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**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Council Chambers
Monday, July 1, 2024
6:00 PM**

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF THE AGENDA

V. INTRODUCTION OF STUDENTS AND SCOUTS

VI. PRESENTATIONS

- Legislative update – Stuart Little, Little Government Relations

VII. PUBLIC PARTICIPATION

Participants may speak for up to three minutes. To submit written comment to the Council regarding current agenda items, please email cityclerk@pvkansas.com prior to 3 p.m. on July 1. Comments will be shared with Councilmembers prior to the meeting.

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. Consider approval of regular City Council meeting minutes – June 17, 2024
2. Consider approval of expenditure ordinance #3039
3. Consider adoption of Resolution 2024-02 establishing amended 2024 employee compensation ranges for police officers
4. Consider school crossing guard contract renewal with All City Management Services (ACMS) Inc.

IX. COMMITTEE REPORTS

Planning Commission

- PC2024-107: Proposed amendments to the PV Zoning Regulations in the R-2, R-3, R-4, C-0, C-1, C-2 and MXD districts, planning applications and other associated changes

Nickie Lee / Chris Brewster

X. **MAYOR'S REPORT**

XI. **STAFF REPORTS**

XII. **OLD BUSINESS**

XIII. **NEW BUSINESS**

COU2024-40 Consider approval of an agreement with KERAMIDA to develop a community climate action plan
Meghan Boom / Greg Shelton

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

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 913-385-4616, 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.



**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
JUNE 17, 2024**

The City Council of Prairie Village, Kansas, met in regular session on Monday, June 17, at 6:00 p.m. Mayor Mikkelson presided.

ROLL CALL

Roll was called by the City Clerk with the following councilmembers in attendance: Cole Robinson, Terry O’Toole, Inga Selders, Ron Nelson, Lori Sharp, Chi Nguyen, Dave Robinson, Tyler Agniel, Greg Shelton, Nick Reddell, Ian Graves, and Terrence Gallagher. Staff present: Byron Roberson, Chief of Police; Keith Bredehoeft, Director of Public Works; City Attorney Alex Aggen, Hunter Law Group; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Tim Schwartzkopf, Assistant City Administrator; Meghan Boom, Assistant City Administrator, Jason Hannaman, Finance Director (via Zoom); Adam Geffert, City Clerk.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mr. Agniel made a motion to approve the agenda as presented. The motion was seconded by Mr. Graves.

Ms. Selders made a motion to amend the agenda by adding a discussion of the possibility of a joint work session with the Planning Commission and City Council to discuss proposed zoning amendments before final consideration of the Planning Commission’s recommendations. The motion was seconded by Ms. Sharp and passed 8-4, with Mr. Cole Robinson, Mr. Nelson, Mr. Graves and Mr. Gallagher in opposition.

The original motion as amended passed unanimously.

INTRODUCTION OF STUDENTS AND SCOUTS

There were no students or scouts present at the meeting.

PRESENTATIONS

- Chief Roberson presented the Police Meritorious Service Award to Officer Ben Overesch and K-9 Blitz, who were recognized for their efforts in assisting the Kansas City Missouri Police Department in apprehending a shooting suspect.



PRAIRIE VILLAGE
KANSAS

- Mayor Mikkelson read a Pride Month proclamation. Equality Kansas Policy Director Taryn Jones was present to share information about the organization.
- Mr. Shawn Gordon with Gordon CPA presented the City's 2023 Annual Comprehensive Financial Report (ACFR). He noted that the company had issued an unmodified audit opinion, which was the best opinion that could be received.
- Tyler Riordan and Garrett Spoonmore from Republic Services gave an update on solid waste performance issues. Each stated that they would be addressing service problems with the addition of new drivers and vehicles.

PUBLIC PARTICIPATION

- The following individuals expressed their support of the Mayor and Council:
 - George Williams, 7801 Colonial Drive
 - Trudy Williams, 7801 Colonial Drive
 - Melissa Funaro, no address given
 - Sherri Solis, 7339 Mission Road
 - Dennis Solis, 7339 Mission Road
 - Hazel Krebs, 4021 W. 84th Street
 - David Magariel, 4210 W. 69th Terrace
- Pam Justus, 7637 Chadwick Street, and Jeff Wright, 3916 W. 90th Street, noted their opposition to proposed changes to the City's zoning regulations
- Leon Patton, Ward 5, stated his concern with gun violence and marijuana legalization
- Barbara Cantrell, no address given, shared information about a recent interaction with the police department
- Tim Swanson, no address given, conveyed his thoughts about trans legislation
- Karen Gibbons, 71st Street, spoke about the effort to recall the Mayor
- Paul Gorelick, 8050 Mohawk Street, acknowledged City staff and expressed frustration at political divisions in the City

CONSENT AGENDA

Mayor Mikkelson asked if there were any items to be removed from the consent agenda for discussion:

1. Consider approval of regular City Council meeting minutes - June 3, 2024
2. Consider renewal of franchise agreement with Level 3 Telecom
3. Consider construction administration agreement with Trekk Design Group for 2024 CARS project and 2024 paving program

Mr. Agniel made a motion to approve the consent agenda as presented. A roll call vote was taken with the following votes cast: "aye": C. Robinson, O'Toole, Selders, Nelson,



Sharp, Nguyen, D. Robinson, Agniel, Shelton, Reddell, Graves, Gallagher. The motion passed unanimously.

COMMITTEE REPORTS

- Mr. Shelton provided an Environmental Committee update, sharing information about Johnson County’s “Recycle Right” initiative which was still underway in the City.
- Mr. O’Toole gave a summary of the June 4 Planning Commission meeting, noting that the recommendations for zoning regulation amendments approved by the commission would be considered by the Council at its July 1 meeting.
- Mr. Dave Robinson congratulated Ward 4 residents Ashley Kennedy and Travis Moore, who had recently gotten married.

MAYOR’S REPORT

- The Mayor noted that he had attended the following events since the prior Council meeting:
 - The Prairie Hills Homes Association annual picnic on June 15
 - The United Community Services’ “Human Services Summit”
 - The Mid-America Regional Council annual assembly on June 14
 - The City’s Juneteenth Freedom Celebration on June 15
- The Mayor shared the following upcoming events:
 - The Prairie Village community gardeners’ summer solstice celebration on June 20
 - A Northeast Johnson County Mayors meeting on June 21
 - The annual VillageFest event on July 4

STAFF REPORTS

None.

OLD BUSINESS

None.

NEW BUSINESS

COU2024-39

Consider transfer of ownership of .24 acres of land at Shaffer Park from Johnson County Park and Recreation to the City of Prairie Village



Mayor Mikkelson said that in 2004, Johnson County Park and Recreation purchased an existing home that was for sale beside Prairie Park (now Shaffer Park) at 6830 Mission Road. The City entered into an interlocal agreement to lease the property in order to expand Prairie Park. Johnson County Park and Recreation had since decided to transfer ownership of the .24 acres to the City with the understanding the greenspace would be continued to be used as a park in perpetuity.

Mr. Gallagher made a motion to accept the transfer of ownership of park land at Shaffer park from Johnson County Park and Recreation. The motion was seconded by Mr. Dave Robinson and passed unanimously.

Mr. Nelson made a motion for the City Council to move to the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Graves and passed unanimously.

COUNCIL COMMITTEE OF THE WHOLE

COU2024-40 Consider approval of an agreement with KERAMIDA to develop a community climate action plan

Ms. Buom stated that In October 2021, the City of Prairie Village signed on to the Cities Race to Zero, a global campaign backed by the United Nations aimed at reducing global greenhouse gas emissions. The Cities Race to Zero is the city-specific campaign in which municipalities commit to carbon targets that align with the specific aspects of their communities. The pledge requires annual progress reporting through CDP.

In 2022, as part of the 2023 budget process, the City Council committed \$50,000 to implement a City-wide sustainability program. Following an RFP process, KERAMIDA was selected based on a strong understanding of Prairie Village’s needs, professional background and resources, breadth of consulting services able to be provided, and fees. For budgetary purposes, the scope of work was divided into two phases.

Ms. Buom said that in 2023, KERAMIDA completed a municipal greenhouse gas inventory and outlined emission reduction pathways with strategies to meet the 2030 reduction targets, with the goal of net zero by 2050. The City Council adopted the municipal operations climate action plan in fall 2023.

The second phase of the sustainability program would expand the scope of the municipal climate action plan to include community-wide greenhouse gas emissions and reduction strategies. As part of the Cities Race to Zero, participating cities must set science-based targets - measurable and actionable environmental targets that cover community-wide emissions, not simply municipal operations.



Nick McCreary, Vice President for Sustainability and Climate Services with KERAMIDA was present to provide additional information. He noted that the second phase of the project would be broken into three tasks:

1. Expansion of greenhouse inventory to include all community operations
2. Develop greenhouse gas reductions measure to achieve the City's goal of climate neutrality by 2050
3. Create a stakeholder engagement plan, including community workshops, open houses and idea generation sessions

Mr. McCreary noted the entire project would take approximately seven months.

Ms. Selders asked how the work performed by KERAMIDA would differ from what was being done as part of the Mid-American Regional Council's Kansas City Regional Climate Action Plan. Mr. McCreary said that the regional action plan was being performed at a much higher scale, and that the plan for Prairie Village would be shared with MARC as part of that project.

Mr. Shelton made a motion to approve the agreement with KERAMIDA to develop a community climate action plan. The motion was seconded by Mr. Cole Robinson.

Mr. Gallagher asked how data would be gathered in the community. Mr. McCreary said that specific methods would be discussed after the project kicked off, but would include mail and online surveys and community engagement events.

After further discussion, the motion passed 9-3, with Ms. Sharp, Mr. Reddell and Mr. Gallagher in opposition.

Preliminary 2025 budget presentation

Ms. Lee gave a presentation on the proposed 2025 budget. She noted that it had been reviewed by the Finance Committee on May 14, 2024, and was unanimously approved by the committee at its May 23, 2024, meeting. She stated that the "all in number" for expenditures in the general fund budget represented a 1.3% increase over 2024, totaling \$32,005,383. Proposed increases included 6.4% for personnel, 2.8% for contract services, 3.4% for commodities, and a 7.4% decrease for capital outlay. The majority of the increase to the personnel budget would be applied to the Police Department, whereas the merit pool for other City employees was set at 4%. Ms. Lee noted that the mill levy would remain flat at 18.325, and the fund balance would be slightly over its 25% target, at 25.1%.

Mr. Jordan provided information about the personnel budget, specifically a proposed increase to police department salaries that had been recommended by the Finance Committee. He noted that the department continued to struggle to hire officers, and provided a comparison of salaries in the City versus surrounding communities. In most



cases, other agencies had similar minimum salaries but higher maximum salaries than Prairie Village. In order to improve recruitment and retention, Mr. Jordan recommended increasing the minimum salary for an officer from \$57,724 to \$62,000, and the maximum from \$77,927 to \$90,000, effective July 1. For 2025, a range of \$65,000 minimum to \$92,000 was proposed, with a top out reduced from 12 years to 10 years. The adjustment would cost approximately \$220,000 for the remainder of 2024, and \$426,000 in 2025.

Mr. Jordan stated that police department staffing was at a critical level. The department was authorized to have 47 sworn officers; of the 42 employed officers, seven were still in training, leaving 35 officers available to work. The reduced number had resulted in fewer officers available to patrol City streets and a reduction in services, such as crime prevention. Lastly, Mr. Jordan said that of the 31 officers hired in the past five years, 16 were no longer with the department, and that the cost to replace the 28 officers that had left over the five-year period was nearly \$2.5 million. He emphasized that retaining officers was ultimately a cost savings versus hiring new officers.

Ms. Lee added that Senate Bill 13 and House Bill 2104, enacted in 2021, required notice and public hearing requirements if a city's proposed budget exceeded the property tax levy's revenue neutral rate. The City's revenue neutral rate would be 17.365 in 2025 per Johnson County, which would require the proposed budget to go through the revenue neutral rate process.

Mr. Cole Robinson made a motion to approve the preliminary budget recommended by the Finance Committee and send it to the City Council for final approval. The motion was seconded by Mr. Gallagher and passed 11-1, with Ms. Sharp in opposition.

Proposal to hold a work session with the Planning Commission

Ms. Selders stated that she felt it was important for the Council to have a work session with the Planning Commission to ensure that concerns from residents and Councilmembers about changes to zoning regulations were thoroughly discussed. She also stated concern about having a "blanket" approach to adding residential uses to commercial districts, and whether other cities in Johnson County used similar methods.

Mr. Cole Robinson said that the existing process in place would allow the Council to discuss the proposed changes, and if necessary, remand them back to the Planning Commission with recommended changes, making a work session unnecessary.

Mr. Graves and Mr. Nelson stated that the proposed changes had already been narrowed significantly and did not need to be discussed further in a work session.

Mr. Gallagher added that amendments could be made to the Planning Commission's recommended changes by the Council at its July 1 meeting.



Ms. Selders shared her concern that the Council would not be able to dictate the style or design of residential uses that could be put in commercial districts. Mr. O'Toole said that the proposed changes did contain safeguards that would allow the Planning Commission and City Council to make those judgements.

After further discussion, Ms. Selders made a motion to have City staff provide the Council information on whether other cities in Johnson County used a "blanket approach" to adding residential uses in commercial districts and also provide an in-depth explanation of what the "golden factors" were. Ms. Sharp seconded the motion.

Mr. Jordan stated that staff would not be able to accomplish the request of polling all Johnson County cities in the two weeks before the July 1 meeting.

Ms. Selders amended her motion to ask staff to get information from a few Johnson County cities about allowing residential uses in all of their commercial districts, as well as an in-depth explanation of what the "golden factors" were.

After further discussion, a roll call vote was taken with the following votes cast: "aye": Selders, Sharp, Reddell; "nay": C. Robinson, O'Toole, Nelson, Nguyen, D. Robinson, Agniel, Shelton, Graves, Gallagher. The motion failed 9-3.

Mr. Shelton moved that the City Council end the Council Committee of the Whole portion of the meeting. The motion was seconded by Mr. Graves and passed unanimously.

ANNOUNCEMENTS

Announcements were included in the Council meeting packet.

ADJOURNMENT

Mayor Mikkelson declared the meeting adjourned at 9:55 p.m.

Adam Geffert
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

July 1, 2024

Copy of Ordinance
3039

Ordinance Page No. _____

An Ordinance Making Appropriate for the Payment of Certain Claims.

Be it ordained by the governing body of the City of Prairie Village, Kansas.

Section 1. That in order to pay the claims hereinafter stated which have been properly audited and approved, there is hereby appropriated out of funds in the City treasury the sum required for each claim.

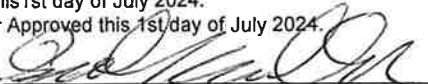
NAME	DATE	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
30567-30665	5/3/2024	1,076,989.38	
30666-30774	5/10/2024	1,095,723.58	
30775-30784	5/14/2024	60,432.77	
30785-30789	5/17/2024	182,978.49	
30790	5/21/2024	500.00	
30791-30867	5/24/2024	190,746.71	
30868-30869	5/31/2024	852.66	
Payroll Expenditures			
5/3/2024		449,478.85	
5/17/2024		430,047.91	
5/31/2024		466,621.45	\$ 466,621.45
Electronic Payments			
Electronic Pmnts	5/1/2024	2,989.05	
	5/10/2024	5,268.07	
	5/16/2024	76.09	
	5/20/2024	502.63	
TOTAL EXPENDITURES:			3,963,207.64
Voided Checks	Check #	(Amount)	
Seth Dittmore	30592	(838.75)	
Foley Equipment Company	30598	(347.36)	
TLDB Inc	30763	(953.06)	
TOTAL VOIDED CHECKS:			(2,139.17)
GRAND TOTAL CLAIMS ORDINANCE			3,961,068.47

Section 2. That this ordinance shall take effect and be in force from and after its passage.


Passed this 1st day of July 2024.

Signed or Approved this 1st day of July 2024.

ATTEST:


City Treasurer

ATTEST:


Finance Director

Payroll Date:	5/3/2024
Total Amount ADP Debited From PV Accounts	\$ 364,174.18
M,N-(K) KPERS Employer	\$ 23,019.19
(K) KPERS Employee	\$ 13,461.43
(G) KPERS Employee Buy Back	
(34) KPERSL Employee Life Insurance	\$ 172.59
M,N-(L) 457ER Employer	\$ 20,690.42
(L) DC457 Employee Contribution	\$ 13,679.77
(LI) CITYPD Employer Contribution	\$ 1,412.74
(457) Roth Employee Contribution	\$ 7,664.18
(P) POLPEN Police Pension Employee	\$ 5,204.35
	<u>\$ 449,478.85</u>

Payroll Date:	5/17/2024
Total Amount ADP Debited From PV Accounts	\$ 347,468.65
M,N-(K) KPERS Employer	\$ 22,203.45
(K) KPERS Employee	\$ 12,984.40
(G) KPERS Employee Buy Back	
(34) KPERSL Employee Life Insurance	\$ 172.59
M,N-(L) 457ER Employer	\$ 19,699.45
(L) DC457 Employee Contribution	\$ 13,645.66
(LI) CITYPD Employer Contribution	\$ 1,412.74
(457) Roth Employee Contribution	\$ 7,354.82
(P) POLPEN Police Pension Employee	\$ 5,106.15
	<u>\$ 430,047.91</u>

Payroll Date:	5/31/2024
Total Amount ADP Debited From PV Accounts	\$ 383,575.49
M,N-(K) KPERS Employer	\$ 22,523.50
(K) KPERS Employee	\$ 13,171.58
(G) KPERS Employee Buy Back	
(34) KPERSL Employee Life Insurance	
N-(L) 457ER Employer	\$ 19,820.21
(L) DC457 Employee Contribution	\$ 13,726.51
(I) (LI) CITYPD Employer Contribution	\$ 1,412.74
(457) Roth Employee Contribution	\$ 7,331.02
(P) POLPEN Police Pension Employee	\$ 5,060.40
	<u>\$ 466,621.45</u>

Accounts Payable

Checks by Date - Summary by Check Date



PRAIRIE VILLAGE
THE STAR OF KANSAS

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
ACH	1153	Merchant Services/Elavon/ETS Corp-Court	05/01/2024	0.00	2,154.71
ACH	1248	Bluefin Payment Systems	05/01/2024	0.00	61.90
ACH	945	UMB Bank ACH	05/01/2024	0.00	624.73
ACH	841	Elavon	05/01/2024	0.00	147.71
Total for 5/1/2024:				0.00	2,989.05
30567	78	Affinis Corp	05/03/2024	0.00	32,580.03
30568	2265	All City Management Services Inc	05/03/2024	0.00	4,334.25
30569	2392	Allegiant Networks LLC	05/03/2024	0.00	149.00
30570	619	American Public Works Association	05/03/2024	0.00	900.00
30571	534	Arbor Masters Tree & Landscape	05/03/2024	0.00	3,650.00
30572	2390	BBN Architects Inc	05/03/2024	0.00	19,752.11
30573	3645	Benson Method	05/03/2024	0.00	28,847.50
30574	3706	Berkebile Nelson Immenschuh McDowell i	05/03/2024	0.00	34,408.31
30575	2834	Bledsoe's Equipment Inc	05/03/2024	0.00	224.10
30576	156	Blue Cross Blue Shield of Kansas City	05/03/2024	0.00	131,644.84
30577	3089	Bob Allen Ford Inc	05/03/2024	0.00	300.02
30578	101	C&R Johnson County Key Service	05/03/2024	0.00	61.70
30579	431	CAS Commercial Aquatic Services Inc	05/03/2024	0.00	1,755.22
30580	790	Cellco Partnership	05/03/2024	0.00	328.72
30581	2512	Clark Enersen Partners Inc	05/03/2024	0.00	136,545.00
30582	3787	Regan Coberly	05/03/2024	0.00	2,500.00
30583	605	Columbia Capital Management LLC	05/03/2024	0.00	8,062.90
30584	3370	Combes Construction LLC	05/03/2024	0.00	321,561.09
30585	1950	Contract Furnishings Rents LLC	05/03/2024	0.00	345.00
30586	3511	Nora Cooper	05/03/2024	0.00	2,520.00
30587	3523	Daikin TMI LLC	05/03/2024	0.00	6,957.00
30588	2831	Michael Dolly	05/03/2024	0.00	30.93
30589	2530	Drexel Technologies Inc	05/03/2024	0.00	297.00
30590	2603	Mark T Duffy	05/03/2024	0.00	766.00
30591	1339	EE Reimbursement	05/03/2024	0.00	129.50
30592	2976	EE Reimbursement	05/03/2024	VOID	838.75
30593	3633	EE Reimbursement	05/03/2024	0.00	16.00
30594	256	Electronic Technology Inc	05/03/2024	0.00	31,502.00
30595	3453	Fast N Friendly LLC	05/03/2024	0.00	20,675.30
30596	88	First Call	05/03/2024	0.00	263.65
30597	3696	Fisher, Patterson, Sayler, & Smith, L.L.P.	05/03/2024	0.00	3,712.50
30598	1110	Foley Equipment Company	05/03/2024	VOID	347.36
30599	2112	Forensic Psychology Associates Inc	05/03/2024	0.00	600.00
30600	388	Fun Services of Kansas City	05/03/2024	0.00	1,772.50
30601	3786	Zakary Galligan	05/03/2024	0.00	1,891.80
30602	268	George Butler Associates Inc	05/03/2024	0.00	53,609.84
30603	3781	Frank P. Gilman, PA	05/03/2024	0.00	1,366.00
30604	3314	GJO Holdings INC	05/03/2024	0.00	11,682.00
30605	1381	Great Plains Soc Prevention of Cruelty Ani	05/03/2024	0.00	740.00
30606	384	GT Distributors	05/03/2024	0.00	1,291.52

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
30607	3632	Holmes Murphy and Associates	05/03/2024	0.00	11,250.00
30608	3615	Hy Vee Inc	05/03/2024	0.00	144.00
30609	575	J&D Equipment Inc	05/03/2024	0.00	278.78
30610	511	Johnson County Mental Health Center	05/03/2024	0.00	19,451.31
30611	23	Johnson County Sherriff's Office Fiscal Uni	05/03/2024	0.00	6,675.00
30612	84	Johnson County Wastewater	05/03/2024	0.00	384.75
30613	3732	K&M Office Products Inc	05/03/2024	0.00	88.80
30614	3570	Kansas CareNow Urgent care	05/03/2024	0.00	2,250.00
30615	1634	Kansas Heavy Const LLC	05/03/2024	0.00	49,457.67
30616	147	Kansas State Treasurer	05/03/2024	0.00	5,103.50
30617	1168	Kaw Valley Engineering Inc	05/03/2024	0.00	2,767.50
30618	3006	KC Gunitite, Inc	05/03/2024	0.00	4,067.00
30619	1423	Lawn & Leisure of Lee's Summit Inc	05/03/2024	0.00	14,770.00
30620	97	Lawrence Pest Control Company Inc	05/03/2024	0.00	360.00
30621	213	Legal Record	05/03/2024	0.00	29.81
30622	1608	Lightning Grand Services Inc	05/03/2024	0.00	214.00
30623	561	Lincoln Commercial Pool Equipment	05/03/2024	0.00	491.59
30624	3793	Richard Magoon	05/03/2024	0.00	1,075.00
30625	179	Mid America Regional Council	05/03/2024	0.00	5,400.00
30626	275	Missouri Door Co. Inc.	05/03/2024	0.00	1,267.35
30627	2504	Missouri Organic Recycling Inc	05/03/2024	0.00	564.58
30628	2039	MJV-A LLC	05/03/2024	0.00	43.76
30629	3227	Modern Litho Inc	05/03/2024	0.00	425.00
30630	3626	Jo Moore	05/03/2024	0.00	131.94
30631	3376	Mynatt Truck & Equipment Co Inc	05/03/2024	0.00	1,176.98
30632	3788	Joann Ng	05/03/2024	0.00	2,155.50
30633	2105	NITV Federal Services LLC	05/03/2024	0.00	2,790.00
30634	25	Office Depot	05/03/2024	0.00	145.40
30635	369	Overland Park Garden Center Inc	05/03/2024	0.00	789.49
30636	3651	Amanda Pigott	05/03/2024	0.00	575.00
30637	3791	PowerDMS Inc.	05/03/2024	0.00	5,867.50
30638	3545	Quality Plumbing Inc	05/03/2024	0.00	3,076.76
30639	3783	Quest Diagnostics Health & Wellness LLC	05/03/2024	0.00	459.00
30640	3789	Cory Reider	05/03/2024	0.00	1,642.50
30641	1007	Rejis Commission	05/03/2024	0.00	1,398.07
30642	2555	Arlene Rubin	05/03/2024	0.00	698.80
30643	498	Shawnee Mission School District	05/03/2024	0.00	1,378.00
30644	2667	SiteOne Landscape Supply Holding LLC	05/03/2024	0.00	1,361.35
30645	1495	Sky High Marketing	05/03/2024	0.00	312.03
30646	3562	Shawnee Mission East SME PTSA	05/03/2024	0.00	2,500.00
30647	3798	Standard Insurance Company-Div 0003	05/03/2024	0.00	3,541.19
30648	72	Staples Business Advantage	05/03/2024	0.00	82.74
30649	2381	Cynthia Stockwell	05/03/2024	0.00	1,325.00
30650	3712	StormWind LLC	05/03/2024	0.00	1,980.00
30651	374	Suburban Lawn & Garden Inc	05/03/2024	0.00	94.02
30652	279	Sunflower Equipment LLC	05/03/2024	0.00	44.00
30653	3785	Brandon Taylor	05/03/2024	0.00	2,500.00
30654	3373	Technology Group Solutions LLC	05/03/2024	0.00	4,233.05
30655	2226	Brian Thompson	05/03/2024	0.00	1,956.70
30656	3790	TreeTop Products LLC	05/03/2024	0.00	4,782.89
30657	2568	TREKK Design Group LLC	05/03/2024	0.00	15,281.00
30658	3558	USIQ Inc.	05/03/2024	0.00	17,434.50
30659	3724	Vireo LLC	05/03/2024	0.00	750.00
30660	20	Tara Wakefield	05/03/2024	0.00	120.90
30661	99	Work Zone Inc	05/03/2024	0.00	331.40
30662	269	WW Grainger Inc	05/03/2024	0.00	82.55
30664	2898	Evergy - KCPL	05/03/2024	0.00	395.40

