

**NOTICE OF
SPECIAL COUNCIL MEETING
CITY OF PRAIRIE VILLAGE, KANSAS
Monday, July 28, 2008
7:30 p.m.**

Be it known that, pursuant to K.S.A. 13-510, Mayor Ronald L. Shaffer has called a Special Council Meeting.

The agenda for this special meeting is as follows:

COU2008-36 Consider rezoning of 91st & Nall from R-1a (Single Family Residential Zoning District) to MXD (Mixed Use District)

The following information is included for your consideration:

- Minutes of the City Council meeting of June 2nd regarding this application
- Letters received on this issue by the City since June 2nd (There may have been letters sent directly to Council members which were not received by the City and have not therefore been included.)
- Original packet information forwarded to the Council on June 2nd with the Planning Commission's recommendation

EXCERPT FOR CITY COUNCIL MINUTES
June 6, 2008

COU2008-36 Consider a request for Rezoning Meadowbrook Country Club

Mayor Shaffer called upon Ron Williamson, City Planning Consultant to present the Planning Commission's findings on this application.

Mr. Williamson stated the Planning Commission considered this application on April 1st and May 6th. They unanimously recommended the requested MXD "Planned Mixed Use District" rezoning and preliminary development plan be approved by the City Council.

The application is for a mixed residential project combined with the rebuilding of a Meadowbrook Golf Course, swimming pool, tennis and clubhouse facilities. The existing clubhouse and swimming pool pavilion will be demolished and rebuilt. The swimming pool was recently renovated and a new pavilion will be built in that area. The new clubhouse, however, will be built near the proposed condominiums on the north side of the lake.

The proposed project includes two housing types: condominiums and senior living. The proposed condominiums will be located near the lakes on the interior part of the site on 5.33 acres. There will be approximately 96 units in two five-story buildings. The units will be one to three bedrooms with an average unit size of 1,750 sq. ft. Parking will be provided underground for 162 cars and 30 surface spaces will be provided for visitors, for a total of 192 spaces.

The proposed senior living building (Stratford) will be located at the southwest corner of the site on 8.68 acres. The proposed building will be three and four stories high and contain 232 units which include 172 independent living units; 20 Alzheimer's living units (24 beds) and 40 assisted living units (48 beds). This will be a full service facility with wellness, spa, restaurant and lounge facilities. It will be similar in operation

to Claridge Court. Parking will be provided underground for 174 spaces and on the surface for 161 spaces, for a total of 335 spaces. Required parking is 104 spaces for the units plus one space for each employee.

The two residential uses will occupy 14.01 acres. The golf clubhouse and parking will occupy 2.84 acres, including 156 parking spaces. The swimming pool/tennis center, including 77 parking spaces, will occupy 3.80 acres. The gross area of the site is 138.70 acres; after all the developed area is deducted (20.65 acres), the net area of the actual golf course including drainage areas will be 118.05 acres.

Since this is the first application for MXD District, Mr. Williamson restated the Purpose and Intent of the District :

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

The applicant held two public information meetings on February 21st and 26th. Approximately 30 people attended the first meeting and 60 at the second meeting. Many questions were asked. The questions that were of concern to the rezoning application relate to traffic, access to Nall Avenue, access south to 94th Terrace, off-street parking, green space, setbacks, sewer service, location, height, and size of the Stratford building, design of the Stratford building, and project financing. The applicant responded to these questions as noted in the detailed meeting memorandums and for

the most part satisfied the Prairie Village residents in attendance. Several of the items are addressed in more detail in the associated staff reports.

At its regular meeting on April 1, 2008, the Planning Commission opened the public hearing on the Meadowbrook project and listened to many comments both pro and con regarding the proposal. At the conclusion of the public comments, the Planning Commission discussed the proposal at length and moved to continue the application to the May 6, 2008 Planning Commission Meeting in order for the applicant to address several concerns which were as follows:

- A. Setback of the building along Nall;
- B. Parking;
- C. Elevation & Grading;
- D. Safe access to and from the drives for emergency vehicles and residents;
- E. Photo simulations demonstrating the design of the building;
- F. Elevation with the street showing the street contour relationship to the building;
- G. Outline of the deed restrictions - concept; and
- H. If project not MXD now, is there some way to keep option open to future integration and development; to the south along the edge of the property.

The applicant addressed each of these issues at the May 6, 2008 Planning Commission meeting and the public had an opportunity to respond to their presentation.

Prior to making its recommendation, the Planning Commission is required to make findings of fact based on the "Golden Factors" which are listed as follows:

1. The character of the neighborhood;
2. The zoning and uses of property nearby;
3. The suitability of the property for the uses to which it has been restricted under its existing zoning;
4. The extent that a change will detrimentally affect neighboring property;
5. The length of time of any vacancy of the property;
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;
7. City staff recommendations; and
8. Conformance with the Comprehensive Plan.

The Commission felt the following "Golden Factors" were relevant to this rezoning. They consider this a 138 acre tract of which 13 acres will be intensely developed leaving the majority of the site as open space. The character of the

neighborhood will largely remain low-density residential. The impact of the majority of the development is at the southwest corner of the 138 acres adjacent to office development, a church and single family residence across Nall. The larger portion of the site will remain open space within the character of the neighborhood.

Regarding the zoning and uses of property nearby, they noted the property to the south is CP-1 which is a planned commercial district. Putting a multi-family residential development next to offices is an accepted type of land use. They stressed the need to keep in focus that the rezoning is about the entire area, not simply the southwest corner. When talking about the zoning of nearby property in view of the entire site, the proposal is an appropriate land use. The relative gain to the public is the retention of the open space.

Regarding conformance to the Comprehensive plan, the Commission noted that Meadowbrook discussion was based on the area being totally redeveloped. This application is about keeping the golf course along with viable redevelopment. The Commission created a zoning district that was broad enough to allow flexibility to consider several options to be considered based on a specific development plan. This is not a perfect rezoning for "MXD", as envisioned by the ordinance; but this is a real application on a real site to keep the country club and golf course, encourage redevelopment, and add different housing options within the City, increasing property values. Village Vision does not encourage Prairie Village to stay exactly as it is. The City needs to expand its horizons and opportunities. Village Vision did envision the total redevelopment of the area. The proposed development has maintained a considerable amount of green space while introducing greater density into Prairie Village which is part of the Village Vision.

The Planning Commission unanimously found favorably on several of the Golden Factors as stated above and recommends the rezoning of PC2008-03 from R-1a to

MXD at 91st & Nall and approval of the preliminary development plan with the following conditions:

1. The applicant submits an outdoor lighting plan in accordance with the outdoor lighting regulations with the final development plan.
2. The applicant submits detailed plans for the monument sign façades with the final development plan.
3. The applicant obtains approval from the City of Prairie Village Public Works Department and the City of Overland Park for the Stormwater Management Plan prior to submitting the final development plan.
4. The applicant submits a copy of the final covenant documents preserving the open space and guaranteeing maintenance of improvements with the final development plan.
5. The applicant submits a detailed landscape plan with the final development plan for review and approval by the Planning Commission and Tree Board.
6. The applicant provides better pedestrian access to the commercial area to the south.
7. The golf course entrance road is a private street.
8. The split rail fence along Nall Avenue is relocated so that it does not cause sight problems for traffic exiting on Nall Avenue.
9. The applicant meet with emergency service providers to be sure that the golf course entrance road is adequate to accommodate emergency vehicles.

If the Council approves the rezoning and preliminary development plan, Staff recommends a 10th condition be added as follows:

10. The applicant shall file a final Development Plan within 18 months of the approval of the Preliminary Development Plan and the ordinance approving the rezoning and Preliminary Development Plan shall not be published until such time as the Final Development Plan is approved.

Mr. Williamson also stated staff has expressed concerns with how the City can ensure the entire development is completed at one time as this is an entire package/project.

Mr. Williamson stated a valid protest petition has been submitted that includes approximately 39% of the area within 200 feet of this site. Since the protest area is more than 20%, it requires a ¾ vote of the Governing Body (City Council and Mayor) to approve the application, and that is 10 votes.

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 10 favorable votes, or
- B. Override the recommendation of the Planning Commission by a 2/3 vote of the Governing Body (9 votes), and deny the rezoning and Preliminary Development Plan, or
- C. Return the recommendation to the Planning Commission by a simple majority vote with a statement specifying the basis for the City Council's failure to approve or disapprove the recommendation.
- D. Continue the item to a designated meeting by a simple majority.

Charles Clark stated he felt it was very important to include the staff's recommended condition #10 and asked who will review the final development plan. Mr. Williamson responded the Final Development Plan is reviewed by the Planning Commission and can not vary much from the preliminary development plan. Mr. Clark asked if it would return to the City Council. Mr. Williamson responded "No". However, he noted the final plat including easements, right-of-way dedications and deed restrictions will come back to the Council.

Mr. Clark asked what details would be included in the final development plan. Mr. Williamson stated it would identify specific design of buildings, locations, grading, storm drainage, final landscape plans etc. Mr. Clark asked if it would address the questions raised, such as phasing of construction. Mr. Williamson stated the schedule for the development will be included.

Dale Beckerman asked what happens if the developer fails to return within 18 months, does it change the zoning. Mr. Williamson replied staff is recommending that the ordinance approving the zoning change and the preliminary development plan not be published until such time as the final development plan is approved. The zoning could be approved by the City Council , but it does not become effective until publication of the ordinance.

Al Herrera confirmed the 18 months is not for completion but only for the submittal of the final development plans.

Mayor Shaffer reviewed the public comment process to be followed stating the applicant will present their application, then public comment will be received, the applicant will then be able to respond to questions raised by the public. Upon completion, the public comment portion will be closed and the City Council will consider the application.

David Harrison, 4407 West 92nd Terrace, began his presentation with an aerial of the property. In May of 1996, they responded to a request for proposal from the Meadowbrook Country Club. The initial proposal called for 250 - 300 condominiums in the middle of the golf course with the condos ranging in height from 4 stories to 12 stories. In October of 2006, they looked at grouping six buildings around the central lake. In April, 2007, Stratford was added to the project. At that time the Stratford building was located at the northwest corner of the project at the intersection of Nall Avenue and Somerset and the number of condominiums was reduced. In October of 2007, they reduced the size of the Stratford complex from six and seven stories in height to five to six stories in height. The February 2008 Plan has the three story building on Nall going to a four-story building on the internal portion of the golf course because of the drop in the elevation of the land. Mr. Harrison noted they have also tucked the building in to the southwest corner of the site and the elevation changes will allow them to keep some of the existing mature trees. This resulted in using more ground area so the number of condominiums was reduced to two buildings and three villas along the entry drive were removed. They also relocated the golf course entrance based on conversations with the neighbors. The new drive is located further to the east midway between Rosewood and Birch.

Mr. Harrison pointed out changes made to address traffic, life safety, building elevation, vision lines, etc. He noted this plan retains a larger amount of water on the site helping to address storm water concerns.

- They looked at sight distances and sight line to make sure they were at their optimum
- Corrected existing problems on Somerset & Nall regarding turning radius Turn lanes and stacking lanes were added.
- Created a building with character, the buildings have been designed with several elevation changes and roofline changes to provide a residential look, not a commercial look.
- The loop roads around the condominiums and around the Stratford were redone with the assistance to the Fire District to ensure all the turning radiuses were appropriate for access.
- All parking for the residents is underground to preserve green space. To address potential headlights from cars parked in the northwest corner lot, they have added an architectural screening wall and landscaping.

Mr. Harrison stated a lot of time and detail has gone into the plan to address the questions and concerns of the Planning Commission and neighboring residents.

- Photo simulations of the Stratford building were shown with the following views:
 - Looking southeast towards the northwest corner of Stratford
 - Looking southeast towards front entry of Stratford
 - From the United Presbyterian Church Exit Drive looking northeast towards the southwest corner of the Stratford

Mr. Harrison reviewed the progression of changes to the height of the Stratford building from 122 feet in August of 2007, to 89 feet in October of 2007 to 46 feet in February of 2008. He noted residential story height is 10 to 11 feet while office/commercial story height is 14 feet floor to floor.

Mr. Harrison stated they began working with the club in May of 2006 and at that time there was the desire to keep as much green space as possible for the club. The 2006 plan included approximately 5 acres of development land. By October, 2007, this had grown to approximately 6 acres and the current plan covers 8 acres. The lowering of the height of the project caused more ground to be taken from the golf course.

Mr. Harrison stated the Country Club has signed off on the proposed development. They feel this is a very good piece of real estate which addresses the need for redevelopment. He acknowledged this is a big project covering over 136 acres while preserving green space and providing 330 new places for residents to live freeing

up single family homes within the City. There is a strong local demand for this project as people want to stay in their communities as they move out of their homes.

Ruth Hopkins asked how many condominium units were being constructed. Mr. Harrison replied the current plan has 96 units at most there will be 99 units. They have received a lot of interest from qualified buyers. He does not feel there is a better setting for the location of these units and is confident that the real estate market will come back.

Charles Clark asked Mr. Harrison to respond to the 10th condition recommended by staff, and confirm that at the time the final development plan is filed, the City will have a firm construction schedule and financing will be in place, in addition to engineering details. Mr. Harrison stated the applicant is fine with the 18-month sunset on the submittal of the final development plan. They have been working on this for a couple of years and want to keep it moving forward. Mr. Clark stressed the importance of having a firm final development plan including schedule for construction and financing presented to the City.

Diana Ewy Sharp stated she is looking at this as an entire mixed use project and is looking for assurance that the entire project will be constructed as presented. Mr. Harrison stated all parts of the plan have to come together for the plan to be feasible.

Laura Wassmer asked why the building was not proposed with the back towards 95th Street instead of Nall. Mr. Harrison replied the current configuration is less obtrusive and follows the drop of the grade to the east. He noted Stratford also desires to be located on the golf course and to have those views of the course for their residents. Ms. Wassmer noted the suggested change would place the building near commercial buildings which are taller and more compatible in character. Mr. Harrison stated if the building was turned, more of the building would be visible from Nall.

Michael Kelly asked how many square feet are in the Stratford. Mr. Harrison responded 417,000 square feet.

Dale Beckerman asked Mr. Harrison to address traffic along Somerset, particularly at the entrance to the development, also coming down the hill on Nall towards 95th Street and at the entrance at 92nd. Mr. Harrison prefaced his response with the statement that the traffic generation of the proposed project is low and is lower than single family residents. He stated their engineers have spent a great deal of time on sight distances, traffic counts, stacking and called upon Norm Bowers, who conducted the traffic study and Judd Claussen with Phelps Engineering.

Judd Claussen reviewed the improvements to Somerset which included removing the south curb and widening the street to provide 10' turn lanes. The Somerset widening will extend from Nall to a point east of the new entrance street and include reconstruction the southeast curb return at the Nall intersection. A right turn lane is included on the new street for eastbound traffic on Somerset Drive. Mr. Claussen noted a sidewalk has also been added along Somerset and Nall Avenue.

Bill Griffith asked how far the offset was between Rosewood and the entrance to the development. Mr. Claussen stated the entrance is centered approximately half way between the two streets. Originally the entrance was aligned with Rosewood on the north; however, in response to residents' concerns with increased traffic it was moved to the east. The other impacting element was the location of the existing swimming pool for the club. The pool will not be replaced and the road must provide access to it.

Mr. Claussen reviewed the two main entrances into the Stratford, one at 92nd Place and one at 92nd Terrace. The north entrance at 92nd Terrace is the primary entrance for employee use, residents and deliveries to the back of the building. This has been designed with a more gradual curve into the intersection with Nall. The south entrance at 92nd Place is the front entrance and secondary entrance. The concern with the south entrance is that there would be sufficient sight distance looking south for traffic

to safely turn left out of the development. Calculations confirmed there was sufficient sight distance.

David Belz asked what entrance would be used by the residents. Steve Armstrong, Chief Construction Officer for Stratford, responded the north entrance is the main entrance for the project where residents will enter and exit. All residents will have underground parking. The lot off the north entrance will be used for employees. Visitors will park in the visitor spaces located at the front of the building and along the south side where the alzheimer's unit is located. Service vehicles will also enter from the north and will drive to the service area on the east side of the building.

Laura Wassmer noted one of the diagrams she saw did not show parking in front. Mr. Armstrong stated there is parking in front, however because of the higher elevation of Nall, the parked vehicles will not be visible from Nall at the south end of the project. On the north side there is an architecturally screened wall that will prevent parked vehicles from being seen. Only in the center area will parked vehicles be seen. Ms. Wassmer asked how many buses the Stratford would have and where would they be parked. Mr. Armstrong stated they have two community vehicles, a 8-12 person bus for activities and a full-sized limo-type car for appointments. They will be parked in the employee parking area or on the south side of the building near the health care wing. They will not be parked in front.

Dale Beckerman asked if it would be possible to screen off the north boundary of the parking lot. Mr. Armstrong said it would be possible. It is their intention to integrate them into the golf course as much as possible. Mr. Claussen noted the grading plans were designed to show the changes in elevation throughout the property and this demonstrated the need for screening along the north end of the parking lot. Mr. Harrison stated that as part of the final development plans, a full detailed landscape and grading plan will be presented.

Michael Kelly asked what level of LEED certification was anticipated for this project. Mr. Harrison stated they expect to seek LEED certification on the residential condos. Mr. Kelly asked if it would be basic certification. Mr. Harrison stated they would also look at silver level certification and noted that the certification process for residential properties are in a pilot stage at this time. His company, OPUS, has more than 150 accredited LEED professionals and have sustainable design and best practices incorporated into their mission statement. Mr. Harrison feels good real estate will demand sustainable design and they are a huge advocate for sustainable design.

Mayor Shaffer opened the floor to the public for comment.

Jan Durrett, 9049 Birch, questioned giving Mixed Use Zoning only to the areas that are being developed and not to the entire area. She felt then the City could keep more control for the future.

Sylvia Craig-Lococo, 5500 West 92nd Terrace, stated she lives diagonally from the entrance to Stratford and has not been contacted by the developer. She has several questions and concerns regarding traffic and screening. She asked what was meant by architectural screening, an 8' concrete wall, green netting, etc.

Doug Patterson, 4630 West 137th Street, representing the Meadowbrook Neighborhood Alliance, consisting of commercial and residential property owners. They are not NIMBYS but are opposed to what appears to be a piecemeal, non-compliant, mixed use plan that does not incorporate any of the significant policy decisions made in the City's Village Vision and does not comply with even the basic purpose of intent established for zoning district. Mr. Patterson stated this is singularly the largest commercial development in Johnson County. This is over 11.3 acres under roof on 8.8 acres of land which is essentially over one half million square feet of structure. He believes this is not the new urbanism mixed use development, it is the construction of a giant box.

Mr. Patterson stated under the City's regulations, this area could be developed as a golf course surrounded by single family homes with lots of more than 10,000 square feet, building heights of less than 35 feet and a building structure ratio of 30%. This could all be done without any rezoning. The senior living center could be applied for under the city's Special Use Permit regulations as was done with the other senior living centers in the city. However, under the existing regulations, the massive structure proposed by Stratford would require 44 acres of land to meet the 30% lot coverage requirements and a 30 foot, not 25 foot front setback would be required.

Mr. Patterson stated the Stratford building is the equivalent of 10.5 football fields with a FAR (floor area ratio) of the residence portion only of 114%, if the underground parking was considered in the calculations the FAR would be 128%. By comparison the floor area ratio for Town Center Plaza in Leawood is 27%, Park Place in Leawood is 100%, Corporate Woods in Overland Park is 28.3% and the Sprint campus is 48%. The only structure with a similar ratio is Arrowhead stadium. The Stratford building exceeds the floor area ratio of the largest office building in Corporate Woods by 160%. It is larger in mass than the Prairie Village and Corinth Square Shopping centers combined. Using good design and planning standards, this building should be located on 45 acres of land, not eight.

The proposed mixed use development covers 13.73 acres out of the 145 acres being rezoned. Less than 9% of the area being rezoned is being developed. The remaining 131 acres are being restricted to a private golf course, not to be used by the public unless they are guests or residents of the Stratford or condominiums. If the club does not survive, the land is conveyed to the Stratford and condominium owners. There is no public space, retail development, no entertainment or restaurants to benefit the City.

Mr. Patterson stated the proposed development is inconsistent with the definition of "Mixed Use District". Village Vision identifies this area as the gateway to Prairie Village. It is a highly visible site that must be planned as a comprehensive community within Prairie Village. Village Vision says it should be a "Village within a Village". It referenced an overlay district ensure appropriate development. Mr. Patterson stated this is not the best plan and the City has only one shot at developing this area. It is the only plan that has been submitted to date, but is it the best plan for the site?

Craig Salvay, 8826 Birch Lane, made the following five points:

- 1) This does not seem to be in harmony with the Village Vision.
- 2) The size of the building - 500 feet from side to side and 300 feet deep if placed in a rectangle creates a footprint of 150,000 square feet. The offices adjacent to this are minuscule compared to this building.
- 3) 39% of the property owners of the land adjacent to this area oppose this development.
- 4) If the deed restrictions are not acceptable to the City, can the zoning be denied. Ms Logan responded, stating the condition being proposed requires that the City not publishing the zoning until certain information required with the final development plan has been accepted.
- 5) It was stated that these units would provide residences for Prairie Village residents, however, he felt these residences are already available in the large metropolitan area of which Prairie Village is part and therefore, necessary.

Roy Blazek, 5600 West 92nd Place, Overland Park, stated he has 32 years of traffic safety experience in this area. He compared this area to the roadway from 65th to 71st Street along Metcalf with four lanes, high density traffic, many exceeding the speed limit where there have been many significant head-on collisions. Many of these are the result of having no left turn lanes, just as there are no left turn lanes on this section of Nall Avenue. They currently make only right turns from their home because of the difficulty in making left turns onto Nall. They would prefer to see the entrance off 94th Terrace. There is insufficient line of sight from 92nd Place to the top of the hill.

Carol Pisano, 5500 West 92nd Place, expressed the following concerns: She feels Nall has become a small Metcalf, it is dangerous with traffic exceeding the speed

limit. She does not want the sidewalk along Nall eliminating green space and placing walkers at danger from the speeding traffic. The developers have stated this is the not the best location. She noted she has not had problems getting through Somerset and Nall with the traffic signal making it safer. Decisions should involve the people located on all sides of the area.

Jackie Cordill, 5500 West 87th Terrace, stated she does not feel there will be a strong interest in purchasing the condominiums noting their view of the massive Stratford building, the 24-hour operations, with frequent emergency vehicle visits.

Wolfgang Trost, 5300 West 94th Terrace, is disappointed with the scale and mass of the Stratford. He stated this will have a dramatic affect on the aesthetics for the golf course asking people to envision the structure on the west side of the course. He is not sure the club members appreciate this impact and stated this may not be the best solution for the course and club. He stated there are other options available, including remodeling and the renovation of the club and course. Most importantly the Council should remember this is not mixed use and this is an extremely large structure.

JoAnn Westra, 9070 Birch, on the Birch cul-de-sac, noted this evening the Council has been told the entrance to Meadowbrook is a small offset from Rosewood, it was stated it is half way between Rosewood and Birch. Mrs. Westra stated the middle of the entrance to the middle of Birch is 160 feet while the middle of the entrance to the middle of Rosewood is 245 feet. It is not halfway between Rosewood toward Birch. Her driveway is located directly across from the new entrance and is concerned with the difficulty this will cause getting in and out of her driveway safely. If approved, she would welcome the opportunity to talk with the developer regarding these concerns. She noted she has not had any communication with the developer.

John Byram, 4415 West 74th Terrace, stated this development would have a significant negative impact on the views from the office buildings adjacent to this site. It

would make these offices very difficult to lease. He noted the signatures for the protest petition were very easily gathered and noted they did not even contact the large non-residential properties such as churches and the KCP&L property. He asked the Council to please consider the voice of these neighboring residents.

Micha Feingold, 9114 Walmer, spoke on behalf of the Country Club membership, providing history on how they arrived at this point. Meadowbrook has been at this location for more than 50 years. As a country club it provides benefits to not only to its membership but to the Prairie Village community. Three years ago they formed a development committee to explore ways to utilize their property as a means to subsidize the club. From the outset, total liquidation, relocation or total sale of the property was never considered. They have received numerous inquiries about selling. They are seeking a way to maintain the club, improve their facilities and benefit the entire community. When they sent out requests for proposals, they were elated to receive a proposal from OPUS for the development of a portion of their club. The club's primary focus is to maintain their golf club and improve their facilities. Fourteen of 130 acres are being developed. He noted the Stratford facility will be one of the highest quality facilities in the area. The proposed condominiums will be well received with more than twenty of the club members expressing interest in purchasing units.

Mr. Feingold stated there is no Plan B. They feel this is a plan that benefits not only the County Club but the entire community by providing a financially secure improved country club, preserving over 100 acres of open space and providing unique living opportunities for the citizens of Prairie Village.

Larry Winn, 8305 Outlook Lane, is not concerned with the size of this development. He stated the Golden Criteria does not require neighborhood approval. His only concern is as the City moves forward to other opportunities. If the Council can not work through this project with the development of only 13 of 130 acres with

significant open space with neighbors on all four sides, what will happen on smaller more tightly located in-fill projects. This ought to be one of the easiest redevelopment projects the City will ever see. He commended the Planning Commission and staff for their efforts.

Joan Nordquist, 5501 West 92nd Terrace, stated she never received any communication from the developer or was asked for any input. She feels there are several wonderful ideas that have not even been addressed. She feels the City is jumping on the first idea presented. She would like to see something happen at this location, but does not feel this is the best answer. She is very concerned with the enormous size of the Stratford building.

Mayor Shaffer called upon David Harrison to respond to the comments and questions.

Mr. Harrison stated the Floor Area Ratio comparisons made by Mr. Patterson do not compare apples to apples. He noted Claridge Court has the same density as being proposed. The application for rezoning of the entire parcel was done at the City's request. The original application only involved rezoning the areas being developed. The density of this project, including the underground parking, has 670,000 to 700,000 square feet. If you were to compare it to the Leawood development of Park Place, there could be almost 6 million square feet of development on this parcel.

Mr. Harrison stated the required notification area for this are included 19 properties. They sent out notices to over 190 properties and held several neighborhood meetings. At those meetings, there was a huge push to keep the green space. The plan was designed with that focus. Mr. Harrison noted this is not a standard out of the book plan, but is two years of work by several professionals. He stated this is not mixed use as some people perceive with retail locations below residential and offices. To do that development on this parcel would require millions of square feet.. This is a

horizontal mixed-use project that encompasses all 136 acres, maintains green space and has multiple uses - recreational uses from the standpoint of the country club, it has all the facilities provided by the Stratford, multi-family housing, condominium single family units. There is a mix of uses.

Mr. Harrison noted he is proud of his organization, one of the largest in the country. It is 55 years old and recognized throughout the country. They are successful and profitable; and, he noted 10% of their pre-tax profits are given to area charities.

This is good real estate, the Planning Commission has seen that in their recommendation for approval. He feels this will be an award winning development project.

Richard Horn, Chairman of Stratford Company, stated senior housing means a lot of different things to different people. What they are seeking to do is to provide a wide array of activities within their community resulting in giving residents a full and active life.

When you talk about a 417,000 square foot building, 283,000 feet are the individual living units the remaining square feet is common area - pools, spas, fitness centers, etc. They are proud of their size and the options it provides senior citizens.

With no one else to speak, Mayor Shaffer closed the public comment at 9:50 p.m.

Bill Griffith confirmed mixed use zoning broadens the parameters within the area, but heightens the site plan approval process. He asked if the City maintains control over the development if market conditions do not allow for the development of the area as proposed? Mr. Williamson stated the plan and zoning does control and if the market changes, they would have to come back through the process for an amendment to the plan. What is approved on the plan is what it is. Mr. Griffith confirmed the Council was both approving the zoning and approving the preliminary site plan.

Mr. Williamson stated the rationale for the staff's recommendation of the tenth condition is that requiring completion of the entire project at one time maintains the integrity of the entire plan as presented.

Ms Logan added with the additional condition, the Governing Body retains control in that the zoning does not become effective until the final plan, that is consistent with this plan, is approved.

Laura Wassmer asked what happens if half-way through the project it isn't working. Mr. Williamson stated at some point there may be a development agreement between the developer and the City that would address that. Ms. Wassmer likes that the plan only develops 14 acres. She does not see a busy mixed use district at this location with its impact on traffic and noted several people do not want single family development as it would take away too much green space. This is the crown jewel of Prairie Village and that is what she wants to maintain.

She wants to make sure that in the future, if this does not work, it doesn't become dotted with single family homes. The City could come back and maintain the open space. Ms. Wassmer noted this is a huge amount of information and she is slightly overwhelmed and needs more time to digest it.

Ms. Wassmer feels this project is being short-sighted in that it involves only a piece of land owned by Meadowbrook. She feels the development needs to go beyond one parcel of land. She feels this redevelopment, for the good of the community, should involve the entire area from 95th and Nall to Somerset. With these parcels of land, a true mixed-use development project involving residential, commercial and retail could be constructed.

She would like to see the City, think outside the box and get more businesses involved to truly provide the best redevelopment possible. She feels there are many

things that have not been explored and could be addressed. She is not ready to make a decision this evening.

Andrew Wang noted the concept of preserving green space as described in the proposed development is preserving green space for the sake of green space. He noted Prairie Village residents overall will not be able to use or benefit from the green space. It only benefits the country club members and condo property owners.

David Voysey noted this is not the City's property to develop. The property owner has sought proposals for the development of their property. He feels this does comply with the Village Vision.

Ruth Hopkins agreed with Mr. Voysey. We are being asked to look at the development of the country club's property, not the entire 95th Street area. The proposed development represents the best plan for them and allows for the maintenance of a majority of the green space on the parcel. She is strongly in support of the project.

Michael Kelly noted Prairie Village reflects excellent design and planning. The creation of the Village Vision is a road map offering a sustainable vision for Prairie Village's future. The Village Vision specifically addresses the development of the Meadowbrook area as a significant area of the City. Mr. Kelly quoted the findings in Village Vision on the redevelopment of the Meadowbrook area. It states there should be a redevelopment plan for the area and that any thoughtful plan for the country club should consider the shops as well and include uses that are neighborhood oriented and serve the entire community. Community input should be sought on the development of the area, not simply input on a presented plan and the plan should allocate a portion of the site for public recreation/green space with connectivity. This plan fails in all recommendations of the Village Vision. This property should be treated as a gateway

property, an entrance to the City. Mr. Kelly feels the plan before the Council is a patchwork development.

He stated the future will not be determined by the resources available to us, but rather by our scarcity of resources. The amount of land available for development is limited and requires the best use of this resource. This proposal does not match our comprehensive plan.

Al Herrera stated this is not public land, but is a piece of private property. He feels Mr. Kelly is confusing the role of the Village Vision. This is the development of private property with a plan determined by the property owner to best meet their needs and he totally supports this plan. He noted only 14% of the parcel is being developed. If additional retail and restaurants were added, there would be a significant traffic problem.

Andrew Wang asked for the zoning of Claridge Court and Brighton Gardens. Mr. Williamson responded Claridge Court is C-2 with a Special Use Permit and Brighton Gardens is Single Family residential with a Special Use Permit. Senior Living Facilities are allowed in any zoning district with a Special Use Permit. Mr. Wang asked if this project could be done without rezoning the property. Mr. Williamson responded there would have to be variances granted to address the height and setback questions. Mr. Wang acknowledged that the City does not own this property and the property owner has the right to develop the property as they wish; however, when that development needs the approval of the City, it needs to be looked at from the perspective of its impact on the City.

Charles Clark noted this plan is not perfect but it is a very good plan and feels it is unfair to compare this to whatever each of councilmember can imagine for that location in a perfect world. We must vote on what is before us. This has been thoroughly investigated with months of planning and involvement by the City through staff and the Planning Commission and he feels very strongly that action needs to be taken this

evening. He added the condition #10 recommended by staff is very important and should be included in the approval.

Dale Beckerman stated he has some concerns about this and if it is approved, he would like to see the developers spend some more time with the neighbors. We have heard too many neighbors say they have not had any communication with the developers. He is not influenced by the notion that Meadowbrook owns the property, because it is the responsibility of the Governing Body to determine zoning. What does concern him is he has not heard any discussion of a viable option, not just options. He noted the City does not have another three to four years to get this done. He feels this has been an example of the Planning process at work with the progression of the plan from the initial 14-story buildings to the plan before us. He supports the plan with some reservations.

Diana Ewy Sharp noted there has been much discussion about Village Vision and having spent two years on the steering committee she feels she can speak on that issue. She feels the proposed development does meet what was talked about by the stakeholders, the residents and the Governing Body. The City has discussed for years the need for alternative housing stock. The maintenance of open space it being strongly addressed by this plan. The Vision talks about amenities that are available to residents and she feels having a viable country club is an important amenity the city has to offer. She also noted this is a \$130 million investment in the City. This is significant and she feels the Council is getting caught up with minutia. Developers are not the bad guys, they are investing in our community. She is very supportive of the project.

Bill Griffith asked if the vote does not gain the necessary number of affirmative votes, does the Council need to come up with findings of fact. Ms Logan stated if a motion is made to approve the Planning Commission recommendation, which is to approve the zoning, and there are not sufficient votes, findings are not required as to

why the motion was defeated. If it was challenged, the court would look at the rationale stated in this meeting by the members opposing the application and determine if it was reasonable.

Mr. Griffith asked if the number of parking spaces is driven by the City regulations and how does the plan compare. Mr. Williamson stated the proposed parking spaces on the Plan exceed what is required by the City and it is based on the applicant's experience with their other projects. Mr. Williamson noted Claridge Court is a very successful operation which meets the parking requirements, but they are leasing additional parking spaces to meet their needs. Independent senior citizens are keeping their vehicles longer than in the past creating a greater need for parking.

Mr. Griffith would like to see the parking revisited. He would like to see if there is a way to provide entrance through 94th Terrace rather than coming out on residential streets. Mr. Griffith stated the developments have to be economically viable. He feels this is the best project taking into consideration today's economics. This is a project that will work, it is a project that will preserve green space, the project has taken huge steps to be less obtrusive and he feels the Council should be supportive.

David Belz stated he is not in love with the project, but he feels it is a good enough project for this property. He does not think traffic will be an issue. The plan preserves the green space and keeps Meadowbrook viable. He feels this is a good first step for redevelopment.

Quinn Bennion noted when the Council looks at mixed use development, it is looking at the plan and the zoning. The plan includes the building of Stratford, the condos, renovating the golf course and facilities. He questioned what happens if the zoning is approved for the entire plan and only one portion is developed. This is a possibility. Once the zoning is approved, the City does not have any mechanism, that he is aware of, to require the development of the rest of the site.

Laura Wassmer noted the City is looking at redevelopment as a way to increase city revenues and asked if once this is built, could the Stratford become a non-profit, tax-exempt entity. Quinn Bennion responded that is a question for the Stratford representatives. He noted that Claridge Court, approved as a for profit entity, has gone non-profit. Currently they have an agreement with the City to pay in lieu of taxes, but once that expires they will not be paying property taxes. Ms Wassmer stated this is a huge issue to be resolved - 417,000 square feet of non-taxable property.

Steve Horn responded that Stratford is a for-profit developer and operator of senior communities. Their 100% intention is to develop this as a for-profit operation. Ms Wassmer asked if there was any way to guarantee it remains for profit. Mr. Horn stated they would not be opposed to a stipulation added stating it shall stay as a for-profit enterprise and tax-paying entity. Katie Logan stated there would have to be an agreement between the City and the Stratford that they would develop it as a for-profit and if they chose to become non-profit, they would make payment in lieu of taxes to the City. Mr. Horn responded they would agree to a development agreement.

Dale Morrison stated he has economic concerns based on the history of the country club. The club made assurances the last time they sold off property that they would not sell off any more, but here they are back again. Mr. Morrison questioned the impact of construction on the property to the desirability of the course. The course will be smaller, the view will be the back side of a 417,000 square foot building, not open green space. Is this another short-term solution that will require future sell-offs and piecemeal development of this property?

David Morrison noted while he was campaigning the the City Council, he visited most homes in his ward where the development is located. Over 70% of Ward 5 residents oppose this development. The comments this evening also indicate that surrounding commercial properties oppose this development. This development is not

in keeping with the residential neighborhood and will negatively impact the property values of surrounding property. Mr. Morrison stated he strongly opposes this project.

Charles Clark stated an additional condition can be added requiring a development agreement guaranteeing the for-profit status of the Stratford perhaps addressing the complete building of everything planned on the site, addressing having the deed restriction language presented before the final development plan is approved. Upon Mr. Williamson's suggestion, Mr. Clark stated this agreement shall also include any financial issues and the status of the street (public vs. private).

Bill Griffith moved the City Council postpone discussion of the rezoning of 91st & Nall from R-1a to MXD and the approval of the preliminary development plan until the Council meeting on July 7th. The motion was seconded by Ruth Hopkins.

Diana Ewy Sharp agreed with the motion in that this is so much to digest and is such an important decision, she would be more comfortable acting on it in July.

Charles Clark stated he is definitely opposed to postponing this, there have been several opportunities to gather and review information, ask questions and a large amount of information has been made available to the Council. Dale Beckerman agreed with Mr. Clark in opposing the postponement of this item. He also noted he will not be present at the July 7th meeting.

