City of Leawood
Planning Commission Agenda
August 27, 2019
Dinner Session – 5:30 p.m. – No Discussion of Items
Leawood City Hall – Main Conference Room
Meeting – 6:00 p.m.
4800 Town Center Drive
Leawood, KS 66211
913.339.6700 x 160

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

APPROVAL OF THE AGENDA:

APPROVAL OF MINUTES:
Approval of minutes from the July 23, 2019 Planning Commission meeting.

CONSENT AGENDA:
CASE 75-19 – STONE LEDGE LOTS 1-3 REPLAT – Request for approval of a Revised Final Plat, located north of 154th Street and east of Nall Avenue.

CASE 84-19 – HALLBROOK EAST VILLAGE – FENCES AND WALLS – Request for approval of a Revised Final Plan, located south of 112th Terrace and west of State Line Road.

CASE 90-19 – EDGEWOOD SUBDIVISION – PRIVATE ART – Request for approval of a Final Plan – located north of Town Center Drive and west of Roe Avenue.

NEW BUSINESS:
CASE 74-19 – THE HILLS OF LEAWOOD VILLAS – Request for approval of a Rezoning from R-1 (Planned Single Family Low Density Residential) to RP-2 (Planned Cluster Residential Detached), Preliminary Plan and Preliminary Plat – Located north of 151st Street and east of Mission Road. PUBLIC HEARING

CASE 76-19 – RANCH MART SHOPPING CENTER – REVISED SIGN CRITERIA – Request for approval of a Revised Final Sign Plan, located north of 95th Street and east of Mission Road.

CASE 85-19 - WATER ONE PUMP STATION AND RESERVOIR – PHASE 2 – Request for approval of a Final Plan, located north of 147th Street and east of Nall Avenue.

CASE 86-19 – PARKWAY PLAZA – KIDDI KOLLEGE OFFICE/DAYCARE ADDITION – Request for approval of a Final Plan, located south of 134th Street and east of Briar Street.

CASE 16-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-9, FENCES AND WALLS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to fence location and fences within RP-A5 (Planned Rural Density Single Family Residential District). PUBLIC HEARING
CASE 82-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-1.3, PERMITTED ACCESSORY USES, BUILDINGS AND STRUCTURES – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to solar collectors within non-residential districts. **PUBLIC HEARING**

**ADJOURN REGULAR MEETING:**
Meetings will end at 9:00 p.m. unless the Commission votes to extend the meeting for a period of thirty (30) minutes. An additional thirty (30) minute extension, for a maximum of two (2) extensions, may be voted by the Commission members.

**LEAWOOD PLANNING COMMISSION**

The Leawood Planning Commission is a nine member non-partisan body whose members are appointed by the Mayor and confirmed by the Governing Body.

The Planning Commission prepares the Comprehensive Plan that is used as a general guide for the development of the community. The Comprehensive Plan is reviewed and updated annually as part of the commission’s ongoing process of evaluating trends and patterns. The Commission also reviews all zoning, special use permit, and site plan and plat applications prior to making recommendations to the governing body for final action.

The regular scheduled public meetings of the Planning Commission are held at 6:00 PM on the fourth Tuesday of each month in the City Council chambers, 4800 Town Center Drive. The Commission may also conduct a study session followed by a meeting on the second Tuesday of each month.

Anyone wishing to appear on the Planning Commission agenda or study session agenda should contact Planning Services at (913) 339-6700.

**REZONING AND SPECIAL USE PERMIT PROCEDURES FOR LEAWOOD, KANSAS**

Newspaper publications: The city will be responsible for publishing the notice of public hearing in the official City newspaper not less than 20 days prior to the end of the public hearing.

Posting of the sign: Upon submission of the application, the City will supply the applicant with a sign to be posted on the property. The sign must be posted not less than 20 days prior to the public hearing.

Letters of notification: The applicant will be responsible for mailing notices by certified mail, return receipt requested, of the proposed zoning change to all land owners located within 200 feet of the area proposed to be altered. These notices must be sent a minimum of 20 days prior to the Planning Commission hearing.

Public hearing: The Planning Commission hears all zoning requests, hearing from the applicant and anyone in the audience wishing to speak for or against the proposal. The Commission will then make a recommendation for approval or denial to the City Council or continue the application to another Planning Commission agenda. The following is an outline of the public hearing process.

1. Staff summarization of comments and recommendations.
2. Applicant presentation and response to staff comments and recommendations.
3. Public Hearing
   a. Anyone wishing to speak, either in favor or in opposition has an opportunity to speak.
   b. It is appreciated if the speakers keep repetition to a minimum.
4. The applicant will have an opportunity to respond to points raised during the hearing.
5. Planning Commission discussion.
6. Motion and second by the Planning Commission.
7. Planning Commission discussion of motion.
8. Planning Commission vote on the motion.

Protest period: Certain property owners may file a petition protesting the application within 14 days after the close of the Planning Commission public hearing. The petition must be signed by the owners of record of 20% or more of any real property proposed to be rezoned, or by the owners of record of 20% or more of the total real property within the area required to be notified in Article 16-5-4.1 of the proposed zoning of specific property, excluding streets and public ways and property excluded pursuant to 16-5-4.3.

City Council Action: After the protest period has concluded, the application will be placed on an agenda for a City Council meeting. The Council may then take action on the proposal. The Council may approve the Planning Commission’s recommendation, or it may amend and approve or remand the proposal to the Planning Commission for further consideration.
City of Leawood
Planning Commission Meeting
July 23, 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, Coleman, Block, Stevens, Peterson. Absent: Hunter, Hoyt, Elkins

Chairman Coleman:  I noticed there was no new agenda, so we’ll go with the one in our packets.

Mr. Klein:  The current one is correct.

APPROVAL OF THE AGENDA

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

APPROVAL OF MINUTES:  Approval of the minutes from the June 25, 2019 Planning Commission meeting.

Chairman Coleman:  Are there any changes to the draft minutes? If not, I’ll entertain a motion.

A motion to approve the minutes from the June 25, 2019 Planning Commission meeting was made by Belzer; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Belzer, Block, Stevens, Peterson.

CONTINUED TO THE AUGUST 27, 2019 PLANNING COMMISSION MEETING:
CASE 16-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-9, FENCES AND WALLS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to fence location and fences within RP-A5 (Planned Rural Density Single Family Residential District). PUBLIC HEARING

CASE 74-19 – THE HILLS OF LEAWOOD VILLAS – Request for approval of a Preliminary Plan, Preliminary Plat, and Rezoning – Located north of 151st Street and east of Mission Road.  PUBLIC HEARING
CONSENT AGENDA:

Chairman Coleman: Does any commissioner wish to have this taken off the Consent Agenda.

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

Comm. Peterson: I’d like to ask a question of staff. I’ve never seen one of these before with an emergency residential generator. Because it’s a residential area, how frequently does the city see these requests?

Mr. Klein: We don’t see them much. We used to see them more. We had a lower standard of 20 kw, and now it is 22 kw. We found that people were fine with 22 kw but didn’t want 20 kw, so more cases came to the Planning Commission. We did a Leawood development Ordinance (LDO) amendment that amended that to allow 22 kw and below without having to come to the Planning Commission. This just happened to be one of the larger ones.

Comm. Peterson: In all of Leawood, I can’t imagine there are that many residential homes with emergency generators.

Mr. Coleman: There are quite a few.

NEW BUSINESS:
CASE 69-19 – RANCH MART – MCDONALD’S – Request for approval of a Special Use Permit for a fast food restaurant with drive-through, Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road. PUBLIC HEARING

Staff Presentation:
City Planner Jessica Schuller made the following presentation:

Ms. Schuller: This is Case 69-19 – Ranch Mart McDonald’s – Request for approval of a Special Use Permit (SUP), Preliminary Plan, and Final Plan for a fast food restaurant with a drive-through. McDonald’s is an existing, 4,151 sq. ft. building located at the southwest corner of the Ranch Mart development, which is at the intersection of 95th and Mission. Final Plan for the overall Ranch Mart development was approved by the Governing Body in April, 2019. This plan included revisions to the parking lot islands adjacent to the McDonald’s site, sidewalk, and landscape areas along 95th and Mission.
The parking lot lighting for the site was also approved at the time of that plan. The applicant is now requesting approval to update the façade of the McDonald’s building and to add a double drive-through lane to the site. The footprint of the building will remain as existing. The façade updates include removing the mansard roof on the building and adding a parapet wall to the face of the building. The existing brick and windows will remain but will be accented with grey and taupe cementitious stucco. Aluminum canopies are located around the entrances of the building and around the drive-through. In order to accommodate the second drive-through lane, the applicant has narrowed the parking lot island to the east of the drive-through, which is east of the building, and added a median between the two lanes. Menu boards are located in the drive-through lanes, and they are screened with shrubs, which is noted on the revised plan on the dais. This meets Stipulation No. 5 in the Staff Report. The Landscape Plan for the site matches what was previously approved with the overall development with the exception of a few shrubs in those new medians and some shrubs around the base of the building as well. You’ll see there are street trees along Mission Road but not along 95th Street in front of McDonald’s due to space limitations of that area. In addition to the menu boards, the medians will accommodate an 11.5’ tall canopy that will contain order displays. There will be one per each lane. There is also one double-armed gateway at the entrance of the drive-through that marks the clearance height for the drive-through. Ranch Mart is in the process of updating their Sign Criteria for the overall development, so no signage is approved tonight with this application but will be approved at a later date. Staff recommends approval of Case 69-19 with the stipulations in the Staff Report, and I’m happy to answer any questions.

Chairman Coleman: Thank you. To clarify, you mentioned this piece of paper addresses Stipulation No. 5 and we can remove it then.

Ms. Schuller: As the stipulation is written, the plan meets the requirement, so it would not need to be stricken necessarily.

Chairman Coleman: The comment on Page 5 is specifically addressed.

Ms. Schuller: Correct.

Chairman Coleman: Are there questions for staff?

Comm. McGurren: This may not be the easiest question to answer, but in the grand scheme of things, is the size, positioning, and width of the drive-through similar or standard with all McDonald’s locations? Is it the same or narrower than what we would be used to at other locations in town?

Mr. Klein: That might be a better question for the applicant. We applied the LDO standards, and we made sure they met those. I’m not sure how they do it in other cities.

Chairman Coleman: Are there other questions? I have a few. The drive-through has two lanes, and there is an exit on the northeast side that says, “Do not enter.” I’m trying to
figure out the traffic flow for that particular area. If a driver goes through the drive-through, he goes completely around.

Ms. Schuller: The site circulates. Coming off Mission Road, drivers will enter, turn right, and go around the south side of the building to enter the drive-through. The Do Not Enter sign north of the drive-through is for any southbound traffic that might be parked in the islands to the north of the drive-through so that they’re not entering the drive-through from the incorrect direction. The traffic flow is pretty much what is onsite. It was determined that it would be difficult, if not impossible, to make it different. It’s very similar to what’s existing.

Chairman Coleman: Right now, if someone is in the drive-through, they could go around the drive-through and exit from that point.

Mr. Klein: There is still a bailout lane. After the crescent island between, the driver can continue north and exit. That was the reason for that as well.

Chairman Coleman: So, two cars can fit in the outer lane?

Mr. Klein: We might be able to point it out on the plan.

Ms. Schuller: (Refers to plan) This is the bailout lane.

Chairman Coleman: Can the outer drive-through lane fit one or two cars?

Ms. Schuller: Just one.

Chairman Coleman: Today, there is an inner drive-through and an outer bypass.

Mr. Klein: That is correct. This one would only have the one lane that would continue up north, but it would allow the car to bail out if it needed to.

Chairman Coleman: Thank you. I think that’s the only question I have. I would invite the applicant to come forward.

Applicant Presentation:
Doug Evan, Phelps Engineering, 1270 N. Winchester, Olathe, KS, appeared before the Planning Commission and made the following comments:

Mr. Evan: I’ll run through this quickly. (Shows plan on monitor throughout) As Ms. Schuller mentioned, we are at the northeast corner of 95th and Mission, the southwest portion of the overall Ranch Mart development. I’ve highlighted the area that McDonald’s leases from Ranch Mart. You saw the overall plan earlier this year. We have marked the area of change, and nothing else changes within the overall development. You can see that not much changes. The drive-through obviously changes, but the parking on the north and south is the same. Traffic circulation doesn’t change. We had to
take some of that island east of the side-by-side drive-through in order to fit this in. We added the island between the two drive-through lanes for some additional landscaping. We are doing some asphalt work. One of the big reasons McDonald’s is doing these remodels is to address any ADA issues. That is why the ADA stalls in the southwest corner of the lot are out of concrete. They are also updating the building façade to give it a more modern look. This has a side-by-side drive-through because they see the opportunity to generate more revenue with an additional lane.

I’ll go through the building elevations quickly. On the top of all the elevations, you’ll see the existing elevation with the mansard roof; on the bottom, you’ll see the more modern look with a new roof, flat front with arcade. They are holding all the existing glass, and the brick is staying. The roofline updates are the big update with the stucco instead of the mansard roof. There is no signage on the building; it will be added later. To give it color, the bricks remain, and grey-tone stucco will go on the rest of the building. There is more brick on the shopping center side of the building with less glass than the other sides. The architect did renderings to show the different views. That end my presentation. I’d be happy to answer questions. I have Vicky Stadther with McDonald’s to answer any questions as well.

Chairman Coleman: I’ll start with questions from the left.

Comm. Stevens: I have a question about some of the changes with the roofline and roof screening area. A real challenge with a pad site like this is all four sides of the building are fronts; there is not a rear. I’m concerned with the rendering from the 95th Street entry where what looks like the east side is left with a different condition for the roof screening and the rendering from the internal parking lot rendering as well. Can you explain the reason the new improvements for the parapet and screening have not addressed this east façade?

Mr. Evan: I believe that the architects added the metal screening to screen the units on top. I know they looked into the heights of those because they even went back to the old plans from when the building was first put in or any additional units were put in to get the dimensions of it to make sure the screening was adequate for the units on top. I thought the architect looked into that and provided the screening accordingly.

Comm. Stevens: It does look like, toward the west side of the units, they were taller, and three sides of the new parapet were added to screen that height. This east end seems odd that it’s not carrying through.

Mr. Evan: We can definitely take a look at it.

Comm. McGurren: Is it possible that the east end is removable and temporary, where all the other stucco walls are not, and that could be removed to enable the placement of new items on the top?

Comm. Stevens: It could be.
Chairman Coleman: Before you speak, please tell us your name and address.

Vicky Stadther, 2127 Vermillion Curve, Woodbury, MN, appeared before the Planning Commission and made the following comments:

Ms. Stadther: They usually make the screens as high as they can. In most situations, we’re able to put it the same height as the parapet all the way around. There might be a structural reason, such as the way that original building was built, that they couldn’t go up that high because those aren’t structural walls like the rest of it will be. Once they take the mansard off, they can usually build it straight up from the building. I don’t know all the details of why they did that, but it has been common in some other buildings that they screen it up as high as they can structurally without rebuilding the whole roof on the building. Then that little area is so they can get on the roof for maintenance of all the rooftop units. Usually, if they get a new one, they have to crane them in.

Comm. Stevens: If it is a removable screen, it may give access to the roof.

Ms. Stadther: I doubt they’d be removed for any reason, but they’re not a structural part of the building as much as the rest of it is.

Comm. Block: I just had a question about the stipulations. Three were called out. No. 5 was taken care of; were there any concerns with Nos. 6 and 7?

Mr. Evan: We are agreeable with No. 6. The reason we had hesitation is that McDonald’s as a corporation has been trying to get away with any texture in crosswalks because they tend to be a target for ADA compliance. They would like to go with colored concrete with a stamped pattern, but we understand that is a big thing here in Leawood. We agree to it. No. 7 deals with photometrics, and I’m dealing with the Ranch Mart shopping center photometric designer to get all that incorporated. We’ll have that resolved before City Council, so we have no issues with that either.

Comm. Block: I assume you’re fine with the rest of them as well?

Mr. Evan: Yes, we agree with all the stipulations.

Comm. McGurren: Is there an easy answer to the question I asked earlier?

Mr. Evan: The width of the drive-through is standard at 12 feet, which is what we typically do in all of them.

Comm. McGurren: The width, turn, and shape are consistent with every McDonald’s?

Mr. Evan: Yes, we have standards we have to meet. This meets those standards.
Chairman Coleman: To expand the drive-through lane, I noticed there were some existing trees on the eastern border. To make the second lane, do you have to take the trees out?

Mr. Evan: We do. We’re at bare minimum. We have the trash enclosure on the east side of the building that sets everything, and the first drive-through lane is after that. Then, we have a 6’ island, which is the minimum width for McDonald’s, and the other drive-through lane. By the time that all pushes east, we have to go that far to get the other lane in. I can’t pull it farther west with the way the trash enclosure is sitting here.

Chairman Coleman: Can you go over a bit of the traffic flow? I remember when this whole development came in, there was a concern about traffic flow off Mission Road into the McDonald’s and how that was all going to work.

Mr. Evan: I can try to walk you through it. Off Mission, drivers come into the lot just like McDonald’s would like, and they either get into the drive-through or park to come in the front door. Off 95th, the city wanted to move it to the east to get it away from the intersection at 95th and Mission and to prevent people from coming in and shooting into the drive-through, bypassing the line. Moving that over solves those issues. Coming in off 95th, drivers come up the drive aisle around the front and enter toward Mission. At that point, they will go around the building counterclockwise. Because of the way Ranch Mart is set up, we are stuck with the traffic flow as is. McDonald’s likes that one-way traffic flow counterclockwise around their sites.

Chairman Coleman: I’m still concerned about the exit on the northwest corner. I think the only people that can use that are in that second outside drive-through lane. I’m a little concerned that people in the first drive-through lane may want to use it as well if they don’t want to order or for whatever reason. I could see issues with traffic flow in that area. I guess it’s a bailout portion. Is that normal for your drive-throughs in this tight enclosure?

Mr. Evan: They would prefer to have a full bypass lane if there was an opportunity, where someone could just circle the site and keep circling. I’ve seen it before with a tight situation like this and we had to add something like a bailout lane to provide an opportunity to get out of the drive-through.

Chairman Coleman: I was mentioning to everyone in this room that we were car shopping this weekend, and we went to the closest Chik Fil A, and we had to make a decision. If we went in the lane, we were stuck. It’s different in here. Their situation, you have to go through the whole process. Here, I’m just concerned about the cars trying to get out from that first lane.

Mr. Evan: We’re just trying to make the best of the situation with the bailout lane as an option. Ideally, they’d like to be able to circulate all the way around the back, but with the conditions, this is the best we can do.
Chairman Coleman: I understand it’s a tight sight.

Ms. Stadther: Normally, when we add a side-by-side, we’re doing it to service existing traffic. It services existing traffic quicker. Hopefully, if you are in the inside lane and decide to leave for whatever reason, you’re not waiting long to do it. When you’re at that point, it shouldn’t take long except during peak times. We would love to have a bypass lane around the whole building, but it is a matter of servicing existing traffic quicker or having a bypass lane.

Chairman Coleman: Are there other questions?

Mr. Coleman: Are you going to look at wrapping the rear with the stucco, as Commissioner Stevens indicated?

Ms. Stadther: That is metal on the upper part.

Mr. Coleman: I know it’s metal, but he talked about it being the only place that there is metal on the building.

Ms. Stadther: It is not removable.

Mr. Coleman: I’m just asking if you would look at wrapping the rear portion where the metal is with stucco.

Ms. Stadther: We don’t normally do metal back there, so it is probably a structural issue with the weight.

Mr. Coleman: It previously had a mansard roof all along there. I’m just wondering. I don’t think the weight would be different.

Mr. Evan: He’s talking about the back side.

Mr. Coleman: I’m sure the mansard roof weighs more than a single wall. Could you have them look at that?

Ms. Stadther: Normally, we have metal all the way around.

Chairman Coleman: This case requires a Public Hearing. Is there anyone in the audience who would like to speak?

Public Hearing
Kevin Jeffries, 13451 Briar Drive, Leawood, appeared before the Planning Commission and made the following comments:

Mr. Jeffries: I wanted to speak to what I believe was Stipulation No. 5, which was about the screening of the back of the menu boards. Staff was very nice to call me back and
explain that it was part of the LDO. I would just like to throw out for consideration the practicality of that. I’m very concerned that these plants will continually be dying from the cars being there. It is a small island. The development where my business is has trees dying all the time because the planting areas are not big enough to support the plant life, and they’re not in an appropriate spot. I think we might want to consider that this is facing a commercial area on all four sides. I could see if it was facing a residential area that it would be appropriate to screen something like that, that might be unsightly from a residential perspective, but I just think it’s something I would like you to consider when looking at changes to the ordinance. We make them all the time, and you might want to look at not just the landscaping but if the trees will survive and the purpose of the screening. Thank you.

Chairman Coleman: Does staff have any comment on that? I thought it was kind of unique that we had it in there. I will say that I went by the existing McDonald’s at that location, and the screening behind has plants that are thriving.

Mr. Klein: When we had the menu boards come in, we were under the realization that the backs of those boards aren’t the most aesthetically pleasing. We have no idea what they will look like. The city has the screening requirement that has been applied to other menu boards. It could be other types of screening as well. For instance, the Starbucks at Parkway Plaza did a stone wall around the back of the menu board and then accented it with landscaping. If things get really tight, there might be other opportunities such as architectural ways to do it if plant material doesn’t survive. We talked to the parks superintendent to get ideas of what would survive there. They proposed upright junipers. He thought that would probably be fine. The menu board isn’t overly wide, so it should screen it well. It is there for aesthetic reasons. In this case, it is a drive-through, but there will be other cases where it would be much more visible from a public right of way.

Additionally, we talked about the photometric study, and there is an up-light shown that is shown to wash the building. Right now, it is shown at 5,100 kelvin. Generally, that is a fairly white, almost blue, light that tends to get harsh. The applicant is willing to consider moving that to 3,000 kelvin, which is a softer yellow light. That would be done with their application. There is a stipulation that, prior to Governing Body consideration, they would provide a revised photometric study, and that would be part of that.

Chairman Coleman: Thank you. Is there anyone else who would like to speak during the Public Hearing?

As not one else was present to speak, a motion to close the Public Hearing was made by Block; seconded by McGurren. Motion carried with a unanimous vote of 5-0. For: McGurren, Belzer, Block, Stevens, Peterson.

Chairman Coleman: That brings us to discussion. If there is none, the chair will entertain a motion.
A motion to recommend approval of CASE 69-19 – RANCH MART – MCDONALD’S – Request for approval of a Special Use Permit for a fast food restaurant with drive-through, Preliminary Plan and Final Plan, located north of 95th Street and east of Mission Road – with 36 stipulations was made by Block; seconded by Belzer. Motion carried with a unanimous vote of 5-0. For: McGurren, Belzer, Block, Stevens, Peterson.

CASE 60-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-4, DEVELOPMENT PLAN APPROVAL PROCESS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to approvals to changes to an existing Final Development Plan, PUBLIC HEARING

Staff Presentation:
Assistant Director Mark Klein made the following presentation:

Mr. Klein: This is Case 60-19 – Leawood Development Ordinance Amendment to Section 16-3-4 – Development Plan Approval Process. This amendment pertains to a section of the ordinance that lays out when a preliminary and final development plan for the overall development are required. There was an amendment that added this Section G, shown on the ordinance itself, back in 2016. It attempted to lay out when these elements would be required. It turns out that it has had some unintended consequences in that it has allowed a development to bring forward an application for a change, but if there is one property owner who is part of the development, he would have the ability not to sign the application or give permission, and then Planning Commission and Governing Body would not see the application. That was not the intent of this. This particular ordinance states that a revised preliminary and final plan are still required on the piece of property; however, they would not be required for the overall development. It does still require notification sent out through return receipt mail. By state statute, they still have to notify all the property owners within 500 feet to make them aware the application is going forward. As part of that, a protest petition can be filed. That means that if there is more than 25% of the land area adjacent to within 200 feet of the property, they can file a protest petition, making it more difficult for the application to get passed. It would require a super majority as opposed to a simple majority at Governing Body. We didn’t want to prevent applications from ever coming before the Planning Commission and City Council; we want to at least allow that consideration to be there.

Chairman Coleman: Any questions?

Comm Block: The last piece you mentioned about the requirement for a super majority is where?

Mr. Klein: That is part of a different part of the ordinance in Article V. It applies to all preliminary plans and rezonings. That avenue is still available for this; this would not preclude that. People would still have the ability to have input; it just allows it to get to a public forum to hear the input.
Comm. Block: Help me with an example. Since we’ve been talking about Ranch Mart, one of the businesses is a donut shop. If they were to change something in the future, can you run me through how that would work?

Mr. Klein: Ranch Mart is harder because it hasn’t been broken out into different ownerships, but say Duck Donuts had their own piece of property, similar to Macy’s with their own parcel. Say Ranch Mart wanted to add another use. If Duck Donuts didn’t want that use or had any number of other reasons for not wanting it in there, they could choose to not sign the application, and Ranch Mart could not bring it forward. This would allow Ranch Mart to bring the application with a notice to Duck Donuts, who can come to the Public Hearing and voice opinions. If they can get 25% of the property owners of land area within 200 feet, they can file a protest petition. If it is valid, it would require the Governing Body to have a super majority as opposed to a simple majority in order to approve it.

Comm. Block: Has this occurred with adjoining property owners in the past?

Mr. Klein: This has come about because we had a situation that didn’t seem so much a development issue as a contractual issue and dispute that was going on behind the scenes. It was a way for the one small property to keep an application from moving forward. We want to make sure the Planning Commission and Governing Body have the ability to consider the applications.

Chairman Coleman: Any other questions? This case requires a Public Hearing.

Public Hearing

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

Chairman Coleman: This takes us to discussion on Case 60-19. Chair will entertain a motion.

A motion to recommend approval of CASE 60-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-3-4, DEVELOPMENT PLAN APPROVAL PROCESS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to approvals to changes to an existing Final Development Plan – was made by Belzer; seconded by Stevens. Motion carried with a unanimous vote of 5-0. For: McGurren, Belzer, Block, Stevens, Peterson.

CASE 71-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6.3, OFFICE, COMMERCIAL AND INDUSTRIAL SIGNAGE IN PLANNED DISTRICTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Governing Body approval of deviations to development sign criteria. PUBLIC HEARING
**Staff Presentation:**
Assistant Director Mark Klein made the following presentation:

Mr. Klein:  This is Case 71-19 – Leawood Development Ordinance Amendment to Section 16-4-6.3. This is pertaining to sign criteria. When a development comes in at the time of zoning, they put in place sign criteria for the overall development as part of a final plan. Once they do that, staff reviews the signage based on the sign criteria and the LDO. Deviations can be approved by the Governing Body. This application allows Governing Body to modify sign criteria to allow for something. The reason this is before you is that originally, when developments come in, they establish sign criteria. All the ownership is the same; everyone gets along. As developments get older, pad sites and parcels get sold off, and sometimes, it gets to the point where the sign criteria become out of date and address certain things that maybe haven’t been enforced well. This would allow an applicant to ask for something that is not allowed by the sign criteria. Currently, we typically require a letter from the development saying that they have reviewed and approved the sign. Unfortunately, often times, it doesn’t meet the sign criteria. Then, we tell them they need to update the sign criteria. There seems to be hesitancy or difficulty on their part to bring that through. That tenant then gets angry and indicates they have been approved by the development, but the development is signing off on something that doesn’t meet their sign criteria. It gets in a locked position, and this would provide a relief valve. An example of one that is very out of date is Town Center Plaza. It was done in 1995 and hasn’t been reviewed since then. They actually still require neon to illuminate the signs. Nobody uses neon anymore; it is all LED. We’ve talked to them about that and want them to come through and update the sign criteria, but they have not been able to get that done, either because of not wanting to or not being able to work with all the property owners. Staff is recommending this to provide more flexibility in order to address some of these issues.

Chairman Coleman: Questions for staff?

Comm. Block: Why would it go directly to Governing Body and not come through here first?

Mr. Klein: Actually, it would come through here. We state that it is approved by Governing Body, but it is always after a recommendation from the Planning Commission. You would see it. We want the Planning Commission and Governing Body to see it. We want this all out in the light.

Comm. Belzer: I had the same question. Does it need to be stated that it comes through Planning Commission first, or is it just implied?

Mr. Klein: We were thinking that it was implied, but we can definitely look at it. Final development plans have to come through Planning Commission and Governing Body.

Comm. Block: If you’re looking for language, in Part B, you could add it there.
Mr. Klein: We can easily add, “recommended by the Planning Commission” to make it clear.

Mr. Coleman: It’s actually already in there. It’s just above that.

Comm. Belzer: I just saw it, too.

