

April 2024

Nottingham Downs Architectural Review Board Recommendation

Regarding :

1. Two column stone signage structure/monument located at Glenwood and 127th
2. Two column stone signage structure/monument located at Lamar and 127th

Item 1 - Glenwood Monument. Remove wooden sign components and their metal brackets. Save these items for evaluation, possible restoration and reuse in the near and/or distant future. Remove the leaning stone pillars to six to eight inches below ground level and remove the debris from the area for disposal. An additional set of recommendations will amend this proposed recommendation and will suggest action to be taken regarding the plants, boulders, ground leveling, and preparation of the area for sodding.

Reasons for the recommendation:

- a) The stone columns are leaning and at risk of failure. The means to restore them to a vertical position is risky and stone structural failure may happen during attempts to straighten the columns requiring a total rebuild. A total rebuild will not be allowed by Overland Park (O.P.) without a permit to do a rebuild. Such a permit would not be granted to rebuild the monument on the existing site. To erect a new monument would require compliance to the recently revised O.P. signage and monument codes.
- b) The monument as it exists now is a liability risk to utilities underground and any digging in the area to install piers and /or to stabilize the ground around and under the monument exposes the HOA and contractors to unusual risks. The committee is in possession of a cautionary email from AT&T stating that thousands of customers may be without service should any activities that we pursue in the area of the monuments result in damage to their underground lines.
- c) The ground is unstable around and under the monument. There is significant erosion and exposed nylon ground support netting in the area. The shrubs themselves are settling. The below grade bases to the monuments are leaning and rebuilding on top of them would not be recommended. Six contractors were asked to bid and make recommendations on what they thought best. Four declined to bid. One contractor bid on pier work and loaded the bid with conditions to avoid liability exposure should something go wrong. That liability would be on the HOA. One bid tearing down and rebuilding on the existing bases. The committee

feels this to be only a temporary fix and the leaning would continue to happen. This is because numerous contractors contacted said that the ground is fill ground and unstable.

- d) The monument partially sits on the utility easement and perhaps the whole monument structure may as well. This is in violation of the codes back in the 1980's and is surely in violation today. Signage monuments were not required when the area was developed and are not required today. O.P. does not recommend the erection of such monuments as most people today use some form of mapping services on their phones, on star, google maps, etc. on their devices. They feel they were once faddish and today contribute to issues such as we face with ours. The expansion of 127th has contributed to issues with the failing monument and there is indication that the area around the monument was acquired through land purchase during the road widening to allow for the enlargement of the utility easement in the area of the monument. This action resulted in the monument to exist on easement ground and not on privately held property as before. O.P. does not use the term as "Grandfathered" but uses the term as "Exists" to describe what happened to our monuments location. O.P. allowed it to continue to exist where it was originally built as long as the utilities as they became more numerous did not see it as a hinderance. The on going activities to service existing utilities and add new ones has contributed to the soil erosion. There also exists a sprinkler head in the area in front of the monument. This also may have added additional issues to the soil around the monument. Through discussion with the property owner the monument is closest to – there is indication that some land transfer did take place during the road expansion. This was not pursued by the committee as there is enough already to determine that it would be unwise to continue to support or suggest keeping the current monument.
- e) Please be advised that with caution we can have the monument dismantled and removed with the blessing of O.P. and no permit to do so would be required. We would suggest that any contract entered into with any contractor ensure exposure to liability issues be addressed in totality. Understand again that a monument is not a requirement. Should we want to look into a new monument in the future – then the new codes would require the following – No part of the monument can be any closer to a property boundary than ten feet. There are square foot surface area restrictions in the code that must be adhered to. Permitting would be required and a survey required. The monument must sit on privately held residential property and a maintenance agreement must be established between the owner and HOA. There are height and line of sight restrictions that would have to be met. Preliminary review of the new code requirements with O.P. representative seems to indicate that the placement of a new monument would be some thirty feet from

the sidewalk corner and thus some twenty feet further into the yard from where the current monument sits. No wood is allowed in the construction of a new monument. The revised codes are available for review at the request of the HOA Board. Since there is no requirement for a monument – to attempt to pursue the erection of a new monument - would require the approval of the residential property owner to do so. This implies that should the owner not grant permission for a monument on their property that there would be no effort by O.P. to support one and a permit would not be granted to go forward.

Recommendations for plants prior to when the monuments are removed:

The grasses, plants and flowers are perennials and can be transplanted from the Glenwood Monument bed and moved to the Lamar Monument bed to enhance the plantings currently in that bed. The bushes will be removed and thrown out.

Once the structure removal is completed, the committee advises that the land should be covered with sod. It has been suggested that the two large landscape stones be put on the concrete bases below the removed Monuments, if desired by the homeowner. If not, then they should be removed. There is not room on the Lamar Monument for the addition of two additional landscape stones. Additional dirt and sod can be put over the concrete bases instead of the large landscape stones.

Item 2 - Lamar Monument. This monument shows all indication of being salvageable. The wood can be preserved and since it sits as “exists” as mentioned above. Again it is not required to have a monument and it exists at the will (in agreement) with the HOA to sit on privately held property. This monument appears to meet all the original code requirements enforce at the time of erection. As such O.P. has no issues with it as long as it is maintained in a reasonable state and there are no complaints regarding its existence brought to O.P. for consideration. The only issue could be the boulder(s) which appear to sit on utility easement ground. Plantings are often allowed on easement ground and or not viewed as obstructions on the easement. Such plants can be planted but are subjected to removal by a servicing utility and might not get replanted. We do not know how boulder placement would be addressed. At this time they do not present an issue and are not part of the monument structure. We recommend saving this monument as the last surviving landmark. The wood can be treated, repainted, and lettering repainted. The agreement must already exist between the property owner and the HOA to do maintenance on the signage monument. The wood components of the monument suggested to be dismantled would be available for use should they be necessary as well. Committee member Steve has offered voluntary services to do restoration and would only seek reimbursement for materials that would be required to do the work.

Note: There was discussion of removing the Lamar Monument in addition to our recommendation to remove the Glenwood Monument. The decision to leave it was made because with the exception of the wooden signage needing replaced due to deterioration, it is in good shape and incurring unnecessary additional costs to the HOA isn't necessary at this time.

As mentioned above; the wood from the Glenwood monument should be removed and salvaged to be reworked by Steve into a plausible replacement for the deteriorating Lamar Monument's wood.