I. ROLL CALL

II. APPROVAL OF PLANNING COMMISSION MINUTES - AUGUST 6, 2019

III. PUBLIC HEARINGS

PC2019-116 Special Use Permit Renewal
7700 Mission Road tower
Zoning: R-1a
Applicant: Ann Kooyman on behalf of Sprint Spectrum

IV. NON-PUBLIC HEARINGS

PC2019-117 Re-Plat Application
7609 Fontana Street
Zoning: R-1b
Applicant: Fontana Partners, LLC

V. OTHER BUSINESS

Review site plan criteria in zoning regulations

VI. ADJOURNMENT

Plans available at City Hall if applicable
If you cannot be present, comments can be made by e-mail to cityclerk@pvkansas.com

*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.
ROLL CALL
The Planning Commission of the City of Prairie Village met in regular session on Tuesday, August 6th, 2019 in the Council Chambers at 7700 Mission Road. Chair Nancy Wallerstein called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Melissa Brown and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; Jamie Robichaud, Deputy City Administrator; Ron Nelson, Council Liaison, and Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES
James Breneman moved for the approval of the minutes of the July 2nd regular Planning Commission meeting as presented. Jonathan Birkel seconded the motion, which passed 4-0, with Melissa Brown in abstention.

PUBLIC HEARINGS
No public hearings were scheduled.

NON-PUBLIC HEARINGS
PC2019-113 Site Plan Approval - Corinth South Retail Center

Chris Brewster stated that the site plan application was originally presented at the July 2nd meeting and had been continued. He noted that several changes were made by the applicant in response to Commission requests, specifically in regard to pedestrian circulation and landscape elements. Further, updates were made to building elevations, utilizing a simplified materials palette and a more unified, consistent design.

Mr. Brewster stated that staff recommended approval subject to the following conditions:

1. A drainage permit, or other similar permits associated with the work, be approved by Public Works, including a determination that no negative impacts on stormwater will result.

2. All future signs shall require a separate sign permit meeting the general sign standards for the City; or to the extent future signs include revisions to the sign standards applicable to this property or changes to the monument sign location, size or design, Planning Commission approval may be required.

3. The applicant submit appropriate paperwork prior to permits showing that the two parcels are joined as one lot of record, or alternatively that any building along the
parcel boundary shown in AIMS records has appropriate party wall / fire ratings to allow it to be sold as a separate entity.

Gregg Zike with First Washington Realty, owner of the property, stated that he was in agreement with the recommendation presented in the staff report, and introduced Kevin Berman from Hoefer Wysocki Architecture to provide a presentation of the plan. Mr. Berman shared that the updated elevations showed an increased commonality with the shops at Corinth North, due to the types of materials and colors used as well as building height. Pedestrian circulation was also taken into account, resulting in additional outdoor seating, improved public spaces and added bike racks.

Ms. Brown asked how pedestrians would connect to the area from 83rd Street. Mr. Zike noted that ADA access to cross 83rd Street from the north currently exists at Mission Road. Pedestrians would then enter the site by using a five-foot sidewalk adjacent to the First Watch building.

Mr. Valentino made a motion to approve the site plan, subject to the conditions recommended by staff. Mr. Breneman seconded the motion, which passed 4-1, with Ms. Brown in opposition.

OTHER BUSINESS
Mrs. Robichaud stated that community input sessions for Phase II of the Village Vision 2.0 update will be held on September 9th and 12th at the Meadowbrook Activity Center. Gould Evans will provide a presentation, followed by roundtable discussions.

Due to the Labor Day holiday, the next Planning Commission meeting will be held on Tuesday, September 10th.

ADJOURNMENT
With no further business to come before the Commission, Chair Nancy Wallerstein adjourned the meeting at 7:27 p.m.

Nancy Wallerstein
Chair
SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

APPLICANT: Sprint Spectrum

ADDRESS:__________________________________________E-MAIL:__________________________________________

OWNER: City of Prairie Village

ADDRESS: 7700 Mission Rd, PV, KS ZIP: 66208

LOCATION OF PROPERTY: 7700 Mission Road, Prairie Village

LEGAL DESCRIPTION: ________________________________________________________________________________

For Office Use Only

Case No.: PC2019-116

Filing Fees: $100.00

Deposit: $500.00

Date Advertised: __________________________

Date Notices Sent: __________________________

Public Hearing Date: __________________________

ADJACENT LAND USE AND ZONING:

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Present Use of Property: City Property

Please complete both pages of the form and return to:
Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS  66208
Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

1. Is deemed necessary for the public convenience at that location.  Yes ☑️  No ☐

2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected.  Yes ☑️  No ☐

3. Is found to be generally compatible with the neighborhood in which it is proposed.  Yes ☑️  No ☐

4. Will comply with the height and area regulations of the district in which it is proposed.  Yes ☑️  No ☐

5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.  Yes ☑️  No ☐

6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.  Yes ☑️  No ☐

Should this special use be valid only for a specific time period?  Yes ☑️  No ☐

If Yes, what length of time?

SIGNATURE: Ann Koymann  DATE: 7/22/19

BY: Ann Koymann  TITLE: Program Manager

Attachments Required:
- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
- Certified list of property owners
STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: September 11, 2019

Application: PC 2019-116
Request: Renewal of SUP for Wireless Telecommunication Facility
Action: A Special Use Permit requires the Planning Commission to evaluate facts and weigh evidence, and based on balancing the factors and criteria in the zoning ordinance, make a recommendation to the City Council.

Property Address: 7700 Mission Road
Applicant: Ann Kooyman, KGPCo, for Sprint Spectrum

Current Zoning and Land Use: R1-A Single Family – Municipal Office Complex
Surrounding Zoning and Land Use: North: R-1A Single-Family District – SM East High School
East: R-1A Single-Family District – Single Family Dwellings
South: R-1A Single-Family District – Church
West: R-1A Single-Family District – Park & Single Family Dwellings

Legal Description: Prairie Village Municipal Office Complex Tract 1 LYG within (abbreviated) SD PVC 567D 1 BTAO 2935 0
Property Area: Cell Tower Compound – approximately 3,200 sq. ft., 0.07 acres
Municipal Office Complex – 16.75 acres

