

CITY OF PRAIRIE VILLAGE

August 3, 2015

Council Committee Meeting 6:00 p.m.

City Council Meeting 7:30 p.m.



Back Row: Ashley Weaver, Eric Mikkelson, Sheila Myers, Dan Runion, Terrence Gallagher, David Morrison, Ted Odell
Front Row: Ruth Hopkins, Jori Nelson, Laura Wassmer, Brooke Morehead (Not pictured: Andrew Wang)

**COUNCIL COMMITTEE OF THE WHOLE
Council Chambers
Monday, August 03, 2015
6:00 PM**

AGENDA

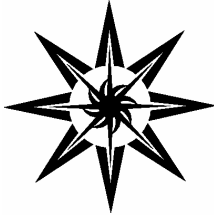
BROOKE MOREHEAD, COUNCIL PRESIDENT

AGENDA ITEMS FOR DISCUSSION

- *COU2015-30 Consider approval of a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district) for the Meadowbrook project
Gary Anderson

Discussion and walk through City Hall/Police Department entrances, patio area, and ADA infrastructure
Keith Bredehoeft

***Council Action Requested the same night**



ADMINISTRATION

Council Committee Meeting Date: Aug. 3, 2015

City Council Meeting Date: Aug. 3, 2015

Consider approval of a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district) for the Meadowbrook project

RECOMMENDED MOTION:

Move that Council approve a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district). The hearing will be on Tuesday, September 8th at 7:30pm at the City Council meeting.

BACKGROUND:

The City of Prairie Village, Johnson County, Johnson County Park & Rec District (JCPRD), JoCo Wastewater and VanTrust Real Estate LLC, have been working together to redevelop the former Meadowbrook Country Club. As currently proposed, the Meadowbrook redevelopment project would establish a nearly 90 acre public park and a mixed-use development to include a senior living project, luxury apartments, townhomes, single-family residential homes, and a boutique hotel.

The Meadowbrook redevelopment project anticipates the creation of a TIF district to fund the park acquisition, park improvements and other public infrastructure items. Kansas state statutes outline the authority and process of creating and administering a TIF district. A TIF district is an economic development tool for financing certain eligible redevelopment costs from future revenues as a result of increased property taxes and other local taxes (sales taxes, transient guest taxes) within a defined geographic area. A TIF establishes a base level at the current property tax assessed valuation and any increase or increment in the property tax assessed valuation within the defined geographic area is then captured over a defined period and used to pay for eligible redevelopment costs within the TIF district/development area. The process for establishing and administering a TIF is detailed in Kansas State Statutes (KSA 12-1770 et seq.). Cities have the authority to create TIF districts after their governing bodies hold a public hearing and find the area to be eligible.

A TIF district must meet at least one of the eligible area definitions outlined in the TIF Act as determined by the Governing Body. An eligible area can be a “blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area or bioscience development area.” The proposed TIF district will designate the Meadowbrook and adjoining commercial area on the South as a conservation area per K.S.A 12-1770a(d) as attached.

To assist the City Council in their determination, Confluence, the planning consultant retained for this project, completed a conservation district eligibility study which summarizes the age and status of the property within the proposed TIF district. The proposed TIF district area includes the former Meadowbrook Country Club and the

commercial properties within the Meadowbrook Shopping Village at 95th Street and Nall Ave.

Currently, the plans for the Meadowbrook project include TIF financing for 20 years or less. All property taxes which the owner is currently required to pay will continue. Once improvements are made to the property the increment or increase in the property tax revenue is captured to pay for eligible redevelopment costs which for the proposed project include parkland acquisition, public streets, sewer, public infrastructure, street lighting, lakes, community center, trails, etc. The project elements financed by TIF funds will be detailed in the development agreement by and between the City and VanTrust and through other related agreements. The amount of TIF financing is currently estimated between \$15M to \$18M.

As part of the establishment of a TIF district, notifications are sent to other governmental entities and all property owners and tenants within the proposed district. The Johnson County Board of Commissioners and the Shawnee Mission School District Board of Education each have 30 days following the conclusion of the public hearing related to the creation of the TIF district to consider comment on and, if they desire, disapprove the redevelopment district.

Creating the TIF district is the first step in the TIF process. Creating the TIF district alone does not bind the City to approve the project, provide any funding, issue any bonds or approve any TIF project plans within the TIF district.

PV City Council adopted a public financing policy and associated application in 2009. The primary purposes of the TIF funds generated from the Meadowbrook project are the acquisition of the parkland, development of the park, and the public infrastructure items in the new right-of-way. The TIF district is being initiated by the City. Since the TIF application is drafted for the private developer interest, a TIF application is less applicable to the city or other governmental entity as the beneficiary. It was determined that it was not necessary for the City or the JCPRD to complete the City's own TIF application.

City Staff has been assisted by Bond Counsel Gary Anderson with Gilmore & Bell, Financial Advisor Jeff White with Columbia Capital Management, City Attorney Katie Logan with Lathrop & Gage, and planning consultant PJ Novick with Confluence.

ATTACHMENTS:

- Resolution calling for a public hearing for the redevelopment district
- Redevelopment District Plan for the Meadowbrook Redevelopment District
- Draft cover letter to owners and tenants regarding the informational meeting and public hearing
- K.S.A 12-1770a(d). – Conservation TIF statute
- Eligibility Study compiled by Confluence
- Updated Meadowbrook Development schedule

PREPARED BY:

Quinn Bennion, City Administrator

Date: July 30, 2015

(Published in **The Legal Record** on August 25, 2015)

RESOLUTION NO. _____

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A REDEVELOPMENT DISTRICT IN THE CITY OF PRAIRIE VILLAGE, KANSAS PURSUANT TO K.S.A. 12-1770 ET SEQ..

Section 1. The City of Prairie Village, Kansas (the “City”) is considering the establishment of a redevelopment district pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”).

Section 2. Notice is hereby given that a public hearing will be held by the City to consider establishment of a redevelopment district on **September 8, 2015 at 7:30 p.m.**, or as soon thereafter as the matter can be heard, at the Prairie Village City Hall, Council Chambers, 7700 Mission Road, Prairie Village, Kansas, under the authority of the Act

Section 3. The proposed redevelopment district is generally described as an area bounded by Roe Avenue on the east, W. 95th Street on the south, Nall Avenue on the west, and W. 91st Street, as if extended in the City. A map of the redevelopment district is attached hereto as **Exhibit A**. The proposed redevelopment district is legally described as shown on **Exhibit B** hereto.

Section 4. The district plan for the proposed redevelopment district provides for the redevelopment district to include two project areas. The buildings and facilities to be constructed within the project area are generally described as follows:

- **Park and Village Project Area** - Recreational, residential and mixed-use development consisting of some or all of the following uses: single family, townhomes, multi-family apartments, and senior living residential; an inn or hotel; a public park and any other facilities or improvements associated with or incidental to such uses including commercial services and offices, trails, landscaped areas, water features and detention facilities, parking lots, shelters, recreational structures, off-street parking, traffic improvements, sanitary sewer improvements and any other utility improvements and infrastructure necessary or incidental to the uses and improvements described above and permitted under the Act.
- **Commercial Project Area** - A neighborhood retail and neighborhood office development consisting of some or all of the following uses: retail, office, residential, and any other facilities or improvements associated with or incidental to such uses including green space, landscaped areas, water features and detention facilities, parking lots and facilities, off-street parking, streets and traffic signals, any other public and private infrastructure, and other items permitted under the Act.

Section 5. A description and map of the proposed redevelopment district and the district plan are available for inspection and copying in the offices of the City Clerk, City Hall, 7700 Mission Road, Prairie Village, Kansas, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m.

Section 6. The Governing Body will consider the findings necessary for the establishment of a redevelopment district after conclusion of the public hearing.

Section 7. The City Clerk is hereby authorized and directed to publish this resolution once in the official city newspaper not less than one week or more than two weeks preceding the date set for the public hearing. The City Clerk is also authorized and directed to mail a copy of this resolution via certified mail, return receipt requested to the board of county commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment district, and to each owner and occupant of land within the proposed redevelopment district, not more than 10 days following the date of the adoption of this Resolution.

Section 7. Effective Date. This Resolution shall be effective upon adoption by the Governing Body of the City.

ADOPTED August 3, 2015.

**CITY OF PRAIRIE VILLAGE,
KANSAS**

By: _____
Mayor

[SEAL]

ATTEST:

City Clerk

EXHIBIT A

MAP OF PROPOSED REDEVELOPMENT DISTRICT

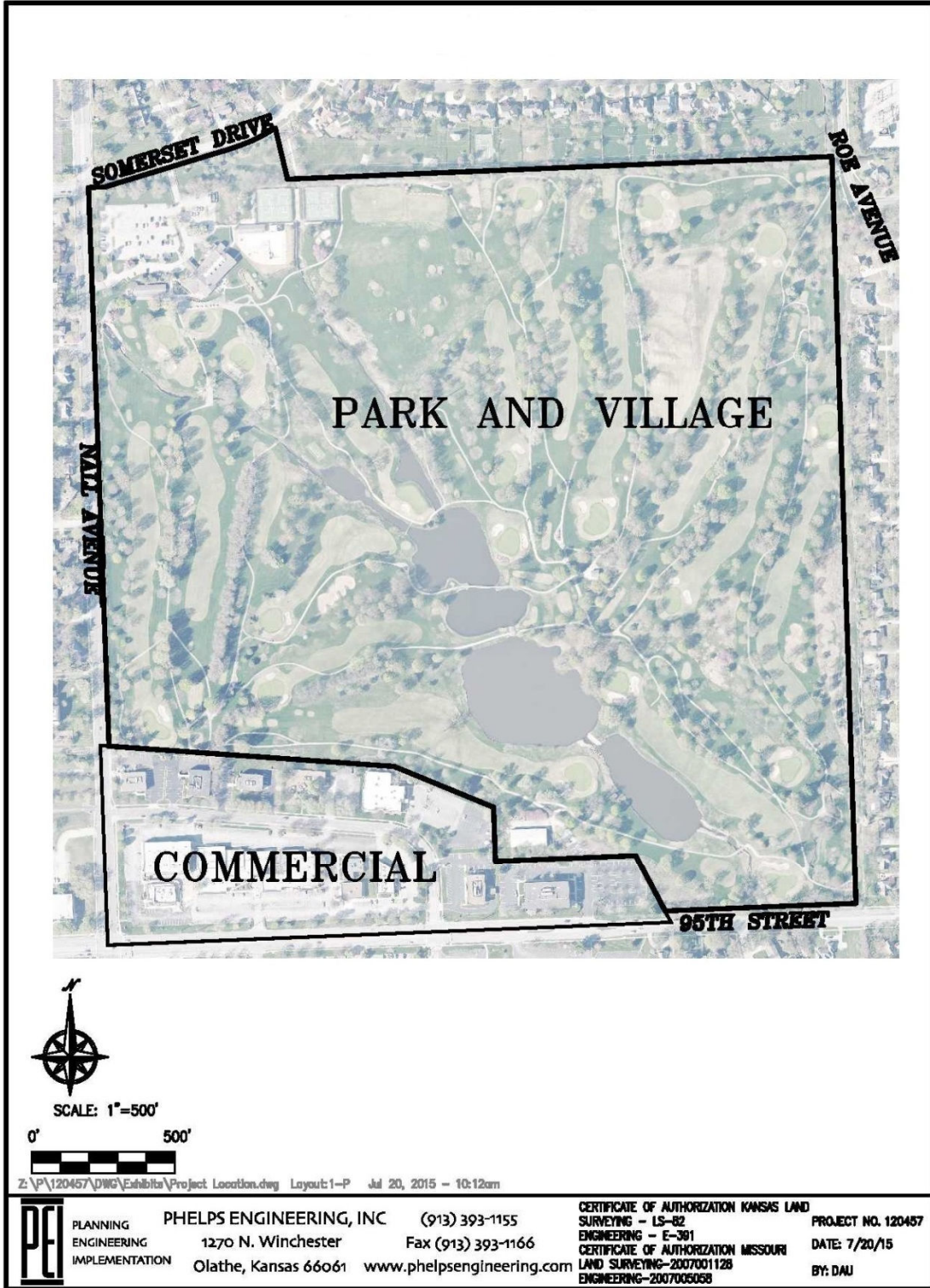


EXHIBIT B

LEGAL DESCRIPTION OF PROPOSED REDEVELOPMENT DISTRICT

The following property located in Johnson County, Prairie Village, Kansas:

Park and Village Project Area:

LOTS 1 THROUGH 12, INCLUSIVE, AND LOT A, EXCEPT THE SOUTH 10 FEET THEREOF, BLOCK B, MEADOWBROOK ACRES, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS;

AND ALL OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SECTION THIRTY-THREE (33) TOWNSHIP TWELVE (12) RANGE TWENTY-FIVE (25) IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS MEADOWBROOK ACRES; AND EXCEPT THE SOUTH 40 FEET THEREOF IN 95TH STREET; AND EXCEPT THE WEST 30 FEET THEREOF IN NALL AVENUE;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, JOHNSON COUNTY, KANSAS; THENCE NORTH 0° 00' 00" EAST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH 83° 50' 00" EAST A DISTANCE OF 1,030.00 FEET TO A POINT; THENCE SOUTH 65° 35' 00" EAST, A DISTANCE OF 375.00 FEET TO A POINT; THENCE SOUTH 0° 00' 00" WEST, A DISTANCE OF 429.24 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89° 47' 09" WEST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 1,365.51 FEET TO THE PLACE OF BEGINNING;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 33, THENCE SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SECTION 33, A DISTANCE OF 676.70 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 605 FEET; THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 240 FEET; THENCE NORTH 89° 47' 09" EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 490 FEET; THENCE SOUTH 25° 38' 32" EAST, A DISTANCE OF 265.74 FEET TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT;

ALSO: A PART OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE AND 88.86 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE NORTH 75° EAST, ALONG THE SOUTH LINE OF SOMERSET DRIVE, AS ESTABLISHED BY THE PLAT OF WEST RIDING, A SUBDIVISION OF LAND NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 454.01 FEET, TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, ALONG THE SOUTH LINE OF SAID SOMERSET DRIVE, SAID SOUTH LINE BEING ON A CURVE TO THE LEFT

HAVING A RADIUS OF 640 FEET, A DISTANCE OF 176.13 FEET; THENCE SOUTH 11° 43' 23" EAST, A DISTANCE OF 183.42 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE SOUTH 89° 26' 38" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 637.59 FEET, TO THE POINT OF BEGINNING.

Commercial Project Area:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE N 2°06'14" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 700.00 FEET; THENCE S 85°56'14" E, A DISTANCE OF 1029.95 FEET; THENCE S 67°41'14" E, A DISTANCE OF 375.00 FEET; THENCE S 02°06'14" E, A DISTANCE OF 189.07 FEET; THENCE N 87°40'29" E, A DISTANCE OF 490.00 FEET; THENCE S 27°45'12" E, A DISTANCE OF 265.74 FEET; TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE S 87°40'29" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 1970.54 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN ROADS, CONTAINING 22.1018 GROSS ACRES, MORE OR LESS

**REDEVELOPMENT DISTRICT PLAN
FOR THE
MEADOWBROOK REDEVELOPMENT DISTRICT**

July 20, 2015

DESCRIPTION OF REDEVELOPMENT DISTRICT PLAN

K.S.A. 12-1770 *et seq.*, as amended (the “Act”), authorizes cities to establish redevelopment districts to promote the general and economic welfare of the city. The proposed redevelopment district (the “**Redevelopment District**”) consists of an area located in the City of Prairie Village, Johnson County, Kansas that is described on the attached Exhibit A and depicted on the attached Exhibit B, both of which are attached and made a part hereof, and which is generally described as an area bounded by Roe Avenue on the east, W. 95th Street on the south, Nall Avenue on the west, and W. 91st Street, as if extended, on the north.

This redevelopment district plan (the “**District Plan**”) consists of two (2) redevelopment project areas and the buildings, facilities, and improvements to be constructed or improved within the Redevelopment District may be described in a general manner as consisting of some or all of the following buildings, facilities and improvements to be constructed or improved, without limitation:

- **Park and Village Project Area** - Recreational, residential and mixed-use development consisting of some or all of the following uses: single family, townhomes, multi-family apartments, and senior living residential; an inn or hotel; a public park and any other facilities or improvements associated with or incidental to such uses including commercial services and offices, trails, landscaped areas, water features and detention facilities, parking lots, shelters, recreational structures, off-street parking, traffic improvements, sanitary sewer improvements and any other utility improvements and infrastructure necessary or incidental to the uses and improvements described above and permitted under the Act.
- **Commercial Project Area** - A neighborhood retail and neighborhood office development consisting of some or all of the following uses: retail, office, residential, and any other facilities or improvements associated with or incidental to such uses including green space, landscaped areas, water features and detention facilities, parking lots and facilities, off-street parking, streets and traffic signals, any other public and private infrastructure, and other items permitted under the Act.

[The remainder of this page intentionally left blank. Exhibits follow.]

EXHIBIT A

Legal Description

Park and Village Project Area:

LOTS 1 THROUGH 12, INCLUSIVE, AND LOT A, EXCEPT THE SOUTH 10 FEET THEREOF, BLOCK B, MEADOWBROOK ACRES, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS;

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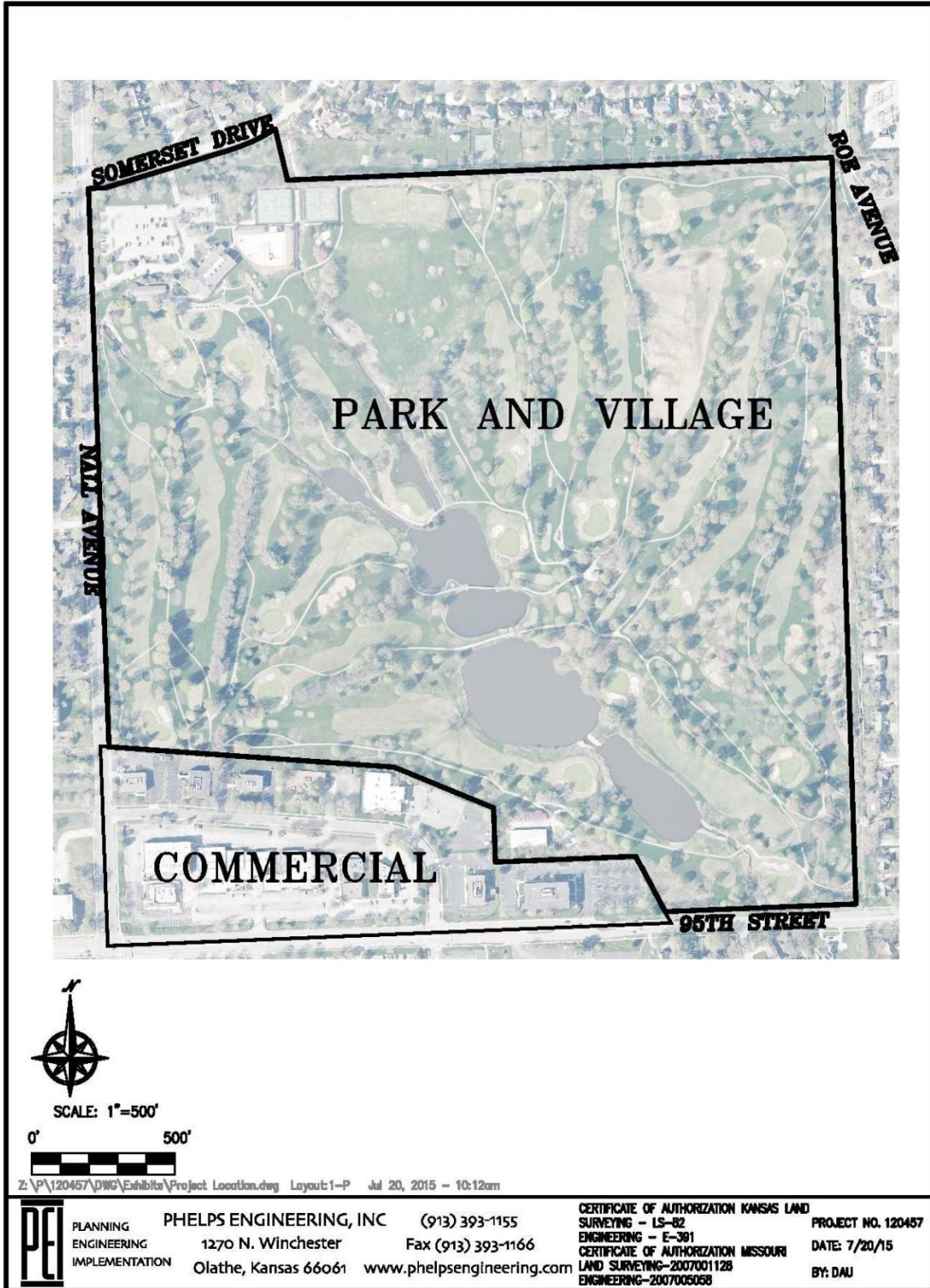
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EXHIBIT B

Depiction



The boundaries of the Park and Village Project Area and the Commercial Project Area are outlined in black.

August 7, 2015

Owner or Occupant
[street address]
[city, state ZIP]

Re: Proposed Meadowbrook Redevelopment District

Dear Owner or Occupant:

The City Council of the City of Prairie Village, Kansas (the "City") passed Resolution on August 3, 2015 setting **Tuesday, September 8, 2015 at 7:30 p.m.** as the date and time for a public hearing to consider establishment of the Meadowbrook Redevelopment District, a tax increment finance (TIF) district created pursuant to K.S.A. 12-1770 et seq. (the "District"). Enclosed please find copies of such resolution and the Redevelopment District Plan for the proposed District.

The City will hold an informational meeting regarding the proposed District on Thursday, August 27, 2015 at 5:00 p.m. at the Meadowbrook Golf and Country Club, 9101 Nall Ave., Prairie Village, Kansas. For additional information, please visit the following website:

www.pvkansas.com/meadowbrook

You are encouraged to attend the informational meeting to learn more about the proposed District and/or attend the public hearing to provide comments for the formal record.

Sincerely,

Quinn Bennion
City Administrator

KSA 12-1770a(d)

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.



W. 91ST ST.

NALL AVE.

MEADOWBROOK PROPERTY

ROE AVE.

95TH ST.

MEADOWBROOK PROPOSED TIF DISTRICT ANALYSIS

JULY 30, 2015

PREPARED FOR:



The City Of
Prairie Village, Kansas



REPORT: MEADOWBROOK PROPOSED TIF DISTRICT SITE ANALYSIS

CITY OF PRAIRIE VILLAGE, KANSAS

JULY 30, 2015

PREPARED BY Confluence, Kansas City, Kansas
- Christopher Shires, AICP, Principal
- PJ Novick, ASLA, LEED GA, Principal

PROJECT BACKGROUND

The Village Vision Strategic Investment Plan, adopted by the City of Prairie Village, Kansas, in 2007 as the City's comprehensive plan, identifies the Meadowbrook Country Club and the adjoining Meadowbrook Village Shopping Center as a potential site for redevelopment. The Country Club site is one of the last relatively undeveloped properties in Prairie Village and both properties are strategically located at the southwestern edge of the community at the intersection of two (2) major roadways, Nall Avenue and W. 95th Street. However, the Village Vision notes that the Country Club property does not have adequate sanitary sewer service and the Shopping Center is underutilized and retail space has been converted to office space.

To foster and support the redevelopment of the Country Club property and the rejuvenation of the adjoining Shopping Center, the City desires to establish a Tax Increment Financing (TIF) district as provided for in the State of Kansas Statutes. The proposed TIF district, which includes both the Country Club property and the Shopping Center, is generally bound by W. 95th Street on the south, Nall Avenue of the west, W. 90th Street on the north, and Roe Avenue on the east. (See Exhibit A – Proposed TIF District Location Map.)

In order to establish a TIF district, among other steps, the City must determine if the area meets the eligibility requirements for a TIF district. The most applicable eligibility status is a "Conservation area" as defined in the State of Kansas Statute (K.S.A 12-1770a). The statute states:

"Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;*
- (2) illegal use of individual structures;*
- (3) the presence of structures below minimum code standards;*
- (4) building abandonment;*
- (5) excessive vacancies;*
- (6) overcrowding of structures and community facilities; or*
- (7) inadequate utilities and infrastructure.*

The following memorandum summarizes our site analysis as to whether the proposed TIF district meets the three (3) part definition of "Conservation area."

ANALYSIS

Part 1 - The proposed TIF district is 15% or less than the total area of the city:

The proposed TIF district is approximately 172 acres. The total land area contained within the corporate limits of the City is 3,968 acres. The proposed TIF district is therefore 4.34% of the total land area of the City, and under the 15% threshold identified by the State Statute.

Part 2 - 50% or more of the structures in the proposed TIF district have an age of 35 years or more:

There are 15 individual structures within the proposed TIF district. In review of the Johnson County land records, 12 of these structures (80%) were constructed prior to 1981 and are 35 years of age or older, more than the 50% as required by the State Statute.

Part 3 - The existence of a combination of two (2) or more of the seven (7) State definition factors within the proposed TIF district:

In an analysis of the existing site conditions, four (4) of the seven (7) factors of the State Statute have been identified as applying to the proposed TIF district.

As noted in the 2007 Village Vision, the Meadowbrook Country Club property does not have sanitary sewer service and is not included within the Johnson County waste water sewer district (with the exception of the existing clubhouse and maintenance building). The cost of extending sewer to this property is significant and is a barrier to the redevelopment of this site. Based on this, the proposed TIF district identifies with the seventh factor of the State Statute "inadequate utilities and infrastructure" in that the proposed TIF district does not have adequate sanitary sewer service.

It has been identified through communications with the City staff that there are insufficient stormwater drainage facilities to manage the stormwater run-off from the sites on which the identified structures are located. Most of these sites have little to no stormwater detention facilities, adding to the flooding issues known to the general area. Therefore it is reasonable to find that the proposed TIF district again identifies with the seventh factor of the State Statute "inadequate utilities and infrastructure" in that the proposed TIF district does not have adequate stormwater management infrastructure.

Upon onsite observation of each of the 15 structures within the proposed TIF district, we identified that several have dated building architecture that may make them more difficult to retain tenants and lease or sell to new tenants, as their building style and layout/configuration may not fit the needs and desires of today's typical retail and office user. Additionally, due to the age of the structures it can be assumed that most have some nonconformity with current building codes, as code requirements have evolved and changed over the past 35+ years. Depending on the user this can be a significant obstacle to the reuse, renovation, or re-tenanting of an existing structure, adding additional cost and delay that may make the structure significantly less attractive to a current or prospective tenant than would a newer structure. Therefore it is reasonable to state that the proposed TIF district further identifies with the first and third factors of the State Statute "Dilapidation, obsolescence or deterioration of the structures" and "the presence of structures below minimum code standards" in that several structures may be obsolete with regards to meeting the current requirements of retail and office tenants and/or may not meet the current minimum building code standards.

It was also observed that several properties within the subject area do not appear to have room for building and/or parking lot expansion. This site crowding hinders the ability to add additional parking, outdoor pedestrian spaces, patios, building entryways, drive-thrus, etc., further impacting their ability to evolve and remain viable tenant spaces. As a result, the proposed TIF district identifies with the sixth factor of the State Statute "overcrowding of structures and community facilities."

CONCLUSION

A conclusion can be made that the proposed TIF district conforms to the Kansas Statute as a “Conservation area.” The proposed TIF district is less than 15% of the total land area of the City. More than 50% of the structures within the proposed TIF district are 35 years of age or older, and the proposed TIF district identifies with two (2) or more of the seven (7) factors listed in the state statute.

Two tables summarizing our analysis are attached (Exhibit B – Structure Ages Table and Conservation Area Factors Table). Summary sheets of the analysis of each individual structure and site is further attached as Exhibit C.

EXHIBITS

- Exhibit A – Proposed TIF District Location Map
- Exhibit B – Structure Ages Table + Conservation Area Factors Table
- Exhibit C – Site Analysis Sheets

EXHIBIT A | PROPOSED TIF DISTRICT LOCATION MAP



EXHIBIT B | STRUCTURE AGES

CONSERVATION AREA STRUCTURES				MEETS AGE DEFINITION
#	ADDRESS		AGE	
1	5400 W. 9TH ST.		36	X
2	5370 W. 95TH ST.		28	
3	5300 W. 95TH ST.		39	X
4	9401 NALL AVE.		37	X
5	5350 W. 94TH TER.		36	X
6	5300 W. 94TH TER.		38	X
7	5250 W. 94TH TER.		33	
8	5215 W. 94TH. TER.		39	X
9	5206 W. 9TH ST.		39	X
10	5200 W. 95TH ST.		38	X
11	5200 W. 94TH TER.		37	X
12	5100 W. 95TH ST. APT 200		39	X
13	5000 W. 95TH ST. APT. A		41	X
14	5000 W. 95TH ST. APT. A		27	
15	9101 NALL AVE.		41	X
				12 OF 15 = 80%

CONSERVATION AREA FACTORS:

- Dilapidation, obsolescence or deterioration of the structures
- Illegal use of individual structures
- The presence of structures below minimum code standards
- Building abandonment
- Excessive vacancies
- Overcrowding of the structures and community facilities
- Inadequate utilities and infrastructure

EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5400 W. 95th St.

PROPERTY NUMBER: OF251233-2019

AGE OF PROPERTY: 36

YEAR BUILT: 1979

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry structure that currently houses a restaurant. The building exterior appears to be in good condition and some renovations have taken place. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. Little room exists for expansion and the site may be short adequate very close proximity parking typically desired by a restaurant user.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5370 W. 95th St.

PROPERTY NUMBER: OF251233-2016

AGE OF PROPERTY: 28

YEAR BUILT: 1987

CLASS: C- Commercial

BRIEF DESCRIPTION

Three-story masonry structure with multiple office tenants. The building exterior appears to be in fair condition with no recent exterior improvements. The building architecture is dated and may no longer fit the needs and desires of typical retail and office tenants. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5300 W. 95th St.

