
Planning Commission Agenda

Call to Order

Pledge of Allegiance

Roll Call

Consent Agenda

All matters listed within the Consent Agenda have been distributed to each member of the Planning Commission for study. These items are considered to be routine and will be enacted upon by one motion with no separate discussion. If separate discussion is desired on an item, from either the Planning Commission or from the floor, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

1. Standing approval of the minutes as written for the meeting on March 25, 2024.
2. **Cypress Creek 3rd Plat 24-302-01 Final Plat** – Located approximately 1000' west of the intersection of W 167th St and N Poplar Rd.
3. **Cypress Creek 4th Plat 24-302-02 Final Plat** – Located approximately 250' west of the intersection of W 167th St and N Poplar Rd.

Regular Agenda

1. **Villas on Grand 23-302-05 Final Development Plan & Final Plat** – Located north of the intersection of E Grand St. and White Dr.
2. **Grand Mission Estates 23-302-06 Final Development Plan & Final Plat** – Located north of E Grand St and Grand Star Elementary
3. **Nice Ice Baby 24-305-01 Conditional Use Permit (Public Hearing)** – Located at 312 W Main St.
4. **CIP Conformance Review**
5. **2024 Election of Officers**

Discussion Items

Adjournment



Call to Order

The meeting of the Gardner Planning Commission was called to order at 7:00 pm on Monday March 25, 2024, by Chair Ham. Commissioners present: Mia Ham, Matt Combs, Cleverson Souza, Adriana Meder, Stacy Cooper, Austin Jueneman, and Alan Vonderschmidt. Staff present: Community Development Director Dave Knopick, Principal Planner Robert Case, Planner Jesse Hunter, Administrative Assistant Jenny Gray, and City Attorney Spencer Low.

Pledge of Allegiance

Chair Ham led the Pledge of Allegiance.

Consent Agenda

1. Standing approval of the minutes as written for the regular meeting on January 22, 2024.
2. Cypress Creek 3rd Plat 24-302-01 Final Plat - Located approximately 1000' west of the intersection of W 167th St and N Poplar Rd.
3. Cypress Creek 4th Plat 24-302-02 Final Plat - Located approximately 250' west of the intersection of W 167th and N Poplar Rd.

Motion made to table consent agenda items 2 & 3 until the next Planning Commission meeting.

Motion: Commissioner Meder

Second: Commissioner Jueneman

Motion carries unanimously 7-0

Motion made to approve item 1 of the consent agenda.

Motion: Commissioner Jueneman

Second: Commissioner Meder

Motion carries unanimously 7-0

Regular Agenda

1. [Plaza South Lot 3 Taco Bell 24-304-01 Rezoning, Preliminary Development Plan & Final development Plan \(Public Hearing\)](#) – Located at the northeast corner of W 187th Terrace and S Gardner Rd.

Staff Presentation

Robert Case, Principle Planner presented the information in the staff report for the Plaza South Lot 3 Taco Bell requesting to develop a 2,200 square foot site with 2 access drives. In 2019, the property was rezoned with an associated development plan and platted as part of the original Plaza South development. The 2019 the PDP proposed a fast food restaurant for this site with two access drives onto Vivian Street. This lot is currently zoned ACP-2 and is surrounded by ACP-2 zoning to the north, east, and south and CP-2 to the West. The revised preliminary development plan proposal is for one 2,200 square foot restaurant and one 1,047 square foot fast food restaurant. Access to the site is from two private drives: 187th Terrace and Vivian Street off of Gardner Road. The final development plan is for only the 2,200 square foot taco bell site, but will include the construction of both 187th Terrace and Vivian Street access drives.

The preliminary and final development plans meet all of the code standards, with the exception of the three requested deviations.

Deviation #1 is a request to reduce the width of the foundation planting from 8' to 4'; they have provided additional landscape around the west and south sides of the building to help shield traffic.

Deviation request #2 is to allow a drive-thru facing Gardner Road. Again, they have provided additional landscape along the frontage to protect lights from vehicles within the drive-thru lane.

Deviation #3 is reduce the required transparency along street facing facades (east and south facades, they actually meet the standards along the west side).

Because the building faces three streets, staff understands the difficulty of meeting the LDC transparency standards. The developer has added additional landscape and architectural features to help establish a relationship of the building to the public realm along the east and south sides of the building.

The staff recommends approval of all the deviation requests.

Applicant Presentation

Melissa Vancrum 5250 W. 116th place along with Andy Seemiller 4700 Belleview Ave from First Street Development were available to answer questions. Melissa thanked the staff for guidance and assistance in finalizing the applications. They are seeking approval of a Preliminary and a Final Development Plan. Melissa went over the deviations of windows and landscape.

Public Hearing

Chair Ham opened the public hearing and asked if anyone wished to speak on the matter. No one from the audience approached the podium.

Motion made to close the public hearing.

Motion: Commissioner Cooper
Second: Commissioner Combs
Motion carries unanimously 7-0

Commission Discussion

Commissioner Cooper asked about the two private entrances 187th Terr. and Vivian.

Director Knopick answered with it is just an internal drive into the development itself and the drive-thru is along 187th Terr.

Commissioner Cooper then asked about bushes and headlight height.

Patrick Reuter with Clover Architects answered they are 3 feet in height, which is standard in blocking headlights. The landscaping shrubs are Junipers which stay green all year round.

Commissioner Jueneman asked staff if they had issues splitting the lot into 3A and 3B

Mr. Knopick answered that staff had significant discussing with applicant and have gone through several site concepts before they we comfortable.

Commissioner Meder asked staff if the re-zoning is due to the lot split.

Mr. Knopick answered the lot split is considered to be a significant change from the previous approved preliminary plan and revising it includes the rezoning.

Commissioner Meder had concerns about the parking requirements being met.

Melissa answered that there are 34 interior seats and 12 outdoor seats and they do not expect to be at full capacity at any given time.

Commissioner Meder asked if a semi was used for the truck turning templet.

Patrick Reuter answered that a 20 foot truck was used for the turning template and would make deliveries and that the site was not designed for a semi.

Commissioner Combs had a question for staff about openness to deviation for someone trying to fit into lot 3B.

Mr. Knopick answered that the use would have to be similar to what is shown on the lot 3B development plan but that any future development on lot 3B is entitled to the review process.

Commissioner Jueneman asked to confirm that the Taco Bell franchise has corporate approval for this site.

Andy confirmed that they have permission from corporate to build.

Motion: Rezoning and Associated Preliminary Development Plan

After review of application 24-304-01 a rezoning for 1.44 acres located at the northeast corner of S Gardner Rd and W 187th Terr, from ACP-2 to ACP-2 and associated revised Preliminary Development Plan for Plaza South Lot 3, and staff report dated March 20, 2024, the Planning Commission recommends the Governing Body approve the applications as proposed.

Motion: Commissioner Meder
Second: Commissioner Souza
Motion carries unanimously 7-0

Motion: Final Development Plan

After review of application 24-304-01 Final Development Plan for Taco Bell, and staff report dated March 20, 2024, the Planning Commission approves the application as proposed, provided the following conditions are met:

- 1. Governing Body approval of application 24-304-01 rezoning and associated Preliminary Development Plan for Plaza South Lot 3;**
- 2. The construction plans for any utilities, infrastructure, storm water or other public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the issuance of a building permit;**
- 3. Approval of the deviations as presented in the staff report; and**
- 4. Submission and approval of an administrative plat.**

Motion: Commissioner Jueneman
Second: Commissioner Cooper
Motion carries unanimously 7-0

Discussion Items

There were no discussion items.

Adjournment

Motion made to adjourn at 7:46 PM

Motion: Commissioner Jueneman

Second: Commissioner Meder

Motion carries unanimously 7-0

Recording of this meeting can be found here:

<https://www.youtube.com/watch?v=85Jv7BgsFU8>

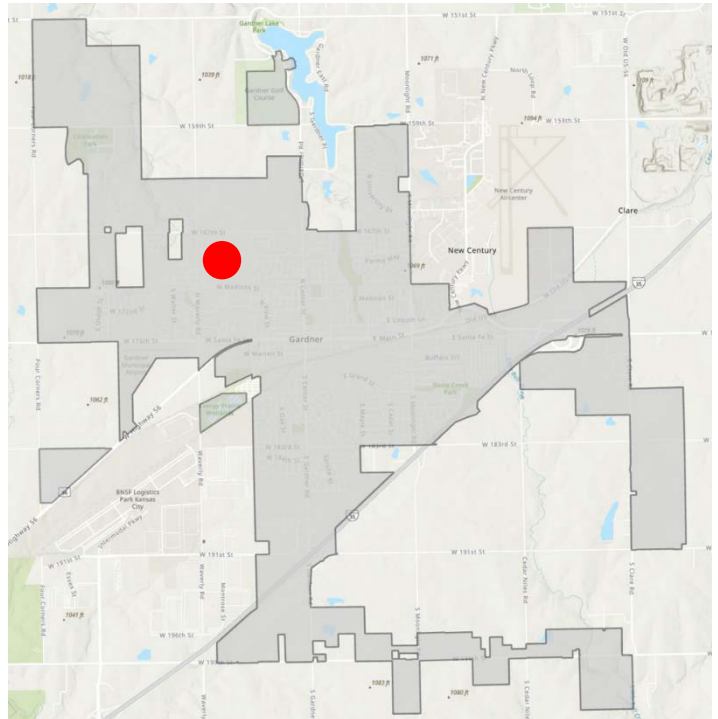
DRAFT

Project Name: Cypress Creek 3rd Plat

PROJECT NUMBER	24-302-01
REQUEST	FINAL PLAT
APPLICANT	PHELPS ENGINEERING, INC. TIM TUCKER
OWNER	KANSAS LD LLC
ADDRESS	NA
PARCEL ID	CP221423 1001

Executive Summary

PRESENT ZONING:	RP-2
PRESENT LAND USE:	VACANT
PROPOSED LAND USE:	SINGLE FAMILY DETACHED HOUSES
TOTAL SITE AREA:	24.25 ACRES
PROPOSED # OF LOTS	54
PROP BUILDING TYPES:	SINGLE FAMILY



Staff Recommendation

Staff recommends approval of application 24-302-01, a Final Plat for Cypress Creek 3rd Plat with the condition(s) in the recommended motion.

Context:

Background/History

Currently the subject property is vacant agricultural land. The property is portion of a larger 97.65 acre plot of land that is bound on the north by 167th Street and on the south by Madison Street. Properties located directly to the east and west are single family subdivisions. Phases one and two of Cypress Creek have begun development.

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
A (Agriculture) District	Vacant
C-2 (General Business) District	Vacant
East of Subject Property	
RP-2 (Planned Two Family) District	Cypress Creek 4 th Phase
South of Subject Property	
RP-2 (Planned Two Family) District	Cypress Creek 1 st and 2 nd Phases
West of Subject Property	
R-1 (Single Family) District	Austin Reserve
RP-3 (Planned Garden Apartment) District	Vacant

Utilities / Infrastructure

Electric

Existing electric utilities are located either within or adjacent to the site.

Water

Existing water utilities are located either within or adjacent to the site.

Sanitary Sewer

Existing sanitary sewer utilities are located either within or adjacent to the site. Sanitary sewer service will be extended throughout the subdivision by a gravity system.

Roadway Network & Vehicular Access

Internal road networks within the subject property will connect to 167th St to the north, and includes a stub street on the east side to connect to the Cypress Creek 4th Phase.

Review Criteria

Final Plat (LDC Section 17.03.020 E1.)

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.
- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.

- c. The phasing and timing of public improvements ensures construction and performance guarantees.
- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.
- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Findings

The proposed development is in substantial compliance with the preliminary plat. The conditions of approval from the preliminary development plan have either been met or will be completed in the 3rd phase.

Comprehensive Plan

The City of Gardner 2014 Comprehensive Plan identifies this parcel for low-density residential future land use, described as “areas primarily consist of detached single family and duplex housing. These “New Residential Growth Areas” include undeveloped land that provides a “clean slate” for future residential development. The Comprehensive Plan addresses these growth areas as having three major components that help to ensure the community’s goals of providing high quality neighborhoods that satisfy demand for a broad type of housing. These goals are; neighborhood character, connectivity, and open space preservation & conservation design. The design and layout the applicant is proposing is consistent with the goals of the Comprehensive Plan.

Potential Actions

Per Section 17.03.010 (G) of the Gardner Land Development Code, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Recommended Motion

After review of application 24-302-01 a Final Plat for Cypress Creek 3rd Plat, and staff report dated May 22, 2024, the Planning Commission approves the application as proposed and recommends the Governing Body accept the dedication of right-of-way and easements, provided the following condition is met:

1. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.

Attachments

1. Final Plat

FINAL PLAT OF
CYPRESS CREEK, THIRD PLAT

RESURVEY AND REPLAT OF PART OF TRACT A, CYPRESS CREEK,
FIRST PLAT, A PLATTED SUBDIVISION OF LAND AND TOGETHER
WITH PART OF THE NORTHWEST QUARTER OF SECTION 23,
TOWNSHIP 14 SOUTH, RANGE 22 EAST, IN THE CITY OF
GARDNER, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION
This description was prepared by Phelps Engineering, Inc., KS CLS-82 on February 13, 2024, for Project No. 230719. All that part of Tract A, CYPRESS CREEK, FIRST PLAT, a platted subdivision of land and together with all that part of the Northwest Quarter of Section 23, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 23, said point also being the Northwest plot corner of SUNSET RIDGE V, a platted subdivision of land in the City of Gardner, Johnson County, Kansas; thence S 2°15'49" E, along the East line of the Northwest Quarter of said Section 23 and the West plot line of said SUNSET RIDGE V, a distance of 100.01 feet; thence S 88°34'08" W, a distance of 142.69 feet; thence S 1°25'52" E, a distance of 222.24 feet; thence S 40°45'40" W, a distance of 136.98 feet; thence S 43°26'18" W, a distance of 50.00 feet to a point on the Northerly plot line of said CYPRESS CREEK, FIRST PLAT; thence along the Northerly plot line of said CYPRESS CREEK, FIRST PLAT, for the following two (2) courses; thence N 46°33'42" W, a distance of 88.52 feet; thence Northwesterly on a curve to the right, said curve being tangent to the last described course and having a radius of 225.00 feet, an arc distance of 6.24 feet; thence S 88°34'13" W, a distance of 325.51 feet; thence S 59°37'54" W, a distance of 59.73 feet; thence S 40°02'09" W, a distance of 351.00 feet; thence S 18°50'45" W, a distance of 53.63 feet; thence S 30°48'43" W, a distance of 61.40 feet; thence S 26°17'17" W, a distance of 370.59 feet to a point on the Northerly plot line of said CYPRESS CREEK, FIRST PLAT; thence S 88°09'08" W, along the Northerly plot line of said CYPRESS CREEK, FIRST PLAT, a distance of 430.00 feet to the Northwest plot corner of said CYPRESS CREEK, FIRST PLAT, said point also being on the East plot line of AUSTIN RESERVE, a platted subdivision of land in the City of Gardner, Johnson County, Kansas, said point also being on the West line of the East 100 acres of the Northwest Quarter of said Section 23; thence N 1°50'52" W, along the East plot line of said AUSTIN RESERVE and the West line of the East 100 acres of the Northwest Quarter of said Section 23, a distance of 1117.59 feet to the Northwest corner of the East 100 acres of the Northwest Quarter of said Section 23; thence N 88°34'08" E, along the North line of the Northwest Quarter of said Section 23, a distance of 1607.65 feet to the Point of Beginning, containing 24.2506 acres, more or less, of which 0.1039 acres, more or less of replatted land and 24.1467 acres, more or less of unplatted land.

DEDICATION
The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plot shall hereafter be known as "CYPRESS CREEK, THIRD PLAT".

The undersigned proprietors of said property shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parcels of land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby observe and agree to indemnify the City of Gardner from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, gas, poles, wires, ducts and cable, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the City with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of surface drainage facilities and similar facilities, upon, over and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E", is hereby granted to the City with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "SS/E" on this plat, together with the right of ingress and egress over and through adjoining land may be reasonably necessary to access said easement and is hereby dedicated to the City of Gardner, Johnson County, Kansas or their assigns.

A perpetual sidewalk easement upon, over, across under and through the areas outlined and designated on this plat as "Sidewalk Easement" or "SW/E" is hereby granted to the City of Gardner, Kansas, for the purpose of a public sidewalk and appurtenant work for pedestrian, bicyclist and other non-vehicular purposes, including the right to construct, use, maintain, repair, reconstruct or expand such facility within the easement area. Sidewalk easements shall be kept clear of obstructions that would interfere with the use or maintenance of sidewalks within the easement.

Tracts "G", "H" and "I" are to be used and dedicated as stormwater detention, private open space, common areas and may include landscaping, fencing, subdivision monuments, storm water detention and storm water treatment facilities and amenities and to be owned and maintained by the Homes Association.

All lots shall provide on-site stormwater management facilities in accordance with Title 14 of the City of Gardner Municipal Code, the Gardner Technical Specifications for Public Improvements Projects and Design Criteria for Public Improvement Projects, and the APWA Manual of Best Management Practices For Stormwater Quality.

The natural stream preservation corridor area is subject to the restrictions and protections provided for in City of Gardner Municipal Code. These restrictions and protections are subject to change by action of the Governing Body.

CONSENT TO LEVY
The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas and the City of Gardner, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the benefit 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 fronting or abutting on such dedicated public ways or thoroughfares.

EXECUTION
IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____

Kansas LD, LLC, a Kansas limited liability company
By: _____
Stephen Lieux, Managing Member

ACKNOWLEDGEMENT
STATE OF ARKANSAS)
COUNTY OF WASHINGTON) SS

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State of Kansas, Stephen Lieux, Managing Member of Kansas LD, LLC, a Kansas limited liability company, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____
Print Name: _____

APPROVALS
APPROVED BY: the Planning Commission of the City of Gardner, Johnson County, Kansas, this ___ day of _____, 20____.

Chairman: _____
APPROVED BY: the Governing Body of the City of Gardner, Johnson County, Kansas, this ___ day of _____, 20____.

Mayor: Todd Winters
Attest
City Clerk: Renee Rich

I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN OCTOBER 2023, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

SCOTT G. CHRISMAN
LICENSED
LS-1306
KANSAS
LAND SURVEYOR

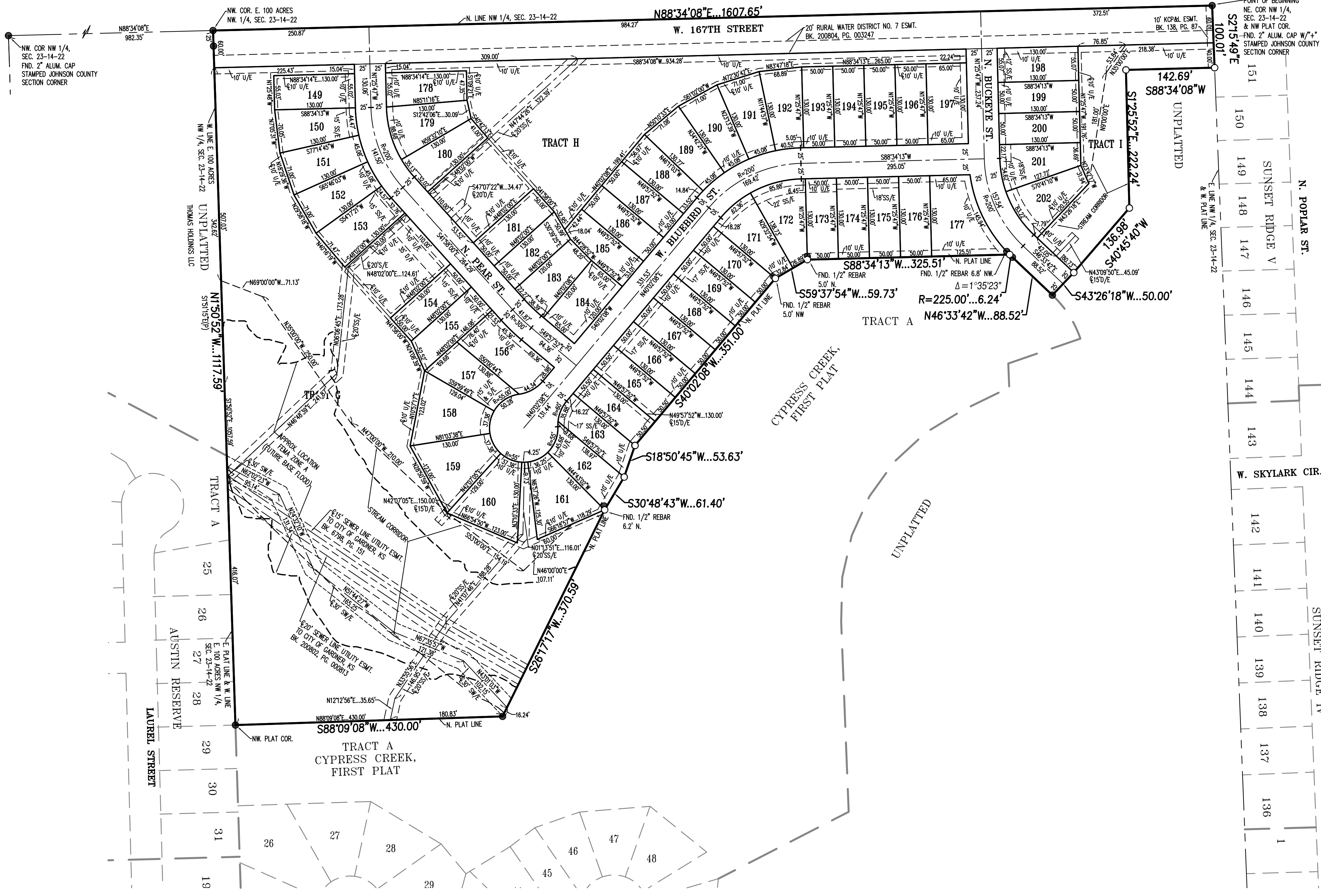
PEI
PLANNING
ENGINEERING
IMPLEMENTATION

PHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166

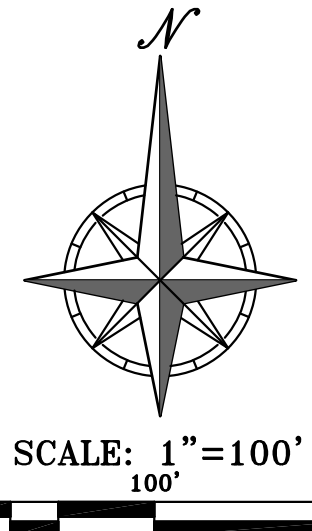
CERTIFICATE OF AUTHORIZATION
LAND SURVEYING - LS-82
ENGINEERING - SE

CERTIFICATE OF AUTHORIZATION
MEASURER
LAND SURVEYING - 200702128
ENGINEERING - 200702629

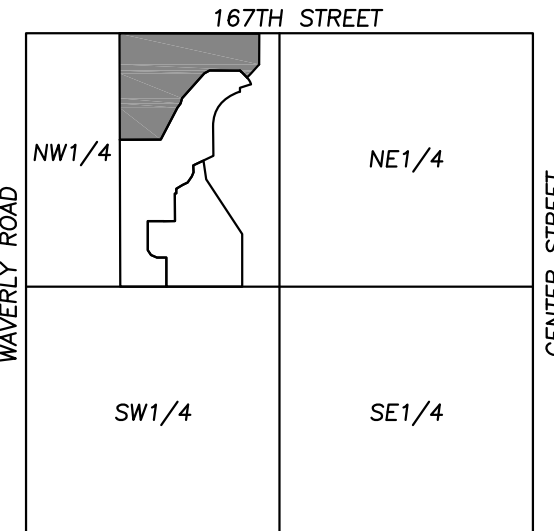
PARCEL	AREA (S.F.)	AREA (AC.)
ROW	102890.65	2.3575
TRACT G	34073.58	7.8231
TRACT I	33715.20	0.7740
PLAT 3	1056358.15	24.2506
TRACT H	89107.14	2.0456
ROW 167TH	96472.29	2.2147
149	7153.23	0.1642
150	7370.34	0.1692
151	7468.35	0.1714
152	7468.35	0.1714
153	8326.54	0.1912
154	6500.00	0.1492
155	6901.88	0.1584
156	9786.74	0.2247
157	7140.42	0.1639
158	9671.90	0.2220
159	9669.73	0.2220
160	9669.73	0.2220
161	9216.09	0.2116
162	7046.98	0.1618
163	6871.78	0.1578
164	6565.00	0.1507
165	6565.00	0.1507
166	6500.00	0.1492
167	6500.00	0.1492
168	6500.00	0.1492
169	6500.00	0.1492
170	6500.00	0.1492
171	7649.70	0.1756
172	8009.11	0.1839
173	6500.00	0.1492
174	6500.00	0.1492
175	6500.00	0.1492
176	6500.00	0.1492
177	11256.06	0.2584
178	6648.29	0.1526
179	7785.90	0.1787
180	7049.31	0.1618
181	6500.00	0.1492
182	6250.00	0.1435
183	6828.95	0.1568
184	7800.00	0.1791
185	6651.95	0.1527
186	6500.00	0.1492
187	6500.00	0.1492
188	6850.28	0.1573
189	7495.69	0.1721
190	7468.35	0.1714
191	7468.35	0.1714
192	7371.10	0.1692
193	6500.00	0.1492
194	6500.00	0.1492
195	6500.00	0.1492
196	6500.00	0.1492
197	8450.00	0.1940
198	7159.01	0.1643
199	6500.00	0.1492
200	6500.00	0.1492
201	7335.26	0.1684
202	7679.77	0.1763



FLOOD NOTE:
A PORTION OF THIS PROPERTY LIES WITHIN ZONE X (FUTURE BASE FLOOD), DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD BASED ON FUTURE CONDITIONS HYDROLOGY. NO BASE FLOOD ELEVATIONS DETERMINED.
THE REMAINDER OF THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091C01046, AND DATED AUGUST 3, 2009.

