

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
AGENDA
TUESDAY, OCTOBER 2, 2012
6:30 P.M.**

Council Chamber

- I. ROLL CALL
- II. APPROVAL OF MINUTES - June 5, 2012
- III. ACTION ITEM
BZA2012-03 Request for a Variance from P.V.M.C. 19.46.015
To allow the parking lot & drive aisles to be extended to a
minimum of 5 feet from the public street at
8200 Mission Road
Zoning: C-2
Applicant: Andrew Buchwitz, LandPlan Engineering
- IV. NEW BUSINESS
- V. OLD BUSINESS
- VI. ADJOURNMENT

If you cannot be present, comments can be made by e-mail to
Cityclerk@Pvkansas.com

**BOARD OF ZONING APPEALS
CITY OF PRAIRIE VILLAGE, KANSAS
MINUTES
TUESDAY, JUNE 5, 2012**

ROLL CALL

The meeting of the Board of Zoning Appeals of the City of Prairie Village, Kansas was held on Tuesday, June 5, 2012 in the Council Chambers. Chairman Randy Kronblad called the meeting to order at 6:30 p.m. with the following members present: Bob Lindeblad, Dirk Schafer (arrived late), Gregory Wolf, Nancy Vennard, Nancy Wallerstein and Ken Vaughn. Also present in their advisory capacity to the Board of Zoning Appeals were: Ron Williamson, Planning Consultant, Dennis Enslinger, Assistant City Administrator; Ted Odell, Council liaison; Jim Brown, Building Official and Joyce Hagen Mundy, Board Secretary.

APPROVAL OF MINUTES

Nancy Vennard noted on page 2 of the minutes Jim Breneman felt that the proposed patio was out of scale for the area. The secretary noted an additional correction at the bottom of page 2 that should read the "variance does **not** arise". Ken Vaughn moved the minutes of March 1, 2011 be approved as corrected. The motion was seconded by Nancy Vennard and passed 5 to 0 with Gregory Wolf abstaining due to absence.

BZA2012-01 Request for a Variance from P.V.M.C. 19.16.035 to construct a Covered patio reducing the rear yard setback from 25' to Approximately 15' at 3704 West 71st Street

Chairman Randy Kronblad reviewed the procedures for the public hearing. The Secretary confirmed that the Notice of Public Hearing was published in the Johnson County Legal Record on Tuesday, May 15, 2012 and all property owners within 200' were mailed notices of the hearing.

Randy Kronblad called upon the applicant to present the application.

Lauren Hickman, with Archetype Design Group, 8010 State Line Road, stated the owner is proposing to tear down the existing dwelling and replace it. Ms Hickman presented drawings of the proposed structure showing the front and rear elevations as well as the site plan depicting the existing and proposed rear yard setback. The existing dwelling was built in 1951 with the rear of the dwelling at its closest point approximately 14'2" from the rear property line. The proposed structure would have a rear yard setback of 15 feet. The dwelling was constructed at an angle across the lot with the east end of the dwelling 40 feet from the rear property line.

The proposed dwelling will have an irregular rear building line and the building will vary from 15 feet to 19 feet from its closest points to the rear property line.

The lot is approximately one third of an acre but is triangular in shape. The west 75 feet of the lot apparently was sold to the Indian Hills Country Club for access to the golf course. So the lot now is 200 feet wide at the rear property line while the east lot line is 129 feet and the west lot line is 23 feet.

Ms Hickman stated the rear setback variance request is due to the uniqueness of the property. The originally platted triangular shaped property is 200 feet wide at the rear property line while the east lot line is 129 feet and the west lot line is 23 feet in combination with the city's required 30 foot front yard and 25 foot rear yard setbacks yield an unreasonably small building area. She noted the original construction in 1951 allowed a 14.2" rear yard setback.

Ms Hickman stated no adjacent property owner's rights are adversely affected as the requested setback is greater than the original setback. She also noted that immediately adjacent to the property line of the nearest contiguous property, the 25' rear setback is maintained.

Ms Hickman feels the strict application of a 25' rear setback constitutes an unnecessary hardship on the current and future property owners that is not prevalent on other properties in the subdivision.

Ms Hickman stated if granted, the requested 15' setback variance will in no way negatively impact the public safety, health, morals, order convenience, prosperity or general welfare but rather have a positive impact on many of these. The proposed variance and related construction of a new structure on this property supports the general spirit and intent of these regulations. It was noted the proposed structure would cover 23.5% of the property well within the 30% maximum lot coverage allowed by ordinance.

Nancy Vennard asked how close the deck came to the property line. Ms Hickman responded it is 2 feet from the property line.

Mr. Williamson noted a neighborhood meeting was held on May 21, 2012, with six neighbors attending. The entire project including the proposed rear yard variance, the floor variation change and the design of the residence was explained. The neighbors were not concerned with the variance or the floor elevation change, but one was concerned that although the design was good, it did not fit this area.

Chairman Randy Kronblad opened the hearing to public comment from those wishing to address the Board regarding this application.

Rita Rosano, 3801 West 71st Street, noted she lives across from this property and approximately 100' to the west. Ms. Rosano reminded the board of the vision of JCNichols in the development of this area and his desire to restrict alterations through the establishment of homes associations and covenants. She wants to keep Prairie

Village as it was envisioned by Mr. Nichols. Mrs. Rosano expressed concern with the potential of increased drainage issues with the proposed development of this property, noting past flooding in the area. She also expressed concern with construction vehicles in the area. Ms Rosano stated she supports the retention of homes that are compatible with the existing area.

Shannon Marcano, attorney representing the Indian Hills Country Club, referenced a letter submitted to the Board which it states the Indian Hills Country Club's opposition to the requested variance. The club does not feel the requested variance meets the criteria established for the granting of a variance. Ms Marcano stated the hardship is being created by the property owner in that the proposed structure could be designed to meet the required city setbacks. The placement of a structure as close to their property line abutting a golf course green and tee complex will create numerous problems for both the homeowner and the club. They feel the lot is buildable without the requested variance and the variance should be denied.

With no one else to address the Board, the public hearing was closed at 6:54 p.m.

Ron Williamson noted the drainage issues raised by Ms Rosano will be addressed by the Public Works Department as a drainage plan will need to be submitted and approved prior to any permits being issued and is not related to the requested setback variance.

Mr. Williamson noted the neighborhood will continue to evolve from JC Nichols' vision for the area in 1950 in response to the need and desire for different types of housing. Neither the Board of Zoning Appeals or the Planning Commission controls the design of buildings. Mr. Williamson stated this lot in itself is far different from the other lots in this area.

Ms Vennard asked if a deck was allowed within 2 feet of the property line. Mr. Williamson responded the code would allow construction of a deck up to the property line. The two foot setback is required due to the retaining wall.

The Board considered the following findings required for the granting of a variance:

A. Uniqueness

That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.

The configuration of this lot is unique in its shape and is not like other lots in the area. The triangular shape reduces the usefulness of a large part of the western portion of the lot. This condition is unique and was not created by the property owner.

Bob Lindeblad noted the shape and slope of this lot from the front to the back severely limits the buildable area. Mr. Lindeblad moved the Board find that the variance does arise from a condition unique to this property. The motion was seconded by Gregory Wolf and passed by a vote of 6 to 0.

B. Adjacent Property

That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residences.

The residence to the east is approximately 22 feet from the side property line. The proposed residence will be approximately 5 feet from the side property line. With the extensive tear down rebuild occurring on the north side of 71st Street, it is likely that the house to the east will be expanded or torn down and replaced with a large home at some point in the future. In order to maintain the required 14 feet between dwellings, the lot to the east will have a 9 foot side yard setback adjacent to the west property line. There is no residence to the west and the Indian Hills Country Club is to the north. The proposed variance should not adversely affect the rights of adjacent property owners.

Bob Lindeblad noted the concerns mentioned by Mrs. Rosano do not address the requested setback variance and moved the Board find that the variance does not adversely affect the rights of adjacent property owners or residences. The motion was seconded by Nancy Vennard and passed by a vote of 6 to 0.

