



**CITY OF LEAWOOD
GOVERNING BODY
MEETING AGENDA**

Monday, January 6, 2020
Council Chamber
4800 Town Center Drive
Leawood, KS 66211
7:00 P.M.

JANUARY 2020						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

FEBRUARY 2020						
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16	17	18	19	20	21	22
23	24	25	26	27	28	

AGENDA

(This agenda is subject to changes, additions or deletions at the discretion of the City Council)

Mayor Peggy Dunn

Councilmembers

Ward One

Debra Filla
Andrew Osman

Ward Two

Jim Rawlings
Mary Larson

Ward Three

Chuck Sipple
Lisa Harrison

Ward Four

Julie Cain
James Azeltine

1. **PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF AGENDA**

3. **CITIZEN COMMENTS**

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to use profanity or comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. **CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.**

4. **PROCLAMATIONS**

Martin Luther King Day, January 20, 2020

5. **PRESENTATIONS/RECOGNITIONS**

6. **SPECIAL BUSINESS**

7. **CONSENT AGENDA**

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

- A. Accept Appropriation Ordinance Nos. 2019-50 and 2019-51
- B. Accept minutes of the December 16, 2019 Governing Body meeting
- C. Accept minutes of the November 12, 2019 Parks & Recreation Advisory Board
- D. Accept minutes of the November 6, 2019 Public Works Committee

- E. Resolution approving and authorizing the Mayor to execute an agreement between the City and Richards Construction Company pertaining to the demolition of house, cell tower, and underground storage tank, located at 9617 and 9619 Lee Boulevard in the amount of \$37,800.00 (project no. 80158)
- F. Resolution approving and authorizing the Mayor to execute a construction agreement, between the City and Dondlinger and Sons Construction Company in the amount of \$80,698.30, for the Roe Avenue Wall Replacement Project (project no. 72088)
- G. Resolution approving and authorizing the Mayor to execute Amendment No. 1 to the contractor agreement between the City and Black & McDonald, dated December 21, 2015, pertaining to streetlight and traffic signal maintenance.

8. MAYOR'S REPORT

Acceptance of \$2,370.00 gift donation to Police and Fire Department from The Cloisters Homes Association

9. COUNCILMEMBERS' REPORT

10. CITY ADMINISTRATOR REPORT

11. STAFF REPORT

COMMITTEE RECOMMENDATIONS

12. PUBLIC WORKS

Update from the Public Works Committee re: Crosswalk request on Lee near 89th Street

13. PLANNING COMMISSION

[from the November 26, 2019 Planning Commission Meeting]

- A. Ordinance approving a Rezoning to R-1 (Planned Single Family Low Density Residential), Special Use Permit for a Place of Worship and Elementary School, Preliminary Plan, Preliminary Plat, Final Plan and Final Plat for Cure of Ars Catholic Church and School, located south of 93rd Street and east of Mission Road. (PC Case 102-19) **[ROLL CALL VOTE]**
- B. Resolution approving a Final Plan for City of Leawood Public Art – Women of the World, located south of Town Center Drive and west of Tomahawk Creek Parkway. (PC Case 121-19)
- C. Resolution approving a Final Plan for City of Leawood Public Art – Inspiration, located south of College Boulevard and east of Tomahawk Creek Parkway. (PC Case 122-19)
- D. Ordinance amending Section 16-3-9 of the Leawood Development Ordinance entitled “Deviations” and repealing existing Section 16-3-9 and other sections in conflict herewith. (PC Case 124-19) **[ROLL CALL VOTE]**
- E. Ordinance amending Section 16-1-4.2 of the Leawood Development Ordinance entitled “Minimum Standards” and repealing existing Section 16-1-4.2 and other sections in conflict herewith. (PC Case 123-19) **[ROLL CALL VOTE]**

- F. Ordinance amending Section 16-4-12.4 of the Leawood Development Ordinance entitled “Distributed Antennae System (DAS) and Small Cell Facilities (SCF)” and repealing existing Section 16-4-12.4 and other sections in conflict herewith. (PC Case 113-19) **[ROLL CALL VOTE]**
- G. Ordinance amending Section 16-4-7 of the Leawood Development Ordinance entitled “Landscaping and Screening Requirements” and repealing existing Section 16-4-7 and other sections in conflict herewith. (PC Case 111-19) **[ROLL CALL VOTE]**
- H. Resolution approving the Planning Commission’s recommendation to deny a request for approval of a Revised Final Plan for Ranch Mart North Shopping Center – Redevelopment, located north of 95th Street and east of Mission Road. (PC Case 120-19)

***City Administrator Comment:** As you will probably recall, the current Redevelopment Agreement and the CID application approvals for Ranchmart were predicated on the existing approved Final Plan. If the Governing Body decided to agree with the Planning Staff and Planning Commission recommendations for denial, then all of the current approvals would remain in effect. If, however, the Governing Body were to approve the revised Final Plan as requested by the applicant, the Redevelopment Agreement and the CID application would need to be modified to reflect the changes between the two documents. Therefore, it is my opinion that a Work Session needs to be held with the applicant to discuss the proposed modifications prior to the approval of the proposed Final Plan.*

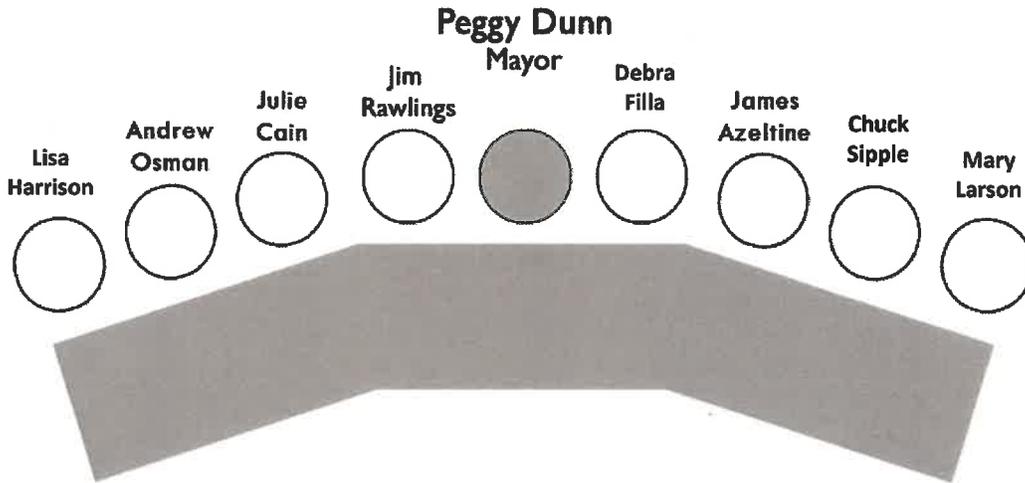
15. OLD BUSINESS

16. OTHER BUSINESS

17. NEW BUSINESS

ADJOURN

Mayor and City Council



Leawood operates under a Council/Mayor form of government, with a separately elected mayor and 8 council persons. Council members are elected on a non-partisan basis from 4 wards. The Council develops policies and provides direction for the professional city administration. Regular meetings of the Leawood City Council are held the first and third Mondays of each month beginning at 7:30 PM. Copies of the agenda are available at the Office of the City Clerk on the Friday prior to the meeting.

Number of Votes Required:

Non-zoning Ordinances: Majority of the members-elect of the City Council [5]

Charter Ordinances: 2/3 of members-elect of Governing Body [6]

Zoning Ordinances and other Planning Commission Recommendations:

- **Passage of Ordinances Subject to Protest Petition:** ¾ majority of members of Governing Body [7]
- **Approving Planning Commission Recommendation:** Majority of the members-elect of the City Council [5]
- **Remanding to Planning Commission:** Majority of the members-elect of the City Council [5]
- **Approving, Overriding, Amending or Revising Recommendation after Remand:** Majority of the members-elect of the City Council [5]
- **Overriding, Amending or Revising Recommendation:** 2/3 majority of membership of Governing Body [6]

Note: Mayor may cast deciding vote when vote is one less than required.

DATE	TIME	SUBJECT	LOCATION
January 21 st	7:00	Due to the observance of the Martin Luther King Holiday, the Next Governing Body meeting will be held on Tuesday.	Council Chamber

CITY OF LEAWOOD
Check Date 12/18/2019
Ordinance 2019-50

7.A.

Final Check List

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
104657	4IMPRINT INC	CAPTURE MAGNETS	121.55	121.55
104658	911 CUSTOM LLC	DUTY GEAR	186.00	186.00
104659	ACUSHNET CO - FOOTJOY	PROSHOP MERCHANDISE	158.61	158.61
104660	ACUSHNET CO - TITLEIST	PROSHOP MERCHANDISE	943.13	943.13
104661	AHERN RENTALS INC	RENTAL - VEHICLES/EQUIP.	441.50	441.50
104662	ALPINE LITHO-GRAPHICS INC	ENVELOPES	326.00	326.00
104663	ALPINE TOWERS INTERNATIONAL	CHALLENGE COURSE INSPECTION	1,400.00	1,400.00
104664	AMERICAN EQUIPMENT COMPANY	EQUIP. MAINT. SUPPLIES	252.73	252.73
104665	AMERICAN SENTRY ELECTRONIC SYS	BUILDING/GROUNDS MAINT.	166.25	166.25
104666	AMERICANS FOR THE ARTS	MEMBERSHIP FEE - H.YORK	75.00	75.00
104667	APAC KANSAS INC	LANDFILL FEE	440.00	440.00
104668	APPLIED CONCEPTS INC	RADAR REPAIR	225.00	225.00
104669	APWA	RECERTIFICATION FEE - D.ROBERTS	195.00	195.00
104670	ARTISTS HELPING THE HOMELESS	ALCOHOL TAX FUND ALLOCATION	1,099.25	1,099.25
104671	AT&T	PHONE SERVICE	182.78	
		PHONE SERVICE	130.19	312.97
104672	AT&T	PHONE SERVICE	4,296.91	
		PHONE SERVICE	3,238.96	7,535.87
104673	AT&T INTERNET	INTERNET/CABLE	190.44	190.44

Final Check List

Page: 2

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
104674	AT&T MOBILITY LLC	PHONE SERVICE	583.38	583.38
104675	BLACK & MCDONALD	2019 STREET LIGHT AND TRAFFIC SIGNAL	18,224.34	18,224.34
104676	BLUE CROSS BLUE SHIELD OF KC	DECEMBER 2019 HEALTH PREMIUM	331,621.51	331,621.51
104677	BLUE VALLEY LABORATORIES INC	GOLF HOLE POND MAINTENANCE GOLF HOLE POND MAINTENANCE	450.00 225.00	675.00
104678	BRIGGS TURF FARM	SOD PACKS OF STAPLES SOD	26.50 22.50 132.50	181.50
104679	BROWN, MONICA	PLANNING COMMISSION MTG 11.26.19	400.00	400.00
104680	BUILDING OFFICIALS ASSOC, JOHNSON C	MEMBERSHIP FEES - T.TORREZ, R.GRIGSBY,	215.00	215.00
104681	BURNS & MCDONNELL ENGINEERING	2016 ENGINEERING SERVICES ON 143RD ST: E 2016 ENGINEERING SERVICES ON 143RD ST: E	4,294.00 1,363.80	5,657.80
104682	C & C GROUP DIVISIONS	BUILDING/GROUNDS MAINT.	260.00	260.00
104683	CDW GOVERNMENT INC	FORTINET COTERM RENEWAL SKU IRONWOODS SWITCHES & APS IRONWOODS SWITCHES & APS	315.00 2,014.00 1,465.00	3,794.00
104684	CHARLESWORTH CONSULTING LLC	CONSULTING FEE - INSTALLMENT 12 OF 12	500.00	500.00
104685	CHIC ADEES TROPHY	NAME PLATES	10.00	10.00
104686	CINTAS CORPORATION NO 2	FIRST AID SUPPLIES	42.18	42.18
104687	CONSOLIDATED COMMUNICATION	PHONE/INTERNET SERVICE	508.58	508.58
104688	CONTINENTAL CONSULTING ENGNRS	2018 ENGINEERING ON THE FLOOD DAMAGE-LW CITY PARK POND REHAB ENG SVCS 2019 DESIGN OF TRAIL EXTENSION: ROE & TO	1,021.77 1,499.43 13,004.30	15,525.50
104689	CORPORATE HEALTH KU MEDWEST	FIRE PHYSICAL HEP B VACCINATIONS	155.00 130.00	285.00

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104690	DELL MARKETING LP DELL USA LP	PHONE SERVER HOST EXPENDABLE EQUIP. PCS FOR JUSTICE CENTER	4,978.67 -543.79 11,363.80	15,798.68
104691	DELTA DENTAL PLAN OF KANSAS	DECEMBER 2019 DENTAL PREMIUM	18,734.28	18,734.28
104692	DESIGN MECHANICAL INC	RTU LIMIT ALARMS	939.75	939.75
104693	DISH NETWORK	SATELLITE SERVICE	84.76	84.76
104694	DOWD, JEFF	REIMBURSE EYEWEAR - J.DOWD	200.00	200.00
104695	E EDWARDS WORK WEAR INC	UNIFORM/CLOTHING	1,484.92	1,484.92
104696	ELECTRONIC TECHNOLOGY INC	GENETEC USER AND CAMERA LICENSES	2,382.00	2,382.00
104697	ELIGIUS BRONZE	BRONZE PLAQUES 2019 ART	1,586.00	1,586.00
104698	FACTORY MOTOR PARTS CO	EQUIP. MAINT. SUPPLIES VEHICLE PARTS	156.44 234.71	391.15
104699	FORCE AMERICA LLC	PUMP AND SEAL KIT FOR PUBLIC WORKS	1,529.20	1,529.20
104700	FORESTRY SUPPLIERS INC	MATERIALS & SUPPLIES	289.13	289.13
104701	FOSTER BROS WOOD PRODUCTS INC	MULCH	1,121.25	1,121.25
104702	FRIENDS OF RECOVERY ASSOC	ALCOHOL TAX FUND ALLOCATION	5,100.50	5,100.50
104703	FRY & ASSOCIATES INC	MATERIALS & SUPPLIES	44.75	44.75
104704	GALLS LLC	UNIFORM PANTS UNIFORM SHIRTS UNIFORM SHIRTS DUTY BELT	197.79 207.60 298.68 79.99	784.06
104705	G-B CONSTRUCTION LLC	2019 RESIDENTIAL STREET RECONSTRUCTION P	203,488.54	203,488.54
104706	GEMPLERS	UNIFORM/CLOTHING MATERIALS & SUPPLIES	50.97 539.22	590.19

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104707	GRAINGER INC	EQUIP. MAINT. SUPPLIES	369.00	
		MATERIALS & SUPPLIES	5.82	
		MATERIALS & SUPPLIES	-5.82	
		MATERIALS & SUPPLIES	845.44	
		BUILDING REPAIR SUPPLIES	294.85	1,509.29
104708	GREAT PLAINS SPCA	ANIMAL BOARDING	650.00	650.00
104709	HASTY AWARDS	EOY AWARDS/PLAQUE	26.37	26.37
104710	HOPKINS, JOSHUAH	2019 TUITION REIMBURSEMENT: HOPKINS,	936.00	936.00
104711	HP TOOLS	DIAGNOSTIC VEHICLE MONITOR	10,694.00	10,694.00
104712	INTERNATIONAL CODE COUNCIL	2018 Code Books	2,078.00	2,078.00
104713	INTERSTATE ALL BATTERY CENTER	STATION BATTERIES	70.49	70.49
104714	J M FAHEY CONSTRUCTION CO	MISSION ROAD (127TH TO 119TH ST)	360,217.98	
		BLANKET PO FOR 2019 ASPHALT -	7,269.09	367,487.07
104715	JO CO BAR ASSOCIATION	MEMBERSHIP DUES - P.BENNETT	210.00	
		MEMBERSHIP DUES - M.KNIGHT	210.00	
		MEMBERSHIP DUES - A.TOMASIC	210.00	630.00
104716	JO CO GOVERNMENT	1ST QTR 2020 SUBSCRIPTION SVC FEE	500.00	500.00
104717	JO CO SHERIFFS OFFICE	KBI FEES - LAB CASE# 19CL001054; AGENCY	400.00	400.00
104718	JO CO WASTEWATER	WASTEWATER SERVICE	39.22	39.22
104719	KA COMM INC	EQUIPMENT REPAIR	48.64	
		EQUIPMENT REPAIR	48.64	97.28
104720	KANSAS CITY FREIGHTLINER SALES	EQUIP. MAINT. SUPPLIES	610.05	610.05
104721	KANSAS GAS SERVICE	GAS SERVICES	6,888.69	6,888.69
104722	KANSAS STATE TREASURER	COLLECTION BATCH #50561	6,796.00	6,796.00

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104723	KC BOBCAT INC	MATERIALS & SUPPLIES	87.20	
		EQUIPMENT PARTS	150.17	237.37
104724	KITCHEN SOLUTIONS, FILTA ENVIRONMEN	FRYER SERVICE	45.00	45.00
104725	KVC BEHAVIORAL HEALTHCARE INC	ALCOHOL TAX FUND ALLOCATION	1,539.00	1,539.00
104726	LANGUAGE LINE SERVICES	INTERPRETATION SERVICES	29.01	29.01
104727	LARRYS GLASS SERVICE	VEHICLE OPERATIONS/MAINT.	296.73	296.73
104728	LAWN-CORPS, INC	YARD WASTE DROP OFF	15.00	
		YARD WASTE DROP OFF	15.00	
		YARD WASTE DROP OFF	15.00	
		YARD WASTE DROP OFF	15.00	
		YARD WASTE DROP OFF	15.00	75.00
104729	LEAWOOD CHAMBER OF COMMERCE	CHAMBER BOARD MEETING	16.50	16.50
104730	LEAWOOD LIONS CLUB	BREAKFAST WITH SANTA	1,484.00	1,484.00
104731	LEGAL RECORD	ORDINANCES	34.76	
		ORDINANCES	111.81	
		RESOLUTION #5272	68.61	215.18
104732	LINCOLN NATIONAL LIFE INSUR	LIFE, LTD, VSTD PREMIUM	10,359.55	10,359.55
104733	LOGAN CONTRACTORS SUPPLY INC	WHITE PAINT, VOC, FLAGGING TAPE, GLO	9.57	
		CITY PARK BIKE SUPPLIES	352.92	362.49
104734	LOWES	HARDWARE SUPPLIES	1,409.56	1,409.56
104735	LOWES	HARDWARE SUPPLIES	534.49	534.49
104736	LOWES	HARDWARE SUPPLIES	208.35	208.35
104737	MAIL IT	SHIPPING SUPPLIES	8.50	8.50
104738	MEGA INDUSTRIES INC	2019 IH GC CART PATH #9 REPAIR	5,211.65	5,211.65
104739	MILES EXCAVATING INC	2019 143RD ST. PROJECT: WINDSOR TO OVREB	212,558.78	212,558.78

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104740	MIRROR INC	ALCOHOL TAX FUND ALLOCATION	7,738.50	7,738.50
104741	MURPHY TRACTOR & EQUIPMENT CO	EQUIP. MAINT. SUPPLIES	277.77	277.77
104742	NICKY NICOLAAS DICK WOLS	WOLS RELEASE	3,411.04	3,411.04
104743	NORTHERN TOOL & EQUIP, BLUE TARP FII	EQUIP. MAINT. SUPPLIES	23.96	23.96
104744	OBIJI, MISHEA	CLEANING	150.00	150.00
104745	OLSSON INC	ON CALL DESIGN ENG SERIVCES PLAN	2,709.49	2,709.49
104746	O'REILLY AUTO PARTS	SUPPLIES	5.99	
		MOTOR OIL, OIL FILTERS, AIR FILTERS,	125.87	
		FUEL FILTERS, HYD FILTERS	154.43	
		RV ANTIFREEZE	35.94	322.23
104747	PASCO IRRIGATION	2019 SPRINKLER RESTORATION ON MISSION RD	1,931.06	1,931.06
104748	PB HOIDALE CO INC	BUILDING REPAIR SERVICES	120.00	120.00
104749	PETTY CASH - CITY OF LEAWOOD	SNOW SHIFT MEALS	884.00	884.00
104750	POMP'S TIRE SERVICE INC	ROAD SERVICE, ROAD FLAT REPAIR	150.00	150.00
104751	PROFESSIONAL TURF PRODUCTS	REPLACEMENT DOOR FOR TORO WORKMAN	1,630.55	
		SUPPLIES	23.67	1,654.22
104752	Q4 INDUSTRIES LLC	MATERIALS & SUPPLIES	611.62	611.62
104753	RANCH MART ACE HARDWARE	GRADE STAKE	15.80	15.80
104754	REAVEY, KAMRYN	Kamryn Reavey: Tuition Reimbursement	468.00	468.00
104755	RECREATION & PARK ASSOCIATION, KANSAS	ANNUAL KRPA CONFERENCE - B.ANDERSON	290.00	290.00
104756	REEVES WIEDEMAN COMPANY	CITY PARK - ADAPTER, BLUE TUBING,	867.35	
		CITY PARK MAINTENANCE	254.15	1,121.50

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104757	REINDERS INC	SNOWCASTER SHOVEL	165.94	
		LANDSCAPER MIX	149.00	
		COURSE SUPPLIES	179.97	494.91
104758	REINHART FOODSERVICE	PREPARED FOOD	975.70	975.70
104759	SCHUTTE LUMBER CO	MATERIALS & SUPPLIES	128.97	128.97
104760	SCOVILL, BRIAN	KSPE DECEMBER MTG	20.00	
		MILEAGE REIMBURSEMENT - B.SCOVILL	26.17	46.17
104761	SHERWIN WILLIAMS CO	DEEP RUBY PAINT	61.98	61.98
104762	SOUTHEASTERN SECURITY CONS INC	P&R VOLUNTEERS	55.50	55.50
104763	STALLARD TECHNOLOGIES INC	PUBLIC WORKS RDS SERVER	2,500.00	2,500.00
104764	STAPLES BUSINESS ADVANTAGE	MATERIALS & SUPPLIES	100.21	
		MATERIALS & SUPPLIES	14.05	
		MATERIALS & SUPPLIES	65.65	
		PENS	8.32	
		PENS/TISSUE/KITCHEN SCRUBBER	27.12	
		MATERIALS & SUPPLIES	16.21	
		PLATES/SHARPIES/POSTIT'S	172.33	
		POST IT NOTES	33.21	
		PENCILS/LEAD	13.57	
		MATERIALS & SUPPLIES	27.61	
		MATERIALS & SUPPLIES	26.44	
		MATERIALS & SUPPLIES	40.26	
		MATERIALS & SUPPLIES	14.24	559.22
104765	STASI, JULIE	MILEAGE REIMBURSEMENT - J.STASI	5.22	5.22

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104766	SUBURBAN LAWN & GARDEN INC	YARD WASTE TIP FEE	45.00	
		YARD WASTE TIP FEE	20.00	
		YARD WASTE TIP FEE	24.00	
		YARD WASTE TIP FEE	35.00	
		YARD WASTE TIP FEE	35.00	
		TOPSOIL	143.96	
		OSMOCOTE	87.27	
		POINSETTIAS	458.95	849.18
104767	SUMMIT TRUCK GROUP	EQUIP. MAINT. SUPPLIES	212.83	212.83
104768	SUMRALL, CAMILLE	2019 EDUCATIONAL ASSISTANCE	1,785.00	1,785.00
104769	SUPERIOR VISION SERVICES INC	DECEMBER 2019 VISION PREMIUM	1,978.90	1,978.90
104770	SUTTER HOUSE	BUILDING PERMIT REFUND	180.80	180.80
104771	TIME WARNER CABLE	SPECTRUM BUSINESS INTERNET	492.10	492.10
104772	TIME WARNER CABLE	SPECTRUM BUSINESS INTERNET	127.02	127.02
104773	TOM BURGE FENCE & IRON INC	MISSION ROAD WEST SIDE- STRAIGHTEN	1,200.00	1,200.00
104774	TORO COMPANY - NSN, THE	MONTHLY EQUIPMENT SVC	187.20	187.20
104775	TOWN & COUNTRY BLDG SERVICES	CLEANING SERVICES AT JC	4,950.00	
		BLANKET PO TO COVER ANNUAL BUILDING	1,280.00	
		BLANKET PO TO COVER ANNUAL BUILDING	950.00	
		BLANKET PO TO COVER ANNUAL BUILDING	695.00	7,875.00
104776	TRANSIMPEX TRANSLATORS INC	INTERPRETATION SERVICE	249.00	249.00
104777	TROON GOLF LLC	SHIPPING	185.05	
		GREEN FEES-SCHWAB VOUCHERS	-114.92	70.13
104778	TRUSTMARK VOLUNTARY BENEFIT	DECEMBER 2019 TRUSTMARK PREMIUM	4,272.84	4,272.84
104779	TURN KEY MOBILE INC	PD TABLETS WARRANTY	2,436.00	2,436.00
104780	UNITED COMMUNITY SERVICES	2019 HUMAN SERVICE FUND - QUARTERLY	3,750.00	3,750.00

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104781	UNUM LIFE INSURANCE CO	DECEMBER 2019 LTC PREMIUM	999.60	999.60
104782	US GOLF ASSOC INC	2020 MEMBERSHP	150.00	150.00
104783	VALIDITY SCREENING SOLUTIONS	NOVEMBER MVR	258.30	258.30
104784	VAN-WALL EQUIPMENT INC	EQUIP. MAINT. SUPPLIES	59.30	59.30
104785	VERIZON WIRELESS	PHONE SERVICES	3,795.11	3,795.11
104786	VERMEER SALES & SERVICE INC	EQUIP. MAINT. SUPPLIES	191.16	191.16
104787	WALKER TOWEL & UNIFORM SERVICE	MAT CLEANING MAT CLEANING MAT CLEANING	104.71 104.71 110.78	320.20
104788	WALL STREET JOURNAL, THE	2020 SUBSCRIPTION FEES	589.01	589.01
104789	WASTE MANAGEMENT OF KANSAS INC	TRASH DISPOSAL	557.95	557.95
104790	WATER DISTRICT 1 JO CO	WATER SERVICE WATER SERVICE WATER SERVICE	22.62 24.31 85.21	132.14
104791	WESTLAKE HARDWARE	MISC SUPPLIES	31.94	31.94
104792	WIEDENMANN INC	2019 PATRICIAN WOODS STORMWATER PROJECT	87,480.68	87,480.68
104793	WW NORTH AMERICA HOLDINGS INC	Weight Watchers	5,178.80	5,178.80
311219	KC POWER & LIGHT CO	POWER SERVICE	87.23	87.23
1691219	KC POWER & LIGHT CO	POWER SERVICE	27.45	27.45
1821219	KC POWER & LIGHT CO	POWER SERVICE	181.54	181.54
5231219	KC POWER & LIGHT CO	POWER SERVICE	117.80	117.80
5651219	KC POWER & LIGHT CO	POWER SERVICE	230.31	230.31
7191219	KC POWER & LIGHT CO	POWER SERVICE	105.29	105.29

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
9061219	KC POWER & LIGHT CO	POWER SERVICE	78.95	78.95
15281219	KC POWER & LIGHT CO	POWER SERVICE	91.08	91.08
16611219	KC POWER & LIGHT CO	POWER SERVICE	199.86	199.86
16801219	KC POWER & LIGHT CO	POWER SERVICE	105.68	105.68
20061219	KC POWER & LIGHT CO	POWER SERVICE	81.32	81.32
20471219	KC POWER & LIGHT CO	POWER SERVICE	56.04	56.04
20841219	KC POWER & LIGHT CO	POWER SERVICE	168.13	168.13
21151219	KC POWER & LIGHT CO	POWER SERVICE	110.77	110.77
22681219	KC POWER & LIGHT CO	POWER SERVICE	79.78	79.78
23011219	KC POWER & LIGHT CO	POWER SERVICE	97.85	97.85
26701219	KC POWER & LIGHT CO	POWER SERVICE	80.38	80.38
30331219	KC POWER & LIGHT CO	POWER SERVICE	58.23	58.23
30811219	KC POWER & LIGHT CO	POWER SERVICE	114.41	114.41
31661219	KC POWER & LIGHT CO	POWER SERVICE	124.00	124.00
32221219	KC POWER & LIGHT CO	POWER SERVICE	66.47	66.47
33741219	KC POWER & LIGHT CO	POWER SERVICE	61.83	61.83
37761219	KC POWER & LIGHT CO	POWER SERVICE	5,428.29	5,428.29
41561219	KC POWER & LIGHT CO	POWER SERVICE	75.02	75.02
43241219	KC POWER & LIGHT CO	POWER SERVICE	189.91	189.91
43511219	KC POWER & LIGHT CO	POWER SERVICE	785.67	785.67
46161219	KC POWER & LIGHT CO	POWER SERVICE	77.04	77.04
47611219	KC POWER & LIGHT CO	POWER SERVICE	55.75	55.75

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
50871219	KC POWER & LIGHT CO	POWER SERVICE	275.75	275.75
52441219	KC POWER & LIGHT CO	POWER SERVICE	85.58	85.58
52721219	KC POWER & LIGHT CO	POWER SERVICE	87.04	87.04
52761219	KC POWER & LIGHT CO	POWER SERVICE	124.05	124.05
53131219	KC POWER & LIGHT CO	POWER SERVICE	37.23	37.23
53811219	KC POWER & LIGHT CO	POWER SERVICE	6,623.49	6,623.49
54121219	KC POWER & LIGHT CO	POWER SERVICE	245.72	245.72
55551219	KC POWER & LIGHT CO	POWER SERVICE	165.14	165.14
59581219	KC POWER & LIGHT CO	POWER SERVICE	267.87	267.87
60701219	KC POWER & LIGHT CO	POWER SERVICE	168.77	168.77
61671219	KC POWER & LIGHT CO	POWER SERVICE	92.38	92.38
62941219	KC POWER & LIGHT CO	POWER SERVICE	112.49	112.49
63101219	KC POWER & LIGHT CO	POWER SERVICE	247.36	247.36
64141219	KC POWER & LIGHT CO	POWER SERVICE	122.90	122.90
65301219	KC POWER & LIGHT CO	POWER SERVICE	167.45	167.45
65391219	KC POWER & LIGHT CO	POWER SERVICE	381.49	381.49
67601219	KC POWER & LIGHT CO	POWER SERVICE	78.01	78.01
69631219	KC POWER & LIGHT CO	POWER SERVICE	78.95	78.95
77661219	KC POWER & LIGHT CO	POWER SERVICE	258.57	258.57
85031219	KC POWER & LIGHT CO	POWER SERVICE	230.97	230.97
86421219	KC POWER & LIGHT CO	POWER SERVICE	135.52	135.52
86761219	KC POWER & LIGHT CO	POWER SERVICE	220.56	220.56

Final Check List

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
89591219	KC POWER & LIGHT CO	POWER SERVICE	79.68	79.68
97131219	KC POWER & LIGHT CO	POWER SERVICE	20.59	20.59
98741219	KC POWER & LIGHT CO	POWER SERVICE	98.97	98.97
20712191	KC POWER & LIGHT CO	POWER SERVICE	209.33	209.33

191 checks in this report.

Grand Total All Checks: 1,452,774.86

CITY OF LEAWOOD
Check Date 12/30/2019
Ordinance 2019-51

Final Check List

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<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
104795	2448 PRODUCTIONS LLC	VIDEO EDITING OF SOUTH LOOP	995.00	995.00
104796	ACORN NATURALISTS	EXPENDABLE EQUIP.	139.32	139.32
104797	ACUSHNET CO - TITLEIST	PROSHOP MERCHANDISE	194.91	194.91
104798	ADP LLC	TIMEKEEPING SYSTEM	3,009.20	3,009.20
104799	AGGREGATES, JOHNSON COUNTY	MATERIALS & SUPPLIES	192.23	192.23
104800	ALL CITY MANAGEMENT SERVICES	CROSSING GUARD SERVICES FOR 2019	2,607.60	2,607.60
104801	ALLIED OIL & TIRE COMPANY	VEHICLE MAINT MOTOR OIL	1,021.06 679.83	1,700.89
104802	ALPINE LITHO-GRAPHICS INC	OFFICE SUPPLIES	326.00	326.00
104803	AMERICAN EQUIPMENT COMPANY	MOTOR, HYD, WHITE, 3.2CI, 4B, 1" EXT	1,087.33	1,087.33
104804	AMERICAN SAFETY & HEALTH INST	TRAINING TRAINING TRAINING	11.32 159.20 20.00	190.52
104805	APAC KANSAS INC	LANDFILL FEE	528.00	528.00
104806	APEX ENVIRONMENTAL CONSULTANTS	2019 ASBESTOS INSPECTION-9619 LEE BLVD.	1,985.00	1,985.00
104807	ARTHUR J GALLAGHER RISK MGMNT	NOTARY BOND PREMIUM	50.00	50.00
104808	ARTSKC-REGIONAL ARTS COUNCIL	EMPLOYEE MATCHING DONATION	504.00	504.00
104809	AT&T	PHONE SERVICE	325.56	325.56
104810	AT&T	INTERNET SERVICE - CLERK	1,138.08	1,138.08

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
104811	AT&T	INTERNET SERVICE - CLERK	1,132.47	1,132.47
104812	AT&T INTERNET	CABLE	106.46	
		INTERNET AND TV	199.88	
		U-VERSE TV AND INTERNET	199.88	
		U-VERSE TV AND INTERNET	199.88	706.10
104813	BATTERIES PLUS	CREDIT MEMO	-10.00	
		EQUIPMENT MAINT	148.95	138.95
104814	BERNIE ELECTRIC WHOLESALE INC	MATERIALS & SUPPLIES	294.45	294.45
104815	BLACK & MCDONALD	REPAIR DAMAGE TO FEED DONE BY KISSICK 2019 STREET LIGHT AND TRAFFIC SIGNAL	899.34 4,032.94	4,932.28
104816	BLUE VALLEY LABORATORIES INC	FOUNTAIN WINTERIZATION	400.00	400.00
104817	BLUE VALLEY PUBLIC SAFETY	CITY EQUIPMENT FUND	27,090.89	27,090.89
104818	BRUNGARDT HONOMICHL & CO PA	2019 ENGINEERING-LEE BLVD.-83RD ST. TO 9	44,621.50	44,621.50
104819	C & C GROUP DIVISIONS	BUILDING MAINTENANCE REPAIRS	635.00	635.00
104820	CAROLINA BIOLOGICAL SUPPLY CO	MINI TURBINE KIT, STEM CHALLENGE, HOUSE	644.56	644.56
104821	CHIC ADEES TROPHY	NAMEPLATE	10.00	10.00
104822	CHICAGO TITLE COMPANY LLC	OWNERSHIP, EASEMENT REPORT - COMMERCIAL	500.00	500.00
104823	CONRAD FIRE EQUIPMENT INC	VEHICLE OPS MAINT.	2,449.92	
		VEHICLE OPS MAINT.	20,047.86	
		VEHICLE OPS MAINT.	11,740.02	
		VEHICLE MAINT.	66.52	34,304.32
104824	CONTINENTAL RESEARCH CORP	SUPPLIES	162.69	162.69
104825	CRAFCO INC - PMSI	SQUEEGEE BLADE "V" RED	310.00	310.00
104826	CUMMINS SALES AND SERVICE INC	VEHICLE MAINT	59.57	59.57
104827	DESIGN MECHANICAL INC	BUILDING MAINTENANCE REPAIRS	498.75	498.75

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104828	DIVE RESCUE INTERNATIONAL INC	EXPENDABLE EQUIPMENT	10,140.00	10,140.00
104829	DOUGLAS, WILLIAM	INSTRUCTOR FEES	960.00	960.00
104830	DREXEL TECHNOLOGIES	ANNUAL SERVICE FOR CUTTER-PLOTTER,	92.22	92.22
104831	E EDWARDS WORK WEAR INC	UNIFORM/CLOTHING	166.46	166.46
104832	ELECTRONIC TECHNOLOGY INC	MOUNTED LPR CAMERAS	26,255.00	26,255.00
104833	ELLIOTT EQUIPMENT COMPANY	VEHICLE OPERATIONS/MAINT.	274.31	274.31
104834	EMERY SAPP & SONS INC	UPM COLD PATCH	151.20	151.20
104835	EMPLOYERS RESOURCE LLC	SUPERVISOR COACHING	600.00	600.00
104836	EVERLASTING SIGN ART	VINYL NAME - KELLY VARNER	20.45	20.45
104837	EXCEL LINEN SUPPLY	LINEN CLEANING	36.79	
		LINEN CLEANING	211.74	248.53
104838	FACTORY MOTOR PARTS CO	EQUIP. MAINT. SUPPLIES	250.26	
		VEHICLE SUPPLIES	134.76	
		EQUIP. MAINT. SUPPLIES	156.44	541.46
104839	FASTENAL COMPANY	MATERIALS & SUPPLIES	75.00	75.00
104840	FISHER PATTERSON SAYLER	LEGAL FEES	225.00	225.00
104841	FOLEY INDUSTRIES	PARTS	41.10	
		PARTS	41.26	
		PARTS	47.50	129.86
104842	FORCE AMERICA LLC	EQUIP. MAINT. SUPPLIES	100.40	
		HARDWARE FOR NEW GPS SYSTEM.	2,054.00	2,154.40
104843	FORESTRY SUPPLIERS INC	SUPPLIES	563.52	563.52
104844	FUN EXPRESS	MATERIALS & SUPPLIES	150.74	150.74

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104845	GALLS LLC	UNIFORM JACKET	71.90	
		UNIFORMS	367.25	
		UNIFORMS	725.24	
		UNIFORMS	723.06	
		UNIFORMS	77.18	
		UNIFORM JACKETS	579.98	
		ACADEMY UNIFORMS	208.46	
		UNIFORMS	914.07	3,667.14
104846	GALLS LLC	CREDIT MEMO	-40.48	
		UNIFORMS	39.99	
		UNIFORMS	53.55	53.06
104847	GERKEN RENT-ALL	EQUIPMENT RENTAL	25.92	25.92
104848	GOVERNMENT SOLUTIONS LLC, MCKESS	MATERIAL & SUPPLIES	83.06	83.06
104849	GRAINGER INC	MATERIALS & SUPPLIES	371.99	
		MATERIALS & SUPPLIES	283.49	655.48
104850	HEN HOUSE BALLS FOOD STORES	1/4 SHEET WHITE CAKE	21.99	
		TRAINING ROOM SUPPLIES	44.45	
		MEETING EXPENSE	49.51	
		MEETING SUPPLIES~	51.81	167.76
104851	HERC RENTALS INC	PARTS	233.51	
		FTG, OILER SIGHT FEED DOME	232.44	465.95
104852	IBT INC	EQUIP. MAINT. SUPPLIES	172.84	172.84
104853	INDUSTRIAL REPAIR TECH INC	REPRS-POLICE RPT WRITING BULLPEN	8,750.00	8,750.00
104854	INTERPRETIVE SITE COALITION	ANNUAL MEMBERSHIP DUES - 2020	50.00	50.00
104855	INTERSTATE ELECTRICAL SUPPLY	MATERIAL & SUPPLIES	376.56	376.56
104856	J M FAHEY CONSTRUCTION CO	BLANKET PO FOR 2019 ASPHALT -	2,118.82	2,118.82
104857	JO CO MED ACT	MATERIAL & SUPPLIES	468.52	468.52

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104858	JO CO TREASURER	RE TAX-3204 W.143RD ST.	1,454.68	1,454.68
104859	JO CO WASTEWATER	WASTEWATER SERVICE	431.61	
		WASTEWATER SERVICE	109.81	
		WASTEWATER SERVICE	89.97	
		WASTEWATER SERVICE	83.66	
		WASTEWATER SERVICE	122.51	
		WASTEWATER SERVICE	71.72	
		WASTEWATER SERVICE	44.31	
		WASTEWATER SERVICE	86.65	
		WASTEWATER SERVICE	129.10	1,169.34
104860	JO WYANDOTTE CO COUNCIL-MAYORS	ANNUAL HOLIDAY SOCIAL 2019	684.00	684.00
104861	JOHNSTONE SUPPLY	MATERIALS & SUPPLIES	21.53	21.53
104862	JOSE L RIVAS MORALES, FIBER-COMM, LL	FIBER SPLICING	2,080.00	2,080.00
104863	KANSAS ARBORISTS ASSOCIATION	KS ARBORIST ASSOC ADV TRAINING WORKSHOP	645.00	645.00
104864	KANSAS CITY FREIGHTLINER SALES	ONE (1) SINGLE AXLE DUMP TRUCK MODEL	80,808.00	
		EQUIP. MAINT. SUPPLIES	84.74	80,892.74
104865	KANSAS GOLF & TURF INC	COURSE SUPPLIES	115.39	115.39
104866	KANSAS SECRETARY OF STATE	NOTARY PUBLIC APPLICATION FEE~	25.00	25.00
104867	KCUR 89.3	RADIO ADVERTISING	600.00	600.00
104868	KELLER FIRE & SAFETY	EQUIPMENT MAINT.	247.58	247.58
104869	KONICA MINOLTA PREMIER FINANCE	2019 COPY MACHINE LEASE	4,582.77	4,582.77
104870	KOTULIC, ROSITA	INSTRUCTOR FEES	133.65	133.65
104871	KS TURFGRASS FOUNDATION	2020 MEMBERSHIP	75.00	75.00
104872	KS WILDLIFE AND PARKS MAGAZINE	SUBSCRIPTION RENEWAL	32.00	32.00
104873	LANDS END BUSINESS OUTFITTERS	UNIFORM SHIRTS	225.11	225.11

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104874	LASER CYCLE INC	TONER	109.99	109.99
104875	LAWSON PRODUCTS INC	MATERIALS & SUPPLIES	136.21	136.21
104876	LEGAL RECORD	LEGAL RECORD PUB. RESO 5275-2020 FEE	1,033.87	1,033.87
104877	LEVEL 3 COMMUNICATIONS LLC	INTERNET SERVICE	2,616.43	2,616.43
104878	LEXINGTON PLUMBING & HEATING	PRESSURE REGULATOR AND VALVE REPAIR	3,500.00	3,500.00
104879	MCCLURE ENGINEERING CO	2017-2018 PROF.SVS FOR TM-04-008 LW S. S	13,021.20	13,021.20
104880	MICRO CENTER AR	OFFICE SUPPLIES	130.87	
		OFFICE SUPPLIES	119.98	250.85
104881	MID-AMERICA PUMP LLC	LABOR TO REPAIR VACUUM PUMP	947.50	947.50
104882	MINUTEMAN PRESS OF OP	PRINTING & BINDING	728.94	728.94
104883	MULLINIX, TINA	INSTRUCTOR FEES	101.04	101.04
104884	MYSIDEWALK INC	MISC. SERVICES	500.00	500.00
104885	NATURE WATCH	SOIL TEST KIT/GREEN WATER MONITORING KIT	106.84	106.84
104886	NIGROS WESTERN STORE # 2	UNIFORM/CLOTHING	462.87	462.87
104887	NORCON COMMUNICATIONS INC	BULLET RESISTANT INTERCOM	1,133.76	1,133.76
104888	OK FINE PRODUCTIONS	TRAINING DUMMY WITH TASER VEST PER	3,195.77	3,195.77
104889	O'REILLY AUTO PARTS	VEHICLE PARTS	116.90	
		VEHICLE SUPPLIES	8.05	
		VEHICLE PARTS	165.24	
		VEHICLE PARTS	35.94	
		VEHICLE PARTS	129.96	
		DORMAN HD SOLUTIONS	-0.35	
		SUPPLIES	12.67	468.41
104890	OVERLAND PARK BAPTIST TEMPLE, MISS	BEN BOBBY G. FLORANCE MEMORIAL	100.00	100.00

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104891	OVERLAND PARK FIRE DEPT	EXPENDABLE EQUIPMENT	3,750.92	3,750.92
104892	PETTY CASH - CITY OF LEAWOOD	REIMBURSEMENTS	53.09	53.09
104893	POMP'S TIRE SERVICE INC	VEHILCE MAINT	505.24	505.24
104894	PRIDE CLEANERS MJV-A LLC	UNIFORM CLEANING	70.99	70.99
104895	PRIME INDUSTRIAL PRODUCTS INC	COUPLERS - PLOW TRUCKS	961.00	961.00
104896	PROFESSIONAL TURF PRODUCTS	COURSE SUPPLIES	33.12	33.12
104897	Q4 INDUSTRIES LLC	SUPPLIES	954.15	
		SUPPLIES	134.97	
		SUPPLIES	44.99	
		COPIER PAPER FOR JC AND CITY HALL	1,739.60	
		COPIER PAPER FOR JC AND CITY HALL	1,739.60	4,613.31
104898	RANCH MART ACE HARDWARE	MATERIAL & SUPPLIES	13.98	
		MATERIALS & SUPPLIES	7.58	
		SUPPLIES	12.99	
		MATERIALS & SUPPLIES	5.99	40.54
104899	REEVES WIEDEMAN COMPANY	EQUIP MAINT/SERVICE	38.00	38.00
104900	REGAL AWARDS	MATERIALS & SUPPLIES	175.00	175.00
104901	REGIONAL JUSTICE INFORMATION	WEB SUBSCRIPTION FEES	2,535.01	2,535.01
104902	REINDERS INC	TURFACE MVP 50# BAG PL40	182.00	182.00
104903	RETTIG, TROY	METRO SQUAD DAILY PER DIEM REIMBURSEMENT	1,475.00	1,475.00
104904	ROB SIGHT FORD	EQUIP. MAINT. SUPPLIES	17.48	
		VEHICLE OPERATIONS/MAINT.	8.74	26.22
104905	SAMS CLUB DIRECT	MATERIALS & SUPPLIES	3,218.05	3,218.05
104906	SAMS CLUB DIRECT	MATERIALS & SUPPLIES	443.66	443.66
104907	SCOTWOOD INDUSTRIES INC	MAGNESIUM CHLORIDE -FREEZGARDZ 4396	5,583.31	5,583.31

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104908	SHERWIN WILLIAMS CO	RES EXT SA PR RED	57.11	57.11
104909	SIG SAUER INC	EXPENDABLE EQUIPMENT~	4,410.60	4,410.60
104910	SIGN POST TRANSFORMATIONS	BUILDING/GROUNDS MAINT.	486.32	486.32
104911	SINGLE SOURCE	CIVIL WAR BANNER	270.00	270.00
104912	SITEONE LANDSCAPE SUPPLY LLC	COURSE SUPPLIES	87.10	87.10
104913	SPECTRUM REACH	ADVERTISING	700.00	
		ADVERTISING	300.00	1,000.00
104914	SPRAYER SPECIALTIES INC	MATERIALS & SUPPLIES	154.93	154.93
104915	SPRINT	PHONE SERVICE	3,928.01	3,928.01
104916	STAPLES BUSINESS ADVANTAGE	MATERIALS & SUPPLIES	47.72	
		MATERIALS & SUPPLIES	43.69	
		MATERIALS & SUPPLIES	12.91	
		OFFICE SUPPLIES	34.21	
		OFFICE SUPPLIES	118.70	
		OFFICE SUPPLIES	40.32	
		OFFICE SUPPLIES	32.08	
		OFFICE SUPPLIES	36.88	
		MATERIALS & SUPPLIES	8.32	
		MATERIALS & SUPPLIES	59.84	
		MATERIALS & SUPPLIES	290.90	
		MATERIALS & SUPPLIES	12.15	737.72

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104917	SUBURBAN LAWN & GARDEN INC	YARD WASTE TIP FEE	18.00	
		YARD WASTE TIP FEE	49.50	
		YARD WASTE TIP FEE	18.00	
		YARD WASTE TIP FEE	18.00	
		YARD WASTE TIP FEE	40.00	
		YARD WASTE TIP FEE	40.00	
		YARD WASTE TIP FEE	18.00	
		YARD WASTE TIP FEE	39.00	
		YARD WASTE TIP FEE	39.00	
		YARD WASTE TIP FEE	40.00	
		YARD WASTE TIP FEE	45.00	
		YARD WASTE TIP FEE	35.00	399.50
104918	SUMMIT TRUCK GROUP	TANK AIR PRESS	454.91	
		CABLE TANKS/WASHERS/NUTS	138.89	
		VEHICLE PARTS	598.62	
		VEHICLE PARTS	76.78	1,269.20
104919	SUMNERONE	COPIER LEASE PMT	61.75	61.75
104920	TEERINK, MARK	EMERGENCY PURCHASE~	49.89	49.89
104921	TIME WARNER CABLE	CABLE	57.83	57.83
104922	TIME WARNER CABLE	CABLE	39.43	39.43
104923	TOMPKINS INDUSTRIES INC	MATERIALS & SUPPLIES	24.34	
		MATERIALS & SUPPLIES	358.40	382.74
104924	TORO COMPANY - NSN, THE	MYTURF-PRO MONTHLY SUPPORT	65.00	65.00
104925	TOWN & COUNTRY BLDG SERVICES	BLANKET PO TO COVER ANNUAL BUILDING	525.00	
		BLANKET PO TO COVER ANNUAL BUILDING	2,985.00	3,510.00
104926	UNIFIRST CORPORATION	CLEANING SERVICES	137.96	
		MAT CLEANING	131.43	
		CLEANING SERVICES	104.71	374.10
104927	UNITED ROTARY BRUSH CORP	MATERIALS & SUPPLIES	654.08	654.08

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
104928	US POSTAL SERVICE	PERMIT #4655-000	235.00	235.00
104929	VANCE BROS INC	BLANKET PO: 2019 ASPHALT FOR STREETS	1,537.50	1,537.50
104930	VAN-WALL EQUIPMENT INC	EQUIPMENT SUPPLIES	347.26	347.26
104931	VARIDESK LLC	PROPLUS/DUAL-MONITOR ARM	590.00	590.00
104932	VARNER, KELLY	MILEAGE REIMBURSEMENT	50.46	50.46
104933	WAL-MART COMMUNITY BRC	MATERIALS & SUPPLIES	214.55	214.55
104934	WATER DISTRICT 1 JO CO	WATER SERVICE WATER SERVICE	90.40 94.61	185.01
104935	WEST PUBLISHING CORP, A, THOMSON RI	WEST INFORMATION CHARGES SUBSCRIPTION PRODUCT CHARGES	666.30 402.00	1,068.30
104936	WESTLAKE HARDWARE	SUPPLIES	23.98	23.98
104937	WITMER PUBLIC SAFETY GROUP INC	EQUIPMENT MAINT..	282.16	282.16
104938	WORLD FUEL SERVICES INC	BLANKET PO FOR 2019 FUEL EXPENSES: BLANKET PO FOR 2019 FUEL EXPENSES:	17,113.26 16,052.36	33,165.62
104939	YODER, KIRT	2019 EDUCATIONAL ASSISTANCE: KIRT YODER	742.40	742.40
621219	KC POWER & LIGHT CO	POWER SERVICE	266.29	266.29
1071219	KC POWER & LIGHT CO	POWER SERVICE	324.65	324.65
3301219	KC POWER & LIGHT CO	POWER SERVICE	76.30	76.30
7281219	KC POWER & LIGHT CO	POWER SERVICE	18.14	18.14
7361219	KC POWER & LIGHT CO	POWER SERVICE	157.64	157.64
8811219	KC POWER & LIGHT CO	POWER SERVICE	182.19	182.19
9401219	KC POWER & LIGHT CO	POWER SERVICE	167.74	167.74
9991219	KC POWER & LIGHT CO	POWER SERVICE	1,241.87	1,241.87

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
10671219	KC POWER & LIGHT CO	POWER SERVICE	175.81	175.81
11511219	KC POWER & LIGHT CO	POWER SERVICE	262.56	262.56
12171219	KC POWER & LIGHT CO	POWER SERVICE	18.14	18.14
12262019	KANSAS GAS SERVICE	GAS SERVICES	6,888.69	6,888.69
13261219	KC POWER & LIGHT CO	POWER SERVICE	34.64	34.64
17061219	KC POWER & LIGHT CO	POWER SERVICE	389.86	389.86
17131219	KC POWER & LIGHT CO	POWER SERVICE	106.88	106.88
17901219	KC POWER & LIGHT CO	POWER SERVICE	97.98	97.98
18031219	KC POWER & LIGHT CO	POWER SERVICE	351.87	351.87
18191219	KC POWER & LIGHT CO	POWER SERVICE	368.79	368.79
18841219	KC POWER & LIGHT CO	POWER SERVICE	226.91	226.91
18971219	KC POWER & LIGHT CO	POWER SERVICE	207.15	207.15
20171219	KC POWER & LIGHT CO	POWER SERVICE	21.91	21.91
20401219	KC POWER & LIGHT CO	POWER SERVICE	2,976.77	2,976.77
20821219	KC POWER & LIGHT CO	POWER SERVICE	217.32	217.32
20861219	KC POWER & LIGHT CO	POWER SERVICE	72.00	72.00
22111219	KC POWER & LIGHT CO	POWER SERVICE	20.41	20.41
23161219	KC POWER & LIGHT CO	POWER SERVICE	227.00	227.00
25641219	KC POWER & LIGHT CO	POWER SERVICE	61.29	61.29
25751219	KC POWER & LIGHT CO	POWER SERVICE	187.06	187.06
25851219	KC POWER & LIGHT CO	POWER SERVICE	149.96	149.96
26331219	KC POWER & LIGHT CO	POWER SERVICE	326.13	326.13

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26441219	KC POWER & LIGHT CO	POWER SERVICE	66.90	66.90
26451219	KC POWER & LIGHT CO	POWER SERVICE	156.34	156.34
26761219	KC POWER & LIGHT CO	POWER SERVICE	18.14	18.14
26791219	KC POWER & LIGHT CO	POWER SERVICE	101.34	101.34
26871219	KC POWER & LIGHT CO	POWER SERVICE	325.59	325.59
28591219	KC POWER & LIGHT CO	POWER SERVICE	32.51	32.51
29171219	KC POWER & LIGHT CO	POWER SERVICE	180.15	180.15
30361219	KC POWER & LIGHT CO	POWER SERVICE	541.74	541.74
31461219	KC POWER & LIGHT CO	POWER SERVICE	370.00	370.00
32041219	KC POWER & LIGHT CO	POWER SERVICE	398.54	398.54
32871219	KC POWER & LIGHT CO	POWER SERVICE	239.68	239.68
34671219	KC POWER & LIGHT CO	POWER SERVICE	1,122.99	1,122.99
35181219	KC POWER & LIGHT CO	POWER SERVICE	197.92	197.92
35641219	KC POWER & LIGHT CO	POWER SERVICE	199.42	199.42
35651219	KC POWER & LIGHT CO	POWER SERVICE	193.85	193.85
35721219	KC POWER & LIGHT CO	POWER SERVICE	92.90	92.90
36121219	KC POWER & LIGHT CO	POWER SERVICE	38.53	38.53
37141219	KC POWER & LIGHT CO	POWER SERVICE	106.74	106.74
39071219	KC POWER & LIGHT CO	POWER SERVICE	135.28	135.28
39111219	KC POWER & LIGHT CO	POWER SERVICE	117.11	117.11
39351219	KC POWER & LIGHT CO	POWER SERVICE	20.48	20.48
39781219	KC POWER & LIGHT CO	POWER SERVICE	43.59	43.59

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
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41481219	KC POWER & LIGHT CO	POWER SERVICE	31.24	31.24
43651219	KC POWER & LIGHT CO	POWER SERVICE	1,719.04	1,719.04
44831219	KC POWER & LIGHT CO	POWER SERVICE	4,517.17	4,517.17
45421219	KC POWER & LIGHT CO	POWER SERVICE	29.01	29.01
45721219	KC POWER & LIGHT CO	POWER SERVICE	39.76	39.76
50971219	KC POWER & LIGHT CO	POWER SERVICE	341.27	341.27
51661219	KC POWER & LIGHT CO	POWER SERVICE	42.65	42.65
54941219	KC POWER & LIGHT CO	POWER SERVICE	18.14	18.14
55271219	KC POWER & LIGHT CO	POWER SERVICE	325.99	325.99
57211219	KC POWER & LIGHT CO	POWER SERVICE	71.16	71.16
57231219	KC POWER & LIGHT CO	POWER SERVICE	124.34	124.34
58311219	KC POWER & LIGHT CO	POWER SERVICE	40.49	40.49
58541219	KC POWER & LIGHT CO	POWER SERVICE	431.27	431.27
59111219	KC POWER & LIGHT CO	POWER SERVICE	380.12	380.12
59741219	KC POWER & LIGHT CO	POWER SERVICE	284.16	284.16
62961219	KC POWER & LIGHT CO	POWER SERVICE	310.30	310.30
63871219	KC POWER & LIGHT CO	POWER SERVICE	299.63	299.63
65721219	KC POWER & LIGHT CO	POWER SERVICE	318.46	318.46
66271219	KC POWER & LIGHT CO	POWER SERVICE	55.61	55.61
66291219	KC POWER & LIGHT CO	POWER SERVICE	227.11	227.11
66721219	KC POWER & LIGHT CO	POWER SERVICE	79.72	79.72

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
67501219	KC POWER & LIGHT CO	POWER SERVICE	105.09	105.09
68841219	KC POWER & LIGHT CO	POWER SERVICE	45.51	45.51
69112191	KC POWER & LIGHT CO	POWER SERVICE	256.08	256.08
70801219	KC POWER & LIGHT CO	POWER SERVICE	89.50	89.50
73401219	KC POWER & LIGHT CO	POWER SERVICE	261.93	261.93
73731219	KC POWER & LIGHT CO	POWER SERVICE	147.34	147.34
75301219	KC POWER & LIGHT CO	POWER SERVICE	234.69	234.69
78301219	KC POWER & LIGHT CO	POWER SERVICE	308.28	308.28
78421219	KC POWER & LIGHT CO	POWER SERVICE	214.78	214.78
79561219	KC POWER & LIGHT CO	POWER SERVICE	31.86	31.86
79981219	KC POWER & LIGHT CO	POWER SERVICE	387.82	387.82
80371219	KC POWER & LIGHT CO	POWER SERVICE	66.86	66.86
80921219	KC POWER & LIGHT CO	POWER SERVICE	172.54	172.54
83411219	KC POWER & LIGHT CO	POWER SERVICE	228.63	228.63
84481219	KC POWER & LIGHT CO	POWER SERVICE	96.33	96.33
85881219	KC POWER & LIGHT CO	POWER SERVICE	132.17	132.17
85951219	KC POWER & LIGHT CO	POWER SERVICE	82.96	82.96
89351219	KC POWER & LIGHT CO	POWER SERVICE	258.42	258.42
89741219	KC POWER & LIGHT CO	POWER SERVICE	92.88	92.88
89991219	KC POWER & LIGHT CO	POWER SERVICE	176.93	176.93
93941219	KC POWER & LIGHT CO	POWER SERVICE	354.81	354.81
94311219	KC POWER & LIGHT CO	POWER SERVICE	208.28	208.28

<u>Check #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount Paid</u>	<u>Check Total</u>
95691219	KC POWER & LIGHT CO	POWER SERVICE	18.14	18.14
96471219	KC POWER & LIGHT CO	POWER SERVICE	43.04	43.04
97541219	KC POWER & LIGHT CO	POWER SERVICE	1,171.21	1,171.21
98901219	KC POWER & LIGHT CO	POWER SERVICE	145.53	145.53
99381219	KC POWER & LIGHT CO	POWER SERVICE	173.09	173.09
99501219	KC POWER & LIGHT CO	POWER SERVICE	317.74	317.74
99911219	KC POWER & LIGHT CO	POWER SERVICE	36.28	36.28
41012191	KC POWER & LIGHT CO	POWER SERVICE	134.05	134.05
35912191	KC POWER & LIGHT CO	POWER SERVICE	40.91	40.91
25012191	KC POWER & LIGHT CO	POWER SERVICE	169.03	169.03
76512191	KC POWER & LIGHT CO	POWER SERVICE	36.34	36.34

252 checks in this report.

Grand Total All Checks: 429,306.39

Regular Meeting

THE LEAWOOD CITY COUNCIL

December 16, 2019

Minutes

DVD No. 454

The City Council of the City of Leawood, Kansas, met in regular session in the Council Chambers, 4800 Town Center Drive, 7:00 P.M. on Monday, December 16, 2019. Mayor Peggy Dunn presided.

Councilmembers Present: Julie Cain, Chuck Sipple, James Azeltine, Jim Rawlings, Mary Larson, Andrew Osman and Lisa Harrison

Councilmembers Absent: Debra Filla

Staff Present: Scott Lambers, City Administrator	Patty Bennett, City Attorney
David Ley, Public Works Director	Chief Troy Rettig, Police Department
Chris Claxton, Parks & Recreation Director	Nic Sanders, Human Resources Director
Mark Tepesch, Info. Services Specialist III	Ross Kurz, Info. Services Director
Richard Coleman, Comm. Services Director	Chief Dave Williams, Fire Department
April Bishop, Cultural Arts Coordinator	Holly York, Future Cultural Arts Coord.
Kelly Varner, City Clerk	Cindy Jacobus, Assistant City Clerk

Others Present: Kevin Jeffries, President, Chief Executive Officer and Director of Economic Development, Leawood Chamber of Commerce
 Anne Blessing, Chair, Arts Council Committee
 Mary Tearney, Former Chair, Arts Council Committee
 Stephanie Hamil, Arts Council Committee

1. **PLEDGE OF ALLEGIANCE**
2. **APPROVAL OF AGENDA**

A motion to approve the agenda was made by Councilmember Cain; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.

3. **CITIZEN COMMENTS**

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda, or about items that will be considered as part of the consent agenda. It is not appropriate to use profanity or comment on pending litigation, municipal court matters or personnel issues. Comments about items that appear on the action agenda will be taken as each item is considered. **CITIZENS ARE REQUESTED TO KEEP THEIR COMMENTS UNDER 5 MINUTES.**

Mayor Dunn advised those signed in to speak would be called upon in order of sign in, and asked they begin by stating name and address for the record.

Senator John Skubal, 6503 W. 134th Terrace, gave a brief report on 2019 legislative accomplishments and items for coming year. Work this year included transportation and a workable budget. The State is getting out from under debt incurred through the years. The House passed a Medicare expansion bill, which is planned for debate in the Senate on January 13, 2020. He has not seen the bill, but hopes expansion will be passed in January or February 2020.

For the coming year, there are \$435 million in transportation projects that he will not walk away from, as commitments to communities to improve roads; this will need to be made before work on a 10-year transportation plan called “Forward Plan” can be implemented. What will be in the “Forward Plan” is unknown at this time. The plan needs to be passed and then the Kansas Department of Transportation [KDOT] will advise. The current transportation plan is set to expire. He lobbied for a 5-year plan as the world moves faster than 10 years. As a compromise, it will be a “rolling plan” to be re-evaluated every two years.

He hopes to bring forth a bill for hands-free electronics use. In his experience, on a daily basis 90% of distracted driver vehicles remain stopped at a traffic signal when they should proceed. Drivers swerve while traveling at 65 miles per hour on the highway, and are ordering Christmas presents on-line while driving to work. Driving impacts lives. In Overland Park, four children were struck on a corner. In Overland Park, 60% to 70% of all vehicle accidents are due to inappropriate use of cell phones.

Councilmember Cain thanked Senator Skubal for his effort to support Medicare, Medicaid and Kancare. She shared personal experience where this type of coverage was needed for a Medicaid-dependent relative in regard to a \$1 million medical bill for a catastrophic medical event. We are lucky to have such coverage, especially in emergency situations, and facilities in Leawood and throughout Johnson County. She expressed appreciation for the A+ assistance provided by agencies.

Senator Skubal stated the fastest way to bankruptcy in the United States today is a health issue, which is not right and effects everyone. He shared a Medicare experience of a relative. Senator Skubal stated he would carry back Councilmember Cain’s comments to agency staff. The State is struggling to fully staff agencies.

Councilmember Sipple commended Senator Skubal for his work on hands-free device use. He stated many other municipalities and States have stepped up their efforts, and asked that the Governing Body be kept informed of progress and any impediments. Senator Skubal stated some municipalities like Manhattan are ahead of the issue. He shared a personal experience involving a family member whose vehicle was totaled after being rear-ended.

Councilmember Azeltine thanked Senator Skubal for his update. He asked if there would be a year-by-year vote on the appropriations for the 10-year transportation budget. Senator Skubal stated once there is a plan, it is workable. There are issues that cannot wait, such as the need for a road to a new manufacturing plant. KDOT will have the ability to change the plan if needed, and the Secretary of Transportation plans to review at least monthly if not daily. The State did not fully fund KDOT this year. The amount of miles controlled by the government takes \$500 million to maintain. The State has 3,000 deficient bridges. We can do better and he is focused on this issue.

Councilmember Osman stated Johnson County Board of Commissioner Becky Fast had addressed the Governing Body within the past two months, and she spoke about KDOT’s problem of funding work on Highway 69. Councilmember Osman asked about the status of other highways in Johnson County. Senator Skubal stated \$200 million is needed to rebuild Highway 69 from 167th Street to Interstate 435, as this section is at the end of its useful life. Two Kansas City Area Transportation Authority [KCATA]

“hot lanes” would be constructed and there would be two free lanes. Pricing to use the KCATA lanes would be dynamic, perhaps based on usage and time of day. There would be no toll booths on Highway 69; usage fee collected through a “K-Tag” scan-pass system. Senator Skubal stated a transportation plan from Washington, D.C. is desperately needed to help.

Mayor Dunn thanked Senator Skubal for his attendance, update, insights and transportation expertise. She has received no negative comments against Medicaid expansion, and has shared this information with Senator Jim Denning. She hopes expansion can be accomplished by the Legislature this session.

Senator Skubal stated he enjoys representing Leawood and welcomes visits to him in Topeka when Legislature is in session. He acknowledged Councilmember Sipple’s birthday. Wishes for happy holidays were exchanged.

Mr. Mike Faulconer, 9612 High Drive, stated the back of his property, 270 ft., borders City property. He has lived there for 25 years, raising two sons. They love the location and neighbors, and appreciate the work done by the City. Anything that happens would not change their opinion of Leawood. In 25 years, there have been only two points of contention in regard to the site: 1) the cell tower and 2) the temporary office buildings/trailers. Neighbors Don and Bette Meeker organized and spoke in opposition of the cell tower 20 years ago. The cell tower did not change lives and is now to come down, but it was not pretty. Residents were told the trailers were temporary, but they have been there approximately 12 years. He was not as upset by the Community Garden, as the garden was better looking than the trailers. In conclusion, there are three points of opposition: 1) removal/release of deed restrictions, 2) any type of park, and 3) second story on new Fire Station. He stated comments made by Ms. Charlotte Shaw at the previous Governing Body meeting were well-stated. Leawood’s Brook Beatty Park and City Park are close-by, as is the busy Meadowbrook Park in Prairie Village. A beautiful landscaped area, rather than a park or occupied space, would be nice. A second story on the new Fire Station to provide meeting space is unnecessary, as ample meeting space is already available. The second story would be an eye-sore to the neighbors located behind the station.

Mr. Faulconer stated belief is that the four homes located on the north end/side of the High Drive cul-de-sac would be excluded from the deed restrictions removal/release inquiry area. These residents should have a say on the issue, and to exclude them would be an oversight.

Mayor Dunn stated she was not aware of the exact length of time the temporary office buildings/trailers had been at the site, but it had been a long time. She deferred to Mr. Lambers in regard to the deed restrictions.

Mr. Lambers stated the City researched the boundary lines for action to take place. Some modifications were made, but the delineation of the properties that are included or excluded are established by the deed restrictions. The City has Mr. Faulconer’s address, and research will be double-checked as the City is certainly not infallible. He thanked Mr. Faulconer for bringing this to his attention now rather than later. Mr. Faulconer requested any information on status and renderings be shared.

Ms. Kathryn Geller, 9625 Lee Boulevard, stated she lives and raised family there for 35 years. She was upset that she had not been advised of what had been proposed. The City bought the Grogan house that has a large berm of trees; she wanted her daughter to purchase the home. The City plans to tear down the house and build the new Fire Station on a portion of that property, rather than moving Old City Hall. Windows shown on the plan for the two-story Fire Station would overlook her house and yard, causing harm as now her backyard is totally private. There would be less privacy and commercial property next door, and the entire neighborhood would be impacted. There has not been openness with neighbors, and

a new neighbor directly across from the Grogan property has not been informed. She agrees with neighbors that the best solution would be to possibly move the Old City Hall and to include the four neighbors on the cul-de-sac and newly built home on any decision. Quality of life and privacy should not be effected. Lee Boulevard has had some criminal elements entering Leawood, and she does not want public property near hers. She hopes the Grogan house is not torn down before an understanding is reached.

Mayor Dunn stated the process was described at the last Governing Body meeting. An initial Work Session was held where some renderings were provided. The planning process has not begun. There will be future Planning Commission and Governing Body Work Sessions. Meeting dates and agendas are posted in advance on the City's website. Mayor Dunn advised that residents can provide their contact information to the City Clerk.

Councilmember Osman expressed appreciation for resident attendance. He reiterated his comments made to the residents who spoke on this topic at the December 2, 2019 Governing Body meeting. He stated some cities make haphazard decisions without community input. There have been about seven years of Work Sessions as the City has attempted to develop a master plan for the site for many years. We have to strategically take things away. First, voters approved the Justice Center and the Police Department relocation. Firefighters need a new building as the existing Fire Station has many structural issues that continue to be patched, and more space is needed for equipment and apparatus to serve north Leawood. The Governing Body has been working with City Staff and the County on an appropriate Fire Station, as well as with the Historic Commission and residents in regard to the disposition of the Old City Hall. The cell tower lease agreement had to be honored. A certain date for removal was targeted based on the lease agreement. Councilmember Filla, who is not present tonight, lead the pilot Community Garden project. Residents have contacted him and Councilmember Filla about plans for the site, and they are open to communication and available by cell phone. About 2.5 years ago a conceptual mock-up was provided to the HOA for their further dissemination, which did not happen. A few residents that requested and also received did not share with the HOA or their neighbors. The conceptual mock-up is on the website, but this is not definitely what will be done. The master plan needs to include the property purchase. Governing Body members are not architects, and must work with Staff and external professionals. There will be future meetings and communication with the neighborhood and HOA.

Ms. Geller was happy to hear Councilmember Osman's comments. She offered that a spokesperson could attend meetings, to facilitate communications with neighbors and the HOA. Residents' concerns are truly changing the property to commercial, using more than needed, and just moving beautiful Old City Hall so the new Fire Station could be built next to the existing station. An investment of additional thought is warranted.

Mayor Dunn stated the City would be thinking a lot more, as the process is not very far along even after years. She thanked residents for their attendance.

Mr. Lambers stated the cell tower lease was to have expired in July 2019, but the company with the lease requested several continuances, which were agreed as a good faith measure. The City finally did not authorize another continuance and the lease expired last month. Next month, a bid to remove the tower and house will be brought to the Governing Body. Thereafter, a calendar of events for the planning process will be prepared. There had been consensus of the Governing Body, given to him as a major directive two years ago, to replace the existing Fire Station and this will move forward. First, there will be a replat of properties into one single tract, then start the process to relocate the Fire Station, then preliminary plat for the entire site, and also a final plan just for the new Fire Station to move forward.

Mayor Dunn stated there will be ample opportunities for citizen comments during the process.

4. PROCLAMATIONS – None

**5. PRESENTATIONS/RECOGNITIONS **April Bishop, Cultural Arts Coordinator
retiring after 15 years of service [2004-2019]****

Mayor Dunn read the engraving of the crystal award, to recognize outstanding distinguished service of Ms. Bishop from September 27, 2004 to December 22, 2019. She personally thanked Ms. Bishop for all her extraordinary work, dedication, commitment and exemplary job done with all the sub-committees. Mayor Dunn recalled around 2004 Mary Tearney, who was serving as Arts Council Committee Chair, advised it was too much for volunteers and professional staff was needed. The City hired Ms. Bishop.

Mayor Dunn presented the award to Ms. Bishop, which was followed by a round of applause.

Ms. Bishop introduced Ms. Blessing and Ms. Hamil of the Arts Council Committee; Ms. Tearney, former Arts Council Committee Chair; and her husband. She thanked them for being part of her committees and the large amount of work they do. It is an honor to make a difference and bring arts to the community in which she lives and works. She plans to relax for a few months, move into a new home and place the award on the mantle. She will remain involved, having agreed to accept a committee appointment next year, and will be seen in the City.

Ms. Tearney thanked Ms. Bishop for developing a wonderful Cultural Arts Program. The Arts Council Committee thought they had a great program, but with Ms. Bishop's help and guidance, the program expanded. There are currently a total of 42 activities on the annual calendar, many of which came into being because Ms. Bishop thought she had time to support. Ms. Bishop added another great addition to the Cultural Arts Program when she married Mr. Eric Van Horn, who is a great supporter of his wife and has served as contact to the Leawood Stage Company many times. Ms. Bishop will be missed and is wished well. Her replacement has a wonderful plan to follow.

Mayor Dunn expressed appreciation for the attendance of Ms. Blessing and Ms. Hamil.

**Introduction of the new Cultural Arts
Coordinator, Holly York**

Ms. Bishop introduced Ms. York, who came on-board the week of Thanksgiving, and has been training for a few weeks and will take over on Monday.

Ms. York stated she grew up in Lansing, Kansas. She has a Bachelor of Fine Arts in painting from Kansas State University and a Masters in Art Education with museum focus from the University of North Texas. She worked at the Dallas Museum of Art and the Kimbell Art Museum in youth programs, and for the last four years has worked in youth programs at the Crystal Bridges Museum of American Art. She is excited to be back in Kansas, and knows she has big shoes to fill. Mayor Dunn welcomed Ms. York, acknowledging her great credentials, and stated Ms. York could certainly contact Ms. Bishop with any questions.

6. SPECIAL BUSINESS – None

7. CONSENT AGENDA

Consent agenda items have been studied by the Governing Body and determined to be routine enough to be acted upon in a single motion. If a Councilmember requests a separate discussion on an item, it can be removed from the consent agenda for further consideration.

- A. Accept Appropriation Ordinance Nos. 2019-48 and 2019-49
- B. Accept minutes of the December 2, 2019 Governing Body meeting
- C. Approve Mayor Appointment of Charlotte Shaw to the Community Garden Task Force for a 1-year term ending in 2021
- D. Approve 2nd and final payment to Mega Industries Corporation in the amount of \$5,211.65, pertaining to cart path relocation at Ironhorse Golf Course [Project #74095]
- E. **Resolution No. 5282**, approving and authorizing the Mayor to execute a Letter of Understanding in the amount of \$10,000.00, between the City and Johnson County Human Services pertaining to the 2020 Johnson County Utility Assistance Program
- F. **Resolution No. 5283**, approving and authorizing the Mayor to execute a Letter of Engagement between the City and RubinBrown, LLP, for an amount not to exceed \$35,280.00, pertaining to 2019 audit services
- G. **Resolution No. 5284**, approving and authorizing the Mayor to execute an agreement between the City and Navia/Taben for 125 Administrator services for 2020
- H. **Resolution No. 5285**, approving and authorizing the Mayor to execute an Enterprise Health Service Provider Agreement between the City and Peerfit Inc. for an employee wellness program
- I. **Resolution No. 5286**, approving and authorizing the Mayor to execute a Utility Easement Maintenance Agreement between the City of Leawood, Kansas and Antonia and Michael Mancuso for property located at 11725 Manor Road, lot 21, block 3, Hallbrook Farms First Plat.
- J. **Resolution No. 5287**, approving a Final Landscape Plan for Hallbrook Farms Subdivision – Lot 17 – Residential Emergency Generator, located south of 112th Street and west of Brookwood Street. (PC Case 110-19) [*from the November 26, 2019 Planning Commission Meeting*]
- K. **Resolution No. 5288**, approving a Final Sign Plan for Elite Physical Therapy – Monument Sign, located south of 127th Street and west of State Line Road. (PC Case 117-19) [*from the November 26, 2019 Planning Commission Meeting*]
- L. **Resolution No. 5289**, approving a Final Plan for Changes to the Façade of a Tenant Space for Town Center – Array (Retail: Women’s Apparel), located north of 119th Street and west of Roe Avenue. (PC Case 118-19) [*from the November 26, 2019 Planning Commission Meeting*]
- M. **Resolution No. 5290**, approving a Revised Final Sign Plan for Cornerstone of Leawood – Revised Sign Criteria, located south of 135th Street and east of Nall Avenue. (PC Case 119-19) [*from the November 26, 2019 Planning Commission Meeting*]
- N. **Resolution No. 5291**, approving a Revised Final Plat for Highlands Creek – Seventh Plat, located south of 146th Street and west of Cedar Street. (PC Case 125-19) [*from the November 26, 2019 Planning Commission Meeting*]
- O. Police Department Monthly Report
- P. Fire Department Monthly Report
- Q. Municipal Court Monthly Report

Councilmember Harrison requested Consent Agenda Item 7.E. be pulled.

Mayor Dunn requested Consent Agenda Items 7.O. and 7.P. be pulled.

A motion to approve the remainder of the Consent Agenda was made by Councilmember Azeltine; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.

- 7.E. **Resolution No. 5282**, approving and authorizing the Mayor to execute a Letter of Understanding in the amount of \$10,000.00, between the City and Johnson County Human Services pertaining to the 2020 Johnson County Utility Assistance Program

Mr. Lambers confirmed to Councilmember Harrison the \$10,000 amount was based on past utilization of the fund by Leawood residents. These funds are only for use by Leawood residents and unused funds roll-over year-to-year. Not every city contributes the same amount. Councilmember Harrison appreciated the information, noting the City contributes to many programs.

A motion to approve Consent Agenda Item 7.E. was made by Councilmember Harrison; seconded by Councilmember Cain. The motion was approved with a unanimous vote of 7-0.

- 7.O. Police Department Monthly Report

Mayor Dunn complimented and offered congratulations to Officer Jason Ahring as 2019 Officer of the Year and to Regina Shaw Ellis as 2019 Civilian of the Year. Both have taken on extra responsibilities beyond their primary jobs. Mayor Dunn stated she appreciates the reporting of human interest information. She asked Chief Rettig to pass along her sentiments.

A motion to approve Consent Agenda Item 7.O. was made by Councilmember Larson; seconded by Councilmember Rawlings. The motion was approved with a unanimous vote of 7-0.

- 7.P. Fire Department Monthly Report

Mayor Dunn was very impressed with the Skate with Firefighters “The Ice at Park Place” charitable event held on November 24, 2019. A portion of ticket proceeds went to “Answer The Call”, a non-profit organization providing support to First Responders in time of need. This year the event benefiting the family of Lenexa Fire Lieutenant Michael Wells who passed with cancer. Many of the skating firefighters play recreational hockey. Congratulations and sincere thanks on this wonderful initiative.

A motion to approve Consent Agenda Item 7.P. was made by Councilmember Harrison; seconded by Councilmember Larson. The motion was approved with a unanimous vote of 7-0.

8. MAYOR’S REPORT

- A. My thanks to Human Resources Director Nic Sanders for organizing and leading a very successful 2020 United Way Campaign. This year’s commitments totaled \$17,222 to help our broad community “Live United!” My sincere thanks to all participants.
- B. Nic Sanders and all Department Heads also hosted the 2019 Employee Appreciation Luncheon where Time and Service Awards were presented. Nearly all Council Members were in attendance as we celebrated Councilmember Chuck Sipple for his five years of service, Councilmember Debra Filla for her 15 years, and Councilmember Jim Rawlings for his 20 years. Congratulations also to Whitney Moore from Human Resources as she was honored as the 2019 Employee of the Year.
- C. Attended the 2019 Annual Meeting of United Community Services of Johnson County where Mary Birch was recognized as the Citizen of the Year. Rev. Adam Hamilton from Leawood’s Church of the Resurrection was the keynote speaker. The Excellence in Community Service Award was given to the local teen suicide prevention campaign #Zero Reasons Why and its primary campaign leadership partners.

- D. Attended the 2019 Annual Meeting of the Leawood Chamber of Commerce with nearly all Council Members and Public Works Director David Ley and Information Services Director Ross Kurz. Former City Clerk Debra Harper was inducted into the Chamber's Hall of Fame recognizing her numerous contributions throughout her career.
- E. Great appreciation to Director of Public Works David Ley and his crews on an outstanding job clearing streets for the recent snow event!
- F. Congratulations to Councilmember Debra Filla on becoming a Grandmother for the second time to Isla Jean this morning.
- G. Happy Birthday to Councilmember Chuck Sipple today as well!
- H. Happy Holidays to one and all! Wish you all good health and happiness in 2020!

9. COUNCILMEMBERS' REPORT – None

10. CITY ADMINISTRATOR REPORT – None

11. STAFF REPORT – None

COMMITTEE RECOMMENDATIONS

12. PLANNING COMMISSION – None

13. OLD BUSINESS – None

14. OTHER BUSINESS

Governing Body meeting on January 6, 2020 at 7:00 P.M.

A motion to approve Agenda Item 14. was made by Councilmember Rawlings; seconded by Councilmember Sipple. The motion was approved with a unanimous vote of 7-0.

15. NEW BUSINESS – None

ADJOURN

There being no further business, the meeting was adjourned at 7:52 P.M.

Kelly Varner, City Clerk



7.C.

ADVISORY BOARD
Meeting Minutes – November 12, 2019 - 5:30 p.m.
Maple Room- Leawood Community Center

Board members in attendance: Chair Karen Ward-Reimer, Amy Vlastic, Kim Galbraith, Gary Swanson, Lorrie Hamilton, JoLynn Hobbs, and Bob Wright

Council liaisons present: Chuck Sipple and Julie Cain

Special guests present: Councilmember Debra Filla, Mac Fechtling, and Kayla Bruce

Staff members present: April Bishop, Chris Claxton, Kim Curran, Brian Anderson, and Camille Sumrall

Chair Karen Ward- Reimer called the meeting to order at 5:30 p.m.

Kim Galbraith made a motion to approve the October 8, 2019 meeting minutes. JoLynn Hobbs seconded the motion. The minutes were approved unanimously.

I. Old Business

A. Update on Art Installations

Chris informed the committee that they are very close to completing the plans for the installation of “Inspiration” and “Women of The World”. They will likely be installing “Inspiration” in April or May of 2020. The pieces will be on the planning commission agenda on November 26th. “Women of The World” will be placed in the Justice Center courtyard with a four foot high limestone base. The plan will likely be to bid both pieces at the same time, so that one construction company can complete both installations.

B. Discuss Proposed Photography Permit Policy and Fees

Chris informed the committee that she discussed this with the City Administrator and it has been decided to require commercial photographers to obtain permits but they will not be charged a fee. The permit will help inform the commercial photographers the limits and rules of photography in the parks including: no large furniture, no blocking or obstructing trails, no interruption of programs or rentals, and no moving existing park structures.

Kim G. asked to clarify if staff is allowed to contact police to have the photographers removed, if they violate any of the restrictions.

Chris replied yes, staff may call police if the photographers are violating any of the rules or if they do not have a permit issued for that day.

Chris added that we are working on the permit and signage to inform photographers of the new permit policy.

II. New Business

A. Discuss Community Garden

Councilmember Filla informed the committee that they have had a great experience with their temporary garden location at 96th and Lee Boulevard. The gardeners and task force members have learned many lessons from the temporary garden and are hopeful for the future of the community gardens in Leawood. Councilmember Filla introduced Kayla Bruce, a member of the Community Garden Task Force and asked her to speak about the success of Overland Park's community gardens.

Kayla informed the committee that the community garden task force wants to emulate the same participation and quality of the Overland Park community gardens. The Overland Park community gardens have over 60 plots that are consistently filled from year to year. Overland Park's gardens have a variety of amenities including: bug cages built by local Girl Scout and Boy Scout troops, garden shed for tools and information, a giving grove orchard, and decorative landscaping around the perimeter.

Council Liaison Cain asked where Overland Park's community gardens funding comes from.

Kayla responded that they received grant money, residents put their own money in, and they rely on donations.

Council Liaison Sipple asked how many Leawood citizens have used the garden at 96th and Lee in the last four years.

Kayla responded she believed it was 24 people.

Councilmember Filla added that they have not been able to promote the gardens effectively because of the uncertainty of the future of 96th and Lee fire station project. Councilmember Filla added that she would like the funding for the garden to come from a separate source other than the annual Parks and Recreation Department's operating budget.

JoLynn asked if the community garden task force would like to have multiple locations of community gardens, so that it may be easier to access for residents all across Leawood.

Councilmember Filla replied yes, eventually the task force would like to have northern, central, and southern community gardens. She added that she believes the mission of community gardening is essential to a sustainable future for Leawood.

Council Liaison Cain stated her understanding from the presentation at the City Council meeting on November 5, was that the money for the community gardens plan would be coming out of the Parks and Recreation Department's annual budget. She felt the Parks and Recreation Advisory Board should have a say in the location and funding of the community gardens, if they will be contributing funds for the project.

Kim G. added that the task force should explore sustainability grants and private donations.

Chris asked to clarify the questions being asked of the Parks and Recreation Advisory Board.

Councilmember Filla replied that the number one goal is to find a permanent location for the community gardens. They are proposing a small portion of land just north of 143rd street, and would like input on that location from the Parks and Recreation Advisory Board.

Chris stated there is a potential new location for the community gardens, which was suggested by another councilmember at the last meeting: Ironwoods Park. She added that the area available for use is just east of the maintenance building in Ironwoods Park. The building has water and restrooms, which could be used by the community, garden users. We will need to add ADA parking spots as well as grade the land itself. Chris stated she will look into the cost of using this land as community gardens.

Lorrie made a motion to recommend pursuing the Ironwoods Park land for the community garden and for the Community Garden Task Force to pursue private funding from grants and private donations or partnerships. Kim G. seconded the motion. The motion was approved unanimously.

Council Liaison Sipple suggested that the community garden task force be removed as a subcommittee of the Sustainability Advisory Board and become a subcommittee of the Parks and Recreation Advisory Board.

Chair Karen Ward-Reimer stated that we will add Council Liaison Sipple's recommendation to the next meeting's agenda.

B. Discuss RFQ's for Parks Maintenance and Pool House Design

Chris stated that she has almost completed the RFQ for the pool house design, bid, build project. Chris added that she is expecting the RFQ document for the Parks Maintenance building from Brian Anderson very soon. The company selected for the projects must have experience in pool building and maintenance facility design and building.

Council Liaison Cain asked who will be reviewing the RFQ submissions

Chris responded that staff will reviewing the RFQ submissions.

III. Staff Reports

Kim reported the following:

- Spring Soccer registration is open for Leawood residents.
- Breakfast with Santa will be on December 7th at the Lodge at Ironwoods. We will feature one live reindeer this year!
- Working on seasonal hiring procedures.
- Working on switching lighting at Lodge to LED.
- Holiday Lighting will take place on November 18th in the courtyard at City Hall at 6:00pm.

April reported the following:

- “Nuncrackers” will take place at the Lodge at Ironwoods on November 14th, 15th, 16th, and 17th 2019.
- Holiday Traditions on the Prairie on December 7, at the Oxford Schoolhouse in Conjunction with Breakfast with Santa at the Lodge at Ironwoods.
- “Cracked” a reimagined Nutcracker by Vida Dance Company will take place at the Lodge at Ironwoods on December 20th, 21st, and 22nd.

Brian reported the following:

- Working on trail design behind City Hall that will run under Roe Boulevard.
- City Park pond reconstruction has begun will likely be completed at the end of April.
- Working with developer at Village of Leawood in regards to the land, they will be donating to the City for parkland. There are still some issues with the landscaping not matching the plans they submitted to the City planning department.

Chris reported the following:

- April’s last day is December 22nd and we will be having a reception, date to be determined.
- Holly York will be the new Cultural Arts Supervisor; her first day will be November 25th.

IV. Miscellaneous

Chris reminded the group to RSVP for the Kansas City Metro Area Parks and Recreation Directors Association Commissions and Boards Appreciation Banquet.

V. Next scheduled Meeting Date

The next meeting will be held December 10th at 5:30 p.m. at the Maple Room of the Community Center.

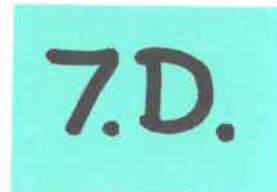
Bob made a motion to adjourn the meeting. Lorrie seconded the motion. The motion was approved unanimously.

The meeting adjourned at 7:30 pm.

Respectfully submitted,



Chris Claxton, Parks and Recreation Director



**Minutes of the
PUBLIC WORKS COMMITTEE**
Meeting held: Wednesday, November 6, 2019
Leawood City Hall- Main Conference Room, 7:30 AM

COMMITTEE MEMBERS PRESENT:

Andrew Osman, Chair, Councilmember Ward 1
Julie Cain, Vice Chair, Councilmember Ward 4
Lori Ames
Abbas Haideri
Todd Harris
Marsha Monica
Jim Rawlings, Councilmember Ward 2
Chuck Sipple, Councilmember Ward 3
Chris White

ABSENT:

Ken Conrad

STAFF PRESENT:

David Ley, P.E., Director of Public Works
Brian Scovill, P.E., City Engineer
Julie Stasi, Public Works Admin. Services Manager, Sr.

Chair Osman called the meeting to order at 7:33 AM.

Chair Osman called the meeting to order. Staff and committee members introduced themselves.

FIRST ITEM OF BUSINESS (OLD BUSINESS): Review/approve the previous meeting Minutes.

ACTION: Marsha Monica- Motioned to approve the Minutes of the Public Works Meeting held October 2, 2019.
Chuck Sipple-Seconded the motion to approve the Minutes. All present members were in favor. Motion passed.
Minutes Approved.

SECOND ITEM OF BUSINESS (OLD BUSINESS): Request from Public Works regarding the Design Consultant Selection Process for the 2022 Mission Road (133rd to 143rd) Project.

David Ley-Advised that staff had met with the consultants and had an average of about 45 minutes with each firm to go over the project and request for the proposals. Today the committee is to review and select packet Requests for Qualifications (RFQ) from four (4) consultants interested in the Design Project of Mission Road, 133 to 143. Six (6) firms were sent RFQ requests. Two firms (HNTB and Walter P. Moore) respectfully declined the consideration for this project. The Committee received the packets last week to review and graded the firms of Burns & McDonnell, HDR, Olsson & Associates and TREKK. Six criteria headings were scored out of the packets with a concern for: project understanding, project approach, similar experience, key personnel & availability, project schedule, and customer service.

Marsha Monica-Commented that she liked having the letter in the packet that was sent to the consultants. She also liked the new score sheet with 60 points instead of the 100 and liked how staff put some of the items the Committee should look for in their review. Kudos to the staff.

David Ley-Also said this group will be ranking another firm in six (6) months. So whatever improvements we want to make, we can discuss that after we make today's selection.

Discussion/questions or comments before we hand in score sheets:

Andrew Osman-Wondered how many engineering firms there were in Kansas City. There comes a point in which RFP's are sent out all the time. And the same people respond over and over again. There comes a point in which you go through the motions and if it's a smaller or medium sized company, they may think they are just wasting their time. They spend many hours putting these packages together and how does it work with Leawood and other municipalities of diversifying the engineering group? Are there six major firms? Twenty? Forty?

David Ley-Even in Johnson County there are probably between 30 to 40 really good firms that do that type of work.

Brian Scovill-and a lot of them have more experience than others with municipal work. Some focus more on private development. So it depends on what their expertise is. Maybe send it to 10 firms and some say they do not have the number of qualified staff to perform the scope we need them to do, and they specialize in other areas. Others have said they appreciate the letter but they are not interested in submitted again because they submitted on past projects and did not get selected. They felt like they were spinning their wheels. So that is something to be considered or thought about, if it is worth their time.

