



AGENDA

**PLANNING COMMISSION MEETING
CITY OF MERRIAM, KANSAS
9001 W. 62ND ST.
COUNCIL CHAMBERS
March 6, 2019
7:00 P.M.**

- I. **CALL TO ORDER-PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL**
- III. **APPROVAL OF MINUTES – February 6, 2019**
- IV. **BUSINESS TO BE CONDUCTED**
 1. PUD19-000002 - Change in Use at 6209 Grandview Street - located in a PUD-G (Planned Unit Development-General) District.
 2. PA19-000002 - Merriam Pointe Seventh Plat at 7050 W. Frontage Road - located in a PUD-G (Planned Unit Development-General) District.
- V. **BUSINESS FROM THE FLOOR**
- VI. **UNFINISHED BUSINESS**
- VII. **OLD BUSINESS**
- VIII. **ADJOURNMENT**

Respectfully submitted,

Bryan P. Dyer, AICP
Community Development Director

**REGULAR PLANNING COMMISSION MEETING
CITY OF MERRIAM, KANSAS
9001 W. 62nd St.
COUNCIL CHAMBERS
MINUTES**

**February 6, 2019
7:00 P.M.**

The Regular Planning Commission meeting for the City of Merriam, Kansas was called to order at 7:00 p.m. by Chair Brian Dailey on Wednesday, February 6, 2019 in the Council Chambers with the Chair inviting everyone present to participate in the Pledge of Allegiance to the Flag.

I. ROLL CALL

Members Present: Secretary Bill Bailey
Bill Carter
Reuben Cozmyer
Chair Brian Dailey
Judy Devere
Mitchell Fowler
Russ Harmon
Cole Stephens

Members Absent: Vice Chair Leah Ann McCormick

Also Present: Bryan Dyer, Community Development Director, and Nancy Yoakum, Recording Secretary.

II. APPROVAL OF MINUTES OF JANUARY 2, 2019

Chair Brian Dailey stated that the Planning Commission members had received a copy of the January 2, 2019 meeting minutes and asked if there were any corrections or additions.

Hearing no comments, Chair Brian Dailey entertained a motion.

BILL BAILEY MOVED THAT THE MINUTES OF THE PLANNING COMMISSION MEETING OF JANUARY 2, 2019 BE APPROVED. MITCHELL FOWLER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

III. ITEMS OF BUSINESS

- 1. SDP19-000001 Site Development Plan for DS Bus Lines at 5519 Merriam Dr. in an I-1 (Light Industrial) District and C-2 (Retail Business) District.**

Chair Brian Dailey presented to the Planning Commission application SDP19-000001 for a Site Development Plan for DS Bus Lines located at 5519 Merriam Dr. in an I-1 (Light Industrial) District and C-2 (Retail Business) District.

Community Development Director Bryan Dyer stated that DS Bus Lines is looking to expand their existing office building at 5519 Merriam Dr. Mr. Dyer stated the DS Bus Lines has had numerous conversations with staff and they have plans to redevelop and revise all of the properties they own.

Mr. Dyer stated that the company has indicated plans in the future of rezoning their properties into a Planned Unit Development-General and doing a full development plan of all of their properties in the future.

Mr. Dyer reviewed the property, surrounding uses and access points to the property. Mr. Dyer stated that the existing building is approximately 4,300 sq. ft. and they would like to expand it an additional 2, 400 sq. ft. for a total of 6, 700 sq. ft.

Mr. Dyer stated that the applicant has adequate parking on the site, but they are planning for additional parking to the north at the subject property.

Mr. Dyer stated there is an extensive amount of floodplain in the site, but it stays along the confines of Turkey Creek.

Mr. Dyer stated they applicant will be adding additional landscaping onto the property. Mr. Dyer stated that the applicant understands that the property is currently under landscaped and when they develop the property to the north that the city will be looking for additional landscaping on the properties.

Mr. Dyer stated that the proposed building addition matches the existing building façade and meets the city requirements. Mr. Dyer stated there would be some brick and stucco on the exterior that will be visible to the right of way.

Mr. Dyer stated he would answer any questions of the Planning Commissioners and that the applicant's representative was present as well.

Chair Brian Dailey inquired if any of the Planning Commissioners had questions for Mr. Dyer. Hearing none, he invited to the applicant to address the Planning Commission.

Jay Longhauser, representing the Kincaid Group for DS Bus Lines, 313 East Front St., Bonner Springs, KS introduced himself to the Planning Commissioners.

Mr. Longhauser stated that the Kincaid Group would like to bring the current condition of this property back up to the standards that the city expects and they expect. Mr. Longhauser stated this is the first step of many steps to come.

Chair Brian Dailey inquired if there were any questions for the applicant. Hearing none, he entertained a motion.

JUDY DEVEREY MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION SDP19-000001 SITE DEVELOPMENT PLAN FOR DS BUS LINES LOCATED AT 5519 MERRIAM DR. WITH THE CONDITIONS LISTED IN THE STAFF REPORT. REUBEN COZMYER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

2. **PA19-000001 Final Plat for DS Bus Lines at 5519 Merriam Dr. for Merriam Kincaid 1st Plat in an I-1 (Light Industrial) District and C-2 (Retail Business) District.**

Chair Brian Dailey presented to the Planning Commission application PA19-000001 for a Final Plat for Merriam Kincaid 1st Plat in an I-1 (Light Industrial) District and C-2 (Retail Business) District.

Community Development Director Bryan Dyer stated this plat coordinates with the site development plan that was just approved. Mr. Dyer stated the plat marks an important function by setting the right of away along Merriam Drive.

Mr. Dyer stated he would answer any questions of the Planning Commissioners.

Commissioner Bill Bailey inquired if the names of the previous roads are listed in the legal descriptions on the plats.

Mr. Dyer stated that the surveyors research the history and the Johnson County Surveyor makes sure it fits the county's coordinates and description requirements.

Chair Brian Dailey stated he is glad to see improvements taking place to the DS Bus Lines facility.

Chair Brian Dailey inquired if there was any additional questions. Hearing none, he entertained a motion.

MITCHELL FOWLER MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION PA19-000001 FINAL PLAT FOR DS BUS LINES LOCATED AT 5519 MERRIAM DR. FOR MERRIAM KINCAID 1ST PLAT WITH THE CONDITIONS LISTED IN THE STAFF REPORT AND FORWARD IT TO CITY COUNCIL FOR ACCEPTANCE OF EASEMENTS AND RIGHT-OF-WAY. RUSS HARMON SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

3. Discussion of Comprehensive plan update.

Mr. Dyer stated that there were six (6) responses to the Request for Proposal (RFP) for the Comprehensive Plan update. Mr. Dyer stated that the RFP's have been distributed to the selection group members, Planning Commissioner Bill Bailey being one. Mr. Dyer stated that interviews will be set up next month and then a consultant recommendation will be made to City Council. Mr. Dyer stated there would be an outreach to the public to get their input for the future direction of the city.

IV. BUSINESS FROM THE FLOOR

- The weather has slowed down some of the construction projects in the city.
- Shawnee Mission Medical Center has had a name change to Advent Health Shawnee Mission. They are in the process of changing the signs on campus and some of the old sign pylons are to be removed.
- Freddy's Frozen Custard and Steak Burger is moving forward with plans for remodeling the old Winsted's building.

V. UNFINISHED BUSINESS

None

VI. OLD BUSINESS

None

VII. ADJOURNMENT

With no further business for discussion, Chair Brian Dailey asked for a motion for adjournment.

BILL CARTER MOVED FOR ADJOURNMENT. The meeting was adjourned 7:17 p.m.