C. Hardship

That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

The footprint of the existing residence is 2,121 square feet while the proposed footprint of the new residence is 3,472 square feet which is approximately a 64% increase. The proposed size of the residence is typical of the rebuilds occurring in this area and the variance would allow the owners to build a residence that has all the amenities that are desired in today's market. It also should be noted that the existing residence was permitted to be built 14'2" from the rear property line so the proposed request will be slightly less in distance but more of the residence will be closer to the rear property line. In today's market it is highly desirable to have the living area on one floor, especially for seniors. Approval of the variance would permit that to occur.

Nancy Vennard noted the features desired in today's housing market and features found in other homes in this area it would be very difficult to design a home to meet those demands within the required setbacks on this property and therefore, moved the Board find that the denial of the variance would constitute an unnecessary hardship upon the property owner. The motion was seconded by Gregory Wolf

Nancy Wallerstein asked if the homes association has reviewed these plans. Dennis Enslinger stated the homes association was notified of the requested permit when the application was made. The City has not heard anything from the home association regarding the proposed structure. Nancy Vennard confirmed there is an active homes association for this area.

The motion was voted on and passed by a vote of 5 to 0 with Bob Lindeblad abstaining.

Dirk Schafer arrived.

D. Public Interest

That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

The granting of the proposed variance would not adversely affect the public health, morals, prosperity or general welfare.

Bob Lindeblad moved the Board find that the variance will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare. The motion was seconded by Ken Vaughn and passed by a vote of 6 to 0 with Dirk Schaffer abstaining.

E. Spirit and Intent of the Regulation

That the granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

The purpose of the rear yard setback is to ensure that there is adequate distance between the rear of abutting dwellings so that adequate open space is available and the living areas of individuals would not encroach on the living areas of their neighbors. The setbacks are also established so that the lots are not overdeveloped. The lot coverage of the proposed residence would increase to approximately 23.5%, still within the maximum lot coverage regulation. The Indian Hills golf course abuts the property to the north and therefore the proposed variance would not adversely impact any other residential properties. It was also noted that the existing dwelling is only 14'2" from the rear property line and the proposed residence will be 15 feet from the rear property line. Therefore the granting of the variance will not be opposed to the general spirit and intent of the zoning ordinance.

Nancy Vennard noted the existing structure has a rear yard setback less than that requested by the applicant and moved the Board find that the variance is not opposed to the general spirit and intent of these regulations. The motion was seconded by Gregory Wolf and passed by a vote of 6 to 0 with Dirk Schaffer abstaining.

Gregory Wolf moved that the Board having found all five of the conditions have been met approve BZA Application 2012-01 for the requested variance from PVMC 19.16.035 to construct a new residence reducing the rear yard setback from 25' to approximately 15 feet as shown on the plans presented for 3704 West 71st Street. The motion was seconded by Nancy Vennard and passed by a vote of 6 to 0 with Dirk Schaffer abstaining.

OTHER BUSINESS

There was no Other Business to come before the Board.

ADJOURNMENT

Chairman Randy Kronblad adjourned the meeting of the Board of Zoning Appeals at 7:15 p.m.

Randy Kronblad
Chairman

STAFF REPORT

TO: Prairie Village Board of Zoning
FROM: Ron Williamson, Lochner, Planning Consultant
DATE: October 2, 2012 Board of Zoning Appeals

Project # 000005977

Application: BZA 2012-03

Request: A variance to reduce the landscape setback adjacent to Somerset Drive.

Property Address: 8200 Mission Road, Southwest Corner of Somerset Drive and Mission Road

Applicant: Landplan Engineering P.A.

Current Zoning and Land Use: C-2 General Commercial District – Shopping Center

Surrounding Zoning and Land Use: **North:** C-O Office Building District – Office
C-1 Restricted Business District – Bank
C-2 General Commercial District – Service Station
East: C-2 General Commercial District – Bank
RP-3 Planned Garden Apartment District - Apartments
South: C-O Office Building District – Office
C-2 General Commercial District – Retail and Office Uses
West: R-2 Two-Family Dwelling District – Two Family Dwellings

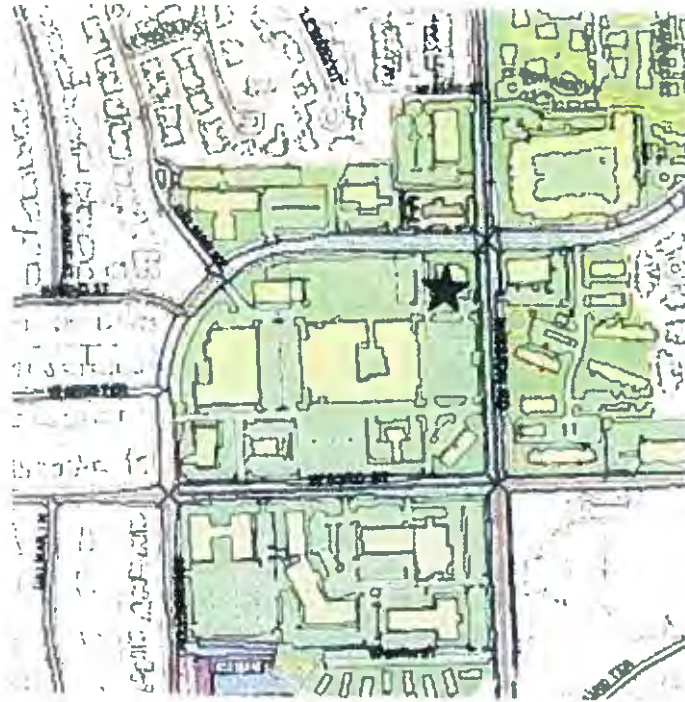
Legal Description: Lot 1 Corinth Square North

Property Area: 17.8 acres

Related Case Files: PC 2011-117 Preliminary and Final Plats for Corinth Square North
PC 2011-116 Corinth Square North Sign Standards
PC 2011-115 Site Plan Approval for Phase 2
PC 2011-113 Site Plan Approval for Johnny's
PC 2011-108 Site Plan Approval for CVS & Corinth Square Ph. 1
PC 2011-04 Conditional Use Permit for Drive-thru Window at CVS
PC 2011-106 Site Plan Approval for Urban Table
PC 2011-01 Site Plan Approval Westlake Hardware
PC 2009-112 Site Plan Approval BRGR Kitchen and Bar
PC 2008-115 Site Plan Approval CVS
PC 2008-10 Conditional Use Permit for Drive-thru CVS
PC 2006-112 Amendment to Sign Standards
PC 2002-111 Site Plan Approval for Johnny's Tavern
PC 2002-109 Site Plan Approval for Commerce Bank

Attachments: Application, Site Plan

General Location Map



Aerial Map



COMMENTS:

The applicant is requesting a variance from Section 19.46.015.F Landscaping; which requires a 15 foot setback for parking lots and driveways adjacent to a public street. The drive-thru lane on the north side of the CVS Pharmacy was required to meet this setback requirement. The drive-thru is a single lane until it nears the canopy and then it divides into two lanes; the left lane is for the window and the right lane that is for pneumatic transactions. The window lane is not a problem, but some customers apparently are having a difficult time using the pneumatic lane. There are tire marks on the curb which means that some drivers are having difficulty accessing the pneumatic tube island drive-thru. The driveway width is 15' face of curb to face of curb. The width of the right lane is 12' between the north curb and the curb at the base of the stone column. A 12' wide lane is standard for major streets. The column is large and drivers may be concerned that they might bump it; however, no one has hit it to date. The problem appears that the window and canopy should have been moved further southwest on the building in order to more adequately accommodate drivers.

The applicant's request would eliminate the landscape area entirely and a retaining wall would be constructed immediately adjacent to the walking trail. The trail is 8' wide and the existing landscaped area is about 6.5' wide. This would create a potential hazard for those using the trail unless a fence or barrier was installed on top of the fence. There is a grade difference of approximately 30" between the walking trail and the top of the curb of the drive. The landscape area creates a good separation between vehicles and pedestrians.

It appears the drive-thru was constructed in accordance with the site plan that was approved by the Planning Commission. The drawing for the two lane drive-thru was drawn to scale but did not have dimensions. Having field checked the right lane; it technically does not appear to have a problem. One can easily maneuver through it to the unmanned pneumatic tube island. There are a number of solutions available that could solve the problem without the variance. The column stone bases are 38" wide by 26" deep and they could be reduced in size. The columns could be moved closer together to provide better access to the pneumatic tube location.

