

**PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
TUESDAY, JULY 7, 2020  
7:00 P.M.**

The Planning Commission will be meeting remotely via Zoom. To listen to the meeting, click the following link:

<https://us02web.zoom.us/j/83530987653?pwd=bUpCWkpyZ1R6L3owSExGMEVka3pQT09>. The meeting password is 937316. You can also join the meeting via phone by dialing 1-312-626-6799. The meeting ID is 835-3098-7653. The meeting will also be live-streamed on the City of Prairie Village Facebook page at [www.facebook.com/CityofPrairieVillage](http://www.facebook.com/CityofPrairieVillage).

To participate in the public hearing, members can email their comments to City Clerk Adam Geffert at [cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com). All comments must be received by 5:30 p.m. on Tuesday, July 7. If you would like to speak live during the public hearing, you must notify the City Clerk with your name, address, and email address. The City will provide you with a link to join the meeting and will call on those who signed up to speak once the public hearing begins. Members of the public will not be able to participate in the meeting unless you sign up with the City Clerk ahead of time. Each individual that wishes to speak during the public hearing will be given 3 minutes.

**I. ROLL CALL**

**II. APPROVAL OF PLANNING COMMISSION MINUTES - JUNE 2, 2020**

**III. OLD BUSINESS**

PC2020-106      Consider Ordinance 2422 to rezone 7631 Reinhardt Street from R-1A to R-1B  
Applicant: Mojo Built, LLC

**IV. PUBLIC HEARINGS**

PC2020-110      Rezoning and Request for Lot Split  
7632 Reinhardt Street  
Current Zoning: R-1A  
Requested Zoning: R-1B  
Applicant: Mojo Built, LLC

PC2020-111      Rezoning and Request for Lot Split  
7641 Reinhardt Street  
Current Zoning: R-1A  
Requested Zoning: R-1B  
Applicant: RC Renovations, LLC

## V. NON-PUBLIC HEARINGS

- PC2020-108      Lot Split Approval  
3909 & 3913 West 85<sup>th</sup> Street  
Zoning: R-1A  
Applicant: R.L. Buford and Associates
- PC2020-109      Site Plan Review - Fence with Exception  
7700 Aberdeen St.  
Zoning: R-1A  
Applicant: Naama Courtemanche
- PC2020-112      Site Plan Review - Exception to Neighborhood Design Guidelines  
3902 Homestead Court  
Zoning: R-1A  
Applicant: Patricia Smith

## VI. OTHER BUSINESS

## VII. ADJOURNMENT

Plans available at City Hall if applicable  
Comments can be made by e-mail to  
[cityclerk@pvkansas.com](mailto:cityclerk@pvkansas.com) prior to the meeting.

**\*Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue and shall vacate their position at the table until the conclusion of the hearing.**

**PLANNING COMMISSION MINUTES  
JUNE 2, 2020**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 2, 2020 at 7:00 p.m. Due to the COVID-19 pandemic, Board members attended a virtual meeting via the Zoom software platform. Chair Greg Wolf called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Patrick Lenahan, Nancy Wallerstein, Melissa Brown and Jeffrey Valentino.

The following individuals were present via Zoom in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; Jamie Robichaud, Deputy City Administrator; Mitch Dringman, City Building Official; Ian Graves, Council Liaison; and Adam Geffert, City Clerk/Planning Commission Secretary.

**APPROVAL OF MINUTES**

Mr. Lenahan moved for the approval of the minutes of the May 5, 2020 regular Planning Commission meeting as presented. Mrs. Wallerstein seconded the motion, which passed unanimously.

**PUBLIC HEARINGS**

PC2020-106            Rezoning and Request for Lot Split  
7631 Reinhardt Street  
Current Zoning: R-1A  
Requested Zoning: R-1B  
Applicant: Mojo Built, LLC

Mr. Brewster stated that the property was on a block with many non-conforming lots. Most of the lots were zoned R1-A, but the Planning Commission had approved a rezoning and lot split on the north end of the street to R-1B in 2018.

Mr. Brewster reminded Planning Commission members that a rezoning required them to evaluate facts, weigh evidence, and make a recommendation to the City Council based on balancing the “Golden Factors” outlined in the zoning ordinance:

1. The character of the neighborhood
2. The zoning and uses of property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property
5. The length of time of any vacancy of the property
6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners

7. City staff recommendations
8. Conformance with the Comprehensive Plan

Mr. Breneman asked how the proposed lot widths would compare to the lot split that was completed in 2018. Mr. Brewster stated that the prior lot split resulted in two 64' wide lots, whereas this lot split would result in two 60' wide lots, which met R-1B requirements. Mr. Lenahan asked why the area had originally been zoned R-1A since most of the lots were non-conforming. Mr. Brewster stated that it was unclear, but could have been due to the large lot sizes.

John Moffitt, applicant and co-owner of Mojo Built, was present to speak to the Commission. He noted that the company had constructed the current homes on the lots that had been rezoned and split in 2018.

Mr. Wolf opened the public hearing at 7:20 p.m. With no comments received and no one attending the Zoom meeting to speak, Mr. Wolf closed the public hearing at 7:21 p.m.

**Based on the Planning Commission's consideration of the Golden factors, Mr. Valentino made a motion to recommend approval of the rezoning to the City Council. Ms. Brown seconded the motion, which passed unanimously.**

**Mr. Valentino made a motion to approve the lot split with the following conditions:**

1. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
2. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
  - a) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
  - b) The dimension and location of the lots, including a metes and bounds description of each lot.
  - c) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
  - d) Any platted building setback lines with dimensions.
  - e) Indication of location of proposed or existing streets and driveways providing access to said lots.
  - f) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines, and proposed drainage systems. (Staff recommends waiver of topography)
  - g) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.

3. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.

**Ms. Brown seconded the motion, which passed unanimously.**

## **NON-PUBLIC HEARINGS**

PC2020-107            Conditional Use Permit - Drive-up Service (non-food and beverage)  
7830 State Line Road  
Zoning: C-0  
Applicant: GastingerWalker for Community America Credit Union

Mr. Brewster provided background on the application, noting that the proposed Automatic Teller Machine (ATM) would be placed on the south side of the office building located at 7830 State Line. The bank itself would be built on the property across Somerset Drive to the south, which was not large enough accommodate an ATM. He noted that non-food and beverage drive-up services were allowed in districts zoned C-0, and that Public Works had reviewed the plan and found it acceptable for traffic flow. Staff recommended approval with the following conditions:

1. A drainage permit will be required from Public Works prior to construction.
2. The applicant shall verify the size and location of all signs associated with the kiosk through the Sign Permit process, and only signs meeting the sign ordinance will be permitted.
3. The conditional use permit shall expire, the drive up service shall be discontinued, and the kiosk shall be removed if at any point the bank is no longer operating at the site immediately to the south across Somerset.

Mr. Birkel and Mr. Valentino shared concerns about circulation around the building and what effect it could have on traffic on Somerset Drive. Mr. Brewster stated the Public Works Department had reviewed the proposal and did not have any concerns about additional ATM traffic causing issues.

Mrs. Wallerstein asked if there would be space for a new ATM sign due to the number of signs that were currently on the building. Mr. Brewster said that any additional signs would have to follow the sign ordinance along with those on the building already. Ms. Robichaud added that the applicant's proposed signage would only be placed on the ATM kiosk itself, not the building.

Applicants Andy Meyer, representing GastingerWalker and Chris Wolfe, representing Community American Bank were in attendance. Mr. Meyer stated that there would be no signage added to the building, and that the bank logo would only be placed on a glass surface over the ATM.

Mr. Birkel asked if a left-turn lane would need to be added to Somerset Drive for vehicles to enter the parking lot without backing up street traffic. Ms. Robichaud stated that Public Works did not indicate that a turn lane would be needed, and were of the opinion that the proposal to reduce parking lot entrances on Somerset from two to one was safer for drivers.

Mr. Birkel suggested that a condition be added requiring a dedicated turn lane on eastbound Somerset Drive into the west entrance of the parking lot. Ms. Robichaud said that the Public Works Director and traffic engineers would need to be involved to determine that feasibility of the request to modify public infrastructure. Mr. Breneman and Mr. Valentino both recommended that the request be taken up at the next Planning Commission meeting after further traffic study.

**Mr. Birkel made a motion to continue the application to the July 7 meeting to evaluate traffic and circulation. Mr. Valentino seconded the motion, which passed 6-1, with Mr. Lenahan in opposition.**

## **ADJOURNMENT**

With no further business to come before the Commission, Chair Greg Wolf adjourned the meeting at 8:08 p.m.

Greg Wolf  
Chair



**PC2020-106: Consider Ordinance 2422 to rezone 7631 Reinhardt St from R-1A to R-1B**

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**BACKGROUND**

At the June 2, 2020 Planning Commission meeting, the Planning Commission voted to unanimously recommend approval of the rezoning request for 7631 Reinhardt Street. The City Council considered the recommendation at their July 6, 2020 Council meeting and voted unanimously to send the request back to the Planning Commission for further consideration.

The Council asked that the Planning Commission consider a broader, more holistic approach to planning in this area with significant public engagement and to specifically review Golden Factors 1, 2, 4, 5, and 8, as shown below. The Council also asked the Planning Commission to consider the diversity of the housing stock in Prairie Village in determining whether this rezoning request should be approved or denied. The full discussion by the City Council can be viewed at the following link beginning at the 45:00 mark: <https://www.facebook.com/CityofPrairieVillage/videos/892886997869787/>.

The Golden Factors that should be used in consideration of a rezoning application include, but are not limited to, the following: 1) the character of the neighborhood; 2) the zoning and uses of property nearby; 3) the suitability of the property for the uses to which it has been restricted under its existing zoning; 4) the extent that a change will detrimentally affect neighboring property; 5) the length of time of any vacancy of the property; 6) the relative gain to public health, safety, and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners; 7) city staff recommendations; and 8) conformance with the Comprehensive Plan.

According to Section 19.52.040 of the Zoning Regulations, the Governing Body can take the following actions on a rezoning recommendation from the Planning Commission:

1. Adopt the Planning Commission's recommendation by a simple majority (7 votes including the Mayor)
2. Override the Planning Commission's recommendation by a 2/3 majority vote of the entire Governing Body (9 votes including the Mayor)
3. Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove by a simple majority. The Planning Commission can then submit the original recommendation or submit a new and amended recommendation. The Governing Body then can adopt or amend the recommendation by a simple majority (7 votes) or take no further action.

**ACTION REQUIRED**

In considering the guidance of the City Council above, the Planning Commission must make a motion to either submit the original recommendation for approval or submit a new and amended recommendation to the City Council.

**PREPARED BY**

Jamie Robichaud  
Deputy City Administrator  
Date: July 7, 2020



**PC2020-106: Consider Ordinance 2422 to rezone 7631 Reinhardt St from R-1A to R-1B**

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**RECOMMENDATION**

Make a motion to accept the Planning Commission's recommendation and approve PC2020-106, rezoning 7631 Reinhardt St from R-1A (Single-Family Residential) to R-1B (Single-Family Residential).

**BACKGROUND**

The applicant is MOJO Built, LLC, who is requesting to rezone the lot located at 7631 Reinhardt St from R-1A to R-1B. The applicant's plan, if the rezoning is approved, is to split the lot, demolish the existing structure on the lot, and build two new single-family residences at the site. A lot split on this lot would not be possible under the lot size requirements for R-1A zoning, which requires the lot to be at least 10,000 square feet with a minimum width of 80 feet and a minimum depth of 125 feet. The existing lot is 16,724 square feet with a width of 120 feet and a depth of 140 feet. If the rezoning is approved, the two new lots proposed would be approximately 8,361 square feet with a width of 60 feet and a depth of 140 feet. These new proposed lots would meet the lot size requirements for R-1B zoning.

The current structure on this lot was built prior to the development of the City's zoning regulations, so the structure is considered a legal, non-conforming property. This application is very similar to a request from the same applicant back in 2018, in which the applicant sought to rezone and split the lot located at 7540 Reinhardt. That application was unanimously recommended to be approved by the Planning Commission, and the City Council approved the rezoning with a vote of 8-4. The main reasoning behind approving the rezoning at the time was due to the irregularities of lots in the area, with many lots being zoned R-1A that do not actually meet the requirements of R-1A. The Planning Commission noted at the time that they would not normally support rezoning individual lots; however, due to the irregularities of lot sizes in the area and the large number of non-conformities, they believed approving the rezoning would be a first step in a broader reclassification of this area that may be needed. There are also two other pending requests for rezoning/lot splits at 7641 Reinhardt and 7632 Reinhardt that are going to the Planning Commission for consideration on July 7, 2020.

The Planning Commission considered the application at their June 2, 2020 meeting, at which time a public hearing was held. There was nobody present to speak in favor or against the application and no written comments were received beforehand. After discussing and weighing the Golden Factors, the Planning Commission voted unanimously to recommend approval of the requested rezoning to the City Council and voted to approve the requested lot split contingent upon the rezoning being approved by the City Council. The Zoning Regulations require rezoning requests to go to the City Council for final approval, while the Planning Commission is tasked with the final approval on lot splits.

A rezoning application requires the City Council to act in its quasi-judicial role. When acting in this capacity, rather than a legislative capacity, the governing body must set aside personal opinions and, like a judge, apply the law to facts presented in the public record. In considering a residential rezoning, the Council must consider the overall use of the land/lot itself, and not the design of the structures that are being proposed. The following criteria, commonly referred to as the "Golden" factors, must be used in determining the reason as to why the application should be approved or denied:

1. The character of the neighborhood.
2. The zoning and uses of property nearby.
3. The suitability of the property for the uses to which it has been restricted under its existing zoning.



4. The extent that a change will detrimentally affect neighboring property.
5. The length of time of any vacancy of the property.
6. The relative gain to public health, safety, and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners.
7. City staff recommendations.
8. Conformance with the Comprehensive Plan.

An analysis of all of these factors is provided in the attached Planning Commission staff report.

According to Section 19.52.040 of the Zoning Regulations, the Governing Body can take the following actions on a rezoning recommendation from the Planning Commission:

1. Adopt the Planning Commission's recommendation by a simple majority (7 votes including the Mayor)
2. Override the Planning Commission's recommendation by a 2/3 majority vote of the entire Governing Body (9 votes including the Mayor)
3. Return the recommendation to the Planning Commission with a statement specifying the basis for the Governing Body's failure to approve or disapprove by a simple majority. The Planning Commission can then submit the original recommendation or submit a new and amended recommendation. The Governing Body then can adopt or amend the recommendation by a simple majority (7 votes) or take no further action.

Chris Brewster, the City's Planning Consultant, will be present at the meeting to provide a short presentation and answer any associated questions. The applicant will also be present at the meeting to answer any questions the Council may have.

#### **ATTACHMENTS**

Ordinance 2422

Planning Commission Staff Report

Rezoning Application

Excerpt from June 2, 2020 Planning Commission Minutes

#### **PREPARED BY**

Jamie Robichaud

Deputy City Administrator

Date: July 1, 2020

**ORDINANCE 2422**

**AN ORDINANCE REZONING PROPERTY LOCATED AT 7631 REINHARDT STREET, PRAIRIE VILLAGE, KANSAS FROM R1-A (SINGLE-FAMILY RESIDENTIAL) TO R-1B (SINGLE-FAMILY RESIDENTIAL), DIRECTING THE AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF PRAIRIE VILLAGE, KANSAS; AND REINCORPORATING SAID ZONING MAP BY REFERENCE.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PRAIRIE VILLAGE, KANSAS:**

**Section I. Planning Commission Recommendation.** That having received a recommendation from the Planning Commission; having found favorably on the findings of fact, proper notice having been given and hearing held as provided by law and under the authority of and subject to the provisions of the Zoning Regulations of the City of Prairie Village, Kansas, the zoning classification or districts of the lands hereinafter legally described are changed from R-1A (Single-Family Residential) to R-1B (Single-Family Residential) as set forth in Section II.

**Section II. Rezoning of Property.** That the real estate located at 4820 W 75<sup>th</sup> Street, Prairie Village, Kansas, and hereinafter described to Wit: Sunset Hill Acres Lot 9 PVC-11544.

7631 Reinhardt Street, Prairie Village, Kansas 66208

is hereby rezoned in its entirety from R-1A (Single-Family Residential) to R-1B (Single-Family Residential).

**Section III. Reincorporation by Reference of Prairie Village, Kansas Zoning District Map as Amended.** The official Zoning District Map of the City is hereby amended in accordance with Section II of this Ordinance and is hereby reincorporated by reference and declared to be the Official Zoning District Map of the City as provided for and adopted pursuant to the provisions of Section 19.04.010 of the Prairie Village Zoning Regulations.

**Section IV. Take Effect.** That this ordinance shall take effect and be in full force from and after its publication in the official City newspaper as provided by law.

**PASSED AND APPROVED THIS 6<sup>TH</sup> DAY OF JULY, 2020.**

\_\_\_\_\_  
\_\_\_\_\_  
Mayor Eric Mikkelson

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Adam Geffert, City Clerk

\_\_\_\_\_  
David E. Waters, City Attorney

CITY OF PRAIRIE VILLAGE, KANSAS  
REZONING APPLICATION FORM

For Office Use Only

Case No.: \_\_\_\_\_  
Filing Fees: \_\_\_\_\_  
Deposit: \_\_\_\_\_



Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_

APPLICANT: MOTO BUILT, LLC PHONE: 913.491.6800  
ADDRESS: 5300 COLLEGE BLVD, OP, KS ZIP: 66211  
OWNER: RITA ESBY PHONE: \_\_\_\_\_  
ADDRESS: 7631 REINHARDT ST, PV, KS ZIP: 66208  
LOCATION OF PROPERTY: 7631 REINHARDT ST  
LEGAL DESCRIPTION: SUNSET HILL ACRES LOT 9 PVC-11544

Present Zoning R1-A Requested Zoning: R1-B  
Present Use of Property: RESIDENTIAL

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>RESIDENTIAL</u>	<u>R1-A</u>
South	<u>RESIDENTIAL</u>	<u>R1-A</u>
East	<u>RESIDENTIAL</u>	<u>R1-A</u>
West	<u>RESIDENTIAL</u>	<u>R1-A</u>

CHARACTER OF THE NEIGHBORHOOD: RESIDENTIAL

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?  
NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?  
MANY EXISTING, SURROUNDING LOTS ARE CURRENTLY ZONED R1-A, BUT DO  
If yes, explain: NOT CONFORM IN WIDTH OR AREA.

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

DEVELOPMENT PLAN SUBMITTAL:

- Development Plan
- Preliminary Sketches of Exterior Construction

LIST OF NEIGHBORING PROPERTIES:

Certified list of property owners within 200 feet

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: REINHARDT STREET
2. Classification of Street(s):  
Arterial \_\_\_\_\_ Collector \_\_\_\_\_ Local
3. Right-of-Way Width: 50'0"
4. Will turning movements caused by the proposed use create an undue traffic hazard?  
NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR: N/A

1. Appropriately Sized Lots? \_\_\_\_\_
2. Properly Size Street Right-of-Way? \_\_\_\_\_
3. Drainage Easements? \_\_\_\_\_
4. Utility Easements:  
Electricity? \_\_\_\_\_  
Gas? \_\_\_\_\_  
Sewers? \_\_\_\_\_  
Water? \_\_\_\_\_
5. Additional Comments: \_\_\_\_\_

UNIQUE CHARACTERISTICS OF PRPOERTY AND ADDITIONAL COMMENTS:

NONE

SIGNATURE: \_\_\_\_\_

DATE: 4/29/2020

BY: JOHN MORFITT

TITLE: Member

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** June 2, 2020, Planning Commission Meeting

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**Application:** PC 2020-106

**Request:** Rezoning from R-1A to R1B & Request for Lot Split

**Action:** *A Rezoning requires the Planning Commission to evaluate facts and weigh evidence, and based on balancing the factors and criteria in the zoning ordinance, make a recommendation to the City Council.*

*A Lot Split requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met, to approve the application.*

**Property Address:** 7631 Reinhardt Street

**Applicant:** MoJo Built, LLC

**Current Zoning and Land Use:** R-1A – Single-family Residential – Single-family House

**Surrounding Zoning and Land Use:** **North:** R-1A – Single-family Residential – Single-family House  
**East:** R-1A – Single-family Residential – Single-family House  
**South:** R-1A – Single-family Residential – Single-family House  
**West:** R-1A – Single-family Residential – Single-family House

**Legal Description:** SUNSET HILL ACRES LOT 9 PVC-11544

**Property Area:** 0.38 acres (16,723.86 s.f.)

**Related Case Files:** n/a

**Attachments:** Application, site plan, proposed lot split

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**General Location Map**



**Aerial Map**



**Site**



**Birdseye View**



**Street Views**



*Street view looking north on Reinhardt (subject property in background)*



*Street view of subject property frontage*



**COMMENTS:**

The applicant has requested a zoning change from R-1A to R-1B in order to facilitate a proposed lot split and build two homes on the existing lot. Therefore, the proposal involves two related applications, but each requires independent action by the Planning Commission. The Planning Commission makes a recommendation to the City Council for a rezoning request, but makes a final decision for lot split requests.

The existing lot is 120 feet wide by 140 feet deep, for a total of 16,723.86 square feet. The R-1A zoning district has a minimum lot requirement of 80 feet wide by 125 feet deep, and 10,000 square feet. Although this lot is larger than required by the R-1A zoning district, it is not large enough to split into two conforming lots in that zoning district.

The lot has an existing home that was constructed in 1953 according to Johnson County AIMS mapping records. The R-1A zoning district requires the following setbacks: front – 30 feet; side – at least 20% of the lot width between both sides, and at least 7 feet on each side; rear – 25 feet. The existing home is setback approximately 40' from the front lot line, and is centered on the lot with setbacks larger than the required side and rear setbacks. The character of the block has a wide range of building placements, including the home immediately to the south and across the street to the west, each of which are setback deep on the lot near the rear lot line

The applicant is proposing to split this lot into two lots, and build two homes that would conform to the setback requirements. However, the lot is not big enough to result in two lots conforming to the R-1A zoning district. Therefore, the applicant is proposing to rezone this property to R-1B, which has the following zoning standards:

Width – 60 feet

Depth – 100 feet

Area – 6,000 square feet

Front Setback – 30 feet

Side Setbacks – at least 20% of lot width total, and at least 6 feet each side

Rear Setback – 25 feet.

The proposed lots would be 60 feet by 140 feet, and approximately 8,361 square feet.

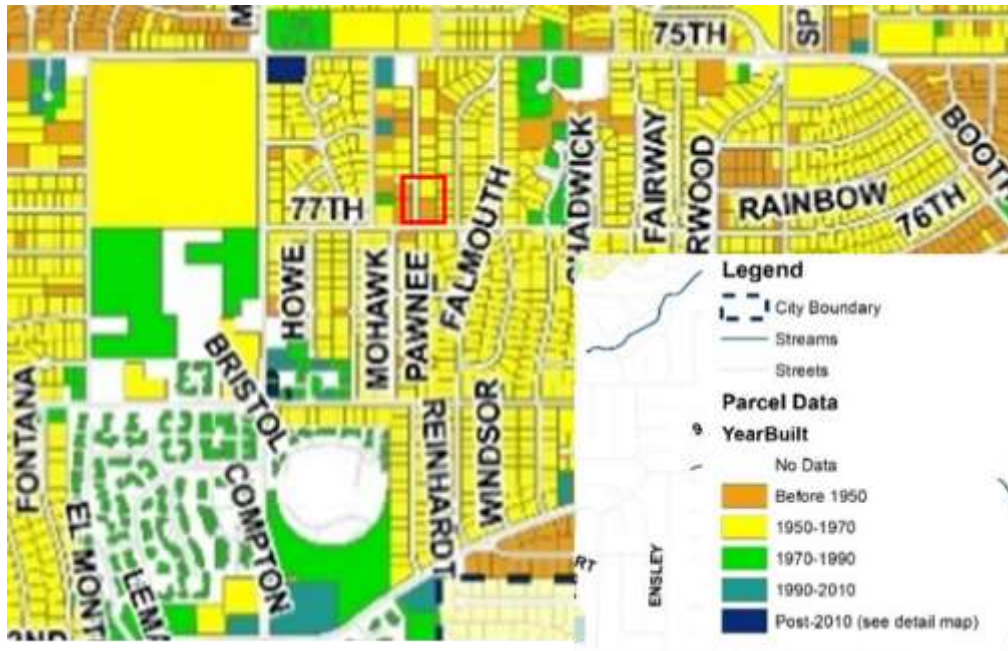
The applicant held a neighborhood meeting on May 20, 2020 at Harmon Park, and a summary of that meeting has been added to the application.

**ANALYSIS – RE-ZONING:**

In considering a change in zoning classification, the Planning Commission must consider a number of factors commonly referred to as the “Golden” factors, which are incorporated into the City’s Zoning Ordinance [19.52.030]. The factors include, but are not limited to the following:

**1. The character of the neighborhood;**

This is a single-family residential neighborhood with a variety of lot sizes and ages of homes. Homes in the area are primarily 1-story, 1.5-story ranches and split-levels. The majority of homes in the area were built between 1950 and 1970, including this home built in 1953. A few of the homes were built prior to 1950. This same street also had a similar rezoning and lot split approved two years ago, so the street includes two new homes, as well.



Year Built

This area does include a wide variety of lot sizes reflecting platting and development patterns that pre-date the zoning and subdivision regulations. Records show this lot was platted in 1923. The majority of lots on this block are larger (all but one over 10,000 square feet and many over 15,000 square feet), with smaller lots occurring to the east and west of this block. [Note: A similar application was approved by the City Council in March 2018 resulting in two smaller lots to the north and on the opposite side of Reinhardt Street – 7540 Reinhardt, not reflected in these maps.]



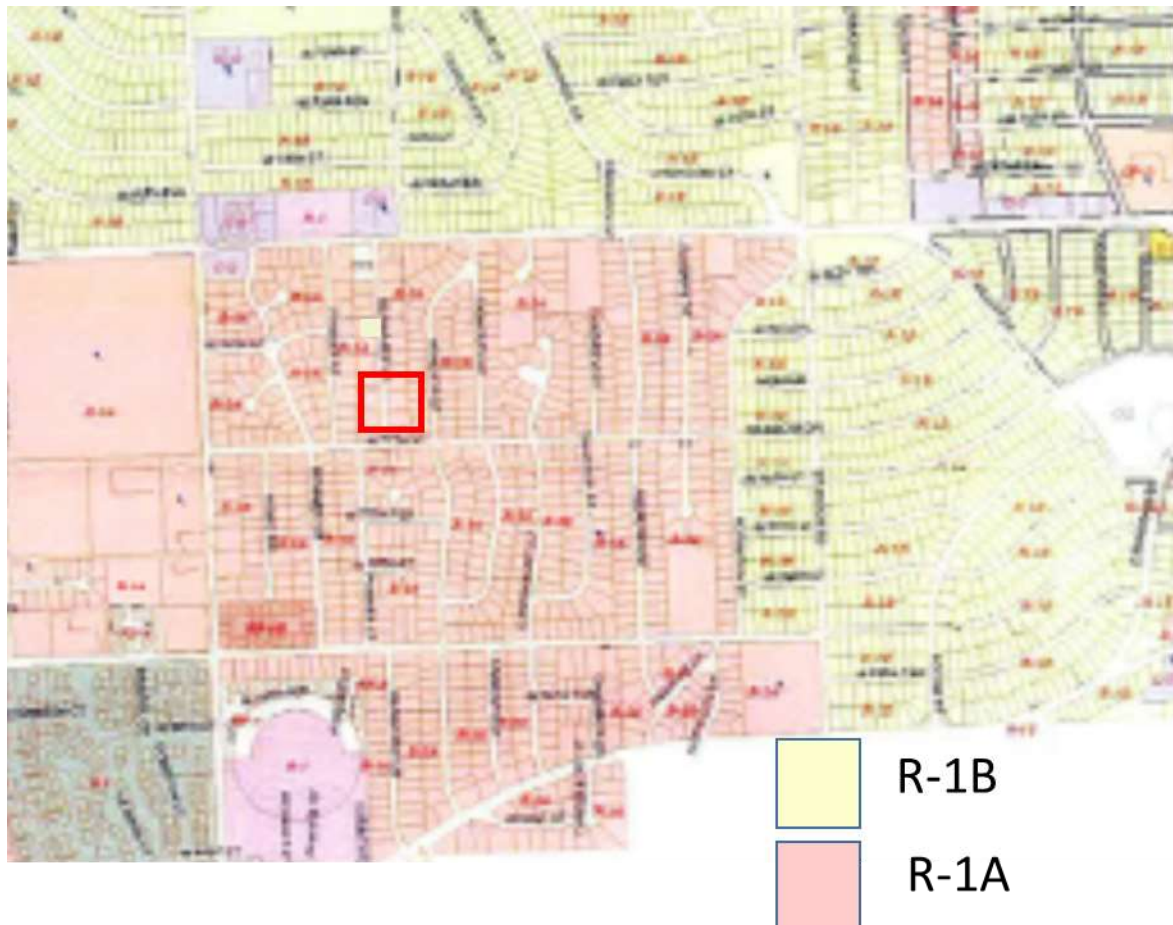
Lot Size

Lot widths are also important to the character of neighborhoods, as that affects the frontage design, building pattern and access along a streetscape. In the general vicinity, many lots have a 60 to 75 foot width. These exist primarily on several blocks immediately east of Reinhardt. The blocks to the west of Reinhardt have a bit more irregular pattern due to Mohawk Drive alignment, some cul-de-sacs, and irregular or corner-orientation lots. Reinhardt Street and the east side of Pawnee Street reflect predominantly wider lots - typically 120 feet wide, with a few noted irregularities where two lots were re-platted as three, or three lots were re-platted as four. (Note: This pattern would generally be allowed under current R-1A zoning, where two 120-foot wide lots could be divided into three 80-foot wide lots, but two 120'-wide lots could be re-platted as three 80'-wide lots). In this specific case, the subject lot is 120' wide. The lots immediately to the north are 100-feet, 80-feet, and 90-feet respectively; the lots immediately to the south are 120-feet and 79-feet; and the lots on the opposite side of the street also range from 79-feet to 120-feet (excluding a platted 40' lot that is unbuilt and owned as part of another lot).