Todd Harris-Thinks the size and the project matters. In my experience, right now it's the KCI Project in Kansas City. And we have a very narrow part of that. Although in this case it is millions of dollars. You see consortium firms come in to do large amounts of work. One thing I picked up on in these packets is there is a consortium idea of bringing in other firms. Also there is a lot of consideration in big projects like that to the minority type firms as well to give them a shot at it. I think the general contractors that are thinking that way with proposals that show they are trying to bring in the best of the best firms. It is up to them to demonstrate that. But that is a talking point that could be made. When our staff meets with them to consider all the different possibilities and you may cover that because in this case (and I'm not going to be specific about it), I noticed that a prior bidder that didn't get work that I graded on another project for this Committee, was part of a consortium here that has done some other work in the City too.

Abbas Haideri-Perhaps if we brought in the top 2 or so firms to present in person? That would allow them to interact with the Committee. Maybe get a better understanding of what the questions are and have a chance to defend themselves. Instead of us grading their glossy paperwork.

David Ley-We have talked about doing that, interviews if there are two firms that are fairly close to each other in rankings. We did that on 143rd Street, Phase 2. On the Phase 1 portion, we actually brought in four firms and brought them all in here for interviews. That's really up to the Committee to decide if they want to do that.

Jim Rawlings-Many many years ago we used to do that. We would bring them in and they all would be lined up in the lobby. We would rotate them in and give them thirty minutes to talk. Basically all they were doing was paraphrasing what was written. I liked the idea but I do not know if it was helpful. They become very identical.

Chris White-This goes back to the evaluation process. What is important and what are we really after? Because as we said earlier, looking at RFPs could be grading their Marketing Department. Bringing them in, you are grading their personalities. So they are going to send in their good people for that. If there was a cost element to bring in to look at these things, to me as what a City might be looking for is a quality job, a schedule for the work and cost overall of the project. But right now that cost element does not get into the evaluation at all. The schedule we get at this stage is ...As long as we are getting good quality work for our residents, but if we want to bring other people in, we would need to go back to that evaluation process and see if there is something somehow we are missing the less experienced firms and what they are doing.

Marsha Monica-All the time tables were pretty much alike. You told them it has to start on a specific date.

Chair Osman-Projects are very diverse and it can be hard to pin point a number. Is it possible to incorporate cost or general approximations as part of the ranking system?

David Ley-As far as (and we've discussed this in the past) but as far as the selection of professional consultants you are not supposed to use money as one of the selection criteria. If we were to do a Design/Build Project, then you do rank money or cost of the project as part of the ranking sheets. And it is pretty hard as there is a lot of detail. When we meet with the consultant afterwards and we go through all their scopes and fees to figure out what that bottom dollar is. There is a lot of going back and forth between us and the consultant to get it.

Brian Scovill. We look at how many hours and their rates per hour on each item of work. For example, how many hours they have for survey, how many hours for ownership and encumbrance reports, and if they are using a title company. We rarely accept their first blush of the proposed cost because we know the scope will change. They may think they need 40 hours on an item when our expectation is for a 5 hour item. We really review their fee.

Chuck Sipple-Should we include that in these estimates as the number of hours per task? I kind of thought that was missing, where they are going to focus their professional staff, where the managers are going to spend their time. They have percentage of time available, but they do not say they are going to spend 113 hours or 110 or 60. I would like to know where their focus is going to be. I thought that was missing in these things.

Brian Scovill-Usually before they develop that, we have a scoping meeting after they have been selected. It could be an hour or two hour long meeting where we go through and provide examples and details and we walk through the process. Overland Park might do a project differently than Leawood or Leawood might do it different than Mission. These firms have a lot of municipal experience and they will do it the way they have done it in the past. So when we sit down with them, we want to make sure it is the Leawood way and it meets our expectations for our citizens.

Chuck Sipple-As long as you guys do that in Public Works; that is fine. I just thought as an evaluator of the bids I'd like to see where the focus was and where their high powered time and staff time was going.

David Ley-We could probably request that going forward. Have them give us an estimated number of hours that they feel would be placed on the project. Maybe you would rather see something like that verses the schedule.

Brian Scovill-Maybe have major items of work and approximately the number hours associated with each item.

Julie Cain-And that is what can be totally blown, the schedule. Like Mission Road. What is the consequence of them not sticking to the schedule? Similar to the stone wall on Roe. That should not be failing already, we paid a lot of money for that to be installed. With Parks and Recreation Dept, we still have the consultants come in and present. It is the razzle dazzle of the report and marketing. We do still have committees that bring in the people (like when we are designing a park) it is important to see some of that artistic design and what we want. Why can't we have the price component in the review?

Brian Scovill-There are State Statutes where municipal/government agencies (County and State) using federal funds are supposed to base an award of Professional Services on qualifications.

Chris White-What about rate sheets? One of the advantages to some of the smaller firms might be that their hourly rates are lower.

Brian Scovill-To back up on State Statues, if the municipal agency has a policy in place, you can require or request additional information such as prices, but it cannot be used in the selection. And there are professional organizations that have lobbyists in place to insure that the requirement for qualifications does not change. For example Kansas Department of Transportation had to be approved at the State Level before they were allowed to do their first design/build project (which considered prices in the selection process). We can be more flexible with local funding because we have a council that can approve or pass a policy.

Andrew Osman-Not to deviate, but how do we select the firms?

David Ley-For the design consultants, the City Engineer and I work together on this. We talk with the surrounding municipalities to see who all they are using on their projects. It is also who we have had luck with in the past and who the other cities have had luck with recently those are typically the firms we short list. Construction is bid out.

Brian Scovill-For instance this project is going to require a traffic study that needs to be performed. So there are several firms that do not actually have a traffic engineer on staff and they out-source that. We did not send it to anyone who does not have a traffic engineer on staff.

Andrew Osman- For the state of Kansas, anyone can sign up and get RFP's and you can get emails. They may not apply to you or you may not decide to do it, but it is a push system where they push everything out towards many people and then they can take however they want. Is it just sending out emails, or listed on the Leawood web site?

David Ley-No. Usually the consultants will come in and meet with staff. There are several that keep on top of our Capital Improvement Programs. They know when a project is coming down the line. They will approach us and say they are interested in the types of jobs they want. As I said before, it is going of past references from other Cities and our own. We do not advertise saying we are looking for engineers for a project.

Marsha Monica-Do you ever have somebody call and say I'm a company, and I'd like to get involved in some of the Leawood projects and come to meet with you?

David Ley-Yes, frequently we meet with people and then we review their qualifications. And if we are going to add them to an RFP we want to make sure we have matched a project with what we are comfortable and what they are comfortable with too. They do not want to come in and fail either. They want success.

Jim Rawlings-Is there something that we are missing in our scoring? Or in all your talking with other municipalities is the way we do it pretty standard?

David Ley-I think it's pretty standard.

Brian Scovill-When I came to Leawood, I noticed these are nearly the exact forms that I had been using at Overland Park. Also our Legal Department works very closely with Overland Park's attorney and so forms and practices are often similar. The contracts even look very similar. There is always opportunity for improvement

and if the selection committee sees something. Although they really all look the same, they are all qualified and I would be comfortable with any of the firms presented here today.

Chuck Sipple-Two additional comments.

It would be helpful for me as an evaluator if I could get a listing of the jobs that these guys have done in the past and whether you were happy with their services. On a scale of 1 to 10 did you give them a 7 or a 9.5? The listings of the jobs that they have done in the last 5 or 10 year or something like that.

The other thing is how many hours do these companies put into responding to an RFP like this? Because when I was writing proposals a lot of times it was a manager or a partner and a couple of grunts that were not assigned to a job and they were the ones that were doing the work.

Abbas Haideri-One is to say they worked on a project, but the other is to say, they worked on the project and they did it in "x" amount of time and here is what it cost. At least it would still tell us how much time and expense.

Julie Cain-Yes, as in: How close were you to the schedule? And then they can elaborate.

Marsha Monica-But don't you think they are just going to list their good projects that came in fine or within budget? They are not going to put the bad ones.

Brian Scovill-We could ask for their reference.

Todd Harris-One of the improvements I saw with this process this time, was that I saw more connections to past work. Who did it and I saw the same names on some of these. Not all of them. But to me, that is what Ken Conrad was making a point that they can say somebody did it in the past but either way you have no idea if these same people will be there. What percent, but at least they tried to address their availability. Some of them had the connections of these projects, they actually had listed the names of who were on those. We could ask for more data about those projects, but I did see connections to again the people that they are saying will be assigned to the project. That was helpful to me to see that this person who did this work and it's relative to what we are about to do will be assigned to this project. That to me is a big deal.

David Ley-Wanted to add as far as staff providing information on each firm, if we would have done that on this project, we do not do that many projects. And we have an Arterial Reconstruction every four years. So that is one reason we talk with other cities is to see who they have worked with recently and who has been doing a good job. Who was on that job from that company so we can verify and if a firm has not done any job in the past for us and we are unhappy with them, we do not ask them to submit.

Marsha Monica- Everybody that we get to review, staff is already comfortable with using. Staff has already researched and is good with us picking any one of these firms and we're fine, we can work with them.

Committee Members handed in their score sheets. Score summary rankings were calculated and are attached.

ACTION: Marsha Monica Motioned for a recommendation the Committee select Burns & McDonnell and request approval for Staff to enter into negotiations with them for the Design Project of Mission Road Improvements, 133rd to 143rd Street.

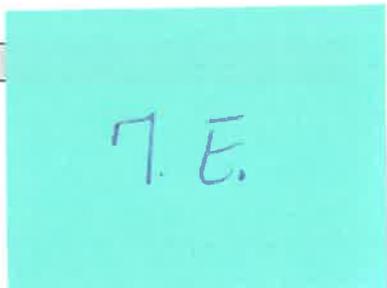
Todd Harris seconded the Motion to approve Burns & McDonnell. All present members were in favor. Motion Passed.

Chair Osman adjourned the meeting at 8:25 A.M.

Minutes transcribed by: Julie Stasi, Administrative Services Manager, Sr.
attachment (1)

Staff Review

Fact Sheet



SUBJECT: RESOLUTION APPROVING TO EXECUTE AN AGREEMENT WITH RICHARDS CONSTRUCTION COMPANY FOR DEMOLITION OF HOUSE, CELL TOWER, AND UNDERGROUND STORAGE TANK 9617 AND 9619 LEE BOULEVARD
January 6, 2020

DISCUSSION

Attached, is the resolution to approve a an Agreement between the City of Leawood and Richards Construction Company, pertaining to demolition of a house, cell tower and underground storage tank located at 9617 and 9619 Lee Boulevard.

The City opened bids on December 10, 2019, receiving six (6) bids. The low bid was from Richards Construction Company at a price of \$37,800.00. The second low bid was from Dale Brothers at a price of \$45,400.00.

As Richards Construction has not worked in the City previously, staff contacted three references who all gave the recommendation to hire them based on their past experience with them. One company had been working with them for 18 years.

The work consists of the demolition of a residential house, cell tower, an underground water storage tank for the old Police Building, and other items within the limits of the project.

It is the recommendation of the Public Works Department that the City Council approves the contract with Richards Construction Company at a contract price of \$37,800.00 and authorizes the Mayor to execute.

David Ley, P.E.
Director of Public Works

COUNCIL ACTION TO BE TAKEN

Approve Resolution and Construction Agreement

STAFF RECOMMENDATION

- For
- Against
- No position

COMMITTEE RECOMMENDATION

- For
- Against
- No position
- No Assignment

POLICY OR PROGRAM CHANGE

- No
- Yes

OPERATIONAL IMPACT

COSTS

\$37,800.00

FUND SOURCES

Leawood Project #80158

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND RICHARDS CONSTRUCTION COMPANY PERTAINING TO THE DEMOLITION OF HOUSE, CELL TOWER, AND UNDERGROUND STORAGE TANK, LOCATED AT 9617 AND 9619 LEE BOULEVARD IN THE AMOUNT OF \$37,800.00 (PROJECT NO. 80158)

WHEREAS, the City is in need of the services for demolition of a house, cell tower, and underground storage tank located at 9617 and 9619 Lee Boulevard; and

WHEREAS, Richards Construction Company provides such services; and

WHEREAS, the parties desire to execute an Agreement to provide such services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the Governing Body hereby authorizes the Mayor to execute an Agreement, in the amount of \$37,800.00 between the City and Richards Construction Company, attached hereto as Exhibit "A," and incorporated herein by reference as if fully set out.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly L. Varner, City Clerk

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney

Bid Tab For: 2019 HOUSE, Cell Tower, and Underground Storage Tanks Demolition

BID OPENING DATE: December 10, 2019

TIME: 10:00 AM

COUNCIL CHAMBERS

CITY OF LEAWOOD KANSAS
BID TABULATION
4800 Town Center Drive
Leawood, Kansas 66211
(913) 339-6700
(913) 339-9374 fax (913)339-6225 TDD

CONTRACTOR	BID BOND	TOTAL BID
Richards Construction Company	YES	\$37,800.00
Dale Brothers	YES	\$45,400.00
REMCO Demolition LLC	YES	\$49,680.00
Greg Bair Track Hoe Services	YES	\$52,105.00
Genesis Environmental Solutions	YES	\$55,996.00
Harvey Brothers Trucking & Wrecking Co., Inc.	YES	\$59,850.00
Engineer's Estimate:	-----	\$165,000.00
(Staff Engineer)		

The City of Leawood, Kansas reserves the right to reject any and all bids.

This bid tabulation form is offered as information only on public read and received bids.

Bids received are reviewed for accuracies and review of meeting document and specifications as required with the Bid Notice. The "award" of the bid is determined by the City's purchasing policy.

Vendors awarded contracts with the City of Leawood are expected to comply with the City of Leawood Standard Contract forms and procedures and obtain all licenses and permits associated with the job.

Staff Review

Fact Sheet

7 F

SUBJECT: RESOLUTION APPROVING TO EXECUTE A CONSTRUCTION AGREEMENT WITH DONDLINGER AND SONS CONSTRUCTION COMPANY FOR THE ROE AVENUE WALL REPLACEMENT PROJECT

January 6, 2020

DISCUSSION

Attached, is a resolution to approve a Construction Agreement between the City of Leawood and Dondlinger and Sons Construction Company, for the Roe Avenue Wall Replacement Project.

The City opened bids on December 12, 2019, receiving five (5) bids. The low bid was from Dondlinger and Sons Construction Company at a price of \$80,698.80. The second low bid was from Gunter Construction company at a price of \$85,525.00.

Dondlinger and Sons Construction Company has not worked in the City previously. Staff contacted Dondlinger references who gave high recommendations. Dondlinger has completed multi-million dollar bridge, dam and river corridor projects for Wichita and the State of Kansas.

The proposed work consists of removal and replacement of a section of retaining wall and handrail, installation and inspection of underdrains, restoration and other construction. The wall is on the northeast corner of the intersection at 127th & Roe Avenue.

City Council approved the Public Works Committee recommendation at the September 16, 2019 Governing Body meeting to reconstruct this section of wall.

It is the recommendation of the Public Works Department that the City Council approves the contract with Dondlinger and Sons Construction Company at a contract price of \$80,698.80 and authorizes the Mayor to execute.

David Ley, P.E.
Director of Public Works

COUNCIL ACTION TO BE TAKEN

Approve Resolution and Construction Agreement

STAFF RECOMMENDATION

- For
- Against
- No position

COMMITTEE RECOMMENDATION

- For
- Against
- No position
- No Assignment

POLICY OR PROGRAM CHANGE

- No
- Yes

OPERATIONAL IMPACT

COSTS

\$80,698.80

FUND SOURCES

Leawood Project #72088

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A CONSTRUCTION AGREEMENT, BETWEEN THE CITY AND DONDLINGER AND SONS CONSTRUCTION COMPANY IN THE AMOUNT OF \$80,698.30, FOR THE ROE AVENUE WALL REPLACEMENT PROJECT (PROJECT NO. 72088)

WHEREAS, the City is in need of services regarding the Roe Avenue Wall Replacement Project;

WHEREAS, Dondlinger and Sons Construction Company provides such services; and

WHEREAS, the parties desire to enter into Construction Agreement regarding such services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the Governing Body hereby authorizes the Mayor to execute a Construction Agreement between the City and Dondlinger and Sons Construction Company, in the amount of \$80,698.30, attached hereto as Exhibit "A," and incorporated herein by reference as if fully set out.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly L. Varner, City Clerk

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney

Bid Tab For: ROE AVENUE WALL REPLACEMENT (NORTH OF 127TH) Project #72088

BID OPENING DATE: December 12, 2019

TIME: 10:00 AM

COUNCIL CHAMBERS

CITY OF LEAWOOD KANSAS

BID TABULATION

4800 Town Center Drive

Leawood, Kansas 66211

(913) 339-6700

(913) 339-9374 fax (913)339-6225 TDD

CONTRACTOR	BID BOND	TOTAL BID
Dondlinger & Sons Construction Company	YES	\$80,698.80
Gunter Construction Company	YES	\$85,525.00
Mega Industries Corporation	YES	\$95,141.00
Pfefferkorn & Drury Construction LLC	YES	\$98,864.00
Freeman Concrete Construction LLC	YES	\$154,809.00
Engineer's Estimate:	-----	\$108,510.00
(Lochner & Staff Engineer)		

The City of Leawood, Kansas reserves the right to reject any and all bids.

This bid tabulation form is offered as information only on public read and received bids.

Bids received are reviewed for accuracies and review of meeting document and specifications as required with the Bid Notice. The "award" of the bid is determined by the City's purchasing policy.

Vendors awarded contracts with the City of Leawood are expected to comply with the City of Leawood Standard Contract forms and procedures and obtain all licenses and permits associated with the job.

Staff Review

Fact Sheet

7.6.

SUBJECT: APPROVE RESOLUTION FOR AMENDMENT #1 TO THE CONTRACT AGREEMENT WITH BLACK & MCDONALD FOR THE MAINTENANCE OF THE CITY'S STREET LIGHTS AND TRAFFIC SIGNALS
January 6, 2020

DISCUSSION

This request is to approve a Resolution authorizing an Amendment No. 1 to the Contract Agreement with Black & McDonald to continue the maintenance of the City's Street lights and Traffic Signals. Black & McDonald has been providing our maintenance since 2002. Over the past 13 years we have bid this out 3 times with Black & McDonald always being the low bidder by a large margin.

Black & McDonald provides the following services through their contract:

1. Annual maintenance of City owned streetlights.
2. Repair and replacement of streetlights damaged or knocked down is included in their monthly fee.
3. Monthly night patrols.
4. Monthly reports on outages and response times for repairs.
5. Annual maintenance the City's traffic signals.

The current contract with Black & McDonald was renewable annually and officially ends the last day in December, 2019. With this Amendment No. 1, we will be able to continue with the Black & McDonald contract until June 30, 2020 at which time we will bid a new multi-year contract.

It is the recommendation of the Public Works Department that the City Council approves the Resolution and Amendment No. 1 to the Contract with Black & McDonald for another six (6) months.

David Ley, P.E.
Director of Public Works

COUNCIL ACTION TO BE TAKEN

Approve Resolution and Amendment

STAFF RECOMMENDATION

- For
 Against
 No position

COMMITTEE RECOMMENDATION

- For
 Against
 No position No Assignment

POLICY OR PROGRAM CHANGE

- No
 Yes

OPERATIONAL IMPACT

COSTS

Continued maintenance services for signals and street lights.

FUND SOURCES

General Fund Street Division
11110.33200.625200 [2020 Budgeted Item]

DRAFT

RESOLUTION NO. _____

RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 1 TO THE CONTRACTOR AGREEMENT BETWEEN THE CITY AND BLACK & MCDONALD, DATED DECEMBER 21, 2015, PERTAINING TO STREET LIGHT AND TRAFFIC SIGNAL MAINTENANCE.

WHEREAS, the City is in need of services pertaining to street light and traffic maintenance; and

WHEREAS, Black & McDonald provides such services; and

WHEREAS, the parties desire to execute Amendment No. 1 to the Contractor Agreement, dated December 21, 2015, to provide such services.

NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: That the Governing Body hereby authorizes the Mayor to execute Amendment No. 1 to the Contractor Agreement, dated December 21, 2015, between the City and Black & McDonald, attached hereto as Exhibit "A," and incorporated herein by reference as if fully set out.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly L. Varner, City Clerk

APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney

AMENDMENT NO. 1

THIS AMENDMENT ("Amendment") is agreed to by and between the City of Leawood, Kansas ("City") and **Black & McDonald** ("Contractor").

ARTICLE 1 - APPLICATION

This Amendment amends the Contractor Agreement for traffic signal and streetlight maintenance services, dated December 21, 2015 and any work orders, work authorizations, purchase orders or documents of similar effect issued thereunder, between City and Contractor (the "Agreement").

ARTICLE 2 – AMENDMENT

The Agreement is hereby amended as follows:

III. TERM. The term of this Agreement shall be for one year beginning January 1, 2016 and shall renew annually for three additional one year periods unless either party notifies the other part of its intent not to renew. At the end of four years, the term shall be extended an additional six months, to June 30, 2020. Owner or Contractor may terminate this Agreement, with or without cause, upon 30 days notice.

ARTICLE 3 – EFFECT

The effective date of this Amendment is **January 1, 2020**. All other provisions of the Agreement, to the extent not inconsistent with this Amendment, remain in full force and effect. Any work performed prior to the effective date shall be treated as if performed under this Amendment.

The parties hereto have caused this Agreement to be executed this _____
day of _____, 20____.

CITY OF LEAWOOD, KANSAS

By: _____
Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

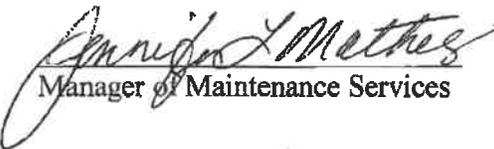
APPROVED AS TO FORM:

Patricia A. Bennett, City Attorney

CONTRACTOR:

Black & McDonald

By:



Manager of Maintenance Services

*The Cloisters Homes Association
Leawood, Kansas*

8.

December 23, 2019

The Honorable Peggy Dunn
Mayor of Leawood
City Hall
4800 Town Center Drive
Leawood, KS 66211

Dear Mayor Dunn,

Enclosed is this year's holiday gift to the City's Police and Fire Departments from residents of The Cloisters, through their Homes Association. This year's gift totals \$2,370.00. The gift is to be shared between both departments. The gift is provided from our residents on a voluntary basis in appreciation for the services both rendered and available to us.

The home owners of the Cloisters continue their commitment to maintain our property values, to enhance our City's image, and to anchor our City's north side.

We wish you and the City our very best for a prosperous New Year.

Sincerely,



Robert G. Arther
President, The Cloisters Home Association

cc: David Burket
Gary Nusbaum

Encl.: Check no. 329901

Staff Review

Fact Sheet

**SUBJECT: RESPONSE FROM THE PUBLIC WORKS COMMITTEE
REVIEW CROSSWALK REQUEST
ON LEE BOULEVARD NEAR 89th STREET
January 6, 2020**

12

DISCUSSION

The Public Works Committee met on December 4, 2019, to review a request for a pedestrian crosswalk on Lee Boulevard at 89th Street. There were two property owners at the meeting to also give their input for the request.

The crosswalk request was also heard at the Bike/Walk Leawood Committee who also made a recommendation to conduct a study for a pedestrian crossing at 89th and Lee and for consideration in the 2020 Capital Improvement Program.

During the PW Committee meeting there was discussion from residents and the Superintendent of Parks of the increased foot traffic in the area. Residents advised they partake in a walking school route and also said there is an increase in foot traffic from the office workers along State Line during their break hours in the area.

The PW Committee made a recommendation to have the engineer's designing Lee Boulevard complete a study for installing crosswalks, signage and flashing beacons at 89th & Lee Boulevard or any other appropriate intersection along Lee Boulevard between 83rd Street and 95th Street.

If the PW Committee recommendation is approved by the Governing Body Staff will bring an Amendment to BHC Rhoades' contract at a later Governing Body meeting. The recommendation of improvements to the crosswalks will be reviewed by the PW Committee at a future meeting.

The Public Works Department requests City Council approve the PW Committee's recommendation to contract with BHC Rhodes Engineering (currently working on the Lee Boulevard design from 83rd to 95th) to study the need and location for crosswalk improvements along Lee Boulevard between 83rd St and 95th St.

David Ley, P.E., Director of Public Works

COUNCIL ACTION TO BE TAKEN

Approve Committee Recommendation

STAFF RECOMMENDATION

- For
- Against
- No position

COMMITTEE RECOMMENDATION

- For
- Against
- No position No Assignment

POLICY OR PROGRAM CHANGE

- No
- Yes

OPERATIONAL IMPACT

COSTS

Estimated cost for a study \$5,000.00

FUND SOURCES

Project 72054

City of Leawood Governing Body Staff Report

MEETING DATE: January 6, 2020
REPORT WRITTEN: November 27, 2019

CURÉ OF ARS CATHOLIC CHURCH AND SCHOOL – REQUEST FOR APPROVAL OF A REZONING TO R-1 (PLANNED SINGLE FAMILY LOW DENSITY RESIDENTIAL), SPECIAL USE PERMIT FOR A PLACE OF WORSHIP AND ELEMENTARY SCHOOL, PRELIMINARY PLAN, PRELIMINARY PLAN, FINAL PLAN, AND FINAL PLAT – Located south of 93rd Street and east of Mission Road – Case 102-19

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval unanimously (5-0) of case 102-19, Curé of Ars Catholic Church and School – Request for approval of a Rezoning to R-1, Special Use Permit for a Place of Worship and Elementary School, Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat, with the following stipulations:

1. This approval is limited to a Final Plat for the site, Final Plan for Phase 1, including 11,721 sq.ft. of new construction for a parish activity center, and a Preliminary Plan for Phases 2 & 3, including 61,558 sq.ft. of new construction, for a total of 161,461 building sq.ft. for Curé of Ars at full build-out, located on 9.63 acres for an F.A.R. of 0.39 within the R-1 zoning district.
2. The Special Use Permit shall be issued to Curé of Ars Church Leawood, and shall be limited to a term of twenty years from the date of Governing Body approval.
3. The applicant shall be responsible for the following impact fees:
 - a. The applicant/owner shall be responsible for a public art impact fee or a piece of public art. Approval of the design and location of the art will need to go before the Arts Council, Planning Commission, and approved by the Governing Body at a later date. In lieu of that, the applicant may pay a public art impact fee in the amount of \$0.15/sq.ft. of finished floor area, estimated currently at 1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.
 - b. A park impact fee in the amount of \$0.15/square foot of finished floor area is required prior to issuance of a building permit, estimated currently at 1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.
4. All power lines, utility lines, etc. (both existing and proposed, including utilities and power lines adjacent to and within abutting right-of-way) are required to be placed underground.
5. All utility boxes, not otherwise approved with the final development plan, with a height of less than 55 inches, a footprint of 15 sq.ft. in area or less, or a pad footprint of 15 sq.ft. in area or less, shall be installed only with the prior approval of the Director of Planning as being in compliance with the Leawood Development Ordinance.
6. All new utility boxes with a height of 55 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, shall be authorized only by approval of a special use permit prior to construction. .
7. Per the Leawood Development Ordinance all pedestrian crosswalks shall be demarcated from the adjacent street pavement with stamped colored concrete.
8. Prior to Governing Body consideration, the applicant shall provide a cross section detail of the proposed stamped colored concrete crosswalks.

9. At the time of Final Plan for Phase II of the project, the applicant shall widen the protected sidewalk between rows of parking to 9' to allow for a 2' overhang of vehicles on each side.
10. Prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road.
11. The project includes the following deviations:
 - a. A deviation to the exterior structure setback on the south property line, from 40' to 34'.
12. All buildings within this development shall conform to the architectural type, style, and scale of the buildings approved by the Governing Body at final plan.
13. All downspouts shall be enclosed.
14. All rooftop equipment shall be screened from the public view with an architectural treatment, which is compatible with the building architecture. The architectural treatment screening the utilities shall be at least as tall as the utilities they are to screen.
15. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities, meter banks and air conditioning units, shall be painted to blend with the building and screened from public view with landscaping or with an architectural treatment compatible with the building structure.
16. In accordance with the Leawood Development Ordinance, all trash enclosures shall be screened from public view with a minimum 6 foot solid masonry structure to match the materials used in the buildings and shall be architecturally attached to the individual buildings and accented with appropriate landscaping. The gates of the trash enclosures shall be painted, sight obscuring, decorative steel.
17. All playground equipment shall meet all ASTM (American Society for Testing and Material) 1487 and CPSC (U.S. Consumer Product Safety Commission) current standards.
18. Per the Leawood Development Ordinance, all parking lot light fixtures associated with this project shall be a maximum of 18' in height from grade, including base.
19. Per the Leawood Development Ordinance, the source of illumination of all proposed light fixtures shall not be visible.
20. Per the Leawood Development Ordinance, the maximum amount of 0.5 foot-candles shall be permitted at the property line.
21. Exterior light fixtures shall not exceed 3,000 Kelvin color temperature.
22. Per the Leawood Development Ordinance, the perimeter area of all on-site open parking areas shall be screened from the view of adjacent properties and streets to a minimum height of 3 feet by the use of a combination of berms and/or walls accented with plant material.
23. Per the Leawood Development Ordinance, one (1) tree shall be provided for each 40 feet of street frontage within the landscaped setback abutting said street frontage.
24. Per the Leawood Development Ordinance, all medium and large deciduous trees, shall be 2 ½" caliper as measured 6" above the ground, all small deciduous and ornamental trees shall be a minimum of 1 ½" caliper as measured 6" above the ground, conifers and evergreen trees shall be a minimum of 6' in height, and shrubs shall be a 24" in height at the time of planting.
25. Per the Leawood Development Ordinance, at the time of planting, plant material screening the ground mounted utilities shall be a minimum of 6" taller than the utility it is to screen, with lower shrubs in the foreground to eliminate any gaps in screening.
26. All landscaped open space shall consist of a minimum of 60% living materials.
27. All landscaped areas shall be irrigated.
28. The approved final landscape plan shall contain the following statements:
 - a) All trees shall be callipered and undersized trees shall be rejected.
 - b) All parking lot islands shall be bermed to discourage foot traffic.

- c) All hedges shall be trimmed to maintain a solid hedge appearance.
 - d) All plant identification tags shall remain until issuance of a Final Certificate of Occupancy.
 - e) Any deviation to the approved final landscape plan shall require the written approval of the landscape architect and the City of Leawood, prior to installation.
 - f) All landscaped open space shall consist of a minimum of 60% living materials.
29. A letter, signed and sealed by a Kansas Registered Landscape Architect, shall be submitted prior to final occupancy that states that all landscaping has been installed per the approved landscape plan and all plant material used is to the highest standards of the nursery industry.
 30. The applicant shall obtain all approvals and permits from the Public Works Department, per the public works memo, shown as Exhibit A, on file with the City of Leawood Planning and Development Department, prior to recording the plat.
 31. The applicant shall obtain all approvals from the City of Leawood Fire Department, per the Fire Marshal's memo, shown as Exhibit B, on file with the City of Leawood Planning and Development Department, prior to issuance of a building permit.
 32. A Sign Permit shall be required from the City of Leawood Community Development Department prior to installation.
 33. An erosion control plan for both temporary and permanent measures to be taken during and after construction shall be required at the time of application for building permit.
 34. No construction shall be allowed between the hours of 9:00 p.m. to 7:00 a.m. and not on Sundays.
 35. All sidewalks shall be installed as per street construction standards.
 36. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
 37. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through thirty-seven.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

The Planning Commission modified Stipulation #10 as follows:

From:

Prior to Governing Body consideration, the applicant shall shift the north curb line at the north access point to the south for a maximum width of 28' back-to-back of curb. This shall be implemented in lieu of pavement markings and flexible bollards.

To:

Prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road.

APPLICANT:

- The applicant and architect is Jean Stoverink with Gould Evans.
- The property is owned by Curé of Ars.
- The project engineer is Tim Burfeind with SK Design.
- The landscape architect is Robert Whitman with Gould Evans.

REQUEST:

- The site currently has a built square footage of 124,876 sq.ft. for a Floor Area Ratio (F.A.R.) of 0.30. At the end of the final (third) phase, the site will have a total building square footage of 161,461 sq.ft for a floor area ratio of 0.39.
- In addition to new construction, the applicant is requesting site improvements including bringing all building setbacks into conformance with the current Leawood Development Ordinance (LDO), updates to the parking lot lighting and circulation, and updates to site landscaping. These site improvements will be phased with the building additions.
- The applicant is requesting approval of site renovations and additions including:
Phase 1:
 - A new 11,721 sq.ft. parish activity center located at the southeast corner of the site, to be completed in Phase 1.Phase 2:
 - A new 49,036 sq.ft. cafeteria, classroom space and library space, shall be completed.
 - Demolition of the existing gymnasium and cafeteria (20,144 sq.ft.) on the north side of the school.
 - Revise the central parking lot landscape islands, lighting, and setbacks.Phase 3:
 - A new 12,522 sq.ft. parish office building, to be completed in Phase 3.
 - Demolition of the existing parish office building (15,692 sq.ft.) and garage (858 sq.ft.) and reconstruct the northern driveway off of Mission Road in Phase 3.

ZONING:

- The City's zoning map shows this property as being zoned R-1 (Planned Single Family Low Density Residential).
- This property has been shown on the City's zoning map as R-1, however, a formal ordinance showing the zoning on this property has not been found. This application is to provide a formal ordinance showing the property as being zoned R-1.

COMPREHENSIVE PLAN:

- The Comprehensive Plan designates this property as Institutional.

LOCATION:



SURROUNDING ZONING:

- North Directly north is the Leawood subdivision, developed as single family residential, zoned R-1 (Planning Single Family Low Density Residential).
- South Directly south is the Ranch Mart commercial development, zoned SD-CR (Planned General Retail).
- East Directly east is the Leawood subdivision, developed as single family residential, zoned R-1 (Planned Single Family Low Density Residential).
- West Directly west is single family residential within the City of Prairie Village.

SITE PLAN COMMENTS:

- Curé of Ars is an existing church and school located on 9.63 acres north of 95th Street and east of Mission Road.
- Two existing driveways to the site are located off of Mission Road. The southern driveway currently serves as a three-lane entrance to the site, and the northern driveway currently serves as a three-lane exit from the site.
- The site currently consists of the church and offices with garage on the western portion of the site, and school and gymnasium on the eastern portion of the site. An existing playground is located at the southeast corner of the site, and contains playground equipment, basketball courts and open field space.
- An existing chain link fence is located on the southern, eastern and northern property lines of the site and varies in height from 4'-8'. The existing fence is proposed to remain.
- The proposed master plan for the site is broken into three phases as follows:

Phase 1 – Parish Activity Center and Playground (Sheet C240):

- During Phase 1 of the project, the southern driveway entrance to the site will be narrowed from three ingress lanes to two ingress lanes. The northern driveway entrance will be restriped to limit the exit to two lanes – one northbound and one southbound. To prevent motorists from entering the striped area, flexible bollards will be installed around the perimeter of the center lane.
- The eastern parking area will be modified to meet the required parking lot setback of 25'. Landscaped islands will be placed between every 10 parking spaces on the eastern boundary meeting the requirement of the Leawood Development Ordinance. The parking spaces will change direction from north and south facing to east facing. A single row of parking directly adjacent to the east property line will be provided, all other parking on the east side of the existing school and gym will be removed.
- Two half basketball courts will be striped with the parking spaces east of the school. Two basketball goals will be placed in front of the parking spaces.
- An existing retaining wall ranging from 1' to 3' in height is located near the eastern property line and is proposed to remain. A 3' tall berm accented with landscaping will be located in front of the wall.
- The existing trash containers located in the northeast corner of the site will be relocated to the northeast corner of the existing gymnasium and will be placed within an enclosure that is architecturally attached to the building, per the Leawood Development Ordinance.
- A proposed 11,721 sq.ft. parish activity center that is 32'-0" in height, will be located at the southeast corner of the site, in the location of the existing playground. The playground will be moved west to an open green space area and measures 90' x 90'. The playground will be surrounded by a 5' tall, black vinyl coated, chain link fence. The existing basketball courts, located at the southeast corner of the site, are not proposed to be replaced.

- A colored, stamped, concrete pedestrian crosswalk will be constructed across the existing double drive lanes between the new parish activity center to the existing school.
- The crosswalks across Mission Road will also be demarcated with stamped colored concrete during Phase 1.
- The parish activity center will have a 5' sidewalk surrounding its east, west, and portions of the south sides. A 7' sidewalk is provided along the north side of the building. These sidewalks will connect the activity center to the new playground to the west, and to the pedestrian crossing that connects to the existing school to the north.
- A 5' sidewalk will extend from Mission Road to connect with the sidewalks that provide access to the playground and the new parish activity center.
- The 5' sidewalk located on Mission Road will remain as existing.
- Existing bicycle racks are located on the north side of the existing gymnasium.

Phase 2 – School Addition (See Sheets C158 & C181):

- During Phase 2 of the project, the applicant proposes to construct a 40,036 sq.ft. school addition to the west of the parish activity center which was constructed in phase one, and between the parish activity center and the existing school.
- The existing drive aisle north of the proposed activity center and current playground will be eliminated.
- The applicant proposes to demolish the existing gymnasium on the north side of the school, containing 20,144 sq.ft.
- The main parking field on site will be reconfigured to include 8' wide landscape islands containing trees, shrubs and light fixtures. New parking spaces will be located where the gymnasium is being removed on the north side of the school. The parking spaces adjacent to the north property line will be setback 25', meeting the requirements of the LDO.
- A 7' protected sidewalk will be constructed between parking rows in the central parking field, connecting the school to the church. This pedestrian crossing will be in line with the north side of the school in Phase 2. Stamped colored concrete will be provided across the driveways to demarcate the pedestrian crossings.
- A 7' sidewalk will be constructed in parking lot islands leading from the school to the northern property line. Stamped colored concrete will be provided across the driveways to demarcate the pedestrian crossings. A 7' sidewalk will be constructed along the northern property line leading to Mission Road.
- Five foot sidewalks are provided along the east, and partially the south, perimeter of the parish activity center.
- Bicycle racks will be located near the main entrance, on the west side of the school, during Phase 2.

Phase 3 – Parish Offices (Sheet C140):

- During Phase 3 of the project, the applicant proposes to remove the existing two-story parish office building (24' in height) and one-story garage (14' in height), and construct a 12,522 sq.ft. office building attached to the north side of the existing church.
- During this phase, the northern drive aisle to Mission Road will be reconstructed to meet the 25' parking lot setback and to have two egress lanes only.

BULK REGULATIONS:

- The following bulk regulations shall apply to special uses, per Section 16-4-3.6 of the LDO:

Criteria	Required	Existing	Phase 1 Proposed	Phase 2 Proposed	Phase 3 Proposed	Compliance of Master Plan
Exterior Structure Setback – Mission Road	40'	56.4'	56.4'	56.4'	57.3'	Complies
Exterior Structure Setback – North Property Line	40'	51.8'	51.8'	51.8'	119.3'	Complies
Exterior Structure Setback – East Property Line	40'	80.8'	41.7'	41.7'	41.7'	Complies
Exterior Structure Setback – South Property Line	40'	169.5'	34'	34'	34'	Deviation Requested
Minimum Open Space %	30%	32.6%	35%	38%	37.5%	Complies
Minimum Interior Open Space %	10%	26.9%	25.7%	27%	26%	Complies
Parking Setback - North	25'	2.13'	2.13'	25'	25'	Complies
Parking Setback - East	25'	9.43'	27.4'	27.4'	27.4'	Complies
Maximum Floor Area Ratio (F.A.R.)	--	0.30	0.33	0.40	0.39	--
Height Limit	35' as measured at the front door	22'-1" (School)	32'	22'1"	16'	Complies

DEVIATIONS:

- The applicant requested a deviation to the exterior structure setback on the south property line, from 40' to 34' (85% of the standard requirement). This deviation is allowed per Section 16-3-9 A(5) of the LDO, when compensating common open space on a 1:1 ratio is provided elsewhere in the project.

TRAFFIC:

- A traffic study was provided for review by the Public Works Department, detailing existing and proposed traffic volumes, and the queuing of vehicles during school drop-off and pick-up times.
- Phase 1 will utilize an onsite traffic queueing plan during pick-up and drop-off of students. Detailed procedures will be provided to parents noting pick-up and drop-off locations, times, and queueing processes.
- Phases 2 and 3 will utilize parking spaces during pick-up and drop-off rather than drive lanes. Teachers will assist students to the vehicles, or parents may park and pick up their children at the front doors.

PARKING:

- The existing site contains 279 parking spaces. During Phase 1 of the project, the site will decrease in parking by five spaces, for a total of 274 spaces. During Phase 2, the site will increase by 24 spaces, for a total of 298 spaces. The final phase of the project will result in 305 parking spaces.
- The Leawood Development Ordinance requires that churches provide one parking space for each three seats. The 800 permanent seats at Curé of Ars require 266 parking spaces. All phases of the project will meet the LDO requirement.

ELEVATIONS:

Existing Church:

- No changes are proposed to the existing church building, which is 22,369 sq.ft. and a height of 54.67'.

Phase 1 – Parish Activity Center:

- The applicant is requesting Final Plan approval of Phase 1 of the project, consisting of the parish activity center/gymnasium and playground.
- The new activity center will be located at the southeast corner of the site.
- The activity center is an 11,721 sq.ft. single-story building constructed of red and white brick to match the existing school building. The building is proposed to be 32'-0" tall and rectangular in shape.
- The main entrance to the activity center is located on the west side of the building. A 10' tall black metal canopy spans the front entrance and provides a covered walkway spanning a majority of the western façade. White brick surrounds the front entrance and walkway.
- Above the main entrance, on the north and west facades, a Kalwall panel system is proposed, providing the building with natural light, similar to that of a skylight.
- The northern and southern facades are broken with a vertical pattern created with white brick and black metal trim.
- A 7' tall mechanical screen is proposed on the rooftop in order to fully screen the rooftop units. The screen will match the black metal trim used on the building façade.
- A trash enclosure will be architecturally attached to the northeast corner of the existing school building during Phase 1 of the project. The trash enclosure will consist of 7' tall metal gates with red brick surround to match the existing building. Bollards painted yellow are proposed to protect the trash enclosure.

Phase 1 – Playground:

- The playground is proposed to be moved from the southeast corner of the site to west of the new parish activity center.
- The playground will utilize the existing play equipment on site (purchased within the past two years) and will be surfaced with wood mulch. There are seven pieces of play equipment, red and white in color, which do not exceed a height of 12'.
- The applicant provided a letter stating that the play equipment meets ASTM and CPSC playground safety standards.
- The playground is proposed to be enclosed with a 5' tall, black vinyl coated chain link fence. Gates will be located on the northeast corner of the playground and on the eastern side.

Phase 2 – School Expansion:

- The applicant is requesting Preliminary Plan approval of Phase 2 of the project, which includes demolition of the existing gymnasium (20,144 sq.ft.) on the northeast portion of the site, and a school addition located to the west of the parish activity center and between the existing school and the parish activity center. The school addition will also wrap around the parish activity center on the west side.
- The two-story school addition will consist of 49,036 sq.ft. of new construction and will be 22'-1" tall.
- The addition will extend 138'-2" west of the parish activity center and 56'-3" north of the activity center and between the existing school.
- Building elevations are approved at the time of Final Plan; however, preliminary elevations of the school addition were provided. The building will consist primarily of red brick to match the existing brick on site, with windows spanning both floors of the façade. Concrete infill panels are proposed between upper and lower windows, to match the existing.
- The school enrollment is anticipated to remain the same, at 750 students.

Phase 3 – Church Offices:

- The applicant is requesting Preliminary Plan approval of Phase 3 of the project, which includes the demolition of the existing one-story, 858 sq.ft. garage and 15,692 sq.ft. two-story parish office, and the construction of new parish offices attached to the northwest corner of the existing church building.
- The new 12,522 sq.ft. office space will be one-story tall, approximately 14' in height.
- Building elevations are approved at the time of Final Plan; however, preliminary elevations of the office addition was provided. The building will consist primarily of red brick to match the existing brick on site.

PHASING:

Phase 1 – March 2020-August 2020

- The first phase of the project will begin on the southern and eastern portions of the site, with the construction of the parish activity center and the reconfiguration of the eastern parking field. The playground and trash containers will also be relocated during phase 1.

Phase 2 – May 2026-August 2028

- The second phase of the project includes the demolition of the existing gymnasium and the construction of the school addition north of the activity center. The majority of the parking lot on site will be reconfigured at this time to meet the requirements of the LDO, including landscaping, lighting and parking lot setbacks.

Phase 3 – May 2030-August 2031

- The third phase of the project includes the demolition of the existing parish office building and garage. A new office building will be constructed, and will be attached to the church. The northern driveway entrance will meet the parking lot setback from the north property line.
- The graphic below provides a visual representation of the project phasing, with Phase 1 shown in green, Phase 2 shown in blue, and Phase 3 shown in purple:



LIGHTING:

- Parking lot lighting will be updated per the phasing plan of the site, with the eastern parking lot boundary being addressed in Phase 1, the central and northern parking lot boundary updated in Phase 2, and the northern driveway entrance updated in Phase 3.
- New 18' LED parking lot light fixtures are proposed throughout the parking field of the entire development.
- Phase 1 meets the LDO requirement for parking lot uniformity of a 4:1 average/minimum, and the illumination of pedestrian walkways of an 0.18 average.

LANDSCAPE:

- A final landscape plan was submitted for Phase 1 of the project (Sheet L101), and a preliminary landscape plan was submitted for Phases 2 and 3 of the project (Sheet L100).
- The preliminary landscape plan provides street trees every 40 lineal feet of street frontage, ornamental trees per 20 lineal feet and shrubs per 5 lineal feet, as required by the LDO.
- The preliminary plan provides a 10 foot landscape buffer adjacent to all property lines consisting of shrubs and trees, and additional screening up to 6' in height on property lines adjacent to residential properties.
- The preliminary plan provides two street trees per parking lot island with shrubs planted at the base.
- The final landscape plan for Phase 1 consists of landscaping on the southern and eastern property lines. The eastern property line has an existing stone retaining wall, which tapers from 3' in height to 1' in height at the ends. The sections of the wall that are not 3' in height will be supplemented with 3' tall berms, meeting the requirements of the LDO. The wall and berms will be accented with landscaping to a height of 6', including shrubs planted every 6 lineal feet and trees planted every 20 lineal feet.
- The southern property line, which is adjacent to Ranch Mart, a retail center zoned SD-CR, will consist of a continuous 3' tall screen of shrubbery.

PRELIMINARY & FINAL PLAT:

- A Preliminary Plat and Final Plat Curé of Ars was submitted as the property is currently unplatted.
- The proposed Preliminary and Final Plats are bordered by Mission Road on the west, the Leewood subdivision on the north and east, and Ranch Mart on the south.
- The plat consists of one lot consisting of 9.63 acres.

SIGNAGE:

- Private signage standards do not exist for Curé of Ars, therefore signage included as part of the Final Plan application for Phase 1 of the project, the Parish Activity Center, shall be approved with this application.
- The applicant proposes one multi-line sign (Sheet A201-LW), reading "Parish Activity Center" be located on the western façade of the building. The application proposes externally illuminated, black metal, pin mounted letters. The sign measures 8'-5 ½" long by 3'-3" tall, with the first line letters approximately 1'-9" in height and the second line letters 8" tall. The sign will be externally-illuminated by soffit lighting under the canopy.
- Existing monument signs along Mission Road and proposed to remain with no changes.

IMPACT FEES:

- A total of 11,721 sq.ft. of new construction is proposed with Phase 1 of this application.
 - **PUBLIC ART IMPACT FEE:** The applicant/owner shall be responsible for a public art impact fee or a piece of public art. Approval of the design and location of the art will need to go before the Arts Council, Planning Commission, and approved by the Governing Body at a later date. In lieu of that, the applicant may pay a public art impact fee in the amount of \$0.15/sq.ft. of finished floor area, estimated currently at \$1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.
 - **PARK IMPACT FEE:** A park impact fee in the amount of \$0.15/square foot of finished floor area is required prior to issuance of a building permit, estimated currently at 1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.

INTERACT MEETING:

- The applicant held an Interact meeting on Wednesday, October 2, 2019. A summary and sign-in sheet from the meeting are attached.

GOLDEN CRITERIA:

The character of the neighborhood:

The subject property is a religious institutional development located east of Mission Road and north of the Ranch Mart Shopping Center along 95th Street. Residential developments exist on three sides of the property. The character of the neighborhood is commercial uses mixed with residential land uses.

The zoning and uses of properties nearby:

The surrounding properties consist of single-family residential uses zoned R-1 (Planned Single Family Low-Density Residential) to the north and east within the City of Leawood, and single-family residential uses to the west, zoned R-1A within the City of Overland Park. The commercial property directly south of the subject property is zoned SD-CR and SD-NCR2 within the City of Leawood.

The suitability of the subject property for uses to which it has been restricted:

The subject property is a religious institution that has been in existence for over 35 years and is located adjacent to an arterial street to the east and to a commercial property to the south. The property is suitable for the uses to which it has been restricted with a Special Use Permit and the associated restrictions to make it compatible with the surrounding residential uses.

The extent to which removal of the restrictions will detrimentally affect nearby property:

The project is suitable to this site, but the stipulations recommended for approval with this application are necessary to ensure a high quality development.

The length of time that the property has been vacant:

The property is not vacant. It has been developed as a church and school since 1980.

The relative gain to the public health, safety, and welfare due to the denial of the application as compared to the hardship imposed, if any, as a result of denial of the application:

Denial of the application will not result in a relative gain to the public health, safety and welfare because the project does not propose any new uses, but proposes improvements and upgrades to the current development. The applicant does not proposed to serve additional patrons at the

facility, but wants to better serve the existing church membership and student body. Although the project proposes additional building area, the applicant proposes site improvements benefiting public health, safety and welfare by improving traffic circulation, improving the existing building conditions, and providing additional separation between the parking lots and adjacent property lines.

The recommendation of the permanent staff:

City Staff recommends approval of the application with the stipulations in the staff report.

Conformance of the requested change to the adopted master plan of the City of Leawood:

The Comprehensive Plan designates this property for institutional uses. The zoning is R-1 (Panned Single Family Low-Density Residential). With approval of a Special Use Permit, the uses conform to both the master plan and zoning of the City of Leawood.

STAFF COMMENTS:

- The applicant should provide a cross section of the colored, stamped concrete crosswalks on site, detailing their proposed construction method (**Stipulation #8**). **The applicant has provided revised plans meeting this stipulation.**
- At the time of Final Plan for Phase II of the project, the protected crosswalk located in the center parking lot between parking rows should be widened to 9' to allow for a 2' overhang of vehicles on each side (**Stipulation # 9**).
- Staff is not supportive of the use of pavement markings and flexible bollards to demarcate drive lanes at the northern exit of the site. Staff recommends shifting the northern curb line to the south for a maximum width of 28' back-to-back of curb (**Stipulation # 10**). **The Planning Commission revised this stipulation to require that the applicant work with staff prior to Governing Body to create a mutual north access point exit from the property. The applicant has submitted revised plans meeting this stipulation. With the first phase of the project, the parking setback at the north egress will be increased to 21.25' from the north property line. This setback will be enlarged to 25' in the third phase to fully comply with the Leawood Development Ordinance.**

Exhibit A - Revised



City of Leawood

4800 Town Center Drive • Leawood, Kansas 66211
Public Works Department • (913) 339-6700 x 130 • (913) 339-9374 Fax

MEMO

DATE: December 27, 2019

TO: Richard Coleman, Director of Community Development

FROM: Brian Scovill, P.E., City Engineer
Department of Public Works

SUBJECT: Cure of Ars Church Renovation – Preliminary and Final Plan
Case Number: 102-19

The Department of Public Works revises stipulation 1.c) that was presented to the Planning Commission on November 26th based on direction from the Planning Commission that prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road.

Remove stipulation 1.c):

The north curb line at the north access point shall be shifted south for a maximum width of 28' back of curb to back of curb. This shall be implemented in place of pavement markings and flexible bollards presented in the study.

And replace it with the following 1.c) REVISED:

The north curb line at the north access point shall be shifted south for a minimum drive width of 25.6' as measured from the back of curb to the back of curb in Phase 1 and 2. The drive width shall be widened in Phase 3 to 30' measured from back of curb to back of curb. This shall be implemented in place of pavement markings and flexible bollards presented in the traffic study.

All other Public Works stipulations shall remain unchanged as presented to the Planning Commission on November 26, 2019.



City of Leawood

4800 Town Center Drive • Leawood, Kansas 66211
Public Works Department • (913) 339-6700 x 130 • (913) 339-9374 Fax

MEMO

DATE: November 21, 2019

TO: Richard Coleman, Director of Community Development

FROM: Brian Scovill, P.E., City Engineer
Department of Public Works

SUBJECT: Cure of Ars Church Renovation – Preliminary and Final Plan
Case Number: 102-19

The Department of Public Works has reviewed the aforementioned project and would like to make the following stipulations as part of the Planning Commission Approval:

1) Traffic Study:

- a) The developer submitted a traffic study evaluating internal circulation and queuing on Mission Road. The study indicates Phase 1 will improve internal circulation for pedestrians and vehicles while reducing queuing on Mission Road. Phase 2 and 3 addresses queuing on Mission by requiring parking for drop-off and pick-up. This is a change from existing site operations but is consistent with past Church and School policy.
- b) The study also shows the site entrance will remain located on the south end of the property and the site exit will remain located on the north end. Both access points will be reduced from 3 lanes to 2 lanes.
- c) The north curb line at the north access point shall be shifted south for a maximum width of 28' back of curb to back of curb. This shall be implemented in place of pavement markings and flexible bollards presented in the study.
- d) The Traffic Study shall be amended and re-submitted prior to Governing Body approval to correct the first bullet on page 4 to align with the 5th bullet point on page 2. Both should describe shifting the north curb line south.
- e) The Traffic Study shall be amended and re-submitted prior to Governing Body approval to clearly indicate the length of the proposed internal queuing of Phase 1 and that this length adequately accommodates the anticipated 120 vehicles during drop-off and pick-up.

- f) The developer shall ensure the improvements presented in the traffic study are incorporated in the construction plans unless otherwise specifically stipulated by the City.
 - g) As recommended in the Traffic Study the Developer shall provide an updated traffic study prior to submitting for phase 2 and 3 improvements.
- 2) Storm Water Study
- a) All phases of the proposed improvements indicate an increase in pervious surface area and an overall decrease in the 100 year stormwater discharge from the site when compared to the existing conditions.
 - b) The developer shall provide an updated stormwater study prior to submittal of Phase 2 or 3.
- 3) Prior to the issuing of any building permits, the Developer shall enter into a City right of way maintenance agreement to ensure any landscaping, irrigation, or crosswalks within the Right-of-Way are properly maintained by the property owners.
- 4) Developments shall have all utilities relocated underground. This includes private property and utilities in the Right-of-Way between the curb and property line.
- 5) The parking lot pavement shall be constructed in accordance to the Leawood Development Ordinance.
- 6) Permanent structures, including monument signs, shall not be placed within the Right-of-Way.
- 7) The developer shall provide as-built storm sewer information in accordance with our standards. This includes, but is not limited to, vertical and horizontal coordinates of all structures constructed or modified, flow line information at each structure, pipe size information, downstream structure numbers and type of structure. This information shall be provided to us on the Johnson County AIMS coordinate system.
- 8) Construction vehicles, including vehicles of construction personnel, shall not be parked within the Right-of-Way. All staging and storage of equipment and/or materials for private improvements shall be contained on the proposed development unless a Right-of-Way Permit has been obtained by the Contractor.
- 9) The Developer shall repair any damaged areas between the curb and the Right-of-Way. This shall include curbs, street lighting equipment, traffic signal equipment, sidewalk, storm sewers, grass, etc.
- 10) All public improvements shall be designed and constructed in accordance with the City of Leawood Public Improvement Construction Standards as developed by the Department of Public Works (latest revision).
- 11) The developer shall obtain and submit to the Department of Public Works and the Building Official a copy of the NPDES Land Disturbance Permit issued by the

Kansas Department of Health and Environment prior to any grading work at the site.

- 12) The permit fee for plan review and construction observation shall be five (5) percent of the construction cost for all improvements within the Right-of-Way or Public Easement(s) granted to the City of Leawood. The fee will be charged and collected from the Contractor prior to issuance of the permit from the Department of Public Works.
- 13) The plat will not be released for recording until all public permits have been reviewed and approved by the City Engineer.
- 14) The Certificate of Occupancy will not be approved until the above requirements have been met.

If you have any questions, please call me at (913) 663-9134.

Copy: Project File

Exhibit B

From: Gene Hunter
Sent: Wednesday, October 9, 2019 2:52 PM
To: Jessica Schuller
Subject: RE: Cure of Ars - Fire Circulation

The Fire Dept. has no objection to the fire truck access plan for this project.

Gene Hunter, Leawood Fire Marshal

ORDINANCE NO. _____

ORDINANCE APPROVING A REZONING TO R-1 (PLANNED SINGLE FAMILY LOW DENSITY RESIDENTIAL), SPECIAL USE PERMIT FOR A PLACE OF WORSHIP AND ELEMENTARY SCHOOL, PRELIMINARY PLAN, PRELIMINARY PLAT, FINAL PLAN, AND FINAL PLAT FOR CURE OF ARS CATHOLIC CHURCH AND SCHOOL, LOCATED SOUTH OF 93RD STREET AND EAST OF MISSION ROAD. (PC CASE 102-19)

WHEREAS, the applicant submitted a request for approval of a Rezoning, a Special Use Permit for a place of worship and elementary school, a Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat for Cure of Ars Catholic Church and School;

WHEREAS, such request for approval was presented to the Planning Commission on November 26, 2019;

WHEREAS, the Planning Commission reviewed the applications and recommended approval with certain stipulations; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body on January 6, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION 1. ZONING. That the real estate described below is hereby rezoned to R-1 (Planned Single Family Low Density Residential):

Legal Description:

THE NORTH 10 ACRES OF THE WEST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 34, TOWNSHIP 12, RANGE 25, NOW IN THE CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS SUBJECT TO THAT PART THEREOF DEDICATED FOR STREET PURPOSES BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01°43'02" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 663.56 FEET TO THE SOUTHWEST CORNER OF SAID NORTH 10 ACRES AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01°43'02" WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER 664.09 FEET TO THE NORTHWEST CORNER OF SAID NORTH 10 ACRES; THENCE NORTH 87°44'32" EAST 661.43 FEET TO THE NORTHEAST CORNER OF SAID NORTH 10 ACRES SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1389 OF THE CITY OF LEAWOOD; THENCE SOUTH 01°45'27" EAST 663.61 FEET TO THE SOUTHEAST CORNER OF SAID NORTH 10 ACRES SAID POINT ALSO BEING THE SOUTHWEST CORNER OF LOT 1382 OF THE CITY OF LEAWOOD; THENCE SOUTH 87°42'05" WEST 661.90 FEET TO THE POINT OF BEGINNING. CONTAINING 10.08 ACRES OF LAND MORE OR LESS. SUBJECT TO EXISTING ROAD RIGHT OF WAY AND ENCUMBRANCES OF RECORD.

SECTION 2. OFFICIAL ZONING MAP AMENDED. That the Director of Community Development is hereby directed to amend the Official Zoning Map of the City of Leawood, Kansas, as provided for and adopted pursuant to the provisions contained within the 'Leawood Development Ordinance.'

SECTION 3. REINCORPORATION OF OFFICIAL ZONING MAP AS AMENDED. That the Official Zoning Map of the City, as amended by the provisions of this ordinance is hereby reincorporated and declared to be the official zoning map of the City of Leawood, Kansas, as provided for and adopted pursuant the provisions contained within the 'Leawood Development Ordinance.'

SECTION 4. APPROVAL OF SPECIAL USE PERMIT. Pursuant to Section 16-4-3 of the Leawood Development Ordinance, permission is hereby granted to use the above-described property in the manner set forth in the Special Use Permit on file with the Leawood Community Development Department, 4800 Town Center Drive, Leawood, Kansas 66211, and in accordance with Section 16-2-5.3 of the Leawood Development Ordinance, and subject to the conditions and stipulations listed in Section 7 below, and subject to all other applicable laws and regulations.

SECTION 5. APPROVAL OF PRELIMINARY PLAN AND FINAL PLAN GRANTED. Pursuant to Sections 16-3-10 and 16-3-11 of the Leawood Development Ordinance, permission is hereby granted to use the above-described property in the manner set forth in the Preliminary Plan and Final Plan, on file with the Leawood Community Development Department, 4800 Town Center Drive, Leawood, Kansas, 66211, and in accordance with Section 16-2-5.3 of the Leawood Development Ordinance, subject to the stipulations set forth in Section 7 below, and subject to all other applicable laws and regulations.

SECTION 6. APPROVAL OF PRELIMINARY PLAT AND FINAL PLAT GRANTED. Pursuant to Sections 16-8-2.2 and 16-8-2.4 of the Leawood Development Ordinance, approval of the Preliminary Plat and Final Plat is hereby granted, subject to the stipulations set forth in Section 7 below, and subject to all other applicable laws and regulations.

SECTION 7. CONDITIONS AND STIPULATIONS. The Special Use Permit referenced in Section 4, the Preliminary Plan and Final Plan referenced in Section 5, and the Preliminary Plat and Final Plat referenced in Section 6 are hereby approved and adopted subject to the following conditions and stipulations:

1. This approval is limited to a Final Plat for the site, Final Plan for Phase 1, including 11,721 sq.ft. of new construction for a parish activity center, and a Preliminary Plan for Phases 2 & 3, including 61,558 sq.ft. of new construction, for a total of 161,461 building sq.ft. for Curé of Ars at full build-out, located on 9.63 acres for an F.A.R. of 0.39 within the R-1 zoning district.
2. The Special Use Permit shall be issued to Curé of Ars Church Leawood, and shall be limited to a term of twenty years from the date of Governing Body approval.
3. The applicant shall be responsible for the following impact fees:
 - a. The applicant/owner shall be responsible for a public art impact fee or a piece of public art. Approval of the design and location of the art will need to go before the Arts Council, Planning Commission, and approved by the Governing Body at a later date. In lieu of that, the applicant may pay a public art impact fee in the amount of \$0.15/sq.ft. of finished floor area, estimated currently at

1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.

- b. A park impact fee in the amount of \$0.15/square foot of finished floor area is required prior to issuance of a building permit, estimated currently at 1,758.15 (\$0.15 x 11,721 sq.ft). This amount is subject to change by Ordinance.
4. All power lines, utility lines, etc. (both existing and proposed, including utilities and power lines adjacent to and within abutting right-of-way) are required to be placed underground.
5. All utility boxes, not otherwise approved with the final development plan, with a height of less than 55 inches, a footprint of 15 sq.ft. in area or less, or a pad footprint of 15 sq.ft. in area or less, shall be installed only with the prior approval of the Director of Planning as being in compliance with the Leawood Development Ordinance.
6. All new utility boxes with a height of 55 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, shall be authorized only by approval of a special use permit prior to construction. .
7. Per the Leawood Development Ordinance all pedestrian crosswalks shall be demarcated from the adjacent street pavement with stamped colored concrete.
8. Prior to Governing Body consideration, the applicant shall provide a cross section detail of the proposed stamped colored concrete crosswalks.
9. At the time of Final Plan for Phase II of the project, the applicant shall widen the protected sidewalk between rows of parking to 9' to allow for a 2' overhang of vehicles on each side.
10. Prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road.
11. The project includes the following deviations:
 - a. A deviation to the exterior structure setback on the south property line, from 40' to 34'.
12. All buildings within this development shall conform to the architectural type, style, and scale of the buildings approved by the Governing Body at final plan.
13. All downspouts shall be enclosed.
14. All rooftop equipment shall be screened from the public view with an architectural treatment, which is compatible with the building architecture. The architectural treatment screening the utilities shall be at least as tall as the utilities they are to screen.
15. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities, meter banks and air conditioning units, shall be painted to blend with the building and screened from public view with landscaping or with an architectural treatment compatible with the building structure.
16. In accordance with the Leawood Development Ordinance, all trash enclosures shall be screened from public view with a minimum 6 foot solid masonry structure to match the materials used in the buildings and shall be architecturally attached to the individual buildings and accented with appropriate landscaping. The gates of the trash enclosures shall be painted, sight obscuring, decorative steel.
17. All playground equipment shall meet all ASTM (American Society for Testing and Material) 1487 and CPSC (U.S. Consumer Product Safety Commission) current standards.
18. Per the Leawood Development Ordinance, all parking lot light fixtures associated with this project shall be a maximum of 18' in height from grade, including base.
19. Per the Leawood Development Ordinance, the source of illumination of all proposed light fixtures shall not be visible.

20. Per the Leawood Development Ordinance, the maximum amount of 0.5 foot-candles shall be permitted at the property line.
21. Exterior light fixtures shall not exceed 3,000 Kelvin color temperature.
22. Per the Leawood Development Ordinance, the perimeter area of all on-site open parking areas shall be screened from the view of adjacent properties and streets to a minimum height of 3 feet by the use of a combination of berms and/or walls accented with plant material.
23. Per the Leawood Development Ordinance, one (1) tree shall be provided for each 40 feet of street frontage within the landscaped setback abutting said street frontage.
24. Per the Leawood Development Ordinance, all medium and large deciduous trees, shall be 2 ½" caliper as measured 6" above the ground, all small deciduous and ornamental trees shall be a minimum of 1 ½" caliper as measured 6" above the ground, conifers and evergreen trees shall be a minimum of 6' in height, and shrubs shall be a 24" in height at the time of planting.
25. Per the Leawood Development Ordinance, at the time of planting, plant material screening the ground mounted utilities shall be a minimum of 6" taller than the utility it is to screen, with lower shrubs in the foreground to eliminate any gaps in screening.
26. All landscaped open space shall consist of a minimum of 60% living materials.
27. All landscaped areas shall be irrigated.
28. The approved final landscape plan shall contain the following statements:
 - a) All trees shall be callipered and undersized trees shall be rejected.
 - b) All parking lot islands shall be bermed to discourage foot traffic.
 - c) All hedges shall be trimmed to maintain a solid hedge appearance.
 - d) All plant identification tags shall remain until issuance of a Final Certificate of Occupancy.
 - e) Any deviation to the approved final landscape plan shall require the written approval of the landscape architect and the City of Leawood, prior to installation.
 - f) All landscaped open space shall consist of a minimum of 60% living materials.
29. A letter, signed and sealed by a Kansas Registered Landscape Architect, shall be submitted prior to final occupancy that states that all landscaping has been installed per the approved landscape plan and all plant material used is to the highest standards of the nursery industry.
30. The applicant shall obtain all approvals and permits from the Public Works Department, per the public works memo, shown as Exhibit A, on file with the City of Leawood Planning and Development Department, prior to recording the plat.
31. The applicant shall obtain all approvals from the City of Leawood Fire Department, per the Fire Marshal's memo, shown as Exhibit B, on file with the City of Leawood Planning and Development Department, prior to issuance of a building permit.
32. A Sign Permit shall be required from the City of Leawood Community Development Department prior to installation.
33. An erosion control plan for both temporary and permanent measures to be taken during and after construction shall be required at the time of application for building permit.
34. No construction shall be allowed between the hours of 9:00 p.m. to 7:00 a.m. and not on Sundays.
35. All sidewalks shall be installed as per street construction standards.
36. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
37. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood Development Ordinance,

unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through thirty-seven.

SECTION 8. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication as required by law.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

(SEAL)

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney



Curé of Ars Catholic School Renovation & Addition

9403 Mission Road
Leawood, Kansas 66206

Preliminary & Final Development Plan
December 23, 2019

Project Team:

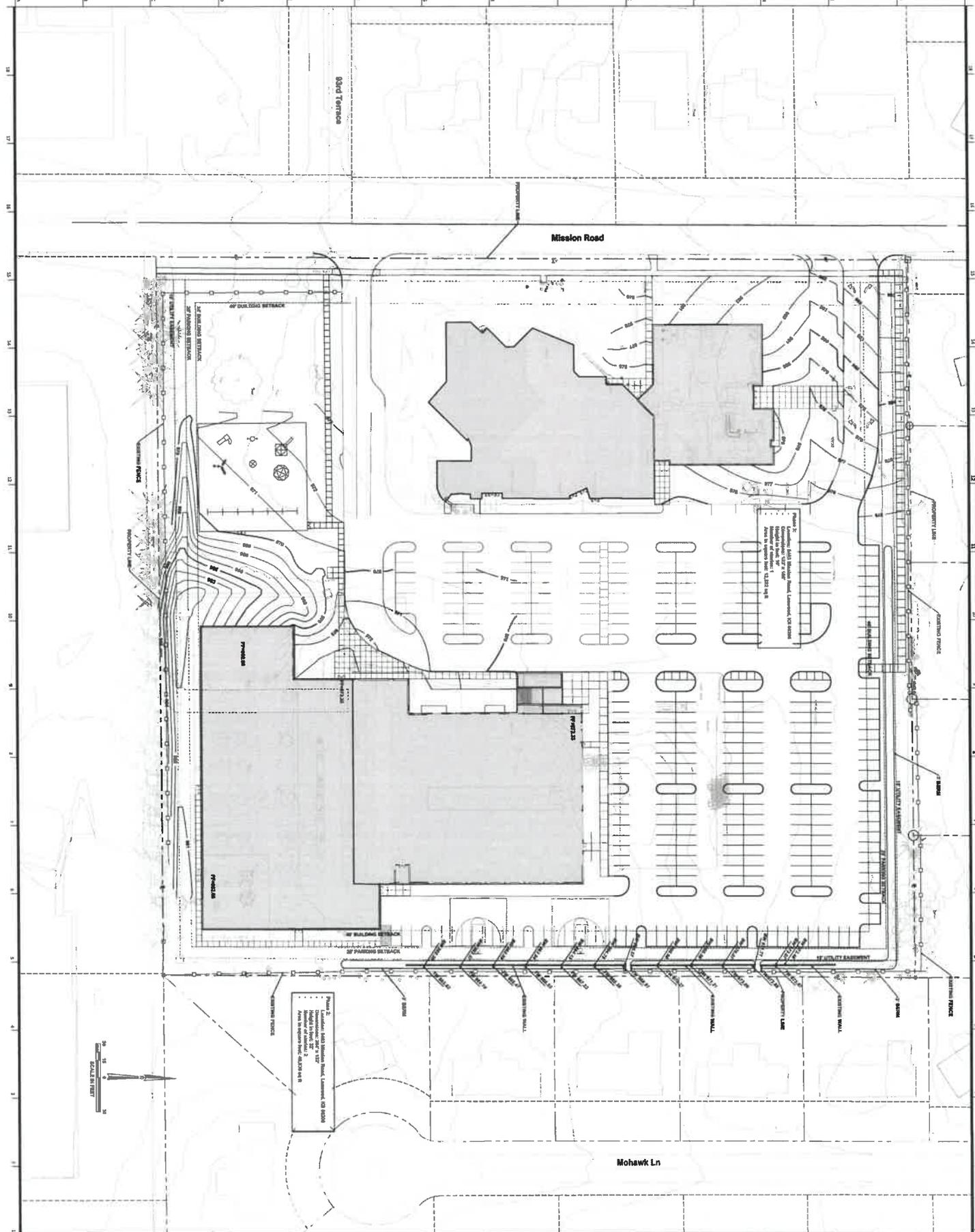
- owner:** Our of Ars Catholic Church
4001 Pennsylvania Avenue
Leawood, Kansas 66206
913.628.2628
www.ourars.com
- architect:** Gould Evans
2001 Pennsylvania Avenue
Leawood, Kansas 66206
913.931.6575 voice
www.gould-evans.com
- structural engineer:** Bach D. Campbell & Company
4328 Belknap Avenue
Leawood, Kansas 66206
913.931.4111
www.bdc-engr.com
- civil engineer:** SA Design Group
6221 College Boulevard Suite 100
Overland Park, Kansas 66212
913.651.1818
www.sadg.com
- mechanical/electrical engineer:** Lundford | Frazier + Associates
1700 Walnut Street
Overland Park, Kansas 66108
816.324.1411
www.lundfordfrz.com
- landscape architect:** Gould Evans
4001 Pennsylvania Avenue
Leawood, Kansas 66206
913.931.6575
www.gould-evans.com

gould evans

kansas city • lawrence • new orleans
phoenix • san francisco

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0219-0520



goulddevan
 LEASWOOD, KANSAS
 9403 MISSION ROAD
 LEASWOOD, KANSAS
 66206

**Curé of Arts
 Catholic
 School
 Renovation &
 Addition**

PROJECT NO: 0215-02X
 DATE: December 20, 2012

C130
 GRADING PLAN
 Preliminary Development I

NOT FOR CONSTRUCTION

REVISIONS

DATE



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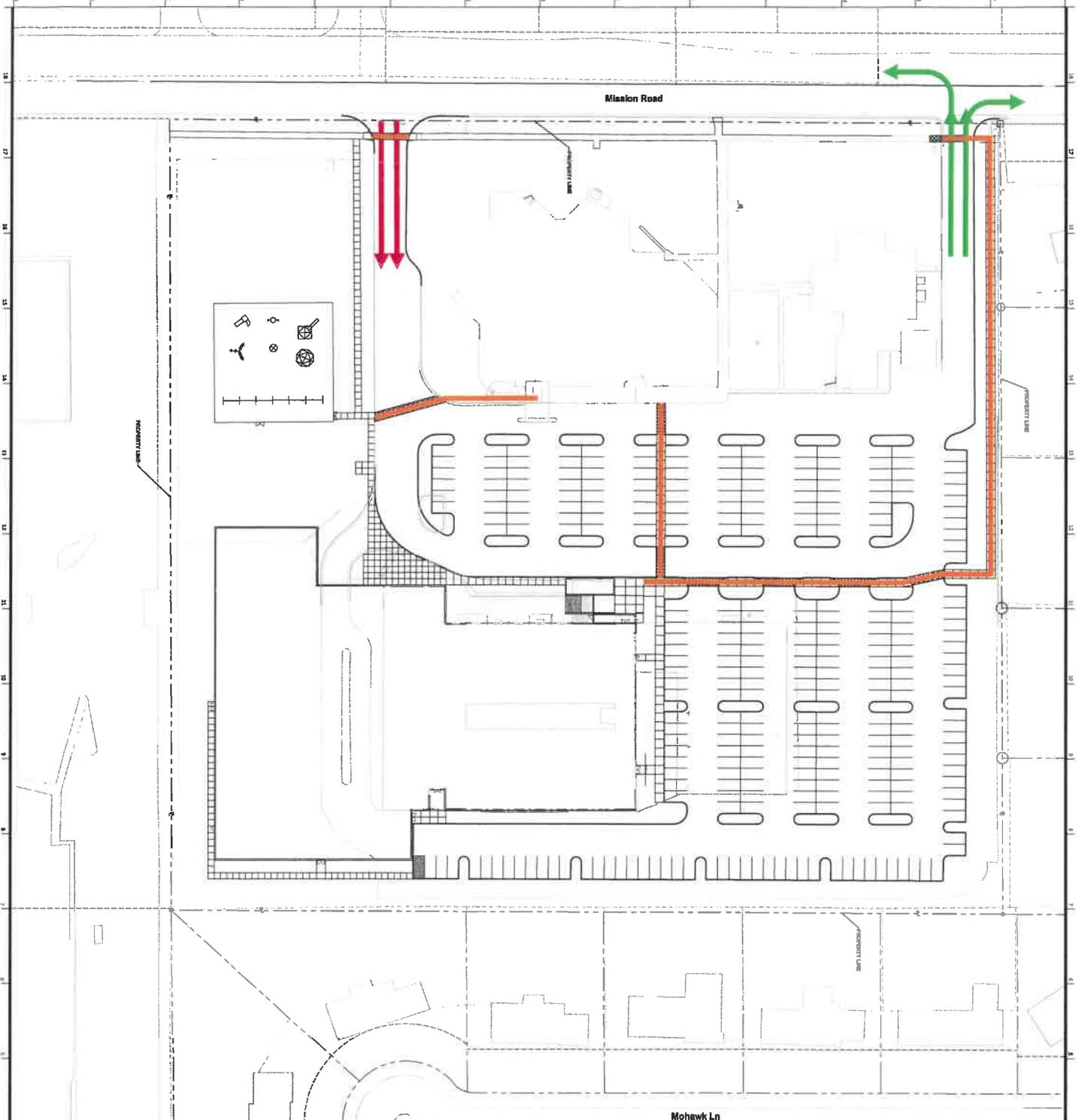
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LEGEND

- TRAFFIC IN
- TRAFFIC OUT
- PROPOSED CONCRETE ADDITION
- CONCRETE
- PROPOSED PERIMETER

NOTE: 1/4" = 1'-0" TRAFFIC SIGNALS WILL BE PLACED AT THE INTERSECTION OF MISSION ROAD AND MOHAWK LANE.

goulddevan
 18401 Cole • Leawood • 913-441-8800
 Project # 144700000
 © 2018 Gould Devan, Inc.

**Curé of Ars
 Catholic
 School
 Renovation &
 Addition**

9403 Mission Road
 Leawood, Kansas
 66206

OWNER: Curé of Ars Catholic School
ARCHITECT: Gould Devan, Inc.
DATE: December 23, 2018
PROJECT NO.: 144700000
SCALE: 1/4" = 1'-0"
PROJECT NAME: Curé of Ars Catholic School Renovation & Addition
PROJECT ADDRESS: 9403 Mission Road, Leawood, KS 66206
PROJECT CONTACT: Curé of Ars Catholic School
PROJECT PHONE: 913-441-8800
PROJECT FAX: 913-441-8800
PROJECT EMAIL: info@cureofars.org
PROJECT WEBSITE: www.cureofars.org
PROJECT DESCRIPTION: Renovation and Addition of Curé of Ars Catholic School
PROJECT STATUS: Preliminary Development I
PROJECT PHASE: Preliminary Development I
PROJECT DATE: December 23, 2018

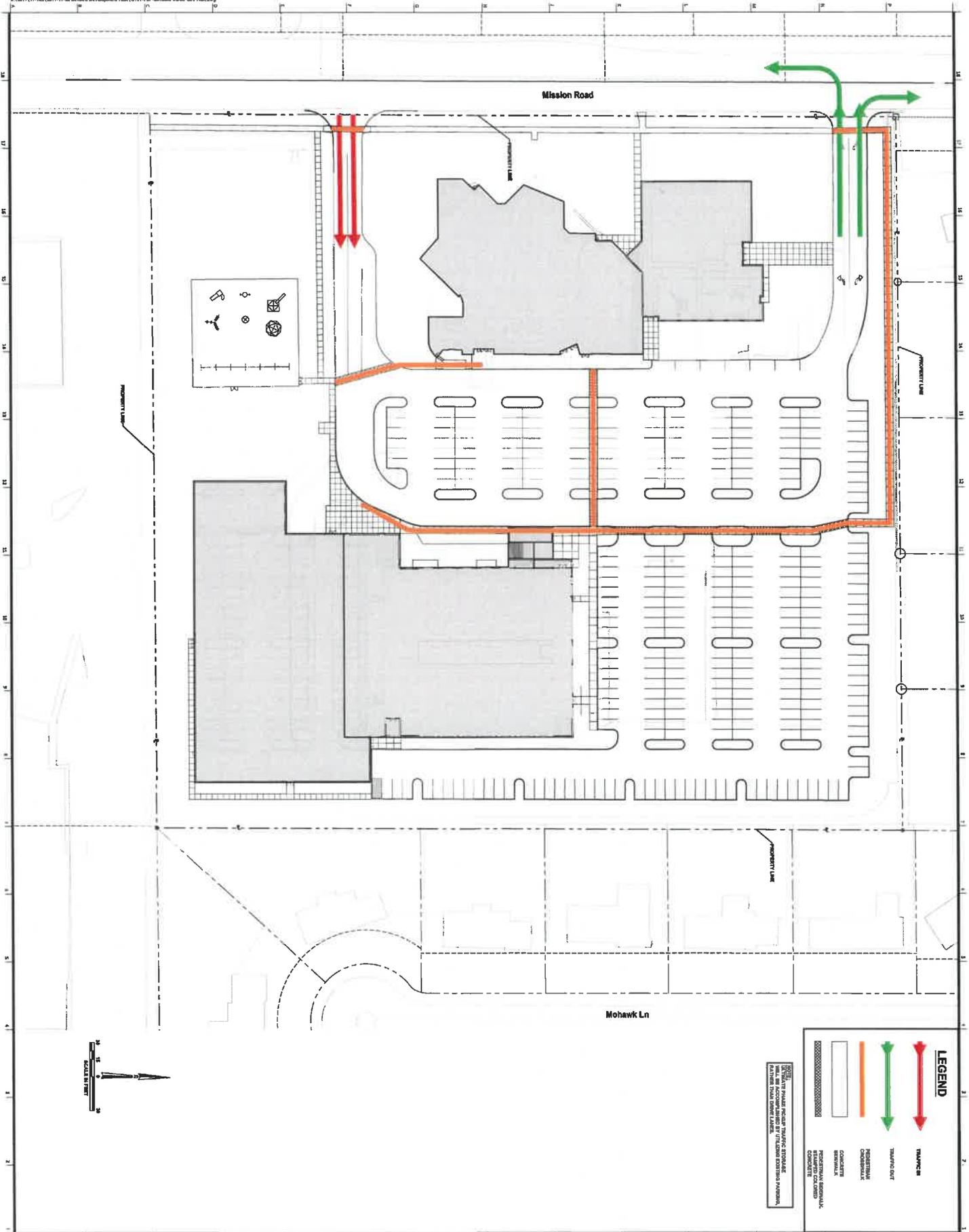


NOT FOR CONSTRUCTION
 REVISIONS

PROJECT NO. 0218-452X
 DATE: December 23, 2018

**PHASE 2 TRAFFIC
 CIRCULATION PLAN
 C158**

Preliminary Development I



LEGEND

- TRAFFIC IN
- TRAFFIC OUT
- PEDESTRIAN CIRCULATION
- CONCRETE SIDEWALK
- PERIMETER PROPERTY LINE
- CONCRETE DRIVEWAY

NOTE: THIS PLANSET INCLUDES TRAFFIC SIGNALS. ALL TRAFFIC SIGNALS SHALL BE ACCORDING TO THE CITY OF LEANWOOD'S STANDARD SPECIFICATIONS FOR TRAFFIC SIGNALS.

goulddevan
 10000 W. 100th Street, Suite 100
 Overland Park, KS 66206
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9403 Mission Road
 Leawood, Kansas
 66206

NOT FOR CONSTRUCTION

REVISIONS

DATE

DESCRIPTION

BY

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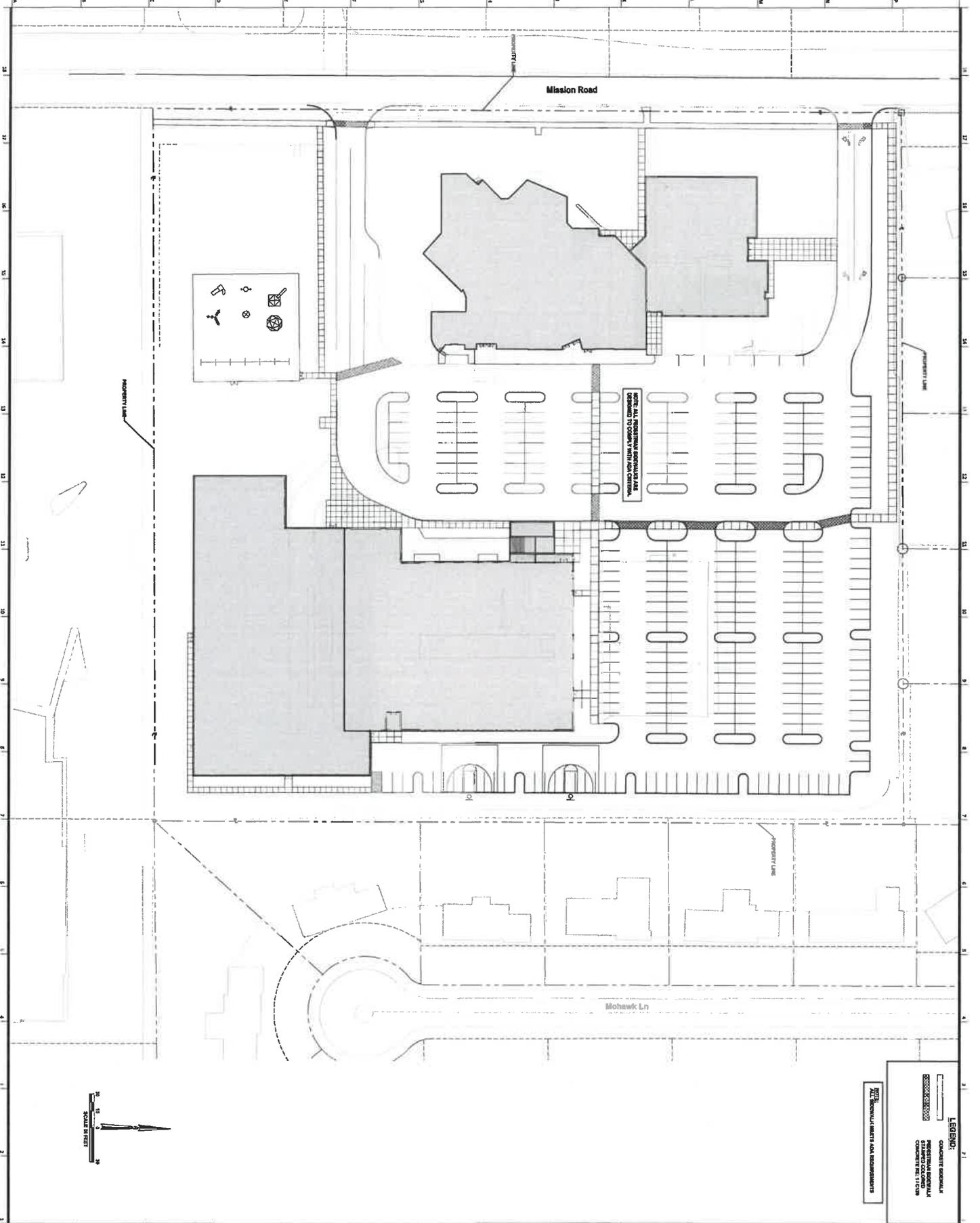
100. 12/15/19

PROJECT NO: 0219-052K
 DATE: December 15, 2019

ULTIMATE TRAFFIC CIRCULATION PLAN

C159

Preliminary Development I



LEGEND:

- CONCRETE FOOTING
- ASPHALT DRIVEWAY
- ASPHALT DRIVEWAY
- CONCRETE PAVEMENT
- ADA COMPLIANT PAVEMENT

NOTES:

- ALL PAVED AREAS SHALL BE CONFORMANT TO ADA COMPLIANCE.

goulddevan
 Architects • Planners • Engineers
 1415 North 1st Street
 Phoenix, AZ 85004
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**Curé of Arts
 Catholic
 School
 Renovation &
 Addition**

9403 Mission Road
 Leawood, Kansas
 66206

Project No. 0219-05X
 Date: December 23, 2011

**PEDESTRIAN
 CIRCULATION PLAN
 C160**

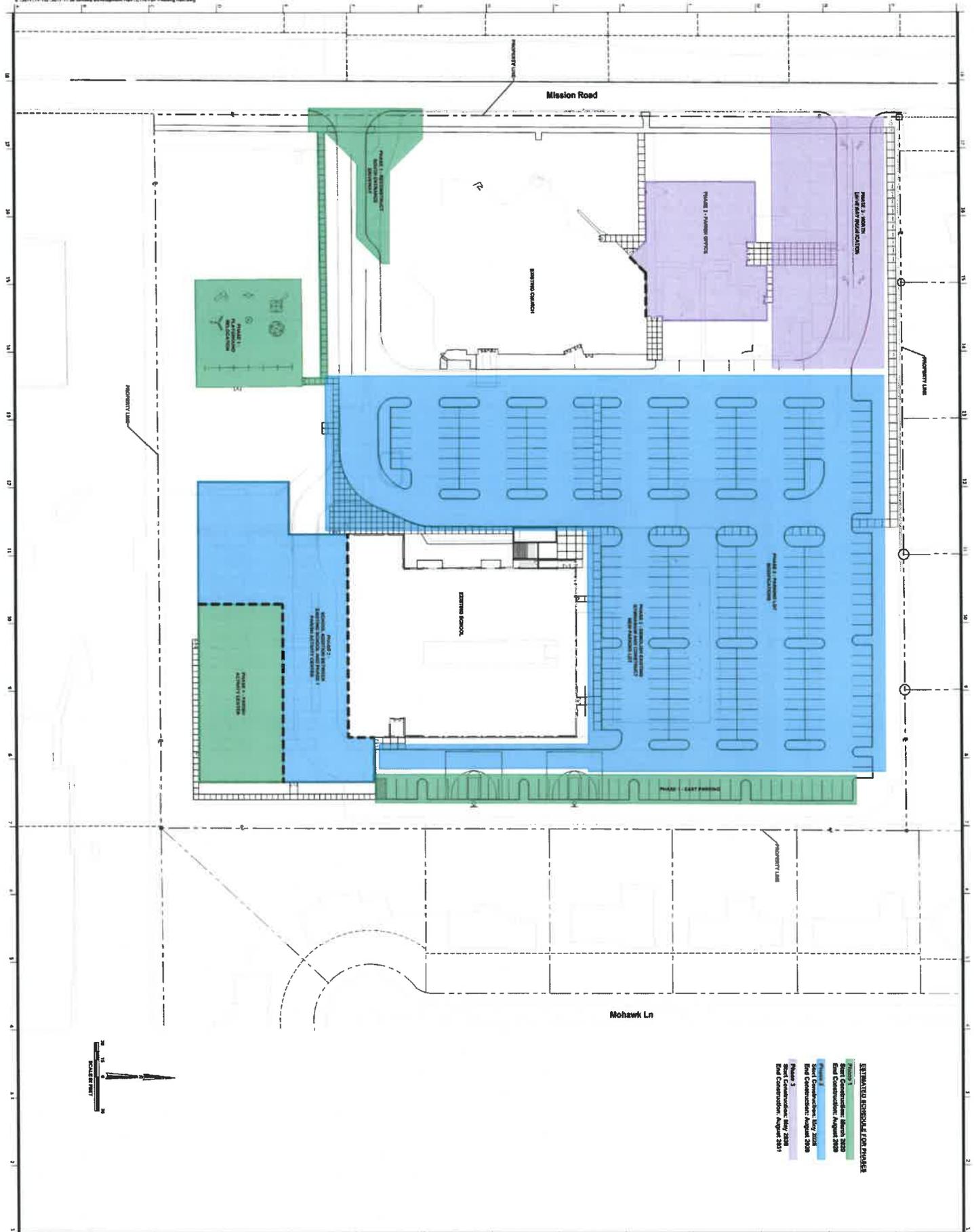
Preliminary Development I



NOT FOR CONSTRUCTION

REGIONS

0219-05X
 December 23, 2011



ESTIMATED SCHEDULE FOR PHASING

- Phase 1 Construction:** March 2020
Final Construction: August 2020
- Phase 2 Construction:** May 2020
Final Construction: August 2020
- Phase 3 Construction:** May 2020
Final Construction: August 2020

goulddevan
 landscape architecture & interior architecture
 67077 South Creek, Inc.
 Curé of Ars
 Catholic
 School
 Renovation &
 Addition

