

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, JULY 2, 2013
VILLAGE PRESBYTERIAN CHURCH
6641 MISSION ROAD
7:00 P. M.**

- I. ROLL CALL

- II. APPROVAL OF PC MINUTES - JUNE 4, 2013

- III. PUBLIC HEARINGS
PC2013-05 Request for Special Use Permit for Adult Senior Dwellings
8500 Mission Road
Zoning: R-1a
Applicant: John Petersen, Polsinelli Shughart representing Tutera Family Communities
CONTINUED TO AUGUST 6, 2013

- IV. NON-PUBLIC HEARINGS
PC2013-114 Site Plan Approval - Mission Chateau
8500 Mission Road
Zoning: R-1a
Applicant: John Petersen, Polsinelli Shughart representing Tutera Family Communities
CONTINUED TO AUGUST 6, 2013

- V. OTHER BUSINESS

- VI. ADJOURNMENT

**Immediately following the meeting
the Planning Commission will meet in work session
to review and discuss the proposed development at 8500 Mission Road -
The work session is open to the public and the public is welcome to
attend; however, no public comment will be accepted.
No action will be taken.**

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
June 4, 2013

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 4, 2013, in the fellowship hall of The Village Presbyterian Church at 6641 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, Randy Kronblad, Dirk Schafer, Nancy Wallerstein, Gregory Wolf and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Dennis Enslinger, Assistant City Administrator; Jim Brown, Building Official, Keith Bredehoeft, Interim Public Works Director, Andrew Wang, Council Liaison and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Nancy Vennard noted the misspelling of Mitch Hoefer on page 14; on page 17 "M Hobbs" should be "Milburn Hobson" and in Courtney Kounkel's comments her grandparents resided in "The Forum" not Prairie Village; on page 20 the first line should read " of mass and density" instead of "massive scale and density" in the 4th paragraph the words "gross building area" should be "building footprint". Randy Kronblad moved approval of the Minutes of May 7th as corrected. The motion was seconded by Nancy Vennard and passed unanimously.

AGENDA

Chairman Ken Vaughn noted two public hearings on the Commission's agenda with the second application being a renewal that should not take much time for consideration. Dirk Schafer moved the Planning Commission move PC2013-06 ahead of PC2013-05 on the agenda. The motion was seconded by Nancy Wallerstein and passed unanimously.

PUBLIC HEARINGS

PC2013-06 Amendment to Special Use Permit Expansion for Daycare Program at 7501 Belinder Avenue

Alison Ernzen, Owner and Director of Little Owl's Next for Knowledge Daycare located within the existing REACH Church's building facility at 7501 Belinder Avenue addressed the Commission seeking an amendment to the Special Use Permit originally issued in 2012 for a maximum of 45 children. The Daycare is requesting to increase the number of children from 45 to 69 and extend the approval for another five years. Little Owl's Nest provides child care services for children between infancy and age five. The hours of operation are 7:30 a.m. to 5:30 p.m. The current operation employs nine people. The expanded day care center could employ up to 17 people who will park in the east lot during the day. They will use the same facilities that were previously approved plus two additional classrooms for a total of four classrooms.

The operation will be contained within the existing structure and no changes will occur to the exterior of the building.

A neighborhood meeting on May 22, 2013 in accordance with the Planning Commission Citizen Participation Policy and no residents attended the meeting.

Chairman Ken Vaughn opened the public hearing to comments and with no one present to speak on this application closed the public hearing at 7:12 p.m. :

Nancy Wallerstein asked if the closing time was 5:30 or 6:00. Mrs. Ernzen stated they close at 5:30, but parents do not always pick up their children promptly. Ms Wallerstein suggested the special use permit state a closing time of 6:00 p.m. to accommodate late pick-ups.

Ron Williamson stated that would be acceptable and noted the children will be dropped off and picked up by parents from the north entrance of the building adjacent to 75th Street. This driveway is approximately 180 feet in length and could accommodate approximately nine vehicles which may not be adequate to handle all the vehicles at peak times. Vehicle stacking cannot be allowed to back up on 75th Street. Dropping off time tends to be less congested than pick-up time. The applicant has agreed to have parents park in the east lot and walk to the door to drop off and pick up their children.

The condition of the pavement in the east parking lot is poor. It is crumbling and breaking up and needs to be repaired. There are also potholes in the driveway on the south side that provides access to 75th Terrace.

In 2009, a Special Use Permit was approved for Monarch Montessori School. It is in a different part of the building and is accessed from the south side with parking in the west lot. In May 2013 the Special Use Permit for Monarch Montessori School was recommended for renewal for another five years.

Chairman Ken Vaughn led the Planning Commission in review of the following findings of fact for the requested Special Use Permit:

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

The child care program will be contained within an existing building and fenced playground which is in compliance with the zoning regulations.

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

The child care program will be an asset to the community because it will provide a much needed service for taking care of the children within the local area. It will be located within an existing building and will not adversely 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.**

The child care center will be located within an existing structure and use an existing parking lot therefore it should not create any problems for the adjacent property in the neighborhood. The request should be approved for a five year period so it can be reevaluated at that time.

- 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 with 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 permit will so dominate the immediate neighborhood, consideration shall be given to: a) the location size and nature of the height of the building, structures, walls and fences on the site; and b) the nature and extent of landscaping and screening on the site.**

The child care center will accommodate a group of up to 69 children, and will use the church facility during normal working hours. This use will not have a dominating effect in the neighborhood because it will be located within an existing building. No expansion of the building is proposed.

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

Access to the child care center will be from the existing north driveway and east parking lot. The operation will occur during normal business hours and not during the hours where other major events will occur at the church. The east parking lot is in poor condition and needs to be repaired. This was discussed at length in 2008 when the KCATC application was renewed and again in 2012 when Little Owl's Nest was approved. Some of the lot was repaired but some of it has deteriorated further. Currently the lot provides approximately 50 spaces which should be adequate to accommodate this use.

- 6. Adequate utility, drainage and other necessary utilities have been or will be provided.**

Since this use will be occupying an existing facility, utility services are already provided.

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

Adequate entrance and exit drives currently exist at the facility and this proposed special use will utilize the existing infrastructure that is already in place. The access drive to 75th Terrace, however, has potholes and needs to be repaired.

- 8. Adjoining properties will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors, or unnecessary intrusive noises.**

This particular use does not have any hazardous materials, processes, odors or intrusive noises that accompany it.

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

The special use will not require any changes in the exterior architecture or style of the existing building. It should be pointed out that there are numerous signs on this property that need to be in conformance with the sign code. There are three signs on 75th Street.

Chairman Ken Vaughn led the Planning Commission in review of the following Golden Factors:

1. The character of the neighborhood;

The neighborhood is predominantly single-family dwellings to the north, south, east and west. The existing property is a church and another church is located on the northwest corner of Belinder Avenue and 75th Street. Northeast of the site is a large office building along with other office buildings on the north side of 75th Street to State Line Road. The character of the immediate neighborhood is primarily residential with single-family dwellings and churches.

2. The zoning and uses of property nearby;

North: R-1B Single Family Residential - Single Family Dwellings

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

South: R-1B Single Family Residential - Single Family Dwellings

West: R-1A & R-1B Single Family Residential - Single Family Dwellings

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

The property is zoned R-1B Single-Family Residential District which permits single-family dwellings, churches, schools, public building, parks, group homes and other uses that may be permitted either as a conditional use or special use. The property has a variety of uses available and it can accommodate uses that complement the primary use as a church. A Montessori school occupies another portion of the building.

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

The use has been in existence for approximately one year and has not created any detrimental neighborhood issues. The renewal request, however, will increase the school from two to four classrooms and 45 to 69 students which is a significant increase. Traffic is the main concern. The north drive will be the main drop off and pickup area and should be adequate to accommodate the traffic. Staff parking and additional parking for parents will be located in the east parking lot which has 50 spaces.

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

The church was built in 1955 and has changed occupants and ownership several times, but to our knowledge has never been vacant.

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

The proposed project is within an existing building that will not have any exterior modifications. The applicant will be able to better utilize the property and no hardship will be created for adjacent property owners.

7. **City staff recommendations;**

The use has been in operation for one year with no complaints; the use will be within an existing building with no exterior changes; the use will have minimal impact on the neighborhood; and the use will provide a needed service for preschool children that is in demand in Prairie Village. It is recommended that it be approved for five years so that it can be evaluated to be sure that it does not adversely affect the neighborhood.

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

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 day care center is an amenity that will improve quality of life in Prairie Village and help make it a desirable location for young families. This application for approval of the day care center is consistent with Village Vision in encouraging reinvestment; providing multiple uses in existing buildings and making better use of underutilized facilities.

Gregory Wolf moved the Planning Commission find favorably on the Special Use Permit factors and the Golden Factors and recommend the Governing Body approve the requested Amendment to the Special Use Permit for a Child Care Program at 7501 Belinder Avenue subject to the following conditions:

1. **That the child care center be approved for a maximum of 69 children**
2. **That the child care center be permitted to operate year round from 7:30 a.m. to 6:00 p.m. subject to the licensing requirements by the Kansas Department of Health and Environment.**
3. **That the special use permit be issued for the child care center for a period of five years from the date of Governing Body approval and that if the applicant desires to continue the use after that time period expires, they shall file a new application for reconsideration by the Planning Commission and Governing Body.**
4. **That the property owner shall submit a plan to the Planning Commission setting out a schedule for repairing and maintaining the east parking lot and the driveway to 75th Terrace.**
5. **That the property owner shall meet with the City Staff to resolve the signing issues.**
6. **If this permit is found not to be in compliance with the terms of the approval of the Special Use Permit it will become null and void within 90 days of notification of noncompliance unless noncompliance is corrected.**

The motion was seconded by Nancy Vennard and passed unanimously.