Comm. Block: Okay.

Chairman Coleman: Any other questions? This case requires a Public Hearing.

Public Hearing

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

Chairman Coleman: This brings us to discussion on the case. Is there discussion by the commissioners? Chair will entertain a motion.

A motion to recommend approval of CASE 71-19 – LEAWOOD DEVELOPMENT ORDINANCE AMENDMENT TO SECTION 16-4-6.3, OFFICE, COMMERCIAL AND INDUSTRIAL SIGNAGE IN PLANNED DISTRICTS – Request for approval of an amendment to the Leawood Development Ordinance, pertaining to Governing Body approval of deviations to development sign criteria – was made by Block; seconded by Belzer. Motion carried with a unanimous vote of 5-0. For: McGurren, Belzer, Block, Stevens, Peterson.

MEETING ADJOURNED
City of Leawood Planning Commission Staff Report

MEETING DATE: August 27, 2019
REPORT WRITTEN: August 16, 2019

STONE LEDGE LOTS 1-3 REPLAT – REQUEST FOR APPROVAL OF A REVISED FINAL PLAT – Located north of 154th Street and east of Nall Avenue – Case 75-19 **CONSENT AGENDA**

STAFF RECOMMENDATION:
Staff recommends approval of Case 75-19, Stone Ledge Lots 1-3 Replat – request for approval of a Revised Final Plat, with the stipulations stated in the staff report.

APPLICANT:
- The applicant and engineer is Scott Confer with Phelps Engineering.
- The property is owned by Gene and Patricia Patton.

REQUEST:
- The applicant is requesting approval of a Revised Final Plat for lots 1, 2, and 3 of the Stone Ledge residential neighborhood, to replat three existing lots into two.
- No other changes are proposed with this application.

ZONING:
- The property is currently zoned RP-4 (Planned Cluster Residential, from a previous Leawood Development Ordinance zoning).

COMPREHENSIVE PLAN:
- The Comprehensive Plan designates this property as Medium Density Residential.

LOCATION:
SURROUNDING ZONING:
- North  Directly north of the property of the Stone Ledge development is the residential subdivision of The Woods at Ironhorse RP-1 (Planned Single Family Residential District).
- South Directly south of the property across 154th Street are three homes within the Stone Ledge subdivision zoned RP-4 (Planned Cluster Residential). Directly to the south of those homes is an unplatted single family residence within the City of Overland Park.
- East Directly east of the Stone Ledge development is the Woods at Ironhorse residential development zoned RP-1.
- West Directly West of the property is a single family residential development within the City of Overland Park.

FINAL PLAT COMMENTS:
- The original plat was recorded in 1996, containing 18 single family lots.
- The applicant is proposing to merge three of the lots into two lots.
- The previous plat showed a front setback of 22.5' that was platted under a previous Leawood Development Ordinance. Being that these lots are being replatted, the lots will have to meet the requirements of the current Leawood Development Ordinance for a front setback of 30'.
- Per the Leawood Development Ordinance, the corner lot street side setback is 20'.
- The proposed lots meet the required minimum lot size of 6,000 sq.ft. Lot 19 is 10,425 sq.ft. and Lot 20 is 9,727 sq.ft.

<table>
<thead>
<tr>
<th>Easements</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.5’ Utility Easement</td>
<td>Located at the west, east and south perimeters of the two proposed lots</td>
</tr>
<tr>
<td>10’ Landscape Easement</td>
<td>Located at the west property line of lot 19</td>
</tr>
</tbody>
</table>

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve Case 75-19, Stone Ledge Lots 1-3 – request for approval of a Revised Final Plat, with the following stipulations:
1. The project is limited to a Revised Final Plat for lots 1, 2 and 3 of the Stone Ledge residential subdivision into two lots, containing two lots on 0.463 acres.
2. 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 two.
FINAL PLAT OF
STONE LEDGE REPLAT
A RESURVEY AND REPLAT OF LOTS 1, 2 AND 3, BLOCK 1, STONE LEDGE
CITY OF LEAWOOD, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION

This is a resurvey and replat of all of Lots 1, 2 and 3, Block 1, STONE LEDGE, a subdivision in the City of Leawood, Johnson County, Kansas, containing 0.815 acres, more or less, of replanted land.

The undersigned proprietors of the above described tract of land has caused the same to be published in the manner shown on the accompanying plan, which subdivision and plat shall hereafter be known as "STONE LEDGE REPLAT.

DEDICATION

The undersigned proprietors of the above described tract of land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Leawood, Johnson County, Kansas shall have the power to enlarge such land proposed to be dedicated for public ways and thoroughfares, as part thereof, for public use, from the face and effect of any special assessments, and that the amount or amount special assessments on such land dedicated shall serve a lien on the remainder of the land subjecting and dedicating to said dedicated public ways or thoroughfares.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Leawood, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, as part thereof, for public use, from the face and effect of any special assessments, and that the amount or amount special assessments on such land dedicated shall serve a lien on the remainder of the land subjecting and dedicating to said dedicated public ways or thoroughfares.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors have caused this instrument to be executed on the day of 20.

Gene Pierce
Pattie Pierce

ACKNOWLEDGMENT

STATE OF KANSAS
COUNTY OF JOHNSON
BE IT KNOWN that on the day of 20, before me, the undersigned, a Notary Public in and for the County of Johnson, was sworn to and did administer the oath or affirmation required by law to the undersigned, who is a resident of the State of Kansas.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this document this day and year last above written.

Notary Public: ______________ My Appointment Expires: ______________

APPROVALS

Approved by the Planning Commission of the City of Leawood, Johnson County, Kansas this day of 20.

Chairman: ______________

Approved by the Governing Body of the City of Leawood, Johnson County, Kansas this day of 20.

Mayor: ______________

STONE LEDGE REPLAT
PHILIPS ENGINEERING INC
1001 east 100th street
Olathe, Kansas 66061
(913) 292-1666

PEI
PLANNING
ENGINEERING
ADMINISTRATION
HALLBROOK EAST VILLAGE – FENCES AND WALLS – REQUEST FOR APPROVAL OF A REVISED FINAL PLAN – Located south of 112th Terrace and west of State Line Road – Case 84-19

**CONSENT AGENDA**

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve Case 84-19, Hallbrook East Village – Request for approval of a Revised Final Plan, subject to the stipulations in the staff report.

APPLICANT:
- The applicant and landscape architect is Katie Martinovic with Nearing Staats Prelogar Jones.
- The property is owned by Hallbrook Villas III, LLC.

HISTORY:
- A Final Plan and Final Plat for Hallbrook East Village was approved in March of 2017 with Case 32-17 (Ordinance No. 4784).
- At the time of Final Plan, the applicant proposed a fence along Overbrook Road consisting of a 1’-6” tall stone base with a 3’ wrought iron fence on top, for a total height of 4’-6”. The applicant is requesting to modify sections of the proposed fence by changing sections of this wall/fence combination to solid 5’ stone wall sections that are 18’ in length.

REQUEST:
- The applicant is requesting approval of a Revised Final Plan to modify the rear and side yard fences of 12 lots along Overbrook Road with sections of solid 5’ stone walls, 18’ in length, for privacy.

ZONING:
- The property is currently zoned RP-2 (Planned Cluster Detached Residential District).

COMPREHENSIVE PLAN:
- The Comprehensive Plan designates this property as Medium Density Residential.

LOCATION:
SURROUNDING ZONING:

- North  To the north is undeveloped property zoned AG (Agricultural) and SD-CR (Planned General Retail).
- South  To the south is Hallbrook Farms, a single family residential subdivision zoned RP-1 (Planned Single Family Residential District).
- East   Directly to the east is State Line Road and single family residential located in Kansas City, Missouri.
- West   To the west, across Overbrook Road, is the Patio Homes at Hallbrook, a single family residential subdivision zoned RP-4 (Planned Cluster Residential under a previous Leawood Development Ordinance).

SITE PLAN COMMENTS:

- Hallbrook East Village is located west of State Line Road and south of 112th Terrace. The subdivision is bordered on the west by Overbrook Road.
- Two entries into the subdivision are located off of Overbrook Road, one at W. 114th Street and one at W. 116th Street.
- A 5’ sidewalk is proposed along Overbrook Road.
- A fence/wall is proposed adjacent to the sidewalk along Overbrook Road, to provide privacy and security to the rear and side yards of the homes.
- Sections of the proposed fence will be consist of a solid stone wall, 5’ in height and 18’ in length, to add privacy to the yards. To create the solid wall, 12 columns previously included in plans along Overbrook Road are being turned into 13 sections of wall. This will affect 12 lots in the subdivision.

ELEVATIONS:

- The original plans for Hallbrook East Village included a low wall (1’-6” tall) with a 3’ wrought iron fence located above the wall. The fence and wall was proposed to be anchored with 5’ tall stone columns.
- The applicant proposes to revise 12 of the stone columns, and replace them with longer sections of stone wall, which measure 5’ in height and 18’ in width.
- The stone used on the wall sections will match what was previously proposed for the columns – Rubble Stone, Prairie Shell Split Face.
- The entry features into the development will remain as previously approved.

SIGNAGE:

- No signage is proposed with this application.

LANDSCAPING:

- No changes to landscaping are proposed with this application.

LIGHTING:

- No lighting is proposed with this application.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission approve Case 84-19, Hallbrook East Village – Request for approval of a Revised Final Plan, with the following stipulations:
1. This approval is limited to a Revised Final Plan for Hallbrook East Village to modify sections of the fence along Overbrook Road with 5' stone wall sections 18' in length.
2. The stone shall be natural stone to match the stone previously approved for the stone fencing within the Hallbrook East Village development.
3. No signage is approved with this application.
4. A building permit shall be required prior to installation of the fence.
5. No construction shall be allowed between the hours of 9:00 p.m. to 7:00 a.m. and not on Sundays.
6. The conditions and stipulations of the current Preliminary Plan and Final Plan approval shall remain in full force and effect except to the extent expressly modified herein.
7. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
8. In addition to the stipulations listed in the 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 acknowledgement in writing that they agree to stipulations one through eight.
SITE NOTES:
1. VERIFY ALL NOTED ELEVATIONS AGAINST CIVIL ENGINEER GRADING PLAN.
2. REPORT ANY DISCREPANCIES OR MISSING INFORMATION IMMEDIATELY TO THE LANDSCAPE ARCHITECT. DO NOT FULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHERE IT IS FOUND THAT KNOWN DISCREPANCIES EXIST. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION.
3. REFER TO L.08 SERIES SHEETS FOR TREE PLANTINGS & LANDSCAPE ROCK MATERIAL SPECIFICATIONS.
4. REFER TO L.08 SERIES SHEETS FOR SHRUB PLANTINGS.
5. REFER TO L.08 SERIES SHEETS FOR PLANTING DETAILS & SPECIFICATIONS.
6. REFER TO B.D. SHEETS FOR SIGNAGE & FENCE DETAILS.
7. TRAIL SHALL NOT BE CONSTRUCTED WITHIN 5' OF ANY GAS MARKER.
8. ALL UTILITIES SHOWN ARE PRELIMINARY - CONTRACTOR TO LOCATE FINAL UTILITIES PLACEMENTS.
9. FENCE POSTS TO BE A MINIMUM OF 4 FEET FROM SOUTHERN STAIRS PIPELINE.
10. SPRINKLER LINES WILL ONLY BE ALLOWED TO CROSS THE GAS PIPELINE EASEMENT AT 90 DEGREES. SPRINKLER HEADS WILL NOT BE ALLOWED WITHIN 10 FEET OF THE GAS PIPELINE.
11. MASTER ASSOCIATION WILL WATER & MAINTAIN LANDSCAPING ALONG STATE LINE BERMS.
12. ALL AREAS GIVEN WITHIN HIGH PRESSURE GAS EASEMENT (TRACTS C & D) WILL BE MAINTAINED BY EAST VILLAGE H.O.A.
13. ALL DRIVEWAYS WILL BE MAINTAINED BY EAST VILLAGE H.O.A.
14. EACH HOME WILL HAVE ITS OWN SPRINKLER WITH REMOTE ACCESS FOR H.O.A.
15. HOMES ARE TO BE MAINTAINED BY THE HOMEOWNER.
EDGEOWOOD SUBDIVISION – PRIVATE ART– REQUEST FOR APPROVAL OF A FINAL PLAN – 
Located north of Town Center Drive and west of Roe Avenue – Case 90-19

STAFF RECOMMENDATION:
Staff recommends approval of Case 90-19, Edgewood Subdivision – Private Art – request for approval of a Final Plan for the installation of private art, with the stipulations outlined in the staff report.

APPLICANT:
- The applicant is Michael Shirley, Edgewood Homeowners Association President.
- The property is owned by the Edgewood Homeowners Association.

REQUEST:
- The applicant is requesting approval of a Final Plan to install one kinetic sculpture, titled “Blooming Lily 3” in the common open space of the Edgewood Subdivision.

ZONING:
- The property is currently zoned RP-4 (Previous Leawood Development Ordinance).

COMPREHENSIVE PLAN:
- The Comprehensive Plan designates this property as Medium Density Residential.

LOCATION:

SURROUNDING ZONING:
- North  To the north is the single family residential subdivision of Leawood Country Manor, zoned R-1 (Planned Single Family Low Density Residential).
- South To the south of the property is Town Center Drive. Across Town Center Drive is Park Place, a mixed use development, zoned MXD (Mixed Use Development District) and Town Center Plaza, zoned SD-CR (Planned General Retail).
• East  Directly to the east of the property is Leawood City Hall and the Leawood Pioneer branch of the Johnson County Library, zoned RP-4 (Planned Cluster Detached Residential District)

• West  To the west is Leawood Commons zoned SD-O (Planned Office) and SD-NCR (Planned Neighborhood Retail) and a mixed use development, zoned MXD (Mixed Use Development District) within the City of Leawood.

SITE PLAN COMMENTS:
• The proposed site is located near the corner of Rosewood Street and W. 115th Terrace within Edgewood, in shared open space within the subdivision.
• A circular plaza made of brick pavers and measuring approximately 20’ in diameter, with landscaping and benches is existing. A grassy lawn with trees surrounds the circular plaza.
• The sculpture is proposed to be placed in the center of the plaza.
• A single decorative light pole is located on the edge of the plaza.
• The Edgewood swimming pool and clubhouse is located west of the plaza space.
• A 5’ sidewalk circumscribes the open space.
ELEVATIONS:
• The kinetic sculpture consists of a 38” tall x 46” wide stainless steel “Blooming Lily” at the top of a 6’-1” stainless steel pole.
• The pole will be attached to a 5’ tall stainless steel pedestal for an overall height of approximately 9’. A ground stake will anchor the pedestal and artwork.
• The kinetic sculpture will rotate when powered by the wind.
SIGNAGE:
- A stone piece, measuring 6”x12”x24” will be placed next to the art piece and will display the names of the donors of the artwork.

LANDSCAPING:
- No changes to the existing landscaping are proposed.

LIGHTING:
- An existing light pole is located adjacent to the circular brick plaza space and will illuminate the artwork at night. No additional lighting is proposed.

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve Case 90-19, Edgewood Subdivision – Private Art – request for approval of a Final Plan for the installation of private art, with the following stipulations:
1. The project is limited to the installation of one private art sculpture consisting of one stainless steel “blooming lily” mounted on a stainless steel pole, within the common open space of the Edgewood Subdivision.
2. The structure shall be maintained by the Edgewood Homeowners Association.
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.
City of Leawood Planning Commission Staff Report

MEETING DATE: August 27, 2018
REPORT WRITTEN: August 19, 2018

THE HILLS OF LEAWOOD VILLAS - REQUEST FOR APPROVAL OF A REZONING FROM R-1 (PLANNED SINGLE FAMILY LOW DENSITY RESIDENTIAL) TO RP-2 (PLANNED CLUSTER RESIDENTIAL DETACHED), PRELIMINARY PLAN, AND PRELIMINARY PLAT - Located north of 151st Street and east of Mission Road - Case 74-19 **PUBLIC HEARING**

STAFF RECOMMENDATION:
Staff is not supportive of the application as submitted, as it does not meet the requirements of the Comprehensive Plan and would result in a higher density area being surrounded by lower density residential. Staff recommends the Planning Commission deny Case 74-19 – The Hills of Leawood Villas – request for approval of a Rezoning from R-1 to RP-2, Preliminary Plan and Preliminary Plat.

APPLICANT:
• The applicant is Mark Simpson with Hills Development, LLC.
• The property is owned by David Swarts, PARU LLC, and Who’s On First LLC
• The engineer is Tim Tucker with Phelps Engineering, Inc.
• The landscape architect is Jason Meier with Meier Landscape Architect, LLC

REQUEST:
• The applicant is requesting approval of a Rezoning from R-1 to RP-2, Preliminary Plan and Preliminary Plat for the Hills of Leawood Villas subdivision, which includes 25 single-family residential units and 5 tracts on 13.5 acres, for a density of 1.85 dwelling units/acre.
• The applicant is proposing a Rezoning from R-1 (Planned Single Family Low Density Residential – 15,000 Sq. Ft.) to RP-2 (Planned Cluster Residential District – 6,000 Sq. Ft. per Dwelling)

ZONING:
• The property is currently zoned R-1 (Planned Single Family Low Density Residential).

COMPREHENSIVE PLAN:
• The Comprehensive Plan designates this property as Low Density Residential.

SURROUNDING ZONING:
• North To the north is Ironwoods Park owned by the City of Leawood, zoned REC (Planned Recreation).
• South To the south are single family lots, some of which have been developed with homes along the north side of 151st Street as part of the Mission Heights subdivision, and 151st Street. South of 151st Street is the single family subdivision of Reserve at Ironhorse, zoned RP-1 (Planned Single Family Residential District). Beyond the Reserve of Ironhorse is Ironhorse Golf Course, owned by the City of Leawood, zoned REC (Planned Recreation).
• East Directly to the east is a single family residential subdivision of Hills of Leawood, currently under construction, zoned R-1 (Planned Single Family Low Density Residential District).
- West To the west is the single family residential subdivision of Mission Heights, zoned R-1 (Planned Single Family Low Density Residential District). Beyond Mission Heights and across Mission Road, is the single family residential subdivision of Pavilions of Leawood, zoned RP-1 (Planned Single Family Residential District).

LOCATION:

SITE PLAN COMMENTS:
- The subject site was originally part of the Mission Heights subdivision. The original plat for the Mission Heights single family residential subdivision was recorded with 57 single family lots with an average of 1.19 acres per lot in 1961, prior to annexation by the City of Leawood. In the time since the plat was recorded, 16 lots along the periphery have been constructed with single family homes. The interior lots of the development remain vacant. However, infrastructure is now being put in place for the Hills of Leawood residential development directly east of the proposed development.
- The Hills of Leawood development received approval of a Final Plat and Final Plan by the Governing Body on April 1, 2019 with Case 01-19, The Hills of Leawood (Ordinance No. 2935). The proposed development is located east of the Hills of Leawood. The Hills of Leawood was approved for 70 lots and 8 tracts on 44.16 acres. During the preliminary process for this development, a variance was granted by the Board of Zoning Appeals to allow the development not to meet the requirement for new developments to have a minimum of the average lot size of the adjacent lots within 300’ of the development up to one acre. However, the Board of Zoning Appeals required that the minimum lot size within the development be 15,000 sq. ft. and that the minimum average lot size within the development be 19,000 sq. ft. The Final Development Plan for Hills of Leawood was approved with an average lot size of 19,625 sq. ft.
- With this application, the applicant is proposing 25 single family residential lots and 5 Tracts on 13.5 acres for a density of 1.85 dwelling units per acre (average lot size of 13,642 sq.ft.). It is located between the Mission Heights development along Mission Road (average of 45,691 sq.ft. per lot) and the Hills of Leawood development to the east (average of 19,695 per lot).
- Transmission power lines, within a 100’ easement that run northeast to southwest, divide the proposed subdivision from the Hills of Leawood that is currently under construction. The western boundary of this easement generally forms the eastern boundary of this proposed subdivision. Tracts B and C, common area tracts, are located within this easement.
• In compliance with the Leawood Development Ordinance, the streets within the development shall be public.
• A permanent public street, extending east from Mission Road, will be constructed with this application, connecting Mission Road to the western terminus of 150th Street that is being constructed with the Hills of Leawood subdivision.
• The Hills of Leawood Villas subdivision is proposed to be accessed off of the proposed 150th Street extending eastward off of Mission Road.
• The project will contain two cul-de-sacs with two eyebrows coming off of the northern cul-de-sac.
• Per City requirements, public right-of-way for the streets are 50’ and are 26’ back of curb to back of curb.
• Landscaped islands are shown within each of the cul-de-sacs and eyebrows.
• Five foot wide sidewalks are proposed on the south side of 150th Street. Five foot sidewalks are also proposed on a single side of the main cul-de-sacs, north and south of 150th Street. The development will also include a 10’ tree lawn between the sidewalk and back of curb of the street. Approximately 3’ of sidewalk will be constructed within a 4’ sidewalk easement.
• The main entrance into the development from Mission Road is flanked on each side with common area tracts (Tract A and D). These tract areas will mainly be used for monuments and landscaping for the development.
• Storm water bio-retention/detention is proposed within Tract B along with underground pipes, at the southern end of the development, adjacent to 151st Street.
• Tract C is proposed is a common area located under the power lines within the 100’ utility easement to the east of the development. Trail connections are proposed to connect with trails within Hills of Leawood that connect to the amenity area within the Hills of Leawood subdivision to the east, and to Ironwoods Park to the north. These trail connections are proposed to be 8’ in width and constructed of asphalt.
• Tract E is proposed as a landscape buffer between the adjacent property owner to the west and the proposed development.
• Adjacent to the common property line with Ironwoods Park to the north, the applicant is proposing a 10’ Tree Preservation Easement. Four lots shall be adjacent to this tree preservation easement. A 5’ wrought iron style fence to match that to be constructed with Hills of Leawood is proposed to run along the south side of the tree preservation easement.
• A 10’ utility easement is proposed along the south side of the 10’ tree preservation easement.

PRELIMINARY PLAT:
• The applicant is proposing 25 single family lots for the Hills of Leawood Villas subdivision, with an average lot size of 13,642 sq.ft. The smallest lot size is 9,500 sq.ft, while the maximum is 21,992 sq.ft.
• The applicant is proposing five common area tracts, a total of 4.40 acres, which shall be maintained by the Homes Association. The tracts are as follows:

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<thead>
<tr>
<th>Lot</th>
<th>Sq.ft</th>
<th>Acres</th>
<th>Area</th>
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<tbody>
<tr>
<td>Tract A</td>
<td>2,846.33</td>
<td>0.0653</td>
<td>South of the main entrance into the development off of 150th Street. This tract will contain landscaping and development monuments.</td>
</tr>
<tr>
<td>Tract B</td>
<td>71,720.43</td>
<td>1.6465</td>
<td>Southern boundary of the development, south of 150th Street. This common area will contain a bio-retention/detention basin and underground pipes for storm water.</td>
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</table>
The following table outlines the required and provided regulations for the RP-2 Zoning District:

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<tr>
<th>Criteria</th>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
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<tbody>
<tr>
<td>Front Setback</td>
<td>30'</td>
<td>22.5'</td>
<td>Deviation Requested</td>
</tr>
<tr>
<td>Side Setback</td>
<td>10'</td>
<td>8.5'</td>
<td>Deviation Requested</td>
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<tr>
<td>Corner Lot Street Side Setback</td>
<td>20'</td>
<td>15'</td>
<td>Deviation Requested</td>
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<tr>
<td>Rear Setback</td>
<td>20'</td>
<td>20'</td>
<td>Complies</td>
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<tr>
<td>Lot Size</td>
<td>6,000 Square Feet per dwelling unit</td>
<td>Average = 13,642 sq. ft.</td>
<td>Complies</td>
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The following criteria compares the low-density districts of R-1 and RP-1 with the medium density zoning of RP-2.

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<tr>
<th>Criteria</th>
<th>R-1 Required</th>
<th>RP-1 Required</th>
<th>RP-2 Required</th>
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<tbody>
<tr>
<td>Comprehensive Plan Designation</td>
<td>Low Density Residential</td>
<td>Low Density Residential</td>
<td>Medium Density Residential</td>
</tr>
<tr>
<td>Density</td>
<td>2.904 Dwelling Units/Acre</td>
<td>3.63 Dwelling Units/Acre</td>
<td>7.26 Dwelling Units/Acre</td>
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<tr>
<td>Lot Size</td>
<td>15,000 Square Feet per dwelling unit*</td>
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<td>6,000 Square Feet per dwelling unit</td>
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<tr>
<td>Lot Frontage</td>
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<tr>
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</tr>
<tr>
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<td>30'</td>
<td>30'</td>
<td>20'</td>
</tr>
<tr>
<td>Rear Setback</td>
<td>30' for lots with a depth of less than 150’**</td>
<td>30' for lots with a depth of less than 150’**</td>
<td>20’</td>
</tr>
</tbody>
</table>

*The greater of the required lot size or the average (up to 1 acre) of all lots within 300’ of any lot line.

** Lots greater than 150’ in depth shall use the following formula for rear yard setback (.70 x (Lot Depth-150’)+30)
• The current applications would not meet any of the Leawood Development Ordinance bulk regulations within a low-density residential zoning.

LANDSCAPING:
• Landscaping is reviewed and approved at the time of Final Plan. The applicant has provided a preliminary landscape plan.
• The applicant is showing street trees to be planted at a rate of one tree per 40’ along all proposed right-of-ways including the connection from the development and Mission Road. The applicant has provided a detail that shows that sidewalks are proposed 10’ from the back of curb. This will allow enough space for street trees to be planted between the back of curb and sidewalk. Per the City Code street trees should be planted a minimum of 5’ from the back of curb and from adjacent sidewalks.
• The applicant is proposing a 10’ Tree Preservation Easement along the northern boundary that is adjacent to the Ironwoods Park along with a 5’ wrought iron fence to delineate the Tree Preservation Easement from the rest of the property.
• At the time of Final Plan, the existing trees within the Tree Preservation Easement will be inventoried, and only the removal of dead or hazardous trees will be allowed to be removed with the supervision of the Superintendent of Parks and an expert consultant hired by the developer.

LIGHTING:
• Lighting is reviewed and approved at the time of Final Plan.

SIGNAGE:
• No signage is approved with this application. All signage will be reviewed at the time of Final Plan.
• The applicant is proposing two common tracts A and D, north and south of the main western entrance of the subdivision off Mission Road which will be used for development signage or monuments. Details of the signage and monuments will be required at the time of Final Plan application.
• Per the Leawood Development Ordinance 16-4-6.13, the maximum number of monument signs within an RP-2 zoned district is 1 per major entrance from an arterial or Collector Street.

INTERACT:
• An interact meeting was held on Monday, July 08, 2019. A meeting summary and sign-in sheet are attached.

REQUESTED DEVIATIONS:
• The applicant is requesting the following deviations to the Leawood Development Ordinance.
  • **Front Yard Setbacks**: Section 16-2-5.5 RP-2 (Planned Cluster Detached Residential District) (6,000 sq. ft. per dwelling) requires that front yard setbacks to be a minimum of 30 ft. The applicant is proposing a deviation to the setback to allow for a 22.5’ front yard setback for a single lot (lot 6). Section 16-3-9 (A)(5)(a): provides a deviation for setbacks of buildings and paved areas from a public street may be reduced to 75% of the standard requirement. The deviation may be granted only if compensating common open space (not less than 1:1 ratio) is provided elsewhere in the project and where there is ample evidence that the deviation will not adversely affect the neighboring properties.
  • **Side Yard Setbacks**: Section 16-2-5.5 RP-2 (Planned Cluster Detached Residential District) (6,000 sq. ft. per dwelling): Bulk Regulations requires that side setbacks to be a minimum of 10 ft. The applicant is proposing a deviation to allow 8.5’ side yard setbacks on two of the lots (lots 16
Section 16-3-9(A)(5)(c) provides that a deviation to the setback of side yards which may be reduced to zero. This deviation may be granted only if compensating common open space (not less than 1:1 ratio) is provided elsewhere in the project and where there is ample evidence that the deviation will not adversely affect neighboring property.

- **Corner Lot Street Side Setbacks:** Section 16-2-5.5 RP-2 (Planned Cluster Detached Residential District) (6,000 sq. ft. per dwelling): Bulk Regulations requires that corner lot street side setbacks to be a minimum of 20 ft. The applicant is proposing a deviation to allow 15’ corner lot street side setbacks on three of the lots (lots 12, 13, and 16). Section 16-3-9(A)(5)(a) provides that a deviation to the setback of side yards which may be reduced to 75% of the standard requirement. This deviation may be granted only if compensating common open space (not less than 1:1 ratio) is provided elsewhere in the project and where there is ample evidence that the deviation will not adversely affect neighboring property.