9403 Mission Road
 Leawood, Kansas
 66205

NOT FOR CONSTRUCTION

REVISIONS

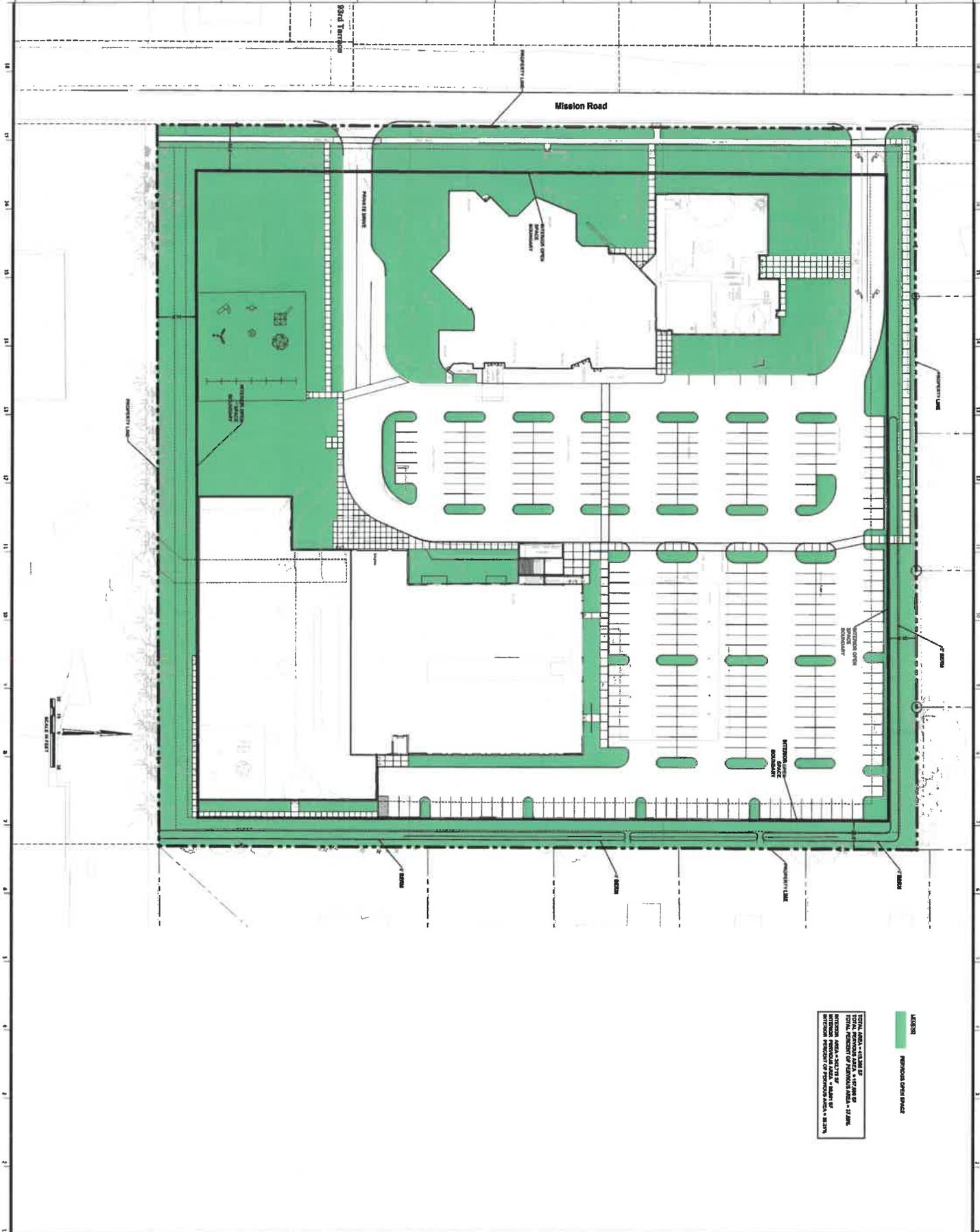
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PHASING PLAN

C170

Preliminary Development

PROJECT NO: 0119-00X
 DATE: December 24, 2017



LEGEND

- REVISION: SPACE REORGANIZED
- REVISION: OPEN SPACE

NOTES:

1. ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
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goulddevan
 Architects • Engineers • Planners
 2015 Seelye Drive, Inc.
 9403 Mission Road
 Leawood, Kansas
 66206

**Curé of Ars
 Catholic
 School
 Renovation &
 Addition**

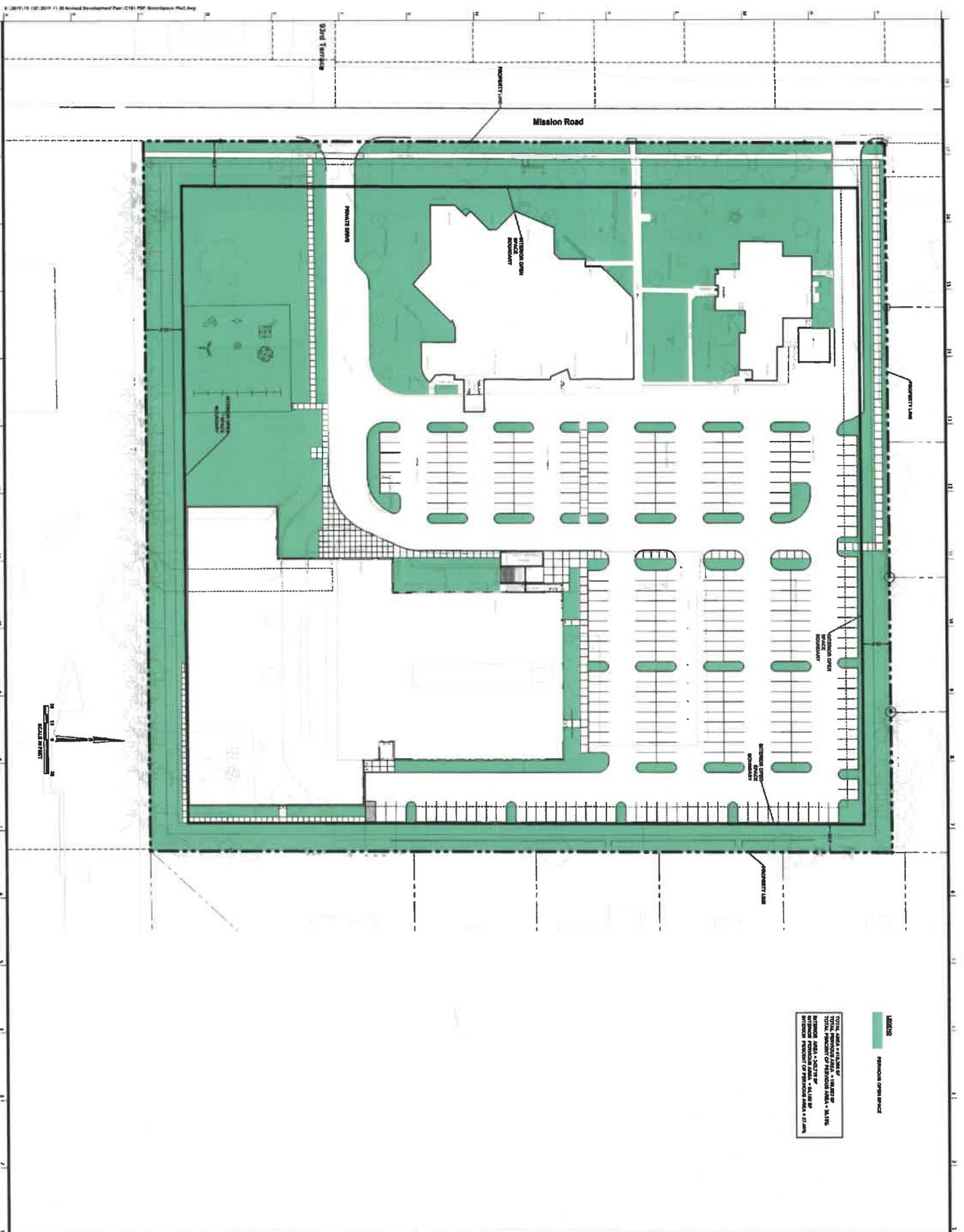
PROJECT NO: 012A-06
DATE: December 23, 2011

**GREEN SPACE PLAN
 (Ultimate Condition)
 C180**

NOT FOR CONSTRUCTION

REVISIONS

Professional Engineer Seal:
 State of Kansas
 No. 10000
 Name: [Name]
 Address: [Address]
 City: [City]
 State: [State]
 Zip: [Zip]



LEGEND

RENOVATION OPEN SPACE

TOTAL AREA: 413,326 SF
TOTAL RENOVATION AREA: 1,859,768 SF
RENOVATION PERCENT OF TOTAL AREA: 4.5%
TOTAL ADDITION AREA: 14,500 SF
ADDITION PERCENT OF TOTAL AREA: 3.5%
RENOVATION PERCENT OF RENOVATION AREA: 12.9%
ADDITION PERCENT OF RENOVATION AREA: 27.9%

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 Architects • Engineers • Planners
 1001 North Main Street
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**Curé of Ars
 School
 Renovation &
 Addition**

**9403 Mission Road
 Leawood, Kansas
 66206**

Project Manager: [Name]
Architect: [Name]
Engineer: [Name]
Planner: [Name]
Interior Designer: [Name]
Historic Preservation Consultant: [Name]
Historic Landmark Commission: [Name]
Historic Preservation Board: [Name]
Historic Preservation Commission: [Name]
Historic Preservation Officer: [Name]
Historic Preservation Director: [Name]
Historic Preservation Manager: [Name]
Historic Preservation Specialist: [Name]
Historic Preservation Assistant: [Name]
Historic Preservation Intern: [Name]

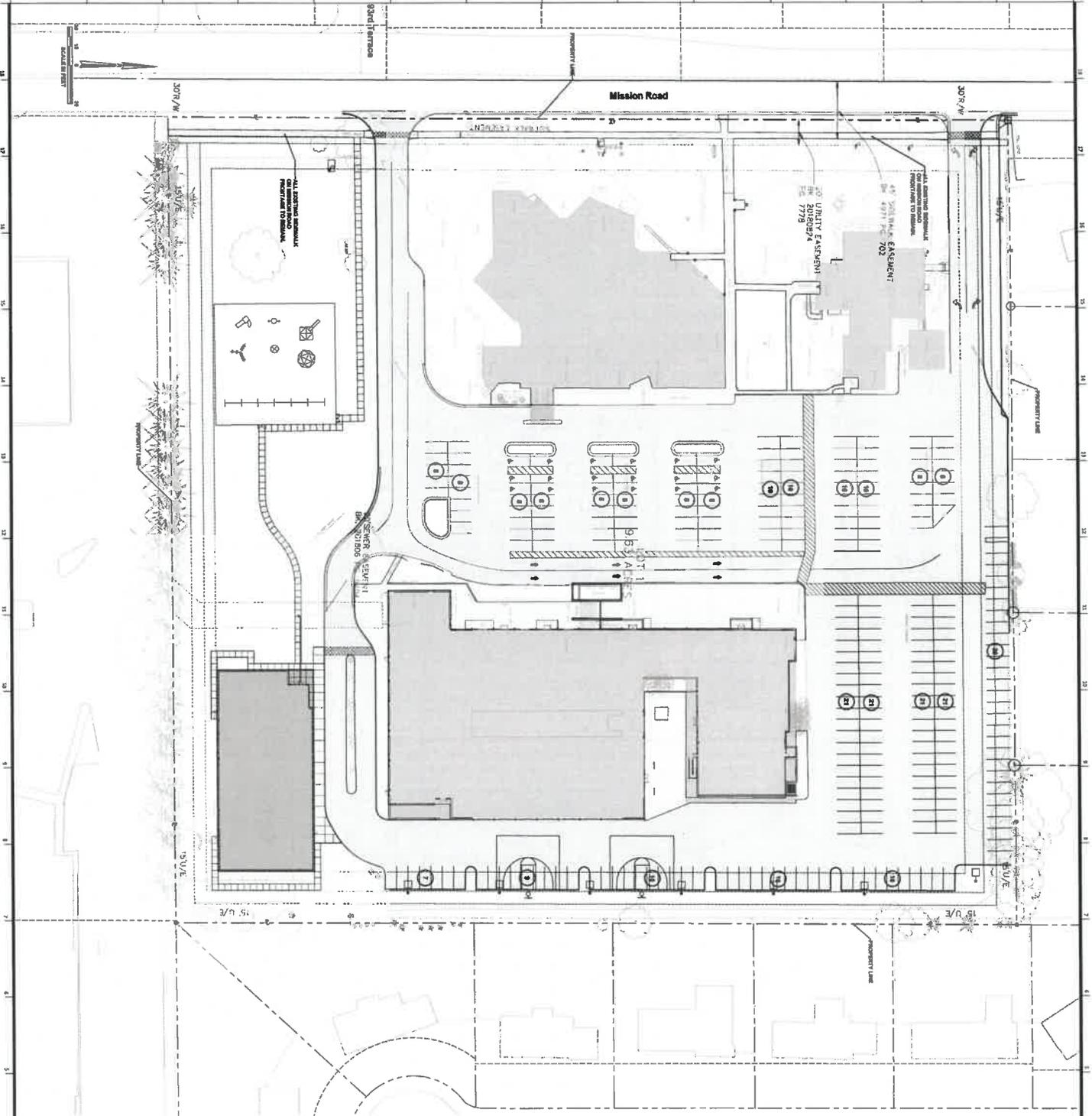


NOT FOR CONSTRUCTION
 REVISIONS

PROJECT NO: 0213-SCA
DATE: December 14, 2011

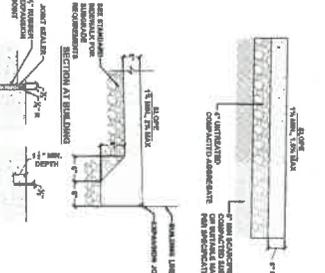
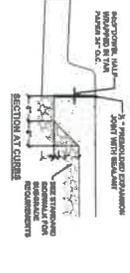
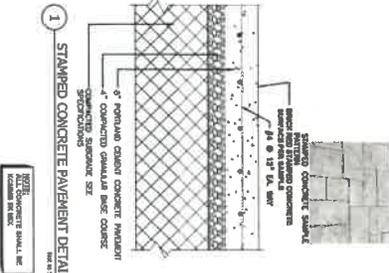
**GREEN SPACE PLAN
 (Phase 2 Condition)**
C181

Preliminary Development

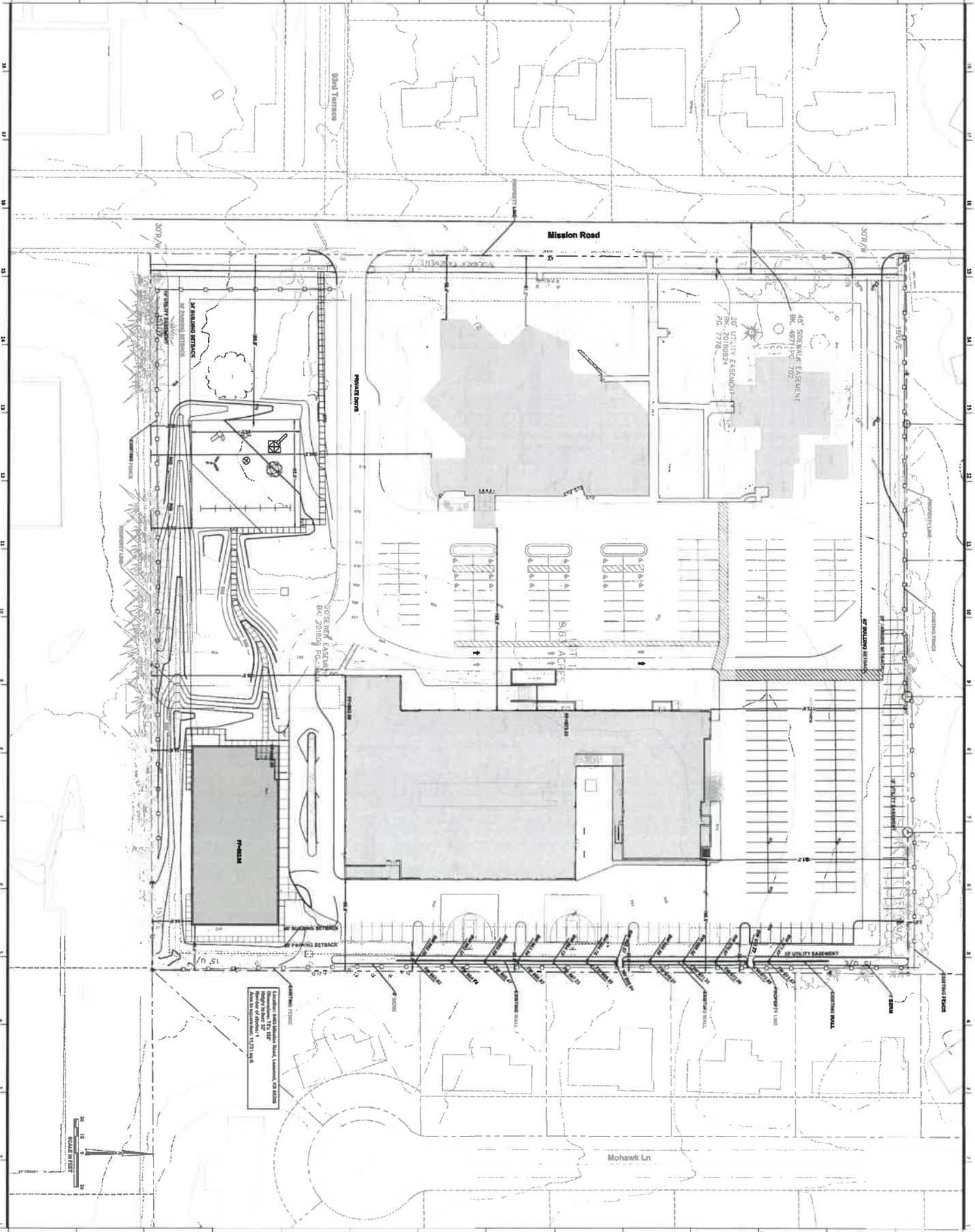


LEGEND:

	PROPERTY LINE
	PAVEMENT
	CONCRETE SIDEWALK
	STAMPED CONCRETE PAVEMENT
	ASPHALT PAVING
	GRASS
	TREE
	SHRUB
	PLANT
	UTILITY



- REVISIONS:**
1. REVISION 1: CORRECTED DIMENSIONS AND MATERIALS LIST.
 2. REVISION 2: ADDED NOTES REGARDING CONSTRUCTION METHODS.
 3. REVISION 3: REVISED PLANTING SCHEDULE.
 4. REVISION 4: ADDED FINISH GRADES AND ELEVATIONS.
 5. REVISION 5: CORRECTED PROPERTY LINE ERRORS.
 6. REVISION 6: ADDED UTILITY LOCATIONS.
 7. REVISION 7: REVISED DRIVEWAY DETAIL.
 8. REVISION 8: ADDED LANDSCAPE NOTES.
 9. REVISION 9: CORRECTED TYPING AND SPELLING.
 10. REVISION 10: ADDED FINISH GRADES AND ELEVATIONS.
 11. REVISION 11: CORRECTED DIMENSIONS AND MATERIALS LIST.
 12. REVISION 12: ADDED NOTES REGARDING CONSTRUCTION METHODS.
 13. REVISION 13: REVISED PLANTING SCHEDULE.
 14. REVISION 14: ADDED FINISH GRADES AND ELEVATIONS.
 15. REVISION 15: CORRECTED PROPERTY LINE ERRORS.
 16. REVISION 16: ADDED UTILITY LOCATIONS.
 17. REVISION 17: REVISED DRIVEWAY DETAIL.
 18. REVISION 18: ADDED LANDSCAPE NOTES.
 19. REVISION 19: CORRECTED TYPING AND SPELLING.
 20. REVISION 20: ADDED FINISH GRADES AND ELEVATIONS.



PROPOSED CONSTRUCTION OF 172' x 100' ADDITION TO EXISTING SCHOOL BUILDING. SEE PLAN C230-01 FOR EXISTING BUILDING FOOTPRINT. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LEAWOOD ZONING ORDINANCE, CHAPTER 17.02, ARTICLE 17.02.01.

GRADING PLAN

C230

Final Development Plan

PROJECT NO: 0212-046
DATE: December 23, 2022



NOT FOR CONSTRUCTION

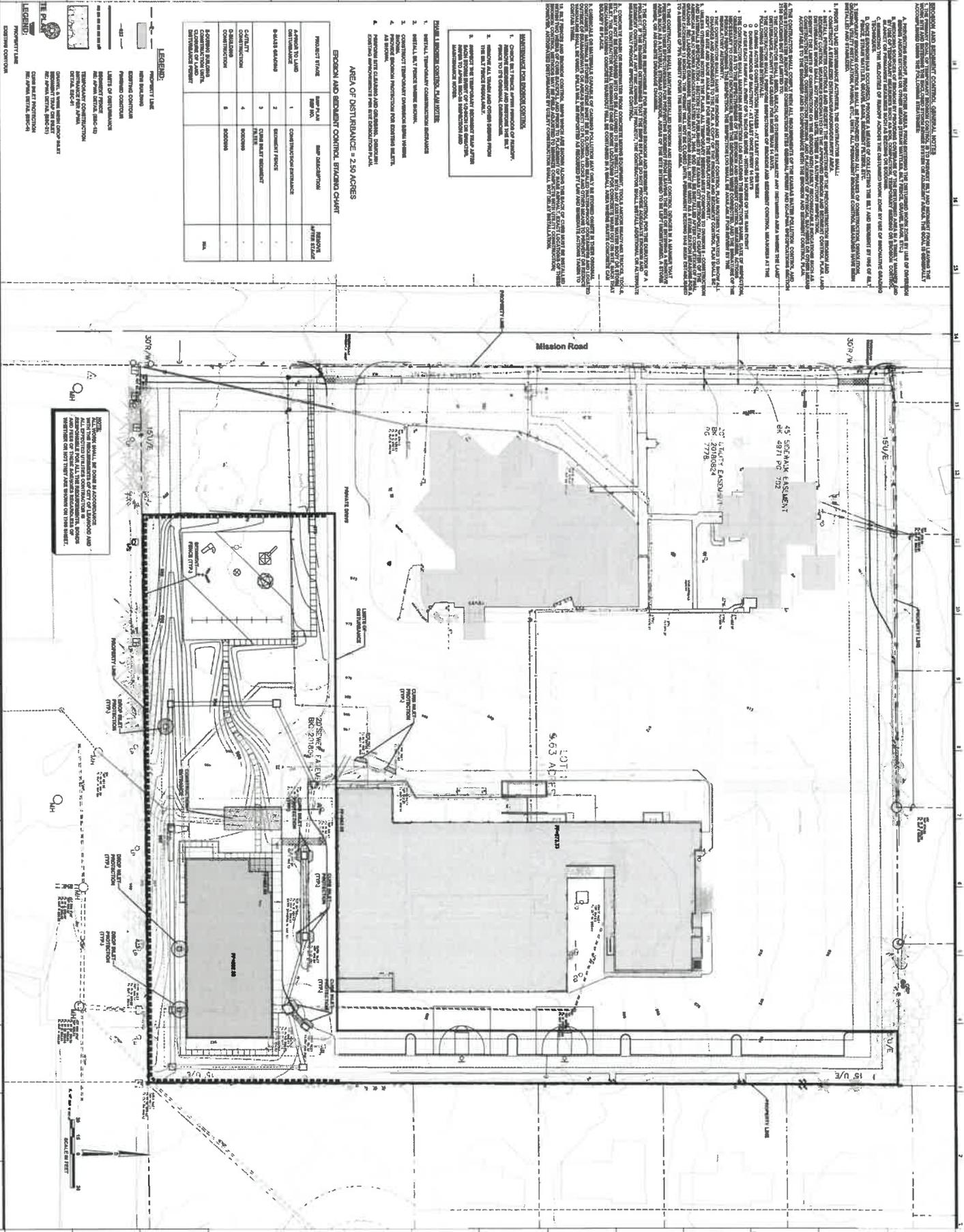
REVISIONS

gouldevan
Barbara G. V. Harbeck • Jane O'Brien
Architects • Landscape Architects
1800 W. 10th Street
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**Curé of Ars
Catholic
School
Renovation &
Addition**

9403 Mission Road
Leawood, Kansas
66205

DESIGNED BY: [Name]
CHECKED BY: [Name]
DATE: [Date]



EROSION CONTROL PLAN
C250
 Final Development Plan

EROSION AND SEDIMENT CONTROL STRAINING CHART

PRODUCT TYPE	INSTALLATION	INSTALLATION	INSTALLATION
PRODUCT TYPE	INSTALLATION	INSTALLATION	INSTALLATION
1. Silt Fence	1. Silt Fence	1. Silt Fence	1. Silt Fence
2. Sediment Basin	2. Sediment Basin	2. Sediment Basin	2. Sediment Basin
3. Vegetative Buffer	3. Vegetative Buffer	3. Vegetative Buffer	3. Vegetative Buffer
4. Stormwater Management	4. Stormwater Management	4. Stormwater Management	4. Stormwater Management

- EROSION AND SEDIMENT CONTROL STRAINING CHART**
1. Silt Fence
 2. Sediment Basin
 3. Vegetative Buffer
 4. Stormwater Management

EROSION AND SEDIMENT CONTROL STRAINING CHART

1. Silt Fence

2. Sediment Basin

3. Vegetative Buffer

4. Stormwater Management

EROSION AND SEDIMENT CONTROL STRAINING CHART

1. Silt Fence

2. Sediment Basin

3. Vegetative Buffer

4. Stormwater Management

EROSION AND SEDIMENT CONTROL STRAINING CHART

1. Silt Fence

2. Sediment Basin

3. Vegetative Buffer

4. Stormwater Management

PROJECT NO. 0219-052
 DATE: December 23, 2011

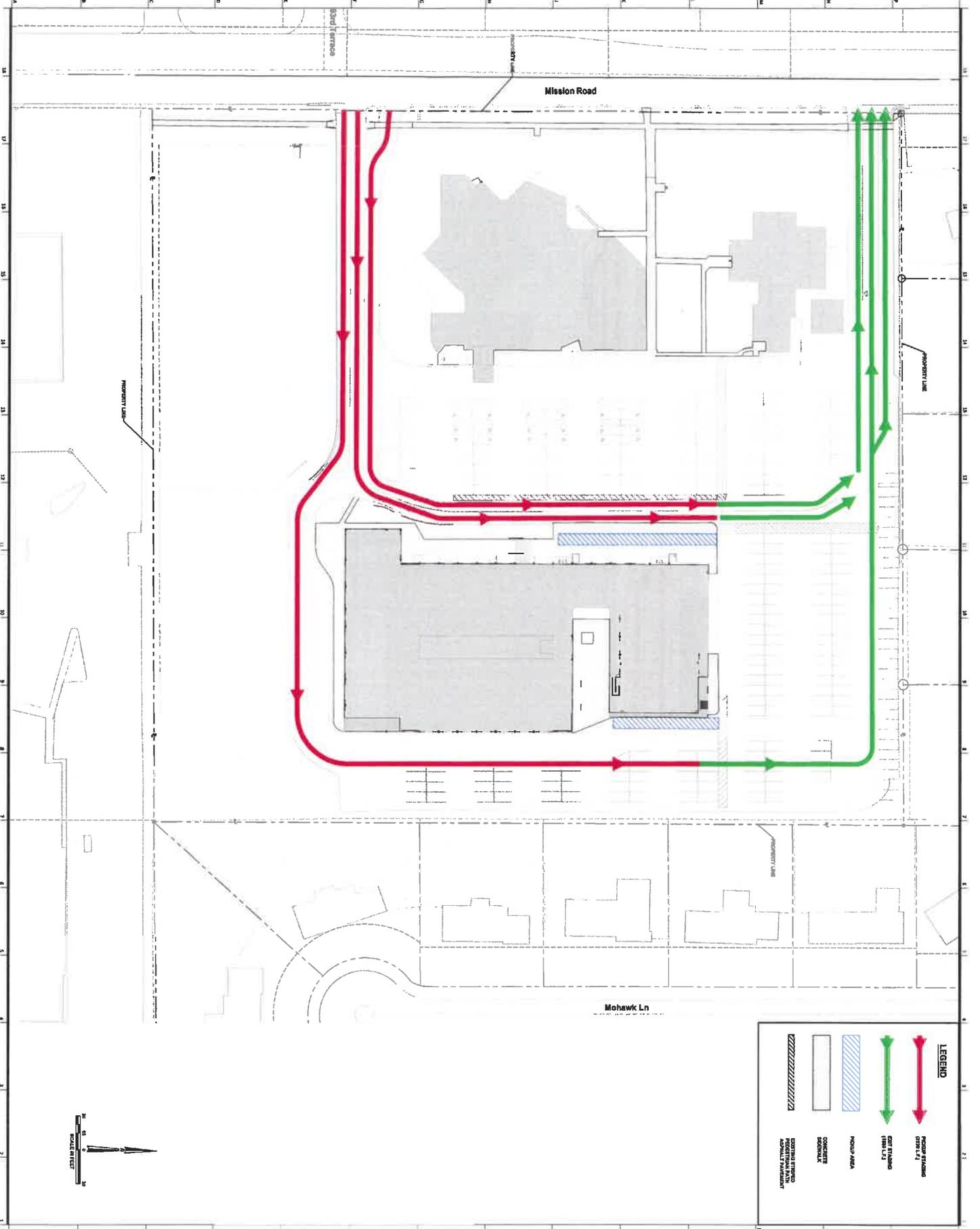
NOT FOR CONSTRUCTION

REVISIONS

9403 Mission Road
 Leawood, Kansas
 66206

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 Kansas City, Missouri • Denver, Colorado
 phone: 816.488.8800
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Curé of Ars Catholic School Renovation & Addition



LEGEND

- PROPOSED TRAFFIC (EXIST. LANE)
- EXIST. TRAFFIC (EXIST. LANE)
- PROPOSED ADDITION
- CONCRETE DRIVEWAY
- PROPERTY LINE
- POTENTIAL TRAFFIC (PROPOSED TRAFFIC) (PROPOSED LANE)

goulddevan
 Landscape Architecture & Planning
 2001 S. Broadway
 Suite 100
 Leawood, Kansas 66205
 Phone: 913.241.1111
 Fax: 913.241.1112
 www.goulddevan.com

Curé of Ars Catholic School Renovation & Addition

9403 Mission Road
 Leawood, Kansas
 66205

NOT FOR CONSTRUCTION

REVISIONS

NO.	DATE	DESCRIPTION
1	12/23/16	ISSUED FOR BIDDING
2	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
3	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
4	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
5	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
6	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
7	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
8	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
9	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
10	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
11	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
12	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
13	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
14	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
15	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
16	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
17	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
18	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
19	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
20	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
21	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
22	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
23	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
24	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
25	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
26	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
27	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN
28	12/23/16	REVISED TO REFLECT CHANGES TO THE PLAN

EXISTING TRAFFIC CIRCULATION PLAN

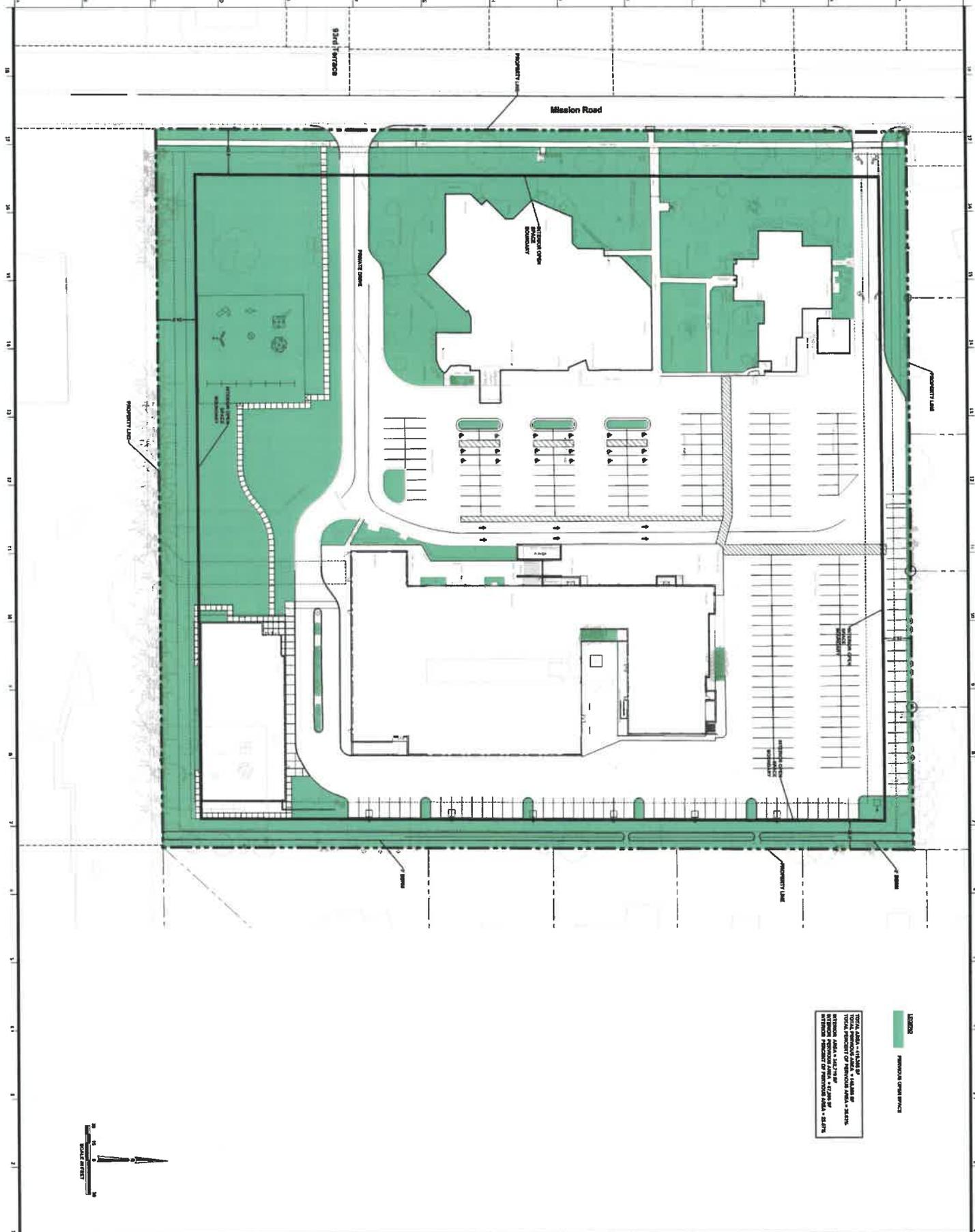
C258

Final Development Plan

PROJECT NO: 0213-06X
 DATE: December 23, 2016

Scale: As Shown

North Arrow



LEGEND

RENOVATION GREEN SPACE

TOTAL AREA - 11,128 SQ FT
 TOTAL RENOVATION GREEN SPACE - 1,128 SQ FT
 TOTAL RENOVATION PAVED AREA - 4,296 SQ FT
 TOTAL RENOVATION PAVED AREA - 2,478 SQ FT



gouldayan
 18480 E. 1st Street, Suite 100
 Overland Park, KS 66204
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**Curé of Ars
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 Renovation &
 Addition**

**9403 Mission Road
 Leawood, Kansas
 66205**

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REVISIONS

DATE: 02/18/2014
 DATE: December 24, 2011

GREEN SPACE PLAN

C280

Final Development Pla



NOT FOR CONSTRUCTION

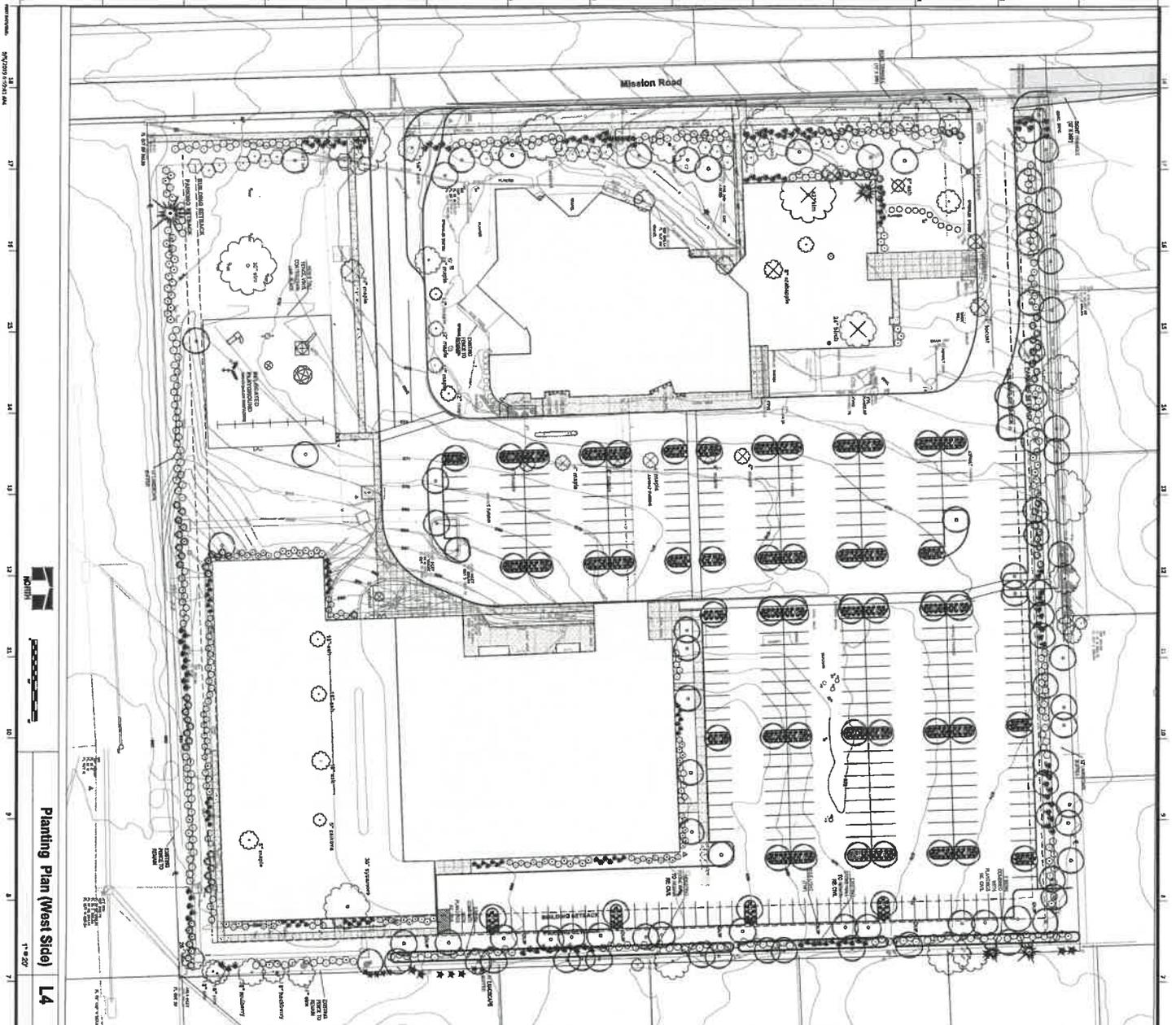
REVISIONS

PROJECT NO: 0218-001
 DATE: December 24, 2011

GREEN SPACE PLAN

C280

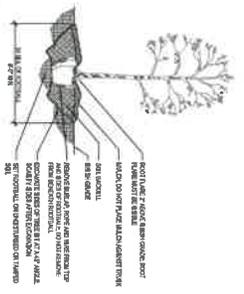
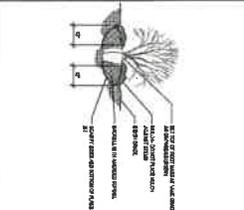
Final Development Pla



Planting Plan (West Side) L4

Shrub Planting Detail L3

Tree Planting Detail L2



Plant List L5

PROPORTION	PLANTING HOLE LENGTH	PLANTING HOLE WIDTH	PLANTING HOLE DEPTH
1:1	1' x 1'	1' x 1'	1' x 1'
2:1	2' x 2'	2' x 2'	2' x 2'
3:1	3' x 3'	3' x 3'	3' x 3'
4:1	4' x 4'	4' x 4'	4' x 4'
5:1	5' x 5'	5' x 5'	5' x 5'
6:1	6' x 6'	6' x 6'	6' x 6'
7:1	7' x 7'	7' x 7'	7' x 7'
8:1	8' x 8'	8' x 8'	8' x 8'
9:1	9' x 9'	9' x 9'	9' x 9'
10:1	10' x 10'	10' x 10'	10' x 10'
11:1	11' x 11'	11' x 11'	11' x 11'
12:1	12' x 12'	12' x 12'	12' x 12'
13:1	13' x 13'	13' x 13'	13' x 13'
14:1	14' x 14'	14' x 14'	14' x 14'
15:1	15' x 15'	15' x 15'	15' x 15'
16:1	16' x 16'	16' x 16'	16' x 16'
17:1	17' x 17'	17' x 17'	17' x 17'
18:1	18' x 18'	18' x 18'	18' x 18'
19:1	19' x 19'	19' x 19'	19' x 19'
20:1	20' x 20'	20' x 20'	20' x 20'
21:1	21' x 21'	21' x 21'	21' x 21'

VEGETATION LEGEND

EXISTING DECIDUOUS TREES TO REMAIN

EXISTING EVERGREEN TREES TO REMAIN

EXISTING TREES TO REMOVE

REMOVE 2" CALIBER TREES (Remove Maple, Cucumber Tree, Norway Spruce, etc.)

REMOVE 4" CALIBER TREES (Remove Oak, etc.)

REMOVE 6" CALIBER TREES (Remove Oak, etc.)

REMOVE 8" CALIBER TREES (Remove Oak, etc.)

REMOVE 10" CALIBER TREES (Remove Oak, etc.)

REMOVE 12" CALIBER TREES (Remove Oak, etc.)

REMOVE 14" CALIBER TREES (Remove Oak, etc.)

REMOVE 16" CALIBER TREES (Remove Oak, etc.)

REMOVE 18" CALIBER TREES (Remove Oak, etc.)

REMOVE 20" CALIBER TREES (Remove Oak, etc.)

REMOVE 22" CALIBER TREES (Remove Oak, etc.)

REMOVE 24" CALIBER TREES (Remove Oak, etc.)

REMOVE 26" CALIBER TREES (Remove Oak, etc.)

REMOVE 28" CALIBER TREES (Remove Oak, etc.)

REMOVE 30" CALIBER TREES (Remove Oak, etc.)

REMOVE 32" CALIBER TREES (Remove Oak, etc.)

REMOVE 34" CALIBER TREES (Remove Oak, etc.)

REMOVE 36" CALIBER TREES (Remove Oak, etc.)

REMOVE 38" CALIBER TREES (Remove Oak, etc.)

REMOVE 40" CALIBER TREES (Remove Oak, etc.)

REMOVE 42" CALIBER TREES (Remove Oak, etc.)

REMOVE 44" CALIBER TREES (Remove Oak, etc.)

REMOVE 46" CALIBER TREES (Remove Oak, etc.)

REMOVE 48" CALIBER TREES (Remove Oak, etc.)

REMOVE 50" CALIBER TREES (Remove Oak, etc.)

REMOVE 52" CALIBER TREES (Remove Oak, etc.)

REMOVE 54" CALIBER TREES (Remove Oak, etc.)

REMOVE 56" CALIBER TREES (Remove Oak, etc.)

REMOVE 58" CALIBER TREES (Remove Oak, etc.)

REMOVE 60" CALIBER TREES (Remove Oak, etc.)

REMOVE 62" CALIBER TREES (Remove Oak, etc.)

REMOVE 64" CALIBER TREES (Remove Oak, etc.)

REMOVE 66" CALIBER TREES (Remove Oak, etc.)

REMOVE 68" CALIBER TREES (Remove Oak, etc.)

REMOVE 70" CALIBER TREES (Remove Oak, etc.)

REMOVE 72" CALIBER TREES (Remove Oak, etc.)

REMOVE 74" CALIBER TREES (Remove Oak, etc.)

REMOVE 76" CALIBER TREES (Remove Oak, etc.)

REMOVE 78" CALIBER TREES (Remove Oak, etc.)

REMOVE 80" CALIBER TREES (Remove Oak, etc.)

REMOVE 82" CALIBER TREES (Remove Oak, etc.)

REMOVE 84" CALIBER TREES (Remove Oak, etc.)

REMOVE 86" CALIBER TREES (Remove Oak, etc.)

REMOVE 88" CALIBER TREES (Remove Oak, etc.)

REMOVE 90" CALIBER TREES (Remove Oak, etc.)

REMOVE 92" CALIBER TREES (Remove Oak, etc.)

REMOVE 94" CALIBER TREES (Remove Oak, etc.)

REMOVE 96" CALIBER TREES (Remove Oak, etc.)

REMOVE 98" CALIBER TREES (Remove Oak, etc.)

REMOVE 100" CALIBER TREES (Remove Oak, etc.)

**Curé of Ars
 Catholic
 School
 Renovation &
 Addition -
 Phase 1**
 903 Mission Road
 Leawood, Kansas
 65205

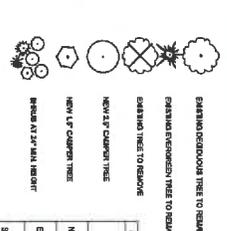
**NOT FOR
 CONSTRUCTION**

RESPONSE
 DATE: 02-23-2023
 PROJECT NO.: 2023-052
 DATE: OCTOBER 23, 2022

**PLANTING PLAN
 L101**

Road Development Plan

VEGETATIVE LEGEND



- EXISTING TO REMAIN**
- 1. Existing trees to remain (1/2" caliper)
 - 2. Existing trees to remove
 - 3. New 1/2" caliper trees
 - 4. New 1/4" caliper trees
 - 5. Shrub at 2 1/2" max height

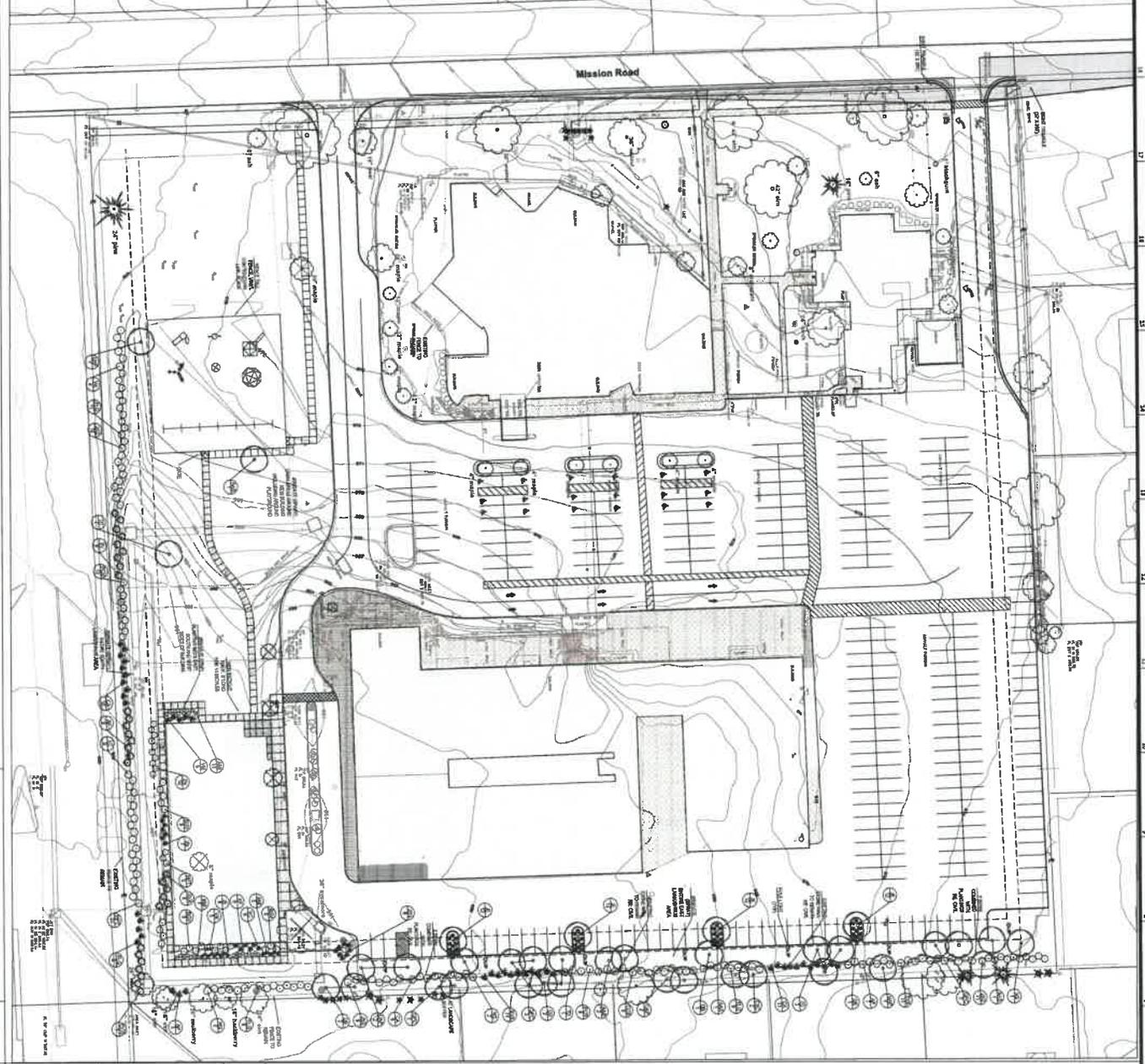
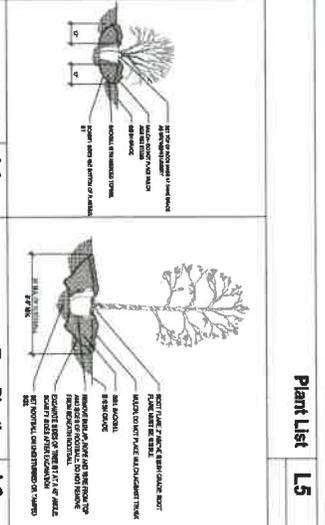
REMOVED LANDSCAPE ELEMENTS	PROPORTION (Length)	THIRD (existing)	THIRD (new)
NORTH	0 LE	0	0
EAST	0 LE	0	0
SOUTH	0 LE	0	0
WEST	0 LE	0	0
TOTAL	0 LE	0	0

NEW 1/2" CALIPER TREES	PROPORTION (Length)	THIRD (existing)	THIRD (new)
NORTH	0 LE	0	0
EAST	0 LE	0	0
SOUTH	0 LE	0	0
WEST	0 LE	0	0
TOTAL	0 LE	0	0

NEW 1/4" CALIPER TREES	PROPORTION (Length)	THIRD (existing)	THIRD (new)
NORTH	0 LE	0	0
EAST	0 LE	0	0
SOUTH	0 LE	0	0
WEST	0 LE	0	0
TOTAL	0 LE	0	0

PLANT LIST L5

NO.	PLANT NAME	QUANTITY	PLANT SIZE	PLANT TYPE
1
2
3
4
5
6
7
8
9
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11
12
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17
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32
33
34
35
36
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41
42
43
44
45
46
47
48
49
50



- General Notes (from Plans):
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 5. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 6. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 7. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 8. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 9. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:
 10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FOLLOWING:

goldevan's
 Insurance • Surety • Performance
 Bonds • Surety • Surety
 82019 Grand Blvd., Suite 100
 Overland Park, KS 66202
 Phone: 913.241.1000
 Fax: 913.241.1001
 Website: www.goldevan.com

**Cure of Ars
 Catholic
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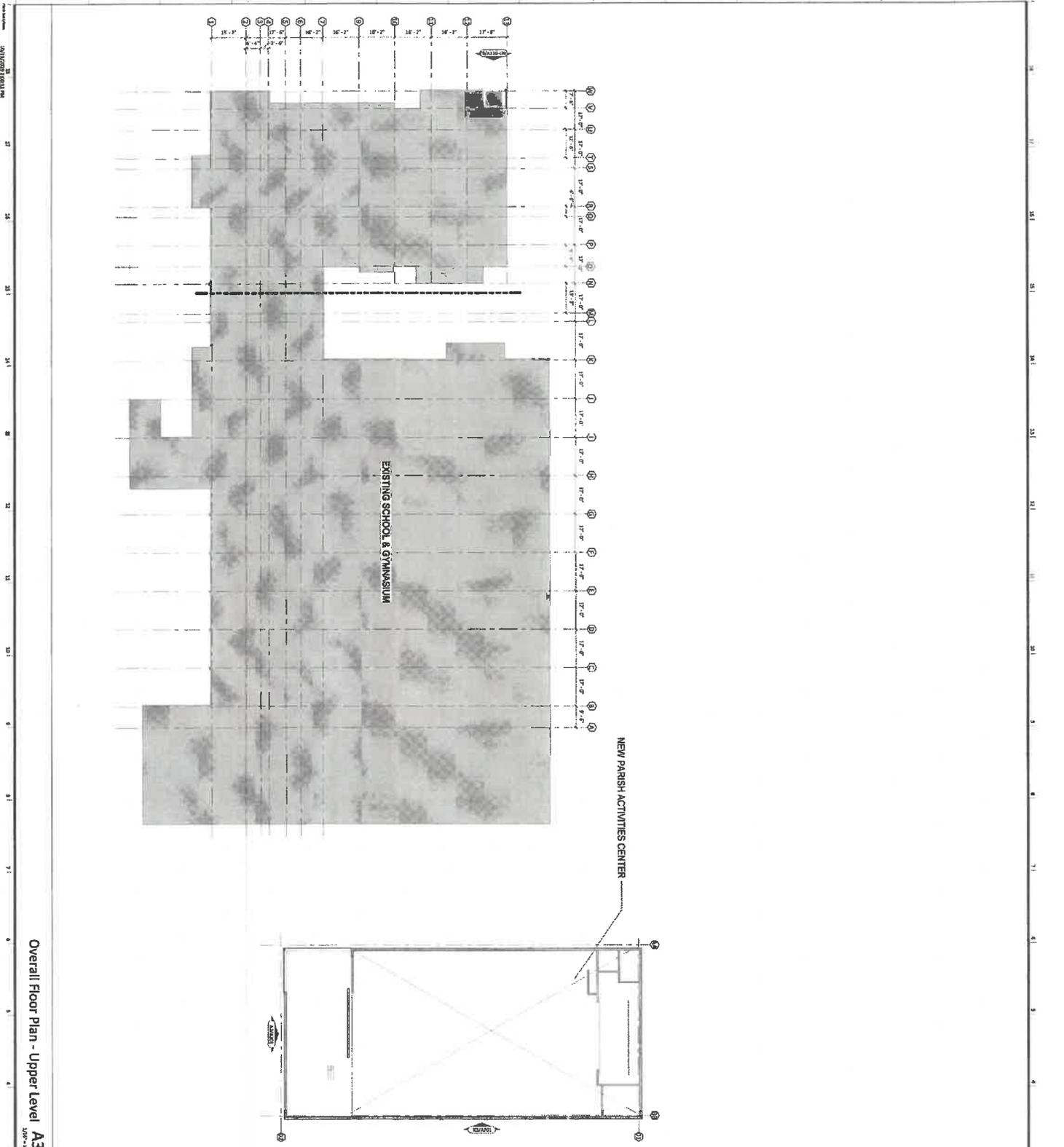
9403 Mission Road
 Leawood, Kansas
 66206

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RECORDS

PROJECT NO: 0213-02C
 DATE: December 23, 2012

Overall Floor Plan -
 Upper Level
A102-LW



- BR41 - PPG Ceramic Systems XL, Ceramic Gray (See BR41.PDF)
- BR42 - Sherwin-Williams, Vapor (See BR42)
- BR43 - Sherwin-Williams, Swallow (See BR43)
- BR44 - PPG, Solignum
- BR45 - Koval, Opal - transparent for light and color
- BR46 - National Wood Solutions High-Performance, Light Cream

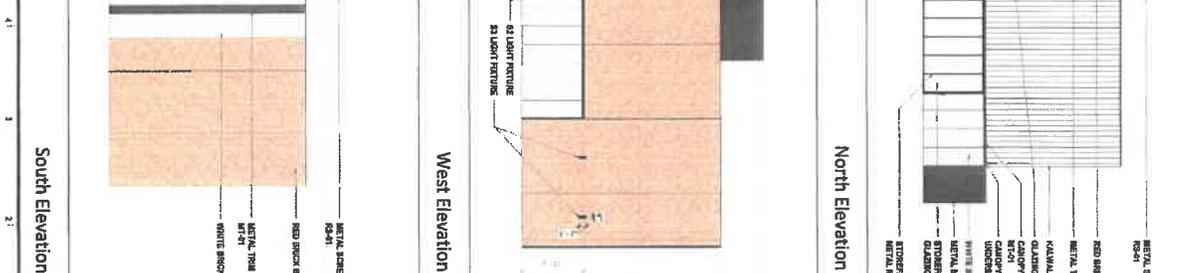
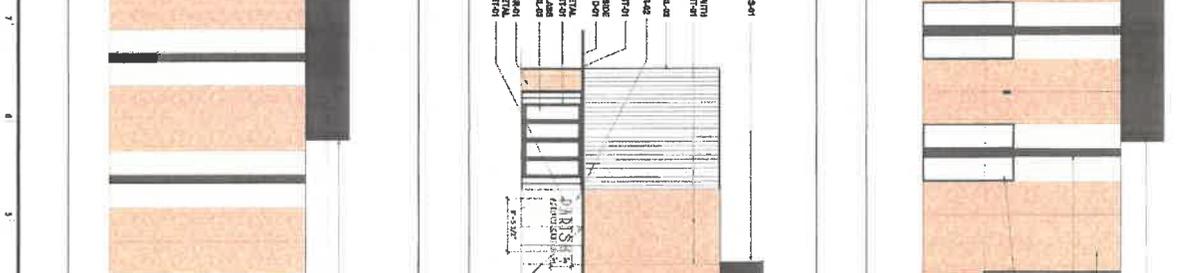
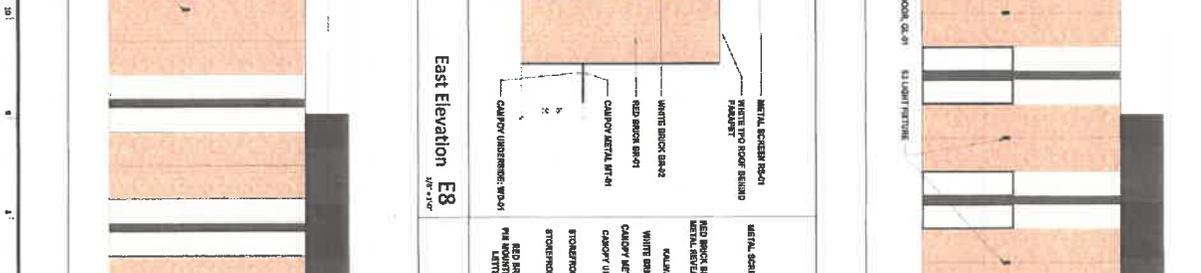
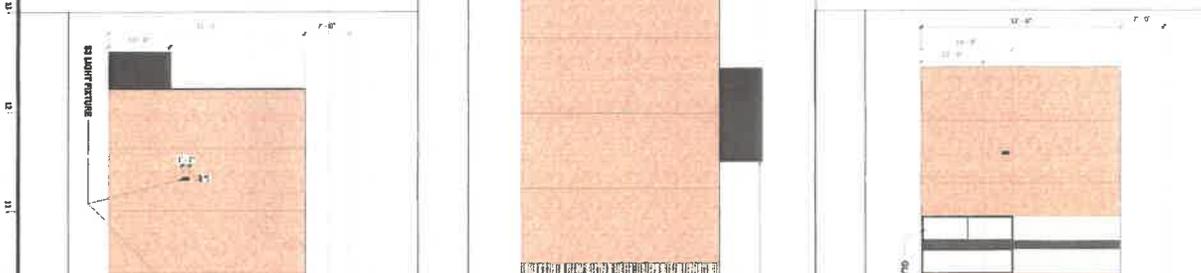
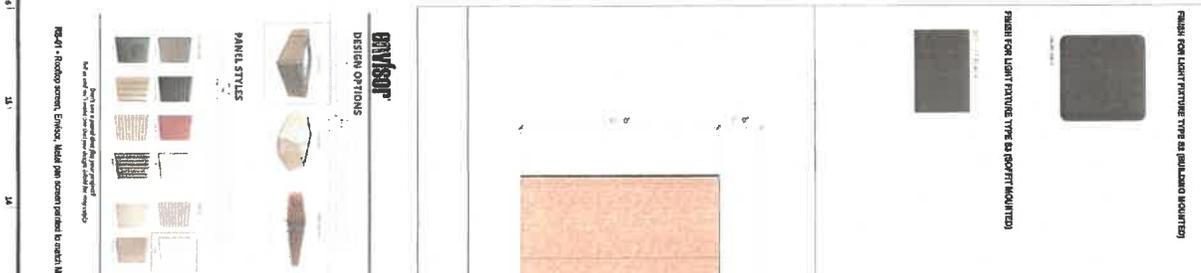
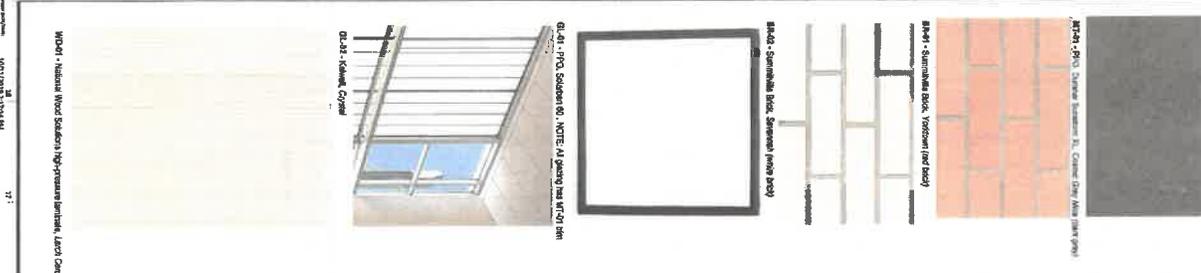
- BR41 - PPG Ceramic Systems XL, Ceramic Gray (See BR41.PDF)
- BR42 - Sherwin-Williams, Vapor (See BR42)
- BR43 - Sherwin-Williams, Swallow (See BR43)
- BR44 - PPG, Solignum
- BR45 - Koval, Opal - transparent for light and color
- BR46 - National Wood Solutions High-Performance, Light Cream

- BR41 - RED BRICK, 4M
- BR42 - WHITE BRICK, 4M
- BR43 - QUADROCK, 4M
- BR44 - KAMALITE, 4M
- BR45 - METAL, TRIM, 4M

- BR41 - RED BRICK, 4M
- BR42 - WHITE BRICK, 4M
- BR43 - QUADROCK, 4M
- BR44 - KAMALITE, 4M
- BR45 - METAL, TRIM, 4M

- BR41 - RED BRICK, 4M
- BR42 - WHITE BRICK, 4M
- BR43 - QUADROCK, 4M
- BR44 - KAMALITE, 4M
- BR45 - METAL, TRIM, 4M

- BR41 - RED BRICK, 4M
- BR42 - WHITE BRICK, 4M
- BR43 - QUADROCK, 4M
- BR44 - KAMALITE, 4M
- BR45 - METAL, TRIM, 4M



9403 Mission Road
Leawood, Kansas
66206

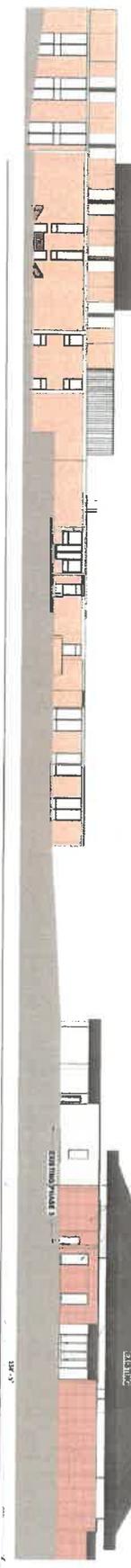
Curé of Ars
Catholic
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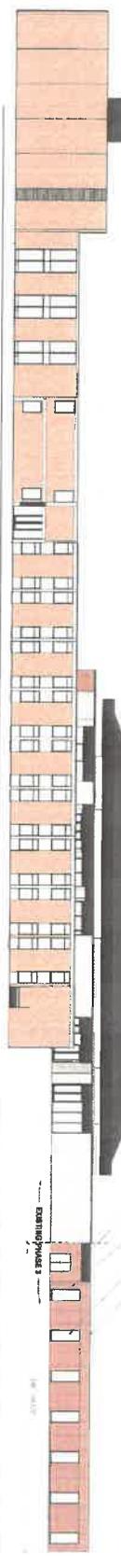
REVISIONS

PROJECT NO: 0218-052
DATE: December 23, 2011
Exterior Elevations
Parish Activity Centre
A201-LW

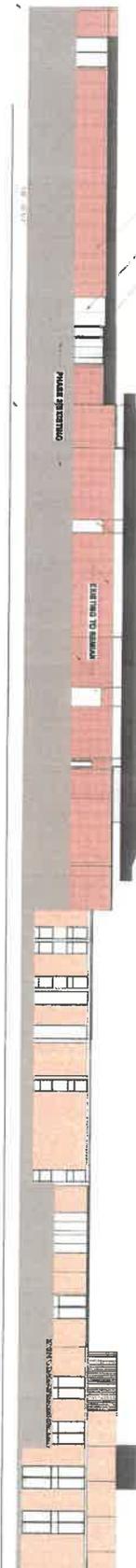
PHASE 3: 1 STORY 16'-0" HEIGHT	NORTH MATERIAL PERCENTAGES:	EAST MATERIAL PERCENTAGES:	WEST MATERIAL PERCENTAGES:	SOUTH MATERIAL PERCENTAGES:
RED BRICK/7%	RED BRICK/7%	RED BRICK/7%	RED BRICK/7%	RED BRICK/7%
GLAZING/1%	GLAZING/1%	GLAZING/1%	GLAZING/1%	GLAZING/1%
METAL TRIM/5%	METAL TRIM/5%	METAL TRIM/5%	METAL TRIM/5%	METAL TRIM/5%



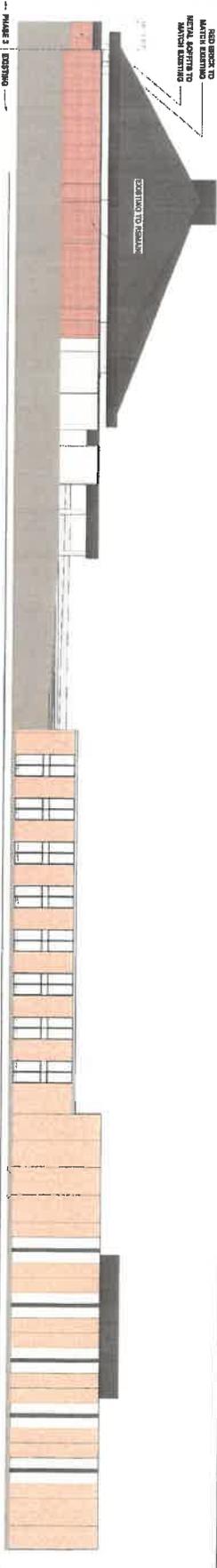
North Elevation - Parish House K1
DATE: 12-14-19



East Elevation - Parish House G1
DATE: 12-14-19



West Elevation - Parish House D1
DATE: 12-14-19



South Elevation - Parish House A1
DATE: 12-14-19

9403 Mission Road
Leawood, Kansas
66206

Curé of Ars
Catholic
School
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Addition

Project Name: Curé of Ars Catholic School Renovation & Addition
Project No: A203-LW
Date: December 23, 2019
Scale: As Shown
Author: [Signature]
Checked: [Signature]
Approved: [Signature]

NOT FOR
CONSTRUCTION

REVISIONS

PROJECT NO: A203-LW
DATE: December 23, 2019

Exterior Elevations -
Parish Houses
A203-LW

**Curé of Ars
 Catholic
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 Renovation &
 Addition**

9403 Mission Road
 Leawood, Kansas
 66206

DATE: 12/23/13
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO: 0213-020
 DATE: December 23, 2013

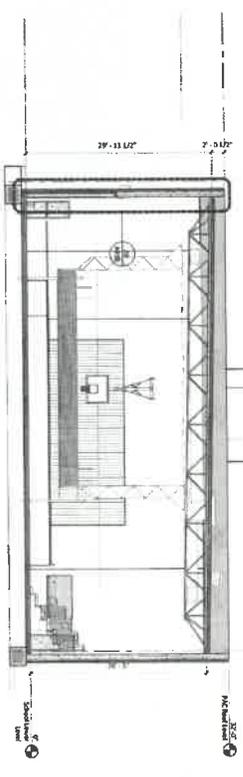
Handwritten Signature
 NOT FOR CONSTRUCTION

NOT FOR CONSTRUCTION

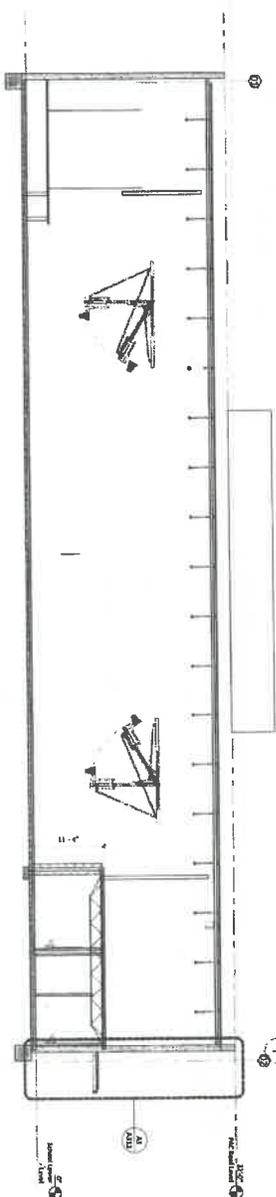
REVISIONS

PROJECT NO: 0213-020
 DATE: December 23, 2013

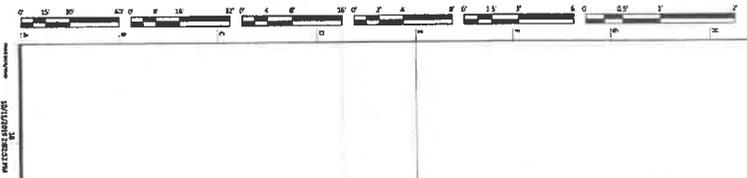
Building Sections
A301-LW



North/South Section E1
 1/8" = 1'-0"



East/West Section A1
 1/8" = 1'-0"





TYPE S3

LUMINIS.

**SV602-CLASS V
 4.5 STROBE - LED**



TYPE S2

LED Linear Panel and Downlight

DESCRIPTION: This fixture is designed for general illumination in commercial and residential applications. It features a slim profile and is available in linear panel and downlight configurations. The fixture is dimmable and has a long life expectancy.

FEATURES:

- Slim profile design
- Available in linear panel and downlight configurations
- Dimmable
- Long life expectancy



TYPE S1

**D-Series Size 1
 LED Area Luminaire**

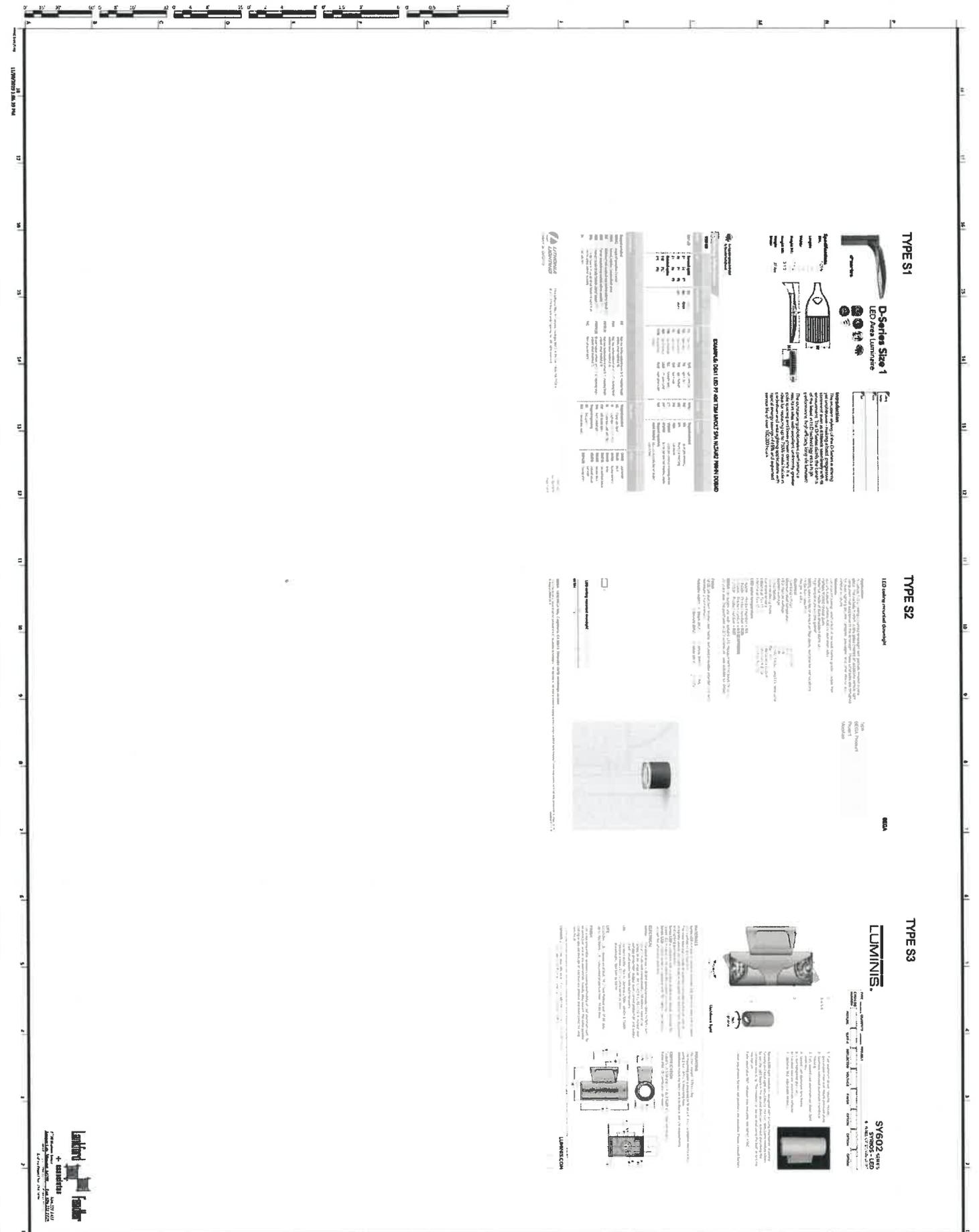
DESCRIPTION: This fixture is designed for general illumination in commercial and residential applications. It features a square or rectangular shape and is available in various sizes. The fixture is dimmable and has a long life expectancy.

FEATURES:

- Square or rectangular shape
- Available in various sizes
- Dimmable
- Long life expectancy

EXAMPLE: D041 LED 7'x4' T8A INDOOR SWA/CLAMP RECESSED DOWNLIGHT

Item	Description	Quantity	Unit	Notes
1	D-Series Size 1 LED Area Luminaire	1	Each	
2	LED Area Luminaire	1	Each	
3	LED Area Luminaire	1	Each	
4	LED Area Luminaire	1	Each	
5	LED Area Luminaire	1	Each	
6	LED Area Luminaire	1	Each	
7	LED Area Luminaire	1	Each	
8	LED Area Luminaire	1	Each	
9	LED Area Luminaire	1	Each	
10	LED Area Luminaire	1	Each	





October 1, 2019

**City of Leawood
4800 Town Center Drive
Leawood, KS 66211**

City of Leawood,

A Special Use Permit from the City of Leawood will be issued to Cure of Ars Church Leawood.

Sincerely,

Rev. Richard E. Storey, Pastor



Design Summary

ABCreative is very pleased to present this proposal for consideration for the Cure of Ars School Playground located in Leawood. BCI Burke Company, LLC has been providing recreational playground equipment for over 90 years and has developed the right mix of world-class capabilities to meet the initial and continuing needs of Playground Committee. We believe our proposal will meet or exceed your project's requirements and will deliver the greatest value to you.

The following is a summary of some of the key elements of our proposal:

- Project Name: Cure of Ars School Playground
- Project Number: 120-83228-1
- User Capacity: 54
- Age Groups: Ages 2-5 years, 5-12 years
- Dimensions: 90' 11" x 70' 9"
- Designer Name: Fred Krause

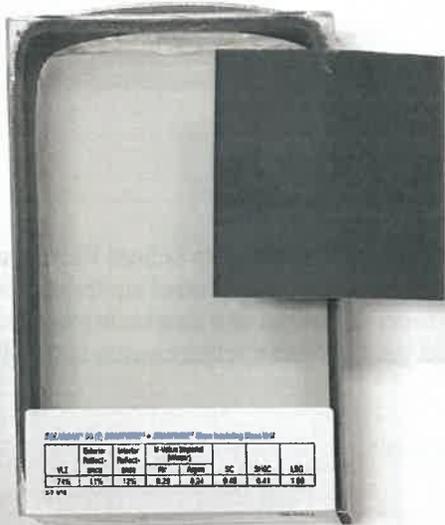
ABCreative has developed a custom playground configuration based on the requirements as they have been presented for the Cure of Ars School Playground playground project. Our custom design will provide a safe and affordable playground environment that is aesthetically pleasing, full of fun for all users and uniquely satisfies your specific requirements. In addition, proposal # 120-83228-1 has been designed with a focus on safety, and is fully compliant with ASTM F1487 and CPSC playground safety standards.

We invite you to review this proposal for the Cure of Ars School Playground playground project and to contact us with any questions that you may have.

Thank you in advance for giving us the opportunity to make this project a success.

REINVENTING Play™

1-800-266-1250 • www.bciburke.com



GL-01:GLAZING
MT-01:METAL TRIM



GL-02:KALWALL WD-01:CANOPY WOOD



BR-02:ACCENT BRICK



BR-01:GENERAL BRICK

gouldevans

INTERACT Meeting Notes

Wednesday, October 2, 2019

Curé of Ars Church

Agenda:

1. Phase 1
2. Phase 2 & 3
3. Landscaping
4. Lighting
5. Overall Improvements

- Bob Kolich kicked off the meeting and introduced Dan Zeller of Gould Evans
- Dan introduced himself, the design team and JE Dunn
- Dan outlined the schedule and noted that the city commission will be October 22nd
- Dan introduced Matt Nugent of Gould Evans
- Matt gave an overview of the phases of the project and timeline
- Matt described the landscape improvements including adding a 25' buffer along the east side of the property
- Matt noted that the stone wall will remain
- Matt explained the scope of Phase 1 including the PAC and playground moves
- Matt noted that the landscape will be improved with a phased approach so by the end of phase 3, the site will be compliant
- Matt explained that the trash enclosure will move and attach to the gym in phase 1
- Residents were happy that the trash enclosure would be relocated
- There was a question about landscaping along the northside of the lot and Matt noted that the landscaping would take place during phase 2. There was a follow up question about if the fence would be replaced and the team noted that the fence will be replaced during phase 2
- Matt outlined the phase 1 scope of the renovated gym and administration work as well as the new PAC

4200 PENNSYLVANIA AVE

KANSAS CITY, MO 64113

816 931 6655

KANSAS CITY LAWRENCE PHOENIX SAN FRANCISCO NEW ORLEANS

WWW.GOULDDEVANS.COM

-
- There was a question about the east side and how there are 8 steps from the residents yard to the parking lot. He asked if there would still be access from his house to the parking lot. The team noted that there would be 25' of buffered landscape and the resident wants a walkway/pathway from his yard to the parking lot
 - o -NEIGHBOR: Lives on East side of site. Added 8 steps from fence to parking lot. Are these being removed?
 - o -DESIGN TEAM: No, stairs will stay. Wall will stay. All new landscaping will be down low.
 - o -NEIGHBOR: Would be nice to have a step down to the parking lot from the fence
 - o -DESIGN TEAM: Photometric studies were required by city to ensure no light leakage onto neighboring properties
 - o -NEIGHBOR: I'm probably the only neighbor that likes LOTS of light.
 - Matt noted that the new building lighting will be contained to the site and there will not be light spilling over the property
 - Matt showed a perspective of the new PAC
 - Matt showed the elevations of the entire campus
 - There was a question about the noise coming off the rooftop units and if the sound would be screened. The team noted that there would be screens for visual and auditory privacy
 - o -NEIGHBOR: Will there be dB level requirements/ sound sensitivity specified with mechanical equipment
 - o -MEP ENG: There are requirements for sound that will be followed but that screening will help some with that as well
 - There was a comment from a resident that for a while there was a rooftop unit that was screeching. It was noted that the unit is now replaced, and the resident confirmed that there is no noise now.
 - o -NEIGHBOR: For a while there was a really loud unit on site, but then it stopped
 - o -PARISH: We remember that, we fixed it, that's why it stopped.
 - Matt reviewed the final development plan and noted the current gym will be demolished and the infill of the new middle school will be built
 - A resident asked about why we were tearing down the gym and it was explained that the school does not want to grow, but rather to provide improved environments for kids and the gym does not meet the needs for the kids
 - A resident asked a question about how long construction would take for each phase – the team noted that construction for phase 1 would begin January of 2020 and will be complete in August of 2020.

-
- -NEIGHBOR: How long will each phase last?
 - -JED: Phase 1 Construction will start in February and be complete by end of August
 - A resident noted that the east addition was not engineered correctly and that the PAC is at the lowest point of the site
 - -NEIGHBOR: When the east addition was added, there was not a very good engineer. Initially water got in the building. You do know that the location of the new gym is at the lowest point of the site, right?
 - -DESIGN TEAM: Yes, we know. Storm water will be routed around building and taken off site. We have engineers working on it.
 - A resident questioned what came out of the traffic study – it was noted that the city had comments about stacking of cars during afternoon pick up – the team is going to reorient the parking lot to get the cars off mission road and put them on the site parking lot
 - The team also explained the phase 2 and 3 traffic study changes
 - -NEIGHBOR: What happened with the Traffic Study? Will there be any changes to address that?
 - -DESIGN TEAM: Yes, we are required to bring 800+/- cars onto site during drop-off and pick-up times and stack them on campus instead of on Mission Road.
 - -NEIGHBOR: Will you be changing the way cars stack on site?
 - -DESIGN TEAM: In phase 2, yes, because we won't be able to route cars around building anymore so we'll have to zigzag through site.
 - -NEIGHBOR: Will you be adding turning lanes on Mission Road?
 - -DT: Yes.

gouldevans

MEETING ATTENDANCE

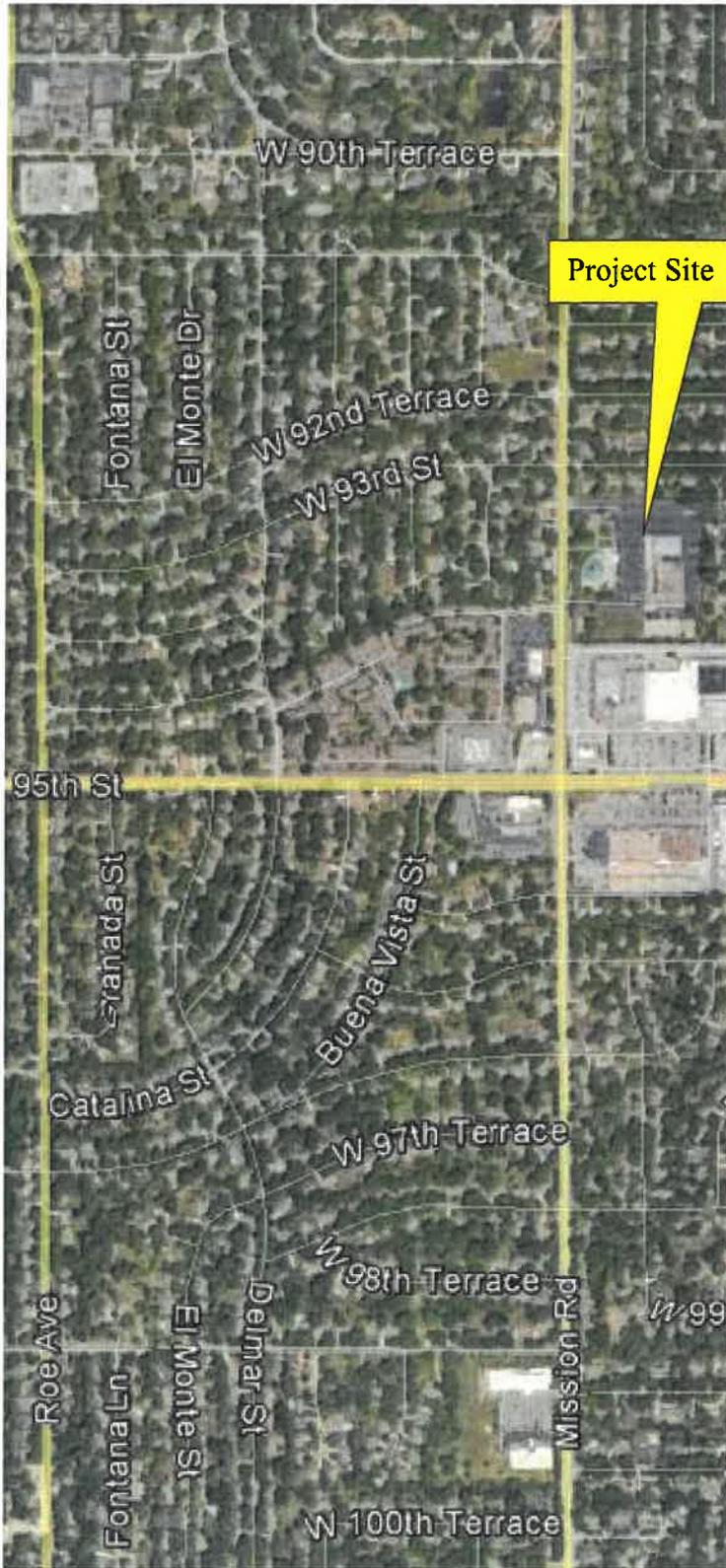
Project: Cure of Ars
 Project No: 0219-0520
 Purpose: INTERACT Meeting

Date + Time: October 2nd, 2019
 Location: Cure of Ars

Please initial to indicate attendance and correct any information listed.

	Initial	Name (Print)	Mailing Address
1.	F.W	WAGNER	9312 Mohawk Lane, Leawood 661
2.	WJV	William J VENABLE	3519 W 93 st
3.	JS	John Schlick	9301 Alhambra St. FV, KS 6620
4.	BC	Brian Cecil	3505 W 93 rd St Leawood 662
5.	Cecil N	CECIL HAMMONDS	9820 PEMBROKE LN
6.	Tom	Tom Hammonds	" "
7.	G.F	Greg Fendler	
8.	GO	Greg Dohy	3901 W 93rd St, PV
9.	JS	John Schlick	
10.	Jm	James McClure	9344 mission Rd. Pv. 662
11.	RB	Ruth BARSZ	933515 W 93 st
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			
21.			

200 PENNSYLVANIA AVE
 LAWRENCE, MO 66044
 931 6655



Revised Traffic Impact Study for Curé of Ars Church Expansion

9401 Mission Road
Leawood, KS

Prepared
for
JE Dunn Construction

Prepared
By



Serving Communities Through Excellence
Missouri | Kansas | Michigan | California



Mehrdad Givechi, P.E., PTOE

November 2019

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Introduction

Proposed Redevelopment

The project site is located at 9401 Mission Road in Leawood, Kansas and is bounded by Mission Road on the west, a commercial/retail center on the south (*Ranch Mart North*); and a single-family residential development on the east and north (See Location Map, **Figure 1 of Appendix I**). Other developments surrounding the site include:

- Commercial/retail centers on all four corners of Mission Road and 95th Street; within walking distance to the project site; and
- Residential developments along both sides of Mission Road to the north.

The project site is currently occupied by the “*Curé of Ars*” Catholic Church comprised of three separate buildings:

- The sanctuary building located in front of the site with 800 seats. Masses are scheduled at 6:30 and 8:15 a.m. (Mon. – Fri); 8:00 a.m. and 4:00 p.m. (Sat.); and 7:30, 9:00, 10:30 a.m., noon, and 6:00 p.m. (Sun.)
- The rectory building located to the north of the sanctuary building comprised of parish offices and meeting rooms; and
- The school building located in the back of the site with current enrolment of 750 pre-school to 8th grade students. Classes begin at 8:00 a.m. and end at 3:30 p.m. Parents drop off their kids starting at 7:30 a.m. and will show up for pick up starting at 2:45 p.m. (45 minutes before students are dismissed). The first day of school was August 17th, 2019.

Based on the information provided by the church and design team, the proposed modifications to the site and/or buildings are not intended to add capacity to the church sanctuary and/or increase school enrollment. Therefore, the maximum enrollment will be kept at the current level of 750 students with no increase in the trip numbers due to the proposed expansion.

Under the proposed redevelopment plan, the church will undertake a 3-phase expansion program over a period of 10 to 15 years; while bringing the site into

compliance *incrementally* upon completion of each phase of the project as highlighted in the following paragraphs.

Phase 1 – Estimated Construction Schedule: 2020

- Construction of a new 11,722 sq. ft. Parish Activities Center, and the renovation of the existing gymnasium into classrooms.
- Addition of on-site storage to accommodate 120 more cars in order to avoid queue spillback onto Mission Road.
- Addition of 2 student pick-up locations to the existing 3 locations (for a total of 5 pick-up locations) in order to facilitate more efficient pick-up and avoid spillover onto Mission Road.
- Construction of a new sidewalk south of the south access drive connecting the public sidewalk on Mission Road to the existing playground on site (See ***Phase 1 Exhibit*** in ***Appendix VII***).
- Rebuilding the south access drive to improve the turning radius and reduce the entry from 3 lanes to 2. This is achieved by shifting the north curb line south to incorporate the existing island; and increasing the turn radii to 25 ft. on both sides of the access drive. This reconfiguration allows for additional southbound left-turn storage along Mission Road and reduces the offset distance with 93rd Terrace. Furthermore, the existing southbound left turn lane striping will be modified to correspond with the new reconfiguration.
- Restriping the north access drive to remove the center turn lane. To keep motorists from entering the striped area, flexible bollards will be installed around the perimeter of the center lane (See bollard details in ***Appendix VII***).
- Under this phase, the existing painted crosswalk across the parking lot - between the church and school – will be used for pedestrian traffic between the two locations.

Phase 2 – Estimated Construction Schedule: 2026 – 2028

- Construction of a new 49,036 sq. ft. classroom addition, and demolition of the existing 20,144 sq. ft. gymnasium space.

- Modification of the newly constructed sidewalk south of the south access drive (in Phase 1) to connect the public sidewalk on Mission Rd to the sidewalks on the interior of the site (See **Phase 2 Exhibit** in **Appendix VII**).
- Student pick-up and drop-off becomes parking-only. No on-site queuing upon completion of this phase.
- Partial reconstruction of the north access drive to begin phased compliance with Leawood setbacks requirements. Under this phase, the delineated center lane at this location (implemented in Phase 1) will be eliminated. The driveway width will be narrowed to consist of one dedicated left-turn lane and one dedicated right-turn lane as depicted in **Phase 2 and 3 Exhibits** in **Appendix VII**.
- Construction of a sidewalk north from the school to the north property line, then west to connect to the public sidewalk on Mission Road (See **Phase 2 Exhibit** in **Appendix VII**).

Phase 3 – Estimated Construction Schedule: 2030 – 2031

- Demolition of the existing Parish House and garage, and the construction of a new 12,522 sq. ft. Parish Office building.
- Completion of the reconstruction of the north access drive to fully comply with Leawood setbacks requirements. (See **Phase 3 Exhibit** in **Appendix VII**).