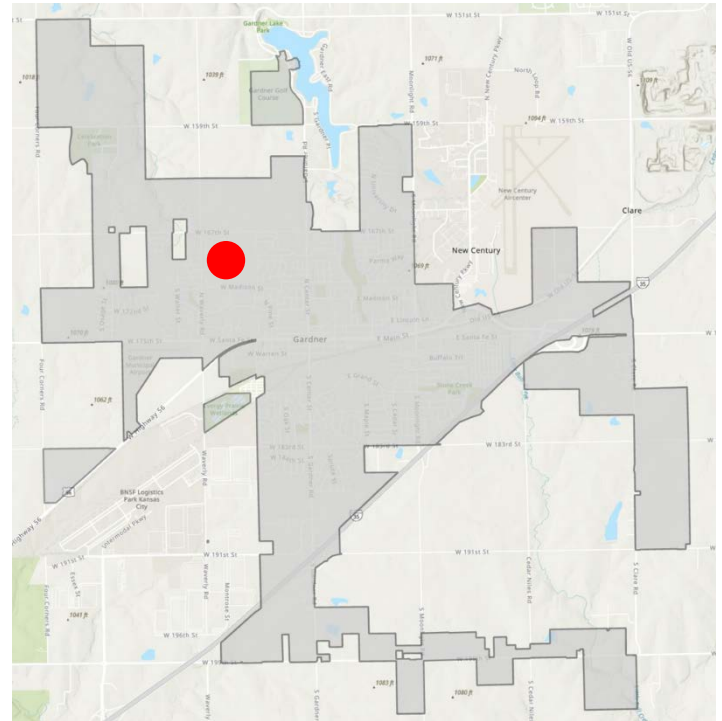


- LEGEND**
- DENOTES SET 1/2"x24" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP
 - DENOTES FOUND 1/2" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP, UNLESS OTHERWISE NOTED ORIGIN UNKNOWN UNLESS DESCRIBED
 - U/E DENOTES UTILITY EASEMENT
 - D/E DENOTES DRAINAGE EASEMENT
 - (P) DENOTES PLATTED
 - SS/E DENOTES SANITARY SEWER EASEMENT
 - SW/E DENOTES SIDEWALK EASEMENT



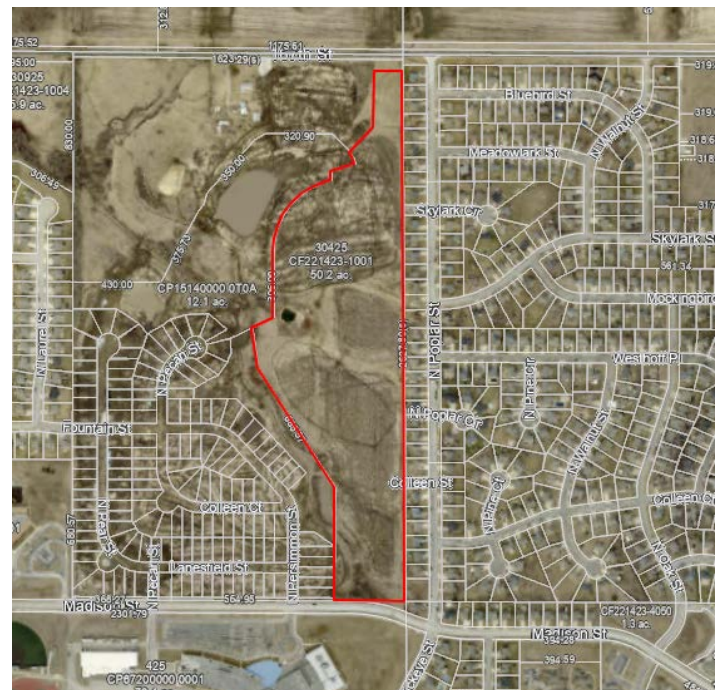
Project Name: Cypress Creek 4th Plat

PROJECT NUMBER	24-302-02
REQUEST	FINAL PLAT
APPLICANT	PHELPS ENGINEERING, INC. TIM TUCKER
OWNER	KANSAS LD LLC
ADDRESS	NA
PARCEL ID	CP221423 1001



Executive Summary

PRESENT ZONING:	RP-2
PRESENT LAND USE:	VACANT
PROPOSED LAND USE:	SINGLE FAMILY DETACHED HOUSES
TOTAL SITE AREA:	26.98 ACRES
PROPOSED # OF LOTS	87
PROP BUILDING TYPES:	SINGLE FAMILY



Staff Recommendation

Staff recommends approval of application 24-302-02, a Final Plat for Cypress Creek 4th Plat with the condition(s) in the recommended motion.

Context:

Background/History

Currently the subject property is vacant agricultural land. The property is portion of a larger 97.65 acre plot of land that is bound on the north by 167th Street and on the south by Madison Street. Properties located directly to the east and west are single family subdivisions. Phases one and two of Cypress Creek have begun development.

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
RP-2 (Planned Two Family) District	Cypress Creek 3 rd Phase
East of Subject Property	
R-1 (Single Family) District	Fountain Gate
South of Subject Property	
RP-2 (Planned Two Family) District	Cypress Creek 2 nd Phase
R-1 (Single Family) District	Gardner Edgerton High School
West of Subject Property	
RP-2 (Planned Two Family) District	Cypress Creek 2 nd and 3 rd Phases

Utilities / Infrastructure

Electric

Existing electric utilities are located either within or adjacent to the site.

Water

Existing water utilities are located either within or adjacent to the site.

Sanitary Sewer

Existing sanitary sewer utilities are located either within or adjacent to the site. Sanitary sewer service will be extended throughout the subdivision by a gravity system.

Roadway Network & Vehicular Access

Internal road networks within the subject property will connect to 167th St to the north, and includes a stub street on the west side to connect to the Cypress Creek 3rd Phase.

Review Criteria

Final Plat (LDC Section 17.03.020 E1.)

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.
- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.
- c. The phasing and timing of public improvements ensures construction and performance guarantees.

- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.
- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Staff Findings

The proposed development is in substantial compliance with the preliminary plat. The conditions of approval from the preliminary development plan have either been met or will be completed in the 4th phase.

Comprehensive Plan

The City of Gardner 2014 Comprehensive Plan identifies this parcel for low-density residential future land use, described as “areas primarily consist of detached single family and duplex housing. These “New Residential Growth Areas” include undeveloped land that provides a “clean slate” for future residential development. The Comprehensive Plan addresses these growth areas as having three major components that help to ensure the community’s goals of providing high quality neighborhoods that satisfy demand for a broad type of housing. These goals are; neighborhood character, connectivity, and open space preservation & conservation design. The design and layout the applicant is proposing is consistent with the goals of the Comprehensive Plan.

Potential Actions

Per Section 17.03.010 (G) of the Gardner Land Development Code, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Recommended Motion

After review of application 24-302-02 a Final Plat for Cypress Creek 4th Plat, and staff report dated May 22, 2024, the Planning Commission approves the application as proposed and recommends the Governing Body accept the dedication of right-of-way and easements, provided the following condition is met:

1. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.

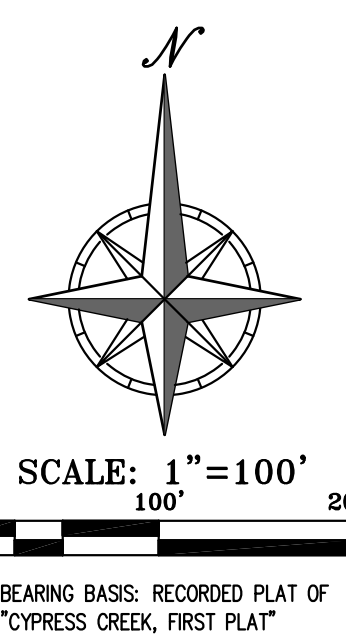
Attachments

1. Final Plat

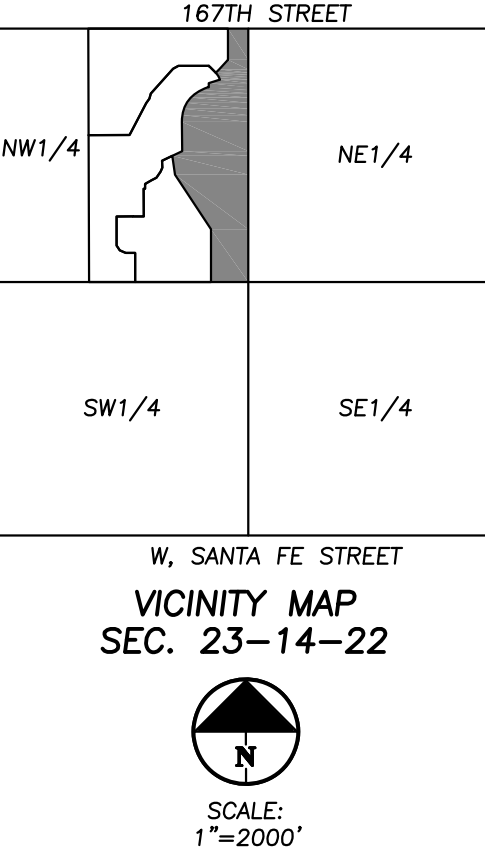
FINAL PLAT OF CYPRESS CREEK, FOURTH PLAT

RESURVEY AND REPLAT OF PART OF TRACT A, CYPRESS CREEK, FIRST PLAT, A PLATTED SUBDIVISION OF LAND AND TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 22 EAST, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS

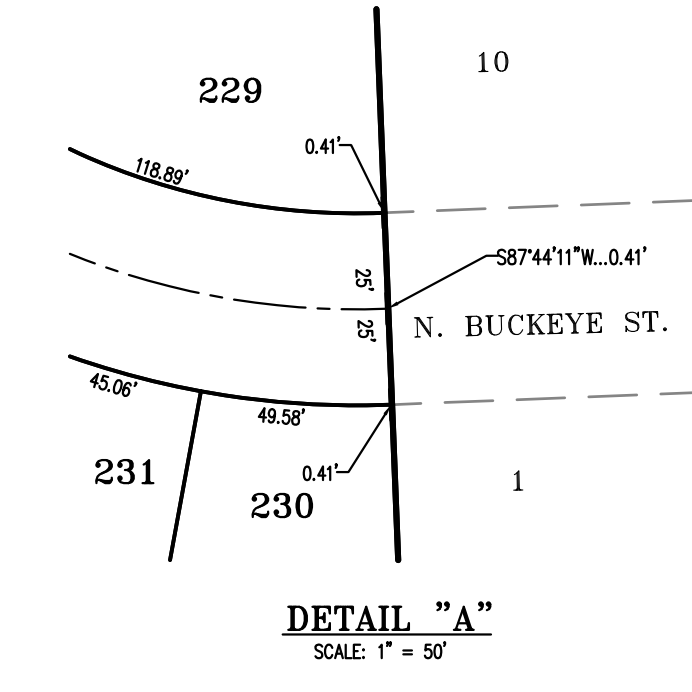
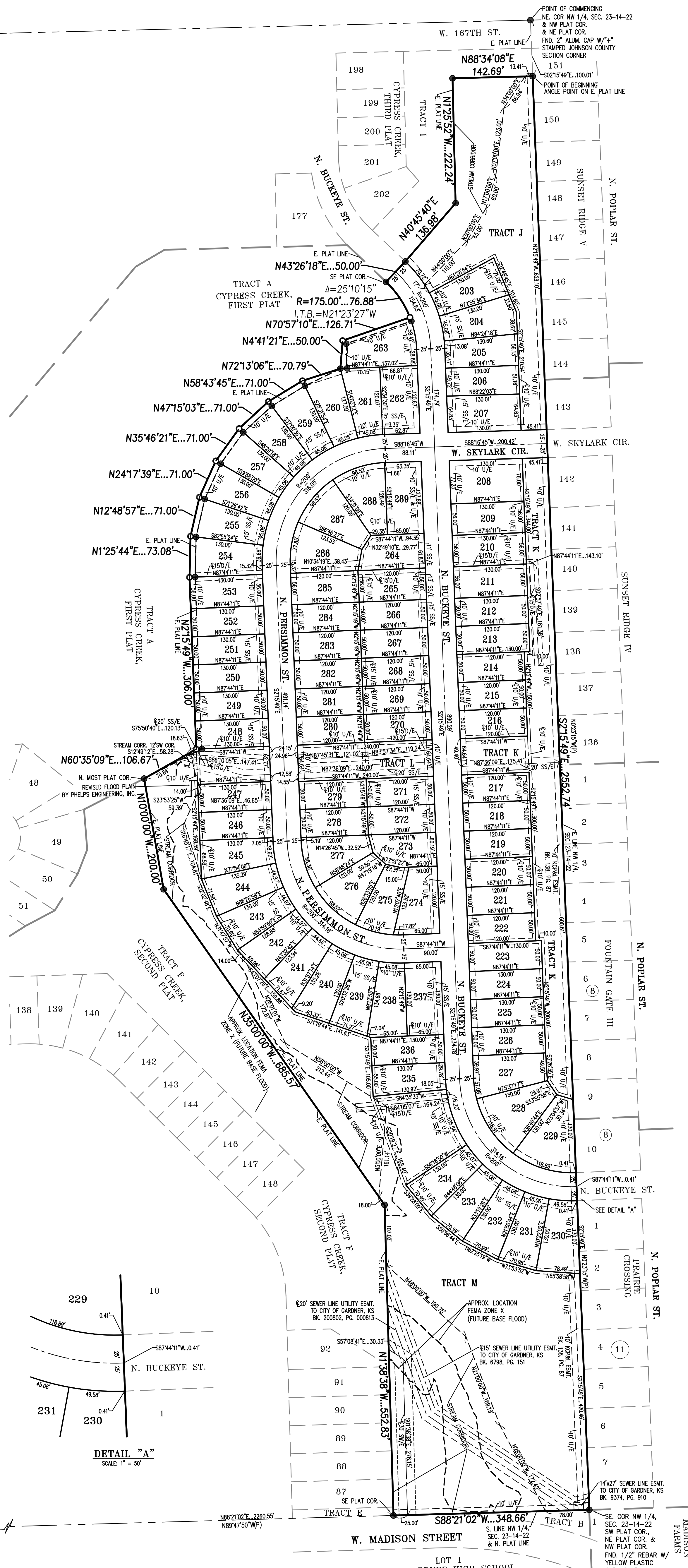
PARCEL	AREA (S.F.)	AREA (AC.)
203	7468.35	0.1714
204	7717.29	0.1772
205	6807.32	0.1563
206	6557.28	0.1505
207	8414.85	0.1932
208	9960.39	0.2287
209	7280.00	0.1671
210	7280.00	0.1671
211	7280.00	0.1671
212	6500.00	0.1492
213	6500.00	0.1492
214	6000.00	0.1377
215	6000.00	0.1377
216	6000.00	0.1377
217	6000.00	0.1377
218	6000.00	0.1377
219	6000.00	0.1377
220	6000.00	0.1377
221	6000.00	0.1377
222	6000.00	0.1377
223	6500.00	0.1492
224	6500.00	0.1492
225	6500.00	0.1492
226	6500.00	0.1492
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228	9767.29	0.2242
229	9819.60	0.2254
230	8248.01	0.1893
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237	8450.00	0.1940
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270	6000.00	0.1377
271	6000.00	0.1377
272	6000.00	0.1377
273	6447.37	0.1480
274	7976.77	0.1831
275	6795.11	0.1560
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283	6000.00	0.1377
284	6000.00	0.1377
285	6720.00	0.1543
286	8106.22	0.1861
287	7864.87	0.1806
288	7937.69	0.1822
289	8332.20	0.1913
PLAT 4	1184542.66	27.1934
ROW	159696.95	3.6661
TRACT J	71399.09	1.6391
TRACT K	64260.63	1.4752
TRACT L	15512.49	0.3561
TRACT M	261361.74	6.0000



LEGEND
 ○ DENOTES SET 1/2"x24" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP
 ● DENOTES FOUND 1/2" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP, UNLESS OTHERWISE NOTED ORIGIN UNKNOWN UNLESS DESCRIBED
 U/E DENOTES UTILITY EASEMENT
 D/E DENOTES DRAINAGE EASEMENT
 (P) DENOTES PLATTED
 S/S/E DENOTES SANITARY SEWER EASEMENT
 S/W/E DENOTES SIDEWALK EASEMENT



FLOOD NOTE:
 A PORTION OF THIS PROPERTY LIES WITHIN ZONE X (FUTURE BASE FLOOD), DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD BASED ON FUTURE CONDITIONS HYDROLOGY. NO BASE FLOOD ELEVATIONS DETERMINED.
 THE REMAINDER OF THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 200910104G, AND DATED AUGUST 3, 2009.



LEGAL DESCRIPTION
 This description was prepared by Phelps Engineering, Inc., KS CLS-82 on March 12, 2024, for Project No. 230719. All that part of Tract A, CYPRESS CREEK, FIRST PLAT, a platted subdivision of land and together with all that part of the Northwest Quarter of Section 23, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of said Section 23, said point also being the Northwest plot corner of SUNSET RIDGE V and the Northeast plot corner of CYPRESS CREEK, THIRD PLAT, both being platted subdivisions of land in the City of Gardner, Johnson County, Kansas; thence S 2°15'49" E, along the East line of the Northwest Quarter of said Section 23 and the West plot line of said SUNSET RIDGE V and the East plot line of said CYPRESS CREEK, THIRD PLAT, a distance of 100.01 feet to the Point of Beginning; thence continuing S 2°15'49" E, along the West plot line of said SUNSET RIDGE V and the West plot line of SUNSET RIDGE IV, FOUNTAIN GATE III, PRAIRIE CROSSING, all platted subdivisions of land in the City of Gardner, Johnson County, Kansas, a distance of 2552.74 feet to the Southeast corner of said Northwest Quarter of said Section 23, said point also being the Southwest plot corner of said PRAIRIE CROSSING, said point also being the Northeast plot corner of NEW GARDNER HIGH SCHOOL, a platted subdivision of land in the City of Gardner, Johnson County, Kansas; thence along the Easterly plot line of said CYPRESS CREEK, SECOND PLAT, for the following three (3) courses: thence N 1°38'38" W, a distance of 552.83 feet; thence N 35°00'00" W, a distance of 685.57 feet; thence N 10°00'00" W, a distance of 200.00 feet to the North most plot corner of said CYPRESS CREEK, SECOND PLAT; said point also being on the Easterly plot line of said CYPRESS CREEK, FIRST PLAT; thence N 60°35'09" E, a distance of 106.67 feet; thence N 2°15'49" W, a distance of 306.00 feet; thence N 1°25'44" E, a distance of 73.08 feet; thence N 12°45'57" E, a distance of 71.00 feet; thence N 24°17'39" E, a distance of 71.00 feet; thence N 35°46'21" E, a distance of 71.00 feet; thence N 47°15'03" E, a distance of 71.00 feet; thence N 58°43'45" E, a distance of 71.00 feet; thence N 72°13'06" E, a distance of 70.79 feet; thence N 4°41'21" E, a distance of 50.00 feet; thence N 70°57'10" E, a distance of 126.71 feet to a point on the Easterly plot line of said CYPRESS CREEK, FIRST PLAT; thence Northwestly along the Easterly plot line of said CYPRESS CREEK, FIRST PLAT and on a curve to the left, said curve having an initial tangent bearing of N 21°23'27" W and a radius of 175.00 feet, an arc distance of 76.88 feet to the Southeast plot corner of said CYPRESS CREEK, THIRD PLAT; thence along the Easterly plot line of said CYPRESS CREEK, THIRD PLAT, for the following four (4) courses: thence N 43°26'18" E, a distance of 50.00 feet; thence N 40°45'40" E, a distance of 136.98 feet; thence N 1°25'52" W, a distance of 222.24 feet; thence N 88°34'08" E, a distance of 142.69 feet to the Point of Beginning, containing 27.1934 acres, more or less, of which 0.2111 acres, more or less of replatted land and 26.9823 acres, more or less of unplatted land.

DEDICATION
 The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "CYPRESS CREEK, FOURTH PLAT".

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby absolve and agree to indemnify the City of Gardner from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, gas, poles, wires, ducts and cable, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the City with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of surface drainage facilities and similar facilities, upon, over and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E", is hereby granted to the City with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through these areas designated as "Sanitary Sewer Easement" or "S/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 City of Gardner, Johnson County, Kansas or their assigns.

A perpetual sidewalk easement upon, over, across under and through the areas outlined and designated on this plat as "Sidewalk Easement" or "S/W/E" is hereby granted to the City of Gardner, Kansas, for the purpose of a public sidewalk and appurtenant work for pedestrian, bicyclist and other non-vehicular purposes, including the right to construct, use, maintain, repair, reconstruct or expand such facility within the easement area. Sidewalk easements shall be kept clear of obstructions that would interfere with the use or maintenance of sidewalks within the easement.

Tracts "J", "K", "L" and "M" are to be used and dedicated as stormwater detention, private open space, common areas and may include landscaping, fencing, subdivision monuments, storm water detention and storm water treatment facilities and amenities and to be owned and maintained by the Homes Association.

All lots shall provide on-site stormwater management facilities in accordance with the Title 14 of the City of Gardner Municipal Code, the Gardner Technical Specifications for Public Improvements Projects and Design Criteria for Public Improvement Projects, and the APWA Manual of Best Management Practices For Stormwater Quality.

The natural stream preservation corridor area is subject to the restrictions and protections provided for in City of Gardner Municipal Code. These restrictions and protections are subject to change by action of the Governing Body.

CONSENT TO LEVY
 The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas and the City of Gardner, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, 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 fronting or abutting on such dedicated public ways or thoroughfares.

EXECUTION
 IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____
 Kansas LD, LLC, a Kansas limited liability company

By: _____
 Stephen Lieux, Managing Member

ACKNOWLEDGEMENT
 STATE OF ARKANSAS)
) SS
 COUNTY OF WASHINGTON)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Stephen Lieux, Managing Member of Kansas LD, LLC, a Kansas limited liability company, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

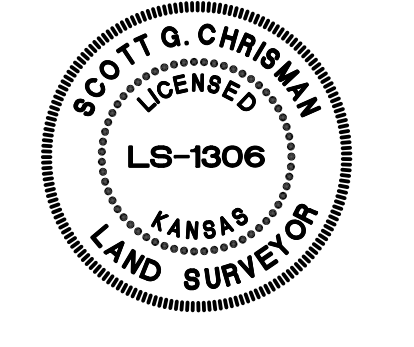
APPROVALS
 APPROVED BY: the Planning Commission of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 20____.

Chairman: _____

APPROVED BY: the Governing Body of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 20____.

Mayor: Todd Winters Attest: _____
 City Clerk: Renee Rich

I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN OCTOBER 2023, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.



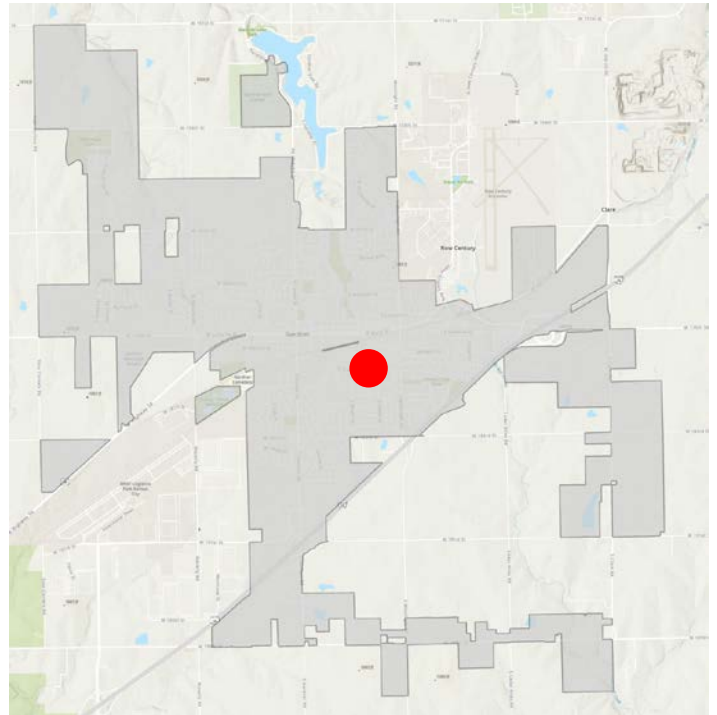
CERTIFICATE OF AUTHORIZATION
 KANSAS
 LAND SURVEYING - LS-82
 ENGINEERING - E-391



PHELPS ENGINEERING, INC.
 1230 N. Winchester
 Olathe, Kansas 66061
 (913) 393-1555
 Fax (913) 393-1166

Project Name: Villas on Grand 1st Plat

PROJECT NUMBER	23-302-05
REQUEST	FINAL PLAN, FINAL PLAT
APPLICANT	PAYNE & BROCKWAY PA
OWNER	GRAND STREET DEVELOPMENT LLC
PARCEL ID	CF221425-1009



Executive Summary

PRESENT ZONING:	RP-2/RP-3/RP-5
PRESENT LAND USE:	VACANT ROW CROPS
TOTAL SITE AREA:	33.06136 ACRES
EXISTING LOT #:	0
PROPOSED LOT #:	36
PROP BUILDING TYPES:	DETACHED HOUSE
PROP STREET TYPES:	LOCAL ST



Staff Recommendation

Staff recommends the Planning Commission recommend approval of application 23-302-05, a Final Development Plan and Final Plat with conditions in the recommended motion.

Context:

Background/History

The property was annexed in early 2023. The rezoning to RP-2, RP-3 and RP-5 and preliminary development plan for this site was recommended approval by the Planning Commission at their March 27, 2023 meeting and then approved by the Governing Body at their July 17, 2023 meeting (Ordinance 2778).

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
ROW (Right of Way)	BNSF Railway
RP-2 (Planned Two-family) District	Vacant
RP-5 (Planned Apartment) District	Vacant
East of Subject Property	
RP-2 (Planned Two-family) District	Two-family residences
R-3 (Garden Apartment) District	Vacant
RP-3 (Planned Garden Apartment) District	Residence at Moonlight
M-2 (General Industry) District	Moonlight Business Park II
South of Subject Property	
R-1 (Single Family) District	Single-family residences, Grand Star Elementary, Trail Ridge Middle School
West of Subject Property	
RP-1 (Single-Family) District	Vacant

Utilities / Infrastructure

All utilities are located on the site.

Roadway Network & Vehicular Access

The site will be accessed with two locations off Grand St, the first across from Trail Ridge Middle School, and the other at the White Drive roundabout.

New Century Air Center

This site is located within 1 mile of the New Century Airport will need to be reviewed and approved by the Johnson County Airport Commission and the Board of County Commissioners.

Review Criteria

Final Plat (LDC Section 17.03.030 E.)

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.

- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.
- c. The phasing and timing of public improvements ensures construction and performance guarantees.
- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.
- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Final Development Plan (LDC Section 17.03.040 C.)

1. In general, any final development plan in compliance with all requirements of this Code shall be approved.
2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
 - a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.
 - b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.
 - c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.
 - d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.
 - e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.
3. The application meets the criteria for all other reviews needed to build the project as proposed.
4. The recommendations of professional staff.
5. The final development plan is in substantial compliance with the approved preliminary development plan.

Staff Findings

The proposed development is in substantial compliance with the preliminary plat and preliminary development plan.

Deviation Requests

1. Section 17.07.020 Building Setbacks (Detached House - Neighborhood); Zoning Districts - Building Type & Development Standards; Building Standards (Minimum Setbacks)

Standard: Rear setback for the Detached House - Neighborhood building type (single-family) is 25'

Proposed: All rear lot setbacks will be 15'

Applicant Response: This deviation is to accommodate a house that might be narrower than what would be designed using the minimum side yard setback yet deeper than what is typically encountered and may contain a covered porch. We don't think limiting it to a handful of lots would be beneficial. The more lots available with the deviation maximizes the developer's ability to market lots with various building footprint opportunities.

Staff Comment: *The requested rear yard setback deviation will allow greater diversity of housing styles on the narrow lots within this development. Staff recommends approval of the deviation.*

2. Section 17.07.050 (C.) Access Width Limits; Neighborhood Yard; Design Standards; Frontage Design; Building Standards

Standard: 15%, 20' max. per access point

Proposed: 20' max. per access point

Applicant Response: A two car driveway is typically 20'. Due to the 55' wide lots, the percentage would be greater than 15%, however 20' max is suitable for this development.

Staff Comment: *In the proposed development, the Local Standard Street Type, is being utilized which pairs with the Neighborhood Frontage Type. This frontage type permits access width limits of 15% for the lot width and 20' maximum. However, the subdivision has been platted out to have 55' wide lots and would only allow for only a 7.5' wide driveway. Staff recommends approval of this deviation.*

3. Section 17.07.050 (C.) Design and Performance Standards; Neighborhood Yard; Design Standards; Frontage Design; Building Standards

Standard: Allocation of space shall be: 5%-20% hardscape

Proposed: Allocation of space shall be 48%

Applicant Response: Due to the narrow lot size, a larger percentage of the frontage will be occupied with the two car driveways and sidewalk necessary to access the homes. This is especially true on the lots that front cul-de-sacs.

Staff Comment: *A 20' wide driveway with a 55' wide lot requires greater hardscape than what is allowed in the Neighborhood Yard frontage. Staff recommends approval of this deviation.*

4. Section 17.07.050 (C.) Design and Performance Standards; Neighborhood Yard; Design Standards; Frontage Design; Building Standards

Standard: All buildings shall have a direct sidewalk connection at least 4' wide between the sidewalk and the front entry feature

Proposed: All buildings shall have a direct sidewalk connection at least 4' wide between the driveway and front entry feature

Applicant Response: This request would allow easy access from the driveway to the front entry of the home, which promotes parking in the driveway instead of the street. Additionally impervious surface would be decreased, which would decrease the amount of runoff from the site, as well as allow more area for landscaping.

