Planning Commission
June 26, 2023
7:00 PM
City Hall, 6090 Woodson Street



AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES FROM MARCH 27, 2023
- III. NEW BUSINESS
 - 1. Case #23-11 Water Works Park Preliminary Development Plan
 - 2. Case #23-06 Swig Soda Shop Preliminary Development Plan
 - 3. Case #23-09 Swig Soda Shop Preliminary Plat
- IV. OLD BUSINESS
 - 1. American Planning Commission National Conference Reports (Robin, Amy, Karie)
- V. PLANNING COMMISSION COMMENTS
- VI. STAFF UPDATES

Staff Report



AT A GLANCE

Applicant:

City of Mission Parks + Recreation Department

Location:

5814 West 53rd Street

Property ID:

KP70000000 0001, KF251205-4039, KP62500000 0010, KP70000000 0001, KP70000000 0002, KP62500000 0009B, KP70000000 0008, KP70000000 0007

Current Zoning:

R-1

Proposed Zoning:

N/A

Current Land Use:

Park

Proposed Land Use:

Park

Public Hearing Required

Legal Notice:

June 6, 2023

Case Number:

23-11

Project Name:

Water Works Park Preliminary Development Plan

Project Summary:

Proposed preliminary development plan for the redesign of the Water Works Park site with additional amenities such as restrooms and equipment, with redesigned trails and landscaping.

Staff Contact:

Karie Kneller, City Planner





BACKGROUND AND PROPERTY INFORMATION

Water Works Park is located on 53rd Street just west of residential properties facing Outlook Street. The property is a four-acre site owned by WaterOne for a pump station facility, and in 1982 WaterOne leased the site to the City of Mission to operate the park facilities through the Parks and Recreation Department. The park is currently programmed with play equipment, trails, and a small shelter. The trail connects to Rushton Elementary, which is currently under construction, via a four-foot sidewalk. There is an unstriped parking lot for up to seven vehicles along 53rd Street. Restrooms are temporary portable facilities. WaterOne also owns several 24-inch water main and smaller transmission pipes under and adjacent to the property.

The Mission Parks + Recreation Department, WaterOne, and Rushton Elementary have worked through the design process to renovate the site and maintain the connection to the school, as well as to the surrounding neighborhoods. There has been extensive public deliberation for the potential new programming and site design, including two public meetings to discuss all of Mission's parks that would include Water Works Park, two Water Works Park stakeholder meetings, and one public meeting to discuss Water Works Park exclusively. The Parks + Recreation Department has also presented information about the process and the initial designs to the Community Development Committee and the Parks and Recreation Tree Board.

The Parks + Recreation Department has worked with its consultant and WaterOne representatives to develop a preliminary development plan to be considered by the Planning Commission for recommendation to the City Council. Final layou and design considerations for all amenities, the sidewalks and trails, and the parking required review and approval by WaterOne based on the location of their facilities and the anticipated maintenance or replacement projects.

PROJECT PROPOSAL

The improvements include safety enhancements, new concrete shared use pathways, new playground equipment, restrooms, shelter, and off-street parking. The restroom facility and shelter is planned for year-round use. Environmental conservation efforts were also included in the design and universal design features are included throughout the site.

Major pathways are 10-foot shared use trails throughout the park, which create a loop for walking and biking which connect to minor 6-foot walkways to access the site and its trailways. A minor pathway is located at the southeast corner, and at the north and south sides of the playground, these paths are contiguous with the poured-in-place playground surface. The continuous trailway for activity within the park complies with WaterOne's requirements and preserves as much impervious area as possible. Impervious area is currently .31 acres, and will be increased to .84 acres with the new design. Consultants have completed stormwater calculations, and will work with staff and WaterOne to design green infrastructure BMPs prior to submittal of the final development plan.

New playground equipment will include universal design features for users of all abilities, including a multi-tier play area with age-appropriate focus areas. Non-verbal communication boards and musical play elements will promote play for all users. An additional community greeting space will promote community-



building and interaction at a central location for special events. A new 750-square-foot shelter with seating for groups up to 75, unisex restroom facilities, park benches, and bike racks provide a variety of amenities for users. Six off-street parking spaces will double the current parking capacity and add ADA striped stalls. Solar lighting along with native landscaping promote environmental sustainability. New signage will embrace the site's history, inform about native landscaping, and educate the public on water processes.

PLAN REVIEW AND ANALYSIS

Municipal Code

Section 440.175(B) of the municipal code provides the following:

- 1. Consideration of a preliminary development plan for non-residential uses in a residential district requires a public hearing before the Planning Commission, with publication notice and notice to surrounding property owners as required by Section 440.060 and Section 440.070 respectively.
- 2. Following the close of the public hearing, the Planning Commission shall determine the appropriateness of the proposed preliminary development plan according to the following criteria:
- a. The capability of the site to accommodate the building, parking and drives with appropriate open space and safe and easy ingress and egress.
- b. An appropriate degree of harmony shall prevail between the architectural quality of the proposed building and the surrounding neighborhood.
- c. The appropriateness of the minimum dimensions and areas of lots and yards contained in the applicable zoning district regulations may be considered and increased. The Planning Commission may approve the application, disapprove the application or approve the application subject to modifications being made. Unless the Planning Commission's action is appealed by the applicant, the Planning Commission's decision shall be final.
 - 3. In the event of disapproval of a preliminary development plan by the Planning Commission, the applicant may appeal the decision to the City Council by filing a notice of appeal with the City Clerk within ten (10) days of the Planning Commission's decision. On appeal, the City Council may approve the proposed plan, disapprove the proposed plan or approve the proposed plan subject to modifications being made.

Analysis: A public notice was sent to property owners within 200 feet of the subject property and a notice was published in the Legal Record. Staff concludes the following: the space accommodates buildings, parking, and drives appropriately; the architectural quality of the buildings are in harmony with the surrounding neighborhood; and the lot and yard areas are appropriate for a park.



Mission Comprehensive Plan (2007)

Goals and objectives for parks, recreation and public facilities emphasize maintenance and preservation of existing open space and natural features, and to provide for outdoor recreation and visual enjoyment through enhancement of parkland used by Mission residents. Improvements should be focused on multimodal transportation and greenways with trail linkages.

Analysis: The proposal conforms with the Comprehensive Plan.

Parks and Recreation Master Plan (2018)

The Parks and Recreation Mission Statement is "to enrich the quality of life for residents of Mission and surrounding areas by fostering a strong sense of community and providing a variety of multi-generational activities that promote healthy lifestyles," with a Vision to "become the most integrated, connected and accessible parks and recreation system in northeast Johnson County."

During the creation of the Master Plan, certain facility needs were identified. All seven of the identified needs for these facilities are addressed in the improvement plan for Water Works Park, including:

- ADA Accessible Facilities
- 2. Greater Variety and Updated Play Elements
- 3. Expanded Current Program Offerings
- 4. Maintenance of Existing Facilities
- 5. Park Facility Identity
- 6. Connected Trail Network
- 7. Extended Usage of Park Facilities

Another goal of the Master Plan is to maintain a fiscally responsible parks and recreation system. Some recommended improvements to Water Works Park according to the Plan include restroom facilities, replace/expand site furnishings, replace playground equipment, new shelter, and improved trail connections.

Other overarching recommended improvements for all of Mission's parks include resurfacing/reconfiguring parking lots, resurfacing/reconfiguring trails, signage and way-finding.

Analysis: The proposal expands ADA access, and the universal design elements provided by the variety of play equipment and facilities provide extensive opportunities for people of all ages and abilities. New gathering spaces will allow for expanded programming, and the existing park is being maintained while also being improved. New signage and unique features lend to a specific park identity and the connections to Rushton Elementary and nearby residential neighborhoods provides connectivity. Restrooms will provide a high-quality facility that will allow extended usage of facilities. The proposal implements many of the recommendations for Water Works Park that are fiscally responsible according to budget approval by the City Council.



RECOMMENDATION

Staff recommends that the Planning Commission votes to recommend approval to the City Council for the Water Works Park Improvements Preliminary Development Plan with the following conditions:

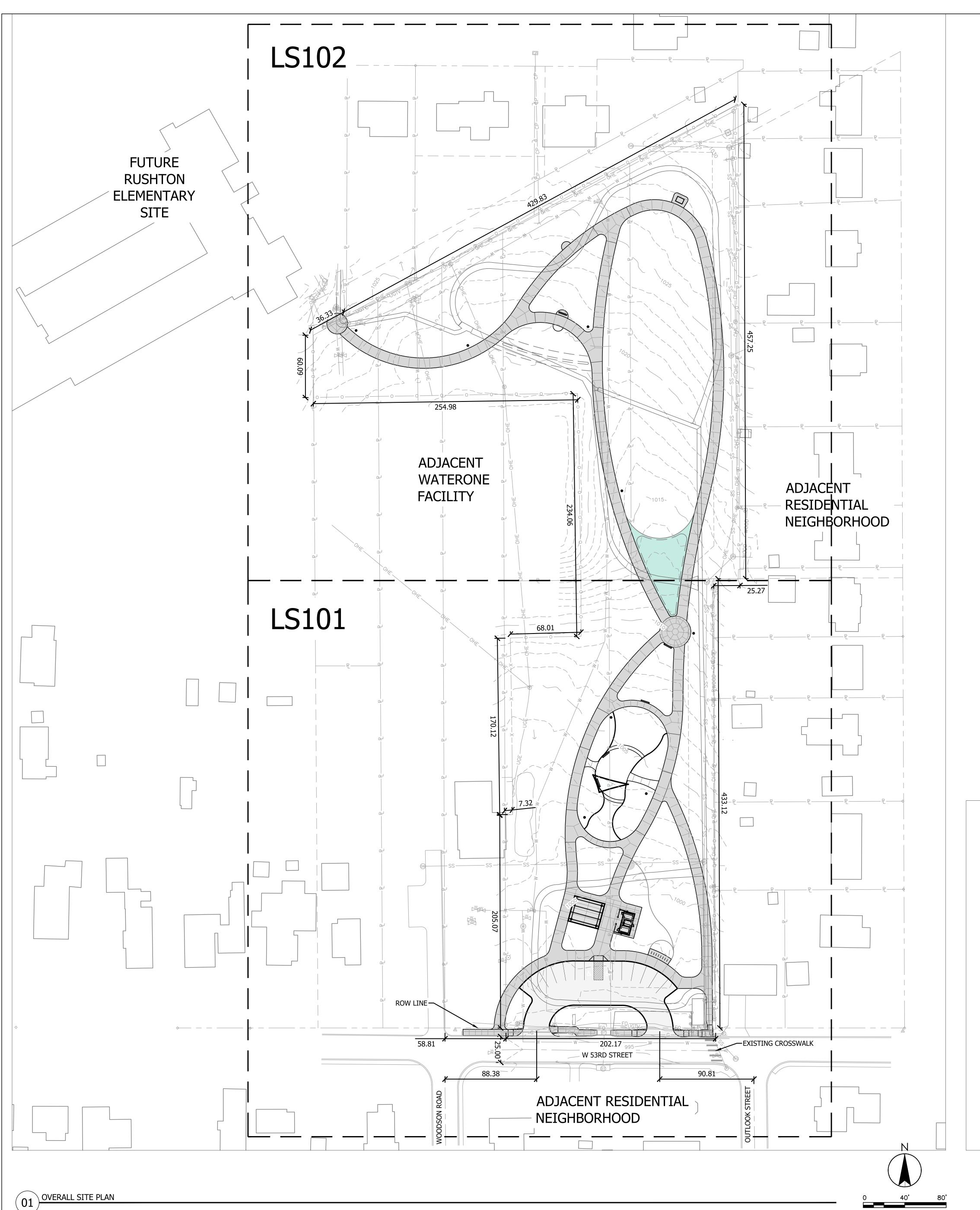
- 1. Landscaping Plan shall be in accordance with the Municipal Code for native and non-invasive species.
- 2. Landscaping Plan shall be in accordance with the Municipal Code for continual maintenance and disease prevention.
- 3. International Dark Sky lighting standards as of 2022 shall be applied to the exterior lighting on building frontages and interior site areas and submitted with the Final Development Plan.
- 4. All signage will be submitted as a package with a separate sign permit application.
- 5. A Final Development Plan will be submitted to the City and approved by the Planning Commission prior to the issuance of any building permits. The Final Development Plan shall be in conformance with the Preliminary Development Plan including but not limited to architectural features and details, materials used, and amenities.
- 6. The applicant shall submit a Final Site Plan and construction documents to the City for review and approval prior to building permit issuance.
- 7. The applicant shall obtain all approvals from the Consolidated Fire District No. 2 prior to building permit issuance.

PLANNING COMMISSION ACTION

The Planning Commission will hear Case #23-11, the Preliminary Development Plan for Water Works Park, at its June 26, 2023 public hearing and will vote to recommend approval of the plan to the City Council.

CITY COUNCIL ACTION

Upon Planning Commission's recommendation, the City Council will hear Case #23-11 at its July 19, 2023 meeting.



SITE DA	ATA TABLE		
ZONING DISTRICT LAND AREA	100% OF SITE (4.11 ACRES) R-1 SINGLE FAMILY RESIDENTIAL DISTRICT		
TOTAL BUILDING FLOOR AREA	920 SF		
SITE FLOOR AREA RATIO	0.0051		
NUMBER OF DWELLING UNITS	0		
DENSITY OF RESIDENTIAL DEVELOPMENT	N/A		
REQUIRED NUMBER OF PARKING STALLS	EXISTING - 7 STALLS		
PROVIDED NUMBER OF PARKING STALLS	12 STALLS AND 2 ADA ACCESSIBLE STALLS		

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Wilson & Company

Structural Engineering Stand Engineering

Signage Design Star Signs

Notes

By Appd. YY.MM.DD
 JS
 KVE
 23.04.20

 JS
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 PRELIMINARY DEVELOPMENT PLAN PRELIMINARY DEVELOPMENT PLAN RESUBMITTAL PRELIMINARY DEVELOPMENT PLAN RESUBMITTAL _____ By Appd. YY.MM.DD Dwn. Chkd. Dsgn. YY.MM.DD Permit-Seal

