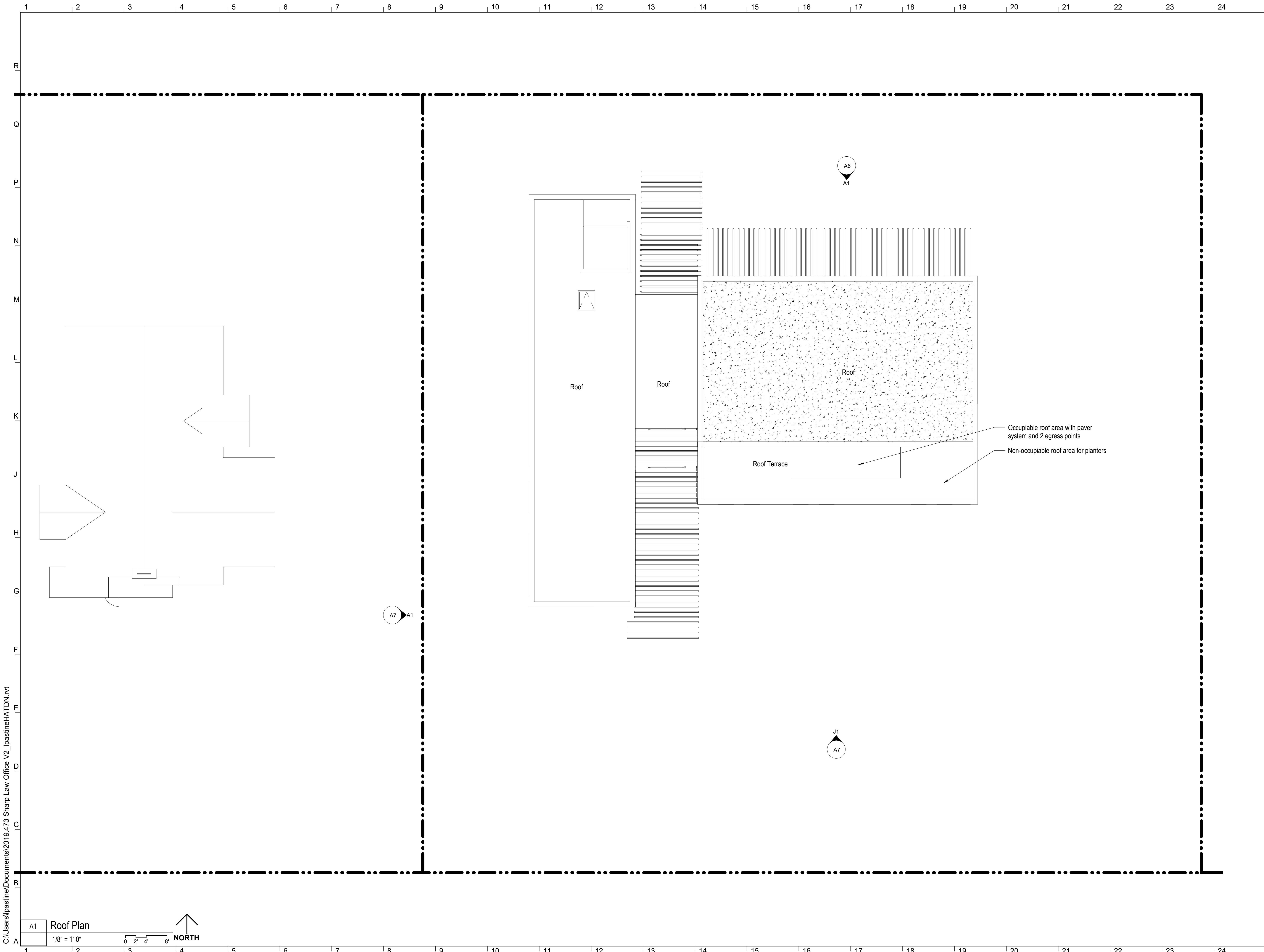
Upper Level Floor Plan

**A4**

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A1	Upper Level Plan
A6	1/8" = 1'-0"