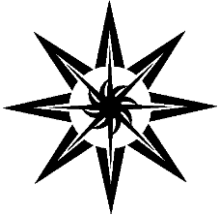
Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
30665	41	Kansas Gas Service	05/03/2024	0.00	76.88
Total for 5/3/2024:				1,186.11	1,075,803.27
ACH	9	Evergy - KCPL - ACH	05/10/2024	0.00	5,268.07
30666	2265	All City Management Services Inc	05/10/2024	0.00	3,883.32
30667	3380	All Copy Products Inc	05/10/2024	0.00	746.81
30668	2392	Allegiant Networks LLC	05/10/2024	0.00	2,198.63
30669	534	Arbor Masters Tree & Landscape	05/10/2024	0.00	2,640.00
30670	3003	AT&T 5019	05/10/2024	0.00	2,887.93
30671	2407	Axon Enterprise Inc	05/10/2024	0.00	94.90
30672	3706	Berkebile Nelson Immenschuh McDowell i	05/10/2024	0.00	11,546.83
30673	407	Berry Companies Inc	05/10/2024	0.00	102.42
30674	2834	Bledsoe's Equipment Inc	05/10/2024	0.00	224.10
30675	242	Bledsoe's Rental Inc	05/10/2024	0.00	564.69
30676	3089	Bob Allen Ford Inc	05/10/2024	0.00	300.02
30677	2311	Boelte-Hall LLC	05/10/2024	0.00	4,508.23
30678	3566	Chargepoint Inc	05/10/2024	0.00	1,200.00
30679	3759	Charter Communications Holdings, LLC	05/10/2024	0.00	135.67
30680	3110	City Wide Maintenance Company Inc	05/10/2024	0.00	11,028.20
30681	171	Clark's Tool and Equipment	05/10/2024	0.00	246.07
30682	1245	Clarkson Power Flow Inc.	05/10/2024	0.00	38.65
30683	3370	Combes Construction LLC	05/10/2024	0.00	347,560.78
30684	3568	Consolidated Fire District 2	05/10/2024	0.00	1,000.00
30685	3511	Nora Cooper	05/10/2024	0.00	2,520.00
30686	2024	Custom Lighting Services LLC	05/10/2024	0.00	6,420.00
30687	2007	Michelle DeCicco	05/10/2024	0.00	2,100.00
30688	158	Delta Dental of Kansas	05/10/2024	0.00	5,970.12
30689	3792	Zachary Downing	05/10/2024	0.00	976.00
30690	3794	Niki Dreiling	05/10/2024	0.00	2,500.00
30691	3594	Kevin Dunn	05/10/2024	0.00	42.01
30692	245	Easy Ice LLC	05/10/2024	0.00	320.46
30693	1572	EE Reimbursement	05/10/2024	0.00	1,680.79
30694	2462	EE Reimbursement	05/10/2024	0.00	80.00
30695	2962	EE Reimbursement	05/10/2024	0.00	80.00
30696	491	EE Reimbursement	05/10/2024	0.00	48.11
30697	855	EE Reimbursement	05/10/2024	0.00	45.95
30698	256	Electronic Technology Inc	05/10/2024	0.00	96,935.50
30699	2980	Enterprise FM Trust	05/10/2024	0.00	16,403.27
30700	3765	Falcon Fire Protection Inc.	05/10/2024	0.00	560.00
30701	1012	Fastenal Company	05/10/2024	0.00	111.59
30702	2666	Fiber Platform LLC	05/10/2024	0.00	700.00
30703	88	First Call	05/10/2024	0.00	243.20
30704	1110	Foley Equipment Company	05/10/2024	0.00	2,348.39
30705	2112	Forensic Psychology Associates Inc	05/10/2024	0.00	1,200.00
30706	3781	Frank P. Gilman, PA	05/10/2024	0.00	1,366.00
30707	3806	Sean Gordon	05/10/2024	0.00	15,315.00
30708	384	GT Distributors	05/10/2024	0.00	1,968.57
30709	342	Holliday Sand & Gravel	05/10/2024	0.00	222.00
30710	3632	Holmes Murphy and Associates	05/10/2024	0.00	11,250.00
30711	3449	HUB International Great Plains	05/10/2024	0.00	18,390.00
30712	2129	Imaging Office Systems Inc	05/10/2024	0.00	6,674.54
30713	3680	Independent Truck Upfitters Inc	05/10/2024	0.00	305.35
30714	2723	Insight Public Sector Inc	05/10/2024	0.00	2,294.38
30715	2316	Integrity Locating Services LLC	05/10/2024	0.00	4,046.90
30716	272	J & A Traffic Products	05/10/2024	0.00	1,100.00
30717	3472	J Webb Inc	05/10/2024	0.00	47.50

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
30718	1230	J&J Printing Inc	05/10/2024	0.00	240.00
30719	506	Johnson County Department of Corrections	05/10/2024	0.00	70.00
30720	372	Johnson County Top Soil & Landscape mat	05/10/2024	0.00	258.00
30721	2335	Kansas One-Call System Inc	05/10/2024	0.00	577.20
30722	147	Kansas State Treasurer	05/10/2024	0.00	6,307.20
30723	3595	Mark Kaufman	05/10/2024	0.00	18.95
30724	213	Legal Record	05/10/2024	0.00	95.46
30725	3190	Lexipol LLC	05/10/2024	0.00	16,092.39
30726	3302	Linde Gas & Equipment inc	05/10/2024	0.00	82.14
30727	3654	Stephena Mackender	05/10/2024	0.00	2,500.00
30728	3804	Charles A MacKinnon	05/10/2024	0.00	606.31
30729	3795	Nichole McCoy	05/10/2024	0.00	1,600.00
30730	1892	MECKC	05/10/2024	0.00	36.00
30731	179	Mid America Regional Council	05/10/2024	0.00	9,402.00
30732	2958	Midwest Shredding Service LLC	05/10/2024	0.00	100.00
30733	275	Missouri Door Co. Inc.	05/10/2024	0.00	1,730.00
30734	1263	Mobile Wireless LLC	05/10/2024	0.00	3,215.00
30735	518	Mark Morgan	05/10/2024	0.00	19.62
30736	281	Motorola Inc	05/10/2024	0.00	75.00
30737	1054	Multistudio, Inc.	05/10/2024	0.00	3,401.00
30738	3803	Michelle Nash	05/10/2024	0.00	1,753.50
30739	814	NGLIC National Guardian Life Insurance C	05/10/2024	0.00	708.90
30740	27	Overland Park City Of Attn: Finance	05/10/2024	0.00	4,018.00
30741	369	Overland Park Garden Center Inc	05/10/2024	0.00	2,769.70
30742	3799	Dustin Paddock	05/10/2024	0.00	75.00
30743	277	PB Hoidale Co Inc	05/10/2024	0.00	330.44
30744	3714	Pfefferkorn Engineering & Environment	05/10/2024	0.00	22,228.59
30745	3802	Mason Posch	05/10/2024	0.00	1,755.00
30746	2141	Pre-Paid Legal Services Inc	05/10/2024	0.00	451.55
30747	3780	PTG Missouri LLC	05/10/2024	0.00	196,232.00
30748	3545	Quality Plumbing Inc	05/10/2024	0.00	2,284.95
30749	631	Reeves-Wiedeman Co	05/10/2024	0.00	32.34
30750	1562	Rosehill Gardens	05/10/2024	0.00	521.25
30751	503	Schwaab Inc	05/10/2024	0.00	20.50
30752	2291	Katharine Shepard	05/10/2024	0.00	2,352.00
30753	2667	SiteOne Landscape Supply Holding LLC	05/10/2024	0.00	1,123.18
30754	2308	Stanard & Associates Inc	05/10/2024	0.00	475.00
30755	72	Staples Business Advantage	05/10/2024	0.00	40.52
30756	374	Suburban Lawn & Garden Inc	05/10/2024	0.00	28.13
30757	172	Sumner One	05/10/2024	0.00	1,463.17
30758	279	Sunflower Equipment LLC	05/10/2024	0.00	1,074.36
30759	2246	Superior Bowen Asphalt Company LLC	05/10/2024	0.00	159,682.13
30760	3779	Taking it To The Streets	05/10/2024	0.00	200.00
30761	2597	The Employer's Resource	05/10/2024	0.00	1,300.00
30762	1740	Time Warner Cable	05/10/2024	0.00	7.99
30763	3512	TLDB Inc	05/10/2024	VOID	953.06
30764	2240	Karen L Torline	05/10/2024	0.00	1,500.00
30765	2568	TREKK Design Group LLC	05/10/2024	0.00	8,068.25
30766	950	UMB Bank-Trust Fees Dept	05/10/2024	0.00	32,283.27
30767	2047	United Rentals (North America) Inc	05/10/2024	0.00	824.00
30768	1042	Verizon Wireless	05/10/2024	0.00	3,145.34
30769	3797	Shannon Wagoner	05/10/2024	0.00	2,500.00
30770	111	WaterOne	05/10/2024	0.00	160.20
30771	3801	Jodie Winfrey	05/10/2024	0.00	2,500.00
30772	99	Work Zone Inc	05/10/2024	0.00	661.20
30773	269	WW Grainger Inc	05/10/2024	0.00	225.66
30774	305	Zep Sales & Service	05/10/2024	0.00	375.25

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
			Total for 5/10/2024:	953.06	1,100,038.59
30775	2392	Allegiant Networks LLC	05/14/2024	0.00	40,031.63
30776	2330	Allied Services LLC	05/14/2024	0.00	2,464.50
30777	3807	Cy Middleton Benefit Fund	05/14/2024	0.00	200.00
30778	1914	EE Reimbursement	05/14/2024	0.00	509.82
30779	3394	EE Reimbursement	05/14/2024	0.00	109.00
30780	2899	HUB International Midwest Limited	05/14/2024	0.00	50.00
30781	3763	Hunter Law Group, P.A.	05/14/2024	0.00	14,705.00
30782	41	Kansas Gas Service	05/14/2024	0.00	499.17
30783	3435	Spencer Fane LLP	05/14/2024	0.00	1,829.00
30784	3254	Staples Inc	05/14/2024	0.00	34.65
			Total for 5/14/2024:	0.00	60,432.77
ACH	310	Kansas Department of Revenue - "online p	05/16/2024	0.00	1.23
ACH	311	ADP Electronic Debit	05/16/2024	0.00	74.86
			Total for 5/16/2024:	0.00	76.09
30785	2330	Allied Services LLC	05/17/2024	0.00	168,755.91
30786	245	Easy Ice LLC	05/17/2024	0.00	1,000.00
30787	3810	EE Reimbursement	05/17/2024	0.00	94.00
30788	498	Shawnee Mission School District	05/17/2024	0.00	1,378.00
30789	111	WaterOne	05/17/2024	0.00	11,750.58
			Total for 5/17/2024:	0.00	182,978.49
ACH	841	Elavon	05/20/2024	0.00	502.63
			Total for 5/20/2024:	0.00	502.63
30790	3401	Suzanne McCullough	05/21/2024	0.00	500.00
			Total for 5/21/2024:	0.00	500.00
30791	2579	451 Degree Protection Inc	05/24/2024	0.00	1,655.00
30792	3808	Ruben T Abell	05/24/2024	0.00	900.00
30793	3800	Affektive Software LLC	05/24/2024	0.00	888.84
30794	2265	All City Management Services Inc	05/24/2024	0.00	4,578.84
30795	2629	Lauren Allen	05/24/2024	0.00	1,025.00
30796	534	Arbor Masters Tree & Landscape	05/24/2024	0.00	9,247.50
30797	2351	Armcor Cartridge Inc	05/24/2024	0.00	18,254.00
30798	3645	Benson Method	05/24/2024	0.00	5,500.00
30799	2834	Bledsoe's Equipment Inc	05/24/2024	0.00	181.10
30800	3089	Bob Allen Ford Inc	05/24/2024	0.00	1,074.45
30801	3809	Amy Brooks	05/24/2024	0.00	75.00
30802	431	CAS Commercial Aquatic Services Inc	05/24/2024	0.00	555.00
30803	3778	Continental Pools Inc.	05/24/2024	0.00	16,527.20
30804	1380	Daystar Corp	05/24/2024	0.00	768.50
30805	2007	Michelle DeCicco	05/24/2024	0.00	1,575.00
30806	2603	Mark T Duffy	05/24/2024	0.00	712.10
30807	123	EE Reimbursement	05/24/2024	0.00	16.00
30808	2457	EE Reimbursement	05/24/2024	0.00	32.00
30809	2458	EE Reimbursement	05/24/2024	0.00	64.00

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
30810	2874	EE Reimbursement	05/24/2024	0.00	32.00
30811	3559	EE Reimbursement	05/24/2024	0.00	421.00
30812	121	EE Reimbursement.	05/24/2024	0.00	48.00
30813	256	Electronic Technology Inc	05/24/2024	0.00	27,682.95
30814	88	First Call	05/24/2024	0.00	50.70
30815	3637	Thomas Flarsheim	05/24/2024	0.00	300.00
30816	175	Genuine Auto Parts	05/24/2024	0.00	6.54
30817	268	George Butler Associates Inc	05/24/2024	0.00	23,199.60
30818	1886	GPS Insight LLC	05/24/2024	0.00	239.70
30819	384	GT Distributors	05/24/2024	0.00	1,925.42
30820	3166	Chris Guinty	05/24/2024	0.00	177.14
30821	3111	Teresa Hannon	05/24/2024	0.00	2,249.75
30822	1939	In And Out Painting LLC	05/24/2024	0.00	3,375.00
30823	2723	Insight Public Sector Inc	05/24/2024	0.00	638.41
30824	575	J&D Equipment Inc	05/24/2024	0.00	221.24
30825	1230	J&J Printing Inc	05/24/2024	0.00	120.00
30826	84	Johnson County Wastewater	05/24/2024	0.00	1,859.04
30827	3732	K&M Office Products Inc	05/24/2024	0.00	2,604.75
30828	3570	Kansas CareNow Urgent care	05/24/2024	0.00	1,460.00
30829	3814	KC Home Solutions	05/24/2024	0.00	100.00
30830	3218	Keller Craig & Associates	05/24/2024	0.00	1,500.00
30831	258	Key Equipment & Supply Co	05/24/2024	0.00	1,352.16
30832	21	KU Midwest Occupational Health	05/24/2024	0.00	2,909.00
30833	97	Lawrence Pest Control Company Inc	05/24/2024	0.00	360.00
30834	205	Lawson Products	05/24/2024	0.00	41.64
30835	375	League of Kansas Municipalities	05/24/2024	0.00	65.00
30836	213	Legal Record	05/24/2024	0.00	88.64
30837	1608	Lightning Grand Services Inc	05/24/2024	0.00	486.68
30838	3812	Marcus Lewis Music LLC	05/24/2024	0.00	2,500.00
30839	2853	MC Power Companies Inc	05/24/2024	0.00	649.21
30840	1892	MECKC	05/24/2024	0.00	225.00
30841	2196	Alan B Mestdagh	05/24/2024	0.00	812.00
30842	2039	MJV-A LLC	05/24/2024	0.00	63.00
30843	896	Moss Printing	05/24/2024	0.00	649.00
30844	3815	Scott Newland	05/24/2024	0.00	150.00
30845	2071	Optiv Security Inc	05/24/2024	0.00	164.37
30846	369	Overland Park Garden Center Inc	05/24/2024	0.00	5,004.86
30847	3651	Amanda Pigott	05/24/2024	0.00	1,866.29
30848	190	Pitney Bowes Lease	05/24/2024	0.00	210.18
30849	2744	Pro Circuit Inc	05/24/2024	0.00	1,365.50
30850	3545	Quality Plumbing Inc	05/24/2024	0.00	250.09
30851	394	Ranchmart Ace Hardware	05/24/2024	0.00	11.99
30852	1007	Rejis Commission	05/24/2024	0.00	1,398.07
30853	73	SBCO	05/24/2024	0.00	996.25
30854	3813	Kevin Sitek	05/24/2024	0.00	2,500.00
30855	2667	SiteOne Landscape Supply Holding LLC	05/24/2024	0.00	272.60
30856	2565	Snap-On Inc	05/24/2024	0.00	1,123.85
30857	3811	State of South Dakota	05/24/2024	0.00	700.00
30858	3772	Stock Enterprises LLC	05/24/2024	0.00	16,250.00
30859	374	Suburban Lawn & Garden Inc	05/24/2024	0.00	1,731.75
30860	279	Sunflower Equipment LLC	05/24/2024	0.00	1,226.10
30861	439	Sysco of Kansas City	05/24/2024	0.00	2,711.12
30862	3512	TLDB Inc	05/24/2024	0.00	1,047.03
30863	2240	Karen L Torline	05/24/2024	0.00	1,000.00
30864	2568	TREKK Design Group LLC	05/24/2024	0.00	5,913.40
30865	3103	TWAS Topco LP	05/24/2024	0.00	280.00
30866	3724	Vireo LLC	05/24/2024	0.00	2,062.50

Check No	Vendor No	Vendor Name	Check Date	Void Checks	Check Amount
30867	269	WW Grainger Inc	05/24/2024	0.00	468.66
Total for 5/24/2024:				0.00	190,746.71
30868	790	Cellco Partnership	05/31/2024	0.00	328.72
30869	3820	Hayden Potter	05/31/2024	0.00	523.94
Total for 5/31/2024:				0.00	852.66
Report Total (310 checks):				2,139.17	2,614,920.26



HUMAN RESOURCES

Council Meeting Date: July 1, 2024
Consent Agenda

Consider adoption of Resolution 2024-02 establishing amended 2024 employee compensation ranges for police officers

RECOMMENDATION

Recommend the City Council make a motion adopting Resolution 2024-02, amending 2024 compensation ranges for police officers.

BACKGROUND

This resolution adjusts the police officer range from prior Resolution 2023-05 that was adopted on Monday, November 6, 2023. The adjustments are highlighted on the amended version.

The new salary ranges and pay policy of moving police officers through their salary range in ten years was reviewed and approved by the Finance Committee. As part of the overall budget discussion, these changes were discussed in detail and approved by the Council Committee of the Whole at its June 17, 2024, meeting.

ATTACHMENTS

Resolution 2024-02

Prepared by:
Cindy K Volanti
Human Resources Manager
Date: June 24, 2024

RESOLUTION NO. 2024-02

WHEREAS, the Governing Body of the City of Prairie Village is authorized to establish salary ranges for city positions; and

WHEREAS, the City completed a compensation study in 2022 and committed to completing a study every three to five years to ensure the City continues to provide adequate compensation and benefits for all employees; and

WHEREAS, it is the desire of the Governing Body that these salary ranges be reviewed and adjusted annually, as needed, to ensure appropriate funds are budgeted and the salary ranges remain competitive;

NOW, THEREFORE, be it resolved the Governing Body of the City of Prairie Village, Kansas, hereby adopts the following compensation ranges for 2024:

The elected officers, appointive officers and employees of the city shall be compensated within the salary ranges provided in this section. The amount of compensation shall be fixed by the Governing Body in accordance with personnel procedures as adopted by the Governing Body from time to time, provided, however, that the salaries and compensation during calendar year 2024 shall be within and determined by the following ranges:

	2024	2024
ADMINISTRATIVE SUPPORT	Minimum	Maximum
Customer Service Representative	38,572	52,072
Accounting Specialist	44,990	60,736
Administrative Support Specialist I	44,990	60,736
Code Support Specialist I	44,990	60,736
Court Clerk I	44,990	60,736
Administrative Support Specialist II	48,589	65,595
Code Enforcement Officer	48,589	65,595
Code Support Specialist II	48,589	65,595
Court Clerk II	48,589	65,595
Deputy Court Clerk	52,476	70,843
Building Inspector	57,724	77,927
Information Systems Specialist	63,496	85,720
Accountant	71,116	96,006
Public Information Officer	71,116	96,006
Sr Building Inspector	78,227	105,607
City Clerk	100,334	135,452
Court Administrator	100,334	135,452
IT Systems Administrator	100,334	135,452
Building Official	108,361	146,288
Human Resources Manager	135,928	183,503
Information Technology Mgr	135,928	183,503
Finance Director	142,725	192,678
Assistant City Administrator	149,861	202,312
Deputy City Administrator	157,354	212,428
City Administrator	193,545	261,286

PUBLIC WORKS	Minimum	Maximum
Maintenance Worker I	41,657	56,237
Maintenance Worker II	48,589	65,595
Mechanic I	48,589	65,595
Maintenance Worker III	52,476	70,843
Mechanic II	52,476	70,843
Construction Right of Way Inspector	57,724	77,927
Crew Leader	57,724	77,927
Urban Forestry Specialist	57,724	77,927
Project Inspector	63,496	85,720
Assistant to PW Director	71,116	96,006
Assistant Field Superintendent	71,116	96,006
Project Manager	91,213	123,138
Field Superintendent	100,334	135,452
Senior Project Manager	108,361	146,288
City Engineer	121,365	163,842
Public Works Director	157,354	212,428
PUBLIC SAFETY		
Police Records Specialist	44,990	60,736
Community Support Officer	44,990	60,736
Evidence & Property Specialist	48,589	65,595
Dispatcher I	48,589	65,595
Police Administrative Specialist	52,476	70,843
Dispatcher II	57,724	77,927
Police Officer	62,000	90,000
Master Police Officer (MPO)		
Police Corporal	71,116	96,006
Dispatch Supervisor	78,227	105,607
Police Sergeant	86,050	116,168
Police Captain	108,361	146,288
Deputy Police Chief	142,725	192,678
Police Chief	157,354	212,428
SEASONAL/PART-TIME		
Special Event Coordinator	27,752	37,465
PD Crime Analyst	30,527	41,211
Concession Stand Worker	13.00	17.75
Bailiff	14.94	20.17
Lifeguard	15.00	20.25
Assistant Coaches	15.00	20.25
Head Swim/Dive Coaches	3,000	6,500
Assistant Pool Manager	17.75	24.00
Aquatics Supervisor	36,441	49,196

Employee/Consultant

A person may be compensated in a category defined as “independent contractor consultant”. The rate of pay and other terms of employment for an individual in this category will be established and approved by the City Council.

Part-time Appointed Officials

Part-time appointed officials shall be compensated as follows in 2024:

	<u>Minimum</u>	<u>Maximum</u>
Treasurer (monthly)	600	700

Adopted this 1st Day of July 2024.

Eric Mikkleson, Mayor

ATTEST:

Adam Geffert, City Clerk



POLICE DEPARTMENT

Council Meeting Date: July 1, 2024

CONSENT AGENDA: Consider the school crossing guard contract renewal with All City Management Services (ACMS) INC.

RECOMMENDATION

Staff recommends approval of the contract with ACMS Inc. for the 2024-2025 school year.

COUNCIL ACTION REQUESTED ON: July 1, 2024

BACKGROUND

The Police Department has utilized a private company to provide school crossing guard services since 2014. The City has contracted with ACMS since the 2017-2018 school year. The proposed contract includes coverage for the 2024-2025 school year. ACMS implemented an hourly cost increase over the previous contract. The hourly rate for the 2023-2024 school year was \$28.98 per hour. The proposed agreement includes an increase to \$31.49 per hour for the 2024-2025 school year. ACMS advised that the hourly increase would provide a wage increase to our area's crossing guards and supervisor. The city was aware of the projected increase and budgeted for the increase in the proposed 2025 budget.

The contract states that the City will pay the per-hour rate for each crossing guard shift, not to exceed 2 hours per guard per day. This is within the budgeted amount.

FUNDING SOURCE:

01-03-23-6009-000

ATTACHMENTS

Proposed contract with All City Management Services, Inc.

PREPARED BY

Captain Ivan Washington
Patrol Division Commander
June 25, 2024

All City Management Services Inc.

Client Worksheet 2024 - 2025

Department: 2500901

Billing Rate for 2024 - 2025: \$ 31.49

City of Prairie Village
7700 Mission
Prairie Village, KS 66208

KEY:

Traditional Calendar:

For sites with no regularly scheduled early release days, use 180 regular days

Sites with traditional calendar:

	16		180		\$31.49	=	\$90,691.20
8 Sites at 2.00 hrs per day	Total Hrs/day	X	days/yr	X	Hourly Billing Rate		

TOTAL PROJECTED HOURS **2,880.00** **TOTAL ANNUAL PROJECTED COST** **\$90,691.20**



AGREEMENT FOR CROSSING GUARD SERVICES

This AGREEMENT FOR CROSSING GUARD SERVICES (the "Agreement") is dated June 11, 2024 and is between the CITY OF PRAIRIE VILLAGE (hereinafter called the "City"), and ALL CITY MANAGEMENT SERVICES, INC., a California corporation (hereinafter called the "Contractor").

WITNESSETH

The parties hereto have mutually covenanted and agreed as follows:

1. This Agreement is for a term which commences on or about July 1, 2024 and ends on June 30, 2025 and for such term thereafter as the parties may agree upon.
2. The Contractor will provide personnel equipped and trained in appropriate procedures for crossing pedestrians in marked crosswalks. Such personnel shall be herein referred to as a "Crossing Guard". Contractor will perform criminal background checks and confirm employment eligibility through E-Verify on all prospective personnel. The Contractor is an independent contractor and the Crossing Guards to be furnished by it shall at all times be its employees and not those of the City.
3. The City's representative in dealing with the Contractor shall be designated by the City of Prairie Village.
4. The City shall determine the locations where Crossing Guards shall be furnished by the Contractor. The Contractor shall provide at each designated location personnel properly trained as herein specified for the performance of duties as a Crossing Guard. The Contractor shall provide supervisory personnel to see that Crossing Guard activities are taking place at the required places and times, and in accordance with the terms of this Agreement.
5. The Contractor shall maintain adequate reserve personnel to be able to furnish alternate Crossing Guards in the event that any person fails to report for work at the assigned time and location and agrees to provide immediate replacement.
6. In the performance of its duties the Contractor and all employees of the Contractor shall conduct themselves in accordance with the conditions of this Agreement and all applicable laws of the state in which the Services are to be performed.
7. Persons provided by the Contractor as Crossing Guards shall be trained in all applicable laws of the state in which the Services are to be performed pertaining to general pedestrian safety in school crossing areas.
8. Crossing Guard Services (the "Services") shall be provided by the Contractor at the designated locations on all days in which school is in session in the area under City's jurisdiction. The

Contractor also agrees to maintain communication with the designated schools to maintain proper scheduling.

9. The Contractor shall provide all Crossing Guards with apparel by which they are readily visible and easily recognized as Crossing Guards. Such apparel shall be uniform for all persons performing the duties of Crossing Guards and shall be worn at all times while performing said duties. This apparel must be appropriate for weather conditions. The Contractor shall also provide all Crossing Guards with hand-held Stop signs and any other safety equipment which may be necessary.
10. The Contractor shall at all times provide workers' compensation insurance covering its employees and shall provide and maintain liability insurance for Crossing Guard activities. The Contractor will provide to the City a Certificate of Insurance naming the City and its officials, officers and employees as additional insureds. Such insurance shall include commercial general liability with a combined single limit of not less than \$1,000,000.00 per occurrence and in aggregate for property damage and bodily injury. Such insurance shall be primary with respect to any insurance maintained by the City and shall not call on the City's insurance contributions. Such insurance shall be endorsed for contractual liability and personal injury and shall include the City, its officers, agents and interest of the City. Such insurance shall not be canceled, reduced in coverage or limits or non-renewed except after thirty (30) days written notice has been given to the City.
11. Contractor agrees to defend, indemnify and hold harmless the City, its officers, employees, agents and representatives, from and against any and all actions, claims for damages to persons or property, penalties, obligations or liabilities (each a "Claim" and collectively, the "Claims") that may be asserted or claimed by any person, firm, entity, corporation, political subdivision or other organization arising out of the sole negligent acts or omissions, or willful misconduct, of Contractor, its agents, employees, subcontractors, representatives or invitees.
 - a) Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligations or liabilities and will pay all costs and expenses including attorney's fees incurred in connection herewith.
 - b) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Contractor for such damages or other claims arising out of or in connection with the sole negligence of Contractor hereunder, Contractor agrees to pay City, its officers, agents, or employees, any and all costs and expenses incurred by the City, its officers agents or employees in such action or proceeding, including, but not limited to, reasonable attorney's fees.
 - c) In the event that a court determines that liability for any Claim was caused or contributed to by the negligent act or omission or the willful misconduct of City, liability will be apportioned between Contractor and City based upon the parties' respective degrees of culpability, as determined by the court, and Contractor's duty to indemnify City will be limited accordingly.
 - d) Notwithstanding anything to the contrary contained herein, Contractor's indemnification obligation to City for Claims under this Agreement will be limited to the maximum combined aggregate of Contractor's general liability and umbrella insurance policies in the amount of \$5,000,000 (Five Million Dollars).

