

PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
MUNICIPAL BUILDING - 7700 MISSION ROAD
TUESDAY, APRIL 3, 2012
COUNCIL CHAMBERS
7:00 P. M.

- I. ROLL CALL
- II. APPROVAL OF PC MINUTES - March 6, 2012
- III. PUBLIC HEARINGS
PC2012-02 Continuation of Public Hearing on PC2012-02 Proposed
Amendment to the City's Comprehensive Plan reflecting
changes to the Parks Master Plan
Applicant: City of Prairie Village
- IV. NON-PUBLIC HEARINGS
- V. OTHER BUSINESS
- VI. ADJOURNMENT

Plans available at City Hall if applicable

If you can not be present, comments can be made by e-mail to
Cityclerk@Pvkansas.com

***Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.**

**PLANNING COMMISSION MINUTES
MARCH 6, 2012**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, March 6, 2012, in the Council Chambers, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Bob Lindeblad, Dirk Schafer, Marlene Nagel and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator; Bruce McNabb, Public Works Director; Jim Brown, City Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary. Also present Chief Wes Jordan and Sgt. James Carney.

APPROVAL OF MINUTES

Randy Kronblad questioned Kathryn McIntyre's address on page 13 and noted the date of the next meeting on page 16 should be "March 6" not February 7th. The secretary stated she would verify the address and make the necessary corrections. Randy Kronblad moved for the approval of the minutes of February 7, 2012, with the corrections noted. The motion was seconded by Nancy Vennard and passed unanimously.

PUBLIC HEARINGS

Chairman Ken Vaughn announced there were two public hearings on the agenda. He stated both had been appropriately published and reviewed the procedures to be followed for the public hearings calling for presentation by applicant, presentation by staff, questions from the Commission followed by public input.

**PC2012-03 Amendment to Special Use Permit to Expand existing Private School at
3531 Somerset Drive**

Kathy Morrison, Director of the School since 2003, provided background on the school established in 1963 located in the "Old Woolf Farmhouse" behind the library. They purchased this site from J.C. Nichols in 1969 and as a part of the purchase both parties agreed to certain restrictions. The restrictions were between J.C. Nichols and the Friends of Montessori Association. In general the restrictions limited the use of the property to a school or residential. The City Council approved the first phase of the Highlawn Montessori School as a Special Use Permit on March 7, 1977; the second phase was approved on April 16th, 1984; a third phase was approved on October 18, 1993; and in June, 2009 the expansion to a lot to the east for playground and open space was approved.

The Highlawn Montessori School has had a long history in this neighborhood and has consistently grown and expanded to accommodate its students. Currently the Highlawn Montessori School has a capacity of approximately 144 students. There are five Primary Classes of children age three to six with 120 students and one elementary classroom for children from first to sixth grade with 24 students. Each classroom can accommodate 24 children.

Ms. Morrison stated they are seeking to add two new classrooms in a second story addition above the east building. Currently, the elementary class is held in the basement. They would move this class to the second level and add an additional elementary classroom for 24 children. This would allow them to have an elementary class for grades 1-3 and for grades 4 - 6. The total capacity for the school would be seven classrooms or 168 students. She noted the basement would no longer be used as a classroom, but would serve as a lunch room, meeting space and storm shelter.

Ms Morrison reviewed the following schedule for students:

Pre-school early arrival	7:30 a.m. and 8:30 a.m.
Elementary Students	8:00 a.m. to 8:15 a.m.
Pre-school begins	8:40 a.m. to 9:00 a.m.
Half-day preschool dismissal	11:40 a.m. to 12:00 p.m.
Pre-school dismissal	2:30 p.m.
Elementary school dismissal	3:00 p.m. - 3:15 p.m.
Final dismissal	5:00 p.m.

A neighborhood meeting was held on February 22, 2012 in accordance with Planning Commission Citizen Participation Policy. The issue of concern to the neighbors was traffic.

Aaron Carson, architect for the project with Sunsource Homes reviewed the proposed expansion with site plans and elevations. He noted the materials to be used will blend with the existing structure. The site plan reflected the addition of 5 parking spaces. In addition to the classroom, restrooms, closets, a large deck will be added. Solar panels are proposed for the roof on the south elevation.

Mr. Carson noted that ADA regulations do not require the second story to be ADA accessible because it is less than 3,000 square feet and that no elevator is planned for the addition. The restrooms and entrances will all comply with ADA requirements. He noted that mechanical equipment will be placed on a third story platform which will also include a storage area. This area will be accessed by a ceiling ladder.

The foot print of the existing building is 7,222 sq. ft, which is approximately 9 percent of the site. This is well below the maximum 30 percent ground coverage permitted by ordinance. The deck will add 848 sq. ft. for a total of 8,070 sq. ft. or 10.5 percent ground coverage.

Dirk Schafer asked if the existing basement has windows. Ms Morrison stated it does, but they are small. Mr. Schafer also asked what percentage of the roof surface would have solar panels. Mr. Carson replied 95%.

Mr. Schafer asked what the height of the building was at its highest point. Mr. Carson responded 34' 11". He asked the height of homes in surrounding neighborhoods. Mr. Carson did not know. Nancy Vennard pointed out from the photographs it appeared there was a story and a half home behind the school, but most of the other homes were ranch style.

David Mennenga, traffic engineer with GBA, reviewed the results of the traffic study he completed for this property. The study covered the area from the public works facility driveway to Reinhardt. Counts were taken on February 15th and 17th during an hour period beginning at 8 a.m., at 11:15 a.m. and at 2:30 p.m. Mr. Mennenga reviewed the results of their study and observations with the following conclusions and recommendations:

"It is highly unlikely that the expected small increases in the overall trip generation for the Highlawn Montessori School will cause any particular traffic concerns during the critical weekday peak conditions. School officials have also indicated their intent to utilize the western parking lot for additional vehicle storage during the elementary school arrival and dismissal periods after completion of the classroom expansion project, in an effort to further minimize any associated traffic impacts on the adjacent segment of Somerset Drive.

Only short-duration vehicle queuing was observed on Somerset Drive in the vicinity of the Highlawn Montessori School during the identified critical peak hours. The provided right-turn lane into the school's western access drive is of sufficient length to adequately handle the school-related traffic without impeding the turning movements into and from the adjacent Public Works facility drive. Safe traffic movements through the area will be ensured as long as all drivers are willing to appropriately wait in queue and proceed to their desired drop-off areas on the school's property in an orderly fashion."

Mr. Mennenga noted that the school has posted a sign restricting left turns out of their facility during dismissal hours.

Ron Williamson noted that he met with police personnel and the Director of Public Works earlier this week and based on that meeting presented the following revised staff recommendations for approval of the amended Special Use Permit allowing for the expansion subject to the following conditions:

1. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
2. That the three parking spaces along the west property be surfaced with grass pavers and not concrete or asphalt. (Mr. Williamson noted that this will allow for parking while maintaining the appearance of green space.)
3. That the following requirements be implemented to address traffic:
 - a. The Montessori School shall coordinate the parent and staff traffic education program with the Prairie Village Police Department Traffic Unit.
 - b. The No Left Turn signs at both the east and west driveways on Somerset Drive shall be replaced with official City No Left Turn signs by the Public Works Department and be paid for by the School. (It was noted that the police

department is unable to enforce the sign placed by the school restricting turns.)

- c. To address the traffic queuing issue on Somerset Drive, the Montessori School shall either:
 - 1) Provide additional on-site parking and circulation on the playground area to the east adequate to allow all queuing on their property subject to Staff review and approval; or
 - 2) Re-stripe and re-sign a portion of the east bound turn lane on Somerset Drive, east of Corinth Villas entrance street, for short term parking and provide adequate site distance at the driveway intersections with the modifications coordinated by Public works and the cost of the modifications paid for by the Montessori School.
4. That the applicant use the driveway on the east lot to accommodate at least two parking spaces for staff. (Nancy Vennard suggested that by widening that drive or even making it a circle drive would allow the school to accommodate more parking particularly during special school events.)
5. That the materials be the same as the existing structures and that the applicant submit detailed drawings of the elevations indicating the specific materials to be used while maintaining the residential appearance. The drawings will be reviewed and approved by Staff.
6. That the Special Use Permit be approved for a maximum of seven classrooms (5 primary and 2 elementary) with a maximum enrollment of 24 students per classroom.
7. That the applicant protect existing major trees during the demolition and installation of new improvements.
8. That the Special Use Permit be approved for an indefinite period of time provided that the applicant obtains a building permit and starts construction within two years after the date of approval by the City Council.
9. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

Randy Kronblad asked how many staff the school employs. Ms Morrison responded there are two staff in each classroom and then the administrative staff. Nancy Vennard asked if parent volunteers were used in the classroom. Ms Morrison noted they are occasionally for special events, but not on a regular basis.

Chairman Ken Vaughn opened the public hearing.

Jennifer Sada, 8037 Reinhardt Lane, and Marianne Shouse, 3507 West 79th Street, expressed concern with the existing parking on Reinhardt and its negative impact on visibility for cars turning onto Somerset because of cars parking on both sides of the street the full length of the street. They also expressed concern with the ability of emergency vehicles to service residences on Reinhardt with cars parked on both sides of the street. They stated they supported the school and its program; however, they feel additional on-site parking needs to be made available to address the safety concerns caused by the high volume of off-street parking. They asked if the City could install "no parking" signs to keep people from parking up to the corner or from parking on both sides of the street.

With no one else wishing to address the Commission, the public hearing was closed at 7:40 p.m.

Bob Lindeblad asked for comments from Police Chief Wes Jordan.

Chief Jordan stated they have looked at what is occurring now and what can be done to make the situation better. He called upon Sgt. James Carney to present his findings on school traffic patterns and issues.

Sgt. Carney noted that cars stop in the right turn lane along the south side of the 3500 block of Somerset, despite signage indicating "No stopping or Standing," making this lane unusable by drivers needing access to the Public Works facility. These drivers are waiting to turn into the Highlawn parking lot. This causes drivers accessing the Public Works facility during school dismissal times to make an improper right turn from the "through" lane, around stopped traffic, being careful not to be hit by a parent moving forward in line. Sgt. Carney noted the 11:15 a.m. dismissal time for students is also the time when Public Works employees return to the facility for their lunch period. Sgt. Carney noted that drivers leaving the Public Works facility have the view from their vehicles severely impaired by stopped traffic.

Randy Kronblad asked if it was realistic to restrict parking on Reinhardt to only one side of the street. Sgt. Carney replied it could be considered. It was also noted that temporary "no parking" signs could be used during special events at the school.

Chairman Ken Vaughn led the Commission in the following review of factors for consideration:

- 1. The proposed Special Use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations.**

The property is Zoned R-1A Single-Family Residential and has been developed for the Montessori School since 1977. The existing buildings set back approximately 32' from Somerset Drive and meet all other set back requirements. The proposed building height is 34' 11" which is within the 35' height limit of the regulations. The lot is currently 9.4 percent and will increase to about 10.5 percent coverage with the addition of the deck which is approximately 848 sq. ft. The 30 percent lot coverage would allow approximately 23,138 sq. ft. The proposed expansion does comply with the intensity of use, yard and use regulations.

- 2. The proposed Special Use at the specified location will not adversely affect the welfare or convenience of the public.**

The proposal is to add one additional elementary classroom. Traffic is already congested in this area during drop off and more so during pick-up times. Traffic is stacked on Somerset Drive and it does present concerns for those entering and leaving the Public Works facility, as well as, those traveling through on Somerset Drive.