- The area of the deviations requested by applicant totals 0.05 acres. The applicant has provided sufficient compensating open space required by the requested deviations.

**IMPACT FEES:**

- **Park Impact Fee**
  - The applicant shall be responsible for a Park Impact Fee in the amount of $400.00 per dwelling unit prior to the recording of the Final Plat. This amount is subject to change by Ordinance.

- **South Leawood Transportation Impact Fee**
  - The applicant shall be responsible for a South Leawood Transportation Impact Fee prior to the recording of the Final Plat at a rate of $625 x gross acres platted x miles from 135th Street.

- **Street Fee:** The applicant/owner shall be responsible for a Street Fee of $311 per linear foot of frontage along 151st Street. This amount is subject to change by Ordinance.

**GOLDEN CRITERIA:**

**The character of the neighborhood:**

The area is characterized by an arterial street (Mission Road) and a low density, a large lot single-family residential neighborhood (Mission Heights) to the west; an arterial street (151st Street) and a low density, large lot single-family residential neighborhood (Mission Heights) on the south; a city park (Ironwoods Park) directly to the north, and a low density single-family residential neighborhood (Hills of Leawood) currently under construction to the east.

The original plat for Mission Heights, which was a low density, large lot subdivision, was recorded in 1961 prior to annexation by the City of Leawood. Since the plat was recorded, lots along the periphery have been constructed; however, interior lots remain vacant and proposed roads have not been constructed.

A new low-density subdivision, Hills of Leawood, was approved by the Governing Body on April 1, 2019 (Ordinance #2935). A Final Plan and Final Plat for the first phase of the Hills of Leawood was approved by the Governing Body on May 21, 2019. Grading for the development has begun for this project along with construction of 150th Street, which will connect the proposed development with Hills of Leawood to the east and Mission Road to the west.
The zoning and uses of properties nearby:

- **North**
  To the north is Ironwoods Park owned by the City of Leawood, zoned REC (Planned Recreation).

- **South**
  To the south are single family lots, some of which have been developed with homes along the north side of 151st Street as part of the Mission Heights subdivision, zoned R-1 (Planned Single Family Low Density Residential District). Further to the south, across 151st Street, is the single family subdivision of Reserve at Ironhorse, zoned RP-1 (Planned Single Family Residential District). Beyond is Ironhorse Golf Course, owned by the City of Leawood, zoned REC (Planned Recreation).

- **East**
  Directly to the east is a single family residential subdivision of Hills of Leawood, currently under construction, zoned R-1 (Planned Single Family Low Density Residential District).

- **West**
  To the west is the single family residential subdivision of Mission Heights, zoned R-1 (Planned Single Family Low Density Residential District). Beyond Mission Heights and across Mission Road, is the single family residential subdivision of Pavilions of Leawood, zoned RP-1 (Planned Single Family Residential District).

The Suitability of the subject property for uses to which it has been restricted:
The site is suitable for low-density Single Family development as shown on the City of Leawood Comprehensive Plan and as currently zoned R-1 (Planned Single Family Low Density Residential District – 15,000 sq. ft. Per Dwelling). However, the plan proposed with this application is not suitable for the subject property as it proposes RP-2 (Planned Cluster Detached Residential District – 6,000 sq.ft. Per Dwelling), which is medium density residential with minimum lot sizes less than half of the surrounding zoning.

The time for which the property has been vacant:
A plat for the subject property was recorded in the 1960’s. Since that time, approximately 12 lots were developed along Mission Road and 151st Street, leaving all interior lots and roads undeveloped. However, the property directly to the east of the proposed development has been approved for the R-1 (Planned Single Family Low Density Residential District) subdivision of Hills of Leawood, which is currently under construction.

The extent to which removal of the restrictions will detrimentally affect nearby property:
The subject property is currently shown on the City of Leawood’s Comprehensive Plan as Low Density Residential, and zoned R-1 (Planned Single Family Low Density Residential District – 15,000 sq.ft. Per Dwelling). All other residential directly adjacent to the proposed project (on the east, west, and south) has been either developed, or approved for single family low density residential zoned R-1. The public park, Ironwoods, is located directly to the north of the subject property.

The existing homes, developed within the Mission Heights subdivision, that have developed along both Mission Road and 151st Street are large lot single family residential that have lots substantially larger than 15,000 sq.ft. In addition the Hills of Leawood, an approved low density single family residential subdivision that is zoned R-1 that is currently under construction will also have many lots larger than 15,000 sq.ft. The Leawood Development Ordinance also has a requirement within R-1 and RP-1 zoning districts that the minimum size of newly created lots shall be a minimum of 15,000 sq. ft. or the average lot size of lots within the City of Leawood that are within 300’ (up to a maximum of 1 acre), whichever is greater. This Leawood Development Ordinance requirement is to ensure that new single-family residential development will be compatible with the existing neighborhoods.
The current zoning of the subject property, and all residential development directly adjacent to the subject property, is zoned R-1 (Planned Single Family Low Density Residential District – 15,000 Sq. Ft. per dwelling unit). The next residential zoning district with a greater density than the R-1 district is the RP-1 (Planned Single Family Residential District – 12,000 Sq. Ft. per dwelling unit). The development in this application is proposing to skip the RP-1 zoning district and move to a medium density zoning district of RP-2 (Planned Cluster Detached Residential District – 6,000 Sq. Ft. per dwelling unit), which allows minimum lots sizes to be less than half of what is required by R-1 zoning. The RP-2 zoning also does not have the requirement that newly created lots must meet the average lot size of lots within 300' up to 1 acre, to ensure that newly creates lots will be compatible with surrounding development. In addition to skipping to a denser zoning district, the applicant has requested deviations from the bulk regulations for the RP-2 district in regards to setbacks, which are already less than the requirements within both R-1 and RP-1 low density residential districts.

RP-2 zoning districts requirements within the Leawood Development Ordinance are different than that of R-1 and RP-1 zoning districts. The following are a few regulations that the development with this application would not meet if the zoning were to stay as low density residential:

- Lot Area 15,000 sq.ft. (R-1) 12,000 sq.ft. (RP-1). All new lots within low density residential zoned districts are required to have a minimum lot size that is the average of the lot sizes within 300' of the proposed development up to a maximum of 1 acre, whichever is greater.
- Front yard setback of 35' (R-1, RP-1)
- Side yard setback of 15' (R-1) or 12' (RP-1)
- Corner Lot Street Side Setback 30' (R-1, RP-1)
- Rear yard setbacks of 30' or more, dependent of the depth of the lot created. (R-1, RP-1)
- Lot frontage must be a minimum of 100' (R-1, RP-1)

The development to the east (Hills of Leawood) of the proposed development, was granted a deviation from the Board of Zoning Appeals on October 25th, 2017 to allow the development to not meet the requirement of having an average lot size of the lots within a 300’ radius, but required that no lot could be less than 15,000 sq.ft. and the average lot size for the entire development could not be less than 19,000 sq.ft. Hills of Leawood also requested and was granted deviations from the Bulk Regulations within the Leawood Development Ordinance in regards to interior side yard setbacks and rear yard setbacks.

Although the development within this application has an average lot size larger than what is allowed within RP-2 zoning district, any future developments would be allowed to use the minimum zoning requirements, potentially allowing for 6,000 sq. ft. lots per dwelling unit.

This site is suitable for low density residential development and stipulations are necessary to ensure a high quality project that fits with the surrounding uses. Removal of the restrictions requiring these principals may result in a less economically sustainable development, which would have detrimental effect on nearby properties.

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:
The use proposed is too dense for this site and not compatible with existing and approved adjoining residential development; therefore, denial of the application may create a relative gain to the public health, safety, and welfare to the neighboring community by encouraging a more compatible well planned residential area.
The recommendation of the permanent staff:
City Staff recommends denial of the proposed application for the reasons outlined in the staff report and Golden Factors.

Conformance of the requested change to the adopted master plan of the City of Leawood:
The proposed application does not conform to the adopted master plan of the City of Leawood as it is a higher density than what the plan shows (Low Density Residential).

STAFF COMMENTS:
- The applicant is requesting a rezoning of the project area to RP-2 (Planned Cluster Detached Residential District – 6,000 Sq. Ft. per Dwelling). The City of Leawood Comprehensive Plan shows this area to be Low Density Residential. The Comprehensive Plan designates that areas zoned RP-2 as Medium Density Residential Land Use. In addition to the plan not meeting the City of Leawood Comprehensive Plan, additional reasons for denial of this request are as listed below. City Staff is not supportive of this application and deviating from the comprehensive plan being that all surrounding land uses are that of Low Density Residential, zoned R-1.
  - The proposed development is skipping over a zoning classification, putting medium density residential zoning in the middle of other established and developing low density subdivisions zoned R-1. The maximum density permitted within the RP-2 zoning district is 7.26 dwelling units per acre. The R-1 zoning district allows a maximum density of 2.89 dwelling units per acre, which is less than half the density of the RP-2 zoning district. The higher density that the applicant is proposing is not being used as a transition to higher intensity development, but is surrounded by existing homes and approved development zoned R-1. As stated above, the applicant is not proposing the next highest density within residential (RP-1), which allows a maximum density of 3.63 dwelling units per acre, but is skipping to the medium density RP-2.
  - The minimum lot size required within the RP-2 zoning district (6,000 sq.ft.) is less than half the lot size required under the existing R-1 zoning of the site (15,000 sq.ft.), and of the surrounding residential developments zoned R-1.
  - Both R-1 and RP-1 zoning districts require a minimum lot frontage of 100 sq.ft., whereas, the RP-2 zoning district has no frontage requirement.
  - Additional deviations are still being requested to the reduced setbacks within the RP-2 district.
  - All future developments will be able to use the minimum requirements for the underlying zoning, which will run with the land with a potential for an even denser development.
- Below are tables comparing the requirements for R-1, RP-1 and RP-2 zoning districts, as well as, a comparison between the existing lots within Mission Heights, approved lots of Hills of Leawood, and the proposed lots with this application.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>R-1 Required</th>
<th>RP-1 Required</th>
<th>RP-2 Required</th>
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<td>Density</td>
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<td>3.63 Dwelling Units/Acre</td>
<td>7.26 Dwelling Units/Acre</td>
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<td>Lot Size</td>
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<td>12,000 Square Feet per dwelling unit*</td>
<td>6,000 Square Feet per dwelling unit</td>
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**Comparison Between The Existing Lots Within Mission Heights, Approved Lots Of Hills Of Leawood, And The Proposed Lots With This Application**

<table>
<thead>
<tr>
<th>Status</th>
<th>Mission Heights</th>
<th>Hills of Leawood</th>
<th>Hills of Leawood Villas</th>
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<td>Zoning</td>
<td>R-1</td>
<td>R-1</td>
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<td>0.31 Dwelling Units/Acre</td>
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**STAFF RECOMMENDATIONS**

Staff recommends the Planning Commission deny Case 74-19, Hills of Leawood Villas - request for approval of a Rezoning from R-1 to RP-2, Preliminary Plat and Preliminary Plan. If the Planning Commission were to approve this application, staff recommends the following stipulations:

1. The project shall be limited to 25 lots and five tracts on 13.5 acres for a residential density of 1.85 units per acre.
2. No deviations to the Leawood Development Ordinance shall be approved with this applications.
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 building within the project. This does not include existing high voltage overhead power transmission lines on the western edge of the development.
4. Per the Leawood Development Ordinance, all above ground 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 25’ behind the right-of-way.
5. All new utility boxes with a height of less than 55 inches, a footprint of equal to or less than the 15 square feet in area, or a pad footprint of equal 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.
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. The applicant shall be responsible for the following impact fees:
   a. A Park Impact Fee in the amount of $400.00 per dwelling unit prior to the recording of the Final plat. This amount is subject to change by Ordinance.
   b. A South Leawood Transportation Impact Fee to be paid prior to the recording of the Final Plat.
   c. The applicant shall be responsible for a Street Fee of $311 per linear foot of frontage along 151st Street. This amount is subject to change by Ordinance.
8. The applicant shall provide a 10’ Tree Preservation Easement along the north property line of the
development adjacent to Ironwoods Park. This Tree Preservation Easement shall address the
protection of existing trees, removal of dead or damaged vegetation, and the replacement of vegetation
that is removed. A 5’ tall, black wrought iron style, fence matching that of the Hills of Leawood shall be
constructed along the south boundary of the Tree Preservation Easement, adjacent to Ironwoods Park.
9. At the time of Final Plat and Final Plan application, the Tree Preservation Easement shall be clearly
defined on the plat with appropriate text describing the easement and tree maintenance, removal, and
replacement.
10. The trail connections within Tract C on the most eastward portion of the development shall extend to
connect to the trails within the Hills of Leawood that provide access to the to the amenity area within
the Hills of Leawood development. These trails shall be a minimum of 8’ in width and constructed of
asphalt.
11. Prior to land disturbance (including within Ironwoods Park), the applicant shall work with the
Superintendent of Parks identifying any necessary trees which shall be necessary to be removed.
12. All landscaped common areas shall be irrigated, including cul-de-sac medians.
13. Sidewalks shall be minimum of 10’ from the back of curb to allow sufficient width for street trees to be
planted.
14. Per the Leawood City Code street trees shall be planted a minimum of 5’ from the back of curb and
adjacent sidewalks.
15. All pedestrian connections, including sidewalks and trails, shall comply with the Americans with
Disabilities Act.
16. At the time of Final Plan application, a tree inventory plan shall be provided that shows the location of
all trees, 6 inch caliper or larger, measured at 6 inches above ground level, that are proposed for
removal within the Tree Preservation Easements.
17. Prior to building permit, the applicant shall be responsible for constructing 150th Street from Mission
Road to the terminus of 150th Street within the Hills of Leawood development to the east of the
proposed development, to meet all City street construction standards, including but not limited to curbs,
sidewalks, storm drainage, lighting, and street trees.
18. The completion of the design and construction of all public streets approved with this application shall
be under a single set of construction plans.
19. At the time of Final Plan, the applicant shall provide City staff with a copy of the covenants and
restrictions proposed for the development.
20. At the time of Final Plat, the applicant shall provide additional language on the Plat describing the
Tracts within the development including maintenance and responsibilities.
21. The applicant shall obtain all approvals and permits from the Public Works Department, per the public
works memo (Exhibit A) on file with the City of Leawood Planning and Development Department, prior
to recording of the Final Plat.
22. The applicant shall obtain all approvals from the City of Leawood Fire Department, per the Fire
Marshal’s memo (Exhibit B) on file with the City of Leawood Planning and Development Department,
prior to Final Plat.
23. The Owner/Applicant must 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.

24. All sidewalks shall be installed as per street construction standards.

25. All streets within the subdivision shall be public. The developer or Homes Association shall maintain any planting or statuary within the street right of way. The developer shall execute a right-of-way maintenance agreement with the Public Works Department for any planting or statuary improvements within the public right-of-way.

26. All monument signs shall be placed within a common area designated as a separate tract of land to be maintained by the homes association.

27. All monument signs shall be located outside of all sight triangles, and shall be a minimum of 5’ from all property lines and sidewalks.

28. The Preliminary Plan approval shall lapse in two years, if construction on the project has not begun or if such construction is not being diligently pursued; provided, however, that the developer may request a hearing before the City Council to request an extension of this time period. The City Council may grant one such extension for a maximum of 12 months for good cause shown by the developer.

29. In addition to the stipulation listed in the report, the developer/applicant 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 twenty-nine.
MEMO

DATE: August 23, 2019

TO: Richard Coleman, Director of Community Development

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

SUBJECT: Hills of Leawood Rezoning Prelim
         Case Number: 74-19

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) Plat:
   a) Provide sixty (60) feet of Right-of-Way along 151st Street
   b) Provide a 5’ sidewalk easement along the frontage of lots where the sidewalk is located.
   c) Provide a minimum ten (10) foot Utility Easement abutting all Right-of-Way.
   d) Sanitary Sewer Easements, Storm Sewer Easements and Utility Easements will be reviewed on the final plat.
   e) The City of Leawood will refuse dedication of Right-of-Way and Easements if the landowner grants rights to others without written permission by the City Engineer of the City of Leawood. The Surveyor shall provide a sealed letter stating there are no Blanket Easements and provide a map showing existing easements that are within the proposed Right-of-Way and Public Utility Easements prior to the City releasing the plat.

2) Traffic Impact Analysis:
   a) Prior to approval of construction plans. The developer shall verify sight distance along Mission Road and provide a sealed report from a licensed Engineer. The report shall include recommendations for additional signing if needed.

3) Storm Water Study:
   a) The following is proposed:

Sister City to I-Lan, Taiwan, R.O.C. • Sister City to Regional Council Gezer, Israel
i) Use the detention facility approved for construction on the northwest corner of the second plat of the Hills of Leawood.

ii) A new dry basin located in the southeast portion of this property adjacent to 151st Street and new infiltration chambers located on site close to 151st Street.

iii) Native vegetation located under the existing high voltage power lines crossing this property.

b) The developer shall upgrade the control features of the detention basin located the northwest corner of the second plat of the Hills of Leawood based on the Stormwater Drainage Study provided for the Hills of Leawood Villas.

c) The location, size, plant material list, etc. of the BMPs will be verified on the engineering plan submittal.

4) Prior to Building Permit, the applicant shall be responsible for constructing 150th Street from Mission Road to the terminus of 150th Street within the Hills of Leawood development to the east of the proposed development, to meet all City street construction standards, including but not limited to curbs, sidewalks, storm drainage, lighting, and street trees.

5) Permanent structures, including monument signs, shall not be placed within the Right-of-Way and Public Easements.

6) 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).

7) 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.

8) 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.

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 and restore all damaged areas between the back of curb and the Right-of-Way abutting this lot including any existing damage. This shall include but is not limited to street lighting equipment, traffic signal equipment, sidewalk, storm sewers, grass, etc.
11) The Developer shall provide documentation by a licensed professional engineer certifying on City forms the BMPs have been constructed in accordance with City standards and the approved plans.

12) The developer shall provide as-built storm sewer information in accordance with City 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.

13) The developer shall pay the sign fee as stated in the Fee Schedule for each intersection or location of street name change to cover the costs of street signs to be installed by the Department of Public Works.

14) Building Permits will not be issued and the plat will not be released for recording until all public improvement plans have been approved by the City Engineer.

15) The Certificate of Occupancy shall not be approved until the above requirements have been met.

If you have any questions, please call me at (913) 663-9134.
From: Gene Hunter
Sent: Wednesday, August 14, 2019 9:35 AM
To: Richard Sanchez
Subject: RE: Case 74-19 Hills of Leawood Villas - Fire Department Memo

The Fire Dept. has objection to this plan.

*Gene Hunter, Leawood Fire Marshal*
Meeting was called to order at 6:10PM. Meeting concluded at 6:50PM. The Developer was represented by Mark Simpson & Saul Ellis. Attending were 6 neighbors, 5 adjacent property owners on Mission Rd to the west and one from Mission Reserve Villas to the Southwest.

1. Greg Trum from Mission Reserve Villas asked if these villas would be maintenance provided and similar in look and value to his current villa home. Developer responded that all would be reverse floorplans with single level and finished lower level and home values would start at about $800,000 and go to well over $1 million.

2. Shannon Maize 14913 Mission asked about 20’ landscape easement along 150th Street requested from the Developer from her property & neighbor Krupco to the south as to how it would work. Developer explained it would be a perpetual easement and they would still own land. Easement would be limited to a landscape screening easement for deciduous, evergreen & pine trees along with decorative flower beds and berming along both sides of 150th Street ROW to provide continued privacy for the two homes abutting the current street ROW.

3. Theresa Enriken 15009 Mission Rd. asked about preserving existing trees behind her home. Developer responded that it was too early in the process to be able to commit to where various utilities would require tree removal. Efforts would be made to preserve existing trees as added value to the new villa lots. Developer estimated that the adjacent rear of the new villa home would be more than 150’ from the rear of her home.

4. Robert McQuain- 14901 Mission Rd.- Asked where the amenity package would be and why the property could not be developed as R-1 as he was against any more density than absolutely necessary. Developer responded that due to unusual shape of land and restrictions on E/W width from diagonal high-tension powerline easement a R-1 land plan was not feasible.

5. Lori Hull 15007 Mission Rd. asked if this community would be age restricted to age 55+ years old. Developer responded that while it would not be age restricted, that marketing would be to empty nester couples and single older individuals and there would likely not be school age children. This would result in smaller single level homes, no fencing, less traffic and uniform level of landscape maintenance.

6. Diane Teal 15015 Mission Rd. asked about plans for widening of Mission Rd. and 151st Street. Developer responded that she should contact Leawood Public Works, but to the best of his knowledge recent overlay and restriping of 151st Street from Nall to City limits was all that was on current city Capital Improvement Plan for that street.
### Hills of Leawood Villas

**INTERACT MEETING**

**Iron Horse Golf Clubhouse**

**Monday July 8, 2019 at 6PM**

<table>
<thead>
<tr>
<th>PROPERTY OWNER</th>
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</tr>
</thead>
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<tr>
<td>Greg Trum</td>
<td>3953 W 151st Terr Leawood KS 66224</td>
</tr>
<tr>
<td>Robert McQuain</td>
<td>14901 Mission Rd Leawood</td>
</tr>
<tr>
<td>Theresa Entiken</td>
<td>15009 Mission</td>
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<tr>
<td>Shannon Marie</td>
<td>14913 Mission</td>
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<tr>
<td>Diane Toal</td>
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<tr>
<td>Connie Krapco</td>
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<td>Lori Hull</td>
<td>15007 Mission</td>
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<tr>
<td>Daniel O'Hull</td>
<td>15009 Mission</td>
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June 15, 2019

Mr. Richard Sanchez  
Leawood Planning Department  
4800 Town Center Drive  
Leawood, KS 66221  

Re: Hills of Leawood Villas

Dear City of Leawood;

In regards to the recent application for RP-2 housing at the neighboring Hills of Leawood community to our west, our community is in full support of developing more maintenance provided housing in our area. We have had a number of families and couples from Leawood inquire about buying homes in our own villa community being so close to Leawood. While several have bought, others have preferred to remain Leawood residents and as such are looking specifically for the care free villa style lifestyle in Leawood. This would provide them with an ideal location for their housing needs. We encourage the City of Leawood to vote in favor of permitting this type of housing in their City on this last remaining piece of development land.

Sincerely,

Shellee Baker, HOA Administrator
MISSION ROAD RESIDENTS OBJECTIONS TO THE PROPOSED VILLAS OF LEAWOOD PLAN

MASTER PLAN

All of the current residences on Mission Rd were built or purchased while the Leawood Master Plan designated the ground adjoining them to the east to be an R-1 designation. The owners of the residences have a right to rely on the several decades that the Master Plan designated the adjoining property to be R-1. To allow an R-2 development is to suggest spot zoning is appropriate in this city.

DENSITY

There is great disparity in the density of the proposed Villas of Leawood and the adjoining residences along Mission Road from 148th St. to 151st St. The Villas of Leawood R-2P plan has proposed density of approximately three house per acre. The Mission Road residences have an average density of one acre per residence. The acreage per lot varies from 3 acres to .6 acres. All of the present Mission Rd residence lots are considered estate size lots. These variances are substantial and make the proposed Villas of Leawood plan incompatible.

SETBACKS

There also is great disparity comparing the setbacks of the proposed Villas of Leawood compared to the residences along Mission Road. The Villas of Leawood plan has proposed side setbacks of 10 feet and back setbacks of 20 feet. The residences along Mission Road now average spacing of 100 feet side to side. Rear setbacks on Mission Rd residences average approximately 50 ft. and vary from 250 ft to 30 ft. based on visual inspection.

COMPATIBILITY

The present applicant developed The Villas of Ironhorse which is immediately east of the applicants current development project, The Hills of Leawood. Villas of Ironhorse has residential units very similar to the proposed Villas of Leawood. The Villas of Ironhorse has a few aspects that do not exist in the proposed Villas of Leawood. The eastern boundary of the Villa of Ironhorse is a horse farm. The western boundary has a large mature treeline, a double treeline in the northern portion and has elevation changes that makes the project lower than The Hills of Leawood. None of those visual barriers exist on the proposed Villas of Leawood.

ABSENCE OF TRAFFIC, STORM WATER EFFECTS

Not yet addressed is the traffic effect of the Villas of Leawood plan on Mission Rd and the 151st and Mission intersection. New hard surfaces that are mostly elevated from the Mission Rd residences will potentially increase storm water migration to Mission Rd residences.
Dear Mr. Sanchez,

I understand you are with the Leawood Planning Department and would like to give positive word of this new development coming before the Department. I am a board member of The Pavilions of Leawood home owners association. Our association has known about the development of the area to the east of us. Many notices have been sent to our residents and as of yet we as a board have not heard of any concerns about the area to be developed. I believe the quality of residences to be built will be an asset to our community and I support any effort to allow this to continue to fruition. If you have questions for me, I would be glad to answer them. Please feel free to call me at 913-909-0046.

Respectfully,

Max Bruce

Vice President

The Pavilions of Leawood

WARNING: This email originated from an EXTERNAL SOURCE. DO NOT CLICK LINKS or ATTACHMENTS unless you recognize the sender and know the content is safe.
Mr Sanchez—I am the President of The Reserve at Iron Horse HOA.

We are in complete concurrence with the proposed plan for the Hills of Leawood. Numerous flyers have been sent to homeowners in the Reserve and we have discussed this issue at our most recent board meeting.

The Reserve at Iron Horse is eager to see this development completed as soon as possible.

Warmest Regards
Michael K. Lynch
Mr. Richard Sanchez
Leawood Planning Department
4800 Town Center Drive
Leawood, Ks. 66221

Re: Hills of Leawood Villas

Dear City of Leawood;

I am the owner of two lots adjacent to the planned Hills of Leawood Villas. I was notified by the Developer of this planned 25-home luxury development. I have reviewed their plan for RP-2 villas, and am in full support of this type of upscale housing being built in this area. This type of maintenance provided housing has been proven to be successful nearby at Mission Reserve and at Villas of Iron Horse. These particular Developers have a long track record of developing quality communities in Johnson County. I urge the City of Leawood to approve this development; it is what our community wants, and has enjoyed. It will improve home values in our community, and will once again show the City of Leawood as a Leader.

Sincerely,

David Swarts

WARNING: This email originated from an EXTERNAL SOURCE. DO NOT CLICK LINKS or ATTACHMENTS unless you recognize the sender and know the content is safe.
OVERALL SITE LANDSCAPE PLAN

CULTIVATED EDGE DETAIL

Planting Notes

1. Location of all existing utilities needs to done before commencing work.

Field to utilize the greatest coverage of ground plane. The following applies for individual plantings:

- Creeping groundcover shall be a minimum of 6" from paving edge.
- All trees shall be a minimum of 3' from paving edge.
- All plants of the same species shall be equally spaced apart and placed for best aesthetic viewing.
- All shrubs shall be a minimum of 2' from paved edge.

3. Mulch all planting bed areas to a minimum depth of 3". Mulch individual trees to a minimum depth of 4".

4. Note: If plants are not labeled - they are existing and shall remain without replacement or compensation and shall be replaced by the property owner as required by the City.

6. All landscaped areas in ROW shall be sodded and irrigated unless otherwise specified.

7. All trees shall be callipered and undersized trees shall be rejected.

9. 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.

10. All landscaped open space shall consist of a minimum of 60% living materials.

Installation:

1. All planting beds shall be amended with 1 cubic yard of peat moss per 1,000 square feet. Till peat moss into soil to a 6" depth. A 10-10-10 fertilizer shall be spread over all planting areas prior to planting, at a rate of 50 pounds per 2,000 square feet.

2. After plants have been installed, all planting beds shall be treated with Dacthal pre-emergent herbicide prior to mulch application.

3. Plant pit backfill for trees and shrubs shall be 50% peat or well composted manure and 50% topsoil.

Landscape Calculations

One street tree is required for every 35' of street frontage: Requirement Met.

Date: 8.16.19
Project #: 544
Landscape Plan
RANCH MART SHOPPING CENTER – REVISED SIGN CRITERIA – REQUEST FOR APPROVAL OF A REVISED FINAL SIGN PLAN – Located north of 95th Street and east of Mission Road – Case 76-19

STAFF RECOMMENDATION:
Staff recommends approval of Case 76-19, Ranch Mart North Shopping Center – request for approval of a Revised Final Sign Plan, with the stipulations stated in the staff report.

APPLICANT:
- The applicant is Chris Hafner with Davidson Architecture and Engineering.
- 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.