Mayor Shaffer confirmed the absence of a Council member would be considered a "no" vote on the motion.

Laura Wassmer stated this is a huge decision. Her experience with past SUP's has clearly demonstrated the failure to dot all i's and cross all the t's is a major error. It is essential that all details are clearly worked out and included in the decision in writing, nothing should be taken for granted. She has several issues she feels needs to be more fully addressed before Council action being taken. She still feels it would be a much better development if it looked at and included the entire area.

Al Herrera noted there are 12 members present. This is an important decision and all members need to be present. He stated there are a lot of checks and balances in this process. His primary concern is getting the entire Council and Mayor back together at one meeting.

Michael Kelly stated he has no problem with postponing.

Katie Logan noted this could be postponed to a special meeting called for the purpose of discussing this. It does not have to be a regular meeting.

Bill Griffith amended the motion to postpone discussion of this issue to a special meeting date to be decided amongst the Mayor, staff and Council. Ruth Hopkins agreed to the amendment. The motion was voted on and passed by a vote of 10 to 2 with Wang & Clark voting "nay". It was decided to poll Council members to come up with a date.

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.

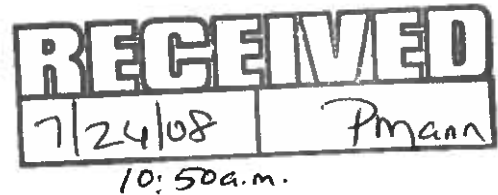
.ANNOUNCEMENTS

Committee meetings scheduled for the next two weeks include:

Board of Zoning Appeals	06/03/2008	6:30 p.m.
Planning Commission	06/03/2008	7:00 p.m.
Council Committee of the Whole	06/09/2008	6:00 p.m.
Sister City	05/12/2008	7:00 p.m.
75 th Street Steering Committee	06/10/2008	7:00 p.m.
Park & Recreation Committee	06/11/2008	7:00 p.m.
Council Committee of the Whole	06/16/2008	6:00 p.m.
City Council	06/16/2008	7:30 p.m.

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The Prairie Village Arts Council is pleased to feature a digital art exhibit by Steve Karol in the R. G. Endres Gallery for the month of June. The reception will be held on June 13th from 6:30 to 7:30 p.m.



Date: July 23, 2008

To: Prairie Village City Council Members

As a Prairie Village resident, I am writing to you on behalf of a group of concerned citizens. We wholeheartedly support the OPUS development plan. We believe this plan would help the star of Kansas, best known as the City of Prairie Village, continue to sparkle.

As you well know, two of our city's strongest characteristics are its sense of community and charm. You undoubtedly find both qualities within the clubhouse, along the fairways and around the pool of Meadowbrook Golf and Country Club (MCC). If the OPUS plan does not pass City Council approval, it is highly probable that MCC would have to cease operations and sell off its assets. Those assets would likely fall to land developers (likely the highest bidders). Furthermore, that green space we have come to know as the Meadowbrook golf course would become a residential and/or commercial zone. Instead of losing less than 10% of green space to upscale condominiums (as slated in the OPUS plan), Prairie Village would likely lose 90%-100% of the green space, therefore, surrendering an *immeasurable* amount of its charm and sense of community.

Furthermore, as Prairie Village residents we are concerned about the growth of our city and its need to provide for its aging residents. These upscale condominiums, as described in the OPUS plan, are likely to attract such aging residents who can no longer maintain their personal residences but want to remain in our city. This plan would then enable those residents' sales and property taxes to remain in Prairie Village and allow for redevelopment and reinvestment in our city.

Please consider our concerns as stated above. We believe the OPUS plan is the best means to preserve the charm and sense of community within our city and help the star of Kansas to shine brightly.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer Hiss".

Jennifer Hiss

I have read the attached letter and support the OPUS development plan.

Signature

1. ~~Oh~~ Shannel McKee 4404 W. 91st PV, KS 66207
2. ~~Oh~~ Aaron McKee 4404 W. 91st PV, KS, 66207
3. ~~Oh~~ Peter Souden 4400 W. 91st PV KS, 66207
4. ~~Oh~~ Ronald Vaughan J 4300 W 91st PV, KS, 66207
5. ~~Oh~~ Lisa R. Brown 9100 Delmar P.V., KS 66207
6. ~~Oh~~ 9101 FONTANA PV. KS 66207
7. ~~Oh~~ 8731 Delmar, PV KS 66207
8. ~~Oh~~ Marsh Josepha 9101 Fontana PV KS 66207
9. ~~Oh~~ Laura Brown Lauribrown 485 N 86th Street PV, KS 66207
10. ~~Oh~~ Laura Brown 485 N 86th St. PV, KS 66207
11. ~~Oh~~ Sarah Brookfield 2514 W. 71st Terr. PV KS 913 236 4887
12. ~~Oh~~ Es Parkey 4801 W 87th PV 913 888 6570
13. ~~Oh~~ Fran Dillard 8807 Linden Dr. PV KS 66207
14. ~~Oh~~ James Carpenter 8329 Reinhardt PV KS
15. ~~Oh~~ Joan Maceracken 8329 Reinhardt PV KS 66207
16. ~~Oh~~ Mik Shull 5300 W. 83rd Terr PV, KS 66207
17. ~~Oh~~ Will Tschudy 8027 Fontana PV KS 66207
18. ~~Oh~~ Tracy Hill 7141 Buena Vista PV, KS 66207
19. ~~Oh~~ Shelly Freeman Shelly Ann 3501 W. 84th Terr PV, KS 66207
20. ~~Oh~~ Stephanie Manning 9108 Alhambra St, PV KS 66207
21. ~~Oh~~ KELLY MANNING 9108 ALHAMBRA ST, PV KS 66207
22. ~~Oh~~ Lindsay Souden Lindsay Souden 4400 W. 91st St PV, KS 66207
23. ~~Oh~~ Laurie Nordviken LAURIE NORDVIKEN 8725 CATALINA PV KS 66207
24. ~~Oh~~ Lori Funkly Lori Funkly 4308 W 91st PV KS 66207

* per phone - Gary and Carol Mytton (owner)
 4003 W. 72nd Terrace
 Steve and Jennifer Hanson
 4007 W. 72nd Terrace

I have read the attached letter and support the OPUS development plan.

Signature	Name (printed)	Address
1. <i>Patty Shupe</i>	Patty Shupe	9231 Ensley Lane
2. <i>J. Hanson</i>	Jon Hitchcock	9633 Marina Rd.
3. <i>Nick Hulsing</i>	Nick Hulsing	4104 W. 91st St.
4. <i>Harry Brewer</i>	Harry Brewer	9101 Buena Vista St.
5. <i>Sharon Borthwick</i>	Sharon Borthwick	8200 Maple Ln
6. <i>Jim Borthwick</i>	Jim Borthwick	8200 Maple Lane
7. <i>Cheryl Miller</i>	Cheryl Miller	6843 Grandale
8. <i>Marianne Corp</i>	MARIANNE CORP	9109 WENONGA
9. <i>Marilyn Hall</i>	8104 Needham St Marilyn Hall	
10. <i>Heather Calvert</i>	Heather Calvert	7420 Delmar
11. <i>Chad Calvert</i>	Chad Calvert	7420 Delmar
12. <i>Donna Ferras</i>	Donna Ferras	7415 Delmar
13. <i>Hillary Wingate</i>	Hillary Wingate	5714 W. 77th Terr.
14. <i>Todd Wingate</i>	Todd Wingate	5714 W. 77th Terr.
15. <i>Angela Woldner</i>	Angela Woldner	6823 Grandale
16. <i>Greg Woldner</i>	Greg Woldner	1823 Grandale Ln.
17. <i>Libby Kreighbaum</i>	Libby Kreighbaum	7801 Aberdeen
18. <i>Vonja Loeffling</i>	* Vonja Loeffling	2802 W 73 Terr
19.	* turn property into public course for Country Club	
20. <i>Karen Kaplan</i>	KAREN KAPLAN	2225 W. 74th
21. <i>Carrie Lane</i>	Carrie Lane	5301 W. 66th Terr.

I have read the attached letter and support the OPUS development plan.

Signature

1. Laura Hulsing Laura Hulsing 4104 W. 91st ST.
2. Mike Rinella Mike Rinella 4100 W. 91st
3. Jennifer Pinell Jennifer Pinell 4100 W. 91st
4. E. B. Guastello E. B. Guastello 5401 W. 83rd Terrace
5. Stacie Schick Stacie Schick 2710 W. 73rd Terr
6. Catherine deLeon Catherine deLeon 4423 W. 71st
7. Albert deLeon Albert deLeon 4423 W. 71st St
8. Mindy Howell Mindy Howell 4108 W. 91st
9. Stacey Escher Stacey Escher 7929 Aberdeen
10. Paul Afischer Paul Afischer 7829 Aberdeen
11. Nick Hulsing Nick Hulsing 4104 W. 91st St.
12. Kris Mantel Kris Mantel 7538 Mohawk
13. Susan Berlan Susan Berlan 8231 Linden Dr.
14. Anita Orrick Anita Orrick 4508 W 94th St.
15. Jeff Yowell Jeff Yowell 4108 W. 91st

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I have read the attached letter and support the OPUS development plan.

Signature

1. Caryn Brewer Caryn Brewer 9101 Buena Vista Pkcs 6620
2. Harry Brewer Harry Brewer 9101 Buena Vista Pkcs 6620
3. Agnes & Mary Kay Morgan Shay 4008 W 91st
4. Carrie Condon Carrie Condon 4004 W. 91st
5. Michael Condon Michael Condon 4004 W. 91st
6. ERIC CORP 9109 WENONA
7. Angi Hoch 5101 W. 68th St
8. Dale Schlader 3904 N 91st St.
9. Ben Hiss Ben Hiss 9120 Delmar P.V. 6620
10. Lori Donnelly Lori Donnelly 4003 W 92 Terr., P.V. 66207
11. PAT DONNELLY PAT DONNELLY 4003 W 92 Terr., P.V. 66207
12. Susan Schilly Susan Schilly 8530 Roe Ave P.V. 66207
13. Tammy Sheehan Tammy Sheehan 8529 Roe Ave P.V. 6620
14. Stuart E. Bunn Stuart E. Bunn 9124 Delmar P.V. 6620
15. Jeanne E. Bunn Jeanne Bunn 9124 Delmar P.V. 6620

I have read the attached letter and support the OPUS development plan.

Signature

1. ~~Jennifer Hiss~~ Jennifer Hiss 9120 Delmar P.V., KS 66207
2. ~~Heather Hodes~~ Heather Hodes 2711 W 73rd Terr PV, KS 66208
3. ~~Brian Hodes~~ Brian Hodes 2711 W 73rd Terr PV KS 66208
4. ~~Nicholas Schilling~~ Nicholas Schilling 8530 Roe P.V., KS 66207
5. ~~Lynette M. Hogan~~ Lynette Hogan 8212 Linden Dr. PV KS 66208
6. ~~Kevin Hogan~~ Kevin Hogan 8212 Linden Dr PV KS 66208
7. ~~Leslie Ridge~~ Leslie Ridge 6843 Granada Rd PV KS 66208
8. ~~Carl Kuklinski~~ Carl Kuklinski 4401 W. 87th St PV KS 66207
9. ~~Carl Kuklinski~~ Carl Kuklinski - 4401 W. 87th St PV KS 66207
10. ~~Carl Kuklinski~~ Carl Kuklinski 4401 W. 87th St PV KS 66207
11. ~~Leslie Kable~~ Leslie Kable 5630 W. 85 Terrace O-P KS 66207
12. ~~Michael C. Damsch~~ Michael C. Damsch 3916 W. 72nd Terr PV, KS 66208
13. ~~Cindy R. Schultz~~ Cindy R. Schultz 8413 Juniper Ln PV, KS 66207
14. ~~Scott R. Schultz~~ Scott R. Schultz 8413 Juniper Ln PV, KS 66207
15. ~~Kristina Schieffer~~ Kristina Schieffer 5632 W 82nd PV, KS 66208
16. ~~Jenny Spencer~~ Jenny Spencer 8220 Juniper Ln PV, KS 66207

July 11, 2008

Members of the Prairie Village City Council
Prairie Village Municipal Office
7700 Mission Road
Prairie Village, KS 66208

Ladies and Gentlemen:

This letter is to assure you that all citizens of Prairie Village, even those living close to Meadowbrook Country Club, are not opposed to the condo development, rebuilding of facilities and golf course plus the building of a retirement home. We tried to communicate this point to Mr. Morrison when he was running for office. At that time, he seemed to be in favor of the plan as long as green space was retained. Apparently, he has changed his position.

We agree that Prairie Village needs green space and believe a thriving country club with added living accommodations will accomplish this goal. We have seen what happened to the old Leawood Country Club and do not want the same for Prairie Village, or worse.

A city needs to constantly revitalize itself by changing with the times and Prairie Village is no exception. We are landlocked so our desirable options are limited. This development seems to be one that would fit good criteria, both for the city and the people. There has been widespread interest in condo ownership from the conception of the plan.

The change in the traffic pattern in the northwest area was a good idea. We live close by on Somerset, so if traffic is to be a burden, we will feel it. But so be it; there is no need to stand in the way of progress.

Please do not allow yourselves to be manipulated by a highly vocal minority with irresponsible leadership.

Thank you for your consideration.



David Bywaters
5324 Somerset Drive



Barbara Bywaters
Prairie Village, KS 66207



Meadowbrook

GOLF & COUNTRY CLUB

July 11, 2008

Mayor Ron Shaffer
& Prairie Village City Council
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208-4230

Dear Mayor and City Council Members:

I am the President of Meadowbrook Golf and Country Club and am writing this letter because of questions various members of the Meadowbrook Board have received from some of you regarding the financial condition of Meadowbrook. The letter is intended to provide you facts about our financial condition so you can make an informed decision on the Opus Development Project.

Over the years, Meadowbrook has accumulated \$4.3M in debt. This debt is secured through a mortgage on the property with Mission Bank. The debt grew over 30 years.

Meadowbrook's losses generally exceed \$500K each year. During our last fiscal year ended April 30, 2008 the Club's net loss was \$509K. We are projected to lose \$574K next year. Over \$375K of these losses can be attributed to the Club's debt service cost, which is also approximately the amount of our negative cash flow each year.

The bottom line is that we cannot service our current debt. Our monthly dues are at the high end of the market here in the Kansas City area and we have had to subsidize our operating losses with rather large member assessments the past few years. Our clubhouse is in need of major repairs and we have no money or means to raise money for capital improvements.

So we are faced with the need to completely restructure the Club. The Board and various committees worked hard over the past few years to come up with a solution that would enable the club to survive. We are confident we have the plan to make it happen. The Opus Development Plan with the condos and Stratford community included provides us the opportunity to completely retire our debt, replace the clubhouse, and redesign our golf course, while retaining the pool and tennis benefits the Club and its many Prairie Village residents enjoy. Additionally, our bylaws will be changed to prevent the Club from finding itself in an unmanageable financial condition in the future.

We know that Prairie Village wants to retain as much green space as possible and this plan ensures the property will remain primarily green into perpetuity. Let me assure you, there is no Plan B. Meadowbrook must do this to survive as a golf and country club. If the plan is not approved and fulfilled, Meadowbrook, as it exists today, will not be here in 10 years. We will be faced with increasing our debt like we have in the past to survive and our financials will spiral into a worsening condition until we are forced to sell the property to settle the debt.

Let me also assure you that no member will receive any cash benefit from this redevelopment effort. All we stand to gain is a country club with no debt.

I hope this helps clarify the situation we face. If helpful I and a few of our Board members would be willing to meet with you to discuss any further questions you may have. I can be reached anytime at 913-226-6720.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Bray". The signature is written in a cursive style with a large, sweeping initial "M".

Michael J. Bray
President, Board of Directors
Meadowbrook Golf and Country Club.

Polsinelli

Shalton | Flanigan | Suelthaus, PC

6201 College Boulevard, Suite 500 | Overland Park, KS 66211-2423
(913) 451-8788 | Facsimile: (913) 451-6205 | www.polsinelli.com

Larry Winn III
(913) 234-7408
lwinn@polsinelli.com

July 10, 2008

The Honorable Ron Shaffer
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208-4230

Re: Proposed Redevelopment of Meadowbrook Country Club Property

Dear Mayor:

There were some questions asked by council members during the council discussion portion of the hearing on Meadowbrook Country Club that were very well thought-out and very relevant. If I can paraphrase the questions a little bit, it seemed to me they fell into the general category of "What assurances do we have that the condominium project, the club and golf course renovation and the Stratford project will happen in approximately the same time frame?" We're very well aware of rumors, perhaps started by opponents, that perhaps Stratford will "cherry-pick" its piece and perhaps the other components of the redevelopment won't occur.

The club's contract with Opus provides for a contingency period, during which Opus must fulfill several conditions, including: determining the feasibility of completing the residential condominiums and the Stratford senior living facility; finalize plans to redevelop and improve the golf course; and provide the club with a new debt-free clubhouse and related recreational facilities. The transaction cannot close until after Opus obtains all necessary governmental approvals for construction of the residential condominiums, the senior living facility, and, most importantly to the club, the renewal and refurbishing of the golf course and related facilities.

The contract provides that upon completion of the governmental contingencies, the seller and purchaser will enter into a further written agreement, supplementing the contract, and requiring the implementation and completion of what's been approved by the governmental authorities. This must be done prior to closing.

Following the satisfaction of the governmental approvals, Opus will have up to an 18 month period of time to show the club that all of the necessary approvals are in place and the project can be completed as planned. Only then will the closing and transfer of the land occur. Additionally, the City of Prairie Village is recommending a stipulation, which is somewhat unique, that requires final development plans to be submitted and approved prior to publishing

July 10, 2008
Page 2

the zoning ordinance which ordinarily would be published after approval of the preliminary plan, which is now before the city for discussion. This, I believe, is well thought-out and avoids a situation where if Opus does not timely proceed, the City would have to rezone the property back to its now current zoning. Lastly, and I would stress this, there is no provision in the contract with Opus that would allow Opus to close on the Stratford portion of the project, but not close on the entirety of the golf course property, including that portion that is anticipated for the residential condominiums.

In addition, the concern was raised regarding the operation of the Stratford senior living facility from an ad valorem taxation standpoint. As Richard Horn, CEO of Stratford, stated at the council meeting, Stratford operates as a for-profit corporation and Stratford has no intention to convert or re-organize its tax status to a non-profit corporation. In fact, the current investment and ownership structure requires Stratford to operate on a "for profit" basis.

Lastly, the purchase agreement between the club and Opus requires that the Meadowbrook land be deed restricted to use as a golf course, essentially into perpetuity for as long as the law permits. In order to accomplish this lengthy "green space" encumbrance, the current members of the not-for-profit corporation have agreed to surrender their rights, if any, to any residual value or interest in the club property and operations. The club was incorporated in 1954 as a non-profit corporation. The club will continue to be a Kansas non-profit corporation. Members will be required to pay dues and utilize the club and its facilities. Applications for membership have been generally available to prospective members who can meet the dues obligations and the rules of the club.

In summary, the club believes that it has done everything that can be accomplished by contract to make certain that, should the project be approved, it goes forward as a comprehensive redevelopment of the Meadowbrook Club property with all components for which we seek approval from the City Council. I would respectfully request that you circulate this letter so that all of the council members receive it regardless of whether or not they posed the questions to which we are attempting to respond. If individual members of the council have additional questions, we stand ready to meet with them at their convenience to provide any further information or clarification that they might deem necessary.

Best regards,

POLSINELLI SHALTON FLANIGAN
SUELTHAUS PC



Larry Winn III

MARILYN HAIL
8104 MEADOW LANE
LEAWOOD, KS 66206

July 3, 2008

City Council
City of Prairie Village, KS
7700 Mission Road
Prairie Village, KS 66207

Council Members;

I ask that you consider the proposition for the development of Meadowbrook Country Club carefully.

I feel that the neighbors of Meadowbrook who live in Overland Park should not be allowed to make decisions for the City of Prairie Village.

The surrounding neighbors to Meadowbrook Country Club have enjoyed the green space without financially supporting this space for over 50 years. These same neighbors have also enjoyed a large July 4th fireworks display without charge.

I suggest that it is time for these neighbors to be good neighbors and help us to keep this property as green space for many years in the future. .

Please consider my thoughts when you are making your decision on our development. This development will be a first class addition to the community. If this proposition fails your council vote, there is the likelihood that in the not too distant future the Meadowbrook property will become a sea of rooftops and the green space will be lost forever.

Sincerely,



Marilyn Hail

June 27, 2008

Prairie Village City Council
7700 Mission Road
Prairie Village, KS 66208

Dear Councilmember

We have been proud residents of Prairie Village for twenty-five years and consider ourselves fortunate to be able to live and raise our family in such a wonderful community. This is why we feel compelled to write in strong support of the OPUS proposal to redevelop Meadowbrook Golf and Country Club.

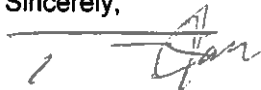
We joined Meadowbrook after Leawood Country Club failed, and would like nothing more than for Meadowbrook to remain as it is. However, we and many of our fellow members have come to the realization that change for this property isn't just inevitable – it's eminent. There is some sentiment in the community that talk of financial crisis is overblown and that a potential loss of the entire golf course is just a threat. Attached is a copy of our latest assessment letter that clearly proves the club's position is no threat. This is not our first assessment, and we're now asking ourselves at what point do enough members decide to cut their loss and move on, forcing a sale to the highest bidder.

Most importantly, this redevelopment proposal is not about saving a country club. It's about saving green space. We used to live on the golf course and came to appreciate what a special visual amenity it is for the entire community. Preventing the potential loss of this area to single-family development is worthy of careful consideration.

We applaud our Council and Planning Commission for your patience and diligence in hearing from all perspectives. And this has been a productive process. The applicants have greatly improved their site and building plans. They've offered substantial compromise, while still protecting our green space, and have shown a sensitivity to neighbor's concerns. We also believe a "first-class" alternative to Claridge Court is a real win for the community.

This redevelopment proposal is a rational, realistic offer to preserve our valuable green space and will most likely prevent Prairie Village from some day dealing with a less desirable alternative. We urge you to vote for the OPUS plan and thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd and Jan", written over a horizontal line.

Todd and Jan Bleakley



Meadowbrook

GOLF & COUNTRY CLUB

To Meadowbrook Members:

Included in this month's invoice is a \$250 assessment. This is necessary because our expenses continue to exceed our revenues and our cash flow is nearing the point where a small infusion is needed to keep the Club running. As you are aware this is not a new problem for Meadowbrook. In the past we covered our cash flow needs by increasing our mortgage.

Today our mortgage is \$4.3M. It costs us \$380K annually to service the mortgage and this "servicing" cost is the primary reason we have negative cash flow. The mortgage is also the primary reason we are pursuing the Opus redevelopment project.

Some members believe that we should just continue to finance our cash flow needs with additional debt. Unfortunately that is a death spiral and will just exacerbate our situation, thus the need for an assessment.

While I never like sharing this news, we did do a better job of managing our costs this last fiscal year than we have in recent memory. Our operating loss for the year ended April 30, 2008 was 30% lower than the previous year. This was in part due to increased revenue from more members as well as Charlie's teams' expense controls.

Respectfully,

Mike Bray
President, Board of Directors
Meadowbrook Golf & Country Club

Joyce Hagen Mundy

From: Nick Hulsing [nhulsing@yahoo.com]
Sent: Wednesday, June 25, 2008 8:00 PM
To: Council Members
Subject: Development of Meadowbrook CC

Dear Esteemed Council Members,

My name is Nick Hulsing and I am a current member of Meadowbrook Country Club. I also own a home directly across the street from the club in the Kenilworth subdivision. We moved to Kenilworth just last summer and prior to that, we spent 12 years in our home on 71st Street just up from Mission Road. I remember when the city announced plans to demolish homes at the corner of 71st and Mission and to build a senior living center. In fact, I knew some people living in one of the targeted houses. At the time, I remember thinking how the city was going to destroy the charm of Prairie Village with this project. But then I spoke to my neighbor who had picked out his lot and built his home right after World War II. His wife had started experiencing poor health and they were no longer able to keep up with their home. They were truly 'life long' residents of Prairie Village and greatly hoped to remain near the friends, shops, and neighborhoods they loved. But at that time, there was no available senior living and they had to move to Overland Park. That is when I realized how important the 71st & Mission development really was. And after it was done, you never heard another person talk about how 'ugly' it was, or 'how the traffic is terrible'. In fact, no one even noticed and yet the project was a Win-Win for everyone involved. I also happen to operate a business that involves me with senior living on a daily basis. I know that the new facilities being built today are beautiful. A recent example is The Villages of Jackson Creek located in Independence, MO. While that facility is far greater in size than the one proposed for Meadowbrook, it is now almost 100% full after just 6 months and it is gorgeous. We should be excited for our city, our community, and our seniors to have such an opportunity in front of us.

As a member of Meadowbrook, I too love all the trees and the green space. But I also understand the dire financial situation the club is in and the ramifications of what will happen if this proposed project does not go through. I, along with all the members, have just paid our annual assessment, as we did last year, and for several years prior to that. The club can not afford to take on more debt and soon, the membership will not be able to help keep up with the payments. The fact is clear, without a project like this the club can not survive. We either choose the option that keeps 90% of the current green space and provides options for our Prairie Village seniors or we get the alternative which will be a mass housing subdivision where there will not be any green space left.

I know that you have considered the objections but please keep in mind the positives. Equally important, please keep in mind the alternatives if this project fails. I ask you to vote Yes on approving the Meadowbrook project.

Sincerely,

Nick Hulsing
4104 W. 91st St, PV, Ks

6/26/2008

Joyce Hagen Mundy

From: Peterson, Kirk A. [KPeterson@bowse-law.com]
Sent: Friday, June 13, 2008 11:36 AM
To: Council Members
Subject: Meadowbrook Rezoning

For the past 10 years, our family has lived in Prairie Village and we have been members at Meadowbrook for the past 7 years. I am writing, asking you to approve the rezoning of Meadowbrook.

I understand that change is never easy and, in a perfect world, the proposed change would not be before the commission. However, local private clubs have all experienced challenges to keep members, especially in light of recent economic concerns and the increased competition for discretionary, entertainment expenditures. Meadowbrook is no different in this respect.

I believe the vote before this commission is one that would ensure, for Prairie Village and the club, the retention of valued green space and a tremendous local opportunity for those desiring a very convenient and high quality outlet for golf and tennis.

I recognize that some within and outside of Prairie Village would prefer to simply keep the club as it is. Personally, I don't believe that option exists. In my personal view, the commission's vote to allow rezoning will preserve a golf and tennis club while creating additional real estate revenue poortunities for the Village through reasonably inobtrusive condo and asisted living units. Conversely, a vote to reject the propsal will ultimately result in a gradual or rapid dismantling of the club, which will eliminate the greenspace offered by the golf course. For purposes of this decision, I believe it to be a grave mistake to embrace an analytical construct that simply assumes that a vote to reject the rezoning commission preserves the status quo.

Ultimately, I believe the issue of change is a given. I would ask that the commission approve the rezoning proposal as it affords the best possibility of permitting change that best meets the need of all constituencies because it preserves the course as well as the aesthetic qualities that make Prairie Village a great place for young and older families to call home.

Kirk A. Peterson
8827 Cedar Drive
Prairie Village, KS 66207

Sent using BlackBerry

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Joyce Hagen Mundy

From: Bledsoe, Stephen M. [SBledsoe@bowse-law.com]
Sent: Friday, June 13, 2008 10:53 AM
To: Council Members
Subject: Meadowbrook

Mayor and Council Members,

I wanted to send you an email to encourage you to support the re-zoning needed for Meadowbrook's proposed redevelopment. As a club member and long time area resident, I believe the proposed redevelopment is an exciting opportunity that the Council should eagerly embrace. For many years Meadowbrook has been a beautiful addition to PV. The proposed redevelopment is the best, and perhaps only, way to keep and, indeed, improve this wonderful asset.

I urge you to please support the proposed re-zoning so that the community, my family, and I can continue to enjoy Meadowbrook for years to come.

Thank you in advance for your support,

Steve Bledsoe

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Joyce Hagen Mundy

From: Geoffrey Westra [thxjeff@sbcglobal.net]
Sent: Sunday, June 01, 2008 10:01 PM
To: Joyce Hagen Mundy
Subject: letter for the City Council members

Please forward this email on Monday morning, June 2, to all of the City Council members on my behalf.
Thank you -
JoAnn Westra

Dear City Council members,

We are Prairie Village residents writing to express our concerns to you re: the Meadowbrook redevelopment proposal which comes before the council Monday evening. We reside at 9070 Birch, which is on the corner of Birch & Somerset, directly across the street north from Meadowbrook. We are greatly disturbed to see the entry road to the club and condos has been moved eastward close to the Birch cul-de-sac. Our driveway, and the driveway of the home directly west of ours, backs onto Somerset. The volume and speed of current traffic along Somerset is already quite high at this location, and the curve just east of Birch presents limited visibility when trying to enter onto Somerset.

It is literally beyond our imagination how the proposed location of Meadowbrook's entry road would not be expected to create both safety and inconvenience issues, not only for the 2 properties at 9070 Birch and 5046 Somerset, but for all of the Birch cul-de-sac residents. Keep in mind that Somerset is the only access these Birch residents have. Compounding our safety concerns is the fact that our teenage daughter will soon be a new driver.

At various meetings we have attended, Opus developers stated this entry road would be "halfway between Rosewood and Birch." Upon close examination of the proposed plan, you will see there are 245 feet from the middle of Rosewood to the middle of the golf course entrance road, and only 160 feet from the middle of Birch to the middle of the golf course road (not "halfway", but rather quite a disparity.) Opus developers also stated that "the neighbors" have expressed approval of their revised proposal. We believe this is primarily a group of residents who live on Rosewood who are relieved that the Stratford building has been moved out of their sight. These neighbors do not speak for all the neighbors.

We have previously voiced our concern in several ways. We attended the informational meetings held in February by Opus for surrounding neighbors. Our concern was clearly voiced, but nothing in the proposal was changed re: this entrance road. We also wrote and mailed a letter on March 28, 2008 (4 days prior to their meeting) to each individual on the P.V. Planning Commission, but did not receive any response from any of them. We attended the Planning Commission meeting on 4/1/08 and heard Paul Plotas with Transystems report to the commission that "the ideal is to have the entry road align with Rosewood to create one 4-way intersection instead of the proposed three T-intersections." He further stated, as currently proposed, there would be "more opportunity for congestion and more opportunity for people to have problems" along Somerset. We sent Mr. Plotas 2 subsequent emails (on 4/2/08 & 5/2/08) to request further thoughts from his traffic studies, but unfortunately have never received a response from him either. In spite of these concerns, Opus developers changed nothing re: the proposed Meadowbrook entrance road, nor did anyone on the Planning Commission ask them to. It appeared to us at the 4/1/08 Planning Commission meeting that the only issues of contention the commissioners requested Opus address were related to the Stratford building along Nall.

In attending the 5/6/08 Planning Commission meeting, it became readily apparent that the commission would recommend approving the rezoning proposal, which they did unanimously. It has been quite depressing to put

6/13/2008

forth efforts to express our concern as Prairie Village residents bound to be effected by this redevelopment, but to receive absolutely no feedback from anyone we've contacted. We hope this email is not yet another attempt in vain. Please review these traffic and safety issues critically before approving Opus's proposal.

If you wish to speak with us further, you may contact us by phone at (913)383-2244 or email at thxjeff@sbcglobal.net. We appreciate your time and consideration of this serious matter.

Sincerely,
Geoffrey & JoAnn Westra

Meadowbrook C.C.

From

Carol Pisano
5500 W 92 Place
O. A. No. 66207
913-648-4634

NOTES

Att. Prairie Vlg - Council Members

Since our final get-together is coming up in the near future, I feel the need to speak up just once more.

Mr. David Harrison & Mr. Richard Miller of Opus, would have you (The Council) believe that they have alerted and informed all the people on both sides of Nail just what the plans are new & old ones. This is absolutely NOT True. I have attended every meeting at the Club house & every public meeting at Prairie Vlg Municipal Bldg & have never received any letter from them (Opus or Stratford) with any new information. They would have you think otherwise, but I tell you they are deceptive!

What is beyond my understanding is that Prairie Vlg & O.P. share Nail Ave. I might mention that we gladly gave up some of our ground so that Meadowbrook could have another lane to & from the golf course some years ago. Now is the time to pay back. We share Nail Ave. We are heavily involved in this dispute. We don't want more traffic, we don't want our property reduced in value & we most specially

Do NOT WANT any The accidents
that will occur. Its Time To
include us. We should be duly
considered equally in every way.

Thank you council members
for all your hard work. I
feel sure you will make
the right decision.

Sincerely,

Carol Pisano

The size of Stratford is totally unacceptable.
How can the council even consider a building so
huge in Prairie Village. Please vote no!

If you are concerned about the future direction of our city, make your voice known. Contact your city council member before the meeting on Monday, July 28th.

City Hall Telephone: 913-384-6464
E-mail PVKANSAS.COM

WRONG SHOULD BE 381-6464

Ronald L Shaffer	4011 Homestead Dr 66208	MAYOR 913-831-0907 913-384-0134	rlsarch@aol.com
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COUNCIL MEMBERS

Al Herrera	4113 W 67th St 66208	WARD I 913-432-0271 913-828-4394 (fax)	aherrera@pvkansas.com
Bill Griffith	6812 El Monte 66208	913-677-0698 816-842-1762 913-638-6953 (cell)	bgriffith@sealmaxxofkc.com

David Voysey	5902 W 78th Terr 66208	WARD II 913-381-3747 913-908-7042	davidvoysey@ml.com
Ruth Hopkins	7410 Birch 66208	913-384-0165 816-276-4684 (w)	pvhoppy@aol.com

Michael Kelly	2231 W 72nd Terr 66208	WARD III 913-461-7644	mainsfieldkelly@mac.com
Andrew Wang	7221 Canterbury 66208	913-671-8404 913-341-3100 (w) 913-432-0015 (fax)	awang@kceyeclinic.com pvward3@att.net

Laura Wassmer	8005 Roe Ave 66208	WARD IV 913-648-8379 913-384-8314 (work)	laura.s.wassmer@plazamortgageservices.com
Dale Beckerman	4509 W 82nd St	913-341-0520 816-421-4000 (w)	dalebeckerman@aol.com

David Morrison	9021 Delmar 66207	WARD V 913-649-6592 816-225-4811	dmorrison@pvkansas.com
Charles Clark	8300 Fontana 66207	913-341-1109	chasc@list-clark.com

David Belz	7818 Pawnee 66208	WARD VI 913-648-2459 913-515-5861 (c)	dbelz@kc.rr.com
Diana Ewy Sharp	7815 Mohawk	913-383-2291	dianael242@aol.com

* This message was paid for by the Meadowbrook Neighborhood Alliance in conjunction with neighborhood association members.

SAVE OUR PRAIRIE VILLAGE GREENSPACE!

NO CITY MONEY OR TAX MONEY TO PAY FOR PRIVATE DEVELOPMENT

On Monday, July 28th at 7:30 pm the Prairie Village City Council will make arguably the most important decision in city history. The rezoning of all 137 acres of Meadowbrook Country Club to allow for mixed-use development (including high rises). Private developers want over \$15 MILLION of city money or tax money with 100% tax abatement to develop Meadowbrook Country Club.

Even though residents elected a new council member who expressed strong reservations about the project by nearly a 2 to 1 margin, the outcome hangs in the balance. Local neighborhood association members gathered enough signatures to require a supermajority of the city council and mayor for the rezoning measure to pass.

Over residents objections, a private developer wants to construct a multi-story 400,000 square foot commercial building **LARGER THAN ARROWHEAD STADIUM** in the middle of a built out residential neighborhood. The \$130 million project, in terms of building size, is larger than Corinth Shopping Center, Prairie Village Shopping Center, and Towne Center **COMBINED!**

Proponents of the plan say their project will save green space by increasing the long term financial stability of the remaining country club. They neglect to point out that the reduced size of the country club/golf course will, over time, make it less attractive to prospective new members and thus less financially viable. The smaller golf course would never be a class "A" course and forever be relegated to class "B" status or less. Meadowbrook previously sold off a portion of the golf course and yet, despite past assurances to the contrary, wants the city to again change the existing zoning regulations to accommodate a private developer. This change virtually assures the eventual loss of all 137 acres of green space and precludes the eventual creation of a city park or public golf course.

The mammoth scale of the project is incongruous with the surrounding residential neighborhood and does not fit in with the traditional character of the "Village".

Prairie Village is landlocked and critically short of open space according to Village Vision. It needs more green space to attract new families. Meadowbrook represents the last and largest tract of undeveloped land inside the I-435 corridor. Countless studies show that green space substantially positively impacts property values of the surrounding neighborhoods. It enables them to hold their value¹.

¹ In a study titled "valuing Open Space: Land Economics and Neighborhood Parks – MIT Thesis," Andrew Miller describes how, with numerous case studies, the value of single-family residential properties surrounding parks increases, over time, at a greater rate than properties not fronting open space.



PLANNING COMMISSION

Council Meeting Date: June 2, 2008

COU2008-36 Consider a Request for Rezoning Meadowbrook Country Club from R-1A Single-Family Residential to MXD Mixed Use District and Approving a Preliminary Development Plan.