Related Case Files: PC 2018-117 Revised Site Plan to Replace 3 Antenna (SSC,Sprint)
PC 2016-07 Renewal of Special Use Permit for Monopole, SSC
PC 2016-111 Site Plan Approval for Black & Veatch (AT&T)
PC 2015-114 Site Plan Approval for Verizon Wireless
PC 2014-111 Site Plan Approval for Sprint
PC 2014-108 Site Plan Approval for Verizon Wireless
PC 2014-107 Site Plan Approval for AT&T
PC 2011-114 Site Plan Approval for AT&T
PC 2009-17 Special Use Permit Renewal for Sprint
PC 2006-19 Special Use Permit Renewal for Cingular Wireless
PC 2005-115 Final Plat Municipal Office Complex
PC 2004-09 Special Use Permit for Sprint
PC 2001-05 Special Use Permit for AT&T
PC 2000-05 Special Use Permit for General Dynamics for Metricom
PC 1997-04 Special Use Permit to Replace Tower

Attachments: Application, Drawings & Photos
General Location – Map

General Location – Aerial
Site – Aerial

Site – Birdseye
COMMENTS:

This is a request to renew the Special Use Permit for the installation of antennas and equipment on City Hall property at 7700 Mission Road, for KGPCo on behalf of Sprint Spectrum. The original application for this tower was approved in 1997. Subsequent Special Use Permits for either renewal of the tower SUP or the addition of other carries were approved in 2000, 2001, 2004, 2006, 2009, and 2017. The original SUP for the tower is held by Sprint and was last renewed in 2009 for a period of 10 years, and is the subject of this application.

AT&T also has a SUP for its equipment on the tower, initiated in 2006 and renewed by the Planning Commission in 2016/17. Recent approvals (site plans and SUP renewals) have been coordinated with several lease agreements that had separate renewal dates, with lease discussions occurring between 2016 and 2018. The lease renewals in part included reconciling tower capacity concerns for the tower that became evident in 2016. Additionally, Sprint modified this tower in September of 2018. The Planning Commission approved a site plan for the exchange of antenna, which was supported with a structural analysis as required by the amended SUPs and lease agreements. (Plans and information for that application are included in this packet as a reflection of the current condition of the tower and site.)

Notice of this hearing was mailed to surrounding property owners, and the applicant held a neighborhood meeting on August 20, 2019, in accordance with the Citizen Participation Policy. Information submitted by the applicant indicate that no one attended this meeting.

APPLICATION INFORMATION:

Staff has reviewed the renewal application based on the City’s ordinance for Wireless Communication Facilities and has the following comments regarding the information submitted. The required application information is shown in bold type.

A. A study comparing potential sites within an approximate one mile radius of the proposed application area. The study shall include the location and capacity of existing towers, alternative tower sites, a discussion of the ability or inability of each site to host the proposed communications facility and reasons why certain of these sites were excluded from consideration. The study must show what other sites are available and why the proposed location was selected over the others. It must also establish the need for the proposed facility and include a map showing the service area of the proposed facility as well as other alternative tower site and antennas.

If the use of exiting towers, alternative tower structures, and sites are unavailable, a reason or reasons specifying why they are unavailable needs to be set out and may include one or more of the following: refusal by current tower or site owner; topographical limitations; adjacent impediments blocking transmission; site limitations to tower or facility or tower; no space on existing facility or tower; other limiting factors rendering existing facilities or towers unusable. The documentation submitted must use technological and written evidence, that these sites are inadequate to fulfill the grid needs of the wireless service provider, or that a reasonable co-location lease agreement could not be reached with the owners of said alternative sites.

The applicant shall submit an overall plan that shows the coverage gaps in service or lack of network capacity throughout the entire City and provide an indication of future needed/proposed wireless communication facilities, towers, and/or antenna.

The applicant shall demonstrate how the proposed communication facility, will impact its overall network within the City of Prairie Village and adjacent cities on both sides of the state line.

The study shall demonstrate how the proposed communication facility, will impact its overall network within the City of Prairie Village and adjacent cities on both sides of the state line.
The study shall also provide documentation establishing the minimum height necessary to provide the applicant’s services and the height required to provide for co-location. The study shall include coverage maps for the proposed monopole at the requested height and at ten feet descending intervals to 50 feet.

The Planning Commission or Governing Body at its discretion may require a third party analysis, at the applicant’s expense, to confirm the need for the facility.

The applicant shall be responsible to provide timely updates of the above described study and information during the Special Use Permit process.

Since this is the renewal of an existing installation, the City has not required a study of alternative locations within a one-mile radius. The applicant has indicated that this installation is an important location in servicing their customers, the City has required co-location of other providers, and all providers have upgraded and modified the facilities throughout previous renewal periods to provide better services.

B. Multiple photo simulations of the proposed facility as viewed from the adjacent residential properties and public rights of way as directed by City Staff.

Since this is an existing installation and no new equipment is proposed, photo simulations are not required. Staff has submitted photos of the actual installation.

C. When possible, all wireless communication towers and alternative tower structures must be designed to accommodate multiple providers (co-location), unless after consideration of the recommendation of the Planning Commission, the City Council finds that the height or other factors required to make such an accommodation will have a more detrimental effect on the community than having multiple sites. Failure of a permit holder to negotiate in good faith to provide fairly priced co-location opportunities, based on industry standards may be grounds for denial or revocation of the Special Use Permit. A signed statement shall be submitted indicating the applicant’s intention to share space on the tower with other providers.

This is an existing tower that has multiple service providers already located on the tower. The current leases and the overall SUP for the tower ensures that the tower is reserved for multiple providers. In an unrelated application in 2016, it was determined that the tower is at capacity, and although all current providers will remain on the tower, no new equipment may be put on the tower without a detailed structural analysis.

A structural analysis dated September 4, 2018 conducted by SSC Inc. was submitted in support of this application, showing the existing conditions on the site (structural analysis to support the last modification in September 2018). This analysis found the structure was compliant based on proposed loading conditions at that time, which is the current loading on the tower.

D. Any application for construction of a new wireless communication facility, tower, antenna or equipment compound must provide a detailed site plan of the proposed project. This properly scaled site plan will include one page (including ground contours) that portrays the layout of the site, including the proposed facility, the fall radius of any proposed monopole, as well as proposed and existing structures within 200 feet of the tower base and the identification of the specific trees, structures, improvements, facilities and obstructions, if any, that the applicant proposes to temporarily or permanently remove or relocate. Access to and from the site, as well as dimensioned proposed and existing drives, must be included on this plan. Detailed exterior elevations (from all views) of the tower, screening wall, and all proposed buildings must also be submitted. Finally, a landscape plan detailing location, size, number and species of plant materials must be included for review and approval by the Planning Commission.
This is an existing tower and this section is generally not applicable to the renewal of the SUP where no additional equipment or changes to the site are proposed.