REQUEST:
- The applicant is requesting approval of a Revised Final Sign Plan for revised sign criteria for Ranch Mart North Shopping Center to establish signage criteria that is in keeping with design aesthetic of the previously approved redevelopment project for the development.

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.

SIGNAGE:

**Changes From Existing Sign Criteria:**

- The existing sign criteria for Ranch Mart allows for internally illuminated and halo illuminated wall signage, and allows for the incorporation of tenant logos. The existing sign criteria allows for outparcel monument signage, but does not allow for awning signage or canopy signage.
- The proposed criteria allows additional signage types that are in keeping with the approved façade renovations, which incorporate additional sign types such as canopies, awnings, and opportunities for unique site features such as art work and seating areas.

**Proposed Sign Criteria:**

- The development has revised their sign criteria to reflect the future redevelopment of the site. As part of the new sign criteria, the following signage types are proposed:
<table>
<thead>
<tr>
<th>Development Signage</th>
<th>Tenant Secondary Signage</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Development Monument Signs</td>
<td>• Blade Signs</td>
</tr>
<tr>
<td>• Development Directory Signs</td>
<td>• Window Signs</td>
</tr>
<tr>
<td><strong>Tenant Primary Signage</strong></td>
<td><strong>Tenant Directional Signs</strong></td>
</tr>
<tr>
<td>• Wall Signs</td>
<td>• Drive-Thru Signs</td>
</tr>
<tr>
<td>• Awning Signs</td>
<td>• Plaque Signs</td>
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<tr>
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<tr>
<td>• Tenant Monument Signs</td>
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- Tenants will generally be allowed a maximum of one primary sign per tenant façade, with a maximum number of two signs. However, end cap tenants will be allowed a maximum of three signs.
- All signage must comfortably fit within the sign area and may not exceed 85% of the width of the sign area, or 90% of the height of the sign area.
- Signage may not be greater than 5% of the façade, or 200 sq.ft. whichever is greater.

**Development Monument Signs**
- Three monument signs are proposed for the development, located at each entrance on Mission Road (2 signs), and the primary entrance on 95th Street (1 sign).
- Two of the proposed monument signs are free standing, and incorporate metal halo-illuminated letters on a zinc perforated metal panel, attached to a travertine stone base. The letters will be a maximum of 18” in height.
- One monument sign is proposed to be incorporated into the stone screen wall along Mission Road. This sign will also incorporate metal halo-illuminated letters on a zinc perforated metal panel, but will be mounted to the wall on the perimeter of the site.
- Per the Leawood Development Ordinance, the monument signs are limited to 50 sq.ft., including the base.

**Development Directory Signs**
- Directory signage for the development is proposed at three locations – along the northern drive aisle and near the two decorative crosswalks near the entrances of Building 3 and Building 4. The directional signage is intended to direct patrons to the mixed use building (Building 4) at the northeast corner of the site.
- The directory signage will be made of travertine stone to match the development monument signs. The letters will be individual, dark bronze metal letters, a maximum of 6” in height.
- Per the Leawood Development Ordinance, directional signage shall be no more than 18 sq.ft., including the base, and shall be externally illuminated.

**Tenant Primary Signage**
- Maximum Signage heights will range in size based upon leasable square footage:

<table>
<thead>
<tr>
<th>Square Footage</th>
<th>Single Line Sign Height</th>
<th>Multi-Line Sign Height</th>
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</thead>
<tbody>
<tr>
<td>25,000 sq.ft.</td>
<td>48”</td>
<td>48”</td>
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<td>0-5,999 sq.ft.</td>
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<tr>
<td>6,000-24,999 sq.ft.</td>
<td>36”</td>
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</table>
The sign criteria requires internally illuminated letters, halo-illuminated letters or push-through letters for wall signs, and allows for logos on all new signage. Logos are required to meet the same height restrictions as the letters.

The criteria permits signage to be located on the canopies of tenant spaces, which may be halo-illuminated or face lit channel letters. The applicant is proposing letter heights on canopies that are limited based on square footage of the tenant space and which may be mounted above the canopy or on the face of the canopy. Signage may not be mounted more than 4” back from the face of the canopy.

Signage is permitted on the awnings of buildings, but is limited to the tenant’s official name and logo. Signage is limited to 24” in height and may not cover more than 50% of the awning. Awnings may not be illuminated from underneath.

Two tenant monument signs are permitted in the development, located along 95th Street. Tenant signs are limited to single tenants occupying an entire lot. These shall be externally illuminated or non-illuminated and may include unique tenant designs. Tenant monument signs are limited to 42 sq.ft., including the base, with 18” letters, or 28” signage heights for multi-line signs. Logos may extend to 32” in height.

**Tenant Secondary Signage**

- Blade signs are permitted underneath canopies or mounted on the walls above walkways. Blade signs may be externally illuminated or non-illuminated only, and are limited in size to 3 sq.ft.
- Per the Leawood Development Ordinance, window signage may not exceed more than 20% of the continuous window area and shall be non-illuminated only.
- Pad sites with drive-thrus are permitted directional signage to aid the direction of traffic, including “Enter” signs, “Exit” signs and “Order” signs. Directional signage is limited to 6 sq.ft. per sign is non-illuminated.
- Fast food restaurants are permitted drive-through signage, including menu boards, order confirmation displays and canopies, meeting all requirements of the Leawood Development Ordinance.

**Other Signage Types**

- Non-illuminated plaque signage is proposed to describe unique features in the development, including future artwork, small features such as dedicated benches or plazas, and the Linwood Pioneer Cemetery. Plaque sizes include:
  - Artwork Plaque – 0.5 sq.ft.
  - Small Feature Plaque – 18 sq.in.
  - Large Feature Plaque – 2 sq.ft.
  - Cemetery Plaque – 4 sq.ft.

**STAFF COMMENTS:**

- Staff recommends that signage located on the north side of the development, in proximity to residential areas, be non-illuminated (Stipulation 2), and that no signage should be permitted on the north side of the second story of the Building 4 (Stipulation 3).
- In order to avoid light pollution, staff recommends that illuminated signage located on the east side of the second story of Building 4 be turned off at 9 P.M. (Stipulation 4).
- In order to create uniformity within the development, staff recommends that signage facing public streets be illuminated (Stipulations 5).
STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve Case 76-19, Ranch Mart North Shopping Center – request for approval of a Revised Final Sign Plan, with the stipulations stated in the staff report.

1. This application is limited to a Revised Final Plan to modify the sign criteria for the Ranch Mart development.
2. No illuminated signage shall be permitted on the north side of the development.
3. No signage shall be permitted on the north side of the second story of Building 4.
4. Signage located on a second story facing east may not illuminate between the hours of 9 P.M. and 10 A.M.
5. All signage facing 95th Street and Mission Road shall be illuminated.
6. Prior to Governing Body approval, the applicant shall revise the sign criteria to:
   a) provide Building 6 a total of three directional signs,
   b) limit all signage mounted on top of canopies to 24” in height and 20 sq.ft.,
   c) limit monument signs to an area of 50 sq.ft. Per the Leawood Development Ordinance, the sign area shall be calculated by drawing a single rectangle that encompasses all elements of the sign, including the base and support structures,
   d) limit directory signage to an area of 18 sq.ft. Per the Leawood Development Ordinance, the sign area shall be calculated by drawing a single rectangle that encompasses all elements of the sign, including the base and support structures.
7. Prior to Governing Body approval, the applicant shall provide a cut sheet of the ground mounted light fixture proposed to externally illuminate the directory signage.
8. Prior to Governing Body approval, the applicant shall provide graphics for signage areas on all building facades.
9. Wall signs shall be centered on the tenant façade, and canopy and awning signs shall be centered on the canopy and awning.
10. A sign permit from the Community Development Department shall be obtained prior to installation of any sign.
11. The developer/property owner agrees to execute a statement acknowledging in writing that they agree to stipulations one through eleven.
# RANCH MART
EXTERIOR SIGNAGE STANDARDS

## - TABLE OF CONTENTS -

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>DEVELOPMENT / TENANT SIGNAGE PLAN</td>
<td>1</td>
</tr>
<tr>
<td>END CAP TENANT PLAN</td>
<td>2</td>
</tr>
<tr>
<td>GENERAL SIGNAGE CRITERIA</td>
<td>3-7</td>
</tr>
<tr>
<td>INTRODUCTION</td>
<td>3</td>
</tr>
<tr>
<td>DEVELOPMENT IDENTIFICATION SIGNAGE</td>
<td>3</td>
</tr>
<tr>
<td>TENANT IDENTIFICATION SIGNAGE</td>
<td>3</td>
</tr>
<tr>
<td>OTHER IDENTIFICATION SIGNAGE</td>
<td>3</td>
</tr>
<tr>
<td>GENERAL SIGN PARAMETERS FOR ALL TENANTS</td>
<td>4</td>
</tr>
<tr>
<td>SERVICE / DELIVERY SIGNAGE</td>
<td>5</td>
</tr>
<tr>
<td>PROHIBITED SIGNAGE</td>
<td>5</td>
</tr>
<tr>
<td>TEMPORARY SIGNAGE</td>
<td>5</td>
</tr>
<tr>
<td>QUALITY</td>
<td>6</td>
</tr>
<tr>
<td>FABRICATION &amp; INSTALLATION</td>
<td>6</td>
</tr>
<tr>
<td>NON-CONFORMANCE</td>
<td>6</td>
</tr>
<tr>
<td>GUARANTEE</td>
<td>6</td>
</tr>
<tr>
<td>INSURANCE REQUIREMENTS</td>
<td>6</td>
</tr>
<tr>
<td>SUBMITTALS &amp; APPROVALS</td>
<td>7</td>
</tr>
<tr>
<td>SIGNAGE TYPES</td>
<td>8-24</td>
</tr>
<tr>
<td>DEVELOPMENT SIGNAGE:</td>
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<td><strong>TYPE A:</strong> Development Monument Signage</td>
<td>8</td>
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<td>A.1: Freestanding Monument Signage</td>
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<td>A.2: Freestanding Monument Signage</td>
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<td><strong>TYPE B:</strong> Development Directory Signage</td>
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<td>Development Directory Signage Details</td>
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<td>TENANT PRIMARY SIGNAGE:</td>
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<td><strong>TYPE C:</strong> Tenant Monument Signage</td>
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</tr>
<tr>
<td><strong>TYPE D:</strong> Wall Signage - Individual Halo-Lit</td>
<td>14</td>
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<tr>
<td><strong>TYPE E:</strong> Wall Signage - E.1: Face-Lit</td>
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<tr>
<td>E.2: Push Through Individual Letters</td>
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</tr>
<tr>
<td><strong>TYPE F:</strong> Canopy Mounted Signage</td>
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</tr>
<tr>
<td><strong>TYPE G:</strong> Awning Signage</td>
<td>18</td>
</tr>
<tr>
<td>TENANT SUPPLEMENTAL SIGNAGE:</td>
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</tr>
<tr>
<td><strong>TYPE H:</strong> Blade Signage</td>
<td>19</td>
</tr>
<tr>
<td><strong>TYPE I:</strong> Window Signage</td>
<td>20-21</td>
</tr>
<tr>
<td><strong>TYPE J:</strong> Drive-Thru Structures</td>
<td>22</td>
</tr>
<tr>
<td><strong>TYPE K:</strong> Tenant Directional Signage</td>
<td>23</td>
</tr>
<tr>
<td>OTHER SIGNAGE:</td>
<td></td>
</tr>
<tr>
<td><strong>TYPE L:</strong> Plaque Signage</td>
<td>24</td>
</tr>
<tr>
<td>EXAMPLE TENANT SIGN LOCATIONS</td>
<td>25-29</td>
</tr>
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DEVELOPMENT SIGNAGE LOCATIONS

DEVELOPMENT SIGNAGE TYPES

DEVELOPMENT SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.1</td>
<td>Freestanding Monument Sign</td>
</tr>
<tr>
<td>A.2</td>
<td>Wall-Mounted Monument Sign</td>
</tr>
</tbody>
</table>

TENANT PRIMARY SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Tenant Monument Signage</td>
</tr>
<tr>
<td>D</td>
<td>Wall Signage - Individual Halo-Lit</td>
</tr>
<tr>
<td>E.1</td>
<td>Face-Lit Wall Signage</td>
</tr>
<tr>
<td>E.2</td>
<td>Push Through Individual Letters</td>
</tr>
<tr>
<td>F</td>
<td>Canopy Mounted Signage</td>
</tr>
<tr>
<td>G</td>
<td>Awning Signage</td>
</tr>
</tbody>
</table>

TENANT SUPPLEMENTAL SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
<td>Blade Signage</td>
</tr>
<tr>
<td>I</td>
<td>Window Signage</td>
</tr>
<tr>
<td>J</td>
<td>Drive-Thru Structures</td>
</tr>
<tr>
<td>K</td>
<td>Tenant Directional Signage (*Location as approved by the City of Leawood)</td>
</tr>
</tbody>
</table>

OTHER SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>L</td>
<td>Plaque Signage</td>
</tr>
</tbody>
</table>
RANCH MART
EXTERIOR SIGNAGE STANDARDS

- END CAP TENANT PLAN -
END CAP TENANT PLAN

*End Cap Tenants are highlighted in pink for reference

* Site triangles shown in green for reference
RANCH MART
EXTERIOR SIGNAGE STANDARDS

- GENERAL SIGNAGE CRITERIA -
GENERAL SIGNAGE CRITERIA

INTRODUCTION

The signage and graphic elements are key to the design strategy within the Ranch Mart development. Unique Tenant signage carefully orchestrated with the overall architectural aesthetic, and master development signage helps to create a diverse experience as well as a sense of place for Ranch Mart.

DEVELOPMENT IDENTIFICATION SIGNAGE

The Ranch Mart development may utilize the following signage for proper identification and way-finding through the development.

• ALLOWABLE DEVELOPMENT SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Development Monument Signage</td>
</tr>
<tr>
<td>B</td>
<td>Development Directory Signage</td>
</tr>
</tbody>
</table>

TENANT IDENTIFICATION SIGNAGE

This criterion has been developed to guide each Tenant to a creative design solution unique to their place of business. The guidelines established herein will ensure that a Tenant’s identification within the Ranch Mart development is of consistent quality and is compatible with the character and aesthetic of the center. Each proposed sign will be evaluated on the designs excellence and compatibility with neighboring signs and the overall character of the Center’s signage and graphics to ensure a complementary and cohesive environment.

A Tenant’s primary identification sign may be selected from the following sign types based on the storefront’s location and architectural conditions within the Center. Refer to detailed descriptions and examples for each signage type.

• TENANT PRIMARY SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Tenant Monument Signage</td>
</tr>
<tr>
<td>D</td>
<td>Wall Signage - Individual Halo-Lit</td>
</tr>
<tr>
<td>E</td>
<td>Wall Signage - E.1: Face-Lit</td>
</tr>
<tr>
<td></td>
<td>E.2: Push Through Individual Letters</td>
</tr>
<tr>
<td>F</td>
<td>Canopy Mounted Signage</td>
</tr>
<tr>
<td>G</td>
<td>Awning Signage</td>
</tr>
</tbody>
</table>

• TENANT SUPPLEMENTAL SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
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<tbody>
<tr>
<td>H</td>
<td>Blade Signage</td>
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</tr>
<tr>
<td>J</td>
<td>Drive-Thru Structures</td>
</tr>
<tr>
<td>K</td>
<td>Tenant Directional Signage</td>
</tr>
</tbody>
</table>

OTHER IDENTIFICATION SIGNAGE

Plaque signage shall be installed at the discretion of property ownership. Plaques can be used to identify important site features or buildings. Plaques can designate in memory of, in honor of, in dedication of, or be descriptive in nature.

• OTHER SIGNAGE:

<table>
<thead>
<tr>
<th>TYPE</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>L</td>
<td>Plaque Signage</td>
</tr>
</tbody>
</table>
GENERAL SIGN PARAMETERS FOR ALL TENANTS

Each tenant may have the following primary signage per Leawood Ordinance:

- (2) Two total primary identification signs, with a maximum of (1) primary identification sign on each facade.
- End-cap tenants (shown on the end cap tenant plan on pg. 2) are permitted a maximum of (3) three total primary identification signs, with a maximum of (1) primary identification sign on each facade.
- When permitted, each tenant may have the following supplemental signage for secondary Identification:
  - (1) blade sign adjacent to business entity
  - (1) Business identification window sign per facade
  - (1) Business identification window door sign per door

All signage shall be calculated by drawing a single rectangle around the outside boundaries of the entire sign. The sign band shall be differentiated from the actual sign area. The sign band is the facade section in which the sign is being attached before a material change. (See facade image example shown to the right)

Tenants must be illuminated and located only on the spaces and surfaces specifically provided for signage on the building elevations as directed by the Landlord, this standard, and as approved by the City of Leawood. Residential facing illuminated signage shall not be illuminated before or after business hours.

Square footage for Tenant wall signs shall be based on the maximum sign lengths and letter heights for Tenants as defined in the following paragraphs and exhibits:

- **MAXIMUM SIGNAGE HEIGHTS**

**Anchor Tenants (Leasable Area 25,000 Sq. Ft. & Larger):**

Sign height to be reviewed by Leawood Planning and Development department.

- Single Line Sign Max height: 48” (single line only)
- Multi-Line sign max height: 48”

**Sub-Tenant Signage:**

One (1) per sub-tenant is allowed if primary Tenant is a minimum of 25,000 sq. ft. Sub-tenants do not have a separate entrance into the primary space. The Sub-Tenant’s signage letters symbols or words are to be a maximum of 75% in height compared to the primary tenant sign. Subtenants are as defined by Leawood Ordinance, do not have a separate entrance into the primary space.

- Single Line sign max height: 30” (or 75% of sign band height, whichever is less)
- Multi-Line sign max height: 36” (or 75% of sign band height, whichever is less)

**Tenants With Limited Visibility (Building 4):**

- Single Line sign max height: 36”
- Multi-Line sign max height: 42”

**Tenants (Leasable Area 0 - 5,999 Sq. Ft.):**

Signage letters, symbols or words limited to the following:

- Single Line sign max height: 24”
- Multi-Line sign max height: 30”
* Out parcel tenants may have a logo sign that is 1.5 times the allowable single line max height or 36”

**Tenants (Leasable Area 6,000 - 24,999 Sq. Ft.):**

- Single Line sign max height: 36”
- Multi-Line sign max height: 36”

1. **HEIGHT:** The Maximum sign assembly area varies by Tenant location; however, in no case shall the sign height exceed more than 85% of the sign band. The height of a sign shall be calculated by drawing a box around the extreme limits of the sign. Standard sign size and typeface shall be sized to fit the designated signage location proportionately. Tenant signage shall conform to the requirements below.

2. **LENGTH:** Subject to the Landlord’s approval, and to the City of Leawood City Sign Ordinance. The length of the individual Tenant Signs on storefronts shall be variable. In no case shall the sign length exceed 90% of the sign band.

3. **CHARACTER HEIGHT:** Character or text height shall be differentiated from signage heights. Signs with limited character or text heights are noted within the sign type section of this document. In no case shall the sign height exceed 85% of the sign band.

4. **AREA:** All signage area is calculated by drawing a single rectangle around the outside boundaries of the entire sign.

   - Wall signage shall be limited to 5% of total wall area, or 200 sq. ft. maximum, which ever is less.
   - The gross area of a sign composed of separate characters, symbols or words attached directly to the facade shall be measured as the area enclosed by straight lines drawn closest to copy extremities encompassing individual symbols or words.
   - The Window sign area is calculated separately from Wall Sign area. Overall Window Sign area shall not exceed in total 20% of the contiguous window area.

5. All signs (size, design, type, and color) are subject to Landlord’s approval, based on the intended aesthetic and relationship to neighboring Tenant signs. Additional Tenant sign types may be considered on a case by case basis by the Landlord.

6. **MATERIALS:** All sign materials shall be selected in such a manner that they do not stain the exterior facade in any way (ex. faded pigments or rust) other than a natural collection of dirt over time.

7. **ATTACHMENT:** Signs mounted on masonry or stone veneer shall attach through the veneer and into blocking behind the veneer in a manner that does not damage the facade. Should the tenant elect to attach a sign in a location without previously installed blocking, the tenant shall coordinate work with the landlord to provide required blocking.

8. All signage colors and type styles shall be subject to Landlord’s approval. Established trade logos and signage area required to be used, providing they conform to the criteria described herein.

9. No Tenant shall affix or maintain upon any exterior glass or other exterior surfaces of the storefront, any signs or symbols other than the signs approved by the Landlord.

10. **ILLUMINATION:** All illuminated signs must be lit from a concealed source. No exposed lamps, globes, tubes, etc. will be permitted. Illuminated signage facing residential shall not be illuminated before or after business hours.
SERVICE / DELIVERY SIGNAGE

The Landlord shall furnish and install suite numbers at the rear door of the Tenant’s suite. The sign shall be positioned on the door at a typical location in a material, size, and color as determined by the Landlord.

PROHIBITED SIGNS

1. Signs constituting a traffic hazard - No persons shall install or cause to be installed or maintain any sign which may interfere with, mislead, or confuse traffic flow.

2. Immoral or Unlawful Advertising - It shall be unlawful for any person to exhibit, post or display, cause to be exhibited, posted or displayed upon any sign, anything of any obscene, indecent or immoral nature or unlawful activity.

3. No signs shall be permitted in the common area in front of the store. No signs shall be installed, relocated, or maintained so as to prevent free ingress to or egress from any door.

4. Animated, audible, or moving signs. Signs that consist of, or give the effect of moving, swinging, rotating, flashing, blinking, scintillating, fluctuating, or having animated light areas are prohibited.

5. Off-Premise Signs. Any sign installed for the purpose of advertising a project, event, person or subject occurring off the Development property is prohibited unless approved in writing by the Landlord.

6. Vehicle Signs. Signs on or affixed to trucks, automobiles, trailers or other vehicles which advertise, identify, or provide direction to a purpose or activity not related to its lawful making of deliveries of merchandise or service, are prohibited.

7. Credit Card/Telecheck/Security Signage - Vendor provided adhesive signs are prohibited on any entry doors or display windows.

8. Lettering painted directly on the building facade will not be permitted.

9. Unprofessional hand-lettered signs are prohibited in the public view from the storefront. Absolutely no signs are permitted to be taped to the storefront on any visible surface.

10. Inventory Liquidation Signs. Going Out of Business, Bankruptcy Sale, Closing Sale, etc. signs are strictly prohibited.

11. Flyers. Distribution of flyers, for any purpose, outside of Tenant’s leased premises unless specifically authorized by Landlord is prohibited.

12. Neon or neon internally illuminated signs on facade are prohibited unless specifically approved by the Landlord and the City of Leawood. Neon or neon internally illuminated signage inside store windows are prohibited.

13. Cabinet signs, “cut-sheet,” or other sign types where the entire sign surface is illuminated, with the exception of drive-thru menu boards.

14. Signage shall not be permitted to be attached to trees, fences, or utility poles.

15. Electronic graphic signs. Except for drive-thru order.

16. Roof Signs.

17. Changeable copy signs are prohibited.

18. Signs within the public right-of-way are prohibited.

19. Pole signs.

20. Signs with twirlers, flags, balloons, or other paraphernalia are prohibited.

21. Signs that display more than a Tenant name or logo.

22. Signs that display products or services.

23. Signage prohibited by the Leawood Development Ordinance.

24. Exposed raceways, sign ways, or conduits

TEMPORARY SIGNAGE

- TEMPORARY PROMOTIONAL SIGNAGE ON EXTERIOR:

1. No temporary promotional exterior store identification signage is allowed.

2. Exterior banners for promotional purposes are prohibited outside the store.

3. No merchandise shall be placed outside of Lease Line. The Lease Line is defined as the boundary between storefront glazing and entrance doors and common areas.

- TEMPORARY PROMOTIONAL SIGNAGE ON INTERIOR:

1. The total area of promotional signage is limited to one (1) square foot per linear foot of store frontage, to a maximum of one-half of the maximum allowable permanent sign area.

2. All temporary promotional signage shall be professionally produced. Handmade or personal computer graphic signs are prohibited.

3. Promotional signs affixed in any manner to storefront windows or entry doors are prohibited. Such signs intended to be visible through storefront windows may be temporarily suspended with aircraft cable or monofilament no closer than twelve (12”) inches from the inside of the window. Anything within three (3’) feet of the window is considered a window sign. All window signage may be a max of 20% of window area. The Landlord reserves the right to remove any promotional material that is visible through the storefront windows which are deemed to be inconsistent with the quality level of the Development.

4. Fabric or lightweight posters must be weighted. Curled sign materials are not permitted.

5. All interior banners shall be considered Temporary Promotional Signage and as such, be subject to all rules governing the same. The area of interior banners may not exceed one (1) square foot per lineal foot of storefront. In no case may an interior banner be hung closer to the storefront than half the distance from the furthest back wall of the store, and may not be suspended with the lower edge less than eight (8’) feet above the floor.
QUALITY

All sign fabrication work shall be performed by skilled craftsman under the supervision of a trained foreman, experienced in the trade of craft required to accomplish the work and production of a product in the highest quality.

FABRICATION & INSTALLATION

The fabrication and installation of all signs shall be subject to the following requirements:

1. All channel letter signs mounted on a concrete are to be attached by pin-mounting. Spacers to be painted to match the adjacent building color.
2. Backer panels may be used, when approved by the Development and the City of Leawood.
3. Ladders, installation equipment, and installation crews are not permitted to lean on building, awnings, and storefront. All installation equipment must be freestanding to avoid contact with or damage to the building or storefront. Motorized man lift is allowed with Landlord’s prior approval. Rubber wheeled lifts must have wheel padding or white tires to prevent marks on paving areas. Vehicles are not permitted on pedestrian surfaces.
4. Tenant’s Sign Contractor is required to contact the Landlord’s representative before installation of signage and again at completion so acceptance can be determined.
5. Installation crews are responsible for establishing a safety zone around their work area. Tenant Signage crews must display caution tape and safety cones and apply these safety devices to the surface of walkways and doors. Electrical cords cannot be run outside of this safety zone.
6. All penetrations of the building structure required for sign installation shall be sealed in a watertight condition and patched to match adjacent finish. Spacers must be painted to match building color. No PK housings allowed. Photos of correct installation of signs and/or exterior feature signs from inside and out are required to be provided to Landlord within 48 hours of install.
7. Each Tenant, or their Sign Contractor, shall be responsible for the repair of any damage to the building caused by the installation of said Tenant’s sign. Particular attention must be made in and around the access panels into any canopy areas. If required, repainting these areas will be back charged to the Tenant.
8. The installation Sign Contractor is responsible for removing all debris and cleaning the work area after the installation is complete. Sign Contractor shall protect existing wall surfaces and nearby awning structures during sign installation.
9. The Sign Contractor must check the sign to ensure proper illumination. Tenant is not allowed to disconnect from the Landlord’s time clock override relay.
10. All final sign connections (interior & exterior) are the responsibility of the Tenant / Tenant’s Electrician. Tenant General Contractor is responsible for coordinating both Sign Contractors & Electricians work.
11. Each Tenant shall be responsible for the performance of its Sign Contractor.
12. Each Tenant shall be responsible for the installation and maintenance of its sign. Should the Tenant’s sign require maintenance or repair, Landlord shall give Tenant fifteen (15) days written notice to affect said maintenance or repair. Should Tenant fail to do so, Landlord shall affect said maintenance or repair and Tenant shall reimburse Landlord within ten (10) days of receipt of invoice.
13. Tenant to use Landlord provided storefront J-Box to wire storefront signage back to the designated circuit. If no J-box exists, it is the Tenant’s responsibility to provide and connect to Landlord’s time clock.
14. Any damage to surrounding walls or surfaces made by signage contractor shall be repaired at their expense.
15. UL labels MUST be placed on signs/sign letters according to the local municipality’s requirements. All other sign elements, including transformers, power supplies, and/or ballasts, must also be labeled according to the most current National Electrical Code standards, as well as any additional state requirements that apply. Secondary wiring must be completed by one of the permitted methods dictated by the NEC most currently adopted by the jurisdiction.
16. Interior raceways may be required to conceal wiring and transformers on interior Tenant space if open ceiling condition exists or if it is a perimeter sign installation, depending on sign location and conditions.
17. In some cases, exterior weatherproof raceways behind parapets may be required to cover any exposed electrical components above roof-lines and roof membrane penetrations must be sealed. Penetration and raceway sealing must be coordinated with Landlord’s roofing contractor to preserve roof warranty. Contact Landlord for roofing contractor’s contact information.
18. If a Tenant sign change is absolutely necessary during winter months when temperatures drop below 45 degrees, upon existing sign removal, Tenant is required to patch holes and use color-matched paint to do a “temporary” touch up until temperature warms up above 45 degrees PRIOR to new sign installation. Then during warmer weather, Tenant’s contractor must return to repaint sign band to Landlord’s satisfaction. The sign must be covered during repairs. This work must be completed in a timely fashion when warmer weather occurs.