**PC2013-05 Request for Special Use Permit for Adult Senior Dwellings
8500 Mission Road**

Chairman Ken Vaughn noted this is a continuation of a public hearing begun at the May 7th meeting of the Planning Commission. He reconvened the public hearing and called upon John Duggan, representing the Mission Valley Homes Association to continue his comments.

John Duggan, of Duggan Shadwick Doerr & Kurlbaum, LLC., representing the Mission Valley Neighbors Association, began his presentation with photos of the Santa Marta facility in Olathe noting comparisons in density and height. Mission Chateau would be the second largest elder care facility in Johnson County. The proposed development is four times the size of the existing school on this property. The proposed site plan was shown reflecting massive buildings and minimal green space. The south elevation of the project shows a continuous structure 520' long (almost the size of two football fields) along Mission Road. He noted there is 740 total feet of building along Mission Road. Approximately 800' of the building is exposed to the residents on the south side of the project. The 271,000' three-story building will project well above the surrounding ranch-style homes.

If constructed, this facility will be the second largest senior care facility in Johnson County with Claridge Court being the third largest. He asked "does Prairie Village need two of the three largest senior facilities in the area". The proposed development is almost two times more intense than the mixed use development to its north which has 11,902 square feet compared to the 21,122 square feet proposed.

Staff uses units per acre to measure density and Mr. Duggan feels that residents per acre is a more accurate measure and should be used.

Mr. Duggan reviewed density by total residents per acre of the following facilities:

- Tall Grass - 300 residents on 65 acres - 4.6 residents per acre
- Lakeview - 750 residents on 100 acres - 7.5 residents per acre
- Santa Marta - 342 residents on 46 acres - 7.5 residents per acre
- Benton House - 71 residents on 6.79 acres - 10 residents per acre
- Mission Chateau - 451 residents on 18 acres - 25 residents per acre.

Mr. Duggan shared quotes regarding a proposed high density apartment complex Mr. Peterson represented.

One of the concerns of the neighboring residents is on-site parking for the Independent Living facility based on the following parking provided by similar facilities in the area:

- Santa Marta - 138 units - 135 parking spaces used - 98%
- Lakeview - 555 units - 515 parking spaces used - 93%
- Tall Grass - 225 units - 200+ parking spaces used - 90%

For Mission Chateau to provide parking for its 160 units at the indicated 95% level would required 152 parking spaces. They are providing 112 spaces. Mr. Duggan noted that this is day to day parking and the demands created by special events or

holidays would add another 50 to 200 visitors. Claridge Court does not have adequate parking and this project is woefully short of parking.

The Mission Valley Neighborhood Association would like to see Mission Chateau follow the precedent set by the Benton House Project built on the former Somerset Elementary School site. The previous school was 49,800 square feet located on 6.79 acres. Benton House currently has 59 units with a total square footage of 39,512 square feet. They have been approved for an expansion of 12 additional units creating a total of 47,548 square feet. This project has retained significant green space, is constructed in compatible single story architecture. These are the standards they would like to see followed in the development of Mission Chateau.

Mr. Duggan stated that 82 percent of all national Continuing Care Residential Communities (CCRC) are not-for-profit as reported by Ziegler Capital Markets. In Johnson County the following communities are not-for-profit: Lakeview, Tall Grass, Aberdeen, Santa Marta, Claridge Court and Village Shalom. If at a future date, Tutera decides to sell the community only 18% of the potential buyers would be for profit organizations. The loss of tax dollars to the City from the community going not-for-profit would be significant.

Mr. Duggan noted taxes paid on a residence at 4000 West 86th Street to the City of Prairie Village are \$1,477.62. If this property were developed into 50 home sites of comparable value the additional revenue created by the proposed development would be approximately \$32,000. The proposed project would generate approximately \$126,235 in taxes and based on the city's budget this is an increase of .0001% and asked if this minimal increase in taxes is worth a major change to the character of this neighborhood.

John Duggan challenged the city attorney's opinion that the special use permit application should be approved for construction in Phase 1 as an accessory use to the primary use which has not yet been constructed. Mr. Duggan referenced rulings from the states of Ohio, New Jersey, New York, Massachusetts and Kansas finding that there cannot be an accessory use where, as here, there is no demonstration of the primary use.

Mr. Duggan also referenced Gump vs. City of Wichita noting the court's ruling that found the City was entitled under the law to make its determination solely upon the visual impact and aesthetics and that Gump had not proven the unreasonableness of the denial of the conditional use permit. As long ago as 1923 it has been recognized in a zoning case that there is an aesthetic and cultural side of municipal development which may be fostered within reasonable limitations. The concept of public welfare is broad and inclusive. Mr. Duggan asked the Commission not to sell out the neighborhood for \$32,000 more in taxes per year.

Jori Nelson, 4802 West 69th Terrace, spoke on behalf of the Prairie Village Homes Association Board of Directors to urge the City to stay within the factors of Golden vs. Overland Park when considering any development within the City and to follow the Village Vision adopted by the Planning Commission and City Council in 2007 and noted how specific goals stated in Village Vision align with Golden v. Overland Park

addressing 1) Community Character & Activities, 2) Community Facilities & Services, 3) Housing, 4) Land Resources and 5) Prosperity while addressing the following principles: 1) Integrating development, 2) Incorporating open space, 3) Creating safe and stable neighborhoods, 4) Promoting high quality design, 5) Creating a range of housing choices and 6) Leveraging investment. Mrs. Nelson opposes the project and her full comments can be found in the public record of this hearing.

Craig Satterlee, 8600 Mission Road, addressed the concerns with the proposed stormwater management plan which redirects the storm water from the increased impervious cover on the site to the northeast corner where it uses swales, rain gardens along with the primary treatment in an extended dry detention basin. Mr. Satterlee believes dry detention basins create an attractive nuisance and potential safety hazard as they fill very quickly during rains; accumulate trash when dry and breed mosquitoes with standing water. Mr. Satterlee presented statistics on childhood drowning. His research found dry detention basins to be only moderately effective and asked that the stormwater go into an underground detention facility. He also noted that one study found that a dry detention basin located on adjacent property decreased home values from three to ten percent.

Nancy Price, 4115 West 92nd Terrace, noted she became a second generation Prairie Village resident when in 2007 they purchased the home where she grew up. She stated that families are the foundation, the future and history of a community. She is grateful to have this opportunity to participate in this process as her neighborhood is important to her. The proposed development is out of balance with the neighborhood. She supports seniors being able to remain in Prairie Village but cannot support such a large building on this property. She noted the splendid, graceful rhythm as you drive through this area of homes and asked the Commission to seriously consider the balance of the community and the impact the proposed development will have on that balance.

David Lillard, 3607 West 84th Terrace, noted his opposition to the proposed development for the following reasons:

1. It is not a good fit for the residential neighborhoods it adjoins.
2. It is a massive complex of structures, driveways and parking spaces that eliminate any reasonable use of green space.
3. It is not needed to serve the residents of Prairie Village.

Mr. Lillard noted Prairie Village is a community of neighborhoods. This site is surrounded on three sides by single family homes and the fourth side by modest two-story apartments. As a former Park Board member he stated green space has always been a prime concern of Prairie Village leaders as reflected in our system of park properties. School grounds, such as those of Mission Valley have always been a part of the "green space" equation. They lend themselves to sports and practice areas of a size that cannot be accommodated in space usually available for parks. The proposed project eliminates any possibility of such use. Mr. Lillard advised the Commission that they have the authority and responsibility to protect and secure neighborhood communities and their way of life.

Brian Doerr, 4000 West 86th Street, read a statement from former Mayor Monroe Taliaferro now residing at 8101 Mission Road. During his ten years as Mayor, Prairie Village approved two major developments for elderly citizens, Brighton Gardens at 71st & Mission Road and Claridge Court at Somerset and Mission Road. Mayor Taliaferro was asked during that time if Prairie Village planned to become the headquarters for the elderly in the region. He responded to the individual of the long history of Prairie Village as a growing, dynamic community made up of mostly single family homes, but noted the City Council recognized the growing trend to provided limited congregate housing for the elderly.

Mayor Taliaferro wrote in his statement, "We now have three large facilities to house the elderly that were not considered a part of our forward planning Village Vision. Massive developments are not compatible with our vision for Prairie Village, Star of Kansas. Our emphasis has focused on young families with parks, recreation areas, shopping centers, schools and soccer fields. To ask the citizens of Prairie Village after more than 70 years of dynamic growth to reverse course with a promise of new modern, architecturally pleasing structures is "selling out" our real vision for our community. New populations in Prairie Village need to bring new energy, creative ideas and inspired young families."

John Duggan reviewed the findings of fact as required by Prairie Village Zoning Regulations as he views the proposed application.

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

The staff report fails to address the requirement that the SNF and Villas be a subordinate and accessory use. The project has been platted as one lot so the applicant has been able to avoid a number of requirements. The staff report addresses lot coverage to reflect that it falls within 30% lot coverage ratio; however, if you subtract 2.5 acres located in flood plain, it falls to 27.7%. The floor area ratio does not take into account height.

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

For reasons stated (density, lack of real transition, etc.) they believe that the welfare or convenience of the public is adversely impacted and the need for senior housing is already available for Prairie Village residents. Increased traffic and insufficient parking, especially during the changing of shifts and for special events will adversely impact the public.

C. 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 staff report misleadingly uses "units per acre" to address the impact on the value of the other properties in the neighborhood. Other density calculations more accurately reflect the dominating impact of this project. They believe the properties across the street, although separated by Mission Road, will experience a negative impact on property values. Landscaping and construction design only get a

developer so far if they are trying to over-build. The grading proposed will negatively impact vegetation on the south property line according to their land planner.