E. **Description of the transmission medium that will be used by the applicant to offer or to provide services and a statement that applicant will meet all federal, state and city regulations and law, including but not limited to FCC regulations.**

The applicant shall provide an engineer’s statement that anticipated levels of electromagnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) of the antenna, shall be within the guidelines established by the FCC. The cumulative effect of all antennas and related facilities on a site will also comply with the radio frequency radiation emission guidelines established by the FCC. An antenna radiation pattern shall be included for each antenna.

This is an existing facility and this factor is not applicable to the renewal of an existing Special Use Permit. While new information was not requested in association with the renewal application, the original SUP has a condition and continuing obligation for all operators on this tower to be within guidelines established by the FCC.

F. **Preliminary construction schedule including completion dates.**

This is an existing facility and this factor is not applicable to the renewal of an existing Special Use Permit.

G. **The applicant shall provide a copy of its FCC license**

Submitted with previous renewal and no change of status has occurred.

H. **Copies of letters sent to other wireless communication providers and their response regarding their interest to co-locate.**

Not applicable since this is an existing tower that has multiple providers and is at capacity.

I. **Any other relevant information requested by City Staff.**

None requested.

**FACTORS FOR CONSIDERATION:**

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this Special Use Permit. It is not necessary that a finding of fact be made for each factor. However, there should be a conclusion that the request should be approved or denied based upon consideration of as many factors as are applicable. The factors to be considered in approving or disapproving a Special Use Permit for a wireless facility shall include the following:

A. **The character of the neighborhood.**

The site is located on the west side of Mission Road within the municipal complex and behind City Hall. The complex is surrounded by other institutional uses including Shawnee Mission High School, Harmon Park and Prairie Village Pool, and a church. There are residences across Mission Road to the east. These locations are appropriate for wireless communication facilities and the scale of the area in relation to the surroundings were previously determined to be appropriate for a monopole.

B. **The zoning and uses of property nearby.**

North: R-1A Single-Family District – SM East High School
East: R-1A Single-Family District – Single Family Dwellings
C. The extent that a change will detrimentally affect neighboring property

This is the renewal of an existing Special Use Permit that will not have a detrimental effect on neighboring property. The installation has been in place since 1997, and the City has not received any complaints.

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

This is a renewal of an existing installation with no changes proposed, and therefore it will not create any hardship on adjacent landowners.

E. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.

The proposed antenna installation meets all the setback, height and area regulations contained in the Zoning Ordinance.

F. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.

This application will have no adverse effect on the welfare or convenience of the public. The City has not received any complaints regarding this installation.

G. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such as the special use will not cause substantial injury to the value of the property in the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will cause substantial injury to the value of property in the immediate neighborhood, consideration shall be given to:

1. The location, size, nature and height of buildings, structures, walls, and fences on the site; and
2. The nature and extent of landscaping and screening on the site.

The installation of the antennas on this tower has had relatively little impact and has not dominated the immediate neighborhood as to hinder development. The tower and compound are integrated into the internal portion of the City Hall building and no landscaping or additional screening beyond the current equipment compound walls is necessary.

H. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.

Off street parking will not be necessary for this particular use other than a parking space currently available for service people entering the building to maintain equipment. The parking that is provided on the site will be adequate for this need.

I. Adequate utility, drainage, and other such necessary facilities have been or will be provided.

Since there are not external improvements on the site, existing utility, drainage, and other facilities should be adequate.
J. Adequate access roads or entrance and exist drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

The site and the equipment should require only service vehicles for periodic maintenance. The traffic generated by the use is so minimal that it will not create any additional congestion on the streets.

K. Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises.

The antennas and equipment do not have any hazardous or toxic materials, obnoxious odors, or intrusive noises that would affect the general public.

L. Architectural design and building materials are compatible with such design and materials used in the neighborhood in which the proposed facility is to be built or located.

This is an existing monopole design with multiple providers. The design and location of the pole was previously determined appropriate though the existing tower SUP, and renewals through of SUPs for other providers. However this tower is at capacity. Should any new facilities be determined to be necessary in the future, a new design or a new tower structure be required for any reason, this SUP should be amended to reflect compliance with any changes to the overall facility.

M. City Staff recommendations.

It is the opinion of Staff that the proposed renewal of the Special Use Permit meets the Factors for Consideration and recommends that it be approved subject to the conditions of the original application and subsequent renewals.

RECOMMENDATION:

After a review of the proposed application and based on testimony and consideration of the factors at the public hearing, the Planning Commission may either recommend approval of the Special Use Permit with or without conditions, recommend denial, or continue it to another meeting. If the Planning Commission recommends approval to the Governing Body, it is recommended that the conditions of the previous 2009 special use permit be included with the renewal, specifically 1 – 10 below, with the addition of a new condition 11.

1. That the renewal of the special use permit shall be for a maximum of ten years. At the end of the ten-year period, the applicant shall resubmit the application and shall demonstrate to the satisfaction of the Planning Commission and City Council that a need still exists for the antennas and that all the conditions of approval have been met.
2. All equipment cabinets and wiring shall be contained within the existing walled area.
3. The antennas and the frame for mounting them shall be painted a color that blends with the other antennas and the tower so visibility is minimized.
4. If the applicant is found to be in non-compliance with the conditions of the special use permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected. If a special use permit becomes null and void, the applicant shall remove the antennas, equipment cabinets and all other appurtenances and shall restore the site to its original condition.
5. The applicant shall comply with all state and federal regulations.
6. The applicant shall have a structural inspection of the antennas performed by a licensed professional engineer prior to every ten-year renewal and submit it as part of the renewal application.
7. The plans for any changes to the antenna connections shall be prepared and sealed by a structural engineer licensed in the State of Kansas with construction observation provided by a design engineer that is not an employee of the tower’s owner.

8. The Compound Plan submitted as a part of the original application, and the Site Plan dated 07/23/18 documenting current conditions and submitted as part of this renewal application shall be incorporated as part of the approval of this application.

9. The coax line installed on the tower either shall be inside the monopole or enclosed in an encasement that is painted the same color as the tower.

10. The applicant shall comply with all terms of its lease agreement with the City. Termination of the lease agreement will be cause to terminate the Special Use Permit.