Staff Comment: *The intent of this standard is to promote walkability and a pedestrian-oriented framework as experienced from the public realm to the front door of the house. The applicant is proposing a sidewalk from the front of the house to the driveway. Having any walkway helps to maintain that visual connection, and therefore staff supports this deviation.*

5. Section 17.07.05.040 Specific Building Type Standards, Detached House – Neighborhood, Design and Performance Standards (Garage Limits)

Standard: 25% of façade if front-loaded; up to 45% if set back 15'+ from front building line; not limits if side-loaded, rear or detached

Proposed: 47%

Applicant Response: 47% of the front façade allows for a standard 16-foot wide garage door which is needed for a two-car garage. 47% also would allow for a 3-car garage. By code (25%) maximum garage door width of only 13.75 feet would be allowed, therefore only single car garages could be built. The development plan is to provide detached single-family homes with a 2-car garage or possibly 3-car garage. This also helps with keeping cars from parking on the street.

Staff Comment: *Based on similar previously approved deviations of this type, staff recommends approval of a deviation to allow for 47% garage limits for the detached house – neighborhood lots. For those lots that meet the min. lot size, min. width, and all setbacks, (beside the requested rear lot*

setback deviation) of a detached house – suburban lot, then the suburban lot standards of the LDC may be applied. Only certain corner and cul-de-sac lots will be able to meet these requirements, and a house with a three car garage, which is allowed on a suburban lot, is therefore limited to such lots. Staff will review the building elevations during plot plan review, and variations to garage doors, enhanced garage doors, garage doors with windows, and/or increased landscaping may be required to ensure that the increased garage limits do not adversely affect the streetscape.

6. Section 17.09.020 (C.2 Table 9-2) Internal Sidewalk Widths; Block and Lot Access; Access & Parking Standards

Standard: 8' along any parking with vehicle overhangs

Proposed: 6'

Applicant Response: We are requesting a deviation to the sidewalk width, from 8ft to 6ft, adjoining the parking spaced/private drives like what has recently been granted with other projects in the city.

Staff Comment: *In this phase, this reduced size should only be needed along the parking for the amenity area. Staff does not have an issue with the reduction of size as long as these sidewalks conform to current ADA standards. The Staff recommends approval of the deviation.*

7. Section 17.09.020 (C.2 Table 9-2) Internal Sidewalk Widths; Block and Lot Access; Access & Parking Standards

Standard: 8' for a primary route between the street or parking area and the building entrance

Proposed: 6'

Applicant Response: We are requesting a deviation from the 8ft sidewalk width to a 6ft minimum sidewalk width between the street or parking area to the building entrance.

Staff Comment: *In this phase, this reduced size should also only be needed along the parking for the amenity area. Staff recommends approval of the deviation.*

8. Section 17.09.040 Parking Lot Design; Parking Lot Design; Access & Parking Standards

Standard: Residential parking setbacks shall be 25', except parking permitted in driveways of detached houses, duplexes, or row houses shall not count as a parking lot

Proposed: Parking/Amenities setback of 15' for the pool tract, located at the intersection of 178th Street and White Drive

Applicant Response: The reduction keeps it consistent with the common and open space tract setbacks. The deviation further allows for more space to accommodate the proposed community amenities.

Staff Comment: *Due to the residential zoning district, the parking lot for the amenity area would have a 25' setback. With the detached house – neighborhood lots and the pinwheel 4-plexes across the street having reduced setbacks, having this large of a setback is unnecessary. Staff recommends approval of the deviation.*

9. Section 17.07.020 Building Setbacks (Garden Apartment building type); Zoning Districts - Building Type & Development Standards; Building Standards

Standard: Front yard setback for the Garden Apartment building type (the 4-plex pinwheel quads/duplex) is 25' - 50', side yard setback is 7' minimum, and rear yard setback is 25' minimum

Proposed: All exterior lot setbacks of 3' for the Garden Apartment building type in the RP-3 zoning district

Applicant Response: This deviation allows for the increase of the common open space, limiting direct property ownership lending to a look and feel of a maintenance provided community. Most of the buildings within their property envelope are 20' or more from the public street rights-of-way. The improvements to each building outside of the property envelope will be allocated to each individual unit within the building by a limited common element. The limited common elements are defined more on the plan, including a detail of the anticipated limited common elements.

Staff Comment: *The applicant has proposed 3' exterior setbacks for the Garden Apartment building type in the RP-3 zoning district, reducing the building envelope to just around the building. This request is to maximize the amount of open space for the development, limit property ownership, and offer the look and feel of a maintenance free community. Staff is supportive of this deviation request, because this option could be beneficial to empty-nesters or older individuals who would like to continue home ownership without yard maintenance. This proposed option addresses one of the goals of the Comprehensive Plan, which is to provide several housing options catering to different age levels and needs in an integrative community.*

10. Section 17.07.020 Building Coverage (Garden Apartment building type); Zoning Districts - Building Type & Development Standards; Building Standards (Building Coverage)

Standard: Building Coverage for the Garden Apartment building type (the 4-plex pinwheel quads/duplex) 40%

Proposed: 76%

Applicant Response: This deviation is needed for the same reasons as the reduced setbacks deviation.

Staff Comment: *Staff is supportive of this deviation request.*

Potential Actions

Per Section 17.03.010 (G) of the Gardner Land Development Code, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Recommended Motion

After review of application 23-302-05, a Final Development Plan and associated Final Plat for Villas on Grand, and staff report dated May 22, 2024, the Planning Commission approves the Final Development Plan application as proposed and recommends the Governing Body accept the dedication of right-of-way and easements, provided the following conditions are met:

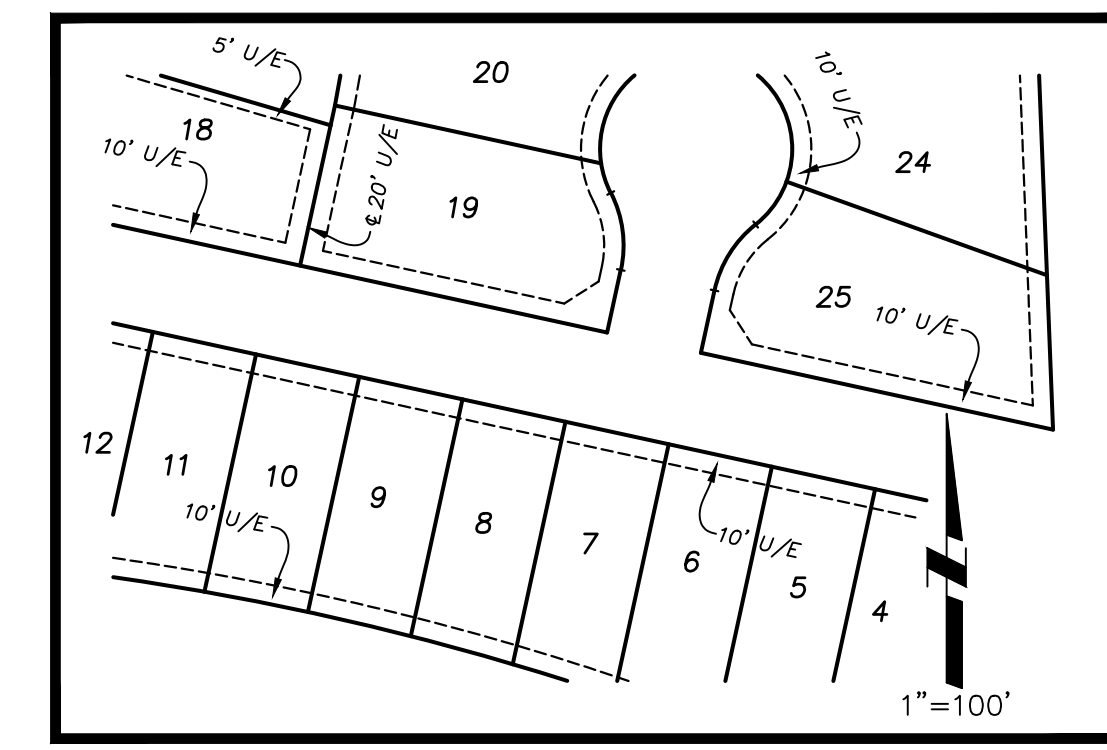
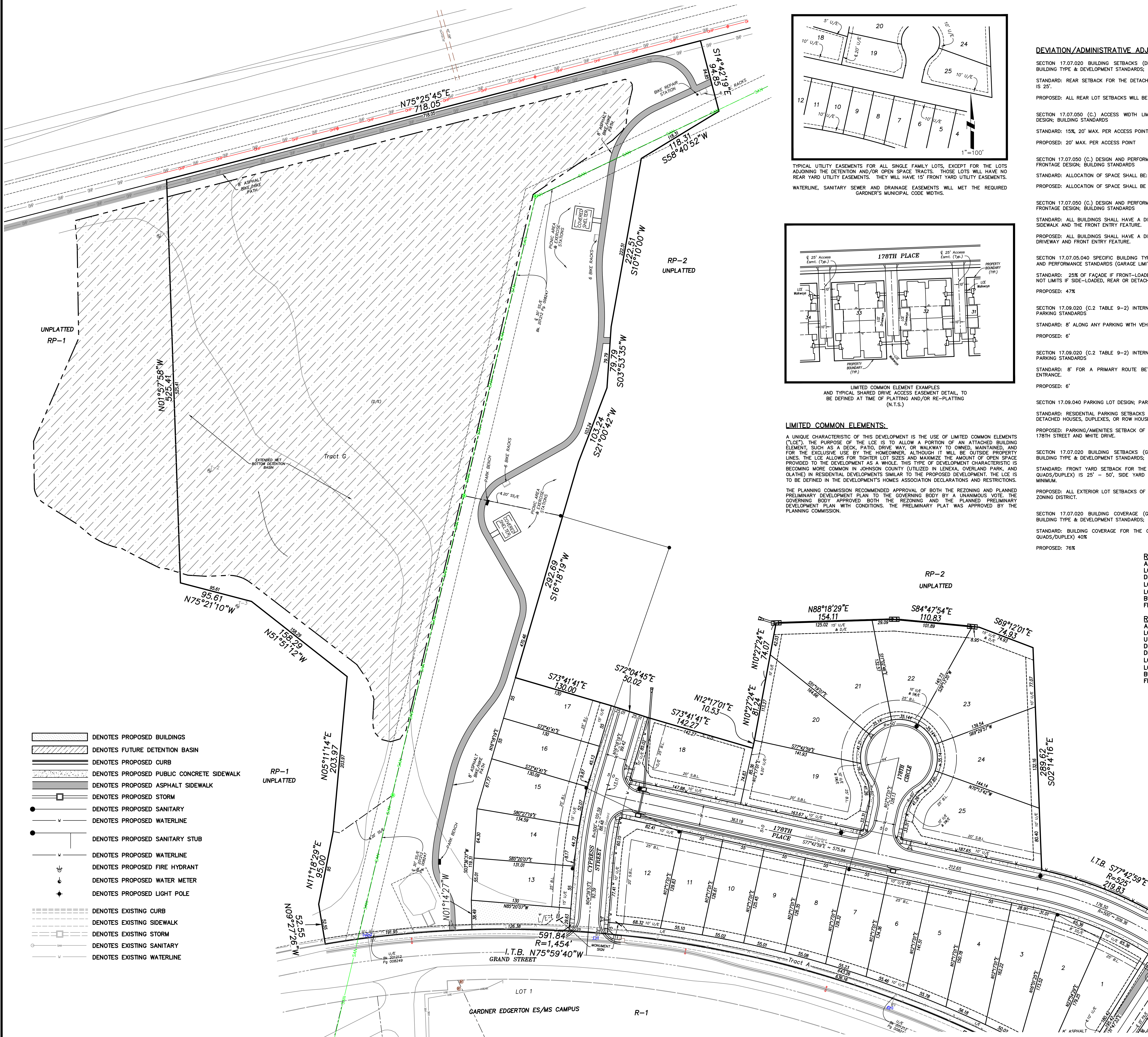
1. Approval of all deviations as proposed by staff in staff report;
2. Provide elevations of the amenity building, subject to staff review and approval;
3. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording;
4. Prior to recording the final plat, excise tax shall be paid to the City; and
5. The applications shall be reviewed and approved by the Johnson County Airport Commission and the Board of County Commissioners prior to the release of the plat for recording.

Attachments

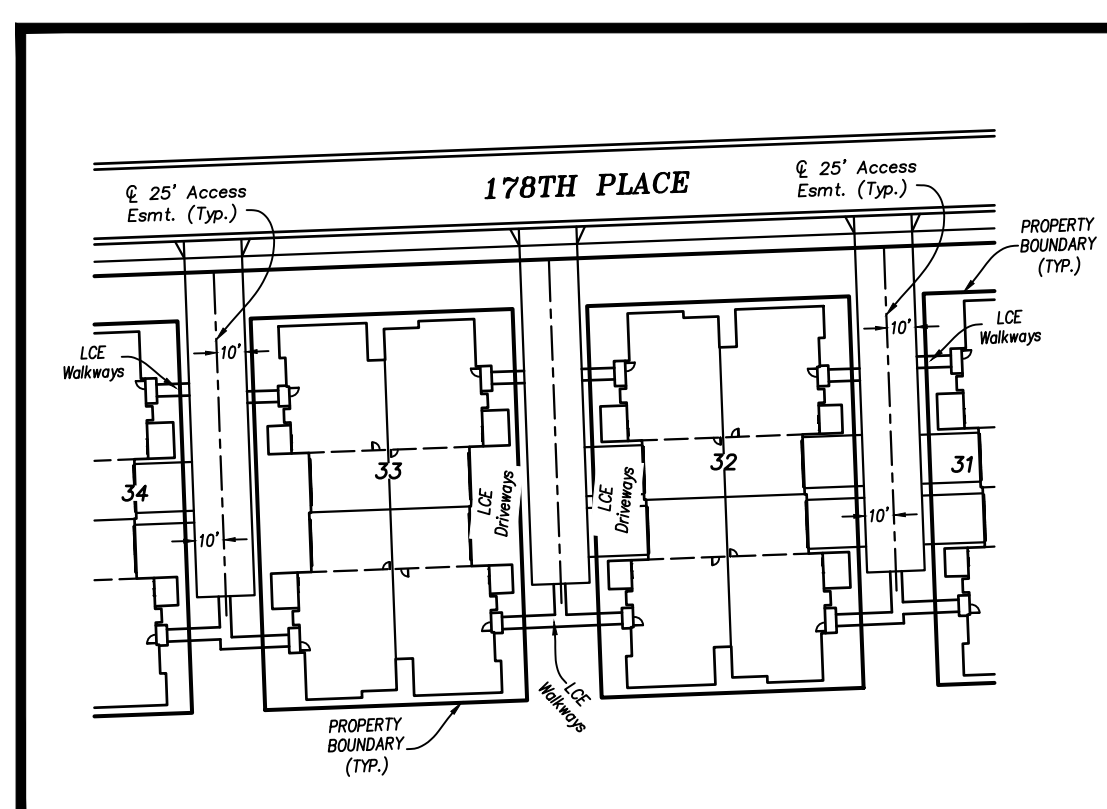
1. Final Development Plan
2. Final Plat

VILLAS ON GRAND, 1ST PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/08/23	CITY COMMENTS	CTA
2	12/21/23	CITY COMMENTS	CTA



TYPICAL UTILITY EASEMENTS FOR ALL SINGLE FAMILY LOTS, EXCEPT FOR THE LOTS ADJOINING THE DETENTION AND/OR OPEN SPACE TRACTS. THOSE LOTS WILL HAVE NO REAR YARD UTILITY EASEMENTS. THEY WILL HAVE 15' FRONT YARD UTILITY EASEMENTS. WATERLINE, SANITARY SEWER AND DRAINAGE EASEMENTS WILL MET THE REQUIRED GARDNER'S MUNICIPAL CODE WIDTHS.



LIMITED COMMON ELEMENTS AND TYPICAL SHARED DRIVE ACCESS EASEMENT DETAIL, TO BE DEFINED AT TIME OF PLATTING AND/OR RE-PLATTING (N.T.S.)

LIMITED COMMON ELEMENTS:

A UNIQUE CHARACTERISTIC OF THIS DEVELOPMENT IS THE USE OF LIMITED COMMON ELEMENTS ("LCE"). THE PURPOSE OF THE LCE IS TO ALLOW A PORTION OF AN ATTACHED BUILDING ELEMENT, SUCH AS A DECK, PATIO, DRIVE WAY, OR WALKWAY TO OWNED, MAINTAINED, AND FOR THE EXCLUSIVE USE BY THE HOMEOWNER, ALTHOUGH IT WILL BE OUTSIDE PROPERTY LINES. THE LCE ALLOWS FOR TIGHTER LOT SIZES AND MAXIMIZE THE AMOUNT OF OPEN SPACE PROVIDED TO THE DEVELOPMENT AS A WHOLE. THIS TYPE OF DEVELOPMENT CHARACTERISTIC IS BECOMING MORE COMMON IN JOHNSON COUNTY (UTILIZED IN LENEXA, OVERLAND PARK, AND OLATHE) IN RESIDENTIAL DEVELOPMENTS SIMILAR TO THE PROPOSED DEVELOPMENT. THE LCE IS TO BE DEFINED IN THE DEVELOPMENT'S HOMES ASSOCIATION DECLARATIONS AND RESTRICTIONS. THE PLANNING COMMISSION RECOMMENDED APPROVAL OF BOTH THE REZONING AND PLANNED PRELIMINARY DEVELOPMENT PLAN TO THE GOVERNING BODY BY A UNANIMOUS VOTE. THE GOVERNING BODY APPROVED BOTH THE REZONING AND THE PLANNED PRELIMINARY DEVELOPMENT PLAN WITH CONDITIONS. THE PRELIMINARY PLAN WAS APPROVED BY THE PLANNING COMMISSION.

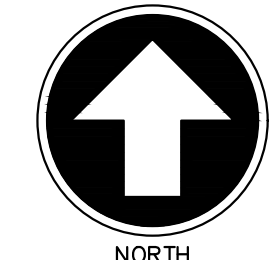
DEVIATION/ADMINISTRATIVE ADJUSTMENT:

- SECTION 17.07.020 BUILDING SETBACKS (DETACHED HOUSE - NEIGHBORHOOD); ZONING DISTRICTS - BUILDING TYPE & DEVELOPMENT STANDARDS; BUILDING STANDARDS (MINIMUM SETBACKS)
STANDARD: REAR SETBACK FOR THE DETACHED HOUSE - NEIGHBORHOOD BUILDING TYPE (SINGLE-FAMILY) IS 25'.
PROPOSED: ALL REAR LOT SETBACKS WILL BE 15'
- SECTION 17.07.050 (C.) ACCESS WIDTH LIMITS; NEIGHBORHOOD YARD; DESIGN STANDARDS; FRONTAGE DESIGN; BUILDING STANDARDS
STANDARD: ALLOCATION OF SPACE SHALL BE: 5%-20% HARDSCAPE
PROPOSED: ALLOCATION OF SPACE SHALL BE 62%
- SECTION 17.07.050 (C.) DESIGN AND PERFORMANCE STANDARDS; NEIGHBORHOOD YARD; DESIGN STANDARDS; FRONTAGE DESIGN; BUILDING STANDARDS
STANDARD: ALL BUILDINGS SHALL HAVE A DIRECT SIDEWALK CONNECTION AT LEAST 4' WIDE BETWEEN THE SIDEWALK AND THE FRONT ENTRY FEATURE.
PROPOSED: ALL BUILDINGS SHALL HAVE A DIRECT SIDEWALK CONNECTION AT LEAST 4' WIDE BETWEEN THE DRIVEWAY AND FRONT ENTRY FEATURE.
- SECTION 17.07.050.040 SPECIFIC BUILDING TYPE STANDARDS, DETACHED HOUSE - NEIGHBORHOOD, DESIGN AND PERFORMANCE STANDARDS (GARAGE LIMITS)
STANDARD: 25% OF FAÇADE IF FRONT-LOADED; UP TO 45% IF SET BACK 15'+ FROM FRONT BUILDING LINE; NOT LIMITS IF SIDE-LOADED, REAR OR DETACHED.
PROPOSED: 47%
- SECTION 17.09.020 (C.2 TABLE 9-2) INTERNAL SIDEWALK WIDTHS; BLOCK AND LOT ACCESS; ACCESS & PARKING STANDARDS
STANDARD: 8' ALONG ANY PARKING WITH VEHICLE OVERHANGS.
PROPOSED: 6'
- SECTION 17.09.020 (C.2 TABLE 9-2) INTERNAL SIDEWALK WIDTHS; BLOCK AND LOT ACCESS; ACCESS & PARKING STANDARDS
STANDARD: 8' FOR A PRIMARY ROUTE BETWEEN THE STREET OR PARKING AREA AND THE BUILDING ENTRANCE.
PROPOSED: 6'
- SECTION 17.09.040 PARKING LOT DESIGN; PARKING LOT DESIGN; ACCESS & PARKING STANDARDS
STANDARD: RESIDENTIAL PARKING SETBACKS SHALL BE 25', EXCEPT PARKING PERMITTED IN DRIVEWAYS OF DETACHED HOUSES, DUPLEXES, OR ROW HOUSES SHALL NOT COUNT AS A PARKING LOT.
PROPOSED: PARKING/AMENITIES SETBACK OF 15' FOR THE POOL TRACT, LOCATED AT THE INTERSECTION OF 178TH STREET AND WHITE DRIVE.
- SECTION 17.07.020 BUILDING SETBACKS (GARDEN APARTMENT BUILDING TYPE); ZONING DISTRICTS - BUILDING TYPE & DEVELOPMENT STANDARDS; BUILDING STANDARDS
STANDARD: FRONT YARD SETBACK FOR THE GARDEN APARTMENT BUILDING TYPE (THE 4-PLEX PINWHEEL QUADS/DUPLEX) IS 25' - 50', SIDE YARD SETBACK IS 7' MINIMUM, AND REAR YARD SETBACK IS 25' MINIMUM.
PROPOSED: ALL EXTERIOR LOT SETBACKS OF 3' FOR THE GARDEN APARTMENT BUILDING TYPE IN THE RP-3 ZONING DISTRICT.
- SECTION 17.07.020 BUILDING COVERAGE (GARDEN APARTMENT BUILDING TYPE); ZONING DISTRICTS - BUILDING TYPE & DEVELOPMENT STANDARDS; BUILDING STANDARDS (BUILDING COVERAGE)
STANDARD: BUILDING COVERAGE FOR THE GARDEN APARTMENT BUILDING TYPE (THE 4-PLEX PINWHEEL QUADS/DUPLEX) 40%
PROPOSED: 76%

RP-2
AREA: 16.91 ACRES
LOTS: 25
DENSITY LOTS: 1,148 LOTS PER ACRE
LOT SIZES (AVG.): 55'x130'
LOT AREAS (AVG.): 8,723.9 SQ.FT.
BUILDING TYPE: DETACHED HOUSE-NEIGHBORHOOD
FRONTAGE TYPE: NEIGHBORHOOD YARD

RP-3 MULTI-FAMILY
AREA: 6.88 ACRES
LOTS: 10
UNITS: 38
DENSITY LOTS: 1.45 LOTS PER ACRE
DENSITY UNITS: 5.52 UNITS PER ACRE
LOT SIZES (AVG.): 91'x136'
LOT AREAS (AVG.): 11,780.0 SQ.FT.
BUILDING TYPE: GARDEN APARTMENT
FRONTAGE TYPE: TERRACE

- [Symbol] DENOTES PROPOSED BUILDINGS
- [Symbol] DENOTES FUTURE DETENTION BASIN
- [Symbol] DENOTES PROPOSED CURB
- [Symbol] DENOTES PROPOSED PUBLIC CONCRETE SIDEWALK
- [Symbol] DENOTES PROPOSED ASPHALT SIDEWALK
- [Symbol] DENOTES PROPOSED STORM
- [Symbol] DENOTES PROPOSED SANITARY
- [Symbol] DENOTES PROPOSED WATERLINE
- [Symbol] DENOTES PROPOSED SANITARY STUB
- [Symbol] DENOTES PROPOSED WATERLINE
- [Symbol] DENOTES PROPOSED FIRE HYDRANT
- [Symbol] DENOTES PROPOSED WATER METER
- [Symbol] DENOTES PROPOSED LIGHT POLE
- [Symbol] DENOTES EXISTING CURB
- [Symbol] DENOTES EXISTING SIDEWALK
- [Symbol] DENOTES EXISTING STORM
- [Symbol] DENOTES EXISTING SANITARY
- [Symbol] DENOTES EXISTING WATERLINE



NORTH
1" = 50'

- R/W DENOTES RIGHT-OF-WAY
- ST DENOTES SIGN POST
- FH DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- WM DENOTES WATER METER
- PP DENOTES POWER POLE
- LP DENOTES LIGHT POLE
- AC DENOTES AIR CONDITIONING UNIT ON CONCRETE PAD
- FF DENOTES FINISHED FLOOR ELEVATION
- RD DENOTES ROOF DRAIN
- FO DENOTES FIBER OPTICS
- LA DENOTES LANDSCAPE AREA
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- MH DENOTES MANHOLE
- HP DENOTES HANDICAP PARKING SPACE
- W DENOTES WATER LINE
- SW DENOTES SANITARY SEWER LINE
- UG DENOTES UNDERGROUND POWER LINE
- OW DENOTES OVERHEAD POWER LINE
- UT DENOTES UNDERGROUND TELEPHONE LINE
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- BL DENOTES EXISTING BUILDING LINE
- OH DENOTES OVERHANG

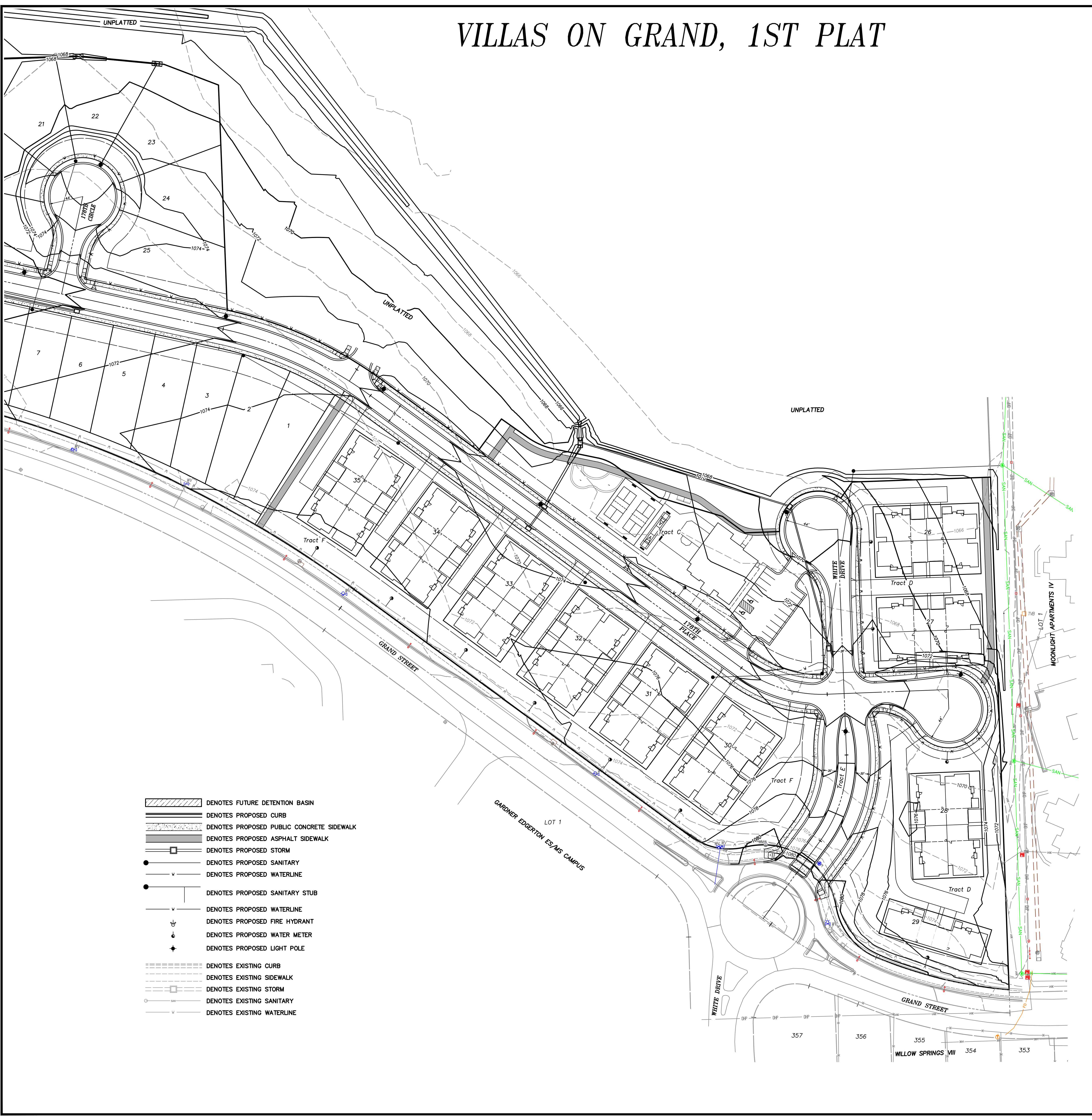
PLANNED FINAL DEVELOPMENT PLAN

VILLAS ON GRAND, 1ST PLAT
PT. N 1/2, SEC. 25, T14S, R22E

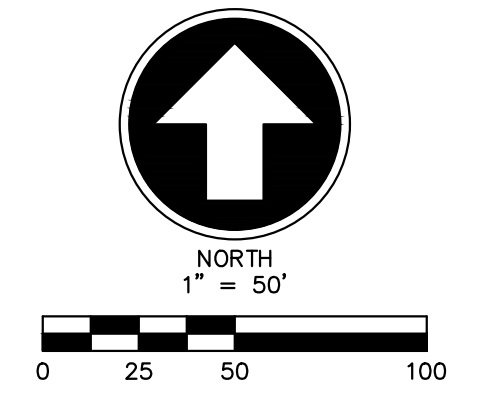
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Civil Engineers & Land Surveyors
426 South Kansas Ave. Olathe, Kansas 66061
Ph: 913.782.4800 Fax: 913.782.0907
www.Payne-Brockway.com