PROPERTY NUMBER: OF251233-2011

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story, multi-tenant office and retail structure (Nall Hills Shopping Center) with no outward appearance of recent improvements. The building exterior appears to be in fair condition but has dated architecture that may no longer fit the needs and desires of typical retail and office tenants. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 9401 Nall Ave.

PROPERTY NUMBER: OF251233-2017

AGE OF PROPERTY: 37

YEAR BUILT: 1978

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The site appears to be maximized so should parking become an issue there does not appear room to construct additional parking.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5350 W. 94th Ter.

PROPERTY NUMBER: OF251233-2020

AGE OF PROPERTY: 36

YEAR BUILT: 1979

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The site appears to be maximized so should parking become an issue there does not appear room to construct additional parking.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5300 W. 94th Ter.

PROPERTY NUMBER: OF251233-2014

AGE OF PROPERTY: 38

YEAR BUILT: 1977

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5250 W. 94th Ter.

PROPERTY NUMBER: OP23710000001

AGE OF PROPERTY: 33

YEAR BUILT: 1982

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The parking lot and driveway are in poor condition. Access to the site is limited to one driveway.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5215 W. 94th Ter.

PROPERTY NUMBER: OF251233-2012

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry retail structure. Some exterior improvements have been made and the building exterior appears to be in good condition. The building architecture is dated that may no longer fit the needs and desires of typical retail and office tenants. The driveways, parking lot and pedestrian walkways are in fair condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5206 W. 95th St.

PROPERTY NUMBER: OF251233-2013

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry structure currently housing a bank. The building exterior appears to be in fair condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The building architecture is dated that may no longer fit the needs and desires of typical retail and office tenants. The ATM is in an awkward location and the bank teller drive-up is limited to one lane. There does not appear adequate room to expand the bank drive-up. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5200 W. 95th St.

PROPERTY NUMBER: OF251233-2015

AGE OF PROPERTY: 38

YEAR BUILT: 1977

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry retail structure that is currently vacant. The building exterior appears to be in fair condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5200 W. 94th Ter.

PROPERTY NUMBER: OF251233-2018

AGE OF PROPERTY: 37

YEAR BUILT: 1978

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure with recent improvements completed. The building exterior appears to be in good condition. The driveways, parking lot and pedestrian walkways are in fair condition.



MEADOWBROOK | PROPOSED TIF DISTRICT STRUCTURES

JULY 30, 2015

PRAIRIE VILLAGE, KANSAS

CONFLUENCE

EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5100 W. 95th St. Apt. 200

PROPERTY NUMBER: OF251233-2009

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick multi-tenant office structure that currently housing a bank and other office tenants. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The ATM is in a very poor location potentially negatively impacting vehicular circulation.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5000 W. 95th St. Apt. A

PROPERTY NUMBER: OF251233-2023

AGE OF PROPERTY: 41

YEAR BUILT: 1974

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story metal structure currently serving as a maintenance facility for the adjoining former golf course. The structure has limited vehicular access and has very limited potential for use as anything other than a maintenance shed and cannot be readily repurposed or modified for office or retail use. The driveways and parking lot are in very poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5000 W. 95th St.

PROPERTY NUMBER: OP11100000001

AGE OF PROPERTY: 27

YEAR BUILT: 1988

CLASS: C- Commercial

BRIEF DESCRIPTION

Three-story brick multi-tenant office structure. The building exterior appears to be in good condition. The driveways, parking lot and pedestrian walkways are in fair condition. Vehicular access to the site is limited to one driveway at an unsignalized intersection with a major arterial and may be difficult to enter and exit during peak traffic periods.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 9101 Nall Ave.

PROPERTY NUMBER: OF251233-2026

AGE OF PROPERTY: 41

YEAR BUILT: 1974

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story masonry and wood structure which was formally the clubhouse for the adjoining former golf course. Due to the age of the structure it can be assumed portions may not comply with current building codes. The exterior of the structure, roadway and parking are in fair condition. The structure has limited reuse potential as anything other than a clubhouse or similar recreational facility.



Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village

	Miscellaneous	Zoning	TIF District Plan	Bonds
February				
Feb 17 Council Meeting	Executive Session Joint public announcement regarding project. Announce upcoming Informational Meetings.			
February 19				
March				
March 10 & 11	Open House/Informational Meetings, LRK Facilitate. 4-8 pm			
March 11 PV Parks and Rec Committee Meeting	PV Parks and Rec Committee attend Informational Meeting			
March 30 City Council Work Session	Topic: Presentation of Plan, LRK attend.			
April				
April 20 Committee meeting	Topic: TIF Mechanics and financing, senior housing			
May				
May 4 Council Meeting	City Council considers Funding Agreement* (Agreement allows city to be reimbursed for consultants time)			
May - July	JCPRD Park Planning Process			
June				
June 15 Council Meeting	City Council considers Memo of Understanding* (first reading)			
July				
July 6 Council Meeting	City Council considers Memo of Understanding* (second reading)			
July 20 Regular Council Meeting			VT attend Committee of Whole Meeting for discussion of Project	
July 28 for next Council packet			Completion of Eligibility Study, Completion of District Plan; Resolution to Hold Public Hearing	
August				
August 3 Regular Council Meeting			Governing Body adopts Resolution calling for public hearing September 8, 2015 on creation of TIF District*	
By August 13 City Staff			Copy of Resolution sent by certified mail, return receipt requested, to County Commission, USD 512 and each owner and occupant of land within proposed district	
August 17 Regular Council Meeting			Informational meeting regarding TIF District	
August 25 (Tuesday)			Publication of Resolution calling for public hearing on TIF District to be held by Governing Body on Tuesday, September 8 (because of Labor Day Holiday)	
By August 31		Application for Rezoning and Preliminary Plat Filed with City		
September				
September 8 (Tuesday)		Publication of Notice of Public Hearing on Rezoning before the PC to be held on October 6		

**Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village**

By September 8		Applicant mail notice to 200 foot property owners		
September 8 Regular Council Meeting			Governing Body holds Public Hearing on creating TIF District and adoption of ordinance to create TIF District*	
September 15 (Tuesday)			Ordinance creating TIF District published	
By September 22		Applicant files affidavit of mailed notices with City Clerk		
October				
October 6		PC Holds Public Hearing and Considers Rezoning and Preliminary Plat		
October 8			BOCC and USD 512 Protest Period Ends	
October 9			TIF Project Plan for Project Area 1 filed with City	
October 12 Special PC Meeting			PC considers comprehensive plan consistency finding	
October 13 Special Council Meeting			City Council adopts resolution to call public hearing November 16 on TIF Project Plan*	
October 20		Rezoning Protest Petition Period Expires		
By October 23 City Staff			Copy of Resolution and TIF Project Plan certified mail to BOCC and USD 512; Copy of Resolution sent certified mail to each owner and occupant within Project Area 1 [i.e. VanTrust]	
November				
November 2 Regular Council Meeting	City Council adopts Charter ordinance creating Transient Guest Tax by 2/3rds (9) affirmative votes*	Governing Body Considers Rezoning*	Committee of Whole Considers Project Plan and Development Agreement	
November 3 (Tuesday)	First Publication TGT Charter Ordinance		Publish Resolution calling for public hearing TIF Plan to be held on November 16	
November 10 (Tuesday)	Second Publication TGT Charter Ordinance			
By November 12	Preliminary park plan prepared (tentative)			
November 16 Regular Council Meeting			Public Hearing on TIF Plan; Approval of Ordinance Adopting TIF Plan by 2/3rds (9) affirmative votes; adopt Resolution approving Development Agreement*	Council considers bond sale resolutions*
November 24 (Tuesday)			Ordinance adopting TIF Plan published; City Clerk deliver copy of Ordinance, map or plat of district to County Clerk, County Assessor, County Treasurer, County Commission and USD 512	
December				
December 8 PC Meeting		PC Considers Final Plat		

**Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village**

December 21 Regular Council Meeting			Council considers Final Plat for purpose of accepting dedications of right of way*		
December Generally					Finalize bond size and structure
January, 2016					
January 11, 2016		Protest Period TGT Charter Ordinance Expires (60 days after second publication)			Publish GO TIF Bond preliminary official statement
January 15, 2016					Protest Period GO TIF Bonds Expires (60 days after conclusion of public hearing)
January 18 Regular Council Meeting					Bond pricing and Council Approval*
February, 2016					
February 9					Bond Closing

Updated July 27, 2015

* = Governing Body action item

**COUNCIL MEETING AGENDA
CITY OF PRAIRIE VILLAGE
Council Chambers
Monday, August 03, 2015
7:30 PM**

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **INTRODUCTION OF STUDENTS & SCOUTS**
- V. **PUBLIC HEARING**

2016 Budget Hearing

- VI. **PUBLIC PARTICIPATION**

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

- VII. **CONSENT AGENDA**

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

By Staff

- 1. Approve the regular City Council meeting minutes - July 20, 2015
- 2. Approve Claims Ordinance 2931
- 3. Ratify the Mayor's appointment of City Officials

- VIII. **COMMITTEE REPORTS**

Council Committee of the Whole

COU2015-30 Consider approval of a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district) for the Meadowbrook project

Planning Commission

PC2015-06 Consider a request for rezoning at 7930 State Line Road from R-1B Residential and C-0 Office Building to CP-1 Planned Restricted Business District

- IX. **MAYOR'S REPORT**

- X. STAFF REPORTS
- XI. OLD BUSINESS
- XII. NEW BUSINESS
- XIII. ANNOUNCEMENTS
- XIV. ADJOURNMENT

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

CONSENT AGENDA
CITY OF PRAIRIE VILLAGE

August 3, 2015

**CITY COUNCIL
CITY OF PRAIRIE VILLAGE
July 20, 2015**

The City Council of Prairie Village, Kansas, met in regular session on Monday, July 20, 2015 at 7:30 p.m. in the Council Chambers at the Municipal Building, 7700 Mission Road, Prairie Village, Kansas.

ROLL CALL

Mayor Laura Wassmer called the meeting to order and roll call was taken with the following Council members present: Jori Nelson, Ruth Hopkins, Steve Noll, Eric Mikkelson, Andrew Wang, Sheila Myers, Dan Runion, David Morrison and Ted Odell.

Staff present was: Tim Schwartzkopf, Chief of Police; Melissa Prenger, Public Works Project Manager; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Nolan Sunderman, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk. Mayor Laura Wassmer led all present in the Pledge of Allegiance.

INTRODUCTION OF STUDENTS & SCOUTS

Mayor Wassmer welcomed Boy Scout J.T. Lilak from Troop 251 attending the meeting to earn his "Communications Badge".

PRESENTATION OF LIFE SAVING AWARDS

Police Chief Tim Schwartzkopf called upon Officers Drew O'Neill, Brad Machiela and John Shipman who on April 11, 2015, were dispatched to Claridge Court finding a

resident choking and unresponsive. The officers administered CPR until MedAct arrived and was able to clear the obstruction from the gentleman's airway.

It was with great pride that Chief Schwartzkopf presented the Department's Lifesaving Award to Officer Drew O'Neill, Officer Brad Machiela and Officer John Shipman, noting that this was Officer Shipman's second Lifesaving Award.

On June 25th, Officer Louis Curtis was dispatched to Benton House for a resident that was not breathing. Officer Curtis began CPR reviving the gentlemen after approximately 60 seconds. When MedAct arrived, the man was breathing and had a weak pulse. Officer Louis Curtis was awarded his second Department's Lifesaving Award for his actions.

Captain Greg Bollella with Johnson County MedAct commended the Prairie Village Police Department on its aggressive response and care to individuals in emergency situations. His department appreciates their excellent first responder efforts. Captain Bollella noted that it is his agency's goal in 2015 to train 25,000 individuals in CPR and encouraged those present to get training.

PUBLIC PARTICIPATION

John Anderson, 4402 W. 63rd Terrace, in light of the recent terrorist activities around the country asked Chief Schwartzkopf what the police department was doing in preparation for such events happening in Prairie Village. Chief Schwartzkopf stated that for the past three years officers have participated in "Hostile Events Training" with other public safety agencies. The department also works with the City of Overland Park and other Johnson County cities on smaller scale training exercises address such issues as school safety.

Public Participation was closed at 7:40 p.m.

CONSENT AGENDA

Former Council President David Morrison moved for the approval of the Consent Agenda for July 20, 2015:

1. Approve regular City Council Minutes - July 6, 2015.
2. Approve an exemption from City provided Solid Waste Services in 2016 for Countryside East Homes Association and Town & Country Homes Association.
3. Authorize staff to publish the 2016 proposed budget as required by State Statutes.

A roll call vote was taken with the following members voting “aye”: Nelson, Hopkins, Noll, Mikkelson, Wang, Myers, Runion, Morrison and Odell.

PRESENTATION

Mayor Wassmer invited John Blessing, Public Sector Representative for Deffenbaugh Industries to address the Council. Mr. Blessing shared changes that happening at Deffenbaugh since its acquisition by Waste Management in May of 2015. He noted significant improvements in technology, an increased focus on quality and environmental stewardship. They have restructured customer service to provide better service to residents. Mr. Blessing provided an update on new and upcoming programs to be offered including the following: Waste Watch Program with local Police Departments; Recycle Rewards Program, Overhaul of fueling stations and a switch from diesel trucks to natural compressed fuel trucks.

Specific to Prairie Village, Mr. Blessings noted the introduction of a pilot curbside glass recycling program with the Normandy Square Homes Association, which already has a composting program. They hope to launch the glass recycling program in October. It was noted that this is not in competition with Ripple Glass and explained

their partnership with Ripple Glass. Mr. Blessings would like to see the curbside glass recycling program be piloted in 2016 in the City of Prairie Village. This is not being done in any other municipality.

Deffenbaugh would be pleased to offer a tour of their facilities to interested Council Members. This will be coordinated through city staff.

Jori Nelson asked when the city's contract with Deffenbaugh expired. Quinn Bennion replied the current contract expires December 31, 2016. The renewal process would begin in early Spring 2016. Ms Nelson asked Mr. Blessings if he anticipated additional costs. Mr. Blessings noted the current downturn on the recycling market particularly for plastics, but did not foresee additional costs.

Sheila Myer confirmed that the proposed curbside glass recycling would not be in competition with Ripple Glass.

David Morrison stated he was pleased to learn of the changes taking place, noting his previous displeasure with Deffenbaugh's services. He was particularly concerned with the political campaign contributions given to governmental candidates. He stated he would like to see this practice discontinued.

COMMITTEE REPORTS

Planning Commission

PC2015-109 Consider Plat for Briarwood Elementary

Graham Evans, with Gould Evans, stated that on July 7, 2015, in conjunction with the Site Plan Approval for the new Briarwood Elementary School at 5300 West 86th Street the preliminary and final plats for Briarwood Elementary were presented to the Planning Commission. This area, which is currently unplatted, is required to be platted

as a condition of approval for the proposed site plan. As this is an existing developed area, containing only one lot, preliminary and final plat applications were considered at the same time. The Preliminary Plat contains the information normally required. The lines on the plat marked as SW are stormwater pipes, but are not identified in the Legend. They handle internal drainage on the site. All easements identified in the Title Report are shown on the Preliminary Plat.

The Final Plat contains essentially all the information required. The Commission approved the Preliminary and Final Plats for Briarwood Elementary subject to the following conditions:

1. That the name of the Chairman of the Planning Commission be changed to Nancy Wallerstein.
2. That the Final Plat as approved be revised and three (3) copies submitted to the City for their records.
3. That the applicant submits the Final Plat to the Johnson County surveyor for review.

Dan Runion, noted comments from residents regarding the gymnasium floor. Mr. Evans stated the Council's action on the plat only addresses the acceptance of rights-of-way and easements and has nothing to do with site plan elements handled by the Planning Commission.

Wes Jordan stated the Planning Commission in their consideration of the site plan did not address the building issue of the gymnasium floor material. Their primary discussion focused on the parking and traffic issues related to the site plan.

Mr. Runion asked if the school was no longer used as a school what affect would this have on the plat. Mr. Evans replied that the underlying zoning for this property would remain single family residential.

Steve Noll moved the City Council authorize the Mayor to execute the Final Plat for Briarwood Elementary for acceptance of rights-of-way and easements subject to the conditions of approval required by the Planning Commission. The motion was seconded by Andrew Wang and passed unanimously.

Small Cities Steering Committee

David Morrison reported on his recent meeting with the National League of Cities Steering Committee made up of representatives from cities with a population of less than 50,000. He noted the value of this committee and encouraged other council members to become involved.

Shawnee Mission School District

Jori Nelson reported on the recent School Board meeting noting awards given to Shawnee Mission East students and improvements being made to Shawnee Mission Schools located in Prairie Village.

Planning Commission

Eric Mikkelson reported that the Planning Commission will consider the Mission Chateau project at a Special meeting on July 29th with their recommendation coming before the Governing Body on August 17th. At their July 6th meeting they heard a request for rezoning of 7930 State Line Road which will come before the Governing Body on August 3rd for action.

Mayor's Report

Mayor Wassmer reported on her recent activities attended on behalf of the City

including the retirement reception for retiring Planning Consultant Ron Williamson and Planning Commission member Randy Kronblad. She and several other area mayor's met with Governor Brownback regarding the issue of "border wars" and a committee will be working on some possible responses to the issue. At that meeting Governor Brownback was questioned regarding the actions taken at the last legislative session, but was not supportive of assisting with the repealing of these actions. Mayor Wassmer attended the Northeast Johnson County Chamber Luncheon featuring a talk by Johnson County Commission Chairman Ed Eilert regarding the proposed tax increase. She noted the additional funds are being earmarked for specific programs. She was please to learn the impact of the increase will be fairly minimal for Prairie Village residents in the \$8 to \$12 per month range. Commissioner Ron Shaffer will be attending a future meeting to present the County's 2016 budget.

Mayor Wassmer encouraged Council members to attend the upcoming Employee Appreciation Event on September 25th. She announced that the city's committee working on the development agreement for Meadowbrook will meet on Wednesday.

STAFF REPORTS

Public Safety

- Chief Schwartzkopf announced the upcoming Citizen's Police Academy Class and the next "Coffee with a Cop" to take place on August 31st.
- Department members will be participating this Saturday in the "First Responded Summer Games" to benefit Special Olympics.

Public Works

- Melissa Prenger provided an update on construction projects.

OLD BUSINESS

There was no Old Business to come before the City Council.

NEW BUSINESS

There was no New Business to come before the City Council.

Committee meetings scheduled for the next two weeks:

Environment/Recycle Committee	07/22/2015	5:30 p.m.
VillageFest Committee	07/23/2015	5:30 p.m.
Special Planning Commission Meeting	07/29/2015	7:00 p.m.
Council Committee of the Whole	08/03/2015	6:00 p.m.
City Council	08/03/2015	7:30 p.m.

The Prairie Village Arts Council is pleased to present a mixed media exhibit by the Senior Arts Council in the R. G. Endres Gallery during the month of July.

The annual employee appreciation event will be a Royals game on September 25, 2015. Council members and a guest are invited to attend. Please RSVP to Meghan Buom before July 31, 2015.

ADJOURNMENT

With no further business to come before the City Council the meeting was adjourned at 8:20 p.m.

Joyce Hagen Mundy
City Clerk

CITY TREASURER'S WARRANT REGISTER

DATE WARRANTS ISSUED:

Warrant Register Page No. 1

July 20, 2015

Copy of Ordinance
2931

Ordinance Page No. _____

An Ordinance Making Appropriate for the Payment of Certain Claims.

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

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

NAME	DATE	AMOUNT	TOTAL
EXPENDITURES:			
Accounts Payable			
10029-10033	6/1/2015	306.35	
10034-10156	6/5/2015	797,246.63	
10157-10165	6/12/2015	6,994.72	
10166	6/15/2015	3,255.14	
10167-10257	6/19/2015	140,814.26	
10258	6/26/2015	3,296.23	
Payroll Expenditures			
6/12/2015		284,743.92	
6/26/2015		302,615.76	
Electronic Payments			
Electronic Pmnts	6/1/2015	596.93	
Electronic Pmnts	6/4/2015	13,967.19	
Electronic Pmnts	6/10/2015	443.28	
Electronic Pmnts	6/11/2015	854.01	
Electronic Pmnts	6/12/2015	3,632.06	
Electronic Pmnts	6/15/2015	1,877.02	
Electronic Pmnts	6/19/2015	232.92	
Electronic Pmnts	6/24/2015	1,521.33	
Electronic Pmnts	6/30/2015	22,771.06	
TOTAL EXPENDITURES:			1,585,168.81
Voided Checks			
	Check #	(Amount)	
Nalpak Inc	10125	(29.15)	
TOTAL VOIDED CHECKS:			(29.15)
GRAND TOTAL CLAIMS ORDINANCE			1,585,139.66

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

Passed this 20th day of July 2015.

Signed or Approved this 20th day of July 2015.

(SEAL)

ATTEST:  City Treasurer

ATTEST:  Finance Director

MAYOR

**Council Meeting Date: August 3, 2015
Consent Agenda**

Consider appointment of City Officials

RECOMMENDATION

Ratification of Mayor's appointment of the following City Officials:

Michelle A. DeCicco	Municipal Judge
Karen L. Torline	Pro Tem Municipal Judge/Prosecutor

BACKGROUND

Under the terms of the Municipal Code, these positions are Mayoral appointments for two-year terms. The compensation of these offices shall be fixed by agreement. These are dedicated professionals who have demonstrated their ability and commitment to public service.

ATTACHMENTS

Michelle DeCicco Resume
Karen Torline Resume

PREPARED BY

Meghan Buom
Deputy City Clerk

Date: July 30, 2015

Michelle A. DeCicco

[REDACTED]
Prairie Village, Kansas 66208
[REDACTED]
[REDACTED]

Professional Experience:

Pro tem Judge (October 2007- present)— Shawnee, Lenexa, Overland Park and Prairie Village municipal and Miami County district courts

Pro tem Prosecutor (October 2007- present)— Lenexa, Merriam, Mission Hills, Overland Park, Prairie Village, Roeland Park and Shawnee courts

Municipal Court Judge (July 2008-2013)- Roeland Park, Kansas municipal court

Michelle A. DeCicco, P.A. (November 2014- present)- I have a small practice where I handle primarily traffic and misdemeanor cases out of Johnson County municipalities and the district court. The majority of my employment is acting as a pro team judge and prosecutor for local municipalities.

City of Overland Park, Kansas- Law Department, Prosecution Division (1995-2007)- I was an employee for the city of overland Park for over a decade. I worked in the Prosecution division of the Law Department as an entry level prosecutor until I became the administrative prosecutor 5 years later. During my tenure, I performed the following duties: preparing and trying cases; negotiating meaningful plea bargains; managing day-to-day operations; overseeing and hiring and firing employees; conducting customer surveys to measure work performance; evaluating staff and attorney performance; consulting with the police and probation departments on pending cases.

Assistant City Attorney (April 1995- November 2000)

Administrative Prosecutor (November 2000-September 2006)

Part-time Assistant City Attorney (September 2006-October 2007)

Education:

Juris Doctor, Washburn University School of Law, May 1994

Bachelor of Arts, English, University of Kansas, May 1989

KAREN L. TORLINE

PROFESSIONAL EXPERIENCE

**KUCKELMAN, TORLINE, KIRKLAND & LEWIS, March 2013-PRESENT
ATTORNEY**

- Civil litigation
- Criminal Defense
- Guardian Ad Litem
- Domestic
- Child in Need of Care

**CITY OF ROELAND PARK, KANSAS, August 2013-PRESENT
MUNICIPAL COURT JUDGE**

- Responsible for conducting all court matters in a fair, professional, timely manner, including arraignments, pleas, sentencings, revocations and trials.
- Determine appropriate action for failure to appear.

**CITY OF EDGERTON, KANSAS, March 2012-PRESENT
MUNICIPAL COURT JUDGE**

- Same duties as above

**CITY OF LAKE QUIVIRA, KANSAS, April 2014-PRESENT
MUNICIPAL COURT JUDGE**

- Same duties as above

**CITY OF SHAWNEE, KANSAS, 2002-PRESENT
SENIOR PROSECUTOR/ASSISTANT CITY ATTORNEY/POLICE LEGAL
ADVISOR**

- Act as Police Legal Advisor for department of over 100 police officers dealing with legal questions and issues, including policies, training, employment, subpoenas, open records, and civil law suits
- Draft ordinances that deal with municipal court
- Cover large dockets. 11,000-14,000 cases filed per year
- Prosecute numerous cases
- Work closely with City Attorney on numerous legal issues
- Oversee prosecutor's office budget
- Address issues with court staff and police department as they arise
- Keep Judge and police staff apprised of new laws
- Supervise Prosecutor's Office personnel
- Handle all appeals that go to the Kansas Court of Appeals or Kansas Supreme Court

**CITY OF LAKE QUIVIRA, KANSAS, 2002-2014
PROSECUTOR**

- Similar to above

**JUDGE PRO-TEM FOR CITIES OF OVERLAND PARK, OLATHE AND LENEXA AS
WELL AS FOR JOHNSON COUNTY DISTRICT COURT, 2009-PRESENT**

- Act as Judge in the absence of full-time Judge, with same responsibilities as the Judge.

JOHNSON COUNTY DISTRICT ATTORNEY, 1992-2001

ASSISTANT DISTRICT ATTORNEY

- Responsible for the prosecution of all cases assigned, including hundreds of felonies.
- Prosecuted numerous rape cases
- Tried approximately 25-30 jury trials, with a 99% success rate
- Developed and maintained professional, respectful relationships with Judges and the defense bar that continue today
- Tried thousands of bench trials and felony preliminary hearings, many with little to no preparation time.

EDUCATION

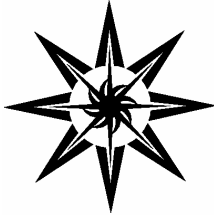
- **Hoxie High School**, Hoxie Kansas 1985
- **Kansas State University**, Bachelor of Arts, 1989
 - Member Spurs, Academic Honorary Association
 - Member, Gamma Phi Beta Sorority
 - Officer, PACE Chairman. Responsible for all programs presented.
- **Kansas University School of Law**, JD, 1992

ASSOCIATIONS AND ACTIVITIES

- **Kansas Municipal Judges Association**
 - Executive Committee
- **Earl E. O'Connor American Inn of Court**
- **Johnson County Family Law Inn of Court**
- **2013 Graduate of Shawnee Tomorrow Leadership Academy**
- **100 Women Who Care**
- **Kansas Women Attorney's Association**
- **Kansas Ethics 20/20 Commission**
 - One of 10 attorneys in the State of Kansas to be appointed by Kansas Supreme Court Chief Justice Lawton Nuss to serve on this commission
 - Assigned to examine and review the Model Rules of Professional Conduct and the Kansas Rules of Professional Conduct, and to make recommendations for changes to the Kansas Supreme Court
- **Johnson County Ethics and Grievance Committee**
 - Investigate disciplinary complaints filed concerning Johnson County attorneys and make recommendation to Office of the Disciplinary Administrator 2012-Present
- **Johnson County Bar Association** 1992-Present
 - President, Young Lawyer's Section 1999-2000
 - Planning Committee, Johnson County Bar Foundation Charity Stampede
- **Johnson County Bar Foundation** 2013-Present
- **Kansas Bar Association** 1992-Present
 - Government Lawyer's Section
 - President 2009-2011
 - Responsible for CLE program for Government Lawyer's Section
 - Aid in issues that affect government lawyers on a state-wide basis

- Past President 2011-2013
 - Kansas Legal Ethics Advisory Committee member
 - Render ethical opinions that are presented to the KBA by Kansas attorneys that have a state-wide interest
 - Prosecution Section
 - Criminal Law Section
- **Kansas City Metropolitan Bar Association** 1992-Present
- **Sunflower House, a child abuse prevention agency**
 - Past Chair, Exective Committee, 2011-2013
 - Chairman of the Board, 2009-2011
 - Executive Committee, Secretary, 2007-2009
 - Chair of Annual Black tie event, Valentine Gala, 2009. 500 attendees
- **Kansas County and District Attorney's Association**
- **International Association of Chiefs of Police**
- **Instructor, Johnson County Police Academy; 1995-1998; 2007-2010**
- **Sacred Heart Catholic Parish**
- **Presenter, KBA CLE: Ethics and Electronics**
- **Presenter, Municipal Judges Conference CLE: Codes Enforcement**
- **Presenter, Johnson County Bar Association CLE: Municipal courts**

REFERENCES AVAILABLE UPON REQUEST



ADMINISTRATION

Council Committee Meeting Date: Aug. 3, 2015

City Council Meeting Date: Aug. 3, 2015

Consider approval of a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district) for the Meadowbrook project

RECOMMENDED MOTION:

Move that Council approve a resolution setting the date for a public hearing for the creation of a redevelopment district (TIF district). The hearing will be on Tuesday, September 8th at 7:30pm at the City Council meeting.

BACKGROUND:

The City of Prairie Village, Johnson County, Johnson County Park & Rec District (JCPRD), JoCo Wastewater and VanTrust Real Estate LLC, have been working together to redevelop the former Meadowbrook Country Club. As currently proposed, the Meadowbrook redevelopment project would establish a nearly 90 acre public park and a mixed-use development to include a senior living project, luxury apartments, townhomes, single-family residential homes, and a boutique hotel.

The Meadowbrook redevelopment project anticipates the creation of a TIF district to fund the park acquisition, park improvements and other public infrastructure items. Kansas state statutes outline the authority and process of creating and administering a TIF district. A TIF district is an economic development tool for financing certain eligible redevelopment costs from future revenues as a result of increased property taxes and other local taxes (sales taxes, transient guest taxes) within a defined geographic area. A TIF establishes a base level at the current property tax assessed valuation and any increase or increment in the property tax assessed valuation within the defined geographic area is then captured over a defined period and used to pay for eligible redevelopment costs within the TIF district/development area. The process for establishing and administering a TIF is detailed in Kansas State Statutes (KSA 12-1770 et seq.). Cities have the authority to create TIF districts after their governing bodies hold a public hearing and find the area to be eligible.

