

# STEWART LAW FIRM, L.C.

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**SHAWN E. STEWART**  
**ATTORNEY AT LAW**

March 28, 2013

Re: Dollar General Development - 401 NE Cookingham, Kansas City, Missouri  
Ordinance No. 130071 and Resolution No. 130070  
Case No. 10577-P-2

To Whom It May Concern:

This firm represents Capital Growth Buchalter. As you may know, my client is seeking to obtain the approval from the City of Kansas City, Missouri for the rezoning of land near the southeast corner of the intersection of NE Cookingham and N. Oak Trafficway, to District B1-1, and the amendment of the land use portion of the Gashland/Nashua Area Plan, to allow for the development of a 9,100 square feet Dollar General store on the site.

As we previously informed you by letter, and for those who attended our neighborhood meeting on January 15, 2013, the majority of the property is zoned District B3-2, and the City approved a development plan in 1989 for the approval of a commercial retail building up to 8960 square feet on the Property. The rezoning will cover that property as well as Ms. Abell's property to the south, and a strip of the Bateman property to the east and south to encompass the development site.

On January 15, 2013, the City Plan Commission voted unanimously to recommend approval of the rezoning and area plan amendment requests. On February 20, 2013, the Planning, Zoning & Economic Development Committee for the City Council heard the case (Ordinance No. 130071 and Resolution No. 130070), and after presentations by Staff, myself, and hearing public testimony at the hearing, the Committee held the Ordinance and Resolution, and asked that my client explore making changes to the building elevations (exterior appearance), and provide a proposed landscaping plan.

In response to the Committee's request, my client has made changes to the proposed building elevations and has completed the proposed landscaping plans for the site. We have enclosed copies of the building elevations and the landscaping plans for your review.

We believe that these revisions are consistent with the guidelines set forth in Gashland/Nashua Area Plan, and believe that the architecture and the landscaping would meet the expectations of the parties interested in the development, including property owners, City Staff and City Council.

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As shown on the elevations, the proposed building has substantial decorative architectural treatments, including (a) the multi-colored earth-toned (mocha and beige) brick veneer on all four sides of the building; (b) the column parapets above the roof line on all sides; (c) the large parapet above roof line at the entry corner of the building; (d) the decorative awnings; (e) the decorative faux windows on the sides; and (f) the sconces for wall lighting. The attractive architectural treatments to the building are in harmony with the Guidelines of the Gashland/Nashua Area Plan.

As you will also note from the landscaping plan, dozens of trees and shrubs are shown, as well as green ground cover for the site. There will also be a 6' privacy fence along the eastern and southern property lines of the development.

The attached rendering shows a prototype building with the entrance at the left end of the long side of the building. The entrance for the building will be located at the NW corner of the building (the right end of the long side of the building). All architectural treatment shown in the rendering will be built, but the elevations will be as follows:

- The Front Elevation of the drawing is the West elevation along N. Oak, with the entrance on the left corner (NW) rather than on the right as shown;
- The Left Elevation of the drawing is the South elevation, same as shown;
- The Right Elevation of the drawing is the North elevation along Cookingham, with the entrance on right corner (NW) rather than on left as shown and with loading doors re-positioned to the Rear Elevation;
- The Rear Elevation of the drawing is the East elevation, same as shown, only adding the loading doors.

In an effort to provide you with an opportunity to further discuss the development, I will hold a meeting on **Monday, April 1, 2013 at 7:00 p.m.**, at the Northland Cathedral, Room N-3. The Northland Cathedral is located at 101 Northwest 99<sup>th</sup> Street, Kansas City, Mo, 64155. You can park in the main parking lot and enter through the main doors of the Northland Cathedral.

The public hearing on Ordinance No. 130071 and Resolution No. 130070 is scheduled to be heard by the Planning, Zoning & Economic Development Committee again on **Wednesday, April 3, 2013 at 1:30PM**. The hearing will be held in City Hall, on the 26<sup>th</sup> Floor, at 414 E. 12<sup>th</sup> Street.

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If you have any questions, please call me at (913) 302-6517 or send an email to me at [shawn@stewartlawfirm-kc.com](mailto:shawn@stewartlawfirm-kc.com). I look forward to meeting with you.

Very truly yours,

STEWART LAW FIRM, L.C.

A handwritten signature in black ink, appearing to read "Shawn E. Stewart", with a long horizontal flourish extending to the right.

Shawn E. Stewart