12. Either party shall have the right to terminate this Agreement by giving sixty (60) days written notice to the other party.
13. The Contractor shall not have the right to assign this Agreement to any other person or entity except with the prior written consent of the City.
14. The City agrees to pay the Contractor for the Services rendered pursuant to this Agreement the sum of Thirty-one Dollars and Forty-nine Cents (**\$31.49**) per hour, per Crossing Guard during the term. Based on a minimum of eight (8) sites the Contractor shall bill a minimum of 2.0 hours per day, per Crossing Guard, unless Contractor fails to perform service. Based upon a projected (2,880) hours of service the cost shall not exceed Ninety Thousand, Six Hundred and Ninety-one Dollars (\$90,691.00) for the 2024-2025 school year.
15. Payment is due within thirty (30) days of receipt of Contractor's properly prepared invoice.
16. Contractor may request a price increase during the term as a result of any legally-mandated increases in wages or benefits imposed in the state or municipality in which the Services are to be performed and to which Contractor's employees would be subject. Contractor shall provide City with 60 days-notice of its request to increase pricing. City agrees to review and respond to said notice within 30 days of receipt.
17. The City shall have an option to renew this Agreement. In the event this Agreement is extended beyond the end of the term set forth above, the compensation and terms for the Services shall be established by mutual consent of both parties.
18. The Consultant 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 Consultant 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.
19. This Agreement constitutes the complete and exclusive statement of the agreement among the parties with respect to the subject matter hereof and supersedes all prior written or oral statements among the parties, including any prior statements, warranties, or representations. This Agreement is binding upon and will inure to the benefit of the parties hereto and their respective heirs, administrators, executors, successors, and assigns. Each party hereto agrees that this Agreement will be governed by the law of the state in which the Services are to be performed, without regard to its conflicts of law provisions. Any amendments, modifications, or alterations to this Agreement must be in writing and signed by all parties. There will be no presumption against any party on the ground that such party was responsible for preparing this Agreement or any part of it. Each provision of this Agreement is severable from the other provisions. If any provision of this Agreement is declared invalid or contrary to existing law, the inoperability of that provision will have no effect on the remaining provisions of the Agreement which will continue in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year written below.

CITY

CONTRACTOR

City of Prairie Village

All City Management Services, Inc.

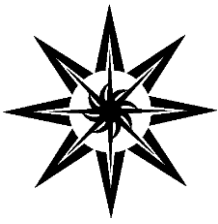
By 
Signature

By _____
D. Farwell, Corporate Secretary

Byron Roberson Chief of Police
Print Name and Title

Date 6/26/24

Date _____



PLANNING COMMISSION

Planning Commission Meeting Date: June 4, 2024

City Council Meeting Date: July 1, 2024

PC2024-107: Consider accepting the Planning Commission's recommendation and approving Ordinance 2494 by amending the zoning regulations related to residential use, building and development standards, design standards in the R-2, R-3, R-4, C-O, C-1, C-2, and MXD districts, planning zoning applications, and other associated changes.

RECOMMENDED MOTION:

Make a motion to recommend approval of Ordinance 2494 as recommended by Planning Commission.

BACKGROUND:

Attached is Ordinance 2494, which makes the following amendments in the zoning regulations:

1. Adjust multi-family standards to make existing properties compliant, but otherwise generally maintain the current development standards. (R-3 and R-4). (Chapters 19.12 and 19.14)
2. Allow residential uses in Commercial districts (C-) with no changes to current development standards. (Chapters 19.16, 19.18, and 19.20)
3. Improve the Mixed-Use district (MXD) by getting more specific with preferred building types and scale, and by clarifying the plans necessary to support rezoning to MXD. (Chapter 19.23)
4. Revise the current planned development standards and process to clarify plans necessary to support rezoning to P- districts, and by coordinating specific building types most applicable to each zoning district. (Chapter 19.24)
5. Identify how the updated MXD or P- district rezoning can be applied to specific scenarios in the city.

Changes to the zoning regulations require a public hearing, a recommendation from the Planning Commission, and final approval of the Governing Body. The required Public Hearing for this item was completed on May 7, 2024. Upon hearing public comment, the Planning Commission placed the item on hold until the next meeting to gather more public input through May 24, 2024. Written comment was collected and shared with the Planning Commission. At its [June 4, 2024 meeting](#), the Planning Commission discussed the ordinance and unanimously recommended approval of the Ordinance to the Governing Body, with a few minor non-substantive tweaks. The attached memo provides further background information.

Under City ordinance, the Governing Body can take the following actions on the Planning Commission recommendation:

- Accept the Planning Commission's recommendation and adopt Ordinance 2494 as currently written with a simple majority of the Governing Body (including the Mayor) - 7 votes needed
- Override or amend the Planning Commission's recommendation with a 2/3 majority vote of the Governing Body (including the Mayor) - 9 votes needed
- Return the recommendation to the Planning Commission for further consideration (with specific direction on what the Planning Commission should reconsider) with a simple majority of the quorum present - 7 votes needed if all members are present.

If the Governing Body returns the recommendation to the Planning Commission, the Planning Commission can then resubmit its original recommendation, or they can submit a new and amended recommendation. Once the recommendation is received, the Governing Body can adopt or revise such recommendation by a simple majority (7 votes) or the Governing Body can choose to take no further action. The proposed effective date is upon passage, approval and publication. The ordinance has been reviewed and approved by the City Attorney.

ATTACHMENTS:

- Ordinance 2494
- Redlined changes to 19.02, 19.04, 19.10, 19.12, 19.14, 19.16, 19.18, 19.20, 19.22, 19.23, 19.24, 19.27 and 19.36
- Zoning Update Memo

PREPARED BY:

Nickie Lee
Deputy City Administrator
Date: June 25, 2024

ORDINANCE NO. 2494

AN ORDINANCE AMENDING THE CITY OF PRAIRIE VILLAGE, KANSAS ZONING REGULATIONS APPLICABLE TO RESIDENTIAL USE, BUILDING AND DEVELOPMENT STANDARDS, AND DESIGN STANDARDS IN THE R-2, R-3, R-4, C-O, C-1, C-2 AND MXD DISTRICTS, PLANNED ZONING APPLICATIONS, AND OTHER ASSOCIATED CHANGES.

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

Section I.

Chapter 19.02 of the Prairie Village Municipal Code, entitled "Definitions" is hereby amended by removing Section 19.02.040 "Apartment Building, Garden", Section 19.02.045 "Apartment House", Section 19.02.130 "Common Wall Dwelling", Section 19.02.135 "Comdoninumum Dwelling House", Section 19.02.200 "Dwelling", Section 19.02.035 "Apartment", Section 19.02.205 "Dwelling, Multiple, Section 19.02.215 "Dwelling, Senior Adult", Section 19.02.210 "Dwelling, Single-Family", Section 19.02.490 "Townhouse", Section 19.02.220 "Dwelling, Two Family" and adding new Section 19.02.200 "Dwelling", Section 19.02.205 "Dwelling, Apartment", Section 19.02.208 "Dwelling, Attached House", Section 19.02.210 "Dwelling, Multiple", Section 19.02.212 "Dwelling, Residential Mixed-Use", Section 19.02.214 "Dwelling, Senior Adult", Section 19.02.215 "Dwelling, Single-Family", Section 19.02.218 "Dwelling, Townhouse", Section 19.02.220 "Dwelling, Two Family" to read as follows:

19.02.200. DWELLING

Dwelling means a building or portion thereof, designed exclusively for residential occupancy, including one family, two family and multiple dwellings, mixed-use dwellings, and boarding and lodging houses, but not motels, hotels, mobile homes or manufactured homes.

19.02.205 DWELLING, APARTMENT

Apartment means a residential building type designed for multiple dwelling units. Variations of this building type are based on the standards for scale and format, including lot size, building footprint, height, and/or number of dwelling units resulting in small, medium, or large apartment buildings.

19.02.208 DWELLING, ATTACHED HOUSE

Attached house means a small-scale residential building type that includes 2 to 4 dwellings that may be joined in a variety of configurations, including combinations of side-by-side, front-back, or up-down configurations. It is distinguished from a townhouse or a small apartment as it maintains the appearance and scale of a single detached house, despite having multiple units, and is distinguished from a duplex as it may have more than 2 units.

19.02.210. DWELLING, MULTIPLE

Multiple dwelling means a building or portion thereof, arranged, intended or designed for residential occupancy by three or more families, including attached houses, townhouses, and apartments.

19.02.212. DWELLING, RESIDENTIAL MIXED-USE

Residential, Mixed-use means a building used for non-residential and residential purposes where the non-residential uses occupy the ground level or street-front portions, and residential uses are located on upper levels above the non-residential, or on lower levels behind the non-residential uses. The buildings have a similar scale and format as attached houses or apartment buildings, other than the portions design for non-residential uses (see *Live-Work or Mixed-use Building Types*).

19.02.214. DWELLING, SENIOR ADULT

Dwelling, senior adult means a building containing one or more living units which building and units are designed for exclusive occupancy by persons 55 years of age or older who are in generally good health. This type of residence does not contemplate continuous health care services but may include a resident nurse. Units may be in the form of complete apartments and/or may provide common dining and recreational facilities and activities.

19.02.215. DWELLING, SINGLE-FAMILY

Single-family dwelling means a building arranged, intended or designed for residential occupancy by one family; also referred to as a detached house.

19.02.218. DWELLING, TOWNHOUSE

Townhouse means a residential building containing more than one dwelling unit with such dwelling units being separated by foundation to roof common walls as opposed to one unit being over another, and each maintaining a private entrance on the building front. This configuration may allow platting and individual ownership of the building and underlying lot.

19.02.220. DWELLING, TWO FAMILY

Two family dwelling means a building arranged, intended or designed for residential occupancy by two families; also referred to as a duplex.

Section II.

Chapter 19.04 of the Prairie Village Municipal Code, entitled "Districts and District Maps" is hereby amended by amending Section 19.04.005 "Districts Designated" to read as follows:

19.04.005. DISTRICTS DESIGNATED

In order to designate districts for the purposes of this title, the city is divided into the following zoning districts:

- District R-1a, single-family residential district;
- District R-1b, single-family residential district;
- District R-2, two family residential district;
- District R-3, apartment district;
- District R-4, mixed dwelling district;
- District RP-1a and RP-1b, planned single family residential district;
- District RP-2, planned two family residential district;
- District RP-3, planned apartment district;
- District RP-4, planned mixed dwelling district;
- District C-0, office building district;
- District C-1, restricted business district;
- District C-2, general business district;
- District C-3, special use business district;
- District CP-0, planned office building district;
- District CP-1, planned restricted business district;
- District CP-2, planned general business district.
- District MXD, planned mixed use district

Section III.

Chapter 19.10 of the Prairie Village Municipal Code, entitled “District R-2 Two Family Residential District” is hereby amended by amending Section 19.10.005 “Use Regulations”, Section 19.10.010 “Height and Area Regulations Generally”, Section 19.10.015 “Height”, Section 19.10.020 “Front Yard”, Section 19.10.025 “Side Yard”, Section 19.10.030 “Rear Yard”, Section 19.10.035 “Lot Width”, Section 19.10.040 “Lot Area Per Family”, Section 19.10.045 “Minimum Dwelling Size”, Section 19.10.046 “Lot Coverage” and replacing with Section 19.10.005 “Intent”, Section 19.10.010 “Use Regulations”, Section 19.10.015 “Development Standards”, Section 19.10.020 “Parking Regulations”, Section 19.10.025 “Site Plan Approval”, and Section 19.10.030 “Planned Zoning Application” to read as follows:

19.10.005. INTENT.

The R-2 Two-family Residential District provides residential living in low-scale detached and attached dwelling units. It should be used in areas at transitions between

neighborhoods and corridors, activity centers, parks and civic spaces. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

19.10.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.10.015. DEVELOPMENT STANDARDS.

Table 19.10.A. Development Standards	
R-2	
Lot:	
Area	9,600 square feet (4,800 square feet per unit)
Width	80'
Building Coverage	30% of lot, maximum
Impervious Coverage	40% of lot, maximum
Building Setbacks:	
Front	30' minimum
Side	7' minimum each side 18' minimum total both sides
Street Side	15' minimum
Rear	25' minimum
Height:	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

One family dwellings constructed in this district shall comply with the height, front, side and rear yard requirements and minimum lot size requirements of the District R-1a. Two family dwellings shall comply with the minimum requirements in Table19.10.A.

19.10.020. PARKING REGULATIONS.

Two parking spaces shall be provided for each dwelling unit. (For additional parking regulations see chapter 19.46.)

19.10.025. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.10.030. PLANNED ZONING APPLICATIONS.

Application of the R-2 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Detached House – Standard Lot
- (b) Detached House – Small Lot
- (c) Attached House

Section IV.

Chapter 19.12 of the Prairie Village Municipal Code, entitled “District R-3 Garden Apartment District” is hereby titled “R-3 Apartment District” and amended by amending Section 19.12.005 “Use Regulations”, Section 19.12.010 “Height and Area Regulations Generally”, Section 19.12.015 “Height”, Section 19.12.020 “Front Yard”, Section 19.12.025 “Side Yard”, Section 19.12.030 “Rear Yard”, Section 19.12.035 “Lot Area Per Family”, Section 19.12.036 “Lot Coverage”, Section 19.12.040 “Parking Regulations”, Section 19.12.045 “Site Plan Approval” and replacing with Section 19.12.005 “Intent”, Section 19.12.010 “Use Regulations”, Section 19.12.015 “Development Standards”, Section 19.12.020 “Parking Regulations”, Section 19.12.025 “Site Plan Approval”, and Section 19.12.030 “Planned Zoning Applications” to read as follows:

19.12.005. INTENT.

The R-3 Apartment District provides residential living in moderate- to large-scale multi-unit buildings contributing to a mix of housing opportunities at strategic locations.

It should be used in areas with a high level of accessibility, public and common amenities, and support services in the vicinity, and transition to lower-scale neighborhoods. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

19.12.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.12.015. DEVELOPMENT STANDARDS.

Table 19.12.A. Development Standards	
R-3	
<i>Lot:</i>	
Area	1,750 s.f. per unit
Building Coverage	30% of lot, maximum
Impervious Surface Coverage	50% of lot, maximum
<i>Building Setbacks:</i>	
Front	30' minimum
Side	10' minimum for 2-story 15' minimum for 2.5 story
Street Side	15' minimum
Rear	25' minimum
<i>Height:</i>	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

19.12.020. PARKING REGULATIONS.

Two parking spaces shall be provided for each dwelling unit. Parking shall not be permitted in the required side yard or within 15 feet of a street right-of-way. (For other parking requirements see chapter 19.46.)

19.12.025. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.12.030. PLANNED ZONING APPLICATIONS.

Application of the R-3 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Townhouse
- (b) Apartment – Small
- (c) Apartment – Medium
- (d) Apartment – Large

Section V.

Chapter 19.14 of the Prairie Village Municipal Code, entitled “District R-4 Condominium or Common Wall Dwelling District” is hereby titled “R-4 Mixed Dwelling District” and amended by amending Section 19.14.005 “Use Regulations”, Section 19.14.010 “Height and Area Regulations”, Section 19.14.015 “Height”, Section 19.14.020 “Front Yard”, Section 19.14.025 “Side Yard”, Section 19.14.030 “Rear Yard”, Section 19.14.035 “Lot Area Per Family”, Section 19.14.040 “Lot Size”, Section 19.14.041 “Lot Coverage”, Section 19.14.045 “Parking Regulations”, Section 19.14.050 “Site Plan Approval” and replacing with Section 19.14.005 “Intent”, Section 19.14.010 “Use Regulations”, Section 19.14.015 “Development Standards”, Section 19.14.020 “Parking Regulations”, Section 19.14.025 “Site Plan Approval”, and Section 19.14.030 “Planned Zoning Application” to read as follows:

19.14.005. INTENT.

The R-4 Mixed Dwelling District provides residential living in low- to moderate-scale multi-unit buildings contributing to neighborhoods with a mix of detached, attached, and low-scale multi-unit buildings. It should be used in areas with a high level of accessibility, public and common amenities, and support services in the vicinity, and transition to lower-scale neighborhoods. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

19.14.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.14.015. DEVELOPMENT STANDARDS.

Table 19.14.A. Development Standards	
R-4	
<i>Lot:</i>	
Area	3,500 s.f. per unit
Width	150' minimum
Building Coverage	30% of lot, maximum
Impervious Surface Coverage	50% of lot, maximum
<i>Building Setbacks:</i>	
Front	30' minimum
Side	10' minimum for 2-story 15' minimum for 2.5 story
Street Side	15' minimum
Rear	35' minimum
<i>Height:</i>	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

19.14.020. PARKING REGULATIONS.

Two parking spaces shall be provided for each dwelling unit. Parking shall not be permitted in the required exterior side yards or within 15 feet of a street right-of-way. (See chapter 19.46 for additional parking requirements.)

19.14.025. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family dwellings, group homes and residential design manufactured homes.

19.14.030. PLANNED ZONING APPLICATIONS.

Application of the R-4 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Detached House – Small Lot
- (b) Attached House
- (c) Townhouse
- (d) Apartment – Small

Section VI.

Chapter 19.16 of the Prairie Village Municipal Code, entitled “District C-O Office Building District” is hereby amended by amending Section 19.16.005 “Use Regulations”, Section 19.16.010 “Height and Area Regulations Generally”, Section 19.16.015 “Height”, Section 19.16.020 “Front Yard”, Section 19.16.025 “Side Yard”, Section 19.16.030 “Rear Yard”, Section 19.16.035 “Residential Buildings”, Section 19.16.040 “Site Plan Approval”, Section 19.16.045 “Parking Regulations”, and replacing with Section 19.16.005 “Intent”, Section 19.16.010 “Use Regulations”, Section 19.16.015 “Development Standards”, Section 19.16.020 “Residential Buildings”, Section 19.16.025 “Parking Regulations in District C-O” Section 19.16.030 “Site Plan Approval”, and Section 19.16.035 “Planned Zoning Application” to read as follows:

19.16.005. INTENT.

The C-O Commercial Office District is a low intensity non-residential district providing a range of small-scale, commercial or employment uses. It also may include limited retail or services to support adjacent neighborhoods and low- and moderate-scale residential uses that contribute to a mixed-use context. This zone serves as a transition between neighborhoods and village centers or establishes neighborhood hubs in the comprehensive plan.

19.16.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.16.015. DEVELOPMENT STANDARDS.

Table 19.16.A. Development Standards	
C-O	
<i>Building Setbacks:</i>	
Front	30' minimum
Side	10' minimum for 1-story
	15' minimum for 2-story
	20' minimum for 2.5-story +
Street Side	15' minimum
Rear	35' minimum
<i>Height:</i>	
Height	35' except a greater height may be permitted subject to a conditional use permit in Chapter 19.30

19.16.020. RESIDENTIAL BUILDINGS.

Any residential building constructed or located in this district shall comply with the height, yard and area regulations of the district corresponding to that dwelling type. Single family dwellings and group homes shall comply with District R-1; two family dwellings shall comply with District R-2; garden apartment buildings shall comply with District R-3. Residential uses may also be permitted in mixed-use buildings or for reuse of existing commercial buildings, subject to the non-residential building standards in the C-O district.

19.16.025. PARKING REGULATIONS IN DISTRICT C-0.

See chapter 19.46 off street parking and loading regulations.

19.16.030. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.16.035. PLANNED ZONING APPLICATIONS.

Application of the C-O district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Attached House
- (b) Townhouse
- (c) Live-Work
- (d) Apartment / Mixed-Use – Small

Section VII.

Chapter 19.18 of the Prairie Village Municipal Code, entitled "District C-1 Restricted Business District" is hereby amended by amending Section 19.18.010 "Performance Standards" to read as follows:

19.18.010. - PERFORMANCE STANDARDS

The following standards shall apply in District C-1:

- (a) No wholesale sales shall be conducted;

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- (b) No merchandise or equipment shall be stored or displayed outside a building and no sales shall be conducted from a truck or other temporary vehicle or structure except as may be permitted in chapter 19.34;
 - (c) All products shall be sold and all services rendered inside a building except that banks and savings and loan establishments may have a walk-up service and, if approved as a conditional use in accordance with chapter 19.30, a drive up service;
 - (d) No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced;
 - (e) Restaurants wherein alcoholic, wine and cereal malt beverages are sold for consumption on the premises provided that more than 50 percent of the total income of the restaurant is derived from the sale of food consumed on the premises. At the time of application for an annual liquor or cereal malt beverage permit, the applicant will submit a sworn statement that more than 50 percent of the income has and will in the future be derived from the sale of food. The business operation will not produce noise and commotion that may adversely affect the neighboring property and the premises will be maintained and managed to a level equal to that, which prevails in the neighborhood.
 - (f) Residential uses shall be limited to dwelling units on upper stories above ground level commercial uses, or less than 50% of the ground floor and located behind ground-level commercial uses.

Section VIII.

Chapter 19.20 of the Prairie Village Municipal Code, entitled "District C-2 General Business District" is hereby amended by amending Section 19.20.010 "Performance Standards" to read as follows:

19.20.010. - PERFORMANCE STANDARDS.

The following performance standards shall apply in District C-2:

- (a) No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building, and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced;
- (b) Other merchandise which may appropriately be displayed or stored outside a building shall be kept off the public sidewalk or streets, shall not

reduce the capacity of a parking lot below that required by this title, and shall not occupy an area greater than 20 percent of the ground floor are of the building, and no sale shall be conducted from a truck or other temporary vehicle or structure except as may be permitted in chapter 19.34;

- (c) Restaurants wherein alcoholic, wine and cereal malt beverages are sold for consumption on the premises provided that: more than 50 percent of the total income of the restaurant is derived from the sale of food consumed on the premises; at the time of application for an annual liquor or cereal malt beverage permit the applicant will submit a sworn statement that more than 50 percent of the income has and will in the future be derived from the sale of food; the business operation will not produce noise and commotion that may adversely affect the neighboring property and the premises will be maintained and managed to a level equal to that which prevails in the neighborhood.
- (d) Residential uses shall be limited to dwelling units on upper stories above ground level commercial uses, or less than 50% of the ground floor and located behind ground-level commercial uses.

Section IX.

Chapter 19.22 of the Prairie Village Municipal Code, entitled "C-3 Special Use Business District (SUB)" is hereby amended by amending Section 19.22.040 "Residential Buildings" to read as follows:

19.22.040. RESIDENTIAL BUILDINGS

Any residential building constructed or located in District C-3 shall comply with height, yard, area regulations, and impervious coverage of the district corresponding to that dwelling type: Single family dwellings and group homes shall comply with District R-1; two family dwellings shall comply with District R-2; multiple dwelling buildings shall comply with District R-3.

Section X.

Chapter 19.23 of the Prairie Village Municipal Code, entitled "'MXD' Planned Mixed Use District" is hereby titled "MXD Planned Mixed Use District" and amended by amending Section 19.23.005 "Purpose and Intent", Section 19.23.010 "Use Regulations", Section 19.23.015 "Building Height", Section 19.23.020 "Front Yard", Section 19.23.025 "Side Yard", Section 19.23.030 "Rear Yard", Section 19.23.035 "Preliminary Development Plan Submittal", Section 19.23.040 "Public Improvements", Section 19.23.045 "Planning Commission Action", Section 19.23.050 "City Council Action", Section 19.23.055 "Final Development Plan Generally", Section 19.23.060 "Final Development Submittal", Section 19.23.065 "Recording of Approved Plan," Section 19.23.070 "Publishing of Ordinance Changing the Zoning", and replacing with

Section 19.23.005 “Intent”, Section 19.23.010 “Use Regulations”, Section 19.23.015 “Development Standards”, and Section 19.23.020 “Mixed-Use and Mixed Density Design Standards” to read as follows:

19.23.005. INTENT.

The zoning of property to the MXD, Planned Mixed Use District, is intended to encourage a variety of land uses in closer proximity to one another than would be possible with more conventional zoning districts, to promote sustainable development with projects that achieve a high level of environmental sensitivity and energy efficiency, to encourage design and construction using Leadership in Energy and Environmental Design "LEED" principles and practices; and to encourage building configurations that create a distinctive and memorable sense of place. Developments in this district are allowed and expected to have a mixture of residential, office and retail uses in a single structure or multiple structures along with public spaces, entertainment uses, and other specialty facilities that are compatible in both character and function and incorporate a coordinated consistent theme throughout the development. Developments are also expected to utilize shared parking facilities linked to multiple buildings and uses by an attractive and logical pedestrian network that places more emphasis on the quality of the pedestrian experience than is generally found in typical suburban development. Buildings are intended to be primarily multi-story structures with differing uses organized vertically rather than the horizontal separation of uses that commonly results from conventional zoning districts.

19.23.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.23.015. DEVELOPMENT STANDARDS.

Development standards in the MXD district shall be based on specific plans approved according to the Planned Zoning District process and standards in Chapter 19.24. Development plans shall be based on the building types in Table 19.23.A and propose the proper arrangement and location of applicable building types based on a community design plan required by Chapter 19.24. Deviations from the standards in Table 19.23.A may be justified as indicated in the Planned Zoning District standards in Chapter 19.24.

Table 19.23.A: MXD Building Type Standards

Building Types	# of Units	Lot Standards [1]				Building Standards			
		Area (s.f.)	Width	Building Coverage (max)	Green Space (min.)	Height (max)	Setbacks (min.)		
							Front	Side	Rear
<i>Detached House – Large Lot</i>	1	10K +	80' +	30%	60%	35' 2.5 story	30'	7'	25'
<i>Detached House – Standard Lot</i>	1	6K – 10K	60' +	30%	60%	27' 2 story	30'	6'	25'
<i>Detached House – Small Lot</i>	1	3K – 6K	30' – 50'	50%	30%	22' 1.5 story	15' – 30'	5'	25'
<i>Attached House</i>	2 - 4	6K – 15K 3K / unit	60' -125'	40%	40%	35' 2.5 story	15' – 30'	7'	25'
<i>Townhouse</i>	3-8	1.2K / unit 15K total max	14' / unit min.; 125' total max	65%	20%	40' 3 story	15' – 30'	10' [2]	15'
<i>Live - Work</i>	1-6	2K / unit 15K total max	20' / unit min. 125' total mx	65%	20%	40' 3 story	15' – 30' [3]	6' [2]	15'
<i>Apartment / Mixed-use – Small</i>	3-12	6K – 0.5 ac.	60' – 125'	65%	20%	40' 3 story	15' – 30' [3]	10'	15'
<i>Apartment / Mixed-use - Medium</i>	< 40	0.5 – 1.5 ac.	125' – 250'	65%	20%	50' 4 story	15' – 30' [3]	15' [1]	15'
<i>Apartment / Mixed-use - Large</i>	40 +	1.5 – 3 ac.	250' +	65%	20%	50' 4 story	15' – 30' [3]	20' [1]	15'

* Where standards are expressed as a range (i.e. 10' to 30') it shall be interpreted as a minimum and a maximum, and the requirement shall fall within that range.

[1] Projects with multiple buildings in a single-ownership complex may consider each building and development site as a "lot" for interpreting the development standards, provided the building and development sites are organized around a system of internal streets, lanes, and common spaces and buildings are oriented to these spaces as they would public street frontages.

[2] Townhouses and live/work buildings may have a 0' interior side setback when built subject to party wall specifications according to the building code.

[3] Buildings with ground level commercial uses may be located 0' to 15' from the front lot line when they front on pedestrian-oriented streets where specified in the Community Design Plan.

19.23.020. MIXED-USE & MIXED-DENSITY DESIGN STANDARDS.

- (a) *Design Objectives.* The design objectives of the mixed-use and mixed-density design guidelines are to:
- (1) Establish or reinforce the unique character of Prairie Village in mixed-use activity centers or mixed-density neighborhoods.
 - (2) Promote building and site design that enhances neighborhood streetscapes, mixed-use pedestrian streets, and active community spaces.
 - (3) Maintain the existing scale and patterns of neighborhoods and ensure compatible transitions between neighborhoods, corridors, and activity centers.
 - (4) Manage the relationship of adjacent buildings and promote compatible transitions within development projects or between development projects and established adjacent areas
 - (5) Enhance the quality, aesthetic character, and visual interest within neighborhoods and activity centers by breaking down larger masses and incorporating human scale details and ornamentation.
 - (6) Organized mixed use development and mixed-density residential projects around a system of internal streets and open spaces that extend the quality and character of public streetscapes and open spaces into development projects.
- (b) *Applicability.* These mixed-use and mixed-density design guidelines shall be applicable to the following situations:
- (1) Any rezoning to the MXD district, or any development or redevelopment within MXD districts.
 - (2) Rezoning to any planned zoning district using the MXD standards as a basis (i.e. RP-2, RP-3, RP-4, CP-0, CP-1, or CP-0).
- (c) *Community Design Plan and Guidelines.* A community design plan is required for all planned developments according to Section 19.24.020, whether establishing the context and patterns for larger scale projects, or analyzing existing conditions and transitions to surroundings for smaller scale projects. Community Design Plans should meet the following guidelines.
- (1) *Public & Common Space.* Approximately 30% to 40% of the total plan area should be public or common spaces, including streets, open space, or other common areas that serve as organizing elements for surrounding development.
 - (2) *Blocks & Parcels.* Public and community spaces should be arranged to organize development into blocks and parcels. Blocks and parcels should be between 2 to 5 acres for mixed-use or non-

residential development and between 5 to 8 acres for residential development.

