



\*Note – This meeting may be transmitted via Facebook Live on the City of Tonganoxie page

Honorable Jason K. Ward, Mayor

Council Members

David Bennett

Rocky Himpel

Curtis Oroke

Lisa Patterson

Loralee Stevens

**Open Regular Meeting – 7:00 p.m.**

**I. Pledge of Allegiance**

**II. Approval of Minutes – Regular meeting dated October 7, 2019**

**III. Consent Agenda**

- a) Review bill payments

**IV. Open Agenda**

Members of the public are welcome to use this time to comment about any matter relating to City business. The comments that are discussed under Open Agenda may or may not be acted upon by the Council during this meeting. In order to speak during open agenda, you must sign up with your name and address with the city clerk or designee **before the meeting**. Comments will be limited to 3 minutes. Please wait to be recognized by the Mayor and **state your name and address** for the record.

**V. Old Business**

**VI. New Business**

- a) Ordinance 1477: Amending the “Zoning Ordinance and Subdivision Regulations” of the City of Tonganoxie, Kansas, 2003, by Rezoning Certain Property Generally Known as 304 Shawnee in the City of Tonganoxie, Kansas from R-SF to R-MF2-P
- b) Resolution 10-19-02: Findings of Fact Associated with Proposed Rezoning of 304 Shawnee
- c) Consideration of 2020 Budget Year Purchase of 2020 Dodge Charger for the Police Department
- d) City Manager Agenda
  - 1. Urgent Needs Grant Update
  - 2. Library Project Update
- e) City Attorney Agenda
- f) Mayor Pro Tem Agenda
- g) City Council Agenda
- h) Mayor Agenda

**VII. Information & Communications (No Action Required)**

**VIII. Adjourn**

City Council Meeting Minutes  
October 7, 2019  
7:00 PM Regular Meeting

**Open Regular Meeting – 7:00 p.m.**

**I. Pledge of Allegiance**

- Mayor Ward opened the meeting at 7:00 p.m.
- Roll Call: Council members present were Mayor Ward, Ms. Patterson, Ms. Stevens, and Mr. Bennett. Mr. Himpel and Mr. Oroke were absent. City Manager George Brajkovic, City Attorney Anna Krstulic, and Assistant City Manager Dan Porter were also in attendance.
- Mayor Ward led the Pledge of Allegiance.

**II. Approval of Minutes – Regular meeting dated September 16, 2019**

- **Ms. Patterson made a motion to approve the minutes from the September 16, 2019 City Council meeting.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**

**III. Consent Agenda**

- a) Review bill payments
- **Mr. Bennett made a motion to approve the consent agenda.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

**IV. Open Agenda**

Members of the public are welcome to use this time to comment about any matter relating to City business. The comments that are discussed under Open Agenda may or may not be acted upon by the Council during this meeting. In order to speak during open agenda, you must sign up with your name and address with the City Clerk or designee **before the meeting**. Comments will be limited to 3 minutes. Please wait to be recognized by the Mayor and **state your name and address** for the record.

- No members of the public addressed the City Council during open agenda.

**V. Old Business**

**VI. New Business**

- a) Presentation of 2018 Financial Audit – Kramer & Associates CPAs, LLC
- Mr. Porter introduced the item and recognized Tony Kramer with Kramer & Associates CPAs, LLC.
- Mr. Kramer addressed the City Council and described the process involved in completion of the draft financial statements for consideration. He presented the findings included in the audit to the City Council.
- Mayor Ward asked how the City could ensure that situations like future debt issuances do not impact the City's pledged securities.
- Mr. Porter commented that he was meeting with the representatives from First State Bank and Trust more frequently throughout the year to help communicate needs for additional pledged securities in the event of larger than normal deposits like property tax proceeds in January and May of each year, as well as other significant transactions.
- Mr. Kramer stated that he believed that additional communication efforts and attention would be beneficial in addressing the shortfall in pledged securities.

b) Ordinance 1476: Amending Water and Sewer Rates, System Development (Tap) Fees, and the City Water & Sewer Regulations Effective for the February 1, 2020 Billing Cycle

- Mr. Brajkovic introduced the item.
- Mr. Porter delivered a presentation on the nature of the proposed changes to the water and sewer utility rates effective on the February 1, 2020 utility bill that were based on the recent rate analysis completed by Carl Brown of GettingGreatRates.com.
- Mayor Ward thanked staff for the efforts involved in the rate analysis and rate changes. He commented that the City has struggled for many years to develop a fair and affordable manner to set water and sewer rates, and that the explanation behind the proposed changes will be very valuable in the future.
- Mr. Brajkovic thanked Mr. Porter and Ms. Krstulic for their extensive efforts to research and consolidate the various ordinances used to implement rate changes in the past into a single, simple ordinance for the City Council's consideration.
- **Mr. Bennett made a motion to approve Ordinance No. 1476: Amending Ordinance No. 1101 Concerning the Use of Public and Private Sewers and Drains Regulations of the City of Tonganoxie, Kansas and Repealing Ordinance No. 1219; Amending the City of Tonganoxie Water and Sewer Regulations and Repealing Ordinance No. 1258; and Amending the Rates Charged For Water and Sewer Services and Repealing Ordinance No. 1429.**
- **Ms. Patterson seconded.**
- **Vote of all ayes, motion carried.**

c) Resolution 10-19-01: Authorization to Execute Grant Agreement No. 19-IT-001 Between the State of Kansas Department of Commerce and the City of Tonganoxie and the Designation of Depository Agreement

- Mr. Brajkovic introduced the item and explained that the City had a period of 30 days from September 18, 2019 to execute the contract and provide it back to the State of Kansas.
- Mr. Porter explained that based on discussions with the City's auditors, there might be a need to create a new unbudgeted fund to track the project's revenues and expenditures independently and that he will confirm that approach with the State Budget Office.
- Ms. Patterson thanked staff for the efforts to effectively leverage the available funding from other sources to complete an infrastructure protection project of such significant cost.
- **Ms. Patterson made a motion to approve Resolution No. 10-19-01: Approving and Authorizing the Execution of the State of Kansas Grant Agreement No. 19-IT-001 Between the City of Tonganoxie, Kansas and the State of Kansas Department of Commerce and Authorizing Execution of Related Electronic Transfer Forms for the 2019 CDBG Urgent Need Sanitary Sewer Aerial Crossing Project.**
- **Ms. Stevens seconded.**
- **Vote of all ayes, motion carried.**

d) Consideration of Authority to Purchase Heating and Air Conditioning Equipment for Waste Water Treatment Plant Facility

- Mr. Brajkovic introduced the item.
- Mr. Bennett asked what the funding source would be for the project.
- Mr. Porter stated that the City's Sewer Capital Fund and Sewer Operations Fund would be utilized to make the purchase.
- **Ms. Stevens made a motion to authorize staff to advance with the quote from Alltech Mechanical, LLC for an amount not to exceed \$6,804.39.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**

e) Notice of Rescheduling October 21, 2019 Regular City Council Meeting

- Mr. Brajkovic commented that previous discussions of the City Council confirmed that the October 21, 2019 City Council meeting would be rescheduled if possible. He asked if the City Council members would be available on either October 14 or October 28.
- Ms. Patterson, Ms. Stevens, Mayor Ward, and Mr. Bennett stated that they are available on October 14.
- Mr. Brajkovic stated that staff would prepare the necessary communications to share the new meeting date once he confirmed attendance from the absent members of the City Council. He stated that staff would send a notification to surrounding property owners who received the notice of the public hearing for the Planning Commission meeting date.

f) Consideration of Disposition of 2011 Crown Victoria Vehicle

- Mr. Brajkovic introduced the item and described the information included in the agenda packet.
- Ms. Patterson thanked Mr. Brajkovic for the detailed information.
- Mayor Ward praised the detail included in the maintenance records kept by the Public Works Department.
- **Ms. Patterson made a motion to authorize the disposition of a 2011 Ford Crown Victoria vehicle by utilizing Purple Wave.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**

g) City Manager Agenda

1. Urgent Needs Grant Update

- Mr. Brajkovic noted that an extensive update on the Urgent Needs Grant project was already provided in the New Business portion of the agenda, and he has observed BG Consultants staff doing some staking at the project site.

2. Library Project Update

- Mr. Brajkovic provided an update on the status of the Tonganoxie Public Library construction project.

3. Emergency Purchases Update

- Mr. Brajkovic updated the City Council about two emergency purchases he had authorized since the last meeting due to the time sensitive nature of the needs. The first was emergency repairs to sewer backup damage and the remediation of a small amount of mold from previous issues at the Tonganoxie Public Library, and the second was a contract to mow the business park property in advance of the marketing event.

b) City Attorney Agenda

c) Mayor Pro Tem Agenda

d) City Council Agenda

e) Mayor Agenda

1. Executive Session for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship

- **Ms. Patterson made a motion that the City Council recess into executive session to discuss a class action notice pursuant to the attorney-client consultation exception, K.S.A. 75-4319(b)(2). The open meeting will resume in the City Council chamber at 8:17 p.m. The executive session will include the Governing Body, City Attorney, City Manager, and Assistant City Manager.**
- **Ms. Stevens seconded the motion.**

- **Vote of all ayes, motion carried.**

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- **Ms. Patterson made a motion that the City Council return from executive session at 8:17 p.m., and that no binding action was taken in the executive session.**
- **Ms. Stevens seconded the motion.**
- **Vote of all ayes, motion carried.**

## **VII. Information & Communications (No Action Required)**

## **VIII. Adjourn**

- **Ms. Patterson made a motion to adjourn the meeting.**
- **Mr. Bennett seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:18 p.m.**

Respectfully submitted,



Dan Porter, Assistant City Manager

DRAFT



Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP Bank-AP Bank</b>						
0579	SECURITY BENEFIT - 457	10/04/2019	Regular	0	3280.23	46766
0136	DELTA DENTAL PLAN OF KANSAS,IN	10/04/2019	Regular	0	2393.4	46751
0189	FIRST STATE BANK & TRUST	10/04/2019	Regular	0	2265.81	46754
0614	T-MOBILE	10/04/2019	Regular	0	1782.83	46767
0642	USPS	10/04/2019	Regular	0	1096.5	46769
0199	FREESTATE FITNESS	10/04/2019	Regular	0	1000	46755
0308	KANSAS STATE TREASURER	10/04/2019	Regular	0	901	46757
0348	KBI	10/04/2019	Regular	0	800	46760
0243	HIMPEL LUMBER & BUILDING SUPPL	10/04/2019	Regular	0	690.21	46756
0938	E2 EMBROIDERY & SCREEN PRINTING	10/04/2019	Regular	0	611	46752
0651	USA BLUE BOOK	10/04/2019	Regular	0	551.89	46768
0661	VISION SERVICE PLAN	10/04/2019	Regular	0	406.86	46770
0041	BARCO MUNICIPAL PRODUCTS INC	10/04/2019	Regular	0	294.39	46749
0410	LIBERTY NATIONAL	10/04/2019	Regular	0	206.42	46762
0496	KANSAS ONE CALL CONCEPTS	10/04/2019	Regular	0	150	46759
1100	Nick Ontiveros	10/04/2019	Regular	0	131.85	46764
0857	MIDCONTINENT COMMUNICATIONS	10/04/2019	Regular	0	116.33	46763
0034	AT&T ACCESS TRANSPORT SERVICES	10/04/2019	Regular	0	74.49	46748
0330	KANSAS GAS SERVICE	10/04/2019	Regular	0	66.41	46758
0360	KEY EQUIPMENT & SUPPLY CO	10/04/2019	Regular	0	31.84	46761
0555	RICOH USA, INC.	10/04/2019	Regular	0	29.96	46765
0111	COLEMAN EQUIPMENT INC	10/04/2019	Regular	0	23.88	46750
0671	WESTAR ENERGY	10/04/2019	Regular	0	23.64	46771
0182	FEDEX	10/04/2019	Regular	0	20.57	46753

**Bank Code AP Bank Summary**

Payment Type	Payable	Payment	Discount	Payment
	Count	Count		
Regular Checks	34	24	0.00	16,949.51
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>34</b>	<b>24</b>	<b>0.00</b>	<b>16,949.51</b>

## All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	34	24	0.00	16,949.51
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>34</b>	<b>24</b>	<b>0.00</b>	<b>16,949.51</b>

## Fund Summary

Fund	Name	Period	Amount
998	Gen Fund-Pooled Cash	10/2019	16949.51
			<b>16949.51</b>



Office of the City Manager  
**AGENDA STATEMENT**

**DATE:** October 14, 2019  
**To:** Honorable Mayor Jason K. Ward and Members of the City Council  
**FROM:** George Brajkovic, City Manager  
**SUBJECT:** Ordinance 1477, Rezoning of 304 Shawnee

**DISCUSSION:**

At the September 5, 2019 City Planning Commission meeting, a public hearing was conducted to consider rezoning 304 Shawnee from Residential Single Family (R-SF) to Residential Multi-family II District with Development Plan (R-MF2-P). The rezoning was submitted as part of an application for Schoolyard Townhomes, a proposed 32 unit multi-family development. Staff recommended approval of the rezoning request.

After conducting a public hearing, the Planning Commission approved the rezoning on a 4-3 vote. Subsequently, there was a valid protest petition submitted from the adjoining neighbors.

With a valid protest petition, it requires a  $\frac{3}{4}$  vote of the Governing Body, which includes the Mayor, to uphold the findings of the Planning Commission.

**BUDGET IMPACT:**

None.

**ACTION NEEDED:**

Make a motion to approve Ordinance 1477, rezoning 304 Shawnee from R-SF to R-MF-2-P.  
Make a motion to approve Resolution 10-19-02: findings of fact for rezoning 304 Shawnee.

**ATTACHMENTS:**

Ordinance 1477  
Resolution 10-19-02  
Rezoning Application  
Staff Report

**cc:** Dan Porter, Assistant City Manager  
Anna Krstulic, City Attorney

**ORDINANCE NO. 1477**

**AN ORDINANCE AMENDING THE TONGANOXIE ZONING AND SUBDIVISION REGULATIONS BY REZONING CERTAIN PROPERTY MORE COMMONLY KNOWN AS 304 SHAWNEE STREET, TONGANOXIE, KANSAS FROM SINGLE FAMILY DISTRICT TO MULTIPLE FAMILY 2 PLANNED RESIDENTIAL DISTRICT.**

**WHEREAS**, pursuant to the Tonganoxie Zoning and Subdivision Regulations, the Governing Body of the City of Tonganoxie, Kansas (the "City"), has the power to amend, supplement or change existing zoning regulations within the City; and

**WHEREAS**, Schoolyard Townhomes, LLC ("Applicant") submitted an application to the City to request a change in the zoning of the property generally located at 304 Shawnee Street in the City, as legally described on **Exhibit A** attached hereto (the "Property"), from "R-SF" Single Family District to "R-MF2-P" Multiple Family 2 Planned Residential District; and

**WHEREAS**, the City Clerk set a public hearing on September 5, 2019 at 7:00 p.m. at the City Hall Council Chambers for the Planning Commission to consider Applicant's request for the proposed rezoning of the Property; and

**WHEREAS**, on August 14, 2019, notice of the public hearing was published in *The Mirror*, the official City newspaper, and on August 9, 2019, notices were mailed to all owners of record of real property within the Property and within two hundred feet (200') of the Property, all in accordance with K.S.A. 12-757(b) and Section 27-011 of the Tonganoxie Zoning and Subdivision Regulations; and

**WHEREAS**, on September 5, 2019, the Planning Commission held a public hearing on the Applicant's request for the proposed rezoning of the Property and considered the matters set forth in Section 27-011 of the Tonganoxie Zoning and Subdivision Regulations; and

**WHEREAS**, the Planning Commission recommended approval of the Applicant's request for the proposed rezoning of the Property in an accurate written summary of the proceedings submitted to the Governing Body; and

**WHEREAS**, a valid protest petition against the proposed rezoning of the Property has been filed in the City Clerk's office within the required time period set forth in K.S.A. 12-757(f) and Section 27-012.C of the Tonganoxie Zoning and Subdivision Regulations; and

**WHEREAS**, on October 14, 2019, pursuant to Resolution 10-19-02, the Governing Body adopted Findings of Fact and Conclusions supporting its decision to approve the proposed rezoning of the Property.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:**

**SECTION 1.** That the Property is hereby rezoned from "R-SF" Single Family District to "R-MF2-P" Multiple Family 2 Planned Residential District.