Respectfully Submitted,

Nancy B. Yoakum
Recording Secretary

Approved:

DRAFT

Community Development Staff Report
Planning Commission – March 6, 2019
PUD19-000002 – Straub Pool and Patio – Change in Use

Application: Application PUD19-000002 – Straub Pool and Patio – Change in Use

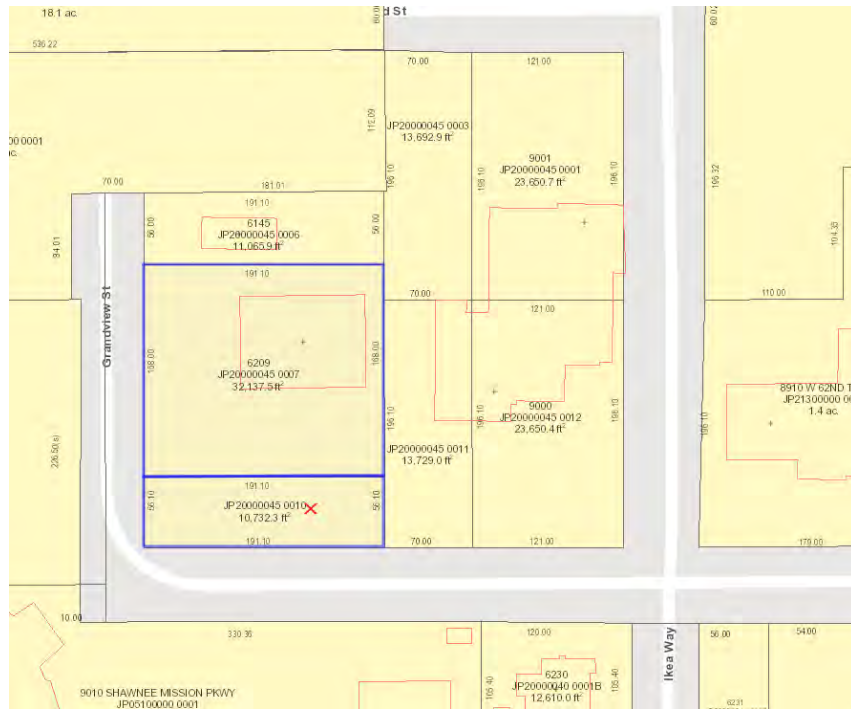
Request: Approval of a Change in Use – Automotive Sales and Service

Property Address: 6209 Grandview Street

Applicant: David Johnson, property owner
Group 1 Automotive, owner’s representative

Current Zoning and Land Use	PUD-G (Planned Unit Development – General) District; approved for a printing facility; currently developed a print shop and associated office uses.
Surrounding Zoning and Land Use	PUD–G District to the north; developed with office uses; PUD–G District to the south; developed with automotive sales and service uses; PUD–G District to the west; developed with automotive sales and service uses; Parks, Schools, and City Facilities to the east; developed with the City Hall facilities.
Legal Description	Tract A 6209 Grandview: EBY SUBDIVISION MERRIAM PARK LTS 7 THRU 9 BLK 45 & W 1/2 ADJ VAC ALLEY Tract B 6209 Grandview: EBY SUBDIVISION MERRIAM PARK LT 10 BLK 45 & W 1/2 ADJ VAC ALLEY
Property Area	0.99 acres (42,869.76 sq. ft.)
Existing Building	7,300 sq. ft.

Vicinity Map PUD19-000002 Change in Use – Straub Pool and Patio



General Location Map



Aerial Map

Staff Comments:

The applicant and property owner, David Johnson, is in the process of completing the sale of 6209 Grandview Street to Group 1 Automotive. Group 1 Automotive owns the adjacent BMW and Mini automobile dealerships and is representing the property owner for this application.

In 1992, the Planning Commission and City Council approved rezoning and preliminary/final development plans for the construction of a 17,400 sq. ft. building (6770-92). The proposed uses of the building were for warehouse and automotive service related to a limousine service. Automotive sales were not specifically approved. The construction of this facility was never realized.

In 1994, an application was made for a change in use (6577-94). The application was subsequently approved by the Planning Commission and City Council (Ordinance 1189) for the construction of a commercial printing business for Archetype Printing at 6209 Grandview Street. The approved development plan included a 7,500 square foot building for a print shop and associated offices. The print shop closed in June, 2018 and the building has been vacant since September, 2018.

The applicant is requesting approval of a change in use to add automotive sales and service (no outside service) as an approved use to the subject property's PUG-G zoning. Group 1 Automotive intends to utilize the property as part of the Baron BMW dealership. At this time, no changes are proposed for the existing building. The submitted plan adds additional landscaping and irrigation to the property.

The Kansas Supreme Court has specified in case law (*Golden v. Overland Park*) that certain factors are to be considered when making rezoning decisions. These factors are:

1. Character of the Neighborhood
2. Nearby Zoning and Uses
3. Suitability of the Property for the Current Zoning
4. Extent to which the Requested Zoning will Detrimentally Affect Nearby Property
5. Length of Time the Property has been Vacant as Zoned
6. Hardship on the Owner Compared to the Relative Gain to the Public Health, Safety and Welfare
7. Conformance with the Master (Comprehensive Plan)
8. The Recommendations of the Professional Staff

In addition, Merriam Code (Section 50-48(e)) identifies the following items to be considered by the governing body in considering a rezoning request:

1. *the character of the neighborhood;*
2. *whether the proposed use will result in increasing the amount of vehicular traffic to the point where the capacity of the street network is exceeded;*
3. *whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the appropriate use, visual quality or marketability of adjoining property;*
4. *whether the noise, vibration, dust or illumination that would normally be associated with such use is of such duration and intensity as to create problems for nearby property;*
5. *whether the proposed use would pollute the air, land or water;*
6. *the relative gain to the public health, safety and welfare as compared to the hardship imposed upon landowners;*
7. *whether the proposed use would result in overcrowding of land or overcrowding population;*
8. *the zoning uses of properties nearby;*

9. *the suitability of the subject property for the uses which it has been restricted;*
10. *the length of time the subject property has remained vacant as zoned;*
11. *recommendations of professional staff; and*
12. *conformance of the requested change to the adopted or recognized master plan adopted by the City.*

Staff offers the following comments regarding the Golden Factors and the items listed in (Section 50-48(e)).

Character of the Neighborhood (*Section 50-48(e).1*)

Finding: The subject property is located at 6209 Grandview Street. This area has two automotive sales and service uses adjacent to the subject property; Baron BMW and Baron MINI, both are owned and operated by Group 1 Automotive. Staff finds the proposed change in use to be consistent with the overall character of the neighborhood.

Nearby Zoning and Uses (*Section 50-48(e).8*)

Finding: The subject property is zoned in a PUD-G District. The properties to the north, west, and east of the subject property are zoned PUD-G District, with automobile sales and service as an allowable use. The property immediately north of the subject property is zoned PUD-G District with an office use. City hall is located directly to the east of the property and is zoned Parks, Schools, and Public Facilities. The proposed change in use is consistent with surrounding zoning and uses.

Suitability of the Property for the Current Zoning (*Section 50-48(e).9*)

Finding: The property is suitable for the existing zoning classification and is in compliance with the City of Merriam Future Land Use Map.

Extent to which the Requested Zoning will Detrimentially Affect Nearby Property (*Section 50-48(e).2, 3, 4, 5, and 7*)

Finding: Changing the existing allowable uses to include automotive sales and service will alter the permitted uses of the subject site. It is anticipated that the change in uses will not significantly increase the amount of traffic to the site. Staff finds that the requested change in use will not detrimentally affect nearby property.

Length of Time the Property has been Vacant as Zoned (*Section 50-48(e).10*)

Finding: The property was developed in 1994 and has been vacant since September 2018.

Hardship on the Owner Compared to the Relative Gain to the Public Health, Safety and Welfare (*Section 50-48(e).6*)

Finding: This factor requires the hardship of the owner if the proposed use is not approved to be weighed against the gain to the general public if the proposed use and development plan are approved. If denied, the building will remain vacant until an acceptable use is approved. There is no gain to the public health, safety, and welfare from denying the proposed change in use.

