

**Minutes**

The City Council of the City of Leawood, Kansas, met for a Special Call Meeting at City Hall, 4800 Town Center Drive, at 6:00 P.M., on Tuesday, January 3, 2017. Mayor Peggy Dunn presided.

**Councilmembers Present:** Jim Rawlings, Julie Cain, Andrew Osman, James Azeltine, Debra Filla, Dr. Steven Kaster and Lisa Harrison

**Councilmembers Absent:** Chuck Sipple

**Staff present:** Scott Lambers, City Administrator  
Joe Johnson, Public Works Director  
Dawn Long, Finance Director  
Brian Anderson, Parks Superintendent  
Mark Klein, Planning Superintendent  
Debra Harper, City Clerk  
Marcy Knight, Assistant City Attorney  
Richard Coleman, Comm. Dev. Director  
Chris Claxton, Parks & Rec. Director  
Chief Troy Rettig, Police Department  
Cindy Jacobus, Assistant City Clerk

**Residents:** Mr. Randoe Dice and Mrs. Rosalinda Dice, 12020 Mission Road  
Mr. Marc Turner, 12016 Mission Road  
Ms. Sue King, 12200 Mission Road  
Mr. Laurence Johnson and Ms. Aulois Johnson, 12324 Mission Road  
Mr. Robert Rodriquez, 12212 Mission Road  
Ms. Anne Waldron, 12501 Granada Lane  
Mr. Mike Krahn, 12309 Alhambra Street  
Mr. Steve Gooding and Mrs. Lynne Gooding, 3900 W. 121<sup>st</sup> Terrace  
Mr. Paul Lecluyse and Mrs. Mary Lecluyse, 3905 W. 122<sup>nd</sup> Street  
Mr. David Gatchell and Mrs. Julie Gatchell, 12204 Mission Road  
Mr. Glen Carrigan and Mrs. Yvette Carrigan, 12216 Mission Road  
Mr. Chris Benson, 3900 W. 120<sup>th</sup> Terrace  
Ms. Thi Nghiem, 3900 W. 120<sup>th</sup> Terrace

**Others Present:** Kevin Jeffries, Chief Executive Officer and President, and Director of Economic Development, Leawood Chamber of Commerce

## **Discuss Installation of Sidewalks on West Side of Mission Road between 119<sup>th</sup> Street and 123<sup>rd</sup> Street; and 123<sup>rd</sup> Street to 124<sup>th</sup> Street**

NOTE: Copies of email from Mr. Steve Gooding sent to Mayor Dunn on Saturday, December 31, 2016 at 1:58 P.M. and five-page typed statement from Mr. Marc Turner received prior to start of the Work Session were available as additions to the Work Session agenda packet.

Mayor Dunn called the meeting to order and introductions with affiliation were made. She thanked attendees and wished each a happy New Year.

Ms. Harper reminded attendees to sign in and to move to the conference table and speak loud and clearly, so comments could be captured on the tape recorder.

Mr. Johnson provided a brief overview of the 2018 Mission Road improvements and history of the sidewalks.

Mission Road would be improved from 119<sup>th</sup> Street to 127<sup>th</sup> Street, with replaced curbing on both sides, mill and overlay, corrugated metal storm sewer pipe replaced with concrete pipe, and installation of LED and metered KCPL street lights. Cost estimate was \$1.9 Million for the improvements, with County Road Assistance System [CARS] covering 50%.

Early last year, the City received a request for sidewalks to go north on Mission Road to the park at 123<sup>rd</sup> Street from 124<sup>th</sup> Street. The request was reviewed at a Public Works Committee meeting and Staff reviewed the Mission Road improvements and the City's bicycle-pedestrian plan. The bicycle-pedestrian plan notes a gap in the sidewalk in that area. There have also been requests received from residents on the east side of Mission Road to access schools. The City's priority is to fill gaps and tie into the trail system as streets undergo construction. Many City streets do not have sidewalks on both sides and these projects are included in the Capital Improvement Program, for costing and the Governing Body to determine if a project should be included in the City's plan. The Governing Body approved the funding for the sidewalks 119<sup>th</sup> Street to 123<sup>rd</sup> Street and 123<sup>rd</sup> Street to 124<sup>th</sup> Street, and another Public Works Committee Meeting was held to inform residents.