VILLAS ON GRAND, 1ST PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/08/23	CITY COMMENTS	CTA
2	12/21/23	CITY COMMENTS	CTA



- DENOTES FUTURE DETENTION BASIN
- DENOTES PROPOSED CURB
- DENOTES PROPOSED PUBLIC CONCRETE SIDEWALK
- DENOTES PROPOSED ASPHALT SIDEWALK
- DENOTES PROPOSED STORM
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PLANNED FINAL DEVELOPMENT PLAN
GRADING PLAN

VILLAS ON GRAND, 1ST PLAT
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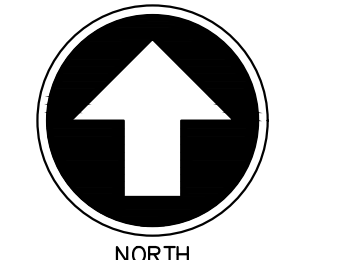
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1" = 50'

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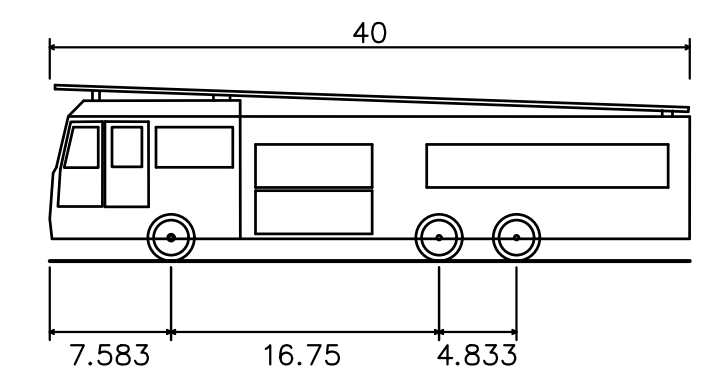
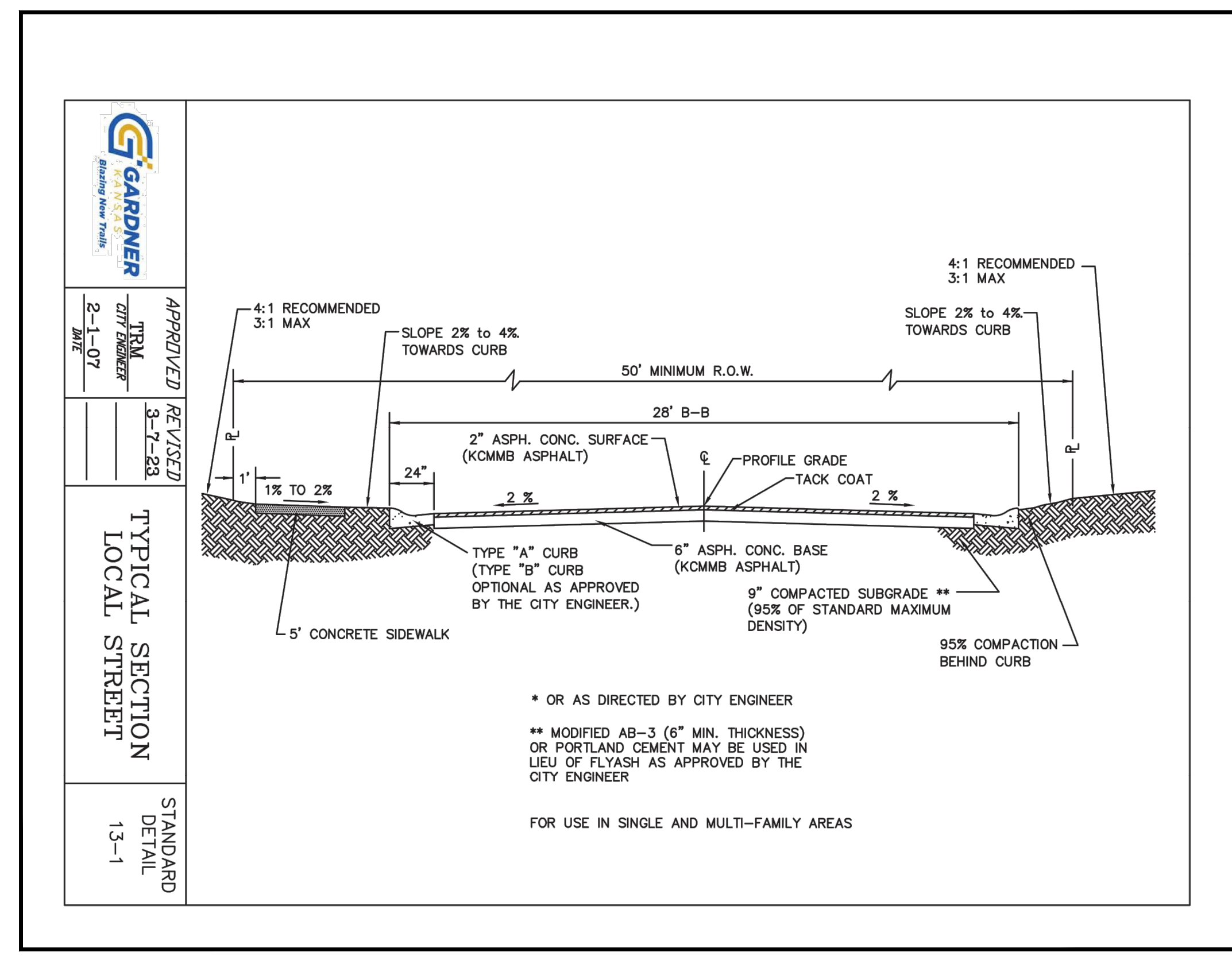
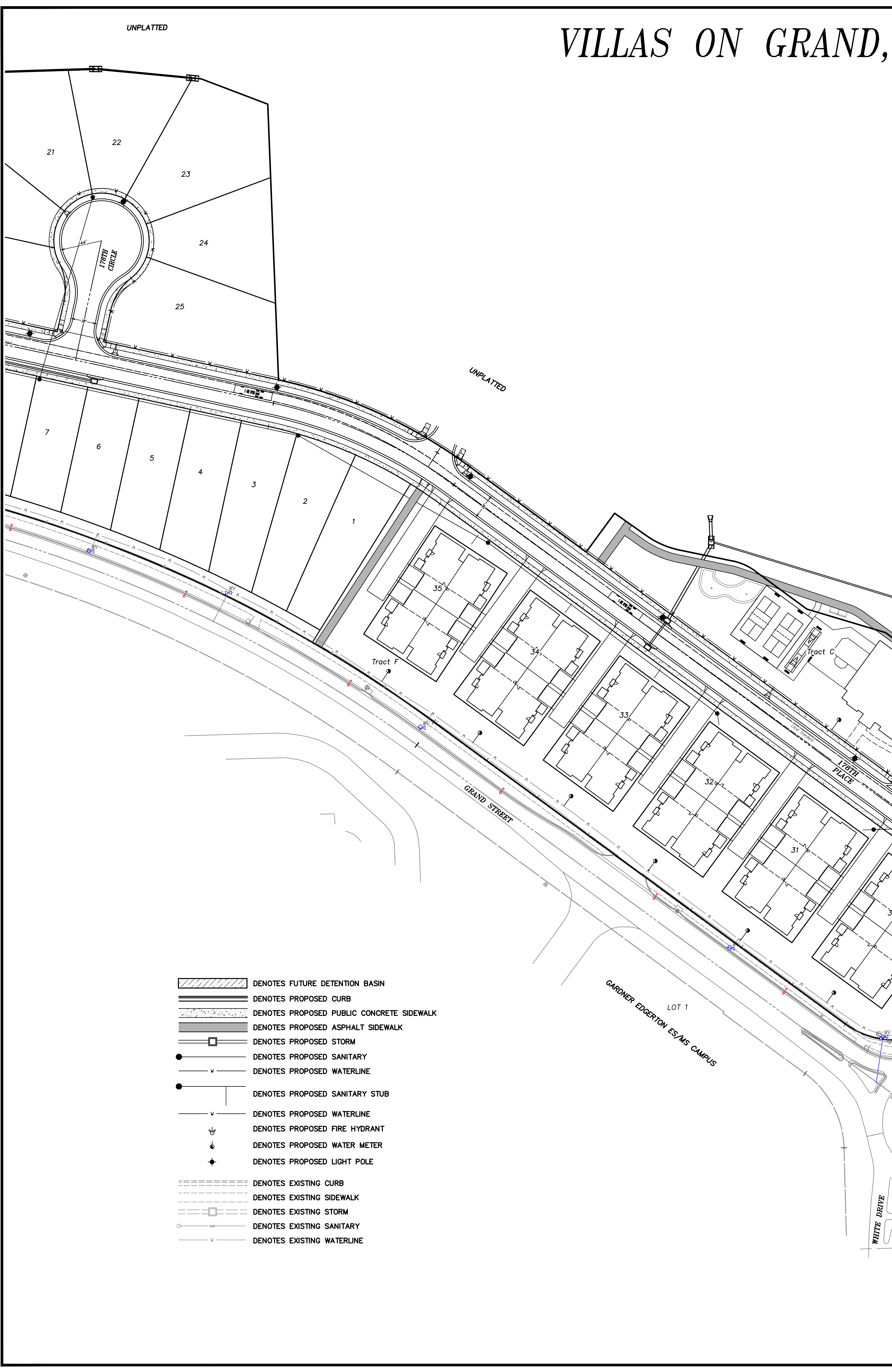
PLANNED FINAL DEVELOPMENT PLAN GRADING PLAN

VILLAS ON GRAND, 1ST PLAT
PT. N 1/2, SEC. 25, T14S, R22E

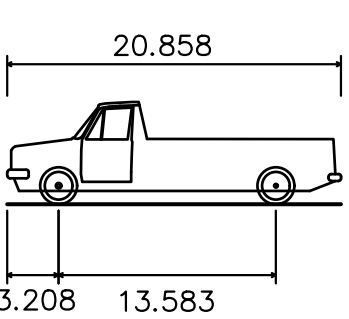
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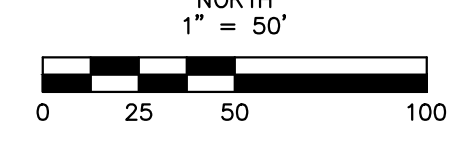
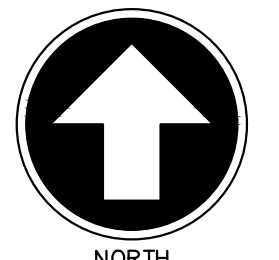
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E-ONE HP100 Aerial
 Overall Length 40.000ft
 Overall Width 8.333ft
 Overall Body Height 11.000ft
 Min Body Ground Clearance 1.393ft
 Track Width 8.333ft
 Lock-to-lock time 6.00s
 Max Wheel Angle 45.00°



F-150 SuperCab 4x4 STYLESIDE 8' Box
 Overall Length 20.858ft
 Overall Width 6.575ft



- R/W DENOTES RIGHT-OF-WAY
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- FH DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
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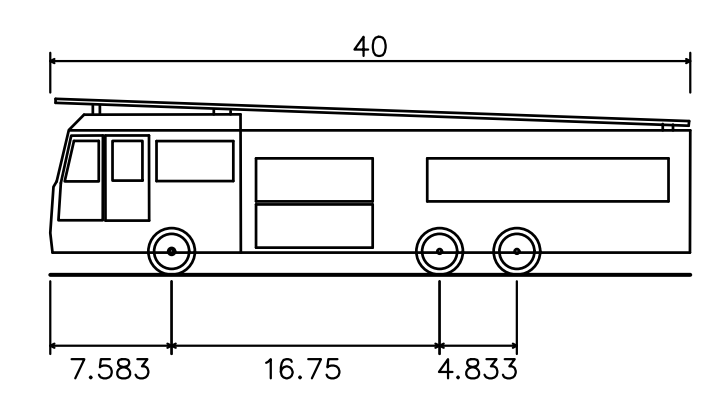
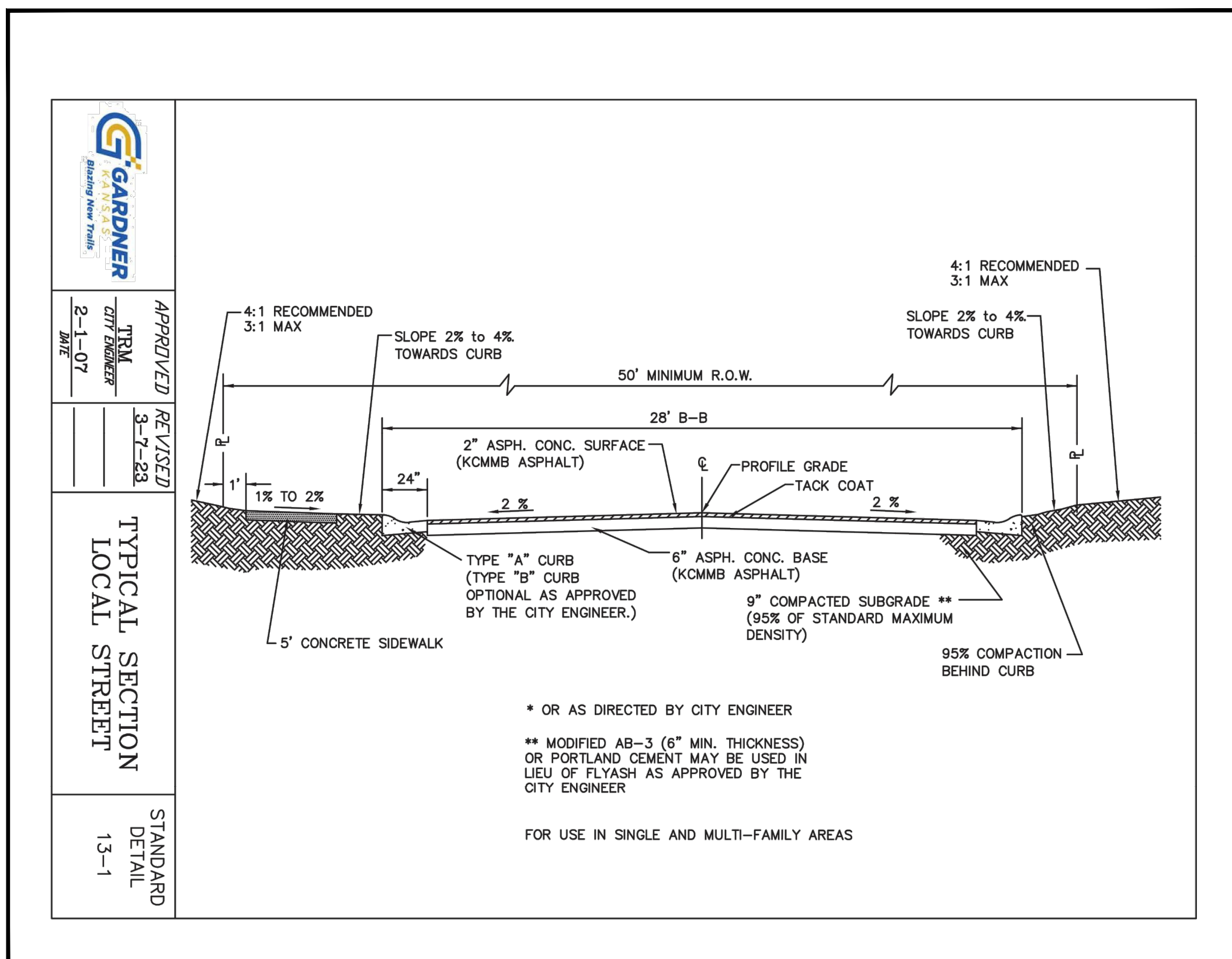
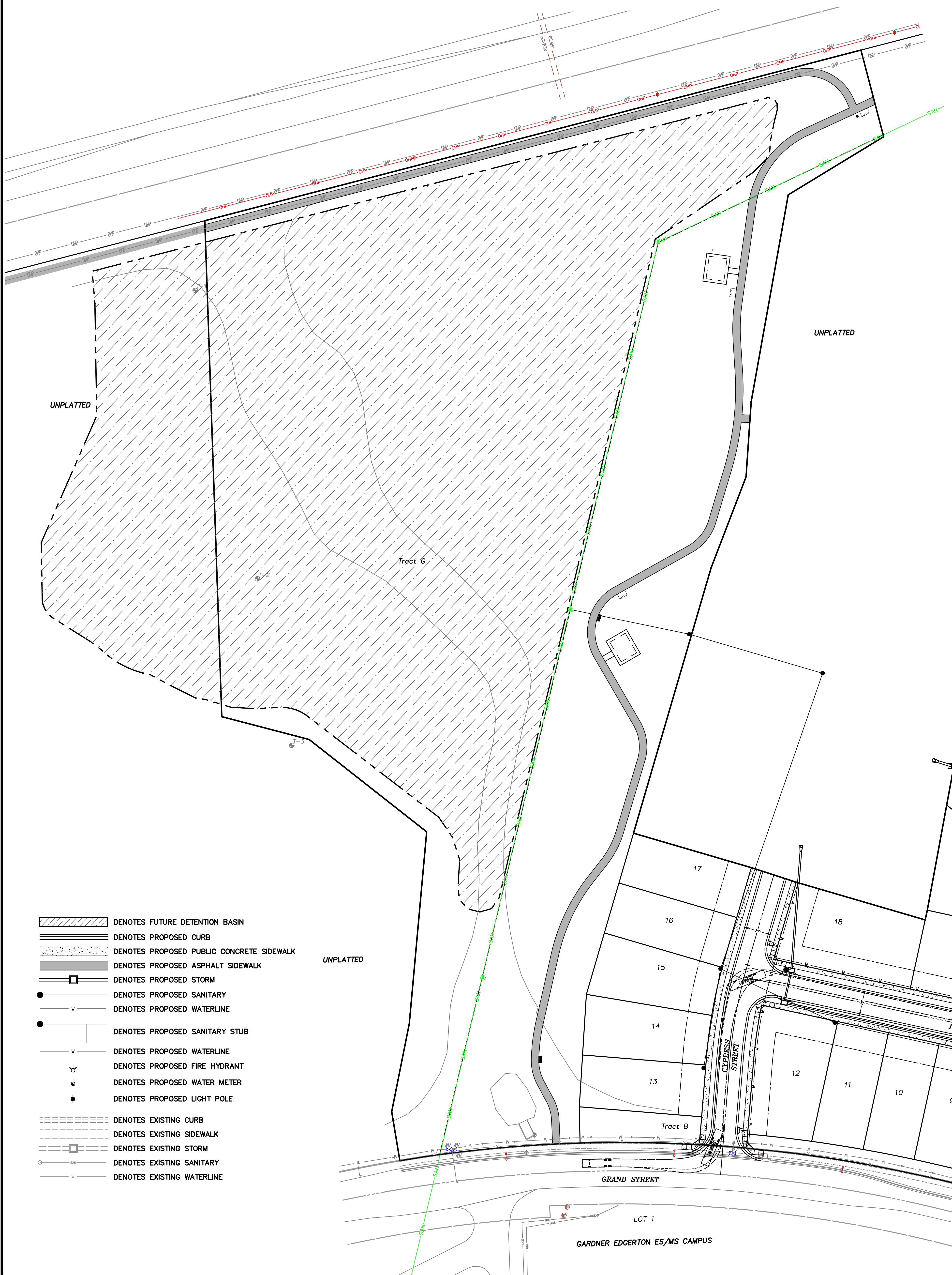
**PLANNED FINAL DEVELOPMENT PLAN
 VEHICULAR TRACKING PLAN**

VILLAS ON GRAND, 1ST PLAT
 PT. N 1/2, SEC. 25, T14S, R22E

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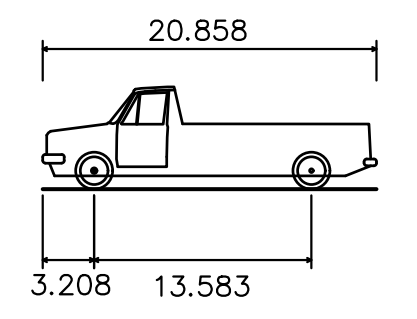
VILLAS ON GRAND, 1ST PLAT

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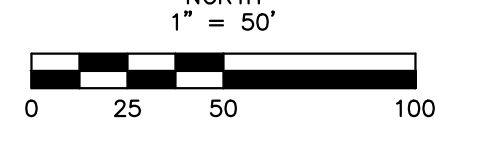
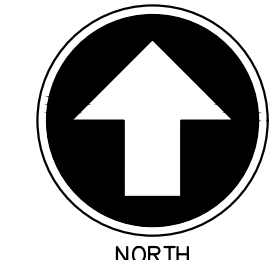


E-ONE HP100 Aerial
 Overall Length 40.000ft
 Overall Width 8.333ft
 Overall Body Height 11.000ft
 Min Body Ground Clearance 1.393ft
 Track Width 8.333ft
 Lock-to-lock time 6.00s
 Max Wheel Angle 45.00°

N.T.S.



F-150 SuperCab 4x4 STYLESIDE 8' Box
 Overall Length 20.858ft
 Overall Width 6.575ft



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- LA DENOTES LANDSCAPE AREA
- SCV DENOTES SPRINKLER CONTROL VALVE
- MH DENOTES MANHOLE
- HP DENOTES HANDICAP PARKING SPACE
- W DENOTES WATER LINE
- SAN DENOTES SANITARY SEWER LINE
- USE DENOTES UNDERGROUND POWER LINE
- UPW DENOTES OVERHEAD POWER LINE
- TEL DENOTES UNDERGROUND TELEPHONE LINE
- G DENOTES UNDERGROUND GAS LINE
- TCL DENOTES UNDERGROUND STREET LIGHT LINE
- DENOTES EXISTING CONTOURS
- - - DENOTES EXISTING BUILDING LINE
- DENOTES OVERHANG

- DENOTES FUTURE DETENTION BASIN
- DENOTES PROPOSED CURB
- DENOTES PROPOSED PUBLIC CONCRETE SIDEWALK
- DENOTES PROPOSED ASPHALT SIDEWALK
- DENOTES PROPOSED STORM
- DENOTES PROPOSED SANITARY
- DENOTES PROPOSED WATERLINE
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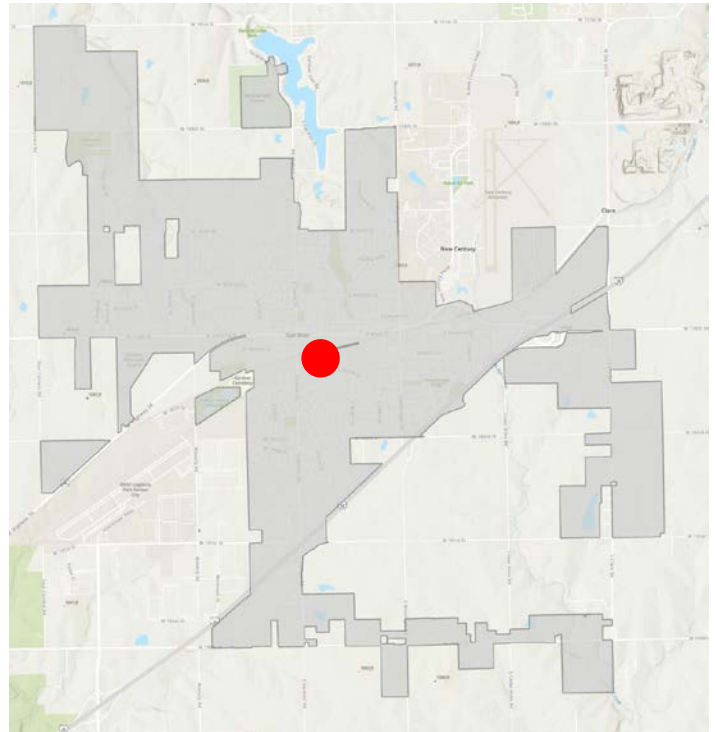
PLANNED FINAL DEVELOPMENT PLAN VEHICULAR TRACKING PLAN

VILLAS ON GRAND, 1ST PLAT
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Project Name: Grand Mission Estates 1st Plat

PROJECT NUMBER	23-302-06
REQUEST	FINAL PLAN FINAL PLAT
APPLICANT	PAYNE & BROCKWAY PA
OWNER	GRAND STREET DEVELOPMENT LLC
PARCEL ID	CF221425-1005



Executive Summary

PRESENT ZONING:	RP-1
PRESENT LAND USE:	VACANT ROW CROPS
TOTAL SITE AREA:	15.61546 ACRES
EXISTING LOT #:	0
PROPOSED LOT #:	29
PROP BUILDING TYPES:	DETACHED HOUSE
PROP STREET TYPES:	LOCAL ST



Staff Recommendation

Staff recommends the Planning Commission recommend approval of 23-302-06 with conditions in the recommended motion.

Context:

Background/History

The property was annexed in early 2023. The rezoning to RP-1 and preliminary development plan for this site was recommended approval by the Planning Commission at their March 27, 2023 meeting and then approved by the Governing Body at their July 17, 2023 meeting (Ordinance 2778).

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
R-2 (Two-family) District	Two-family residences
R-5 (Apartment) District	Single-family residences
East of Subject Property	
RP-2 (Planned Two-family) District	Two-family residences
South of Subject Property	
R-1 (Single Family) District	Single-family residences, Grand Star Elementary, Trail Ridge Middle School
West of Subject Property	
R-1 (Single-Family) District	Single-family residences
RP-5 (Apartment) District	Single-family residence, ROW

Utilities / Infrastructure

All utilities are located on the site.

Roadway Network & Vehicular Access

The site will be accessed with two locations off Grand St, the first across from Trail Ridge Middle School, and the other at the White Drive roundabout.

New Century Air Center

This site is located within 1 mile of the New Century Airport will need to be reviewed and approved by the Johnson County Airport Commission and the Board of County Commissioners.