Client/Project CITY OF MISSION

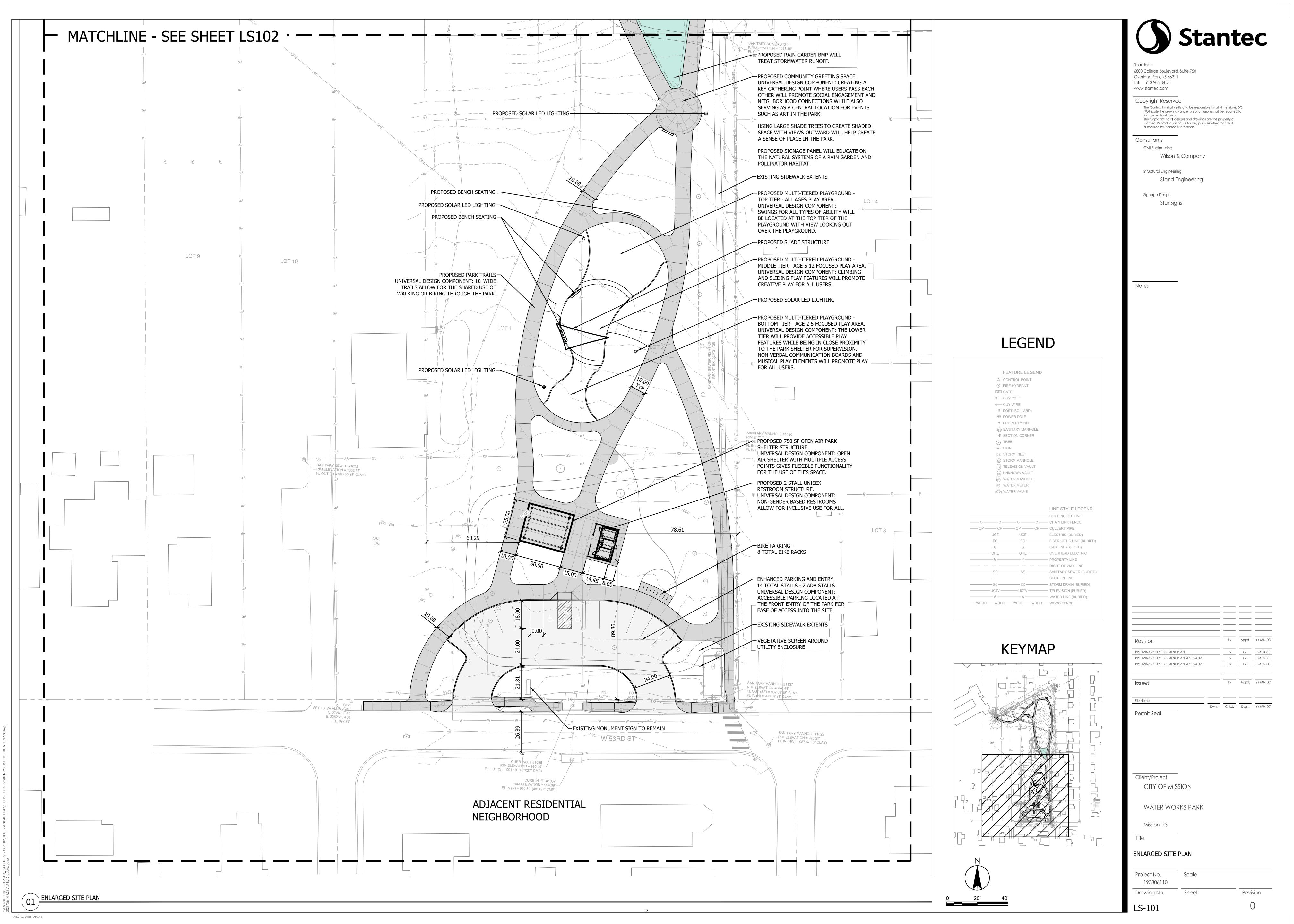
WATER WORKS PARK

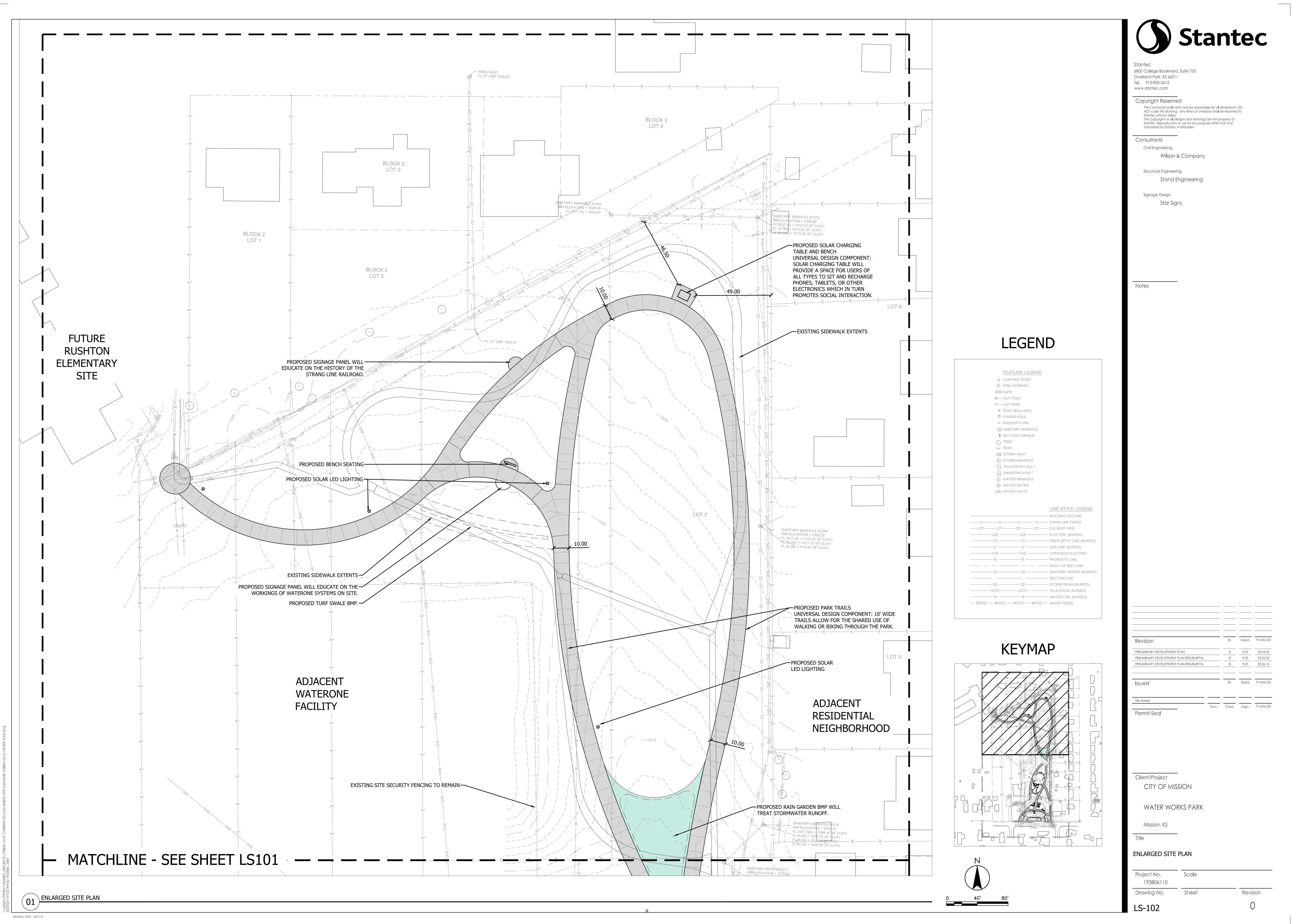
Mission, KS

OVERALL SITE PLAN

Project No. Scale 193806110 Drawing No. Sheet Revision

LS-100









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Civil Engineering

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Notes

Client/Project
CITY OF MISSION

PRELIMINARY DEVELOPMENT PLAN

PRELIMINARY DEVELOPMENT PLAN RESUBMITTAL
PRELIMINARY DEVELOPMENT PLAN RESUBMITTAL

WATER WORKS PARK

Mission, KS

Permit-Seal

Project No. Scale 193806110

Drawing No. Sheet Revision

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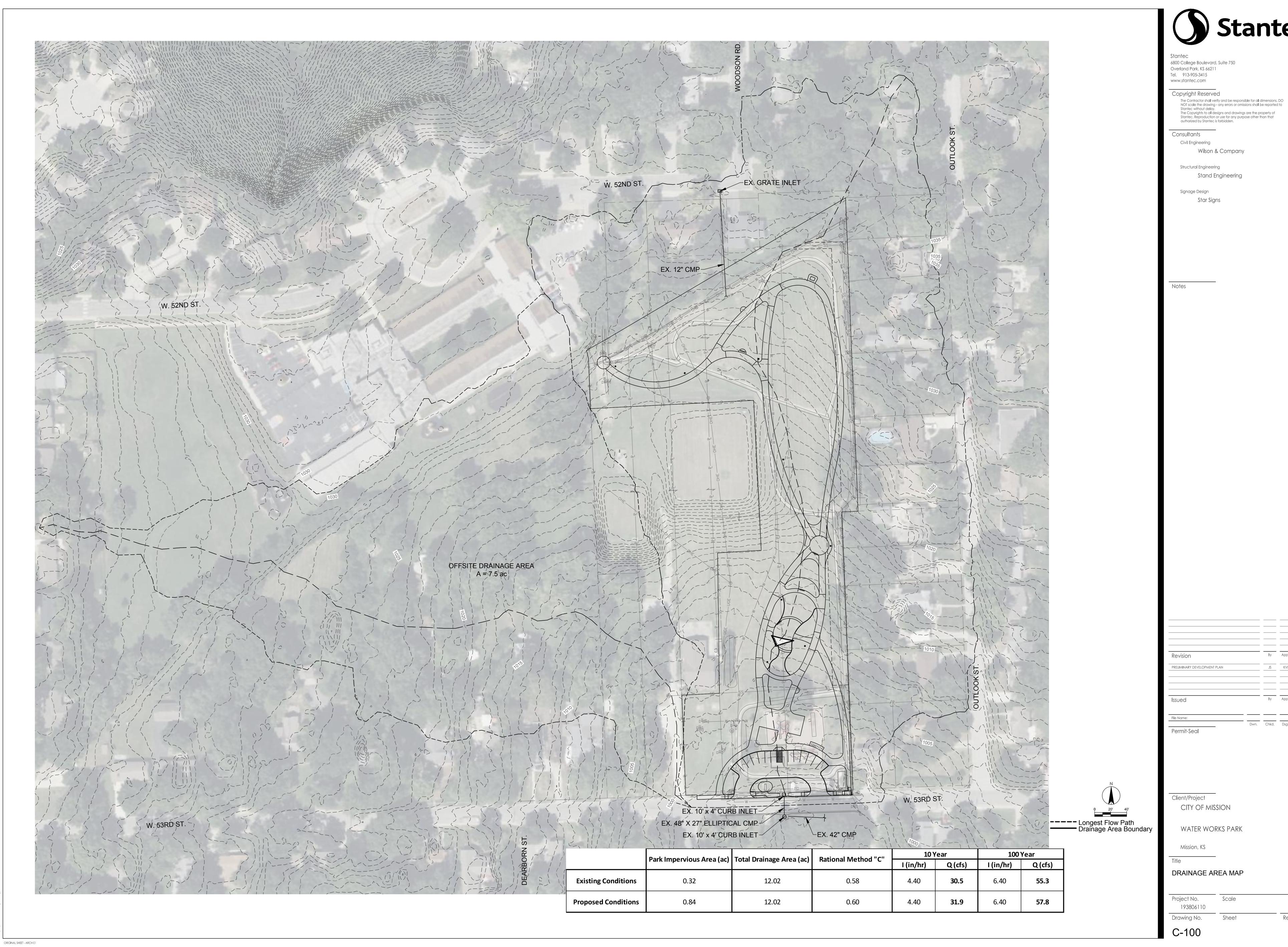
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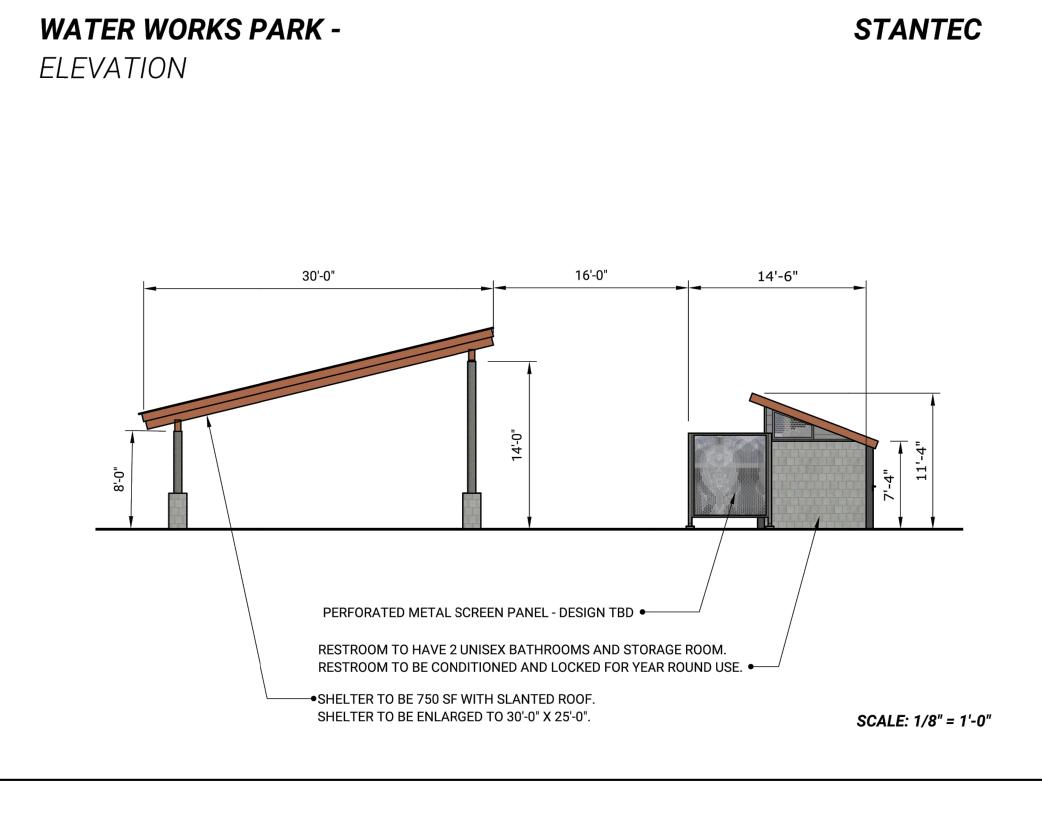


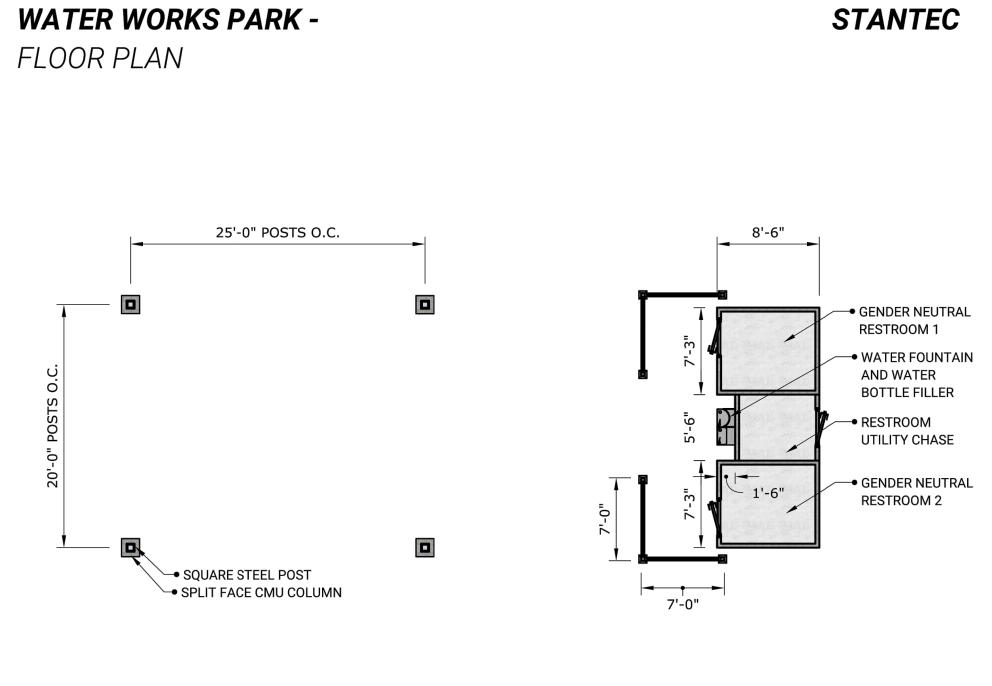


Revision

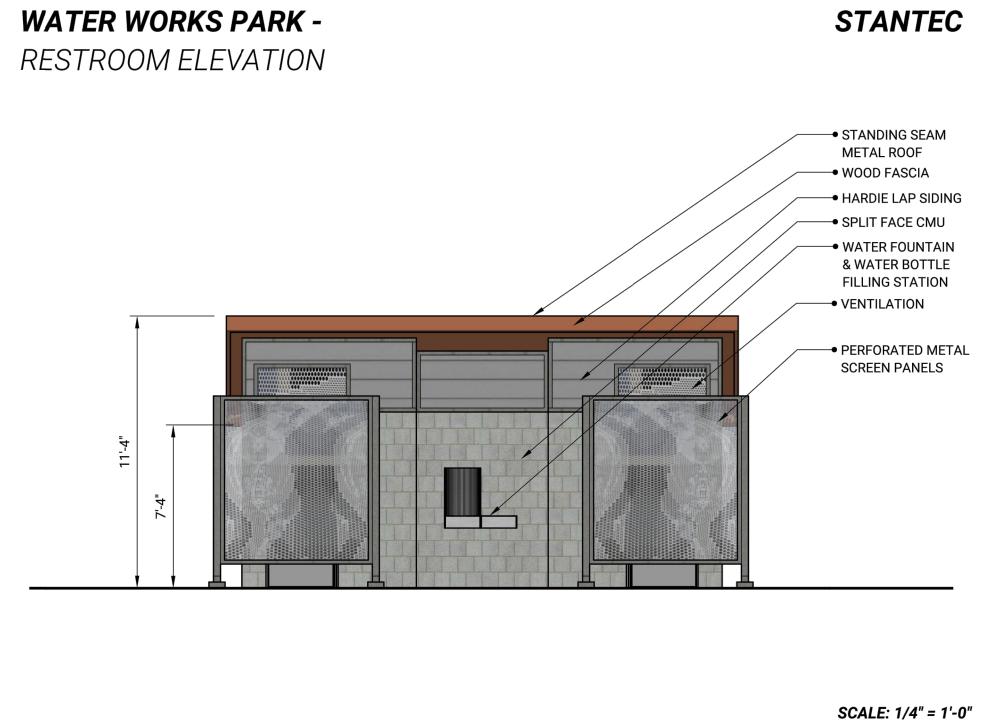


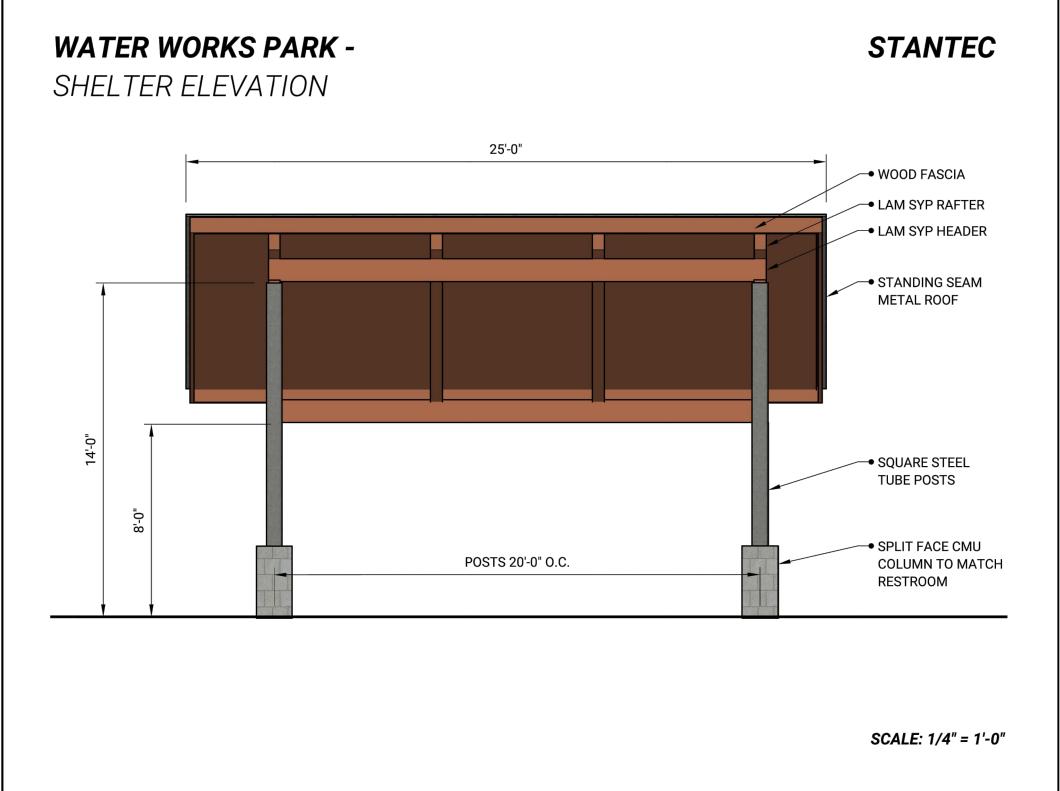


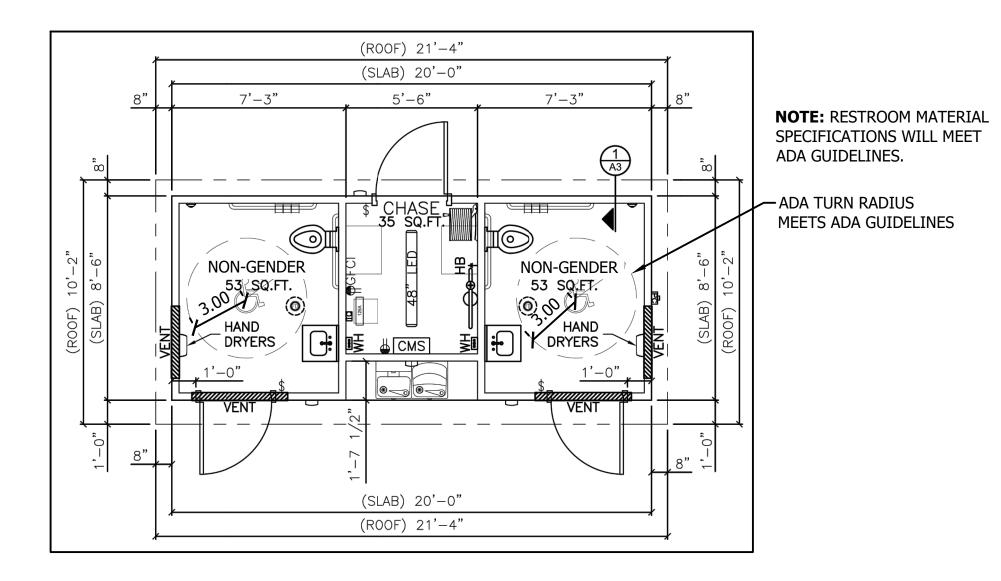




SCALE: 1/8" = 1'-0"