- 3. The proposed Special Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

The addition of the second floor for only the east wing of the facility is 2,570 sq. ft. and will not cause substantial injury to the value of the property in the area. The school actually serves as somewhat of a buffer between the homes on Somerset Drive and the Public Works yard to the south.

4. The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site which respect to streets giving access to it, are such that this Special Use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Special Use will so dominate the immediate neighborhood consideration shall be given to:

- a Location, size and nature of the height of building structures, walls and fences on the site; and;**
- b The nature and extent of landscape and screening on the site.**

This proposal is for only one additional classroom and is not of a size that will dominate the neighborhood or hinder development or redevelopment. This neighborhood is completely developed.

5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.

The ordinance requires two off-street parking spaces per classroom and with seven classrooms that is 14 spaces. Currently there are 14 spaces on the site. The ordinance is probably deficient in its requirement, since the parking spaces always seem to be full. The applicant has proposed four additional parking spaces, but that probably is not enough. The ordinance requires that parking must be eight feet from the property line so the three spaces along the west property line cannot be paved. The eight foot area is for landscaping. An option would be to permit the surface of these three spaces to be grass pavers. A more permanent and long term solution would be to consider staff parking on the recently acquired lot to the east. This would free up parking on the main site. At a minimum, the driveway is still in place and could accommodate at least two vehicles.

6. Adequate utility drainage and other necessary facilities have been or will be provided.

The proposed expansion will add a deck area and additional hard surface areas, but it will be minimal and a storm drainage plans has not been required.

7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

No changes are proposed for access. Access is off Somerset Drive. The property is entered at the west drive and exited at the east drive. Traffic circulates around the parking area and children are picked-up at either the west or north entrances to the building. Traffic backs up on Somerset Drive and there is congestion on the street. Staff has requested that a traffic study be prepared and it was not done in time to be

incorporated into this staff Report but will be sent under separate cover or as an attachment.

8. Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing process, obnoxious odors or unnecessary intrusive noises.

This particular use does not appear to have any hazardous or toxic materials, hazardous processes or obnoxious odors related to its use. There may be some noise generated from the outdoor play of the children, but it should be mitigated through fencing and landscape screening on the adjacent property lines.

9. Architectural style and exterior materials are compatible with such styles and materials used in the neighborhood in which the proposed building is to built or located.

The plans are more graphic than architectural and while they show the style, do not identify the materials. The building elevation indicates that it will be a residential style which will be compatible with the surrounding neighborhood. It is assumed the materials will be the same as what has been used to date. The submission of architectural quality drawings should be added as a condition of approval.

Bob Lindeblad moved the Planning Commission find favorably on the factors for consideration and recommend the Governing Body approve the amended Special Use Permit for Highlawn Montessori School at 3531 Somerset Drive subject to the following conditions:

1. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
2. That the three parking spaces along the west property be surfaced with grass pavers and not concrete or asphalt.
3. That the following requirements be implemented to address traffic:
 - a. The Montessori School shall coordinate the parent and staff traffic education program with the Prairie Village Police Department Traffic Unit.
 - b. The No Left Turn signs at both the east and west driveways on Somerset Drive shall be replaced with official City "No Left Turn" signs by the Public Works Department and be paid for by the School.
 - c. To address the traffic queuing issue on Somerset Drive, the Montessori School shall either:
 - 1) Provide additional on-site parking and circulation on the playground area to the east adequate to allow all queuing on their property subject to Staff review and approval; or
 - 2) Re-stripe and re-sign a portion of the east bound turn lane on Somerset Drive, east of Corinth Villas entrance street, for short-term parking and provide adequate site distance at the driveway intersections with modifications coordinated by Public Works and the cost of the modifications paid for by the Montessori School.
4. That the applicant use the driveway on the east lot to accommodate at least two parking spaces for staff.
5. That the materials be the same as the existing structures and that the applicant submit detailed drafts of the elevation indicating the specific materials to be used while maintaining the residential appearance. The drawings will be reviewed and approved by Staff.

6. That the Special Use Permit be approved for a maximum of seven classrooms (5 primary and 2 elementary) with a maximum enrollment of 24 students per classroom.
7. That the applicant protects existing major trees during the demolition and installation of new improvements.
8. That the Special Use Permit be approved for an indefinite period of time provided that the applicant obtains a building permit and starts construction within two years after the date of approval by the City Council.
9. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

The motion was seconded by Randy Kronblad.

Bob Lindeblad expressed appreciation for the work by the school, staff and police department to address the traffic issues but noted that parent cooperation and compliance will determine how successful the efforts will be.

Kathy Morrison stated she is happy to work with the police department for traffic education. She expressed concern with the "no left turn" restriction noting that the school is only open 166 days and both traffic studies indicate that there is only a problem during specific times. She would like to see the restriction be limited to those specific times. She also noted forcing a right turn would force traffic to turn around in the driveways of residents on Reinhardt.

Ms Morrison stated that she drove to all Prairie Village schools and found that only Shawnee Mission East with 1700 students and Indian Hills Middle School with 700+ schools have restricted turns. All of the elementary schools in the City have over 400 students, yet none of them have restricted turn regulations that are being requested for her 150 student school. She noted that a violation of the "no left turn" restrict would be considered a moving violation with a ticket cost of \$145. She does not feel this is fair to her parents and would like to try a parent education program initially and then if that is unsuccessful proceed with the no left turn restriction.

Nancy Vennard confirmed the current sign placed by the school was a permanent sign restricting turns at identified times. She asked if the City sign could be limited to specific times.

Bob Lindeblad asked the traffic engineer with GBA for his opinion on the proposed no left turn restriction.

David Mennenga responded there were a fair number of left turns made out of the facility and noted that those individuals experienced the longest delay. His observations did not see any safety concerns for the turning traffic. He felt no left turns restricted to the identified hours of dismissal would be acceptable.

Chief Jordan stated each school is evaluated based on its specific location. This area creates a vision obstruction of Public Works traffic and he supports the recommendation as written. He feels the signs will create a minimum inconvenience and improve traffic flow.

Bob Lindeblad asked if the wording of the motion would allow the flexibility of restricted times for the "no left turn" restriction. Mr. Williamson replied it does and staff could work with the school on determining those time periods.

Kathy Morrison questioned why the school was being charged for the cost of striping the road. She noted traffic at the school has not changed in the past ten years. She has not received any complaints from Public Works. She stated she had expressed concerns with the recent reduction of traffic lanes on Somerset and was advised by the previous Public Works Director and interim Public Works Director that the turning lane would address traffic flow issues for traffic coming into the school.

Bob Lindeblad asked why the lane was being restriped. Chief Jordan responded that it is illegal to park or stand idle in a turning lane or to turn out of a turning lane. This is currently being done by vehicles picking up students at the school. Mr. Lindeblad noted this action would make the actions of the parents legal. He asked how much this would cost. Bruce McNabb replied he did not have exact costs at this time, but estimated costs to be several thousand.

Nancy Vennard asked why the school is being charged for this cost, it does not make sense. Bob Lindeblad replied the action is being taken for the benefit of the parents of the children attending the school. Mrs. Vennard asked why this wasn't done by the City two years ago when the change was made.

Dirk Schafer noted the problem could be solved by the school adding additional parking on site and that the cost of restriping is significantly less than the cost to the school for additional on-site parking spaces.

The motion was voted on and passed by a vote of 6 to 0.

Ken Vaughn urged all those involved to take advantage of this opportunity for negotiation and operational consideration in addressing these issues.

Dennis Enslinger stated this item would go before the City Council on Monday, March 19th.

Site Plan Approval

Chairman Ken Vaughn led the Commission in review of the following site plan criteria:

A. The site is capable of accommodating the buildings, parking areas, and drives with the appropriate open space and landscape.

The buildings, parking and open space meet the requirements of the zoning ordinance, however, more parking than is required by the ordinance is needed to serve this facility. The stacking area for vehicles particularly during the student pick-up times is not adequate to handle the demand, and cars stack up on Somerset Drive waiting for a class to let out. This problem is not unique to Highlawn Montessori, but is a problem shared by all schools.

B. Utilities are available with adequate capacity to serve the proposed development.

This site is currently served by utilities and they should be adequate to serve the proposed use.

C. The plan provides for adequate management of stormwater runoff.

This is a second story addition and the impervious surface will be increasing very little. The removal of the house on the lot to the east reduced the land surface area for the school significantly for the total site. The existing stormwater drainage should

be adequate to handle the minimal increase and a stormwater management plan was not required.

D. The plan provides for safe ingress/egress and internal traffic circulation.

This is a concern because traffic stacking up on Somerset Drive causes congestion during drop-off and pick-up times. The congestion apparently causes people to drive carefully along Somerset Drive and there are few accidents. The applicant is preparing a Traffic Study and it will address this issue in more detail.

E. The plan is consistent with good land planning and site engineering design principles.

This site is nearing its maximum capacity to accommodate additional development. The site is irregularly shaped and it has elevation change that makes it a difficult site to design. The proposed expansion is a second story which makes good sense considering the challenges of the site. The proposed expansion is generally consistent with good land planning and site engineering design principals with the exception that the site cannot accommodate the traffic and vehicles stacking up on Somerset Drive.

F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building and the surrounding neighborhood.

It was not noted on the plans, but the applicant will be using the same materials as used on the existing buildings and it will be painted the same color. The applicant should submit Architectural quality drawings to Staff for review and approval.

G. The plan represents an overall development pattern that is consistent with Village Vision and other adopted planning policies.

One of the primary objectives of Village Vision is to encourage reinvestment in the community to maintain the quality of life in Prairie Village. The Highlawn Montessori School is one of the amenities that sets Prairie Village apart from other competing communities in the metropolitan area. This application is for the expansion of an existing use within the community and is consistent with Village Vision in encouraging reinvestment.

Bob Lindeblad moved the Planning Commission approve the site plan for the expansion of Highlawn Montessori School at 3531 Somerset subject to the following conditions:

1. That the applicant use the driveway on the east lot to accommodate at least two parking spaces for staff.
2. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
3. That the three parking spaces along the west side of the parking area be surfaced with grass pavers.
4. That the proposed addition use the same materials and be painted the same color as the existing buildings and that the applicant submit revised drawings for staff approval.
5. That the applicant protect existing major trees during the demolition and installation of new improvements.

The motion was seconded by Nancy Vennard and passed unanimously. Chairman Ken Vaughn declared a five minute recess.

The Planning Commission meeting was reconvened at 8:30 p.m.

PC2012-04 Request for Special Use Permits for a Wastewater Lift Station and Wireless Communication Tower with Site Plan Approval at 3535 Somerset Drive

Aaron Witt, representing Johnson County Wastewater, stated he had a PowerPoint presentation on their application for a special use permit for a wastewater lift station and for a wireless communication tower at 3535 Somerset Drive or he could just answer questions from the Commission.

Ron Williamson noted the Dykes Branch Pump Station was built in 1958 and at the time the City apparently did not have zoning regulations regarding approval of pump stations making this a legal nonconforming use. Johnson County Waste Water is upgrading its SCADA Telemetry System which requires the replacement of the existing antenna and pole. The existing antenna is approximately 30 feet in height and the new antenna/tower will be 40 feet in height measured from the ground. JCW also plans to install an eight foot-eight inch high wood fence to improve security. Mr. Williamson stated the three actions required of the Planning Commission were consideration of a Special Use Permit for the Pump Station, a Special Use Permit for the Wireless Communications Tower and Site Plan Approval including the 8'-8" high wood fence

The applicant held a meeting on February 22, 2012 in accordance with Planning Commission Citizen Participation Policy. No one attended.