- (3) *Streetscapes*. Public streets and internal private streets should incorporate the following elements:
- a. Slow-speed travel lanes that balance vehicular movement with pedestrian and bicycle accommodations.
 - b. On-street parking which minimizes the need for redundant on-site parking and buffers people from moving traffic, particularly in mixed-use or non-residential areas.
 - c. Landscape amenity zones that create comfortable spaces including street trees, landscape beds, and street furniture or other civic features in mixed-use or non-residential areas.
 - d. Sidewalks between 5 to 8 feet in residential areas, and between 8 and 12 feet in mixed use or commercial areas (in addition to space in the amenity zone).
 - e. Bicycle facilities or trail connections where applicable based on city-wide plans or other opportunities to connect to important routes in the vicinity.
- (4) *Open & Civic Spaces*. Open spaces should be distributed throughout the plan so that all sites are within walking distance (approximately $\frac{1}{4}$ mile) of at least one type of open space. Open spaces should include a mix of formal, recreation, and natural landscape areas incorporating the following types:
- a. Formal spaces, such as patios, plazas, or courtyards designed for gathering and located at key focal points in mixed-use or non-residential areas.
 - b. Green spaces such as parks, trails, or greens that serve aesthetic and recreation needs of residential areas.
 - c. Natural areas or dense vegetation that capitalize on existing features of the area or are located strategically to create effective transitions between different scales or intensities of development.
- (d) *Project Plans & Guidelines*. A project plan is required for each development site, parcel, or block in the community design plan, except where the community design plan includes existing and established areas. Project plans shall specify the form, arrangement, and design of development in relation to the community design plan. Each project plan should meet the following guidelines.
- (1) *Frontage Design*. Frontage design determines the relationship between private development and the public or common areas a project fronts upon. Frontage design should incorporate the following elements.

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- a. *Building Placement.* Consistent front building lines should be established along all block faces. Buildings should be placed between 0 and 15 feet of the front lot line on pedestrian oriented streets, and between 15 and 30 feet of the front lot line on neighborhood streets.
 - b. *Vehicle Access.* Driveways should be coordinated on each block face to minimize interruptions in the streetscape. Alleys, common lanes with cross access easement, shared drives, or narrow drives to the interior of the block should be used, particularly on smaller and narrow lots.
 - c. *Pedestrian Access.* All lots and buildings shall have direct access to the sidewalks within the streetscape, or to any other common spaces that the building or lot fronts upon.
 - d. *Parking and Garage Location.* Parking, garages, or other vehicle access and service areas should be located to the interior of blocks and screened by buildings or landscape areas. Parking lots or structures serving multiple lots or blocks may be located at more central locations if designed to minimize impacts on streetscapes or other important open spaces based on the community design plan.
 - e. *Landscape.* Frontages should have enhanced landscape design to coordinate streetscape design and transition from public and common areas to private spaces.
- (2) *Building Design.* Building design refines the form and scale of buildings beyond the basic setback, height and lot coverage standards, and can be used to create interest and diversity within a common range of compatible buildings. Building design should incorporate the following elements.
- a. *Massing.* Relate buildings to adjacent development by mimicking similar massing and proportions through step-backs and secondary masses that break larger building volumes into smaller components.
 - b. *Articulation.* Use windows, doors, material changes, and architectural features to create variation, depth, texture, and human-scale details for building facades, particularly on larger wall planes and fronting streetscapes or common areas.

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- c. *Transparency.* Use the placement of windows and doors to create connections to important outside spaces, including streetscapes, frontages, and common areas. More frequent entrances and larger window expanses should be used on the ground level of mixed-use or non-residential buildings, particularly on pedestrian-oriented streets or active outdoor spaces.
- (3) *Site Design.* The placement and design of buildings, open space, and frontages should emphasize active building and open space elements and minimize the visibility or impact of other site components. Site design should meet the following guidelines.
- a. Design the required lot and building open space to relate building and lot frontages to the streetscape, and to create active outdoor social spaces in relation to the building.
 - b. Screen and/or use remote locations for high-intensity and/or utilitarian components of site or building, such as utilities, trash enclosures, or mechanical equipment
 - c. Stormwater facilities, storage areas, and parking or loading areas should be limited, located internal to the block, or otherwise located and designed to minimize impact on the streetscape design.
 - d. Use screens and buffers where it is not possible to better relate site utility elements or high impact areas to adjacent sites, buildings, and uses.
- (e) *Exceptions.* The Planning Commission may grant exceptions to the mixed-use and mixed-density guidelines in this section 19.23.020 through the planned development or site plan review process, based upon the following criteria:
- (1) The exception shall only apply to the design standards in this section, and not be granted to allow something that is specifically prohibited in other regulations.
 - (2) Any exception dealing with the placement of the building is consistent with sound planning, urban design and engineering practices when considering the site and its context within the neighborhood.
 - (3) Any exception affecting the design and massing of the building is consistent with the common characteristics of the architectural style selected for the building.
 - (4) The requested exception improves the quality design of the building and site beyond what could be achieved by meeting the guidelines - primarily considering the character and building styles of the neighborhood and surrounding properties, the integrity of the architectural style of the proposed building, and the relationship of

- the internal functions of the building to the site, streetscape, and adjacent property.
- (5) The exception will equally or better serve the design objectives stated in section 19.23.020(a), and the intent stated for the specific guideline being altered, or is based on specific concepts and plans approved in the planned development review.

Section XI.

Chapter 19.24 of the Prairie Village Municipal Code, entitled “Planned Zoning District” is hereby amended by amending Section 19.24.005 “Designation of Equivalent Districts”, Section 19.24.010 “Statement of Objectives”, Section 19.24.015 “Standards of Development”, Section 19.24.020 “Procedures”, Section 19.24.025 “Conformance to Comprehensive Plan”, Section 19.24.030 “Rezoning Property to a Planned Zoning District”, Section 19.24.035 “Planning Commission Action”, Section 19.24.040 “City Council Action”, Section 19.24.045 “Recording of Approval”, and replacing with Section 19.24.005 “Designation of Equivalent Districts”, Section 19.24.010 “Intent”, Section 19.24.015 “Standards of Development”, Section 19.24.020 “Procedures”, Section 19.24.025 “Criteria”, Section 19.24.030 “Effect of Decision”, and Section 19.24.035 “Recording of Approval” to read as follows:

19.24.005. DESIGNATION OF EQUIVALENT DISTRICTS.

Planned zoning districts and their equivalent districts are as follows:

Planned District	Equivalent District
RP-1A Planned Single Family Residential	R-1A
RP-1B Planned Single Family Residential	R-1A
RP-2 Planned Two Family Residential	R-2
RP-3 Planned Apartment	R-3
RP-4 Planned Mixed Dwelling	R-4
CP-0 Planned Office Building	C-0
CP-1 Planned Restricted Business	C-1
CP-2 Planned General Business	C-2
MXD Planned Mixed-use District	n/a – planned district only

Except in the case of standard single-family subdivision, which may be zoned R-1 and areas requested for C-3, all rezoning of land within the City of Prairie Village shall hereafter follow planned zoning procedures as set out in this chapter.

19.24.010. INTENT.

The planned zoning process is for development concepts that require a higher degree of specific planning due to the scale, complexity, and design of proposed projects. It is a type of rezoning based on a specific and integrated plan. The process affords flexibility in the development standards to improve the relationship of the project to the context, to better meet the purpose and intent statements of base districts, and to encourage innovative projects not anticipated by these standards, and to promote well-designed development equal to or exceeding results of generally applicable standards.

19.24.015. STANDARDS OF DEVELOPMENT.

- (a) **Base District Standards.** The standards of the base zoning district are generally applicable to planned zoning districts, however deviations shall be permitted based on:
 - (1) The extent that the proposed plan furthers the intent of the base district and planned zoning districts; and
 - (2) The caliber of the plan and extent of quality design and amenities.

- (b) **Specific Deviations.** Deviations from specific standards of the base zone district shall be based on the development plan providing one or more of the following benefits related to the standard.
 - (1) *Lot Coverage and Open Space Deviations:*
 - a. Address stormwater at a larger scale using stormwater best management practices considering impacts beyond the site.
 - b. Integrate common or public open space into the project within walking distance of all properties and coordinate these spaces with other existing or proposed civic and open spaces through the plan.
 - c. Enhance landscape buffers and transitions at any sensitive edges or where the increased coverage could otherwise cause adverse impacts on adjacent property.

 - (2) *Lot Area Per Unit Deviations:* Deviations from the lot area per unit:
 - a. Provide diversity of dwelling unit types not currently met by existing units in the vicinity.
 - b. Include a mix of housing and building types within the project that is complimentary to and supports adjacent non-residential uses.

 - (3) *Building Height or Setback Deviations.* Deviations from the height or setback are based on:

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- a. Compatibility of building design with the character of the area considering style, materials, and design details.
 - b. Transitions to other areas considering proximity to adjacent development and scale and massing of nearby buildings.
 - c. Management of other secondary impacts from greater building intensity including mix of uses, operation and activity, and parking.
 - d. Support for other broader planning policies or community benefits beyond the project.
- (4) *Required Parking Deviations.* Deviations from required parking promote other goals or are justified by broader planning policies, including.
- a. Strategies for reduced parking demand based on target market of residents, tenant mix of nonresidential uses, likelihood of different peak demand times of different uses, and access to or promotion of other modes of transportation.
 - b. Improving the environmental performance of projects and site design.
 - c. Assurances of no impacts of parking overflow on adjacent areas.

19.24.020. PROCEDURES.

The procedure for zoning land to a planned district is the same as required for rezoning of property in Section 19.52, except each planned district shall be supported by the following planning documents.

- (a) **Community Design Plan.** A community design plan integrates a project or multiple projects into the broader context. This plan is generally on the scale of between 10 and 40 acres, but at least the scale to address adjacencies and relationship of proposed development to the surroundings. For large-scale master planned or redevelopment projects, the community design plan will establish the context through development. For smaller scale planned districts under 10 acres or project plans for infill development, the community design plan will involve analysis of existing conditions outside of the planned district and at least 500 feet beyond any proposed project plan. The community design plan shall address the following, whether existing or newly proposed with the project:
- (1) Street and block layout.
 - (2) Streetscape design, and distinctions in different street types
 - (3) Access and circulation within any blocks and development parcels, including vehicle and pedestrian access.
 - (4) Open spaces, and distinctions in different open space types based on size, scale, and design and landscape characteristics.

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- (5) General land uses and intensity of development, and transitions between land uses considering categories and types of uses, and the scale of lots and buildings attributed to each use
 - (6) Infrastructure capacity and improvements, including stormwater management. Studies or reports on the impact of public facilities associated with the community design plan or any specific project plan shall be provided and coordinated with the city's capital improvement plans.
- (b) **Project Plan(s).** Project plans provide specific designs for projects, sites, and buildings within the community design plan. These plans are generally on a scale of less than 4 acres or may be as simple as a site plan for smaller applications of planned districts. Larger planned districts or phased projects may have multiple project plan(s), however preliminary project plans shall be submitted for any area to be zoned "-P." Project plans shall address the following:
- (1) Specific building types permitted for the designated area, including scale and format, and identifying any deviations from the base zoning district standards.
 - (2) Frontage designs demonstrating the orientation and relationship of all buildings to the public streets, internal circulation areas, or other public or common open spaces.
 - (3) Building design plans demonstrating the scale, massing, and design character of all proposed buildings. While final design and elevations are not required at this stage, general parameters on the character, style, design themes, and types of materials and architectural features shall be provided.
 - (4) Land and building uses permitted for each designated area to the extent they differ from any of the uses permitted in the base district in terms of scale, format, or operational characteristics.
 - (5) Access, circulation, and parking addressing how the project(s) will fit within the development patterns and access and circulation of the larger scale community plan.
 - (6) Landscape and streetscape designs for all development sites and common areas that meet or exceed the Site Plan criteria in Chapter 19.32 Site Plans, and Chapter 19.47, Landscape Standards.
- (c) **Project Narrative.** The project narrative shall justify why the project is eligible for planned zoning designations. It shall include statements or analysis on the following:
- (1) How the proposed planned zoning meets the intent and criteria in Section 19.24.025, and the rezoning factors in 19.52.030.
 - (2) How the project plans integrate with the community design plan, and other public benefits supported by the project plans or community design plans.

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- (3) Identify all specific deviations from the base zoning district standards and include why those deviations are justified based on the plans and criteria of this chapter.

19.24.025. CRITERIA.

In the consideration of a change to a planned zoning district the planning commission and city council shall determine whether the proposal conforms to master plans, special studies and policies normally utilized in making zoning decisions in Prairie Village. In addition, the factors to be considered for rezoning in Section 19.52.030, planned zoning decisions shall be subject to the following additional criteria:

- (a) The plan reflects generally accepted and sound planning and urban design principles with respect to meeting the goals of the comprehensive plan and the purposes and intent of the zoning ordinance in Section 19.01.010.
- (b) The flexibility offered by planned zoning is not strictly to benefit the applicant or a single project, but provides other benefits to the community or supports plans and policies in an equal or better manner than the base district standards
- (c) The proposed deviations to the standards do not undermine the intent of any other standards relative to the proposed projects or relative to adjacent property.

19.24.030 EFFECT OF DECISION.

Approval of a planned zoning district by the City Council shall rezone the property as provided in Chapter 19.52. Property subject to the planned zoning (“-P”) designation is required to receive a site plan approval according to Chapter 19.32 prior to issuance of any permits.

- (1) Project plans that meet all submittal requirements and criteria for site plan approval in Chapter 19.32 may be considered a site plan if designated as a site plan prior to the application and processed as a simultaneous site plan by the city.
- (2) Subsequent site plans shall be reviewed for consistency with the community design plan and project plans. Minor deviations from these plans may be approved by the Planning Commission through the site plan process provided they are determined to be due to refinement and greater design specification of concepts approved in the prior plans, and they otherwise permitted subject to base zoning district standards. The staff or Planning Commission may determine that any change is a significant change and require an amendment to the Planned Zoning District according to the same procedures of the initial designation. The following changes are not minor deviations and shall require processing as an amendment to the Planned Zoning District:
 - (a) An increase in the number of residential units by more than 5 percent

- (b) An increase in the non-residential floor area by more than 10 percent
- (c) An increase in building height by more than 10 percent
- (d) An increase in the lot coverage or reduction in the open space by more than 10 percent
- (e) Any change in the character, style, design themes of proposed buildings that result in a significantly different appearance or coordination with surrounding characteristics from what was approved in the project plans.
- (f) Other changes that do not meet the base district standards or other applicable zoning standards, and which were not expressed as a deviation.

19.24.035. RECORDING OF APPROVAL.

After rezoning to a planned district has been approved there shall be filed with the register of deeds a statement that a plan for the area has been approved. The statement shall specify the nature of the plan, the proposed density or intensity of land uses and other pertinent information sufficient to notify any prospective purchasers or users of land of the existence of such plan and any constraints thereon. The landowner shall submit this statement to the city clerk with the appropriate recording fee and the city shall be responsible for recording the statement.

Section XII.

Chapter 19.27 of the Prairie Village Municipal Code, entitled “Zoning Districts and Uses” is hereby amended by amending the Residential Uses section of the “Allowed Uses” table to read as follows:

Table 19.27 Allowed Uses										
■ = use is generally permitted, subject to general zoning district development and design standards. ○ = use requires Special Use Permit and discretionary review by Planning Commission and City Council per Section 19.32										
Uses	R-1A	R-1B	R-2	R-3	R-4	C-0	C-1	C-2	C-3	MXD
Residential Uses										
Single family dwellings	■	■	■	■		■			No specific uses permitted. C-3 is a planned commercial	No specific uses permitted. MXD s a
Two-family dwellings			■	■		■				
Attached house				■	■	■				
Townhouse				■	■	■				
Apartment				■	■	■				
Nursing and convalescent home	○	○	○	○	○	○	○	○		
Group home	■	■	■	■		■				
Residential – Mixed Use						■	■	■		

Section XIII.

Chapter 19.36 of the Prairie Village Municipal Code, entitled "Restricted Uses" is hereby amended by amending Section 19.36.005 "Restricted Uses" to read as follows:

19.36.005. - RESTRICTED USES.

- (a) No temporary or uncompleted building, garage, or appurtenances incident to a family dwelling shall be erected, maintained or used for residence purposes. However, it is provided that when the exterior and more than 50 percent of the interior of a permanent residence has been completed at the time of adoption of this title, this regulation shall not apply.
- (b) No temporary or outwardly incomplete building or structure, no open excavation for a basement or foundation, and no building or structure so damaged as to become unfit for use or habitation shall be permitted, maintained or remain in such condition for more than six months.
- (c) No building material, construction equipment, machinery or refuse shall be stored, maintained or kept in the open upon any lot, tract or parcel other than in such districts as permitted in this title, except during actual construction operations upon said premises or related premises; provided that the Board may waive said requirement in unusual cases for a limited time.
- (d) No building, structure or premises shall be used for, or occupied by any of the following uses:
 - (1) Junkyard, junk storage, salvage yard, auto wrecking;
 - (2) Auto courts, trailer camp, tourist cabins, mobile homes;
 - (3) Slaughterhouse, commercial poultry dressing or processing establishment where such use is primary and not incidental to a permitted use;
 - (4) Refuse dumps, dumps;
 - (5) Boardinghouse or lodging houses, exclusive of group homes.
- (e) The raising, storage, or handling of farm crops, the raising, feeding or keeping of farm animals, livestock or poultry, other than customary household pets or chickens as provided in chapter II, article I of the City Code, and the keeping or display of farm or other heavy equipment or machinery is prohibited in all districts.

Section XIV. Repeal of Prior Ordinances.

All ordinances and parts thereof that are inconsistent with any provision of this Ordinance are hereby repealed.

Section XV. Effective Date

This ordinance shall take effect and be in force upon and after its passage, approval, and publication as provided by law.

PASSED AND APPROVED THIS ___ day of _____, 2024.

Eric Mikkelson, Mayor

ATTEST:

APPROVED AS TO FORM:

Adam Geffert
City Clerk

Alex Aggen
City Attorney

Chapter 19.10 DISTRICT R-2 TWO FAMILY RESIDENTIAL DISTRICT

19.10.005. INTENT

The R-2 Two-family Residential District provides residential living in low-scale detached and attached dwelling units. It should be used in areas at transitions between neighborhoods and corridors, activity centers, parks and civic spaces. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

Commented [CB1]: Added to guide application of district according to comprehensive plan and physical context, and to be consistent with overall format (all districts should have non-regulatory intent statement)

19.10.005010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.10.040015. HEIGHT AND AREA REGULATIONS GENERALLY, DEVELOPMENT STANDARDS

Commented [CB2]: Convert existing R-2 standards to table to simplify and for consistent format with other districts. No substantive changes EXCEPT:
 •Added impervious surface coverage to be consistent with R-1A and R-1B

Table replaces sections 010, 015, 020, 025, 030, 035, 040, 045, and 046

Table 19.10.A. Development Standards	
R-2	
Lot:	
Area	9,600 square feet (4,800 square feet per unit)
Width	80'
Building Coverage	30% of lot, maximum
Impervious Coverage	40% of lot, maximum
Building Setbacks:	
Front	30' minimum
Side	7' minimum each side 18' minimum total both sides
Street Side	15' minimum
Rear	25' minimum
Height:	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

One family dwellings constructed in this district shall comply with the height, front, side and rear yard requirements and minimum lot size requirements of the District R-1a.

Two family dwellings shall comply with the minimum requirements ~~set forth in sections 19.10.015–19.10.045~~ Table 19.10.A.

~~19.10.015. HEIGHT.~~

~~No building or structure shall exceed 35 feet in height, measured as set out in section 19.02.100; nor shall it contain more than two and one half stories as set out in section 19.02.435.~~

~~19.10.020. FRONT YARD.~~

~~The front yard requirements shall be 30 feet.~~

~~19.10.025. SIDE YARD.~~

~~There shall be a side yard on each side of the dwelling, the total of which side yards shall be not less than 18 feet and neither side yard shall be less than seven feet. Not less than 15 feet shall be provided on the street side of a corner lot.~~

~~19.10.030. REAR YARD.~~

~~The depth of the rear yard shall be not less than 25 feet.~~

~~19.10.035. LOT WIDTH.~~

~~The width of the lot shall be not less than 80 feet.~~

~~19.10.040. LOT AREA PER FAMILY.~~

~~Not less than 9,600 square feet of lot area shall be provided for each two family dwelling.~~

~~19.10.045. MINIMUM DWELLING SIZE.~~

~~The minimum dwelling size shall be 1,100 square feet per family unit for living space, exclusive of garage, basement, storage space, open or screened porches, vestibules, patios and utility rooms.~~

~~19.10.046. LOT COVERAGE.~~

~~Buildings and structures shall not cover more than 30 percent of the net lot area. (Ord. 2019, Sec. II, 2001; Ord. 2060, Sec. I, 2003)~~

19.10.050~~020~~. PARKING REGULATIONS.

Two parking spaces shall be provided for each dwelling unit. (For additional parking regulations see chapter 19.46.)

19.10.055~~025~~. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall

prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.10.030. PLANNED ZONING APPLICATIONS.

Application of the R-2 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Detached House – Standard Lot
- (b) Detached House – Small Lot
- (c) Attached House

Commented [CB3]: Added to give more guidance on application of P- districts than is in the current code for potential R-2P applications.

Chapter 19.12 DISTRICT R-3 GARDEN APARTMENT DISTRICT

19.12.005. INTENT

The R-3 Apartment District provides residential living in moderate- to large-scale multi-unit buildings contributing to a mix of housing opportunities at strategic locations. It should be used in areas with a high level of accessibility, public and common amenities, and support services in the vicinity, and transition to lower-scale neighborhoods. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

Commented [CB4]: Added to guide application of district according to comprehensive plan and physical context, and to be consistent with overall format (all districts should have non-regulatory intent statement)

19.12.005010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.12.010015. HEIGHT AND AREA REGULATIONS GENERALLY DEVELOPMENT STANDARDS

Commented [CB5]: Convert existing R-3 standards to table to simplify and for consistent format with other districts. No substantive changes EXCEPT:

- Reduced the lot area from 2,500 per unit to 1,750 per unit to match existing current projects.
- Reconciled the conflict between 20% and 30% building coverage maximum in favor of 30% (matches most projects)
- Added impervious surface coverage, and emphasizing it is distinct from building coverage consistent with other districts.

Table 19.12.A. Development Standards	
R-3	
Lot:	
Area	1,750 s.f. per unit
Building Coverage	30% of lot, maximum
Impervious Surface Coverage	50% of lot, maximum
Building Setbacks:	
Front	30' minimum
Side	10' minimum for 2-story 15' minimum for 2.5 story
Street Side	15' minimum
Rear	25' minimum
Height:	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

Table replaces sections 015, 020, 025, 030, 035, and 036

~~In District R-3, the height of buildings, the minimum dimensions of lots and yard, the minimum lot area per family permitted on any lot shall be as follows in sections 19.12.015—19.12.035 (for exceptions see chapter 19.44, height and area exceptions).~~

~~**19.12.015. HEIGHT.**~~

~~No building or structure shall exceed 35 feet in height, measured as set out in section 19.02.100; nor shall it contain more than two and one half stories as set out in section 19.02.435.~~

~~**19.12.020. FRONT YARD.**~~

~~The front yard requirement shall be 30 feet.~~

~~**19.12.025. SIDE YARD.**~~

~~The side yard requirement shall be ten feet for two story and 15 feet for two and one half story buildings; except that not less than 15 feet shall be provided on the street side of a corner lot.~~

~~**19.12.030. REAR YARD.**~~

~~The rear yard requirement shall be 25 feet.~~

~~**19.12.035. LOT AREA PER FAMILY.**~~

~~The minimum lot area for garden apartments shall be 2,500 square feet per family units; provided that in no case shall apartment buildings and carports, if any, cover more than 20 percent of the area of the lot or tract; the remaining eighty percent of the land to contain lawn, landscaped areas, recreation areas and open parking lots.~~

~~**19.12.036. LOT COVERAGE.**~~

~~Buildings and structures shall not cover more than 30 percent of the net lot area. (Ord. 2019, Sec. II, 2001; Ord. 2060, Sec. I, 2003)~~

~~**19.12.040**~~**20. PARKING REGULATIONS.**

Two parking spaces shall be provided for each dwelling unit. Parking shall not be permitted in the required side yard or within 15 feet of a street right-of-way. (For other parking requirements see chapter 19.46.)

~~**19.12.045**~~**025. SITE PLAN APPROVAL.**

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the

opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.12.030. PLANNED ZONING APPLICATIONS

Application of the R-3 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Townhouse
- (b) Apartment – Small
- (c) Apartment – Medium
- (d) Apartment - Large

Commented [CB6]: Added to give more guidance on application of P- districts than is in the current code for potential R-3P applications.

Chapter 19.14 DISTRICT R-4 MIXED CONDOMINIUM OR COMMON WALL DWELLING DISTRICT

Commented [CB7]: Changed name to reflect district standards and intent better

19.14.005. INTENT

The R-4 Mixed Dwelling District provides residential living in low- to moderate-scale multi-unit buildings contributing to neighborhoods with a mix of detached, attached, and low-scale multi-unit buildings. It should be used in areas with a high level of accessibility, public and common amenities, and support services in the vicinity, and transition to lower-scale neighborhoods. This district is appropriate in village neighborhoods, as part of mixed-use context of activity centers, or at transition areas adjacent to thoroughfares or greenspace identified in the comprehensive plan.

Commented [CB8]: Added to guide application of district according to comprehensive plan and physical context, and to be consistent with overall format (all districts should have non-regulatory intent statement)

19.14.005010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.14.040015. HEIGHT AND AREA REGULATIONS/DEVELOPMENT STANDARDS

Commented [CB9]: Convert existing R-4 standards to table to simplify and for consistent format with other districts. No substantive changes EXCEPT:
 •Added impervious surface coverage to be consistent with other districts

Table replaces sections 010, 015, 020, 025, 030, 035, 040, and 041

Table 19.14.A. Development Standards	
R-4	
Lot:	
Area	3,500 s.f. per unit
Width	150' minimum
Building Coverage	30% of lot, maximum
Impervious Surface Coverage	50% of lot, maximum
Building Setbacks:	
Front	30' minimum
Side	10' minimum for 2-story 15' minimum for 2.5 story
Street Side	15' minimum
Rear	35' minimum
Height:	
Height	35' maximum, measured from the top of foundation to the highest point of the roof structure.
Story Limit	2.5 stories

In District R-4, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows in sections 19.14.015—19.14.040 (for exceptions see chapter 19.44, height and area exceptions).

19.14.015. HEIGHT.

No building or structure shall exceed 35 feet in height, measured as set out in section 19.02.100; nor shall it contain more than two and one-half stories as set out in section 19.02.435.

19.14.020. FRONT YARD.

Any building hereafter constructed shall provide for a front yard the minimum depth of which shall be 30 feet.

19.14.025. SIDE YARD.

There shall be a side yard on each side of the lot of not less than ten feet for two story buildings and 15 feet for two and one-half story buildings. No side yard shall be required on interior lots in common wall projects. Not less than 15 feet shall be provided on the street side of a corner lot.