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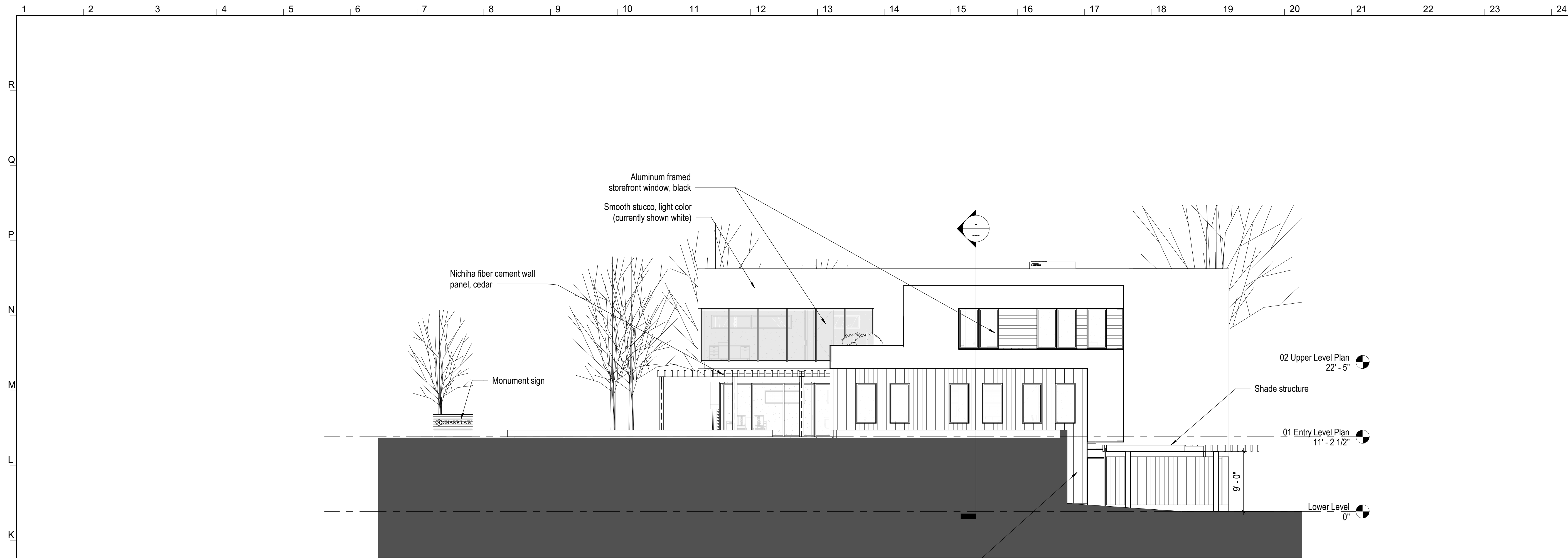
ISSUED FOR:  
 Planning Commission 06 December, 2019  
 Planning Commission REV 27 January, 2020