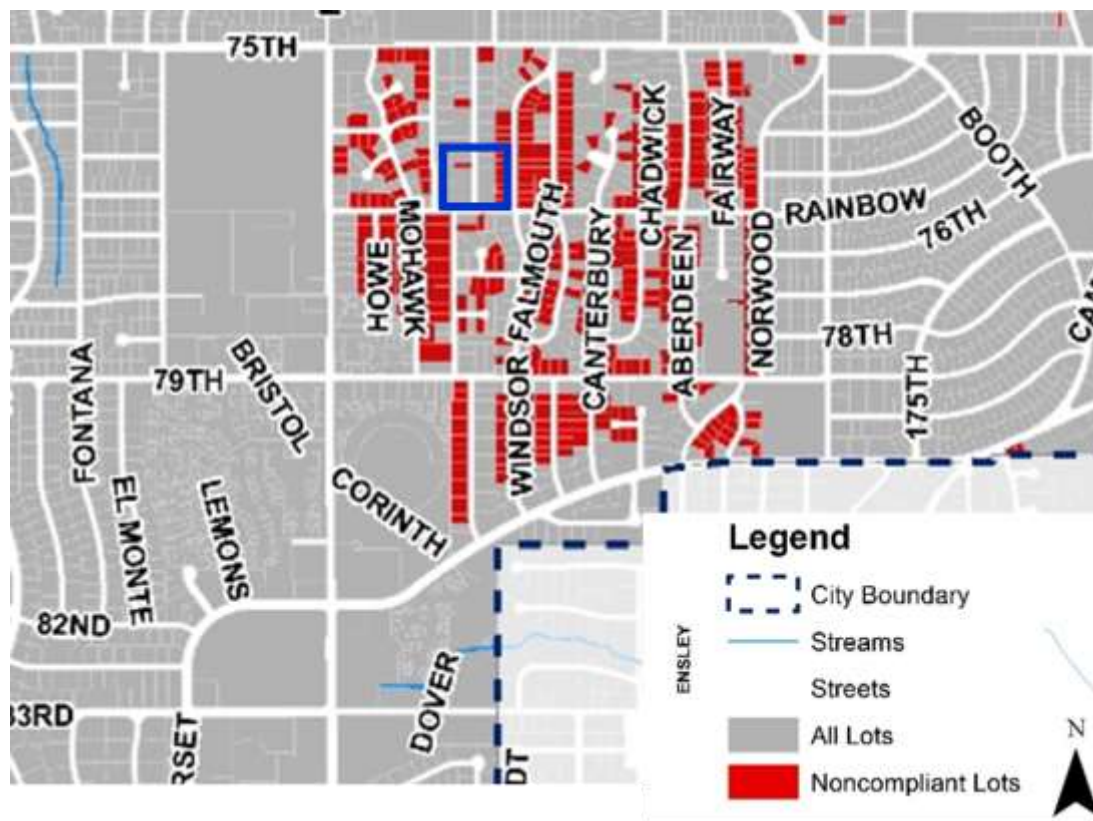
## 2. The zoning and uses of property nearby;

**North:** R-1A Single-family District – Single Family Dwellings  
**East:** R-1A Single-family District – Single Family Dwellings  
**South:** R-1A Single-family District – Single Family Dwellings  
**West:** R-1A Single-family District – Single Family Dwellings

All of the property in the general vicinity is zoned R-1A, with the exception of some property along the 75<sup>th</sup> Street Corridor or Mission Road zoned for commercial, multi-family, or planned residential projects, and the 2018 rezoning to R-1B at 7540 Reinhardt. Property further to the east (east of Norwood Street) and north of 75<sup>th</sup> Street is zoned R-1B.



The vicinity has many lots that do not conform to the R-1A zoning districts. This is likely due to the platting and buildings being built prior to the adoption of the zoning ordinance. Non-conformances are typically for lots less than 80 feet wide or less than 10,000 square feet, or both. The majority of these exist on the blocks immediately to the east (Windsor Street and Falmouth Street) and west and southwest (Mohawk Street and Howe) of this area. The lots on Reinhardt are typically conforming to R-1A, although one lot to the north on the west side is non-conforming due to its width (70' x 138'; approximately 9,672 s.f.), and the two new 64' x 138' lots next to it which conform to the R-1B standards, not reflected on this map.



*Non-conforming Lots*

**3. The suitability of the property for the uses to which it has been restricted under its existing zoning;**

The property is zoned R-1A, which requires a minimum lot width of 80 feet and a minimum area lot of 10,000 sq. ft. The lot is 140 feet deep by 120 feet wide. The lot is suitable for a residential lot, despite being larger than required by the zoning district. There are many examples of lots this size in the R-1A zoning district. These are most prevalent in the south area of the City. However, there are several lots of a similar size in the area and on this block that are currently used for single-family homes.

**4. The extent that a change will detrimentally affect neighboring property;**

The applicant is proposing two single-family homes, which is generally consistent with uses in the area. However, the rezoning and lot split would allow lots smaller than any lots on this block, although it is comparable to some of the smallest non-conforming lots in the vicinity. Additionally, the R-1B zoning category does allow taller buildings than generally exist in this area (29' / 2-story from the top of foundation, compared to the typical 1-story, 1.5 story or split-levels). Although this is lower than what is currently allowed under existing R-1A zoning (35' / 2.5 stories), the potential to build to this extent on two smaller lots could change the effect on the area both in terms of what is built on lots comparable in size to this one in the area, and what could be built under existing R-1A zoning. However, the effect on what could be built adjacent to either property boundary is not

that significant – the current R-1A zoning requires a 1-foot greater side setback (7-feet as opposed to 6-feet in R-1B), but allows 6-feet of additional height (35-feet as opposed to 29-feet in R-1B.) The applicant has proposed site plans with building footprints and house plans including building elevations for what he anticipates building under the R-1B rules.

**5. The length of time of any vacancy of the property;**

The existing residence was built in 1953, so the property has not been vacant, but the structure is one of the older homes in the area.

**6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;**

The existing home on the site is small relative to the lot (1,380 s.f. building), and the vicinity is experiencing re-investment through rehabilitation and new development. The approval of this request will permit redevelopment that will increase the value of this site, and make it more practical to build two moderate-sized single-family homes on smaller lots. This is generally consistent with the use and patterns in the vicinity, though smaller than most lots on this block. Additionally, any new structures will be required to meet the Neighborhood Design Standards that were adopted in 2018, and are comparable for both R-1A zoning districts and R-1B zoning districts.

**7. City staff recommendations;**

The proposed rezoning of this site may make sense to promote this redevelopment, and general reinvestment in the neighborhood. Typically, rezoning property for site-specific applications should be avoided, unless specifically called for under a plan or clearly justified through a site-specific analysis. Many of the justifications for this rezoning are applicable to other property in the vicinity. However, the impact of a potential larger-scale rezoning of the area has not been considered under the comprehensive plan or through a specific plan or detailed analysis for the area. Recent similar applications, and recent discussions regarding comprehensive plan updates regarding housing dealt with adding more diversity of lot and building types in areas similar to this to address rising land costs. Further, the conditions in the area that support rezoning (smaller lots with 60' to 70' frontages) are not typical on this specific block, so the City may anticipate future similar requests and the cumulative impact of such redevelopment activity in this area.

While pending updates to the comprehensive plan may warrant further consideration of the appropriate zoning in this area, and the application of a wider range of building types to areas similar as this, there are many of the site-specific considerations present that support rezoning. These considerations are reflected in the other seven criteria in this report, which the Planning Commission is required to consider. In particular, the Planning Commission should eventually evaluate the zoning designation of this entire area, based on outcomes in the Comprehensive Plan update, and determine if R-1A zoning is appropriate or what other zoning actions may be appropriate. In this regard, and similar to the 2018 rezoning at the north end of this block, the Commission may consider approval of this application the part of a broader reclassification of the general area. As part of that broader, and more comprehensive strategy, staff recommends approval of this rezoning.

**8. Conformance with the Comprehensive Plan;**

The Policy Foundation for the comprehensive plan includes the following:

- **Community Character and Activities:** Provide an attractive, friendly and safe community with a unique village identity appealing to the diverse community population.
- **Housing:** Encourage neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages and incomes.

The Conceptual Development Framework maps areas of the City for specific implementation strategies associated with the Policy Foundation. This area is mapped as Neighborhood Conservation, which includes the following specific policies and goals:

- Examine zoning regulations to determine where the uniform lot and building standards restrict the amount of land available to accommodate building expansion.
- Create basic building design standards that can protect the character of neighborhoods.
- Consider financial incentives where home renovations are not possible through traditional financing or other qualified home improvement programs.
- Allow for more compact housing or different and more dense housing options along major thoroughfares.

In contrast, the Neighborhood Improvement areas identified in the Conceptual Development Framework have more proactive strategies for reinvestment, redevelopment or code enforcement based on specific neighborhood initiated plans for investment and/or redevelopment.

Other implementation actions and policy statements in the plan include:

- Permitting higher density, primarily near existing commercial areas or along arterial corridors.
- Keeping neighborhoods vibrant by encouraging home renovation and housing investment.
- Allowing housing variety throughout the City, while maintaining distinct neighborhood character within specific neighborhoods

### **ANALYSIS – LOT SPLIT:**

Chapter 18.02 of Prairie Village subdivision regulations allows the Planning Commission to approve splits provided each lot meets the zoning standards. Section 18.02.010 of the subdivision regulations provide the criteria for approval of a lot split. Essentially, the applicant must submit a certificate of survey demonstrating that both lots will meet the zoning ordinance standards and that any existing buildings on a remaining lot are not made nonconforming as a result of the lot split. The certificate of survey is also required to ensure that no utility easement or right-of-way issues are created by the lot split or need to be addressed due to the lot split.

In this case, the proposed lot split will not meet width required in R-1A, and the applicant has proposed an associated rezoning to R-1B. If the Planning Commission recommends approval and the City Council approves the proposed rezoning, then proposed lot split would meet all criteria of the ordinance and should be approved. However, if the Planning Commission recommends denial or the City Council does not approve the rezoning, then the proposed lot split does not meet these criteria and should be denied.

### **RECOMMENDATION:**

Staff's recommendation is contingent on the Planning Commission's action on the associated zoning application:

1. If the Planning Commission recommends approval of the proposed rezoning from R-1A to R-1B, then it should approve the proposed lot split based on the following conditions:
  - a. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
  - b. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
    - 1) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
    - 2) The dimension and location of the lots, including a metes and bounds description of each lot.
    - 3) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.

- 4) Any platted building setback lines with dimensions.
  - 5) Indication of location of proposed or existing streets and driveways providing access to said lots.
  - 6) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines , and proposed drainage systems. (Staff recommends waiver of topography)
  - 7) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.
- c. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.
2. If the Planning Commission recommends denial of the proposed rezoning from R-1A to R-1B, then it should table the lot split application until a final decision by the City Council. Denial of the rezoning by the City Council should result in the withdrawal of the application. However, approval of the rezoning by City Council should result in the Planning Commission considering the application subject to the criteria in the regulations and analysis in this staff report.

#### **EFFECT OF DECISION:**

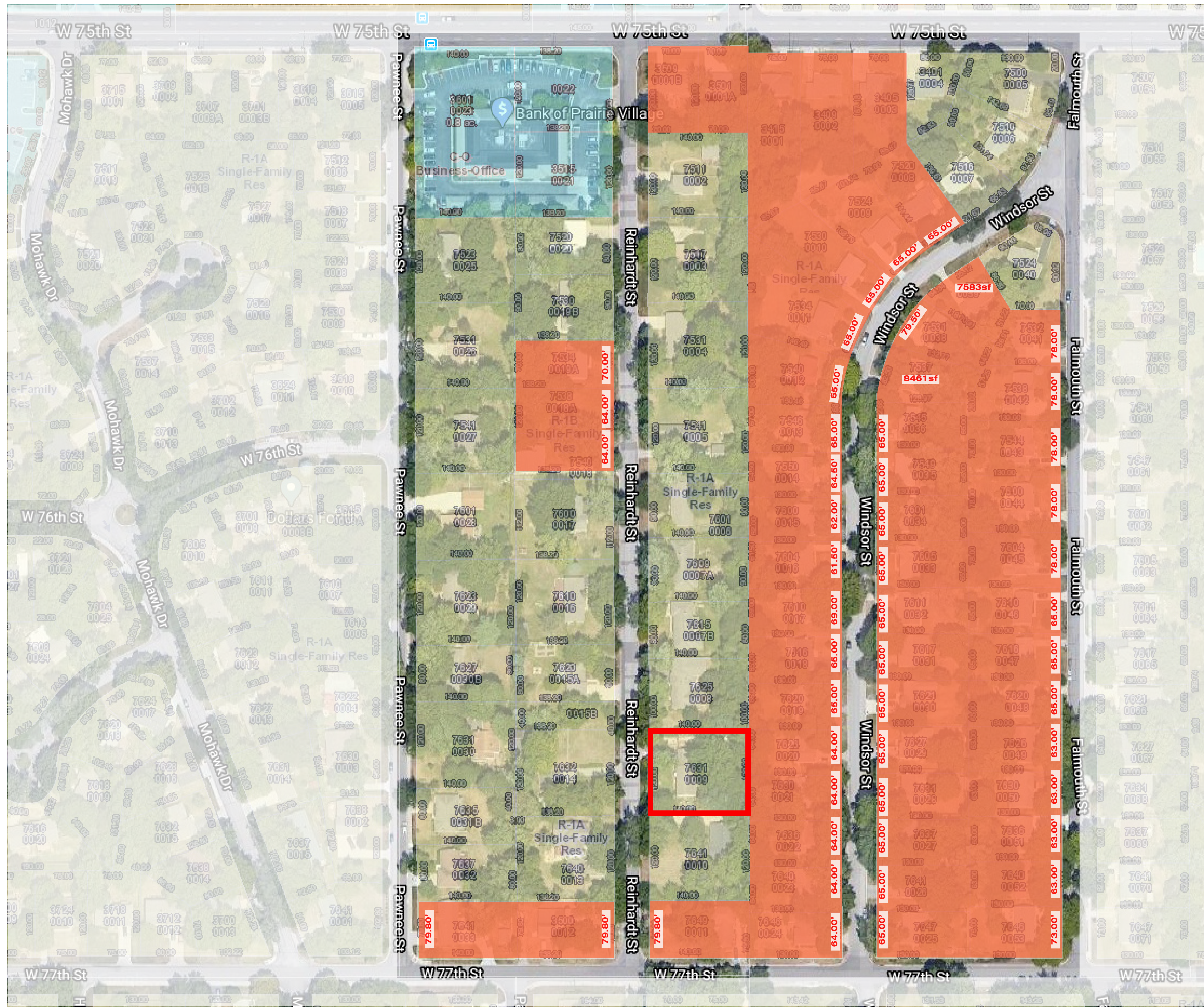
**Rezoning.** The Planning Commission makes a recommendation to the City Council on the rezoning. The City Council will make a final decision, according to the following:

- Approve the Planning Commission recommendation by a majority vote (including any conditions if the recommendation was for approval subject to conditions).
- Return to Planning Commission with direction to reconsider specific actions, either by a majority vote or by failure to approve the Planning Commission recommendation.
- Override or modify the Planning Commission recommendation by at least a 2/3 vote of the membership of the governing body.

If a valid protest is filed with the City Clerk within 14 days of the close of the public hearing, the City Council may only approve the application with a 3/4 vote of the membership of the governing body.

If approved by the Planning Commission and City Council, the applicant may submit building plans for permits according to the R-1B designation, and the Neighborhood Design Standards required in R-1A and R-1B zoning districts.

**Lot Split.** The Planning Commission makes the final decision on lot splits. If approved the applicant shall submit a certificate of survey for the new lots to be recorded with the Register of Deeds of Johnson County, and may apply for building permits according to the new lot boundaries. A denial by the Planning Commission may be appealed to the City Council.



- R-1A Zoning**  
(Residential, Single Family, Large Lot)
- R-1B Zoning**  
(Residential, Single Family, Small Lot)
- C-0 Zoning**  
(Business - Office)

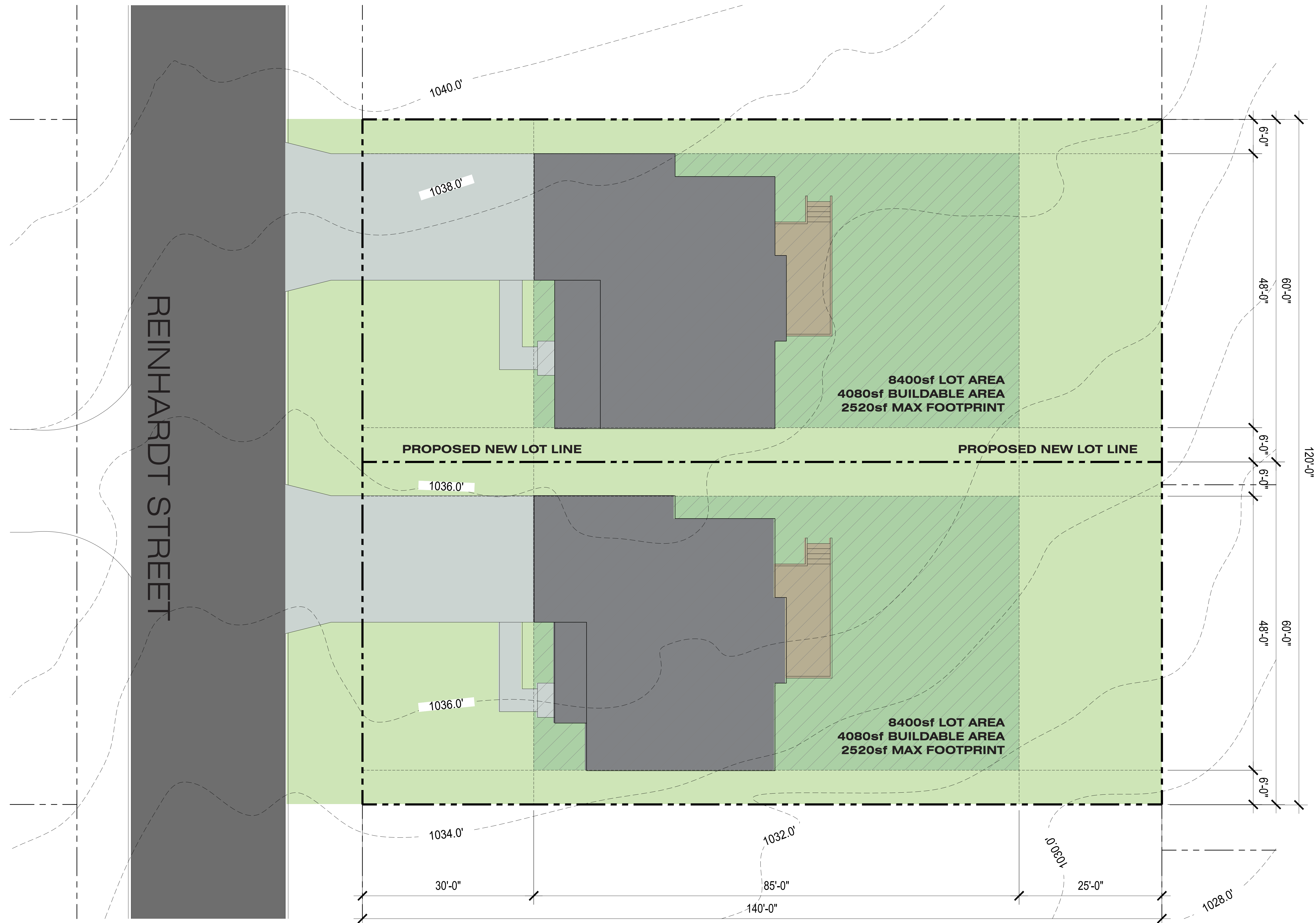
**Residential Lot Summary**  
Pawnee Street to Falmouth Street  
75th Street to 77th Street


- R-1A Zoning
  - Minimum Lot Width | 80.00'
  - Minimum Lot Depth | 125.00'
  - Minimum Lot Area | 10,000 SF
- R-1B Zoning
  - Minimum Lot Width | 60.00'
  - Minimum Lot Depth | 100.00'
  - Minimum Lot Area | 6,000 SF

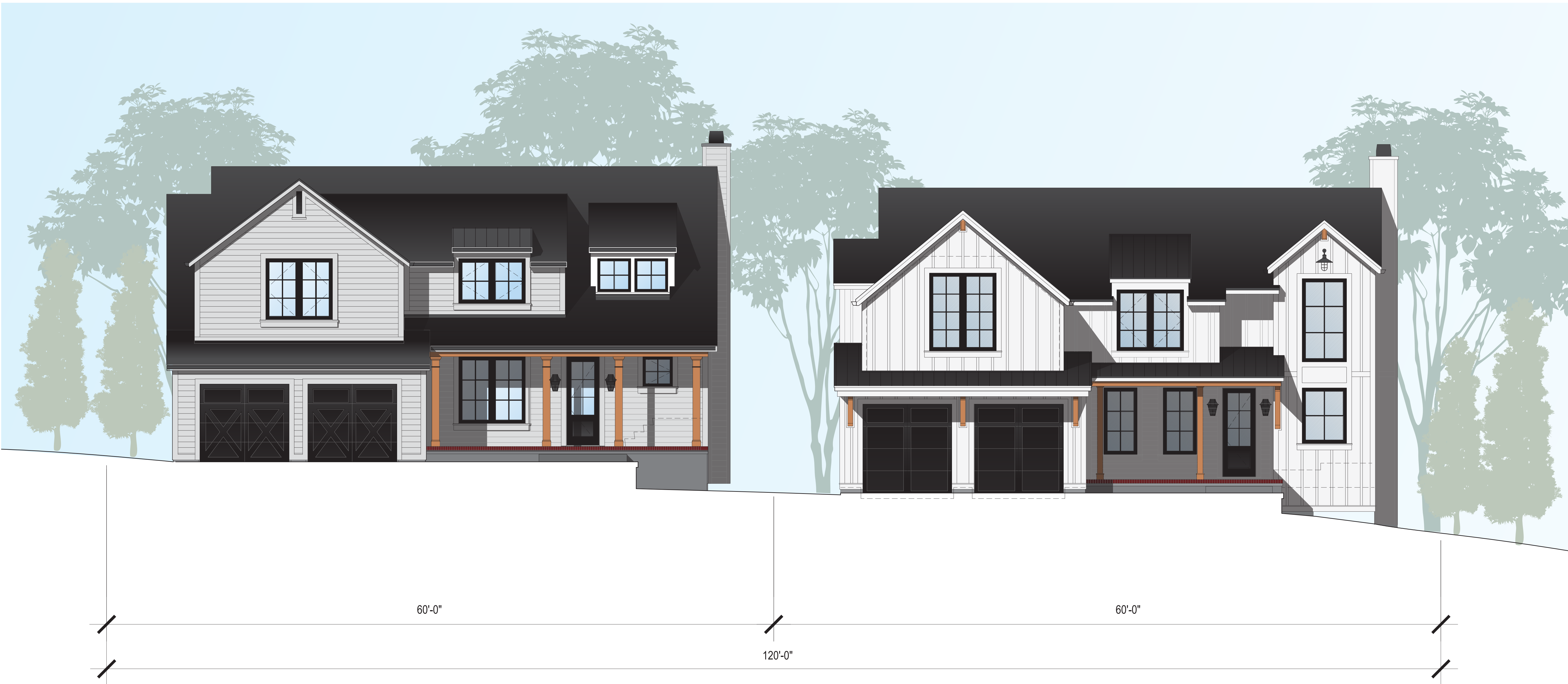
85 Parcels Reviewed  
56 Parcels Non-Conforming  
Due To ...