A TIF district must meet at least one of the eligible area definitions outlined in the TIF Act as determined by the Governing Body. An eligible area can be a “blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area or bioscience development area.” The proposed TIF district will designate the Meadowbrook and adjoining commercial area on the South as a conservation area per K.S.A 12-1770a(d) as attached.

To assist the City Council in their determination, Confluence, the planning consultant retained for this project, completed a conservation district eligibility study which summarizes the age and status of the property within the proposed TIF district. The proposed TIF district area includes the former Meadowbrook Country Club and the

commercial properties within the Meadowbrook Shopping Village at 95th Street and Nall Ave.

Currently, the plans for the Meadowbrook project include TIF financing for 20 years or less. All property taxes which the owner is currently required to pay will continue. Once improvements are made to the property the increment or increase in the property tax revenue is captured to pay for eligible redevelopment costs which for the proposed project include parkland acquisition, public streets, sewer, public infrastructure, street lighting, lakes, community center, trails, etc. The project elements financed by TIF funds will be detailed in the development agreement by and between the City and VanTrust and through other related agreements. The amount of TIF financing is currently estimated between \$15M to \$18M.

As part of the establishment of a TIF district, notifications are sent to other governmental entities and all property owners and tenants within the proposed district. The Johnson County Board of Commissioners and the Shawnee Mission School District Board of Education each have 30 days following the conclusion of the public hearing related to the creation of the TIF district to consider comment on and, if they desire, disapprove the redevelopment district.

Creating the TIF district is the first step in the TIF process. Creating the TIF district alone does not bind the City to approve the project, provide any funding, issue any bonds or approve any TIF project plans within the TIF district.

PV City Council adopted a public financing policy and associated application in 2009. The primary purposes of the TIF funds generated from the Meadowbrook project are the acquisition of the parkland, development of the park, and the public infrastructure items in the new right-of-way. The TIF district is being initiated by the City. Since the TIF application is drafted for the private developer interest, a TIF application is less applicable to the city or other governmental entity as the beneficiary. It was determined that it was not necessary for the City or the JCPRD to complete the City's own TIF application.

City Staff has been assisted by Bond Counsel Gary Anderson with Gilmore & Bell, Financial Advisor Jeff White with Columbia Capital Management, City Attorney Katie Logan with Lathrop & Gage, and planning consultant PJ Novick with Confluence.

ATTACHMENTS:

- Resolution calling for a public hearing for the redevelopment district
- Redevelopment District Plan for the Meadowbrook Redevelopment District
- Draft cover letter to owners and tenants regarding the informational meeting and public hearing
- K.S.A 12-1770a(d). – Conservation TIF statute
- Eligibility Study compiled by Confluence
- Updated Meadowbrook Development schedule

PREPARED BY:

Quinn Bennion, City Administrator

Date: July 30, 2015

(Published in **The Legal Record** on August 25, 2015)

RESOLUTION NO. _____

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A REDEVELOPMENT DISTRICT IN THE CITY OF PRAIRIE VILLAGE, KANSAS PURSUANT TO K.S.A. 12-1770 ET SEQ..

Section 1. The City of Prairie Village, Kansas (the “City”) is considering the establishment of a redevelopment district pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”).

Section 2. Notice is hereby given that a public hearing will be held by the City to consider establishment of a redevelopment district on **September 8, 2015 at 7:30 p.m.**, or as soon thereafter as the matter can be heard, at the Prairie Village City Hall, Council Chambers, 7700 Mission Road, Prairie Village, Kansas, under the authority of the Act

Section 3. The proposed redevelopment district is generally described as an area bounded by Roe Avenue on the east, W. 95th Street on the south, Nall Avenue on the west, and W. 91st Street, as if extended in the City. A map of the redevelopment district is attached hereto as **Exhibit A**. The proposed redevelopment district is legally described as shown on **Exhibit B** hereto.

Section 4. The district plan for the proposed redevelopment district provides for the redevelopment district to include two project areas. The buildings and facilities to be constructed within the project area are generally described as follows:

- **Park and Village Project Area** - Recreational, residential and mixed-use development consisting of some or all of the following uses: single family, townhomes, multi-family apartments, and senior living residential; an inn or hotel; a public park and any other facilities or improvements associated with or incidental to such uses including commercial services and offices, trails, landscaped areas, water features and detention facilities, parking lots, shelters, recreational structures, off-street parking, traffic improvements, sanitary sewer improvements and any other utility improvements and infrastructure necessary or incidental to the uses and improvements described above and permitted under the Act.
- **Commercial Project Area** - A neighborhood retail and neighborhood office development consisting of some or all of the following uses: retail, office, residential, and any other facilities or improvements associated with or incidental to such uses including green space, landscaped areas, water features and detention facilities, parking lots and facilities, off-street parking, streets and traffic signals, any other public and private infrastructure, and other items permitted under the Act.

Section 5. A description and map of the proposed redevelopment district and the district plan are available for inspection and copying in the offices of the City Clerk, City Hall, 7700 Mission Road, Prairie Village, Kansas, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m.

Section 6. The Governing Body will consider the findings necessary for the establishment of a redevelopment district after conclusion of the public hearing.

Section 7. The City Clerk is hereby authorized and directed to publish this resolution once in the official city newspaper not less than one week or more than two weeks preceding the date set for the public hearing. The City Clerk is also authorized and directed to mail a copy of this resolution via certified mail, return receipt requested to the board of county commissioners, the board of education of any school district levying taxes on property within the proposed redevelopment district, and to each owner and occupant of land within the proposed redevelopment district, not more than 10 days following the date of the adoption of this Resolution.

Section 7. Effective Date. This Resolution shall be effective upon adoption by the Governing Body of the City.

ADOPTED August 3, 2015.

**CITY OF PRAIRIE VILLAGE,
KANSAS**

By: _____
Mayor

[SEAL]

ATTEST:

City Clerk

EXHIBIT A

MAP OF PROPOSED REDEVELOPMENT DISTRICT

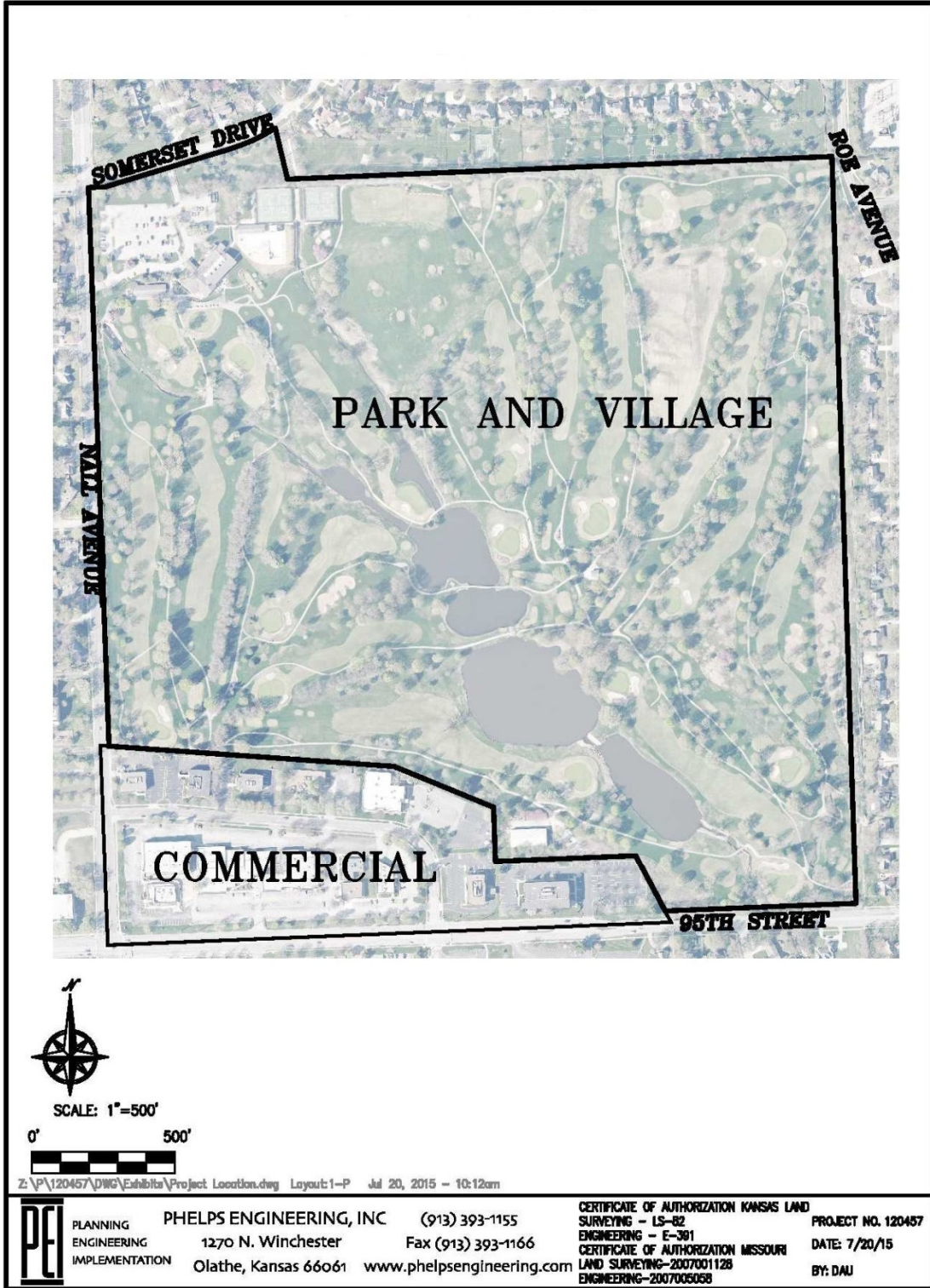


EXHIBIT B

LEGAL DESCRIPTION OF PROPOSED REDEVELOPMENT DISTRICT

The following property located in Johnson County, Prairie Village, Kansas:

Park and Village Project Area:

LOTS 1 THROUGH 12, INCLUSIVE, AND LOT A, EXCEPT THE SOUTH 10 FEET THEREOF, BLOCK B, MEADOWBROOK ACRES, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS;

AND ALL OF THE SOUTHWEST ONE-QUARTER (SW ¼) OF SECTION THIRTY-THREE (33) TOWNSHIP TWELVE (12) RANGE TWENTY-FIVE (25) IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS MEADOWBROOK ACRES; AND EXCEPT THE SOUTH 40 FEET THEREOF IN 95TH STREET; AND EXCEPT THE WEST 30 FEET THEREOF IN NALL AVENUE;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, JOHNSON COUNTY, KANSAS; THENCE NORTH 0° 00' 00" EAST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH 83° 50' 00" EAST A DISTANCE OF 1,030.00 FEET TO A POINT; THENCE SOUTH 65° 35' 00" EAST, A DISTANCE OF 375.00 FEET TO A POINT; THENCE SOUTH 0° 00' 00" WEST, A DISTANCE OF 429.24 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH 89° 47' 09" WEST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 1,365.51 FEET TO THE PLACE OF BEGINNING;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST ¼ OF SAID SECTION 33, THENCE SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SECTION 33, A DISTANCE OF 676.70 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTH 89° 47' 09" WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 605 FEET; THENCE NORTH 0° 00' 00" EAST, A DISTANCE OF 240 FEET; THENCE NORTH 89° 47' 09" EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 490 FEET; THENCE SOUTH 25° 38' 32" EAST, A DISTANCE OF 265.74 FEET TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT;

ALSO: A PART OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 12, RANGE 25, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE AND 88.86 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE NORTH 75° EAST, ALONG THE SOUTH LINE OF SOMERSET DRIVE, AS ESTABLISHED BY THE PLAT OF WEST RIDING, A SUBDIVISION OF LAND NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, A DISTANCE OF 454.01 FEET, TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, ALONG THE SOUTH LINE OF SAID SOMERSET DRIVE, SAID SOUTH LINE BEING ON A CURVE TO THE LEFT

HAVING A RADIUS OF 640 FEET, A DISTANCE OF 176.13 FEET; THENCE SOUTH 11° 43' 23" EAST, A DISTANCE OF 183.42 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE SOUTH 89° 26' 38" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION 33, A DISTANCE OF 637.59 FEET, TO THE POINT OF BEGINNING.

Commercial Project Area:

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE N 2°06'14" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 700.00 FEET; THENCE S 85°56'14" E, A DISTANCE OF 1029.95 FEET; THENCE S 67°41'14" E, A DISTANCE OF 375.00 FEET; THENCE S 02°06'14" E, A DISTANCE OF 189.07 FEET; THENCE N 87°40'29" E, A DISTANCE OF 490.00 FEET; THENCE S 27°45'12" E, A DISTANCE OF 265.74 FEET; TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE S 87°40'29" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, A DISTANCE OF 1970.54 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN ROADS, CONTAINING 22.1018 GROSS ACRES, MORE OR LESS

**REDEVELOPMENT DISTRICT PLAN
FOR THE
MEADOWBROOK REDEVELOPMENT DISTRICT**

July 20, 2015

DESCRIPTION OF REDEVELOPMENT DISTRICT PLAN

K.S.A. 12-1770 *et seq.*, as amended (the “Act”), authorizes cities to establish redevelopment districts to promote the general and economic welfare of the city. The proposed redevelopment district (the “**Redevelopment District**”) consists of an area located in the City of Prairie Village, Johnson County, Kansas that is described on the attached Exhibit A and depicted on the attached Exhibit B, both of which are attached and made a part hereof, and which is generally described as an area bounded by Roe Avenue on the east, W. 95th Street on the south, Nall Avenue on the west, and W. 91st Street, as if extended, on the north.

This redevelopment district plan (the “**District Plan**”) consists of two (2) redevelopment project areas and the buildings, facilities, and improvements to be constructed or improved within the Redevelopment District may be described in a general manner as consisting of some or all of the following buildings, facilities and improvements to be constructed or improved, without limitation:

- **Park and Village Project Area** - Recreational, residential and mixed-use development consisting of some or all of the following uses: single family, townhomes, multi-family apartments, and senior living residential; an inn or hotel; a public park and any other facilities or improvements associated with or incidental to such uses including commercial services and offices, trails, landscaped areas, water features and detention facilities, parking lots, shelters, recreational structures, off-street parking, traffic improvements, sanitary sewer improvements and any other utility improvements and infrastructure necessary or incidental to the uses and improvements described above and permitted under the Act.
- **Commercial Project Area** - A neighborhood retail and neighborhood office development consisting of some or all of the following uses: retail, office, residential, and any other facilities or improvements associated with or incidental to such uses including green space, landscaped areas, water features and detention facilities, parking lots and facilities, off-street parking, streets and traffic signals, any other public and private infrastructure, and other items permitted under the Act.

[The remainder of this page intentionally left blank. Exhibits follow.]

EXHIBIT A

Legal Description

Park and Village Project Area:

LOTS 1 THROUGH 12, INCLUSIVE, AND LOT A, EXCEPT THE SOUTH 10 FEET THEREOF, BLOCK B, MEADOWBROOK ACRES, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS;

AND ALL OF THE SOUTHWEST ONE-QUARTER (SW $\frac{1}{4}$) OF SECTION THIRTY-THREE (33) TOWNSHIP TWELVE (12) RANGE TWENTY-FIVE (25) IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, EXCEPT THAT PART PLATTED AS MEADOWBROOK ACRES; AND EXCEPT THE SOUTH 40 FEET THEREOF IN 95TH STREET; AND EXCEPT THE WEST 30 FEET THEREOF IN NALL AVENUE;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, JOHNSON COUNTY, KANSAS; THENCE NORTH $0^{\circ} 00' 00''$ EAST ALONG THE WEST LINE OF SAID SECTION 33, A DISTANCE OF 700.00 FEET TO A POINT; THENCE SOUTH $83^{\circ} 50' 00''$ EAST A DISTANCE OF 1,030.00 FEET TO A POINT; THENCE SOUTH $65^{\circ} 35' 00''$ EAST, A DISTANCE OF 375.00 FEET TO A POINT; THENCE SOUTH $0^{\circ} 00' 00''$ WEST, A DISTANCE OF 429.24 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 33; THENCE SOUTH $89^{\circ} 47' 09''$ WEST ALONG THE SOUTH LINE OF SAID SECTION 33 A DISTANCE OF 1,365.51 FEET TO THE PLACE OF BEGINNING;

AND EXCEPT A TRACT DESCRIBED AS FOLLOWS: ALL THAT PART OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 25 EAST, NOW IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 33, THENCE SOUTH $89^{\circ} 47' 09''$ WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 33, A DISTANCE OF 676.70 FEET, TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT; THENCE CONTINUING SOUTH $89^{\circ} 47' 09''$ WEST, ALONG THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 33, A DISTANCE OF 605 FEET; THENCE NORTH $0^{\circ} 00' 00''$ EAST, A DISTANCE OF 240 FEET; THENCE NORTH $89^{\circ} 47' 09''$ EAST ALONG A LINE PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 33, A DISTANCE OF 490 FEET; THENCE SOUTH $25^{\circ} 38' 32''$ EAST, A DISTANCE OF 265.74 FEET TO THE TRUE POINT OF BEGINNING OF SUBJECT TRACT;

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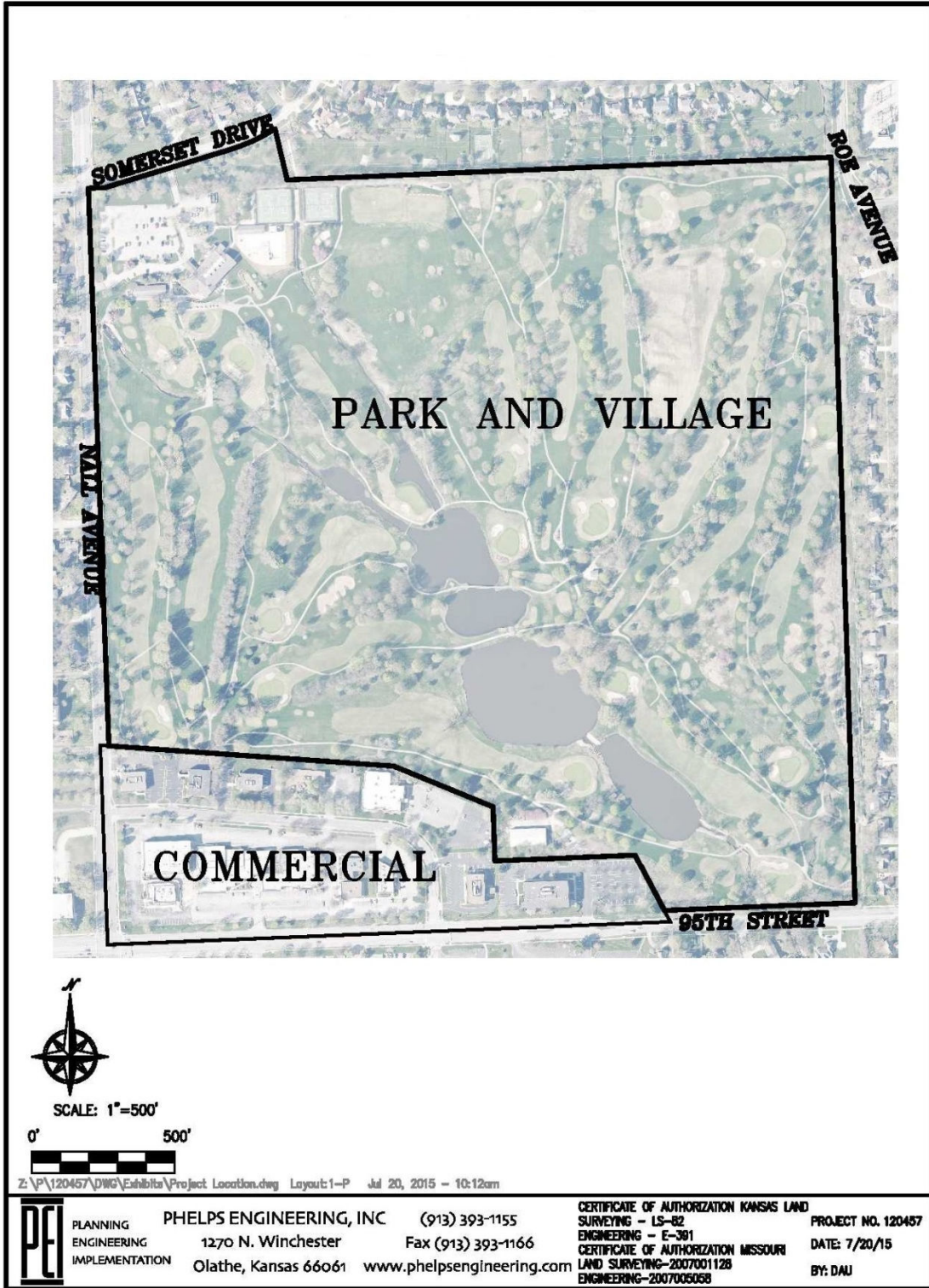
Commercial Project Area:

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EXHIBIT B

Depiction



The boundaries of the Park and Village Project Area and the Commercial Project Area are outlined in black.

August 7, 2015

Owner or Occupant
[street address]
[city, state ZIP]

Re: Proposed Meadowbrook Redevelopment District

Dear Owner or Occupant:

The City Council of the City of Prairie Village, Kansas (the "City") passed Resolution on August 3, 2015 setting **Tuesday, September 8, 2015 at 7:30 p.m.** as the date and time for a public hearing to consider establishment of the Meadowbrook Redevelopment District, a tax increment finance (TIF) district created pursuant to K.S.A. 12-1770 et seq. (the "District"). Enclosed please find copies of such resolution and the Redevelopment District Plan for the proposed District.

The City will hold an informational meeting regarding the proposed District on Thursday, August 27, 2015 at 5:00 p.m. at the Meadowbrook Golf and Country Club, 9101 Nall Ave., Prairie Village, Kansas. For additional information, please visit the following website:

www.pvkansas.com/meadowbrook

You are encouraged to attend the informational meeting to learn more about the proposed District and/or attend the public hearing to provide comments for the formal record.

Sincerely,

Quinn Bennion
City Administrator

KSA 12-1770a(d)

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;
- (2) illegal use of individual structures;
- (3) the presence of structures below minimum code standards;
- (4) building abandonment;
- (5) excessive vacancies;
- (6) overcrowding of structures and community facilities; or
- (7) inadequate utilities and infrastructure.



W. 91ST ST.

NALL AVE.

MEADOWBROOK PROPERTY

ROE AVE.

95TH ST.

MEADOWBROOK PROPOSED TIF DISTRICT ANALYSIS

JULY 30, 2015
PREPARED FOR:



The City Of
Prairie Village, Kansas



REPORT: MEADOWBROOK PROPOSED TIF DISTRICT SITE ANALYSIS

CITY OF PRAIRIE VILLAGE, KANSAS

JULY 30, 2015

PREPARED BY Confluence, Kansas City, Kansas
- Christopher Shires, AICP, Principal
- PJ Novick, ASLA, LEED GA, Principal

PROJECT BACKGROUND

The Village Vision Strategic Investment Plan, adopted by the City of Prairie Village, Kansas, in 2007 as the City's comprehensive plan, identifies the Meadowbrook Country Club and the adjoining Meadowbrook Village Shopping Center as a potential site for redevelopment. The Country Club site is one of the last relatively undeveloped properties in Prairie Village and both properties are strategically located at the southwestern edge of the community at the intersection of two (2) major roadways, Nall Avenue and W. 95th Street. However, the Village Vision notes that the Country Club property does not have adequate sanitary sewer service and the Shopping Center is underutilized and retail space has been converted to office space.

To foster and support the redevelopment of the Country Club property and the rejuvenation of the adjoining Shopping Center, the City desires to establish a Tax Increment Financing (TIF) district as provided for in the State of Kansas Statutes. The proposed TIF district, which includes both the Country Club property and the Shopping Center, is generally bound by W. 95th Street on the south, Nall Avenue of the west, W. 90th Street on the north, and Roe Avenue on the east. (See Exhibit A – Proposed TIF District Location Map.)

In order to establish a TIF district, among other steps, the City must determine if the area meets the eligibility requirements for a TIF district. The most applicable eligibility status is a "Conservation area" as defined in the State of Kansas Statute (K.S.A 12-1770a). The statute states:

"Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

- (1) Dilapidation, obsolescence or deterioration of the structures;*
- (2) illegal use of individual structures;*
- (3) the presence of structures below minimum code standards;*
- (4) building abandonment;*
- (5) excessive vacancies;*
- (6) overcrowding of structures and community facilities; or*
- (7) inadequate utilities and infrastructure.*

The following memorandum summarizes our site analysis as to whether the proposed TIF district meets the three (3) part definition of "Conservation area."

ANALYSIS

Part 1 - The proposed TIF district is 15% or less than the total area of the city:

The proposed TIF district is approximately 172 acres. The total land area contained within the corporate limits of the City is 3,968 acres. The proposed TIF district is therefore 4.34% of the total land area of the City, and under the 15% threshold identified by the State Statute.

Part 2 - 50% or more of the structures in the proposed TIF district have an age of 35 years or more:

There are 15 individual structures within the proposed TIF district. In review of the Johnson County land records, 12 of these structures (80%) were constructed prior to 1981 and are 35 years of age or older, more than the 50% as required by the State Statute.

Part 3 - The existence of a combination of two (2) or more of the seven (7) State definition factors within the proposed TIF district:

In an analysis of the existing site conditions, four (4) of the seven (7) factors of the State Statute have been identified as applying to the proposed TIF district.

As noted in the 2007 Village Vision, the Meadowbrook Country Club property does not have sanitary sewer service and is not included within the Johnson County waste water sewer district (with the exception of the existing clubhouse and maintenance building). The cost of extending sewer to this property is significant and is a barrier to the redevelopment of this site. Based on this, the proposed TIF district identifies with the seventh factor of the State Statute "inadequate utilities and infrastructure" in that the proposed TIF district does not have adequate sanitary sewer service.

It has been identified through communications with the City staff that there are insufficient stormwater drainage facilities to manage the stormwater run-off from the sites on which the identified structures are located. Most of these sites have little to no stormwater detention facilities, adding to the flooding issues known to the general area. Therefore it is reasonable to find that the proposed TIF district again identifies with the seventh factor of the State Statute "inadequate utilities and infrastructure" in that the proposed TIF district does not have adequate stormwater management infrastructure.

Upon onsite observation of each of the 15 structures within the proposed TIF district, we identified that several have dated building architecture that may make them more difficult to retain tenants and lease or sell to new tenants, as their building style and layout/configuration may not fit the needs and desires of today's typical retail and office user. Additionally, due to the age of the structures it can be assumed that most have some nonconformity with current building codes, as code requirements have evolved and changed over the past 35+ years. Depending on the user this can be a significant obstacle to the reuse, renovation, or re-tenanting of an existing structure, adding additional cost and delay that may make the structure significantly less attractive to a current or prospective tenant than would a newer structure. Therefore it is reasonable to state that the proposed TIF district further identifies with the first and third factors of the State Statute "Dilapidation, obsolescence or deterioration of the structures" and "the presence of structures below minimum code standards" in that several structures may be obsolete with regards to meeting the current requirements of retail and office tenants and/or may not meet the current minimum building code standards.

It was also observed that several properties within the subject area do not appear to have room for building and/or parking lot expansion. This site crowding hinders the ability to add additional parking, outdoor pedestrian spaces, patios, building entryways, drive-thrus, etc., further impacting their ability to evolve and remain viable tenant spaces. As a result, the proposed TIF district identifies with the sixth factor of the State Statute "overcrowding of structures and community facilities."

CONCLUSION

A conclusion can be made that the proposed TIF district conforms to the Kansas Statute as a “Conservation area.” The proposed TIF district is less than 15% of the total land area of the City. More than 50% of the structures within the proposed TIF district are 35 years of age or older, and the proposed TIF district identifies with two (2) or more of the seven (7) factors listed in the state statute.

Two tables summarizing our analysis are attached (Exhibit B – Structure Ages Table and Conservation Area Factors Table). Summary sheets of the analysis of each individual structure and site is further attached as Exhibit C.

EXHIBITS

- Exhibit A – Proposed TIF District Location Map
- Exhibit B – Structure Ages Table + Conservation Area Factors Table
- Exhibit C – Site Analysis Sheets

EXHIBIT A | PROPOSED TIF DISTRICT LOCATION MAP



EXHIBIT B | STRUCTURE AGES

CONSERVATION AREA STRUCTURES				MEETS AGE DEFINITION
#	ADDRESS		AGE	
1	5400 W. 9TH ST.		36	X
2	5370 W. 95TH ST.		28	
3	5300 W. 95TH ST.		39	X
4	9401 NALL AVE.		37	X
5	5350 W. 94TH TER.		36	X
6	5300 W. 94TH TER.		38	X
7	5250 W. 94TH TER.		33	
8	5215 W. 94TH. TER.		39	X
9	5206 W. 9TH ST.		39	X
10	5200 W. 95TH ST.		38	X
11	5200 W. 94TH TER.		37	X
12	5100 W. 95TH ST. APT 200		39	X
13	5000 W. 95TH ST. APT. A		41	X
14	5000 W. 95TH ST. APT. A		27	
15	9101 NALL AVE.		41	X
				12 OF 15 = 80%

CONSERVATION AREA FACTORS:

- Dilapidation, obsolescence or deterioration of the structures
- Illegal use of individual structures
- The presence of structures below minimum code standards
- Building abandonment
- Excessive vacancies
- Overcrowding of the structures and community facilities
- Inadequate utilities and infrastructure

EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5400 W. 95th St.

