

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, JANUARY 7, 2014
7700 MISSION ROAD
7:00 P.M.**

I. ROLL CALL

II. APPROVAL OF PC MINUTES - DECEMBER 3, 2013

III. PUBLIC HEARINGS

**PC2013-09 Request for Special Use Permit for DayCare Program
7230 Belinder (Belinder Elementary School)
Current Zoning: R-1a
Applicant: Pam Watkins with YMCA of Greater Kansas City**

**PC2013-10 Request for Special Use Permit for DayCare Program
6642 Mission Road (Prairie Elementary School)
Current Zoning: R-1a
Applicant: Pam Watkins with YMCA of Greater Kansas City**

**PC2013-12 Request for Special Use Permit for DayCare Program
5300 West 86th Street (Briarwood Elementary School)
Current Zoning: R-1a
Applicant: Johnson County Park & Recreation District**

**PC2013-13 Request for Special Use Permit for DayCare Program
8301 Mission Road (Corinth Elementary School)
Current Zoning: R-1a
Applicant: Johnson County Park & Recreation District**

IV. NON-PUBLIC HEARINGS

**PC2013-128 Site Plan Approval for Wall in Front Yard
633 Granada
Zoning: R-1a
Applicant: Matt & Emily Eckles**

**PC2014-101 Request for Approval of Monument Sign
3520 West 75th Street
Zoning: C-0
Applicant: Steve Chellgren with Big Industrial**

**PC2014-102 Request for Site Plan Approval
4049 Somerset Drive
Zoning: C-2
Applicant: Jenna Bobrukiewicz for Westlake Hardware**

**PC2014-104 Request for Building Line Modification
6641 Mission Road (Village Presbyterian Church)
Current Zoning: R-1a
Applicant: Matthew Schlicht, Engineering Solutions**

PC2014-103 Request for Site Plan Approval
6641 Mission Road (Village Presbyterian Church)
Current Zoning: R-1a
Applicant: Matthew Schlicht, Engineering Solution

OTHER BUSINESS

Consider proposed amendment to add reapplication waiting period

V. ADJOURNMENT

Plans available at City Hall if applicable
If you cannot 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
December 3, 2013

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, December 3, 2013, in the Shawnee Mission East Cafeteria at 7500 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Bob Lindeblad, 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; David Waters, representing the City Attorney; Danielle Dulin, Assistant to the City Administrator; Keith Bredehoeft, Public Works Director, Jim Brown, Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary. Also present was Andrew Wang Council liaison.

APPROVAL OF MINUTES

Nancy Vennard moved the approval of the Planning Commission minutes of November 5, 2013. The motion was seconded by Nancy Wallerstein and passed unanimously.

David Waters reported that he and City Attorney Katie Logan reviewed the initial notice of public hearing sent out for the November 5th meeting and found it did not comply with the notification requirements. Therefore, the information presented at the November 5th meeting will not be considered as part of the record for this application. A new notice of hearing was published on November 12, 2013 in the Legal Record that complies with the City's notification requirements. Staff has verified that certified return receipt notices were sent to property owners within 200' of the application area and the site was appropriately posted.

Mr. Waters noted that previously several procedural issues were raised by the Mission Valley Neighborhood Association including the inclusion of all 18.4 acres of the accessory use issue. The City's legal staff has reviewed these issues and believes this application is properly before the Commission for consideration based on the city's zoning criteria and the Golden Factors.

Chairman Ken Vaughn reviewed the procedure for the public hearing noting that the applicant and a representative of MVNA will be given 30 minutes to present followed by public comment limited to three minutes per individual followed by a 15 minute rebuttal period for each the applicant and a representative of Mission Valley Neighborhood Association

PUBLIC HEARING

**PC2013-11 Request for Special Use Permit for Adult Senior Dwellings
8500 Mission Road**

John Petersen with Polsinelli, 6201 College Blvd., Suite 500, addressed the Commission on behalf of MVS, LLC stating he would be the sole presenter for the

applicant; however, Joe Tutera, Randy Bloom, Tracy Browning and other members of the development team are present and available to answer any questions. Mr. Petersen stated they had a lot of supporters wanting to attend this hearing; however, he advised them their support would be presented and they didn't need to attend. To that point, Mr. Petersen stated they have 494 e-mails and 249 letters in support of the project being presented this evening and a growing waiting list of individuals interested in making Mission Chateau their home.

Mr. Petersen stated it is his intent to address the following four fundamental components:

- Appropriateness of use
- Character of Neighborhood as considered in land use evaluations
- Transition and Transition design
- Appropriateness of design

He would not address opinions that have already been documented by professionals regarding stormwater, traffic, parking and impact on property value. He would not address commercial vs. residential measurement of the project, references to other projects or snippets of court cases taken out of context and based on unrelated situations. The issue of accessory use has been addressed and is irrelevant now that the project will not be constructed in phases.

Appropriateness of Use

In addressing this, Mr. Petersen quoted from the staff report by the City's Planning Consultant which states: "Village Vision also has pointed out in several areas of the plan that more housing choices should be available to the residents, particularly in the area of senior living." and "The proposed senior housing community provides a good transition between the low density residential development to the south and southwest and the higher density residential area, office and retail to the north and northwest. The site is located within walking distance of Corinth Square Center which provides most of the merchandise and services required by the residents and guests of the facility."

Character of Neighborhood & Compatibility

Mr. Petersen noted that when looking at a large tract, you look at the entirety of the area. If you were to ask the travelling public that uses Mission Road what the character of this neighborhood is, he would venture to say that most would say it is a mixed use area. Those viewing it from the west and north would say it is a multi-family use area. Those viewing it from the south would say it is a single family residential use area.

Of the uses abutting the 12.8 acre site containing the proposed special use permit 27% is Mission Road, 38% is Multi-family residential and 35% is Single family residential. The breakdown of uses within 1000 feet of the proposed Mission Chateau Residential Community 43% are Multi-family, Commercial or Mission Road with 57% being Single family residential.

Transition & Transitional Elements

This is a transitional site. The location and size of the Independent and Assisted Living Components is the same as that presented in the original application. Moving to the north and northwest is the proposed Skilled Nursing Facility and Memory Care Facility with the identical number of units as originally presented. However, the two facilities have been combined with the placement of the Memory Care Facility beneath the two-story Skilled Nursing Facility creating more green space with an increase in height of only eight feet.

All the parking on the site is directed away from the residential area to the south. The building area fronting Mission Road covers 348 feet, for 34% of the Mission Road frontage. The sidewalk system along Mission Road has been improved and more green space has been added.

As transitional elements the site plan has been designed placing similar heights together. The buildings to the north and northwest of the site are 988' and 994' in height, so the three-story 989.5 foot skilled nursing/memory care facility has been located on the northwest corner of the site. The homes to the south of the site are 980.5', 995' and 979' across from the 991.5 foot south side of the skilled nursing/memory care facility. Another transitional element used to minimize the height differential is the separation of the structures. The distance between the existing homes to the south and structures in the senior housing residential community are 317 feet, 278 feet, 312 feet and 255 feet. The distance from the skilled nursing/memory care facility to the condominiums is approximately 200 feet. The Independent/Assisted Living Facility is located 334 feet and 378 feet from the homes to the south.

Greenspace is another tool used in transitional design. Lot coverage allowed by the City's code is 30%. The lot coverage for this project is 22%. The 12.8 acre residential community has 6.45 acres of green space. On the south side of the site is a 1.52 acre Central Park near the Independent/Assisted Living facility; a .66 acre Memories Park is located off the Skilled Nursing/Memory Care Facility in the west corner. The north side of the site contains 1.3 acre North Lawn site, in addition to creek and detention areas. These "pocket parks" are the approximate size of Prairie Village's smaller neighborhood parks.

Appropriateness of Design/Architecture

The materials used on the project are compatible with those used in the neighborhood, which are wood, stone, brick and stucco. There will be a substantial amount of stone and traditional stucco used on the building facades. The roof will primarily be asphalt shingles with standing seam metal used as accent points to break up the roof mass.

Special Use Permit Criteria

Mr. Petersen addressed criteria #1 that the proposed special use complies with all applicable provisions of these regulations including intensity of use regulations, yard regulations and use limitations. He noted that throughout the hearings the opposition has stated that the project "just hits the minimum" code. A comparison of the code requirements and the plan revealed the plan far exceeds the city's code requirements.

The total land area required for the proposed use by ordinance is 237,400 square feet. The site area is 557,632 square feet (2.3 times greater than the proposed use). The setbacks are at least 3.5 times greater than what is required by code with the side yard setback on the north property line being 32 times greater. The maximum height allowed is 45' and the maximum height of the proposed development is 40'. Maximum lot coverage allowed is 30% and the proposed lot coverage is 21.4%. Off-street Parking setbacks are more than twice that required by code.

Regarding Criteria #3, Mr. Petersen stated that a revised property appraisal has been completed by Todd Appraisal and submitted for the record. The new appraisal addresses the impact from with the plan submitted 07/30/2013 and the plan submitted 10/11/2013. The study found that "The development of single family homes is more likely to maintain value than to act as a hindrance to market acceptance. There is little doubt that the purpose of creating an additional buffer between the prospective Mission Chateau development will have been well served."

Golden Factors

Mr. Petersen stated the proposed plan is consistent with the City's Master Plan. He closed his presentation quoting the following from the staff report prepared by the City's Planning Consultant. "This is one of the largest tracts of land in Prairie Village available for redevelopment. There is no gain to the public health, safety and welfare by not allowing the property to be redeveloped. It is located in the middle of a mixed density residentially developed area and its depreciation in value would have a depreciating effect on surrounding property. The hardship created for other individual landowners is the loss of open space and the use of the area for recreational purposes. This was a benefit as a result of public ownership which changed with the property was sold for private development."

John Petersen stated the applicant is in agreement with the recommendation and conditions of approval for the Special Use Permit application with the exception of Condition #2 and for the Site Plan application with the exception of Condition #17 relative to a reduction in the square footage of the Skilled Nursing/Memory Care facility.

Chairman Ken Vaughn opened the meeting to questions from the Commission.

Nancy Vennard questioned the increased size of the combined Skilled Nursing/Memory Care facility noting there should be some economies of design by combining support functions. Mr. Petersen responded that when the original buildings were side by side, some of those economies of shared common supply areas were already placed in the plan. Some of the area would be needed for additional stairwells, elevators, etc. which was not needed when the Memory Care facility was one-story.

Joe Tutera stated the plan for both facilities was to preserve as much space as possible for the resident rooms. He noted the building could be brought in 18" but the proposed design dimensions for the individual units would be reduced. It is his feeling that the minimum exterior impact of the additional square feet was worth saving the floor space for their residents to accommodate their needs and desires.

Mrs. Vennard asked if the number of rooms could be reduced. Mr. Tutera replied such action would create an asymmetrical structure by removing a section.

John Petersen stated at the request of the neighbors who stated they did not want rental villas as the transitional element between their property and the main complex, they have created nine single family lots of more than 10,000 square feet each that generally line up with the property lines to the south. They will be owner occupied and will be custom built homes.

Chairman Ken Vaughn opened the public hearing for comment in support of the application. No one wished to address the Commission. Chairman Vaughn called upon John Duggan with the Mission Valley Neighborhood Association for his presentation.

John Duggan, Duggan Shadwick Doer & Kurlbaum, LLC, 11040 Oakmont, representing the Mission Valley Neighborhood Association reminded the Commission that six members of the Governing Body voted against the original application which had 350,000 square feet on 18.4 acres because it was too big. They felt, and rightfully so, that they had the authority to deny the application because they felt a better proposal could be made for this promising piece of land.

Mr. Duggan stated 99% of his time has been spent representing developers during his career and they would never consider asking a City for the overreaching concessions being brought forward in this application. The applicant invites the City to deny the adjoining landowners' right to file a protest petition based on street widths and building lines that have not been approved by the City Council or recorded with the Register of Deeds. This is absurd. The requested Special Use Permit should not be approved until the plat has been approved.

They have drawn an imaginary 200' line through their project in an attempt to remove from his clients the ability to file a protest petition. He stated the right to file a protest petition where a change in "land use" is sought, is broad enough to encompass an application to change the use of the Mission Valley property from a school to a multi-building senior living campus. This is happening because the applicant knows that he cannot get 10 votes required with a protest petition in support of the application, but hopes he will get seven votes.

Mr. Duggan noted staff mentions 15 times as a basis for approval the transition zone of single family houses. If this is so important, why is it not included in this application. This is a brazen act to get around the requirements of the code. He stated the site plan and the plat violate a number of requirements. For instance, the cul-de-sac is over 1000' and any cul-de-sac in excess of 500' requires a variance. The preliminary plat must designate the uses for the property. The staff report considers this as one application - as one plat for the 18.4 acres.

Mr. Duggan stated this is not about height and setbacks, but the elephant in the room and six people on Council who have said they would not vote for project this big.

Instead of doing what the Governing Body wants and making the project smaller as requested by the neighborhood, they have submitted a piecemeal application scheme that constitutes invalid haphazard zoning enacted without any reasonable basis but the for advancement of the Applicant's private interest in evading the adjoin property owners' right to file a protest petition.

Mr. Duggan stated the applicant is seeking the City's approval for a application to change the land use from what was exclusively a public school to one that would contain several uses: (1) single-family dwellings; and (2) special use permit for senior adult dwellings; and (3) nursing care or continuous health care services . . . on the premises as a subordinate accessory use." The applicant proposes a variety of uses on one common lot, the intent of the City's Zoning Ordinance demands that it be reviewed as a single application for rezoning as a "MXD" Planned Mixed Use District. John Duggan questioned the consideration of a new application while action on the previous application for this site is pending in District Court. It is absurd for the Planning Commission to consider a new application. Turn it down and let them come back after the court rules on the pending lawsuit. By appealing the City's decision, MVS has terminated the City's power to reconsider MVS' application for a Special Use Permit.

Mr. Duggan stated that aesthetics are a critical element for consideration and sited cases where denial based on this element alone were upheld by the courts. Addressing the density of the project, Mr. Duggan presented a slide of the site plan for proposed IKEA project in Merriam which is of similar size. He also noted that Shawnee Mission East High School is approximately 350,000 square feet but is located not on 12 acres, but on 36 acres. This is absurd. As a Commission, you would not allow this property to be developed with manufactured homes or as a mobile home park.

It is absurd that the Commission would allow the applicant to draw a 200' line to deny the neighbors their due process rights.

Mr. Duggan argued that the nothing is more commercial in nature than a hospital and the proposed Skilled Nursing Facility operates essentially as a hospital and therefore the density of the project should be measured in terms square feet per acre which he feels presents a clearer view of the size of this project. Staff has measured density using the residential criteria of units per acre.

John Duggan advised the Planning Commission not to approve the application noting the applicant cannot get the votes needed for approval by the Governing Body. The developer is doing an end run. He asked what is so desirable about the application that it is worth ignoring the rights of neighboring property owners.

Greg Wolf asked for clarification from Mr. Duggan regarding the protest petition.

Mr. Duggan stated he believes the courts will throw out any approval as the notices were not appropriate for what he believes to be a rezoning application; the notices were not sent to all the applicable neighboring property owners; the City has no jurisdiction to

take action until the pending action in the Johnson County District Court has been resolved.

Mrs. Vennard noted at the conclusion of the November meeting, it was stated that all of the attorneys would review the notice prior to publication. Mr. Duggan responded the notice was reviewed by the applicant's and city's attorneys; however, he was not involved.

Chairman Ken Vaughn opened the public hearing to comments from individuals reminding them of the three minute time limit and asking them to present only new information.

Whitney Kerr, 4020 West 86th Street, noted the 17 stipulations applied to the staff recommendation. He does not believe this project fits. A skilled nursing facility is a business activity. He questioned who would enforce the conditions of approval. He is fearful that the Claridge Court mistakes will be repeated and the city will be left with a lower quality development. The oversized elephant is still in the room. The neighbors are more opposed to the project than ever. This project is 4 times the density of the adjacent single family residences and twice the density of the adjacent apartments. The row of single-family dwellings proposed for transition is hogwash. Where are your priorities?

Steve Carman, 8521 Delmar, addressed the amendment to Village Vision dealing specifically with this property which calls for input from neighboring property owners and compatibility. This project is not compatible - it is too big and too tall. This site is not the center of a mixed use area - it is the edge of a mixed use area that extends into a prominent residential neighborhood. Village Vision calls for input into future development - in all of the meetings held on this project, the common theme has been the project is too big and it has been consistently ignored. Comments from Commissioners and from Council members stating it is too big have been ignored. This plan is not compliant with Village Vision and should not be approved.

Michael Grossman, 3731 West 87th Street, stated the real action on this application will take place at the City Council meeting. He noted he understands the Commissioners dilemma in that they previously approved a very similar plan which was not approved by the Governing Body and the developer filed suit and resubmitted an even larger plan. The proposed plan disenfranchises the neighbors. Such actions should not be rewarded. It is better to invite a second lawsuit and deny the application until a scaled back plan is submitted.

Brenda Satterlee, 8600 Mission Road, presented an analysis of parking ratios using data received from other Johnson County CCRC's that clearly demonstrates that Mission Chateau does not have enough parking spaces. Her calculations revealed a shortage of 30 spaces for residential parking and a shortage of 40 spaces for visitor parking. She added that the proposed project is now located on 12 acres and the ability to add on-site parking later is non-existent. She believes there will be a dramatic parking shortage.

Brian Doerr, 4000 West 86th Street, stated as a PV resident for most of his life, he has trusted the City to make the correct land use decisions. He was stunned two years ago when a 400,000+ square foot mixed used development was being considered for this site. For the past two years, he has attended every official Mission Valley site meeting and countless meetings with the applicant. If this plan is approved, there will be a publically dedicated two lane road within 150 feet of my backyard serving a nearly 100,000 square foot commercial skilled nursing facility and the 3rd largest residential building in the entire County.

Mr. Doerr urged the Commission to tell the applicant that he needs to listen and to respond to the neighbors and make this project smaller. He is not entitled to protest which violates his due process rights. Vote to recommend a denial of this application.

Craig Satterlee, 8600 Mission Road, echoed Mr. Carman's directive to the Commission to take seriously the Village Vision amendment regarding this site and take to heart what it states regarding neighborhood input into the development of this site.

With no one else wishing to address the Commission, Chairman Ken Vaughn closed the public hearing and called upon the applicant for rebuttal.

John Petersen noted that Mr. Duggan in his presentation never addressed the land use and planning issues for this application that are the basis for action by the Planning Commission in accordance with standards for land use, but addressed IKEA as a similar project and other uses that are not being proposed. This is not about telling the Planning Commission what they have to do.

Mr. Petersen stated this is essentially an improved version of the design submitted earlier which was approved by this body, by the city's professional staff and by a majority of the City Council. The lawsuit was filed to protect the applicant's rights. Mr. Tutera is not in the business of suing - he is in the business of providing senior living facilities. The plat has been filed. There is no zoning issue to be considered as the property is already zoned for the purposes uses. City staff has made the determination on when action will be taken on the filed plat. Mr. Petersen stated that building standards, setbacks, greenspace requirements were established to provide an objective basis on which to evaluate a project and remove the emotional responses. That is the job the Commission is called to do with its expertise and experience in the area of planning.

In response to Mrs. Satterlee's comments on parking - they are comfortable based on their experiences with the several senior living centers they operate that the parking is sufficient and exceeds the requirements of the city's code.

Mr. Petersen stated the application and process has not violated the master plan. They have received neighborhood input and reminded the Commission of the many changes that have been made to the project over the past several months in response to that input. The neighborhood requested owner occupied single family homes not rental

villas - the new plan provides this. They wanted parking moved to the north it was moved to the north. They wanted more greenspace - green space was increased. He thanked the Planning Commission for their patience and the opportunity to present to them a quality project that will address the needs of their senior residents and be an asset to the community.

John Duggan restated that action cannot be taken without the filing of a final plat. He disagreed with Mr. Petersen, stating that if you change a use of property, you have changed the zoning. You can have a zoning district with different uses as permitted within the code. The notice was improper. When you change a specified use, you are rezoning and due process is required.

Mr. Duggan told the Commission not to reward an applicant who has filed a lawsuit. He stated it is absurd to suggest that this is a residential project in an R-1a district. The metrics of a commercial development should be used as a skilled nursing facility is a commercial enterprise. This is not a residential project - Do not evaluate it based on residential criteria. Mr. Duggan stated that the applicant cannot get the necessary votes from the Governing Body and told the Planning Commission to deny the application.

Chairman Ken Vaughn declared the public hearing closed at 8:50 and called for a ten minute recess.

Chairman Ken Vaughn reconvened the meeting at 9:00 p.m.

Ron Williamson reviewed the following staff report on this application, which includes a discussion of both the factors specific to Special Use Permits and the Golden Factors.

This is a new submission for an Adult Senior Dwelling complex on the former Mission Valley Middle School site. The area of the Special Use Permit has been reduced from 18.4 acres to 12.8 acres from the previous submission. During the testimony on the previous application, the neighbors to the south and southwest objected to the rental Villas (duplexes) that were proposed along the south and southwest property line. The applicant has eliminated the Villas and proposed platting a single row of single-family lots facing a public street on this portion of the site. This area is proposed to be developed as traditional R-1A Single-Family lots and only requires platting. A Preliminary Plat has been submitted which proposes nine lots that range in size from 17,485 sq. ft. to 30,590 sq. ft. The minimum lot size in the R-1A District is 10,000 sq. ft. These lots are similar in width to those lots adjacent to the south.

The following is a comparison of the proposed plan with the previous plan:

UNITS	Plans Dated: July 30, 2013	Proposed Plan
Independent Living Apartments	136	136
Assisted Living Apartments	54	54
Skilled Nursing Units	84	84
Memory Care Units	36	36
<u>Independent Living Villas</u>	<u>17</u>	<u>0</u>
Total Units	327	310

GROSS BUILDING SQ. FT.	Sq. Ft.		
Skilled Nursing/Memory Care	91,200	97,550	+6,350 sq. ft.
Assisted Living/Independent Living	228,340	228,340	0
<u>Independent Living Villas</u>	<u>38,500</u>	<u>0</u>	-38,500 sq. ft.
Total Gross Building Sq. Ft.	358,040	325,890	

The total square feet of the complex has been reduced by 32,150 sq. ft. or 8.9% because of the deletion of the Villas.

The Skilled Nursing/Memory Care building has changed. The proposed footprint is 31,800 sq. ft.; 97,550 total sq. ft. and it is three stories with 120 units. This compares to a 58,268 sq. ft. footprint, 91,200 total sq. ft., one and two stories with 120 units. The Memory Care portion of the project has been moved to the bottom floor of the Skilled Nursing facility and the two floors of the Skilled Nursing facility have been placed on top of the Memory Care facility increasing the building from two stories to three stories. By combining the Memory Care and Skilled Nursing facilities into one floor plan, the amount of open space increase, or the decrease in building footprint, is 26,468 sq. ft. Also the building sets back 317.5 feet from the original southwest property line as compared to 163 feet on the previous plan. The height of the three-story building to the ridgeline will be 38 feet, and in some locations 40 feet, as compared to 29.5 ft. on the previous two-story building. The calculated building height will not exceed the maximum height of 36 feet. The building height calculation by ordinance is the midpoint between the eave and the highest ridgeline. In those areas where the ridgeline is 40 feet the height is 36 feet and when the ridgeline is 38 feet the height is 35 feet as calculated by the ordinance. The three-story height also relates well to the taller apartments and condominium buildings to the west and north. A negative to the proposed plan compared to the previous plan is the increase of 6,350 sq. ft. of total floor area. By stacking the building into three floors, it would seem that there would be some economy of space in common use areas that would, in effect, reduce the total square footage of the building. Since the number of units is the same, the applicant needs to reanalyze the building to reduce the square footage or provide justification for the increase in size.

The Assisted Living/Independent Living facility is the same size and contains the same number of units as it did on the previous plan. It also has the same footprint of 81,365 sq. ft. and the total height is the same at a range of 36' - 40' with most being at 36 feet. The building is essentially in the same location as it was on the previous plan; however, it has moved a few feet closer to Mission Road.

The total footprint of all the structures is: SN/MCF, 31,800 sq. ft.; AL/ILF, 81,365 sq. ft. (17,000 sq. ft. + 64,365 sq. ft.); carports, 6,000 sq. ft.; for a total of 119,165 sq. ft. This is lot coverage of 21.4%, well below the maximum permitted of 30%.

Sidewalks on the proposed plan are 39,565 sq. ft. which is 4,100 sq. ft. less than the previous plan. It should be noted that the platting of single-family lots adjacent to the south and southwest property line will eliminate the pedestrian access to Somerset Drive. Staff has favored pedestrian access to Somerset Drive and this will need to be discussed on the plat for the single-family lots. The number of parking spaces provided is 316 reduced from 350 and the paved area for streets and parking is 117,745 sq. ft.

reduced from 129,373 sq. ft. The 34 parking space reduction is due to the deletion of the 17 Villas that had two spaces each.

The area covered by buildings, sidewalks, streets and parking is 276,475 sq. ft. or 49.6% of the lot. It should be noted that the Preliminary Stormwater Management Plan for the previous application was based on 8.6 acres or 374,616 sq. ft. of impervious area which is significantly more than this plan.

In the previous proposal, the applicant had proposed three construction phases. Phase One being the Skilled Nursing/Memory Care facility; Phase Two the Assisted Living/Independent Living facility; and Phase Three the Villas. The Villas are no longer a part of the project and the applicant proposes to build both buildings at the same time.

The total number of residents for this proposed project is 378 compared to 412 on the previous submission.

The proposed Mission Chateau plan will provide 310 units on 12.8 acres for a density of 24.2 units per acre. In comparison:

- Brighton Gardens has 164 units on 4.42 acres for a density of 37.1 units per acre
- Claridge Court has 166 units on 4.74 acres for a density of 35.0 units per acre
- Benton House which was approved for 71 units on 6.79 acres for a density of 10.46 units per acre (only 59 units were built initially).

The proposed density on the previous plan was 17.8 units per acre which is an increase of 6.4 units per acre.

There have been discussions regarding a comparison of building square feet to land area rather than using density as the guideline. Historically; density, number of units per acre, has been the criteria used to evaluate residential projects. Square feet to land area is Floor Area Ratio (FAR) and is a criterion that is used to evaluate office, commercial and mixed use developments. Mission Chateau is offering larger units and larger common areas while still staying within a reasonable density. Also, the building coverage is 21.4% which is well below the 30% maximum for the R-1A zoning district.

The applicant held a neighborhood meeting for the revised plan on October 22, 2013 and approximately 60 people were in attendance. The concerns expressed were the height of the buildings, the size, traffic, parking, flooding, green space, compatibility with the neighborhood, density, public safety and construction disruption. A summary provided by the applicant was distributed to the Commission.

Mr. Williamson stated the Planning Commission shall make findings of fact on both the Golden Factors and factors set out in the Special Use Permit Chapter to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. No one factor is controlling and not all factors are equally significant, but the Commission should identify the evidence and factors it considered in making its recommendation. In making its decision, consideration should be given to any of the following factors that are relevant to the request:

FACTORS AS SET OUT IN THE ORDINANCE FOR CONSIDERATION SPECIFIC TO SPECIAL USE PERMITS:

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

For senior adult housing, section 19.28.070.1 of the zoning ordinance requires 700 sq. ft. of land area per occupant for apartments or congregate quarters and 500 sq. ft. per bed for nursing or continuous care. The Skilled Nursing/Memory Care building has 136 beds which would require 68,000 square feet of land area. The Independent Living/Assisted Living building has 190 units with the potential occupancy of 242 people and at 700 sq. ft. per occupant the land area required is 169,400 sq. ft. The total land area required for the proposed use is 68,000 sq. ft. + 169,400 sq. ft. for a total of 237,400 sq. ft. The site is 557,632 sq. ft. and therefore the proposed development is well within the intensity of use requirements of the zoning ordinance. At 700 sq. ft. per person, the site could potentially accommodate 796 residents.

The property is zoned R-1A which requires a 30' front yard setback. The front yard is adjacent to Mission Road and the Independent Living/Assisted Living building sets back 107.5 ft. at its closest point which exceeds the minimum requirements of the zoning ordinance. The side yard requirement is 5 ft., but a corner lot is 15 ft. The north and south property lines are side yards and the setback requirements for the north property line is 5 ft. while the south property line abuts a proposed public street, 85th Circle, and that setback is 15 ft. The rear yard setback requirement is 25 feet and the northwest property line is the rear yard. The Skilled Nursing/Memory Care building sets back 91.8 feet at its closest point to the northwest property line. The proposed project exceeds all the setback requirements of the zoning ordinance.

The maximum permitted height is 35 feet; however, in the R-1A district an additional 10 feet of height is permitted if the proposed buildings set back from the side property line a minimum of 35 feet. The project does meet the 35-foot side yard setback requirement and therefore is permitted to build to a 45-foot height. The maximum calculated height of the buildings is 36' which is well within the height maximum.

The maximum lot coverage in the R-1A district is 30%. The first floor footprint of the buildings is 119,165 sq. ft. including the carports which is 21.4% lot coverage. Therefore, the proposed project is within the maximum requirements of the zoning ordinance.

Off-street parking is required to setback 15 feet from a street and 8 feet from all other property lines. Parking setbacks meet the minimum requirements of the ordinance.

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

The Traffic Impact Study indicates that the AM peak traffic will generate 191 less trips than the middle school, but the PM trips would increase by 14 trips. The traffic impact

would be significantly better in the AM peak and slightly worse in the PM peak. The Traffic Impact Study found that the traffic operations were acceptable. The main access drive has been designed to align with 84th Terrace and the proposed public street has been designed to align with 85th Street. The convenience to the public should be minimally impacted and the impact at peak times should be less than the former school.

A Stormwater Management Study has been prepared for the proposed project. The project will increase the amount of impervious surface from what exists, but peak flows will not be increased. A detention basin will be constructed in the northeast corner of the site that will release stormwater at a designed rate. The Preliminary Stormwater Management Study has been reviewed by the City's Stormwater Consultant and the proposed improvements will handle the stormwater runoff. The Stormwater Management Plan has been revised based upon the new plan.

The applicant has proposed a 35-foot wide landscape buffer along Mission Road. The landscape buffer will include a berm, plant materials and wall or fence sections to screen the parking lot from Mission Road.

The Mission Valley Middle School was originally built in 1958. For over 50 years this site was a public use and residents of the area were able to use it for recreational purposes. This opportunity will be eliminated when it redevelops.

The neighbors have raised several issues that may have a negative impact. First, this operation will be 365 days a year rather than just the days school was in operation. Traffic, lights and noise are a concern. Lighting will be at a greater level than the school because the proposed facility is larger and is spread over more of the site. The project will be required to meet the outdoor lighting code which is restrictive. Glare will be eliminated but glow from the lights will still occur. Since this operation is staffed 24 hours a day, vehicles coming on site and leaving during shift changes will create some noise. Parking during holidays could be a problem and the applicant will need to make sure traffic can be accommodated without parking on adjacent streets. All these concerns will still be present regardless of what use the property is redeveloped for, except perhaps, another school. Since the applicant eliminated the Villas and is platting the south 200 feet of the site into a public street and single-family lots, some of the negative impact should be mitigated for the neighbors to the south and southwest.

The proposed project will have some adverse effects on the welfare and convenience of the public. It will, however, provide a senior housing community for area residents that are not currently being provided for in Prairie Village. The population is aging in northeast Johnson County and developments such as this provide accommodations for senior citizens to allow them to live near their former neighborhoods or relatives. It is anticipated that by providing senior housing, some single-family dwellings will become available for occupancy by young families. This will help rebuild the community and make a more sustainable area.

- 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 property to the north and northwest is high density development. Corinth Garden Apartments are adjacent to the north and there are 52 units on 3.27 acres for a density of 15.9 units per acre. To the northwest is Somerset Inn Apartments and there are 31 units on 1.29 acres for a density of 24.0 units per acres. Also to the northwest is the Chateau Condominium and there are 39 units on 1.7 acres for a density of 22.9 units per acre. The proposed project has 310 units on 12.8 acres for a density of 24.2 units per acre. The density of the proposed project is higher but reasonably compares to the developed projects to the north and northwest. Even though it is higher in density there is significantly more green space on the site.

While there is high density to the north and northwest, the proposed development immediately to the south and southwest is low density single-family lots. Nine single-family lots are proposed along the south and southwest property lines of the project. The lots range in size from 17,485 sq. ft. to 30,590 sq. ft. These lots will face a public street and the proposed senior dwelling development. From a land use perspective it is preferable that similar uses face each other and different uses are back to back. An ideal design would be for 85th Circle to be double loaded with single-family lots on both sides. The lots on the north side would then back into the senior housing project. However, since the senior housing project and single-family lots are being developed at the same time, people purchasing these lots will know what type of development will occur across the street.

Because the project sets back over 100 feet from Mission Road with a 35-foot wide landscape buffer and Mission Road is a five lane wide major street, the project will have little effect on the property value of the residences on the east side of Mission Road. The higher density apartments and condominiums to the north and northwest were built in the early to mid-1960s and are nearly 50 years old. This new project built with quality design and materials should enhance the value of these properties.

Two appraisal reports, both prepared by licensed appraisers, have been submitted to address the impact on adjacent properties and the following is a brief summary of those reports.

An appraisal was prepared for the applicant by Todd Appraisal. This appraisal looked at other properties, schools and senior housing centers in residential neighborhoods. The appraiser prepared a case study on Brighton Gardens and concluded that adjacent residential values had a premium of 2.9% to 7.9%. This was potentially attributed to the exterior landscaping at the development. Village Shalom was another case study and adjacent residents had a premium of 3.7% to 5.8% in value. A case study was also prepared for Santa Marta, but it has a very limited number of adjacent residential properties and probably is not a good comparison. The appraiser further stated that, "There appears to be a correlation between properties with extensive landscaping and the finishing treatments for the exterior of the improvement immediately facing single family developments." Landscaping and 360° architecture are critical to protect adjacent property values.

An updated appraisal report was also submitted by Dillon and Witt, Inc. for Steve Carmen, a property owner, on Delmar Lane. In his opinion the addition of the single-family lots along the south and southwest border of the site are helpful but they do not change the fact that a high density, multi-story facility will be built in close proximity to the existing single-family residences. In his opinion, the proposed project represents an external obsolescence which will result in a nominal negative impact on the market value of the homes of 3% to 5%.

Most of the senior living projects in Johnson County are located adjacent to or near single-family developments. The key to protecting the value of property in the neighborhood is to insure that the quality of design and construction is compatible with the neighborhood and that the completed project is visually attractive. Landscaping is also a major factor and it is important that the project be landscaped to the same level as adjacent residential properties.

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 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

The proposed Mission Chateau has access from Mission Road which is a major street. According to the Traffic Study, the traffic impact on the morning peak hours will be less for this project than it was for the school, while the afternoon peak hours will be slightly greater.

The size of the revised project is 325,890 sq. ft. which will make it one of the largest, if not the largest, development in Prairie Village. The height and mass of the buildings are an issue with the neighbors. It will be similar to Claridge Court and Brighton Gardens in height. According to the Johnson County appraisers office Claridge Court has 241,073 sq. ft. This is also a large building, but it most likely includes the parking garage in the total area. Shawnee Mission East High School has 374,175 sq. ft. on 36.93 acres.

The two buildings will be on the northern portion of the property, closer to the two- and three-story apartment buildings and condominiums. The height of the proposed Independent Living/Assisted Living building will be approximately the same height as the school gymnasium.

b) the nature and extent of landscaping and screening on the site.

The applicant submitted a detailed landscape plan with the submission that provides screening for the proposed low density residential lots to the south. The applicant proposes to retain the existing plant materials along the northwest property line in order

to retain as many mature trees as possible. Staff will provide a detailed review of the revised landscape plan. The Tree Board will also need to review and approve it.

In summary, property around the proposed project for the most part is already developed. The mass of this project will dominate the area but through greater setbacks and landscaping, the use will not dominate the immediate neighborhood so as to hinder development or use of property.

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

The parking requirements for this use are three spaces for four apartments; one space for every five beds in a nursing home and one space per employee during the maximum shift. The Independent Living/Assisted Living facility has 190 units which require 143 spaces. The Skilled Nursing/Memory Care facility has 136 beds which require 27 spaces. The applicant projects the maximum shift would have 85 employees. The total parking requirement would be 255 spaces. Staff is concerned that parking may be a problem at the afternoon shift change. This occurs at 3:00 pm when the first shift leaves and the new shift arrives for work about 2:45. The first shift has 85 staff of which 60 will be leaving at that time and 50 new employees will come in for the second shift. The total need for employee parking at that time will be 135 spaces. The applicant is providing 316 spaces on the site which is 61 spaces more than the ordinance requires and based on experience at other projects the applicant feels the number of spaces will be adequate. It should be noted, however, that 35 spaces will be in carports and will not be available for staff or visitor parking.

The applicant will also need to make provisions for overflow parking on holidays and other special days that will generate a large number of visitors so that parking does not occur on adjacent residential streets.

The parking along Mission Road will be screened from view with a combination of a wall, a berm, and landscaping. Parking along the south and southwest property lines adjacent to the proposed street will be screened with landscaping. Parking along the northwest property line is screened by the existing vegetation along the property line; however, additional plant materials will be provided to supplement the existing vegetation.

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

The applicant has prepared a Preliminary Stormwater Management Plan in accordance with the City's Stormwater Management Code. The amount of impervious area will increase from what currently exists on the site but peak flows will not increase. The stormwater will be managed by a variety of improvements. A storm drainage line currently exists along the south property line of the proposed single-family lots. The drainage area will be reduced from 5.4 acres to 0.80 acres and the line will be replaced. This area will drain to Mission Road and connect to an existing storm sewer line. Three

BMP areas will be built on the south side of the proposed project. Inlets will be installed and excess runoff will be piped to a detention pond on the northeast corner of the site.

The Preliminary Stormwater Management Study and Plan has been reviewed by Public Works and its consultant and it is consistent with the APWA and City of Prairie Village requirements. This document may need to be updated depending upon the amount of impervious area that occurs in the final Site Plan. The final design of the stormwater system will include appropriate best management practices.

The site has access to other utilities which are adequate to accommodate the proposed use. The water line and location of fire hydrants will need to be coordinated with the Fire Department to be certain that adequate fire protection is in place.

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.

Currently there are three access points to the site from Mission Road. The three will be reduced to one access driveway point which will be in alignment with 84th Terrace on the east side of Mission Road. The access point will have an entrance and two exit lanes. The 84th Terrace access will be the main entrance to the project. A public street, 85th Circle, is proposed to be dedicated in alignment with 85th Street to serve the single-family lots. It is proposed to provide two access points to Mission Chateau.

The applicant has prepared a Traffic Impact Study and it indicates that after development an acceptable level of service will be available during the AM and PM peak hours. The number of trips will actually decrease by 191 trips during the AM peak and the PM peak will increase 14 trips compared to what existed with the school. It should be pointed out, however, that the average daily traffic will increase from an estimated 810 trips per day for the Middle School to 1075 trips per day for the proposed development

There is an existing pedestrian crossing signal on Mission Road just south of 84th Street. This signal was installed to serve school traffic. The applicant has agreed to retain or move the signal if requested. The City is still evaluating the need.

Public Works and the City's Traffic Engineer have reviewed the Traffic Impact Study and resolved any issues they discovered.

8. Adjoining properties and the general public 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 or odors. There will be some additional noise from vehicles arriving and departing at night, which will be different from what occurred when the site was used as a middle school. Also there will be additional emergency vehicle calls; however, they do not always respond with sirens.

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

The materials used on the project are compatible with those used in the neighborhood, which are wood, stone, brick and stucco. There will be a substantial amount of stone and traditional stucco used on the building facades. The roof will primarily be asphalt shingles with standing seam metal roof accents.

