Planning Commission Agenda
Gardner City Hall - 120 E. Main Street
Council Chambers
October 26, 2026, at 7:00 p.m.

Call to Order

Pledge of Allegiance

Roll Call

Consent Agenda

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

1. **Standing approval of the minutes** as written for the meeting on September 28, 2026
2. **Four Corners, 1st Plat – Final Plat** - generally located at 33080 W 167th St (26-312-02)
3. **Resolution adopting the 2027 Planning Commission/Board of Zoning Appeals meeting schedule**

Regular Agenda

1. **Amendment to the Land Development Code** related to correcting the interior side setback for the Detached House – Suburban building type **(Public Hearing required)**

Adjournment

Additional information regarding development proposals may be viewed at: Development Projects Map

Watch the meeting live on the City's YouTube channel at: https://www.youtube.com/user/CityofGardnerKS

In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's office at 856-0945 a minimum of 48 hours prior to the meeting.

Call to Order

The meeting of the Gardner Planning Commission was called to order at 7:00PM on Monday, September 28, 2026, by Chairperson Berg.

Commissioners present: Robin Berg, Austin Jueneman, Joe O'Lucci, Filip Landsberg, Cleverson Souza, and Randy Gregorcyk.

Commissioners absent: Allen Vonderschmidt

Staff present: Deputy Director Magi Brewster, Principal Planner Jesse Hunter, Administrative Specialist Victoria Johnson, and City Attorney Kathryn Dumovich.

Pledge of Allegiance

Chairperson Berg led the Pledge of Allegiance.

Consent Agenda

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

1. **Standing approval of the minutes as written for the regular meeting on August 24, 2026.**

Motion was made to approve the consent agenda.

Motion: Commissioner O'Lucci
Second: Commissioner Jueneman
Motion carried unanimously, 6-0

Regular Agenda

1. **633 E Colleen Drive (Short Term Rental) (Public Hearing Required)** (26-305-04)

Max Oribhabor of MaxPro Properties gave the applicant presentation. He explained his business model, review process, and security procedures. Commissioner O'Lucci asked how neighbors can contact him in case of problems and if local law enforcement have the phone number. Max responded that the listing has their number and it is publicly available as well.

Principal Planner Jesse Hunter gave the staff presentation.

It was clarified that the short-term rental will pay the Transient Guest Tax.

Jackie Gonzalez complained about the lack of interaction with the property manager, the type of home loan for the property, and construction truck parking from the rental customers.

Former owner of the home, Kaylee McCaullough, spoke about the sale of the home.

Isaac White spoke for the purchaser and discussed their personal circumstances, coordination with their lender, and the relationship with the property manager.

Max Oribhabor apologized for any miscommunication with Jackie Gonzalez. Based on communication between the applicant and the public, Kathryn Dumovich clarified the public hearing is for one person to speak at a time.

A motion was made to close the public hearing.

Motion: Commissioner O'Lucci
Motion: Commissioner Jueneman
Motion carried unanimously, 6-0

Attorney Kathryn Dumovich reminded the Commission about the Conditional Use Permit review criteria outlined in the municipal code and that none of the criteria relate to financial or loan considerations,.

Commissioner O'Lucci restated the importance of communication between the neighbors and property manager.

Motion:
Conditional Use Permit:
The Planning Commission recommends approval of the conditional use permit for a short-term rental at 633 E Colleen Drive subject to the following conditions:

1. **The Conditional Use Permit shall expire on October 19, 2028, and a formal administrative review shall be conducted between December 2027 and January 2028;**
2. **The following standards including Section 17.05.050 (R.) of the Land Development Code shall be met by the applicant for the duration of the Conditional Use Permit:**
    a. **Owner shall provide tenants with information on all applicable City ordinances pertaining to parking, noise, nuisances, and property maintenance.**
    b. **Owner shall post the occupancy limit and ensure they are not exceeded.**
    c. **Owner shall provide their contact information, and contact information of the property manager, to tenants, emergency services, and the City, and shall keep it updated in case of change.**
    d. **All property boundaries shall be clearly marked so that tenants do not trespass on adjacent properties.**
    e. **Such homes shall not be rented for the sole purpose of hosting parties or special events. The structure and grounds shall be utilized as a dwelling unit, with typical recreational uses as consistent with the neighborhood so as not to create undue conflict with other residents.**
3. **If an advertising / booking platform is used that does not collect and remit the applicable taxes as part of the reservation process, the short-term rental operator shall be responsible for collecting and remitting all applicable taxes to the State of Kansas.**
4. **Any amendment to the Conditional Use Permit shall require the same process as the original approval.**

Motion: Commissioner O'Lucci
Second: Commissioner Souza
Motion carried unanimously, 6-0.

DRAFT

2. **Clare Crossing – Corrective action related to the RP-3 (Planned Garden Apartment), RP-5 (Planned Apartment) and CP-3 (Planned Heavy Commercial) (Public Hearing Required)** - zoning originally approved by Ordinance 2793 in February of 2024, to rectify an error with the legal description, for the property generally located at the southeast corner of 175th Street and Clare Road (26-304-08)

Deputy Director Magi Brewster gave the presentation. Magi Brewster stated that the City is serving as the applicant based on staff's error in not requesting three separate legal descriptions and has communicated the situation with the resident agent for the property.

In response to a question from the commission, Magi Brewster clarified that staff had met with a developer interested in purchasing the portion of the property approved for multi-family development. She went on to state that if significant changes are proposed from the previously approved preliminary development, the developer will have to submit a revised preliminary development.

Commissioner Gregorcyk asked questions about the type of development proposed within the area zoned RP-3. He went on to ask about the Connect 56 plan and traffic concerns related to the impact from recently approved development since Clare Crossing was originally approved. Magi responded that these items had been considered within the Connect 56 plan.

Motion was made to close the public hearing.