RECOMMENDATION

Recommend the Governing Body approve the requested zoning and direct staff to draft the effectuating ordinance and authorize the Mayor to execute.

BACKGROUND

The applicant is proposing a mixed residential project combined with a rebuilding of a Meadowbrook Golf Course, swimming pool, tennis and clubhouse facilities. The existing clubhouse and swimming pool pavilion will be demolished and rebuilt. The swimming pool was recently renovated and a new pavilion will be built in that area. The new clubhouse, however, will be built near the condominiums on the north side of the lake.

The proposed project includes two housing types: condominiums and senior living. The proposed condominiums will be located near the lakes on the interior part of the site on 5.33 acres. There will be 96 units in two five-story buildings. The units will be one to three bedrooms with an average unit size of 1,750 sq. ft. Parking will be provided underground for 162 cars and 30 surface spaces will be provided for visitors, for a total of 192 spaces.

The proposed senior living building (Stratford) will be located at the southwest corner of the site on 8.68 acres. The proposed building will be three and four stories high and contain 232 units which include 172 independent living units; 20 Alzheimer's living units (24 beds) and 40 assisted living units (48 beds). This will be a full service facility with wellness, spa, restaurant and lounge facilities. It will be similar in operation to Claridge Court. Parking will be provided underground for 174 spaces and on the surface for 161 spaces, for a total of 335 spaces. Required parking is 104 spaces for the units plus one space for each employee.

The two residential uses will occupy 14.01 acres. The golf clubhouse and parking will occupy 2.84 acres, including 156 parking spaces. The swimming pool/tennis center, including 77 parking spaces, will occupy 3.80 acres. The gross area of the site is 138.70 acres; after all the developed area is deducted 20.65 acres, the net area of the actual golf course including drainage areas will be 118.05 acres.

Since this is the first application for MXD District, the Purpose and Intent of the District has been restated and is as follows:

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

The applicant held two public information meetings on February 21st and 26th. Approximately 30 people attended the first meeting and 60 at the second meeting. Many of the questions asked were not related to zoning issues, but several were. The questions that are of concern to the rezoning application relate to traffic, access to Nall Avenue, access south to 94th Terrace, off-street parking, greenspace, setbacks, sewer service, location, height, and size of the Stratford building, design of the Stratford building, and project financing. The applicant responded to these questions as noted in the detailed meeting memorandums and for the most part satisfied the Prairie Village residents in attendance. Several of the items are addressed in more detail in the associated staff reports.

At its regular meeting on April 1, 2008, the Planning Commission opened the public hearing on the Meadowbrook project and listened to many comments both pro and con regarding the proposal. At the conclusion of the public comments, the Planning Commission discussed the proposal at length and moved to continue the application to the May 6, 2008 Planning Commission Meeting in order for the applicant to address several concerns which are as follows:

- A. Setback of the building along Nall;
- B. Parking;
- C. Elevation & Grading;
- D. Safe access to and from the drives for emergency vehicles and residents;
- E. Photo simulations demonstrating the design of the building;
- F. Elevation with the street showing the street contour relationship to the building;
- G. Outline of the deed restrictions - concept; and
- H. If project not MXD now, is there some way to keep option open to future integration and development; to the south along the edge of the property.

The applicant addressed each of these issues at the May 6, 2008 Planning Commission meeting and the public had an opportunity to respond to their presentation.

Prior to making its recommendation, the Planning Commission is required make findings of fact based on the "Golden Factors" which are listed as follows:

1. The character of the neighborhood;

2. The zoning and uses of property nearby;
3. The suitability of the property for the uses to which it has been restricted under its existing zoning;
4. The extent that a change will detrimentally affect neighboring property;
5. The length of time of any vacancy of the property;
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;
7. City staff recommendations; and
8. Conformance with the Comprehensive Plan.

The Commission felt the following "Golden Factors" were relevant to this rezoning. They consider this a 138 acre tract of which 13 acres will be intensely developed leaving the majority of the site as open space. The character of the neighborhood will largely remain low-density residential. The impact of the majority of the development is at the southwest corner of the 138 acres adjacent to office development, a church and single family across Nall. The larger portion of the site will remain low-density open space within the character of the neighborhood.

Regarding the zoning and uses of property nearby, they noted the property to the south is CP-1 which is a planned commercial district. Putting a multi-family residential development next to offices is an accepted type of land use. They stressed the need to keep in focus that the rezoning is about the entire area, not simply the southwest corner. When talking about the zoning of nearby property in view of the entire site, the proposal is an appropriate land use. The relative gain to the public is the retention of the open space.

Regarding conformance to the Comprehensive plan, the Commission noted that Meadowbrook as being totally redeveloped. It was about keeping the golf course along with viable redevelopment. The Commission created a zoning district that was broad enough to allow flexibility to consider several options to be considered based on a specific development plan. This is not a perfect rezoning for "MXD", as envisioned by the ordinance; but this is a real application on a real site to keep the country club and golf course, encourage redevelopment, and add different housing options within the City, increasing property values. Village Vision does not encourage Prairie Village to stay exactly as it is and not do anything different. The City needs to expand its horizons and opportunities. Village Vision did envision the total redevelopment of the area. The proposed development has maintained a considerable amount of green space while introducing greater density into Prairie Village which is part of the Village Vision.

Bob Lindeblad moved the Planning Commission find favorably on several of the Golden Factors as stated above and recommends the rezoning of PC2008-03 from R-1a to MXD at 91st & Nall and approval of the preliminary development plan with the following conditions:

1. The applicant submits an outdoor lighting plan in accordance with the outdoor lighting regulations with the final development plan.
2. The applicant submits detailed plans for the monument sign façades with the final development plan.
3. The applicant obtains approval from the City of Prairie Village Public Works Department and the

City of Overland Park for the Stormwater Management Plan prior to submitting the final development plan.

4. The applicant submits a copy of the final covenant documents preserving the open space and guaranteeing maintenance of improvements with the final development plan.
5. The applicant submits a detailed landscape plan with the final development plan for review and approval by the Planning Commission and Tree Board.
6. The applicant provides better pedestrian access to the commercial area to the south.
7. The golf course entrance road is a private street.
8. The split rail fence along Nall Avenue is relocated so that it does not cause sight problems for traffic exiting on Nall Avenue.
9. The applicant meet with emergency service providers to be sure that the golf course entrance road is adequate to accommodate emergency vehicles.

The motion was seconded by Marlene Nagel and passed by a vote of 5 to 0 with Ken Vaughn abstaining since he was not present for the initial public hearing on April 1, 2008.

If the Council approves the rezoning and preliminary development plan, Staff recommends a 10th condition be added as follows:

10. The applicant shall file a final Development Plan within 18 months of the approval of the Preliminary Development Plan and the ordinance approving the rezoning and Preliminary Development Plan shall not be published until such time as the Final Development Plan is approved.

A valid protest petition has been submitted that includes approximately 39% of the area within 200 feet of this site. Since the protest area is more than 20%, it requires a ¾ vote of the Governing Body (City Council and Mayor) to approve the application, and that is 10 votes.

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 10 favorable votes, or
- B. Override the recommendation of the Planning Commission by a 2/3 vote of the Governing Body (9 votes), and deny the rezoning and Preliminary Development Plan, or
- C. Return the recommendation to the Planning Commission by a simple majority vote with a statement specifying the basis for the City Council's failure to approve or disapprove the recommendation.
- D. Continue the item to a designated meeting by a simple majority.

ATTACHMENTS

Planning Commission Minutes - April & May, 2008

Application & Preliminary Plans

Protest Petition Memo and attachments

**PLANNING COMMISSION MINUTES
MEETING OF MAY 6, 2008**

PUBLIC HEARINGS - 7:00 p.m. - Continued

PC2008-03

**Request for Rezoning from R-1a (Single Family Residential)
To MXD (Mixed Use District) Meadowbrook Country Club
Property at 91st & Nall
Applicant: OPUS, NWR, LLC**

Chairman Ken Vaughn reviewed the rules of procedure for the continuation of this public hearing. He stated at its regular meeting on April 1, 2008, the Planning Commission opened the public hearing on the Meadowbrook project and listened to many comments both pro and con regarding the proposal. At the conclusion of the public comment portion, the Planning Commission discussed the proposal at length and moved to continue it to the May 6, 2008 Planning Commission Meeting in order for the applicant to address the following concerns:

- **Setback of the building along Nall**
- **Parking**
- **Elevation & Grading**
- **Safe access to and from the drives for emergency vehicles and residents**
- **Photo simulations demonstrating the design of the building**
- **Elevation with the street showing the street contour relationship to the building.**
- **Outline of the deed restrictions - concept**
- **If the project is not MXD now, is there some way to keep the option open to future integration and development to the south along the edge of the property**

Chairman Ken Vaughn had appointed Randy Kronblad and Bob Lindeblad to meet with the staff and applicant to address the list of issues.

Public comment will be limited to those items setout above.

David Harrison, General Manager with OPUS, NW, 4407 West 92nd Terrace, expressed appreciation for all those involved in this project. He stated as a collaborative effort, the project being presented is better than previous submittals.

Judd Claussen, with Phelps Engineering, presented the changes made to address the concerns identified on April 1st.

Setback of the Building along Nall

On the original plan the parking was setback 15' from the right-of-way line of Nall Avenue. which is the minimum required by ordinance. The comments were that 15' did not provide enough area for landscaping and screening to break up the large façade of the building and the 15' green space was not in scale with the size of the building. The revised plan has moved the building east an additional 10' to increase the landscape area along Nall Avenue to 25'. Along with this change, additional trees have been added at three locations.

Parking

This issue involved several questions. Is too much parking being provided, is too little being provided and how can the large paved areas be softened with plant

materials? The applicant has slightly reduced the number of spaces being provided for Stratford from 349 to 335 and 174 of the spaces are still covered. The reduction is in the surface parking which reduces the amount of paved area. The applicant is providing more parking than required by city ordinance and is basing their parking on the experience of their facilities. There is a similar facility in Prairie Village that has provided parking at a much lower ratio per dwelling unit and parking is a problem. A second issue was a concern that the large paved area needed to be broken up with landscaping. The applicant has provided several bump outs in the parking lot that will contain trees. This should help alleviate this concern. Also the additional 10' provided along Nall Avenue will allow more flexibility in the preparation of the landscape plan.

The applicant has provided two spaces per dwelling unit for the 96 condominiums as required by ordinance. Visitor parking will need to be identified and designed as accessible spaces.

Elevation & Grading

Mr. Claussen reviewed the preliminary grading plan that illustrates how the building will actually set on the ground. At the south end of the building, the 2nd Floor elevation will be 980 which is below the 987.8 elevation of Nall Avenue. That means that a retaining wall will be constructed in the southwest corner of the site to preserve the trees and stabilize the bank. The existing grade where the building will be placed in this area is 976.3 feet which means that the site will need to be filled at this location. At the north end of the building the existing grade is elevation 960 while the elevation of Nall Avenue is 970. There will be a need for significant fill in this area and the parking lot will actually be higher than Nall Avenue in this area. The applicant has proposed a 3.5' screening wall at this location to screen the headlights from the properties on the west side of Nall. It should be noted that the grading is difficult because Nall Avenue slopes from south to north and the site drops off rapidly from Nall Avenue to the east.

Safe access to and from the Drives for Emergency Vehicles and Residents

Mr. Claussen noted concern was expressed about the sight distance at the 92nd Place entrance. The applicant has redesigned the entrance raising the elevation of the drive and increasing the sight distance so that it meets the AASHTO standards.

They have also redesigned the 92nd Terrace entrance so that it is the primary entrance and exit for residents and delivery vehicles. The redesign improves the turning radii and makes the access much easier. The sight distance is significantly better at this location so it will likely accommodate most of the traffic entering and leaving the site. All the internal roads have been redesigned so that they can accommodate fire trucks.

A question was also raised regarding the number of emergency calls that would be generated by this type of use. Consolidated Fire District No. 2 had 104 calls and the Prairie Village Police Department had 22 calls in 2007 to a similar residential project in Prairie Village. That project is about 40% smaller than this one so the pro-ration would be 166 Fire calls and 35 Police calls. That would average about 4 calls per week.

Photo Simulations Demonstrating the Design of the Building

Steve Armstrong with Stratford reviewed the changes to the Stratford site noting the relocation of the main entrance to the facility to the north entrance at 92nd Terrace allowing for greater site distance, the introduction of additional green space and landscape to buffer the appearance of the building from the street. The south entrance will be used primarily for visitors and emergency vehicles, service trucks, employees and residents will use the north entrance. The 3.5' screening wall will screen cars in the parking area and prevent headlights from shining into the residents properties across the street. Mr. Armstrong stated they have also attempted to soften the exterior appearance of the building and called upon Dan Rosenthal, architect for Stratford with Lawrence Architects to review those changes with the photo simulations provided.

Mr. Rosenthal noted photo simulations were made from four different locations identified on the site plan submitted.

- Location A is a view looking southeast towards the northwest corner of Stratford
- Location B is a view looking southeast towards the entry of Stratford.
- Location C is a view from the United Presbyterian Church exit drive looking northeast towards the southwest corner of Stratford
- Location D is a view from 92nd Place looking east towards Stratford front entrance.

Mr. Rosenthal noted among the architectural features used to break-up the mass of the building is the use of a horizontal stone base element with brick in the middle and stucco surface on the upper part of the building. Corner and bay windows are used to provide variations in depth in the façade.

Due to the change in grade and elevation at the southwest corner the view from the street only shows two stories as Nall is five to six feet higher. The final photo simulation was created to reflect the variations in the roof height.

Elevation with the Street Showing the Street Contour Relationship to the Building

The applicant has prepared a drawing "west elevation with landscaping" that illustrate the grade of Nall Avenue as it relates to the height of the building. It does clearly show the difference in height between the north and south ends of the building as Nall Avenue slopes from south to north.

David Harrison presented a slide showing the evolution of the project from a seven story building on five acres in October, 2007; to the five story building on the northwest corner of Nall and Somerset presented in February, 2008; to the current proposal of a three-four story building in the southwest corner of the site. He noted this is a completely different project located on a lot more land

Outline of Deed Restrictions

David Harrison stated one of his concerns is the limitation of future development of the property. The entire tract of land will be rezoned and it is their intent to retain the green space and the golf course.

They have submitted a concise outline of how they envision the deed restrictions will be written regarding the preservation and maintenance of the open space. The City

has complete control of the open space through its zoning regulations so no additional development could occur without a public hearing and due process in the zoning regulations

If the project is not MXD now, is there some way to keep option open to future integration and development to the south along the edge of the property.

David Harrison noted because of the retention of the golf course connectivity is very restricted for this project. There is connectivity within the project, but public sidewalks can not be place on a private golf club. The sidewalk along Nall Avenue provides minimal connectivity. However, Mr. Harrison stated as the market allows and the City desires, he feels this project will lead to revitalization of the shops along 95th Street. The economics will be in place for this to occur.

Bob Lindeblad asked the applicant to review the roofline from photo simulation. Mr. Rosenthal reviewed the plans noting the different ridges and eaves in the designed into the building. The roof line will not project as a solid straight line.

Marlene Nagel confirmed the sidewalk along Nall Avenue remained in the plans.

Chairman Ken Vaughn opened the public hearing to comments and discussions from those present.

Jim Cook, 4806 Somerset, a Prairie Village resident and member of Meadowbrook noted the number of meetings that have been held on this project. He stated the club has attempted to be a good neighbor and thanked the developer, the neighborhood and city for their continued dialogue to create this improved project.

Doug Brown, representing the Bel-Aire Heights Homes Association of 367 households, reported a survey of their members reflected 97% of the responding members opposed to the proposed development. The common reasons for opposition were 1) traffic safety, 2) impact of the Stratford on residents' view, 3) negative impact on property values, 4) safety of the residents of the senior living center. He stated they would like to see the entrance off 94th Terrace instead of Nall because of the traffic signal. Mr. Brown stated they had requested information from the developer, but they never received any response. He asked in the spirit of being good neighbors that the Commission consider the questions and concerns of Overland Park residents so strongly impacted by the proposed project.

Doug Patterson, 4630 West 131st Street, addressed the Commission representing the Meadowbrook Neighborhood Alliance, a group of commercial property owners. He stated the group understands the issues with the golf course and the need to redevelop Meadowbrook. However, they are opposed to any development that has the appearance of spot zoning, piecemeal or cherry picking development which does not relate to good public policy decisions. The proposed development is the most intense development in all of Johnson County. It attempts to fit 11.3 acres under one roof into an area of 8.4 acres such as the Stratford building. Mr. Patterson stated the proposed development does not fit under any zoning classification of the City.

This could be built under a Special Use Permit, but that would not allow any buildings over 35' in height. To comply with the city's 30% lot coverage requirement the

proposed building would need to be on 44 acres of land. The residential zoning regulations would require a 30' front setback. The proposed plan has a 25' front setback and 15' side yard setback.

The Stratford building is the equivalent of 10.5 football fields with a floor area ratio of the residence portion only is 114% if the parking lot was considered in the calculation, the ratio would be 128%. Mr. Patterson noted by comparison the floor area ratio for Town Center Plaza in Leawood is 27%, Corporate Woods in Overland is 28.3% and the Sprint campus is 48%. The only structure with a similar ratio is Arrowhead stadium.

The Stratford Building exceeds the largest office building in Corporate Woods by 160%. It is larger in mass than the Prairie Village & Corinth Shopping Centers combined. Using good design and planning standards, this building should be located on 45 acres of land, not eight.

The proposed development is inconsistent with the definition of "Mixed Use District". Village Vision identifies this area as the gateway to Prairie Village. It is a highly visible site and that must be planned as a comprehensive community within Prairie Village. Village Vision says it should be a "village within the Village"

Mr. Patterson noted by rezoning the entire property, the feasibility of getting the necessary 20% of surrounding neighborhood signatures for a protest petition nearly impossible. They are rezoning fourteen acres for the development of 11.3 acres and in doing so placing restrictions on all but 9% of the site.

Mixed Use Districts are to be a grouping of uses such as restaurants, shops, homes, offices, etc. MXD mandates a master plan with multiple public and private interconnected uses. This does not exist in the proposed plan. This development is a senior living center and vertically built condominiums surrounded by a private golf course. According to the proposed covenants if the club can not survive, the condominium owners take over ownership of the site are to preserve the green space. They are in control of the site.

This development does not fit any zoning classification. Village Vision has an overlay district imposed over Meadowbrook to ensure development based on community input consistent with the Plan. Rezoning 131 acres out of 145 acre site for the development of 13 acres for 630,000 square 180,000 square feet more than Prairie Village & Corinth Shopping Center combined.

A resident at 5500 West 97th Street stated Prairie Village has been able to maintain its own quality unlike other Johnson County cities. She urges the city preserve this most beautiful walking area. This proposal will not preserve the area. She also expressed concerns with the fast traffic on Nall and safety of senior residents.

David Harrison apologized to Mr. Brown noting he did not receive his request for information. He stated they have been very open to sharing information with residents and would be glad to provide Mr. Brown with information.

Mr. Harrison noted OPUS is one of the top four office/commercial and top five industrial developers in the county. Mr. Patterson compared office and retail FAR to residential. Overland Park will typically have a 21-28% FAR. When they do an office site, their FAR is typically 43 to 44%. Arrowhead stadium takes up the all that ground because of parking. Town Center retail has a low FAR because of the large amount of parking and one-story buildings.

Claridge Court is 257,000 square feet on about 4.7 acres. If you add the apartments next to it, you are at a density similar to what is being proposed. However, it is being surrounded with 131 acres of green space.

You can not compare FAR on retail/commercial sites with residential sites. These are totally differ uses. Because much of there parking is underground, it does not take up a lot a green space and gives them exponentially low parking ratio. He stated the proposed development has the lowest potential for traffic impact use possible. Mr. Harrison stated the rezoning of the entire area is being down at the request of the neighbors and the City.

Chairman Ken Vaughn advised those present that the Planning Commission's actions would be a recommendation to the City Council who has the ultimate authority in granting the rezoning.

With no one else wishing to address the Commission, the public hearing was closed at 8:25 p.m.

Ron Williamson stated the applicant has addressed the eight issues raised by the Commission at its April 1st meeting. Mr. Williamson noted #7 on the list of conditions to widen the sidewalk has been addressed by the revised plan with a 5' sidewalk and two sod grass strips. The Commission must make findings based on the conditions established by ordinance on the rezoning and the preliminary site plan. The Commission's recommendation will then be forwarded to the City Council for action. If approved, the applicant would return to the Commission for Final Development Plan and Preliminary and Final Plat approval.

Bob Lindeblad stated the reason this was continued was that there was enough interest from the Commission to continue evaluating the application if the applicant would look at seven identified concerns of the Commission. He feels those issues have been addressed, particularly how the building fit into the site. The grading plan and photo simulations have demonstrated that although this remains a very large building, the perspective of the building with varying rooflines and architectural features, can fit into this site with the slope of the property without appearing to be a 490,000 square foot building. He likes the change in the primary entrance for safety and the screening of the parking are positive.

Chairman Ken Vaughn led the Commission in review of the Golden Factors.

1. The character of the neighborhood.

The existing neighborhood is characterized by low density single-family development to the east, north and west of the Country Club with office and commercial to the south. The golf course is a large open space that contains a significant amount of

mature trees and water features. There also is a high voltage power transmission line that runs along the north side of the property from the electrical substation on Roe Avenue.

2. The zoning and uses of property nearby.

The application area is zoned R-1A with a Special Use Permit for a country club and is developed as a golf, swimming and tennis country club. The property to the north and east is zoned R-1A and is developed for single-family residences. The area to the south is zoned CP-1 and CP-0 and is developed for office and commercial uses. The area on the west side of Nall is in Overland Park and it is zoned R-1 Single-family and developed for single-family residential and a church.

Randy Kronblad confirmed if the rezoning were approved, the existing Special Use Permit for the country club would be superseded by the Rezoning.

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

The property currently has an approved special use permit for a country club which includes golf, swimming, tennis and support facilities. The property works well as a country club, but maintaining membership is always difficult as courses and population age. The clubhouse is over 30 years old and needs either major renovation or reconstruction. Sewer is available for this low intensity development but capacity is not available for complete development of the site. The existing use is a low intensity use that provides a large green space for the community and is a real asset. The durability of the existing use, the country club, is of concern.

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

The project will generate additional traffic on both Somerset Drive and Nall Avenue, but the street network has adequate capacity to accommodate it. The realignment of the main entrance east of Rosewood Drive will eliminate traffic driving north on Rosewood Drive, which was an objection of the neighbors. The applicant also has agreed to widen Somerset Drive at the intersection with Nall Avenue to improve traffic movement.

The question that is still raised by the neighbors is the height and size of the Stratford Senior Living Building. At its closest point the building sets back approximately 87 feet from the Nall Avenue right-of-way. The height and mass of this building versus open space preservation is one of the main issues that the Planning Commission will need to address. It was mentioned several times that the building should be located more interior on the site. Since it will be occupied by elderly people, the number of emergency calls will be greater and accessibility is more critical therefore a location near the major streets is important.

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

The property is currently occupied by a country club, is not currently vacant and has not been vacant for over 30 years.

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

The approval of this development plan will provide a variety of housing choices to the residents of Prairie Village. The City is built out and there is very little opportunity to bring new housing to the market place. This project will not remove any existing homes from the inventory or cause any relocation. The hardship on neighboring landowners should be minimized through good planning, design and construction. The approval of this project will also provide for preservation of the golf course as open space for the future.

7. City Staff Recommendations.

The Preliminary Development Plan as submitted is a result of an analysis of the site and the potential market for residential development in Prairie Village. Several different plans have been prepared and this Plan has evolved over several months from that process. Staff has reviewed the Preliminary Development Plan and although there are some issues that still need to be addressed, it is Staff's opinion that the Plan is a workable one in that it provides higher intensity development as recommended in the Village Vision and it permanently preserves the open space of the golf course which has been a great concern to the community. The issues that still need to be addressed are as follows:

- a. The applicant will need to submit a preliminary outdoor lighting plan that is in accordance with the outdoor lighting regulations in the Zoning Ordinance.
- b. Signage has not been completely addressed for the project and detailed plans will need to be submitted for Planning Commission approval. The location of monument signs is shown on the Preliminary Development Plan, but the design of the signs depicting the materials and text will need to be completed and submitted for approval which can occur at the approval of the final plan.
- c. A Stormwater Water Management Plan has been prepared and since this site drains directly into the City of Overland Park, it is being coordinated with the City of Overland Park. Prior to consideration of the preliminary plat or final development plan, the Stormwater Management Plan must be approved by the Prairie Village Public Works Department with concurrence of the City of Overland Park.
- d. The applicant needs to submit a copy of the final covenant documents to the City for comment prior to submitting the final development plan. The covenants need to specifically address the maintenance of the common areas and the preservation of the open space. A question was raised by the Planning Commission whether the open space preservation should have a termination at perhaps 25 years or whether it should be forever. This needs further discussion by the Commission.
- e. The landscape plan is conceptual, which is adequate for this level of review, but a detailed Landscape Plan will need to be prepared and

submitted with the final plan for review and approval of the Planning Commission and Tree Board.

- f. The City of Overland Park Planning Staff has reviewed the plans and has several comments for consideration:

Screening: Consider reducing the amount of parking along Nall Avenue and provide a larger buffer area where additional plantings could be added. Stratford is providing nearly 1.5 spaces per dwelling unit which may be more than necessary.

Drainage: A recently completed Indian Creek Watershed Study shows that 50 or more residential structures immediately downstream are subject to flooding. (This is addressed in paragraph c above.) This stresses the importance of the necessity of a stormwater management plan.

Traffic: The concern is the site distance from the driveway opposite 92nd Place for left hand turns. It was pointed out that the driveway location only allows for 380 feet of sight distance to the south when the standard is 455 feet. The traffic study submitted by the applicant indicates that the sight distance to the south from the south driveway is 460 feet, and the required site distance is 416 feet. The City's Traffic Engineer has reviewed the Traffic Study and concurs with the applicant that the sight distance is adequate.

- g. Parking areas - The parking lot at Stratford is approximately 575 feet long running parallel to Nall Avenue with no landscaping to break it up. The sidewalk adjacent to the parking lot curb should be wider. The five-foot width will be reduced to three feet because of vehicle overhang which is not adequate. It should be widened at least an additional two feet. It should also be noted that the off-street parking for the condominiums is less than required by the ordinance. Also ADA parking spaces need to be identified on the plans.
- h. Golf Course Entrance Road - The golf course entrance road is approximately 1,200 feet in length from Somerset to the cul-de-sac. The subdivision regulations recommend that cul-de-sacs generally not exceed 500 feet. Since the applicant will be requesting incentives which will limit the tax revenue generated by this development, it is suggested that this road remain private and be maintained by the Homes Association. The width of this road may not be adequate to accommodate fire trucks and other emergency vehicles.
- i. Access drives to Nall Avenue - The access drives to Nall Avenue are not adequate to accommodate emergency and delivery trucks. These need to be redesigned to accommodate trucks. Also the driveway around the building will need to be redesigned with turnarounds on the east side. Emergency vehicles will not be able to pass through the covered service area.

Ron Williamson noted the applicant has addressed many of these issues in the revised submittal. Those issues still remaining have been placed as conditions for approval in the staff recommendation.

8. Conformance with the Comprehensive Plan

The Village Vision specifically addressed the redevelopment of the Meadowbrook Country Club. The recommendation was to develop a planned neighborhood with a mix of residential uses, open space and higher density. The items mentioned are as follows:

- Encourage potential developers to obtain community input. The developer has met with the Meadowbrook Country Club members numerous times to develop a concept plan. The developers have taken that plan to the neighbors for their comments and input. Meetings were held on February 21st and 26th. The Village Vision, however, outlined a more inclusive process for the citizen by which was more active than reactive.
- Allocate a portion of the site for public recreation/green space. The proposed development will occupy only 13.73 acres which will leave 124.97 acres for recreation/green space, which will be permanently preserved for green space through covenants.
- Assure Connectivity - Village Vision encourages both vehicular and pedestrian connectivity to be included in the redevelopment plan. There is neither vehicular or pedestrian connectivity between the proposed residential uses and they have not been integrated into Meadowbrook Village Center. There is a five-foot sidewalk along the west side of the golf course entrance road that connects the condominiums, club house, and pool/tennis area. There is a sidewalk proposed along the east side of Nall Avenue, but a pedestrian connection needs to be made from the building to the southwest corner of the site. The condominiums have no pedestrian connectivity to the commercial areas to the south.
- Neo Traditional Neighborhood Design - The Village Vision identified this as an opportunity for a new neighborhood center with amenities such as open space that cannot be provided in other locations. It would be more of a new community with mixed use integrated rather than an assembly of different residential uses. It should be pointed out, however, that the Village Vision anticipated redevelopment of the entire county club and not just a small part.

Nancy Vennard is still concerned about the issue of connectivity. This is unique situation with the golf course restricting connectivity. This is a private area and connectivity with this plan is limited. Ken Vaughn noted a sidewalk along Nall has been gained. Mrs. Vennard noted the residents of the Stratford will need steps at the southwest corner to access the sidewalk without having to walk around the retaining wall.

Bob Lindeblad stated he felt the following "Golden Factors" relevant to this rezoning.

He considers this a 138 acre tract of which 13 acres will be intensely developed leaving the majority of the site as open space. The character of the neighborhood is largely going to remain low-density residential. The impact of the majority of the development is at the southwest corner of the 138 acres adjacent to office development, a church and single family across Nall. The larger portion of the site will remain low-density open space within the character of the neighborhood. Regarding the zoning, he noted the property to the south is CP-1 which is a planned commercial district. Putting a multi-family residential development next to offices is an accepted type of land use. He stressed the need to keep in focus that the rezoning is about the entire area, not simply the southwest corner. When talking about the zoning of nearby property in view of the entire site is an appropriate land use. The relative gain to the public is the retention of the open space. Regarding conformance to the Comprehensive plan, Mr. Lindeblad noted the plan had Meadowbrook as being totally redeveloped. This application is about keeping the golf course along with viable redevelopment. The Commission created a zoning district that was broad enough to allow flexibility to consider several options to be considered based on a specific development plan. This is not a perfect rezoning for "MXD", as envisioned by the ordinance; but this is a real application on a real site to keep the country club, encourage redevelopment and add different housing options within the City increasing property values. Village Vision does not encourage Prairie Village to stay exactly as it is and not do anything different. We need to expand horizons and opportunities.

Randy Kronblad agreed that Village Vision comments regarding Meadowbrook did envision the total redevelopment of the area. The proposed development has maintained a considerable amount of green space while introducing greater density into Prairie Village which is part of the Village Vision. He commended the developers for the strides that have been made since the first submittal and feels the revised proposal merits moving forward.

Bob Lindeblad moved the Planning Commission finding favorably on several of the Golden Factors as stated above and recommend the rezoning of PC2008-03 from R-1a to MXD at 91st & Nall and the approval of the preliminary development plan with the following conditions:

1. The applicant submit an outdoor lighting plan in accordance with the outdoor lighting regulations with the final development plan.
2. The applicant submit detailed plans for the monument sign façades with the final development plan.
3. The applicant obtain approval from the City of Prairie Village Public Works Department and the City of Overland Park for the Stormwater Management Plan prior to submitting the final development plan.
4. The applicant submit a copy of the final covenant documents preserving the open space and guaranteeing maintenance of improvements with the final development plan.
5. The applicant submit a detailed landscape plan with the final development plan for review and approval by the Planning Commission and Tree Board.
6. The applicant provide better pedestrian access to the commercial area to the south.
7. The golf course entrance road be a private street.

8. The split rail fence along Nall Avenue be relocated so that it does not cause sight problems for traffic exiting on Nall Avenue.
9. The applicant meet with emergency service providers to be sure that the golf course entrance road is adequate to accommodate emergency vehicles.

The motion was seconded by Marlene Nagel.

Bob Lindeblad addressed the Overland Park residents adjacent to this development stating the Commission is attempting to ensure their homes will continue to be across from a first-class country club with quality redevelopment while creating a minimal increase in traffic. He feels this will have long-term positive impact for them.

The motion was voted on and passed by a vote of 5 to 0 with Ken Vaughn abstaining since he was not present for the initial public hearing.

**PLANNING COMMISSION MINUTES
MEETING OF APRIL 1, 2008**

Vice-Chairman Bob Lindeblad announced the public hearing for PC2008-03 requested rezoning is scheduled for 8 p.m. and with no further business to consider recessed the Commission meeting until 8 p.m.

Bob Lindeblad reconvened the Planning Commission meeting at 8 p.m.

PUBLIC HEARINGS - 8:00 p.m.

**PC2008-03 Request for Rezoning from R-1a (Single Family Residential)
To MXD (Mixed Use District) Meadowbrook Country Club
Property at 91st & Nall**

Bob Lindeblad reviewed the procedures that would be followed during the Public Hearing and consideration by the Planning Commission. He reminded Commission members to speak into their microphones so all present can hear their comments.

Rich Muller, 8600 Mohawk Road, Leawood, addressed the Commission on behalf of the applicant, OPUS Northwest. He reviewed the original proposal and summarized the concerns that were addressed. The new proposal addresses the concerns expressed by the residents and staff regarding their previous application as follows:

- The Stratford Senior Living building has been relocated to the southwest corner of the site.
- The Stratford has been reduced in height from a 5 to 6 story building to a 3-story building on the west and 4-stories on the east . However, he noted this resulted in 70% more land taken by this building. This has caused the town homes to be removed from the plan.
- The Stratford building is more residential in character.
- The Condominium buildings have increased from four-stories to five-stories to accommodate penthouse units.
- The entrance road to the golf course and condominiums has been moved further east and is located between Rosewood and Birch.

Mr. Muller reviewed the history of the proposed Stratford which was initially 7-stories or 122' in height; then reduced to 5 to 6-stories and 89' in height; and now proposed at 3 stories, or 46' in height. There are no high-rises being proposed.

The style and character of the Stratford has more of a residential feel. There are two entrances proposed and a service road loops around the building. Half of the parking is located underground in effort to preserve as much green space as possible. The closest point to a residential home is 190' across a four-lane roadway. It is setback slightly more from Nall than the original submittal.

Mr. Muller presented a cross section showing the relationship between a residential property located directly across from the Stratford a distance of approximately 240' and reflecting the front entrance of the house and the Stratford to be approximately 2 feet different in elevation.

Traffic

By no longer consolidating the development into one point of entrance. The traffic on Somerset is essentially cut in half. Their traffic study and that of Overland Park showed traffic volumes on Nall south of the Somerset intersection have been declining with Nall operating below its designed capacity. The proposed development will increase traffic on Nall by approximately three percent and will not adversely affect traffic flow or traffic safety.

One of the issues raised by staff relates to the sight distance from the southern most entrance. Mr. Muller showed a slide reflecting the sight distance study they conducted based on the posted speed of Nall at 35 miles per hour which requires a sight distance of 412 feet. The sight distance provided by their plan is 460 feet. In reviewing this issue, accident reports were pulled for the two entrance locations and found no accidents reported since 2000 at the southern entrance and only three accidents from the other entrance. Mr. Muller noted none of these accidents involved a turning movement.

Mr. Muller reviewed the proposed roadway improvements at Somerset and Nall. They will widen Somerset to the south on Club property to provide wider lanes and additional stacking distance for those turning left onto Nall. They will also be widening the turning radius from northbound Nall to eastbound Somerset. The proposed stacking distance for cars turning left will be increased from 70' to 250'. The entrance to the Club off Somerset is located about half way between Birch and Rosewood. The entrance has one lane in and two lanes out and provides some level of stacking for those people turning into the club. The proposed location will also discourage cut-through traffic on Rosewood to the north, which was a concern of the residents.

GreenSpace

The preservation of greenspace complicates the design of this project, but is critical to success of the project and to the City. One of things they are trying to do in the process is to place a deed restriction over the entire property that basically prohibits future development at this site. This adds stability to the site and another layer of difficulty in the process of changing what happens on this site.

Mr. Muller noted this is very important to the Condo owners, who may have purchased based on the property being surrounded by a golf course. It has been discussed to have these restrictions on into perpetuity. Others have suggested a sunset date. They are open to the concept of a sunset date provided they can include the condo owners association's approval for the changing of the deed restrictions.

The former proposal had a rezoning boundary that included only the land that was being changed. The proposed rezoning is for the entire site. By a planned rezoning of the entire site, everyone surrounding the site has assurance that what is seen on the final development plan is what they will get. If in the future another developer comes along, they will be required to follow the same open public process to make any change. The zoning of the entire site and deed restrictions offer a level of protection and stability to this site.

Mixed Use

Rich Muller feels this is mixed use zoning as it does place emphasis on increased density through vertical integration of uses. Because of the need to maintain greenspace, he feels consideration should also be given to a horizontal mixed of uses at this point. He acknowledged this is primarily a mixed residential development with a substantial recreational use component. He feels what it lacks in commercial and retail uses it makes up for in its close proximity to these uses. If you look at the density of the Stratford, the short distance to the condominium units and the short distance to the commercial/retail development to the south, you have the intent of the MXD zoning by putting these together.