In general the overall design is compatible with the area; however, the details of the design will be addressed on the Site Plan Approval.

GOLDEN FACTORS FOR CONSIDERATION:

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

The neighborhood is a mixture of uses. Immediately to the north are apartments with a density of 15.9 units per acre. North of that is the south portion of Corinth Square Center that includes offices, restaurants and other retail uses. To the northwest are condominiums at 22.9 units per acre; apartments at 24.0 units per acre and a duplex. The applicant proposes to develop large lot single-family dwellings immediately adjacent the south boundary of Mission Chateau. Further south and southwest are high end single-family dwellings. On 84th Terrace, east of Mission Road and to the north the lots are 12,000 to 15,000 sq. ft. On 85th Street, east of Mission Road and to the south the lots are 30,000 sq. ft. lots.

In summary the properties in the neighborhood around the proposed project range from high density apartments to high-end large lot single-family dwellings plus the office and business uses in Corinth South Center. The Mission Valley School site has served as a buffer or transitional area between the high density and low density residential uses.

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

North: R-3 Garden Apartment District - Apartments

West: R-3 Garden Apartment District - Apartments

South: R-1A Single-Family Residential District - Single Family Dwellings and vacant

East: R-1A Single-Family Residential District - Single Family Dwellings

(Leawood) R-1 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-1A which permits single-family dwellings, public parks, churches, public buildings, schools and upon approval Conditional and Special Use Permits. Most of the uses listed in the Conditional Use Chapter are uses that are accessory or supplemental to a primary use. The Special Use Permit list contains principal uses such as: country clubs, hospitals, nursing homes, assembly halls, senior housing, private schools, etc. Between the list of specific uses, the Conditional Use

Permits, and the Special Use Permits, there are an adequate number of uses that could be economically viable for this property. Both Brighton Gardens and Benton House were approved as Special Use Permits in R-1A Residential Districts in Prairie Village. The proposed application is for senior housing dwellings with a Skilled Nursing/Memory Care facility as a subordinate use.

The Special Use Permit for a private school is an obvious good use of an abandoned school building; however, that is a very limited market and the property owner has stated that their business is developing senior living projects and that is their goal for this site.

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

Traffic and storm drainage are issues with which neighbors have expressed concerns; however, the impact of those has been addressed by the technical reports that were prepared by the applicant and reviewed by the City and its consultants. The mass and height of the buildings and the loss of open space have also been concerns of the neighbors. The Villas have been eliminated from the plans and the proposal shows nine single-family dwellings abutting the south and southwest property lines with a public street. This provides an additional 200 ft. buffer between the existing single-family homes and the proposed senior housing project.

The existing school is approximately 365 feet from the south property, 370 feet from the southwest property line and 340 feet from the northwest property line. The neighborhood will lose the open green space they have enjoyed for many years. The height and mass of the building are concerns; however, that concern is mitigated to a degree by the row of single-family lots adjacent to the south boundary of Mission Chateau. The existing school building is approximately 100,000 sq. ft. The Skilled Nursing/Memory Care building is 97,550 sq. ft. and the Independent Living/Assisted Living building is 228,340 sq. ft.; a little more than two times the size of the existing school. The height of the two proposed buildings is about the same as the school gymnasium, but it is a much larger building and has a significantly greater impact because of its mass.

The maximum height to the ridgeline of most of the Independent Living/Assisted Living building is 36 feet even on the three-story portion. There are a few areas where the roof ridgeline is 40 feet but they are very limited. The roof ridgeline of the Skilled Nursing/Memory Care building is 38 feet for the most part, but a few areas are at 40 feet. It should be noted again that the Skilled Nursing/Memory Care facility is now proposed to be three-story compared to one- and two-story on the previous proposal. The building is taller but the footprint is reduced significantly providing more open space. This height is similar to many single-family homes in Prairie Village; however, the mass of the building is much greater.

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

The Mission Valley Middle School closed in the spring of 2011 so the property has been vacant for approximately two years. The property will start to deteriorate and become a

negative factor in the neighborhood if it is not reused or redeveloped within a reasonable time.

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;

This is one of the largest tracts of land in Prairie Village available for redevelopment. There is no gain to the public health, safety and welfare by not allowing the property to be redeveloped. It is located in the middle of a mixed density residentially developed area and its depreciation in value would have a depreciating effect on surrounding property. The hardship created for other individual landowners is the loss of open space and use of the area for recreational purposes. This was a benefit as a result of public ownership which changed when the property was sold for private development.

7. City staff recommendations;

The proposed plan is consistent with Amended Village Vision and in the opinion of Staff it is a workable plan. Some specific comments are as follows:

- a) A Traffic Impact Study was prepared by the applicant, reviewed by Public Works and the City's Traffic Engineer and the issues have been resolved. The number of units in the revised plan is less than the previous plan, so the traffic impact will be somewhat less.
- b) A Stormwater Management Plan was prepared by the applicant, reviewed by Public Works and the City's Stormwater Consultant and has been approved. The impervious area of the proposed plan is less than the previous plan and should not increase stormwater runoff.
- c) The density of development is 24.2 units per acre which is in the mid-range of other senior housing projects in the area that range in density from 10.5 units per acre to 37.1 units per acre. Two multi-family projects adjacent to this project have a density of 22.9 and 24 units per acre so it is greater but not significantly.
- d) The applicant has proposed a row of single-family lots along the south and southwest property lines adjacent to the low density single-family residences. This provides a transition from low density in the south to higher density in the north. The single-family lots are not a part of the Special Use Permit application but the land is owned by the applicant.
- e) The major buildings set back from the property lines as shown on Sheet C1, dated October 4, 2013.
- f) The design of the buildings for the Special Use Permit is primarily conceptual. The detail design of the buildings will need to be addressed as part of the approval of the Site Plan.

- g) There will be a loss of open space compared to what currently exists; however, 6.45 acres of the 12.8 acres will be green space when the project is completed, though only a portion will be useable open space.
- h) The design of the Skilled Nursing/Memory Care facility should be reanalyzed to reduce the square footage to at least the previous proposal.
- i) The maximum peak height of the buildings will be 40' which is approximately the same height as the gymnasium, but this is only in a few locations on the Independent Living/Assisted Living building. Most of the three-story area will be 36' in height. The Skilled Nursing/Memory Care facility will also be three-story and the maximum height to the roof peak will be 40 feet. The density of the project is reasonable for the size of the land area. The mass and scale of the buildings are still very large, but the building design will reduce the appearance of mass.
- j) The applicant proposes to build both buildings at the same time rather than phasing as proposed in the previous submittal and this condition needs to be attached to the Special Use Permit if it is approved.
- k) The proposed senior housing community provides a good transition between the low density residential development to the south and southwest and the higher density residential area, office and retail to the north and northwest. The site is located within walking distance of Corinth Square Center which provides most of the merchandise and services required by the residents and guests of the facility.
- l) The applicant has proposed an extensive landscape treatment for the site including a buffer along Mission Road. The final landscape plan will be approved as a part of the Site Plan. The landscape plan will be a major component of the compatibility of the project with the surround neighborhood.

8. Conformance with the Comprehensive Plan.

It was not anticipated when Village Vision was prepared in 2006 that Mission Valley Middle School would be closed. As a result an amendment was prepared in 2012 to specifically address this site. The property owner, the neighbors and the community at large provided input in the development of the amendment to Village Vision. The Planning Commission held a public meeting on May 1, 2012 and recommended adoption to the Governing Body who adopted the amendment on May 21, 2012.

The recommendations of the Plan Amendment included two sections as follows:

1. Encourage developers to obtain community input.

The proposed developer held a number of meetings with area neighbors on the original application as well as meetings open to all residents of Prairie Village. The neighbors and the applicant have not reached consensus on many issues. The neighbors countered that it is not compatible with the existing development in that it is too large and too tall and will create traffic and flooding problems. The applicant has submitted a

Stormwater Management Plan and a Traffic Impact Study and has resolved these issues from a technical perspective. Both studies have been reviewed by the City's Traffic and Stormwater Management Consultants and are acceptable. The applicant has obtained input, made plan revisions; reducing the number of units, reducing the height of the buildings, and moving the buildings further north on the site, but still has not received endorsement from the neighbors. The use proposed is a senior housing development which is one of the uses identified in the plan.

2. Limit the uses to those allowed in the R-1A Single-Family District.

The plan restricted the uses to those listed in the R-1A district plus those included as Conditional Use Permits and Special Use Permits. The proposal is for a senior living development which is allowed if approved as a Special Use Permit.

One of the issues the Plan listed was density. The proposed project has 310 units on 12.8 acres of land for a density of 24.2 units per acre which is about the same as the apartments and condominiums on the northwest, but much greater than the single-family dwellings to the east, south and southwest. The applicant has proposed a public street and a row of single-family lots along the south to provide a distance buffer for the adjacent single-family residences.

The proposed developer has met with the surrounding neighbors and has discussed density, access, traffic, and stormwater runoff. Although agreement has not been reached by both parties, it appears that the applicant has addressed the issues and proposed a use that is in conformance with the Comprehensive Plan Amendment, Chapter 8 Potential Redevelopment D. Mission Valley Middle School.

Village Vision also has pointed out in several areas of the plan that more housing choices should be available to the residents, particularly in the area of senior living.

Village Vision also addresses the fiscal condition of the City and pointed out that redevelopment needs to stabilize if not enhance the economic base of the community. The applicant has stated that this will be a \$50 million development. It is estimated, based on that value that the property would generate approximately \$112,000 in City property tax plus \$14,235 in Stormwater Utility revenues. Some residents have suggested that the development will significantly increase municipal service demands to the site. City Staff has examined other similar facilities and their service demands and has determined that the project will not significantly increase City service demands nor require the hiring of additional staff and the purchase of additional equipment.

RECOMMENDATION:

After a review of the proposed application, consideration of testimony and making its findings in relation to the Factors for Consideration previously outlined, the Planning Commission may either recommend approval of the Special Use Permit with or without conditions, recommend denial, or continue it to another meeting. In granting this Special Use Permit; however, the Planning Commission may impose such conditions, safeguards, and restrictions upon the premises benefited by approval of the Special Use Permit as may be necessary to reduce and minimize any potentially injurious effect on

other property in the neighborhood. If the Planning Commission recommends approval to the Governing Body, it is recommended that the following conditions be included:

1. That the Senior Dwelling project be approved for a maximum of 84 Skilled Nursing Units; 36 Memory Care Units; 136 Independent Living Units; and 54 Assisted Living Units. The maximum number of residents shall not exceed 378.
2. That the applicant reanalyze the design of the Skilled Nursing/Memory Care facility and reduce its square feet to at least 91,200 sq. ft.
3. That the project not exceed the building height or square footage and the buildings shall not be setback closer to the property lines than shown on the plans dated October 4, 2013.
4. That the Special Use Permit not have a termination or expiration time established for it; however, if construction has not begun within twenty-four (24) months from the approval of the Special Use Permit by the Governing Body, the permit shall expire unless the applicant shall reappear to the Planning Commission and Governing Body to receive an extension of time prior to the expiration.
5. That prior to the issuance of a building permit for the Skilled Nursing/Memory Care facility the owner shall provide evidence of financing for the entire project. That prior to the issuance of a certificate of occupancy for the Skilled Nursing/Memory Care facility, construction shall commence on the Independent Living/Assisted Living facility including material completion of construction including foundations, structural framing, three floors and roof enclosed.
6. Upon approval of the Special Use Permit, the applicant shall prepare a final landscape plan for the entire project which shall be reviewed and approved by the Planning Commission and the Tree Board.
7. That the applicant relocate the pedestrian crosswalk and signal if required by the City.
8. That the applicant plat the property in accordance with the subdivision regulations and record the final plat prior to obtaining a building permit including the nine single-family lots adjacent to the south boundary of the application area.
9. That the applicant meet all the conditions and requirements of the Planning Commission for approval of the Site Plan.
10. That the applicant submit a final outdoor lighting plan after building plans have been finalized for review and approval by Staff prior to obtaining a building permit.

11. That the applicant provide adequate guest parking on holidays and special events so that parking does not occur on public streets in residential areas including 85th Circle.
12. That the minimum parking shall be established by the drawing dated October 4, 2013. If parking becomes an issue, the applicant will work with the City to resolve the parking problem. Possible solutions could include, but not limited to, providing more spaces on site, providing employee parking at an off-site location or sharing parking with other uses in the area. If additional on-site parking is proposed, the applicant shall submit an amended Site Plan for review and approval by the Planning Commission.
13. That the trails and sidewalks will be open to the public, but the owner may establish reasonable rules for its use and hours of operation.
14. If the applicant violates any of the conditions of approval or the zoning regulations and requirements as a part of the Special Use Permit, the permit may be revoked by the Governing Body.

Mr. Williamson noted the applicant has requested that condition #2 be reviewed by the Commission.

Nancy Wallerstein noted the City will be doing a storm drainage study on the channel in this area and asked if that would have any impact on this project. Keith Bredehoeft, Director of Public Works, responded the City would be studying the "Fontana Channel Drainage" which will address upstream of the northwest corner of this property. Mrs. Wallerstein asked if the City would be looking at water erosion to the east. Mr. Bredehoeft replied the water flow from this project due to the on-site detention pond will be reduced significantly to the east of this property.

Bob Lindeblad asked for clarification on permitted use vs. change of use. Ron Williamson responded that permitted uses are permitted outright in the code and no zoning change or public hearing is required and no further review by the Planning Commission or Governing Body such as a single-family dwelling located in a single family district. They just need to obtain a building permit.

Bob Lindeblad confirmed a change from one permitted use to another permitted use does not require a zoning change. Mr. Williamson replied - none is required.

Nancy Wallerstein asked who will be responsible for paying for the necessary capital improvements necessitated by this project. Ron Williamson responded the developer has to pay for everything on the project. The street will be built and designed to meet city standards, but the cost of construction will be the responsibility of the property owner. There will be very little cost to taxpayers. Staff has reviewed this project relative to other major projects and no additional City staff will be required; no additional equipment will need to be purchased.

Nancy Vennard questioned if the trails and sidewalks connected to public trails and sidewalks as they are not shown on the site plan. Mr. Williamson replied they will be addressed on the plat since the pedestrian connection to Somerset Drive is located on one of the single-family lots. and they are reflected on the plat.

Gregory Wolf noted he was uncomfortable with the action to block off 200' and asked if this was a concern. David Waters replied the 200' notification area is defined by the special use permit area in the city's code and this interpretation has been confirmed by an attorney general opinion issued which states that if an application area is smaller than the actual lot, the measurement is taken from the boundaries of the special use area.

Nancy Vennard stated the home owners very clearly stated on the earlier application that they did not want the villas as proposed, but wanted single family houses backing up to the properties on 86th Street. This plan provides that and the size of the single family lots is consistent with those on the adjacent property. The applicant has given the neighborhood what it stated it wanted.

Greg Wolf said the 350,000 square foot plan was too large when constructed on 18 acres and now it is being constructed on 12.4 acres.

Bob Lindeblad stated the proposed site plan is the same as the previous plan submitted except the villas have been removed and in their place single family homes are being constructed which are required to be platted. The area covered by the actual senior living community is essentially the same. The Independent/Assisted Living facility is the same size and location as the previous plan. The new combined Skilled Nursing/Memory Care facility actually has a smaller footprint providing more green space with the building being only eight feet taller.

The intensity of the development has not increased. The transitional element has changed from rental villas owned by the applicant and thus shown as part of the project to having independently owned single family homes that are required to be platted separate from the proposed senior living complex.

Nancy Wallerstein asked about the new appraisal study which was not given to the Commission. Mr. Lindeblad asked for a synopsis of the study. John Petersen stated the findings of the study do not change in substance. The study was done using the new site plan with the single family homes located to the south. The study found that "The development of single family homes is more likely to maintain value than to act as a hindrance to market acceptance. There is little doubt that the purposes of creating an additional buffer between the prospective Mission Chateau development will have been well served."

Nancy Vennard stated she is satisfied with the new size of the Skilled Nursing/Memory Care facility to allow for increased marketability with today's standards. She noted the rooms designed 20 years ago at Brighton Gardens are very small for today's market. She would accept deleting condition #2. Bob Lindeblad agreed.

Nancy Wallerstein stated that Village Vision stresses community accessibility and asked if the public would have access to their walks, trails and open areas. Ron Williamson stated the trails, walks and parks throughout the project will be available for use by the public. John Petersen stated that from the beginning the community was designed to welcome public interaction with its residents.

Bob Lindeblad stated in reviewing the findings of fact that staff presented after their significant review of the project he finds them consistent and agrees with the staff evaluation of the findings. Regarding the Golden Factors, he finds this is an appropriate use of this property as a transitional site. This is residential land use and not commercial. The professional planning and engineering staff have shown that there will not be a substantial negative impact on adjacent properties. The plan does conform to the City's master plan. There was a very large amount of neighborhood input throughout the process, noting that input does not mean agreement.

Bob Lindeblad moved the Planning Commission find favorably on the ordinance factors and the Golden Factors and forward PC2013-11 to the Governing Body with a recommendation for approval subject to the following conditions:

1. That the Senior Dwelling project be approved for a maximum of 84 Skilled Nursing Units; 36 Memory Care Units; 136 Independent Living Units; and 54 Assisted Living Units. The maximum number of residents shall not exceed 378.
2. That the Skilled Nursing/Memory Care facility not exceed 97,550 sq. ft.
3. That the project not exceed the building height or square footage and the buildings shall not be setback closer to the property lines than shown on the plans dated October 4, 2013.
4. That the Special Use Permit not have a termination or expiration time established for it; however, if construction has not begun within twenty-four (24) months from the approval of the Special Use Permit by the Governing Body, the permit shall expire unless the applicant shall reappear to the Planning Commission and Governing Body to receive an extension of time prior to the expiration.
5. That prior to the issuance of a building permit for the Skilled Nursing/Memory Care facility the owner shall provide evidence of financing for the entire project. That prior to the issuance of a certificate of occupancy for the Skilled Nursing/Memory Care facility, construction shall commence on the Independent Living/Assisted Living facility including material completion of construction including foundations, structural framing, three floors and roof enclosed.
6. Upon approval of the Special Use Permit, the applicant shall prepare a final landscape plan for the entire project which shall be reviewed and approved by the Planning Commission and the Tree Board.

7. That the applicant relocate the pedestrian crosswalk and signal if required by the City.
8. That the applicant plat the property in accordance with the subdivision regulations and record the final plat prior to obtaining a building permit including the nine single-family lots adjacent to the south boundary of the application area.
9. That the applicant meet all the conditions and requirements of the Planning Commission for approval of the Site Plan.
10. That the applicant submit a final outdoor lighting plan after building plans have been finalized for review and approval by Staff prior to obtaining a building permit.
11. That the applicant provide adequate guest parking on holidays and special events so that parking does not occur on public streets in residential areas including 85th Circle.
12. That the minimum parking shall be established by the drawing dated October 4, 2013. If parking becomes an issue, the applicant will work with the City to resolve the parking problem. Possible solutions could include, but not limited to, providing more spaces on site, providing employee parking at an off-site location or sharing parking with other uses in the area. If additional on-site parking is proposed, the applicant shall submit an amended Site Plan for review and approval by the Planning Commission.
13. That the trails and sidewalks will be open to the public, but the owner may establish reasonable rules for its use and hours of operation.
14. If the applicant violates any of the conditions of approval or the zoning regulations and requirements as a part of the Special Use Permit, the permit may be revoked by the Governing Body.

The motion was seconded by Nancy Vennard.

Nancy Wallerstein stated she was uncertain on action with the pending lawsuit. She doesn't know what the applicant's intent was in filing the lawsuit.

David Waters stated there are no established guidelines to address what impact subsequent action by the District Court would have or if upon approval the applicant would dismiss the pending lawsuit. John Petersen stated it is Mr. Tutera's intent to build a senior living community not to litigate.

The motion was voted on and passed by a vote of 4 to 1 with Gregory Wolf voting in opposition.

Staff announced that the recommendation would go before the Governing Body on Monday, January 6th. The meeting will be held at Village Presbyterian Church.

**PC2013-126 Site Plan Approval - Mission Chateau
8500 Mission Road**

John Petersen with Polsinelli, 6201 College Blvd., Suite 500, addressed the Commission on behalf of MVS, LLC. He stated that most of the issues with the Site Plan for this application were covered in the earlier related Special Use Permit discussion. The applicant agrees with the staff recommendation with the exception of #17, which is the same as condition #2 of the Special Use Permit that the Commission amended.

Ron Williamson noted that these plans are conceptual and there would be significantly more detailed plans submitted at a later date. He reviewed the site plan criteria on the plans submitted for review at this point in time.

The Planning Commission shall give consideration to the following criteria in approving or disapproving a Site Plan:

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

The site is 557,632 sq. ft. with a total footprint of 119,165 sq. ft. for both buildings and the carports, which is 21.4% lot coverage. Approximately 6.35 acres of the 12.8 acres will be open space and landscape. The open space calculation does not include sidewalks, drives and parking areas. Some of the open space will be used for rain gardens and a detention basin, but it still will be undeveloped area. The site is more than adequate in size per city requirements to accommodate the proposed development.

The applicant proposes to plat a single row of single-family lots with a public street immediately adjacent to the south and southwest boundary of the proposed Senior Housing Community. Consideration of the lots is not a part of this development but affects it and will be addressed separately on the Preliminary Plat which has been submitted.

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

Since the site was developed as a middle school, utilities are available at the site. The applicant has worked with the various utilities and adequate capacity is available to serve the development. The applicant will need to work with the Fire Department to ensure that fire hydrants are properly located.

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

The applicant has prepared a Preliminary Stormwater Management Plan which has been reviewed by the City's Consultant and Public Works and is consistent with the requirements of the City's Stormwater Management Code. The original Stormwater Management Plan was prepared based on the previous plan and used 8.6 acres of

impervious area. The impervious area on the proposed plan is 6.35 acres not including the single-family lots. The applicant will need to work with Public Works in the final design of the system.

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

The proposed development will reduce the number of drives on Mission Road from three to one. A new drive will be in alignment with 84th Terrace and a new public street, 85th Circle, will be dedicated in alignment with 85th Street. A Traffic Impact Study has been submitted and reviewed by the City's Traffic Consultant and Public Works. Traffic issues have been resolved. The applicant will need to work with Public Works on the final design of the driveway on Mission Road. The internal driveways will be 26 ft. wide back of curb to back of curb which will easily allow for two cars to pass and speed limits will be low.

There is an existing pedestrian crossing signal on Mission Road just south of 84th Street. This signal was installed to serve school traffic. The applicant has agreed to retain or move the signal if requested. The City is still evaluating the need.

The Site Vehicle Mobility Plan, Sheet C-5, shows how the buildings will be served with emergency and delivery vehicles. The turning radius for emergency vehicles and delivery trucks appears to be tight and needs to be rechecked and revised. Deliveries are proposed to enter and exit the north driveway which is the main entrance to the development. There will be two access points to 85th Circle from the private driveways, but it is not intended to use them for delivery vehicles. The curve in the drive at the northeast corner of the site needs a larger radius to accommodate cars.

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

The applicant has proposed a single row of R-1A single-family lots facing a public street adjacent to the south property line that back up to existing single-family dwellings. They will serve as a transition between the existing single-family dwellings further south and the larger buildings. It should be pointed out; however, that it is better for like land uses to face each other and different land uses to back up to each other. Therefore, it would be more desirable for single-family lots to also be laid out on the north side of 85th Circle and back up to the Senior Housing community. The design has also located the two large buildings away from Mission Road and away from the south and southwest property lines. The Skilled Nursing/Memory Care facility was located 317 ft. from the existing residences abutting the southwest property line. The distance from the northwest property line at its closest point is 91.5 ft. A parking lot is proposed along the northwest property line and there are some steep slopes that will be created in that area. Additional landscaping is proposed in that area to supplement existing vegetation. This will need to be looked at in more detail as final plans are prepared. There needs to be adequate screening between this project and the apartments and condominiums to the northwest.

There are some retaining walls proposed along the north drive and the detailed design will need to be submitted for review and approval by Public Works.

The first floor elevation of both the proposed buildings has been set at 951.50 feet. The floor elevation of the existing gymnasium is 954.50 feet so these buildings are 3 feet lower. The buildings will set below the grade of Mission Road for the most part.

The applicant has proposed a 35-foot wide buffer along Mission Road which will have a berm, screening wall and landscaping. This should screen the parking along Mission Road and provide screening for the buildings as well.

The Skilled Nursing/Memory Care facility is now three stories and the maximum height to the ridgeline is 40 feet. By combining the Memory Care with the Skilled Nursing on one floor plan, the amount of building coverage has been reduced and more open space is available. The majority of the three-story portion of the Assisted Living/Independent Living facility is 36 ft. in height. A few areas will reach 40 ft. in height. It is generally in the same location as in the previous application. A portion of the south and southwest wings will be two-story.

The Skilled Nursing/Memory Care facility has been moved further north on the site to provide a greater buffer for the existing and proposed single-family dwellings to the south.

In general the Site Plan works; however, there will be a number of details that will need to be worked out with Staff as final plans are prepared.

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

The applicant has presented elevations of all facades of the buildings to indicate the general concept of the appearance of the buildings. The proposed materials are traditional stucco, hardie board, cultured stone veneer, brick veneer and wood trim on the building facades. The roofs will be asphalt shingles with standing seam metal roof at certain locations. The combination of materials and quality is good, and the ratio of stone and brick to stucco seems appropriate. Staff had requested that the applicant provide more masonry on the building facades, which has been done. These are large buildings and at the scale presented are difficult to show detail. There are many design details that will need to be worked out and Staff will do that with the architect and owner. The carport design needs additional thought and Staff will work with the applicant to prepare a more compatible design.

The drawings are at a scale that can only show the concept of the design. It will be necessary for Staff to work with the developer on the details as final plans are prepared.

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

It was not anticipated when Village Vision was prepared in 2006 that Mission Valley Middle School would be closed. As a result an amendment was prepared in 2012 to

specifically address this site. The property owner, the neighbors and the community at large provided input in the development of the amendment to Village Vision. The Planning Commission held a public meeting on May 1, 2012 and recommended adoption to the Governing Body who adopted the amendment on May 21, 2012.

The recommendations of the Plan Amendment included two sections as follows:

1. Encourage developers to obtain community input.

The proposed developer held a number of meetings with area neighbors on the original application as well as meetings open to all residents of Prairie Village. The neighbors and the applicant have not reached consensus on many issues. The neighbors countered that it is not compatible with the existing development in that it is too large and too tall and will create traffic and flooding problems. The applicant has submitted a Stormwater Management Plan and a Traffic Impact Study and has resolved these issues from a technical perspective. Both studies have been reviewed by the City's Traffic and Stormwater Management Consultants and are acceptable. The applicant has obtained input, made plan revisions; reducing the number of units, reducing the height of the buildings, and moving the buildings further north on the site, but still has not received endorsement from the neighbors. The use proposed is a senior housing development which is one of the uses identified in the plan.

2. Limit the uses to those allowed in the R-1A Single-Family District.

The plan restricted the uses to those listed in the R-1A district plus those included as Conditional Use Permits and Special Use Permits. The proposal is for a senior living development which is allowed if approved as a Special Use Permit.

One of the issues the Plan listed was density. The proposed project has 310 units on 12.8 acres of land for a density of 24.2 units per acre which is about the same as the apartments and condominiums on the northwest, but much greater than the single-family dwellings to the east, south and southwest. The applicant has proposed a public street and a row of single-family lots along the south to provide a distance buffer for the adjacent single-family residences.

The proposed developer has met with the surrounding neighbors and has addressed density, access, traffic, and stormwater runoff. Although agreement has not been reached by both parties, it appears that the applicant has addressed the issues and proposed a use that is in conformance with the Comprehensive Plan Amendment, Chapter 8 Potential Redevelopment D. Mission Valley Middle School.

Village Vision also has pointed out in several areas of the plan that more housing choices should be available to the residents, particularly in the area of senior living.

Village Vision also addresses the fiscal condition of the City and pointed out that redevelopment needs to stabilize if not enhance the economic base of the

community. The applicant has stated that this will be a \$50 million development. It is estimated, based on that value that the property would generate approximately \$112,000 in City property tax plus \$14,235 in Stormwater Utility revenues. Some residents have suggested that the development will significantly increase municipal service demands to the site. City Staff has examined other similar facilities and their service demands and has determined that the project will not significantly increase City service demands nor require the hiring of additional staff and the purchase of additional equipment.

It is the recommendation of Staff that if the Planning Commission recommends approval of the Special Use Permit, approval of the site plan be subject to the following conditions:

1. That the applicant prepare a plan showing the location and design of all signs for review and approval by the Planning Commission.
2. That the applicant submit a final outdoor lighting plan in accordance with the Outdoor Lighting Ordinance for Staff review and approval after the outdoor lighting has been specified for the buildings and prior to obtaining a building permit.
3. That the applicant will implement the Stormwater Management Plan and submit final plans for the stormwater improvements for review and approval by Public Works.
4. That the applicant shall obtain all necessary permits from the Corps of Engineers and State of Kansas regarding drainage and flood control and shall prepare erosion control plans as required.
5. That all HVAC units except wall units be screened from adjacent streets and properties.
6. That all trash bins and dumpsters be screened.
7. That final plan details, including both the site plan and the building elevations, shall be reviewed and approved by Staff based upon the conceptual plans approved by the Planning Commission.
8. That the applicant incorporate LEED principles and practices as reasonable and practical in the demolition and final design of the project.
9. That the applicant submit the final Landscape Plan to the Planning Commission and Tree Board for review and approval.
10. That the applicant install a sprinkler system for the lawn and plant materials and the plan be approved by Staff.

11. That the applicant fence the detention pond and the final fencing plan be approved by Staff.
12. That the internal drives and roads be constructed to City Standards. Plans and specifications to be approved by Public Works.
13. That the applicant install fire hydrants at locations designated by the Fire Department.
14. That the applicant be responsible for plan review and inspection costs associated with the construction of the facility.
15. That the applicant work with Staff to redesign the carports so they are more compatible with the buildings.
16. That the applicant submit final plans for the retaining walls to Public Works for review and approval.
17. That the applicant reanalyze the design of the Skilled Nursing/Memory Care facility and reduce its square feet to at least 91,200 sq. ft.
18. That the applicant review the turning radius for all vehicles on the private drives and revise them where appropriate subject to the review and approval of Public Works.

Nancy Vennard noted in condition #8 the city is requiring the applicant to incorporate LEED principle and practices as reasonable and practical in the demolition and final design of the project; however, in condition #10 requiring the installation of a sprinkler system. She would like to see the following language added:

- #8 That the applicant incorporate LEED principles and practices as reasonable and practical in the demolition, final design, construction and operation of the project.
- #10 That the applicant install a sprinkler system for lawn and plant materials and wherever possible use native plants that need sprinkler systems sparingly with the plants to be approved by Staff.
- #17 That the Skilled Nursing/Memory Care facility not exceed 97,550 square feet.

Nancy Vennard moved the Planning Commission find favorably on the criteria and approve PC2013-126 Site Plan for Mission Chateau at 8500 Mission Road subject to the conditions recommended by conditions:

1. That the applicant prepare a plan showing the location and design of all signs for review and approval by the Planning Commission.
2. That the applicant submit a final outdoor lighting plan in accordance with the Outdoor Lighting Ordinance for Staff review and approval after the outdoor

lighting has been specified for the buildings and prior to obtaining a building permit.

3. That the applicant will implement the Stormwater Management Plan and submit final plans for the stormwater improvements for review and approval by Public Works.
4. That the applicant shall obtain all necessary permits from the Corps of Engineers and State of Kansas regarding drainage and flood control and shall prepare erosion control plans as required.
5. That all HVAC units except wall units be screened from adjacent streets and properties.
6. That all trash bins and dumpsters be screened.
7. That final plan details, including both the site plan and the building elevations, shall be reviewed and approved by Staff based upon the conceptual plans approved by the Planning Commission.
8. That the applicant incorporate LEED principles and practices as reasonable and practical in the demolition, final design, construction and operation of the project.
9. That the applicant submit the final Landscape Plan to the Planning Commission and Tree Board for review and approval.
10. That the applicant install a sprinkler system for lawn and plant materials and wherever possible use native plants that need sprinkler systems sparingly with the plants to be approved by Staff.
11. That the applicant fence the detention pond and the final fencing plan be approved by Staff.
12. That the internal drives and roads be constructed to City Standards. Plans and specifications to be approved by Public Works.
13. That the applicant install fire hydrants at locations designated by the Fire Department.
14. That the applicant be responsible for plan review and inspection costs associated with the construction of the facility.
15. That the applicant work with Staff to redesign the carports so they are more compatible with the buildings.
16. That the applicant submit final plans for the retaining walls to Public Works for review and approval.

17. That the Skilled Nursing/Memory Care facility not exceed 97,550 sq. ft.

18. That the applicant review the turning radius for all vehicles on the private drives and revise them where appropriate subject to the review and approval of Public Works.

The motion was seconded by Bob Lindeblad and passed by a vote of 4 to 1 with Gregory Wolf voting in opposition.

**PC2013-127 Preliminary Plat Approval - Mission Chateau
8500 Mission Road**

Bob Lindeblad moved the Planning Commission continue application PC2013-127 Preliminary Plat Approval for Mission Chateau at 8500 Mission Road to the February 4, 2014 Planning Commission meeting. The motion was seconded by Nancy Vennard and passed unanimously.

OTHER BUSINESS

Consider proposed amendment to add reapplication waiting period

Ron Williamson noted the January agenda already has six items on it that were moved off this agenda. He briefly summarized the proposed ordinance amendment that would add a waiting period before a denied application could be resubmitted to the Planning Commission for consideration. Based on what is done by other cities, staff is recommending a six month waiting period.

Nancy Wallerstein stated she is not ready to authorize a public hearing to consider this. She feels the proposed amendment is a knee-jerk reaction to the Mission Chateau filing. She asked if this has been an issue any other time. Mr. Williamson noted the Council recommendation was a split 6 to 5 vote.

Ken Vaughn agreed that the Commission should not authorize a public hearing until it feels it wants to recommend the change. He feels this need more discussion and consideration by staff.

Bob Lindeblad requested to move this item to the January 7th agenda for discussion.

Joint Meetings

Nancy Vennard noted that in the past the Governing Body met jointly annually to discuss expectations, issues and visions. She felt those were beneficial and would like to have a joint meeting in 2014. Danielle Dulin stated she would follow-up with the City Administrator.

NEXT MEETING

The January 7, 2014 meeting will be held in the Council Chambers of the Municipal Building. It includes four public hearings for special use permits for before/after school daycare programs in Prairie Village elementary schools, an application for site plan approval and for sign approval.

ADJOURNMENT

With no further business to come before the Commission, Chairman Ken Vaughn adjourned the meeting at 10:00 p.m.

Ken Vaughn
Chairman

LOCHNER

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2013-09

Request: Approval of a Special Use Permit for a Day Care Center

Property Address: Belinder Elementary School, 7230 Belinder Avenue

Applicant: YMCA of Greater Kansas City

Current Zoning and Land Use: R-1B Single-Family District – Elementary School

Surrounding Zoning and Land Use: **North:** R-1B Single-Family District – Single-Family Dwellings
East: R-1B Single-Family District – Single-Family Dwellings
South: R-1B Single-Family District – Single-Family Dwellings
West: R-1B Single-Family District – Single-Family Dwellings

Legal Description: Prairie Hills BLK 6

Property Area: 7.75 Acres

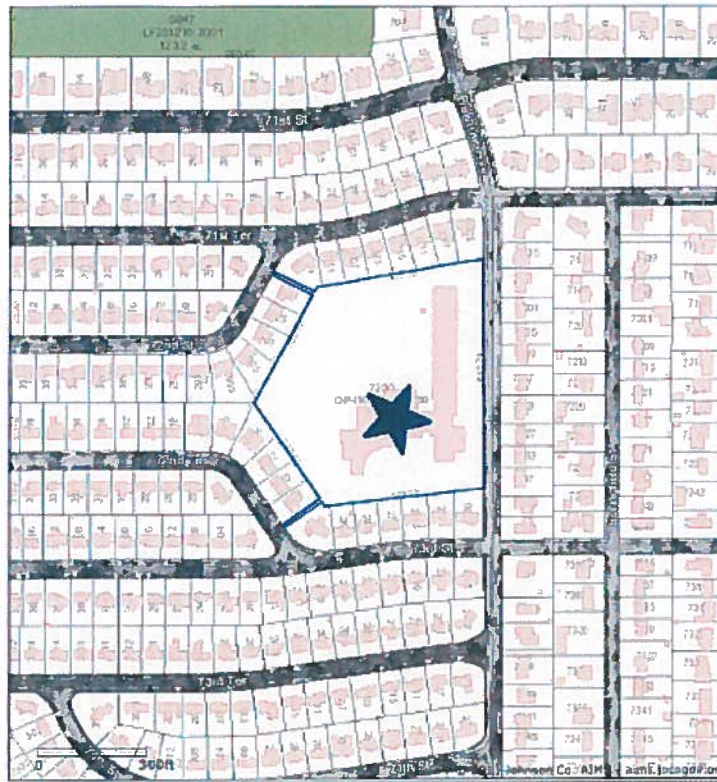
Related Case Files: PC 2010-114 Site Plan Approval for an Addition
PC 2002-106 Sign Approval
PC 92-102 Site Plan Approval for Expansion

Attachments: Application and Photos

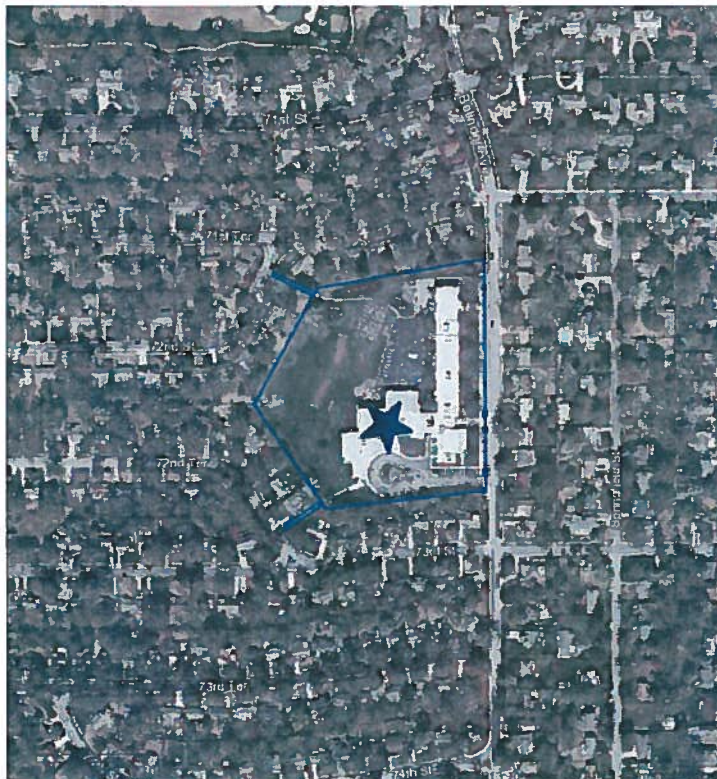
LOCHNER

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engineering | planning | architecture

General Location Map



Aerial Map



COMMENTS:

The YMCA of Greater Kansas City has been providing day care services at Belinder Elementary School since the beginning of the school session, but had not obtained approval of a Special Use Permit as required by the Zoning Ordinance.

The day care center provides child care services from 7:00 am to 6:00 pm on days when the school is open. A summer program may be provided and it will operate from 7:00 am to 6:00 pm, Monday through Friday. The day care center uses existing the gym and cafeteria, along with outdoor play areas. Access to the day care is an exterior door to the cafeteria. The day care does not use the main entrance to the school. No changes are proposed to the building or the site.