Mr. Johnson presented and reviewed a table of line item costs for each sidewalk. The cost of the sidewalk between 123<sup>rd</sup> Street and 124<sup>th</sup> Street is approximately \$64,000. The cost of the sidewalk between 119<sup>th</sup> Street and 123<sup>rd</sup> Street is approximately \$320,000, with the largest portion of cost related to the existing retaining walls at 119<sup>th</sup> Street and for the second house south of 119<sup>th</sup> Street along with wrought iron fencing, and relocation of traffic controller at 119<sup>th</sup> Street. The sidewalk is also three times the length of the sidewalk between 123<sup>rd</sup> Street and 124<sup>th</sup> Street.

Mr. Johnson confirmed for Councilmember Azeltine the Governing Body and CARS had already approved the funding for the \$1.9 Million cost for Mission Road improvement. CARS funding application would be updated with the approximate \$400,000 increase if the Governing Body affirms to move forward with the sidewalks.

Mr. Johnson reviewed proposed layout maps and details such as road striping and signage for bike lanes/Share the Road, and the locations of corrugated metal storm sewer pipes, curbs, sidewalks and 3 ft. green space between curb and sidewalk. Curbs would be removed and replaced, remaining in the same locations, except on the west side, south of 122<sup>nd</sup> Street where the curb shifts in 3 ft. to the east to accommodate sidewalk, bike lanes and left turn lane at 123<sup>rd</sup> Street and Mission Road. The Johnson County Automated Information Mapping System [AIMS] was available for street views if needed.

Councilmember Filla requested Mr. Johnson explain corrugated metal storm sewer pipe replacement. Mr. Johnson stated the City has approximately 105,000 ft. of this pipe and this type of pipe was used all along Mission Road. This pipe used in the last 1970's, has a lifespan of about 15 to 25 years and typically rusts and deteriorates along the bottom; larger diameter pipe tends to collapse. Replacement is easiest along streets and no replacement of curb inlets within subdivisions to the east or west was planned as part of the Mission Road improvement. The City has a multi-year program funded every other year for replacement with concrete pipe.

Councilmember Harrison stated there were several email concerns about worsening drainage and rain run-off, and she questioned if pipe replacement would improve the situation. Mr. Johnson stated the first storm sewer on Mission Road is a low spot and the cul-de-sac drains from the edge of the road all the way back to the curb inlet. Typically, sidewalks do not increase run-off enough to warrant storm sewer changes, but this could be further reviewed. Street improvement would go all the way down to 127<sup>th</sup> Street.

Councilmember Rawlings questioned if bike lanes would be installed if no sidewalks were installed. Mr. Johnson stated the bike lanes could be incorporated into road improvements, with or without sidewalks.

Mr. Johnson stated he had read the numerous emails that had been received. There is no specific study to conduct when reviewing sidewalks. Sidewalks, like bike lanes, are built for convenience and sidewalks provide walking opportunity. The City has several categories of streets that prescribe the standards for sidewalks. Low-volume/low-speed streets have a sidewalk on just one side. Collector streets are 36 ft. wide with sidewalks on both sides, such as 132<sup>nd</sup> through Waterford. Arterial streets can be either major or minor, depending on volume and speed potential, with sidewalks required on both sides, such as 119<sup>th</sup> Street, 135<sup>th</sup> Street, 143<sup>rd</sup> Street and Mission Road. Having sidewalks on both sides does not force pedestrians to cross a high volume/high-speed road. In 1979, this phase of Mission Road was constructed and no evidence discovered as to why a sidewalk was constructed on just one side.

Mr. Johnson confirmed to Councilmember Kaster if a resident has an irrigation system that is adversely impacted by construction, the City would repair the damage, and that all residents are required to maintain their irrigation systems and green space between street curb and sidewalk.