PROPERTY NUMBER: OF251233-2019

AGE OF PROPERTY: 36

YEAR BUILT: 1979

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry structure that currently houses a restaurant. The building exterior appears to be in good condition and some renovations have taken place. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. Little room exists for expansion and the site may be short adequate very close proximity parking typically desired by a restaurant user.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5370 W. 95th St.

PROPERTY NUMBER: OF251233-2016

AGE OF PROPERTY: 28

YEAR BUILT: 1987

CLASS: C- Commercial

BRIEF DESCRIPTION

Three-story masonry structure with multiple office tenants. The building exterior appears to be in fair condition with no recent exterior improvements. The building architecture is dated and may no longer fit the needs and desires of typical retail and office tenants. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5300 W. 95th St.

PROPERTY NUMBER: OF251233-2011

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story, multi-tenant office and retail structure (Nall Hills Shopping Center) with no outward appearance of recent improvements. The building exterior appears to be in fair condition but has dated architecture that may no longer fit the needs and desires of typical retail and office tenants. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 9401 Nall Ave.

PROPERTY NUMBER: OF251233-2017

AGE OF PROPERTY: 37

YEAR BUILT: 1978

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The site appears to be maximized so should parking become an issue there does not appear room to construct additional parking.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5350 W. 94th Ter.

PROPERTY NUMBER: OF251233-2020

AGE OF PROPERTY: 36

YEAR BUILT: 1979

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The site appears to be maximized so should parking become an issue there does not appear room to construct additional parking.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5300 W. 94th Ter.

PROPERTY NUMBER: OF251233-2014

AGE OF PROPERTY: 38

YEAR BUILT: 1977

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition.



MEADOWBROOK | PROPOSED TIF DISTRICT STRUCTURES

JULY 30, 2015

PRAIRIE VILLAGE, KANSAS

CONFLUENCE

EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5250 W. 94th Ter.

PROPERTY NUMBER: OP23710000001

AGE OF PROPERTY: 33

YEAR BUILT: 1982

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story brick office structure. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The parking lot and driveway are in poor condition. Access to the site is limited to one driveway.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5215 W. 94th Ter.

PROPERTY NUMBER: OF251233-2012

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry retail structure. Some exterior improvements have been made and the building exterior appears to be in good condition. The building architecture is dated that may no longer fit the needs and desires of typical retail and office tenants. The driveways, parking lot and pedestrian walkways are in fair condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5206 W. 95th St.

PROPERTY NUMBER: OF251233-2013

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry structure currently housing a bank. The building exterior appears to be in fair condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The building architecture is dated that may no longer fit the needs and desires of typical retail and office tenants. The ATM is in an awkward location and the bank teller drive-up is limited to one lane. There does not appear adequate room to expand the bank drive-up. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5200 W. 95th St.

PROPERTY NUMBER: OF251233-2015

AGE OF PROPERTY: 38

YEAR BUILT: 1977

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story masonry retail structure that is currently vacant. The building exterior appears to be in fair condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5200 W. 94th Ter.

PROPERTY NUMBER: OF251233-2018

AGE OF PROPERTY: 37

YEAR BUILT: 1978

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick office structure with recent improvements completed. The building exterior appears to be in good condition. The driveways, parking lot and pedestrian walkways are in fair condition.



MEADOWBROOK | PROPOSED TIF DISTRICT STRUCTURES

JULY 30, 2015

PRAIRIE VILLAGE, KANSAS

CONFLUENCE

EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5100 W. 95th St. Apt. 200

PROPERTY NUMBER: OF251233-2009

AGE OF PROPERTY: 39

YEAR BUILT: 1976

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story brick multi-tenant office structure that currently housing a bank and other office tenants. The building exterior appears to be in good condition. Due to the age of the structure it can be assumed portions may not comply with current building codes. The driveways, parking lot and pedestrian walkways are in fair condition. The ATM is in a very poor location potentially negatively impacting vehicular circulation.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5000 W. 95th St. Apt. A

PROPERTY NUMBER: OF251233-2023

AGE OF PROPERTY: 41

YEAR BUILT: 1974

CLASS: C- Commercial

BRIEF DESCRIPTION

Single-story metal structure currently serving as a maintenance facility for the adjoining former golf course. The structure has limited vehicular access and has very limited potential for use as anything other than a maintenance shed and cannot be readily repurposed or modified for office or retail use. The driveways and parking lot are in very poor condition.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 5000 W. 95th St.

PROPERTY NUMBER: OP11100000001

AGE OF PROPERTY: 27

YEAR BUILT: 1988

CLASS: C- Commercial

BRIEF DESCRIPTION

Three-story brick multi-tenant office structure. The building exterior appears to be in good condition. The driveways, parking lot and pedestrian walkways are in fair condition. Vehicular access to the site is limited to one driveway at an unsignalized intersection with a major arterial and may be difficult to enter and exit during peak traffic periods.



EXHIBIT C | SITE ANALYSIS SHEETS

STRUCTURE ADDRESS: 9101 Nall Ave.

PROPERTY NUMBER: OF251233-2026

AGE OF PROPERTY: 41

YEAR BUILT: 1974

CLASS: C- Commercial

BRIEF DESCRIPTION

Two-story masonry and wood structure which was formally the clubhouse for the adjoining former golf course. Due to the age of the structure it can be assumed portions may not comply with current building codes. The exterior of the structure, roadway and parking are in fair condition. The structure has limited reuse potential as anything other than a clubhouse or similar recreational facility.



Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village

	Miscellaneous	Zoning	TIF District Plan	Bonds
February				
Feb 17 Council Meeting	Executive Session Joint public announcement regarding project. Announce upcoming Informational Meetings.			
February 19				
March				
March 10 & 11	Open House/Informational Meetings, LRK Facilitate. 4-8 pm			
March 11 PV Parks and Rec Committee Meeting	PV Parks and Rec Committee attend Informational Meeting			
March 30 City Council Work Session	Topic: Presentation of Plan, LRK attend.			
April				
April 20 Committee meeting	Topic: TIF Mechanics and financing, senior housing			
May				
May 4 Council Meeting	City Council considers Funding Agreement* (Agreement allows city to be reimbursed for consultants time)			
May - July	JCPRD Park Planning Process			
June				
June 15 Council Meeting	City Council considers Memo of Understanding* (first reading)			
July				
July 6 Council Meeting	City Council considers Memo of Understanding* (second reading)			
July 20 Regular Council Meeting			VT attend Committee of Whole Meeting for discussion of Project	
July 28 for next Council packet			Completion of Eligibility Study, Completion of District Plan; Resolution to Hold Public Hearing	
August				
August 3 Regular Council Meeting			Governing Body adopts Resolution calling for public hearing September 8, 2015 on creation of TIF District*	
By August 13 City Staff			Copy of Resolution sent by certified mail, return receipt requested, to County Commission, USD 512 and each owner and occupant of land within proposed district	
August 17 Regular Council Meeting			Informational meeting regarding TIF District	
August 25 (Tuesday)			Publication of Resolution calling for public hearing on TIF District to be held by Governing Body on Tuesday, September 8 (because of Labor Day Holiday)	
By August 31		Application for Rezoning and Preliminary Plat Filed with City		
September				
September 8 (Tuesday)		Publication of Notice of Public Hearing on Rezoning before the PC to be held on October 6		

**Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village**

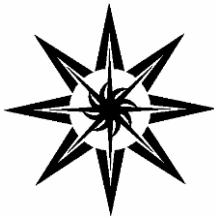
By September 8		Applicant mail notice to 200 foot property owners		
September 8 Regular Council Meeting			Governing Body holds Public Hearing on creating TIF District and adoption of ordinance to create TIF District*	
September 15 (Tuesday)			Ordinance creating TIF District published	
By September 22		Applicant files affidavit of mailed notices with City Clerk		
October				
October 6		PC Holds Public Hearing and Considers Rezoning and Preliminary Plat		
October 8			BOCC and USD 512 Protest Period Ends	
October 9			TIF Project Plan for Project Area 1 filed with City	
October 12 Special PC Meeting			PC considers comprehensive plan consistency finding	
October 13 Special Council Meeting			City Council adopts resolution to call public hearing November 16 on TIF Project Plan*	
October 20		Rezoning Protest Petition Period Expires		
By October 23 City Staff			Copy of Resolution and TIF Project Plan certified mail to BOCC and USD 512; Copy of Resolution sent certified mail to each owner and occupant within Project Area 1 [i.e. VanTrust]	
November				
November 2 Regular Council Meeting	City Council adopts Charter ordinance creating Transient Guest Tax by 2/3rds (9) affirmative votes*	Governing Body Considers Rezoning*	Committee of Whole Considers Project Plan and Development Agreement	
November 3 (Tuesday)	First Publication TGT Charter Ordinance		Publish Resolution calling for public hearing TIF Plan to be held on November 16	
November 10 (Tuesday)	Second Publication TGT Charter Ordinance			
By November 12	Preliminary park plan prepared (tentative)			
November 16 Regular Council Meeting			Public Hearing on TIF Plan; Approval of Ordinance Adopting TIF Plan by 2/3rds (9) affirmative votes; adopt Resolution approving Development Agreement*	Council considers bond sale resolutions*
November 24 (Tuesday)			Ordinance adopting TIF Plan published; City Clerk deliver copy of Ordinance, map or plat of district to County Clerk, County Assessor, County Treasurer, County Commission and USD 512	
December				
December 8 PC Meeting		PC Considers Final Plat		

**Meadowbrook Development
TENTATIVE Calendar of Events - City of Prairie Village**

December 21 Regular Council Meeting			Council considers Final Plat for purpose of accepting dedications of right of way*		
December Generally					Finalize bond size and structure
January, 2016					
January 11, 2016		Protest Period TGT Charter Ordinance Expires (60 days after second publication)			Publish GO TIF Bond preliminary official statement
January 15, 2016					Protest Period GO TIF Bonds Expires (60 days after conclusion of public hearing)
January 18 Regular Council Meeting					Bond pricing and Council Approval*
February, 2016					
February 9					Bond Closing

Updated July 27, 2015

* = Governing Body action item



PLANNING COMMISSION

Council Meeting Date: August 3, 2015

PC2015-06 Consider a Request for Rezoning 7930 State Line Road from R-1b (Single Family Residential) and C-0 (Office Building District) to CP-1 (Planned Restricted Business District) and Approval of a Preliminary Development Plan.

RECOMMENDATION

Recommend the Governing Body adopt Ordinance 2333 approving the rezoning of 7930 State Line Road from R-1b and C-0 to CP-1 (Restricted Business District) and the revised Preliminary Development Plan subject to 15 conditions recommended by the Planning Commission.

BACKGROUND

At its regular meeting on June 2, 2015, the Planning Commission held a public hearing on the request for rezoning of the property at 7930 State Line Road from R-1B Single-Family Residential District and C-0 Office Building District to CP-1 Planned Restricted Business District. This property is located south of the Panda Express which was rezoned to CP-1 in 2007. This property is currently occupied by an office building. The parcel has 100 feet of frontage on State Line Road and has a depth of 651 feet along the south property line. The parcel has an irregular boundary and contains approximately 1.37 acres. The site plan is laid out to account for the limited size and irregular shape of the parcel. The plan has added additional landscape area and fencing over what exists, which will allow for more landscaping to provide more screening for adjacent residents as well as reduce stormwater runoff.

The general character of this area is businesses on both sides of State Line Road. Culvers, Wendy's, CVS Pharmacy and McDonald's are located on the east side of State Line Road and all four have drive-thru windows. There are residential uses to the northwest of this property which have their rear yards adjacent to this site. To the south are offices. The immediate area to the north is developed with restaurants and retail uses.

The applicant proposed to construct a 3,564 sq. ft. building that will be setback approximately 80 feet from the front property line. The required front yard setback in the C-1 District is 15 feet. The restaurant will have a seating capacity of 122 which will require 49 parking spaces. Both driveways on State Line Road will be retained. The north drive will have an entrance while the south drive will be a two-lane exit.

Several persons were present at the public hearing from the adjacent residential properties to the west expressing concerns with the existing "Panda Express" operation immediately to the north. The Planning Commission continued to the application to their July 7th meeting directing the applicant to meet with the neighboring property owners to address the several concerns raised - specifically drainage, lighting, traffic, smell and noise. (See attached June 2, 2015 Planning Commission Minutes)

At the July 7th Planning Commission meeting the applicant presented revised plans addressing the concerns stated at the June 2nd meeting. Neighboring residents were in attendance and once again spoke in opposition to the proposed rezoning. (See attached July 7, 2015 Draft Planning Commission minutes)

Specifically the Planning Commission discussed the following with respect to these issues:

- Drainage - since the proposed application is reducing impervious surface and increasing landscape elements, an improvement over current conditions is possible.
- Traffic - while the proposed use could increase traffic for the site, the traffic study found that the current capacity of State Line road can handle the proposed uses traffic patterns and site configuration.
- Lighting - the final development plan will be required to meet all outdoor lighting standards which require design standards to ensure no light spill over onto adjacent residential property.
- Smell and Noise - the operation, and performance standards, site design are arranged in a manner to best mitigate any potential impacts of noise and smell.

The Planning Commission found favorably on the Golden Factors (see July 7th minutes) and recommended the Governing Body approve the request for rezoning of 7930 State Line Road from R-1b and C-0 to CP-1 subject to the conditions listed below:

1. That the Preliminary Development Plan if approved by the Planning Commission is dated 07/01/2015 and includes sheets C1, C2, D1, L1, L2, DRB1.0, DRB2.0, and DRB3.0.
2. That prior to obtaining a permit for construction the applicant shall submit a Final Development Plan for review and approval by the Planning Commission.
3. That an exterior lighting plan be included with the submission of the Final Development Plan and be designed in accordance with the outdoor lighting regulations of the zoning ordinance.
4. That any HVAC units installed externally, either on the roof or on the ground, be screened from adjacent properties and State Line Road.
5. That the applicant submit the landscape plan to the Tree Board for review and approval prior to submitting the Final Development Plan to the Planning

Commission for approval. That the landscape plan, as approved, shall be installed as a part of the development construction.

6. That the sidewalk adjacent to State Line Road be five feet in width and aligned to connect to the existing sidewalk on the commercial property to the north.
7. That the applicant submit a sign package which includes the monument sign, menu board, wall signs and directional signs for review and approval by the Planning Commission with the Final Development Plan.
8. That the approval of the Preliminary Development Plan is subject to approval of the Conditional Use Permit for the drive-thru window and if the Conditional Use Permit is not approved, the applicant shall revise the site plan and resubmit it for approval by the Planning Commission.
9. That the applicant submit detail for the 8-foot fence that will be used to screen adjacent residences for review and approval by Staff.
10. That the applicant plat the property prior to obtaining a building permit.
11. That the landscape area along the north and south property lines be approved for 5 feet which is reduced from the standard 8-foot requirement.
12. That the applicant work with the Public Works Department for final approval of the stormwater drainage.
13. That the applicant install filters in the venting system to control odors from cooking and provide information on the filters during the building permitting process.
14. That the business operator or manager work with staff to reduce noise during operation hours, as well as, during clean-up time after the business closes.
15. That the hours of operation are 10:30 a.m. to 10:00 p.m.

No protest petition has been submitted; therefore, a simple majority vote of the Governing Body (seven votes) is required for approval.

The Governing Body shall make its findings of fact based on the "Golden Factors" and either:

- A. Adopt the recommendation of the Planning Commission and approve the rezoning and Preliminary Development Plan which requires a simple majority of the Governing Body (seven votes), or
- B. Override the recommendation of the Planning Commission, which includes changing the conditions by a two-thirds majority vote of the Governing Body (nine votes), and deny or revise the rezoning and Preliminary Development Plan, or
- C. Return the recommendation to the Planning Commission by a simple majority vote of the quorum present with a statement specifying the basis

- for the Governing Body's failure to approve or disapprove the recommendation.
- D. Continue the item to a designated meeting by a simple majority of the quorum present.

Related to Village Vision:

- PRS1B "Encourage the development of small, independent businesses"
- PRS2B "Consider more aggressively marketing Prairie Village to attract new business establishments and expand the tax base."

ATTACHMENTS

Planning Commission Minutes - June 2, 2015 & (Draft) July 7, 2015
Staff Reports on PC2015-06
Preliminary Development Plans
Proposed Ordinance

PREPARED BY

Joyce Hagen Mundy
City Clerk/Planning Commission Secretary

Date: July 28, 2015

ORDINANCE 2333

AN ORDINANCE REZONING PROPERTY LOCATED AT 7930 STATE LINE ROAD, PRAIRIE VILLAGE, KANSAS FROM R-1b (SINGLE FAMILY RESIDENTIAL DISTRICT) and C-0 (OFFICE BUSINESS DISTRICT) TO CP-1 (PLANNED RESTRICTED BUSINESS DISTRICT) AND DIRECTING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF PRAIRIE VILLAGE, KANSAS; AND REINCORPORATING SAID ZONING MAP BY REFERENCE.

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

Section I. Planning Commission Recommendation.

That having received a recommendation from the Planning Commission; having found favorably on the findings of fact, proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the zoning classification or districts of the lands hereinafter legally described are changed from R-1b (Single Family Residential District) and C-0 (Office Building District) to CP-1 (Planned Restricted Business District) and a Preliminary Development Plan is adopted as set forth in Sections II and III.

Section II. Rezoning of Property.

That the real estate located at 7930 State Line Road, Prairie Village, Kansas, and hereinafter described, to Wit: PART OF LOT 3, NEL-ARO, AND PART OF LOT 14, BLOCK 8, MEADOW LAKE, BOTH BEING SUBDIVISIONS IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 3 WITH THE WEST LINE OF STATE LINE ROAD, AS NOW ESTABLISHED; THENCE NORTH 2'50" EAST, ALONG THE WEST LINE OF STATE LINE ROAD, A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER OF LOT 15, IN SAID BLOCK 8; THENCE WEST , ALONG THE SOUTH LINE OF SAID LOT 15 A DISTANCE OF 150.00 FEET, TO THE SOUTHWEST CORNER THEREOF; THEN NORTH 17'10" WEST, ALONG A LINE WHICH MAKES A SOUTHWEST ANGLE OF 90 DEGREES WITH THE EASTERLY LINE OF SAID LOT 14, A DISTANCE OF 123.00 FEET; THENCE NORTH 2 DEGREES 50' EAST, A DISTANCE OF 63.37 FEET, TO A POINT ON THE NORTHWESTERN LINE OF SAID LOT 14, THENCE SOUTH 66 DEGREES 21' 16" WEST, ALONG THE NORTHWESTERLY LINE OF SAID LOT 14, A DISTANCE OF 421.97 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE EAST, ALONG THE SOUTH LINE OF SAID LOTS 14, AND 3 A DISTANCE OF 651.33 TO THE POINT OF THE BEGINNING. commonly referred to as

7930 State Line Road Street, Prairie Village, Kansas

is hereby rezoned in its entirety from R-1b Planned Single Family Residential District and C-0 Office Building District to CP-1 Planned Restricted Business District.

Section III. Preliminary Development Plan.

That a revised Preliminary Development Plan as presented to the Planning Commission on July 7, 2015 is hereby approved subject to the following conditions:

1. That the Preliminary Development Plan approved by the Planning Commission is dated 07/01/2015 and includes sheets C1, C2, D1, L1, L2, DRB1.0, DRB2.0, and DRB3.0.
2. That prior to obtaining a permit for construction the applicant shall submit a Final Development Plan for review and approval by the Planning Commission.
3. That an exterior lighting plan be included with the submission of the Final Development Plan and be designed in accordance with the outdoor lighting regulations of the zoning ordinance.
4. That any HVAC units installed externally, either on the roof or on the ground, be screened from adjacent properties and State Line Road.
5. That the applicant submit the landscape plan to the Tree Board for review and approval prior to submitting the Final Development Plan to the Planning Commission for approval. That the landscape plan, as approved, shall be installed as a part of the development construction.
6. That the sidewalk adjacent to State Line Road be five feet in width and aligned to connect to the existing sidewalk on the commercial property to the north.
7. That the applicant submit a sign package which includes the monument sign, menu board, wall signs and directional signs for review and approval by the Planning Commission with the Final Development Plan.
8. That the approval of the Preliminary Development Plan is subject to approval of the Conditional Use Permit for the drive-thru window and if the Conditional Use Permit is not approved, the applicant shall revise the site plan and resubmit it for approval by the Planning Commission.
9. That the applicant submit detail for the 8-foot fence that will be used to screen adjacent residences for review and approval by Staff.
10. That the applicant plat the property prior to obtaining a building permit.
11. That the landscape area along the north and south property lines be approved for 5 feet which is reduced from the standard 8-foot requirement.
12. That the applicant work with the Public Works Department for final approval of the stormwater drainage.
13. That the applicant install filters in the venting system to control odors from cooking and provide information on the filters during the building permitting process.
14. That the business operator or manager work with staff to reduce noise during operation hours, as well as, during clean-up time after the business closes.
15. That the hours of operation are 10:30 a.m. to 10:00 p.m.

Section IV. Reincorporation By Reference of Prairie Village, Kansas, Zoning District Map as Amended.

That the Official Zoning District Map of the City is hereby amended in accordance with Section II, of this ordinance and is hereby reincorporated by reference and declared to be the Official Zoning District Map of the City as provided for and adopted pursuant to the provisions of Section 19.04.010 of Title 19 Zoning of the Prairie Village Zoning Regulations.

Section V. Take Effect.

That this ordinance shall take effect and be in force from and after its publication in the official City newspaper as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF AUGUST, 2015.

Mayor Laura Wassmer

ATTEST:

APPROVED AS TO FORM

Joyce Hagen Mundy, City Clerk

Catherine P. Logan, City Attorney

PLANNING COMMISSION MINUTES
June 2, 2015

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 2, 2015, in the Municipal Building Council Chambers at 7700 Mission Road. Acting Commission Secretary Meghan Buom called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Gregory Wolf, James Breneman, Nancy Wallerstein, Patrick Lenahan, and Jeffrey Valentino. Absent: Jonathon Birkel.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Wes Jordan, Assistant City Administrator; Mitch Dringman, Building Official; Eric Mikkelson, Council Liaison and Meghan Buom, Deputy City Clerk.

INTRODUCTION OF NEW COMMISSION MEMBERS & COUNCIL LIAISON

Wes Jordan introduced and welcomed new appointed Planning Commission members Patrick Lenahan and Jeffrey Valentino as well as new Council Liaison Eric Mikkelson. New commissioner Jonathan Birkel was unable to attend.

ELECTION OF OFFICERS

Meghan Buom called for nominations for the position of Planning Commission Chairman. James Breneman nominated Nancy Wallerstein. The motion was seconded by Randy Kronblad and passed unanimously.

Newly elected chairman Nancy Wallerstein called for nominations for the position of Planning Commission Vice Chairman. James Breneman nominated Randy Kronblad. The motion was seconded by Jeffery Valentino and passed unanimously.

Nancy Wallerstein nominated Joyce Hagen Mundy to serve as Planning Commission Secretary. The nomination was seconded by James Breneman and passed unanimously.

APPROVAL OF MINUTES

James Breneman moved the approval of the minutes of the Planning Commission for May 5, 2015 as submitted. The motion was seconded by Greg Wolf and passed by a vote of 4 to 0 with Lenahan and Valentino abstaining.

PUBLIC HEARINGS

PC2015-06 Request for Rezoning from C-0 & R-1b to CP-1 (Planned Restricted Business District and approval of Development Plan

7930 State Line Road

PC2015-07 Request for Conditional Use Permit for Drive-Thru Service Window 7930 State Line Road

Chairman Wallerstein opened the public hearing and asked the applicants to present their proposal. Mitch DiCarlo, Development Coordinator for Block and Co., and Jeff Bartz, BHC Rhodes, were present to represent Slim Chickens.

The applicant is proposing to rezone this property from R-1B Single-Family Residential and C-0 Office Building to CP-1 Planned Restricted Business District. This property is located south of the Panda Express which was rezoned to CP-1 in 2007. The parcel has 100 feet of frontage on State Line Road and has a depth of 651 feet along the south property line. The parcel has an irregular boundary and contains approximately 1.37 acres. The site is occupied by an office building that was built in 1968 and the applicant proposes to demolish that building and construct a fast food restaurant called Slim Chickens. The proposed restaurant will have a drive-thru window and a Conditional Use Permit has been requested along with this application. Both applications are on the Agenda and need to be considered together but will require separate action.

This area has become a fast food corridor with McDonald's, Wendy's and Culver's on the east side of State Line Road in Kansas City and Latteland and Panda Express on the west side of State Line Road in Prairie Village.

The property consists of several lots or portions of lots and needs to be platted.

The applicant proposed to construct a 3,564 sq. ft. building that will be setback approximately 80 feet from the front property line. The required front yard setback in the C-1 District is 15 feet. The restaurant will have a seating capacity of 122 which will require 49 parking spaces. Both driveways on State Line Road will be retained. The north drive will have an entrance while the south drive will be a two-lane exit.

The applicant held a meeting for the neighborhood property owners on May 28, 2015 and a summary was submitted by separate attachment.

This is a request for a Planned Business District and the Planning Commission will need to recommend approval of the rezoning and a Preliminary Development Plan to the Governing Body. After approval of the rezoning and Preliminary Plan by the Governing Body, a Final Development Plan will need to be submitted for approval by the Planning Commission.

Mitch DiCarlo stated that the existing building is an outdated office building that is no longer leasable. Jeff Bartz presented an overview of the existing site and the proposed site. He stated that the building is significantly smaller with a patio and additional grass to be added. The building is designed to maintain traffic flow on the site rather than State Line Road. The proposed landscaping includes a 6 foot wood privacy fence and additional landscaped buffer to limit noise and light.

James Breneman stated that the proposed plans do not indicate the raised sidewalks.

Greg Wolf asked about the residents' response to the landscaping and screening plan. Bartz responded that while he can't speak for the residents, they heard many opinions; some in favor and some in opposition.

Patrick Lenahan asked if there was discussion regarding the placement of the trash enclosure on the site. Bartz responded that there was not.

Nancy Wallerstein asked if there would be alcohol sold on the site. DiCarlo responded that he was not aware of intent to sell alcohol.

Wallerstein asked about the left and right turn at the exit of the property and if a traffic study had been conducted. Ron Williamson stated that Panda Express has a similar setup and no traffic study had been conducted. There is an existing left and right turn to exit the existing building.

Jeffery Valentino asked what the landscape screen look like in the interim before trees matured. Bartz responded that many of the trees would be planted at close to full size, and smaller shrubs and bushes would provide a full barrier. Additionally, the existing tree line will be maintained. Nancy Wallerstein noted that the plan presented via the PowerPoint by Bartz was different than the one included in the packet, and shows significantly less landscaping. Ron Williamson stated that he approved the plan included in the original reviewed submission.

Nancy Wallerstein called for public comment.

David Wooldridge, 2115 Somerset Drive, stated that he is a design engineer and very familiar with mixed use development. He stated he was not notified about the public hearing by registered mail as required. He commented on the noise levels from Panda Express including drive through orders, hip hop music, and bad language. He stated that when he purchased the property, there were two quiet office buildings. Panda Express created a circus. He stated that residents were promised an 8 foot fence, but the majority of the fencing installed ended up being only four feet. He is afraid the lights on the property will cause extreme brightness. He shared his concerns related to security issues such as car burglaries and theft. He doesn't believe a 6 foot fence would properly shield his property. Residents haven't been able to get a straight story on the hours of operation and he stated that employees at Panda Express stay beyond the posted hours, either cleaning or just hanging out, and lights remain on for security purposes. He would not have purchased his home if he knew he would be living behind two fast food restaurants.

Jeff Bartz has a certified receipt stating notification was sent. Mr. Wooldridge stated that they were not notified, however they were able to attend the public hearing after being informed by a neighbor. However, he stated he did not have significant time to prepare.

Nancy Wallerstein stated that the Planning Commission was told that the hours would be similar to the Independence Slim Chickens location: 10:30 a.m. - 10 p.m.

Paul Flose, owner of Culvers at 7359 State Line Road, stated that the additional fast food restaurants located in the area have actually helped his business. However, he has concerns with the traffic on State Line Road. It is becoming increasingly difficult for his patrons to leave parking lot. He wondered if a traffic study had been completed.

Harlan Birkhead, 7909 Sagamore, Leawood KS, stated that he hoped an independent traffic study would be completed. It is getting increasingly dangerous on that road and a legitimate public safety concern. It does not enhance his property or the enjoyment of his property. He asked for additionally landscaping shielding the south side of the property. The current office building shields their yard and deck from Panda Express, and when it is demolished, they believe more noise and light will come in.

Carly Bailey, 2021 Somerset Drive, stated that 25% of her property line abuts the existing building. She reiterated the comments stating that the Panda Express fence was not what they were promised. The fence is flimsy at best, only 3.5 feet tall with enough room to crawl underneath. She stated her belief that there is a security issue for women and elderly in this community as people can drive to the fence line and look into the yards and homes. She stated the home has been in her family since 1957 and Prairie Village has generated taxes from them for over 50 years. However, she stated that property values have plummeted due to the changes in the area.

Ms. Bailey shared several complaints about Panda Express. The noise pollution has been unbelievable. The dumpsters are right by their window and the trash truck is unbelievably loud. The lights are on like a stadium all night and shine right in the windows, regardless of the hours. Employees are loud and keep all hours. The smell is overwhelming. Adding a new restaurant multiplies those issues.

She stated that the residents shared concerns and the response received from the applicant was dismissive at best. She stated that Mr. Bartz was falsely representing the opinions of the residents when asked earlier in the meeting.

Bill Randall, 2123 Somerset, stated that the drive thru seems significantly larger than Panda Express, and because it goes into the West portion of the property, it increases issues for residents. He would like to see the drive thru closer to State Line with more green space. He wondered if a left turn signal could be added at Somerset and State Line.