The applicant held a neighborhood meeting on January 6, 2014, in accordance with the Planning Commission Citizen Participation Policy. Because of the holidays they were unable to schedule the meeting earlier. If there are any issues, they will need to be addressed at the Planning Commission meeting.

There has been a court decision that Special Use Permits are in reality a change in use and should be considered in the same manner as a zoning change is considered using the "Golden Factors." The Special Use Permit ordinance has factors for consideration similar but not identical to the "Golden Factors" and therefore, both sets of factors will be presented.

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. In making its decision, consideration should be given to any of the following factors that are relevant to the request:

FACTORS FOR CONSIDERATION SPECIFIC TO SPECIAL USE PERMITS:

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 elementary school 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 school building and use an existing parking lot therefore it should not create any problems for the adjacent property in the neighborhood.

4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site 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 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 Kindergarten through Sixth Grade and will use the school facility during normal school hours. This use will not have a dominating effect in the neighborhood

because it will be located within an existing building. No expansion or modification of the building is proposed.

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

The day care center will use the existing school parking lot and driveways. Pick-up and drop-off will be on the south side of the building and will normally occur prior to and after school hours.

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

Since this use will be occupying an existing school 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.

- 8. Adjoining properties and the general public 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 styles 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 noted that the school was remodeled in 2010.

GOLDEN FACTORS FOR CONSIDERATION:

- 1. The character of the neighborhood;**

The neighborhood character is single-family dwellings on the north, south, east and west sides.

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

North: R-1B Single-Family District – Single-Family Dwellings

East: R-1B Single-Family District – Single-Family Dwellings

South: R-1B Single-Family District – Single-Family Dwellings

West: R-1B Single-Family District – 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 buildings, parks, group homes and other uses that may be permitted either as a conditional use or special use such as a day care center. The property has a variety of uses available, but has been developed as a school since 1960, which is a permitted use.

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

The day care center has been in existence since the start of the school year and has not created any detrimental neighborhood issues. The south drive will be the main drop-off and pick-up area and should be adequate to accommodate the traffic. There do not appear to be any detrimental effects on the neighborhood.

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

Belinder Elementary School was built in 1960 and the site has not been vacant since that time.

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 day care center is within an existing building that will not have any exterior modifications. The applicant will be able to utilize the property for a needed community service and no hardship will be created for adjacent property owners.

7. City staff recommendations;

The use has been in operation for several months 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 day care service for children that is in demand in Prairie Village. It is recommended that it be approved for an indefinite period of time unless issues develop that adversely affect the neighborhood, and if that occurs reevaluation of the day care center would be required.

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.

RECOMMENDATIONS:

It is the recommendation of Staff that the Planning Commission find favorably on both sets of factors and recommend approval of the child care program to the Governing Body subject to the following conditions:

1. That the child care center be approved for use on school days from 7:00 am to 6:00 pm, and from 7:00 am to 6:00 pm, Monday through Friday, during the summer.
 2. That the child care center be permitted to operate 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 an indefinite period of time unless it creates issues in the neighborhood and then they shall file a new application for reconsideration by the Planning Commission and Governing Body.
 4. That the day care center be in compliance with Fire Department regulations and inspections.
 5. 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.
-

SITE PLAN APPROVAL

Since the proposed day care center will be within an existing school building and no changes to the building or site will occur, Staff recommends that the Site Plan Approval be waived.

SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: P2013-09

Filing Fees: 925

Deposit: 4500



Date Advertised: 12/10/13

Date Notices Sent: 12/10/13

Public Hearing Date: 12/3/13

APPLICANT: YMCA of Greater Kansas City PHONE: 913-345-9622

ADDRESS: 8205 W. 108th Terr #120 OP, KS 66210 E-MAIL: pam.watkins@kansascityymca.org

OWNER: Unified School District #512 PHONE: 913-993-6200

ADDRESS: 7235 Antioch Rd Overland Park, KS ZIP: 66204

LOCATION OF PROPERTY: 7230 Belinder Prairie Village, KS 66208

LEGAL DESCRIPTION: _____

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

Present Use of Property: _____

Please complete both pages of the form and return to:

Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

	<u>Yes</u>	<u>No</u>
1. Is deemed necessary for the public convenience at that location.	<u>✓</u>	<u> </u>
2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected.	<u>✓</u>	<u> </u>
3. Is found to be generally compatible with the neighborhood in which it is proposed.	<u>✓</u>	<u> </u>
4. Will comply with the height and area regulations of the district in which it is proposed.	<u>✓</u>	<u> </u>
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.	<u>✓</u>	<u> </u>
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.	<u>✓</u>	<u> </u>

Should this special use be valid only for a specific time period? Yes ✓ No

If Yes, what length of time? 10 years or indefinite

SIGNATURE: Pamela L. Watkins DATE: 9-30-13

BY: Pamela L. Watkins

TITLE: Vice President - Youth Development Services

- Attachments Required:
- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
 - Certified list of property owners

Application No. PC 2013-09

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Pamela L. Watkins, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.

Pamela L. Watkins
(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this 30th day of Sept, 2013

Notary Public - State of Kansas
Leslie L. Guyton
My appointment expires 04/07/2014

Leslie L. Guyton
Notary Public or Planning Commission Secretary



Johnson Co AIMS Map

LEGEND

- Address Point
- Building/Structure
- Property**
- Untaxed □ Common Interest
- Vertical □ Platted
- Unplatted □ Right-of-way
- Mineral Rights □ Leased Land



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The Legal Record

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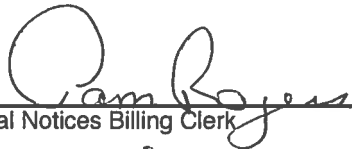
CITY OF PRAIRIE VILLAGE
7700 MISSION RD
PRAIRIE VILLAGE KS 66208-4230

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Rogers, of lawful age, being first duly sworn, deposes and says that she is Legal Notices Billing Clerk for The Legal Record which is a newspaper printed in the State of Kansas, published in and of general paid circulation on a weekly, monthly or yearly basis in Johnson County, Kansas, is not a trade, religious or fraternal publication, is published at least weekly fifty (50) times a year, has been so published continuously and uninterrupted in said County and State for a period of more than one year prior to the first publication of the notice attached, and has been entered at the post office as Periodicals Class mail matter. That a notice was published in all editions of the regular and entire issue for the following subject matter (also identified by the following case number, if any)

for 1 consecutive week(s), as follows:

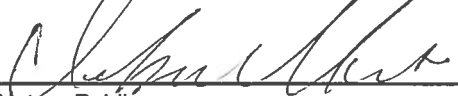
APPLICATION - PC 2013-09
12/10/13



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

December 11, 2013



Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires: Aug. 21, 2015

NOTICE OF HEARING
First published in The Legal Record, Tuesday, December 10, 2013.
CITY OF PRAIRIE VILLAGE, KANSAS
NOTICE OF HEARING

The Planning Commission of the City of Prairie Village, Kansas will hold a Public Hearing at their regular meeting on Tuesday, January 7, 2014 at 7:00 p.m. in the Council Chambers in the Municipal Building at 7700 Mission Road, Prairie Village, Kansas. The subject of the Public Hearing is:

APPLICATION PC 2013-09 - Request for Special Use Permit for the operation of a Daycare Program
At 7230 Bellinder (Bellinder Elementary School)
Zoning: R-1a
Applicant: Pam Watkins with the YMCA

The applicant is requesting a Special Use Permit for the continued operation of a Before and After School Day-Care Program at 7230 Bellinder serving Bellinder Elementary Students during the school year operating from 7 a.m. to 6 p.m.

At the time of the scheduled public hearing, all interested persons may present their comments. Prior to the date of the scheduled hearing, additional information regarding the proposed application may be reviewed in the Office of the Secretary of the Planning Commission at the Municipal Building. Comments may be submitted in writing to the Planning Commission addressed to the City of Prairie Village, 7700 Mission Road, Prairie Village, Kansas 66208. If you have a disability and need assistance to participate in any city meeting or program, contact the City Clerk at 381-6464 or TDD 1-800-766-3777.

Ken Vaughn
Chairman
12/10

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2013-10

Request: Approval of a Special Use Permit for a Day Care Center

Property Address: Prairie Elementary School, 6642 Mission Road

Applicant: YMCA of Greater Kansas City

Current Zoning and Land Use: R-1A Single-Family District – Elementary School

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

Legal Description: Metes and Bounds

Property Area: 10.23 Acres

Related Case Files: PC 98-22 SUP Day Care Center
PC 97-09 SUP Day Care Center
PC 91-07 Site Plan Approval for New School

Attachments: Application and Photos

General Location Map



Aerial Map



COMMENTS:

The YMCA of Greater Kansas City has been operating a day care center at Prairie Elementary School for several years, but had not obtained approval of a Special Use Permit as required by the Zoning Ordinance.

The day care center provides child care services from 7:00 am to 6:00 pm on days when the school is open. A summer program may be provided and it will operate from 7:00 am to 6:00 pm, Monday through Friday. The day care center uses existing the gym and cafeteria, along with outdoor play areas. Access to the day care is an exterior door to the cafeteria. The day care does not use the main entrance to the school. No changes are proposed to the building or the site. It should be noted that a Special Use Permit was granted twice in the nineties for a day care center.

The applicant held a neighborhood meeting on January 6, 2014, in accordance with the Planning Commission Citizen Participation Policy. Because of the holidays they were unable to schedule the meeting earlier. If there are any issues, they will need to be addressed at the Planning Commission meeting.

There has been a court decision that Special Use Permits are in reality a change in use and should be considered in the same manner as a zoning change is considered using the "Golden Factors." The Special Use Permit ordinance has factors for consideration similar but not identical to the "Golden Factors" and therefore, both sets of factors will be presented.

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. In making its decision, consideration should be given to any of the following factors that are relevant to the request:

FACTORS FOR CONSIDERATION SPECIFIC TO SPECIAL USE PERMITS:

- 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 elementary school 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 school building and use an existing parking lot; therefore, it should not create any problems for the adjacent property in the neighborhood.

- 4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site 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 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 Kindergarten through Sixth Grade and will use the school facility during normal school hours. This use will not have a dominating effect in the neighborhood because it will be located within an existing building. No expansion or modification of the building is proposed.

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

The day care center will use the existing school parking lot and driveways. Pick-up and drop-off will be on the south side of the building and will occur prior to and after school hours.

6. **Adequate utility, drainage and other necessary utilities have been or will be provided.**
Since this use will be occupying an existing school 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.

8. **Adjoining properties and the general public 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 styles 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.

GOLDEN FACTORS FOR CONSIDERATION:

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

The areas to the north, south and west are developed for single-family dwellings. A church exists on the east side of Mission Road. With the school, church and single-family dwellings the character of the area is unquestioningly residential.

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

North: R-1A Single-Family District – Single-Family Dwellings

East: R-1A Single-Family District – Church

South: R-1B Single-Family District – Single-Family Dwellings

West: R-1A Single-Family District – Single-Family Dwellings

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

The property is zoned R-1A Single-Family Residential District which permits single-family dwellings, churches, schools, public buildings, 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, but has been developed as a school since 1882.

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

The day care center has been in existence for several years and has not created any detrimental neighborhood issues. The south drive will be the main drop-off and pick-up area and should be adequate to accommodate the traffic. There do not appear to be any detrimental effects on the neighborhood.

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

Prairie School was originally built on the site in 1882. A new school was built in 1912. In 1990 the school burned down and was rebuilt in 1993. The site has not been vacant since it was developed as a school.

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 day care center is within an existing building that will not have any exterior modifications. The applicant will be able to utilize the property for a needed community service and no hardship will be created for adjacent property owners.

7. City staff recommendations;

The use has been in operation for several years 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 day care service for children that is in demand in Prairie Village. It is recommended that it be approved for an indefinite period of time unless issues develop that adversely affect the neighborhood, and if that occurs reevaluation of the center would be required.

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 more 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.

RECOMMENDATIONS:

It is the recommendation of Staff that the Planning Commission find favorably on both sets of factors and recommend approval of the child care program to the Governing Body subject to the following conditions:

1. That the child care center be approved for use on school days from 7:00 am to 6:00 pm, and from 7:00 am to 6:00 pm, Monday through Friday, during the summer.
2. That the child care center be permitted to operate 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 an indefinite period of time unless it creates issues in the neighborhood and then they shall file a new application for reconsideration by the Planning Commission and Governing Body.
4. That the day care center be in compliance with Fire Department regulations and inspections.
5. 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.

SITE PLAN APPROVAL

Since the proposed day care center will be within an existing school building and no changes to the building or site will occur, Staff recommends that the Site Plan Approval be waived.



South Side



West Side

SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: PC 2013-10
Filing Fees: \$25
Deposit: \$500



Date Advertised: 11/11/13
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT: YMCA of Greater Kansas City PHONE: 913-345-9622

ADDRESS: 8205 W. 108th Terr #120 OP, KS 66210 E-MAIL: pamuk@knc@kansascityymca.org

OWNER: Shawnee Mission School District #512 PHONE: 913-993-6200

ADDRESS: 7235 Antioch Rd Shawnee Mission, KS ZIP: 66204

LOCATION OF PROPERTY: Prairie Elementary 6642 Mission Rd Prairie Village, KS

LEGAL DESCRIPTION: Public Elementary School 66208

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>RESIDENTIAL</u>	<u>R-1</u>
South	<u>"</u>	<u>R-1</u>
East	<u>"</u>	<u>R-1</u>
West	<u>"</u>	<u>R-1</u>

Present Use of Property: Public School

Please complete both pages of the form and return to:
Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

- | | <u>Yes</u> | <u>No</u> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|
| 1. Is deemed necessary for the public convenience at that location. | <u> X</u> | <u> </u> |
| 2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected. | <u> X</u> | <u> </u> |
| 3. Is found to be generally compatible with the neighborhood in which it is proposed. | <u> X</u> | <u> </u> |
| 4. Will comply with the height and area regulations of the district in which it is proposed. | <u> X</u> | <u> </u> |
| 5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect. | <u> X</u> | <u> </u> |
| 6. Adequate utility, drainage, and other such necessary facilities have been or will be provided. | <u> X</u> | <u> </u> |

Should this special use be valid only for a specific time period? Yes X No

If Yes, what length of time? indefinite

SIGNATURE: Pamela L. Watkins DATE: 10-31-13

BY: Pamela L. Watkins

TITLE: Vice President Youth Development Services

Attachments Required:

- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
- Certified list of property owners

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Pamela L. Watkins, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.

Pamela L. Watkins
(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this 15th day of November, 2013.

JOHN K. RODRICKS
NOTARY PUBLIC
STATE OF KANSAS
MY COMMISSION EXPIRES 01/25/2016

John K. Rodricks
Notary Public or Planning Commission Secretary

NOTICE OF HEARING

First published in The Legal Record, Tuesday, December 10, 2013.

CITY OF PRAIRIE VILLAGE, KANSAS

NOTICE OF HEARING

The Planning Commission of the City of Prairie Village, Kansas will hold a Public Hearing at their regular meeting on Tuesday, January 7, 2014 at 7:00 p.m. in the Council Chambers in the Municipal Building at 7700 Mission Road, Prairie Village, Kansas. The subject of the Public Hearing is:

**APPLICATION PC 2013-10 - Request for Special Use Permit for the operation of a Daycare Program
At 6642 Mission Road (Prairie Elementary)
Zoning: R-1a
Applicant: Pam Watkins with the YMCA**

The applicant is requesting a Special Use Permit for the continued operation of a Before and After School Day-Care Program at 6642 Mission Road serving Prairie Elementary Students during the school year operating from 7 a.m. to 6 p.m.

At the time of the scheduled public hearing, all interested persons may present their comments. Prior to the date of the scheduled hearing, additional information regarding the proposed application may be reviewed in the Office of the Secretary of the Planning Commission at the Municipal Building. Comments may be submitted in writing to the Planning Commission addressed to the City of Prairie Village, 7700 Mission Road, Prairie Village, Kansas 66208. If you have a disability and need assistance to participate in any city meeting or program, contact the City Clerk at 381-6464 or TDD 1-800-766-3777.

Ken Vaughn
Chairman
12/10

DEBRA VALENTI
Notary Public - State of Kansas
My Not. Expires Aug 21, 2015

The Legal Record

PO Box 273
Olathe, KS 66051-0273
(913) 780-5790

Publication Fees: \$22.68

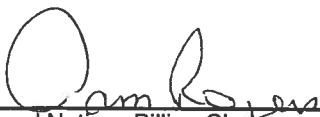
CITY OF PRAIRIE VILLAGE
7700 MISSION RD
PRAIRIE VILLAGE KS 66208-4230

Proof of Publication

STATE OF KANSAS, JOHNSON COUNTY, SS;
Pam Rogers, of lawful age, being first duly sworn,
deposes and says that she is Legal Notices Billing Clerk
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the State of Kansas, published in and of general paid
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fraternal publication, is published at least weekly fifty
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and uninterrupted in said County and State for a period
of more than one year prior to the first publication of the
notice attached, and has been entered at the post office
as Periodicals Class mail matter. That a notice was
published in all editions of the regular and entire issue
for the following subject matter (also identified by the
following case number, if any)

for 1 consecutive week(s), as follows:

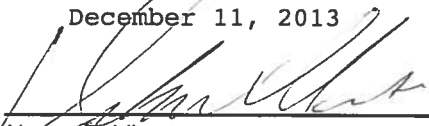
APPLICATION - PC 2013-10
12/10/13



Legal Notices Billing Clerk

Subscribed and sworn to before me on this date:

December 11, 2013



Notary Public

DEBRA VALENTI
Notary Public-State of Kansas
My Appt. Expires: Aug. 21, 2015

L45450

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2013-12

Request: Renewal of a Special Use Permit for a Day Care Center

Property Address: Briarwood Elementary School, 5300 W. 86th Street

Applicant: Johnson County Parks and Recreation District

Current Zoning and Land Use: R-1A Single-Family – Elementary School

Surrounding Zoning and Land Use: **North:** R-1A Single-Family District – Single-Family Dwellings
East: R-1A Single-Family District – Single-Family Dwellings
South: R-1A Single-Family District – Single-Family Dwellings
West: R-1A Single-Family District – Single-Family Dwellings

Legal Description: Meets and Bounds - Unplatted

Property Area: 9.18 Acres

Related Case Files: PC 2003-05 Renewal of SUP for Day Care Center
PC 2002-112 Approval of Monument Sign
PC 93-09 Approval of SUP for Day Care Center

Attachments: Photos

General Location Map



Aerial Map



COMMENTS:

The Johnson County Park and Recreation District has been operating a school age day care program at Briarwood Elementary School since 1993 and the program has only been open to children who attend Briarwood Elementary School. The purpose of this program is to provide child care for students after school is over so that the students do not have to be transported to an alternate facility. This particular program use has generated no negative comments from the surrounding community and has proven to be a very compatible service to the students and parents of Briarwood Elementary School.

A neighborhood meeting was held on November 14, 2013, in accordance with the Planning Commission Citizen Participation Policy and no one from the public attended.

On May 6, 2003, the Planning Commission recommended approval of the Special Use Permit subject to four conditions and the Governing Body approved the Special use Permit on June 2, 2003. The conditions are as follows:

1. That the day care program be available only to children who attend Briarwood Elementary School during the school year.
2. That the day care center be permitted to operate during the summer, Monday through Friday, subject to the licensing requirements of the Kansas Department of Health and Environment.
3. That the Special Use Permit be issued to Shawnee Mission School District, Briarwood Elementary School, for a period of ten (10) years from the date of City Council approval.
4. 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.

Since this use has been in place for over 20 years, with no complaints from the public, it is recommended that it be approved for an indefinite period of time.

There has been a court decision that Special Use Permits are in reality a change in use and should be considered in the same manner as a zoning change is considered using the "Golden Factors." The Special Use ordinance has factors for consideration similar to, but not identical to, the "Golden Factors" and therefore, both sets of factors will be presented.

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. In making its decision, consideration should be given to any of the following factors that are relevant to the request:

FACTORS FOR CONSIDERATION SPECIFIC TO SPECIAL USE PERMITS:

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

The proposed special use for the day care program would be contained within an existing building, 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 proposed special use permit is an asset to the community as it utilizes an existing school facility to provide a much needed service for taking care of children after school hours.

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 special use has been in operation for 20 years, located within an existing structure, and does not create any problems for the adjacent property in the neighborhood.

4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site 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 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 proposed childcare use accommodates a smaller group of students than currently use the school facility during normal school hours. This use is an extension of the school hours and does not have a dominating effect in the neighborhood, as it is located within an existing building.

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

The proposed day care use will use the existing off-street parking and loading areas that are currently provided by the school.

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

Since this use occupies 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 school facility and this proposed special use will use the existing drives that are already in place.

8. **Adjoining properties and the general public 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 styles and materials used in the neighborhood in which the proposed structure is to be built or located.**

The proposed special use does not require any changes in the exterior architecture or style of the existing building.

GOLDEN FACTORS FOR CONSIDERATION:

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

The neighborhood is predominantly single-family dwellings to the north, south, east and west. The existing property is Briarwood Elementary School. The character of the immediate neighborhood is residential with single-family dwellings.

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

North: R-1A Single-Family District – Single-Family Dwellings
East: R-1A Single-Family District – Single-Family Dwellings
South: R-1A Single-Family District – Single-Family Dwellings
West: R-1A Single-Family District – 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-1A Single-Family Residential District which permits single-family dwellings, churches, schools, public buildings, 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 school.

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

The use has been in existence for approximately 20 years and has not created any detrimental neighborhood issues. The renewal request is proposed to operate a day care as it has in the past.

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

The school was built in 1966 and has been used as a school since it opened.

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 day care center is within an existing building that will not have any exterior modifications. The applicant will be able to utilize an existing facility and no hardship will be created for adjacent property owners.

7. City staff recommendations;

The use has been in operation for 20 years 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 children that is in demand in Prairie Village. It is recommended that it be approved for an indefinite period of time unless there are complaints from neighbors or the use changes significantly.

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 providing multiple uses in existing buildings and making better use of underutilized facilities.

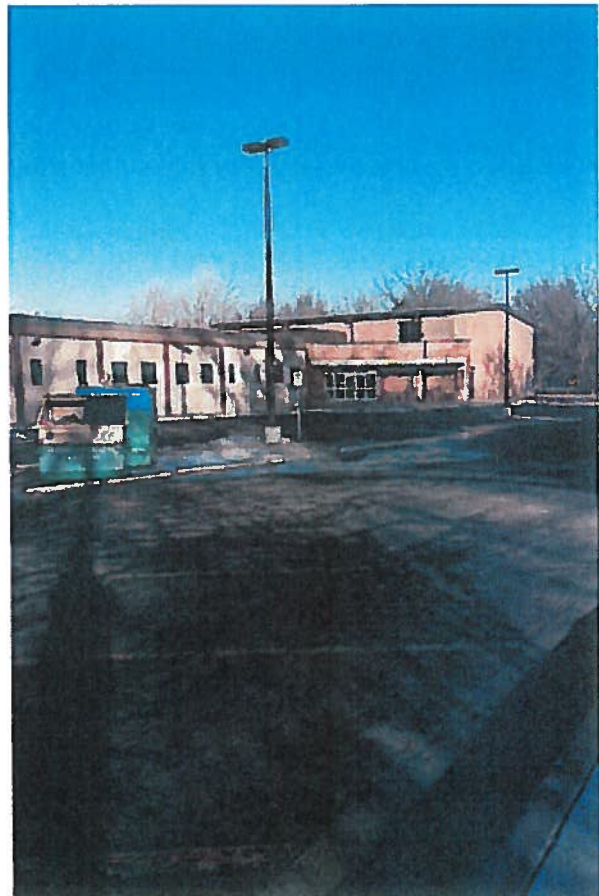
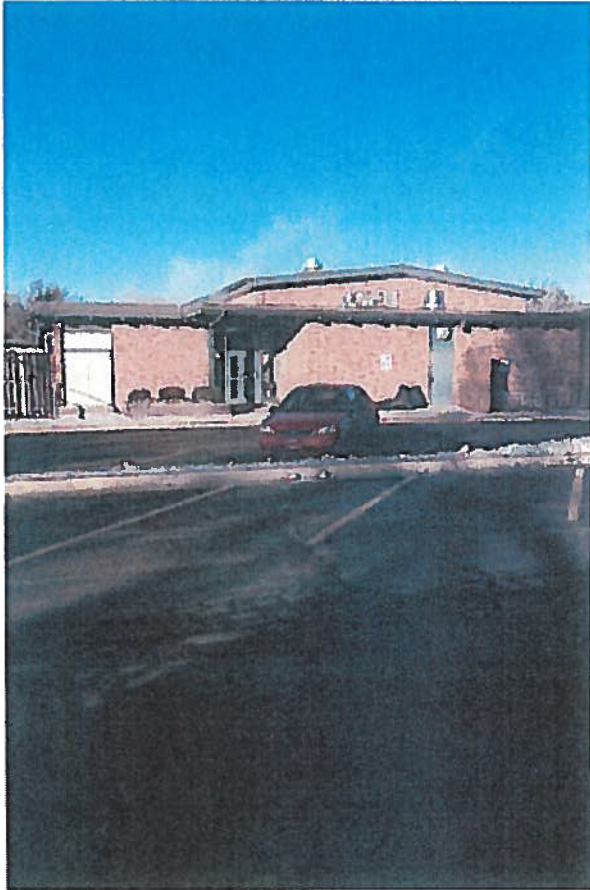
RECOMMENDATIONS:

It is the recommendation of Staff that the Planning Commission find favorably on both sets of factors and recommend approval of the child day care center at Briarwood Elementary School to the Governing Body subject to the following conditions:

1. That the day care program be approved for use from 7:00 am to 6:00 pm on school days and from 7:00 am to 6:00 pm, Monday through Friday, during the summer.
2. That the day care center be permitted to operate subject to the licensing requirements of the Kansas Department of Health and Environment.
3. That the Special Use Permit be issued to Briarwood Elementary School for an indefinite time and renewal will not be required unless the use changes significantly or complaints are received from the neighbors, and then a new application will be need to be filed for consideration by the Planning Commission and Governing Body.
4. That the day care center be in compliance with Fire Department regulations and inspections.
5. 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.

SITE PLAN APPROVAL

Since the proposed day care center will be within an existing school building and no changes to the building or site will occur, Staff recommends that the Site Plan Approval be waived.



SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: PC2013-12
Filing Fees: \$25
Deposit: \$500



Date Advertised: 12/10/13
Date Notices Sent: 12/10/13
Public Hearing Date: 1/7/14

APPLICANT: Briarwood Elementary School Age Program PHONE: 913.381-9620

ADDRESS: 5300 West 86 Street; PVKS 66207 E-MAIL: kim.chappelow-lee@jocogov.org

OWNER: Johnson County Park & Recreation District PHONE: 913.831.3355

ADDRESS: 6501 Antioch; Merriam, Kansas ZIP: 66202

LOCATION OF PROPERTY: 5300 West 86 Street; PVKS 66207

LEGAL DESCRIPTION: Legal Desc. (abbreviated)

28-12-25 BG NW COR E 1/2 W 1/2 SW 1/4 SW 1/4 SLY 600' S 40.4' EL'
ON CURVE 249.9' SLY 85.74' ELY ON CURVE 249.41' SELY 39.9' N
612.18' W 664.83' TO BG 9 ACRES M/L PVC 644 2 BTAO 4137-0

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Single Family Residential</u>	<u>R-1A</u>
South	<u>Single Family Residential</u>	<u>R-1A</u>
East	<u>Other Residential, Single Family Residential</u>	<u>R-1A,</u>
West	<u>Commercial, Office, Other Residential</u>	<u>R-1A</u>

Present Use of Property: Elementary School

Please complete both pages of the form and return to:
Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Application No. 2013-12

Kim Chappelow-Lee, being duly sworn upon his oath, deposes and states:

1. I am the (owner of) (attorney for) (agent of) the property described in the attached notice upon which an application has been filed before the Planning Commission of the City of Prairie Village, Kansas.
2. On the 30 day of OCTOBER, 20__ a public information meeting was held pursuant to the Citizen Participation Policy adopted on June 6, 2000, by the Planning Commission
3. On the 10TH day of DECEMBER 20__, I did comply with notification requirements to landowners as stated Section 19.28.020, of the Prairie Village Zoning Regulations and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

Name

Address

<u>Name</u>	<u>Address</u>

I certify that the foregoing is true and correct.

Kim Chappelow-Lee

Name

Johnson County Park & Recreation District

Address

6501 Antioch Merriam, Kansas 66202

Application No. 2013-12

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Kim Chappelow-Lee, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.

Kim Chappelow-Lee, Children's Services Mgr.
(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public or Planning Commission Secretary

Joyce Hagen Mundy

From: Chappelow-Lee, Kim, PRK [Kim.Chappelow-Lee@jocogov.org]
Sent: Wednesday, November 13, 2013 12:27 PM
To: Joyce Hagen Mundy
Subject: RE: Program information

Hello Joyce,

The following information is applicable to both Briarwood and Corinth programs.

The program is open to any child enrolled at the specific school location and is designed to assist working parents with child care needs.

Enrollment is on a first come first served basis.

Programs meet Monday-Friday throughout the school year and summer. School year hours are 7-8am and 3:10-6:00pm

Summer hours are 7:00 am-6:00 pm

Children attending are kindergarten through grade 6 (ages 5-12 years)

Average enrollment at both locations is between 40-50 children.

Staff ratios are 1:12. Directors hold a BA or BS degree in education or related field

Support staff minimum age is 16. However the majority of staff are college students 18 and over.

In both schools we are assigned a classroom as our primary space with access to both the gymnasium and cafeteria for large group, physically active activities. The playgrounds are also used on a daily basis.

Parents pick up children at the end of the day. They are required to park and come in to the school to sign their children out of the program.

General activities of the program include: art, crafts, homework, organized games, STEM(Science, Technology, Engineering and Math) music, environmental education, and clubs such as cooking, photography, etc.

From: Joyce Hagen Mundy [<mailto:jhmundy@pvkansas.com>]
Sent: Wednesday, November 13, 2013 9:36 AM
To: Pam Watkins; Chappelow-Lee, Kim, PRK
Cc: Ron Williamson
Subject: Program information

Pam & Kim

Thanks for your flexibility in moving your applications to January. In addition to the applications submitted, please provide some basic information on your programs at each of the schools. i.e. Hours of operation, number of students served, age of students, number of staff, specific location(s) within the schools used.

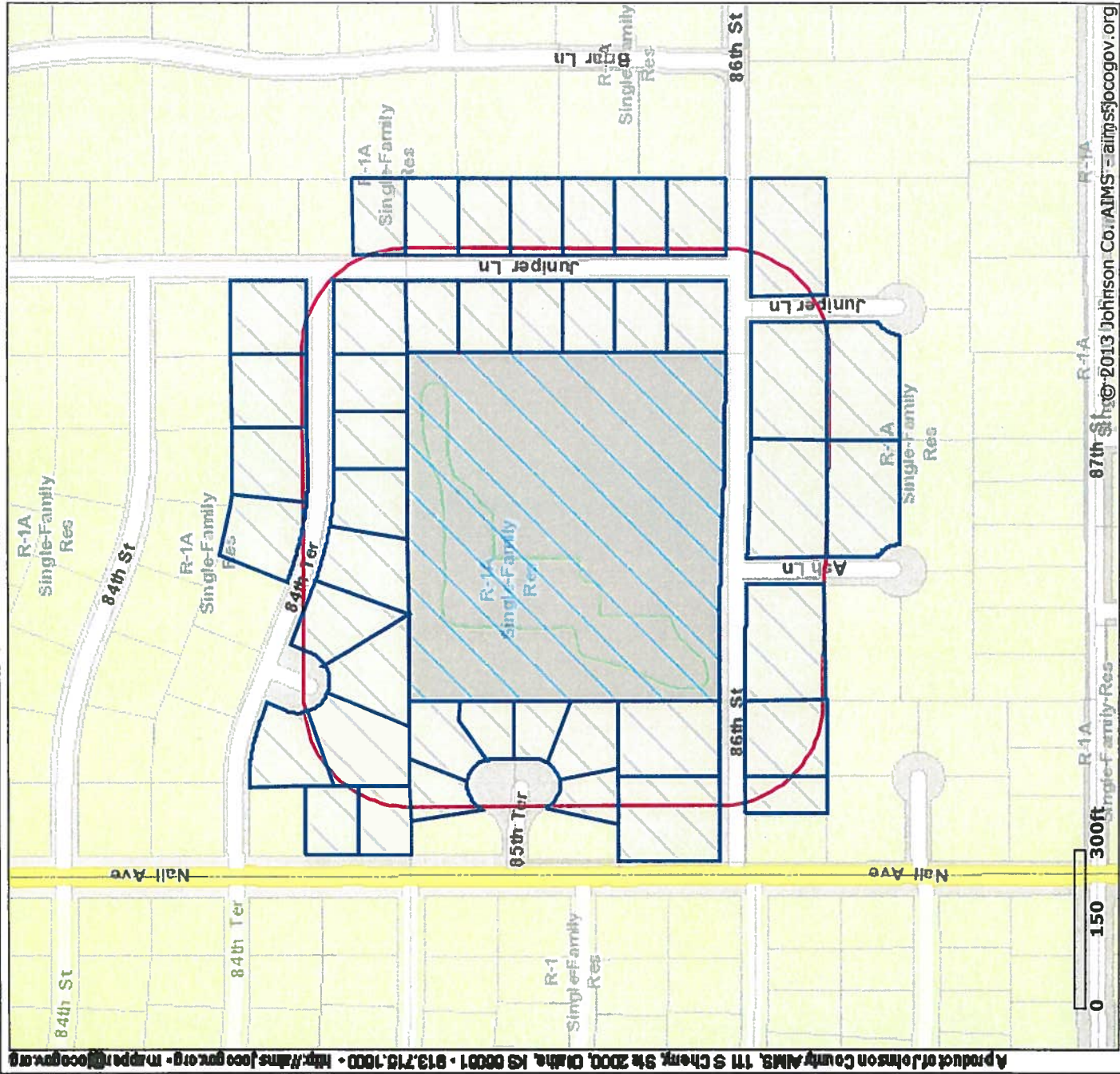
If you have any questions, please feel free to contact me.

Joyce Hagen Mundy
City Clerk, City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208
jhmundy@pvkansas.com
913-385-4616

Johnson Co AIMS Map

LEGEND

- Proposed Zoning
- Zoning (Countywide)**
- Agricultural
- Business-Office
- Industrial
- Business-Commercial
- Civic/Parks
- Multi-Family Residential
- Single-Family Residential



Disclaimer: No person shall sell, give, reproduce, or receive for the purpose of selling or offering for sale, any portion of the data provided herein. Johnson County makes every effort to produce and publish the most current and accurate information possible. Johnson County assumes no liability whatsoever associated with the use or misuse of such data, and disclaims any representation or warranty as to the accuracy and currency of the data.



10/22/2013

Owner2	Owner Address	City, State Zip	Billing Name
	7235 ANTIOCH RD	OVERLAND PARK, KS 66204	BRIARWOOD ELEM #112
CHAPMAN, CAROLYN LEE	5466 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
RICHARDSON, PATTY S.	5482 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
WISE, EIKO	5401 W 86TH ST	PRAIRIE VILLAGE, KS 66207	
RICE, JOAN	8531 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
LLOYD, JACQUELINE G.	8500 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
METZ, JANE L.	8615 ASH LN	PRAIRIE VILLAGE, KS 66207	
HALPIN, MAUREEN C. TRUST	8501 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
	0 NS NT	PRAIRIE VILLAGE, KS 00000	TRENTON, CATHERINE A. TRUSTEE
NYAKATURA, ALBERT C.	5424 W 86TH ST	PRAIRIE VILLAGE, KS 66207	
PUTNEY, TERRENCE E. TRUSTEE	5205 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
KORNHAUS, DEBORAH A.	5204 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
AHRENHOLTZ, AIMEE B.	5420 W 86TH ST	PRAIRIE VILLAGE, KS 66207	
GILLUM, ELAINE M.	5421 W 86TH ST	PRAIRIE VILLAGE, KS 66207	
DURIE, PATRICIA C. SALMON TR	8446 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
KLOPPER, NATALIE A.	8516 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
WILDMAN, LAURA A.	8505 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
	5301 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
MAY, KATHLEEN T.	5213 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
DIDELES, ELEANOR G. REV TRUST	5200 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
CARROLL, ANGELA M.	5209 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
	5201 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
WIGNER, BETH A.	8532 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
POLLACK, AMY K.	5305 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
DONALDSON, ELLEN L.	8614 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
SLATER, JEANNE M.	8600 ASH LN	PRAIRIE VILLAGE, KS 66207	
HUGHES, AMY E.	5475 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
	5459 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
	8540 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
ETAL	5100 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
FEINGOLD, LISA	50 N JAMES ST	KANSAS CITY, KS 66118	
WASSBERG, LINDA A.	8601 ASH LN	PRAIRIE VILLAGE, KS 66207	
KOPPEL, NANCY T.	5474 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
LUND, MARGARET M.	8413 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
BORGER, TERESA C.	5105 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
HERMES, STEVEN A.	8445 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
BRENEMAN, MARGARET A.	5104 W 84TH TER	PRAIRIE VILLAGE, KS 66207	
	0 NS NT	PRAIRIE VILLAGE, KS 00000	SPARKS, LYNN MARIE CO-TRUSTEE
GOODE, KATHLEEN M.	8601 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
HOBSON, MILBURN W. TRUSTEE	5467 W 85TH TER	PRAIRIE VILLAGE, KS 66207	
WIEDENKELLER, ANNE	8413 NALL AVE	PRAIRIE VILLAGE, KS 66207	
HICKS, BRENDA L.	8417 NALL AVE	PRAIRIE VILLAGE, KS 66207	
BURRIS, JERILYNN	8509 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
BREASHEARS, MICHELLE	8524 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	
	8600 JUNIPER LN	PRAIRIE VILLAGE, KS 66207	

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2013-13

Request: Approval of Special Use Permit for a Day Care Center

Property Address: Corinth Elementary School, 8301 Mission Road

Applicant: Johnson County Park and Recreation District

Current Zoning and Land Use: R-1A Single-Family District – Elementary School

Surrounding Zoning and Land Use: **North:** C-0 Office Building District – Offices
RP-3 Planned Garden Apartment District - Apartments
East: RP-3 Planned Single-Family– Single-Family Dwellings
R-1A Single-Family District – Single-Family Dwellings
South: R-1A Single-Family District – Single-Family Dwellings
CP-2 Planned General Business – Offices and Retail
West: C-0 Office Building District – Offices
R-3 Garden Apartment District - Apartments

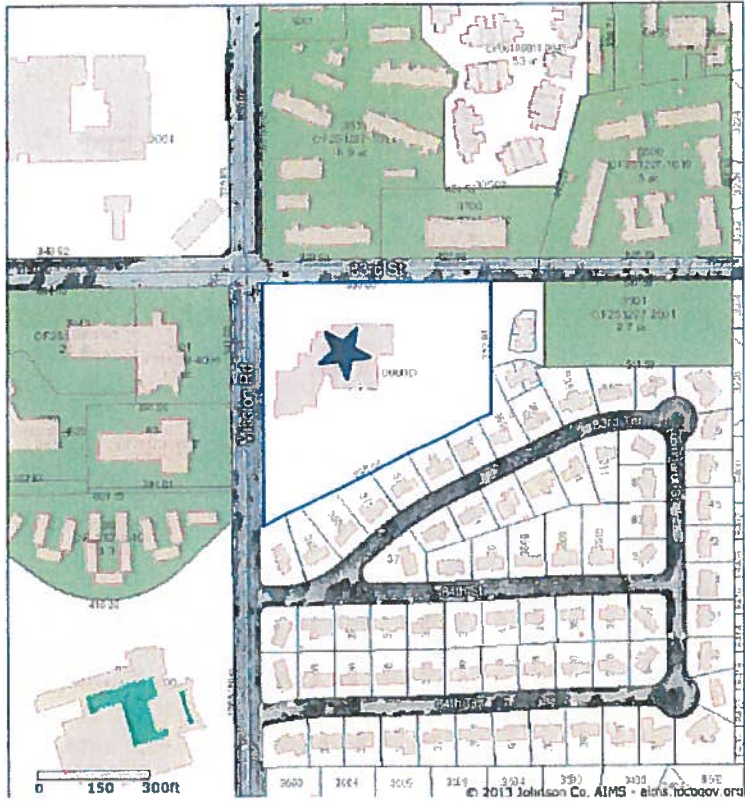
Legal Description: Corinth School BLK 1

Property Area: 7.12 Acres

Related Case Files: PC 2007-118 Site Plan Approval for Addition
PC 97-112 Approval of Monument Sign
PC 95-101 Site Plan Approval for New School

Attachments: Application and Photos

General Location Map



Aerial Map



COMMENTS:

Johnson County Park and Recreation District has been providing a day care program at Corinth Elementary School, but has not obtained approval of a Special Use Permit as required by the Zoning Ordinance. Since the day care center is not operated by the school, a Special Use Permit is required.