Conformance with the Master (Comprehensive Plan) (*Section 50-48(e).12*)

Finding: The property is shown as Commercial Retail on Map 07a of the existing Comprehensive Plan land use map. The property is shown as Retail Commercial/Office on Map 08a of the Comprehensive Plan future land use map. Because Retail Commercial/Office zoning districts permit automotive sales and service, the proposed change in use is in conformance with the City of Merriam Comprehensive Plan.

Comments from Public

Staff have received no comments from the public.

Stormwater Management (Article III of Merriam Code)

Not applicable. No changes in impervious surface are being proposed.

Pedestrian Circulation and access

Not applicable. No changes to the approved site plan are being proposed.

Landscaping (Section 74-85 of the Merriam Code)

Additional landscaping and irrigation are proposed as part of this change in use. Staff has reviewed these additions and finds them consistent with requirements found in Merriam Code.

Parking Requirements (Section 74-536 of the Merriam Code)

The site has 18 parking spaces dedicated for customer, display and employee parking. Per Merriam Code 16 parking spaces are required.

Merriam Code requires one parking space for each 300 square feet of office area. Code requires at least one parking space for each 3,000 square feet of open lot area devoted to the storage, sale and display of motor vehicles. Interior showroom areas require one parking space per 400 square foot of interior display area. One parking space per employee is required.

Interior showroom square footage of 1,200 square feet / 400 -	3 spaces required
Office area of 2,400 square feet -	8 spaces required
Warehouse - 0 spaces required (no vehicles on site associated with the warehouse use)	
Lot area for display is 3,000 square feet / 3,000 -	1 space required
Four employees -	4 spaces required

A portion of the existing parking is located within the front yard setback of 30 feet. Due to there being no proposed parking or circulation changes, and the additional landscaping proposed, the Planning Commission may wish to consider waiving the setback requirement as related to the existing parking location.

Staff anticipates two parking spaces are available on the existing driveway on the west side of the building.

Lighting Plan

Not applicable. No changes in exterior lighting are being proposed. Plans have noted exterior lighting changes may not be made without review and approval by the City of Merriam.

Elevation Drawings

Not applicable. No changes in exterior building elevations are being proposed.

Sign Scheme (Section 53-67 of the Merriam Code)

No signage changes are proposed at this time. A condition of approval is recommended that separate sign permits and review by staff for conformance with Merriam Code are required.

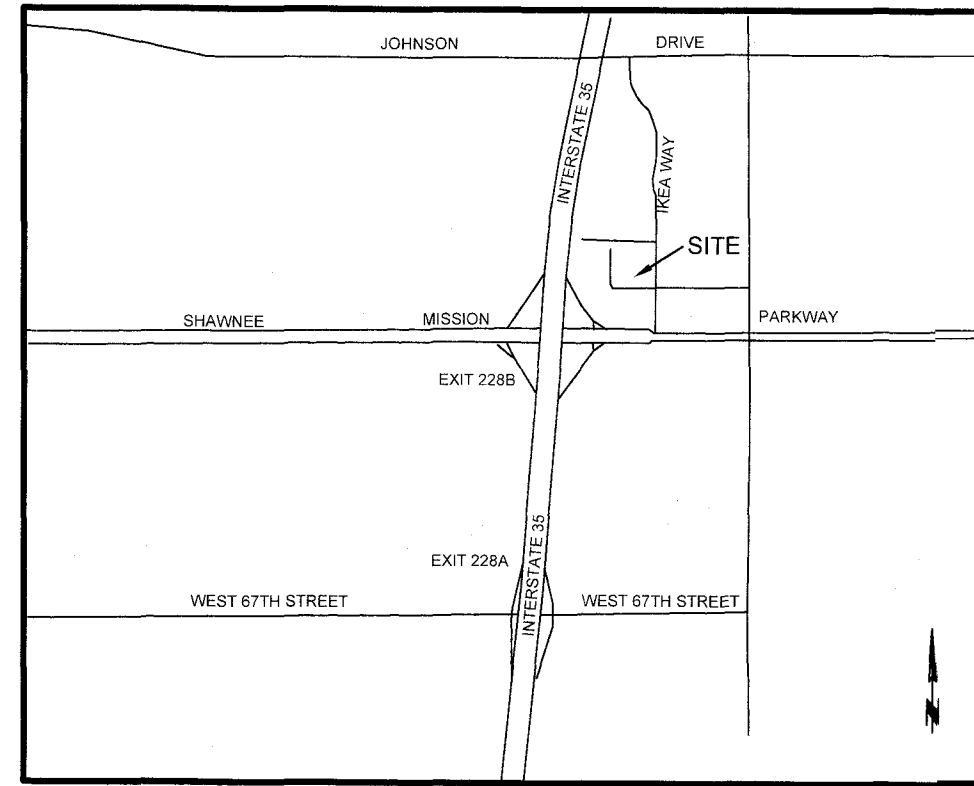
Staff Recommendation:

The Community Development staff finds that the applicant's request for a change in use to add automotive sales and vehicle repair uses is in order for consideration for a recommendation of approval and forwarding it to the City Council subject to the following conditions:

1. Automotive storage or service shall not occur within the 6209 Grandview Street building without appropriate reviews and permits having been issued by the City of Merriam and other governmental agencies.
2. Separate sign permits and review by staff for conformance with Merriam Code are required.
3. Obtain all required city and state licenses.
4. No indoor display of vehicles allowed without review and approval by the City of Merriam.
5. Exterior lighting changes may not be made without review and approval by the City of Merriam.
6. A vertical accessible parking sign is required to be placed in front of the accessible parking space.

Bryan P. Dyer, AICP
Community Development Director
March 6, 2019

VICINITY MAP



LEGAL DESCRIPTION

THE SUBJECT PROPERTY IS COMPRISED OF 2 PARCELS.
 JP20000045 0007
 LOTS 7, 8, AND 9, BLOCK 45, AND THE WEST ONE HALF (1/2) OF THE ADJACENT VACATED ALLEY, EBY SUBDIVISION, MERRIAM PARK, CITY OF MERRIAM, JOHNSON COUNTY, KANSAS
 JP20000045 0010
 LOT 10, BLOCK 45, AND THE WEST ONE HALF (1/2) OF THE ADJACENT VACATED ALLEY, EBY SUBDIVISION, MERRIAM PARK, CITY OF MERRIAM, JOHNSON COUNTY, KANSAS
 THE PROPERTY DESCRIBED AND SHOWN IS THE SAME PROPERTY THAT IS DESCRIBED IN THE TITLE REPORT PREPARED BY THE CHICAGO TITLE INSURANCE COMPANY, HAVING AN ORDER NUMBER OF 187333, WITH AN EFFECTIVE DATE OF NOVEMBER 13, 2018.

SITE DATA

- TOTAL SITE AREA IS 0.98 ACRES OR 42,802 SF
- TAX PARCEL NUMBERS: JP20000045 0007 AND JP20000045 0010
- CURRENT ZONING: PUD-G - PLANNED UNIT DEVELOPMENT - GENERAL
- PROPERTY ADDRESS: 6209 GRANDVIEW STREET, MERRIAM, KS
- PROPOSED USE: AUTOMOBILE SALES & SERVICE INCLUDING REPAIR.
- BOUNDARY AND LOCATION DATA TAKEN FROM FIELD SURVEY PREPARED BY LANDCO, L.P., ENTITLED, "ALTAINSPS LAND TITLE SURVEY OF 6209 GRANDVIEW STREET, MERRIAM, KS 66202, JOHNSON COUNTY, ARCHETYPE PRINTING" DATED 12-5-2018, LAST REVISED 12-20-18.