- Shortened Lot Width
- Shortened Lot Area





Overall Site Plan  
 Scale: 1/8" = 1'-0" 



Proposed Model Home Elevations  
Scale: 1/4" = 1'-0"



[IoCo Home](#) > [AIMS Home](#) > [Internet Maps](#)

200 foot buffer (5.66 acres)  
 Buffer search returned 32 properties  
[Download as Mailing Labels](#)

No.	Property ID	Area (ft <sup>2</sup> )	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Billing Name	Billing Name2	Billing A
1	OP14000000 0027	8,276	0.19	7637 WINDSOR DR	SCHROEDER, ROBERT K	SCHROEDER, RUTHANNE	3513 W 92ND TER	LEAWOOD, KS 66206			
2	OP14000000 0018	8,276	0.19	7616 WINDSOR DR	SIEGMAN, TAYLOR		7616 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
3	OP14000000 0023	8,276	0.19	7640 WINDSOR DR	SDC HOLDING LLC		7640 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
4	OP14000000 0029	8,276	0.19	7627 WINDSOR DR	RUIZ-GONZALEZ, ANTONIO D J		7627 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
5	OP14000000 0020	8,276	0.19	7626 WINDSOR DR	BOWLING, RYAN L.	BOWLING, LAURA E.	7626 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
6	OP14000000 0016	8,276	0.19	7604 WINDSOR DR	GREEN, CODY W.	GREEN, JUSTIN L.	2901 W 71ST ST	PRAIRIE VILLAGE, KS 66208			
7	OP14000000 0019	8,712	0.20	7620 WINDSOR DR	HARRIS, KATHERINE A		7620 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
8	OP14000000 0026	8,276	0.19	7641 WINDSOR DR	AU, DANIEL M		7641 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
9	OP73000000 0032	11,326	0.26	7637 PAWNEE ST	COOPER, CHARLES W. TRUSTEE	COOPER, SONDR KAY TRUSTEE	7637 PAWNEE ST	PRAIRIE VILLAGE, KS 66208			
10	OP73000000 0030	16,988	0.39	7631 PAWNEE ST	CLARK, ROBERT M. JR	CLARK, BETTY J.	7631 PAWNEE ST	PRAIRIE VILLAGE, KS 66208			
11	OP73000000 0011	11,326	0.26	7649 REINHARDT ST	STRANGE, PAUL A.	STRANGE, MARY E.	7649 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
12	OP73000000 0012	10,890	0.25	3500 W 77TH ST	KAUFFMAN, MATTHEW		3500 W 77TH ST	PRAIRIE VILLAGE, KS 66208			
13	OP14000000 0022	8,276	0.19	7636 WINDSOR DR	HALL, ALICE H. TRUSTEE	HALL, ALICE H. TRUST	27027 W 77TH ST	SHAWNEE, KS 66227			
14	OP14000000 0017	9,148	0.21	7610 WINDSOR DR	SPAL, MICHAEL P.		7119 ROBINSON ST	OVERLAND PARK, KS 66204			
15	OP14000000 0021	8,276	0.19	7630 WINDSOR DR	KRZESINSKI, ROSE A.	KRZESINSKI, ROSE ANN	7630 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
16	OP14000000 0024	8,276	0.19	7646 WINDSOR DR	BECKER, KEN A.	BECKER, LAURA L.	7646 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
17	OP14000000 0031	8,276	0.19	7617 WINDSOR DR	GANTERT, JAMES L. TRUST	EE	7617 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
18	OP73000000 0008	13,939	0.32	7625 REINHARDT ST	MANKAMEYER, MATTHEW S	MANKAMEYER, ELIZABETH M	7625 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
19	OP73000000 0031B	10,890	0.25	7635 PAWNEE ST	MARNETT, JOHN T.	MARNETT, PATTI S.	7635 PAWNEE ST	PRAIRIE VILLAGE, KS 66208			
20	OP73000000 0015A	10,890	0.25	7620 REINHARDT ST	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
21	OP73000000 0030B	11,326	0.26	7627 PAWNEE ST	RAHE, RACHEL M.	RAHE, KATINA L.	7627 PAWNEE ST	PRAIRIE VILLAGE, KS 66208			
22	OP73000000 0007A	12,632	0.29	7609 REINHARDT ST	S C NELSON PROPERTIES LLC		11514 S CARBONDALE ST	OLATHE, KS 66061			
23	OP14000000 0030	8,276	0.19	7621 WINDSOR DR	COOLBAUGH, KAREN S.		7621 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
24	OP14000000 0028	8,276	0.19	7631 WINDSOR DR	THOMAS, ANDREW	THOMAS, CASEY	7631 WINDSOR DR	PRAIRIE VILLAGE, KS 66208			
25	OP73000000 0010	16,553	0.38	7641 REINHARDT ST	GARCIA, CARLOS	DIAZ, MARIA T	7641 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
26	OP73000000 0016	16,553	0.38	7610 REINHARDT ST	BECKLOFF, MICHAEL C	BECKLOFF, KATHLEEN A	14108 CANTEBURY ST	LEAWOOD, KS 66224	MICHAEL&KATHLEEN BECKLOFF		14108 CAI
27	OP73000000 0013	16,553	0.38	7640 REINHARDT ST	BORTOLOTTI-MELO, JAVIER	RODRIGUEZ, ANA M.	7640 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
28	OP73000000 0015B	5,663	0.13	0 NS NT	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
29	OP73000000 0031C	0	0.00	0 NS NT	PATTERSON, EMILY E.		12712 EL MONTE ST	LEAWOOD, KS 66209			
30	OP73000000 0014	16,553	0.38	7632 REINHARDT ST	PATTERSON, EMILY E.		7632 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
31	OP73000000 0007B	11,326	0.26	7615 REINHARDT ST	DOPSON, FREDRICK L.	DOPSON, CHERYL K.	7615 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			
32	OP73000000 0009	16,553	0.38	7631 REINHARDT ST	ESRY, RITA		7631 REINHARDT ST	PRAIRIE VILLAGE, KS 66208			

Total Area of Parcels: 7.70 acres (335,412 ft<sup>2</sup>)  
 Selected Property

MOJO Built, LLC  
 Neighborhood Meeting  
 7631 Reinhardt Street - Lot Split  
 Sign In List  
 May 20th, 2020  
 5:00pm  
 Harmon Park Shelter

Required Per City of Prairie Village

Required Per Covid-19 Guidelines

Name	Physical Address	Email Address	Phone Number
Pat Boppart MOJO	5224 Knox Street, Merriam, KS 66203	pat.boppart@moffitbuilt.com	(913) 927-4127
ADAM FEFFER MOJO Architect	12214 W. 79th TERR	ADAM@ADPSTUDIOS.COM	785-650-3563
Alison Chaplick MOJO	-	alison.chaplick@moffittrealty.com	913-777-1413
Joe Woods MOJO	5300 College Blvd OPKS 66211	joe-woods@moffittrealty.com	913-980-4797
Tim Marneff Neighbor	7635 Pawnee		
Bob & Betty Clark Neighbor	7631 "	bobclarkkc@msn.com	
			913-648-7355
John H. Moffitt III MOJO	5300 College Blvd.	jmoftt@moffittrealty.com	913 927 0039

Meeting Minutes  
Neighborhood Meeting for 7631 Reinhardt St  
May 20,2020

Meeting begins at 5pm at Harmon Park

In Attendance:

John Moffit, MOJO Built  
Joe Woods, MOJO Built  
Pat Boppart, MOJO Built  
Adam Pfeifer, NSPJ Architects  
Alison Chaplick, Moffitt Realty  
Bob and Betty Clark, 7631 Pawnee  
Tim Marnett, 7635 Pawnee

Issues Raised:

1. What are the required lot sizes?
2. Is MOJO building other homes in the area?
3. What is the distance between homes?
4. What is the rear yard set back?
5. What are the prices of these homes?
6. How much does it cost to build per sq. ft.?
7. What is the attraction to the area?
8. Noise concerns, construction times allowed?
9. How long will it take to complete the project?

Response / Resolution

60 Feet wide.  
Yes. Example are the two up the street.  
12' minimum, most of the time more.  
25' minimum, most of the time more.  
\$750,000 -\$950,000.  
Varies widely, but around \$1.90 per sf.  
Schools and shopping.  
7:00am to 7:00pm.  
Eight to twelve months.

All questions were answered.

Meeting was adjourned at 6pm.

**EXCERPT OF PLANNING COMMISSION MINUTES  
JUNE 2, 2020**

**PC2020-106            Rezoning and Request for Lot Split  
7631 Reinhardt Street  
Current Zoning: R-1A  
Requested Zoning: R-1B  
Applicant: Mojo Built, LLC**

Mr. Brewster stated that the property was on a block with many non-conforming lots. Most of the lots were zoned R1-A, but the Planning Commission had approved a rezoning and lot split on the north end of the street to R-1B in 2018.

Mr. Brewster reminded Planning Commission members that a rezoning required them to evaluate facts, weigh evidence, and make a recommendation to the City Council based on balancing the “Golden Factors” outlined in the zoning ordinance:

1. The character of the neighborhood
2. The zoning and uses of property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property
5. The length of time of any vacancy of the property
6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners
7. City staff recommendations
8. Conformance with the Comprehensive Plan

Mr. Breneman asked how the proposed lot widths would compare to the lot split that was completed in 2018. Mr. Brewster stated that the prior lot split resulted in two 64’ wide lots, whereas this lot split would result in two 60’ wide lots, which met R-1B requirements. Mr. Lenahan asked why the area had originally been zoned R-1A since most of the lots were non-conforming. Mr. Brewster stated that it was unclear, but could have been due to the large lot sizes.

John Moffitt, applicant and co-owner of Mojo Built, was present to speak to the Commission. He noted that the company had constructed the current homes on the lots that had been rezoned and split in 2018.

Mr. Wolf opened the public hearing at 7:20 p.m. With no comments received and no one attending the Zoom meeting to speak, Mr. Wolf closed the public hearing at 7:21 p.m.

**Based on the Planning Commission’s consideration of the Golden factors, Mr. Valentino made a motion to recommend approval of the rezoning to the City Council. Ms. Brown seconded the motion, which passed unanimously.**

**Mr. Valentino made a motion to approve the lot split with the following conditions:**

1. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
2. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
  - a) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
  - b) The dimension and location of the lots, including a metes and bounds description of each lot.
  - c) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
  - d) Any platted building setback lines with dimensions.
  - e) Indication of location of proposed or existing streets and driveways providing access to said lots.
  - f) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines, and proposed drainage systems. (Staff recommends waiver of topography)
  - g) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.
3. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.

**Ms. Brown seconded the motion, which passed unanimously.**

# STAFF REPORT

**TO:** Prairie Village Board of Zoning Appeals  
**FROM:** Chris Brewster, Gould Evans, Planning Consultant  
**DATE:** July 7, 2020

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**Application:** PC 2020-108

**Request:** Lot Split for Separate Ownership of Duplex

**Action:** *A Lot Spit requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application.*

**Property Address:** 3909 W. 85<sup>th</sup> Street

**Applicant:** R.L. Buford & Assoc., Kevin Green, for KGH Building Group

**Current Zoning and Land Use:** R-1A Single-Family Residential - Single-Family Dwellings

**Surrounding Zoning and Land Use:** North: R-1A/SUP Adult Senior Dwellings  
East: R-1A Single-Family District – Single Family Dwellings (Leawood) R-1 Single-Family Residential – Single Family Dwellings  
South: R-1A Single-Family Residential - Single-Family Dwellings  
West: R-1A Single-Family Residential – Vacant, Under Construction for more similar twin villas

**Legal Description:** LOT 9 MISSION CHATEAU 2<sup>ND</sup> PLAT

**Property Area:** 0.71 acres (31,040.23 s.f)

**Related Case Files:** PC 2019-101 Final Plat for Mission Chateau 2<sup>nd</sup> Plat – Replat of Lot 10  
PC 2016-119 Final Plat for Mission Chateau 2<sup>nd</sup> Plat – Replat of Lot 2  
PC 2015-110 Preliminary and Final Plat, & Final Development Plan  
PC 2015-08 Special Use Permit for Adult Senior Dwellings & Preliminary Development Plan  
PC 2013-127 Preliminary Plat  
PC 2013-126 Site Plan Approval for Adult Senior Dwellings  
PC 2013-11 Special Use Permit for Adult Senior Dwellings  
PC 2013-05 Special Use Permit for Adult Senior Dwellings  
PC 2013-114 Site Plan Approval for Adult Senior Dwellings  
PC 2004 Monument Sign  
PC 1995-104 Site Plan Approval for Expansion of Mission Valley Middle School

**Attachments** Application, certificate of survey

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**General Location Map**



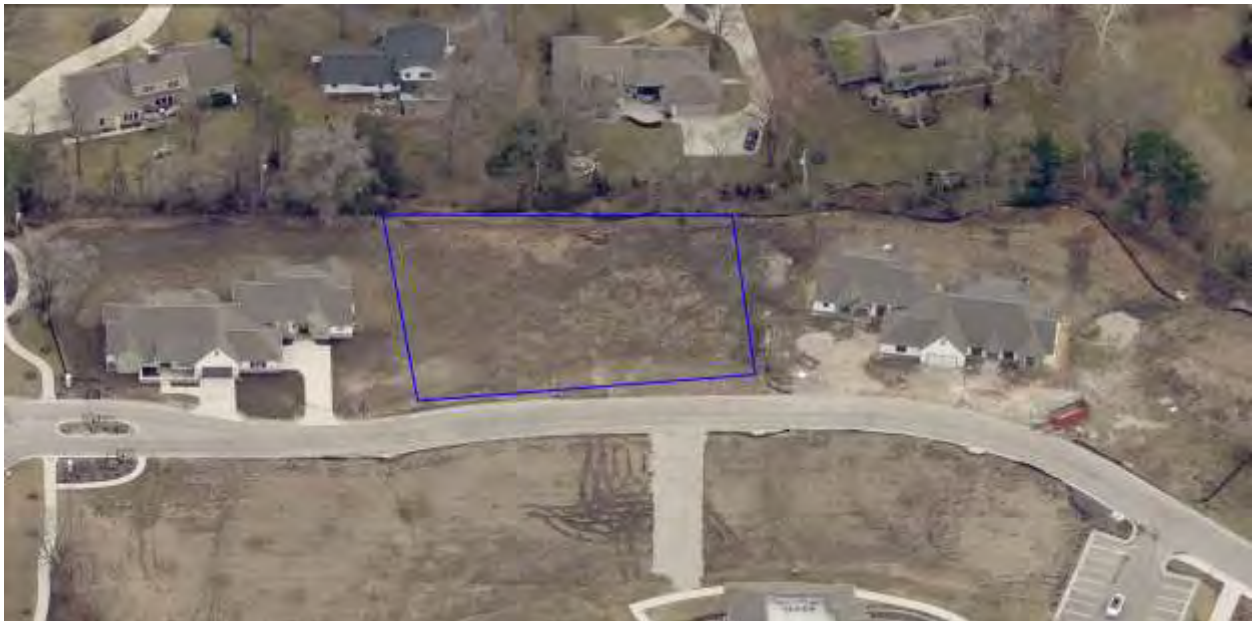
**Aerial Map**



**Aerial Site**



**Birdseye View**



**Street Views**



*Street view looking west from Mission Road at 85<sup>th</sup> Street*

**SUMMARY:**

The applicant is requesting to split an existing lot into two lots to allow the individual ownership of each side of a single duplex building (“villas”). This property is part of an overall development project for Adult Senior Dwellings that includes a Special Use Permit and Final Development Plan.

The Planning Commission recommended approval of a Special Use Permit, Site Plan approval and a Preliminary Plat at a Special Meeting on July 29, 2015. The City Council approved both recommendations on August 17, 2015 (PC 2015-08).

The Planning Commission approved a preliminary, final plat and final development plan for Mission Chateau at the March 1, 2016 meeting. (PC 2015-110). At this time, it was understood that the large lot to the south would be re-platted at a future date to facilitate the construction and sale of the villas, according to the final development plan. A final plat (Mission Chateau 2<sup>nd</sup> Plat) for Lots 3 through 13 for each of the twin villa lots was approved by the Planning Commission in July 2016 and accepted by the City Council. (PC-2016-119) Each of these lots included a two-unit building.

As part of the Special Use Permit and Final Development Plan, it was understood that the twin villas would be individually owned, and a subsequent administrative step would be necessary to facilitate recording of documents to allow sale and individual ownership of each unit in each of the twin villa buildings. A similar application was filed in November 2018 for a split at 3901 and 3905 West 85<sup>th</sup> Street and February 2019 for a split at 4001 and 4005 West 85<sup>th</sup> Street.

**ANALYSIS:**

Section 18.02.010 of the subdivision regulations provides the criteria for approval of a lot split. Essentially the applicant must submit a certificate of survey demonstrating that both lots will meet the zoning ordinance standards and that any existing buildings on a remaining lot are not made nonconforming because of the lot split. The certificate of survey is also required to ensure that there are no issues with utility easements or rights-of-way that are created by the lot split or need to be addressed due to the lot split.

Section 18.02.010 also requires that applicants for a lot split submit a certificate of survey with the following information:

- a. The location of existing buildings on the site.
- b. The dimension and location of the lots, including a metes and bounds description of each lot.
- c. The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
- d. Any platted building setback lines with dimensions.
- e. Indication of location of proposed or existing streets and driveways providing access to said lots.
- f. Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines , and proposed drainage systems.
- g. Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.

All of this information is included on the survey certificate submitted by the applicant from R.L Buford & Associates, with a certification date of 5/15/2020. It specifies that LOT 9 be divided into Tract I (3913 W. 85<sup>th</sup> Street, 0.34 acres) and Tract II (3909 W. 85<sup>th</sup> Street, 0.38 acres), with the division of the tracts occurring along the party wall of the attached unit.

In this case, the property is zoned R-1A; however, the twin villa lots are permitted as part of an overall project for Adult Senior Dwellings through a Special Use Permit and Final Development Plan. Therefore, the development standards associated with the Special Use Permit and Final Development Plan are used,

July 7, 2020

rather than the basic R-1A standards. The twin villas are also subject to design plans approved as a condition of the original Final Development Plan and indicated on all plat approvals.

The twin villa constructed on Lot 9 meets all requirements of the Special Use Permit and Final Development Plan (approved in July 2015), and the Final Plat (approved March 2016). The proposed lot split will entail no physical changes to the site or buildings, and is merely a mechanism to facilitate individual ownership of the units as anticipated.

**RECOMMENDATION:**

Staff recommends that the Planning Commission approve the lot split subject to the following conditions:

1. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of an occupancy permit.
2. That each of the resulting lots and the building continue to be subject to all conditions of approval of the Special Use Permit, Preliminary and Final Development Plans, and Final Plat, as well as the covenants recorded with the previous final plat.

App# 0023092  
Cust# 018956



**CITY OF PRAIRIE VILLAGE**  
*The Star of Kansas*

### Planning Commission Application

For Office Use Only
Case No.: <u>PC2020-108</u>
Filing Fee: <u>\$100.00</u>
Deposit: <u>\$500.00</u>
Date Advertised:
Date Notices Sent:
Public Hearing Date:

Please complete this form and return with information requested to:

Assistant City Administrator  
City of Prairie Village  
7700 Mission Rd.  
Prairie Village, KS 66208

Applicant: R.L. BUFORD & ASSOC. Phone Number: 816-741-6152 (ROB YOUNG)

Address: PO BOX 14069, PARKVILLE, MD 64152 E-Mail rob@rlbuford.com

Owner: KGH BUILDING GROUP Phone Number: 816-407-7500 (KEVIN GREEN)

Address: 6610 ROYAL ST., PLEASANT VALLEY, MO Zip: 64068

Location of Property: 3909 & 3913 W. 85th ST.

Legal Description: LOT 9, MISSION CHATEAU

Applicant requests consideration of the following: (Describe proposal/request in detail) LOT SPLIT TO SEPARATE DUPLEX

#### AGREEMENT TO PAY EXPENSES

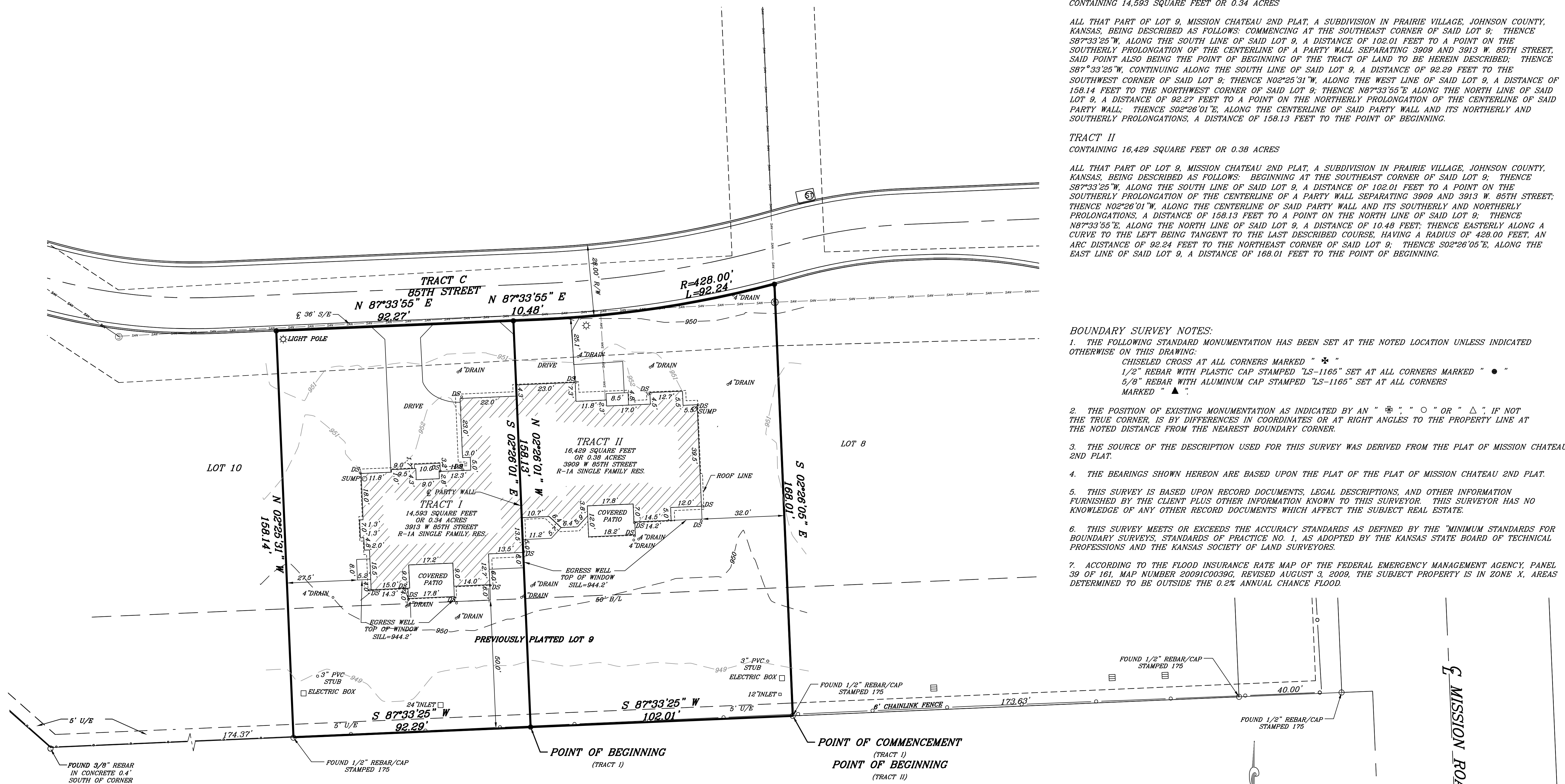
APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for LOT SPLIT

As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

[Signature] 4-16-2020  
Applicant's Signature/Date

\_\_\_\_\_  
Owner's Signature/Date



**PROPERTY DESCRIPTIONS**

**PARENT PARCEL:**  
 LOT 9, MISSION CHATEAU 2ND PLAT, A SUBDIVISION IN PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS

**TRACT I**  
 CONTAINING 14,593 SQUARE FEET OR 0.34 ACRES

ALL THAT PART OF LOT 9, MISSION CHATEAU 2ND PLAT, A SUBDIVISION IN PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE S87°33'25"W, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 102.01 FEET TO A POINT ON THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF A PARTY WALL SEPARATING 3909 AND 3913 W. 85TH STREET; SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE TRACT OF LAND TO BE HEREIN DESCRIBED; THENCE S87°33'25"W, CONTINUING ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 92.29 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE N02°25'31"W, ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 158.14 FEET TO THE NORTHWEST CORNER OF SAID LOT 9; THENCE N87°33'55"E ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 92.27 FEET TO A POINT ON THE NORTHERLY PROLONGATION OF THE CENTERLINE OF SAID PARTY WALL; THENCE S02°26'01"E, ALONG THE CENTERLINE OF SAID PARTY WALL AND ITS NORTHERLY AND SOUTHERLY PROLONGATIONS, A DISTANCE OF 158.13 FEET TO THE POINT OF BEGINNING.

**TRACT II**  
 CONTAINING 16,429 SQUARE FEET OR 0.38 ACRES

ALL THAT PART OF LOT 9, MISSION CHATEAU 2ND PLAT, A SUBDIVISION IN PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 9; THENCE S87°33'25"W, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 102.01 FEET TO A POINT ON THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF A PARTY WALL SEPARATING 3909 AND 3913 W. 85TH STREET; THENCE N02°26'01"W, ALONG THE CENTERLINE OF SAID PARTY WALL AND ITS SOUTHERLY AND NORTHERLY PROLONGATIONS, A DISTANCE OF 158.13 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 9; THENCE N07°33'55"E, ALONG THE NORTH LINE OF SAID LOT 9, A DISTANCE OF 10.48 FEET; THENCE EASTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 428.00 FEET, AN ARC DISTANCE OF 92.24 FEET TO THE NORTHEAST CORNER OF SAID LOT 9; THENCE S02°26'05"E, ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 168.01 FEET TO THE POINT OF BEGINNING.

**BOUNDARY SURVEY NOTES:**

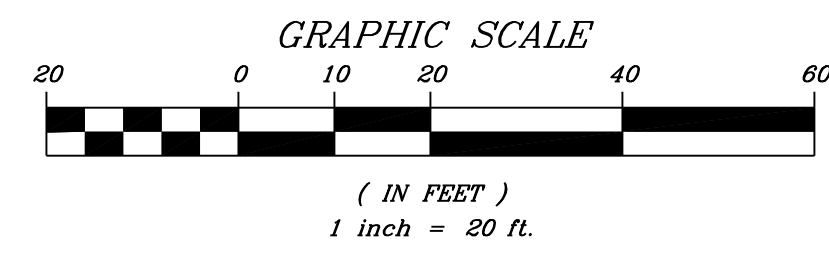
1. THE FOLLOWING STANDARD MONUMENTATION HAS BEEN SET AT THE NOTED LOCATION UNLESS INDICATED OTHERWISE ON THIS DRAWING:  
 CHISELED CROSS AT ALL CORNERS MARKED " \* " \* "  
 1/2" REBAR WITH PLASTIC CAP STAMPED "LS-1165" SET AT ALL CORNERS MARKED " • " \* "  
 5/8" REBAR WITH ALUMINUM CAP STAMPED "LS-1165" SET AT ALL CORNERS MARKED " ▲ " \* "
2. THE POSITION OF EXISTING MONUMENTATION AS INDICATED BY AN " \* ", " • " OR " ▲ ", IF NOT THE TRUE CORNER, IS BY DIFFERENCES IN COORDINATES OR AT RIGHT ANGLES TO THE PROPERTY LINE AT THE NOTED DISTANCE FROM THE NEAREST BOUNDARY CORNER.
3. THE SOURCE OF THE DESCRIPTION USED FOR THIS SURVEY WAS DERIVED FROM THE PLAT OF MISSION CHATEAU 2ND PLAT.
4. THE BEARINGS SHOWN HEREON ARE BASED UPON THE PLAT OF THE PLAT OF MISSION CHATEAU 2ND PLAT.
5. THIS SURVEY IS BASED UPON RECORD DOCUMENTS, LEGAL DESCRIPTIONS, AND OTHER INFORMATION FURNISHED BY THE CLIENT PLUS OTHER INFORMATION KNOWN TO THIS SURVEYOR. THIS SURVEYOR HAS NO KNOWLEDGE OF ANY OTHER RECORD DOCUMENTS WHICH AFFECT THE SUBJECT REAL ESTATE.
6. THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS AS DEFINED BY THE "MINIMUM STANDARDS FOR BOUNDARY SURVEYS, STANDARDS OF PRACTICE NO. 1, AS ADOPTED BY THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS AND THE KANSAS SOCIETY OF LAND SURVEYORS.
7. ACCORDING TO THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PANEL 39 OF 161, MAP NUMBER 20091C0039C, REVISED AUGUST 3, 2009, THE SUBJECT PROPERTY IS IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD.

**TRACT I CLOSURE**  
 N 5153.0280 E 4284.4587  
 LINE: S87°33'25"W - 92.29'  
 N 5149.0940 E 4192.2525  
 LINE: N02°25'31"W - 158.14'  
 N 5307.0924 E 4185.5606  
 LINE: N87°33'55"E - 92.27'  
 N 5311.0121 E 4277.7473  
 LINE: S02°26'01"E - 158.13'  
 N 5153.0247 E 4284.4618

**TRACT II CLOSURE**  
 N 5157.3761 E 4386.3710  
 LINE: S87°33'25"W - 102.01'  
 N 5153.0278 E 4284.4537  
 LINE: N02°26'01"W - 158.13'  
 N 5311.0152 E 4277.7393  
 LINE: N87°33'65"E - 10.48'  
 N 5311.4604 E 4288.2098  
 CURVE LEFT: ITB: N87°33'55"E - R=428.00' - L=92.24'  
 N 5325.2407 E 4379.2342  
 LINE: S02°26'05"E - 168.01'  
 N 5157.3924 E 4386.3714

**STORMWATER STUDY**  
 PREPARED BY BHC RHODES  
 #021390.00.01  
 REVISED MAY 27, 2016

\* DS = DOWNSPOUT  
 ALL DOWNSPOUTS TO BE  
 PIPED UNDER GROUND TO A  
 POINT A MINIMUM DISTANCE  
 OF 10 FEET FROM THE BUILDING



**DEVELOPER:**  
 KEVIN GREEN HOMES  
 6610 ROYAL STREET  
 PLEASANT VALLEY, MO 64068

SURVEYOR'S CERTIFICATION:  
 I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT "MINIMUM STANDARDS FOR BOUNDARY SURVEYS, STANDARDS OF PRACTICE NO. 1, AS ADOPTED BY THE KANSAS STATE BOARD OF TECHNICAL PROFESSIONS AND THE KANSAS SOCIETY OF LAND SURVEYORS." AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.  
 CHARLES E. KUTZ, PLS-1165  
 5/15/2020  
 DATE

IF THE SURVEYOR'S SEAL IS NOT SHOWN IN THIS DOCUMENT, THIS SURVEY IS A COPY THAT SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS. THIS CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY.