- D. 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 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 permit will so dominate the immediate neighborhood, consideration shall be given to: a) the location size and nature of the height of the building, structures, walls and fences on the site; and b) the nature and extent of landscaping and screening on the site.**

The traffic impact from this project will not be for 190 days a year during normal school hours, but will be for 365 days per year operating 24/7. It was noted that this project is larger than Shawnee Mission East on less than half the acreage. Although the height will be the same as the school gymnasium, the mass of the building is much greater. Greater setbacks and landscaping only go so far in protecting against domination.

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

Although the minimum parking requirements for this use may have been met, Prairie Village cannot afford to be wrong in its parking requirements. The parking requirements are inadequate when compared with other senior dwelling facilities in Johnson County and do not address parking for special events or holidays.

- F. Adequate utility, drainage and other necessary utilities have been or will be provided.**

The drainage detention should be handled underground.

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

The driveway is too narrow for elderly drivers and will not prevent hazards or minimize congestion.

- H. Adjoining properties will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors, or unnecessary intrusive noises.**

No analysis has been undertaken regarding noise during shift changes in the nighttime hours.

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

A three story, 271,000 square foot building equivalent in size to two footballs fields next to single family residences is not compatible or consistent with the neighborhood.

Regarding the Golden Factors, Mr. Duggan offered the following analysis:

1. The character of the neighborhood;

Proposed project is entirely inconsistent with the character of the single family homes that surround it.

2. The zoning and uses of property nearby:

The primary zoning and uses of the property nearby are single family residences.

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

The size of this project is a distinct and drastic change in its use.

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

Open space that the community has enjoyed for 50+ years is going to be lost. There is room for density without compromising the open green space. Although 10 acres of green space are proposed, they are in small portions within the development, including 2.5 acres in the flood plain, the dry detention basin and areas covered with vegetation. The skilled nursing facility is essentially a commercial enterprise that is not intended to merely serve the senior dwelling facility. Although the proposed height of the Independent Living/Assisted Living Building is the same as the existing gymnasium, it is a much larger building and will have a significantly greater impact because of its mass.

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

Although the school has been vacant approximately two years, the existing zoning/use restrictions are not negatively impacting the use of the property or the ability to develop it.

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

MVNA believes the adjoining property values will decrease if this project is approved and that there are other projects or uses that will enhance the property values of the adjoining property. Studies have been done indicating a potential loss of property value of 10 to 20% if the proposed project is constructed. All Prairie Village residents will be negatively impacted by the loss of open space and use of the area for recreational purposes.

7. City staff recommendations.

MVNA does not feel appropriate consideration was given to the impact on traffic due to the continuous operation of this facility as compared to the School. The density of this project is unacceptable. Duplexes within 35 feet of the large lots to the south and southwest are not an acceptable transition. The Independent Living/Assisted Living building will be a very large building given its over mass and scale. Open space on this site will be dramatically impacted. If the skilled nursing facility can be a separate building despite the fact it needs to be a subordinate and accessory use, from a

timing standpoint, it is unreasonable to allow the skilled nursing facility to be built prior to the Independent Living facility.

8. Conformance with the Comprehensive Plan

The two primary goals of Village Vision are to retain green space and to protect the character of neighborhoods. The proposed project is contrary to these goals.

Mr. Duggan concluded stressing the values represented are not just monetary issues. The Commission has ample authority and the responsibility to protect the future of the City and its community.

Chairman Ken Vaughn declared a ten minute recess and announced the meeting would reconvene at 9:10 p.m.

The meeting was reconvened at 9:10 p.m.

Chairman Vaughn noted that the Commission has received and read all correspondence e-mailed to them and asked that the public not read statements already received.

Ben Frisch, 8511 Delmar Lane, noted his property backs up to the proposed project. He shared his most recent appraisal and noted that since the school closed his property value has decreased by 13%. This project has had a negative impact and will continue to do so.

Betty Kerr, 4020 West 86th Street, read a letter on behalf of Esther Levins at 8601 Delmar Lane, opposing the proposed project stating it was contrary to the vision of Carson Coward, who developed the Town & Country community. It is also contrary to the plan for the City by not maintaining green space and retaining the character of Prairie Village neighborhoods. She referenced a study by AARP indicating that 84% of baby boomers prefer to stay in their homes as they age. She expressed concern should the project be approved and fail leaving massive empty buildings. The project is a mammoth commercial enterprise that does not conform to the character of the neighborhood, but in fact, would change the neighborhood completely.

Mr. John Worrall, 4824 West 86th Street, stressed the importance of maintaining green space as well as concern with the amount of lighting that would be required to protect residents, noting that lighting has not been addressed. He agrees the density of the project is too great and fears there will be increased traffic and noise from the operation of this facility. He expressed concern that the skilled nursing facility expand beyond an accessory use for this community into a regional skilled nursing facility caring for individuals outside the community. He asked what type of security would be provided for the community.

Whitney Kerr, 4020 West 86th Street, expressed his concern that the proposal is out of character with the area and the proposed project will detrimentally impact the neighborhood. He noted the number of retirement facilities already located within Prairie Village. Mr. Kerr cautioned the Commission on the unknown impact of the

health care changes being implemented on the success of an operation of this facility that depends on Medicare and Medicaid.

John Houts, 8008 Granada, stated that people don't move into a community because of retirement facilities. They move into a community because of good schools, which is how this property should be used. He feared approval of this project would be approval of future blight. He urged the Commission to deny the project and seek what a growing community needs - quality schools.

Bob Schubert, 3700 West 83rd Terrace, stated the opposition to this proposal is not from a small isolated group of adjacent property owners. Out of the 150 homes in Corinth Meadows 86 have placed yard signs on their property voicing their opposition. The MVNA mailing list has 1500 e-mail subscribers. This is not a "very small isolated group"; this is a majority of the immediate neighborhood. Mr. Schubert indicated he had submitted several letters of opposition for the record.

Sheila Myers, 4505 West 82nd Street, noted she moved to Prairie Village because of its diversity. She sees that diversity in her neighborhood. She agrees that several young families have moved out of the "Village" as reflected in the closing of Somerset Elementary and Mission Valley Middle School. Mrs. Myers noted this property was purchased from the school district at \$1 million more than the School District's asking price. She believes the developer gambled on this property banking on the city embracing a rezoning to allow for higher density development. A project of this density is not appropriate for this site. To frame the size of this project, she noted a Wal-Mart Supercenter is between 180,000 and 220,000 square feet. This development is equivalent to 1 ½ to 2 Wal-Mart Supercenters.

Chuck Hitchcock, 8105 El Monte, noted a previous proposal several years ago for a large office building by JC Nichols was denied by the Planning Commission. He urged the Commission to show the same courage to make the right decision of what is right for Prairie Village.

Stephanie Stratemeier, 8500 Fontana, stated she grew up next to a similar facility in Ohio where she was constantly hearing ambulances. She has young children and is concerned with reliving that experience with her small children. She also asked if the local Fire Department and Med-Act have the facilities to provide services for an additional 450 residents.

Mark Swanson, 8225 Linden, stated he is a new resident of the next generation of Prairie Village. He fears that yet another senior citizen facility will give Prairie Village the stigma of, as Mayor Taliaferro stated, "the fading Star of Kansas" and will not attract the young families it needs to remain a growing and vibrant community. He is also concerned about the impact on his property value and the safety of his young children with the increased traffic.

Beverly Worrall, 4824 West 86th Street, stated that 65 to 75% of the seniors living in the existing facilities in Prairie Village are not from Prairie Village. She does not see Prairie Village residents occupying this expensive facility.

Jim Starcev, 3507 West 87th Street, Leawood who owns property on Somerset, expressed concern with the single access on Mission Road for this large complex. He noted that at a meeting with the developer in response to a question regarding the location of another facility, Mr. Tutera replied, "It was a neighborhood when the facility was built." Mr. Starcev stated his biggest concern is that at some point, the same will be said about this neighborhood if this project is constructed.

Robert Jackson, 7427 Rosewood Circle, has lived in Prairie Village for 50 years and expressed his concern with what is happening in Prairie Village referencing the City's efforts about 5 years ago to make major changes along 75th Street. He also stated this is related to Agenda 21 and he is opposed.

With no one else wanting to address the Commission, Chairman Ken Vaughn called upon John Petersen for a response by the applicant.

John Petersen, attorney for the applicant, responded briefly with Mr. Tutera's vision for this property that has driven the design of the project, its size, its buildings and its services.

In response to property values, he noted it is a battle of experts. There are studies done by professionals that state property values have increased and others that say property values will decrease. Mr. Petersen stated he did not say that the "Santa Marta" facility was comparable to the proposed project.

Mr. Petersen noted he had a prepared 45 minute presentation, but felt it was time to defer to the Planning Commission for comments and questions. He did review one slide presenting an extensive listing the Mission Chateau Modifications that have been made per input from neighbors. Stating that they have and will continue to seek input from the neighbors. He asked that the public hearing be continued to the August Planning Commission meeting.

Chairman Ken Vaughn stated the public hearing is not closed and that the Commission will continue to receive information.

Bob Lindeblad asked about the findings of the real estate analysis presented by the applicant. Mr. Petersen responded the full report was submitted for the record. The study focused on the impact of school properties and senior facilities located behind or adjacent to residential properties. It looked at relevant Johnson County and Prairie Village sites including studies on Brookwood Elementary School, Indian Woods Middle School, Pioneer Middle School, Brighton Gardens, Village Shalom and Santa Marta.

The study found a 2.9 - 7.9% premium paid for properties backing up to or within 1 block of adult senior dwellings. Village Shalom had a 3.7 to 5.8% premium on surrounding residential property values. The opposition's study did not cover comparable properties.

Nancy Vennard asked if any of the Tutera facilities had a not-for-profit status or has requested to become non-for-profit. Joe Tutera responded they did not have any non-for-profit facilities and had no intention of requesting such status.

Mrs. Vennard asked about their plans for the skilled nursing facility. Mr. Petersen responded that their construction, phasing and timing of the elements will comply with state law, the city's municipal code and in conformance with the city attorney's opinion.