Access

Access to the site is currently provided at two locations

- An entrance only with three inbound lanes located near the south property line having a centerline offset distance of approximately 35 ft. from 93rd Terrace.
- An exit only with three outbound lanes (one right-turn lane, one left-turn lane and a shared right/left-turn lane in the middle) located near the north property line directly across from a single-family residential driveway.

Under the proposed redevelopment plan, the two access drives will remain at their current locations with the south drive still operating as “entrance only” and the north drive as “exit only”. However, both will be reconfigured as follows:

- The south curb of the south drive will be extended to the north to reduce the number of inbound lanes from 3 to 2 with an improved turn radius (25 ft.) to facilitate northbound right-turn maneuver more efficiently; and
- The number of lanes on the north drive will be reduced from 3 to 2 by striping the middle lane at the beginning of the project, which will be replaced by a raised landscaped island in Phase 3. This reconfiguration provides for a dedicated right-turn lane and a dedicated left-turn lane.

Study Area

Per request by the city staff, the study area for this project is limited to the two access drives to the site including the internal circulation of traffic within the site.

Purpose

The purpose of this study is to:

1. Evaluate the existing operating conditions of traffic at both access drives to the site and recommend mitigation measures as necessary for the existing conditions;
2. Evaluate the existing internal circulation of traffic within the site and recommend mitigation measures as necessary; and
3. Assess impact of trips generated by the proposed redevelopment project (by phase) on the access drives to the site and recommend off-site and on-site improvements as necessary.

Data Collection and Summary

Roadway Network Geometry & Operational Characteristics

In the vicinity of the project site:

- Mission Road is designated as a “Principal” route on the Route Designation Map of the City’s Comprehensive Plan. North of the project site, it is a 4-lane undivided street with 48 ft. wide pavement. Between the project site and 95th

Street, it is a 4-lane divided street with a two-way center left-turn lane and pavement width of 58 ft. On-street parking is prohibited on both sides of the street at all times.

Posted speed limit on Mission Road is 35 mph. However, the section between 93rd Street and 93rd Terrace is designated as *school zone* with a flashing beacon assembly at each end, supplemented by posted speed limit signs of “20 mph when flashing” in the northbound direction (city of Leawood) and “25 mph when flashing” in the southbound direction (city of Prairie Village). Furthermore, there is a mid-block school crossing traffic signal with marked crosswalk in front of the project site that is also guarded by a crossing guard from 7:40 to 8:10 a.m. and from 3:40 to 4:10 p.m.

- 93rd Terrace is a dead-end street providing access to an apartment complex (*Kenilworth Apartment Homes*) located on the west side of Mission Road.
- The intersection of Mission Road and the church entrance/93rd Terrace is controlled by a stop sign on 93rd Terrace. The lane configurations at this intersection are as follows:
 - Southbound approach has a dedicated left-turn lane with storage length of approximately 110 ft., and two through lanes with the outside lane being a shared through/right-turn lane;
 - Northbound approach has a dedicated left-turn lane that is part of the two-way center left-turn lane, and two through lanes with the outside lane being a shared through/right-turn lane;
 - Eastbound approach has one lane shared by all movements; and
 - The east leg of the intersection is the church’s entrance only driveway with three inbound lanes.
- The intersection of Mission Road and the church exit only driveway/private single-family residential drive is controlled by stop sign on the church’s driveway. The lane configurations at this intersection are as follows:
 - Southbound and northbound approach, each has two through lanes;
 - East leg of the intersection is the church’s exit only driveway with three

- outbound lanes – a dedicated right-turn lane, a dedicated left-turn lane with the middle lane being a shared right/left-turn lane; and
- West leg of the intersection is a private residential driveway providing access to a single-family dwelling unit.

Traffic Counts

At the time of this study, a couple of roadway construction projects were underway with potential impact on the traffic patterns in the study area. They include:

- Lee Boulevard, which is the next major north/south route east of Mission Road, was closed to through traffic between 95th Street and 103rd Street with its through traffic diverted to Mission Road; and
- The northbound curb lane on Mission Road was closed to traffic due to street-light work along the east side of the street. However, as a result of discussion with the city staff regarding the time constraint for completion of this study, the construction activity along Mission Road was suspended – at the direction of the city's Public Works Director - for one weekday (Wednesday, September 4th, 2019, and one weekend (Saturday and Sunday, September 7th and 8th, 2019) in order to facilitate traffic count efforts for this study with all four lanes open to traffic on the count days.

Following this schedule, the weekday counts were conducted from 7:00 to 9:00 a.m. and from 2:30 to 6:00 p.m. in order to capture peak-hours of the background traffic on Mission Road, as well as the peak-hours of the generator (i.e. the school). The weekend counts were conducted from 3:00 to 6:00 p.m. on Saturday, and from 11:00 a.m. to 1:30 p.m. on Sunday during the scheduled Masses. The results, as depicted in **Figures 3 - 6 of Appendix I** and summarized in **Appendix IV**, indicate that:

- On a typical weekday, the background traffic on Mission Road peaks between 7:15 and 8:15 in the morning and 4:45 and 5:45 in the afternoon with Mission Road carrying approximately 1,550 and 2,100 vph during morning and afternoon peak-hours, respectively. Directional distribution of the background traffic on Mission Road is 60% - 40% (southbound – northbound) during the morning peak-

hour and 50% - 50% during the afternoon peak-hour.

- On a typical weekday, traffic generated by the church peaks between 7:15 and 8:15 in the morning (concurrent with the peak period of Mission Road); and between 2:45 and 4:15 in the afternoon (during off peak period of Mission Road). The peak-hour is from 2:45 to 3:45 p.m. for the south access drive and from 3:15 to 4:15 p.m. for the north access drive. During these time periods, the background traffic volumes on Mission Road are approximately 1,395 vph with directional distribution of 52% - 48% (southbound – northbound).
- On a typical Saturday, traffic generated by the church peaks between 3:00 and 5:15 in the afternoon (during the 4:00 p.m. scheduled Mass). The peak-hour is from 3:00 to 4:00 p.m. for the south access drive and from 4:15 to 5:15 p.m. for the north access drive. During these time periods, the background traffic volumes on Mission Road are approximately 1,240 vph with directional distribution of 46% - 54% (southbound – northbound).
- On a typical Sunday, traffic generated by the church peaks between 11:00 a.m. and 1:30 p.m. (during Mid-day Masses). The peak-hour is from 11:15 a.m. to 12:15 p.m. for the south access drive and from 11:00 a.m. to 12:00 p.m. for the north access drive.

Mid-Block Pedestrian Traffic Signal Data

The mid-block school crossing traffic signal operates under green indications for Mission Road at all times, except when the pedestrian push button is activated to allow pedestrians cross Mission Road. The pedestrian signal indication operates under 12 seconds of “walk” time and 16 seconds of “flashing don’t walk” time.

Evaluation of the Existing Operating Conditions

Field Observations

The following paragraphs describe results of the *field observations* while traffic counts were being conducted, representing the actual field conditions. The results of a volume/capacity analysis using Synchro Software will be presented later in this report.

- On a typical weekday, the school starts at 8:00 a.m. and parents drop off their children beginning at 7:30 a.m. Between 7:30 and 8:00 a.m., maximum vehicle stacking on Mission Road is
 - 8 vehicles in the northbound curb lane; and
 - 3 vehicles in the southbound left-turn lane.

The stacking during this time period was not due to lack of on-site storage; rather a function of availability of acceptable gap for the southbound left-turn movement; and slowing down to negotiate turn for the northbound right-turn movement.

- On a typical weekday, children are dismissed from school at 3:30 p.m. However, parents start showing up at 2:45 p.m. to pick up their children. By 3:30 p.m., all three inbound lanes on the south access drive are full and traffic backs up on Mission Road in both directions with maximum vehicle stacking of:
 - 17 vehicles in the northbound curb lane with back of the queue approaching 95th Street; and
 - 16 vehicles occupying the entire southbound left-turn lane (storage capacity of 5 vehicles) with spillover onto the southbound inside lane.

The stacking during this time period is due to lack of on-site storage capacity between the current designated pick-up points (next to the school building) and the entrance to the site at the south access drive; also due to the fact that parents show up for pick up 45 minutes prior to dismissal time causing formation of long queues and spillover onto Mission Road. However, it is also to be noted that at 3:30 p.m., a staff member from the school starts directing traffic at the south access drive for a period of 10 – 15 minutes period to reduce the impact on through traffic.

- On a typical Saturday, the afternoon Mass begins at 4:00 p.m. Attendees enter the site starting at 2:45 p.m. By 3:55 p.m., the church parking and the two outside lanes of the south access drive are full. Field observations also indicate that some people park off site in the parking lots of the commercial center to the south and the bank across the street. During this time period, maximum vehicle stacking on Mission Road is:

- 2 vehicles occupying the northbound curb lane; and
- 3 vehicles occupying the southbound left-turn lane.

The stacking during this time period was not due to lack of on-site storage; rather a function of availability of acceptable gap for the southbound left-turn movement; and slowing down to negotiate turn for the northbound right-turn movement.

- On a typical Sunday, there are several Masses scheduled throughout the day with significantly less traffic to/from the church for each session as compared to the Saturday Mass. During this time period, maximum vehicle stacking on Mission Road is:
 - 2 vehicles occupying the northbound curb lane; and
 - 2 vehicles occupying the southbound left-turn lane.

The stacking during this time period was not due to lack of on-site storage; rather a function of availability of acceptable gap for the southbound left-turn movement; and slowing down to negotiate turn for the northbound right-turn movement.

- Queue observations in the field indicate that minimum storage space needed to stack vehicles on-site, without spillover onto Mission Road, should be long enough to accommodate 120 vehicles, which occurs during the afternoon peak-hour when parents pick-up children.

Furthermore, the church has an agreement with the City Police Department to have officers assist with directing traffic at the north access drive (exiting the site) every Saturday and Sunday at the designated time periods when Mass is over. This was confirmed during field observations.

Volume/Capacity Analysis

A volume/capacity analysis (using the methodology outlined in the 6th Edition of the Highway Capacity Manual (HCM), published by the Transportation Research Board) is typically conducted to determine the level-of-service (LOS) for various types of roadway facilities.

Level-of-service, as defined in the HCM, describes the quality of traffic operating conditions and ranges from “A” to “F”, with LOS “A” representing the best (most desirable with minimum delay) conditions and LOS “F” the worst (severely congested with excessive delays). The following chart outlines the level-of-service criteria for un-signalized and signalized intersections.

Level-Of-Service	Control Delay for Unsignalized Intersections (seconds/vehicle)	Control Delay for Signalized Intersections (seconds/vehicle)
A	0 – 10	0 - 10
B	> 10 – 15	> 10 - 20
C	> 15 – 25	> 20 – 35
D	> 25 – 35	> 35 – 55
E	> 35 – 50	> 55 – 80
F	> 50	> 80

Given the existing lane geometry and operating conditions of traffic at this project site, the HCM methodology cannot be used to conduct a volume/capacity analysis at the south access drive during the afternoon peak-hour of the generator (i.e. school), and at the north access drive during any peak period. Reason being that

- *The methodology does not support more than one dedicated turn lane at unsignalized intersections and/or driveways. As mentioned earlier in the report, the north access drive has three outbound lanes – one dedicated right-turn lane, one dedicated left-turn lane, and one shared right/left-turn lane; hence cannot be modeled by the HCM methodology; and*
- *The methodology does not model over-saturated conditions accurately. As mentioned earlier in the report, during the afternoon peak-hour of the generator (i.e. school), inbound traffic spills over onto Mission Road in both direction creating a stand still condition with the demand greater than the capacity ($v/c > 1.0$) creating an over-saturated condition not modeled by the HCM methodology.*

However, it is to be noted that the methodology can be applied at this location for all other peak-hours when there is adequate on-site storage capacity with no spill over onto Mission Road. To evaluate the operating conditions for these peak-hours, a volume/capacity (using Synchro Software 10 and HCM methodology) was conducted to determine LOS for individual movements at the south access drive. Results of the analysis, as summarized in **Table 1** and shown in **Appendix II**, indicate that all movements at the south access drive (entrance only) operate at LOS "C" and higher, except eastbound approach that operates at a very low LOS with v/c ratio between 0.19 and 0.39 and maximum 95th percentile stacking of 2 vehicles. It should be noted that it is not uncommon for the side street traffic to experience low LOS at its intersection with a main roadway.

Sight Distance Analysis

The project's north access drive (exit only) is near the crest of a hill on Mission Road with potential for sight distance restriction. Using the information provided in Table 4-14 of the KDOT Access Management Policy and/or the AASHTO "Green Book", the required Intersection Sight Distances (ISD) for a passenger car are compared to the respective field measured values at this location. Results, as summarized below, indicate that sight distance is not restricted at this location:

Reasoning:

Mission Road is a 4-lane undivided roadway on a rolling terrain

Approach grade on north access drive: $-3\% < g < +3\%$

Operating speed on Mission Road = 40 mph (Assume 5 mph over posted speed limit of 35 mph)

Req. ISD for westbound left-turn (North Drive) = 475 ft. vs. (measured value = 625 ft.) OK

Req. ISD for westbound right-turn (North Drive) = 385 ft. vs. (measured value > 1,000 ft.) OK

Table 1
Summary of V/C¹ Analysis for the Existing Conditions (Lane Configurations and Operating Conditions)
(Cure of Ars South Access Drive, School Enrollment = 750 students)

Intersection	Movement	Typical Weekday (9/4/2019)						Saturday (9/7/2019)			Sunday (9/8/2019)		
		Morning Peak-Hour of Generator			Afternoon Peak-Hour of Generator			Peak-Hour of Generator (4:00 p.m. Mass)			Peak-Hour of Generator (Noon Mass)		
		LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)
Mission Road and South Access (Entrance Only)/ 93 rd Terrace	EB (LTR)	F	0.39	2			D	0.22	1	E	0.19	1	
	NB (L)	B	0.01	0			A	0.01	0	B	0.02	1	
	NB (TR)	A	Free Flow	Free Flow			A	Free Flow	Free Flow	A	Free Flow	Free Flow	
	SB (L)	C	0.52	3			B	0.29	1	B	0.28	1	
	SB (TR)	A	Free Flow	Free Flow			A	Free Flow	Free Flow	A	Free Flow	Free Flow	

- V/C = Volume/Capacity Ratio
- LOS = Level-Of-Service using *Synchro 10 Software and the Highway Capacity Manual Methodology*
- Blank cells indicate over-saturated flow condition, not supported by the *Highway Capacity Manual Methodology*
- North access drive can not be modeled using the *Highway Capacity Manual Methodology* because it has more than one dedicated turn lane.

Crash Analysis

To address City's concern in reference to installation of a traffic signal at the north access drive, five-year crash history in the study area was obtained and analyzed. The data indicate that, since 10/01/2014, there have been a total of seven crashes on Mission road at/or near the project site. They include:

- Two single-vehicle crashes
 - A weather-related crash (property-damage-only) with the vehicle departing Mission Road in the northbound direction striking a utility pole just south of 93rd Street; and
 - A medical-related crash (injury) crash with the vehicle departing Mission Road in the southbound direction crossing the centerline striking a utility pole just south of the entrance to the church.
- Three crashes at the north access drive each involving two vehicles
 - Two side-swipe crashes (property-damage-only) caused by right-turn maneuvers exiting the site using dual turn lanes; and
 - A side-swipe crash (property-damage-only) caused by left-turn maneuvers exiting the site using dual left-turn lanes; and
- Two crashes at the south access drive
 - A left-turn crash (injury) involving a southbound left-turn vehicle and a northbound through vehicle; and
 - A rear-end crash (property-damage-only) involving three vehicles stopped in traffic in the northbound direction waiting to enter the project site.

Furthermore, three additional crashes were reported that occurred inside the church parking lot itself; none of which shared a contributing factor that could be attributed to navigating to or from Mission Rd.

Traffic Signal Warrant Analysis

Using the methodology stated in the *Manual on Uniform Traffic Control Devices (MUTCD), 9th Edition*, a signal warrant analysis was conducted to determine the need for installation of a traffic signal at the north access drive to the project site. Using the

traffic count data collected and the five-year crash history in the study area, signal warrants #2 (Four-Hour Vehicular Volume), #3 (Peak-Hour Vehicular Volume), and #7 (Crash Experience) were evaluated. Results of the analysis, as summarized in **Appendix V**, indicate that, of the three warrants examined, only warrant #3 is met based on one peak-hour period. Therefore, installation of a signal at this location – exclusively based on one peak-hour - is not recommended at this time. However, consideration should be given to re-evaluate operation of this driveway in the future as the background traffic on Mission Road grows with implementation of the proposed lane configurations.

Dedicated Turn Lane Analysis

For this analysis, the city has indicated that the guidelines presented in the KDOT's Access Management Policy (dated January 2013) be followed in order to determine the need for dedicated turn lanes at the south access drive. Results of the analysis indicate that

- The requirements for provision of a southbound left-turn lane are met. Currently, a dedicated southbound left-turn lane with storage length of 110 ft. is provided (See **Table 4-28** of **Appendix VI** for the guidelines); and
- The requirements for provision of a northbound right-turn lane are not met. The suggested guidelines are based on four primary factors – number of lanes on the major street, directional hourly volumes on the major street (in the same direction as the right-turn movement), posted speed limit, and right-turn volumes. According to these guidelines, the minimum speed limit before dedicated right-turn lane may be considered is 40 mph. For this project site, the posted speed limits (in the northbound direction) are 20 mph during school pick-up and drop-off periods and 35 mph all other times – both below the indicated minimum required value of 40 mph (See **Table 4-26** of **Appendix VI** for the guidelines).

Other factors including geometric configuration of the access drive (e.g. curb radius, driveway width, driveway throat length) and percent heavy vehicles may also play a role in determining the need for dedicated turn lane. Improving the

geometric configuration of a driveway will, in some cases, alleviate the need for provision of a turn lane.

Using engineering judgment, it is believed that the proposed geometric improvements to the south access drive (e.g. reduction of number of inbound lanes from 3 to 2 using 25 ft. turn radius) coupled with provision of the needed on-site stacking space would alleviate spillback onto Mission Road without provision of a dedicated northbound right-turn lane on Mission Road. However, consideration should be given to re-evaluate traffic operation at this location upon completion of Phase 1 redevelopment.

Trip Generation Analysis

As mentioned earlier, the proposed modifications to the site and/or buildings are not intended to add capacity to the church sanctuary and/or increase school enrollment. Therefore, the maximum enrollment will be kept at the current level of 750 students with no increase in trip numbers due to the proposed expansion.

However, for the purpose of this document, a trip generation analysis was conducted to compare trip numbers currently generated by the site with the numbers estimated using the rates suggested by the *ITE Trip Generation Manual*. The following paragraphs document results of the analysis.

ITE Trip Generation Data

In the absence of local data, trip generation of a proposed land development project is typically estimated using trip generation rates suggested by the latest edition of the *Trip Generation Manual published by the Institute of Transportation Engineers (ITE)*. For this project, the site-generated trips can be estimated using the *ITE Land Use Codes 534 (Private School, K-8) and 560 (Church)* with “number of students” and “number of sanctuary seats” as the independent variables, respectively. Results are shown in ***Appendix III*** and summarized below:

- On average, 691 trip-ends (380 inbound and 311 outbound) during morning peak-hour of the adjacent street network on a typical weekday;
- On average, 714 trip-ends (399 inbound and 315 outbound) during morning peak-hour of the generator on a typical weekday;
- On average, 219 trip-ends (100 inbound and 119 outbound) during afternoon peak-hour of the adjacent street network on a typical weekday;
- On average, 471 trip-ends (221 inbound and 250 outbound) during afternoon peak-hour of the generator on a typical weekday;
- On average, 388 trip-ends (178 inbound and 210 outbound) during the peak-hour of the generator on a typical Saturday; and
- On average, 432 trip-ends (212 inbound and 220 outbound) during the peak-hour of the generator on a typical Sunday.

Local Trip Generation Data

Using the traffic count data collected for this study, the actual number of trips to/from the project site can be calculated with results described below:

- On average, 762 trip-ends (459 inbound and 303 outbound) during morning peak-hour of the adjacent street network and the generator on a typical weekday;
- On average, 115 trip-ends (61 inbound and 54 outbound) during afternoon peak-hour of the adjacent street network on a typical weekday
- On average, 428 trip-ends (225 inbound and 203 outbound) during afternoon peak-hour of the generator on a typical weekday;
- On average, 667 trip-ends (323 inbound and 344 outbound) during the peak-hour of the generator on a typical Saturday; and
- On average, 495 trip-ends (240 inbound and 255 outbound) during the peak-hour of the generator on a typical Sunday.

By comparison, the estimated values using the ITE trip generation rates are within 10% of the actual trip numbers generated by the project site, except for the afternoon peak-hour of the adjacent street on a typical weekday, during which time, the ITE estimated

value is significantly higher than the actual trip number. For this analysis, however, the local trip generation data is used as the most representative methodology.

Critical Peak Period

Results of the field observations, and overview of the background traffic volumes on Mission Road and their peak characteristics, in conjunction with the number of trips generated by the project site and their peak characteristics, indicate that the *most critical peak period* occurs during the *afternoon peak-hour of the generator* on a *typical weekday* (from 2:45 to 3:45 p.m. at the south access drive, and from 3:15 to 4:15 at the north access drive). In addition to these peak-periods, this study documents results of the analysis for all case scenarios mentioned earlier in the report including Saturday afternoon mass, and Sunday noon mass.

Trip Distribution and Assignment Analysis

Using the existing directional distribution of traffic to/from the site, the distribution of the site-generated trips is assumed to be as follows:

Weekday Morning and Afternoon Peak-Hours of Generator

- 70% from south
- 30% from north
- 60% to north
- 40% to south

Saturday Peak-Hour of Generator

- 70% from south
- 30% from north
- 35% to north
- 65% to south

Sunday Peak-Hour of Generator

- 60% from south
- 40% from north
- 35% to north
- 65% to south

Impact Assessment

As mentioned earlier, based on the field observations during the study peak-periods, the afternoon peak-hour of the generator (school) was identified as the critical time period with site traffic spilling over onto Mission Road from both directions creating an over-saturated flow condition at the south access drive to the site. During this time period, there are a maximum of 120 vehicles waiting at a stand-still to pick up students at the designated pick-up areas (87 vehicles on site with additional 33 vehicles on Mission Road).

In order to alleviate the spillover onto Mission Road, the design team, in collaboration with the church staff has developed new pick-up and drop-off procedures with new circulation patterns for each phase of the project as described and depicted in ***Appendix VII***. Also included, is the existing pick-up and drop-off procedures with existing circulation patterns as a reference. The new procedures for phase 1 call for on-site stacking with additional storage provided on the east side of the school and church buildings. Under phases 2 and 3 redevelopment, the church will implement a new pick-up procedure requiring parents to park in designated pick-up areas on site. To accommodate parking on site, the number of parking stalls will be increased from 274 with Phase 1 redevelopment, to 298 with Phase 2, and 305 at build-out.

On-Site Parking Discussion

Based on the information provided by the church, over the last few years, maximum enrollment at school has been kept at the current level of 750 students representing, on average, 409 families. For a variety of reasons, not all 409 families arrive during the

pick-up or drop-off peak periods. With each family using only one car to drop-off and pick-up their children, the number of cars arriving during these time periods are closer to 225 as described in the chart below. The numbers in the chart are based on the 2019 - 2020 data provided by the school and are characteristics of the last several years of enrollment.

Total families	409
Families in Teacher/Staff (counted in teacher/staff parking)	-26
Families walking to school	-50
Families in after-care (who pick up after 3:30)	-20
Families in early dismissal pre-school	-53
Typical daily absences	-15
Families in after-school activities (daily average)	-20
Total	225

With 225 families picking up their children after school, the peak-number of vehicles associated with the rolling pick-up process is 120 vehicles. The proposed number of on-site parking stalls are 298 and 305 for Phase 2 and Phase 3, respectively. Of these spaces, 86 are reserved for teachers and staff of the school and church combined. Therefore, at any given time there are 212 (for Phase 2) and 219 (for Phase 3) spaces available to accommodate parking demand for 120 vehicles during the peak drop-off and pick-up periods.

Worst-case scenario parking stall count (Phase 2)	298
Parking reserved for teachers/staff of the school and church	86
Total available for student drop-off/pickup	212
Total peak vehicles in a rolling pick-up/drop-off process	120
Total excess spaces for inefficiency	92

It should also be noted that based on the information provided by the church, there are no church services during the school drop-off and/or pick-up time periods; hence parking demand for each function is independent of one another.

In addition to the new procedures and circulation patterns, geometric improvements are also made to both access drives:

- South access drive will have two inbound lanes (reduction of one lane) at its entry with improved south curb radius of 25 ft. to facilitate the northbound right turn movement more efficiently without impeding traffic on Mission Road; and
- North access drive will have two outbound lanes (reduction of one lane) consisting of a dedicated right-turn lane and a dedicated left-turn lane.

Volume/Capacity Analysis

Following the same procedure mentioned earlier, a volume/capacity analysis was conducted to determine level-of-service (LOS) with implementation of the proposed mitigation measures (See **Figures 7 - 10** of **Appendix I** for traffic volumes with proposed improvements). Results of the analysis, as summarized in **Tables 2** and shown in **Appendix II**, indicate that:

- All movements at the south access drive (entrance only) still operate at LOS "C" and higher, except eastbound approach that operates at a very low LOS with v/c ratio between 0.19 and 0.39 and maximum 95th percentile stacking of 2 vehicles. It should be noted that it is not uncommon for the side street traffic to experience low LOS at its intersection with a main roadway.
- Westbound right-turn movement at the north access drive will likely operate at LOS "C" and higher for all case scenarios. However, westbound left-turn movement will likely operate at congested level for all case scenarios with v/c ratios near and/or greater than 1.0. This is mainly due to reduction of number of outbound lanes from 3 to 2. It is to be noted that, during the weekend Masses, the traffic at the north access drive is directed by the City police as part of the agreement they have with the church.

Given the results of the analysis for the weekday peak-hours of the school, consideration should be given to re-evaluate the operation of both access drives, in the future prior to Phase 2, to determine if additional mitigation measures are necessary.

**Table 2
Summary of V/C¹ Analysis for the Proposed Phases 1, 2 & 3 Mitigation Measure*
(School Enrollment = 750 Students)**

Intersection	Movement	Typical Weekday						Saturday			Sunday		
		Morning Peak-Hour of Generator			Afternoon Peak-Hour of Generator			Peak-Hour of Generator (4:00 p.m. Mass)			Peak-Hour of Generator (Noon Mass)		
		LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)	LOS ²	V/C ¹	95% Queue (veh)
Mission Road and South Access/ 93 rd Terrace	EB (L/TR)	F	0.39	2	C	0.11	1	D	0.22	1	E	0.19	1
	NB (L)	B	0.01	0	A	0.02	0	A	0.01	0	B	0.02	1
	NB (TR)	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow
	SB (L)	C	0.52	3	B	0.13	1	B	0.29	1	B	0.28	1
	SB (TR)	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow
	WB (L)	F	1.17	11	F	0.90	7	F	3.81	85 ^{**}	F	1.89	35 ^{**}
Mission Road and North Access	WB (R)	C	0.57	4	C	0.57	4	C	0.47	3	B	0.38	2
	NB (TR)	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow
	SB (T)	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow	A	Free Flow	Free Flow

1. V/C = Volume/Capacity Ratio
 2. LOS = Level-Of-Service using Synchro 10 Software and the Highway Capacity Manual Methodology
 * See Appendix VII for details
 ** These values (outputs from the software model) may not represent the actual conditions because the v/c ratios are significantly greater than 1.0

Summary & Recommendations

This study evaluates the existing operating conditions of traffic at both access drives to the Curé of Ars church located at 9401 Mission Road, Leawood, KS. It also documents operating conditions of the site's internal circulation of traffic. Results of the operational analysis for the existing conditions are summarized in **Table 1** with additional details in **Figures 3 - 6** of **Appendix I**, and **Appendices II, V and VI**.

The study also compares site-generated trip numbers (counted in the field) with the estimated values using the rates suggested by the ITE Trip Generation Manual. A summary of the results is provided in **Appendices III and IV**.

Furthermore, an analysis is conducted to assess impact of the site-generated traffic for the proposed phases of the redevelopment project. Results are summarized in **Table 2** with additional details in **Figures 7 - 10** of **Appendix I**, and **Appendix II**.

Phase 1 Redevelopment

Results of the analysis indicate that site-generated traffic has the most impact on the Mission Road traffic during afternoon peak-hour of the generator (school) when students are dismissed at 3:30 p.m.

- **South Access Drive** - The peak-hour at the south access drive (entrance only) occurs from 2:45 – 3:45 p.m. with 225 vehicles entering the site during this time period. Parents start showing up at 3:00 p.m. to pick up their children. By 3:30 p.m., all three inbound lanes on the south access drive are full and traffic backs up on Mission Road in both directions with maximum vehicle stacking of:
 - 17 vehicles in the northbound curb lane with back of the queue approaching 95th Street; and
 - 16 vehicles occupying the entire southbound left-turn lane (storage capacity of 5 vehicles) with spillover onto the southbound inside lane.

At 3:30 p.m. a staff member from the school directs traffic at the south access drive for 10 – 15 minute period.

Results of the analysis indicate that, at the south access drive, the requirements for provision of

- A dedicated southbound left-turn lane on Mission Road are met. Currently, a southbound left-turn lane with storage length of 110 ft. is provided. Results also indicate that the 95th percentile stacking for this movement will likely be 3 vehicles requiring 75 ft. of storage length – less than the provided 110 ft.
- A dedicated northbound right-turn lane on Mission Road are not met. However, to facilitate more efficient maneuvering for this movement, geometric modification to this access drive is required.

Recommended Mitigation Measure –

- Modify the internal traffic circulation pattern to accommodate all site-generated traffic on site to avoid spillover onto Mission Road. The design team, in collaboration with the church staff, has developed new pick-up and drop-off procedures with new circulation patterns to contain all site-generated within the project site. The peak-number of vehicles associated with the rolling pick-up process is 120 vehicles. This requires a minimum on-site storage space of 3,000 ft. (See **Appendix VII** for details on provided storage space and circulation pattern).
- Reduce the number of lanes at the entrance to the site from 3 to 2 lanes by shifting the north curb line south to incorporate the existing island; and increasing the turn radii to 25 ft. on both sides of the access drive. This reconfiguration allows for additional southbound left-turn storage along Mission Road and reduces the offset distance with 93rd Terrace. Furthermore, the existing southbound left turn lane striping should be modified to correspond with the new reconfiguration.
- Consider re-evaluation of the traffic operation at this location prior to Phase 2 redevelopment.

- **North Access Drive** - The peak-hour at the north drive (exit only) occurs from 3:15 – 4:15 p.m. with 203 vehicles exiting the site during this time period. Outbound traffic is backed up on all three lanes with maximum stacking of 10 vehicles in each lane; experiencing excessive delay. The driveway traffic is directed by Leawood police officers during the Saturday afternoon and Sunday morning Masses; but not during peak-hours of weekdays.

Results of the analysis indicate that existing lane configuration at the north drive (3-lanes consisting of dual left/dual right-turn lanes with the middle lane being a shared right/left-turn lane) creates confusion to the motorists exiting the site with potential safety concern. To improve this, geometric modification is required. Furthermore, results of the analysis indicate that, of the three traffic signal warrants examined, only warrant #3 is met based on one peak-hour period. Therefore, installation of a signal at this location – exclusively based on one peak-hour - is not recommended at this time.

Recommended Mitigation Measure –

- Reduce the number of exit lanes from 3 to 2 to provide for one dedicated right-turn lane and one dedicated left-turn lane. Restripe the north access drive to remove the center turn lane. To keep motorists from entering the striped area, flexible bollards should be installed around the perimeter of the center lane (See bollard details in *Appendix VII*).
- Continue requesting police assistance during the weekend Masses.
- Consider re-evaluation of the traffic operation at this location prior to Phase 2 redevelopment.

Phase 2 and Phase 3 Redevelopment

As mentioned earlier, Phase 2 redevelopment calls for a school addition to be constructed just to the north side of the new gymnasium built in Phase 1. This plan will eliminate the two pick-up lanes on the south and east side of the school building. Under phases 2 and 3 redevelopment, the church will implement a new pick-up procedure

requiring parents to park in designated pick-up areas on site (See **Appendix VII** for details). To accommodate parking on site, number of parking stalls will be increased from 274 with Phase 1 redevelopment, to 298 with Phase 2, and 305 at build-out (for discussion on parking adequacy, please refer to pages 18 and 19 of the report).

Furthermore, the delineated center lane at the north access drive (implemented in Phase 1) will be eliminated. The driveway width will be narrowed to consist of one dedicated left-turn lane and one dedicated right-turn lane as depicted in **Phase 2 and 3 Exhibits** in **Appendix VII**.

Recommended Mitigation Measure –

- Continue requesting police assistance during the weekend Masses.
- Consider re-evaluation of the traffic operation at both access drives upon completion of phase 2 redevelopment to monitor on-site circulation due to switch over from queuing to parking during pick-up time.



CURÉ of ARS CATHOLIC SCHOOL

9403 Mission Road, Leawood, KS 66206

Christ's Way is Our Way

2019-2020 DROP-OFF and PICK-UP Procedures

******* Please note that regular school hours are 8:00 a.m. (tardy bell) to 3:30 p.m. *******

Students should not arrive at school before 7:30 a.m. No staff members are available to supervise children before that time; therefore they will not be allowed in the building. **Please do not drop your child off and leave the parking lot before they are able to enter the building.** This is for their safety. All students must enter through the double doors by the office or gym. Bicycles may be ridden to school, but not on school grounds. While on school grounds, students must dismount and walk their bicycles to and from the school. Children riding bikes to and from school must wear helmets. Mini bikes, skateboards, roller blades, and scooters are not allowed.

Please remember that the safety of our students is of utmost important to us. *"Slow and Cautious"* must be our mantra. Please put your phones down and keep your eyes out for our children! No car should ever to be left running without a driver in it. **No** Curé of Ars Catholic School student is permitted to drive on school property.

Morning Drop-Off Procedures:

- A. We are discouraging anyone parking anywhere for DROP-OFF with the exception of our Preschool parents who are parking in the Southeast (backside) lot. Drivers of Preschool-Kindergarten can use the south drive-through lanes.
- B. **Preschool, Pre-K, & JK** parents will use the outer lane on the south side of the building next to the playground to get to the back southeast (backside) parking lot. You will park there and walk in to drop off your child.
- C. **Kindergarten** parents who wish to walk their child into the building may park in the preschool parking lot and use the preschool entrance. **Please note these doors will open at 7:50 a.m. If you need to drop off your preschool student prior to 7:50 a.m. they will have to be dropped at the front of school and follow the same procedures as the K-8 students. After 8:00 am (tardy), please drop off in the front of school.**
- D. **Please note that all drop-off with the exception of Preschool, Pre-K and JK will be on the west side (front) of the school. No drop-off will take place by the cafeteria courtyard.**
- E. **Drivers of Kindergarten-8th grade** students will use the west side (front) of the school and will pull forward to the gym door crosswalk. For cars dropping off students in the right lane (school side), please have students exit from the passenger side (school side). For cars dropping off students in the left lane (church side), please have students exit from the driver side (church side) and go to the crosswalk.
 - o Kindergarten - 3rd grade students dropped off from 7:30-7:50 will report to the cafeteria.
 - o 4th - 8th grade students dropped off from 7:30-7:50 will report to gym.
 - o If students are dropped off between 7:50 and 8:00 am, they will come through the front school doors and go directly to their classrooms.
 - o After 8:00 am (tardy), please drop off in the front of school and report to the office for a TARDY slip.

Afternoon Pick-Up Procedures:

- A. **All Preschool, Pre-K, and JK** will be dismissed at the Southeast doors beginning at 3:25 pm. Any Kindergarten through Eighth grade student who rides with a driver of a PS, PK, or JK student must go to the southeast doors to be picked up.
- B. **Kindergarten and 1st grade students** will be dismissed at the Northeast gray double-doors (by the courtyard) at 3:30 pm. Any 2nd – 8th grade student who rides with a driver of a younger student must also go to the Northeast gray double-doors doors for pick up.
 - o Parents will use the inside south lanes that lead to the back of the school.
 - o Parents are to pull their vehicles in a single line up to the pick-up zone.
 - o Students will be called to their vehicles and load quickly.
 - o We will load up to 6 vehicles at a time. Please work with your child on buckling.
 - o When all vehicles are loaded, you will then be allowed to exit and the next vehicles will pull forward.
 - o Teachers will be assigned a vehicle to assist with loading. This will help with any children who need assistance buckling.
- C. **2nd-8th grade students** will be dismissed from the front of school through the doors by the office. Students will be picked up in front of the school on the west side (front) of the school building
 - o A double line of traffic will form in front of the school to the pick-up zone which extends to the north end of the gym. Please pull all the way up to the Northwest corner of the gym and wait to load.
 - o Up to 12 vehicles will be able to pick up at one time in two rows of six vehicles in each row.
 - o Vehicles in the right lane will have students load on the passenger's side. Vehicles in the left lane will have students load on the driver's side. These students will walk in front of the rows to cross in the crosswalk.
 - o After all vehicles have loaded their students; they will be permitted to exit. The next vehicles will then pull forward to load.
- D. All traffic is to move North (towards the fence) and west (towards the church) out of the parking lot after picking up children.
- E. Students and parents should not use this time to congregate outside the school. We have to get our students to their cars safely. Please proceed with caution when exiting the parking lot.
- F. Walkers and bikers will go to the gym at 3:30. At 3:40, they will be escorted by a teacher to Mission Road. They will use the crosswalk by the gym and proceed to the sidewalk between the church and the rectory to reach the Mission Road crosswalk.



Phase 1 Afternoon Pick-Up Procedures

- A. **All Preschool, Pre-K, and JK** will be dismissed at the Southeast doors beginning at 3:25 pm. Any Kindergarten through Eighth grade student who ride with a driver of a PS, PK, or JK student must go to the southeast doors to be picked up.
- B. **Kindergarten and 1st grade students** will be dismissed at the Northeast gray double-doors (by the courtyard) at 3:30 pm. Any 2nd – 8th grade student who rides with a driver of a younger student must also go to the Northeast gray double-doors doors for pick up.
- Parents will use the inside south lanes that lead to the back of the school.
 - Parents are to pull their vehicles in a single line up to the pick-up zone.
 - Students will be called to their vehicles and load quickly.
 - We will load up to 6 vehicles at a time. Please work with your child on buckling.
 - When all vehicles are loaded, you will then be allowed to exit and the next vehicles will pull forward.
 - Teachers will be assigned a vehicle to assist with loading. This will help with any children who need assistance buckling.
- C. **2nd-6th grade students** will be dismissed from the front of school through the doors by the office. Students will be picked up in front of the school on the west side (front) of the school building
- A double line of traffic will form in front of the school to the pick-up zone which extends to the north end of the gym. Please pull all the way up to the Northwest corner of the gym and wait to load.
 - Up to 12 vehicles will be able to pick up at one time in two rows of six vehicles in each row.
 - Vehicles in the right lane will have students load on the passenger's side. Vehicles in the left lane will have students load on the driver's side. These students will walk in front of the rows to cross in the crosswalk.
 - After all vehicles have loaded their students; they will be permitted to exit. The next vehicles will then pull forward to load.
- D. **7th-8th grade Students**
- A double line of traffic will form in front of the church to the pick-up zone which extends to the north end of the church. Please pull all the way up to the Northwest corner of the church and wait to load.
 - Up to 12 vehicles will be able to pick up at one time in two rows of six vehicles in each row.
 - Vehicles in the right lane will have students load on the passenger's side. Vehicles in the left lane will have students load on the driver's side. These students will walk in front of the rows to cross in the crosswalk.
 - After all vehicles have loaded their students; they will be permitted to exit. The next vehicles will then pull forward to load.
- E. All traffic is to move North (towards the fence) and west (towards the church) out of the parking lot after picking up children.
- F. Students and parents should not use this time to congregate outside the school. We have to get our students to their cars safely. Please proceed with caution when exiting the parking lot.
- G. Walkers and bikers will go to the gym at 3:30. At 3:40, they will be escorted by a teacher to Mission Road. They will use the crosswalk by the gym and proceed to the sidewalk between the church and the rectory to reach the Mission Road crosswalk.

Phase 2 and 3 Pick-Up Procedures to alleviate traffic sitting on Mission Rd per the City of Leawood
We highly encourage carpooling!

Preschool dismisses at 3:25pm and K-8 dismisses at 3:30 pm

- Church and School Employee Parking will be designated along the East and North boundaries
- The parking lot is divided into Zone A and B.
- Zone A is for the parent who will arrive no later than 3:20 pm, stay in their car and have their children meet them at their car with teacher assistance.
- Zone B is for the parent who wishes to park and walk up to the school and meet their children. Please see the attached diagram of the parking lot to familiarize yourself with the locations of Zone A and B. Please do not drive between the cones placed on the dividing. Upon entering the Parish Campus, the right (south) drive lane will be open and used to get to Zone A until 3:20. After 3:20, cars will be directed to Zone B either using the South or North Drive lanes.
- Handicapped Parking spots are reserved for handicapped vehicles only.
- If your child has an appointment and you need to leave the Zone A parking lot before 3:40ish, please park in Zone B and pick up your child.
- Walkers and bikers will go to the gym at 3:30. At 3:40, they will be escorted by a teacher to Mission Road. They will use the crosswalk by the gym and proceed to the sidewalk between the church and the rectory to reach the Mission Road crosswalk.

Zone A

- All cars should park facing North beginning with Row A Stalls #1-19 then Row B #19-38 and sequentially thereafter.
- Zone A remains open until 3:20 pm. At 3:20 pm, Zone A is closed and supervised by school staff thus allowing students to get to cars safely on their own.
- At 3:40 pm, teachers sound their whistles/horn alerting the students in Zone A that they must be in their cars or must move back to the sidewalk by the North side of School.
- At 3:41 pm, Zone A cars are dismissed by a staff member one E/W row at a time.
 - Row A #1-19 on the diagram leave first.
 - Row B #20-38 then leave (one parking stall at a time.)
 - Row C exits next and then each Row thereafter.

Zone B

- Cars must park facing North
- All cars that arrive after 3:20 pm are directed to Zone B. Zone B is open at all times. If you choose to park in Zone B or arrive in the parking lot after 3:20, we ask that you walk up to the concrete area in front of the School to pick up your child(ren).
- **Students are NOT allowed to be in Zone B parking lot without the adult who is responsible for picking up the child(ren) up.**
- Remember, you can leave Zone B at any time because no children are allowed to be in Zone B without the adult who is responsible for picking up the child(ren).
- Cars must leave Zones driving North and West only

**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

**CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

CASE 117-18 – ELITE PHYSICAL THERAPY – MONUMENT SIGN – Request for approval of a Final Sign Plan, located south of 127th Street and west of State Line Road.

CASE 118-19 – TOWN CENTER PLAZA – ARRAY – Request for approval of a Final Plan for Changes to the Façade of a Tenant Space, located north of 119th Street and west of Roe Avenue.

CASE 119-19 – CORNERSTONE OF LEAWOOD – REVISED SIGN CRITERIA – Request for approval of a Revised Final Sign Plan, located south of 135th Street and east of Nall Avenue.

CASE 125-19 – HIGHLANDS CREEK – SEVENTH PLAT – Request for approval of a Revised Final Plat, located south of 146th Street and west of Cedar Street.

A motion to approve the Consent Agenda was made by Coleman; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

NEW BUSINESS:

CASE 102-19 – CURÉ OF ARS CATHOLIC CHURCH AND SCHOOL – Request for approval of a Rezoning to R-1 (Planned Single Family Low Density Residential), Special Use Permit for a Place of Worship and Elementary School, Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat, located east of Mission Road and north of 95th Street.

PUBLIC HEARING

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 102-19 – Cure of Ars Catholic Church and School – Request for approval of a Rezoning to R-1, SUP (Special Use Permit) for church and school, Preliminary Plan, Preliminary Plat, Final Plat, and Final Plan for Phase 1 of the project. Cure of Ars is located north of the Ranch Mart shopping center and east of Mission Road. The project is broken into three phases. The applicant is requesting Final Plan approval of Phase 1 and Preliminary Plan approval of Phases 2 and 3. (*refers to display on projector*) Phase 1 consists of construction of a 11,721 sq. ft. parish/activity center/gymnasium to be located at the southeast corner of the site. This is where the playground is located. The playground will be moved to the west of the new building and will have a sidewalk connection to Mission Road, which will be constructed in the first phase of the project. The activity center will be 32 feet in height and will be generally constructed of red and white rick to match the existing school building. A deviation is requested during Phase 1 to reduce the 40' setback along the southern property line to 85% of the standard requirements, which is 34 feet. The Leawood Development Ordinance (LDO) does allow for this deviation when compensating open space on a 1:1 basis, which the applicant is doing. In Phase 1, the application also proposes to change the southern driveway entrance

to the site. The entrance will be narrowed from three ingress lanes to two. On the northern entrance, the applicant would also like to narrow the driveway from three egress lanes during Phase 1 to two egress lanes. During Phase 1, they are proposing to do this by striping the center of that drive exit and then also placing flexible bollards around that striped area so that people don't try to use the striped area as another exit lane. During Phase 1 of the project, the eastern property line is going to be set back to the required 25 feet. They will add landscaped islands with trees. They will do lighting, berming, and landscaping as well. Phase 2 of the project will consist of the demolition of the existing gymnasium. The new area will become a parking field for the site. The school addition will be located both west and north of the new activity center. It will be 40,036 square feet. The main parking field will be reconstructed with 8' parking islands. The parking along the northern parking field will have a required 25' setback and will be landscaped as well. The applicant is proposing a protective sidewalk between rows of parking to assist children crossing the parking lot during drop-off and pickup. During Phase 3 of the project, the applicant will remove the existing office building located on the northern portion of the site and then will construct a new office area that is connected to the church. It is 12,522 square feet and 14 feet in height. At this time, the applicant plans to reconfigure the northern driveway entrance to its final configuration being two egress lanes only. The applicant is meeting the parking requirements and the open space requirements of the LDO during all phases of the project. The applicant anticipates Phase 1 to start by March 2020 with Phase 2 anticipated May 2026, and Phase 3 anticipated in May 2030. Staff has included a few specific stipulations with this application. We are asking for a cross section of the sidewalks to be proposed so we ensure they are constructed adequately. We're also asking that the protected sidewalk be widened to 9 feet to allow for the 2' overhang on both sides with a 5' sidewalk. Lastly, staff is not supportive of using the striping and flexible bollards at the northern driveway entrance during Phase 1 of the project. We would like to see the northern curb drop down during Phase 1 to reduce the width of the driveway so the striping bollards aren't needed. The application is in conformance with the LDO, and we recommend approval with the stipulations in the Staff Report. I'd be happy to answer any questions.

Chairman Elkins: Thank you. Questions for Ms. Schuller?

Comm. Coleman: The first stipulation has to do with colors and stamps. Would that be where the protected area is across the middle?

Ms. Schuller: Any crosswalk on site would be required to be demarcated from the adjacent paved material. They are choosing to do stamped concrete, which will be anywhere you see the crossings, including the crossings across Mission Road.

Comm. Coleman: What are they proposing?

Ms. Schuller: They are proposing stamped concrete; we just want to see a cross-section detail of it so we can look at the subgrade and make sure it's going to last over time.

Comm. Coleman: Are they not supportive of the replacement of the bollards?

Ms. Schuller: From my understanding, they are fearful they would have to construct the driveway too many times. I'll let them speak to that.

Chairman Elkins: Thank you. Other questions? I just want to make sure I'm tracking correctly. Did I understand that the north driveway would be egress only?

Ms. Schuller: Correct.

Chairman Elkins: So, the only entrance into the facility would be the south driveway?

Ms. Schuller: Correct.

Chairman Elkins: For that entrance driveway, is Mission Road divided? Would there essentially be only a right-in entrance?

Ms. Schuller: It's not divided; there is currently a southbound left turn into the property. They submitted a traffic study with this project, and it was determined that turning movement conflicts create a need to do one ingress and one egress.

Chairman Elkins: Is there a left turn lane for southbound traffic?

Ms. Schuller: Yes, there is.

Chairman Elkins: Thank you.

Comm. Coleman: As a point of clarification on the city engineer's report, is that in addition to the stipulations, or are the stipulations part of that report already?

Ms. Schuller: They're mostly separate, so they would need to be included.

Comm. Coleman: The pastor wrote a letter dated October 1st stating an SUP would be issued to the church.

Ms. Schuller: The SUP is just issued to the legal entity, so we have them provide the name of the legal entity to which it should be issued. That's what the letter is regarding.

Comm. McGurren: How does staff feel about the approvals of subsequent phases that are up to a decade out?

Mr. Klein: Staff visited about this. We are comfortable with the way they phased the project because it would be difficult to do all the improvements at one time. They would end up ripping out some of the improvements to reconstruct items in the future phases. Staff is very comfortable with that. Also with regard to the driveway to the north and south, when we talked with the applicant and the Public Works department, it was determined that the best flow of traffic through the site would actually have the egress by

coming in to the south and then the egress to the north. That's the way the traffic flows. It will flow that way when they do drop-off and pick-up as well. Ms. Schuller also mentioned the fact that currently, they show an island. They are reducing from three egress lanes to two lanes, which leaves a really wide area in that north driveway. In order to solve that problem and avoid traffic conflicts, they suggested using the island, striping it out, and having flexible bollards go around. We have talked with the applicant to see if they could drop that north curb, like Ms. Schuller indicated, during the first phase. We'd like them to have it in the second phase so they wouldn't be reconstructing it more times than they would anyway. I know the applicant was considering that and may be able to speak to that tonight. We feel this will make a neater flow of traffic that is less confusing and more aesthetically pleasing.

Chairman Elkins: Will traffic be able to egress both north and south from that spot?

Mr. Klein: Yes, they have a right and left turn lane.

Chairman Elkins: They have to make a left turn across traffic to get to the left egress.

Mr. Klein: Correct.

Comm. Stevens: I'll add on to that. The request is to bring the north lane down to the center and maybe move that into an earlier phase. I see that the application has Phase 3 as the buildout of that, but moving the ultimate location to the north. Is it also part of the concern that the drive is too far north?

Mr. Klein: On the north property line, in the first phase, you'll notice they have parking that is right up to the north property line. They actually need that parking in the first phase. They can't afford to drop the curb south in the area where the parking is located. Staff is asking for the western portion to have the curb moved to the south. They can't drop it all the way like they have in the final phase where it will have to create a 25' setback from the north property line. They can't do that because they don't propose to remove the rectory where it currently sits until the final phase. When the rectory is taken down, the offices will be built considerably to the south, allowing more room up there, allowing that curb to be adjusted even farther south to create a 25' setback. Staff feels that is a reasonable accommodation or solution. Again, we've talked with the applicant about it, and hopefully they'll speak to it tonight.

Chairman Elkins: Thank you. Other questions for staff?

Applicant Presentation:

Dan Zeller, Gould Evans, 4200 Pennsylvania Ave, KC, MO, appeared before the Planning Commission and made the following comments:

Mr. Zeller: I have a diagram of what staff was just talking about if it simplifies the discussion (*refers to diagram throughout*). I'll go quickly through this because staff did a great job explaining the phasing. We just did it in a diagrammatic form and put the square

footage on so it's easier to read. We are proposing to improve the east property to meet the LDO 25' setback, parking and playground. The second phase adds approximately 49,000 square feet between the Parish Activity Center that we added in Phase 1 and the existing school. We're removing about 20,144 square feet, so it is a net total of almost 29,000 square feet added to the campus in the second phase. During that time, we will fully improve the campus except for the northernmost drive because Phase 3 finishes out the activity building and reduces that space for the drive. We identified the elevations. We've shown articulation of vertical windows just to pick up the façade from the existing building, but since it hasn't been designed yet, we're just identifying what it would generally look like, infilling between the two spaces. There were a couple comments on Page 3 of the Staff Report. I don't know if I need to clarify, but there was a bullet point that identified the colored stamped concrete crossing the crosswalk. We have an existing crosswalk, and there is another one located midway through. We proposed to paint out the one to the south so it's all black. We're proposing the stamped crosswalk in Phase 2, not in Phase 1. The only other point of clarification is the crosswalks across Mission Road actually cross the two apron drives going out. The issue we have is the dashed line on the little diagram shows the existing curb line. We are proposing to leave the flexible bollards. We are required to have a 28' curb-to-curb opening, and if we leave the existing south curb of the north drive and offset it 28 feet, it doesn't give us the 25' setback; it's about a 20' setback. If we were forced to do that, we would have to rebuild that curb once and a second time in Phase 3. We would be happy to lower that area 28 feet if we could get a variance to allow that setback off the north property line to remain in that manner as opposed to 25 feet. We would still landscape it as required; we were just trying to avoid reconstruction of the curb multiple times during the different phases. Finally, the owner is concerned about the additional sidewalk from Mission Road to the playground because the playground is not public. They don't want their kids to go out that way. The only reason for that area of sidewalk is to connect the playground to Mission Road. Currently, the crosswalk allows for students to cross the road, and then they come through the site and to the front door. In Phase 2, we would propose to complete the sidewalk over to Mission Road because the main entrance is on the south side. That will give students direct access off Mission Road. It's just building a sidewalk that will have to be torn out when we do some of the work later. We're trying to eliminate the cost of that work as well. I'm here to answer any questions.

Comm. McGurren: When the school entrance is on the south side, you're not proposing that the crosswalk be moved, are you?

Mr. Zeller: We're not, and as Phase 3 comes in, the office area will close off the access. The crosswalk is not planned to be moved.

Comm. Peterson: Back on the north turn lane, what looks like the curb line and what is compromising on the early shift is a garage structure. Is that structure used for additional parking?

Mr. Zeller: It's actually used for storage.

Comm. Peterson: It's just a small amount that is too close to the garage.

Mr. Zeller: Like I said, we'd be happy to leave that curb in place. That was the only area we couldn't get the 25' setback on the north side if we made that change.

Chairman Elkins: Other questions? Could you go back to the sidewalk? (*displayed on monitor*) Am I right that left-to-right is before and after?

Mr. Zeller: Yes, the left side is in Phase 1, and staff requested that we continue the sidewalk out. Cure doesn't want to do that. We will in Phase 2 because it will be access to the front door.

Chairman Elkins: If the concern is in Phase 1 that the sidewalk would encourage public use of the playground, I'm hard-pressed to understand how that's different than Phase 3. I understand you have a need to get to the school, but the concern about encouraging access to the playground is equal in either case, isn't it?

Mr. Zeller: It is.

Chairman Elkins: It's just a delayed effect is what you're saying.

Mr. Zeller: Yes, and the sidewalk doesn't lead anywhere except to the playground unless it continues all the way down, but that would lead to the entrance of the Parish Activity Center and not the entrance to the school.

Chairman Elkins: Even after Phase 3, the sidewalk will still lead to the playground before it gets to the opening of the school.

Mr. Zeller: Correct. In Phase 2, if someone were to walk down Mission Road and remain on the sidewalk, he would come across the sidewalk, across the road, and back to the school or walk across the grass and across the drive. I'm assuming people would do that.

Chairman Elkins: In either event, they're going to go right by the playground no matter what.

Mr. Zeller: Correct.

Chairman Elkins: Going back to the north driveway, can you walk me through that difficulty one more time?

Mr. Zeller: The curve in the middle diagram is existing. We can't push it any farther south because of the existing garage. The requirement for a two-lane exit drive would be 28 feet. If we offset that line 28 feet to the north, it's where the shaded area would be. Then in Phase 3, we would have to shift the south curb line down, and we'd shift the north curb line down to align it to get our 25' setback off the property line to the north and to the drive. We're about 20 feet on Phase 2. If we were to just offset that line from

the curb and go north, we'd have about a 20' setback from the north property line versus a 25' setback.

Chairman Elkins: Thank you. Are there other questions? Thank you. We'll have a Public Hearing, and you'll have an opportunity to respond at that time. Because this is a proposal for a Replat as well as a Special Use Permit, the LDO requires a Public Hearing. If anyone wishes to be heard, we'll allow four minutes for comments. We want to hear comments, but we would encourage you to not be duplicative in the comments.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: That takes us to a discussion. Who cares to comment?

Comm. Coleman: On the north driveway, I'm wondering if it could just be restriped straight down the middle so it's two lanes, or is each lane going to be too big and cause too much confusion?

Mr. Klein: I just want to make sure I'm clear as well. We'd like to show you what staff was thinking, and they may be able to address the comments. (*shows pictures*) The current condition is that there is not much room between the north property line and the curve. It's maybe around 7 feet. In Phase 2, you can see that they drop the north curb down on the eastern side to create the 25' setback, but adjacent to the driveway, that curb doesn't drop down 25 feet. They aren't really meeting the 25' setback at that point, but they are reconstructing the curb. We thought that was one reconstruction of the curb at that time, but it's still not yet to 25 feet because they still have the rectory and garage. Phase 3 shows them meeting the 25' setback, and the curb is reconstructed farther south to meet the 25' setback. That is why we thought they wouldn't be reconstructing any more than before; it would still be two times. They also wouldn't have to take the trouble to stripe that area and pay for the bollards. That was our interpretation and what we were trying to propose.

Mr. Zeller: We were not planning to rebuild the north curb in the first phase. What the diagram shows is if we offset the area, we'd have to move that curb twice. We are proposing to stripe the area down the middle. Mr. Coleman asked if we did a cost analysis of the flexible bollards versus changing the curbs out. We have not done that. We would probably try to minimize the number of flexible bollards. Ideally, we'd stripe it, but the concern is that somebody may still drive on it even with the striping.

Mr. Klein: In Phase 2, it looks like the curb goes farther south. It looks like it is being reconstructed at that point when you get rid of the island. In Phase 3, to meet the 25' setback, it goes farther. We were just trying to replicate your stages.

Mr. Zeller: The intent is to rebuilt it once when we fix that drive.

Mr. Klein: Currently, you have it being reconstructed in the second phase. That would mean the island would stay until 2030.

Mr. Zeller: Yes, and we were trying to get a sidewalk on the north side because today, when the kids come across that area and go north, they actually have to walk in front of the cars as they're leaving. The church would like to have the kids go up to the north side and up to the north property line. It might not be rebuilding the curb; it might be striping that area. Ultimately, the church would like to construct that curb once.

Mr. Klein: Currently, the plan shows it being reconstructed twice. I don't know that the city wants to have that circular island painted out until 2030.

Chairman Elkins: The other question I would have is what about the possibility of a variance on the setback?

Mr. Coleman: They could go to the Board of Zoning Appeals and ask for a variance, I guess.

Mr. Klein: If they meet 85% of the standard requirement not adjacent to a public right-of-way.

Mr. Coleman: This is against residential, so there's no deviation.

Mr. Klein: That's for the building setback.

Mr. Coleman: The parking?

Mr. Klein: Yes, the parking has a 25' setback, and they are allowed to go to 85% of the standard requirement not adjacent to a public right-of-way.

Chairman Elkins: Can you translate that for us, please?

Mr. Coleman: It's 22 1/2 feet.

Chairman Elkins: There is a process where the church could get some sort of relief from the 25' setback.

Mr. Klein: It would be a deviation recommended by the Planning Commission and would go on to City Council. Basically, there are two deviations. If it is next to a public right-of-way, it can be 75% of the standard requirement, which is 25 feet in this case. If it is not adjacent to a public right-of-way, it can be 85% of the standard requirement.

Chairman Elkins: This would be 85%, and what would that give the church if it was all approved?

Mr. Klein: It would be 22 ½ feet, but right now, it seems like there is disconnect between the phasing plan before you tonight and what they want to do.

Mr. Zeller: We have to measure the curbs to see if we can get 28 feet or if the drive lanes can be 27 ½ feet. We would like to have a right turn lane and a left turn lane and keep it simple without rebuilding things multiple times.

Chairman Elkins: From my perspective, I'm all for conservation and not having to build it twice. I'm just trying to see if there's a way to get there that satisfies both the city and the church.

Comm. McGurran: I drove out of that a few days ago, and there are obviously three lanes today. The far side lanes turn right or left, and the middle lane can turn either direction. To the suggestion that was made earlier, if they take the middle lane and give almost half of it to each side to allow for cars coming up to turn left or right and only have two lanes that exit, it would create a shorter bollard scenario that fans out at the top of the street, which would cause the cars to go the directions they wanted to go, would it look okay?

Mr. Klein: It may; we would probably need more time to make sure the measurements work.

Comm. McGurran: You could live with what you have today, not rebuild the curb now, do the curb in the third phase, and have something like that, working with the existing asphalt.

Mr. Zeller: From a traffic standpoint, we're trying to avoid that middle lane turning right or left because it is confusing.

Comm. McGurran: There won't be a middle lane anymore.

Mr. Zeller: Yes, we could stripe that whole area and just have two lanes.

Comm. McGurran: And put in the bollards at the western portion of the exit. That could basically cause no one to exit through them.

Mr. Zeller: We could do that.

Comm. Coleman: My original suggestion is just to restripe the entire area and put one line straight down the middle. It would have Costco-sized lanes on either side, but then it would avoid putting in materials that someone would run over anyway. Just restripe the whole thing; put a straight line down the middle with a turn lane going each direction. Then, I think it would solve it. You wouldn't have to rebuild anything.

Comm. Peterson: If I may, I have a couple things to note. Mark's point is that they are showing it being rebuilt twice currently in the plan they've submitted. It does appear that, by constructing the curb line south to match Phase 2, we would need to verify the dimensions that they could achieve the required lane widths. Maybe their engineer has already looked into that. The other point I might make is it's about 45 feet wide currently. If they put it down the middle, it would be 20 feet per lane. We have roads that are 10' wide lanes, so it is nearly two lanes wide. The key here is we're trying to simplify the driving plan and minimize the drivers' maneuvers within the site, allowing them to exit almost in a free-flow fashion. Just a couple points you might consider as you discuss the matter.

Chairman Elkins: Other thoughts? Do we know enough to be able to modify this plan on the fly, or is this something that the applicant might consider a continuance to see if we can reconcile it.

Mr. Zeller: We would request not to have a continuance. We're trying to meet schedules to get construction started and get it complete by the time school starts next August.

Mr. Coleman: I would just maybe stipulate that it's worked out prior to Governing Body approval.

Chairman Elkins: That would be acceptable to staff? Would it be acceptable to the applicant?

Mr. Zeller: I think so. The whole intent would be to try to minimize the rebuilding of the road.

Mr. Coleman: Well, we don't have all the dimensions.

Chairman Elkins: That would address the driveway issue. The other issue you have is the sidewalk.

Mr. Zeller: Those are the two stipulations that we are countering, I guess.

Chairman Elkins: Does the commission have comments on the sidewalk issue?

Comm. Block: From staff, I'd like to understand why staff felt it was necessary since it's not a public park.

Mr. Klein: With all the projects, the Comprehensive Plan and the LDO require sidewalks extend down to perimeter sidewalks along streets. We're trying to make that connection. Right now, there is a Parish Activity Center that will exist until 2026. It would be a way of connecting that. I understand a lot of people will use that northern one if they're coming from that direction, but there might also be people coming from the south and up the sidewalk. Rather than having to traverse way north, which is a good chance they're

not going to do anyway, it provides the sidewalk connection directly over to the Parish Activity Center.

Chairman Elkins: Can you show us the sidewalk again?

Mr. Zeller: It's highlighted in red.

Chairman Elkins: What's the current state? It's just a white sidewalk that just ends at the playground?

Mr. Zeller: The current state is nothing. The playground is where the Parish Activity Center is. We're shifting the playground to the west. What's in the plan now is what is on the left-hand side that is white and highlighted in red. Then, in the future, the one on the right would come into play. We were just proposing that we put the sidewalk in when we build that second phase.

Chairman Elkins: Current state is there is no sidewalk there because there isn't even a building there.

Mr. Zeller: Correct.

Chairman Elkins: Staff's concern is that the LDO frowns upon sidewalks that end in the middle of a property.

Mr. Klein: Correct; we're trying to provide a convenient path to the entrance of each of those buildings, both from the north and south.

Comm. McGurren: My thought would be that almost no one is going to walk to the Parish Activity Center from beyond Mission Road. Everyone is going to drive onto the property, park somewhere, and walk down to the Parish Activity Center. For the potential multi-year period of time, it would be less safe to have a scenario where children could walk up to the street where there is no crosswalk as opposed to what they've been doing for decades and walking to the appropriate crosswalk to cross Mission Road.

Chairman Elkins: The question becomes whether the LDO requires the sidewalk to go to the perimeter.

Mr. Klein: There is a requirement of the LDO that it provide a direct path to each building entrance. It's hard to know if future phases will get built. It's possible the church may decide to stop at this point because it's functioning pretty well. We just don't want to be left in a situation that we don't have that pedestrian access.

Chairman Elkins: Thoughts?

Comm. Block: Could the alignment of the sidewalk be closer to the right so you're not having to remove so much of it?

Mr. Zeller: There are grade changes that don't show up on this. The drive slopes 12-13 degrees. It doesn't make it an ADA-accessible sidewalk.

Comm. Block: But it would be under the red scenario?

Mr. Zeller: Yes.

Chairman Elkins: I understand where staff is coming from, but I'm struggling because the purpose of the sidewalk is to provide a pedestrian walkway from the gym classes to the playground. That seems to be an imminently sensible approach. I guess I'm struggling with the LDO requirement that requires the pedestrian walkway to go all the way to the perimeter. What section is it in?

Mr. Klein: It's Section 16-2-9.2(d)4. It states, "Every building shall have a main entrance oriented toward the street side of the building connecting with the sidewalk. Additional entrances may be provided and oriented toward parking for other pedestrians." At this point, they have that pedestrian entrance on the southern corner. This would be the sidewalk that would connect to the street.

Chairman Elkins: To the south is Ranch Mart?

Mr. Zeller: That's correct.

Chairman Elkins: To the east is residential?

Mr. Klein: Yes, Leawood Estates.

Chairman Elkins: Well, we've got a challenge here.

Comm. McGurren: Just to clarify, in the final phase, will the green line require the kids who have walked across Mission Road at the crosswalk to come down past the church and cross over two lanes of traffic that are attempting to come into the school?

Mr. Zeller: They will have to. We could put a sidewalk farther north.

Comm. McGurren: You could put it on the south side of the church and run it across that portion of the property and come to the same entrance where your arrow is with a straight line going across and then subsequently just have a walkway that goes from the school property over to the playground that is separate from the one that has to go from the Mission Road property line.

Mr. Zeller: We talked with staff a lot about the kids walking between the church and the school building. We're trying to minimize the locations where that happens in the parking lot. A child would walk across and go straight. The green arrow is going to be the eventual entrance into the school, and the children would want to walk straight across

there. Today, we don't show a crosswalk or the ability to get a crosswalk in that area. We're hemmed in with the existing curb on the south side and the existing curb on the north and south sides and the parking layouts to get everything to work. The request of making that walkway from 7 feet to 9 feet is something we'll have to study to see if we can make it work. We'd have to make that island on the south side shorter and skinnier, I think. I don't know if we'll be able to achieve the full 9 feet, but we could put in some parking stops to keep cars from overhanging the sidewalk as well.

Comm. McGurren: So, it's perceived to be safer to have the kids crossing where people are attempting to turn in off Mission Road than to have them crossing from the church property to the next island where the parking is within the property?

Mr. Zeller: Yes, and staff helps direct during drop-off to make the conditions safe. They currently do that on the north side and would like to try to minimize how many places kids have to cross, as you can imagine. We're not disagreeing with the sidewalk connecting because we want to have the closest connection to the front door; it's just the red line doesn't seem to benefit a lot in the first phase than it does in the second phase.

Comm. McGurren: It's more a deterrent in my mind than it is a benefit.

Chairman Elkins: I guess I come back to where I started, Mr. Zeller. If you're going to have a sidewalk that goes all the way out to the end, the concern about public access to the playground doesn't seem compelling to me because you're ultimately going to have the same issue no matter what.

Mr. Zeller: That's true.

Chairman Elkins: Just to make sure I'm tracking with what the city is talking about, staff's recommendation is the combination of the red and white on the left-hand side.

Mr. Zeller: And that's what we had in the plan we submitted, but as we had more conversations with Cure, they asked that we request the elimination of the sidewalk on the north side for the first phase and put it in the second phase.

Chairman Elkins: All right; any other questions for Mr. Zeller? Thank you. Any other comments or discussion, particularly with respect to the sidewalk? If none, Commissioner Block?

Comm. Block: I have one thing on the Bollards. When 143rd was widened and improved east of Mission, there are permanent temporary bollards at the entrance of the school. It's not that it's unprecedented to use in the city, right? I think that's a solution that works for everyone and saves them some money. That's fine with me.

Chairman Elkins: Other comments? I know Commissioner Coleman has been scribbling. Does he have a motion?

Comm. Coleman: Did we ask if the applicant was okay with the stipulations?

Chairman Elkins: They said those were the only two they objected to.

Mr. Zeller: That's correct.

Comm. Coleman: The only stipulations were Nos. 10 and what else?

Ms. Schuller: The crosswalk was actually not a stipulation; it was just part of their plan. No. 10 is the only one they objected.

Mr. Zeller: We just need to study it. I think as we get all the turning movements that happen around the south side, it fits with the 7' crosswalk, and to go to a 9' crosswalk means we'll have to take the 2 feet out of somewhere in the parking lot. We have a fixed area in the north and south. The only parking island we have is one on the south side. We could do a couple different things. We could try to maximize that and make it 8 feet and take 1 foot out of this. We could put parking stops to keep cars from overhanging. I think the concern is to have cars overhang the crosswalk and not allow adequate width for the crosswalk.

Mr. Coleman: Maybe just shift the drive down 2 feet.

Chairman Elkins: You have a plan before us that addresses this, right?

Mr. Zeller: Our Site Plan shows a 7' crosswalk, and No. 9 asks for it to go from a 7' crosswalk to a 9' crosswalk. Our plan shows a 7' crosswalk. It was to allow the cars on the north and south sides to overhang the parking space 2 feet.

Mr. Coleman: Can't you just shift the south drive 2 feet south?

Mr. Zeller: We're not rebuilding the south drive at this point.

Mr. Coleman: I thought you were building a new approach.

Mr. Zeller: No, we're turning that radius, and that's where the entrance plaza is going to be. I think we could put parking stops because it's really no different than cars parking head-to-head. They're not overlapping the parking spaces, so I think we could put wheel stops along both parking spaces where that crosswalk is so cars don't overhang, and it keeps a 5' wide sidewalk. We'll maximize it as much as we can; I just don't know.

Comm. Coleman: Going back to that one, can we keep No. 9 in?

Chairman Elkins: It sounded to me like we keep it in.

A motion to recommend approval of CASE 102-19 – CURÉ OF ARS CATHOLIC CHURCH AND SCHOOL – Request for approval of a Rezoning to R-1 (Planned

Single Family Low Density Residential), Special Use Permit for a Place of Worship and Elementary School, Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat, located east of Mission Road and north of 95th Street – with the revision to Stipulation No. 10 to state, “Prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road” and to include Exhibit A from the city engineer – was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Mr. Zeller: You didn’t mention the sidewalk.

Chairman Elkins: The plan had the sidewalk going all the way through, so that’s what we’re committed to.

CASE 120-19 – RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan, located north of 95th Street and east of Mission Road.

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 120-19 – Ranch Mart North Shopping Center Redevelopment – Request for approval of a Revised Final Plan. A Final Plan for Ranch Mart North was previously approved by the Governing Body on April 15th of this year. That plan approved updates to the facades of the main center of the development, proposed a new office and retail building located at the northeast corner of the site, and proposed a modified parking lot with lighting and landscaping. The application before you tonight proposes revisions to the building elevations of the main retail center as well as the new office and retail building, revisions to the Landscape Plan, to the parking lot east of the bank, and changes to the interior plaza space. Some other design elements of the project have been limited across the site as well. I’d like to use the screen to point out some of the project changes (*refers to monitor*). This is the third revision to elevations that the applicant has made to this project. The previously approved Final Plan was significantly altered from the Preliminary Plan by retaining a lot more of the existing brick on the buildings. Staff also finds this application to be significantly altered from the latest approval before you. The applicant proposes to lower the parapet walls across the main retail center anywhere from 2-4 feet, depending on the location. The applicant stated this was done for structural purposes; however, staff does feel that this alters the look and feel of the center by reducing the scale of the buildings and aligning them much more closely with the low-profile ranch-style buildings that currently exist. The applicant has also altered a number of the materials from the previous approval. Most significant is the removal of natural stone panels, which are now being substituted for manufactured stone. You may recall that staff is in the process of amending the LDO to prohibit the use of manufactured stone. This amendment was recommended by the Planning Commission on October 22nd, following a work session we also had on the subject. That amendment will proceed to the Governing Body for consideration this January. As you can see from the

City of Leawood Governing Body Staff Report

MEETING DATE: January 6, 2020
REPORT WRITTEN: November 27, 2019

CITY OF LEAWOOD PUBLIC ART – WOMEN OF THE WORLD – REQUEST FOR APPROVAL OF A FINAL PLAN - Located south of Town Center Drive and west of Tomahawk Creek Parkway - Case 121-19

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval unanimously (5-0) of Case 121-19, Public Art – Women of the World – request for approval of a Final Plan for the installation of public art, with the following stipulations:

1. The project is limited to the installation of the public art piece, Women of the World, and lighting.
2. Per the Leawood Development Ordinance the source of illumination of all light fixtures shall not be visible.
3. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
4. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through four.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

- None.

APPLICANT:

- The applicant is Chris Claxton with the City of Leawood Parks and Recreation Department.
- The property is owned by the City of Leawood.

REQUEST:

- The applicant is requesting approval of a Final Plan to install a piece of public art, a sculpture, titled “Women of the World”, south of Town Center Drive and west of Tomahawk Creek Parkway, on the site of the City of Leawood Justice Center.

ZONING:

- The property is currently zoned SD-CR (Planned General Retail).

COMPREHENSIVE PLAN:

- The Comprehensive Plan designates this property as Public.

SURROUNDING ZONING:

- North To the north of the property across Town Center Drive is the Tomahawk Creek Condominium multifamily residential development, zoned RP-4 (Planned Apartment Residential) (RP-3 Under a previous LDO).
- South Directly south of the property is vacant land owned by the City of Leawood, zoned SD-CR.

881

- East East of the property across Tomahawk Creek Parkway is open space owned by the City of Leawood, shown as REC (Planned Recreation).
- West To the west of the property is the Camelot Court retail development, zoned SD-CR.

LOCATION:



SITE PLAN COMMENTS:

- The art piece will be located in the center of a pedestrian circular path in front of the main entrances into the City of Leawood Justice Center.
- The art piece was formerly located in front of what is now the Neuterra Capital Office building (west of Tomahawk Creek Parkway), where it stood for 21 years.
- The art piece will be anchored to a 4' cube to be made of cast stone, which will be made to match the existing façade of the City of Leawood Justice Center.
- The art piece will be setback approximately 250' from the eastern property line on Tomahawk Creek Parkway.
- A landscape edging with river rock cobbles are proposed to surround the art piece. The edging will be 12' in diameter from the circular walkway.

ELEVATIONS:

- The sculpture consists of a spherical globe, being held by a pair of hands underneath. The globe contains the countries of the world, which have faces of women imprinted into them.
- The sculpture is 8' in height and is 8' in circumference, and weighing 350 pounds in weight. In total the sculpture will be 12' in height.



SIGNAGE:

- A plaque is proposed to be at the base of the art piece.
- The plaque will state the name of the art piece, as well as the artist, date of creation, and dedicator.

LANDSCAPING:

- Existing landscaping surrounds the interior circular walkway and is planted with boxwoods, and cone flowers.
- A 12' diameter edging will be placed to around the art piece. The edging will be infilled with river rock cobbles.
- The existing landscaping is not proposed to be changed with this application.

LIGHTING:

- Ground lighting is proposed to illuminate the art piece at night. The art piece will be illuminated between sun down and sun up.

STAFF COMMENTS:

- The art piece and landscaping will be located on land owned by the City of Leawood. Both the landscaping and structure shall be maintained by the City of Leawood Parks and Recreation Department to ensure that the area is well maintained.

RESOLUTION NO. _____

RESOLUTION APPROVING A FINAL PLAN FOR CITY OF LEAWOOD PUBLIC ART –WOMEN OF THE WORLD, LOCATED SOUTH OF TOWN CENTER DRIVE AND EAST OF TOMAHAWK CREEK PARKWAY. (PC CASE 121-19)

WHEREAS, the applicant submitted a request for approval of a Final Plan for public art along Tomahawk Creek Parkway;

WHEREAS, such request for approval was presented to the Planning Commission on November 26, 2019; and

WHEREAS, the Planning Commission reviewed the application and recommended approval with certain stipulations.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The Governing Body hereby approves the applicant’s request and the Planning Commission’s recommendation of approval for said Final Plan, subject to the following stipulations:

1. The project is limited to the installation of the public art piece, Women of the World, and lighting.
2. Per the Leawood Development Ordinance the source of illumination of all light fixtures shall not be visible.
3. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
4. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through four.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

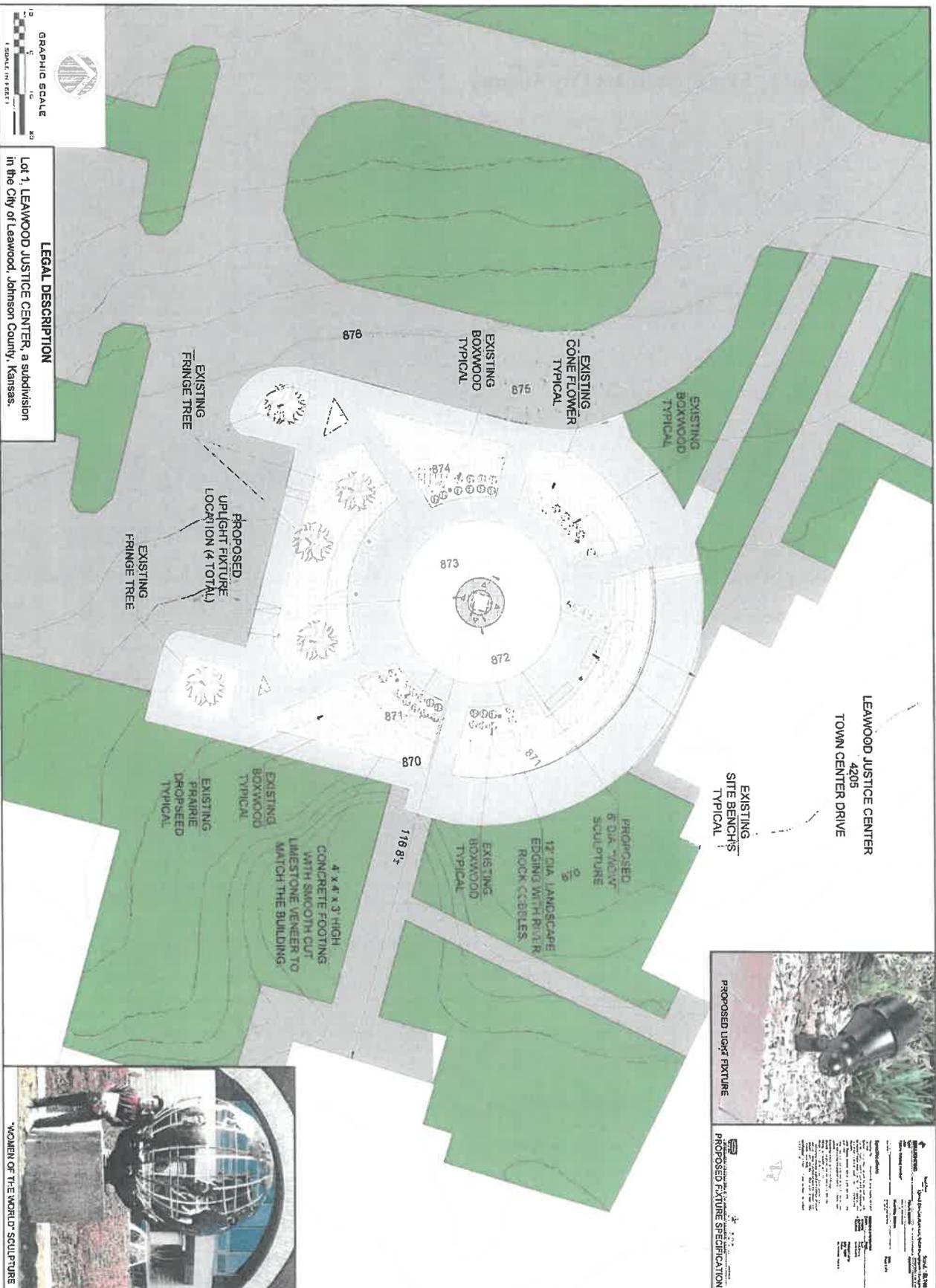
Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney



LEGAL DESCRIPTION
Lot 1, LEAWOOD JUSTICE CENTER, a subdivision in the City of Leawood, Johnson County, Kansas.

PROPOSED UPLIGHT FIXTURE



PROPOSED FUTURE SPECIFICATION

1. **GENERAL:** The proposed future specification is for the Leawood Justice Center, located at 4205 Town Center Drive, Leawood, Kansas. The project is a semi-circular building with a central courtyard. The proposed future specification is for the building's exterior, including the concrete footing, limestone veneer, and landscaping.

2. **SCOPE OF WORK:** The proposed future specification includes the following items:

- 4' x 4' x 3' High Concrete Footing with Smooth Cut Limestone Veneer to Match the Building.
- 5' Dia. "Wave" Sculpture.
- 12' Dia. Landscape Edging with Pepper Rock Cobbles.
- Existing Boxwood Typical Landscaping.
- Existing Fringe Tree Typical Landscaping.
- Existing Site Benches Typical.

3. **CONSTRUCTION:** The proposed future specification is for the building's exterior, including the concrete footing, limestone veneer, and landscaping. The construction should be completed by the end of the project.

4. **MAINTENANCE:** The proposed future specification is for the building's exterior, including the concrete footing, limestone veneer, and landscaping. The maintenance should be performed on a regular basis.

5. **WARRANTY:** The proposed future specification is for the building's exterior, including the concrete footing, limestone veneer, and landscaping. The warranty should be provided by the contractor.

6. **APPENDICES:** The proposed future specification includes the following appendices:

- Appendix A: Site Plan.
- Appendix B: Landscape Plan.
- Appendix C: Construction Details.
- Appendix D: Material Specifications.



WOMEN OF THE WORLD ARTISTIC WORK PLACEMENT
LEAWOOD, KANSAS
SITE PLAN

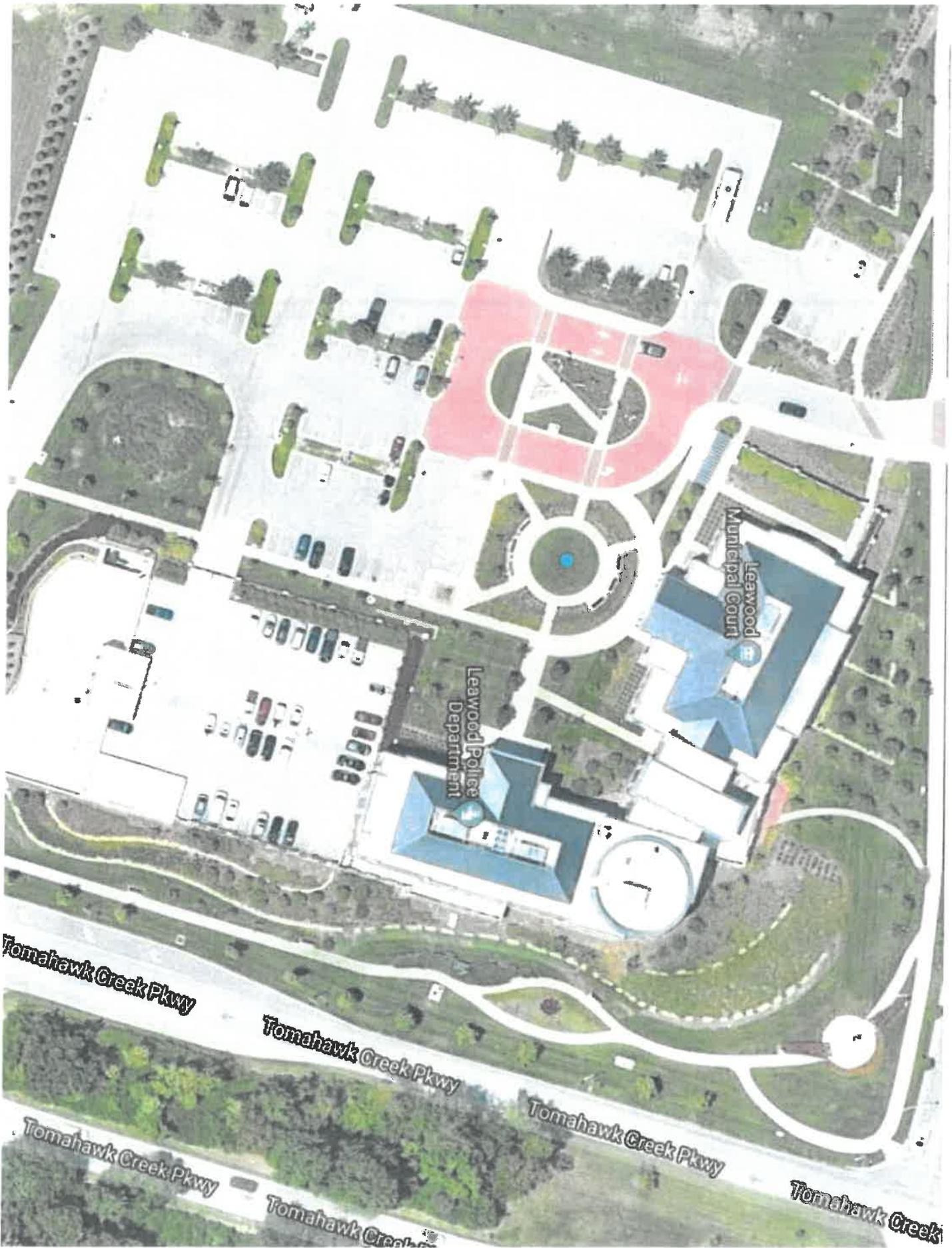
DATE: OCT 21 2016
DRAWN BY: TGS
SCALE: AS SHOWN
REVISIONS:

811 Call before you dig

Continental OFFICIAL TIRE PROVIDER

BOSS BIRTHDAY BIRTHDAY LEAWOOD, KANSAS





Tomahawk Creek Pkwy

Tomahawk Creek

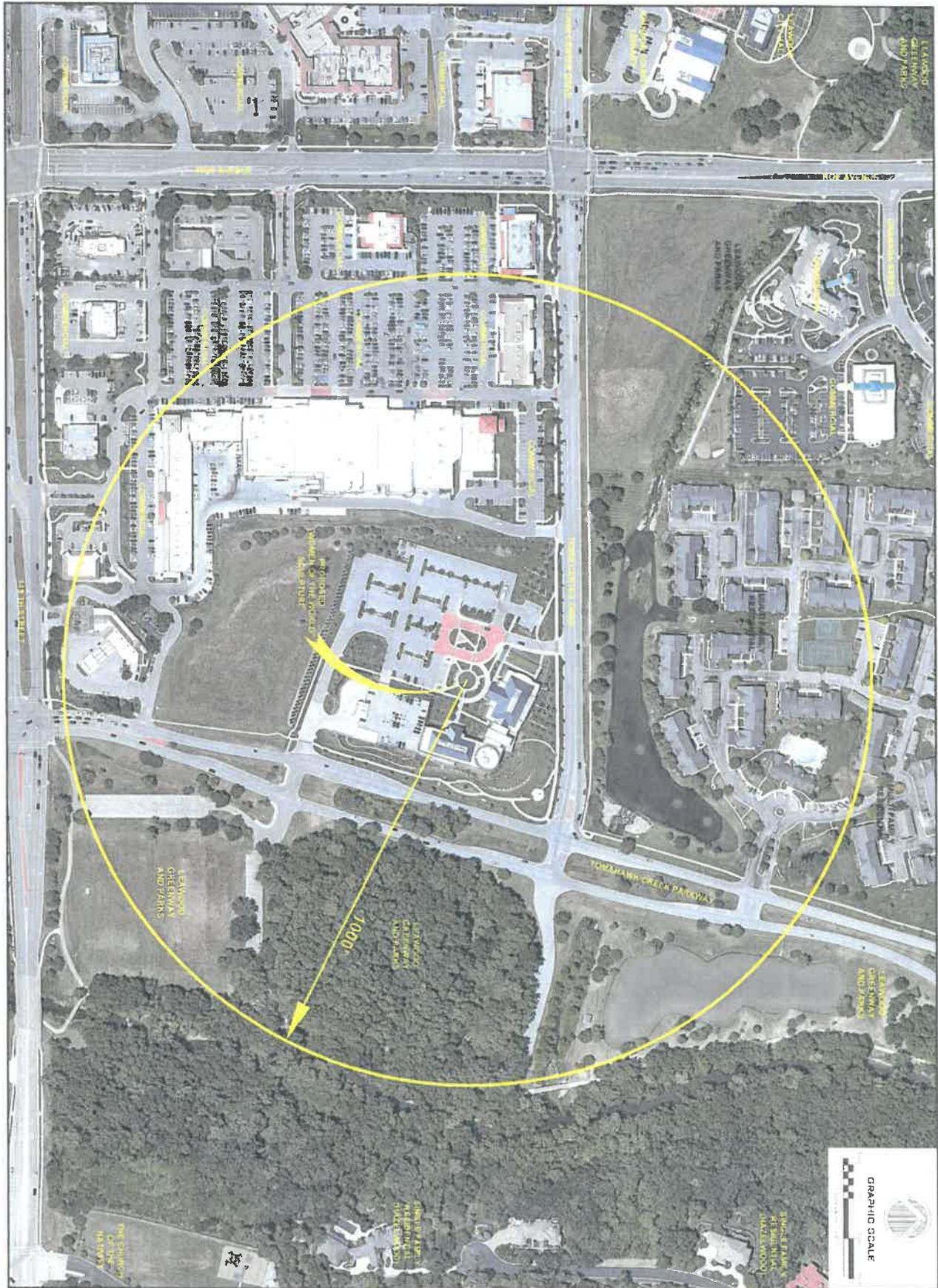
Leawood Police Department

Leawood Municipal Court



“World on Hands” —8’ bronze & stainless steel
Stratco Corp., Leawood, Kansas, 1998

Kwan Wu Studio
913-381-0707



1	DATE
2	SCALE

**WOMEN OF THE WORLD
ARTISTIC WORK PLACEMENT
LEAWOOD, KANSAS**

SITE LOCATION

DATE OCT 21, 2016 DRAWN BY: JGS SCALE: AS SHOWN



**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

**CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

A motion to deny CASE 120-19 – RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan, located north of 95th Street and east of Mission Road – was made by Coleman; seconded by McGurren.

Chairman Elkins: Any discussion on the motion?

Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Comm. Coleman: May I request a five-minute recess?

Five-minute recess

Chairman Elkins: The commission will come back to order, please.

→ **CASE 121-19 – CITY OF LEAWOOD PUBLIC ART – WOMEN OF THE WORLD – Request for approval of a Final Plan, located south of Town Center Drive and west of Tomahawk Creek Parkway.**

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 121-19 – Women of the World – Request for approval of a Final Plan, located south of Town Center Drive and west of Tomahawk Creek Parkway. This art piece will be located in the Justice Center pedestrian courtyard area just south of Town Center Drive and west of Tomahawk Creek Parkway. This art piece was previously located in front of the Nueterria Capital office building just on the west side of Tomahawk Creek Parkway. The city has purchased the art piece and plans to locate it in the middle of the big circular pedestrian courtyard in front of the Justice Center. The structure will sit on a 4' cube made of cast stone made to match the existing façade of the Justice Center. In total the art piece should stand about 12 feet in height with a circumference of 8 feet. A plaque is also proposed, which will name the art piece, the artist's date of creation, and the dedicator. The art piece will be surrounded by river rock with existing landscaping surrounding the interior walkway. The application meets all requirements per the LDO, and staff recommends approval of Case 121-19 with the stipulations listed in the Staff Report. I'm happy to answer questions.