R.L. Buford & Associates, LLC  
 LAND SURVEYING ENGINEERS  
 DEVELOPMENT CONSULTANTS  
 NO. CERT. OF AUTHORITY LICENSE NO. LS-2010031977  
 P.O. BOX 14089, PARKVILLE, MO. 64152 (816) 741-6152  
 SEC.-TWP.-RGE. COUNTY JOB NO.  
 28-12-25 JOHNSON 741-6152  
 DATE FIELD BOOK & PAGE  
 5/15/2020 LOOSE LEAF  
 DRAWN BY  
 JST

FOR  
 KEVIN GREEN  
 LOT SPLIT

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, Gould Evans, Planning Consultant  
**DATE:** July 7, 2020 Planning Commission Meeting

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**Application:** PC 2020-109

**Request:** Site plan review for a fence, with an exception

**Action:** *A Site Plan requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application. Fence standards have specific criteria to evaluate for granting exceptions.*

**Property Address:** 7700 Aberdeen

**Applicant:** Naama Courtemanche

**Current Zoning and Land Use:** R-1A Single-Family District - Single-Family Dwelling

**Surrounding Zoning and Land Use:** North: R-1A Single-Family District – Single-Family Dwellings  
East: R-1A Single-Family District - Single-Family Dwellings  
South: R-1A Single-Family District – Single-Family Dwellings  
West: R-1A Single-Family District - Single-Family Dwellings

**Legal Description:** SOMERSET HILLS LOT 1 – PVC 0592-001

**Property Area:** 10,458.2 sq. ft. (0.24 ac.)

**Related Case Files:** none

**Attachments:** Application, Lot Plan with fence diagram, Existing condition photos

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**General Location – Map**



**General Location – Aerial**



Site – Aerial



Birdseye



**Street View** (looking southwest at the corner of 77<sup>th</sup> & Aberdeen – fenced area to rear)



**Street View** (looking east on 77<sup>th</sup> Street, subject property and area to be fenced in background on right)



**Street View** (looking west on 77<sup>th</sup> Street, area to be fenced in background on left)

#### **BACKGROUND:**

The applicant is requesting an exception to the fence standards to construct a fence in the side yard that does not meet the required setback on 77<sup>th</sup> Street. The property is a corner lot on the southwest corner of 77<sup>th</sup> Street and Aberdeen, and 77<sup>th</sup> Street is the side street along the north property boundary. The west property boundary is the rear lot line of the subject lot and the rear lot line of the adjacent house to the west, making this configuration a “standard corner” for purposes of the fence standards. Houses on the opposite corners have the same configuration with side lot lines along 77<sup>th</sup> Street. In this circumstance, the zoning ordinance requires the fence to be setback from the lot line on 77<sup>th</sup> Street at least 5 feet [19.44.025.C.3]. Since the proposed fenced area is entirely in the rear yard, there are no restrictions on the design of the fence, other than the general height and design standards. (“Decorative” fence standard only apply to those permitted in the front yard areas.)

The proposal is to build a 6’ tall wood privacy fence on the property line, rather than at the 5’ setback as required by the ordinance. This location aligns with the fence on the property to the west (rear), creating a continuous fence line along 77<sup>th</sup> Street in the rear yards of each property. The lot immediately across 77<sup>th</sup> Street to the north has a similarly configured wood fence approximately 3’ to 4’ from the lot line based on Johnson County AIMS mapping [Note: these dimensions are approximate and may not be entirely accurate as it is not based on surveyed data and dimensions.].

#### **ANALYSIS:**

This property is zoned R-1A. The fence standards in section 19.44.025 apply to this property, and the following specific section is the subject of this application:

##### C. Location.

3. Fences located on the side street of a corner lot shall not be less than five (5) feet from the right-of-way line except that if an adjacent lot faces the side street, the fence shall be setback from the right-of-way line a distance of fifteen (15) feet or not less than one-half the depth of the front yard of an adjacent building, whichever is the greater setback. [19.44.025.C.3]

This section intends to preserve the relationship of buildings, lots and yards to the streetscape, recognizing the different situations that typically arise on corner lots.

The factors that affect this particular situation are the following:

- The lot has a standard corner orientation, with a street side yard on 77<sup>th</sup> Street. All adjacent lots on this segment of 77<sup>th</sup> Street have the same configuration, which would allow each lot to have a fence similar to what is proposed at the 5' setback line.
- The proposed fence at the lot line, rather than the required 5' setback, aligns with an existing chain link fence around the rear yard of the lot to the west.
- The proposed fenced area is entirely in the rear yard, behind the rear building line on each side of the house.
- The proposed fence generally meets all other fence requirements in Section 19.44.025, except for the location.

The fence standards allow the Planning Commission, through site plan review, to approve adjustments to the height and location of fences if it "results in a project that is more compatible, provides better screening, provides better storm drainage management, or provides a more appropriate utilization of the site." [19.44.025.G.1.]

The applicant held a neighborhood meeting on June 24<sup>th</sup>, 2020 as required by the Prairie Village Citizen Participation Policy, and has provided background on that meeting to supplement the application.

#### **CRITERIA:**

The following are the Site Plan review criteria: [Section 19.32.030.]

##### **A. Generally.**

1. **The plan meets all applicable standards**
2. **The plan implements any specific principles or policies of the comprehensive plan that are applicable to the area or specific project.**
3. **The plan does not present any other apparent risks to the public health, safety, or welfare of the community.**

*The nature of this application is that it does not meet applicable standards, and is requesting an exception subject to specific criteria discussed below. Otherwise, this site is capable of meeting all requirements for residential property.*

##### **B. Site Design and Engineering.**

1. **The plan provides safe and easy access and internal circulation considering the site, the block and other surrounding connections, and appropriately balances vehicle and pedestrian needs.**
2. **The plan provides or has existing capacity for utilities to serve the proposed development.**
3. **The plan provides adequate stormwater runoff.**
4. **The plan provides proper grading considering the prevailing grades and the relationship of adjacent uses.**

*This site is currently served by utilities and this plan does not affect any utility, access or runoff issues not already addressed through the building permit. No changes to the grade, building footprint or impervious surface are proposed or impacted by consideration of this application, and therefore stormwater runoff will not be affected. There is no sidewalk in the right-of-way on this segment of 77<sup>th</sup> Street, but there is an attached sidewalk on the north side of the street. There are no plans to install a sidewalk on the south side along this lot. According to AIMS measuring tools (estimated, and not surveyed) the property line and proposed fence location is approximately 10' to 12' from the curb.*

##### **C. Building Design.**

1. The location, orientation, scale, and massing of the building creates appropriate relationships to the streetscape and to adjacent properties.
2. The selection and application of materials will promote proper maintenance and quality appearances over time.
3. The architectural design reflects a consistent theme and design approach. Specifically, the scale, proportion, forms and features, and selection and allocation of materials reflect a coordinated, unified whole.
4. The building reinforces the character of the area and reflects a compatible architectural relationship to adjacent buildings. Specifically, the scale, proportion, forms and features, and materials of adjacent buildings inform choices on the proposed building.

*This plan does not affect building design criteria not already addressed through the building permit.*

**D. Landscape Design.**

1. The plan creates an attractive aesthetic environment and improves relationships to the streetscape and adjacent properties.
2. The plan enhances the environmental and ecological functions of un-built portions of the site.
3. The plan reduces the exposure and adverse impact of more intense activities or components of the site or building.

*The intent of the proposed location standards for fences is to improve and preserve the relationship of sites and buildings to the neighborhood street frontages. In this case, there is no sidewalk along 77<sup>th</sup> Street and the fence is approximately 10' to 12' feet from the right-of-way at all locations. This is a side street orientation for all lots along this segment of the street. The proposed fence is a 6' tall wood privacy fence and it is entirely in the rear yard. It will not affect any sight distances related to street corners or driveway entrances, or views and frontages of adjacent houses along the streetscape.*

The fence standards also have the following specific criteria for the Planning Commission to approve exceptions [Section 19.44.G.1.]:

- **Project that is more compatible,**
- **Provides better screening,**
- **Provides better storm drainage management, or**
- **Provides a more appropriate utilization of the site.**

**RECOMMENDATION:**

Staff recommends approval of this fence site plan with the exception give the following considerations:

- This proposal having a side yard configuration on a street with no sidewalk (proposed fence location approximately 10' to 12' from curb);
  - All lots on this segment of 77<sup>th</sup> Street having a similar side yard configuration;
  - The proposed fence location aligns with the fence to the rear;
  - All fencing being proposed is located in the rear yard of the lot (no side of house or front of house); and
  - The proposed fence will meet all other standards other than the required setback.
-



**CITY OF PRAIRIE VILLAGE**  
The Star of Kansas

APP# 0023127

Cuot# 21471

## Planning Commission Application

For Office Use Only	
Case No.:	PC2020-109
Filing Fee:	\$100.00
Deposit:	—
Date Advertised:	
Date Notices Sent:	
Public Hearing Date:	—

Please complete this form and return with Information requested to:

Assistant City Administrator  
City of Prairie Village  
7700 Mission Rd.  
Prairie Village, KS 66208

Applicant: Naama Courtemanche Phone Number: 619-709-8898

Address: 7700 Aberdeen St. Prairie Village KS E-Mail: naamaare@gmail.com

Owner: Naama Courtemanche Phone Number: 619-709-8898

Address: 7700 Aberdeen St. Prairie Village, KS Zip: 66208

Location of Property: 7700 Aberdeen St. Prairie Village, KS 66208

Legal Description: Residential House

Applicant requests consideration of the following: (Describe proposal/request in detail) Request to build a back yard fence on property line.

### AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for house fence.

As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

**APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.**

n ate 06/03/2020  
Applicant's Signature/Date

n ate 06/03/2020  
Owner's Signature/Date

To:  
Prairie Village Planning Commission

From:  
Evan and Naama Courtemanche  
7700 Aberdeen St.  
Prairie Village, KS 66208

Subject: Application For a Fence

Dear Planning Commission Members,

We are approaching you to request a permit for building a fence around the backyard of our house per the attached plan.

We would like to request to build the fence on our property line on the side of 77<sup>th</sup> St. instead of 5 ft in since we believe building the fence on our property line will make it more visually appealing to the neighbors and the city members.

The following points support our request:

1. Installing the fence on our property line will make it align with the fence of the neighbor to our back (7701 Chadwick St.) and will make it more visually appealing than misaligned fences. See Attachment 1.
2. There is currently an existing vegetation barrier on our property line which is comprised of several different bush types and different heights. Installing the fence as per Prairie Village's guidance will put the vegetation barrier on the street side of the fence. We believe that it will not be visually appealing since parts of the fence will be covered while others will not, making it a non-uniformed appearance. Putting the fence on the property line will put the vegetation barrier inside our yard and the view from the street will be of a full, appealing, unobstructed fence which will increase the visual environmental qualities. This view will match the view of our neighbors' across 77<sup>th</sup> St. See Attachment 2.

Thank you for your considerations and we are looking forward to answering any questions that might arise at the upcoming planning commission meeting.

Regards,  
Evan and Naama Courtemanche



N 77th St

W 77th St

W 77th St

W 77th St

\* = Gate

60 ft

\* 27.81

138.91

7700 ABERDEEN ST  
OP70000000 0001,  
10,458.2 ft<sup>2</sup>

75.52

86.32

75 ft

75.55

\*

135.95

\* 7.5

72 ft

Aberdeen St

Aberdeen St

A.E.

Google Maps

7700 Aberdeen St.

Attachment 1



Image capture: Apr 2019 © 2020 Google

Prairie Village, Kansas



Street View



Image capture: Apr 2019 © 2020 Google

Prairie Village, Kansas



Street View



## Buffer Results

[JoCo Home](#) > [AIMS Home](#) > [Internet Maps](#)

200 foot buffer (5.09 acres)

Buffer search returned 24 properties

[Download as Mailing Labels](#)

No.	Property ID	Area (ft <sup>2</sup> )	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Billing
1	OP70000000 0033	10,019	0.23	7719 ABERDEEN ST	ROBERT E DOBBS REVOCABLE TRUST	WILLIAM C DOBBS REVOCABLE TRUST	527 MESA LOOP	SAN ANTONIO, TX 78258	
2	OP70000000 0086	10,890	0.25	7641 ABERDEEN ST	FOSTER, BRIAN		7641 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
3	OP70000000 0001	10,454	0.24	7700 ABERDEEN ST	COURTEMANCHE, EVAN JOSEPH	COURTEMANCHE, NAAMA	7700 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
4	OP70000000 0035	9,583	0.22	7707 ABERDEEN ST	AKIN, WILLIAM R. CO-TRUSTEE	AKIN, MARY SUE CO-TRUSTEE	7707 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
5	OP62000005 0025	10,019	0.23	7700 CHADWICK ST	VADBUNKER, EDWARD W	VADBUNKER, SIDNEY K	7700 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
6	OP62000006 0002	11,761	0.27	7709 CHADWICK ST	WEILERT, STEVEN V	WEILERT, ROCHELE M	7709 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
7	OP62000006 0004	11,326	0.26	7723 CHADWICK ST	WILSON, JAMES J.	WILSON, DALEEN	3648 W 132ND TER	LEAWOOD, KS 66209	
8	OP70000000 0003	9,148	0.21	7712 ABERDEEN ST	BROWN-DAVIS, VALERIE A.		7712 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
9	OP70000000 0085	11,761	0.27	7647 ABERDEEN ST	ROBINSON, JAMES ELLIOT	BROWN, JODI LYN	7647 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
10	OP70000000 0117	8,712	0.20	7646 ABERDEEN ST	GRAVES, AMANDA	GRAVES, IAN	7646 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
11	OP62000005 0024	8,276	0.19	7710 CHADWICK ST	EVANS, SHAYNA	EVANS, BRYANT	7710 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
12	OP62000006 0003	11,761	0.27	7715 CHADWICK ST	WONG, WILLIAM S	WONG, NATALIE	7715 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
13	OP62000006 0001	13,939	0.32	7701 CHADWICK ST	FASL, SHARON M.		7701 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
14	OP70000000 0037	14,375	0.33	7700 FAIRWAY ST	MONROE, ELISSA GAY		7700 FAIRWAY ST	PRAIRIE VILLAGE, KS 66208	
15	OP70000000 0038	11,761	0.27	7708 FAIRWAY ST	HAMILTON, LINDA J.		7708 FAIRWAY ST	PRAIRIE VILLAGE, KS 66208	
16	OP70000000 0116	9,148	0.21	7640 ABERDEEN ST	CRUMRINE, DOUGLAS A.	STICE, THERESA M.	7640 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
17	OP70000000 0118	9,148	0.21	7645 CHADWICK ST	STACE LLC		827 W 54TH ST	KANSAS CITY, MO 64112	
18	OP70000000 0136	7,405	0.17	7638 CHADWICK ST	HATESOHL, BRIAN	HATESOHL, LAURA	7638 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
19	OP70000000 0002	9,583	0.22	7706 ABERDEEN ST	ERNZEN, JEFFREY F.		7706 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
20	OP70000000 0004	9,148	0.21	7718 ABERDEEN ST	KENNEDY, JAMES A.	KENNEDY, LINDA I.	7718 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
21	OP70000000 0034	9,583	0.22	7713 ABERDEEN ST	CHOMICKY, COLM	CHOMICKY, JUDITH A.	7713 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
22	OP70000000 0036	10,019	0.23	7701 ABERDEEN ST	STURGIS, LINDA H	STURGIS, JAMES L	7701 ABERDEEN ST	PRAIRIE VILLAGE, KS 66208	
23	OP70000000 0119	7,841	0.18	7639 CHADWICK ST	BOODY, DENNIS R.	ADORNO-BOODY, DIANA M.	7639 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	
24	OP70000000 0137	9,148	0.21	7644 CHADWICK ST	PRUSSING, DANIEL E.		7644 CHADWICK ST	PRAIRIE VILLAGE, KS 66208	

Total Area of Parcels: 5.62 acres (244,807 ft<sup>2</sup>)

Selected Property

Dear Neighbor(s):

We are planning on installing a wood privacy fence around our back yard at 7700 Aberdeen Street. We would like to install the fence on our property line where there is currently a vegetation barrier since we believe the location will yield a fence that will be most visually appealing to the neighbors. This will also make our fence line aligned with the fence line of the house behind us.

The Prairie Village zoning regulations require that a fence will be set back 5 feet from the property line and in order to have the fence located as we hope it will be, we are filing an application to the City of Prairie Village Planning Commission for approval. The application requires us to provide an opportunity for our neighbors to raise any questions or concerns with the placement of the fence. Therefore, we have designated Wednesday, June 24<sup>th</sup>, 2020 at 7 p.m. for a meeting at our address below. You are invited, but not required, to attend and express any concerns you may have. After the meeting, a written summary will be submitted to the Prairie Village Planning Commission identifying attendees and any concerns expressed.

Thank you for taking the time to read this letter.

Regards,

Evan and Naama Courtemanche

7700 Aberdeen Street

Prairie Village, KS 66208

619-709-8898

Good morning Adam,

I held my neighbors meeting yesterday evening at 7pm after distributing invitations 2 weeks prior to give ample notice. No one showed up to the meeting but a few neighbors reached out to me before, see their comments:

<b>Address</b>	<b>Owners</b>	<b>Comments</b>
7701 Aberdeen St	Linda Sturgis, James Sturgis	Discussed separately. Expressed that they are in full support of building our fence per plan.
7719 Aberdeen St	Robert E Dobbs Revocable Trust	Owners left voice mail stating that they have no concerns with the proposed fence.
7701 Chadwick St	Sharon Fasl	Met separately. Sharon communicated she has no issue with the proposed fence location and added that having a fence that will not align with her existing fence will not look good.

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** June 7, 2020, Planning Commission Meeting

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**Application:** PC 2020-110

**Request:** Rezoning from R-1A to R1B & Request for Lot Split

**Action:** *A Rezoning requires the Planning Commission to evaluate facts and weigh evidence, and based on balancing the factors and criteria in the zoning ordinance, make a recommendation to the City Council.*

*A Lot Split requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met, to approve the application.*

**Property Address:** 7632 Reinhardt Street

**Applicant:** MoJo Built, LLC

**Current Zoning and Land Use:** R-1A – Single-family Residential – Single-family House

**Surrounding Zoning and Land Use:** North: R-1A – Single-family Residential – Single-family House  
East: R-1A – Single-family Residential – Single-family House  
South: R-1A – Single-family Residential – Single-family House  
West: R-1A – Single-family Residential – Single-family House

**Legal Description:** SUNSET HILL ACRES LOT 14 PVC-11549

**Property Area:** 0.38 acres (16,583.57s.f.)

**Related Case Files:** n/a

**Attachments:** Application, site plan / proposed lot split, conceptual elevations

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**General Location Map**



**Aerial Map**





**Site**



**Birdseye View**



**Street Views**



*Street view looking south on Reinhardt (subject property in background)*



*Street view of subject property frontage*

**COMMENTS:**

The applicant has requested a zoning change from R-1A to R-1B in order to facilitate a proposed lot split and build two homes on the existing lot. Therefore, the proposal involves two related applications, but each requires independent action by the Planning Commission. The Planning Commission makes a recommendation to the City Council for a rezoning request, but makes a final decision for lot split requests.

The existing lot is 120 feet wide by 138.2 feet deep, for a total of 16,583.57 square feet. The R-1A zoning district has a minimum lot requirement of 80 feet wide by 125 feet deep, and 10,000 square feet. Although this lot is larger than required by the R-1A zoning district, it is not large enough to split into two conforming lots in that zoning district.

The lot has an existing home that was constructed in 1900 and the lot was platted in 1923 according to Johnson County AIMS mapping records. The R-1A zoning district requires the following setbacks: front – 30 feet; side – at least 20% of the lot width between both sides, and at least 7 feet on each side; rear – 25 feet. The existing home is located to the rear of the lot and is setback approximately 110' from the front lot line. The rear of the home is approximately on the lot line, making it a legally non-conforming structure (built and platted before the standards were in place). The lot also has a detached accessory structure closer to the street – approximately 60' from the front lot line and located on the south half of the lot.

The patterns on this block have a range of lot widths from 70' to 125' wide, plus 4 newly-platted 60' to 64' wide lots due to recent similar applications. The character of the block has a wide range of building placements, including this home and the home on the opposite side of the street to the east, each of which are setback deep on the lot near the rear lot line.

The applicant is proposing to split this lot into two lots, and build two homes that would conform to the setback requirements for R-1B zoning. The lot is not big enough to result in two lots conforming to the R-1A zoning district. Therefore, the applicant is proposing to rezone this property to R-1B, which has the following zoning standards:

- Width – 60 feet
- Depth – 100 feet
- Area – 6,000 square feet
- Front Setback – 30 feet
- Side Setbacks – at least 20% of lot width total, and at least 6 feet each side
- Rear Setback – 25 feet.

The proposed lots would be 60 feet by 138.2 feet, and approximately 8,292 square feet.

The applicant held a neighborhood meeting on June 23, 2020, and a summary of that meeting has been added to the application.

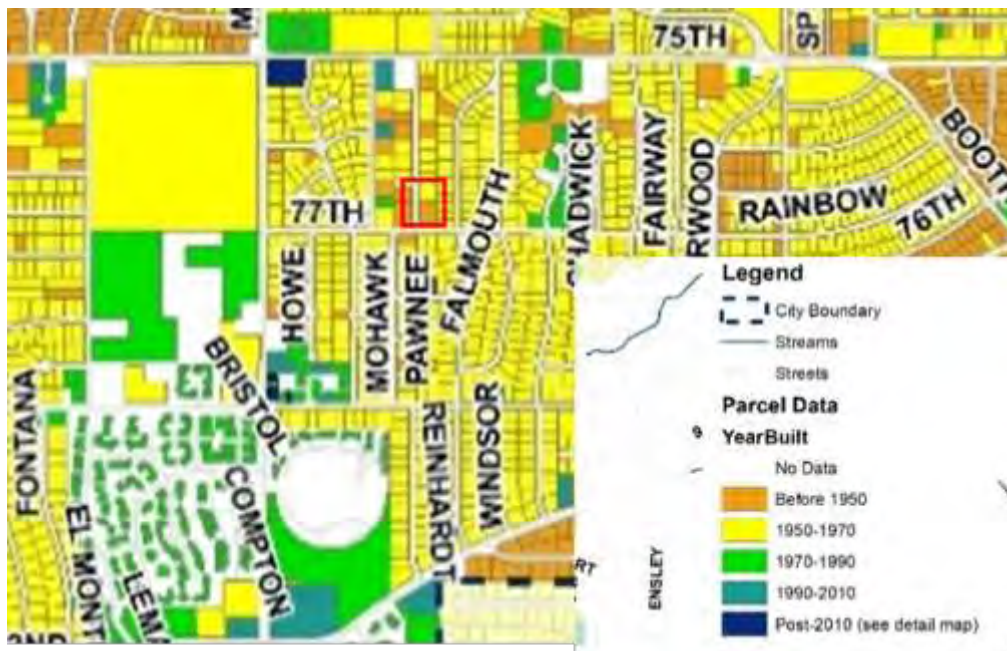
*Note on Recent Applications:* There have been two recent similar applications on this block, and another is pending at the same time as this application. As has been noted with each application, the vicinity has a large number of non-conforming lots (lots that do not meet the width - and possibly the area requirements) for R-1A zoning). Most of the non-conforming lots are between 65 and 80 feet wide. The area of concentrated non-conformances is between Mission and Norwood, and between 75<sup>th</sup> and 79<sup>th</sup> Street. This area is zoned R-1A despite a substantial number of lots not meeting lot width requirements. However, the block of Reinhardt between 75<sup>th</sup> and 77<sup>th</sup>, and the east half of Pawnee, between 75<sup>th</sup> and 77<sup>th</sup>, has mostly conforming lots. Several of these lots are more than double the R-1B zoning standard (120' or more wide), which is resulting in the multiple requests to rezone to R-1B as reinvestment occurs. There are approximately 12 more lots in the vicinity that could potentially apply this same strategy. However, the majority of lots in this entire area are between 60' and 100' wide, which would not accommodate lot splits even if the entire area is zoned R-1B.

## ANALYSIS – RE-ZONING:

In considering a change in zoning classification, the Planning Commission and City Council are required to act in a quasi-judicial capacity and consider a number of factors commonly referred to as the “Golden” factors, which are incorporated into the City’s Zoning Ordinance [19.52.030]. The factors include, but are not limited to the following:

### 1. The character of the neighborhood;

This is a single-family residential neighborhood with a variety of lot sizes and ages of homes. Homes in the area are primarily 1-story, 1.5-story ranches and split-levels. The majority of homes in the area were built between 1950 and 1970. A few of the homes were built prior to 1950, including the existing house on this lot, which was built in 1900. This street is also experiencing reinvestment, with a similar rezoning and lot split approved in 2018 resulting in two newly built homes, a request recommended for approval in June of 2020, and a similar application pending at this time.



#### *Year Built*

This area does include a wide variety of lot sizes reflecting platting and development patterns that pre-date the current zoning and subdivision regulations. Records show this lot was platted in 1923. The majority of lots on this block are larger (all but one over 10,000 square feet and many over 15,000 square feet), with smaller lots occurring to the east and west of this block. [Note: the recent applications approved at the north end of the block and opposite this lot are not reflected on this map.]



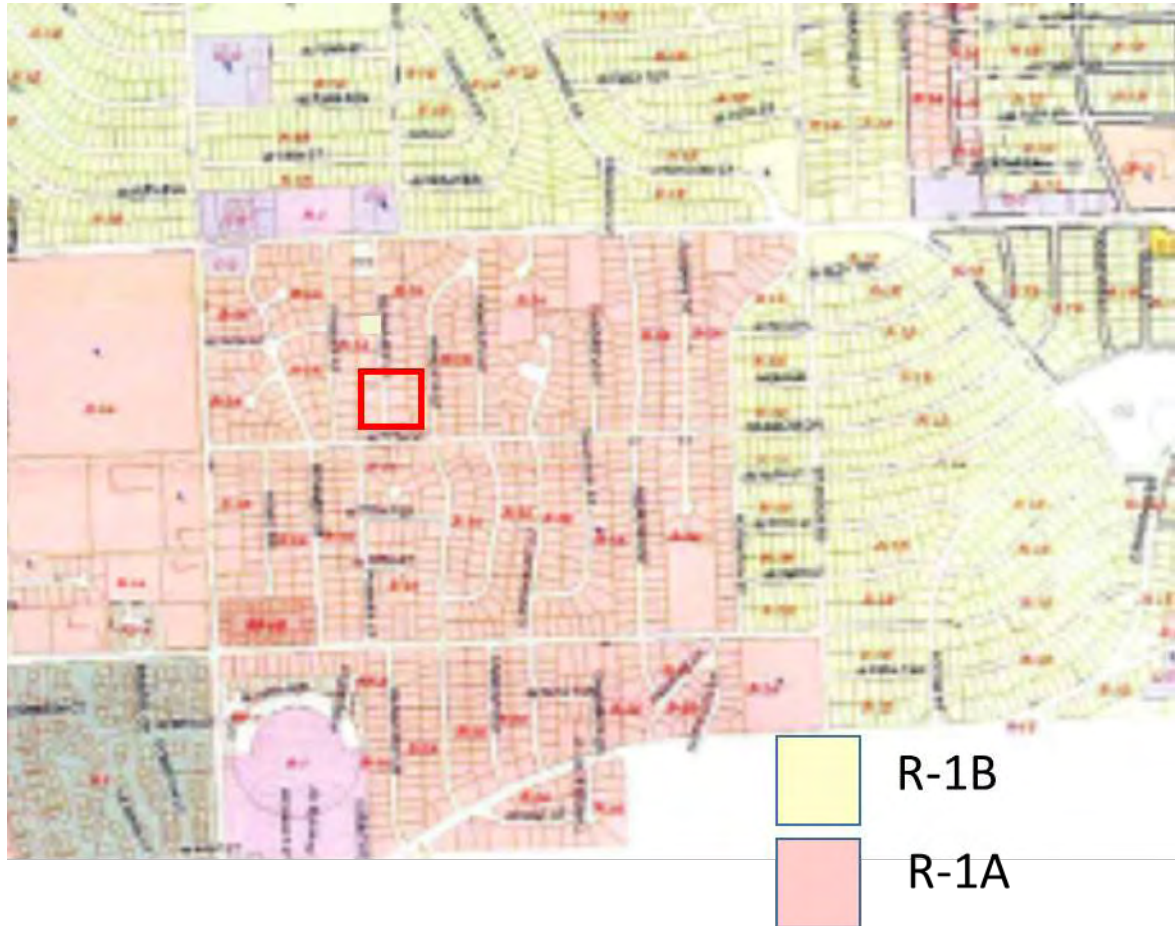
### Lot Size

Lot widths are also important to the character of neighborhoods, as that affects the frontage design, building pattern and access along a streetscape. In the general vicinity, many lots have a 60' to 75' width. These exist primarily on several blocks immediately east of Reinhardt. The blocks to the west of Reinhardt have a bit more irregular pattern due to Mohawk Drive alignment, some cul-de-sacs, and irregular or corner-orientation lots; however, they are primarily 70' wide with some in the 75' to 80' range. Reinhardt Street and the east side of Pawnee Street reflect predominantly wider lots - typically 120' wide, with a few noted irregularities where two lots were re-platted as three, or three lots were re-platted as four. (Note: This pattern is allowed under current R-1A zoning, where two 120' wide lots could be divided into three 80' wide lots, or three 120' lots were replatted as four 90' wide lots.). In this specific case, the subject lot is 120' wide. The lots immediately to the north are a 40' remnant parcel, owned in common with an 80' wide lot with a house, and 120' respectively; the lots immediately to the south are 120' and 79' wide; and the lots on the opposite side of the street also range from 79' to 120' in width (plus the two recently approved 60' wide lots).