11. If the existing tower, or the overall SUP for the existing tower is amended in any way to accommodate structural changes for new equipment or a different capacity for this tower, or a new tower is constructed, the applicant shall comply with all design conditions in place at that time or which may be conditions of the new construction.
EXHIBIT B

DESCRIPTION OF SPRINT PCS’ COMMUNICATION FACILITY
AND USE OF SPRINT PCS’ PORTION OF PREMISES

The Sprint PCS’ portion of Premises is defined as follows:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN PRAIRIE VILLAGE, JOHNSON COUNTY,
KANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE
SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 02° 20’ 39”
WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF
1297.69 FEET; THENCE SOUTH 87° 39’ 21” WEST LEAVING SAID EAST LINE A
DISTANCE OF 309.05 FEET TO THE POINT OF BEGINNING OF THE TRACT OF
LAND TO BE DESCRIBED; THENCE SOUTH 27° 39’ 15” WEST A DISTANCE OF 25.00
FEET; THENCE NORTH 62° 20’ 45” WEST A DISTANCE OF 20.00 FEET; THENCE
NORTH 27° 39’ 15” WEST A DISTANCE OF 25.00 FEET; THENCE SOUTH 62° 20’ 45”
A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. CONTAINS 500
SQUARE FEET OR 0.011 ACRES MORE OR LESS.

The location and orientation of Tenant’s space on the Tower and space on the ground for Tenant’s
equipment compound are as follows:

- Space at approximately the 110-foot elevation for three (3) EMS Model RR65-17-02DPL.2
  panel antennas measuring 48” x 8” x 2.5” (Height x Width x Depth) to be flush mounted to
  the monopole, along with three (3) coaxial cables measuring 1 ¼ inches in diameter.
- Ground space totaling approximately 500 square feet to the west southwest of, and
  immediately adjacent to, the existing equipment compound, as more particularly described
  above as the Sprint PCS Portion of Premises, for the installation of up to six (6) equipment
  cabinets measuring approximately 6’ x 3.5’ x 2.5’ (Height x Width x Depth).

All of the above-mentioned ground space, antennas and related equipment are more particularly
described on the attached Architectural Drawings dated October 14, 2004 labeled as Sprint, Site
Name: Prairie Village City Monopole, Site Number KC60XC727-C, Colocation-Monopole,
containing the following Sheet Numbers: T-1, LS-1, C-1, A-1 through A-5 inclusive, E-1 through E-
5 inclusive, and GN-1 through GN-2 inclusive.
Application No. ________

AFFIDAVIT

STATE OF KANSAS )
COUNTY OF JOHNSON ) ss.

__________________________, being duly sworn upon her oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.

__________________________
(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this ______ day of ______, 2019.

JO-ANN NG
Notary Public, State of Kansas
My Appointment Expires Oct. 17, 2022

Notary Public or Planning Commission Secretary
CITY OF PRAIRIE VILLAGE, KANSAS
NOTICE OF HEARING

The Planning Commission of the City of Prairie Village, Kansas will hold a Public Hearing at its regular meeting on Tuesday, September 10, 2019, at 7:00 p.m. in the Council Chamber of the Municipal Building, 7700 Mission Road, Prairie Village, Kansas. The subject of the Public Hearing is:

APPLICATION PC2019-116   Special Use Permit Renewal
                          7700 Mission Road Tower
                          Zoning:  R-1A
                          Applicant:  KGPCo on behalf of Sprint Spectrum

The Sprint Spectrum portion of Premises is defined as follows:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 12 SOUTH, RANGE 25 EAST, IN PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 02° 20' 39'' WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER A DISTANCE OF 1297.6 FEET; THENCE SOUTH 87° 39' 21'' WEST LEAVING SAID EAST LINE A DISTANCE OF 309.05 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED; THENCE SOUTH 27° 39' 15'' WEST A DISTANCE OF 25.00 FEET; THENCE NORTH 62° 20' 45'' WEST A DISTANCE OF 20.00 FEET; THENCE NORTH 27° 39' 15'' WEST A DISTANCE OF 25.00 FEET; THENCE SOUTH 62° 20' 45'' A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING. CONTAINS 500 SQUARE FEET OR 0.011 ACRES MORE OR LESS.

The applicant is seeking to renew a special use permit for the existing wireless communications facility located at 7700 Mission Road, Prairie Village, KS. Prior to the date of the scheduled hearing, additional information regarding the application may be reviewed in the Office of the Secretary of the Planning Commission at the Municipal Building.

At the time of the scheduled public hearing, all interested persons may present their comments. Comments may be submitted in writing to the Planning Commission addressed to the City of Prairie Village, 7700 Mission Road, Prairie Village, Kansas 66208. If you have a disability and need assistance to participate in any city meeting or program, contact the City Clerk at 381-6464 or TDD 1-800-766-3777.

Adam Geffert
Planning Commission Secretary
Visitor Sign In Sheet
8/20/2019

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No one showed - held from 9:00-4:00 pm
8/20/19
2.5 MIMO MOD

SITE CASCADE: KC60XC727

NOTICE:
SEE SPECIFICATION SECTION 11 700 - WEATHERPROOFING EXTERIOR CONNECTORS & HYBRID CABLE GROUP VTS MI 24 FOR WEATHERPROOFING REQUIREMENTS.

EXISTING 100'-0" MONOPOLE

INSTALL (3) 2.5 MIMO HYBRID CABLE

EXISTING (3) 2.5 HYBRID CABLE TO BE REMOVED

EXISTING 1995 CABINET

NEW MIMO EQUIPMENT TO BE INSTALLED IN EXISTING RIS CABINET

EXISTING RIS CABINET

EXISTING RIS CABINET

EXISTING RIS CABINET
EXISTING ANTENNA & EQUIPMENT PLAN - 110°-0°

EXISTING SPRAY PANEL ANTENNA (1) 2.5 RU/S (TO BE REMOVED) (TYP 1 PER SECTOR)

INSTALL (3) 2.5 RU/S SPRAY PANEL ANTENNA (1) RU/S-11S (TYP 1 PER SECTOR)

EXISTING EQUIPMENT MOUNTING LOCATION
(1) RU/S 31S
(1) RU/S-11S (TYP 1 PER SECTOR)

EXISTING SPRAY PANEL ANTENNA (TYP 1 PER SECTOR)

STRUCTURE INFORMATION IS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. STRUCTURAL INTEGRITY OF SUPPORTING STRUCTURE, ANTENNA MOUNTS, AND FOUNDATION SHALL BE VERIFIED AS ACCEPTABLE BY ENGINEER CERTIFIED STRUCTURAL ANALYSTS. UTILIZING THE LOADING REPRESENTED WITHIN THESE DRAWINGS PRIOR TO THE EXECUTION OF EQUIPMENT CHANGES CONTAINED IN THESE DRAWINGS. CONTRACTOR SHALL OBTAIN ALL STRUCTURAL REPORTS AND FOLLOW ALL RECOMMENDATIONS.