Motion: Commissioner O'Lucci
Second: Commissioner Jueneman
Motion carried unanimously, 6-0

Motion:
Rezoning:
The Planning Commission recommends re-approval of the rezoning as originally considered by the Planning Commission in January of 2024 and approved by the Governing Body in February 2024, along with re-approval of the associated preliminary development plan and conditions listed as follows:

1. **Internal street alignments / connections are subject to separation standards along arterial roads (175th Street and Clare Road) adopted by Public Works. Current locations are subject to further adjustment per Public Works staff in order to promote compliance with the adopted separation standards as part of the final development plan and final plat;**
2. **Development must meet the requirements of Gardner Municipal Code Title 14 Floodplain and Stormwater Management, including, but not limited to, stream corridor preservation and maintenance, peak flow reduction, and stormwater treatment facility provision and maintenance, where applicable. Any violation of these requirements will necessitate plan modifications as needed to conform to stormwater code criteria unless the violation has been approved as a deviation. All stormwater requirements shall be met prior to issuance of any related permits; and**
3. **Future associated development plans and plat applications may be subject to review by the Johnson County Airport Commission and approval of the Johnson County Board of Commissioners as required.**

Motion: Commissioner O'Lucci
Second: Commissioner Jueneman
Motion carried unanimously, 6-0

Adjournment

Motion was made to adjourn at 7:51pm.

Motion: Commissioner Landsberg
Second: Commissioner Souza
Motion carried unanimously, 6-0.

https://www.youtube.com/watch?v=UNGTMDEH0Eg

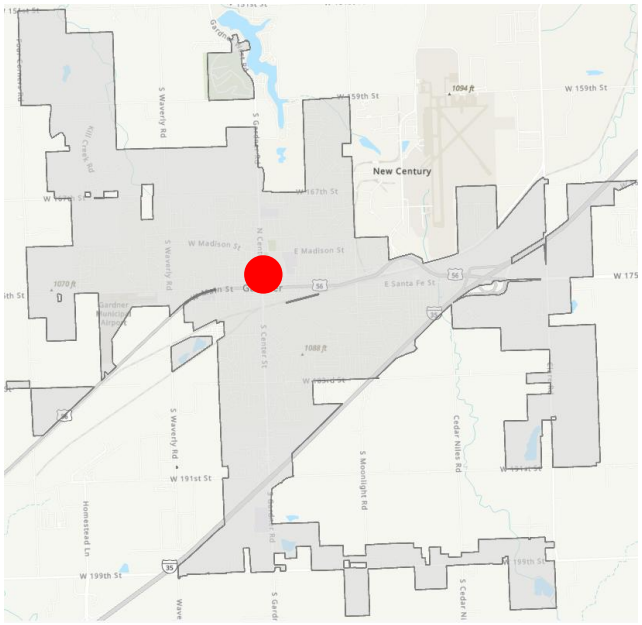
DRAFT

Planning Commission Report: FOUR CORNERS VILLAGE 1ST PLAT

PROJECT NUMBER	26-31200002
REQUEST	FINAL PLAT APPROVAL
APPLICANT	PHELPS ENGINEERING
OWNER	KANSAS LD LLC
ADDRESS	33080 W 167TH ST
PARCEL ID	CF221416 4003 & 4008
PLANNER	JESSE HUNTER

Executive Summary

PRESENT ZONING:	R-1
PRESENT LAND USE:	AGRICULTURE
TOTAL SITE AREA:	39.93 ACRES
EXISTING LOT #:	0
PROPOSED LOT #:	103
PROP BUILDING TYPES:	DETACHED HOUSE - SUBURBAN
PROP STREET TYPE:	LOCAL AND COLLECTOR - NEIGHBORHOOD



Site Location Map



Aerial of Subject Site

Project Description

The final plat includes 103 lots and 8 tracts on 39.93 acres. One of the tracts will contain stormwater detention. In the center of the development is a gas pipeline. There are several tracts providing private open space, a trail and benches, and an area with a playground.

Background/History

The property was rezoned to R-1 (Single-family Residential District) on November 17, 2025 with Ordinance No. 2857 and the revised preliminary plat was approved on May 26, 2026.

The revised plat included a total of 209 single-family lots and 10 tracts on 75.85 acres. The lot layout was modified to account for an existing gas pipeline that crosses the property at an angle toward the northwest.

Surrounding Zoning and Land Use

Zoning	Use(s)
North of Subject Property	
R-1 (Single Family) District	Vacant
East of Subject Property	
R-1 (Single Family) District RP-1 (Planned Single Family) District	Vacant New Elementary School
South of Subject Property	
RUR (County Rural Residential) District, outside Gardner city limits	Row Crops, Homestead
West of Subject Property	
RUR (County Rural Residential) District, outside Gardner city limits	Row Crops, Homesteads

Utilities / Infrastructure

Electric

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

Water

The property is in the Water District 7 service area and will have water provided by them.

Sanitary Sewer

Sanitary sewer will be serviced by Gardner. Gravity lines will flow within the development to the eastern portion of the site, where a sanitary sewer main extension will be made to transport the sanitary sewer to an existing main near Kill Creek Road, and then farther to the east.

Storm Sewer

Storm sewer improvements are provided with the proposed stormwater detention and drainage areas. Tracts D and I will be built to detain stormwater runoff.

Roadway Network & Vehicular Access

The development will be accessed through an internal street network. Initially there will be one access point from W 167th Street. A stub to the east will provide access to Kill Creek Road with the extension of the roadway along the south side of the new elementary school to the east. There are also street stubs to the north and west to allow for further access points and phase two development. W 164th Street and Jubilee Street are considered collector-neighborhood and will have 60 ft of right-of-way. The rest of the internal street network is considered local-neighborhood and will have 50 ft wide right-of-way.

Sidewalks

Sidewalks will be built along both sides of the collector streets, and along one side of the local streets.