At Councilmember Osman's request, Mr. Anderson provided details of the City's bike-pedestrian comprehensive plan, adopted in 2014. Mr. Anderson stated the consultants who prepared the plan determined Mission Road, Tomahawk Creek Parkway and Lee Boulevard were backbone north-south transportation routes, so bike lanes on these streets are important. Connectivity issues and sidewalks gaps were also determined and completion priority assigned. Priority completion was assigned to gaps for travel to points of interest such as parks, shopping, churches, schools, trails and libraries. In a survey conducted as part of the plan preparation, respondents ranked access to trails as their highest priority. Mr. Johnson added the consultants walked and rode every City street over 1.5 years setting priorities and estimating costs. Public Works uses the bike-pedestrian plan for programming of streets, bike lanes and review of requests. Public Works used the City's plans for work which has been approved on Lee Boulevard from 103<sup>rd</sup> Street to 95<sup>th</sup> Street in two years at a cost of \$3 Million. Phase 1 will be from 103<sup>rd</sup> Street to 95<sup>th</sup> Street, Phase 2 from 95<sup>th</sup> Street to 83<sup>rd</sup> Street and Phase 3 from 83<sup>rd</sup> Street to north City limits.

Councilmember Filla stated demonstrable complete streets and multiple-modal transportation are key factors in applications and receipt of grants from the Mid-America Regional Council [MARC] and the Kansas Department of Transportation [KDOT]. These organizations work to connect cities with streets and trails. Walkability score is used by potential homebuyers. The City's Sustainability Advisory Board supports green mobility through multi-modal transportation rather than a vehicle-centric approach. The City must look at CIP and timing factors to incorporate changes that are beneficial.

Councilmember Cain stated the Governing Body follows a thorough process and the City has a 10-year plan for roads. Because of prudent fiscal planning, the City can afford to replace deteriorating corrugated metal storm sewer pipe, when other area cities are struggling to do so. Often when a request for a sidewalk is received there is a delay until street improvement, but this request fell at a time when street improvement was scheduled and it aligned well with the bike-pedestrian plan. She lives in the area and must cross Mission Road when walking. She stated she had walked the front yards of the residents and felt it was a key piece in the process to hear from residents.

In regard to financing, Mr. Lambers stated that street improvements are bonded and typically financing for sidewalks alone is not bonded. Sidewalk installation not done in conjunction with street improvements become cash pay-as-you-go. Contractors are desirous of large projects, which can positively affect the bid process and pricing.

Mayor Dunn stated that every communication received on the topic had been read. She called for designated citizen speakers [3] and asked the resident who submitted the sidewalk request to speak.

Mr. Marc Turner, 12016 Mission Road, read a five-page typed statement [copy attached], adding the following information presented in italics:

- A. My wife, Linda, and I live at 12016 Mission Road, *120<sup>th</sup> Terrace and Mission Road on the southwest corner.*
- B. In addition, all residents living in the 120<sup>th</sup> Terrace cul-de-sac are opposed. *120<sup>th</sup> Terrace is the first street south of 119<sup>th</sup> Street on the west side.*
- C. Also opposed for *legacy issues.*
- D. Poor driver visibility headed southbound on Mission Road, *especially during bad weather.*

- E. *Cul-de-sac ticketing could be attested to by Police Chief Rettig.*
- F. Difficult driver visibility when attempting to turn on Mission Road from cul-de-sacs and driveways, *especially from 120<sup>th</sup> Terrace.*
- G. A number of years ago, a car was speeding over the crest of the hill *going south on Mission Road*, lost control and crashed into our house causing over \$25,000 worth of damage.
- H. Son's car was totaled *and he sustained neck injuries.*
- I. During her years at Mission Trail Elementary, my wife observed severe traffic congestion caused by parents who *unfortunately*, unwisely chose to park their cars on nearby side streets rather than stay in line to pick up their children after school.
- J. The same traffic pattern can be seen in Bradford Place *across the street on the east side of Mission Road* during Nativity School dismissal.
- K. *Personally spent \$20,000 for concrete piping to go from one-acre surface area pond to the City's corrugated metal storm sewer pipe. During an average rainstorm, an amazing amount of water comes out this pipe for a distance of 20 ft. on the west side that drains into Tomahawk Creek. The surrounding 40 acres drains to this area. He still has stormwater issues.*

Mayor Dunn confirmed that typically a Work Session is not the forum during which residents address the Governing Body.