When considering a request for a variance the Board may grant such a variance on the finding that all of the five following conditions have been met:

- A. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant.**

In order for the property to meet the conditions of uniqueness, it must have some peculiar physical surroundings, shape or topographical condition that would result in a practical difficulty as distinguished from a mere inconvenience to utilize the property without granting the variance.

There is nothing unique about the shape or topographical conditions of this property that made it unique. This was a new project designed on a parcel of land that had been totally cleared. CVS Pharmacy has many drive-thru facilities throughout the area and the design should have incorporated that experience. It does not appear that the condition of uniqueness can be found.

- B. Adjacent Property**

That the granting of the permit for the variance would not adversely affect the rights of adjacent property owners or residences.

The granting of this variance would not adversely affect the rights of the adjacent property owner to the west and south because that is Corinth Square Shopping Center. The east is bordered by Mission Road which also would not be affected. The proposed variance would adversely affect the trail because it would eliminate the landscape separation between the trail and the drive-thru.

C. Hardship

That the strict application of the provisions of these regulations from which a variance is requested will constitute an unnecessary hardship upon the property owner represented in the application.

This site was totally cleared and the new facility was designed to fit the site. The drive-thru as constructed appears to meet normal design standards. The island occupied by the pneumatic tube station could have been designed differently to provide easier access without encroaching in the setback area. It does not appear that the condition of unnecessary hardship can be found to exist.

D. Public Interest

That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

If the variance were granted, it would allow the driveway to be constructed immediately adjacent to the trail. This would require a retaining wall and would eliminate the landscape separation between pedestrians and vehicles for a portion of the drive. This would create a potential safety issue for those using the trail.

E. Spirit and Intent of the Regulation

That the granting of the variance desired would not be opposed to the general spirit and intent of these regulations.

It is the intent of the ordinance to provide landscaped space adjacent to streets between the property line and parking areas, or driveways. The eight foot wide trail is located within the landscaped area at the request of the City. This still leaves approximately 6.5 feet for landscape separation. The proposed variance would entirely eliminate the landscape area for a portion of the drive and that would be opposed to the general spirit and intent of the regulations.

RECOMMENDATION:

It is the opinion of Staff that the variance requested does not meet all five findings as required by State Statutes and therefore the variance request to reduce the landscape setback should be denied.

If the applicant desires to change the design at this location to improve traffic movements, the stone base of the columns and the pneumatic tube island should be analyzed and redesigned.



VARIANCE APPLICATION
BOARD OF ZONING APPEALS

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No: BZA 2012-03

Filing Fee: \$75⁰⁰

Deposit: _____

Date Advertised: 9/11/12

Public Hearing Date: 10/2/12

APPLICANT: LINDOPLAN ENGINEERING, P.A. PHONE: 816-221-2234
ADDRESS: 1600 DENVER, SUITE 400 KANSAS CITY, MO ZIP: 64102
OWNER: JEFF BERG - LANE 41 PROPERTY GROUP, LLC PHONE: 816-268-9102
ADDRESS: 4705 CENTRAL ST. KANSAS CITY, MO ZIP: 64112
LOCATION OF PROPERTY: SWC SOMERSET DRIVE & MISSION ROAD
LEGAL DESCRIPTION: _____

SEE ATTACHED

Variance Requested is for the alteration of the drive-thru lane located on the NW of the CVS/Pharmacy. The adjustment to the configuration is to better assist the traffic around the drive-thru.

ADJACENT ZONING AND LAND USE:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>COMMERCIAL</u>	<u>C-2</u>
South	<u>COMMERCIAL</u>	<u>C-2</u>
East	<u>COMMERCIAL</u>	<u>C-2</u>
West	<u>COMMERCIAL</u>	<u>C-2</u>

Present use of Property: RETAIL/COMMERCIAL

Proposed Use of Property: RETAIL/COMMERCIAL

Utility lines or easements that would restrict proposed development:

The proposed drive-thru lane adjustment does not affect the existing 5' G/E easement located on the south side of Somerset Drive

Please complete both pages of the form and return to:

City Clerk
City of Prairie Village
7700 Mission Road
Prairie Village, Kansas 66208

Customer # 15278
BP Application # 0004423

Please indicate below the extent to which the following standards are met, in the applicant's opinion. Provide an explanation on a separate sheet for each standard which is found to be met.

1. *UNIQUENESS* Yes ___ No

The variance requested arises from conditions which are unique to the property in question, which are not ordinarily found in the same zoning district, and which are not caused by actions of the property owners or applicant. Such conditions include the peculiar physical surroundings, shape, or topographical condition of the specific property involved which would result in a practical difficulty or unnecessary hardship for the applicant, as distinguished from a mere inconvenience, if the requested variance was not granted.

2. *ADJACENT PROPERTY* Yes ___ No

The granting of the variance will not be materially detrimental of adversely affect the rights of adjacent property owners or residents.

3. *HARDSHIP* Yes ___ No

The strict application of the provision of the zoning regulations from which a variance is requested will constitute an unnecessary hardship upon the applicant. Although the desire to increase the profitability of the property may be an indication of hardship, it shall not be sufficient reason by itself to justify the variance.

4. *PUBLIC INTEREST* Yes ___ No


The variance desired will not adversely affect the public health, safety, morals, order, convenience, or general welfare of the community. The proposed variance shall not impair an adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood.

5. *SPIRIT AND INTENT* Yes ___ No

Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations.

6. *MINIMUM VARIANCE* Yes ___ No

The variance requested is the minimum variance that will make possible the reasonable use of the land or structure.

SIGNATURE:  DATE 9/4/12

BY: _____
TITLE: _____

September 5, 2012

RE: CVS – Somerset & Mission
Variance Application Conditions/Criteria

Condition 1 - Uniqueness:

"The variance requested arises from such condition which is unique to the property in questions and which is not ordinarily found in the same zone or district, and is not created by an action or actions of the property owner or applicant."

CVS was prohibited from constructing their desired store due to constraints placed upon them by the ordinance. CVS constructed the drive-thru in this manner in an effort to come as close to compliance as possible. After opening for business, the configuration has proved to be problematic causing local residents who are customers much dissatisfaction. The site poses practical difficulties due to the size and code constraints.

Condition 2 - Adjacent Property:

"That the granting of the permit for the variance will have no adverse effect on adjacent property owners or residents."

It will not impede residents from using the sidewalk. It is only a slight modification to the criteria.

Condition 3 - Hardship:

"That the strict application of the provisions of this title of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application."

An unnecessary hardship has already been realized by property owner and resulted in dissatisfied customers, many of which are residents of the community.

Condition 4 - Public Interest:

"That the variance desired will not adversely affect to public health, safety, morals, order, convenience, prosperity, or general welfare."

This slight modification will have no adverse effect on the public health, safety, morals, order, convenience, prosperity, or general welfare of the public. The modification will result in a positive effect on convenience and safety because vehicles will be better able to negotiate the turning through the drive-thru pick-up area. Customers will be pleased with this slight modification.

Condition 5 - Spirit and Intent:

"Granting the requested variance will not be opposed to the general spirit and intent of the zoning regulations."

CVS did everything possible to comply with the ordinance and this slight modification is not eliminating, or ignoring the criteria as it will result in only a *7.77% variation from the strict code.

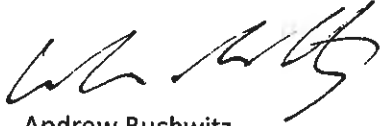
***Percentage based on Somerset Drive & Mission Road setbacks/variance encroachment.**

Condition 6 - Minimum Variance:

"The variance requested is the minimum variance that will make possible the reasonable use of the land or structure."

The variance being requested is the minimum amount of adjustment/change needed in order to create better site maneuverability at the drive-thru pick up window.

Respectfully,

A handwritten signature in black ink, appearing to read 'Andrew Buchwitz', written in a cursive style.

Andrew Buchwitz
Landplan Engineering, P.A.