Stephanie McEntire, 2107 Somerset, stated that the proposed landscaping and trees are a great idea in theory; however due to the utility lines, existing trees are constantly getting trimmed back and mutilated.

Carolyn Bailey, 2021 Somerset Drive, stated that while noise and security are a major concern, it is not restaurant patrons that cause the issues. She believes people are living in their cars in the parking lots. She has issue with the lack of night security. She

stated that there is a water and drainage problem in the area and the grates that let the water through do not accommodate heavy rains. The electrical lines don't accommodate all the homes and the area has frequent outages. The neighborhood cannot accommodate another restaurant. Residents need help, not another problem.

Nancy Wallerstein closed the public hearing and asked the representatives of Slim Chickens to respond.

Mitch DiCarlo responded to the comments related to the noise. He pointed out that the ordering takes place close to the building, with sound traveling south which will alleviate the problem. He is disappointed that residents think they were being misled which was not the intent. He wants to work with the adjacent homeowners to allow the least amount of disruption to the property and will address those issues in the interim.

Jeff Bartz stated that additional screening along the south side will help with concerns and additional screening along the north edge will be included in the final development plan. They will work to improve the site lighting there, which will be shown in the final development plan. The drainage on south side will reuse the inlet and retain existing flow plan. There is actually a decrease in impervious runoff area.

Greg Wolf asked for a response to traffic study inquiries. Jeff Bartz stated that one was not required. Mr. Wolf asked if they were willing to conduct a traffic study. Mitch stated he didn't know what the protocol is in the City was but they are willing to work with the planning commission to alleviate the concerns. Ron Williamson stated that a traffic study is performed by a consultant with a review by Public Works. Mr. DiCarlo stated that they would be willing to conduct a traffic study.

James Breneman asked how the grading plan related to the elevation in the existing homes. Mr. Bartz stated that they trying to maintain existing elevations. The homes are elevated above the property.

Jeff Bartz stated that the privacy fence will be placed 5 feet in front of the property line. James Breneman asked if they would consider a taller fence in response to the privacy concerns. Ron Williamson stated the Planning Commission can require a higher fence. Mr. DiCarlo stated that it should not be an issue and they will reflect that on the final plan for approval.

Patrick Lenahan asked if the drive thru is integral to the Slim Chicken facility? Mr. DiCarlo said that yes, it is part of each facility.

Nancy Wallerstein summarized that the major issues include drainage, traffic, screening, lighting, noise, and smell. She stated that a restaurant planned in Leawood (Slab and Pickle at 95th and Mission) used a "smell buffer" of sorts so the cooking odors did not emit into the neighborhood. Mr. DiCarlo stated that there are many types of filtration systems that can be used, however haven't delved into that at this point in the process but can look into it. Nancy Wallerstein encouraged him to investigate that.

Ron Williamson stated that Public Works will review the site drainage when it is submitted for a permit review. He reiterated that the new plan has 13,000 square feet less impervious material and will help with drainage.

Nancy Wallerstein stated that the face of State Line on both sides of the road has changed drastically over the years and this development will surely add to the traffic in the area with a lot of movement in and out of the parking lots. While the entry and exits will be the same physical location there will be more cars due to the nature of a fast food establishment. Randy Kronblad and Jeffery Valentino shared that concern.

Nancy Wallerstein encouraged more mature shrubbery on the landscape plan. Ron Williamson stated he would like to see a revised landscape plan.

Nancy Wallerstein stated a desire to see innovative ways for the property to be lit.

Wes Jordan stated that noise is governed by an ordinance. He encouraged residents to call the police department on all of those issues they shared related to safety and noise. It is important that residents report issues so the city has a record of the complaints.

Ron Williamson suggested moving trash bins to the south side of the property.

Ron Williamson stated the lighting ordinance includes zero foot candles at property lines. At the time they get a permit, Slim Chickens will be required to submit a lighting plan. He stated that the City will look at the lighting plan at Panda Express as well as the fence

Nancy Wallerstein asked if the committee had additional comments before going through the golden factors.

Patrick Lenahan stated that many issues discussed at the meeting are inherently baked into the layout of the site, not the use of the property. He would like to see the issues mitigated before giving approval.

Greg Wolf asked if they would have time to clarify issues prior to the July meeting. Ron Williamson stated he believed they could hopefully respond to most of the issues; however the traffic study may be difficult.

Randy Kronblad stated that the enough significant issues were raised that he can't support the rezoning at this time.

Randy Kronblad moved to continue PC2015-06, Request for Rezoning from C-0 & R-1b to CP-1 (Planned Restricted Business District and approval of Development Plan at 7930 State Line Road, to the July 7, 2015 Planning Commission meeting and Jeffery Valentino seconded the motion.

James Breneman would like to see them relocate trash bins in addition to addressing the previously discussed issues. The motion passed unanimously.

James Breneman moved to continue PC2015-07, Request for Conditional Use Permit for Drive-Thru Service Window at 7930 State Line Road to the July 7, 2015 Planning Commission meeting. Patrick Lenahan seconded the motion and it passed unanimously.

Nancy Wallerstein asked Jeff Bartz to forward receipt of certified mail to Mr. Woolridge.

OTHER BUSINESS

Ron Williamson shared a revised site plan for Westlake Ace Hardware at 4049 Somerset. They have revised their parking lot storage area to the East Side of the lot instead of the West as originally indicated. They are not using any additional space. The change was made to improve parking. Greg Wolf moved to approve the revised site plan. Randy Kronblad seconded the motion and it passed unanimously.

Next Meeting

The filing deadline for the July meeting is Friday, June 5th. Two BZA applications are anticipated to be filed. Site Plan approval for Briarwood Elementary School is expected. The Monument Sign for Homestead Estates is also anticipated.

Interviews are being held on Wednesday, June 9, 2015 for the position of Planning Consultant. Three proposals were received. It is anticipated that the contract will be approved at the June 15th City Council meeting. Ron Williamson will prepare the staff reports for the July meeting with both Ron and the new Planning Consultant in attendance.

ADJOURNMENT

With no further business to come before the Commission, Chairman Nancy Wallerstein adjourned the meeting at 8:42 p.m.

Nancy Wallerstein
Chairman

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
DATE: June 2, 2015, Planning Commission Meeting

Project # 000009686

Application: PC 2015-06

Request: Rezoning from R-1B Residential and C-0 Office Building to CP-1 Planned Restricted Business District

Property Address: 7930 State Line Road

Applicant: 7930 State Line LLC (Block and Company)

Current Zoning and Land Use: R-1B Single-Family Residential and C-0 Office Building - Office Building

Surrounding Zoning and Land Use: North: CP-1 Planned Restricted Business - Panda Express and R-1B Single-Family Residential - Single-Family Dwellings
East: Commercial (KCMO) - CVS and Wendy's
South: R-1 Single-Family Residential - Single-Family Dwellings and SD-O Business Office District - Financial Institution
West: R-1B Single-Family Residential - Single-Family Dwellings

Legal Description: Multiple Lots

Property Area: 1.37 acres

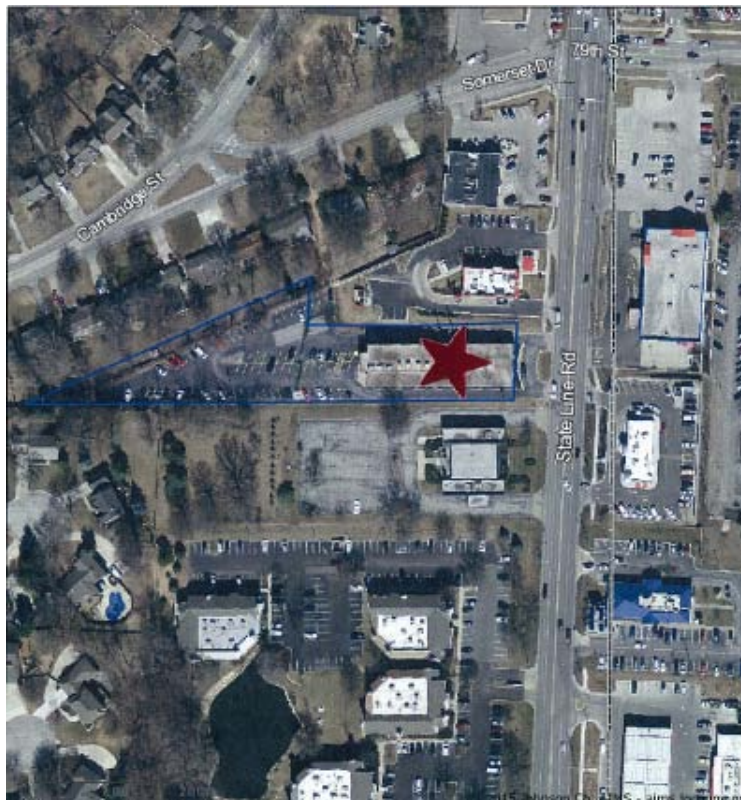
Related Case Files: PC 2015-07 Conditional Use Permit for Drive-Thru Window

Attachments: Application, Plans and Photos

General Location Map



Aerial Map



COMMENTS:

The applicant is proposing to rezone this property from R-1B Single-Family Residential and C-0 Office Building to CP-1 Planned Restricted Business District. This property is located south of the Panda Express which was rezoned to CP-1 in 2007. The parcel has 100 feet of frontage on State Line Road and has a depth of 651 feet along the south property line. The parcel has an irregular boundary and contains approximately 1.37 acres. The site is occupied by an office building that was built in 1968 and the applicant proposes to demolish that building and construct a fast food restaurant called Slim Chicken. The proposed restaurant will have a drive-thru window and a Conditional Use Permit has been requested along with this application. Both applications are on the Agenda and need to be considered together but will require separate action.

This area has become a fast food corridor with McDonald's, Wendy's and Culver's on the east side of State Line Road in Kansas City and Latteland and Panda Express on the west side of State Line Road in Prairie Village.

The property consists of several lots or portions of lots and needs to be platted.

The applicant proposed to construct a 3,564 sq. ft. building that will be setback approximately 80 feet from the front property line. The required front yard setback in the C-1 District is 15 feet. The restaurant will have a seating capacity of 122 which will require 49 parking spaces.

Both driveways on State Line Road will be retained. The north drive will have an entrance while the south drive will be a two-lane exit.

The applicant held a meeting for the neighborhood property owners on May 28, 2015 and a summary is submitted by separate attachment.

This is a request for a Planned Business District and the Planning Commission will need to recommend approval of the rezoning and a Preliminary Development Plan to the Governing Body. After approval of the rezoning and Preliminary Plan by the Governing Body, a Final Development Plan will need to be submitted for approval by the Planning Commission.

In considering a change in zoning classification, the Planning Commission must consider a number of factors commonly referred to as the "golden factors" in approving or disapproving the request and they are as follows:

1. The character of the neighborhood;

The general character of this area is business on both sides of State Line Road. Culvers, Wendy's, CVS Pharmacy and McDonald's are located on the east side of State Line Road and all four have drive-thru windows. There are residential uses to the northwest of this property which have their rear yards adjacent to this site. To the south are offices. The immediate area to the north is developed with restaurants and retail uses.

2. The zoning and uses of property nearby;

North: CP-1 Planned Restricted Business – Panda Express and R-1B Single-Family Residential – Single-Family Dwellings

East: Commercial (KCMO) – CVS and Wendy's

South: R-1 Single-Family Residential – Single-Family Dwellings and SD-0 Business Office District – Financial Institution

West: R-1B Single-Family Residential – Single-Family Dwellings

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

The existing building is currently being used for office space. The office market in Prairie Village is weak for this type of space. This building is older, having been built in 1968, and its appearance is not such that it would command the interest of a lot of potential tenants. The existing building probably is at a state where a teardown and rebuild is a logical solution to more economically and effectively use the site. Since this property is on State Line Road, redevelopment for commercial use has a strong potential. In order to redevelop the site, the new use needs to generate a higher revenue to offset the redevelopment costs.

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

The properties to the north, south and east are developed for business uses and the redevelopment of this property will not detrimentally affect them. There will be additional traffic because a fast food restaurant generates more traffic than an office, but State Line Road can accommodate it. The residential use to the northwest and southwest would be most affected by the restaurant because of noise and lights. Fencing and landscaping will be required to screen the use from the residential properties which should mitigate negative effects. The restaurant will be required to follow the outdoor lighting regulations which will minimize the impact on outside lighting.

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

The building has been continually occupied by office uses since it was built and has not been totally vacant for any length of time. As pointed out earlier the market for office space of this type is weak in the City of Prairie Village.

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 redevelopment of this site will permit the removal of one structure that is not at the quality that is desired by the market and will allow the redevelopment for a use that will be of higher value and be a greater generator of revenue to the City. The redevelopment of the site should provide a structure that is better designed and more attractive which would be an asset to the neighborhood rather than create a hardship on the other adjacent owners.

7. City staff recommendations;

It is the opinion of Staff that this is a logical request for CP-1 Planned Restricted Business District Zoning because this is a mixed office retail area; the property needs renovation; it is located on a very highly traveled arterial street; and it will be an extension of the commercial property to the north. There are nine residential lots that abut the property and those can be protected through landscaping and proper screening controls. There are very limited areas in Prairie Village where a fast food restaurant would be appropriate and this location works for that use.

8. Conformance with the Comprehensive Plan.

The Village Vision has pointed out that Prairie Village retail is slightly oversupplied with marginally performing uses and that reinvestment and repositioning are needed to improve the performance of the retail sector. The Village Vision encourages the upgrading of uses to create higher density and intensity development. This is an underperforming property that needs reinvestment.

9. Approval of the Preliminary Development Plan.

Prior to recommending approval of a planned zoning district, the Planning Commission must also recommend approval of a Preliminary Development Plan. The criteria for evaluating the Preliminary Development Plan will be the same criteria as is used in site plan approval which is as follows:

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

The site is an irregular shape which contains approximately 1.37 acres and it has been laid out to accommodate 4,235 sq. ft. of restaurant area with 49 parking spaces. The proposed plan shows 94 indoor seats and 28 outdoor seats for a total of 122 dining and patio seats which require 49 off-street parking spaces so the project is meeting the minimum requirements. Less of the site will be covered with impervious surface than it is now which will reduce stormwater runoff and create more green space. The far west corner of the site will be heavily landscaped which will improve the appearance for adjacent residents.

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

The property is currently served with water, sewer, gas, electric, telephone and cable. The size of the proposed building does not appear that it would require anything out of the ordinary and the utilities that are available should be adequate to handle the project.

c. The plan provides for adequate management for stormwater runoff.

The area of the site is 59,663 sq. ft. and currently 50,027 sq. ft. is covered with impervious material which includes a building and pavement. The proposed project will have 36,805 sq. ft. of impervious area. This is a reduction of 13,222 sq. ft. of impervious area. Since the impervious area has been reduced, a stormwater master plan will not be required at this time. The stormwater will be reviewed by Public Works as a part of the building permit process.

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

Ingress and egress will be provided from two locations off State Line Road. The north driveway will provide for a one-lane entrance. The south drive will provide two lanes for exit only. The placement of the drive-thru window allows an ample number of stacking spaces so that it should not be a traffic problem on State Line. The volume of traffic generated by the restaurant is not significant enough to affect State Line Road.

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

The site plan appears to be well laid out considering its limited size. The plan has added additional landscape area and fencing over what exists, which will certainly be a benefit for both the residential neighbors and the environment. More open area allows for more landscaping which should provide more screening for adjacent residents as well as reduce stormwater runoff.

When the Planning Commission has considered other redevelopment projects, one of the issues that have been identified is providing pedestrian access. The applicant has provided a sidewalk adjacent to State Line Road which should connect to the property to the north. The sidewalks in this area do not really connect very well to the neighborhood but it is hoped that sidewalks will be installed as redevelopment occurs and the area will have a complete network of sidewalks that will be beneficial to the community as a whole at some time in the future.

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

The proposed use is a fast food restaurant which has the distinct architectural style of the Slim Chicken brand. The design is not compatible with typical Prairie Village architecture and probably would not fit well in other locations in the City. This location is on State Line Road where there is a McDonald's, Wendy's and Culvers Restaurant across the street and a Panda Express to the north. By those standards the architecture is compatible with the surrounding neighborhood. The proposed building is 24.5 feet in height compared to the Panda Express building adjacent to the north that is 23 feet in height. The building is within scale of others in the area.

The applicant has not submitted a monument sign or menu board design for approval by the Planning Commission. The monument sign height cannot exceed 5 feet including the base; the sign face cannot exceed 20 sq. ft. and the sign must be placed at least 12 feet back of curb on private property. A sign package will need to be submitted at a later date for Planning Commission review and approval.

g. The plan presents an overall development pattern that is consistent with the Comprehensive Plan and other adopted plan policies.

The Village Vision has pointed out that Prairie Village retail is slightly oversupplied with marginally performing uses and that reinvestment and repositioning are needed to improve the performance of the retail sector. The Village Vision encourages the upgrading of uses to create higher density and intensity development. This is an underperforming property that needs reinvestment.

- h. The Planning Commission and Governing Body may, in the process of approving preliminary and final plans, approve deviations from the standard requirements as follows, provided any deviations approved shall be in keeping with accepted land planning principles and must be clearly set out in the minutes as well as on exhibits in the record:**

The setbacks of buildings from a property line other than a public street may be reduced to 60% of the standard requirement and setbacks at paved areas adjacent to property lines, other than street lines, to zero if existing or proposed development on said adjacent land justifies the same.

The ordinance requires 8 feet of landscape area between paved areas and the property line. The proposed plan shows approximately 6 feet of landscape area along the south property and 5 feet of landscape area along the north property line for approximately 210 feet. The setback adjacent to the residential area is much greater than the minimum 8 feet.

The above deviation may be granted by the Planning Commission and Governing Body only when compensating open space is provided elsewhere in the project, whether there is ample evidence that said deviation will not adversely affect the neighboring property nor will it constitute a mere granting of a privilege.

The proposed deviation is on the east portion of the site that is between a fast food restaurant and an office use. Significant green space has been provided on the western portion of the site adjacent to the residential properties. In addition to the landscaping, a six-foot privacy fence will also be constructed adjacent to the residential properties.

It is the opinion of Staff that the deviation of the landscape area will not adversely affect the neighborhood and will be more than compensated for on the western portion of the site.

RECOMMENDATIONS:

It is the recommendation of Staff that the Planning Commission recommend approval of the zone change from R-1B and C-0 to CP-1 Planned Restricted Business Restricted Business District along with the Preliminary Development Plan to the Governing Body subject to the following conditions:

1. That prior to obtaining a permit for construction the applicant shall submit a Final Development Plan for review and approval by the Planning Commission.
2. That if the applicant intends to have any exterior lighting on the project, a plan be included with the submission of the Final Development Plan and be designed in accordance with the outdoor lighting regulations of the zoning ordinance.
3. That if the HVAC units are installed externally, either on the roof or on the ground, they shall be screened from adjacent properties and State Line Road.
4. That the applicant submit the landscape plan to the Tree Board for review and approval prior to submitting the Final Development Plan to the Planning Commission for approval. That the landscape plan, as approved, shall be installed as a part of the development construction.
5. That the sidewalk adjacent to State Line Road be aligned to connect to the existing sidewalk on the commercial property to the north.
6. That the applicant submit a sign package which includes the monument sign, menu board, wall signs and directional signs for review and approval by the Planning Commission.
7. That the approval of the Preliminary Development Plan is subject to approval of the Conditional Use Permit for the drive-thru window and if the Conditional Use Permit is not approved, the applicant shall revise the site plan and resubmit it for approval by the Planning Commission.

8. That the applicant submit a fence detail that will be used to screen adjacent residences for review and approval by Staff.
9. That the applicant plat the property prior to obtaining a building permit.
10. That the landscape area along the north and south property lines be approved for 5 feet which is reduced from the standard 8-foot requirement.
11. That the applicant work with the Public Works Department for approval of stormwater management.



Existing Building



West End of Site



Northwest Property Line



Northwest Property Line

**EXCERPT FROM
PLANNING COMMISSION MINUTES
July 7, 2015**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, July 7, 2015, in the Municipal Building Council Chambers at 7700 Mission Road. Chairman Nancy Wallerstein called the meeting to order at 7:15 with the following members present: Randy Kronblad, Gregory Wolf, James Breneman, Nancy Wallerstein, Patrick Lenahan, Jonathan Birkel and Jeffrey Valentino.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Wes Jordan, Assistant City Administrator; Mitch Dringman, Building Official; Eric Mikkelson, Council Liaison; Keith Bredehoeft, Public Works Director; Sgt. James Carney and Joyce Hagen Mundy, Commission Secretary.

PUBLIC HEARINGS

**PC2015-06 Request for Rezoning from C-0 & R-1b to CP-1 (Planned Restricted Business District and approval of Development Plan
7930 State Line Road**

**PC2015-07 Request for Conditional Use Permit for Drive-Thru Service Window
7930 State Line Road**

Chairman Wallerstein opened the public hearing and asked the applicants to present their proposal. Mitch DiCarlo, 11210 Madison Avenue, the Development Coordinator for Block and Co. introduced Danny Potts, Klover Architects; Ryan Elam, Project Manager with BHC Rhodes and Mo Yaganeh, President Operating Partner with KC Slim LLC were present to address any questions.

Danny Potts, 10955 Lowell #700, Overland Park, KS gave a PowerPoint presentation reviewing the application. The location is currently zoned R-1B Single-Family Residential and C-0 Office Building. They are seeking rezoning to CP-1 Planned Restricted Business District. This property is located south of the Panda Express which was rezoned to CP-1 in 2007. The parcel has 100 feet of frontage on State Line Road and has a depth of 651 feet along the south property line. The parcel has an irregular boundary and contains approximately 1.37 acres. The site is occupied by an office building that was built in 1968 and the applicant proposes to demolish that building and construct a fast food restaurant called Slim Chickens.

The applicant proposed to construct a 3,564 sq. ft. building that will be setback approximately 80 feet from the front property line. The required front yard setback in the

C-1 District is 15 feet. The restaurant will have a seating capacity of 122 which will require 49 parking spaces. Both driveways on State Line Road will be retained. The north drive will have an entrance while the south drive will be a two-lane exit.

Mr. Potts noted this building is significantly smaller with a patio and additional grass to be added. The building is designed to maintain traffic flow on the site rather than State Line Road. The site has a 19% reduction in impervious surface. The dumpster has been relocated to the southwest as far to the south as possible. The proposed landscaping includes an 8 foot wood privacy fence and additional landscaped buffer to limit noise and light. Mr. Breneman noted the plans still show a six foot fence. Mr. Potts confirmed it will be an eight foot fence.

Gregory Wolf asked if there were any conditions recommended by staff that they were not in agreement with. Mr. Potts responded #13 requiring the removal of the second menu board to reduce noise from the operation. He stated the second board does not add additional noise as only one menu board is active at a time. One employee answers both boards. The second board reduces the wait time for customers and allows for orders to be processed more quickly. It also functions to get more traffic maintained on site and reduces the amount of time in line, thus reducing the noise from waiting vehicles.

Mr. Breneman confirmed that they would stipulate in their operations protocol that only one board will be operated at a time. Mr. Lenahan was skeptical of the acoustical value of the fence and asked if they would be willing to consider adding a masonry wall backing up the menu board to reduce that sound. Mr. Potts responded that the additional landscaping added will buffer the sound before it gets to the fence.

Mo Yaganeh stated the second menu board expedites the same level of traffic through the drive through and serves as a needed enhancement. Slim Chickens is not a typical fast food that can be processed very quickly and the second menu board allows for faster processing of orders.

Wes Jordan stated staff recommendation against the second menu board is that it would encourage greater use of the drive through by offering shorter lines. Mo Yaganeh stated the additional lane does not increase the traffic volume. A single lane has a longer backup of cars waiting to order and slows down the processing of orders.

Nancy Wallerstein expressed concern with the flow of traffic and cars crossing in front of one another when leaving. Mr. Elam stated the vehicles would merge going into the pickup area with only one car leaving at a time from there. There should be ample distance for the vehicles to merge going to pick up

Jeff Valentino noted the menu boards are located further back, vehicles at the pick-up window would be more of a noise issue. Mr. Valentino noted the revised landscape plan provides better screening. Nancy Wallerstein noted there was nothing indicated in a

large triangular space. Mr. Elam noted that area would simply contain grass. Mr. Valentino asked what time deliveries would be made. Mr. Jordan replied city code prohibits deliveries prior to 7 a.m.

Mitch DiCarlo noted several issues have been raised by the neighbors regarding the Panda Express operations. He stated Block & Company does not own that property, but he has reached out to them with the concerns expressed. Wes Jordan stated a fence permit for an 8 foot fence has been applied for by Panda Express. Mr. DiCarlo reviewed Block & Company's investment along State Line Road with several other properties.

Jim Breneman asked about the parking requirements. Mitch DiCarlo noted they are driven by the city's code. Mr. Breneman asked if they would have as much parking as shown if not required by the city. Mo Yaganeh replied they would probably not.

Chairman Nancy Wallerstein opened the public hearing for comment, noting that comments were heard at the June meeting and asking residents to keep their comments brief and not repeat what had been stated previously.

David Woolridge, 2115 Somerset, expressed concern with the drainage indicating the reduction in impervious surface was not sufficient. He felt there would be flooding issues. He is concerned with the hours of operation and feels that there are already too many fast food businesses in the area. He is opposed to the double drive thru, lighting pollution and having a business operating 85 feet from his property seven days a week.

Jim Lichty, 4064 West 69th Street, stated this use will generate more traffic than the existing office building. He feels the traffic study should have been conducted by an independent firm and noted the data used for the study was from 2011, not 2015. There is a concentration of too many businesses in this area. He feels Prairie Village deserves better than what is proposed.

Carly Bailey, 2021 Somerset Drive, stated the opposition to this project by the neighbors on Somerset has not diminished. Concerns remain regarding security, noise pollution, light pollution, traffic, water runoff and employees hanging out around the property. She felt the addition of yet another fast food business would further negatively impact their property values. Ms Bailey does not feel that Johnson County residents will support a "Slim Chickens" and that the building will become vacant. She requested the rezoning be denied.

Chairman Nancy Wallerstein closed public participation at 8:22 p.m.

Gregory Wolf asked how strong staff felt regarding the second menu board. Mr. Williamson stated the concern was with the noise. He noted it does keep the traffic away from the back of the property.

Keith Bredehoeft stated based on the storm drainage study the plan submitted will provide better storm drainage than currently exists. Randy Kronblad confirmed that no

drainage retention is required on the property. A more detailed site drainage review will occur during the permitting process.

The Traffic Study concludes the proposed use will result in average daily traffic that is greater than the existing office use, but it will decrease during the PM peak hour when traffic on State Line Road is the highest. Also, it is estimated that approximately 50% of the traffic generated by Slim Chickens are passerby trips, which is an intermediate stop made by a vehicle travelling to another location, not new traffic.

Sgt. James Carney stated the Police Department looked at traffic/accident records for the past three years at this location and noted there had been none on the Prairie Village side. The four lane State Line Road is sufficient to handle any increased traffic.

Nancy Wallerstein asked what the hours of operation would be. Mo Yaganeh stated that normal operating hours are 10:30 a.m. to 10:00 p.m. Wes Jordan added the city code addresses noise and encouraged the residents to call in any complaints or concerns with security to the police department. Mrs. Wallerstein asked that the hours be stipulated as a condition of approval.

Ron Williamson stated the applicant will be required to submit an outdoor lighting plan at the time of application for a building permit. At that time all exterior lighting fixtures on the building and in the parking lot will be known and an accurate photometric drawing can be prepared. The ordinance requires 0.0 foot candles at the property line when adjacent to residences.

Mr. Williamson noted the revised Site Plan shows an 8-foot fence along the north, west, and a portion of the south property lines. This should screen parked vehicles and lights from cars for the residents located on the north side of the property. The landscape plan has also been revised to provide better screening for the neighbors.

The smell of cooking food will need to be addressed by installing filters in the venting system. Mr. Valentino asked how the city could better address that this occurs. A stipulation will be added to condition #14 requiring the applicant to submit information on the filters with the Building Permit process.

The trash bins have been moved to the south side of the lot which should help reduce noise for the neighbors to the north. It would be more desirable to move the trash bins further east along the south property line, but trash trucks would have a difficult time backing into the space to pick-up and unload the trash bins.

Jonathan Birkel expressed concern with the heavy concentration of commercial establishments along State Line Road and the negative impact on the residential property owners and neighborhoods on Somerset that back up to State Line.

Jeff Valentino confirmed there would be no breakfast operation - only lunch and dinner.

Randy Kronblad stated he would like to see a use with less impact on the adjacent residential properties and shared Mr. Birkel's concerns.

Gregory Wolf stated a restaurant is consistent with the zoning and uses along State Line Road. Patrick Lenahan noted the odd size and shape of this property restricts its possible uses with a restaurant being the probable use, although it could be done without a drive-thru window.

The Planning Commission made the following review of the "Golden Factors":

1. The character of the neighborhood;

The general character of this area is business on both sides of State Line Road. Culvers, Wendy's, CVS Pharmacy and McDonald's are located on the east side of State Line Road and all four have drive-thru windows. There are residential uses to the northwest of this property which have their rear yards adjacent to this site. To the south are offices. The immediate area to the north is developed with restaurants and retail uses.

2. The zoning and uses of property nearby;

North: CP-1 Planned Restricted Business - Panda Express and R-1B Single-Family Residential - Single-Family Dwellings

East: Commercial (KCMO) - CVS and Wendy's

South: R-1 Single-Family Residential - Single-Family Dwellings and SD-0 Business Office District - Financial Institution

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

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

The existing building is currently being used for office space. The office market in Prairie Village is weak for this type of space. This building is older, having been built in 1968, and its appearance is not such that it would command the interest of a lot of potential tenants. The existing building probably is at a state where a teardown and rebuild is a logical solution to more economically and effectively use the site. Since this property is on State Line Road, redevelopment for commercial use has a strong potential. In order to redevelop the site, the new use needs to generate higher revenue to offset the redevelopment costs.