- PROPERTY OWNER OF RECORD: DAVID M. JOHNSON
7416 MULLEN STREET
SHAWNEE, KS 66216
- TOTAL PARKING SPACES: EXISTING = 18 UNSTRIPED PARKING STALLS
PROPOSED = 17 STRIPED PARKING STALLS

CATEGORY	REQUIRED SPACES
INTERIOR DISPLAY (1200 SF) X 1SP/400 SF:	3
EXTERIOR DISPLAY (MAX 3000 SF X 1SP/3000 SF):	1
WAREHOUSE (3550 SF & NO VEHICLE ONSITE):	0
OFFICE SPACE (2400 SF X 1 SP/300 SF):	8
EMPLOYEES (4):	4
TOTAL	16

- ZONING STANDARDS
 - MAX BUILDING COVERAGE: NONE
 - MAX BUILDING HEIGHT: NONE
- ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF MERRIAM, KS, WATER ONE, AND JOHNSON COUNTY WASTEWATER.
- UTILITY PROVIDERS

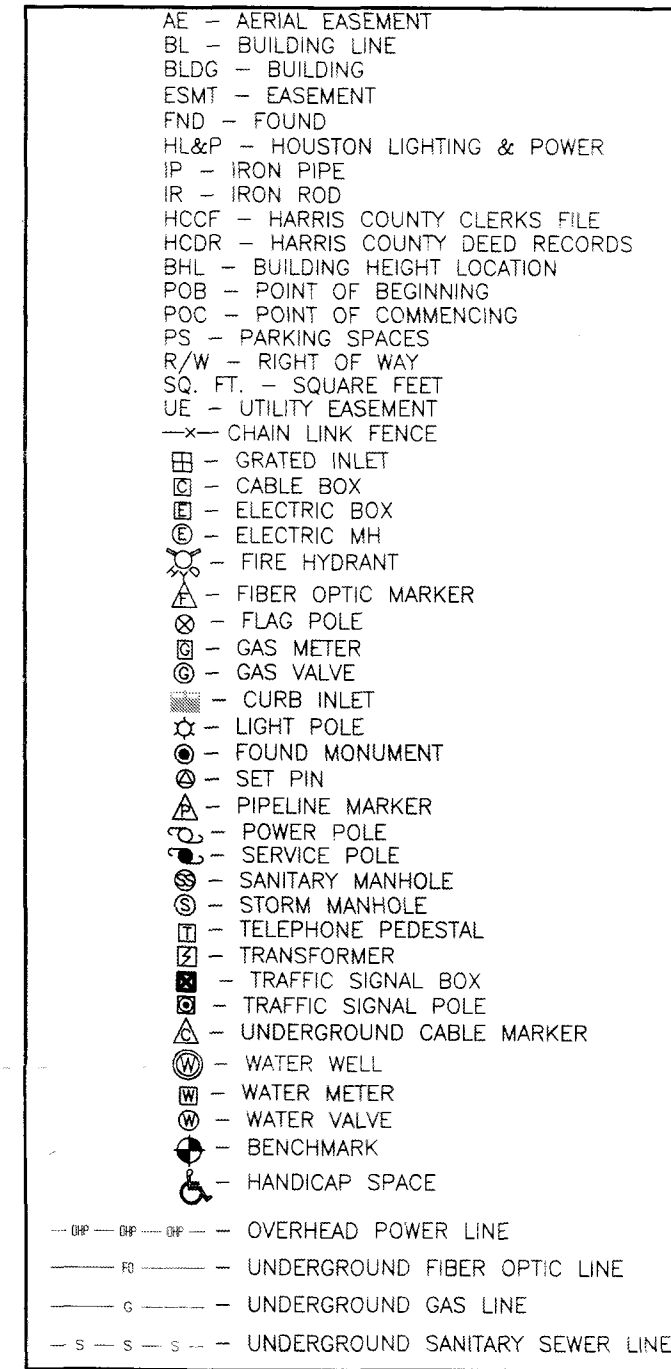
UTILITY	PROVIDER	PHONE
WATER	WATER ONE	913-895-1800
SEWER	JOHNSON COUNTY WASTEWATER	913-715-8500
ELECTRIC	KANSAS CITY POWER & LIGHT	816-471-5275
TELEPHONE	TIME WARNER CABLE	816-743-2477
CABLE T.V.	TIME WARNER CABLE	816-743-2477
NATURAL GAS	KANSAS GAS SERVICE	800-794-4790

- JOHNSON COUNTY WASTEWATER (JCW) PERMITS FOR BUILDING ADDITIONS OR RENOVATION ARE REQUIRED. PLEASE CONTACT JCW PERMIT GROUP FOR ADDITIONAL INFORMATION AT 913-715-8520.
- THE SUBJECT PROPERTY IS LOCATED IN AN AREA LABELED ZONE "X" (AREAS DETERMINED TO BE OUTSIDE OF THE 0.2 % ANNUAL CHANCE FLOOD PLAIN) AS DETERMINED BY FEMA FLOOD INSURANCE RATE MAP NUMBER 20091C0022G, EFFECTIVE DATE AUGUST 3, 2009.
- EXISTING LIGHT FIXTURES WILL BE RETAINED FOR OFF-STREET PARKING (CUT-OFF STYLE FIXTURES), LIGHTING SHALL CONFORM TO MERRIAM CODE OF ORDINANCES.
- ALL MECHANICAL UNITS WILL BE SCREENED.
- NO EXTERNAL LOUDSPEAKERS SHALL BE INSTALLED ON THE SITE.
- VEHICLE LOADING & UNLOADING SHALL BE ONSITE & NOT IN THE RIGHT-OF-WAY.
- ALL DISTURBED GREEN SPACE WILL BE SODDED.
- ALL NPDES REGULATIONS WILL BE MET.
- ALL ADA REGULATIONS WILL BE MET.
- SERVICING OF AUTOMOBILES OR VEHICLES PARKED INDOORS WILL NOT BE PERMITTED WITHOUT APPROPRIATE JURISDICTIONAL APPROVALS FROM THE CITY AND/OR JOHNSON COUNTY.
- IRRIGATION SHALL NOT BE INSTALLED IN CITY RIGHT-OF-WAY.
- NO NEW LIGHTING IS PROPOSED. NO NEW LIGHTING MAY BE INSTALLED WITHOUT PRIOR REVIEW AND APPROVAL OF A LIGHTING PLAN BY CITY OF MERRIAM.