ENLARGED RESTROOM FLOORPLAN



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Wilson & Company

Structural Engineering Stand Engineering

Signage Design Star Signs

Notes

Revision		Ву	Appd.	YY.MM.DD
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PRELIMINARY DEVELOPMENT PLAN RESUBMITTA	.L	JS	KVE	23.05.30
PRELIMINARY DEVELOPMENT PLAN RESUBMITTA	L	JS	KVE	23.06.14
Issued		Ву	Appd.	YY.MM.DD
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Client/Project CITY OF MISSION

WATER WORKS PARK

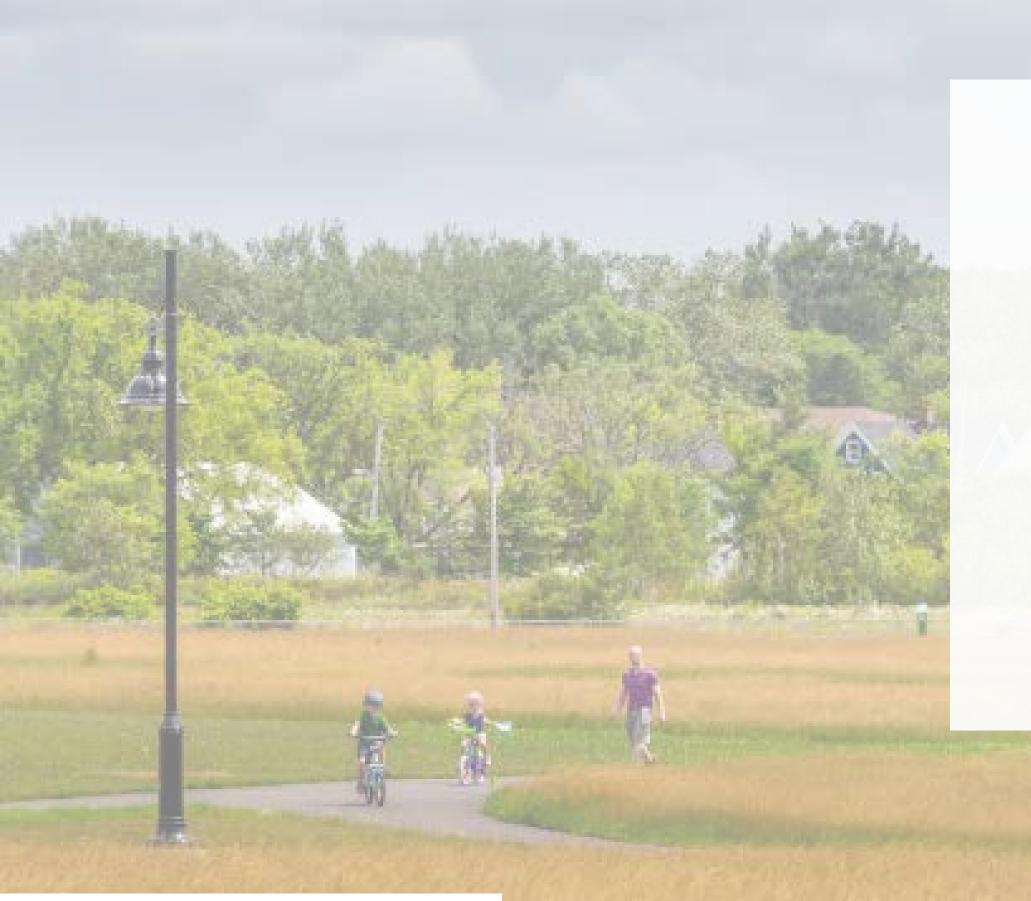
ARCHITECTURAL ELEVATIONS

Project No. 193806110	Scale	
Drawing No.	Sheet	Revision

ORIGINAL SHEET - ARCH E1

A-100





Agenda

Original Master Plan

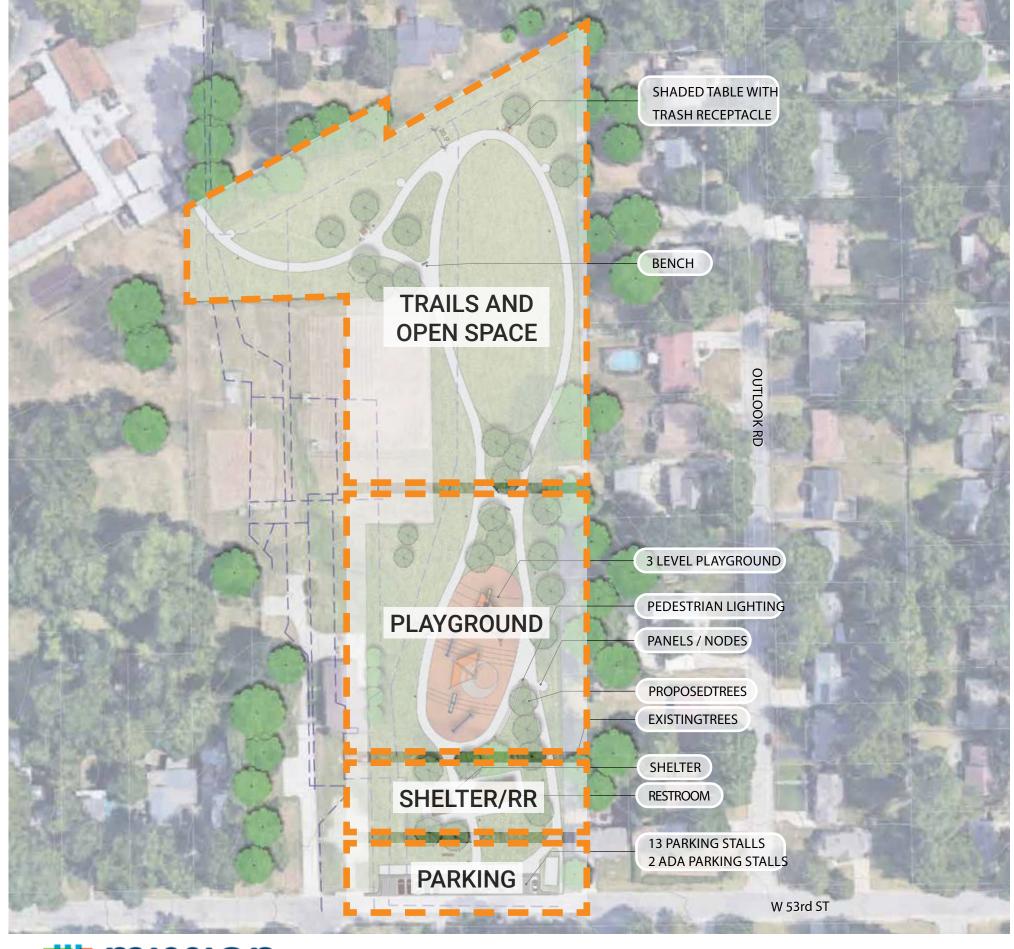
Concept Plan and Renderings

Shelter and Restroom Site Analysis

Playground Concept

Sustainability Scorecard







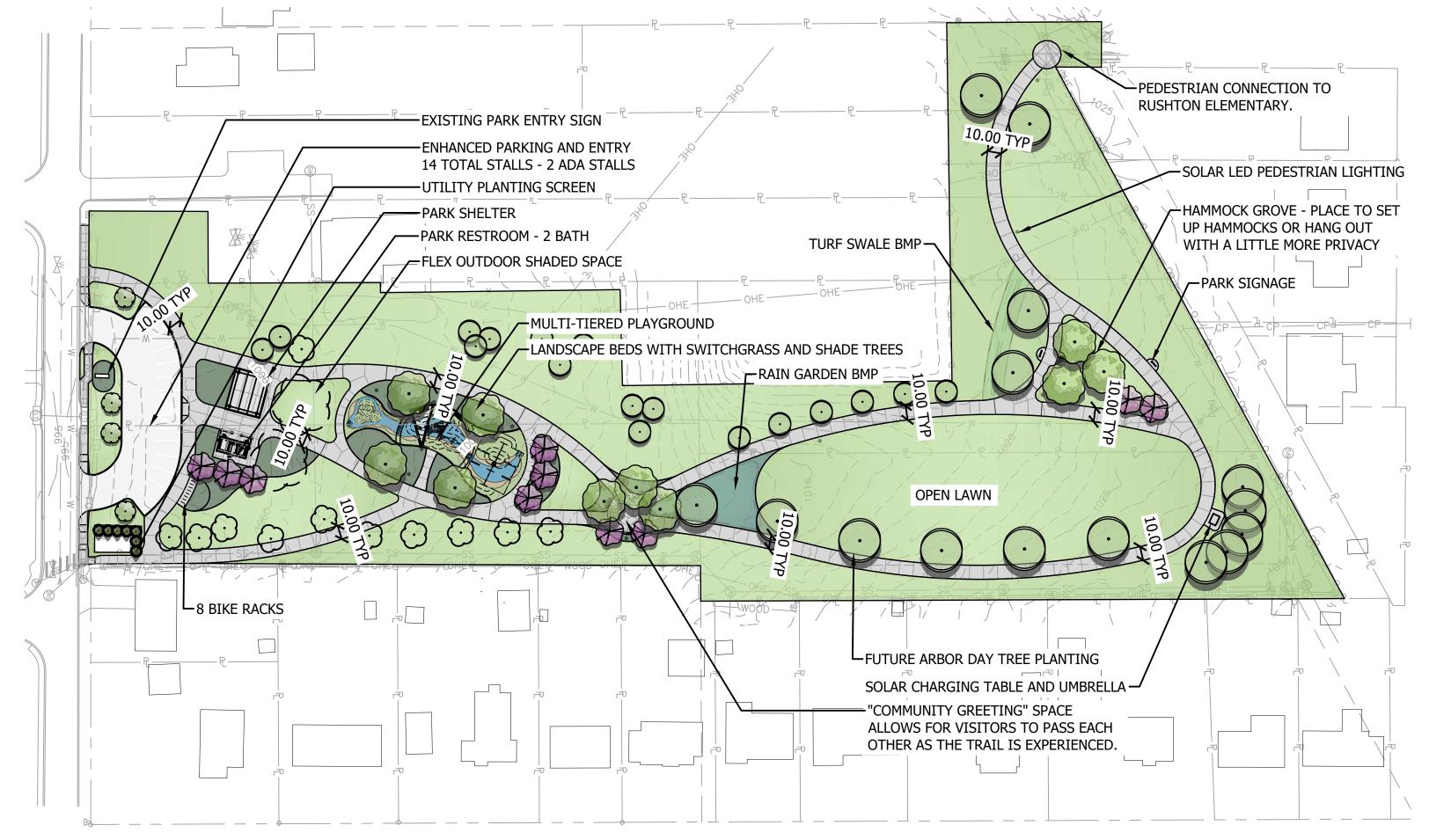
















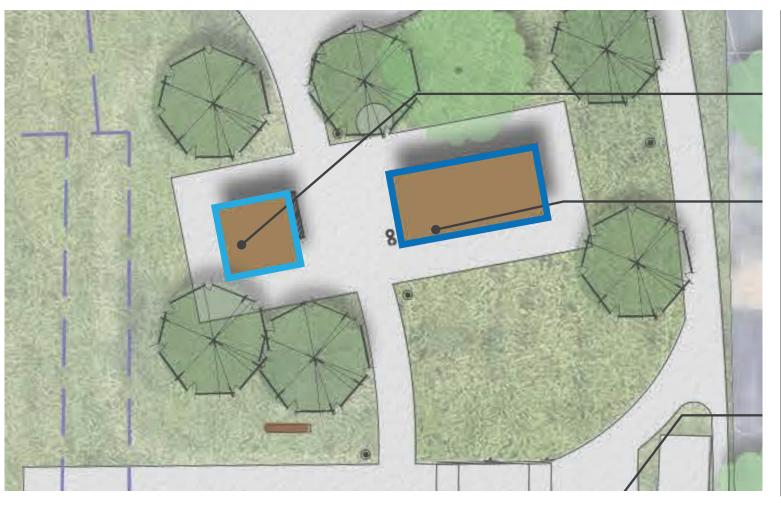


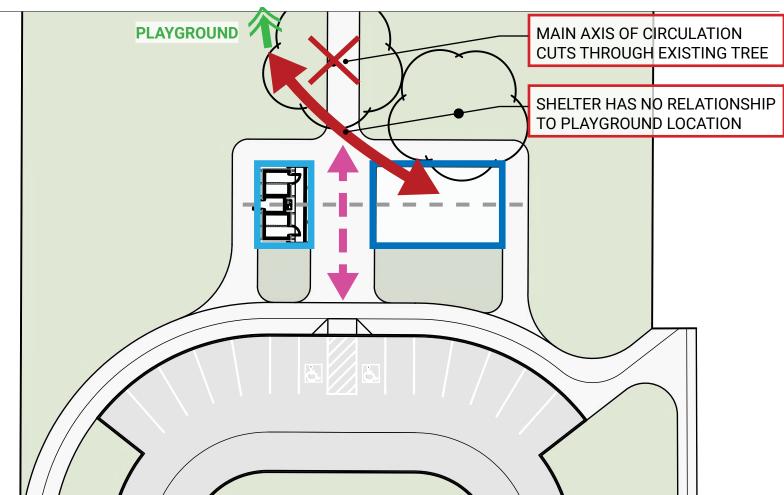


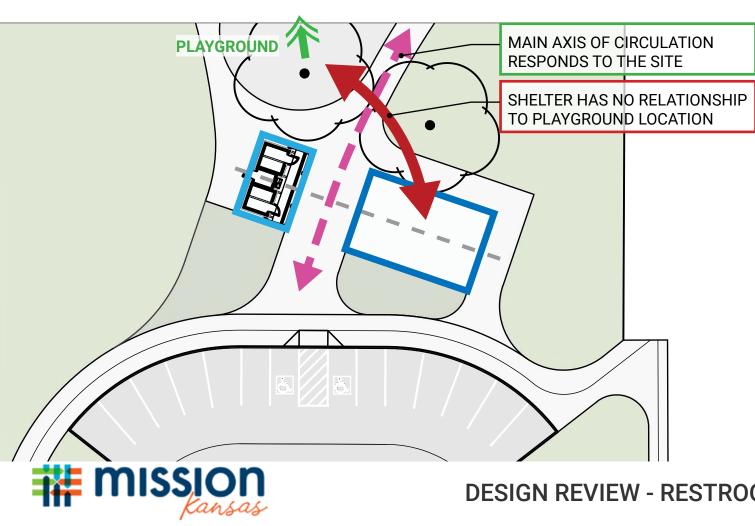


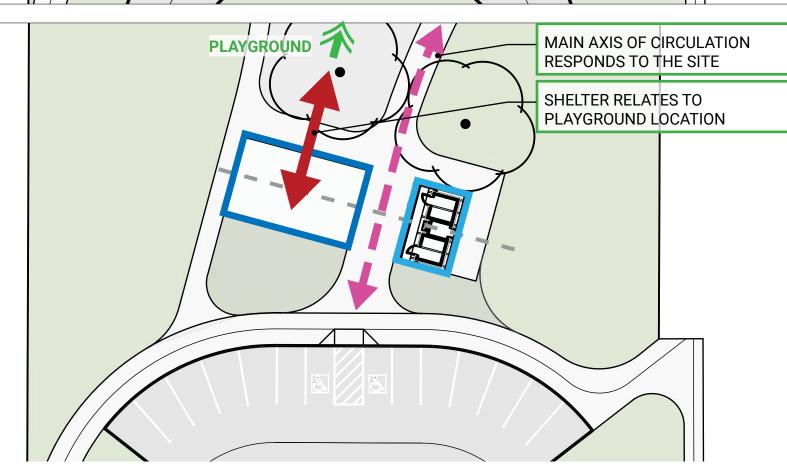






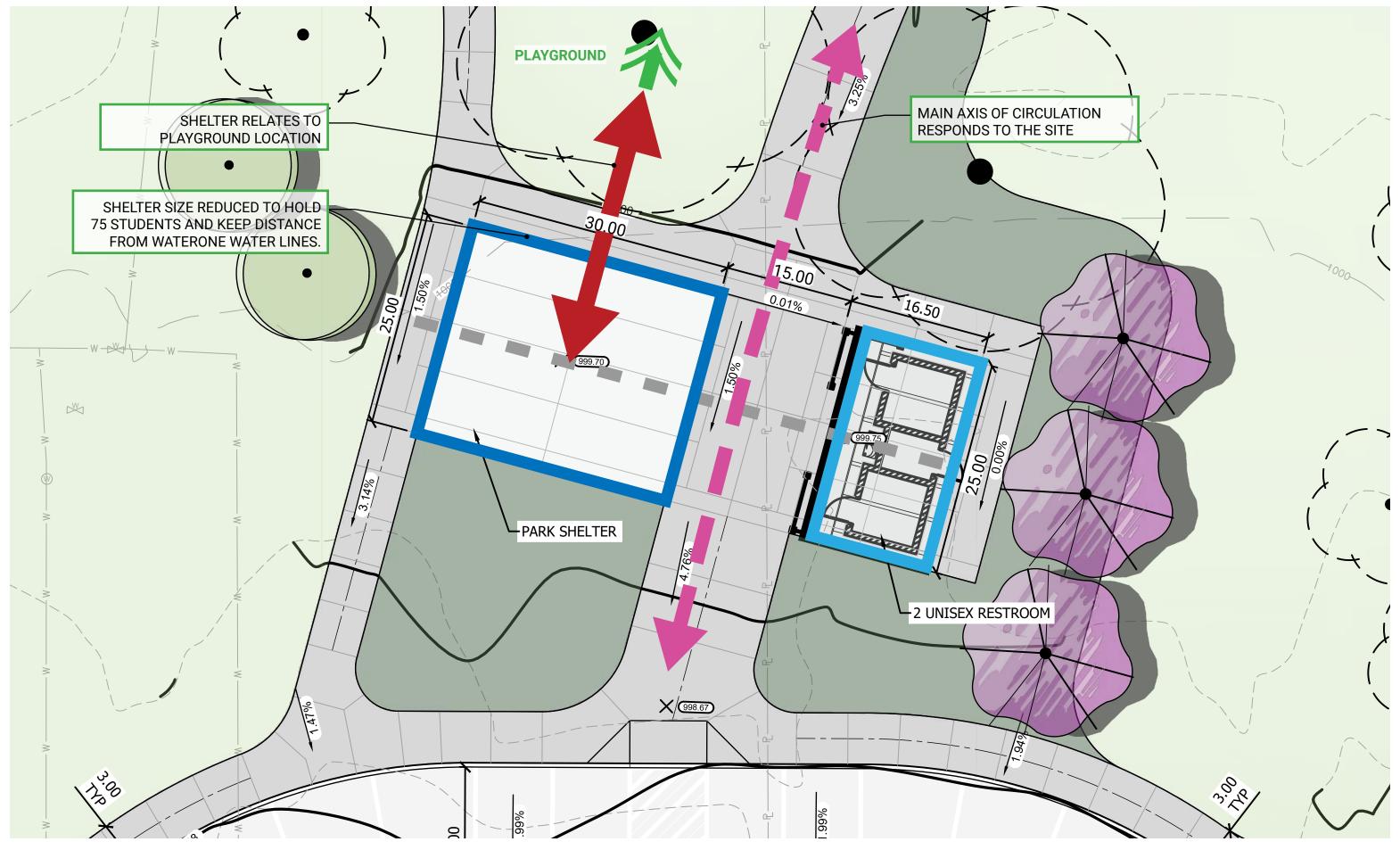






DESIGN REVIEW - RESTROOM AND SHELTER CONCEPTS

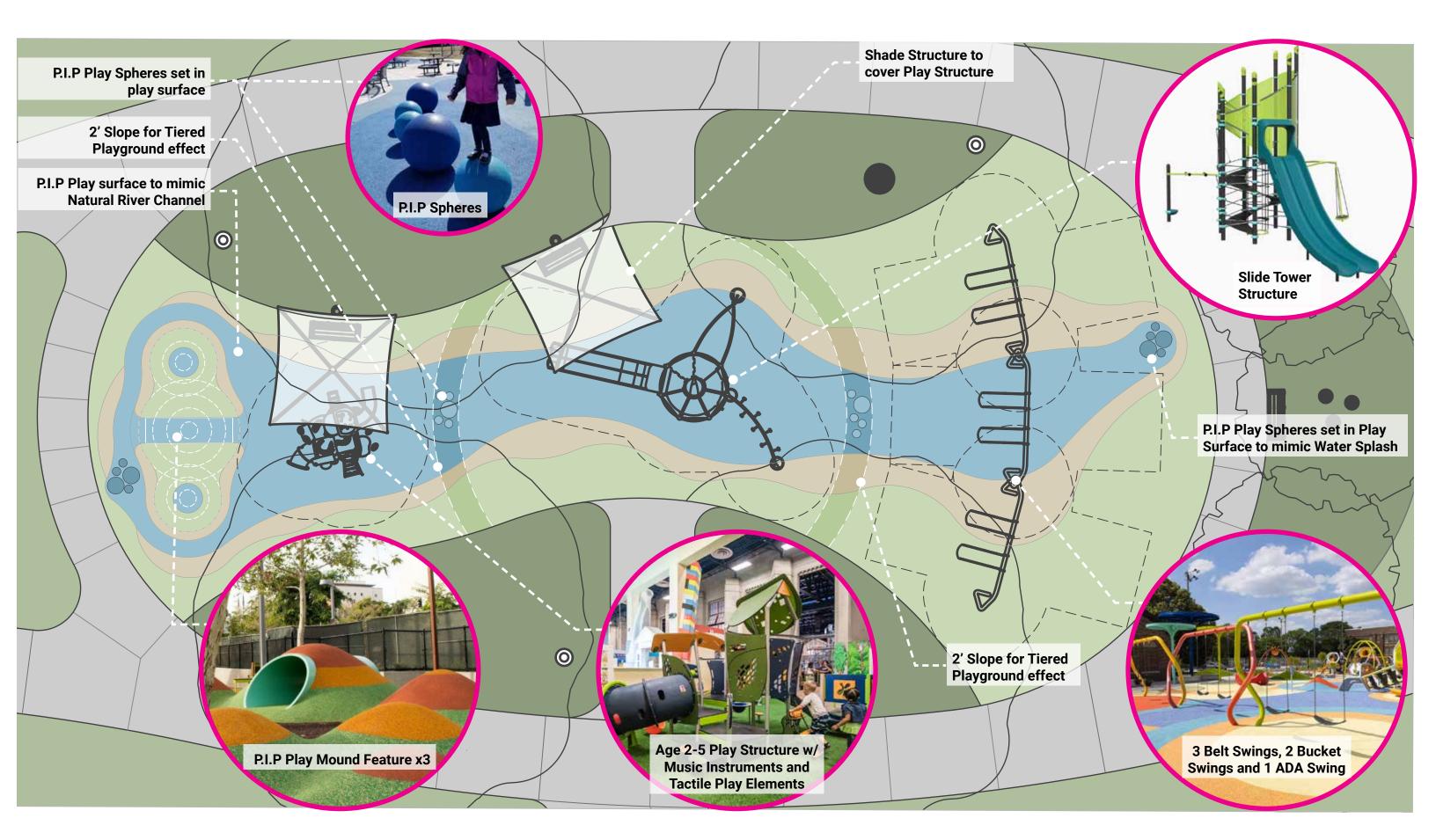
WATER WORKS PARK













SUSTAINABILITY SCORECARD

- √ Pre-Design Site Assessment
- √ Preserve Natural Resources
- √ Landscape Irrigation
- √ Manage Plants/Vegetation
- √ Walking/Bicycle Paths

- √ Bicycle Storage
- √ EV Charging
- √ Heat Island Mitigation
- √ Construction Material Management

- √ Sustainable/Local Materials
- √ Occupant Recycling/Composting
- √ Building Envelope/Insulation
- √ Electrical/Lighting Systems
- √ Onsite Renewable Energy
- √ Fixtures/Fittings
- √ Reduce Irrigation
- √ Increase Ventilation
- √ Acoustics
- √ Daylighting/Views
- √ Accessibility/Community for All Ages









Drainage Memo

To: City of Mission, Kansas From: Chelsea Pfaffly, PE

Re: Water Works Park Drainage Memo





Date: 6/14/2023

Wilson & Company is assisting Stantec with the designing of improvements at Water Works Park in Mission, Kansas to improve accessibility and compliance with ADA standards. The park is bounded by single family homes and Rushton Elementary to the north (W. 52nd Street) and east (Outlooks Street), W. 53rd Street on the south, and a WaterOne building and small parking lot to the west. The existing park consists of a walking trail, a 7-stall parking lot, a covered shelter with two picnic tables, and a playground. The proposed improvements include replacement of the trail to meet ADA standards, upgraded and expanded parking with ADA stalls, upgraded playground area and equipment, permanent restrooms, and an expanded covered shelter.

Existing Conditions

The project site is approximately 4.7-acres. The drainage area encompassing the park is approximately 12-acres and drains from north to south to the curb inlet (to remain) just west of the park parking lot on W. 53rd Street. The existing park site has 0.3-acres of impervious area. See Table 1 for existing condition peak runoff.

Proposed Conditions

The proposed improvements will disturb 3.1-acres. The existing trail will be removed, and a new trail will be constructed to meet ADA standards. The playground will be expanded. The proposed parking lot provides 12 standard stalls and 2 ADA stalls with green space between the road and parking lot. The proposed grading with regards to stormwater runoff will generally remain unchanged from the existing conditions. The proposed impervious area of the park will increase from 0.3-acres to 0.8-acres. Table 1 below compares existing and proposed peak runoff from the site at the inlet on W. 53rd Street runoff for the 10-year storm event will increase by approximately 1.4 cfs for the proposed extended parking lot while the 100-year peak runoff will increase by 2.5 cfs.

The existing downstream system is a 48-inch by 28-inch horizontal elliptical corrugated metal pipe (36-inch round equivalent) with a maximum capacity of 60 cfs. The total drainage area for the curb inlet/receiving storm sewer system is 19.5-acres, including the 12-acres encompassing the park, with a 10-year peak runoff of 53.4 cfs, causing no adverse impacts to the downstream system.

Table 1. Existing vs. Proposed Runoff

	Park	Total	Rational	10-Year		100-Year	
	Impervious Area (ac)	Drainage Area (ac)	Method "C"	I (in/hr)	Q (cfs)	I (in/hr)	Q (cfs)
Existing Conditions	0.32	12.02	0.58	4.40	30.5	6.40	55.3
Proposed Conditions	0.84	12.02	0.60	4.40	31.9	6.40	57.8

Water Works Park Drainage Memo 6/14/2023 pg. 2



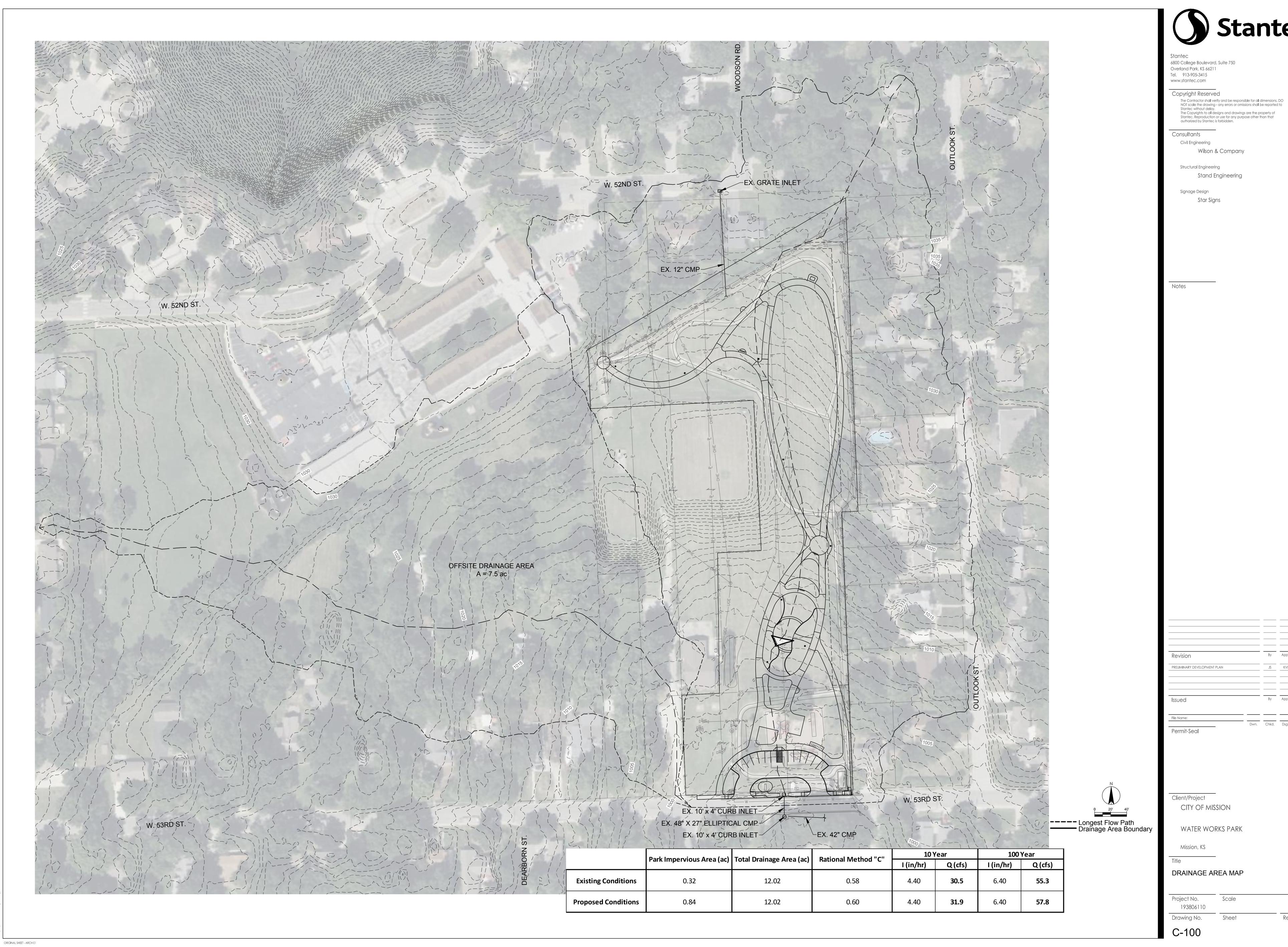