There is a pedestrian connectivity plan with a path between the Stratford and the Condos and to the commercial area to the south by an internal sidewalk along the perimeters. He acknowledged this is not a strong connectivity; however, he sees this development as a first and necessary stage to capturing the rest of the area property and creating a larger overall district of mixed uses. He feels this initial investment will bring enough stability to attract additional investment with the demographics to support additional investment in the 95th & Nall area

Property Values & Village Vision

Mr. Muller feels this proposal addresses two major components of the Village Vision by providing different housing options within the city. It increases housing stock in a landlocked community by providing 96 condominium units, 232 senior living units while freeing up existing single-family homes for young families. This plan will bring a substantial property tax increase to the City without sacrificing 136 acres of green space. He feels the quality of the project will attract notoriety, visitors and investment by others. This development will serve as a catalyst for future development at 95th & Nall.

Mr. Muller stated he felt the time is right for this development which will also support the existing business that employs residents of the city. He stated some type of development will happen on this site. The Club has actively pursued solutions that would allow it to remain.

In closing, Rich Muller stated this project will preserve property values, add housing stock options, address declining school enrollment and increase the city's tax base. Stratford feels there is a strong market for their housing product. This is a unique opportunity for a unique in-fill site. Mr. Muller noted they had read the staff report and agree with all the stipulations recommended by Mr. Williamson with the exception of #8 which they would like to discuss.

Nancy Vennard stated the number of parking spaces is confusing and asked for clarification. The plans show 174 underground parking spaces and 175 surface parking spaces for a total of 349. The required parking by City regulations is 104 spaces plus 1 space per employee. She feels there is a large amount of surface parking provided and questioned if it was needed.

Steve Armstrong, Chief Construction Officer for the Stratford companies, replied they have established specific parking requirements for their developments. He noted this is an active independent senior living center and most couples move into the center with two vehicles. They allow one covered space and one surface space per apartment. They also need to provide for staff and visitors. One of the concerns raised by residents

was overflow parking in the streets. They want to make sure all parking is self-contained on site and properly screened and landscaped.

Mrs. Vennard responded they are providing almost twice the required number of spaces. Mr. Armstrong replied it is a significant number, but when you consider the 172 apartments and 60 assisted living units with a maximum shift size of 50 personnel, they feel it is necessary. Again noting this is independent living and initially the residents retain their cars, although later on this may change. They do not want to give up their mobility. They have found it very important to provide sufficient on-site parking.

Nancy Vennard noted the parking surface does not provide any additional greenspace than the minimum 15' required. She asked if the project could be moved to the east ten feet to provide more landscaping. She noted an 87' setback is not that great of the distance. Mr. Armstrong replied there may be some ways they could screen or add landscaped islands. They are willing to work with the City to minimize the impact of the surface parking.

Rich Horn, with Stratford, added in the southwest corner of the site they moved the parking area back to preserve the existing mature trees.

Robb McKim stated it appears that the grade on the upper end of the project is 36' higher than the grade below that and it appears that soil is being added raising the elevation to create one continuous first floor elevation. Mr. Muller stated this was correct. Mr. Armstrong added the natural grade from the southwest corner, which is the highest grade on the site, drops 20' as it goes to the east. Mr. McKim stated he was referencing a 36' drop from the south to the north.

Mr. McKim asked for the natural grade at ground level from the south to the north of the proposed building. It appears from the west elevation that a base is being constructed on which to set the building in order to create one continuous floor elevation.

Mr. Armstrong responded they are actually cutting into the slope in order to maintain the corner where the mature trees are located. A drive comes around and there will be a retaining wall so they can protect the elevation. The main entry level is at elevation 980.

Bob Lindeblad stated one of his concerns is that it is a level building, while Nall slopes. Is the parking going to be as flat as the first floor of the building or is the parking going to rise equal to Nall, below Nall, etc.

Mr. McKim reference sheet A21 showing the west elevation. He stated his question relates to the north end of the building and whether the north end of the building is rising above the natural or existing grade.

Harold Phelps, Phelp Engineering, stated looking at sheet C5 which shows the contours, the entry point is about elevation 976, while the point at the northwest corner of the building is about elevation 962, so there is about a 14 feet fall from the entry of the building to the corner. The building will have to come up to keep the floor elevations level. The building will be lower at the southern end of Nall and higher at the northern end. The parking lot grade will have to parallel the building.

Mr. Lindeblad asked if the northern end of the parking surface between 92nd Terrace and 92nd Place would be elevated above the existing Nall grade. Mr. Phelps stated he would expect it to be elevated some. The curb adjacent to the building will be fairly flat. The underground parking will be at different elevations.

Marlene Nagel asked if the pedestrian connection would be available for neighbors in the area to use the walking paths or are they restricted to the occupants of the development. Mr. Muller responded, this being an active golf course, they would be primarily be utilized by the residents with the exception of the public sidewalks fronting the street.

Randy Kronblad asked for more information on emergency and service vehicles coming into the site regarding turning radius etc. The turns off from Nall appear to be very tight.

Harold Phelps responded that one of the things brought up in the traffic study was that a larger radius be used for the main entrance for fire trucks and delivery trucks. They intend to follow the recommendation making it a 40 foot radius. They will also adjust the other entrance.

Bob Lindeblad asked for the square footage of the floor area of the Stratford Building. Mr. Muller responded it is approximately 400,000 square feet.

Mr. Lindeblad stated the City's Traffic Engineer's Report followed guidelines based on a 40 mile per hour speed of traffic and the design requirements for new road construction which requires a sight distance of 470 feet.

Mr. Muller responded they feel the 35 mph base is more appropriate based on the low volume and the low traffic accident data for the area. Mr. Lindeblad noted the City of Overland Park does not feel the sight distance is sufficient and voiced serious concerns with the access off Nall. Mr. Muller stated there may be things that could be done with the entrance to address those concerns.

Norm Bowers, Traffic Engineer for the applicant, noted based on the accident data they received, they felt the 35 mph base was appropriate. He noted using 40 mph base only adds 15 more feet of distance to that being proposed. He feels the higher standard is too strict. The real issue is where **the left** turn out only crosses two lanes of traffic.

Marc Russell asked the applicant's concerns with the 8th stipulation listed in the staff report. Rich Muller stated the entrance road from the beginning has been proposed as a public street and this is the first they've heard of making it a private street. They would like to have the opportunity to discuss this further with staff. He feels the underlying philosophy in determining such is emergency vehicle traffic. This is a single purpose road, it can not be used as a drive through roadway and has been designed to accommodate emergency vehicles.

Marlene Nagel noted the City's traffic study recommends the entrance road align with Rosewood. Rich Muller responded two issues caused the relocation of the entrance point: the first being the concerns of the neighboring residents that by relocating it, drive through traffic would increase on Rosewood. The second reason for the move is it was necessary for the redesign of the golf course.

Bob Lindeblad called upon Ron Williamson, City Planning Consultant for his review of the project and comments. The staff report prepared by Mr. Williamson follows:

At its regular meeting on November 6, 2007, the Planning Commission concluded its public hearing on the previous application and unanimously recommended to the City Council that the zoning and preliminary plan be denied primarily because the proposed six story building at the intersection of Nall Avenue and Somerset was out of character with the surrounding single-family neighborhood and the Commission did not feel that the proposal was consistent with the intent of Village Vision. The applicant withdrew the application after the meeting and did not present it to the City Council.

The applicant has revised the plan and submitted a new application for consideration by the Planning Commission and City Council. The major changes are as follows:

1. The Stratford Senior Living Building has been relocated to the southwest corner of the site. It has been reduced in height from five and six stories to three and four stories. The number of units has increased from 219 to 232 and the footprint of the building has increased in size.
2. The height of the two condominium buildings has increased from four stories to five stories, but the number of units is still 96.
3. The clubhouse has been moved further north away from the edge of the lake.
4. The entrance road to the golf course and condominiums has been moved further east so that it no longer aligns with Rosewood north of Somerset Drive.
5. The nine townhouse units have been deleted from the plan.
6. The application for rezoning includes the entire Meadowbrook Country Club property. Since the condominiums and senior living area are totally separated now, it is more appropriate to include the entire site.
7. The north access from the existing club house to Nall Avenue will be closed and two new access points are planned further south at 92nd Terrace and 92nd Place.
8. The traffic study has been updated and now the traffic that had been assigned to Somerset from Stratford is now assigned to Nall Avenue.

The applicant is proposing a mixed residential project combined with a rebuilding of the Meadow Brook Golf Course, swimming pool, tennis and clubhouse facilities. The existing clubhouse and swimming pool pavilion will be demolished and rebuilt. The swimming pool was recently renovated and a new pavilion will be built in that area. The new clubhouse, however, will be built near the condominiums on the north side of the lake.

The proposed project includes two housing types: condominiums and senior living. The proposed condominiums will be located near the lakes on the interior part of the site on 5.33 acres. There will be 96 units in two five-story buildings. The units will be one to

three bedrooms with an average unit size of 1,750 sq. ft. Parking will be provided underground for 162 cars and 18 surface spaces will be provided for visitors, for a total of 180 spaces. The ordinance requires two spaces per dwelling unit, which is 192 spaces and therefore 12 additional off-street parking spaces will need to be provided.

The proposed senior living building (Stratford) will be located at the southwest corner of the site on 8.40 acres. The proposed building will be three and four stories high and contain 232 units which include 172 independent living units; 20 Alzheimer's living units (24 beds) and 40 assisted living units (48 beds). This will be a full service facility with wellness, spa, restaurant and lounge facilities. It will be similar in operation to Claridge Court. Parking will be provided underground for 174 spaces and surface for 175 spaces will be provided, for a total of 349 spaces. Required parking is 104 spaces for the units plus one space for each employee.

The two residential uses will occupy 13.73 acres. The golf clubhouse and parking will occupy 2.84 acres, including 156 parking spaces. The swimming pool/tennis center, including 77 parking spaces, will occupy 3.80 acres. The net area of the site is 138.70 acres; after all the developed area is deducted, the net area of the actual golf course will be 118.33 acres.

Since this is the first application for this District, it might be appropriate to restate the Purpose and Intent which is as follows:

Purpose and Intent

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

The applicant held two public information meetings on February 21st and 26th. Approximately 30 people attended the first meeting and 60 at the second meeting. Many of the questions asked were not related to zoning issues, but several were. The questions that are of concern to the rezoning application relate to traffic, access to Nall Avenue, access south to 94th Terrace, off-street parking, greenspace, setbacks, sewer service, location, height, and size of the Stratford building, design of the Stratford building, and project financing. The applicant responded to these questions as noted in

the detailed meeting memorandums and for the most part satisfied the residents in attendance. Several of the items are addressed in more detail in this staff report.

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 existing neighborhood is characterized by low density single-family development to the east, north and west of the Country Club with office and commercial to the south. The golf course is a large open space that contains a significant amount of mature trees and water features. There also is a high voltage power transmission line that runs along the north side of the property from the electrical substation on Roe Avenue.

2. The zoning and uses of property nearby.

The application area is zoned R-1A with a Special Use Permit for a country club and is developed as a golf, swimming and tennis country club. The property to the north and east is zoned R-1A and is developed for single-family residences. The area to the south is zoned CP-1 and CP-0 and is developed for office and commercial uses. The area on the west side of Nall is in Overland Park and it is zoned R-1 Single-family and developed for single-family residential and a church.

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

The property currently has an approved special use permit for a country club which includes golf, swimming, tennis and support facilities. The property works well as a country club, but maintaining membership is always difficult as courses and population age. The clubhouse is over 30 years old and needs either major renovation or reconstruction. Sewer is available for this low intensity development but capacity is not available for complete development of the site. The existing use is a low intensity use that provides a large greenspace for the community and is a real asset. The durability of the existing use, the country club, is of concern.

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

The project will generate additional traffic on both Somerset Drive and Nall Avenue, but the street network has adequate capacity to accommodate it. The realignment of the main entrance east of Rosewood Drive will eliminate traffic driving north on Rosewood Drive, which was an objection of the neighbors. The applicant also has agreed to widen Somerset Drive at the intersection with Nall Avenue to improve traffic movement.

The question that is still raised by the neighbors is the height and size of the Stratford Senior Living Building. At its closest point the building sets back approximately 87 feet from the Nall Avenue right-of-way. The height and mass of this building versus open space preservation is one of the main issues that the Planning Commission will need to address. It was mentioned several times that the building should be located more interior on the site. Since it will be occupied by elderly people, the number of emergency calls will be greater and accessibility is more critical therefore a location near the major streets is important.

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

The property is currently occupied by a country club, is not currently vacant and has not been vacant for over 30 years.

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

The approval of this development plan will provide a variety of housing choices to the residents of Prairie Village. The City is built out and there is very little opportunity to bring new housing to the market place. This project will not remove any existing homes from the inventory or cause any relocation. The hardship on neighboring landowners should be minimized through good planning, design and construction. The approval of this project will also provide for preservation of the golf course as open space for the future.

7. City Staff Recommendations.

The Preliminary Development Plan as submitted is a result of an analysis of the site and the potential market for residential development in Prairie Village. Several different plans have been prepared and this Plan has evolved over several months from that process. Staff has reviewed the Preliminary Development Plan and although there are some issues that still need to be addressed, it is Staff's opinion that the Plan is a workable one in that it provides higher intensity development as recommended in the Village Vision and it permanently preserves the open space of the golf course which has been a great concern to the community. The issues that still need to be addressed are as follows:

- a. The applicant will need to submit a preliminary outdoor lighting plan that is in accordance with the outdoor lighting regulations in the Zoning Ordinance.
- b. Signage has not been completely addressed for the project and detailed plans will need to be submitted for Planning Commission approval. The location of monument signs is shown on the Preliminary Development Plan, but the design of the signs depicting the materials and text will need to be completed and submitted for approval which can occur at the approval of the final plan.
- c. A Stormwater Water Management Plan has been prepared and since this site drains directly into the City of Overland Park, it is being coordinated with the City of Overland Park. Prior to consideration of the preliminary plat or final development plan, the Stormwater Management Plan must be approved by the Prairie Village Public Works Department with concurrence of the City of Overland Park.
- d. The applicant needs to submit a copy of the final covenant documents to the City for comment prior to submitting the final development plan. The covenants need to specifically address the maintenance of the common areas and the preservation of the open space. A question was raised by the Planning Commission whether the open space preservation should have a termination at perhaps 25 years or whether it should be forever. This needs further discussion by the Commission.
- e. The landscape plan is conceptual, which is adequate for this level of review, but a detailed Landscape Plan will need to be prepared and submitted with the final plan for review and approval of the Planning Commission and Tree Board.

- f. The City of Overland Park Planning Staff has reviewed the plans and has several comments for consideration:
Screening: Consider reducing the amount of parking along Nall Avenue and provide a larger buffer area where additional plantings could be added. Stratford is providing nearly 1.5 spaces per dwelling unit which may be more than necessary.
Drainage: A recently completed Indian Creek Watershed Study shows that 50 or more residential structures immediately downstream are subject to flooding. (This is addressed in paragraph c above.) This stresses the importance of the necessity of a stormwater management plan.
Traffic: The concern is the site distance from the driveway opposite 92nd Place for left hand turns. It was pointed out that the driveway location only allows for 380 feet of sight distance to the south when the standard is 475 feet. The traffic study submitted by the applicant indicates that the sight distance to the south from the south driveway is 460 feet, and the required site distance is 416 feet. The City's Traffic Engineer has reviewed the Traffic Study and concurs with the applicant that the sight distance is adequate.
- g. Parking areas - The parking lot at Stratford is approximately 575 feet long running parallel to Nall Avenue with no landscaping to break it up. The sidewalk adjacent to the parking lot curb should be wider. The five-foot width will be reduced to three feet because of vehicle overhang which is not adequate. It should be widened at least an additional two feet. It should also be noted that the off-street parking for the condominiums is less than required by the ordinance. Also ADA parking spaces need to be identified on the plans.
- h. Golf Course Entrance Road - The golf course entrance road is approximately 1,200 feet in length from Somerset to the cul-de-sac. The subdivision regulations recommend that cul-de-sacs generally not exceed 500 feet. Since the applicant will be requesting incentives which will limit the tax revenue generated by this development, it is suggested that this road remain private and be maintained by the Homes Association. The width of this road may not be adequate to accommodate fire trucks and other emergency vehicles.
- i. Access drives to Nall Avenue - The access drives to Nall Avenue are not adequate to accommodate emergency and delivery trucks. These need to be redesigned to accommodate trucks. Also the driveway around the building will need to be redesigned with turnarounds on the east side. Emergency vehicles will not be able to pass through the covered service area.

8. Conformance with the Comprehensive Plan

The Village Vision specifically addressed the redevelopment of the Meadowbrook Country Club. The recommendation was to develop a planned neighborhood with a mix of residential uses, open space and higher density. The items mentioned are as follows:

- Encourage potential developers to obtain community input. The developer has met with the Meadowbrook Country Club members numerous times to develop a concept plan. The developers have taken that plan to the neighbors for their comments and input. Meetings were held on February 21st

and 26th. The Village Vision, however, outlined a more inclusive process for the citizen by which was more active than reactive.

- Allocate a portion of the site for public recreation/greenspace. The proposed development will occupy only 13.73 acres which will leave 124.97 acres for recreation/greenspace, which will be permanently preserved for greenspace through covenants.
- Assure Connectivity - Village Vision encourages both vehicular and pedestrian connectivity to be included in the redevelopment plan. There is neither vehicular nor pedestrian connectivity between the proposed residential uses and they have not been integrated into Meadowbrook Village Center. There is a five-foot sidewalk along the west side of the golf course entrance road that connects the condominiums, club house, and pool/tennis area. There is a sidewalk proposed along the east side of Nall Avenue, but a pedestrian connection needs to be made from the building to the southwest corner of the site. The condominiums have no pedestrian connectivity to the commercial areas to the south.
- Neo Traditional Neighborhood Design - The Village Vision identified this as an opportunity for a new neighborhood center with amenities such as open space that cannot be provided in other locations. It would be more of a new community with mixed use integrated rather than an assembly of different residential uses. It should be pointed out, however, that the Village Vision anticipated redevelopment of the entire county club and not just a small part.

RECOMMENDATIONS:

Prior to making its recommendation, the Planning Commission must make findings of fact based on the "golden factors" that have been set out in this staff report. The Planning Commission can recommend approval, approval subject to conditions or denial of the MXD rezoning and the Preliminary Development Plan. If the Planning Commission finds favorably on the findings of fact, it is recommended that it be subject to the following conditions:

1. The applicant submit an outdoor lighting plan in accordance with the outdoor lighting regulations with the final development plan.
2. The applicant submit detailed plans for the monument sign façades with the final development plan.
3. The applicant obtain approval from the City of Prairie Village Public Works Department and the City of Overland Park for the Stormwater Management Plan prior to submitting the final development plan.
4. The applicant submit a copy of proposed covenant documents preserving the open space and guaranteeing maintenance of improvements with the final development plan.
5. The applicant submit a detailed landscape plan with the final development plan for review and approval by the Planning Commission and Tree Board.
6. The applicant provide better pedestrian access to the commercial area to the south.
7. The applicant redesign the parking area at Stratford to incorporate landscaping and widen sidewalks and verify the number of parking spaces meets the ordinance.
8. The golf course entrance road be a private street.

9. The split rail fence along Nall Avenue be relocated so that it does not cause sight problems for traffic exiting on Nall Avenue.
10. The access drives to Nall Avenue and the driveways around the Stratford building be redesigned to accommodate emergency vehicles.
11. The applicant provide additional off-street parking for the condominiums.
12. The applicant meet with emergency service providers to be sure that the golf course entrance road is adequate to accommodate emergency vehicles.

Mr. Williamson noted the calculations for parking were estimated since the number of employees was unknown. However, the experience at Claridge Court, a similar type of development, stressed the importance of sufficient parking. He noted Claridge Court is currently leasing space and busing employees from an off-site parking lot. He also suggested that some of the surface parking spaces be constructed using green concepts.

The City will need to receive a final set of covenants and they need to address more completely the restrictions and process and steps for changing the deed restrictions at the final plan approval.

Mr. Williamson reviewed the approval process which includes the preliminary plan, final plan, preliminary and final plat. There will be several opportunities for review and refining details.

Mr. Williamson noted the Fire District in his review of the plans, also stated the turning radii need to be increased. The Fire District also needs turn around areas on the back side of the Stratford Building unless they can drive through the service area. Mr. Armstrong replied there is sufficient height for them to drive through the service area.

Bob Pryzby, Public Works Director, stated they are still waiting for the stormwater management plan and noted Paul Plotas with TranSystems is present to address questions of the traffic report.

Marlene Nagel requested to hear from Mr. Plotas regarding his report.

Paul Plotas, TranSystems, 2400 Pershing Road, Suite 400, stated from a traffic perspective he would rather see the entrance aligned with Rosewood to form a four-legged intersection than to have two T-intersections within a short distance of one another. It is not unacceptable as proposed, but not the preferred location in his opinion.

On the Stratford building, the sight distance is short fifteen feet for the south entrance and he noted there are ways of addressing that such as changing the profiles of the driveways, i.e. going from a decline drive to a level drive, raising the eye height of the driver leaving the parking lot. He noted that this simple action may result in providing the additional 15 feet of sight distance that is needed.

Mr. Plotas noted sight distance can be based on the posted speed limit or five miles over the posted speed limit and both are simply ballpark calculations. Using 5 miles over, usually creates a safe distance without using the design speed. The sight distance should really be based on what speed people are driving, which would require

a speed study to determine the average speed in the calculation. The difference of fifteen feet should be able to be addressed with detailed design changes.

The Vice-Chairman opened the public hearing and outlined procedures to be followed during the public hearing.

Carol Pisano, 5500 West 92nd Place, requested permission to read comments from Lillian Steinmer, 5501 West 92nd Place, who was ill and unable to attend. Her comments addressed increased traffic and a lack of privacy that will be caused by the proposed development facing their home. She feels the access on Nall for the Stratford will create traffic problems. She also felt the project would decrease their property value as it would create a view, not of open landscape and sunrises, but of brick and increased traffic.

Mrs. Pisano stated it was her understanding this project was to enhance the appearance of the country club, increasing revenues and adding members through the condominium residents. She noted that Steve Armstrong earlier stated "I do not think this is a good location" when questioned about the placement of their building in its new proposed location. Mrs. Pisano agrees the original location at the northwest corner of the site is a much better location. She feels if approved, the city will receive requests from Claridge Court and Brighton Gardens to increase the height of their facilities. She noted people who live in assisted living and have Alzheimers don't play golf and no longer drive a car, and asked what happens to residents who need medical care.

Jim Graham, 9324 Outlook, in Overland Park directly west of the building. He noted there is a significant increase in the amount of concrete surface and feels this will flood and cause Nall to be closed following heavy rains. He noted a few years ago a cellular tower was proposed at location of the Stratford and denied by the City of Prairie Village. He stated the construction of a tower would have had minimal impact on the green space and no additional traffic. Now four large buildings are being proposed significantly impacting both green space and traffic.

Mark Steinkamp, 9107 Beverly, just west of the project on Nall, is concerned with emergency vehicle traffic on the two lane roads north of 91st Street because it narrows to two lanes to reach Shawnee Mission Medical Center. He noted there is no room for vehicles to pull off the roadway for ambulances to pass and he anticipates an increase in ambulance traffic from the proposed development.

Roy Blazek, 5600 West 92nd Place, addressed his concern with sight distance. The speed of traffic on the road has increased to the extent they no longer make left turns onto Nall, He feels the two new entrances will make left turns an impossible situation. He estimates that 75% of the traffic on Nall exceeds the 35 mile per hour speed limit, making the sight distance of 92nd Place to the top of the hill critical. He noted the two new access points will create an even larger backup of vehicles from people attempting to make left turns, possibly creating a gridlock situation from 91st to 95th, especially during rush hour. He would like to see the entrance at 92nd Place moved between 92nd Terrace and 92nd Street to take into account the issue of sight distance. Additional traffic will be generated by the 192 independent senior residents with cars.

Les Woller, 9318 Roe, noted there has not been much discussion of the two buildings, which have 96 condominium units. He noted the short and long-term projections for condo sales is not promising and asked what would be done if the units could not be sold. Would they become rental units, be sublet, etc. What is the future plan if they do not sell?

Leon Patton, P.O.Box 8047, lives on property backing up to the golf course, noted the financial difficulties of the country club. He is convinced it will not be able to continue at present status, something will happen on that property. He asked the Commission to work with the developer stating he would much rather have a 64 foot condo 300 feet behind his house than a two story house immediately on the other side of his property. The affect of homes immediately behind his house is far greater than the effect of multi-story buildings hundreds of feet away. He feels it will be far better for the community to be able to retain this golf course than to have the club fail.

Fred Greenbaum, 4861 West 90th Street, stated he sees the situation as the City having a golf course without the financial ability to continue and noted the City has some alternatives: Accept the proposal which brings some buildings to the site, but maintains the character of the golf course and retains the green space in Prairie Village. He feels the preservation of green space should be primary and the main goal. The City is not able to come in and buy the land and run it as a public golf course. The proposal preserves that character of what exists, even enhancing it. He hopes the City will work with the developer to preserve the green space and golf course. He also feels it is important that this land continue to serve as a golf course into perpetuity and there should be a covenant to ensure this happens.

Liz Christian, 9084 Rosewood, across from the club, read a statement acknowledging the golf club is not financially able to continue operating and the City is not financially able to purchase the property and continue its use as a public golf course. Prairie Village has stated in its Village Vision the need for expanded housing opportunities within its limited boundaries and the desire for maintaining green space. Ms. Christian noted the first plan submitted seemed to be at odds with the Golden Factors for rezoning and the Village Vision in a number of ways. The second plan has been created with the open collaboration of the residents and addresses a number of the residents concerns. The majority of the concerns she has heard from neighbors are related to traffic concerns and the future of the green space. If those issues are addressed, many neighbors feel this current plan is one they can live with.

Randy Cohn, 7160 Village Drive and both a resident of Prairie Village a member of Meadowbrook, stated the golf course is not for sale. This is an opportunity to move the vision of Prairie Village forward. They have not discussed Plan B as they are focused on the club and moving forward for the future. Plan B would be to come to the members and say "we need money", vote and maintain operations by assessments.

Joe Gittemeier, 4601 West 87th Street, feels the City is going to have to make a choice. If they feel there will be traffic problems with the Stratford, what type of problems will there be if the land is sold to a developer and 500 single family homes are constructed. He noted he has heard a lot of discussion about sight lines and he understands it; but he noted the sight distance coming out of the north exit from Hen House at Corinth Square where the sight lines are less than 175 feet. He feels there is sufficient sight distance

and he is confident that if this doesn't happen Meadowbrook will not be able to stay open.

Dave Nordquist, 5501 West 92nd Terrace & Nall, noted this will take more than one-third of his green space and would like to see the Stratford squished.

Craig Salvay, 8821 Birch Lane, encouraged the Commission to flush out the deed restrictions now. If there will be a point where those deed restrictions will sunset or expire, the needs to be known now. It is important for the preservation of green space. Also determine who it is and by how much they have to vote to change these. He suggests these be submitted prior to any further action on the plan. He offices at 94th Terrace and Nall and can assure you there are not 250 feet when he wants to turn out to southbound Nall from 91st Terrace. He noted the rule of thumb generally requires 8 seconds for turning and noted he never has 8 seconds to turn south from 94th Terrace. He suggested the street remain private as long as there is any tax abatement after which time the City will have tax revenue and it can then be dedicated to the City. It should also be built to the standard of the state or federal highways to accommodate water runoff.

Bob Wayne, a member of Meadowbrook from its beginning residing at 12723 Cedar in Leewood, stated this is a win/win situation. The City will retain green space and get increased tax revenue. If there are minor problems to be worked out, OPUS and Stratford have demonstrated their willingness to cooperate with you to see that it is a viable plan.

Doug Brown, 5816 West 92nd Street, representing his Overland Park Homes Association Board, noted cities change and evolve over time and Prairie Village needs to do so. He felt for the residents off Somerset who felt the initial proposal was not good for traffic. Now the residents of his homes association are facing the same situation with traffic flow, cut through traffic, the same reason the Stratford building was moved. He appreciates care extended to residents of Overland Park and his homes association in trying to preserve green space and hopes that the City follows through. He does not want Meadowbrook to die so this project needs to happen. He would much rather look at nice buildings and greenspace than 500 single-family homes.

Linda Salvay, 8826 Birch Lane, noted there have not been any elevations shown of what the project would look like only site plans. In the event that Meadowbrook is not viable and we have committed to maintaining green space, she asked who will be responsible for maintaining this space.

William Webster, 4841 West 90th Street, expressed his gratitude to the Commission and the developers to be responsive to their concerns. This is an opportunity for someone to come forward to lock in this use into perpetuity, He hopes the Commission and the City Council will seize that opportunity to preserve this green space into the future. He appreciates the substantial movement that has occurred.

David Morrison, 9021 Delmar, campaigned for the recent council seat in this ward where he campaigned to preserve this green space. He stated the people in his ward voted two to one to oppose the development, which was his platform for election. He wants to preserve the club and see the club continue. He wants to get City, County and State

money buy the land that OPUS now is wanting to purchase from the club to preserve this site with a coalition of intergovernmental cooperation between the city and state. He feels there is an alternate plan in the works and asked the Commission to table the OPUS plan until he can get more details.

Dr. Joe Guastello, 4712 West 86th, a 35 year resident and 22 year member of Meadowbrook, stated Prairie Village needs Meadowbrook and Meadowbrook needs Prairie Village. He disputed the comments from Mr. Morrison that all the Prairie Village residents are against this development.

Marlene Graham, 9324 Outlook, and long-time resident of this area, stated when she travels north on Nall, if she misses the light at the 95th Street intersection and needs to turn left, she will go all the way to 91st Street. It is very dangerous and feels the reason for the low number of accidents are residents realizing the danger and turning at 91st or 95th. She asked the Commission to remember the neighbors across the road. It is very difficult to make a left hand turn. People do not travel 35 miles per hour, they travel faster.

She also expressed concern with what they would be looking at, noting an elevation of the proposed buildings has not been presented and it is hard to imagine from the drawings the visual impact. She asked the Commission to have regard for their safety and their view in their review of this proposal.

Joan Nordquist, 5501 West 92nd Terrace, referenced a three-page letter sent via e-mail to the Commission. She resides directly across from the Stratford and does not consider the placement of a sidewalk and double rows of parking followed by a three story building as a very attractive view. She wants the golf course to continue and feels the green space is very important. The Stratford plan is very large, too close to the neighboring residential property and places a huge footprint on the best view in Prairie Village. They would like to forego the Stratford and see a park placed somewhere on the property for all residents in the community to enjoy.

Steve Nordquist, 5501 West 92nd Terrace, expressed concern with the missing elevations and the missing stormwater management plan. He noted water supply has not been addressed. He feels the plan needs a lot more to polish before approval.

No one else desired to speak at this time. Bob Lindeblad called upon Rich Muller to respond to the questions raised.

Storm Water Management

Harold Phelps, with Phelps Engineering, noted they did the initial Indian Creek watershed study for the County so they are aware of the issues at this location. They feel they have more than adequate storage capacity with the amount of surface area on this property. They have not done the detailed analysis yet, but see that as more of a final development plan issue. Their intent is not to increase the amount of storm water runoff from this site. They will address the impact of the additional impervious areas created by the Stratford, the condos and the club house.

Bob Lindeblad confirmed for the public they are looking at storm water detention on site with lakes to retain storm water above the normal flow currently experienced. They will

not discharge any additional storm water off the site. Mr. Lindeblad confirmed they have submitted a preliminary report and are confident they can meet the requirements of the city.

Traffic on Nall & 92nd Place & Terrace

Norm Bowers noted the older residents generally do not use the street during peak traffic hours. At the Stratford there is approximately 1 vehicle every 3 minutes during the peak hours of 5 pm to 6 pm leaving and entering the site.

Bob Lindeblad asked how many trips were projected into and out of the Stratford during a day. Mr. Bowers responded 539 Trips.

Robb McKim confirmed the data given was for the site, not for each entrance area.

Sale of Condominium Units

Rich Muller stated they are aware of the current housing and condo market. He noted these units are not being built today to be sold tomorrow. They are looking at delivering the condos in about 24 months. It is projected the current housing stock will be absorbed within 12 to 16 months.

They will require a high pre-sale threshold to begin the project in the range of 50% to 60%. These condos are unique to Kansas City and studies indicate there are 96 individuals who would buy a condominium on a golf course within the I-435 loop.

He does not feel these units could economically be converted to apartments.

What do Condominium Units look like

Mr. Muller acknowledged they only showed only partial elevations during the presentation. The complete elevations are included in the full submittal made to the City and available for review. Mr. Lindeblad stated what he feels is necessary is a photo simulation, similar to what was presented last time, from driving down Nall giving a three dimensional perspective photo simulation of what this would look like.

Amount of Emergency Traffic

Rich Horn noted the city has Claridge Court and Brighton Gardens. The population anticipated for the Stratford will generally be younger in age and healthier than in those communities. Steve Armstrong noted based on experience with there other facilities, emergency vehicle traffic is generally at most one call per week. This includes both emergency calls as well as transport calls.

Robb McKim asked if there was an age criteria in place. Mr. Armstrong responded the proposed facility is a continuing care facility designed for multiple levels of care. There is no nursing care offered at their facility. At the time when acute nursing care is needed, the Stratford will cooperate with area facilities offering that care and the resident will be transferred after an assessment by their personal physician. Most of their residents transfer from independent living to assisted, but very few actually go into long-term care.

Details of the Deed Restrictions & Maintenance

Mr. Muller stated they agree more clarity needs to be brought to this issue. They are proposing a permanent deed restriction prohibiting development on the site forever. As far as the maintenance of the property as a golf course, they are confident that Meadowbrook will succeed as their debt is erased. If not, he feels there are other operators that would be interested in the course. The deed restriction will be to the Condo Association and they would ultimately be responsible for the maintenance of the green space. Mr. Muller noted the club is giving up their property rights to 136 acres for the benefit of this community with the deed restriction on the site they can not sell the land or portions. He acknowledged there are issues to be looked into further and to be resolved. He feels this will take time, and doing it prior to getting approval of the preliminary plan would not be time well spent.

Police Chief Wes Jordan expressed concern with the Nall entrances. He noted there have been accidents involving northbound traffic. He understands the sight distance clearances from the engineer's standpoint, but noted elderly drivers have slow reaction times. He noted the traffic on Nall does traveling above the speed limit. He feels this will create a traffic problem for residents coming out from a dead stop trying to merge onto an ending lane with traffic travel over 35 miles an hour. He would like the opportunity for his staff to further review the plans from the safety perspective. He also has a concern with delivery vehicles, noting currently delivery vehicles serving Claridge Court simply stop on Mission Road because they can not get into the development due to the traffic on Mission Road.

Bob Lindeblad thanked all present for their comments and stated the Commission would now deliberate amongst themselves.

Randy Kronblad stated his basic concern is the relationship of the Stratford Building to Nall and its close proximity. He feels there needs to be a buffer provided for the parking along Nall, although there is limited space, there should not be parking directly off Nall. Mr. Kronblad also expressed concern with the ability of emergency vehicles and trucks to enter the site.

Robb McKim complimented both the developer and the neighbors in their efforts to work together to try to address concerns and recognize the amount of work that has gone into this project. He has three areas of concern.

- 1) He does not see this as a mixed use development and does not feel it meets the expectations stated in the ordinance for a mixed use district. It is not place making and does not integrate itself to the existing adjacent development. Comments were made on the last project regarding connectivity. They have addressed that with a walk which is something, but it is not integration.
- 2) He is concerned about the scale of the building - the Stratford in particular, with a continuous building elevation of 500' or more basically unbroken is a very large building and not in character with the neighborhood.
- 3) He does not see conformance with the objectives, goals or aspirations stated in the Village Vision. The developer has been very pro-active in meeting with the adjacent property owners, but there was not large scale community involvement. The Village Vision promotes a more comprehensive development of this site with increased density, mixed uses, as well as the retention of green space.

Mr. McKim confirmed the preservation of green space is only for private use and only accessible to the public by view. Mr. Muller stated the public would only be able to use the green space as members of the club or guests of the condominium owners or club member.

Robb McKim added he is also concerned with deed restrictions that cover the entire area making it difficult at best if not impossible for a future integration of these projects with the adjacent commercial area to the south so some semblance of mixed used may be possible at some point in the future. There would be no flexibility or ability to make that integration happen.

Nancy Vennard expressed two concerns with the proposed development:

- 1) The lack of connectivity. She questioned if a road could be created hugging the property line from the Stratford connecting up with 94th Terrace possibly getting an easement to cross over the office building property to provide real connectivity to the shopping area. This would also alleviate traffic coming out to Nall . This would feel more like a public space and increase the potential for redevelopment of that area and not take much away from the golf course..
- 2) Mrs. Vennard is also concerned with the alignment of the street going out to Somerset. She would like to see it shifted slightly to the east prevent the lights from outgoing vehicles shining into the front window of the property owner facing Somerset.

Bob Lindeblad stated his appreciation to the applicant for the efforts taken to address the concerns stated by the Commission regarding the initial application and the concerns of the residents. He feels the dialog has been good.

