



**City of Merriam, Kansas
Community Development Department**

**Application Guidelines for
PUD Zoning, Preliminary
Plans, Final Plans or a Change
in a PUD**

The City of Merriam has adopted a Zoning Ordinance regulating the use of land within the City of Merriam. All property in the City has been classified within a Zoning District for which requirements have been established in the Zoning Ordinance. The Zoning Ordinance specifies what uses of land are allowed within each Zoning District and establishes standards for the placement of structures, accessory uses, lot sizes, yards, fences, signs, off-street parking and other requirements. The Zoning Ordinance also specifies certain uses, including Home Occupations that may be permitted as Conditional Uses in each Zoning District.

One of the Zoning Districts is Planned United Development (PUD) District. If a PUD is exclusively residential, it is a PUD-Residential. Otherwise it is classified as a PUD-General. Rezoning to PUD, the consideration of preliminary plans, or the consideration of a change in use in a PUD follow the same procedures.

APPLICATION

An application for consideration of a rezoning, preliminary plan, final plan, or a change in use in a PUD is included with these instructions. The Owner Information and Property Information sections must be filled-in completely. The complete correct legal description of the property must be provided including a digital version in Word format. If the legal description requires more space than provided on the form, it may be provided on a separate sheet attached to the application. The application must be signed by the owner(s) of the property, or a properly executed document that authorizes action on behalf of the owner(s) must be filed with the application.

FEES

An application fee will be charged per the approved City of Merriam Schedule of Fees. Preliminary Plan (PUD) \$175. Final Plan (PUD) \$125. The Application will be accepted for processing by the Community Development Department only after the fee has been paid.

PUBLICATION OF NOTICE

City ordinance requires that a Notice of Public Hearing be published one time in the official City newspaper at least 20 days prior to the date the Planning Commission will hold a public hearing on the application. The City will prepare and place the Notice of Public hearing in the newspaper.

NOTIFICATION OF SURROUNDING PROPERTY OWNERS

- City ordinance requires that the owners of all property located within 200 feet of the subject property be notified no less than 20 days prior to the date of the hearing.
- The Community Development Department will provide the applicant a copy of the Notice of Public Hearing. Copies of this notice must be mailed to the surrounding property owners. The applicant may also add a cover letter to be mailed with the notice.
- The applicant must obtain a list of the owners of all property located within 200 feet of the subject property. This list must be obtained from the **Johnson County Records & Tax Administration Office, County Square, Administration Building, 111 S. Cherry Street, Olathe, Kansas**, or a Title Company.
- The applicant must mail, by **Certified Mail-Return Receipt Requested (green card Form #3811)**, a copy of the Notice of Public hearing to each owner of property located within 200 feet of the property. These notices must be mailed no later than 20 days prior to the date of the public hearing.
- The list of property owners obtained from the Records and Tax Administration and the proof of mailing provided by the Post Office must be provided to the Community Development Department no later than ten days prior to the hearing.

NOTICE PLACED ON THE PROPERTY

The Community Development Department will provide a poster to the applicant announcing that an application has been filed. This poster must be posted on the property facing the street so as to be visible to the public no later than 10 days prior to the date of the public hearing.

SCHEDULE

The process of considering an application requires a minimum of approximately two months. The Planning Commission meets the first Wednesday of each month and the City Council meets the fourth Monday of each month. Notice must be published and notices must be mailed at least 20 days prior to the Planning Commission meeting. Applications must be filed by the first Wednesday of the month to be considered by the Planning Commission and City Council during their meetings the following month. The Community Development Department can provide a complete schedule for the processing of applications.

ADDITIONAL INFORMATION

Additional information is contained in the Zoning Ordinance. A copy may be purchased from the City Clerk's office. If you have any questions or wish to file an application for a Planned Unit Development, contact:

The City of Merriam
Community Development Department
9001 W. 62nd St.
Merriam, Kansas, 66202
Phone (913)322-5520-Fax (913) 322-5505

All property owners are encouraged to review the Zoning Ordinance and discuss their specific situation with the Community Development staff prior to filing an application.

Checklist for Preliminary Development Plans (PDP) and Final Development Plans (FDP) (last updated 10/10/2016):

Below is a general checklist for **PDP** plan submissions. This may not be all inclusive of items requested by city staff:

The preliminary development plan shall contain the following documents and information:

- A survey of the tract that is to be developed showing the existing features of the property, including streets, alleys, easements, utility lines, existing land use, general topography, stormwater channels and physical features.
- A site plan showing the location and arrangement of all existing and proposed structures, the proposed traffic circulation pattern within the development, the areas to be developed for parking, the points of ingress and egress, including access streets where required, the relationship of abutting land uses and zoning districts, proposed lots and blocks, if any, and proposed public or common open space, if any, including parks, playgrounds, school sites, sidewalks and recreational facilities.
- A preliminary plat of subdivision for which approval has been secured pursuant to the applicable rules and regulations relating to the city subdivision regulations.
- A statement documenting the anticipated residential density (when applicable), the proposed total gross floor area, and the percentage of the development which is to be occupied by structures.
- Preliminary sketches of the proposed structures, parking, lighting and landscaping.
- When a planned unit development is to be constructed in stages or units, a schedule for the development of such stages or units shall be submitted. No such stage or unit shall have a residential density that exceeds by more than 20 percent the proposed residential density of the entire planned development. When a planned unit development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear the same relationship to the total open space to be provided in the entire planned unit development as the stages or units completed or under development bear to the entire planned unit development.
- Evidence must be submitted documenting that the applicant has sufficient control over the tract to effectuate the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed development.
- When it deems it to be necessary, the planning commission may require a traffic study analyzing the effect that the planned unit development will have upon traffic in the streets in an effort to minimize the burden of traffic on streets, highways and thoroughfares adjacent to and in the vicinity of the proposed development.
- A statement showing the relationship of the planned unit development to the comprehensive plan and future land use plan for the city planning area.
- In the case of a general planned unit development, a statement identifying the principal types of business or industrial uses that are to be included in the proposed development.
- When a planned unit development includes provisions for common open space, permanent easements or recreational facilities, a statement is required describing the provision made for the care and maintenance of such open space or recreational facilities. If it is proposed that such open space be owned or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted.

- Copies of any restrictive covenants that are to be recorded with respect to property included in the planned unit development district.
- Sketches showing the size, type and location of signs, which shall conform to the provisions of [chapter 53](#).
- A stormwater management study by a licensed engineer.
- When deemed necessary, the planning commission may require an environmental impact study. Such study shall be prepared by a qualified independent person or agency.

Below is a general checklist for **FDP** plan submissions. The FDP shall be in substantial compliance with the PDP as indicated above. This may not be all inclusive of items requested by city staff:

- A detailed site plan showing the physical layout and design of all streets, easements, rights-of-way, lots, sidewalks, parking, blocks, green space, structures and uses.
- Preliminary building plans, including floor plans and exterior elevations.
- Landscaping plans.
- Copies of any easements and restrictive covenants and proof of recording of the same.
- Proof of the establishment and activation of any entity that is to be responsible for the management and maintenance of any common open space.
- Evidence that no lots, parcels, tracts or dwelling units in such development have been conveyed or leased prior to the recording of any restrictive covenants applicable to such planned development.
- Such bonds and other documents that may have been required pursuant to sections [74-706\(a\)\(7\)](#), [74-707\(b\)\(4\)](#), and [74-707\(b\)\(5\)](#).
- Drawings showing size, type and location of signs.
- Final lighting plan.
- Final stormwater control plan.



**City of Merriam, Kansas
Community Development Department**

**Planned Unit Development
Application**

Preliminary Plan <input type="checkbox"/>	Final Plan <input type="checkbox"/>	Change in PUD <input type="checkbox"/>	Sign Scheme Package <input type="checkbox"/>
OWNER INFORMATION			
Name			
Street Address			
City/State/Zip			
Business Phone		Home Phone	
Email Address			
PROPERTY INFORMATION			
Street Address of Property:			
Legal Description:			
*Include a digital version of legal description			
Name of the Planned Unit Development:			
Present Zoning Classification:			
Is Rezoning Proposed? <input type="checkbox"/> NO <input type="checkbox"/> YES, if so to:			
Present use of the Property:			
Proposed Use of the Property:			
OWNER'S REPRESENTATIVE			
Name			
Organization			
Street Address			
City/State/Zip			
Business Phone			
Email Address			

Signature of Property Owner: _____ Date: _____

FOR OFFICE USE ONLY	
Application Number#:	Change in PUD \$125 <input type="checkbox"/>
Preliminary Plan (PUD) \$175 <input type="checkbox"/>	Final Plan (PUD) \$125 <input type="checkbox"/> Sign Scheme Package \$75 <input type="checkbox"/>
Publication Notice Date:	Public Hearing Date:



**City of Merriam, Kansas
Community Development Department**

**Planned Unit Development
Application**

LIST CALL CONTACT PERSONS TO RECEIVE STAFF EMAIL COMMUNICATIONS
REGARDING PLAN COMMENTS

APPLICANT/REPRESENTATIVE	
Name:	Contact:
Street Address/Suite #:	
City/State/Zip:	
Phone:	Fax:
Email:	

OWNER	
Name:	Contact:
Street Address/Suite #:	
City/State/Zip:	
Phone:	Fax:
Email:	

ARCHITECT	
Name:	Contact:
Street Address/Suite #:	
City/State/Zip:	
Phone:	Fax:
Email:	

ENGINEER	
Name:	Contact:
Street Address/Suite #:	
City/State/Zip:	
Phone:	Fax:
Email:	

While Community Development staff will attempt to send plan comments to all persons listed on this sheet, the City does not guarantee that all parties will receive the emails. It is the responsibility of the applicant/representative to verify that all persons listed on this sheet did receive staff comments.