**SECTION 2.** That the "Official Zoning District Map" adopted under Section 1-015 of the Tonganoxie Zoning and Subdivision Regulations shall be changed to reflect the rezoning of the Property, and Section 1-015 is hereby amended to reincorporate the "Official Zoning District Map" as amended by this Ordinance.

**SECTION 3.** That this Ordinance shall take effect and be in force from and after its publication in the official City newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, AND APPROVED BY THE MAYOR ON THIS 14<sup>th</sup> DAY OF OCTOBER, 2019.**

**SEAL**

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Jason K. Ward, Mayor

ATTEST:

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Patricia C Hagg, City Clerk

**EXHIBIT A**

**Legal Description of the Property**

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 7, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 15, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

and to include all of the vacated alleys and street accruing thereto.

**RESOLUTION NO. 10-19-02**

**A RESOLUTION ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS TO APPROVE THE REZONING OF CERTAIN PROPERTY MORE COMMONLY KNOWN AS 304 SHAWNEE, TONGANOXIE, KANSAS FROM SINGLE FAMILY DISTRICT TO MULTIPLE FAMILY 2 PLANNED RESIDENTIAL DISTRICT.**

**WHEREAS**, Schoolyard Townhomes, LLC ("Applicant") submitted an application to the City of Tonganoxie, Kansas (the "City") to request a change in the zoning of the property generally located at 304 Shawnee Street in the City, as legally described on Exhibit A attached hereto (the "Property"), from "R-SF" Single Family District to "R-MF2-P" Multiple Family 2 Planned Residential District; and

**WHEREAS**, the City Clerk set a public hearing on September 5, 2019 at 7:00 p.m. at the City Hall Council Chambers for the Planning Commission to consider Applicant's request for the proposed rezoning of the Property; and

**WHEREAS**, on August 14, 2019, notice of the public hearing was published in *The Mirror*, the official City newspaper, and on August 9, 2019, notices were mailed to all owners of record of real property within the Property and within two hundred feet (200') of the Property, all in accordance with K.S.A. 12-757(b) and Section 27-011 of the Tonganoxie Zoning and Subdivision Regulations; and

**WHEREAS**, on September 5, 2019, the Planning Commission held a public hearing on the Applicant's request for the proposed rezoning of the Property and considered the matters set forth in Section 27-011 of the Tonganoxie Zoning and Subdivision Regulations; and

**WHEREAS**, the Planning Commission recommended approval of the Applicant's request for the proposed rezoning of the Property in an accurate written summary of the proceedings submitted to the Governing Body; and

**WHEREAS**, the Governing Body wishes to adopt certain Findings of Fact and Conclusions made by the Planning Commission in support of the decision to approve the proposed rezoning of the Property.

**NOW, THEREFORE BE IT RESOLVED, BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS:**

**Section 1.** The Governing Body hereby adopts the following Findings of Fact and Conclusions regarding the request to rezone the Property. These Findings of Fact and Conclusions represent the basis of the Governing Body's approval of the rezoning pursuant to its authority under K.S.A. 12-741 *et seq.* and Section 27 of the Tonganoxie Zoning and Subdivision Regulations, and all other applicable laws.

## **FINDINGS OF FACT – REQUEST TO REZONE PROPERTY**

### **Meeting/Public Hearing Date:**

Planning Commission meeting, dated September 5, 2019, at 7:00 PM at the Tonganoxie City Council Chambers.

### **Subject:**

A request to rezone the Property from "R-SF" Single Family District to "R-MF2-P" Multiple Family 2 Planned Residential District.

### **History and Current Status of Property:**

Applicant proposes to rezone approximately 2.45 acres from "R-SF" Single Family District to "RMF-2-P" Multiple Family 2 Planned Residential District, with a "P" designation to account for deviations from the development standards based on a specific plan. The site is the former Tonganoxie Elementary School, and the southern portion of the school site is being developed as the public library. Applicant proposes to build thirty-two (32) town homes in six (6) blocks of buildings – two (2) along 2<sup>nd</sup> Street, one (1) along Church Street, one (1) along Shawnee Street, and two (2) along an internal drive and parking alley in the center of the site. Applicant is requesting the "P" designation for specific deviations from the development standards based on the preliminary development plan. The deviations identified more specifically in the analysis include:

Front Setbacks and Width per Unit

Side Setbacks

The Planning Commission approved the Applicant's preliminary plat and preliminary development plan on October 3, 2019.

### **Review Considerations:**

Section 8 of the Tonganoxie Zoning and Subdivision Regulations defines "R-MF2" Multiple Family 2 Districts and allowed uses as follows:

#### *General Description:*

Section 8-010 indicates that the purpose of the "R-MF2" Multiple Family 2 Districts is provide the convenience of multi-family living with the amenities available to residential development. This is considered moderate density residential housing. All higher density housing shall require Planned Unit Development (PUD) zoning.

#### *Allowed Uses:*

Section 8-011 provides the following allowed uses within "R-MF2" Multiple Family 2 Districts:

A. Residential:

1. Multi-Unit dwelling: Two-, three-, and four-family dwelling structures and structures containing two (2) to sixteen (16) dwelling units or more. (Amended by Ordinance # 1184 5/9/05).
2. Assisted Living
3. Group Home
4. Group Living
5. Accessory uses 1, 4 and 5 that are related, customary and subordinate to the existing use of the site.

B. Institutional and Services: Uses that are incidental to and compatible with the general existing or planned uses in the area.

1. Community or Social Services/Groups
2. Short- and Long-Term Health Care Facilities
3. Religious Institutions: Place of worship and other related religious uses
4. Local public utility uses
5. Safety Services
6. Public and private schools, institutions of higher learning; and related facilities

C. Recreational uses that are compatible with the uses in the surrounding area.

1. Outdoor athletic facilities
2. Open Space or Areas such as forests, orchards, and wetlands, fishing lakes, historic or archeological areas.

D. Commercial

1. Lodging Facilities I

E. Signs as regulated in Section 22.

F. Special Uses as allowed in Section 22. (Education, Other; Personal Care Facility; Lodging Facilities II, Home Occupation)

- G. Temporary Uses as approved by the Governing Body. See Section 33.
- H. Please refer to Appendix A for a list of suggested, permitted uses.

### **CONCLUSIONS**

Section 27-011 of the Tonganoxie Zoning and Subdivision Regulations requires consideration of the following matters in a request for rezoning. Following each of the required considerations are staff comments.

#### ***1. Character of the neighborhood:***

The character of the surrounding area is primarily single-family residential in a "downtown neighborhood" context, proximate to small-scale civic, institutional and commercial uses, in a walkable context of well-connected blocks. There is a mix of style and sizes of homes throughout the neighborhood, but all share a common frontage relationship to the street that promotes a neighborhood scale. Most have a "street front" orientation with main street/storefront designs, even though they support a variety of different uses. This area transitions to industrial uses and development patterns immediately to the east (both sides of 4<sup>th</sup> Street) and to neighborhoods to the south and west. This location is a key corner at the entry to "downtown" and the downtown "main street" character and development pattern extends to the west.

#### ***2. Zoning and uses of properties nearby:***

The surrounding property is zoned primarily R-SF with the HBD (historic downtown) nearby on blocks to the east, and LBD and GBD (limited and general business district) in a strip commercial pattern to the west on U.S. 24/40. This property reflects a transition from the property immediately to the south, zoned R-SF and used as the new library, approved by the Planning Commission in April. There are pockets of R-MF2 to the southwest and northeast within this "downtown neighborhood" pattern and character area.

#### ***3. Suitability of subject property for the uses to which it has been restricted:***

This property has been vacant in recent years after the closing of the school, and the southern portion is being developed as a library. Though zoned for single-family houses, it has been historically used as a school, and "block-scale" development partners have historically been on the site.

#### ***4. Extent to which removal of the restrictions will detrimentally affect nearby property:***

The rezoning will allow moderate-density attached dwelling units on the site. Further, based on the preliminary development plan, the rezoning will require the buildings and uses to reflect the character of the neighborhood in the following ways:

- All buildings are fronting on the adjacent neighborhood streets and have neighborhood scale to them (predominantly 1.5 story elevations with 2-

story accents; front entry areas and courts; no garages, driveways or parking on the frontages (other than existing on- street parking).

- Streetscapes will be enhanced by building frontages, landscape, sidewalks and street trees.
- Transitions to the new civic use of the library are provided.
- A concentration of dwelling units is introduced which can help support the civic and commercial uses nearby, and maintain the walkable character of the general vicinity.

***5. Length of time the subject property has remained vacant as zoned:***

The Tonganoxie Elementary School was built on this site in 1902. It closed in 2015 and was torn down approximately two (2) years ago.

***6. Relative gain to the public health, safety and welfare by the destruction of the value of the landowner's property as compared to the hardship imposed upon the landowner:***

The proposed project will introduce a new housing type into the downtown neighborhood while maintaining the existing scale of the neighborhood. It will allow more housing types proximate to the downtown businesses and services and present options to walk to commercial and civic destinations nearby. The existing connected street network is capable of handling the moderate density on the project and parking and access strategies adequately balance vehicular needs with the pedestrian character of the area.

***7. Conformance of the requested change to the adopted or recognized comprehensive plan of Tonganoxie, Kansas:***

This area is located in the near downtown area in the Comprehensive Plan. The Comprehensive Plan designates it as "Public/Semi-Public and Institutional" on the Future Land Use Map. However, it is likely that this was merely a reflection of existing land uses, and not truly a long-range plan for the downtown area. Other policies of the Comprehensive Plan more directly reflect goals to create more walkable destinations in and around downtown, to promote more housing choices throughout the City and within neighborhoods, and to promote a walkable character of new and existing neighborhoods.

The 2017 Comprehensive Plan update also includes a "Residential Mixed (RM)" Land Use Category that supplements the development patterns in this area. It supports a mix of housing types in neighborhood and urban residential formats integrated into downtown and surrounding areas. It recommends projects that generally range in the 8 to 20 units per acre range – particularly for duplexes, townhouses and apartments (this project is approximately 13 du/ac).

***8. Recommendations of professional staff:***

Planned Designation

Applicant's request for rezoning was accompanied by a preliminary development plan that the Planning Commission approved on October 3, 2019. The proposed plan is consistent with the R-MF2 district in the following ways:

- Allowed uses [8-011]: Structures containing 2 to 12 dwelling units or more
- Area and Height regulations [8-013]
  - Lot size of 10,000 s.f. minimum and 1,500 square feet per dwelling unit, whichever is larger;
  - Lot width of 100 feet
  - Height Regulation 3 stories or 45 feet
  - Minimum finished floor area of 500 square feet per dwelling
  - Side and rear yards of 10 and 30 feet respectively

This plan presents deviations from the base zoning district standards of R-MF2. The deviations listed below should be specifically evaluated on if they bring the project further into conformance with the above criteria than otherwise meeting the zoning district standards.

- Front Setbacks and Width per unit. The R-MF2 requires a 30' front setback, and suggests "lots" should have at least 35' per unit for 2-, 3- and 4- family units. This plan proposes front building lines at the following distances from lot lines:
  - 12.5' from Second Street on the north lot line;
  - 15' from Church Street on the west lot line;
  - 19.4' from Shawnee Street on the east lot line.

This is consistent with many existing homes on surrounding blocks which range in distance from 10' to 25' from the front lot line. Additionally, the closest relationship is Second Street on the north, where the right-of-way is deeper from the curb edge due to the existing head-in parking, so this setback will be perceived as deeper (head-in parking adds an additional 18' of depth to the street edge. Further, the human-scale nature of these frontages (entry features and courts, and no driveways or garages) makes it more appropriate to bring the buildings closer to the neighborhood streetscape. All of the buildings propose a sidewalk connecting the entrances and entry courts along the building frontages, in addition to connections to the public streetscape, adding to the pedestrian orientation of the project.

- Side Setbacks. There are two instances where the sides of buildings are closer to lot lines than the typical R-MF2 side setback of 10'. While R-MF2 allows 0' setbacks, this is on interior sides for attached buildings. These locations are a 5.1' setback for the sides of Buildings on Shawnee Street, and a 6.6' to 1.7' setback for the sides of buildings on Church Street. This building location is done to maintain the 17.6' wide walkway between buildings at the center of the site. Prior to approval, the Commission should consider the following:
  - What the side elevations at these locations will look like;
  - Whether additional streetscape or landscape could soften any large wall planes or blank facades at this location;
  - Whether the building locations could be adjusted, and if so what trade-offs exist for the internal walkway open space; and
  - Whether narrower end units are a possibility.

In general, 5' to 10' side setbacks are common and acceptable for this housing format in this context. The limited instance of a 1.7' setback does warrant closer attention for relationships to the street and property on the opposite side of the street.

**Effect of Decision:**

The Planning Commission recommends rezoning requests to the Governing Body. Based on the record and other findings of the testimony at the public hearing, the Planning Commission may:

1. Recommend approval, or
2. Recommend denial of the rezoning request.

The Governing Body reviews the request in light of the Planning Commission's recommendation. They may:

1. Adopt the recommendation by ordinance by at least 3/4 majority vote of all of the members of the Governing Body (because a protest petition has been filed against this zoning amendment),
2. Override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the Governing Body, or
3. Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

Subsequent to any decision on this particular request to rezone, before any development can occur, a site plan will need to be prepared to demonstrate that all development standards and design criteria are met.

**Section 2.** The Governing Body has considered the Applicant's request for rezoning the Property, reviewed all testimony and evidence submitted for the request, and does hereby adopt the foregoing Findings of Fact and Conclusions as the basis for its decision to approve the Rezoning.

**ADOPTED BY THE GOVERNING BODY OF THE CITY OF TONGANOXIE, KANSAS, AND APPROVED BY THE MAYOR ON THIS 14<sup>th</sup> DAY OF OCTOBER, 2019.**

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Jason K. Ward, Mayor

(SEAL)

ATTEST:

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Patricia C. Hagg, City Clerk

**EXHIBIT A**

**Legal Description of the Property**

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 7, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 15, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

and to include all of the vacated alleys and street accruing thereto.



## City of Tonganoxie, Kansas

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### PLANNING STAFF REPORT

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**Case#:** 2019-006P – Schoolyard Townhomes Rezoning, Preliminary Plat, and Preliminary Development Plan

**Date of Report:** August 26, 2019

**Applicant Name:** Schoolyard Townhomes, LLC.

**Property Owner Name:** Tongie5 LLC, Kay Soetaert or Ben Robbins

**Subject Property Address:** 304 Shawnee Street, Tonganoxie, KS

**Application:**

*Zoning District:* R-SF

*Type of Approval Desired:* Rezoning from SF to RMF-2-P; Preliminary Plat; Preliminary Development Plan

*Date of Application:* August 7, 2019

*Date of Meeting:* September 5, 2019

**Surrounding Property – Zoning and Use:**

*West:* R-SF - Single-family homes

*South:* R-SF – Library (April 1, 2019 Site Plan review)

*East:* R-SF– Church and single-family homes

*North:* R-SF– Single-family homes

**Staff Recommendation:**

Recommend approval subject to specific conditions regarding the preliminary development plan and engineering review.

## I. SUMMARY:

This application proposes to rezone approximately 2.45 acres from “R-SF” Single-family District to “RMF-2-P” Multiple-Family 2 District, with a “P” designation to account for deviations from the development standards based on a specific plan. The site is the former Tonganoxie Elementary School, and the southern portion of the school site is being developed as the public library. A site plan for the library was approved by the Planning Commission at the April, 2019 meeting. This application proposes to build 32 town homes in 6 blocks of buildings – two of along 2<sup>nd</sup> street, one each along Church Street and Shawnee Street, and 2 along an internal drive and parking ally in the center of the site. The application is proposing a “P” designation to request specific deviations from the development standards based on the preliminary development plan. The deviations identified more specifically in the analysis include: [list generally]. The application is also accompanied by a preliminary plat and a preliminary development plan to be considered simultaneously with the rezoning.