Mr. Lindeblad stated he agrees with Mr. McKim that this truly isn't mixed use and isn't what the Village Vision anticipated, but noted you can not write a specific scenario for development in a Vision document. You need to address specific applications as they come before the Commission. He applauds the concept of keeping the golf course and creating different housing styles, but wishes there were more different type of housing styles. However, what concerns him the most is the length and size of the Stratford. There are not many buildings in Johnson County containing 400,000 square feet, even office buildings. He was not able to measure it using the scale presented on the plan, but feels Mr. McKim's measurement of 500 feet is fairly accurate. 400,000 square feet is huge. Driving along Nall, with the close proximity of this building to Nall, all that will be seen is a huge rectangular building constructed on a site. He would like to see it reduced, lowered or something to have less impact from across the street. He wished there could be some other type of residential solution that did not require 400,000 square feet of attached building. It doesn't fit. He feels everyone would like to see something taller more integrated located in the center of the site, not a huge monster pushed out to the edge of the property away from the other proposed development.

Because this is a huge building, he feels it is essential for the Commission to see scale perspective concepts coming up and down Nall to get a true perspective. More visual presentations are needed.

Mr. Lindeblad appreciated Chief Jordan's comments regarding the older drivers and if there needs to be adjustments made in the traffic study to address the slower reaction

time. He wants this to be a safe project. He is willing to keep trying to work out the details of this project.

Marlene Nagel asked the applicant if it would be possible for the Commission to continue the application and have the applicant address the concerns raised by the Commission.

Rich Muller stated interesting questions have been raised, comments have been valid with some being a matter of opinion and some a matter of perspective. They have demonstrated a willingness to work to create the best possible project for the City of Prairie Village and are happy to continue to work; however, there are certain things he does not feel they are going to be able to change much. He does not feel he can reconcile the level of connectivity being discussed given the circumstances of the project. The club is not for sale. They have 13 acres with which to work. The club is still going to be the club. Those 13 acres are not connected by design to increase the viability for the success of both projects. He stated they will continue to look at issues and gather information; however, he does not see how wholesale changes on the issue of magnitude can be found, but they can try.

Bob Lindeblad asked how much time would be needed. Mr. Muller stated he felt a month would be sufficient and if not would like the ability to continue.

Mr. Horn asked if changes could be submitted and considered in May. Mr. Lindeblad stated if revised drawings could be submitted to the staff for review prior to that meeting action could be taken in May. He recommended they meet with staff to discuss the issues.

Rich Muller asked if it was the desire of the Commission to have a fully negotiated deed restriction in place. Bob Lindeblad and Marc Russell stated a fully negotiated deed restriction is not necessary at the preliminary approval level. Mr. Muller asked if they could not agree in concept that there is a middle group between a sunset and perpetuity. Bob Lindeblad recommended they work with Mr. Williamson and Enslinger on that.

Mr. Enslinger noted what he heard was that there should be a balance between forever and how the City would be involved in the decision to make land use changes as it has a vested interest or is it left totally up to the owners of the property. He noted there are several different ways it can be structured.

Robb McKim stated it is easy to look at this similar to a fringe development as it is a large parcel of land; however, he sees this as an infill or redevelopment project. When he looks at the Village Vision from the perspective of the community as a whole, he sees the importance of integration and using this project as an opportunity to at least prepare for integration or mixed use at some point in the future if it becomes feasible or appropriate. He understands the applicant's perspective in looking at ways to make the project work for them, but noted as a Commissioner he has to take the perspective of the community as a whole.

Marc Russell stated he likes the plan and feels the Commission is failing to see that this is a private country club. Getting integration with property on the south will require acquisition of property and is going to be very difficult. He is concerned with the sight

lines, the elderly drivers and the traffic on Nall. He does not feel it is realistic to have fully negotiated deed restrictions within a month.

Rich Muller noted they are concerned with optimal safety as well. However, he does not feel the demographics of the Stratford are going to be that different from the surrounding neighborhoods. The traffic conditions that exist are probably very comparable to the traffic conditions that will exist after the development.

Mr. Muller asked for clarification of what the Commission would want presented if a continuance was given:

Bob Lindeblad responded he has heard a lot of concern expressed on the following:

- Detail along Nall - where the curb & sidewalk will be located
- Detail on the green space and the parking lot
- What will be seen from across the street and as you drive Nall
- Sufficient on-site parking
- If it is possible to visually breakup the appearance of 400,000 square feet, 500 foot long building.

Rich Muller stated the photo simulations done on the previous submittal were because they knew there was an issue with the height of the building. However, from his perspective he felt that once the height of the building was lowered, he did not feel they were as necessary. The height of the building was reduced by two-thirds.

Marc Russell asked if the plan could be approved with contingencies. Mr. Lindeblad responded he felt there were too many details outstanding.

Rich Muller stressed the reality of the finite amount of land that can be utilized and still keep an 18-hole golf course. To break up the Stratford into four separate buildings with a pocket park, too much ground will be taken and land is not an unlimited resource. Mr. Lindeblad responded he is not expecting major changes.

Kevin Hardin, Gastinger, Hardin Architects, the architect of the clubhouse and condominiums clarified the size and location of the Stratford. The building is approximately 500 feet in the north and south direction, approximately 200 feet in the east west direction. It is four stories in height, making each floor plan approximately 100,000 square feet. As you are driving along Nall the ins and outs of the building will make it appear to be multiple buildings. It will not appear as one long mass as you are driving along the street. It also noted the roofline is slightly different because you have different depths you are dealing with.

Bob Lindeblad summarized the areas of concern as follows:

- Setbacks of the building along Nall
- Parking
- Elevation & Grading
- Safe access to and from the drives for emergency vehicles and residents
- Photo simulations demonstrating the design of the building
- Elevation with the street showing the street contour relationship to the building
- Outline of the deed restrictions - concept

- Is there some way to keep option open to future integration and development to the south along the edge of the property

Bob Lindeblad stated he does not have strong concerns with the deed restrictions. As a mixed use district, if approved, this plan will stay in place until the City Council approves another rezoning of the property.

Ron Williamson stated the issue of green space could be addressed by setting a minimum percentage of green space to be maintained which could allow some future integration.

Rich Muller asked if the Commission was looking for anything different than he had stated during the discussion that they were willing to do. They are open to the idea of some middle ground between perpetuity and a sunset. Mr. Muller noted the time and money spent on this project to date and stated they would like to be assured there is an end in sight and that this is a project the Commission wants to happen. He noted this is a one time opportunity for development and preservation of the club.

Bob Lindeblad responded he feels the Commission would not be offering the comments and suggestions if it was not supportive of the development proceeding; however, there are items that need to be addressed and clarified. Nancy Vennard added it is better to work them out at the Commission before forwarding the request to the City Council than to have it sent back to the Commission by the Council.

Nancy Vennard moved application PC2008-03 requesting rezoning from R-1a to MXD for the property at 91st & Nall be continued to the May 6th meeting of the Planning Commission so the applicant could address the issued listed by the Planning Commission. The motion was seconded by Randy Kronblad and passed unanimously.

Vice Chairman Bob Lindeblad noted during the May 6th meeting public comment and discussion will be limited to those items identified by the Planning Commission to be reviewed.

ADJOURNMENT

With no further business to come before the Planning Commission, the meeting was adjourned by 11:15 p.m.

Bob Lindeblad
Vice-Chairman

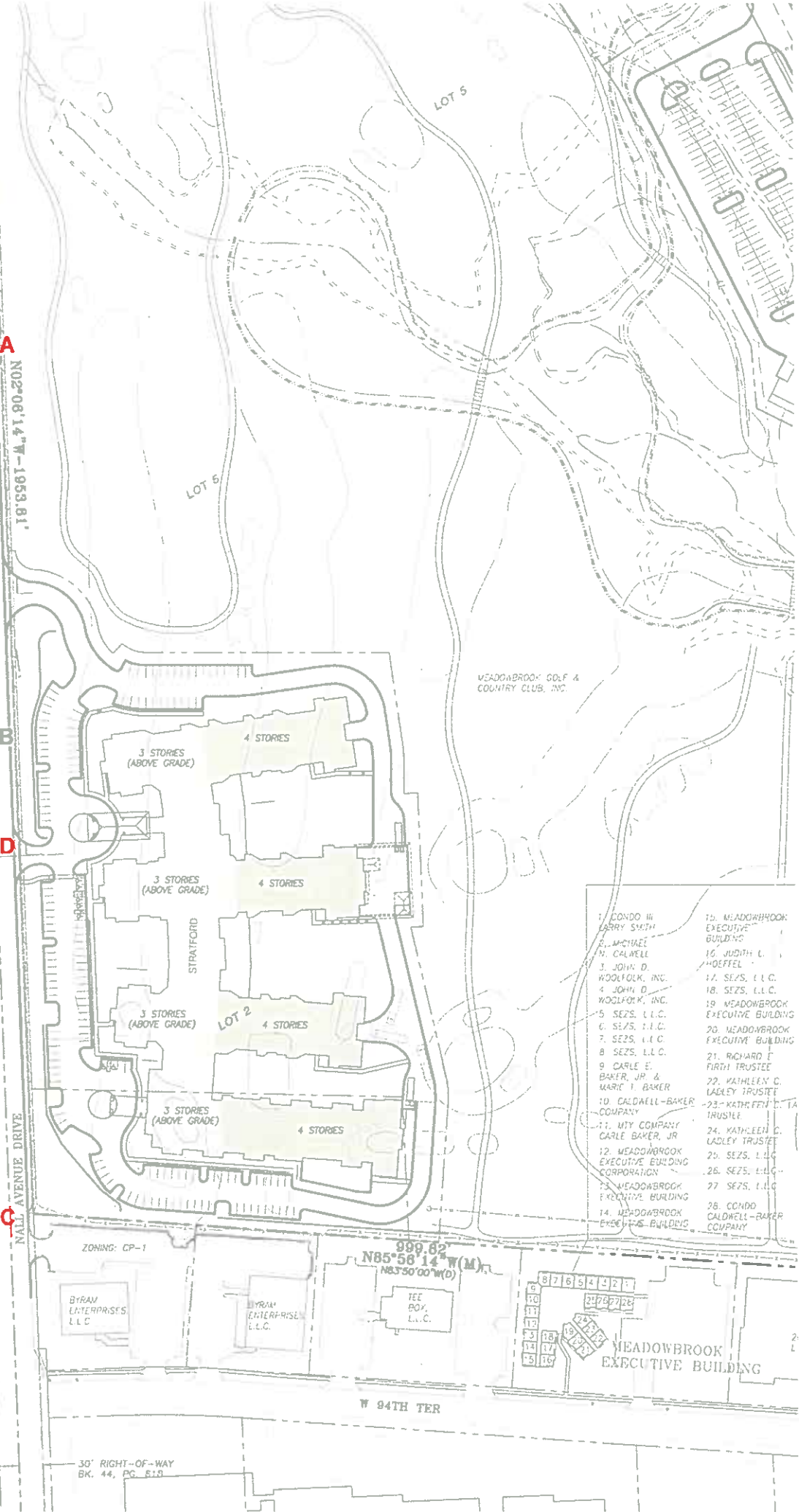


LOCATION A

LOCATION B

LOCATION D

LOCATION C



- | | |
|--------------------|--------------------|
| 1 CONDO IN | 10. MEADOWBROOK |
| 2. LARRY SMITH | EXECUTIVE |
| 3. MICHAEL | BUILDING |
| 4. CALWELL | 16. JUDITH L. |
| 5. JOHN D. | HOEFFEL |
| 6. WOODFORK, INC. | 17. SEZS, L.L.C. |
| 7. JOHN D. | 18. SEZS, L.L.C. |
| 8. WOODFORK, INC. | 19. MEADOWBROOK |
| 9. SEZS, L.L.C. | EXECUTIVE BUILDING |
| 10. SEZS, L.L.C. | 20. MEADOWBROOK |
| 11. SEZS, L.L.C. | EXECUTIVE BUILDING |
| 12. SEZS, L.L.C. | 21. RICHARD T. |
| 13. CARLE E. | FIRTH TRUSTEE |
| 14. BAKER, JR. & | 22. KATHLEEN C. |
| MARIE T. BAKER | LADLEY TRUSTEE |
| 15. CALDWELL-BAKER | 23. KATHLEEN C. |
| COMPANY | TRUSTEE |
| 16. MTY COMPANY | 24. KATHLEEN C. |
| CARLE BAKER, JR | LADLEY TRUSTEE |
| 17. MEADOWBROOK | 25. SEZS, L.L.C. |
| EXECUTIVE BUILDING | 26. SEZS, L.L.C. |
| CORPORATION | 27. SEZS, L.L.C. |
| 18. MEADOWBROOK | 28. CONDO |
| EXECUTIVE BUILDING | CALDWELL-BAKER |
| 19. MEADOWBROOK | COMPANY |
| EXECUTIVE BUILDING | |

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MEADOWBROOK
EXECUTIVE BUILDING

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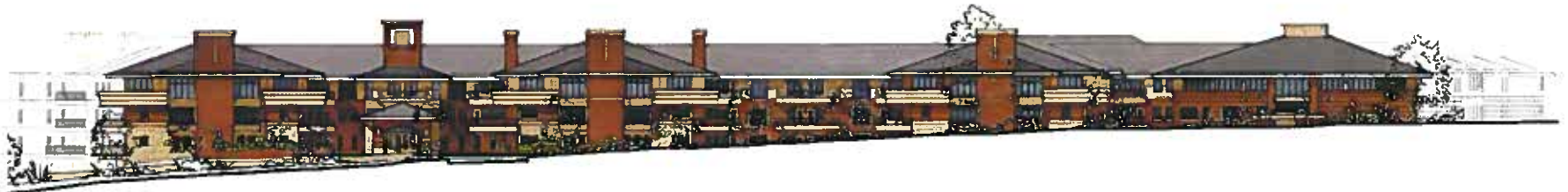
30' RIGHT-OF-WAY
BK. 44, PG. 810



LOCATION C: United Presbyterian Church Exit Drive. View looking northeast towards southwest corner of Stratford.



LOCATION D: 92nd Place. View looking east towards Stratford front entrance.



west elevation with landscaping



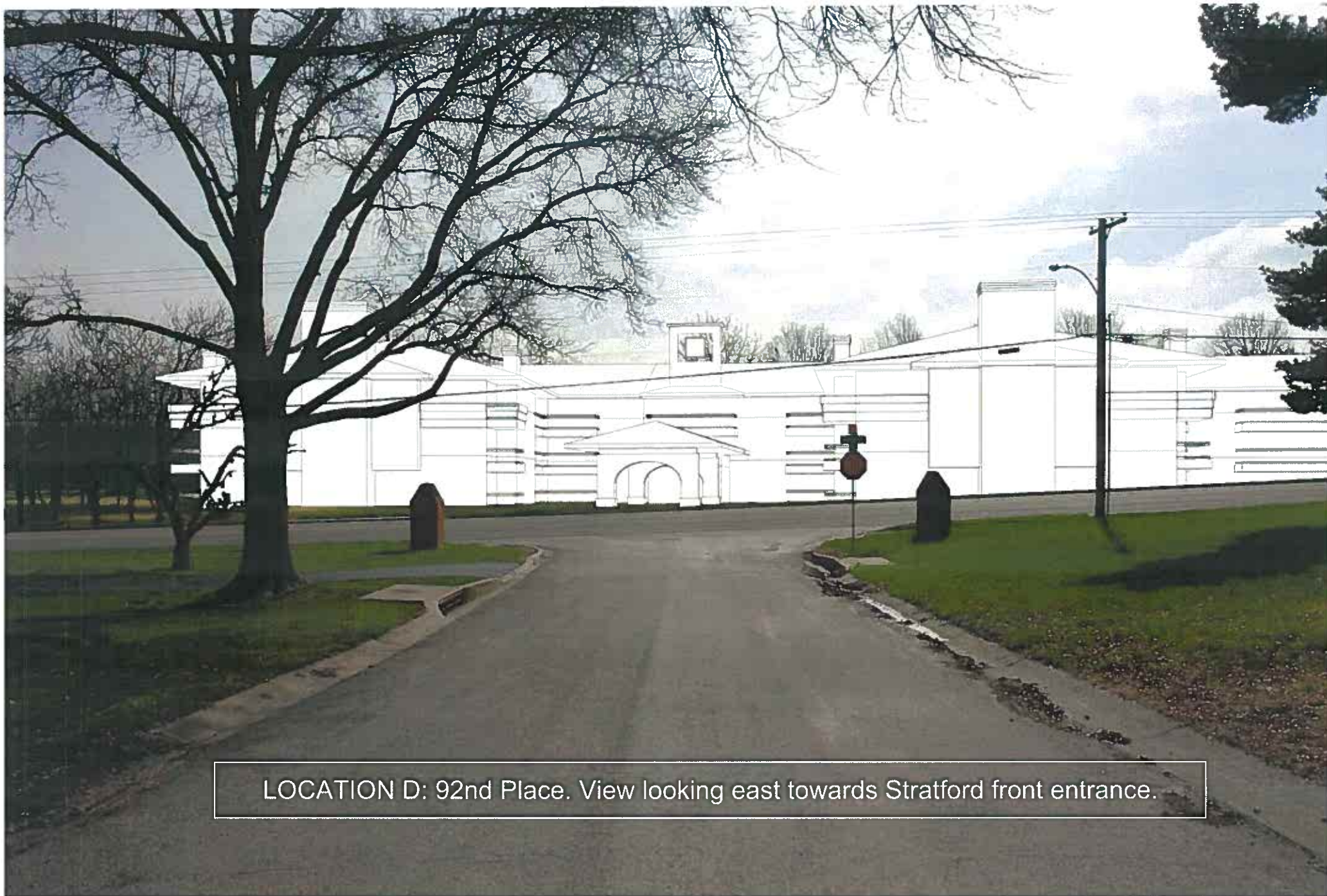
LOCATION A: View looking southeast towards northwest corner of Stratford



LOCATION B: View looking southeast towards front entry of Stratford.



LOCATION C: United Presbyterian Church Exit Drive. View looking northeast towards southwest corner of Stratford.



LOCATION D: 92nd Place. View looking east towards Stratford front entrance.

**MEADOWBROOK
CONDOMINIUMS**

Residential and Golf Course
Mixed Use Development
9101 NALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:

Preliminary Plan Submittal	April 18, 2006



PE PLANNING
ENGINEERING
IMPLEMENTATION

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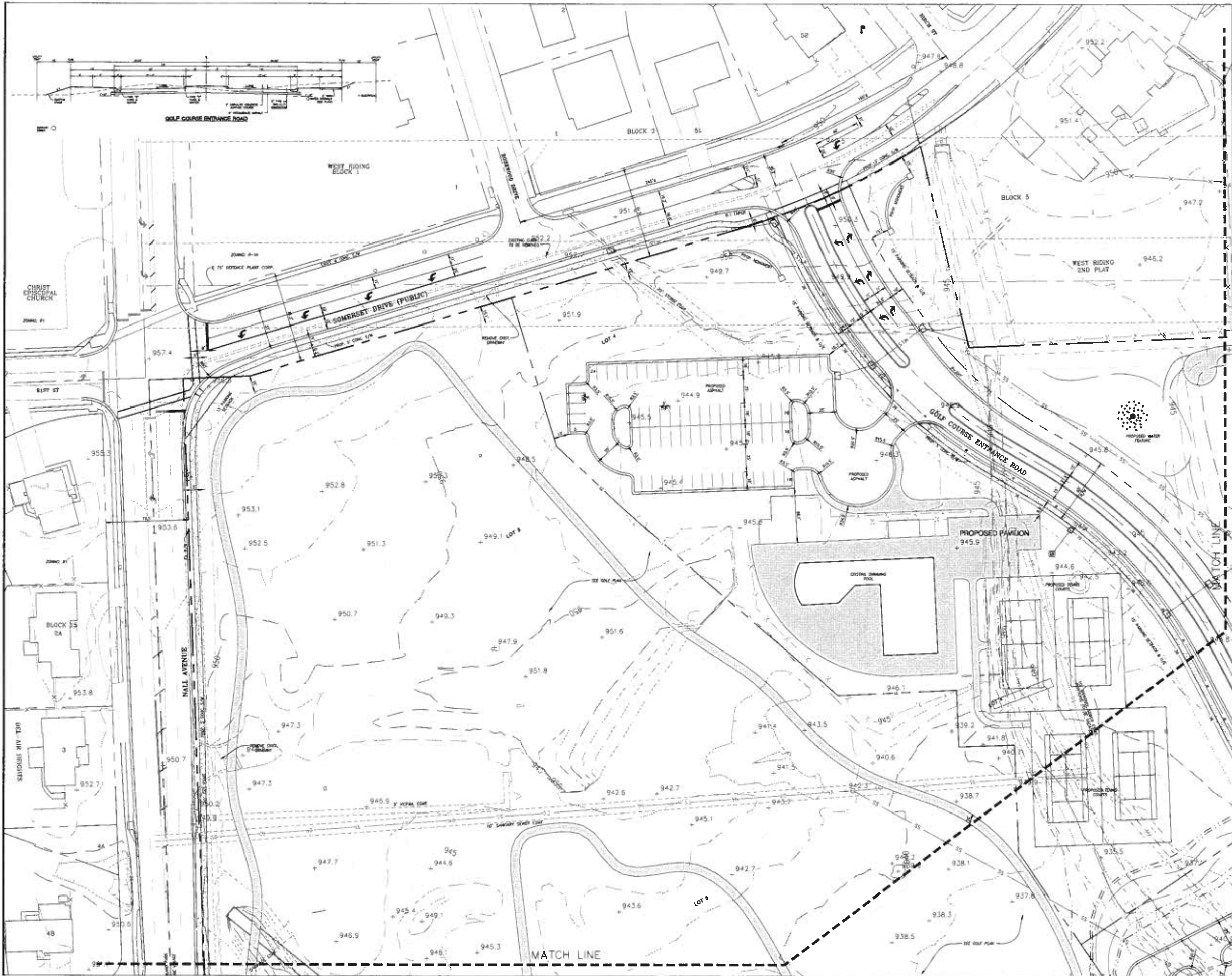
KEY PLAN

Drawn by:
Checked by:

SITE PLAN

C2

Project Number: 20046 © copyright 2006



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MEADOWBROOK CONDOMINIUMS

Residential and Golf Course
Mixed Use Development
9101 NALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUE FOR	DATE
Final Plan Submittal	April 18, 2008



SCALE: 1" = 30'



PEI
PLANNING
ENGINEERING
IMPLEMENTATION

CIVIL ENGINEERING
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1211 Westwood
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ARCHITECTS
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817 Florence
Olathe, MO 64040
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KEY PLAN

Site No. _____
Sheet No. _____

SITE PLAN

C4

Project Number 08046 © copyright 2007



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MEADOWBROOK CONDOMINIUMS

Residential and Golf Course
Mixed Use Development
9101 HALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:	
Preliminary Plan Submittal	April 18, 2006



PEI PLANNING
ENGINEERING
IMPLEMENTATION

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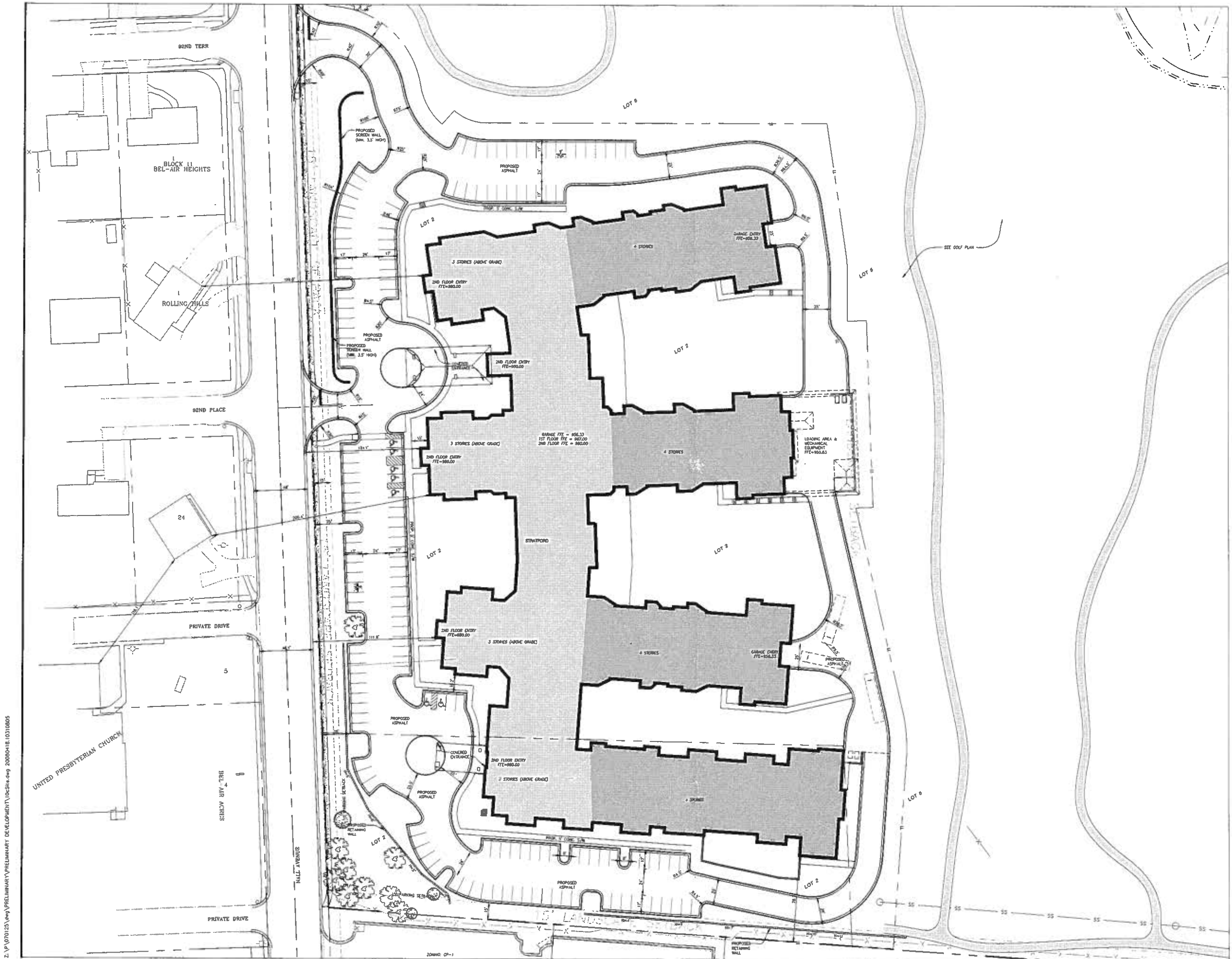
ARCHITECTS
Gastinger, Walker, Harlan
817 W. 12th St.
Kansas City, MO 64112
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KEY PLAN

Client By: _____
Checked By: _____

SITE PLAN

C5

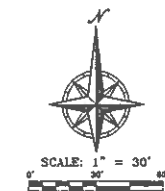


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**MEADOWBROOK
CONDOMINIUMS**

Residential and Golf Course
Mixed Use Development
9101 NALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:
Preliminary Plan Submittal April 18, 2007



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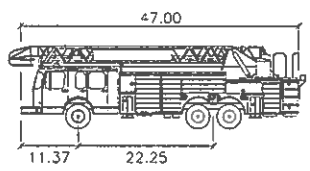
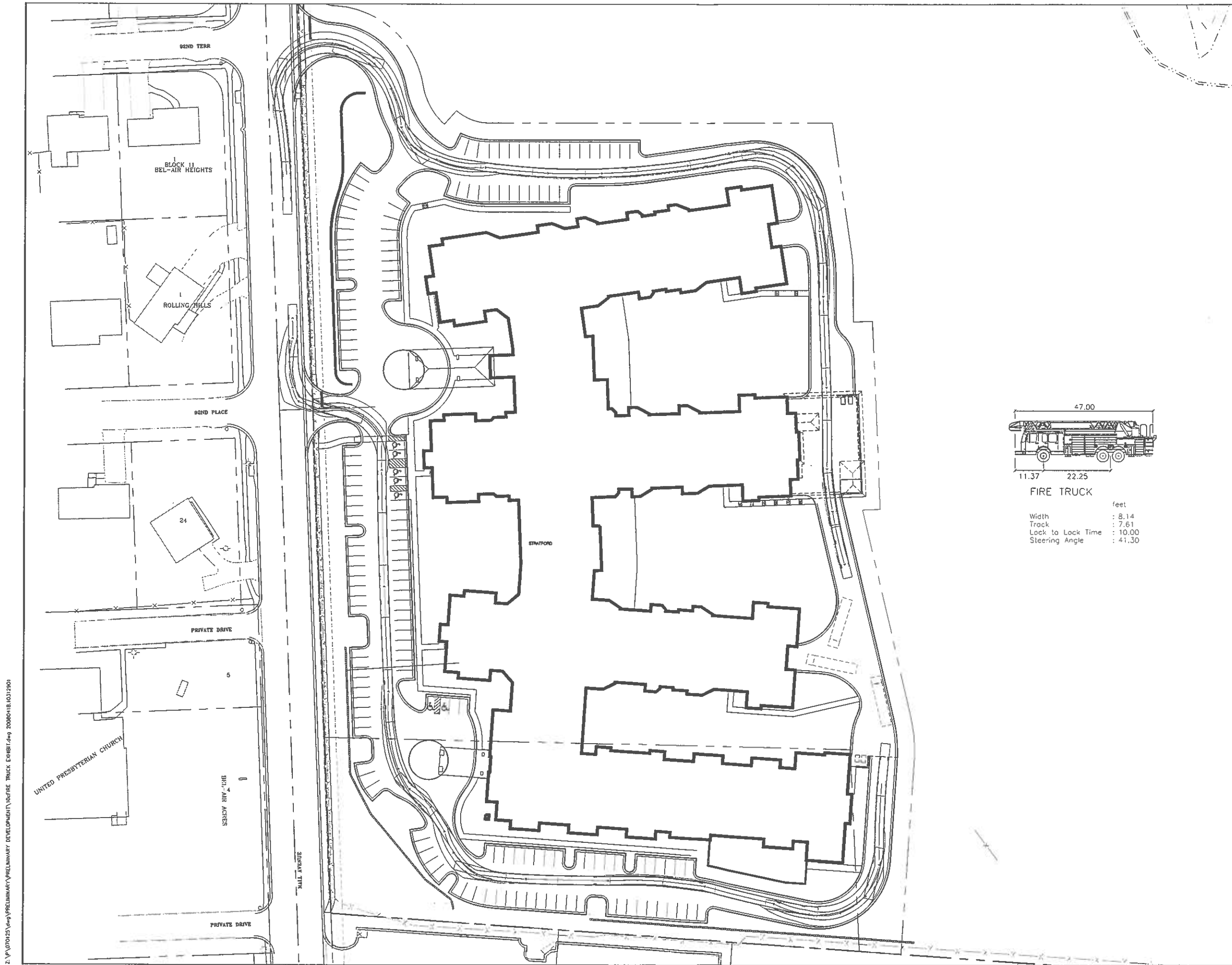
ARCHITECTS
Geisinger, Walker, Hardon
117 W. 12th
Kansas City, MO 64105
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KEY PLAN

Drawn By _____
Checked By _____

FIRE TRUCK EXHIBIT

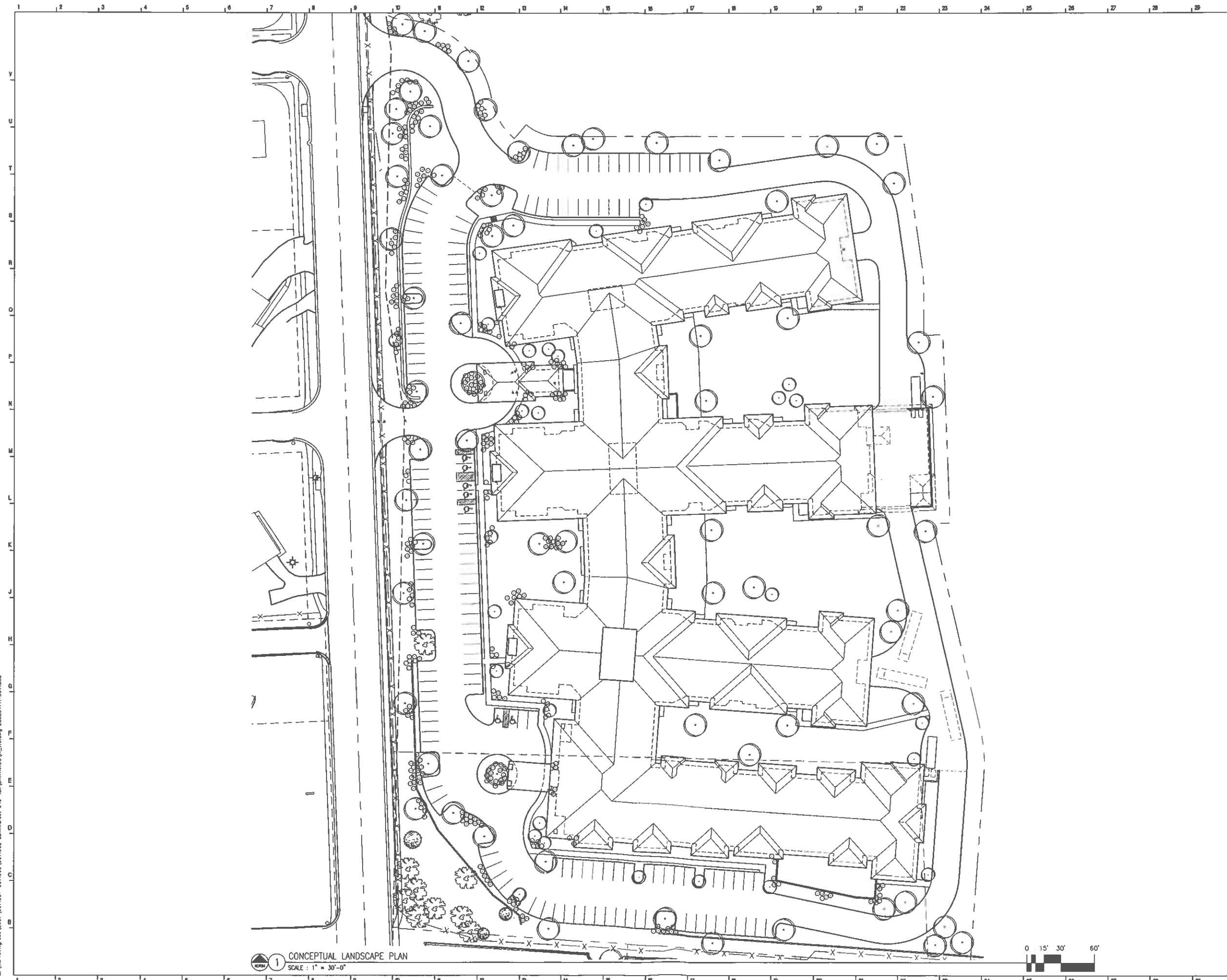
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FIRE TRUCK

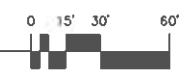
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Steering Angle	: 41.30

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1 CONCEPTUAL LANDSCAPE PLAN
SCALE: 1" = 30'-0"



**THE STRATFORD
AT SOMERSET**

Residential and Golf Course
Mixed Use Development
9101 MALL AVE
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:	10 April 2008
Preliminary Plan Submittal	



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MECHANICAL/ELECTRICAL/LANDSCAPE
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Kansas City, MO 64105
913.882.4444

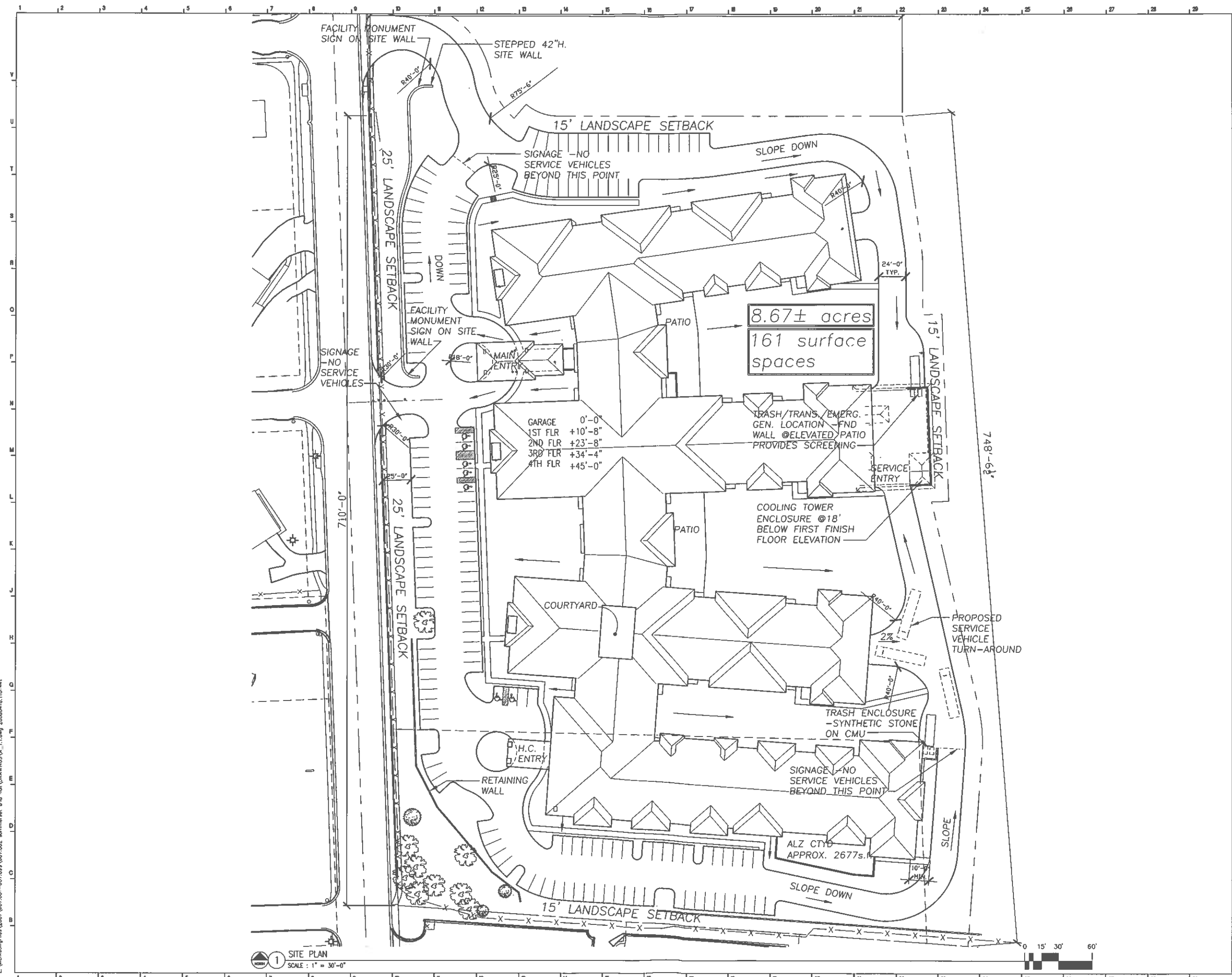
ARCHITECTURE
Lawrence Group Architects
318 N. 4th St. Suite 1800
St. Louis, MO 63102
314.221.5700