Review Criteria

Final Plat (LDC Section 17.03.030 E.)

- a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.
- b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.
- c. The phasing and timing of public improvements ensures construction and performance guarantees.
- d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.

- e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

Final Development Plan (LDC Section 17.03.040 C.)

1. In general, any final development plan in compliance with all requirements of this Code shall be approved.
2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
 - a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.
 - b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.
 - c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.
 - d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.
 - e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.
3. The application meets the criteria for all other reviews needed to build the project as proposed.
4. The recommendations of professional staff.
5. The final development plan is in substantial compliance with the approved preliminary development plan.

Staff Findings

The proposed development is in substantial compliance with the preliminary plat and preliminary development plan.

Deviation Requests

There are no deviation requests.

Potential Actions

Per Section 17.03.010 (G) of the Gardner Land Development Code, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Recommended Motion

After review of application 23-302-06, a Final Development Plan and associated Final Plat for Grand Mission Estates, and staff report dated May 22, 2024, the Planning Commission approves the applications as proposed and recommends the Governing Body accept the dedication of right-of-way and easements, provided the following conditions are met:

1. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording;
2. Prior to recording the final plat, excise tax shall be paid to the City; and

3. The applications shall be reviewed and approved by the Johnson County Airport Commission and the Board of County Commissioners prior to the release of the plat for recording.

Attachments

1. Final Development Plan
2. Final Plat

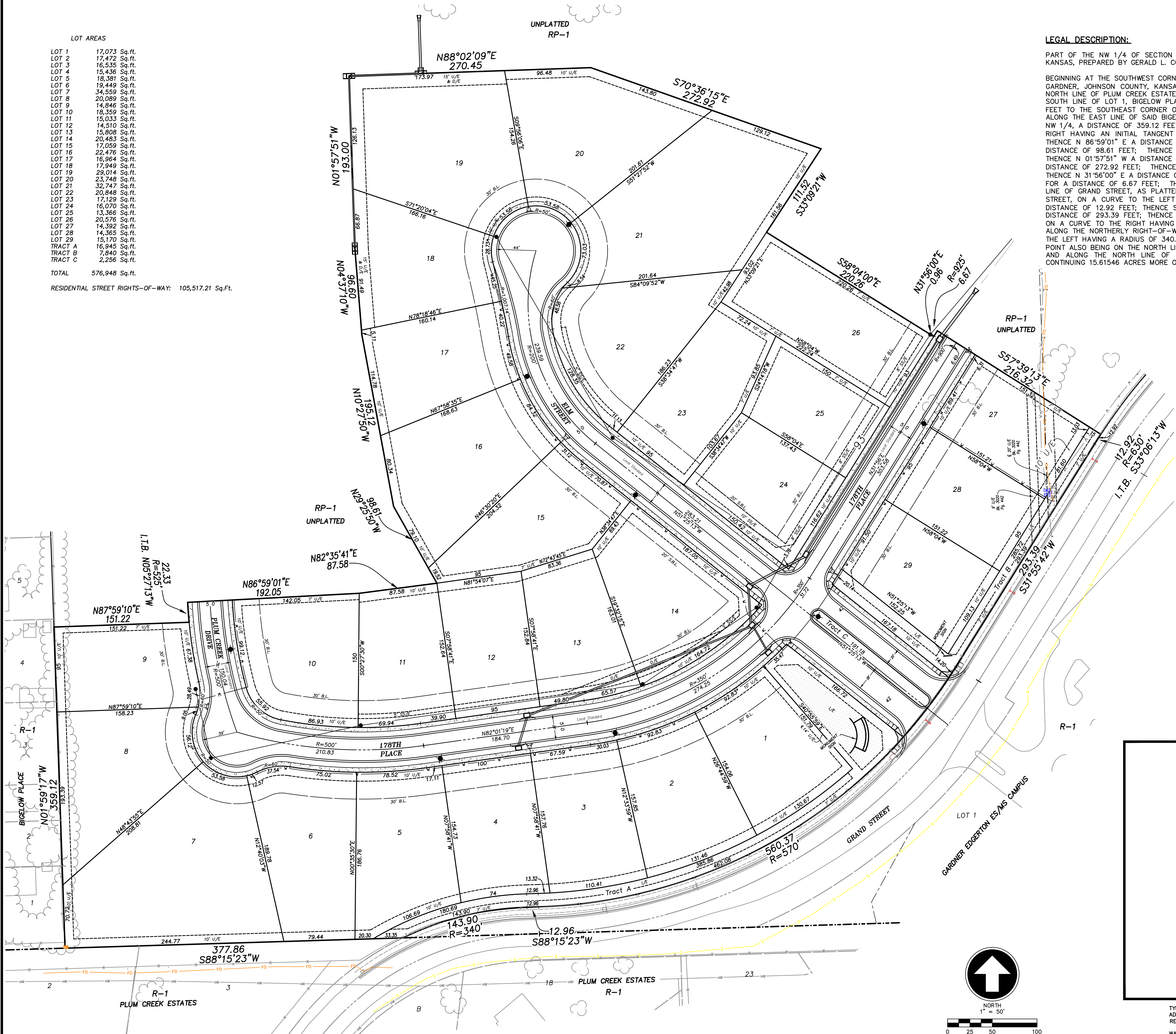
GRAND MISSION ESTATES, 1ST PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/07/23	CITY COMMENTS	CTA

LOT AREAS

LOT 1	17,073 Sq.ft.
LOT 2	17,472 Sq.ft.
LOT 3	16,535 Sq.ft.
LOT 4	15,436 Sq.ft.
LOT 5	18,381 Sq.ft.
LOT 6	19,449 Sq.ft.
LOT 7	34,559 Sq.ft.
LOT 8	20,089 Sq.ft.
LOT 9	14,846 Sq.ft.
LOT 10	18,359 Sq.ft.
LOT 11	15,033 Sq.ft.
LOT 12	14,510 Sq.ft.
LOT 13	15,808 Sq.ft.
LOT 14	20,483 Sq.ft.
LOT 15	17,059 Sq.ft.
LOT 16	22,476 Sq.ft.
LOT 17	16,964 Sq.ft.
LOT 18	17,949 Sq.ft.
LOT 19	29,014 Sq.ft.
LOT 20	23,748 Sq.ft.
LOT 21	32,747 Sq.ft.
LOT 22	20,848 Sq.ft.
LOT 23	17,129 Sq.ft.
LOT 24	16,070 Sq.ft.
LOT 25	13,366 Sq.ft.
LOT 26	20,576 Sq.ft.
LOT 27	14,392 Sq.ft.
LOT 28	14,365 Sq.ft.
LOT 29	15,170 Sq.ft.
TRACT A	16,945 Sq.ft.
TRACT B	7,840 Sq.ft.
TRACT C	2,256 Sq.ft.
TOTAL	576,948 Sq.ft.

RESIDENTIAL STREET RIGHTS-OF-WAY: 105,517.21 Sq.Ft.



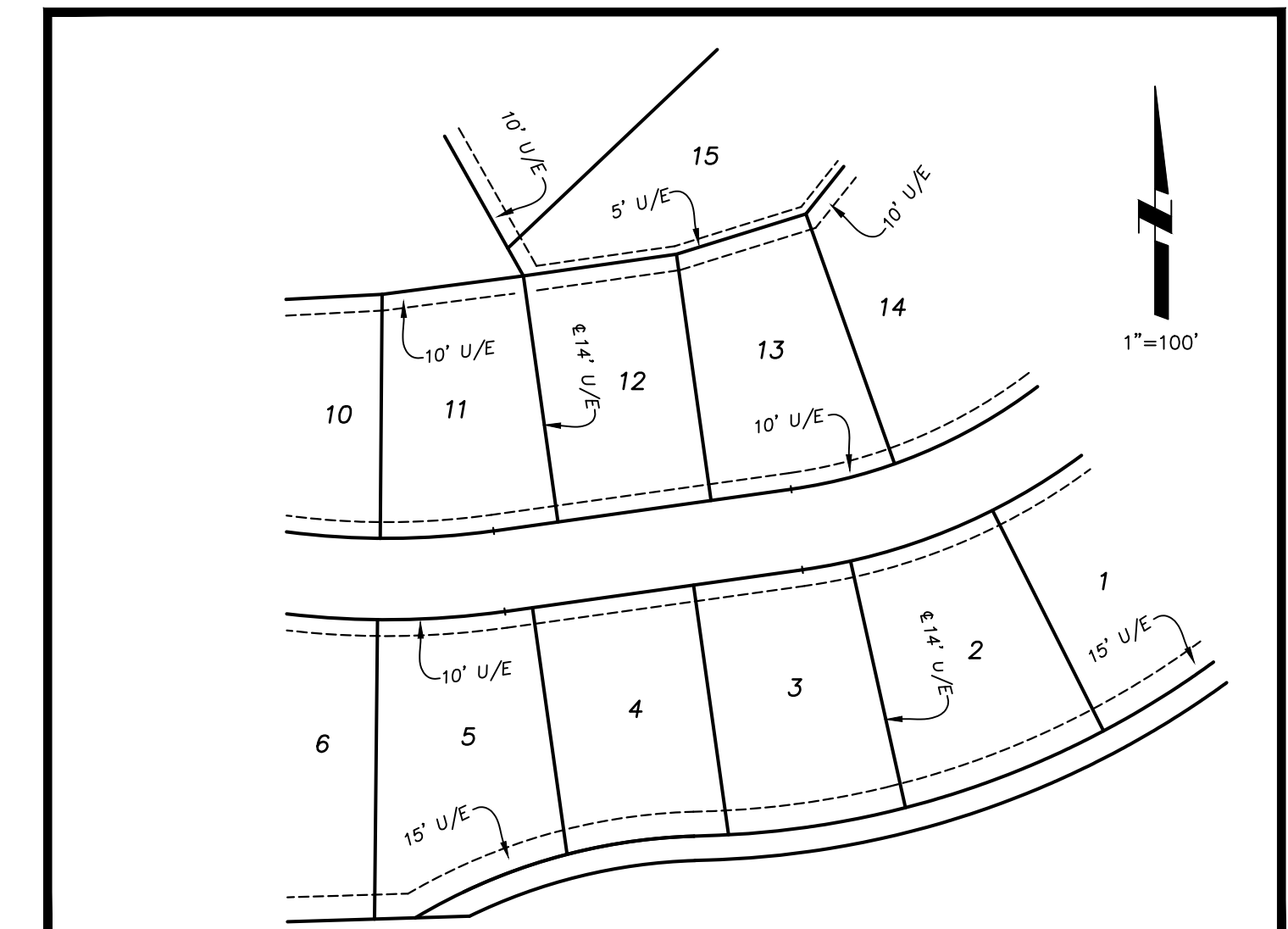
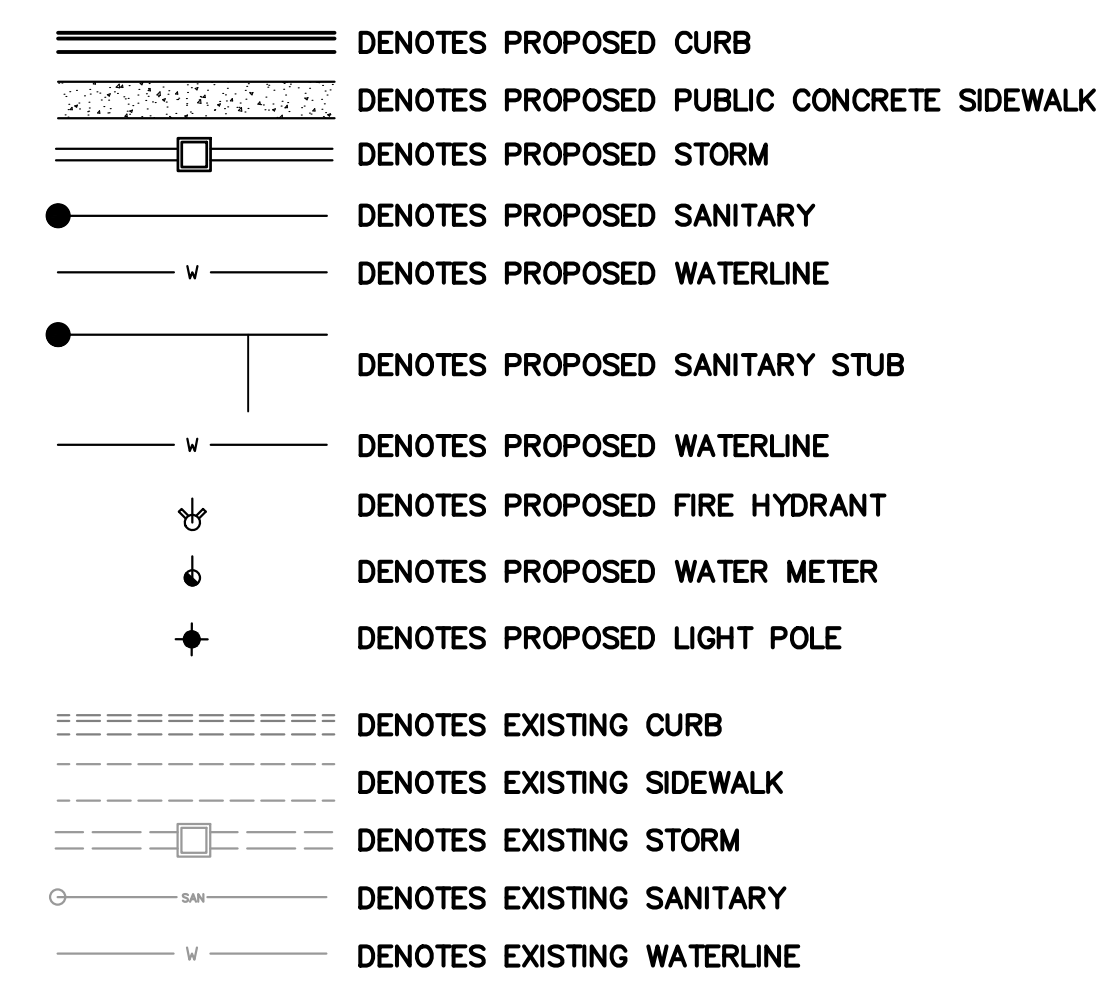
LEGAL DESCRIPTION:

PART OF THE NW 1/4 OF SECTION 25, T14S, R22E OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, PREPARED BY GERALD L. CONN, P.S. NO. 1128, AUGUST 7, 2023, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW 1/4 OF SECTION 25, T14S, R22E OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS; THENCE N 88°15'23" E ALONG THE SOUTH LINE OF SAID NW 1/4, SAID LINE ALSO BEING THE NORTH LINE OF CITY CREEK ESTATES, A SUBDIVISION IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, SAID LINE ALSO BEING THE SOUTH LINE OF LOT 1, BIGELOW PLACE, A SUBDIVISION IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS, A DISTANCE OF 231.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1, SAID CORNER ALSO BEING THE TRUE POINT OF BEGINNING; THENCE N 01°59'17" W ALONG THE EAST LINE OF SAID BIGELOW PLACE, SAID LINE ALSO BEING 231.00 FEET EAST AND PARALLEL WITH THE WEST LINE OF SAID NW 1/4, A DISTANCE OF 359.12 FEET; THENCE N 87°59'10" E A DISTANCE OF 151.22 FEET; THENCE NORTHERLY, ON A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF N 05°27'13" W AND A RADIUS OF 525.00 FEET, FOR A DISTANCE OF 22.33 FEET; THENCE N 86°59'01" E A DISTANCE OF 192.05 FEET; THENCE N 82°35'41" E A DISTANCE OF 87.58 FEET; THENCE N 29°25'50" W A DISTANCE OF 98.61 FEET; THENCE N 10°27'50" W A DISTANCE OF 195.12 FEET; THENCE N 04°37'10" W A DISTANCE OF 96.60 FEET; THENCE N 01°57'51" W A DISTANCE OF 193.00 FEET; THENCE N 88°02'09" E A DISTANCE OF 270.45 FEET; THENCE S 70°36'15" E A DISTANCE OF 272.92 FEET; THENCE S 33°09'21" W A DISTANCE OF 111.52 FEET; THENCE S 58°04'00" E A DISTANCE OF 925.00 FEET; THENCE N 31°56'00" E A DISTANCE OF 0.96 FEET; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT AND A RADIUS OF 925.00 FEET, FOR A DISTANCE OF 6.67 FEET; THENCE S 57°39'13" E A DISTANCE OF 216.32 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF GRAND STREET, AS PLATTED; THENCE SOUTHWEST, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRAND STREET, ON A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF S 33°06'13" W AND A RADIUS OF 630.00 FEET, FOR A DISTANCE OF 12.92 FEET; THENCE S 31°55'42" W CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRAND STREET, A DISTANCE OF 293.39 FEET; THENCE SOUTHWESTERLY, CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRAND STREET, ON A CURVE TO THE RIGHT HAVING A RADIUS OF 570.00 FEET, FOR A DISTANCE OF 560.37 FEET; THENCE S 88°15'23" W CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID GRAND STREET, A DISTANCE OF 12.96 FEET; THENCE WESTERLY, ON A CURVE TO THE LEFT HAVING A RADIUS OF 340.00 FEET, FOR A DISTANCE OF 143.90 FEET TO A POINT ON THE SOUTH LINE OF SAID NW 1/4, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID PLUM CREEK ESTATES; THENCE S 88°15'23" W ALONG THE SOUTH LINE OF SAID NW 1/4, AND ALONG THE NORTH LINE OF SAID PLUM CREEK ESTATES, A DISTANCE OF 377.86 FEET TO THE TRUE POINT OF BEGINNING, CONTINUING 15.61546 ACRES MORE OR LESS.

PROJECT SUMMARY:

EXISTING ZONING:	RP-1
PROPOSED AREA:	15.62 ACRES/680,209.6 SQ.FT.
PROPOSED LOTS:	29
PROPOSED DENSITY:	1.86 LOTS PER ACRE
PROPOSED TRACTS:	3
PROPOSED SETBACKS	
FRONT SETBACKS	30'
SIDE SETBACKS	20'
REAR YARD	7' MINIMUM
REAR YARD	25' MINIMUM
PROPOSED STREET TYPES:	
PROPOSED FRONTAGE TYPES:	LOCAL-STANDARD
PROPOSED BUILDING TYPES:	SUBURBAN YARD DETACHED HOUSE-SUBURBAN
OPEN SPACE REQ. BASED ON 10% OF SITE	
OPEN SPACE PROVIDED:	1.56 ACRES 0.62 ACRES OR 4% OF THE SITE



TYPICAL UTILITY EASEMENTS FOR ALL SINGLE FAMILY LOTS, EXCEPT FOR THE LOTS ADJOINING THE DETENTION AND/OR OPEN SPACE TRACTS. THOSE LOTS WILL HAVE NO REAR YARD UTILITY EASEMENTS. THEY WILL HAVE 15' FRONT YARD UTILITY EASEMENTS. WATERLINE, SANITARY SEWER AND DRAINAGE EASEMENTS WILL MET THE REQUIRED GARDNER'S MUNICIPAL CODE WIDTHS.

PROJECT NOTES:

THIS PLAT IS BEING SUBMITTED TO GAIN APPROVAL TO CONSTRUCT A SINGLE FAMILY DEVELOPMENT ON THE SUBJECT PROPERTY.

THE TOPOGRAPHY WAS SUPPLIED BY PAYNE AND BROCKWAY FIELD DATA/RECORDS AND JOHNSON COUNTY AIMS (AUTOMATED INFORMATION MAPPING SYSTEM) BASED ON KANSAS STATE PLANE NORTH/USGS DATUM NAD83 AND NAVD83.

ALL APPROPRIATE PUBLIC UTILITIES SHALL BE PROVIDED TO EACH LOT WITHIN THE SUBJECT PROPERTY, IN ACCORDANCE WITH CITY OF GARDNER REQUIREMENTS AND STANDARDS.

ALL APPROPRIATE EASEMENTS WILL BE PROVIDED FOR ALL PUBLIC UTILITIES AND ALONG RIGHTS-OF-WAY IN ACCORDANCE WITH CITY OF GARDNER REQUIREMENTS AND STANDARDS. THE EASEMENTS WILL BE DEFINED AT TIME OF FINAL PLATTING.

ALL STREETS SHALL BE PAVED PER CITY OF GARDNER REQUIREMENTS AND STANDARDS.

ALL CURB RADIUS ON PUBLIC STREETS ARE 25FT, EXCEPT FOR THE CURB RADIUS ON GRAND STREET, WHICH WILL BE 30FT.

ALL SIDEWALKS WITHIN PUBLIC STREET RIGHTS-OF-WAY WILL BE 5FT IN WIDTH.

ALL SIDEWALKS WILL BE PORTLAND CEMENT CONCRETE, EXCEPT AS DEFINED OTHERWISE.

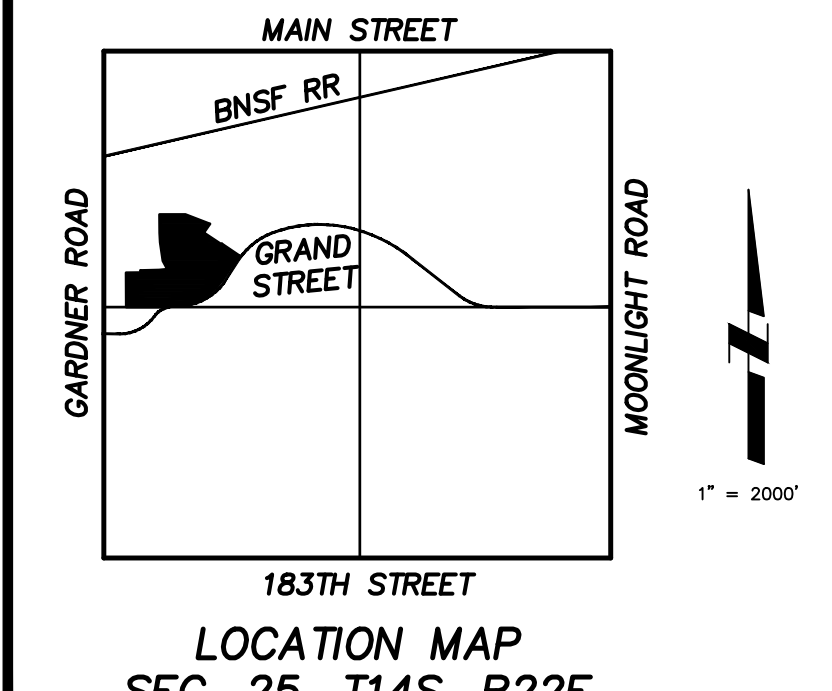
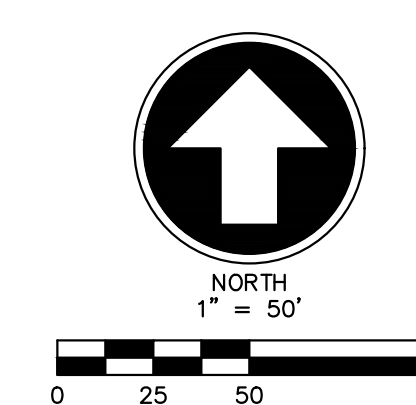
ALL LOTS SHALL PROVIDE ON-SITE STORMWATER MANAGEMENT FACILITIES IN ACCORDANCE WITH TITLE 14 OF THE CITY OF GARDNER MUNICIPAL CODE, THE GARDNER TECHNICAL SPECIFICATIONS FOR PUBLIC IMPROVEMENTS PROJECTS AND DESIGN CRITERIA FOR PUBLIC IMPROVEMENT PROJECTS, AND THE APWA MANUAL OF BEST MANAGEMENT PRACTICES FOR STORMWATER QUALITY.

THE DEVELOPMENT IS LOCATED IN CLOSE PROXIMITY TO NEW CENTURY AIRCENTER AND AIRCRAFT, INCLUDING BUSINESS JETS, OPERATING FROM THE AIRPORT SHOULD BE EXPECTED TO OVER FLY, BE VISIBLE FROM, AND BE HEARD FROM THE PROPERTY ON A REGULAR BASIS.

SHOULD THE PRESENCE OF WATERFOUL ON WET DETENTION BASINS BECOME AN OBSERVED HAZARD TO THE OPERATIONS OF THE NEW CENTURY AIRCENTER, THE OWNER OF SUCH DETENTION BASINS AGREES TO IDENTIFY AND COMPLETE, WITHOUT UNREASONABLE DELAY, MITIGATION EFFORTS. OWNER SHALL THEN NOTIFY AIRPORT COMMISSION STAFF OF THE MITIGATION EFFORTS COMPLETED AND AIRPORT COMMISSION STAFF SHALL THEREAFTER CONFIRM WHETHER THE PREVIOUSLY OBSERVED HAZARD HAS BEEN MITIGATED. IF OWNER DISAGREES WITH THE OBSERVED HAZARD FINDING OR THE DETERMINATION AS TO WHETHER THE PREVIOUSLY OBSERVED HAZARD HAS BEEN MITIGATED, OWNER SHALL HAVE THE RIGHT TO APPEAR BEFORE THE JOHNSON COUNTY AIRPORT COMMISSION FOR A DETERMINATION OF THE ISSUE.

ACCORDING TO F.I.R.M. MAP NO. 20091C0120G JOHNSON COUNTY, KANSAS, DATED AUGUST 3, 2009, A PORTION OF THE SITE IS DETERMINED TO BE INSIDE OTHER FLOOD AREAS, ZONE X, FUTURE BASE FLOOD (AREAS OF 1% ANNUAL CHANCE FLOOD BASED ON FUTURE CONDITIONS HYDROLOGY, NO BASE FLOOD ELEVATIONS DETERMINED)

NO DEVIATION/ADMINISTRATIVE ADJUSTS ARE BEING REQUESTED WITH THIS PHASE.