Mr. Williamson noted the applicant is requesting the bonding requirement in the staff recommendation as a condition of approval for the special use permit for the tower be removed. Staff feels it can be removed.

Nancy Vennard asked if the height of the proposed fence is 8' or 8'8". Mr. Witt responded the height of the adjacent Public Works Fence was measured and it is 8'8"; therefore, they are proposing to match that height.

Chairman Ken Vaughn asked if there was anyone present to speak on this application. With no one responding, the public hearing for this application was closed.

SPECIAL USE PERMIT FOR DYKES BRANCH PUMP STATION

The Planning Commission made the following review of the findings of fact for the requested Special Use Permit for the Dykes Branch Pump Station at 3535 Somerset:

- 1. The proposed Special Use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations.**

The existing facility complies with the intensity of use, yard and use limitations.

2. **The proposed Special Use at the specified location will not adversely affect the welfare or convenience of the public.**

The application is for a facility which has been in existence for more than fifty years and it is located in the southeast corner of the Public Works Maintenance Yard. It will not affect the welfare or convenience of the public.

3. **The proposed Special Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

As previously stated, the use has been in the location for more than fifty years and it is located in a corner of the Public Works Maintenance Yard. Therefore, it will not cause substantial injury to the value of other property in the neighborhood.

4. **The location and size of the Special Use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site which respect to streets giving access to it, are such that this Special Use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the Special Use will so dominate the immediate neighborhood consideration shall be given to:**

- a. **Location, size and nature of the height of building structures, walls and fences on the site; and,**
- b. **The nature and extent of landscape and screening on the site.**

The Pump Station is located on a tract of land that is approximately 0.21 acres which is smaller than many residential lots in Prairie Village. The Public Works Maintenance Yard is approximately 4.5 acres so the Pump Station site is very small in comparison. The use has been in place for more than fifty years; it is a small use and does not dominate the area, so as to hinder development.

5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.**

Parking for service vehicles is available on the site. There is no zoning standard for parking related to this type of use.

6. **Adequate utility drainage and other necessary facilities have been or will be provided.**

Existing utilities and drainage are adequate for this use.

7. **Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.**

This parcel is actually land locked, but access is provided through the Public Works Maintenance Yard and will have little if any impact on traffic in the area.

8. **Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing process, obnoxious odors or unnecessary intrusive noises.**

There are some hazardous chemicals used in this operation, but they are stored and used in accordance with appropriate regulations.

- 9. Architectural style and exterior materials are compatible with such styles and materials used in the neighborhood in which the proposed building is to be built or located.**

The building is brick and concrete. No changes are planned for its appearance and it is consistent with the design of other buildings located in the Public Works Maintenance Yard.

Randy Kronblad moved the Planning Commission find favorably on the factors for consideration and recommend the Governing Body approve of a Special Use Permit for a Waste Water Pump Station at 3535 Somerset Drive subject to the following conditions:

1. That the Special Use Permit be approved for a Waste Water Pump Station and its required accessory items.
2. That any significant change to the exterior of any existing building, the replacement of the building, the expansion of building or the construction of a new building shall be submitted to the Planning Commission for site plan review and approval and an amendment to the Special Use Permit will not be required.
3. That the Special Use Permit be approved for an indefinite period of time.
4. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

The motion was seconded by Dirk Schafer and passed unanimously.

SPECIAL USE PERMIT FOR WIRELESS COMMUNICATIONS TOWER

Ron Williamson stated as part of the improvements to the Dykes Branch sewage lift station located at 3535 Somerset Drive. Johnson County Wastewater is seeking to replace existing antenna with a new antenna tower.

The tower height including the antenna will be 40 feet above ground level. The height was determined through a radio path study and will assure reliable communication for this sewage lift station. The tower will be tripod lattice style, which was selected as the best option for installation at the building, as well as, for future maintenance by JCW staff. The tower will be installed adjacent to the location of the existing antenna and to the lift station building. The tower will be located on a concrete platform and fastened to the building. The total height from the ground to the top of the antenna will be 40 feet. The request is for a lattice tower. Mr. Williamson noted the ordinance requires all towers to be a monopole design unless otherwise approved by the Planning Commission or City Council.

The Planning Commission made the following review of the application based on the City's Wireless Communication Facilities regulations as listed below:

- A. A study comparing potential sites within an approximate one mile radius of the proposed application area. The study shall include the location and capacity of**

existing towers, alternative tower sites, a discussion of the ability or inability of each site to host the proposed communications facility and reasons why certain of these sites were excluded from consideration. The study must show what other sites are available and why the proposed location was selected over the others. It must also establish the need for the proposed facility and include a map showing the service area of the proposed facility as well as other alternative tower site and antennas.

If the use of exiting towers, alternative tower structures, and sites are unavailable, a reason or reasons specifying why they are unavailable needs to be set out and may include one or more of the following: refusal by current tower or site owner; topographical limitations; adjacent impediments blocking transmission; site limitations to tower or facility or tower; no space on existing facility or tower; other limiting factors rendering existing facilities or towers unusable. The documentation submitted must use technological and written evidence, that these sites are inadequate to fulfill the grid needs of the wireless service provider, or that a reasonable co-location lease agreement could not be reached with the owners of said alternative sites.

The applicant shall submit an overall plan that shows the coverage gaps in service or lack of network capacity throughout the entire City and provide an indication of future needed/proposed wireless communication facilities, towers, and/or antenna.

The applicant shall demonstrate how the proposed communication facility, will impact its overall network within the City of Prairie Village and adjacent cities on both sides of the state line.

The study shall demonstrate how the proposed communication facility, will impact its overall network within the City of Prairie Village and adjacent cities on both sides of the state line.

The study shall also provide documentation establishing the minimum height necessary to provide the applicant's services and the height required to provide for co-location. The study shall include coverage maps for the proposed monopole at the requested height and at ten feet descending intervals to 50 feet.

The Planning Commission or Governing Body at its discretion may require a third party analysis, at the applicant's expense, to confirm the need for the facility.

The applicant shall be responsible to provide timely updates of the above described study and information during the Special Use Permit process.

Since this tower/antenna installation is for the operation of a specific facility and the replacement of an existing antenna, a study was not required.

- B. Multiple photo simulations of the proposed facility as viewed from the adjacent residential properties and public rights of way as directed by City Staff.

Because of the location in the Public Works Maintenance Yard, and the height being only 40 feet, photos syms were not required. The applicant did submit a photo of an existing tripod lattice tower.

- C. When possible, all wireless communication towers and alternative tower structures must be designed to accommodate multiple providers (co-location), unless after consideration of the recommendation of the Planning Commission, the City Council finds that the height or other factors required to make such an accommodation will have a more detrimental effect on the community than having multiple sites. Failure of a permit holder to negotiate in good faith to provide fairly priced co-location opportunities, based on industry standards may be grounds for denial or revocation of the Special Use Permit. A signed statement shall be submitted indicating the applicant's intention to share space on the tower with other providers.

This tower is only 40 feet in height and is designed to serve a specific public use which is monitoring the pump station. The tower is not designed or intended to provide access for wireless providers.

- D. Any application for construction of a new wireless communication facility, tower, antenna or equipment compound must provide a detailed site plan of the proposed project. This properly scaled site plan will include one page (including ground contours) that portrays the layout of the site, including the proposed facility, the fall radius of any proposed monopole, as well as proposed and existing structures within 200 feet of the tower base and the identification of the specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate. Access to and from the site, as well as dimensioned proposed and existing drives, must be included on this plan. Detailed exterior elevations (from all views) of the tower, screening wall, and all proposed buildings must also be submitted. Finally, a landscape plan detailing location, size, number and species of plant materials must be included for review and approval by the Planning Commission.

The applicant has submitted a site plan showing the location of the proposed tower. This tower will replace an existing pole/antenna located on the building and will not cause the removal of any trees, structure or improvements.

- E. Description of the transmission medium that will be used by the applicant to offer or to provide services and a statement that applicant will meet all federal, state and city regulations and law, including but not limited to FCC regulations.

The applicant shall provide an engineer's statement that anticipated levels of electromagnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) of the antenna, shall be within the guidelines established by the FCC. The cumulative effect of all antennas and related facilities on a site will also comply with the radio frequency radiation emission guidelines established by the FCC. An antenna radiation pattern shall be included for each antenna.

The applicant has an FCC license which requires it to be in compliance with all Federal, State and Local laws and regulations.

F. Preliminary construction schedule including completion dates.

JCW plans to construct the facility by the end of 2012.

G. The applicant shall provide a copy of its FCC license

JCW has an FCC license that is on a public band.

H. Copies of letters sent to other wireless communication providers and their response regarding their interest to co-locate.

Not Applicable

I. Any other relevant information requested by City Staff.

None requested.

The Planning Commission made the following review of the findings of fact for the requested Special Use Permit for a 40' communications facility at 3535 Somerset:

A. The character of the neighborhood.

The Pump Station is located adjacent to the City Public Works Maintenance Yard which is a very compatible location for a use such as this. The surrounding area is primarily residential in nature from Single-Family to Multiple-Family residences.

B. The zoning and uses of property nearby.

North: R-1A Single-Family Residential - Public Works Yard

West: R-1A Single-Family Residential - Public Works Yard

South: R-3 Garden Apartment District - Apartments

East: Leawood R-1 Single-Family Residential - Single-Family Dwellings

C. The extent that a change will detrimentally affect neighboring property.

The property to the north and west is the Public Works Maintenance Yard and the tower will not have a detrimental effect. The property to the south is developed with apartments; however, there is a drainage ditch between it and the Pump Station which has heavy tree growth. The tower probably would not be very visible from that location especially when the trees are leafed out. The same situation applies to the Single-Family residents to the east. It also should be pointed out that this tower does not have an equipment compound and the tower will be located on the opposite side of the building from the residential uses.

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

The proposed tower/antenna will replace an existing pole/antenna, but will be approximately 10 feet taller. The tower/antenna provides a necessary public purpose of monitoring the Pump Station and sounding an alarm if a problem occurs. It will not create a hardship on other individual landowners but will serve a critical public purpose.

E. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.

This installation does not have an equipment compound so the setbacks are not an issue.

The tower sets back approximately 38 feet from the north property line; 39 feet from the east property line; 59 feet from the south property line and 30 feet from the west property line. This tower is mounted on a concrete platform that is 2'4" tall, and therefore, the tower is actually 35 feet tall plus an antenna that is 2'8" on top of the tower. The Pump Station building is 16'9" tall so if the tower were to fall to the south or east it would likely fall on the building. The height of the tower/antenna above the Pump Station building is about 23 feet and if it fell it would not reach either the south or east property lines. Therefore, it will be necessary to grant setback reductions from the north, west and east property lines in order to approve this Special Use Permit. In order to approve a reduction or waiver, the Planning Commission and City Council must consider the following:

1. **That there are special circumstances or conditions affecting the proposed cell tower installation;**

This tower is required to be located on the building it serves and is replacing an existing pole antenna. If this tower would fall to the south or east, the only building affected would be the Pump Station; if the tower fell to the north or west it could strike a public works building. This tower is located in an area that is restricted to the public which minimizes the affect it may have on people being in the area.