LANDSCAPE NOTES

- ALL DISTURBED AREAS NOT SPECIFIED AS LANDSCAPE AREA, SOD OR HARDSCAPE TO BE SODDED
- CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO INSTALLATION. NOTIFY ENGINEER/ARCHITECT IF FIELD CONDITIONS WARRANT ADJUSTMENT OF PLANT LOCATIONS
- CONTRACTOR IS RESPONSIBLE FOR LOCATING EXISTING UTILITIES AND IS RESPONSIBLE TO REPLACE AND/OR REPAIR ANY DAMAGE TO EXISTING UTILITIES THAT MAY OCCUR.
- CONTRACTOR TO PROVIDE IRRIGATION PLAN TO ENGINEER/ARCHITECT FOR REVIEW AND APPROVAL.
- COORDINATE LANDSCAPE INSTALLATION WITH IRRIGATION CONSTRUCTION.
- ENSURE FINAL GRADES IN LANDSCAPED AND GRASSED AREAS PROVIDE POSITIVE DRAINAGE.
- FINAL GRADES FOR GRASSED AND LANDSCAPED AREAS SHALL REQUIRE A MINIMUM OF 4"-6" OF UNCOMPACTED, CLEAN TOPSOIL, FREE OF DEBRIS AND CONTAMINANTS, AND PREFERABLY OF NATIVE ORIGIN.
- ALL TREE PITS, SHRUB BEDS AND PREPARED PLANTING BEDS ARE TO BE COMPLETELY EXCAVATED IN ACCORDANCE WITH THE PLANTING DETAILS.
- SOIL REQUIRED FOR PLANTING MIXES SHALL BE PROVIDED BY THE CONTRACTOR WHO SHALL LOAD, HAUL, MIX AND DISTRIBUTE ALL TOPSOIL AND AMENDMENTS SUCH AS ORGANICS, HUMUS, COMPOSTED MATERIAL OR NATIVE MATERIAL AS REQUIRED.
- FOR NEW PLANTING AREAS, REMOVE ALL PAVEMENT, GRAVEL, SUB BASE AND CONSTRUCTION DEBRIS. LOOSEN COMPACTED SOIL TO MINIMUM 24" DEPTH AND PROVIDE SOIL AMENDMENTS MIXED INTO THE TOP 18" MINIMUM OR FOR UNCOMPACTED AREAS, AMEND THE TOP 18" OF EXISTING SOIL TO MEET TOPSOIL/PLANTING MIX STANDARDS.
- PLANTING MIX SHALL BE NATURAL, FERTILE AGRICULTURAL TOPSOIL, CAPABLE OF SUSTAINING VIGOROUS PLANT GROWTH, IT MAY BE DEVELOPED BY AMENDING THE EXISTING SOIL OR REMOVING THE EXISTING SOIL AND REPLACING WITH NEW SOIL. IT SHALL BE FREE OF STONES AND OTHER LIVE PLANTS OR THEIR ROOTS, STICKS AND/OR ANY OTHER OTHER THAN FRIABLE SOIL.
- THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY FIELD ADJUSTMENTS REQUIRED TO AVOID DRAINAGE PATTERNS OR STRUCTURES, UTILITIES, UNDERGROUND OR OVERHEAD OR RELOCATIONS OF PROPOSED VEGETATION BECAUSE OF SITE CONDITIONS, REGARDLESS OF PLACEMENT REPRESENTED ON THE APPROVED PLAN.

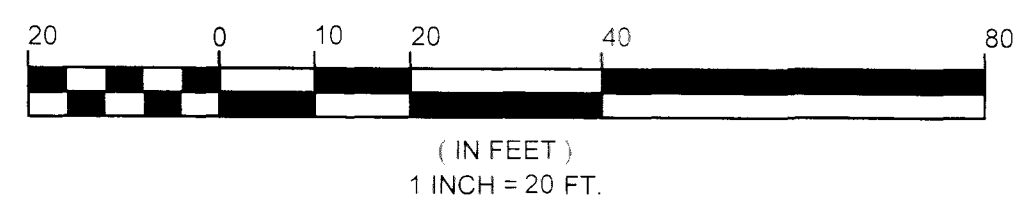
LEGEND



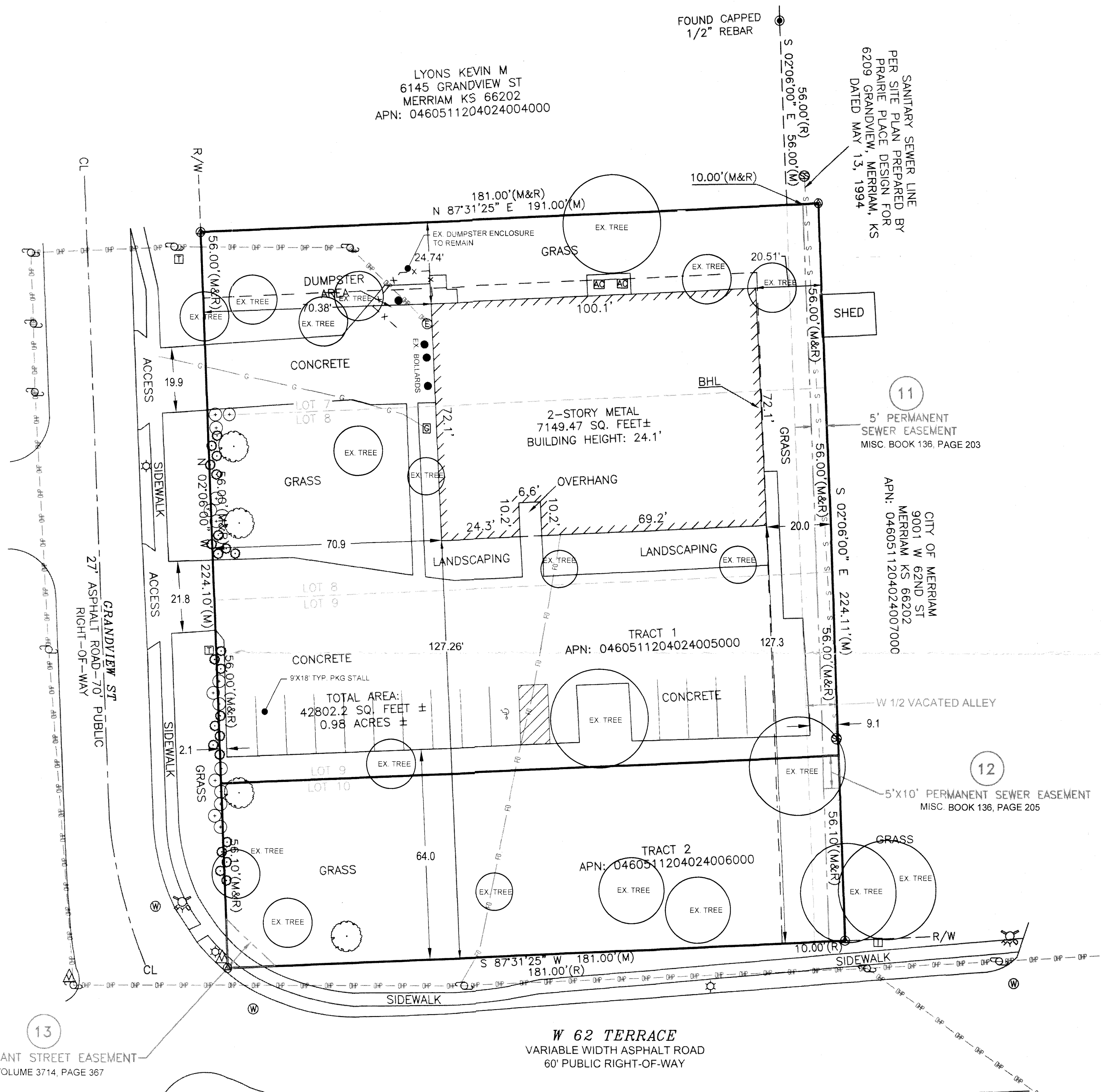
IRRIGATION REQUIREMENTS

CONTRACTOR SHALL DESIGN AND INSTALL A COMPLETE FUNCTIONING IRRIGATION SYSTEM FOR ALL TURF AND PLANTING AREAS, WITHIN PROJECT CONSTRUCTION LIMITS. CONTRACTOR SHALL SUBMIT IRRIGATION PLANS FOR ENTIRE SYSTEM TO ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION. PLANS SHALL INCLUDE A COMPLETE SEPARATION OF SHRUB AND TURF AREAS. PLANS SHALL INCLUDE CONTROLLER, ALL SLEEVING, ELECTRIC VALVES, HEADS, LATERALS, MAINS, DRIP LINES CONNECTIONS TO EQUIPMENT, AND ALL OTHER COMPONENTS NECESSARY FOR A WORKING IRRIGATION SYSTEM. ALL CONTROLLERS, VALVES AND HEADS TO BE MADE BY THE SAME MANUFACTURER. BACKFLOW PREVENTOR TO BE PROVIDED BY CONTRACTOR AND SHALL CONFORM TO REQUIREMENTS OF LOCAL AUTHORITIES. SEE ELECTRICAL PLANS FOR LOCATION OF CONTROLLER