Drawn By \_\_\_\_\_ Author  
 Checked By \_\_\_\_\_ Checker

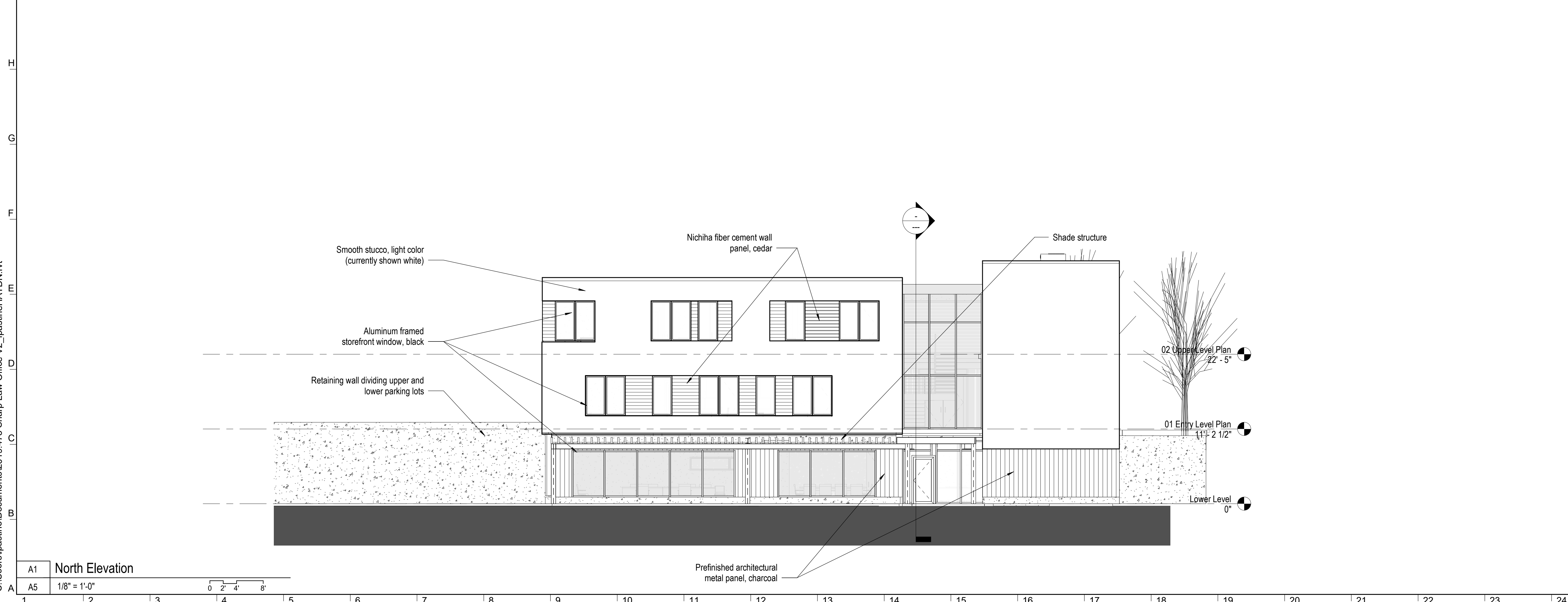
Roof Plan

**A5**





J1 East Elevation  
1/8" = 1'-0"



A1 North Elevation  
A5 1/8" = 1'-0"

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 Prairie Village, Kansas 66208

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 5301 West 75th Street  
 Prairie Village, Kansas 66208  
 913-901-0505

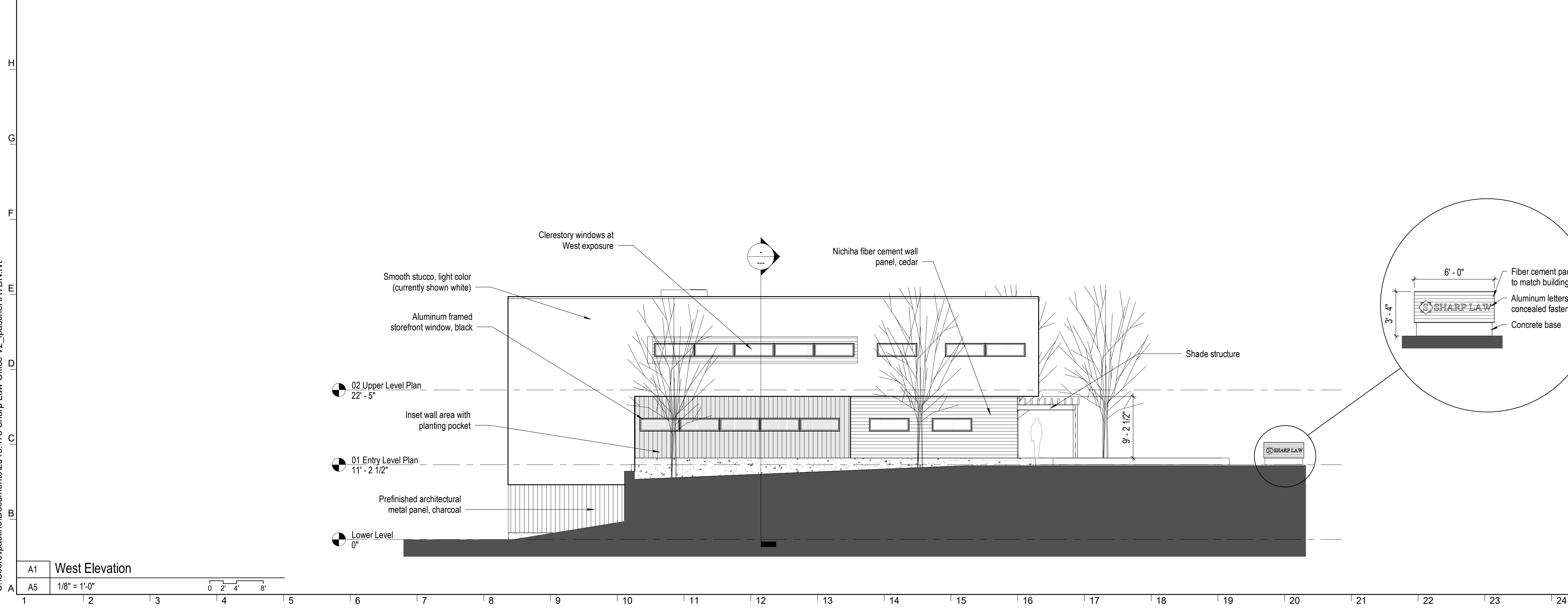
ISSUED FOR:  
 Planning Commission 06 December, 2019  
 Planning Commission REV 27 January, 2020