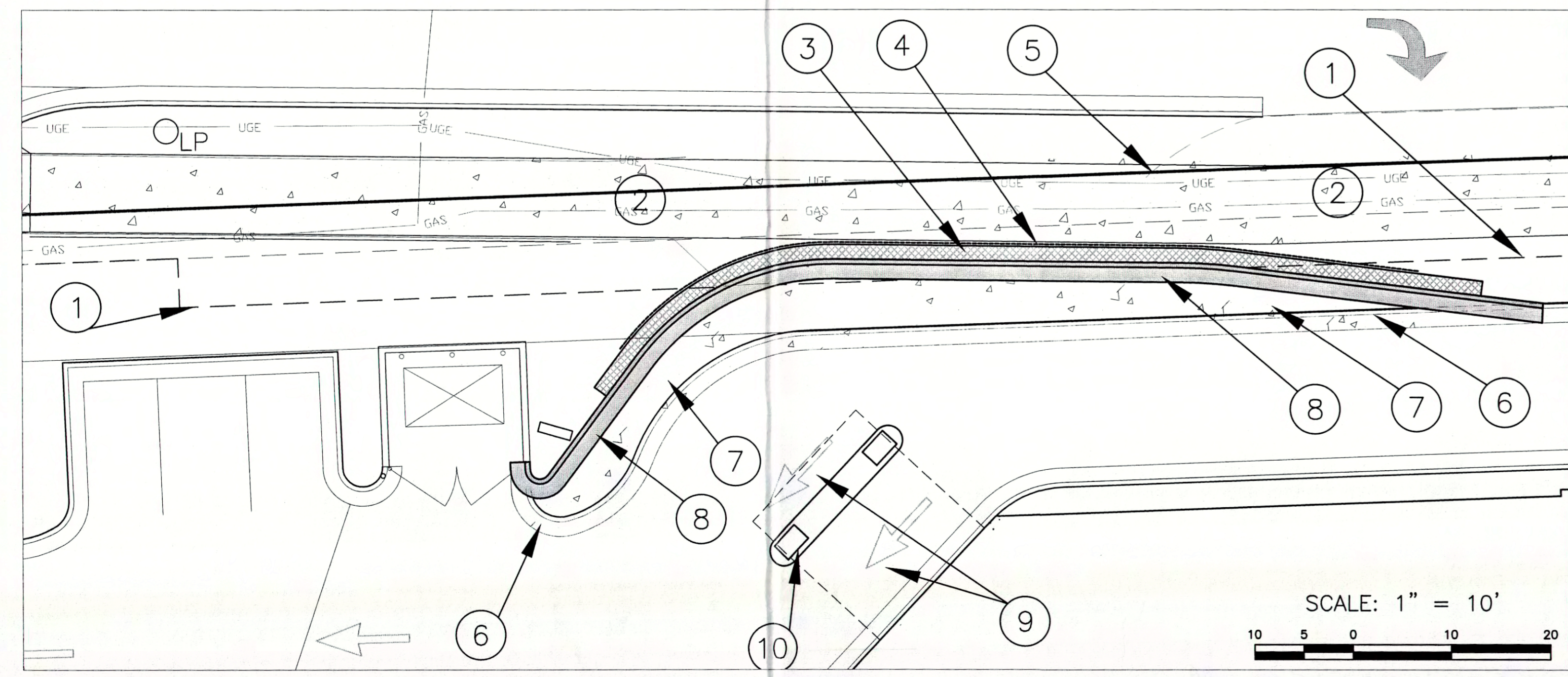
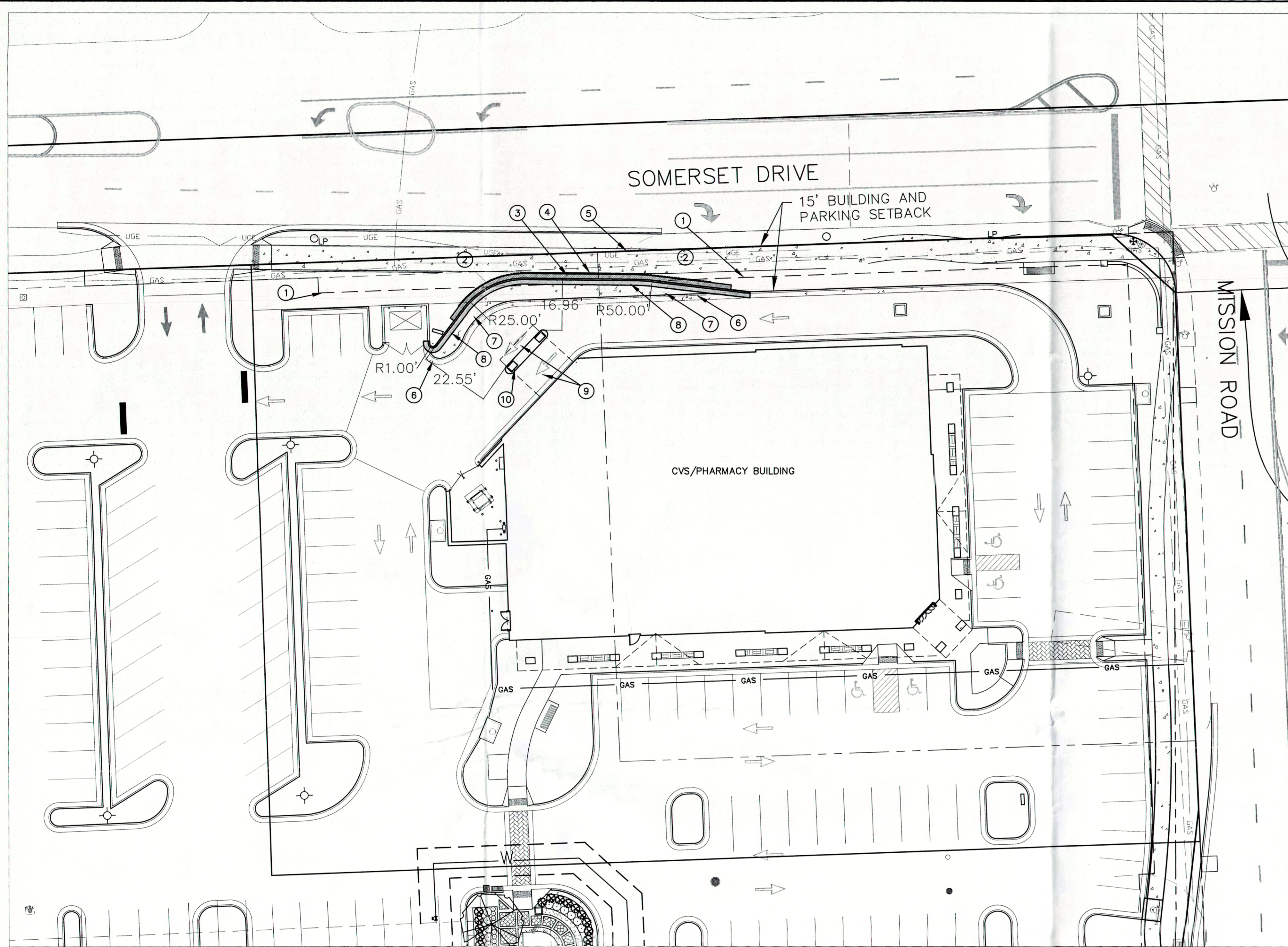
Legal Description

A tract of land in the northeast quarter of section 28, township 12 south, range 25 east of the sixth principal meridian, in the city of Prairie Village, Johnson County, Kansas, described as follows:

Beginning at a point which is north $00^{\circ}11'53''$ west, 571.46 feet along the east line, and south $89^{\circ}48'07''$ west, 42.00 feet from the southeast corner of said quarter section, said point being on the west right-of-way line of mission road; as now established; thence north $89^{\circ}49'53''$ west, 179.28 feet; thence north $00^{\circ}08'10''$ east, 37.70 feet; thence north $89^{\circ}51'46''$ west, 106.97 feet; thence north $00^{\circ}09'08''$ east, 198.67 feet to the south right-of-way line of Somerset Drive as now established ; thence south $89^{\circ}51'50'$ east, along said south right-of-way line. 264.77 feet: thence continuing along said south right-of-way line on a 20.00 foot radius curve to the right with a 28.20 foot chord bearing south $45^{\circ}01'52''$ east, an arc distance of 31.30 feet to said west right-of-way line of Mission Road; thence south $00^{\circ}11'53''$ east, along said west right-of-way line, 217.04 feet to the point of beginning.