Mr. David Gatchell, 12204 Mission Road, stated his wife, Julie, was also in attendance. Both have lived in south Leawood for 30 years, with over 20 years at the present address. He had been a member of the Planning Commission when Town Center was planned, appreciates the difficulty and complexity of the Council's job, and did not question goodwill or rationale to desire sidewalks. He had practiced law for 20 years, retired, and was now President of Wolfe Automotive Corporation. He would address legal/equitable issues. Those directly impacted are overwhelmingly opposed. There was a terrible erosion problem of 8 ft. in a decade along the creek in King's Forest. Mr. Jim Taylor was with the City at the time and sought remedy. Ms. Mary Recluse and his wife also worked on this issue, but several property owners would not sign their petition. He and his wife built a \$40,000 concrete retaining wall to do what was economically right for them. This is a legacy neighborhood. Sidewalks were not part of the plan and mature landscaping would be jeopardized by the project. Undisputedly, property values would be diminished by amounts unknown. Governing Body action is tantamount to condemnation. Kansas Statute states that private property cannot be physically taken or damaged for public improvement without just compensation. In 2009, the Kansas Supreme Court ruled property owners had to be compensated for private property damaged from run-off of street improvements and grade change by the City of Olathe. KSA 26-513 enumerates 15 determination factors in this regard, six which are of impact: advantageous use, property appearance, view of the property to the extent that it is a beneficial attribute, loss of trees and shrubs, change of grade of property, and proximity of improvements to current property improvements. From resident point of view, private property would be damaged. The Fifth Amendment to the Constitution, Kansas Law and Kansas Court decisions have upheld. He was not present to argue having a law suit and the City was not arbitrarily taking private property. He quoted the author of the Fifth Amendment to the Bill of Rights, James Madison, "That is not a just government, nor is property secure under it, where the property which a man has in his personal safety and personal liberty, is violated by arbitrary seizures of one class of citizens for the service of the rest."

Mr. Gatchell asked the Governing Body to consider property values, 30-year old trees and putting traffic in front yards. An arterial street was not planned in a legacy neighborhood.

Mr. Lambers ensured Mr. Gatchell and attendees understood all work to be done and the sidewalks would be located in the public right of way, not private property.

Mr. Chris Benson, 3900 W. 120<sup>th</sup> Terrace, stated he was an Army veteran and Leawood was a beautiful city in which to live because of its layout. The hill on Mission Road is bad and parents of children attending the Nativity School jam up the cul-de-sac. Blind spots are an issue when backing up and he was concerned for his teenage daughter, a new driver. Cops pull people over for speeding, including all hours of the night. He stated Leawood was not a walking City, but when he walks he travels south to parks, not to Town Center, and encourages his daughter to do the same. He did not want the liability and asked to keep the City great and safe.

Ms. Anne Waldron, 12501 Granada Lane, south of 124<sup>th</sup> Street, stated she and her children are active and walk on Roe to trails, but want to connect at Mission Road and 123<sup>rd</sup> Street. To get to Leawood Elementary School, she accompanies her children when crossing Mission Road. They can cross at 133<sup>rd</sup> Street and do not walk in front yards out of respect for the home owners. She had asked for a sidewalk between 123<sup>rd</sup> Street and 124<sup>th</sup> Street, and at the June Public Works Meeting the project was expanded to include a sidewalk from 119<sup>th</sup> Street to 123<sup>rd</sup> Street. She had requested the potential sidewalks be reviewed separately. She was grateful to live in a City where people could respectfully talk about issues, and care about the City and property.