## 2. The zoning and uses of property nearby;

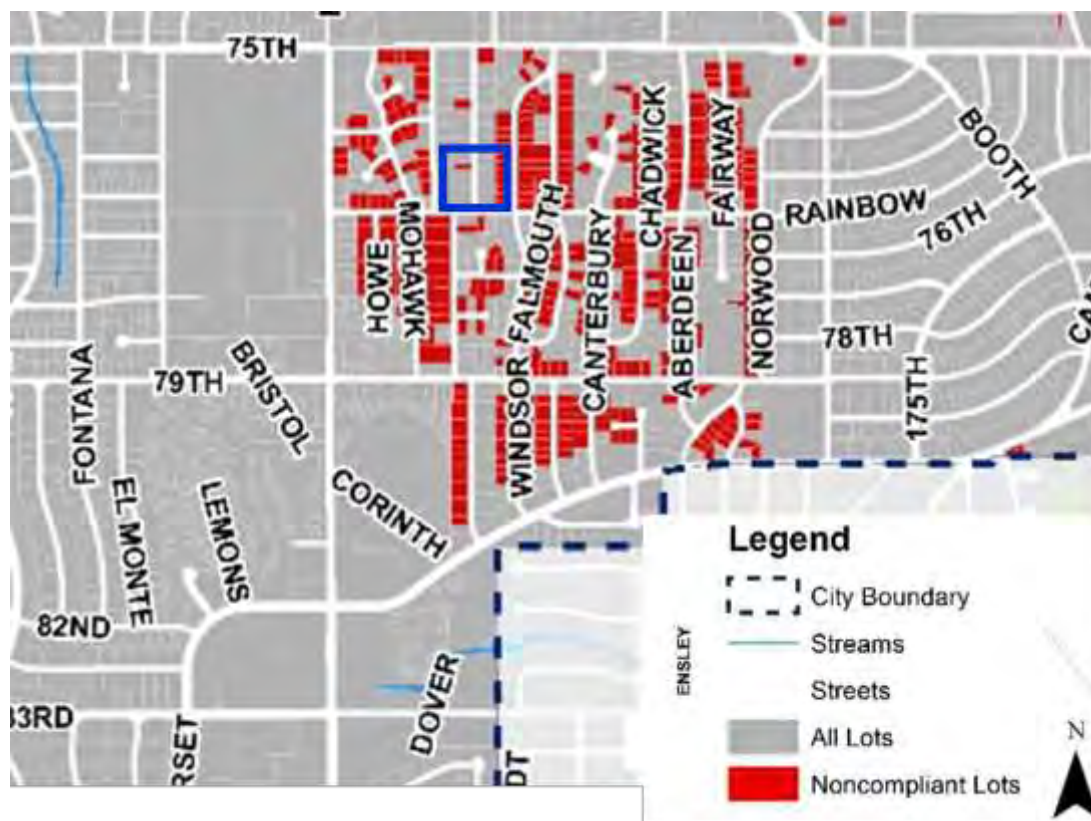
**North:** R-1A Single-family District – Single Family Dwellings  
**East:** R-1A Single-family District – Single Family Dwellings  
**South:** R-1A Single-family District – Single Family Dwellings  
**West:** R-1A Single-family District – Single Family Dwellings

All of the property in the general vicinity is zoned R-1A, with the exception of some property along the 75<sup>th</sup> Street Corridor or Mission Road zoned for commercial, multi-family, or planned residential projects, and the 2018 rezoning to R-1B at 7540 Reinhardt and the pending June 2020 rezoning to R-1B at 7631 Reinhardt. Property further to the east (east of Norwood Street) and north of 75<sup>th</sup> Street is zoned R-1B.



### *Zoning*

The vicinity has many lots that do not conform to the R-1A zoning districts. This is likely due to the platting and buildings being built prior to the adoption of the zoning ordinance. Non-conformances are typically for lots less than 80 feet wide or less than 10,000 square feet, or both. The majority of these exist on the blocks immediately to the east (Windsor Street and Falmouth Street) and west and southwest (Mohawk Street and Howe) of this area. The lots on Reinhardt are typically conforming to R-1A, although one lot to the north on the west side is non-conforming due to its width (70' x 138'; approximately 9,672 s.f.). Plus there are two new 64' x 138' lots next to it, and two pending 60' x 140' immediately opposite the subject lot, which all conform to R-1B standards and are not reflected on this map.



#### *Non-conforming Lots*

### 3. **The suitability of the property for the uses to which it has been restricted under its existing zoning;**

The property is zoned R-1A, which requires a minimum lot width of 80 feet and a minimum area lot of 10,000 sq. ft. The lot is 138 feet deep by 120 feet wide. The lot is suitable for a residential lot, despite being larger than required by the zoning district. There are many examples of lots this size in the R-1A zoning district. These are most prevalent in the south area of the City. However, there are several lots of a similar size in the area on this block and on the east side of Pawnee, which are currently used for single-family homes.

### 4. **The extent that a change will detrimentally affect neighboring property;**

The applicant is proposing two single-family homes, which is generally consistent with uses in the area. However, the rezoning and lot split would allow lots smaller than typical lots on this block – excluding recent applications; however, it is comparable in size and width to some of the smallest non-conforming lots in the vicinity. Additionally, the R-1B zoning category does allow taller buildings than generally exist in this area (29' / 2-story from the top of foundation permitted, compared to the typical existing 1-story, 1.5 story or split-levels). This current condition is lower than what is allowed under existing R-1A zoning (35' / 2.5 stories), so the proposed change will reduce the allowed height to the lower R-1B height standard (from 35' / 2.5 stories to 29' / 2 stories). However, the effect on what could be built adjacent to either property boundary is not that significant – the current R-1A zoning requires a 1-foot greater side setback (7-feet as opposed to 6-feet in R-1B). The applicant has proposed site plans with building footprints and house plans including conceptual building elevations for anticipated buildings that indicate compliance with the Neighborhood Design Standards applicable in the R-1B district. The applicant aware that all future building plans will be required to meet the Neighborhood Design Standards applicable in the R-1B district, and this will be verified when official plans are submitted for building permits.

**5. The length of time of any vacancy of the property;**

The existing residence was built in 1900, so the property has not been vacant, but the structure is one of the older homes in the area.

**6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;**

The existing home on the site is small relative to the lot (1,323 s.f. building), and the vicinity is experiencing re-investment through rehabilitation and new development. The approval of this request will permit redevelopment that will increase the value of this site, and make it more practical to build two moderate-sized single-family homes on smaller lots. This is generally consistent with the use and patterns in the vicinity, though smaller than most lots on this block. Additionally, any new structures will be required to meet the Neighborhood Design Standards that were adopted in 2018, and are comparable for both R-1A zoning districts and R-1B zoning districts.

**7. City staff recommendations;**

The proposed rezoning will promote this redevelopment and general reinvestment in the neighborhood. Typically, rezoning property for site-specific applications should be avoided, unless specifically called for under a plan or clearly justified through a site-specific analysis that considers the project in the surrounding context. Many of the justifications for this rezoning are applicable to other similarly situated property in the vicinity. Further, the conditions in the area that support rezoning (the existence of many smaller lots with 60' to 70' frontages) are not typical on this specific block with many 120'+ lots, so the City may anticipate future similar requests and the cumulative impact of such redevelopment activity in this area should be considered.

The impact of a potential larger-scale and city-initiated rezoning of the area has not been considered under the comprehensive plan or through a specific plan or detailed analysis for the area. However, recent similar applications, and recent discussions regarding comprehensive plan updates regarding housing, have dealt with adding more diversity of lot and building types to address rising land costs in similar areas experiencing reinvestment.

While pending updates to the comprehensive plan and the current policies for a wider range of building and lot types may warrant further consideration of the appropriate zoning strategies for this area and throughout the city, there are many of the site-specific considerations present that support rezoning. These considerations are reflected in the other seven criteria in this report, which the Planning Commission is required to consider. In particular, the Planning Commission should eventually evaluate the zoning designation of this entire area, based on outcomes in the Comprehensive Plan update, and determine if R-1A zoning is appropriate or what other zoning actions may be appropriate. In this regard, and similar to the 2018 and June 2020 rezoning on this block, the Commission may consider approval of this application in the context of a broader strategy for the general area. As part of that broader and more comprehensive strategy, staff recommends approval of this rezoning.

**8. Conformance with the Comprehensive Plan;**

The Policy Foundation for the comprehensive plan includes the following:

- **Community Character and Activities:** Provide an attractive, friendly and safe community with a unique village identity appealing to the diverse community population.
- **Housing:** Encourage neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages and incomes.

The Conceptual Development Framework maps areas of the City for specific implementation strategies associated with the Policy Foundation. This area is mapped as Neighborhood Conservation, which includes the following specific policies and goals:

- Examine zoning regulations to determine where the uniform lot and building standards restrict the amount of land available to accommodate building expansion.



- Create basic building design standards that can protect the character of neighborhoods.
- Consider financial incentives where home renovations are not possible through traditional financing or other qualified home improvement programs.
- Allow for more compact housing or different and more dense housing options along major thoroughfares.

In contrast, the Neighborhood Improvement areas identified in the Conceptual Development Framework have more proactive strategies for reinvestment, redevelopment or code enforcement based on specific neighborhood initiated plans for investment and/or redevelopment.

Other implementation actions and policy statements in the plan include:

- Permitting higher density, primarily near existing commercial areas or along arterial corridors.
- Keeping neighborhoods vibrant by encouraging home renovation and housing investment.
- Allowing housing variety throughout the City, while maintaining distinct neighborhood character within specific neighborhoods

### **ANALYSIS – LOT SPLIT:**

Chapter 18.02 of Prairie Village subdivision regulations allows the Planning Commission to approve splits provided each lot meets the zoning standards. Section 18.02.010 of the subdivision regulations provide the criteria for approval of a lot split. Essentially, the applicant must submit a certificate of survey demonstrating that both lots will meet the zoning ordinance standards and that any existing buildings on a remaining lot are not made nonconforming as a result of the lot split. The certificate of survey is also required to ensure that no utility easement or right-of-way issues are created by the lot split or need to be addressed due to the lot split.

In this case, the proposed lot split will not meet the width required in R-1A, and the applicant has proposed an associated rezoning to R-1B. If the Planning Commission recommends approval and the City Council approves the proposed rezoning, then the proposed lot split would meet all criteria of the ordinance and should be approved. However, if the Planning Commission recommends denial or the City Council does not approve the rezoning, then the proposed lot split does not meet these criteria and should be denied.

### **RECOMMENDATION:**

Staff's recommendation is contingent on the Planning Commission's action on the associated zoning application:

1. If the Planning Commission recommends approval of the proposed rezoning from R-1A to R-1B, then it should approve the proposed lot split based on the following conditions:
  - a. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
  - b. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
    - 1) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
    - 2) The dimension and location of the lots, including a metes and bounds description of each lot.
    - 3) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
    - 4) Any platted building setback lines with dimensions.

- 5) Indication of location of proposed or existing streets and driveways providing access to said lots.
  - 6) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines , and proposed drainage systems.
  - 7) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.
- c. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.
2. If the Planning Commission recommends denial of the proposed rezoning from R-1A to R-1B, then it should table the lot split application until a final decision by the City Council. Denial of the rezoning by the City Council should result in the withdrawal of the application. However, approval of the rezoning by City Council should result in the Planning Commission considering the application subject to the criteria in the regulations and analysis in this staff report.

#### **EFFECT OF DECISION:**

**Rezoning.** The Planning Commission makes a recommendation to the City Council on the rezoning. The City Council will make a final decision, according to the following:

- Approve the Planning Commission recommendation by a majority vote (including any conditions if the recommendation was for approval subject to conditions).
- Return to Planning Commission with direction to reconsider specific actions, either by a majority vote or by failure to approve the Planning Commission recommendation.
- Override or modify the Planning Commission recommendation by at least a 2/3 vote of the membership of the governing body.

If a valid protest petition is filed with the City Clerk within 14 days of the close of the public hearing, the City Council may only approve the application with a 3/4 vote of the membership of the governing body.

If approved by the Planning Commission and City Council, the applicant may submit building plans for permits according to the R-1B designation, and the Neighborhood Design Standards required in R-1A and R-1B zoning districts.

**Lot Split.** The Planning Commission makes the final decision on lot splits. If approved the applicant shall submit a certificate of survey for the new lots to be recorded with the Register of Deeds of Johnson County, and may apply for building permits according to the new lot boundaries. A denial by the Planning Commission may be appealed to the City Council.

App # 0023138  
Cust # 017344

CITY OF PRAIRIE VILLAGE, KANSAS  
REZONING APPLICATION FORM

For Office Use Only  
Case No.: PC2020-110  
Filing Fees: \$100.00  
Deposit: \$500.00



Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_

APPLICANT: MOJO BUILT, LLC PHONE: 913-491-6800  
ADDRESS: 5300 COLLEGE BLVD, O.P., KS ZIP: 66211  
OWNER: EMILY E. PATTERSON PHONE: \_\_\_\_\_  
ADDRESS: 7632 REINHARDT ST., P.V., KS ZIP: 66208  
LOCATION OF PROPERTY: 7632 REINHARDT ST., P.V., KS  
LEGAL DESCRIPTION: SUNSET HILL ACRES LOT 14 PVC 11549

Present Zoning R-1A Requested Zoning: R-1B  
Present Use of Property: RESIDENTIAL

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>RESIDENTIAL</u>	<u>R1-A</u>
South	<u>RESIDENTIAL</u>	<u>R1-A</u>
East	<u>RESIDENTIAL</u>	<u>PENDING REZONING TO R1-B</u>
West	<u>RESIDENTIAL</u>	<u>R1-A</u>

CHARACTER OF THE NEIGHBORHOOD: RESIDENTIAL

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?  
NO
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?  
MANY EXISTING SURROUNDING LOTS CURRENTLY HOLD R1-A ZONING  
If yes, explain: BUT DO NOT CONFORM DUE TO EITHER WIDTH OR AREA

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? YES
2. Consistent with Future Land Use Map? YES

DEVELOPMENT PLAN SUBMITTAL:

- Development Plan
- Preliminary Sketches of Exterior Construction

LIST OF NEIGHBORING PROPERTIES:

Certified list of property owners within 200 feet

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: REINHARDT STREET
2. Classification of Street(s):  
 Arterial \_\_\_\_\_ Collector \_\_\_\_\_ Local
3. Right-of-Way Width: 50'-0"
4. Will turning movements caused by the proposed use create an undue traffic hazard?  
NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR:

1. Appropriately Sized Lots? NO
2. Properly Size Street Right-of-Way? NO
3. Drainage Easements? NO
4. Utility Easements:  
 Electricity? NO  
 Gas? NO  
 Sewers? NO  
 Water? NO
5. Additional Comments: NONE

UNIQUE CHARACTERISTICS OF PRPOERTY AND ADDITIONAL COMMENTS:

RESIDENTIAL  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: 6-5-2020

BY: John Moffitt

TITLE: Member



Overall Site Plan  
 Scale: 1/8" = 1'-0"  
 North

Adam Anthony Pfeifer, NCARB

7632 Reinhardt Street  
 Proposed Lot Split & Rezoning





Proposed Model Home Elevations

Scale: 1/4" = 1'-0"

Adam Anthony Pfeifer, NCARB

7632 Reinhardt Street  
Proposed Lot Split & Rezoning

mojo  
BUILT

NOTICE TO OWNERS OF AFFECTED PROPERTY

PLANNING COMMISSION

PRAIRIE VILLAGE, KANSAS

6/11/20  
(DATE)

APPLICATION NO. PC 2020-110

MOJO Built, LLC  
5300 College Boulevard  
Overland Park, KS 66211

An application for Re-Zoning + Lot Split  
as applied to the property at 7632 Reinhardt Street  
has been filed by MOJO Built, LLC  
and would authorize One 120' Wide lot to be  
split into (2) 60' wide lots.

The property is located in a R-1A Zoning District.

A public hearing will be held by the Planning Commission on 7/7/20  
at 7:00 PM, in the Council Chamber of the City Hall, 7700 Mission Road, at  
which time you may appear, if you so desire, either in person and/or by attorney.

The hearing of this application is not limited to those receiving copies of this notice, and  
if you know of any neighbor or affected property owner who, for any reason, has failed to  
receive a copy, it would be appreciated if you would inform them of this public hearing.

At the time of the scheduled public hearing persons interested may be present, or may  
submit their comments in writing to the Planning Commission prior to the date of the  
scheduled hearing.

Signed: Pat Mappert  
Applicant

Feel this is squeezing in 2 large homes in an area that should be 1 house. The 2 new houses down the street prove this point — they are too close together. This street is turning into the same thing that happened on 71<sup>st</sup> + 71<sup>st</sup> Ave. New large houses on <sup>too</sup> small lots crowding out surrounding houses. Noticed that same is happening across the street. And 2 more houses up for sale in same block. The charm of the PV area is not having "cookie cutter" huge houses lined up ~~up~~ like dominoes. STOP this now. I work nights otherwise I would have attended this meeting to make my point.





[JocCo Home](#) > [AIMS Home](#) > [Internet Maps](#)

200 foot buffer (5.64 acres)  
 Buffer search returned 26 properties  
[Download as Mailing Labels](#)

No.	Property ID	Area (ft <sup>2</sup> )	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Billing Name	Billing Name2	Billing Address	Billing City, State Zip
1	OP14000000 0020	8,276	0.19	7626 WINDSOR DR	BOWLING, RYAN L.	BOWLING, LAURA E.	7626 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
2	OP31000003 0002	9,148	0.21	7638 PAWNEE ST	LEMOS, HENRY V.	LEMOS, ANDREA M.	7638 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
3	OP73000000 0032	11,326	0.26	7637 PAWNEE ST	COOPER, CHARLES W. TRUSTEE	COOPER, SONDR KAY TRUSTEE	7637 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
4	OP73000000 0016	16,553	0.38	7610 REINHARDT ST	BECKLOFF, MICHAEL C	BECKLOFF, KATHLEEN A	14108 CANTEBURY ST	LEAWOOD, KS 66224	MICHAEL&KATHLEEN BECKLOFF	14108 CANTERBURY ST	LEAWOOD, KS 66224	
5	OP73000000 0031B	10,890	0.25	7635 PAWNEE ST	MARNETT, JOHN T.	MARNETT, PATTI S.	7635 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
6	OP73000000 0030	16,988	0.39	7631 PAWNEE ST	CLARK, ROBERT M. JR	CLARK, BETTY J.	7631 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
7	OP14000000 0019	8,712	0.20	7620 WINDSOR DR	HARRIS, KATHERINE A		7620 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
8	OP14000000 0021	8,276	0.19	7630 WINDSOR DR	KRZESINSKI, ROSE A.	KRZESINSKI, ROSE ANN	7630 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
9	OP73000000 0015A	10,890	0.25	7620 REINHARDT ST	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
10	OP73000000 0008	13,939	0.32	7625 REINHARDT ST	MANKAMEYER, MATTHEW S	MANKAMEYER, ELIZABETH M	7625 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
11	OP73000000 0007A	12,632	0.29	7609 REINHARDT ST	S C NELSON PROPERTIES LLC		11514 S CARBONDALE ST	OLATHE, KS 66061				
12	OP73000000 0030B	11,326	0.26	7627 PAWNEE ST	RAHE, RACHEL M.	RAHE, KATINA L.	7627 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
13	OP73000000 0029	16,988	0.39	7623 PAWNEE ST	OSTERMANN, SHARON K.		7623 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
14	OP73000000 0033	11,326	0.26	7641 PAWNEE ST	GREGORY W PESCH AND KELLI L PESCH REVOCABLE TRUST		PO BOX 133	MISSION, KS 66201				
15	OP73000000 0012	10,890	0.25	3500 W 77TH ST	KAUFFMAN, MATTHEW		3500 W 77TH ST	PRAIRIE VILLAGE, KS 66208				
16	OP73000000 0014	16,553	0.38	7632 REINHARDT ST	PATTERSON, EMILY E.		7632 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
17	OP73000000 0007B	11,326	0.26	7615 REINHARDT ST	DOPSON, FREDRICK L.	DOPSON, CHERYL K.	7615 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
18	OP73000000 0010	16,553	0.38	7641 REINHARDT ST	GARCIA, CARLOS	DIAZ, MARIA T	7641 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
19	OP73000000 0031C	0	0.00	0 NS NT	PATTERSON, EMILY E.		12712 EL MONTE ST	LEAWOOD, KS 66209				
20	OP14000000 0022	8,276	0.19	7636 WINDSOR DR	HALL, ALICE H. TRUSTEE	HALL, ALICE H. TRUST	27027 W 77TH ST	SHAWNEE, KS 66227				
21	OP31000003 0004	8,712	0.20	7622 PAWNEE ST	MEEDS, TRACI R.		7622 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
22	OP31000003 0003	9,148	0.21	7630 PAWNEE ST	LUBER, BRADLEY	LUBER, RACHEL	7630 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
23	OP73000000 0009	16,553	0.38	7631 REINHARDT ST	ESRY, RITA		7631 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
24	OP73000000 0011	11,326	0.26	7649 REINHARDT ST	STRANGE, PAUL A.	STRANGE, MARY E.	7649 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
25	OP73000000 0015B	5,663	0.13	0 NS NT	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
26	OP73000000 0013	16,553	0.38	7640 REINHARDT ST	BORTOLOTTI-MELO, JAVIER	RODRIGUEZ, ANA M.	7640 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				

Total Area of Parcels: 6.86 acres (298,822 ft<sup>2</sup>)  
 Selected Property

Meeting Minutes  
Neighborhood Meeting for 7632 Reinhardt Street  
June 23, 2020

Meeting begins at 5pm at Harmon Park

In Attendance:

Joe Woods, MOJO Built  
Pat Boppart, MOJO Built  
Adam Pfeifer, NSPJ Architects  
Debbie Ulmer, MOJO Built  
Bob and Betty Clark, 7631 Pawnee

Issues Raised:

1. What if there is fence damage?
8. Noise concerns, construction times allowed?
9. How long will it take to complete the project?
4. When do you expect construction to start?

Response / Resolution

If damaged we would replace the fence.  
7:00am to 7:00pm.  
Eight to twelve months.  
In the fall of this year.

All questions were answered.

Meeting was adjourned at 5:30pm.

MOJO Built, LLC  
 Neighborhood Meeting  
 7632 Reinhardt Street - Lot Split  
 Sign In List  
 June 23, 2020  
 5:00pm  
 Harmon Park Shelter

Required Per City of Prairie Village

Required Per Covid-19 Guidelines

Name	Physical Address	Email Address	Phone Number
Pat Boppart - MOJO <span style="color: red;">MOJO</span>	5300 College Blvd., OPA 66211	pat.boppart@moffitt.built.com	913-927-4197
ADAM PFEIFER <span style="color: red;">Architect</span>	12214 W. 79 <sup>th</sup> TERR, LENEXA, KS	ADAM@APPSTUDIOS.COM	785-650-3563
Bob & Boby Clark <span style="color: red;">Neighbour</span>	7631 Panner St.	bobclarkku@gmail.com	913-620-6514
Joe Woods <span style="color: red;">MOJO</span>	5300 College Blvd OPA 66211	joe-woods@moffittrealty.com	913-980-4797
Deb Ulmer <span style="color: red;">MOJO</span>	9528 Mission Rd	debulmer9@hotmail.com	913-228-9185

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** June 7, 2020, Planning Commission Meeting

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**Application:** PC 2020-111

**Request:** Rezoning from R-1A to R1B & Request for Lot Split

**Action:** *A Rezoning requires the Planning Commission to evaluate facts and weigh evidence, and based on balancing the factors and criteria in the zoning ordinance, make a recommendation to the City Council.*

*A Lot Split requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met, to approve the application.*

**Property Address:** 7641 Reinhardt Street

**Applicant:** RC Renovations, LLC

**Current Zoning and Land Use:** R-1A – Single-family Residential – Single-family House

**Surrounding Zoning and Land Use:** North: R-1A – Single-family Residential – Single-family House  
East: R-1A – Single-family Residential – Single-family House  
South: R-1A – Single-family Residential – Single-family House  
West: R-1A – Single-family Residential – Single-family House

**Legal Description:** SUNSET HILL ACRES LOT 11 PVC-11545

**Property Area:** 0.38 acres (16,714.72 s.f.)

**Related Case Files:** n/a

**Attachments:** Application, lot plan /proposed lot split, conceptual elevations

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**General Location Map**



**Aerial Map**



**Site**



**Birdseye View**



**Street Views**



*Street view looking north on Reinhardt (subject property in background right)*



*Street view of subject property frontage*

**COMMENTS:**

The applicant has requested a zoning change from R-1A to R-1B in order to facilitate a proposed lot split and build two homes on the existing lot. Therefore, the proposal involves two related applications, but each requires independent action by the Planning Commission. The Planning Commission makes a recommendation to the City Council for a rezoning request, but makes a final decision for lot split requests.

The existing lot is 120 feet wide by 140 feet deep, for a total of 16,714.72 square feet. The R-1A zoning district has a minimum lot requirement of 80 feet wide by 125 feet deep, and 10,000 square feet. Although this lot is larger than required by the R-1A zoning district, it is not large enough to split into two conforming lots in that zoning district.

The lot has an existing home that was constructed in 1920 and the lot was platted in 1923 according to Johnson County AIMS mapping records. The R-1A zoning district requires the following setbacks: front – 30 feet; side – at least 20% of the lot width between both sides, and at least 7 feet on each side; rear – 25 feet. The existing home is located to the rear of the lot and is setback approximately 85' from the front lot line. The rear of the home is approximately 20' from the rear lot line, making it a legally non-conforming structure (built and platted before the standards were in place). The lot also has a detached accessory structure behind the building near the rear lot line.

The patterns on this block has a range of lot widths from 70' to 125' wide, plus 4 newly platted 60' to 64' wide lots due to recent similar applications. The character of the block has a wide range of building placements, including this home and the home on the opposite side of the street to the west, each of which are setback deep on the lot near the rear lot line

The applicant is proposing to split this lot into two lots, and build two homes that would conform to the setback requirements. However, the lot is not big enough to result in two lots conforming to the R-1A zoning district. Therefore, the applicant is proposing to rezone this property to R-1B, which has the following zoning standards:

- Width – 60 feet
- Depth – 100 feet
- Area – 6,000 square feet
- Front Setback – 30 feet
- Side Setbacks – at least 20% of lot width total, and at least 6 feet each side
- Rear Setback – 25 feet.

The proposed lots would be 60 feet by 140 feet, and approximately 8,357 square feet.

The applicant held a neighborhood meeting, and a summary of that meeting has been added to the application.

*Note on Recent Applications:* There have been two recent similar applications on this block, and another is pending at the same time as this application. As has been noted with each application, the vicinity has a large number of non-conforming lots (lots that do not meet the width - and possibly the area requirements, for R-1A zoning). Most of the non-conforming lots are between 65 and 80 feet wide. The area of concentrated non-conforming lots is between Mission and Norwood, and between 75<sup>th</sup> and 79<sup>th</sup> Street. This area is zoned R-1A despite a substantial number of lots not meeting lot width requirements. However, the block of Reinhardt between 75<sup>th</sup> and 77<sup>th</sup>, and the east half of Pawnee, between 75<sup>th</sup> and 77<sup>th</sup>, has mostly conforming lots. Several of these lots are more than double the R-1B zoning standard (120' or more wide), which is resulting in the multiple requests to rezone to R-1B as reinvestment occurs. There are approximately 12 more lots in the vicinity that could potentially apply this same strategy. However, the majority of lots in this entire area are between 60' and 100' wide, which would not accommodate lot splits even if the entire area is zoned R-1B.