Prepared By: Payne & Brockway Engineers, P.A.
P. O. Box 128
Olathe, Kansas 66051
913-782-4800

Developed By: Grand Street Development, LLC
c/o Mike Brock, Member
920 E. Warren Street
Gardner, Kansas 66030
913-712-8440

Date Prepared: November 10, 2023

PLANNED FINAL DEVELOPMENT PLAN

GRAND MISSION ESTATES, 1ST PLAT
PT. NE 1/4, SEC. 25, T14S, R22E

Payne & Brockway P.A.
Civil Engineers & Land Surveyors
426 South Kansas Ave. Olathe, Kansas 66061
Ph: 913.782.4800 Fax: 913.782.0907
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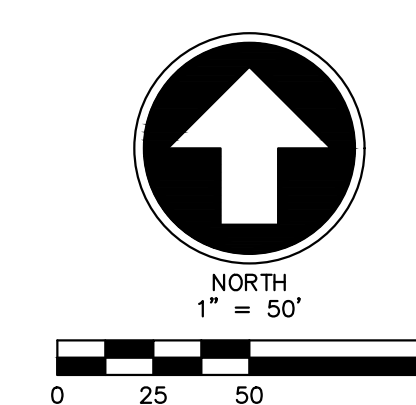
DATE: 11/10/23 SCALE: 1"=50' SHEET 1 OF 3

GRAND MISSION ESTATES, 1ST PLAT

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/07/23	CITY COMMENTS	CTA



- DENOTES PROPOSED CURB
- DENOTES PROPOSED PUBLIC CONCRETE SIDEWALK
- DENOTES PROPOSED STORM
- DENOTES PROPOSED SANITARY
- v— DENOTES PROPOSED WATERLINE
- DENOTES PROPOSED SANITARY STUB
- v— DENOTES PROPOSED WATERLINE
- ⊥— DENOTES PROPOSED FIRE HYDRANT
- ⊥— DENOTES PROPOSED WATER METER
- ⊥— DENOTES PROPOSED LIGHT POLE
- DENOTES EXISTING CURB
- DENOTES EXISTING SIDEWALK
- DENOTES EXISTING STORM
- DENOTES EXISTING SANITARY
- v— DENOTES EXISTING WATERLINE



- R/W DENOTES RIGHT-OF-WAY
- ST DENOTES SIGN POST
- FH DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- WM DENOTES WATER METER
- PP DENOTES POWER POLE
- LP DENOTES LIGHT POLE
- AC DENOTES AIR CONDITIONING UNIT ON CONCRETE PAD
- FF DENOTES FINISHED FLOOR ELEVATION
- RD DENOTES ROOF DRAIN
- FO DENOTES FIBER OPTICS
- LA DENOTES LANDSCAPE AREA
- SCV DENOTES SPRINKLER CONTROL VALVE
- MH DENOTES MANHOLE
- A DENOTES HANDICAP PARKING SPACE
- W DENOTES WATER LINE
- SAN DENOTES SANITARY SEWER LINE
- UGP DENOTES UNDERGROUND POWER LINE
- OSP DENOTES OVERHEAD POWER LINE
- T DENOTES UNDERGROUND TELEPHONE LINE
- UGL DENOTES UNDERGROUND GAS LINE
- G DENOTES UNDERGROUND STREET LIGHT LINE
- TCL DENOTES EXISTING CONTOURS
- DENOTES EXISTING BUILDING LINE
- DENOTES OVERHANG

PLANNED FINAL DEVELOPMENT PLAN
 GRAND MISSION ESTATES, 1ST PLAT
 PT. NE 1/4, SEC. 25, T14S, R22E

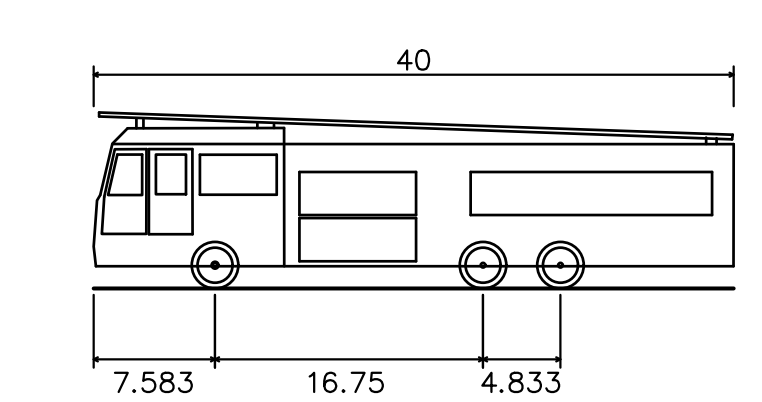
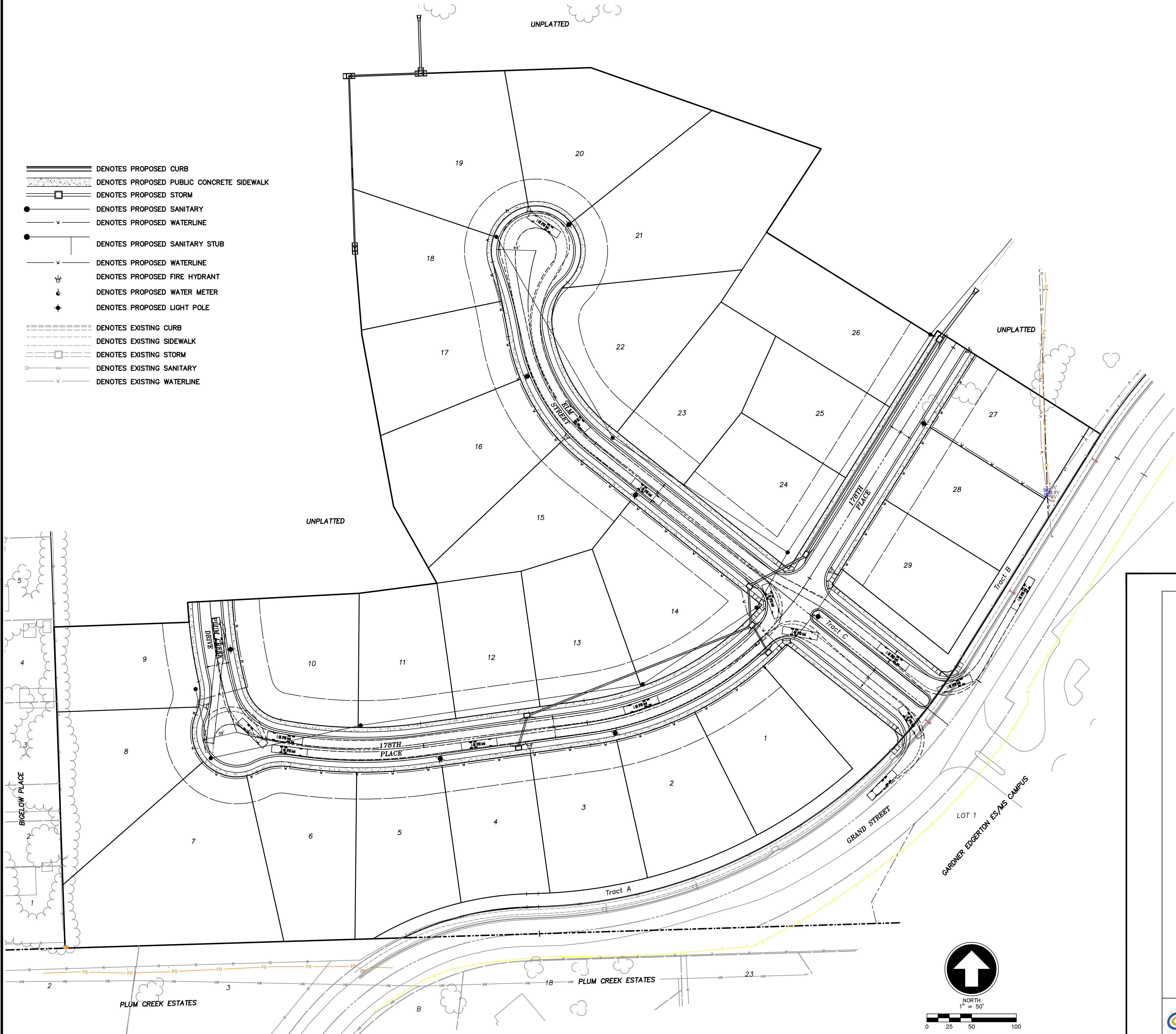
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 www.Payne-Brockway.com

DATE: 11/10/23 SCALE: 1"=50' SHEET 2 OF 3

GRAND MISSION ESTATES, 1ST PLAT

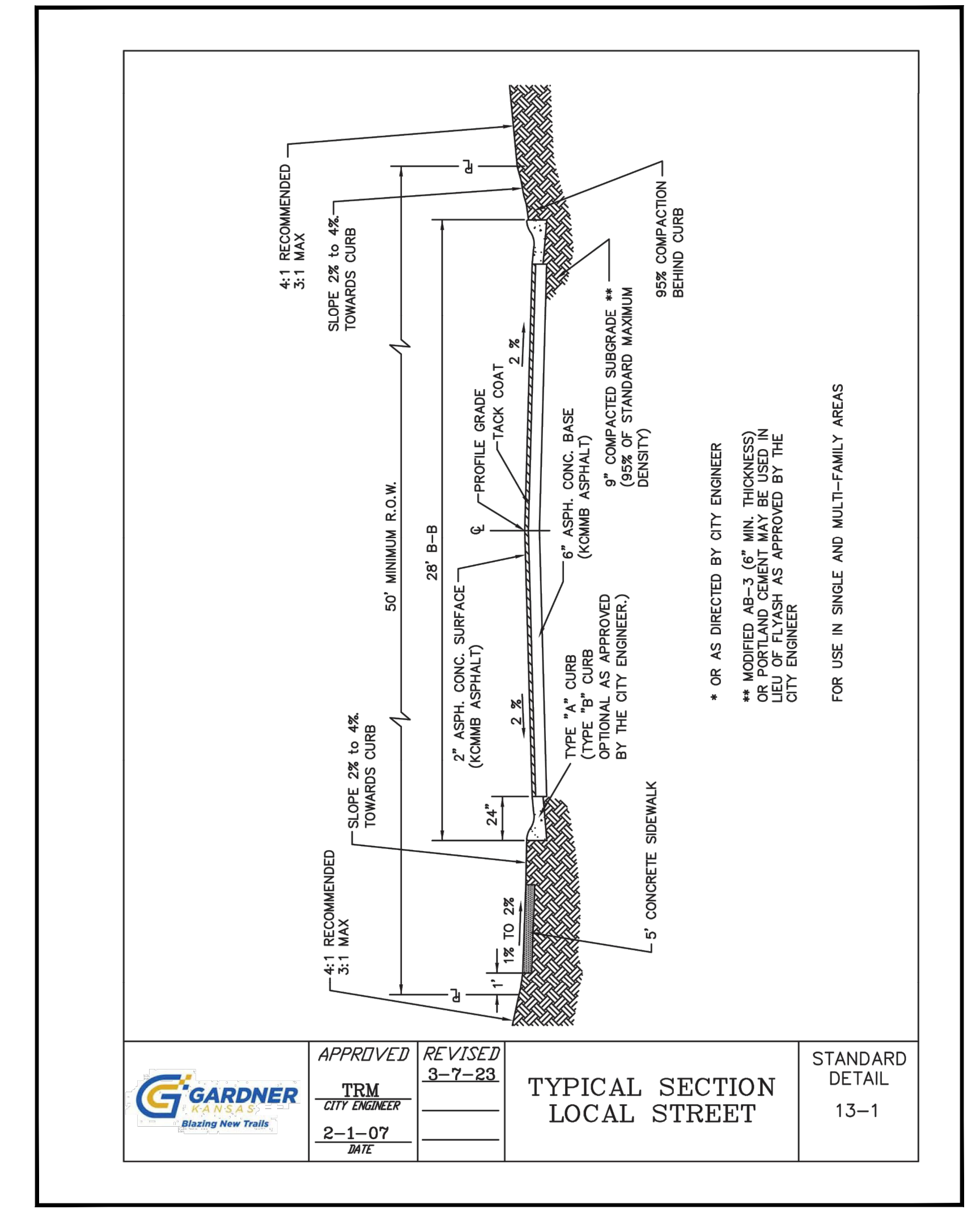
REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/07/23	CITY COMMENTS	CTA

- DENOTES PROPOSED CURB
- DENOTES PROPOSED PUBLIC CONCRETE SIDEWALK
- DENOTES PROPOSED STORM
- DENOTES PROPOSED SANITARY
- DENOTES PROPOSED WATERLINE
- DENOTES PROPOSED SANITARY STUB
- DENOTES PROPOSED WATERLINE
- DENOTES PROPOSED FIRE HYDRANT
- DENOTES PROPOSED WATER METER
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- DENOTES EXISTING CURB
- DENOTES EXISTING SIDEWALK
- DENOTES EXISTING STORM
- DENOTES EXISTING SANITARY
- DENOTES EXISTING WATERLINE

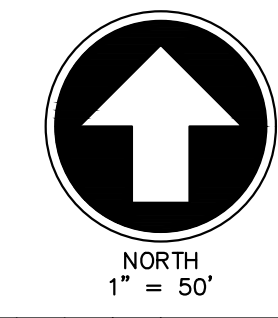


E-ONE HP100 Aerial
 Overall Length 40.000ft
 Overall Width 8.333ft
 Overall Body Height 11.000ft
 Min Body Ground Clearance 1.393ft
 Track Width 8.333ft
 Lock-to-lock time 6.00s
 Max Wheel Angle 45.00°

N.T.S.



- R/W DENOTES RIGHT-OF-WAY
- ST DENOTES SIGN POST
- FH DENOTES FIRE HYDRANT
- WV DENOTES WATER VALVE
- WM DENOTES WATER METER
- PP DENOTES POWER POLE
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- W DENOTES WATER LINE
- SAN DENOTES SANITARY SEWER LINE
- UP DENOTES UNDERGROUND POWER LINE
- OP DENOTES OVERHEAD POWER LINE
- T DENOTES UNDERGROUND TELEPHONE LINE
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- TL DENOTES UNDERGROUND STREET LIGHT LINE
- DENOTES EXISTING CONTOURS
- DENOTES EXISTING BUILDING LINE
- DENOTES OVERHANG



	APPROVED	REVISED	TYPICAL SECTION LOCAL STREET	STANDARD DETAIL 13-1
	TRM CITY ENGINEER	9-7-23		
	2-1-07 MVE			

PLANNED FINAL DEVELOPMENT PLAN
 GRAND MISSION ESTATES, 1ST PLAT
 PT. NE 1/4, SEC. 25, T14S, R22E

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 www.Payne-Brockway.com

DATE 11/10/23 SCALE 1"=50' SHEET 3 OF 3

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	8/07/23	completed	CTA
2	8/31/23	city comments	CTA
3	11/08/23	city comments	CTA
4	12/07/23	city comments	CTA

FINAL PLAT OF GRAND MISSION ESTATES, 1ST PLAT

Part of the NW 1/4, SEC. 25, T14S, R22E

Part of the NW 1/4 of Section 25, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, prepared by Gerald L. Conn, P.S. No. 1128, August 7, 2023, more particularly described as follows:

Beginning at the Southwest corner of the NW 1/4 of Section 25, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence N 88°15'23" E along the South line of said NW 1/4, said line also being the North line of Plum Creek Estates, a subdivision in the City of Gardner, Johnson County, Kansas, said line also being the South line of Lot 1, Bigelow Place, a subdivision in the City of Gardner, Johnson County, Kansas, a distance of 231.00 feet to the Southeast corner of said Lot 1, said corner also being the TRUE POINT OF BEGINNING; thence N 01°59'17" W along the East line of said Bigelow Place, said line also being 231.00 feet East and parallel with the West line of said NW 1/4, a distance of 359.12 feet; thence N 87°59'10" E a distance of 151.22 feet; thence Northerly, on a curve to the right having an initial tangent bearing of N 05°27'13" W and a radius of 525.00 feet, for a distance of 22.33 feet; thence N 86°59'01" E a distance of 192.05 feet; thence N 82°35'41" E a distance of 87.58 feet; thence N 29°25'50" W a distance of 98.61 feet; thence N 10°27'50" W a distance of 195.12 feet; thence N 04°37'10" W a distance of 96.60 feet; thence N 01°57'51" W a distance of 193.00 feet; thence N 88°02'09" E a distance of 270.45 feet; thence S 70°36'15" E a distance of 272.92 feet; thence S 33°09'21" W a distance of 111.52 feet; thence S 58°04'00" E a distance of 220.26 feet; thence N 31°56'00" E a distance of 0.96 feet; thence Northeasterly on a curve to the right and a radius of 925.00 feet, for a distance of 6.67 feet; thence S 57°39'13" E a distance of 216.32 feet to a point on the Northerly right-of-way line of Grand Street, as platted; thence Southwest, continuing along the Northerly right-of-way line of said Grand Street, on a curve to the left having an initial tangent bearing of S 33°06'13" W and a radius of 630.00 feet, for a distance of 12.92 feet; thence S 31°55'42" W continuing along the Northerly right-of-way line of said Grand Street, a distance of 293.39 feet; thence Southwesterly, continuing along the Northerly right-of-way line of said Grand Street, on a curve to the right having a radius of 570.00 feet, for a distance of 560.37 feet; thence S 88°15'23" W continuing along the Northerly right-of-way line of said Grand Street, a distance of 12.96 feet; thence Westerly, on a curve to the left having a radius of 340.00 feet, for a distance of 143.90 feet to a point on the South line of said NW 1/4, said point also being on the North line of said Plum Creek Estates; thence S 88°15'23" W along the South line of said NW 1/4, and along the North line of said Plum Creek Estates, a distance of 377.86 feet to the TRUE POINT OF BEGINNING, continuing 15.61546 acres more or less.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "GRAND MISSION ESTATES, 1ST PLAT".

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby absolve and agree to indemnify the City of Gardner from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, power lines, drainage facilities, poles, wires, irrigation systems, ducts and cables, and similar facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Gardner with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Gardner. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement or license is hereby dedicated to the City of Gardner to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, sewer pipes, manholes, etc., upon, over, and across those areas outlined and designated on this plat as "Sanitary Sewer Easement" or "SS/E".

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the Grand Mission Estates Homes Association to enter upon, plant, replace, replant, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain, and to authorize any such maintenance, of any and all grass, trees, shrubs, plants and other landscaping and all fences and monuments installed by the undersigned proprietor and by the Grand Mission Estates Homes Association upon, over, or under those areas outlined and designated on this plat as "Landscape Easement" or "L/E".

Tracts A and B shall be owned and maintained by the Grand Mission Estates Homes Association. The tracts are intended to be used for landscaping, monuments, fencing, private open space, and/or Homes Association Amenities.

Tract C shall be dedicated by separate instrument to the Grand Mission Estates Homes Association, which shall be responsible for all maintenance of said tract. Said tract is intended to be used for landscaping, monuments, and/or Homes Association Amenities.

An easement or license is hereby dedicated to the City of Gardner to enter upon, locate, construct, and maintain or authorize the location, construction, or maintenance and use of conduits, sewer pipes, surface drainage facilities, etc., upon, over, and across those areas outlined and designated on this plat as Tract C.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Johnson County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The undersigned proprietors of the above described tract of land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas, and the City of Gardner, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares or parts thereof, for public use, and Tracts A, B, and C 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 fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietors have caused this instrument to be executed this _____ day of _____, 2024.

GRAND STREET DEVELOPMENT, LLC

MIKE BROCK, Member

STATE OF _____ KANSAS)
COUNTY OF _____ JOHNSON) SS

BE IT REMEMBERED, that on this _____ day of _____, 2024, before me a Notary Public in and for said County and State, came MIKE BROCK, Member of GRAND STREET DEVELOPMENT, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he duly acknowledged the execution of the same to be the act and deed of said Corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.

Notary Public My Appointment Expires: _____

APPROVED by the Planning Commission of the City of Gardner, Kansas, on this _____ day of _____, 2023.

By _____
STEVE McNEER, Chair

APPROVED by the Governing Body of the City of Gardner, Kansas, on this _____ day of _____, 2023.

By _____ ATTEST _____
TODD WINTERS, Mayor SHARON ROSE, City Clerk

I hereby certify that on September 7, 2022, I or someone under my direct supervision completed a field survey of the above described tract of land and this is an accurate and true plat of said survey, on this _____ day of _____, 2024.

Gerald L. Conn
Kansas P.S. No. 1128

Prepared By: Payne & Brockway Engineers, P.A.
P.O. Box 128
Olathe, Kansas 66051
913-782-4800

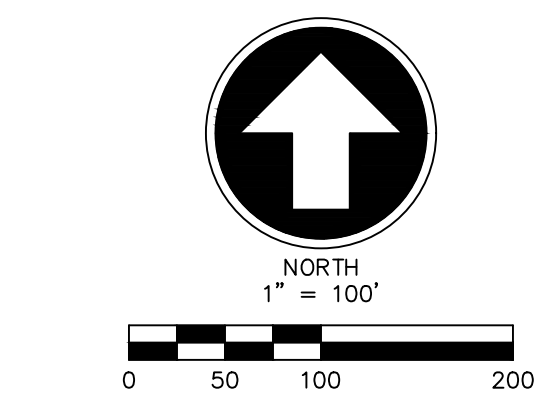
Developed By: Grand Street Development, LLC
c/o Mike Brock, Member
920 E Warren Street
Gardner, Kansas 66030
913-712-8440

Date Prepared: August 7, 2023

TITLE INFORMATION FURNISHED BY
FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT No. 2499778
DATED JUNE 28, 2022

**GRAND MISSION ESTATES
1ST PLAT
SEC. 25, T14S, R22E
JOHNSON COUNTY, KANSAS**

Payne & Brockway P.A.
CIVIL ENGINEERS & LAND SURVEYORS
426 SOUTH KANSAS AVE. OLATHE, KANSAS 66061
PH: 913-782-4800 FAX: 913-782-0907
WWW.PAYNE-BROCKWAY.COM



LEGEND:

- DENOTES 1/2" REBAR SET W/P&B PLASTIC CAP CLS-49
- DENOTES 1/2" REBAR FOUND W/P&B PLASTIC CAP CLS-49 (UNLESS NOTED)
- U/E DENOTES UTILITY EASEMENT
- SS/E DENOTES SANITARY SEWER EASEMENT
- D/E DENOTES DRAINAGE EASEMENT
- WL/E DENOTES WATERLINE EASEMENT
- SW/E DENOTES SIDEWALK EASEMENT
- P DENOTES PLATTED
- L/E DENOTES LANDSCAPE EASEMENT
- DENOTES LIMITS OF NO ACCESS

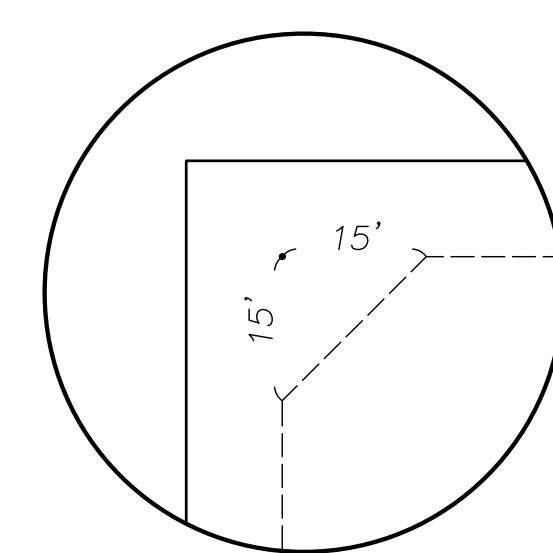
LOT AREAS

LOT 1	17,073 Sq.ft.
LOT 2	17,472 Sq.ft.
LOT 3	16,535 Sq.ft.
LOT 4	15,436 Sq.ft.
LOT 5	18,381 Sq.ft.
LOT 6	19,449 Sq.ft.
LOT 7	34,559 Sq.ft.
LOT 8	20,089 Sq.ft.
LOT 9	14,846 Sq.ft.
LOT 10	18,359 Sq.ft.
LOT 11	15,033 Sq.ft.
LOT 12	14,510 Sq.ft.
LOT 13	15,808 Sq.ft.
LOT 14	20,483 Sq.ft.
LOT 15	17,059 Sq.ft.
LOT 16	22,476 Sq.ft.
LOT 17	16,964 Sq.ft.
LOT 18	17,949 Sq.ft.
LOT 19	29,014 Sq.ft.
LOT 20	23,748 Sq.ft.
LOT 21	32,747 Sq.ft.
LOT 22	20,848 Sq.ft.
LOT 23	17,129 Sq.ft.
LOT 24	16,070 Sq.ft.
LOT 25	13,366 Sq.ft.
LOT 26	20,576 Sq.ft.
LOT 27	14,392 Sq.ft.
LOT 28	14,365 Sq.ft.
LOT 29	15,170 Sq.ft.
TRACT A	16,945 Sq.ft.
TRACT B	7,840 Sq.ft.
TRACT C	2,256 Sq.ft.
TOTAL	576,948 Sq.ft.

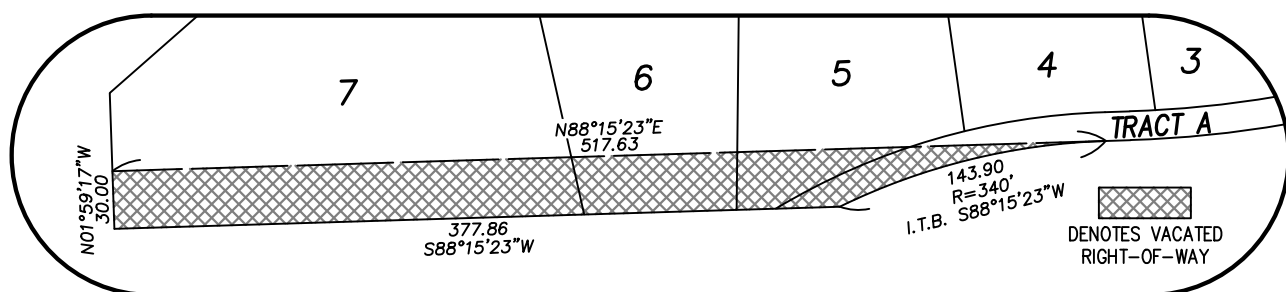
RESIDENTIAL STREET RIGHTS-OF-WAY: 105,517.21 Sq.Ft.