GRAPHIC SCALE



LYONS KEVIN M
6145 GRANDVIEW ST
MERRIAM KS 66202
APN: 0460511204024004000

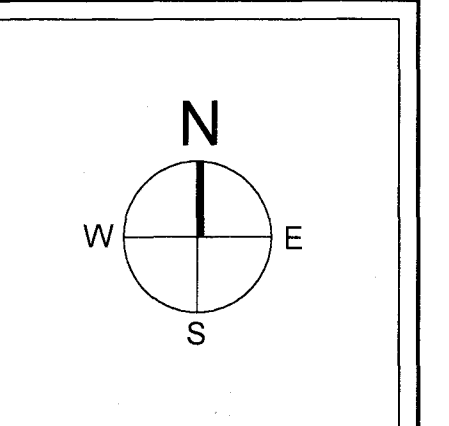
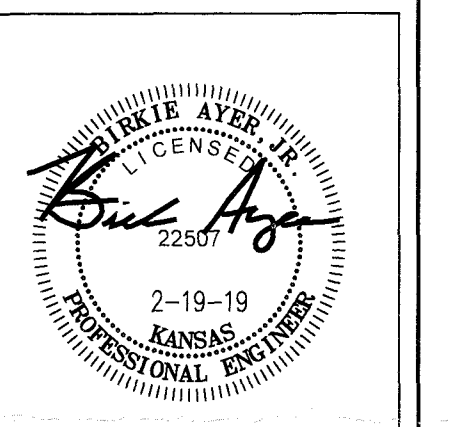


PLANTING LEGEND & SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE
(Symbol)	ACER GINNALA	AMUR MAPLE	4	2" MIN., 8' HT.
(Symbol)	ILEX X GLABRA	INKBERRY HOLLY	15	2' WIDE, 2' HT.
(Symbol)	BERBERIS THUNBERGII 'CRIMSON PIGMY'	CRIMSON PIGMY BARBERRY	23	18" HT., MIN.



BIRKIE AYER, JR., P.E.
 PROFESSIONAL ENGINEERING SERVICES
 215 Johnson Street
 Rock Hill, SC 29730
 Phone: 803-328-5858



FINAL DEVELOPMENT PLAN
 FOR
GROUP 1 AUTO CAR SALES
 6209 GRANDVIEW STREET
 CITY OF MERRIAM
 JOHNSON COUNTY, KANSAS

SITE & LANDSCAPE PLAN

DATE: 2-4-2019
 SCALE: 1"=20'
 JOB NO: 2019-5
 SHEET: **1** OF **1**

NO.	DATE	REV PER CITY REVIEW COMMENTS	DESCRIPTION

Community Development Staff Report
Planning Commission – March 6, 2019
PA19-000002 – Merriam Pointe Seventh Plat

<u>Application:</u>	PA19-000002 – Merriam Pointe Seventh Plat
<u>Request:</u>	Approval of a final plat
<u>Property Address:</u>	7050 W. Frontage Road
<u>Applicant:</u>	Curtis Tolson - Viking Surveys, Owner's Representative Reed Family Properties, LLC, Property Owner

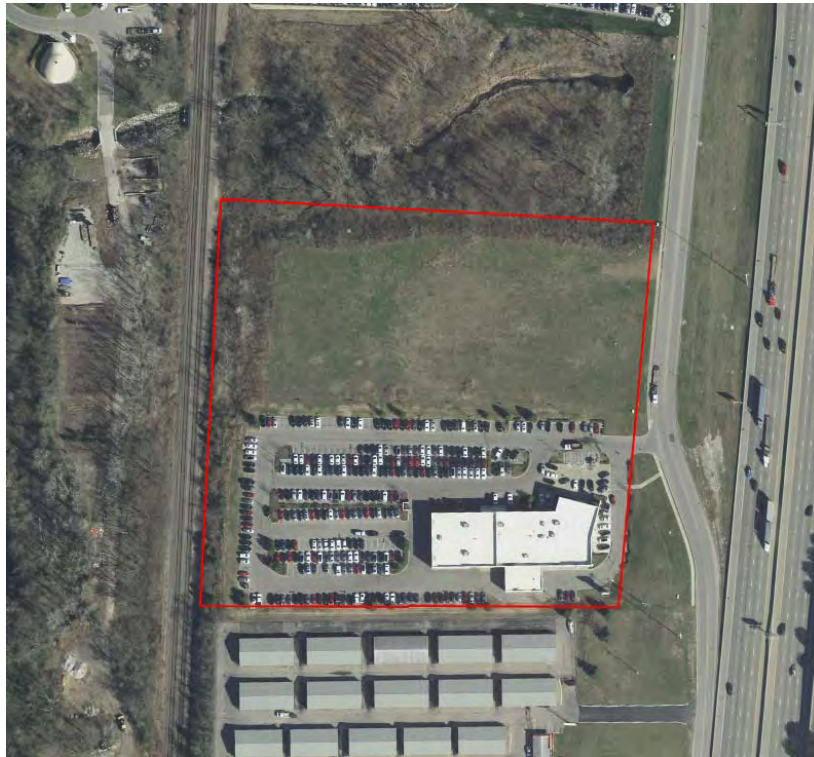
Current Zoning and Land Use	PUD-G (Planned Unit Development - General) District approved for automobile sales and service; currently developed with an automotive dealership and an undeveloped parcel.
Surrounding Zoning and Land Use	<p>PUD-G District to the north; currently undeveloped. Merriam Luxury Investors was granted approval of a preliminary development plan (Z-8-04/PD7-0717) for an automotive dealership to be developed on the property.</p> <p>I-1 (Light Industrial) District to the south; developed with a self-storage facility.</p> <p>Parks, Schools, and City Facilities to the west; developed with the City Public Works Facility.</p> <p>I-35 to the east.</p>
Legal Description	Merriam Pointe, Fifth Plat Lot 20
Proposed Legal Description	Merriam Pointe, Seventh Plat, Lots 1 and 2
Property Area	8.48± acres 369,805± sq. ft.
Number of Lots (2)	<p>Lot 1 – 4.29± acres 187,031.56± sq. ft.</p> <p>Lot 2 – 4.19± acres 182,685.96± sq. ft.</p>