GROUNDING NOTICE:
GROUND EQUIPMENT VIA A SPRAY/AL COPPER WIRE GROUND"
THESE OUTLINE SPECIFICATIONS IN CONJUNCTION WITH THE SPRINT CONSTRUCTION STANDARDS FOR WIRELESS SITES, INCLUDING CONTRACT DOCUMENTS AND THE CONSTRUCTION DRAWINGS, DESCRIBE THE WORK TO BE PERFORMED BY THE CONTRACTOR.

SECTION 01 130 - SCOPE OF WORK

The work shall comply with applicable national codes and standards, latest edition, and portions thereof.

Precedence:
Should conflicts occur between the standard construction specifications for wireless sites and the Sprint Construction drawings for wireless sites, the construction drawings, information on the construction drawings shall take precedence.

SITE SIMILARITIES:
Contractor shall be responsible for familiarizing himself with all contract documents, field conditions and dimensions prior to proceeding with construction.

ON-SITE SUPERVISION:
Contractor shall supervise and direct the work and shall be responsible for the construction means, methods, techniques, sequences, and procedures in accordance with the contract documents.

DRAWINGS, SPECIFICATIONS AND DETAILS REQUIRED AT JOBSITE:
The construction contractor shall maintain a full set of the construction drawings, on site, available to construction employees from morning through construction completion.

A. Details are intended to show design intent, provide all materials and labor required to produce a complete and functioning system.
B. Modifications may be required to suit job dimensions or conditions, and such modifications shall be included as part of the work.
C. Contractor shall notify Sprint Construction Manager of any variations from the building with conditions shown to the job.
D. Surfaces unless noted otherwise, modifications may be required to suit job dimensions or conditions, and such modifications shall be included as part of the work.
E. Work the field set of drawings in RED, documenting any changes from the construction documents.

SECTION 01 200 - COMPANY FURNISHED MATERIAL AND EQUIPMENT

Company Furnished Material and Equipment is identified on the RF Data Sheet for the applicable project.

Company Furnished Material and Equipment is identified on the RF Data Sheet for the applicable project.

Contractor is responsible for receipt of Sprint furnished equipment at cell site or central office. Contractor shall control the condition of freight and shipment and receipt documentation in accordance with company practice.

SECTION 01 300 - CELL SITE CONSTRUCTION

Notice to Proceed:
No work shall commence prior to contractor's written notice to proceed and the issuance of work order.

Site Clearances:
Contractors shall remove from the site all existing rubbish, implements, temporary faciities and surplus materials.

SECTION 01 400 - SUBMITTALS & TESTS

Alternative:
At the company's request, any alternatives to the materials or methods specified shall be submitted to Sprint for consideration. Contractor shall receive from Sprint written approval or rejection of such alternative materials and methods.

Tests and Inspections:
A. The contractor shall be responsible for all construction tests, inspections, and product documentation.
B. Contractor shall accomplish testing including but not limited to the following:
   1. Coax sweep and fiber tests per TS-010A rev 4 antenna like acceptance standards.
   2. AGL, azimuth and donellt are provided an automated report uploaded to sprint using a commercial made-for-the-purpose electronic antenna alignment tool (AAT). Installed AGL, azimuth, and donellt must comply with 87 microscopic configuration.
   3. Contractor shall be responsible for any and all corrections to any work identified as unacceptable in site inspection activities and/or as a result of testing.
   4. All testing required by applicable installation MOPS.
   5. Required closedout documentation includes, but is not limited to the following:
      1. AGL, azimuth, donellt from the site.
      2. Sweep and fiber tests
      3. Scopeable barcode photographs of tower top and inaccessible secured equipment
      4. All available jurisdictional permit and occupancy information
      5. PSD scan of redlines produced in field
      6. A PDF scan of redlines mark-ups suitable for use in electronic as-built drafting production.
      7. Lien waivers
      8. Final payment application
      9. Required final construction photos
      10. Construction and commissioning checklist complete with no deficient items
      11. Applicable POE SNP takes including document uploads completed in sprint vision (documents repository of record).
      12. Closedout photographs and closedout checklist Sprint will provide separate guidance.

SECTION 11 700 - ANTENNA ASSEMBLY, REMOTE RADIO UNITS AND CABLE INSTALLATION

Summary:
This section specifies installation of antennas, RRU's, and cable equipment, installation, and testing of coaxial fiber cable.

ANTENNAS AND RRU's:
The number and type of antennas and RRU's to be installed is detailed on the construction drawings.

HYBRID CABLE:
Hybrid cable will be DR/Fiber and furnished for installation at each site. Cable shall be installed per the construction drawings and the applicable manufacturer's requirements.

JUMPERS AND CONNECTORS:
Jumper cables shall be Type LDR, 12-02, 500 MCM, or 500 MCM, Super-Flex cable, not acceptable, Jumper cables between the RRU's and antennas or tower top amplifiers shall consist of 1/2 inch Foam Electrolyte, Outdoor Rated Coaxial, cable with length for jumper shall be 10'-0".

HYBRID CABLE COLOR CODING:
All color coding shall be as required in TS 010A rev 4.