Chairman Elkins: Thank you. Questions for Mr. Sanchez? Seeing none, Ms. Claxton?

Applicant Presentation:

Chris Claxton, Director of Parks and Recreation, appeared before the Planning Commission and made the following comments:

Ms. Claxton: I also have April Bishop with me tonight. She will be retiring on December 22nd.

Chairman Elkins: Welcome, Ms. Bishop. On behalf of this commission, thank you for all your years of service. The public art we have in Leawood is something that makes us a distinctive community and something that makes at least me very proud. We thank you because you've had so much to do with that over the years, dating clear back to when I served with you on the Arts Commission, which was quite a while ago.

Ms. Bishop: Thank you.

Ms. Claxton: Thank you for hearing both of these cases tonight. I have one point of clarification. After many years, when the property owners changed, they donated the piece to the city. We're pleased to have that. We think our recommendation for the new location and the materials we've selected will give the piece and artist who is very highly recognized a more proper place where it can be seen and recognized. It is currently in Emporia where it is being refurbished. As Mr. Sanchez mentioned, there is a limestone ribbon that accompanies the brick on the Justice Center. We felt we could bring that into that pillar so it's not just a concrete piece. When we're designing and looking at these foundations and pedestals, we try to make sure they don't overpower the piece because we want the piece to be the focus and not the pedestals they sit on. We stand for questions.

Comm. Block: It looks like the name of the piece has changed since it was initially installed. It used to be called World on Hands.

Ms. Bishop: That definitely was a conflict. When we talked to Kwan Wu, the artist, he said it got into his actual website incorrectly. It's always been Women of the World.

Chairman Elkins: Other questions? Thank you. Comments?

Comm. Coleman: I would like to echo your comments about April. I enjoyed the pleasure of serving with her when I was on the Parks and Recreation Advisory Board. She's incredibly passionate about the arts here in Leawood, and I wish you a healthy and fun retirement. This does make you eligible to be on the Arts Commission or on the Parks and Recreation Advisory Board since you are a Leawood resident.

Ms. Bishop: There are plans.

Chairman Elkins: The only comment I have is that I'm astounded the sculpture is 8 feet tall and will stand 12 feet tall. It seemed so much smaller because it sat on grade. I'm excited it will be highlighted at the Justice Center because it's no longer sitting in a ditch, which is probably an exaggeration. I think this is a vast improvement. It's a beautiful piece of art. If there are no other comments, do I hear a motion?

A motion to recommend approval of CASE 121-19 – CITY OF LEAWOOD PUBLIC ART – WOMEN OF THE WORLD – Request for approval of a Final Plan, located south of Town Center Drive and west of Tomahawk Creek Parkway –

was made by Coleman; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

A motion to extend the meeting for 30 minutes was made by Block; seconded by Coleman. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CASE 122-19 – CITY OF LEAWOOD PUBLIC ART – INSPIRATION – Request for approval of a Final Plan, located south of College Boulevard and east of Tomahawk Creek Parkway.

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 122-19 – Inspiration – Request for approval of a Final Plan. This art piece will be located at the southwest corner of College Boulevard and Tomahawk Creek Parkway. This area is part of the Sculpture Garden Master Plan set forth by the city which was approved by the Governing Body in 2008. This will be the northern part of the Sculpture Garden. It starts at the intersection of College and Tomahawk Creek Parkway and ends south along Tomahawk Creek Parkway. This art piece was previously located at Bannister and Hillcrest Road in Kansas City, Missouri, and since has been donated or purchased by the city and is now being refurbished. The person-like structure will sit at grade and will have a height of 26 feet. A small retaining wall will be placed along the northwest corner of the art piece along with Prairie Seed, which will be at the southeast corner. It will create an ellipses-type shape around the art piece. A plaque is also proposed with this art piece, which will name the art piece as well as the artist, date of creation, and dedicator. The application meets all requirements per the LDO, and staff recommends approval of Case 122-19 with the stipulations listed in the Staff Report. I'm happy to answer any questions.

Chairman Elkins: Can you describe a bit better where it is going to be?

Mr. Sanchez: There is a picture on the first page of the Staff Report. The road going east-west is College Boulevard, and the north-south road is Tomahawk Creek Parkway. The Meryl Lynch building is on the southwest corner of College and Tomahawk Creek. It is just across the street from that.

Chairman Elkins: It will be right in front of the row of birch trees.

Mr. Sanchez: Correct.

Chairman Elkins: Other questions? Seeing none, Ms. Claxton and Ms. Bishop?

Applicant Presentation:

Chris Claxton, Director of Parks and Recreation, appeared before the Planning Commission and made the following comments:

City of Leawood Governing Body Staff Report

MEETING DATE: January 6, 2020
REPORT WRITTEN: November 27, 2019

CITY OF LEAWOOD PUBLIC ART – INSPIRATION – REQUEST FOR APPROVAL OF A FINAL PLAN – Located south of College Boulevard and east of Tomahawk Creek Parkway – Case 122-19

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends approval unanimously (5-0) of Case 122-19, Public Art – Inspiration – request for approval of a Final Plan for the installation of public art, with the following stipulations:

1. The project is limited to the installation of a yellow public art piece along with a retaining wall, landscaping and lighting.
2. Per the Leawood Development Ordinance the source of illumination of all light fixtures shall not be visible.
3. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
4. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through four.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

The Planning Commission modified Stipulation #1 as follows:

From:

The project is limited to the installation of the public art piece along with a retaining, landscaping and lighting.

To:

The project is limited to the installation of a yellow public art piece along with a retaining wall and landscaping.

APPLICANT:

- The applicant is Chris Claxton with the City of Leawood Parks and Recreation Department.
- The property is owned by the City of Leawood.

REQUEST:

- The applicant is requesting approval of a Final Plan to install a piece of public art, a sculpture, titled "Inspiration", south of College Boulevard and east of Tomahawk Creek Parkway.

ZONING:

- The property is shown as REC (Planned Recreation).

COMPREHENSIVE PLAN:

- The Comprehensive Plan designates this property as Open Space - Public

021

LOCATION:



SURROUNDING ZONING:

- North To the north of the property across College Boulevard is open space owned by the City of Leawood. Further to north is the Johnson County Wastewater Facility, zoned AG (Agricultural), with a Special Use Permit for wastewater treatment facility.
- South Directly south of the property is open space owned by the City of Leawood, zoned REC.
- East East of the property the Hallbrook Farms residential subdivision, zoned RP-1 (Planned Single Family Low-Density Residential).
- West To the west of the property across Tomahawk Creek Parkway is Tomahawk Creek Office Park, zoned SD-O (Planned Office).

SITE PLAN COMMENTS:

- The art piece will be located approximately 190' southeast of the intersection of Tomahawk Creek Parkway and College Boulevard.
- The art piece was previously installed on private/commercial property at Bannister and Hillcrest Roads 32 years ago, and is being donated to the City by the owner.
- The art feature will be located within an area between an arched retaining wall to the northwest and an arched landscaped feature to the southeast.
- The retaining wall will be 46' long, 24" wide, and 30" tall. The wall will be constructed of natural limestone.
- This sculpture will be located within the Sculpture Garden Master Plan, which was approved by the Governing Body on July 21, 2008 (Resolution #3079).

ELEVATIONS:

- The sculpture consists of four carbon steel organic shapes, stacked on top of each other.
- The sculpture is 26' in height and is 18' wide, and 18" deep, and weighing 6,000 pounds in weight.

- The sculpture will be placed on a footing and will be set at grade and will face northwest, towards the intersection of Tomahawk Creek and College Boulevard.



SIGNAGE:

- No signage is proposed with this application.

LANDSCAPING:

- An arched landscape feature of Prairie Dropseed is being proposed southeast of the sculpture. This landscaping will accent the natural setting of the location for the art piece.

LIGHTING:

- Ground lighting is proposed to illuminate the art piece at night. The art piece will be illuminated between sun down and sun up.

STAFF COMMENTS:

- The art piece and landscaping will be located on land owned by the City of Leawood. Both the landscaping and structure shall be maintained by the City of Leawood Parks and Recreation Department to ensure that the area is well maintained.

RESOLUTION NO. _____

RESOLUTION APPROVING A FINAL PLAN FOR CITY OF LEAWOOD PUBLIC ART – INSPIRATION, LOCATED SOUTH OF COLLEGE BOULEVARD AND EAST OF TOMAHAWK CREEK PARKWAY. (PC CASE 122-19)

WHEREAS, the applicant submitted a request for approval of a Final Plan for public art along Tomahawk Creek Parkway;

WHEREAS, such request for approval was presented to the Planning Commission on November 26, 2019; and

WHEREAS, the Planning Commission reviewed the application and recommended approval with certain stipulations.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The Governing Body hereby approves the applicant’s request and the Planning Commission’s recommendation of approval for said Final Plan, subject to the following stipulations:

1. The project is limited to the installation of a yellow public art piece along with a retaining wall, landscaping and lighting.
2. Per the Leawood Development Ordinance the source of illumination of all light fixtures shall not be visible.
3. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
4. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood including the Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through four.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney



INSPIRATION ARTISTIC WORK PLACEMENT LEAWOOD, KANSAS

SITE PLAN

DATE: OCT 21, 2019 | DRAWN BY: TGS | SCALE: AS SHOWN

REVISIONS

City of Leawood

Continental

4000 WEST 14TH ROAD
LEAWOOD, KANSAS 66209
TEL: 913-646-2000
FAX: 913-646-2000
WWW.LEAWOODKS.COM



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**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.

PUBLIC HEARING

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

was made by Coleman; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

A motion to extend the meeting for 30 minutes was made by Block; seconded by Coleman. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

→ CASE 122-19 – CITY OF LEAWOOD PUBLIC ART – INSPIRATION – Request for approval of a Final Plan, located south of College Boulevard and east of Tomahawk Creek Parkway.

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 122-19 – Inspiration – Request for approval of a Final Plan. This art piece will be located at the southwest corner of College Boulevard and Tomahawk Creek Parkway. This area is part of the Sculpture Garden Master Plan set forth by the city which was approved by the Governing Body in 2008. This will be the northern part of the Sculpture Garden. It starts at the intersection of College and Tomahawk Creek Parkway and ends south along Tomahawk Creek Parkway. This art piece was previously located at Bannister and Hillcrest Road in Kansas City, Missouri, and since has been donated or purchased by the city and is now being refurbished. The person-like structure will sit at grade and will have a height of 26 feet. A small retaining wall will be placed along the northwest corner of the art piece along with Prairie Seed, which will be at the southeast corner. It will create an ellipses-type shape around the art piece. A plaque is also proposed with this art piece, which will name the art piece as well as the artist, date of creation, and dedicator. The application meets all requirements per the LDO, and staff recommends approval of Case 122-19 with the stipulations listed in the Staff Report. I'm happy to answer any questions.

Chairman Elkins: Can you describe a bit better where it is going to be?

Mr. Sanchez: There is a picture on the first page of the Staff Report. The road going east-west is College Boulevard, and the north-south road is Tomahawk Creek Parkway. The Meryl Lynch building is on the southwest corner of College and Tomahawk Creek. It is just across the street from that.

Chairman Elkins: It will be right in front of the row of birch trees.

Mr. Sanchez: Correct.

Chairman Elkins: Other questions? Seeing none, Ms. Claxton and Ms. Bishop?

Applicant Presentation:

Chris Claxton, Director of Parks and Recreation, appeared before the Planning Commission and made the following comments:

Ms. Claxton: Just to give you a little background about this piece, as Mr. Sanchez mentioned, this piece was created by Rita Blitt back in the '80s. It was over at the bank, as he mentioned. It is known to be her most successful piece and certainly her largest piece. There were other entities that wanted this piece. In terms of the location, that corner is pretty open. You can see on the diagram that there is a bit of a haul road in there, and we wanted to make sure we stayed clear of that. Drivers can see the piece as they drive northbound, at the intersection, southbound, and eastbound. Drivers can see it as they drive westbound off College Boulevard when coming from the state line area. The proposed 30" retaining wall is on the diagram wall. That picture in the left-hand corner is the stone in that location. That is farther east off of College at the entrance to Hallbrook Office Park. We feel those are good pieces. They are not stacked limestone. The piece is 26 feet tall, and they will not be in competition with it from that perspective. The same original installer will be installing it this time as well. They will construct the piece in the field, and then we will be able to have some options to how we want to orient it to make sure it's just right. We would stand for questions.

Chairman Elkins: Chris, where is the artist from?

Ms. Bishop: Leawood.

Ms. Claxton: It truly is a local piece. She has most recently donated the art on the exterior of the new Brookwood school because she had a grandchild there. The art you used to see at Oak Park Mall was hers. She was a pioneer for women sculptors in this area.

Ms. Bishop: She was at the forefront of putting art in public places where we live and work and shop. She's really an important artist, and we're very lucky to be able to acquire this piece. This piece has had various sizes and forms. It was actually given to our sister city back in the E-Lan Sister City Committee in a smaller size. It has had a nice history for us.

Ms. Claxton: One other thing I would like to add is the artist would like the piece to be painted yellow. Yellow is her favorite color, and I know that sounds kind of scary, but I think the backdrop of those birches will work with that. It is really a beautiful accent when the sun goes up and down. She has a piece at UMKC, and it is a very standard yellow. When it was at the bank, it just had a clear coating on the steel. It was grey.

Chairman Elkins: Art is in the eye of the beholder. I thought it was very nice at the bank.

Ms. Claxton: Think of some of the Jorge Blanco pieces we have down in City Park.

Comm. McGurren: Would painting it create ongoing maintenance?

Ms. Bishop: I think it will actually protect it for the long term. It's going through a restoration process now because it had a lot of rust with the welds. The coating was just not adequate for it, so this will protect the piece for the long term.

Chairman Elkins: How is the piece mounted? It's aluminum?

Ms. Claxton: No, it's steel.

Chairman Elkins: And it will be put on limestone, somewhat similar to the current installation?

Ms. Claxton: It will not be mounted to the limestone. The limestone is just to create that frontage, and then that will slough off to the back. It will have a significant footing because it weighs around 6,000 pounds.

Chairman Elkins: That's why I was curious. It actually has a concrete footing it's attached to?

Ms. Claxton: Yes, and there was a cut sheet on that, that showed a fairly substantial footing.

Chairman Elkins: Will the footing be below grade, then?

Ms. Claxton: It will be below grade.

Chairman Elkins: Any other questions?

Comm. Block: I didn't see any reference to the yellow. Is that going to happen if this gets approved, or is that a separate request?

Ms. Claxton: Yes. Staff supports it. In the Parkway, we had beautiful deer.

Ms. Bishop: Introspection is a black patina. It will be unique to our collection. It is a whimsical piece.

Chairman Elkins: The issue that I have is one that Commissioner McGurren raised, and that is the potential fading over time. I guess we just have to wait and see.

Ms. Claxton: Yes, but it's painted similar to what you would see on a car, and it also has a sealant. The other thing about our art program is we always put 15% into the maintenance budget so we have the money available if things come up. We also have our pieces inspected every year for fading or structure.

Chairman Elkins: Is the finish actually a powder coating?

Ms. Claxton: Yes.

Chairman Elkins: Other questions? Thank you. Any further discussion?

Mr. Coleman: Item No. 2 ways, “retaining,” but it should probably say, “retaining wall.”

Comm. Coleman: Should we add the color to this?

Chairman Elkins: I’m curious as to staff’s thought. Should it be part of the proposal we’re approving tonight?

Mr. Klein: I think it would be fine.

Mr. Scovill: To further support the painting, the carbon steel will need to be painted, or it will corrode. Stainless steel has a natural protective coating. It’s important we maintain that with a protective coating.

A motion to recommend approval of CASE 122-19 – CITY OF LEAWOOD PUBLIC ART – INSPIRATION – Request for approval of a Final Plan, located south of College Boulevard and east of Tomahawk Creek Parkway – with the revision of Stipulation No. 1 to state that the project is limited to the installation of the yellow public art piece, along with the retaining wall, landscaping, and lighting – was made by Coleman; seconded by McGurran. Motion carried with a unanimous vote of 5-0. For: McGurran, Elkins, Coleman, Stevens, and Peterson.

CASE 124-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9, DEVIATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to lot frontage. PUBLIC HEARING

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 124-19 – Leawood Development Ordinance Amendment to Section 16-3-9, Deviations. This amendment pertains to deviations on lot frontage. Currently, the LDO offers a deviation to lot width to 80% of the standard requirement. Two of the zoning districts that are primarily affected are R-1 and RP-1 that have a minimum of 100 feet of frontage. Currently, they don’t have any relief to that. This would provide a deviation if recommended by the Planning Commission and Governing body to go down to 80 feet. I believe RPA-5 also has a 150’ requirement, and it would also allow relief for that as well. Just to be sure everyone understands, I’d like to go over lot frontage and lot width. (*refers to display*) This is an aerial of houses in Leawood up north. Basically, if there is a rectangular lot, the width is measured at the build line where the house is set, and it is the same as the lot frontage. The lot frontage is the common property line that is the right-of-way line as well. That is really the difference. If there is a perfectly rectangular lot, they are the exact same measurement. A situation where the line angles, there will be a difference. That is probably the most pronounced as far as cul-de-

Memo

To: Mayor and City Council
From: Mark A. Klein, Planning Official
CC: Scott Lambers, City Administrator
Richard Coleman, Director of Community Development
Date of Meeting: January 6, 2020
Date of Memo: December 17, 2019
Re: The Planning Commission recommends approval unanimously (5-0) Case 124-19, Leawood Development Ordinance Amendment to Section 16-3-9 Deviations, pertaining to deviations to lot frontage.

The attached amendment to the Leawood Development Ordinance proposes to allow a deviation to the lot frontage of a newly developed lot, when approved by the Governing Body.

Section 16-3-9 (A)(6) allows the Governing Body to approve deviations to the lot width of a proposed lot up to 80% of the standard requirement set forth in the bulk requirements, after compensating common open space at a 1:1 ratio is provided elsewhere in the project.

The Leawood Development Ordinance defines lot frontage and lot width as follows:

Lot Frontage – All sides of a lot adjacent to a street and measured along the front property line as it abuts the street or along the street right-of-way line on unplatted streets.

Lot Width – The horizontal distance between the side property lines measured at the required front yard setback line.

Currently the only zoning districts that have minimum frontage requirements are: AG (Agricultural District), RP-A5 (Planned Rural Residential District), R-1 (Planned Single Family Low Density Residential District) and RP-1 (Planned Single Family Residential District). The difference between lot width and lot frontage is that lot width is measured at the building setback (i.e. setback 35' from the front property line within R-1 zoning districts) and lot frontage is measured at the front property line that is abutting a street.

The proposed amendment to the Leawood Development Ordinance will allow the Planning Commission the ability recommend and the Governing Body to approve a reduction of the lot frontage of a proposed lot to be 80% of the standard requirement, thereby matching the deviation currently permitted for lot width. As with the deviation to lot width, the deviation to lot frontage would only be permitted if compensating common open space is provided at a 1:1 ratio elsewhere in the project.

MODIFICATIONS MADE BY PLANNING COMMISSION:

- None

satisfaction of the bonus criteria, and the amount of any bonus to be awarded shall be at the sole discretion of the City. The total FAR for any development plan, including all bonuses, shall not increase to more than .45, unless approved by a 3/4 super-majority vote of the members of the Governing Body. FAR calculations shall be based on the total gross building square footage, generally excluding structured parking area, and the total site square footage. All approved bonus increases are to be added together before being applied to the base FAR of the district for calculation. Floor area ratio, FAR, bonuses may be granted as follows:

- a. Increased open space. Projects with permanent natural open space ratios in excess of the required minimum may receive up to 10% increase in the applicable maximum FAR based on not less than a 1:1 ratio of increased floor area to increased open space. Such permanent natural open space must provide value to the community by preserving and providing habitat areas for native flora and fauna, storm water recharge/ management potential, and/ or passive recreational potential for the public;
- b. Superior site planning. Projects with a landscape architectural plan demonstrating qualities of landscape conditions significantly superior to those required and/or existing in other developments in the City, provided that the quantity of landscaping is not reduced, may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of the construction value for allowable floor area to the construction value of those qualities deemed to be unique to the project and superior to required or existing landscape developments in the City. Projects with architecturally significant/superior fountains, sculpture/environmental art, site lighting conditions, extensive planting, reduction of heat islands, the limited use of potable water for irrigation, and other aesthetic or decorative features may be considered by the City as demonstrating significantly superior landscape conditions justifying such a deviation;
- c. Architectural significance and Superior Environmental Design. Projects with an architectural plan demonstrating qualities of building conditions significantly superior to those required and/ or existing in other developments in the City may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of the construction value for allowable floor area to the construction value of those qualities deemed to be unique to the project and superior to required or existing developments in the City. Projects with architecturally significant and consistent materials, massing, environmental systems such as solar shading or natural ventilation, loggias or covered outdoor areas that are part of the building's use or primary circulation system, refined details such as window and door systems, the incorporation of innovative wastewater technologies to reduce municipal water use, the inclusion of energy systems that are highly efficient or that utilize renewable energy systems, the reduction of waste or the use of recycled/salvage construction, demolition or land clearing waste, the use of materials with recycled contents that are manufactured locally or utilize rapidly renewable materials, the promotion of high indoor air quality and the efficient delivery of fresh air, the incorporation of materials and systems that reduce VOC emissions, the maximizing of natural light through design or other demonstrably superior qualities may be considered by the City as demonstrating conditions that would allow such a bonus;

- d. Pedestrian amenities. Projects with substantial pedestrian plazas and linkages, including walkway linkages to buildings and off-site public ways, street furniture and other features designed to encourage pedestrian circulation and usage may receive up to 10% increase in the applicable maximum FAR based on not less than a 1:1 ratio of value in added amenities to value in increased floor area;
 - e. Integrated storm water detention. Projects containing aerated wet basin storm water management ponds that are designed to be an integral architectural and site design element and that complements pedestrian uses on the site may receive up to 10% increase in the applicable maximum FAR based on a .5:1 ratio of additional allowable floor area to wet basin area; and
 - f. Parking structures. Projects incorporating above ground parking structures resulting in significant increases in landscaped open space may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of additional open space area to additional allowable floor area. Projects incorporating underground parking resulting in significant increases in landscaped open space may receive up to 15% increase in the applicable maximum FAR based on a 1:1 ratio of additional open space area to additional allowable floor area.
- 5) Setbacks. Unless provided below, subject to the general requirements for deviations, the following deviations to required setbacks may be granted only when compensating common open space (not less than a 1:1 ratio) is provided elsewhere in the project and where there is ample evidence that the deviation will not adversely affect neighboring property.
- a. Setbacks of buildings and paved areas from a public street may be reduced to 75% of the standard requirement.
 - b. Setbacks of buildings, excluding side and rear yard setbacks for uses in RP-2, RP-3 and RP-4, from a property line other than a public street, may be reduced to 85% of the standard requirement.
 - c. Side yards between buildings may be reduced to zero when the City approves adequate open space for the project and between buildings.
 - d. Interior property line setbacks may be reduced to zero when the City approves adequate open space for the project and between buildings.
 - e. Setbacks of buildings and paved areas from a freeway right-of-way may be reduced to 5 feet.
- 6) Lot Width and Lot Frontage. -Lot width and lot frontage may be reduced to 80% of the standard requirement. Any ~~common~~-space resulting from the ~~variance-deviation of such density standard~~ shall be set aside for the use and benefit of the occupants of such development or the general public.
- 7) Parking. The parking ratio for grouped commercial projects shall conform to section 16-4-5 of this Ordinance, except for deviations as may be granted consistent with this section. A portion of the required parking area may remain unimproved until such time as the Governing Body deems it must be improved to serve parking demand adequately.

- 8) Height. In recognition of the special nature of the MXD District, the City may grant deviations from standard height limitation, where and to the extent that said deviations may be necessary to allow for the construction of signature buildings unique to the area, upon approval by a 3/4 super-majority vote of the members of the Governing Body.

(Ord. 2364, 11-03-08)

(Ord. 2513, 10-25-11)

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 16-3-9 OF THE LEAWOOD DEVELOPMENT ORDINANCE ENTITLED "DEVIATIONS" AND REPEALING EXISTING SECTION 16-3-9 AND OTHER SECTIONS IN CONFLICT HEREWITH. (PC 124-19)

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: Section 16-3-9 of the Leawood Development Ordinance is hereby amended to read as follows:

16-3-9 DEVIATIONS

A) In reviewing a preliminary development plan, preliminary plat or final plat, the Planning Commission may recommend and the Governing Body may approve deviations from the minimum standards set forth in the applicable district or other applicable provisions, at the request of the applicant or otherwise, provided that any deviation so approved shall be in keeping with accepted land planning principles and must be clearly set out in the minutes as well as on exhibits in the record, in accordance with the limitations in this section. Deviations shall only be approved as may be authorized in this section.

- 1) Standards applicable to all deviations. In addition to the specific deviation requirements set forth below, no deviations shall be granted except when the following requirements are satisfied:
 - a. Any negative impacts that may result from the deviation are adequately addressed through appropriate mitigation or other conditions that benefit the public and fully offset any such impact;
 - b. The deviation is not inconsistent with the provisions or intent of the Comprehensive Plan;
 - c. The deviation does not violate the general purposes, goals and objectives of this Ordinance, the regulation subject to deviation, and other applicable regulations; and
 - d. The deviation and the resulting development promote the public benefit.
- 2) Use Regulations. No deviations shall be permitted to allow uses not otherwise permitted in the zoning district governing the property.
- 3) Lot area. Deviations from minimum lot or development areas may be granted where buildings are clustered so long as the overall density of the development does not exceed applicable floor area ratios for the entire parcel. Any common open space resulting from the variance of such density standard shall be set aside for the use and benefit of the occupants of such development or the general public as may be required by the City.

Deviations from the required minimum lot area of 10 acres for commercial developments may also be granted where the owner/developer makes diligent efforts, as determined by the Community Development Director, to work with

neighboring tract owners on a development plan to include the neighboring tracts to no avail. A development plan for less than 10 acres must take into account existing development and development plans for surrounding properties, including paths of ingress and egress for both pedestrian and vehicular traffic. Additionally, deviations may be allowed for landlocked parcels of less than 10 acres, where the surrounding property has already been developed.

- 4) Floor area ratio. Deviations from the required floor area ratios ["FAR"] may be granted in conformance with bonus criteria as specified in this subsection. The determination of the satisfaction of the bonus criteria, and the amount of any bonus to be awarded shall be at the sole discretion of the City. The total FAR for any development plan, including all bonuses, shall not increase to more than .45, unless approved by a 3/4 super-majority vote of the members of the Governing Body. FAR calculations shall be based on the total gross building square footage, generally excluding structured parking area, and the total site square footage. All approved bonus increases are to be added together before being applied to the base FAR of the district for calculation. Floor area ratio, FAR, bonuses may be granted as follows:
 - a. Increased open space. Projects with permanent natural open space ratios in excess of the required minimum may receive up to 10% increase in the applicable maximum FAR based on not less than a 1:1 ratio of increased floor area to increased open space. Such permanent natural open space must provide value to the community by preserving and providing habitat areas for native flora and fauna, storm water recharge/ management potential, and/ or passive recreational potential for the public;
 - b. Superior site planning. Projects with a landscape architectural plan demonstrating qualities of landscape conditions significantly superior to those required and/or existing in other developments in the City, provided that the quantity of landscaping is not reduced, may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of the construction value for allowable floor area to the construction value of those qualities deemed to be unique to the project and superior to required or existing landscape developments in the City. Projects with architecturally significant/superior fountains, sculpture/environmental art, site lighting conditions, extensive planting, reduction of heat islands, the limited use of potable water for irrigation, and other aesthetic or decorative features may be considered by the City as demonstrating significantly superior landscape conditions justifying such a deviation;
 - c. Architectural significance and Superior Environmental Design. Projects with an architectural plan demonstrating qualities of building conditions significantly superior to those required and/ or existing in other developments in the City may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of the construction value for allowable floor area to the construction value of those qualities deemed to be unique to the project and superior to required or existing developments in the City. Projects with architecturally significant and consistent materials, massing, environmental

systems such as solar shading or natural ventilation, loggias or covered outdoor areas that are part of the building's use or primary circulation system, refined details such as window and door systems, the incorporation of innovative wastewater technologies to reduce municipal water use, the inclusion of energy systems that are highly efficient or that utilize renewable energy systems, the reduction of waste or the use of recycled/salvage construction, demolition or land clearing waste, the use of materials with recycled contents that are manufactured locally or utilize rapidly renewable materials, the promotion of high indoor air quality and the efficient delivery of fresh air, the incorporation of materials and systems that reduce VOC emissions, the maximizing of natural light through design or other demonstrably superior qualities may be considered by the City as demonstrating conditions that would allow such a bonus;

- d. Pedestrian amenities. Projects with substantial pedestrian plazas and linkages, including walkway linkages to buildings and off-site public ways, street furniture and other features designed to encourage pedestrian circulation and usage may receive up to 10% increase in the applicable maximum FAR based on not less than a 1:1 ratio of value in added amenities to value in increased floor area;
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 - f. Parking structures. Projects incorporating above ground parking structures resulting in significant increases in landscaped open space may receive up to 10% increase in the applicable maximum FAR based on a 1:1 ratio of additional open space area to additional allowable floor area. Projects incorporating underground parking resulting in significant increases in landscaped open space may receive up to 15% increase in the applicable maximum FAR based on a 1:1 ratio of additional open space area to additional allowable floor area.
- 5) Setbacks. Unless provided below, subject to the general requirements for deviations, the following deviations to required setbacks may be granted only when compensating common open space (not less than a 1:1 ratio) is provided elsewhere in the project and where there is ample evidence that the deviation will not adversely affect neighboring property.
- a. Setbacks of buildings and paved areas from a public street may be reduced to 75% of the standard requirement.
 - b. Setbacks of buildings, excluding side and rear yard setbacks for uses in RP-2, RP-3 and RP-4, from a property line other than a public street, may be reduced to 85% of the standard requirement.

- c. Side yards between buildings may be reduced to zero when the City approves adequate open space for the project and between buildings.
 - d. Interior property line setbacks may be reduced to zero when the City approves adequate open space for the project and between buildings.
 - e. Setbacks of buildings and paved areas from a freeway right-of-way may be reduced to 5 feet.
- 6) **Lot Width and Lot Frontage.** Lot width and lot frontage may be reduced to 80% of the standard requirement. Any space resulting from the deviation shall be set aside for the use and benefit of the occupants of such development or the general public.
 - 7) **Parking.** The parking ratio for grouped commercial projects shall conform to section 16-4-5 of this Ordinance, except for deviations as may be granted consistent with this section. A portion of the required parking area may remain unimproved until such time as the Governing Body deems it must be improved to serve parking demand adequately.
 - 8) **Height.** In recognition of the special nature of the MXD District, the City may grant deviations from standard height limitation, where and to the extent that said deviations may be necessary to allow for the construction of signature buildings unique to the area, upon approval by a 3/4 super-majority vote of the members of the Governing Body.

(Ord. 2364, 11-03-08)

(Ord. 2513, 10-25-11)

SECTION TWO: This ordinance shall be construed as follows:

A. **Liberal Construction.** The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. **Savings Clause.** The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. **Invalidity.** If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION THREE: That existing LDO Section 16-3-9 and other provisions in conflict herewith are hereby repealed.

SECTION FOUR: This ordinance shall take effect and be in force from and after publication in accordance with law.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney

**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.

PUBLIC HEARING

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

Chairman Elkins: Other questions? Thank you. Any further discussion?

Mr. Coleman: Item No. 2 ways, “retaining,” but it should probably say, “retaining wall.”

Comm. Coleman: Should we add the color to this?

Chairman Elkins: I’m curious as to staff’s thought. Should it be part of the proposal we’re approving tonight?

Mr. Klein: I think it would be fine.

Mr. Scovill: To further support the painting, the carbon steel will need to be painted, or it will corrode. Stainless steel has a natural protective coating. It’s important we maintain that with a protective coating.

A motion to recommend approval of CASE 122-19 – CITY OF LEAWOOD PUBLIC ART – INSPIRATION – Request for approval of a Final Plan, located south of College Boulevard and east of Tomahawk Creek Parkway – with the revision of Stipulation No. 1 to state that the project is limited to the installation of the yellow public art piece, along with the retaining wall, landscaping, and lighting – was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

→ **CASE 124-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9, DEVIATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to lot frontage. PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 124-19 – Leawood Development Ordinance Amendment to Section 16-3-9, Deviations. This amendment pertains to deviations on lot frontage. Currently, the LDO offers a deviation to lot width to 80% of the standard requirement. Two of the zoning districts that are primarily affected are R-1 and RP-1 that have a minimum of 100 feet of frontage. Currently, they don’t have any relief to that. This would provide a deviation if recommended by the Planning Commission and Governing body to go down to 80 feet. I believe RPA-5 also has a 150’ requirement, and it would also allow relief for that as well. Just to be sure everyone understands, I’d like to go over lot frontage and lot width. (*refers to display*) This is an aerial of houses in Leawood up north. Basically, if there is a rectangular lot, the width is measured at the build line where the house is set, and it is the same as the lot frontage. The lot frontage is the common property line that is the right-of-way line as well. That is really the difference. If there is a perfectly rectangular lot, they are the exact same measurement. A situation where the line angles, there will be a difference. That is probably the most pronounced as far as cul-de-

sacs with the lot frontage that comes around on the cul-de-sac. The lot width is back where the house sits. Staff is recommending approval to allow some flexibility. We think it was perhaps intended when the ordinance was originally written; it's just the difference between those two really didn't come to light.

Chairman Elkins: Thank you. Are there questions for Mr. Klein? Because this is an amendment to the LDO, a Public Hearing is required. Kevin, do you wish to be heard?

Mr. Jeffries: *Inaudible comments*

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: Is there any discussion?

Comm. Coleman: I would just like to share that originally when I was looking through my agenda, I thought this was a sculpture called Deviations. I was looking forward to seeing it and where it was going to be installed.

A motion to recommend approval of CASE 124-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9, DEVIATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to lot frontage – was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CASE 123-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-1-4.2, MINIMUM STANDARDS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to heights of ground mounted utilities. PUBLIC HEARING

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 123-19 – Leawood Development Ordinance amendment to Section 16-1-4.2, Minimum Standards. This amendment addresses the size of ground-mounted utilities. Currently, the LDO breaks this into two categories. One is for residential; the other is for commercial. It uses the same size requirements. A utility box that is less than 55 inches in height and also has a pad footprint of less than 15 square feet, in both residential and commercial, the Director of Community Development has the ability to approve it administratively. If the utility box is 55 inches or greater or has a footprint larger than 15 square feet, within the commercial development, they're required to go through Planning Commission and City Council for a final plan. In the case of

Memo

To: Mayor and City Council
From: Mark A. Klein, Planning Official
CC: Scott Lambers, City Administrator
Richard Coleman, Director of Community Development
Date of Meeting: January 6, 2020
Date of Memo: December 17, 2019
Re: The Planning Commission recommends approval unanimously (5-0) Case 123-19, Leawood Development Ordinance Amendment to Section 16-1-4.2, Minimum Standards, pertaining to the height of ground mounted utility boxes.

This amendment proposes to increase the allowable height of administratively approved utility boxes in residential and commercial districts from 55" to 56".

Currently, the Leawood Development Ordinance allows utility boxes that are less than 55" in height to be administratively approved by the Director of Community Development in both residential and commercial districts. However, if the utility box is 55" or greater, approval of a Special Use Permit is required within residential districts, and approval of a Final Plan is required in a commercial districts.

This amendment proposes to change the threshold for administrative approval from less than 55 inches tall to less than 56 inches tall. Fifty-six inch tall utility boxes associated with DAS and Small Cell Wireless facilities are becoming common. DAS and Small Cell applications are currently reviewed and approved administratively. This LDO amendment will provide consistency between the ordinance requirements and the approval process.

MODIFICATIONS MADE BY PLANNING COMMISSION:

- None.

16-1-4.2 Minimum Standards

- A) General requirements – All districts. This section shall establish supplementary requirements for accessory “Utility and Service Facilities.” The facilities subject to this section shall include any cabinet, pedestal, box, vault, building or other accessory facility used for public utility services, public service corporations, or telecommunications providers including any associated equipment such as condensing units and generators (hereinafter collectively referred to as “facilities” or “utility boxes”). Traffic signal controllers shall not be considered utility or service facilities nor shall substations or other utility facilities that require a special use permit or other planned approval as a principal use of property. Except as may be expressly otherwise waived by the City, the following general requirements shall apply to all utility facilities and utility boxes:
- 1) All facilities shall be placed underground unless otherwise authorized in this section.
 - 2) Aboveground pedestals, vaults, or other aboveground facilities may be installed only if approved by the City where alternative underground facilities are not reasonably feasible or where above-ground placement is otherwise authorized in this section.
 - 3) All facilities, whether on right-of-way or public or private property, shall be subject to all other zoning or other restrictions established by ordinances or regulations of the City unless otherwise provided herein.
 - 4) The design, location, and nature of all facilities shall require approval of the City Engineer, which approval shall be considered in a nondiscriminatory manner, in conformance with this Ordinance, and subject to reasonable conditions as may be necessary to meet these requirements.
 - 5) All aboveground facilities, where authorized, shall be screened. Unless otherwise approved, screening shall include use of evergreen trees, shrubs, or other landscaping, planted to form an effective and actual sight barrier within two years. A landscape plan signed by a Kansas registered landscape architect shall be submitted and approved by the city. At the time of planting, plant material screening the ground mounted utility, shall be a minimum of 6 inches taller than the utility it is to screen, with lower shrubs in foreground to eliminate any gaps in screening. The utility shall be responsible for the installation, maintenance, repair, or replacement of the aforementioned screening materials when the real property on which the aboveground facility is located is owned by the utility. When said aboveground facility is located on non-utility owned real property, maintenance of all landscaping shall be the responsibility of the utility, unless the property owner provides written acceptance of such responsibility, running with the land. Aboveground facilities and low profile mini-pad transformers needed for underground utilities, located in rear yards, serving not more than two single-family dwellings are exempt from screening requirements.
 - 6) Each electric vehicle charging station shall be posted with signage indicating the space is only for electric vehicle charging purposes. In addition, the electric charging station may include signage on the charging station identifying it as an electric charging station, instructions on its use, and listing of owners/sponsors of the charging station. However, such listing of owners/sponsors shall be limited to a total of 48 sq.in. All signage must conform to the requirements of the Leawood Development Ordinance and shall not contain advertisements for products or services. Signage on any one side of the charging station shall be a maximum of 50% of the surface area on that side. The maximum height of lettering for any sign shall be 6 in.

- 7) All facilities will be constructed in such a manner so as not to emit any unnecessary intrusive noise.
- 8) Within residential developments, all City approved aboveground facilities shall be placed in the rear yard wherever practical. If locating these facilities in the rear yard is not practical or appropriate, as determined by the City Engineer, then such facilities shall be at least twenty-five (25) feet behind the right-of-way.
- 9) Facilities shall be prohibited from being located within the right-of-way, unless otherwise approved by the City Engineer if necessary and appropriate.
- 10) Any material changes or extensions to such facilities or the construction of any additional structures shall be subject to the requirements and approval of the City Engineer in conformance with the requirements of this section.
- 11) As technology permits, permit holder shall reduce the size or remove the utility boxes at this site.
- 12) All facilities and utility boxes shall be deemed abandoned after six continuous months of non-use, and thereafter the approval for such facilities shall be deemed null and void and shall be removed within 30 days thereafter at the cost of the utility.
- 13) Fencing and gates associated with utility and service facility shall comply with the regulations contained in Section 16-4-9 of this Ordinance.

B) In residential districts, the following additional requirements apply:

- 1) All new utility boxes with a height of less than 55-56 inches, a footprint of equal to or less than 15 square feet in area, or a pad footprint of equal to or less than 15 square feet, may be installed only with the prior approval of the Director of Community Development as being in compliance with this Ordinance. However, all new electric vehicle charging stations shall only be permitted within the interior of a garage.
- 2) All new utility boxes with a height of 55-56 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, shall be authorized only by approval of a special use permit prior to construction.

C) In commercial districts, the following additional requirements apply:

1. All utility boxes, not otherwise approved on a Development Plan, with a height of less than 55-56 inches, a footprint of 15 square feet in area or less, or a pad footprint of 15 square feet in area or less, may be installed only with the prior approval of the Director of Community Development as being in compliance with this Ordinance.
2. Electric vehicle charging stations may be installed only with the prior approval of the Director of Community Development as being in compliance with this ordinance if the following apply.
 1. The electric vehicle charging station has a height of 72" in. or less, and a footprint of 3 sq.ft. or less, or a pad footprint of 3 sq.ft. or less in area.
 2. The electric vehicle charging station has a height of less than 55-56 in., and a footprint of 15 sq.ft. or less.
3. All utility boxes, not otherwise approved on a Development Plan, with a height of 55-56 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, or all electric vehicle charging stations that do not meet the size specifications of Section 16-1-4.2(C)(1) of this Ordinance, may be installed only with the prior recommendation of the Planning Commission as being in compliance with this

Ordinance based on review of a site plan containing such final development plan information as may be required by the City, and approval by the Governing Body. The City may impose conditions on approval, including but not limited to duration or renewal requirements, where the circumstances are sufficiently unusual to warrant the conditions.

(Ord. 2439, 04-13-10)

(Ord. 2718, 02-24-15)

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 16-1-4.2 OF THE LEAWOOD DEVELOPMENT ORDINANCE ENTITLED "MINIMUM STANDARDS" AND REPEALING EXISTING SECTION 16-1-4.2 AND OTHER SECTIONS IN CONFLICT HEREWITH. (PC 123-19)

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: Section 16-1-4.2 of the Leawood Development Ordinance is hereby amended to read as follows:

16-1-4.2 MINIMUM STANDARDS

- A) General requirements – All districts. This section shall establish supplementary requirements for accessory "Utility and Service Facilities." The facilities subject to this section shall include any cabinet, pedestal, box, vault, building or other accessory facility used for public utility services, public service corporations, or telecommunications providers including any associated equipment such as condensing units and generators (hereinafter collectively referred to as "facilities" or "utility boxes"). Traffic signal controllers shall not be considered utility or service facilities nor shall substations or other utility facilities that require a special use permit or other planned approval as a principal use of property. Except as may be expressly otherwise waived by the City, the following general requirements shall apply to all utility facilities and utility boxes:
- 1) All facilities shall be placed underground unless otherwise authorized in this section.
 - 2) Aboveground pedestals, vaults, or other aboveground facilities may be installed only if approved by the City where alternative underground facilities are not reasonably feasible or where above-ground placement is otherwise authorized in this section.
 - 3) All facilities, whether on right-of-way or public or private property, shall be subject to all other zoning or other restrictions established by ordinances or regulations of the City unless otherwise provided herein.
 - 4) The design, location, and nature of all facilities shall require approval of the City Engineer, which approval shall be considered in a nondiscriminatory manner, in conformance with this Ordinance, and subject to reasonable conditions as may be necessary to meet these requirements.
 - 5) All aboveground facilities, where authorized, shall be screened. Unless otherwise approved, screening shall include use of evergreen trees, shrubs, or other landscaping, planted to form an effective and actual sight barrier within two years. A landscape plan signed by a Kansas registered landscape architect shall be submitted and approved by the city. At the time of planting, plant material screening the ground mounted utility, shall be a minimum of 6 inches taller than the utility it is to screen, with lower shrubs in foreground to eliminate any gaps in screening. The utility shall be responsible for the installation, maintenance, repair,

or replacement of the aforementioned screening materials when the real property on which the aboveground facility is located is owned by the utility. When said aboveground facility is located on non-utility owned real property, maintenance of all landscaping shall be the responsibility of the utility, unless the property owner provides written acceptance of such responsibility, running with the land. Aboveground facilities and low profile mini-pad transformers needed for underground utilities, located in rear yards, serving not more than two single-family dwellings are exempt from screening requirements.

- 6) Each electric vehicle charging station shall be posted with signage indicating the space is only for electric vehicle charging purposes. In addition, the electric charging station may include signage on the charging station identifying it as an electric charging station, instructions on its use, and listing of owners/sponsors of the charging station. However, such listing of owners/sponsors shall be limited to a total of 48 sq.in. All signage must conform to the requirements of the Leawood Development Ordinance and shall not contain advertisements for products or services. Signage on any one side of the charging station shall be a maximum of 50% of the surface area on that side. The maximum height of lettering for any sign shall be 6 in.
 - 7) All facilities will be constructed in such a manner so as not to emit any unnecessary intrusive noise.
 - 8) Within residential developments, all City approved aboveground facilities shall be placed in the rear yard wherever practical. If locating these facilities in the rear yard is not practical or appropriate, as determined by the City Engineer, then such facilities shall be at least twenty-five (25) feet behind the right-of-way.
 - 9) Facilities shall be prohibited from being located within the right-of-way, unless otherwise approved by the City Engineer if necessary and appropriate.
 - 10) Any material changes or extensions to such facilities or the construction of any additional structures shall be subject to the requirements and approval of the City Engineer in conformance with the requirements of this section.
 - 11) As technology permits, permit holder shall reduce the size or remove the utility boxes at this site.
 - 12) All facilities and utility boxes shall be deemed abandoned after six continuous months of non-use, and thereafter the approval for such facilities shall be deemed null and void and shall be removed within 30 days thereafter at the cost of the utility.
 - 13) Fencing and gates associated with utility and service facility shall comply with the regulations contained in Section 16-4-9 of this Ordinance.
- B) In residential districts, the following additional requirements apply:
- 1) All new utility boxes with a height of less than 56 inches, a footprint of equal to or less than 15 square feet in area, or a pad footprint of equal to or less than 15 square feet, may be installed only with the prior approval of the Director of

Community Development as being in compliance with this Ordinance. However, all new electric vehicle charging stations shall only be permitted within the interior of a garage.

- 2) All new utility boxes with a height of 56 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, shall be authorized only by approval of a special use permit prior to construction.
- C) In commercial districts, the following additional requirements apply:
- 1) All utility boxes, not otherwise approved on a Development Plan, with a height of less than 56 inches, a footprint of 15 square feet in area or less, or a pad footprint of 15 square feet in area or less, may be installed only with the prior approval of the Director of Community Development as being in compliance with this Ordinance.
 - 2) Electric vehicle charging stations may be installed only with the prior approval of the Director of Community Development as being in compliance with this ordinance if the following apply.
 - a) The electric vehicle charging station has a height of 72" in. or less, and a footprint of 3 sq.ft. or less, or a pad footprint of 3 sq.ft. or less in area.
 - b) The electric vehicle charging station has a height of less than 56 in., and a footprint of 15 sq.ft. or less.
 - 3) All utility boxes, not otherwise approved on a Development Plan, with a height of 56 inches or greater, a footprint greater than 15 square feet in area, or a pad footprint greater than 15 square feet in area, or all electric vehicle charging stations that do not meet the size specifications of Section 16-1-4.2(C)(1) of this Ordinance, may be installed only with the prior recommendation of the Planning Commission as being in compliance with this Ordinance based on review of a site plan containing such final development plan information as may be required by the City, and approval by the Governing Body. The City may impose conditions on approval, including but not limited to duration or renewal requirements, where the circumstances are sufficiently unusual to warrant the conditions.

(Ord. 2439, 04-13-10)

(Ord. 2718, 02-24-15)

SECTION TWO: This ordinance shall be construed as follows:

A. Liberal Construction. The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. Savings Clause. The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of

this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. Invalidity. If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION THREE: That existing LDO Section 16-1-4.2 and other provisions in conflict herewith are hereby repealed.

SECTION FOUR: This ordinance shall take effect and be in force from and after publication in accordance with law.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney

**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

**CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

sacs with the lot frontage that comes around on the cul-de-sac. The lot width is back where the house sits. Staff is recommending approval to allow some flexibility. We think it was perhaps intended when the ordinance was originally written; it's just the difference between those two really didn't come to light.

Chairman Elkins: Thank you. Are there questions for Mr. Klein? Because this is an amendment to the LDO, a Public Hearing is required. Kevin, do you wish to be heard?

Mr. Jeffries: *Inaudible comments*

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurran, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: Is there any discussion?

Comm. Coleman: I would just like to share that originally when I was looking through my agenda, I thought this was a sculpture called Deviations. I was looking forward to seeing it and where it was going to be installed.

A motion to recommend approval of CASE 124-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-9, DEVIATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to lot frontage – was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurran, Elkins, Coleman, Stevens, and Peterson.

CASE 123-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-1-4.2, MINIMUM STANDARDS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to heights of ground mounted utilities. PUBLIC HEARING

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

→ Mr. Klein: This is Case 123-19 – Leawood Development Ordinance amendment to Section 16-1-4.2, Minimum Standards. This amendment addresses the size of ground-mounted utilities. Currently, the LDO breaks this into two categories. One is for residential; the other is for commercial. It uses the same size requirements. A utility box that is less than 55 inches in height and also has a pad footprint of less than 15 square feet, in both residential and commercial, the Director of Community Development has the ability to approve it administratively. If the utility box is 55 inches or greater or has a footprint larger than 15 square feet, within the commercial development, they're required to go through Planning Commission and City Council for a final plan. In the case of

residential, they would have to go through a full Special Use Permit process with notification, interact meetings, and public hearings. Tonight, we're proposing that the height limitation change from less than 55 inches to less than 56 inches because we are starting to see a lot of small cell facilities that have ground-mounted utility boxes associated with them. In talking with the different carriers, they have indicated they are approximately 56 inches in height. Rather than having to have a full-blown Special Use Permit since many of these are in residential districts, we wanted to consider this amendment since it is such a small difference. Staff is recommending approval of this application, and I'd be happy to answer questions.

Chairman Elkins: All this for one inch.

Mr. Klein: Yes.

Chairman Elkins: Any questions for Mr. Klein?

Comm. Block: Is it enough? Do you want to give yourself some room and take it to 60 inches?

Mr. Klein: We actually talked about that, and we were trying to be conservative instead of opening up too much. If it does need to happen, we might come back before you, but so far, the carriers we've talked to have indicated that this would be enough.

Comm. Block: Is it limited to one manufacturer that makes them at 56 inches, but then another could be excluded because it's 56 1/2 inches?

Mr. Klein: I appreciate your point. Staff talked about that but decided to keep it at 56 inches.

Chairman Elkins: Staff knows how I feel about ground-mounted utility boxes. Any other questions? This again is an amendment to the LDO, so a Public Hearing is mandated.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: That takes us to discussion of whether we wish to agree to give administrative authority to clear utility boxes that are less than 56 inches tall.

A motion to recommend approval of CASE 123-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-1-4.2, MINIMUM STANDARDS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to heights of ground mounted utilities – was made by McGurren;

seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CASE 113-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-12.4, DISTRIBUTED ANTENNA SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Distributed Antenna Systems (DAS) and Small Cell Facilities. **PUBLIC HEARING**

Chairman Elkins: I notice in the title, you're using the plural of antenna, and in the description, you use the singular.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 113-19 – Leawood Development Ordinance Amendment to Section 16-4-12.4, Distributed Antenna System (DAS) and Small Cell Facilities. The reason this is before you tonight is the FCC has passed legislation with regard to requirements that cities have to allow these carriers to provide small cell. Right now, we have 5G that's going in, so we're seeing a little bit of new equipment. You probably noticed on some of the light poles that there is actually an enclosure on top of the pole. This is a very similar situation where that part that is on top of the pole typically is on 4G. Now, they would like to add 5G to add more bandwidth. That will be located below the poles. As I indicated in the memo, they can be located on three different poles: street light, utility, or a pole they create and put in the right-of-way that would not have a light fixture attached. I'll show a picture to make it easier to understand what's going on (*refers to picture*). This is an example of a small cell facility located on the light pole. This amendment is trying to clarify where different measurements are taken from and also trying to reflect different amounts of equipment that are allowed to be attached to the poles to bring them in line with what the FCC has already approved. This amendment will keep the cubic feet that the enclosure is allowed to be the same at 6 cubic feet; however, we currently have a limitation of 54 inches in height, and this would allow it to go to 80 inches in height. That means these will be smaller if they extend taller. These are the 4G; 5G is located on the poles themselves. The FCC has determined that all the rest of the attachments on the pole are allowed to be 17 cubic feet. As these applications come in, staff will look at the equipment and the total cubic feet to ensure it doesn't exceed 17 cubic feet. It has increased from 8 to 17 cubic feet. We also have a limitation of no more than five pieces of equipment. They can have more than one piece of equipment as long as it is on the same attachment. That is what the light pole would look like. There is also a utility pole. Typically, it would have a top enclosure. Since the pole is wooden, it obviously isn't hollow, so the conduit would have to be run on the outside. This amendment states that the conduit and other wiring would have to be compatible with the color of the pole to match a bit better. Currently, we have a limitation that the top enclosure can be no more than 30 inches in height. This amendment would change that to 80 inches in height, so it matches the light pole example. It does require the undergrounding of the utilities once it gets down the conduit and into the ground. It also

Memo

To: Mayor and City Council
From: Mark A. Klein, Planning Official
CC: Scott Lambers, City Administrator
Richard Coleman, Director of Community Development
Date of Meeting: January 6, 2020
Date of Memo: December 17, 2019
Re: The Planning Commission recommends unanimously (5-0) Case 113-19, Leawood Development Ordinance Amendment to Section 16-4-12.4 Distributed Antennae System (DAS) and Small Cell Facilities (SCF), pertaining to Small Cell Facilities.

This amendment proposes changes to the Leawood Development Ordinance regarding Distributed Antennae Systems (DAS) and Small Cell Facilities (SCF) within Section 16-4-12.4.

The changes proposed to the Leawood Development Ordinance are made to create consistency between the Leawood Development Ordinance and new regulations of the FCC to accommodate new 5G wireless technology. These changes address the height of poles, maximum number and volume of equipment attached to poles, along with aesthetic requirements.

Below are some of the proposed changes with this application.

- Re-organizes the regulations regarding the attachment of antennas and associated equipment based on the type of pole the equipment is proposed to be placed on: street light poles, utility poles, non-street light poles.

Street Light Poles:

- Increases the maximum height for a top-mounted enclosure on street lights that contain antennas and associated equipment from 54" to 80" in height.
- Clarifies that the top-mounted enclosure cannot be mounted more than 12" above where the upper mast arm connects to the pole.
- Excluding the top-mounted enclosure, changes the maximum total cu.ft. of equipment permitted to be attached to the pole from 8 cu.ft. to 17 cu.ft.

Utility Poles:

- Increases the maximum height for a top-mounted enclosure on street lights that contains antennas and associated equipment from 30" to 80" in height with a maximum volume of 6 cu.ft.
- The height of the top of the enclosure shall be no more than the height of poles within 300' of the pole, if an antenna enclosure was added, and in no event shall be taller than 50'.

- Requires that wiring or cabling mounted to the pole shall be inside a conduit that is a color consistent with the pole.

Non-Street Light Poles:

- New poles, including all antennas and equipment shall not exceed the height of street light poles within 300' of surrounding if an antenna enclosure was added.
- Requires these poles to be either circular or octagonal and colored to match street light poles within 300' of the proposed site. It also prohibits wooden poles for the sole purpose of DAS/SCF equipment.
- Limits the number of top-mounted enclosures for antennas and associated equipment to one.
- Excluding top mounted enclosures, limits the number of attachments to the pole to 5, with a maximum volume of 14 cu.ft.
- Requires these poles have a smooth finish with antennas and equipment being placed on the interior of the pole to the extent possible. The poles shall not have any protrusions except for necessary antenna and associated equipment.
- Requires that these poles be uniform and neutral in color, not painted or otherwise decorated.
- Limits exterior cabling to a maximum of 2'. Such cabling must be colored to blend with the pole.

MODIFICATIONS MADE BY PLANNING COMMISSION:

- None.

16-4-12.4 Distributed Antennae System (DAS) and Small Cell Facilities (SCF)

This section applies to small cell facilities and the antenna and pole mounted equipment portions of a DAS or SCF. All ground mounted utility boxes associated with DAS or SCF shall be regulated per Section 16-1-4, of this ordinance.

A)a) Definitions: for the purposes of this Section, these terms shall have the following meanings:

- 1) **Street-Light Pole:** A pole supporting a light fixture to provide illumination of streets and sidewalks, made of galvanized steel or aluminum, as the case may be or such other material as may be approved by the Director of Public Works.
- 2) **Distributed Antennae System (DAS).** A network that distributes radio frequency signals and which consists of:
 - (1) remote communications or antenna nodes deployed throughout a desired coverage area, each including at least one antenna for transmission and reception;
 - (2) a high capacity signal transport medium that is connected to a central communications hub site; and
 - (3) radio transceivers located at the hub's site to process or control the communications signals transmitted and received by through antennas to provide wireless or mobile services within a geographic area or structure.
- 3) **Non-Street Light Pole:** a pole placed for the sole purpose of supporting Small Cell Facilities or Distributed Antenna Systems, made of steel or aluminum, as the case may be or such other material as may be approved by the Director of Public Works.
- 4) **Small Cell Facility (SCF):** A small cell facility is defined as a wireless facility which meets both of the following qualifications: (1) each antenna or group of antennas is located inside an enclosure of no more than six (6) cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and (2) primary other equipment and equipment enclosures that are no larger than, in total volume, do not exceed 17 cubic feet in volume.
- 5) **Utility Pole:** a pole supporting the distribution of public utilities which may also be capable of supporting DAS/SCF and is constructed of wood or other approved materials; such poles might be located in the public right-of-way or in public/private utility easements.

B)b) **DAS/SCF Administrative Approval.** All DAS or SCF that meet the following requirements may be installed with the prior approval of the Director of Public Works as being in compliance with this Ordinance. DAS or SCF that do not meet the standards below shall require approval of a Special Use Permit as required within Section 16-4-12 of this ordinance.

- 1) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Street-Light**

Poles. Distributed Antennae Systems or Small Cell Facilities may be located on non-decorative, City Owned Street-Light Poles but only if approved by separate agreement with the City of Leawood. At a minimum the systems must meet the standards listed below. City owned street-light poles shall not be considered tower or alternative tower structures for the purposes of this ordinance.

- a) All ~~antennae-top-mounted antennas and~~ associated equipment with DAS/SCF shall be completely enclosed to screen the ~~antennae-antennas and equipment~~ from view. Such enclosure shall be a maximum of 16 in. in width ~~by 54~~ and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The bottom of the enclosure shall be mounted a maximum of 12 in. above the current height of where the uppermost mast arm connects to the pole. The height that the enclosure is mounted above the pole shall not be included in the height of the enclosure. Small-cell facility antennae shall not exceed 6 cubic feet.
 - b) A maximum of one enclosure for the top-mounted antennae shall be permitted per pole.
 - c) In addition to the top-mounted antennas and equipment, a maximum of five additional pieces of equipment attachments shall be permitted to be mounted to the pole with the total area of such equipment attachments not to exceed a total of 817 cu. ft., and such attachments shall not project from the pole more than 16 in. 18 in. For purposes of this subsection, attachments means all other antennas, equipment, and enclosures attached to the pole, excluding any top-mounted antennas and equipment. For purposes of calculating the number of attachments on the pole, all equipment utilizing a single mounting system shall be counted as one attachment.
 - d) A maximum of 2 ft. of wiring in total for each installation shall be permitted to be exposed. All other wiring shall be fully enclosed, or screened.
 - e) All attachments, equipment, or antennas mounted on the street-light pole shall be mounted a minimum of 8 ft. from grade to the bottom of the attachment or equipment.
 - f) All exterior equipment attachments and antennas, including exposed wiring, shall be of materials and color that are consistent with the light pole so as to blend architecturally with the pole.
 - g) All wiring not within or on the pole shall be placed underground per Section 16-1-4 of this ordinance.
 - h) All ground mounted equipment associated with DAS/SCF facilities must adhere to screening and landscaping requirements of this code.
- 2) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Utility Poles ~~or~~ Non-Street Light Poles.**
- a) All top-mounted antennae associated with DAS/SCF shall be completely enclosed to

screen the antennae from view. The enclosure containing the antennae shall be a maximum of 16 in. in width ~~by 30~~ and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The height of the top of the enclosure of the antennae shall be mounted a maximum of 12 in. above the height of the pole. ~~Small cell facilities antennae shall not exceed 6 cubic~~ more than the height of poles within 300 feet of the pole if an antenna enclosure was added, and in no event higher than 50'.

- b) A maximum of one enclosure for ~~the~~ top-mounted antennae shall be permitted per Utility Pole pole.
- c) Where allowed by ~~3rd~~ third-party agreement, only the antennae, associated attachments or equipment, screening, or cables shall be attached to the pole.
- d) Utility Poles to replace existing Utility Poles so as to host DAS or SCF shall not be greater than 5 ft. taller than the original utility pole that is replaced.
- e) — All exterior attachments, equipment, or antenna shall be of materials and color that are consistent with the pole so as to blend architecturally with said pole.
- f) All wiring not mounted to the pole shall be placed underground per Section 16-1-4 of this ordinance. Wiring or cabling mounted to the pole shall be inside a conduit of a material and color consistent with the pole.

3) Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Non-Street Light Poles.

- g)a) Such poles shall be ~~uniform in color and~~ hollow to allow internal placement of cables associated with any equipment for the DAS/SCF.
 - ~~(f) — Such poles shall match other Street Light Poles within 300 feet of area the new pole is to be placed.~~
 - ~~(A) Pole design must be neutral in color and not painted or otherwise decorated, composed of galvanized steel or aluminum, whichever is more prevalent within 300 feet surrounding the new pole location. New, wooden poles will not be allowed for the sole purpose of supporting DAS/SCF equipment.~~
- b) Such poles shall be constructed to meet all public works standards. See City of Leawood Public Improvement Construction Standards, 2015, as amended.
- (B)c) Such poles ~~must~~ shall feature a break away base design to ensure safety and conformity with ~~other poles within 300 feet surrounding the new pole location.~~ the City of Leawood Public Improvement Construction Standards.

~~(C) Such poles shall bear a smooth finish and shall not have any protrusions except for necessary antenna and associated equipment. No more than 2 feet of cabling shall be visible on the outside of the pole, all other cabling must be internal. Any visible cabling shall be colored so as to blend with the exterior color of the pole.~~

~~(D) Such poles shall be either circular or octagonal, to match other street light poles within 300 feet surrounding the proposed site.~~

~~(E) Such poles shall support no more than one top mounted antenna.~~

~~(2) New Poles shall not exceed the height of Street Light Poles within 300 feet of the New Pole site, including the height of any antenna or other equipment.~~

~~(3) Associated equipment to be mounted on the pole shall be mounted no lower than 8 feet above grade from the bottom of the pole and shall not exceed 8 cu. ft.~~

~~(4) All equipment attached to or associated with such poles shall comply with all other regulations in this Section. Ground mounted equipment shall comply with 16-1-4 of this code. In no case shall more than 5 pieces of additional equipment beyond the top mounted antenna be attached to any one pole.~~

~~(5d)~~ All newly erected poles shall be placed in such a way as to not interfere with other users of the public right-of-way; including but not limited to: gas, electric, and other telecommunications utilities, fire hydrants, access drives for residential dwellings, public transportation, vehicular traffic, or pedestrians.

~~(5e)~~ Unless otherwise required by federal, state law or local law, no pole hosting DAS or SCF equipment shall include any permanently installed lights. Further, any lights associated with the electronic equipment shall be shielded from public view. Nothing in this subsection shall be construed to prohibit attachment of DAS or SCF equipment to city-owned street lights where permitted by separate agreement.

~~f) No attachment to Utility New poles, including all antennas and equipment, shall not exceed the height of Street-Light Poles owned by within 300 feet of surrounding the proposed site if an antenna enclosure was added pursuant to this section.~~

~~g) Such poles shall be uniform and neutral in color and not painted or otherwise decorated. Wooden poles will not be allowed for the sole purpose of supporting DAS/SCF equipment.~~

~~h) Such poles shall bear a smooth finish and shall not have any protrusions except for necessary antenna and associated equipment, and all antennas and equipment shall be placed on the interior of the poles to the extent possible. No more than 2 feet of cabling shall be visible on the outside of the pole, all other cabling must be internal. Any visible cabling shall be colored so as to blend third party architecturally with the pole.~~

- j) Such poles shall be either circular or octagonal, and of the same color and type to match other street light poles within 300 feet surrounding the proposed site.
- j) A maximum of one enclosure for the top-mounted antennae shall be permitted without per pole.
- k) A maximum of five additional attachments (not including top-mounted, or pole mounted antennae) shall be permitted to be mounted to the pole with the total area of such attachments not to exceed a separate agreement with the owner of said pole total of 14 cu. ft. and shall not project from the pole more than 18 in. All equipment utilizing a single mounting system shall be counted as one attachment.
- l) Attachments and antenna shall be mounted no lower than 8 feet above grade from the bottom of the pole.
- m) All attachments and equipment attached to or associated with such poles shall comply with all other regulations in this Section. Ground mounted equipment shall comply with the requirements found in 16-1-4 of this code.

h)

D) Application, Approval, and Timeline for DAS and SCF on any Type of Pole:

- (1) An applicant may submit a single application for an administrative decision granting a permit for installation, construction, maintenance, or repair of a DAS/SCF where the following conditions are met:
 - a) Notification in writing that the applicant plans to file a consolidated application; and
 - b) The application contains no more than 25 small cell facilities of substantially similar design.
- (2) The application must file a separate application for any facilities which are not substantially similar to those in the consolidated application.
- (3) The City shall approve or deny any such consolidated application pertaining to existing poles within 60 days of receiving a completed application.
 - a) For applications which contain a mix of new and existing attachment structures, the City shall approve or deny any such consolidated application within 90 days.
 - b) For applications which contain only newly placed poles, the City shall approve or deny the application within 90 days.
- (4) For DAS and SCF applications on an individual basis, the City shall approve or deny such applications within:
 - a) 60 days for an existing structure or pole; or
 - b) 90 days for new structure or pole.

(5) Application Requirements

a) Applications must include:

(1) Photo simulations of the attachment to an existing pole, or a New Pole, as may be applicable, from each view angle of the north, south, east, and west of the pole. Where an application contains more than one pole, a general photo simulation will suffice so long as it generally represents all the sites in the application. If an application contains proposed sites with a mix of existing and new poles, at least one photo simulation of each type of site will be required;

(2) An aerial site plan showing the location of ground mounted utility boxes including power supply for the site, sidewalks, streets, other poles in the area, and proposed landscaping locations;

~~(3)~~ 3 Please provide a street view photo of the site that clearly shows the location of all proposed ground mounted utility boxes.

~~(3)~~4 Elevations and dimensions (height, width, depth) of all ground mounted utilities for the site including any pad or pedestal proposed to support the utility box;

~~(4)~~5 Landscaping and screening elements including the size and type of plantings to be used to screen ground mounted utilities in conformance with LDO Section 16-4-7.5; and

~~(5)~~6 A vicinity map showing the property lines and right-of-way as applicable.

~~(6)~~7 For all equipment listed on either a single or a batch application, the manufacturer's name and model number should be noted along with:

(1) The physical dimensions, including, without limitation, the height, width, depth, volume (total and individual) and weight with mounts and other necessary hardware or attachments.

(2) A technical rendering of all external components, including enclosures and all attachment hardware.

(3) A statement signed and sealed by a Kansas certified public engineer that the design of any pole or replacement pole will safely handle the load stress from any DAS or SCF attachments.

b) The City shall notify the applicant within 10 days if the application is incomplete. The notice shall identify those portions which are incomplete, and provide specific citations to instructions, code provisions, or other law which indicates the information is required. Upon such notice, the time period requirements will be tolled.

c) If the applicant corrects the deficiencies identified by the City, the applicable time period

limits will begin running anew upon receipt by the City of the completed application. After receiving a completed application, the City shall notify the applicant within 10 days if the application remains incomplete. Upon such notice of a deficient, second application, the time periods will be tolled.

E) Zoning Location Requirements.

- 1) Allowable Areas. DAS/SCF systems shall be allowed, subject to approval of a DAS/SCF Permit as required by this ordinance, within all zoning districts.

(Ord. 2695, 10-28-2014)

(Ord. 2741, 07-21-2015)

(Ord. 2809, 11-01-2016)

(Ord. 2940, 04-23-2019)

16-4-12.4 Distributed Antennae System (DAS) and Small Cell Facilities (SCF)

This section applies to small cell facilities and the antenna and pole mounted equipment portions of a DAS or SCF. All ground mounted utility boxes associated with DAS or SCF shall be regulated per Section 16-1-4, of this ordinance.

a) Definitions: for the purposes of this Section, these terms shall have the following meanings:

- 1) **Street-Light Pole:** A pole supporting a light fixture to provide illumination of streets and sidewalks, made of galvanized steel or aluminum, or such other material as may be approved by the Director of Public Works.
- 2) **Distributed Antennae System (DAS).** A network that distributes radio frequency signals and which consists of:
 - (1) remote communications or antenna nodes deployed throughout a desired coverage area, each including at least one antenna for transmission and reception;
 - (2) a high capacity signal transport medium that is connected to a central communications hub site; and
 - (3) radio transceivers located at the hub's site to process or control the communications signals transmitted and received by through antennas to provide wireless or mobile services within a geographic area or structure.
- 3) **Non-Street Light Pole:** a pole placed for the sole purpose of supporting Small Cell Facilities or Distributed Antenna Systems, made of steel or aluminum, or such other material as may be approved by the Director of Public Works.
- 4) **Small Cell Facility (SCF):** A small cell facility is defined as a wireless facility which meets both of the following qualifications: (1) each antenna or group of antennas is located inside an enclosure of no more than six (6) cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and (2) other equipment and equipment enclosures that, in total volume, do not exceed 17 cubic feet.
- 5) **Utility Pole:** a pole supporting the distribution of public utilities which may also be capable of supporting DAS/SCF and is constructed of wood or other approved materials; such poles might be located in the public right-of-way or in public/private utility easements.

b) **DAS/SCF Administrative Approval.** All DAS or SCF that meet the following requirements may be installed with the prior approval of the Director of Public Works as being in compliance with this Ordinance. DAS or SCF that do not meet the standards below shall require approval of a Special Use Permit as required within Section 16-4-12 of this ordinance.

- 1) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Street-Light Poles.** Distributed Antennae Systems or Small Cell Facilities may be located on non-

decorative, City Owned Street-Light Poles but only if approved by separate agreement with the City of Leawood. At a minimum the systems must meet the standards listed below. City owned street-light poles shall not be considered tower or alternative tower structures for the purposes of this ordinance.

- a) All top-mounted antennas and associated equipment with DAS/SCF shall be completely enclosed to screen the antennas and equipment from view. Such enclosure shall be a maximum of 16 in. in width and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The bottom of the enclosure shall be mounted a maximum of 12 in. above where the uppermost mast arm connects to the pole.
- b) A maximum of one enclosure for the top-mounted antennae shall be permitted per pole.
- c) In addition to the top-mounted antennas and equipment, a maximum of five additional attachments shall be permitted to be mounted to the pole with the total area of such attachments not to exceed a total of 17 cu. ft. and such attachments shall not project from the pole more than 18 in. For purposes of this subsection, attachments means all other antennas, equipment, and enclosures attached to the pole, excluding any top-mounted antennas and equipment. For purposes of calculating the number of attachments on the pole, all equipment utilizing a single mounting system shall be counted as one attachment.
- d) A maximum of 2 ft. of wiring in total for each installation shall be permitted to be exposed. All other wiring shall be fully enclosed, or screened.
- e) All attachments, equipment, or antennas mounted on the street-light pole shall be mounted a minimum of 8 ft. from grade to the bottom of the attachment or equipment.
- f) All exterior attachments and antennas, including exposed wiring, shall be of materials and color that are consistent with the light pole so as to blend architecturally with the pole.
- g) All wiring not within or on the pole shall be placed underground per Section 16-1-4 of this ordinance.
- h) All ground mounted equipment associated with DAS/SCF facilities must adhere to screening and landscaping requirements of this code.

2) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Utility Poles**

- a) All top-mounted antennae associated with DAS/SCF shall be completely enclosed to screen the antennae from view. The enclosure containing the antennae shall be a maximum of 16 in. in width and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The height of the top of the enclosure shall be no more than the height of poles within 300 feet of the pole if an antenna enclosure was added, and in no event higher than 50'.

- b) A maximum of one enclosure for top-mounted antennae shall be permitted per pole.
 - c) Where allowed by third-party agreement, only the antennae, associated attachments or equipment, screening, or cables shall be attached to the pole.
 - d) Utility Poles to replace existing Utility Poles so as to host DAS or SCF shall not be greater than 5 ft. taller than the original utility pole that is replaced.
 - e) All exterior attachments, equipment, or antenna shall be of materials and color that are consistent with the pole so as to blend architecturally with said pole.
 - f) All wiring not mounted to the pole shall be placed underground per Section 16-1-4 of this ordinance. Wiring or cabling mounted to the pole shall be inside a conduit of a material and color consistent with the pole.
- 3) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Non-Street Light Poles.**
- a) Such poles shall be hollow to allow internal placement of cables associated with any equipment for the DAS/SCF.
 - b) Such poles shall be constructed to meet all public works standards. See City of Leawood Public Improvement Construction Standards, 2015, as amended.
 - c) Such poles shall feature a break away base design to ensure safety and conformity with the City of Leawood Public Improvement Construction Standards.
 - d) All newly erected poles shall be placed in such a way as to not interfere with other users of the public right-of-way; including but not limited to: gas, electric, and other telecommunications utilities, fire hydrants, access drives for residential dwellings, public transportation, vehicular traffic, or pedestrians.
 - e) Unless otherwise required by federal, state law or local law, no pole hosting DAS or SCF equipment shall include any permanently installed lights. Further, any lights associated with the electronic equipment shall be shielded from public view. Nothing in this subsection shall be construed to prohibit attachment of DAS or SCF equipment to city-owned street lights where permitted by separate agreement.
 - f) New poles, including all antennas and equipment, shall not exceed the height of Street-Light Poles within 300 feet of surrounding the proposed site if an antenna enclosure was added pursuant to this section.
 - g) Such poles shall be uniform and neutral in color and not painted or otherwise decorated. Wooden poles will not be allowed for the sole purpose of supporting DAS/SCF equipment.
 - h) Such poles shall bear a smooth finish and shall not have any protrusions except for

necessary antenna and associated equipment, and all antennas and equipment shall be placed on the interior of the poles to the extent possible. No more than 2 feet of cabling shall be visible on the outside of the pole, all other cabling must be internal. Any visible cabling shall be colored so as to blend architecturally with the pole.

- i) Such poles shall be either circular or octagonal, and of the same color and type to match other street light poles within 300 feet surrounding the proposed site.
- j) A maximum of one enclosure for the top-mounted antennae shall be permitted per pole.
- k) A maximum of five additional attachments (not including top-mounted, or pole mounted antennae) shall be permitted to be mounted to the pole with the total area of such attachments not to exceed a total of 14 cu. ft. and shall not project from the pole more than 18 in. All equipment utilizing a single mounting system shall be counted as one attachment.
- l) Attachments and antenna shall be mounted no lower than 8 feet above grade from the bottom of the pole.
- m) All attachments and equipment attached to or associated with such poles shall comply with all other regulations in this Section. Ground mounted equipment shall comply with the requirements found in 16-1-4 of this code.

D) Application, Approval, and Timeline for DAS and SCF on any Type of Pole:

- (1) An applicant may submit a single application for an administrative decision granting a permit for installation, construction, maintenance, or repair of a DAS/SCF where the following conditions are met:
 - a) Notification in writing that the applicant plans to file a consolidated application; and
 - b) The application contains no more than 25 small cell facilities of substantially similar design.
- (2) The application must file a separate application for any facilities which are not substantially similar to those in the consolidated application.
- (3) The City shall approve or deny any such consolidated application pertaining to existing poles within 60 days of receiving a completed application.
 - a) For applications which contain a mix of new and existing attachment structures, the City shall approve or deny any such consolidated application within 90 days.
 - b) For applications which contain only newly placed poles, the City shall approve or deny the application within 90 days.
- (4) For DAS and SCF applications on an individual basis, the City shall approve or deny such applications within:

- a) 60 days for an existing structure or pole; or
- b) 90 days for new structure or pole.

(5) Application Requirements

a) Applications must include:

- (1) Photo simulations of the attachment to an existing pole, or a New Pole, as may be applicable, from each view angle of the north, south, east, and west of the pole. Where an application contains more than one pole, a general photo simulation will suffice so long as it generally represents all the sites in the application. If an application contains proposed sites with a mix of existing and new poles, at least one photo simulation of each type of site will be required;
- (2) An aerial site plan showing the location of ground mounted utility boxes including power supply for the site, sidewalks, streets, other poles in the area, and proposed landscaping locations;
- (3) Please provide a street view photo of the site that clearly shows the location of all proposed ground mounted utility boxes.
- (4) Elevations and dimensions (height, width, depth) of all ground mounted utilities for the site including any pad or pedestal proposed to support the utility box;
- (5) Landscaping and screening elements including the size and type of plantings to be used to screen ground mounted utilities in conformance with LDO Section 16-4-7.5; and
- (6) A vicinity map showing the property lines and right-of-way as applicable.
- (7) For all equipment listed on either a single or a batch application, the manufacturer's name and model number should be noted along with:
 - (1) The physical dimensions, including, without limitation, the height, width, depth, volume (total and individual) and weight with mounts and other necessary hardware or attachments.
 - (2) A technical rendering of all external components, including enclosures and all attachment hardware.
 - (3) A statement signed and sealed by a Kansas certified public engineer that the design of any pole or replacement pole will safely handle the load stress from any DAS or SCF attachments.

- b) The City shall notify the applicant within 10 days if the application is incomplete. The notice shall identify those portions which are incomplete, and provide specific citations to

instructions, code provisions, or other law which indicates the information is required. Upon such notice, the time period requirements will be tolled.

- c) If the applicant corrects the deficiencies identified by the City, the applicable time period limits will begin running anew upon receipt by the City of the completed application. After receiving a completed application, the City shall notify the applicant within 10 days if the application remains incomplete. Upon such notice of a deficient, second application, the time periods will be tolled.

E) Zoning Location Requirements.

- 1) Allowable Areas. DAS/SCF systems shall be allowed, subject to approval of a DAS/SCF Permit as required by this ordinance, within all zoning districts.

(Ord. 2695, 10-28-2014)
(Ord. 2741, 07-21-2015)
(Ord. 2809, 11-01-2016)
(Ord. 2940, 04-23-2019)

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 16-4-12.4 OF THE LEAWOOD DEVELOPMENT ORDINANCE ENTITLED "DISTRIBUTED ANTENNAE SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF)" AND REPEALING EXISTING SECTION 16-4-12.4 AND OTHER SECTIONS IN CONFLICT HEREWITH. (PC 113-19)

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: Section 16-4-12.4 of the Leawood Development Ordinance is hereby amended to read as follows:

16-4-12.4 DISTRIBUTED ANTENNAE SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF)

This section applies to small cell facilities and the antenna and pole mounted equipment portions of a DAS or SCF. All ground mounted utility boxes associated with DAS or SCF shall be regulated per Section 16-1-4, of this ordinance.

- a) Definitions: for the purposes of this Section, these terms shall have the following meanings:
 - 1) **Street-Light Pole:** A pole supporting a light fixture to provide illumination of streets and sidewalks, made of galvanized steel or aluminum, or such other material as may be approved by the Director of Public Works.
 - 2) **Distributed Antennae System (DAS).** A network that distributes radio frequency signals and which consists of:
 - (1) remote communications or antenna nodes deployed throughout a desired coverage area, each including at least one antenna for transmission and reception;
 - (2) a high capacity signal transport medium that is connected to a central communications hub site; and
 - (3) radio transceivers located at the hub's site to process or control the communications signals transmitted and received by through antennas to provide wireless or mobile services within a geographic area or structure.
 - 3) **Non-Street Light Pole:** a pole placed for the sole purpose of supporting Small Cell Facilities or Distributed Antenna Systems, made of steel or aluminum, or such other material as may be approved by the Director of Public Works.
 - 4) **Small Cell Facility (SCF):** A small cell facility is defined as a wireless facility which meets both of the following qualifications: (1) each antenna or group of antennas is located inside an enclosure of no more than six (6) cubic feet in volume, or in the case of an antenna that has exposed elements, the antenna and all of the antenna's exposed elements could fit within an imaginary enclosure of no more than six (6) cubic feet; and two (2) other equipment and equipment enclosures that, in total volume, do not exceed 17 cubic feet.
 - 5) **Utility Pole:** a pole supporting the distribution of public utilities which may also be capable of supporting DAS/SCF and is constructed of wood or other approved

materials; such poles might be located in the public right-of-way or in public/private utility easements.

- b) **DAS/SCF Administrative Approval.** All DAS or SCF that meet the following requirements may be installed with the prior approval of the Director of Public Works as being in compliance with this Ordinance. DAS or SCF that do not meet the standards below shall require approval of a Special Use Permit as required within Section 16-4-12 of this ordinance.
- 1) **Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Street-Light Poles.** Distributed Antennae Systems or Small Cell Facilities may be located on non-decorative, City Owned Street-Light Poles but only if approved by separate agreement with the City of Leawood. At a minimum the systems must meet the standards listed below. City owned street-light poles shall not be considered tower or alternative tower structures for the purposes of this ordinance.
- a) All top-mounted antennas and associated equipment with DAS/SCF shall be completely enclosed to screen the antennas and equipment from view. Such enclosure shall be a maximum of 16 in. in width and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The bottom of the enclosure shall be mounted a maximum of 12 in. above where the uppermost mast arm connects to the pole.
 - b) A maximum of one enclosure for the top-mounted antennae shall be permitted per pole.
 - c) In addition to the top-mounted antennas and equipment, a maximum of five additional attachments shall be permitted to be mounted to the pole with the total area of such attachments not to exceed a total of 17 cu. ft. and such attachments shall not project from the pole more than 18 in. For purposes of this subsection, attachments means all other antennas, equipment, and enclosures attached to the pole, excluding any top-mounted antennas and equipment. For purposes of calculating the number of attachments on the pole, all equipment utilizing a single mounting system shall be counted as one attachment.
 - d) A maximum of 2 ft. of wiring in total for each installation shall be permitted to be exposed. All other wiring shall be fully enclosed, or screened.
 - e) All attachments, equipment, or antennas mounted on the street-light pole shall be mounted a minimum of 8 ft. from grade to the bottom of the attachment or equipment.
 - f) All exterior attachments and antennas, including exposed wiring, shall be of materials and color that are consistent with the light pole so as to blend architecturally with the pole.
 - g) All wiring not within or on the pole shall be placed underground per Section 16-1-4 of this ordinance.
 - h) All ground mounted equipment associated with DAS/SCF facilities must adhere to screening and landscaping requirements of this code.

2) Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Utility Poles.

- a) All top-mounted antennae associated with DAS/SCF shall be completely enclosed to screen the antennae from view. The enclosure containing the antennae shall be a maximum of 16 in. in width and a maximum of 80 in. in height, including all screening elements, with a maximum volume of 6 cu. ft. The height of the top of the enclosure shall be no more than the height of poles within 300 feet of the pole if an antenna enclosure was added, and in no event higher than 50'.
- b) A maximum of one enclosure for top-mounted antennae shall be permitted per pole.
- c) Where allowed by third-party agreement, only the antennae, associated attachments or equipment, screening, or cables shall be attached to the pole.
- d) Utility Poles to replace existing Utility Poles so as to host DAS or SCF shall not be greater than 5 ft. taller than the original utility pole that is replaced.
- e) All exterior attachments, equipment, or antenna shall be of materials and color that are consistent with the pole so as to blend architecturally with said pole.
- f) All wiring not mounted to the pole shall be placed underground per Section 16-1-4 of this ordinance. Wiring or cabling mounted to the pole shall be inside a conduit of a material and color consistent with the pole.

3) Distributed Antennae Systems (DAS) or Small Cell Facilities (SCF) on Non-Street Light Poles.

- a) Such poles shall be hollow to allow internal placement of cables associated with any equipment for the DAS/SCF.
- b) Such poles shall be constructed to meet all public works standards. See City of Leawood Public Improvement Construction Standards, 2015, as amended.
- c) Such poles shall feature a break away base design to ensure safety and conformity with the City of Leawood Public Improvement Construction Standards.
- d) All newly erected poles shall be placed in such a way as to not interfere with other users of the public right-of-way; including but not limited to: gas, electric, and other telecommunications utilities, fire hydrants, access drives for residential dwellings, public transportation, vehicular traffic, or pedestrians.
- e) Unless otherwise required by federal, state law or local law, no pole hosting DAS or SCF equipment shall include any permanently installed lights. Further, any lights associated with the electronic equipment shall be shielded from public view. Nothing in this subsection shall be construed to prohibit attachment of DAS or SCF equipment to city-owned street lights where permitted by separate agreement.

- f) New poles, including all antennas and equipment, shall not exceed the height of Street-Light Poles within 300 feet of surrounding the proposed site if an antenna enclosure was added pursuant to this section.
- g) Such poles shall be uniform and neutral in color and not painted or otherwise decorated. Wooden poles will not be allowed for the sole purpose of supporting DAS/SCF equipment.
- h) Such poles shall bear a smooth finish and shall not have any protrusions except for necessary antenna and associated equipment, and all antennas and equipment shall be placed on the interior of the poles to the extent possible. No more than 2 feet of cabling shall be visible on the outside of the pole, all other cabling must be internal. Any visible cabling shall be colored so as to blend architecturally with the pole.
- i) Such poles shall be either circular or octagonal, and of the same color and type to match other street light poles within 300 feet surrounding the proposed site.
- j) A maximum of one enclosure for the top-mounted antennae shall be permitted per pole.
- k) A maximum of five additional attachments (not including top-mounted, or pole mounted antennae) shall be permitted to be mounted to the pole with the total area of such attachments not to exceed a total of 14 cu. ft. and shall not project from the pole more than 18 in. All equipment utilizing a single mounting system shall be counted as one attachment.
- l) Attachments and antenna shall be mounted no lower than 8 feet above grade from the bottom of the pole.
- m) All attachments and equipment attached to or associated with such poles shall comply with all other regulations in this Section. Ground mounted equipment shall comply with the requirements found in 16-1-4 of this code.

D) Application, Approval, and Timeline for DAS and SCF on any Type of Pole:

- (1) An applicant may submit a single application for an administrative decision granting a permit for installation, construction, maintenance, or repair of a DAS/SCF where the following conditions are met:
 - a) Notification in writing that the applicant plans to file a consolidated application; and
 - b) The application contains no more than 25 small cell facilities of substantially similar design.
- (2) The application must file a separate application for any facilities which are not substantially similar to those in the consolidated application.
- (3) The City shall approve or deny any such consolidated application pertaining to existing poles within 60 days of receiving a completed application.
 - a) For applications which contain a mix of new and existing attachment structures, the City shall approve or deny any such consolidated application within 90 days.

- b) For applications which contain only newly placed poles, the City shall approve or deny the application within 90 days.
- (4) For DAS and SCF applications on an individual basis, the City shall approve or deny such applications within:
 - a) 60 days for an existing structure or pole; or
 - b) 90 days for new structure or pole.
- (5) Application Requirements
 - a) Applications must include:
 - (1) Photo simulations of the attachment to an existing pole, or a New Pole, as may be applicable, from each view angle of the north, south, east, and west of the pole. Where an application contains more than one pole, a general photo simulation will suffice so long as it generally represents all the sites in the application. If an application contains proposed sites with a mix of existing and new poles, at least one photo simulation of each type of site will be required;
 - (2) An aerial site plan showing the location of ground mounted utility boxes including power supply for the site, sidewalks, streets, other poles in the area, and proposed landscaping locations;
 - (3) Please provide a street view photo of the site that clearly shows the location of all proposed ground mounted utility boxes;
 - (4) Elevations and dimensions (height, width, depth) of all ground mounted utilities for the site including any pad or pedestal proposed to support the utility box;
 - (5) Landscaping and screening elements including the size and type of plantings to be used to screen ground mounted utilities in conformance with LDO Section 16-4-7.5;
 - (6) A vicinity map showing the property lines and right-of-way as applicable; and
 - (7) For all equipment listed on either a single or a batch application, the manufacturer's name and model number should be noted along with:
 - (1) The physical dimensions, including, without limitation, the height, width, depth, volume (total and individual) and weight with mounts and other necessary hardware or attachments.
 - (2) A technical rendering of all external components, including enclosures and all attachment hardware.
 - (3) A statement signed and sealed by a Kansas certified public engineer that the design of any pole or replacement pole will safely handle the load stress from any DAS or SCF attachments.
 - b) The City shall notify the applicant within 10 days if the application is incomplete. The notice shall identify those portions which are incomplete, and provide

specific citations to instructions, code provisions, or other law which indicates the information is required. Upon such notice, the time period requirements will be tolled.

- c) If the applicant corrects the deficiencies identified by the City, the applicable time period limits will begin running anew upon receipt by the City of the completed application. After receiving a completed application, the City shall notify the applicant within 10 days if the application remains incomplete. Upon such notice of a deficient, second application, the time periods will be tolled.

E) Zoning Location Requirements.

- 1) Allowable Areas. DAS/SCF systems shall be allowed, subject to approval of a DAS/SCF Permit as required by this ordinance, within all zoning districts.

(Ord. 2695, 10-28-2014)

(Ord. 2741, 07-21-2015)

(Ord. 2809, 11-01-2016)

(Ord. 2940, 04-23-2019)

SECTION TWO: This ordinance shall be construed as follows:

A. **Liberal Construction.** The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. **Savings Clause.** The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. **Invalidity.** If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION THREE: That existing LDO Section 16-4-12.4 and other provisions in conflict herewith are hereby repealed.

SECTION FOUR: This ordinance shall take effect and be in force from and after publication in accordance with law.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney

**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

**CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

→ CASE 113-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-12.4, DISTRIBUTED ANTENNA SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Distributed Antenna Systems (DAS) and Small Cell Facilities. **PUBLIC HEARING**

Chairman Elkins: I notice in the title, you're using the plural of antenna, and in the description, you use the singular.