Dirk Schafer requested clarification by the city's legal staff if the City is subjecting itself to litigation. He feels the proposed phasing is placing the cart before the horse and should start with the primary use. John Petersen replied they would like to have the opportunity to come back with a concept plan that will not put the cart before the horse. He believes the project complies and has no reservation from the legal standpoint with the accessory use/primary use principal.

Dirk Schafer asked why not construct the primary facility first. Joe Tutera responded that to be successful in continuing care facilities it is important to have the skilled nursing capability operational upon opening.

Nancy Wallerstein asked how long the project would take to complete all phases. Mr. Petersen responded 24 months.

Nancy Vennard expressed appreciation for the input from the neighborhood. She felt a lot of the areas will be very tight for deliveries and would also like to see more buffer on the west property line since most of that parking is for employees. Consideration should also be given to providing a greater setback for the villas along the south property line.

Mrs. Vennard noted the first duplex is only five feet from the street and 17 feet from the property line. The main building needs to get smaller. The idea of having all levels of care in one complex is a good concept.

John Petersen responded the turning radiuses were checked. Mrs. Vennard responded they are turning over designated parking spaces. Mr. Petersen stated they would relook at it. He noted in terms of landscaping they were holding back on a final landscape plan in order to get input from adjacent properties, but will bring in a full plan in July.

John Petersen noted the difference between the length of the building and the length of the building in relation to the size of the lot, noting a 530' building on an 1100' long lot is 48% coverage. They feel there is plenty of green space.

Nancy Vennard noted the comparison to Benton House is not fair as Mission Valley had more open space to begin with. The proposed building will go onto the existing baseball field. It is longer than what Prairie Village is accustomed to seeing. She likes the setback from Mission Road. The horseshoe entrance in the front is good

Randy Kronblad stated, based on his experiences visiting similar facilities for holidays and special events, the proposed parking is not sufficient. It may even be tight on

regular weekend visits. Mr. Petersen stated they will analyze parking again and come back with a full report and noted the shift change safety factor.

Nancy Wallerstein asked how the proposed project and its proposed stormwater plan would impact the stormwater issues at Fontana and Delmar and plans by the City to address those issues. Keith Bredehoeft, Interim Public Works Director, responded that area was researched in 2007-08 and is being reconsidered. He does not see either project impacting the other. Both projects will be analyzed in full prior to beginning either project.

Dirk Schafer stated the elephant in the room is the size of the proposal. His gut feeling is that the project is simply too big. Randy Kronblad agreed and noting the facility is well designed but does it have to be so big.

John Petersen questioned what was meant by too big, density - intensity - must have a quantifiable measurement. Mr. Schafer responded the building is just as tall as the gym but the mass is much greater. The three-story component is too large.

Ken Vaughn stated he was concerned with the intensity, density and narrow streets.

Nancy Vennard noted that when the property was first sold, she heard comments on building something like the Corinth Down development. The construction of villas would provide revenue to the city and create a better buffer zone while being very marketable. She would like to see more villas in the project and reduce the size of the independent living. Mr. Petersen responded it is a question of balance. Mrs. Vennard responded what the City does not is a senior housing element such as villas.

Ken Vaughn asked if 60 days was sufficient time for the applicant to address the concerns raised. Mr. Petersen stated that if the Commission was willing to meet with the applicant in work session in July, he felt it was sufficient. Mr. Vaughn added that he hoped the applicant would get a large number of the neighbors in support. Although the Commission does not vote based on resident comment, their comments are important.

John Petersen stated the checklist presented earlier was a reflection of how the applicant has responded to the neighborhood input and will continue to do so.

Steve Carman, 8521 Delmar, stated Tutera has not been responsive to the neighborhood concerns. They have been told over and over again that the project is too big and too tall and they've reduced it by 4 percent. It's frustrating.

Nancy Wallerstein noted the neighbors have met with the applicant numerous times. The Planning Commission has heard both presentations, has received and read all correspondence directed to the City and now needs to have time to deliberate on this project as a group. She asked what the policy was for the height of a building.

Ron Williamson responded the height could go to 45' because of the setbacks but noted the applicant has reduced the height to 35 feet as measured by the ordinance.

Nancy Wallerstein stated that although the plan is within city ordinances, she would like to see the project broken up more with more space between buildings and a reduction in the number of stories noting that Prairie Village has primarily ranch and lower story homes.

Bob Lindeblad stated he felt the use proposed is good. He views this as a transitional site, not strictly a low-density residential area. The mix of retirement housing is good. The thirty-five foot setback for the villas is tight. He likes the villa concept as a transition but feels they need to be loosened up adjacent to the single family residents. Three stories are ok, but possibly more transition between the two and three stories on the ends like that done on the front of Mission Road at least on the southwest side so you see more transition from one to two-story to tree.

Dennis Enslinger asked the Commission if they would do a work session on July 2nd with design concepts and a continuation of the public hearing at the August 6th meeting. It was confirmed the work session would follow the regular meeting and would not be open to public comment.

Gregory Wolf asked if the plan is substantially redesigned that the Commission would again hear comments from the public. Chairman Ken Vaughn responded probably.

Randy Kronblad recommended that the neighbor's be advised and involved.

John Petersen stated the development team would work with the Commission at the work session and then the neighbors.

Nancy Wallerstein noted the first speaker for the MVNA had a vision in mind and suggested the applicant talk with them. Mr. Petersen replied that he would reach out to Mr. Duggan.

Bob Lindeblad moved to continue the Public Hearing on PC2013-05 to the August 6th meeting of the Planning Commission. The motion was seconded by Nancy Wallerstein and passed unanimously.

NON-PUBLIC HEARINGS

OTHER BUSINESS

PC2012-108 Hen House Site Plan, Corinth Square

Ron Williamson stated on June 5, 2012, the Planning Commission approved the Hen House Site Plan in Corinth Square subject to several conditions. Condition 6 stated:

“That the final plan for the proposed RTU screening be submitted to Staff for review and approval prior to issuing a permit and any RTUs That are taller than the screen be painted the same color as the screen.”

The Planning Commission did not require the applicant to submit a drawing of the west elevation because the applicant stated that they only planned to paint that side of the building. The applicant did install screening for the RTUs on the north, east and south sides of the building, but the screen is not tall enough to screen many of the units and no screening was provided on the west side.

The staff report pointed out that the RTUs must be screened on all sides of the building and it is the understanding of Staff that Condition 6 intended for all sides of the building to be screened from the RTUs. Mr. Williamson noted that perhaps a different RTU was selected that was taller than originally proposed, but the screening does not screen the RTUs as shown on the drawings submitted to the Planning Commission.

Ken Vaughn noted the west side has the worst visibility of the units.

Nancy Wallerstein asked staff what they recommended. Dennis Enslinger responded the larger units need to be screened, noting painted units are still visible. Nancy Vennard asked about a larger screen. Mr. Enslinger felt a larger screen would appear awkward.

Dirk Schafer moved the Planning Commission require screening on the west side of the Hen House building and that painting of the RTU unit that are above the screening. The motion was seconded by Bob Lindeblad and passed unanimously.

ADJOURNMENT

Chairman Ken Vaughn adjourned the meeting at 11:00 p.m.

Ken Vaughn
Chairman



6201 College Boulevard, Suite 500, Overland Park, KS 66211-2435 • 913.451.8788

June 14, 2013

John D. Petersen
(913) 234-7405
(913) 451-6205
jpetersen@polsinelli.com

Via United States Mail
Via Email

Mr. Dennis Enslinger
Mr. Ron Williamson
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

**Re: Mission Chateau - Application Numbers PC2013-05 and PC2013-114
(the "Project")**

Gentlemen,

In my capacity as Applicant for the above-referenced Project I am writing in the wake of the Public Hearing, Session II, held on June 4, 2013. My purpose is to address several fundamental concepts of the Project and clarify, for the record, our position in regard to issues they present. I am compelled to utilize this form of communication as we move towards the July Work Session and August continuation of the Public Hearing given the disproportionate time allocated to date to the Mission Valley Neighborhood Association ("MVNA") and its surrogates.

As you know, at the completion of those comments, representing well over 3 hours of total testimony, the Applicant deferred much of its time so that we could finally receive input from members of the Planning Commission and answer questions they had at this stage of the process. Our goal in doing so was, and remains, to fully explore all options to address legitimate concerns while at the same time maintaining the integrity of our Plan. I am concerned that this decision has unintentionally diluted our steadfast position in regard to fundamental components of the Application. To clarify same, I respectfully submit the following:

First, we reject any assertion that the size, scope and design of the Project is a "loss leader" presented as a strategy to ask for more but all the while being most willing to accept less. **You will receive under separate cover the testimony Mr. Tutera planned to present on June**



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6 which outlines in detail the research that went into designing a state-of-the-art senior neighborhood based on community needs identified by the City itself in 2011. For MVNA to suggest our willingness over a 12 month period to make fifteen modifications to address their concerns and to explore further changes reflects gamesmanship is, at its best, disingenuous. To be clear, we are working on modifications that in our opinion are significant but they will be designed to maintain our vision of a home for seniors with options at hand for the continuum of care they need.

Secondly, we reject any suggestion that the size and density of our project should be regulated by the design metrics presented by the Benton House development. Despite the incessant assertions by Mr. Duggan that “common sense” is the only planning tool to be utilized and, based on cherry-picking a few lines from case law, suggesting the review process is some sort of spiritual crusade—compatibility is to be determined within the context of objective design criteria set forth in City Ordinances. It is understandable that he falls back on such whimsical standards in an effort to make his case given that our project meets and/or exceeds every single criteria against which the Code requires it to be evaluated.