Contains 1.456 acres. More or less.

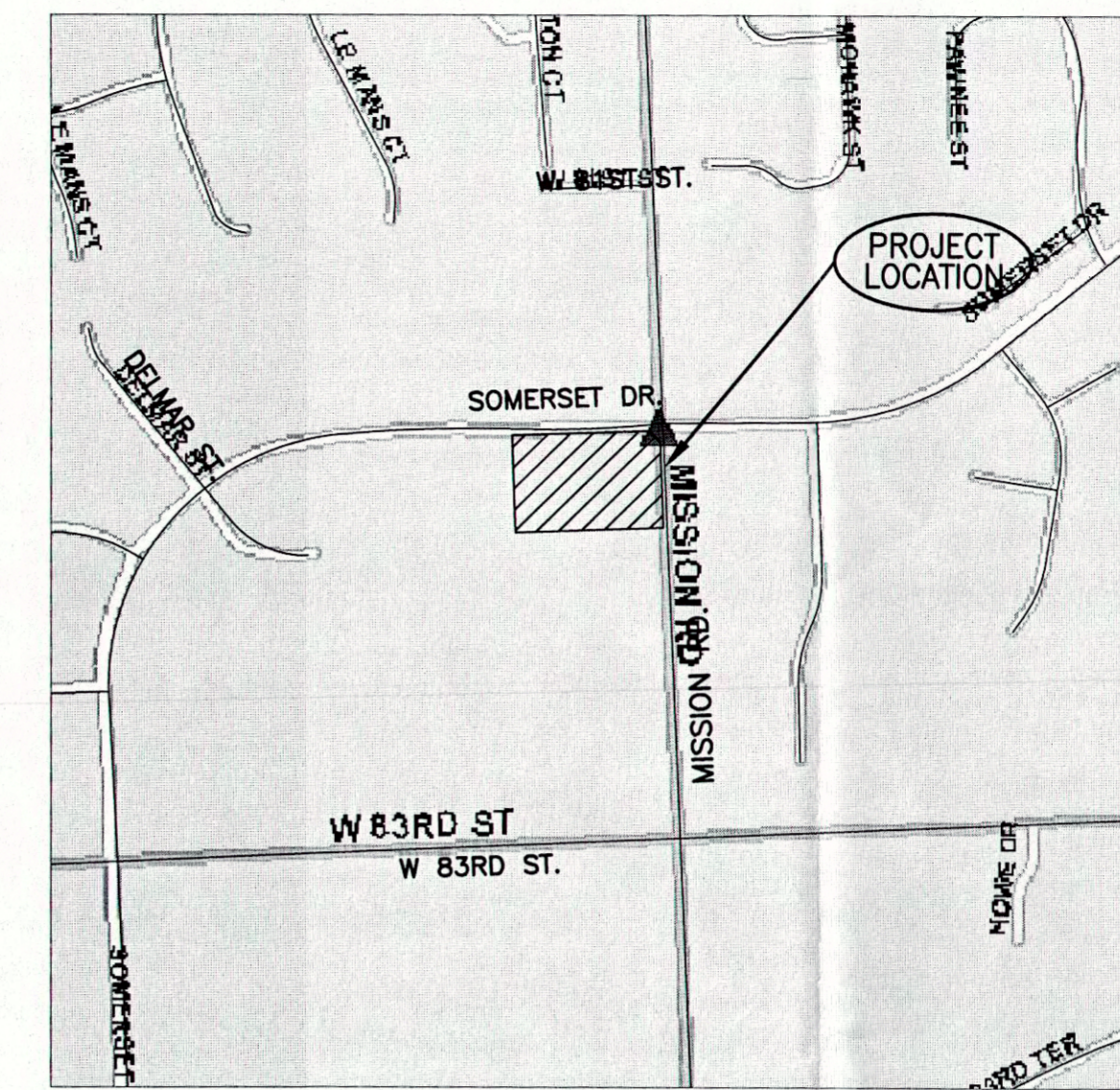
FILE NAME: S:\SDSKPROJ\2008.612\Phase III\Planning\Variance Submittal\08612 - Site Plan.dwg LAST SAVED BY: Andrew Buchwitz SAVED DATE: 9/6/2012 1:45 PM PLOTTED: 9/6/2012 3:11 PM



SITE LAYOUT KEY NOTES

- 1 SIDEWALK TRAIL EASEMENT
- 2 EXISTING 8' CONCRETE WALKING TRAIL
- 3 PROPOSED MODULAR BLOCK RETAINING WALL WALL EXTERIOR TO MATCH EXISTING STONE MATERIAL ON CVS/PHARMACY AND SHOPPING CENTER.
- 4 PROPOSED HANDRAIL
- 5 SOMERSET DRIVE R.O.W.
- 6 EXISTING CURB & GUTTER TO BE REMOVED.
- 7 PROPOSED CONCRETE
- 8 PROPOSED CURB RELOCATION
- 9 DRIVE-THRU PHARMACY LANE
- 10 EXISTING RAISED ISLAND & DRIVE-THRU CANOPY SUPPORT COLUMNS.

Location Map



Legal Description

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 00°11'53" WEST, 571.46 FEET ALONG THE EAST LINE, AND SOUTH 89°48'07" WEST, 42.00 FEET FROM THE SOUTHEAST CORNER OF SAID QUARTER SECTION, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF MISSION ROAD; AS NOW ESTABLISHED; THENCE NORTH 89°49'53" WEST, 179.28 FEET; THENCE NORTH 00°08'10" EAST, 37.70 FEET; THENCE NORTH 89°51'46" WEST, 106.97 FEET; THENCE NORTH 00°09'08" EAST, 198.67 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SOMERSET DRIVE AS NOW ESTABLISHED; THENCE SOUTH 89°51'50" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 264.77 FEET; THENCE CONTINUING ALONG SAID SOUTH RIGHT-OF-WAY LINE ON A 20.00 FOOT RADIUS CURVE TO THE RIGHT WITH A 28.20 FOOT CHORD BEARING SOUTH 45°01'52" EAST, AN ARC DISTANCE OF 31.30 FEET TO SAID WEST RIGHT-OF-WAY LINE OF MISSION ROAD; THENCE SOUTH 00°11'53" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, 217.04 FEET TO THE POINT OF BEGINNING. CONTAINS 1.456 ACRES. MORE OR LESS.

General Notes

- 1. OWNER: JEFF BERG LANE4 PROPERTY GROUP, INC 4705 CENTRAL STREET KANSAS CITY, MO 64112
- 2. LAND PLANNER/ENGINEER: LANDPLAN ENGINEERING, P.A. 1310 WAKARUSA DRIVE LAWRENCE, KANSAS 66049
- 3. DEVELOPER: CEDARWOOD DEVELOPMENT, INC. 1765 MERRIMAN RD. AKRON, OH 44313
- 4. TYPICAL SOIL TYPES: GRUNDY SILT LOAM, THAT HAS 1 TO 3 PERCENT SLOPES.
- 5. TOPOGRAPHIC INFORMATION FROM LANDPLAN ENGINEERING, P.A. 2008.
- 6. EXISTING LAND USE: RESTAURANT/RETAIL
- 7. PROPOSED LAND USE: RETAIL/COMMERCIAL
- 8. EXISTING ZONING: C-2
- 9. PROPOSED ZONING: C-2
- 10. THIS PROPERTY IS IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 20091C0207, F. JUNE 17, 2002. ZONE "X" DENOTES AREAS OUTSIDE OF THE 500 YEAR FLOOD PLAIN.
- 11. THE CITY OF PRAIRIE VILLAGE SHALL NOT BE RESPONSIBLE FOR DAMAGE TO PAVEMENT DUE TO THE WEIGHT OF REFUSE VEHICLES.
- 12. ALL ON SITE LIGHTING TO MATCH EXISTING SHOPPING CENTERS LIGHTING (I.E. HEIGHT, INTENSITY, AND BULB TYPE.)
- 13. THIS SITE PLAN HAS BEEN DESIGNED TO COMPLY WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES (ADAAG) FOR BUILDING AND FACILITIES.
- 14. ACCESSIBLE SPACES ARE TO BE SIGNED AND STENCILED.
- 15. CONNECT TO EXISTING SANITARY SEWER AND EXISTING WATER.