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 113-19 – Leawood Development Ordinance Amendment to Section 16-4-12.4, Distributed Antenna System (DAS) and Small Cell Facilities. The reason this is before you tonight is the FCC has passed legislation with regard to requirements that cities have to allow these carriers to provide small cell. Right now, we have 5G that's going in, so we're seeing a little bit of new equipment. You probably noticed on some of the light poles that there is actually an enclosure on top of the pole. This is a very similar situation where that part that is on top of the pole typically is on 4G. Now, they would like to add 5G to add more bandwidth. That will be located below the poles. As I indicated in the memo, they can be located on three different poles: street light, utility, or a pole they create and put in the right-of-way that would not have a light fixture attached. I'll show a picture to make it easier to understand what's going on (*refers to picture*). This is an example of a small cell facility located on the light pole. This amendment is trying to clarify where different measurements are taken from and also trying to reflect different amounts of equipment that are allowed to be attached to the poles to bring them in line with what the FCC has already approved. This amendment will keep the cubic feet that the enclosure is allowed to be the same at 6 cubic feet; however, we currently have a limitation of 54 inches in height, and this would allow it to go to 80 inches in height. That means these will be smaller if they extend taller. These are the 4G; 5G is located on the poles themselves. The FCC has determined that all the rest of the attachments on the pole are allowed to be 17 cubic feet. As these applications come in, staff will look at the equipment and the total cubic feet to ensure it doesn't exceed 17 cubic feet. It has increased from 8 to 17 cubic feet. We also have a limitation of no more than five pieces of equipment. They can have more than one piece of equipment as long as it is on the same attachment. That is what the light pole would look like. There is also a utility pole. Typically, it would have a top enclosure. Since the pole is wooden, it obviously isn't hollow, so the conduit would have to be run on the outside. This amendment states that the conduit and other wiring would have to be compatible with the color of the pole to match a bit better. Currently, we have a limitation that the top enclosure can be no more than 30 inches in height. This amendment would change that to 80 inches in height, so it matches the light pole example. It does require the undergrounding of the utilities once it gets down the conduit and into the ground. It also

tries to address the height of the pole. If somebody came in with a new pole, it couldn't be taller than all the other utility poles in the area within 300 feet as if they had included an enclosure on top of them to try to make sure there is some limitation. I believe there's a 50' maximum no matter what as far as height. The other example would be a pole that is actually installed by the applicant. (*shows example*) We would not allow a mast arm as is shown on this pole. This pole has some of the same limitations. It also has a height limit within 300 feet, so it couldn't be taller than any of the light poles in the area, again, as if they have an enclosure already mounted on top. It limits the number of enclosures to a maximum of one. In this particular case, pole attachments would be limited to no more than 14 cubic feet. Staff is recommending approval of this application, and I'd be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein?

Comm. Block: Do the attachments on the side of the pole need to be enclosed? I've seen some in neighboring cities that are not enclosed.

Mr. Klein: It is not required on ours. We had a discussion about that. Some of the tradeoff is the enclosures make it look larger. In this particular case, we did not include screening. There is a limitation of not more than 2 feet of exposed wiring. That was part of the old ordinance and carried through on this one. The exposed wiring has to match the color of the pole.

Comm. Coleman: Does this eliminate cell phone towers at some point, or do you still have the need for those?

Mr. Klein: I think we still have the need for cell towers. This is providing an opportunity to supply bandwidth. From my understanding, these have to be much closer to the source of the reception, so they're a bit lower. You'll probably see more and more of these on light poles throughout the city because each carrier is vying for locations.

A motion to extend the meeting another 30 minutes was made by Block; seconded by Peterson. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Comm. McGurren: When the 5G equipment is added, is the 4G equipment removed?

Mr. Klein: No; my understanding is that it is additive because some people would still utilize the 4G.

Chairman Elkins: You know how dear this topic is to my heart. Starting with the smart pole, the picture you had looked like it had a street light.

Mr. Klein: It did.

Chairman Elkins: How is that different than the street light pole? Why is there a need for us to have a third category?

Mr. Klein: Currently, the carriers seem to prefer to go on the city light poles, so they trade out the poles because they have to be structurally sound enough to carry the equipment. However, if there are situations where that is not available, per the FCC, the carriers have the right to put in their own poles. We had to address that in the LDO. The difference with the one I showed you is they would not have a mast arm. The hope would be that they also look much more uniform. Hopefully, everything would be internalized.

Chairman Elkins: That covers instances when there are no street lights attached to it?

Mr. Klein: Correct.

Chairman Elkins: If they were to use a smart pole like Verizon had there and it had a light attached to it, it would fall under the street light pole category?

Mr. Klein: Yes; at this point, we would provide the light poles, and we have the spacing.

Chairman Elkins: Verizon's advertising in that brochure was a smart pole with a light mast. If Verizon proposed that, would it fit in the light pole category or this non-street light pole?

Mr. Klein: Actually, it would be non-street light pole because we would not allow the street light on it. We've had conversations with the carriers that have come in.

Chairman Elkins: In that case, it will just be a pole.

Mr. Klein: Yes, and it will be much slimmer, so we won't have two different types of light poles.

Chairman Elkins: I take it this is like other things we have received from the FCC in that we really don't have much of a choice here.

Mr. Klein: Correct.

Comm. Coleman: Do we have any single light poles in the city yet?

Mr. Klein: We haven't seen one with the 5G added on. There are a number of them with the 4G and the top-mounted enclosure. We haven't seen any of the carriers put in their own yet.

Chairman Elkins: In both the cases of light poles and utility poles, did I hear you say there is a 50' max on those?

Mr. Klein: There is a 50' maximum on the utility pole and a maximum for the ones provided by the individual carriers to be no taller than the light poles within 300 feet. If the light pole has an enclosure on top, they can be no taller than that.

Chairman Elkins: Is there a different height limitation for light poles as opposed to utility poles?

Mr. Klein: Utility poles also have that 300' limitation; however, I think utility poles also include a maximum of 50 feet. I don't believe that is on the other one.

Chairman Elkins: What was the 300' limitation?

Mr. Klein: If they put in a utility pole, it can't be taller than the other utility poles within 300 feet as if it already had an enclosure mounted on top.

Chairman Elkins: What we're talking about, then, is the equipment that can be a maximum of 80 inches taller than what the light pole or utility pole are, up to a total of 50 feet.

Mr. Klein: Correct.

Chairman Elkins: You mentioned a limit of 17 cubic feet. Is that per installation? Is it 17 cubic feet for each of the 5G boxes that are hung off the electric pole, or is it an aggregate number?

Mr. Klein: It would be per pole. We limit it to one enclosure on top of the pole, and then the 5G would be below. It is my understanding that it has to be below because it has to have separation between the 4G. We don't anticipate multiple 5G attachments on a single pole.

Chairman Elkins: But you will have 4G and 5G on the same pole.

Mr. Klein: Correct, and all of the equipment together that is below that top-mounted enclosure would have to meet the 17 cubic feet for the light poles and 14 cubic feet for the poles provided by the carriers.

Chairman Elkins: Other questions for Mr. Klein? Again, this is an amendment to the LDO, so it requires a Public Hearing.

Public Hearing

As no one was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: That takes us to comments. Mr. Klein, I was looking at the memo as opposed to the actual wording in the amendment. In the memo, you distinguish between street light poles, utility poles, and non-street light poles. In actuality, it is really a distinction between street light poles, utility poles, and non-street light and non-utility poles.

Mr. Klein: That is true.

Chairman Elkins: Whether that makes a difference in any of the verbiage of the amendment, I don't know. Does anything need to be changed to accommodate that distinction?

Mr. Klein: It's something that could be added to No. 3.

Chairman Elkins: Any other comments around the proposed change? Do I hear a motion?

A motion to recommend approval of CASE 113-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-12.4, DISTRIBUTED ANTENNAE SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Distributed Antenna Systems (DAS) and Small Cell Facilities – was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CASE 111-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-7, LANDSCAPING AND SCREENING REQUIREMENTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to landscaping of parking lot islands, and required maintenance of natural areas. PUBLIC HEARING

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 111-19 – Leawood Development Ordinance Amendment to Section 16-4-7, Landscaping and Screening Requirements. This addresses natural or tree preservation areas. You've had plans come before you, and we might have a tree preservation area. The last one was Hills of Leawood, which was adjacent to Ironwoods Park. We want to keep those areas natural. We had another one located on 135th Street and Kenneth, and we tried to keep that natural buffer between the subdivision to the south and the development. This amendment is trying to clarify that those areas are to be in their natural state. The reason this has become important is occasionally, a neighbor may not like the way that natural area looks and may want it mowed. This makes that explicit. It also addresses Best Management Practices (BMP) like the rain gardens in applications. It states they have to be maintained per the American Public Works Association.

13 G

Memo

To: Mayor and City Council
From: Mark A. Klein, Planning Official
CC: Scott Lambers, City Administrator
Richard Coleman, Director of Community Development
Date of Meeting: January 6, 2020
Date of Memo: December 17, 2019
Re: The Planning Commission recommends approval unanimously (5-0) Case 111-19, Leawood Development Ordinance Amendment to Section 16-4-7, Landscaping and Screening Requirements, pertaining to required number of trees in parking lot islands, and the maintenance of vegetation within: natural areas, riparian areas, no cut zones, and storm water management areas.

This amendment proposes to address two landscaping items listed below.

1. The number of shade trees required to be planted in parking lot islands.
2. The maintenance requirements for natural areas located in common area tracts, riparian areas, tree preservation easements, not cut zones, and easements or areas designated for stormwater management.

Natural and riparian areas within common area tracts, tree preservation easements, and no cut zones are often approved with development applications to recognize the value of natural areas that contain mature stands of trees, to provide an effective buffer between developments, and to enhance the characteristics of developments. In addition, areas containing native vegetation are often approved to remain to address stormwater quality. In order to perform these functions, natural areas should not be mowed or irrigated, but should remain in a natural state. Currently the Leawood Development Ordinance does not distinguish between the required maintenance of natural areas and other formally landscaped areas. This amendment clarifies that these natural areas are not required to be mowed or irrigated.

This amendment also addresses the number of trees required to be located in the landscape islands of parking lots. Currently, the Leawood Development Ordinance requires a minimum of (1) one shade tree to be planted for every ten (10) parking spaces, and requires that trees be the primary landscaping material used in parking lots. The proposed amendment will require that two (2) shade trees be planted where a landscape island extends the width of a double row of parking, and that one (1) shade tree be planted where a landscape island extends the width of a single row of parking. Benefits include additional shade for parking lots, the reduction of heat islands, and a uniform appearance across parking fields.

MODIFICATIONS MADE BY PLANNING COMMISSION:

- None.

16-4-7 LANDSCAPING AND SCREENING REQUIREMENTS

16-4-7.1 Landscaping and Screening

- A) **Intent.** The landscaping and screening requirements of this Ordinance are intended to promote attractive and quality development within the City. These provisions are intended to improve the appearance of developed and preserved site areas, paved areas and buildings, give maximum absorption of surface water and provide shade. It is also intended by these provisions to preserve and enhance property values by ensuring that yards, open spaces, parking lots and those land areas abutting public right-of-ways are designed, installed and maintained in accordance with the provisions of this Ordinance. Property development shall consider and respect land capabilities and constraints, minimize erosion and destruction of natural amenities and provide a buffer between differing land uses.
- B) **Scope.** The provisions of this section shall apply to all new construction including, but not limited to, structures, dwellings, buildings, parking lots, residential subdivisions, office parks, shopping centers, and to redevelopment for which development plan approval is required. The Agricultural District shall be exempt from this section.

16-4-7.2 Landscaping Requirements – Single Family Residential

Single family and two family dwellings shall provide and maintain a minimum of thirty percent (30%) of lot area as a permeable and uncovered surface that contains living material. Single family and two family dwellings shall be exempt from all other requirements of this Ordinance except for Plant Material and Installation and Maintenance. Although, one (1) tree shall be provided for each 35 feet of street frontage and plant material shall be provided as part of entry features and common open space as recommended by the Planning Commission and approved by the Governing Body.

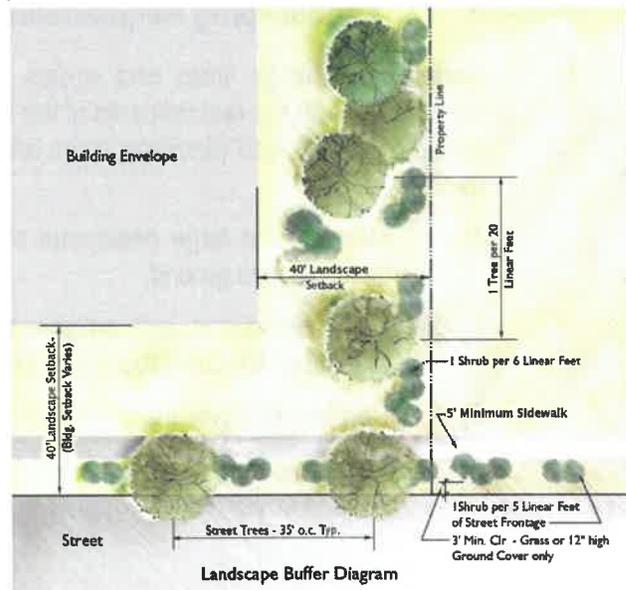
(Ord. 2003, 07-27-03)

16-4-7.3 Landscaping Requirements – Other Districts

- A) **General.** Plantings, trees and shrubs shall be provided in landscaped open space areas in accordance with the requirements of the City and City Staff. The following represent the minimum requirements of such plantings, trees and shrubs. The minimum planting requirements shall be as follows:
- 1) Medium and large deciduous shade trees shall be 2 1/2 inch caliper as measured 6 inches above ground.
 - 2) Small deciduous and ornamental trees shall be a minimum of 1 1/2 inch caliper as measured 6 inches above ground.
 - 3) Conifers and evergreen trees shall be a minimum of 6 feet in height.
 - 4) Interior parking lot shrubs shall be a minimum height of 24 inches at the time of planting. Ground cover plants, whether in the form of crowns, plugs or containers, shall be planted

in a number as appropriate by species to provide full surface coverage after 2 growing seasons.

- 5) Sodding for turf and seeding for native grass shall be as approved by the Governing Body after recommendation of the Planning Commission to provide soil stabilization and complete coverage within the first growing season.
 - 6) Landscaped open space shall consist of a minimum of 60% living materials, the remaining areas may consist of non-living materials such as bark, wood chips, decorative rock or stone or other similar materials.
 - 7) All landscaped areas shall be irrigated.
 - 8) Existing trees saved on the site during construction may be credited towards the minimum number of trees required (except for street trees) provided that such trees are minimum 2 1/2 inch caliper as measured 6 inches above ground for a medium and large deciduous species or 6 feet in height for evergreen species. All existing plant material saved shall be healthy and free from mechanical injury.
 - 9) The following maximum grades shall be permitted:
 - a. Sodded grass berms shall be a maximum of 3 feet horizontal for each 1 foot vertical rise; and
 - b. Planted berms that include ground cover shall be a maximum of 2 feet horizontal for each 1 foot vertical.
- B) **Perimeter Landscaping Adjacent to Public Rights-of-Way:** The following requirements shall apply to all perimeter landscaped areas including parking setbacks, right-of-way buffers and transitional buffers.
- 1) One (1) tree shall be provided for each 40 feet of street frontage within the landscaped setback abutting said street frontage.
 - 2) In addition to the street trees, one ornamental tree per 20 lineal feet and one shrub per 5 lineal feet or portion thereof, shall be planted within the setback. Additional trees may be clustered or arranged within the setback if approved as part of the landscape plan. For the purpose of this Ordinance a medium or large tree may be credited as 2 ornamental trees.
 - 3) The perimeter area of all on-site, open parking areas shall be screened from the view of adjacent properties and streets at the time of planting to a minimum height of 3 feet by the use of a combination of berms and/or walls accented with plant material. The width of such screens shall not be less than 10

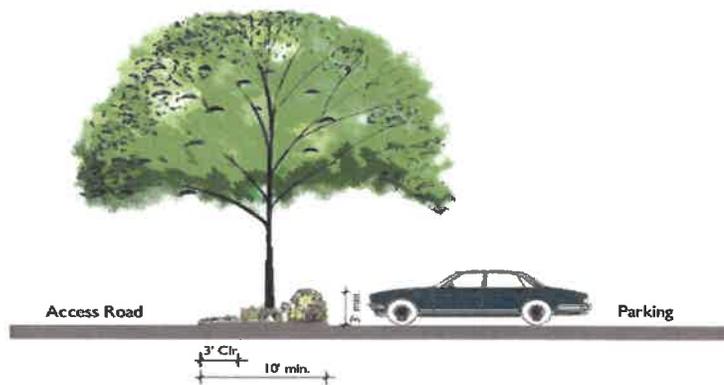


feet at any location on the parking lot perimeter.

- 4) Structures such as decorative walls or fences may be approved if they are consistent with the building architecture proposed for the site, complement the use of berms and plantings, and if the structure avoids a blank and monotonous appearance by such means as architectural articulation and/or the planting of vines, shrubs or trees.
- 5) All (100%) of the affected street frontage or property boundary, excluding intersecting driveways, must have the required screening.

A) Perimeter Landscaping Not Adjacent to a Public Right-of-Way: A landscaped setback/buffer area is required along all property lines on the periphery of the area covered by the plan, other than street frontages.

- 1) The following requirements shall apply for those setback/buffer areas where a commercial use adjoins an area that is either zoned or designated by the Comprehensive Plan as something other than residential:
 - a. Notwithstanding any other provisions relating to yard requirements, such landscaped setback/buffer areas shall be a least 10 feet in width.
 - b. Shrubs, 24 inches at planting, shall be placed appropriately to provide a solid hedge within 3 years.
 - c. Additional shrubs may be clustered or arranged within the setback if approved as part of the landscape plan.



Parking Lot Buffer Diagram

- 2) The following requirements shall apply for those setback/buffer areas where a commercial use adjoins an area that is either zoned or designated by the Comprehensive Plan as residential:
 - a. Notwithstanding any other provisions relating to yard requirements, such landscaped setback/buffer areas shall be a least 10 feet in width.
 - b. All commercial and industrial uses that abut a residential or office district shall provide screening not less than 6 feet in height along the abutting property line(s).
Screening required by this section shall be equivalent to the following:

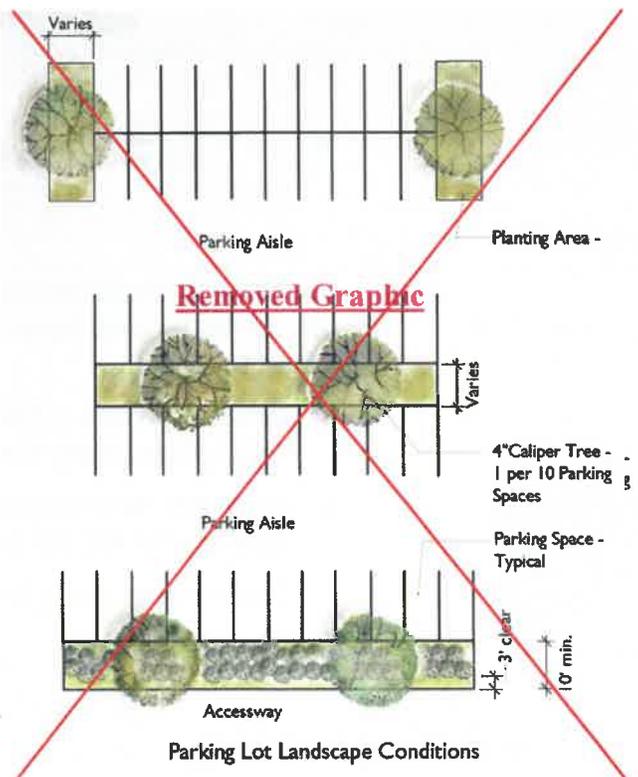
- i. Solid fences or walls as approved by the Governing Body after recommendation of the Planning Commission on the final development plan.
- ii. Within such landscaped setback/buffer area, one tree shall be provided for every 20 lineal feet along the property line, and one shrub shall be provided for every 6 feet along the property line. Such trees may be clustered or arranged within the setback.
- iii. Shrubs, 24 inches at planting, shall be placed appropriately to provide a solid hedge within 3 years.
- iv. Berms of not less than 3 feet in height that provide a maximum slope of 3:1 may be used in conjunction with plantings to achieve the solid visual screen as described in (c) above.

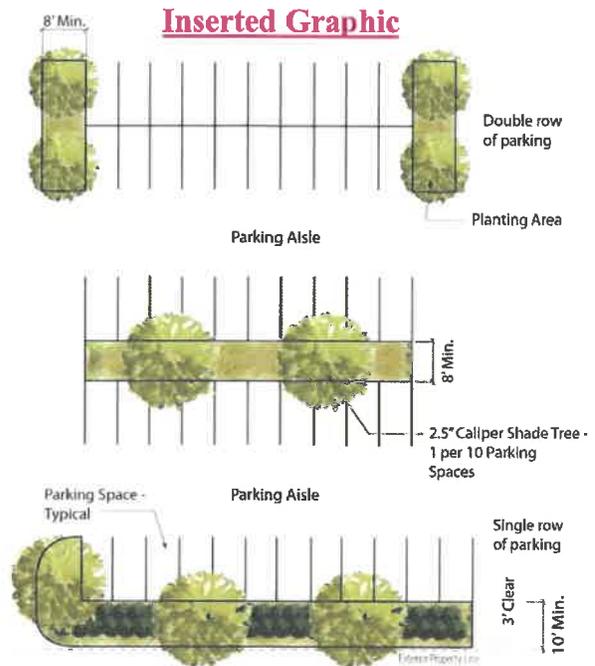
B) Interior Landscaping: The following requirements shall apply to interior portions of the site, those areas that are not part of any setback or buffer areas such as parking setbacks or transitional buffers.

- 1) The percentage of interior portions of the site that are to be landscaped are listed in the table below. The percentage shown may be accomplished through planting islands, buffering adjacent to building, and/or an addition to the setback.

Total area of the site	7,000 sq.ft. – 49,000 sq.ft.	50,000 sq.ft. - 149,000 sq.ft.	150,000 sq.ft. - over
Percent of interior site to be landscaped	5%	8%	10%

- 2) Buffering adjacent to buildings is required to be a minimum of 10 feet deep.
- 3) Parking lot landscaping shall be reasonably dispersed throughout off-street parking areas.
- 4) The interior dimensions of any planting area used to satisfy interior landscaping standards shall be sufficient to protect plant materials and to ensure proper growth. Planting areas that contain trees shall be at least 60 sq.ft. in area and 8 feet in width, and all planting areas shall be protected by raised curbs or wheel stops to prevent damage by vehicle.





- 5) The primary landscaping materials used in parking lots shall be trees, which provide shade or are capable of providing shade at maturity. If the landscape island extends the width of a single row, then one (1) shade tree shall be provided. If the island extends the width of a double row, then two (2) shade trees shall be provided. Shrubbery, hedges and other planting materials may be used to complement the tree landscaping, but shall not be the sole means of landscaping. Effective use of earth berms and existing topography is required as a component of the landscape plan.
 - 6) A minimum of one 2 ½-inch caliper tree shall be planted for every ten (10) parking spaces constructed.
 - 7) Additional trees shall be required at a ratio of one tree for every 3,000 sq.ft. of landscaped open space.
- C) Tree Replacement. Trees shall be measured in accordance with 16-4-7.5. All trees larger than 12 inch caliper to be removed from the site shall be replaced on a 1:1 caliper inch ratio.
- Exception:* When the amount of qualifying caliper inches to be replaced is greater than 132” per acre of the development, and an arborist employed by the City determines that sufficient space on-site is not available for the replanting of the required number of trees, then, the Governing Body may approve replacement of trees larger than 12 inch caliper by replacing 50% of those qualifying caliper inches.

(Ord. 2003, 07-07-03)
 (Ord. 2849, 07-25-17)
 (Ord. 2952, 07-23-19)

16-4-7.4 Installation and Maintenance of Landscaping and Screening

- A) All landscaping shall be installed in a sound workmanlike manner and according to accepted good planting procedures. Landscaped areas shall require protection from vehicular encroachment. A code enforcement officer, building inspector or other planning official shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided. Temporary occupancy permits may be issued due to weather related conditions upon approval by the Building Official and the Director of Community Development.
- B) The owner, developer, tenant and/or their agents, if any, shall be jointly and individually responsible to maintain the landscaping in its proper condition. When replacement is necessary all plants and other non-living landscape materials shall be equal in size, density and appearance to those items requiring replacement. If plant material is reasonably unable to be replaced the ~~Planning~~ Director of Community Development shall review and approve an equivalent replacement. Underground sprinkler systems shall be provided to serve all landscaped areas unless an equivalent watering system is approved by the Governing Body after recommendation of the Planning Commission. Natural and riparian areas within common area tracts, tree preservation easements, and no cut zones shall be allowed to remain in their native state, provided, that invasive species are promptly removed. Areas approved for stormwater management as approved by the Public Works Department shall be maintained per Public Works Standards.
- C) All landscaping materials depicted on landscaping plans approved by the City shall be considered to be elements of the project in the same manner as parking, building materials and other details. The developer, its successor and/or subsequent owners and their agents shall be responsible for maintenance of landscaping on the property on a continuing basis for the life of the development. Plant materials which exhibit evidence of insect pests, disease or damage shall be appropriately treated, and dead plants promptly removed and replaced within the next planting season after installation. All landscaping will be subject to periodic inspection by the City. Should landscaping not be installed, maintained and replaced as needed to comply with the approved plan, the owner and its agent or agents shall be considered to be in violation of the terms of the Certificate of Occupancy.
- Lawn grass shall be maintained on all areas not covered by other landscaping, parking, drives, buildings, or similar structures. Existing yards shall be maintained with grass or other approved ground cover.

(Ord. 2849, 07-25-17)

16-4-7.5 Landscape Plan Requirements

All landscaping plans shall be prepared and sealed by a Kansas registered landscape architect and shall include the following information:

- A) North point and scale.
- B) Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
- C) The location and size of all structures and parking areas.

- D) The location, size and type of all above-ground and underground utilities and structures with proper notation, where appropriate, as to any safety hazards to avoid during installation of landscaping.
- E) The location, size, type, spacing and quantity of all proposed landscaping materials, along with common and botanical names of all plant species. The size, grading and condition shall be specified according to American Association of Nurserymen standards. Site calculations used in computing quantities to meet these requirements shall also be submitted.
- F) The location, size and common name of all existing plant materials to be retained on the site.
- G) Mature sizes of plant materials shall be drawn to scale and called out on the plan by a common name or appropriate key.
- H) The location of all trees, 6 inch caliper or larger, measured at 4 ½ feet above ground level, that are proposed for removal with specific identification of each tree larger than 12 inch caliper to be removed. Multi-stemmed trees shall be calculated by measuring each stem of the tree 4 ½ feet above ground level and combining the caliper of all stems. All calipers shall be measured with a caliper tape.
- I) All screening required by this section.
- HJ) All areas that are to remain in their natural state shall be clearly delineated and labeled as such on all landscape plans.

(Ord. 2849, 07-25-17)

(Ord. 2952, 07-23-19)

16-4-7.6 General Regulations

- A) Sight Distance Triangles for Landscaping Adjacent to Public Right-of-Way and Points of Access. When an access drive intersects a public right-of-way, or when the subject property abuts the intersection of 2 or more public rights-of-way, all landscaping within the triangular areas described in 16-4-6.9 pertaining to signage, shall provide unobstructed cross-visibility at a level between 3 feet and 6 feet above the ground, provided however, trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping except required grass or ground cover shall not be located closer than 3 feet from the edge of any access drive pavement. All required landscaping materials, both living and non-living, shall be in place prior to the time of issuance of a final Certificate of Occupancy. In periods of adverse weather conditions, a temporary Certificate of Occupancy may be issued, subject to all landscaping being installed prior to the final Certificate of Occupancy being issued.
- B) Plant Material
- 1) Quality. The quality of plant materials used shall conform to the highest standards of the nursery industry. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. All plant materials shall be generally native to the area.
 - 2) Trees. Trees shall be species having an average mature spread of crown of greater than 15 feet. Trees, having an average mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15 foot crown

spread. Tree species shall be a minimum 2 ½ " caliper measured 6 inches above the ground level, immediately after planting. Tree species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such right of way, unless the tree root system is completely contained within an approved root barrier. A list of such tree species and approved standard root barrier construction details shall be maintained by the Community Development Department.

- 3) Shrubs and hedges. Shrubs shall be a minimum of 24 inches in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of 2 growing seasons after time of planting.
- 4) Ground covers. Ground covers used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance at the time of installation, and complete coverage within 2 years after planting.
- 5) Lawn grass. Grass sod shall be planted in species normally grown as permanent lawns in our native climate. Grass areas shall be sodded unless the use of seed is specifically authorized by the Governing Body after recommendation of the Planning Commission.

All site utility services including but not limited to meters, vaults, sprinkler risers, vacuum breakers, trash containers, and service or loading areas shall be screened with walls or fences. These screening walls or fences shall be of a minimum height to extend above and completely block the view of such areas or devices. Solid fences or walls shall be constructed of material and design that are compatible with the building architecture.

The screening wall or fence shall be accented with landscaping materials to soften the appearance of the wall or fence. Landscaping shall consist of either shrubs, grasses or ornamental trees. Any mixture of shrubs or grasses shall be planted adjacent to the screen wall or fence at a rate of one (1) plant for every four (4) linear feet of screen wall or fence. Ornamental trees may be planted adjacent to the screen wall or fence in lieu of any or all required shrubs or grasses when planted at a rate of one (1) tree for every two (2) required shrubs or grasses. Any screening plans for site utility services, including screening walls or fences and associated landscaping shall be approved by the Governing Body following a recommendation of the Planning Commission.

(Ord. 2003, 07-07-03)

(Ord. 2486, 03-29-11)

(Ord. 2849, 07-25-17)

ORDINANCE NO. _____

ORDINANCE AMENDING SECTION 16-4-7 OF THE LEAWOOD DEVELOPMENT ORDINANCE ENTITLED "LANDSCAPING AND SCREENING REQUIREMENTS" AND REPEALING EXISTING SECTION 16-4-7 AND OTHER SECTIONS IN CONFLICT HEREWITH. (PC 111-19)

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: Section 16-4-7 of the Leawood Development Ordinance is hereby amended to read as follows:

16-4-7 LANDSCAPING AND SCREENING REQUIREMENTS

16-4-7.1 Landscaping and Screening

- A) **Intent.** The landscaping and screening requirements of this Ordinance are intended to promote attractive and quality development within the City. These provisions are intended to improve the appearance of developed and preserved site areas, paved areas and buildings, give maximum absorption of surface water and provide shade. It is also intended by these provisions to preserve and enhance property values by ensuring that yards, open spaces, parking lots and those land areas abutting public right-of-ways are designed, installed and maintained in accordance with the provisions of this Ordinance. Property development shall consider and respect land capabilities and constraints, minimize erosion and destruction of natural amenities and provide a buffer between differing land uses.
- B) **Scope.** The provisions of this section shall apply to all new construction including, but not limited to, structures, dwellings, buildings, parking lots, residential subdivisions, office parks, shopping centers, and to redevelopment for which development plan approval is required. The Agricultural District shall be exempt from this section.

16-4-7.2 Landscaping Requirements – Single Family Residential

Single family and two family dwellings shall provide and maintain a minimum of thirty percent (30%) of lot area as a permeable and uncovered surface that contains living material. Single family and two family dwellings shall be exempt from all other requirements of this Ordinance except for Plant Material and Installation and Maintenance. Although, one (1) tree shall be provided for each 35 feet of street frontage and plant material shall be provided as part of entry features and common open space as recommended by the Planning Commission and approved by the Governing Body.

(Ord. 2003, 07-27-03)

16-4-7.3 Landscaping Requirements – Other Districts

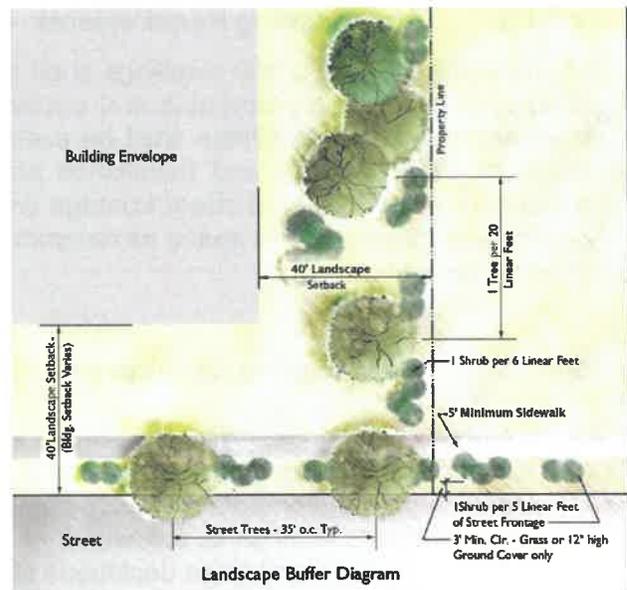
- A) General. Plantings, trees and shrubs shall be provided in landscaped open space areas in accordance with the requirements of the City and City Staff. The following represent the minimum requirements of such plantings, trees and shrubs. The minimum planting requirements shall be as follows:
- 1) Medium and large deciduous shade trees shall be 2 1/2 inch caliper as measured 6 inches above ground.
 - 2) Small deciduous and ornamental trees shall be a minimum of 1 1/2 inch caliper as

measured 6 inches above ground.

- 3) Conifers and evergreen trees shall be a minimum of 6 feet in height.
- 4) Interior parking lot shrubs shall be a minimum height of 24 inches at the time of planting. Ground cover plants, whether in the form of crowns, plugs or containers, shall be planted in a number as appropriate by species to provide full surface coverage after 2 growing seasons.
- 5) Sodding for turf and seeding for native grass shall be as approved by the Governing Body after recommendation of the Planning Commission to provide soil stabilization and complete coverage within the first growing season.
- 6) Landscaped open space shall consist of a minimum of 60% living materials, the remaining areas may consist of non-living materials such as bark, wood chips, decorative rock or stone or other similar materials.
- 7) All landscaped areas shall be irrigated.
- 8) Existing trees saved on the site during construction may be credited towards the minimum number of trees required (except for street trees) provided that such trees are minimum 2 1/2 inch caliper as measured 6 inches above ground for a medium and large deciduous species or 6 feet in height for evergreen species. All existing plant material saved shall be healthy and free from mechanical injury.
- 9) The following maximum grades shall be permitted:
 - a. Sodded grass berms shall be a maximum of 3 feet horizontal for each 1 foot vertical rise; and
 - b. Planted berms that include ground cover shall be a maximum of 2 feet horizontal for each 1 foot vertical.

B) Perimeter Landscaping Adjacent to Public Rights-of-Way. The following requirements shall apply to all perimeter landscaped areas including parking setbacks, right-of-way buffers and transitional buffers.

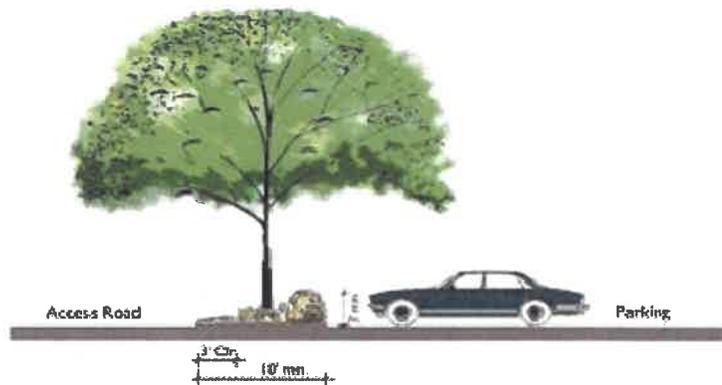
- 1) One (1) tree shall be provided for each 40 feet of street frontage within the landscaped setback abutting said street frontage.
- 2) In addition to the street trees, one ornamental tree per 20 lineal feet and one shrub per 5 lineal feet or portion thereof, shall be planted within the setback. Additional trees may be clustered or arranged within the setback if approved as part of the landscape plan. For the purpose of this Ordinance a medium or large tree may be credited as 2 ornamental trees.
- 3) The perimeter area of all on-site, open parking areas shall be screened from the view of adjacent properties and streets at the time of planting to a minimum height of 3 feet by the use of a combination of berms and/or walls accented with plant



- material. The width of such screens shall not be less than 10 feet at any location on the parking lot perimeter.
- 4) Structures such as decorative walls or fences may be approved if they are consistent with the building architecture proposed for the site, complement the use of berms and plantings, and if the structure avoids a blank and monotonous appearance by such means as architectural articulation and/or the planting of vines, shrubs or trees.
 - 5) All (100%) of the affected street frontage or property boundary, excluding intersecting driveways, must have the required screening.

C) Perimeter Landscaping Not Adjacent to a Public Right-of-Way. A landscaped setback/buffer area is required along all property lines on the periphery of the area covered by the plan, other than street frontages.

- 1) The following requirements shall apply for those setback/buffer areas where a commercial use adjoins an area that is either zoned or designated by the Comprehensive Plan as something other than residential:
 - a. Notwithstanding any other provisions relating to yard requirements, such landscaped setback/buffer areas shall be a least 10 feet in width.
 - b. Shrubs, 24 inches at planting, shall be placed appropriately to provide a solid hedge within 3 years.
 - c. Additional shrubs may be clustered or arranged within the setback if approved as part of the landscape plan.



Parking Lot Buffer Diagram

- 2) The following requirements shall apply for those setback/buffer areas where a commercial use adjoins an area that is either zoned or designated by the Comprehensive Plan as residential:
 - a. Notwithstanding any other provisions relating to yard requirements, such landscaped setback/buffer areas shall be a least 10 feet in width.
 - b. All commercial and industrial uses that abut a residential or office district shall provide screening not less than 6 feet in height along the abutting property line(s).

Screening required by this section shall be equivalent to the following:

 - i. Solid fences or walls as approved by the Governing Body after recommendation of the Planning Commission on the final development plan.

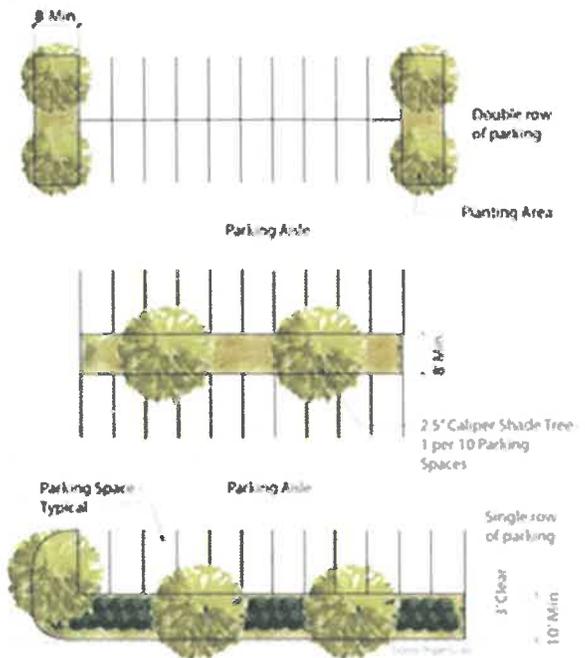
- ii. Within such landscaped setback/buffer area, one tree shall be provided for every 20 lineal feet along the property line, and one shrub shall be provided for every 6 feet along the property line. Such trees may be clustered or arranged within the setback.
- iii. Shrubs, 24 inches at planting, shall be placed appropriately to provide a solid hedge within 3 years.
- iv. Berms of not less than 3 feet in height that provide a maximum slope of 3:1 may be used in conjunction with plantings to achieve the solid visual screen as described in (c) above.

D) **Interior Landscaping.** The following requirements shall apply to interior portions of the site, those areas that are not part of any setback or buffer areas such as parking setbacks or transitional buffers.

- 1) The percentage of interior portions of the site that are to be landscaped are listed in the table below. The percentage shown may be accomplished through planting islands, buffering adjacent to building, and/or an addition to the setback.

Total area of the site	7,000 sq.ft. – 49,000 sq.ft.	50,000 sq.ft. - 149,000 sq.ft.	150,000 sq.ft. - over
Percent of interior site to be landscaped	5%	8%	10%

- 2) Buffering adjacent to buildings is required to be a minimum of 10 feet deep.
- 3) Parking lot landscaping shall be reasonably dispersed throughout off-street parking areas.
- 4) The interior dimensions of any planting area used to satisfy interior landscaping standards shall be sufficient to protect plant materials and to ensure proper growth. Planting areas that contain trees shall be at least 60 sq.ft. in area and 8 feet in width, and all planting areas shall be protected by raised curbs or wheel stops to prevent damage by vehicle.



- 5) The primary landscaping materials used in parking lots shall be trees, which provide shade or are capable of providing shade at maturity. If the landscape island extends the width of a single row, then one (1) shade tree shall be provided. If the island extends the width of a double row, then two (2) shade trees shall be provided. Shrubbery, hedges and other planting materials may be used to complement the tree

- landscaping, but shall not be the sole means of landscaping. Effective use of earth berms and existing topography is required as a component of the landscape plan.
- 6) A minimum of one 2 ½-inch caliper tree shall be planted for every ten (10) parking spaces constructed.
 - 7) Additional trees shall be required at a ratio of one tree for every 3,000 sq.ft. of landscaped open space.
- E) **Tree Replacement.** Trees shall be measured in accordance with 16-4-7.5. All trees larger than 12 inch caliper to be removed from the site shall be replaced on a 1:1 caliper inch ratio.
- Exception:* When the amount of qualifying caliper inches to be replaced is greater than 132" per acre of the development, and an arborist employed by the City determines that sufficient space on-site is not available for the replanting of the required number of trees, then, the Governing Body may approve replacement of trees larger than 12 inch caliper by replacing 50% of those qualifying caliper inches.

(Ord. 2003, 07-07-03)
 (Ord. 2849, 07-25-17)
 (Ord. 2952, 07-23-19)

16-4-7.4 Installation and Maintenance of Landscaping and Screening

- A) All landscaping shall be installed in a sound workmanlike manner and according to accepted good planting procedures. Landscaped areas shall require protection from vehicular encroachment. A code enforcement officer, building inspector or other planning official shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided. Temporary occupancy permits may be issued due to weather related conditions upon approval by the Building Official and the Director of Community Development.
- B) The owner, developer, tenant and/or their agents, if any, shall be jointly and individually responsible to maintain the landscaping in its proper condition. When replacement is necessary all plants and other non-living landscape materials shall be equal in size, density and appearance to those items requiring replacement. If plant material is reasonably unable to be replaced the Director of Community Development shall review and approve an equivalent replacement. Underground sprinkler systems shall be provided to serve all landscaped areas unless an equivalent watering system is approved by the Governing Body after recommendation of the Planning Commission. Natural and riparian areas within common area tracts, tree preservation easements, and no cut zones shall be allowed to remain in their native state; provided, that invasive species are promptly removed. Areas approved for stormwater management as approved by the Public Works Department shall be maintained per Public Works Standards.
- C) All landscaping materials depicted on landscaping plans approved by the City shall be considered to be elements of the project in the same manner as parking, building materials and other details. The developer, its successor and/or subsequent owners and their agents shall be responsible for maintenance of landscaping on the property on a continuing basis for the life of the development. Plant materials which exhibit evidence of insect pests, disease or damage shall be appropriately treated, and dead plants promptly

removed and replaced within the next planting season after installation. All landscaping will be subject to periodic inspection by the City. Should landscaping not be installed, maintained and replaced as needed to comply with the approved plan, the owner and its agent or agents shall be considered to be in violation of the terms of the Certificate of Occupancy.

Lawn grass shall be maintained on all areas not covered by other landscaping, parking, drives, buildings, or similar structures. Existing yards shall be maintained with grass or other approved ground cover.

(Ord. 2849, 07-25-17)

16-4-7.5 Landscape Plan Requirements

All landscaping plans shall be prepared and sealed by a Kansas registered landscape architect and shall include the following information:

- A) North point and scale.
- B) Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
- C) The location and size of all structures and parking areas.
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- E) The location, size, type, spacing and quantity of all proposed landscaping materials, along with common and botanical names of all plant species. The size, grading and condition shall be specified according to American Association of Nurserymen standards. Site calculations used in computing quantities to meet these requirements shall also be submitted.
- F) The location, size and common name of all existing plant materials to be retained on the site.
- G) Mature sizes of plant materials shall be drawn to scale and called out on the plan by a common name or appropriate key.
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- I) All screening required by this section.
- J) All areas that are to remain in their natural state shall be clearly delineated and labeled as such on all landscape plans.

(Ord. 2849, 07-25-17)

(Ord. 2952, 07-23-19)

16-4-7.6 General Regulations

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- B) Plant Material
- 1) Quality. The quality of plant materials used shall conform to the highest standards of the nursery industry. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. All plant materials shall be generally native to the area.
 - 2) Trees. Trees shall be species having an average mature spread of crown of greater than 15 feet. Trees, having an average mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15 foot crown spread. Tree species shall be a minimum 2 ½ " caliper measured 6 inches above the ground level, immediately after planting. Tree species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such right of way, unless the tree root system is completely contained within an approved root barrier. A list of such tree species and approved standard root barrier construction details shall be maintained by the Community Development Department.
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(Ord. 2003, 07-07-03)

(Ord. 2486, 03-29-11)

(Ord. 2849, 07-25-17)

SECTION TWO: This ordinance shall be construed as follows:

A. Liberal Construction. The provisions of this Ordinance shall be liberally construed to effectively carry out its purposes which are hereby found and declared to be in furtherance of the public health, safety, welfare, and convenience.

B. Savings Clause. The repeal of Ordinance sections, as provided herein below shall not affect any rights acquired, fees, fines, penalties, forfeitures or liabilities incurred there under, or actions involving any of the provisions of said Ordinances or parts thereof. Said Ordinance repealed is hereby continued in force and effect after the passage, approval, and publications of this Ordinance for the purposes of such rights, fees, fines, penalties, forfeitures, liabilities and actions therefore.

C. Invalidity. If for any reason any chapter, article, section, subsection, sentence, portion or part of this proposed Ordinance set out herein, or the application thereof to any person or circumstances is declared to be unconstitutional or invalid, such decision will not affect the validity of the remaining portions of this Code or other Ordinances.

SECTION THREE: That existing LDO Section 16-4-7 and other provisions in conflict herewith are hereby repealed.

SECTION FOUR: This ordinance shall take effect and be in force from and after publication in accordance with law.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2020.

[SEAL]

Peggy J. Dunn, Mayor

ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney

**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.

PUBLIC HEARING

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

Chairman Elkins: That takes us to comments. Mr. Klein, I was looking at the memo as opposed to the actual wording in the amendment. In the memo, you distinguish between street light poles, utility poles, and non-street light poles. In actuality, it is really a distinction between street light poles, utility poles, and non-street light and non-utility poles.

Mr. Klein: That is true.

Chairman Elkins: Whether that makes a difference in any of the verbiage of the amendment, I don't know. Does anything need to be changed to accommodate that distinction?

Mr. Klein: It's something that could be added to No. 3.

Chairman Elkins: Any other comments around the proposed change? Do I hear a motion?

A motion to recommend approval of CASE 113-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-12.4, DISTRIBUTED ANTENNAE SYSTEM (DAS) AND SMALL CELL FACILITIES (SCF) – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Distributed Antenna Systems (DAS) and Small Cell Facilities – was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

→ **CASE 111-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-7, LANDSCAPING AND SCREENING REQUIREMENTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to landscaping of parking lot islands, and required maintenance of natural areas. PUBLIC HEARING**

Staff Presentation:

Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 111-19 – Leawood Development Ordinance Amendment to Section 16-4-7, Landscaping and Screening Requirements. This addresses natural or tree preservation areas. You've had plans come before you, and we might have a tree preservation area. The last one was Hills of Leawood, which was adjacent to Ironwoods Park. We want to keep those areas natural. We had another one located on 135th Street and Kenneth, and we tried to keep that natural buffer between the subdivision to the south and the development. This amendment is trying to clarify that those areas are to be in their natural state. The reason this has become important is occasionally, a neighbor may not like the way that natural area looks and may want it mowed. This makes that explicit. It also addresses Best Management Practices (BMP) like the rain gardens in applications. It states they have to be maintained per the American Public Works Association.

The second part of the amendment deals with shade trees in parking lot islands. If the parking lot island is as long as two parking spaces, it needs two trees. The reason we are bringing this before you is usually applicants are willing to follow this recommendation, but sometimes, we get pushback. This also clarifies that we're looking for a shade tree as opposed to an ornamental tree. Staff is recommending approval, and I'd be happy to answer any questions.

Chairman Elkins: Questions for Mr. Klein? Mark, is there no limitation on preservation of natural state? Let me put that in context. It's truly an extreme example, but similar to the West Coast and other places, if we let things go to an extreme in a natural state, aren't we creating a possible risk of a fire hazard? While we don't have the big areas like they do in California, we still could have a fire in one of these areas, and that has the potential to create a public safety hazard.

Mr. Klein: I definitely see your point, and yes, there are natural areas. In this case, I see it as different than the problem California is having because these are approved on plans. They typically are not very wide unless we get lucky enough to have a natural area, much like what we did with 135th Street and Kenneth. For the most part, we're talking about 30-50 feet for a buffer and, in some cases, even less than that. We do have a requirement that noxious vegetation is removed. I see your point. What we're looking at is limiting these areas to specific sites.

Chairman Elkins: Other questions? Again, this is an amendment to the LDO, so a Public Hearing is in order.

Public Hearing

Kevin Jeffries, Leawood Chamber of Commerce, 13451 Briar Drive, appeared before the Planning Commission and made the following comments:

Mr. Jeffries: I'm supportive of the natural area. The part I'm concerned about is the parking lot areas. I'm the Leawood parking lot cop because I walk around and look at all these developments, and I have some serious concern about the survivability opportunities for trees that are out in these islands. Scott Lambers and I have had conversations, and we prefer to see these green areas clustered instead of random little things in the parking lot where the trees usually die. My particular development is a prime example. I have been there for almost ten years, and the trees die every other year. I think we need to take a more comprehensive look with people that are truly in the business of making trees live as opposed to approving the aesthetics and seeing if we can ordinances in place that actually allow for the survivability of the plants versus something that is going to have to be replaced every two years. It's an extreme cost to the developers and to the tenants who stay there later because it ends up in their common area fees. There's hardly a development in town where those trees survive long term, especially when they're scattered in the parking lot. I totally agree about the heat islands and all that, but we have to consider survivability and what is functional versus something that looks good on paper.

Chairman Elkins: Before you step back, even though it's not typical to ask question of members of the public, you're in a different category. If I recall, what staff has proposed is for this natural growth business to apply only in instances where, on the plan, that particular area is designated as a natural growth area. Wouldn't it be possible for us to address your concern with this particular issue? I realize you're asking about a broader review about tree preservation.

Mr. Jeffries: I'm actually asking about parking lot trees.

Chairman Elkins: For purposes of this, don't we address that by being judicious in what we designate as an area for natural growth?

Mr. Jeffries: In parking lots? I see these as two different issues.

Chairman Elkins: I guess my point is it would seem to be unlikely that a parking lot tree would fall under the designation of a natural growth area.

Mr. Jeffries: I think there are two unrelated issues in this ordinance change. One is natural areas, and one is parking lot trees. I'm speaking to the parking lot tree issue only.

Chairman Elkins: Refresh me on what we're doing with parking lot trees. I was focused on the natural growth.

Mr. Coleman: We're stating that at the end of the parking aisle is a landscape area that is 8 feet wide and 36 feet long. We're asking for two trees to be planted there, one at each end of the island, rather than just one in the middle because the one provides no shade at all for the parking usually. To Mr. Jeffries' point, maybe we could add to the requirements to help make the trees more survivable. We leave that to the landscape companies right now, but we could add in to amend the soils to certain depth and add soil conditioning because that has a lot to do with those trees surviving. A lot of times, the developers just have graded the entire parking lot with gravel and compacted it. Then they pour the curbs over that, and they don't remove a lot of that gravel where these islands are. They just fill it in with soil, plant a tree, and expect the tree to live. Then, they don't.

Chairman Elkins: Do we know enough tonight to be able to address that tonight?

Mr. Coleman: I'd recommend you approve this, and we bring back something with soil amendments. I don't think removing the trees from the parking lots is the solution.

Chairman Elkins: Mr. Jeffries, my apologies; I was focused on the natural growth area. Thank you for your comment.

As no one else was present to speak, a motion to close the Public Hearing was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: That takes us to comments on Case 111-19.

Comm. Block: I wasn't looking closely at how big these islands are. If they're 36 feet long, it's two parking spaces end-to-end. The canopy of a shade tree is 30 feet or so, so the tree would have to be planted all the way to the edge of the curb to make room so they're not interfering with each other. Then, what about the trunk? A shade tree is going to be bigger. Is that going to conflict with the curb 20-30 years down the road?

Mr. Coleman: No, the tree would be planted in the center of the island, so it would be 4 feet from any curb. That is pretty normal. My parking lawn area on my street between the curb and sidewalk is 7 feet, and we have pretty massive trees. In these parking islands at Camelot Court, they planted Gingkoes, and those are almost impossible to kill. I don't think it would be a problem. Then, if they're 4 feet from the end, the trees would be over 20 feet apart. It would be 28 feet between the two trees.

Comm. Block: But the trees will have a canopy of what?

Mr. Coleman: Probably 15-20 feet on each side, so it will cover 2-3 parking spaces on each aisle.

Comm. Block: They're going to grow into each other within the island.

Mr. Coleman: The canopies would touch within the island when they mature, but that would probably be 20 years.

Comm. Block: Would it make more sense to use an ornamental tree to not have that issue?

Mr. Coleman: That's not an issue, that's a good thing.

Comm. Block: That the trees grow together?

Mr. Coleman: Yes.

Chairman Elkins: Other comments with respect to Case 111-19? I would ask staff to look at what other amendments we could add that would enhance the survivability of trees, per Mr. Jeffries' concerns and the comments that Mr. Coleman made around soil conditioning or other factors. Survivability of these trees is an issue in the commercial areas in Leawood. Is there a motion?

Mr. Klein: We'd like to add a couple words in the amendment. In Section 16-4-7.4(b) in that last area, where it says, "without maintenance," we'd like to remove those two words.

Chairman Elkins: Mr. Coleman?

A motion to recommend approval of CASE 111-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-7.4, LANDSCAPING AND SCREENING REQUIREMENTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to landscaping of parking lot islands, and required maintenance of natural areas – with the removal of the words “without maintenance” from Section 16-4-7.4(b) – was made by Coleman; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Chairman Elkins: This is the time of year we offer thanks to staff and my fellow commissioners for the service provided to the City of Leawood. The questions are always on point. Thank you for all you’re doing for the city and the support you give me.

MEETING ADJOURNED

DRAFT

City of Leawood Governing Body Staff Report

MEETING DATE: January 6, 2020
 REPORT WRITTEN: November 27, 2019

RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – REQUEST FOR APPROVAL OF A REVISED FINAL PLAN – Located north of 95th Street and east of Mission Road– Case 120 -19

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission recommends unanimously (5-0) denial of Case 120-19 – Ranch Mart North Shopping Center – Redevelopment – request for approval of a Revised Final Plan for the reasons stated in the minutes. The reasons for denial include, but are not limited to: changes in building materials (including changing natural stone and natural stone panels to manufactured stone), changing the perimeter walls screening parking from stone to form poured concrete, removal and modification of design elements and features within the development, increasing the number of parking lot flumes for drainage, the reduction in the size of ornamental grasses, and increasing in spacing between ornamental grasses and perinials.

Staff provided the following stipulations, should the Planning Commission have approved the application:

1. This approval is limited to 24,648 sq.ft. of new construction, site improvements, and a total of 216,647 building sq.ft. for the Ranch Mart North development, located on 17.23 acres for an F.A.R. of 0.31 within the SD-CR zoning district and an F.A.R. of 0.07 in the SD-NCR2 zoning district.
2. The applicant shall be responsible for the following impact fees:
 - a. The applicant/owner shall be responsible for a public art impact fee or a piece of public art. Approval of the design and location of the art will need to go before the Arts Council, Planning Commission, and approved by the Governing Body at a later date. In lieu of that, the applicant may pay a public art impact fee in the amount of \$0.15/sq.ft. of finished floor area, estimated currently at \$3,697.20 (\$0.15 x 24,648 sq.ft). This amount is subject to change by Ordinance.
 - b. A park impact fee in the amount of \$0.15/square foot of finished floor area is required prior to issuance of a building permit, estimated currently at \$3,697.20 (\$0.15 x 24,648 sq.ft). This amount is subject to change by Ordinance.
3. All power lines, utility lines, etc. (both existing and proposed, including utilities and power lines adjacent to and within abutting right-of-way) are required to be placed underground. This must be done prior to final occupancy of any new construction, subject to the applicant and Governing Body entering into a memorandum of understanding on existing tenant space.
4. All proposed art features and artistic architectural elements, including water features shall be approved with a Final Plan at a later date.
5. All utility boxes, not otherwise approved with the final development plan, with a height of less than 55 inches, a footprint of 15 sq.ft. in area or less, or a pad footprint of 15 sq.ft. in area or less, shall be installed only with the prior approval of the Director of Planning as being in compliance with the Leawood Development Ordinance.
6. All utility boxes, not otherwise approved with the final development plan, with a height of 55 inches or greater, a footprint greater than 15 sq.ft. in area, or a pad footprint greater than 15 sq.ft. in area, shall be installed only with the prior recommendation of the Planning Commission as being in compliance with the Leawood Development Ordinance based on review of a site plan containing such final development plan information as may be required by the City, and approved by the Governing Body.

7. Per the Leawood Development Ordinance all pedestrian crosswalks shall be demarcated from the adjacent street pavement with a different material and color.
8. The project includes the following deviations:
 - a) 0' Interior parking setback
 - b) 0' Interior building setback
9. In accordance with the Leawood Development Ordinance, all trash enclosures shall be screened from public view with a 6 foot solid masonry structure to match the materials used in the buildings and shall be architecturally attached to the individual buildings and accented with appropriate landscaping. The gates of the trash enclosures shall be painted, sight obscuring, decorative steel. No outdoor storage of product or equipment shall be allowed.
10. All downspouts shall be enclosed.
11. Prior to issuance of a building permit, the applicant shall provide revised plans replacing all manufactured stone with natural stone.
12. The use of parking lot flumes shall be limited to the southeast corner of the NBKC Bank only.
13. Stucco facades shall be applied with a three coat process.
14. Prior to issuance of a building permit, the applicant shall provide revised plans showing the 3' screen walls surrounding the parking fields constructed, or faced with natural stone.
15. Prior to issuance of a building permit, the applicant shall revised the size of ornamental grasses from plugs to #1 container size.
16. Prior to issuance of a building permit, the applicant shall not have CMU located on the exterior facades of buildings, including existing CMU.
17. Prior to issuance of a building permit, the applicant shall remove existing metal siding, including that screening the roof of the Price Chopper.
18. All rooftop equipment shall be screened from the public view with an architectural treatment, which is compatible with the building architecture. The architectural treatment screening the utilities shall be at least as tall as the utilities they are to screen.
19. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities, meter banks and air conditioning units, shall be painted to blend with the building and screened from public view with landscaping or with an architectural treatment compatible with the building structure.
20. Per the Leawood Development Ordinance, all parking lot light fixtures associated with this project shall be a maximum of 18' in height from grade, including base.
21. Per the Leawood Development Ordinance, the source of illumination of all proposed light fixtures shall not be visible.
22. Per the Leawood Development Ordinance, the maximum amount of 0.5 foot-candles shall be permitted at the property line.
23. The temperature of all LED lighting shall be 3,000K and shall be directed away and shielded from adjacent residential development.
24. Per the Leawood Development Ordinance, the perimeter area of all on-site open parking areas shall be screened from the view of adjacent properties and streets to a minimum height of 3 feet by the use of a combination of berms and/or walls accented with plant material.
25. Per the Leawood Development Ordinance, one (1) tree shall be provided for each 40 feet of street frontage within the landscaped setback abutting said street frontage.
26. Per the Leawood Development Ordinance, all medium and large deciduous trees shall be 2 ½" caliper as measured 6" above the ground, all small deciduous and ornamental trees shall be a minimum of 1 ½" caliper as measured 6" above the ground, conifers and evergreen trees shall be a minimum of 6' in height, and shrubs shall be a 24" in height at the time of planting.

27. Per the Leawood Development Ordinance, at the time of planting, plant material screening the ground mounted utilities shall be a minimum of 6" taller than the utility it is to screen, with lower shrubs in the foreground to eliminate any gaps in screening.
28. All landscaped open space shall consist of a minimum of 60% living materials.
29. All landscaped areas shall be irrigated.
30. The approved final landscape plan shall contain the following statements:
 - a) All trees shall be callipered and undersized trees shall be rejected.
 - b) All parking lot islands shall be bermed to discourage foot traffic.
 - c) All hedges shall be trimmed to maintain a solid hedge appearance.
 - d) All plant identification tags shall remain until issuance of a Final Certificate of Occupancy.
 - e) Any deviation to the approved final landscape plan shall require the written approval of the landscape architect and the City of Leawood, prior to installation.
 - f) All landscaped open space shall consist of a minimum of 60% living materials.
31. A letter, signed and sealed by a Kansas Registered Landscape Architect, shall be submitted prior to final occupancy that states that all landscaping has been installed per the approved landscape plan and all plant material used is to the highest standards of the nursery industry.
32. The applicant shall obtain all approvals and permits from the Public Works Department, per the public works memo, shown as Exhibit A, on file with the City of Leawood Planning and Development Department, prior to recording the plat.
33. The applicant shall obtain all approvals from the City of Leawood Fire Department, per the Fire Marshal's memo, shown as Exhibit B, on file with the City of Leawood Planning and Development Department, prior to issuance of a building permit.
34. Signage is not approved with this application. All signage shall meet all the requirements of the Leawood Development Ordinance and sign criteria for the Ranch Mart North development.
35. A Sign Permit shall be required from the City of Leawood Community Development Department prior to installation.
36. Off-site signage shall only be permitted with approval of a Special Use Permit.
37. Per the Leawood Development Ordinance, a maximum noise level of 60 decibels shall be permitted at the property line, including all restaurant patio sound systems and/or televisions.
38. All outdoor televisions shall be faced away from residential neighborhoods.
39. The Owner/Applicant shall establish a funding mechanism to maintain, repair and/or replace all common areas and common area improvements including, but not limited to, streets, walls, and storm water system improvements. The mechanism will include a deed restriction running with each lot in the development that will mandate that each owner must contribute to the funding for such maintenance, repair and/or replacement and that each lot owner is jointly and severally liable for such maintenance, repair and/or replacement, and that the failure to maintain, repair or replace such common areas or common area improvements may result in the City of Leawood maintaining, repairing and replacing said common areas and/or improvements, and the cost incurred by the City of Leawood will be jointly and severally assessed against each lot, and will be the responsibility of the owner(s) of such lot.
40. No construction shall be allowed between the hours of 9:00 p.m. to 7:00 a.m. and not on Sundays.
41. A cross access/parking easement for the entire development shall be recorded on the plat with the Johnson County Register of Deeds prior to issuance of a building permit.
42. An erosion control plan for both temporary and permanent measures to be taken during and after construction shall be required at the time of application for building permit.
43. All sidewalks shall be installed as per street construction standards.
44. Development rights under this approval shall vest in accordance with K.S.A. 12-764.

45. In addition to the stipulations listed in this report, the developer/property owner agrees to abide by all ordinances of the City of Leawood Development Ordinance, unless a deviation has been granted, and to execute a statement acknowledging in writing that they agree to stipulations one through forty-five.

PLANNING COMMISSION CHANGES TO STIPULATIONS:

- None. The Planning Commission recommended denial of Case 120-19 – Ranch Mart North Shopping Center – Redevelopment – request for approval of a Revised Final Plan.

HISTORY:

- The Preliminary Development Plan for Ranch Mart North Shopping Center was approved by the Governing Body on December 3, 2018 with Ordinance No. 2918 (Case 115-18, Exhibit C). The Preliminary Development Plan proposed to demolish the northeast corner of the main center to provide room for a pedestrian plaza area and 27,597 sq.ft. of new construction for a total of 217,366 building sq.ft. for the Ranch Mart North development. The project also included improvements to the site, and parking lot layout.
- A Final Development Plan for Ranch Mart North Shopping Center was approved by the Governing Body on April 15, 2019 with Resolution No. 5173 (Case 04-19). The Final Development Plan proposed a mix of modern façade materials, landscaping, and site amenities across the development. The plan proposed to decrease the overall sq.ft. of building area on site from 221,552 sq.ft. to 218,057 sq.ft., reducing the F.A.R. of the SD-CR zoning district from 0.32 to 0.31.
- With this application, the applicant has submitted a Revised Final Plan for Ranch Mart North Shopping Center, with the following changes:
 - Natural stone to be used on building elevations is proposed to be replaced with manufactured stone,
 - Stucco was added as a façade material in place of zinc metal panels and natural stone,
 - The architectural natural stone panels on the building elevations were removed and replaced with manufactured stone,
 - The stone screen wall along 95th Street and Mission Road to screen parking is proposed to be replaced with form poured concrete walls.
 - Ornamental grasses are proposed to be reduced in size from quart size to plugs, and the spaces between the grasses is proposed to be increased from 18" to 24".
 - The circular pavement pattern was removed from the interior courtyard and replaced with a saw cut pattern in the concrete, with coral colored pavement strips.
 - Flumes were added to the plans for drainage,
 - The gross building area on site decreased by 1,410 sq.ft. to a total of 216,647 sq.ft.,
 - The sq.ft. of the 2 story Mixed Use Building decreased by 2,949 sq.ft. to a total of 24,648 sq.ft.,
 - The total retail sq.ft. on site decreased by 159 sq.ft. to a total of 69,195 sq.ft.,
 - The height of the Mixed Use Building was reduced from 38'-6" to 35'-0",
 - The second story balcony was removed from the west side of the Mixed Use building,
 - The interior courtyard kiosk was removed from the plans,
 - The entrance to the courtyard was moved to the east due to shifting tenant spaces and no longer aligns with the main driveway to the center,
 - The southern entrance to the courtyard was reduced in width from approximately 24' to 19',
 - At-grade lighting was removed from the crosswalks in front of the main entry to the plaza on the east and south sides,
 - Lighted bollards at the east plaza entry have been removed, due to required truck access,

- The 3' tall planter box surrounding the restaurant tenant on the southeast corner of the main center was modified to include bench seating.
- The McDonald's approved site plan (Ordinance No. 2956) was added to the drawings,
- The glazed brick on building elevations was replaced with clay fired brick,
- The zinc metal panels on the Price Chopper building were removed and the brick on the Price Chopper building is being retained,
- The building parapet on main retail center was lowered from approximately 2'-4' across the facades,
- The number of perennials and grasses on site was reduced from #1 container size plants to plugs and increased the spacing between plants from 18" to 24",
- A parking lot island was added west of the CareNow building.

APPLICANT:

- The applicant is Curtis Petersen with Polsinelli PC.
- The property is owned by:
 - Ranch Mart McDonalds, L.L.C.
 - Ranch Mart North, L.L.C.
 - Linwood Pioneer Cemetery, L.L.C.
 - Leawood Post Office, L.L.C.
- The engineer and architect is Chris Hafner with Davidson Architecture and Engineering.

REQUEST:

- The applicant is requesting approval of a Revised Final Plan for the redevelopment of Ranch Mart North, which consists of 17.23 acres on six tracts of land.
- The applicant is requesting to reconfigure the entire site parking lot, and replace lighting and landscaping.
- The applicant is requesting major changes to portions of the façade of the main retail center within the development, and the demolition and reconstruction of the eastern end of the main retail center.
- The overall Ranch Mart North development shall be made up of 216,647 sq.ft. of construction on 17.23 acres. The SD-CR zoning district shall be made up of 211,751 sq.ft. for an F.A.R of 0.31 within the SD-CR zoning district; the SD-NCR2 zoning district shall be made up of 4,896 sq.ft. for an F.A.R. of 0.07.

ZONING:

- The property is zoned SD-CR and SD-NCR2, as shown below.



COMPREHENSIVE PLAN:

- The Comprehensive Plan designates this property as Retail.

LOCATION:



SURROUNDING ZONING:

- | | |
|-------|--|
| North | Directly to the north of the property is Curè of Ars church and school, and the Leawood subdivision, a single-family residential subdivision, zoned R-1 (Planned Single-Family Low Density Residential). |
| East | To the east is the Leawood subdivision, a single-family residential subdivision zoned R-1 (Planned Single-Family Low Density Residential). |
| South | To the south is 95th Street, beyond which is the southern portion of the Ranch Mart shopping center, and a retirement living facility within the City of Overland Park. |
| West | To the west is Mission Road, beyond which is a collection of commercial uses within the City of Prairie Village. |

SITE PLAN COMMENTS:

- **Please note that changes to the currently approved plan are shown in bold text.**
- The Ranch Mart North development is 17.23 acres, located at the northeast corner of 95th Street and Mission Road. The site includes one existing multi-tenant building, constructed in 1960, hereinafter referred to as the "main center" (located on Lot 1). The site also includes three pad sites; McDonalds (located on Lot 4, southwest corner of the site) constructed in 1992, a bank constructed in 1999 (located on Tract 2, east of main center), and CareNow (the former post office, constructed in 1961) (located on Lot 3, southeast corner of the site). Linwood Cemetery is located on the southeastern portion of the site (Lot 5).
- Five foot sidewalks are proposed along the entire site length of 95th Street, widening to 6-7 feet in front of McDonalds. Three foot tall masonry screen walls are generally proposed in front of parking fields for the length of 95th Street, with the exception of the McDonalds street frontage, where there is not enough space to allow for the screen wall.
- Six foot sidewalks are proposed along the entire length of Mission Road, except at the McDonalds frontage where 5 foot sidewalks are proposed. Three foot tall masonry screen walls are proposed for all parking frontages along Mission Road.
- There are five connections from the buildings within the development to perimeter sidewalks along 95th Street and two connections to perimeter sidewalks along Mission Road, five of the connections are to the main center.

- Four bike rack locations are proposed on the site – two racks on the north side, one on the west side, and one on the south side of the main center.
- A concrete 16 foot long, 4 foot wide slab for use as a Kansas City Area Transportation Authority (KCATA) bus stop is located on 95th Street, south of the sidewalk and east of the driveway entrance near McDonalds. The final design for the bus stop will be submitted by KCATA at a later date.

Main Center

- ***A portion of the main center, east of Price Chopper, is proposed to be demolished to provide room for a pedestrian plaza area with connection to a larger plaza space surrounding a proposed two-story office/retail building in the northeast corner of the site. The portion of the building being removed has changed from the previous plan, due to shifting tenant spaces, in which it was aligned with the main driveway off of 95th Street. The connection is now adjacent to the corner restaurant space. The eastern portion of the corridor will be utilized as patio seating for the restaurant tenant.***
- Other elements of the main center site area remained as previously approved (Case 04-19, Resolution No. 5173), described as follows:
 - The main center of the development faces south and west. A large parking lot is located on the south side of the main center and a smaller parking lot is located on the west.
 - The applicant proposes to change the existing landscape islands from their existing condition, and provide additional landscape islands, in both parking lots. The applicant proposes three north-south 5 foot sidewalk connections through the islands south of the main center to provide pedestrian connectivity from 95th Street to the main center; the five foot sidewalk allows for 5 feet of green space within the islands to better support trees.
 - Two sidewalk connections are provided from Mission Road to the main center, a 7 foot sidewalk at the northern driveway entrance and a 5 foot sidewalk at the southern driveway entrance.
 - The applicant proposes to mill and overlay the parking lot pavement of the entire development.
 - New LED parking lot light fixtures, and 18 foot poles from grade, are proposed throughout the center.
 - The applicant proposes to reconfigure the vehicular entry on Mission Road, west of the main center.
 - The applicant proposes to remove one driveway entrance along 95th Street, between the McDonalds entrance and the stoplight to the east. Three driveways will provide access to the center from 95th Street, rather than the existing four entrances.
 - The applicant proposes to remove the existing brick structure used as a monument sign/planter box on Mission Road.
 - Trash enclosures are located on the north side of the Price Chopper, architecturally attached to the façade.
 - Price Chopper serves as the anchor tenant of the main center. The applicant proposes a new drive-thru pharmacy for Price Chopper, to be located west of the main entrance, in the location of the current drive-thru used for grocery pick-up. Cueing space for 5 vehicles is provided within the pull-through lane.
 - At grade artwork is proposed within the main east-west drive aisle, in front of the new pedestrian plaza. The artwork is made of thermoplastic coating and will have a black and white interlocking tree pattern.

Southeast Corner of Main Center: Retail Building

- ***The 3' tall metal faced planter located around the patio of the restaurant tenant space at the southeast corner of the main retail center is proposed to be modified from the previous plan.***

Bench seating is proposed to intermittently break the wall into sections. An in-ground planter will be placed at the corner.

- Other than the design changes noted above, a new 3' tall, integrated, metal faced planter with a bronze finish is proposed to wrap the corner of the east end, defining the tenant patio space from the approximately 6' sidewalk
- A restaurant use is proposed to occupy this tenant space, and will include a patio space with an outdoor game area that wraps around the south and east sides of the building. Patio furniture and amenities for this space will be approved with a Final Plan for a Tenant Finish at a later date.

Northeast Corner of Main Center: Proposed Retail and Office Building

- ***The northeast corner of the main retail was changed from the previous Final Plan approval with the removal of protective bollards at the eastern entrance to the plaza space, and by the removal of the elliptical pavement design, which is replaced with a linear saw cut pattern with bands of coral pavement color. The interior kiosk located in the interior courtyard was also removed. The southern entrance to the courtyard was reduced from approximately 24' in width to 19' in width. The multi-tenant building was reduced in size by 2,949 sq.ft. to 24,648 sq.ft., and the second story courtyard balcony was removed. At-grade lighting was removed from the crosswalks leading to the plaza space.***
- *Other elements of the northeast corner remained as previously approved, described as follows:*
 - The existing extension of the main retail center, located on the northeast corner, is proposed to be demolished. The applicant proposes the construction of a 24,648 sq.ft., two-story office/retail building.
 - The new building will be separated from the existing center by a pedestrian plaza space, approximately 300' from north-south and 200' long from east-west, with landscaping, lighting and seating amenities.
 - A pedestrian walkway spanning the drive aisles east of the main center will include a pedestrian refuge island that is elevated 6" from grade with raised planters and colored stamped concrete. The crimson coral colored concrete will have a brick herringbone pattern.

East of Main Center: NBKC Bank

- New islands will be provided for the bank teller lanes.
- The 32'-0" tall, 4,836 sq.ft. NBKC Bank building will remain as existing.
- A 5' sidewalk connection is proposed from the main center to the bank, on the south side of the main drive aisle.
- A trash enclosure is proposed to be located on the west side of the bank drive-thru lanes, architecturally attached to the columns.

McDonalds

- A Final Plan for the McDonald's lot was approved by the Governing Body on August 12, 2019 (Case 69-19, Governing Body Ordinance 2956).
- The application proposes newly configured islands on the north side of the McDonalds parking field to provide better traffic circulation, a double drive-through lane, and revised building elevations.
- The McDonald's building will consist of 4,151 sq.ft. and is 18' in height.
- A monument sign is proposed on 95th Street near the McDonalds driveway entrance, and along Mission Road near the southern driveway entrance.

CareNow

- **A parking lot island was added to the west of the CareNow site.**
- Other elements of the CareNow site remained as previously approved, described as follows:
 - The 24'-0" tall, 4,896 sq.ft. CareNow building will remain as existing.
 - The applicant proposes to reconfigure the parking lot with 90 degree parking, and eliminate ADA noncompliance.
 - The applicant will change the landscape islands and create better circulation with the main center parking lot.

Cemetery

- The cemetery site is as approved with the previous Final Plan approval (Case 04-19, Resolution No. 5173), described as follows:
 - The existing drive aisle south of the cemetery will be removed and replaced with green space and additional landscaping.
 - The existing sidewalk on the eastern side of the cemetery will be removed. A new pedestrian connection will be provided on the north side of the cemetery.
 - A sidewalk connection is proposed to connect from 95th Street to the south side of the cemetery.

BULK REGULATIONS:

The subject site was developed prior to the adoption of the current ordinance. Some of the site characteristics are nonconforming as they relate to the required bulk regulations of the SD-CR and SD-NCR2 zoning districts. However, the nonconforming site characteristics are considered legally nonconforming. The following table summarizes criteria that are required along with the existing and what is currently proposed.

SD-CR Zoning District

<u>Criteria</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Criteria</u>
Exterior Structure Setback – Mission Road (McDonalds)	40'	40'	40'	Complies
Exterior Structure Setback – North Property Line (Price Chopper)	40'	63'	63'	Complies
Residential Structure Setback – (North Property Line) (Price Chopper)	125'	63'	63'	Legally Non-Conforming
Residential Structure Setback – (East Property Line)	125'	175'	175'	Complies
Minimum Open Space %	30%	13%	20%*	Reduces Non-Conformity
Minimum Interior Open Space %	10%	11%	12%	Complies
Minimum Acres	10 acres	15.61 acres	15.61 acres	Complies
Parking setback on north property line	25'	10'	19'	Reduces Non-Conformity
Parking setback along Mission Road	25'	0'	10'	Reduces Non-Conformity
Parking along 95 th Street (McDonalds)	25'	5'	5'	Legally Non-Conforming
Parking along 95 th Street (Main Center)	25'	2'-6"	14'-6" to 15'-6"	Reduces Non-Conformity
Maximum Floor Area Ratio (F.A.R.)	0.25	0.32	0.31	Reduces Non-Conformity
Height Limit – SD-CR	50' (max.)	32'	35'-0***	Complies

* The proposed open space of the previously approved plan was 20% (new plan increased open space by 234 sq.ft.).

** The proposed maximum height of buildings in the currently approved plan was 38'-6".

SD-NCR2 Zoning District

<u>Criteria</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Criteria</u>
Exterior Structure Setback – 95 th Street (CareNow)	40'	15'	15'	Legally Non-Conforming
Exterior structure setback from east property line (CareNow)	75'	50'	50'	Legally Non-Conforming
Residential Structure Setback	75'	50'	50'	Legally Non-Conforming
Minimum Open Space %	30%	29%*	57%*	Complies
Minimum Interior Open Space %	10%	20%*	36%*	Complies
Minimum Acres	10 acres	1.63 acres	1.63 acres	Legally Non-Conforming
Maximum Floor Area Ratio (F.A.R.)	0.20	0.09	0.07	Complies
Height Limit – SD-NCR2	40' (max.)	24'	24'	Complies

*Open space calculations are as estimated by Planning Staff

TRAFFIC:

- The traffic memo was provided for review by the Public Works Department at the time of Preliminary Plan detailing existing and proposed vehicular entry points, and trip generation for the AM and PM.

PARKING:

- Parking is provided throughout the site with the larger parking fields located to the south, east and west of the main center. A narrower parking lot is located along the north side of the main center.
- Per the Leawood Development Ordinance, parking within the SD-CR district is required at a ratio of 3.5 to 4.5 parking spaces per 1,000 sq.ft. of building area, except for food related businesses in which 1 parking space is required for every 2 seats, or by an alternative parking study.
- Per the LDO, a minimum of 492 parking spaces are required for the retail and office businesses (3.5 parking spaces per 1,000 sq.ft.) and another 415 parking spaces for existing and proposed restaurant seating for a total of 907 parking spaces with this application. The applicant is proposing 928 parking spaces. The proposed number of parking spots is in conformance with the Leawood Development Ordinance. The total number of existing parking spaces is 846 (61 less than required).

ELEVATIONS:

- No changes are proposed to the elevations of the NBKC Bank or the CareNow building.
- Elevations for McDonald's were approved with Case 69-19, Ordinance No. 2956 and consist of an 18' tall building with gray and taupe colored cementitious stucco. The existing mansard roof will be replaced with a 1'-10" parapet wall aligned with the face of the building.
- The applicant is renovating the existing retail center to include a modern façade, removing the existing roof and adding a parapet wall aligned with the face of the building. The facades include a mixture of the existing red brick within the center, accented with gray toned metals, white and gray stone, and wood tones.

• *Changes to the elevations of the Main Center and Mixed Use Building are as follows:*

Main Retail Center

- ***The originally approved Final Plan contained a mix of architectural natural stone panels, glazed brick, zinc panels, and wood and metal accents across the facades. Brightly colored awnings accented the building.***
- ***The Revised Final Plan replaces the architectural natural stone panels with manufactured stone in gray and white, or stucco. The gray colored glazed brick was removed and replaced with***

traditional brick in red, taupe and black. Manufactured stone is currently proposed as a prohibited material with an LDO amendment to be heard by the Governing Body on January 21, 2020. This change to the LDO has already been heard and approved by the Planning Commission on October 22, 2019.

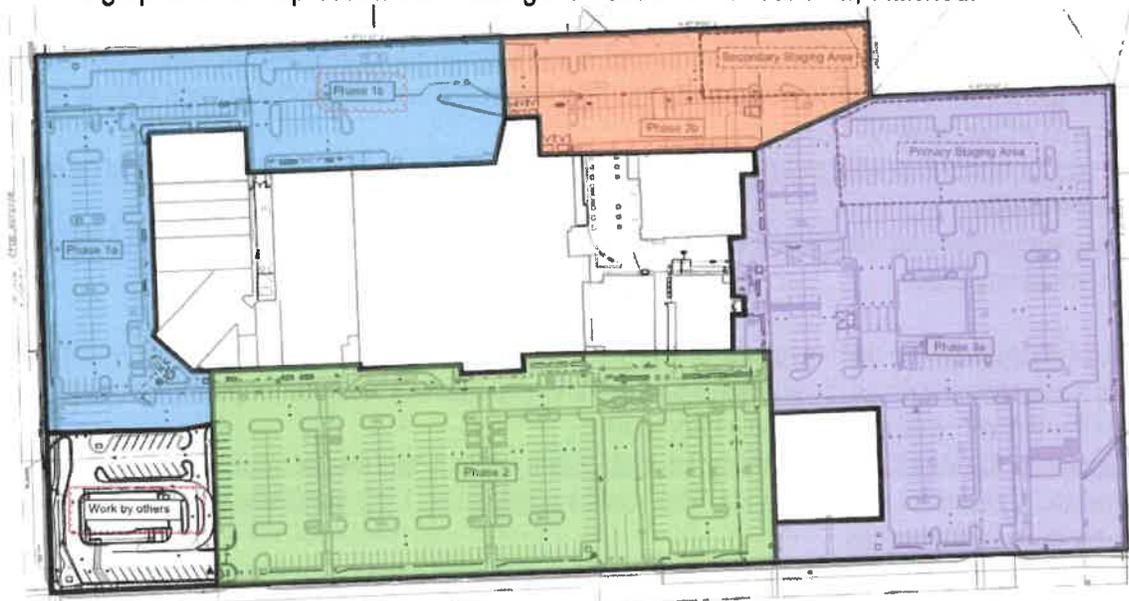
- *The zinc metal panels were removed and replaced with stucco, or brick.*
- *The existing brick on the Price Chopper building is being retained, rather than replaced with gray zinc panels.*
- *Wooden accents across the façade were removed and replaced with manufactured wood veneers.*
- *The overall heights of the buildings across the main center facades were reduced by approximately 2'-4', for overall heights ranging from 21' to 30'.*

New Mixed Use Building

- *The height of the Mixed Use Building was reduced from 38'-6" to 35'-0".*
- *The fritted/patterned glass on the facades was removed and replaced with traditional window glass.*
- *The second story balcony on the west side of the building was removed.*
- *The two-story window wall on the north side of the building was removed and replaced with one row of windows on the second floor and trellises on the bottom floor.*
- *Zinc metal panels were replaced with composite metal panels.*

PHASING:

- No changes are proposed to the phasing plan of the site. McDonald's has applied for a building permit to begin their construction.
- The first phase of the main center will begin at the northwest corner of the site, with the parking field west and north of the main retail center.
- The phases will be coordinated in a counterclockwise direction around the site, with the primary parking lot construction (south of Price Chopper) taking place in Phase 2.
- The new 2-story retail space will be constructed during the final phases of the project.
- The graphic below represents the Phasing Plan shown on Sheet C1.2, attached:



SIGNAGE:

- Ranch Mart North has sign criteria recommended by the Planning Commission and approved by the Governing Body.
- The applicant created revised sign criteria for the Ranch Mart Shopping Center, which have been approved by the Planning Commission. The application shall revise the elevations shown in the sign criteria to reflect the changes made with this Revised Final Plan application.
- Signage is reviewed administratively. No signage is proposed with this application.

LANDSCAPING:

- ***The applicant increased the spacing at which the perennials and grasses are planted from 18" triangular spacing to 24" triangular spacing, and reduced the size of the ornamental grasses at the time of planting from quart size to plug size. This has led to a reduction of over 4,500 perennials on site, and over 5,800 ornamental grasses on site, from the previously approved plan.***
- Other elements of the landscape plan remained as previously approved (Case 04-19, Resolution No. 5173), described as follows:
- The proposed landscape plan provides a mixture of native grasses with perennials in order to provide a wide variety of plant height, texture, and bloom times.

95th Street

- Perimeter street trees will be installed along 95th Street at a rate of 1 per 35 lineal feet.
- Additional trees will be provided in the new green space located south of the cemetery, providing screening from 95th Street.
- A 3 foot tall parking lot screening wall is provided along 95th Street, beginning at the western driveway entrance and continuing to the easternmost driveway. The green space between the sidewalk and the screen wall will be bermed and accented with groupings of deciduous and evergreen shrubs, native grasses and perennials.
- A screening wall is not proposed along the McDonalds frontage due to space limitations; however, a continuous row of evergreen shrubs is proposed.

Mission Road

- Perimeter street trees will be installed along Mission Road at a rate of 1 per 35 lineal feet.
- A 3 foot tall parking lot screening wall is provided along Mission Road from the southernmost driveway entrance to the northernmost driveway entrance. The landscape area between the back of curb and the screen wall will be bermed.
- Groupings of deciduous and evergreen shrubs, native grasses and perennials are planted along the roadway frontage.
- A screen wall is not proposed along the McDonalds frontage; however, a continuous row of evergreen shrubs will be installed.

Other

- The existing trees on the north and east property lines (areas adjacent to single family residential) are to remain as existing. However, an additional 68 trees are proposed to infill these property lines, and include a mix of evergreen, understory and overstory trees.
- The applicant is proposing that parking lot islands will contain two shade trees where possible, and ornamental trees within smaller islands. The applicant meets the LDO requirement of one tree planted for every ten parking spaces.
- The pedestrian plaza space between buildings will be accented with trees, creating comfortable places to sit and interact.

- The following table summarizes perimeter landscaping requirements of the Leawood Development Ordinance adjacent to the public right-of-way:

	<u>Mission Road</u>		<u>95th Street</u>	
	<u>Required</u>	<u>Proposed</u>	<u>Required</u>	<u>Proposed</u>
Shade Trees	16**	18	31**	35
Ornamental Trees	31**	0*	62**	0*
Shrubs	124	124	248	248

*Note: The landscaping at Ranch Mart North is considered existing non-conforming therefore any increase in landscaping is considered a decrease in the non-conformity. Ornamental trees are unable to fit due to space constraints.

**The Leawood Development Ordinance was amended to require street trees to be planted at a rate of 40' on center rather than 35' on center, and ornamental trees at a rate of 20' on center rather than 12' on center (Ordinance No. 2952, dated July 15, 2019).

LIGHTING:

- New 18' LED parking lot light fixtures are proposed throughout the parking field of the entire development.
- Accent lighting is proposed throughout the proposed plaza area, including in-grade lighting, bollard lighting, suspended luminaires and path lighting. Up-lighting is strategically placed to illuminate trees.
- All exposed bulbs shall be frosted to hide the source of the light.
- Per the LDO, the applicant is showing a maximum of 0.5 foot-candles at the property line.
- The parking lot meets the required uniformity ratio of the Leawood Development Ordinance.

STAFF COMMENTS:

- The applicant applied to the Board of Zoning Appeals (BZA) on February 27, 2019 for an Appeal of an Administrative Decision (BZA Case 12-2019) regarding the location of the proposed trash enclosure, attached to the drive-thru of the NBKC Bank. The Board of Zoning appeals approved the applicant's proposed location for the trash enclosure.
- The Planning Commission recommended approval to the Governing Body of an amendment to the LDO prohibiting the use of manufactured stone on October 22, 2019. The Governing Body heard this application on December 2, 2019 and continued the amendment to January 21, 2020. The currently approved Ranch Mart North plan proposes the use of natural stone. However, this application is proposing to replace the natural stone with manufactured stone. Staff is not supportive of the applicant's use of manufactured stone (**Stipulation # 11**).
 - Manufactured stone has not been used on development projects in Leawood within the past 10 years, as developers have agreed to use natural stone products in place of manufactured stone. These developments include, but are not limited to: The Fairways of Ironhorse (151st and Nall), Regents Park Twin Villas (135th Street and Kenneth Road), Country Club Bank (135th Street and Briar) and Starbucks (135th Street and Briar).
- Parking lot flumes were not shown on the currently approved Final Plan, but were added to this Revised Final Plan. Staff is not supportive of the use of drainage flumes in parking lots due to safety concerns, and their ability to collect trash and debris (**Stipulation # 12**).
- The applicant removed the elliptical pavement pattern shown with the currently approved plan, which was located in the plaza space. Since the applicant is not able to achieve an elliptical pattern, staff recommends the applicant provide an alternative pavement pattern, such as a circular pattern to match the pattern proposed in front of Hallmark. This option is in better keeping with the currently approved plan. **The applicant provided revised plans showing coral, colored, scored, concrete stripes within the saw cut pavement pattern of the interior courtyard.**

- Staff is supportive of the use of stucco on the exterior elevations, only if the stucco is applied using a traditional three coat process (**Stipulation #13**).
- The applicant revised the material of the 3' parking lot screen walls surrounding the site from dry stack limestone as part of the currently approved Final Plan to concrete with this application. Staff is not supportive of this change and recommends that a natural stone be used (**Stipulation # 14**).
- The applicant revised the landscape plan to space plants further apart and to reduce the size of ornamental grasses from #1 container size to plugs. Staff recommends that the size of the plants remain the same as the previously approved plan (**Stipulation #15**).
- CMU is an existing material located in the alleyways of the Ranch Mart center. CMU is listed as a prohibited material in the LDO. **Staff is not supportive of the continued use of this material as an exterior material. (Stipulation #16).**
- Metal siding is an existing material surrounding upper walls of the Price Chopper building. Metal siding listed as a prohibited material in the LDO. Staff is not supportive of the continued use of this material (**Stipulation #17**).
- McDonald's is proposing a monument sign along 95th Street, in the island adjacent to the driveway at the McDonald's site. The proposed location of the monument sign is not located on the McDonald's property. Staff is not supportive of off-site signage. (**Stipulation #36**).
- Following the recommendation of denial by the Planning Commission on November 26, 2019, Staff met with the applicant on December 9, 2019 to work with the applicant to see if outstanding issues could be resolved. The issues discussed at the meeting included, but were not limited to: the applicant replacing natural stone panels with stucco and manufactured stone, the applicant's proposals to replace the stone wall screening parking lots from stone walls to form poured concrete walls, the removal of decorative design elements such as fritted glass and perforated metal screens, and the use of flumes for drainage in the parking lot. Exhibit D summarizes issues discussed at the meeting with the applicant on December 9, 2019. Exhibit E shows renderings provided by the applicant at the time the currently approved Final Plan was recommended by the Planning Commission and approved by the Governing Body.



City of Leawood

4800 Town Center Drive • Leawood, Kansas 66211
Public Works Department • (913) 339-6700 x 130 • (913) 339-9374 Fax

REVISED MEMO

DATE: November 21, 2019

TO: Richard Coleman, Director of Community Development

FROM: Brian Scovill, P.E., City Engineer
Department of Public Works

SUBJECT: Ranch Mart North Shopping Center – Revised Final Plan
Case Number: 120-19

The Department of Public Works has reviewed the aforementioned project and would like to make the following stipulations as part of the Planning Commission Approval:

- 1) Traffic Study:
 - a) The developer submitted a site comparison traffic study on the existing and proposed uses. With this proposed development the PM Peak traffic will increase by 9 trips and AM trips will increase by 25. Based on this comparison, the proposed redevelopment is expected to have negligible impacts to trip generation.
- 2) Storm Water Study
 - a) The proposed pervious area is increasing from 13.4% to 18.3%, therefore no stormwater detention or treatment facilities are required.
 - b) The developer shall provide a dedicated drainage easement for all public stormwater infrastructure.
- 3) Prior to any building permits, the Developer shall enter into a City right of way maintenance agreement to ensure any landscaping, irrigation, or ROW within the right-of-way is properly maintained by the property owners.
- 4) Developments shall have all utilities relocated underground. This includes private property and utilities in the Right-of-Way between the curb and property line.
- 5) The parking lot pavement shall be constructed in accordance to the Leawood Development Ordinance.
- 6) The developer shall construct five foot wide sidewalks along Mission Road and along 95th Street. This sidewalk shall be widened to 6 foot if located adjacent to a wall. The sidewalk may be narrowed to 5' when against the wall to

accommodate required street trees. The detail and locations of the narrowed sidewalk for street trees shall be coordinated prior to final engineering plan approval. The sidewalk easements will be determined at final engineering plan approval and shall be submitted prior to a Right-of-Way Permit for the proposed improvements.