## II.A ANALYSIS – REZONING FROM R-SF TO R-MF2-P; PRELIMINARY DEVELOPMENT PLAN

Rezoning applications must be reviewed against the following considerations as outlined by the City of Tonganoxie Zoning Ordinance, Section 27-011. Following each of the considerations are staff comments (in red italics text). However, since staff has not had the benefit of considering testimony provided during the public hearing, the Planning Commission should consider each factor and the analysis in conjunction with testimony at the hearing prior to acting on the application. No one factor is necessarily controlling, nor do all factors need to be clearly established, but rather they are to be considered in balance as an overall evaluation of the application.

### 1. Character of the neighborhood:

*The character of the surrounding area is primarily single-family residential in a “downtown neighborhood” context, proximate to small-scale civic, institutional and commercial uses, in a walkable context of well-connected blocks. There is a mix of style and sizes of homes throughout the neighborhood, but all share a common frontage relationship to the street that promotes a neighborhood scale. Most have a “street front” orientation with main street / storefront designs, even though they support a variety of different uses. This area transitions to industrial uses and development patterns immediately to the east (both sides of 4<sup>th</sup> Street) and to neighborhoods to the south and west. This location is a key corner at the entry to “downtown” and the downtown “main street” character and development pattern extends to the west.*

### 2. Zoning and uses of properties nearby:

*The surrounding property is zoned primarily R-SF with the HBD (historic downtown) nearby on blocks to the east, and LBD and GBD (limited and general business district) in a strip commercial pattern to the west on U.S. 24/40. This property reflects a transition from the property immediately to the south, zoned R-SF and used as the new library, approved by the Planning Commission in April. There are pockets of R-MF2 to the southwest and northeast within this “downtown neighborhood” pattern and character area.*

### 3. Suitability of subject property for the uses to which it has been restricted:

*This property has been vacant in recent years after the closing of the school, and the southern portion is being developed as a library. Though zoned for single-family houses, it has been*

*historically used as a school, and “block-scale” development partners have historically been on the site.*

4. Extent to which removal of the restrictions will detrimentally affect nearby property:

*The rezoning will allow moderate-density attached dwelling units on the site. Further, based on the preliminary development plan, the rezoning will require the buildings and uses to reflect the character of the neighborhood in the following ways:*

- o All buildings are fronting on the adjacent neighborhood streets and have neighborhood scale to them (predominantly 1.5 story elevations with 2-story accents; front entry areas and courts; no garages, driveways or parking on the frontages (other than existing on-street parking).*
- o Streetscapes will be enhanced by building frontages, landscape, sidewalks and street trees.*
- o Transitions to the new civic use of the library are provided.*
- o A concentration of dwelling units is introduced which can help support the civic and commercial uses nearby, and maintain the walkable character of the general vicinity.*

5. Length of time the subject property has remained vacant as zoned:

*The Tonganoxie Elementary School was built on this site in 1902. It closed in 2015 and was torn down approximately 2 years ago.*

6. Relative gain to the public health, safety and welfare by the destruction of the value of the landowner’s property as compared to the hardship imposed upon the landowner:

*The proposed project will introduce a new housing type into the downtown neighborhood while maintaining the existing scale of the neighborhood. It will allow more housing types proximate to the downtown businesses and services and present options to walk to commercial and civic destinations nearby. The existing connected street network is capable of handling the moderate density on the project and parking and access strategies adequately balance vehicular needs with the pedestrian character of the area.*

7. Conformance of the requested change to the adopted or recognized comprehensive plan of Tonganoxie, Kansas:

*This area is located in the near downtown area in the Comprehensive plan. However the Comprehensive Plan designates it as “Public / Semi-Public and Institutional” on the Future Land Use Map. However it is likely that this was merely a reflection of existing land uses, and not truly a long-range plan for the downtown area. Other policies of the plan more directly reflect policies to create more walkable destinations in and around downtown, to promote more housing choices throughout the City and within neighborhoods, and to promote a walkable character of new and existing neighborhoods.*

*The 2017 Comprehensive Plan updates also includes a “Residential Mixed (RM)” Land Use Category that supplements the development patterns in this area. It supports a mix of housing types in neighborhood and urban residential formats integrated into downtown and surrounding areas. It recommends projects that generally range in the 8 to 20 units per acre range – particularly for duplexes, townhouses and apartments. (this project is approximately 13 du/ac).*

8. Recommendations of professional staff:

[see below]

### Planned Designation

This application is also accompanied by a preliminary development plan. The proposed plan is consistent with the R-MF2 district in the following ways:

- Allowed uses [ 8-011]: Structures containing 2 to 12 dwelling units or more);
- Area and Height regulations [8-013]
  - Lot size of 10,000 s.f. minimum and 1,500 square feet per dwelling unit, whichever is larger
  - Lot width of 100 feet
  - Height Regulation 3 stories or 45 feet
  - Minimum finished floor area of 500 square feet per dwelling
  - Side and rear yards of 10 and 30 feet respectively

This plan presents deviations from the base zoning district standards of R-MF2. The deviations listed below should be specifically evaluated on if they bring the project further into conformance with the above criteria than otherwise meeting the zoning district standards.

- *Front Setbacks and Width per unit.* The R-MF2 requires a 30' front setback, and suggests "lots" should have at least 35' per unit for 2-, 3- and 4- family units. This plan proposes front building lines at the following distances from lot lines:
  - 12.5' from Second Street on the north lot line;
  - 15' from Church Street on the west lot line;
  - 19.4' from Shawnee Street on the east lot line.

This is consistent with many existing homes on surrounding blocks which range in distance from 10' to 25' from the front lot line. Additionally, the closest relationship is Second Street on the north, where the right-of-way is deeper from the curb edge due to the existing head-in parking, so this setback will be perceived as deeper (head-in parking adds an additional 18' of depth to the street edge. Further, the human-scale nature of these frontages (entry features and courts, and no driveways or garages) makes it more appropriate to bring the buildings closer to the neighborhood streetscape. All of the buildings propose a sidewalk connecting the entrances and entry courts along the building frontages, in addition to connections to the public streetscape, adding to the pedestrian orientation of the project.

- *Side Setbacks.* There are two instances where the sides of buildings are closer to lot lines than the typical R-MF2 side setback of 10'. While R-MF2 allows 0' setbacks, this is on interior sides for attached buildings. These locations are a 5.1 setback for the sides of Buildings on Shawnee, and a 6.6' to 1.7' setback for the sides of buildings on Church Street. This building location is done to maintain the 17.6' wide walkway between buildings at the center of the site. Prior to approval the Commission should consider the following:
  - What the side elevations at these locations will look like;
  - Whether additional streetscape or landscape could soften any large wall planes or blank facades at this location;
  - Whether the building locations could be adjusted, and if so what trade-offs exist for the internal walkway open space; and
  - Whether narrower end units are a possibility.

In general, 5' to 10' side setbacks are common and acceptable for this housing format in this context. The limited instance of a 1.7' setback does warrant closer attention for relationships to the street and property on the opposite side of the street.

- *Parking* – The zoning ordinance requires 1.5 parking spaces per unit for multiple family dwellings. For the proposed 32 units, this project would require 48 spaces. The project identifies 58 spaces, however 36 of these are on-site and 22 are existing on-street parking spaces on Second Street. This is appropriate due more “urban neighborhood” format of the housing and surrounding streets and uses, and having at least 1 per unit on-site is sufficient.

## **II.B ANALYSIS – PRELIMINARY PLAT**

The Planning Commission is to review preliminary plats for the arrangement of streets, lots, buildings and utilities, and their general conformity with the required improvements in the subdivision regulations and the ability of the site to be developed subject to the zoning district standards. The preliminary plat review and approval indicates approval of the concepts, the likelihood that the project will be able to meet subsequent requirements, and the authorization to proceed to final engineering designs based on the approved concepts.

The applicant is proposing to plat this property as one lot. This project proposes a rezoning from R-SF to R-MF2-P. The lot generally meets the R-MF2 stands with exception to the planned items noted in the analysis of the Rezoning and Preliminary Development Plan.

The engineering items are addressed in the City Engineer report associated with this application.

## **III. EFFECT OF DECISION**

### **A.– Rezoning/ Preliminary Development Plan.**

- The Planning Commission decision is a recommendation to Governing Body for rezoning; final approval of the City Council is required. Following the consideration of any additional input from the applicant, City Staff, or the public, and based on the application and testimony at the public hearing, the Planning Commission may take one of the following actions.
  - Recommend approval of the application.
  - Recommend approval of the application, subject to conditions;
  - Recommend denial of the application, or
  - Continue the application to another date for further consideration and additional information. If continued to a specific date, time and location, no new notice will be required.
- The City Council considers the application at the next meeting after 14 days.
- If City Council may adopt the Planning Commission’s recommendation by a majority; it may modify or override the Planning Commission’s recommendation by a 2/3 vote of the membership of the governing body.
- If a valid protest petition is filed with the City of Tonganoxie City Clerk within 14 days from the conclusion of the Planning Commission hearing, the City Council must approve the application by a ¾ majority of the governing body.

### **B. Preliminary Development Plan**

- Approval of the preliminary development plan is merely approval of the development patterns and design elements in concept, and as a means to further review the criteria for the zoning request. Approval of a site plan by the Planning Commission is required prior to issuing any building permits. However, future site plans in substantial conformance with the preliminary development plans should be approved.

### C. Preliminary Plat

- The Planning Commission decision is a final decision for preliminary plats. The Planning Commission may take one of the following actions.
  - Approve the application.
  - Approve the application, subject to conditions, provided they directly relate to and further review criteria;
  - Deny the application, specific reasons for the denial or steps to correct the application are provided.
- Approval of a preliminary plat does not constitute final approval or acceptance of any portion of the plat, or authorization to proceed with construction of any portions of the project or improvements. It merely authorizes the applicant to proceed to final plat, which requires review by the Planning Commission and acceptance by the Governing Body. However, any final plat in substantial conformance with the preliminary plat should be approved.
- The preliminary plat approval is valid for 1 year, within which time a final plat shall be submitted and approved. The Planning Commission may grant an extension for an additional 1-year period.

## IV. RECOMMENDATION.

Planning Staff recommends the following:

1. Approval of the rezoning from R-SF to R-MF2-P, conditioned on a preliminary development plan concept, and specifically the following deviations. :
  - a. Front setbacks reduced to 12.5' on Second Street, 15 feet on Church Street, and 19.4 feet on Shawnee Street.
  - b. Side Setbacks reduced to the distances specified on the plans for each building (1.7', 6.7' and 5.1'), unless other alternatives and/or conditions of this building placement are recommended by the Planning Commission
  - c. Front widths per unit interpreted to be met at 20' to 30' per unit (123.5' to 149' per building)
  - d. Parking be reduced to 1 per unit, with 1.5 per unit being permitted to include associated on-street parking.

Future site plans shall be required to meet the primary development plan, and address other issues and recommendations in relation to that plan.
2. *The Preliminary Development Plan be approved in concept, subject to the following.*
  - a. A final landscape plan be submitted and approved by planning staff in association with the final development plan. The plan shall
    - a. identifying species and planting specifications;
    - b. consideration of street trees between the sidewalk and street in conjunction with the street improvements.

- c. Specifically trees spaced along Shawnee between curb and sidewalk if possible and some added to the north end; and on second street some trees added to the landscape areas that bulb out within the on-street parking.
    - d. Other landscape treatments to soften facades along the side elevations closest to Church and Shawnee shall be considered.
  - b. Further detail on planting, landscape or structural hardscape components should be explored to add definition and human scale to the entry court and entry features of each unit along the streetscape.
  - c. Site plans in substantial conformance with the preliminary development plan, elevations, materials, and above conditions be reviewed and approved by Planning Commission prior to building permits
  - d. Any other conditions identified by the Planning Commission in relation to analysis of the side setbacks.
3. The Preliminary Plat is approved subject to recommendations of the City Engineer, and additional engineering issues to be addressed prior to final plat.

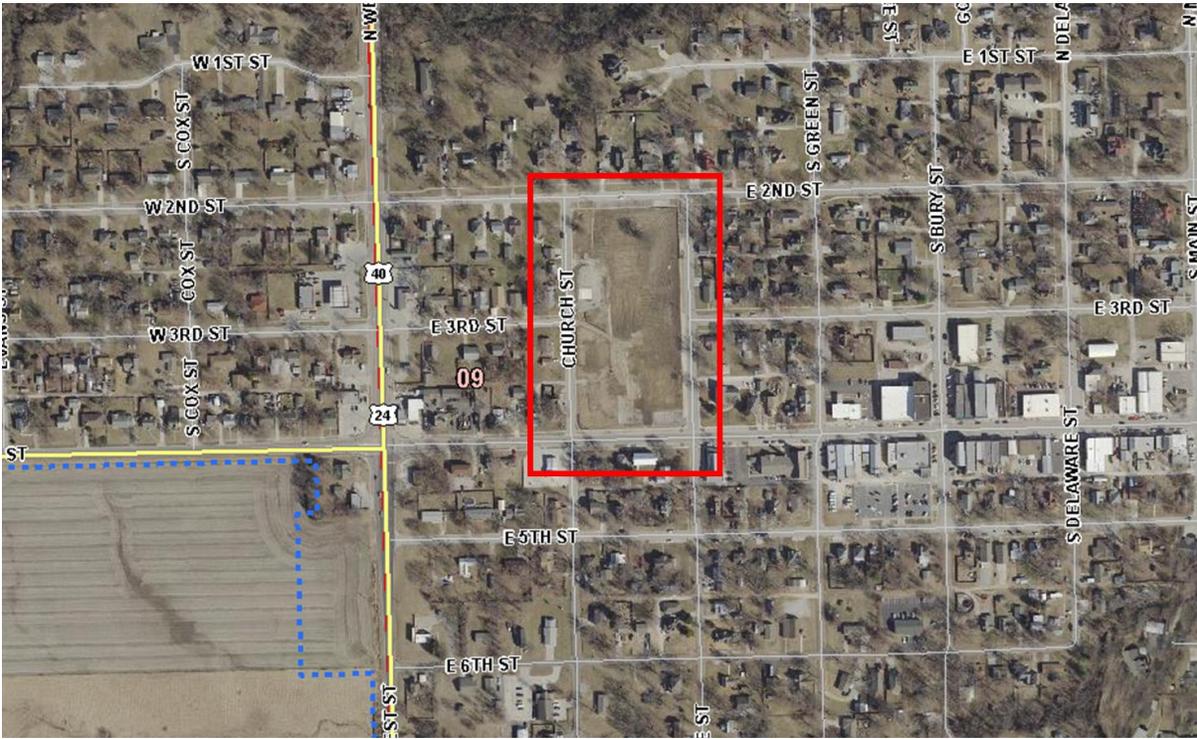



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Chris Brewster  
Contract City Planner



*Current City Zoning (property in red box now zoned R-SF)*



*Property*



*Future Land Use (Tonganoxie Comprehensive Plan 2006)*



**CITY OF TONGANOXIE**  
**CHANGE OF ZONE REQUEST AND PROCEDURES**

Date Received: \_\_\_\_\_  
Fee Paid: \_\_\_\_\_  
Received By: \_\_\_\_\_

**ZONE CHANGE APPLICATION**

REQUESTED REZONING FROM: Single Family TO: R-MF2-P  
PRESENT ZONING DISTRICT PROPOSED ZONING DISTRICT

SITE ADDRESS OR PROPERTY LOCATION Betw. 2nd and 3rd St, Betw. Church and Shawnee St.