At the least, it appears Mr. Duggan has abandoned his diversionary and irrelevant efforts to compare our projects to retail and other commercial developments. I welcome a focus on projects with similar uses. That said, it is interesting that he chooses Benton House and ignores more comparable facilities such as Brighton Gardens and Claridge Court. Benton House is distinguishable from Mission Chateau based on a number of factors, including but not limited to, its singular focus, adjacent uses on three of four sides and the type of Public Street upon which it fronts. Brighton Gardens and Claridge Court provide more relevant opportunities for comparison and reasonable benchmarks to judge the existence of any actual negative impacts. Of particular relevance is Claridge Court in that it comports with the most salient comments made at the June 6th Hearing – that the subject property is a transitional piece that should be designed to transition from higher density uses on the north to less density on the south. The exact focus of our proposed plan. In regard to the City’s historic approach to similar circumstances, I would suggest the comparative chart set forth below speaks for itself.



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DENSITY/BULK

	PROPERTY NAME	PROJECT COMPONENTS	STREET FRONTAGE	LOT SIZE (ACRES)	BUILDING S.F	# OF UNITS	UNITS/ACRE	S.F. PER ACRE
1	Claridge Court	Skilled Nursing	Arterial & Collector Streets	4.78	253,818	180	37.66	53,100
2	Mission Chateau	Independent Living Apartments, Independent Living Villas, Assisted Living, and Skilled Nursing	Arterial Street	18.43	387,244	351	19.05	21,012
3	Brighton Gardens	Assisted Living, Memory Care, and Skilled Nursing	Arterial & Collector Streets	4.42	80,382	152	34.39	18,816
4	Benton House	Assist Living and Memory Care	Collector Streets	6.8	49,000	87	12.79	7,206

BUILDING/LOT FRONTAGE

Claridge Court	-	along Somerset	Lot = 520 feet and Building = 460 feet (88% frontage)
	-	along Mission Rd.	Lot = 435 feet and Building = 340 feet (78% frontage)
Mission Chateau	-	along Mission Rd.	Lot = 1100 feet and Building = 530 feet (48% frontage)
Benton House	-	along Belinder	Lot = 590 feet and Building = 251 feet (43% frontage)
	-	along Somerset	Lot = 501 feet and building = 255' (51%)
Brighton Gardens	-	along Mission Rd.	Lot = 271 feet and building = 217' (80%)

To be clear, I am not suggesting that meeting or exceeding design metrics in and of itself mandates approval-but-it shifts the burden to those in opposition. Too big, too massive, too dense, must have some discernible, provable ramification to have weight. An “opinion”, based on admittedly no data, that a three story building, set back approximately 200 feet, will reduce property values rings hollow when compared to the actual sales-based analysis submitted by the Applicant’s expert. And clearly, stated personal preferences for a school, public park and/or single family homes do not carry the day.

Third, the lengthy commentary presented on behalf of MVNA regarding issues of phasing and when and in what sequence the Project’s components will be built is once again a diversionary tactic to avoid substantive discussions about planning issues. Although lengthy lectures about chicken coops and outhouses are entertaining to a point, the bottom line is this—Mission Chateau will be constructed in accordance with the requirements of the City of Prairie Village Ordinances as interpreted by the City Attorney. End of Story.

Fourth, I want to briefly address a new theme presented by MVNA during their June 6th presentation. One that I would suggest may well cut to the philosophical heart of this debate.

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Citing the infamous J. C. Nichols, it was suggested in essence that what was designed in the late 1940's is cast in stone in all aspects and any change in community vision as to redevelopment should be dismissed out of hand. In response I would suggest the City has already rejected such a notion.

In regard to the need for more senior housing to meet demographic trends the City Master Plan calls for additional development of this nature and in fact, referenced the subject property as being appropriate for same (**Prairie Village Parks and Recreation Master Plan, Demographics-Page 1-5**). But more striking in this regard is the City's stated vision for Corinth Shopping Center as set forth in **Village Visions-Strategic Investment Plan**. Therein, in a Vision recommended by the Planning Commission and adopted by the Governing Body in 2007, the City advocates redeveloping and increasing Corinth Square from its existing 200,682 square feet of retail and offices to a mixed-use development of over 500,000 square feet - a 45% increase. The City's rationale set forth below is enlightening;

“Fiscally, the City has very few opportunities to increase population, property valuation, sales, and ultimately revenue through new development. This is because Prairie Village is basically landlocked, leaving the alteration or intensification of existing land use as the most viable option to bolster the City's fiscal health.” (Village Vision Strategic Investment Plan, Center Redevelopment – Corinth Square, Page 7.2)

Finally, a few comments to issues that have continually been brought up as reasons to deny our Project ;

1. Detention – Our detention facility as designed has been reviewed and approved by City Public Works Staff. Assertions that this design will create an attractive nuisance and/or become a generator of pestilence and plague is ridiculous. Requests that our storm water facility should be built under ground is yet another diversionary tactic designed to increase costs in the hopes the Project is not economically viable. – Real life example that our design is safe and efficient – please see detention facility approved, built and operational for Benton House.
2. Skilled Nursing Facility – Great dramatic effort has been made in an effort to raise concerns regarding the types of treatment and procedures that would take place in our skilled nursing facility. There are currently 90 skilled nursing beds in the City of Prairie Village. Forty-five beds as part of Brighton Gardens and 45



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beds at Claridge Court. Unless Dr. Saderlee can point to one, issue, or circumstance that has presented a problem for nearby residents or the community at large – may we move on to relevant factors for consideration?

Gentlemen, I would request that a copy of this letter be provided individually to each member of the Planning Commission. I understand and acknowledge this correspondence will be posted on the website and made available to the public. Also, could we be sure that each member of the Commission has a copy of both our Traffic Study and Storm Water Study?

I will thank you in advance for your cooperation. If you have any questions in regard to my comments herein, please feel free to contact me.

Sincerely

A handwritten signature in blue ink, appearing to read "JDP", with a long horizontal line extending to the right.

John D. Petersen

JDP:jlh
Attachments
072868 / 449966

MVS, LLC

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Kansas City, MO 64114-1698
816-444-0900
jct@tutera.com

June 18, 2013

Chairman and Commissioners
City of Prairie Village Planning Commission
7700 Mission Road
Prairie Village, KS 66208

Re: Mission Chateau – Application Numbers PC 2013-05 and PC 2013-114

Dear Chairman and Commissioners:

I appreciate the Commissioners' service and time committed to this and all projects presented for their review. A mountain of information has accumulated since our submission in early April 2013 along with hours of presentations. Your continued diligence in reviewing these and additional materials is critical to proper evaluation of the development. This memo contains the presentation materials that would have been presented on June 4th, at the second Planning Commission meeting, had time permitted. I hope you agree that cutting back the property owners' presentations to allow time for comments and questions from the Commissioners advanced the understanding of the project.

This memo will supplement my prior narrative, further describe the project, and specifically speak to the size, quality, design, unit count, unit mix, services, lifestyle, and the makeup of the resident population. The elements above are directly connected and integrated to the need and the changing demographics of Prairie Village, which will be discussed.

Please refer to the attachment of slides as an outline of my discussions.

Mission Chateau

A Continuum of Care Retirement Community

At our first work session, I described Mission Chateau as a rental, fee-for-service Continuum of Care Retirement Community (CCRC) comprised of 5 residential housing options.

- Independent Living
- Villas
- Assisted Living
- Memory Care
- Skilled Nursing

The narrative that accompanied our application speaks to the product and services. These have been covered, and I will not speak to this further other than to stress that Mission Chateau's 351 units provide **housing for RESIDENTS—not PATIENTS**. Patients are in hospitals and surgical centers; residents live in homes—just like we all live in homes of one kind or another. What we are building includes 5 different types of homes all suited for seniors. Seniors will live in all the options—from the villas and independent living, offering no assistance in daily living, to the skilled nursing, which offers assistance that is in part provided by a nurse.

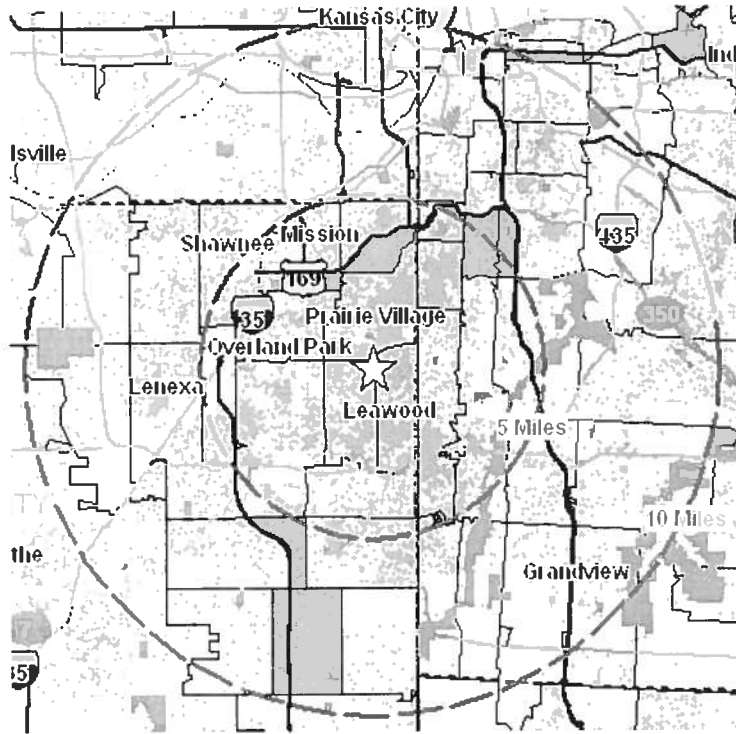
In our neighborhood meeting leading up to our submission, we described at length the number of units, the unit mix and size, lifestyle elements, as well as our site plan and its improvements. This plan changed materially in design, but it retained the CCRC elements along with a unit mix, sizing, and other elements required to sustain a vibrant, quality lifestyle for its community.