2. **That the setback waiver is necessary for reasonable development of the cell tower installation or the landowners property;**

JCW has determined that this is the best location for the tower primarily because it is replacing an existing tower at the same location and the cable connections are readily available.

3. **That the granting of the setback waiver will not be detrimental to the public welfare or cause substantial injury to the value of the adjacent property or other property in the vicinity in which the particular property is situated.**

The setback requirements would affect only one building which is a Public Works building. There are no Single-Family residents within 250 feet of the tower.

- F. **The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.**

The proposed tower on the west and north sides of the Pump Station building away from Single-Family and Multiple-Family developments and the facility will not adversely affect the welfare or convenience of the public. On the other hand the facility will benefit the community by providing better communications for the Pump Station.

- G. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such as the special use will not cause substantial injury to the value of the property in the immediate**

neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will cause substantial injury to the value of property in the immediate neighborhood, consideration shall be given to:

1. The location, size, nature and height of buildings, structures, walls, and fences on the site; and
2. The nature and extent of landscaping and screening on the site
The nature and extent of landscaping and screening on the site.

The Pump Station is located on a tract of land that is approximately 0.21 acres which is smaller than many residential lots in Prairie Village. The Public Works Maintenance Yard is approximately 4.5 acres so; the Pump Station site is very small in comparison. The use has been in place for more than fifty years; it is a smaller lot and does not dominate the area so as to hinder development.

It should also be pointed out that the use is separated from the residential development to the south and east by the natural landscape along the banks of Dykes Branch.

- H. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

Off street parking will not be necessary for this particular use other than a parking space available for service people to maintain equipment. The parking that is provided on the site will be adequate for this need.

- I. **Adequate utility, drainage, and other such necessary facilities have been or will be provided.**

Adequate utilities are available at the site.

- J. **Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.**

This parcel is actually land locked, but access is provided through the Public Works Maintenance Yard and has little if any impact on traffic in the area.

- K. **Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises.**

The antennas and equipment do not have any hazardous or toxic materials, obnoxious odors, or intrusive noises that would affect the general public.

- L. **Architectural design and building materials are compatible with such design and materials used in the neighborhood in which the proposed facility is to be built or located.**

For this installation, there is no equipment compound so the only element needed to be addressed is the tower. The proposed tower is a lattice tripod design which is different than what is typically found in Prairie Village. However, this tower will be

located on the north and east side of the building and will be generally screened from surrounding residential properties. The applicant has indicated that the tripod tower is easier to install and attach to the building than a monopole. According to the ordinance, the Planning Commission or City Council will need to specifically approve this design since it is not a monopole.

M. City Staff recommendations.

It is the opinion of Staff that this is an appropriate wireless facility installation for the following reasons: It is the replacement of an existing pole/antenna; it is only 40 feet tall; the residential areas are screened from view by trees along Dykes Branch; it is in a corner of the Public Works Maintenance Yard and therefore using similar uses; and it is an essential element for implementing the SCATA System. Staff also recommends waving the setbacks on the east, west and north property lines.

The only item that is undecided is whether it should be a monopole or a lattice tripod as proposed. Because of its location, height and public use, Staff does not have a strong opinion either way.

Dirk Schafer moved the Planning Commission find favorably on the factors for consideration and recommend the Governing Body approve of a Special Use Permit for a 40' wireless communications facility at 3535 Somerset Drive subject to the following conditions:

1. The approval of the Special Use Permit shall be for an undetermined period of time.
2. Any tower, antenna or other facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such tower, antenna or facility shall remove the same within 90 days after receiving notice from the City. If the tower, antenna or facility is not removed within that 90 days period, the governing body may order the tower, antenna or facility removed and may authorize the removal of the same at the permittee's expense.
3. The wireless communication facility, tower and antennas shall be structurally maintained to a suitable degree of safety and appearance (as determined by the City and any applicable law, statute, ordinance, regulation or standard) and if it is found not to be in compliance with the terms of the Special Use Permit will become null and void within 90 days of notification of noncompliance unless the noncompliance is corrected. If the Special Use Permit becomes null and void, the applicant will remove the facility tower antenna and all appurtenances and restore the site to its original condition.
4. The permittee shall keep the property well maintained the removal of leaves, trash and other debris.
5. In the future should the levels of radio frequency radiation emitted be determined to be a threat to human health or safety, the wireless communication facility, tower or antenna shall be rectified or removed as provided for herein. This finding must be either mandated by any applicable law, by federal legislative action, or based upon regulatory guidelines established by the FCC.
6. In order to ensure structural integrity, all wireless communication facilities, towers and antennae shall be constructed and maintained in compliance with

all applicable local building codes and the applicable standards for such facilities, towers and antennae that are published by the Electronic Industries Alliance.

7. The installation shall meet or exceed all minimum structural and operational standards and regulations as established by the FCC, FAA, EPA and other applicable federal regulatory agencies. If such standards and regulations are changed, then all facilities, towers, and antennae shall be brought into compliance within six (6) months of the effective date of the new standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency.
8. It shall be the responsibility of any permit holder to promptly resolve any electromagnetic interference problems in accordance with any applicable law or FCC regulation.
9. The tower shall be approved for a maximum height of 40 feet including the antenna. All antennas and cables shall be installed internally in the tower and the design and installation shall meet the standards set out in Section 19.33.035.C. Tower/Antenna Design.
10. There shall be no security lighting installed around the base of the tower.
11. The approved Site Plan, dated February 15, 2012 shall be incorporated as the site plan for approval of this application. If any changes are made to the site plan as a result of the approval, the plan shall be revised and submitted to the City prior to obtaining a permit.
12. The applicant may change out cable and antennas provided that the replacements are generally consistent with the approved plan. If change-outs are significantly different, as determined by the Building Official or his/her designee, a revised site plan shall be submitted to the Planning Commission for its review and approval.
13. A setback waiver is hereby granted for the tower from the north, east and west property lines to reduce the required setback from 40 feet to the actual distance between the existing tower and the property lines which are approximately 38 feet from the north, 39 feet from the east and 30 feet from the west.
14. The lattice tower/antenna as proposed is specifically approved for the location as presented in the applicant's submittal.
15. No additional users will be permitted on the towers without the approval of a Special Use Permit amendment.

SITE PLAN APPROVAL

Chairman Ken Vaughn led the Commission in review of the following site plan criteria:

- A. The site is capable of accommodating the building, parking areas and drives with appropriate open space and landscape.**

The application is to replace a 30' pole and antenna with a 40' tower and antenna. The proposed tower location does not meet the setback requirements, but a setback reduction is being considered by the Planning Commission as a part of the Special Use Permit. If the setback reduction is not granted, a major redesign of the site plan will be required.

The proposed facility will be served by the existing parking and drives.

B. Utilities are available with adequate capacity to serve the proposed development.

Basic utilities are available to serve this location.

C. The plan provides for adequate management of stormwater runoff.

There are no changes to the foot print or hard scape of this proposal, therefore a Storm Water Management Plan was not required.

D. The plan provides for safe and easy ingress, egress and internal traffic circulation.

The site utilizes the existing Public Works driveway for circulation which adequately serves the use.

E. The plan is consistent with good land planning and good site engineering design principles.

This is a very minor change from what exists and the proposed tower will be in the same general location as the existing pole/antenna. There will be very little change in the appearance of the facility.

JCW is also planning to add an 8'8" wood fence similar to the Public Works fence for security reasons. Much of the rest of the fencing surrounding the Public Works Maintenance Yard is eight feet in height. The ordinance has a maximum height of six feet unless it is approved by the Planning Commission through the Site Planning process. Increasing the height of the fence to eight feet is consistent with other fencing on the site and will be more appropriate for security purposes.

F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed installation and the surrounding neighborhood.

The proposed tower will be 40' in height which is taller than any other structure in the area. It is located within the Public Works Maintenance Yard so the tower is compatible with other buildings and structures in the Maintenance Yard.

G. The plan represents an overall development pattern that is consistent with the comprehensive plan (Village Vision) and other adopted planning policies

Wireless communications are not specifically addressed in Village Vision. Perhaps it falls into the goal of maintaining and improving infrastructure.

Marlene Nagel moved the Planning Commission approve the site plan for the Dykes Branch Pump Station at 3535 Somerset subject to the following conditions:

1. That all wiring be contained within the tower.
2. That the proposed wood fencing be approved for a height of 8'8" as shown on the site plan.

The motion was seconded by Bob Lindeblad and passed unanimously.

PC2012-02 Proposed amendment to the City's Comprehensive Plan reflecting changes in the Parks Master Plan

Chairman Ken Vaughn noted the public hearing for this application was held at the February 7, 2012 Planning Commission meeting without discussion by the Commission pending action by the Governing Body on February 20, 2012.

Dennis Enslinger reported that at the City Council meeting on February 20th, the Council directed staff to send notification to the property owners along both the existing and the proposed trail locations. In order for the 660+ residents to receive this notice in a timely manner, it has been recommended the Commission continue this application.

He also noted the next item on the agenda is the authorization of a public hearing for a Comprehensive Plan Amendment for the Mission Valley Middle School property. If both hearings are held at the same meeting, the meeting location will need to be moved to accommodate the anticipated public in attendance.

Bob Lindeblad moved to table consideration of PC2012-02 to the end of the agenda. The motion was seconded by Marlene Nagel and passed unanimously:

NON-PUBLIC HEARINGS

There were no Non-Public Hearing Applications to come before the Commission.

OTHER BUSINESS

PC2012-05 Discussion of draft amendment to Comprehensive Plan for the Former Mission Valley Middle School Site

Dennis Enslinger stated at its regular meeting on February 6, 2012, the City Council voted not to move forward with the Comprehensive Plan Amendment for 84th and Mission Road and directed staff to prepare a Comprehensive Plan Amendment for just the Mission Valley Middle School site based on the uses in R-1a District in which it is currently zoned.

The amendment has been prepared to amend Chapter 8 entitled "Potential Redevelopment" and follows the same format used to address Somerset Elementary School.

Ron Williamson reviewed the proposed amendment which outlines the following critical issues related to the sites potential for redevelopment:

1. The school site functions as an integral part of the neighborhood.
2. The existing structures
3. Single-family residences to the south, southwest and east
4. Multi-family residences to the north and northwest
5. Drainage and flood plain issues
6. Parking

7. Access
8. Public Perception
9. Zoning regulations limit uses

Mr. Williamson noted the amendment was created in the same format that was used to address the vacant Somerset Elementary School property.

The recommendations presented in the amendment are to encourage developers to obtain community input in the development of plans and that the City limit the uses to those allowed in the R-1a Single-Family District. The amendment also addresses the economic perspective of the development of this site.

Planning Commission members commended staff on the proposed amendment stating they felt the issues were well addressed.

Ken Vaughn advised the Commission that the Prairie Village Voice that was recently published contains an article on the Parks Master Plan Trail Amendment that announces a public hearing would be held on April 3rd.

Commission members agreed that both hearings should not be held at the same time and since the hearing on the Parks Master Plan Trails Amendment was published for April 3rd the Mission Valley hearing should not be held until May 1st. Dennis Enslinger stated that a hearing a May 1st would provide sufficient time to address the zoning moratorium currently in place.

Chairman Ken Vaughn noted there were a number of residents present and although this is not a public hearing asked if anyone would care to address the Commission.

Whitney Kerr, 4020 West 86th Street, stated he was concerned with the possibility of the hearing being on April 3rd, which is an election day and prefers the May 1st date.