SIZE OF SITE (ACRE/SQUARE FEET) 2.45 Ac

ASSESSOR'S TAX PARCEL NUMBER 1920902011001000

APPLICANT: Schoolyard Townhomes, LLC Jason Swords

MAILING ADDRESS: 1125 Grand Blvd, Suite 202, Kansas City, MO 64106

PHONE NUMBER : 816-581-3992 (daytime) \_\_\_\_\_ (cell) \_\_\_\_\_ (fax)

EMAIL ADDRESS: Jswords@sunflowerkc.com

LANDOWNER OF RECORD (If different than applicant): Tongie5 LLC, Kay Soetaert or Ben Robbins

ADDRESS: 124 W 1st Street, Tonganoxie, KS 66086

PHONE NUMBER : 913-704-9754 (daytime) \_\_\_\_\_ (cell) \_\_\_\_\_ (fax)

EMAIL ADDRESS: kaysoetaert@gmail.com ; brobs79@yahoo.com

AGENT or ARCHITECT/ENGINEER /LAND PLANNER: Continental Consulting Engineers, Brian Lavery, P.E.

BUSINESS ADDRESS: 9000 State Line Road, Leawood, KS 66206

PHONE NUMBER : 913-642-6642 (daytime) \_\_\_\_\_ (cell) 913-642-6941 (fax)

EMAIL ADDRESS: bl@ccengineers.com

**Required materials needed to file this application:**

- Application and fee
- A signed affidavit
- A copy of the current deed for the property and an electronic copy (Microsoft Word)
- Site plan drawn to scale showing the dimensions of the property
- The existing streets and utilities serving the area
- New proposed streets and/or utilities
- Any improvements proposed,
- Surrounding property owners list
- Four (4) folded copies of all plans
- One (1) reduced copy (11"x17") of all plans
- One (1) electronic copy of all plans (PDF)

In accordance with Section 27-011 of the City of Tonganoxie Zoning Ordinance, please describe how the requested application is consistent with the following considerations for approving or disapproving a rezoning application:

Briefly describe the present use and character of this property and the surrounding neighborhood.

This property was previously the Tonganoxie Elementary School. There is single family on the north, east, and west and a library proposed to the south.

Briefly describe the compatibility with the zoning and uses of properties nearby.

This project as multi-family blends well with the single family surrounding as well the proposed library. It will provide more open space than the school did.

Briefly describe the suitability of this property for uses to which it has been restricted.

Although it is zoned single family, it's use was institutional. It is suited for residential as it will blend in with the surrounding single family and library. The odd block size makes it suitable for this use as well.

Briefly describe the extent to which the removal the restrictions will detrimentally affect nearby property.

It's not

Briefly describe the length of time the subject property has remained vacant as zoned:

The property was the location of the Tonganoxie Elementary School less than 2 years ago.

Briefly describe why you feel that the proposed change is suitable for this property and is the best use of this land:

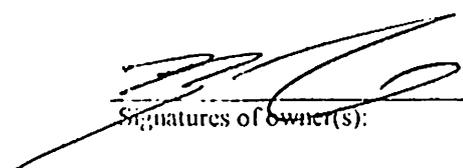
It is an infill project that serves the community's need for additional housing. The odd block size makes it more difficult to develop as single family without having to do public street improvements.

Briefly describe the adequacy of public utilities and infrastructure:

There is sanitary sewer to the east and west, electric on north, east, and west, water on west and north. Storm sewer is not very accessible, wide, adequate streets on north, east, and west.

Briefly describe how the requested change is in conformance to the adopted or recognized comprehensive plan of Tonganoxie KS

The area is labeled public/semi-public on the future development plan and is surrounded by residential. The change would compliment the existing residential and provide a nice transition to the public library and mixed use to the south of this area.

  
\_\_\_\_\_  
Signatures of owner(s):

TONGANOXIE LLC MEMBER  
BENJAMIN ROBBINS  
\_\_\_\_\_  
Print Name

# OWNERSHIP AFFIDAVIT

City of Tonganoxie  
County of Leavenworth  
State of Kansas

We, TONGUES LLC and \_\_\_\_\_ being duly sworn depose and

say that we are the owners of said property involved in this petition and the foregoing signatures.

Statements and answers herein contained in the information herewith submitted are in all respects true and correct to the best of our knowledge and belief.

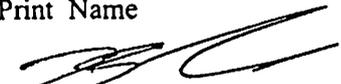
Signed and entered this 7<sup>TH</sup> day of AUGUST, 2019.

TONGUES LLC MEMBER

BENJAMIN ROBBINS  
Print Name

124 W. 1<sup>ST</sup> TONGANOXIE  
Address

(913) 231-6177  
Phone No.

  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone No.

\_\_\_\_\_  
Signature

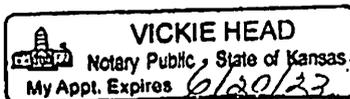
Subscribed and sworn to before me on this 7<sup>th</sup> day of August, 2019.

  
Notary Public Signature

VICKIE HEAD  
Notary Public Print Name

My commission expires:

6/20/23



## CITY OF TONGANOXIE CHANGE OF ZONE REQUEST AND PROCEDURES

The procedure for obtaining a rezoning ordinance is as set out in Section 26 of the Zoning Ordinance in effect for the City of Tonganoxie. A complete copy of the Zoning Ordinances may be viewed on the website at [www.tonganoxie.org](http://www.tonganoxie.org).

The enclosed application form must be filled out completely by the owner(s) of the property proposed to be rezoned, or by an authorized agent who must submit legal documentation of authorization. All signatures must be in ink and must be notarized.

A certified list of property owners, names and addresses, and CAMMA numbers for all of the property which lies within 200 feet of the boundaries of the property within the City Limits and 1000 feet of the boundaries within the county area proposed to be rezoned (excluding rights of way) must be provided by the applicant. Any error in this list of property owners will result in reapplication accompanied by a second application fee to be paid by the applicant and a new public hearing.

The documents needed to file this application include:

- Application and fee
- A copy of the current deed for the property and an electronic copy (Microsoft Word)
- A signed affidavit
- Site plan drawn to scale showing the dimensions of the property
- The existing streets and utilities serving the area
- New proposed streets and/or utilities
- Any improvements proposed,
- Surrounding property owners list
- Four (4) folded copies of all plans
- One (1) reduced copy (11"x17") of all plans
- One (1) electronic copy of all plans (PDF)

The application is to be filed in the office of the City Clerk, together with the filing fee, as set out by the Tonganoxie Application Fee Schedule. The application must be filed according to the Application and Review schedule adopted by the Planning Commission.

After the conclusion of the public hearing, fourteen days must elapse before the application may be placed before the Tonganoxie City Council. This is the time allowed for the filing of a protest petition. If the Tonganoxie City Council disagrees with the recommendation made by the Planning Commission, the application must then go again before the Planning Commission for further study and review. If the application is approved by the City Council, an ordinance is passed to rezone the property. Please note, however, that this process is not complete until the ordinance has been officially published.

3

STATE OF KANSAS  
COUNTY OF LEAVENWORTH

I, STACY R DRISCOLL, REGISTER OF DEEDS OF LEAVENWORTH COUNTY,  
KANSAS DO HEREBY CERTIFY THAT THE ATTACHED IS A TRUE AND  
CORRECT COPY OF A WARRANTY DEED DOCUMENT NO. 2017R01216 OF THE  
RECORDS IN THE OFFICE OF THE REGISTER OF DEEDS SAID COUNTY AND  
STATE. DATED AT LEAVENWORTH COUNTY, KANSAS THIS 8TH DAY OF  
AUGUST, 2019.

STACY R. DRISCOLL  
REGISTER OF DEEDS

*Stacy R. Driscoll*  
\_\_\_\_\_  
*by: [signature]*



Doc #: 2017R01216  
STACY R. DRISCOLL  
REGISTER OF DEEDS  
LEAVENWORTH COUNTY, KANSAS  
RECORDED ON:  
02/14/2017 9:59:59 AM  
RECORDING FEE: 32.00  
PAGES: 2

Entered in the transfer record in my office this  
14 day of Feb 2017  
Jane K. Klavins  
County Clerk  
by B. Jones

Kansas Secured Title  
866 Northstar Court  
Tonganoxie, KS 66086

TX0011385

**GENERAL WARRANTY DEED**  
(Statutory)

Patrick James Studer, a single person

convey and warrant to

Tongie5, LLC, a Kansas limited liability company, all the following REAL ESTATE in the County of LEAVENWORTH, and the State of Kansas, to-wit:

Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9, Block 7, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

AND

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 15, in the RAILROAD ADDITION to the City of Tonganoxie, Leavenworth County, Kansas.

and to include all of the vacated alleys and street accruing thereto.

for the sum of one dollar and other good and valuable consideration.

EXCEPT AND SUBJECT TO: Easements, restrictions and assessments of record, and all the taxes and assessments that may be levied, imposed or become payable hereafter.

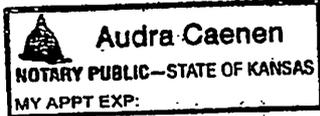
0166

Dated this 13 day of February, 2017.

Patrick James Studer  
Patrick James Studer

State of Kansas, County of LEAVENWORTH §

The foregoing instrument executed was acknowledged before me this 13 day of February, 2017, by Patrick James Studer, a single person.



Audra Caenen  
Notary Public

My appointment expires: 3/8/2020



9000 State Line Road  
Leawood, Kansas 66206

11006 Parallel Parkway, Suite 1  
Kansas City, Kansas 66109

Tel: (913) 642-6642

Fax: (913) 642-6941

August 9, 2019

City of Tonganoxie  
Planning Department  
526 E. 4<sup>th</sup> Street  
Tonganoxie, Kansas 66086

**RE: Preliminary Plat / Change of Zone Request Applications  
Schoolyard Lofts Development (SE Corner of 2<sup>nd</sup> Street and Church Street)**

Attached please find the following information for the Schoolyard Lofts development at the southeast corner of 2<sup>nd</sup> Street and Church Street.

- Preliminary Plat Signed Application
- Change of Zone Signed Application with signed affidavit
- Copy of current deed and legal in MS Word
- 6 Full Size , 1-11x17 and PDF Copies of the following:
  - Preliminary Plat
  - Rezoning Exhibit
  - Survey
  - Preliminary Demolition Plan
  - Preliminary Site Plan
  - Preliminary Grading Plan
  - Preliminary Utility Plan
  - Preliminary Landscape Plan
  - Preliminary Building Elevations
- Surrounding owners list from Leavenworth County
- Current Title Report with ownership verification
- Preliminary Plat Checklist
- Fee of \$855 (Preliminary Plat \$500 + 1 lot @ \$5 and Change of Zoning Request 1.1-5 acres @ \$350)

Please notify us if you should need any further information.

Sincerely,  
CONTINENTAL CONSULTING ENGINEERS, INC.

Brian C. Lavery, P.E.

CC: J. Swords, C. Vukas, Sunflower; K. Hrabe, R. Manes, J. Nook, Prairie Fire; A. Sadowski, Odimo

### Schoolyard Lofts Boundary Description:

All of Lots 1 through 9 Block 7, and all that part of vacated Third Street, all being part of Railroad Addition to the City of Tonganoxie, and lying within the Northwest Quarter of Section 9, Township 11 South, Range 21 East of the Sixth Principal Meridian and being in Leavenworth County, Kansas, being more particularly described as follows: beginning at the northwest corner of said Lot 1 Block 7, Railroad Addition; thence North 88 degrees 11 minutes 37 seconds East, with the north line of Lots 1 through 3, Block 7 and the south right-of-way line of Second Street, a distance of 302.33 feet to the northeast corner of said Lot 3, Block 7, said point being on the west right-of-way line of Shawnee Street; thence South 01 degree 23 minutes 47 seconds East, with the east line of Lots 3 and 9, Block 7, and its southerly prolongation, and the west right-of-way line of Shawnee Street, a distance of 336.95 feet; thence South 01 degree 15 minutes 37 seconds East, continuing with the west right-of-way line of Shawnee Street, a distance of 17.95 feet; thence South 88 degrees 31 minutes 34 seconds West, and no longer with the west right-of-way line of Shawnee Street, a distance of 300.89 feet to a point on the east right-of-way line of Church Street; thence North 01 degree 36 minutes 47 seconds West, with the east right-of-way line of Church Street, a distance of 17.95 feet; thence North 01 degree 37 minutes 18 seconds West, with the east right-of-way of Church Street and the west line of Lots 1 and 4, Block 7, and its southerly prolongation, a distance of 335.24 feet to the point of beginning.