When developing a senior living community, unit counts are not an appropriate driver. Unlike apartments or a single-family neighborhood, placing more units on a property does not increase profitability, viability, or lifestyle. Investing \$150,000 per unit in improvements for an ill-conceived, under-utilized residence for the sake of diluting land cost by a few thousand dollars per unit is not good business and is not a motivator. The driver is creating a lifestyle and providing the right mix of residences and services. The following will describe the lifestyle that is being created and how it relates to the number of units and the size of the community for each of the 5 residential options.

Independent Living

Without the Residents, There is No Lifestyle

When creating the sizing and programming for a CCRC, we first look at the market demand and then the existing alternatives. The first component that is studied is the independent living. The independent living facility sets the lifestyle and character of the community. It will be the home for most of the residents and includes most of the lifestyle amenities: pool, spa, fitness area, dining and entertainment alternatives, theater, etc. The studies show that Prairie Village is in the center of the very dense age and income-qualified population. Prairie Village has 7,400 over-65+ seniors. The number of 75+ seniors in the city is 3,400, and this number will grow materially over the next few years as the depression era children are replaced by the baby boomer generation. I will speak to the demographics later, but the demand is very deep, and the lack of supply is astonishing. The need is clear and analysis supports the conclusion that many **Prairie Village seniors leave the city for their senior housing needs**. The dot density map speaks a thousand words.



Each dot represents one household, age 75+ with annual income of \$50,000 or more. (Age- and Income-Qualified Households "AIQ HH")

Looking at the map, it is very easy to understand why **Prairie Village** has a **proportionately**

higher need for more senior living residences than Johnson County as a whole. The need in Prairie Village will increase dramatically over the next few years. The outside rings of Johnson County will see this need in future decades as the current generation ages.

The independent living facility is sized at 160 units. It contains 650 to 1,250 SQFT apartments of modern design and amenities including: walk-in closets, full kitchens, living rooms, dens, large baths, etc. The space dedicated to independent living is 1,310 SQFT per unit, including the common areas, circulation, and amenities. This compares to other full service facilities; e.g., Claridge Court with 1,540 SQFT per unit. Please see the following grid.

Independent Living Facilities Size Comparison

Silvercrest @ Deer Creek	117	Park Meadow	133
Leawood Town Center	187	Atriums	167
Brookdale Place	275	Forum	118
Foxwood Spring	193	Santa Marta	139
Villa Ventura	174	McCrite	123
Kingswood	201	Lakewood	300
Cedar Lake Village	114	Tall Grass Erickson	300
		Average	180

The average size is 180 units. A facility of 160 units is considered “mid-sized.” It is large enough to drive the full range of services and lifestyle being provided at the quality that is desired. The size per unit is consistent with the trend for larger living spaces and more two-bedroom units. We are providing 37%, or 60 units, as two bedrooms. About half these two-bedroom units will be occupied by two residents. Many seniors desire the space for other living areas; e.g., dens, guest rooms, etc. The size also permits a variety of unit sizes and configurations providing residents more choices, a wider price range, and broader market access. All units are market rate rental units—no subsidy. **No buy-in or endowment is required.** Units are offered on a rental basis only, and all services are provided fee-for-service, requiring no long term contract or substantial upfront investment.

Having established the size and program for living spaces, we look at the existing options in the community. Our study was conclusive: **NO RENTAL INDEPENDENT LIVING OPTIONS EXIST IN PRAIRIE VILLAGE.** Claridge Court, developed 21 years ago, offers buy-in occupancy at \$380,000 to \$900,000 per unit along with a monthly maintenance fee starting at \$3,500 per month. Clearly, this is a specialized market. Claridge is the only non-faith-based endowment CCRC in the metro area. It draws from a broad service area as a result. Claridge is full with a multi-month to year-long wait list depending on the unit desired. The closest facility adjacent to Prairie Village is the Forum at 95th and Mission Road, which is currently 24-years old and has no excess capacity.

A modern senior independent living community is not comparable in size, unit count, and design to a mid-rise residential apartment project or single-family development. The design criterion includes, among other factors, reducing the distances between common spaces and the residents’ apartments, security, convenience, and age-appropriate socialization. This lends itself to connected spaces, short hallways, and vertical construction multiple wings off of one central core. As a result of this design, there are fewer buildings with smaller impact on lot coverage (22.9%), more total green space (52%), and the ability to concentrate green space in large areas (5.34 acres of parks).

Villas

The Most Flexible Housing Choice in a Senior Community

Villas are the most independent form of senior living. This product offers the highest level of choice and independence in a rental, maintenance-free lifestyle while maintaining access to all the amenities of the community. The villas are not row homes. They are 2,235 SQFT custom homes in a single-family and duplex configuration. Each home has unique architectural elements making it a **one-of-a-kind residence**: spacious back yard, patios, vaulted ceilings, private entrance, and two-car garage.

Mission Chateau has strategically placed the villas to the south of the property, 35 to 80 feet from our property line and creating a 150-foot transition space to the south. As exhibited in May, the view of the villas and the improvements to the north of the villas are screened by the natural vegetation and/or the villas themselves. The villas are a desirable choice for couples who are moving from a single-family residence, maintain an active lifestyle, and desire CCRC community benefits.

Eleven villas exist to complement the 160 independent living units. **THERE ARE NO SENIOR VILLAS OF ANY KIND IN THE COMMUNITY.**

Assisted Living

Our Assisted Living is a Residential vs. a Medical Model

To understand the lifestyle and features of Mission Chateau, you need to understand the progression of assisted living over the last 20 years. There are many types of assisted living products, and the product continues to evolve. The earliest of the assisted living facilities were intermediate care facilities within convalescent homes. From the 1950s through 1980s, there were nursing homes that contained both a skilled care level of service and an intermediate care. Intermediate care was for residents that could no longer live independently and needed assistance with some daily living activities, nutrition, medications, bathing, etc.; however, they were otherwise physically independent and did not need the care of a nurse. The accommodations were the same as the old style nursing home: double-loaded corridors (doors on the right, doors on the left, and 6-foot hallways down the middle), semi-private, and 220 SQFT rooms with a curtain down the middle of two beds, no private bathing, and limited or no private space. The entire facility would be 400 SQFT per unit (and most units were semi-private). This progressed to the first assisted living facilities. Brighton Gardens was one of the first prototype facilities that gained a large market appeal. It consists of 82 units with 15% semi-private occupancy providing for 94 residents. The design was a substantial step in the right direction, moving the first few steps away from the medical model. Twenty years have now passed; the senior population has grown by leaps and bounds; and the product has evolved. Seniors desire larger private living space, more independence, and a home-like environment. The earlier design of a studio apartment with a mix of semi-private occupancy is no longer acceptable. The Brighton Gardens building is 600 SQFT per unit. The bulk of the units are 325 SQFT. Benton House building is 667 SQFT per unit based on 47 units. It has 23% semi-private occupancy for 58 residents.

Mission Chateau is the next generation of assisted living based on a residential/social model. Rather than develop our assisted living as another evolution of the medical model of the past, our model builds from the ground up, based on the independent living residential model. It provides a living environment and lifestyle for seniors who are accustomed to independent living, either in their current homes or within one of our independent living residences or villas, and now need some assistance, but who are

otherwise independent. This resident does not want to move out of his/her home into a studio unit, and s/he definitely does not want to lose the privacy and dignity of private occupancy. This resident wants space that accommodates his/her furniture and keepsakes, a true one-bedroom apartment, large closet, a living room, and a bedroom. Some residents and spouses desire a two-bedroom unit. They want all the amenities of the CCRC that their friends and neighbors enjoy.

To develop this lifestyle and the quality of this community, our facility provides 1,000 SQFT per unit as compared to 600 or 667 per unit. The apartments at Mission Chateau are twice the size of those at Brighton at 576 to 888 SQFT; they are apartment residences not a room or a studio. Once we established the product, we focused on the right number and mix of units. Please see the following grid.

Assisted Living Facilities Size Comparison

	Units		Units
Freedom Point	100	Sunrise Leawood	53
Brighten Gardens *	94	Park Meadow *	96
Benton House *	59	Sunrise Lenexa	63
Lamar Courts	86	Sunrise Lenexa	63
Rose Estates	80	Bickford AL- OP *	60
Brookdale Place	40	Santa Marta	32
Village Shalom	54	Sunrise OP	40
Atriums	35	Average	64

* Semi-private occupancy reflected as two units

The sample average size is 64; facilities range from 100 to 32 units adjusting for semi-private occupancy. The size is not driven by density standards similar to residential developments as mentioned earlier: it is driven by services and lifestyle. To drive the services, a minimum number of residents are needed. Personal care assistants are on site 24/7. Programming includes activities, wellness, and socialization, which requires a minimum number of participants to generate the lifestyle desired. Keep in mind that all **our units are private occupancy**, and many of the smaller facilities were built in the early years of assisted living or as conversions and were limited by prior design decisions. Mission Chateau contains 10 two-bedroom units and 50 one-bedroom units. There are no two-bedroom units in the market. **THERE ARE NO COMPARABLE RESIDENTIAL MODEL FACILITIES IN THE MARKET.** The Brighton product is 16-years old and is full. The Benton House product serves a more specialized need and is 50% occupied after a few months of operation. Neither product offers its services in connection with a CCRC.

Memory Care

Our Memory Care is a Social Neighborhood vs. Medical Model

Memory care design, services, and programming are best understood by referring to the concepts discussed above for assisted living. Memory care facilities represent a very large need in the senior

community, particularly as residents, or their spouses, age in place. Memory care is a subset of assisted living, but the design of the living space is very different and is extremely important to the quality of life. The residents' needs are very much centered on the environment and their interactions with that environment. The design of Mission Chateau's memory care sets the standard for quality and forward-thinking design. It is a culmination of years of research and prior experience from studying the shortfalls and best characteristics of earlier generations of facilities.