** = including on Existing U/E to City of Gardner, Johnson County, Kansas Book 201212, Page 008249

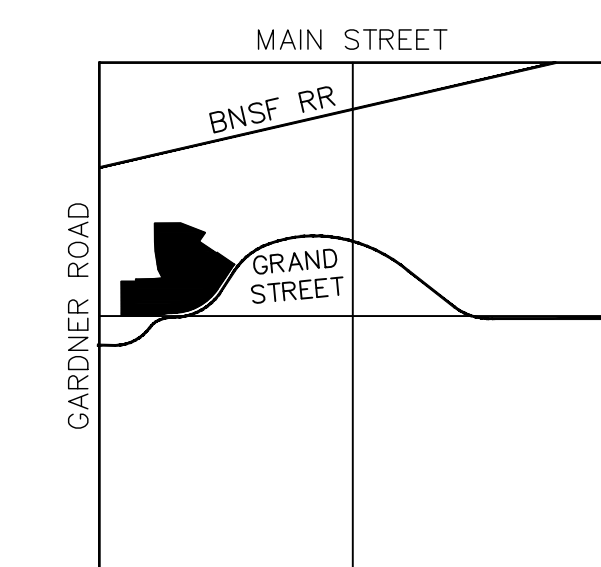
*** = including an Existing 4' W.E.G. Dial Telephone Co. Easement Misc. Bk. 156, Pg. 424



TYPICAL CORNER LOT EASEMENT DETAIL

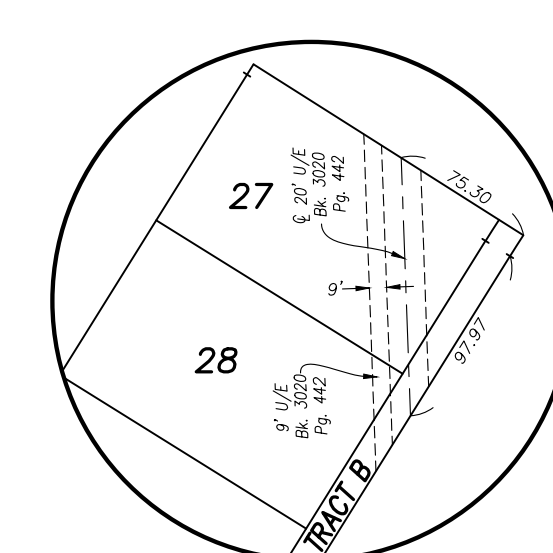
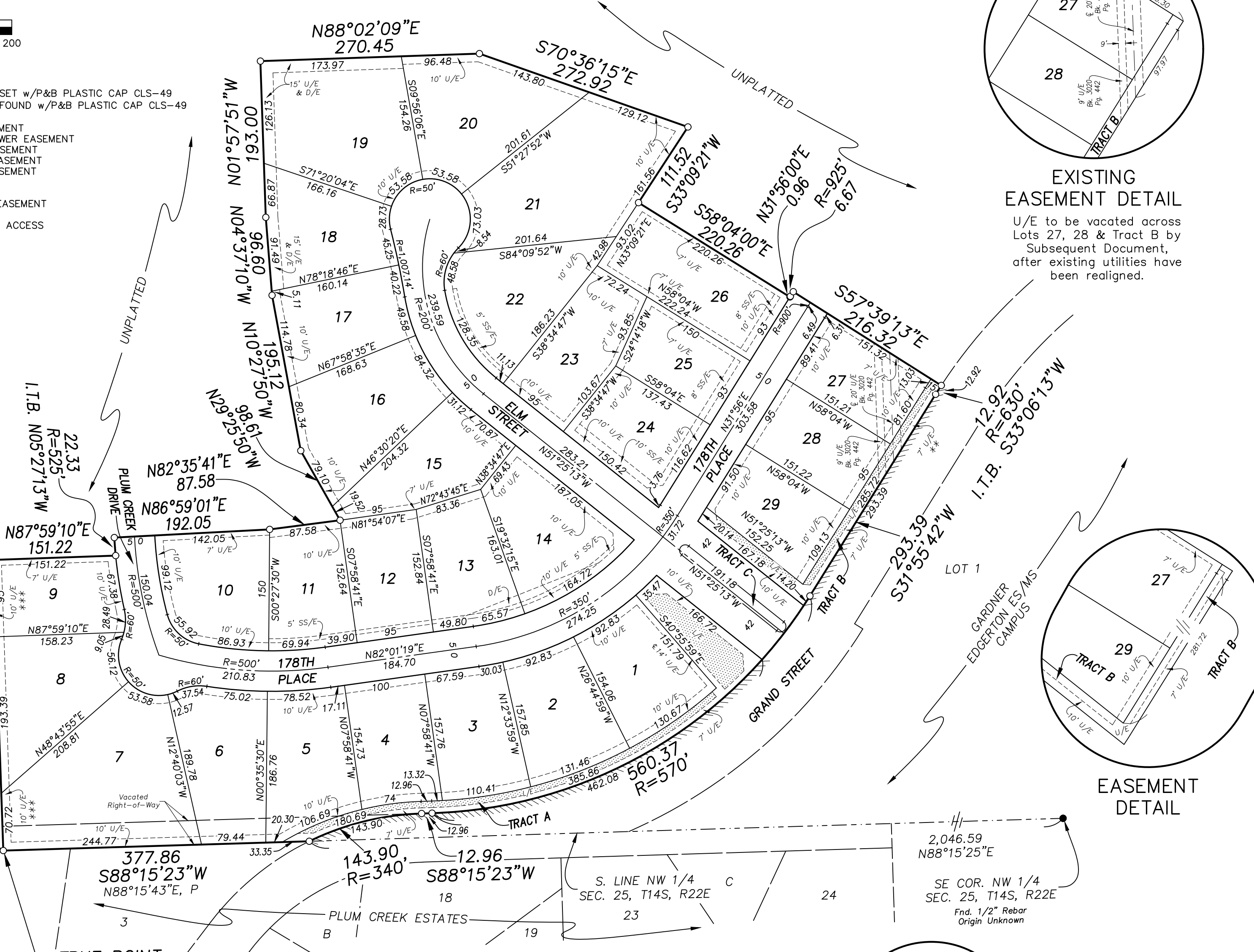


EXISTING RIGHT-OF-WAY DETAIL

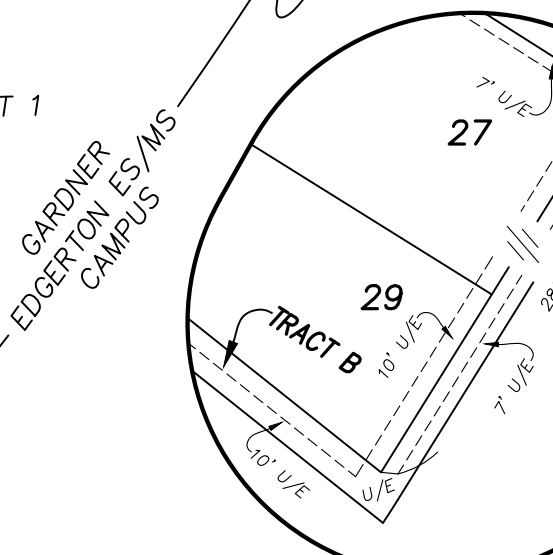


LOCATION MAP
SEC. 25, T14S, R22E

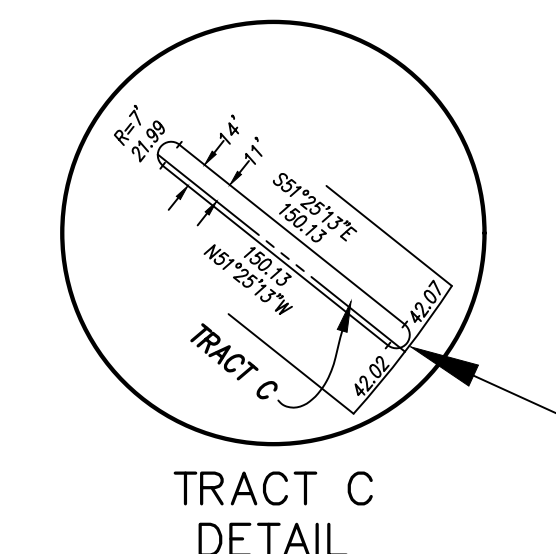
1" = 2000'



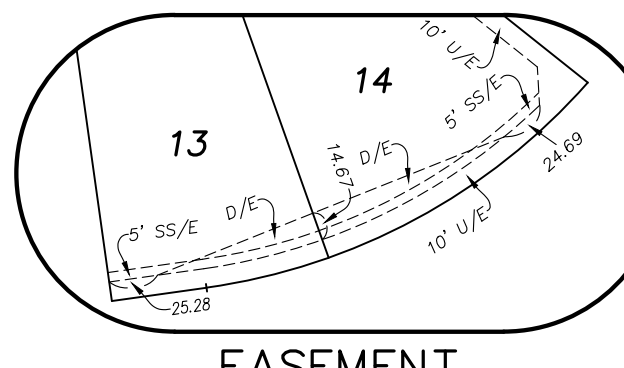
EXISTING EASEMENT DETAIL
U/E to be vacated across Lots 27, 28 & Tract B by Subsequent Document, after existing utilities have been realigned.



EASEMENT DETAIL



TRACT C DETAIL



EASEMENT DETAIL

NOTES:
Front, side, interior and rear setbacks will be in accordance with the approved Rezoning, Planned Preliminary Development Plan and Preliminary Plat. The setback information can be obtained by contacting the City of Gardner Community Development Department referencing City Case Numbers Z-22-11, PDP-22-11 and PP-22-07 respectively.

The basis for bearings on this plat is the South line of the NW 1/4 as established by a previous plat GARDNER EDGERTON ES/MS CAMPUS, Book 201304, Page 002175.

In approving this Plat by the City of Gardner and recording this Plat with the Office of the Register of Deeds, the Road Right-of-Way that lies within Lots 5 through 7 and Tract A is hereby now vacated.

All lots shall provide on-site stormwater management facilities in accordance with Title 14 of the City of Gardner Municipal Code, the Gardner Technical Specifications for Public Improvements Projects and Design Criteria for Public Improvements Projects, and the APWA Manual of Best Management Practices for stormwater quality.

The subdivision is located in close proximity to New Century AirCenter and aircraft, including business jets, operating from the airport should be expected to over fly, be visible from, and be heard from the property on a regular basis.

Should the presence of waterfowl on wet detention basins become an observed hazard to the operations of the New Century AirCenter, the owner of such detention basins agrees to identify and complete, without unreasonable delay, mitigation efforts. Owner shall then notify Airport Commission staff of the mitigation efforts completed and Airport Commission staff shall thereafter confirm whether the previously observed hazard has been mitigated. If owner disagrees with the observed hazard finding or the determination as to whether the previously observed hazard has been mitigated, owner shall have the right to appear before the Johnson County Airport Commission for a determination of the issue.

Tract A and Tract B shall have No Direct Vehicular Access to Grand Street.

Based on fieldwork and final engineering design, the exact location of easements are subject to change prior to the plat recording.

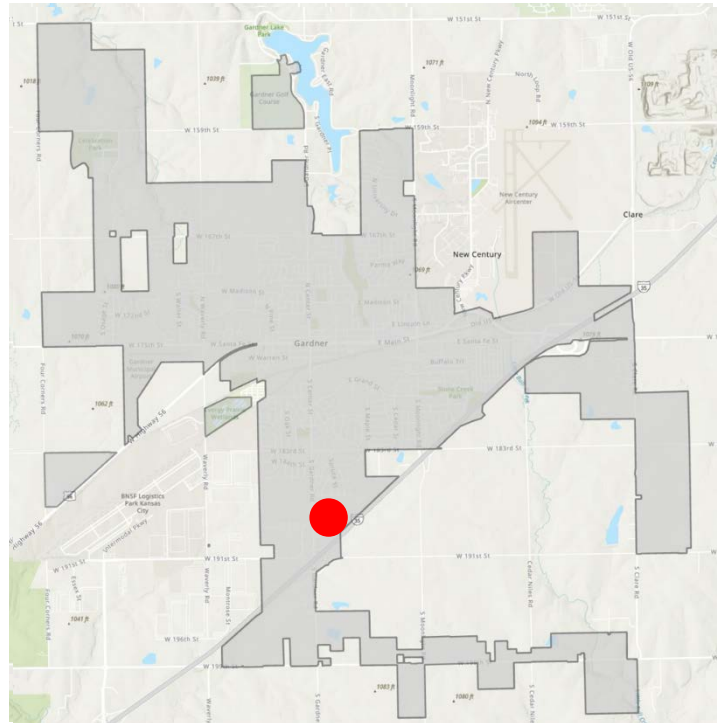
According to F.I.R.M. Map No. 20091C0120C Johnson County, Kansas, dated August 3, 2009 this entire site is determined to be outside the 100-year floodplain.

$$3,896.12' (\text{plat boundary distance}) / 0.0077' (\text{closing distance}) = \text{unadjusted error of closure } 1 \text{ in } 505,990.91$$

23-0016-PLT.dwg

Project Name: Nice Ice Baby

PROJECT NUMBER	24-305-01
REQUEST	CONDITIONAL USE PERMIT
APPLICANT	NICE ICE BABY
OWNER	H. H. KLEMP
ADDRESS	312 W MAIN ST
PARCEL ID	CP84000000 000A



Executive Summary:

PRESENT ZONING:	C-1
PRESENT LAND USE:	VACANT
PROPOSED LAND USE:	CONDITIONAL USE PERMIT FOR A SEASONAL FOOD TRACK
TOTAL SITE AREA:	0.38 ACRES



Staff Recommendation

Staff recommends the Planning Commission recommend approval of 24-305-01, a Conditional Use Permit for Nice Ice Baby at 312 W Main St with the conditions in the recommended motion.

Context:

Background/History

312 W Main St is zoned C-1 (Central Business) District. It currently has a residential building on it but is not used as a residence. It also had a building to the east that was used as a restaurant. It has since been demolished, with the concrete foundation remaining. In 2023, Arsyia Hibachi food truck obtained a temporary use permit to operate on the site, however when they applied for a CUP to allow their food truck to be permanently located on the site, it was recommended for denial by the Planning Commission and after concerns from the Governing Body, the application was withdrawn. The mobile food text amendments make it necessary for food trucks that hook up to utilities or stay on-site when not in operation to have a conditional use permit.

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
R-2 (Two-Family) District	Single-family residences
East of Subject Property	
R-2 (Two-Family) District	Single-family residences
South of Subject Property	
R-1 (Single-Family) District	Single-family residences
West of Subject Property	
R-2 (Two-Family) District	Single-family residences

Review Criteria

Conditional Use Permit (LDC Section 17.03.050 B.)

1. The application furthers the intent of the proposed zoning district and does not conflict with the intent of any abutting districts.
2. Compliance of any proposed development with the requirements of this Code.
3. Whether any additional site-specific conditions are necessary to meet the purposes and intent of this Code and the intent or design objectives of any applicable subsections of this Code.
4. The impact on the public realm, including the design and functions of streetscapes and relationships of building and site elements to the streetscape.
5. The adequacy of drainage, utilities and other public facilities.
6. Compatibility with the character of the area in terms of building scale, building form, landscape and site design.
7. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use as proposed or foreseeable, and other potential impacts on adjacent property.
8. The application will not prevent development and use of the neighboring property in accordance with the applicable development regulations.
9. The long range plans applicable to the site and surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
10. The recommendations of professional staff.

Staff Findings

The application furthers the intent of the zoning district by providing a food and beverage use which would be allowed in the C-1 zoning district. The site is surrounded by residential zoning designation and corresponding land use. The proposed use may conflict with the intent of adjacent districts; however, the proposed use complies with the Land Development Code and the specific standards applicable to food and beverages – mobile uses. The proposed use does not have an impact on the public realm with regard to design and functions of streetscapes and relationships of the building and site elements to the streetscape. The general business operations and hours are compatible with other commercial uses typically allowed in the C-1 district; however, it may negatively impact nearby residential houses. The application, if approved, will not prevent development or the use of neighboring property in accordance with applicable development regulations. Long range plans applicable to the site and surrounding area are not negatively impacted by the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area. Due to the unusual nature of a mobile trailer being utilized on a site permanently or semi-permanently, there are a significant number of recommended conditions of approval to ensure that all regulatory standards will be met through the duration of the Conditional Use Permit.

Timeframe

Staff recommends a five year time limit, that it only be operated 4 months out of the calendar year and with the requirement that the applicant submit a temporary use permit to be approved at the beginning of each year. This is to ensure that all license requirements are kept up to date. This would also allow staff to require the conditional use permit to appear before the Planning Commission and Governing Body again before the Conditional Use expires if the use has been determined to be a nuisance to nearby properties.

Potential Actions

Per Section 17.03.010 (G) of the Gardner Land Development Code, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Recommended Motion

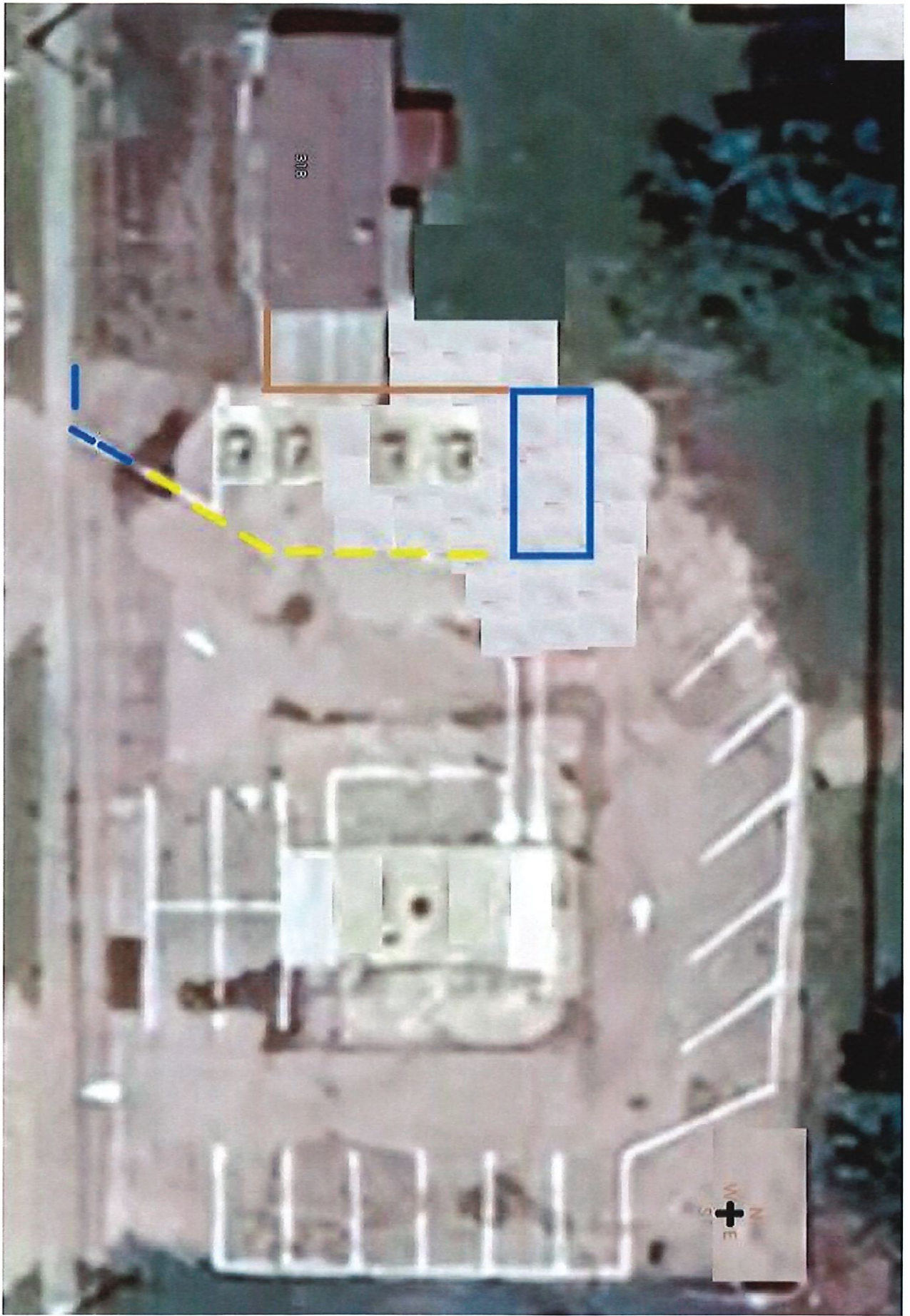
After review of application 24-305-01, a Conditional Use Permit for Nice Ice Baby at 312 W Main St, and staff report dated May 22, 2024, the Planning Commission recommends approval of the application as proposed, with the following conditions:

1. The Conditional Use permit shall expire on December 31, 2029;
2. The applicant shall be required to submit a Temporary Use Permit application to be reviewed and approved January 1st of each calendar year. Failure to meet all applicable regulations, obtain required licenses / permits etc. or receipt of complaints regarding this use of property could be reason for reconsideration and potential revocation of this Conditional Use Permit and subsequent Temporary Use Permit(s);
3. All utility connections must meet the standards and specifications of the Utilities Department and all applicable Building Codes;

4. Hours of operation shall occur between 1 p.m. and 8 p.m. daily between the months of May and August;
5. Traffic shall not interfere with the normal operation of adjacent roadways or pedestrian activity in the public rights-of-way;
6. Trash dumpsters, equipment storage, and mechanical areas must be appropriately enclosed / screened / secured per city regulations;
7. A physical barrier shall be provided that separates the picnic table / seating area from vehicle circulation lanes and parking spots;
8. Trash receptacles shall be provided near the food truck and the picnic table / seating area;
9. Any signage and lighting is subject to further review and approval by the City prior to installation. The site plan for this Conditional Use Permit does not indicate any signage or lighting;
10. Any on-site changes from that differ from the layout depicted in the site plan provided as part of this Conditional Use Permit are subject to the review and approval of the City staff and/or the Planning Commission. Failure to submit a site plan and support materials for such changes may be cause for reconsideration and revocation of this Conditional Use Permit and subsequent Temporary Use Permit(s);
11. This Conditional Use Permit is issued to the property owner and mobile food / beverage vendor at this location only as identified through the application and review process. Any change in property ownership and/or mobile food and beverage vendor will require a resubmittal of updated information to the Community Development Department at the City of Gardner and may require an application for and consideration of a replacement Conditional Use Permit and subsequent Temporary Use Permit(s);
12. The property cannot be used for the storage or parking of any equipment, vehicles, trailers, etc. that are not directly associated with or accessory to the daily business operations / functions of the mobile food and beverage use identified with this Conditional Use Permit; and
13. Any further development of the property is limited to the parameters of this Conditional Use Permit and subject all applicable regulations and policies of the City of Gardner.

Attachments

1. Site Plan





Nice Ice Baby II LLC
NOW OPEN

Ice Cream Menu
Vanilla Caramel
Mint Chocolate
Strawberry Cheesecake
Peanut Butter
Caramel Apple
Chocolate Raspberry
Lemon Cheesecake
Pumpkin Spice
Tiramisu
Milk Chocolate
White Chocolate
Dark Chocolate
Salted Caramel
Mint Chocolate
Strawberry
Peanut Butter
Caramel
Chocolate
Vanilla
Milk Chocolate
White Chocolate
Dark Chocolate
Salted Caramel
Mint Chocolate
Strawberry
Peanut Butter
Caramel
Chocolate
Vanilla



PLANNING COMMISSION STAFF REPORT

ITEM No. 4

MEETING DATE: MAY 28, 2024

STAFF CONTACT: MATTHEW WOLFF, FINANCE DIRECTOR

PROJECT NUMBER / TITLE: Review 2025 - 2029 Capital Improvement Program for conformance with the Gardner comprehensive plan.

ITEM SUMMARY: The Capital Improvement Program (CIP) includes a 5-year capital plan for infrastructure, park, and facility improvements crucial to the community's future. To be defined as a capital project, the project must exceed \$25,000 in cost, and should be a non-recurring expenditure. The City Council's strategic priorities, the Comprehensive Plan, the 20-year Capital Improvement Element, and master plans guide the identification of projects.

ANALYSIS: Staff reviewed the City's Comprehensive Plan to ensure the Capital Improvement Program was in conformance. Some of the CIP projects were specifically mentioned in the Comprehensive Plan as part of the Capital Improvement Element (Chapter 12). New project requests still conform to the general policies outlined in the Comprehensive Plan, such as maintaining high quality facilities and services, infrastructure, and preparing for growth.

STAFF RECOMMENDATION: Staff recommends the Planning Commission entertain a motion to find the proposed 2025-2029 Capital Improvement Program in general conformance with the Comprehensive Plan.

ATTACHMENTS:

1. 2025-2029 CIP Summary by Department
2. 2025-2029 CIP Detail Report

Capital Improvement Program

2025 *thru* 2029

Department Parks and Recreation
 Contact Park and Recreation Director
 Type Improvement
 Useful Life 15 years
 Category Park Improvements
 Priority 1 Critical
 Status Active

City of Gardner, Kansas

Project #	PR5001
Project Name	Stone Creek Park Playground Replacement

Cash or Debt: Cash

Total Project Cost: \$500,000

Description
Replacement of the Stone Creek Park playground structure.

Justification
The playground unit at Stone Creek Park is 20 years old. When sections of the playground fail, replacement parts are not available due to the age of the structure.

Expenditures	2025	2026	2027	2028	2029	Total
Construction		500,000				500,000
Total		500,000				500,000

Funding Sources	2025	2026	2027	2028	2029	Total
Park Improvement Fund		500,000				500,000
Total		500,000				500,000

Budget Impact/Other
None/Minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Parks and Recreation
 Contact Park and Recreation Director
 Type Improvement
 Useful Life 20 years
 Category Park: Veterans Park
 Priority 3 Important
 Status Active

Project # PR5005
 Project Name Veterans Park Restroom Rehab

Cash or Debt: Cash

Total Project Cost: \$200,000

Description

This project is for the design and installation of a new ADA restroom facility at Veteran's Park.

Justification

The existing restroom at Veterans Park is not up to ADA code. With the addition of the City's first Inclusive Playground at Veterans Park, this facility would accommodate all users of the playground. The City hopes to obtain a 50/50 grant for this project through the Land Water and Conservation Fund.

Expenditures	2025	2026	2027	2028	2029	Total
Construction	200,000					200,000
Total	200,000					200,000

Funding Sources	2025	2026	2027	2028	2029	Total
Capital Improvement Reserve Fund	100,000					100,000
Grants	100,000					100,000
Total	200,000					200,000

Budget Impact/Other

None/Minimal.

Capital Improvement Program

2025 *thru* 2029

Department Parks and Recreation
 Contact Park and Recreation Director
 Type Improvement
 Useful Life 20 years
 Category Park Improvements
 Priority 3 Important
 Status Active

City of Gardner, Kansas

Project #	PR5006
Project Name	Celebration Park Playground Replacement

Cash or Debt: Debt

Total Project Cost: \$1,000,000

Description
Replacing aging playground equipment at Celebration Park with updated structures and surfacing that will include inclusive play.

Justification
The playground unit at Celebration Park is approaching 20 years old. When sections of the playground fail, replacement parts are not available due to the age of the structure.

Expenditures	2025	2026	2027	2028	2029	Total
Construction				1,000,000		1,000,000
Total				1,000,000		1,000,000

Funding Sources	2025	2026	2027	2028	2029	Total
Capital Improvement Reserve Fund				1,000,000		1,000,000
Total				1,000,000		1,000,000

Budget Impact/Other
Future principal and interest payments will come from the Bond and Interest Fund.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact Public Works Director

Project #	AP2301
Project Name	Terminal Building Replacement

Type Improvement

Useful Life 40 years

Category Airport

Priority 3 Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$3,900,000

Description
Demolition and replacement of existing flight school and terminal buildings, per the business and economic development plan and terminal design.

Justification
Recommended in the 2009 Airport Master Plan. Current facility is not serviceable, and extensive areas are not useable.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
336,000	Construction/Maintenance		3,351,000				3,351,000
	Equip/Vehicles/Furnishings			130,000			130,000
Total	Construction Engineering		83,000				83,000
	Total		3,434,000	130,000			3,564,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
336,000	Airport Fund		171,700	130,000			301,700
	Federal Aviation Administration		3,262,300				3,262,300
Total	Total		3,434,000	130,000			3,564,000

Budget Impact/Other
Potential revenue increase with additional tenants with improved space. May attract new business.
Potential decrease in utility and maintenance costs.
Project is estimated with 95% KAIP and 90% ATP matching funds.

Capital Improvement Program

2025 *thru* 2029

Department Public Works
 Contact Public Works Director

City of Gardner, Kansas

Project # AP3000
 Project Name Land Acquisition, Tract E

Type Land Acquisition
 Useful Life Unlimited
 Category Airport
 Priority 1 Critical
 Status Active

Cash or Debt: Cash

Total Project Cost: \$875,000

Description
 Land Acquisition, Relocation Advisory Services, Demolition and Clearing in Runway 35 approach, Tract E. Funded with 90% FAA NPE and BIL funding.

Justification
 Acquiring the tract will give the Airport control of land within the existing Runway Protection Zone. This will allow for the future improvement of runway 17-35.
 The project is required and per FAA is the next project eligible for non-primary entitlement (NPE) and Bipartisan Infrastructure Law (BIL) funding.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
475,000	Demolition/Removal	400,000					400,000
Total	Total	400,000					400,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
475,000	Airport Fund	40,000					40,000
	Federal Aviation Administration	360,000					360,000
Total	Total	400,000					400,000

Budget Impact/Other
 Requires upfront costs that will be reimbursed at a 90/10 rate. The reimbursements may not occur until the next year.

Capital Improvement Program

2025 *thru* 2029

Department Public Works
 Contact Public Works Director
 Type Improvement
 Useful Life 30 years
 Category Airport
 Priority 2 Very Important
 Status Active

City of Gardner, Kansas

Project # AP3001
 Project Name Reconstruct West Apron

Cash or Debt: Cash

Total Project Cost: \$900,000

Description

This project will fund the reconstruction of the west portion of the transient aircraft parking apron and connection to Runway 8-26. The pavement has exceeded its useful life. 2018 PCI values were reported as 34 and 55.

Justification

The terminal area apron is congested and needs to be repaired. It has been recently seal coated but has shallow ponds. A connector taxiway is needed to access the north T-hanger area to avoid taxiing on the runway to access the fueling station and the terminal apron.

Expenditures	2025	2026	2027	2028	2029	Total
Engineering		120,000				120,000
Construction			680,000			680,000
Construction Engineering			100,000			100,000
Total		120,000	780,000			900,000

Funding Sources	2025	2026	2027	2028	2029	Total
Airport Fund		12,000	78,000			90,000
Federal Aviation Administration		108,000	702,000			810,000
Total		120,000	780,000			900,000

Budget Impact/Other

Requires upfront costs that will be reimbursed at a 90/10 rate. The reimbursements may not occur until the next year.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Public Works
 Contact Public Works Director
 Type Improvement
 Useful Life 30 years
 Category Airport
 Priority 3 Important
 Status Active

Project # AP3002
 Project Name Reconstruct East Apron

Cash or Debt: Cash

Total Project Cost: \$500,000

Description
 This project will fund the reconstruction of the east portion of the transient aircraft parking apron. The pavement has exceeded its useful life. 2018 PCI value was reported as 68.

Justification
 The terminal area apron is congested and needs to be repaired. It has been recently seal coated but has shallow ponds. A connector taxiway is needed to access the north T-hanger area to avoid taxiing on the runway to access the fueling station and the terminal apron.