Mr. Steve Gooding, 3900 W. 121<sup>st</sup> Terrace, stated he had viewed the project as two sections. Having six children that attended Leawood Elementary and Middles School, he was familiar with issues. He stated there is a great population in the area of 123<sup>rd</sup> Street to 124<sup>th</sup> Street, and it would be very beneficial for them to connect trails and schools by a sidewalk south of 123<sup>rd</sup> Street. Leawood is a walkability city to Town Center, restaurants, trails and parks, and does not mind crossing Mission Road for access. There are only 25 to 26 residences on the west side of Mission from 119<sup>th</sup> Street to 123<sup>rd</sup> Street and the sidewalk would only be used minimally by those residents, at a cost of \$300,000 or \$10,000 for each, rather than just walking across the street. The City has a great Master Plan, but each particular connection needs to be looked at for benefit. He had resided at the corner of 121<sup>st</sup> Terrace and Mission Road for 27 years, and had spent a lot of money to block visibility and noise of Mission Road. Many others had already commented about the big issue of driveway and road elevation, and lack of visibility on Mission Road.

Councilmember Osman applauded and reassured Ms. Waldron the project and Governing Body's consideration was not based on just one person. If the sidewalk request had been received several years ago, a different plan may have been developed. In his view, the overall City was master planned and that plan, as well as plans for Parks & Recreation and 135<sup>th</sup> Street Corridor, are used by the Staff and Governing Body to do what is best for the City. The City also hires outside consultants for major projects, which provides external third-party opinions. Consideration of sidewalks had broken into two projects. We heard what the residents were saying, breaking conventional rules to provide an opportunity for two or three resident representatives to speak due to the limited duration of the Work Session.

Councilmember Osman stated he understood the importance of connectivity and home values, but not all the positive and negative impacts were known. There is no handbook for sidewalks and each scenario is unique. Because of concerns related to street and driveway elevations from long ago and visibility concerns, he would be hesitant for a sidewalk between 119<sup>th</sup> Street and 123<sup>rd</sup> Street. He would be supportive of sidewalk between 123<sup>rd</sup> Street and 124<sup>th</sup> Street since the terrain flattens.

Councilmember Cain inquired if there were any residents in attendance from 123<sup>rd</sup> Street to 124<sup>th</sup> Street. Ms. Aulois Johnson, 12324 Mission Road, stated her home is on the hill with a very steep driveway that is a safety issue. It is difficult to determine if any cars are coming when exiting the drive. During icy weather, using the driveway is much more difficult. She expressed concern for pedestrians.

Councilmember Cain stated she routinely walks the area on the east side of Mission Road and today walked through yards on the west side up to 119<sup>th</sup> Street. Walking in grass was not too difficult. There are three houses with driveways to Mission Road. A compromise would be to connect 123<sup>rd</sup> Street for the many children going east to schools and those going west to trails.

Mr. Mike Krahn, 12309 Alhambra Street, stated he had 330 ft. of side along Mission Road. He stated property values would be adversely impacted and that he was opposed. He stated his neighbor with Mission Road frontage, Mr. Paul Wilson, was also opposed.

Councilmember Filla stated she had driven the cul-de-sacs with the City's Public Works Director, Mr. Johnson, seeing Councilmember Cain on foot. She noted Mrs. Johnson's driveway and suggested a circular layout could be beneficial. She assured attendees that a 5 ft. bike lane would act as a buffer, moving vehicular traffic further away from curbs and yards. The homes were built in 1979 when Mission was a gravel road. She questioned parent use of a cul-de-sac, a three-block walk from school, for student pick-up.

Ms. Thi Nghiem, 3900 W. 120<sup>th</sup> Terrace, disagreed with Councilmember Filla concerning cul-de-sac school-related traffic, being aware because her dogs bark every afternoon when school get out. The entrance to Bradford Place, which has an extended entryway, may be used. She stated three cul-de-sac neighbors who did not receive notification letters are concerned about drainage.

Mr. Turner also disagreed with Councilmember Filla, stating parents of school children do park further away. Councilmember Filla stated she was glad that Chief Rettig was present to hear about the situation as there could be an opportunity for change.