Related Case Files			
Z-2-03(see Z-8-04)	Merriam Pointe	9501 W. 67th St.	C-1 to PUD
Z-2-03(see Z-8-04)	Merriam Pointe	67th & W. Frontage	IP-1 to PUD
Z-2-03(see Z-8-04)	Merriam Pointe Bldgs. B&C	67th & W. Frontage	Final Plan
Z-2-03(see Z-8-04)	Merriam Pointe Car Dealership	67th & W. Frontage	Final Plan
Z-2-03(see Z-8-04)	Merriam Pointe Pvt. Streets	67th & W. Frontage	Final Plan
	Screening for Bldgs. B&C	67th & W. Frontage	06/07/06
	Landscape Plan/Gas Pipeline	67th & W. Frontage	06/07/06
	Merriam Pointe TDD File	67th & W. Frontage	07/20/07
Z-8-04/FP4-1007	Shawnee Mission Auto Lot 12	67th & W. Frontage	10/03/07
Z-8-04/PD2-0108	Merriam Pointe	67th & W. Frontage	01/02/08
Z-8-04/FP5-0608	Merriam Pointe Lot 11	67th & W. Frontage	06/04/08
Z-8-04/FP6-0608	Merriam Pointe Lots 9 & 10	67th & W. Frontage	06/04/08
	Merriam Pointe 2/2011 & 3/2012 Redevelopment Project Plan TIF AMENDED		
Z-8-04/PD3-0311	Merriam Pointe	67th & W. Frontage	Chg & PDP
Z-8-04/FP7-0711	Merriam Pointe/Toyota	67th & W. Frontage	FDP
Z-8-04/PD4-0312	Merriam Pointe/Lexus	67th & W. Frontage	PDP
Z-8-04/FP8-0412	Merriam Pointe/Lexus	67th & W. Frontage	FPD
Z-8-04 (0312)	Merriam Pointe Toyota/Rvsd Sign Plan	67th & W. Frontage	Rvsd. Sign Plan
Z-8-04/PD5-0412	Merriam Pointe/Infiniti	67th & W. Frontage	Chg & PDP
Z-8-04/FP9-0512	Merriam Pointe/Infiniti	67th & W. Frontage	FDP
Z-8-04/PD6-0812	Merriam Pointe/Auto Dealer.	7020 W. Frontage	PDP-Rvsd
Z-8-04/FP10-0812	Merriam Pointe/Auto Dealer.	7020 W. Frontage	FDP-Rvsd
Z-8-04 (0912)	Merriam Pointe/Auto Dealer.	67th & W. Frontage	Rvsd. Sign Plan
Z-8-04/FP11-0912	Merriam Pointe/Lexus	67th & W. Frontage	FDP-Rvsd
Z-8-04/FP12-0912	Merriam Pointe/Toyota	9505 W. 67th St.	FDP-Rvsd
Z-8-04/PD7-0717	Merriam Pointe/Merriam Luxury Imports LLC	7000 W. Frontage Rd.	PDP
Z-8-04 PD8-0817	SM Hyundai Parking Lot	7020 & 7050 W. Frontage Rd.	PDP
PA17-000006	Merriam Pointe Fifth Plat	7050 W. Frontage Rd	Final Plat

Vicinity Map PA19-000002
Merriam Pointe Seventh Plat



Aerial View



Vicinity Map

Staff Comments:

Reed Family Properties, LLC (Reed Automotive) recently purchased the subject property which consists of the Hyundai automobile dealership and an undeveloped parcel to the north. Reed Automotive's representative, Viking Surveys, is requesting approval of a replat of the subject property to create two lots. The proposed Lot 2 will contain the existing dealership and Lot 1 will be a developable lot.

If approved, the replat will change the subject property back to its previous configuration. In September 2017, the previous property owner, Group 1 Automotive, replated the two lots into one and received approval of a preliminary development plan for the reconfigured property.

Currently, the subject property is partially developed with an automotive dealership and vacant land to the north of the dealership (previously 7020 W. Frontage Road). The approval of the proposed Merriam Pointe Seventh Plat will create two lots and facilitate Reed Automotive Group's desire to develop Lot 1. A development plan for both newly created lots will be required prior to the development of Lot 1.

A condition of approval is that the Merriam Pointe Seventh Plat be filed with the county prior to the approval of a development plan for the lots. A second condition of approval is that a final development plan is required prior to the development of Lot 1.

The subject property is zoned PUD-G (Planned Unit General) District and the proposed final plat will create two (2) lots (Lot 1: 187,031.56 sq. ft. and Lot 2: 182,685.96 sq. ft.).

Comments from City staff and Public Utilities

As part of the review process, staff provided copies of the proposed plat to the public utilities. In addition, staff solicited comments from other city departments.

The applicant has addressed all comments.

Dedication of Right-of-Way

No additional right-of-way is being dedicated by this plat.

Easements

A perimeter easement of 7.5 feet is dedicated on either side of the property line dividing Lot 1 and Lot 2.

The remaining easements shown on the plat are existing.

Access

Following the approval of the plat, the subject property will have direct access to W. Frontage Road.

Lots

Total Area: Approximately 8.48± acres (369,805± sq. ft.)

Lot 1: 4.29± acres (187,031.56± sq. ft.)

Lot 2: 4.19± acres (182,685.96± sq. ft.)

Public Utilities

The subject property has access to all required public utilities.

Staff Recommendation:

Community Development staff finds that the applicant's proposal is in order for approval and forwarding it to the City Council for the acceptance of easements.

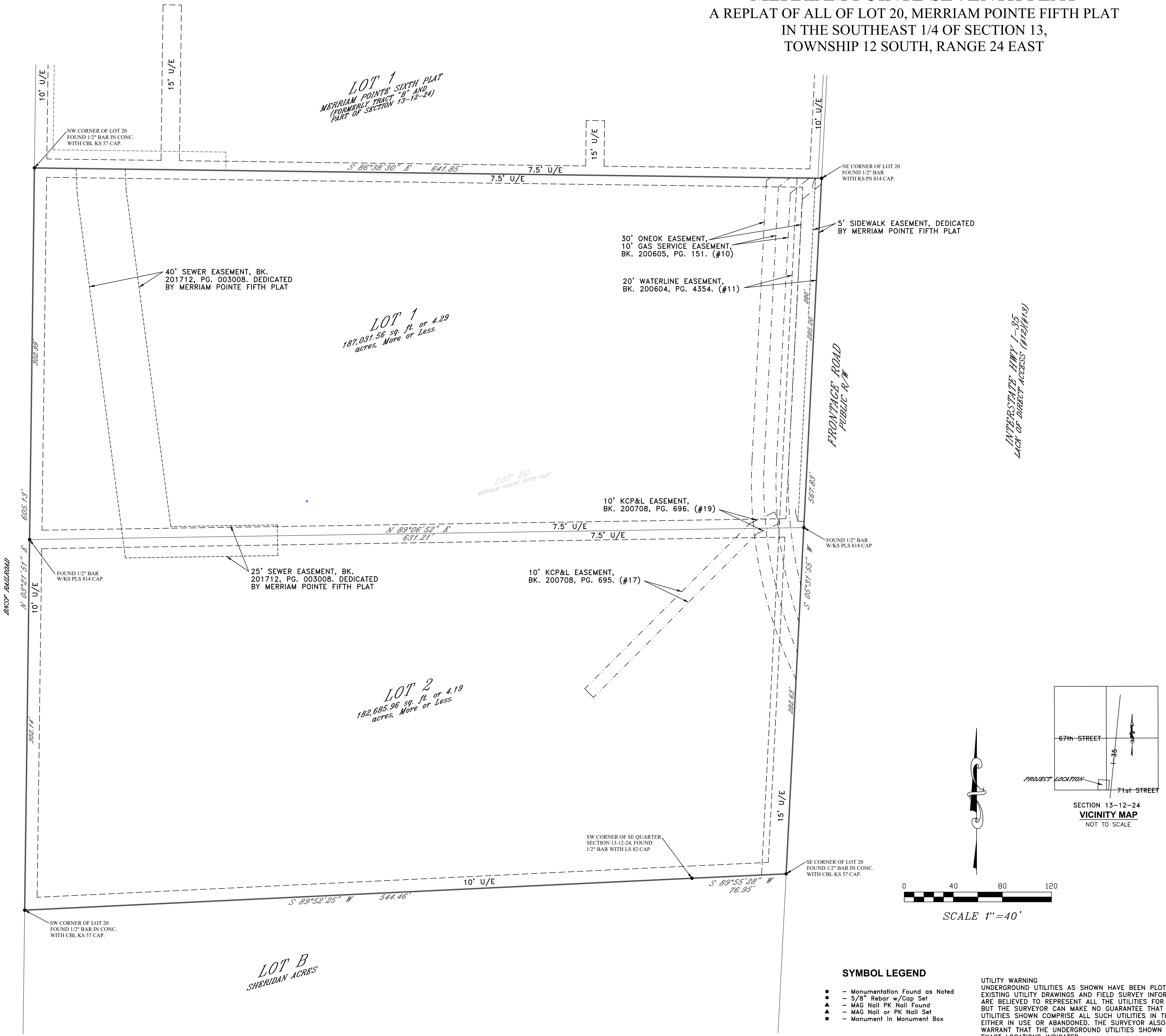
1. The plat must be filed with Johnson County prior to the approval of a final development plan for Lot 1.
2. Approval of a final development plan is required prior to the development of Lot 1.