Drawn By \_\_\_\_\_ Author  
 Checked By \_\_\_\_\_ Checker

Exterior Elevations



J1 South Elevation  
 A5 1/8" = 1'-0" 0 2' 4' 8'



A1 West Elevation  
 A5 1/8" = 1'-0" 0 2' 4' 8'

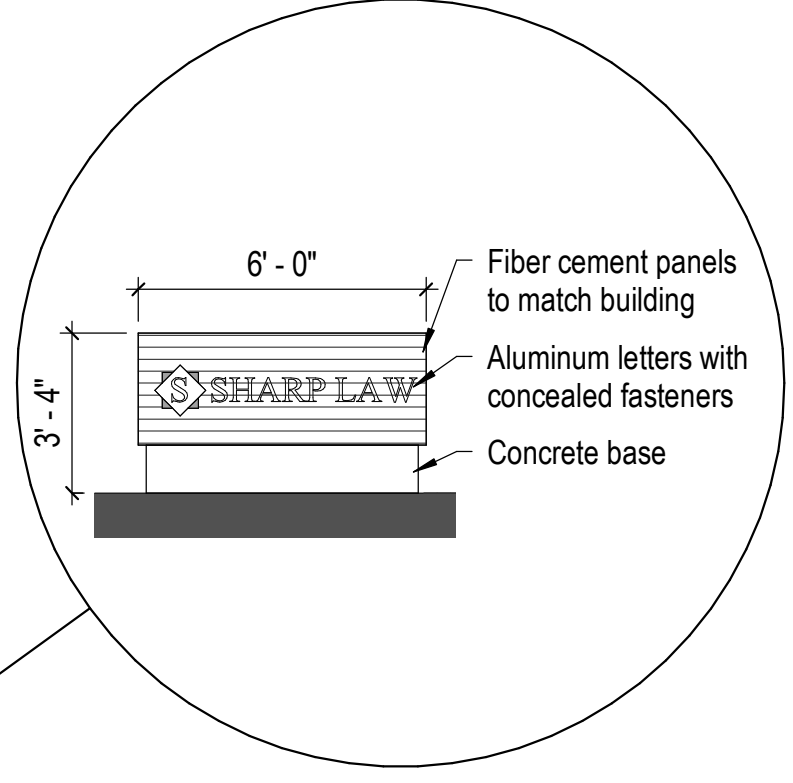
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ISSUED FOR:  
 Planning Commission 06 December, 2019  
 Planning Commission REV 27 January, 2020