NON-CONFORMANCE

No field installation changes are permitted without first notifying the Landlord in writing. If any sign is changed as to placement, location, and/or size, which differ from the approved sign plan, Tenant and/or Sign Contractor will be responsible for the repair, change, and/or relocation of sign to proper placement at their expense.

Any sign that is installed by Tenant which is not in conformance with the approved drawings shall be corrected by Tenant within fifteen (15) days after written notice by Landlord. In the event Tenant’s sign is not brought into conformance within said fifteen (15) days, then the Landlord shall have the option to correct non-conforming sign at Tenant’s expense.

GUARANTEE

The entire display shall be guaranteed by Sign Contractor for one (1) year from date of installation against defects in material and workmanship. Defective parts shall be replaced without charge.

INSURANCE REQUIREMENTS

All tenants shall contact the Landlord for insurance requirements for signage installation at the Leawood Ranch Mart Development.
SUBMITTALS AND APPROVALS

All Tenant signage is subject to the Landlord’s review and written approval, as well as the application for and issuance of all necessary permits from the City of Leawood. This approval shall be based on the following criteria:

1. Design, fabrication, and method of installation of all signs shall conform to this sign criteria.
2. This sign criteria shall conform to the design standards of the Development in harmony with adjacent signage conditions.

The Tenant agrees to conform to the following procedures and submission requirements to secure the Landlord’s approval:

1. Submit one (1) set of detailed sign design, shop drawings.
2. Sign drawings are to be prepared by a reputable state licensed Sign Contractor or as required to be licensed by the local authorities.
3. Sign drawings must include a 1/8” scaled storefront drawings identifying and dimensioning the limits of the Tenant’s lease space and illustrating the proposed sign design and all dimensions as they relate to the storefront elevation of the Tenant’s premises.
4. Sign drawings must also include a minimum 1” = 1'-0” sign elevation and section through the sign indicating construction and attachment methods and illumination details.
5. Letters must be accurately dimensioned and spaced.
6. Sign external finish designations and types of materials must be included with the sign drawings.
7. Lighting from cantilevered point lights requires Landlord’s approval and the City of Leawood.
8. Unless Landlord has received the drawings and information in the quantities described above, Tenant signage will not be approved by the Landlord.

All drawings marked “REVISE AND RESUBMIT” must be resubmitted with the required corrections prior to fabrication. Only after all drawings have been marked “APPROVED AS NOTED” and after all necessary permits are obtained from the City of Leawood, may the fabricator proceed with fabrication per approved drawings.

The Tenant and Sign Contractor are not permitted to commence installation of the exterior signage unless all of the following conditions have occurred:

1. A stamped set of final drawings reflecting the Landlord’s approval shall be on file in the Landlord’s office.
2. Tenant and their Sign Contractor shall be responsible for the securing of all applicable sign permits required by the local authorities prior to the fabrication of the signage. The Landlord’s stamped approval is required on all plans prior to the application for permit from the City of Leawood.
3. The City of Leawood issued sign and electrical permits, as well as a stamped set of drawings reflecting the Landlord’s approval prior to sign installation. The Sign Contractor/Tenant shall be responsible for all inspections.
4. The Landlord must be notified 48 hours in advance prior to the sign installation by contacting the Landlord’s representatives.
5. The Landlord must receive a Certificate of Insurance form from the Sign Contractor performing the installation.

The Landlord reserves the right to revise this Signage Standard for up to thirty (30) days before the Tenant’s Rent Commencement date. However, this Signage Standard may be revised at any time if so required by any government agency having jurisdiction over its contents.

In the event the Tenant changes their sign at any time during the term of their lease, Tenant must comply with any future modifications, revisions, or changes, which have been made to the Sign Standards for the center after the execution of their Lease Agreement.

The Tenant shall pay for all signs, their installation (including any required electrical connection back to the J-Box and any secondary J-Box required) and all other labor, materials, and future maintenance.

The Tenant and their Sign Contractor are responsible for understanding this Signage Standard and conform to its requirements.

The Tenant shall be ultimately responsible for the fulfillment of all requirements and specifications, including all applicable planning ordinances, building, and electrical codes.

All signage shall be reviewed for conformance with these criteria and overall design quality. Approval or disapproval of signage submittals based on aesthetic of design shall remain the sole right of the Landlord.
RANCH MART
EXTERIOR SIGNAGE STANDARDS

- SIGNAGE TYPES -
## DEVELOPMENT SIGNAGE

### SIGN TYPE A: DEVELOPMENT MONUMENT SIGNAGE

<table>
<thead>
<tr>
<th>Maximum Number</th>
<th>Per Development Signage Locations map on pg. 1 and below.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maximum Size</td>
<td>Maximum 50 sq. ft. per sign, including base</td>
</tr>
<tr>
<td></td>
<td>Maximum height of signage structure: 6’</td>
</tr>
<tr>
<td></td>
<td>Maximum length of signage structure: 10’</td>
</tr>
<tr>
<td></td>
<td>Maximum width of signage structure: 24”</td>
</tr>
<tr>
<td>Lighting</td>
<td>Halo illuminated</td>
</tr>
<tr>
<td>Location</td>
<td>Development Monument Signage may be provided by the Developer/Landlord as shown on the Development Signage Locations map in these criteria.</td>
</tr>
<tr>
<td></td>
<td>Minimum 5’ setback from the public right-of-way and outside of all site triangles. (Reference site triangles in green on Development Signage Location map shown on this page)</td>
</tr>
<tr>
<td></td>
<td>Minimum 5’ setback from sidewalks</td>
</tr>
<tr>
<td>Character Height</td>
<td>Maximum height of characters, including logos: 24”</td>
</tr>
<tr>
<td>Multi-Line Signage</td>
<td>Maximum height of multi-line signage: 30”</td>
</tr>
</tbody>
</table>

1. Monument signs may be double-faced. Signage shall not be displayed on more than two sides of the sign structure.
2. Motion signage is not permitted.
3. The design of the development signs are on the following pages: [9-10]
SIGN TYPE A.1: DEVELOPMENT MONUMENT SIGN: FREESTANDING MONUMENT
ADDITIONAL DEVELOPMENT MONUMENT SIGN DETAIL DRAWINGS

2" galvanized steel tube frame with cross bracing per fabricator, painted to match screen
travertine stone tile; Virginia Tile Atlas
Concorde USA - Sign Cream 12x24"

perforated metal panel, color classic bronze to match development colors
freestanding, halo lit channel letters with 5" returns, color silver metallic
travertine stone tile; Virginia Tile Atlas
Concorde USA - Sign Cream 12x24"

concrete foundation for sign and screen wall per structural

perforated metal panel, color classic bronze to match development colors
2" galvanized steel tube frame with cross bracing per fabricator, painted to match screen
travertine stone tile; Virginia Tile Atlas
Concorde USA - Sign Cream 12x24"

concrete foundation for sign and screen wall per structural

1 freestanding monument

scale: 1/4" = 1'-0"
DEVELOPMENT SIGNAGE

SIGN TYPE A.2: DEVELOPMENT MONUMENT SIGN: WALL-MOUNTED MONUMENT

ADDITIONAL DEVELOPMENT MONUMENT SIGN DETAIL DRAWINGS

2" galvanized steel tube frame with cross bracing per fabricator, painted to match screen

perforated metal panel, color classic bronze to match development colors

freestanding, halo lit channel letters with 5" returns, color silver metallic

36" required opaque screen wall, length per final site plan; stone per final plan submittal

concrete foundation for sign and screen wall per structural

---

wall mounted monument

scale: 1/4" = 1'-0"
### DEVELOPMENT SIGNAGE

**SIGN TYPE B: DIRECTORY SIGNAGE**

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION</td>
<td>Per Development Signage Locations map on pg. 1.</td>
</tr>
<tr>
<td>MAXIMUM SIZE</td>
<td>18 sq. ft. per sign</td>
</tr>
<tr>
<td></td>
<td>The maximum size of 18 sq. ft. shall include all components of the sign, including supporting structures.</td>
</tr>
<tr>
<td>MAXIMUM HEIGHT</td>
<td>6’ from grade</td>
</tr>
<tr>
<td></td>
<td>The maximum height of the signage shall include all supporting structures.</td>
</tr>
<tr>
<td>TYPE</td>
<td>Monument</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Externally illuminated</td>
</tr>
<tr>
<td>CHARACTER HEIGHTS</td>
<td>Character Heights should not be more than 85% of the sign area height and 90% of the sign areas width.</td>
</tr>
</tbody>
</table>

1. Directory signs shall be limited to the identification of the location of businesses within the development.
2. Tenants will be responsible for the fabrication and installation of the signage by the Landlord approved Sign Contractor. Contact the Landlord for the contact information of the approved monument Signage Contractor. Only registered corporate names are allowed on Directory Sign. Tenant names must fit within the 6” X 39” rectangle.
3. Logos are not permitted on directory signs.
4. The sign design is reflected in the detail drawing on the following page (pg. 12).
DEVELOPMENT SIGNAGE

SIGN TYPE B: DIRECTORY SIGNAGE

ADDITIONAL DIRECTORY SIGN DETAIL DRAWINGS

travertine stone tile; Virginia Tile
Atlas Concorde USA - Sign
Cream 12x24"

cornerstones/text area limits
individually mounted
metal letters, color classic bronze

smooth concrete base

foundations per structural

front and back view

side view

11 directory sign
scale: 1/2" = 1'-0"
## TENANT PRIMARY SIGNAGE

### SIGN TYPE C: TENANT MONUMENT SIGN

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>As shown on the Development signage Location Map on pg. 1 and as approved by the Developer &amp; the City of Leawood</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM SIZE</td>
<td>42 sq. ft. per sign, including base Maximum height: 6’ Maximum length: 7’ Maximum width: 24”</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Indirect or non lit, only.</td>
</tr>
<tr>
<td>LOCATION</td>
<td>Minimum 5’ setback from the public right-of-way and outside of all site triangles.(Reference site triangles in green on Development Signage Location map on pg. 1) Minimum 5’ setback from sidewalks. For a single tenant occupying an entire lot, Monument Signage may be provided by the Tenant at an appropriate location within lot lines.</td>
</tr>
<tr>
<td>CHARACTER HEIGHT</td>
<td>Maximum Character Height: 18”</td>
</tr>
<tr>
<td>LOGOS</td>
<td>Maximum Logo Height: 32”</td>
</tr>
<tr>
<td>MULTI-LINE SIGNAGE</td>
<td>Maximum height of multi-line signage: 28”</td>
</tr>
</tbody>
</table>

1. Monument signs shall have a solid base architecturally coordinated with the developments overall aesthetic and should reflect the materials and colors used on the building. The base shall have a minimum height of 24” from grade.
2. Monument signs may be double faced.
3. Tenants may elect to be identified on a Monument Sign and shall be responsible for the fabrication and installation of the signage by the Landlord approved Sign Contractor. Contact the Landlord for the contact information of the approved monument Signage Contractor. Only registered corporate logos and names are allowed on monument signs. Tenant signage located on the Monument sign shall be of consistent color, size, and aesthetic standards of the tenant building as approved by the Landlord and the City of Leawood.
4. Only (1) one tenant, the tenant of the adjacent building, shall be on the monument sign. Multiple tenant names on a single tenant monument sign is prohibited.
5. Only (1) one monument sign shall be allowed in lieu of a wall sign as approved by the City of Leawood.

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TENANT PRIMARY SIGNAGE

SIGN TYPE D: WALL SIGNAGE: INDIVIDUAL HALO LIT

• INDIVIDUAL HALO LIT

MAXIMUM NUMBER | One per Tenant Facade
MAXIMUM AREA | Wall signage shall be limited to 5% of the total wall area or 200 sq. ft. maximum, whichever is less. The gross area of a sign composed of separate characters, symbols or words attached directly to the facade shall be measured as the area enclosed by straight lines drawn closest to copy extremities encompassing individual symbols or words.
MAXIMUM HEIGHT | Refer to General Sign Parameters section (Pg. 4) for heights based on Tenant type.
LIGHTING | Individual characters shall be back lit with white or colored halo lighting (with no visible light source).
LOCATION | Refer to Example Tenant Sign Locations (Pg. 25-29).
DEPTH | Characters shall have a maximum depth of 4” (Preferred depth is 2 1/2”). Characters shall be fabricated from weatherproof materials. All seams shall have continuous welds and be filed.
RETURNS | Return color preferred as black or clear coated natural metal (ex. Bronze, brass, aluminum: polished, brushed or swirled, etc.) or Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation. Spacers to be painted to match wall/facade color.

• HALO LIT ALUMINUM CABINET

MAXIMUM AREA | Wall signage shall be limited to 5% of the total wall area or 200 sq. ft. maximum, whichever is less. The gross area of a sign composed of separate characters, symbols or words attached directly to the facade shall be measured as the area enclosed by straight lines drawn closest to copy extremities encompassing individual symbols or words.
MAXIMUM NUMBER | One per Tenant Facade
MAXIMUM HEIGHT | Refer to General Sign Parameters section (Pg. 4) for heights based on Tenant type.
LIGHTING | Halo lighting outlining the edge of the cabinet.
DEPTH | Maximum Depth of Cabinet: 4” (Preferred Depth is 2 1/2”)
RETURNS | Preferred cabinet return colors include: Black or clear coated natural metal (ex. Bronze, brass, aluminum: polished, brushed or swirled, etc.) or Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation. All seams to have continuous welds and be filled. Spacers to be painted to match wall/facade color.
COLOR | Sign face colors shall be Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation.

GENERAL NOTES:
• Cabinet shall be fabricated from weatherproof materials.

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# TENANT PRIMARY SIGNAGE

## SIGN TYPE E.1: WALL SIGNAGE: FACE-LIT

<table>
<thead>
<tr>
<th>• CHANNEL LETTERS</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MAXIMUM NUMBER</strong></td>
<td>One per Tenant Facade</td>
</tr>
<tr>
<td><strong>MAXIMUM AREA</strong></td>
<td>Wall signage shall be limited to 5% of total wall area, or 200 sq. ft. maximum, whichever is less. The gross area of a sign composed of separate characters, symbols or words attached directly to the facade shall be measured as the area enclosed by straight lines drawn closest to copy extremities encompassing individual symbols or words.</td>
</tr>
<tr>
<td><strong>MAXIMUM HEIGHT</strong></td>
<td>Refer to General Sign Parameters section (Pg. 4) for Maximum Signage Heights based on Tenant type.</td>
</tr>
<tr>
<td><strong>LIGHTING</strong></td>
<td>Individual pinned, face-lit channel characters shall be illuminated with brand specific LEDs to create sufficient illumination for sign location with no hot spots. Characters to have 3” min to 4” max returns.</td>
</tr>
<tr>
<td><strong>LOCATION</strong></td>
<td>Refer to Example Tenant Sign Locations section (Pgs. 25-29).</td>
</tr>
<tr>
<td><strong>DEPTH</strong></td>
<td>Individual face lit channel letters shall have a maximum depth of 4” (preferred depth is 3”).</td>
</tr>
<tr>
<td><strong>RETURNS</strong></td>
<td>Return color preferred as black or clear coated natural metal (ex. Bronze, brass, aluminum: polished, brushed or swirled, etc.) or Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation. All seams to have continuous welds and be filled. 1/2” spacers to be painted to match wall/facade color.</td>
</tr>
<tr>
<td><strong>COLOR</strong></td>
<td>Sign face colors shall be Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation.</td>
</tr>
</tbody>
</table>

*NOTE: Images shown are for illustration purposes only. All aspects of all signs may not be applicable or in compliance with this Standard of the City of Leawood Sign Ordinance. All tenant signage is subject to review and approval of the Landlord and the City of Leawood.*
**TENANT PRIMARY SIGNAGE**

**SIGN TYPE E.2: WALL SIGN: PUSH-THROUGH INDIVIDUAL LETTERS**

<table>
<thead>
<tr>
<th><strong>• PUSH-THROUGH INDIVIDUAL LETTERS</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>MAXIMUM NUMBER</strong></td>
</tr>
<tr>
<td><strong>MAXIMUM AREA</strong></td>
</tr>
<tr>
<td><strong>MAXIMUM HEIGHT</strong></td>
</tr>
<tr>
<td><strong>LIGHTING</strong></td>
</tr>
<tr>
<td><strong>LOCATION</strong></td>
</tr>
<tr>
<td><strong>DEPTH</strong></td>
</tr>
<tr>
<td><strong>COLOR</strong></td>
</tr>
</tbody>
</table>

NOTE: Images shown are for illustration purposes only. All aspects of all signs may not be applicable or in compliance with this Standard of the City of Leawood Sign Ordinance. All tenant signage is subject to review and approval of the Landlord and the City of Leawood.
## TENANT PRIMARY SIGNAGE

### SIGN TYPE F: CANOPY MOUNTED SIGNAGE

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>One per Tenant Facade</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM SIZE</td>
<td>For signs mounted on top of the canopy, refer to General Sign Parameters section (Pg. 4) for heights based on Tenant type. Signs mounted on the face of the canopy will be limited to 75% the height of the canopy face.</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Externally, halo-lit, or internally on top of canopy or canopy face.</td>
</tr>
<tr>
<td>LOCATION</td>
<td>Tenant signs to be installed on the Landlord furnished, or store canopy. Characters to be mounted on canopy’s face, or sitting on top of the canopy. If characters are located on top of the canopy, the sign must be a maximum of 4” from the fascia of the canopy. Reference example elevations located within the Example Tenant Sign Locations section of this document.</td>
</tr>
<tr>
<td>DEPTH</td>
<td>Any signs that extend past the face of the canopy should include returns and character backs such that the interior of any channel letter is not exposed to the elements. Finishes for the backs of channel letters should be consistent with the rest of the sign.</td>
</tr>
<tr>
<td>RETURNS</td>
<td>Return color preferred as black or clear coated natural metal, (ex. Bronze, brass, aluminum: polished, brushed or swirled, etc.) or the Tenant’s corporate colors, as approved by the Landlord prior to fabrication and installation. Spacers shall be painted to match wall/facade color.</td>
</tr>
<tr>
<td>COLOR</td>
<td>Sign face colors shall be Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation.</td>
</tr>
</tbody>
</table>

**GENERAL NOTES:**

- Multiple-line signs are not permitted on canopies.

---

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TENANT PRIMARY SIGNAGE

SIGN TYPE G: AWNING SIGN

**CHARACTERS & LOGOS**

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>One per Tenant Facade</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM AREA</td>
<td>The signage area shall be limited to 50% of the total awning area or 200 sq. ft. maximum, whichever is less. The gross area of a sign composed of separate characters, symbols or words printed on the awning shall be measured as the area enclosed by straight lines drawn closest to copy extremities encompassing individual symbols or words.</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Awning signs may not be illuminated from underneath.</td>
</tr>
<tr>
<td>LOCATION</td>
<td>Awning signs are only permitted to Tenants with Landlord provided or approved awnings.</td>
</tr>
<tr>
<td>CHARACTER HEIGHT</td>
<td>Character Height shall be restricted to the Tenant’s official name and/or logo, and address. Characters shall be a maximum of 24” in height or, as limited by 50% of the awning area, whichever is smaller.</td>
</tr>
<tr>
<td>LOGOS</td>
<td>Tenant corporate logos are encouraged and provide a highly effective method of Tenant identification while adding color and interest to the storefront design. Logos shall be silk-screened and submitted with awning and sign drawings. Logos shall be a maximum of 36” in height or, as limited by 50% of the awning area, whichever is smaller. The size of the logo shall be proportionate to the overall width of the awning and subject to review and approval of the Landlord and the City of Leawood.</td>
</tr>
<tr>
<td>COLOR</td>
<td>Printed colors shall be a Tenant’s corporate colors as approved by the Landlord prior to fabrication and installation. Awning colors are as approved by the landlord and City of Leawood.</td>
</tr>
</tbody>
</table>

**BRANDED PATTERNS**

1. Branded patterns that do not include any characters or logos may cover the entire awning. (See image 1 for example)

**GENERAL NOTES:**

1. A Tenant may substitute an awning sign in lieu of a wall sign with the approval of the City of Leawood.
2. An awning sign must be contained to a single awning and cannot consist of multiple awnings

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TENANT SUPPLEMENTAL SIGNAGE

SIGN TYPE H: BLADE SIGN

<table>
<thead>
<tr>
<th>• CHARACTERS &amp; LOGOS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM NUMBER</td>
</tr>
<tr>
<td>Tenants may fabricate and install one (1) Double-faced blade sign, depending on the architectural conditions at each Tenant’s location in the Center.</td>
</tr>
<tr>
<td>MAXIMUM SIZE</td>
</tr>
<tr>
<td>The size of the sign shall be limited to three (3) square feet per sign face. The sign panel shall be maximum 36” wide.</td>
</tr>
<tr>
<td>LIGHTING</td>
</tr>
<tr>
<td>LOCATION</td>
</tr>
<tr>
<td>SHAPE</td>
</tr>
<tr>
<td>CHARACTERS AND LOGOS</td>
</tr>
<tr>
<td>SUBMITTALS</td>
</tr>
<tr>
<td>MOUNTING HEIGHT</td>
</tr>
<tr>
<td>COLOR</td>
</tr>
</tbody>
</table>

GENERAL NOTES:

1. Tenant will be responsible for the fabrication and installation of the bracket if non currently exists at the space. Only registered corporate logos and names are allowed on blade signs.

2. The purpose of the blade sign is to identify the store entrance to shoppers along pedestrian paths. The blade signs shall be located approximately at the Lease line over the store entry doors, or between sets of doors.

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### TENANT SUPPLEMENTAL SIGNAGE

#### SIGN TYPE I : WINDOW SIGNAGE  

1. Window signage shall be all signs within 3 ft. of the window, or as defined by local ordinances.

2. The overall window sign area, including all listed types of signs within this section shall not exceed in total 20% of the contiguous window area. Doors are included in the window area.

3. Vendor provided Credit Card/Telecheck/Security adhesive signs are prohibited on any entry doors or display windows.

4. Handicap access signage is permitted and shall be placed according to ADA or local jurisdiction requirements and under the supervision and approval of the Landlord.

5. Other than as provided in this standard, no signage of any type is permitted to be placed in or affixed to storefront windows or doors. The Landlord reserves the right to require a Tenant, at it’s expense, to remove any storefront signage it considers to be non-complying or unprofessional.

6. All Tenant signage must be removed upon expiration or earlier termination of the Lease, and the storefront/fascia repaired, all at Tenant’s expense.

#### BUSINESS IDENTIFICATION: VINYL DIE-CUT GRAPHICS

**DOOR GRAPHICS:**

- The Tenant may propose to the Landlord a design layout of the Tenant name and/or logo in white or black Vinyl Die-Cut Graphics or another color as per Landlord’s approval for placement.

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>One per main entry</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM SIZE</td>
<td>The maximum sign area permitted per tenant entrance for a vinyl die-cut graphic is 2 sq.ft. or 20% of the door’s glass area, whichever is smaller.</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Non-illuminated only</td>
</tr>
</tbody>
</table>
| LOCATION       | • Door graphics shall be placed directly on, or adjacent to an entry door.  
                  • The graphic area must be placed on the inside and centered within glass of the door frame.  
                  • Door graphic placement shall not exceed more than 70” above grade, or as otherwise directed due to door configurations. |

**WINDOW GRAPHICS:**

- The Tenant may also propose to the Landlord a design layout of the Tenant name and/or logo in white or black Vinyl Die-Cut Graphics or another color as per Landlord’s approval for placement on the inside of a window within the Tenant’s leased premises.

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>One per facade</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM SIZE</td>
<td>All window graphics are limited to no more than 20% of the contiguous window area.</td>
</tr>
<tr>
<td>LIGHTING</td>
<td>Non-illuminated only</td>
</tr>
</tbody>
</table>
| LOCATION       | • The graphic area must be placed on the inside and centered within the glass of the window frame.  
                  • Measure a minimum of 8” inward toward the window’s center from the vertical edges of the window.  
                  • Graphic placement shall not exceed more than 42” above grade, or as otherwise directed due to window configurations. |
## TENANT SUPPLEMENTAL SIGNAGE

**SIGN TYPE I: WINDOW SIGNAGE**

### STORE DISPLAYS

Permanent store signage as part of window background display is considered window signage. Background display signage may not exceed more than 20% of the contiguous window area. Glass doors are included within the total window area.

<table>
<thead>
<tr>
<th>MAXIMUM SIZE</th>
<th>All window signage in total shall not be more than 20% of the contiguous window area, and that window signage is any signage within 3’ of the window plane.</th>
</tr>
</thead>
<tbody>
<tr>
<td>LIGHTING</td>
<td>Glass shall be non-illuminated from the exterior. Interior display lighting is permitted.</td>
</tr>
</tbody>
</table>

### HELP WANTED SIGNS

1. Tenant supplied “Help Wanted” signs are prohibited.
2. “Help Wanted” and other standard information signs deemed necessary by Landlord, are provided by Landlord and shall be affixed to the inside left edge of the window immediately adjacent to the entry doors and no higher than 48” above grade.
3. Such signage shall only be permitted to be affixed with clear suction cups.

### ICONS

1. Standard information signage icons such as no food, drink, smoking, store hours, etc., shall be provided by Landlord only at Tenant request and Tenant expense.
2. Social media signage shall also be provided by the Landlord at Tenant request and Tenant expense.

### ADDRESS LABELS

1. Address labels shall be affixed to all doors by the landlord. Address numbers shall be contrasting colors to the door in which they are affixed so as to be easily viewable by the fire department.
2. Address labels shall be consistent in size and font throughout the development. Numbers shall be no more than 6” in height and no less than 4” in height.
3. The fire department shall have the final say on location, color, and size of all address labels.
### TENANT SUPPLEMENTAL SIGNAGE

#### SIGN TYPE J: DRIVE-THRU STRUCTURES

**• MENU BOARDS**

<table>
<thead>
<tr>
<th>STRUCTURE TYPE</th>
<th>Monument</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM NUMBER</td>
<td>1 Per lane, 2 maximum (per establishment)</td>
</tr>
</tbody>
</table>
| MAXIMUM SIZE   | 52 sq. ft. maximum  
7'-0" maximum height  
6" maximum text height |
| LIGHTING       | Indirect, or internally illuminated |
| SCREENING      | Back of menu board screened with architectural element or landscaping. |
| LOCATION       | Drive-Thru menu boards shall be located adjacent to and oriented toward the drive-thru lane and shall be oriented away from adjacent areas that are used, zoned or master planned as residential. |

1. The backs of menu boards shall be screened with either a masonry structure or evergreen landscaping of sufficient height to screen the back of the menu board.

**• DRIVE-THRU ORDER CONFIRMATION DISPLAY**

<table>
<thead>
<tr>
<th>MAXIMUM NUMBER</th>
<th>1 Per lane, 2 maximum (per establishment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXIMUM STRUCTURE SIZE</td>
<td>8 sq. ft. and 5' in height maximum for order confirmation display</td>
</tr>
<tr>
<td>MENU SIZE</td>
<td>The menu display is limited to 3 sq. ft.</td>
</tr>
<tr>
<td>LIGHTING ADDITIONAL</td>
<td>Indirect, or internally illuminated back of menu board screened with architectural element or landscaping.</td>
</tr>
</tbody>
</table>

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TENANT SUPPLEMENTAL SIGNAGE

SIGN TYPE K: TENANT DIRECTIONAL SIGNAGE

Directional Signs are on premise signs providing directional information for the safe and efficient flow of pedestrian or vehicular traffic. Directional signs shall include signs marking entrances, exits, parking and loading areas, and other operational features, but not including logos, names or other commercial information.

MAXIMUM NUMBER 7

MAXIMUM SIZE 6 sq. ft. per sign
The maximum size of 6 sq. ft. shall include all components of the sign, including support structures

MAXIMUM HEIGHT 4’ max.

TYPE Monument, post and panel, or canopy mounted

LIGHTING None permitted

LOCATION Vehicular directional signs shall be provided at appropriate locations throughout the development to identify the location of particular tenants and features. Location as approved by the landlord and the City of Leawood.

GENERAL NOTES:

1. No directional signage shall be located within any required building setbacks.
2. Directional signage shall be located outside of all site triangles.

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OTHER SIGNAGE

SIGN TYPE L: PLAQUE SIGNAGE

Plaque signage shall be installed at the discretion of property ownership and approval of the City of Leawood. Plaques are to be used for non-commercial informational purposes, and not to advertise or promote commercial businesses, products or services. Plaques can be used to identify important site features or buildings. Plaques can designate in memory of, in honor of, in dedication of, or be descriptive in nature. Site features may include, but are not limited to cemeteries, artwork, trees, benches, plazas and fountains.