Mr. Randoe Dice, 12020 Mission Road, stated if a car were stopped for a turn, other cars would just go around the stopped car into the bike lane. He stated there are only two homes that may have children who attend Nativity School that would be impacted. He was adamantly opposed to the sidewalks.

Councilmember Filla stated neighborhood demographics change and the City does not implement sidewalks for just 27 people or 12 houses. The Cloisters used to be a retirement community. There is neighborhood turnover and future infrastructure needs must be considered. When sidewalks were installed from Lee Boulevard to City Park, there was a lot of disturbance and heartbreak over the removal of mature trees, but in the end, all was better. She reassured when a City project is done, it is done well.

Councilmember Azeltine stated he supported the bike-pedestrian plan for safety, and safety was his first priority. He read all communications on the topic and there were dramatic depictions. He asked Chief Rettig to supply information on speeding violations in the area. Mayor Dunn stated due to lack of time, the response and Governing Body discussion would need to continue in Council Chambers. She thanked all for speaking.

There being no further business, the Work Session was adjourned at 7:22 P.M.

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Debra Harper, CMC, City Clerk

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Cindy Jacobus, Assistant City Clerk

My name is Marc Turner. My wife, Linda, and I live at 12016 Mission Road. We built our home at this location over 30 years ago. I am a physician and Linda worked in administration at Mission Trail Elementary for 26 years. Thank you for allowing me to speak on behalf of my neighbors in expressing our strong opposition to the proposed sidewalk on the west side of Mission Road. I'd like to acknowledge the residents in attendance that oppose the plan. Please stand.

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As you can see, the opposition is overwhelming. Rest assured, many more stand with our group, but were unable to attend tonight. The proposed sidewalk does NOT generate community support or consensus. Quite the opposite, thus not fulfilling a Priority Criterion for the Master Plan. We respect and appreciate the council members, the mayor and the city employees for your service and your commitment to the betterment of our city and its residents. However, we are disappointed that this project appears to have been opaque in its planning and due diligence was not carried out. Also, many of us did not come to the December city council meeting because the city public works department told me that the issue was going to be tabled and it would not be worth our time to attend. It was explained to me that this work session would be the forum during which all residents could express their concerns and discuss the issue with the city council members and the council members could ask questions of the residents, as well. Mayor Dunn later told me that what I had been told was incorrect. Because of the misinformation I was given by the city public works department, my neighbors and I respectfully ask that you break with the usual work session protocol and allow all residents to voice their opinion and ask appropriate questions regarding the proposed sidewalk. Thank you for your consideration.

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It is our understanding that the proposed sidewalk was recently included upon the request of one family. However, a super majority of the residents directly affected oppose the plan.

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Of the 16 households upon whose property the proposed sidewalk would be constructed, 12 are firmly against the plan and 2 are non-committal. In addition, all residents living in the 120<sup>th</sup> Terrace cul-de-sac are opposed.

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We are opposed for the following reasons:

1. Safety
2. Increased cul-de-sac traffic and congestion
3. Drainage issues
4. Underutilization of the existing sidewalk on the east side of Mission Road
5. Negative environmental impact
6. Precedence for sidewalks on only one side of heavily trafficked streets
7. Diminished property value

I will address some of the issues and Mr. David Gatchell will address the remainder. As you will see, many of the reasons listed above prove that the City's Priority Criteria for the pedestrian and bicycle master plan cannot be fulfilled.