- 7) Permanent structures, including monument signs, shall not be placed within the Right-of-Way and Public Easements.
- 8) The developer shall provide as-built storm sewer information in accordance with our standards. This includes, but is not limited to, vertical and horizontal coordinates of all structures constructed or modified, flow line information at each structure, pipe size information, downstream structure numbers and type of structure. This information shall be provided to us on the Johnson County AIMS coordinate system. The spreadsheet for the data will be provided to the developer after the storm sewer improvements have been completed.
- 9) Construction vehicles, including vehicles of construction personnel, shall not be parked within the Right-of-Way. All staging and storage of equipment and/or materials for private improvements shall be contained on the proposed development unless a Right-of-Way Permit has been obtained by the Contractor.
- 10) The Developer shall repair any damaged areas between the back of curb and the Right-of-Way. This shall include curbs, street lighting equipment, traffic signal equipment, sidewalk, storm sewers, grass, etc.
- 11) All public improvements shall be designed and constructed in accordance with the City of Leawood Public Improvement Construction Standards as developed by the Department of Public Works (latest revision).
- 12) The developer shall obtain and submit to the Department of Public Works and the Building Official a copy of the NPDES Land Disturbance Permit issued by the Kansas Department of Health and Environment prior to any grading work at the site.
- 13) The permit fee for plan review and construction observation shall be five (5) percent of the construction cost for all improvements within the Right-of-Way or Public Easement(s) granted to the City of Leawood. The fee will be charged and collected from the Contractor prior to issuance of the permit from the Department of Public Works.
- 14) The plat will not be released for recording until all public permits have been reviewed and approved by the City Engineer.
- 15) The Certificate of Occupancy will not be approved until the above requirements have been met.

If you have any questions, please call me at (913) 663-9134.

Copy: Project File

Exhibit B

Jessica Schuller

From: Gene Hunter
Sent: Tuesday, November 19, 2019 4:23 PM
To: Jessica Schuller
Subject: RE: Ranch Mart Revised Final Plan

The Fire Dept has no objection to the most recent site plan as of this date for this project.

Gene Hunter, Leawood Fire Marshal

RESOLUTION NO. _____

RESOLUTION APPROVING THE PLANNING COMMISSION'S RECOMMENDATION TO DENY A REQUEST FOR APPROVAL OF A REVISED FINAL PLAN FOR RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT, LOCATED NORTH OF 95TH STREET AND EAST OF MISSION ROAD. (PC CASE 120-19)

WHEREAS, the applicant submitted a request for approval of a Revised Final Plan for Ranch Mart North Shopping Center– Redevelopment;

WHEREAS, such request for approval was presented to the Planning Commission on November 26, 2019; and

WHEREAS, the Planning Commission reviewed the application and recommended denial; and

WHEREAS, the Planning Commission's recommendation was presented to the Governing Body on January 6, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEAWOOD, KANSAS:

SECTION ONE: The Governing Body, having reviewed (a) the information presented to the Planning Commission; (b) the minutes of the Planning Commission meeting; (c) the recommendation of the Planning Commission; (d) the record submitted to the Governing Body; and (e) the comments and input of the applicant does hereby approve the Planning Commission's recommendation of denial of the application for a Revised Final Plan.

SECTION TWO: This resolution shall become effective upon passage.

PASSED by the Governing Body this 6th day of January, 2020.

APPROVED by the Mayor this 6th day of January, 2019.

[SEAL]

Peggy J. Dunn, Mayor

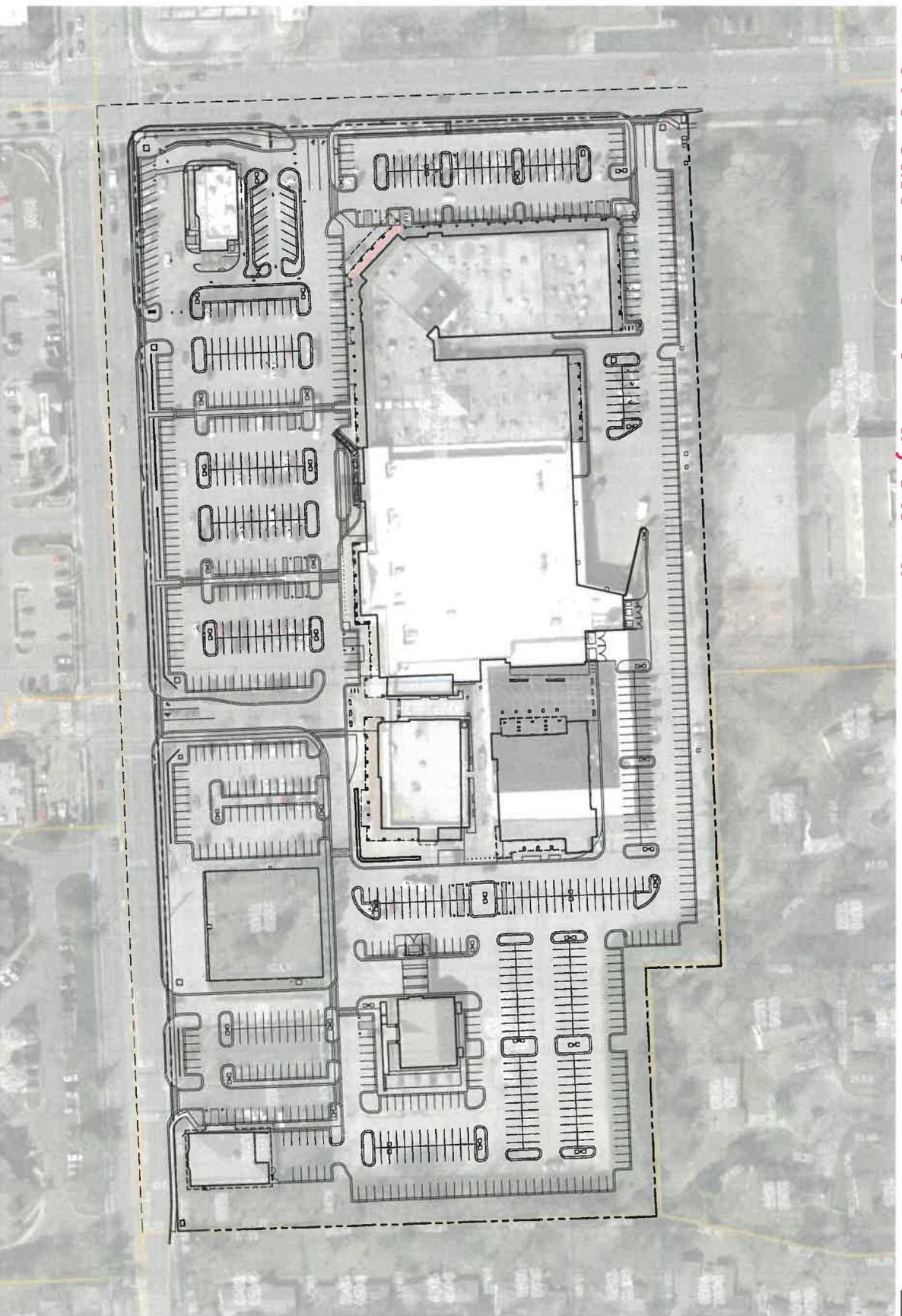
ATTEST:

Kelly Varner, City Clerk

APPROVED AS TO FORM:

Marcia L. Knight, Assistant City Attorney

Exhibit C: Case 115-18 Preliminary Site Plan



DAVIDSON
 CONSULTANTS, INC.
 2001 Leawood-Denver Highway
 Overland Park, KS 66204
 Phone: 913-241-4500
 www.davidsoninc.com

a redevelopment for
Ranchmart North
 3700 W. 95th Street
 Leawood, Kansas

Date: 05.18.2018
 Drawn By: DAE
 Checked By: DAE
 Prepared by: P/DAE
 10.05.2018
 10.16.2018

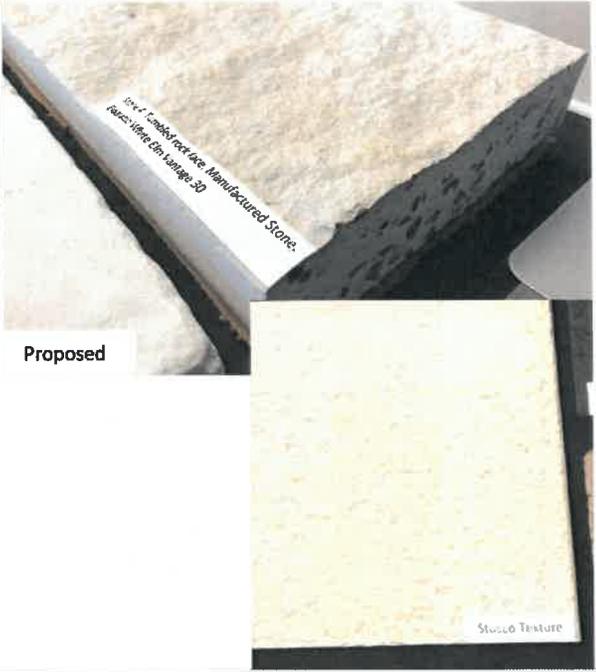
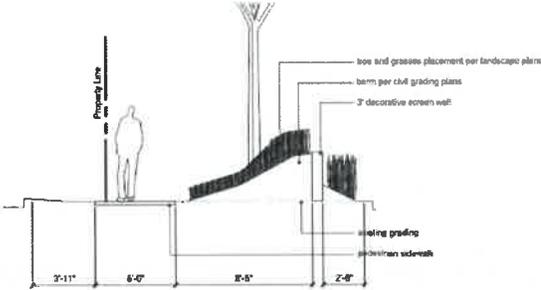
1 Site Plan
 scale: 1" = 50' 0"
 North

Approved: **DAVIDSON**
 Consulting Engineers
 Professional Seal: [Seal]

Exhibit D

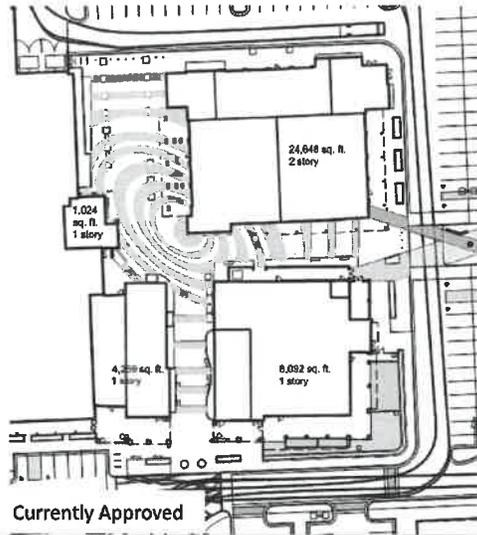
Staff met with the Ranch Mart applicants on December 9, 2019 to discuss areas of disagreement on the revisions to the Ranch Mart project, following the November 26, 2019 Planning Commission Meeting.

The following items were discussed:

<p>Discussed with no resulting change</p>	<p>a. Applicant replaced natural stone panels with stucco.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>Currently Approved</p> </div> <div style="text-align: center;">  <p>Proposed</p> </div> </div>
<p>Discussed with no resulting change</p>	<p>b. Applicant is proposing poured in place concrete screen wall surrounding parking fields rather than the natural stone approved with the previous application.</p> <div style="display: flex; justify-content: space-around;"> <div style="text-align: center;">  <p>43. Low screen wall along Mission Road & 95th Street to remain outside of sight distance triangle. 3'-0" tall screening along public street frontage provided with ledgerstone walls, berms and landscaping.</p> <p>Currently Approved</p> </div> <div style="text-align: center;">  <p>Proposed</p> </div> </div>

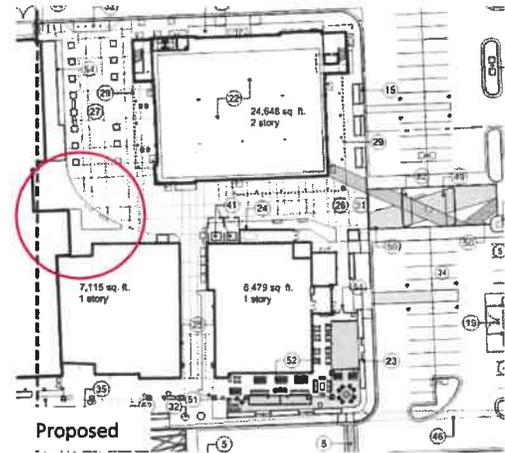
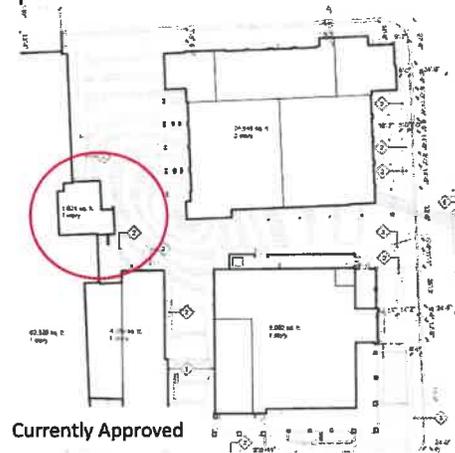
Discussed – change acknowledged

- c. The applicant originally proposed to remove the elliptical pavement pattern in Fox Gray and replace with a saw cut pattern with no color. Following the meeting, the applicant added coral colored bands of scored concrete to the patio.



Discussed with no resulting change

- d. The applicant removed the interior courtyard kiosk, as shown on the previous plan.



Discussed with no resulting change

e. The applicant is proposing to reduce the size of perennials and grasses from #1 containers to plugs and increase the spacing between plants from 18" to 24".



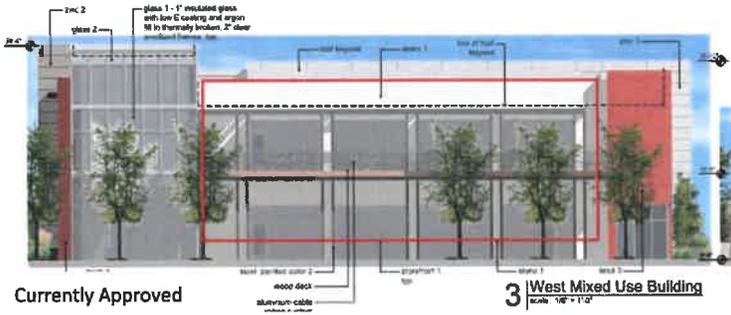
Currently Approved



Proposed

Discussed with no resulting change

f. The applicant removed the upper balcony facing the plaza of the two story office/retail building.



Currently Approved

3 West Mixed Use Building
Scale: 1/8" = 1'-0"

Proposed



Discussed with no resulting change

g. The applicant removed the storefront from the north side of the office/retail building.



Discussed with no resulting change

h. The applicant lowered the tower elements of the office/retail building.



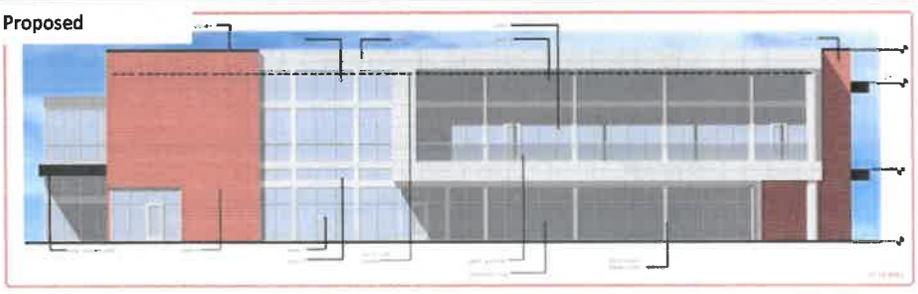
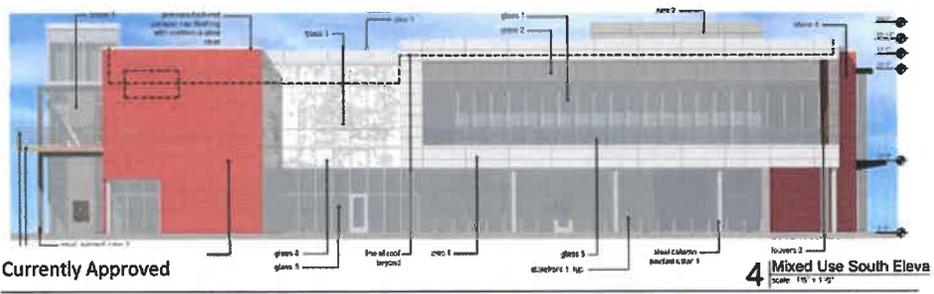
Discussed with no resulting change

i. Applicant removed numerous decorative design elements from the project, such as perforated screens, fritted glass, lighting elements etc.

Perforated Screens

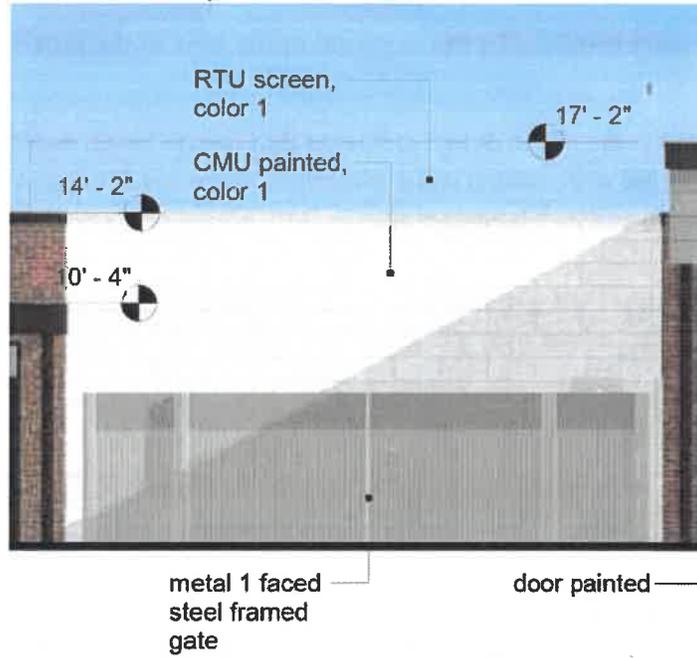


Fritted Glass



Discussed with no resulting change

j. Applicant is proposing to keep existing CMU exterior finishes, which is prohibited by the Leawood Development Ordinance.



Discussed with no resulting change

k. The currently approved plan does not show parking lot drainage flumes throughout the site. The applicant is proposing to add multiple drainage flumes to the parking lot.

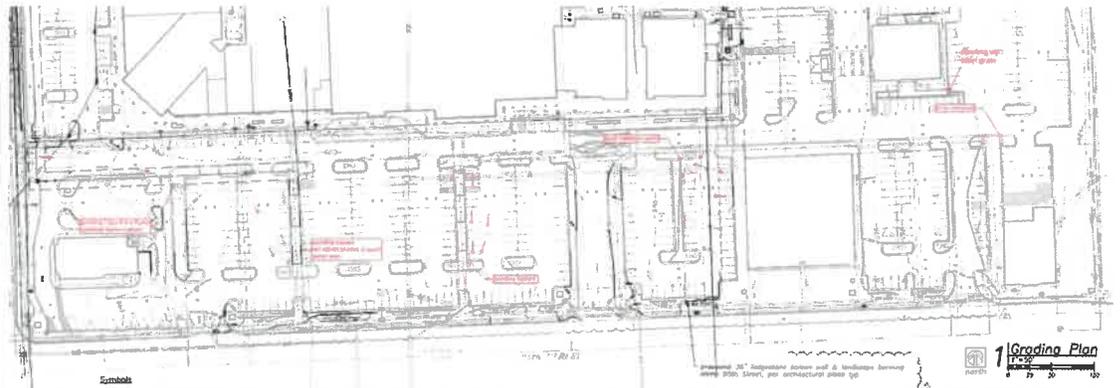


Exhibit E

The following images were provided by the applicant at the time of the previous Final Plan application (Case 04-19).

The renderings highlight some of the design elements that are no longer being proposed, such as taller buildings constructed with natural stone materials, in ground lighting in the plaza areas, upper balcony in the plaza area, and lush landscaping.







Green Space Synopsis

Original Green: 143,596 sq. ft. (100% of 143,596 sq. ft.)
 Proposed New Green: 76,624 sq. ft. (53%)
 Existing Green: 66,972 sq. ft. (47%)
 Total Green: 143,596 sq. ft. (100%)
 Green Space Ratio: 53%
 Green Space Ratio: 53%
 Green Space Ratio: 53%

- No change in green space layout
- New green space created
- Previous green space removed



1 Site Plan
 Scale: 1" = 50'-0"
 10/21/18

DAVIDSON
 LANDSCAPE ARCHITECTS

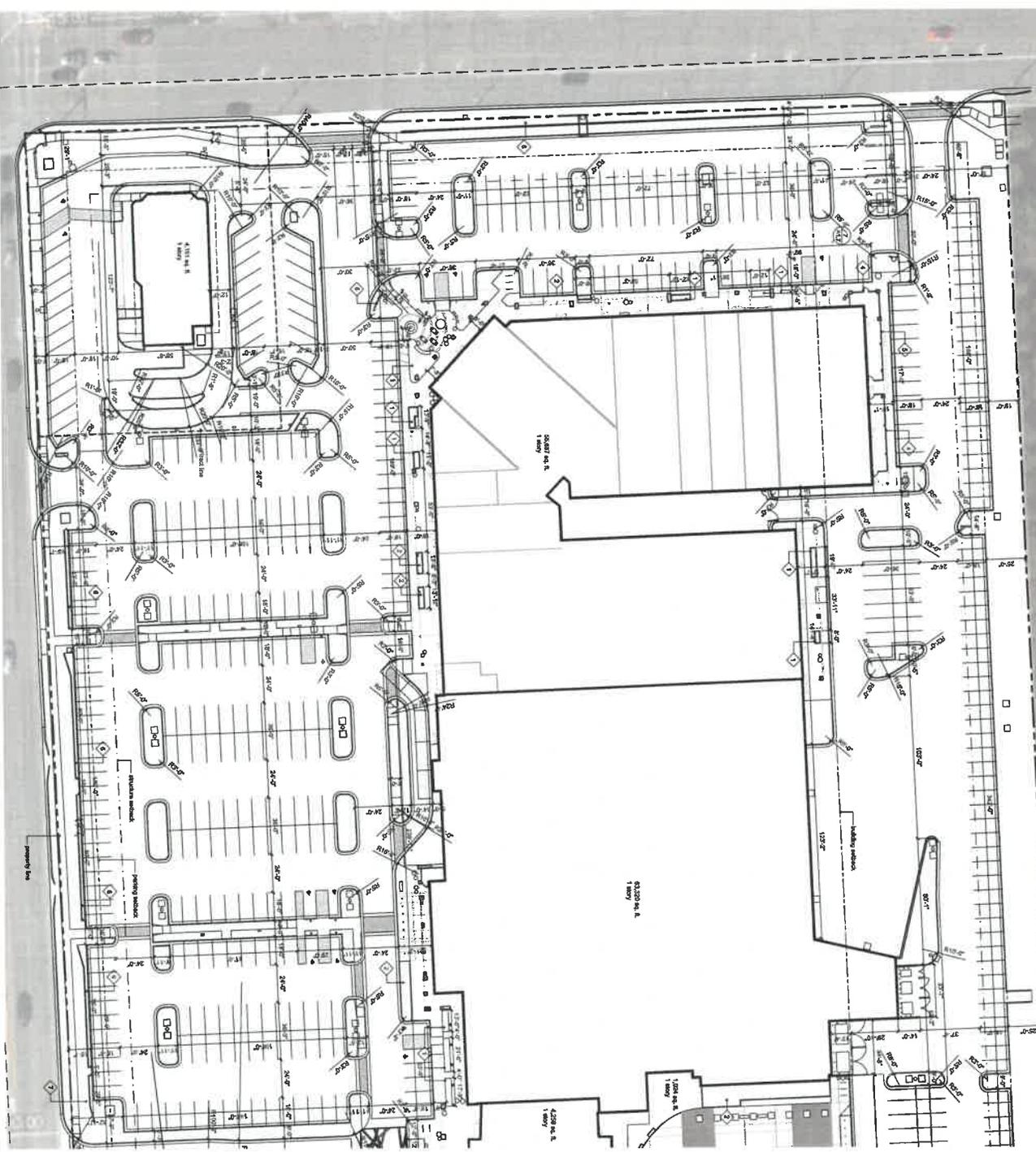
4231 Kansas Capital Parkway
 Overland Park, KS 66204
 Tel: 913.461.1000
 Fax: 913.461.1001
 WWW.DAVIDSONLA.COM

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE: 10/21/18
 DRAWN BY: DAE
 CHECKED BY: [Signature]
 REVISIONS:
 1 01.11.2019
 2 01.14.2019
 3 03.07.2019
 4 10.22.2019
 5 11.19.2019
 6 11.22.2019

Sheet Number: **A0.0**
 Drawing Type: Final Development Plan
 Project Number: 16023

4001 North Central Expressway
Suite 1000, Oklahoma City, Oklahoma 73105
Phone: 405.233.1100
Fax: 405.233.1101
www.davidsonarchitects.com



- Dimension Notes**
1. 1/2" = 1' scale
 2. 24" = 2' scale
 3. 36" = 3' scale
 4. 48" = 4' scale
 5. 60" = 5' scale
 6. 72" = 6' scale
 7. 84" = 7' scale

- Plan Key**
- Property line
 - Building footprint
 - Parking footprint
 - Driveway footprint
 - Reference to mechanical
 - Interior property line
 - Reference

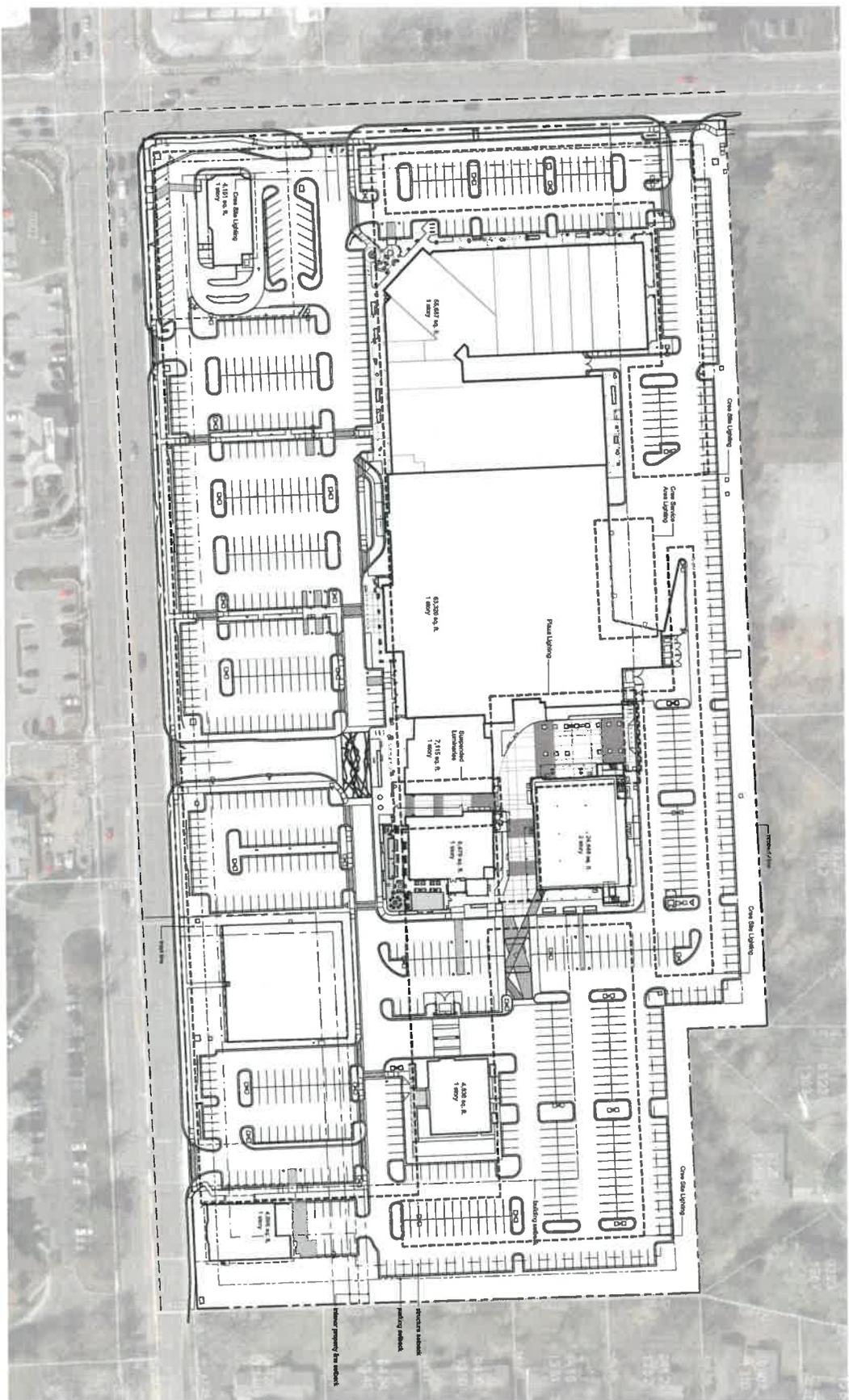
Site Plan
Scale: 1" = 30'-0"
North

a redevelopment for
Ranch Mart
3700 W. 95th Street
Leawood, Kansas

DATE: 07.03.2019
DRAWN BY: [Name]
CHECKED BY: [Name]
DESIGNED BY: [Name]
PROJECT NO: 11.12.2019
11.12.2019
11.12.2019
12.26.2019

A1.2

drawing system
final site plan
project number
10251

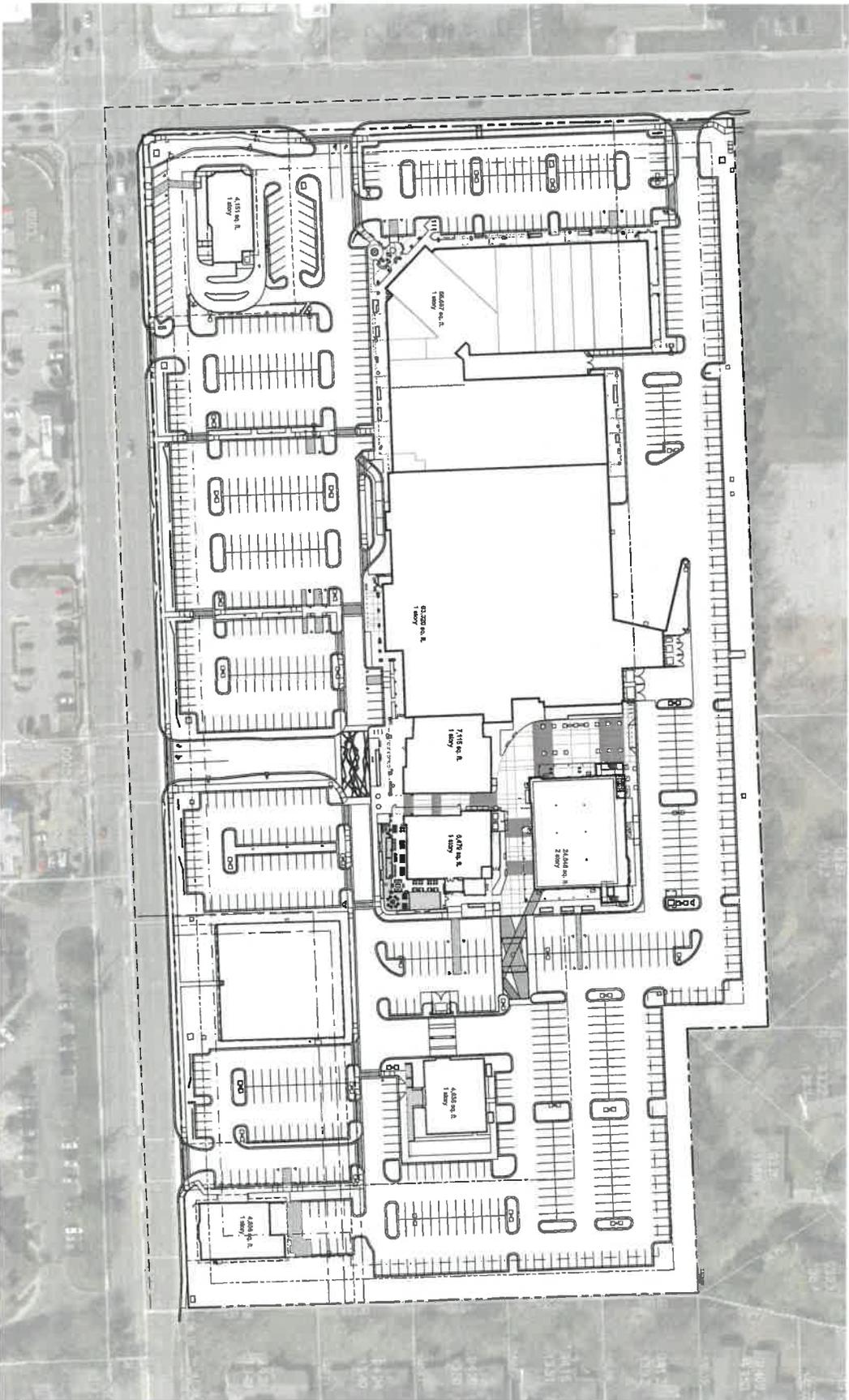


1 Site Lighting Location Plan
 north
 scale: 1" = 50'-0"

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE: 07.03.2019
 DRAWN BY: [redacted]
 CHECKED BY: [redacted]
 DATE: 01.11.2019
 PROJECT NO: 02.08.2019
 DRAWING NO: 10.22.2019
 REVISION NO: 11.12.2019
 REVISION NO: 11.18.2019
 REVISION NO: 12.28.2019

A1.4
 drawing type
 final site plan
 project number
 10251



1 Site Plan
 scale: 1" = 50'-0"
 North

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE	BY	CHECKED BY
02/08/2019		
02/11/2019		
02/15/2019		
03/08/2019		
10/22/2019		
11/12/2019		
11/18/2019		
12/28/2019		

drawing number:
A1.7
 drawing type:
 final site plan
 project number:
 16291



2 Stamped Crosswalk Detail
not to scale

Paving Materials

Materials:
 Paving: 1. Seal Coat
 Paving: 2. Seal Coat
 Paving: 3. Seal Coat
 Paving: 4. Seal Coat

- Color 1: Stamped Concrete 6000 Series
- Color 2: Stamped Concrete 6000 Series
- Color 3: Stamped Concrete 6000 Series
- Color 4: Stamped Concrete 6000 Series
- Color 5: Stamped Concrete 6000 Series
- Color 6: Stamped Concrete 6000 Series
- Color 7: Stamped Concrete 6000 Series
- Color 8: Stamped Concrete 6000 Series
- Color 9: Stamped Concrete 6000 Series
- Color 10: Stamped Concrete 6000 Series

Paving Methods

1. Concrete Slab 4" thick w/ 4" w/c - seal coat finishing, Control joints @ 8'-0"
2. Stamped concrete, pattern 1, color 1
3. Stamped concrete, pattern 2, color 1
4. Stamped concrete, pattern 3, color 1
5. Stamped concrete, pattern 4, color 1
6. Stamped concrete, pattern 5, color 1
7. Stamped concrete, pattern 6, color 1
8. Stamped concrete, pattern 7, color 1
9. Stamped concrete, pattern 8, color 1
10. Stamped concrete, pattern 9, color 1
11. Stamped concrete, pattern 10, color 1
12. Seal coat
13. Seal coat
14. Thoroughly clean, seal, touch, and finish, pattern per plan
15. Seal coat
16. Paved Area - Finish by owner

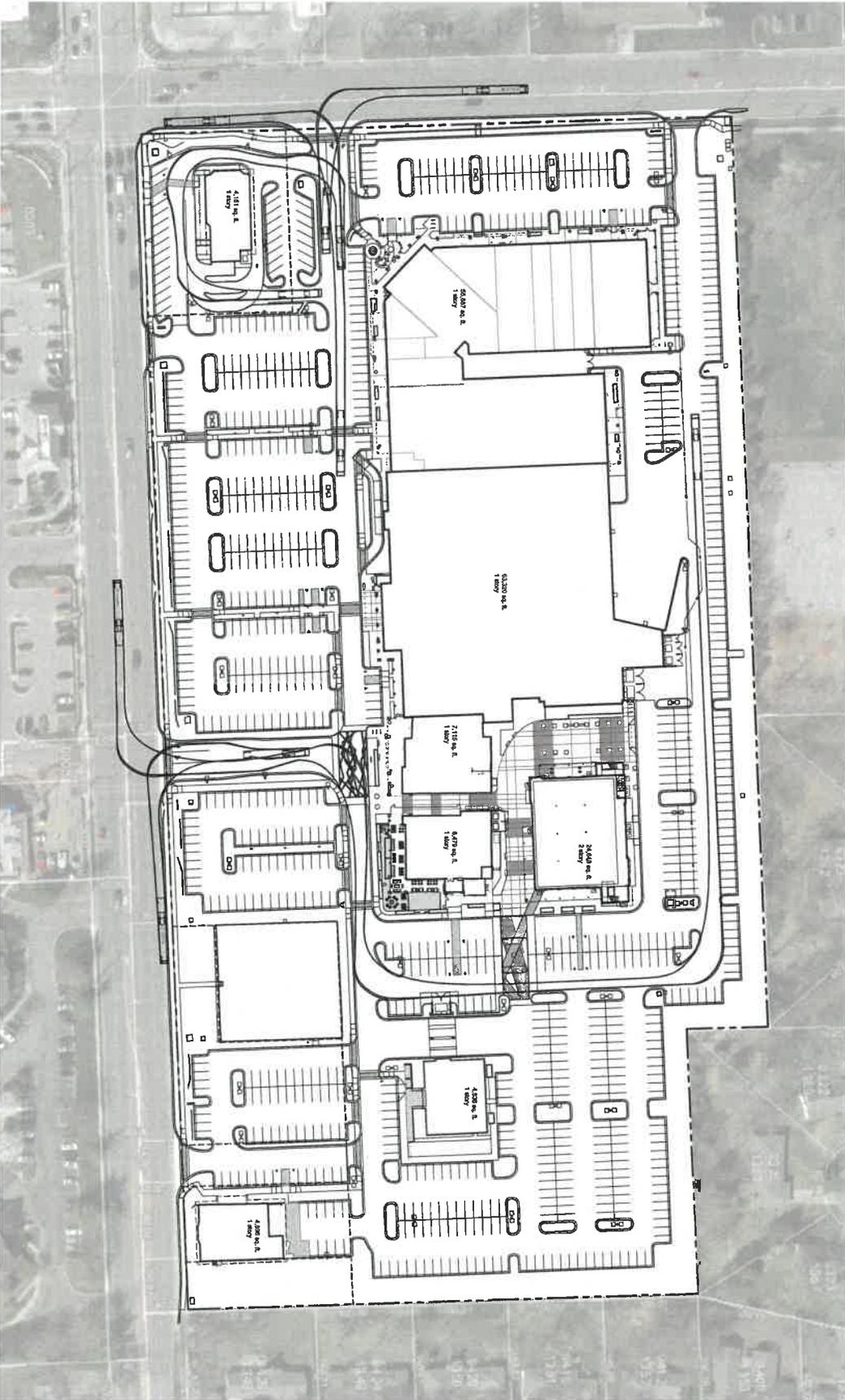


Note: all dimensions given unless otherwise specified. Contact your local authority for more information.
1 Pedestrian Site Plan
 scale: 1" = 50'-0"
 north

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

sheet number: **A1.8**
 drawing type: final site plan
 project number: 10251

DATE	07.03.2019
CREATED BY	DAE
CHECKED BY	DAE
REVISIONS	
01.11.2018	1
02.13.2018	2
05.18.2018	3
10.23.2018	4
11.13.2018	5
11.18.2018	6
12.20.2018	7



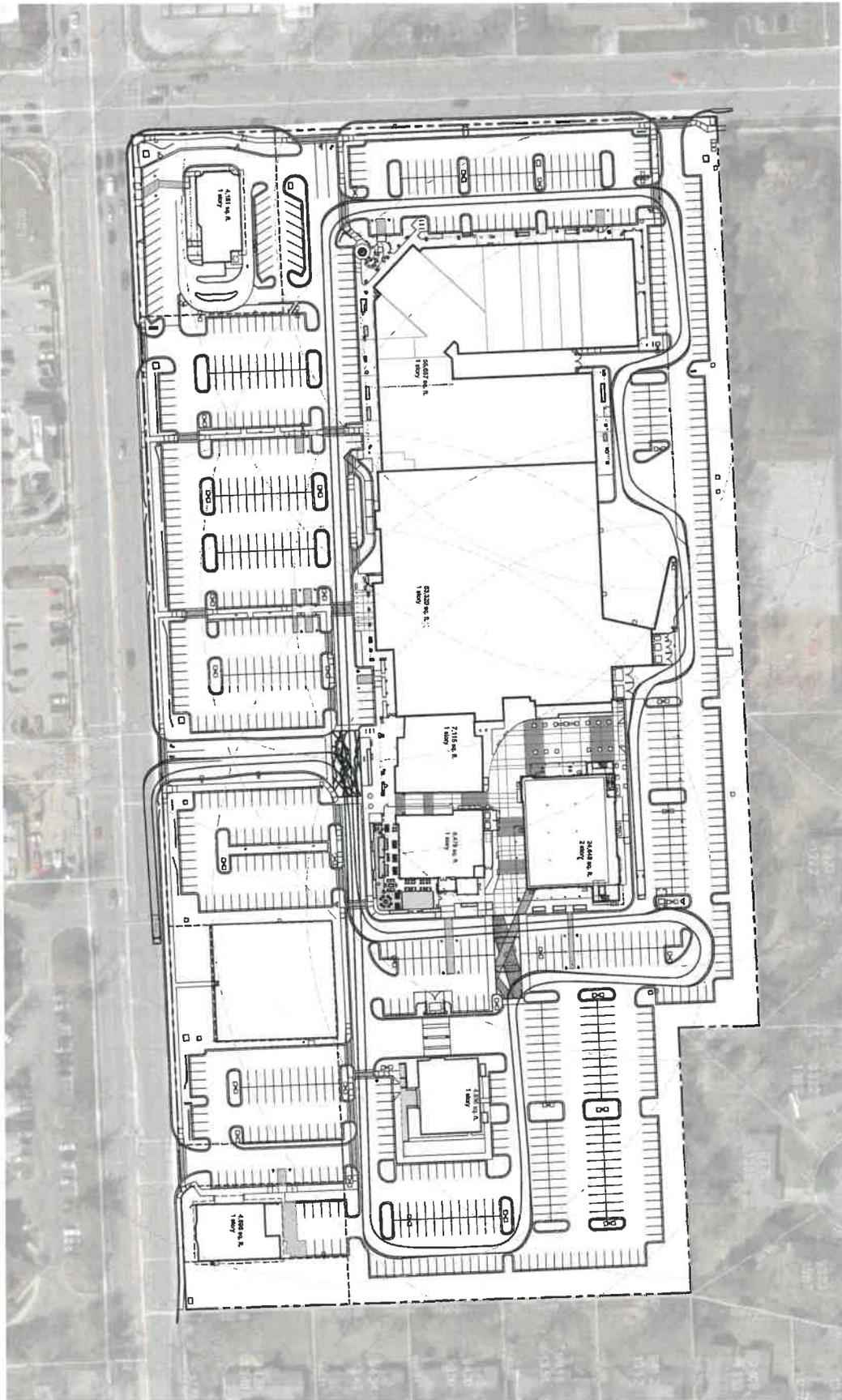
1 Truck Movement Plan
 scale: 1" = 60'-0"

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE: 07/20/19
 DRAWN BY: DAE
 CHECKED BY: [Signature]
 PROJECT NO: 19-001

1	01/11/2019	Preparation
2	02/19/2019	
3	03/08/2019	
4	10/22/2019	
5	11/12/2019	
6	11/18/2019	
7	12/28/2019	

48231 Highway 27 South, Leawood, Kansas
 66205-1200
 Phone: 913-442-1400
 Fax: 913-442-1401
 www.davidson-engineers.com



1 Fire Truck Movement Plan
 north

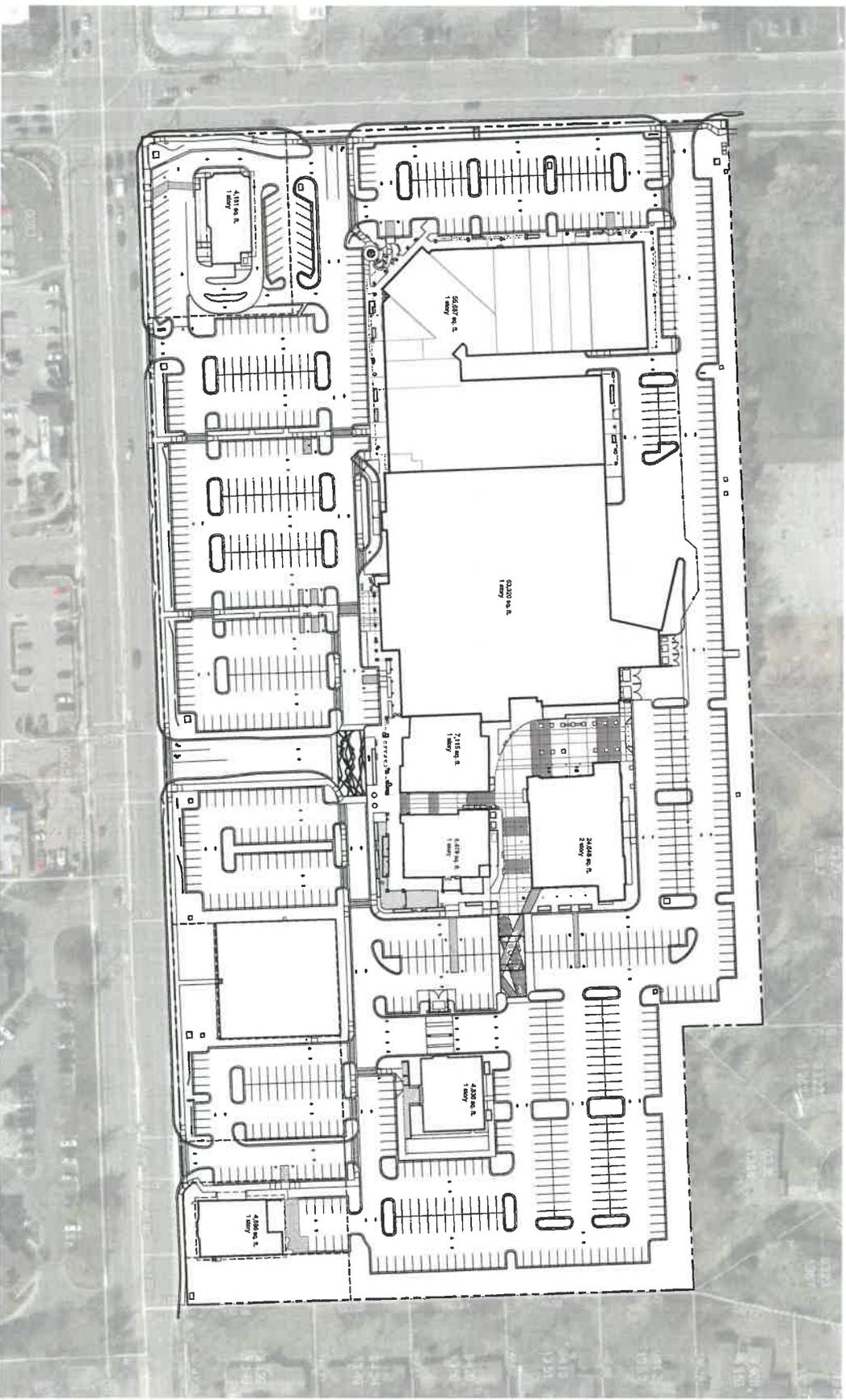
Note: Truck used in simulation is an S-truck (medium).
 Scale: 1" = 50'-0"

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

client: davidson
 07.03.2018
 prepared by: [redacted]
 checked by: [redacted]
 DAE
 reviewed by: [redacted]
 07.11.2018
 07.18.2018
 03.08.2019
 10.22.2019
 11.12.2019
 11.18.2019
 12.28.2019

A1.1

drawing system
 final site plan
 project number:
 15231



1 Traffic Circulation Plan
 Scale: 1" = 60'-0"

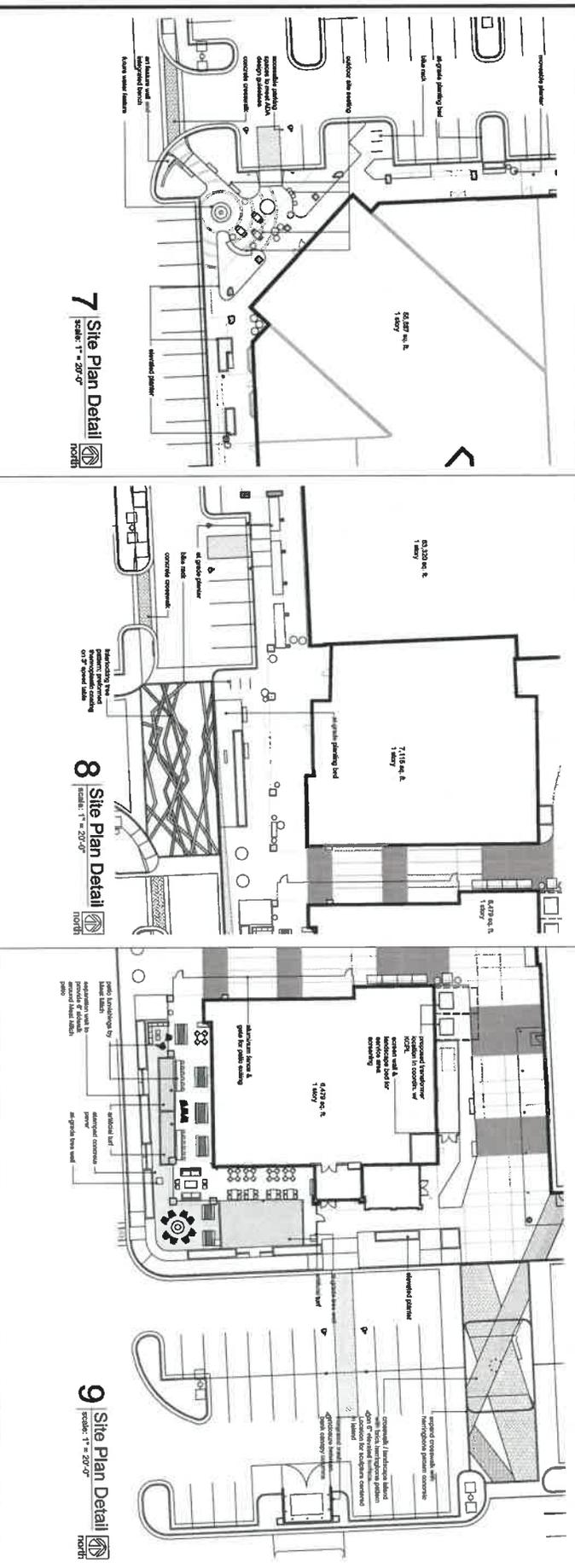
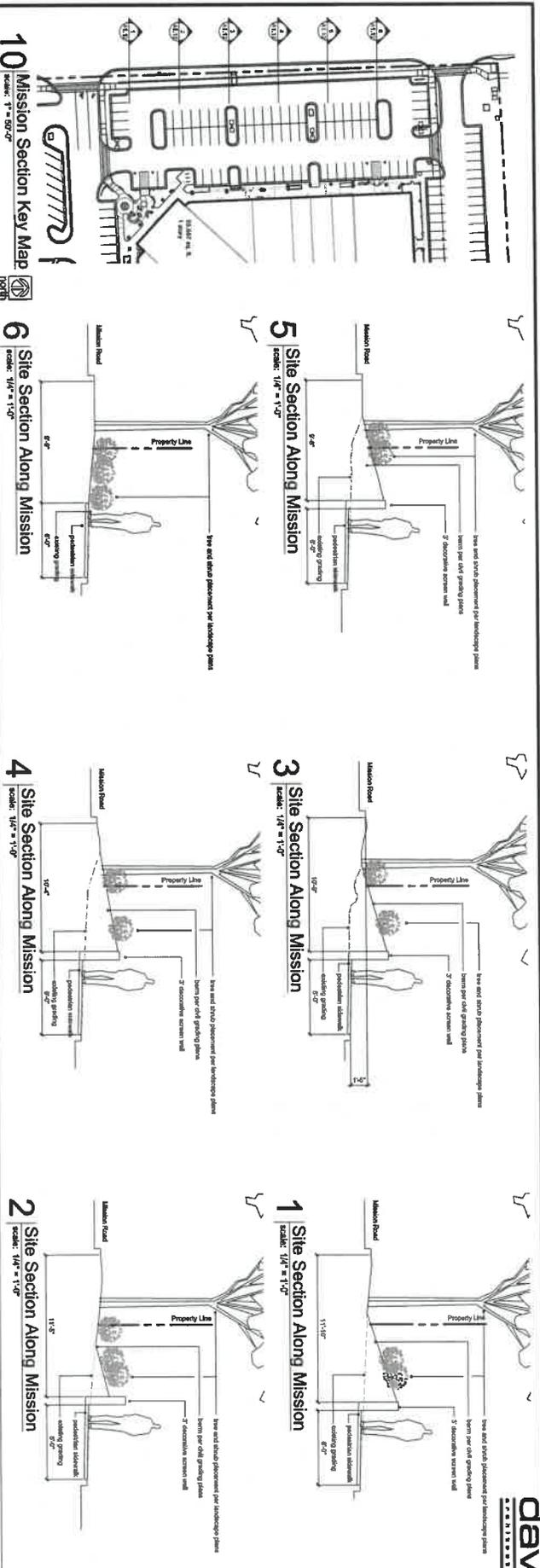
a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

Date: 07/18/2019
 Drawn By: DAE
 Checked By: [Signature]
 Project No: 01.11.2019
 Date: 02.19.2019
 Date: 03.08.2019
 Date: 10.22.2019
 Date: 11.12.2019
 Date: 11.18.2019
 Date: 12.28.2019

A1.1

Drawing Type: Final Site Plan
 Project Number: 1023

1001 North Central Expressway
Suite 100
Leawood, Kansas 66211
Tel: 913.241.4400
www.davidsonarchitects.com

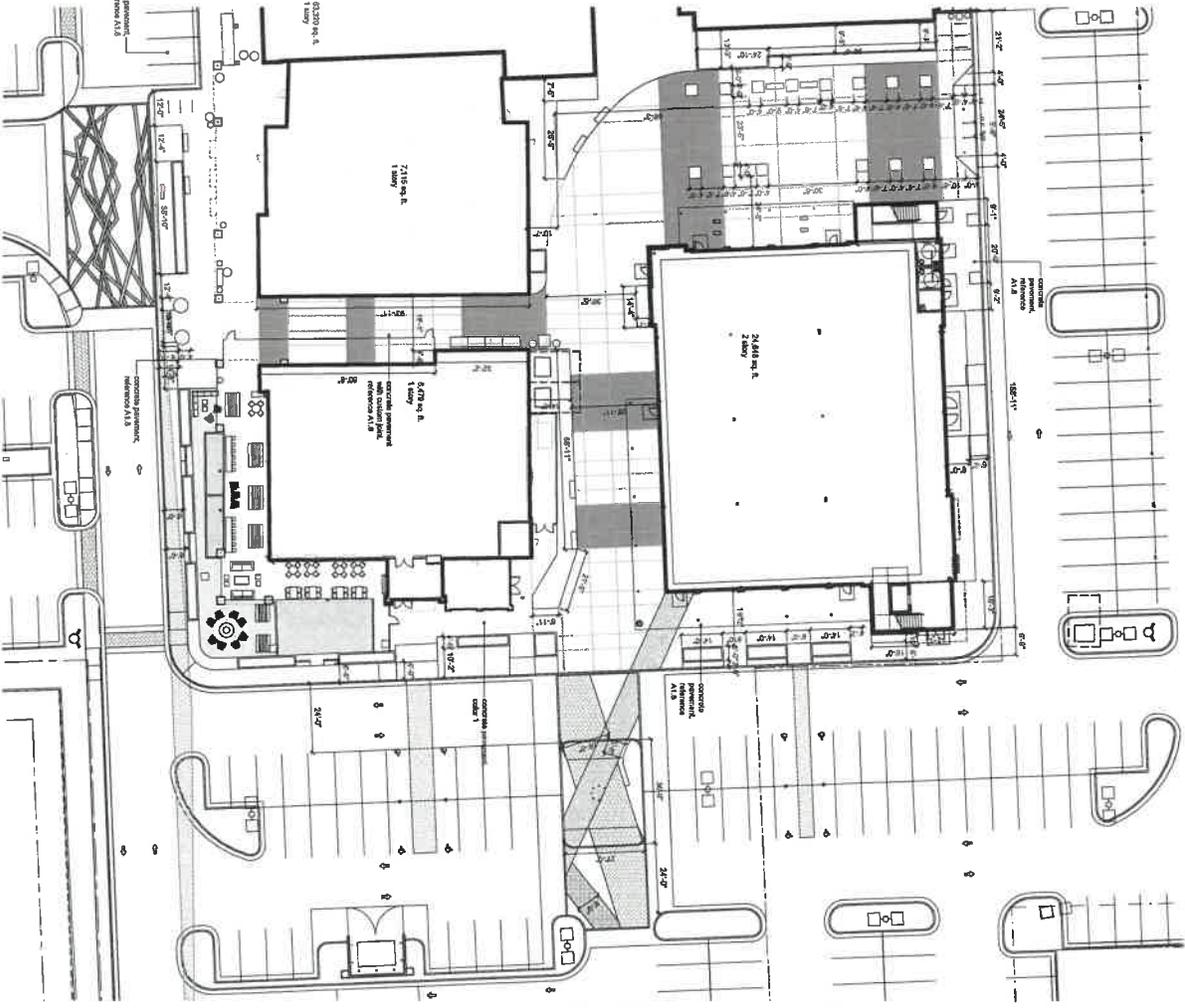


a redevelopment for
Ranch Mart
3700 W. 95th Street
Leawood, Kansas

- DATE: 07.03.2019
DRAWN BY: [Name]
CHECKED BY: [Name]
DATE: 01.11.2018
DATE: 02.15.2018
DATE: 10.23.2018
DATE: 11.12.2018
DATE: 11.14.2018
DATE: 12.24.2018

PROJECT NUMBER: **A1.1**
DRAWING TYPE: Final site plan
PROJECT NUMBER: 10251

Davidson Architecture
 2001 North 20th Street
 Suite 100
 Leawood, KS 66205
 Phone: 913.421.1000
 Fax: 913.421.1001
 www.davidsonarch.com



1 Pedestrian Plaza Plan
 scale: 1" = 20'-0"

2 Site Section Along 95th
 scale: 1/4" = 1'-0"

3 Site Section Along 95th
 scale: 1/4" = 1'-0"

4 Site Section Along 95th
 scale: 1/4" = 1'-0"

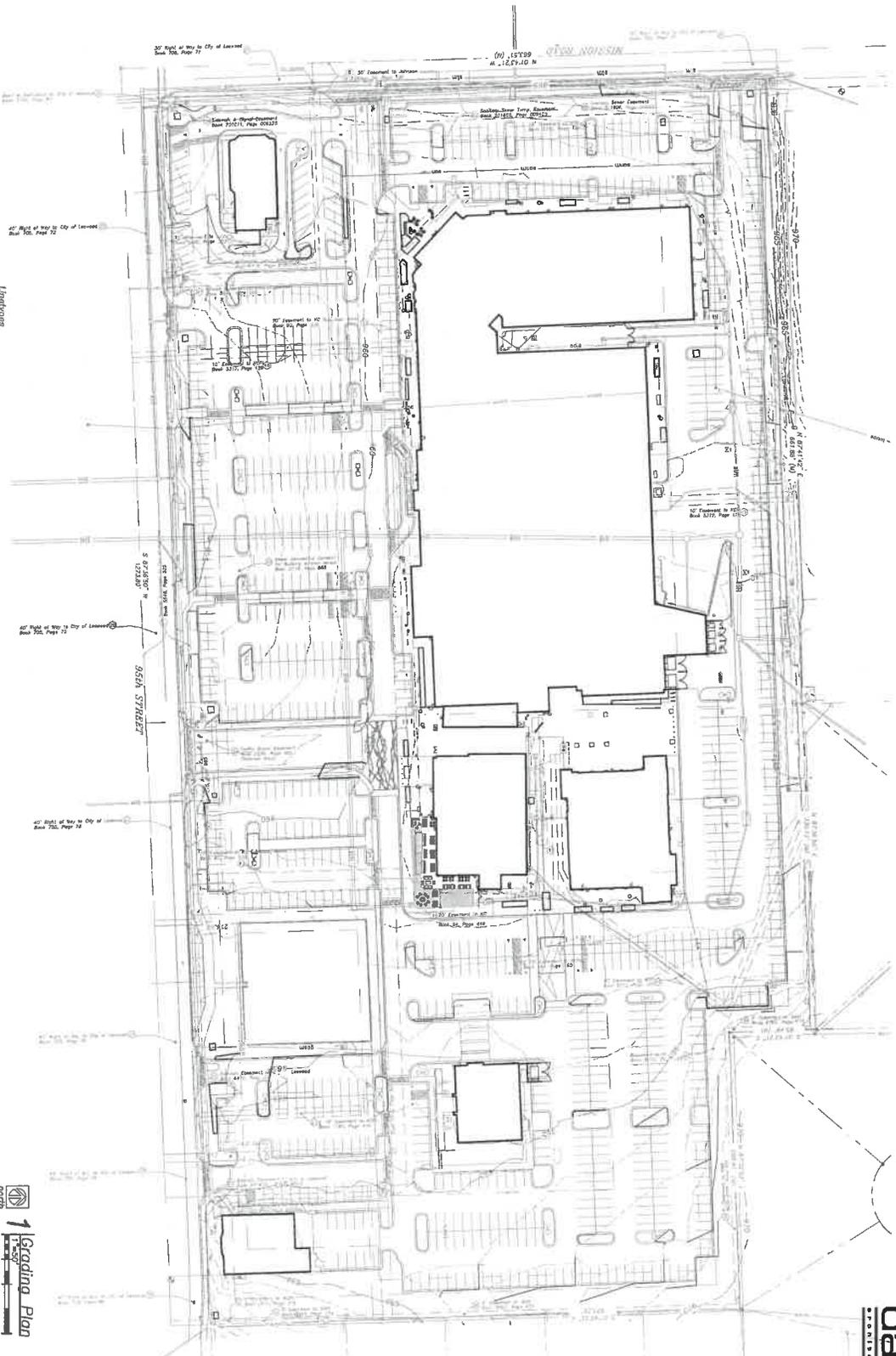
5 Site Section Along 95th
 scale: 1/4" = 1'-0"

6 95th Section Key Map
 scale: 1" = 50'-0"

DATE: 07/26/2019
 DRAWN BY: [unintelligible]
 CHECKED BY: [unintelligible]
 DATE: 07/26/2019
 PROJECT: 19-001
 SHEET: A1.1

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

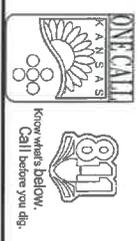
A1.1
 site plan
 19-001



- Symbols**
- ⊙ sanitary manhole
 - ⊕ service cleanout
 - ⊖ force main release valve
 - rectangular structure
 - circular structure
 - ⊕ fire hydrant
 - ⊖ water valve
 - ⊕ water meter
 - ⊖ backflow preventer
 - ⊕ induced gas meter
 - ⊖ service transformer (over mount)
 - ⊕ primary switch gear
 - ⊕ light pole
 - ⊕ catch/plan/flow junction box
 - ⊕ street light
 - ⊕ pedestrian street light
 - ⊕ electric pole
 - ⊕ gas wire
 - ⊕ steel section

- Proposed Legend**
- right of way
 - property lines
 - easements
 - setbacks
- Existing Legend**
- existing minor contour
 - existing major contour
 - proposed minor contour
 - proposed major contour
 - existing
 - proposed

- Legend**
- sanitary main
 - sanitary service
 - storm sewer (existing)
 - storm sewer (proposed)
 - storm sewer (gold wall, proposed)
 - storm sewer (green wall, proposed)
 - water main (existing)
 - water main (proposed)
 - water service (existing)
 - water service (proposed)
 - induced gas main
 - induced gas main automatic
 - underground primary electric
 - underground secondary electric
 - underground catch/plan/flow
 - underground catch/plan/flow service
 - fence - asphaltic
 - fence - wood
 - fence - barbed wire
 - fence - iron



Grading Plan

0 25 50 100

a redevelopment for
Ranchmart North
 3700 W. 95th Street
 Leawood, Kansas

date: 12.8.2018
 drawn by: LDM
 checked by: DAE
 provided by: [triangle symbol]

sheet number:
C2.1

drawing type:
 preliminary development plan
 project number:
 16231

PLANT SCHEDULE

NO.	DESCRIPTION	QUANTITY	REMARKS
1	PLANT SCHEDULE		
2	PLANT SCHEDULE		
3	PLANT SCHEDULE		
4	PLANT SCHEDULE		
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48	PLANT SCHEDULE		
49	PLANT SCHEDULE		
50	PLANT SCHEDULE		

PLANTING NOTES

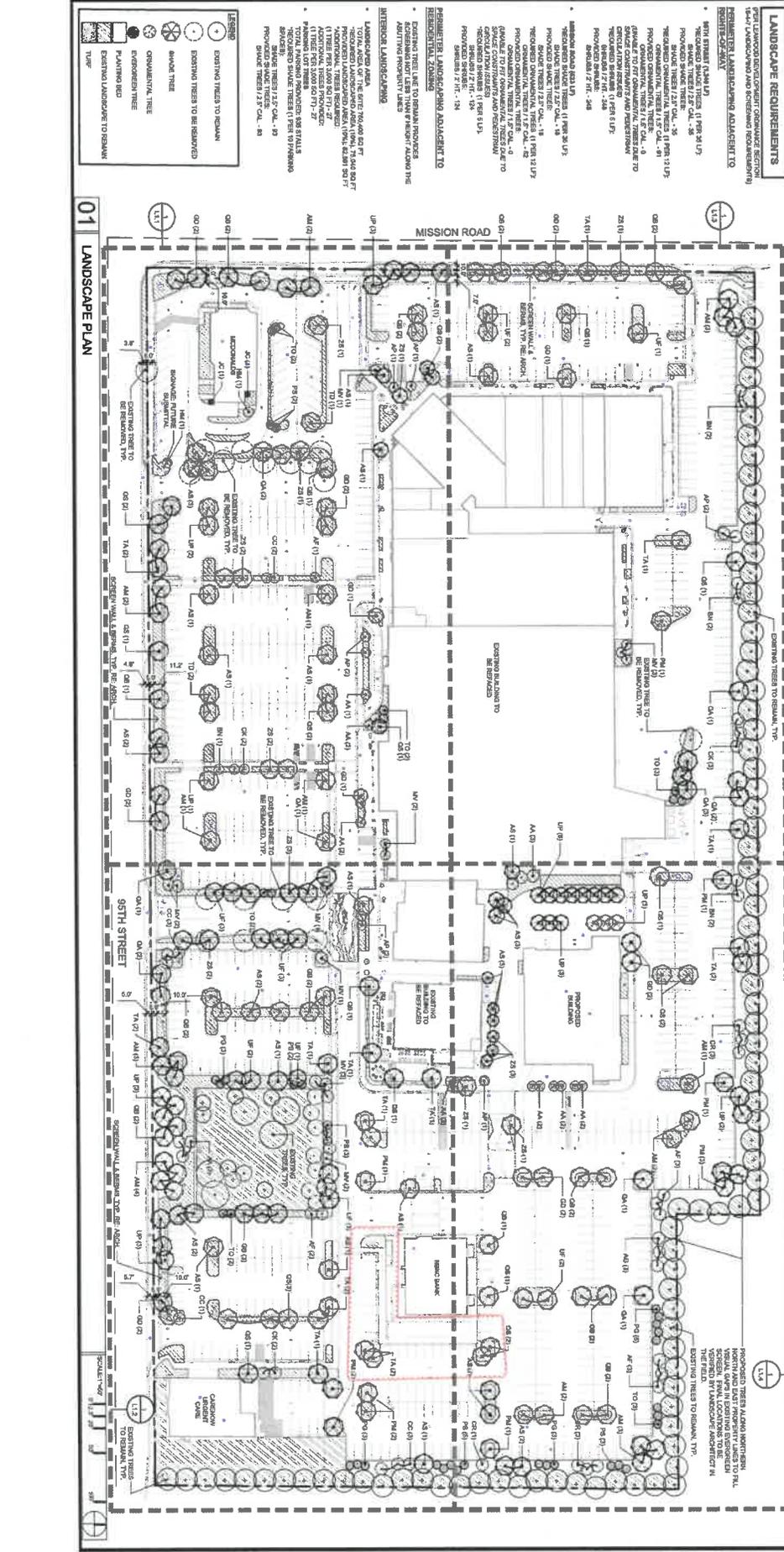
1. PLANTING SHALL BE FOR INFORMATION ONLY. SOILING SHALL BE PERFORMED BY THE CONTRACTOR.
2. HOLE SIZE AND QUALITY OF PLANT MATERIAL SHALL BE AS SPECIFIED IN THE PLANTING SCHEDULE.
3. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
4. HOLE SIZE AND QUALITY OF PLANT MATERIAL SHALL BE AS SPECIFIED IN THE PLANTING SCHEDULE.
5. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
6. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
7. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
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16. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
17. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
18. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
19. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
20. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.

PLANTING NOTES

1. PLANTING SHALL BE FOR INFORMATION ONLY. SOILING SHALL BE PERFORMED BY THE CONTRACTOR.
2. HOLE SIZE AND QUALITY OF PLANT MATERIAL SHALL BE AS SPECIFIED IN THE PLANTING SCHEDULE.
3. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
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7. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
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11. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
12. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
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16. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
17. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
18. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
19. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.
20. CONTRACTOR SHALL PLACE SHROUDS OVER ALL PLANTING AREAS TO PROTECT PLANTS FROM DAMAGE.

CONFLUENCE

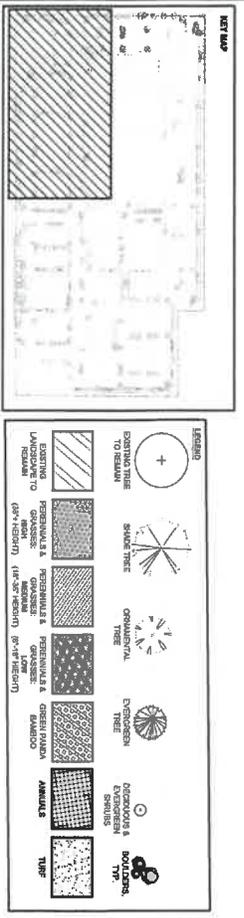
LANDSCAPE ARCHITECT
 CONFLUENCE
 410 DOWLING STREET
 P.O. BOX 1000
 P.O. BOX 1000
 P.O. BOX 1000



12.18.2016
 a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

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 7

10231



LEGEND

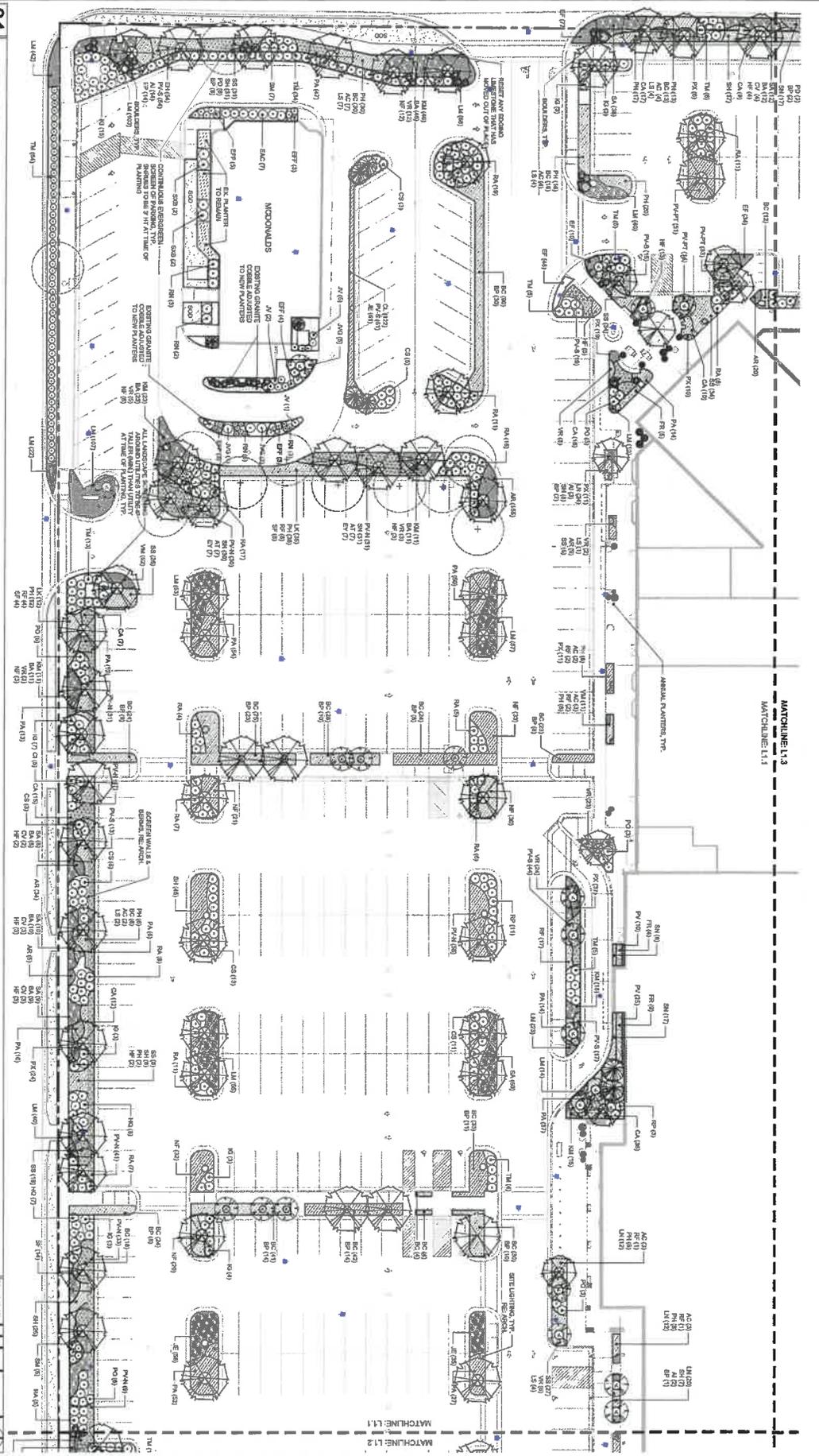
- EXISTING TO REMAIN
- PLANTING TO REMAIN
- PERENNIALS & GREEN PALMS
- PERENNIALS & GREEN PALMS (40'-50' radius)
- PERENNIALS & GREEN PALMS (50'-60' radius)
- ANNUALS
- TURF

TITLE

CONFLUENCE LANDSCAPE ARCHITECT
 417 OLD WALKER STREET
 LEAWOOD, KS 66204
 PHONE: 913.277.2277
 WWW.CONFLUENCEKS.COM

CONFLUENCE

LANDSCAPE ARCHITECT
 CONFLUENCE
 417 OLD WALKER STREET
 LEAWOOD, KS 66204
 PHONE: 913.277.2277
 WWW.CONFLUENCEKS.COM



01 LANDSCAPE PLAN

DATE: 12.18.2018
 DRAWN BY: J.C.
 CHECKED BY: J.C.
 PROJECT NUMBER: 16231

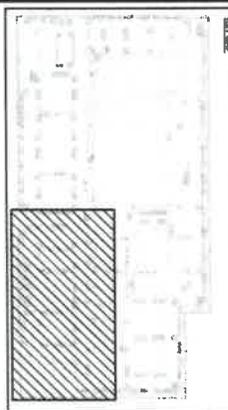
a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

1
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11.11.2019
 02.18.2019
 02.08.2019
 10.22.2018
 11.12.2018
 12.26.2018

11.11.2019
 02.18.2019
 02.08.2019
 10.22.2018
 11.12.2018
 12.26.2018

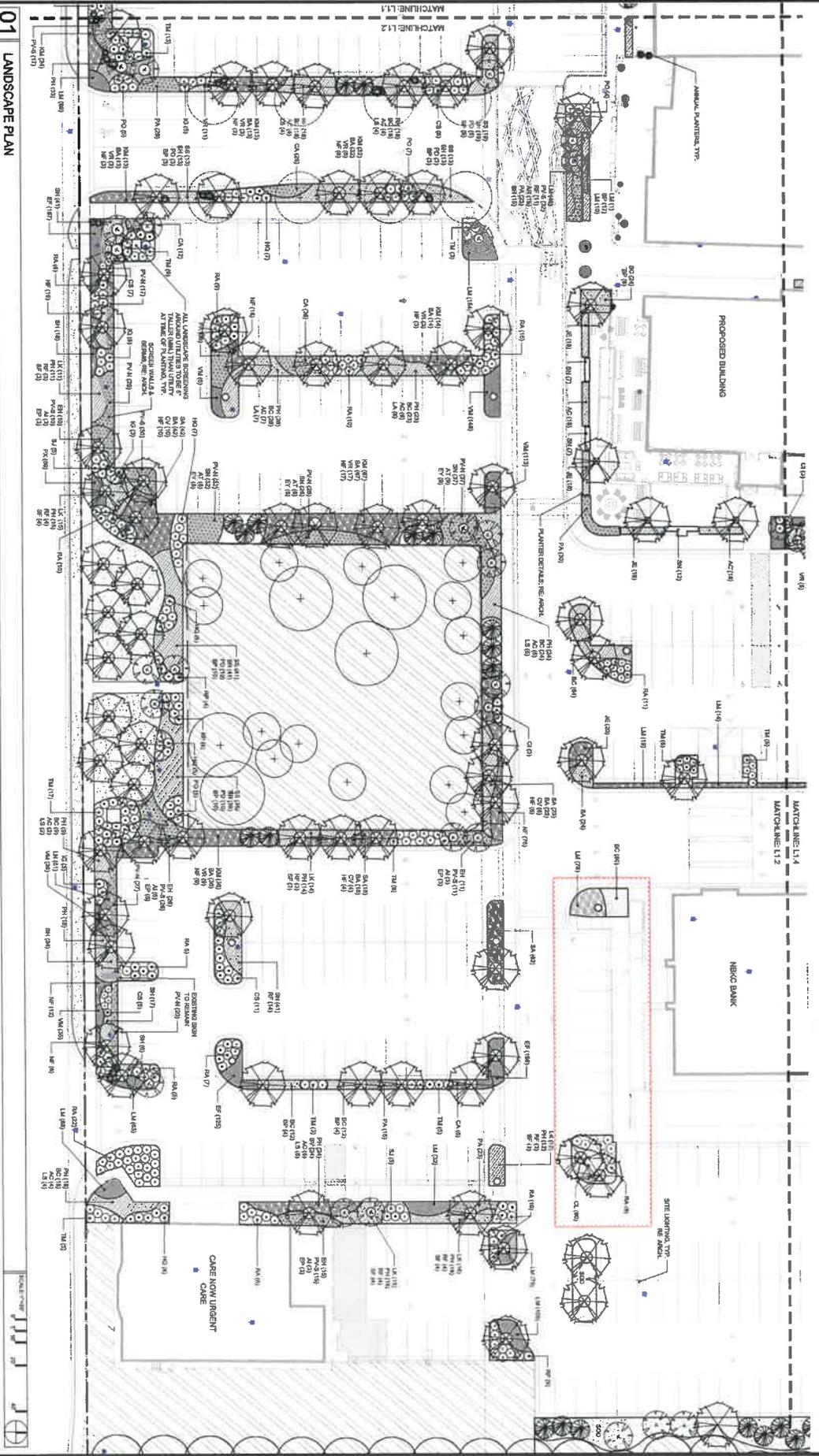
11.11.2019
 02.18.2019
 02.08.2019
 10.22.2018
 11.12.2018
 12.26.2018



LEGEND

	EXISTING TREES TO REMAIN		SHADE TREES		ORNAMENTAL TREES		EVERGREEN TREES		DECIDUOUS TREES		ANNUALS		PERENNIALS		TURF
	EXISTING LANDSCAPE TO REMAIN		PROPOSED GRASSES		PROPOSED SHRUBS		PROPOSED PERENNIALS		PROPOSED ANNUALS		PROPOSED TURF		PROPOSED TREES		PROPOSED HARDSCAPE

NOTE: CONTOURS & EROSION TREES SHALL BE DETERMINED BY THE CLIENT.



01 LANDSCAPE PLAN

CONFLUENCE
 LANDSCAPE ARCHITECT
 417 DELAWARE STREET
 LEAWOOD, KS 66205
 PHONE: 913.221.1222



a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE: 12.16.2018
 DRAWN BY: JWC
 CHECKED BY: JWC
 DESIGNED BY: JWC
 PROJECT NO: 11.2
 SHEET NO: 7

11.2

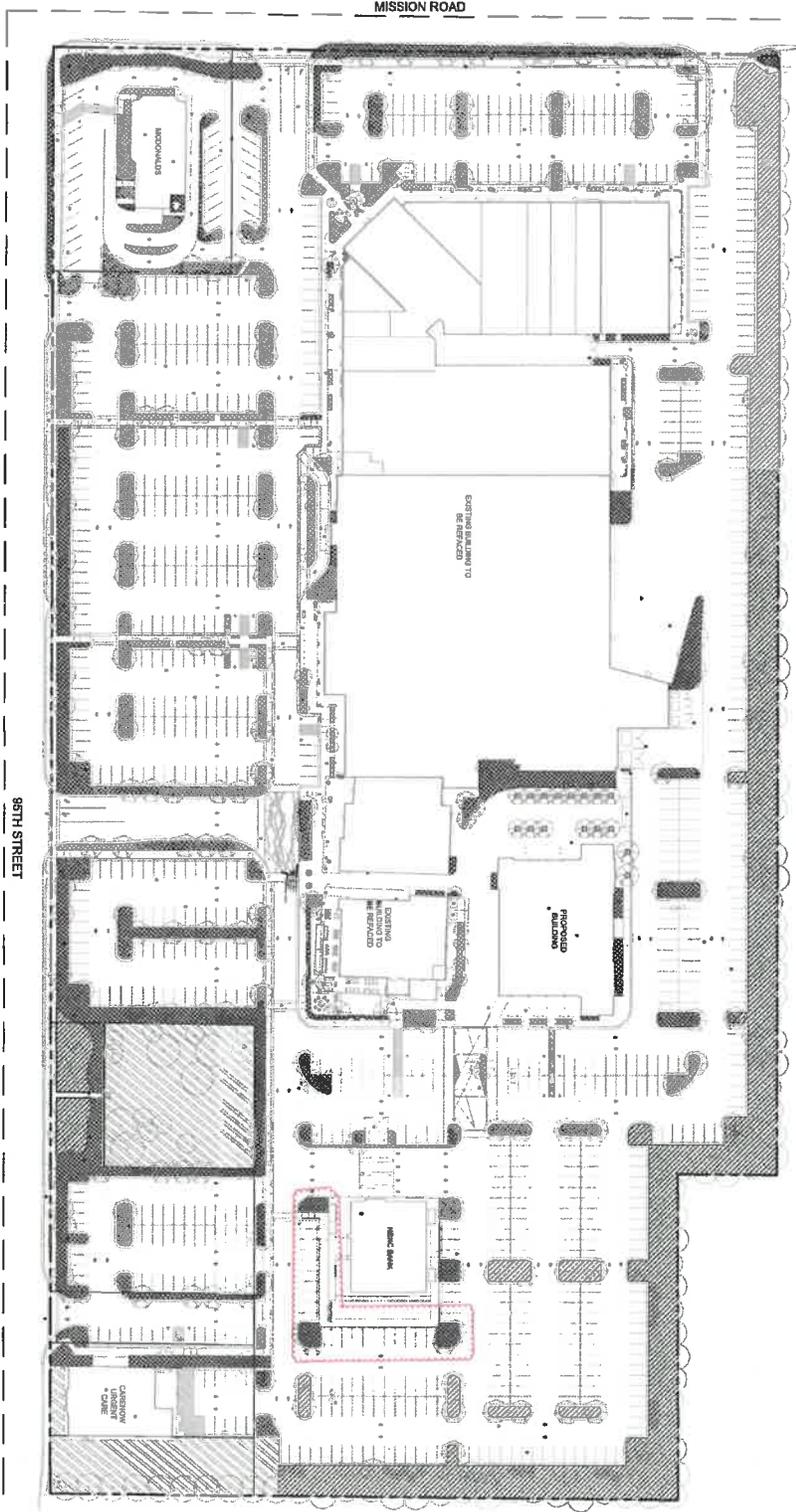
192531



- IRRIGATION NOTES:**
1. IRRIGATION PLAN IS INCLUDED TO ILLUSTRATE THE IRRIGATION INFRASTRUCTURE FOR THIS PROJECT & NOT BE THE FINAL DESIGN OF THE SYSTEM. FINAL IRRIGATION DESIGN WILL BE COMPLETED AFTER CITY FOR APPROVAL.
 2. LANDSCAPED AREAS ON THE SOUTH AND EAST SIDES OF THE CAVE NOW ARE NOT BEING IRRIGATED BY THE EXISTING IRRIGATION SYSTEM WITH TUBESON.
 3. ALL IRRIGATION AREAS TO BE DONE IRRIGATION & ALL TUBE AREAS TO BE DRIPPY IRRIGATION.