Kent Crippin, 8605 Mohawk, agreed that staff has done a good job on preparing the amendment; however, he noted the issue of building mass to neighboring properties is not addressed and this will have a significant impact on the environment of the neighborhood.

Bob Lindeblad replied that this would be addressed in a rezoning or development application and not in the comprehensive plan.

Ken Vaughn confirmed the amendment calls for restricting to development to those allowed in an R-1a zoning district.

Dennis Enslinger noted staff tried to address the density issue by including in the amendment the density levels of surrounding properties.

Nancy Vennard noted under Economic Perspective the phrase, "Civic uses could be considered as a part of that mixed-use environment." and cautioned that phrasing could raise questions. Ron Williamson stated it would be changed to "residential mixed-use environment". Mrs. Vennard noted the same "mix of uses" language later in the recommendations and suggested that also be clarified. Mr. Enslinger replied

that the language was taken from language used to address the Somerset Elementary School development, but noted it could be changed.

Randy Kronblad moved the Planning Commission authorize a public hearing on the proposed Comprehensive Plan Amendment for the former Mission Valley Middle School site on Tuesday, May 1, 2012. The motion was seconded by Nancy Vennard and passed unanimously.

PC2012-02 Proposed amendment to the City's Comprehensive Plan reflecting changes in the Parks Master Plan

Bob Lindeblad moved to remove item PC2012-02 from the table and to continue PC2012-02 to the April 3, 2012 meeting of the Planning Commission. The motion was seconded by Marlene Nagel and passed unanimously.

OTHER BUSINESS

Dennis Enslinger announced that Hunt Midwest has offered tours of a completed facility that is similar to "Benton House" being constructed at 2700 Somerset. Interested Commission members should contact him.

Next Meeting

The April 3rd Planning Commission agenda at this time only has the continued application PC2012-02 on the proposed amendment to the Parks Master Plan Trail Plan.

ADJOURNMENT

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 9:00 p.m.

Ken Vaughn
Chairman

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, Lochner, Planning Consultant
SUBJECT: PC 2012-02 Proposed Amendments to the Park and Recreation Master Plan
Section of the Prairie Village Comprehensive Plan
DATE: April 3, 2012 Project # 011002401

Background:

At its regular meeting on November 1, 2011, the Planning Commission discussed a proposed amendment to the Park and Recreation Section of the Comprehensive Plan in detail and authorized staff to advertise the matter for public hearing.

Prior to holding the public hearing on the proposed amendments, the Park and Recreation Committee provided comment on the proposed amendments and recommended approval of the proposed Nall Avenue alignment at their November 9, 2011 meeting.

The Planning Commission opened the public hearing on the proposed trail plan amendments at the February 7, 2012 meeting. At the request of City Council, the Planning Commission continued the item at the February 7th meeting to allow for the City Council to discuss the general topic of trails at the March 5th Council Committee meeting.

At the March 6th Planning Commission meeting, the Planning Commission continued the item to the April 3rd meeting allowing for more time to notify property owners and residents along the proposed route changes.

Discussion:

The Park and Recreation Plan was prepared in 2009; the Planning Commission approved incorporating it into the Prairie Village Comprehensive Plan (Village Vision) July 7, 2009 and the City Council approved it July 20, 2009.

The City has been implementing the Trail Plan, as part of the Park Master Plan, with the construction of Somerset Trail along Somerset Avenue. In 2011, the City of Mission approached the City of Prairie Village and the City of Overland Park to discuss constructing the trail along Nall Avenue rather than Roe Avenue.

In 2010, the City of Mission presented a plan to the Prairie Village City Council to construct a trail as part of the Nall Avenue improvements (a joint Mission and Prairie Village street project). The City Council approved the proposed street project and directed staff to look at modifying the existing Master Park Trail Plan to reflect this change.

The City of Mission completed construction of a section of trail along Nall from 67th Street to Martway in 2011. The City of Overland Park is aware of the proposed Nall Avenue route change, but has not committed to the Nall Avenue alignment. The proposed Nall Avenue trail would have connections at 63rd

Street, Tomahawk Road, 79th Street and 91st Street. Alternate routes on 67th and 69th Streets will be extended to Nall Avenue.

The attached Trail System Plan shows the proposed changes and two other maps will need to be changed accordingly if the amendment is approved. The Roe Avenue Trail is marked with an "X" and the proposed Nall Avenue Trail is shown as a dashed line. Also the extensions of 63rd Street, 67th Street, 69th Street and 79th Street from Roe Avenue to Nall Avenue are shown in a dashed line. Staff is recommending the trail on 75th Street west of Shawnee Mission East be deleted because of significant right-of-way constraints.

The text in the "Trail System Overview" in the Park and Recreation Master Plan does not require any revision because it is a general discussion of the proposed Bike/Trail Plan. There are several maps, however, that will need to be changed as follows: the "Comprehensive Parks and Trails Plan", the "Trail System Plan" and the "Trail System Plan-Phasing".

Staff has attached correspondence received regarding the proposed changes and comments during the public hearing sections of the proposed trail amendments.

RECOMMENDATION:

It is the recommendation of Staff that the Planning Commission adopt the Resolution amending the Park and Recreation Master Plan in Village Vision by changing the Bike/Trail from Roe Avenue to Nall Avenue and related east/west connections and submit said Resolution to the Governing Body for its approval. A copy of the proposed Resolution is attached.

If the Planning Commission determines that the Roe alignment is the preferred alignment, Staff recommends that the Planning Commission adopt a Resolution amending the Park and Recreation Master Plan or Village Vision by adding an extension of the 67th Street Trail section to extend to Nall Avenue. Thereby, connecting to the current section of trail constructed on Nall Avenue to the planned Roe Route. A resolution would need to be drafted and approved by Planning Commission.

The Planning Commission would also have the option of not adopting any changes to the Master Trail Plan contained in the Park and Recreation Master Plan in Village Vision. If the Planning Commission pursues this option, it would send a recommendation to the City Council not to amend the Master Trail Plan.

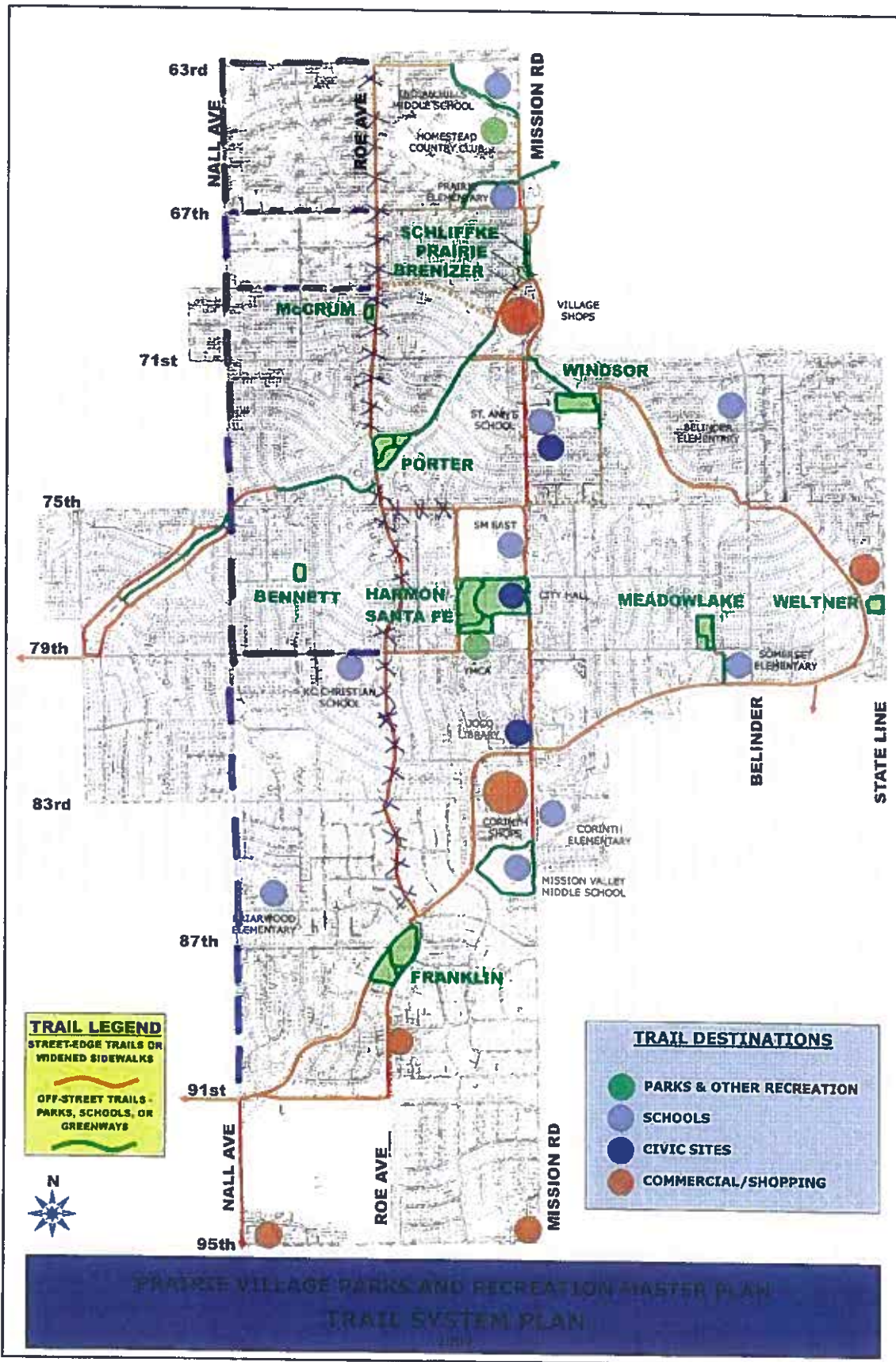
Attachments:

Proposed Trail Changes Map

Existing Trail Plan Section of the Parks Master Plan

Correspondence

Planning Commission Minutes February 7th/March 6th



PRairie Village Parks and Recreation Master Plan
TRAIL SYSTEM PLAN

Trails System Overview

The plans on the following pages highlight the proposed community-wide trail system and depict an initial phasing plan for implementation.

Trail System Purpose

The trail system is conceived first and foremost as a recreation and quality of life resource for the citizens of Prairie Village, with the goal of providing easily-accessed and safe corridors for walking, running, bicycling, and generally moving about the city. It is essentially intended to accommodate the following uses:

- Recreational cyclists and families with children
- Runners and walkers
- General citizen access to community sites, such as parks and recreation facilities, schools, civic sites, and commercial shopping areas

The trail plan includes locations of specific trail destinations that trail users would be expected to seek out. It is instructive to note that the proposed trail system connects directly to or within one block of 27 of the 32 anticipated destinations, with the exception of one park site (Bennett Park), two elementary schools (Belinder and Briarwood), and two commercial areas (95th&Nall and 95th&Mission).