Drawn By \_\_\_\_\_ Author  
 Checked By \_\_\_\_\_ Checker

**Exterior Elevations**

**EXCERPT OF PLANNING COMMISSION MINUTES  
JANUARY 7, 2020**

**PC2020-101 Rezoning from R-1A to C-0; Commercial Site Plan Review for proposed office; Survey Plat for lot combination  
4820 West 75th Street  
Applicant: Gastinger and Walker Architects, Inc.**

Mr. Brewster stated that the application was in regard to a section of property currently owned by Prairie Baptist Church, just west of 75<sup>th</sup> and Roe Avenue. The applicant is requesting to rezone two lots from R-1A to C-O. The application also includes a site plan to build an approximately 10,000 square foot office building and a survey plat to combine the two lots into one lot. The property is immediately west of Prairie Baptist Church, and fronts on the north side of 75th Street west of the Roe Avenue intersection. One lot is vacant and the other lot has a detached single-family home proposed for removal. Two other lots with detached single family houses front on 75th Street immediately to the west. The vicinity is primarily single-family residential, with the exception of the church.

Mr. Brewster added that the site plan provided by the applicant met the requirements of a C-0 property with respect to height, setback and building massing standards. Landscape recommendations include a screen of trees on the west side of the property to better separate it from the single-family home immediately to the west. The proposed parking area would encroach onto the church property, so an easement would need to be granted by the church to allow the applicant to use the area.

The Planning Commission must consider the following criteria when reviewing a request to rezone property in association with a site plan for development:

1. The character of the neighborhood
2. The zoning and uses of property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property
5. The length of time of any vacancy of the property
6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners
7. City staff recommendations
8. Conformance with the Comprehensive Plan

Mr. Brewster said that staff recommended approval with the following conditions:

1. The conceptual drainage plan be carried out and finalized in a manner that either has no impact on the existing drainage issue on the property to the north, or is coordinated with the required fix of that situation. The final drainage plan is subject to final approval by Public Works.

2. Any change in the proposed parking access be coordinated with grading, drainage, and traffic circulation and approved by Public Works. Plans shall include an extension and enhancement of the site landscape plan (with additional plants) into any areas that are not connected parking.
3. The easement for the parking area be verified by the City Attorney and properly noted on (or connected with) the survey plat prior to recording. An exception is noted to the following standards - side parking setback; rear parking setback; rear building setback - which is conditioned on this site plan, and the maintenance of all required landscape areas on the property granting the easement, so that the standards are otherwise met.
4. A pedestrian connection from the public sidewalk to the entry feature (courtyard area) of the building be added.
5. Prior to a permit for the monument sign, the applicant specify to staff the location of the sign in relation to the street and property lines, verify the location meets all site distance requirements, and provide landscape plans for the base of the sign.
6. The following changes are recommended for the landscape plan:
  - a. Add 4 ornamental trees along the frontage, 2 specifically to frame a pedestrian connection to the sidewalk.
  - b. Add perimeter parking buffers on the east and north edges of the parking and address the maintenance as a condition of the easement for parking and buffers on adjacent property. Specifically, this should include 7 shade trees (accounting for replacement of the removed trees) and 45 shrubs.
  - c. Change the buffer on the west property boundary from 4 Norway Spruce to 14 Green Giant Arborvitae (6'), and extend the planting buffer to the north edge of the parking area.
7. The Planning Commission recommends approval of the rezoning conditioned on the site plan. Approval of the site plan and survey plat by the Planning Commission is subject to the City Council approval of the rezoning recommendation, or amended approval of the recommendation that does not significantly impact these plans.

Mr. Birkel asked if the sewer line that runs through the church property to the storm sewer would have its own easement in perpetuity. Mr. Bredehoeft said that an easement would need to be recorded. Mrs. Wallerstein asked if the damaged parking area at the back of the church parking lot along the storm sewer had been repaired. Mr. Bredehoeft stated that the church is responsible for repairing the damage, which has not been completed yet. He noted that the plans for the new building would not exacerbate the existing problem.