Bryan P. Dyer, AICP
Community Development Director
March 6, 2019

FINAL PLAT

MERRIAM POINTE SEVENTH PLAT
 A REPLAT OF ALL OF LOT 20, MERRIAM POINTE FIFTH PLAT
 IN THE SOUTHEAST 1/4 OF SECTION 13,
 TOWNSHIP 12 SOUTH, RANGE 24 EAST

SURVEY CERTIFICATION



DESCRIPTION:
 All of Lot 20, Merriam Pointe Fifth Plat, a subdivision in the City of Merriam, Johnson County, Kansas, per plat recorded in Book 201712, Page 003008 in the public records of Johnson County, Kansas. Containing 369,805 square feet, or 8.48 acres, more or less. Basis of bearings for this description is an Kansas State Plane North Zone grid bearing of N 89° 15' 59" W on the North line of Lot 20, Merriam Pointe Fifth Plat.

DEDICATION: The undersigned proprietors of the above described tract of land having caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall be hereinafter known as "MERRIAM POINTE SEVENTH PLAT".

An easement for the purpose of construction, using, replacing, and maintaining a public sidewalk and appurtenant work, including the right to repair, maintain and replace the sidewalk, and for any reconstruction and future expansion of such facility, together with the right of ingress and egress, over and through the area designated as "SW/E, or "Sidewalk Easement" on this plat is hereby granted to the City of Merriam, Johnson County, Kansas.

An easement is hereby granted to the City of Merriam, Johnson County, Kansas, and to all public utility companies, duly incorporated and licensed to do business in Merriam, Johnson County, Kansas, to enter upon, construct and maintain poles, wires, anchors, pipes, conduits, etc., upon, over and under the areas outlined and designated on this plat as Utility Easements or "U.E."

An easement or license to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns. Alteration of land contours will be permitted only with the express written approval of JCW. Any placing of improvements or planting of trees on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation thereof.

The undersigned proprietor(s) of the above described land hereby consents and agrees that the Governing Bodies of any special assessment district shall have the power to release such land proposed to be dedicated for streets, roads, or parts thereof for public use, from the lien and effect of any special assessments and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land front and abutting on such dedicated road, street, or parts thereof.

IN TESTIMONY WHEREOF, We, the undersigned owners of the properly described herein, have hereunto set our hands this _____ day of _____, 2019.

Reed Family Properties, LLC

Randall Reed

STATE OF _____)
) SS
 COUNTY OF _____)

Be it remembered that on this _____ day of _____, 2019, before me, the undersigned notary public in and for said County and State aforesaid, came Randall Reed, manager of Reed Family Properties, LLC, who is personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same to be a voluntary act and deed of said Reed Family Properties, LLC. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public _____ Printed name _____
 My Appointment Expires: _____

APPROVED BY THE Planning Commission of the City of Merriam, Johnson County, Kansas, this _____ day of _____, 2019.

Chairman: Brian Dailey Secretary: William A. Bailey

Lands dedicated for public use on this plat are hereby accepted by the governing body of Merriam, Johnson County, Kansas, this _____ day of _____, 2019.

Mayor: Ken Sisson City Clerk: Juliana Pinnick

SURVEYOR'S CERTIFICATION:
 I, the undersigned, do hereby certify that if am a registered land surveyor in the State of Kansas and that the heretofore described property was surveyed and subdivided by me or under my direct supervision; that all subdivision regulations of the city of Merriam, Kansas, have been complied with in the preparation of this plat; that this plat and the survey on which it is based were made in accordance with the Kansas Minimum Standards for Boundary Surveys, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

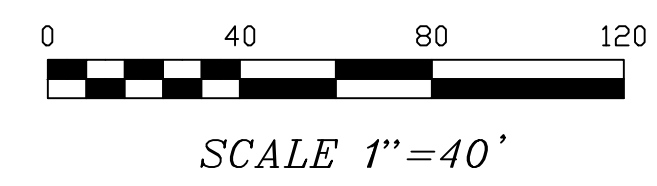
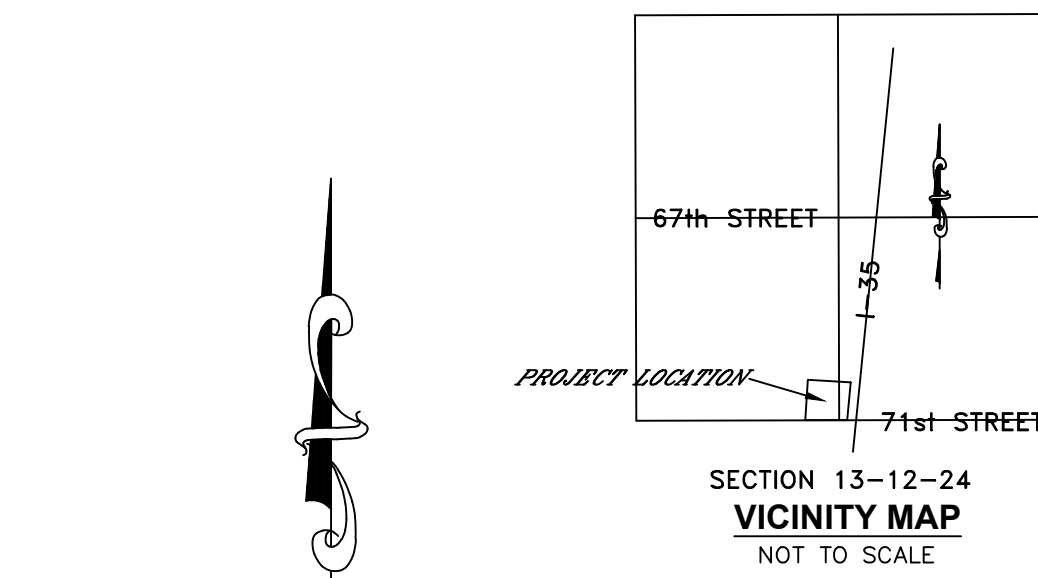
Signed: _____ Dated: _____, 2019
 Curtis Dean Tolson, LS - 908

Miscellaneous Notes:

TITLE COMMITMENT: The property described hereon are the same as the property described in First American Title commitment number NCS-935254-MICH with an effective date of January 9, 2019, at 8:00 AM and that all easements, covenants and restrictions referenced in said title policy have been plotted hereon or as otherwise noted as to their effect on the property.

FLOOD STATEMENT: By scaled map location and graphic plotting only, the subject property appears to lie entirely in Zone Designations "X" (Areas determined to be outside the 0.2% annual chance floodplain) by the Secretary of Housing and Urban Development, on Flood Insurance Rate Map No. 20091C0022G, with a date of identification of August 3, 2009, for Merriam, KS, which is the current Flood Insurance Rate Map for said community.

There is direct access to the subject property via West Frontage Road, a public right-of-way.



SYMBOL LEGEND

- - Monumentation Found as Noted
- - 5/8" Rebar w/Cap Set
- ▲ - MAG Nail PK Nail Found
- ▲ - MAG Nail or PK Nail Set
- - Monument in Monument Box

UTILITY WARNING
 UNDERGROUND UTILITIES AS SHOWN HAVE BEEN PLOTTED FROM EXISTING UTILITY DRAWINGS AND FIELD SURVEY INFORMATION. THEY ARE BELIEVED TO REPRESENT ALL THE UTILITIES FOR THE PREMISES, BUT THE SURVEYOR CAN MAKE NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN USE OR ABANDONED. THE SURVEYOR ALSO DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATIONS INDICATED.

REVISION NOTES

Date:	Comment:

MERRIAM POINTE SEVENTH PLAT

Prepared by:
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