**Property Radius Search:**

Tongie5 LLC

192-09-0-20-11-001.00-0

Requested By: Brian Lavery

**Leavenworth County GIS Department**

**300 Walnut Suite 212**

**Leavenworth, KS 66048**

**Ph(913)684-0448 FAX (913)680-2547**

**[twehr@leavenworthcounty.org](mailto:twehr@leavenworthcounty.org)**

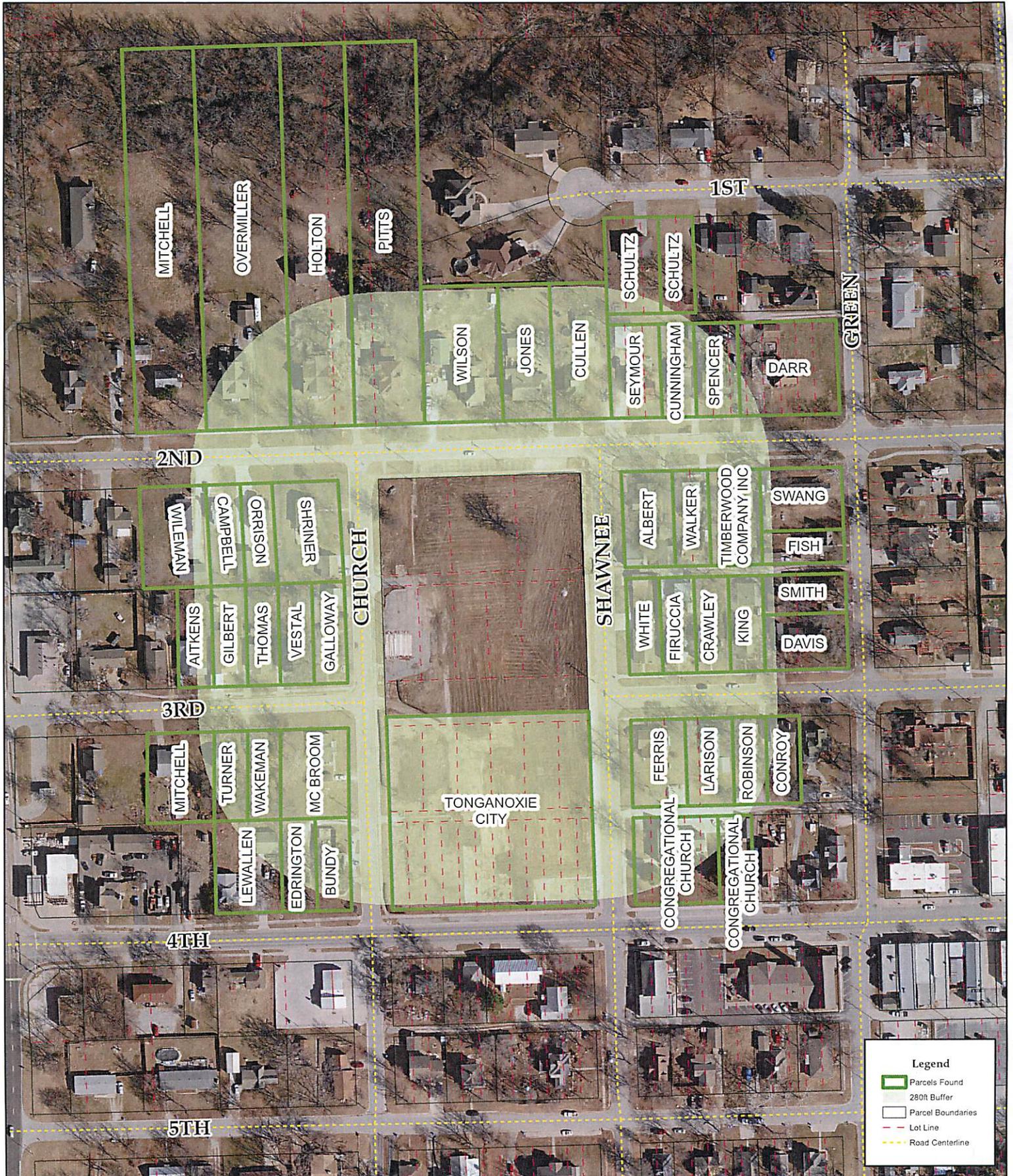


PID	QREF	OWNER	Site Address	Mailing Address	Property Desc
192-09-0-20-01-009.00-0	R25992	PITTS, LISA M	201 E 2ND ST, Tonganoxie, KS 66086	201 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-008.00-0	R25991	HOLTON,KERRY M & MANETTE	129 E 2ND ST, Tonganoxie, KS 66086	17312 206TH ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-007.00-0	R25990	OVERMILLER,DREW L & AMY E	121 E 2ND ST, Tonganoxie, KS 66086	121 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-006.00-0	R25989	MITCHELL,RICHARD & CHRISTY	117 E 2ND ST, Tonganoxie, KS 66086	PO BOX 121 MC LOUTH, KS 66054	Residential
192-09-0-20-01-019.00-0	R26003	SCHULTZ,BYRON K & ORVELLA & EMERY,VICTORIA M	306 E 1ST ST, Tonganoxie, KS 66086	304 E 1ST ST TONGANOXIE, KS 66086-5062	Residential
192-09-0-20-01-020.00-0	R26004	SCHULTZ,BYRON K & ORVELLA	304 E 1ST ST, Tonganoxie, KS 66086	304 E 1ST ST TONGANOXIE, KS 66086-5062	Residential
192-09-0-20-01-012.00-0	R25995	CULLEN,JEFF & ADDIE	219 E 2ND ST, Tonganoxie, KS 66086	219 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-011.00-0	R25994	JONES,ANDREW S & CORRIE L	215 E 2ND ST, Tonganoxie, KS 66086	215 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-010.00-0	R25993	WILSON,DIANA L	211 E 2ND ST, Tonganoxie, KS 66086	211 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-016.00-0	R25999	DARR, LINDSAY M	120 S GREEN ST, Tonganoxie, KS 66086	120 S GREEN ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-015.00-0	R25998	SPENCER, RUSSELL	311 E 2ND ST, Tonganoxie, KS 66086	311 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-014.00-0	R25997	CUNNINGHAM,TOMMY A & JANICE C	309 E 2ND ST, Tonganoxie, KS 66086	309 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-01-013.00-0	R25996	SEYMOUR,WILLIAM J & KAREN	305 E 2ND ST, Tonganoxie, KS 66086	305 E 2ND ST TONGANOXIE, KS 66086-9604	Residential
192-09-0-20-10-001.00-0	R26098	SWANG,THEODORE W & APRIL L	202 S GREEN ST, Tonganoxie, KS 66086	202 S GREEN ST TONGANOXIE, KS 66086	Residential
192-09-0-20-10-002.00-0	R26099	TIMBERWOOD COMPANY INC	312 E 2ND ST, Tonganoxie, KS 66086	17604 198TH ST TONGANOXIE, KS 66086-5107	Residential
192-09-0-20-10-003.00-0	R26100	WALKER, DAVID	308 E 2ND ST, Tonganoxie, KS 66086	1825 N 156TH ST BASEHOR, KS 66007	Residential
192-09-0-20-10-004.00-0	R26101	ALBERT,CHRISTOPHER R & SEYMOUR,ERIN L	302 E 2ND ST, Tonganoxie, KS 66086	302 E 2ND ST TONGANOXIE, KS 66086	Residential

192-09-0-20-12-001.00-0	R26110	SHRINER, TYLER G	204 CHURCH ST, Tonganoxie, KS 66086	204 CHURCH ST TONGANOXIE, KS 66086-9002	Residential
192-09-0-20-12-002.00-0	R26111	ORRISON,KENNETH & DIANA	122 E 2ND ST, Tonganoxie, KS 66086	122 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-003.00-0	R26112	CAMPBELL, JEFFERY L	118 E 2ND ST, Tonganoxie, KS 66086	118 E 2ND ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-004.00-0	R26113	WILEMAN,MARK L	114 E 2ND ST, Tonganoxie, KS 66086	225 W 4TH ST TONGANOXIE, KS 66086	Residential
192-09-0-20-10-011.00-0	R26108	FISH,CAMERON LEE & BARNES,ALECIA MARIE	208 S GREEN ST, Tonganoxie, KS 66086	208 S GREEN ST TONGANOXIE, KS 66086	Residential
192-09-0-20-10-010.00-0	R26107	SMITH,JUSTIN R & CHANNING M	210 S GREEN ST, Tonganoxie, KS 66086	210 GREEN ST TONGANOXIE, KS 66086	Residential
192-09-0-20-10-008.00-0	R26105	KING,AUSTIN M & GEE,HANNAH	315 E 3RD ST, Tonganoxie, KS 66086	315 E 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-10-007.00-0	R26104	CRAWLEY,CHAD IAN & BOBBIE JO	311 E 3RD ST, Tonganoxie, KS 66086	311 E 3RD ST TONGANOXIE, KS 66086-9211	Residential
192-09-0-20-10-006.00-0	R26103	FIRUCCIA,STEPHEN J & BRENDA L	305 E 3RD ST, Tonganoxie, KS 66086	305 E 3RD ST TONGANOXIE, KS 66086-9211	Residential
192-09-0-20-10-005.00-0	R26102	WHITE,ELIZABETH M & PHILLIP D	303 E 3RD ST, Tonganoxie, KS 66086	303 S 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-015.00-0	R26124	GALLOWAY,GARY E & MELANIE L	139 E 3RD ST, Tonganoxie, KS 66086	139 E 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-014.00-0	R26123	VESTAL,JUSTIN A & MEAGAN M	135 E 3RD ST, Tonganoxie, KS 66086	135 E 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-013.00-0	R26122	THOMAS,JOHN G & AMY M	131 E 3RD ST, Tonganoxie, KS 66086	131 E 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-12-012.00-0	R26121	GILBERT, ROGER J	127 E 3RD ST, Tonganoxie, KS 66086	127 E 3RD ST TONGANOXIE, KS 66086-8818	Residential
192-09-0-20-12-011.00-0	R26120	AITKENS, RONALD C II	123 E 3RD ST, Tonganoxie, KS 66086	25200 METRO AVE TONGANOXIE, KS 66086	Residential
192-09-0-20-10-009.00-0	R26106	DAVIS,ALAN C & AMANDA M	224 S GREEN ST, Tonganoxie, KS 66086	224 S GREEN ST TONGANOXIE, KS 66086	Residential
192-09-0-20-14-002.00-0	R26138	CONROY,REXFORD E & MARY P	320 E 3RD ST, Tonganoxie, KS 66086	320 E 3RD ST TONGANOXIE, KS 66086-9210	Residential
192-09-0-20-14-003.00-0	R26139	ROBINSON,SCOTT J & KIRSTEN	316 E 3RD ST, Tonganoxie, KS 66086	316 E 3RD ST TONGANOXIE, KS 66086	Residential
192-09-0-20-14-004.00-0	R26140	LARISON,LEONARD D & LARISON,HARRY D & BARBARA	310 E 3RD ST, Tonganoxie, KS 66086	310 E 3RD ST TONGANOXIE, KS 66086-9210	Residential
192-09-0-20-14-005.00-0	R26141	FERRIS, BRYCE E	302 E 3RD ST, Tonganoxie, KS 66086	PO BOX 755 TONGANOXIE, KS 66086	Residential

192-09-0-20-13-001.00-0	R26125	MC BROOM,HELEN L	304 CHURCH ST, Tonganoxie, KS 66086	304 S CHURCH ST TONGANOXIE, KS 66086	Residential
192-09-0-20-13-002.00-0	R26126	WAKEMAN,PATRICK A & DENIECE L	134 E 3RD ST, Tonganoxie, KS 66086	24549 SANDUSKY RD TONGANOXIE, KS 66086	Residential
192-09-0-20-13-003.00-0	R26127	TURNER,ROBERT LEE & WINIFRED A	130 E 3RD ST, Tonganoxie, KS 66086	Attn: PENCE,KAREN 2361 GRANDVIEW TER MANHATTAN, KS 66502	Residential
192-09-0-20-13-004.00-0	R26128	MITCHELL, R D	120 E 3RD ST, Tonganoxie, KS 66086	PO BOX 54 TONGANOXIE, KS 66086	Residential
192-09-0-20-14-007.00-0	R26143	CONGREGATIONAL CHURCH	309 E 4TH ST, Tonganoxie, KS 66086	PO BOX 468 TONGANOXIE, KS 66086	Exempt
192-09-0-20-13-012.00-0	R26136	BUNDY, HEATHER MARIE	129 E 4TH ST, Tonganoxie, KS 66086	129 E 4TH ST TONGANOXIE, KS 66086	Residential
192-09-0-20-14-006.00-0	R26142	CONGREGATIONAL CHURCH	303 E 4TH ST, Tonganoxie, KS 66086	PO BOX 468 TONGANOXIE, KS 66086	Exempt
192-09-0-20-13-011.00-0	R26135	EDRINGTON, GINGER; TRUST	125 E 4TH ST, Tonganoxie, KS 66086	1721 FINCH DR TONGANOXIE, KS 66086	Residential
192-09-0-20-13-010.00-0	R26134	LEWALLEN, DARRELL E	119 E 4TH ST, Tonganoxie, KS 66086	119 E 4TH ST TONGANOXIE, KS 66086-9215	Residential
192-09-0-20-11-002.00-0	R307584	TONGANOXIE CITY	00000 SHAWNEE ST, Tonganoxie, KS 66086	PO BOX 326 TONGANOXIE, KS 66086	Exempt

# City of Tonganoxie 280' Radius Search



**PRAIRIE FIRE DEVELOPMENT GROUP**  
**SCHOOLYARD LOFTS**  
 Tonganoxie, KS



architect  
 Attn: Ashley W. Sadowski, AIA  
 Odimo LLC  
 701 E. 63rd St. # 210  
 Kansas City, MO 64110  
 816.708.1500  
 asadowski@odimo.us

civil engineer  
 Attn: Brian C. Lavery, PE  
 Continental Consulting Engineers, Inc  
 11006 Parallel Pkwy  
 Kansas City, KS 66109  
 913.642.6642  
 bl@cceengineers.com

Date Description

Issue

1 October, 2019

Seal / Signature

**NOT FOR CONSTRUCTION**

Description

Site Plan

**C2.0**

**LEGEND**

- 6" STANDARD DUTY ASPHALT
- 8" HEAVY DUTY ASPHALT
- 8" CONCRETE
- 4" CONCRETE SIDEWALK/PATIO

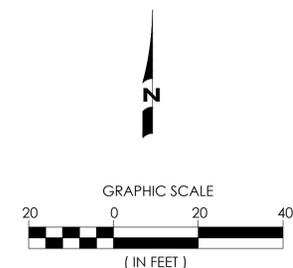
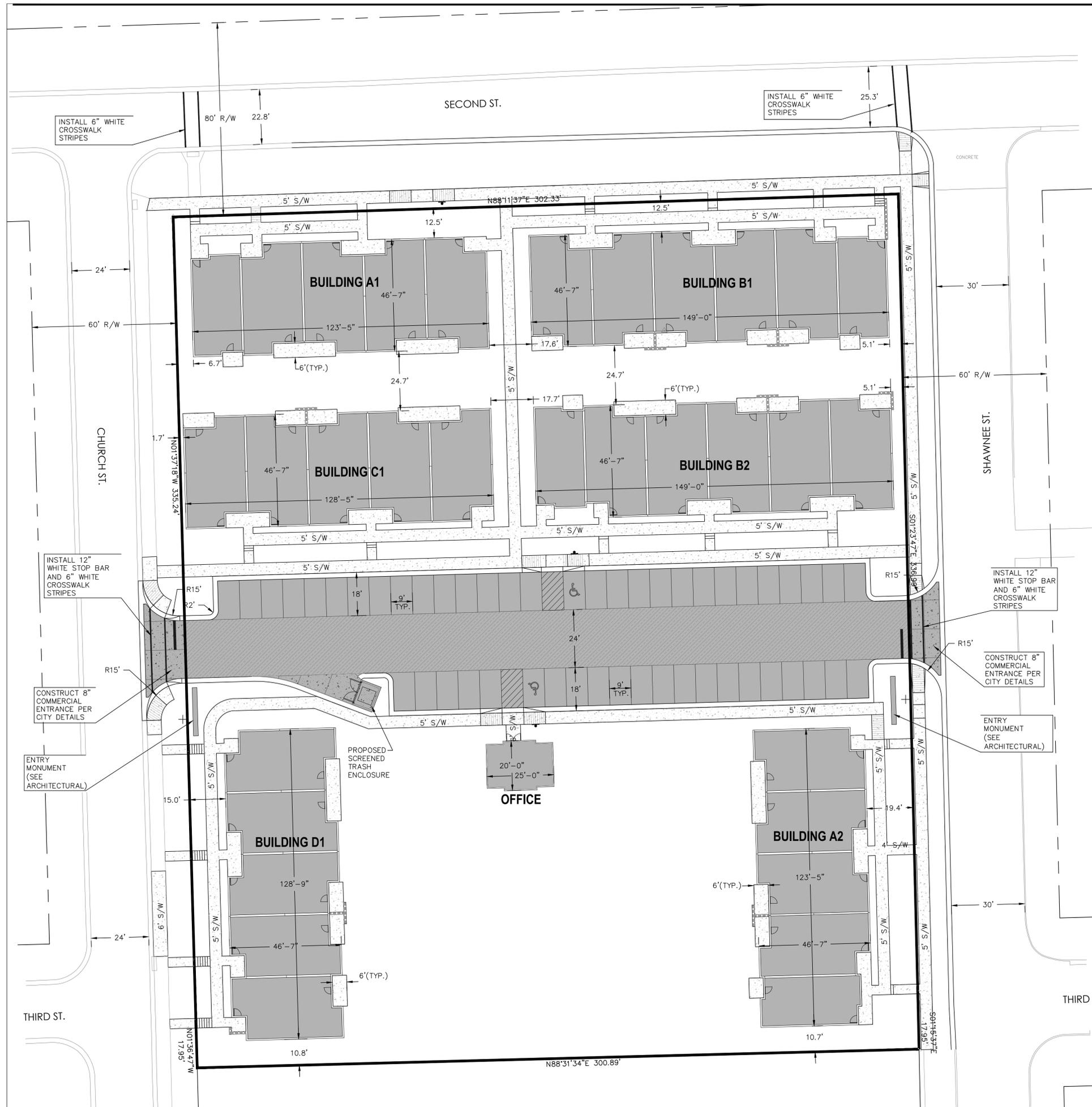
PROPOSED ZONING R-MF-2P  
 (PLANNED MULTIPLE FAMILY 2 DISTRICT)