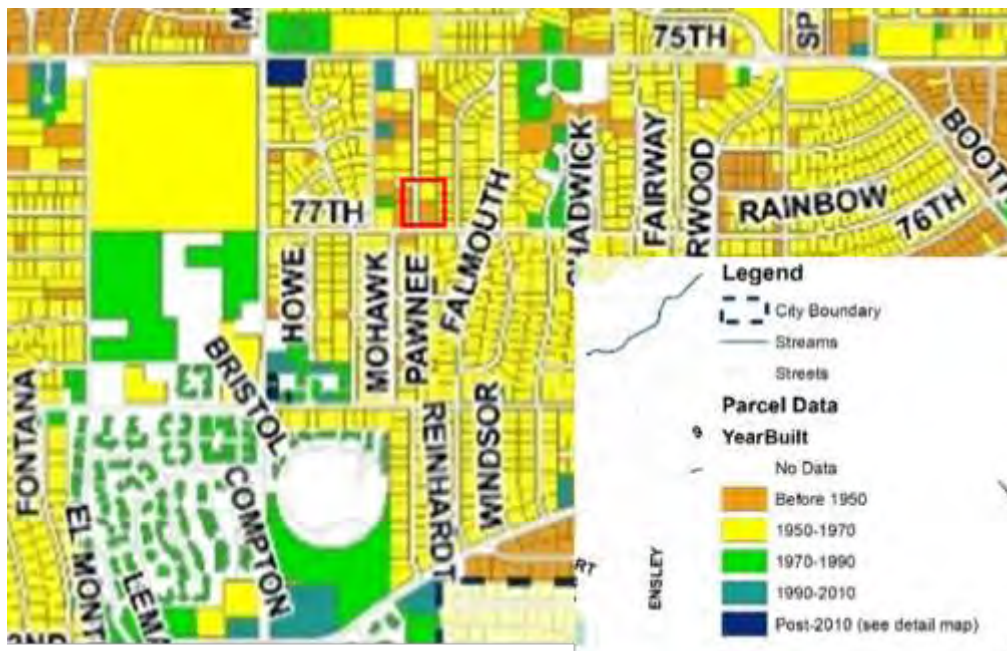


## ANALYSIS – RE-ZONING:

In considering a change in zoning classification, the Planning Commission and City Council are required to act in a quasi-judicial capacity and consider a number of factors commonly referred to as the “Golden” factors, which are incorporated into the City’s Zoning Ordinance [19.52.030]. The factors include, but are not limited to the following:

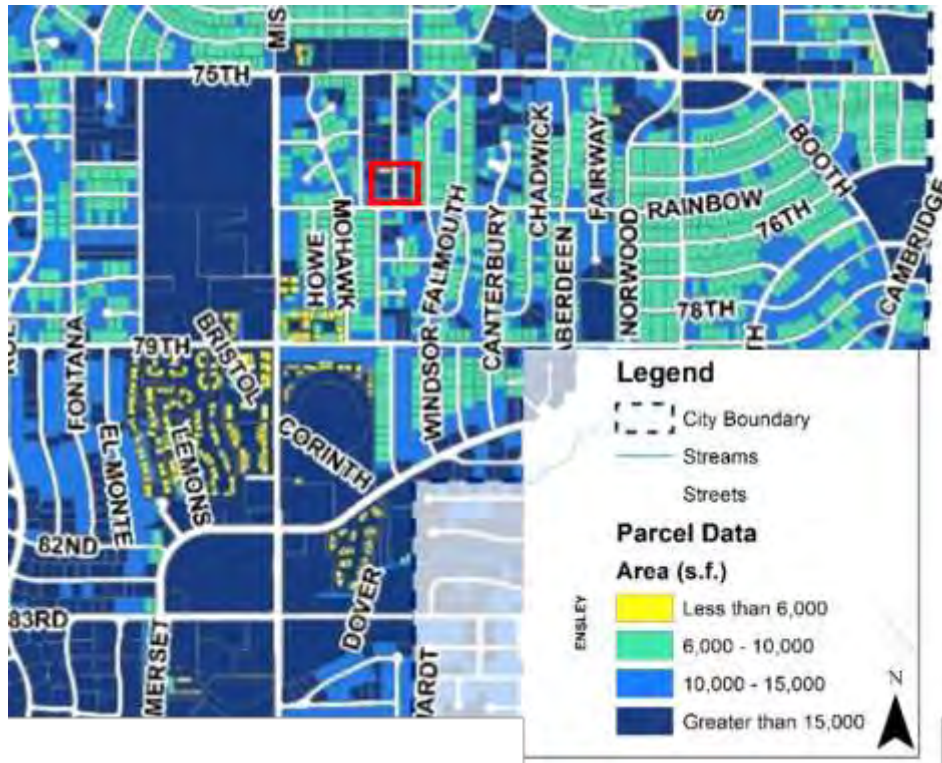
### 1. The character of the neighborhood;

This is a single-family residential neighborhood with a variety of lot sizes and ages of homes. Homes in the area are primarily 1-story, 1.5-story ranches and split-levels. The majority of homes in the area were built between 1950 and 1970. A few of the homes were built prior to 1950, including the existing house on this lot, which was built in 1920. This street is also experiencing reinvestment, with a similar rezoning and lot split approved in 2018 resulting in two newly built homes, a request recommended for approval in June of 2020, and a similar application pending at this time.



#### *Year Built*

This area does include a wide variety of lot sizes reflecting platting and development patterns that pre-date the current zoning and subdivision regulations. Records show this lot was platted in 1923. The majority of lots on this block are larger (all but one over 10,000 square feet and many over 15,000 square feet), with smaller lots occurring to the east and west of this block. [Note: the recent applications approved at the north end of the block and adjacent to this lot are not reflected on this map.]



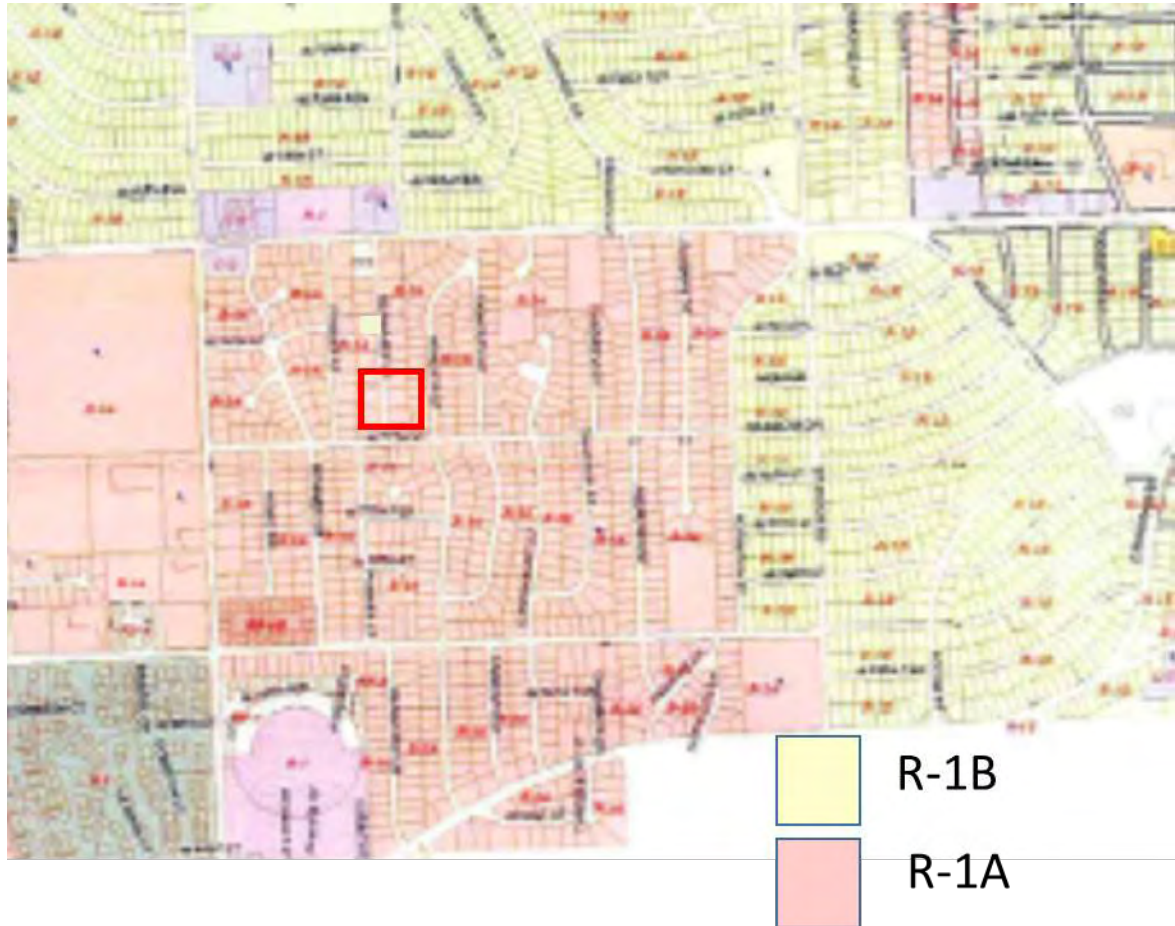
### Lot Size

Lot widths are also important to the character of neighborhoods, as that affects the frontage design, building pattern and access along a streetscape. In the general vicinity, many lots have a 60 to 75 feet width. These exist primarily on several blocks immediately east of Reinhardt. The blocks to the west of Reinhardt have a bit more irregular pattern due to Mohawk Drive alignment, some cul-de-sacs, and irregular or corner-orientation lots; however, they are primarily 70' wide with some in the 75' to 80' range. Reinhardt Street and the east side of Pawnee Street reflect predominantly wider lots - typically 120 feet wide, with a few noted irregularities where two lots were re-platted as three, or three lots were re-platted as four. (Note: This pattern is allowed under current R-1A zoning, where two 120-foot wide lots could be divided into three 80-foot wide lots, or three 120' lots were replatted as four 90' wide lots.). In this specific case, the subject lot is 120' wide. The lots immediately to the north include a 120' wide lot subject to the June 2020 application splitting it into two 60' wide lots, and a 100' lot; the lot immediately to the south is a 79' wide corner lot; and the lots on the opposite side of the street also range from 79-feet to 120-feet in width (plus a similar pending application).

## 2. The zoning and uses of property nearby;

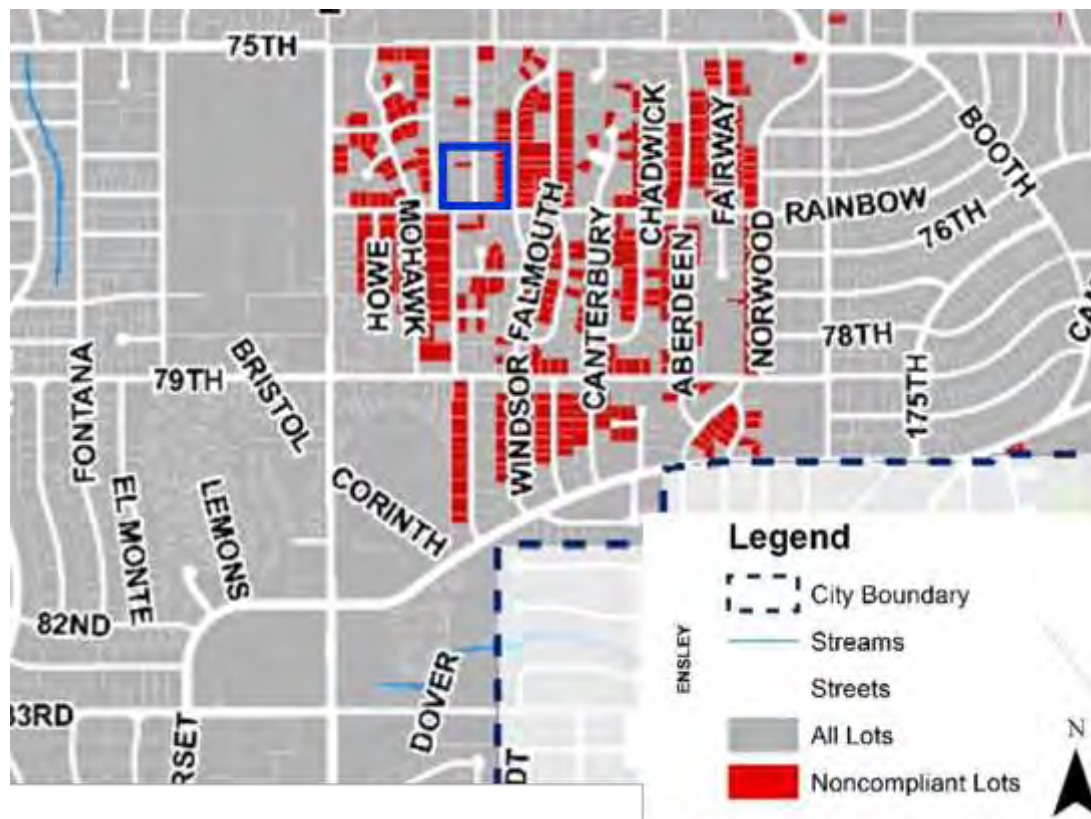
**North:** R-1A Single-family District – Single Family Dwellings  
**East:** R-1A Single-family District – Single Family Dwellings  
**South:** R-1A Single-family District – Single Family Dwellings  
**West:** R-1A Single-family District – Single Family Dwellings

All of the property in the general vicinity is zoned R-1A, with the exception of some property along the 75<sup>th</sup> Street Corridor or Mission Road zoned for commercial, multi-family, or planned residential projects, and the 2018 rezoning to R-1B at 7540 Reinhardt and the pending June 2020 rezoning to R-1B at 7631 Reinhardt. Property further to the east (east of Norwood Street) and north of 75<sup>th</sup> Street is zoned R-1B.



### *Zoning*

The vicinity has many lots that do not conform to the R-1A zoning districts. This is likely due to the platting and buildings being built prior to the adoption of the zoning ordinance. Non-conformances are typically for lots less than 80 feet wide or less than 10,000 square feet, or both. The majority of these exist on the blocks immediately to the east (Windsor Street and Falmouth Street) and west and southwest (Mohawk Street and Howe) of this area. The lots on Reinhardt are typically conforming to R-1A, although one lot to the north on the west side is non-conforming due to its width (70' x 138'; approximately 9,672 s.f.). Plus there are two new 64' x 138' lots next to it, and two pending 60' x 140' lots abutting this lot to the north, which all conform to R-1B standards and are not reflected on this map.



#### *Non-conforming Lots*

### 3. The suitability of the property for the uses to which it has been restricted under its existing zoning;

The property is zoned R-1A, which requires a minimum lot width of 80 feet and a minimum area lot of 10,000 sq. ft. The lot is 140 feet deep by 120 feet wide. The lot is suitable for a residential lot, despite being larger than required by the zoning district. There are many examples of lots this size in the R-1A zoning district. These are most prevalent in the south area of the City. However, there are several lots of a similar size in the area on this block and on the east side of Pawnee, which are currently used for single-family homes.

### 4. The extent that a change will detrimentally affect neighboring property;

The applicant is proposing two single-family homes, which is generally consistent with uses in the area. However, the rezoning and lot split would allow lots smaller than typical lots on this block – excluding recent applications; however, it is comparable in size and width to some of the smallest non-conforming lots in the vicinity. Additionally, the R-1B zoning category does allow taller buildings than generally exist in this area (29' / 2-story from the top of foundation permitted, compared to the typical existing 1-story, 1.5 story or split-levels). This current condition is lower than what is allowed under existing R-1A zoning (35' / 2.5 stories), so the proposed change will reduce the allowed height to the lower R-1B height standard (from 35' / 2.5 stories to 29' / 2 stories). However, the effect on what could be built adjacent to either property boundary is not that significant – the current R-1A zoning requires a 1-foot greater side setback (7-feet as opposed to 6-feet in R-1B). The applicant has proposed lot plans with potential building footprints, and conceptual elevations that demonstrate the potential to meet the R-1B standard and Neighborhood Design Standards. The applicant aware that all future building plans will be required to meet the Neighborhood Design Standards applicable in the R-1B district, and this will be verified when official plans are submitted for building permits.

### 5. The length of time of any vacancy of the property;

The existing residence was built in 1920, so the property has not been vacant, but the structure is one of the older homes in the area.

**6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;**

The existing home on the site is small relative to the lot (1,344 s.f. building), and the vicinity is experiencing re-investment through rehabilitation and new development. The approval of this request will permit redevelopment that will increase the value of this site, and make it more practical to build two moderate-sized single-family homes on smaller lots. This is generally consistent with the use and patterns in the vicinity, though smaller than most lots on this block. Additionally, any new structures will be required to meet the Neighborhood Design Standards that were adopted in 2018, and are comparable for both R-1A zoning districts and R-1B zoning districts.

**7. City staff recommendations;**

The proposed rezoning will promote this redevelopment and general reinvestment in the neighborhood. Typically, rezoning property for site-specific applications should be avoided, unless specifically called for under a plan or clearly justified through a site-specific analysis that considers the project in the surrounding context. Many of the justifications for this rezoning are applicable to other similarly situated property in the vicinity. Further, the conditions in the area that support rezoning (the existence of many smaller lots with 60' to 70' frontages) are not typical on this specific block with many 120'+ lots, so the City may anticipate future similar requests and the cumulative impact of such redevelopment activity in this area should be considered.

The impact of a potential larger-scale and city-initiated rezoning of the area has not been considered under the comprehensive plan or through a specific plan or detailed analysis for the area. However, recent similar applications, and recent discussions regarding comprehensive plan updates regarding housing, have dealt with adding more diversity of lot and building types i to address rising land costs in similar areas experiencing reinvestment.

While pending updates to the comprehensive plan and the current policies for a wider range of building and lot types may warrant further consideration of the appropriate zoning strategies for this area and throughout the city, there are many of the site-specific considerations present that support rezoning. These considerations are reflected in the other seven criteria in this report, which the Planning Commission is required to consider. In particular, the Planning Commission should eventually evaluate the zoning designation of this entire area, based on outcomes in the Comprehensive Plan update, and determine if R-1A zoning is appropriate or what other zoning actions may be appropriate. In this regard, and similar to the 2018 and June 2020 rezoning on this block, the Commission may consider approval of this application in the context of a broader strategy for the general area. As part of that broader and more comprehensive strategy, staff recommends approval of this rezoning.

**8. Conformance with the Comprehensive Plan;**

The Policy Foundation for the comprehensive plan includes the following:

- **Community Character and Activities:** Provide an attractive, friendly and safe community with a unique village identity appealing to the diverse community population.
- **Housing:** Encourage neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages and incomes.

The Conceptual Development Framework maps areas of the City for specific implementation strategies associated with the Policy Foundation. This area is mapped as Neighborhood Conservation, which includes the following specific policies and goals:

- Examine zoning regulations to determine where the uniform lot and building standards restrict the amount of land available to accommodate building expansion.
  - Create basic building design standards that can protect the character of neighborhoods.
-

- Consider financial incentives where home renovations are not possible through traditional financing or other qualified home improvement programs.
- Allow for more compact housing or different and more dense housing options along major thoroughfares.

In contrast, the Neighborhood Improvement areas identified in the Conceptual Development Framework have more proactive strategies for reinvestment, redevelopment or code enforcement based on specific neighborhood initiated plans for investment and/or redevelopment.

Other implementation actions and policy statements in the plan include:

- Permitting higher density, primarily near existing commercial areas or along arterial corridors.
- Keeping neighborhoods vibrant by encouraging home renovation and housing investment.
- Allowing housing variety throughout the City, while maintaining distinct neighborhood character within specific neighborhoods

### **ANALYSIS – LOT SPLIT:**

Chapter 18.02 of Prairie Village subdivision regulations allows the Planning Commission to approve splits provided each lot meets the zoning standards. Section 18.02.010 of the subdivision regulations provide the criteria for approval of a lot split. Essentially, the applicant must submit a certificate of survey demonstrating that both lots will meet the zoning ordinance standards and that any existing buildings on a remaining lot are not made nonconforming as a result of the lot split. The certificate of survey is also required to ensure that no utility easement or right-of-way issues are created by the lot split or need to be addressed due to the lot split.

In this case, the proposed lot split will not meet the width required in R-1A, and the applicant has proposed an associated rezoning to R-1B. If the Planning Commission recommends approval and the City Council approves the proposed rezoning, then the proposed lot split would meet all criteria of the ordinance and should be approved. However, if the Planning Commission recommends denial or the City Council does not approve the rezoning, then the proposed lot split does not meet these criteria and should be denied.

### **RECOMMENDATION:**

Staff's recommendation is contingent on the Planning Commission's action on the associated zoning application:

1. If the Planning Commission recommends approval of the proposed rezoning from R-1A to R-1B, then it should approve the proposed lot split based on the following conditions:
  - a. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
  - b. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
    - 1) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
    - 2) The dimension and location of the lots, including a metes and bounds description of each lot.
    - 3) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
    - 4) Any platted building setback lines with dimensions.

- 5) Indication of location of proposed or existing streets and driveways providing access to said lots.
  - 6) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines , and proposed drainage systems.
  - 7) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.
- c. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.
2. If the Planning Commission recommends denial of the proposed rezoning from R-1A to R-1B, then it should table the lot split application until a final decision by the City Council. Denial of the rezoning by the City Council should result in the withdrawal of the application. However, approval of the rezoning by City Council should result in the Planning Commission considering the application subject to the criteria in the regulations and analysis in this staff report.

**EFFECT OF DECISION:**

**Rezoning.** The Planning Commission makes a recommendation to the City Council on the rezoning. The City Council will make a final decision, according to the following:

- Approve the Planning Commission recommendation by a majority vote (including any conditions if the recommendation was for approval subject to conditions).
- Return to Planning Commission with direction to reconsider specific actions, either by a majority vote or by failure to approve the Planning Commission recommendation.
- Override or modify the Planning Commission recommendation by at least a 2/3 vote of the membership of the governing body.

If a valid protest petition is filed with the City Clerk within 14 days of the close of the public hearing, the City Council may only approve the application with a 3/4 vote of the membership of the governing body.

If approved by the Planning Commission and City Council, the applicant may submit building plans for permits according to the R-1B designation, and the Neighborhood Design Standards required in R-1A and R-1B zoning districts.

**Lot Split.** The Planning Commission makes the final decision on lot splits. If approved the applicant shall submit a certificate of survey for the new lots to be recorded with the Register of Deeds of Johnson County, and may apply for building permits according to the new lot boundaries. A denial by the Planning Commission may be appealed to the City Council.

App# 23137  
Cnot# 21474

CITY OF PRAIRIE VILLAGE, KANSAS  
REZONING APPLICATION FORM

For Office Use Only  
Case No.: PC 2020-111  
Filing Fees: 100.00  
Deposit: 500.00



@gmail.com

Date Advertised: \_\_\_\_\_  
Date Notices Sent: \_\_\_\_\_  
Public Hearing Date: \_\_\_\_\_

APPLICANT: RC Renovations LLC PHONE: 913-486-2853  
ADDRESS: 6709 W. 119th Street #233, OP, KS ZIP: 66209  
OWNER: Carlos Garcia + Maria Diaz PHONE: \_\_\_\_\_  
ADDRESS: 7641 Reinhardt Street ZIP: 66208  
LOCATION OF PROPERTY: 7641 Reinhardt Street  
LEGAL DESCRIPTION: Sunset Hill Acres Lot 10 PVC-11545

Present Zoning R1-A Requested Zoning: R1-B  
Present Use of Property: Residential

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>Residential</u>	<u>R1-A</u>
South	<u>Residential</u>	<u>R1-A</u>
East	<u>Residential</u>	<u>R1-A</u>
West	<u>Residential</u>	<u>R1-A</u>

CHARACTER OF THE NEIGHBORHOOD: Residential

RELATIONSHIP TO EXISTING ZONING PATTERN:

1. Would proposed change create a small, isolated district unrelated to surrounding districts?  
No
2. Are there substantial reasons why the property cannot be used in accord with existing zoning?  
Many existing surrounding lots are currently zoned R1-A, but  
If yes, explain: do not conform in width or area

CONFORMANCE WITH COMPREHENSIVE PLAN:

1. Consistent with Development Policies? Yes
2. Consistent with Future Land Use Map? Yes



DEVELOPMENT PLAN SUBMITTAL:

- Development Plan
- Preliminary Sketches of Exterior Construction

LIST OF NEIGHBORING PROPERTIES:

Certified list of property owners within 200 feet

TRAFFIC CONDITIONS:

1. Street(s) with Access to Property: Reinhardt Street
2. Classification of Street(s):  
 Arterial \_\_\_\_\_ Collector \_\_\_\_\_ Local X
3. Right-of-Way Width: 50'0"
4. Will turning movements caused by the proposed use create an undue traffic hazard?  
NO

IS PLATTING OR REPLATTING REQUIRED TO PROVIDE FOR: N/A

1. Appropriately Sized Lots? \_\_\_\_\_
2. Properly Size Street Right-of-Way? \_\_\_\_\_
3. Drainage Easements? \_\_\_\_\_
4. Utility Easements:  
 Electricity? \_\_\_\_\_  
 Gas? \_\_\_\_\_  
 Sewers? \_\_\_\_\_  
 Water? \_\_\_\_\_
5. Additional Comments: \_\_\_\_\_

UNIQUE CHARACTRISTICS OF PRPOERTY AND ADDITIONAL COMMENTS:

None

SIGNATURE: 

DATE: 6/5/20

BY: Ryan Ashner

TITLE: Member

**LOT SPLIT APPLICATION**  
**CITY OF PRAIRIE VILLAGE, KANSAS**

Lot Split Application No: \_\_\_\_\_

Date: \_\_\_\_\_

Fee: \_\_\_\_\_

Deposit: \_\_\_\_\_

**Request To:** Codes Administrator  
City of Prairie Village  
7700 Mission Road  
Prairie Village, Kansas 66208  
(913) 381-6464

**Attachment Required:**

- Four (4) copies of scale drawing;
- Legal description of lots to be created;
- The location of any structure(s) on the lot or lots thereon, together with the precise nature, location and dimensions;
- Name, signature, and seal of the licensed engineer or registered land surveyor who prepared the drawing.

RC Renovations LLC  
**APPLICANT**

Carlos Garcia + Maria Diaz  
**OWNER**

Ryan Ashner  
Name

Carlos Garcia + Maria Diaz  
Name

6709 W. 119<sup>th</sup> Street #233, Overland Park, KS  
Address

7641 Reinhardt Street  
Address

913      486-2853  
Area Code      Telephone Number

\_\_\_\_\_  
Area Code      Telephone Number

**REQUEST**

As provided in Article \_\_\_\_\_ of the Subdivision Regulations, City of Prairie Village, Kansas, a lot split of Lot 10, Block \_\_\_\_\_, in the Sunset Hill Acres Addition to the City of Prairie Village is hereby requested. The lot is generally described as:

Sunset Hill Acres Lot 10 PVC-11545

# LOT SPLIT REQUIREMENTS

The lot split is sought to provide for the issuance of building permits in lots divided into not more than two (2) tracts without having to replat said lot.