The center provides service from 7:00 to 8:00 am and 3:00 to 6:00 pm during the school year and from 7:00 am to 6:00 pm during the summer. Children attending a Kindergarten through Sixth Grade (ages 5 – 12 years). Enrollment is on a first come, first serve basis and is about 40 – 50 children. The center uses existing classrooms, the gymnasium, cafeteria, and playground.

The applicant held a neighborhood meeting on November 14, 2013, in accordance with the Planning Commission Citizen Participation Policy and no one from the public attended.

There has been a court decision that Special Use Permits are in reality a change in use and should be considered in the same manner as a zoning change is considered using the "Golden Factors." The Special Use Permit ordinance has factors for consideration similar but not identical to the "Golden Factors" and therefore, both sets of factors will be presented.

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. In making its decision, consideration should be given to any of the following factors that are relevant to the request:

FACTORS FOR CONSIDERATION SPECIFIC TO SPECIAL USE PERMITS:

- 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 elementary school 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.

- 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 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 40 – 50 children, and will use the school facility before and after normal school 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 in accordance with standards set forth in these regulations and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.**

The day care center will use the existing school parking lot and driveways. The drop-off and pick-up times will be before and after normal school hours and the parking and driveways should be adequate to handle the traffic.

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.

8. Adjoining properties and the general public 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 styles 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.

GOLDEN FACTORS FOR CONSIDERATION:

1. The character of the neighborhood;

The neighborhood contains a mix of uses. There are single-family dwellings to the south and east; apartments and offices to the north; and apartments, offices and commercial to the west. The day care center fits well in the higher density use of the surrounding area.

2. The zoning and uses of property nearby;

North: C-0 Office Building District – Offices
RP-3 Planned Garden Apartment District - Apartments
East: RP-3 Planned Single-Family– Single-Family Dwellings
R-1A Single-Family District – Single-Family Dwellings
South: R-1A Single-Family District – Single-Family Dwellings
CP-2 Planned General Business – Offices and Retail
West: C-0 Office Building District – Offices
R-3 Garden Apartment District – Apartments

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

The property is zoned R-1A and is developed for an elementary school that was rebuilt in 1996 and expanded in 2007. The proposed day care center is a practical and reasonable use of the existing school.

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

The use has been in existence for several years and has not created any detrimental effects on neighboring property. The day care center is an excellent use of an existing facility and provides a highly needed service to the community.

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

The property was first developed as an elementary school in 1858 to serve Leawood and Prairie Village residents. The school has been rebuilt several times and the site has never really 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 day care center is within an existing building that will not have any exterior modifications. The applicant will be able to utilize the property for a needed community service and no hardship will be created for adjacent property owners.

7. City staff recommendations;

The use has been in operation for several years 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 day care service for children that is in demand in Prairie Village. It is recommended that it be approved for an indefinite period of time unless neighborhood issues cause concerns that would require reevaluation.

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.

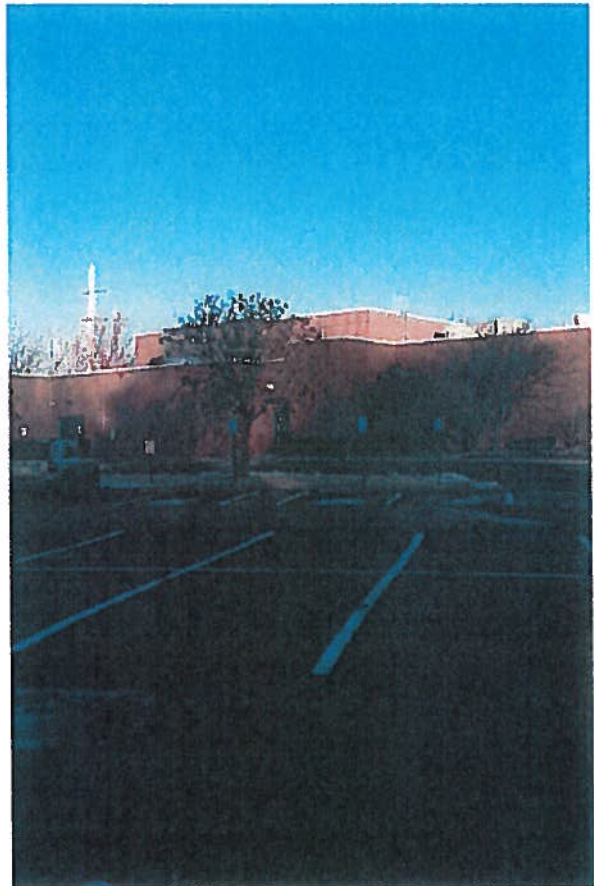
RECOMMENDATIONS:

It is the recommendation of Staff that the Planning Commission find favorably on both sets of factors and recommend approval of the child care program to the Governing Body subject to the following conditions:

1. That the child care center be approved from 7:00 to 8:00 am and 3:00 to 6:00 pm during the school year, and 7:00 am to 6:00 pm in the summer.
2. That the child care center be 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 an indefinite period unless it creates issues in the neighborhood, and then they shall file a new application for reconsideration by the Planning Commission and Governing Body.
4. That the day care center be in compliance with Fire Department regulations and inspections.
5. 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.

SITE PLAN APPROVAL

Since the proposed day care center will be within an existing school building and no changes to the building or site will occur, Staff recommends that the Site Plan Approval be waived.



SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: DC 2013-13

Filing Fees: \$25

Deposit: \$500



Date Advertised: 12/10/13

Date Notices Sent: 12/10/13

Public Hearing Date: 1/7/14

APPLICANT: Corinth Elementary School Age Program PHONE: 913.341-5886

ADDRESS: 8301 Mission Road E-MAIL: kim.chappelow-lee@jocogov.org

OWNER: Johnson County Park & Recreation District PHONE: 913.831.3355

ADDRESS: 6501 Antioch; Merriam, Kansas ZIP: 66202

LOCATION OF PROPERTY: 8301 Mission Road; Prairie Village, Kansas 66206

LEGAL DESCRIPTION: Legal Desc. (abbreviated) CORINTH SCHOOL BLK 1 EX W 12' PT SEC
27-12-25 PVC 623 BTAO 4137 0

ADJACENT LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Office, Other Residential</u>	<u>C-O, RP-3, R-3</u>
South	<u>Single Family Residential</u>	<u>R-1A</u>
East	<u>Other Residential, Single Family Residential</u>	<u>R-1A, RP-2</u>
West	<u>Commercial, Office, Other Residential</u>	<u>C-O, CP-2, R-3</u>

Present Use of Property: Elementary School

Please complete both pages of the form and return to:

Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

	<u>Yes</u>	<u>No</u>
1. Is deemed necessary for the public convenience at that location.	<u>X</u>	<u> </u>
2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected.	<u>X</u>	<u> </u>
3. Is found to be generally compatible with the neighborhood in which it is proposed.	<u>X</u>	<u> </u>
4. Will comply with the height and area regulations of the district in which it is proposed.	<u>X</u>	<u> </u>
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.	<u>X</u>	<u> </u>
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.	<u>X</u>	<u> </u>

Should this special use be valid only for a specific time period? Yes No X

If Yes, what length of time?

SIGNATURE:

DATE:

BY:

TITLE:

Attachments Required:

- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
- Certified list of property owners

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Kim Chappelow-Lee _____, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.

Kim Chappelow-Lee, Children's Services Mgr.
(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public or Planning Commission Secretary

Application No. 201343

Kim Chappelow-Lee, being duly sworn upon his oath, deposes and states:

1. I am the (owner of) (attorney for) (agent of) the property described in the attached notice upon which an application has been filed before the Planning Commission of the City of Prairie Village, Kansas.
2. On the _____ day of _____, 20__ a public information meeting was held pursuant to the Citizen Participation Policy adopted on June 6, 2000, by the Planning Commission
3. On the _____ day of _____, 20__, I did comply with notification requirements to landowners as stated Section 19.28.020, of the Prairie Village Zoning Regulations and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

Name

Address

I certify that the foregoing is true and correct.

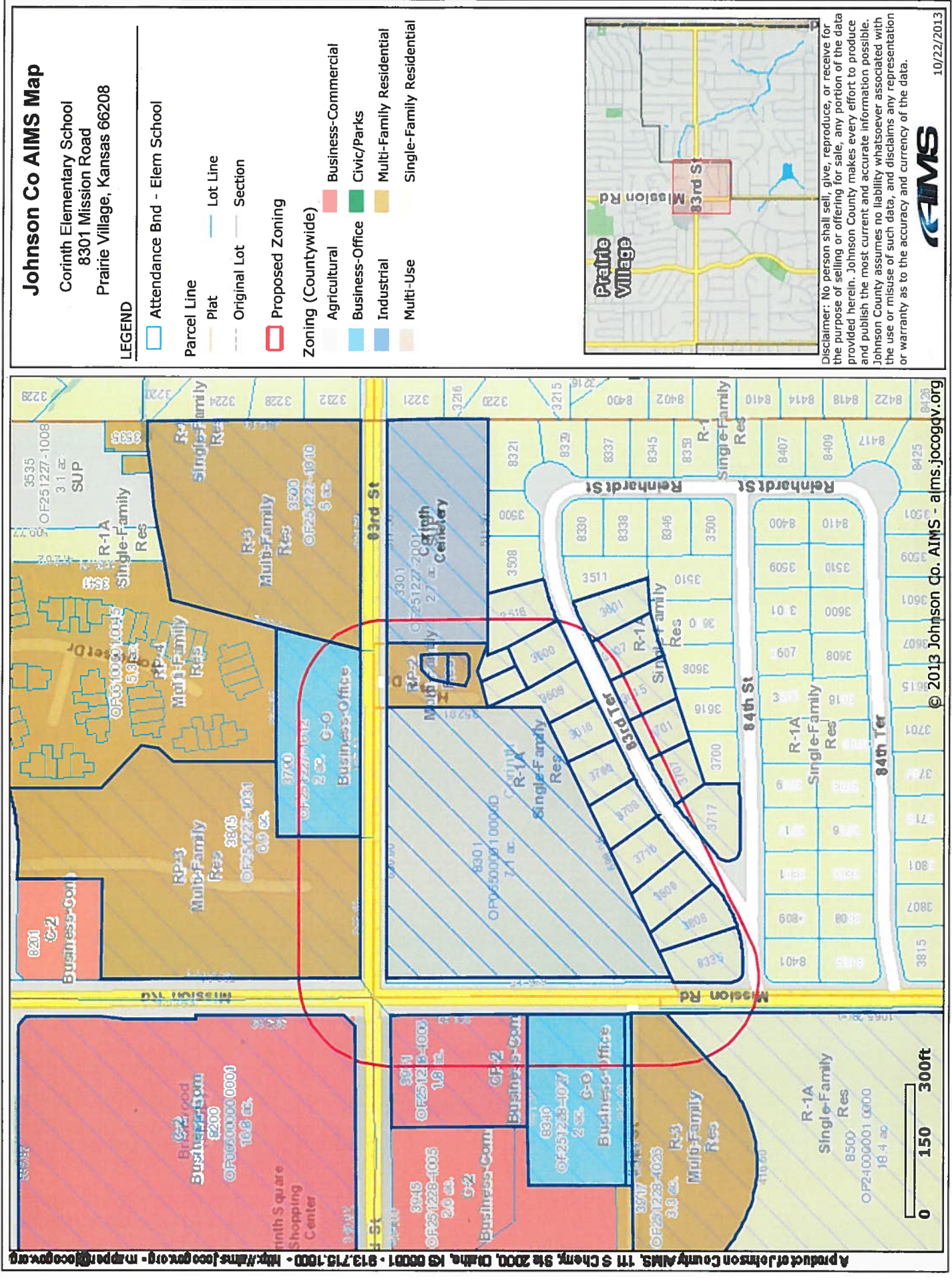
Kim Chappelow-Lee

Name

Johnson County Park & Recreation Distric

Address

6501 Antioch Merriam, Kansas 66202





Buffer Results

[JoCo Home](#) > [AIMS Home](#) > Internet Maps

200 foot buffer (20.60 acres)
Buffer search returned 32 properties

No.	Property ID	Area (ft ²)	Acres
1	OF251228-4026	142,441	3.27
2	OP06000001 0005	13,504	0.31
3	OP06000001 0003	16,988	0.39
4	OP060000TA 00P5	25,700	0.59
5	OF251228-4027	87,120	2.00
6	OF251227-1010	215,622	4.95
7	OP06000001 0002	15,246	0.35
8	OP06000001 0007	12,197	0.28
9	OF251228-4023	5,663	0.13
10	OF251227-2001	118,048	2.71
11	OP06000001 0004	15,246	0.35
12	OP060000TA 00P4	3,485	0.08
13	OP24000001 0000	802,811	18.43
14	OF251228-4006	79,715	1.83
15	OP06000001 0006	12,632	0.29
16	OP06000001 0010	17,860	0.41
17	OF251227-1012	85,813	1.97
18	OP06000002 0006	14,375	0.33
19	OP06000001 0001	17,424	0.40
20	OP060000TA 00P2	3,920	0.09
21	OP06000001 0009B	13,068	0.30
22	OP06000001 0008	14,375	0.33
23	OP06000002 0004	12,632	0.29
24	OP06600000 0001	732,244	16.81
25	OP06000002 0003	11,326	0.26
26	OP060000TA 00P1	5,663	0.13
27	OP06000002 0005	14,375	0.33
28	OP06000002 0001	17,424	0.40
29	OF251227-1031	300,564	6.90
30	OP06000002 0002	10,454	0.24
31	OP06500001 0000D	310,147	7.12
32	OP060000TA 00P3	3,049	0.07

Total Area of Parcels: 72.34 acres (3,151,130 ft²)
Selected Property

CITY OF PRAIRIE VILLAGE

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Danielle Dulin, Assistant to the City Administrator
APPLICATION: **PC 2013-128: Request for Site Plan Approval**
DATE: January 7, 2014 Planning Commission Meeting

Application: PC 2013-128

Request: Site Plan Approval

Property Address: 6330 Granada Street

Applicant: Emily Eckles

Current Zoning and Land Use: R-1A—Single-family residential

Surrounding Zoning and Land Use:

North:	R-1A	Single-family residential
East:	R-1A	Single-family residential
South:	R-1A	Single-family residential
West:	R-1A	Single-family residential

Legal Description: 16-12-25 BEG 440' S NW COR NW 1/4 NE 1/4 & 2209.5' N SW COR SW 1/4 NE 1/4 E 240' TO BEG E 230' X S 230' 1.21 ACRES PVC-0421B

Property Area: 1.23 acres

Related Case Files:

Attachments: Photographs, site plan



General Location Map



Aerial Map

STAFF COMMENTS:

When the fence regulations were amended, a provision was included that allows application to the Planning Commission for site plan approval for a fence that is unique and does not have the location or design characteristics as set out in the regulations. The specific language is as follows:

Section 19.44.025

- 1) As a part of the site plan approval process as set out in Section 19.32 Site Plan Approval, the Planning Commission may approve solid walls or make adjustments to the height and location of fences, solid wall and retaining walls provided that it results in a project that is more compatible, provides better screening, provides better storm drainage management, or provides a more appropriate utilization of the site.
- 2) An application may be made to the Planning Commission for site plan approval of a solid wall, retaining wall or a fence that is unique and does not have the location or design characteristics set out in these regulations. (Ord. 2117, Sec. 2, 2006)

The applicant is requesting site plan approval to allow construction of a brick wall that is located in the front yard. The proposed brick wall will match the existing brick on the house and will have a 12' painted wood gate for entry. According to the plans submitted, the proposed wall is 4' in height including the brick cap and 47' 4" in length across the existing driveway. It extends approximately 20' past the front plane of the house, but is set back approximately 75' from the property line. The purpose of the wall is to create a motor court screening the garage and parked cars in the driveway from view of the street. Staff believes that the request meets the criteria set out in the ordinance cited above.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the proposed brick wall for 6330 Granada Street subject to the plans dated October 16, 2013.



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only
Case No.: <u>PC 2013-128</u>
Filing Fee: <u>\$100</u>
Deposit:
Date Advertised:
Date Notices Sent:
Public Hearing Date: <u>1/7/14</u>

Please complete this form and return with Information requested to:

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

Applicant: EMILY ECKLES Phone Number: 913-707-3886
 Address: 6330 Granada Dr. E-Mail emackles@yahoo.com
 Owner: EMILY + MATT ECKLES Phone Number: 913-707-3886
 Address: 6330 Granada Dr. Zip: 66208
 Location of Property: Prairie Village
 Legal Description: See "LEGAL DESCRIPTION" at the very top of 1/AS-101

Applicant requests consideration of the following: (Describe proposal/request in detail) Variance to build a 4'-0" max. brick site wall in the front yard.

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for 6330 Granada Dr. brick wall. As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

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

Emily Eckles 10-30-13
Applicant's Signature/Date

Emily Eckles 10-30-13
Owner's Signature/Date

Planning Commission: Attached is our application for an addition of a 4' 6" brick site wall in front of our garage. I wanted to attach pictures of the house, as well as sets of the architectural plans. You'll notice that the wall would be set back from the street quite a bit. We are hoping to add the wall to create a "motor court" so that you don't see the garage right when you pull in the driveway. We also are anticipating having a few teenage drivers in the near future and don't want our driveway to turn into a parking lot. With the addition of the brick wall, I think we'll be able to park our family's cars behind it, and out of view from the street.

If you have any questions, please feel free to call me or email me.

You can also contact our contractor, Rick Moseley, with any questions.

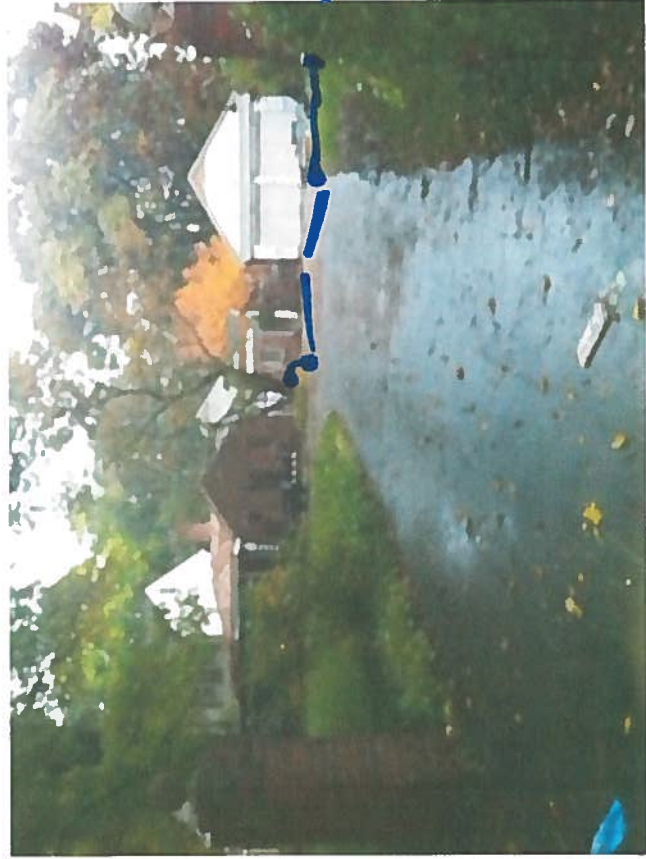
Thank you for your consideration.

Emily Eckles

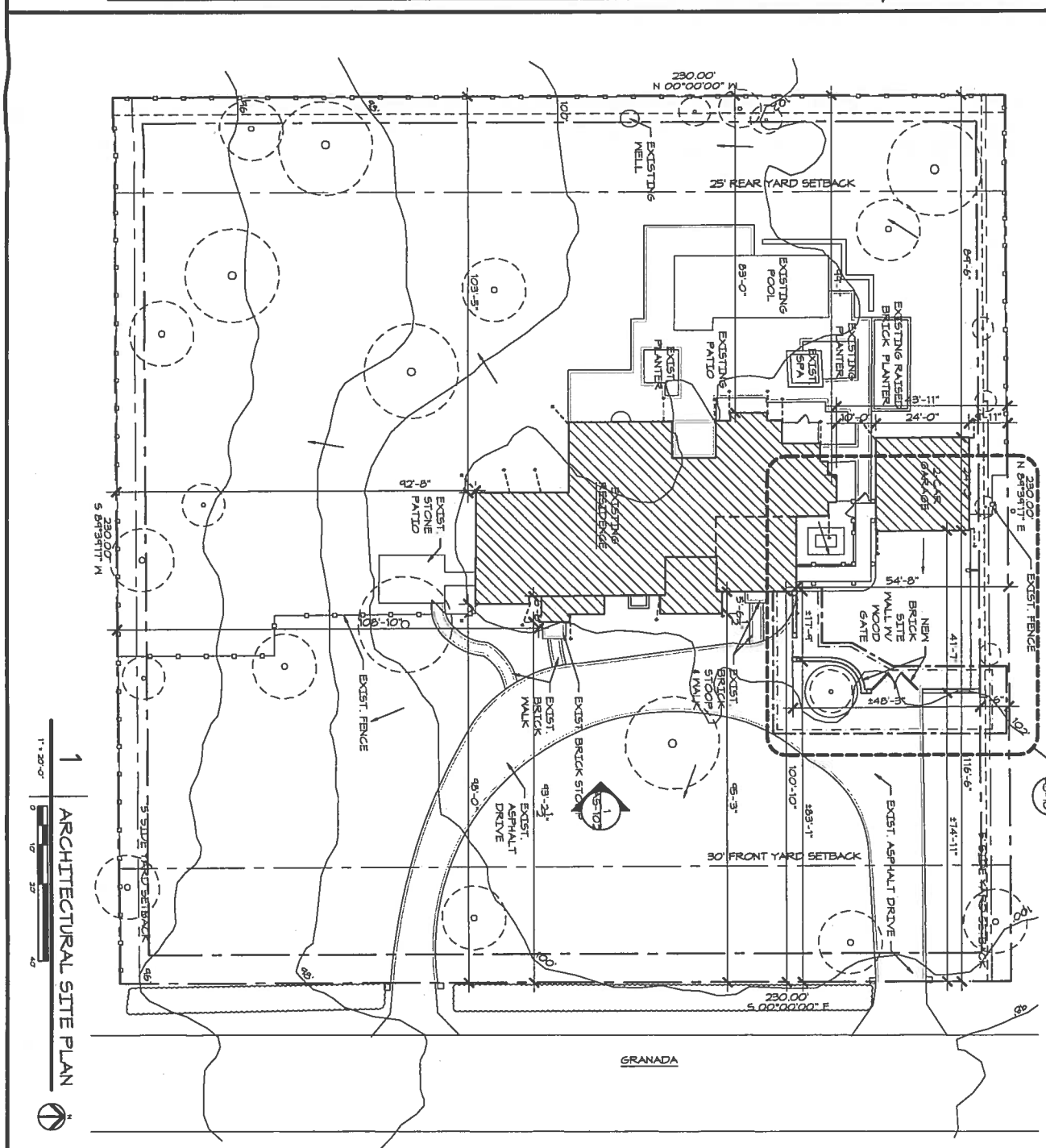
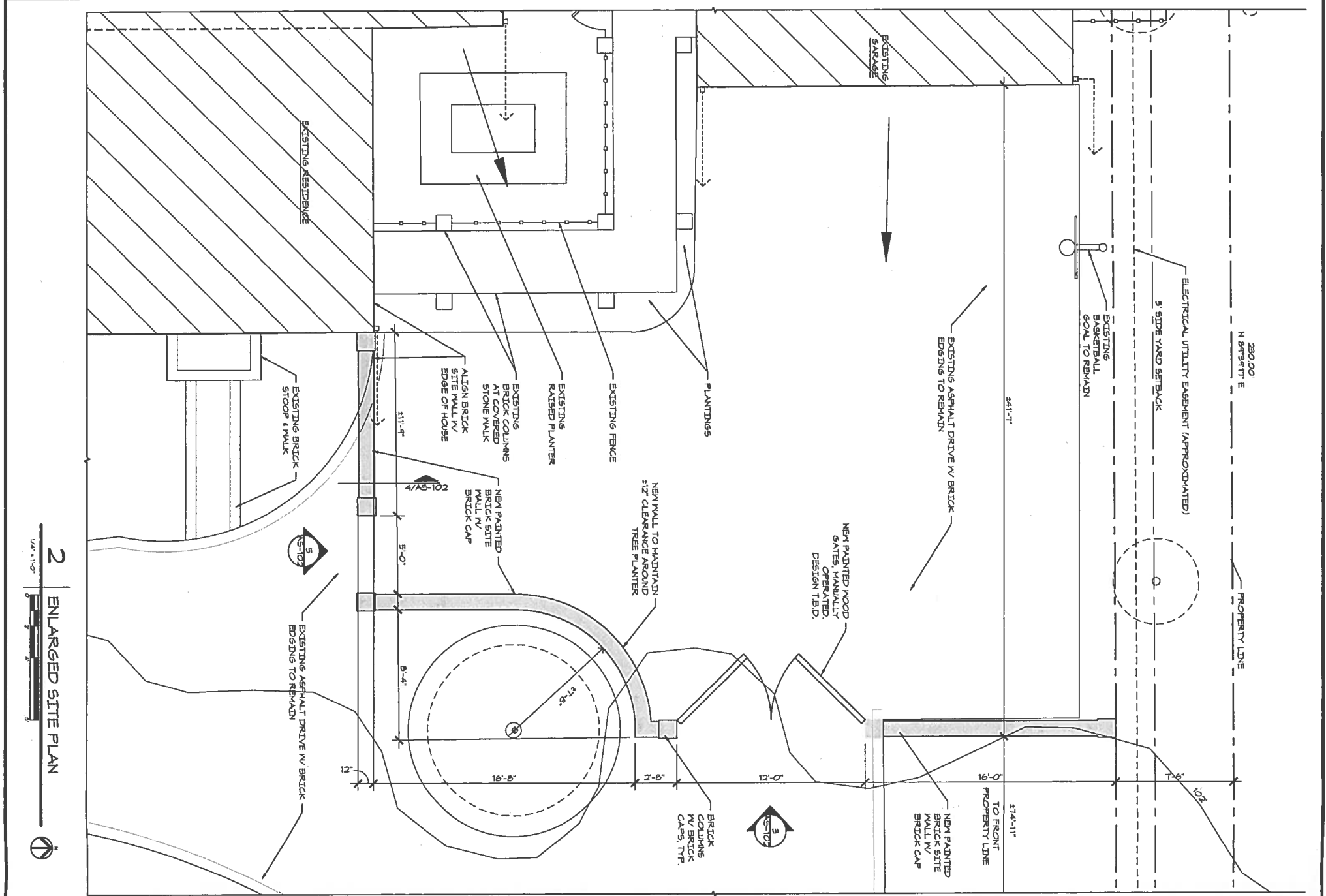
913.707.3886

emeckles@yahoo.com

Rick Moseley: 913.208.6928



location of proposed
site wall



LEGAL DESCRIPTION:
 PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 12, RANGE 25, IN PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS, COMMENCING AT A POINT 440 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER, THENCE EAST 240 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE EAST 230 FEET THENCE SOUTH 230 FEET; THENCE WEST 230 FEET; THENCE NORTH 230 FEET TO THE POINT OF BEGINNING.
 ABOVE DESCRIPTION TAKEN FROM APPRAISERS INFORMATION.

LOT COVERAGE
 LOT AREA = 59,495 SQ. FT. (PER ADMS)
 EXISTING:
 HOUSE = 9,310 SQ. FT.
 DETACHED GARAGE = 975 SQ. FT.
 DRIVEWAY = 5,298 SQ. FT.
 SIDEWALKS, PATIO & POOL = 3,868 SQ. FT.
 PROPOSED:
 NEW SITE WALL = 16 SQ. FT. (ADP)
 WALL BUILT ON EXISTING DRIVEWAY
 LOT COVERAGE EXISTING = 16%
 LOT COVERAGE PROPOSED = NO CHANGE

ZONING DISTRICT:
 R-1A SINGLE FAMILY RESIDENCE
BSI MANAGEMENT PRACTICES (BMP)
 NONE PROPOSED
FLOOD PLAN:
 THIS PROPERTY IS LOCATED IN FLOOD ZONE X (NOT A HAZARDOUS ZONE) PER FIRM MAP NO. 22091C00246, DATED AUGUST 3, 2004.

PROPOSED ELEVATIONS

FINISHED FLOOR:	5'-0"
EXISTING ROOF AT FIRST FLOOR:	10'-2" F.V. AND 10'-2.5" F.V.
EXISTING BUILDING HEIGHTS:	AS E.F.
2-STORY HOUSE RIDGE:	12'-0", 13'-10", 13'-10", 14'-0"
COVERED WALK RIDGE:	11'-4" ABOVE FIN. GRADE
DETACHED GARAGE RIDGE:	10'-0" A.F.F.

LOCATION:	ROOF AREAS	S.F.
MAIN HOUSE - 2 STORY	1512	
MAIN HOUSE - 1 STORY	2108	
COVERED WALK/CONNECTOR	384	
DETACHED GARAGE	1760	
TOTAL =	5037	

SYMBOLS LEGEND:

- EXISTING RESIDENCE
- NEW SITE WALL ADDITION
- NEW PAVEMENT
- EXISTING TREE TO REMAIN
- EXISTING & PROPOSED DOWN SPOUTS
- DIRECTION OF DRAINAGE FLOW PATTERNS
- FENCE
- TEMPORARY S.U.T FENCE (EROSION CONTROL MEASURE) (1:140 SQ. FT.)
- OUTLINE OF LAND DISTURBED (1:140 SQ. FT.)

NOTES:
 1. SITE PLAN INFORMATION TAKEN FROM SITE SURVEY BY JOHN REINER.
 2. TREE LOCATIONS APPROXIMATED FROM ADMS MAPPING.

2 ENLARGED SITE PLAN

1 ARCHITECTURAL SITE PLAN

ECKLES RESIDENCE

ADDITION & RENOVATION

6330 GRANADA STREET PRAIRIE VILLAGE, KANSAS

ARCHITECT:
 PIPER-WIND ARCHITECTS, INC.
 2121 CENTRA STREET, SUITE 113
 KANSAS CITY, MISSOURI 64118
 TEL: (816) 474-2851
 FAX: (816) 474-2851

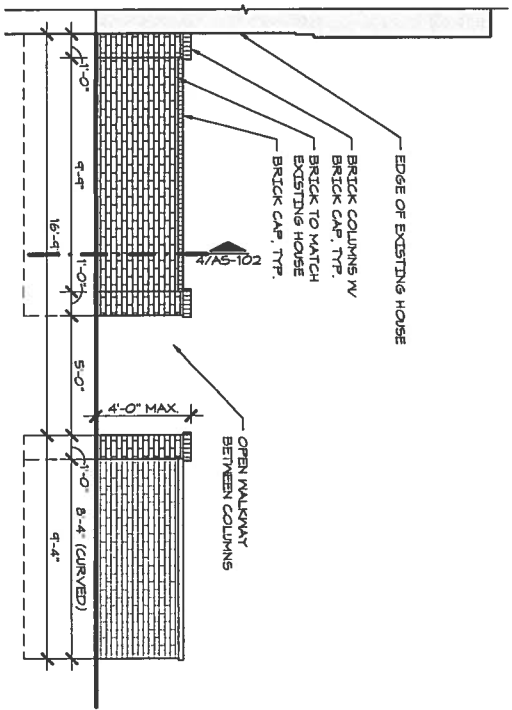
STRUCTURAL ENGINEER:
 BOB D. CAMPBELL & CO., INC.
 3138 BELLEVUE
 KANSAS CITY, MISSOURI 64111
 TEL: (816) 531-1144
 FAX: (816) 531-0122

PLANNING
 COMMISSION
 NOT FOR
 CONSTRUCTION

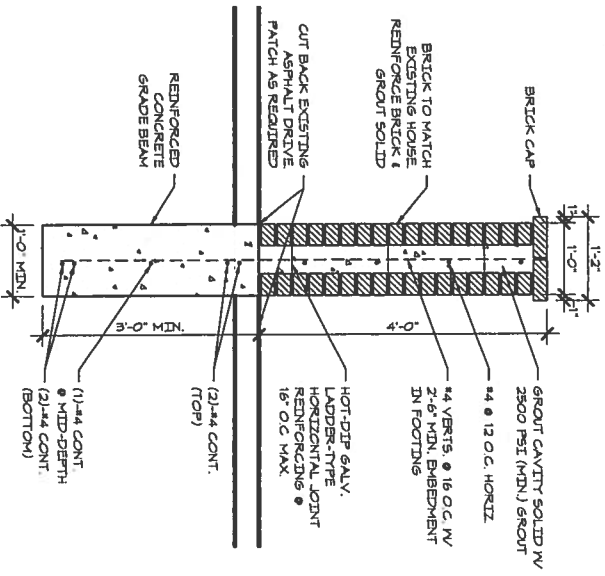
PROJECT NO.	3412
DATE:	08.18.2012
DRAWN BY:	SKA
CHECKED BY:	MMN
REVISION DATE	DESCRIPTION
SHEET TITLE & NUMBER	
SITE PLAN	

COPYRIGHT © 2013 PIPER-WIND ARCHITECTS, INC.

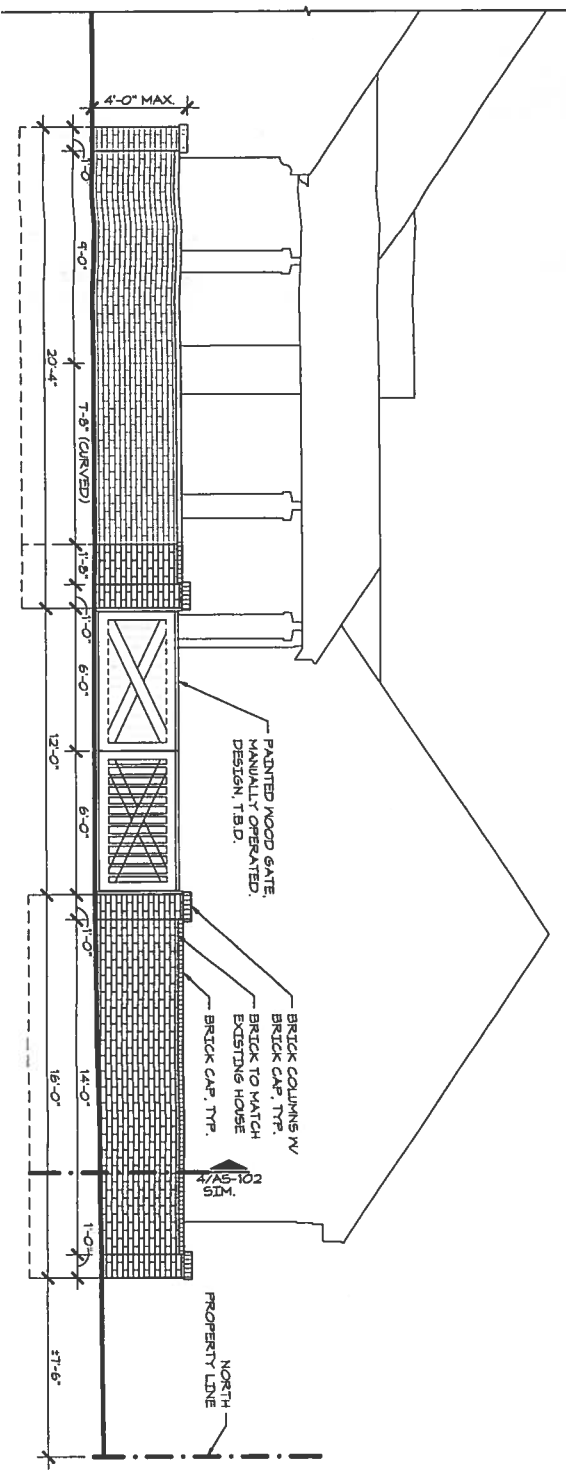
AS-101



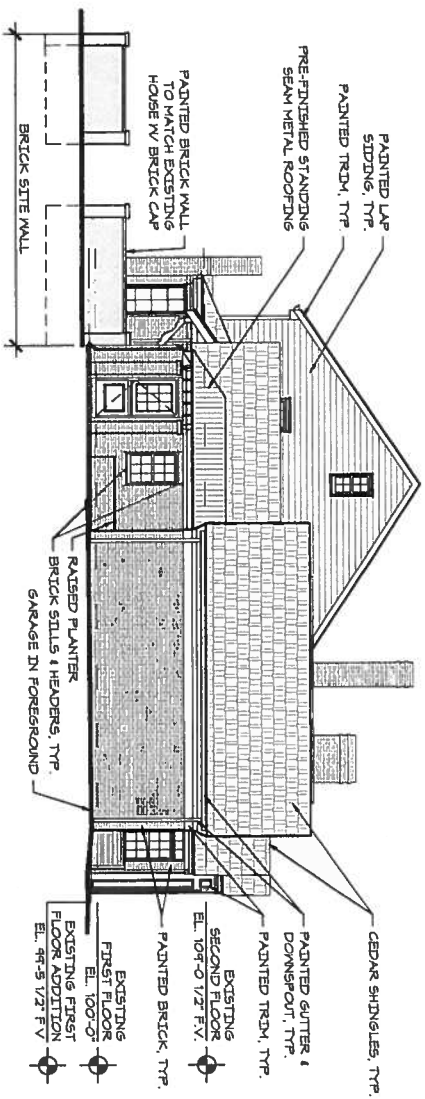
5 SITE WALL - SOUTH ELEVATION
1/4" = 1'-0"



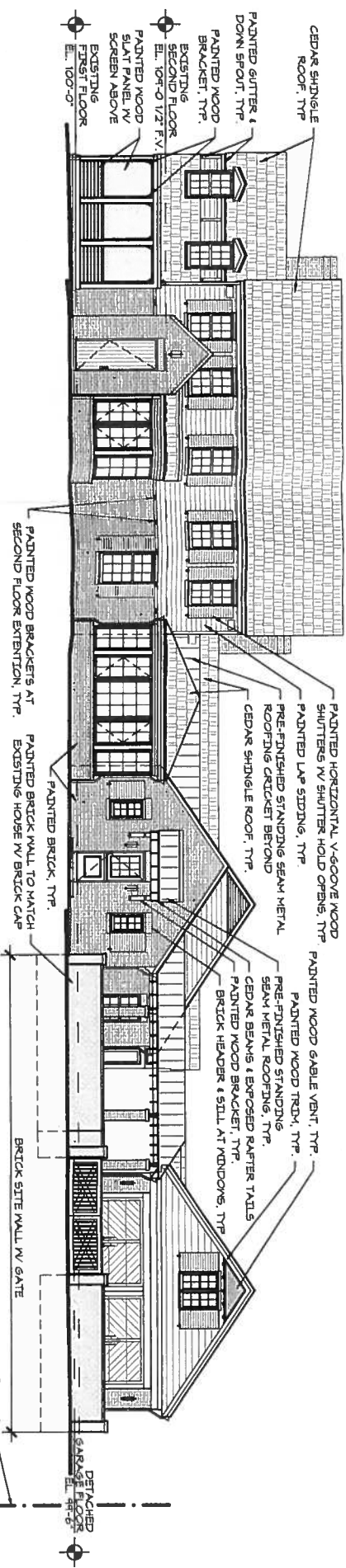
4 SITE WALL DETAIL
3/4" = 1'-0"



3 SITE WALL - EAST ELEVATION
1/4" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"

ECKLES RESIDENCE

ADDITION & RENOVATION

6330 GRANADA STREET PRAIRIE VILLAGE, KANSAS

ARCHITECT:
PIPER-WIND ARCHITECTS, INC.
3171 W. 11TH ST.
KANSAS CITY, MISSOURI 64118
TEL. (816) 724-2050
FAX. (816) 724-2051

STRUCTURAL ENGINEER:
BOB D. CAMPBELL & CO., INC.
438 BELLEVUE
KANSAS CITY, MISSOURI 64111
TEL. (816) 531-3132
FAX. (816) 531-1972

PLANNING
COMMISSION
NOT FOR
CONSTRUCTION

PROJECT NO. 2012
DRAWN BY 10.18.2012
CHECKED BY ALM
DESIGNED BY INTERSECTION
REVISED DATE

SHEET TITLE & NUMBER
SITE WALL PLAN &
DETAILS

COPYRIGHT © 2013
PIPER-WIND ARCHITECTS, INC.