Laura Pastine and Kevin Harden were in attendance, representing Gastinger Walker Architects. Ms. Pastine shared design specifications about the office building, and noted that the potential owners of the property, Rex and Lori Sharp, were also present at the meeting. She added that the building was designed to minimize the impact to the existing homes to the west. Mr. Harden stated that the Sharps currently have an office building further west on 75<sup>th</sup> Street, and are hoping to keep their practice in Prairie Village.

Mr. Wolf asked if the applicants had any concerns with the recommendations made by staff, and whether the house that will be torn down was currently occupied. Mr. Harden said that he was in agreement with the recommendations, and that the house was currently being rented, with a lease ending in May. He added that the church had agreed to assist the tenant if construction work begins before the end of the lease period.

Mr. Birkel stated that the west side of the office building, which would be adjacent to a remaining single-family home, is 100 feet long, 30 feet tall, and has few architectural features. He recommended reversing the building design in order to be more sensitive to the residents of the home. Mr. Breneman and Mr. Valentino agreed with Mr. Birkel. Ms. Brown noted that if the building were reversed, the parking lot would then be adjacent to the home.

Mr. Brewster recommended that the rezoning be contingent on the conceptual site plan presented. He added that the Planning Commission could approve the concept and ask for certain items to be addressed and presented for approval at a later meeting. Mrs. Robichaud added that rezoning applications are typically not accepted without a site plan. The applicants stated they would be comfortable coming back with a modified site plan if the Commission approved the rezoning and replatting. Rex Sharp said that the building would be used solely as a law office, and that there would be very little client interaction at the site.

Mrs. Wallerstein opened the public hearing at 7:55 p.m.

- Dane Lee, 5707 Sheridan Drive, Fairway, KS, stated that his mother-in-law and her husband lived in the house immediately adjacent to the proposed structure. He said that they were unhappy that they were not included in any planning or discussion for the project. He shared concerns that the new building would block sunlight due to its height and likely reduce the value of her property.
- Elizabeth Olmo Lee, 5707 Sheridan Drive, Fairway, KS, said that she was the daughter of the property owner, and expressed concern over the emotional and financial impact on her mother and stepfather.
- Mark Dover, 4830 W. 75<sup>th</sup> Street, resident of the adjacent home, shared concern with the design of the building and its impact on the residence.

With no one else present to speak, Mrs. Wallerstein closed the public hearing at 8:12 p.m.

Mr. Lenahan asked the applicants if they would be open to reconsidering the site plan based on the comments made by the adjacent property owners, and working with them

to develop a mutually agreeable design. Mr. Sharp stated that he was happy to work with the property owner and the City to come up with a more sensitive design. Mr. Birkel, Mr. Breneman and Mr. Wolf all indicated they were comfortable with the rezoning, just not the building design.

Mr. Wolf asked Mr. Sharp how he wished to proceed, noting that the current site plan would likely not be approved at the meeting. Mr. Sharp stated he would prefer to continue the application to the February meeting. He will work with the architects to change the design of the building based on suggestions from the Commission.

**Mr. Wolf made a motion to continue the application to the February 4, 2020 meeting to give the applicant the opportunity to redesign the building layout. Mr. Breneman seconded the motion, which passed unanimously.**



**EXCERPT OF PLANNING COMMISSION MINUTES  
FEBRUARY 4, 2020**

**PC2020-101      Rezoning and Commercial Site Plan Review for proposed office;  
Survey Plat for lot combination  
Current Zoning: R-1A  
Requested Zoning: C-0  
4820 W. 75<sup>th</sup> Street  
Applicant: Gastinger and Walker Architects, Inc.**

Mr. Brewster stated that the application regarding a section of property currently owned by Prairie Baptist Church had been continued from the January 2020 meeting. The applicant is requesting to rezone two lots from R-1A to C-O. The application also includes a site plan to build an approximately 10,000 square feet office building and a survey plat to combine the two lots into one lot. The property is immediately west of Prairie Baptist Church, and fronts on the north side of 75th Street west of the Roe Avenue intersection. One lot is vacant and the other lot has a detached single-family home proposed for removal. Two other lots with detached single family houses front on 75th Street immediately to the west. The vicinity is primarily single-family residential, with the exception of the church.