Staff Analysis

Final Plat

The first phase for Four Corners Village includes 103 lots with a minimum width of 70', minimum size of 8,000 sq ft. and the Detached House – Suburban building type. Along W 167th Street, additional right-of-way will be dedicated for a total of 60' from the centerline, or one-half of the right-of-way, per Gardner's arterial standards.

A playground area, 8' wide concrete walking trails with two sitting benches, and a field area with soccer goals for sports will be provided in Tracts D, E, and F. The wet-bottom detention pond in Tract D will have fish and around it will be planted with native grasses.

Tracts B and C include landscape buffering between the arterial and the new residential lots. They will be owned and maintained by the Homeowners Association. Landscape buffer areas are not proposed along those portions of the development that are adjacent to other properties.

There were several oil wells that were previously located on the property. The applicant provided the report ensuring the wells were removed/plugged in accordance with the state and local requirements.

The development has two phases divided by the gas pipeline. Phase one includes the southern two-thirds (103 lots) of the development and will include the amenity areas (Tracts D, E, and F) and the stormwater detention basin for phase one (Tract D). Phase one will be accessed from W 167th Street and includes a stub street to the east for future access. There are three stub streets to the north and west that will provide access for phase two.

The Fire Code requires developments of more than 30 units to have at least two points of access. As was stated with the revised preliminary plat, until a second point of access is provided, the number of building permits that may be issued shall be limited to 30. The extension of the collector street to Kill Creek Road will be constructed as part of the new elementary school to the east and once that additional point of access is provided, building permits may be issued for the remaining lots in Phase one. Phase two will include the remaining lots (106 lots) and the stormwater detention basin in the northwest corner of the development (Tract I).

Staff Recommendation

Staff recommends the Planning Commission approve the Four Corners Village final plat and recommend the Governing Body accept the dedication of right-of-way and easements as shown on the final plat, provided the following conditions are met:

1. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording;
2. Development must meet the requirements of Gardner Municipal Code Title 14 Floodplain and Stormwater Management, including, but not limited to, stream corridor preservation and maintenance, peak flow reduction, and stormwater treatment facility provision and maintenance, where applicable. Any violation of these requirements will necessitate plan modifications as needed to conform to stormwater code criteria unless the violation has been approved as a deviation. All stormwater requirements shall be met prior to issuance of any related permits; and
3. Until a second access point is constructed, a maximum of 30 building permits may be issued.

Potential Actions

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

1. Approve the application.

2. Approve the application with conditions or modifications.
3. Deny the application.
4. Continue the application to allow further analysis.

The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

Attachments

1. Final Plat

FINAL PLAT OF

FOUR CORNERS VILLAGE, FIRST PLAT

A SUBDIVISION OF LAND IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 14 SOUTH, RANGE 22 EAST, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



AREAS			AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)	PARCEL	AREA (S.F.)	AREA (AC.)
1	14498.19	0.3328	59	10048.66	0.2307
2	10618.92	0.2438	60	17774.29	0.4080
3	8510.33	0.1954	61	14018.32	0.3218
4	8098.03	0.1859	62	19953.78	0.4581
5	9844.30	0.2260	63	10994.20	0.2524
6	10904.47	0.2503	64	9771.19	0.2243
7	8898.12	0.2043	65	10590.69	0.2431
8	8400.00	0.1928	66	9179.50	0.2107
9	8400.00	0.1928	67	8525.08	0.1957
10	8400.00	0.1928	68	12169.39	0.2794
11	8400.00	0.1928	69	10586.15	0.2430
12	9027.05	0.2072	70	10205.86	0.2343
13	11089.27	0.2546	71	9058.50	0.2080
14	8791.21	0.2018	72	8587.00	0.1971
15	8050.00	0.1848	73	8378.57	0.1923
16	11333.86	0.2602	74	8400.00	0.1928
17	10873.73	0.2496	75	8783.64	0.2016
18	8140.25	0.1869	76	9370.02	0.2151
19	8050.00	0.1848	77	11977.24	0.2750
20	10099.59	0.2319	78	10543.56	0.2420
21	11233.58	0.2579	79	10923.79	0.2508
22	12889.84	0.2959	80	11485.22	0.2637
23	9198.79	0.2112	81	10696.83	0.2456
24	8065.13	0.1851	82	13765.57	0.3160
25	8051.78	0.1848	83	9525.42	0.2187
26	10836.61	0.2488	84	9285.09	0.2132
27	9807.01	0.2251	85	8753.17	0.2009
28	9753.98	0.2239	86	8750.00	0.2009
29	10321.59	0.2370	87	9396.85	0.2157
30	13433.40	0.3084	88	12502.17	0.2870
31	19779.51	0.4541	89	8999.87	0.2066
32	16406.13	0.3766	90	8400.00	0.1928
33	9419.96	0.2163	91	11411.37	0.2620
34	8524.93	0.1957	92	11531.89	0.2647
35	9061.66	0.2080	93	8804.76	0.2021
36	8301.20	0.1906	94	10470.28	0.2404
37	8975.43	0.2060	95	8825.86	0.2026
38	10495.33	0.2409	96	8750.00	0.2009
39	9446.86	0.2169	97	10230.40	0.2349
40	10511.61	0.2413	98	11247.51	0.2582
41	10097.78	0.2318	99	13199.59	0.3030
42	8785.16	0.2017	100	10016.23	0.2299
43	8400.00	0.1928	101	8397.92	0.1928
44	9000.00	0.2066	102	8396.69	0.1928
45	9000.00	0.2066	103	8395.37	0.1927
46	9205.97	0.2113	PLAT	1739761.23	39.9394
47	7544.10	0.1732	ROW	382752.56	8.7868
48	8438.01	0.1937	ROW 167TH ST	53728.63	1.2334
49	8892.05	0.2041	TRACT A	54460.86	1.2502
50	9223.67	0.2117	TRACT B	1976.48	0.0454
51	9768.67	0.2243	TRACT C	19619.62	0.4504
52	13986.38	0.3211	TRACT D	127505.32	2.9271
53	14469.40	0.3322	TRACT E	27606.46	0.6338
54	8817.63	0.2024	TRACT F	16875.41	0.3874
55	8059.40	0.1850	TRACT G	7140.70	0.1639
56	8117.94	0.1864	TRACT H	1256.64	0.0288
57	9261.66	0.2126			
58	9686.16	0.2224			