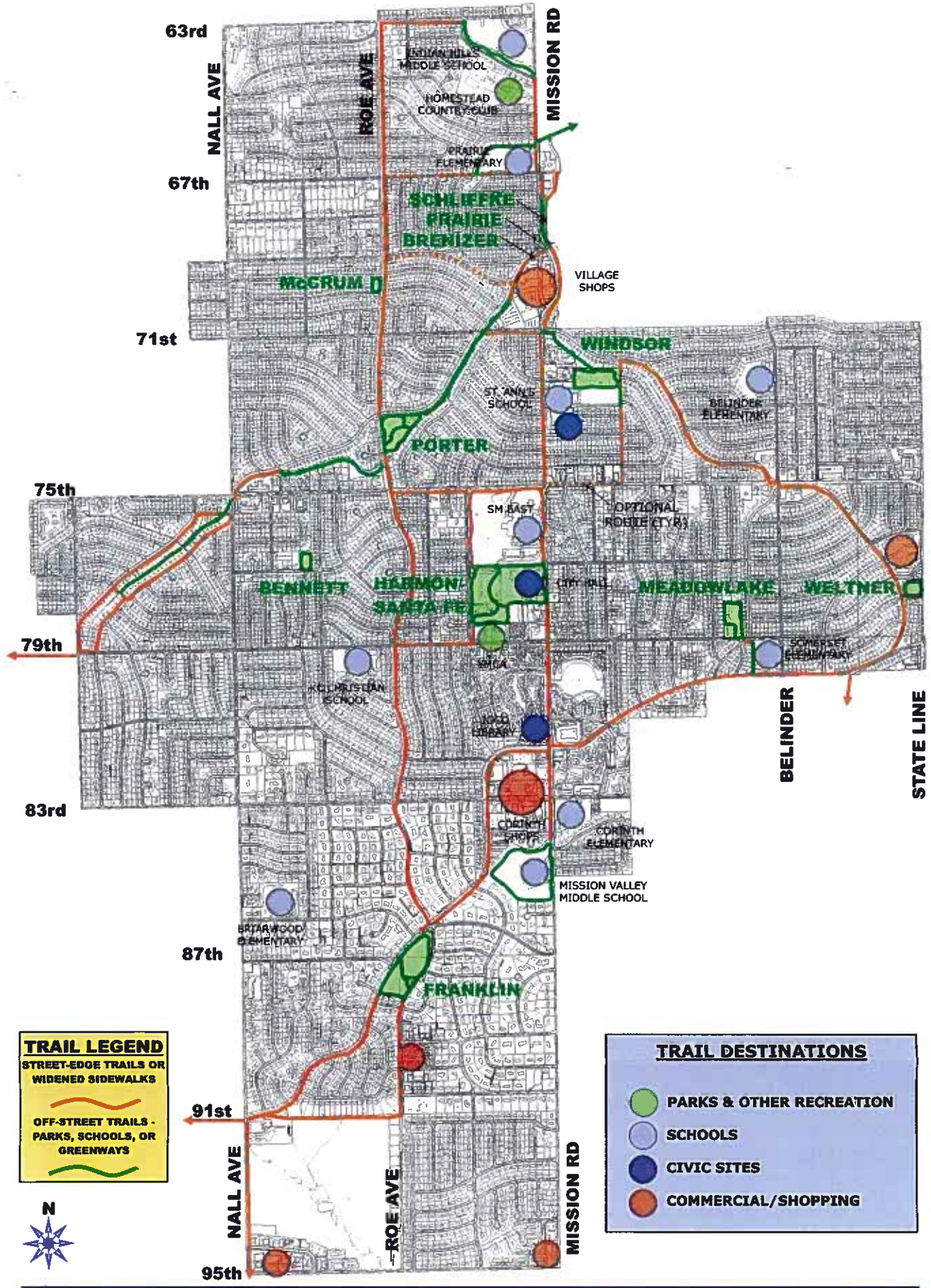
Trail Corridors

The proposed trail corridors are initially targeted for those areas that provide the safest pedestrian environments, comfortably allow for two-way trail traffic, and minimize interactions with vehicular traffic. The preferred corridors for the trails are those that can accommodate minimum 8' wide trails, including:

- Existing parks and school sites
- Wide street right-of ways, where 8' wide sidewalks can be accommodated.
- Stream corridors, with particular focus on the few that are accessible for trail purposes.

Bike Lanes

This master plan strongly encourages the future study and development of bike lanes throughout the community to better serve more serious cyclists and to promote an increase in daily commuters using bike lanes for regular travel to places of employment. A system of this nature is essentially a transportation function and necessitates many considerations of street profiles and condition, traffic patterns and safety, as well as signage, and it is beyond the reach of this master plan to provide specific recommendations on preferred bike lane corridors. However, it should be noted that bike lane developments are likely to be a primary means to connect the Prairie Village trail system to neighboring trail systems such as the Indian Creek Trail System to the south. Thus, future bike lane studies should carefully consider these factors and be coordinated with surrounding communities.



TRAIL LEGEND

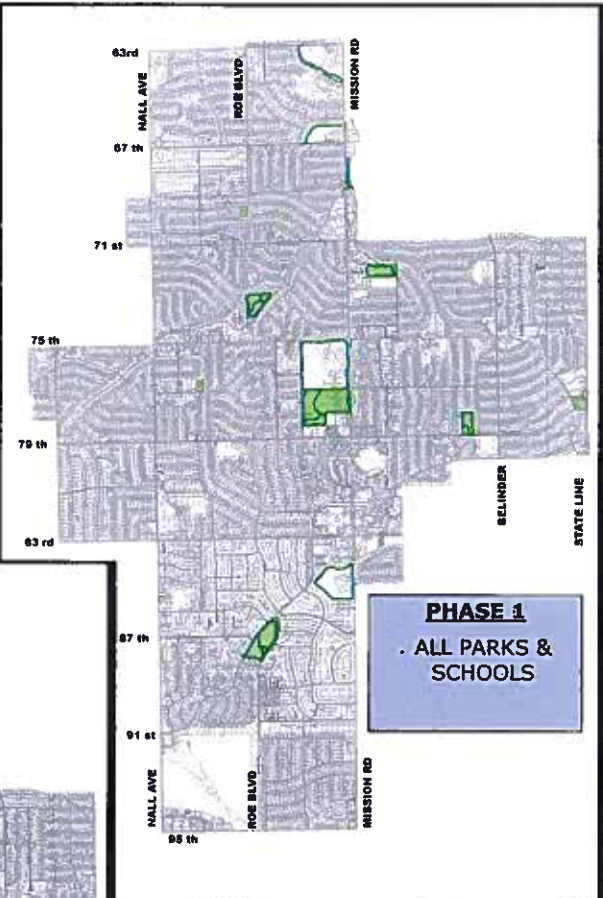
STREET-EDGE TRAILS OR WIDENED SIDEWALKS

OFF-STREET TRAILS - PARKS, SCHOOLS, OR GREENWAYS

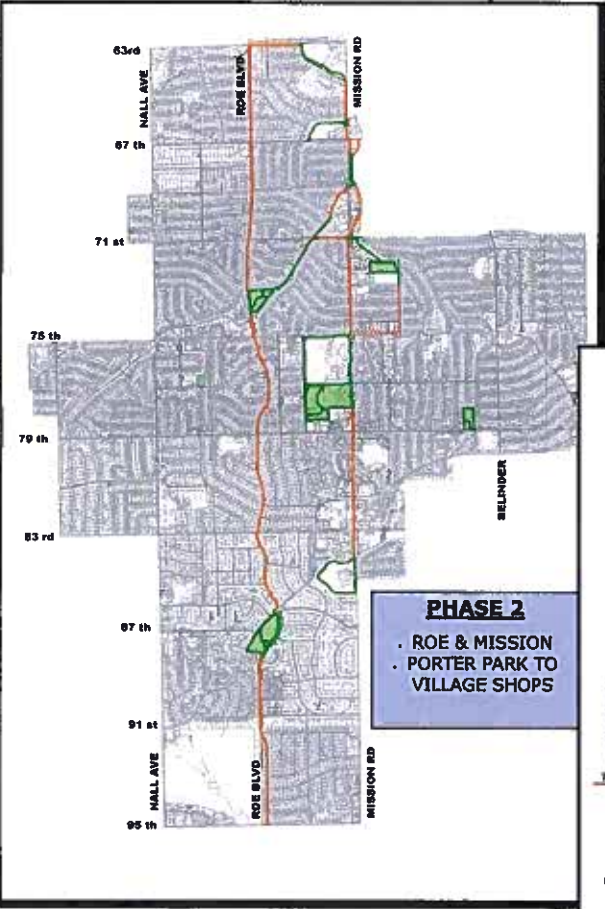
TRAIL DESTINATIONS

- PARKS & OTHER RECREATION
- SCHOOLS
- CIVIC SITES
- COMMERCIAL/SHOPPING

PRAIRIE VILLAGE PARKS AND RECREATION MASTER PLAN
TRAIL SYSTEM PLAN
 2005



PHASE 1
 . ALL PARKS & SCHOOLS



PHASE 2
 . ROE & MISSION
 . PORTER PARK TO VILLAGE SHOPS



PHASE 3
 . TOMAHAWK RD.
 . SOMERSET RD.
 . CHEROKEE & BOOTH
 . EAST WEST CONNECTORS

TRAIL LEGEND
 STREET-EDGE TRAILS OR WIDENED SIDEWALKS
 OFF-STREET TRAILS - PARKS, SCHOOLS, OR GREENWAYS



To: The Prairie Village Planning Commission

From: Craig & Anne Patterson

5301 West 67th Street

Date: March 29, 2012

Subject: Bike Path

Anne and I wish to strongly protest the proposed bike path planned to be built on 67th street between Roe and Nall.

If completed as proposed, we would have an excessive incursion of concrete into an already shallow front yard. Our home was built in 1882 by John Nall when there were no paved streets and setbacks from the street were a long time into the future. As a consequence, the front line of our house is a mere 60 feet from the street. The current side walk presents a substantial block of concrete in our front living space. Adding an additional three to four feet would result in the elimination of already precious green space in our front yard.

I have lived in the house since November of 1959. In the intervening 53 years, my wife of 44 years and I have seen a continual erosion of green space in the immediate territory around our yard. To our west, the adjacent Nall Avenue Baptist Church lot went from grass yard with a beautiful stand of walnut trees to a gravel lot with trees, to a treeless lot with some asphalt to a completely asphalt covered space with a tiny bit of green space. Most of these changes were protested by us and the neighbors with notable lack of assistance or support from the city. This has resulted in a very large area of asphalt and buildings with quite a notable lack of green space. Not what one would think of as a Prairie Village neighborhood. Adding MORE concrete is unthinkable.

In 1993 our house burned down to a shell. We invested the time and resources to rebuild a city landmark with the option being to take the insurance proceeds and bulldoze the remnants. What stands now received architectural recognition from the Historic Kansas City Foundation, the Kansas Preservation Alliance and The National Trust for Historic Preservation. The addition of a four foot wide slab of concrete to the front yard of this residence will add an eyesore to the work which has been done to preserve the Prairie Village past.

We are strongly opposed to this plan and we will pursue legal options if the plan for the path in front of our house is approved.

Respectfully,

Craig W and Anne N Patterson

March 28, 2012

Prairie Village Planning Commission,

It does not make sense to move the bike/pedestrian trail from Roe Avenue to Nall Avenue.

I understood that the idea was to "link" the parks, schools and shopping area. Are you thinking that bikes and pedestrians will use it to shop at 95th St and Nall?

What parent would want their child riding a bike on Nall?

It is a very busy street with lots of trucks, cars, delivery trucks, construction vehicles, buses flying down the street.

The speed limit is 35 mph.

You need to stick to the original plan.

Keep the TRAIL ON ROE!