1. Plaques should be installed within landscaping beds to avoid trip hazards.
2. Plaques installed in pedestrian pavement areas should be level with the adjacent paving surface and raised letters should not exceed the maximum height designated by the ADA Standards.
3. Plaque materials shall be weather resistant such that lettering does not fade over time or maintained over time such that if fading does occur the signs are replaced.
4. In ground plaques shall have a maximum height from the ground of 6”, and must be located in a landscaping bed to avoid trip hazards.

- ARTWORK PLAQUE
  - MAXIMUM NUMBER: 1 per piece of artwork
  - MAXIMUM SIZE: 0.5 sq. ft.
  - MATERIAL: Materials should be uniform throughout the site
  - STRUCTURE TYPE: Post & panel, in ground, inset in pavement
  - LOCATION: Plaque should be located adjacent to the artwork and should be placed in a manner that does not create a trip hazard.

Plaques for development artwork should include the following information:
1. Name of artist, group of artists, or collaborative, that created the work of art
2. Title of the artwork in italics
3. Date the work of art was completed
4. Materials used in the artwork
5. One or two sentences that describe or interpret the artwork
6. The owner of the artwork or the entity that manages the collection
7. The accession number, if one exists, assigned by the owner of the artwork

• Do not include a website or a phone number for an audio tour on a sign for permanent works of art.

- SMALL FEATURE
  - MAXIMUM NUMBER: 1 per small site feature (bench, tree, fountain)
  - MAXIMUM SIZE: 18 sq. in.
  - MATERIALS: Materials should match the adjacent feature.
  - STRUCTURE TYPE: Mounted to feature, post & panel, or in ground
  - PURPOSE: In memory of, in honor of, in dedication of

- LARGE FEATURE
  - MAXIMUM NUMBER: 1 per large feature (plaza, building, garden)
  - MAXIMUM SIZE: 2 sq. ft.
  - MATERIALS: Materials should match the adjacent feature.
  - STRUCTURE TYPE: Mounted to feature, wall mounted, or inset in pavement
  - PURPOSE: In memory of, in honor of, in dedication of

- CEMETERY
  - MAXIMUM NUMBER: 1
  - MAXIMUM SIZE: 4 Sq. Ft.
  - STRUCTURE TYPE: Post & panel, wall mounted
  - PURPOSE: Site identification, informational

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**TENANT SIGNAGE EXAMPLES**

**TENANTS (LEASABLE AREA 0-24,999 SQ. FT.)**

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**Note:** The sign locations depicted below are provided as an example only refer to the different possible locations where different sign types may be located, and does not indicate that signs are permitted at all locations shown. The number of signs permitted is regulated by the standards in this sign criteria. Detailed and specific signage design conforming with the requirement of each sign type shall be separately submitted in accordance with these standards for review and approval by the Landlord & the City of Leawood.

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**SUITE ELEVATION**

**REFERENCE ELEVATION**

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**Limits of signs are determined by the LDO & the standards within this sign criteria.**

---

**TENANT PRIMARY SIGNAGE:**

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C</td>
<td>Tenant Monument Signage</td>
</tr>
<tr>
<td>D</td>
<td>Wall Signage - Individual Halo-Lit Reverse Channel Letters</td>
</tr>
<tr>
<td>E.1</td>
<td>Wall Signage - Face-Lit</td>
</tr>
<tr>
<td>E.2</td>
<td>Wall Signage - Push-Through</td>
</tr>
<tr>
<td>F</td>
<td>Canopy Mounted Signage</td>
</tr>
<tr>
<td>G</td>
<td>Awning Signage</td>
</tr>
</tbody>
</table>

---

**TENANT SUPPLEMENTAL SIGNAGE:**

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
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<td>K</td>
<td>Tenant Directional Signage</td>
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</tbody>
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**KEY PLAN**  * Refer to end cap tenant plan on pg. 2
TENANT SIGNAGE EXAMPLES

TENANTS (LEASABLE AREA 0-24,999 SQ. FT.)

Note: The sign locations depicted below are provided as an example only refer to the different possible locations where different sign types may be located, and does not indicate that signs are permitted at all locations shown. The number of signs permitted is regulated by the standards in this sign criteria. Detailed and specific signage design conforming with the requirement of each sign type shall be separately submitted in accordance with these standards for review and approval by the Landlord & the City of Leawood.

SUITE ELEVATION

REFERENCE ELEVATION

* Sign types used above are in red

<table>
<thead>
<tr>
<th>TENANT PRIMARY SIGNAGE:</th>
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<tbody>
<tr>
<td>TYPE C</td>
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KEY PLAN  * Refer to end cap tenant plan on pg. 2
TENANT SIGNAGE EXAMPLES

ANCHOR TENANTS
(LEASEABLE AREA: 25,000 SQ. FT. & LARGER)

Note: The sign locations depicted below are provided as an example only refer to the different possible locations where different sign types may be located, and does not indicate that signs are permitted at all locations shown. The number of signs permitted is regulated by the standards in this sign criteria. Detailed and specific signage design conforming with the requirement of each sign type shall be separately submitted in accordance with these standards for review and approval by the Landlord & the City of Leawood.

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* Note: Sign types used above are in red

Reference Elevation

Suite Elevation

Key Plan
* Refer to end cap tenant plan on pg. 2
**TENANT SIGNAGE EXAMPLES**

**ANCHOR TENANTS**  
(LEASABLE AREA: 25,000 SQ. FT. & LARGER)

*Refer to end cap tenant plan on pg. 2*

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<td>Tenant Directional Signage</td>
</tr>
</tbody>
</table>

*Sign types used above are in red*

**Key Plan**

- Only 1 Sub-Tenant sign is allowed on the Anchor Tenant’s Facade.

Per the City of Leawood:

Note: The sign locations depicted below are provided as an example only refer to the different possible locations where different sign types may be located, and does not indicate that signs are permitted at all locations shown. The number of signs permitted is regulated by the standards in this sign criteria. Detailed and specific signage design conforming with the requirement of each sign type shall be separately submitted in accordance with these standards for review and approval by the Landlord & the City of Leawood.
TENANT SIGNAGE EXAMPLES

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TENANT PRIMARY SIGNAGE:

| TYPE C | Tenant Monument Signage |
| TYPE D | Wall Signage - Individual Halo-Lit Reverse Channel Letters |
| TYPE E.1 | Wall Signage - Face-Lit |
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TENANT SUPPLEMENTAL SIGNAGE:

| TYPE H | Blade Signage |
| TYPE I | Window Signage |
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* Sign types used above are in red

KEY PLAN  * Refer to end cap tenant plan on pg. 2
WATER ONE PUMP STATION AND RESERVOIR – PHASE 2 – REQUEST FOR APPROVAL OF A FINAL PLAN – Located north of 147th Street and east of Nall Avenue – Case 85-19

STAFF RECOMMENDATION:
Staff recommends approval of Case 85-19, Water One Pump Station and Reservoir – Phase 2 – request for approval of a Final Plan, subject to the stipulations stated in the staff report.

APPLICANT:
- The applicant is Sarah Tuite, P.E. of Burns & McDonnell Engineering Co.
- The property is owned by Water District No. 1 of Johnson County.
- The engineer is Bill Nash, P.E. of Burns & McDonnell Engineering Co.
- The landscape architect is Brittney Swartz, PLA of Burns & McDonnell Engineering Co.

HISTORY:
- A Final Plan and Final Plat for Water One Pump Station and Reservoir was approved in March of 2010 (Resolution No. 3352).
- The Final Plan included the construction of an 8,730 sq.ft. building housing a pumping station, and one (eastern) water reservoir. The western reservoir was shown as Phase 2 of the plan.
- The Final Plan also included landscaping (street trees and shrubs) along street frontages.

REQUEST:
- The applicant is requesting approval of a final plan for the construction of the western below-surface reservoir, phase 2 of the Water One Nall Avenue Pump Station and Reservoir, to provide potable water service.

ZONING:
- The property is currently zoned RP-2 (Planned Cluster Detached Residential District).

COMPREHENSIVE PLAN:
- The Comprehensive Plan designates this property for Public uses.

SURROUNDING ZONING:
- North: North of the property is Highland Villas, a single-family residential subdivision, zoned RP-3 (Planned Cluster Attached Residential District).
- South: Directly to the south of the property, across 147th Street, is Highlands Creek, 6th Plat, a single-family residential subdivision, zoned RP-1 (Planned Single-Family Residential).
- East: Directly east of the property is Highlands Creek, 4th Plat, a single-family residential subdivision, zoned RP-1 (Planned Single-Family Residential).
• West: West of the property, across Nall Ave., is Lionsgate by the Green, a single-family residential subdivision, zoned R-1 (Single-Family Residential) within the City of Overland Park.

LOCATION:

SITE PLAN COMMENTS:
• The Water One Pump Station and Reservoir is an existing facility located east of Nall Avenue and north of 147th Street.
• The existing pump station is located on the northern end of the site, accessed by a driveway off of Nall Avenue, with a parking lot located on the north side of the building.
• The driveway is gated for security in two locations, first at the beginning of the driveway near Nall Avenue and a second as the driveway approaches the parking lot.
• An existing reservoir (eastern) is located underground southeast of the pump station.
• The applicant proposes to install a second reservoir directly adjacent to and west of the existing reservoir, located underground. At completion of the project the grades of the site will match the existing grades.
• There is an existing public sidewalk along Nall Avenue and 147th Street. During construction, the applicant proposes to use flaggers at the project entrances for one hour in the morning and one hour in the afternoon, Monday-Friday, when school is in session.
• A temporary gravel haul road is proposed to circulate the site, running parallel with Nall Avenue and extending east to the existing eastern reservoir. The access road will have two entrances off of Nall Avenue, both south of the existing permanent entrance that provides access to the pump station.
• Construction traffic will approach the site from the south (Nall Avenue and 151st Street) and leave the site to the north (toward Nall Avenue and 143rd Street).
• It is proposed that “No U-Turn” signs be placed at the intersection of 147th Street and Nall Avenue during the construction period.
• A concrete wash out area will be located near the temporary road, and southwest of the existing pump station.
A temporary stock pile area is proposed to be located on top of the eastern reservoir, which can handle a limited load of additional soil.

A temporary chain link construction fence is proposed to be located around the site (running parallel with Nall Avenue, south of the existing pump station and around both the east and west reservoirs). The fence will be 6’ feet in height and will have to two 20’ long gates across the temporary construction road driveways.

SIGNS:
- No permanent signage is proposed with this application.

LIGHTING:
- No new permanent lighting is proposed with this application.

LANDSCAPING:
- The site is currently landscaped with street trees, ornamental trees and shrubs.
- The construction process will require the removal of 6 trees that are greater than 12” caliper. Per the Leawood Development Ordinance, these trees are required to be replaced on a 1:1 caliper inch ratio. The applicant is proposing to remove 40 caliper inches from the site, and replace them with a total of 45 caliper inches.
- In total, 19 trees are being removed from the site. The applicant is replacing this plant material with 22 trees, including Redpointe Maples, Shumard Oaks, and White Fringe trees.
- No plantings are permitted to be located on top of the water reservoirs. However, this open space is frequently used as active and passive recreation space for the surrounding residents.
- As approved with Case 05-10, the entire site will be seeded with fescue grass.

STAFF COMMENTS:
- Construction is anticipated to take 15 months, beginning in February of 2020. Excavation will last approximately five months, and concrete placement will take approximately seven months. Final seeding and landscaping will follow the replacement of topsoil on the new reservoir.
- Construction hours will be limited to the hours of 7:00 AM – 6:00 PM, Monday-Friday.
- While no public notification is required of this project, the applicant is proposing to mail a postcard with project information to residents within 500’ of the project site, and to the presidents of surrounding Home Owner’s Associations.

STAFF RECOMMENDATION:
Planning staff recommends approval of Case 85-19, Water One Pump Station and Reservoir – Phase 2 – request for approval of a Final Plan, subject to the following stipulations:
1. This application shall be limited to the construction of one underground water reservoir (shown on the plan as the west reservoir) on 8.28 acres.
2. 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.
3. 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.
4. 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 building permit.

5. 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.

6. Construction traffic shall only be allowed off of Nall Ave, and temporary signs shall be posted that construction traffic is to use Nall Ave.

7. A “No U-Turn” sign shall be posted at the intersection of 147th Street and Nall Avenue during construction.

8. Construction activity shall be prohibited between the hours of 9:00 pm and 7:00 am Monday through Saturday and all day Sunday.

9. Per the Leawood Development Ordinance, a maximum amount of 0.5 foot-candles shall be permitted at the property line.

10. Per the Leawood Development Ordinance, the source of illumination of all light fixtures shall not be visible.

11. 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.

12. The stock pile area shall only be used for the temporary storage of soil during construction. The stock pile area shall be returned to a natural state prior to final occupancy.

13. Pursuant to City Code and the terms of the associated Interlocal Agreement, sound generated by the pump station shall not exceed 60 decibels at any property line of the subject property.

14. Per the Leawood Development Ordinance, all landscaped areas shall be irrigated.

15. 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.

16. 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.

17. The approved final landscape plan shall contain the following statements:
   a. All trees shall be callipered and undersized trees shall be rejected.
   b. All hedges shall be trimmed to maintain a solid hedge appearance.
   c. All plant identification tags shall remain until issuance of a Final Certificate of Occupancy.
   d. 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.
   e. All landscaped open space shall consist of a minimum of 60% living materials.

18. 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.

19. Prior to the commencement of construction activity, the applicant shall obtain a building permit from the City of Leawood.

20. All sidewalks shall meet street construction standards.

21. Development rights under this approval shall vest in accordance with K.S.A. 12-764.

22. The conditions and stipulations of the currently approved preliminary plan and final plan approval (Governing Body Resolution No. 3352) shall remain in full force and effect except to the extent expressly modified herein.
23. 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 twenty-three.
MEMO

DATE: August 23, 2019

TO: Richard Coleman, Director of Community Development

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

SUBJECT: WaterOne – Nall Ave Pump Station Phase II
Case Number: 85-19

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 Impact Analysis: There are no permanent changes to site access or trip generation from the original site development. The developer shall address the following during construction:

   a) All construction traffic shall approach the site from 151st Street and Nall Avenue. No U-Turns will be permitted at Nall and 147th Street.

   b) All construction traffic shall exit the site towards 143rd Street and Nall Avenue. No U-Turns will be permitted at Nall and 146th Street.

2) Storm Water Study:

   a) Previous site improvements, Phase I installed all required Stormwater BMPs, no detention is required.

   b) The developer shall provide alternate drainage features to address stormwater currently conveyed by the existing swale that will be removed due to the temporary road. No overland flow to Nall Avenue sidewalks and pavement will be permitted. The removed swale shall be restored with final restoration.

   c) The Developer shall protect the existing bio-retention basin from sediment during construction.

   d) The developer shall provide track-out protection at construction exits.

3) Permanent structures, including monument signs, shall not be placed within the Right-of-Way and Public Easements.
4) 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).

5) 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.

6) 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.

7) 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.

8) The Developer shall repair and restore all damaged areas between the back of curb and the Right-of-Way abutting this lot including any existing damage. This shall include but is not limited to street lighting equipment, traffic signal equipment, sidewalk, storm sewers, grass, etc.

9) The Developer shall provide documentation by a licensed professional engineer certifying on City forms the BMPs have been constructed in accordance with City standards and the approved plans.

10) The developer shall provide as-built storm sewer information in accordance with City 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.

11) The Certificate of Occupancy shall not be approved until the above requirements have been met.

If you have any questions, please call me at (913) 663-9134.
The Fire Department has no objection to this site plan.

*Gene Hunter, Leawood Fire Marshal*
PROJECT NOTICE

Coming soon to a street near you! A WaterOne investment in our infrastructure!

WHERE/WHEN:
Nall Ave & 147th St.
January 2020 - April 2021

PROJECT DETAILS

Hello Neighbor!
Beginning in January 2020, WaterOne is upgrading and expanding our existing Nall Ave. Pump Station.

Additional pumping equipment and an underground storage will be built to help meet future growth and service needs, ensure consistent water pressure, and continue to guarantee the highest level of fire protection for WaterOne customers.

The new facility will not be visible from the road once it’s complete but will ensure that we can meet the needs of you, our customers, in the future.

TRAFFIC IMPACT
During construction there will be an influx of construction vehicles. Please use caution and follow any detours that are posted.

Get full details and track our progress at:
waterone.org/projects

SIGN UP NOW!
Receive project updates in real-time. You can choose to be notified by text, phone call, or email. Sign up online or call 913/826-5555.
**Ease of Use**

Chain link Panel Fencing is an excellent perimeter security solution when a post-driven fence installation is not a viable option. Easy to transport and secure into place, above-ground panel fencing provides a sturdy and reliable barrier for many job site applications.

National’s fence panels comply with ASTM A392-06 standards, having superior exposure and corrosion resistance, and perfect for the demands of an outdoor construction site. Some of the most common uses for chain link fence panels include high-rise commercial construction sites, home developments, highway projects, and store front renovations.

**Features & Benefits**

- Easy to Install, Maintain & Remove
- Eliminates Digging and Setting Posts
- Installs on a Variety of Surfaces
- Repositions Easily for Extended Use
- Alternative to In-Ground Posts

**Specifications**

- Galvanized Steel Construction
- Corrosion-Resistant Zinc Coating
- ASTM A392-06 Standards Compliant
- 36” Base Stands for Added Stability
- Width: 12’ Height: 4′-6′-8′

**Uses**

- Commercial Construction
- Housing Developments
- Remodels & Tenant Improvements
- Public Works Projects
- Post-Disaster Reconstruction

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PARKWAY PLAZA – KIDDI KOLLEGE OFFICE/DAYCARE ADDITION – REQUEST FOR APPROVAL OF A FINAL PLAN – Located south of 134th Street and east of Briar Street – Case 86-19

STAFF RECOMMENDATION:
Staff recommends the Planning Commission approve Case 86-19, Parkway Plaza – Kiddi Kollege Office/Daycare Addition – Request for approval of a Final Plan, subject to the stipulations in the staff report.

APPLICANT:
- The applicant and architect is Jeff Schroeder with Scharhag Architects.
- The property is owned by JPS Investment Group.
- The engineer is Jeff Skidmore with Schlagel & Associates.

REQUEST:
- The applicant is requesting approval of a Final Plan for a commercial daycare for a 5,450 sq.ft. single story, standalone building expansion to be constructed on the same lot as an existing 10,500 sq.ft. daycare facility for a total of 15,950 sq.ft. (0.18 F.A.R.). The addition will contain space for both offices and daycare.
- The office portion of the expansion will be 3,600 sq.ft. The other 1,850 sq.ft. of the expansion will be used as additional daycare space.

ZONING:
- The property is currently zoned as Mixed Use (MXD).

COMPREHENSIVE PLAN:
- The Comprehensive Plan designates this property as Mixed Use.

SURROUNDING ZONING:
- North: To the north of the property is an undeveloped lot within Parkway Plaza that is master planned for condominiums. Beyond 133rd Street is Bridgewood, a single-family residential subdivision, zoned RP-1 (Planned Single Family Residential District).
- South: To the south of the property is a bank building within Parkway Plaza, zoned MXD (Mixed Use District).
- East: To the east of the property is an undeveloped lot within Parkway Plaza that is master planned for office/retail zoned MXD (Mixed Use District).
- West: To the west of the property is Briar Street and additional retail and office buildings within Parkway Plaza, zoned MXD (Mixed Use District).
LOCATION:

SITE PLAN:

- The project is located on the 2.02 acre lot within the Parkway Plaza development with an existing 10,500 sq.ft. daycare building on the west side of the project site.
- The applicant proposes the construction of a new 5,450 sq.ft., one-story, standalone office/daycare building as an expansion to the existing daycare.
- A Preliminary Plan for this additional building was approved on July 14, 2019 with case 41-19 (Ordinance 2951). The Preliminary Plan proposed a 5,450 sq.ft. office building on the currently proposed project area on the east side of the lot.
- The two buildings will be connected by exterior sidewalks within a fenced area from one building to the other.
- An existing parking lot is located south of the proposed building. The applicant does not propose any changes to the existing parking lot, existing parking lot lighting, or traffic circulation.
- The parking lot will be accessed by a private drive off 134th Street, Briar Street and from interior drive aisles from the east and south.
- Existing sidewalks are located around the north, south and west sides of the site. A north-south Sidewalk is proposed adjacent to the private drive to the east. A singular sidewalk connection is proposed from the parking lot to the building entrance on the south elevation of the proposed office/daycare building.
- New fencing is proposed for the western half of the north side of the proposed building, and will be of a style and color to match the existing fencing of the existing Kiddi Kollege building. The new fence will connect with the existing fence that is east side of the existing building.
- No additional playground equipment is proposed with this application.
- Bike racks are proposed adjacent to the proposed sidewalk along the eastern internal drive at the southeast corner of the new building being proposed.
- The applicant proposes to remove 5 existing parallel parking spaces along the east private drive, on the east side of the proposed building to provide additional open space.

PARKING:

- The ordinance requires 3.0 to 3.5 parking spaces per 1,000 square feet of office space in addition to 1.5 parking spaces required per employee (26 employees) on a maximum shift for daycare uses. The
required parking range for the office portion of the site is 11 spaces minimum to 13 spaces maximum, with an addition to 39 parking spaces for the maximum number of employees on a maximum shift for a total of 50 minimum and 52 maximum required parking spaces for the entire project area.

- A total of 42 spaces are existing on site. Thirty-nine spaces are located within the existing parking lot and on street parking in front of the building. Three additional on-street parking spaces are provided along 134th Street. All on-street spaces are located on the property of the proposed building.
- Five parallel parking spaces along the eastern private drive were removed with this application to accommodate additional green space.
- The parking for the overall Parkway Plaza development complies with the Leawood Development Ordinance.
- Parkway Plaza has a cross access parking agreement across the entire development.

**BULK REGULATIONS:**
- The following table outlines the required and provided regulations for overall Parkway Plaza development:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
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<tbody>
<tr>
<td>Front Yard Setback</td>
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<td>Complies</td>
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<td>Complies</td>
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<td>Complies</td>
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<tr>
<td>Use Percentages</td>
<td>Office – 20% Retail – 10% Residential – 20%</td>
<td>Office – 28.4% Retail – 22.2% Residential – 49.4%</td>
<td>Complies</td>
</tr>
<tr>
<td>F.A.R.</td>
<td>0.26 (max.)</td>
<td>0.24</td>
<td>Deviation Granted*</td>
</tr>
<tr>
<td>Maximum Residential Density</td>
<td>15 DU/Acre</td>
<td>1.9 DU/Acre</td>
<td>Complies</td>
</tr>
<tr>
<td>Height Limit</td>
<td>90’</td>
<td>56’</td>
<td>Complies</td>
</tr>
</tbody>
</table>

*Deviation granted with the Preliminary Plan for the overall Parkway Plaza development, on December 5, 2005 (Case 69-05, Ordinance 2146)

- The following table outlines the required and provided regulations for Kiddi Kollege office/daycare building:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front Yard Setback (Interior)</td>
<td>10’</td>
<td>108.8’</td>
<td>Complies</td>
</tr>
<tr>
<td>Rear Yard Setback (Interior)</td>
<td>10’</td>
<td>91.7’</td>
<td>Complies</td>
</tr>
<tr>
<td>Side Yard Setback (Interior)</td>
<td>10’</td>
<td>28.8’</td>
<td>Complies</td>
</tr>
</tbody>
</table>
### Bulk Regulations

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Required</th>
<th>Provided</th>
<th>Compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interior Parking Setback</td>
<td>10’</td>
<td>0’</td>
<td>Deviation Granted*</td>
</tr>
<tr>
<td>Building Setback from Residential</td>
<td>75’</td>
<td>609’</td>
<td>Complies</td>
</tr>
<tr>
<td>Open Space</td>
<td>30% (min.)</td>
<td>35.84%</td>
<td>Complies</td>
</tr>
<tr>
<td>Interior Open Space</td>
<td>10%</td>
<td>20.61%</td>
<td>Complies</td>
</tr>
<tr>
<td>F.A.R.</td>
<td>0.25 (max.)</td>
<td>.18</td>
<td>Complies</td>
</tr>
<tr>
<td>Height Limit</td>
<td>90’</td>
<td>32’</td>
<td>Complies</td>
</tr>
</tbody>
</table>

*Deviation granted with the Preliminary Plan for the overall Parkway Plaza development, on December 5, 2005 (Case 69-05, Ordinance 2146)

### DEVIATIONS:
- In addition to the setback deviation that was granted with the preliminary plan for Parkway Plaza approved December 5, 2005 (Ordinance #2146), the following deviations were also granted for the development:
  - The parking ratio for the development was allowed at 3.9 parking spaces per 1,000 square feet of lease space.
  - The development was allowed to increase the FAR of the development from .25 to .26.

### ELEVATIONS:
- The additional building is proposed to be located on the east side of the property and will be a one story building (32") in height with a sloped roof.
- The architecture and materials used on the building match that of the existing building to the west.
- The building entrance will face the south and will be accessible by the parking lot and sidewalk adjacent to the front of the building. The entrance extends out from the front of the building, under a projection of the roofline that is supported by two architectural columns.
- The building will be constructed primarily of cementitious stucco in a “Pulp” color, natural thin stone veneer in a “Cottonwoods Tuscan Field” color, and brick in a “Redondo Gray” color. All colors will closely match the existing Kiddi Kollege building.
- A 2.5’ cast stone band runs along the bottom of the building.
- The roof will be constructed of precast concrete tile in a “Buckhorn” color.
- A utility screening wall is proposed along the east side of the building and will be architecturally attached to the façade. The enclosure will be constructed of the same cast stone that is proposed for the exterior of the building.
- Windows are located on all sides of the building, primarily above the cast stone band that runs along the bottom of the building.
- The fence will be black painted steel to match the existing fence around the existing Kiddi Kollege building. The fence will also include columns constructed of natural stone with a cast stone cap.

### TRAFFIC:
- A traffic study was prepared with the Preliminary Plan for the overall Parkway Plaza development. The applicant has provided an update to the traffic study, which was reviewed by the Public Works Department and did not indicate a substantial amount of additional traffic generated with this project.

### SIGNAGE:
- No signage is proposed with this application.
- Parkway Plaza has sign criteria recommended by the Planning Commission and approved by the Governing Body. Signage is reviewed administratively through a separate application.

**LANDSCAPING:**
- A final landscape plan was approved with the Final Plan for the existing building on the site. A final landscape plan has been submitted for the proposed building, exceeding the requirements of the previous landscape plan and is in conformance with the current Leawood Development Ordinance.
- The applicant is proposing a single row of shrubs around the perimeter of the building along with multiple shade trees surrounding the building.
- Two shade trees are shown to be located south of the building within the islands of the parking lot area.

**LIGHTING:**
- The applicant has provided a photometric study that does not meet the requirements of the Leawood Development Ordinance. Prior to Governing Body, the applicant will submit a revised photometric study that will meet all requirements of the Leawood development Ordinance.
- The project will include three new street light fixtures along the east private drive on the east side of the building, which will match the existing light fixtures within the development, and shall not exceed 18’ in height, including the base.

**IMPACT FEES:**
- **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 shall pay a public art impact fee in the amount of $0.15/square foot of finished floor area, estimated currently at $817.50 (5,450 x $0.15 = $817.50) prior to issuance building permit. This amount is subject to change by ordinance.
- **PARK IMPACT FEE:** The applicant shall pay a Park Impact Fee in the amount of $0.15/per square foot of finished floor area, estimated currently at $817.50 (5,450 x $0.15 = $817.50) prior to issuance of a building permit. This amount is subject to change by Ordinance.
- **135TH STREET CORRIDOR IMPACT FEE:** The applicant shall pay a 135th Street Corridor Impact Fee in the amount of $1.95 for retail per sq.ft. of building area and $0.58 for office/on-retail per sq.ft. of building area, currently estimated at $5,695.50 (1,850 x $1.95 = $3,607.50)+(3,600 x $0.58 = $2,088) prior to issuance of a Building Permit. This amount is subject to change by Ordinance.