SCALE: 1"=100'
0' 100' 200'

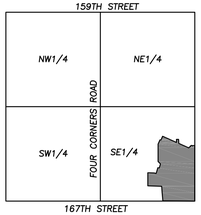
BEARING BASIS: KANSAS STATE PLANE 1983 NORTH ZONE #1501

LEGEND

- ○ DENOTES SET 1/2"x24" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP
- ● DENOTES FOUND AS DESCRIBED
- U/E DENOTES UTILITY EASEMENT
- B.L. DENOTES BUILDING LINE
- D/E DENOTES DRAINAGE EASEMENT
- L/E DENOTES LANDSCAPE EASEMENT
- SS/E DENOTES SANITARY SEWER EASEMENT
- SW/E DENOTES SIDEWALK EASEMENT
- A/E DENOTES ACCESS EASEMENT

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR JOHNSON COUNTY, KANSAS, COMMUNITY NO. 200159, MAP NO. 20091C0104G, AND DATED AUGUST 3, 2009.



VICINITY MAP
SEC. 16-14-22

SCALE: 1"=2000'

I, Scott G. Chrisman, hereby certify that in October 2026, I or someone under my responsible charge have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.

SCOTT G. CHRISMAN LICENSED LS-1306 KANSAS LAND SURVEYOR

BY: _____
SCOTT G. CHRISMAN, KS. LS-1306

DESCRIPTION

This description was prepared by Phelps Engineering, Inc., KS CLS-82 on June 23, 2026, for Project No. 251265. All that part of the Southeast Quarter of Section 16, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southeast corner of the Southeast Quarter of said Section 16; thence S 88°30'20" W, along the South line of the Southeast Quarter of said Section 16, a distance of 892.61 feet; thence N 7°07'37" W, a distance of 228.00 feet; thence N 5°05'49" W, a distance of 185.05 feet; thence N 89°54'26" W, a distance of 390.30 feet to a point on the West line of the East One-half of the Southeast Quarter of said Section 16; thence N 1°46'27" W, along the West line of the East One-half of the Southeast Quarter of said Section 16, a distance of 367.99 feet; thence S 88°24'08" E, a distance of 182.01 feet; thence S 76°38'37" E, a distance of 57.41 feet; thence N 13°32'46" E, a distance of 169.81 feet; thence N 13°32'46" E, a distance of 43.93 feet; thence N 76°27'14" E, a distance of 120.00 feet; thence N 46°17'10" W, a distance of 94.23 feet; thence N 13°32'46" E, a distance of 130.28 feet; thence S 67°31'03" E, a distance of 27.85 feet; thence N 22°28'57" E, a distance of 119.92 feet; thence S 67°35'45" E, a distance of 424.95 feet; thence N 5°06'51" W, a distance of 86.30 feet; thence N 84°53'09" E, a distance of 60.00 feet; thence S 5°06'51" E, a distance of 117.36 feet; thence S 67°29'46" E, a distance of 295.10 feet; thence Northeasterly on a curve to the right, said curve having an initial tangent bearing of N 48°04'15" E and a radius of 280.00 feet, an arc distance of 68.01 feet; thence N 22°53'26" W, a distance of 15.00 feet; thence N 67°06'34" E, a distance of 50.00 feet; thence S 22°53'26" E, a distance of 15.00 feet; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 72°13'55" E and a radius of 280.00 feet, an arc distance of 78.70 feet to a point on the East line of the Southeast Quarter of said Section 16; thence S 1°39'53" E, along the East line of the Southeast Quarter of said Section 16, a distance of 1555.98 feet, to the Point of Beginning, containing 39.9394 acres, more or less, unplatted land.

DEDICATION

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

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

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

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

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

A perpetual access easement upon, over, across under and through the areas outlined and designated on this plat as "Access Easement" or "A/E" is hereby granted to the adjacent property owner and the City of Gardner, Kansas, for the purpose of a future access and appurtenant work for future driveway or street connection, including the right to construct, use, maintain, repair, reconstruct or expand such facility within the easement area. Access Easements shall be kept clear of obstructions that would interfere with the use or maintenance of future driveway or street within the easement.

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

Tract "H" shall be dedicated as public right-of-way and to be owned and maintenance of private improvements such as landscaping, monumentation, etc... by the Homes Association.

Maintenance of Tract(s) Tracts "A", "B", "C", "D", "E", "F", "G" and "H" shall be the responsibility of the Four Corners Village Homeowners Association (hereafter "HOA"). Such maintenance shall be in compliance with the property maintenance requirements as outlined in the Gardner Municipal Code. Membership in the HOA shall be mandatory for each owner and their future heirs and successors of property as shown on the plat. In the event that the HOA is not lawfully existing or fails to maintain these tracts, then maintenance shall be the responsibility of all owners of lots as shown on the preliminary/master subdivision plat.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas and the City of Gardner, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