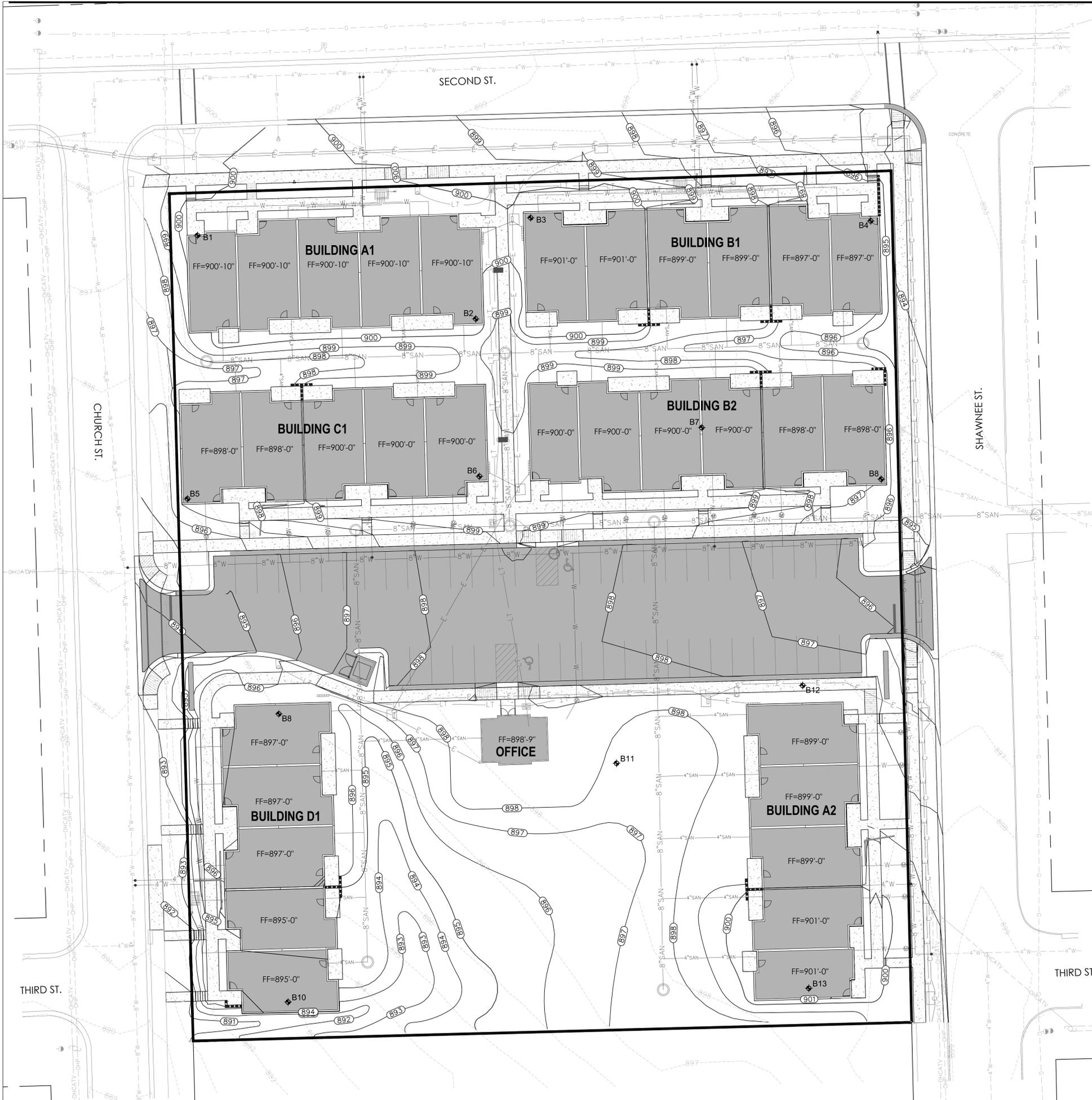
EXCEPTIONS TO BASE ZONING FOR FRONT, SIDE, AND REAR YARD SETBACKS, INCLUDING PARKING ALONG 2ND STREET IN TOTAL.

DWELLING UNITS: 32 EA  
 PARKING REQ'D 1.5/UNIT = 48  
 TOTAL 48

OFFICE: 500 SF  
 1/200 SF = 3

TOTAL REQUIRED = 51  
 TOTAL PROVIDED ONSITE = 51





**SITE GRADING NOTES:**

1. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
2. EXISTING GRADE CONTOURS SHOWN AT 1 FOOT INTERVALS. PROPOSED GRADE CONTOURS SHOWN AT 1 FOOT INTERVALS.
3. TOPOGRAPHIC INFORMATION IS TAKEN FROM GROUND SURVEYS. IF CONTRACTOR DOES NOT ACCEPT EXISTING TOPOGRAPHY AS SHOWN ON THE PLANS, WITHOUT EXCEPTION, HE SHALL HAVE MADE AT HIS EXPENSE, A TOPOGRAPHIC SURVEY BY A REGISTERED LAND SURVEYOR AND SUBMIT IT TO THE OWNER NOT FOR CONSTRUCTION.
4. ALL UNSURFACED AREAS THAT ARE DISTURBED BY GRADING OPERATION SHALL RECEIVE 4 INCHES MINIMUM OF TOPSOIL. TOPSOIL SHALL BE BLACK SOIL FROM THE LOCAL VICINITY THAT PRODUCES HEAVY GROWTH.
5. CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE GOVERNING CODES AND BE CONSTRUCTED TO SAME.
6. PRIOR TO PLACING FILL, ANY EXISTING SLOPES EXCEEDING 5 HORIZONTAL TO 1 VERTICAL SHOULD BE BENCHED. THE BENCHES SHOULD BE CUT WIDE ENOUGH TO ACCOMMODATE THE COMPACTION EQUIPMENT.
7. UNLESS OTHERWISE APPROVED BY THE GEOTECHNICAL ENGINEER, EARTHWORK OPERATIONS SHOULD NOT BE ALLOWED TO PROCEED IF AMBIENT TEMPERATURES ARE AT 40°F AND ARE DROPPING. THEY CAN BE RE-STARTED WHEN TEMPERATURES ARE 34°F AND RISING.
8. ALL EXCAVATION SHALL BE CONSIDERED UNCLASSIFIED. NO SEPARATE OR ADDITIONAL PAYMENTS SHALL BE MADE FOR ROCK EXCAVATION.
9. REFER TO STRUCTURAL PLANS FOR SUBGRADE TREATMENT OF UNDERSLAB AREA
10. ALL AREAS SHALL BE GRADED TO WITHIN 0.10± FEET OF FINAL ELEVATION.
11. PRIOR TO BEGINNING PREPARATION OF SUBGRADE, ALL AREAS UNDER PAVEMENTS SHALL BE STRIPPED OF ALL TOPSOIL, VEGETATION, LARGE ROCK FRAGMENTS (GREATER THAN 6 INCHES IN ANY DIMENSION) AND ANY OTHER DELETERIOUS MATERIAL. ALL VEGETATION SHALL BE HAULLED OFF. TOPSOIL MAY BE RESPREAD AT THE END OF GRADING OPERATIONS. THE ACTUAL STRIPPING DEPTH SHOULD BE BASED ON VISUAL EXAMINATION DURING CONSTRUCTION AND THE RESULTS OF PROOF-ROLLING OPERATIONS. THE ROOT SYSTEMS OF ALL TREES (NOT DESIGNATED TO REMAIN) SHALL BE REMOVED IN THEIR ENTIRETY.
12. SUBSEQUENT TO COMPLETION OF STRIPPING AND OVER-EXCAVATION, ALL BUILDING AND DRIVEWAY AREAS TO RECEIVE ENGINEERED FILL SHOULD BE SYSTEMATICALLY PROOF-ROLLED USING A TANDEM AXLE DUMP TRUCK LOADED TO APPROXIMATELY 20,000 POUNDS PER AXLE. UNSUITABLE SOILS THAT ARE DETECTED AND THAT CAN NOT BE RECOMPACTED SHOULD BE OVER-EXCAVATED AND REPLACED WITH ENGINEERED FILL.

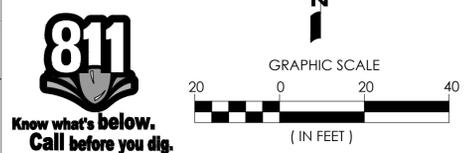
**SUMMARY OF GEOTECHNICAL REPORT REQUIREMENTS:**

1. CONTRACTOR SHALL OBTAIN A COPY OF THE GEOTECHNICAL REPORT BY GSI ENGINEERING DATED SEPTEMBER 4, 2019, JOB. NO. 1973132 AND BECOME FAMILIAR WITH THIS REPORT. ADDITIONAL RECOMMENDATIONS MAY BE INCLUDED IN THIS REPORT.
2. SITE PREPARATION AREAS TO RECEIVE FILL AND BACKFILL SHOULD BE STRIPPED OF SURFACE VEGETATION, TOPSOIL, SOFT SOIL, UNCONTROLLED FILL, AND OTHER DELETERIOUS MATERIALS. THE EXPOSED SUBGRADE SHOULD BE OBSERVED BY THE GEOTECHNICAL ENGINEER PRIOR TO PLACEMENT OF FILL. PROOF-ROLLING WITH A TANDEM AXLE DUMP TRUCK LOADED TO APPROXIMATELY 20,000 POUNDS PER AXLE (OR EQUIVALENT PROOF ROLLING EQUIPMENT) CAN BE CONSIDERED AS A MEANS OF EVALUATING THE SUBGRADE. ANY SOFT SOILS OR YIELDING AREAS OBSERVED DURING PROOF ROLLING SHOULD BE EXCAVATED AND BACKFILLED WITH SOIL OR CRUSHED ROCK COMPACTED TO THE DENSITIES SPECIFIED IN THE SUBSEQUENT COMPACTION SUMMARY. SEE GSI ENGINEERING REPORT NO. 1973132 FOR FULL RECOMMENDATIONS. UNDOCUMENTED FILL AND DEMOLITION DEBRIS HAS PREVIOUSLY BEEN PLACED ON THIS PROJECT SITE. IT IS RECOMMENDED BY GSI ENGINEERING THAT THIS UNDOCUMENTED FILL OR DEMOLITION DEBRIS BENEATH BUILDINGS, PAVEMENTS AND PARKING LOTS BE COMPLETELY REMOVED AND REPLACED WITH ENGINEERED, CONTROLLED FILL.
3. SUITABLE FILL MATERIALS, THE RECOMMENDED MATERIAL FOR FILL AND BACKFILL BENEATH LIGHTLY LOADED STRUCTURAL SLABS, FEATURES AND PAVEMENTS IS LOW VOLUME CHANGE (LVC) MATERIAL CONSISTING OF GRANULAR OR COHESIVE MATERIAL WITH A LIQUID LIMIT (LL) LESS THAN 40 AND A PLASTICITY INDEX (PI) BETWEEN 10 AND 20. THE ONSITE NATIVE MATERIAL IS NOT CONSIDERED ACCEPTABLE LVC MATERIAL UNLESS CHEMICALLY STABILIZED BY 6%-8% CLASS C FLY ASH, 6%-8% CEMENT KILN DUST, OR 3%-5% PORTLAND CEMENT.
4. IF CHEMICAL STABILIZATION OF THE SOIL IS USED, IT SHALL BE COORDINATED WITH THE GEOTECHNICAL ENGINEER TO DETERMINE THE PROPER PERCENTAGE OF ADDITIVE, MOISTURE CONTENT, MIXING, AND PLACEMENT.
5. DEPENDING ON THE SOIL MOISTURE AT THE TIME OF CONSTRUCTION, AERATION OR WETTING MAY BE REQUIRED TO ACHIEVE PROPER COMPACTION. DELETERIOUS MATERIAL SHOULD NOT BE INCLUDED IN FILL, AND THE FILL SHOULD NOT BE PLACED ON SOFT MATERIALS OR FROZEN GROUND.
6. ONSITE INSPECTION AND TESTING BY THE GEOTECHNICAL ENGINEER SHALL BE A REQUIREMENT. IN ALL FILL AND CUT AREAS, TOPSOIL AND OTHER MATERIALS DEEMED UNSUITABLE BY THE ONSITE GEOTECHNICAL ENGINEER SHALL BE REMOVED AND REPLACED WITH CONTROLLED FILL.
7. THE CONTRACTOR SHALL STRIP THE UPPER TOPSOIL AND VEGETATION LAYER. ANY EXISTING TOPSOIL SHALL BE STOCKPILED AND REUSED.
8. PROPER SITE GRADING SHALL BE DONE TO CONTROL RUNOFF AND EROSION. PROPER GRADING AVOIDS PONDING OF WATER AND DIRECTS RUNOFF TO DESIGNATED EROSION CONTROLS. PONDING OF WATER ON FINISHED SUBGRADE, INFILTRATION OF WATER INTO EXCAVATIONS AND SOFTENING OR DAMAGING OF THE BEARING MATERIALS DUE TO RAIN OR WATER ACCUMULATION SHALL BE PREVENTED BY USING TEMPORARY DIVERSION BERMS OR CHANNELS.
9. UTILITY TRENCHES BENEATH SLABS AND 5' OUT FROM BUILDINGS SHALL BE BACKFILLED AND COMPACTED WITH IMPERVIOUS CLAY MATERIAL.
10. FILL OR BACKFILL SHOULD BE PLACED IN UNIFORMLY THICK LIFTS AND COMPACTED. THE LOOSE LIFT THICKNESS SHOULD NOT EXCEED 8 INCHES ON SITE AND 6 INCHES WITHIN THE AREA OF THE BUILDINGS. SOIL SHALL BE COMPACTED PER THE FOLLOWING TABLE:

- PARKING/SIDEWALK SUBGRADE PREPARATION:**
1. NINE INCHES OF PROPERLY MOISTURE CONDITIONED AND COMPACTED LVC MATERIAL SHALL BE REQUIRED BENEATH ALL PAVEMENTS AND 2 FEET BEYOND. SUBGRADE SHALL BE COMPACTED TO 95% OF MAX. DENSITY PER ASTM D-698 AT 0% TO +4% OF OPTIMUM MOISTURE. FILL SHALL BE PLACED IN LIFTS NOT TO EXCEED 9 INCHES.
- FOUNDATION AND BUILDING PAD PREPARATION:**
1. FOUNDATION UNDERCUT: ALL FOOTINGS AND FOUNDATIONS SHALL BEAR ON SIMILAR MATERIAL. IF ROCK IS ENCOUNTERED IN EXCAVATION FOR FOOTINGS OR FOUNDATIONS, SHALL BE UNDERCUT TO PROVIDE ONE (1) FOOT BELOW BOTTOM OF FOOTING OF LOW VOLUME CHANGE MATERIAL.
  2. CUT THE SUBGRADE A MINIMUM OF 16 INCHES BENEATH THE BASE OF SLAB ELEVATION TO ALLOW FOR PLACEMENT OF A 12 INCH LVC SUBBASE AND A 4 INCH GRANULAR BASE COURSE BENEATH THE SLAB ON GRADE.
  3. SCARIFY AND RECOMPACT THE UPPER 9" OF EXPOSED SUBGRADE TO 95% OF THE STANDARD PROCTOR (ASTM D-698) MAX. DRY DENSITY WITH A MOISTURE CONTENT AT 0% TO +4% OF OPTIMUM.
  4. FOR THE 12" LVC SUBBASE, COMPACT TO 95% OF MAX. DRY DENSITY PER ASTM D-698, AT 0% TP +4% OF OPTIMUM APPLY MOISTURE TO ACHIEVE PROPER COMPACTION.
  5. PLACE A 4 INCH LAYER OF CLEAN OPEN GRADED CRUSHED LIMESTONE TO BE COMPACTED WITH A VIBRATORY STEEL WHEEL ROLLER BENEATH THE SLAB.