**STAFF COMMENTS:**
- The applicant has provided a photometric study that does not comply with the Leawood Development Ordinance. Per the Leawood Development Ordinance, for all non-residential development, parking lot lighting shall have an average uniformity ratio of 4:1, pedestrian walkway lighting must maintain an average 0.18 foot-candles, and lighting shall not exceed 0.5 foot-candles when measured at the property line. Prior to Governing Body consideration, the applicant shall provide an updated photometric study complying with the regulations set within the Leawood Development Ordinance. (Stipulation 18)

**STAFF RECOMMENDATION:**
Staff recommends the Planning Commission approve Case 86-19, Parkway Plaza – Kiddi Kollege Expansion – Request for approval of a Final Plan with the following stipulations:

1. This approval is limited to a 5,450 sq.ft. single story, standalone building expansion to be constructed on the same lot as an existing 10,500 sq.ft. daycare facility on 2.02 acres for an F.A.R. of 0.18 and with an overall FAR of 0.24 for the overall Parkway Plaza Development.

2. The applicant/owner 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 shall pay a public art impact fee in the amount of $0.15/sq.ft. of finished floor area, estimated currently at $817.50 (5,450 x $0.15 = $817.50) prior to issuance building permit. This amount is subject to change by ordinance.
   b) The applicant shall pay a Park Impact Fee in the amount of $0.15/per square foot of finished floor area, estimated currently at $817.50 (5,450 x $0.15 = $817.50) prior to issuance of a building permit. This amount is subject to change by Ordinance.
   c) The applicant shall pay a 135th Street Corridor Impact Fee in the amount of $1.95 for retail per sq.ft. of building area and $0.58 for office/on-retail per sq.ft. of building area, currently estimated at $5,695.5 (1,850 x $1.95 = $3,607.50)+(3,600 x $0.58 = $2,088) prior to issuance of a Building Permit. This amount is subject to change by Ordinance.

3. All power lines, utility lines, etc. (existing and proposed, including utilities and power lines adjacent to and within abutting right-of-way) shall be placed underground prior to final occupancy of the proposed building.

4. 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 Community Development as being in compliance with the Leawood Development Ordinance.

5. 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. 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.

6. Per the Leawood Development Ordinance, all medium and large deciduous trees (including street 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.

7. 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.
8. 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.

9. 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.

10. Per the Leawood Development Ordinance, all landscaped areas shall be irrigated.

11. The applicant shall obtain all approvals and permits from the Public Works Department, per the public works memo (Exhibit A) on file with the City of Leawood Planning and Development Department, prior to issuance of a Certificate of Occupancy.

12. The applicant shall obtain all approvals and permits from the Fire Department, per the Fire Department memo (Exhibit B) on file with the City of Leawood Planning and Development Department, prior to issuance of a Certificate of Occupancy.

13. The Owner/Applicant must establish a funding mechanism to maintain, repair and/or replace all privately owned common areas and common area improvements including, but not limited to, private streets, walls, and private storm water system improvements. The mechanism shall 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.

14. A cross access/parking easement for the entire development shall be recorded with the Johnson County Registrar of Deeds prior to issuance of a building permit.

15. All sidewalks shall be installed as per street construction standards.

16. All pedestrian crosswalks shall be demarcated from the adjacent street pavement with pavers to match those approved for the Parkway Plaza development.

17. All downspouts shall be enclosed.

18. Prior to Governing Body consideration, the applicant shall provide a photometric study meeting all requirements of the Leawood Development Ordinance including parking lot lighting to be a 4:1 average over minimum, pedestrian walkway lighting to be a maintained average illumination of 0.18 foot-candles, and a maximum 0.5 foot-candles of illumination at the property line.

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, all parking lot light fixtures shall be a maximum of 18’ in height from grade, including base.

21. All rooftop equipment shall be screened from the public view with an architectural treatment, which is compatible with the building architecture. The height of the screen shall be at least as tall as the utilities being screened.

22. 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.

23. 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.
24. No signage is approved with this application.
25. 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.
26. The conditions and stipulations of the preliminary plan approval remain in full force and effect except to
the extent expressly modified herein.
27. No construction shall be allowed between the hours of 9:00 p.m. to 7:00 a.m. and not on Sundays.
28. Development rights under this approval shall vest in accordance with K.S.A. 12-764.
29. 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 twenty-nine.
MEMO

DATE: August 22, 2019

TO: Richard Coleman, Director of Community Development

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

SUBJECT: Parkway Plaza - Kiddi Kollege
         Case Number: 86-19

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 Impact Analysis:
   a) The trip generation comparison indicated negligible changes to the traffic generated by the proposed plan when compared to the previously approved plan for Parkway Plaza.

2) Storm Water Study:
   a) Detention has been constructed on this site by the Parkway Plaza developer. This project drains to the mid detention basin with the pond and the west detention basin of Parkway Plaza. These have already been installed with the larger project.

   b) The previous phase of Kiddi Kollege constructed the North and West Rain Gardens. They were sized to include this expansion. The applicant shall protect these facilities with adequate erosion control.

   c) Runoff from the new building shall drain by pipe or overland flow to the rain gardens and/or curb inlet per the BMP plan.

3) The parking lot pavement shall be constructed in accordance to the Leawood Development Ordinance.

4) Permanent structures, including monument signs, shall not be placed within the Right-of-Way and Public Easements.

5) 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).
6) 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.

7) 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.

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 and restore all damaged areas between the back of curb and the Right-of-Way abutting this lot including any existing damage. This shall include but is not limited to street lighting equipment, traffic signal equipment, sidewalk, storm sewers, grass, etc.

10) The Developer shall provide documentation by a licensed professional engineer certifying on City forms the BMPs have been constructed in accordance with City standards and the approved plans.

11) The developer shall provide as-built storm sewer information in accordance with City 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.

12) The Certificate of Occupancy shall not be approved until the above requirements have been met.

If you have any questions, please call me at (913) 663-9134.
Existing acceptable fire truck circulation is unaffected by the additional building. New building is required to have storm shelter room.

_Gene Hunter, Leawood Fire Marshal_
TOTAL BUILDING AREA = 5356 SQUARE FEET
ROOFING TO BE: CONCRETE TILE ROOFING TO MATCH WESTILE SERIES 1000 SLATE PROFILE, COLOR BUCKHORN, ON 15# FELT ON ROOF SHEATHING. INSTALL PER MANUF. DIRECTIONS.

PROVIDE 36" WIDE GRACE SELF ADHERING ICE AND WATER SHIELD AT LOWEST 3' 0" OF ALL EAVES AND 3' WIDE CENTERED AT ALL VALLEY'S.

ROOF VENTS
6" X 6" X 3" (TAN)
4" DIA. PLUMBING VTR (TAN)

NO GUTTERS & NO DOWNSPOUTS
EXTERIOR FINISHES:

1. CS - 1 CONTINENTAL CAST STONE COLOR #110
   COMPOSITE INSULATING PANELS: COLUMN
   PAINT COLOR MATCH EDWARD S# 0390
2. MP - 0 ROOF PANELS: PANEL WITH STAINLESS STEEL KNOTLER DRIP EDGE
3. SF - 0 COMPOSITE INSULATING PANEL WITH INNER TURING COLOR TO MATCH EXTERIOR SIDE MORTAR #31437/73
4. MRT - 0 NATURAL ASHWOOD CLAD STOREFRONT SYSTEM: MORTAR FINISH:
   HIGH PERFORMANCE TINTED INSULATED GLASS
5. ST - 1 NATURAL STONE: MATCH SLOPE 100 SERIES S# 1370 MATCH VARIETY
   WITH 50% COTTONWOOD TUSCAN FIELD STONE NATURAL FACE, 40%
   COTTONWOOD TUSCAN FIELD STONE SPLIT FACE, 30% COTTONWOOD WEB WALL
6. CO - 1 PRECAST CONCRETE TILE TO MATCH "WESTLIE" SERIES 1000
   S# 3010 MATCH MATCH COLOR BLACK
7. BR - 2 BRICK MATCH MUTUAL MATERIALS CO. MISSION TEXTURE, COLOR REDONDO GRAY
8. AWNING: HIGH QUALITY CANVAS – OCEAN BLUE
9. MURRAY FIESE OL540BK: 3 LIGHT WALL LANTERN, COLOR BLACK
10. METAL GATES, PAINTED ICI PAINT COLOR "SEAHORSES" #545
11. HOLLOW METAL DOORS, PAINTED TO MATCH STUCCO STO. PULP #31434/45

NOTE: ALL PROPOSED MATERIAL MATCH THE APPROVED CRITERIA FOR PARKWAY PLAZA DEVELOPMENT GUIDELINES.

BUILDING SIGNAGE TO BE SUBMITTED AT A LATER DATE.
Montage ATF
Ornamental Iron

TYPICAL PANEL DRAWING
(Classic Style shown; Genesis and Majestic also available)

Montage ATF® Rail
15/16" W x 1-1/4" H x 94" x 14 Ga

Picket (5/8" Square x 18 Ga)

Post (2" Square x 16 Ga)

Span

<table>
<thead>
<tr>
<th>Bracket Type</th>
<th>Montage ATF® Universal Boulevard (BB102)</th>
<th>Montage ATF® Line Boulevard (BB104)</th>
<th>Montage ATF® Flat Mount (BB105)</th>
<th>Montage ATF® Swivel (BB106)</th>
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</thead>
<tbody>
<tr>
<td>Post Settings</td>
<td>96-3/4&quot;</td>
<td>96-3/4&quot;</td>
<td>96-3/4&quot;</td>
<td>96-3/4&quot;</td>
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</table>

* Note: When using swivel brackets on either or both ends of a panel installation, care must be taken to ensure the spacing between post & adjoining pickets meets applicable codes. This may require trimming one or both ends of the panel as needed.

E-Coat™ PROTECTION

UNIQUE PROFUSION WELDING PROCESS

ATF™ RAKABLE DESIGN

20 YEAR WARRANTY

- AUTOMATICALLY FUSION WELDED AT ALL INTERSECTIONS
- NO EXPOSED WELDS - VIRTUALLY SEAMLESS APPEARANCE
- GOOD NEIGHBOR PROFILE - SAME ON BOTH SIDES
- CONSISTENTLY HIGH QUALITY LEVEL - EVERY PANEL
- ZINC-PHOSPHAIZED GALVANIZED STEEL BASE MATERIAL
## Ornamental Iron
### "3 Rail" Montage ATF


### * Panels Only

<table>
<thead>
<tr>
<th>Description</th>
<th>Full Pallet</th>
<th>Less Pallet</th>
<th>Pcs. per Pallet</th>
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<td>06-18433</td>
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<tr>
<td>8’ Wide x 4’ High Classic Panel</td>
<td>40</td>
<td>06-18431</td>
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<tr>
<td>8’ Wide x 4’ High Genesis Panel</td>
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<tr>
<td>8’ Wide x 5’ High Genesis Panel</td>
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### Rakable

- 21 Pickets

### * Post & Cap

<table>
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<tr>
<th>Description</th>
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<th>Less Bundle</th>
<th>P/Bndle</th>
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<tbody>
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<td>88</td>
<td>06-22059</td>
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<td>2” x 6” 9’ Post w/ Cap</td>
<td>88</td>
<td>06-22069</td>
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<td>2” x 7” 9’ Post w/ Cap</td>
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<td>06-22079</td>
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<tr>
<td>2-1/2” x 7” x 16 ga Post w/ Cap</td>
<td>24</td>
<td>06-22570</td>
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<tr>
<td>2 1/2” x 8” x 14 ga Post w/ Cap</td>
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<td>06-22580</td>
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<td>06-22590</td>
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<tr>
<td>3” x 9” x 12 ga Post w/ Cap</td>
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<td>4” X 9’ x 11 Ga w/Cap</td>
<td>06-24090</td>
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</table>

Post Base ~ Fits 2” Sq Steel Post BB-205

5” x 5” ~ 9/16” Holes

### * Hardware

<table>
<thead>
<tr>
<th>Description</th>
<th>Full Sack</th>
<th>Less Sack</th>
<th>Sack</th>
<th>PN</th>
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<tbody>
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<td>2” End / Universal Brackets</td>
<td>100</td>
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<tr>
<td>(3 per line post)</td>
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<tr>
<td>Swivel Bracket</td>
<td>76</td>
<td>06-30003</td>
<td></td>
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</tr>
<tr>
<td>(3 per end post, 6 per corner post, 6 per line post)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Black Touch Up Paint</td>
<td>12</td>
<td>06-00020</td>
<td></td>
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</tr>
<tr>
<td>Zinc Rich Primer</td>
<td>ZC-PAINT</td>
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</tbody>
</table>
## Ornamental Iron Montage ATF

### *Hardware Continued*

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Full Sack</th>
<th>Less Sack</th>
<th>p/ Sack</th>
<th>P/N</th>
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<tbody>
<tr>
<td>Quad Flares</td>
<td>AB301</td>
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<td>210</td>
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<tr>
<td>Triads</td>
<td>AB302</td>
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<td>210</td>
<td>06-90004</td>
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<tr>
<td>Double Ring</td>
<td>AB102</td>
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<td>11</td>
<td>06-90001</td>
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<tr>
<td>2&quot; Square Cap</td>
<td>AB506</td>
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<td>06-80120</td>
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<tr>
<td>2 1/2&quot; Square Cap</td>
<td>AB507</td>
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<td>06-80125</td>
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<tr>
<td>3&quot; Square Cap</td>
<td>AB508</td>
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<td>06-80130</td>
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<td>4&quot; Square Cap</td>
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<tr>
<td>Pair Gate Hinge 1-1/4&quot;</td>
<td>HB404</td>
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<td>100</td>
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<tr>
<td>(Drop Rod Guides)</td>
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<tr>
<td>180 Degree Residential Hinge Pair</td>
<td>120 lbs Rated</td>
<td>MRH180</td>
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<tr>
<td>Latch Collar 1-1/4&quot;</td>
<td>HB301</td>
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<td>06-60125</td>
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<tr>
<td>Back Plate Latch</td>
<td>HB305</td>
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<td>100</td>
<td>06-61000</td>
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<tr>
<td>Pair 2&quot; Post Hinge</td>
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<td>100</td>
<td>06-70020</td>
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<tr>
<td>Pair 2 1/2&quot; Post Hinge</td>
<td>HB413</td>
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<td>06-70025</td>
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<tr>
<td>Pair 3&quot; Post Hinge</td>
<td>HB415</td>
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<td>06-70030</td>
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<tr>
<td>Wall Plate Hinge</td>
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<td>100</td>
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<td>Drop Cane</td>
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<td>06-CAD44</td>
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<tr>
<td>44&quot; / Double Swing Gate</td>
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<td></td>
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<tr>
<td>1-1/4&quot; Gate Upright</td>
<td></td>
<td></td>
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<tr>
<td>With Cap</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>48&quot; Gate Upright ~ Each</td>
<td>HB 248</td>
<td></td>
<td></td>
<td>06-54020</td>
</tr>
<tr>
<td>59&quot; Gate Upright ~ Each</td>
<td>HB 259</td>
<td></td>
<td></td>
<td>06-55020</td>
</tr>
<tr>
<td>71&quot; Gate Upright ~ Each</td>
<td>HB 271</td>
<td></td>
<td></td>
<td>06-56020</td>
</tr>
</tbody>
</table>

*Add For Guides (Gate Hinge) Above*

---

F.O.B. Clackamas, OR. 97015

**Prices Subject To Change Without Notice**
### Ornamental Iron Montage ATF

*LINE FENCE* - Price Estimate Per Lineal Foot / Sold In 8' Wide Sections.

<table>
<thead>
<tr>
<th>Fence Height</th>
<th>3'</th>
<th>3-1/2'</th>
<th>4'</th>
<th>5'</th>
<th>6'</th>
</tr>
</thead>
<tbody>
<tr>
<td>3' High</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
</tr>
<tr>
<td>3-1/2' High</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
</tr>
<tr>
<td>4' High</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
</tr>
<tr>
<td>5' High</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
</tr>
<tr>
<td>6' High</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
<td>8' - 312'</td>
<td>320' +</td>
</tr>
</tbody>
</table>

### TERMINAL POST ~ With Cap, Brackets (End / Gate, Corner Post)

<table>
<thead>
<tr>
<th>Fence Height</th>
<th>2' x 16 Ga. Post Includes Universal Brackets &amp; Post Cap</th>
<th>2-1/2' x 16 Ga. Post Includes Flat Mount Brackets &amp; Post Cap</th>
<th>3' x 12 Ga. Post Includes Flat Mount Brackets &amp; Post Cap</th>
</tr>
</thead>
<tbody>
<tr>
<td>3'</td>
<td>End Or Gate Post Corner Post Post Length</td>
<td>End Or Gate Post Corner Post Post Length</td>
<td>End Or Gate Post Corner Post Post Length</td>
</tr>
<tr>
<td>3-1/2'</td>
<td>5'9&quot; Post</td>
<td>5'9&quot; Post</td>
<td>7' Post</td>
</tr>
<tr>
<td>4'</td>
<td>5'9&quot; Post</td>
<td>5'9&quot; Post</td>
<td>7' Post</td>
</tr>
<tr>
<td>5'</td>
<td>5'9&quot; Post</td>
<td>5'9&quot; Post</td>
<td>7' Post</td>
</tr>
<tr>
<td>6'</td>
<td>5'9&quot; Post</td>
<td>5'9&quot; Post</td>
<td>7' Post</td>
</tr>
<tr>
<td>7'9&quot; Post</td>
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</tbody>
</table>

### Montage Gates ~ Includes Standard 2" Hinges & Latch

<table>
<thead>
<tr>
<th>Actual Gate Width</th>
<th>Fence Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>45&quot; Actual Walk Gate</td>
<td>6104333</td>
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<tr>
<td>71&quot; Actual Walk Gate</td>
<td>6010653</td>
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</tbody>
</table>

### Arched Top Swing Gates (2)

<table>
<thead>
<tr>
<th>Actual Gate Width</th>
<th>4'</th>
<th>5'</th>
<th>6'</th>
</tr>
</thead>
<tbody>
<tr>
<td>36-1/2&quot;</td>
<td>W * B346-42A</td>
<td>W * B358-42A</td>
<td>W * M370-42A</td>
</tr>
<tr>
<td>45&quot;</td>
<td>W * M346-48A</td>
<td>W * M358-48A</td>
<td>W * M370-48A</td>
</tr>
<tr>
<td>62-1/2&quot;</td>
<td>W * M346-60A</td>
<td>W * M358-60A</td>
<td>W * M370-60A</td>
</tr>
<tr>
<td>71&quot;</td>
<td>W * M346-72A</td>
<td>W * M358-72A</td>
<td>W * M370-72A</td>
</tr>
</tbody>
</table>

(1) = Majestic Only
(2) = Non Stock / Special Order Item

Keyed Lever Latch Add
180 Degree Hinges (Pair) Per Gate Leaf

F.O.B. Clackamas, OR. 97015

Page 9-3  Prices Subject To Change Without Notice
MONTAGE PLUS
Commercial Grade Ornamental Fence

NOTES:
1. Post size depends on fence height and wind loads.
   See MONTAGE PLUS specifications for post sizing chart.
2. Third rail required for Double Rings.
3. Available in 3' air space and/or Flash Bottom on most heights.

RAKING DIRECTIONAL ARROW
Welded panel can be raked 30° over 8' with arrow pointing down grade.

PROFUSION™ WELDING PROCESS
Non imposed welds, Good Neighbor profile - Same appearance on both sides

COMMERCIAL STRENGTH WELDED STEEL PANEL
PRE-ASSEMBLED

MONTAGE PLUS MAJESTIC 2/3-RAIL
DR: CL  SH: 1of 1  SCALE: DO NOT SCALE
CK: ME  Date: 6/28/19  REV: c

Ameristar®

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.
## Montage Plus®
"3" Rail Black

Non Stock - Special Order Items, Lead Time Required

<p>| Montage Rails: 1-4375” X 1-1/2” X 14 Ga., 3/4” x 18 Ga. Pickets, 4” Picket Gap |
|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|</p>
<table>
<thead>
<tr>
<th><strong>Description</strong></th>
<th><strong>Style</strong></th>
<th><strong>Picket Gap</strong></th>
<th><strong>Full Pallet</strong></th>
<th><strong>Less Pallet</strong></th>
<th><strong>Mfg #</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>8' Wide x 4' High</strong></td>
<td>Classic</td>
<td>4”</td>
<td>1RCB346</td>
<td>60</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Genesis</td>
<td>4”</td>
<td>1RGB346</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majestic</td>
<td>4”</td>
<td>1RMB346</td>
<td>60</td>
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<tr>
<td></td>
<td>Warrior</td>
<td>4”</td>
<td>1RWB346</td>
<td>60</td>
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<tr>
<td><strong>8' Wide x 5' High</strong></td>
<td>Classic</td>
<td>4”</td>
<td>1RCB358</td>
<td>69</td>
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</tr>
<tr>
<td></td>
<td>Genesis</td>
<td>4”</td>
<td>1RGB358</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Majestic</td>
<td>4”</td>
<td>1RMB358</td>
<td>69</td>
<td></td>
</tr>
<tr>
<td><strong>8' Wide x 6' High</strong></td>
<td>Classic</td>
<td>4”</td>
<td>1RCB370</td>
<td>78</td>
<td></td>
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<tr>
<td></td>
<td>Genesis</td>
<td>4”</td>
<td>1RGB370</td>
<td>30</td>
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</tr>
<tr>
<td></td>
<td>Majestic</td>
<td>4”</td>
<td>1RMB370</td>
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### Post & Hardware

<table>
<thead>
<tr>
<th></th>
<th><strong>Full Bndl</strong></th>
<th><strong>Less Bndl</strong></th>
<th><strong>Per Bundle</strong></th>
<th><strong>Manufacturer P/N</strong></th>
<th><strong>Weight</strong></th>
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<tbody>
<tr>
<td>2-1/2” x 7” x 16 Ga.</td>
<td>48</td>
<td>WBP25084</td>
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<tr>
<td>2-1/2” x 8” x 14 Ga.</td>
<td>24</td>
<td>WBP25096-14</td>
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<tr>
<td>2-1/2” x 9” x 14 Ga.</td>
<td>24</td>
<td>WBP25108-14</td>
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<tr>
<td>3” x 7” x 12 Ga.</td>
<td>48</td>
<td>PB30084</td>
<td>30</td>
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<tr>
<td>3” x 8” x 12 Ga.</td>
<td>24</td>
<td>PB30096</td>
<td>34</td>
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<tr>
<td>3” x 9” x 12 Ga.</td>
<td>24</td>
<td>PB30108</td>
<td>39</td>
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<tr>
<td>4” x 7” x 11 Ga.</td>
<td>48</td>
<td>PB40084</td>
<td>47</td>
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<tr>
<td>4” x 8” x 11 Ga.</td>
<td>24</td>
<td>PB40096</td>
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<tr>
<td>4” x 9” x 11 Ga.</td>
<td>24</td>
<td>PB40108</td>
<td>61</td>
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<tr>
<td>6” x 9” x 3/16”</td>
<td>48</td>
<td>PB60108</td>
<td>131</td>
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</table>

### Hardware

<table>
<thead>
<tr>
<th>Brackets</th>
<th>Universal End Brkt</th>
<th>Line Brkt 2-1/2”</th>
<th>Flat Mount Brkt</th>
<th>Swivel Bracket</th>
<th>Quad Flare</th>
<th>Triad</th>
<th>Double Ring</th>
<th>Black Touch Up Paint</th>
<th>Zinc Rich Primer</th>
</tr>
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<tbody>
<tr>
<td><strong>Price Each</strong></td>
<td><strong>Mfg #</strong></td>
<td><strong>Weight</strong></td>
<td><strong>Mfg #</strong></td>
<td><strong>Weight</strong></td>
<td><strong>Mfg #</strong></td>
<td><strong>Weight</strong></td>
<td><strong>Mfg #</strong></td>
<td><strong>Weight</strong></td>
<td><strong>Mfg #</strong></td>
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<tr>
<td>-----------------</td>
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<td>-----------------</td>
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<td>-----------------</td>
<td>-----------------</td>
<td>-----------------</td>
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<td>-----------------</td>
</tr>
<tr>
<td>BB112S</td>
<td>0.15</td>
<td>BB114S</td>
<td>0.84</td>
<td>BB111S</td>
<td>0.24</td>
<td>BB113</td>
<td>0.20</td>
<td>AB518</td>
<td>0.15</td>
</tr>
</tbody>
</table>

F.O.B. Clackamas, OR. 97015

Prices Subject To Change Without Notice
"Black" Montage Plus Gates

Non Stock - Special Order Items, Lead Time Required

<table>
<thead>
<tr>
<th>Width</th>
<th>Height</th>
<th>Mnfg P/N</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4'</td>
<td>5'</td>
</tr>
<tr>
<td>4'</td>
<td>49-1/2&quot; Actual Frame Width</td>
<td>1W X B346-48</td>
</tr>
<tr>
<td>6'</td>
<td>68&quot; Actual Frame Width</td>
<td>1W X B346-72</td>
</tr>
<tr>
<td>8'</td>
<td>95-1/2&quot; Actual Frame Width</td>
<td>1W X B346-96</td>
</tr>
<tr>
<td>10'</td>
<td>114-3/4&quot; Actual Frame Width</td>
<td>1W X B346-120</td>
</tr>
</tbody>
</table>

12' Double Swing

16' Double Swing

20' Double Swing

24' Double Swing

Includes Hinges & Latch / Specify Style & Size

"X" = M= Majestic, C = Classic, W = Warrior, G = Genesis

RECOMMENDED GATE POST

<table>
<thead>
<tr>
<th>Width</th>
<th>GATE HEIGHT Up To &amp; Including 4'</th>
<th>Over 4' Up To &amp; Including 6'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up To 4'</td>
<td>2-1/2&quot; x 16 Ga</td>
<td>2-1/2&quot; x 14 Ga.</td>
</tr>
<tr>
<td>4'1&quot; To 6'</td>
<td>3&quot; x 12 Ga</td>
<td>3&quot; x 12 Ga.</td>
</tr>
<tr>
<td>6'1&quot; to 10'</td>
<td>4&quot; x 11 Ga</td>
<td>4&quot; x 11 Ga.</td>
</tr>
<tr>
<td>10'1&quot; To 16'</td>
<td>6&quot; x 3/16&quot; Wall</td>
<td>6&quot; x 3/16&quot; Wall</td>
</tr>
</tbody>
</table>
Memo

To: City of Leawood Planning Commission
From: Mark A. Klein, Planning Official
CC: Richard Coleman, Director of Community Development

Date of Meeting: August 27, 2019
Date of Memo: August 12, 2019

Re: Case 16-19, Leawood Development Ordinance Amendment to Section 16-4-9 Fences and Walls, pertaining to the location of fences and fences within the RP-A5 zoning district (Planned Rural Density Single Family Residential District)

**PUBLIC HEARING**

The amendment proposes to allow fences and walls within the RP-A5 zoning district to be permitted on the front, rear and side yard property lines of the RP-A5 zoning district to a maximum height of 6 feet, but not within the site triangles of corner lots.

The amendment also proposes to limit the material of fences on the property lines within the RP-A5 zoning district to wooden split rail, wrought iron, or aluminum designed to have the appearance of wrought iron.

Currently the Leawood Development Ordinance does not permit fences greater than 3 feet in height to be located in front of the building or line of the building as it extends to the side property line, and not beyond the build line of a street-side yard of a corner lot. This amendment also proposes to allow fences to extend beyond platted side and rear build lines located on interior lots within any zoning district, unless specifically prohibited by the plat.
6-4-9.3 General Requirements

A) Fences and walls (with the exception of retaining walls, and lots within the RP-A5 zoning district) 3 feet or greater in height shall not be permitted in front of the building or line of the building as it extends to the side property line, and shall not be permitted beyond the build line of a street-side side yard of a corner lot. Fences shall be permitted to extend beyond the platted build line of an interior side or rear lot if not specifically prohibited on the plat.

B) Unless otherwise provided herein, fence height, for compliance with this Ordinance, shall be measured from the finished grade of the adjoining ground to the top of the fence.
   1) When used in conjunction with a retaining wall, the fence height shall be a maximum of 4 feet in height, measured from the finished grade on the high side of the wall.
   2) When attached to a deck the fence shall be a maximum of 4 ft. in height as measured from the floor of the deck to the top of the fence.

B) Post height, for compliance with this Ordinance, shall not exceed 8” above the height of the fence pickets.

D) In cases of interior rear setbacks, fences and walls shall be permitted to be located on the rear property line. In the case of through lots, fences and walls shall not extend beyond the applicable zoning district’s setback from the street frontage.

E) Wood fences shall be constructed with posts, rails, and other structural members located on the “inside” of the fence (finished side facing out). A second fence made of PVC coated chain link is permitted when a split-rail wood fence is already installed, and such second fence is needed to provide extra security due to gaps and/or spacing of the components of the split-rail wood fence. The PVC coated chain link fence shall be installed on the side of the split-rail wood fence facing the subject property and shall be limited in color to black, hunter green and dark brown.