The lot split application meets the following requirements:

- | YES                                 | NO                       |   |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (a) No new street or alley or other public improvements is needed or proposed.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (b) No vacation of streets, alleys, setback lines, access control or easements is required or proposed.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (c) The lot split will not result in significant increases in service requirements (e.e., utilities, schools, traffic control, streets, etc.); or will not interfere with maintain existing service level (e.g., additional curb cuts, repaving, etc.). |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (d) There is street right-of-way as required by these regulations or the Comprehensive Plan.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (e) All easement requirements have been satisfied.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (f) The split will not result in a tract without direct access to a public street.  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (g) No substandard-sized lot or parcel will be created.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (h) The lot has not been previously split in accordance with these regulations.   |

APPLICANT'S SIGNATURE:



Date: 6/5/20

OWNER'S SIGNATURE:

\_\_\_\_\_

Date: \_\_\_\_\_

---

## Planning Commission ACTION

Date application can be scheduled for consideration at a regular meeting of the Planning Commission:

\_\_\_\_\_

Action of the Planning Commission:

\_\_\_\_\_

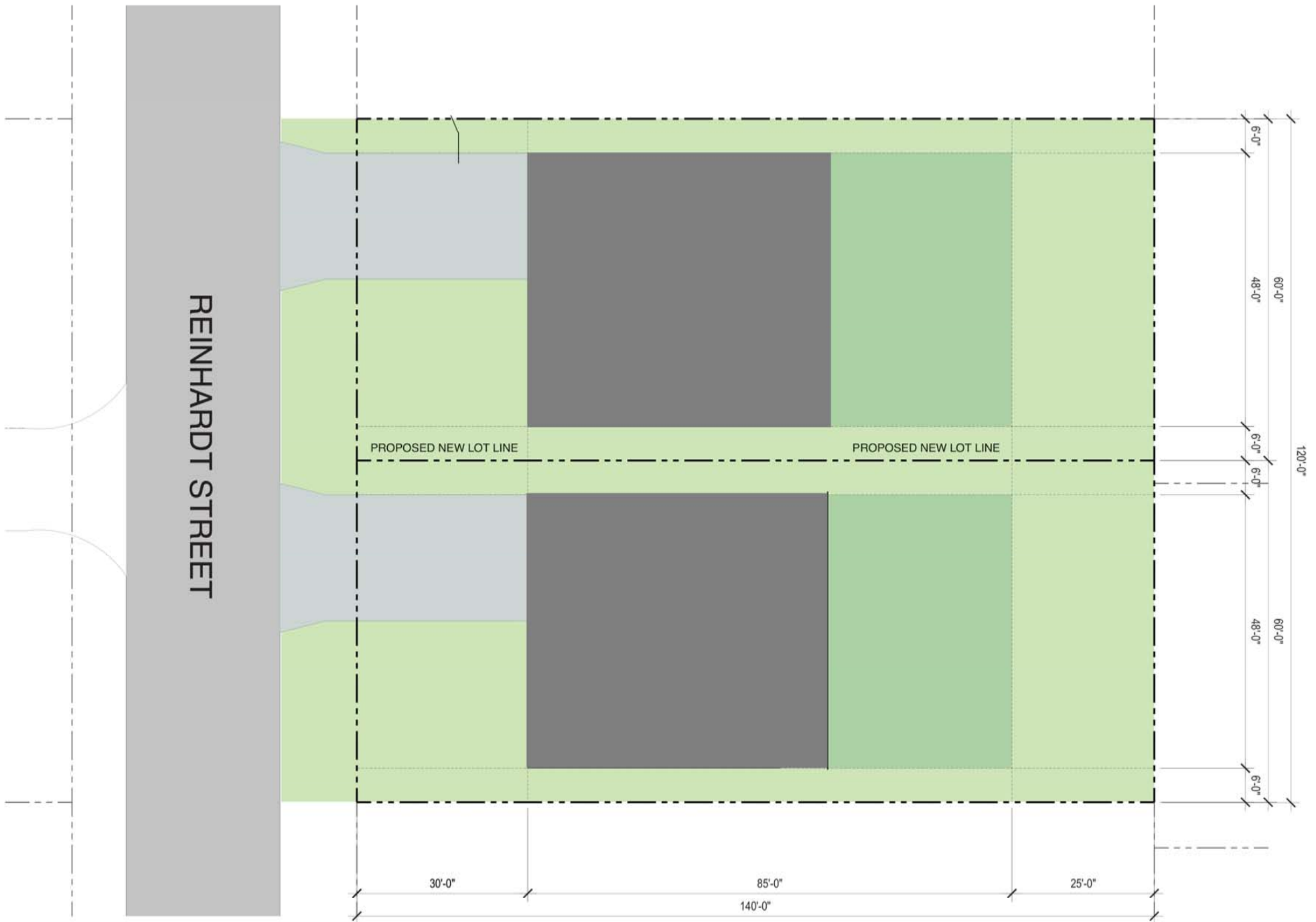


60'-0"

120'-0"

60'-0"

7641 Reinhardt Street  
Proposed Lot Split & Rezoning



Overall Site Plan  
 Scale: 1/8" = 1'-0"

7641 Reinhardt Street  
 Proposed Lot Split & Rezoning



## Buffer Results

[JoCo Home](#) > [AIMS Home](#) > [Internet Maps](#)

200 foot buffer (5.66 acres)  
 Buffer search returned 30 properties  
[Download as Mailing Labels](#)

No.	Property ID	Area (ft <sup>2</sup> )	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Billing Name	Billing Name2	Billing Address	Billing City, State Zip
1	OP14000000 0020	8,276	0.19	7626 WINDSOR DR	BOWLING, RYAN L.	BOWLING, LAURA E.	7626 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
2	OP14000000 0029	8,276	0.19	7627 WINDSOR DR	RUIZ-GONZALEZ, ANTONIO D J		7627 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
3	OP14000000 0025	8,276	0.19	7647 WINDSOR DR	MELIA, THOMAS J.	MELIA, ANNE S.	7647 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
4	OP14000000 0028	8,276	0.19	7631 WINDSOR DR	THOMAS, ANDREW	THOMAS, CASEY	7631 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
5	OP14000000 0023	8,276	0.19	7640 WINDSOR DR	SDC HOLDING LLC		7640 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
6	OP62000001 0014	16,117	0.37	7700 WINDSOR ST	KARIM E MEMI STAMATI REVOCABLE TRUST		12405 W 82ND PL	LENEXA, KS 66215				
7	OP73000000 0032	11,326	0.26	7637 PAWNEE ST	COOPER, CHARLES W. TRUSTEE	COOPER, SONDR A KAY TRUSTEE	7637 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
8	OP73000000 0031B	10,890	0.25	7635 PAWNEE ST	MARNETT, JOHN T.	MARNETT, PATTI S.	7635 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
9	OP73000000 0030	16,988	0.39	7631 PAWNEE ST	CLARK, ROBERT M. JR	CLARK, BETTY J.	7631 PAWNEE ST	PRAIRIE VILLAGE, KS 66208				
10	OP14000000 0027	8,276	0.19	7637 WINDSOR DR	SCHROEDER, ROBERT K	SCHROEDER, RUTHANNE	3513 W 92ND TER	LEAWOOD, KS 66206				
11	OP14000000 0026	8,276	0.19	7641 WINDSOR DR	AU, DANIEL M		7641 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
12	OP27000000 0001C	10,019	0.23	3501 W 77TH ST	CHRISMAN, JOSEPH W.	CHRISMAN, SUSAN E.	3501 W 77TH ST	PRAIRIE VILLAGE, KS 66208				
13	OP27000000 0001E	11,326	0.26	7701 PAWNEE DR	JACOBS, AARON S.		7701 PAWNEE DR	PRAIRIE VILLAGE, KS 66208				
14	OP73000000 0010	16,553	0.38	7641 REINHARDT ST	GARCIA, CARLOS	DIAZ, MARIA T	7641 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
15	OP73000000 0031C	0	0.00	0 NS NT	PATTERSON, EMILY E.		12712 EL MONTE ST	LEAWOOD, KS 66209				
16	OP14000000 0024	8,276	0.19	7646 WINDSOR DR	BECKER, KEN A.	BECKER, LAURA L.	7646 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
17	OP14000000 0019	8,712	0.20	7620 WINDSOR DR	HARRIS, KATHERINE A		7620 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
18	OP27000000 0001B	9,583	0.22	3507 W 77TH ST	RATLEY, PAULA S.	RATLEY, SARAH L.	PO BOX 6973	LEAWOOD, KS 66206				
19	OP14000000 0021	8,276	0.19	7630 WINDSOR DR	KRZESINSKI, ROSE A.	KRZESINSKI, ROSE ANN	7630 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
20	OP73000000 0015A	10,890	0.25	7620 REINHARDT ST	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
21	OP73000000 0008	13,939	0.32	7625 REINHARDT ST	MANKAMEYER, MATTHEW S	MANKAMEYER, ELIZABETH M	7625 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
22	OP73000000 0033	11,326	0.26	7641 PAWNEE ST	GREGORY W PESCH AND KELLI L PESCH REVOCABLE TRUST		PO BOX 133	MISSION, KS 66201				
23	OP73000000 0012	10,890	0.25	3500 W 77TH ST	KAUFFMAN, MATTHEW		3500 W 77TH ST	PRAIRIE VILLAGE, KS 66208				
24	OP73000000 0014	16,553	0.38	7632 REINHARDT ST	PATTERSON, EMILY E.		7632 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
25	OP14000000 0022	8,276	0.19	7636 WINDSOR DR	HALL, ALICE H. TRUSTEE	HALL, ALICE H. TRUST	27027 W 77TH ST	SHAWNEE, KS 66227				
26	OP14000000 0018	8,276	0.19	7616 WINDSOR DR	SIEGMAN, TAYLOR		7616 WINDSOR DR	PRAIRIE VILLAGE, KS 66208				
27	OP73000000 0009	16,553	0.38	7631 REINHARDT ST	ESRY, RITA		7631 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
28	OP73000000 0011	11,326	0.26	7649 REINHARDT ST	STRANGE, PAUL A.	STRANGE, MARY E.	7649 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
29	OP73000000 0015B	5,663	0.13	0 NS NT	EITZEN, BROOKE E	COLLINS, DANIEL S	7620 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				
30	OP73000000 0013	16,553	0.38	7640 REINHARDT ST	BORTOLOTTI-MELO, JAVIER	RODRIGUEZ, ANA M.	7640 REINHARDT ST	PRAIRIE VILLAGE, KS 66208				

Total Area of Parcels: 7.26 acres (316,246 ft<sup>2</sup>)  
 Selected Property

## Meeting Notes

Neighborhood Meeting for 7641 Reinhardt Street

June 30<sup>th</sup>, 2020

The meeting started at 5:00 at 7641 Reinhardt Street

List of people at meeting:

Betty Clark, Pat Boppart, Art Strange, Steve Ashner, Ryan Ashner, John Moffitt, Joe Woods

Information from the meeting:

- Betty Clark asked about what the lot configuration would look like
- We explained how the lots would be configured per the lot split rendering that we had at the meeting. We explained the lot sizes, distance between homes, timing, etc.
- Art Strange asked how the homes would work in conjunction with his home next door. We explained this to Art per the rendering of the site that we had at the meeting.
- The members of Mojo Homes were also there and discussed the lots that they are involved in on Reinhardt Street and their plans, lot information, timing, etc.
- FYI: The meeting was held outside and everyone was wearing a mask
- The meeting was over at 6:00 PM

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, Gould Evans, Planning Consultant  
**DATE:** July 7, 2020 Planning Commission Meeting

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**Application:** PC 2020-112

**Request:** Site plan review – Exception to Neighborhood Design Standards

**Action:** *A Site Plan requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application. The Neighborhood Design Standards have specific criteria to evaluate for granting exceptions.*

**Property Address:** 3902 Homestead Court

**Applicant:** Patricia Smith

**Current Zoning and Land Use:** R-1A Single-Family District - Single-Family Dwelling

**Surrounding Zoning and Land Use:** North: R-1A Single-Family District – Single-Family Dwellings  
East: R-1 Single-Family District (Mission Hills) - Single-Family Dwellings  
South: R-1A Single-Family District – Single-Family Dwellings  
West: R-1A Single-Family District - Single-Family Dwellings

**Legal Description:** HOMESTEAD ESTATES LOT 6

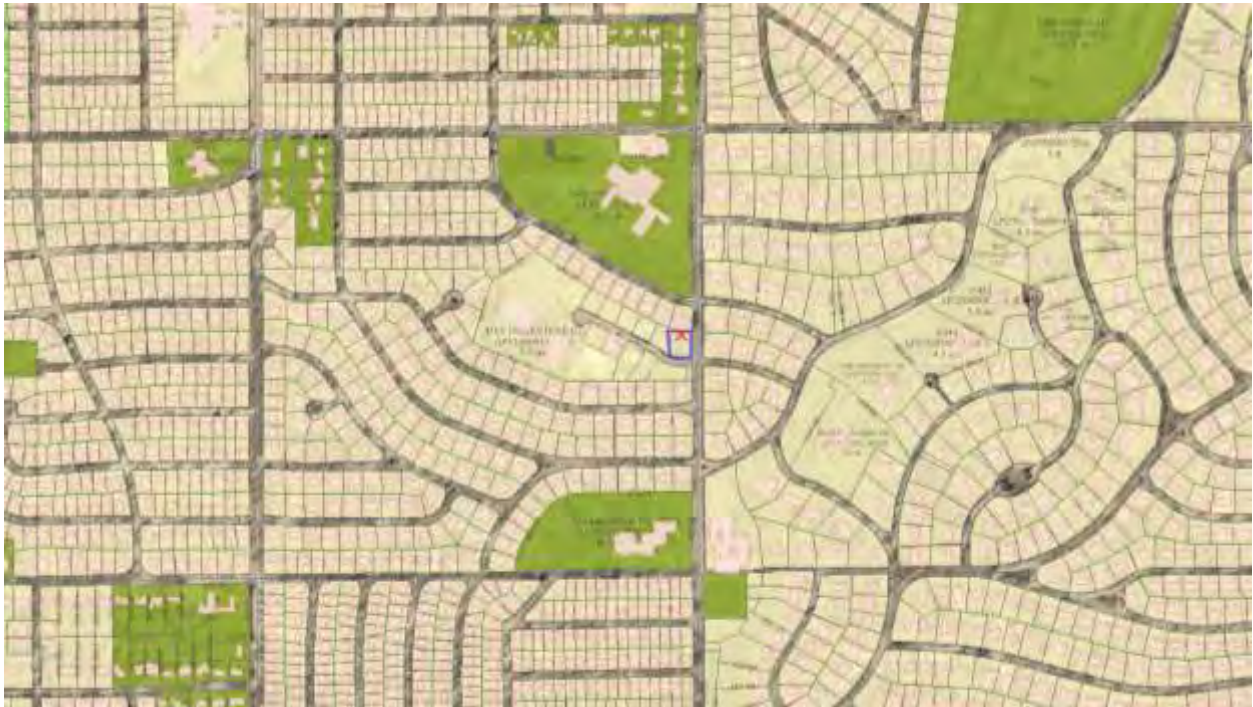
**Property Area:** 21,277.9 sq. ft. (0.49 ac.)

**Related Case Files:** none

**Attachments:** Application, Plot Plan and code review comments, Architectural Drawings

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**General Location – Map**



**General Location – Aerial**



Site – Aerial



Birdseye



**Street View** (looking north on Mission Road, subject lot on the left)

## **BACKGROUND:**

The applicant is requesting an exception to the Neighborhood Design Standards, related to the construction of a new house in the Homestead Redevelopment. The lot is zoned R-1A, and is part of the re-plat of part of the Homestead Country Club, approved in 2018. The Neighborhood Design Standards were adopted in 2018, and are applicable to all R-1A lots.

Specifically the applicant is asking for an exception to Section 19.06.025.D.2. regarding building massing and wall planes.

2. *Wall Planes: Wall planes shall have varied massing by:*
  - a. *Wall planes over 500 square feet shall have architectural details that break the plane into distinct masses of at least 20% of the wall plane. Architectural details may include:*
    - (1) *Projecting windows, bays or other ornamental architectural details with offsets of a minimum of 1.5 feet.*
    - (2) *Off-sets of the building mass such as step backs or cantilevers of at least 2 feet.*
    - (3) *Single-story front entry features such as stoops, porticos or porches.*
    - (4) *No projections shall exceed the setback encroachment limits of Section 19.44.020.*

*[Prairie Village Zoning Ordinance, Section 19.06.025.D., Building Massing]*

The plans include the right (east) elevation along Mission Road that is 620 s.f. According to Section D.2.a. the elevation would need to be broken up by one of the three methods, and the applicant has proposed a design that does not use those methods.

The applicant submitted information to the City Clerk indicating notification of surrounding property owners and compliance with the design exception and site plan requirements.

The Neighborhood Design Standards have the following intent, relevant to this exception:

- A. *Design Objectives. The design objectives of the Neighborhood Design Standards are to:*
1. *Maintain and enhance the unique character of Prairie Village neighborhoods.*
  2. *Promote building and site design that enhances neighborhood streetscapes.*
  3. *Reinforce the existing scale and patterns of buildings in neighborhoods for new construction.*
  4. *Manage the relationship of adjacent buildings and promote compatible transitions.*
  5. *Enhance the quality, aesthetic character and visual interest within neighborhoods by breaking down larger masses and incorporating human scale details and ornamentation.*
  6. *Locate and orient buildings to maintain the existing grade of the street, block, and lot frontages, and design them in a manner that reduces the perceived massing from the streetscape and abutting lots.*

*[Prairie Village Zoning Ordinance, Section 19.06.025.A., Design Objectives.]*

To further this intent, the Building Massing standards have a goal to “breakdown the volume of the buildable area and height into smaller scale masses to improve the relationship of the building to the lot, to adjacent buildings and to the streetscape.” [Prairie Village Zoning Ordinance, Section 19.06.025.D.]. The three techniques in this section to address building massing are Windows and Doors (D.1), Wall Planes (D.2), and Garage Limits (D.3.)

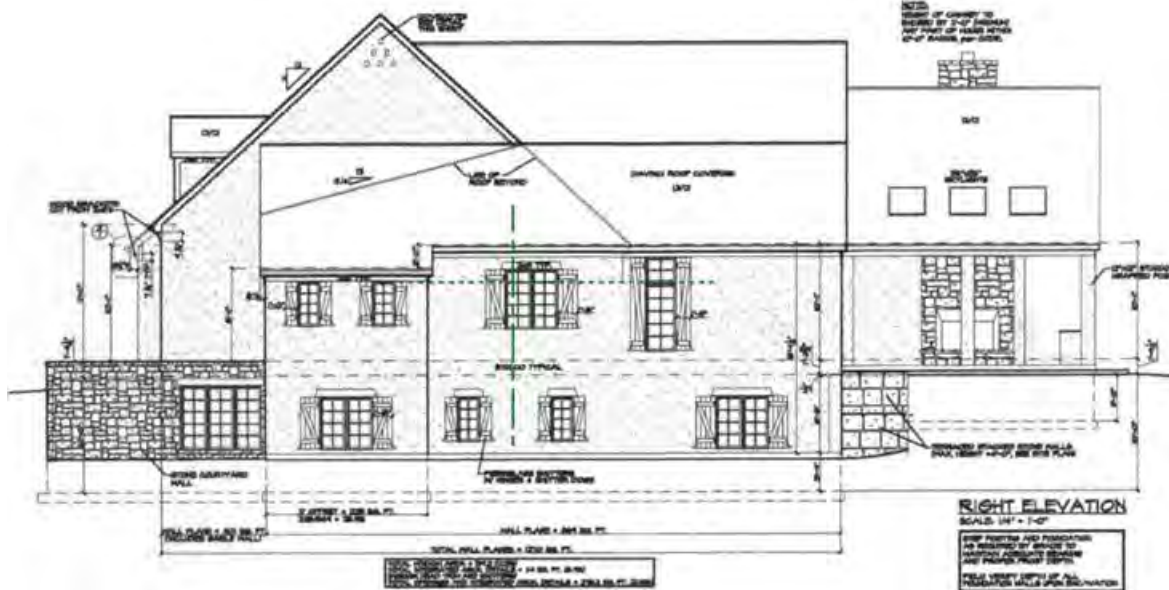
#### ANALYSIS:

[The following analysis is provided by Todd Ault, an architect at Gould Evans who is part of the Prairie Village contract planning group, and is also the City of Mission Hills City Architect. This analysis is based on the applicant’s original submittals in the packet. It is from an internal team e-mail dated 6/25 which was communicated to the applicant.]

*In my interpretation, the spirit and intent of the “Massing: Wall Planes” guideline is to provide visual interest on all façades. Unfortunately, there are times that these added features can take away from the elegance of simple forms. I believe that larger planes can be given visual interest by providing a composition of windows or applied forms. The key word is composition. When projections and windows are added without composition, they can detract from a design. For instance, in the original approved plan [proposed plan that would meet the standard], the applied bump out was too close to an adjacent projection and did not have any relationship to the lower windows. While this plan meets the letter of the design guideline requirements, I believe it misses the intention.*



Unfortunately, the suggestion of simply eliminating the bump but leaving the window layout “as-is” is not much better. In this option, the window that is left when the bump is removed is out of context with the rest of the façade. This is especially evident in the head alignment. Window heads should typically align to be visually balanced. If a transom is employed, the sill of the transom should align with the head of windows without transoms. As you can see, this window does not share any datums with the surrounding windows, but the adjacent transom window does.



If we were to introduce another transom and slightly move the window, we can provide a composition that has relationships with the other elements on the elevation and creates a composition that does not need additional applied elements.



It is my professional opinion that if a wall is properly composed, the need for projecting and/or recessed elements becomes less important. With the revision shown above, I believe a pleasing composition has been achieved.

**CRITERIA:**

The Neighborhood Design Standards allow for exceptions in specific cases. In considering an exception, the Planning Commission considers the criteria in Section 19.06.025.F. (sub-sections 4., 5., and 6. are most relevant to this application):

1. *The exception shall only apply to the design standards in this section, and not be granted to allow something that is specifically prohibited in other regulations;*
2. *Any exception dealing with the placement of the building is consistent with sound planning, urban design and engineering practices when considering the site and its context within the neighborhood.*
3. *The placement and orientation of the main mass, accessory elements, garages and driveways considers the high points and low points of the grade and locates them in such a way to minimize the perceived massing of the building from the streetscape and abutting lots.*
4. *Any exception affecting the design and massing of the building is consistent with the common characteristics of the architectural style selected for the building.*
5. *The requested exception improves the quality design of the building and site beyond what could be achieved by meeting the standards –primarily considering the character and building styles of the neighborhood and surrounding properties, the integrity of the architectural style of the proposed building, and the relationship of the internal functions of the building to the site, streetscape and adjacent property.*
6. *The exception will equally or better serve the design objectives stated in Section 19.06.025 A and the intent stated for the particular standard being altered.*

*[Prairie Village Zoning Ordinance, Section 19.06.025.F. Exceptions]*

**RECOMMENDATION:**

Staff recommends that the exception as originally submitted by the applicant be denied, but the request should be considered in association with strategies that provide better composition of the right (east side) elevation. These strategies specifically include alignment of the windows in the area where the potential (compliant) bump would otherwise be located. Alignment should corresponded both horizontally with elements of windows on the same level, and vertically with windows on the lower level.

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**CITY OF PRAIRIE VILLAGE**  
The Star of Kansas

**Planning Commission Application**

For Office Use Only
Case No.:
Filing Fee:
Deposit:
Date Advertised:
Date Notices Sent:
Public Hearing Date:

Please complete this form and return with information requested to:

Assistant City Administrator  
City of Prairie Village  
7700 Mission Rd.  
Prairie Village, KS 66208

Applicant: PATRICIA SMITH Phone Number: 913-526-9003 (TRISH CELL)  
 Address: 9415 LEE BLVD, LEAWOOD KS 66206 E-Mail: TRISHSMITH49@GMAIL.COM  
 Owner: TIMOTHY & PATRICIA SMITH Phone Number: 816-522-3427 (TIM'S CELL)  
 Address: 9415 LEE BLVD. LEAWOOD, KS 66206 Zip: →  
 Location of Property: 3902 HOMESTEAD CT., PRAIRIE VILLAGE, KS 66208  
 Legal Description: HOMESTEAD ESTATES LOT 6

Applicant requests consideration of the following: (Describe proposal/request in detail)

PLEASE REFER TO ATTACHED SHEET

**AGREEMENT TO PAY EXPENSES**

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for \_\_\_\_\_.

As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

Patricia Smith 6-5-2020  
Applicant's Signature/Date

W. Smith 6-5-2020  
Owner's Signature/Date  
and  
Patricia Smith 6-5-2020

## City of Prairie Village Building Code Department Plan Review Comments

7700 Mission RD PV Kansas 66208      Customer service 913-385-4604

Address: 3902 Homestead Court

Date: 4-11-2020

Status of Plan Review: Disapproved

Reviewed by: Mitch Dringman Building Official City of PV [mdringman@pvkansas.com](mailto:mdringman@pvkansas.com)

The following items shall be corrected and resubmitted:

1. Right elevation has a single wall plane calculated at 620 SQFT, this is greater than 500 SQFT ; to comply with zoning code 20% of the wall mass must be offset:
  - Projecting windows, bays or other ornamental architectural details with offsets of a minimum 1.5 feet
  - Off-sets of the building mass such as step backs or cantilevers of at least 2 feet
  
2. Left elevation with double garage doors exceeds single wall plane of 500 SQFT, this requires same type offsets per item 1, wall plane calculated at 531 SQFT :
  - (suggested)An eye brow could be added to match single car entry this would reduce wall plane
  - (suggested) Or reduce wall plane to at least 500 SQFT

To drop off plans during the Covid -19 stay at home orders you will need to contact 913-385-4604 or email [permits@pvkansas.com](mailto:permits@pvkansas.com) request need to drop off plans city staff will contact you and coordinate drop off times at City Hall.



# PLOT PLAN

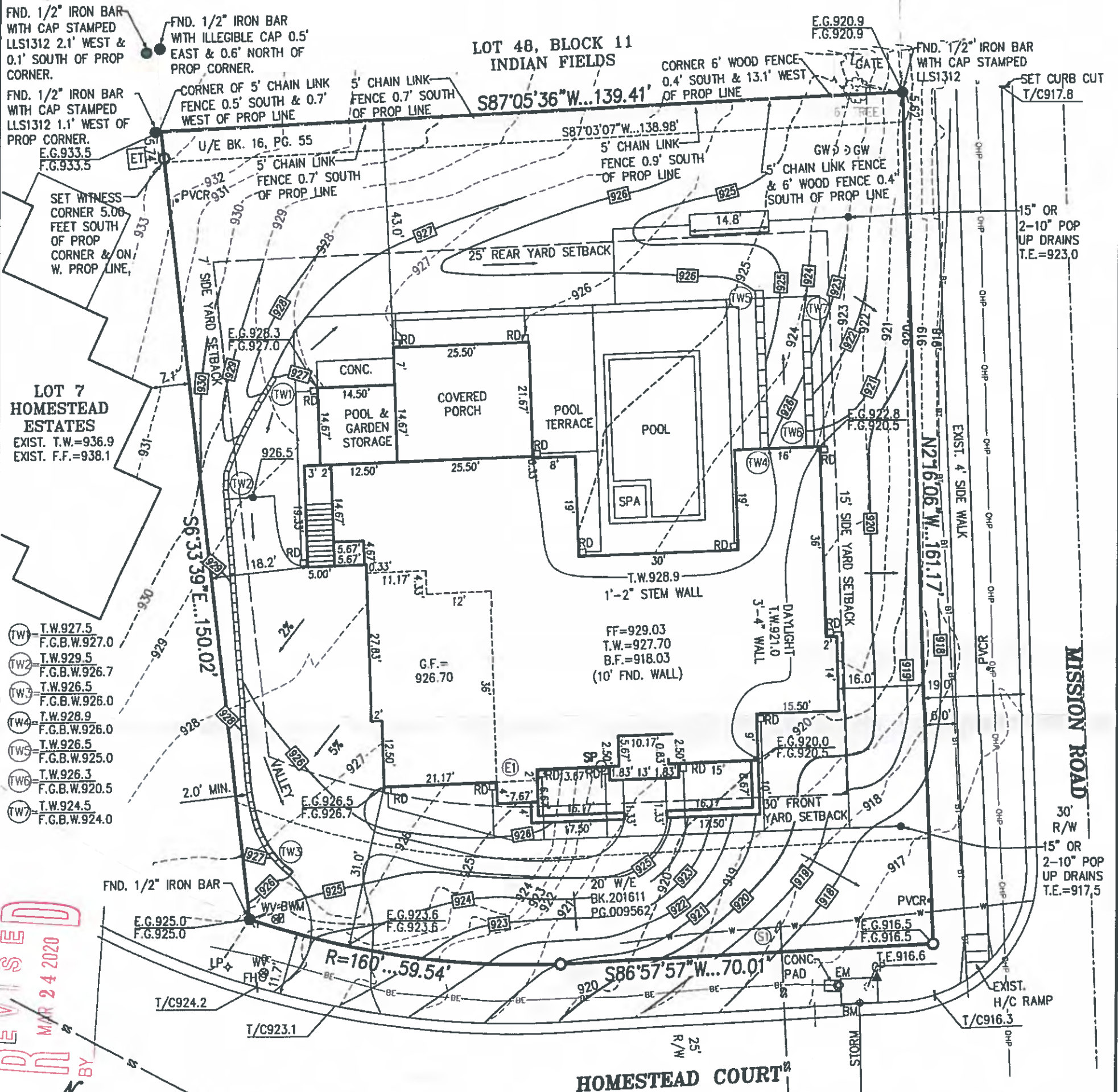
## LOT 6

### HOMESTEAD ESTATES

#### 3902 HOMESTEAD COURT

PROPOSED CONDITIONS	
IMPERVIOUS AREA(IN SQ. FT.):	
TOTAL LOT AREA=	30,096(INCLUDING R/W)
IMPERVIOUS AREA=	9,614(INCLUDING R/W)
PERCENT IMPERVIOUS=	31.9%(INCLUDING R/W)
TOTAL LOT AREA=	21,285(LOT ONLY)
IMPERVIOUS AREA=	8,126(LOT ONLY)
PERCENT IMPERVIOUS=	38.1%(LOT ONLY)

NOTES:	
1.	SQUARE FOOTAGE OF DRIVEWAY AS SHOWN: 1,719
2.	FINISH GRADING TO BE GREATER THAN 3:1
3.	REVISED 3-13-19: MOVED E-1 WELL.
4.	REVISED 3-25-19: CITY COMMENTS.
5.	REVISED 8-29-19: NEW HOUSE PLANS
6.	REVISED: 1-17-20 NEW HOUSE PLANS



- (TW1) T.W.927.5  
F.G.B.W.927.0
- (TW2) T.W.929.5  
F.G.B.W.926.7
- (TW3) T.W.926.5  
F.G.B.W.926.0
- (TW4) T.W.928.9  
F.G.B.W.926.0
- (TW5) T.W.926.5  
F.G.B.W.925.0
- (TW6) T.W.926.3  
F.G.B.W.920.5
- (TW7) T.W.924.5  
F.G.B.W.924.0

REVISIONS

MAR 24 2020

BY



DATE OF TOPO: 12-11-18  
SURVEY CREW: DR

PREPARED FOR:  
TRICIA SMITH

**LEGAL DESCRIPTION:**

LOT 6, HOMESTEAD ESTATES, A SUBDIVISION OF LAND IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS.