We are all concerned about the safety issues that will occur if a sidewalk is placed on the west side of Mission Road. The proposed sidewalk will NOT create a safer path for pedestrians; a priority criterion. In fact, it will create an unsafe path for pedestrians, when in fact the program is supposed to provide safe pedestrian access for all residents. There are 19 ingresses and egresses to Mission Road along the proposed route. There are less than a handful on the east side. The

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potential dangers and bodily harm to children and adults is exponentially greater on the west versus the east side of Mission Road. When pedestrian traffic is heaviest during the Church of the Nativity school dismissal, the children leaving would have their backs to traffic, which is inherently unsafe and dangerous. Compounding this problem is the exceptionally poor visibility a driver heading south on Mission Road from 119<sup>th</sup> Street is subjected to. You cannot see over the crest of the hill. Drivers are frequently cruising at excessive speeds coming over the hill (and are oftentimes pulled into my cul-de-sac to be ticketed) and would not be able to react in time to avoid hitting a child darting into the street if he dropped a book or school papers. Although we counsel our children to always look both ways before crossing a street or driveway, they are often easily distracted and do not follow our advice. With so very many cuts in the sidewalk allowing people trying to drive in or out of their driveways or turn onto Mission Road from the cul-de-sacs, the chance of an accident waiting to happen is very real. My experience is that the visibility is also very difficult for a driver when attempting to turn on to Mission Road from the cul-de-sacs and driveways. The combination of poor visibility, increased car traffic and congestion on the west side cul-de-sacs and increased pedestrian traffic, which will be mostly children, is a recipe for disaster. The tiny perceived benefit of this sidewalk that one family has suggested cannot possibly outweigh the vastly increased possibility of loss of limb or life of one of our children. Please do not be dismissive of the potential dangers of which I speak. These dangers are real and my wife and I have directly been impacted. A number of years ago, a car was speeding over the crest of the hill, lost control and crashed into our house causing over \$25,000 worth of damage. Imagine if one of your children had been in that driver's path. Another

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time, our son was injured when a car rear-ended him on Mission Road in front of our house. His car was totaled.

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I mentioned that cul-de-sac traffic and congestion would be increased. As just discussed, this is a safety issue and also will compound the existing visibility issues as well as making it very difficult for residents to safely access their own

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driveways. During her years at Mission Trail Elementary, my wife observed severe traffic congestion caused by parents who unwisely chose to park their car on nearby side streets rather than stay in line to pick up their children after school. There were many instances where children were almost hit when these cars pulled out. The Leawood Police were called on many occasions to deal with this problem. The same traffic pattern can be seen in Bradford Place during Nativity school dismissal. Visibility is reasonably good at that intersection. It is very poor, however, on the west side of Mission Road, especially from my cul-de-sac, which is 120<sup>th</sup> Terrace.

Now, drainage issues. Many of the homes on the west side of Mission Road are below street level and have significant rain water drainage issues. French drains, installed at homeowners' expense, cannot handle existing drainage issues. Some erosion has occurred on Tomahawk Farms properties, which would worsen with such an expansive sidewalk. Regardless of how the sidewalk is engineered, there is no way that a lengthy five-foot expanse of concrete is not going to worsen already existing drainage problems.

The sidewalk on the east side of Mission Road is vastly underutilized. The neighborhoods in the vicinity of the current

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Mission Road sidewalk are fully mature and no new homes can be built. Therefore, sidewalk traffic cannot reasonably be expected to increase. In fact, many of our neighbors on Mission Road have noticed a decrease in sidewalk traffic over the past several years. Although Leawood has the laudable goal of creating a "connected" city, adding an expensive sidewalk on the west side of Mission Road will do nothing to attain that goal. Residents in our neighborhoods much prefer the safety of the existing fabulous trails to busy streets like Mission Road.

The negative environmental impact of the proposal will be significant. This will violate another of the Priority Criteria for the Pedestrian and Bicycle Master Plan in that the sidewalk's potential will harm the image of the area, not transform it. Tree loss or damage will occur because of root system damage leading to loss of natural beauty along Mission Road. Many of the trees that will either be lost or damaged are over 30 years old. We have confirmed the probability of loss or damage with a well-respected area arborist.

There is precedent for sidewalks on only one side of a busy street. The south side of 127<sup>th</sup> Street from Mission Road to Roe Avenue and south side of 123<sup>rd</sup> Street extending from Mission Road for ½ mile eastward serves as precedents for major thoroughfares having a sidewalk on only one side of the street.

Thank you for your time, attention and consideration in this matter. Now, please allow Mr. David Gatchell to explain other important issues regarding the proposal.