NORTH-TYPE B-13225-RIGHT CHAMFER DRIVE-THRU WALK-IN COOLER

STORE NUMBER: 5261
 8200 MISSION RD
 PRAIRIE VILLAGE, KS
PROJECT TYPE: RELOCATION
DEAL TYPE: LEASE
CS PROJECT NUMBER: 47908

ARCHITECT OF RECORD:

BRIAN SCANLON
 CEDARWOOD ARCHITECTURAL
 1765 MERRIMAN RD
 AKRON, OH 44313
 TEL 330.869.2279
 FAX 330.867.5468

CONSULTANT:

LANDPLAN ENGINEERING, P.A.
 LIVESTOCK EXCHANGE BLDG
 1600 GENESSEE ST STE 400
 KANSAS CITY, MO 64102
 TEL 816.221.2234
 FAX 816.221.2644

DEVELOPER:

CEDARWOOD DEVELOPMENT, INC.
 1765 MERRIMAN RD
 AKRON, OH 44313
 TEL 330.383.0918
 FAX 330.864.8094

SEAL:



T. JEFFREY MARTIN, P.E.
 9976

REVISIONS:

#	#	#

CVS PROJECT MANAGER: SC

DRAWING BY: APB

DATE: SEP. 2012

JOB NUMBER: 2008,612

TITLE:

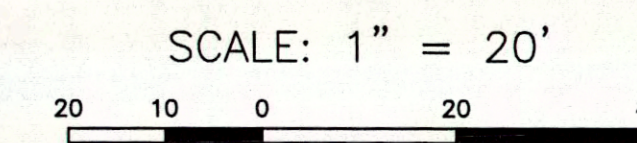
SITE LAYOUT PLAN

SHEET NUMBER:

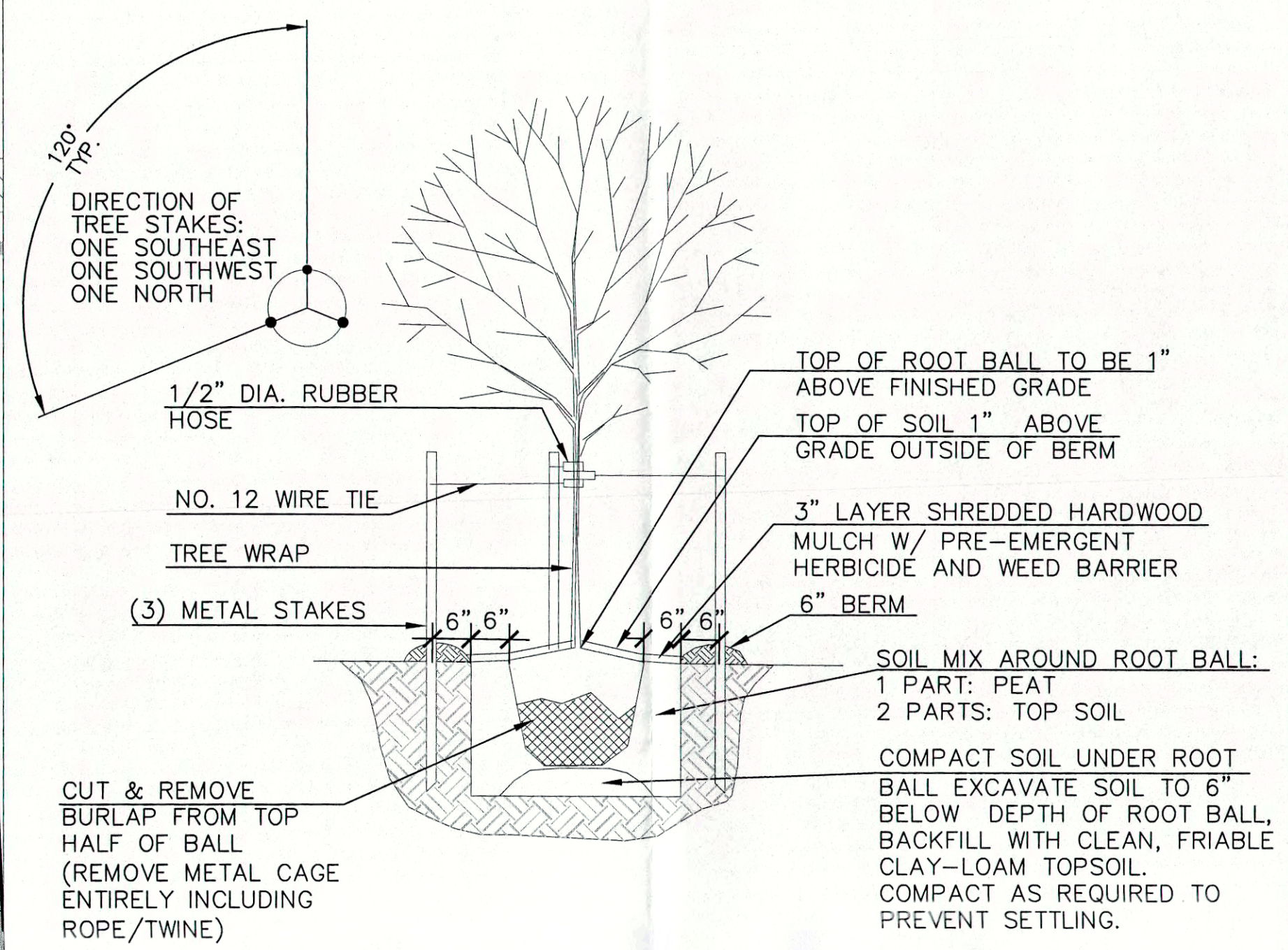
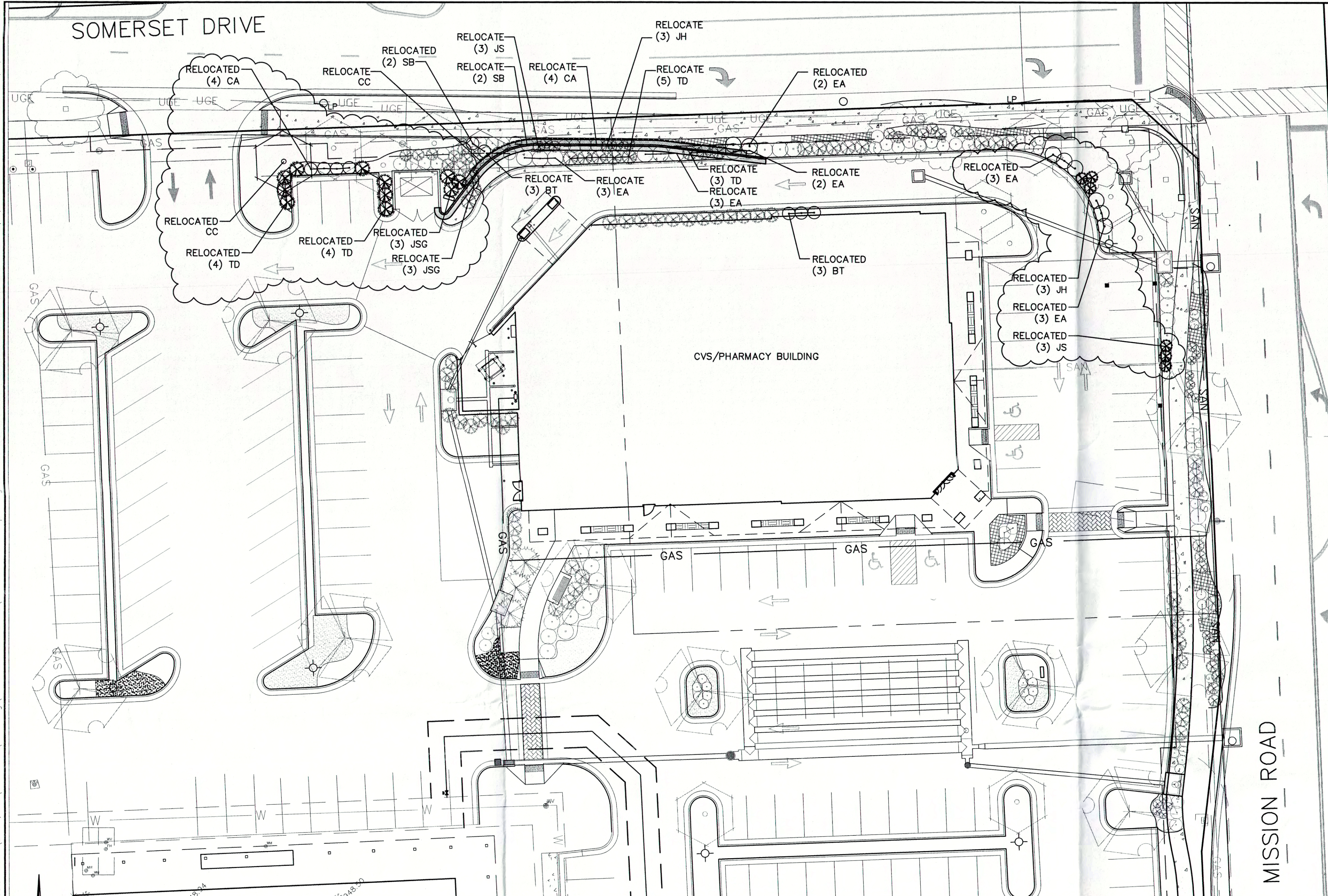
C200