EXECUTION

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

Kansas LD, LLC, a Kansas limited liability company

By: _____
Greg Bantle, Authorized Signatory

ACKNOWLEDGEMENT

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

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

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

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

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

_____
Chairman:

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

_____ Attest_____
Mayor: Todd Winters City Clerk: Renee Rich

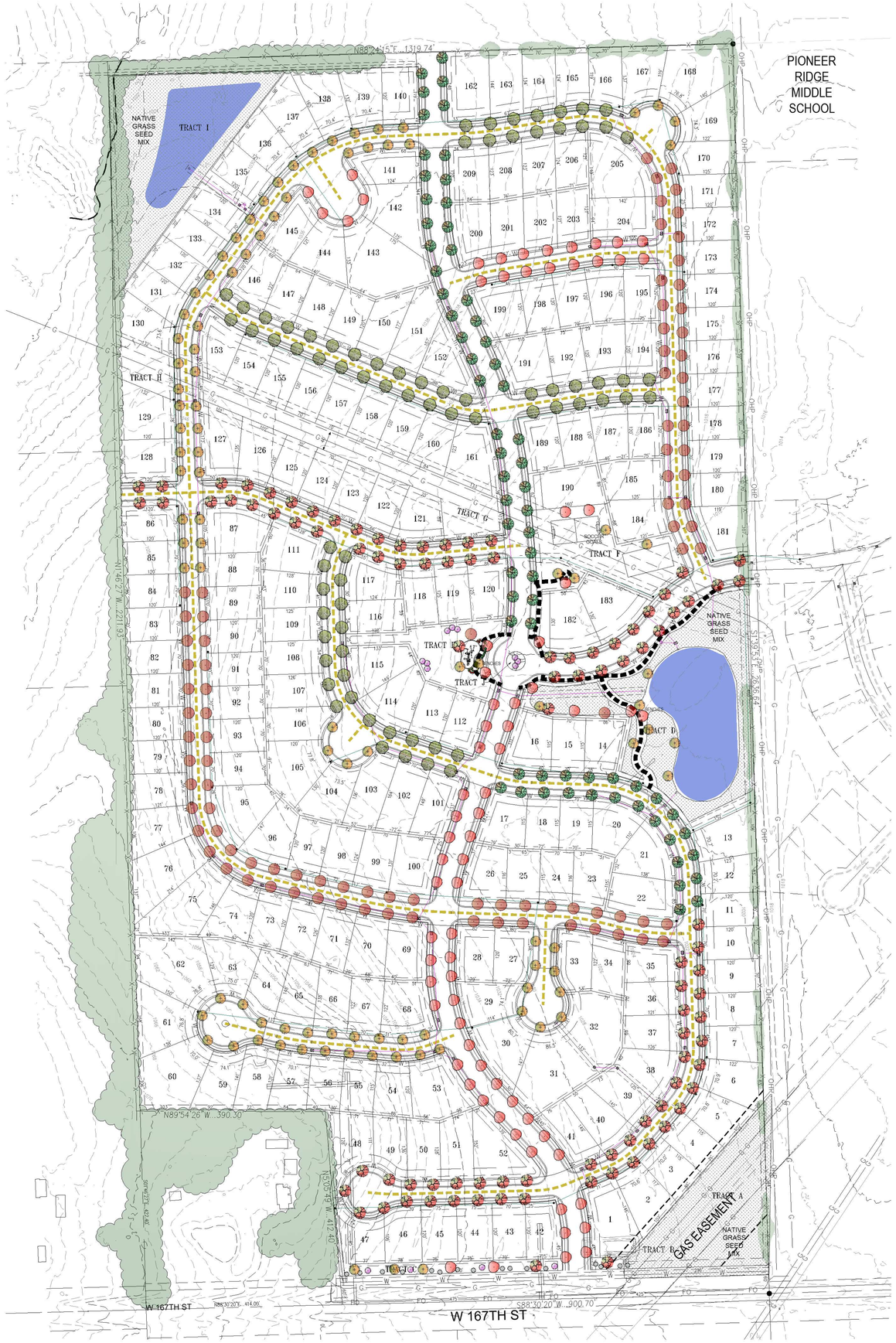
PHELPS ENGINEERING, INC
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166

PLANNING ENGINEERING IMPLEMENTATION

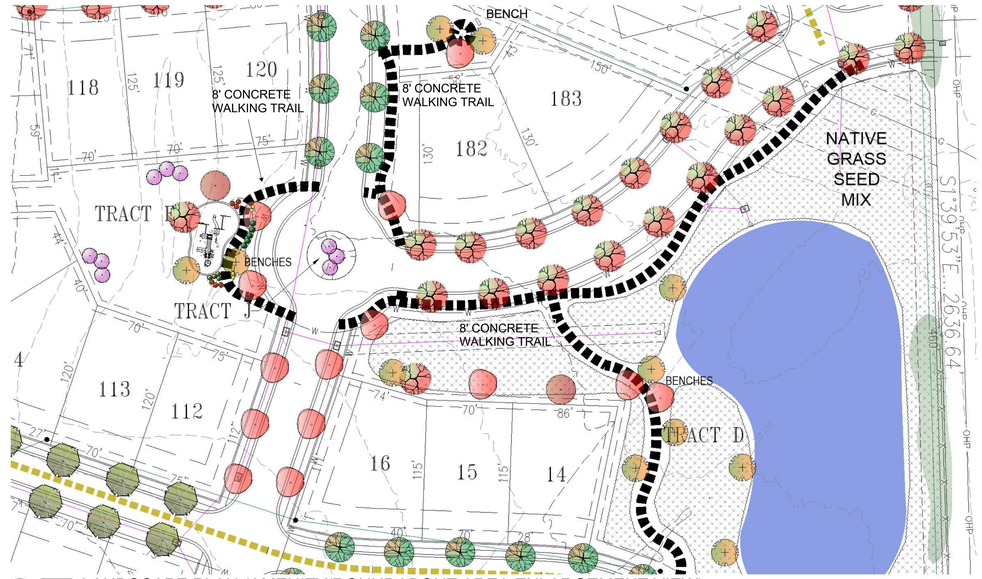
CERTIFICATE OF AUTHORIZATION KANSAS LAND SURVEYING – LS-82 ENGINEERING – E-391

CERTIFICATE OF AUTHORIZATION MISSOURI LAND SURVEYING-2007001128 ENGINEERING-2007005008

Error Closure: 0.004669' North: 0.0024276' East: 0.003984' Perimeter: 6265.793' Precision 1:1341908