Expenditures	2025	2026	2027	2028	2029	Total	Future
Engineering					46,000	46,000	454,000
Total					46,000	46,000	Total

Funding Sources	2025	2026	2027	2028	2029	Total	Future
Airport Fund					4,600	4,600	454,000
Federal Aviation Administration					41,400	41,400	Total
Total					46,000	46,000	

Budget Impact/Other
 Requires upfront costs that will be reimbursed at a 90/10 rate. The reimbursements may not occur until the next year.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact Public Works Director

Project #	AP3012
Project Name	Replace Fuel Facility

Type Improvement

Useful Life 30 years

Category Airport

Priority 2 Very Important

Status Active

Cash or Debt:

Total Project Cost: \$930,000

Description

Design, construction, and construction services fees associated with replacing the fuel dispensers, credit card reader, and constructing an above-ground fuel tank at K34.

Justification

The current system features an antiquated fuel dispenser as well as below ground tanks that pose an environmental hazard. Replacing the fuel dispensers, credit card reader, and constructing an above-ground fuel tank would bring the airport's fuel system up-to-date alongside the exciting terminal building improvements planned. This new system would remain as self-serve, allowing tenants and itinerant users to safely fuel aircraft. The above-ground tanks also would comply with KDHE regulations concerning fuel storage.

Expenditures	2025	2026	2027	2028	2029	Total
Engineering	80,000					80,000
Construction		795,000				795,000
Construction Engineering		55,000				55,000
Total	80,000	850,000				930,000

Funding Sources	2025	2026	2027	2028	2029	Total
Airport Fund	4,000	127,500				131,500
KDOT	76,000	722,500				798,500
Total	80,000	850,000				930,000

Budget Impact/Other

Project was selected for KDOT Kansas Airport Improvement Funding, with engineering design funded at 95% KDOT / 5% Sponsor and construction funded at 85% KDOT / 15% sponsor.

Capital Improvement Program

2025 thru 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project #	PW2202
Project Name	Gardner Rd. Bridge over I-35

Type Improvement

Useful Life 40 years

Category Street Reconstruction

Priority 1 Critical

Status Active

Cash or Debt: Debt

Total Project Cost: \$36,200,000

Description

This project is the second phase of improvements to the I-35 and Gardner Road interchange. KDOT hired HDR to perform the preliminary design of the proposed diverging diamond interchange and final design of a new bridge over I-35. The project will preserve right-of-way relocate utilities for the future interchange. Construction is proposed to begin in KDOT FY 2024.

Justification

The existing bridge over I-35 is considered functionally obsolete. It is extremely narrow and has no provision for pedestrians or bicycles.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
8,000,000	Construction	25,700,000					25,700,000
	Construction Engineering	2,500,000					2,500,000
Total	Total	28,200,000					28,200,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
8,000,000	KDOT	20,200,000					20,200,000
	MARC	6,000,000					6,000,000
Total	Special Highway Fund	2,000,000					2,000,000
	Total	28,200,000					28,200,000

Budget Impact/Other

The Special Highway Fund will transfer funds over to the Bond and Interest Fund on an annual basis to cover the debt service payments. Funding for future principal and interest payments will be come from the Bond and Interest Fund.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project # PW6004
 Project Name 167th Street, Center to Moonlight Reconstruction

Type Maintenance

Useful Life 30 years

Category Street Reconstruction

Priority 2 Very Important

Status Active

Cash or Debt: Debt

Total Project Cost: \$11,385,500

Description

Widen to 3 lanes with multi-use path, sidewalk, and on-street bike lanes.

Justification

The existing road is a rural two-lane section with open ditches and narrow pavement.

Expenditures	2025	2026	2027	2028	2029	Total
Land Acquisition			412,500			412,500
Engineering		160,000				160,000
Construction				7,857,000		7,857,000
Inspection				700,000		700,000
Utility Relocation			2,256,000			2,256,000
Total		160,000	2,668,500	8,557,000		11,385,500

Funding Sources	2025	2026	2027	2028	2029	Total
MARC				5,500,000		5,500,000
Special Highway Fund		160,000	2,668,500	3,057,000		5,885,500
Total		160,000	2,668,500	8,557,000		11,385,500

Budget Impact/Other

The Special Highway Fund will transfer funds over to the Bond and Interest Fund on an annual basis to cover the debt service payments. Funding for future principal and interest payments will be come from the Bond and Interest Fund.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project #	PW6005
Project Name	167th Street, Kill Creek to Waverly

Type Improvement

Useful Life 30 years

Category Street Reconstruction

Priority 2 Very Important

Status Active

Cash or Debt: Debt

Total Project Cost: \$6,210,000

Description
Widen to 3 lanes with multi-use path, sidewalk, and on-street bike lanes.

Justification
Existing roadway is a rural two-lane section with open ditches and narrow pavement.

Expenditures	2025	2026	2027	2028	2029	Total
Land Acquisition					110,000	110,000
Engineering					500,000	500,000
Construction					5,000,000	5,000,000
Inspection					300,000	300,000
Utility Relocation					300,000	300,000
Total					6,210,000	6,210,000

Funding Sources	2025	2026	2027	2028	2029	Total
CARS					2,650,000	2,650,000
Unfunded					3,560,000	3,560,000
Total					6,210,000	6,210,000

Budget Impact/Other
The Special Highway Fund will transfer funds over to the Bond and Interest Fund on an annual basis to cover the debt service payments. Funding for future principal and interest payments will be come from the Bond and Interest Fund.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project #	PW6010
Project Name	Signal Interconnect

Type Improvement

Useful Life 20 years

Category IT Infrastructure

Priority 2 Very Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$300,000

Description
The project will provide hardware and software to interconnect traffic signal operations along US-56 from Center St to Cedar Niles and along Moonlight Rd from US-56 to Madison.

Justification
As the city continues to grow, congestion on city streets will only increase with the additional traffic volumes. The city obtained a grant from MARC to acquire and install hardware and software to interconnect the signals, which will result in more efficient travel flow and reduced carbon emissions.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
82,800	Installation	217,200					217,200
Total	Total	217,200					217,200

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
82,800	MARC	173,760					173,760
Total	Special Highway Fund	43,440					43,440
	Total	217,200					217,200

Budget Impact/Other
None/minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Public Works

Contact City Engineer

Type Maintenance

Useful Life 30 years

Category Street Maintenance

Priority 3 Important

Status Active

Total Project Cost: \$1,151,000

Project # PW6015

Project Name Old 56

Cash or Debt: Cash

Description

Mill and overlay Old 56 within the city limits.

Justification

The PCI is the lowest of any arterial in the city.

Expenditures	2025	2026	2027	2028	2029	Total
Construction		1,140,000				1,140,000
Inspection		11,000				11,000
Total		1,151,000				1,151,000

Funding Sources	2025	2026	2027	2028	2029	Total
CARS		575,500				575,500
Special Highway Fund		575,500				575,500
Total		1,151,000				1,151,000

Budget Impact/Other

None/minimal.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project # PW6016
 Project Name 175th, Osage to Waverly

Type Maintenance

Useful Life 30 years

Category Street Maintenance

Priority 3 Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$684,000

Description

Mill and overlay.

Justification

This section of road has one of the lowest PCI's in the city.

Expenditures	2025	2026	2027	2028	2029	Total
Construction			674,000			674,000
Inspection			10,000			10,000
Total			684,000			684,000

Funding Sources	2025	2026	2027	2028	2029	Total
CARS			342,000			342,000
Special Highway Fund			342,000			342,000
Total			684,000			684,000

Budget Impact/Other

None/minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Public Works
 Contact City Engineer
 Type Maintenance
 Useful Life 30 years
 Category Street Maintenance
 Priority 3 Important
 Status Active

Project # PW6017
 Project Name Gardner Rd, 188th to BNSF

Cash or Debt: Debt

Total Project Cost: \$2,280,000

Description

Mill and overlay the existing asphalt pavement.

Justification

This section of roadway has a PCI in the low 60's and will need a mill and overlay to extend the life of the pavement and delay total reconstruction.

Expenditures	2025	2026	2027	2028	2029	Total
Construction				2,260,000		2,260,000
Inspection				20,000		20,000
Total				2,280,000		2,280,000

Funding Sources	2025	2026	2027	2028	2029	Total
CARS				1,140,000		1,140,000
Special Highway Fund				1,140,000		1,140,000
Total				2,280,000		2,280,000

Budget Impact/Other

The Special Highway Fund will transfer funds over to the Bond and Interest Fund on an annual basis to cover the debt service payments. Funding for future principal and interest payments will be come from the Bond and Interest Fund.

Capital Improvement Program

2025 *thru* 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project #	PW6018
Project Name	Cherokee Rehab, West City Limits to Center St

Type Maintenance

Useful Life 15 years

Category Street and Concrete Rehabilitat

Priority 3 Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$840,000

Description
Cherokee (183rd) west of Gardner Road is a three-lane roadway with curb and gutter. The roadway periodically requires mill and overlay of the asphalt surface. Previously PW2402.

Justification
The existing road needs major maintenance to extend the life of the pavement and prevent much more extensive reconstruction in the future.

Expenditures	2025	2026	2027	2028	2029	Total
Construction	824,000					824,000
Inspection	16,000					16,000
Total	840,000					840,000

Funding Sources	2025	2026	2027	2028	2029	Total
CARS	420,000					420,000
Special Highway Fund	420,000					420,000
Total	840,000					840,000

Budget Impact/Other
None/Minimal.

Capital Improvement Program

2025 thru 2029

Department Public Works

City of Gardner, Kansas

Contact City Engineer

Project # PW6019
 Project Name I-35 and US-56 Interchange Improvements

Type Improvement

Useful Life 15 years

Category Street Construction

Priority 2 Very Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$1,345,000

Description

Addition of traffic signals at the ramp intersections and a right turn lane for northbound traffic and extension of the left turn lane for westbound traffic. Previously PW2304.

Justification

Traffic studies performed for recent developments indicate that a signal is currently warranted for the southbound ramp intersection.

Expenditures	2025	2026	2027	2028	2029	Total
Land Acquisition	50,000					50,000
Engineering	132,000					132,000
Construction		1,053,000				1,053,000
Inspection		110,000				110,000
Total	182,000	1,163,000				1,345,000

Funding Sources	2025	2026	2027	2028	2029	Total
KDOT	163,800	956,700				1,120,500
Special Highway Fund	18,200	206,300				224,500
Total	182,000	1,163,000				1,345,000

Budget Impact/Other

None/Minimal.

Capital Improvement Program

2025 *thru* 2029

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 40 years
 Category Electric Distribution
 Priority 1 Critical
 Status Active

City of Gardner, Kansas

Project # EL4003
 Project Name S. Clare Rd. to 191sr St. Overhead Power Line

Cash or Debt: Cash

Description

Install 2.5 miles of 3-phase overhead electric line from future Substation 4 that is located on S. Clare Rd. to 191st St.

Justification

To serve electric customers in this area and Cedar Nile Lift Station.

Expenditures	2025	2026	2027	2028	2029	Total
Materials	400,000					400,000
Total	400,000					400,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund	400,000					400,000
Total	400,000					400,000

Budget Impact/Other

None/Minimal.

Capital Improvement Program

2025 *thru* 2029

Department Utilities

City of Gardner, Kansas

Contact Utility Director

Project #	EL4004
Project Name	Substation #1 T2 Upgrade

Type Improvement

Useful Life 30 years

Category Electric Generation

Priority 2 Very Important

Status Active

Cash or Debt: Debt

Description

Replace transformer #2 at Substation #1 with a 30MVA transformer.

Justification

The 2017 Revised Electric Master Plan anticipated load growth for 2025 build-out calls for an upgrade to transformer T-2 to 30 MVA capacity.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
450,000	Materials	3,075,000					3,075,000
	Installation	1,420,000					1,420,000
Total	Total	4,495,000					4,495,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
450,000	Electric Fund	4,495,000					4,495,000
Total	Total	4,495,000					4,495,000

Budget Impact/Other

Future principal and interest payments will come from the Electric Fund.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 40 years
 Category Electric Generation
 Priority 1 Critical
 Status Active

Project # EL4005
 Project Name Claire Road Substation 4

Cash or Debt: Debt

Total Project Cost: \$15,700,000

Description
 Construction of new substation on Clare Rd. south of I-35.

Justification
 Future growth south of I-35.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
800,000	Construction	14,900,000					14,900,000
Total	Total	14,900,000					14,900,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
800,000	Electric Fund	14,900,000					14,900,000
Total	Total	14,900,000					14,900,000

Budget Impact/Other
 Future principal and interest payments will come from the Electric Fund.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Maintenance
 Useful Life 15 years
 Category Electric Administration
 Priority 2 Very Important
 Status Active

Project # EL4006
 Project Name Resurface Parking Lot

Cash or Debt: Cash

Total Project Cost: \$80,000

Description
 Mill and overlay parking lot at Utilities Administration Building.

Justification
 The surface has deteriorated over the past several years (cracks, potholes, etc.) and needs resurfacing. Street Maintenance have performed minor repairs through the years but due to heavy traffic a permanent fix is needed.
 Will be done once the new building is built.

Expenditures	2025	2026	2027	2028	2029	Total
Construction/Maintenance	80,000					80,000
Total	80,000					80,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund	80,000					80,000
Total	80,000					80,000

Budget Impact/Other
 None/Minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 20 years
 Category Electric Generation
 Priority 2 Very Important
 Status Active

Project #	EL4010
Project Name	Unit 1 & 2 Lube Oil Coolers

Cash or Debt: Cash

Total Project Cost: \$312,000

Description
Replace existing lube oil coolers on both gas turbines with fin-fan cooler type.

Justification
Units cannot run continuously during summer months due to inadequate cooling causing units to trip on high lube oil temperature. Identified in the 2024 Master Plan.

Expenditures	2025	2026	2027	2028	2029	Total
Installation	312,000					312,000
Total	312,000					312,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund	312,000					312,000
Total	312,000					312,000

Budget Impact/Other
None/Minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 15 years
 Category Electric Generation
 Priority 2 Very Important
 Status Active

Project # EL4011
 Project Name Unit 2 Upgrade

Cash or Debt: Debt

Total Project Cost: \$2,496,000

Description
 Upgrade Unit 2 Gas Turbine to R model.

Justification
 Unit can only generate 14 MW, by upgrading the turbine to R model, the unit will be able to generate 19 MW. Identified in the 2024 Master Plan.
 The alternative is to buy paper capacity at \$10.50/kw-month equal to \$630,000 a year.

Expenditures	2025	2026	2027	2028	2029	Total
Installation	2,496,000					2,496,000
Total	2,496,000					2,496,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund	2,496,000					2,496,000
Total	2,496,000					2,496,000

Budget Impact/Other
 Future principal and interest payments will come from the Electric Fund.

Capital Improvement Program

2025 *thru* 2029

Department Utilities

City of Gardner, Kansas

Contact Utility Director

Project #	EL4012
Project Name	Unit 1 Upgrade

Type Improvement

Useful Life 15 years

Category Electric Generation

Priority 2 Very Important

Status Active

Cash or Debt: Debt

Total Project Cost: \$2,700,000

Description
Upgrade Unit 1 Gas Turbine to R model

Justification
Unit can only generate 14 MW, by upgrading the turbine to R model, the unit will be able to generate 19 MW. Identified in the 2024 Master Plan. The alternative is to buy paper capacity at \$10.50/kw-month equal to \$630,000 a year.

Expenditures	2025	2026	2027	2028	2029	Total
Installation			2,700,000			2,700,000
Total			2,700,000			2,700,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund			2,700,000			2,700,000
Total			2,700,000			2,700,000

Budget Impact/Other
Future principal and interest payments will come from the Electric Fund.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 20 years
 Category Electric Distribution
 Priority 1 Critical
 Status Active

Project # EL4015
 Project Name New Distribution Feeder Circuit 23

Cash or Debt: Cash

Total Project Cost: \$998,000

Description
 Install a new distribution feeder circuit 23 to serve the northeast of town.

Justification
 Due to the newly annexed tracts in the northeast area of the city, an additional distribution feeder is needed to supply reliable power. Identified in the 2024 Master Plan.

Expenditures	2025	2026	2027	2028	2029	Total
Installation			998,000			998,000
Total			998,000			998,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund			998,000			998,000
Total			998,000			998,000

Budget Impact/Other
 None/Minimal.

Capital Improvement Program

2025 *thru* 2029

Department Utilities

City of Gardner, Kansas

Contact Utility Director

Project #	EL4017
Project Name	Conversion Circuit 34

Type Improvement

Useful Life 30 years

Category Electric Distribution

Priority 4 Less Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$887,000

Description
Convert Circuit 34 from overhead to underground.

Justification
To increase service reliability and replace old equipment. Identified in the 2024 Master Plan.

Expenditures	2025	2026	2027	2028	2029	Total
Installation				887,000		887,000
Total				887,000		887,000

Funding Sources	2025	2026	2027	2028	2029	Total
Electric Fund				887,000		887,000
Total				887,000		887,000

Budget Impact/Other
None/Minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Land Acquisition
 Useful Life Unlimited
 Category Electric Generation
 Priority 5 Future Consideration
 Status Active

Project # EL4019
 Project Name New Substation 5 - Land Acquisition

Cash or Debt: Cash

Total Project Cost: \$682,000

Description
 Substation 5 is to be located North of W 199th Street (city limit) along Moonlight Rd.

Justification
 A fourth substation will be needed to serve growth east of I-35 and should be purchased prior to development to preserve a location for this substation. Includes design of new substation. Identified in the 2024 Master Plan.

Expenditures	2025	2026	2027	2028	2029	Total	Future	
Planning/Design					100,000	100,000	582,000	
Total	<hr/>					100,000	100,000	Total

Funding Sources	2025	2026	2027	2028	2029	Total	Future	
Electric Fund					100,000	100,000	582,000	
Total	<hr/>					100,000	100,000	Total

Budget Impact/Other
 None/Minimal.

Capital Improvement Program

2025 thru 2029

Department Utilities
 Contact Utilities Manager
 Type Improvement
 Useful Life 40 years
 Category Water
 Priority 1 Critical
 Status Active

City of Gardner, Kansas

Project # WA7003
 Project Name New Water Transmission Line

Cash or Debt: Debt

Total Project Cost: \$8,250,000

Description

Construct a 20-inch Water Transmission Line from Hillsdale Plant along Moonlight Road.

Justification

WTP can produce up to 7 MGD but existing water transmission line is limited to 4 MGD. Provide redundancy if primary transmission goes out of service.

Expenditures	2025	2026	2027	2028	2029	Total
Construction	4,250,000	4,000,000				8,250,000
Total	4,250,000	4,000,000				8,250,000

Funding Sources	2025	2026	2027	2028	2029	Total
Water Fund	4,250,000	4,000,000				8,250,000
Total	4,250,000	4,000,000				8,250,000

Budget Impact/Other

Future principal and interest payments will come from the Water Fund.

Capital Improvement Program

2025 *thru* 2029

Department Utilities

City of Gardner, Kansas

Contact Utility Director

Project #	WW8000
Project Name	Nike L.S. and Forcemain Improvements

Type Improvement

Useful Life 20 years

Category Wastewater

Priority 3 Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$650,000

Description
Construct new lift station and forcemain at Nike LS.

Justification
To serve proposed growth area between S Gardner Road, S Moonlight, 191st Street and W 199th Street as recommended by 2017 Master Plan.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
150,000	Construction	500,000					500,000
Total	Total	500,000					500,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
150,000	Wastewater Fund	500,000					500,000
Total	Total	500,000					500,000

Budget Impact/Other
None/Minimal.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 20 years
 Category Wastewater
 Priority 5 Future Consideration
 Status Active

Project # WW8001
 Project Name WWTP Advanced Nutrient Removal

Cash or Debt: Debt

Total Project Cost: \$5,850,000

Description
 Install Advanced Nutrient Removal System at WWTP.

Justification
 Installation of an anaerobic selector basin to achieve the nutrient removal required by future operating permits.

Expenditures	2025	2026	2027	2028	2029	Total
Engineering	450,000					450,000
Construction		5,400,000				5,400,000
Total	450,000	5,400,000				5,850,000

Funding Sources	2025	2026	2027	2028	2029	Total
Wastewater Fund	450,000	5,400,000				5,850,000
Total	450,000	5,400,000				5,850,000

Budget Impact/Other
 Future principal and interest payments will come from the Wastewater Fund.

Capital Improvement Program

2025 *thru* 2029

Department Utilities

City of Gardner, Kansas

Contact Utility Director

Project #	WW8013
Project Name	Cedar Niles Lift Station and Force Main

Type Improvement

Useful Life 40 years

Category Wastewater

Priority 2 Very Important

Status Active

Cash or Debt: Cash

Total Project Cost: \$8,607,600

Description

This project is for the design and construction of a wastewater lift station and supporting infrastructure for Gardner's southeast development, a geographically large section of the community which is projected to experience considerable near term residential and commercial growth. In order to service this area, a new wastewater conveyance system is required. This project includes a lift station (a pumping station that moves wastewater from a lower elevation to a higher elevation) at Cedar Niles Road and 191th Street, as well as a force main (a pressurized sewer pipe that conveys wastewater) to connect the new lift station to the existing sanitary sewer infrastructure at the South Lift Station. It will also add an East, West and South Interceptors (major sewer lines that receives wastewater flows from collector sewers), all of which will connect to the proposed Cedar Niles Lift Station.

Justification

This project is for the design and construction of a wastewater lift station to move wastewater from a lower elevation to a higher elevation) at Cedar Niles Road and 191th Street, as well as a force main (a pressurized sewer pipe that conveys wastewater) to connect the new lift station to the existing sanitary sewer infrastructure at the South Lift Station.

Prior	Expenditures	2025	2026	2027	2028	2029	Total
4,607,600	Construction	4,000,000					4,000,000
Total	Total	4,000,000					4,000,000

Prior	Funding Sources	2025	2026	2027	2028	2029	Total
3,807,600	Grants	4,800,000					4,800,000
Total	Total	4,800,000					4,800,000

Budget Impact/Other

TBD.

Capital Improvement Program

2025 *thru* 2029

City of Gardner, Kansas

Department Utilities
 Contact Utility Director
 Type Improvement
 Useful Life 40 years
 Category Wastewater
 Priority 3 Important
 Status Active

Project # WW8019
 Project Name Kill Creek Interceptor Improvements

Cash or Debt: Debt

Total Project Cost: \$4,300,000

Description

This project will provide repairs to the existing sanitary sewer interceptor from 167th to the KCWRRF intake Lift Station. This would include repair of existing line and manholes along with design and construction of a parallel interceptor to accommodate the increased flows produced by development throughout the City.

Justification

Increased flows from infill and development are projected to reach the existing interceptors flow capacity.

Expenditures	2025	2026	2027	2028	2029	Total
Engineering	600,000					600,000
Construction		3,700,000				3,700,000
Total	600,000	3,700,000				4,300,000

Funding Sources	2025	2026	2027	2028	2029	Total
Wastewater Fund	600,000	3,700,000				4,300,000
Total	600,000	3,700,000				4,300,000

Budget Impact/Other

Future principal and interest payments will come from the Wastewater Fund.

City of Gardner, Kansas
Capital Improvement Program
 2025 thru 2029

PROJECTS BY DEPARTMENT

Department	Project #	Priority	2025	2026	2027	2028	2029	Total
Parks and Recreation								
Stone Creek Park Playground Replacement	PR5001	1		500,000				500,000
Veterans Park Restroom Rehab	PR5005	3	200,000					200,000
Celebration Park Playground Replacement	PR5006	3				1,000,000		1,000,000
Parks and Recreation Total			200,000	500,000		1,000,000		1,700,000
Public Works								
Terminal Building Replacement	AP2301	3		3,434,000	130,000			3,564,000
Land Acquisition, Tract E	AP3000	1	400,000					400,000
Reconstruct West Apron	AP3001	2		120,000	780,000			900,000
Reconstruct East Apron	AP3002	3					46,000	46,000
Replace Fuel Facility	AP3012	2	80,000	850,000				930,000
Gardner Rd. Bridge over I-35	PW2202	1	28,200,000					28,200,000
167th Street, Center to Moonlight Reconstruction	PW6004	2		160,000	2,668,500	8,557,000		11,385,500
167th Street, Kill Creek to Waverly	PW6005	2					6,210,000	6,210,000
Signal Interconnect	PW6010	2	217,200					217,200
Old 56	PW6015	3		1,151,000				1,151,000
175th, Osage to Waverly	PW6016	3			684,000			684,000
Gardner Rd, 188th to BNSF	PW6017	3				2,280,000		2,280,000
Cherokee Rehab, West City Limits to Center St	PW6018	3	840,000					840,000
I-35 and US-56 Interchange Improvements	PW6019	2	182,000	1,163,000				1,345,000
Public Works Total			29,919,200	6,878,000	4,262,500	10,837,000	6,256,000	58,152,700
Utilities								
S. Clare Rd. to 191st St. Overhead Power Line	EL4003	1	400,000					400,000
Substation #1 T2 Upgrade	EL4004	2	4,495,000					4,495,000
Claire Road Substation 4	EL4005	1	14,900,000					14,900,000
Resurface Parking Lot	EL4006	2	80,000					80,000
Unit 1 & 2 Lube Oil Coolers	EL4010	2	312,000					312,000
Unit 2 Upgrade	EL4011	2	2,496,000					2,496,000
Unit 1 Upgrade	EL4012	2			2,700,000			2,700,000
New Distribution Feeder Circuit 23	EL4015	1			998,000			998,000
Conversion Circuit 34	EL4017	4				887,000		887,000
New Substation 5 - Land Acquisition	EL4019	5					100,000	100,000
New Water Transmission Line	WA7003	1	4,250,000	4,000,000				8,250,000
Nike L.S. and Forcemain Improvements	WW8000	3	500,000					500,000
WWTP Advanced Nutrient Removal	WW8001	5	450,000	5,400,000				5,850,000
Cedar Niles Lift Station and Force Main	WW8013	2	4,000,000					4,000,000
Kill Creek Interceptor Improvements	WW8019	3	600,000	3,700,000				4,300,000
Utilities Total			32,483,000	13,100,000	3,698,000	887,000	100,000	50,268,000
GRAND TOTAL			62,602,200	20,478,000	7,960,500	12,724,000	6,356,000	110,120,700

PROJECT NUMBER / TITLE: Planning Commission Officer Elections

BACKGROUND / HISTORY

As established in The Gardner Planning Commission By-Laws (approved 1/24/2012), Article Three; Section One, the Planning Commission shall elect a Chairman and Vice Chairman each year at its regular meeting in May. There are no limitations on number of terms served in either role.

Gardner Planning Commission By-Laws Excerpt:

ARTICLE THREE ORGANIZATION

SECTION ONE: Officers. The officers of the Commission shall be a Chairman, Vice Chairman, and Secretary. The Chairman and Vice Chairman shall be elected by the Planning Commission at its regular meeting in May of each year. The term of office shall be one (1) year.

SECTION TWO: Chairman. The Chairman shall preside at all meetings of the Planning Commission. At his discretion, a Chairman may call special meetings and he may also relinquish the Chair to the Vice Chairman or other specific member. The Chairman shall appoint all committees. The Chairman shall perform all of the duties assigned to his office by law and by the City Governing Body, and shall have such usual powers of supervision and management as pertain to the office of Chairman. If the Chairmanship becomes vacant for any reason, the Vice Chairman shall succeed to the Chairmanship for the remainder of the term.

SECTION THREE: Vice Chairman. The Vice Chairman shall act as Chairman in the absence of the Chairman or disability of the Chairman. In the event the office of Chairman becomes vacant, the Vice Chairman shall succeed to that office for the unexpired term and the Planning Commission shall select a new Vice Chairman for the unexpired term.

SECTION FOUR: Secretary. The City Administrator or his/her designee serves as the Secretary of the Planning Commission. This office is not a member of the Planning Commission. The Secretary shall send notices of all regular and special meetings to all members of the Commission. In addition, the Secretary shall have, under the Chairman, charge of the office of the Planning Commission and all books, papers, and records thereof, and attend to all correspondence of the Planning Commission.

RECOMMENDATION

Staff recommends the Planning Commission nominate and elect a Chairman and a Vice Chairman of the Gardner Planning Commission for the 2024-2025 term.