COMMENTS:

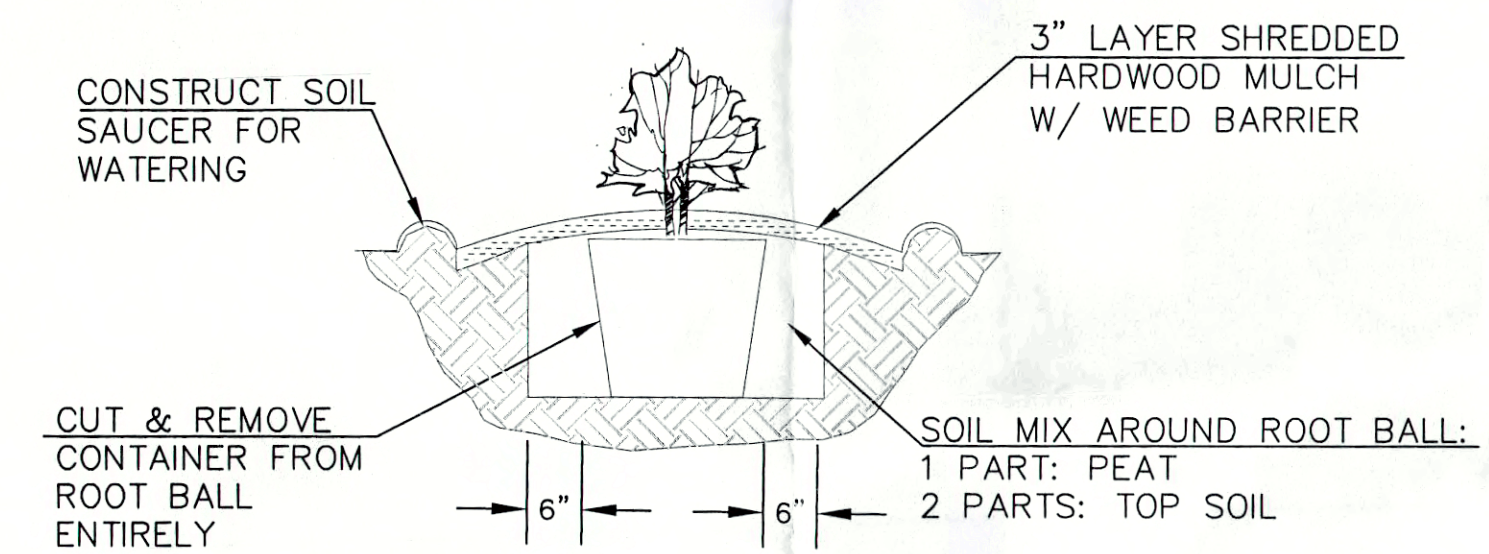
VARIANCE REQUEST



FILE NAME: S:\SDSK\PROJ\2008.612\Phase III\Planning\Variance_Submittal\08612 -Landscape.dwg LAST SAVED BY: Andrew Buchwitz DATE: 9/16/2012 2:30 PM PLOTTED: 9/16/2012 3:01 PM