Water Quality best management practices (BMP) features were added to the park facility for water quality treatment. A Native Vegetated Swale and Rain Garden treatment train is provided to capture the water quality volume from the north area of the park. The 10-year and 100-year storm event will be routed around the water quality feature and follow existing drainage patterns. Several native vegetation planting beds are also included on site for additional treatment. Level of Service calculations have been included as an attachment to this memo.

Summary

The change from existing to proposed conditions results in an increase of approximately 1.4 cfs for the 10-year storm event and 2.5 cfs for the 100-year storm event due to the increased impervious area for the proposed conditions. This is approximately a 3% increase in runoff from existing conditions. The increase in runoff is negligible and will cause no adverse impacts to the downstream system. We request approval for a detention waiver, as the impacts are negligible. The proposed conditions include several native vegetation beds along with a native vegetation swale and rain garden treatment train system for water quality treatment but provide no detention for the 10-year or 100-year event.

WORKSHE	EET 1A: REQUIRED LEVEL OF SERVICE - DEVE	LOPED SITE			
Project: Location:	Waterworks Park Improvements Mission, KS	By: Checked:	DBM CLP	Date: Date:	6/8/2023 6/14/2023
1. Require	ed Treatment Acres A. Total Area Disturbed by Redevelopment Activ	ity (ac.):			
	Disturbed Area Description	Acres			
	Playground	0.15			
	Asphalt Trail and Pa	0.31			
	Grass	2.67			
			"1A" Tot	tal: 3.13	
	B. Existing Impervious Area Inside Disturbed Area	ea (ac.):			_
	Existing Impervious Area Description			Acres	_
	Asphalt Trail and Pa	arking		0.31	
			"1B" Tot	tal: 0.31	
	C. Required Treatment Area (ac.):				
	"1A" Total Less "1B	" Total	":	1C" 2.83	2
2. Percent	t Impervious in Postdevelopment Condition ar	nd Level of Service	e (LS)		
	A. Total Postdevelopment Impervious Area Insid	le Disturbed Area (ac.):		
	Postdevelopment Impervious Area Description			Acres	
	Multi-Use Trail and S	Shelter		0.67	
	Parking Lot			0.17]
			"2A" Tot	tal: 0.84	
	B. Existing Impervious Area Inside Disturbed Are	ea (ac.)			
	-		"1B" Tot	tal: 0.3	1
	C. Net Increase in Impervious Area (ac.)				
	"2A" Total Less "1B	" Total	"2C" Tot	t al: 0.53	3
	D. Percent Impervious				
	Net Increase in Impervious	s Area / Required 7 2C"/"1C" x 10		rea199	(Round to
	E. Level of Service	_3, _3 x 10	-	107	Integer)
	Use Percent Impervious to Enter Tab	ole 4.3	LS	3 = 4.	5
3. Minimu	m Required Total Value Rating of BMP Packa	_			=
	Total Value Rating = LS x Required Treatmen	t Area	VF	12.68	8

WORKSHE	ET 2: DEVELO	OPED MITIGA	TION PACKA	GE(S) THAT N	MEET THE RE	EQUIRED LS	;	
Project: Location: Sheet	Waterworks Misson, KS 1	Park Improven	nents 1		By: Checked:	DBM CLP	Date: Date:	6/8/2023 6/14/2023
1. Require	d LS (New De	=		· ·otal VR (Red	evelopment	Wksht 1A):		12.68
-	•	s BMPs may a	•	•	-	_		icable
					,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,		
2. Propose	ed BMP Option	n Package No).	1	VR from			
				Treatment	Table 4.4	Product of		
	Cover/BMF	Description		Area	or 4.6 ¹	VR x Area		
		Swale + Rai	n Garden	1.00	10.00	10.00	1	
		tation - Rees		0.15	9.25		-1	
	Multi-Use T	rail and Shelt	ter	0.48	0.00	0.00	1	
	Parking Lot	•		0.17	0.00	0.00		
	Lawn			1.33	0.00	0.00		
			Total ² :	3.13	Total:	11.39		
	4	VD	1 f = f : = 1 DMF		eighted VR:		= total produ	ict/total area
	1 2		d for final BMF ent area canno	-		o ootual cito	aroa	
	*	Blank In Red		ot exceed 100	percent or th	e actual Site	area	
			•			•		
	Meets requ	ired LS (Yes/	No)?		NO			tions are being
						tested, proc	eed below)	
3. Propose	ed BMP Option	n Package No).					
•	•				VR from			
				Treatment	Table 4.4	Product of		
	Cover/BMP	Description		Area	or 4.6 ¹	VR x Area		
							-	
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			- 2					
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		· · · · · · · · · · · · · · · ·	-,-			tested, proc		2000



Revision





AT A GLANCE

Applicant:

Superstar Holdings, LLC

Location:

5959 Barkley Street

Property ID:

KF251208-2050

Current Zoning:

C2-A

Proposed Zoning:

N/A

Current Land Use:

Vacant

Proposed Land Use:

Drive-through Food Establishment

X Public Hearing Required

Legal Notice:

June 6, 2023

Case Number:

23-06

Project Name:

Swig Soda Shop Preliminary Development Plan

Project Summary:

Proposed preliminary development plan for a drivethrough soda and cookie shop on the northeast corner of Martway Street and Barkley Street.