AS-102

LOCHNER

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 00005977

Application: PC 2014-101

Request: Approval of Monument Sign

Property Address: 3520 W. 75th Street

Applicant: Big Industrial

Current Zoning and Land Use: C-0 Office Building District – Office Building

Surrounding Zoning and Land Use: **North:** R-1B Single-Family Residential – Single Family Dwellings
East: C-0 Office Building District – Office Building
South: C-0 Office Building District – Office Building
West: R-3 Garden Apartment District - Apartments

Legal Description: 22-12-25 TR B W 148.78' SE 1/4 SE 1/4 NW 1/4 EX W 3.78' 1.1 AC M/L PVC 605

Property Area: 1 acre

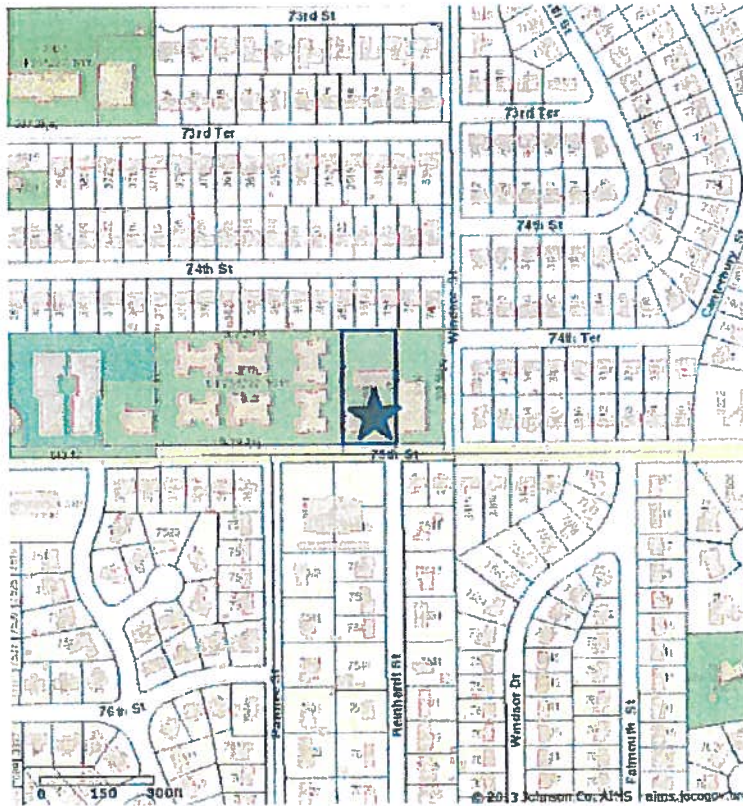
Related Case Files: PC 2013-125 Sign Standards

Attachments: Photo of Building, Monument Sign Drawing

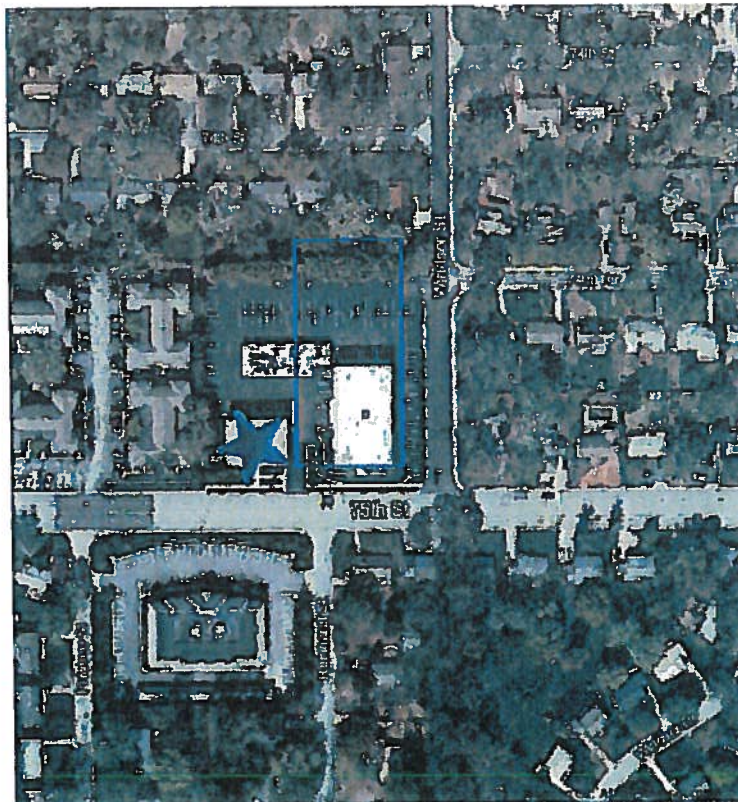
LOCHNER

903 East 104th Street | Suite 800 | Kansas City, Missouri 64131-3451 | P 816.363.2696 | F 816.363.0027
engineering | planning | architecture

General Location Map



Aerial Map



COMMENTS:

At the November 5, 2013, Planning Commission meeting, the Planning Commission approved sign standards for The Continental Building which is a multi-tenant building located at 3520 West 75th Street. The applicant is now requesting approval of a monument sign. The sign standards and proposed monument sign are identical to the Windsor Building which is located immediately adjacent to the east and has the same owners.

The proposed monument sign is actually a wall which is different than most applications, but is identical to the building to the east. The applicant could have a double faced sign that would typically be perpendicular to the street, but is proposing a wall with two 20 sq. ft. sign panels. The design presented appears to be a good solution and complements the sign at the Windsor Building.

The following are comments regarding the proposed monument sign:

- **Orientation**

The proposed sign would be placed parallel to 75th Street on the west end of the building.

- **Setback**

The setback requirement by ordinance is 12 feet from the back of curb, and the sign must be on private property. The sign appears to be set back approximately 20 feet from the back of the curb and, therefore, more than adequately meets the setback requirement of the ordinance.

- **Construction Materials**

The proposed sign would be a translucent acrylic face in an aluminum cabinet and attached to a brick screen wall. The brick of the screen wall would match the new accent trim being added to the facade of the building.

- **Illumination**

It is proposed that the sign boxes be internally illuminated.

- **Height**

The proposed height of the sign is 4 feet 6 inches, which is in accordance with the maximum 5-foot height requirement permitted by the ordinance.

- **Area**

The ordinance requires that monument signs not exceed 20 square feet in area per face and each face of this sign appears to have the actual signage square footage of 20 square feet. Therefore, it does meet the minimum requirement of the ordinance. The two sign panels are separated by a brick panel.

- **Landscaping**

The applicant has submitted a landscape plan. The ordinance requires the landscaping to be three feet on all sides of the sign so there will need to be additional plantings in front to extend the planting beds to three feet. The additional plantings could be annuals to add color to the planting beds.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the monument sign for 3520 West 75th Street, subject to the following conditions:

1. That the applicant increase the width of the landscape planting bed to three feet and submit a revised landscape plan to Staff for review and approval.
-



3520 W. 75th St.



3500 W. 75th St.



3500 W. 75th St.



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only	
Case No.:	PC 2014-101
Filing Fee:	\$100
Deposit:	\$500
Date Advertised:	---
Date Notices Sent:	---
Public Hearing Date:	---

Please complete this form and return with Information requested to:

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

Applicant: Steve Schellgren
Windsor Center Phone Number: 913-980-3083

Address: 3500 W 75th St Suite 200 E-Mail: schellgren@bigindustrial.com

Owner: Windsor Continental Erectors LLC Phone Number: 913-385-3515

Address: Same Zip: 66208

Location of Property: 3500 W 75th St

Legal Description: _____

Applicant requests consideration of the following: (Describe proposal/request in detail) _____

Monument sign in front of Continental Building to match Windsor Building

AGREEMENT TO PAY EXPENSES

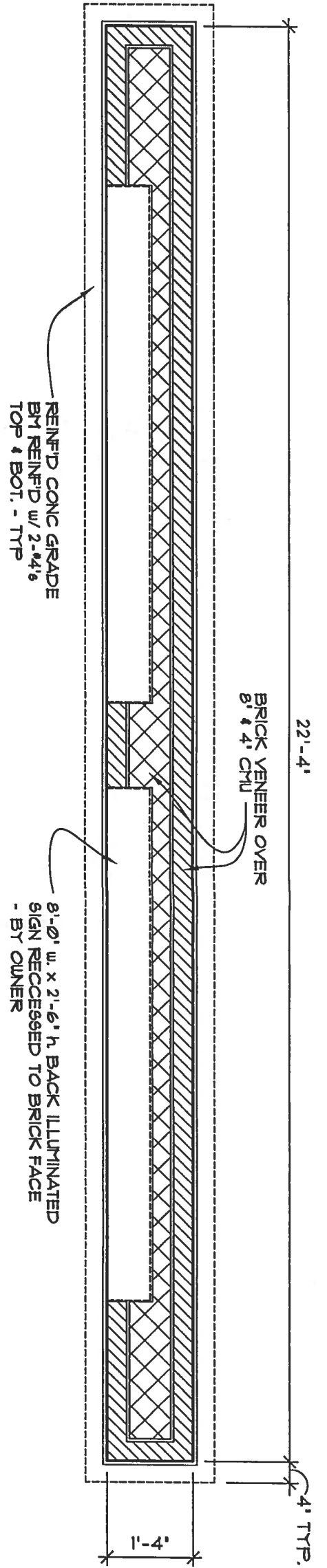
APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for _____

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

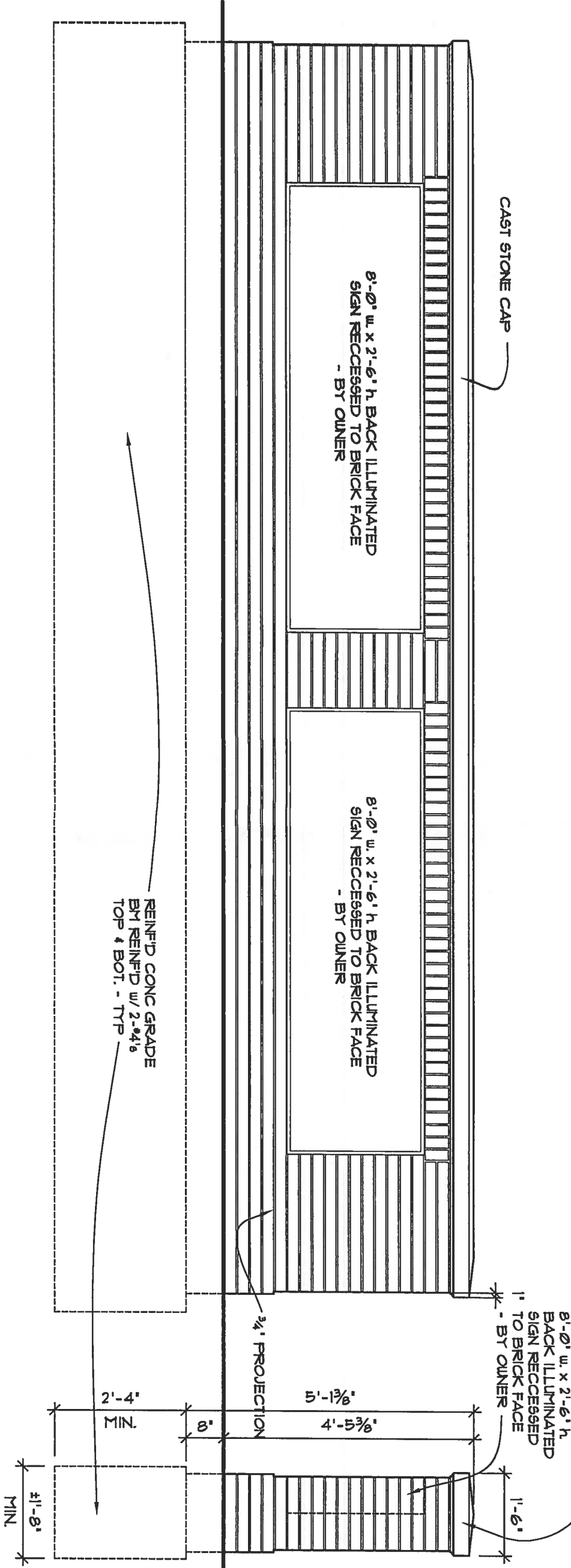
APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will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

Steve Schellgren 12/2/13
Applicant's Signature/Date

Steve Schellgren for Windsor
Owner's Signature/Date
Continental Erectors LLC



MONUMENT WALL PLAN
1/2" = 1'-0"



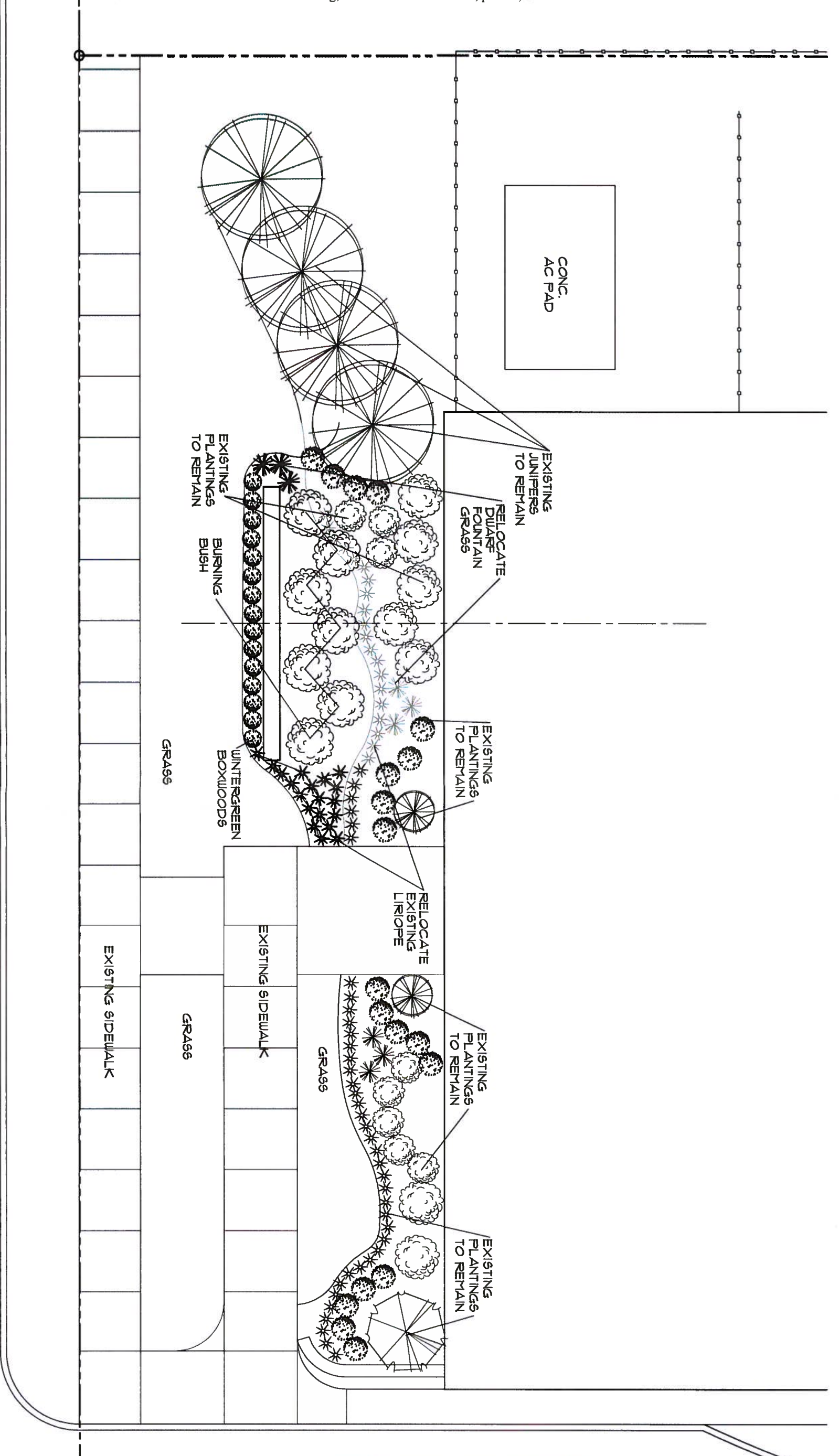
**MONUMENT WALL
FRONT ELEVATION**
1/2" = 1'-0"

**MONUMENT WALL
SIDE ELEVATION**
1/2" = 1'-0"

The Continental Building
3520 W. 75th Street
Prairie Village, KS 66208

NSPJ
NEARING STAATS PRELOGAR & JONES AIA CHARTERED
ARCHITECTS
3515 W. 75TH ST., STE 201
PRAIRIE VILLAGE, KANSAS 66208
www.nspjarch.com
PHONE 913.831.1415 FAX 913.831.1563

Date
Nov. 5, 2013
Job No.
405105
Sheet No.



Landscape Plan

1/8" = 1'-0"

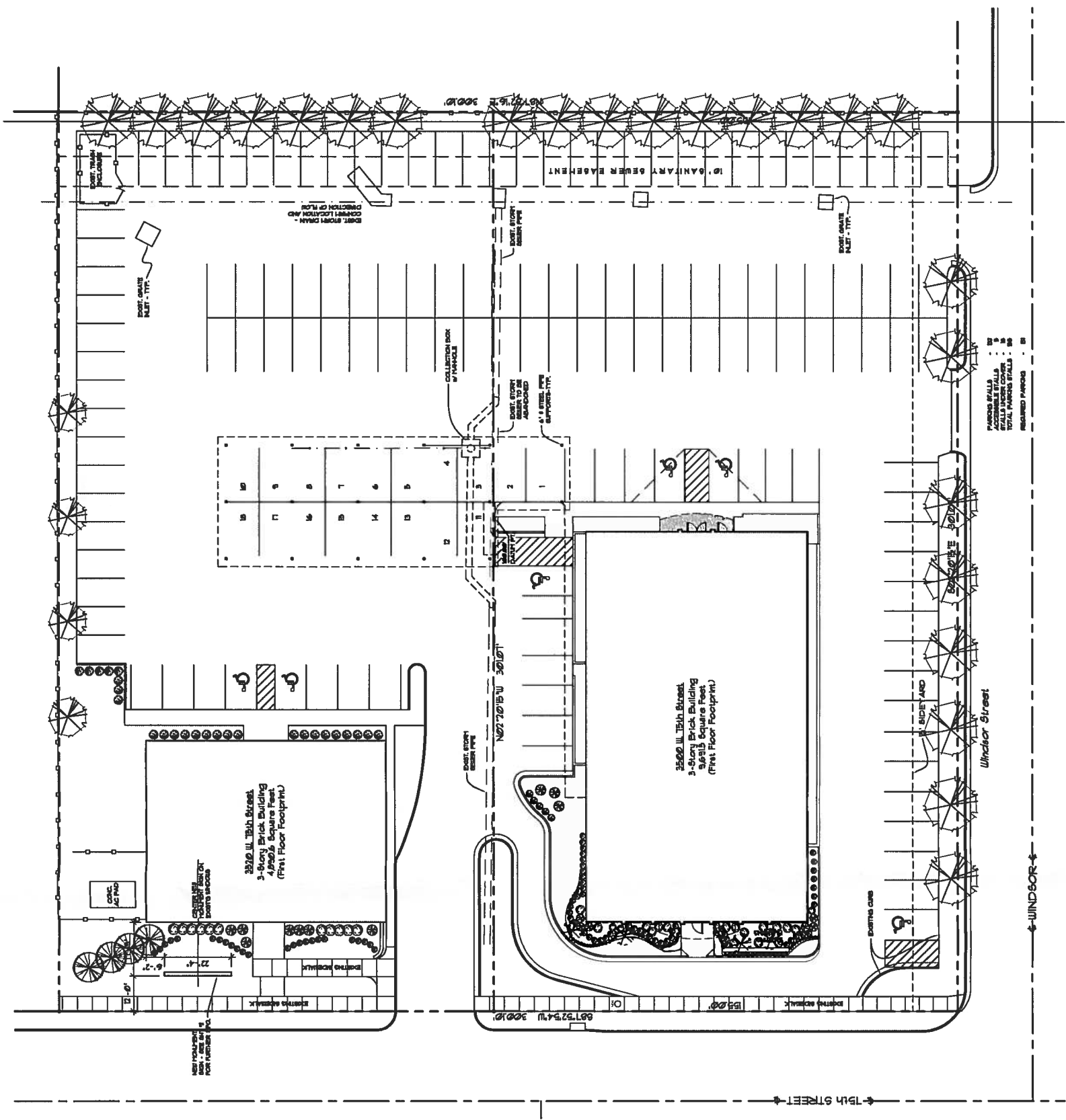


The Continental Building
 3520 W. 75th Street
 Prairie Village, KS 66208

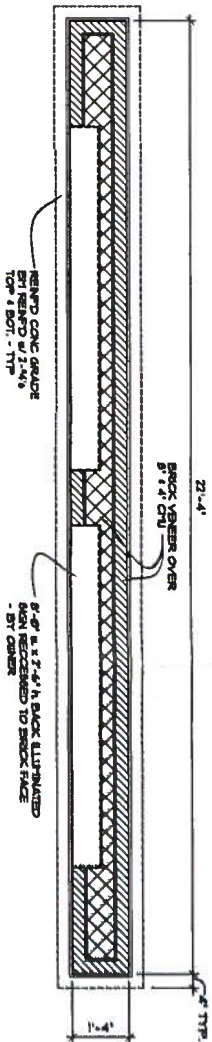


3500 W. 75TH STREET, STE 200
 PRAIRIE VILLAGE, KS 66208
 913-385-3515
 WWW.BIGINDUSTRIAL.COM

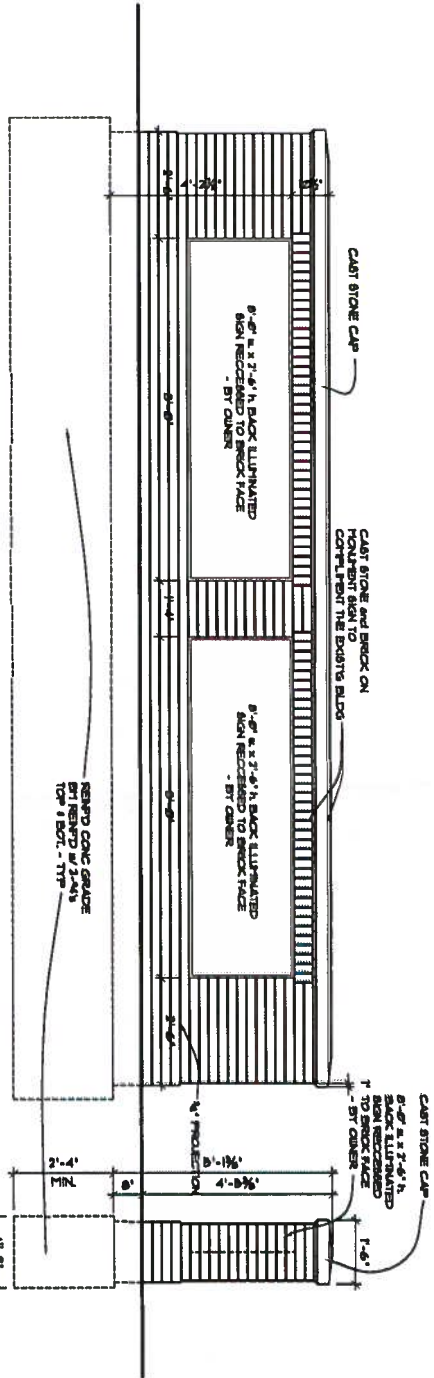
Date
 Nov. 18, 2013
 Job No.
 405105
 Sheet No.
LP



Site Plan
1" = 20'-0"

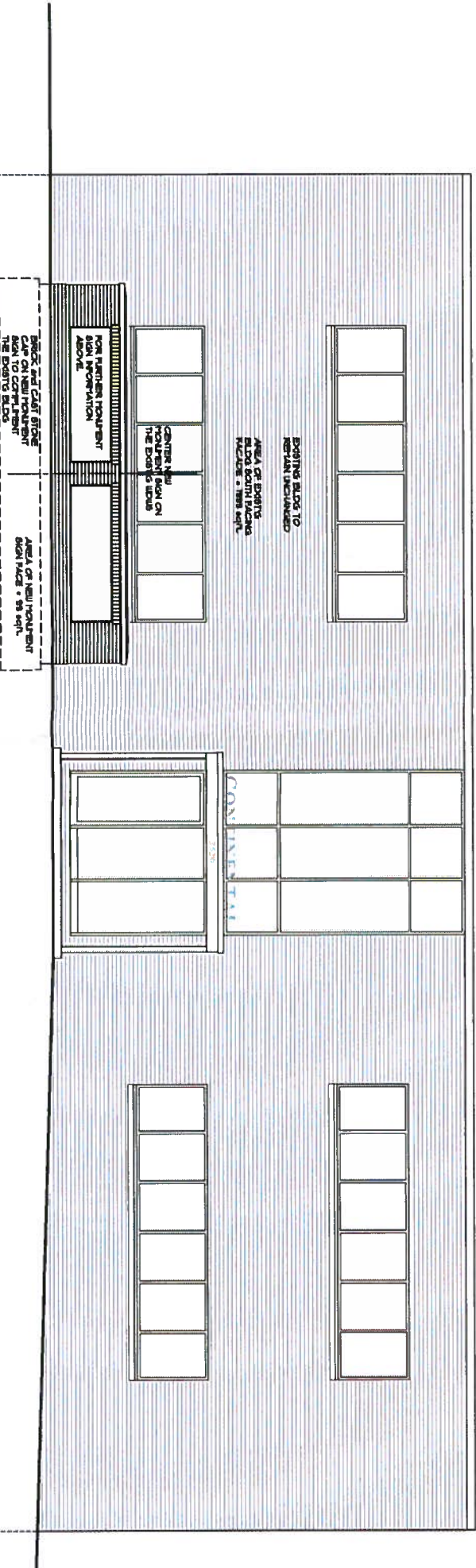


Monument Wall Plan
1/4" = 1'-0"



Monument Wall Front Elevation
1/4" = 1'-0"

Monument Wall Side Elevation
1/4" = 1'-0"



South Elevation
1/4" = 1'-0"



3500 W. 75TH STREET, STE 200
PRAIRIE VILLAGE, KS 66208
913-385-3515
WWW.BIGINDUSTRIAL.COM

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2014-102

Request: Site Plan Approval for Westlake Ace Hardware

Property Address: 4049 Somerset Drive

Applicant: Westlake Ace Hardware, Inc.

Current Zoning and Land Use: C-2 General Commercial District – Shopping Center

Surrounding Zoning and Land Use:

- North:** C-O Office Building District – Office
C-1 Restricted Business District – Bank
C-2 General Commercial District – Service Station
- East:** C-2 General Commercial District – Bank
RP-3 Planned Garden Apartment District - Apartments
- South:** C-O Office Building District – Office
C-2 General Commercial District – Retail and Office Uses
- West:** R-2 Two-Family Dwelling District – Two Family Dwellings

Legal Description: Lot 1 Corinth Square North

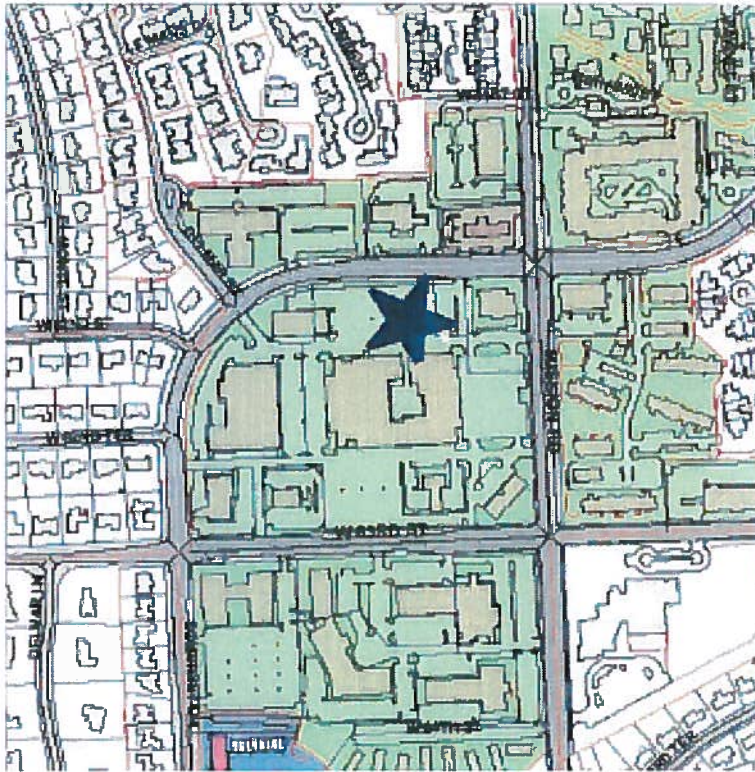
Property Area: 16.81 acres

Related Case Files:

- PC 2012-117 Site Plan Approval for Spin Pizza
- BZA 2012-03 Variance Request by CVS
- PC 2011-117 Preliminary and Final Plats for Corinth Square North
- PC 2011-116 Corinth Square North Sign Standards
- PC 2011-115 Site Plan Approval for Phase 2
- PC 2011-113 Site Plan Approval for Johnny's
- PC 2011-108 Site Plan Approval for CVS & Corinth Square Ph. 1
- PC 2011-04 Conditional Use Permit for Drive-thru Window at CVS
- PC 2011-106 Site Plan Approval for Urban Table
- PC 2011-01 Site Plan Approval Westlake Hardware
- PC 2009-112 Site Plan Approval BRGR Kitchen and Bar
- PC 2008-115 Site Plan Approval CVS
- PC 2008-10 Conditional Use Permit for Drive-thru CVS
- PC 2006-112 Amendment to Sign Standards
- PC 2002-111 Site Plan Approval for Johnny's Tavern
- PC 2002-109 Site Plan Approval for Commerce Bank

Attachments: Application, Site Plan, Photos

General Location Map



Aerial Map



STAFF COMMENTS:

Westlake Ace Hardware is requesting Site Plan Approval to build a proposed permanent garden center structure in the parking lot where they currently sell annuals, potting soil, rock, etc. The proposed structure is 12' deep by 64' in width. There is a concrete area in front approximately 13' deep by 72' in width that will have stone columns and a wrought iron fence to provide a safe space for those entering and leaving the outdoor garden center. A shade house structure will be attached to the garden structure and is approximately 20' deep by 64' wide. The total structure is 22' deep by 64' wide for an area of 1,408 sq. ft. The entire garden center area is 69' x 120' or 8,280 sq. ft. In addition to the permanent area of the garden center, the 13 parking spaces along the west side will be used from April 1st to June 30th. Also, a strip 8 foot in width along the north side of the garden center will be used and 10 parking spaces on the north side of the lot will be used from February 15th to October 15th for pallet goods. Since the pallet goods area will be used for eight months of the year, these 10 spaces should be removed from the available parking calculation for the center. The proposed garden center eliminates 26 parking spaces so the total reduction in permanent parking spaces is 36. The 13 parking spaces on the west side are only used for three months in the spring so they can be counted. The garden center, which is 8,280 sq. ft.; the 10 parking spaces on the north, 1,440 sq. ft.; and the 8' strip on the north side, 552 sq. ft.; for a total of 10,272 sq. ft., that will count as retail space for which parking will need to be provided.

In January 2011, the Planning Commission approved a Site Plan for an outdoor sales area for lawn, garden, nursery, and landscape products. The purpose of this approval was to improve the appearance of the area and better organize the merchandise. The approval was for 7,350 sq. ft., which is about 3,000 sq. ft. less than this request. A list of the conditions of approval from the previous Site Plan is as follows:

1. That any lighting used to illuminate the outdoor area be installed in such a way as to not create any glare off the site and be in accordance with the outdoor lighting regulations of the zoning ordinance.
2. That a minimum 48-inch wide accessible walkway be maintained either under or in front of the canopy on the north side of the store.
3. That the Site Plan approval be for the permanent outdoor sales area approximately 65' x 112' as shown on the plan submitted and that the shelving of racks be installed generally in accordance with that plan.
4. That signage be permitted only in accordance with the sign standards approved for Corinth Square.
5. That the temporary outdoor sales area immediately east of the permanent area designated for sales from April 1st to June 4th be approved with the provision that all materials and equipment will be removed within 7 days after June 4th and the area will be restored to its normal condition.
6. That the proposed temporary sales area designated from April 23rd to May 13th will be subject to annual approval of a short-term permit by the City Council or its designee.

The applicant conducted a neighborhood meeting on December 30, 2013, in accordance with the Planning Commission Citizen Participation Policy. Three residents appeared and no issues were identified. A summary of the meeting minutes is attached.

The Planning Commission shall give consideration to the following criteria in approving or disapproving a Site Plan:

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

The garden center has been operated at this location for several years. The existing drives will be utilized and are unaffected by the proposed facility. The proposed garden center will remove 36 parking spaces from the off-street parking count. Also, the proposed use is 10,272 sq. ft. and at

3.5 spaces per 1,000 sq. ft. it will require 36 parking spaces. The information submitted by the Center currently has 1,232 parking spaces and is required to have 1,067 by ordinance. Staff is in the process of verifying this information.

There needs to be some permanent trees installed as part of this project. They could be internal to the garden center or outside. Two tree wells will be removed and Staff recommends four new ones be installed.

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

Utilities are currently in place serving the Corinth Square Center and are adequate to serve this area. Water and power will be extended from Westlake Hardware and the lines should be installed under the pavement.

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

There will be no increase in impervious surface so stormwater is not an issue.

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

The proposed site will utilize existing driveways and the general circulation of the Center will not be changed. Adequate pedestrian safety measures will need to be maintained in the crosswalk between the garden center and Westlake Hardware store.

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

The use has been at this location for many years and has not been as well maintained as it could be. The installation of a permanent structure should improve the appearance and provide a more orderly operation.

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

The design of the proposed facility shows the use of timber columns for the structure and stone columns for the fence. These are materials used in the center. The proposed materials description is as follows. There are only four sections that have wall panels and they would be clear polycarbonate material like the gable ends. The roof panels are an "opal" or white translucent polycarbonate panel. The trim and flashing components are aluminum extrusions and galvanized metal. All the uprights and truss assemblies are hot dipped galvanized square tube stock and will be manufactured per a structural, stamped drawing. This engineering drawing was referenced when the concrete area was poured so the thickened slab with rebar reinforcements could be positioned correctly. Timbers have been rough cedar 8 x 12 stock milled down to a smooth finish and stained with a preservative sealer. This would be color matched to the shopping center. The standing seam panels have been a Firestone "Silver Metallic" and will form a continuous band around the structure to hide the horizontal framing and the gutter/downspout assemblies. This color should be specified as bronze or earth-tone to match the shopping center. Interior lighting is provided by three T-5 weatherproof light fixtures that are positioned behind the standing seam material to provide good area lighting and a soft glow to the gable ends. The oval sign will be built to match the look of the three existing storefront signs with the gooseneck lighting.

Staff recommends that the standing seam panels, aluminum extrusions, trim, and structural components be an earth-tone or bronze color to match the shopping center. The lighting needs to be the same as what is used in the center and needs to comply with the outdoor lighting ordinance. The applicant needs to submit final plans of the building, a materials palette, and an outdoor lighting plan for Staff review and approval.

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

One of the principles of the Village Vision was to focus on redevelopment and reinvestment in the community. These issues have become primary goals for the City and this project represents a step in that direction. This is the opportunity to enhance and intensify the use of the center that will generate additional revenues for the City.