**LEGEND**

- DRAINAGE STRUCTURE
- FLARED END SECTION
- GEOTECHNICAL BORING
- RETAINING WALL
- WET CURB HIGH BACK
- DRY CURB HIGH BACK



**PRAIRIE FIRE DEVELOPMENT GROUP**

SCHOOLYARD LOFTS  
Tonganoxie, KS



architect  
Attn: Ashley W. Sadowski, AIA  
Odimo LLC  
701 E. 63rd St. # 210  
Kansas City, MO 64110  
816.708.1500  
asadowski@odimo.us

civil engineer  
Attn: Brian C. Lavery, PE  
Continental Consulting Engineers, Inc  
11006 Parallel Pkwy  
Kansas City, KS 66109  
913.642.6642  
bl@ccengineers.com

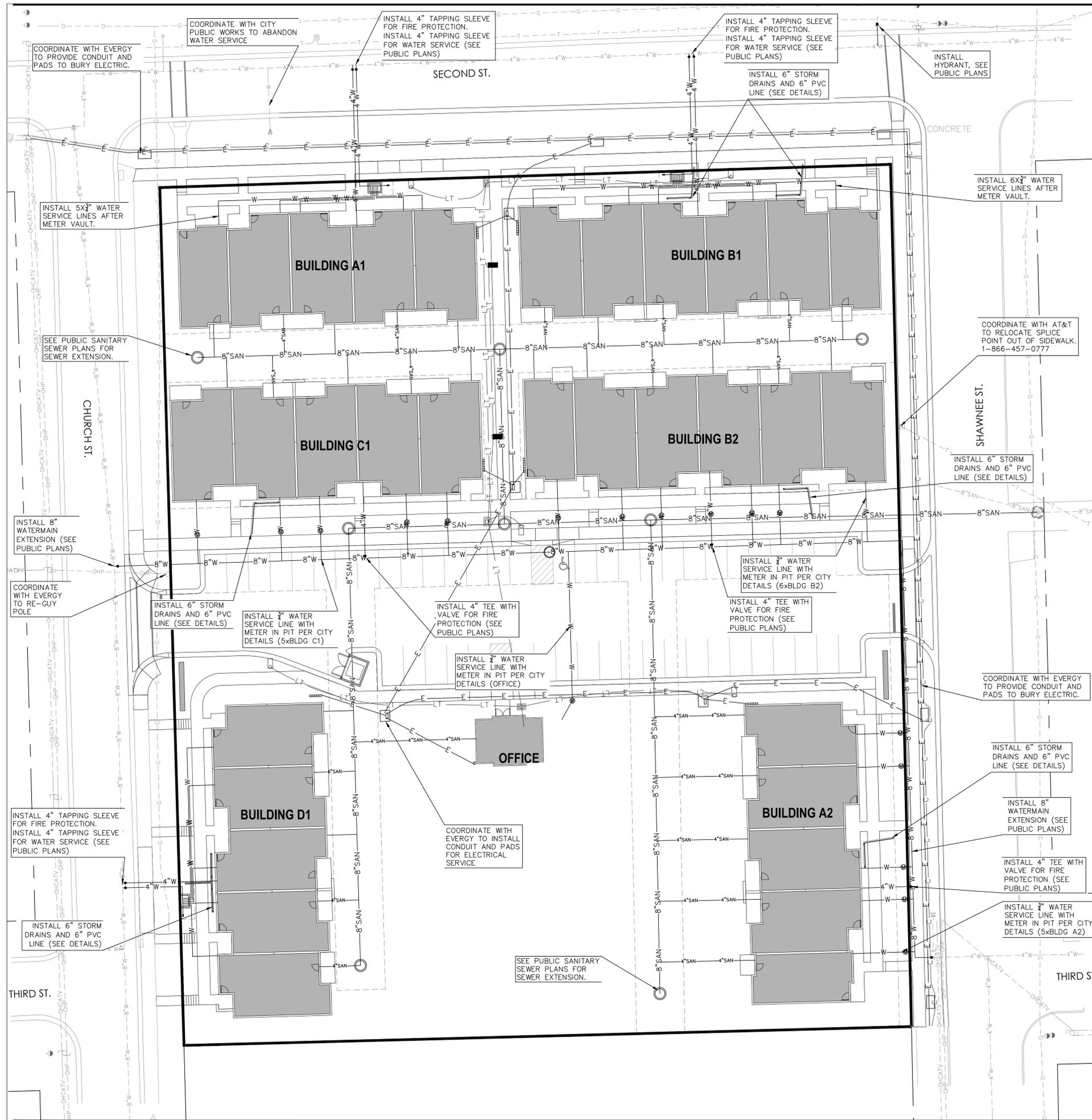
Date	Description
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Issue
1 October, 2019

**NOT FOR CONSTRUCTION**

Description  
**Grading Plan**

**C3.0**



**SITE UTILITY NOTES:**

- ALL FILL MATERIAL IS TO BE IN PLACE, COMPACTED, AND CONSOLIDATED BEFORE INSTALLATION OF PROPOSED UTILITIES. ALL UTILITIES ARE TO BE PLACED IN TRENCH CONDITIONS.
- SANITARY SEWER SERVICE LINES SHALL BE 6" SCH. 40 PVC OR SDR-35 PVC. SANITARY MAIN PIPING SHALL BE PVC SDR-21 OR SDR-26 OR SDR-35
- STORM SEWER AND ROOF DRAINS (RD) SHALL BE AS FOLLOWS:  
6" AND SMALLER SHALL BE SCH 40 PVC OR SDR-35 PVC  
8" AND LARGER SHALL BE HDPE N-12
- WATER LINES SHALL BE AS FOLLOWS:  
-FROM MAIN INTO AND THROUGH VAULT:  
-3/4" THRU 2" WATERLINES SHALL BE COPPER TYPE K  
-3" AND LARGER CLASS 50 DUCTILE IRON PIPE OR PVC SDR 21 CLASS 200  
-ALL WATER LINES AFTER METER/BACKFLOW PIT SHALL BE AS FOLLOWS:  
-3/4" THRU 2" SHALL BE HDPE PE4710 200 PSI, SDR-7 IPS  
-3" AND LARGER MAY BE CLASS 50 DUCTILE IRON PIPE OR PVC SDR 21 CLASS 200
- MINIMUM TRENCH WIDTH SHALL BE 12 INCHES.
- CONTRACTOR SHALL MAINTAIN A MINIMUM OF 42" COVER ON ALL WATER LINES.
- ALL WATERLINES SHALL BE KEPT TEN (10') APART (PARALLEL) FROM SANITARY SEWER LINES OR MANHOLES, OR WHEN CROSSING, A 24" VERTICAL CLEARANCE (OUTSIDE EDGE OF PIPE TO OUTSIDE EDGE OF PIPE) OF THE WATER LINE ABOVE THE SEWER LINE IS REQUIRED.
- IN THE EVENT OF A VERTICAL CONFLICT BETWEEN WATERLINES, SANITARY LINES, STORM LINES AND GAS LINES (EXISTING AND PROPOSED), THE SANITARY LINE SHALL BE ENCASED IN CONCRETE 10 FEET EITHER SIDE OF THE CROSSING.
- REFER TO INTERIOR PLUMBING DRAWINGS FOR EXACT TIE-IN LOCATIONS OF ALL UTILITIES.
- CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES.
- REFER TO BUILDING PLANS FOR SITE LIGHTING TIE IN.
- CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE RELOCATION OR REMOVAL OF EXISTING POWER POLES, TELEPHONE POLES AND CUIVS WITH RESPECTIVE UTILITY COMPANIES. CONTRACTOR SHALL COORDINATE WITH ALL UTILITY COMPANIES FOR INSTALLATION REQUIREMENTS AND SPECIFICATIONS REGARDING UTILITY SERVICES.
- CONDUIT FOR ELECTRICAL SHALL BE SCH. 40 PVC OR SCH. 40 HDPE
- GAS SERVICE LINE SHALL BE MDPE (DRISCOPEX 6500 OR EQUAL) MEETING PE2708, YELLOW IN COLOR. ALL JOINTS SHALL BE FUSED.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON FIELD LOCATED MARKS FROM THE UTILITY COMPANIES.
- GAS, WATER, COMMUNICATIONS, AND ELECTRIC (SUE LEVEL C).
- MEASUREMENTS FOR HORIZONTAL LOCATION AND DEPTH WERE TAKEN IN THE FIELD FOR STORM AND SANITARY SEWER ONLY (SUE LEVEL A).

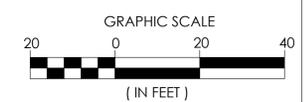
THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE WITH AND RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.

**LEGEND**

- W- EXISTING WATER
- FH- EXISTING FIRE HYDRANT / VALVE
- OHP- EXISTING OVERHEAD POWER
- E- EXISTING UNDERGROUND POWER
- SL- EXISTING STREET LIGHT
- GP- EXISTING POWER POLE
- G- EXISTING GAS
- SAN- EXISTING SANITARY SEWER
- MH- EXISTING SANITARY MANHOLE
- AIR- EXISTING COMPRESSED AIR LINE
- SS- EXISTING STORM SEWER
- CB- EXISTING CATCH BASIN
- OHCATV- EXISTING CABLE TV
- T- EXISTING UNDERGROUND TEL
- OHT- EXISTING OVERHEAD TEL
- FO- EXISTING FIBER OPTIC
- X- EXISTING FENCE LINE
- E- PROPOSED UNDERGROUND ELEC.
- W- PROPOSED WATER
- C- PROPOSED COMM / FIBER / TEL
- G- PROPOSED GAS LINE
- SS- PROPOSED STORM SEWER
- 8" SAN- PROPOSED SANITARY SEWER
- IW- PROPOSED IRRIGATION
- LT- PROPOSED STREET LIGHT
- SG- PROPOSED SECURITY CAM
- DP- DATA AND POWER
- TR- PROPOSED TRANSFORMER

**UTILITY CONTACTS:**

- ELECTRIC:**  
EVERGY (WESTAR ENERGY)  
ROSS HARRIS  
785-865-4857
- WATER:**  
CITY OF TONGANOXIE  
913-845-2620
- SANITARY AND STORM SEWER:**  
CITY OF TONGANOXIE  
913-845-2620
- GAS:**  
ONEGAS  
800-794-4780
- TELEPHONE/INTERNET**  
MIDCO:  
800-888-1300
- ATT (RELOCATIONS, RICK THENO):**  
866-457-0777
- ATT (NEW SERVICE, JENNIFER TAYLOR):**  
913-727-1342
- DIRECT TV:**  
877-423-3403



**PRAIRIE FIRE DEVELOPMENT GROUP**  
SCHOOLYARD LOFTS  
Tonganoxie, KS



**architect**  
Attn: Ashley W. Sadowski, AIA  
Odimo LLC  
701 E. 63rd St. #210  
Kansas City, MO 64110  
816.708.1500  
asadowski@odimo.us

**civil engineer**  
Attn: Brian C. Lavery, PE  
Continental Consulting Engineers, Inc.  
11006 Parallel Pkwy  
Kansas City, KS 66109  
913.642.6642  
bl@cceengineers.com

Date	Description
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Issue

1 October, 2019

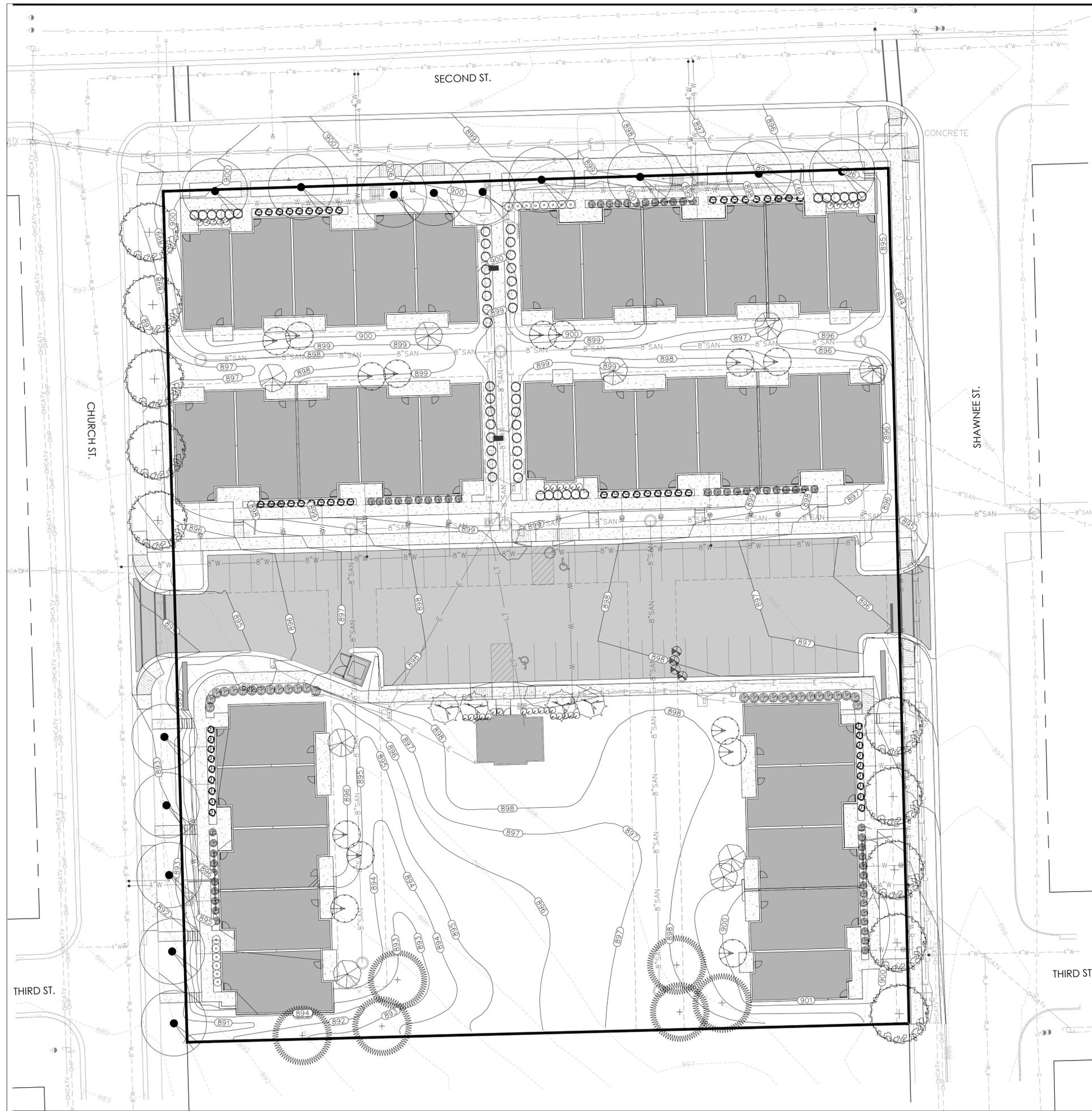
Seal / Signature

**NOT FOR CONSTRUCTION**

Description

Utility Plan

**C4.0**



### Landscape Legend

- Quercus rubra (Northern Red Oak), 2" Caliper, B&B
- Taxodium distichum (Bald Cypress), 2" Caliper, B&B
- Quercus bicolor (Swamp White Oak), 2" Caliper, B&B
- Quercus robur (English Oak), 2" Caliper, B&B
- Magnolia virginiana (Sweetbay Magnolia), Min. 6'-8" Ht, B&B
- Amelanchier x grandiflora (Autumn Brilliance Serviceberry), Min. 7' Ht., 16 Gal. Container
- Taxus media 'Hicksii' (Hicksii Yew), 5 Gal. Container or B&B
- Juniperus chinensis 'Sea Green' (Sea Green Juniper), 3 Gal. Container
- Itea virginica (Sweetspire), 3 Gal. Container
- Calamagrostis x acutiflora 'Karl Foerster' (Foerster Grass), 3 Gal. Container
- Thuja occidentalis 'Hetz Midget' (Hetz Midget Arborvitae), 3 Gal. Container
- Spiraea japonica 'Little Princess' (Little Princess Spiraea), 3 Gal. Container

#### NOTES:

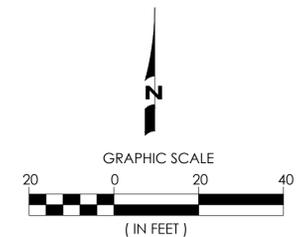
1. ALL PLANTS MUST BE HEALTHY, VIGOROUS MATERIAL, FREE OF PESTS AND DISEASE.
2. ALL PLANTS MUST BE CONTAINER GROWN OR BALLED AND BURLAPPED AS INDICATED IN THE PLANT LIST.
3. ALL TREES MUST BE STRAIGHT TRUNKED AND FULL HEADED AND MEET ALL REQUIREMENTS SPECIFIED.
4. ALL PLANTS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE, DURING, AND AFTER INSTALLATION.
5. ALL TREES MUST BE GUYED OR STAKED AS SHOWN IN THE DETAILS.
6. ALL PLANTING AREAS MUST BE COMPLETELY MULCHED, SEEDED, OR SODDED AS SPECIFIED.
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL AVOID DAMAGE TO ALL UTILITIES DURING THE COURSE OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES, SITE APPURTENANCES, ETC. WHICH OCCURS AS A RESULT OF THE LANDSCAPE CONSTRUCTION.
8. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
9. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANTING (INCLUDING BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, ETC.) OF THE PLANTING AREAS AND LAWN UNTIL THE WORK IS ACCEPTED IN TOTAL BY THE OWNER.
10. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE OR AT THE END OF THE ONE YEAR PERIOD.
11. AFTER BEING DUG AT THE NURSERY SOURCE, ALL TREES IN LEAF SHALL BE ACCLIMATED FOR TWO (2) WEEKS UNDER A MIST SYSTEM PRIOR TO INSTALLATION.
12. ANY PLANT MATERIAL WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY, AND SIZE AND MEETING ALL PLANT LIST SPECIFICATIONS.
13. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK" REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
14. ALL SHRUB AND GROUND COVER BEDS ARE TO BE COMPLETELY COVERED WITH MULCH (REFER TO SPECIFICATIONS) TO A MINIMUM DEPTH OF THREE INCHES.
15. LOCATIONS OF EXISTING BURIED UTILITY LINES SHOWN ON THE PLANS ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATIONS OF UTILITY LINES ADJACENT TO THE WORK AREA. THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OF ALL UTILITY LINES DURING THE CONSTRUCTION PERIOD.
16. SAFE, CLEARLY MARKED PEDESTRIAN AND VEHICULAR ACCESS TO ALL ADJACENT PROPERTIES MUST BE MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
17. CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLETE COVERAGE OF ALL PLANTING BEDS AT SPACING SHOWN. CONTACT LANDSCAPE ARCHITECT IF ADDITIONAL PLANTS ARE NEEDED.
18. ALL AREAS SHOWN AS PLANTED (TREES, SEED, SOD) SHALL RECEIVE 4" OF TOPSOIL.