19.14.030. REAR YARD.

The depth of the rear yard shall be not less than 35 feet.

19.14.035. LOT AREA PER FAMILY.

Every condominium or common wall dwelling house hereafter erected shall provide a lot area of not less than 3,500 square feet per dwelling unit.

19.14.040. LOT SIZE.

The width of the lot shall be at least 150 feet.

19.14.041. LOT COVERAGE.

Buildings and structures shall not cover more than 30 percent of the net lot area. (Ord. 2019, Sec. II, 2001; Ord. 2060, Sec. I, 2003)

19.14.045020. PARKING REGULATIONS.

Two parking spaces shall be provided for each dwelling unit. Parking shall not be permitted in the required exterior side yards or within 15 feet of a street right-of-way. (See chapter 19.46 for additional parking requirements.)

19.14.050025. SITE PLAN APPROVAL.

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single-family

dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family dwellings, group homes and residential design manufactured homes.

19.14.030. PLANNED ZONING APPLICATIONS

Application of the R-4 district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Detached House – Small Lot
- (b) Attached House
- (c) Townhouse
- (d) Apartment – Small

Commented [CB10]: Added to give more guidance on application of P- districts than is in the current code for potential R-4P applications.

Chapter 19.16 DISTRICT C-0 OFFICE BUILDING DISTRICT

19.16.005. INTENT

The C-O Commercial Office District is a low intensity non-residential district providing a range of small-scale, commercial or employment uses. It also may include limited retail or services to support adjacent neighborhoods and low- and moderate-scale residential uses that contribute to a mixed-use context. This zone serves as a transition between neighborhoods and village centers or establishes neighborhood hubs in the comprehensive plan.

Commented [CB11]: Added to guide application of district according to comprehensive plan and physical context, and to be consistent with overall format (all districts should have non-regulatory intent statement)

19.16.005010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.16.010015. HEIGHT AND AREA REGULATIONS (GENERALLY DEVELOPMENT STANDARDS).

Commented [CB12]: •Convert existing C-O standards to table to simplify and for consistent format with other districts. No substantive changes.
Table replaces sections 015, 020, 025, and 030.

<u>Table 19.16.A. Development Standards</u>	
<u>C-O</u>	
<u>Building Setbacks:</u>	
<u>Front</u>	<u>30' minimum</u>
<u>Side</u>	<u>10' minimum for 1-story</u> <u>15' minimum for 2-story</u> <u>20' minimum for 2.5-story +</u>
<u>Street Side</u>	<u>15' minimum</u>
<u>Rear</u>	<u>35' minimum</u>
<u>Height:</u>	
<u>Height</u>	<u>35' except a greater height may be permitted subject to a conditional use permit in Chapter 19.30</u>

In District C-0, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows in sections 19.16.015—19.10-035 (for exceptions see chapter 19.44, Height and Area Exceptions).

19.16.015. HEIGHT.

Height of buildings in this district shall be measured in feet and no building or structure shall exceed 35 feet except that a greater height may be permitted by

~~conditional use permit in accordance with chapter 19.30. In the case of office buildings, the height is measured as follows:~~

- ~~(a) The maximum vertical distance in feet from the average finish grade abutting the building to the highest point of the roof or any parapet or mansard, or to the mean height between eaves and ridge of gable, hip and gambrel roofs. Heating, ventilating, air conditioning and elevator equipment located on flat roofs may extend above the maximum height not more than eight feet.~~
- ~~(b) Finish grade in this instance shall not include such depressions as dock ramps, areaways and below grade stairways but shall be the ground elevation at the point where it is lowest.~~
- ~~(c) The use of fills or berms to increase the height of the building is not permitted.~~

~~**19.16.020. FRONT YARD.**~~

~~Any building or structure hereafter constructed shall provide a front yard the minimum depth of which shall be 30 feet.~~

~~**19.16.025. SIDE YARD.**~~

~~There shall be a side yard on each side of the lot, such side yard to be not less than ten feet for one story buildings, 15 feet for two story buildings, and 20 feet for two and one-half story buildings. There shall be a side yard of not less than 15 feet of the street side of a corner lot.~~

~~**19.16.030. REAR YARD.**~~

~~The depth of the rear yard shall be not less than 35 feet.~~

~~**19.16.035**~~**020. RESIDENTIAL BUILDINGS.**

Any residential building constructed or located in this district shall comply with the height, yard and area regulations of the district corresponding to that dwelling type. Single family dwellings and group homes shall comply with District R-1; two family dwellings shall comply with District R-2; garden apartment buildings shall comply with District R-3. Residential uses may also be permitted in mixed-use buildings or for reuse of existing commercial buildings, subject to the non-residential building standards in the C-O district.

~~**19.16.040**~~**030. SITE PLAN APPROVAL.**

All new buildings or structures and proposed expansions and enlargements of more than ten percent of the existing floor area of existing buildings except single family and two-family dwellings, group homes and residential design manufactured homes shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.

If application is made for a building permit for a building or structure, which is not required to submit a site plan and whose architectural style or exterior materials in the opinion of the building official vary substantially from such style or materials which have

Commented [CB13]: The use table in Chapter 19.27 will be amended to include "Residential - Mixed Use" (residential on the upper level or behind ground level commercial) for the C-O, C-1, and C-2 districts (see associated sections). The C-O district already allows residential, but requires it to be subject to R-1, R-2, or R-3 standards, which may not be the appropriate form and format for all residential in C-O. This corresponding change will allow residential in non-residential buildings, subject to the existing C-O development standards.

been used in the neighborhood in which the building or structure is to be built, the plans and supporting information for such building or structure shall be submitted to the planning commission for review and approval as to its compatibility with the surrounding neighborhood. This paragraph shall not apply to single-family and two-family dwellings, group homes and residential design manufactured homes.

19.16.045025. PARKING REGULATIONS IN DISTRICT C-0.

See chapter 19.46 off street parking and loading regulations.

19.14.035. PLANNED ZONING APPLICATIONS.

Application of the C-O district through planned zoning applications shall occur according to the procedures and criteria in Chapter 19.24, Planned Zoning District. Plans shall use the following building types from Section 19.23.015 of the MXD District as the basis for the plan:

- (a) Attached House
- (b) Townhouse
- (c) Live-Work
- (d) Apartment / Mixed-Use – Small

Commented [CB 14]: Move to above 030 Site Plan Approval for consistent section order among all districts.

Commented [CB 15]: Added to give more guidance on application of P- districts than is in the current code for potential C-OP applications.

RESIDENTIAL IN C- DISTRICTS

The following amendments are necessary to execute the Planning Commission's direction to allow residential in the commercial districts, but subject to current district standards (i.e. as "mixed-use projects" or additions to existing commercial buildings).

1. Add the following entry to the use table in 19.27.005

Table 19.27 Allowed Uses										
■ = use is generally permitted, subject to general zoning district development and design standards. ○ = use requires Special Use Permit and discretionary review by Planning Commission and City Council per Section 19.32										
Uses	R-1A	R-1B	R-2	R-3	R-4	C-O	C-1	C-2	C-3	MXD
Residential Uses										
Single family dwellings	■	■	■	■		■			No specific uses permitted. C-3 is a planned commercial	No specific uses permitted. MXD s a
Two-family dwellings			■	■		■				
Attached house				■	■	■				
Townhouse				■	■	■				
Garden Apartment Building or Apartment House				■	■	■				
Condominium					■					
Nursing and convalescent home	○	○	○	○	○	○	○	○		
Group home	■	■	■	■		■				
Residential – Mixed Use						■	■	■		

2. Add the following performance criteria to (the C-1, and/or C-2 district standards).

(xy) Residential uses shall be limited to dwelling units on upper stories above ground level commercial uses, or less than 50% of the ground floor and located behind ground-level commercial uses.

Commented [CB16]: This section would be 19.18.010(f) for C-1 and 19.20.010(d) for C-2. (revised 19.16.035 in C-O addresses a similar topic, but does not require upper stories or behind ground level because stand-alone residential projects are allowed in C-O currently.

Chapter 19.23 "MXD" PLANNED MIXED USE DISTRICT

19.23.005. PURPOSE AND INTENT.

The zoning of property to the MXD, Planned Mixed Use District, is intended to encourage a variety of land uses in closer proximity to one another than would be possible with more conventional zoning districts, to promote sustainable development with projects that achieve a high level of environmental sensitivity and energy efficiency, to encourage design and construction using Leadership in Energy and Environmental Design "LEED" principles and practices; and to encourage building configurations that create a distinctive and memorable sense of place. Developments in this district are allowed and expected to have a mixture of residential, office and retail uses in a single structure or multiple structures along with public spaces, entertainment uses, and other specialty facilities that are compatible in both character and function and incorporate a coordinated consistent theme throughout the development. Developments are also expected to utilize shared parking facilities linked to multiple buildings and uses by an attractive and logical pedestrian network that places more emphasis on the quality of the pedestrian experience than is generally found in typical suburban development. Buildings are intended to be primarily multi-story structures with differing uses organized vertically rather than the horizontal separation of uses that commonly results from conventional zoning districts.

19.23.010. USE REGULATIONS.

Permitted uses in this district are specified in chapter 19.27 "Zoning Districts and Uses." They are either generally allowed, allowed by conditional use permit review, or by special use permit. In addition, accessory uses may be permitted subject to chapter 19.34.

19.23.015. BUILDING HEIGHT DEVELOPMENT STANDARDS

Development standards in the MXD district shall be based on specific plans approved according to the Planned Zoning District process and standards in Chapter 19.24. Development plans shall be based on the building types in Table 19.23.A and propose the proper arrangement and location of applicable building types based on a community design plan required by Chapter 19.24. Deviations from the standards in Table 19.23.A may be justified as indicated in the Planned Zoning District standards in Chapter 19.24.

[insert formatted building type table – see draft in separate document]

- ~~(a) No maximum height; the height of buildings shall be as determined by the plan;~~
- ~~(b) At least 50 percent of the total floor area, except for auditoriums, conference facilities, theaters, and other similar uses, shall be located above the ground floor.~~

~~19.23.020. FRONT YARD:~~

~~No minimum requirement. The front yard setback shall be established as shown on the plans.~~

Commented [CB 17]: Current lack of standards to be replaced by "default standards" and building-type approach that better identifies the scale and format of buildings anticipated to be used in the plan. [See recommended table to insert following this section.] The default standards in that table could then be used based on a plan demonstrating the appropriateness of each type in a specific location, and/or could have deviations from the default standards if justified by the plan. All would be subject to the criteria included in the revised P- (planned district) section to be applied to MXD, as well as all other applications of the P-district designation.

19.23.025. SIDE YARD.

~~No setback required except that where a lot line abuts the lot line of a residentially zoned property, a setback shall be required which is at least equal to the minimum setback required in the district in which the MXD District abuts.~~

19.23.030. REAR YARD.

~~No setback required except that where a lot line abuts the lot line of a residentially zoned property, a setback shall be required which is at least equal to the minimum setback required in the district in which the MXD District abuts.~~

19.23.020. MIXED-USE & MIXED-DENSITY DESIGN STANDARDS

[Insert new section 19.23.020 – see draft in separate document.]

19.23.035. PRELIMINARY DEVELOPMENT PLAN SUBMITTAL

~~A tract of land may be zoned "MXD" only upon approval of a preliminary development plan which shall include the following information:~~

- ~~(a) Name of the project, address, boundaries, date, north arrow and scale of the plan;~~
- ~~(b) Name and address of the owner of record, developer, and name, address and phone number of preparers;~~
- ~~(c) All existing lot lines, easements, rights-of-way including area in acres or square feet;~~
- ~~(d) The location and use of all existing and proposed buildings and structures within the development. The number and types of dwellings and square footage or floor area for office and commercial uses. All dimensions of height and floor area, all exterior entrances and all anticipated future additions and alterations. Preliminary sketches depicting the general style, design, size and exterior materials and colors of existing buildings to be retained and new buildings to be constructed. Said sketches shall include building elevations, but detailed drawings are not required.~~
- ~~(e) The location of all existing and proposed public and private ways, driveways, sidewalks, ramps, curbs and fences; specific emphasis shall be placed on connectivity and walkability with and adjacent to the project;~~
- ~~(f) Location of required parking areas including parking stalls, setbacks and loading and service areas and the type of pavement proposed;~~
- ~~(g) A preliminary outdoor lighting plan in accordance with outdoor lighting regulations of the Zoning Ordinance plus a plan for the proposed lighting of public and private streets;~~

Commented [CB 18]: New - there are currently no design standard or criteria for using the MXD district. This section is intended to set expectation of desired design outcomes and for how any flexibility in the planned MXD district should be used. It can also be used for any planned application in R-2, R-3, or R-4 that uses the residential MXD building types. These districts similarly have no design standards currently.

Commented [CB 19]: All procedures eliminated from the MXD district and defer to improved P- (planned district) procedures and criteria in Chapter 19.24. This accomplishes two things:
1. It is more user-friendly and eliminates repetition of similar procedural and decision-criteria in different sections.
2. It allows clear simplified criteria for all planned district applications as indicated by the changes and notes in 19.24.

- ~~(h) Sign standards including the location, height, size, materials and design of all proposed monument and structure mounted signage;~~
- ~~(i) Location, type and screening details for all waste disposal containers;~~
- ~~(j) Location, size and screening details for all external HVAC units, antennas and other equipment;~~
- ~~(k) A preliminary landscape plan showing all existing open space and trees to be retained, all proposed changes to these features including the location, size and type of proposed plant material, and any proposed screening for adjacent properties which may include solid or semi-solid, fencing, walls or hedges or a combination thereof;~~
- ~~(l) The location and size of all existing and proposed utility systems including:
 - ~~(1) Sewer lines and manholes;~~
 - ~~(2) Water lines and fire hydrants;~~
 - ~~(3) Telephone, cable and electrical systems;~~
 - ~~(4) Storm drainage system including drain pipes, culverts, catch basins, headwalls, endwalls, manholes, and drainage swales/ditches; and~~
 - ~~(5) Structure mounted telecommunications equipment (satellite dishes, antennas, etc.);~~~~
- ~~(m) A stormwater management plan including plans to prevent: (a) the pollution of surface or groundwater; (b) the erosion of soil both during and after construction; (c) excessive run-off, (d) and flooding of other properties, as applicable. Said plans shall include stormwater run-off calculations and shall provide for on-site stormwater management in accordance with Stormwater Management Regulations of the City Code;~~
- ~~(n) Existing and proposed topography shown at not more than two-foot contour intervals and the location of flood plains. All elevations shall refer to U.S.G.S. datum and shall be compatible with Johnson County datum;~~
- ~~(o) Zoning districts adjacent to the site;~~
- ~~(p) Traffic flow patterns within the site including, entrances and exits, emergency access, loading and unloading areas, and curb cuts and street patterns within 200 feet of the site;~~
- ~~(q) The planning commission may require a detailed traffic impact study for large uses, mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:
 - ~~(1) The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;~~
 - ~~(2) The projected traffic flow pattern within 1,000 feet of the site including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and~~~~

- ~~(3) The impact of this traffic upon existing, abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.~~
- ~~(4) The satisfying of traffic warrants for traffic signals and signs in accordance with MUTCD within 1,000 feet of the site.~~
- ~~(f) A list of the uses proposed for the "MXD" District.~~
- ~~(s) Off street parking and loading shall be provided on the premises in accordance with the requirements for each type of use permitted, as set out in the off-street parking and loading regulations of the Zoning Ordinance except as follows:~~
 - ~~(1) The planning commission may reduce the required parking after considering documentation and/or study provided by the applicant, staff's recommendation and giving decisive weight to all relevant facts, including but not limited to the following factors: availability and accessibility of alternative parking; impact on adjacent properties and uses neighborhoods; existing or potential shared parking arrangements; the characteristics of the use, including hours of operation and peak parking demand times; design and maintenance of off-street parking that will be provided; and whether the proposed use is new or a small addition to an existing use.~~
 - ~~(2) Parking spaces on public and private streets may be counted towards the minimum requirements as set forth above; provided the on-street spaces are located on an adjacent or internal street that allows on-street parking. On-street parking spaces being counted towards the credit must be identified on plans at time of submittal to the city.~~
 - ~~(3) No open parking areas shall be located closer than 15 feet to a public street, or no closer than eight feet to a property line other than a street line. Parking areas within the building, or within a parking structure extending more than six feet above the finished grade, shall comply with the setback regulations of the main building. Such parking setback and other open areas shall be brought to finish grade and planted with grass, shrubs and trees, and maintained to at least the average level of maintenance of the other developed property within the immediate neighborhood.~~
- ~~(t) Preservation of Natural Features: Mature trees, vegetative cover, watercourses and other natural site features shall be preserved to the greatest extent possible. Abrupt changes in natural slope shall be avoided. Preservation shall be directed toward:~~
 - ~~(1) Enhancing the quality of new development;~~
 - ~~(2) Protecting the natural environment;~~
 - ~~(3) Providing buffering between new development and surrounding properties;~~
 - ~~(4) Preserving the character of existing neighborhoods;~~

- ~~(5) Handling of stormwater flows in natural channels;~~
- ~~(6) Maintaining existing vegetation along stream corridors as water quality filters; and~~
- ~~(7) Creation of rain gardens.~~
- ~~(u) Submission of all easement and preliminary covenant documents that will be filed with the County.~~
- ~~(v) A phasing plan if the project is not going to be constructed at one time.~~

~~19.23.040. PUBLIC IMPROVEMENTS.~~

~~The planning commission may recommend and the city council may require the applicant to construct or install infrastructure improvements such as sidewalks, traffic signals, street lighting, pedestrian lighting, street widening and channelization, acceleration and deceleration lanes, waterlines, sewer lines, storm drainage improvements and other similar improvements that are related to the proposed project.~~

~~19.23.045. PLANNING COMMISSION ACTION.~~

~~The planning commission shall hold one or more public hearings on the preliminary development and rezoning. Upon conclusion of the public hearing or hearings, the planning commission, by a majority of members present and voting, shall make a recommendation to the city council to approve the proposal as submitted, to approve the proposal subject to conditions, or to deny the proposal.~~

~~19.23.050. CITY COUNCIL ACTION.~~

~~Upon approval of the preliminary development plan and the rezoning of the property by the city council, a final development plan for the project shall be prepared and submitted to the planning commission for final approval. Permits for construction shall not be issued until final plans have been reviewed and approved by the planning commission. It is the intent of this chapter that the project as constructed shall conform closely to the preliminary plans reviewed and approved at the time of the public hearing.~~

~~19.23.055. FINAL DEVELOPMENT OF PLAN GENERALLY.~~

~~Final plan for a project or a portion thereof shall not be approved if one or more of the following conditions, in the judgment of the commission, exist:~~

- ~~(a) Final plans vary substantially from the concept of the development plan presented and agreed to at the time of rezoning;~~
- ~~(b) The final plans would increase the density (number of units per acre) or intensity (concentration of development) of residential uses more than five percent;~~
- ~~(c) The final plans would increase the floor area of nonresidential buildings by more than ten percent;~~

- ~~(d) The final plans would increase by more than ten percent the ground covered by buildings or paved areas;~~
- ~~(e) The final plans would increase the height of a building by one or more stories or four or more feet;~~
- ~~(f) The final plans involve changes in ownership patterns or stages of construction that will lead to a different development concept, less architectural harmony or quality, or impose substantially greater loads on streets and neighborhood facilities;~~
- ~~(g) The final plans vary from specific development or design criteria including traffic impact and stormwater management that may have been adopted by the planning commission or city council at the time the preliminary development plan and rezoning were approved.~~

~~Variations between the preliminary and final plans, which do not, in the judgment of the planning commission, violate or exceed the above seven criteria, shall be approved by the planning commission in its administrative role and no public hearing shall be required. If, however, variations and departures from the approved preliminary plan exceed the above criteria or are sought by the developer or other party at the time of final plan review or building permit application, the applicant shall request an amendment to the plan which shall be handled in the same manner as the approval of the original preliminary plan.~~

~~19.23.060. FINAL DEVELOPMENT PLAN SUBMITTAL.~~

- ~~(a) A detailed site plan showing the physical layout and design of all streets, easements, rights-of-way, lots, sidewalks, parking, blocks, greenspace, structures and uses.~~
- ~~(b) Preliminary building plans, including floor plans, gross floor area of office and commercial uses and exterior elevations.~~
- ~~(c) Final landscaping plans.~~
- ~~(d) Copies of any easements and restrictive covenants and proof of recording of the same.~~
- ~~(e) Proof of the establishment and activation of any entity that is to be responsible for the management and maintenance of any common open space.~~
- ~~(f) Evidence that no lots, parcels, tracts or dwelling units in such development have been conveyed or leased prior to the recording of any restrictive covenants applicable to such planned development.~~
- ~~(g) Such bonds and other documents that may have been required to guarantee the installation of required public improvements.~~
- ~~(h) Drawings showing size, type and location of all monument and wall mounted signs.~~
- ~~(i) Final lighting plan.~~

~~(j) Final stormwater control plan.~~

~~(k) Bond for public improvements and agreement to pay for City inspection services.~~

~~**19.23.065. RECORDING OF APPROVED PLAN.**~~

~~After rezoning to a "MXD" district has been approved and the final plan has been approved by the planning commission there shall be filed with the Register of Deeds a statement that a development plan for the area has been approved. The statement shall specify the nature of the plan, the proposed density or intensity of land uses and other pertinent information sufficient to notify any prospective purchasers or users of land of the existence of such plan and any constraints thereon. The landowner shall submit this statement to the city clerk with the appropriate recording fee and the city shall be responsible for recording the statement.~~

~~**19.23.70. PUBLISHING OF ORDINANCE CHANGING THE ZONING.**~~

~~The ordinance effectuating the zone change shall not be published until such time as the zoning and preliminary development plan have been approved by the city council.~~

Chapter 19.24 PLANNED ZONING DISTRICT

19.24.005. DESIGNATION OF EQUIVALENT DISTRICTS.

Planned zoning districts and their equivalent districts are as follows:

Planned District	Equivalent District
RP-1A Planned Single Family Residential	R-1A
RP-1B Planned Single Family Residential	R-1A
RP-2 Planned Two Family Residential	R-2
RP-3 Planned Garden Apartment	R-3
RP-4 Planned Townhouse Mixed Dwelling	R-4
CP-0 Planned Office Building	C-0
CP-1 Planned Restricted Business	C-1
CP-2 Planned General Business	C-2
<u>MXD Planned Mixed-use District</u>	<u>n/a – planned district only</u>

Except in the case of standard single family subdivision, which may be zoned R-1 and areas requested for C-3, all rezoning of land within the City of Prairie Village shall hereafter follow planned zoning procedures as set out in this chapter.

19.24.010. STATEMENT OF OBJECTIVES, INTENT

The planned zoning process is for development concepts that require a higher degree of specific planning due to the scale, complexity, and design of proposed projects. It is a type of rezoning based on a specific and integrated plan. The process affords flexibility in the development standards to improve the relationship of the project to the context, to better meet the purpose and intent statements of base districts, and to encourage innovative projects not anticipated by these standards, and to promote well-designed development equal to or exceeding results of generally applicable standards.

~~The zoning of land in Prairie Village to one of the planned districts (RP-1 to CP-2 inclusive) shall be for the purpose of encouraging and requiring orderly development and redevelopment on a quality level generally equal to or exceeding that which prevails in the City of Prairie Village, but permitting deviations from established and customary development techniques. The use of planned zoning procedures is intended to encourage efficient development and redevelopment of small tracts, innovative and imaginative site planning, conservation of natural resources and minimum waste of land. The following are specific objectives of this section:~~

Commented [CB20]: Changed title and simplified intent statement for consistency across all zone districts. Clarified the intent of all “P-” districts is flexibility, guided by a context-specific plan, that meets broader city policies.

- ~~(a) A proposal to rezone land to a planned district shall be subject to the same criteria relative to compliance with the Prairie Village Comprehensive Plan, land use policies, neighborhood compatibility, adequacy of streets and utilities and other elements, which are established and customary development techniques in this city;~~
- ~~(b) The submittal by the developer and the approval by the city of development plans represents a firm commitment by the developers that development will indeed follow the approved plans in such areas as concept, intensity of use, aesthetic levels and quantities of open space;~~
- ~~(c) Deviations in yard requirements, setbacks and relationship between buildings as set out in standards of development in section 19.24.015 of this chapter, may be approved by the planning commission and city council if it is deemed that other amenities or conditions will be gained to the extent that an equal or higher quality of development will be produced;~~
- ~~(d) Residential areas are to be planned and developed in a manner that will produce more usable open space, better recreational opportunities, safer and more attractive neighborhoods than under standard zoning and development techniques;~~
- ~~(e) Commercial areas are to be planned and developed so as to result in attractive, viable and safe centers and clusters as opposed to strip patterns along thoroughfares. Control of vehicular access, circulation, architectural quality, landscaping and signs will be exercised to soften the impact on nearby residential neighborhoods, and to assure minimum adverse effects on street system and other services of the community;~~
- ~~(f) The developer will be given latitude in using innovative techniques in the development of land not feasible under application of standard zoning requirements;~~
- ~~(g) Planned zoning shall not be used as a refuge from the standard requirements of the zoning district as to intensity of land use, amount of open space or other established development criteria;~~
- ~~(h) Any building or portion thereof may be owned in condominium under K.S.A. 53-3101;~~
- ~~(i) For purposes of this chapter, the terms "shopping center", "business park," "office park," or other grouping of buildings shall mean development that were planned as an integrated unit or cluster on property under unified control or ownership at the time the zoning was approved by the city. The sale, subdivision or other partition of the site after zoning approval does not exempt the project or any portion thereof from complying with development standards that were committed at the time of zoning.~~

19.24.015. STANDARDS OF DEVELOPMENT

Commented [CB21]: Replaced current criteria (which are either vague or circular) with a clear approach that the base zone district standards apply, or that specific deviations from those standards could be granted by meeting larger or related planning and design goals.

- (a) **Base District Standards.** The standards of the base zoning district are generally applicable to planned zoning districts, however deviations shall be permitted based on:
- (1) The extent that the proposed plan furthers the intent of the base district and planned zoning districts; and
 - (2) The caliber of the plan and extent of quality design and amenities.
- (b) **Specific Deviations.** Deviations from specific standards of the base zone district shall be based on the development plan providing one or more of the following benefits related to the standard.
- (1). *Lot Coverage and Open Space Deviations:*
 - a. Address stormwater at a larger scale using stormwater best management practices considering impacts beyond the site.
 - b. Integrate common or public open space into the project within walking distance of all properties and coordinate these spaces with other existing or proposed civic and open spaces through the plan.
 - c. Enhance landscape buffers and transitions at any sensitive edges or where the increased coverage could otherwise cause adverse impacts on adjacent property.
 - (2) *Lot Area Per Unit Deviations:* Deviations from the lot area per unit:
 - a. Provide diversity of dwelling unit types not currently met by existing units in the vicinity.
 - b. Include a mix of housing and building types within the project that is complimentary to and supports adjacent non-residential uses.
 - (3) *Building Height or Setback Deviations.* Deviations from the height or setback are based on:
 - a. Compatibility of building design with the character of the area considering style, materials, and design details.
 - b. Transitions to other areas considering proximity to adjacent development and scale and massing of nearby buildings.
 - c. Management of other secondary impacts from greater building intensity including mix of uses, operation and activity, and parking.
 - d. Support for other broader planning policies or community benefits beyond the project.
 - (4) *Required Parking Deviations.* Deviations from required parking promote other goals or are justified by broader planning policies, including:
 - a. Strategies for reduced parking demand based on target market of residents, tenant mix of nonresidential uses, likelihood of different peak demand times of different uses, and access to or promotion of other modes of transportation.

- b. Improving the environmental performance of projects and site design.
- c. Assurances of no impacts of parking overflow on adjacent areas.