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

The properties to the north, south and east are developed for business uses and the redevelopment of this property will not detrimentally affect them. There will be additional traffic because a fast food restaurant generates more traffic than an office, but State Line Road can accommodate it. The residential use to the northwest and southwest would be most affected by the restaurant because of noise and lights. Fencing and landscaping will be required to screen the use from the residential properties which should mitigate negative effects. The restaurant will be required to follow the outdoor lighting regulations which will minimize the impact on outside lighting.

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

The building has been continually occupied by office uses since it was built and has not been totally vacant for any length of time. As pointed out earlier the market for office space of this type is weak in the City of Prairie Village.

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 redevelopment of this site will permit the removal of one structure that is not at the quality that is desired by the market and will allow the redevelopment for a use that will be of higher value and be a greater generator of revenue to the City. The redevelopment of the site should provide a structure that is better designed and more attractive which would be an asset to the neighborhood rather than create a hardship on the other adjacent owners.

7. City staff recommendations;

It is the opinion of Staff that this is a logical request for CP-1 Planned Restricted Business District Zoning because this is a mixed office retail area; the property needs renovation; it is located on a very highly traveled arterial street; and it will be an extension of the commercial property to the north. There are nine residential lots that abut the property and those can be protected through landscaping and proper screening controls. There are very limited areas in Prairie Village where a fast food restaurant would be appropriate and this location works for that use.

8. Conformance with the Comprehensive Plan.

The Village Vision has pointed out that Prairie Village retail is slightly oversupplied with marginally performing uses and that reinvestment and repositioning are needed to improve the performance of the retail sector. The Village Vision encourages the upgrading of uses to create higher density and intensity development. This is an underperforming property that needs reinvestment.

9. Approval of the Preliminary Development Plan.

Prior to recommending approval of a planned zoning district, the Planning Commission must also recommend approval of a Preliminary Development Plan. The criteria for evaluating the Preliminary Development Plan will be the same criteria as is used in site plan approval which is as follows:

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

The site is an irregular shape which contains approximately 1.37 acres and it has been laid out to accommodate 4,235 sq. ft. of restaurant area with 49 parking spaces. The proposed plan shows 94 indoor seats and 28 outdoor seats for a total of 122 dining and patio seats which require 49 off-street parking spaces so the project is meeting the minimum requirements. Less of the site will be covered with impervious surface than it is now which will reduce stormwater runoff and create more green space. The far west corner of the site will be heavily landscaped which will improve the appearance for adjacent residents.

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

The property is currently served with water, sewer, gas, electric, telephone and cable. The size of the proposed building does not appear that it would require anything out of the ordinary and the utilities that are available should be adequate to handle the project.

c. The plan provides for adequate management for stormwater runoff.

The area of the site is 59,663 sq. ft. and currently 50,027 sq. ft. is covered with impervious material which includes a building and pavement. The proposed project will have 36,805 sq. ft. of impervious area. This is a reduction of 13,222 sq. ft. of impervious area. Since the impervious area has been reduced, a stormwater master plan will not be required at this time. The stormwater will be reviewed by Public Works as a part of the building permit process.

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

Ingress and egress will be provided from two locations off State Line Road. The north driveway will provide for a one-lane entrance. The south drive will provide two lanes for exit only. The placement of the drive-thru window allows an ample number of stacking spaces so that it should not be a traffic problem on State Line. The volume of traffic generated by the restaurant is not significant enough to affect State Line Road.

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

The site plan appears to be well laid out considering its limited size. The plan has added additional landscape area and fencing over what exists, which will certainly be a benefit for both the residential neighbors and the environment. More open area allows for more landscaping which should provide more screening for adjacent residents as well as reduce stormwater runoff.

When the Planning Commission has considered other redevelopment projects, one of the issues that have been identified is providing pedestrian access. The applicant has provided a sidewalk adjacent to State Line Road which should connect to the property to the north. The sidewalks in this area do not really connect very well to the neighborhood but it is hoped that sidewalks will be installed as redevelopment occurs and the area will have a complete network of sidewalks that will be beneficial to the community as a whole at some time in the future.

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

The proposed use is a fast food restaurant which has the distinct architectural style of the Slim Chicken brand. The design is not compatible with typical Prairie Village architecture and probably would not fit well in other locations in the City. This location is on State Line Road where there is a McDonald's, Wendy's and Culvers Restaurant across the street and a Panda Express to the north. By those standards the architecture is compatible with the surrounding neighborhood. The proposed building is 24.5 feet in height compared to the Panda Express building adjacent to the north that is 23 feet in height. The building is within scale of others in the area.

The applicant has not submitted a monument sign or menu board design for approval by the Planning Commission. The monument sign height cannot exceed 5 feet including the base; the sign face cannot exceed 20 sq. ft. and the sign must be placed at least 12 feet back of curb on private property. A sign package will need to be submitted at a later date for Planning Commission review and approval.

g. The plan presents an overall development pattern that is consistent with the Comprehensive Plan and other adopted plan policies.

The Village Vision has pointed out that Prairie Village retail is slightly oversupplied with marginally performing uses and that reinvestment and repositioning are needed to improve the performance of the retail sector. The Village Vision encourages the upgrading of uses to create higher density and intensity development. This is an underperforming property that needs reinvestment.

h. The Planning Commission and Governing Body may, in the process of approving preliminary and final plans, approve deviations from the standard requirements as follows, provided any deviations approved shall be in keeping with accepted land planning principles and must be clearly set out in the minutes as well as on exhibits in the record:

The setbacks of buildings from a property line other than a public street may be reduced to 60% of the standard requirement and setbacks at paved areas adjacent to property lines, other than street lines, to zero if existing or proposed development on said adjacent land justifies the same.

The ordinance requires 8 feet of landscape area between paved areas and the property line. The proposed plan shows approximately 6 feet of landscape area along the south property and 5 feet of landscape area along the north property line for approximately 210 feet. The setback adjacent to the residential area is much greater than the minimum 8 feet.

The above deviation may be granted by the Planning Commission and Governing Body only when compensating open space is provided elsewhere in the project, whether there is ample evidence that said deviation will not adversely affect the neighboring property nor will it constitute a mere granting of a privilege.

The proposed deviation is on the east portion of the site that is between a fast food restaurant and an office use. Significant green space has been provided on the western portion of the site adjacent to the residential properties. In addition to the landscaping, a eight-foot privacy fence will also be constructed adjacent to the residential properties.

It is the opinion of Staff that the deviation of the landscape area will not adversely affect the neighborhood and will be more than compensated for on the western portion of the site.

Gregory Wolf moved the Planning Commission find favorably on the Golden Factors and recommend the Governing Body approve the request for rezoning of 7930 State Line Road from R-1b and C-0 to CP-1 subject to the conditions listed below:

1. That the Preliminary Development Plan if approved by the Planning Commission is dated 6/19/2015 and includes sheets C1, C2, D1, L1, L2, DRB1.0, DRB2.0, and DRB3.0.
 2. That prior to obtaining a permit for construction the applicant shall submit a Final Development Plan for review and approval by the Planning Commission.
 3. That an exterior lighting plan be included with the submission of the Final Development Plan and be designed in accordance with the outdoor lighting regulations of the zoning ordinance.
 4. That any HVAC units installed externally, either on the roof or on the ground, be screened from adjacent properties and State Line Road.
 5. That the applicant submit the landscape plan to the Tree Board for review and approval prior to submitting the Final Development Plan to the Planning Commission for approval. That the landscape plan, as approved, shall be installed as a part of the development construction.
 6. That the sidewalk adjacent to State Line Road be five feet in width and aligned to connect to the existing sidewalk on the commercial property to the north.
 7. That the applicant submit a sign package which includes the monument sign, menu board, wall signs and directional signs for review and approval by the Planning Commission with the Final Development Plan.
 8. That the approval of the Preliminary Development Plan is subject to approval of the Conditional Use Permit for the drive-thru window and if the Conditional Use Permit is not approved, the applicant shall revise the site plan and resubmit it for approval by the Planning Commission.
 9. That the applicant submit detail for the 8-foot fence that will be used to screen adjacent residences for review and approval by Staff.
 10. That the applicant plat the property prior to obtaining a building permit.
 11. That the landscape area along the north and south property lines be approved for 5 feet which is reduced from the standard 8-foot requirement.
 12. That the applicant work with the Public Works Department for final approval of the stormwater drainage.
 13. That the applicant install filters in the venting system to control odors from cooking and provide information on the filters during the building permitting process.
 14. That the business operator or manager work with staff to reduce noise during operation hours, as well as, during clean-up time after the business closes.
 15. That the hours of operation are 10:30 a.m. to 10:00 p.m.
- The motion was seconded by Jim Breneman and passed by a vote of 5 to 2 with Randy Kronblad and Jonathan Birkel voting in opposition.

SUPPLEMENT TO STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Ron Williamson, FAICP, Lochner, Planning Consultant
SUBJECT: PC 2015-06 Rezoning 7930 State Line Road
DATE: July 7, 2015

Project # 00009686

COMMENTS:

This is a supplemental memorandum to address the issues raised at the June 2, 2015 Planning Commission meeting. The rezoning request was continued in order for the applicant to provide more information. The issues were drainage, traffic, screening, lighting, noise, smell and the location of the trash bins.

DRAINAGE: The impervious area on the site is reduced by 13,000 square feet. Public Works has reviewed the Site Plan and the drainage is acceptable. A more detailed site drainage review will occur during the permitting process.

TRAFFIC: The applicant prepared a Traffic Study and its conclusion is that the average daily traffic will increase over the existing office use, but it will decrease during the PM peak hour when traffic on State Line Road is the highest. Also, it is estimated that approximately 50% of the traffic generated by Slim Chickens are passerby trips. A passerby trip is an intermediate stop made by a vehicle travelling to another location. The Police Department has no reported accidents in this area for the past three years. Public Works is satisfied that State Line Road has the capacity to accommodate the additional increase in traffic.

SCREENING: The applicant has submitted a revised Site Plan showing an 8-foot fence along the north, west, and a portion of the south property lines. This should screen parked vehicles and lights from cars for the residents located on the north side of the property. The landscape plan has also been revised to provide better screening for the neighbors.

LIGHTING: The applicant will be required to submit an outdoor lighting plan at the time of application for a building permit. At that time all exterior lighting fixtures on the building and in the parking lot will be known and an accurate photometric drawing can be prepared. The ordinance requires 0.0 foot candles at the property line when adjacent to residences.

NOISE: This is primarily an operations issue and the applicant will need to control the noise through education of staff. The noise from the speaker at the menu boards can be controlled. The applicant has proposed two menu boards, which may not be necessary. Consideration should be given to removing one menu board to reduce the noise.

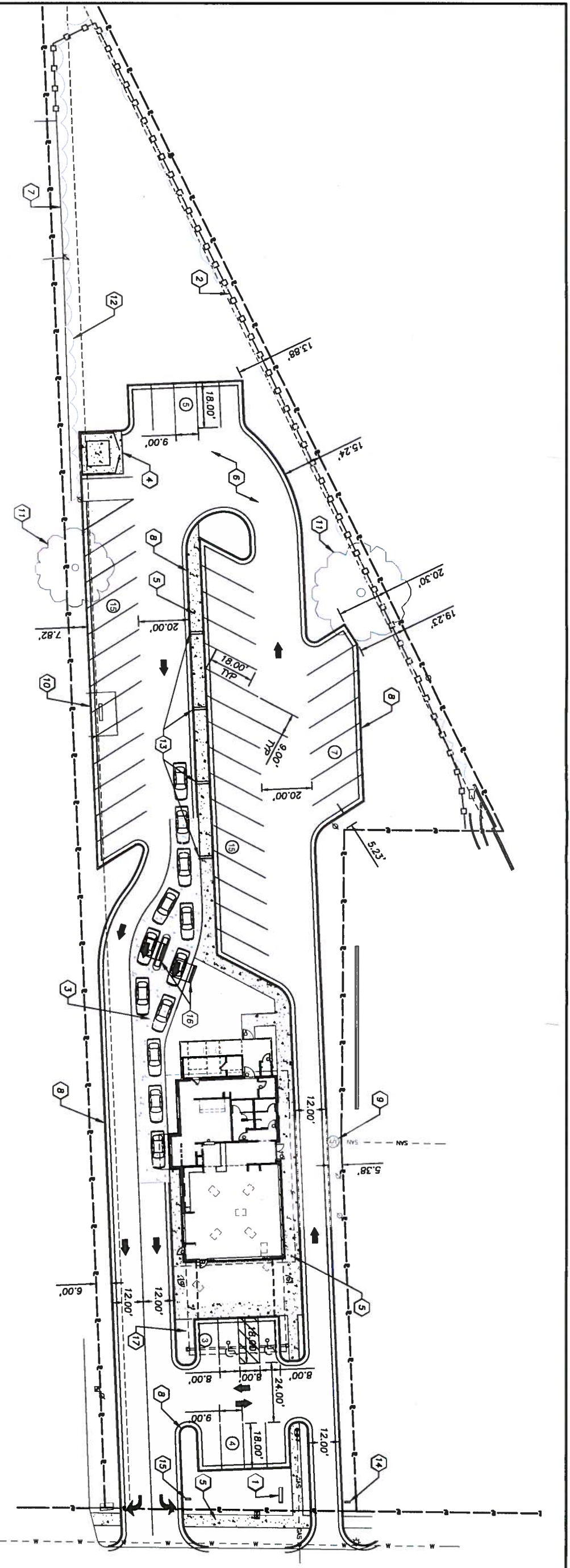
SMELL: The smell of cooking food will need to be addressed by installing filters in the venting system.

TRASH BINS: The trash bins have been moved to the south side of the lot which should help reduce noise for the neighbors to the north. It would be more desirable to move the trash bins further east along the south property line, but trash trucks would have a difficult time backing into the space to pick-up and unload the trash bins.

RECOMMENDATION:

It is the recommendation of Staff that the Planning Commission recommend approval of the zone change from R-1B and C-0 to CP-1 Planned Restricted Business Restricted Business District along with the Preliminary Development Plan to the Governing Body subject to the following conditions, which includes the conditions from the original staff report:

1. That the Preliminary Development Plan approved by the Planning Commission is dated 6/19/2015 and includes sheets C1, C2, D1, L1, L2, DRB1.0, DRB2.0, and DRB3.0.
 2. That prior to obtaining a permit for construction the applicant shall submit a Final Development Plan for review and approval by the Planning Commission.
 3. That an exterior lighting plan be included with the submission of the Final Development Plan and be designed in accordance with the outdoor lighting regulations of the zoning ordinance.
 4. That any HVAC units installed externally, either on the roof or on the ground, be screened from adjacent properties and State Line Road.
 5. That the applicant submit the landscape plan to the Tree Board for review and approval prior to submitting the Final Development Plan to the Planning Commission for approval. That the landscape plan, as approved, shall be installed as a part of the development construction.
 6. That the sidewalk adjacent to State Line Road be five feet in width and aligned to connect to the existing sidewalk on the commercial property to the north.
 7. That the applicant submit a sign package which includes the monument sign, menu board, wall signs and directional signs for review and approval by the Planning Commission with the Final Development Plan.
 8. That the approval of the Preliminary Development Plan is subject to approval of the Conditional Use Permit for the drive-thru window and if the Conditional Use Permit is not approved, the applicant shall revise the site plan and resubmit it for approval by the Planning Commission.
 9. That the applicant submit detail for the 8-foot fence that will be used to screen adjacent residences for review and approval by Staff.
 10. That the applicant plat the property prior to obtaining a building permit.
 11. That the landscape area along the north and south property lines be approved for 5 feet which is reduced from the standard 8-foot requirement.
 12. That the applicant work with the Public Works Department for final approval of the stormwater drainage.
 13. That the applicant remove the second menu board and drive to reduce noise from the operation.
 14. That the applicant install filters in the venting system to control odors from cooking.
 15. That the business operator or manager work with staff to reduce noise during operation hours, as well as, during clean-up time after the business closes.
-



CONSTRUCTION NOTES

- 01 MONUMENT SIGN, REFER TO ARCHITECTURAL
- 02 8' TALL WOOD PRIVACY FENCE
- 03 CONCRETE PAVEMENT
- 04 DUMPSTER ENCLOSURE
- 05 CONCRETE SIDEWALK
- 06 ASPHALT PAVEMENT
- 07 PROTECT EXISTING WOOD PRIVACY FENCE
- 08 CONCRETE CURB AND GUTTER
- 09 PROTECT EXISTING SEWER MANHOLE
- 10 PROTECT EXISTING STORM DRAIN
- 11 PROTECT EXISTING TREE
- 12 TRENCH DRAIN WITH GRATE
- 13 ENTRANCE DIRECTIONAL SIGN
- 14 EXIT DIRECTIONAL SIGN
- 15 MENU BOARD
- 16 ROOF CANOPY
- 17

SITE DATA

SITE AREA:
IMPERVIOUS AREA:
BUILDING EXISTING BUILDING:
PROPOSED BUILDING:
PARKING STALLS:
TOTAL PARKING STALLS:
REQUIRED PARKING:
1/2.5 SEATS = 94 INDOOR SEATS/2.5 = 37.6 STALLS
28 OUTDOOR SEATS/2.5 = 11.2 STALLS
= 48.8 STALLS
REQUIRED HANDICAPPED STALLS:
(28-50 STALLS REQUIRES 2 HC STALLS PER ADA)
2 (1 VAN)
HANDICAP STALLS PROVIDED:
2 (2 VAN)

LEGAL DESCRIPTION

PART OF LOT 3, NEL-ARO, AND PART OF LOT 14, BLOCK 8, MEADOW LAKE, BOTH BEING SUBDIVISIONS IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID LOT 3 WITH THE WEST LINE OF STATE LINE ROAD, AS NOW ESTABLISHED; THENCE NORTH 2° 50' EAST, ALONG THE WEST LINE OF STATE LINE ROAD A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER OF LOT 15, IN SAID BLOCK 8; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 15 A DISTANCE OF 150.00 FEET; TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 87° 10' WEST, ALONG A LINE WHICH MAKES A SOUTHWEST ANGLE OF 90 DEGREES WITH THE EASTERLY LINE OF SAID LOT 14, A DISTANCE OF 123.00 FEET; THENCE NORTH 2° 50' EAST, A DISTANCE OF 63.37 FEET, TO A POINT ON THE NORTHWESTERN LINE OF SAID LOT 14, THENCE SAID LOT 14, A DISTANCE OF 421.97 FEET, TO THE SOUTHWEST CORNER THEREOF; THENCE EAST, ALONG THE SOUTH LINE OF SAID LOTS 14, AND 3 A DISTANCE OF 651.33 TO THE POINT OF BEGINNING.

PROJECT ADDRESS

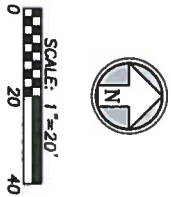
7930 STATE LINE ROAD
PRAIRIE VILLAGE, KS 66208

GENERAL NOTES

1. All work in public easement and Right-of-Way shall be installed per the requirements and specifications of the City of Prairie Village, Kansas.
2. All existing topographic, survey, and utility information shown was provided to BHC Rhodes in the form of an Topographic Survey prepared by Viking Surveys and dated October 3, 2014. BHC Rhodes makes no warranties as to the accuracy of the existing information shown hereon. Contractors shall satisfy themselves as to the existing conditions of the site and have all utilities located prior to commencing construction.
3. The Contractor shall be required to obtain all Federal, State, and Local permits required for this project prior to commencing construction.
4. Any work adjacent to or crossing existing streets requires proper traffic control devices. Traffic control devices shall be placed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).
5. The contractor shall be required to demolish, remove and dispose of all existing structures, pavements, and features necessary to construct the improvements shown hereon. Any waste materials generated during construction shall be removed from the site by the Contractor and disposed of in accordance with all local, State, and Federal regulations governing such disposal.
6. The contractor shall prevent any trash, debris, or liquid wastes from being disposed of in sanitary sewers, storm sewers, or open drainage systems.
7. The Contractor shall be solely responsible to protect adjacent property, structures, and other improvements from damage during construction. In the event of damage to adjacent property, structures, or improvements, the contractor shall repair or replace such damage to the Owner's satisfaction at the Contractor's expense.
8. Contractors at the site shall be solely responsible for jobsite safety for all aspects of work shown hereon.
9. All work and materials used in the construction of the improvements shown hereon shall comply with all referenced standards, specifications, and plan notes.
10. All buildings are shown as a reference only. All buildings shall be located and constructed per the Architectural drawings prepared by others.
11. Contractor shall be responsible for contacting all utility companies for field locations of underground utilities affected by the contract. All existing utilities indicated on these plans are according to the best information available to the engineer, however, all utilities actually existing may not be shown. Utilities damaged through the negligence of the contractor to obtain the location of some shall be repaired or replaced at the expense of the contractor.
12. Any and all hazards shall be properly identified and barricaded from access during all non-construction periods.

LEGEND

- (#) PARKING STALL COUNT
- MEDIUM DUTY PCCP PAVEMENT
- LIGHT DUTY ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- CONCRETE CURB & GUTTER
- PROPERTY LINE
- 6' WOOD PRIVACY FENCE



Rev.	Date	Description	By	App.
1	7/1/15	REVISED PER CITY COMMENTS	JWB	JWB

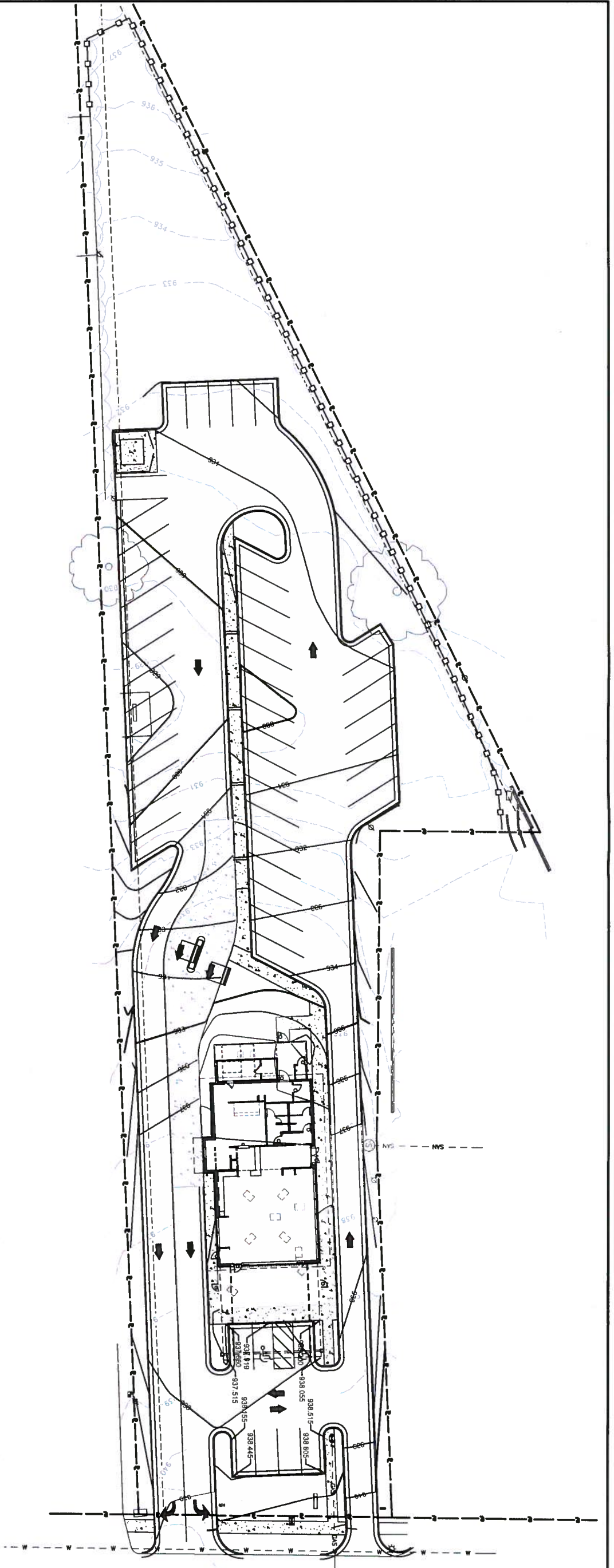
BHC RHODES
Civil Engineering • Surveying • Utilities
7101 College Blvd., Suite 400
Overland Park, Kansas 66210
P: (913) 663-1900 F: (913) 663-1633
BHC-0001 is a trademark of Bourque-Horvath & Company, P.A.

Prepared For:
BLOCK AND COMPANY, INC.
605 WEST 47TH STREET
SUITE 200
KANSAS CITY, MO 64112
P: (816) 753-6000

**7930 STATE LINE ROAD
PRELIMINARY DEVELOPMENT PLANS
PRAIRIE VILLAGE, KANSAS**

SITE PLAN

Design: JWB | Drawn: JWB
Checked: JWB | Date: 06/19/2015
Scale: 1" = 20'
Project Number: 021220
C1 of 5



GRADING NOTES

1. Contractor shall operate under the terms and permits included in the Stormwater Pollution Prevention Plan (SWPPP) prepared for this project and permitted through the State of Kansas. Contractor shall employ a qualified person to conduct regular inspections of the site erosion control measures and document such inspections in the SWPPP document maintained by the Contractor.
2. All topsoil, vegetation, root structures, and deleterious materials shall be stripped from the ground surface prior to the placement of embankments. Contractor shall obtain the On-site geotechnical representative's acceptance of the existing ground surface materials and the proposed fill material prior to the placement of fill.
3. All proposed contour lines and spot elevations shown are finish ground elevations. Contractor shall account for pavement depths, building pads, topsoil, etc when grading the site.
4. All disturbed areas that are not to be paved (green spaces) shall be finish graded with a minimum of six inches of topsoil.
5. All excavation and embankments shall comply with the recommendations provided by the Geotechnical Engineer.
6. Prior to placing any concrete or asphalt pavement the contractor shall perform a proof roll of the pavement sub-grade with a fully loaded tandem axle dump truck. The proof roll shall be conducted in the presence of the Engineer and the On-Site Geotechnical Representative. Areas that display rutting or pumping that are unsatisfactory to the Engineer shall be re-worked and a follow-up proof roll shall be conducted prior to acceptance of the sub-grade for paving. The contractor may, at its own expense, stabilize the sub-grade using Class C fly ash or quicklime.
7. Finished grades shall not be steeper than 3:1.
8. All grading work shall be considered unclassified. No additional payments shall be made for rock excavation. Contractor shall satisfy himself as to any rock excavation required to accomplish the improvements shown hereon.
9. A 1/4" per foot maximum cross slope shall be maintained on all pedestrian sidewalks and paths.