Staff Contact:

Karie Kneller, City Planner





BACKGROUND AND PROPERTY INFORMATION

The applicant, Superstar Holdings, LLC, submitted an application for a preliminary development plan for property located on the northeast corner of Martway Street and Barkley Street. The preliminary plat will be heard with Case #23-09. The subject property is approximately .71 acres that is currently a parking lot with a gazebo structure. The property is zoned C2-A "Pedestrian Oriented Business District." The property lies within the Form Based Code overlay district.

Surrounding the subject property are the following zones and uses:



Direction	Zone	Land Use	
West	C2-B	Commercial - Auto Shop	
East	C2-A	Commercial - Shopping Center	
North	orth C2-A Commercial - Parking/Fast		
South	CP-2	Commercial - Grocery	

All necessary utilities are currently provided and accessible on-site.

PROJECT PROPOSAL

The applicant proposes a drive-through soda shop with vehicle parking, landscaping, internal pedestrian walkways, and outdoor seating. Vehicular circulation is confined to the existing northernmost entrance/exit. The southernmost curb-cut on Barkley will be eliminated. Cars enter the site and circulate clockwise through double-stacked lanes of the drive-through to a pick up window in the one-story 650 square foot building. The estimated daily vehicle count is approximately 347 cars, with a peak time during the 8:00AM and 5:00PM hours. There is also a pedestrian walk-up window for orders and pickup with a bike rack located nearby. Eight proposed parking spaces, including one ADA accommodation and an EV charging station, are located on the north side of the lot, generally in the rear. A dumpster enclosure is located within the green space, constructed of CMU blocks, which will be painted to match the primary structure. Greenspace will increase with the proposal from .22 acres (31%) to .37 acres (52%), including access for the community to a small, centrally located parklet with park benches and shade trees.



Mission Comprehensive Plan and Form Based Code

The Mission Comprehensive Plan (2007) designates the subject property as within the Form Based Code (FBC) overlay district, which takes precedence over the municipal code for new construction regarding building types, urban and architectural design, and landscaping. The property is also subject to the restrictions in §410.340, Development Standards and Prohibited Uses. Any deviations from the zoning regulations that result in a score of less than 90 points according to the FBC scoring criteria require a non-conforming use permit.

FBC Review and Scoring:

Step 1 of the FBC Regulating Plan is worth 45 points and addresses frontage, parking, and access. The project site is located within block T of the Westgate Sector. Building frontages should face Barkley Street, which is the secondary frontage, and access should also be from Barkely. Parking should be located away from Johnson Drive.

Analysis: The proposed structure fronts Barkley Street; therefore, the building orientation conforms with the FBC regulations for block configuration and frontage type, receiving 15 points. Parking is discreet from Johnson Drive; therefore, parking conforms with the FBC, receiving 15 points. Access is proposed on Barkley Street, and an additional existing entrance is eliminated that reduces the number of curb cuts; therefore, the proposal conforms with access regulations and receives an additional 15 points. A total of 45 required points are alloted to the first step in the review process.

Building types appropriate for this block include mid-rise and parking structures; low-rise structures are allowed anywhere in the district if the total site area does not exceed .5 acres. Step 2 of the Regulating Plan indicates that building types that conform with the appropriate block would receive 10 points.

Analysis: The proposed building is a one-story structure on a .71 acre lot. Structures built on lots larger than .5 acres in block T should be "mid-rise," or at least two stories; therefore the building type does not conform and does not receive 10 points toward the score. According to the FBC, "because of the importance of these elements, a score of 10 is required to automatically continue to the next review group in the process." Therefore, the proposal if approved requires a non-conforming situation permit and must follow the regular approval process.

The Urban Guidelines of the FBC in Step 3 of the review are worth 25 points, and regulate parking and front, side, and rear setbacks. A mid-rise building is also intended for a mix of uses with a courtyard common space. Front setback required is 0'-10'; side street setback is 0'-10'; side lot setback is 0' minimum; rear setback is 0' minimum; parking is permitted in the rear only with a 10'-20' setback from the side street, and screening is required.

Analysis: Front and side street setback is non-conforming. Parking and side lot/rear setback conforms. The intent of a mix of uses in non-conforming, but a centrally located common space courtyard is provided. The proposal partially meets the intent of the Urban Guidelines by providing a common courtyard, and the side yard, rear, and parking area conform; therefore, the proposal



receives an additional 17.5 points.

Step 4 of the review involves architectural guidelines, worth 15 points. These elements relate to the intent, materials, configurations, and techniques employed on the building walls, roofs, doors & windows, storefronts, signage, and awnings & canopies. Stone and masonry materials reflect permanence, the roof is a simple flat form, windows and doors are generally located appropriately. Canopies are utilized on building facades.

Analysis: The intent, materials, configurations and techniques employed in the architectural elements of the proposal generally conform with the FBC; therefore, the proposal receives an additional 15 points.

The proposal receives a total score of 77.5 points of the 90 points required, and must be evaluated as a non-conforming situation by the Planning Commission and City Council.

Municipal Code

The municipal code for zoning district C2-A "Pedestrian Oriented Business District" relates to the purpose and intent, permitted uses, and development and performance standards.

Purpose and Intent:

Businesses in the C-2A district are encouraged to be a retail and service establishment with products and services where the consumer enters the place of business to accomplish a purpose, and where transactions may be conducted without using a motor vehicle. No drive-in or drive-through operations are allowed except where they would be remote from pedestrian traffic.

Permitted Uses:

Restaurants are permitted uses where the customer normally remains within the building while consuming food, but food may be carried out, provided that the purchase takes place within the restaurant. Prepared food may be delivered by an employee of the restaurant.

Development and Performance Standards:

The height, bulk, and setback stipulated in the municipal code conflicts with the FBC, which takes precedent. Storefronts are parallel to the street and no parking or other paved surface shall interrupt the frontage except that pedestrian plazas or walkways leading to the interior may be provided. Landscaping and screening are required by §415.060, and mechanical equipment shall be screened by materials harmonious with the building. Performance standards states that new buildings shall be in accordance with the Community Wide Design Guidelines (hereafter, Johnson Drive Design Guidelines); analysis is provided in the next section.

Analysis: The proposal does not conform with the development standards, as a customer does not



enter the premises to conduct transactions or consume food. The drive-in operations are generally remote from pedestrian traffic around the site. A pedestrian walkway does cross the drive-through lane after the circulation passes the pick up window, but this walkway is interior to the site and leads to the parklet; it is not the main pathway for general pedestrian traffic around or off the site. Mechanical equipment is screened from view.

Article II Screening and Fencing states in §415.030 that "commercial...projects shall include on the site plan a detailed drawing of enclosure and screening method to be used in connection with trash bins on the property. No trash bin shall be visible from off the property and a permanent masonry or frame enclosure shall be provided and maintained.

Analysis: The dumpster enclosure is constructed of CMU with a steel gate, to be painted a color to match the primary structure.

Article III Landscaping states in §415.060 (A) that the location of all trees twelve inches or greater in diameter, which are proposed to be removed shall be shown on the plan.

Analysis: One existing tree that is at least 12 inches in diameter on the west side of the site will be removed according to the proposal. The tree will be replaced by 19 additional ornamental and shade trees.

Landscaping:

The landscaping plan shows the locations of shade trees, decorative trees, bushes, and ground cover in accordance with §415.090 (A) that requires one tree for each 50 feet of street frontage. The interior of a parking lot requires no less than 6% of landscaped area according to §415.100.

Analysis:

The final development plan will detail the locations and species of each type of planting. The landscaping will adhere to the NE Kansas preferred trees list of native species. The preliminary development plan indicates a sufficient number of trees on the street frontage, and the interior of the parking lot is sufficiently landscaped.

Johnson Drive Design Guidelines

A maximum of 25% of any one façade may be EIFS material (there are no stipulations for percentage of stucco material); EIFs must be 8' from ground level unless specially reinforced.

Analysis: The proposal conforms, as EIFS below 8' at-grade is noted on the plan as reinforced with high impact base mesh.

Building facades on corner lots shall address both streets of the intersection.



Analysis: The proposal addresses the public realm on both sides of the intersection with brick facades, awnings and windows, and alterations in material selections. Extensive landscaping softens hard edges and walls.

Roof mounted mechanical equipment shall be hidden from pedestrian view by roof parapet walls.

Analysis: The proposal conforms.

Parking lots shall incorporate green space (minimum 6%).

Analysis: The proposal includes 11% of landscaping in the parking area.

Parking lots on Martway and side streets between Martway and Johnson Drive shall be screened.

Analysis: The proposal includes evergreen boxwoods to screen the parking area and evergreen cypress to screen drive-through lanes along Martway Street.

Amenities such as bike racks should be incorporated.

Analysis: A bike rack is included on the south side of the building near the pedestrian pathway entrance.

Clear glass is preferred, and reflective or highly-tinted windows are prohibited.

The plan elevations indicate clear and non-tinted glazing.

Building façade colors shall be natural yellow, pale tan, brick, beige, brown and terracotta tones.

Analysis: The proposal appears to conform; final materials selections will be provided with the Final Development Plan.

Curb cuts should be a maximum of 24' wide and shall be minimum distance of 30' from other curb cuts.

Analysis: The proposal conforms.

A landscaping maintenance agreement that indicates all plant materials will be maintained and dead/ diseased landscaping will be replaced; this agreement will be required before a permit for construction is issued.

Deviations from the municipal code and Johnson Drive Design Guidelines require approval by the Planning Commission and City Council.

Sustainability

The project team met with the Sustainability Commission on June 5, 2023. The team provided a completed scorecard with an 80/100 score at the gold level. The Scorecard Sub-Committee will be reviewing the criteria and will provide options for them to improve the score. Favorable comments from the meeting included a



decrease of impervious area and increased landscaping with drought-resistant plants. Nearby transit opportunities, bike racks, and extended sidewalk connections in place of existing curb cuts, along with "no idling" signs that will help improve the health and mobility options for visitors. An EV charging station provides alternative energy for vehicular transportation. Additionally, a shaded parklet central on the site will provide space for recreation and community gathering for pedestrians, bicyclists, and visitors traveling by vehicle. LED lighting with Dark Sky Association standards will enhance sustainable lighting (which will be provided in the Final Development Plan).

Analysis: Elements that promote environmental, social, and economic improvements on the site enhance the project and further Mission's sustainability goals. While the business will provide a primarily vehicular operation, the enhanced pedestrian and bicycle amenities, along with alternative energy on site and minimal parking, will encourage multi-modal visitors.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council a Preliminary Development Plan and Non-conforming Situation Permit for Case #23-09 Swig Soda Shop with the following conditions:

- 1. Landscaping Plan shall be in accordance with the Municipal Code for native and non-invasive species.
- 2. Landscaping Plan shall be in accordance with the Municipal Code for continual maintenance and disease prevention.
- 3. International Dark Sky lighting standards as of 2022 shall be applied to the exterior lighting on building frontages and interior site areas and submitted with the Final Development Plan.
- 4. All signage will be submitted as a package with a separate sign permit application.
- 5. A Final Development Plan will be submitted to the City and approved by the Planning Commission prior to the issuance of any building permits. The Final Development Plan shall be in conformance with the Preliminary Development Plan including but not limited to architectural features and details, materials used, and amenities.
- 6. The applicant shall submit a Final Site Plan and construction documents to the City for review and approval prior to building permit issuance.
- 7. The applicant shall obtain all approvals from the Consolidated Fire District No. 2 prior to building permit issuance.
- 8. The applicant shall obtain all approvals from Johnson County Wastewater and Johnson County Water District #1 prior to building permit issuance.



- 9. The applicant shall be responsible for all damage to existing City infrastructure, including roads, curbs, and sidewalks during construction. Repairs shall be of a quality like or better than existing conditions before final Certificate of Occupancy issuance.
- 10. The applicant shall provide a two (2) year warranty bond on all public infrastructure installed as part of this Preliminary Development Plan; bond(s) will be placed on file with the City of Mission Community Development Department.
- 11. This Preliminary Development Plan approval shall lapse in five (5) years from the effective date of this ordinance if construction on the project has not begun; provided, however, that the applicant may request a hearing before the City Council to request an extension of this time period for up to 12 months.

PLANNING COMMISSION ACTION

The Planning Commission will hear Case #23-06, the Preliminary Development Plan for Swig Soda Shop at its June 26, 2023 public hearing and will vote to recommend approval of the plan to the City Council.

CITY COUNCIL ACTION

Upon Planning Commission's recommendation, the City Council will hear Case #23-06 at its July 19, 2023 meeting.



Community Development Department 6090 Woodson Street Mission, KS 66202 913-676-8360

Development Application

Permit #

Applicant Name:	Tim Harris, member	Company: Superstar Holdings, LLC				
Address:	244 W Mill Street, Suite 101					
City/State/Zip:	Liberty Missouri 64068					
Telephone:	816-781-3322					
Email:	please email tharris@stardevo	orp.com & robert@stardevcorp.com				
Property Owner N	lame: Marlene J. Leinmiller	Company:				
Address:	c/o Bruce Lei					
City/State/Zip:	1469 E 800 F Lawrence Ka					
Telephone:	785-550-0582					
Email:	lmr2bells@gr	mail.com & bartco@kc.rr.com				
Firm Preparing A _l	oplication: Ron Cowger	Company: AGC Engineers, Inc				
Address:	405 S Leonard, Suite D					
City/State/Zip:	Liberty Missouri 64068					
Telephone:	816-979-1255					
Email: rc	owger@agcengineers.com					
*All corresponden	ce on this application should be	e sent to (check one) X Applicant (Owner_ <mark>X</mark> _Firm			
		Application Type				
Rezoning □ Plat □ Site Plan [×] SUP □ Lot Split □ Other (Specify):						
Description of Request						
Please provide a	Please provide a brief description of the request:					
Al	low for SWIG (drive-thru soda s	hop)				

Project Details					
General Location or Address of Property:	5959 Barkley				
Present zoning of property:	C-2A (Pedestrian Oriented Business)				
Present use of property:	kpect for seasonal plants sales after Backyard Burger left the site				
(City). As a result of the filing of said application costs, consulting fee, attorney fee and to reimburse City for all cost incurred by (10) days of the receipt of any bill submitted any of its commissions will be effective until obtains the relief requested in the application Affidavit of Ownership and/or Authorization.					
X Signature (Owner)	Date				
X Signature (Owner's Agent)	Date				
****	*****FOR OFFICE USE ONLY************************************				
File Fee: \$	Meeting Date				
	PC CC				
Takalı	Date Notices Sent				
Total: Receipt #					
Notes:	Date Published				
	Decision				

	Project Details
General Location or Address of Property:	5959 Barkley
Present zoning of property:	C-2A (Pedestrian Oriented Business)
largely vacante	expect for seasonal plants sales after Backyard Burger left the site
The state of the s	
(City). As a result of the filing of said application costs, consulting fee, attorney for and to reimburse City for all cost incurred by (10) days of the receipt of any bill submitted	the Community Development Department of the City of Mission, Kansas ation, City may incur certain expenses, such as but not limited to see, and court reporter fees. Applicant hereby agrees to be responsible for y City as a result of said application. Said costs shall be paid within ten d by City to Applicant. It is understood that no requests granted by City or liall costs have been paid. Costs will be owed whether or not Applicant in.
Affidavit of Ownership and/or Authorizat I. Marlene J. Leinmiller subject property. I give my permission for t being submitted.	certify that I am the owner or contract purchaser of the ne undersigned to act as my agent on behalf of the application hereby
X/Narlens 3 Safaranay	ille Date February 17, 2023
X Not not not not not not not not not not n	Date) வக்கு மக்கு விக்க
	TOP OF USE ONLY AND
File Fee: \$	Meeting Date
	PC CC Date Notices Sent
Receipt # Notes:	Date Published
	Decision.

THE SWIG STORY:

Swig is one tall drink of soda. The booming beverage brand launched in 2010 in St. George, Utah, after owner and founder Nicole Tanner brainstormed the idea for a drive-by drink shop. Customers fast became loyalists, and it didn't take long before the Home of the Original Dirty Soda™ made a clean sweep across Utah. Today, they have over 45 locations in Utah, Arizona, Oklahoma, and Texas serving up customized beverages and stellar sweets — with countless more to come across the nation.

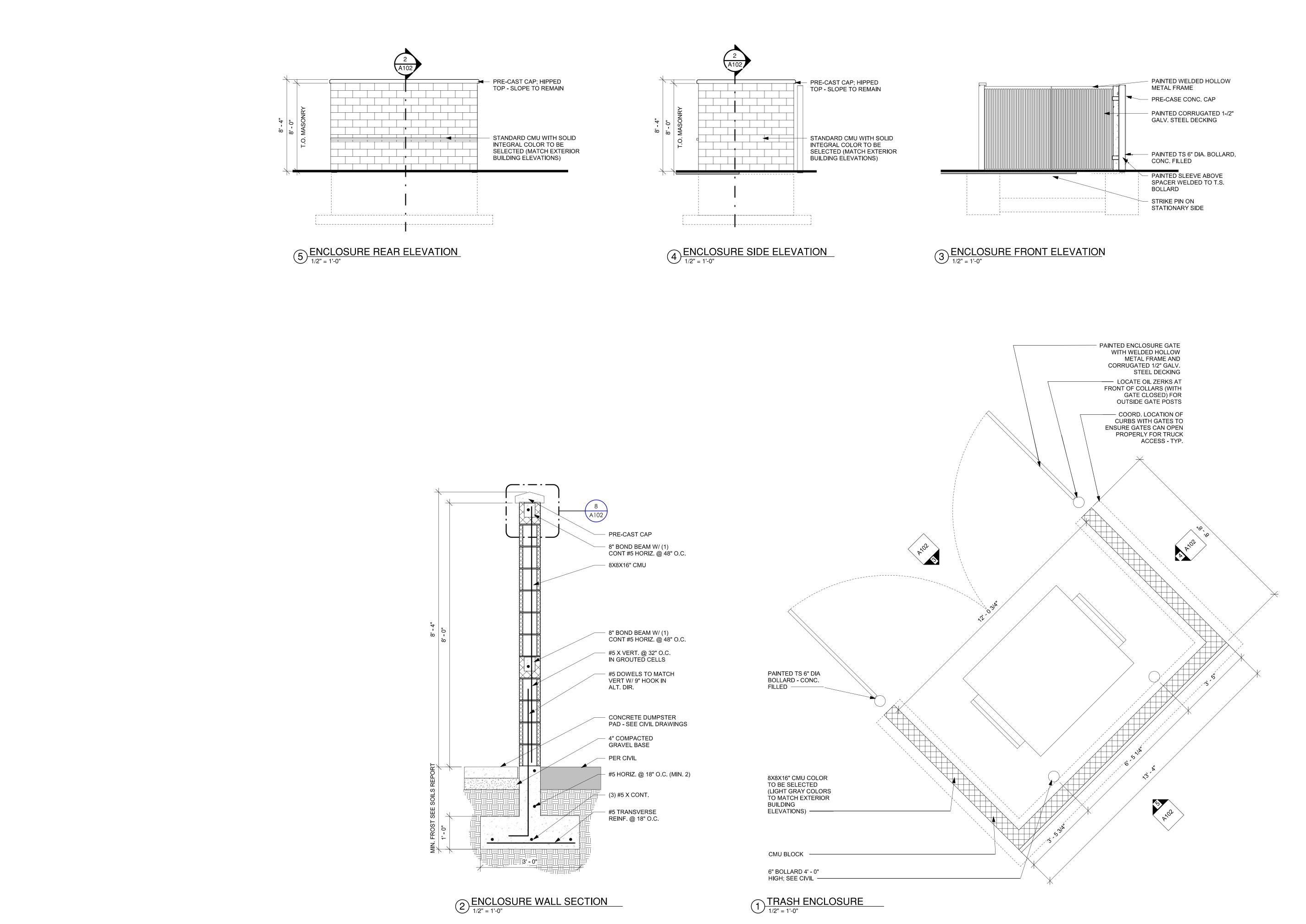
Currently SWIG has 5 leases signed in the KC metro area with many more to come in the Kansas and Missouri area with the first stores opening in late 2023 or early 2024 in the Kansas City area.