KEY PLAN

Drawn By: _____
Checked By: _____

**CONCEPTUAL
LANDSCAPE PLAN**

A1.0



1 SITE PLAN
SCALE: 1" = 30'-0"

**THE STRATFORD
AT SOMERSET**

Residential and Golf Course
Mixed Use Development
9101 NALL AVE
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:
Preliminary Plan Submittal 18 April 2008

**LAWRENCE
GROUP**



CIVIL ENGINEERING
Phelps Engineering, Inc.
1275 N. Westmore
Chase, KS 66201
913.380.1155

LANDSCAPE
Patti Banks Associates
629 Walnut, Suite 210
Kansas City, MO 64108
816.756.5880

MECHANICAL/ELECTRICAL/PLUMBING
Opus Northwest, LLC
400 Nichols Rd, Suite 200
Kansas City, MO 64116
816.460.1444

ARCHITECTURE
Lawrence Group Architects
319 N. 4th St. Suite 1000
St. Louis, MO 63107
314.271.5100

KEY PLAN

Drawn By: _____
Checked By: _____

SITE PLAN

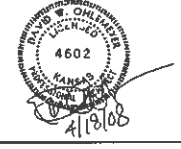
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**THE STRATFORD
AT SOMERSET**

Residential and Golf Course
Mixed Use Development
9101 NALL AVE
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:
Preliminary Plan Submittal 18 April 2008



OFFICE ENGINEERING
Phelps Engineering, Inc.
1728 W. McDowell
Olathe, KS 66061
913.263.1155

LANDSCAPE
Patt Banks Associates
678 Walnut, Suite 200
Kansas City, MO 64108
816.756.6807

MECHANICAL/ELECTRICAL/PLUMBING
Ocus Northwest, LLC
280 North 7th, Suite 200
Kansas City, MO 64108
816.482.4444

ARCHITECTURE
Lawrence Group Architects
318 N. 4th St. Suite 1000
St. Louis, MO 63102
314.231.5700

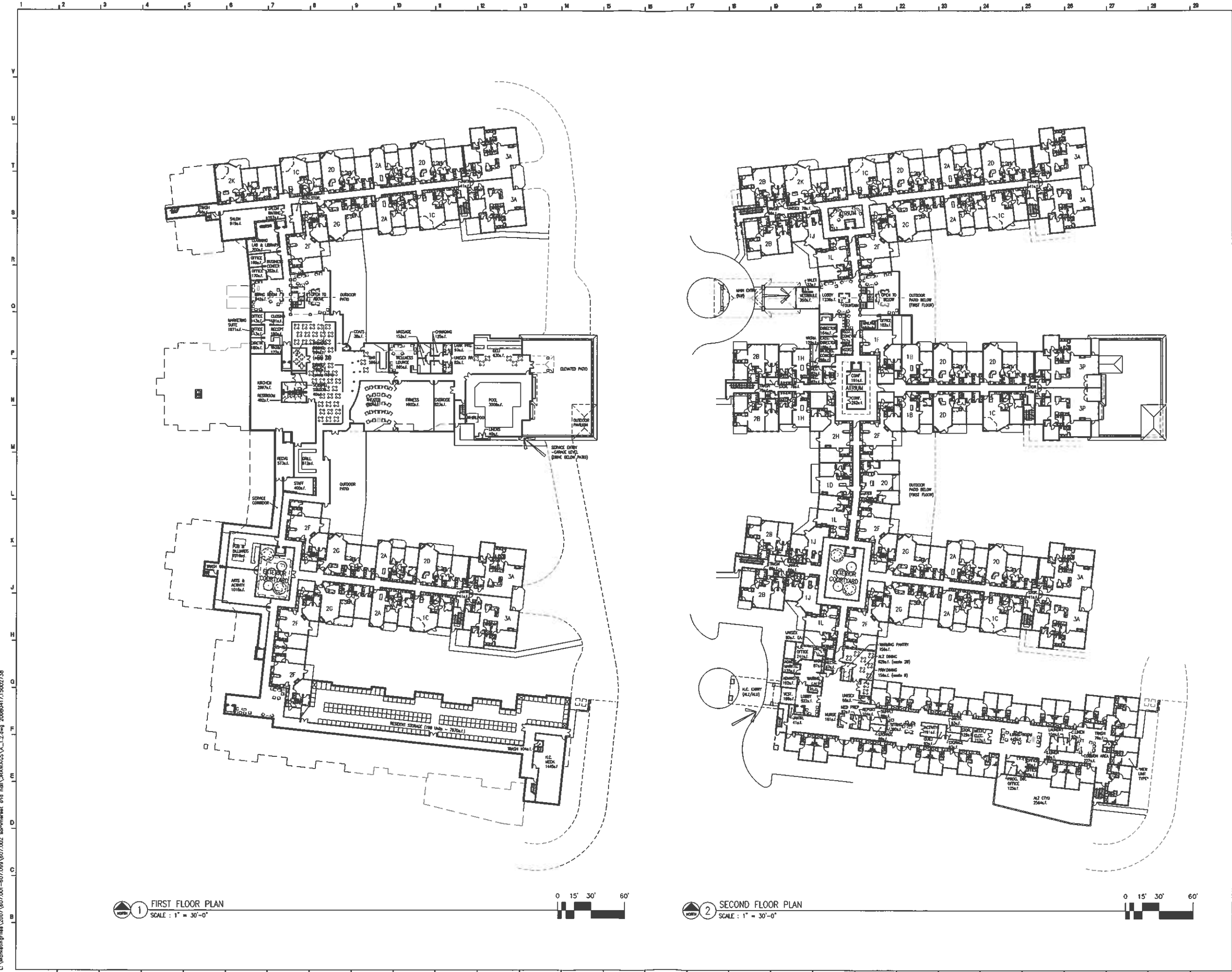
KEY PLAN

Checked By: [Signature]
Date: [Date]

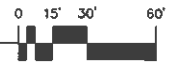
**FIRST AND SECOND
FLOOR PLANS**

A1.2

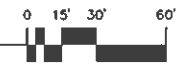
Project Number 607.002 © copyright 2007



1 FIRST FLOOR PLAN
SCALE : 1" = 30'-0"



2 SECOND FLOOR PLAN
SCALE : 1" = 30'-0"



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THE STRATFORD AT SOMERSET

Residential and Golf Course
Mixed Use Development
9101 NALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUED FOR:

Preliminary Plan Submittal	18 April 2008

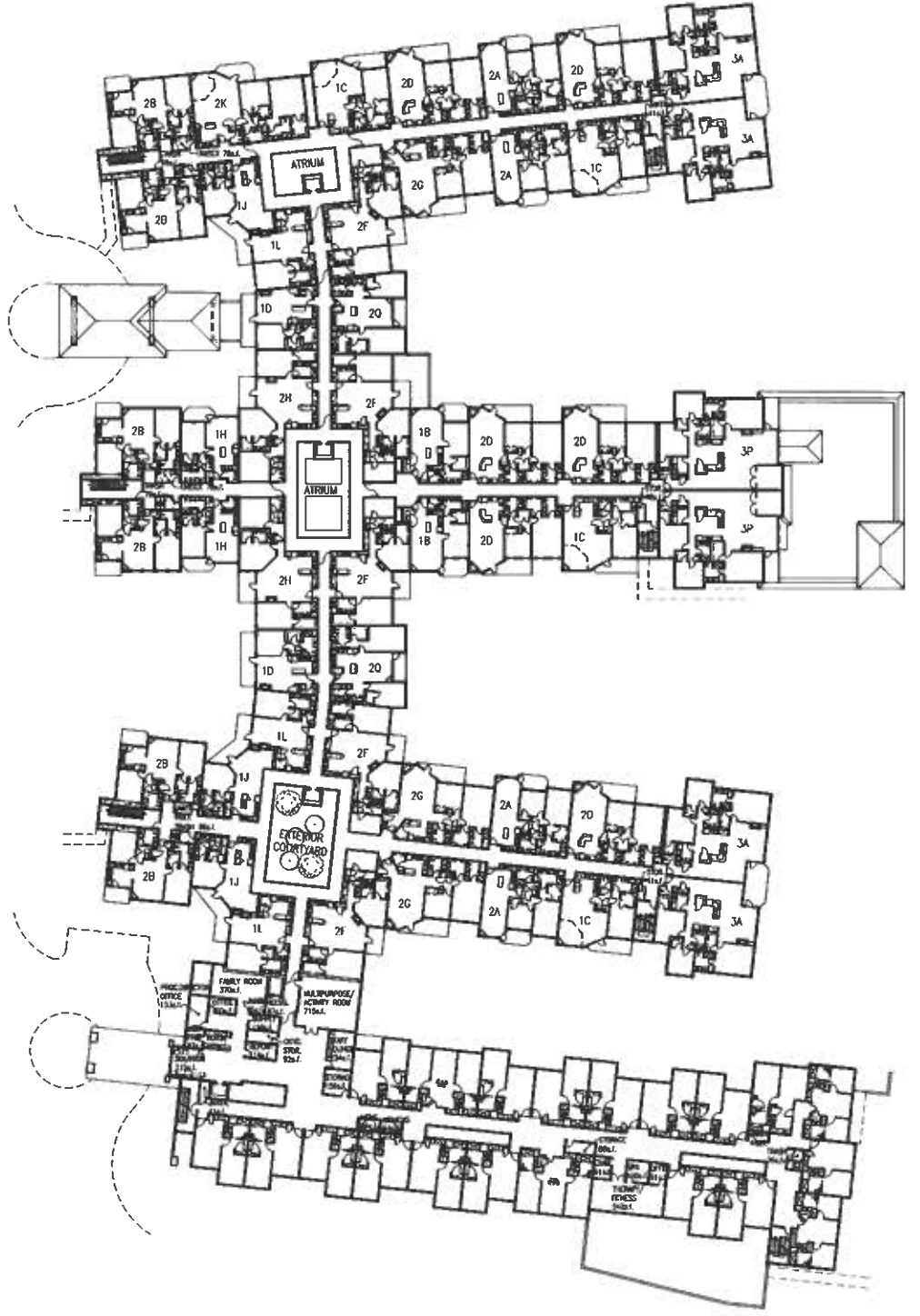


CIVIL ENGINEERING
Philip Engineering, Inc.
1270 N. Winchester
Olathe, KS 66061
913 261-1155

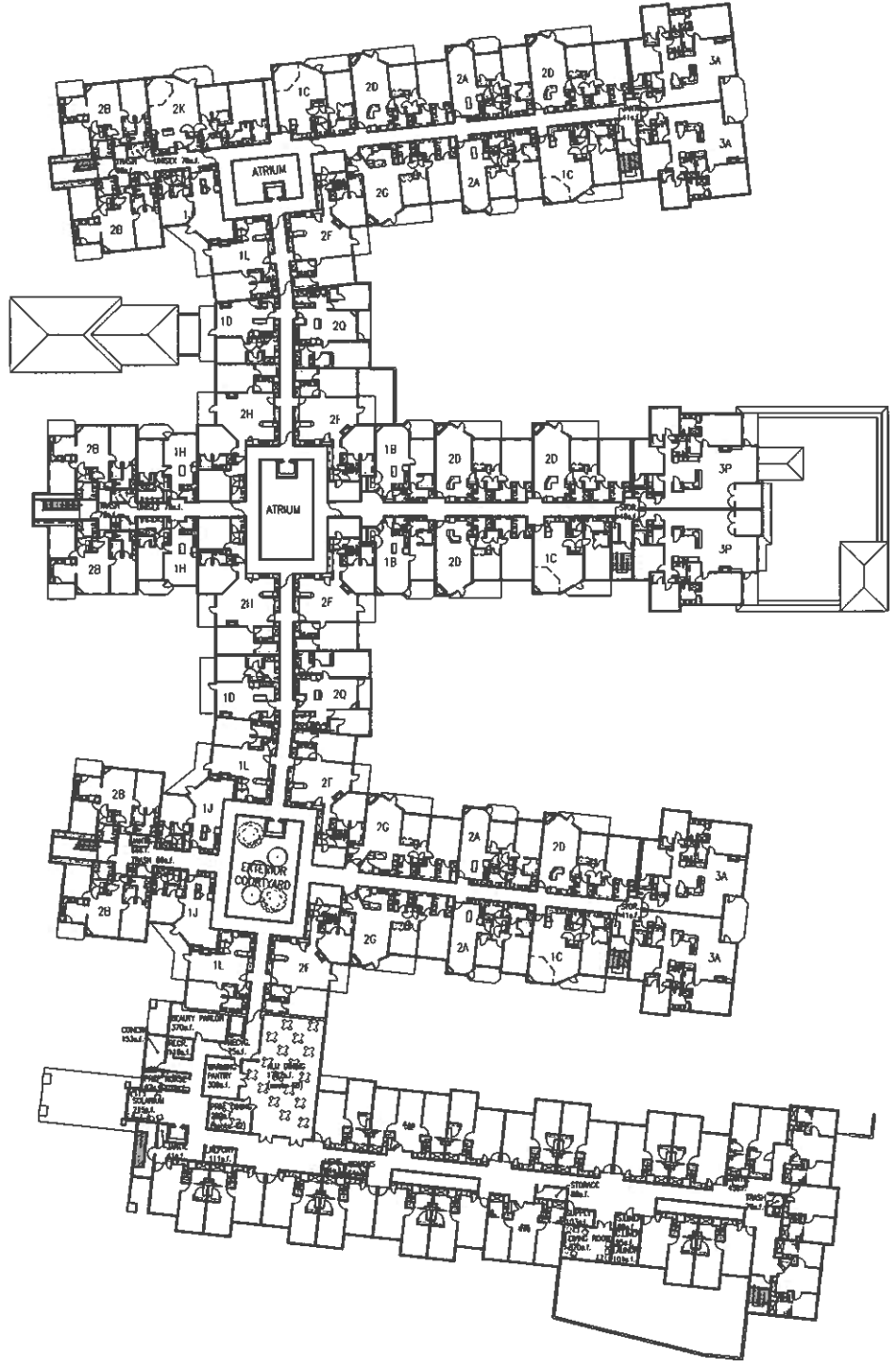
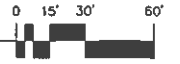
LANDSCAPE
Park Banks Associates
605 Walnut, Suite 200
Olathe, KS 66061
913 784-5806

MECHANICAL/ELECTRICAL/PLUMBING
Opus Northwest, LLC
400 Nichols Rd., Suite 300
Kansas City, MO 64105
816-485-1444

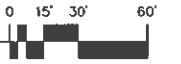
ARCHITECTURE
Lawrence Group Architects
315 N. 4th St., Suite 1800
St. Louis, MO 63107
314 251-5100



1 THIRD FLOOR PLAN
SCALE: 1" = 30'-0"



2 FOURTH FLOOR PLAN
SCALE: 1" = 30'-0"



KEY PLAN

Drawn by: _____
Checked by: _____

THIRD AND FOURTH FLOOR PLANS

A1.3

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**THE STRATFORD
AT SOMERSET**

Residential and Golf Course
Mixed Use Development
9101 NALL AVE.
PRAIRIE VILLAGE, KANSAS

ISSUED FOR
Preliminary Plan Submittal 18 April 2008

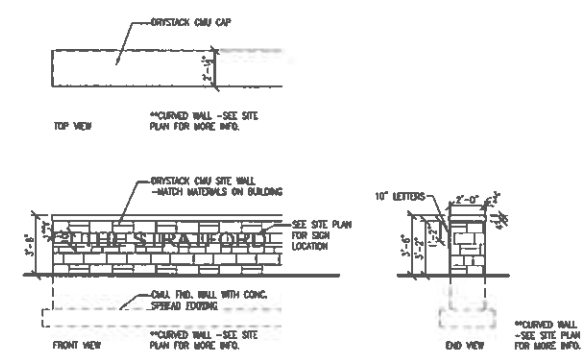
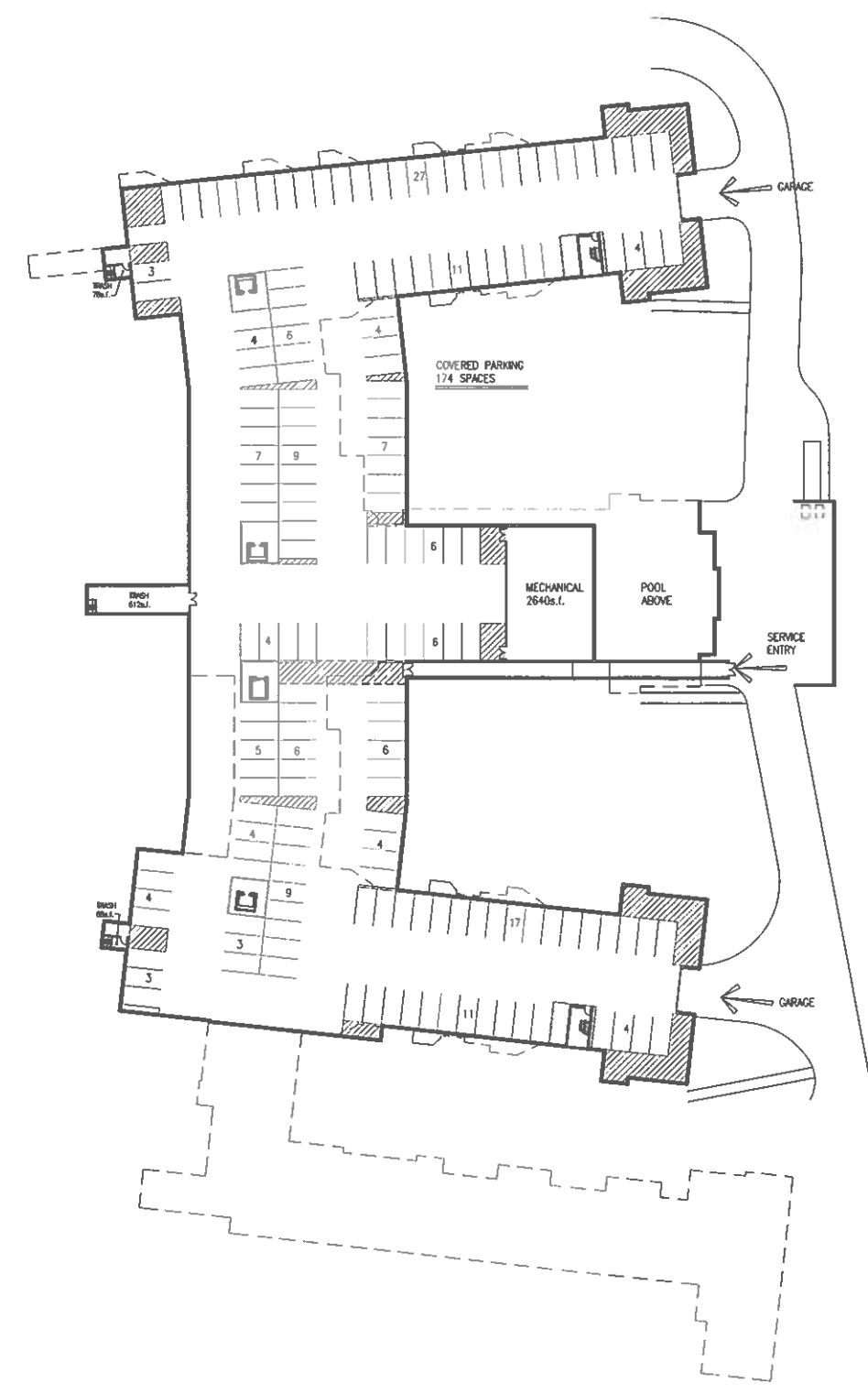


CIVIL ENGINEER
Phelps Engineering, Inc.
1770 N. Winchester
Olathe, KS 66061
913.593.1795

LANDSCAPE
Pete Danke Associates
839 Walnut, Suite 200
Kansas City, MO 64105
816.754.2888

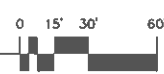
MECHANICAL/ELECTRICAL/PLUMBING
Optus Northwest, LLC
400 Hickory Hill, Suite 200
Kansas City, MO 64105
816.488.4444

ARCHITECTURE
Lawrence Group Architects
314 W. 4th St., Suite 1000
St. Louis, MO 63102
314.251.5700



2 PROPOSED SIGNAGE DETAILS
SCALE: 1/4" = 1'-0"

1 GARAGE FLOOR PLAN
SCALE: 1" = 30'-0"



KEY PLAN

Drawn By: _____
Checked By: _____

GARAGE FLOOR PLAN

A1.4

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**CITY OF PRAIRIE VILLAGE, KANSAS
REZONING APPLICATION FORM**

For Office Use Only

Case No.: PC 2008-03
 Filing Fee: \$100
 Deposit: \$500
 Date Advertised: _____
 Date Notices Sent _____
 Public Hearing Date: 4/1/08

APPLICANT: GASTINGER WALKER HARDEN ARCHITECTS PHONE: 816.421.8200
 ADDRESS: 817 WYANDOTTE KANSAS CITY, MISSOURI ZIP: 64105
 OWNER: MEADOWBROOK GOLF & COUNTRY CLUB PHONE: 913.642.4640
 ADDRESS: 9101 NALL AVENUE, PRAIRIE VILLAGE, KANSAS ZIP: 66207
 LOCATION OF PROPERTY: 91ST & NALL AVENUE
 LEGAL DESCRIPTION: REFER TO ATTACHED SHEET

Present Zoning R-1A Requested Zoning: MXD
 Present Use of Property: PRIVATE GOLF AND COUNTRY CLUB

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>RESIDENTIAL</u>	<u>R-1A</u>
South	<u>COMMERICAL</u>	<u>CP-1/CP-0</u>
East	<u>RESIDENTIAL</u>	<u>R-1A</u>
West	<u>RESIDENTIAL</u>	<u>R-1A</u>

CHARACTER OF THE NEIGHBORHOOD: "RESIDENTIAL"

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?
NO - Maintaining residential character of surrounding neighborhood
2. Are there substantial reasons why the property cannot be used in accord with existing zoning? YES
 If yes, explain: Mixed use nature of development under new MXD zoning

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

DEVELOPMENT PLAN SUBMITTAL:

YES Development Plan

YES Preliminary Sketches of Exterior Construction

LIST OF NEIGHBORING PROPERTIES:

YES Certified list of property owners within 200 feet

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: SOMMERSET DRIVE & NALL AVENUE
2. Classification of Street(s):
 Arterial NALL Collector SOMMERSET Local N/A
3. Right-of-Way Width: 80 FEET
4. Will turning movements caused by the proposed use create an undue traffic hazard?
AS DESCRIBED WITHIN ATTACHED TRAFFIC

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? YES
2. Properly Sized Street Right-of-Way? YES
3. Drainage Easements? YES
4. Utility Easements: WILL BE PROVIDED ON FINAL PLAT PENDING FINAL DESIGN
 Electricity? _____
 Gas? _____
 Sewers? _____
 Water? _____
5. Additional Comments: _____

UNIQUE CHARACTERISTIC OF PROPERTY AND ADDITIONAL COMMENTS:

SIGNATURE: _____

DATE: _____

BY: _____

TITLE: _____

LEGAL DESCRIPTION (REZONING):

All that part of the West One-Half of Section 33, Township 12 South, Range 25 East, Johnson County, Kansas, being more particularly described as follows:

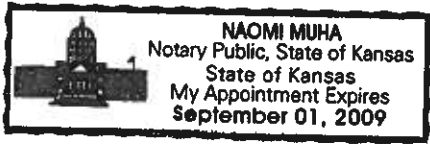
Commencing at the Northwest corner of the Southwest Quarter of said Section 33; thence N 87°37'32" E, along the North line of the Southwest Quarter of said Section 33, a distance of 30.00 feet to the point of beginning; thence continuing N 87°37'32" E, along the South line of the Northwest Quarter of said Section 33, a distance of 58.86 feet; thence N 73°10'54" E (M) (N 75°00'00" E (D)), along the South line of Somerset drive, as now established by the plat of WEST RIDING, a platted 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 640.00 feet, a distance of 176.13 feet to the West most plat corner of WEST RIDING, 2ND PLAT, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas; thence S 13°32'29" E (M) (S 11°43'23" E (P)), along the West plat line of said WEST RIDING, 2ND PLAT, a distance of 183.42 feet to the Southwest plat corner of said WEST RIDING, 2ND PLAT, said point also being on the South line of the Northwest Quarter of said section 33; thence N 87°37'32" E (M) (N 89°26'38" E (P)), along the South plat line of said WEST RIDING, 2ND PLAT and along the South line of the Northwest Quarter of said Section 33, a distance of 19334.29 feet to the Southeast plat corner of said WEST RIDING, 2ND PLAT, said point also being the Northeast corner of the Southwest Quarter of said Section 33 and a point on the West plat line of KENILWORTH BLOCKS -1 THRU -9 & PART OF BLOCKS - 10, 11 & 21, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas; thence S 01°50'49" E, along the East line of the Southwest Quarter said Section 33, and the West plat line of KENILWORTH BLOCKS -1 THRU -9 & PART OF BLOCKS - 10, 11 & 21 and the West plat line of KENILWORTH PART OF BLOCKS -10-11-16 & 21 ALL OF BLOCKS - 12 THRU 15, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas, a distance of 2612.77 feet to a point on the North right-of-way line of 95th Street, as now established; thence S 87°40'29" W, along the North right-of-way line of 95th Street, a distance of 697.65 feet to a point on the East plat line of GREENVIEW PLACE, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas; thence N 27°45'12" W (M) (N 25°38'32" E (P)), along the East plat line of said GREENVIEW PLACE, a distance of 221.45 feet to the Northeast plat corner of said GREENVIEW PLACE; thence S 87°40'29" W (M) (S 89°47'09" W (P)), along the North plat line of said GREENVIEW PLACE, a distance of 490.00 feet to the Northwest plat corner of said GREENVIEW PLACE; thence N 02°06'14" W (M) (N 00°00'00" W (D)), a distance of 189.07 feet; thence N 67°41'14" W (M) (N 65°35'00" W (D)), a distance of 375.00 feet; thence N 85°56'14" W (M) (N 83°50'00" W (D)), a distance of 999.82 feet to a point on the East right-of-way line of Nall Avenue, as now established; thence N 02°06'14" W, along the East right-of-way line of said Nall Avenue, a distance of 1953.81 feet to the point of beginning, containing 138.6967 acres, more or less.

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

RICHARD L. MULLER, being duly sworn upon his oath, disposes and states:

That he is the (~~owner~~) (~~attorney for~~) (agent of) the tract of land for which the application was filed. That in accordance with Municipal Code 1973, Section 19.42.010 (G, H, I), applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.



[Signature]
(Owner/Attorney for Agent of)

Subscribed and sworn to before me this 27 day of March, 2007

[Signature]
Notary Public or Planning Commission

Secretary

PROOF OF OWNERSHIP

AFFIDAVIT

STATE OF KANSAS)
)ss.
COUNTY OF JOHNSON)

Mike Bray, being first duly sworn upon his oath, deposes and states as follows:

- 1. I am the President of Meadowbrook Golf and Country Club, Inc.;
- 1. Meadowbrook Golf and Country Club, Inc. is the owner of the property located at 9101 Nall Avenue, Prairie Village, Kansas (the "Property"):
- 3. I have authorized Opus Northwest, LLC to file applications for rezoning and preliminary development plan approval for the Property on behalf of Meadowbrook Golf and Country Club, Inc.

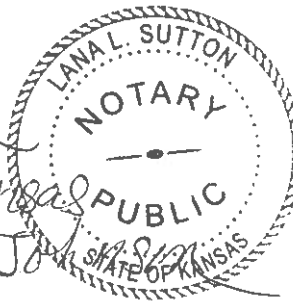
Michael J Bray

Printed Name: Mike
Bray Title: President of Meadowbrook Golf and
Country Club, Inc.

Subscribed and sworn to before me this day of 27th day of February, 2008.

Lana Sutton
Notary Public

Lana L. Sutton
State of Kansas
County of Johnson



My Appointment Expires:

3-18-2008

DATE: 21 February 2008
PROJECT: Meadowbrook Country Club
SUBJECT: Public Hearing – Application PC 2007-23
 Request for Rezoning form R-1a to MXD (Mixed Use District)--
PREPARED BY: V. Bill Lepentis, Assoc. AIA
CC: Dave Harrison, Richard Muller – OPUS
 Rich Horn, Steve Armstrong – Stratford Companies
 Dan Rosenthal – The Lawrence Group
 Judd Clausen – Phelps Engineering
 Kevin Harden – Gastinger Walker Harden Architects
 City of Prairie Village planning as directed

attending: See attached listing

The following are the notes of the public hearing conducted at Meadowbrook Country Club on 21 February. The meeting started at approximately 6:10pm and concluded at approximately 7:30pm.

Richard Muller, Director of real estate development with Opus, provided an overview of the project describing the history of the project since the original MXD rezoning submittal of 2007. Richard also introduced Judd Clausen with Phelps Engineering and Bill Lepentis representing Gastinger Walker Harden Architects. Steve Armstrong with Stratford Companies was there to present the senior living portion of the project. Richard displayed the original master plan and touched-upon the major concerns of neighbors and city officials from the original plan submittal which included (not in any particular order): traffic, height and location of buildings (specifically the Stratford), and massing. The new working plan was then presented showing the new location of the Stratford at the south west corner of the site, the new entry drive aligned between Rosewood and Birch off of Somerset which will access the club and condos only. Stratford's newest design calls for a 244 unit, three story building with an overall building height of 45 feet above the elevation of Nall Avenue. As the site falls away to the east, the building will grow to 4 stories plus an underground parking garage. Stratford now occupies approximately 8.4 acres of land area. Richard also noted that the club originally solicited proposal for this property with the main goal of saving the club. If OPUS and Stratford remove themselves from this project, in all likelihood, something else will be built where the Meadowbrook Country Club is presently. The formal presentation ended at approximately 6:30pm and the discussion was opened for an informal question and answer period.

The following are a listing of the questions from the audience:

1. What is the distance of Stratford from Nall? The distance varies as the building steps from a minimum of 100' to approximately 180' where the building offsets in plan. Note: the front entry (porte-cochere) is 180' from Nall.
2. What do you anticipate as traffic issues, specifically at the area in front of the Stratford? The traffic study currently being conducted will identify any potential issues at that particular area.



Gastinger
Walker
Harden
Architects

architecture
interior design

kansas city
chicago

- Judd explained site line guidelines as it pertains to where the entrances to the Stratford are located. One of the neighbors in attendance mentioned that reaction times might be an issue for some of the tenants leaving the area, trying to access Nall. This will be taken into consideration as it pertains to the findings of the traffic report.
3. Why don't you locate the Stratford in the middle of the site? Locating the Stratford to the center of the site would create a situation in which the individual project identities would be difficult to establish and maintain.
 4. Did you consider a turning lane parallel to Nall fronting the Stratford? Dimensions are becoming very critical, especially if it requires more area to be taken at the front of building. Specific design recommendations will be addressed in the traffic study.
 5. Did you study any potential release onto 95th street to the south? We looked at that as a preliminary study, but the idea of having a through street from 95th to Somerset would prove a potential problem for the golf course operations. The overall goal for the project team as plans have been developed is to maintain a high quality, golf course of maximum distance while absorbing a minimum of existing green space to develop the buildings.
 6. What was the original traffic impact on Somerset. How much of an increase? Approximately 2 percent increase at peak hours.
 7. Can we obtain a traffic study that goes beyond just peak hours? We can certainly request that from the traffic engineer's findings.
 8. A comment was made from one of the attending neighbors that any further data would help them better understand the concept and details of the project.
 9. What other types of visitors to the Stratford site do you anticipate? Three shifts per day, averaging 40 employees each shift. Service and trash trucks, and tenant visitors will also be included. Steve Armstrong mentioned that an average of 1 ambulance per week visit their facilities. Sometimes not necessarily emergency response, but also ambulatory service to nearby hospitals.
 10. Where is the service area located for Stratford? Behind the building on the east side. The service areas are enclosed and incorporated into the building's design. Access for service and ambulance is off of the north drive.
 11. Will the ownership of the golf club be affected? No, just the areas where we are developing the new properties.
 12. What would be the population at the Stratford on a daily basis? There will be 244 units designed. The Stratford companies use a multiplier of 1.4 to determine visitors, daily traffic, etc... That equals 342 people + and average of approximately 40 persons (staff) at each shift (day shift, swing shift, and night shift).
 13. Will there be shuttle service for tenants' of the Stratford potentially alleviating traffic into and out of area? Yes, Stratford's properties provide shuttle services for day trips and special activities.
 14. Could there be a traffic signal at one of the entrances at the Stratford? Specific design recommendations will be addressed in the traffic study.
 15. Can you show on the plan where the drive out of the club and condominiums will be aligned and how the headlights might affect our properties to the north. Its axis currently aligns between two homes to the north of Somerset. Possible techniques with landscaping or berming enabling headlights to shine down could be discussed.
 16. Could you elaborate if there will be any public financing on this project? There will not be an increase of

- taxes for the citizens of Prairie Village. Richard explained the financing structure of this project includes tax abatement for the condos and the Stratford (but not the Club) to help offset the costs to improve the existing public infrastructure. This information and data will be available to the public upon plan submittal.
17. Why not build at the southeast corner of the site? That particular location is located in the current flood stream corridor. Relocating sewer and storm infrastructure as well as the potential structural foundations for a building located there would deem the project economically unfeasible. Traffic concerns, particularly at the intersection of Roe and 95th street would make site lines difficult to solve.

Upon completion of the presentation the meeting was adjourned at approximately 7:30 with informal, small group discussions lasting until about 7:45pm.

This is our interpretation of occurrences and conversations at the meeting. Please contact me if any items appear to be in error or if you have any questions or comments.

DATE: 26 February 2008
PROJECT: Meadowbrook Country Club
SUBJECT: Public Hearing – Application PC 2007-23
 Request for Rezoning form R-1a to MXD (Mixed Use District)--
PREPARED BY: Wm. Kevin Harden, AIA
CC: Dave Harrison, Richard Muller – OPUS
 Rich Horn, Steve Armstrong – Stratford Companies
 Dan Rosenthal – The Lawrence Group
 Judd Clausen – Phelps Engineering
 Bill Lepentis – Gastinger Walker Harden Architects
 City of Prairie Village planning as directed

attending: See attached listing

The following are the notes of the public hearing conducted at Meadowbrook Country Club on 26 February. The meeting started at approximately 6:05pm and concluded at approximately 8:00pm.

Richard Muller, Director of real estate development with Opus, provided an overview of the project describing the history of the project since the original MXD rezoning submittal of 2007. Richard also introduced Judd Clausen with Phelps Engineering, Kevin Harden representing Gastinger Walker Harden Architects, and Steve Armstrong with Stratford Companies, representing the CCRC (continuing care residential center) portion of the project. Richard displayed the original master plan and touched-upon the major concerns of neighbors and city officials from the original plan submittal included traffic, height and location of buildings, and massing. The new working plan was then presented showing the new location of the Stratford at the south west corner of the site with entry drives at 92nd Street and 92nd Place; and condominium and clubhouse change with the new drive aligned equidistant between Rosewood and Birch off of Somerset. It was noted that the townhomes were removed from this proposal and the condominium project has 96 units and is now five stories in height with the overall height not increasing. Stratford's details include 244 units, an overall building of 45 feet maximum (3 story visible in the west elevation fronting Nall Avenue to four stories as the building encroaches into the natural topography of the golf course). Stratford now occupies approximately 8 acres of land area. Richard also noted that the club originally solicited proposal for this property with the main goal of saving the club. The formal presentation ended at approximately 6:30pm and the discussion was opened for an informal question and answer period.