LEGEND

- 980 — FINISH GRADE 5' CONTOURS
- 980 — FINISH GRADE 1' CONTOURS
- - - 980 - - - EXISTING GRADE 10' CONTOURS
- - - 980 - - - EXISTING GRADE 1' CONTOURS
- - - - - PROPERTY LINE



SCALE: 1" = 20'
0 20 40

**7930 STATE LINE ROAD
PRELIMINARY DEVELOPMENT PLANS
PRAIRIE VILLAGE, KANSAS**

GRADING PLAN

Design: JWB Drawn: JWB
Checked: JWB PLE
Issue Date: 06/19/2015
Project Number: 021220

Prepared For:
BLOCK AND COMPANY, INC.
605 WEST 47TH STREET
SUITE 200
KANSAS CITY, MO 64112
P: (816) 753-6000

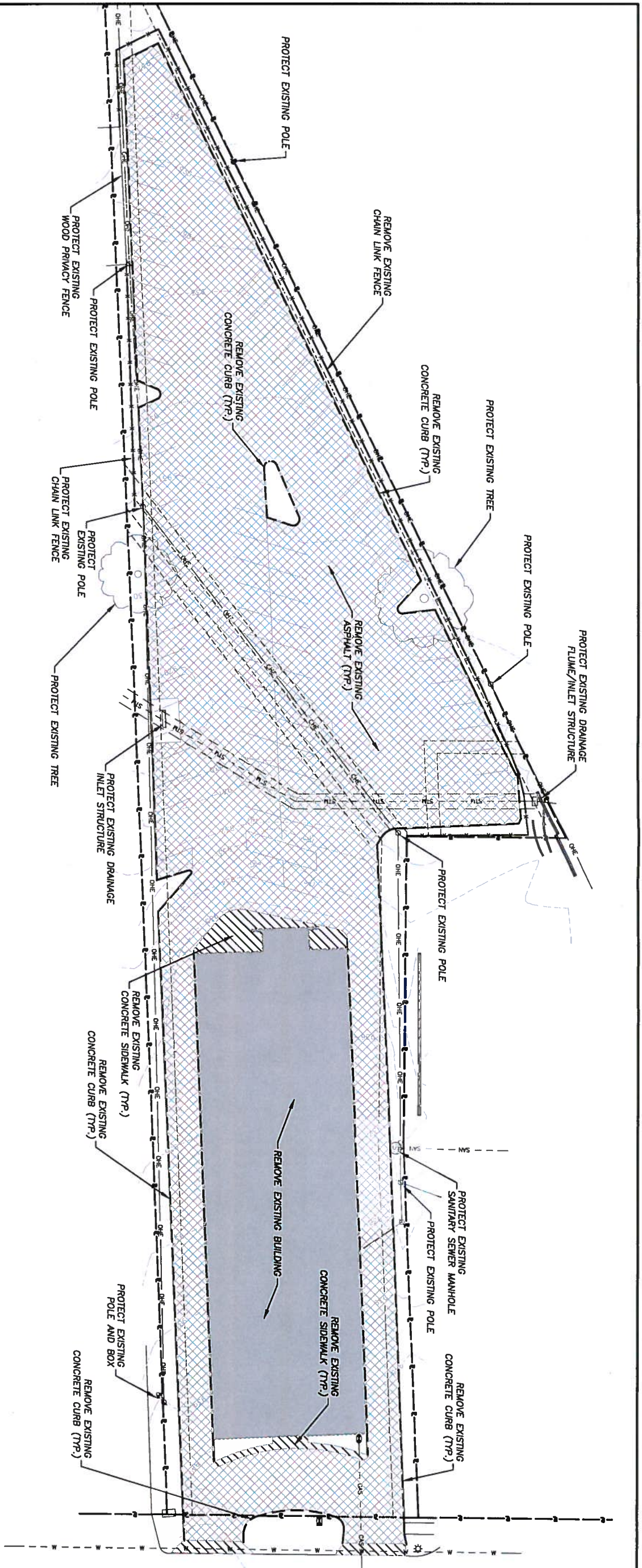
BHC RHODES
Civil Engineering • Surveying • Utilities

7101 College Blvd., Suite 400
Overland Park, Kansas 66210
p. (913) 663-1900 f. (913) 663-1633

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Rev.	Date	Description	By	App.
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C2 of 5

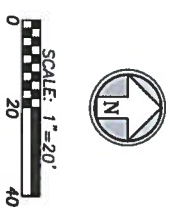


GENERAL NOTES

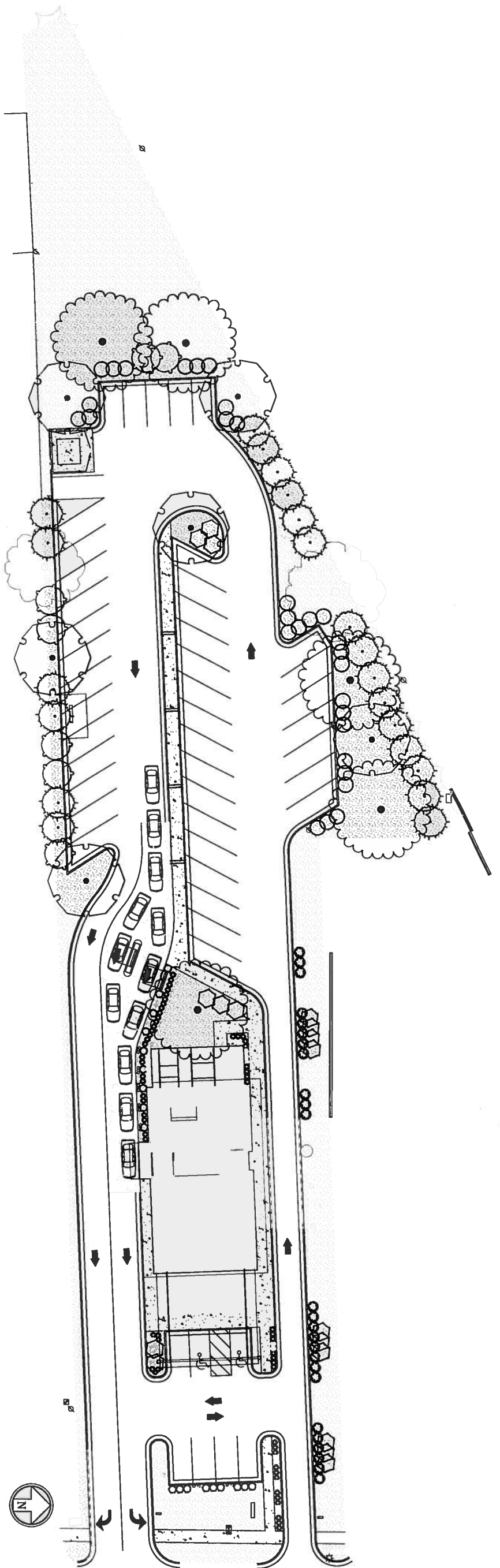
1. ALL MATERIALS SHALL BE REMOVED AND NOT DISPOSED OF ON-SITE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MEET ALL APPLICABLE LAWS AND REGULATIONS PERTAINING TO THE DISPOSAL OF CONSTRUCTION/DEMOLITION MATERIAL.
2. ALL PROTECTION FENCING SHALL BE INSTALLED PRIOR TO DEMOLITION/CONSTRUCTION ACTIVITY.
3. CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO ANY EXCAVATION OR CONSTRUCTION ACTIVITY.
4. EXISTING STORM & STRUCTURES SHALL BE PROTECTED FROM ANY DAMAGE RESULTING FROM CONSTRUCTION ACTIVITY.

DEMOLITION LEGEND

- REMOVE ASPHALT PAVEMENT
- REMOVE CONCRETE PAVEMENT
- REMOVE BUILDING
- REMOVE CONCRETE CURB
- REMOVE CHAIN LINK FENCE



<p>7930 STATE LINE ROAD PRELIMINARY DEVELOPMENT PLANS PRAIRIE VILLAGE, KANSAS</p>		<p>Prepared For: BLOCK AND COMPANY, INC. 605 WEST 47TH STREET SUITE 200 KANSAS CITY, MO 64112 P: (816) 753-8000</p>	<p>BHC RHODES Civil Engineering • Surveying • Utilities 7101 College Blvd., Suite 400 Overland Park, Kansas 66210 P: (913) 663-1900 F: (913) 663-1633 <small>BHC RHODES is a trademark of Beurgard, Henscheid & Company, P.A.</small></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;">Rev.</th> <th style="width: 10%;">Date</th> <th style="width: 60%;">Description</th> <th style="width: 10%;">By</th> <th style="width: 10%;">App.</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>07/01/15</td> <td>REVISED PER CITY COMMENTS</td> <td>JWB</td> <td>JWB</td> </tr> </tbody> </table>	Rev.	Date	Description	By	App.	1	07/01/15	REVISED PER CITY COMMENTS	JWB	JWB
Rev.	Date	Description	By	App.										
1	07/01/15	REVISED PER CITY COMMENTS	JWB	JWB										
<p>DEMOLITION PLAN</p>														
<p>D1</p>														



LANDSCAPING NOTES

1. ALL DISTURBED AREAS SHALL BE SODED WITH TURF-TYPE TALL FESCUE SOD WITH A MINIMUM OF THREE CULTIVARS.
2. ALL LANDSCAPED AREAS SHALL RECEIVE A MINIMUM 6-INCH DEPTH OF TOPSOIL COMPACTED TO 85% DENSITY AT OPTIMUM MOISTURE CONTENT.
3. THE ENTIRE SURFACE TO BE LANDSCAPED SHOULD BE REASONABLY SMOOTH AND FREE FROM STONES, ROOTS OR OTHER DEBRIS.
4. SOD SHALL BE MACHINE STRIPPED AT A UNIFORM SOIL THICKNESS OF APPROXIMATELY ONE INCH (PLUS OR MINUS 1/4-INCH). THE MEASUREMENT FOR THICKNESS SHALL EXCLUDE TOP GROWTH AND THATCH, AND SHALL BE DETERMINED AT THE TIME OF CUTTING IN THE FIELD. PRECAUTIONS SHALL BE TAKEN TO PREVENT DRYING AND HEATING. SOD DAMAGED BY HEAT AND DRY CONDITIONS, AND SOD CUT MORE THAN 18 HOURS BEFORE BEING INCORPORATED INTO THE WORK SHALL NOT BE USED.
5. HANDLING OF SOD SHALL BE DONE IN A MANNER THAT WILL PREVENT TEARING, BREAKING, DRYING AND OTHER DAMAGE. PROTECT EXPOSED ROOTS FROM DEHYDRATION. DO NOT DELIVER MORE SOD THAN CAN BE LAID WITHIN 24 HOURS.
6. MOISTEN PREPARED SURFACE IMMEDIATELY PRIOR TO LAYING SOD. WATER THOROUGHLY AND ALLOW SURFACE TO DRY BEFORE INSTALLING SOD. FERTILIZE HARROW OR RAKE FERTILIZER IN THE TIP 1-1/2-INCHES OR TOPSOIL, AT A UNIFORM RATE.
7. FERTILIZER SHALL BE 20-10-5 COMMERCIAL FERTILIZER OF THE GRADE, TYPE, AND FORM SPECIFIED AND SHALL COMPLY WITH THE RULES OF THE STATE OF KANSAS DEPT. OF AGRICULTURE. FERTILIZER SHALL BE IDENTIFIED ACCORDING TO THE PERCENT N,P,K IN THAT ORDER.
8. SATURATE SOD WITH FINE WATER SPRAY WITHIN TWO HOURS OF PLANTING. DURING THE FIRST WEEK AFTER PLANTING, WATER DAILY OR MORE FREQUENTLY AS NECESSARY TO MAINTAIN MOIST SOIL TO A MINIMUM DEPTH OF FOUR INCHES.
9. CONTRACTOR SHALL PROVIDE FULL MAINTENANCE FOR NEWLY LANDSCAPED AREAS FOR A PERIOD OF 30 DAYS AFTER THE DATE OF FINAL ACCEPTANCE. AT THE END OF THE MAINTENANCE PERIOD, A HEALTHY, WELL-ROOTED, EYE-COLORED, VIABLE TURF AND LANDSCAPED AREA MUST BE ESTABLISHED. THE LANDSCAPED AREAS SHALL BE FREE OF WEEDS, OPEN JOINTS, BARE AREAS AND SURFACE IRREGULARITIES.

PLANT SCHEDULE

TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT.	CAL.	TREE HT.
	6	Acer rubrum / Red Maple	8 & 8	2' Cal	12-15' H
	5	Geetalia tricochloa inermis 'Shademaster' TM / Shademaster Locust	8 & 8	2' Cal	12-15' H
	23	Juniperus virginiana 'Concertif' / Concertif Juniper	8 & 8		7-8' H
	8	BOTANICAL NAME / COMMON NAME Amelanchier alaborea / Downy Serviceberry	7 gal		2' height
	25	Callierpa dichotoma 'Early Amethyst' / Beautyberry	7 gal		2' height
	30	Euonymus alatus / Winged Euonymus	15 gal		3' height
	19	Euonymus alatus 'Odor' TM / Little Moses Dwarf Burning Bush	3 gal		
	18	Rhus glabra / Smooth Sumac	3 gal		
	21	BOTANICAL NAME / COMMON NAME Achillea millefolium / Common Yarrow	1 gal		
	60	Eragrostis spectabilis / Purple Love Grass	3 gal		
	34	Schizochyrium scoparium / Little Bluestem Grass	3 gal		
	QTY	BOTANICAL NAME / COMMON NAME	CONT.		
	19,050 sf	Festuca arundinacea 'Waterway Blend' / Waterway Blend of Tall Fescue	sod		
	QTY	BOTANICAL NAME / COMMON NAME	SIZE		
	737 sf	Native Cobblestone	4" - 8" stones		

SLIM CHICKEN LANDSCAPING PLAN

**7930 STATE LINE ROAD
PRELIMINARY DEVELOPMENT PLANS
PRAIRIE VILLAGE, KANSAS**

LANDSCAPE PLAN

Designer: NAB Drawn: NAB
 Checker: RAE
 Issue Date: 06/19/2015
 Project Number: 021220

Prepared For:

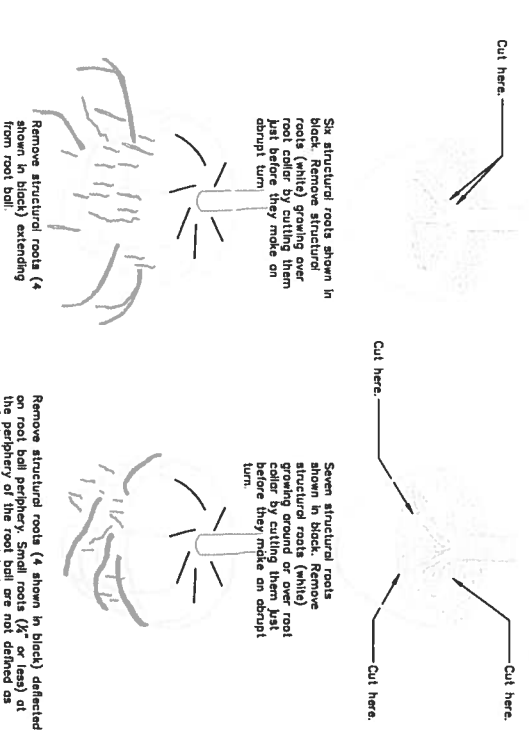
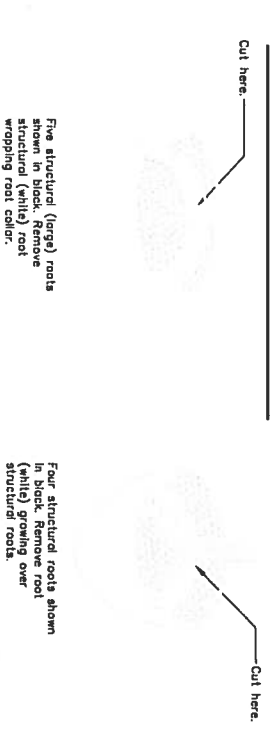
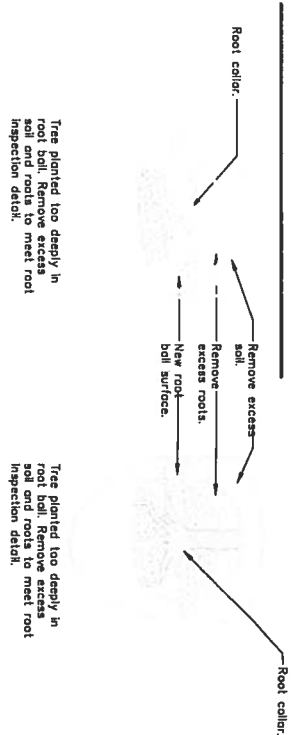
BLOCK AND COMPANY, INC.
 605 WEST 47TH STREET
 SUITE 200
 KANSAS CITY, MO 64112
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 Civil Engineering • Surveying • Utilities
 7101 College Blvd., Suite 400
 Overland Park, Kansas 66210
 P: (913) 663-1900 F: (913) 663-1633
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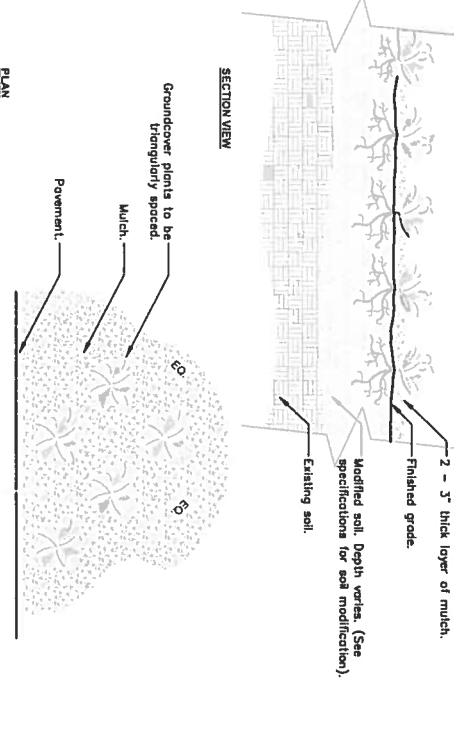
PLANTING NOTES

1. LOCATION OF ALL EXISTING UTILITIES NEEDS TO BE DONE BEFORE COMMENCING WORK.
 2. THE PLANTING PLAN GRAPHICALLY ILLUSTRATES OVERALL PLANT MASSINGS. EACH PLANT SPECIES MASSING SHALL BE PLACED IN THE FIELD TO UTILIZE THE GREATEST COVERAGE OF GROUND PLANE. THE FOLLOWING APPLIES FOR INDIVIDUAL PLANTINGS:
 - A. CREEPING GROUNDCOVER SHALL BE A MINIMUM OF 6" FROM PAVING EDGE.
 - B. ALL TREES SHALL BE A MINIMUM OF 3' FROM PAVING EDGE.
 - C. ALL PLANTS OF THE SAME SPECIES SHALL BE EQUALLY SPACED APART AND PLACED FOR BEST AESTHETIC VIEWING.
 - D. ALL SHRUBS SHALL BE A MINIMUM OF 2' FROM PAVED EDGE.
 3. MULCH ALL PLANTING BED AREAS TO A MINIMUM DEPTH OF 3". MULCH INDIVIDUAL TREES TO A MINIMUM DEPTH OF 4".
 4. NOTE: IF PLANTS ARE NOT LABELED - THEY ARE EXISTING AND SHALL REMAIN.
 5. ALL LANDSCAPED AREAS IN ROW SHALL BE SODED AND IRRIGATED UNLESS OTHERWISE SPECIFIED.
- MATERIALS:**
1. PLANT MATERIAL SHALL BE HEALTHY, VIGOROUS, AND FREE OF DISEASE AND INSECTS AS PER AAV STANDARDS.
 2. SHREDDED BARK MULCH INSTALLED AT TREES SHALL BE FINELY CHIPPED AND SHREDDED HARDWOOD CHIPS, CONSISTING OF PURE WOOD PRODUCTS AND FREE OF ALL OTHER FOREIGN SUBSTANCES. PINE BARK COMPOST MULCH INSTALLED AT PLANTING BED AREAS SHALL BE FREE OF ALL OTHER FOREIGN SUBSTANCES.
- INSTALLATION:**
1. ALL COMPACTED SOIL AND ROLL SPLIT WITHIN THE AREA TO BE LANDSCAPED SHALL BE REMOVED TO A DEPTH OF NOT LESS THAN TWO (2) FEET AND SHALL BE BACKFILLED WITH TOPSOIL.
 2. ALL PLANTING BEDS SHALL BE AMENDED WITH 1 CUBIC YARD OF PEAT MOSS PER 1,000 SQUARE FEET. TILL PEAT MOSS INTO SOIL TO A 6" DEPTH. A 10-10-10 FERTILIZER SHALL BE SPREAD OVER ALL PLANTING AREAS PRIOR TO PLANTING. AT A RATE OF 50 POUNDS PER 2,000 SQUARE FEET.
 3. AFTER PLANTS HAVE BEEN INSTALLED, ALL PLANTING BEDS SHALL BE TREATED WITH DACTHAL PRE-EMERGENT HERBICIDE PRIOR TO MULCH APPLICATION.
 4. PLANT PIT BACKFILL FOR TREES AND SHRUBS SHALL BE 50% PEAT OR WELL COMPOSTED MANURE AND 50% TOPSOIL.
 5. TREES PLANTED IN LANDSCAPED PLANTING AREAS SHALL BE SITUATED A MINIMUM OF THREE (3) FEET FROM ANY CURB.
 6. PLANT MATERIAL SHALL BE MAINTAINED AND GUARANTEED FOR A PERIOD OF TWO YEARS AFTER OWNERS ACCEPTANCE OF FINISHED JOB. ALL DEAD OR DAMAGED PLANT MATERIAL SHALL BE REPLACED AT LANDSCAPE CONTRACTORS EXPENSE.
 7. LANDSCAPE CONTRACTOR SHALL MAINTAIN ALL PLANT MATERIAL UNTIL FINAL ACCEPTANCE, AT WHICH POINT THE TWO YEAR GUARANTEE BEGINS.



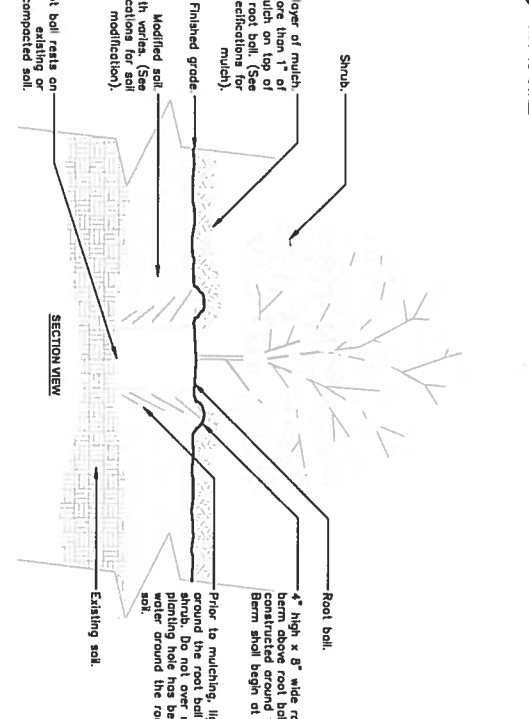
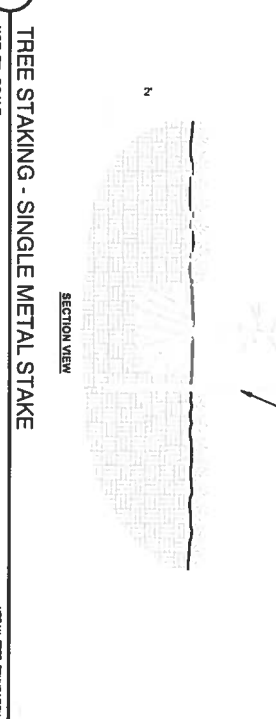
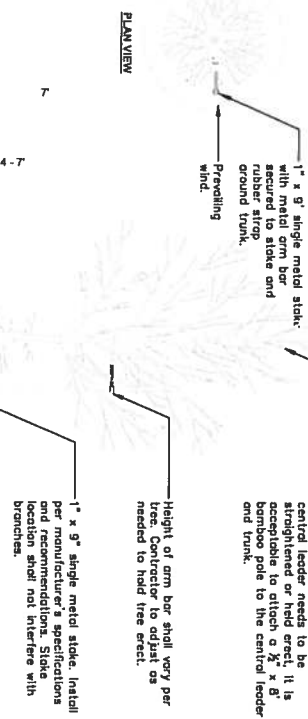
1 ROOT CORRECTION DETAIL - BALLED AND BURLAPPED
 URBAN TREE FOUNDATION © 2014
 NOT TO SCALE

Notes:
 1- All trees shown are rejectable unless they undergo recommended correction.
 2- First step 1, then step 2. Adjust hole depth to allow for the removal of excess soil and roots over the root collar.
 3- Roots and soil may be removed during the correction process. Substrate/soil shall be replaced after the correction has been completed.
 4- Trees shall pass root observations detail following correction.



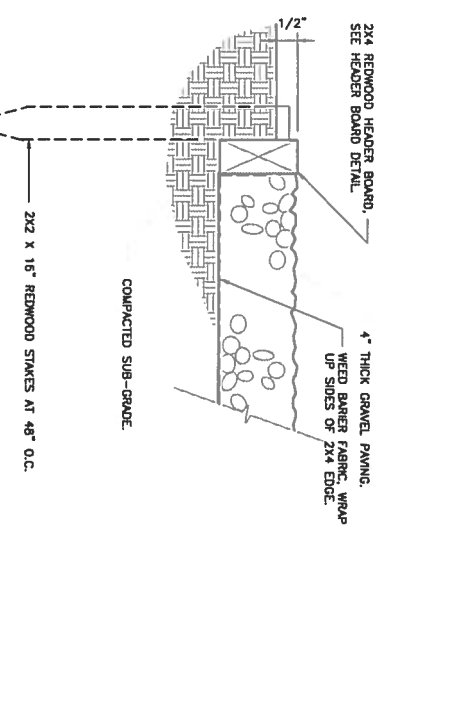
4 GROUNDCOVER
 URBAN TREE FOUNDATION © 2014
 NOT TO SCALE

Notes:
 1- See planting legend for groundcover species, size, and spacing dimension.
 2- Small roots (X or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball showing container detail).
 3- Settle soil around root ball of each groundcover prior to mulching.



3 SHRUB - MODIFIED SOIL
 URBAN TREE FOUNDATION © 2014
 NOT TO SCALE

Notes:
 1- Shrubs shall be of quality prescribed in the root observations detail and specifications.
 2- See specifications for further requirements related to this detail.



5 EDGE AT GRAVEL PAVING
 URBAN TREE FOUNDATION © 2014
 NOT TO SCALE

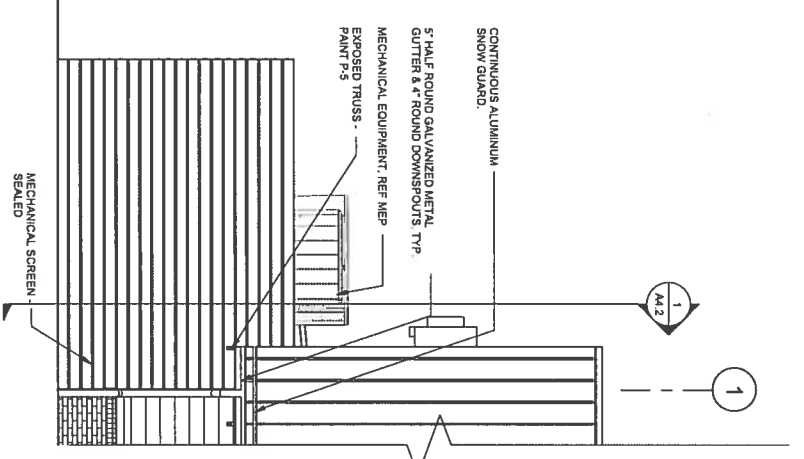
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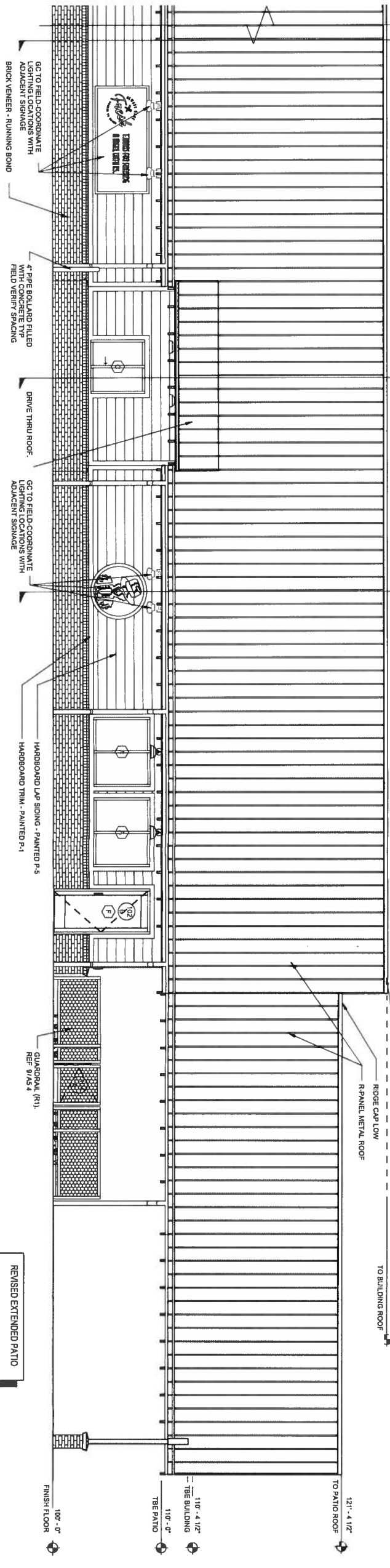
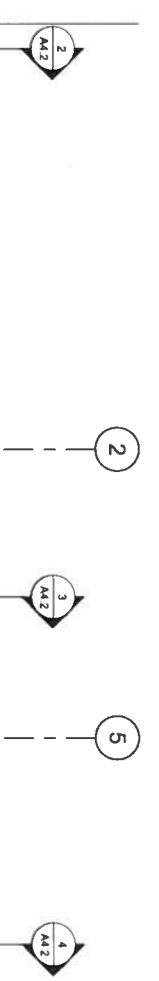
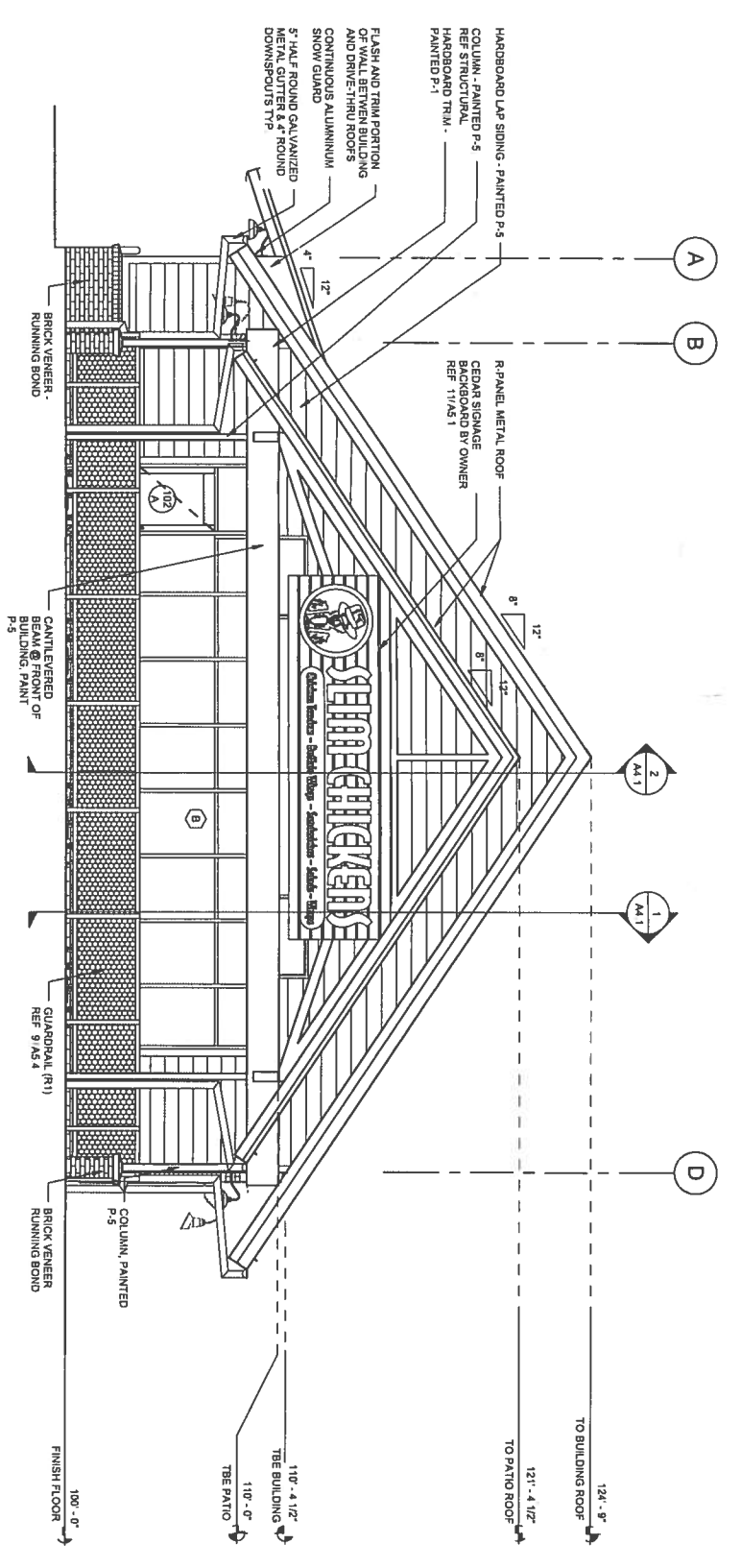
7930 STATE LINE ROAD
PRELIMINARY DEVELOPMENT PLANS
PRAIRIE VILLAGE, KANSAS

LANDSCAPE DETAILS



1 EAST ELEVATION - CONT.
1/4" = 1'-0"

2 NORTH ELEVATION
1/4" = 1'-0"



1 EAST ELEVATION
1/4" = 1'-0"

REVISED EXTENDED PATIO

kloverarchitects
Incorporated
10955 LOWELL AVENUE, SUITE 700 • OVERLAND PARK, KS 66210
ph: 913.649.8181 • fx: 913.649.1275 • www.klover.net

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SLIM CHICKENS
PRAIRIE VILLAGE, KS

project number
15135.001
drawing issuance
OWNER REVIEW 7/15
drawing divisions
No. Description Date

professional seal

drawing title
EXTERIOR ELEVATIONS
drawing number
A2.1

MAYOR'S ANNOUNCEMENTS

August 3, 2015

Committee meetings scheduled for the next two weeks include:

Board of Zoning Appeals	08/04/2015	6:30 p.m.
Planning Commission	08/04/2015	7:00 p.m.
Sister City Committee	08/10/2015	5:30 p.m.
Jazz Fest Committee	08/12/2015	5:30 p.m.
Council Committee of the Whole	08/17/2015	6:00 p.m.
City Council	08/17/2015	7:30 p.m.