1 TREE PLANTING DETAIL
Not to Scale

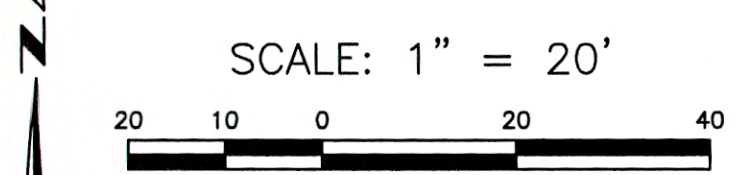


1 SHRUB PLANTING DETAIL
Not to Scale

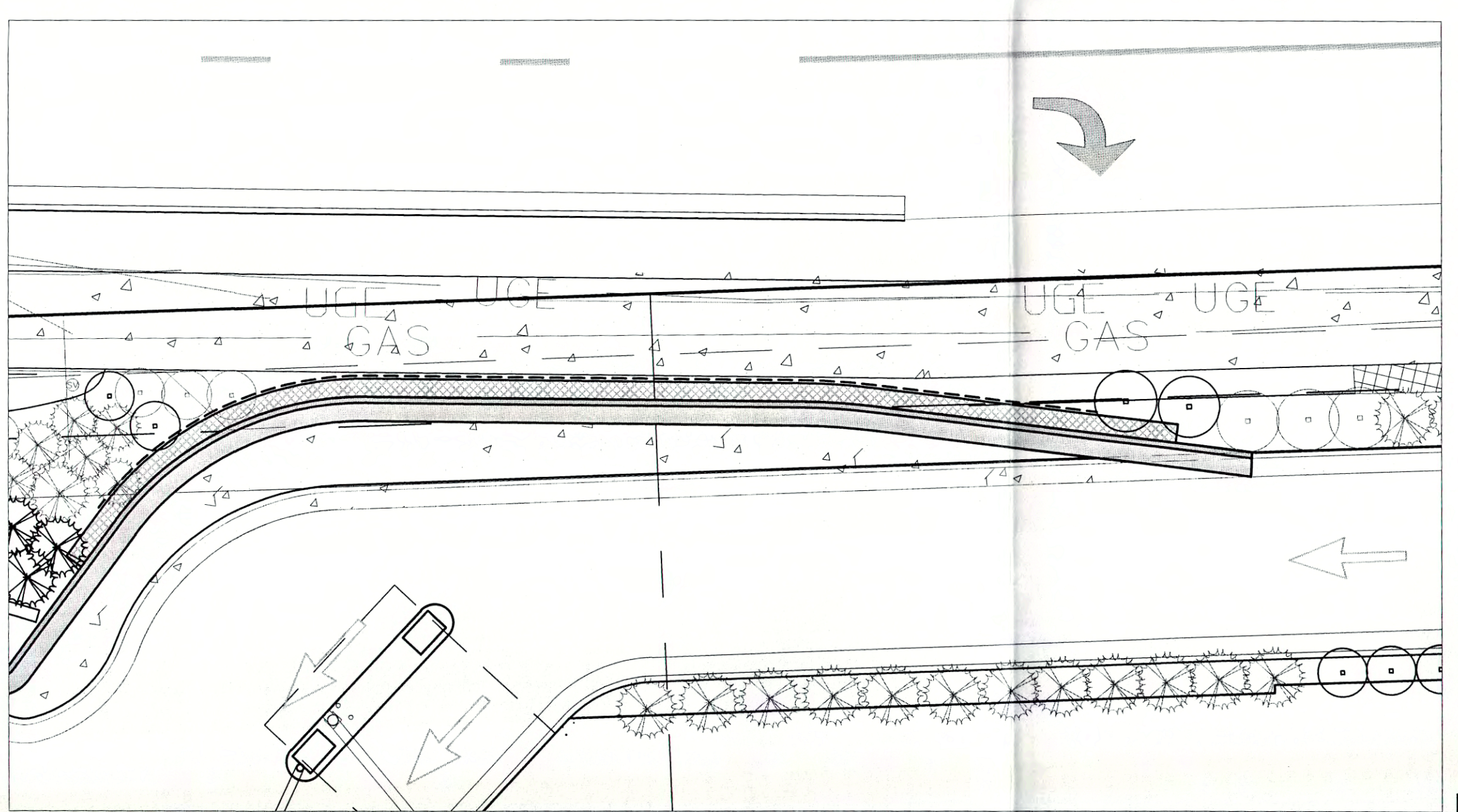
LANDSCAPE SUMMARY

SYMBOL	KEY	QTY.	NAME	SIZE	CONC.
(Tree symbol)		6	EXISTING TREE TO REMAIN		
(Shade tree symbol)		8	SHADE TREES		
AR	4		OCTOBER GLORY - ACER RUBRUM 'OCTOBER GLORY'	2"	B&B
GT	4		SHADEMASTER HONEYLOCUST - GLEDITSIA TRIACANTHOS VAR. INERMIS 'SHADEMASTER'	CAL MIN.	
(Ornamental tree symbol)		11	ORNAMENTAL TREES		
MSS	3		SPRING SNOW CRABAPPLE - MALUS SPECIES 'SPRING SNOW'	1.5"	B&B
CC	4		EASTERN REDBUD - CERCIS CANADENSIS	CAL MIN.	
MSR	4		RED BARON CRABAPPLE - MALUS SPECIES 'RED BARON'		
DECIDUOUS/EVERGREEN SHRUBS					
SB	14		MAGIC CARPET SPIREA - SPIRAEA BUMALDA 'MAGIC CARPET'	3	GAL. CONT.
CA	19		NEW JERSEY TEA - CEANOTHUS AMERICANUS		
EA	28		DWARF WINGED BURNING BUSH - EUONYMUS ALATUS 'COMPACTUS'		
BT	33		ROSY GLOW BARBERRY - BERBERIS THUNBERGII VAR. ATROPURPUREA 'ROSY GLOW'		
TD	25		DENSE YEW - TAXUS X DENSIFORMIS		
JC	3		KETELEER JUNIPER - JUNIPERUS CHINENSIS 'KETELEER'		
JS	20		BROADMOOR JUNIPER - JUNIPERUS SABINA 'BROADMOOR'		
JH	14		BLUE RUG JUNIPER - JUNIPERUS HORIZONTALIS 'WILTONII'		
JSG	25		SEA GREEN JUNIPER - JUNIPERUS CHINENSIS 'SEA GREEN'		
BG	12		GREEN MOUNTAIN BOXWOOD - BUXUS X 'GREEN VELVET'		
BM	21		WINTERGREEN BOXWOOD - BUXUS MICROPHYLLA 'WINTER GREEN'		
PA	3		DWARF FOUNTAIN GRASS - PENNisetum alopecuroides 'HAMELN'		
PERENNIALS					
N/A	396	5F			N/A
	70		DAFFODILS - YELLOW AND ORANGE IN COLOR	3.5"	POT N/A
	70		DAYLILIES - RED AND PURPLE IN COLOR	3.5"	POT N/A
	70		LIMEROCK RUBY COREOPSIS - COREOPSIS SP. 'LIMEROCK RUBY'	3.5"	POT N/A
	932	5F	PRAIRIE DROPSIDE - SPOROBOLUS-HETEROLEPIS		N/A
			SOD		N/A

NOTE:
ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES TO BE REPLACED WITH SOD WHETHER SHOWN ON DRAWINGS OR NOT.



- LANDSCAPE NOTES**
- ALL TREES AND SHRUBS SHALL BE STAKED IN THE FIELD FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
 - REFER TO SPECIFICATIONS FOR PLANT MATERIAL AND INSTALLATION METHODS.
 - PLANT MATERIAL SHALL COMPLY WITH ALL SIZING AND GRADING STANDARDS OF THE LATEST EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK".
 - PLANT FERTILIZER SHALL BE AGRIFORM 21 GRAM TABLETS, SLOW RELEASE, 20-10-5 ANALYSIS OR APPROVED EQUAL RATES OF APPLICATION SHALL BE AS RECOMMENDED BY MANUFACTURER.
 - TURF AREA SHALL BE TREATED WITH FERTILIZER APPLIED AT A RATE OF 1 POUND PER 1000 SQUARE FEET.
 - LOCATE ALL UTILITIES PRIOR TO DIGGING, CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES.
 - ALL LANDSCAPE AREAS SHALL BE IRRIGATED TO ESTABLISH AND MAINTAIN REQUIRED PLANT MATERIALS IN GOOD AND HEALTHY CONDITION. IRRIGATION CONTRACTOR IS RESPONSIBLE FOR DESIGN AND INSTALLATION OF SYSTEM SUBJECT TO REVIEW AND APPROVAL BY LANDSCAPE ARCHITECT. REFER TO PERFORMANCE SPECIFICATION IN PROJECT MANUAL.
 - ALL DISTURBED AREAS NOT DESIGNATED AS PAVEMENT, OR PLANTING BEDS, SHALL BE SODDED WITH TURF TYPE FESCUE BLEND OR APPROVED EQUAL AT THE DIRECTION OF THE OWNER. ALL TURF AREAS SHALL CONSIST OF A MINIMUM 8" THICKNESS TOPSOIL FREE OF CLAY DEBRIS, STICKS OR ROCKS IN EXCESS OF 1" IN DIAMETER. ALL TOPSOIL AREAS SHALL BE FINE GRADED AND RAKED, REMOVING RIDGES AND FILLING DEPRESSIONS AS REQUIRED TO MEET FINISHED GRADES AND CREATE POSITIVE DRAINAGE AWAY FROM BUILDINGS.
 - ALL PLANTING BEDS SHALL BE INSTALLED WITH WEED CONTROL BARRIER, NON-WOVEN FABRIC: POLYPROPYLENE OR POLYESTER, 3 OZ / SQ YD MIN.
 - IN THE EVENT OF WORK IN OR ON THE JCW SANITARY MAIN, ANY TREES OR PLANTINGS PLACED WITHIN THE SEWER EASEMENT MAY BE REMOVED WITHOUT REPLACEMENT OR COMPENSATION THERE-OF AND SHALL BE REPLACED BY THE PROPERTY OWNER AS REQUIRED BY THE CITY.



DRIVE-THRU ENLARGEMENT
SCALE: 1" = 10'
0 5 0 10 20

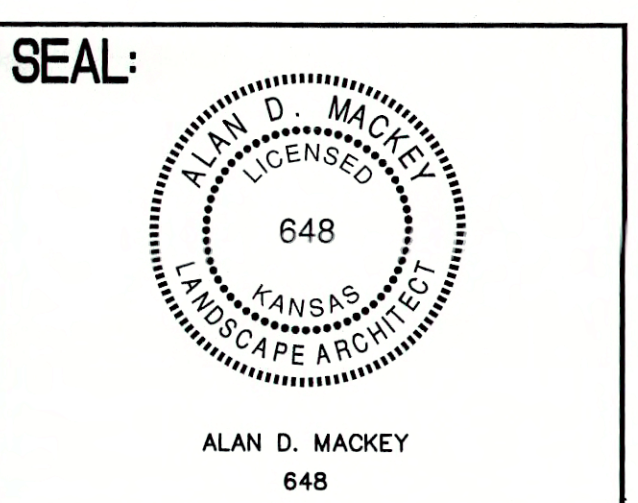


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REVISIONS:

CVS PROJECT MANAGER: SC
DRAWING BY: APB
DATE: SEPT. 2011
JOB NUMBER: 2008,612

TITLE: **LANDSCAPE PLAN**
SHEET NUMBER:
L100

COMMENTS:
VARIANCE REQUEST