SSMH MTM1(22)254  
T.E.=922.94  
FL(E)=911.74  
FL(W)=911.99

**BENCHMARK:**  
1. JCVN88 #883  
ELEVATION = 911.29

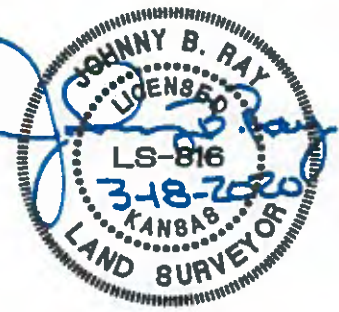
**SITE BENCHMARK:**  
1. SET "C" CUT IN CENTER FRONT FACE INLET NEAR S.E. CORNER OF LOT 6.  
ELEVATION = 916.62

**TITLE NOTE:**  
NO TITLE INFORMATION PROVIDED AND OR PERFORMED BY PHELPS ENGINEERING, INC.

**LEGEND**

- I = FOUND CURB CUT UNLESS OTHERWISE NOTED
- ▲ = SET CONTROL POINT
- + = CUT NE
- = FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)
- = SET 1/2"x24" REBAR WITH "PHELPS CLS-82" PLASTIC CAP
- BM# ⊕ = BENCHMARK
- BWM ⊕ = BURIED WATER MARKER
- EM ⊕ = ELECTRIC METER
- ET ⊕ = ELECTRIC TRANSFORMER
- FH ⊕ = FIRE HYDRANT
- GW ⊕ = GUY WIRE
- LP ⊕ = LIGHT POLE
- PVCR ⊕ = PVC RISER
- WV ⊕ = WATER VALVE
- RD ⊕ = ROOF DRAIN
- (SI) ⊕ = 6" ON 8" TEE DDS 209' 1 LF 6" RISER & 39 LF 6" PVC SERVICE LINE @ 2.00 FLOEOS=909.7 MSFE=912.7
- (E1) ⊕ = TOP EGRESS WELL=927.7 F.G. EGRESS WELL=927.2 TOP EGRESS WALL=920.7 3' WALL
- W — = BURIED WATER LINE
- G — = BURIED GAS LINE
- BE — = BURIED ELECTRIC LINE
- OHP — = OVERHEAD POWER LINE
- BT — = BURIED TELEPHONE LINE
- RD ⊕ = ROOF DRAIN
- SP ⊕ = SUMP PUMP

20% B.L. = 26.64'



SHEET 1 OF 2



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

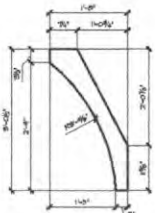
PROJECT NO. 181104  
DATE: 1/23/19  
BY: DEA

Note: Builder shall obtain a building permit prior to any construction to ensure that this site plan meets City approval.

This plot plan was prepared for foundation construction only. All dimensions to be verified by builder and all grades as shown shall be verified by builder to insure proper drainage and adequate fall to sewer. No title information was furnished on this drawing. Not responsible for unplatted easements.

CERTIFICATE OF AUTHORIZATION  
KANSAS  
LAND SURVEYING - LS-82  
ENGINEERING - E-391  
CERTIFICATE OF AUTHORIZATION  
MISSOURI  
LAND SURVEYING-2007001128  
ENGINEERING-2007005058

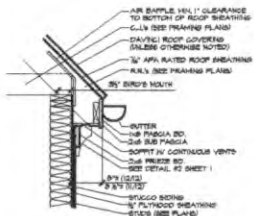
# EXHIBIT B



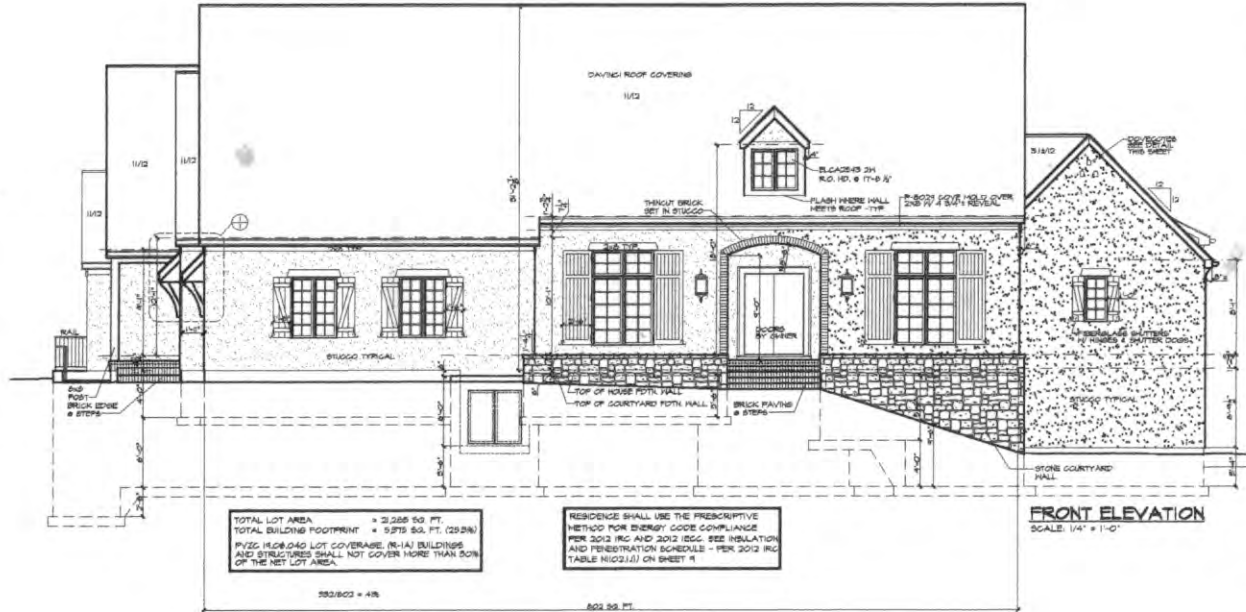
**1 BRACKET #1**  
SCALE: 1" = 1'-0"



**2 BRACKET #2**  
SCALE: 1" = 1'-0"



**3 TYP. EAVE DETL.**  
SCALE: 1" = 1'-0"



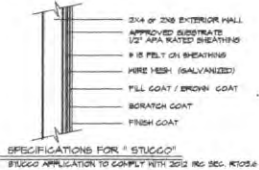
**FRONT ELEVATION**  
SCALE: 1/4" = 1'-0"

TOTAL LOT AREA = 3,285 SQ. FT.  
TOTAL BUILDING FOOTPRINT = 5,875 SQ. FT. (29.3%)  
IN-ZIP FLOOR/CEILING LOT COVERAGE (M-I-A) BUILDINGS AND STRUCTURES SHALL NOT COVER MORE THAN 50% OF THE NET LOT AREA.

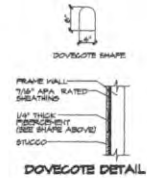
RESIDENCE SHALL USE THE PRESCRIPTIVE METHOD FOR ENERGY CODE COMPLIANCE PER 2012 IRC AND 2012 ISCC. SEE INSULATION AND PENETRATION SCHEDULE - PER 2012 IRC TABLE N102.1(1) ON SHEET #1.

TOTAL HEIGHT AND DOOR OPEN = 8'11 1/2" FT. (8'8 1/2")  
TOTAL INTEGRATED ARCH DETAILS = 1,002 SQ. FT. (24%)  
TOTAL OPENINGS AND INTEGRATED ARCH DETAILS = 2,712 SQ. FT. (24%)

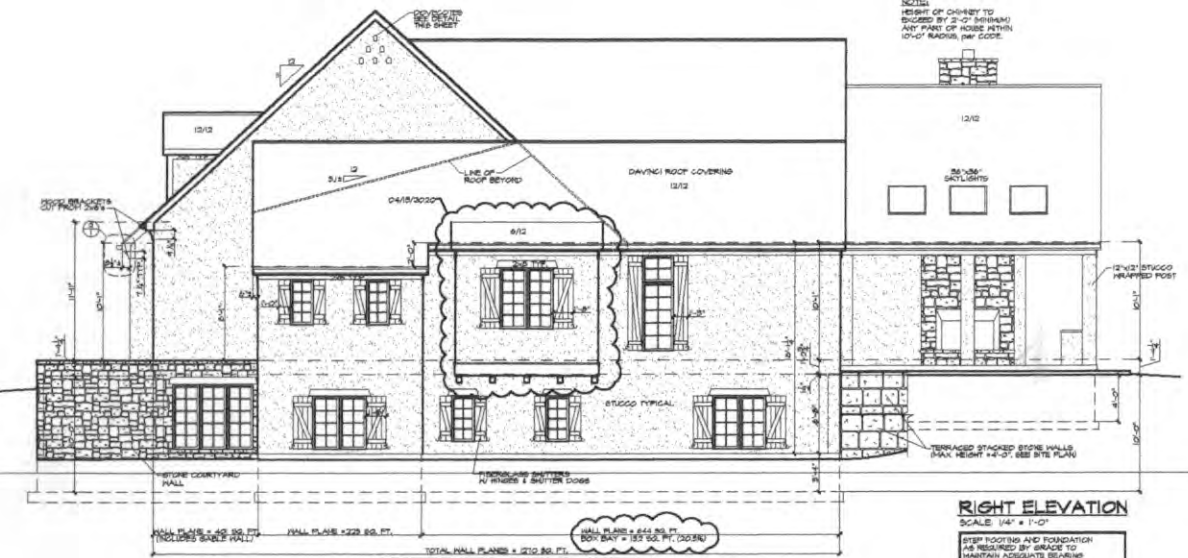
**NOTE:**  
HEIGHT OF CHIMNEY TO EXCEED BY 2'-0" MINIMUM ANY PART OF HOUSE WITHIN 10'-0" RADIUS PER CODE.



**SPECIFICATIONS FOR "STUCCO"**  
STUCCO APPLICATION TO COMPLY WITH 2012 IRC SEC. R102.8.



**DOVECOTE DETAIL**



**RIGHT ELEVATION**  
SCALE: 1/4" = 1'-0"

TOTAL LOT AREA = 3,285 SQ. FT.  
TOTAL BUILDING FOOTPRINT = 5,875 SQ. FT. (29.3%)  
TOTAL INTEGRATED ARCH DETAILS = 1,002 SQ. FT. (24%)  
TOTAL OPENINGS AND INTEGRATED ARCH DETAILS = 2,712 SQ. FT. (24%)

STEP FOOTING AND FOUNDATION AS REQUIRED BY GRADE TO MAINTAIN ADEQUATE BEARING AND PROPER FROST DEPTH.  
FIELD VERIFY DEPTH OF ALL FOUNDATION WALLS UPON EXCAVATION.

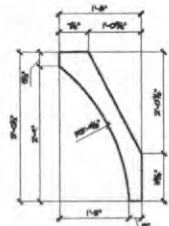
**elswood smith carlson architects, p.a.**  
1732 West 88th Street  
Overland Park, KS 66212  
(913) 451-4444  
www.elswoodsmithcarlson.com

**SMITH RESIDENCE**  
HOMESTEAD ESTATES - LOT 6  
PRAIRIE VILLAGE, KANSAS

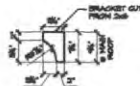
DATE: 04/15/2020  
DRAWN BY: M. J. JENSEN  
CHECKED BY: M. J. JENSEN  
SCALE: 1/4" = 1'-0"

front / right elevations  
sheet no. **1**

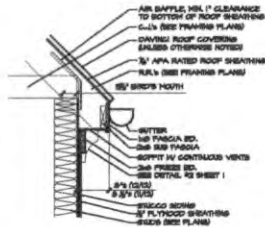
# EXHIBIT A



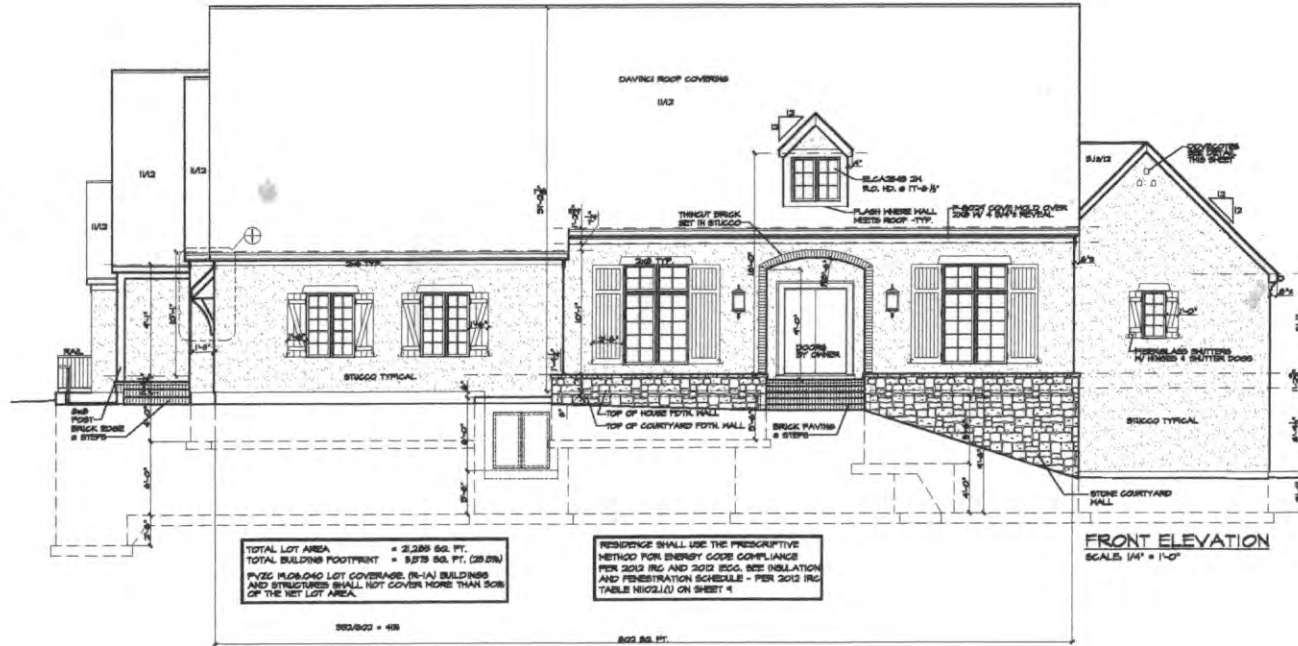
1 BRACKET #1  
SCALE: 1" = 1'-0"



2 BRACKET #2  
SCALE: 1" = 1'-0"



3 TYP. EAVE DETL.  
SCALE: 1" = 1'-0"



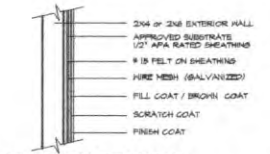
FRONT ELEVATION  
SCALE: 1/4" = 1'-0"

TOTAL LOT AREA = 2,200 SQ. FT.  
TOTAL BUILDING FOOTPRINT = 9,879 SQ. FT. (28.2%)  
PZCC R100(40) LOT COVERAGE: (R-1A) BUILDINGS AND STRUCTURES SHALL NOT COVER MORE THAN 50% OF THE NET LOT AREA.

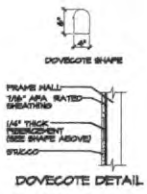
RESIDENCE SHALL USE THE PRESCRIPTIVE METHOD FOR ENERGY CODE COMPLIANCE PER 2012 IRC AND 2012 IECC. SEE INSULATION AND FENESTRATION SCHEDULE - PER 2012 IRC TABLE N102(1) ON SHEET 4

TOTAL DESIGN LIFT DOOR AREA = 577.4 SQ. FT. (5.8%)  
TOTAL INTERIOR DOOR AREA = 140.3 SQ. FT. (1.4%)  
TOTAL WINDOW AND GLAZED ARCH DETAILS = 557.4 SQ. FT. (5.6%)

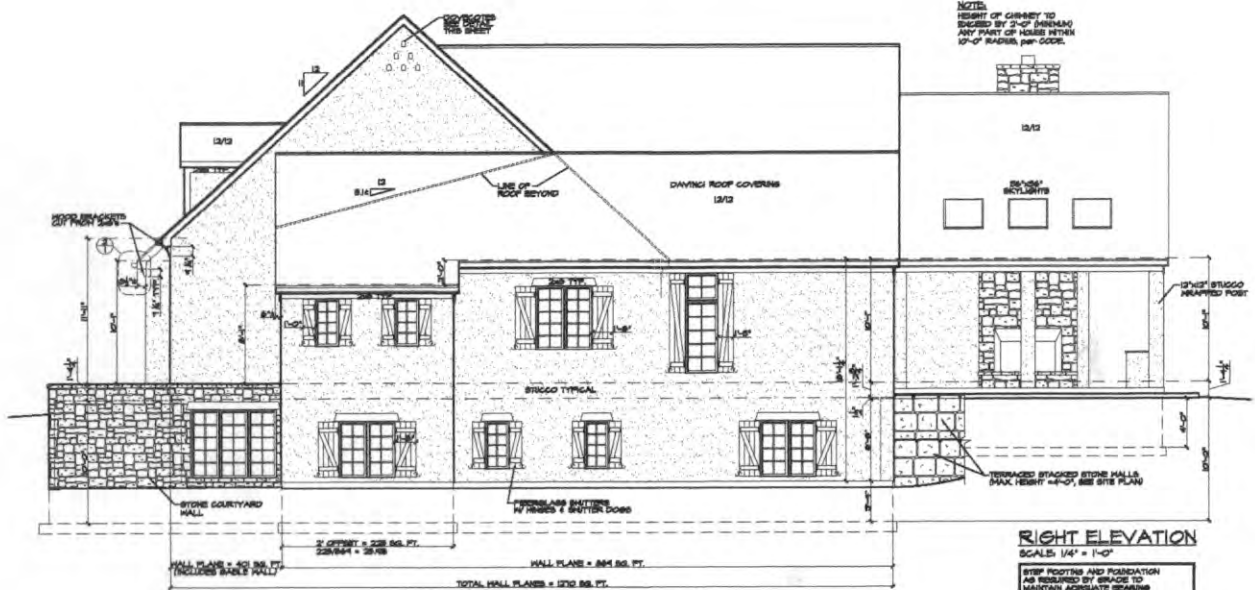
NOTE:  
HEIGHT OF CURBNEY TO BE  
EXCEEDED BY 2'-0" MINIMUM  
ANY PART OF HOUSE WITHIN  
10'-0" RADIUS PER CODE.



SPECIFICATIONS FOR "STUCCO"  
STUCCO APPLICATION TO COMPLY WITH 2012 IRC SEC. K102.6



DOVECOTE DETAIL



RIGHT ELEVATION  
SCALE: 1/4" = 1'-0"

STEP FOOTING AND FOUNDATION AS REQUIRED BY ENGINE TO MAINTAIN ADEQUATE BEARING AND PROPER FROST DEPTH.  
FIELD VERIFY DEPTH OF ALL FOUNDATION WALLS UPON EXCAVATION

TOTAL HALL AREA = 1,212 SQ. FT.  
TOTAL HALL PERIMETER = 54 SQ. FT. (0.4%)  
TOTAL HALL DOOR AREA = 270.3 SQ. FT. (2.8%)

**elswood smith carlson architects, p.a.**

7133 west 99th street  
suite 300  
overland park, ks 66212  
ph: 913-648-7307  
www.elswoodcarlson.com

Professional Engineer  
Professional Architect  
Professional Interior Designer  
Professional Landscape Architect  
Professional Surveyor  
Professional Planning  
Professional Environmental Engineer  
Professional Environmental Scientist  
Professional Environmental Planner  
Professional Environmental Analyst  
Professional Environmental Scientist  
Professional Environmental Planner  
Professional Environmental Analyst

**SMITH RESIDENCE**  
HOMESTEAD ESTATES - LOT 6  
PRAIRIE VILLAGE, KANSAS

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Gerrid W. Jensen  
ARCHITECT  
PROJECT NO. 150001  
DATE: 02/05/2010

DESIGN BY: UJ  
DRAWN BY: JACOB WAT  
CHECK BY: UJ

front / right elevations  
sheet no. 1

June 5, 2020

To Whom It May Concern,

In April 2020, we were anxious to get final approval from Prairie Village for construction of our house to begin. Our architect submitted *Exhibit A* (first page of our plans). Our architect emailed to us, "Mitch's, at the City of Prairie Village, interpretation of the design guidelines is that we need to add an architectural element to the wall plane of the master suite on the right side. So I have cantilevered a portion of the master bath out 1'-6" which gives us the required area needed to break up that wall plane."

Later, the master bath was cantilevered and it was approved. Unfortunately, I, my husband, architect, and contractor all agree that the "bump-out" distracts from the esthetics of the house rather than makes it look better. Exhibit B shows the "bump-out".

As a native of South KCMO, 5 minutes from Prairie Village and having an aunt still living in her stately home on 69<sup>th</sup> Street for >60 years, my husband & I were planning on building a home quite like the beautiful 50 to 70 years old homes, for which Prairie Village is known. We bought the lot, hired the architect, paid Malfour 6% of the estimated total cost, and signed a contract with our contractor. Only later, did we find out that so many guidelines in PV home building changed as we were working on our plans. My dream of a french farmhouse evaporated as the plans were adjusted over and over to meet the new PV guidelines. Unfortunately, we were legally committed with no way out.

I'm not sure the reasoning behind the new guidelines that affected cantilevering the side of our house. I would assume that they are to improve esthetics of construction. I'm sure that it does with many homes, but I have many opinions that the "bump-out" distracts and is actually unattractive to the house. Therefore, I am requesting that the house be approved without the "bump-out".

Thank you for your attention to this request.

Patricia Smith



**Buffer Results**

[JoCo Home](#) > [AIMS Home](#) > [Internet Maps](#)

200 foot buffer (6.04 acres)  
 Buffer search returned 18 properties  
[Download as Mailing Labels](#)

No.	Property ID	Area (ft <sup>2</sup> )	Acres	Situs Address	Owner1	Owner2	Owner Address	City, State Zip	Billing Name	Billing Name2	Billing Address	Billing City, State Zip
1	LP27000016 0004A	21,780	0.50	3833 W 65TH TER	WEAST, RICHARD E.	JAMES, REBECCA JEAN	3833 W 65TH TER	MISSION HILLS, KS 66208				
2	OP11860000 0002	17,860	0.41	3905 HOMESTEAD CT	UPPERMAN, JOHN	UPPERMAN, SHAUNA	3905 HOMESTEAD CT	PRAIRIE VILLAGE, KS 66208				
3	LP27000015 0006	26,572	0.61	3830 W 65TH TER	LAHUE, COLBY J.	LAHUE, RACHEL L.	3830 W 65TH TER	MISSION HILLS, KS 66208				
4	OP13000011 0004	15,246	0.35	3910 HOMESTEAD DR	ROBERTSON, JOHN I.	ROBERTSON, JEREE K.	3910 HOMESTEAD DR	PRAIRIE VILLAGE, KS 66208				
5	OP11850000 0007	14,810	0.34	3904 HOMESTEAD CT	J & A LENDING LLC		14600 MISSION RD	LEAWOOD, KS 66224				
6	OP11860000 0003	25,265	0.58	3909 HOMESTEAD CT	AMANDA HERETZENBERG REVOCABLE LIVING TRUST		10300 EBY ST	OVERLAND PARK, KS 66212				
7	LP27000015 0005A	24,829	0.57	3817 W 65TH ST	BRESKY, ELLEN S. REV TRUST		3411 W 87TH ST	LEAWOOD, KS 66206				
8	OP13000011 0048	19,602	0.45	3901 DELMAR DR	BUNKER, MARLENE R. TRUSTEE	BUNKER, MARLENE R. TRUST	3901 DELMAR DR	PRAIRIE VILLAGE, KS 66208				
9	OP13000011 0047	16,553	0.38	3905 DELMAR DR	SHONDELL, GREGORY A.		3905 DELMAR DR	PRAIRIE VILLAGE, KS 66208				
10	OP13000011 0046	14,810	0.34	3909 DELMAR DR	GERING, JACQUELYN D	GERING, STEVEN M	3909 DELMAR DR	PRAIRIE VILLAGE, KS 66208				
11	OP11850000 0009	14,375	0.33	4004 HOMESTEAD CT	PAILLAMAN-BELLO, MARIA C		4001 DELMAR DR	PRAIRIE VILLAGE, KS 66208				
12	OP11850000 0008	14,375	0.33	3908 HOMESTEAD CT	J & A LENDING LLC		14600 MISSION RD	LEAWOOD, KS 66224				
13	OF251216-3017	737,471	16.93	6400 MISSION RD	SHAWNEE MISSION HIGH SCHOOL		8200 W 71ST ST	OVERLAND PARK, KS 66204	INDIAN HILLS MS #023	UNIFIED SCHOOL DIST #512	8200 W 71ST ST	OVERLAND PARK, KS 66204
14	OP11850000 0T0A	2,614	0.06	0 NS NT	EVAN-TALAN DEVELOPMENT LLC		PO BOX 480185	KANSAS CITY, MO 64148				
15	OP11860000 0001	21,344	0.49	3901 HOMESTEAD CT	EVAN-TALAN DEVELOPMENT LLC		PO BOX 480185	KANSAS CITY, MO 64148				
16	OP13000011 0002	16,117	0.37	3900 HOMESTEAD DR	MCKAY, CAROL BRIECE	MCKAY, KENNETH H	3900 HOMESTEAD DR	PRAIRIE VILLAGE, KS 66208				
17	OP13000011 0003	15,246	0.35	3906 HOMESTEAD DR	WILLIAMS, REBECCA D REV TRUST		3906 HOMESTEAD DR	PRAIRIE VILLAGE, KS 66208				
18	OP11850000 0006	21,344	0.49	3902 HOMESTEAD CT	SMITH, TRISHA	SMITH, TIM	9415 LEE BLVD	LEAWOOD, KS 66206				

Total Area of Parcels: 23.88 acres (1,040,213 ft<sup>2</sup>)  
 Selected Property

Hi Mr. Geffert,

I wanted to notify you that we spoke with and left letters and architectural plans with and without bump-out. No had had any significant objections. We scheduled a meeting on June 23rd in the event anyone wanted to discuss the change, but no one felt the need to show up. Please let us know our next steps.

Sincerely,

Tim and Trish Smith