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- ~~(a) The maximum height of buildings and structures shall be as set out in the standard requirements of the equivalent district.~~
- ~~(b) The intensity of land use, bulk of buildings, the concentration of population, the amount of open space, light and air, shall be generally equal to that required in the equivalent district.~~
- ~~(c) The density of residential dwelling units, the parking requirements and the performance standards shall be the same as in the equivalent district.~~
- ~~(d) The permitted uses shall be the same as those permitted in the equivalent district provided that limitation may be placed on the occupancy of certain premises, if such limitation is deemed essential to the health, safety or general welfare of the community.~~
- ~~(e) The planning commission may require assurance of the financial and administrative ability of any agency created by a developer for the purpose of maintaining common open space and facilities of a nonpublic nature.~~
- ~~(f) The planning commission and city council may, in the process of approving preliminary and final plans, approve deviations from the standard requirements as follows, provided any deviation so approved shall be in keeping with accepted land planning principles and must be clearly set out in the minutes as well as on exhibits in the record:
 - ~~(1) Setbacks of buildings and paved areas from a public street may be reduced to 50 percent of the standard requirement;~~
 - ~~(2) Setbacks of buildings from a property line other than a public street, may be reduced to 60 percent of the standard requirement and setbacks of paved areas adjacent to property lines, other than street lines, to zero if existing or proposed development on said adjacent land justifies the same; Side yards between buildings may be reduced to zero;~~
 - ~~(3) The foregoing deviations 1 through 4 may be granted by the planning commission and city council only when compensating open space is provided elsewhere in the project, where there is ample evidence that said deviation will not adversely affect neighboring property nor will it constitute the mere granting of a privilege.~~~~
- ~~(g) The design of all planned projects, whether residential, commercial or other, shall be such that access and circulation by fire fighting equipment is assured and not hindered by steep grades, heavy landscaping or building spacing.~~

19.24.020. PROCEDURES.

The procedure for zoning land to a planned district ~~shall be as set out in chapter 19.52.~~ is the same as required for rezoning of property in Section 19.52, except each planned district shall be supported by the following planning documents.

- (a) **Community Design Plan.** A community design plan integrates a project or multiple projects into the broader context. This plan is generally on the scale of between 10 and 40 acres, but at least the scale to address adjacencies and relationship of proposed development to the surroundings. For large-scale master planned or redevelopment projects, the community design plan will establish the context through development. For smaller scale planned districts under 10 acres or project plans for infill development, the community design plan will involve analysis of existing conditions outside of the planned district and at least 500 feet beyond any proposed project plan. The community design plan shall address the following, whether existing or newly proposed with the project:
- (1) Street and block layout.
 - (2) Streetscape design, and distinctions in different street types
 - (3) Access and circulation within any blocks and development parcels, including vehicle and pedestrian access.
 - (4) Open spaces, and distinctions in different open space types based on size, scale, and design and landscape characteristics.
 - (5) General land uses and intensity of development, and transitions between land uses considering categories and types of uses, and the scale of lots and buildings attributed to each use
 - (6) Infrastructure capacity and improvements, including stormwater management. Studies or reports on the impact of public facilities associated with the community design plan or any specific project plan shall be provided and coordinated with the city's capital improvement plans.
- (b) **Project Plan(s).** Project plans provide specific designs for projects, sites, and buildings within the community design plan. These plans are generally on a scale of less than 4 acres or may be as simple as a site plan for smaller applications of planned districts. Larger planned districts or phased projects may have multiple project plan(s), however preliminary project plans shall be submitted for any area to be zoned "-P." Project plans shall address the following:
- (1) Specific building types permitted for the designated area, including scale and format, and identifying any deviations from the base zoning district standards.
 - (2) Frontage designs demonstrating the orientation and relationship of all buildings to the public streets, internal circulation areas, or other public or common open spaces.

Commented [CB22]: Replace current procedures with a two tiered system of specific scale of plans.

1. Community Design Plan. Establishing the context and urban design features of a particular area - whether newly built or existing within infill applications - including transitions within the area and to surrounding areas.

2. Project Plans. Indicating how specific development will fit within the plan, and what deviations (if any) are proposed and why.

3. Narrative. Explaining how each plan meets the intent of this section (or base district(s) intent) and the criteria for planned zoning applications.

- (3) Building design plans demonstrating the scale, massing, and design character of all proposed buildings. While final design and elevations are not required at this stage, general parameters on the character, style, design themes, and types of materials and architectural features shall be provided.
 - (4) Land and building uses permitted for each designated area to the extent they differ from any of the uses permitted in the base district in terms of scale, format, or operational characteristics.
 - (5) Access, circulation, and parking addressing how the project(s) will fit within the development patterns and access and circulation of the larger scale community plan.
 - (6) Landscape and streetscape designs for all development sites and common areas that meet or exceed the Site Plan criteria in Chapter 19.32 Site Plans, and Chapter 19.47, Landscape Standards.
- (c) **Project Narrative.** The project narrative shall justify why the project is eligible for planned zoning designations. It shall include statements or analysis on the following:
- (1) How the proposed planned zoning meets the intent and criteria in Section 19.24.025, and the rezoning factors in 19.52.030.
 - (2) How the project plans integrate with the community design plan, and other public benefits supported by the project plans or community design plans.
 - (3) Identify all specific deviations from the base zoning district standards and include why those deviations are justified based on the plans and criteria of this chapter.

19.24.025. CONFORMANCE TO COMPREHENSIVE PLAN CRITERIA.]

In the consideration of a change to a planned zoning district the planning commission and city council shall determine whether the proposal conforms to master plans, special studies and policies normally utilized in making zoning decisions in Prairie Village. In addition, the factors to be considered for rezoning in Section 19.52.030, planned zoning decisions shall be subject to the following additional criteria:

- (a) The plan reflects generally accepted and sound planning and urban design principles with respect to meeting the goals of the comprehensive plan and the purposes and intent of the zoning ordinance in Section 19.01.010.
- (b) The flexibility offered by planned zoning is not strictly to benefit the applicant or a single project, but provides other benefits to the community or supports plans and policies in an equal or better manner than the base district standards
- (c) The proposed deviations to the standards do not undermine the intent of any other standards relative to the proposed projects or relative to adjacent property.

Commented [CB23]: Supplemented with specific criteria in addition to the standard rezoning considerations. This targets flexibility granted to broader planning policies or design goals.

The sections following [030,035, and 040] can all be deleted since they are either redundant of what is required by all rezoning applications in Chapter 19.52 or are clarified by these 3 supplemental criteria. Additionally, details of the plan submittals should be removed from the code and are best addressed by application forms managed by the City Clerk.

19.24.030. REZONING PROPERTY TO A PLANNED ZONING DISTRICT.

~~A tract of land may be zoned RP-1a through CP-2 inclusive only upon application by the owner or his agent, and only upon approval of a preliminary development plan. The proponents of a planned district shall prepare and submit to the city clerk the required copies of:~~

- ~~(a) A preliminary development plan showing the property to be included in the proposed development, plus the area within 200 feet thereof.~~
- ~~(b) The following items shall be included on the property to be developed:
 - ~~(1) Existing topography with contours at five foot intervals and delineating and land areas subject to 100-year flood.~~
 - ~~(2) Proposed location of buildings and other structures, parking areas, drives, walks, screening, drainage patterns, public or private streets and any existing easements;~~
 - ~~(3) Sufficient dimensions to indicate relationship between buildings, property lines, parking areas and other elements of the plan;~~
 - ~~(4) General extent and character of proposed landscaping and screening.~~~~
- ~~(c) The following items shall be shown on the same drawing within the 200-foot adjacent area:
 - ~~(1) Any public streets which are of record;~~
 - ~~(2) Any drives which exist or which are proposed to the extent that they appear on plans on file with the city, except those serving single family houses;~~
 - ~~(3) Any buildings which exist or are proposed to the extent that their location and size are shown on plans on file with the city. Single and two family residential buildings may be shown in approximate location and general size and shape;~~
 - ~~(4) The location and size of any drainage structure such as culverts, paved or earthen ditches or stormwater sewers and inlets.~~~~
- ~~(d) Preliminary sketches depicting the general style, size and exterior construction materials of the buildings proposed. In the event of several building types, such as apartments and townhouses are proposed on the plan, a separate sketch shall be prepared for each type. Such sketches shall include elevation drawings, but detailed drawings and perspectives are not required.~~
- ~~(e) A schedule shall be included indicating total floor areas, number of dwelling units, land area, parking spaces, and other quantities relative to the submitted plan in order that compliance with requirements of this title can be determined. If the project is to be constructed in phases, the proposed sequence shall be indicated.~~

19.24.035. PLANNING COMMISSION ACTION.

~~The planning commission shall hold one or more public hearings on the plan as provided in this chapter. Upon conclusion of the public hearing or hearings, the planning commission, by a majority of members present and voting, shall recommend approval, approval subject to conditions or denial to the city council.~~

19.24.040. CITY COUNCIL ACTION.

~~Upon final approval of the preliminary plan and the rezoning of the property by the city council, final plans for construction of the project may be submitted for approval. Permits for construction shall not be issued until final plans have been reviewed and approved by the planning commission. It is the intent of this chapter that the project as constructed shall conform closely with the preliminary plans reviewed and approved at the time of the public hearing. Final plans for a project or a portion thereof shall not be approved if one or more of the following conditions, in the judgment of the commission, exist:~~

- ~~(a) Final plans vary substantially from the concept of the development plan presented and agreed to at the time of rezoning;~~
- ~~(b) The final plans would increase the density or intensity of residential uses more than five percent;~~
- ~~(c) The final plans would increase the floor area of nonresidential buildings by more than ten percent;~~
- ~~(d) The final plans would increase by more than ten percent the ground covered by buildings or paved areas;~~
- ~~(e) The final plans would increase the height of a building by one or more stories or four or more feet;~~
- ~~(f) The final plans involve changes in ownership patterns or stages of construction that will lead to a different development concept, less architectural harmony or quality, or impose substantially greater loads on streets and neighborhood facilities;~~
- ~~(g) The final plans vary from specific development criteria that may have been adopted by the planning commission or city council at the time the preliminary development plan and rezoning were approved.~~

~~Variations between the preliminary and final plans, which do not, in the judgment of the planning commission, violate or exceed the above seven criteria, shall be approved by the planning commission in its administrative role and no public hearing shall be required. If, however, variations and departures from the approved preliminary plan exceed the above criteria or are sought by the developer or other party at the time of final plan review or building permit application, the applicant shall request an amendment to the plan which shall be handled in the same manner as the approval of the original preliminary plan.~~

19.24.030 EFFECT OF DECISION

Approval of a planned zoning district by the City Council shall rezone the property as provided in Chapter 19.52. Property subject to the planned zoning (“-P”) designation is required to receive a site plan approval according to Chapter 19.32 prior to issuance of any permits.

- (1) Project plans that meet all submittal requirements and criteria for site plan approval in Chapter 19.32 may be considered a site plan if designated as a site plan prior to the application and processed as a simultaneous site plan by the city.
- (2) Subsequent site plans shall be reviewed for consistency with the community design plan and project plans. Minor deviations from these plans may be approved by the Planning Commission through the site plan process provided they are determined to be due to refinement and greater design specification of concepts approved in the prior plans, and they otherwise permitted subject to base zoning district standards. The staff or Planning Commission may determine that any change is a significant change and require an amendment to the Planned Zoning District according to the same procedures of the initial designation. The following changes are not minor deviations and shall require processing as an amendment to the Planned Zoning District:
 - (a) An increase in the number of residential units by more than 5 percent
 - (b) An increase in the non-residential floor area by more than 10 percent
 - (c) An increase in building height by more than 10 percent
 - (d) An increase in the lot coverage or reduction in the open space by more than 10 percent
 - (e) Any change in the character, style, design themes of proposed buildings that result in a significantly different appearance or coordination with surrounding characteristics from what was approved in the project plans.
 - (f) Other changes that do not meet the base district standards or other applicable zoning standards, and which were not expressed as a deviation.

Commented [CB24]: Added to emphasize relating to the site plan and how potential deviations from the Council final planned zoning decision and any future site plans or site plan amendments will be evaluated.

Commented [CB25]: These correspond to the current site plan modifications in 19.32.040, but are adjusted for relevance to planned district applications

19.24.045035. RECORDING OF APPROVAL.

After rezoning to a planned district has been approved there shall be filed with the register of deeds a statement that a plan for the area has been approved. The statement shall specify the nature of the plan, the proposed density or intensity of land uses and other pertinent information sufficient to notify ~~and any~~ prospective purchasers or users of land of the existence of such plan and any constraints thereon. The landowner shall submit this statement to the city clerk with the appropriate recording fee and the city shall be responsible for recording the statement.

[Insert for draft section 19.23.015 MXD Development Standards. This table establishes “default” standards for development plans; they can be modified for specific development plans and contexts, but the greater the modification the greater scrutiny and emphasis on border community benefits through the planned development process. This is an alternative to the current approach where the MXD and Planned Zoning standards are open to whatever an applicant chooses to propose.]

Building Types	# of Units	Lot Standards [1]				Building Standards			
		Area (s.f.)	Width	Building Coverage (max)	Green Space (min.)	Height (max)	Setbacks (min.)		
							Front	Side	Rear
Detached House – Large Lot	1	10K +	80' +	30%	60%	35' 2.5 story	30'	7'	25'
Detached House – Standard Lot	1	6K – 10K	60' +	30%	60%	27' 2 story	30'	6'	25'
Detached House – Small Lot	1	3K – 6K	30' – 50'	50%	30%	22' 1.5 story	15' – 30'	5'	25'
Attached House	2 - 4	6K – 15K 3K / unit	60' -125'	40%	40%	35' 2.5 story	15' – 30'	7'	25'
Townhouse	3-8	1.2K / unit 15K total max	14' / unit min.; 125' total max	65%	20%	40' 3 story	15' – 30'	10' [2]	15'
Live - Work	1-6	2K / unit 15K total max	20' / unit min. 125' total mx	65%	20%	40' 3 story	15' – 30' [3]	6' [2]	15'
Apartment / Mixed-use – Small	3-12	6K – 0.5 ac.	60' – 125'	65%	20%	40' 3 story	15' – 30' [3]	10'	15'
Apartment / Mixed-use - Medium	< 40	0.5 – 1.5 ac.	125' – 250'	65%	20%	50' 4 story	15' – 30' [3]	15' [1]	15'
Apartment / Mixed-use - Large	40 +	1.5 – 3 ac.	250' +	65%	20%	50' 4 story	15' – 30' [3]	20' [1]	15'

* Where standards are expressed as a range (i.e. 10' to 30') it shall be interpreted as a minimum and a maximum, and the requirement shall fall within that range.

[1] Projects with multiple buildings in a single-ownership complex may consider each building and development site as a “lot” for interpreting the development standards, provided the building and development sites are organized around a system of internal streets, lanes, and common spaces and buildings are oriented to these spaces as they would public street frontages.

[2] Townhouses and live/work buildings may have a 0' interior side setback when built subject to party wall specifications according to the building code.

[3] Buildings with ground level commercial uses may be located 0' to 15' from the front lot line when they front on pedestrian-oriented streets where specified in the Community Design Plan.

19.23.020. MIXED-USE AND MIXED-DENSITY DESIGN GUIDELINES.

[new section – rewrite of previous detailed standards to be used as more flexible guidelines, based on the direction of the Planning Commission at the 2/6/24 meeting]

- (a) *Design Objectives.* The design objectives of the mixed-use and mixed-density design guidelines are to:
- (1) Establish or reinforce the unique character of Prairie Village in mixed-use activity centers or mixed-density neighborhoods.
 - (2) Promote building and site design that enhances neighborhood streetscapes, mixed-use pedestrian streets, and active community spaces.
 - (3) Maintain the existing scale and patterns of neighborhoods and ensure compatible transitions between neighborhoods, corridors, and activity centers.
 - (4) Manage the relationship of adjacent buildings and promote compatible transitions within development projects or between development projects and established adjacent areas
 - (5) Enhance the quality, aesthetic character, and visual interest within neighborhoods and activity centers by breaking down larger masses and incorporating human scale details and ornamentation.
 - (6) Organized mixed use development and mixed-density residential projects around a system of internal streets and open spaces that extend the quality and character of public streetscapes and open spaces into development projects.
- (b) *Applicability.* These mixed-use and mixed-density design guidelines shall be applicable to the following situations:
- (1) Any rezoning to the MXD district, or any development or redevelopment within MXD districts.
 - (2) Rezoning to any planned zoning district using the MXD standards as a basis (i.e. RP-2, RP-3, RP-4, CP-0, CP-1, or CP-0).
- (c) *Community Design Plan and Guidelines.* A community design plan is required for all planned developments according to Section 19.24.020, whether establishing the context and patterns for larger scale projects, or analyzing existing conditions and transitions to surroundings for smaller scale projects. Community Design Plans should meet the following guidelines.
- (1) *Public & Common Space.* Approximately 30% to 40% of the total plan area should be public or common spaces, including streets, open space, or other common areas that serve as organizing elements for surrounding development.
 - (2) *Blocks & Parcels.* Public and community spaces should be arranged to organize development into blocks and parcels. Blocks and parcels should be between 2 to 5 acres for mixed-use or non-residential development and between 5 to 8 acres for residential development.
 - (3) *Streetscapes.* Public streets and internal private streets should incorporate the following elements:
 - a. Slow-speed travel lanes that balance vehicular movement with pedestrian and bicycle accommodations.
 - b. On-street parking which minimizes the need for redundant on-site parking and buffers people from moving traffic, particularly in mixed-use or non-residential areas.
 - c. Landscape amenity zones that create comfortable spaces including street trees, landscape beds, and street furniture or other civic features in mixed-use or non-residential areas.
 - d. Sidewalks between 5 to 8 feet in residential areas, and between 8 and 12 feet in mixed use or commercial areas (in addition to space in the amenity zone).

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- e. Bicycle facilities or trail connections where applicable based on city-wide plans or other opportunities to connect to important routes in the vicinity.
- (4) *Open & Civic Spaces.* Open spaces should be distributed throughout the plan so that all sites are within walking distance (approximately ¼ mile) of at least one type of open space. Open spaces should include a mix of formal, recreation, and natural landscape areas incorporating the following types:
- a. Formal spaces, such as patios, plazas, or courtyards designed for gathering and located at key focal points in mixed-use or non-residential areas.
 - b. Green spaces such as parks, trails, or greens that serve aesthetic and recreation needs of residential areas.
 - c. Natural areas or dense vegetation that capitalize on existing features of the area or are located strategically to create effective transitions between different scales or intensities of development.
- (d) *Project Plans & Guidelines.* A project plan is required for each development site, parcel, or block in the community design plan, except where the community design plan includes existing and established areas. Project plans shall specify the form, arrangement, and design of development in relation to the community design plan. Each project plan should meet the following guidelines.
- (1) *Frontage Design.* Frontage design determines the relationship between private development and the public or common areas a project fronts upon. Frontage design should incorporate the following elements.
- a. *Building Placement.* Consistent front building lines should be established along all block faces. Buildings should be placed between 0 and 15 feet of the front lot line on pedestrian oriented streets, and between 15 and 30 feet of the front lot line on neighborhood streets.
 - b. *Vehicle Access.* Driveways should be coordinated on each block face to minimize interruptions in the streetscape. Alleys, common lanes with cross access easement, shared drives, or narrow drives to the interior of the block should be used, particularly on smaller and narrow lots.
 - c. *Pedestrian Access.* All lots and buildings shall have direct access to the sidewalks within the streetscape, or to any other common spaces that the building or lot fronts upon.
 - d. *Parking and Garage Location.* Parking, garages, or other vehicle access and service areas should be located to the interior of blocks and screened by buildings or landscape areas. Parking lots or structures serving multiple lots or blocks may be located at more central locations if designed to minimize impacts on streetscapes or other important open spaces based on the community design plan.
 - e. *Landscape.* Frontages should have enhanced landscape design to coordinate streetscape design and transition from public and common areas to private spaces.
- (2) *Building Design.* Building design refines the form and scale of buildings beyond the basic setback, height and lot coverage standards, and can be used to create interest and diversity within a common range of compatible buildings. Building design should incorporate the following elements.
- a. *Massing.* Relate buildings to adjacent development by mimicking similar massing and proportions through step-backs and secondary masses that break larger building volumes into smaller components.
 - b. *Articulation.* Use windows, doors, material changes, and architectural features to create variation, depth, texture, and human-scale details for building facades, particularly on larger wall planes and fronting streetscapes or common areas.
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- c. *Transparency.* Use the placement of windows and doors to create connections to important outside spaces, including streetscapes, frontages, and common areas. More frequent entrances and larger window expanses should be used on the ground level of mixed-use or non-residential buildings, particularly on pedestrian-oriented streets or active outdoor spaces.
- (3) *Site Design.* The placement and design of buildings, open space, and frontages should emphasize active building and open space elements and minimize the visibility or impact of other site components. Site design should meet the following guidelines.
- a. Design the required lot and building open space to relate building and lot frontages to the streetscape, and to create active outdoor social spaces in relation to the building.
 - b. Screen and/or use remote locations for high-intensity and/or utilitarian components of site or building, such as utilities, trash enclosures, or mechanical equipment
 - c. Stormwater facilities, storage areas, and parking or loading areas should be limited, located internal to the block, or otherwise located and designed to minimize impact on the streetscape design.
 - d. Use screens and buffers where it is not possible to better relate site utility elements or high impact areas to adjacent sites, buildings, and uses.
- (e) *Exceptions.* The Planning Commission may grant exceptions to the mixed-use and mixed-density guidelines in this section 19.23.020 through the planned development or site plan review process, based upon the following criteria:
- (1) The exception shall only apply to the design standards in this section, and not be granted to allow something that is specifically prohibited in other regulations.
 - (2) Any exception dealing with the placement of the building is consistent with sound planning, urban design and engineering practices when considering the site and its context within the neighborhood.
 - (3) Any exception affecting the design and massing of the building is consistent with the common characteristics of the architectural style selected for the building.
 - (4) The requested exception improves the quality design of the building and site beyond what could be achieved by meeting the guidelines - primarily considering the character and building styles of the neighborhood and surrounding properties, the integrity of the architectural style of the proposed building, and the relationship of the internal functions of the building to the site, streetscape, and adjacent property.
 - (5) The exception will equally or better serve the design objectives stated in section 19.23.020(a), and the intent stated for the specific guideline being altered, or is based on specific concepts and plans approved in the planned development review

[This document includes non-substantive changes to other sections of the code that correspond to changes in sections reviewed and discussed in the Planning Commission discussion drafts.]

[The first set of changes are from Chapter 19.02 Definitions and deal with definitions of dwellings or residential building types. They changes are either for (1) reorganization / renumbering to group them all under subsets of “dwellings”; (2) to be consistent with other changes or more modern terms, but with no substantive changes; and/or (3) to align with the building type approach proposed in the new MXD district standards. The edits below reflect the number and order they would appear in the edited version, and not the current Section 19.02.]

~~19.02.040. APARTMENT BUILDING, GARDEN.~~

~~Garden apartment building means an apartment building having two living levels above grade and each unit having maximum exposure to outside light and air. Buildings with double loaded center hallways are not considered garden apartments. Landscaped open space is provided adjacent to each building including a reasonable amount of usable outdoor recreational area.~~

~~19.02.045. APARTMENT HOUSE.~~

~~Apartment house means a building arranged, intended or designed to be occupied by three or more families living independently of each other.~~

~~19.02.130. COMMON WALL DWELLING.~~

~~Common wall dwelling means a building other than a condominium, designed for occupancy by more than one family, each family occupying a dwelling unit separated from the abutting units by a vertical wall extending at least the height of the dwelling unit. Such building shall be designed so that each dwelling unit may be owned in fee, the ownership to extend to the outside surface of exterior walls and to the centerline of common or party walls. A tract of land may be conveyed in fee concurrent with the sale of the dwelling unit, such tract to normally include at least the area covered by the dwelling unit plus rights of access or easement to other portions of the premises or to a public street.~~

~~19.02.135. CONDOMINIUM DWELLING HOUSE.~~

~~Condominium dwelling house means a building containing two or more dwelling units, which dwelling units are separated by a party wall and which dwelling units are designed and intended to be separately owned in fee under the condominium statutes of the state.~~

19.02.200. DWELLING.

Dwelling means a building or portion thereof, designed exclusively for residential occupancy, including one family, two family and multiple dwellings, [mixed-use dwellings](#), and boarding and lodging houses, ~~and apartment houses~~, but not motels, hotels, mobile homes or manufactured homes.

19.02.035-205 DWELLING, APARTMENT.

Apartment means ~~a room or suite of rooms within an apartment house, arranged, intended or designed for a place of residence as a single housekeeping unit~~ a residential building type designed for multiple dwelling units. Variations of this building type are based on the standards for scale and format, including lot size, building footprint, height, and/or number of dwelling units resulting in small, medium, or large apartment buildings.

19.02.208 DWELLING, ATTACHED HOUSE.

Attached house means a small-scale residential building type that includes 2 to 4 dwellings that may be joined in a variety of configurations, including combinations of side-by-side, front-back, or up-down configurations. It is distinguished from a townhouse or a small apartment as it maintains the appearance and scale of a single detached house, despite having multiple units, and is distinguished from a duplex as it may have more than 2 units.

19.02.205210. DWELLING, MULTIPLE.

Multiple dwelling means a building or portion thereof, arranged, intended or designed for residential occupancy by three or more families, including attached houses, townhouses, and apartment houses, ~~garden apartments and townhouses.~~

19.02.212. DWELLING, RESIDENTIAL MIXED-USE. Residential, Mixed-use means a building used for non-residential and residential purposes where the non-residential uses occupy the ground level or street-front portions, and residential uses are located on upper levels above the non-residential, or on lower levels behind the non-residential uses. The buildings have a similar scale and format as attached houses or apartment buildings, other than the portions design for non-residential uses (see *Live-Work or Mixed-use Building Types*).

19.02.215214. DWELLING, SENIOR ADULT.

Dwelling, senior adult means a building containing one or more living units which building and units are designed for exclusive occupancy by persons 55 years of age or older who are in generally good health. This type of residence does not contemplate continuous health care services but may include a resident nurse. Units may be in the form of complete apartments and/or may provide common dining and recreational facilities and activities.

19.02.210215. DWELLING, SINGLE-FAMILY.

Single-family dwelling means a building arranged, intended or designed for residential occupancy by one family; [also referred to as a detached house](#).

19.02.490218. DWELLING, TOWNHOUSE.

Townhouse means a [residential](#) building containing more than one dwelling unit with such dwelling units being separated by [foundation to roof](#) common walls as opposed to one unit being over another, [and each maintaining a private entrance on the building front. This configuration may allow platting and individual ownership of the building and underlying lot.](#)

19.02.220. DWELLING, TWO FAMILY.

Two family dwelling means a building arranged, intended or designed for residential occupancy by two families; [also referred to as a duplex](#).

[The next set of changes are other related sections.]

19.04.005. DISTRICTS DESIGNATED.

In order to designate districts for the purposes of this title, the city is divided into the following zoning districts:

- District R-1a, single-family residential district;
- District R-1b, single-family residential district;
- District R-2, two family residential district;
- District R-3, ~~garden~~-apartment district;
- District R-4, ~~condominium or common wall~~-[mixed](#) dwelling ~~house~~ district;
- District RP-1a and RP-1b, planned single family residential district;
- District RP-2, planned two family residential district;
- District RP-3, planned ~~garden~~-apartment district;
- District RP-4, planned ~~condominium or common wall~~-[mixed dwelling](#) district;
- District C-0, office building district;
- District C-1, restricted business district;
- District C-2, general business district;
- District C-3, special use business district;
- District CP-0, planned office building district;
- District CP-1, planned restricted business district;
- District CP-2, planned general business district.

District MXD, planned mixed use district

19.18.010. - PERFORMANCE STANDARDS.