LEGEND

- EXISTING LANDSCAPE TO REMAIN
- DRIPPY IRRIGATION
- SPRINK IRRIGATION



01 IRRIGATION PLAN

95TH STREET

MISSION ROAD

SCALE: 1/4" = 1'-0"

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

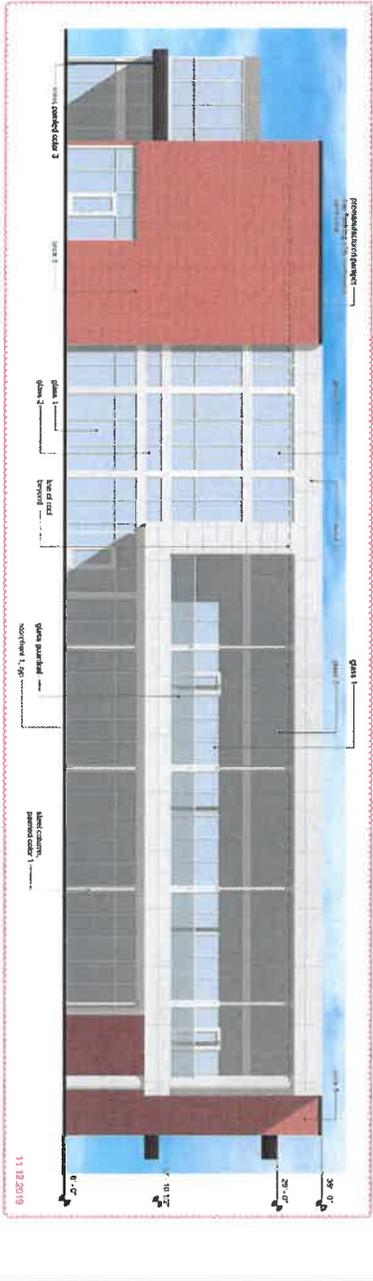
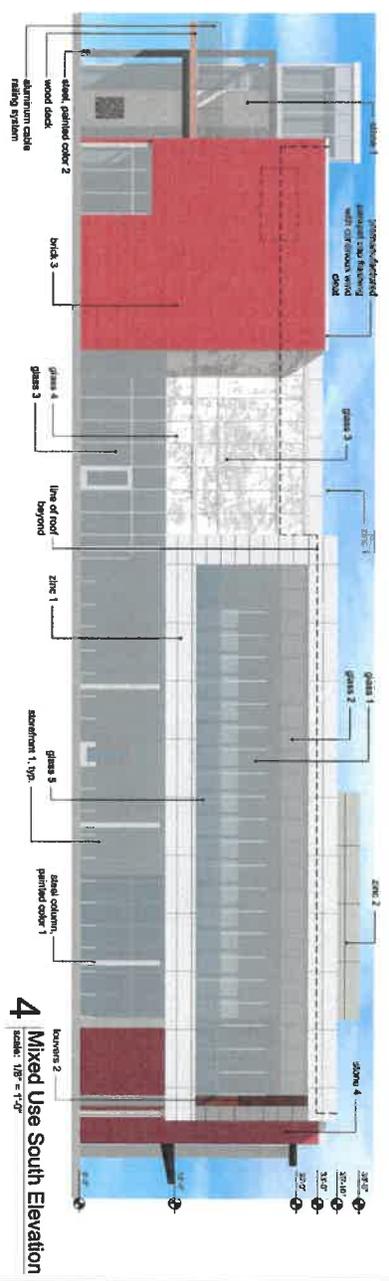
Sheet Number:
IR 1.C

drawing type:
 final development plan
 project number:
 19231

date	12.16.2016
designed by	J.C.
checked by	J.C.
reviewed by	J.C.
1	01.11.2019
2	02.19.2019
3	03.08.2019
4	10.22.2019
5	11.12.2019
6	11.22.2019
7	12.26.2019

Ranch Elevation Material List

- Paint:**
 Color 1: Sherwin Williams, SW 9166 Chalk of Milk
 Color 2: Sherwin Williams, SW 7019 Cambridge Clay
 Color 3: Sherwin Williams, SW 9002 Country White
 Color 4: Benjamin Moore, 1462 Deep Indigo
 Color 5: Benjamin Moore, 2187 29th Char Brown
 Color 6: Benjamin Moore, 2115-10 Warm Taupe
 Color 7: Benjamin Moore, 2065-30 Fresh Clay
 Color 8: Benjamin Moore, 1081 Warm Apple Chip
 Color 9: Benjamin Moore, 562 Boardwalk Taupe
 Color 10: Benjamin Moore, 2124-40 Thundercloud Gray
 Color 11: Benjamin Moore, 562 Boardwalk Taupe
 Color 12: Benjamin Moore, 2124-40 Thundercloud Gray
 Color 13: Benjamin Moore, AF-715 Douglas
 Color 14: Benjamin Moore, AF-715 Douglas
 Color 15: Benjamin Moore, AF-715 Douglas
- Brick (modular unless noted otherwise):**
 Brick 1: existing brick to remain, existing color varies
 Brick 2: Yonkers Hill modular Chalk Gray
 Brick 3: Yonkers Hill modular Chalk Gray
 Brick 4: General State modular warm brick
 Brick 5: General State modular Colonial Gray
 Mortar: color to be determined
- Glass:**
 Glass 1: 1" insulated clear standard glazing
 Glass 2: 1" insulated spandrel glass
 Glass 3: NOT USED
 Glass 4: NOT USED
 Glass 5: NOT USED
- Stone:**
 Stone 1: 2" dark anodized aluminum frame
 Stone 2: 2" dark anodized aluminum frame
 Stone 3: 2" dark anodized aluminum frame
 Stone 4: 2" dark anodized aluminum frame
 Stone 5: 2" dark anodized aluminum frame
 Stone 6: 2" dark anodized aluminum frame
 Stone 7: 2" dark anodized aluminum frame
 Stone 8: 2" dark anodized aluminum frame
 Stone 9: 2" dark anodized aluminum frame
 Stone 10: 2" dark anodized aluminum frame
 Stone 11: 2" dark anodized aluminum frame
 Stone 12: 2" dark anodized aluminum frame
 Stone 13: 2" dark anodized aluminum frame
 Stone 14: 2" dark anodized aluminum frame
 Stone 15: 2" dark anodized aluminum frame
- Wood:**
 Wood 1: Wood clear coat
 Wood 2: Wood clear coat
 Wood 3: Wood clear coat
 Wood 4: Wood clear coat
 Wood 5: Wood clear coat
 Wood 6: Wood clear coat
 Wood 7: Wood clear coat
 Wood 8: Wood clear coat
 Wood 9: Wood clear coat
 Wood 10: Wood clear coat
 Wood 11: Wood clear coat
 Wood 12: Wood clear coat
 Wood 13: Wood clear coat
 Wood 14: Wood clear coat
 Wood 15: Wood clear coat
- Metal:**
 Metal 1: Larson composite panel, Almond color finish, Clear
 Metal 2: EHV composite panel, Firestone color Stone Gray
 Metal 3: EHV composite panel, Firestone color Stone Gray
 Metal 4: EHV composite panel, Firestone color Stone Gray
 Metal 5: EHV composite panel, Firestone color Stone Gray
 Metal 6: EHV composite panel, Firestone color Stone Gray
 Metal 7: EHV composite panel, Firestone color Stone Gray
 Metal 8: EHV composite panel, Firestone color Stone Gray
 Metal 9: EHV composite panel, Firestone color Stone Gray
 Metal 10: EHV composite panel, Firestone color Stone Gray
 Metal 11: EHV composite panel, Firestone color Stone Gray
 Metal 12: EHV composite panel, Firestone color Stone Gray
 Metal 13: EHV composite panel, Firestone color Stone Gray
 Metal 14: EHV composite panel, Firestone color Stone Gray
 Metal 15: EHV composite panel, Firestone color Stone Gray
- Other:**
 Other 1: 2" dark anodized aluminum frame
 Other 2: 2" dark anodized aluminum frame
 Other 3: 2" dark anodized aluminum frame
 Other 4: 2" dark anodized aluminum frame
 Other 5: 2" dark anodized aluminum frame
 Other 6: 2" dark anodized aluminum frame
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 Other 8: 2" dark anodized aluminum frame
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 Other 11: 2" dark anodized aluminum frame
 Other 12: 2" dark anodized aluminum frame
 Other 13: 2" dark anodized aluminum frame
 Other 14: 2" dark anodized aluminum frame
 Other 15: 2" dark anodized aluminum frame



Elevation Key
 Scale: NTS

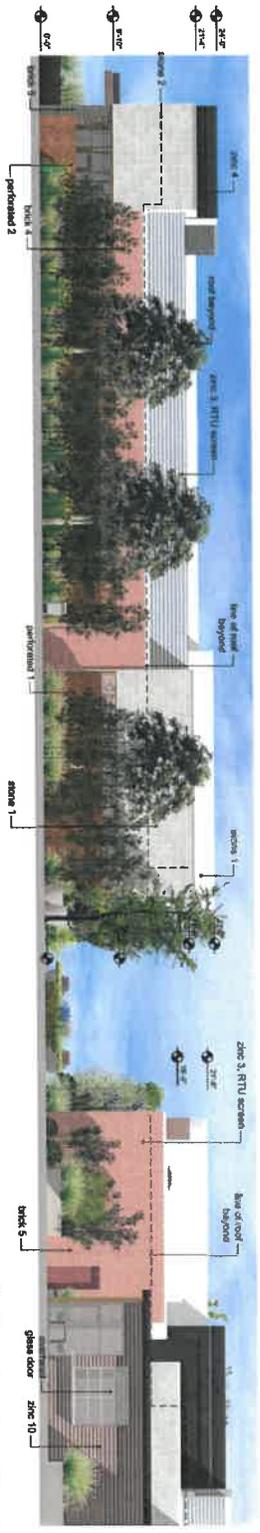


2021 National Quality Award
 General Contracting
 915 W. 20th Street
 Leawood, KS 66204
 www.davidsoncorp.com

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

A3.8
 Drawing Date: 02/18/2018
 Drawing By: DAE
 Checked By: DAE
 Date: 01/11/2019
 02/18/2018
 03/08/2018
 11/12/2018

1
 2
 3
 4
 5



1 East to West Plaza Elevation
 Scale: 1/8" = 1'-0"



11.12.2018

- Paint:**
- Color 1: Sherwin Williams, SW 6180 Drift of Hill
 - Color 2: Sherwin Williams, SW 7019 Casade Grey
 - Color 3: Benjamin Moore, 2128-10 Black Steady
 - Color 4: Benjamin Moore, 2127-20 Char Brown
 - Color 5: Benjamin Moore, 2127-30 Char Brown
 - Color 6: Sherwin Williams, SW 7208 Train Trip
 - Color 7: Benjamin Moore, 1691 Warm Apple Chip
 - Color 8: Benjamin Moore, 2002-20 Fresh Clay
 - Color 9: Sherwin Williams, SW 7019 Casade Grey
 - Color 10: Benjamin Moore, 1428 Sugar Rock
 - Color 11: Sherwin Williams, SW 7019 Casade Grey
 - Color 12: Benjamin Moore, 1428 Sugar Rock
 - Color 13: Benjamin Moore, 1428 Sugar Rock
 - Color 14: Benjamin Moore, 1428 Sugar Rock
 - Color 15: Benjamin Moore, AF-715 Daphn
- Block (finish) refers to material, staining color, veneer**
- Block 1: staining block to remain, staining color: veneer
 - Block 2: Veneer Hill modular, Dove Gray
 - Block 3: Green clay modular, Carbon Black, Stained
 - Block 4: Green clay modular, Carbon Black, Stained
 - Block 5: Green clay modular, Carbon Black, Stained
 - Block 6: Green clay modular, Carbon Black, Stained
 - Block 7: Green clay modular, Carbon Black, Stained
 - Block 8: Green clay modular, Carbon Black, Stained
 - Block 9: Green clay modular, Carbon Black, Stained
 - Block 10: Green clay modular, Carbon Black, Stained
 - Block 11: Green clay modular, Carbon Black, Stained
 - Block 12: Green clay modular, Carbon Black, Stained
 - Block 13: Green clay modular, Carbon Black, Stained
 - Block 14: Green clay modular, Carbon Black, Stained
 - Block 15: Green clay modular, Carbon Black, Stained

- Glass:**
- Glass 1: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 2: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 3: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 4: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 5: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 6: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 7: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 8: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 9: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 10: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 11: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 12: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 13: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 14: 1/4" insulated clear, acrylonitril butadiene styrene
 - Glass 15: 1/4" insulated clear, acrylonitril butadiene styrene
- Wood:**
- Wood 1: Wood, clear coat
 - Wood 2: Sherwin Williams, White
 - Wood 3: Torquato and Green, ceiling
- Material:**
- Material 1: Larson composite panel, Alucal color, Anodic Clear
 - Material 2: ENVI composite panel, Firestone color, Slate Gray
 - Material 3: ENVI composite panel, Firestone color, Slate Gray
 - Material 4: ENVI composite panel, Firestone color, Slate Gray
 - Material 5: ENVI composite panel, Firestone color, Slate Gray
 - Material 6: ENVI composite panel, Firestone color, Slate Gray
 - Material 7: ENVI composite panel, Firestone color, Slate Gray
 - Material 8: ENVI composite panel, Firestone color, Slate Gray
 - Material 9: ENVI composite panel, Firestone color, Slate Gray
 - Material 10: ENVI composite panel, Firestone color, Slate Gray
 - Material 11: Larson composite panel, Alucal color, Pewee Metallic
 - Material 12: ENVI composite panel, Firestone color, Champagne Metallic
 - Material 13: ENVI composite panel, Firestone color, Champagne Metallic
 - Material 14: ENVI composite panel, Firestone color, Champagne Metallic
 - Material 15: ENVI composite panel, Firestone color, Champagne Metallic
- Finishes:**
- Finish 1: weathered steel, pattern to be determined
 - Finish 2: weathered steel, pattern to be determined
 - Finish 3: weathered steel, pattern to be determined

- Stucco Pattern:**
- Stucco 1: Custom round stucco, flat texture, color 1
 - Stucco 2: Custom round stucco, flat texture, color 1
 - Stucco 3: Custom round stucco, flat texture, color 1
 - Stucco 4: Custom round stucco, flat texture, color 1
 - Stucco 5: Custom round stucco, flat texture, color 1
 - Stucco 6: Custom round stucco, flat texture, color 1
 - Stucco 7: Custom round stucco, flat texture, color 1
 - Stucco 8: Custom round stucco, flat texture, color 1
 - Stucco 9: Custom round stucco, flat texture, color 1
 - Stucco 10: Custom round stucco, flat texture, color 1
 - Stucco 11: Custom round stucco, flat texture, color 1
 - Stucco 12: Custom round stucco, flat texture, color 1
 - Stucco 13: Custom round stucco, flat texture, color 1
 - Stucco 14: Custom round stucco, flat texture, color 1
 - Stucco 15: Custom round stucco, flat texture, color 1
- Shore:**
- Shore 1: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 2: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 3: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 4: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 5: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 6: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 7: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 8: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 9: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 10: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 11: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 12: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 13: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 14: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
 - Shore 15: Manufactured Stone, Eldorado Dawn, Tall Marquis 24
- Material:**
- Material 1: Alucal by steel TPO
 - Material 2: Alucal by steel TPO
 - Material 3: Alucal by steel TPO
 - Material 4: Alucal by steel TPO
 - Material 5: Alucal by steel TPO
 - Material 6: Alucal by steel TPO
 - Material 7: Alucal by steel TPO
 - Material 8: Alucal by steel TPO
 - Material 9: Alucal by steel TPO
 - Material 10: Alucal by steel TPO
 - Material 11: Alucal by steel TPO
 - Material 12: Alucal by steel TPO
 - Material 13: Alucal by steel TPO
 - Material 14: Alucal by steel TPO
 - Material 15: Alucal by steel TPO
- Lowers:**
- Lowers 1: wood color 1, sin, wood batters
 - Lowers 2: wood color 1, sin, wood batters
 - Lowers 3: wood color 1, sin, wood batters
 - Lowers 4: wood color 1, sin, wood batters
 - Lowers 5: wood color 1, sin, wood batters
 - Lowers 6: wood color 1, sin, wood batters
 - Lowers 7: wood color 1, sin, wood batters
 - Lowers 8: wood color 1, sin, wood batters
 - Lowers 9: wood color 1, sin, wood batters
 - Lowers 10: wood color 1, sin, wood batters
 - Lowers 11: wood color 1, sin, wood batters
 - Lowers 12: wood color 1, sin, wood batters
 - Lowers 13: wood color 1, sin, wood batters
 - Lowers 14: wood color 1, sin, wood batters
 - Lowers 15: wood color 1, sin, wood batters

- Paint:**
- Color 1: Sherwin Williams, SW 6180 Drift of Hill
 - Color 2: Sherwin Williams, SW 7019 Casade Grey
 - Color 3: Sherwin Williams, SW 7019 Casade Grey
 - Color 4: Sherwin Williams, SW 7019 Casade Grey
 - Color 5: Sherwin Williams, SW 7019 Casade Grey
 - Color 6: Sherwin Williams, SW 7019 Casade Grey
 - Color 7: Sherwin Williams, SW 7019 Casade Grey
 - Color 8: Sherwin Williams, SW 7019 Casade Grey
 - Color 9: Sherwin Williams, SW 7019 Casade Grey
 - Color 10: Sherwin Williams, SW 7019 Casade Grey
 - Color 11: Sherwin Williams, SW 7019 Casade Grey
 - Color 12: Sherwin Williams, SW 7019 Casade Grey
 - Color 13: Sherwin Williams, SW 7019 Casade Grey
 - Color 14: Sherwin Williams, SW 7019 Casade Grey
 - Color 15: Sherwin Williams, SW 7019 Casade Grey
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 - Block 14: Green clay modular, Carbon Black, Stained
 - Block 15: Green clay modular, Carbon Black, Stained



Elevation Key
 Scale: N/S

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

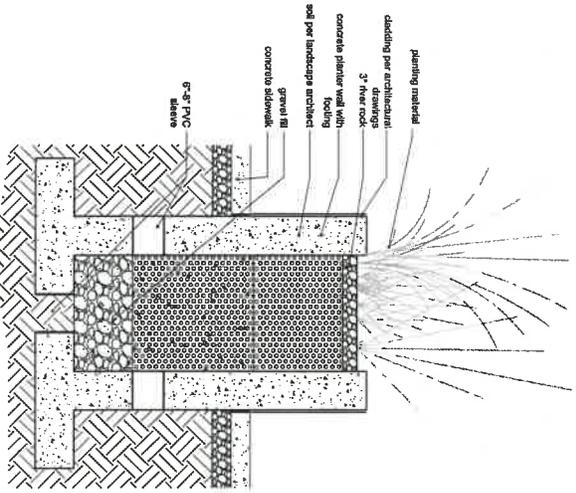
12.18.2018
 Drawn By
 Checked By
 DAE
 01.11.2019
 02.19.2019
 03.08.2019
 10.22.2019
 11.12.2019

A3.13

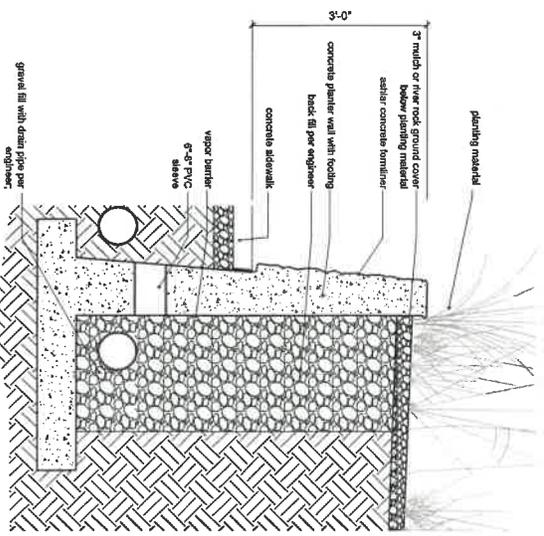
Architect Number
 Final development plan
 project number
 19231



1 Formliner pattern



5 Typical Planter Detail
 scale: 1" = 1'-0"



3 Retaining Wall Detail
 scale: 1" = 1'-0"

"Retaining walls and foundations shall be designed by a licensed engineer. This drawing is for informational purposes only and should not be used for actual retaining wall construction."

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

sheet
 04.05.2019
 drawn by
 DALE
 checked by
 DAVISON
 11.12.2019

sheet number
A3.18

drawing name
 final development plan
 project number
 18231



northwest corner of retail



view looking east at retail



southwest corner of retail



view of grocery store

a redevelopment for
Ranch Mart
3700 W. 95th Street
Leawood, Kansas

revision	12.18.2018
drawn by	
checked by	
designed by	
DATE	
revised	1
01.11.2019	2
02.18.2019	4
10.28.2019	4
11.12.2019	5

sheet number:
A3.19

drawing type:
final development plan
project number:
15251



southeast corner of retail



southeast corner of mixed use building



view from 95th street



northeast corner of mixed used building



south plaza entry

a redevelopment for
Ranch Mart
 3700 W. 95th Street
 Leawood, Kansas

DATE: 12.18.2018
 DRAWN BY: DALE
 CHECKED BY: DALE
 PROVIDED BY: PROVIDER
 01.11.2018 1
 02.19.2018 2
 10.28.2018 4
 11.12.2018 5

software furnished:
A3.20

showing signs
 final development plan
 Project Number:
 16231



Stone 4: Tumbled rock face. Manufactured Stone, Eldorado White Elm Vantage 30



Stone 1: Manufactured Stone, Eldorado Dove 30



Metal 1



Metal 2,3



Metal 4,5,6



Metal 7,10,12



Metal 8



Metal 11



Metal 13



Flaking



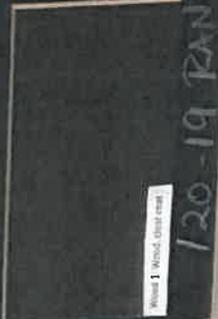
Sorefront 2: 2 1/2 inch bronze extruded aluminum frame



Sorefront 1: 2 1/2 inch anodized aluminum frame



Wood: Sustain Wood Grain, Walnut



White: White, Dist. real

1/20-19 RANCH MART

20-19 RANCHMART

Ranch Mart

daVIDSC



Brick 3: Glen-Gery modular carbon Black BladeCut



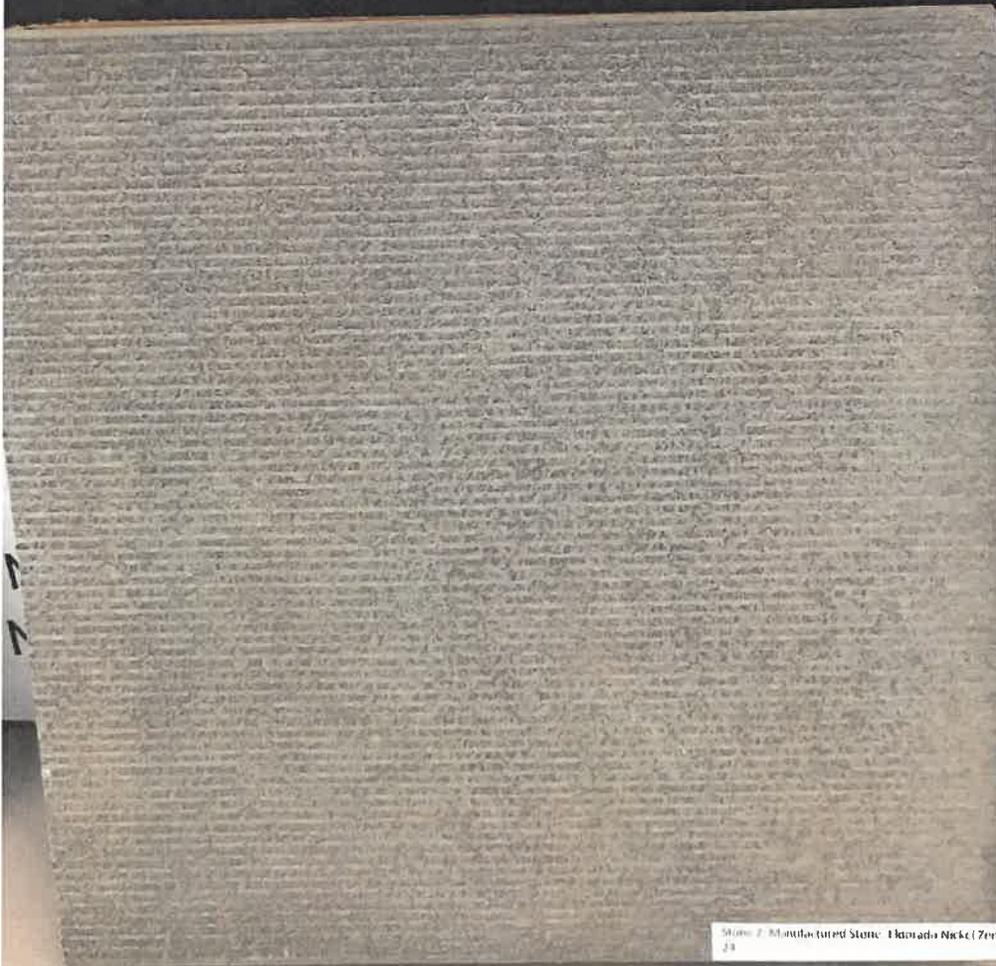
Brick 5: General Shale, modular Colonial Grain



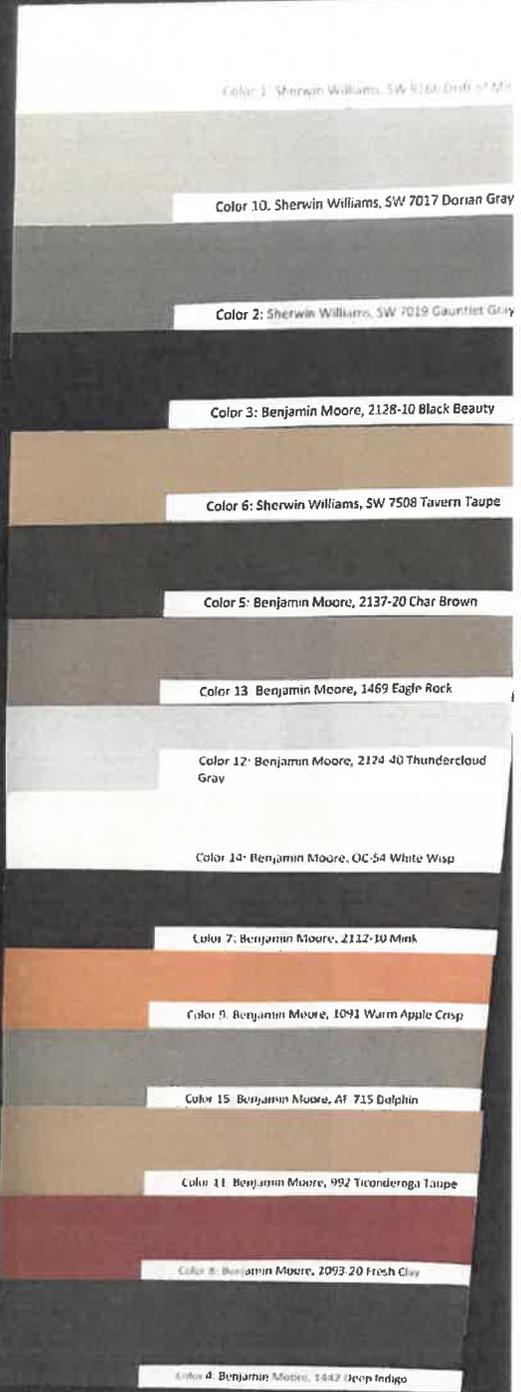
Stucco Texture



Brick 2: Yankee Hill modular Dove Gray



Stone 7: Manufactured Stone - Horatia Nickel Zen



Color 1: Sherwin Williams, SW 9166 Drift of Mist

Color 10: Sherwin Williams, SW 7017 Dorian Gray

Color 2: Sherwin Williams, SW 7019 Gauntlet Gray

Color 3: Benjamin Moore, 2128-10 Black Beauty

Color 6: Sherwin Williams, SW 7508 Tavern Taupe

Color 5: Benjamin Moore, 2137-20 Char Brown

Color 13: Benjamin Moore, 1469 Eagle Rock

Color 12: Benjamin Moore, 2174-40 Thundercloud Gray

Color 14: Benjamin Moore, OC 54 White Whisper

Color 7: Benjamin Moore, 2112-10 Mink

Color 9: Benjamin Moore, 1093 Warm Apple Crisp

Color 15: Benjamin Moore, AF 715 Dolphin

Color 11: Benjamin Moore, 992 Ticonderoga Taupe

Color 8: Benjamin Moore, 2093-20 Fresh Clay

Color 4: Benjamin Moore, 1442 Deep Indigo

Previous Approval (Case 04-19)



Previous Approval (Case 04-19)



**City of Leawood
Planning Commission Meeting
November 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Elkins, Coleman, Block, Stevens, and Peterson. Absent: Hunter, Belzer, Hoyt

APPROVAL OF THE AGENDA

Mr. Klein: You should have a revised agenda in front of you.

A motion to approve the agenda was made by Coleman; seconded by Block. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the October 22, 2019 Planning Commission meeting.

Comm. Coleman: In the middle of Page 7, it should be Ms. Knight instead of Ms. Bennett.

A motion to approve the revised minutes from the October 22, 2019 Planning Commission meeting was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

CONTINUED TO THE JANUARY 28, 2020 PLANNING COMMISSION MEETING:

**CASE 112-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6, SIGN REGULATIONS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to electronic and digital displays.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 110-19 – HALLBROOK FARMS SUBDIVISION – LOT 17 – RESIDENTIAL EMERGENCY GENERATOR – Request for approval of a Final Landscape Plan, located south of 112th Street and west of Brookwood Street.

Single Family Low Density Residential), Special Use Permit for a Place of Worship and Elementary School, Preliminary Plan, Preliminary Plat, Final Plan, and Final Plat, located east of Mission Road and north of 95th Street – with the revision to Stipulation No. 10 to state, “Prior to Governing Body consideration, the applicant shall work with staff to create a mutual north access point exit from the property onto Mission Road” and to include Exhibit A from the city engineer – was made by Coleman; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Mr. Zeller: You didn't mention the sidewalk.

Chairman Elkins: The plan had the sidewalk going all the way through, so that's what we're committed to.

→ CASE 120-19 – RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan, located north of 95th Street and east of Mission Road.

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 120-19 – Ranch Mart North Shopping Center Redevelopment – Request for approval of a Revised Final Plan. A Final Plan for Ranch Mart North was previously approved by the Governing Body on April 15th of this year. That plan approved updates to the facades of the main center of the development, proposed a new office and retail building located at the northeast corner of the site, and proposed a modified parking lot with lighting and landscaping. The application before you tonight proposes revisions to the building elevations of the main retail center as well as the new office and retail building, revisions to the Landscape Plan, to the parking lot east of the bank, and changes to the interior plaza space. Some other design elements of the project have been limited across the site as well. I'd like to use the screen to point out some of the project changes (*refers to monitor*). This is the third revision to elevations that the applicant has made to this project. The previously approved Final Plan was significantly altered from the Preliminary Plan by retaining a lot more of the existing brick on the buildings. Staff also finds this application to be significantly altered from the latest approval before you. The applicant proposes to lower the parapet walls across the main retail center anywhere from 2-4 feet, depending on the location. The applicant stated this was done for structural purposes; however, staff does feel that this alters the look and feel of the center by reducing the scale of the buildings and aligning them much more closely with the low-profile ranch-style buildings that currently exist. The applicant has also altered a number of the materials from the previous approval. Most significant is the removal of natural stone panels, which are now being substituted for manufactured stone. You may recall that staff is in the process of amending the LDO to prohibit the use of manufactured stone. This amendment was recommended by the Planning Commission on October 22nd, following a work session we also had on the subject. That amendment will proceed to the Governing Body for consideration this January. As you can see from the

image, the top image is a stone panel with a sleek, modern appeal. The image on the bottom shows the manufactured stone they are proposing. The side view shows the aggregate that the manufactured stone is made of. Some of staff's concerns include how visible that would be if the panel were broken. Additionally, that manufactured stone has a tendency to fade over time. The city has also seen instances when manufactured stone has failed and fallen off the building. Staff is not supportive of the use of manufactured stone, which is addressed in Stipulation No. 13. We are asking for the applicant to provide revised plans, replacing the manufactured stone they are proposing. Other changes to the elevations include elimination of some of the zinc metal panels. These are now being replaced with stucco or tile in various locations. Some of the design elements have been reduced. Perforated metal screens have been replaced with windows. Staff thought this was originally a cool and unique design element that is not seen elsewhere, and some elements such as this have been removed from the project. The applicant was originally proposing glazed brick in a grey scale with a bit of shine to it to give it a more modern feel. That has been removed completely, and the applicant is now proposing clay-fired brick in more of the traditional colors that are in Ranch Mart today. Staff feels this will change the character of the center from what you originally saw, removing some of those modern elements. The applicant is now proposing to retain a larger amount of the existing brick on the buildings as well. Most notably is the Price Chopper location, where previously, this was all being replaced with the modern metal panels. Now, the existing brick will remain, and the main entrance to the store is changing.

The character of the office and retail building they are newly constructing has changed as well. Notably, the first photo faces the interior of the plaza, where they had a two-story balcony. Staff was excited about that and thought it would really help activate the plaza space and create interest there. They have removed the second-story balcony and have proposed a row of windows on the top floor. On the north side of the building that faces the residential area, they had retail space proposed with a row of windows on the first floor. The applicant has stated that the retail is no longer going to be there, but that area will become the restaurant space. They have removed the row of windows on the bottom, which made the building much dressier from that side. We think it looked a bit nicer than the new proposal. They are proposing trellises to add some greenery and life back to that. They have lowered the height of the tower element on that side of the building as well. Originally, they proposed patterned glass with a tree motif. That was proposed to face the plaza area as well. That has also been removed.

Regarding changes in the site itself, due to shifting in tenant spaces, the applicant has changed the location of the southern cut-through to the plaza space. Previously, this was more aligned with the drive aisle and was visibly upon entering Ranch Mart. That has now shifted to the east, so it will be adjacent to the restaurant that is on the corner. Originally, this was a bit wider and had landscaping that drew the eye back to the plaza area; now, the applicant is proposing that some of that space be taken as patio seating for the restaurant tenant. At-grade lighting was proposed around the artwork that is in-grade. That design element has been removed. They originally proposed bollards to limit access to the plaza space. They have now removed the bollards and stated that they need to have access for trucks to enter for the restaurants and maintenance. They've made some slight modifications to the planter boxes that surrounded the restaurant space. It was one solid planter box before, and now it will be broken up with bench seating place there. They

originally proposed an interesting elliptical pavement pattern in the plaza area. The applicant stated that creating the pattern is not feasible; however, staff found it to add visual interest to the plaza space, so we would like to see some pattern created there. For instance, in front of the Hallmark location at the other end of the center, the applicant is proposing a circular pattern in the pavement. We would like to see that perhaps brought back here. There was also an interior kiosk, and they have removed that from this plan and added green space. Staff is stipulating in No. 15 that the applicant provide a pavement pattern within the interior courtyard to keep it a little more closely aligned to what was previously approved.

The applicant has also proposed changes to the site at the NBKC bank, which is on the eastern portion of the site. The existing bank does not have the amount of green space required by the LDO. The previous application on the left actually added a lot of green space to this site and reduced the nonconformity by adding green space and providing 7' sidewalks that wrapped around the building and provided access to the front door. Bumping out the green space actually reduced the overly wide drive width of about 45 feet down to the standard 24 feet, which is listed in the ordinance. The applicant no longer intends to meet the changes, which is increasing the nonconformity on the site from what was previously approved. The island in the southeast corner is no longer wide enough to support a tree. The LDO requires at least 8 feet in width. We have two stipulations to address the area. No. 11 states that the plan shall not increase the nonconformity of the drive lane widths across the site from the Final Plan approved with Ordinance 5173 in Case 04-19. No. 12 asks that the applicant replace the green space previously shown in the area.

The applicant has also added a number of flumes to the site parking lot to help channel the flow of stormwater runoff. Two of these flumes are currently existing. One is just east of McDonalds, and one is south of the bank. Staff is not supportive of the use of flumes in general. They collect debris and bisect some of the landscaped areas. They have the ability to ice over during the winter and are just generally a tripping hazard. Staff would like to see the site graded in a manner to eliminate their use, with the exception of the flume located south of the bank. This has an existing steel grate over it, so staff would exclude that from the requirement. Stipulation No. 14 addresses this by stating that the use of parking lot flumes shall be limited to the southeast corner of the NBKC Bank only.

A 3' tall screen wall is proposed to border the parking areas along 95th Street and Mission Road. The applicant previously proposed to construct this wall with stacked limestone. The applicant is proposing to change the material of the wall to a patterned concrete. Staff is not supportive of this change but would like to see the natural stone used. This is addressed in Stipulation No. 17.

Changes were also made to the Landscape Plan. The applicant retained the previously approved number of trees; however, they are proposing to change the quantity and spacing of some of the shrubs, perennials, and ornamental grasses on the site. Most notably, the applicant is proposing to increase the spacing of the ornamental grasses and also reduce their size from #1 container sizes down to plugs. We have included a graphic to demonstrate what those sizes would look like. Staff is concerned that planting these grasses 24 inches apart at the size of a plug would not be visually appealing and would not have the same impact as what was originally intended to create, at least not at the time of planting. The LDO also requires that landscape beds maintain 60% living

material, so staff is concerned that it would not meet that requirement. We have included Stipulation No. 18 to ask the applicant to change the size of those grasses back to #1 containers, which is what was approved previously. Stipulation No. 19 was addressed by the applicant prior to this meeting. You have revised landscape sheets in front of you on the dais. They reflect the McDonald's updated site landscaping that was previously not reflected on the overall Landscape Plan.

In general, staff feels that the applicant has reduced the overall quality of the materials within the development from what was previously approved with Case 04-19 and also some of the unique flair with some of the design elements that made this redevelopment project distinctive. Again, we see reductions to the landscaping, to the quality of the building materials, and to some of the design elements within that plaza area, which really made the Ranch Mart project a cool, unique thing. Staff would like to recommend that the Planning Commission continue this case to the January 28th Planning Commission meeting. We would like some more time to work through some of these changes with the applicant and maybe find a bit more middle ground on some of the things we would like to see and some of the changes they would like to make.

Chairman Elkins: Thank you. Questions for Ms. Schuller? I have a basic question. What is a flume?

Mr. Coleman: It's a gutter.

Ms. Schuller: It's kind of a cutout so water can flow through an island.

Chairman Elkins: Other questions? If not, Mr. Peterson, welcome to the commission.

Applicant Presentation:

Curt Peterson appeared before the Planning Commission and made the following presentation:

Mr. Peterson: This is a hard project. I know you realize that with redevelopment. I know that of all the projects I have had the opportunity to work on around the area, the project I get asked about the most is this one. We know this is important, and there is a large investment of man hours behind the scenes. Right at the outset, we recognize that staff asked if we could be continued to the end of January. Nothing would be more devastating to the owner, the team, and the neighborhood to have another delay. While staff said a lot, of the 45 staff stipulations, we're only going to break down five of them. With that, I want to give another brief overview remark before getting into the details. This is redevelopment, and it's very hard. What happened since spring when we had our Final Plan approved by City Council, we had three main drivers that led to changes. First was normal tweaking during the process. Another example is feasibility of design when dealing with an actual plan, including the courtyard. Lastly was durability of materials because there is maybe nothing more important to the ownership group of this center. There have been many conversations about how it has fared in terms of weather. They have no intention to not own this property for a long time into the future. You'll hear us go back to this issue of durability and the contractor input. We also had changes that were

direct outgrowths of redevelopment. To give an example is height. From an architecture and engineering standpoint, when dealing with a building that is this old, we find that we are limited in what we can do. Finally, changes have been initiated by tenants. We have engaged tenants along the way. An example would be the shift to the east of the southern access to the courtyard. We think the courtyard is of paramount importance, and that is how we can access it. Another example would be the Price Chopper façade. We have an anchor tenant, and everyone wants the grocery anchor. We're thankful for them, and this is how they ultimately want it to look. Chris will walk us through what staff did with a little different flavor. I'll come back up then and cover the five stipulations we want to discuss, and then we'll be available for questions.

Chris Haefner, Davidson Architecture and Engineering, 4301 Indian Creek Parkway, Overland Park, appeared before the Planning Commission and made the following comments:

Mr. Haefner: (refers to plan display throughout) Thank you for your time. I'm going to walk you through the plan and give you some highlights about what we were tasked with and what we tried to do based on some of the revisions that have come forward. The main point is the access points stayed the same. The throat depths that we collaborated so much on stayed the same. All of the big-picture items stayed the same. What you see here is an understanding of where green space was removed and where it was added. At the end of the day, based on this plan, we added about 253 square feet of green space to the originally approved plan. We felt great about that and felt great that we were able to keep and maintain those access points from a Site Plan standpoint. You're really getting the same product that was previously approved.

Curt pointed out that the mixed-use building stays. We're excited about the tenant mix that we're working with right now. Instead of taking a portion of the space for two restaurants, we need the whole space for them. It's exciting. They want to activate and use the south and west sides of that pedestrian plaza and open it up. The other portion you see here with the shift in the pedestrian pathway from the south drive along the front of Price Chopper is that access point now works in conjunction with our anchor tenant of that old Seasonal Concepts building. Instead, now the access point is moved over and creates opportunities for glass and other areas that we didn't have before with some of the existing tenant mix. The spacing of that pedestrian plaza is based on where existing tenant walls are. We couldn't encroach any farther either direction based on those limits, but we were able to create that pedestrian pathway we're excited about. Again, removal of the kiosk happened, and it was tenant driven, as Curt mentioned. When we got further into negotiations, that space wasn't wanted anymore. We've taken it out and replaced it with green space. I will point out that we had an elliptical pattern, and apparently it is very hard to construct at that scale. At Hallmark, we're doing circles around the fountain and around other features at that entrances. Those lines represent the access change between the mixed-use building and the existing building. Everything is slightly askew, but it all ties back into our building orientation and provides a little more continuity between the two. The ellipse stayed within the pedestrian plaza and didn't really encroach. We feel that this linear pattern really draws people back into that space a bit more. We had bollards between the new mixed-use building and where our new

restaurant is going. All that traffic is moving north-south, so we started to review that a bit more and decide if we needed bollards. We don't think that's the case. We definitely have them on the front as vehicles come in off 95th. We have worked with KCP&L to bury power lines not only along 95th and Mission but also behind the building. They said that we can't have bollards because they need free access to the transformers. We have grease interceptors for the restaurants. The truck still needs to be able to access those. As we thought more about it and worked with those companies, we removed the bollards.

Staff asked for us to do side-by-side elevations, and I'll explain the driving factor for the change. In our opinion, it really maintains the character of the modern building. We were tasked with looking at the existing conditions of the wall. Our main intention was to keep the brick wall in place where all of the tenant access points were. The tenant features happen at the pedestrian level, behind this canopy. Then, we worked with the height of the parapet. Previously, we had it as a canopy 2-4 feet taller. We reduced the height, which allowed much less stress on the kickbacks on the existing parapet. We have a structural system and a structural line in front of this. All of that shake roof goes away, but we still create that continuous pathway that keeps customers protected as they walk around the center. This is simply a reaction to how we have to build this, cleaning up the structural lines a bit and reducing some of the redundancy in columns that we had throughout the project in creating some depth, still with opportunities. We don't feel like this has changed the flavor or the intention of the west elevation from the top to the bottom. It still reads as a modern project and an exciting redevelopment that we're happy to present today. The spacing, cadence, and landscaping from a vertical standpoint have all remained throughout the project. We're excited about the shift to be able to get a bit more pedestrian activity right at the corner of the restaurant that we're proposing.

We talked about the detailing of Price Chopper, working very closely with the tenant not only on the look of this building but also maintaining really good masonry that's in place and trying to celebrate that a bit more than putting panels over it that took away some of that character. We're trying to blend not only the character of Ranch Mart but a new modern take on it and not just completely abandon what we have here and what we've had for 60 years of people enjoying this shopping center. It was really a marriage of those elements to try to come up with something that still matched the aesthetic and intent we showed you originally and working with tenant feedback.

We touched on the mixed-use building. The restaurant at the far east end has aesthetics that work great and provide a modern access point throughout the project. On the east end, we still keep the pedestrian connectivity from our parking lot through that and to the pedestrian plaza. We have tried to maintain that aesthetic throughout all of this.

This all leads up to landscape changes. We got a contractor involved. We interviewed three reputable landscape contractors and did due diligence on their work. What we provided back was really a reaction to contractor commentary on what they could grow locally, what's going to be successful, the spacing that works the best for this sort of vegetation in this. It's important for us to point out that we didn't change the character of this; it was simply a reaction to how to make it work in this climate with the materials we wanted to provide. All this is moving forward. We're working closely with KCP&L. They've been engaged. Work is starting on their part to do all the underground work for these lines. We have a demo permit in place. There's a short time frame for the northeast corner of the property where the mixed-use building will go. We also have

permit-level plans for some of the storm sewer work and things we found throughout the site that needed attention. We haven't been working for months just on this refinement; there have been a number of other activities going on to try to keep this project moving forward. With that, I'm happy to answer any questions about the overall design. We can get into the stipulations that we'd like to talk about this evening.

Chairman Elkins: Are there questions, or would you prefer Mr. Peterson to go through and ask question afterward? Mr. Peterson, go ahead.

Mr. Peterson: As I said, what will come on the screen is a very short summary for your reference of the five stipulations we'd like to talk about. We are fine with the other 40 stipulations that staff has proposed. With respect to those on the screen, the first is No. 13. It states, "The applicant shall provide a revised plan replacing all manufactured stone with natural stone." First, stone is used on the buildings as an accent material. It's approximately 9.5% of the material on the overall building. We brought in material boards. I wasn't present, but I read about the work session on the idea of manufactured stone and whether it has a place in the city in commercial applications. I studied and worked with the architectural team because this is an important point for the team to understand and not just come in here and act arrogant and say that we know you just passed this and City Council will consider it in January. It seems that while there are some bad applications of manufactured stone. To sum up what was wrong, there were bad applications of sub-par material that wasn't integrally colored so when it broke away, it showed aggregate. I can't underscore more that there is bad application that occurs. I say all that for a context point. What we'd like for you to consider is a material that is integrally colored and meets the ASTM standards for this, both in terms of material and application. It is very rigorous. We are asking to use a material on less than 10% of the building that we think is truly superior in terms of durability. Frankly, we think you'll see it is aesthetically pleasing. I know there is a warranty for approximately 50 years. This is a top-of-the-line product in the industry. It is not what you've seen around town that has been improperly installed. Lastly, we're asking for deletion of Stipulation No. 13 because we think it would be a good move, given a great product with proper installation. This is more of a technical point, but it does comply with the LDO right now. We are a pending project, and we haven't gone to City Council yet. I don't like to end with that because it's a technical point, and the main point is that we want to use this product, and we hope you see why

Mr. Haefner: In the architectural community, we have found that the dry-stacked stone that might have a painted finish to it may get chipped and break. It is a layer of paint that makes that difference. I think it's important to note that this is a thick panel, intricately colored, and is much different than what you would see in that dry-stack look. I would also point out that real stone has the same application problems as applied stone. It all comes down to meeting ASTM standards and ensuring that it's put on the right way. That's our point: not to go against what you approved, but we agree that a painted stone isn't the right answer for any city, especially Leawood. It's about the application, and that's where we commit to making sure this material and anything else we put on the building is put on to stand the test of time.

Mr. Peterson: Stipulation No. 14 is the second we'd like to discuss. "The use of parking lot flumes shall be limited to the southeast corner of the bank only." As you saw, staff put up the exhibit that shows passageways for water (flumes). There are five instances of that on the Site Plan. Two exist: the farthest west and farthest east. Effectively, we are talking about the four to the west. In a perfect world, if we were building a new shopping center, we could just grade it as staff pointed out. It's a bigger deal. We're either putting in boxes, culverts, and new stormwater inlets at these locations to take the water, or we're doing significant grading that we don't have in the budget and have never planned. I don't say that to give you a bad solution or answer. The solution is having a couple flumes in the redeveloped shopping center is not a big deal; it's very common. We're going to put a couple images up from a great redevelopment success story that also happens to be in Leawood: Camelot Court. Flumes are all over the place. It's a totally normal application in a redevelopment. To keep it in context, we're talking about adding three additional spots based on what is there now. A technical point of this is that these were always part of our plans. We didn't do a good enough job of calling it out, but we never planned to put in new box culverts or do a massive regrading of Ranch Mart. We would request you to remove Stipulation No. 14 so we can have these additional flumes.

The third stipulation we would like to discuss is No. 15: "The applicant shall provide a paving pattern within the interior courtyard." Instead of just asking you to delete it, we ask to clarify/delete. We believe the pattern that is proposed now instead of what the contractor told us was crazy. You can see an image of the irregular scoring to provide interest. In fact, it ties into the southern eastern entrances and the decorative scored linear artwork in the pavement. This is just an extension of that. To me, it makes total sense. Staff pointed out another instance in the shopping center with architecturally interesting pavement in front of Hallmark. That is in a circular shape. It's a good point, but there are several important distinctions to make and why we would like to get your support not to get away from having a paving pattern but making sure that the pattern will be linear with irregular scoring. The reason it's not the right move to support staff's question or probe about moving the Hallmark-style circular pattern really looks at the fact that the scale is entirely different. The courtyard area is huge, and the Hallmark area is small. It's a poured feature, and we're just not going to be able to pull it off. Plus, it will create durability issues with maintenance, partly because it's a purely pedestrian feature at Hallmark, and it's an occasional utility vehicle or more often grease trucks. We think it's a much better move to stick with the linear pattern and use that feature rather than try to import the circular pattern from Hallmark.

The fourth is No. 17: "The applicant shall provide revised plans showing a 3' screen wall surrounding the parking fields, constructed of natural stone. In this instance, our plans are showing a poured wall (*shows examples*). I think these are compelling. It is not cheap, and it's certainly not second best from an aesthetic standpoint. We have significant landscaping and berming. We're not trying to hide it because I think it will look very good with those forms, but we also have significant landscaping. I call that a context point. Let's get to a functional point of why we think it's a superior application as compared to stacked-stone. One is the amount of salt and deterioration that will happen because of the salt. Frankly, large mowers will be right up against the wall, and we will not have the same 30-40-year durability. I know there are certain neighborhoods in other

places around Leawood that many of us know well that do have stacked stone, and it looks nice. That's a different application. There is one that shows the sheeting. It is not incredibly durable. We have a high-end concrete product. We think that's the long-term solution for Ranch Mart.

Mr. Haefner: What you're seeing here is us lessening the effect of that wall along 95th and Mission. Not only is that 3' wall in, but we then created landscape berms that creep up and undulate up and down those walls. That really hasn't changed from the original submission. I appreciate screen walls, and I understand their purpose, but sometimes, they're pretty stark. Our client gave us the opportunity to soften those walls not only on the street side but also on the vehicle side. If you remember, we brought that sidewalk on Mission inward and dropped it low to keep it away from that traffic, especially for the Cure traffic. It's finished concrete, and we're trying to show that we're still maintaining that aesthetic, but we're also trying to provide the durability. It would be a shame to use all these natural stones when we have a lot of earth up on them to grade them even faster with salt as well.

Mr. Peterson: As a closing technical point on this, this is not asking for a deviation or variance; this is allowed under the LDO. The final stipulation we would ask you to consider is No. 18: "The applicant shall revise the size of the natural ornamental grasses from plugs to a #1 container size." Staff showed you the picture of the difference between the two. I know we've said this several times, but this is directly from the landscape contractor and not just the designer or architect. Whether it's local sourcing and making sure they can get enough health product and put it in, in the spring to wondering why a project such as this with scarce resources would have them so close together. I'm talking about the ornamental grasses. We are putting in 6,837 ornamental grasses. This will not look bad. It will take a season to grow in, but it grows in. You can't get rid of this stuff. This is just a practical point. It will look really good. I'll also point out that the LDO allows this. We have plant material all over the place. With that, before we open ourselves to questions, I'll end somewhat how I started. The idea of a delay when we're teed up for demolition and permit submission will slow us down. Please consider the requests for these five stipulation deletions/clarifications. I'd be happy to answer any questions.

Chairman Elkins: Thank you. Before we ask questions of the applicant, I have a question for staff. As I understood, the staff's recommendation is denial. If we should choose to go forward, staff's backup is these stipulations; correct?

Mr. Klein: Correct. The way the application is currently proposed, staff can't support it. Our recommendation is denial. We have stipulations in case the Planning Commission were to approve. Really, we would like to see an opportunity to work with the applicant to try to find some resolution to this.

Chairman Elkins: The major reasons for that failure to support have to do more with the configuration of the plan generally; is that correct?

Mr. Klein: A lot of it has to do with loss of what we feel to be quality of materials, landscaping, and lushness. Some of it does refer back to the LDO. They talked about the east side of the bank with open space. When they did that, they took a very wide drive aisle and corrected the situation. The LDO requires 24 feet for two-way traffic. This one removes the green area, and now it is back to 45 feet in width, which doesn't meet the LDO.

Mr. Peterson: We've agreed to that stipulation.

Chairman Elkins: I'll ask my question a little differently. There's a 16% reduction in square footage of the two-story mixed-use building and some other fundamental changes to the size of the development. You didn't mention any of those things when you just described your objections. Is it correct that staff is fine with those changes?

Mr. Klein: Staff is willing to work with the applicant. We understand that changes occur based on engineering and tenants. Staff's bigger concern is the fact that it seems like the richness of the project, including landscaping materials, details, and amenities, has all been reduced.

Chairman Elkins: Thank you. Questions for Mr. Peterson?

Comm. Block: I guess I'm confused. I thought the process should be that you submit a Preliminary Plan, do all the stuff you're asking for tonight, and then go to Final Plan. It seems like you've done that and then gone out and did homework and found out it didn't work, leading to redoing the whole thing. Did I miss something?

Mr. Peterson: There is rarely a time on a massive project like this that we don't run into issues like this. Sometimes, it can be administratively approved; other cities require a revised plan. This isn't that unusual in redevelopment. It didn't surprise me at all. You wouldn't have seen this often in Leawood.

Comm. Block: You've been on this project the whole time, so I assume you looked at the structures to see what could be supported and said it made sense. Now, something has changed, and now it doesn't work because of what?

Mr. Haefner: We didn't have a structural engineer previously. We have one now that brought a lot of helpful insight into how we would build all of these buildings. The other important factor is we didn't have our general contractor in place, which is normal. We came to a point where we were able to go out and do selective demo to understand some of what was underneath everything so we could understand the best way to present a high-quality project.

Comm. Block: What about with the landscape architect? Did you engage a local one, or was it someone from another state?

Mr. Haefner: They are local with national offices.

Comm. Block: How did their plan differ from the execution by the contractor? Wouldn't they know about species' growth?

Mr. Haefner: A lot of this work included a great deal of owner interaction. Just like architects, landscape architects might not know what the contractor has available and what grows specific to what that particular contractor has available. They were able to come back and provide these suggestions. Again, it still meets every ordinance on landscaping, but we're able to get it to a point where they felt it had the best success rate.

Comm. Block: I'm not sure if I understand what you're saying about being available. Is the larger size not available? That phase of the project is way down the road. They should be able to grow or source what they need. It seems like a cost issue, not a sourcing issue.

Mr. Haefner: There was part of that and also spacing. We set them up on a 24" triangular grid instead of the 18" grid to help it grow and mature. These grasses will take off, and if we have too many, they'll choke each other out and lead to fewer than we started with.

Comm. Block: Mr. Peterson, you referenced Cosentino's preferred the brick.

Mr. Peterson: My understanding is that Cosentino's decided that the metal panel look for the whole frontage does not meet the image for the brand for their price point and who they are. We went back to brick.

Comm. Block: It just seems odd that someone wouldn't have gone to them before this stage.

Mr. Peterson: The discussion was ongoing.

Comm. Block: Is the 3' wall around the perimeter with the scaled-back landscaping or with the original plan?

Mr. Peterson: The scaled-back landscaping.

Comm. Block: I don't recall when we considered the change to the ordinance regarding stone that there was any testimony by anyone from the public.

Mr. Peterson: We usually keep track of these things but didn't know anything about it. We try to be involved but were not aware. We work with Olathe and Overland Park on that and apologize if it was our miss.

Comm. Stevens: This may be back to staff's development of the stipulations. In staff's presentation of changes and feeling of loss in character and scale, some of those items aren't stipulations, such as the building height and removal of bollards. Does that fall into your comment of general character changes?

Mr. Klein: That's part of the recommendation for denial. It's difficult to call out every decorative screen and every bollard. With regard to landscaping, staff has a concern with regard to the LDO. Landscape beds have to be 60 living material. Our parks superintendent is very much involved in these matters, and he didn't understand why they're going down to plugs. It really can look like just a few sprigs in the sod, and they're proposing 24 inches between each one. We have to sign off on the projects before a Certificate of Occupancy is granted. If it isn't at least 60% of living material in those islands, we can't sign off on it. That's not a position we want to be in because we like the project and want it to succeed. We thought the previous one had a lot of great elements; it's just that we were a little surprised when this came through. That's why we're asking for a continuance so we could have time to look at these.

Mr. Coleman: I was looking at the fly-through, and the difference between that proposal and what was sold to us and this was significant. With regard to manufactured stone, we had the sessions because staff can't vet every manufacturer. Some are better than others, and that is one of the reasons we didn't want to have manufactured stone on the facades of commercial buildings. One manufacturer might be good; one might not be so good, regardless of ASTM, which is usually a minimum requirement. In my experience, when I came to Leawood, one of the first time I went out to look, manufactured stone came off in my hand. That was one of the things. The other thing is we notice in the official newspaper the LDO changes regarding that. The main point is we can't vet every manufacturer. You might get one building that's perfectly fine and another that is not. Leawood has always upheld high standards as far as buildings. That goes back to cast-in-place concrete forms with stone look. On the south side is real stacked stone. That's where we're coming from.

Comm. McGurren: If we vote for denial or if the applicant chooses to continue until January, do you believe there is a sufficient time period that enables movement back toward what was originally approved seven months ago or a transition to something between that becomes acceptable?

Mr. Klein: There is sufficient time to do that. Again, we've been talking with the applicant. They came to us and said they had changes as a result of tenant mix. We thought we could support it. When the application came through is when we realized so many other things were changing. We tried to let them know our concerns. If we had known about the flumes, manufactured stone, and reduction of landscaping, we would have said it at that point. Again, we want this to succeed. When they came previously, it looked nice with a lot of detail. They obviously put a lot of thought into it and did a lot of hard work. We were a little surprised that it seemed like it was stepping back.

Comm. McGurren: What has been accomplished on site in the last seven months?

Mr. Peterson: We're mainly on pause because we're trying to work through this process. If it was easy and we could do what we had approved in April, we would have done it by now. We haven't mobilized; it's all working toward mobilizing, demo in January.

Comm. McGurren: Didn't you have final approval in April?

Mr. Peterson: We have to do construction drawings and permits. The problem is we figure out our contractor, and they start bringing up the concerns. This is really hard. While we hope there is a majority of you who could find a way to support the stipulation revisions and deletions and recommend this to City Council, I would ask that no matter what, we have to find a way to move forward. Having a discussion for 60 days and letting the project sit until January will do nobody any good. As staff said, it's not like this was a surprise. We've talked with them for weeks. I just don't think there will be a lot of changes. I keep hearing staff talking about quality of the project. I personally think that's an exaggeration. When you look at the side-by-side perspectives, you get an entirely different view. I know many on this project team did a huge redevelopment ten years ago and had some of the exact same situations. This team knows how to create a Leawood-quality redeveloped shopping center. If we had come forward with everything we came forward with tonight and had perfect knowledge back in April, it is my personal opinion that it would have been approved with some stipulations to talk about. It's unfortunate that we came forward with something we couldn't do

Comm. McGurren: It seems very odd. Why would you bring forward exactly what you wanted to get approved and get it approved and then have it not be feasible?

Mr. Peterson: I feel like it's repetitive. We didn't have all the contractors on board or a structural engineer.

Comm. McGurren: You just stated in the Corinth example that you learned some of the same things, and yet, they're coming up again.

Mr. Peterson: All I can tell you is this is redevelopment. This is the way it works.

Comm. Coleman: I have a question for staff. You're recommending denial but are also recommending a continuance. What is your preference?

Mr. Coleman: We'd prefer a continuance to work with them and work out a compromise. I've been working on this as long as anybody – nearly a decade - and we want to see it happen. We've seen many iterations, and we don't see that 60 more days will make a huge difference when this has been in process for more than six years.

Comm. Coleman: We're commenting and asking questions. I can't recall another project where we have given final approval and have so many changes coming in. My gut was thinking bait and switch when I was looking at this over the weekend. I'm not saying that's what your intent was, but to me, this is not what we agreed to and not what we passed. I remember in the spring, everybody was happy and thought it was a great project. I agree that we are stepping back a bit. The project that we all supported and thought was great for Leawood is different. I get a little sick in my stomach looking at everything that is changing. I'm not on board, even with the stipulations. I think we're

rushing this through. We've had many months since final approval to get to this point. I'm surprised that we're at this point right now.

Comm. Peterson: I do share Mr. Coleman's feelings. I was shocked reading through this because there are so many little changes from what we already approved. I honestly don't see anything to persuade me that, just by dropping five stipulations, would be acceptable.

Mr. Peterson: We have tenant obligations. I keep mentioning the weeks from now that we need to start. We have contractual obligations. If the majority sentiment was the same as Mr. Coleman's, we would respectfully ask that you recommend denial and move this to City Council because this project needs to die or live. We really have to move forward. If it's going to die at City Council, it dies, but we need to keep moving.

Chairman Elkins: Other questions? I have a few. With respect to the mixed-use building, there is a reduction of almost 3,000 square feet in that building. What were the circumstances that led to the reduction in the usable space in that building?

Mr. Haefner: We cleaned up some of the lines. We got a little more room for the plaza, based on some of these restaurant uses that needed more patio space. That square footage sounds misleading, but when is taken off one floor, the second has it as well. These are total square footages we're looking at. It goes back to tenant feedback with these two restaurants and where they saw the value in those spaces. Some of the space dealt with stairs, bathrooms, and other design features. It is all based on how we interacted with the tenants.

Chairman Elkins: It looks like it's more than 10% reduction. The height was reduced by 3 ½ feet. Was that due to structural constraints or some of the other buckets like tenant demands and aesthetics?

Mr. Haefner: More so just the height between floors with some of the uses with the restaurant not being needed. We're talking with an office user that would probably take the entire upper floor, which is why they didn't need some of those balcony spaces. We've reacted to all of that. We're still screening. The stair tower didn't need to go to the roof, so it came down. The structural system changed, and everything dropped.

Chairman Elkins: What about the business with the balcony? It was a really interesting attribute. Why did we lose it?

Mr. Haefner: It was an interesting attribute. We still have the canopy. We still have the look and feel of that patio space on the west side of the restaurant use. It was never going to be a public space because we've got an office tenant that's going to take the entire floor, and nobody is using that space that way. We do still have space on the south façade that reacts, but along the west edge is a canopy because it's just not needed.

Chairman Elkins: With respect to the question of manufactured stone, one of you mentioned a 50-year warranty and superior durability. This particular manufacturer is a

company called El Dorado. How long have they been manufacturing this example of manufactured stone?

Mr. Haefner: I believe 2015 is when they started it as a reaction to people wanting a bit more modern line of stone products. They do a lot of integrally colored stacked stone, and this is a more modern use.

Chairman Elkins: Other than the aesthetic, has this manufacturing process changed? How long have they been using that process?

Mr. Haefner: Let me see if I can find it in my notes.

Chairman Elkins: Let me get to my point here. It's a fine thing to have a 50-year warranty. I'm curious as to whether there is an example of El Dorado stone that has been in place for 50 years.

Mr. Haefner: There's not. It hasn't been around for 50 years. I would say early 2000 is when we started seeing this look coming forward. They have a 50-year limited warranty, and our point to that is that it's not necessarily a material issue. We agree with Planning Commission: if it's integrally colored, it's an application challenge to meet the ASTM standards. It comes down to having a good contractor and good special inspections to make sure it's all in accordance with what we're requiring.

Chairman Elkins: I'm going to get to the application soon, but with respect to the manufacturing process, have you seen examples that go back even 20 years of this product being applied and how it has weathered? You claim greater durability than the natural stone. Do we have examples of that?

Mr. Haefner: We have used a lot of other products when clients want the limestone look but don't want the degradation of that limestone with salt applications and things like that.

Chairman Elkins: I understand that's what the manufacturer is telling its clientele; I'm just curious if there are proof points.

Mr. Haefner: I would say our development at KU Med that we did 8-9 years ago.

Chairman Elkins: Still looking at 20% of the warranty. You make the point on application that one of the issues related to the ordinance suggested that many times, the issue with manufactured stone has to do with application and not manufacturing. Apparently, you've got contractors to install this. What kind of warranty are they giving?

Mr. Haefner: One-year installation warranty. He's going to make sure it is maintained and keep a client for life.

Chairman Elkins: Again, we're talking about the 50-year warranty. What's really important is the application and the contractual commitment. With respect to the 3' wall, you're proposing to move from natural stone to concrete?

Mr. Haefner: It was a little ambiguous on the original plan. It just said, "stone." We're trying to go to something to be durable. We feel this is the right application for that.

Chairman Elkins: Perhaps I misspoke. Instead of changing from natural stone to concrete, you're proposing concrete.

Mr. Haefner: Correct.

Chairman Elkins: As I recall, there's a retaining wall on the Ranch Mart development in Overland Park on the south side of 95th Street. What's that wall made of?

Mr. Haefner: It's concrete with a brick face. Again, that's acting as more of a retaining wall. If you think about how high Starbucks is, the wall is acting as a retaining wall at that point. We're doing a screen wall.

Chairman Elkins: I was trying to get a sense for another proof point on both the look and the durability of the concrete. Apparently, it's apples and oranges. Mr. Peterson, you may have already addressed this when you accepted the balance of the stipulations. There's a reference in the case to a 7' sidewalk on the bank building that was removed. What happens to that sidewalk now?

Mr. Peterson: The stipulations addressed narrowing of that drive to the east. That's what I was referring to in adding the green space, not adding the expanded sidewalk on three sides.

Chairman Elkins: So, the sidewalk comes out.

Mr. Peterson: Correct.

Chairman Elkins: With respect to Stipulation No. 15 on the scoring, tell me a little bit more about the scoring process.

Mr. Haefner: Saw cuts that create a cadence that are stacked. We set up a 4x8 grid based on the alignment of the old Seasonal Concepts building and the mixed-use building, which are slightly askew to each other. We took that grid and started to remove very specific patterns to create not just a 4x8 grid throughout the whole thing, but creating an interest in a 12' section, an 8' section, a 16' section, all working to mitigate cracks and all that, which is really what saw cuts are for. We're just doing it in a more inventive way that relates back to the building alignments.

Chairman Elkins: You made the point that the flumes were in place at Camelot Court. What has the owners' experience been with the accumulation of garbage and whatever else in those flumes?

Mr. Peterson: I can't say that I have had a conversation about that. Like many of you, I go there all the time, and I'm always observing nerdy thing. I don't recall that ever standing out in my mind as something. I'm sure it can happen at times, but I don't remember it being a prevailing problem. One thing that I usually wouldn't say in front of this body but that is just something that is irrelevant. I feel like there's a subtheme of skepticism that this has somehow been cheapened. For what it's worth, this project is more expensive than the budget that was approved in the spring. There's nothing cheap about it.

Chairman Elkins: Thank you. Those are my questions. Are there additional questions? That takes us to comments from the commission. We've had a fair amount already. Are there other comments?

Comm. McGurren: I'm prepared to make a motion if you're ready.

Chairman Elkins: I'll just make a couple comments. I think that ultimately, whether we proceed or not is in the hands of the applicant, who has made it clear that, regardless of the outcome here tonight, they wish to proceed. While it may be that staff and the commission would prefer to have more time for staff and the applicant to move through this, they're certainly within their right to ask us for a recommendation to Governing Body. I am concerned about the overall configuration of the project. We didn't really get into that. Frankly, the way staff has articulated objections, they are not to the reconfiguration of the project as much as they are around some of the aesthetic features. That is fine. I have my own concerns about the way the reconfigurations happened. As Mr. Peterson says, that is part of what happens in the redevelopment context. I am torn with respect to the use of natural stone versus concrete on the retaining wall. All we can work from is our own personal experiences, but in walls that I've had constructed by people who know what they're doing, limestone looks great for the first five or so years, but it's going to react with water and have the sloughing process over time. I worry about the interaction of water and ice with the limestone, especially when added to the street chemicals we use. I'm troubled with the idea that we've made a decision about manufactured stone, even though we're waiting on a decision from Governing Body and the LDO has not been amended, and we are looking at making a decision on it tonight. Those are a couple of my random thoughts. Are there other comments? If not, Mr. McGurren, I'll give you a chance to make your motion.

A motion to continue CASE 120-19 – RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan, located north of 95th Street and east of Mission Road – was made by McGurren.

Chairman Elkins: I'll look to staff and maybe counsel, but I'm not sure that motion is within our jurisdiction. As I mentioned before, the question of a continuance is one that belongs to the applicant. I don't think that we have the authority to continue.

Ms. Bennett: You can if you get a second upon staff's recommendation.

Mr. Coleman: We've continued before. In some cases, staff has continued the application when we felt there wasn't sufficient information to present to the commission.

Chairman Elkins: Over the objection of the applicant?

Mr. Coleman: I believe so.

Mr. Klein: I believe we have. If we have an application come forward that doesn't have enough information to bring it forward, we definitely have continued them until we get the information.

Mr. Peterson: That's a totally different situation as an incomplete application. This is a big deal. That's why I'm speaking.

Motion seconded by Stevens.

Comm. Coleman: We've had something similar before where the applicant requested that we either approve or deny to move it on to Governing Body. We could continue it, approve it with stipulations, or deny it. If we deny it, it's our recommendation to City Council that we deny, and they can take action on it. They can approve it with stipulations, remand it, or deny it. With the client wanting to move it on, I agree with the chairman and that a continuance isn't appropriate. In my heart, I'd like to do a continuance. I'd like for them to try to work something out, but because the client doesn't want it, I think another option would be best.

Chairman Elkins: Other discussion about the motion. Seeing none, I'll ask for a hand vote. Do we need to continue it to a date certain?

Ms. Bennett: I would continue it to the next available meeting, which is the January date.

Chairman Elkins: Do you agree for your motion and second?

Comm. McGurran: Yes.

Comm. Stevens: Yes.

Motion did not carry with a vote of 2-3. For: McGurran and Stevens. Opposed: Peterson, Block, and Coleman.

A motion to deny CASE 120-19 – RANCH MART NORTH SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan, located north of 95th Street and east of Mission Road – was made by Coleman; seconded by McGurren.

Chairman Elkins: Any discussion on the motion?

Motion carried with a unanimous vote of 5-0. For: McGurren, Elkins, Coleman, Stevens, and Peterson.

Comm. Coleman: May I request a five-minute recess?

Five-minute recess

Chairman Elkins: The commission will come back to order, please.

CASE 121-19 – CITY OF LEAWOOD PUBLIC ART – WOMEN OF THE WORLD – Request for approval of a Final Plan, located south of Town Center Drive and west of Tomahawk Creek Parkway.

Staff Presentation:

City Planner Ricky Sanchez made the following presentation:

Mr. Sanchez: This is Case 121-19 – Women of the World – Request for approval of a Final Plan, located south of Town Center Drive and west of Tomahawk Creek Parkway. This art piece will be located in the Justice Center pedestrian courtyard area just south of Town Center Drive and west of Tomahawk Creek Parkway. This art piece was previously located in front of the Nuetera Capital office building just on the west side of Tomahawk Creek Parkway. The city has purchased the art piece and plans to locate it in the middle of the big circular pedestrian courtyard in front of the Justice Center. The structure will sit on a 4' cube made of cast stone made to match the existing façade of the Justice Center. In total, the art piece should stand about 12 feet in height with a circumference of 8 feet. A plaque is also proposed, which will name the art piece, the artist's date of creation, and the dedicator. The art piece will be surrounded by river rock with existing landscaping surrounding the interior walkway. The application meets all requirements per the LDO, and staff recommends approval of Case 121-19 with the stipulations listed in the Staff Report. I'm happy to answer questions.

Chairman Elkins: Thank you. Questions for Mr. Sanchez? Seeing none, Ms. Claxton?

Applicant Presentation:

Chris Claxton, Director of Parks and Recreation, appeared before the Planning Commission and made the following comments:

Ms. Claxton: I also have April Bishop with me tonight. She will be retiring on December 22nd.

**City of Leawood
Planning Commission Meeting
March 26, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting - 6:00 p.m.
Leawood City Hall Council Chambers
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160**

CALL TO ORDER/ROLL CALL: McGurren, Belzer, Hoyt, Coleman, Block, Stevens, and Peterson. Absent: Hunter, and Elkins.

Mr. Klein: We don't have a Planning Commission Chair or Vice Chair, so the first order of business is to elect a Chair Pro-Tem. I would ask if anybody has any nominations.

A motion to nominate Commissioner David Coleman for Chairman Pro-Tem for the March 26, 2019 Planning Commission meeting; seconded by Belzer. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

Mr. Klein: We will have an election of officers at the end of the meeting for Chair, Vice Chair, and Secretary.

Chairman Coleman: I'd like to introduce two new members of the Planning Commission: Steve McGurren and Art Peterson; welcome. Second is the approval of the agenda. Does staff have any changes?

Mr. Klein: No.

APPROVAL OF THE AGENDA

A motion to approve the agenda was made by Stevens; seconded by Hoyt. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

APPROVAL OF MINUTES: Approval of the minutes from the December 11, 2018 Planning Commission work session and February 26, 2019 Planning Commission meeting.

A motion to approve the minutes from the December 11, 2018 Planning Commission work session was made by Block; seconded by Hoyt. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

A motion to approve the minutes from the February 26, 2019 Planning Commission meeting was made by Block; seconded by Stevens. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

CONTINUED TO APRIL 23, 2019:

**CASE 24-19 – THE MAJESTIC – INDEPENDENT LIVING FACILITY – Request for approval of a Preliminary Plan, Preliminary Plat, and Special Use Permit for an Independent Living Facility, located south of 137th Street and west of Mission Road.
PUBLIC HEARING**

CONSENT AGENDA:

CASE 20-19 – MANFIELD MULTI-TENANT BUILDING – Request for approval of a Revised Final Plan, located south of 103rd Street and west of State Line Road.

CASE 21-19 – TOWN CENTER PLAZA – AMERICAN CENTURY INVESTMENTS – Request for approval of a Revised Final Plan for changes to the façade of a tenant space, located south of Town Center Drive and west of Roe Avenue.

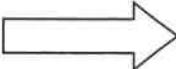
CASE 22-19 – TOWN CENTER PLAZA – POTTERY BARN KIDS – Request for approval of a Revised Final Plan for changes to the façade of a tenant space, located north of 119th Street and east of Nall Avenue.

CASE 23-19 – ENCLAVE AT HIGHLAND VILLAS, FIFTH PLAT – Request for approval of a Revised Final Plat, located south of 143rd Street and east of Nall Avenue.

Chairman Coleman: There are four items. Would any of the commissioners like to pull any of these cases?

A motion to approve the Consent Agenda was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

NEW BUSINESS:

 **CASE 04-19 – RANCH MART SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan and Final Plat, located east of Mission Road and north of 95th Street.**

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 04-19 – Ranch Mart North Shopping Center – Redevelopment – request for approval of a Revised Final Plan and Final Plat. The Preliminary Plan for Ranch Mart was approved in December, 2018 with Case 115-18. With this case, the applicant proposes to improve the parking lot of the entire center, consisting of a mill and overlay. They will update and add additional parking lot islands with landscaping and lighting. Additional landscape islands are proposed north of McDonald's to improve the

circulation on the site. The applicant also proposes to eliminate the existing driveway entrance along 95th Street between the McDonald's entrance and the stoplight to the east. The applicant proposes 5' sidewalks along 95th Street and 7' sidewalks along Mission Road as well as 5' sidewalk connections from 95th Street up to the main center. The applicant proposes street trees, shrubs, grasses, and a 3' parking lot screen wall along 95th Street and Mission Road with the exception of the McDonald's frontage. The applicant proposes updated facades and roofs for the main center. The materials generally consist of the grey-tone brick and tile, accented with natural wood tones on the awnings and metal perforated screens used as accents throughout. The pharmacy drive-through is proposed in approximately the same location as the existing grocery store pickup location. A portion of the main center will be demolished for use as a pedestrian plaza space, including landscaping, seating, and lighting. On the northeast corner of the site, the applicant proposes to demolish the existing structure and provide a 27,597 sq. ft., two-story office and retail building. The proposed two-story building will have a second-story balcony that overlooks the plaza space. The overall square footage of Ranch Mart is decreasing slightly from 221,552 square feet to 218,057 square feet. The existing structures of the McDonald's, NBKC Bank, and CareNow building will remain. There are multiple art features that are shown on the renderings in your packet; however, the art features are not finalized and will come back for final approval at a later date. Ranch Mart was originally developed prior to the adoption of our current ordinance, so a number of the setbacks onsite do not comply with today's Leawood Development Ordinance (LDO) but are considered legally nonconforming. The applicant is not increasing any non-conformity on the site. Staff does recommend approval of Case 04-19 with the stipulations in the Staff Report. I'm happy to answer any questions.

Chairman Coleman: Are there any questions from the commissioners?

Comm. Block: Thank you very much for the summary; it was very helpful with the changes from the last one. It helped navigate the packet. I was curious about the wood light poles. Why were you only concerned about the east-west and not all of them as far as maintenance?

Ms. Schuller: That concern actually has been resolved. The applicant was originally proposing a dressed-up light pole in front of the center as a feature. Staff had concerns about the long-term maintenance of those, so the applicant has agreed to remove them and use the regular pole that will be used in the rest of the site.

Comm. Block: Then maybe I misunderstood. I thought those wood poles were throughout the site.

Ms. Schuller: It was just at the entrance.

Comm. Block: It looks like the trash enclosure situation was dealt with.

Ms. Schuller: That is correct; the Board of Zoning Appeals ruled on it.

Comm. Block: It will go over by the bank. What does fritted glass look like?

Ms. Schuller: There should be an image in the back of your packet. It's a patterned glass. They are proposing a tree element. There is also a different example on the material board.

Comm. Block: I think the last time we talked about this, we discussed traffic flow around McDonald's. I don't remember the details exactly, but leaving McDonald's close to Mission, will there be a left turn allowed there?

Ms. Schuller: Yes, it will be as shown on the plans. I will let the applicant further address this, but I believe they reached out to the owners of that portion of the site, who was unwilling to make changes.

Chairman Coleman: Are there other questions?

Comm. Peterson: I'm curious why there is a difference in the parking slanting between the parking between McDonald's and everywhere else. Is there a specific need that is met by having slanted parking versus straight-in?

Mr. Klein: The angled parking requires traffic to flow in one direction.

Chairman Stevens: On Page 4, some of the staff comments refer to the 7' sidewalk along Mission Road except along the McDonald's pad site. I know staff is recommending it to be reduced to a 6' sidewalk. This is also one of the stipulations.

Ms. Schuller: That is correct. In locations where there is a wall directly adjacent to the sidewalk, we require it to be a 6' width, which is why we added that stipulation. Otherwise, on the site, 5' sidewalks are required.

Comm. Stevens: The applicant has done a good job in documenting that condition along that site, so the 7' dimension they were using appears to be from the curb edge of the parking lot to the wall. Would this change in dimension be a request to them to move the location of their wall along Mission Road?

Mr. Klein: It would move the wall in 1 foot more, which would add landscaping along Mission Road. That is why we are requesting that.

Comm. Stevens: As a quick point of clarification, under the last comment of that same site plan review, it talks about a future pad or location for a KCATA bus facility in the future. It notes the location being near the entrance just east of the McDonald's site location. That is the determined location. I noticed in the submission, in the civil drawing C1.1, it shows the location to be south of the cemetery. Maybe as a point of clarification, this is the preferred location for the future bus stop.

Ms. Schuller: That looks like the sheet didn't get updated. At the time of Preliminary Plan, it was proposed in front of the cemetery, but it has been relocated to just east of the driveway on 95th Street east of McDonald's. It leads straight to the sidewalk that will allow entrance into the center. It was determined by KCATA that they didn't require a pull-off, so they moved it closer to the existing site.

Comm. Stevens: It does show that on the submittal on 8.1. It was confusing. Lastly, on the parking counts on Page 7, this may be a carryover or typo, but the Leawood Ordinance calculations for parking still add up to 928 spaces, but it looks like the new submission is for 917 and 933. I have a feeling maybe one of those numbers isn't updated.

Mr. Klein: They are proposing 933, which is more than what is required minimum. We split it based on the zoning for the retail spaces at 3.5 parking spaces per thousand. With the restaurants, we calculated one parking space per two seats. They provided restaurant seating counts within the plan as well.

Chairman Coleman: On Mr. Scovill's report dated March 21st, I want to confirm that all the stipulations he added are part of the stipulations in the Staff Report.

Mr. Klein: They are part of the stipulations.

Chairman Coleman: Are there other questions? I'll invite the applicant to come up.

Applicant Presentation:

Curt Peterson, Polsinelli Law Firm, 6201 College Boulevard, Overland Park, appeared before the Planning Commission and made the following comments:

Mr. Peterson: We have very little affirmatively to say tonight, as we have worked through a lot of issues. I would like to be official and say that Stipulations 1-39 are acceptable and offer Chris Hafner with Davidson A&E, our design firm, is here and can walk through anything you like. I did want to speak to the McDonald's question. The stipulation we were left with was to go deal with the ground lessee. We had a good conversation and asked them to go further than they had gone before. They had cooperated with the closure of that entrance on 95th Street and some other things. Staff knows that they said they had done what they were going to do. We can dig deeper, but we did the best we could do.

Comm. Coleman: Does anyone have questions? Thank you.

Chris Hafner, Davidson Architecture and Engineering, 4301 Indian Creek Parkway, Overland Park, appeared before the Planning Commission and made the following comments:

Mr. Hafner: Thank you for the time and consideration. I'm just going to walk through some of the images we've created and a video to explain the character and nature of the

new development we are proposing (*shows video*). Moving along Mission, you can see a good definition of entry, both vehicular and pedestrian. There are new sidewalks along Mission Road. We are consolidating the parking fields and creating more of an opportunity for people to get deeper into the site before making vehicular decisions, where to park, and how to move through the site. We're very proud of these pedestrian connections, both from 95th and Mission, to get into Ranch Mart. One goes up to the front door of Price Chopper. The signalized intersection will remain in the current location. The existing building has a tooth removed from it to create the pedestrian pathway from 95th into what we consider to be a vibrant community-activated area. It has a lot of landscaping and a nice pedestrian path. We've scaled it to make it feel intimate and nice and then open up to a pedestrian plaza with artwork and a new two-story mixed-use building with a plan for an office on the second floor and restaurant/retail space below. To the right is the back of the current retail center with a lot of landscaping, screening, and things like that to kind of block the views of meters on the back of the buildings. There is a piece of art in the island to create a signifier that the new building is behind. It is a pretty large transformation of Ranch Mart. We're trying to get people deeper into the site and make the area a bit more activated in the pedestrian plaza. There were questions about how Cure of Ars interacts with Mission, so we created a series of renderings to help explain to parents and anybody with a child walking down Mission. We wanted to show the experience. I appreciate staff working with us. Along Mission, we have a lot of landscaping, a screen wall, and then a sidewalk that drops down to the parking lot level just to get them away from Mission traffic. We also did a few renderings coming in from Mission and Hallmark, which will stay in place with a pretty big transformation to their façade. We created an intimate park setting in front of that with another little plaza where people can interact. We'll be back with our signage package, but we will have a little wayfinding in the signage incorporated into the architecture and the landscaping. Price Chopper is under renovation internally based on some of these external proposals we have here. We're excited about all of it, including the pedestrian plaza and artwork that will come forward with the signage package so we can look at it in detail. It is a signifying piece moving from the retail center to signify the center of this pedestrian plaza. The east parking field is undefined right now to create a lot of islands and definition of where people park. We really foresee this as one of the main entry points. There is a pretty large parking field for use within the pedestrian plaza. We all are familiar with the architecture of what Ranch Mart is. It's a departure, for sure, but as we talked about at the last meeting, it is a departure from the south side as well. We wanted to take a step forward architecturally and differentiate this project from the south side and its uses. We added a kiosk to serve the public plaza. The tenant is still to be determined, but there are good talks for someone to operate that and open up to the plaza. We have a recurring tree theme throughout the art features. We have carried that throughout some of our angular lines, including a 3" speed bump to slow east-west traffic down and make the intersection safe for everybody to use. Again, we have sidewalks coming into the site on the north side of Mission along Hallmark, and we have two along 95th Street and a sidewalk that runs adjacent to the signalized intersection, keeping the cemetery access to the steps. Right now, the parking field is one-way traffic. We worked with staff. To make the parking spaces ADA, there is a slope. We have slid the parking west away from the

CareNow building to get the parking more ADA accessible in that area for that building and consolidated another vehicular access point on 95th Street. Instead of two points because of the one-way traffic, we've consolidated it back down to one full access point. We're excited about the project, and I'm happy to answer any design questions.

Comm. Hoyt: You were talking about handicapped accessibility. Speaking from personal experience at that shopping center, there are places that are really short on handicap parking spaces. Is there a detailed study that takes place when you do a project of this scope where you reassess where you're positioning the different types of parking?

Mr. Hafner: Absolutely; the ADA has requirements based on parking count of how many spaces we need to provide. We looked at that and understood the 933 required. I don't remember how many ADA spaces we have, but they do meet code. We then dispersed them based on square footage of area. For instance, at Price Chopper, we worked very closely with the tenant to make sure we got those located appropriately. The vast majority happen right at the front door for their purposes. Around the rest of the shopping center, they're dispersed somewhat throughout so they're not all located in one spot where you have to move throughout the center.

Comm. Hoyt: Anecdotally, you'd have to hear from the different tenants, but it seems like O'Neill's needs a lot more handicap parking, based on personal experience. There might even be something about the types of business, and some need more than others; it's not just square footage. The other question I have may be here and I just don't see it. Where are bicycle rack positioned?

Mr. Hafner: We worked with staff on locations of those. I'm going off memory, but we have an island on the northeast corner of O'Neill's that has bicycle racks. Just north of Hallmark has bicycle racks. In the north area of our pedestrian area, we have bicycle racks. I believe at the pedestrian entry off 95th, we have bicycle racks. Much like the parking and ADA, we spread them around so there's not just one consolidated location.

Chairman Coleman: Can you point out the drive-through for the pharmacy?

Mr. Hafner: Right now, if you can envision where the grocery pickup canopy is, that sticks out into the drive lane. We removed that and got the drive lane to be a true east-west and not have to jog around it. The door in that location is where we coordinated with AWG and the tenant for Price Chopper to get their pharmacy located there. We worked with staff on proper stacking and went through the special use process to get that approved on the south side of the existing Price Chopper.

Chairman Coleman: Commissioner Block brought up a good point. The exit could be problematic coming out of McDonald's.

Mr. Hafner: We worked with staff closely on this as well and, as mentioned, with the tenant. What we like about this plan is the parking right now is just angled parking on the pavement. Important to note is we have put in the island to define the angled parking to

the traffic flow standpoint. We have an escape lane in case you don't want delicious McDonald's. We liked the location for the escape lane and the angled parking stalls to get farther away. Some of the plans we looked at consolidated all the exiting traffic. In working with McDonald's and our client, we tried to split that up so there's not as heavy of a concentration at that intersection. We did our best around the site to increase the throat depth vehicular-wise. On the north side, the plan allows for vehicles to come in and make the turn with a bit more time to make that decision. We have closed off the access point to the signalized intersection. You can see that throat depth is deep and goes all the way to the T intersection. We did the best we could everywhere we could. Because of the orientation of the existing conditions of McDonald's, I wanted to split the traffic up as well as I could.

Chairman Coleman: People coming out of the drive-through potentially could go right.

Mr. Hafner: They could. They could either go out of the drive-through and hit this point, go back around, or do a 180 and go out. It does give them multiple opportunities out of the drive-through.

Chairman Coleman: Are there any other questions? That brings us to discussion. Does anyone have comments?

Comm. Hoyt: I thought the graphics were extremely helpful. It looks beautiful. It's a huge improvement.

Chairman Coleman: Any other comments? The chair will entertain a motion.

A motion to recommend approval of CASE 04-19 – RANCH MART SHOPPING CENTER – REDEVELOPMENT – Request for approval of a Revised Final Plan and Final Plat, located east of Mission Road and north of 95th Street – including all 39 staff stipulations - was made by Hoyt; seconded by Belzer. Motion carried with a unanimous vote of 6-0. For: McGurren, Belzer, Hoyt, Block, Stevens, and Peterson.

CASE 14-19 – MOLLE OFF-SITE PARKING – Request for approval of a Special Use Permit for a temporary use of land for off-site parking, located south of 104th Street and west of State Line Road. PUBLIC HEARING

Staff Presentation:

City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 14-19 – Molle Off-Site Parking – request for approval of a Special Use Permit for a temporary use of land for off-site parking. The site is located south of 104th Street and west of State Line Road and consists of a gated asphalt parking lot with a decorative black fence along 104th Street. The parking lot stores new vehicles for Molle Toyota and has been in use by Molle since 1999. There is a memo before you with changes to Stipulation No. 9, which will be included with this approval. The Special Use Permit is for a temporary use of land, and so it is limited to a term of two years.

Minutes

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting, 4800 Town Center Drive, at 6:00 P.M., on Monday, April 15, 2019. Mayor Peggy Dunn presided.

Councilmembers Present: James Azeltine, Jim Rawlings, Julie Cain, Andrew Osman, Debra Filla, Mary Larson, Lisa Harrison and Chuck Sipple

Councilmembers Absent: None

Staff present: Scott Lambers, City Administrator Patty Bennett, City Attorney
Mark Klein, Planning Official Chris Claxton, Parks & Rec. Director
Kathy Byard, Budget Manager Dawn Long, Finance Director
Chief Troy Rettig, Police Department David Ley, Public Works Director
Chief Dave Williams, Fire Department Ross Kurz, Info. Services Director
Nic Sanders, Human Resources Director Cindy Jacobus, Assistant City Clerk
Debra Harper, City Clerk

Others Present: Kevin Jeffries, President, Chief Executive Officer and Director of Economic Development, Leawood Chamber of Commerce

Presentation of 2020-2024 Capital Improvement Program [C.I.P.] and 2020 Budget Model Assumptions

1. OPENING BY THE MAYOR

Mayor Dunn stated everyone is lamenting the extremely sad Notre Dame tragedy in Paris. She opened the meeting and attendee introductions with affiliation were made. She thanked everyone for attending, and Ms. Long and Ms. Byard for the great documentation.

Mr. Lambers stated that Ms. Byard would present. He noted that in the presentation there is a chart that illustrates City-issued debt is in the progress of being paid down. It is proposed that in the future, additional debt will be issued. Another economic downturn will happen at some future time, and the City would be in a solid financial position to scale-back or delay projects. The Council is in control of the process.

Ms. Byard stated the yellow meeting agenda provides the page number and name of individual handouts to be discussed. The C.I.P. manual would not be reviewed page-by-page.

14. PLANNING COMMISSION

[from the March 26, 2019 Planning Commission meeting]

- A. Resolution No. 5173, approving a Revised Final Plan and Final Plat for Ranch Mart North Shopping Center – Redevelopment, located north of 95th Street and east of Mission Road. (PC Case 04-19)

Mr. Curt Petersen, Polsinelli PC, 6201 College Boulevard, Overland Park, stated Governing Body meetings had been held previously in regard to the Preliminary Plan and Community Improvement District [CID]. He stated there had been no substantial changes from those plans. The Planning Commission recommendation includes Stipulations 1 through 39, which are acceptable. He stated Stipulation 4 had been incorporated in the Revised Final Plan.

Councilmember Osman asked for an update on project timeline from start-to-finish and logistics, stating the information needs to be conveyed to nearby neighbors, center tenants and parents of Curé of Ars School students. Mr. Petersen stated timeline and logistics are subject to financing, but are considered on track for a Summer start in the northwest corner, with work done around the center in a counter-clockwise direction. It is anticipated the project would be done in about a year, in mid-to-late 2020.

Councilmember Osman stressed that communication is key and information shared with tenants in a forthcoming manner. Tenants need to be informed about what is happening in their section of the project over the next weeks/months. No one likes for businesses to be impacted, but Corinth and Prairie Village shopping centers tenants endured redevelopment and eventually experienced an upside. Camelot Court had a similar experience. Encourage continued patronage of the center during the redevelopment. As seen with improvements of 95th Street and Mission Road, planned by Prairie Village with Leawood participation, certain sections of roads closed and student pick-up/drop-off times at Curé of Ars School were significantly hampered. Traffic on Mission Road should not be impeded. Child safety is a priority and they may walk through the shopping center, despite instruction to avoid doing so. He requested the project team work with Public Works and Curé of Ars School to ensure the best traffic flow in and out of the school.

Mr. Petersen stated he has worked with Mr. Trip Ross of Cadence Commercial Real Estate on many similar projects, including the two Prairie Village projects referenced by Councilmember Osman, and he is an expert in this area. Mr. Ross is in attendance tonight, listening and duly noting these serious comments.

Councilmember Sipple inquired if the five phases would all be about equal length, about five months duration each based on Phase 1A beginning in the Fall. The City will receive inquiries and needs a general timing schedule. Mr. Petersen stated the phases would not necessarily be equal in length. Mr. Petersen stated it is premature to estimate, the request is duly noted, and deferred response until after General Contractor is selected the next few weeks. There will be detailed construction timelines. He stated the massive interior remodel of the grocery store and Meat Mitch restaurant had begun.

Councilmember Filla requested highlights of any changes. Mr. Petersen stated there is nothing out of conformance and he deferred to Brianna of Davidson Architecture & Engineering. Brianna stated numerous clarifications from Preliminary Plan to proposed Revised Final Plan were made with Staff in regard to design for safe vehicular traffic and planting bed growth and maintenance, resulting in a truly great plan.

Mayor Dunn requested a photograph of the trash enclosure location that was presented to the Board of Zoning Appeals, since the Governing Body has not seen. Mr. Petersen stated there would be masonry trash enclosure attached to the drive-through structure at the current bank building. This will be landscaped and have the required metal doors required by City Code. Brianna displayed a front elevation of the trash enclosure. She stated effort had been made to blend its appearance and to screen with landscaping. The window shown in the background would be the drive-through teller window, with vehicles passing under a canopy roof.

Mayor Dunn inquired if vehicles using the drive-through would be adjacent to the trash enclosure or if there would be a wall to separate. Mr. Petersen stated the trash enclosure would be on the right of vehicles traveling south in the four-lane drive-through, and drivers would see a masonry wall and landscaping. Brianna stated a wall of landscaping would be used for separation.

Councilmember Filla asked if social media such as Facebook, would be used to share daily project information with the public. Mr. Petersen stated Cadence has a website and has meetings with tenants, and the team would be open to suggestions as to method. Councilmember Filla stated use of social media would not negate the use of other types of communications to keep the public updated.

Councilmember Rawlings stated the existing McDonalds drive-through and traffic pattern is horrendous. He stated proposed plan landscaping might reduce the number of large vehicles and/or vehicles with large trailers parking for lunch. Mr. Petersen stated the plan has brought order to the entrance just north of McDonalds, and there are controlled access points. There is only one access point to the east off 95th Street; there had been two. Slanted parking is enclosed surrounded by islands on all sides.

Councilmember Rawlings requested McDonalds' reaction to the plan. Mr. Petersen stated this is a ground lease and consent must be obtained. The project team had approached McDonalds about the potential for additional changes, but consent was not given. The proposed plan is much improved over the current layout.

Councilmember Larson noted the atypical use of artificial AstroTurf by the Meat Mitch restaurant. Brianna stated Meat Mitch wanted an area having all-year access for games such as Bocce Ball. This would be similar to all-year use area at Park Place. Councilmember Larson noted AstroTurf is used at the downtown Char Bar restaurant.

Mayor Dunn noted the building materials utilize more earth tones, being less contemporary, and blending more with surrounding area than presented in prior plans/meetings; Mr. Petersen agreed. Mayor Dunn stated belief earth tone materials would be more applauded by the community.

Councilmember Rawlings inquired about the water feature, planned for a later date. Mr. Petersen stated art and water feature details would be presented in a separate plan. Brianna stated the shopping center would have two water features, one in the highly visible angled plaza near the Hallmark store and one located within the center's larger plaza.

A motion to approve Agenda Item 14.A. was made by Councilmember Rawlings; seconded by Councilmember Azeltine. The motion was approved with a unanimous vote of 8-0.