The memory care facility is designed around a neighborhood concept. It is on one level surrounding an interior courtyard. The design is based on residential elements originating on the exterior and continuing throughout the interior. The design provides for single-loaded corridors, high ceilings, clear views to green space from every location, no closed-end hallways, and all private occupancy. Each unit contains a private living space and bath to preserve the resident's dignity and quality of life. This compares to the medical model of double-loaded corridors still being built today. These units consist of a row of doors on the right, a row of doors on the left, with a dead-end corridor at one end, and locked door at the other. They typically consist of the smallest studio units within the facility. Mission Chateau is a huge departure from this model and will set the standard in the metropolitan area for the highest quality, state-of-the-art memory care residences.

Mission Chateau's memory neighborhood shares support space, kitchen, housekeeping, business office, etc. with the skilled nursing center that is attached in a two-story structure to the north. The memory care neighborhood is 766 SQFT per unit as compared to approximately 490 SQFT for Brighton Gardens and Benton House. The residences at Mission Chateau are 570 SQFT per unit. Brighton's units are 240 SQFT studios. Benton's semi-private units are 371 SQFT; private units are 300 SQFT.

Similar to the assisted living model, a minimum number of residents are required to drive the personal assistance and other specialized staffing and programming desired. Please see the following grid.

Memory Care Facilities Size Comparison

	Units	Residents		Units	Residents
Park Meadows	37	48	Sunrise- Overland Park	20	26
Clarbridge	34	38	Sweet Life Brookdale Place	40	45
Village Shalom	12	12	Sweet Life Shawnee	54	57
Benton House **	24	44	Homestead- Olathe	43	46
Cypress Springs	66	66	Bickford OP	30	30
Heritage Center	48	48	Stratford Commons	47	57
Emeritus	56	56	Forum	30	34
Sunrise- Leawood	30	38	Santa Marta MC	16	18
Sunrise- Lenexa	38	38	Brighton Gardens *	24	25
			Average	38	43

** with approved addition 12 units 22 residents

* Based on 84 ALF

On average, there are 38 units with 43 residents in a memory care facility. Mission Chateau has 36 all-**private residences**. Benton is currently 12 units with 83% semi-private occupancy with 22 residents. With its approved expansion, it will be 24 units with 44 residents. Brighton has 24 units with 25 residents. As mentioned, memory care need is a subset of the assisted living demand. The demand for these services is deep. **NO SIMILAR PRODUCT EXISTS IN PRAIRIE VILLAGE, AND NO PRODUCTS EXIST WITHIN A CCRC.** Mission Chateau residences are unmatched by any existing facilities in the county.

Skilled Nursing

All Skilled Nursing Is Not the Same – Neighborhood Design

The need for skilled nursing in the community is largely unmet. Skilled nursing represents 41% of the senior housing need in Johnson County. Many Prairie Village seniors require skilled nursing on a short- and/or long-term basis.

Skilled nursing conjures up in many people's minds the image of a convalescent home of decades earlier. These facilities were based on a medical model. The living environment mimics that of a hospital. Again, double-sided corridors, nurse stations, concentrated dining and social spaces. Over the years, this model has been evolving; however, with the exception of very few facilities, it has yet to break out of this mold. Most facilities are an adaptation of prior medical models based on the limitation of the original designs. The trend is toward private occupancy and residential settings, architecture, and living spaces on a residential scale. Progressive facilities, like Mission Chateau, are built around a residential and social model much like assisted living. A typical skilled nursing facility, such as Brighton, is 400 SQFT per unit with semi-private occupancy, shared bathing, and limited personal space. Resident rooms are typically 220 SQFT.

On the other hand, Mission Chateau is 766 SQFT per unit. The residents' suites range in size from a typical 315 SQFT unit to 515 SQFT for a semi-private suite, which suite may be occupied by two residents or by one resident who desires a bedroom and a den. The units are of the same size as many of the assisted living units currently available in the city.

More importantly, this skilled nursing is designed around neighborhoods of 7 suites. The neighborhoods, similar to the memory care neighborhood, are based on single-loaded corridors with the same strict adherence to the residential scale and the view of exterior and interior green spaces from all vantage points, and with no dead-end hallways. The neighborhoods contain a den and dining and entertainment space scaled to the 7 residential units that are adjacent. The suite has a full private bath, media area, coffee bar, and will accommodate the resident's personal furniture if desired. The design of the **neighborhoods can be seen in the exterior elements**, making the facility look nothing like the institutional nursing home of years ago. This community is truly a leap forward in design and lifestyle

for seniors who need a residence that meets their health needs and that in part provides assistance by a nurse.

The proper size of the skilled nursing residence is relative to the size of the CCRC. It is also **proportionate to the need in the community**. It is not driven off of density calculation, like multifamily or a single-family subdivision. The size is relative to the quality, services, programming, and lifestyle that will be offered to the residents. Mission Chateau is in the middle- to small-range of skilled nursing facilities with 84 units. Mission Chateau is on two floors with about 42 units on each floor, one for long-term residents and the other for short- to mid-term residency. Mission Chateau is 24% skilled nursing, (84 of its 351 units). Claridge Court's is 25% (45 out of 180). Brighton Gardens' is 27% (45 out of 164). All of Johnson County has 3,338 of its 8,140 senior living population in skilled nursing, or 41%.

There are two facilities in the city: Brighton Gardens, 28 units with 45 beds, 60% semi-private occupancy; and Claridge Court, 45 units, all private occupancy. As mentioned, Claridge Court is a buy-in life care facility requiring an upfront investment of \$380,000 to \$900,000, plus an ongoing monthly maintenance fee. For this buy-in, residents are provided lifetime access to the skilled nursing on a priority basis for its current and former independent living residents and their spouses. Claridge is 21-years old and has a wait list as well as a mature group of residents that live in the skilled care facility. Access is very limited as a result and will remain restricted and limited. Mission Chateau will be the only facility that offers the skilled nursing as part of a rental CCRC. It will allow **PRAIRIE VILLAGE RESIDENTS THE HIGHEST QUALITY LIFESTYLE AND RESIDENCE, UNMATCHED BY ANY FACILITY IN THE METROPOLITAN AREA**, while allowing the senior or their spouse to stay in their community close to family, friends, and community services.

Summary and Benefit

Mission Chateau's forward-thinking design and the programming will provide the highest quality lifestyle and residences for the seniors of Prairie Village, while exceeding all planning guidelines, improving public safety, reducing noise and traffic, reducing the volume while improving the quality of water runoff, and increasing the adjacent property values, just to name a few.

Mission Chateau represents a 500% larger investment in the community as compared to a single-family residential development. As a result, Mission Chateau will directly generate, through real-estate taxes alone, enough income to cover approximately 6% of the City's operating deficit, as averaged over the last 4 years.

Although we have a clear mission to the highest quality residences to the seniors of the community, we recognize the need to conform to all development standards. As such, the original plan proposed in the fall of 2011 **met or exceeded all the requirements; and no variances of any kind were being requested**. However, through direction from the City's staff and its consultants, as well as through the feedback

from multiple neighborhood meetings, we were able to make substantial changes in scale, circulations, storm water treatment, parking, height, setbacks, green space, unit count, and density. **These were not minor changes**, rather a completely new site layout, circulation, floor plans, facility programming, elevations, and engineering. These plans were prepared after our first submission ready-set of plans were completed and tendered to the city for review in late 2011. The plan now being considered for approval represents the culmination of many months of work. Nevertheless, all these comments were void of Planning Commission comments; and as such, **we are hard at work to preserve the quality and lifestyle of the community while improving the plan in the areas noted**. I respectfully request that you consider the quality of the lifestyle, the benefit to the community, and the sensitivity of the design to the function.

Thank you in advance for you continued diligence in the review of these and other materials, and we look forward to our July 2nd work session.

Sincerely yours,

Joe Tutera

Joe Tutera
MVS, LLC

Attachment



Mission Chateau

Description of Living Units, Services, and Need

Independent Living Amenities

Community

- Concierge's desk
- Valet
- Multiple Dining Options
- Theater
- Wellness Center
- Entertainment rooms
- Indoor swimming pool and spa
- Access to Assisted Living Apartments, Memory Care, and Skilled Nursing Neighborhoods

Apartment

- 700 to 1,300 sqft apartments
- Full kitchen
- Living room
- Bedroom
- Full bathroom(s)
- Walk-in closet
- Balconies

Independent Living Options in PV

There are no Rental Independent Living units

Mission Chateau

160 units

- New
- 1,310 sqft per unit
- No buy-in required

Claridge Court

0 units

- 21 years old
- 1,540 sqft per unit *
- Buy-in \$380,000 to \$900,000
- Full with wait list

*(assumes 45,000 sqft SNF of 253,000)

Independent Living Villas in PV

There are no Senior Villas

Mission Chateau

11 Units

- 2,235 sqft villa
- Two car garage
- 10' ceiling
- Large picture windows
- Individual architecture and style
- Private patios and entry

Market

0 Units

- 24/7 monitoring
- Maintenance free
- Full access to Mission Chateau Independent Living community services

Assisted Living Options in PV

Our Assisted Living is a Residential vs. Medical Model

Mission Chateau

60 units

- New
- **1,000** sqft per unit
- **All private occupancy**
- Full access to Continuum of Care

Brighton Gardens & Benton House

82 & 47 units

- Brighton -16 years old & Benton - new
- Brighton - **600** sqft & Benton - **667** sqft per unit
- Brighton **15%** and Benton **23% semi-private occupancy**
- No Continuum of Care

Memory Care Neighborhood

Our Memory Care is a Residential vs. Medical Model

Mission Chateau

36 units

- New
- **766** sqft per resident
- **All private occupancy**
- Residential Design
- Full access to Continuum of Care