1 LANDSCAPE PLAN (OVERALL SITE)
SCALE: 1"=100'-0"



2 LANDSCAPE PLAN (AMENITY/ROUNDABOUT AREA ENLARGEMENT VIEW)
SCALE: 1"=50'-0"

Landscape Schedule

Symbol	Qty.	%	Botanical Name	Common Name	Min.Root	Min.Size	Caliper	Remarks
OVERSTORY TREES								
	93	18	Platanus x acerifolia	London Plane Tree			2"	6' min. clear., ground to canopy
	92	19	Acer x freemanii 'Autumn Blaze'	Autumn Blaze Maple			2"	6' min. clear., ground to canopy
	95	19	Quercus rubra	Northern Red Oak			2"	6' min. clear., ground to canopy
	75	16	Gleditsia triacanthas 'Skyline'	Shademaster Honeylocust			2"	6' min. clear., ground to canopy
	68	14	Nyssa sylvatica	Black Tupelo			2"	6' min. clear., ground to canopy
	74	14	Acer x truncatum 'Warrenred'	Pacific Sunset Maple			2"	6' min. clear., ground to canopy
	497	100	TOTAL SHADE TREES ON SITE					
ORNAMENTAL TREES								
	7		Cercis canadensis	Eastern Redbud			1.5"	
EVERGREEN TREES								
	16		Juniper chinensis	Eastern Red Cedar		6' ht.		symmetrical pyramidal form
DECIDUOUS SHRUBS								
	4		Spiraea japonica	Double Play Candy Corn Spirea	3 gal.			
	6		Hydrangea paniculata 'Quick Fire'	Little Quick Fire Hydrangea	3 gal.			Plant @ 4' O.C.
EVERGREEN SHRUBS								
	5		Juniperus chinensis 'Sea Green'	Sea Green Juniper	3 gal.			Plant @ 4' O.C.
	4		Juniperus chinensis 'Gold Coast'	Gold Coast Juniper	3 gal.			Plant @ 4' O.C.
NATIVE GRASS SEED MIX								
			NATIVE GRASS SEED MIX (Dry Areas): Little Bluestem, Big Bluestem, Sideoats Grama, Virginia Wild Rye, Indiangrass, Western Wheat. Apply at 18 lbs per acre.					

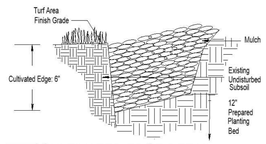
Playstructure/Bench Character Image





Table 8-3: Tree Diversity

Required Trees	*Diversity*
5 – 10	At least 2 genus No more than 50% of any one species
11 – 20	At least 3 genus; AND At least 5 species No more than 33% of any one species
21 – 50	At least 3 genus; AND At least 5 species No more than 20% of any one species



3 CULTIVATED EDGE DETAIL
SCALE: NTS

Landscape Calculations

Street Trees: One tree per 50 feet of public or private street frontage, with at least 3 genus and at least 5 species.
REQUIREMENT MET.

Planting Notes

1. Location of all existing utilities needs to be done before commencing work.
2. The planting plan graphically illustrates overall plant massings. Each plant species massing shall be placed in the field to utilize the greatest coverage of ground plane. The following applies for individual plantings:
a. Creeping groundcover shall be a minimum of 6" from paving edge.
b. All trees shall be a minimum of 3' from paving edge.
c. All plants of the same species shall be equally spaced apart and placed for best aesthetic viewing.
d. All shrubs shall be a minimum of 2' from paved edge.
3. Mulch all planting bed areas to a minimum depth of 3". Mulch individual trees to a minimum depth of 4".
4. Note: If plants are not labeled - they are existing and shall remain.
5. In the event of work in or on a JCW sanitary main, any trees or plantings placed within the sewer easement may be removed without replacement or compensation there-of and shall be replaced by the property owner as required by the City
6. All landscaped areas in ROW shall be sodded and irrigated unless otherwise specified.

Materials:
1. Plant material shall be healthy, vigorous, and free of disease and insects as per AAN standards.
2. Shredded bark mulch installed at trees shall be finely chipped and shredded hardwood chips, consisting of pure wood products and free of all other foreign substances. Pine bark compost mulch installed at planting bed areas shall be free of all other foreign substances.

Installation:
1. All planting beds shall be amended with 1 cubic yard of peat moss per 1,000 square feet. Till peat moss into soil to a 6" depth. A 10-10-10 fertilizer shall be spread over all planting areas prior to planting, at a rate of 50 pounds per 2,000 square feet.
2. After plants have been installed, all planting beds shall be treated with Dacthal pre-emergent herbicide prior to mulch application.
3. Plant pit backfill for trees and shrubs shall be 50% peat or well composted manure and 50% topsoil.
4. Plant material shall be maintained and guaranteed for a period of one year after Owner's acceptance of finished job. All dead or damaged plant material shall be replaced at Landscape Contractor's expense.
6. Landscape contractor shall maintain all plant material until final acceptance, at which point the one year guarantee begins.