RECOMMENDATION:

It is the recommendation of the Staff that the Planning Commission approve this Site Plan for Westlake Ace Hardware Garden Center subject to the following conditions:

- 1) That all lighting used to illuminate the outdoor area be installed in such a way as to not create any glare off the site, be the same design and color of lights used in the center, meet the outdoor lighting regulations, and a lighting plan be submitted to Staff for review and approval.
 - 2) That the applicant install four (4) trees in tree wells and submit the locations and variety to Staff for review and approval.
 - 3) That the proposed "Temporary Expansion Area" designated for use from April 1st to June 30th be approved provided that all materials are removed from that area within seven (7) days after June 30th.
 - 4) That the 10 spaces on the north that are designated as the pallet goods area only be used from February 16th to October 15th and all materials and goods will be removed by October 15th.
 - 5) That the applicant submit a Final Plan labeling all materials and colors on the permanent structure for review and approval by Staff.
 - 6) That the 10,220 sq. ft. allocated to the garden center be counted as retail space and off-street parking be provided for that area.
 - 7) That all utilities serving the proposed use be installed underground.
 - 8) That a safe pedestrian crosswalk be maintained between the Westlake Ace Hardware store and the proposed garden center.
 - 9) That the applicant submit a revised plan that includes all the information on materials, lighting, landscaping, etc.
 - 10) That the Site Plan be revised based upon approval of the Planning Commission and the applicant provide three (3) copies of the revised plan to the City.
 - 11) That prior to the applicant obtaining a building permit for the proposed Garden Center, Corinth Square Shopping Center shall submit revised drawings and tabulations to the City for the required off-street parking calculation.
-





CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only	
Case No.:	<u>PC 2014-102</u>
Filing Fee:	<u>9100</u>
Deposit:	<u>9500</u>
Date Advertised:	<u>—</u>
Date Notices Sent:	<u>—</u>
Public Hearing Date:	<u>1/7/14</u>

Please complete this form and return with Information requested to:

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

Applicant: Westlake Hardware, Inc. Phone Number: 913.888.8438 x2279
Jenna Bobrukiewicz
Address: 14000 Marshall Drive Lenexa, KS 66215 E-Mail: jennab@westlakehardware.com
Owner: CSN Retail Partners, LLC Phone Number: 913.381.2248
c/o Lega C. Properties, LLC
Address: 3955 W. 83rd Street, Prairie Village, KS Zip: 66208
Location of Property: 4049 Somerset Dr. Prairie Village, KS 66208
Legal Description: See attached

Applicant requests consideration of the following: (Describe proposal/request in detail) constructed garden center structure

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for commercial site plan approval for a constructed garden center structure. As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

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

[Signature] 12/2/13
Applicant's Signature/Date

[Signature] 12/2/13
Owner's Signature/Date

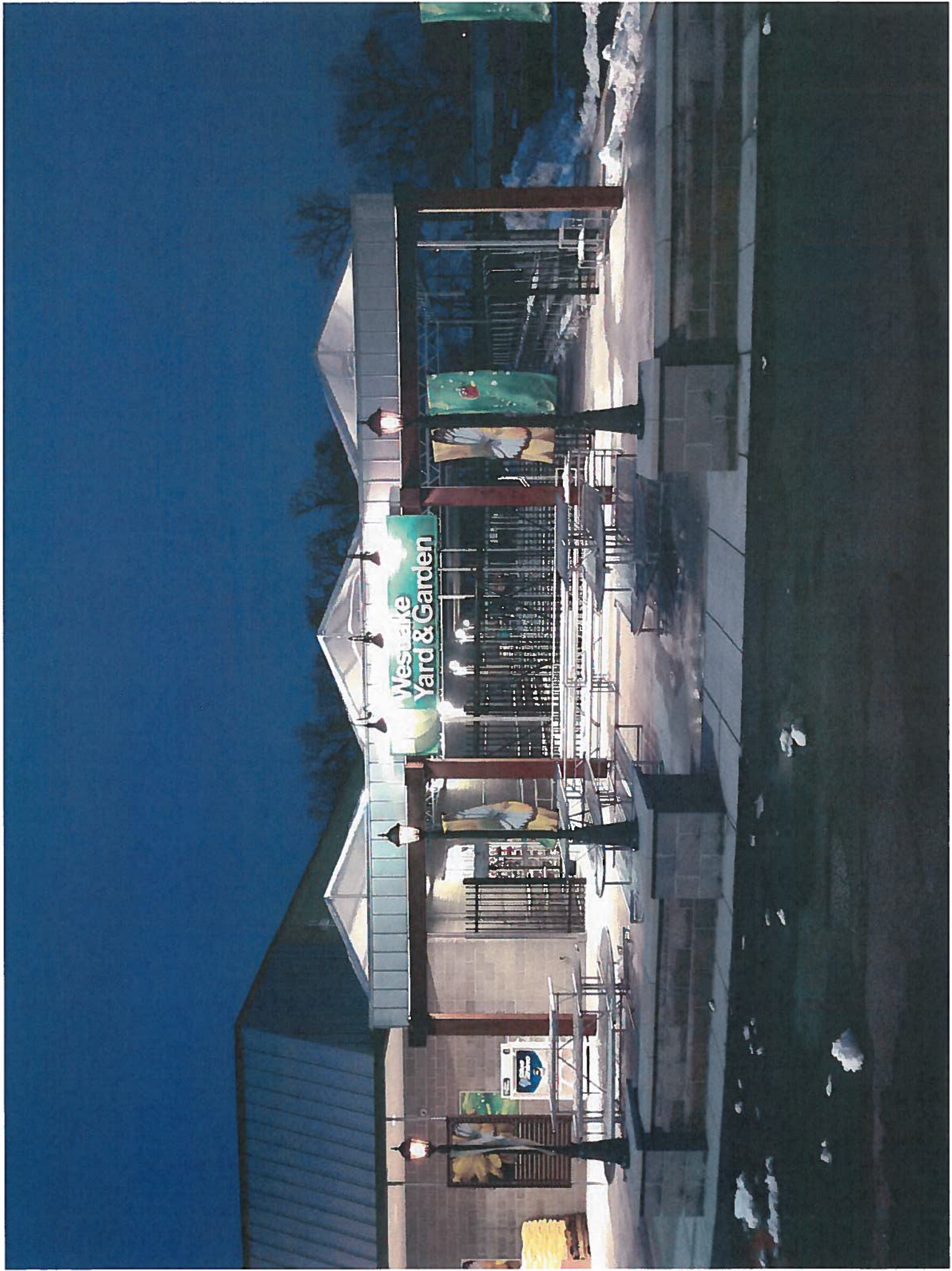
Example of Proposed Shade Structure W-Truss



Westlake ACE Hardware
4049 Somerset Drive, Prairie Village, KS

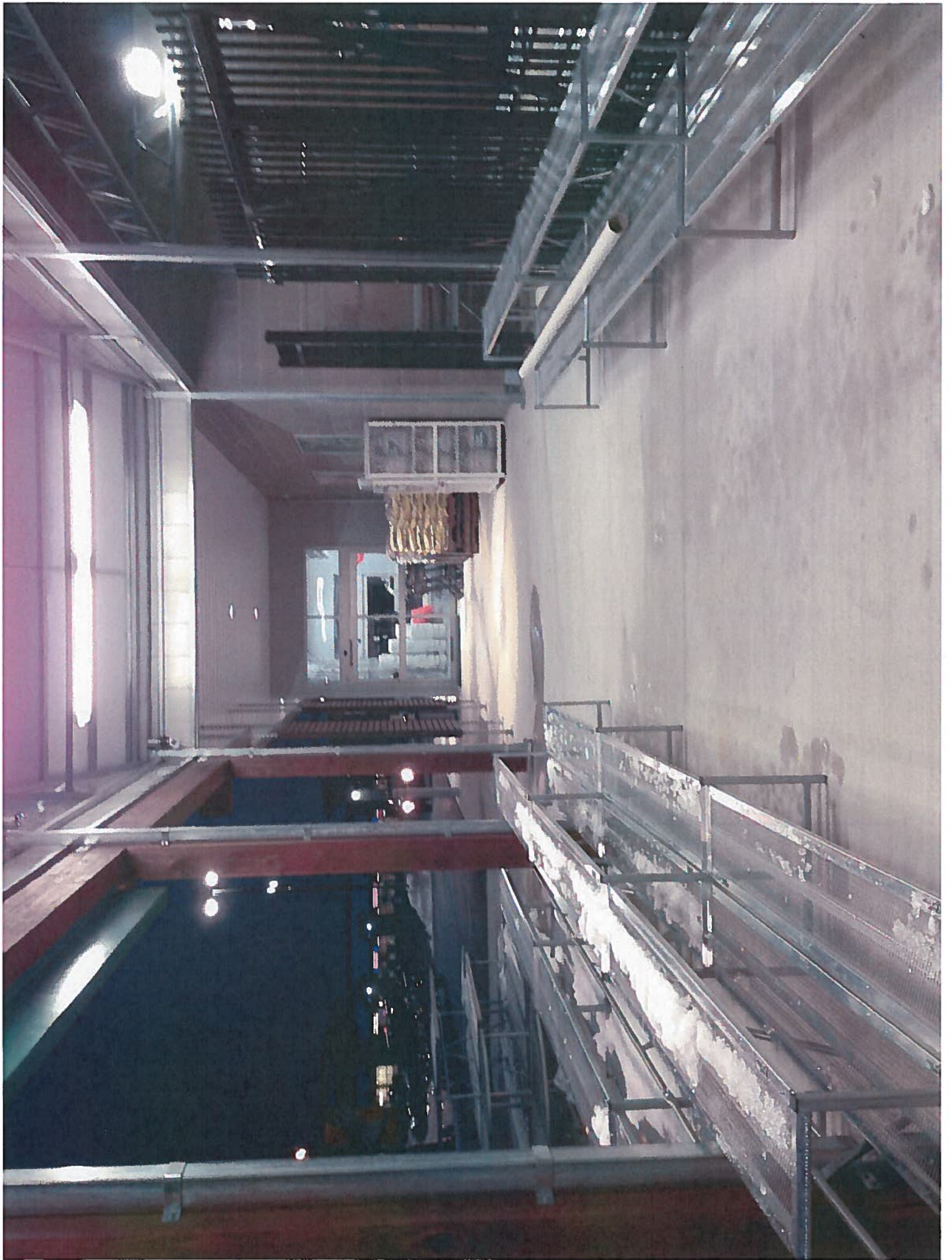


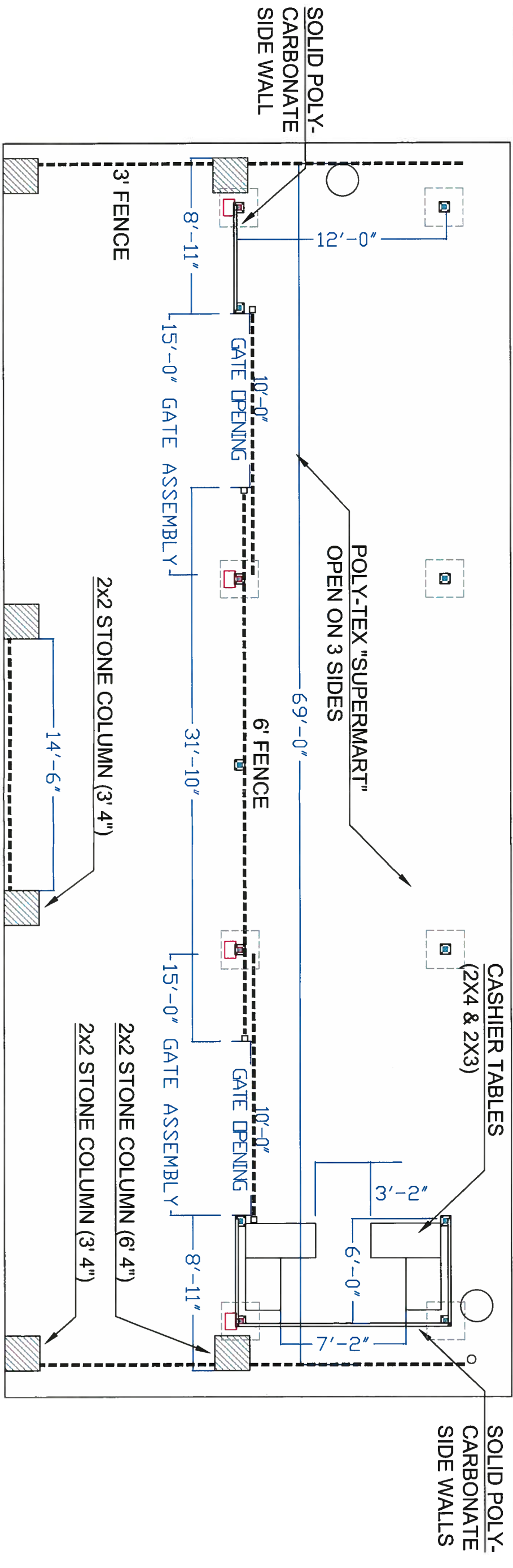
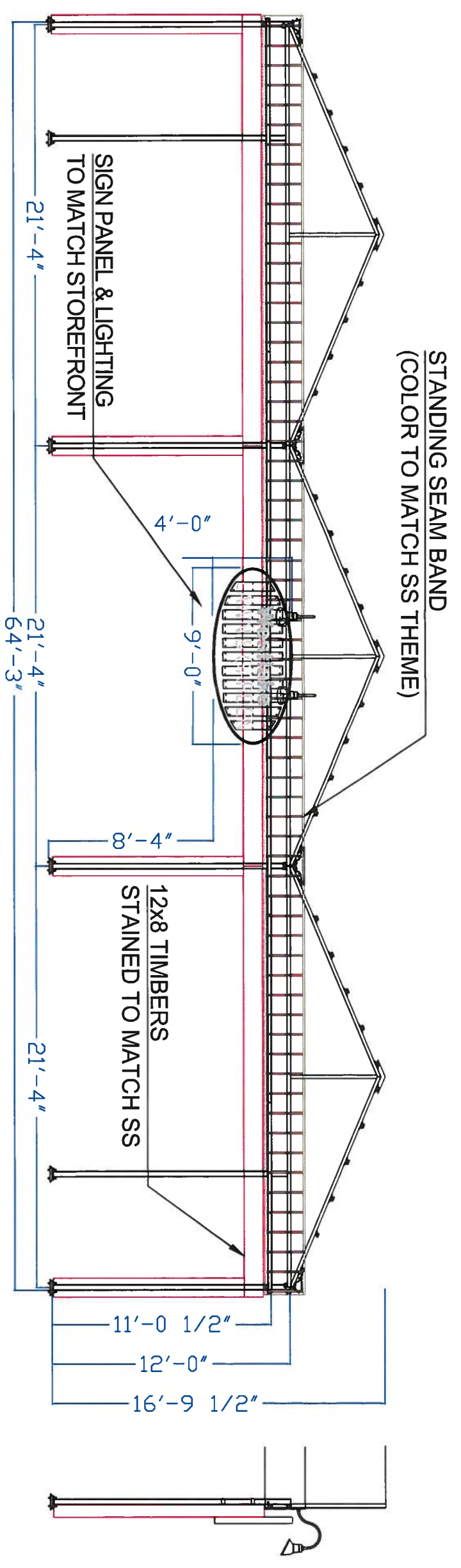
Westlake
Yard & Garden

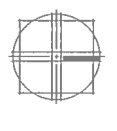
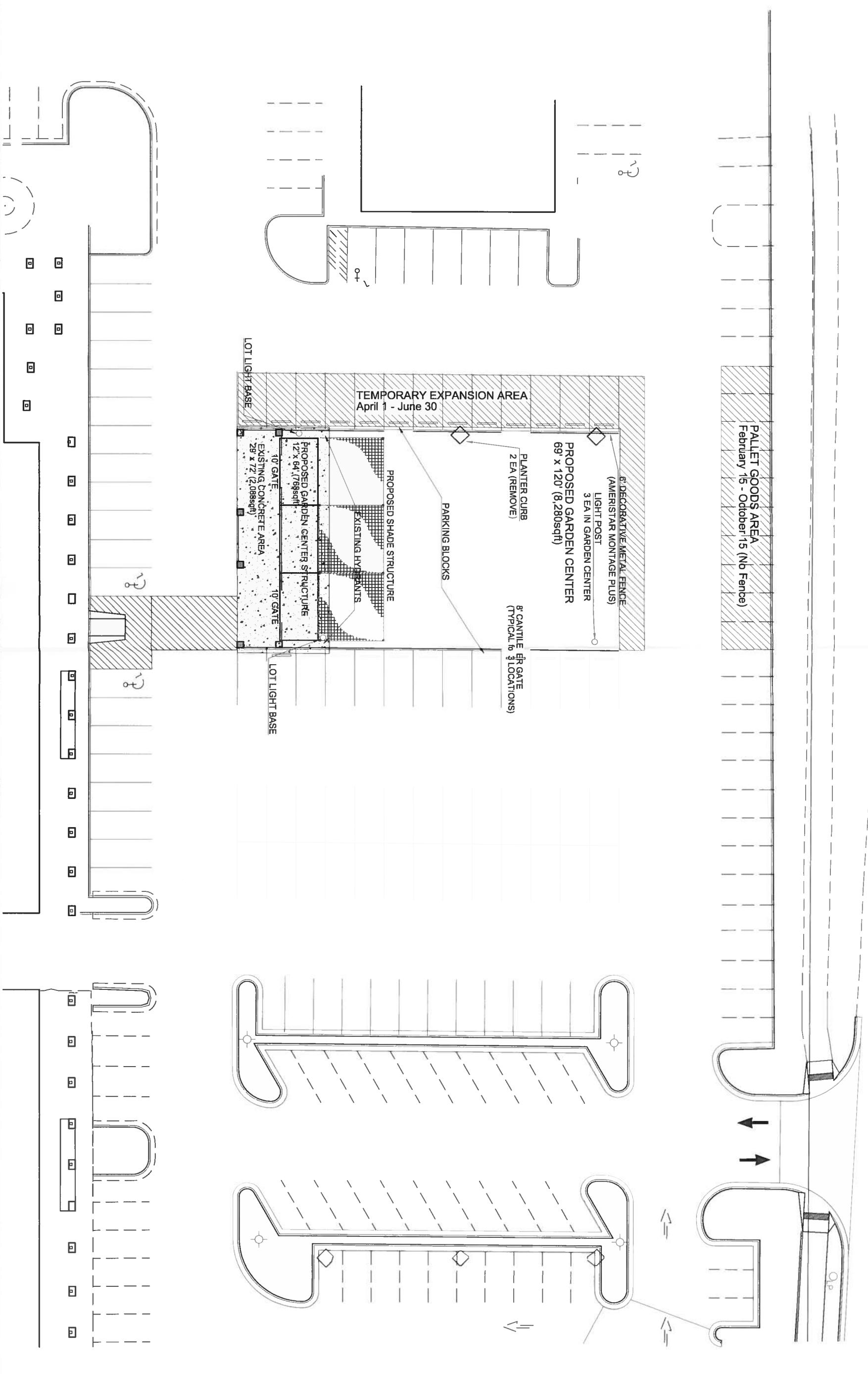


Westlake
Yard & Garden











ARCHITECTURE

FW

FINKLE | WILLIAMS
© 2013

WESTLAKE ACE HARDWARE

4049 Somerset Drive, Prairie Village Kansas

RENDERING

11/26/13

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2014-104

Request: Front Building Setback Line Modification from 45' to 30'

Property Address: 6641 Mission Road – Village Presbyterian Church

Applicant: Village Presbyterian Church

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

Surrounding Zoning and Land Use: **North:** Single-Family - Mission Hills
East: Single-Family - Mission Hills
South: R-1A Single-Family – Church Parking Lot
West: R-1A Single-Family District – Elementary School & Single-Family Dwellings

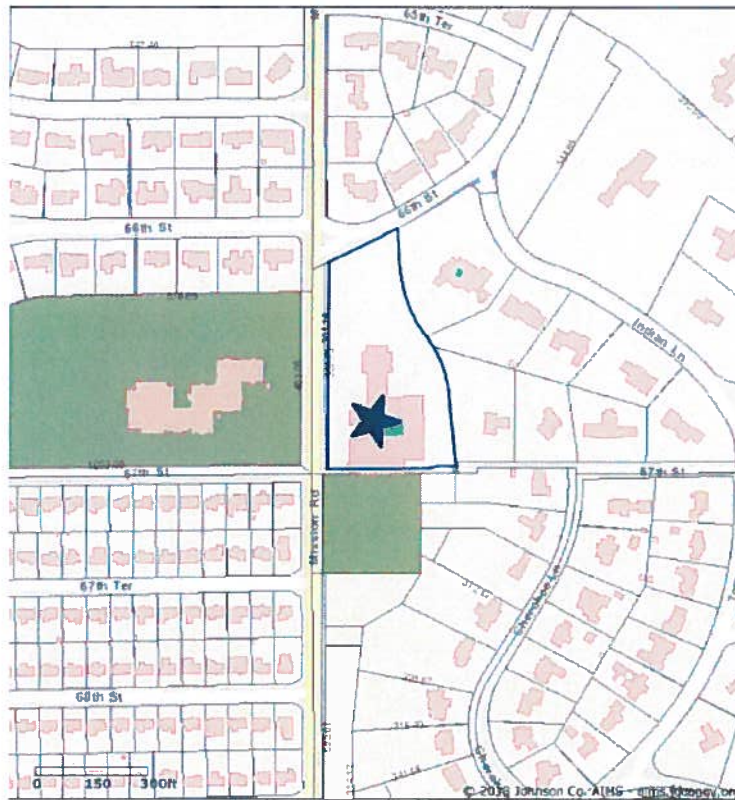
Legal Description: Lots 6 and 7 BLK 7 Indian Hills Subdivision

Property Area: 3.85 Acres

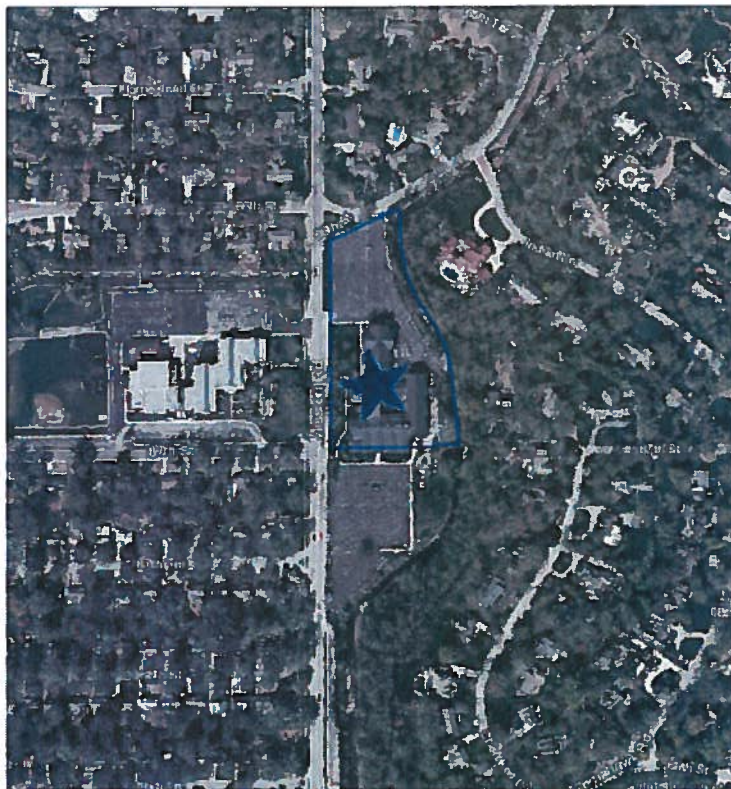
Related Case Files: BZA 2014-01 Variance Request to Increase Height of Steeple
PC 2014-103 Request for Site Plan Approval for Proposed Expansion
PC 2001-104 Planning Commission Approval for Banners
PC 2001-103 Site Plan Approval for Expansion
PC 2001-05 Special Use Permit for Columbarium
PC 97-100 Signage Approval
PC 96-08 Special Use Permit for a Daycare Center
PC 80-100 Site Plan Approval for Addition

Attachments: Applications, Drawings, and Photos

General Location Map



Aerial Map



COMMENTS:

The property is platted as Lots 6 and 7 of BLK 7 Indian Hills Subdivision and there is a 45-foot platted front yard setback along Mission Road. The proposed addition will be on the west side of the existing church building and will set back approximately 35 feet from the Mission Road right-of-way. Therefore, the applicant is requesting a setback modification from the platted 45-foot setback to 30 feet. The applicant has requested the modification to 30 feet in order to give them additional area in case there are changes in the final plans. The closest point of the existing building sets back approximately 60 feet from Mission Road.

Under the procedure for Building Line Modifications, the applicant is required to send notices to all owners within 200' and meet with neighborhood residences prior to the Planning Commission meeting. The applicant met with the adjacent homeowners on November 25, 2013 and reviewed the plans with the four persons that attended. No one expressed any opposition to the proposed setback modification. The questions primarily dealt with the noise of the cooling tower, parking, storm drainage, and landscaping. A detailed summary of the meeting is set out in the attached meeting notes.

The procedure also requires the Planning Commission to give consideration to the following factors:

1. That there are special circumstances or conditions affecting the property;

This is the most logical area for expansion of the church. It works well with the internal use of the church and it does not reduce any of the existing parking areas. It should also be pointed out that the church is the only use of the east side of Mission Road from 66th Street south to Tomahawk Drive.

2. The building line modification is necessary for reasonable and acceptable development of the property in question;

The proposed location is the most logical direction for expansion in order to keep the church compact and to have a minimum impact on the parking areas.

3. That the granting of the building line modification will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated;

The proposed addition will not be detrimental to the public or adversely affect adjacent property because it will still set back at least 30 feet from Mission Road, which is the same as the zoning setback requirement of 30 feet. Also, as previously pointed out there are no houses or buildings in that block on the east side of Mission Road.

RECOMMENDATION:

It is the recommendation of Staff that the Planning Commission find favorably on the three factors and approve the front yard building setback modification from 45' to 30' for only that portion of the building as shown on the plans dated December 27, 2013.



Building Line Modification Request
December 6, 2013
Village Presbyterian Church, 6641 Mission Road
Prairie Village, KS

This letter is the request a building line set back for the proposed addition to Village Presbyterian Church located at 6641 Mission Road. The current platted set back is 45 feet and this request is to move the Mission Road building line to 35 feet to provide adequate room for the proposed building addition

Building Line Modification Questions:

Special circumstances or conditions affecting the property

-The current platted building line is 10 feet larger than the required set back per code. The 45 foot setback does not allow adequate room for the proposed building facility and the church would be unable to construct the facility.

Building line modification as necessary for reasonable and acceptable development of the property in question

-The current setback does not allow adequate room for the proposed building and the code required set back would allow for adequate room. The construction of the proposed addition would not create any issues with the existing public or private facilities within the area

Granting the building line modification will not be detrimental to the public welfare or adversely affect surrounding properties

-The granting of this building line modification will allow the church to construction the proposed facility and will not located the facility any closer to Mission Road than the current code allows and as such does not create an adverse impact on the surround properties

Please accept this request for a building line modification and direct any questions to Matt Schlicht

Sincerely

Matthew J. Schlicht

Matthew J. Schlicht, PE,PLS



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only	
Case No.:	<u>PC 2014-104</u>
Filing Fee:	<u>\$100</u>
Deposit:	<u>\$500</u>
Date Advertised:	<u>—</u>
Date Notices Sent:	<u>—</u>
Public Hearing Date:	<u>1/7/14</u>

Please complete this form and return with Information requested to:

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

Applicant: Engineering Solutions Phone Number: 816-623-9885
 Address: 50 SE 30th St, Lee's Summit, Mo 64062 E-Mail: mschlucht@es-llc.com
 Owner: Village United Presbyterian Church Phone Number: _____
 Address: 6641 Mission Road Zip: 66208
 Location of Property: 6641 Mission Rd
 Legal Description: Attached
 Applicant requests consideration of the following: (Describe proposal/request in detail) Site Plan Approval, Height of Tower Element Approval
Building Line Adjustment

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for Site plan, Tower Height, Building Set back. As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

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

[Signature] 12/6/13
Applicant's Signature/Date

[Signature] 12/6/13
Owner's Signature/Date
Agent For Village Presbyterian Church

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: January 7, 2014, Planning Commission Meeting Project # 000005977

Application: PC 2014-103

Request: Site Plan Approval for Village Presbyterian Church

Property Address: 6641 Mission Road

Applicant: Village Presbyterian Church

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

Surrounding Zoning and Land Use: **North:** Single-Family - Mission Hills
East: Single-Family - Mission Hills
South: R-1A Single-Family – Church Parking Lot
West: R-1A Single-Family District – Elementary School & Single-Family Dwellings

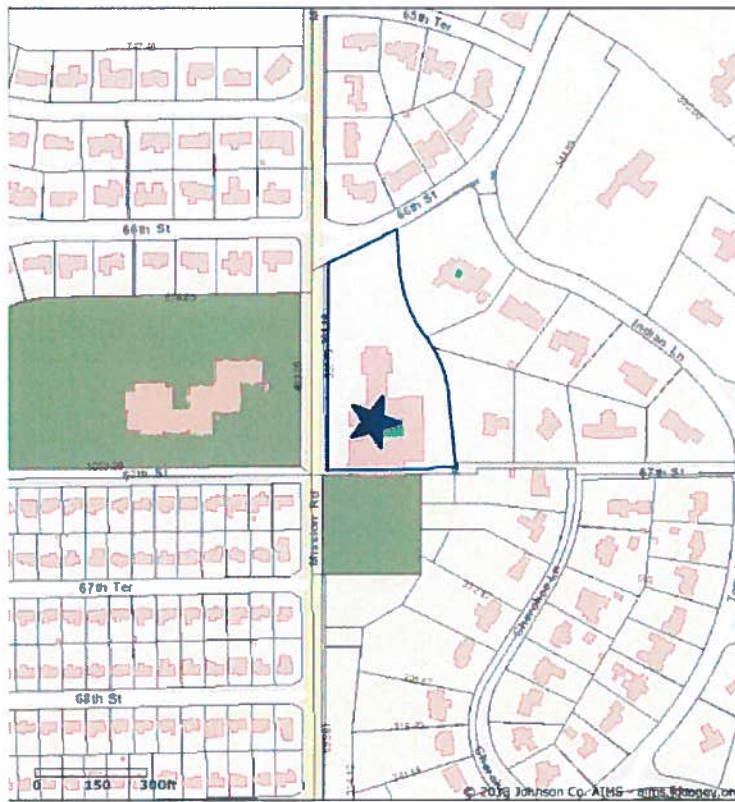
Legal Description: Lots 6 and 7 BLK 7 Indian Hills Subdivision

Property Area: 6.59 Acres

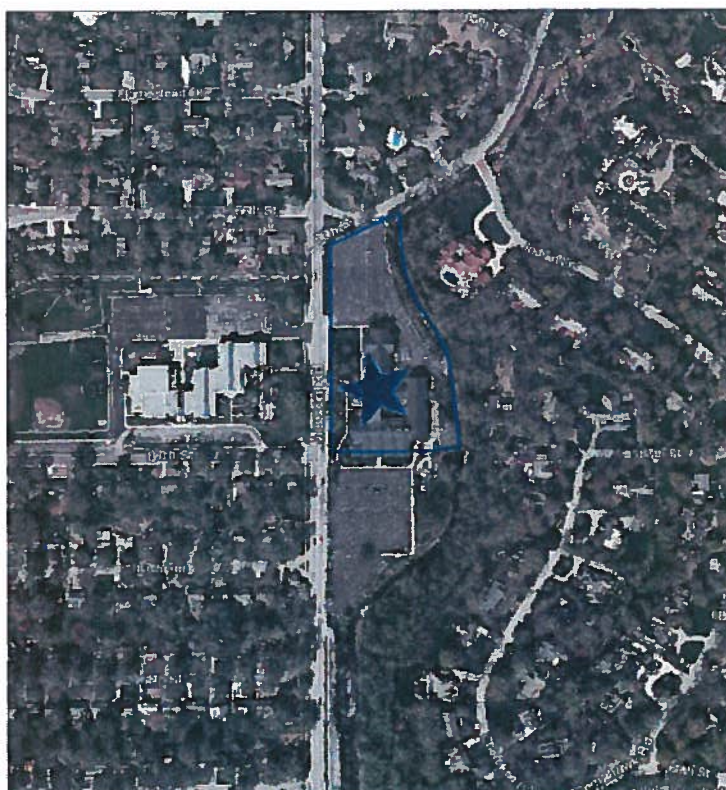
Related Case Files: BZA 2014-01 Variance Request to Increase Height of Steeple
PC 2014-104 Request for Building Line Modification
PC 2001-104 Planning Commission Approval for Banners
PC 2001-103 Site Plan Approval for Expansion
PC 2001-05 Special Use Permit for Columbarium
PC 97-100 Signage Approval
PC 96-08 Special Use Permit for a Daycare Center
PC 80-100 Site Plan Approval for Addition

Attachments: Application, Drawings, and Photos

General Location Map



Aerial Map



STAFF COMMENTS:

The Village Presbyterian Church is proposing a major expansion of the church and it will be located on the northwest corner of the existing building. The proposed addition will be two-story with 7,790 sq. ft. on the first floor and 6,700 sq. ft. on the second floor. The addition will include a two-story fellowship foyer, café, offices, chancel storage, elevators and restrooms. The existing steeple will be removed and replaced with a new steeple on the southwest corner of the addition. The proposed steeple is 100 ft. in height while the ordinance allows a maximum height of 75 ft. The applicant has requested a variance to allow the 99 ft. height. A new north entrance is also proposed with a portico for dropping off and picking up visitors. The north entrance will provide better access to the church from the north parking lot.

The applicant held a neighborhood meeting on November 25, 2013 in accordance with the Planning Commission Citizen Participation Policy. Four neighbors attended and the questions primarily dealt with the noise of the cooling tower, parking, storm drainage, and landscaping. A detailed summary of the meeting is set out in the attached meeting notes.

The Planning Commission shall give consideration to the following criteria in approving or disapproving a site plan:

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

The total site is approximately 6.59 acres and provides parking on the north and south ends of the church. The proposed addition is on the west side of the existing building, between Mission Road and the existing building; therefore, it will not impact any of the parking areas. There are 268 regular spaces and 19 accessible spaces for a total of 287 spaces. The proposed plan will have 239 regular spaces and 29 accessible spaces for a total of 268 spaces. Accessible spaces require more area than regular spaces and, therefore, account for the reduction in total parking spaces. The church has a seating capacity of 951 which requires 238 parking spaces and the church will exceed that number by 30 spaces after the proposed addition is built. The church also has an agreement to use parking at Prairie School for Sunday Services.

The area where the new addition is proposed is heavily landscaped with mature trees. Most of these will be lost due to the construction of the addition. The applicant will need to submit a new detailed landscape plan for the area along Mission Road.

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

The property is currently served with all utilities and the proposed improvements should not create the demand for additional utilities. No additional needs are contemplated for water and sewer services.

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

The applicant has proposed underground detention in the south part of the parking lot. The applicant has prepared a stormwater management plan for submittal to and approval by the Public Works Department, but it was received last week and has not been reviewed.

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

The ingress, egress and internal circulation will be essentially as it is now. The proposed portico is approximately 57 ft. from Mission Road, which means there is stacking for only three vehicles. This does not appear to be adequate. The applicant has agreed to restrict access from the Mission Road driveway and the portico for Sunday Services.

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

The location of the proposed addition works well with the existing development of the site. The overall plan appears to be adequate and is consistent with good planning and site engineering design principles. The details of the storm water management plan need to be worked out with Public Works. The plans have not addressed outdoor lighting, and if outdoor lighting will be added or changed, it will need to conform to the City's new outdoor lighting regulation.

A detailed landscape plan will need to be provided to address landscaping along Mission Road.

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

The plans indicate that the materials proposed for the addition will match the existing building. The design of the new addition is compatible with the design of the existing building.

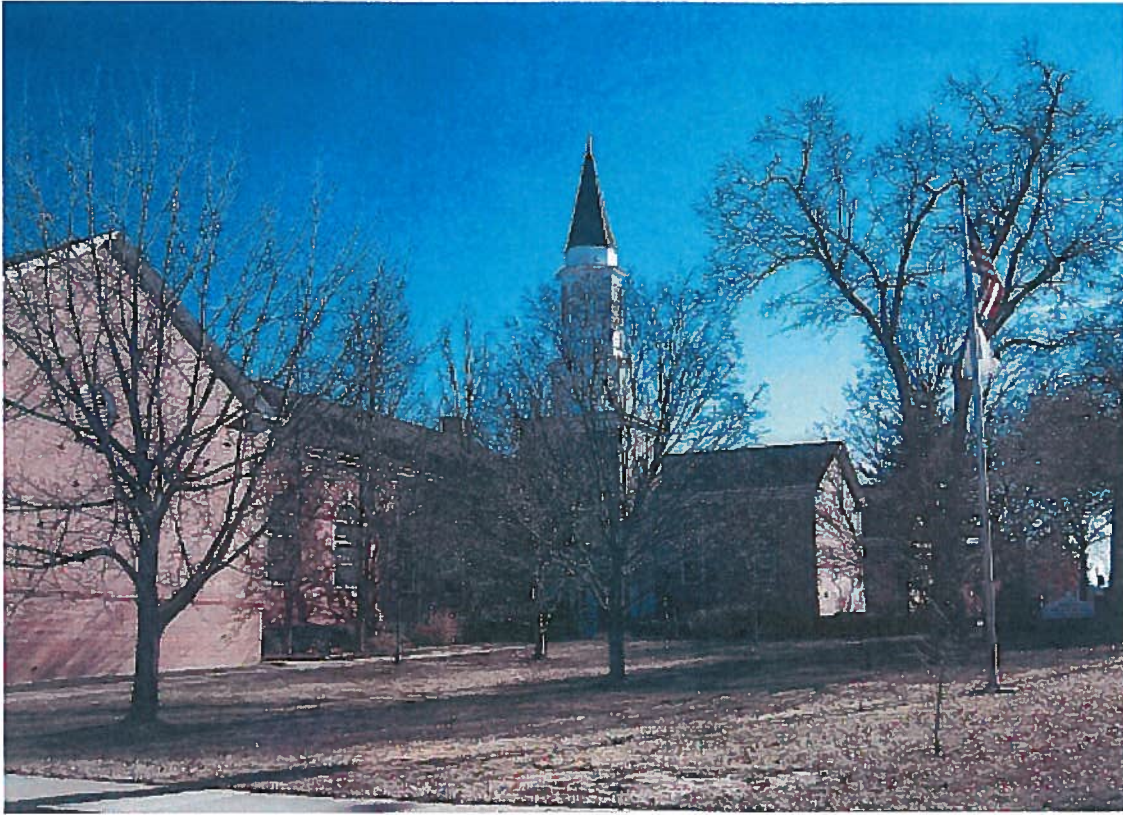
G. The plan represents an overall development pattern that is consistent with the comprehensive plan and other adopted planning policies.

One of the goals of the Village Vision is to support a high quality educational and cultural environment for the residents of Prairie Village which includes investment and upgrading of facilities. It is fortunate that the site is adequate to accommodate the proposed expansion. The proposed project is very consistent with the Comprehensive Plan.

RECOMMENDATION:

It is the recommendation of Staff that the Planning Commission approve the proposed site plan for the addition to the Village Presbyterian Church subject to the following conditions:

1. That the applicant work with Public Works for approval of the storm water management plan.
2. That the applicant will restrict access from Mission Road and the portico for Sunday Services.
3. That the applicant use materials similar to those being used on the existing building and submit a material palette to Staff for approval.
4. That an outdoor lighting plan be submitted in accordance with Section 19.34.050 Outdoor Lighting of the Zoning Ordinance if applicable.
5. That the landscape plan for the area adjacent to Mission Road be submitted to Staff and the Tree Board for review and approval prior to installation.
6. That all new mechanical units be screened from adjacent streets and adjacent properties.
7. That the steeple height be approved for a height determined by the Board of Zoning Appeals.



Meeting with Neighbors
November 25, 2013

Representing Village Church: Tom Are, Greg Maday, Bob Sperry

Neighbors in Attendance: Four (from Mission Hills)

Mr. and Mrs. Howard Nearing

Joe Agnello

Andy Weed (Mission Hills Planning Commission)

Comments/Questions from Neighbors:

- Will we lose trees with new construction
- What will the inside walls of Welcome Center look like (perhaps brick)
- Any additional parking requirements
- No parking will be lost or added
- When will construction begin
- Will there be increased light pollution at night
- Neighbor directly to our east "living in hell during the summer listening to our cooling tower"
- Will additional air conditioning systems be required with new addition
- Will cooling tower be replaced? When? Can it be variable speed instead of cycling off/on
- What about screening for cooling tower
- How will surface water run off effect Mission Hills
- When will the church be meeting with City of Prairie Village

PC2014-103

Site Plan Approval Village Presbyterian Church

PLANS INCLUDED WITH

BZA2014-01

MICRO STORM WATER DRAINAGE STUDY

Village Presbyterian Church
6641 Mission Road
Prairie Village, Johnson County, Kansas

PREPARED BY:



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- 3. General Information**
- 4. Methodology**
- 5. Existing Condition Analysis**
- 6. Proposed Condition Analysis**
- 7. Conclusions & Recommendations**
- 8. Supporting Calculations**
- 9. Maps & Figures**

3. GENERAL INFORMATION

This study is to evaluate the proposed building addition located on at 6641 Mission Road. The study will evaluate the storm runoff generated by the new building addition, existing building roof area and the new courtyard area. All of these areas will be collected and conveyed by an enclosed pipe system into the proposed detention/infiltration system. The increase in storm water runoff is negligible however the detention system is being designed to control the runoff and provide a storage location for the storm water during heavier rain events. This system drains into the existing creek channel and during heavy rain events will not have the ability to release into the channel. The detention/infiltration system is designed to detain the 100 year event for 24 hours to allow for the existing creek channel to reduce the flows such that the site can drain. The infiltration system is 2 feet of clean rock placed below the detention cells to allow for a recharging of the existing ground water system

4. METHODOLOGY

Pre-Development Flow Rates

The existing evaluated site area has an overall impervious area of 32%, which is comprised of existing building, sidewalk and associated parking. Storm water runoff was evaluated utilizing the SCS method with a pre-development curve number of 88.