HYBRID CABLE LAYERING:
Individual hybrid and DR cables shall be labeled aluminum-aluminum according to sprint cell site engineering notice - EN 012010-001 rev 1.
CONTINUE FROM SP-1
 WEATHERPROOFING EXTERIOR CONNECTORS AND HYBRID CABLE GROUND SATELLITES

A. All fiber & coax connectors and ground kits shall be weatherproofed.
B. All installations must be done in accordance with the manufacturer’s recommendations and industry best practices.
C. The approved method for weatherproofing is the 3M SLIM LOCK CLOSURE 71A, or spray approved equal such as products by Amphenol and JAM.
D. In limited quantity as need the following methods of weatherproofing may also be used:
   1. Cold Shrink: Encapsulator in cold shrink tubing and provide a double wrap of 2 electrical tape extending 2 beyond tubing. Provide 3M Cold Shrink COS Series or equal.
   2. Self-Adhesive Tape: Clean surfaces, apply a double wrap of self-adhesive tape 2 beyond connector, apply a second wrap of self-adhesive tape in opposite direction, apply double wrap of 2 wide electrical tape extending 2 beyond the self-adhesive tape.
   3. OPEN FLAME ON JOB SITE IS NOT ACCEPTABLE

SECTION 11.800 — INSTALLATION OF MULTIMODAL BASE STATIONS

SUMMARY:
A. This section specifies WAMMs, cabinets, power cabinets, and internal equipment including by not limited to rectifiers, power distribution units, base band units, and all equipment furnished by the company for installation by the contractor (OFC).
B. Contractor shall provide and install all miscellaneous materials and provide all labor required for installation equipment in existing cabinet or new cabinet as shown on drawings and as required by the applicable code.
C. Comply with manufacturers installation and start-up requirements.

DC CIRCUIT BREAKER LABELING
A. New DC GO circuit is required in WAMM cabinet shall be clearly identified as to circuit number.

SECTION 26.100 — BASIC ELECTRICAL REQUIREMENTS

SUBJECT:
A. This section specifies basic electrical requirements for systems and components.

QUALITY ASSURANCE:
A. All equipment furnished under division 28 shall carry UL labels and listings where such labels and listings are available in the industry.
B. Manufacturer of equipment shall have a minimum of three years experience with their equipment installed and operating in the field in a use similar to the proposed use for this project.
C. Manufacturer shall maintain and supply material and equipment specified in division 28 of the same type shall be of the same manufacturer and shall be new, of the best quality and design, and free from defects.

SUPPORTING DEVICES:
A. All equipment furnished under division 28 shall carry UL labels and listings where such labels and listings are available in the industry.
B. Manufacturer of equipment shall have a minimum of three years experience with their equipment installed and operating in the field in a use similar to the proposed use for this project.
C. Manufacturer shall maintain and supply material and equipment specified in division 28 of the same type shall be of the same manufacturer and shall be new, of the best quality and design, and free from defects.

HUBS AND BOXES:
A. All cables, connectors or other equipment not having integral threaded hubs provide metallic threaded hubs of the size and configuration required. Hub shall include knockout and recessed 0.125 deg. 0.4 plastic bushings to protect cable insulation.

B. Cable termination fittings for conduit
1. Cable terminators for RJS conduits shall be type CJC or D-2-ZED or equal, by RJS Tech.
2. Cable terminators for LPMC shall be 501-CLD/10 or made for the purpose products by NOYES.
C. Exterior pull boxes and pull boxes in interior industrial areas shall be placed cast alloy, heavy duty, weatherproof, dust proof, with plated iron alloy cover and stainless steel cover screws, croque—hinges war series or equal.
D. Conduct and outlet boxes shall be cast alloy with similar gasketed covers. Outlet boxes shall be of the configuration and size suitable for the application. Provide croque—hinges form B or equal.
E. Manufacturer for boxes and covers shall be Hoffman, square “D”, croque—hinges, cooper, appleton, D-2-ZED gehrz, or approved.

SUPPLEMENTAL GROUNDING SYSTEM
A. Furnish and install a supplemental grounding system to the extent indicated on the drawings. Support system with non-magnetic materials. Provide rubber grommets. Grounding connectors shall be tinned copper wire, size as indicated on the drawings. Provide support for insulated conductors except as otherwise noted.

B. Supplemental grounding system all conductors shall be made with cad welds, except at equipment use lugs or other available grounding means as required by manufacturer. At ground bars use two hole screws with no hole bar. Use ground bars in the event of ground bar. Contact SPRENT CM for replacement instructions using threaded rod kits.

EXISTING STRUCTURE:
A. Exposed wiring and all exposed outlets, receptacles, switches, devices, boxes, and other equipment that are not to be utilized in the construction project shall be removed or de-energized for safe work. Wherever possible in the wall, ceiling, or floor so that they are concealed and safe. Wall, ceiling, or floor shall be patched to match the adjacent construction.

CONDUIT AND CONDUCTOR INSTALLATION:
A. Conduits shall be fastened securely in place with approved non-perforated straps and hangers. Explosive devices for attaching hangers to structure will not be permitted. The location of the maximum 12 inches above and 12 inches from the inside location of reinforced concrete. Rigid conduit and fittings shall be achieved with zinc electroplated and interior. All conduit shall be manufactured by approved, or otherwise.
B. Underground conduit in concrete shall be polyethylene coaxial cable and UL listed. Cable shall be of the same manufacturer, conductors shall be copper electrical products or approved equal.

TRANSFORMER REPLACEMENT:
A. Transformer replacement shall be made with PWC coated metallic long weld radius elbows.
B. EmU or rigid galvanized steel conduit may be used in finished spaces concealed in walls and ceilings. EmU shall be mild steel, galvanized. All conduit shall be cold drawn, electrical grade, and have the following specifications: B1.1, B1.10, or B1.15. All conduit shall be approved for indoor use. All conduit shall be approved for indoor use.
C. Liquid tight flexible metal conduit shall be used for final connection to equipment. Fitting shall be made of metal. All conduit shall be cold drawn, electrical grade, and have the following specifications: B1.1, B1.10, or B1.15. All conduit shall be approved for indoor use. All conduit shall be approved for indoor use.
D. Minimum size conduit shall be 3/4 inch (21mm).

APPLICANT:

SP-500 Sprint Parkway Overland Park, Kansas 66212

PLANS PREPARED BY: 6100 Sprint Parkway Overland Park, Kansas 66213

PHOTO: 711 West 59th Street, Suite 800 Phone: 913-444-7777

FAX: 913-444-7777

PLANS PREPARED BY: 711 West 59th Street, Suite 800

Ericsson Overland Park, Kansas 66213

Phone: 913-444-7777

FAX: 913-444-7777

APPLICANT SITE NAME: PRAIRIE VILLAGE CITY MONOPOLY

APPLICANT SITE CASSE: KC60X727

SITE ADDRESS: 7700 Mission Road PRAIRIE VILLAGE, KANSAS 66208

APPLICATION:

SPECIFICATIONS

KANSAS OCCUPATIONAL ENGINEERING

22165

KS-064321

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APPLICATION:

SPECIFICATIONS
CITY OF PRAIRIE VILLAGE, KANSAS

FINAL PLAT CHECKLIST
PC2019-117

Subdivision No.: _______________________
Date Filed: ________________________
Date of Meeting: ________________
Filing Fee: ________________________
Deposit: ________________________

I. Name of Subdivision: Prairie Ridge Second Plat

II. Name of Owner: Fontana Partners LLC-William H. Shackel IV, Managing Member

III. Name of Subdivider: Fontana Partners LLC-William H. Shackel IV, Managing Member

IV. Name of Person who prepared the Plat: Phelps Engineering, Inc.-Tim Tucker, P.E.

V. Instructions:

The following checklist is to be completed by the applicant and shall accompany the Final Plat when it is filed with the City. If the answer to any of the questions is “No,” a written explanation must accompany this checklist.