Shawn Kyndesen

5401 W 84th St

Prairie Village KS 66207

March 28, 2012

Prairie Village Planning Commission,

It does not make sense to move the bike/pedestrian trail from Roe Avenue to Nall Avenue.

I understood that the idea was to "link" the parks, schools and shopping area. Are you thinking that bikes and pedestrians will use it to shop at 95th St and Nall? What parent would want their child riding a bike on Nall?

It is a very busy street with lots of trucks, cars, delivery trucks, construction vehicles, buses flying down the street.

The speed limit is 35 mph.

You need to stick to the original plan.

Keep the TRAIL ON ROE!



Tim Kyndesen

5401 W 84th St

Prairie Village KS 66207

Dennis Enslinger

From: Allan.Beshore@dot.gov
Sent: Monday, March 26, 2012 10:22 AM
To: Dennis Enslinger
Subject: Trail Plan

I won't be able attend the public meeting on Tuesday, but I do have a comment. Since I live along Roe, I'm not sure if the trail would be a good thing or not for my property value.

My comment is a financial one. I'm not sure why the City would spend the extra money to construct four crossovers from Roe to Nall to switch over to the new plan with the trail along Nall. One crossover along 63rd Street would suffice to connect the Mission segment to the system along Roe Ave as was originally proposed. In addition, the modified route along Nall bypasses Franklin and Porter parks and is less convenient to Harmon and the other facilities near City Hall.

Regardless of the impact to my own property, I would encourage the City to pursue the least costly alternative and stick with the original plan along Roe Ave.

Thanks,

Allan Beshore
8221 Roe Ave
913-383-1220

Dennis Enslinger

From: Steve Jackman [rugby2jack@yahoo.com]
Sent: Tuesday, March 20, 2012 2:01 PM
To: Dennis Enslinger
Subject: Comment on Master Trail Plan Amendments

Dennis Enslinger

Dear Sir,

I'd like to express my support for the Master Trail Plan Amendments. Reviewing the proposed changes, I believe that moving the proposed Street edge trails/sidewalks to Nall is very logical. Nall has more space to accommodate them. The end result provides a more useful circuit for exercise. And, Nall gets a significant amount more traffic overall, both in terms of exercise and non-motorized vehicle transportation.

Living on Nall (side of my house), I am directly impacted by this change

Sincerely,

Steve Jackman
5501 W 70th Ter. Prairie Village, KS 66208
913 403 1853

Dennis Enslinger

From: Sam Fotopoulos [samf.fotoscopies@att.net]
Sent: Sunday, March 18, 2012 8:13 PM
To: Bruce McNabb; Dennis Enslinger
Cc: sfotop2@aol.com
Subject: trail project

Dennis,

I am writing in regard to the Trail Plan.

We know the Trail Plan was approved by the Prairie Village City Planning Commission to be implemented for Roe Avenue, but now the Commission wants to change the already approved Trail Plan from Roe to Nall Avenue. I am concerned and opposed to this plan.

First a little background as a life-long PV resident since 1961.

My parents built the house on the corner of 83rd and Roe in 1961 when there were very few surrounding homes. My mom still lives there.

My family has lived on the corner of 82nd Street and Nall since 1987.

Whether the trail is on Roe or Nall my family will be impacted.

I understand that several residents of Prairie Village were randomly contacted to participate and fill out a survey regarding if they would like Trails in PV. My wife attended a city council meeting back in February and was told by the council that the survey didn't give any specific details as to where the trails would be placed, what residents and neighborhoods would be effected by the trails, what "type of trails" the survey was referring to, and what the trails

would look like. She was told that no specifics for the trails were given on the survey.

Therefore, I'm puzzled as to how the city planning commission and city council would move forward to implement a Trail Plan based on the feedback of a random survey which didn't go out to all PV residents and didn't explain to those residents participating in the survey any specific details about the trails. I would guess that most residents would say 'yes' if left to imagine that the type of trails the survey was referring, were trails going over the river and trough the woods to Grandmother's house. If the survey asked if residents wanted 8 foot concrete sidewalks called "Trails" the response may be different.

How an 8 foot concrete pathway would fit here and look pleasing would be a challenge to say the least. Bikers use the street, not sidewalk, and kids avoid Nall because it is so busy with cars and trucks speeding by.

Going in and out of our driveway is difficult with the current traffic and existing sidewalk. To add additional

sidewalk would be dangerous to all involved as well as a cosmetic eyesore.

Please feel free to come visit the area near my home.

Regards,

Sam Fotopoulos
President
Foto's Office Systems
816-421-6482
samf@fotoscopies.com



Dennis Enslinger

From: jquick8209@aol.com
Sent: Sunday, March 18, 2012 6:35 PM
To: Dennis Enslinger
Subject: Master Trail Plan Proposed Amendment

Dennis:

I recently received the info re proposal to move trail from Roe Avenue west to Nall Avenue. Honestly, this makes no sense to me whatsoever.

Can you please provide the rationale behind this proposed change to the current master plan.

Regards,
John Quick
8209 Roe Avenue
Prairie Village, KS 66208
Phone: 913-341-3669

March 5, 2012

Dear Commissioners,

On February 21, the Prairie Village City Council reaffirmed its commitment to the existing Village Vision and Park Master Plan. As you know, a lot of time and effort went into the design, formation and passing of the Park Master Plan. We hope you will agree that a significant change like the proposal to re-route the bike trail from Roe to Nall requires much more thought and study and drastically alters the already-approved plan.

We urge you not to approve such a significant change without acquiring and sharing more information with the residents along Nall Avenue, who would be the most impacted by this change.

So far, we know only that someone in the city decided it would be better to change to Nall based on what the city of Mission has done. We don't know which side of the street this is proposed for. We don't know how close to the street, or how far into yards or "easement" the trail would come. We don't know how many trees would have to be cut down or how many fences and walls would be removed. We also don't know how much the trail will cost. Would the move to Nall, along with the additional spurs cost more money? Will the city have to purchase land from homeowners or declare eminent domain? In some sections of Nall, it doesn't appear that the city even has the eight feet necessary for a trail in the existing easement.

The city has asked residents if they support trails in Prairie Village. That's like asking someone if they'd like to have a Ferrari. Sure. But what's the cost? What are the conditions, the details? If you ask residents along Tomahawk if they support a trail along the creek, most would say sure. But if you ask them if they support a trail with a chain link fence, you're going to get a much different answer.

We see no reason to let the actions of another municipality completely alter our plan. We also see no reason Prairie Village can't hook up to the Mission trail at 67th and Nall, take the trail up 67th Street, and continue with the original route along Roe Avenue. Nall Avenue does not make sense for a community bike trail. On Roe, the trail would link several city parks as well as join up with the Overland Park trail at 103rd and Roe. Two of the Prairie Village parks situated along Roe, Porter and Franklin, in turn, link up to the city's shopping districts. This makes much more sense as a trail route. Along Nall, there are no parks and no shops. It's simply not a destination.

Please vote no on this proposal and stick to Village Vision as already designed and approved.

Sincerely,
Mark and Debby McDonald

8115 Nall Ave
Prairie Village, KS 66208
913-381-8667

Joyce Hagen Mundy

From: Dennis Enslinger
Sent: Friday, March 30, 2012 10:01 AM
To: Joyce Hagen Mundy
Subject: Fwd: Trail Plan Protest

Not sure if this is the same.

----- Original Message -----

Subject: Trail Plan Protest
From: M Sloop <msloop@everestkc.net>
To: denslinger@pvkansas.com
CC:

Dennis,

I strongly oppose the proposed possible amendments to the TRAIL SYSTEM PLAN, especially in the matter of removing Roe Avenue from the segment and adding Nall Avenue. You stated the trail segments are typically constructed as part of a major street project. Well, Nall was under construction since last year and was just recently completed from 75th St to 79th St. I believe the city used up their easement on this street widening project. Any attempt to take more land from the homeowners along this stretch of Nall will greatly effect property values. I would not have bought the home on Nall had I known at the time that Prairie Village was contemplating such a plan. The city should stick to the original plan with Roe Ave. After all, Roe is much more suitable since the houses have a deeper set-back from the street than does Nall.

I would appreciate a reoly.

Sincerely,

Mark E. Sloop
Property Owner of 7805 Nall Ave

March 29, 2012

Mr. Dennis Enslinger
Assistant City Administrator
City of Prairie Village
7700 Mission Rd
Prairie Village, Kansas 66208

sent via fax to: 913-381-7755

Re: Protest of the Proposed Trail System Plan Revisions

Mr. Enslinger,

I strongly oppose the proposed possible amendments to the TRAIL SYSTEM PLAN, especially in the matter of removing Roe Avenue from the segment and adding Nall Avenue. You stated the trail segments are typically constructed as part of a major street project. Well, Nall was under construction since last year and was just recently completed from 75th St to 79th St. I believe the city used up their easement on this street widening project – Any attempt to take more land from the homeowners along this stretch of Nall will greatly affect property values. I would not have bought the home on Nall had I known at the time that Prairie Village was contemplating such a plan.

The city should stick to the original plan with Roe Ave. After all, Roe is much more suitable since the houses have a deeper set-back from the street than does Nall.

I would appreciate a reply.

Sincerely,



Mark E. Sloop
Property owner of 7805 Nall Ave

Cc: File

Planning Commission Members:

I am writing to appeal to the commission to reconsider construction of 8' wide trails along major roads in Prairie Village. My husband Jim and I have lived for 35 years in Town & Country at 4301 Somerset Drive, on the southwest corner of Delmar & Somerset. A year ago the City constructed an 8' wide trail through our front yard and two other residents' properties on Somerset. From the time we received a letter "inviting" us to see the plans to the actual construction was only 3 weeks! Jim and I wrote the mayor, city council, and the Director of Public Works to ask if we had any input or recourse. We were told it was a "done deal" and nothing could be done to stop it. We were willing to compromise and asked the City to revise its plans to provide a 5' wide trail. The City ignored our request. That trail and a sidewalk across the street would have adequately handled the foot and bike traffic between the park and Corinth. The "one size fits all" concept does not apply in this case! The wider paths should be constructed around parks or greenways and if necessary, 5' wide paths along residents' yards. The 2008 survey, which did not include the residents impacted by this project, indicated that a majority of property owners responding preferred to see off-street trail in greenways, not thoroughfares such as Somerset. We feel the City chose this short section of Somerset as a precedent to see how we would react and they gave us no time to respond. We realize that the City had a right of way on our street and could do whatever they wanted, but how the City handled this was unconscionable and disrespectful of their citizens.

Now that the 8' wide trail is in, I can tell you that I've seen teenagers drive their cars in one neighbor's driveway, down our trail, and out another driveway. Besides affecting our property values and our privacy, we have skateboard noise, more animal waste in our yard, and people stopping on the Town & Country wall on our corner to rest. Furthermore, I have on two occasions seen PV maintenance trucks' park on the trail to do inspection or work instead of parking on the street! Cyclists refuse to use the trail because of having to maneuver around walkers/skateboarders. Also, the Director of Public Works indicated that property owners would be responsible for snow removal and other related liability on this wide trail. Because this section connects Franklin Park with Corinth and is part of the county master trail system, the City should take care of snow removal and any other maintenance.

We are extremely disappointed in our City and the secretive manner in which they handled this. From your mistake with us, you at least realized you needed to inform Roe and Nall residents in a timely manner of possible trails along their streets. I hope you will receive their concerns with more openness and courtesy than you did for us and revise your Master Trail Plan or leave Nall and Roe alone, thus saving the taxpayers millions of dollars.