The following standards shall apply in District C-1:

- (a) No wholesale sales shall be conducted;
- (b) No merchandise or equipment shall be stored or displayed outside a building and no sales shall be conducted from a truck or other temporary vehicle or structure except as may be permitted in chapter 19.34;
- (c) All products shall be sold and all services rendered inside a building except that banks and savings and loan establishments may have a walk-up service and, if approved as a conditional use in accordance with chapter 19.30, a drive up service;
- (d) No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced;
- (e) Restaurants wherein alcoholic, wine and cereal malt beverages are sold for consumption on the premises provided that more than 50 percent of the total income of the restaurant is derived from the sale of food consumed on the premises. At the time of application for an annual liquor or cereal malt beverage permit, the applicant will submit a sworn statement that more than 50 percent of the income has and will in the future be derived from the sale of food. The business operation will not produce noise and commotion that may adversely affect the neighboring property and the premises will be maintained and managed to a level equal to that, which prevails in the neighborhood.

(f) Residential uses shall be limited to dwelling units on upper stories above ground level commercial uses, or less than 50% of the ground floor and located behind ground-level commercial uses.

19.20.010. - PERFORMANCE STANDARDS.

The following performance standards shall apply in District C-2:

- (a) No noise, smoke, radiation, vibration or concussion, heat or glare shall be produced that is perceptible outside a building, and no dust, fly ash or gas that is toxic, caustic or obviously injurious to humans or property shall be produced;

- (b) Other merchandise which may appropriately be displayed or stored outside a building shall be kept off the public sidewalk or streets, shall not reduce the capacity of a parking lot below that required by this title, and shall not occupy an area greater than 20 percent of the ground floor area of the building, and no sale shall be conducted from a truck or other temporary vehicle or structure except as may be permitted in chapter 19.34;
- (c) Restaurants wherein alcoholic, wine and cereal malt beverages are sold for consumption on the premises provided that: more than 50 percent of the total income of the restaurant is derived from the sale of food consumed on the premises; at the time of application for an annual liquor or cereal malt beverage permit the applicant will submit a sworn statement that more than 50 percent of the income has and will in the future be derived from the sale of food; the business operation will not produce noise and commotion that may adversely affect the neighboring property and the premises will be maintained and managed to a level equal to that which prevails in the neighborhood.
- (d) Residential uses shall be limited to dwelling units on upper stories above ground level commercial uses, or less than 50% of the ground floor and located behind ground-level commercial uses.

19.22.040. RESIDENTIAL BUILDINGS.

Any residential building constructed or located in District C-3 shall comply with height, yard, area regulations, and impervious coverage of the district corresponding to that dwelling type: Single family dwellings and group homes shall comply with District R-1; two family dwellings shall comply ~~with District R-2;~~ garden apartment multiple dwelling buildings shall comply with District R-3.

19.36.005. - RESTRICTED USES.

- (a) No temporary or uncompleted building, garage, or appurtenances incident to a family dwelling shall be erected, maintained or used for residence purposes. However, it is provided that when the exterior and more than 50 percent of the interior of a permanent residence has been completed at the time of adoption of this title, this regulation shall not apply.
- (b) No temporary or outwardly incomplete building or structure, no open excavation for a basement or foundation, and no building or structure so damaged as to

become unfit for use or habitation shall be permitted, maintained or remain in such condition for more than six months.

- (c) No building material, construction equipment, machinery or refuse shall be stored, maintained or kept in the open upon any lot, tract or parcel other than in such districts as permitted in this title, except during actual construction operations upon said premises or related premises; provided that the Board may waive said requirement in unusual cases for a limited time.
- (d) No building, structure or premises shall be used for, or occupied by any of the following uses:
 - (1) Junkyard, junk storage, salvage yard, auto wrecking;
 - (2) Auto courts, ~~row houses~~, trailer camp, tourist cabins, mobile homes;
 - (3) Slaughterhouse, commercial poultry dressing or processing establishment where such use is primary and not incidental to a permitted use;
 - (4) Refuse dumps, dumps;
 - (5) Boardinghouse or lodging houses, exclusive of group homes.
- (e) The raising, storage, or handling of farm crops, the raising, feeding or keeping of farm animals, livestock or poultry, other than customary household pets or chickens as provided in chapter II, article I of the City Code, and the keeping or display of farm or other heavy equipment or machinery is prohibited in all districts.

ZONING UPDATE MEMO

TO: Prairie Village City Council
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: July 1, 2024 City Council Meeting

Summary

At the June 4, 2024 meeting the Planning Commission recommended the attached zoning ordinance updates to the city council for approval. This recommendation represented the culmination of the following Planning Commission discussions:

- October 25, 2022 – Introduction, comprehensive plan review, and approach to zoning updates ([meeting background](#))
- December 6, 2022 – Preliminary discussions, issues, and options ([meeting background](#))
- February 6, 2023 – Preliminary discussions and analysis of existing regulations ([meeting background](#))
- April 4, 2023 – Continued discussion and public forum approach ([meeting background](#))
- Public forums – June 22, 2023 and July 13, 2023
- August 22, 2023 – Work Session: Public forum summary and initial Planning Commission priorities. ([meeting background](#))
- October 3, 2023 – Concepts and strategies for zoning ordinance updates ([meeting background](#))
- December 5, 2023 – Initial discussion draft of zoning ordinance updates ([meeting background](#))
- February 6, 2024 – Revised draft zoning ordinance updates ([meeting background](#))
- May 7, 2024 – Public hearing completed for proposed zoning ordinance updates (decision tabled for further public comment) ([meeting background](#))
- June 4, 2024 – Discussion and recommendation of proposed zoning updates ([meeting background](#))

The City Council has had input into this process on three specific occasions:

- October 2022 – Acceptance of the Ad Hoc Housing Committee recommendations for topics that the Planning Commission and Council should consider.
- February 2023 – Amendment of the City Council's acceptance of the Ad Hoc Housing Committee recommendations, removing discussion of any potential R-1A and R-1B from the direction to the Planning Commission
- April 15, 2024 – Introduction of the Planning Commission's direction and status of draft updates

Planning Commission Priorities

At the August 22, 2023 meeting, and based on discussion of the public forum feedback and City Council direction, the Planning Commission established the following priorities for the zoning ordinance updates.

- R-2 district
 - Monitor if changes are needed to be a better transition between R-1 and R-3 districts, but no specific changes identified.
- R-3 and R-4 districts
 - Inventory some R-3 or R-4 properties to evaluate non-compliance with current district standards.
 - Consider updates to the code to reflect the scale and intensity of what is currently in this district.
 - Use “planned applications” or future rezoning to –P designations for any redevelopment of different types, patterns, or intensity.
 - Consider improvements in criteria, plan submittals, and process for future planned zoning applications for better expectations.
- C-O district
 - Target residential development that is more appropriate to the pattern and scale of mixed-use contexts to enable residential, rather than just default to R-1, R-2, and R-3 standards.
 - Enable “mixed-use” projects – i.e. residential in commercial buildings and subject to C-O development standards.
- C-1 and C-2
 - Allow “mixed-use” projects – i.e. residential in commercial buildings and subject to current C-1 and C-2 development standards.
 - Consider any residential only or larger-scale mixed-use redevelopment either through improved planned zoning processes and/or upgrades or through future rezoning to the MXD districts.
- MXD district
 - Improve criteria, plan submittals and future MXD development plan applications for better expectations.
 - Repurpose the MXD district to current needs – smaller-scale mixed-use projects and/or strategies infill / redevelopment of residential or mixed-use buildings in larger mixed-use contexts.

Key Strategies and Updates

Through review and discussion of preliminary and revised drafts at the October 2023, December 2023, and February 2024 meetings, the Planning Commission directed staff to incorporate the following strategies into the zoning ordinance updates. These reflect the key changes proposed from the current standards in the Planning Commission recommendation.

1. Hold the status quo in R-2, R-3 and R-4
 - a. Adjust R-3 minimum lot area per unit standard to be match existing conditions (2,250 s.f. per unit to 1,750 s.f. per unit).
 - b. Clear up conflicts / interpretation issues on lot coverage and impervious surfaces.
 - c. Add impervious surface coverage limits in R-2 (40%), R-3 (50%), and R-4 (50%) to be consistent with other districts.
 - d. Facilitate any new development or redevelopment through rezoning to “P-“ destinations with more specific planning parameters and review criteria.

2. Allow residential uses in all C- districts
 - a. Permit commercial buildings to have residential uses in C-O (currently residential uses only allowed subject to R-1A/B, R-2, or R-3 standards).
 - b. Permit mixed-use residential (upper floors / behind ground level commercial) in C-1 and C-2 districts.
 - c. Maintain current commercial building development standards (i.e. no changes in existing physical development standards – height, setbacks, etc.).

3. Improve the MXD district standards (planned district) with better criteria and more applicability to infill and existing situations.
 - a. Establish default building type standards and promote a broader range of small and moderate-scale building types.
 - b. Add mixed-use and mixed-density neighborhood design standards.
 - c. Utilize the improved planned development process (item 4 below) for any MXD rezoning applications.

4. Revise current planned development standards and procedures.
 - a. Improve planning parameters with 2 scales of plans – community plans to establish context, appropriate transitions, and broader community benefits; and project plans that integrate specific buildings into the context.
 - b. Establish criteria for plan approval and deviations from base district or default building types standards; Improve expectations / development parameters.
 - c. Use the MXD building type table (item 3.a above) to identify comparable and appropriate scaled building types when rezoning to “P-“ districts.

Additional Public Comment

Following the May 7, 2024 public hearing on the draft zoning updates, the Planning Commission asked people to submit any specific comments to staff. After the meeting staff collected public written comment via email. All comments received in this manner were sent to the Planning Commissioners on May 28, 2024 and included in the Planning Commission packet.

Staff reviewed and summarized these comments into the following 5 main points for the Planning Commission to consider. Each is addressed separately in detail below as it

relates to both the current standards (if nothing were to change) and the recommended amendments.

1. 3-story / 40 feet maximum building height.
 - The recommended regulations maintain the 2.5 story / 35-foot height limit in all base zoning districts.
 - The recommended regulations only accommodate buildings over 2.5 stories or 35 feet through a planned rezoning application, which is the same current process.
 - The current regulations have the following with regard to height limits in the planned zoning process.
 - MXD standards say “no height limit” and leave the regulated height to whatever is proposed and approved in a plan. [[19.23.015](#)]
 - The existing P- district standards have inconsistent terms regarding modification of building heights. [compare [19.24.015\(a\)](#)], [19.24.015\(f\)](#), [19.24.010\(c\)](#), and [19.24.040\(e\)](#)]
 - The recommended regulations address height in planned districts as follows:
 - MXD – establish height limits for specific building types, between 1.5 stories / 22 feet and 4 stories / 50 feet. [*draft 19.23.015 / Table 23.23.A*]
 - P- or MXD development plans have general criteria and guidelines for the location of buildings and relationship to adjacent areas. [*draft 19.24.020.(b)*, *19.25.025*, and *19.23.020*]
 - P- or MXD development plans have specific criteria for height deviations, whether from the base zone districts or the default MXD heights. [*draft 19.24.015(b)*]

Rationale & Considerations:

The direction by the Planning Commission was to give more guidance to potential applicants of P- and MXD district applications on what heights would be acceptable. The discussion centered around a community concern for out-of-scale building, but a principle that taller buildings could be appropriate in limited circumstances based on the context and design of any particular project. Therefore, some leniency on height was included for specific building types, planned zoning criteria directed at building heights were included for plans rezoning to MXD or P-, and specific criteria for deviations from height limits was added.

The recommended regulations are more restrictive on height limits than the current standards but include guidance and criteria for any buildings over 2.5 stories and 35 feet. If the upper limit of the MXD building types were reduced to 3 stories / 40 feet, it would not necessarily prevent a taller building from occurring through the planned zoning process, although it may reduce expectations on if, where, or how taller buildings could be approved (similar to the current situation). If the direction is that no building over 3 stories or 40 feet should be considered even in planned zoning applications, a

specific statement to that issue should be included in the zoning ordinance regardless of whether the recommended changes are made or the current standards are retained.

2. Minimum 30% Green Space

- There are no proposed changes to green space in existing base districts.
- Impervious surface limits are added in to the R-2, R-3, and R-4 (50% in R-3 and R-4, and 40% in R-2), so 50% and 60% uncovered or “green” space respectively that is currently not required. *[draft 19.10.015, 19.12.015, and 19.14.015]*
- The current planned development regulations have no specific guidance on green space or lot coverage, except objectives and intent statement that the open flexibility in development standards should result in more useable and better designed open space. *[19.23.005 and 19.24.010(d) and (e)].*
- The recommended planned districts have criteria for more community greenspace where there currently is none:
 - It recommends 30% to 40% of an entire area dedicated to public or common spaces, including streetscapes and open spaces. *[draft 19.23.020(c)(1) and 19.24.020(a)(4)]*
 - It recommends that all development be within ¼ mile of one type of open space incorporated into the project. *[draft 19.24.020(c)(4) and 19.24.020(a)(4)]*
 - It recommends a range of formal, green, and natural open spaces. *[draft 19.24.020(c)(4) and 19.24.020(a)(4)]*
- The recommended regulations maintain building coverage and green space standards on individual lots and parcels in addition to the community open space.
 - The recommended MXD building types have green space keyed to specific building types. Most are over 30% (i.e. 40% and 60%) but some are 20% as that is appropriate to that specific building type. *[draft 19.23.015 / Table 19-23.A]*
 - The recommended planned district regulations add specific criteria in deviations from green space, whether base zoned districts or default MXD building types, including larger common or green spaces at the community plan scale. *[draft 19.24.015(b)(1)]*

Rationale & Considerations:

The recommended regulations have stronger standards and criteria than the current ordinance with respect to public, common, and civic spaces, including green spaces. In many cases the default standards, planning criteria, and deviation criteria would result in required green space beyond 30%.

It is unclear how the request for 30% minimum green space should be applied (i.e. minimum for all building types, minimum for community-scale plans, or both), or how it should impact situations under the recommended regulations that require more than 30% greenspace. Additionally, it is not clear that 30% would assure the intent and design objectives are met, so it should still be supplemented with community- and

project-scale plans, and the ability to consider alternatives (both requiring more or less) based on context and design of specific spaces.

3. Minimum 30-foot setback

- There are no proposed changes to any setbacks in existing base districts.
- The current MXD district has no required setback and defaults to whatever is proposed and approved in a plan as the setback. [[19.23.030](#), [19.23.025](#), and [19.23.030](#)]
- The current P- district standards allow reduction in setbacks between 50% and 60% but without clear criteria or goals other than to signal that flexibility is appropriate based on a plan. [[19.24.015\(f\)](#)]
- The recommended MXD district has default setbacks for specific building types, where currently there are none. [*draft 19.23.015 / table 19-23.A*]
 - They are generally comparable to current R-2, R-3, and R-4 setbacks for each specific building type.
 - They allow less than 30-foot front setbacks, and up to 15-foot when buildings front on improved streetscapes or greenspace based on a community plan, and for building and lot types that should be rear- or alley-loaded to preserve quality neighborhood streetscapes. [*draft 19.23.020.(d)(1)a.*]
 - Building placement could be at 0' to 15' for buildings that would front on pedestrian-oriented streetscapes according to a community plan. [*draft 19.23.015 / table 19-23.A footnote 3 and 19.23.020.(d)(1)a.*]
 - Rear setbacks for some building types are recommended at 15-foot minimum for types that often require rear- or alley-loaded access to preserve streetscapes. [*draft 19.23.015 / Table 19.23.A and 19.23.020(d)(1).b*]
- Setbacks from development projects to existing developed areas are handled through the community plan and could involve buffers or other transitions beyond 30 feet. [*draft 19.23.020(c)(4)c.*]

Rationale & Considerations:

The recommended regulations have comparable standards as the current code with respect to setbacks, and also have stronger criteria and parameters for where, why, and how much setbacks should be deviated from based on a plan.

It is unclear how the request for 30-foot minimum setback should be applied (i.e. minimum front or rear for all building types, minimum perimeter separation, or both), or how it should impact situations under the draft regulations that would require more than 30-foot setback or separation. Additionally, it is not clear that a uniform 30-foot requirement would lead to better planning and development, better relationships of projects to adjacent areas, or more useable, productive, or attractive spaces between and around buildings. A default minimum 30-foot setback could undermine the goal of

more walkable, compact development forms for mixed-use and commercial settings on pedestrian-oriented streetscapes.

4. Remove residential uses from commercial districts.
 - The current ordinance does not allow residential uses in C-1 or C-2 zoning districts, but allows residential uses in C-O subject to either R-1, R-2, or R-3 standards. [[19.27.010](#) and [19.16.035](#)] This means:
 - A mixed-use building is not allowed, even in the C-O district despite allowing a mix of uses.
 - Residential projects in the C-O district will follow lower-density residential development patterns and building formats.
 - If mixed-use is to occur in existing C- districts it would require rezoning to a P- district or MXD.
 - The recommended regulations add residential uses as a permitted use in the C- districts, provided (1) it is limited to mixed-use buildings (so upper story or behind ground level commercial); and (2) there are no changes to the physical development standards in these districts (setbacks, heights, etc.). [*draft 19.16.020, 19.18.010(f), 19.20.010(e), and 19.27.010*]. This results in the following scenarios:
 - A residential use could be located in an existing building subject to meeting all applicable building permits and all other zoning ordinance requirements.
 - An existing building could be modified, or a new building constructed with a residential use if it meets all current standards (i.e. setbacks, 2.5 story / 35' height, etc.) and would require site plan review (requires neighborhood meeting, Planning Commission decision, and appeal option to City Council).
 - Any proposal for a new mixed-use building beyond the existing development standards or for residential-only buildings in the C-1 or C-2 districts would require rezoning to a P- district or MXD, as is the case now.

Rationale & Considerations:

The Planning Commission direction was to add residential uses as a permitted use in the C- districts within the above parameters to accomplish the following:

- Indicate that “mixed-use” is appropriate in commercial districts, based on the comprehensive plan policies.
- Ensure that no significant physical changes could result without a more detailed review and process.
- Allow commercial buildings in the C-O district to incorporate residential or be converted to all residential (since it already allows residential uses, but just not in commercial or mixed-use formats)

If the allowance for residential uses in C- districts is removed it will eliminate the indication that some mixed-use development is acceptable in the Activity Center areas of the comprehensive plan, and a rezoning action will be required. While this could constrain potential conversions of existing buildings in C-O to residential uses or

eliminate limited flexibility for uses in existing buildings in C-1 and C-2, it is likely that future mixed-use development would require rezoning to P- or MXD regardless.

5. Continuation of property owners' rights in rezoning.
 - There have never been any proposed changes to rezoning procedures in this process.
 - Rezoning procedures and how to balance community interests and property rights are set by state statute.
 - The city's ordinance currently follows state statutes, and we recommend continuing that practice. [[Chapter 19.52](#)]
 - The Planning Commission Resident Participation Policy – in place for over 20 years – goes beyond the statutes and requires neighborhood meetings for many applications, including rezoning and site plans. [[Resident Participation Policy](#)]

Rationale & Considerations:

We have not discussed, considered, or proposed any changes to procedures and would not recommend doing so.

Planning Commission Recommendation

Following review and discussion of the proposed draft, and with consideration of the above additional public input, the Planning Commission recommended approval of the initially proposed ordinance with specific minor wording and clarification changes.



COU2024-40: Consider approval of an agreement with KERAMIDA to develop a Community Climate Action Plan

RECOMMENDATION

Move to approve an agreement with KERAMIDA to develop a Community Climate Action Plan.

Background

In October 2021, the City of Prairie Village signed on to the City’s Race to Zero, a global campaign backed by the United Nations aimed at reducing global greenhouse gas emissions. The Cities Race to Zero is the city-specific campaign in which municipalities commit to carbon targets that align with the specific aspects of their communities. The pledge requires annual progress reporting through CDP.

In 2022, as part of the 2023 budget process, the City Council committed \$50,000 to implement a city-wide sustainability program. Following an RFP process, KERAMIDA was selected based on a strong understanding of Prairie Village’s needs, professional background and resources, breadth of consulting services able to be provided, and fees. For budgetary purposes, the scope of work was divided into two phases.

In 2023, KERAMIDA completed a municipal greenhouse gas inventory and outlined emission reduction pathways with strategies to meet the 2030 reduction targets, with the goal of net zero by 2050. The City Council adopted the municipal operations climate action plan in fall 2023.

The second phase of the sustainability program would expand the scope of the municipal climate action plan to include community-wide greenhouse gas emissions and reduction strategies. As part of the Cities Race to Zero, participating cities must set Science-Based Targets - measurable and actionable environmental targets that cover community-wide emissions, not simply municipal operations.

ATTACHMENTS

KERMAIDA Contract
Scope of services

PREPARED BY

Meghan Buum
Assistant City Administrator
June 5, 2024



Increasing our clients' profitability through smart consulting™

5/13/2024
KERAMIDA Proposal #P28897



Proposal

Community Climate Action Plan

Prepared for:

Meghan Buum
City of Prairie Village
Assistant City Administrator
913-385-4662
mbuum@pvkansas.com



KERAMIDA Inc. | (317) 685-6600 | (800) 508-8035
401 North College Avenue, Indianapolis, Indiana 46202
info@keramida.com | www.keramida.com

Dear Meghan Buom,

KERAMIDA appreciates the opportunity to submit this proposal to The City of Prairie Village, KS to provide Sustainability services.

KERAMIDA is a certified Women's Business Enterprise (WBE) that has been operating in the ESG (Environmental, Social, and Governance) space for over 30 years. We pride ourselves on our team of ESG experts, comprising more than 20 professionals with specialized knowledge in diverse fields, including data modelling, statistical analysis, corporate communication, project management, organizational training, report writing, scientific research, and community engagement. We have worked with industries and governments worldwide; our team's expertise enables us to offer a broad range of ESG services, including, but not limited to:

- Strategy
- Planning
- GHG Emission Accounting
- GHG Emission Verification
- ESG Data Assurance
- ESG Data Disclosure
- Annual ESG/Sustainability Reports
- Climate Transition Plans
- TCFD Analysis
- Grant Writing Consulting
- Climate Scenario Analysis
- Life Cycle Assessment
- Data Analytics
- Sustainability Management System Development
- Executive, Employee, and Supply Chain Training
- Energy Audits
- Supply Chain Management
- Regulatory Advisory Services

Thank you for taking the time to review our proposal. We are here to answer any questions or address any concerns you may have about our proposal. We appreciate your consideration of our submission.

Sincerely,



Ben Bira

Senior Sustainability Advisor



Nick McCreary

VP, Sustainability and Climate Change Services



PROJECT OVERVIEW

KERAMIDA worked with the City of Prairie Village ("PV" or the "City") to develop a Municipal Climate Action Plan in 2023. The goal of this project is to create a Community Climate Action Plan ("CAP"), expanding the scope of the Municipal Climate Action Plan to include community-wide greenhouse gas (GHG) emissions and reduction strategies. The Community CAP will maintain the same GHG reduction targets as the Municipal CAP, which aligns with the City's commitment to the Cities Race to Zero Climate Initiative. The KERAMIDA Project Team ("Project Team") will update the GHG inventory, develop additional reduction strategies, and engage with the community to create the Community CAP.

KERAMIDA proposes the following scope of work to develop a Community Climate Action Plan with the City of Prairie Village.

SCOPE OF WORK

We suggest the following approach to achieve project goals. However, we are open to discussing all aspects of the scope and working with the City to develop the most preferable approach.

Project Management

The KERAMIDA Project Director (PD) develop the scope of work and is responsible for the successful completion of all deliverables. The KERAMIDA Project Manager (PM) is responsible for executing the scope of work and all additional PM tasks including Kickoff Meetings, Progress Meetings, Client Communication, and Document Management.

Kickoff Meeting(s)

The PM will convene a Project Kickoff meeting before beginning any project work and will convene Task Kickoff Meetings before beginning work on a new task.

Project Kickoff Meeting

The goal of the Project Kickoff Meeting is to finalize the project scope, establish effective communication channels, and implement a comprehensive project organization framework. Furthermore, KERAMIDA will address the following topics during the Project Kickoff Meeting:

- Timeline
- Budget
- Meeting cadence
- KERAMIDA staff roles
- City staff roles
- Document management

Task Kickoff Meetings

The goal of Task Kickoff Meetings is to review and formalize the vision and objectives of the task, associated deliverables, staff roles, budget, and timelines.

Progress Meetings

The purpose of the Progress Meetings is to assess the project's progress, pinpoint any challenges, and allow for modifications to schedules and roles as needed. The PM will at least provide an update on active project tasks, the project timeline, and the project budget at all Progress Meetings. Additional agenda items can be added to Progress Meetings, as necessary. The PM will share meeting notes with the City after each Progress Meeting.

Client Communication

The PM will be the main point of contact between the Project Team and City. The PM will use email to communicate with the City and will save all communication. The PM will notify the City if another project staff member will be leading communication for a certain task. If additional meetings are required to complete a task the PM will notify the City and schedule a Technical Meeting with the necessary stakeholders.



Document Management

The PM will be responsible for managing all project documentation throughout the project's lifecycle. In coordination with the City, the PM will establish a Document Control System to define naming conventions, file structures, viewing permissions, and version control mechanisms to maintain consistency and ease of retrieval. All project documents and supporting data will be stored in a centralized and secure location (to be determined at the Project Kickoff Meeting). We will create a Document Register to serve as a master list of all project documents and their revisions. Regular backups will be performed to prevent data loss. All project documentation and data will be transferred to City at the conclusion of the project through cloud storage services and/or physical delivery.

Task 1: Greenhouse Gas Inventory Update

The Project Team will build on the municipal greenhouse gas (GHG) inventory to include community-wide emissions. The Project Team will develop a GHG data collection plan, complete the inventory, and develop an inventory maintenance plan to complete Task one. Task one will take nine weeks to complete¹.

1.1 GHG Data Collection Plan

The Project Team will develop a GHG data collection plan. The data collection plan will include:

- the GHG inventory assessment boundary and time period(s),
- a list of all necessary data to complete a BASIC level GHG Inventory² (we will use City Specific-data whenever possible), and
- a process for collecting each data including the responsible party and/or calculation methodology.

The Project Team will work with the City to finalize the collection plan before sending data requests to the identified responsible parties.

1.2 Community GHG Inventory

The Project Team will develop a community wide GHG Inventory using the data collected from the data requests. The Inventory will be completed in ClimateView³ and Excel. The Project Team will critically review any prior analyses to determine the relevancy of emission sources and the quality and type of data collected to conduct the calculations. Emissions will be categorized by sources (i.e., sectors and sub-sectors) and scope (i.e., Scope 1, 2, &3) and presented as CO₂, CH₄, N₂O, and metric tons of CO₂ equivalents.

1.3 GHG Inventory Maintenance Plan

In addition to the Community GHG Inventory, the Project Team will create a GHG Inventory Maintenance Plan. The purpose of the Maintenance Plan is to provide a resource for the City to follow when updating the GHG Inventory in future years. The Project Team will include all necessary data, data sources, and calculations. The Maintenance Plan will be customized based on the tool used to calculate emissions (i.e., ClimateView or Excel)

¹ This timeline assumes that data requests are returned to the project time on time

² The inventory will adhere to the standards set by the Global Protocol for Community-Scale Greenhouse Gas Inventories (GPC)

³ More information about ClimateView can be found in Appendix A



Task 2: Greenhouse Gas Reduction Measures

The Project Team will work with the City and community stakeholders to develop greenhouse gas reduction measures aligned with the City’s goal of climate neutrality by 2050.

2.1 Goals and Strategies

To develop goals and strategies for the CAP, KERAMIDA will organize the plan into categories. Once we have categories defined, we will create a goal for each category. Collectively the goals will align with the CAP’s goal of climate neutrality by 2050. We will work with the City, to develop strategies to accomplish each goal.