Post-Development Flow Rates

The proposed evaluated site area will increase the overall impervious area to 80%, which is comprised of an additional building, concrete sidewalk and parking area. The entire building drainage will be collected into an enclosed pipe system and routed to the detention facility. Storm water runoff was evaluated utilizing the SCS method with a post-development curve number of 94.

Detention Volume and Release Rates

The release rate of the detention facility was not a design criteria as the existing creek channel will not allow the site to drain until the creek channel has been reduced to low flow levels

5. Existing Condition Analysis

Pre Development Flows as Calculated by HydroFlow Hydrograph

Frequency	Site (c.f.s)
1	43.87
10	95.03
100	151.28

6. Proposed Condition Analysis

Post Development Flows as Calculated by HydroFlow Hydrograph

Frequency	Site (c.f.s.)
1	56.57
10	106.98
100	161.63

7. Conclusions & Recommendations

The detention/infiltration facility will serve the proposed building and a portion of the existing building . The infiltration basin will provide an adequate water quality system to handle the lower frequency storm events and provide a BMP element to the system

8. Supporting Calculations

Exhibits:

- **Hydroflow Hydrograph Calculations**
 - SCS Method Calculations
- **BMP Worksheets**

9. Maps & Figures

Figures:

- **Site Map**

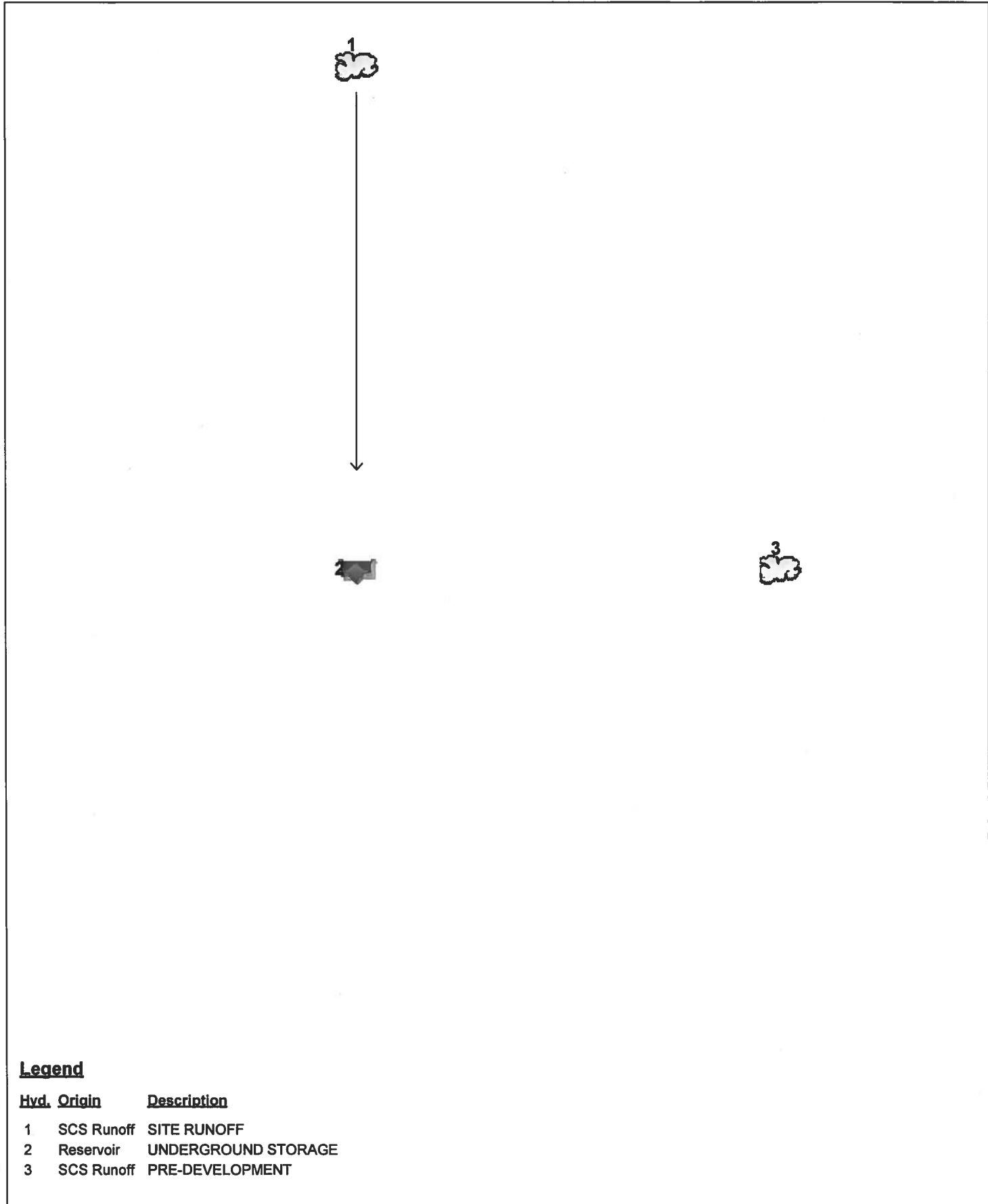
HYDROFLOW HYDROGRAPHICAL CALCULATIONS

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Watershed Model Schematic

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10



Legend

Hyd. Origin	Description
1	SCS Runoff SITE RUNOFF
2	Reservoir UNDERGROUND STORAGE
3	SCS Runoff PRE-DEVELOPMENT

Hydrograph Return Period Recap

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Hyd. No.	Hydrograph type (origin)	inflow hyd(s)	Peak Outflow (cfs)								Hydrograph Description
			1-yr	2-yr	3-yr	5-yr	10-yr	25-yr	50-yr	100-yr	
1	SCS Runoff	---	0.984	1.205	-----	1.128	1.858	2.162	2.465	2.805	SITE RUNOFF
2	Reservoir	1	0.980	1.200	-----	1.123	1.803	2.063	2.346	2.670	UNDERGROUND STORAGE
3	SCS Runoff	---	0.831	1.054	---	0.976	1.721	2.032	2.342	2.690	PRE-DEVELOPMENT
Proj. file: STORM SYSTEM.gpw										Friday, 12 / 27 / 2013	

Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	0.984	1	717	2,136	----	----	----	SITE RUNOFF
2	Reservoir	0.980	1	718	2,136	1	891.83	48.5	UNDERGROUND STORAGE
3	SCS Runoff	0.831	1	717	1,719	----	----	----	PRE-DEVELOPMENT
STORM SYSTEM.gpw					Return Period: 1 Year			Friday, 12 / 27 / 2013	

Hydrograph Report

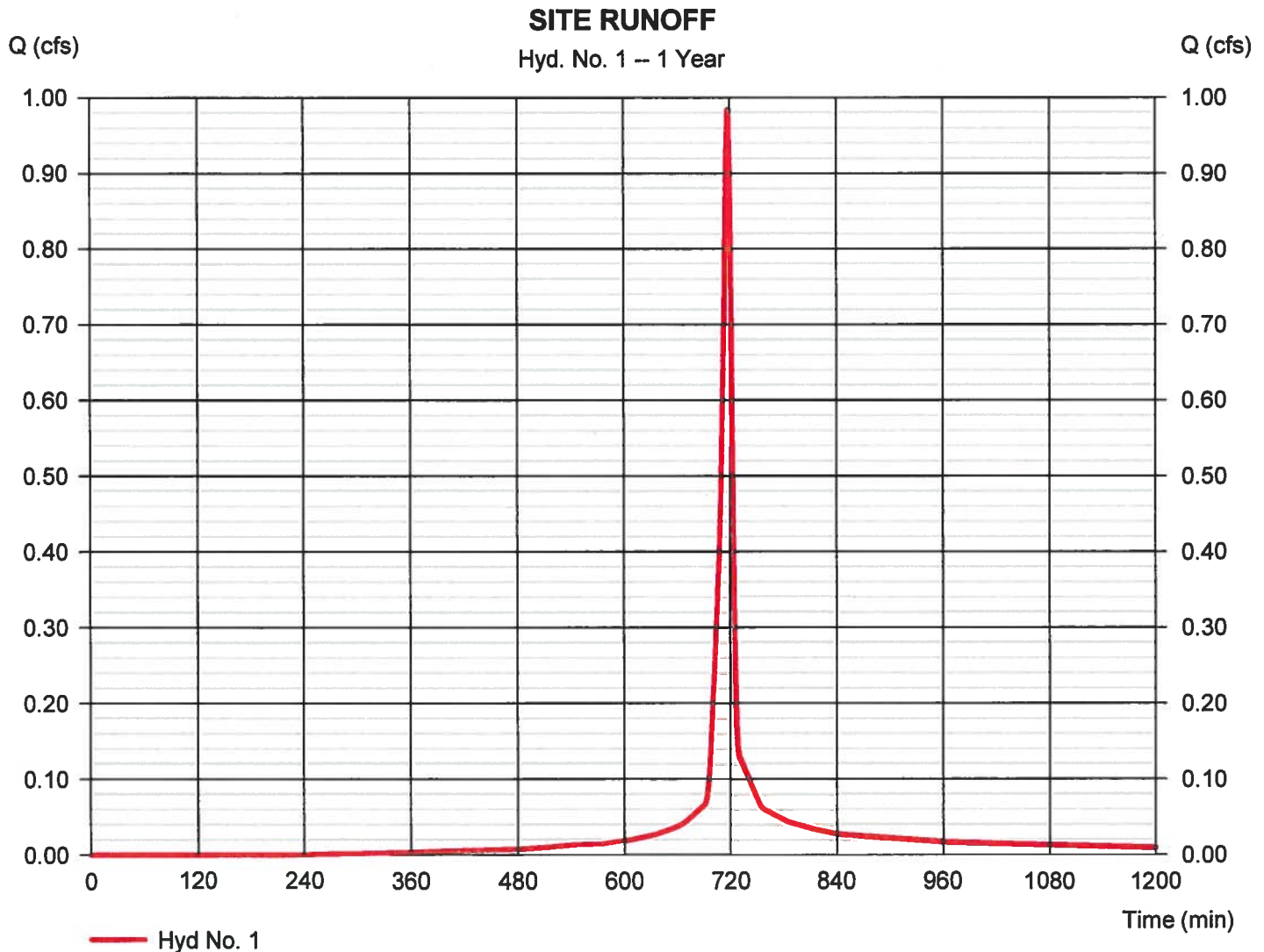
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 1

SITE RUNOFF

Hydrograph type	= SCS Runoff	Peak discharge	= 0.984 cfs
Storm frequency	= 1 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 2,136 cuft
Drainage area	= 0.250 ac	Curve number	= 94
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 2.93 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

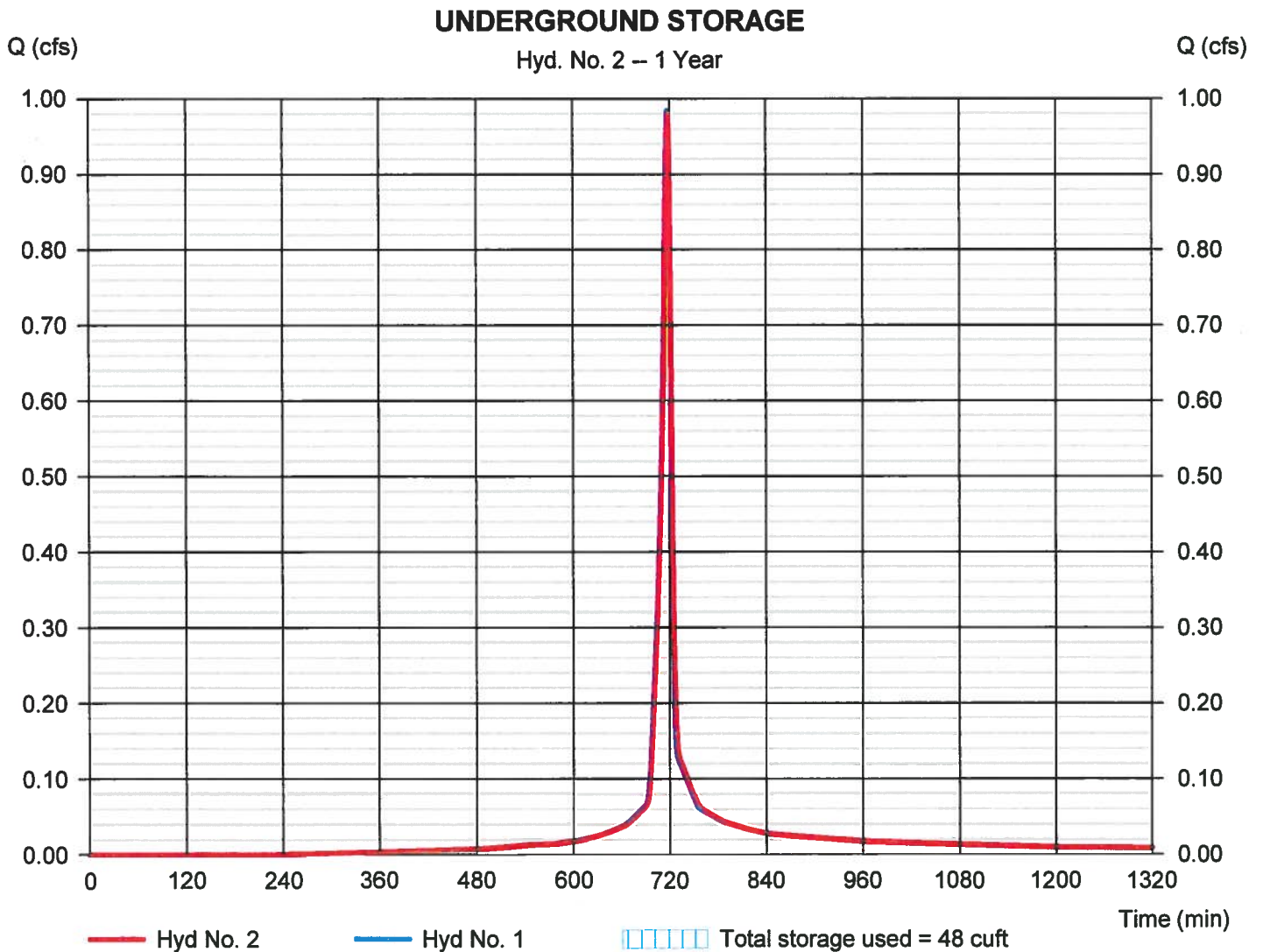
Friday, 12 / 27 / 2013

Hyd. No. 2

UNDERGROUND STORAGE

Hydrograph type	= Reservoir	Peak discharge	= 0.980 cfs
Storm frequency	= 1 yrs	Time to peak	= 718 min
Time interval	= 1 min	Hyd. volume	= 2,136 cuft
Inflow hyd. No.	= 1 - SITE RUNOFF	Max. Elevation	= 891.83 ft
Reservoir name	= INFILTRATION	Max. Storage	= 48 cuft

Storage indication method used.



Pond Report

Pond No. 1 - INFILTRATION

Pond Data

UG Chambers -Invert elev. = 891.36 ft, Rise x Span = 5.00 x 5.00 ft, Barrel Len = 136.00 ft, No. Barrels = 2, Slope = 1.00%, Headers = No

Stage / Storage Table

Stage (ft)	Elevation (ft)	Contour area (sqft)	Incr. Storage (cuft)	Total storage (cuft)
0.00	891.36	n/a	0	0
0.64	892.00	n/a	66	66
1.27	892.63	n/a	350	416
1.91	893.27	n/a	628	1,044
2.54	893.90	n/a	783	1,827
3.18	894.54	n/a	844	2,671
3.82	895.18	n/a	845	3,517
4.45	895.81	n/a	782	4,298
5.09	896.45	n/a	628	4,926
5.72	897.08	n/a	349	5,276
6.36	897.72	n/a	66	5,342

Culvert / Orifice Structures

	[A]	[B]	[C]	[PrfRsr]
Rise (in)	= 15.00	0.00	0.00	0.00
Span (in)	= 15.00	0.00	0.00	0.00
No. Barrels	= 1	0	0	0
Invert El. (ft)	= 891.36	0.00	0.00	0.00
Length (ft)	= 36.40	0.00	0.00	0.00
Slope (%)	= 1.00	0.00	0.00	n/a
N-Value	= .013	.013	.013	n/a
Orifice Coeff.	= 0.60	0.60	0.60	0.60
Multi-Stage	= n/a	No	No	No

Weir Structures

	[A]	[B]	[C]	[D]
Crest Len (ft)	= 0.00	0.00	0.00	0.00
Crest El. (ft)	= 0.00	0.00	0.00	0.00
Weir Coeff.	= 3.33	3.33	3.33	3.33
Weir Type	= ---	---	---	---
Multi-Stage	= No	No	No	No
Exfil.(in/hr)	= 0.000 (by Contour)			
TW Elev. (ft)	= 0.00			

Note: Culvert/Orifice outflows are analyzed under inlet (ic) and outlet (oc) control. Weir risers checked for orifice conditions (ic) and submergence (s).

Stage / Storage / Discharge Table

Stage ft	Storage cuft	Elevation ft	Civ A cfs	Civ B cfs	Civ C cfs	PrfRsr cfs	Wr A cfs	Wr B cfs	Wr C cfs	Wr D cfs	Exfil cfs	User cfs	Total cfs
0.00	0	891.36	0.00	---	---	---	---	---	---	---	---	---	0.000
0.06	7	891.42	0.02 ic	---	---	---	---	---	---	---	---	---	0.020
0.13	13	891.49	0.08 ic	---	---	---	---	---	---	---	---	---	0.080
0.19	20	891.55	0.18 ic	---	---	---	---	---	---	---	---	---	0.177
0.25	26	891.61	0.31 ic	---	---	---	---	---	---	---	---	---	0.308
0.32	33	891.68	0.47 ic	---	---	---	---	---	---	---	---	---	0.474
0.38	40	891.74	0.67 ic	---	---	---	---	---	---	---	---	---	0.669
0.45	46	891.81	0.89 ic	---	---	---	---	---	---	---	---	---	0.892
0.51	53	891.87	1.14 ic	---	---	---	---	---	---	---	---	---	1.140
0.57	59	891.93	1.41 ic	---	---	---	---	---	---	---	---	---	1.413
0.64	66	892.00	1.71 ic	---	---	---	---	---	---	---	---	---	1.706
0.70	101	892.06	2.02 ic	---	---	---	---	---	---	---	---	---	2.015
0.76	136	892.12	2.33 ic	---	---	---	---	---	---	---	---	---	2.335
0.83	171	892.19	2.67 ic	---	---	---	---	---	---	---	---	---	2.669
0.89	206	892.25	3.01 ic	---	---	---	---	---	---	---	---	---	3.007
0.95	241	892.31	3.32 oc	---	---	---	---	---	---	---	---	---	3.319
1.02	276	892.38	3.54 oc	---	---	---	---	---	---	---	---	---	3.538
1.08	311	892.44	3.72 oc	---	---	---	---	---	---	---	---	---	3.724
1.14	346	892.50	3.87 oc	---	---	---	---	---	---	---	---	---	3.870
1.21	381	892.57	3.95 oc	---	---	---	---	---	---	---	---	---	3.947
1.27	416	892.63	4.00 oc	---	---	---	---	---	---	---	---	---	4.001
1.34	479	892.70	4.32 oc	---	---	---	---	---	---	---	---	---	4.318
1.40	542	892.76	4.61 oc	---	---	---	---	---	---	---	---	---	4.613
1.46	605	892.82	4.89 oc	---	---	---	---	---	---	---	---	---	4.891
1.53	668	892.89	5.15 oc	---	---	---	---	---	---	---	---	---	5.153
1.59	730	892.95	5.40 oc	---	---	---	---	---	---	---	---	---	5.403
1.65	793	893.01	5.64 oc	---	---	---	---	---	---	---	---	---	5.642
1.72	856	893.08	5.87 oc	---	---	---	---	---	---	---	---	---	5.871
1.78	919	893.14	6.09 oc	---	---	---	---	---	---	---	---	---	6.091
1.84	982	893.20	6.30 oc	---	---	---	---	---	---	---	---	---	6.304

Continues on next page...

INFILTRATION

Stage / Storage / Discharge Table

Stage ft	Storage cuft	Elevation ft	Civ A cfs	Civ B cfs	Civ C cfs	PrfRsr cfs	Wr A cfs	Wr B cfs	Wr C cfs	Wr D cfs	Exfil cfs	User cfs	Total cfs
6.36	5,342	897.72	14.15 ic	--	--	--	--	--	--	--	--	--	14.15
...End													

Hydrograph Report

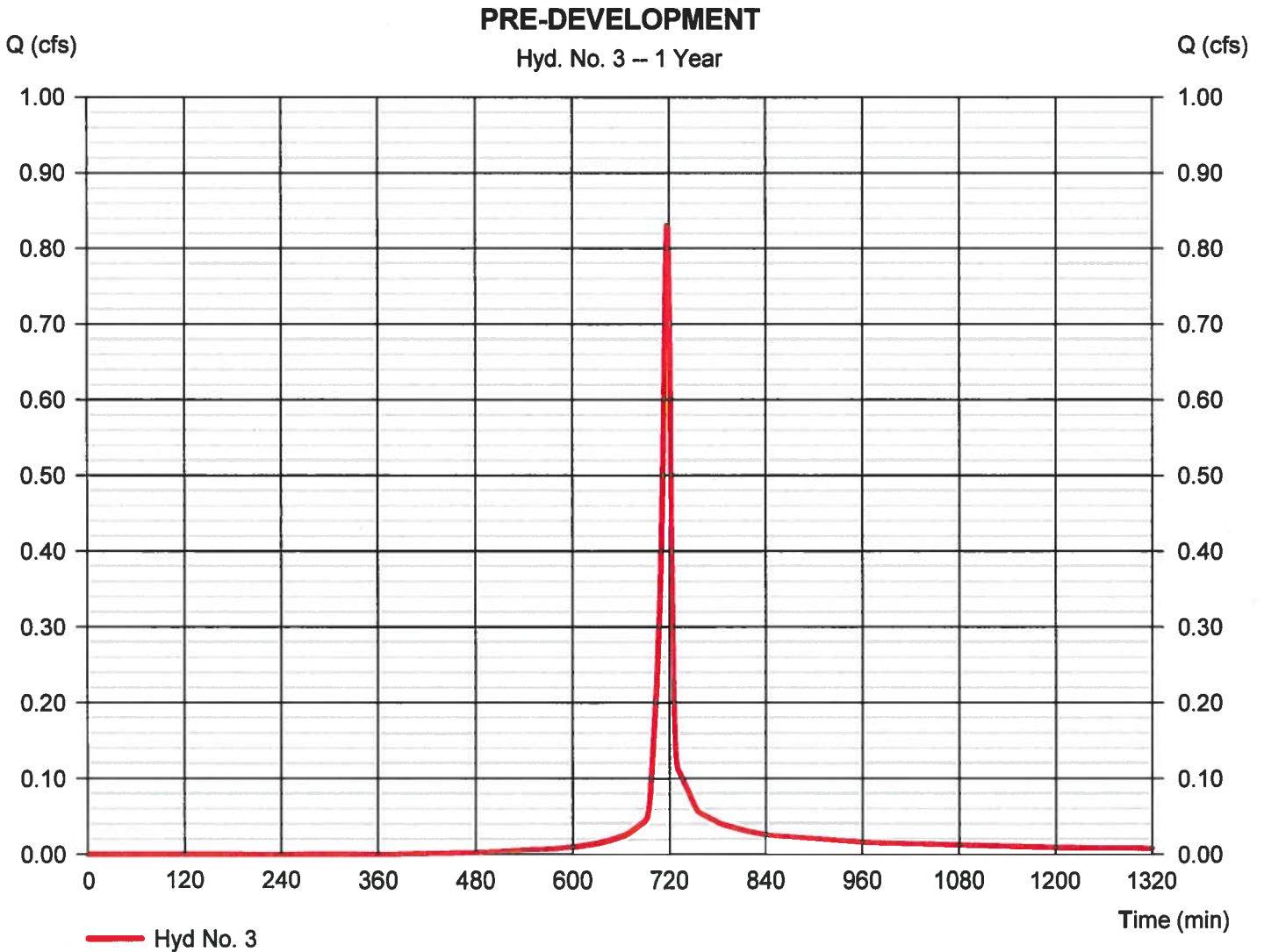
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 3

PRE-DEVELOPMENT

Hydrograph type	= SCS Runoff	Peak discharge	= 0.831 cfs
Storm frequency	= 1 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 1,719 cuft
Drainage area	= 0.250 ac	Curve number	= 89
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 2.93 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description	
1	SCS Runoff	1.858	1	717	4,216	---	---	---	SITE RUNOFF	
2	Reservoir	1.803	1	718	4,216	1	892.02	76.9	UNDERGROUND STORAGE	
3	SCS Runoff	1.721	1	717	3,709	---	---	---	PRE-DEVELOPMENT	
STORM SYSTEM.gpw					Return Period: 10 Year			Friday, 12 / 27 / 2013		

Hydrograph Report

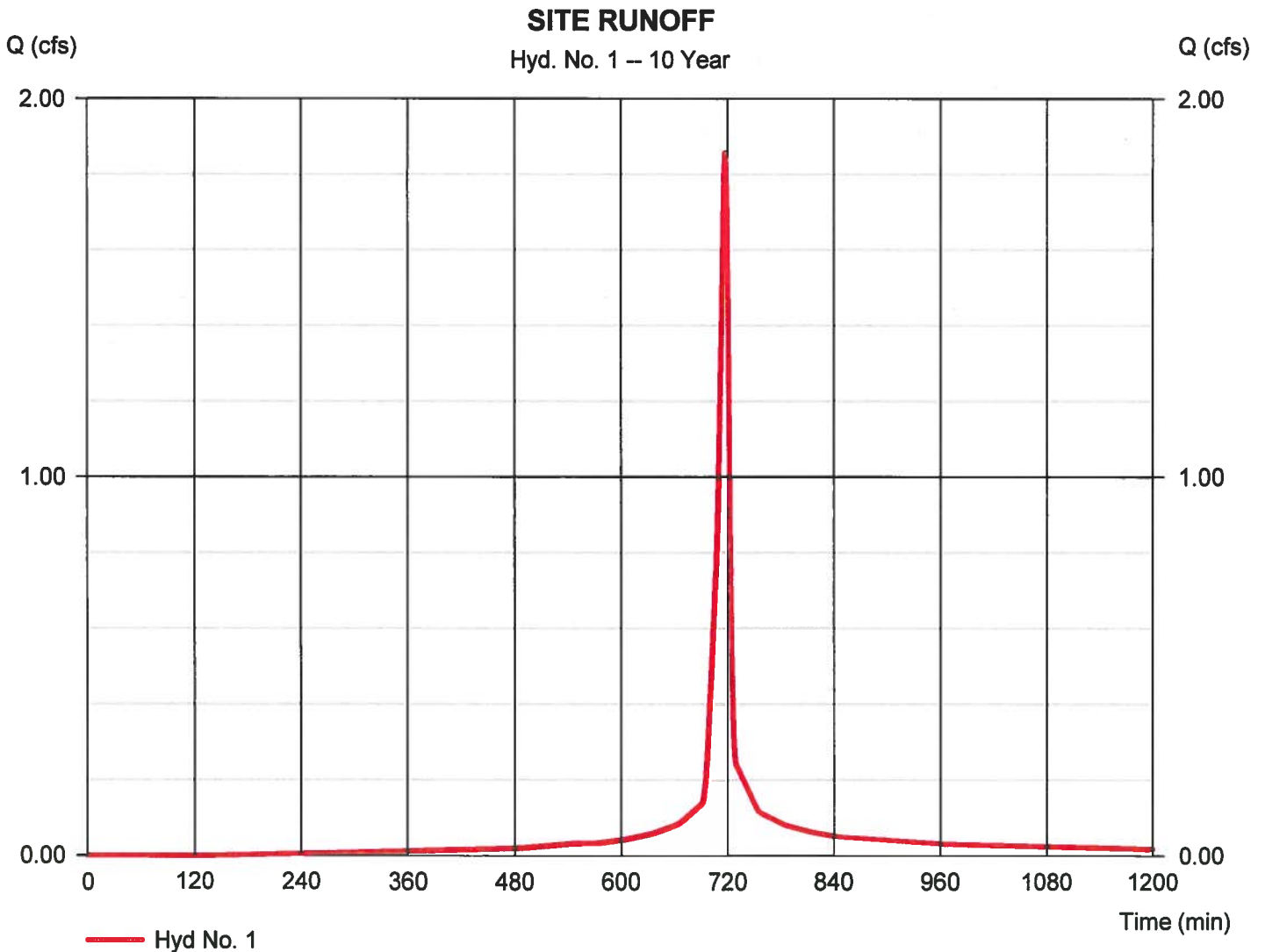
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 1

SITE RUNOFF

Hydrograph type	= SCS Runoff	Peak discharge	= 1.858 cfs
Storm frequency	= 10 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 4,216 cuft
Drainage area	= 0.250 ac	Curve number	= 94
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 5.20 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

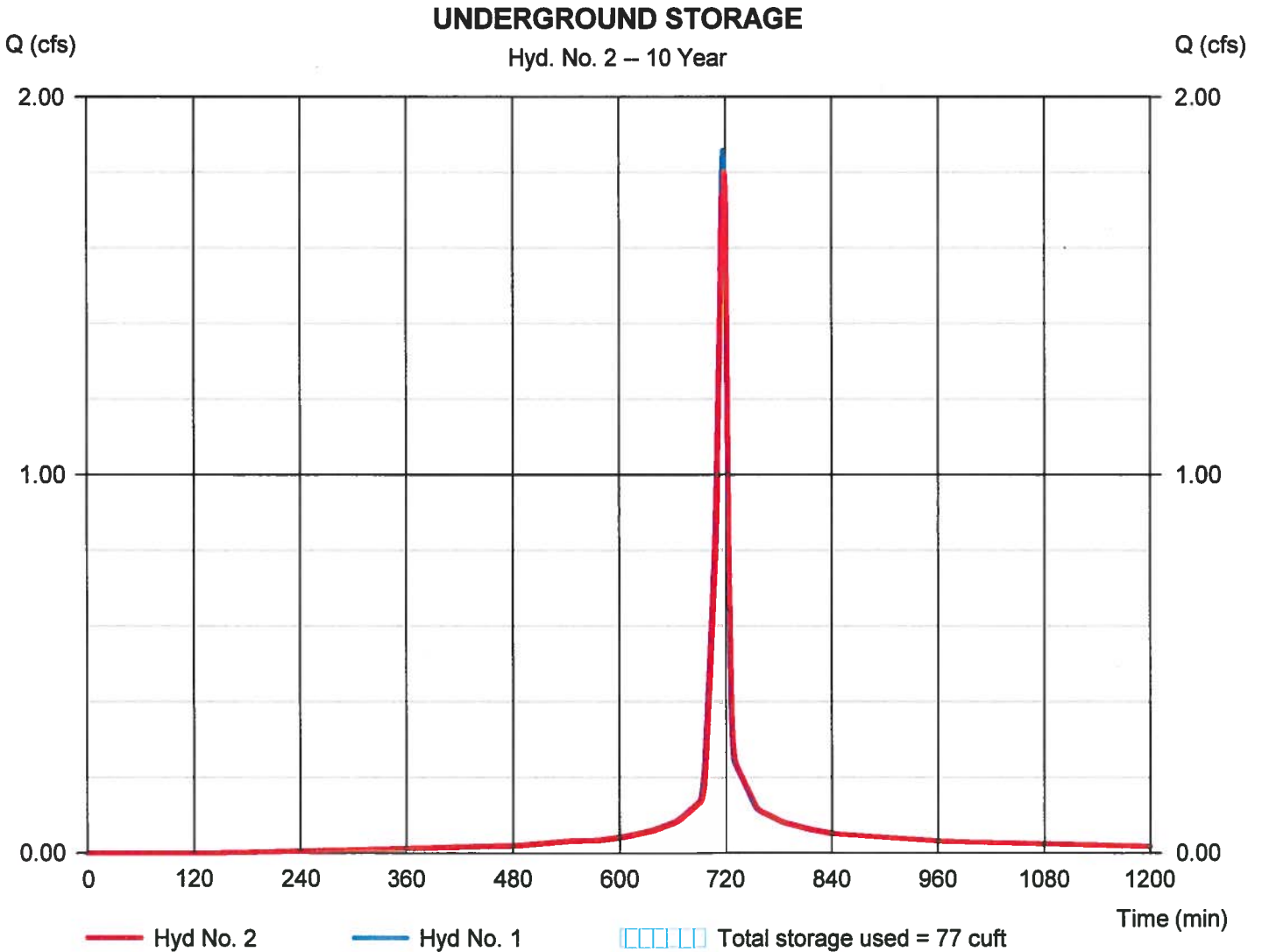
Friday, 12 / 27 / 2013

Hyd. No. 2

UNDERGROUND STORAGE

Hydrograph type	= Reservoir	Peak discharge	= 1.803 cfs
Storm frequency	= 10 yrs	Time to peak	= 718 min
Time interval	= 1 min	Hyd. volume	= 4,216 cuft
Inflow hyd. No.	= 1 - SITE RUNOFF	Max. Elevation	= 892.02 ft
Reservoir name	= INFILTRATION	Max. Storage	= 77 cuft

Storage Indication method used.



Hydrograph Report

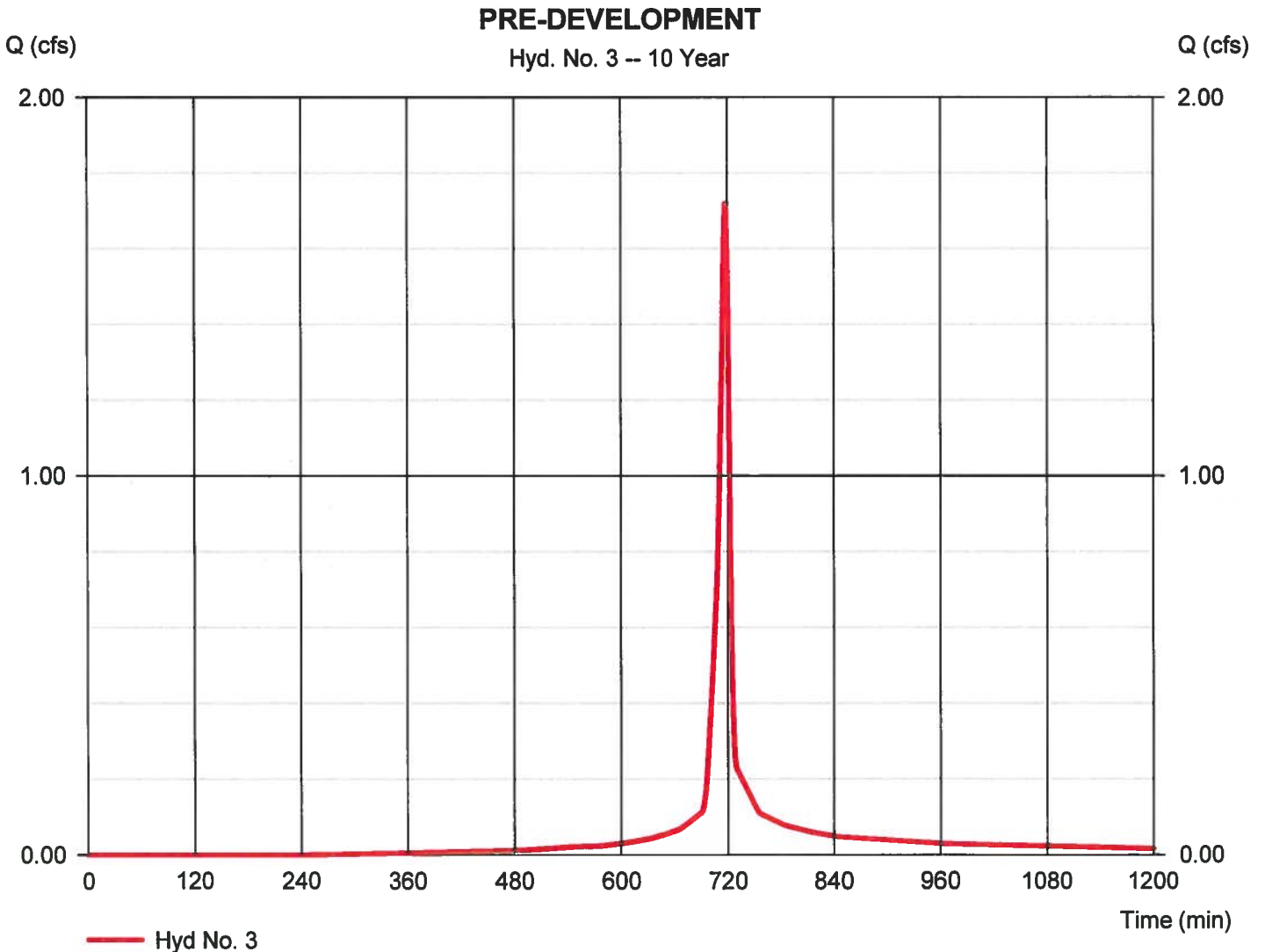
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 3

PRE-DEVELOPMENT

Hydrograph type	= SCS Runoff	Peak discharge	= 1.721 cfs
Storm frequency	= 10 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 3,709 cuft
Drainage area	= 0.250 ac	Curve number	= 89
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 5.20 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	2.162	1	717	4,957	---	---	---	SITE RUNOFF
2	Reservoir	2.063	1	719	4,957	1	892.07	106	UNDERGROUND STORAGE
3	SCS Runoff	2.032	1	717	4,432	---	---	---	PRE-DEVELOPMENT
STORM SYSTEM.gpw					Return Period: 25 Year		Friday, 12 / 27 / 2013		