Susan Hubbard

**PLANNING COMMISSION MINUTES
FEBRUARY 7, 2012**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, February 7, 2012, in the Council Chambers, 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Bob Lindeblad, Dirk Schafer, Nancy Wallerstein, Marlene Nagel and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator; Al Herrera, Council Liaison; Jim Brown, City Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

Excerpt

PC2012-02 Proposed Amendment to the City's Comprehensive Plan reflecting changes to the Parks Master Plan

Ken Vaughn advised those present that City Council has requested that the Planning Commission continue to March 6th PC2012-02 until the City Council discusses the support for trails within the community at their meeting on February 21st. However, the Commission will conduct the scheduled public hearing on this application and called upon the City's Planning Consultant to present the application.

Ron Williamson noted the Parks Master Plan was prepared in 2009 and the Planning Commission incorporated it into the Prairie Village Comprehensive Plan (Village Vision) July 7, 2009. Surveys taken in conjunction with the Parks Master Plan preparation revealed that walking/jogging were the most common exercises and that 79% of residents surveyed supported the city developing a trail system. This was the #1 recommendation from the Park Master Plan.

The City has been implementing the Bike/Trail Plan as part of the Park Master Plan and has determined Nall Avenue will be the trail route rather than Roe Avenue as shown in the Park Master Plan. The City of Mission has already set a trail in place along their section of Nall. The City of Overland Park has agreed to support a trail along Nall. The proposed Nall Avenue trail will have connections at 63rd Street, Tomahawk Road, 79th Street and 91st Street. Alternate routes on 67th and 69th Streets will be extended to Nall Avenue.

The Park and Recreation Committee has reviewed the proposed change in the Bike/Trail alignment from Roe Avenue to Nall Avenue and has endorsed the change.

The text in the "Trail System Overview" in the Park and Recreation Master Plan does not require any revision because it is a general discussion of the proposed Bike/Trail Plan. However, there are several maps that will need to be changed as follows: the "Comprehensive Parks and Trails Plan", the "Trail System Plan" and the "Trail System Plan-Phasing".

Ron Williamson reviewed a revised map of the Trail System Plan showing the proposed changes and noted the other two maps would be changed accordingly if the amendment was approved. The Roe Avenue Trail is marked with an "X" and the proposed Nall Avenue Trail is shown as a dashed line along the trail. Also the extensions of 63rd Street, 67th Street, 69th Street and 79th Street from Roe Avenue to Nall Avenue are shown in a dashed line. Staff is recommending the trail on 75th Street west of Shawnee Mission East be deleted because of significant right-of-way constraints.

Prior to sending the Resolution to the City Council, Staff recommends the revised map be forwarded to the Park & Recreation Committee to allow for additional comment, if the Park and Recreation Committee has significant comments, the proposed amendment will be returned to the Planning Commission for further consideration.

Bob Lindeblad asked what notifications were of this change. Dennis Enslinger responded the notice of this hearing was published in the paper and notification placed on the City's Website. The City Council has discussed this at ten meetings and approved the relocation as part of a street project. There was no public hearing on "Trailways" specifically; only on the Parks Master Plan. Property owners on the proposed trail were not individually notified.

Nancy Wallerstein stated she served on the Parks Master Plan Committee and noted the committee had concerns with the location of the trail along Roe because of the smaller homes with smaller front yards would be greatly impacted by the placement of an eight-foot trail. The plan was to take the trail down Roe and connect with the trail at 103rd & Roe. She stated the Parks Master Plan Committee was not advised of nor discussed this change.

Ken Vaughn stated he likes trails and feels they should be placed where they belong. He is not aware of any feasibility study done of the proposed location. He noted Roe has more right-of-way than Nall as it was anticipated that Roe would become a four lane-roadway. Nall has limited right-of-way particularly between 75th and 83rd streets. He does not feel the location has been adequately studied as to the impact of the trail and cannot support the proposed change at this time.

Ron Williamson replied there was no engineering analysis done of either corridor or of what side of the street. At this point at time it is a line on a map to be studied in detail at a later time. Ken Vaughn responded he does not feel there is any need to put a line on a map until a feasibility study has been done showing that a trail can reasonably constructed at that location.

Randy Kronblad agreed with Mr. Vaughn that this is a significant change to the original location and there needs to be a study done to determine its feasibility.

Nancy Vennard noted no one has proven this is a good location and the placement of lines on a map are not appropriate without a study and the same thing applies to Roe Avenue.

Chairman Ken Vaughn opened the public hearing.

Mark McDonald, 8115 Nall, stated that only two persons received notification of this hearing although the residents of the neighborhood had asked to receive notifications of any action on the trail system. This was approved in November and they are just hearing about it. Mr. McDonald stated he is absolutely opposed to the proposed change in the Parks Master Plan that would add a bike trail along Nall and made the following comments:

- The City does not need this trail. It is an unnecessary expenditure unwanted by the homeowners in the area.
- The City should not be spending money on this in the current economic climate.
- Prairie Village does not have to be like Leawood, noting Leawood wasn't landlocked when it began constructing its trail system and was able to place them appropriately along creeks and open spaces.
- Who bears the responsibility for maintenance of these trails and liability for any accident occurring on the trail.
- With the high volume of traffic on Nall, he feels the location of a trail would create a safety hazard.
- The placement of a huge slab of asphalt running through their yards will be ugly and decrease their property values. Taking the easement and adding a trail places their homes closer to the activity on Nall and removes the long setback that has helped maintain their property values.

Elizabeth and Paul McKie, 8235 Nall, stated the placement of the trail would remove the historic 100+ year old wall along the front of their property as well as require the removal of several beautiful mature trees. This is a heavily travelled roadway as well as a truck route and is not an appropriate location for a trail. They also expressed frustration over the lack of notification that they were promised regarding trail activities.

Michael Shook, 5501 West 81st Street - corner of 81st & Nall, stated he has lived at this location for more than 30 years and has seen traffic increase to the level that it has all it can handle. He also expressed concern with the necessary removal of mature trees for the trail. If additional right-of-way for possible expansion of Roe is available, it should be used for this trail. The trail could connect from Roe to Nall at 95th Street. Mr. Shook stated that if someone's property is going to be taken or impacted, they deserve to have individual notice of the proposed actions. The lack of notice is unacceptable.

Kathryn McIntyre, 5450 West 83rd Street, expressed concern for her stone fence which has already been lowered because of the sidewalk added along Nall. She is also

concerned about the loss of trees and flowers along the front of her property. She felt construction of a trail along a truck route would be dangerous.

Kevin Koch, 8236 Nall, stated he is a cyclist and does not ride on the heavily travelled Nall but heads to Lamar. He also noted there have been a number of accidents at 83rd & Nall and the addition of a trail would make that area more problematic.

With no one else to address the Commission, the public hearing was closed at 7:50 p.m.

Dennis Enslinger stated the City Council would be having a general discussion on trails at its meeting on Tuesday, February 21st.

Nancy Wallerstein asked that the residents be given a sign-in sheet for them to give e-mail addresses so they can receive more information on that and future meetings.

Mark McDonald asked if the City was required to implement a trail system. Mr. Enslinger responded it was not. Mr. McDonald added is the trail along Tomahawk Creek is indicative of the trail system, he would rather they not.

Bob Lindeblad moved the Planning Commission continue PC2012-02 to their March 6, 2012 meeting. The motion was seconded by Marlene Nagel and passed unanimously.

**PLANNING COMMISSION MINUTES
MARCH 6, 2012**

Excerpt

PC2012-02 Proposed amendment to the City's Comprehensive Plan reflecting changes in the Parks Master Plan

Chairman Ken Vaughn noted the public hearing for this application was held at the February 7, 2012 Planning Commission meeting without discussion by the Commission pending action by the Governing Body on February 20, 2012.

Dennis Enslinger reported that at the City Council meeting on February 20th, the Council directed staff to send notification to the property owners along both the existing and the proposed trail locations. In order for the 660+ residents to receive this notice in a timely manner, it has been recommended the Commission continue this application.

He also noted the next item on the agenda is the authorization of a public hearing for a Comprehensive Plan Amendment for the Mission Valley Middle School property. If both hearings are held at the same meeting, the meeting location will need to be moved to accommodate the anticipated public in attendance.

Bob Lindeblad moved to table consideration of PC2012-02 to the end of the agenda. The motion was seconded by Marlene Nagel and passed unanimously:

PC2012-02 Proposed amendment to the City's Comprehensive Plan reflecting changes in the Parks Master Plan

Bob Lindeblad moved to remove item PC2012-02 from the table and to continue PC2012-02 to the April 3, 2012 meeting of the Planning Commission. The motion was seconded by Marlene Nagel and passed unanimously.

RESOLUTION NO. PC 2012-01

A RESOLUTION AMENDING THE VILLAGE VISION STRATEGIC INVESTMENT PLAN, 2007 IDENTIFIED THEREIN, AS THE COMPREHENSIVE PLAN FOR THE CITY OF PRAIRIE VILLAGE KANSAS.

WHEREAS, the City of Prairie Village has a duly constituted Planning Commission as required by law; and

WHEREAS, the Village Vision Strategic Investment Plan 2007 was adopted by the Planning Commission on May 1, 2007, and by the Governing Body as the Prairie Village Comprehensive Plan on May 21, 2007; and

WHEREAS, the Planning Commission is authorized to adopt, review and amend the Comprehensive Plan of the City, all as authorized by Sections 16-104 and 16-105 of the Prairie Village Municipal Code; and

WHEREAS, the Planning Commission is also authorized by the City ordinance to review the Comprehensive Plan of the City on an annual basis and to report to the Governing Body by making suggestions for any amendments, extensions or additions to said plan; and

WHEREAS, Indigo Design, Inc. has prepared the Prairie Village Parks and Recreation Master Plan 2009 including all maps and exhibits identified therein which was incorporated into Village Vision by the Governing Body July 20, 2009; and

WHEREAS, proper notice was published in the official City newspaper once at least twenty (20) days prior to the public hearing to notify the public that the Planning Commission was proposing to amend the Trail System Plan; and

WHEREAS, the public hearing was held on April 3, 2012 and a quorum of the Planning Commission was present to constitute a meeting; and

WHEREAS, the Chairman of the Planning Commission called the meeting to order and declared the public hearing open; and

WHEREAS, the proposed amendment to Prairie Village Parks and Recreation Master Plan 2009 of Village Vision and all maps and exhibits identified therein were discussed; and

WHEREAS, it was moved and seconded that the proposed amendment to the Trail System Plan in Prairie Village Parks and Recreation Master Plan of Village Vision changing the alignment from Roe Avenue (including the deletion of the segment on 75th Street west of Shawnee Mission East) to Nall Avenue and connecting the 63rd, 67th, 69th, and 79th Street links to Nall Avenue be adopted as an amendment to Village Vision; and

WHEREAS, the motion carried unanimously.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Prairie Village, Kansas, that said amendment to Prairie Village Parks and Recreation Master Plan 2009 of Village Vision Strategic Investment Plan, 2007, the Comprehensive Plan for the City of Prairie Village, Kansas is hereby adopted.

ADOPTED, at Prairie Village, Kansas on this 3rd day of April, 2012.

ATTEST

Joyce Hagen Mundy, Secretary
Prairie Village Planning Commission

Kenneth J. Vaughn, Chairman
Prairie Village Planning Commission