#### PLANTING NOTES:

1. REMOVE BURLAP AT THE TOP 1/3 OF THE B&B ROOTBALL TO EXPOSE THE ROOT FLARE (THE ENLARGED OR SWOLLEN AREA WHERE THE LARGE LATERAL ROOTS EMERGE) AND PLANT WITH THE ROOT FLARE LEVEL WITH THE SURROUNDING SOIL.
2. THE PLANTING HOLE SHALL NOT BE DEEPER THAN THE BOTTOM OF THE ROOT BALL - MEASURE THE DEPTH FROM THE ACTUAL FOOT FLARE TO THE BOTTOM OF THE ROOT BALL. DIG THE HOLE TO THAT DEPTH, NO DEEPER, WHILE ALSO DIGGING IT TWICE AS WIDE AS THE ROOT BALL.
3. ALL WIRE, TWINE AND CANVAS (NATURAL OR SYNTHETIC) SHALL BE REMOVED FROM THE TOP 1/3 OF ROOT BALL. FILL SOIL SHALL BE SOIL FROM THE PLANTING HOLE. IF AMENDMENTS ARE REQUIRED THEY SHALL BE APPLIED TO THE ENTIRE PLANTING BED NOT THE INDIVIDUAL PLANTING HOLE.
4. ALL TREES SHALL BE WATERED AND MULCHED. MULCH SHALL BE 3 INCHES DEEP, TAPERING TO ZERO NEAR THE TRUNK. A MULCH BERM SHALL BE USED TO CREATE A WATERING PIT.



Know what's below.  
Call before you dig.



# PRAIRIE FIRE DEVELOPMENT GROUP

## SCHOOLYARD LOFTS

Tonganoxie, KS



architect  
Attn: Ashley W. Sadowski, AIA  
Odimo LLC  
701 E. 63rd St. # 210  
Kansas City, MO 64110  
816.708.1500  
asadowski@odimo.us

civil engineer  
Attn: Brian C. Lavery, PE  
Continental Consulting Engineers, Inc.  
11006 Parallel Pkwy  
Kansas City, KS 66109  
913.642.6642  
bl@ccengineers.com

Date	Description
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Issue

1 October, 2019

Seal / Signature

**NOT FOR CONSTRUCTION**

Description

Landscape Plan

**L1.0**

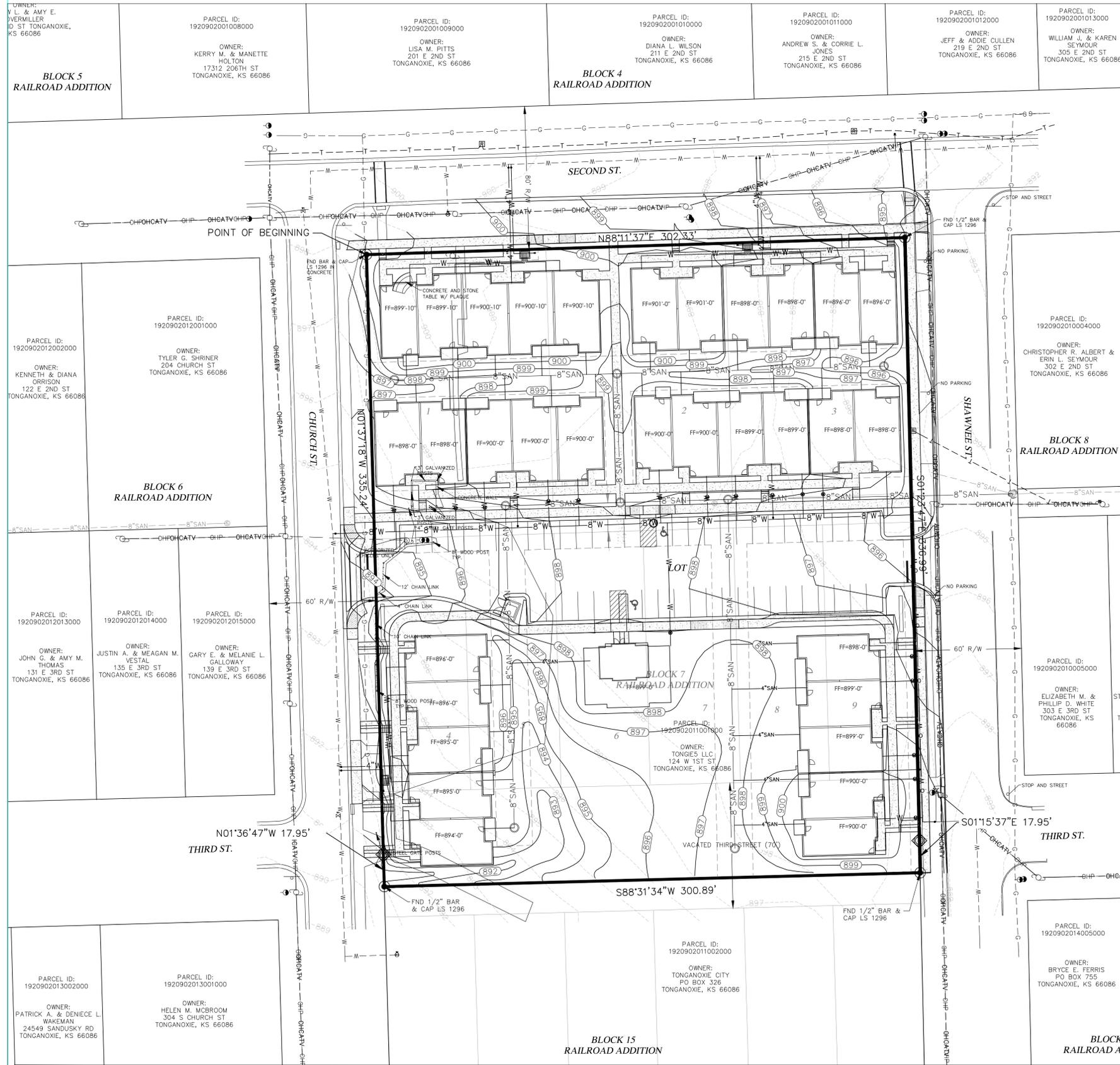
# PRELIMINARY PLAT SCHOOLYARD LOFTS

## A REPLAT OF BLOCK 7 RAILROAD ADDITION AND PART OF VACATED THIRD STREET, A SUBDIVISION IN THE CITY OF TONGANOXIE, LEAVENWORTH COUNTY, KANSAS

**PRAIRIE FIRE  
DEVELOPMENT  
GROUP**  
SCHOOLYARD LOFTS  
Tonganoxie, KS



601 E. 63RD ST. NO. 205  
KANSAS CITY, MO 64110  
USA  
816.708.1500  
odimo.us



### BOUNDARY DESCRIPTION

All of Lots 1 through 9 Block 7, and all that part of vacated Third Street, all being part of Railroad Addition to the City of Tonganoxie, and lying within the Northwest Quarter of Section 9, Township 11 South, Range 21 East of the Sixth Principal Meridian and being in Leavenworth County, Kansas, being more particularly described as follows: beginning at the northwest corner of said Lot 1 Block 7, Railroad Addition; thence North 88 degrees 11 minutes 37 seconds East, with the north line of Lots 1 through 3, Block 7 and the south right-of-way line of Second Street, a distance of 302.33 feet to the northeast corner of said Lot 3, Block 7, said point being on the west right-of-way line of Shawnee Street; thence South 01 degree 23 minutes 47 seconds East, with the east line of Lots 3 and 9, Block 7, and its southerly prolongation, and the west right-of-way line of Shawnee Street, a distance of 336.99 feet; thence South 01 degree 15 minutes 37 seconds East, continuing with the west right-of-way line of Shawnee Street, a distance of 17.95 feet; thence South 88 degrees 31 minutes 34 seconds West, and no longer with the west right-of-way line of Shawnee Street, a distance of 300.89 feet to a point on the east right-of-way line of Church Street; thence North 01 degree 36 minutes 47 seconds West, with the east right-of-way line of Church Street, a distance of 17.95 feet; thence North 01 degree 37 minutes 18 seconds West, with the east right-of-way of Church Street and the west line of Lots 1 and 4, Block 7, and its southerly prolongation, a distance of 335.24 feet to the point of beginning.

### SURVEYOR'S REPORT

- This basis of bearing for this survey is Kansas State Plane, North Zone, North American Datum, 1983.
- The easements shown on this survey have been taken from the title commitment NCS-966704-OMHA, dated June 14, 2019, provided by First American Title Company of Kansas.
- A 1/2" x 24" rebar with a plastic cap marked CCEI 1351 has been set at all property corners, unless otherwise noted.
- All addresses and adjacent property ownership shown on this survey were taken from the Leavenworth County GIS and Appraisers information.
- The subject property lies in Zone X - Areas determined to be outside the 0.2% annual chance floodplain, as shown on Flood Insurance Rate Map 20103C0302G, effective July 16, 2015.
- The gross land area of the subject property is 106,797 square feet, or 2.45 acres.
- The property is currently zoned Single Family. The proposed zoning is R-MF2-P.
- The error of closure is 1:262,247. The angular and distance error is S44°00'00"W 0.005'.

### SURVEYOR/ENGINEER:

Continental Consulting Engineers, Inc.  
11006 Parallel Parkway, Suite 1  
Kansas City, Kansas 66109  
Samuel J. DePrie, PLS  
Brian Lavery, PE

### OWNER:

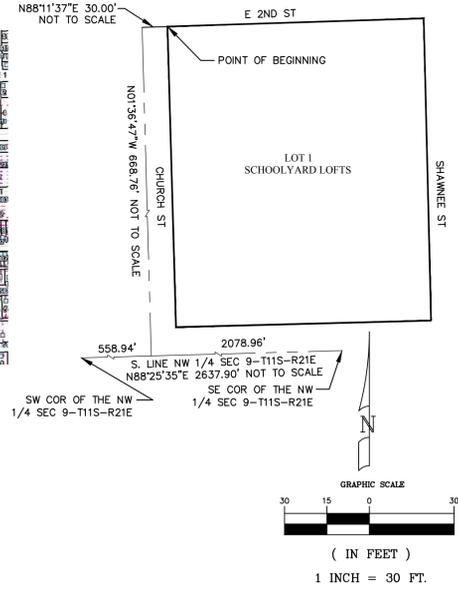
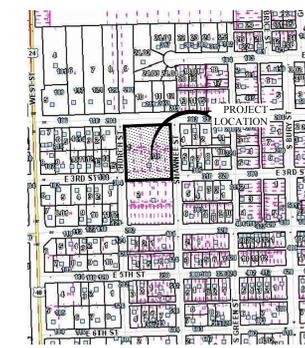
Tongie 5 LLC a Kansas limited liability company  
PO Box 326  
Tonganoxie, KS 66068

### DEVELOPER:

Schoolyard Townhomes LLC  
1125 Grand Blvd, Suite 202  
Kansas City, MO 64106  
Jason Swords

### SYMBOL LEGEND

⊙	Sanitary sewer manhole	---T---	Buried telephone line
⊕	Storm water manhole	---G---	Buried gas line
⊕	Telephone manhole	---OHP---	Overhead power line
⊕	Traffic signal	---OHT---	Overhead telephone line
⊕	Traffic signal manhole	---OHCAV---	Overhead cable tv line
+	Sign	---E---	Buried electric line
⊙	Street light	--- ---	Fence line
⊙	Power pole	⊙	Deciduous Tree
⊙	Anchor	⊙	Coniferous Tree
⊕	Telephone riser	⊕	Concrete pavement
⊕	Found property corner as noted	⊕	Property line
⊕	Set property corner with 1/2" X 24" rebar and cap CCEI 1351	⊕	Center line
		⊕	Right of way
		⊕	Building



Date	Description
09/04/19	Revised per updated plan
10/01/19	Revised per updated plan

Issue  
09 August, 2019

Seal / Signature

**NOT FOR  
CONSTRUCTION**

Description  
Preliminary Plat

**V1.0**



Office of the City Manager  
**AGENDA STATEMENT**

**DATE:** 10/11/2019  
**To:** Honorable Mayor Jason K. Ward and Members of the City Council  
**FROM:** Greg Lawson, Chief of Police  
**SUBJECT:** Authorization to purchase Patrol Car for 2020

**DISCUSSION:**

During the 2020 budget process, the City Council approved the Police Department's purchase of a new police patrol vehicle. After researching multiple pre-bid government contract rates, the Mid-America Regional Council (MARC) contract was found to be the best option (considering price and proximity to the dealership). Among numerous police vehicle platforms, the 2020 Dodge Charger was found to be the most economical while meeting the needs of the Department. Landmark Dodge will facilitate delivery of this particular vehicle sometime following the month of February 2020.

As discussed in the 2020 budget workshops, the Department has arranged for the sale of a Crown Vic police patrol vehicle, which will be replaced with the vehicle proposed for purchase. Authorization for the new Dodge Charger is important, because the 2020 order has to be placed prior to October 31, 2019. This is because the MARC contract price expires on this date. A new government price becomes effective November 1, 2019, and although the new price is currently unknown, it is anticipated to be significantly higher than the current option.

A purchase order from Landmark Dodge (1900 South Noland Road, Independence, Mo. 64055, 816 833-2100 Larry Wilson, contact) is attached. The description of said vehicle is as follows:

**2020 Dodge Charger Pitch Black:**

- \*Vehicle Group Package LDDE48
  - \*V8 Hemi engine package
  - \*All Wheel Drive
  - \*Rubber floor mats
  - \*Drivers Side Spot Light
  - \*Keyless entry, heated mirrors, floor mats
- \*\*\*\*\* **Total Price \$24,747.00**

It should be noted that this Agenda Statement is not inclusive of the additional equipment (lights, sirens, etc.) that was planned for purchase in the 2020 budget. Currently, the Department is in negotiations with various vendors to install the needed equipment on the inside and outside of the vehicle. Per the budget planning, the equipment will be paid by the Police Equipment fund in lieu of the General Fund. A future Agenda Statement will be composed once we receive the Dodge Charger delivery and subsequent bids for interior/exterior equipment. At that time, it is anticipated costs listed below (based on 2018 installation on past vehicle) will be forthcoming; however, council authorization is not requested at this time.

**Police Vehicle Decal Wrap:**

\*\*\*\*\* **2018 Price was \$570.00**

**Lights and Siren Purchase and installation:**

\*\*\*\*\* **2018 Price was \$5,951.52**

**BUDGET IMPACT:**

The purchase of this vehicle is budgeted within the 2020 Tonganoxie Police Department General Fund Budget. The purchase is proposed for conditional approval at this time in order to take advantage of an expiring, competitively bid price on a preferred vehicle which will be finalized and delivered in 2020.

**ACTION NEEDED:**

Make a motion to approve the purchase of a Dodge Charge Police Vehicle through the MARC Contract for an amount not to exceed \$24,747.

**ATTACHMENT:**

Invoice for 2020 Police Charger Vehicle

**cc:** George Brajkovic, City Manager  
Dan Porter, Assistant City Manager