Hydrograph Report

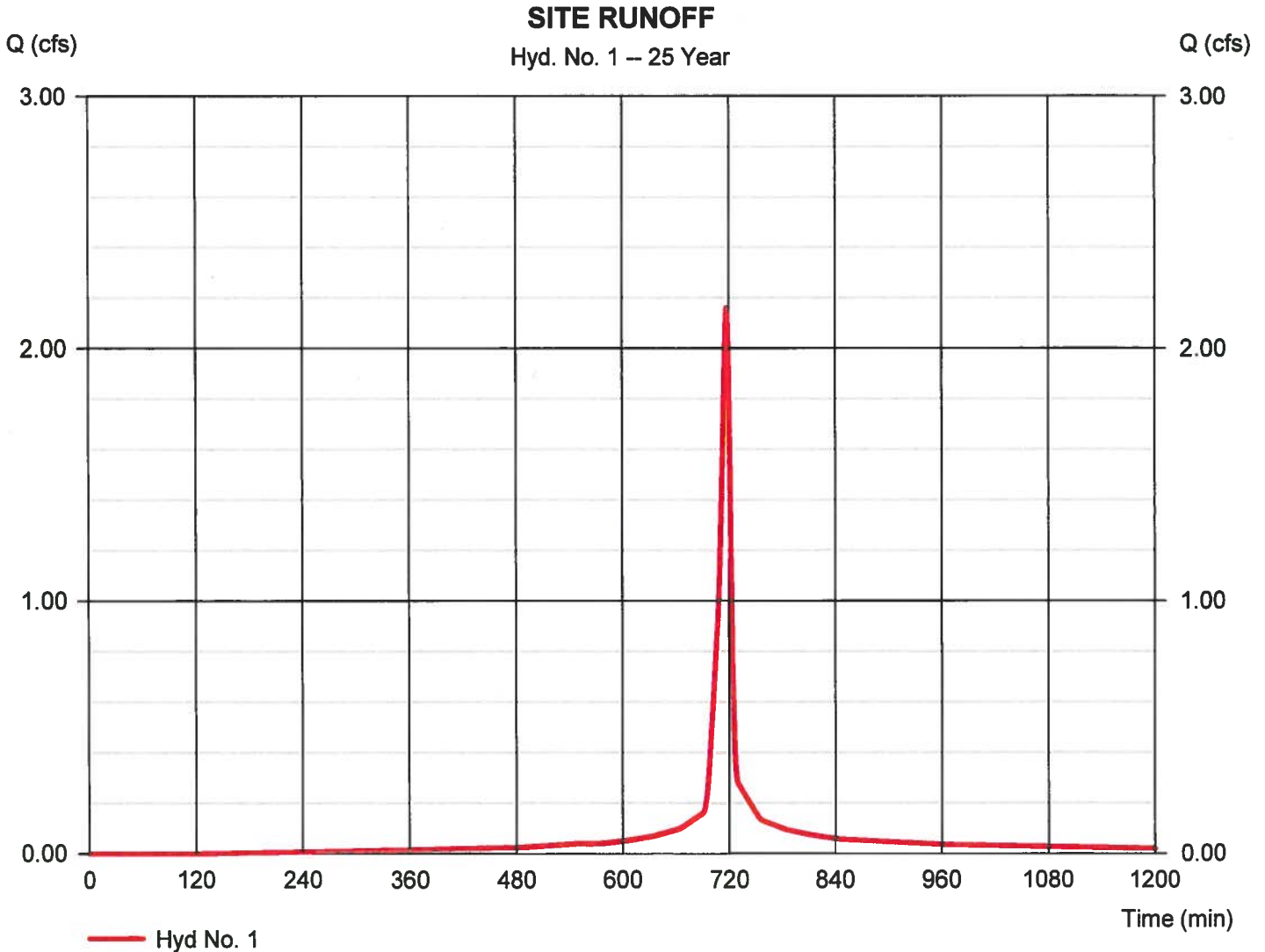
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 1

SITE RUNOFF

Hydrograph type	= SCS Runoff	Peak discharge	= 2.162 cfs
Storm frequency	= 25 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 4,957 cuft
Drainage area	= 0.250 ac	Curve number	= 94
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 6.00 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

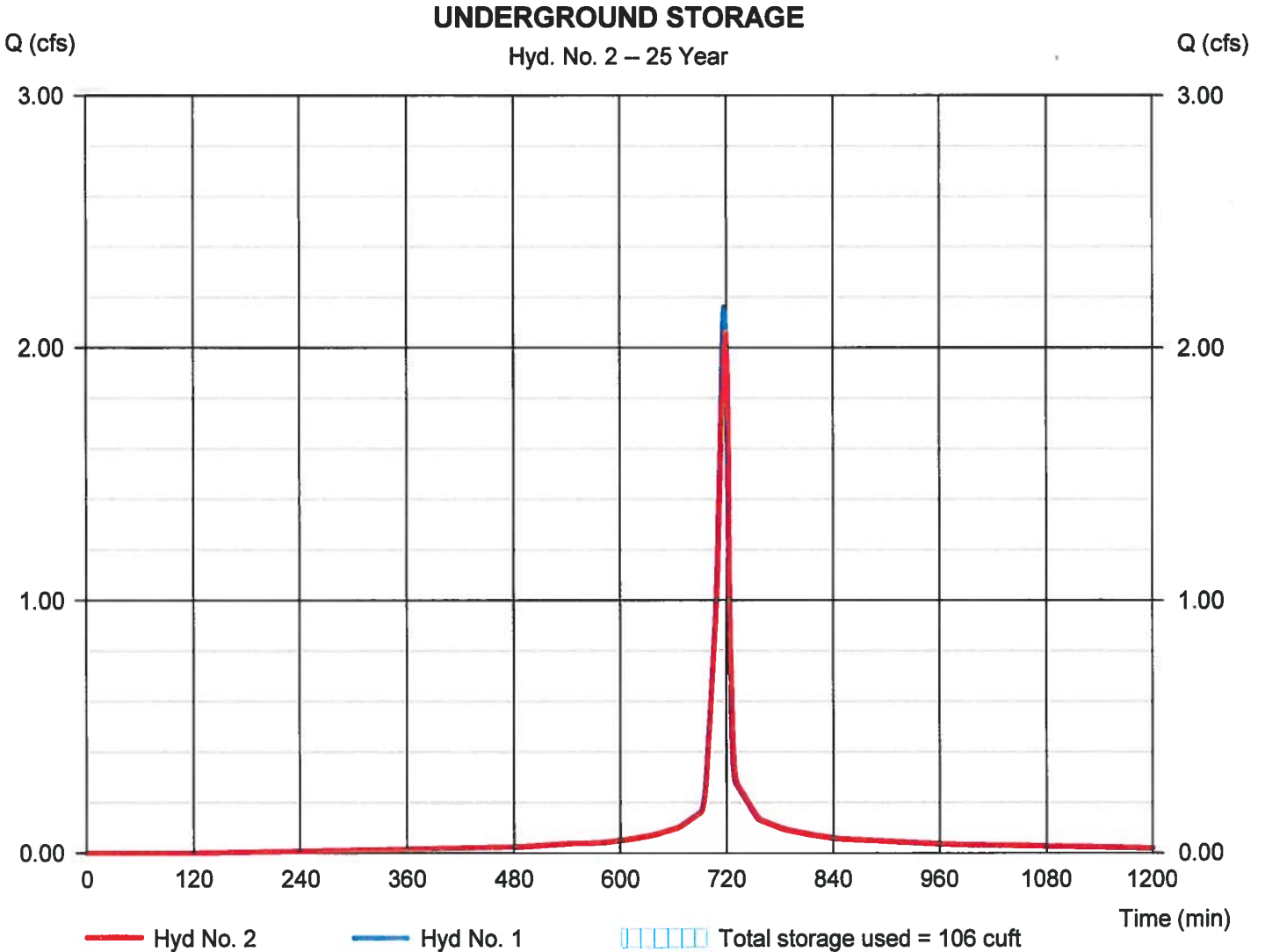
Friday, 12 / 27 / 2013

Hyd. No. 2

UNDERGROUND STORAGE

Hydrograph type	= Reservoir	Peak discharge	= 2.063 cfs
Storm frequency	= 25 yrs	Time to peak	= 719 min
Time interval	= 1 min	Hyd. volume	= 4,957 cuft
Inflow hyd. No.	= 1 - SITE RUNOFF	Max. Elevation	= 892.07 ft
Reservoir name	= INFILTRATION	Max. Storage	= 106 cuft

Storage Indication method used.



Hydrograph Report

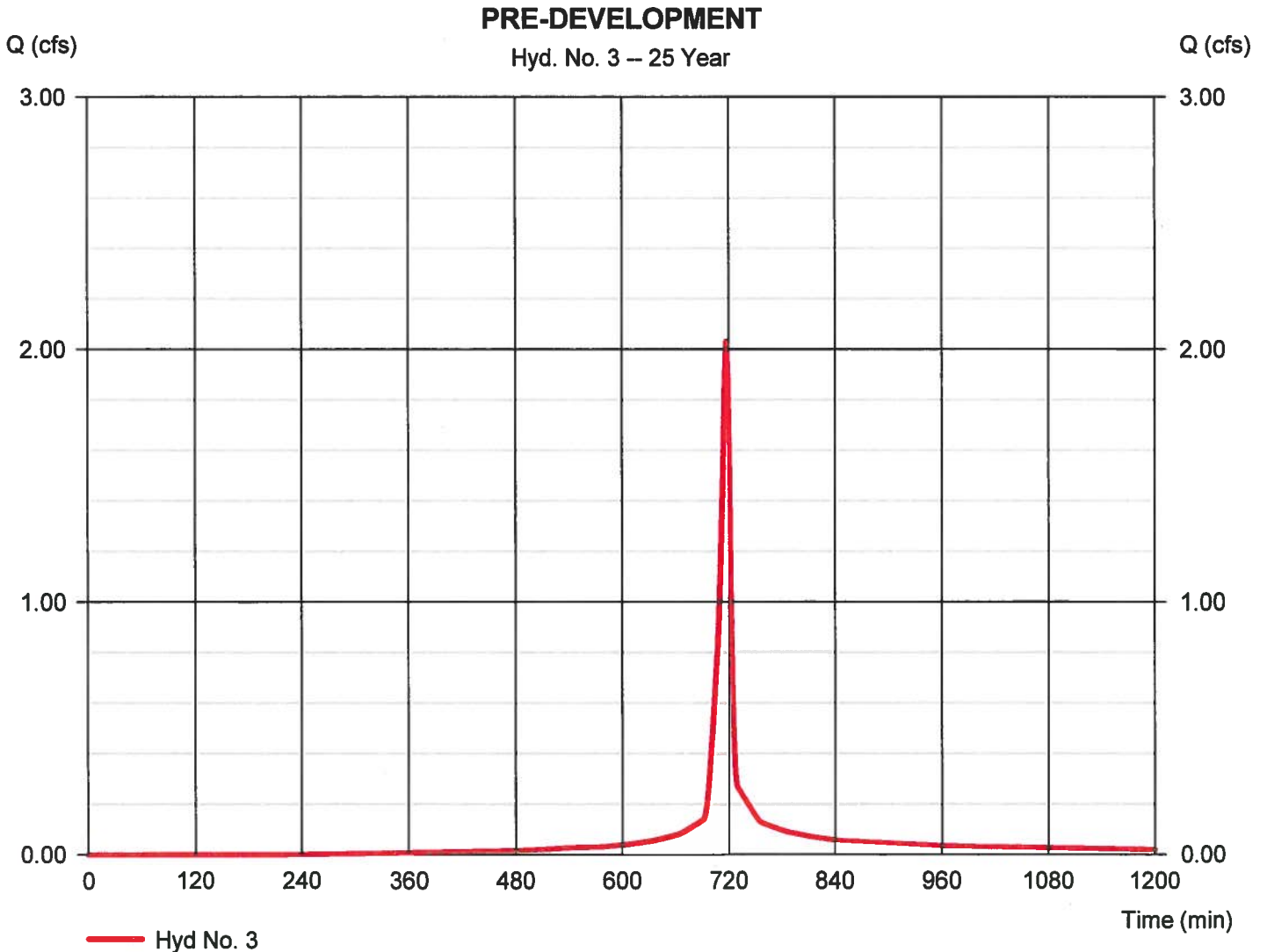
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 3

PRE-DEVELOPMENT

Hydrograph type	= SCS Runoff	Peak discharge	= 2.032 cfs
Storm frequency	= 25 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 4,432 cuft
Drainage area	= 0.250 ac	Curve number	= 89
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 6.00 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Summary Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time Interval (min)	Time to Peak (min)	Hyd. volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Total strge used (cuft)	Hydrograph Description
1	SCS Runoff	2.805	1	717	6,536	---	---	---	SITE RUNOFF
2	Reservoir	2.670	1	719	6,535	1	892.19	171	UNDERGROUND STORAGE
3	SCS Runoff	2.690	1	717	5,983	---	---	---	PRE-DEVELOPMENT
STORM SYSTEM.gpw					Return Period: 100 Year		Friday, 12 / 27 / 2013		

Hydrograph Report

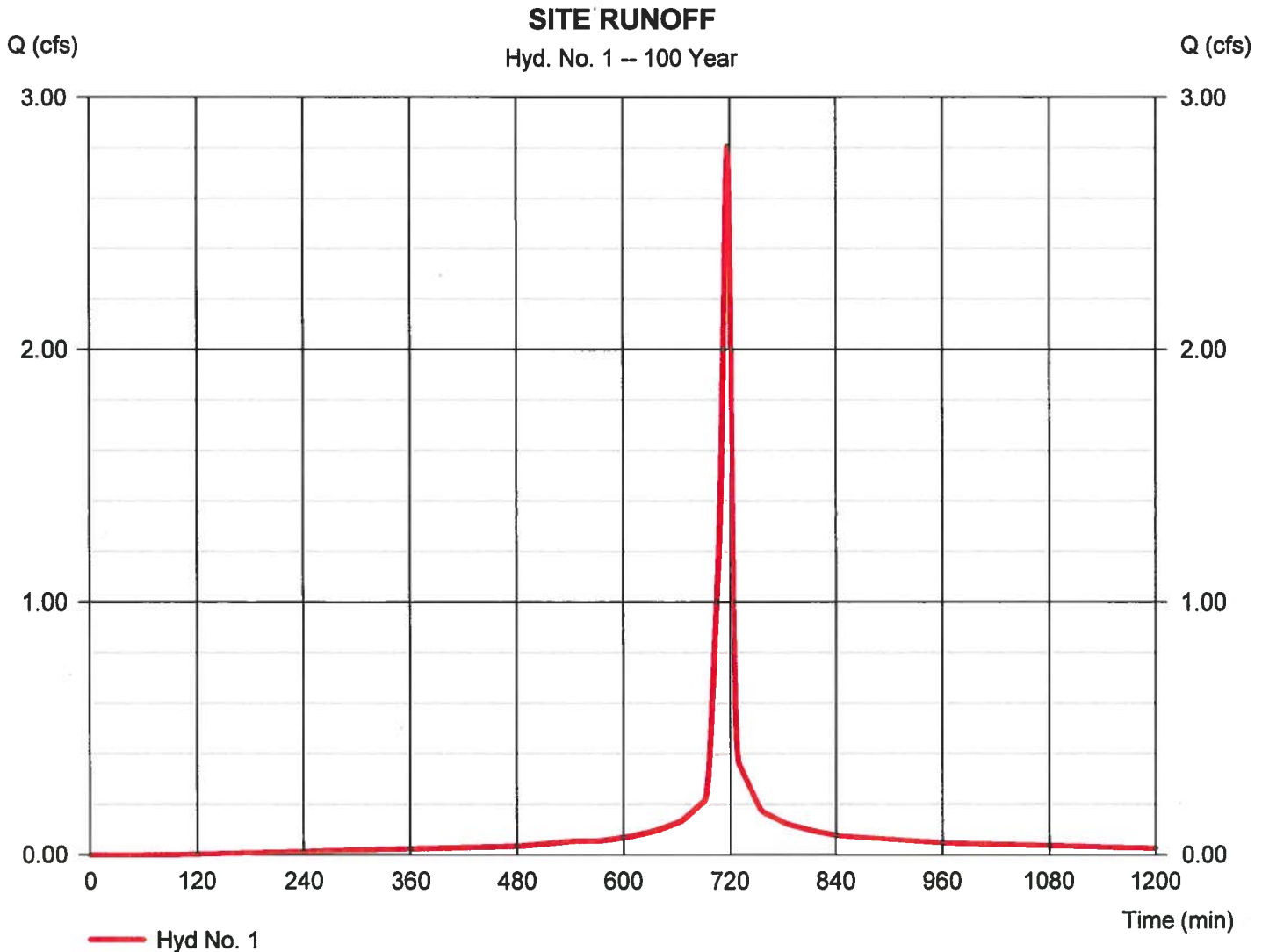
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 1

SITE RUNOFF

Hydrograph type	= SCS Runoff	Peak discharge	= 2.805 cfs
Storm frequency	= 100 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 6,536 cuft
Drainage area	= 0.250 ac	Curve number	= 94
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 7.70 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydrograph Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

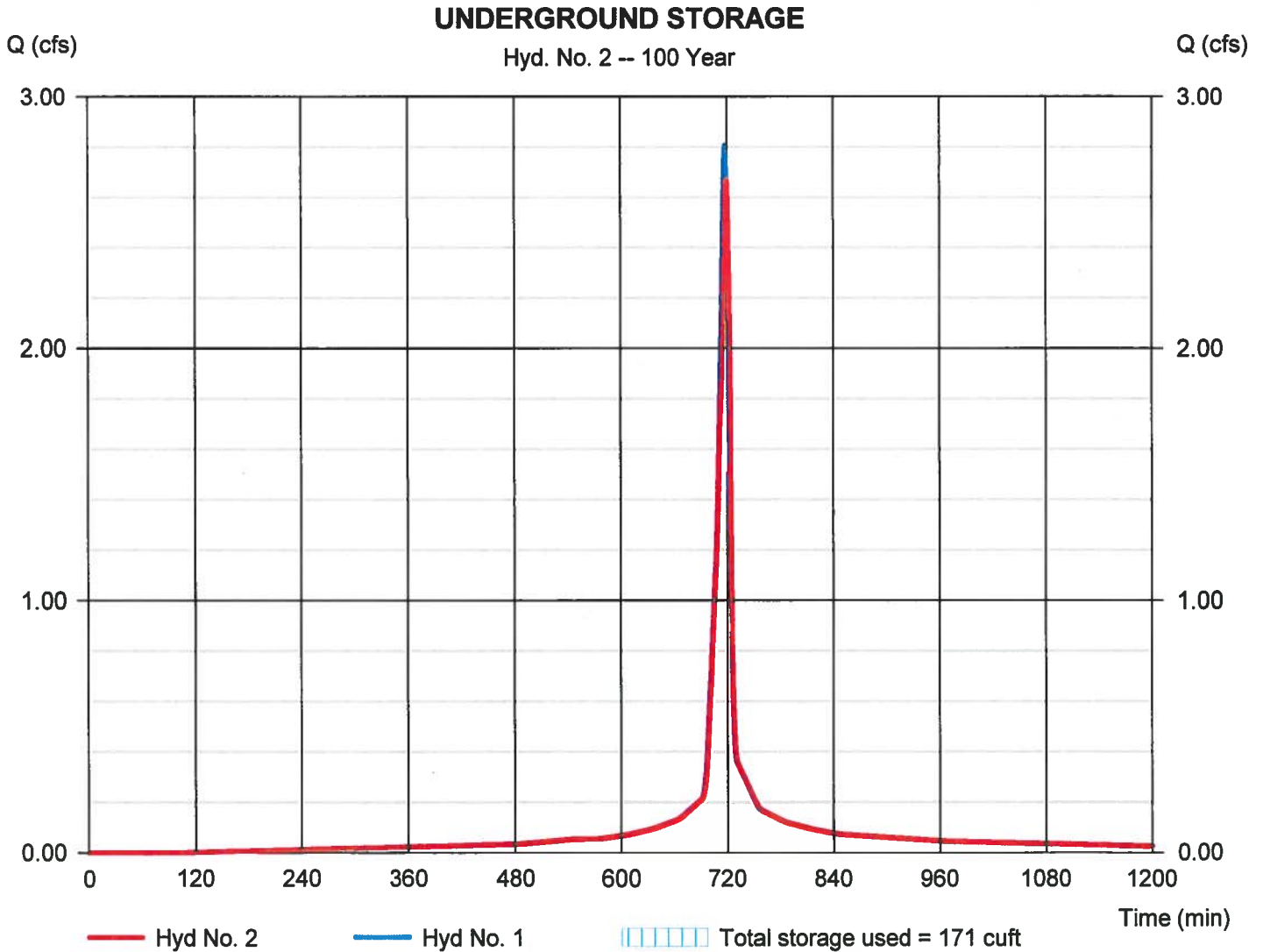
Friday, 12 / 27 / 2013

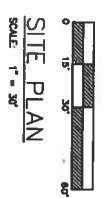
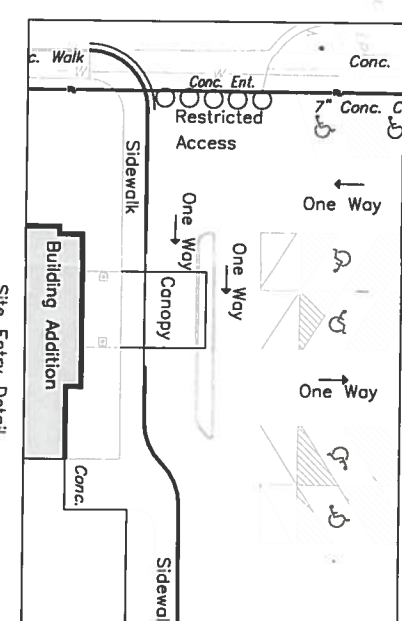
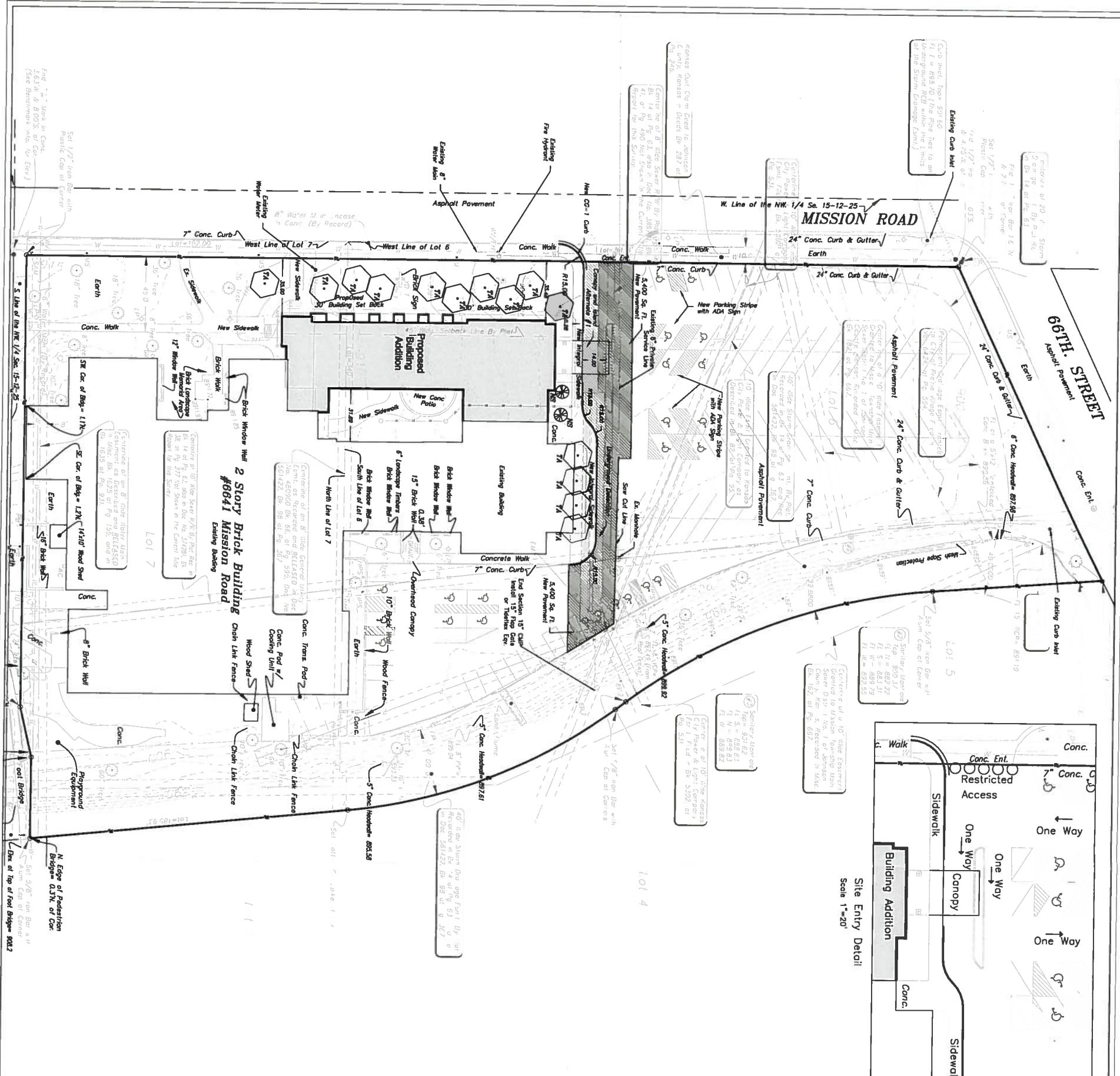
Hyd. No. 2

UNDERGROUND STORAGE

Hydrograph type	= Reservoir	Peak discharge	= 2,670 cfs
Storm frequency	= 100 yrs	Time to peak	= 719 min
Time interval	= 1 min	Hyd. volume	= 6,535 cuft
Inflow hyd. No.	= 1 - SITE RUNOFF	Max. Elevation	= 892.19 ft
Reservoir name	= INFILTRATION	Max. Storage	= 171 cuft

Storage Indication method used.





Site Improvements:

Description of Improvements

- Site Access
 - The site will utilize the existing drives to access the improvement area. The westerly drive with access to Mission Road will be restricted access during services to allow for use of the new entry drop off area.
- Curb and Gutter**
 - Type GC-1 "Straight Back Curb and Gutter" shall be installed at the entrance and integral sidewalk shall be used in front of the building as noted.
- Storm Water Runoff**
 - Site grading will direct the storm water runoff toward the existing creek. The new additional and a portion of the existing building facility will be collected and conveyed to the creek through an enclosed pipe system.
- Storm Water Detention**
 - The existing site will continue to drain into the creek channel undisturbed. The new building facility will provide storage capacity for storm events where the creek channel will not allow access into the creek channel due to flooding.
- Sanitary Sewer**
 - The existing building will utilize the existing service line and the new facility will require a new connection to the main water main.
- Water Main**
 - The water main along Mission Road will be tapped to provide fire and domestic services.
- Parking Totals (North Parking Only)**
 - Existing Parking Count (North Parking Area) 120 Regular Parking Spaces / 13 Accessible Spaces (South Parking Area) 148 Regular Parking Spaces / 6 Accessible Spaces (North Parking Area) (Proposed Parking Area) 91 Regular Parking Spaces / 23 Accessible Spaces Provided (South Parking Area) Required Parking 148 Regular Parking Spaces / 6 Accessible Spaces Provided 951 Total 238 Parking Spaces w/ 7 Accessible Spaces Total Provided Parking -239 Regular Spaces and 29 Accessible Spaces
- Owner:** Village Presbyterian Church, 6641 Mission Road, Prairie Village, KS
- Architect:** Material Rear Architects, 929 Wendell, Suite 700, Kansas City, MO
- Civil Engineer:** Engineering Solutions, 50 SE 30th Street, Lees Summit, MO 64082

PLANTING GUIDE

SYMBOL	QUANT	KEY	NAME	SIZE
	14	TA	AMERICAN BASSWOOD LARSON	2.5" CAL.
	2	NS	NORWAY SPRUCE PICKEL OBENS	6" HT.

SITE PLAN
Village Presbyterian
Prairie Village, Kansas

Project: Village Presbyterian
Issue Date: November, 2013

VILLAGE PRESBYTERIAN
6641 Mission Rd
Prairie Village, Johnson County, Kansas

Professional Registration
Missouri
Professional Engineer License No. 015238
Professional Surveyor License No. 015238
Professional Engineer License No. 015238
Professional Surveyor License No. 015238
Professional Engineer License No. 015238
Professional Surveyor License No. 015238

ENGINEERING SOLUTIONS
ENGINEERING & SURVEYING
50 SE 30TH STREET
LEE'S SUMMIT, MO 64082
P:(816) 623-9888 F:(816) 623-9849

Hydrograph Report

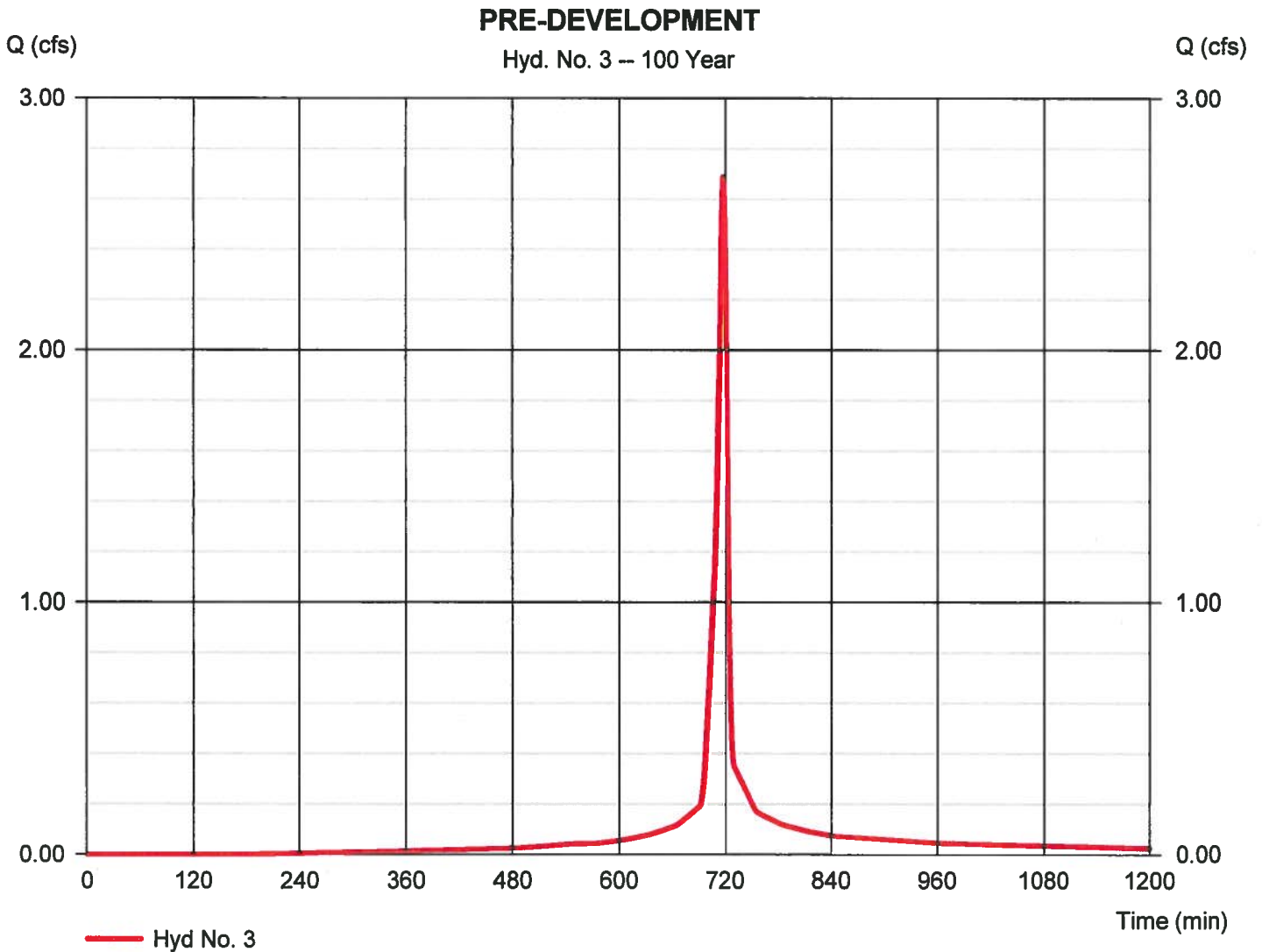
Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Hyd. No. 3

PRE-DEVELOPMENT

Hydrograph type	= SCS Runoff	Peak discharge	= 2.690 cfs
Storm frequency	= 100 yrs	Time to peak	= 717 min
Time interval	= 1 min	Hyd. volume	= 5,983 cuft
Drainage area	= 0.250 ac	Curve number	= 89
Basin Slope	= 0.0 %	Hydraulic length	= 0 ft
Tc method	= User	Time of conc. (Tc)	= 5.00 min
Total precip.	= 7.70 in	Distribution	= Type II
Storm duration	= 24 hrs	Shape factor	= 484



Hydraflow Rainfall Report

Hydraflow Hydrographs Extension for AutoCAD® Civil 3D® 2013 by Autodesk, Inc. v10

Friday, 12 / 27 / 2013

Return Period (Yrs)	Intensity-Duration-Frequency Equation Coefficients (FHA)			
	B	D	E	(N/A)
1	64.1474	17.7000	0.8922	----
2	95.7859	19.2000	0.9317	----
3	0.0000	0.0000	0.0000	----
5	118.7799	19.1000	0.9266	----
10	125.1300	18.2000	0.9051	----
25	158.9867	18.7000	0.9180	----
50	171.2459	18.3000	0.9078	----
100	187.3624	18.1000	0.9031	----

File name: KCMO.IDF

Intensity = B / (Tc + D)^E

Return Period (Yrs)	Intensity Values (in/hr)											
	5 min	10	15	20	25	30	35	40	45	50	55	60
1	3.96	3.31	2.86	2.52	2.25	2.04	1.87	1.72	1.60	1.49	1.40	1.32
2	4.92	4.13	3.56	3.14	2.81	2.54	2.32	2.14	1.98	1.85	1.73	1.63
3	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5	6.23	5.23	4.51	3.98	3.56	3.22	2.94	2.71	2.52	2.35	2.20	2.07
10	7.27	6.09	5.26	4.63	4.14	3.75	3.43	3.16	2.93	2.74	2.57	2.42
25	8.70	7.30	6.30	5.54	4.96	4.49	4.10	3.78	3.51	3.27	3.07	2.89
50	9.83	8.24	7.11	6.26	5.60	5.07	4.64	4.27	3.97	3.70	3.47	3.27
100	11.00	9.21	7.95	7.00	6.26	5.67	5.19	4.78	4.44	4.14	3.89	3.66

Tc = time in minutes. Values may exceed 60.

Precip. file name: Z:\acad\KCMO.pcp

Storm Distribution	Rainfall Precipitation Table (in)							
	1-yr	2-yr	3-yr	5-yr	10-yr	25-yr	50-yr	100-yr
SCS 24-hour	2.93	3.50	0.00	3.30	5.20	6.00	6.80	7.70
SCS 6-Hr	0.00	1.80	0.00	0.00	2.60	0.00	0.00	4.00
Huff-1st	0.00	1.55	0.00	2.75	4.00	5.38	6.50	8.00
Huff-2nd	2.49	3.10	0.00	4.01	4.64	5.52	6.21	6.90
Huff-3rd	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-4th	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Huff-Indy	0.00	1.55	0.00	2.75	4.00	5.38	6.50	8.00
Custom	0.00	1.75	0.00	2.80	3.90	5.25	6.00	7.10

WORKSHEET 1A: REQUIRED LEVEL OF SERVICE - DEVELOPED SITE

Project: 6641 MISSION ROAD

By: MJS

Date: 12/19/13

Location:

Checked:

Date:

1. Required Treatment Area

A. Total Area Disturbed by Redevelopment Activity (ac.)

Disturbed Area Description	Acres
<u>4428 BLDG ADDITION</u>	<u>0.25</u>
"1A" Total:	<u>0.25</u>

B. Existing Impervious Area Inside Disturbed Area (ac.)

Existing Impervious Area Description	Acres
<u>CONC. SIDEWALK</u>	<u>0.08</u>
"1B" Total:	<u>0.08</u>

C Required Treatment Area (ac.)

"1A" Total Less "1B" Total "1C" 0.17

2. Percent Impervious in Postdevelopment Condition and Level of Service (LS)

A. Total Postdevelopment Impervious Area Inside Disturbed Area (ac.)

Postdevelopment Impervious Area Description	Acres
<u>BLDG & SIDEWALK</u>	<u>0.20</u>
"2A" Total:	<u>0.20</u>

B. Existing Impervious Area Inside Disturbed Area (ac.)

"1B" Total: 0.08

C. Net Increase in Impervious Area (ac.)

"2A" Total Less "1B" Total "2C" 0.12

D. Percent Impervious

Net Increase in Impervious Area / Required Treatment Area
 "2C"/"1C" x 100 71 (Round to Integer)

E. Level of Service

Use Percent Impervious to Enter Table XX LS = 6.1

3. Minimum Required Total Value Rating of BMP Package

Total Value Rating = LS x Required Treatment Area VR = 1.5

WORKSHEET 2: DEVELOP MITIGATION PACKAGE(S) THAT MEET THE REQUIRED LS

Project:
 Location:
 Sheet ___ of ___

By: _____ Date: _____
 Checked: _____ Date: _____

1. Required LS (New Development, Wksht 1) or Total VR (Redevelopment, Wksht 1A):

Note: Various BMPs may alter CN of proposed development, and LS; recalculate both if applicable.

2. Proposed BMP Option Package No. ___

Cover/BMP Description	Treatment Area	VR from Table 4.4 or 4.6 ¹	Product of VR x Area
INTEGRATED TRENCH	0.25	9.0	2.25 2.25
Total:	0.25	Total:	2.25 2.25
		*Weighted VR:	9.0 = total product/total a

- ¹ VR calculated for final BMP only in Treatment Train.
- ² Total treatment area cannot exceed 100 percent of the actual site area.
- * Blank In Redevelopment

Meets required LS (Yes/No)? YES (If No, or if additional options are being tested, proceed below.)

3. Proposed BMP Option Package No. ___

Cover/BMP Description	Treatment Area	VR from Table 4.4 or 4.6 ¹	Product of VR x Area
Total:		Total:	
		*Weighted VR:	= total product/total a

- ¹ VR calculated for final BMP only in Treatment Train.
- ² Total treatment area cannot exceed 100 percent of the actual site area.
- * Blank In Redevelopment

Meets required LS (Yes/No)? (If No, or if additional options are being tested, move to next sheet.)

LOCHNER

MEMORANDUM

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
SUBJECT: Proposed Amendment to include a Reapplication Waiting Period for Special Use Permits and Rezoning
DATE: January 7, 2014

Project # 000005977

COMMENTS:

At its regular meeting on October 21, 2013, the City Council discussed amending the zoning regulations to include a reapplication waiting period for Special Use Permits and Rezoning. The discussion ranged from leaving the ordinance as it currently is to having a one-year reapplication waiting period. On a 6 to 5 vote, the Council requested the Planning Commission evaluate the issue and consider authorizing a public hearing.

Staff has researched the other communities in Johnson County and the following is a summary of their requirements:

<u>City</u>	<u>Zoning Reapplication Waiting Period</u>	<u>Special Use Permit Reapplication Waiting Period</u>
Leawood	6 months	6 months
Olathe	1 year	1 year
Shawnee	none	none
Overland Park	6 months	none
Lenexa	1 year	none
Mission	6 months	none

The concern with having no waiting period is that controversial applications require significant Staff, Planning Commission, and City Council time, as well as, numerous meetings for interested or affected citizens. Prairie Village has a small staff and repetitive applications take staff away from other responsibilities. It appears that the most common waiting period is six (6) months and that might be a good starting point. Another question is whether the reapplication waiting period applies to the same Special Use Permit or Rezoning, or if a different request is made should the waiting period not apply.

REZONING APPLICATIONS

For rezonings, a new Section 19.52.055 Reapplication Waiting Period would be added to Chapter 19.52 PROCEDURAL PROVISIONS. Suggested wording is as follows:

19.52.055 Reapplication Waiting Period

In the case of denial of an application by the Governing Body, the applicant must wait a period of 6 months before reapplying for approval of a new development plan or zoning change on the same property, unless the application is for a more restrictive use than the original or that reapplication is approved by the Governing Body upon a showing of changed circumstances.

SPECIAL USE PERMITS

Fewer cities have a reapplication waiting period for Special Use Permits. Since case law has determined that Special Use Permits are a change in land use and are subject to the "Golden Criteria" it would appear logical to treat them the same as rezonings.

A new Section 19.28.075 Reapplication Waiting Period would be added to Chapter 19.28 SPECIAL USE PERMITS. Suggested wording is as follows:

19.28.075 Reapplication Waiting Period

In the case of denial of an application by the Governing Body, the applicant must wait a period of 6 months before reapplying for approval of a Special Use Permit on the same property, unless the new application is for a Special Use Permit that is a different use than the original or that reapplication is approved by the Governing Body upon a showing of changed circumstances.

RECOMMENDATION:

It is the recommendation of Staff that the Planning Commission decide on an appropriate reapplication waiting period and authorize a public hearing to consider the matter for both Rezonings and Special Use Permits.

It should be pointed out that the waiting period selected for the Public Hearing Notice can be changed to a longer or shorter period when the Planning Commission makes its recommendation to change the ordinance.