The following are a listing of the questions from the audience.

1. Where are the entrances to the Nall Building? The entrances align with 92nd Street and 92nd Place.
2. This relocation of the Stratford project will create an exponential increase in cars on Nall... it will be impossible to enter on Nall is this a right turn in and out only? Steve Armstrong

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Gastinger
Walker
Harden
Architects

architecture
interior design

kansas city
chicago

explained that the traffic study was underway. The population of the facility will be between 320 and 340 residents. It has been their history in these type of facilities that the traffic generated will not be during peak rush hour times. The employee shifts will not be changing during rush hours. The number of employees to staff the facility will be between 45-50 during the largest shift, which will be the day shift. There will be daily deliveries required for trash, food, etc. Steve also indicated that 20 – 25% of the residents have visitors on any given day. Steve indicated that when the traffic study is completed they will be completing the recommendations as provided by the traffic engineer. It was noted that the last proposal indicated that the entire development would add approximately 2% additional traffic to Sommerset Road.

3. Can you move the Stratford project to the Northeast corner of the property? It was noted that this would be a more difficult location with the facility being right in the residences back yards with limited access to Roe.
4. Statement made with no question. Residents opposite the Stratford are very concerned about this project.
5. Statement made with no question: 92nd Place is a two block cul-de-sac. This proposed design will be a problem for traffic and will cause problems for all residences on this street with the only entry off of Nall.
6. I applaud the proposed design to move the Stratford to the Southwest corner of the property. How many wrecks have occurred in the front of the Forum? And would this translate to this project? The question was noted and would be given to the traffic engineer completing the study to evaluate.
7. Having just moved to this area I am not familiar with the project. Have you done a market study to know the demand of this type project (referring to the Stratford) on this site? Steve Armstrong indicated that yes, they have done a market study and there is a very strong demand for this type product. Presently, he already has a list of 48 people that are interested and he predicted a strong presale process based on this early interest.
8. What is the make-up of the CCRC units? Steve indicated that there are 172 independent living units and 72 units that consisted of assisted, nursing and Alzheimer care.
9. Is there more tax revenue generated with assisted living in lieu of the project being all condos? Rich indicated that the condo market study indicated that the project was much more successful with a mix of residential living opportunities in lieu of all market rate condominiums.
10. Statements were made without a question. The individual took the microphone and made several statements. He stated that the high rises coming into Prairie Village will drive down property values. The project will increase the tax base and it will go to the City to mismanage the funds and increase our taxes. The City is working with the business men of this development and it will not be a benefit to the citizens of the City and will not allow our taxes to go down so we should not be in favor of this proposal. You cannot beat City Hall. We need to vote in term limits for the mayor.
11. Can the entry drive for the Stratford project be moved adjacent to the maintenance building on the South property with the entry drive placed parallel to the cart path? It was noted that all the property along the South property line was private property and there was no available land next to the maintenance building.
12. Where are the condominiums located and what is the height? Rich pointed out the condominiums were in the middle of the site and the building was 54 feet in height. The design was only changed to increase the size of the center units to two story units in each building but this would be done within

- the previously presented heights.
13. How is the building lighted at night? Steve indicated that there will be lighting required around the parking lot area and the walkways to provide safe entry and pedestrian access to the entry doors. Steve indicated that it would be light like a residence and not have lights washing the overall building facades. Lighting would be approved by the City of Prairie Village. Steve used drawings on the screen to outline how far back the building was from the curb.
 14. Where are the entrances to the Stratford and how far is the building from Nall. The main building entrance is 180 feet from the curb of Nall for the independent living unit. The healthcare wing is located 120' from the curb of Nall and the closest building edge is 100' from Nall. It was noted that the curb to curb width was 52' along Nall.
 15. What are the parking requirements of the employees of the Stratford? If you go to the senior living center at Mission and Somerset the employees park in the library across the street and jaywalk across to work. Steve Armstrong indicated that he will have surface parking for the employees with the number to meet code and also be equal to the maximum number of employees on the largest shift. Residential parking is a ratio of one stall per unit that will all be parked below the building. The site will also be designed for visitor parking in the surface parking lot.
 16. Are the added costs for the infrastructure going to be paid by TIF abatements? Rich indicated that yes he would be pursuing tax abatements for the public infrastructure improvements of the road, sanitary sewer, and storm sewer improvements. Rich indicated that the development would not receive these tax benefits to be an added source of money for the project to benefit Stratford, Opus or the Meadowbrook Country Club.
 17. This site is one of the few green spaces in the City remaining in place. Why should the City of Prairie Village allow you to redevelop this Club? Rich stated that this was private property not the City of Prairie Village's property.
 18. Why can't we develop an entrance at the corner of 91st and Nall for the entire development? It was noted that it would be difficult to have 5 access points to this intersection and that the last proposal had the Stratford project at this corner and it was rejected.
 19. Is there a problem with having fire department access into the condominiums as one entry point off of Somerset? It was noted that the project would be reviewed by the fire department for proper turning radii but it was not seen as a problem to have access for only 96 residential units. The buildings would have a fire department access drive around all the residential buildings.
 20. Is there a front side to the Stratford project? Steve indicated that the main entry was off of Nall. The building would be designed all the way around to be nice in appearance with one side not being any better than the other. Steve indicated that surface parking would be along the north, west and south sides of the building with residential parking entries off of the east drive.
 21. Are you going to pay the residences along Nall for their loss of view? No answer given.
 22. Statement was made. If you are turning out of the Stratford project left we will have headlights shining in our windows.
 23. Statement was made. The Stratford project is at the highest point of the site and will be blocking our views of the green space and golf course.
 24. How many cars go up and down Nall? Judd stated in the last traffic study the count was at approximately 20,000 cars per day. The resident then stated why are we not talking about the increase in noise and pollution from this project? No answer given.

25. Could you tell more about the entrance off of Sommerset? Rich explained that the entrance to the condominiums and club is equidistant between Rosewood and Birch. The improvements to the intersection of Nall and Sommerset would be completed all the way to the entry of the Club and Condominiums.
26. Could the traffic speed and blind spot heading west be fixed on Sommerset east of Birch with this development? Rich explained that this is a City of Prairie Village issue that needs to be taken up with them.
27. Statement was made: This project will decrease all the property values around this development.
28. I would like to ask if the Club cannot function economically, who is going to buy the land to keep this green space? No answer was given.
29. The last time the project was at City Hall the Club stated that it was economically having problems, does the City have first right of refusal to buy this land? Rich stated the process of submittal of the next proposed development and that there would be opportunity of the City to ask for their requirements for approval of the development and could address this issue at that time.
30. Does the tax benefit go to the Condominium portion of the project? Rich responded yes, but payment of the condominium will not realize this cost as no taxes then bumped up after ten years.
31. What is the membership count of Meadowbrook Country Club? Rich stated that it was greater than 300 active members.
32. What is the reason for selling condominiums with the golf course? Rich stated that the development is being designed to sell a lifestyle.
33. What are you doing to insure that this is always going to be a golf course? Rich stated with this development the Club will become debt free and with the number of members, proper management that will be organized under Opus' directives will insure that the golf course will remain. If there are problems of management the condominium association will have the right to place proper management in place to operate a viable Club.
34. How long is it going to take to get this project done? Rich stated that all of the project will be completed at once. With the approvals and permit in hand it will take approximately 16 months of construction to complete.
35. What are the Club membership fees for the condominium owners? Rich stated a social membership will be part of the purchase price as a condominium owner. Club memberships for golf will be available to the condominium owners at market price.
36. Where are you going to send or pay monies to the neighbors that live west of Nall during construction? No answer was given.
37. Can you explain why if this project is an economic generator why not place the project on 95th street? Rich indicated that the land in the southeast corner is in the flood plain, adjacent to existing residences and to close to the 95th and Roe intersection to have safe access to 95th due to the distance available for entrances.
38. Has anyone done a study to have the required number of members to make the Club viable? Rich stated yes and that number was 300 members provides a positive cash flow for the Club and the maximum capacity of the Club would be around 350 members.
39. Why are you submitting a 5 story condominium building now when a 4 story was proposed before? Rich indicated that this proposal lost the townhomes. To recoup some of these dollars we would like to change some of the top floor condominiums to two story units. This change has not increase the height

- from the previous submittal.
40. How will the construction impact the residences and office buildings on 94th terrace i.e. noise? The project will be a normal construction site and will require to work within the ordinances of the City of Prairie Village.
 41. Are the trees along Nall going to remain? Steve Armstrong stated that he has tried to keep as many trees as possible along Nall. He indicated that he is gone to the trouble to build retaining walls along the South property line in specific areas to keep as many existing trees as possible. Judd also noted that the golf course was laid out to keep as many of the existing golf hole corridors as possible which will preserve as many trees as possible.
 42. What part of the site is going to be rezoned? Judd stated that the entire site was going to be rezoned.
 43. Does the City have the first right of refusal of the property if the Club defaults? Rich stated that this would be part of the discussions with the City if they desired as part of the approval process.
 44. Statement was made. I think this project is very respectful and it is a great idea to bring additional development and additional living opportunities including condominium and retirement living communities for the City.
 45. What improvements are being made to Sommerset and Nall? Judd explained the improvements from the last traffic study and proposed submittal. Judd indicated that the next submittal will address the issues requested of the new traffic study. Judd explained in detail the widen corner on the Southeast corner of the intersection, the widened road, lane restriping and new sidewalk locations.
 46. Why are you now rezoning the entire property? Rich stated that the project includes condominiums, clubhouse, tennis and pool pavilions, the new golf course and Stratford project. We will be submitting a "plan" for approval. We will only be approved to build the "approved" plan submitted to the City.
 47. The City of Prairie Village has not given tax abatement for 20 years, why this project? This would be discusses as part of the development submittal package.
 48. How much wider will Sommerset become? Judd indicated the drawings show 6-8' which will be taken out of Club right of way along the south side of Sommerset.
 49. What happens if this proposal fails? Rich stated that someone else will probably develop this property due to the financial position of the current Club. A new developer would have to go through this process just like Opus is currently doing.
 50. What kind of road changes will be made along Nall? Judd stated that we will be determining that information after we receive the traffic study which is due in the next week.
 51. For those that live along the golf course what things will we see changed? The golf course will pretty much stay as it is with some rerouting of holes to work around the new development.
 52. Who is doing the traffic study? Judd stated Norm Bowers and gave some background about his credentials as a traffic engineer.
 53. Where is the clubhouse located? Rich pointed out on the plan that it was located in the center of the site along the north side of the body of water.
 54. I live in the house on the South side of Sommerset just east of the current entrance, how is this development going to affect my house? Rich described the design of the layout of the road and golf course along the west and south sides of the person's property.
 55. Are there any proposals on the agenda in March for this project? Rich indicated that no proposals will be submitted in March. Rich stated the earliest that something could be heard at the planning commission would be the first of April.

Hearing no other questions from the audience the meeting was closed at 8pm. The crowd broke up with individuals staying behind asking questions of the presenters in a one on one setting.

Upon completion of the presentation the meeting was adjourned at approximately 8:00pm with informal, small group discussions lasting until about 8:30pm.

This is our interpretation of occurrences and conversations at the meeting. Please contact me if any items appear to be in error or if you have any questions or comments.



Meadowbrook Redevelopment Town Hall Meeting
February 26, 2008

Name	Address	Phone Number	Email Address
1			
2	Paul Prosser	5500 W 92 nd St - P.O. Box 648-4634	
3	SARA BERNARD	9104 DELMAR PRAIRIEVILG	913-385-7088 sbernard@sbr-law.com
4	Kenneth Peitz/Nancy	5612 W 92 nd Terr OVERLAND PARK	644-7104 glennkat1@hotmail.com
5			
6	Ann & Pat Ointon	4506 Woodcroft R.V.	642-2079
7	Nancy Wilkstein	4100 W 89 th P.V.	
8	DAVE MORGAN	5501 W 92 nd TERR CP	381-7935
9	John Morgan	8223 S Tall V.P. Ks	648/456 Non
10	Klaga e. Bennion	9001 Birch 913-658-5019	
11	Rusha Bennion		qbennion@pvkansas.com
12	Sharon Bennion	4501 W 72 nd Terr PVKS	913-831-4296
13	Sharon Bennion	4058 Rosewood Dr. P.V. KS	913-642-4853
14	STIAN PETERMAN	9235 Somerset OP KS	66207 381-9336 bpeterman@kc.rr.com
15	STAN CAROLE PLESSE	7938 CANTERBURY P.V. KS	66208 644-3506
16	Steve & Gina Horner	5801 W 92 nd St OPYS	66207
17	Christ Jan Hoy	8998 Rosewood PV KS	66207 341-5667 jhoy@lockton.com
18	Fred & Tina Greenbaum	4861 W 90 th St	66207 913-644-4721 909etgreen@junio.com
19	HARRY & BARBARA BIZBY	9034 BIRCH ST	66207 BBEEDINGFITAD@KC.rr.com



Meadowbrook Redevelopment Town Hall Meeting
February 26, 2008

Name	Address	Phone Number	Email Address
LINDA SALVAY	8826 BIRCH LANE PV KS	913-381-8377	
Bob Reese	7913 Roc Ave PV KS		
John McCawley	9220 Rm	381-2078	
Eileen Schum	4509 W. 93	648 4167	
Justin Neff	9109 Somerset Dr.	573-310-3270	
Bert Ashford	9216 Roe	913-461-4540	
Charles Goldsboro	5507 W. 92nd Ter.	913-642-8965	
Silky Goldsboro	5507 W. 92nd Ter.	913-642-8965	
Jane Jacobson	4917 W 90th St PV KS	913-579-8612	
Nancy Easton	4965 Somerset PV KS	913-642-0469	
Stephanie Boffner	7243 Springfield St PV KS		
Josi Smith	9308 N.W.	913-648-5601	
Robert Smith	5601 W. 92nd Place	913-642-5838	
Christina Smith	8923 Rosewood P.V.	(913) 649-7144	
Nick Gerow	9000 Birch P.V. 66207	913-649-6545	
Ed Wolfson	4725 W. 90th St. Of. 66207	913-384-3540	edwolfson@everestkc.net



Meadowbrook Redevelopment Town Hall Meeting
February 26, 2008

Name	Address	Phone Number	Email Address
J. Cordill	5500 W. 87 th Terr	649-8657	J. Cordill j.cordill@cityofmichigan.com
Les Woller	9378 Roe Ave	913-548-3918	les@leswoller.com
Sylvia King	5500 W 92 nd Terr		
Rusty Munyon	9510 Cedar	913-341-2816	
Joan Nordquist	5501 W 92 Terr	913-381-7935	
Don Freborg	⁹⁰¹⁵ 9015 Birch	913-381-0926	
JIM ROYER	5165 SOMERSET DR	913 642 6522	jimroyer@sbcglobal.net
Paul McKie	8235 Wall	648-8790	
Paul Green	9408 Roe Ave	648-6551	
Carol Kelly	5516 W. 92nd St	432-9746	
Togo Cannon	7223 Mission Rd	383-2081	
Paul Lyons	8828 Audley St. OPKS	649-5814	
MARINE McBURNEY	9308 Albemarle	341-4544	
MARK LEDOM	5200 W. 94 th Terr. S. feeder	754-5696	
Paul Green	9408 Roe Ave	648-6551	
Bob Reneo	9408 Roe Ave	648-6551	
Joseph Weston	9070 Birch	383-2244	
Joe Henshaw	9072 Rosewood Dr	383-9898	Joe Henshaw



Meadowbrook Redevelopment Town Hall Meeting
February 26, 2008

	Name	Address	Phone Number	Email Address
1	STAVE NOLES	4500 W 71 TERR PK 5	913-262-1310	steve-noles@aol.com
2	JERRY MATTHEWS	5353 Somerset Dr	913-642-4657	
3	CRAIG SALWAY	8826 Birch LN	913-381-8377	CRAIG@SALWAY.COM
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OPUS NORTHWEST, L.L.C.

460 Nichols Road, Ste. 300 | Kansas City, KS 64112
Phone 816-480-4444 | Fax 816-480-4344

To: Ron Williamson
From: Richard Muller
CC: Joyce Hagen Mundy
Date: April 18, 2008
Re: Application PC 2008-03
Proposed Deed Restriction Concept

Consistent with the City of Prairie Village Planning Commission's request, Opus Northwest, L.L.C. offers the following clarification to the concept and mechanics of the proposed deed restriction to be placed upon the Meadowbrook Golf and Country Club ("MGCC") property as a condition of its redevelopment. The purpose of this deed restriction is to preserve this green space for the benefit of the residents of both the condominiums and the Stratford senior living facility.

In short, there are three key constituencies with an interest in preserving the maximum amount of green space at MGCC: the City of Prairie Village, the future owners of the proposed condominiums and the future residents of Stratford's senior living facility.

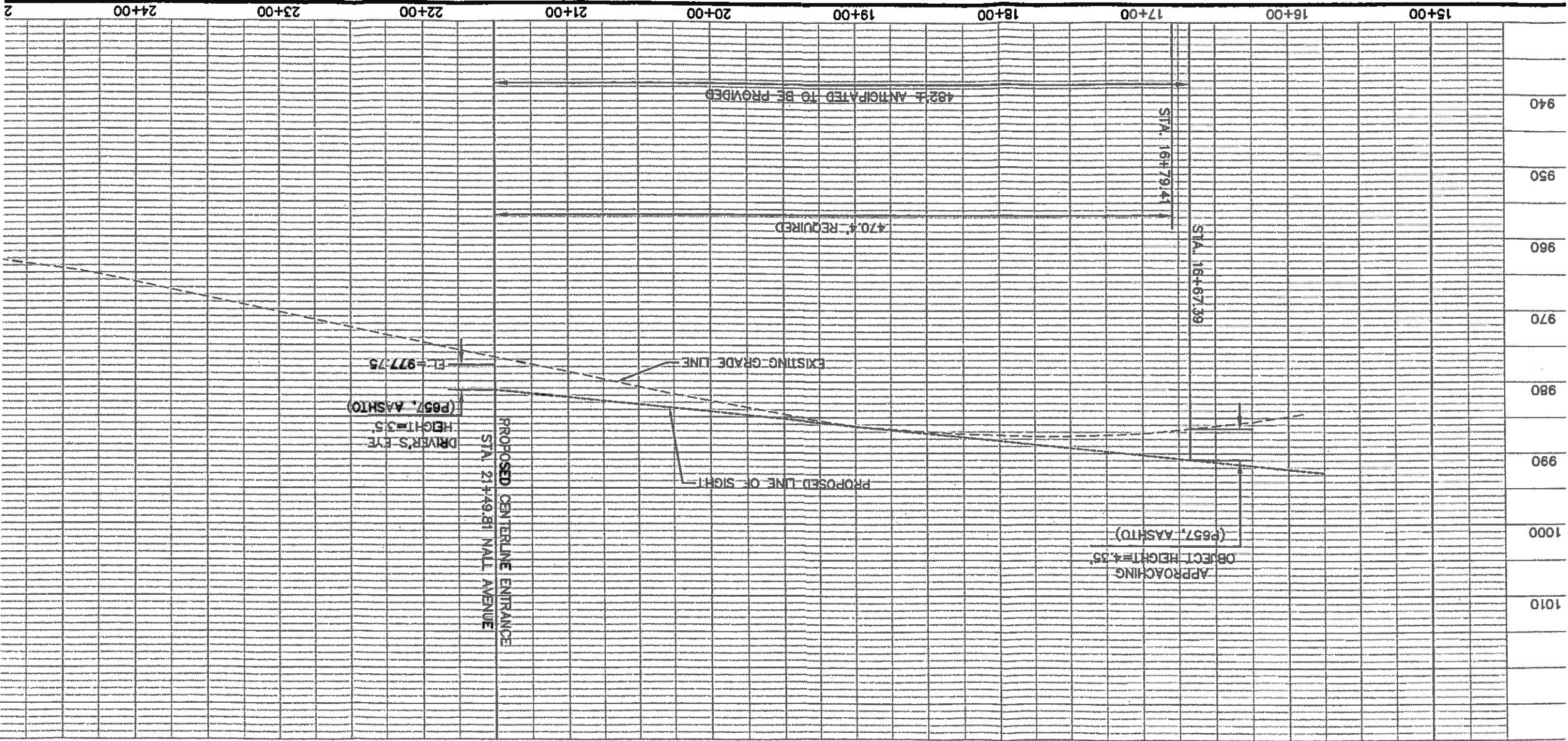
The City's interest in the green space is protected through the planning and zoning process. Should the project's current rezoning application be approved, the site will become a planned mixed use zoning district that cannot be modified without the City's approval.

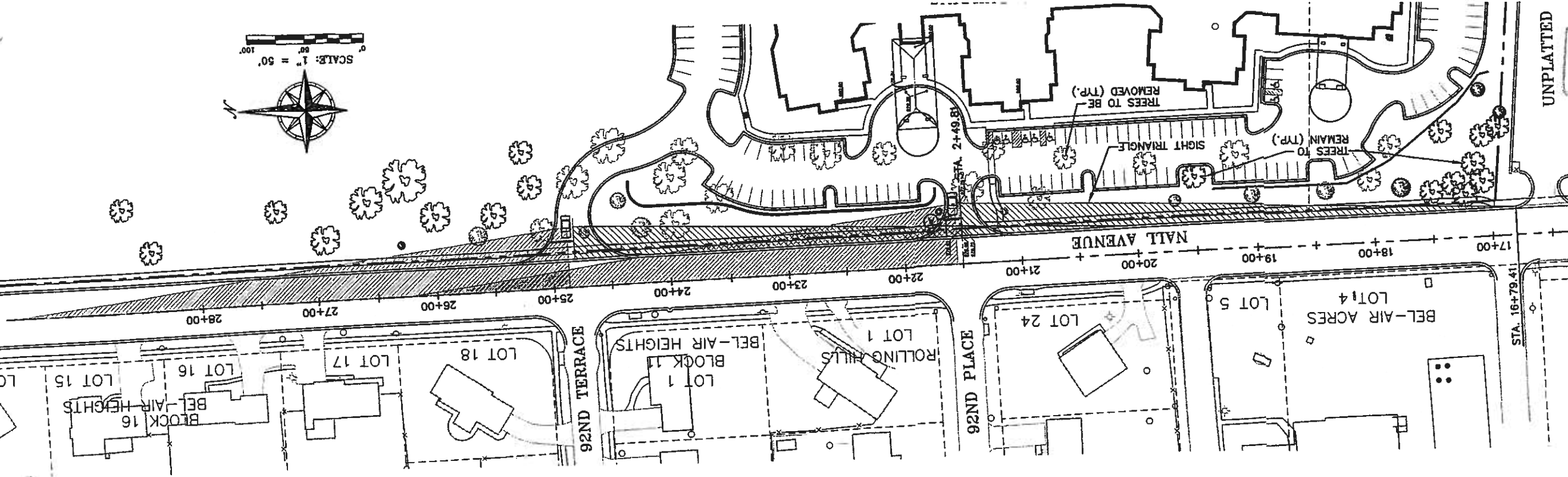
We are proposing that the condominium and Stratford's residents' interest in the green space would be protected by placing private deed restriction over the entire site that would preclude any development from taking place on the site. We are in the process of negotiating and finalizing the restrictive covenant agreement with the Club, which will occur as part of the closing.

Based on our proposed structure for the restrictive covenant agreement, should the Club's circumstances change (e.g.: the Club can't survive as a private golf course), the condominium owner's association & Stratford's governing/managerial body shall have the right to assume the maintenance and operation of the property as a public, semi-private or private golf course (which would include conveyance of the MGCC property, if it was determined that such conveyance was in the best interest of all parties involved). The current structure of the restrictive covenant agreement provides that the property will remain green space (such as a private park) if operation of a golf course is not economically feasible.

As we discussed, we would consider adding a provision (if desired by the City) that if the condominium owner's association & Stratford's governing/managerial body do not wish to maintain the green space in either of these states, with a vote of their respective governing/managerial bodies, they can elect to terminate the deed restriction on all or a portion of the property, which would then permit the owner of the MGCC property to sell the unrestricted land for development pursuant to the City's planning and zoning process. This would need to be finalized in the restrictive covenant agreement with the Club.

Given the City's interest in the green space is protected under planning and zoning proceedings, the City is not anticipated to be party to this private deed restriction.





TREES TO BE REMOVED (TYP.)

SIGHT TRIANGLE

TREES TO REMAIN (TYP.)

UNPLATTED

STA. 16+79.41

92ND PLACE

92ND TERRACE

NAIL AVENUE

BEL-AIR ACRES

ROLLING HILLS

BEL-AIR HEIGHTS

BLOCK 16
BEL-AIR HEIGHTS

LOT 15

LOT 16

LOT 17

LOT 18

LOT 1

LOT 1

LOT 24

LOT 5

LOT 4

28+00

27+00

26+00

25+00

24+00

23+00

22+00

21+00

20+00

19+00

18+00

17+00

STA. 2+49.81

City Hall • 8500 Santa Fe Drive
Overland Park, Kansas 66212
www.opkansas.org

March 14, 2008

Joyce Hagen Mundy
City Clerk, City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

RE: Meadowbrook redevelopment proposal

Dear Ms. Mundy:

Thank you providing our staff with information regarding the Meadowbrook redevelopment proposal. Our staff has reviewed the proposal and would offer the following comments for your consideration:

Screening:

It appears that more parking than necessary may be provided for the independent living/assisted living facility. Reducing some parking along Nall would allow for a larger buffer area where additional evergreen and deciduous trees could be planted for screening. Attached is a table from *Parking Generation, 3rd Edition*, which provides some general guidance about parking for continuing care retirement communities. Questions regarding this issue can be directed to Leslie Karr, Manager of Current Planning, (913) 895-6196.

Drainage:

We request that stormwater detention be studied as a requirement for this development due to downstream flooding conditions. The recently completed Indian Creek Watershed Study shows that 50 or more residential structures in the channel immediately downstream from the site between 95th Street and 103rd Street are at risk of flooding during the 1% (100-year) storm event in this watershed. Questions regarding this issue can be direct to Tony Meyers, Supervisory Civil Engineer, (913) 895-6036.

Traffic:

The portion of the project that directly impacts traffic on Nall Avenue is the building at the southwest corner of the site that includes 172 independent living units and 72 assisted living units. The ITE Trip Generation Manual indicates that a facility of that type generates trips at a low rate, so we estimate that during the critical p.m. peak hour only about 70 trips will be generated by the project. The trips are expected to be approximately evenly split between inbound and outbound trips and we estimate that half of the drivers will travel to and from the north and half will arrive from and depart to the south on Nall Avenue. The bottom line is that about 18 cars will make southbound left turns from Nall Avenue into the site and the same number will turn left from the parking lot onto Nall Avenue.

Current traffic volumes on Nall Avenue are approximately 15,000 cars per day. That amount of traffic lies in the lower range of traffic volumes on four lane thoroughfares. Considering that traffic signals exist south of the site at 95th Street and to the north at 91st Street, substantial gaps in traffic occur in that area to allow drivers to complete their left-turn movements. Therefore, we do not anticipate significant issues with drivers making left-turn movement because of the traffic volumes on Nall Avenue.

The only traffic issue that the staff can identify is the intersection sight distance that will result if the proposed plan is developed. The current site plans show two driveways connecting to Nall Avenue, opposite 92nd Terrace and 92nd Place. The sight distance at the 92nd Terrace location is substantial. The staff's concern is with the sight distance at 92nd Place. After field checking the available sight distance at the proposed driveway opposite 92nd Place, that location would allow for only about 380-foot of sight distance for drivers attempting to see traffic coming from the south. The crest of a large hill near the south end of the site is the reason for the limited sight distance. On a street with a 35 mph speed limit (as is the case for Nall Avenue), national standards call for cars turning left out of the site to have at least 475 feet of sight distance. If a driveway were to be constructed opposite 92nd Place, drivers would have difficulty making left turns into and out of the site. Keeping in mind that many of the drivers would be elderly, we strongly recommend that substantially more than the minimum sight distance be required.

An alternative to constructing the southern driveway opposite 92nd Place is to use the northernmost driveway opposite 92nd Terrace as the access to the site and to build an emergency-access-only driveway somewhere else along the Nall Avenue frontage in case the main driveway were to be blocked.

One other site design element needs to be considered. The existing split rail fence along the golf course frontage on Nall Avenue would block the visibility of oncoming traffic for drivers exiting from the site driveway. We recommend that the fence either be removed or relocated farther away from Nall Avenue in a position that would not

March 14, 2008

Page 3

obstruct sight distance. Questions about this issue can be directed to Mark Stuecheli, Senior Transportation Planner, (913) 895-6026.

I understand that these comments are advisory, however; these issues have the potential to impact residents within The City of Overland Park. Your thoughtful consideration is appreciated.



Leslie Karr
Manager, Current Planning

attachment

cc: Bill Ebel
John Nachbar
Councilmember Paul Lyons
Councilmember Kurt Skoog
Peggy Sneegas
Tony Meyers
Mark Stuecheli

Land Use: 255

Continuing Care Retirement Community (CCRC)

Land Use Description

Continuing care retirement communities (CCRC) are land uses that provide multiple elements of senior adult living. CCRCs combine aspects of independent living with increased care, as lifestyle needs change with time. Housing options may include various combinations of senior adult (detached), senior adult (attached), congregate care, assisted living and skilled nursing care—aimed at allowing the resident to live in one community as their medical needs change. The communities may also contain special services such as medical, dining, recreational and some limited, supporting retail facilities. CCRCs are usually self-contained villages. Senior adult housing—attached (Land Use 252), congregate care facility (Land Use 253), assisted living (Land Use 254) and nursing home (Land Use 620) are related uses.

Database Description

The database consisted of three study sites. Two study sites provided data for a weekday and one study site provided data for a Sunday.

One site with 178 dwelling units had a peak parking demand ratio of 0.49 vehicles per dwelling unit between 5:00 and 6:00 p.m. on a Friday.

The site with 247 dwelling units had a parking supply ratio of 1.3 spaces per dwelling unit. It had a Friday peak parking demand of 0.83 parked vehicles per dwelling unit. Data from this site included continuous parking demand data collected between 9:00 a.m. and 6:00 p.m. The observed peak hour was between 11:00 a.m. and 12:00 p.m. The following table presents the time-of-day distribution of parking demand.

Based on Vehicles per Dwelling Unit	Weekday	
	Percent of Peak Period	Number of Data Points*
Hour Beginning		
12:00–4:00 a.m.	—	0
5:00 a.m.	—	0
6:00 a.m.	—	0
7:00 a.m.	—	0
8:00 a.m.	—	0
9:00 a.m.	97	1
10:00 a.m.	97	1
11:00 a.m.	100	1
12:00 p.m.	90	1
1:00 p.m.	92	1
2:00 p.m.	92	1
3:00 p.m.	90	1
4:00 p.m.	92	1
5:00 p.m.	97	1
6:00 p.m.	—	0
7:00 p.m.	—	0
8:00 p.m.	—	0
9:00 p.m.	—	0
10:00 p.m.	—	0
11:00 p.m.	—	0

*Subset of database

January 8, 2008

Attention: City of Prairie Village, Kansas Planning Commission

RE: Opus Development Proposal for Meadowbrook Golf Course

We do appreciate the delicate and sometimes complex decision process our public representatives have to deal with. We also believe the Planning Commission and the Prairie Village government as a whole is interested in the well being of our community.

The Opus Development Team is now proposing to place the Stratford assisted living "complex" to the south west corner of the golf course.

I and my company have maintained office space at 5350 W. 94th Terrace for 15 years and now, as the Owners of 5300 W. 94th Terrace, look forward to many more years as a productive tax payer to the Prairie Village community.

It is difficult to understand all the economic factors that enter into your decisions. Hopefully Prairie Village and its planners look far into the future and try to envision the best outcome for its citizens.

It is my understanding that Meadowbrook Country Club is a "private" asset and therefore you may not have substantial control over its destiny other than reviewing various "Real Estate" proposals designed to "maximize" the economic returns of Club owners and/or hopefully excellent developers.

Everyone agrees that keeping the "park like" environment is vital. Great communities have parks and green space that are much loved and appreciated. Even though few people step into this park (golf course) many more drive by daily and find it a very real asset to the community.

We hope that the Planning Commission will help all parties achieve the best solutions, not just the best compromises.

We also hope that the driving forces of "economic viability" that may rule the ultimate outcome, are truly seen in the context of a long term vision.

Attention: City of Prairie Village, Kansas Planning Commission
January 8, 2008
Page Two of Three

Please review and scrutinize the "reasoning" for so many units in the "Stratford Project".

We hope that you can "influence" an alternative or modified blending of condos versus assisted living units.

The "footprint" for the Stratford Project is breathtakingly large.

If you have not done so, I must insist that you "walk" the sidewalk on Nall and "walk" the fairway to the east of the proposed huge "footprint".

Our office building is in many ways a home to me and my staff. We spend much of our waking hours looking out at the green space and feel blessed for it. Our potential tenants on the second floor are considering leasing the space with the understanding that they too are going to have this view. Interestingly we have only windows facing north, overlooking the golf course. You can understand our particular concern and fears.

As a significant taxpayer to Prairie Village, my wife and I hope you will be sensitive to all concerned.

Now that the north neighborhoods are celebrating their victory over the Stratford Project NOT being placed at Somerset and Nall, there may be less pressure on you and the Prairie Village governments to be critical and careful.

We will not join the "NIMBY" crowd, but we hope you remain true to a quality long range vision.

Finally, our architecture practice is focused exclusively on residential housing - primarily single family.

For over 25 years we have dealt with issues of scale and livability.

Attention: City of Prairie Village, Kansas Planning Commission
January 8, 2008
Page Three of Three

Please look long and hard at the assisted living project. There should be excellent solutions available to insure a beautiful "street scape" and be respectful of the golf club needs not to mention the affected office buildings located along 94th Terrace.

We have not been asked to consult with the developer team.

However, I will offer at no charge to the City of Prairie Village any reasonable assistance you may need.

We have access to thousands of images that may help communicate desired aesthetics and/or simply bring a consultant perspective to the Planning Commission. We wish to invite you to our building at 5300 W. 94th Terrace to understand our perspective.

Sincerely,

A handwritten signature in black ink, appearing to read "Wolfgang Trost", with a long, sweeping horizontal stroke extending to the right.

Wolfgang Trost, AIA
Wolfgang Trost Architects, LLC

Joyce Hagen Mundy

From: Susan Trost [susan@wolfgangtrost.com]
Sent: Friday, March 28, 2008 4:06 PM
To: Joyce Hagen Mundy
Subject: Attention: Prairie Village Planning Commission Members re Meadowbrook Golf Club and Development

TO:

Mr. Kenneth Vaughn
Mr. Marc Russell
Ms. Marlene Nagel
Mr. Randy Kronblad
Mr. Robert McKim, Jr.
Mr. Bob Lindeblad
Ms. Nancy Vennard
Ms. Pat Daniels

RE:

The Meadowbrook Golf Course and Development

What is the long term "master plan" vision for the Prairie Village Community?

The answer to this question has probably changed over time. It is therefore fair to ask the Planning Department and the City Council to clarify and communicate this vision for the City of Prairie Village as the Meadowbrook Development ideas are being considered.

Most individual Citizen/Home Owners/Families wish for a stable, healthy and safe community. Many Prairie Village neighborhoods are evolving with repairs, remodeling, and additions. In some areas there are tear downs resulting in new updated housing. The increasing awareness of architectural integrity has fostered a more vigilant review process intended to maintain the character and quality of our communities.

Prairie Village is landlocked. Keeping pace with increasing cost of public services causes gradual and acceptable increases in taxes and fees. The "encouragement" for repairing and improving existing housing stock should be a priority for city leaders. The Meadowbrook Golf Course is one Prairie Village amenity that can contribute positively towards resident's confidence with investing towards higher property values.

What is the long term vision for the Meadowbrook Golf Club?
How does the vision affect future generations?

The Planning Department is aware of the importance of open green space. Various sizes of parks and/or green belt areas are recommended by Planners throughout America and the world for sustaining healthy community environments. Prairie Village is lacking the recommended per capita green/park space that is now generally recommended by Planners.

With this in mind, we ask that our Representatives consider carefully the opportunity that lies before them - the opportunity to invest for Prairie Village residents of the distant future.

We ask the Council to consider the following ideas:

A. The City of Prairie Village should explore purchasing the so called "Deal Making" Stratford land component of 8+/- acres for a new park. Opus and the Golf Club can proceed with their plans of a new centrally located club facility along with new quality condo units. The vacated northeast corner can become the ideal park location.

This Private and Civic Partnership will save the desired green

space, and give Prairie Village a foothold to secure the destiny of this valuable asset into the distant future.

B. Is there any process that would allow Prairie Village and Overland Park to come together and "share" in the vision for this proposed park? This park option can also benefit the future of neighborhoods on the west side (Overland Park) of Nall Avenue.

Additionally, is there a good understanding by the Prairie Village City Council and Planners for how rare and important the "view" into this private park (golf course) really is to all the residents of Prairie Village, Overland Park and others who drive by this wonderful green space?