SWIG was prominently featured on NBC's the Today Show, have over 100,000 followers on Instagram and Facebook and is becoming a huge favorite across the West and Midwest

Swig's story has been made even sweeter with <u>Save The Cups</u>. Nicole Tanner is a breast cancer survivor herself, and she is now on a mission to help other breast cancer patients. In the last three years, Save The Cups has raised over \$550,000 that has gone directly to paying the medical bills of women fighting the disease — and they're just getting started. Learn more about this cause near and dear to our hearts at <u>SaveTheCups.org</u>.



2101 05/05/2023 PJS SDO 1" = 40'-0"





SAVORY

OLSON ARCHITECTURAL GROUP
1916 NW 79TH TERRACE
KANSAS CITY, MISSOURI 64151

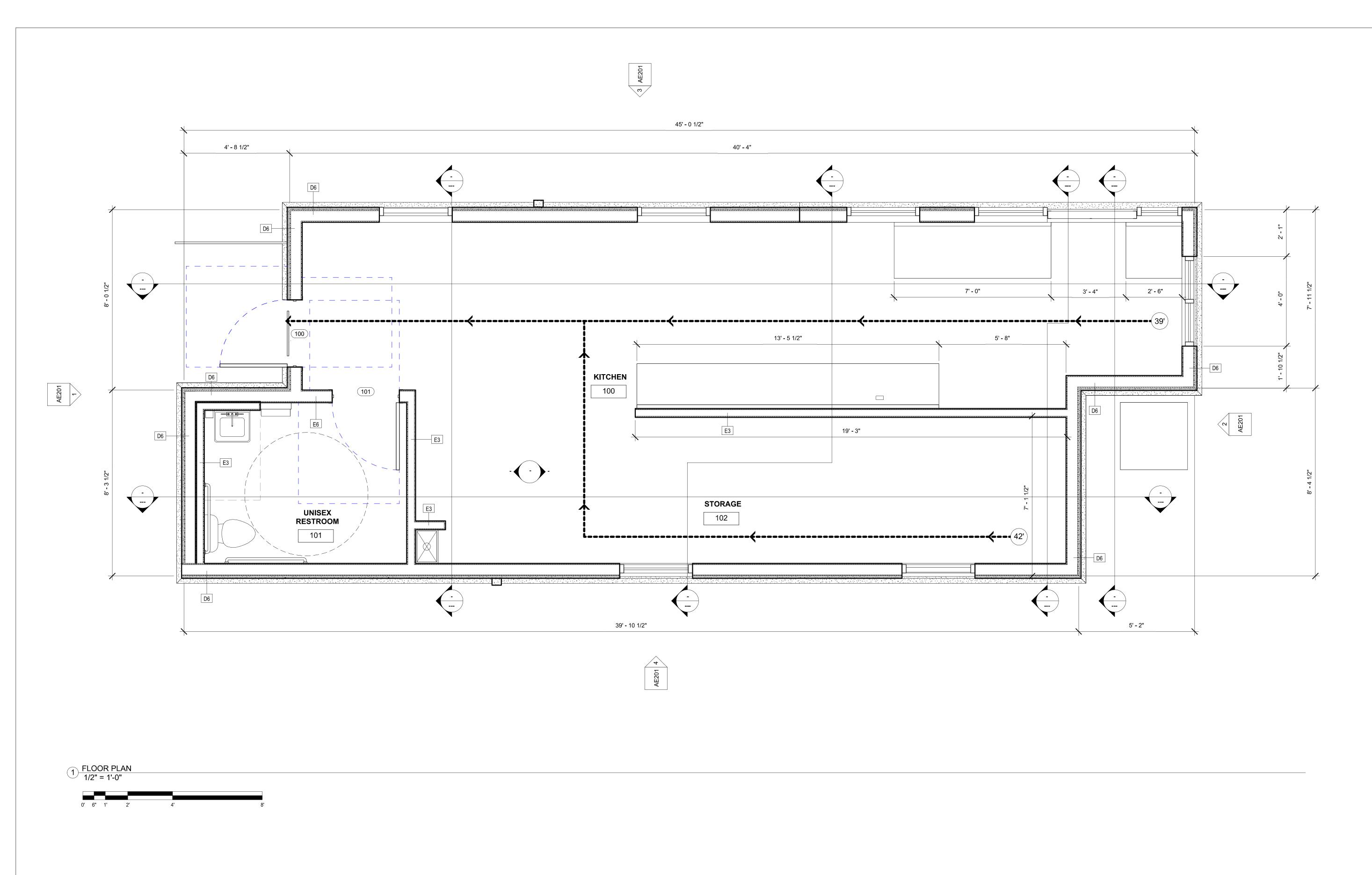
REVISION SCHEDULE

No. Description Date

No.	Description	Da
1101	Boompaon	
SHEET NAM	ЛЕ	
	TDACL	
	TRASH	
	ENCLOCU	DE
	ENCLOSU	

PROJECT NUMBER	2101
DATE	05/29/2023
DRAWN BY	PJS
CHECKED BY	SDO
SCALE	1/2" = 1'-0"

A102



BARKL

SAVORY

OLSON ARCHITECTURAL GROUP 1916 NW 79TH TERRACE KANSAS CITY, MISSOURI 64151

No.	Description	D

FLOOR PLAN

PROJECT NUMBER 2101 05/05/2023 DRAWN BY PJS CHECKED BY SDO SCALE 1/2" = 1'-0"

AE112





SWIG T & MARTWAY STREET SSION, KANSAS

S

BARKL

OLSON ARCHITECTURAL GROUP 1916 NW 79TH TERRACE KANSAS CITY, MISSOURI 64151

No. Description E	EVISION SC		
	No.	Description	Date

EXTERIOR ELEVATIONS

PROJECT NUMBER	210
DATE	05/05/202
DRAWN BY	PJS
CHECKED BY	S D O
SCALE	3/8" = 1'-0

AE201



Thank you for your interest in the City of Mission, Kansas Sustainability Scorecard. The Sustainability Commission has developed this scorecard for prospective development projects. This is a voluntary program that seeks to reward those making sustainable choices in new construction, redevelopment, or renovations.

It is a way to capture considerations taken into account through project design and construction that go above and beyond minimum Building Code. We have used the scorecard with projects like:

- · The Mission Gateway Development,
- · The Cornerstone Commons development at Johnson Drive and Barkley Street,
- · The EPC Mission Trails project on Johnson Drive, and
- · The Martway Apartments project.

Once you go through the scorecard document and the supplemental information, we would invite you to score your project to the best of your judgement, and then come to a Sustainability Commission meeting to talk through your scoring. The priority is to have a dialogue between you and the Sustainability Commission members, with you sharing your decision making. We will benefit from hearing you explain when implementing some of these criteria makes sense, and if it doesn't, the reasons why not. To the extent that the conversation may lead you to consider enhanced sustainability measures, all the better.

Following a presentation from you or someone from your team, the Sustainability Commission will review your scoring, and then forward its comments and/or recommendation to you and to the Planning Commission. If a project scores high enough, the Sustainability Commission will award Sustainable Mission certification at one of four levels: Bronze, Silver, Gold or Platinum.

There is no binding authority in this process, just an additional opportunity for community involvement in the context of our sustainability values.

We have seen the scoring summarized in a simple letter format, in a slide presentation, and we have seen a more formal design piece that addressed each set of criteria, so the format of how you share the information with the Sustainability Commission is up to you.

The group meets the first Monday of each month, at 6:30 p.m. at City Hall. We would be happy to coordinate a date with you, based on the progress of your project and when your schedule allows.

Emily Randel, assistant to the city administrator, can assist with questions at erandel@missionks.org or 913-676-8368.

Thank you very much,

Mission Sustainability Commission 6090 Woodson Road Mission, KS 66202



Project: SWIG

Expected completion: Fall '23

Project Team: Star Development

Points scored - 17

Building Scorecard (Revised December 2018)

Please complete all sections that are applicable to this project. Check any boxes for areas that apply to the work, and use the blank area to explain further. You may also assign point totals for each section; though these will be reviewed and a final score determination will be made by the Mission Sustainability Commission. Additional explanations and clarifications for each item can be found in the building scorecard supplemental document.

1. Will this project pursue any sustainable building certifications? Include rating details.

The size of the Building (650 SF) will limit the opportunity to pursue most building certifications, however we feel that the project could accumulate enough points to be at least a minimum of a LEED Green Level Certification.

2. Site Development, Land	Use, Location and Transportation	on Impact
	•	
	✓ e. Manage plants/ vegetation	✓ f. Manage soils/ erosion control
☐ g. Site waste management	*1□ h. Walking/ bicycle paths	∡i. Bicycle storage
□ j. Changing/ shower facilities		∡I. EV charging
		✓ o. Reduce light pollution
landscaping, patios, sidewalks and seating	oot Building, parking and a drive-thru lane. The remainder on Bicycle storage will be included on the exterior (8 bikes) a osion control and water management will be an important for the control and water management.	and the site can be used for Bus Stop
	se of paving and a few remaining trees. Several trees will be site, connections to existing walking and/or bike paths would	
		Points scored - 16 out of 20
3. Materials and Resource	Use	
⋆□ a. Reuse existing building		gement
	gement 🗹 d. Sustainable/ local materials	_
✓e. Occupant waste managem		
	ent system will be in place at the start of cor as possible that are local and sustainable. gram.	
* The old Gazebo is the only st	tructure on the site and sadly, it cannot be re	used.
		Points scored - <u>16</u> out of 20
4. Energy Conservation, Eff	ficiency, and CO _{2e} Emission Redu	ıction
✓a. Energy Modeling	⊿ b. CO₂e modeling	∠ c. Energy metering/ monitoring
	onse 🗷 e. Building envelope/ insulation	•
g. Electrical/ lighting systems		□ i. Onsite renewable energy
✓ j. Refrigerant management		0,
transparent windows and the ex	leling will be performed for this project. Shad ttensive amount of landscaping will help to d Energy Star appliances will be used. In addit air pollution.	issipate a large percentage of

5.	Water Conservation and Ef	ficiency	
	🗷 a. Water metering		
	⊭d. HVAC water use	✓ e. Water treatment devices	✓ f. Reduce irrigation
	□ g. Rainwater	🗷 h. Graywater	
		Il equipment consider maximum flow rate rant plantings will be used strategically to	
			Points scored - 15 out of 2
5.	Indoor Environmental Qua	lity and Comfort	
	∠ a. IAQ management plan		∠ c. Increase ventilation
		✓ e. Thermal comfort	☐ f. Indoor pollutant control
	∠ g. Material emissions control	□ h. Acoustics	∡i. Daylighting/ views
		All Ages	
		otected through the construction process the air handling system and this SWIG B	
			Points scored7 out of 10
	Commissioning, Operations	s, and Maintenance	
	∠a. Inspections		∠ c. Energy commissioning
	∠d. Building controls systems	✓ e. O+M documentation	✓ f. Maintenance staff training
			Points scored - 9 out of 10
	Additional Comments		
•		utes that will be incorporated in thi	is project
	Any additional sustainable attrib	utes that will be incorporated in thi	is project.
		Bonus Poir	nts (if applicable, 5 maximum)
ΙF	Points Scored - <u>80</u> ou	ut of 100	
	Achieved - Gold		. 10-59 Gold 60-89 Platinum 90+)



City of Mission, Kansas Sustainability Commission Building Scorecard - Supplemental Document

This scorecard is a way to encourage projects to consider sustainability throughout the entire lifecycle of a building. It is designed with the 2015 International Green Construction Code (IgCC) in mind, and is meant to reward voluntary efforts to make projects more sustainable than currently required. It is a project of the Mission Sustainability Commission, an advisory body to the City Council that aims to be a good steward of natural resources, make Mission, Kansas a desirable community, be advisors to the City Council, and increase visibility of sustainability in our community. This supplemental document provides some definitions and further explanation related to the Mission Sustainability Commission Building Scorecard. The scorecard is intended for developers, architects, builders, building owners, tenants, or anyone wishing to be more sustainable. This scorecard can be a helpful guide for anyone pursuing new construction, renovation, or upgrading a few light bulbs.

Although this can be a helpful resource, it is not intended to be an all-inclusive guide. Please see the additional resources section at the end of this document for links to further information.

How to Complete the Scorecard

We encourage users to check all boxes applicable to the project. The goal is to reward buildings that surpass minimum building code requirements and incorporate sustainability. In the commentary section, include a description of the features/strategies, and whether they fall short, meet, or exceed code requirements. If the project includes any attributes that are not included in this scorecard, describe them in detail in the additional comments section.

1. Sustainable Building Certifications

Note if this project is pursuing any sustainable rating including IgCC, LEED, WELL, ASHRAE 189.1, Green Globes, EnergyStar Building, ICC-700, etc. Include details of which rating system and the level/score the building will achieve. See additional resources at the end of this document.

2. Site Development, Land Use, and Location, and Transportation Impact

Each building should consider how its location, natural geography, and occupant access are encouraging sustainability. Additional details on many of the items are available in the most current International Green Construction Code.

- a. Pre-design site assessment Projects could take an inventory of the building site baseline conditions including areas to protect, native plants/ trees, invasive species, terrain/ topography, hazard areas, storm water hydrology, and site features to be preserved. Make a plan to minimize the negative effects of altering the site.
- b. Preserve natural resources Any site near flood hazard areas, surface water bodies, wetlands, conservation areas, parklands, agricultural land, or previously undeveloped land, could limit the disturbance of these natural resources. In the comments, please explain what natural resource is present, and how this project aims to preserve that portion of the site.

- c. Manage storm water Projects could consider how this project will address the increased/redirected runoff and water contaminants like coal tar. The project could identify a water management system for rain events, snowmelt, etc.
- d. Landscape irrigation To reduce potable water use, projects could limit the amount of irrigation required for site landscaping. This can be accomplished by using native plants which require less watering, and designing a more efficient irrigation system. Irrigation systems could be installed to aim away from building/ pavement, create less overspray, incorporate smart controls/ sensors, group plants of similar water needs, include pressure regulators, and include efficient nozzles. Decorative fountains and water features should be designed to limit water usage by recirculating, treating, and limiting evaporation of water. Creative solutions may involve using collected rainwater for site water use.
- e. Manage plants/ vegetation Projects should preserve existing vegetation, protect trees, eliminate invasive species, and landscape with native plants. Plants depend on good soil, therefore managing soils goes hand-in-hand with managing vegetation.
- f. Manage soils/ erosion control Projects should protect the topsoil, limit importing soil, prepare and restore the soil nutrients, and stabilize the earth to prevent erosion. Erosion could occur during construction and throughout the lifecycle of the building. Go beyond the standard erosion control requirements.
- g. Site waste management Projects should avoid depositing site waste, such as land clearing debris, vegetation, or previous hardscape materials from the site into the land fill. Waste could be diverted from the traditional waste stream by reusing, recycling, composting, or upcycling. In the comments, describe any site waste that will be removed for this project and where it willgo.
- h. Walking/ bicycle paths Projects could incorporate paved walkways and bicycle paths to encourage pedestrian and bicycle access to existing paths/ infrastructure. IgCC requires at least one independent path for bicycles, strollers, pedestrians and other non-motorized locomotion connected to a building entrance and a street or existing walkway/ bicycle path. Include a description or site plan showing the location of the paths.
- Bicycle storage Projects could provide long-term and short-term bicycle storage with adequate accessibility, lighting, space, and location near a building entrance. Describe the location and number of spaces of bicycle storage provided for this building.
- j. Changing/ shower facilities If building occupants have access to a changing/ shower facility,
 this could encourage pedestrian and bicycle commuting.
- k. Carpool/ car share To decrease energy use of accessing a building or commuting, the site could encourage carpooling or car sharing through methods like parking spaces reserved for high occupancy vehicles. Companies such as Zipcar or CarToGo provide occupants an opportunity to borrow a car.

- I. Electric Vehicles Projects could provide preferred parking and/or charging stations for low-emission, hybrid, and electric vehicles.
- m. Bus access Projects could encourage building occupants to access bus transit by locating the nearest bus stops and providing convenient pathways to encourage people to use the bus and alternative transportation.
- n. Heat island mitigation Temperatures can be significantly warmer in cities than in surrounding rural areas due to the heat island effect. To reduce the heat island effect, a building could consider hardscape materials, light reflectance, shading by structures, shading by trees, pervious pavement, solar reflective roof coverings, and vegetative roofs.
- Reduce light pollution Exterior lighting could be designed or installed to limit up-light, light trespass, and glare. Solutions include proper fixture selection, efficient layout, and automated controls. Consider reducing lighting of facades and areas beyond the site boundary.

3. Material And Resource Use

Building materials should be sustainable. Conserving material resources involves material selection, recycling, reuse, renewability, limiting toxicity, and durability, including resistance to damage caused by moisture. Consider the life cycle of materials, transportation, and waste material.