TREE PLANTING NOTES:
1) DO NOT HEAVILY PRUNE THE TREE. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, & BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS & LATERAL BRANCHES MAY BE PRUNED. DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN

2) MARK THE NORTH SIDE OF THE TREE IN THE NURSERY, AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE

3) SET TOP OF ROOT BALL 1-2 INCHES HIGHER THAN SURROUNDING GRADE

4) APPLY 4"THK WOOD MULCH, DO NOT PLACE MULCH IN DIRECT CONTACT w/ TREE TRUNK

5) EACH TREE MUST BE PLANTED SUCH THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. TREES WHERE THE FLARE IS NOT VISIBLE SHALL BE REJECTED. DO NOT COVER THE TOP OF THE ROOT BALL w/ SOIL

6) REMOVE ALL TWINE, ROPE, WIRE AND BURLAP FROM THE UPPER 1/3 OF ROOT BALL (REMOVE WIRE BASKETS)

7) PLACE ALL ROOT BALLS ON UN-EXCAVATED OR TAMPED SOIL, TYP

STAKING REQUIREMENTS:
1) WIRE / CABLE SHALL BE GALV. 12-GAUGE

2) TIGHTEN WIRE / CABLE ONLY ENOUGH TO KEEP FROM SLIPPING, ALLOW FOR SOME TRUNK MOVEMENT PLASTIC HOSE SHALL BE LONG ENOUGH TO ACCOM-MODATE 1½" OF GROWTH

3) STAKES SHALL BE 2"x 2" HARDWOOD OR EQUAL

PERENNIAL PLANTING NOTES:
1) APPLY 2"THK BED OF MULCH ON PERENNIAL PLANT BED, DO NOT COVER PLANTS

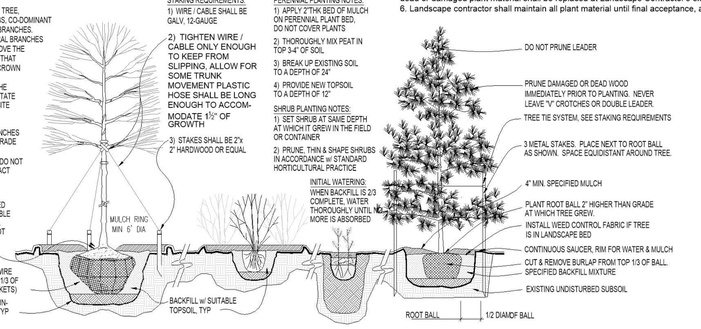
2) THOROUGHLY MIX PEAT IN TOP 3-4" OF SOIL

3) BREAK UP EXISTING SOIL TO A DEPTH OF 24"

4) PROVIDE NEW TOPSOIL TO A DEPTH OF 12"

SHRUB PLANTING NOTES:
1) SET SHRUB AT SAME DEPTH AT WHICH IT GREW IN THE FIELD OR CONTAINER

2) PRUNE, THIN & SHAPE SHRUBS IN ACCORDANCE w/ STANDARD HORTICULTURAL PRACTICE



4 PLANTING INSTALLATION DETAILS
SCALE: NTS

MEIER
LANDSCAPE ARCHITECTURE
15245 Metcalf Ave.
Overland Park, KS 66223
913.787.2817

JASON M. MEIER LICENSED KANSAS LANDSCAPE ARCHITECT 687

CLIENT
The Calara Group
5750 W 95th Street,
Suite 134,
Overland Park, KS 66207

PROJECT
Four Corners Village
33080 W 167th Street
Gardner, KS 66030

Kansas 811

SCALE: 1"=100' NORTH
0 100 200 300

Date: 10.13.2026
Project #: 1184
Landscape Plan

L1

Resolution adopting the 2027 Planning Commission / Board of Zoning Appeals meeting schedule

Background

Article Four, Section One of the *By-Laws of the Gardner Planning Commission and Board of Zoning Appeals*, states:

> Regular meetings of the Planning Commission shall be set annually and adopted by Resolution and a current schedule available from the Secretary of the Planning Commission. Unless otherwise provided, the regular meetings shall be on the fourth Monday of each month at 7:00 p.m. at Gardner City Hall.

The meetings in November and December are one week earlier to avoid having a meeting during the weeks of Thanksgiving and Christmas. The November meeting will be held on Tuesday due to the Governing Body meeting that Monday. The December meeting will be held the second week of the month, on Monday, December 13th.

The calendar of meetings for the upcoming year is typically approved by the Planning Commission prior to the end of the current year. Staff has prepared a Resolution incorporating the potential meeting calendar for 2027.

Staff Recommendation

Adopt Resolution 26-01 setting forth the Planning Commission / Board of Zoning Appeals meeting schedule for 2027.

ATTACHMENT

- PC Resolution PC-26-01

RESOLUTION NO. PC-26-01

A RESOLUTION SETTING FORTH THE GARDNER PLANNING COMMISSION / BOARD OF ZONING APPEALS MEETING SCHEDULE FOR 2027

WHEREAS, Title 2.30.030, of the Municipal Code of the City of Gardner requires that the Planning Commission Meeting Schedule be fixed by Resolution of the Planning Commission; and

WHEREAS, the Gardner Planning Commission has approved the annual schedule for previous Planning Commission meetings;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GARDNER, KANSAS, that the Planning Commission / Board of Zoning Appeals Meeting Schedule for 2027 has been approved and authorized.

SECTION ONE: The 2027 Planning Commission Meeting Schedule and Submittal Deadlines shall be:

Application Deadline (applications due at noon 1st Monday of the Month)	**Planning Commission / BZA Meeting Date**	**City Council Meeting Date (3rd Monday of the Month)**
Monday, Dec. 7, 2026	Monday, Jan. 25, 2027	Monday, Feb. 15, 2027
Monday, Jan. 4, 2027	Monday, Feb. 22, 2027	Monday, March 15, 2027
Monday, Feb. 1, 2027	Monday, March 22, 2027	Monday, April 19, 2027
Monday, March 1, 2027	Monday, April 26, 2027	Monday, May 17, 2027
Monday, April 5, 2027	Monday, May 24, 2027	Monday, June 21, 2027
Monday, May 3, 2027	Monday, June 28, 2027	Monday, July 19, 2027
Monday, June 7, 2027	Monday, July 26, 2027	Monday, Aug. 16, 2027
Tuesday, July 6, 2027**	Monday, Aug. 23, 2027	Monday, Sept. 20, 2027
Monday, Aug. 2, 2027	Monday, Sept. 27, 2027	Monday, Oct. 18, 2027
Tuesday, Sept. 7, 2027**	Monday, Oct. 25, 2027	Monday, Nov. 15, 2027
Monday, Sept. 27, 2027**	Tuesday, Nov. 16, 2027**	Monday, Dec. 20, 2027
Monday, Oct. 25, 2027**	Monday, Dec. 13, 2027**	Tuesday, Jan. 18, 2028**
Monday, Dec. 6, 2027	Monday, Jan. 24, 2028	Monday, Feb. 21, 2028