Most residents may not be able to step into this beautiful park/golf course, however, they do appreciate this amenity as a community asset. The most spectacular vantage point for this appreciation (the new Stratford project location) may be destroyed for all future generations. The "open window" to this green space is an asset that is a powerful symbol and welcoming doorway to the City of Prairie Village.

Prairie Village residents deserve to know in clear language how and who benefits from the decisions that are being made.

Can investing in a park be considered? Let's consider other creative ideas being discussed by interested Prairie Village residents and surrounding Home Owners.

Can the residents of Prairie Village and Overland Park participate in this decision?

What would it take to afford the park?... To approve funding?

Once again, we are asking the City Council of Prairie Village to share a clear understanding of the decision making process for the Meadowbrook Golf Club. It would be helpful if the following questions and comments are being considered by all.

-Is Prairie Village "desperate" for more tax revenue? If the answer is "Yes", how does this influence the long term "master plan" vision?

-Will anticipated upgrades and improvements of our current housing stock cover our future community expenses?

-Is the Meadowbrook Golf course really doomed and why?

-Is it clear to everyone that all the very best management efforts have been attempted to secure a healthy Golf Club?

-Who are the individual Owners of the club that have the most equity? Are their goals and/or financial interests compatible with the long term vision for Prairie Village?

-Are the repairs of the "downhill" infrastructure (sewers, storm drainage, etc.) needed and required by Opus to make the development possible?

-Who pays and what are the benefits for the residents and the City of Prairie Village, not just Opus, Stratford and the Meadowbrook Golf Club?

-What exactly are the financial dynamics of the Stratford Project to the "deal"?

-Is the "Stratford" infusion of 3 or 4 Million Dollars for the land acquisition of 8+/- acres necessary to make the Opus deal practical and/or profitable?

-The City Council should explain the "cash flow" benefits of the Opus and Stratford Project to Prairie Village in terms of % of total Prairie Village tax revenue?

How does this affect the other options being considered?

It is hoped that with the answers to these and other questions the residents of Prairie Village may be able to understand and agree with the City Council decisions.

Sincerely,

Wolfgang Trost, AIA

Wolfgang Trost Architects, LLC
5300 W. 94th Terrace, Suite #100
Prairie Village, Kansas 66207

Tee Box, LLC (Property Owner)
5300 W. 94th Terrace
Prairie Village, Kansas 66207

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.519 / Virus Database: 269.22.1/1347 - Release Date: 3/27/2008

7:15 PM

Joyce Hagen Mundy

From: Susanfe@aol.com
Sent: Wednesday, May 28, 2008 3:14 PM
To: Joyce Hagen Mundy
Subject: Meeting re: Meadowbrook property

We, Morris and Ruth Feinberg of 4701 W. 88 St., are both older and disabled and cannot attend the 6/2 meeting. We do, however, want to register our disapproval of the proposed project for the Meadowbrook property. We had previously sent emails and still do not want this project to be approved. We have lived at this address since October, 1980. If there is some way to register our vote of disapproval, please do so. Thank you very much.

Ruth Feinberg
4701 W. 88 St.
PVK
913-649-3363

susanfe@aol.com

Get trade secrets for amazing burgers. Watch "Cooking with Tyler Florence" on AOL Food.



MEMO

To: Mayor and City Council
City of Prairie Village, Kansas

From: Catherine P. Logan

Date: May 28, 2008

Subject: **Protest Petition relating to:
Meadowbrook Rezoning Application PC 2008-03
Request for Rezoning from R-1a (Single Family Residential District) to
MXD (Mixed Use District) at 91st and Nall Avenue on the
Meadowbrook Country Club Property**

Both the City Code (Section 19.52.045) and Kansas Statutes (K.S.A. 12-757) provide a means for owners of property located within 200 feet of property being rezoned (the so called "buffer zone") to be notified of the proposed rezoning. The code and statutes also provide that if the owners of record of 20% or more of the total real property within the buffer zone file a protest petition with the City Clerk within 14 days after the conclusion of the planning commission hearing, any ordinance approving the rezoning must be approved by at least a 3/4 vote of the required members of the governing body.

I have reviewed a Protest Petition which was delivered to the City Clerk on May 20, 2008. I have also verified online with the Johnson County Register of Deeds the ownership of the protest petition parcels 1 through 39 listed in a separate spreadsheet prepared by City staff and referred to as "Protest Petition List of Parcels." Pursuant to the AIMS mapping furnished by the City Staff, I concur that the parcels listed in the Protests Petition List of Parcels are fully or partially located within the 200 foot buffer area. The Protest Petition is valid if properly signed by the owners of record of 20% or more of the property within the buffer area.

I am rejecting the signatures on the following 3 parcels for the following reasons:

Parcel 1. Justin Neff is the only signature. However, the deed to this parcel is in the name of Justin Neff and Jennifer L. Neff, husband and wife. It appears from a later filing of a mortgage release that Mr. and Mrs. Neff may have divorced, but there is nothing in the register of deeds records to indicate that Jennifer L. Neff has released her interest in the property or is deceased.

Parcel 22. Robert R. Shaw is the only signature. It appears from a recital in a subsequent Transfer on Death Deed, that Robert R. Shaw is now a widower, but there is nothing of record to confirm this. The original deed includes his spouse, Shirley. Because there is nothing of record to confirm her death or release of any

interest in the property if not deceased, I must reject the signature for this parcel by Robert R. Shaw only.

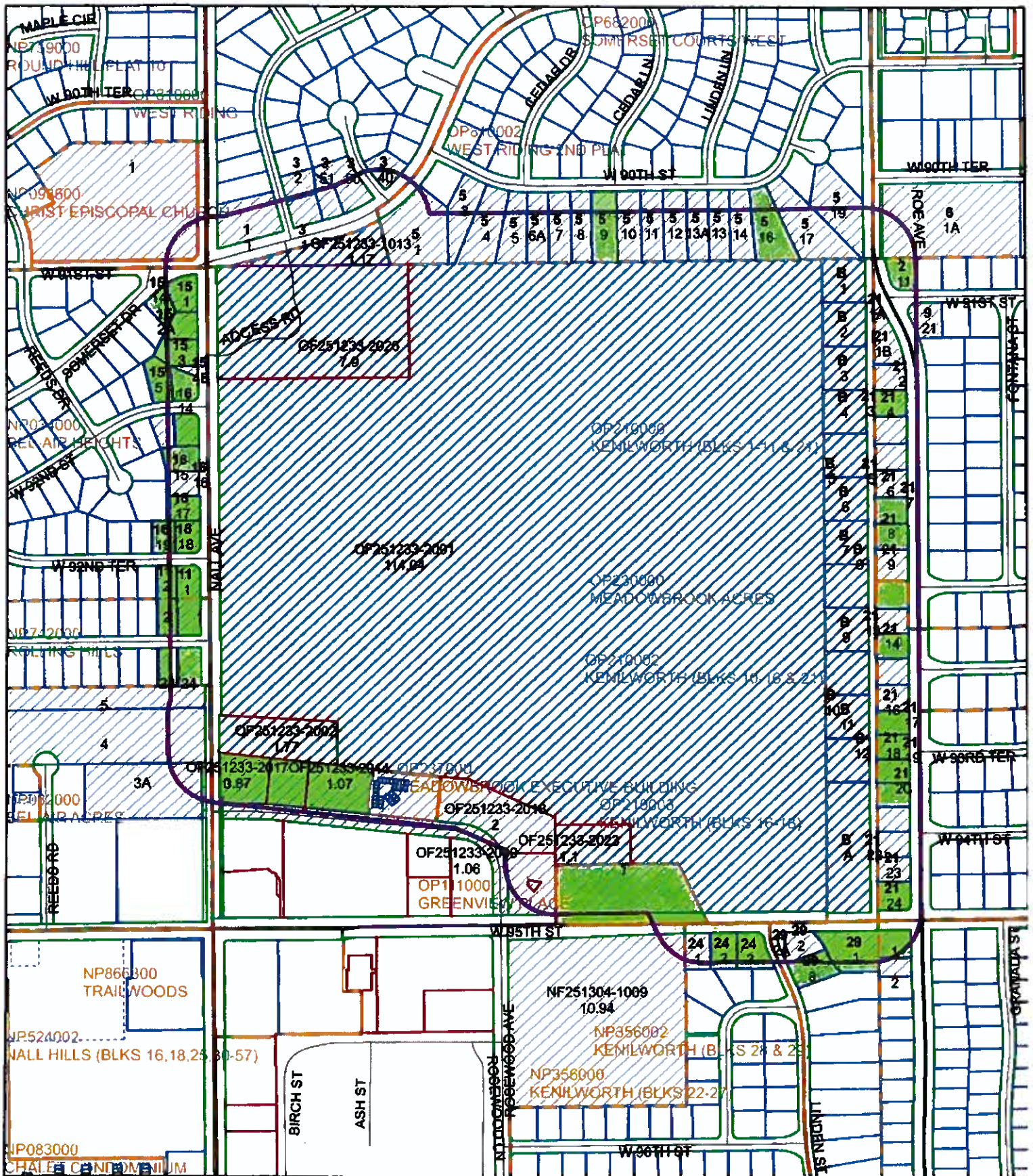
Parcel 28. The petition is signed by "Chin Thi Le" and "Hang Dang Ngoc." The deed is to "Dang Ngoc Hang," "Le Thi Chin" and "Dang Ngoc Anh." Accordingly, even assuming the signers are the same as the first two names on the deed, the signature of "Dang Ngoc Anh" is missing. There is nothing in the register of deeds records to indicate that the latter person is deceased or released his or her interest in the property.

Please note that without these three parcels, the owners of record of 39.85% of the property in the buffer area have signed petitions.

Please also note that although I have not separately verified the authority of members or managers of the two LLC owners (parcels 5, 15 and 16) to sign the petition (by review of Articles of Organization or Operating Agreements of these entities, although I have verified the good standing of these entities), or the authority of trustees of trust owners (parcels 11, 12, 20, 35, and 39) to sign the petition (by review of the applicable Trust Agreement), even without those parcels, the owners of record of 27.36% of the property in the buffer area have signed petitions.

Based upon the foregoing, it is my opinion that the Protest Petition is valid.

cc: Ron Williamson
Quinn Bennion
Dennis Enslinger



Custom Buffer



MAP/DATA DISCLAIMER: It is understood that, while the AIMS participating agencies and information suppliers have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, AIMS AND ITS SUPPLIER MAKE NO REPRESENTATIONS OF ANY KIND, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE, NOR ARE ANY SUCH WARRANTIES TO BE IMPLIED WITH RESPECT TO THE INFORMATION, DATA, OR SERVICE FURNISHED HEREIN
Product of the Department of Records and Tax Administration

1 inch equals 500 feet

200 foot buffer (186.33 acres)
 Buffer search returned 165 properties

No. Property ID	Area (ft2)	Acres	Situs Address	Owner Address	City State Zip	Billing Address	Billing City, State Zip	Area In Buffer (ft2)	Acres In Buffer	% of Parcel	% of Buffer
1 NF251304-1009	476,362	10.94	5101 W 95TH ST	0 NS NT	OVERLAND PARK, KS 00000	7235 ANTOCH RD	OVERLAND PARK, KS 66204	7,052	0.16	1.50%	0.10%
2 NP74200000 0024	13,966	0.32	5501 W 92ND PL	5501 W 92ND PL	OVERLAND PARK, KS 66207			13,966	0.32	100.00%	0.20%
3 OF251233-1013	50,956	1.17	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			50,956	1.17	100.00%	0.60%
4 OF251233-2001	4,967,502	114.04	9101 NALL AVE	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			4,967,502	114.04	100.00%	61.20%
5 OF251233-2002	76,893	1.77	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			76,893	1.77	100.00%	0.90%
6 OF251233-2009	45,986	1.06	5100 W 95TH ST APT 200	5100 W 95TH ST APT 200	PRAIRIE VILLAGE, KS 66207			38,811	0.89	84.40%	0.50%
7 OF251233-2010	1,365	0.03	5100 W 95TH ST	0 NS NT	PRAIRIE VILLAGE, KS 00000	8600 SHAWNEE MISSION PKWY APT 100	MERRIAM, KS 66202	1,365	0.03	100.00%	0.00%
8 OF251233-2014	46,813	1.07	5300 W 94TH TER	5300 W 94TH TER APT 100	PRAIRIE VILLAGE, KS 66207			46,813	1.07	100.00%	0.60%
9 OF251233-2017	37,866	0.87	9401 NALL AVE	15625 W 87TH ST	LENEXA, KS 66219			37,771	0.87	99.70%	0.50%
10 OF251233-2018	86,986	2	5200 W 94TH TER	0 NS NT	PRAIRIE VILLAGE, KS 00000	5200 W 94TH TER APT 206	PRAIRIE VILLAGE, KS 66207	86,762	1.99	99.70%	1.10%
11 OF251233-2020	28,683	0.66	5350 W 94TH TER	15625 W 87TH ST	LENEXA, KS 66219			28,683	0.66	100.00%	0.40%
12 OF251233-2023	47,826	1.1	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			47,826	1.1	100.00%	0.60%
13 OF251233-2026	344,255	7.9	9101 NALL AVE	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			344,255	7.9	100.00%	4.20%
14 OP11100000 0001	107,582	2.47	5000 W 95TH ST	5000 W 95TH ST	PRAIRIE VILLAGE, KS 66207	3401 COLLEGE BLVD APT 250	LEAWOOD, KS 66211	107,582	2.47	100.00%	1.30%
15 OP21000002 0011	14,433	0.33	4512 W 91ST ST	4512 W 91ST ST	PRAIRIE VILLAGE, KS 66207			13,547	0.31	93.90%	0.20%
16 OP21000009 0021	16,644	0.38	4509 W 91ST ST	4509 W 91ST ST	PRAIRIE VILLAGE, KS 66207			2,123	0.05	12.80%	0.00%
17 OP21000021 0001A	2,071	0.05	0 NS NT	222 W GREGORY BLVD APT 201	KANSAS CITY, MO 64114			2,071	0.05	100.00%	0.00%
18 OP21000021 0001B	18,648	0.43	9100 ROE AVE	9100 ROE AVE	PRAIRIE VILLAGE, KS 66207			18,648	0.43	100.00%	0.20%
19 OP21000021 0002	13,543	0.31	9104 ROE AVE	9104 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,543	0.31	100.00%	0.20%
20 OP21000021 0003	13,672	0.31	9108 ROE AVE	9108 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,672	0.31	100.00%	0.20%
21 OP21000021 0004	14,328	0.33	9112 ROE AVE	9112 ROE AVE	PRAIRIE VILLAGE, KS 66207			14,328	0.33	100.00%	0.20%
22 OP21000021 0005	13,679	0.31	9116 ROE AVE	9116 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,679	0.31	100.00%	0.20%
23 OP21000021 0006	14,336	0.33	9120 ROE AVE	9120 ROE AVE	PRAIRIE VILLAGE, KS 66207			14,336	0.33	100.00%	0.20%
24 OP21000021 0007	13,688	0.31	9200 ROE AVE	9200 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,688	0.31	100.00%	0.20%
25 OP21000021 0008	13,692	0.31	9204 ROE AVE	9204 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,692	0.31	100.00%	0.20%
26 OP21000021 0009	16,307	0.37	9208 ROE AVE	9208 ROE AVE	PRAIRIE VILLAGE, KS 66207			16,307	0.37	100.00%	0.20%
27 OP21000021 0012	14,679	0.34	9212 ROE AVE	9212 ROE AVE	PRAIRIE VILLAGE, KS 66207			14,679	0.34	100.00%	0.20%
28 OP21000021 0013	13,053	0.3	9216 ROE AVE	9216 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,053	0.3	100.00%	0.20%
29 OP21000021 0014	13,058	0.3	9220 ROE AVE	9220 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,058	0.3	100.00%	0.20%
30 OP21000021 0015	13,647	0.31	9300 ROE AVE	9300 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,647	0.31	100.00%	0.20%
31 OP21000021 0016	13,716	0.31	9302 ROE AVE	9302 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,716	0.31	100.00%	0.20%
32 OP21000021 0017	12,545	0.29	9306 ROE AVE	9306 ROE AVE	PRAIRIE VILLAGE, KS 66207			12,545	0.29	100.00%	0.20%
33 OP21000021 0018	13,070	0.3	9310 ROE AVE	9310 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,070	0.3	100.00%	0.20%
34 OP21000021 0019	12,420	0.29	9314 ROE AVE	9314 ROE AVE	PRAIRIE VILLAGE, KS 66207			12,420	0.29	100.00%	0.20%
35 OP21000021 0020	12,425	0.29	9318 ROE AVE	9318 ROE AVE	PRAIRIE VILLAGE, KS 66207			12,425	0.29	100.00%	0.20%
36 OP21000021 0021	13,079	0.3	9322 ROE AVE	9322 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,079	0.3	100.00%	0.20%
37 OP21000021 0022	13,085	0.3	9400 ROE AVE	9400 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,085	0.3	100.00%	0.20%
38 OP21000021 0023	13,089	0.3	9404 ROE AVE	9404 ROE AVE	PRAIRIE VILLAGE, KS 66207			13,089	0.3	100.00%	0.20%
39 OP21000021 0024	14,842	0.34	9408 ROE AVE	9408 ROE AVE	PRAIRIE VILLAGE, KS 66207			14,842	0.34	100.00%	0.20%
40 OP23000000 0001	30,401	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,401	0.7	100.00%	0.40%
41 OP23000000 0002	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
42 OP23000000 0003	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
43 OP23000000 0004	30,604	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,604	0.7	100.00%	0.40%
44 OP23000000 0005	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
45 OP23000000 0006	30,604	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,604	0.7	100.00%	0.40%
46 OP23000000 0007	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
47 OP23000000 0008	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
48 OP23000000 0009	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
49 OP23000000 000A	91,689	2.1	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			91,689	2.1	100.00%	1.10%
50 OP23000000 0010	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
51 OP23000000 0011	30,605	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,605	0.7	100.00%	0.40%
52 OP23000000 0012	30,604	0.7	0 NS NT	9101 NALL AVE	PRAIRIE VILLAGE, KS 66207			30,604	0.7	100.00%	0.40%
53 OP23700000 0U101	282	0.01	5250 W 94TH TER APT 101	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			282	0.01	100.00%	0.00%
54 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 101	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
55 OP23700000 0U102	264	0.01	5250 W 94TH TER APT 102	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			264	0.01	100.00%	0.00%
56 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 102	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
57 OP23700000 0U103	261	0.01	5250 W 94TH TER APT 103	12995 N ORACLE RD #141.326	ORO VALLEY, AZ 85739			261	0.01	100.00%	0.00%
58 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 103	12995 N ORACLE RD #141.326	ORO VALLEY, AZ 85739			41,445	0.95	100.00%	0.50%
59 OP23700000 0U104	262	0.01	5250 W 94TH TER APT 104	11535 HADLEY ST	OVERLAND PARK, KS 66210			262	0.01	100.00%	0.00%
60 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 104	11535 HADLEY ST	OVERLAND PARK, KS 66210			41,445	0.95	100.00%	0.50%
61 OP23700000 0U105	265	0.01	5250 W 94TH TER APT 105	11535 HADLEY ST	OVERLAND PARK, KS 66210			265	0.01	100.00%	0.00%
62 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 105	11535 HADLEY ST	OVERLAND PARK, KS 66210			41,445	0.95	100.00%	0.50%
63 OP23700000 0U106	285	0.01	5250 W 94TH TER APT 106	11535 HADLEY ST	OVERLAND PARK, KS 66210			285	0.01	100.00%	0.00%
64 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 106	11535 HADLEY ST	OVERLAND PARK, KS 66210			41,445	0.95	100.00%	0.50%
65 OP23700000 0U107	265	0.01	5250 W 94TH TER APT 107	8223 W 99TH ST	OVERLAND PARK, KS 66212			265	0.01	100.00%	0.00%
66 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 107	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
67 OP23700000 0U108	265	0.01	5250 W 94TH TER APT 108	8223 W 99TH TER	OVERLAND PARK, KS 66212			265	0.01	100.00%	0.00%
68 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 108	8223 W 99TH TER	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
69 OP23700000 0U109	265	0.01	5250 W 94TH TER APT 109	8223 W 99TH ST	OVERLAND PARK, KS 66212			265	0.01	100.00%	0.00%
70 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 109	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
71 OP23700000 0U110	273	0.01	5250 W 94TH TER APT 110	0 NS NT	PRAIRIE VILLAGE, KS 00000	PO BOX 226	GARDNER, KS 66030-0226	273	0.01	100.00%	0.00%
72 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 110	0 NS NT	PRAIRIE VILLAGE, KS 00000	PO BOX 226	GARDNER, KS 66030-0226	41,445	0.95	100.00%	0.50%
73 OP23700000 0U111	284	0.01	5250 W 94TH TER APT 111	0 NS NT	PRAIRIE VILLAGE, KS 00000	6731 W 121ST ST	OVERLAND PARK, KS 66209	284	0.01	100.00%	0.00%
74 OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 111	0 NS NT	PRAIRIE VILLAGE, KS 00000	6731 W 121ST ST	OVERLAND PARK, KS 66209	41,445	0.95	100.00%	0.50%

No.	Property ID	Area (ft2)	Acres	Situs Address	Owner Address	City, State Zip	Billing Address	Billing City, State Zip	Area In Buffer (ft2)	Acres In Buffer	% of Parcel	% of Buffer
75	OP23700000 0U112		275	0.01 5250 W 94TH TER APT 112	5610 W 61ST TER	MISSION, KS 66203			275	0.01	100.00%	0.00%
76	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 112	5610 W 61ST TER	MISSION, KS 66203			41,445	0.95	100.00%	0.50%
77	OP23700000 0U113		275	0.01 5250 W 94TH TER APT 113	12800 W 76TH TER	SHAWNEE, KS 66216			275	0.01	100.00%	0.00%
78	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 113	12800 W 76TH TER	SHAWNEE, KS 66216			41,445	0.95	100.00%	0.50%
79	OP23700000 0U114		275	0.01 5250 W 94TH TER APT 114	12800 W 76TH TER	SHAWNEE, KS 66216			275	0.01	100.00%	0.00%
80	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 114	12800 W 76TH TER	SHAWNEE, KS 66216			41,445	0.95	100.00%	0.50%
81	OP23700000 0U115		275	0.01 5250 W 94TH TER APT 115	8223 W 99TH ST	OVERLAND PARK, KS 66212			275	0.01	100.00%	0.00%
82	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 115	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
83	OP23700000 0U116		275	0.01 5250 W 94TH TER APT 116	8223 W 99TH ST	OVERLAND PARK, KS 66212			275	0.01	100.00%	0.00%
84	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 116	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
85	OP23700000 0U117		275	0.01 5250 W 94TH TER APT 117	8223 W 99TH ST	OVERLAND PARK, KS 66212			275	0.01	100.00%	0.00%
86	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 117	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
87	OP23700000 0U118		271	0.01 5250 W 94TH TER APT 118	8223 W 99TH ST	OVERLAND PARK, KS 66212			271	0.01	100.00%	0.00%
88	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 118	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
89	OP23700000 0U119		261	0.01 5250 W 94TH TER APT 119	18050 NALL AVE	STILWELL, KS 66085			261	0.01	100.00%	0.00%
90	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 119	18050 NALL AVE	STILWELL, KS 66085			41,445	0.95	100.00%	0.50%
91	OP23700000 0U120		264	0.01 5250 W 94TH TER APT 120	PO BOX 226	GARDNER, KS 66030-0226			264	0.01	100.00%	0.00%
92	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 120	PO BOX 226	GARDNER, KS 66030-0226			41,445	0.95	100.00%	0.50%
93	OP23700000 0U121		265	0.01 5250 W 94TH TER APT 121	0 NS NT	PRAIRIE VILLAGE, KS 00000	PO BOX 226	GARDNER, KS 66030-0226	265	0.01	100.00%	0.00%
94	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 121	0 NS NT	PRAIRIE VILLAGE, KS 00000	PO BOX 226	GARDNER, KS 66030-0226	41,445	0.95	100.00%	0.50%
95	OP23700000 0U122		265	0.01 5250 W 94TH TER APT 122	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			265	0.01	100.00%	0.00%
96	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 122	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
97	OP23700000 0U123		265	0.01 5250 W 94TH TER APT 123	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			265	0.01	100.00%	0.00%
98	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 123	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
99	OP23700000 0U124		264	0.01 5250 W 94TH TER APT 124	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			264	0.01	100.00%	0.00%
100	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 124	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
101	OP23700000 0U125		273	0.01 5250 W 94TH TER APT 125	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			273	0.01	100.00%	0.00%
102	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 125	5250 W 94TH TER APT 101	PRAIRIE VILLAGE, KS 66207			41,445	0.95	100.00%	0.50%
103	OP23700000 0U126		261	0.01 5250 W 94TH TER APT 126	PO BOX 7808	OVERLAND PARK, KS 66207			261	0.01	100.00%	0.00%
104	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 126	PO BOX 7808	OVERLAND PARK, KS 66207			41,445	0.95	100.00%	0.50%
105	OP23700000 0U127		265	0.01 5250 W 94TH TER APT 127	8223 W 99TH ST	OVERLAND PARK, KS 66212			265	0.01	100.00%	0.00%
106	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 127	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
107	OP23700000 0U128		265	0.01 5250 W 94TH TER APT 128	8223 W 99TH ST	OVERLAND PARK, KS 66212			265	0.01	100.00%	0.00%
108	OZ23700000 LAND	41,445	0.95	5250 W 94TH TER APT 128	8223 W 99TH ST	OVERLAND PARK, KS 66212			41,445	0.95	100.00%	0.50%
109	OP67000006 0001A	163,766	3.76	0 NS NT	0 NS NT	PRAIRIE VILLAGE, KS 00000	PO BOX 418679	KANSAS CITY, MO 64141-9679	17,519	0.4	10.70%	0.20%
110	OP81000001 0001	41,549	0.95	9084 ROSEWOOD DR	9084 ROSEWOOD DR	PRAIRIE VILLAGE, KS 66207			30,888	0.71	74.30%	0.40%
111	OP81000003 0001	13,256	0.3	9065 ROSEWOOD DR	9065 ROSEWOOD DR	PRAIRIE VILLAGE, KS 66207			13,256	0.3	100.00%	0.20%
112	OP81000003 0002	12,858	0.3	9057 ROSEWOOD DR	9057 ROSEWOOD DR	PRAIRIE VILLAGE, KS 66207			1,174	0.03	9.10%	0.00%
113	OP81000003 0040	14,573	0.33	9083 BIRCH ST	9083 BIRCH ST	PRAIRIE VILLAGE, KS 66207			5,288	0.12	36.30%	0.10%
114	OP81000003 0049	12,242	0.28	9058 BIRCH ST	9058 BIRCH ST	PRAIRIE VILLAGE, KS 66207			171	0	1.40%	0.00%
115	OP81000003 0050	14,224	0.33	9070 BIRCH ST	9070 BIRCH ST	PRAIRIE VILLAGE, KS 66207			14,038	0.32	98.70%	0.20%
116	OP81000003 0051	12,637	0.29	5430 SOMERSET DR	8712 W 151ST ST	OVERLAND PARK, KS 66223			10,082	0.23	79.80%	0.10%
117	OP81000005 0001	64,485	1.48	5353 SOMERSET DR	5353 SOMERSET DR	PRAIRIE VILLAGE, KS 66207			59,120	1.36	91.70%	0.70%
118	OP81000005 0003	29,103	0.67	4941 W 90TH ST	4941 W 90TH ST	PRAIRIE VILLAGE, KS 66207			13,610	0.31	46.80%	0.20%
119	OP81000005 0004	38,550	0.88	4935 W 90TH ST	4935 W 90TH ST	PRAIRIE VILLAGE, KS 66207			27,809	0.64	72.10%	0.30%
120	OP81000005 0005	27,988	0.64	4929 W 90TH ST	4929 W 90TH ST	PRAIRIE VILLAGE, KS 66207			21,349	0.49	78.30%	0.30%
121	OP81000005 0006A	23,913	0.55	4923 W 90TH ST	4923 W 90TH ST	PRAIRIE VILLAGE, KS 66207			17,268	0.4	72.20%	0.20%
122	OP81000005 0007	25,248	0.58	4917 W 90TH ST	4917 W 90TH ST	PRAIRIE VILLAGE, KS 66207			18,000	0.41	71.30%	0.20%
123	OP81000005 0008	23,001	0.53	4911 W 90TH ST	4911 W 90TH ST	PRAIRIE VILLAGE, KS 66207			16,398	0.38	71.30%	0.20%
124	OP81000005 0009	28,899	0.66	4905 W 90TH ST	4905 W 90TH ST	PRAIRIE VILLAGE, KS 66207			20,602	0.47	71.30%	0.30%
125	OP81000005 0010	26,652	0.61	4869 W 90TH ST	4869 W 90TH ST	PRAIRIE VILLAGE, KS 66207			18,999	0.44	71.30%	0.20%
126	OP81000005 0011	25,251	0.58	4865 W 90TH ST	4865 W 90TH ST	PRAIRIE VILLAGE, KS 66207			18,000	0.41	71.30%	0.20%
127	OP81000005 0012	26,654	0.61	4861 W 90TH ST	4861 W 90TH ST	PRAIRIE VILLAGE, KS 66207			19,000	0.44	71.30%	0.20%
128	OP81000005 0013	23,848	0.55	4853 W 90TH ST	4853 W 90TH ST	PRAIRIE VILLAGE, KS 66207			16,999	0.39	71.30%	0.20%
129	OP81000005 0013A	24,549	0.56	4857 W 90TH ST	4857 W 90TH ST	PRAIRIE VILLAGE, KS 66207			17,489	0.4	71.30%	0.20%
130	OP81000005 0014	25,483	0.58	4849 W 90TH ST	4849 W 90TH ST	PRAIRIE VILLAGE, KS 66207			18,731	0.43	73.60%	0.20%
131	OP81000005 0016	35,948	0.83	4845 W 90TH ST	4845 W 90TH ST	PRAIRIE VILLAGE, KS 66207			28,240	0.65	78.60%	0.30%
132	OP81000005 0017	52,208	1.2	4841 W 90TH ST	4841 W 90TH ST	PRAIRIE VILLAGE, KS 66207			38,955	0.89	74.60%	0.50%
133	OP81000005 0019	46,728	1.07	4829 W 90TH ST	4829 W 90TH ST	PRAIRIE VILLAGE, KS 66207			21,006	0.48	45.00%	0.30%
134	NP03200000 0003A	101,786	2.34	9400 NALL AVE	9400 NALL AVE	OVERLAND PARK, KS 66212			12,361	0.28	12.10%	0.20%
135	NP03200000 0004	208,623	4.79	9300 NALL AVE	9300 NALL AVE	OVERLAND PARK, KS 66207			31,918	0.73	15.30%	0.40%
136	NP03200000 0005	89,132	2.05	0 NS NT	9300 NALL AVE	OVERLAND PARK, KS 66207			12,570	0.29	14.10%	0.20%
137	NP03400011 0001	12,216	0.28	5501 W 92ND TER	5501 W 92ND TER	OVERLAND PARK, KS 66207			12,216	0.28	100.00%	0.20%
138	NP03400011 0002	9,829	0.23	5507 W 92ND TER	5507 W 92ND TER	OVERLAND PARK, KS 66207			3,361	0.08	34.20%	0.00%
139	NP03400015 0001	15,273	0.35	9100 NALL AVE	9100 NALL AVE	OVERLAND PARK, KS 66207			15,115	0.35	99.00%	0.20%
140	NP03400015 0002A	12,465	0.29	9112 NALL AVE	9112 NALL AVE	OVERLAND PARK, KS 66207			12,170	0.28	97.60%	0.10%
141	NP03400015 0003	13,037	0.3	9124 NALL AVE	9124 NALL AVE	OVERLAND PARK, KS 66207			12,658	0.29	97.10%	0.20%
142	NP03400015 0004A	2,477	0.06	0 NS NT	21225 TWIN CREEK RD	GARDNER, KS 66030			2,477	0.06	100.00%	0.00%
143	NP03400015 0004B	12,124	0.28	5500 W 92ND ST	5500 W 92ND ST	OVERLAND PARK, KS 66207			12,124	0.28	100.00%	0.10%
144	NP03400015 0005	15,174	0.35	5508 W 92ND ST	5508 W 92ND ST	OVERLAND PARK, KS 66207			2,116	0.05	13.90%	0.00%
145	NP03400015 0014	10,087	0.23	9109 SOMERSET DR	9109 SOMERSET DR	OVERLAND PARK, KS 66207			2,383	0.05	23.60%	0.00%
146	NP03400016 0013	9,874	0.23	5507 W 92ND ST	15404 W 92ND PL	LENEXA, KS 66219			3,065	0.07	31.00%	0.00%
147	NP03400016 0014	12,533	0.29	5501 W 92ND ST	5501 W 92ND ST	OVERLAND PARK, KS 66207			12,533	0.29	100.00%	0.20%
148	NP03400016 0015	13,766	0.32	9200 NALL AVE	9200 NALL AVE	OVERLAND PARK, KS 66207			12,015	0.28	87.30%	0.10%
149	NP03400016 0016	13,000	0.3	9208 NALL AVE	9208 NALL AVE	OVERLAND PARK, KS 66207			12,080	0.28	92.90%	0.10%
150	NP03400016 0017	13,031	0.3	9216 NALL AVE	9216 NALL AVE	OVERLAND PARK, KS 66212			12,106	0.28	92.90%	0.10%
151	NP03400016 0018	12,903	0.3	5500 W 92ND TER	5500 W 92ND TER	OVERLAND PARK, KS 66207			12,903	0.3	100.00%	0.20%
152	NP03400016 0019	11,052	0.25	5508 W 92ND TER	5508 W 92ND TER	OVERLAND PARK, KS 66207			2,654	0.06	24.00%	0.00%

No.	Property ID	Area (ft ²)	Acres	Situs Address	Owner Address	City, State Zip	Billing Address	Billing City, State Zip	Area In Buffer (ft ²)	Acres In Buffer	% of Parcel	% of Buffer
153	NP09860000 0001	292,678	6.72	5500 W 91ST ST	5500 W 91ST ST	OVERLAND PARK, KS 66207			13,145	0.3	4.50%	0.20%
154	NP27400000 0001	14,285	0.33	9500 ROE AVE	9500 ROE AVE	OVERLAND PARK, KS 66207			12,316	0.28	86.20%	0.20%
155	NP27400000 0002	9,755	0.22	9508 ROE AVE	9508 ROE AVE	OVERLAND PARK, KS 66207			457	0.01	4.70%	0.00%
156	NP35600024 0001	14,499	0.33	4809 W 95TH ST	4809 W 95TH ST	OVERLAND PARK, KS 66207			11,580	0.27	79.90%	0.10%
157	NP35600024 0002	15,224	0.35	4805 W 95TH ST	4805 W 95TH ST	OVERLAND PARK, KS 66207			12,534	0.29	82.30%	0.20%
158	NP35600024 0003	18,009	0.41	9500 LINDEN DR	9500 LINDEN DR	OVERLAND PARK, KS 66207			14,253	0.33	79.10%	0.20%
159	NP35600029 0001	34,541	0.79	4705 W 95TH ST	4705 W 95TH ST	OVERLAND PARK, KS 66207			28,011	0.64	81.10%	0.30%
160	NP35600029 0002	14,361	0.33	9501 LINDEN ST	11204 CEDAR ST	OVERLAND PARK, KS 66207			14,310	0.33	99.60%	0.20%
161	NP35600029 0002A	1,932	0.04	0 NS NT	11204 CEDAR ST	LEAWOOD, KS 66211			1,932	0.04	100.00%	0.00%
162	NP35600029 0003	18,363	0.42	9505 LINDEN ST	9505 LINDEN ST	OVERLAND PARK, KS 66207			4,071	0.09	22.20%	0.10%
163	NP74200000 0001	14,061	0.32	5500 W 92ND PL	5500 W 92ND PL	OVERLAND PARK, KS 66207			14,061	0.32	100.00%	0.20%
164	NP74200000 0002	11,250	0.26	5508 W 92ND PL	5508 W 92ND PL	OVERLAND PARK, KS 66207			3,942	0.09	35.00%	0.00%
165	NP74200000 0023	11,250	0.26	5509 W 92ND PL	5509 W 92ND PL	OVERLAND PARK, KS 66207			4,038	0.09	35.90%	0.00%
									8,622,797	197.97		106.60%

Total Area of Parcels: 233.92 acres (10,189,707 ft²)
Total Area of Parcels in Buffer: 197.95 acres (8,622,792 ft²)
Area of Parcels in Buffer Less Subject (Rezoning Parcels 18): 61.45 acres (2,676,615 ft²)

*Because the AIMS areas include an error related to parcel number #0Z23700000 which has 28 individual condo parcels see Buffer Results #53-108, a correction needs to be made to the overall total area. The error occurs in that each condo parcel also has an associated land parcel which has been added to the overall total area. The 28 condo parcel areas show 1,160,460 sq ft (land) and 7,540 sq ft (condos) for a total of 1,168,000 sq ft. In actuality, the parcel is only 271.49 feet by 180.00 feet which is a total of 48,868.2 sq. ft.

*Therefore the Total area of parcels in the buffer area less subject parcel should be 2,676,615 - 1,168,000 + 48,868.2 = 1,557,483.2 sq. ft. This is the number that should be used to determine if 20% of the buffer area has signed the protest petition.