VI. Does the Final Plat show the following information?  

   A. Name of the subdivision.  
      Yes ☑  No ☐

   B. Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically correct.  
      Yes ☑  No ☐

   C. Location of monuments or bench marks. Location of such monuments shall be shown in reference to existing official monuments or the nearest established street, lines, including the true angles and distances to such reference points or monuments.  
      Yes ☑  No ☐
D. The location of lots, blocks, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curbs to lot lines.

E. Lots numbered clearly. Blocks numbered or lettered clearly in the center of the block.

F. Exact locations and widths of all streets, easements, and alleys to be dedicated and the names of all streets.

G. Boundary lines and descriptions of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.

H. Minimum area and associated minimum elevation for the building on each lot planned as a building site when requested by the Planning Commission.

I. Building setback lines on the front and side streets with dimensions.

J. Name and address of the registered land surveyor preparing the plat.

K. Scale of plat, 1" = 100' or larger, date of preparation, and north point.

L. Have the following certifications been included?

1. Owner or owners statement dedicating all easements, streets, alleys, and all other areas not previously dedicated.

2. Signature of all mortgagors having an interest in the property.

3. Registered engineer or surveyor preparing the plat.

4. Chairman and Secretary of Planning Commission.

5. Mayor and City Clerk for acceptance of dedications.

VII. Was the original on mylar and at a size acceptable to the Register of Deeds, and were sixteen (16) copies submitted? □ □

VIII. Was the electronic copy prepared for submission to the county in the correct format? □ □

IX. Have all acknowledgements been signed:
   A. Owner or owners and all mortgagees. □ □
   B. Dedications or reservations. □ □
   C. Engineer, surveyor, or person preparing plat. □ □

X. Title Opinion:
   A. Submitted (Date) 8/8/19 □ □

XI. Has certification been submitted stating that all taxes and special assessments due and payable have been paid? □ □

XII. Deed Restrictions:
   A. Are any deed restrictions planned for subdivision? □ □
   B. If so, has a copy been submitted? □ □

XIII. Have final engineering drawings been prepared and submitted for all required improvements; i.e., streets, sidewalks, storm drainage, etc.? □ □

XIV. How has installation of the following improvements been guaranteed?

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XV. Are additional comments attached? □ □
Application:  
PC 2019-117

Request:  
Final Plat – Replat of Lot 1, Block 17, Prairie Ridge

Action:  
A Final Plat requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application. Any dedication of new land for public purposes or public facilities are required to be accepted by the Governing Body

Property Address:  
7609 Fontana Street

Applicant:  
Fontana Partners LLC – William H. Shackel IV, Managing Member

Current Zoning and Land Use:  
R-1B Single-Family District – Single Family Dwellings

Surrounding Zoning and Land Use:  
North:  R-1A Single-Family District – Single Family Dwellings  
East:  R-1B Single-Family District – Single Family Dwellings  
South:  R-1B Single-Family District – Single Family Dwellings  
West:  R-1B Single-Family District – Single Family Dwellings

Legal Description:  
PRAIRIE RIDGE Lot 1, Block 17

Property Area:  
0.77 acres (33,527 s.f.)

Related Case Files:  
None

Attachments:  
Application, Plat
General Location Map

Aerial Map
Birds Eye View

Street View

Looking northwest from Fontana.
BACKGROUND

This property was originally platted in 1952 as part of a larger subdivision. The application includes 1 large lot on the northeast corner of Fontana and 77th Street. The lot includes a single family dwelling. This proposal is to replat the 1 lots into 3 lots for redevelopment as single-family structures. Two wider lots would front on Fontana Street, and one narrow lot would front on 77th street.

ANALYSIS

The property is zoned R-1B which has a required minimum lot size of 60’ x 100’ [19.08,015]. In addition the Prairie Village subdivision regulations provide that the Planning Commission consider the average size of all lots within 300’ of a proposed subdivision as part of the lot size standards, along with other similar criteria regarding the size, pattern and configuration of lots. [18.04.090].

The proposed lots all exceed the minimum standards for the R-1B zoning district. The three proposed lots are:

- 90’ x 114.5’ (approx. 10,300 s.f.), fronting on Fontana
- 97.1 x 114.5 (approx. 11,126 s.f.) fronting on Fontana at corner of 77th; and
- is 65’ x 187.1’ (approx. 12,161 s.f.) fronting on 77th Street.

The area has many different configurations of lots due to the street network and pattern of blocks. However, the proposed lots are consistent with the sizes and patterns of lots within 300’ of the proposed subdivisions:

- **Lots fronting on 77th street.** The lots on the south side (opposite side of the street are typically 65’ x 125’, with the two corner lots being wider at 75’ x 125’. Three existing lots on the north side (same orientation as this lot are 83’ x 187, 75’ x 187, and 83’ x 187. In general these lots are similar to the proposed lot fronting on 77th street – most have the same or slightly larger width, and this lot is larger than all but the three others on the same side of the street (which are slightly wider but with a similar depth)

- **Lots fronting on Fontana.** The street configuration creates an irregular pattern of lots with many corner lots and “end grain” lots that line the ends of blocks or perimeter edges where streets do not connect. South of 77th Street, lots fronting on Fontana range in width from 65’ (typical) to 80’, with a few larger lots in the 70’ to 80’ range. Lot sizes are in the range of 8,600 to 10,000 square feet. Corner lots in this area are typically 75’ to 85’ wide, and are 9,000 to 11,000 square feet.

- **Larger Lots.** The largest lots in this area range from 12,000 to 13,700 square feet, and are typically the result of an irregular block shape with unusually deep lots, but similar widths to the typical widths identified above.