- a. Reuse existing building It is beneficial to reuse existing buildings to limit demolition waste. Buildings can be reused in total, or materials can be reused on new projects.
- b. Construction material management Most products have specific instructions for storage and handling. Instructions generally include moisture control, temperature regulations, and stacking instructions. Care should be taken to not let products be damaged in order to prevent wasting materials and reduce the chance of mold growth.
- c. Construction waste management Projects could develop a construction material and waste management plan to recycle or salvage construction materials and waste.
- d. Sustainable/local materials Projects could select materials that are sustainable and local. In addition, materials should be free from harmful chemicals such as lead, cadmium, and mercury. Material selection could include used/ reclaimed materials or content that is recycled, recyclable, bio-based, sustainably sourced, rapidly renewable, or indigenous. Alternatively, projects could undertake whole building life cycle assessments or provide environmental product declarations.
- e. Occupant waste management/ recycling/ composting Recycling areas could be provided for occupants after the building is completed. Describe the services offered, location of collection areas, and signage.

4. Energy Conservation, Efficiency and CO₂e Emission Reduction

Energy and atmosphere are perhaps the most common items considered in sustainability. There are many building attributes that work together to achieve energy efficiency. The items below should all be considered to reduce energy consumption, install efficient systems, and utilize renewable energy when possible. Consult the International Green Construction Codes for additional specific information for these items.

- a. Energy modeling Energy modeling uses computerized calculations to predict the energy consumption of a building due to a wide variety of inputs. International Green Construction Codes require a zero energy performance index (zEPI) of 50 or less. The IgCC provides a calculation which compares the proposed performance to a baseline building.
- b. CO_2e modeling Equivalent carbon dioxide (CO_2e) emissions can be modeled in a similar way as energy modeling, by adding the type of energy sources used for a building.
- c. Energy metering/ monitoring To identify where energy is used in a building, it is helpful to install energy meters and sub-meters. These can be used to monitor and efficiently operate loads from many different building systems. By continuously monitoring and reporting, energy meters can identify areas or systems of the building that are operating improperly or inefficiently. By performing simple maintenance, buildings can save money on utility bills. Describe any efforts the project uses to track electric power, gas, liquid and solid fuels as well as heating and cooling as applicable.
- d. Automated demand response Utilities can operate more efficiently if buildings offer to shed energy on peak load days. Enrolling in an automated demand response allows the utility to shift building energy usage to another time to limit additional energy production needed at peak times.
- e. Building envelope/insulation To conserve energy related to heating and cooling a building, the building façade and insulation should be considered. Shading combines with the insulation performance of all exterior elements (walls, roof, windows, etc.) to create a building envelope. Projects also could seal all windows and doors, and prevent air leakage for the entire building.
- f. Mechanical systems Heating ventilation and air conditioning (HVAC) systems are often the largest consumers of energy in any building. There are many types of HVAC systems, some are more efficient than others depending on the building location and usage. There are federal standards for energy efficiency detailed in the International Energy Conservation Code (IECC).
- g. Electrical/ lighting systems Many strategies exist to reduce the energy used by electrical and lighting systems. Daylight can be used to reduce required lighting during the day. Controls systems and occupancy sensors can turn off interior and exterior lights when they are not required. It is also important to consider all of the electrical plug loads, and what can be done to reduce energy from appliances plugged into electrical outlets.

- h. Appliances/ equipment There are federal requirements for energy efficiency in many appliances. In addition to these federal requirements, ENERGY STAR labelled appliances can reduce overall energy use.
- i. Onsite renewable energy Another way to reduce utility energy is to install renewable energy systems on the project site like solar or wind energy.
- j. Refrigerant management Refrigerants can be detrimental to human health and the atmosphere if they are not used or disposed of properly. It is illegal to use CFCs and HFCs are also bad for the environment. When possible, select natural refrigerants such as water or propane to reduce atmospheric damage. Also, any existing refrigerants should be disposed of properly.
- k. Control air pollution Buildings can pollute the air directly or indirectly by using energy from utilities burning fossil fuels. Buildings should consider reducing air pollution or planting trees to offset releasing CO₂ into the atmosphere.

5. Water Resource Conservation, and Efficiency

Water is a limited resource, and it should be conserved and protected in all buildings. Potable water (suitable for drinking) is a precious commodity that humans require. Items in this section are strategies to decrease water use and increase water quality. Check the International Green Construction Codes for specific examples.

- a. Water metering Water meters track the water usage of a project. If alternative water sources are used (i.e. reclaimed water, well water, or other potable water) each water source could be metered individually. Metering can identify any abnormal conditions in order to correct and prevent wasting water. Water sub-meters can be helpful when there are multiple tenants or pieces of equipment that consume large quantities of water.
- b. Fixtures/ fittings Installing water efficient fixtures can significantly reduce building water consumption. Some fixtures have a WATER SENSE label which is similar to ENERGY STAR for energy efficiency. To reduce water use, consider maximum flow rates for all water fixtures within a building (lavatory, kitchen, drinking fountains, etc.). In addition, automatic or metered fixtures can save water by preventing a fixture from remaining on when not in use.
- c. Appliances/ equipment Many appliances in a building may require a water connection. Projects could consider maximum flow rates for clothes washers, icemakers, steam cookers, and dishwashers. Plumbing design and equipment layout could also focus on conserving water.
- d. HVAC water use The building HVAC system can consume large amounts of water if not designed and installed properly. Any equipment that uses water including condensate drainage, humidification systems, hydronic loops, heat exchangers, and cooling towers should have protections in place to reduce water usage. In addition to reducing water, the HVAC system should maintain good water quality in all systems.

- e. Water treatment devices Any water treatment device should limit the amount of wastedwater. Check green building codes for specific requirements for water softeners, reverse-osmosis water treatment systems, and onsite reclaimed water treatment systems.
- f. Reduce irrigation Selecting vegetation and plants that require less irrigation helps to reduce the overall water usage for the entire project. If irrigation is required, ensure that the system is operated efficiently by only watering the necessary areas, and watering at an efficient time of day to reduce evaporation.
- g. Rainwater Collecting rainwater is a strategy to reduce municipal potable water use. Be sure to follow requirements in building codes for storing water and preventing water borne diseases.
- h. Graywater Graywater is water that has been used once and is no longer potable (i.e. waterfrom hand washing sinks), however it may be reclaimed and used for non-potable water requirements (such as irrigation). Reusing graywater is another strategy to reduce overall water usage.

6. <u>Indoor Environmental Quality and Comfort</u>

Human comfort and quality of life has a direct impact on productivity and health. It is important to remember the building occupants for a truly sustainable project. The items below can help create a better interior environment for the building occupants. International Green Construction Codes can provide specific guidance.

- a. Indoor air quality (IAQ) management plan Managing the indoor air quality inside a building starts during construction and continues into occupancy. It is important to have a plan in place before the project begins.
- b. Air handling filtration All air handling equipment should have sufficient filters to clean the air supplied to occupied spaces.
- c. Increase ventilation Indoor air quality can be improved by providing more fresh air to occupied spaces. IgCC requires projects to provide either natural ventilation (operable windows) or increased mechanical ventilation in excess of building code requirements.
- d. Indoor air quality (IAQ) during construction During construction it is important to protect the building and HVAC system from collecting dust and contaminants. It is also important to store construction materials in a responsible way to reduce mold. Check green construction codes for specific ways to do this.
- e. Thermal comfort Human productivity and comfort are affected by humidity and temperature within a space. It is important to provide a comfortable thermal environment and controls for occupants to be comfortable. IgCC requires compliance with ASHRAE 55.

- f. Indoor pollutant control Everyday products can contain many indoor pollutants. Projects should decrease the use of harmful indoor pollutants and locate pollutant sources in enclosed rooms, away from building occupants. Pollutant sources can include printers, copiers, and janitorial rooms.
- g. Material emissions control Choosing materials with low emissions can improve the indoor air quality. Volatile organic compounds are common in many building materials. Check green building codes for prohibitions and limits on volatile organic compounds in composite wood, adhesives, sealants, paints, flooring, and insulation.
- h. Acoustics Another factor that contributes to indoor environmental quality is sound. Productivity depends on good speech communication and limiting distracting noises. Projects could consider sound transmission, mechanical system noise, structure borne sound, and sound absorbing room surfaces.
- i. Daylighting/ views Occupants benefit from natural sunlight and being able to see outdoors. Consider access to windows or glazing that allow views for as many occupants as possible.
- j. Accessibility/ community for all ages Consider all people that may be occupants of your project site and building. Projects could also consider how they contribute to the Mid-America Regional Council's Communities for All Ages initiative. City of Mission participates in this program.

7. Commissioning, Operations, and Maintenance

It is important to check building systems to ensure they are working efficiently. Commissioning is a process to verify that all building systems are operating as intended. To maintain efficiency throughout the lifecycle of the building it is important to perform routine maintenance and ensure the building is operating properly.

- a. Inspections An independent commissioning agent can verify that all systems were installed correctly and meet the project requirements in all of the sections above. Consider a special inspection and commissioning report by an approved agency before building occupancy.
- b. Mechanical system commissioning Commissioning can be considered "fine-tuning" to ensure the building HVAC system is functioning at peak efficiency. Mechanical systems commissioning includes measuring the occupied spaces and each piece of mechanical equipment to verify proper operation. Check green construction codes for a list of mechanical items that could be commissioned.
- c. Energy system commissioning Similar to mechanical system commissioning above, energy system commissioning ensures that electrical generation and distribution systems are operating properly to ensure energy efficiency.

- d. Building controls systems Automated control systems can be a great benefit to controlling equipment and operating a building efficiently. However, they must be checked to ensure they are programed and installed correctly, or the outcome may be negative.
- e. Operations and maintenance (O+M) documentation/ schedule It is important for the owner or project manager to have access to important information related to operations and maintenance to keep the building functioning efficiently. Green construction codes require a user manual for each building system, and record documents be provided to the owner.
- f. Maintenance staff training The maintenance staff can be a huge factor in whether a project achieves its sustainability goals or not. Consider maintenance documentation to help the staffkeep the project operating properly.

8. Additional Comments

This section is meant to address any sustainable building elements that do not fit neatly into the categories above. Please describe any items this project incorporates that contribute to a more sustainable community. This could include description of the design team and integrative process, building orientation decisions, community gardens, access to local food/ farmers, markets, increased durability, reduced maintenance, incorporating open outdoor space, occupant sustainability training/ education, increased occupant comfort, carbon monoxide alarms in every space, community engagement, or involvement with programs such as Community for All Ages, Walk/Bike/Ride KC, or Smart Growth. But don't feel limited to those, either. Document anything that improves the economy, people of our community, and/or the natural environment.

This is your chance to highlight any sustainable attributes that this scorecard does not cover. Feel free to attach additional documentation or narratives to add further detail for any comments that do not fit in the comments section.

Green construction codes and other sustainable rating systems

International Green Construction Code (IgCC) 2015

The IgCC is the first model code to include sustainability measures for the entire construction project and its site — from design through construction, certificate of occupancy and beyond. The new code is expected to make buildings more efficient, reduce waste, and have a positive impact on health, safety and community welfare.

https://www.iccsafe.org/codes-tech-support/international-green-construction-code-igcc/international-green-construction-code/

Leadership in energy and environmental design (LEED)

LEED, or Leadership in Energy and Environmental Design, is the most widely used green building rating system in the world. Available for virtually all building, community and home project types, LEED provides a framework to create healthy, highly efficient and cost-saving green buildings. LEED certification is a globally recognized symbol of sustainability achievement. There are several different rating systems (Building Design and Construction, Interior Design and Construction, Building Operations and Maintenance, Neighborhood Development, and Homes). Projects can achieve awards of certified, silver, gold, or platinum based on meeting prerequisites and a certain number of credits in each rating system.

https://new.usgbc.org/leed

• ENERGY STAR Buildings

ENERGY STAR is the simple choice for saving energy in buildings and plants. Buildings receive a percentile score from 1 to 100 based on energy usage compared to similar buildings across the country. To be eligible for ENERGY STAR certification, a building must earn an ENERGY STAR score of 75 or higher, indicating that it performs better than at least 75 percent of similar buildings nationwide.

https://www.energystar.gov/buildings

Green Globes

Green Globes offers a different approach: one that provides in-depth support for improvements ideally suited to each project. Building owners and facility managers know their buildings and operations better than anyone else. We respect and leverage that knowledge with personalized assistance to produce best practices in sustainable design, construction and operations. Incorporating third-party assessors available throughout the certification process, we forge a partnership that allows experienced green building project teams to shine and reduces the learning curve for those new to green building. The building gets a rating from 1 to 4 globes. https://www.thegbi.org/green-globes-certification/

ASHRAE 189.1

ASHRAE is the American Society for Heating Refrigeration and Air Conditioning Engineers. Standard 189.1 provides total building sustainability guidance for designing, building, and operating high-performance green buildings. From site location to energy use to recycling, this standard sets the foundation for green buildings by addressing site sustainability, water use efficiency, energy efficiency, indoor environmental quality (IEQ), and the building's impact on the atmosphere, materials and resources. Standard 189.1 is a compliance option of the International Green Construction CodeTM (IgCC).

https://www.ashrae.org/resources--publications/bookstore/standard-189-1

• ICC/ASHRAE 700-2015

The ICC/ASHRAE 700-2015 National Green Building Standard™ (NGBS) is the first residential green building standard to undergo the full consensus process and receive approval from the American National Standards Institute (ANSI). A residential building can achieve bronze, silver, gold, or emerald rating.

https://www.nahb.org/en/research/nahb-priorities/green-building-remodeling-and-development/icc-700-national-green-building-standard.aspx



February 14, 2023

Mr. Ronald L. Cowger, PE AGC Engineers, Inc. 405 South Leonard Street, Suite D Liberty, Missouri 64068

RE: SWIG – Mission, Kansas

Dear Mr. Cowger,

As requested, Priority Engineers, Inc. has estimated the trip generation for the proposed SWIG soda specialty soda store to be located at the northeast corner of Barkley Street and Martway Street in Mission, Kansas. The existing lot has two driveways onto Barkley Street and is vacant except for a gazebo located within a small green space.

The proposed development will include a 650 square foot building with drive-through lanes wrapping around the building. The northernmost driveway will be closed, and the existing southern drive will remain in place.

In the 11th Edition of the ITE <u>Trip Generation Manual</u>, Land Use 937, Coffee/Donut Shop with Drive-Through Window is the most similar use. Table 1 below shows the trips estimated using this land use.

Table 1: Trip Generation (ITE)								
			AM Peak			PI	M Pea	k
Land Use	Intensity	Daily	Total	In	Out	Total	In	Out
Coffee/Donut Shop with Drive-Through								
Window	650 SF	347	56	28	28	25	13	12

Although Land Use 937 is the most similar land use available, the peak hours of a coffee/donut shop are concentrated in the AM Peak Hour. Existing SWIG locations do not open until 7:30 or 8:00 and only do about 3% of their daily sales during the 8:00 hour. SWIG reports about 8.1% of their sales in the 5:00 hour. Assuming a daily volume of 347 vehicles, estimates for peak hour volumes were made based on these daily sales reports. These estimates are shown in Table 2 below.

Table 2: Trip Generation Based on Percent of Sales Per Hour								
			AM Peak		PM Peak			
Land Use	Intensity	Daily	Total	In	Out	Total	In	Out
SWIG - Based on Percent of Sales	650 SF	347	10	5	5	28	14	14

In summary, the currently proposed use for this site is expected to generate only 10 trips in the AM Peak Hour and 28 in the PM Peak Hour. Using ITE Trip Generation for the AM Peak Hour would result in an estimated 56 vehicles in the AM Peak Hour.

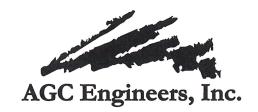
Please let me know if you have any questions or require additional information. I can be reached at (816) 738-4400.

Sincerely,

PRIORITY ENGINEERS, INC.

Kristin L. Skinner, P.E., PTOE

405 South Leonard Street, Suite D Liberty, Missouri 64068 **816-781-4200** FAX 792-3666



<u>MEMORADUM</u>

TO: Public Works Department

City of Mission, Kansas

FROM: Ron Cowger (AGC Engineers, Inc)

RE: Redevelopment of 0.71-acre site located at the NE corner of Barkley Street & Martway Street

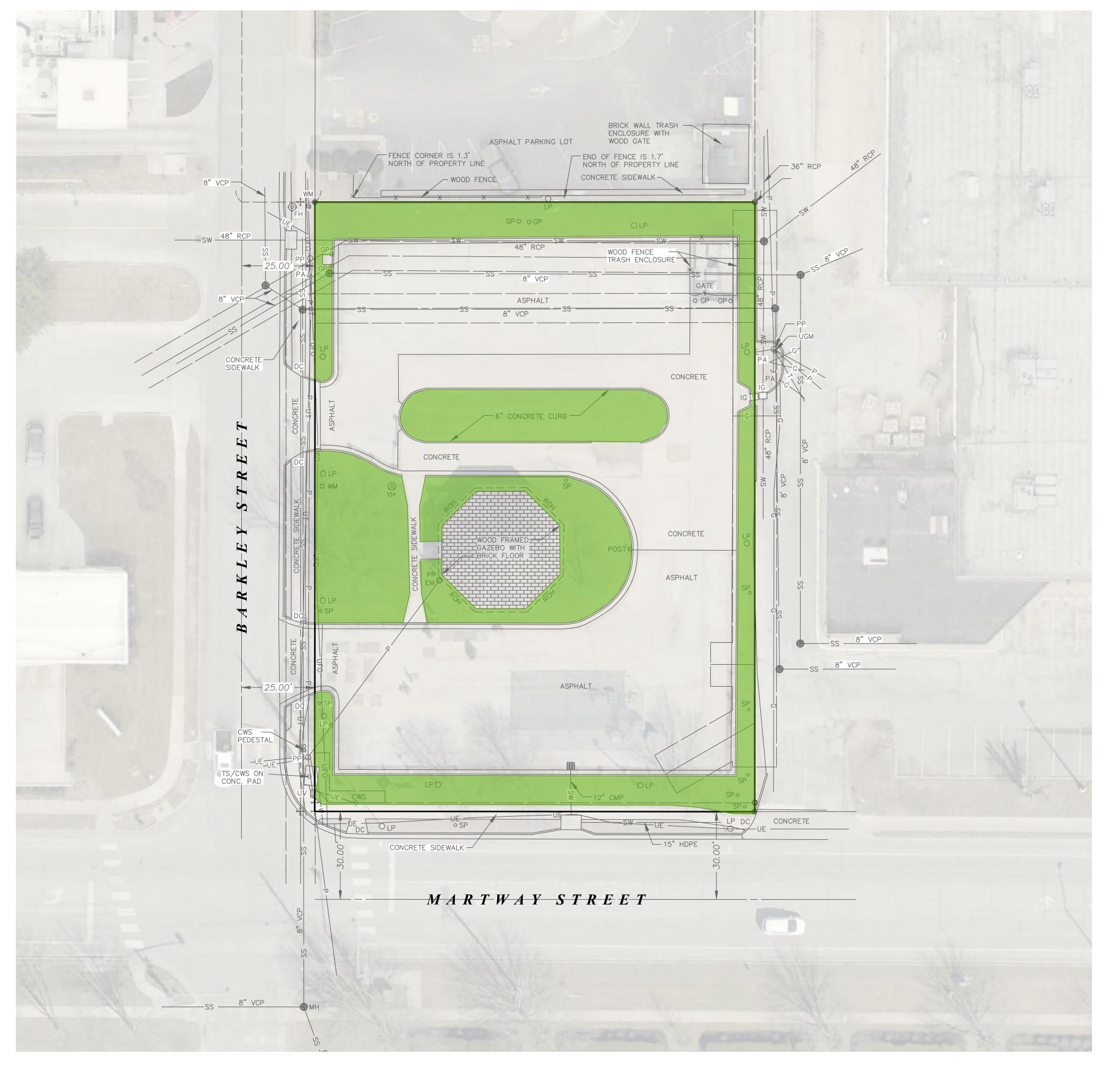
DATE: February 14, 2023

The above referenced site has previously been developed and contains 0.22 acres of pervious greenspace (based on the field survey provided by Anderson Survey Company).