=====

The Prairie Village Arts Council is pleased to present an exhibit by Wayne Wilkes in the R. G. Endres Gallery during the month of August. The artist reception will be Friday, August 14th, from 6:30 - 7:30 p.m.

The final Moonlight Swim will be held on Friday, August 7th with the pool remaining open until 10 p.m.

Prairie Village Pool will begin reduced hours beginning August 10th. The pool will open at 4:30 p.m. on weekdays.

INFORMATIONAL ITEMS
August 3, 2015

1. Planning Commission Agenda - August 4, 2015
2. Board of Zoning Appeals Agenda - August 4, 2015
3. Environmental & Recycle Committee Minutes - May 27, 2015
4. VillageFest Minutes - June 25, 2015
5. Council Committee of the Whole Minutes - July 20, 2015
6. First Half Crime Report - 2015
7. Mark Your Calendar

PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, AUGUST 4, 2015
7700 MISSION ROAD
7:00 P.M.

I. ROLL CALL

II. APPROVAL OF PC MINUTES - JULY 7, 2015 & JULY 29, 2015

III. PUBLIC HEARINGS

IV. NON-PUBLIC HEARINGS

- PC2015-107 Building Line Modification to Side Yard setback from 20 feet to 10 feet
6842 Granada Lane
Zoning: RP-1a
Applicant: Ben & Kari Cohen
- PC2015-112 Request for Site Plan Approval for wireless antenna
5000 West 95th Street
Zoning: CP-0
Applicant: Emily Rostberg with Selective Site Consultants
- PC2015-113 Request for Site Plan Approval for Building Height Elevation
7201 Springfield
Zoning: R-1a
Applicant: Martin Rutiaga

V. OTHER BUSINESS

VI. 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**

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
AGENDA
August 4, 2015
6:30 P.M.**

I. ROLL CALL

II. APPROVAL OF MINUTES - July 7, 2017

III. ACTION ITEM

**BZA2015-03 Request for a Variance from Section 19.08.020 of the Zoning Ordinances to extend the garage into the front yard setback
6842 Granada Lane
Zoning: R-1b Single Family Residential District
Applicant: Ben & Kari Cohen**

IV. OTHER BUSINESS

V. OLD BUSINESS

VI. ADJOURNMENT

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

PRAIRIE VILLAGE ENVIRONMENT AND RECYCLE COMMITTEE

Minutes, May 27, 2015. Members attending were Pete, Thomas O'Brien, Karin McAdams, Ruth Hopkins, Margaret Goldstein, Al Pugsley, Polly Swafford, Penny Mahon, Deb English, Robert Roberge Jr. and Barbara Brown. From the city were Ruth Hopkins, City Council, and Wes Jordan, Asst. City Manager. Maurine Kierl is a new committee member. Caitlin Dix and Nancy Nicolay were visiting.

The minutes from the March meeting were approved as written.

Old business:

- **Wes Jordan** clarified the guidelines for city committees: [note: Wes supplied handouts with exact wording.]
 - **Committees** described:
 - Members are appointed by the mayor.
 - Ruth Hopkins is our (only) City Council Representative.
 - New rules are serving to minimize city staff workload.
 - There can be twelve members of the committee, making the quorum seven.
 - City Council does the financial work for the committees, in cooperation with committee members.
 - **Committee** process:
 - If there is a waiting list, the city council and the committee chair will consider the existing membership.
 - Members with inadequate participation could be replaced by eager new people.
 - **Resources:**
 - Funds are only to be used for purposes in line with the committee's function.
 - Any big new program proposed by the committee needs to be approved by the Council.
 - **Actions** taken:
 - The committee voted Pete Jarchow the chair of the committee for one year. He will continue to work as a part of the steering committee.
 - The next meetings will be in July, September, November, January and March.
 - **Keeping in touch** between meetings - ideas:
 - Facebook page.
 - Use the Prairie Village website forum function.
 - LinkedIn

- Uses for these functions: notices of events, volunteer opportunities, etc.
 - Small committees can meet, but since seven people constitute a quorum, and quorums must meet on site (i.e. City Hall), meetings must be kept to six persons or less.
 - Wes will talk with the city's legal advisor about these options.
- **Curbside compost collection:**
 - City representatives met with Deffenbaugh, and the future of curbside composting appears dim. At this time only Normandy Square is allowed to put food waste at the curb.
 - Hopefully Tom Coffman will take the initiative on this issue.
- **Curbside clothing collection:**
 - Participation has been mediocre, in spite of good marketing on the part of Team Thrift.
 - The city will meet with them soon.
- **Meadowbrook:**
 - Ideas are being discussed as planned.
 - Prairie Village is giving title to the land to Johnson County.
- **Budget:**
 - Despite the removal of the Community Gardens line item, the committee's budget has not been changed.

Committee reports:

- **Village Fest:**
 - Needs volunteers. The pool needs at least 2 at a time and the bike would be fine with two. Hours are from 9 am to 1 pm.
 - Activities include the fishing pond (to teach kids to identify recyclables), the energy-producing bicycle and electric cars.
- **Community Forum:**
 - Date is Thursday, October 1.
 - The format is typical of past years, although a menu of hors d'oeuvres is possible.
 - The committee has contacted the Rural Center in Kansas about presenting on environmental concerns in western Kansas.
 - The charge will be \$20 for dinner or \$10 for the forum alone. We are well within budget on this. The legislators who attend are expected to pay their own fees.

- **Community Gardens:**

- Are growing.
- June 19 is the date for the Summer Solstice party; the gardeners hope that we will attend. It's a potluck at 6:00 pm.

- **Earth Fair:**

- The next dates are April 30, 2016, and April 22 (Earth Day!) 2017.

The meeting adjourned at 7:20 pm. The next meeting will be on July 22 at 5:30 p.m.

Respectfully submitted,

Karin McAdams

In attendance: Meghan Buum, Cindy Clark, Susan Forrest, Ted Fritz, Toby Fritz, Teresa Gibbons, Betsy Jones, Patty Jordan, Wes Jordan, Courtney McFadden, Kathleen Murray, Sheila Myers, Marianne Noll, Jeff Patterson, Danny Pompey, Theresa Stewart, Corbin Trimble, Dale Warman, Ivan Washington,

I. Open Meeting

Cindy Clark opened the meeting at 5:30 p.m. The committee introduced themselves.

II. Review of Minutes

Toby Fritz moved to approve the April 23, 2015 meeting minutes. Ted Fritz seconded the motion and it passed unanimously.

Staff Reports

III. Administration—Meghan Buum reported that the contracts are all in place. She asked members to updated their “day of event” contact information.

Public Works—Jeff Patterson reported that Public Works is ready to begin setting up beginning early in the week of July 4. The lawn will be mowed on Monday and tent set up will begin Tuesday.

Police Department—Sgt. Washington reported that 11 officers had signed up to work at the event. He stated that the PD would share information on their Facebook page.

Fire Department—The fire department is ready to go.

IV. Subcommittees

Spirit Award—Toby reported that the awards were ready and Mayor Wassmer would emcee the presentation.

Pancake Breakfast—Dale reported that he has touched base with Chris Cakes and everything is set for the day. Courtney McFadden has arranged the volunteers including a Boy Scout troop and the Masons. Starbucks will provide the coffee.

Children's Crafts—Patty reported that the craft materials are in order. Home Depot will be present at the event with 300 kits. Balloons will be delivered the morning of the event.

Craft Vendors—Cindy reported for Barb Shaw that she has received so many applications that she has started a wait list.

Live Entertainment—Corbin Trimble reported that the adult band will be Boogie Wonderland. Mr. StinkyFeet, Funky Mama, and Janie Next Door will round out the children’s entertainment. Kristy Lambert, a PV resident and Symphony Chorus member will be singing the National Anthem. He will contact all entertainers in advance of the next meeting to ensure they are a “go.”

Food Vendors—Susan Forrest reported that all the food vendors have been contacted and will be at the event.

Pie Baking Contest—Theresa's reported that Megan Garrelts, Carter Holton, Julia Westhoff, Charles Ferruzza and Julie Hansen, and Joe Cristofani have been secured as judges. An email has been sent to all past participants. Theresa and Susan have hung flyers in the city. Approximately 20 participants had signed up so far.

Information Booth— Danny reported that the info booth was ready to go. Meghan said that she would provide maps for him and a cash box to sell PV grocery bags.

YMCA—Betsy reported that the YMCA was ready for event day with the tumbling area.

Marketing—Kathleen reported that she has reached out to the PV Post for coverage.

Volunteers—Cindy verified needed volunteer numbers to report to Courtney.

Water Sales— Marianne reported that SME Orchestra Booster Club is still on track to sell water as a fundraiser. They will need two tents. She inquired to see if they could accept donations. The committee agreed that they could accept donations since it is a charitable cause.

Historic Exhibit— Ted reported that he would begin setting up in City Hall on Thursday evening.

WOW event—Cindy reported that “Frozen in the Village” planning is underway. The tent and supplies have been ordered. Public Works will build a platform and put fencing around it to help contain the snow. Several committee members have volunteered to help make snow in advance on Friday night. Elsa will receive a police escort to and from City Hall.

V. Reminders to committee members

Cindy Clark shared the day of event schedule.

VI. Next Meeting

The next meeting will be held on July 23, 2015 at 5:30 p.m. at the home of Cindy Clark.

COUNCIL COMMITTEE OF THE WHOLE
July 20, 2015

The Council Committee of the Whole met on Monday, July 20, 2015 at 6:00 p.m. in the Council Chambers. The meeting was called to order by Council President Brooke Morehead with the following members present: Mayor Laura Wassmer, Jori Nelson, Ruth Hopkins, Steve Noll, Eric Mikkelson, Andrew Wang, Sheila Myers, Brooke Morehead, Dan Runion, David Morrison and Ted Odell.

Staff Members present: Tim Schwartzkopf, Chief of Police; Melissa Prenger, Public Works Project Manager; Katie Logan, City Attorney; Quinn Bennion, City Administrator; Wes Jordan, Assistant City Administrator; Nolan Sunderman, Assistant to the City Administrator and Joyce Hagen Mundy, City Clerk.

Presentation and Discussion on Meadowbrook Redevelopment Project

Mayor Laura Wassmer introduced representatives of VanTrust for further discussion on the development and development agreement for the Meadowbrook property. She noted the timing for moving forward with this is critical and urged Council members to take advantage of this opportunity to share any concerns and questions so that they can be addressed. Present from VanTrust were David Harrison, President; Rich Muller, Executive Vice President; Justin Duff, Director of Development and Kelly Fitzgerald, Finance Officer.

Dave Harrison noted this is also their community - he and his wife have lived near this property for several years as do Rich and Justin and Kelly is a Prairie Village resident. Their passion for this project stems from that sense of community. This is an opportunity to do something special on this property in this landlocked community with very few other sites possible to undertake such a joint effort. They have spent the past nine months meeting with the stakeholders and there is consensus commitment to creating an award winning park. The funding mechanism by which they can create a garden community with the majority park funding coming from ad valorem funds is a unique concept. He noted that Van Trust has been involved in more private/public partnerships than almost all other companies. The opportunity and timing is right with low interest and mortgage rates, bond rates strong and a strong housing market.

Mr. Harrison noted the following highlights/benefits of this project:

- It will fund the acceleration of the installation of a needed sanitary sewer system.
- It will improve the storm water management shed in this area.
- The City does not have to build or maintain a new park.
- Land acquisition possible by a public/private cost basis.
- Majority of tax increment financing is non-city funds with 19-20% TIF funds.
- The school districts will get a windfall during TIF from this development.
- All taxes currently on the property stay in place.

- Sales tax exemption component is tied to the Industrial Revenue Bonds to benefit the builder and able to bring state sales tax funding to the project.
- The benefit from the sales tax will be paid by Van Trust.
- The city's exposure to bond risks is reduced by the issuance of Special Obligation Bonds. The General Obligation Bonds are extremely well covered with the risk of the SO Bonds being covered by Van Trust. The joint issuance of bonds will result in less money being borrowed by the city for the park than if only General Obligation Bonds were issued.

For their partnership, Van Trust has the opportunity to build an award winning project located within an excellent park. This development will be an exceptional asset to the community with all the benefits going to the public. Mr. Harrison presented best and worst case scenarios of the risk taken with the issuance of the bonds both for the city and for Van Trust.

Mayor Wassmer noted one of the questions being asked is why Van Trust doesn't simply donate the park land. Mr. Harrison responded as a real estate investment the construction of high end single family homes would be the easier and more profitable action for them to take. This project is more civic with multiple benefits to the community. Van Trust does support 20 to 25 charitable organizations. They have put in considerable time and effort to come up with a unique project that will benefit all.

Mayor Wassmer stated residents have suggested that since the land was purchased at such a low cost, they should consider donating the park land. Mr. Harrison reviewed the history of the property which was purchased in 2008 and received approval of the Governing Body for the development of a senior living component, retention of the club and the construction of condominiums. That never happened because of the downturn in the economy. In 2010 the Country Club advised them that they would be having a vote of the members regarding the possible sale of the land and asked if they would be interested. There were other parties also interested at the time, including Johnson County Park & Recreation. The structure of the agreement included a cash payout to cover the notes that were due and a commitment to try to work with the club to continue its operation for at least three years. This included the costs of operation as well as costs for capital improvements made to the property. Their proposal was accepted by more than 90% of the members and the purchase was made with the intent to run as a country club covering all the costs plus cash to pay off the club's notes.

Jori Nelson asked what the cost was. Mr. Harrison replied \$4.5M in cash plus three years of operational and capital improvement costs for the club. This totals just under \$9M.

Jori Nelson asked what the current purchase price is. Mr. Harrison responded that it is still being negotiated but the figure they are looking at is still in the \$9M range with two thirds of the acreage being parkland for less than the appraised value.

Jori Nelson noted she thought this presented was simply to be an update and was unaware that this would be a question and answer session. She questioned the split on

the bonds. David Harrison stated the initial plan was for 100% General Obligation Bonds by the City with no Special Obligation Bonds. However, it looking at ways to get the most money for the park and also mitigating the risk to the City a split of 50/50 between GOB and SOB was investigated.

Quinn Bennion stated he has been involved in several development projects and is not aware of any project where the developer has agreed to purchase the Special Obligation Bonds for public project, Jeff White, with Columbia Capital, provided additional information on the bond market noting that generally the market will only buy TIF bonds on already constructed revenue producing projects. They will sometimes purchase if there is a well known and respected anchor tenant. He stated initial conversations on the project were as Mr. Harrison noted with the city issuing 100% General Obligation Bonds because of the difficulty of selling Special Obligation Bonds. When Van Trust stated they would purchase the bonds, this unique funding structure was explored.

General Obligation Bonds are backed by the full obligation of the City with an unlimited obligation to raise taxes if necessary to pay for the bonds. Special Obligation Bonds are secured only by the revenue produced by the project and only responsible to the amount of revenue incurred. The purchaser is taking all the risk. The General Obligation Bonds will have the city's AAA rating. The Special Obligation Bonds are not rated. Mayor Wassmer confirmed that the fact that Van Trust is purchasing the bonds places the greatest risk on them because if the project does not make money, they do not get their money back.

Sheila Myers asked why not a 50/50 split of the bonds rather than the proposed 60/40 split. Jeff White responded that the 60/40 split is for the principle amount and proposed because the General Obligation Bond rate is lower giving them more buying power than the Special Obligation Bonds.

Sheila Myers questioned the transient tax that is proposed to go to the project. Mr. White replied that the first \$25,000 goes to the City and the park gets the remaining funds which are projected to be a relatively small amount. David Harrison noted the transient tax have been earmarked to come back to the city through the park.

Eric Mikkelson questioned the percentage breakdown on the bonds. Mr. White replied that is not known until the bonds are actually issued. Mr. Mikkelson asked if the GO and SO bond principals are being retired at the same rate. Mr. White noted that the city's principal would be retiring faster due to the lower interest rate, but both bonds should be paid off at approximately the same time. Mr. Mikkelson asked if the goal was to have the prime balance reduced at the same rate. Mr. White responded no.

Mayor Wassmer asked how the 60/40 project fund split was derived.

Jeff White stated that 100% of TIF revenue goes into the same pot. The 50/50 split covers backed by the GOB and SOB. This was modeled over a 20 year period trying to maximize payments on both to get a payment amount split of 50/50 backing into the

amount for payment of the park. Mr. White reviewed what costs the city would be paying for. Everything is driven by the 50/50 to maximize the utility of the revenue.

Dan Runion asked in the modeling what interest rate was used for the Special Obligation Bonds. Mr. White responded he was not certain but felt it was probably 2-3% above the GO bond rate and would confirm that information. He noted that there is no established market for Special Obligation Bonds.

Eric Mikkelson agrees the split needs to be negotiated. He asked how and when the actual purchase price be known. David Harrison replied that this will be determined by looking at the general ledger and noted the sooner this is done the less cost there would be. He would have liked to have everything finalized the first week of December, the current projection is February, 2016. Initial thoughts were for \$9.2M cost now it's looking more like \$9M.

Eric Mikkelson asked when the budget numbers would be available. Mr. Bennion replied those numbers should be available rather quickly. Dan Runion wants cost figures for the park.

Mayor Wassmer noted some concern has been expressed with the overbuilding of senior living facilities in Prairie Village, David Harrison noted the number of units for Mission Chateau appears to be set, yet they continue to receive interest from people in this industry for this site. There is a strong demand for the high-end quality project that is being proposed from a seasoned industry leader than is willing to put up the capital for this site. If the market isn't as expected, the cost of the units may have to be lowered to get the desired occupancy level.

Jori Nelson asked if the purchase price would include closing costs. Mr. Harrison noted these would be minimal closing costs and could be included in the TIF package. Under the funding agreement all of those costs would be included in the TIF.

Sheila Myers asked what the window was on the interest rates. Jeff White stated that the city would not be able to issue bonds until after Planning Commission approval and Governing Body approval had been granted and the development district had been established. Mrs. Myers asked about the impact of an increase in rates by the Federal Reserve. It would have the same impact as other items traded frequently. There are a lot of factors that go into the determination of investment rates. He does not anticipate being able to issue bonds early 2016. Mr. White added that in the past year municipal interest rates have only varied by 0.5%.

David Morrison stated a concern of the residents of Ward 5 is the access road at 91st & Roe. Mr. Harrison replied he has heard that concern from the beginning and has had good discussion with the property owners on the south. Mr. Morrison noted that residents have also expressed concern with having input on which trees will remain. Mr. Harrison responded that a tree survey has been taken to identify the condition of the trees and noted that they want to retain as many as possible.

Dan Runion asked what is the size of the TIF District. Rich Muller noted the TIF district would include two separate projects - one being the country club property and the second project being the commercial area to the south of the club to 95th Street.

Dan Runion asked how the TIF area would produce revenue. Mr. Harrison responded through increased property values both on the site and from the adjacent properties which would increase in appraised value.

Brooke Morehead asked what would be the modeling area used for the determination of rents. Mr. Harrison replied that they are involved in several other projects that have given them a good indication of potential rent.

Eric Mikkelson asked when expected completion of the project would be. David Harrison replied if the sale was closed in January or February they would begin moving dirt in the first quarter and vertical on the major components. He could expect the project to be built in 18 months with an additional 12 months to stabilize. The Inn component he felt would take 14 months to develop.

Quinn Bennion distributed a projected timetable to the Council members.

Council President Brooke Morehead noted that it was nearing time for the City Council meeting and stated that Mr. Blessing's presentation on Deffenbaugh would take place at the Council meeting. The meeting was adjourned at 7:25 p.m.

Brooke Morehead
Council President

PRAIRIE VILLAGE

FIRST HALF CRIME REPORT - 2015

CRIME	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Homicide	0	0	0	0	0	0.00	0.00
Rape	1	4	1	1	1	1.60	-0.60
Robbery	2	2	2	2	0	1.60	-1.60
Assault	41	38	46	26	37	37.60	-0.60
Burglary	43	21	30	11	19	24.80	-5.80
Residence	40	18	27	7	18	22.00	-4.00
Business/ Miscellaneous	3	3	3	4	1	2.80	-1.80
Theft	90	99	86	79	80	86.80	-6.80
Auto Theft	9	4	13	5	16	9.40	6.60
Arson	3	1	0	0	0	0.80	-0.80
Forgery	6	4	6	5	9	6.00	3.00
Fraud	6	13	14	13	59	21.00	38.00
Criminal Damage	79	57	55	26	45	52.40	-7.40
Sexual Offenses	5	4	2	8	4	4.60	-0.60
TOTAL	285	247	255	176	270	246.60	23.40

ACCIDENTS	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Fatal	0	0	1	0	0	0.20	-0.20
On-Street - injury	17	10	12	21	15	15.00	0.00
On-Street +\$1,000 - no injury	144	144	84	110	122	120.80	1.20
On-Street -\$1,000 - no injury	28	33	26	19	20	25.20	-5.20
Private Property - injury	0	0	0	1	0	0.20	-0.20
Private Property - no injury	49	31	31	30	26	33.40	-7.40
Walk-In - no injury	29	17	22	12	13	18.60	-5.60
TOTAL	267	235	176	193	196	213.40	-17.40

MENTAL HEALTH	2011	2012	2013	2014	2014	AVERAGE	2015 +/- AVG
Suicide	1	1	2	0	1	1.00	0.00
Attempted Suicide	10	8	5	3	1	4.25	-3.25
Involuntary Committal	14	13	4	8	0	6.25	-6.25
Voluntary Committal	9	10	9	7	2	7.00	-5.00
All Other Mental Health	36	39	57	46	40	45.50	-5.50
TOTAL	70	71	77	64	44	64.00	-20.00

TOTALCALLS	3,311	3,253	3,066	2,989	3,443	3,212.40	230.60
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MISSION HILLS

FIRST HALF CRIME REPORT - 2015

CRIME	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Homicide	0	0	0	0	0	0.00	0.00
Rape	0	0	0	0	0	0.00	0.00
Robbery	0	1	0	0	0	0.20	-0.20
Assault	1	4	1	2	1	1.80	-0.80
Burglary	1	2	3	4	6	3.20	2.80
Residence	1	2	3	4	5	3.00	2.00
Business	0	0	0	0	1	0.20	0.80
Theft	21	11	11	13	7	12.60	-5.60
Auto Theft	0	1	5	2	2	2.00	0.00
Arson	0	0	0	1	0	0.20	-0.20
Forgery	0	0	0	0	0	0.00	0.00
Fraud	0	3	0	0	21	4.80	16.20
Criminal Damage	20	7	6	6	9	9.60	-0.60
Sexual Offenses	0	1	0	0	0	0.20	-0.20
TOTAL	43	30	26	28	46	34.60	11.40

ACCIDENTS	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Fatal	0	0	0	0	0	0.00	0.00
On-Street - injury	1	0	0	0	3	0.80	2.20
On-Street +\$1,000 - no injury	8	11	10	12	13	10.80	2.20
On-Street -\$1,000 - no injury	4	7	2	3	5	4.20	0.80
Private Property - injury	0	0	1	0	0	0.20	-0.20
Private Property - no injury	2	1	0	1	4	1.60	2.40
Walk-In - no injury	0	0	0	3	0	0.60	-0.60
TOTAL	15	19	13	19	25	18.20	6.80

MENTAL HEALTH	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Suicide	0	0	0	0	0	0.00	
Attempted Suicide	0	0	0	0	0	0.00	0.00
Involuntary Committal	2	0	2	0	0	0.50	-0.50
Voluntary Committal	0	1	1	0	0	0.50	-0.50
All Other Mental Health	1	2	1	2	3	2.00	1.00
TOTAL	3	3	4	2	3	3.00	0.0

TOTALCALLS	711	667	642	677	871	713.60	157.40
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PRAIRIE VILLAGE - MISSION HILLS

FIRST HALF CRIME REPORT - 2015

CRIME	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Homicide	0	0	0	0	0	0.00	0.00
Rape	1	4	1	1	1	1.60	-0.60
Robbery	2	3	2	2	0	1.80	-1.80
Assault	42	42	47	28	38	39.40	-1.40
Burglary	44	23	33	15	25	28.00	-3.00
Residence	41	20	30	11	23	25.00	-2.00
Business/ Miscellaneous	3	3	3	4	2	3.00	-1.00
Theft	111	110	97	92	87	99.40	-12.40
Auto Theft	9	5	18	7	18	11.40	6.60
Arson	3	1	0	1	0	1.00	-1.00
Forgery	6	4	6	5	9	6.00	3.00
Fraud	6	16	14	13	80	25.80	54.20
Criminal Damage	99	64	61	32	54	62.00	-8.00
Sexual Offenses	5	5	2	8	4	4.80	-0.80
TOTAL	328	277	281	204	316	281.20	34.80

ACCIDENTS	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Fatal	0	0	1	0	0	0.20	-0.20
On-Street - injury	18	10	12	21	18	15.80	2.20
On-Street +\$1,000 - no injury	152	155	94	122	135	131.60	3.40
On-Street -\$1,000 - no injury	32	40	28	22	25	29.40	-4.40
Private Property - injury	0	0	1	1	0	0.40	-0.40
Private Property - no injury	51	32	31	31	30	35.00	-5.00
Walk-In - no injury	29	17	22	15	13	19.20	-6.20
TOTAL	282	254	189	212	221	231.60	-10.60

MENTAL HEALTH	2011	2012	2013	2014	2015	AVERAGE	2015 +/- AVG
Suicide	1	1	2	0	1	1.00	0.00
Attempted Suicide	10	8	5	3	1	4.25	-3.25
Involuntary Committal	16	13	6	8	0	6.75	-6.75
Voluntary Committal	9	11	10	7	2	7.50	-5.50
All Other Mental Health	37	41	58	48	43	47.50	-4.50
TOTAL	73	74	81	66	47	64.67	-17.67

TOTALCALLS	4,022	3,920	3,708	3,666	4,314	3,926.00	388.00
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**Council Members
Mark Your Calendars
August 3, 2015**

August 2015	Wayne Wilkes oil and acrylic exhibit in the R.G. Endres Gallery
August 3	City Council Meeting
August 7	Moonlight Swim - Pool complex remains open until 10:00 p.m.
August 14	Artist reception in the R. G. Endres Gallery 6:30 - 8:00 p.m.
August 17	City Council Meeting
September 2015	Sister City Art exhibit in the R.G. Endres Gallery
September 7	City Offices closed in observance of Labor Day Holiday
September 7	Pool Closes 6 p.m.
September 8	City Council Meeting
September 11	Artist reception in the R. G. Endres Gallery 6:30 - 8:00 p.m.
September 12	Prairie Village Jazz Festival
September 21	City Council Meeting
October 2015	State of the Arts exhibit in the R.G. Endres Gallery
October 5	City Council Meeting
October 9	State of the Arts Reception in the R. G. Endres Gallery 6:30-8:00 p.m.
October 19	City Council Meeting
November 2015	Chun Wang exhibit in the R.G. Endres Gallery
November 2	City Council Meeting
November 13	Artist reception in the R. G. Endres Gallery 6:30 - 8:00 p.m.
November 16	City Council Meeting
November 26/27	City Offices Closed for Thanksgiving Holiday
December 2015	Peter Smokorowski exhibit in the R.G. Endres Gallery
December 4	Volunteer Appreciation Holiday Party
December 7	City Council Meeting
December 11	Artist reception in the R. G. Endres Gallery 6:30 - 8:00 p.m.
December 21	City Council Meeting
December 25	City Offices Closed for Christmas Holiday