   (Ord. 2414, 09-29-09)

F) Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity.

G) Fences and walls constructed within City owned and/or public utility easements may be removed to allow access for installation or maintenance of utilities and/or drainage. The property owner shall be responsible for the reconstruction and replacement of any fences and/or walls removed.

H) When the back property line of a residentially zoned lot shares a common boundary with that of another municipality, the least restrictive fence or wall height regulations of the two municipalities shall govern only for that property line which shares the municipal boundary. All other fences on the property within Leawood are limited to that allowed by this Ordinance.

I) Allowed fencing materials shall be limited to cedar, redwood, CCA treated wood, wrought iron, aluminum designed to have the appearance of wrought iron, chain link, PVC coated chain link or vinyl to have the appearance of wood. Fences located on the property line in front of the front line of the building as it extends to the side property lines within the RP-A5 zoning district shall be limited to wooden split-rail, wrought iron, or aluminum designed to have the appearance of wrought iron.
16-4-9.4 Height and Location Requirements

The following are the requirements for fence height and location:

<table>
<thead>
<tr>
<th>TYPE OF FENCE</th>
<th>LOCATION</th>
<th>HEIGHT / LENGTH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fences/walls within the RP-A5 zoning district</td>
<td>May be located along the property line of the interior front, rear and side yards, and no closer than 2’ from a property line adjacent to a public right-of-way; however, clear site triangles shall be maintained on corner lots.</td>
<td>Maximum Height: 6 feet</td>
</tr>
<tr>
<td>Fences/walls under 3’ in height</td>
<td>May be located anywhere within required setbacks.</td>
<td>Maximum Height: Less than 3 feet.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Maximum Length: 24 feet</td>
</tr>
<tr>
<td>Fences/walls 3 feet to 4 feet in height, except retaining walls</td>
<td>With the exception of lots within the RP-A5 zoning district, fences shall not be permitted in front of the building or line of the building as it extends to the side property line, or All fencing, except within the RP-A5 district, shall not extend beyond the build line on the street-side side setback of a corner lot.</td>
<td>Maximum Height: 4 feet</td>
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<tr>
<td>Fences associated with sport courts</td>
<td>Not permitted in front of the building or line of the building as it extends to the side property line, or beyond the build line on the street-side side setback of a corner lot. The fence must be adjoining the sport court and must be approved as part of the required approval process for sport courts.</td>
<td>Maximum Height: 12 feet</td>
</tr>
<tr>
<td>Fences/walls associated with patios and decks</td>
<td>Within 3 feet of patio or deck.</td>
<td>Maximum Height: 6 feet from grade, or if attached to a deck, a maximum of 4 feet in height as measured from the floor of the deck to the top of the fence.</td>
</tr>
<tr>
<td>Fences/walls associated with pools</td>
<td>A fence is required to circumscribe a pool.</td>
<td>Minimum Height: 4 feet</td>
</tr>
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<td>A fence may be constructed within and along all interior side and rear yards, but with the exception of fences within RP-A5 zoning district, is not permitted in front of the building or</td>
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<td>Maximum Height:</td>
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<tr>
<td>TYPE OF FENCE</td>
<td>LOCATION</td>
<td>HEIGHT / LENGTH</td>
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<tr>
<td>Fences/walls associated with hot tubs</td>
<td>A fence is required to circumscribe a hot tub.</td>
<td>Minimum Height: 4 feet.</td>
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<td>A 4-foot fence may be constructed within and along all interior side and rear yards, but is not permitted in front of the building or line of the building as it extends to the side property line, or beyond the building line on the street side setback of a corner lot.</td>
<td>Maximum Height: 6 feet.</td>
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<td>A 6-foot fence may be erected within 3 feet of the hot tub, or within 3 feet of a patio or deck supporting the hot tub.</td>
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<td>Retaining walls 6 feet in height or less</td>
<td>Are permitted within all required setbacks.</td>
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<tr>
<td>Retaining walls greater than 6 feet in height</td>
<td>Are permitted within all required setbacks provided that it shall be setback from the property line one foot for each foot, or part thereof, in excess of 6 feet in height. Any exceptions or deviations from this formula shall require site plan approval by the Governing Body after recommendation of the Planning Commission. At least 10 days prior to the Planning Commission consideration of the exception or deviation, all adjacent property owners shall be notified by certified mail of the pending application.</td>
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<tr>
<td>Electric and barbed wire fences</td>
<td>Are prohibited except on Agricultural zoned properties for the purpose of containing livestock and when specifically authorized as part of an approved development plan.</td>
<td>Maximum Height: 6 feet.</td>
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<tr>
<td>Construction fencing</td>
<td>Is prohibited in all zoning districts as permanent fencing material, although maybe used on a construction site as a temporary measure for safety purposes only.</td>
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<tr>
<td>Fencing/gates for utility and service facilities</td>
<td>Fencing for utility and service facilities is allowed in all zoning districts, provided that such fencing shall be approved by the Planning Commission and the Governing Body as part of a development plan.</td>
<td>Maximum Height: 6 feet, however, this height limitation may be subject to a deviation granted in the planning process if the utility shows that</td>
</tr>
<tr>
<td>TYPE OF FENCE</td>
<td>LOCATION</td>
<td>HEIGHT / LENGTH</td>
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<td>additional height is necessary under governing standards of security fencing for such utility provided, provided further that in no event shall such a fence exceed 8 feet in height.</td>
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</table>

(Ord. 2004, 07-07-03)  
(Ord. 2438, 04-13-10)
Memo

To: City of Leawood Planning Commission
From: Mark A. Klein, Planning Official
CC: Richard Coleman, Director of Community Development

Date of Meeting: August 27, 2019
Date of Memo: August 5, 2019
Re: Case 82-19, Leawood Development Ordinance Amendment to Section 16-4-1.3 Permitted Accessory Uses, Buildings and Structures **PUBLIC HEARING**

This amendment addresses the requirements for solar collectors located in Office, Commercial, Industrial and Special Development Districts (Leawood Development Ordinance Section 16-4-1.3 (D)).

Currently, Section 16-4-1.3 (B) allows solar collectors to be located in Single Family Residential Districts (RP-A5, R-1, and RP-1), but requires that the exposed metal on the collectors be finished with warm earth tones or black in color, and that all additional components be concealed. The accessory structures allowed within the RP-A5, R-1, and RP-1 zoning districts are also allowed within commercial districts. As such the criteria for solar panels are also applied to commercial districts as well. This amendment proposes to list solar collectors separately within commercial districts, but allow solar collectors to not have to meet the restrictions on color and finish if located on a flat roof that is fully screened. However, if the solar collectors are not located on a flat roof and completely screened the limitations on color and finish will still be required.
16-4-1.3 Permitted Accessory Uses, Buildings and Structures

The following accessory uses, buildings, and structures shall be permitted in the following districts:

A) Agricultural Districts

1) Any structure used in conjunction with a permitted use;

2) Any accessory use allowed in "R" districts may be used in conjunction with a single family home;

3) Signs permitted in 16-4-6 of this Ordinance;

4) Windmills and wind-driven power generators are permitted provided that any such structure otherwise complies with this Ordinance and other applicable law.

5) Living quarters for farm attendants may be located in an accessory building in the Agricultural (AG) District provided the building code is met.

6) Recycling bins located at a school, church or other public facility may be approved as an authorized accessory use subject to required administrative approval by the Director of Community Development for location and screening design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance, the following conditions shall be considered minimum requirements to be met:

a. Recycling bins shall be placed on hard surfaces only.

b. No recycling bin shall be permitted to exceed 8 cu.yds.

c. Recycling bins shall only be allowed to be located in the side or rear yard and shall not be located closer than 25 feet from any property line. To the extent possible, recycling bins shall be located adjacent to existing service or trash areas on the property. All recycling bins shall be located outside of vehicular and pedestrian traffic areas.

d. Recycling bins shall only be required to be screened in the two following instances:
   i. If the recycling bin is visible within 200 feet of property that is zoned, used, or master planned for residential use, then the recycling bin must be screened from view from said residential property.
   ii. If the recycling bin is located within 100 feet of any property line, then the recycling bin must be screened on the side adjacent to said property line.

e. Such screening shall consist of either evergreen landscaping or masonry enclosure constructed of materials matching adjacent buildings. Should evergreen landscaping be used, then at the time of planting, the plantings shall provide screening to at least 80 percent of the area required to be screened, and within 2 years shall provide screening to the entire area required to be screened. Evergreen landscaping screening may be installed anywhere between the recycling bin location and the adjacent property line; provided, that such evergreen landscaping shall sufficiently screen the recycling bin from view pursuant to Subsection 6(c) above.
f. Recycling bins shall only be permitted to be moved or emptied between the hours of 7:00 a.m. and 5:00 p.m. Monday through Saturday. No recycling bins may be moved or emptied on Sunday.

g. All recycling bins shall be maintained such that the contents are completely contained within the bin. Overflow or stacking of items around the bins is prohibited.

h. The Board of Zoning Appeals shall have the power to grant exceptions to the location or screening requirements for recycling bins. Such exceptions may be granted by the Board if it concludes that the granting of the exception outweighs any adverse impact the presence of the recycling bin may have by considering the following factors:

i. The effect on surrounding property;

ii. The location of the recycling bin on the property; and

iii. Proximity to residential property;

In no case shall the Board allow a recycling bin to not be screened from property that is zoned, used, or master planned for residential use.

7) Portable or Permanently Installed Power Generators for residential use shall be permitted provided the following conditions are met:

a. Portable and permanently installed generators shall both be permitted to be used only for emergency use during periods of power outages. Provided, that a portable generator shall be removed from the exterior of the residential dwelling within 48 hours of power being restored following the power outage or emergency for which it was being used. Provided further, permanently installed generators shall be permitted to be turned on for testing and maintenance once a week for a maximum of a 20 minute period between the hours of 10:00 a.m. to 9:00 p.m., not including Sundays.

b. Only one generator, either portable or permanently installed, per residential lot shall be permitted. However, should a permanently installed generator be in disrepair during a power outage or other emergency, a portable generator shall be permitted to be used, provided that such portable generator must comply with all requirements for portable generators set forth in this section of this ordinance.

c. Permanently installed generators shall be either natural gas or propane powered. Portable generators may also be powered with gasoline.

d. Permanently installed generators for residential dwellings shall be permitted only within the rear yard; provided, that permanently installed generators shall be confined to being located in the yard space contained within the back outside corners of the residence and the rear yard setback. All generators shall be situated no more than 5 ft. away from the primary residential structure, unless provided otherwise in the generator manufacturer’s specifications. No permanently installed generator shall be permitted to be situated within any setback.

e. All permanently installed generators shall be screened. Such screening shall be installed within 3 ft. to 5 ft. of the generator, unless provided otherwise in the
generator manufacturer’s specifications. Permitted screening materials shall include a fence or wall as outlined in Subsection (f) below or evergreen plantings that will substantially shield the generator from the view of neighboring properties.

f. Any fence or wall used for screening the permanently installed generator shall be a maximum of 4 ft. in height and meet all the requirements of Section 16-4-9 of this Ordinance. Further, any wall used for screening the permanently installed generator shall be constructed of a material compatible with the materials comprising the primary residential structure on the lot on which the generator is situated.

g. The noise from any generator shall be a maximum of 60 db as measured at the property line. If it is determined that the noise from a permanently installed generator is greater than 60 dbs at the property line, then noise mitigation shall be required in the form of an approved screening plan. This shall be verified at the time of final inspection of such permanently installed generator.

h. Permanently installed generators for residential dwellings larger than 22 KW or 48 cu.ft. shall be required to be reviewed as part of a final landscape plan relating to location, screening and design subject to approval by the Governing Body and recommendation of the Planning Commission pursuant to Section 16-5-2.1(B) of this Ordinance. Permanently installed generators for residential dwellings equal to or smaller 22 KW or 48 cu. ft. shall be required to be reviewed as part of a final landscape plan relating to location, screening and design subject to the approval of the Director of Community Development.

i. The following must be required with the submission of an application for a permanently installed generator in a residential district:

i. A site plan drawn to scale showing the location of the generator on the property and the screening material to be used to screen the generator. Unit placement must meet setback requirements and not be placed in front of the building line.

ii. The size of gas line used to provide gas to the generator must be shown.

iii. The location of the transfer switch for the generator must be shown.

B) Single Family Residential Districts (RP-A5, R-1, & RP-1)

1) Solar collectors provided that all components servicing the collector panel are concealed and all exposed metal shall be finished with warm earth tones or black, in color;

2) Satellite receiving dish antennae of one meter or less; such antennae in excess of one meter are not allowed except as may be required by law;

3) Readily moveable sports, recreation or outdoor cooking equipment;

4) Outdoor kitchenettes and detached fireplaces. Masonry structures, which are limited to permanent cooking facilities, fireplaces, and incidental storage related to the specific use, i.e. cooking utensils, firewood, etc. may be approved as an authorized accessory use
Article 4 Supplemental Provisions

subject to required administrative approval by the Director of Planning for the location and design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance the following conditions shall be considered minimum requirements to be met:

a. The structure shall be complimentary in design to the primary structure.

b. A landscape plan shall be submitted at the time of application indicating plant material, size, location and spacing proposed.

c. In the case of a chimney, a chimney cap shall be required.

5) In ground swimming pools. Mechanical filtering and heating equipment associated with swimming pools shall:

a. Be limited to the side or rear yard.

b. Be setback a minimum of 10 ft. from all property lines.

c. Be screened from the public right-of-way and adjacent properties. The screening shall comply with the following requirements.

1) Installed within 5 ft. of the equipment, unless provided otherwise in the manufacturer’s specifications.

2) Permitted screening materials shall include a fence or wall as outlined in Subsection (3) below, or evergreen plantings that will screen the equipment at the time of planting. Such landscaping shall be a minimum of 6 in. taller than the equipment that it is to screen.

3) Any fence or wall used for screening shall be a maximum of 6 ft. in height and shall meet all the requirements of Section 16-4-9 of this ordinance. Further, any wall used for screening the equipment shall be constructed of a material compatible with the materials comprising the primary residential structure on the lot on which the pool and associated equipment is located.

d. Not emit noise greater than 60 db as measured at any point along the property line. Compliance with this provision will be determined at the time of final inspection.

6) Sports courts/Tennis courts. Paved areas and other surfaces designed for sports or similar recreational uses (hereinafter referred to as “courts”), may be approved as an authorized accessory use subject to required administrative approval by the Director of Planning for the location and design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance the following conditions shall be considered minimum requirements to be met.

a. Courts must be accessory to the principal use it is intended to serve. Courts on separate lots will not be considered as standalone structures.

b. Plans shall be submitted for approval and shall be based upon compliance with the following standards: 1) The need for screening to protect the privacy of adjoining properties, including noise and lighting, if proposed, and 2) appropriate management
of surface water runoff. These standards are to be considered minimums and other factors may be considerations for approval by the Director of Planning.

c. Courts shall not be constructed within a required front yard and shall be located a minimum of 10 feet from any rear or side lot line. Screen plantings of a height necessary to muffle noise and block lights may be required as a condition to the special use approval.

d. Fences for courts may be up to 12 feet in height and shall be of a green or black PVC coated chain link fabric. Said fences shall be located a minimum of 10 feet from any rear or interior side lot line.

e. Courts shall be designed so that the surface water will be carried to the street or storm drainage system on the owner’s property, or by underground pipe to the public street or storm drainage system, or if across other ownership’s, easements must be obtained. A statement along with a detailed drawing from a professional engineer, P.E., shall be submitted showing and stating that these drainage requirements have been or will be met.

f. All court lighting shall be subject to approval either in conjunction with the application for a sport court or separately as an addition at a later date. Existing courts requesting lighting shall be authorized only by issuance of a special use permit. A lighting plan shall be submitted which indicates the lumins (footcandles) at the property line and distance to the nearest structures. Footcandles shall not exceed 0.5 footcandle measured anywhere along the adjacent property lines. Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination. A lighted court may be required to have additional screening in order to mitigate the affect of lighting on any adjoining properties. Cutoffs shall be provided to eliminate the view of the light source from adjoining properties.

g. No court lighting shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.

h. A landscape plan shall be submitted at the time of application indicating plant material, size, location and spacing proposed.

i. All courts shall require a building permit prior to grading and/or installation.

7) Home Occupations; (See 16-4-10 of this Ordinance);

8) Fences, walls and retaining walls (Sealed engineering plans shall be submitted and approved prior to construction of any wall or retaining wall 4 feet in height or higher);

9) Garage sales limited to 2 sales per year (4 days per sale), provided, however, in no event shall items sold include items that have been transferred to the site specifically for purposes of the sale, other than for purposes of a bona fide neighborhood garage sale;

10) Children’s play equipment including swing sets, jungle gyms, sandboxes, playhouses, tree houses and other related equipment, provided playhouses do not exceed 64 square feet in gross floor area, with a maximum door width of 24” and 15 feet in total height
measured from the ground to the highest point. Only one playhouse is allowed per residence;

11) Dog houses, dog runs, and dog kennels, provided they do not exceed a 64 square foot area and a 6’ height, limited to the rear yard and adjacent to the existing structure;

12) Flag poles;

13) Attached wood decks;

14) At grade patio constructed of concrete stone, brick, and/or pavers but not including asphalt;

15) Bath house, pool house, and cabana only in conjunction with swimming pools;

16) Firewood stacked for home use;

17) Garden structures consisting of parallel colonnades supporting an open roof or girders and cross rafters, commonly known as pergolas, arbors and trellises, and garden statuary;

18) Gazebos that are open on all sides with a pitched roof design, having a maximum area of 64 square feet and designed for recreational use only and not for habitation. The roof and the materials of construction shall match with the primary building;

19) Storage or parking of recreational vehicles and equipment as otherwise allowed in this Ordinance;

20) Horse pasturing shall be permitted as an accessory use in Planned Rural Residential District (RP-A5) on a minimum lot area of 3 acres;

21) Hobby or craft activities operated by the occupant only provided that articles produced or constructed are not sold on the premises;

22) Signs permitted in 16-4-6 of this Ordinance;

23) Mother’s day out programs and preschools shall be permitted accessory uses in church, religious, educational, and community buildings;

24) Estate sales. Estate sales shall be permitted provided the following conditions have been met:

a. Residents within 200 feet have been notified by regular mail postmarked not less than 10 days prior to the date of the sale.

b. Means of parking and traffic control have been established and coordinated with the police and public works departments.

c. Signage shall be limited to that permitted by this Ordinance.

d. Tents or other accessory structures; food vendors; and/or any other such atypical residential uses shall require Temporary Use Permits as provided in 16-4-4 dealing with temporary short term uses.

e. Sales limited to 1 per calendar year per location, operated for not more than 4 consecutive days during daylight hours.
f. Permit required.

25) Architecturally attached structures shall be allowed only when the accessory structure is connected to the primary structure with a minimum 10’ wide structure, such as a breezeway, pergola, or other usable shade type structures constructed of similar materials to which it will be attached. The accessory structure and the primary structure shall not be more than 15’ apart, measured from the exterior wall of the accessory structure to the exterior wall of the primary structure. Not to be included as an allowable connection is a fence, deck, awning or other types of non-compatible or non-shade type structures.

25a) Sunrooms attached to the primary residential structure are permitted; provided, that the roof portion of the sunroom shall be comprised of no more than 400 sq.ft. of glass. All glass used to comprise the sunroom shall be a non-glare and non-mirrored variety. All sunrooms shall also meet all requirements contained in Section 16-4-1.2(C) of this Ordinance. A sunroom is defined as a room or an enclosed porch with both glass walls and roof.

26) Docks and any ancillary accessory structures. Docks and ancillary accessory structures to the docks are approved as an authorized accessory use subject to approval by the Governing Body and recommendation of the Planning Commission pursuant to Section 16-5-2.1(B) of this Ordinance of a final plan relating to location and design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance, the following conditions shall be considered minimum requirements to be met:

a. Only one dock and one ancillary accessory structure to the dock shall be allowed on any lot or tract of land.

b. The dock and any ancillary accessory structure to the dock must be accessory to the principal residence it is intended to serve. Docks and any ancillary accessory structures to any docks on separate lots will not be considered as standalone structures.

c. The lot or tract of land where the dock and any ancillary accessory structure to the dock is to be located shall be at least 3 acres in size.

d. The dock and any ancillary accessory structure to the dock shall maintain a distance of 250 feet between the subject structure(s) and any public right of way and shall maintain side and rear yard setbacks as provided in this Ordinance for the zoning district in which the dock is to be located.

e. Any ancillary accessory structure to the dock shall not exceed 300 square feet in gross floor area, shall not exceed one floor level and shall not exceed 15 feet in total height measured from the ground to the highest point.

f. The dock and any ancillary accessory structure to the dock shall be complimentary in design to the primary structure located on the lot or tract of land which they are to be placed.

27) Portable storage containers for temporary on-site storage shall be permitted provided the following conditions have been met:
<table>
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<th>Article 4</th>
<th>Supplemental Provisions</th>
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<tr>
<td>a. The container must be placed on the drive or personal parking area and does not obstruct any city right of way or interfere with any vehicular or pedestrian circulation.</td>
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<td>b. Portable storage containers shall never be utilized as permanent accessory structures in any residential district.</td>
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<td>c. The container(s) shall be no larger than eight (8) feet in width, sixteen (16) feet in length and eight (8) feet in height. No single dimension can be exceeded.</td>
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<td>d. No portable storage container shall remain at any residential site for more than thirty (30) days.</td>
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<td>e. Permit required.</td>
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<tr>
<td>28) Recycling bins located at a school, church or other public facility are permitted; provided, any recycling bin shall be subject to required administrative approval by the Director of Community Development for location and screening design. In addition, all requirements listed in Section 16-4-1.3(A)(6) of this Ordinance shall be met.</td>
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<td>29) Hot tubs are permitted provided that no hot tub shall be located within 10 feet of any property line. In addition, no hot tub shall be permitted to be located anywhere in the front yard. Fencing for hot tubs as provided in Section 16-4-9 of this Ordinance shall be installed and maintained.</td>
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<td>30) Portable or Permanently Installed Emergency Use Power generators; provided, such generators shall meet all requirements contained in Section 16-4-1.3(A)(7) above.</td>
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<td>31) Rain barrels shall be permitted within the RP-A5, R-1, RP-1 and RP-2 districts only, provided that the following criteria are satisfied:</td>
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<td>a. The rain barrel shall be located in the side yard or rear yard.</td>
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<td>b. The rain barrel shall be no greater than 70 gallons, or greater than 5 ft. in height above grade.</td>
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<td>c. The rain barrel shall not be elevated more than 6 in. above adjacent grade and shall be placed on a level, hard surface of not to include wood or gravel.</td>
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<td>d. The rain barrel shall be fed by a downspout and be located within 6 in. of the house.</td>
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<td>e. The rain barrel shall be retrained in such a way to prevent tipping.</td>
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<td>f. A lid shall be fitted to the top of the rain barrel.</td>
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<tr>
<td>g. The rain barrel shall be permanently fitted or constructed with an insect guard, which effectively prevents entry by mosquitoes or other insects.</td>
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<tr>
<td>h. The rain barrel is decorative in its design and of a neutral color not to include black, or white.</td>
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</tr>
<tr>
<td>32) A container no larger than 6 cubic feet in size, holding books to be shared by members of the community with a total height not exceeding 6 feet from the grounding shall be permitted in residential areas only, provided that the following criteria is satisfied;</td>
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<td>(a) The container is located entirely on private property;</td>
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(b) That no more than one container shall be allowed per residential lot;

(c) The container shall be installed in a neat and orderly fashion and shall be maintained in such a fashion so as to preserve its structural integrity and safety of the public;

(d) The container shall not be allowed to fall into disrepair;

(e) No associated chairs, tables or other furniture may be within 10 feet of the container; and

(f) The materials used to make the container must be similar to the material commonly used in the neighborhood.

(Ord. 2884, 5-7-18)

C) Planned Cluster Detached Residential District (RP-2), Planned Cluster Attached Residential District (RP-3) and Planned Apartment Residential (RP-4) Districts. In addition to the accessory uses permitted in Section 16-4-1.3(B) above, the following are accessory uses for the RP-2, RP-3 and RP-4 Districts, provided that such uses are set forth in the approved development plan:

1) Parking areas;

2) Signs permitted in 16-4-6 of this Ordinance;

3) Tenant used recreation facilities including minor buildings;

4) Trash collection centers;

5) Portable or Permanently Installed Emergency Use Power Generators; provided, such generators shall meet all requirements contained in Section 16-4-1.3(A)(6) above;

6) Vending machines located inside tenant buildings.

7) Sunrooms; provided, that any sunroom shall meet all the requirements contained in Section 16-4-1.2(C) and Section 16-4-1.3(B)(25a) of this Ordinance.

8) Recycling bins located at a school, church or other public facility; provided, any recycling bins shall be subject to required administrative approval by the Director of Community Development for location and screening design. In addition, all requirements listed in Section 16-4-1.3(A)(6) of this Ordinance shall be met.

D) Office, Commercial, Industrial and Special Development Districts. The following are additional accessory uses for office, commercial, industrial and special development districts, provided that any exterior modifications due to such uses are set forth in the approved development plan:

1) Off street parking lots as approved in the final development plan;

2) Signs permitted in 16-4-6 of this Ordinance;

3) Food service and vending machines located inside of a building;

4) Private garage for motor vehicles;

5) Low level exterior lighting;

6) Flagpoles;
7) Health club for employees or tenants when located inside of the primary building;
8) Day care center for employees or tenants when located inside of the primary building;
9) Restaurants, cafeterias, drug stores, gift shops and newsstands when located inside of the building;
10) Fencing;
11) Pharmaceutical sales, medicines, etc. when incidental to the practice of medicine in a medical office;
12) Eyeglass sales when incidental to the practice of optometry;
13) Satellite receiving dish antennae may be placed on the roof of a building provided that the antennae shall only be located on a flat roof and shall be screened from view. The screen shall be architecturally compatible with the structure as to shape, size, material color and bulk.
14) Recycling bins located at a school, church or other public facility; provided, any recycling bin shall be subject to required administrative approval by the Director of Community Development for location and screening design. In addition, all requirements listed in Section 16-4-1.3(A)(6) of this Ordinance shall be met.
15) Recycling Bins may be approved as an authorized accessory use subject to required administrative approval by the Director of Community Development for noise, location and screening design. In order to prevent a negative influence on the neighborhood and creation of a potential nuisance, the following conditions shall be considered minimum requirements to be met.
   a. Each development shall be limited to one recycle bin that is for community use and accessible to the public.
   b. Recycle bins shall be placed on hard surfaces only, either concrete or asphalt.
   c. Recycling Bins shall be no larger than 30 cu.yds.
   d. Recycling bins shall not be permitted within front or street-side side yards, shall not be located closer than 40 feet from any exterior property line, and shall not be closer than 200 feet to property that is zoned, used, or master-planned for residential uses.
   e. Recycling bins shall be located adjacent to existing service or trash areas on the property.
   f. All recycling bins shall be located so as to not impede the regular flow of vehicular or pedestrian traffic.
   g. Recycling bins shall be screened on a minimum of three sides. If the recycling bin is located within 100 feet of any property line, then the recycling bin must be screened on the side adjacent to said property line.
   h. Recycling bins may be screened by existing structures, evergreen landscaping or a masonry enclosure constructed of materials matching adjacent buildings. Evergreen screening may be installed anywhere between the recycling bin location and the
adjacent property line; provided that such evergreen landscaping shall sufficiently screen the recycling bin from view.

i. Recycling bins shall only be permitted to be moved or emptied between the hours of 7:00 a.m. and 5:00 p.m., Monday through Saturday. No recycling bins shall be moved or emptied on Sunday.

j. All recycling bins shall be maintained such that the contents are completely contained within the bin. Overflow or stacking of items around the bin is prohibited.

k. Noise associated with any recycling bin shall comply with Section 16-2-9.1(A) of this ordinance.

16) Portable or Permanently Installed Emergency Use Power Generators are permitted, provided, that permanently installed generators shall be required to be reviewed as part of a final site plan subject to approval by the Governing Body and recommendation of the Planning Commission pursuant to Section 16-5-2.1(B) of this Ordinance.

17) Solar collectors provided that all components servicing the collector panel are concealed, and all exposed metal shall be finished with warm earth tones or black, in color; solar panels located on flat roofs fully screened by the building parapet shall not be limited in color or finish.

(Ord. 2422, 11-24-2009)
(Ord. 2331, 07-21-2008)
(Ord. 2349, 10-06-2008)
(Ord. 2502, 07/18/2013)
(Ord. 2583, 11/13/2012)
(Ord. 2814, 11/29/2016)
(Ord. 2868, 11-28-2017)