We propose to define a strategy as a shift from a high-carbon activity to a low-carbon activity while continuing to fulfill the need addressed by the high-carbon activity (see Figure 1). To quantify the impact of each strategy, we will break down each strategy to the activity level, at the activity level we will track operations and work (see Figure 2). Operations fulfill the need of the activity and are measured in units that capture the value created by the activity. Work represents the chemical or physical energy transformation required to deliver the operations. To perform work, resources must be consumed, almost always producing waste (e.g., GHG emissions, air pollutants, infrastructure damage, etc.).

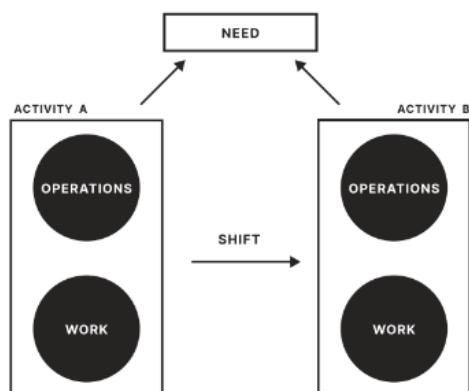


Figure 1

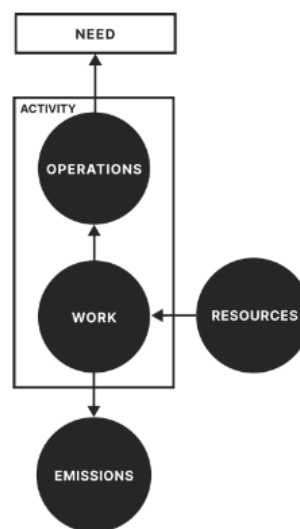


Figure 2

2.2 Actions

Activity shifts (i.e., strategies) cannot occur innately; actions are required to facilitate the shift from a high-carbon activity to a low-carbon activity. We propose developing actions that align with our methodology. We define actions as any intervention leading to an activity shift. Multiple actions will be required for each strategy and an action can influence multiple strategies, all of which is captured and quantified in ClimateView.

To develop actions for each strategy we will first work with the City to establish strategy targets. Targets should be expressed in units that the public can easily understand, however it is important that these align with the operational units of the activity being measured (i.e., number of commutes on a bike compared

to vehicle miles travelled). There are many ways to set targets, but we have found the most effective approach is backcasting. A forecasting approach starts with the present day and asks what might be possible, whereas backcasting defines a desired future state, and then determines the pace of change required to reach it (see Figure 3).

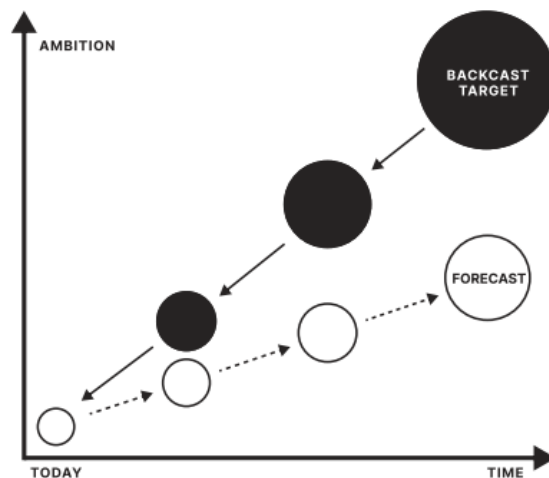


Figure 3

2.3 Community Climate Action Plan

The Project Team will provide assistance in writing the CAP. We will meticulously document the progress made throughout the process which will enable us to quickly put together a preliminary version of the plan. We will liaise with the City to eliminate the use of technical jargon, making the plan accessible to a wider audience. Nevertheless, the technical documents will be created and can be included as appendices or separate reports. Our in-house design team will ensure that the layout of the plan adheres to the visual guidelines established by the City. We will also work with the City to establish a plan review process. Based on our experience, we suggest that the City review an internal draft of the plan before public review.

Task 3: Community Engagement

KERAMIDA will engage with and inform various stakeholder groups throughout the entire project timeline. We will create a Stakeholder Engagement Plan prior to engaging with any subcommittee.

3.1 Stakeholder Engagement Plan

We will work with the City to develop a Stakeholder Engagement Plan that will outline our approach to engaging with and informing the numerous stakeholders in the City. All the following will be included in the plan, we can provide examples of each component listed below:

- Our strategy to engage City staff
- A visual brand and identity for the planning process. To achieve this, we plan to involve our internal marketing team in the process. Our team will use the City's Branding Guidelines, as well as other City plans, to create a unique identity for the plan.
- Our plan for developing a documentary style video that captures the planning process. We have developed similar videos for past projects, and the videos have been extremely effective tools for broadcasting the goals of the plan to a wider audience. All videography services are done in house by KERAMIDA professionals.
- A timeline of community engagement events. We will develop a menu of in-person engagement events including community workshops, open houses, and idea generation sessions. We will also develop a comprehensive strategy to engage the broad community through tools like virtual surveys, paper surveys, and social media.
- Our plan for developing and maintaining a webpage as a central repository of information and updates regarding the planning process. We have worked with clients in the past to develop webpages on a client site or host a separate project webpage.

3.2 Community Engagement Events

The Stakeholder Engagement Plan will outline the process for Community Stakeholder engagement. The dates and duration of the Community Engagement Events will be established once the project begins. The purpose of the Engagement Events is to create an opportunity for the community to provide feedback on the CAP.

PROPOSED TIMELINE & COST

KERAMIDA presents a proposed project cost and timeline based on staff availability and prior project experience. All cost figures are subject to negotiation before contract execution. The submittal dates are estimated and may be revisited throughout the project pending City approval. We acknowledge that the project cost and timeline are crucial aspects of the project, and we assure you that our team is committed to delivering within the stipulated time and budget.

Project Timeline

Task	# of Months after the Project Kick-Off Meeting											
	1	2	3	4	5	6	7	8	9	10	11	12
Task 1												
Task 2												
Task 3												

Deliverable Schedule and Cost

Tasks	Deliverable(s)	Submittal Date(s) ¹	Cost ²
Project Management			\$4,000
Task 1	1.1 GHG Data Collection Plan	2	\$10,000
	1.2 Community GHG Inventory	9	
	1.3 GHG Inventory Maintenance Plan	9	
Task 2	2.1 Goals and Strategies	12	\$24,000
	2.2 Actions	18	
	2.3 Community Climate Action Plan	21	
Task 3	3.1 Stakeholder Engagement Plan	4	\$12,000



	3.2 Community Engagement Events	TDB	
Total			\$50,000

¹ Submittal time is present as the number of weeks after the Project Kickoff Meeting (i.e., 1 week = 5 business days after the date of the Project Kickoff Meeting) unless otherwise noted.

² The project's cost is denoted as lump sum figures for each task. The PM is responsible for transmitting invoices upon completion of a task. Invoices will be sent at the beginning of each month, provided that one or more tasks were completed in the preceding month.

PROPOSED PROJECT TEAM

Ben Bira

Project Manager

Senior Sustainability Advisor

\$160/Hour

Bio

Ben Bira is a Senior Sustainability Advisor with previous experience as an attorney counselling clients on a wide variety of legal issues. Ben also previously managed the sustainability program for one of the largest health insurance companies in the United States. He received his Master of Science in Sustainability from St. Louis University prior to receiving his law degree. He holds a JD, MBA, Master of Science in Sustainability, and Bachelor of Science in Biochemistry. Ben lives in Lenexa, Kansas, just a short drive from Prairie Village and he will work with the Prairie Village team on all community engagement efforts.

Project Role

Project Manager for Task 2 and Task 3.

Nick McCreary

Senior Reviewer

Vice President, Sustainability and Climate Services

\$250/Hour

Bio

Nicholas McCreary, M.S., serves as Vice President, Sustainability & Climate Services and will be the Senior Reviewer on this project. Mr. McCreary focuses his sustainability practice on helping clients facilitate practical Climate Action Plans and sustainability strategy as well as achieving significant improvements in their sustainability reporting. Before joining KERAMIDA, Mr. McCreary was the Director of Sustainability for Creighton University in Omaha. At Creighton, he was the lead author and architect for the Creighton inaugural sustainability plan, developed a sustainability-focused internal grant fund, and launched a post-consumer composting program. Prior to Creighton, he served as the Sustainability Coordinator for Indiana State University, where he directed a multi-disciplinary committee to create ISU's Sustainability Plan. He is furthermore adept at convening stakeholders and soliciting community input. Mr. McCreary holds a Master of Science in Sustainability from St. Louis University and a Bachelor of Arts in Earth Sciences from DePauw University. He has two years of post-secondary teaching experience in environmental science and sustainability science. At KERAMIDA, Mr. McCreary focuses on advising clients on Climate Action



Planning, E.S.G. Strategy, Planning and Reporting, Energy Management, E.S.G. Assurance Services, E.S.G. Audits, and supporting the needs of Boards/Executives on E.S.G. strategy and education issues.

Project Role

Senior Reviewer for the overall project

Maddy Williams

Senior Sustainability Analyst

\$160/Hour

Bio

Maddy Williams will also serve as Project Manager and will manage Task 1. Ms. Williams has worked on a wide range of sustainability projects including benchmarking, gap analyses, verification and ESG reporting, with her main focus on greenhouse gas emissions and calculations. Maddy has experience working on greenhouse gas emission inventories for municipalities of varying sizes and complexity. Ms. Williams received her undergraduate degree in Environmental and Ecological Engineering (2018) from Purdue University while being a full-time student athlete. She represented Purdue University as a captain on the varsity soccer team, earning the John Wooden Leadership award.

Project Role

Project Manager for Task 1

PROPOSAL ACCEPTANCE SHEET

Description of Service	Sustainability services
Project Location	Virtual and on-site at Prairie Village
Proposal Submission Date	May 13, 2024
KERAMIDA Proposal #	P28897

FOR APPROVAL AND PAYMENT OF CHARGES: If approval and payment are not handled by the same individual, please indicate the appropriate name(s).

Charge Invoice to the Account of:

Firm/Company	Prairie Village
Address	7700 Mission Rd Prairie Village, KS 66208
Attention	Megan Buum
Phone	913-381-6464
Email	mbuum@pvkansas.com

PAYMENT TERMS:

Project Cost: As outlined in the proposal above.

Retainer Fees: A retainer in the amount of \$0 is to be paid to KERAMIDA prior to the commencement of the work.

Invoicing: The fees will be billed monthly as a lump sum based on the completion of tasks.

Late Fees & Expenses: A late payment charge of 1.5% per month will be added if payment is not made within 30 days after the invoice date.

PROJECT ACCEPTANCE: The Terms and Conditions of this Proposal, including the Terms on this page and the attached General Terms and Conditions, are:

Accepted this _____ day of _____, 2024.

Printed or typed name of the authorized representative and title

Signature of the authorized representative



APPENDIX A: CLIMATEVIEW

ClimateView is a Swedish technology company that supports civic administrations in enabling data-driven transitions. Since 2018, the company has worked with local, regional, and national organizations to develop a science-based framework and platform.

ClimateView is a web application for the creation, implementation, monitoring, communication, and financing of sustainability plans. ClimateView combines data management, agent-based modeling, and interactive visualizations in one single platform. The result is a living sustainability plan.

The platform is structured as a system of different but interconnected workspaces and is designed to be user-friendly and intuitive so that its functions can be fully utilized by users including:

- Quantification of emissions and adaptable future projections
- Emission reduction measures and their quantification
- Integration of priority populations into emission reduction plans and specifications
- Cost and benefit analysis of mitigation measures
- Guidance on most efficient scenario planning
- An interactive interface of modeling and scenarios
- A visually pleasing dashboard

Prairie Village's annual cost for a ClimateView subscription would be \$11,500. This cost would not be invoiced until the end of KERAMIDA's engagement with Prairie Village for the Sustainability services outlined in this P28897 proposal.

GENERAL TERMS AND CONDITIONS

1. **SERVICES TO BE PROVIDED.** KERAMIDA Inc., as an independent consultant, agrees to provide Client for its sole benefit and exclusive use, consulting services set forth in our Proposal.
2. **VALIDITY OF PROPOSAL.** It is understood that this proposal is valid for a period of ninety (90) days. Upon the expiration of that period of time, KERAMIDA Inc. reserves the right to review the proposed basis of payment and fees, to allow for changing costs, as well as to adjust the time of performance to conform to work loads.
3. **DEFINITIONS.** When used herein, the terms "we", "us", "Consultant" or "our" refer to KERAMIDA Inc. and the terms "you", "your", "he", "his", "it" and "its" refer to Client.
4. **PAYMENT.** Invoices will be submitted on a monthly basis. Client agrees to pay invoice upon receipt. Should payment not be received within 30 days, the amount due shall bear a service charge of 1 1/2 percent per month or the maximum permissible under state law, whichever is less. In addition, KERAMIDA Inc., shall be entitled to recover all costs of collection, including court costs and reasonable outside attorney fees. If Client has any objections to any invoice or part thereof submitted by consultant, he/she shall so advise us in writing giving his/her reasons within 14 calendar days of receipt of such invoice. No deduction shall be made from Consultant's invoice on account of penalty, liquidated damages, or other sums withheld from payments to contractors or others. Payment of the invoice shall constitute final approval as to all aspects of the work performed to date as well as the necessity thereof. In addition, KERAMIDA Inc. may, after giving 14 calendar days written notice, suspend services under any agreement until all past due accounts have been paid.
5. **SCOPE.**
 - (a) The proposed fees constitute our best estimate of the charges required to complete the project as defined. Except as provided in Paragraph 6(b) the project scope will not be altered without mutual agreement. For many projects such as those involving process development work, planning work, or environmental impact assessments, all activities are often initially not fully definable. As the project progresses, the facts uncovered may dictate a change in direction, which may alter the scope. KERAMIDA Inc. will promptly inform the client of such situations so that negotiation of change in scope and cost can be accomplished as required.
 - (b) Costs and schedule commitments shall be subject to renegotiation for unreasonable delays caused by the client's failure to provide specified facilities or information, or for delays caused by unpredictable occurrences, for force majeure, such as fires, floods, strikes, riots, unavailability of labor or materials or services, process shutdown, acts of God or of the public enemy, or acts of any governmental agency. Temporary work stoppage caused by any of the above may result in additional cost (reflecting a change in scope) beyond that outlined in this proposal, which must be approved in advance by Client.
6. **BILLING.** Where the method of contract payment is on a "lump sum" basis, the invoice will be submitted to Client when a specified phase is completed. Where the method of contract payment is on a time-and-material basis, the following provisions shall apply:

The minimum time segment for charging of field work is four (4) hours. The minimum time segment for charging of work done at the KERAMIDA Environmental office is one quarter of an hour. There is no premium charge for overtime. Where applicable, rental charges will be applied to the project to cover the cost of pilot-scale facilities or sophisticated apparatus, instrumentation, or technical equipment.
7. **SUBCONTRACTORS.** When a subcontractor is used by KERAMIDA Inc. (such as laboratories, well drillers, etc.), a ten percent (10%) service charge of the subcontractor's invoice will be billed to Client. No subcontractor shall be used without the prior written consent of Client, and if such consent is given, Consultant agrees to be responsible for all acts and/or omissions of such subcontractor.
8. **TERMINATION.** This agreement may be terminated in whole or in part in writing by either party in the event of substantial failure by the other party to fulfill its obligations under this agreement through no fault of the terminating party, providing that no such termination may be effected unless the other party is given: (1)

notless than fourteen (14) calendar days written notice of intent to terminate, and (2) an opportunity for consultation with the terminating party prior to termination. A final invoice will be calculated on the first or fifteenth of the month (whichever comes first) following the effective date of cancellation.

(a) Where method of contract payment is based on time and materials, the final invoice will include all services and direct expenses associated with the project up to the effective date of cancellation, plus 3 percent of the billings to such date as a closeout cost.

(b) Where method of contract payment is "lump sum", the final invoices will be based on the percentage of work completed to the effective date of cancellation, plus 3 percent of the billings to such date as a closeoutcost.

(c) Where method of contract payment is cost plus a fixed fee, the final invoice will include all costs to date of termination and a pro-rata share of the fixed fee plus 3 percent of the billings to such date as a closeout cost.

The closeout cost referred to in subparagraphs 9a, b, and c is not to be considered as a penalty but represents an allowance for demobilization of personnel and equipment and shut-down costs not available on short notice.

9. STANDARD OF CARE AND WARRANTY. Professional services provided by KERAMIDA Inc. will be performed, findings obtained, and recommendations prepared in accordance with generally accepted professional practices.

THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED

10. INSURANCE. KERAMIDA Inc. maintains workers' compensation and employer's liability insurance for our employees as required by state laws. In addition, we maintain automobile liability insurance with a \$1,000,000 limit, general liability insurance with a \$1,000,000 limit for each occurrence and an aggregate limit of \$2,000,000, and professional liability insurance for errors and omissions, as well as pollution liability coverage, with a per occurrence limit of \$1,000,000 and an aggregate limit of \$2,000,000. KERAMIDA carries, furthermore, excess umbrella liability insurance with an aggregate limit of \$9,000,000, bringing the total coverage to \$10,000,000. A Certificate of Insurance can be supplied evidencing such coverage.
11. INDEMNIFICATION. Consultant shall indemnify, defend and hold harmless Client, its parent, affiliates and subsidiaries, and each of their respective officers, directors, members, employees, and agents from and against any and all claims, demands, causes of action, actions, suits, liabilities, losses, judgments, damages, penalties, costs or expenses (including reasonable attorneys' fees and costs), that result from, arise out of or relate to (i) any breach by Consultant of any of covenant, representation or warranty made by Consultant in this Agreement; and/or (ii) the intentional, reckless, or negligent acts or omissions of Consultant in connection with the Services. The rights and obligations of this Section shall survive the expiration or earlier termination of this Agreement.
12. SAMPLE HANDLING AND RETENTION. Generally, test samples or specimens are consumed during the conduct of tests by laboratories. Client will be responsible for any sample residue disposal costs, should such costs be charged by the laboratory.
13. DOCUMENTS. Client will furnish or cause to be furnished such reports, data, studies, plans, specifications, documents, and other information deemed reasonably necessary by us for proper performance of our services. We may rely upon Client-provided documents in performing the services required under this Agreement; however, we assume no responsibility or liability for their accuracy. Client-provided documents will remain property of Client. All documents, including but not limited to, drawings, specifications, reports, boring logs, field notes, laboratory test data, calculations, and estimates, prepared by us as instruments of service pursuant to this Agreement, shall be our sole property (excluding final deliverables). Client agrees that all documents of any nature furnished to Client or Client's agents or designees, if not paid for, will be returned upon demand, and will not be used by Client for anypurpose whatsoever. Further, no part of any document we deliver to Client shall be reproduced or distributed externally, whether for advertising, use by another company (other than a company affiliated with Client or hired by Client) or for any other purpose, without our prior written consent. Any such reproduction or distribution shall be at Client's sole risk and without liability or legal exposure to Consultant.

14. **CONFIDENTIALITY AND PROPERTY RIGHTS.** Consultant agrees to keep in strict confidence at all times and to not disclose to any third party any documents, sales, technical, financial, programming or other data, information, or practices of Client. Such information shall be held and used by Consultant solely to perform Consultant's obligations under this Agreement. All copyright, trademark and/or other intellectual property rights of any kind developed during the term hereof and relating to Client's business shall be deemed a "work for hire" and shall be and remain the sole and exclusive property of Client, and Consultant shall to the extent deemed necessary or desirable by Client, and under a separate scope of work and cost agreement, cooperate and assist Client in perfecting, filing and recording any such rights. Consultant's obligations under this Section 17 shall survive the expiration or termination of this Agreement. Notwithstanding anything to the contrary in the Agreement, Client owns the written material associated with and incorporated into Consultant's deliverables.
15. **SEVERABILITY.** In the event that any provision herein shall be deemed invalid or unenforceable, the other provisions hereof shall remain in full force and effect, and binding upon the parties hereto.
16. **SURVIVAL.** All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between Client and Consultant shall survive the completion of the services and the termination of this Agreement.
17. **INTEGRATION.** This Agreement and the documents attached hereto and which are incorporated herein constitute the entire Agreement between the parties and cannot be changed except by a written instrument signed by both parties.
18. **RELATIONSHIP OF THE PARTIES.** The parties to this Agreement are acting as independent contractors, and no employee of any such party shall be deemed to be in the employ of any other party, nor shall a party have any right or authority to act on behalf of any other party beyond that expressly granted herein. Nothing contained herein or done pursuant hereto shall be construed to create a joint venture or partnership between the parties, or create any relationship of principal and agent or employer and employee. KERAMIDA, Inc. agrees to be solely responsible for any or all taxes due on compensation received from Client. Neither KERAMIDA, Inc. (nor its employees if any) shall be entitled to any benefits or participation in any benefit plans available to employees of Client.
19. **TAXES.** If the services covered by this contract are subject to local or state taxes or fees (except state income taxes), such additional costs will be charged to the project and be subject to reimbursement.
20. **GOVERNING LAW.** This Agreement shall be governed in all respects by the laws of the State of Indiana.
21. **NO RESTRICTIONS.** Consultant represents and warrants to Client that Consultant is free to enter into and perform this Agreement with Client and is not and will not be under any disability, restriction or prohibition, contractual or otherwise, with respect to: (a) Consultant's right to execute this Agreement; (b) Consultant's right to grant all of the rights granted to Client hereunder; and (c) Consultant's right to fully perform each and every term and obligation hereof. Consultant agrees not to do or attempt to do, or suffer to be done, during or after the term hereof any act in derogation of or inconsistent with Client's rights hereunder.

MAYOR'S ANNOUNCEMENTS
Monday, July 1, 2024

Planning Commission	07/02/2024	7:00 p.m.
Independence Day – City offices closed	07/04/2024	
VillageFest	07/04/2024	9am – 2pm
Diversity Committee	07/09/2024	4:00 p.m.
Arts Council	07/10/2024	5:30 p.m.
Arts Council arts reception	07/10/2024	7:00 p.m.
City Council	07/15/2024	6:00 p.m.

INFORMATIONAL ITEMS
July 1, 2024

1. JazzFest Committee meeting minutes – June 25, 2024
2. July plan of action

Prairie Village Jazz Fest 2024
Committee Meeting
Tuesday June 25, 2024, 5:30 p.m.
Multipurpose Room

Attendees

Dave Robinson	City Council Liaison
J.D. Kinney	Special Events Coordinator, Committee Chair
Kyle Vanlanduyt	Master of Ceremonies
Mike Polich	Rented infrastructure Chair
Mary Ann Watkins	Committee Member at Large
Brooke Morehead	Committee Member at Large
John Wilinski	Artist Relations and Backstage Chair

Committee Chair's Report

JD Kinney and Dave and Amanda Hassett attended the 1st Annual Lees Summit Jazz Fest on Saturday June 22. The stage was a loading dock at a commercial property in downtown Lees Summit. Audience seating was in the parking lot, and sponsor booths and food trucks lined the perimeter. Although it was very hot, there was a moderate size but appreciative crowd. The event was scheduled from noon until 9:00 pm. There were 8 acts scheduled. Sons of Brasil performed, and Back Alley Brass Band was the headliner. Admission was 3 tickets for \$20 prior to the event and \$15 at the door for adults, \$5 for kids.

F&B

Dave Hassett is working to add 1 more food truck. Food trucks will provide their own power and will not be charged a vendor fee. Dave will meet with Crawford Distributors in July to discuss the selection of beverages. Final beverage pricing will be determined when we have a clearer sense of what we will be offering. No pricing higher than \$6.

Beer tent location proposed on the northeast corner of the Harmon Park pavilion.

VIP Area

VIP tent size and location TBD until the playground construction is complete.

Infrastructure

Probably will be able to eliminate rented generator, as it will not be needed for food trucks. We will be consulting with SECT whether pavilion power outlets will be sufficient for the beer tent, ice truck, VIP tent, Quench Buggy, ButterFluff, etc.

Marketing

Jazz Fest fans should be ready to distribute at VillageFest (July 4).

City Committees/Exhibitor Tents

The next JazzFest Committee meeting will be held Tuesday, July 23, 2024, in the Multipurpose Room at PV City Hall at 5:30 pm


The meeting concluded at 6:29 p.m.
Respectfully submitted: JD Kinney

THE CITY OF PRAIRIE VILLAGE

STAR OF KANSAS

DATE: June 24, 2024

TO: Mayor Mikkelson
City Council

FROM: Wes Jordan 

SUBJECT: JULY PLAN OF ACTION

The following projects will be initiated during the month of July:

- VillageFest - Meghan/JD/Staff (07/24)
- 2025 Budget Process - Staff (05/24)
 - Resolution to Exceed Revenue Neutral Rate - Jason (07/24)
 - Permission to Publish the Budget - Jason (07/24)
- 2nd Quarter Police Pension Meeting - Cindy (07/24)
- 2nd Quarter Financial Report - Jason (07/24)
- KU Kickoff Permitting - Adam (07/24)
- JazzFest - Meghan/JD/Staff (07/24)
- Juneteenth Event Review - Tim (07/24)
- Mid-year Police Officer Salary Adjustment - Cindy/Tim (07/24)
- Community Center/YMCA Proforma to Council - Staff (07/24)
- Climate Action Plan Race to Zero CDP reporting - Ashley/Meghan (7/24)
- Debris Monitoring Contracts - Tim (7/24)

In Progress

- Annual CID Report - Jason (06/24)
- Crossing Guard Contract - Chief Roberson (06/24)
- Climate Action Plan, community phase - Meghan/Ashley (6/24)
- Kansas Gas Franchise Agreement - Adam/Alex (05/24)
- Legislative End of Session Update - Nickie (05/24)
- Outdoor Warning Siren Replacement 79th & Roe - Tim (05/24)
- Zoning Code Update Process in R-2/R-3/R-4/Commercial/MXD - Nickie/Chris (04/24)
- 2024 Building Code Review Process - Nickie (04/24)
- Update City Employees Code of Ethics - Cindy/Tim (03/24)
- Carbon Reduction/EV Charging Station - Wassmer Park - Keith (01/24)
- Safe Streets for All Grant/Citywide Traffic Study - Keith (01/24)
- Project Updates and Cleanup to Website - Staff (08/23)

- Update Design Guidelines in R1-B - Nickie/Chris (05/23)
- Short Term Rental Update - Nickie/Alex (05/23)
- Research Federal Infrastructure/Job Act Grants - Jason/Nickie/Keith (12/22)
- Subdivision Regulations Amendments/Easement Vacation - Nickie/Chris (04/22)
- Agenda Management Software Evaluation - Adam/Ashley (12/21)
- Research Viability of Interior Rental Inspections - Nickie (06/19)

Completed

- June/July Village Voice - Ashley/Staff (6/24)
- 2025 Budget Process - Staff (05/24)
 - Revenue Neutral Rate - Jason
 - Finance Committee Budget Review
 - Mission Hills Budget
 - Council Presentation/Approval of Preliminary Budget - Jason/Nickie/Wes
- 2023 Audit Presentation/ACFR - Jason (06/24)
- Pride Proclamation - Adam (06/24)
- Finalize 2023 Annual Comprehensive Financial Report - Jason (05/24)
- Juneteenth Celebration Event - Tim (05/24)
- 2023 Financial Audit (03/24)
- American Rescue Plan Act Fund Uses & Expiration - Staff (04/21)
- Summer Programs & Registration - Meghan (04/24)
- Property Transfer from JCPRD to PV - Alex (05/24)
- 1st Quarter Financial Report - Jason (04/24)

Ongoing

- KERMIDA Sustainability Program Implementation - Meghan/Ashley (03/23)
- City Hall/PD Project - Melissa/Staff (04/3/22)
- Disaster Recovery Plan - Dan/Tim (03/22)
- Community Center Project - Staff
- Recycle Right Initiative - Ashley (07/22)

Tabled initiatives

- Review & Update the City Code/Ordinances
- Review & update City Policies
- Single Use Plastic Bag Discussion - Staff (02/20) [pending Council direction]