** Date changed due to a holiday/schedule change

SECTION TWO: In accordance with Section 2.30.070 of the Gardner Municipal Code, the Board of Zoning Appeals is composed of the members of the Planning Commission and the Planning Commission/Board of Zoning Appeals bylaws state that meetings of the Board of Zoning Appeals, if scheduled, shall take place on evenings of regularly scheduled Planning Commission meetings, therefore this meeting schedule shall serve as the meeting schedule for the Board of Zoning Appeals with the understanding that items submitted to the Board of Zoning Appeals will be scheduled for the next available meeting date based on any public notice requirements.

SECTION THREE: Planning Commission meetings shall be held at 7:00 PM in the Council Chambers at Gardner City Hall, 120 E Main Street. If a Board of Zoning Appeals meeting is held before the Planning Commission meeting, the Planning Commission meeting shall begin at 7:00 PM or as soon thereafter. If a need arises to change a meeting time or location, the public shall be alerted to the new time and / or location.

SECTION FOUR: The start time of any Board of Zoning Appeals meeting shall be determined based on the type and number of applications submitted, however, no such meeting shall begin earlier than 6:00 PM. The actual start time of the Board of Zoning Appeals meeting will be included in the meeting notice. Board of Zoning Appeals meetings shall be held in the Council Chambers at Gardner City Hall, 120 E Main Street. If a need arises to change the meeting location, the public shall be alerted to the new location.

This Resolution shall take effect and be in force from and after its passage and approval as provided by law.

ADOPTED by the Planning Commission of the City of Gardner, Kansas, this 26th day of October, 2026.

Attest:

Robin Berg, Planning Commission Chairman

Secretary

Amendment to Chapter 17.07.020, Table 7-2 of the Land Development Code

Background

Early in September when the Municipal Code was reformatted, an error in the Land Development Code (LDC) was discovered. Specifically, Chapter 17.07.020, Table 7-2 in the newly reformatted code shows the Detached House-Suburban building type minimum interior side setback as 9', as opposed to 7' as previously listed in the LDC.

For ease of discussion, a copy of the table is provided separately with the section outlined in red to show the incorrect setback distance.

Table 7-2: Residential District Building Type and Development Standards

Eligible Zoning Districts							Building Types	Development Standards							
								Lot Standards			Minimum Setbacks				
A	RE	R-1	R-2	R-3	R-4	R-5		Min. Size	Min. Width	Building Coverage	Front	Interior Side	Corner Side	Rear	Building Height
•	•	•					Detached House - Estate	1 ac./5 ac.	125'/200'A	10%	35'	25'	25'	50'	40' 3 stories
		•	•	•			Detached House - Suburban	8K s.f.	70'	30%	25' - 50'	9'	20'	25'	35' 2.5 stories
			•		•	•	Detached House - Neighborhood	6K s.f.	50'	40%	10'-35'	5'	10'	25'	35' 2.5 stories
					•	•	Detached House - Compact	3.5K-6K s.f.	35'	60%	10'-35'	5'	10'	25'	30' 2 stories
			•	•	•	•	Duplex	10K s.f./5K s.f. per unit	70'/35' per unit	30%	25' - 50'	7'/0' party wall	20'	25'	35' 2.5 stories
					•	•	Duplex - Compact	6K - 10K s.f./3K s.f. per unit	50'/25' per unit	60%	10'-35'	5'/0' party wall	10'	25'	35' 2.5 stories
				•	•	•	Row House	2K - 4.5K s.f. per unit	18'-36' per unit	70%	10'-25'	5'/0' party wall	10'	20'	40' 3 stories
					•	•	Walk-Up Apartment	6K - 10K s.f.	50' - 100'	70%	10'-25'	5'/10'*	10'	20'	40' 3 stories
						•	Mid-Rise Apartment	10K - 20K s.f.	80' - 200'	70%	10'-25'	5'/10'*	10'	20'	60' 5 stories
				•			Garden Apartment	10K s.f./1.5K s.f. per unit	70'	40%	25' - 50'	7'	20'	25'	40' 3 stories
					•	•	Live/Work	See Nonresidential Building Types in Table 7-3							
•	•	•	•	•	•	•	Small Civic	See Nonresidential Building Types in Table 7-3							
					•	•	Prominent Civic	See Nonresidential Building Types in Table 7-3							
•							General Industrial	See Nonresidential Building Types in Table 7-3							

*See Building Type standards in GMC § **17.07.040** for applicable specifications.

Staff Analysis

Upon researching the issue, staff found that the minimum interior side yard setback was reduced from 9' to 7' in 2016 (Ordinance 2533). Subsequent updates to Table 7-2 of the LDC were made in 2017 and 2018. Such updates did not include modifying the minimum interior side yard setback. Unfortunately, the version of Table 7-2 that was included in the ordinances adopted in 2017 and 2018 incorrectly referenced a 9' minimum interior side yard setback. Therefore, it is staff's opinion that the proposed amendment is primarily "corrective and administrative" in nature, as it fixes a typographical oversight introduced when other areas of Table 7-2 were modified.

Staff Recommendation

Staff recommends the Planning Commission recommend approval of the proposed text amendment to Chapter 17.07.020, Table 7-2 of the Land Development Code correcting the interior side setback from 9' to 7' and forward such recommendation to the Governing Body.