Mr. Brewster stated the applicant submitted a revised plan based on concerns shared by the owner of the residential property directly to the west of the proposed office building. The extent of the west side of the building has been reduced in size by approximately 20 feet, and materials, massing and grading have also been altered to help the design fit in better with the neighborhood. A second story has been added to the east side of the building to compensate the square footage lost due to the reduction in size of the west side of the building.

Mr. Brewster said that staff recommended approval with the following conditions, noting that changes in parking access required by item #2 were included in the revised plans, as were the landscape plans listed in item #6:

1. The conceptual drainage plan be carried out and finalized in a manner that either has no impact on the existing drainage issue on the property to the north, or is coordinated with the required fix of that situation. The final drainage plan is subject to final approval by Public Works.
2. Any change in the proposed parking access be coordinated with grading, drainage, and traffic circulation and approved by Public Works. Plans shall include an extension and enhancement of the site landscape plan (with additional plants) into any areas that are not connected parking.
3. The easement for the parking area be verified by the City Attorney and properly noted on (or connected with) the survey plat prior to recording. An exception is noted to the following standards - side parking setback; rear parking setback; rear building setback - which is conditioned on this site plan, and the maintenance of all

required landscape areas on the property granting the easement, so that the standards are otherwise met.

4. A pedestrian connection from the public sidewalk to the entry feature (courtyard area) of the building be added.
5. Prior to a permit for the monument sign, the applicant specify to staff the location of the sign in relation to the street and property lines, verify the location meets all site distance requirements, and provide landscape plans for the base of the sign.
6. The following changes are recommended for the landscape plan:
  - a. Add 4 ornamental trees along the frontage, 2 specifically to frame a pedestrian connection to the sidewalk.
  - b. Add perimeter parking buffers on the east and north edges of the parking and address the maintenance as a condition of the easement for parking and buffers on adjacent property. Specifically, this should include seven shade trees (accounting for replacement of the removed trees) and 45 shrubs.
  - c. Change the buffer on the west property boundary from four Norway Spruce to 14 Green Giant Arborvitae (6'), and extend the planting buffer to the north edge of the parking area.
7. The Planning Commission recommends approval of the rezoning conditioned on the site plan. Approval of the site plan and survey plat by the Planning Commission is subject to the City Council approval of the rezoning recommendation, or amended approval of the recommendation that does not significantly impact these plans.

Mr. Brewster reminded the Planning Commission that a rezoning requires the Planning Commission to evaluate facts, weight evidence, and make a recommendation to the City Council based on balancing the "Golden Factors" outlined in the zoning ordinance.

Laura Pastine and Kevin Harden representing Gastinger Walker Architects gave a presentation showing changes made to the project since the previous meeting. Along with revisions to the west side of the building, the proposed structure would be shorter and set approximately 25' farther back from 75<sup>th</sup> Street. These changes allow more sunlight to reach the residence to the west.

Mr. Wolf opened the public hearing at 7:26 p.m.

- Paloma Dover, 4830 W. 75<sup>th</sup> Street, shared concern that the value of her home, adjacent to the proposed building, would decline if it were constructed.



- Robin Marx, 6015 Howe Drive, stated that he was a real estate appraiser with Bliss Associates, LLC. He shared research indicating that there was no evidence of residential properties losing value when an adjacent property is rezoned to commercial.

With no one else present to speak, Mr. Wolf closed the public hearing at 7:39 p.m.

The Planning Commission discussed the rezoning application and considered the eight factors for consideration outlined in the City's zoning regulations.

**Based on the the Planning Commissions consideration of the Golden factors, Mr. Birkel made a motion to recommend rezoning to Council for approval, subject to the conditions recommended by staff. Ms. Brown seconded the motion, which passed unanimously.**

**Mr. Birkel made a motion to approve both the site plan and the survey plat, subject to the conditions recommended by staff. Ms. Brown seconded the motion, which passed unanimously.**