The proposed redevelopment of the site as proposed will increase the greenspace to 0.37-acres. This correlates to over 50% of the site being pervious (green).

As a result of the increased pervious area, stormwater runoff should be less than currently existing and permeant stormwater management facilities will not be required.



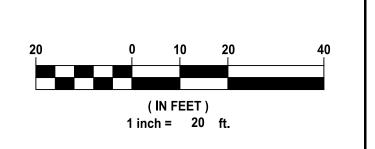


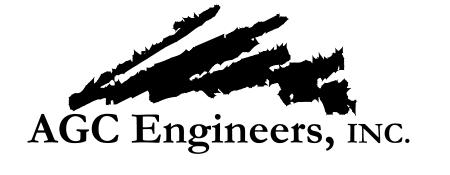
TOTAL SITE AREA - 0.71 ACRES

GREENSPACE - 0.22 ACRES OR 31%



		_
BY	REVISION	DATE
RC/ACA	FOR REVIEW	X-X-XX

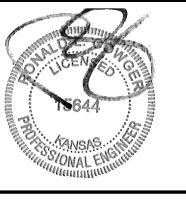




405 S. Leonard St., Suite D Liberty, Missouri 64068

816.781.4200 **a** fax 792.3666

www.agcengineers.com

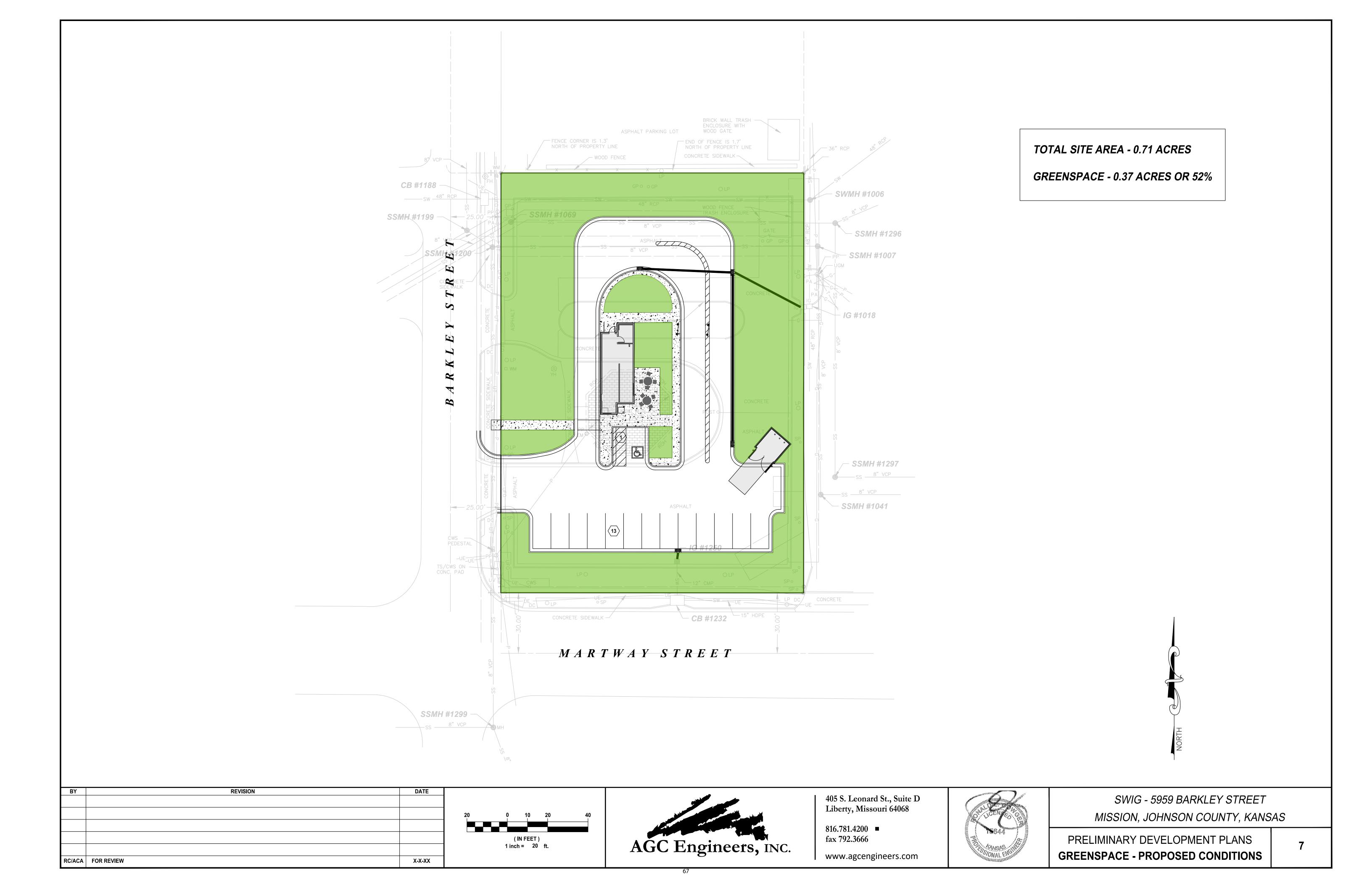


SWIG - 5959 BARKLEY STREET MISSION, JOHNSON COUNTY, KANSAS

PRELIMINARY DEVELOPMENT PLANS

GREENSPACE - EXISTING CONDITIONS

6



Staff Report



AT A GLANCE

Applicant:

Superstar Holdings, LLC

Location:

5959 Barkley Streeet

Property ID:

KF251208-2050

Current Zoning:

C2-A

Proposed Zoning:

N/A

Current Land Use:

Vacant

Proposed Land Use:

Drive-through Food Establishment

X Public Hearing Required

Legal Notice:

June 6, 2023

Case Number:

23-09

Project Name:

Swig Soda Shop Preliminary Plat

Project Summary:

Proposed preliminary plat for a drive-through soda and cookie shop on the northeast corner of Martway Street and Barkley Street.

Staff Contact:

Karie Kneller





BACKGROUND AND PROPERTY INFORMATION

The applicant, Superstar Holdings, LLC, submitted an application for a preliminary plat for property located on the northeast corner of Martway Street and Barkley Street. The preliminary plan will be heard with Case #23-06. The subject property is approximately .71 acres that is currently a parking lot with a gazebo structure with a plan to develop a drive-through soda shop associated with this proposed plat. The property is zoned C2-A "Pedestrian Oriented Business District." The property lies within the Form Based Code overlay district. The property in not currently platted.

C 2A

C 2B

C 2B

C 2A

C 2A

C 2A

Swg

Current Land Use

Surrounding the subject property are the following zones and uses:

Direction	Zone	Land Use
West	C2-B	Commercial - Auto Shop
East	C2-A	Commercial - Shopping Center
North	C2-A	Commercial - Parking
South	CP-2	Commercial - Grocery

PROJECT PROPOSAL

All necessary utilities are currently provided and accessible on-site. A 15-foot stormwater easement runs north and south along the easternmost property line and forms a diagonal on the southeast corner to tie into existing inlets. A 10-foot sanitary sewer easement runs along the northern and western sides of the property, which connect to existing manholes. A 25-foot right-of-way easement, measured from street centerline on Barkley includes the existing concrete sidewalk on the east side of the street, and continues around the southwest corner running east with a permanent construction easement and 30-foot right-of-way from street centerline on Martway. The construction easement is a separately recorded document that

Municipal Code

allows the City to construct and maintain the pedestrian path on the south side of the subject property.

Section 440.220 of the Mission Municipal Code provides that preliminary plats shall be approved by the Planning Commission if it determines that:

1. The proposed preliminary plat conforms to the requirements of this Title, the applicable zoning district regulations, and any other applicable provisions of this Code, subject only to acceptable rule



exceptions.

Analysis: For properties located in C2-A, no front yard is required for buildings of one or two stories in height and are allowed pedestrian spaces and landscaping to complement the surrounding architecture; rear and side yard setbacks are required if necessary for right-of-way. It is Staff's determination that the proposed plat conforms with the municipal code zoning requirements.

2. The subdivision or plat represents an overall development pattern consistent with the Master Plan and the Official Street Map.

Analysis: The Mission Comprehensive Plan indicates that this property lies within the Form Based Code district, which is consistent with the setbacks allotted in the proposed plat.

3. The plat contains a sound, well-conceived parcel and land subdivision layout consistent with good land planning and site engineering design principles.

Analysis: It is Staff's determination that the plat supports good land planning and allows for future redevelopment in compliance with adopted standards.

4. The spacing and design of proposed curb cuts and intersection locations is consistent with good traffic engineering design and public safety considerations.

It is Staff's determination that the plat is consistent with good traffic engineering and safety standards.

5. All submission requirements have been satisfied.

All the requirements of 440.220-Submission of Preliminary Plats have been satisfied.

RECOMMENDATION

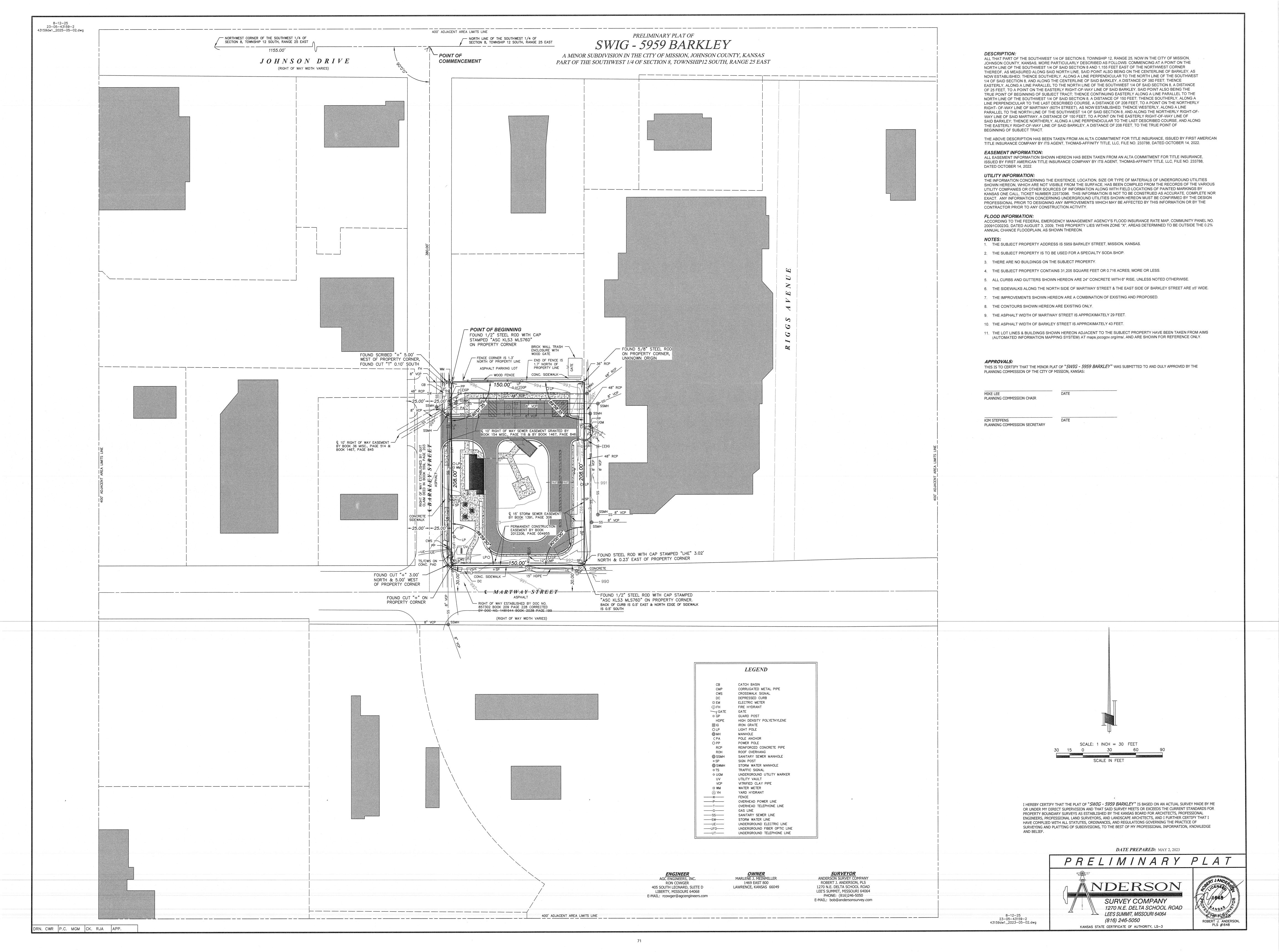
Staff recommends that the Planning Commission approve Case #23-09, the Preliminary Plat for Swig - 5959 Barkley.

PLANNING COMMISSION ACTION

The Planning Commission will hear Case #23-09, the Preliminary Plat for Swig - 5959 Barkley on June 26, 2023.

CITY COUNCIL ACTION

None.





Tract No. 4

PERMANENT EASEMENT

(Trust)

KNOW ALL MEN BY THESE PRESENTS: That this Permanent Construction Easement is made and entered into this 7th day of 1000, 2012, by and between JOAN B. WELLS and DAVID D. DUGGINS, CO-TRUSTEES OF THE TESTAMENTARY TRUST f/b/o JOHN BARKLEY WELLS, CLAY BATTERTON WELLS AND MINETTE ELISABETH WELLS (hereinafter the "Grantor"), owner of the real property herein described, and the CITY OF MISSION, a municipal corporation in the County of Johnson, State of Kansas (hereinafter the "Grantee").

WITNESSETH: That in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee a permanent easement over, under and through the real estate described on Exhibit "A" for the purpose of entering upon, installing and maintaining streets, sidewalks, trails, utilities, driveways and related improvements, including but not limited to the removal and replacement of hard surfaces, construction of curbs and storm sewers and the placement or relocation of utilities.

THIS EASEMENT is executed and delivered and said easement is granted upon the following conditions, to wit:

- 1. Grantee shall have the right at all times to enter upon the described premises for the purpose of making any necessary repairs to or renewals or replacements of the aforesaid facilities and items.
- 2. This easement is and shall be binding upon the successors and assigns of the Grantor.

THIS EASEMENT shall run with the land and shall apply to all interests now owned or hereafter acquired to the above-described property. This easement shall be filed of record with the Department of Records and Tax Administration of Johnson County, Kansas.

[Remainder of page left blank intentionally signature page to follow]

THE TESTAMENTARY TRUST F/B/O JOHN BARKLEY WELLS, CLAY BATTERTON WELLS AND MINETTE ELISABETH WELLS

DAVID D. DUGGINS, CO-TRUSTEE

STATE OF Missouri) SS.
COUNTY OF THE LIGON
On this \(\frac{\pmu_{\so}}{\pmu_{\so}} \) On this \(\frac{\pmu_{\so}}{\pmu_{\so}} \) day of \(\frac{\pmu_{\so}}{\pmu_{\so}} \), 2012, before me, a Notary Public in and for said state, personally appeared JOAN B. WELLS and DAVID D. DUGGINS, COTRUSTEES, known to me to be the person described in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written. Notary Public
My Commission Expires:
F. Coulter de Vries Notary Public-Notary Seal STATE OF MISSOURI Jackson County My Commission Expires Dec. 19, 2015 Commission # 11549332

-2-

Exhibit "A"

File No. 2010-2745 January 30, 2012 Revised February 24, 2012

TR4

Joan B. Wells and David D. Duggins, Co-Trustees of The Testamentary Trust f/b/o John Barkley Wells, Clayton Batterton Wells and Minette Elisabeth Wells

Permanent Easement

All that part of the Southwest Quarter of Section 8, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 8, Township 12 South, Range 25 East; thence South 2 degrees 08 minutes 39 seconds East along the West line of the Southwest Quarter of said Section 8 a distance of 625.01 feet to a point; thence North 88 degrees 12 minutes 57 seconds East a distance of 1176.07 feet to a point; thence North 1 degree 47 minutes 03 seconds West a distance of 37.00 feet to the point of intersection of the East right of way line of Barkley Street and the North right of way line of Martway Street, the POINT OF BEGINNING; thence continuing North 1 degree 47 minutes 03 seconds West along the East right of way line of Barkley Street a distance of 8.00 feet to a point; thence South 46 degrees 23 minutes 02 seconds East a distance of 7.02 feet to a point; thence North 88 degrees 12 minutes 57 seconds East a distance of 145.00 feet to a point; thence South 1 degree 47 minutes 03 seconds East a distance of 3.00 feet to a point on the North right of way line of Martway Street; thence South 88 degrees 12 minutes 57 seconds West along the North right of way line of Martway Street a distance of 149.93 feet to the POINT OF BEGINNING and containing 462 Square Feet or 0.011 Acres, more or less.