Brighton Gardens & Benton House

24 & 12 units

- Brighton - 16 years old & Benton - New
- Brighton - **490** sqft & Benton - **492** sqft per resident
- Brighton - **5%** & Benton - **83% semi-private occupancy**
- Double loaded corridors
- No Continuum of Care

Skilled Nursing Options in PV

All Skilled Nursing is not the same

Mission Chateau 84 units 100 beds

- New
- **Residential Design - Neighborhood**
Private den, library, dining area
Residential scale and feel
766 sqft per unit
- **Private occupancy suites**
- Full access to Continuum of Care

Brighton Gardens & Claridge Court 45 & 45 beds

- Brighton - 16 yrs & Claridge - 21 yrs
- **Medical Design**
Double loaded corridors
No private courtyard
Typical size **400 sqft per bed**
- Brighton **60% semi private** & Claridge
priority access to buy-in residents
- No Continuum of Care

Size of Skilled Care to Total Senior Housing Options

Mission Chateau
24% - 84 of 351

Claridge Court
25% - 45 of 180

Brighton Gardens
27% - 45 of 164

All Of JOCO
41% - 3,338 of 8,140 *

(Duggan 5-2-2013 Memo to PV)

Demographic Trends in Prairie Village

Population

(Source: City of Prairie Village)

- The population has **decreased** by **21.5%** since its peak in 1970
 - 28,378 to 22,272 in 2010

Demographic Trends in Prairie Village

Age Cohorts and Family Information

(Source: Prairie Village Parks and Recreation 1980 to 2008)

- The **Senior** population (65+) **increased 74%**
- The 24 and **younger** population **decreased 18%**

Demographic Trends in Prairie Village

Household Types Trends

(Source: Prairie Village Parks and Recreation 1980 to 2008)

- Family Households decreased 23%
- “Empty Nesters” increased 38%

Demographic Trends in Prairie Village

Senior Population Trends

(Source: MVNA 5/7/2013 Memo)

<u>65+ Population</u>	
2013	2018
6,680	7,407

<u>75+ Population *</u>	
2013	2018
3,386	3,410

* Depression period low birth rate

Seniors in Prairie Village

**Prairie Village demographics are changing.
Prairie Village lacks adequate senior living options.**

**The need is increasing quickly.
Prairie Village Seniors are being displaced outside their community.
Comparable residences and lifestyle options do not exist.**

**Mission Chateau will provide the highest quality services and lifestyle
in a state of the art community, designed as a residential model,
providing its residents independence and options as their needs change.**

MISSION CHATEAU PROJECT

Questions for City Council Members

Submitted by John Houts
 (8008 Granada, Prairie Village, KS 66208)
 June 20, 2013

Topic	Discussion Questions
<ul style="list-style-type: none"> • Market Analysis 	<ul style="list-style-type: none"> • In addition to a market study provided by the developer, should the city require the developer to pay for a review by an independent analyst? • How well served is the metropolitan area in providing senior living rental property? What is the anticipated need for additional senior rental housing over the next 10-20 years? • What would be the economic effect on existing senior living properties with the addition of the Mission Chateau project? How does over-building of senior housing affect the economic profitability of competing properties? Will this project contribute to over-building in the market and sub-market? • What will be the impact of multiple shift changes through the day and night? Will traffic noise become a nuisance to neighbors? Will noisy trash and delivery trucks be constantly running day and night? • Have commission members toured area nursing home properties to evaluate the property condition? • Are there instances of blight or site problems surrounding any of these properties?
<ul style="list-style-type: none"> • Development Process 	<ul style="list-style-type: none"> • In what ways does the Mission Chateau project vary from city's comprehensive plan? • Have commission members visited comparable properties in other cities to evaluate their impact on the market and neighborhood. • Are there pending reports from city departments not yet complete? What added public services, manpower, equipment, etc. will the city need to provide with the addition of the Mission Chateau project? • What will be required in providing water, sewer and storm drainage to the site? Will the development require extensive tear-out to connect with storm and sewer over long distances? • Has the developer provided city with development costs and financial statement, including source of financing for the project?
<ul style="list-style-type: none"> • Community 	<ul style="list-style-type: none"> • Has there been an out-cry by residents for rental apartments, assisted living units and nursing home beds in Prairie Village and the metropolitan area? • Are there concerns the community will be unable to meet the needs of seniors in the next 10 - 20 years? • What is more important to a community, quality of schools or the number nursing home beds or apartment units? • Has the city thoroughly studied the impact of the loss of class rooms with the closure of Shawnee Mission schools? Has this resulted in over-crowding in the remaining schools? Is the school district planning on expansion of the remaining schools to make up the loss from those closed? What say does the city have with the school district in making

	<p>these decisions? Should the city approve expansion of these sites?</p> <ul style="list-style-type: none"> • Would the city benefit in reputation for quality education by attracting private schools, such as Kansas City Christian School? • What impact on community life will result from the loss of ball diamonds, soccer fields where children practice and have games? • Will Prairie Village be a better place to live because we have more nursing homes or quality education?
<ul style="list-style-type: none"> • Transactional 	<ul style="list-style-type: none"> • Have questions been raised about the handling of the sale by Shawnee Mission School District and RED Development Co.? Were promises made to developers that they could expect approval for commercial use of the property? Is it true that the school could not sell the property to a private school due to a restrictive policy? Is there truth to the rumor that RED Development Co. promised to sell the property to Kansas City Christian School but reneged on its word? • Has Prairie Village city council researched the market to know the number of pending nursing home projects in the metropolitan area? What is the permitting activity over the last 5 - 10 years for nursing home and assisted living units? • Has Prairie Village city council visited nursing homes in the area? In particular, has it seen Villa St. Joseph located at 119th & Nall? Does the city understand that over-building leads to future blighted, dilapidated buildings? Is the city willing to accept construction of more apartment rental units that spell death to neighborhoods? • Has Prairie Village city council received comments from existing nursing home and assisted living owners in the marketplace? What in their opinion will be the economic impact on their property? • Is there concern that Prairie Village is experiencing any loss of tax base? Is the city in good financial shape and able to meet budgetary requirements in the future? • When a city such as Prairie Village is fully developed, how critical is a decision to make a radical change to land use of a track along a major thoroughfare? Should this require a popular vote? Should the developer be required to pay for the cost of such vote? • Should the city take steps to insure that this property remain a school and not allow the commercialization of one of the largest tracks of land in the city? • Will the developer at some point ask for incentives, such as TIF, tax abatement or creation of a special benefit district?
<ul style="list-style-type: none"> • Conclusion 	<ul style="list-style-type: none"> • It is unlikely that truthful answers to the above questions will render a case to support approval of a rental senior housing, assisted living and nursing home development. This is the wrong project for one of the most prominent sites in the entire city and metropolitan area. Extraordinary care needs to be taken by the city in making any decisions affecting the site and not leave it to developers or high paid lawyers for their personal gain. • The city needs to take an active role in the planning and future use of the Mission Valley site. • Our greatest priority is to protect the existence of our excellent schools and national reputation.

ADDENDUM 1

MISSION CHATEAU PROJECT

QUESTIONS FOR CITY COUNCIL MEMBERS

See photos below of Villa St. Joseph nursing home located at 119th and Nall as example of blight resulting from over-building in the marketplace.

Lacking a need for additional senior housing, properties are likely to suffer from disrepair and financial loss. The city council is urged to reject the Mission Chateau project as the wrong usage of the Mission Valley site.

John Houts
8008 Granada
Prairie Village, KS 66208







Jo Dee	Berger	<p>Andy: I am very opposed to the Tutera development. It is not going to benefit Prairie Village in the short term or in the long run. We need affordable residential housing in that space. No to low-skill low-wage jobs and increasing the demographic of older citizens. It is not a joke that Prairie Village is the home of the " newly wed and nearly dead".</p> <p>Sincerely, Jo Dee Berger</p> <p>Sent from my iPhone</p>
Kendrick	Davidson	<p>Dear Council Member;</p> <p>Approximately 3 weeks ago I heard a presentation regarding possible development of the Mission Chateau plan at the men's Vanguard Club by the Tutera Group which I and others in the audience were very impressed by the apparent thoroughness of preparation and well thought out overall planning.</p> <p>My feeling is that this facility would be a positive development for the residents of Prairie Village and would help meet the needs of its seniors at a time when other such comprehensive developments are not now available in the city.</p> <p>It is apparent to me and other residents of Prairie Village I've talked to, that this is a very worthwhile project that is hoped the city will approve for development.</p> <p>Sincerely Yours, Kendrick C Davidson, MD 8409 Ensley Place, Leawood KS 66202-1464 E-mail: kenrad1@g-mail.com</p>
Joellen	Messerli	<p>I am writing on behalf of my mother, Mary Jo O'Byrne, regarding the Tutera Group project, Mission Chateau. My mother has lived in Prairie Village for the past 12 years and is a strong supporter of the area businesses and their growth. She was recently widowed and is beginning to think about moving out of her large home and into a location that she could remain in for the remainder of her life. She is very interested in Mission Chateau and has a strong desire to live there, should the project be built.</p> <p>Thank you for your continued service to Prairie Village and your continued consideration of this project.</p> <p>Joellen Messerli Prairie Village resident jmesserli1@gmail.com</p>

**PLANNING COMMISSION WORK SESSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, JULY 2, 2013
VILLAGE PRESBYTERIAN CHURCH
6641 MISSION ROAD**

**Immediately Following
Regular Commission Meeting**

The work session is open to the public and the public is welcome to attend; however, no public comment will be accepted.

**Presentation on proposed development of 8500 Mission Road -
PC2013-05 Request for Special Use Permit for Adult Senior
Dwellings
PC2013-114 Site Plan Approval - Mission Chateau
Representatives of Tutera Family Communities &
Polsinelli Shughart**