- **Lots north on Fontana.** Lots immediately to the north on the east side of Fontana do not follow the above patterns and are larger. There are three lots that are each 110’ wide and range from 21,685 square feet to 33,582 square feet. These lots are larger due to an irregular block pattern, (edges on 75th street and cul-de-sac to the east off 75th street) and are also zoned R-1A which requires a larger lot size (80’ x 125’ or 10,000 square feet minimum; 19.06.015)

The proposed lots show all applicable setbacks for the R-1B district indicating the buildable area. The lot fronting on 77th Street includes an additional platted front building line of 45’ (rather than the 30’ required by zoning) to be consistent with other frontages along 77th street, and the corner lot has a corresponding 22.5’ build line on the 77th Street side lot line.

Sanitary sewer easements are shown on 77th Street corresponding with and existing sewer main, and utility easements are shown along the north and west property lines of the existing lot, all of which are in non-buildable areas because of applicable setbacks. However, it is not clear how the proposed Lot 1 will get access to sewer services. If additional easements are needed for utility access to Lot 1, they shall be revised on this plat and reviewed by Public Works prior to recording the plat. In addition, any new easements or “land used for public purposes” are required to be accepted by the Governing Body prior to recording.

The subdivision regulations do not have a specific procedure for re-plats of lots, and this application is not eligible for the abbreviated lot split process, which is limited to no more than 2 new lots. Therefore, and
since the lots have been previously platted, this application is being reviewed according to the final plat procedures and standards. Since there is no “preliminary plat” associated with the application, the existing conditions and development patterns have been substituted for “conformance with the preliminary plat.”

RECOMMENDATION FINAL PLAT:

It is the opinion of Staff that the proposed replat of Prairie Ridge Lot 1, Block 17 meets all of the standards of the City’s zoning ordinance for R-1B district and the requirements for a Final Plat in the subdivision regulations. Staff recommends that the Planning Commission approve the replat, and submit it to the Governing Body for acceptance of easements, subject to the following conditions:

1. To the extent that any of the easements shown on the plat are new easements and are dedicated to the City for public use, the Final Plat shall be submitted to the Governing Body for acceptance. In addition, the applicant shall confirm that no additional easements are necessary to serve Lot 1, or provide revised easements to be reviewed by Public Works prior to recording or any required acceptance by the Governing Body.

2. The requirement for sidewalks on both sides of the street is waived, since there are no sidewalks on any other lots along these block faces (east side of Fontana and north side of 77th), and sidewalks do exist on the opposite sides of each street.

3. That the applicant submit the Final Plat to the County (surveying and engineering) after approval and execution of all required signatures by the City.

4. Prior to any demolition or construction on the lots, the property owner(s) shall have provide notice to neighbors as required by the zoning ordinance. All new construction shall meet the neighborhood design standards applicable to new construction in R-1B, including the preservation or replacement of street trees.
DESCRIPTION:

Resurvey and replat of Lot 1, Block 17, PRAIRIE RIDGE, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas, containing 0.7711 acres, more or less of replatted land.
SCHEDULE A

File No.: 19339288
Policy No.: 2730672-216652826
Property Address: 7609 Fontana Street, Prairie Village, KS  66208

Date of Policy: May 6, 2019 at 9:06 am

1. Name of Insured:
   3800 W. 75th, L.L.C

2. The estate or interest in the land that is insured by this policy is:
   Fee Simple

3. Title is vested in:
   3800 W. 75th, L.L.C

4. The land referred to in this Policy is described as follows:
   Lot 1, Block 17, Prairie Ridge, a subdivision in the City of Prairie Village, Johnson County, Kansas, according to the recorded plat thereof.

By: ________________________________

Authorized Countersignature

(This schedule A valid only when Schedule B is attached)
SCHEDULE B

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys’ fees, or expenses that arise by reason of:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements or claims of easements, not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. State, County and City Taxes for the year 2019 and subsequent years. Those Taxes and/or Special Assessments, which become due and payable subsequent to the date of the policy.
6. The premises in question are within the boundaries of the following special benefit district and may be subject to assessments thereof: PVCSTMWATER & PVC WCOL 1
7. Building Setback Lines, Easements, Covenants, Conditions and Restrictions according to the plat recorded in Plat Book 16 Page 14, including provisions for Subdivision Assessments according to the recorded plat, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604, any violation of which will not work a forfeiture or reversion of title.
8. Terms and provisions of the Homes Association Declaration recorded in Book 50 Misc. at Page 229 and in Book 56 Misc. at Page 386, providing among other things for annual assessments to be levied against said property.
10. Easement granted to Kansas City Power and Light Company as more fully set forth in the instrument recorded in Book 99 Misc. at Page 422.
11. Tenancy rights, either as month to month or by virtue of written lease of any party now in possession of the premises in question.
12. Judgments, Tax Liens, if any, against the owner(s).
19.32.030 Standard of Approval.

In making a determination that the Site Plan meets the standards of the zoning ordinance and that the standards are appropriately applied to the specific site, the Planning Commission shall give consideration to the following criteria in approving or disapproving a Site Plan:

A. The site is capable of accommodating the building(s), parking areas and drives with appropriate open space and landscape;
B. Utilities are available with adequate capacity to serve the proposed development;
C. The plan provides for adequate management of stormwater runoff;
D. The plan provides for safe and easy ingress, egress and internal traffic circulation, and appropriately balances vehicle and pedestrian circulation for the site, the block and other surrounding connections;
E. The plan is consistent with good land planning and site engineering design, principles with particular consideration of the relationship to adjacent sites. In making this determination, the Planning Commission shall consider:
   1. The location and orientation of buildings, and the scale, massing and design of portions of buildings nearest to the property boundaries;
   2. Prevailing grades and transitions to adjacent areas;
   3. The arrangement, design and location of open spaces and landscape areas;
F. An appropriate degree of compatibility will prevail between the architectural quality and appearance of the proposed building(s) and landscape areas, and in particular the impact on the character of the and the surrounding neighborhood. In making this determination, the Planning Commission shall consider:
   1. The application of materials, and the likelihood for proper maintenance and appearances over time.
   2. The consistency of the design with the principles of the chosen architectural style for the building.
   3. Whether any specific materials, patterns, or arrangements are prevalent among buildings and sites throughout the area, and which are capable of being integrated into the proposed plan;
G. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted planning policies.
H. The plan is consistent with the intent or design objectives of any other applicable standards stated in these regulations, and does not present any other apparent risks to the public health, safety and welfare of the community.