

**PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
TUESDAY, JULY 12, 2016  
7700 MISSION ROAD  
7:00 P.M.  
\*\*IN MULTI-PURPOSE ROOM\*\***

I. ROLL CALL

II. APPROVAL OF PC MINUTES - JUNE 7, 2016

III. PUBLIC HEARINGS

IV. NON-PUBLIC HEARINGS

PC2016-119 Request for Preliminary & Final Plat Approval for  
Mission Chateau - 2<sup>nd</sup> Plat  
8500 Mission Road  
Current Zoning: R-1a  
Applicant: BHC Rhodes for MVS, LLC

PC2016-120 Request for Preliminary & Final Plat Approval for  
Replat of Prairie Ridge Lots 3, 4 & 5, Block 23  
5201 West 77<sup>th</sup> Street  
Current Zoning: R-1a  
Applicant: Harold Phelps, Phelps Engineering

V. OTHER BUSINESS

VI. ADJOURNMENT

Plans available at City Hall if applicable  
If you cannot be present, comments can be made by e-mail to  
[Cityclerk@Pvkansas.com](mailto:Cityclerk@Pvkansas.com)

**\*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 7, 2016**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 7, 2016 in the Municipal Building Council Chambers at 7700 Mission Road. Chairman Nancy Wallerstein called the meeting to order at 7:00 with the following members present: Gregory Wolf, Melissa Brown, Patrick Lenahan, Jonathan Birkel, and Jeffrey Valentino.

The following persons were present in their advisory capacity to the Planning Commission: Chris Brewster, City Planning Consultant; Wes Jordan, Assistant City Administrator; Mitch Dringman, Building Official; Serena Schermoly, Council Liaison and Joyce Hagen Mundy, Commission Secretary.

Chairman Nancy Wallerstein welcomed the Commission's new Council Liaison Serena Schermoly.

**APPROVAL OF MINUTES**

Patrick Lenahan moved for the approval of the minutes of the Planning Commission for April 5, 2016 as submitted. The motion was seconded by Jeffrey Valentino and passed by a vote of 5 to 1 with Gregory Wolf abstaining.

Chairman Wallerstein asked the Commission for approval to amend the agenda and consider the Non-Public Hearing item before the scheduled public hearing.

**NON PUBLIC HEARINGS**

**PC2016-118 Request for Site Plan Approval  
6701 Nall Avenue**

Bob Treanor, 15506 S. Kenwood St., addressed the Commission on behalf of Nall Avenue Baptist Church located at 6701 Nall Avenue. The church is seeking to replace an aging existing monument sign located at the corner of 67<sup>th</sup> and Nall. The proposal is for two monument signs, one located on the east side of the west entrance off of 67<sup>th</sup> street and a second one at a central location between its north and south entrances on Nall. The building has an existing wall sign associated with its primary entrance on Nall.

Chris Brewster noted that all monument signs come before the Planning Commission for approval. This site is a 3.56 acre corner location with 4 driveway entrances - 2 from each street frontage. The lot includes approximately 350 feet of frontage on Nall and approximately 450 feet of frontage along 67<sup>th</sup> Street. The building facilities include a main hall for services, associated classrooms and meeting rooms, event space, an outdoor playground and accessory parking. The property is zoned R-1A.

The sign ordinance allows churches, schools, and community buildings in residential districts up to 2 signs identifying the premises - which may be either wall mounted or monument signs. [19.48.020.A.] The applicant is requesting approval of the monument sign design and an exception to the limitation on 2 signs to allow the proposed monument signs on each frontage at locations shown on the site plan (to replace existing sign at the corner), and to keep the existing wall sign.

Section 19.48.015.M requires that all monument signs meet the following applicable standards:

- 5' height limit - each proposed monument sign meets this limit, except that the portion of the structure associated with the Nall Avenue sign containing the flag pole has a base of 6' high for an approximately 2' 4" x 2' 4" portion of the structure. It technically is not part of the sign structure although it shares the same base.
- 20 square feet limit for the sign - each sign is safely below this size limit. The sign area for monument signs is measure by the surface of the sign panel. The proposed signs are ovals. The resulting area of a rectangle entirely enclosing the ovals is less than 20 square feet; therefore excluding areas of that rectangle that would not include parts of the oval surface puts each sign safely below the 20 square foot limit.
- Be located at least 3' from the property line or 12 feet from the back of curb - the site plan is not scaled exactly, but the proposed locations appear to meet each of these standards, and are in a location with enough space to where they could be adjusted to safely meet this requirement.
- Permanent building materials similar to or complementary to buildings on the site. The proposed signs have a brick base matching the primary brick on the building and a stone cap complementing some of the accent materials and colors of the building. The proposed surface of the sign panel is plexiglass on an aluminum pedestal.
- Signs are to be located in a landscape setback area or have a 3' minimum landscape setback around the base. Both locations are in a landscape setback area.
- Monument signs in the residential districts may be illuminated provided the source of the illumination shall not be visible from off the premises. The internal cabinet illumination proposed for each sign meets this requirement.

Each of the proposed signs meets the standards for monument signs generally, as well as those for monument signs in residential districts. Staff recommends approval of the proposed monument sign design.

Jeffrey Valentino confirmed the existing façade sign contains non-illuminated free standing letters.

Gregory Wolf moved the Planning Commission approve PC2016-118 granting an exception to allow an increase in the total number of signs on the site from two to three and approving the proposed monument signs as submitted subject to the following conditions: 1) that the location of the monument sign be verified to be at least three feet

from the property line and at least 12 feet from the back of the curb; and 2) that the location include at least a three foot landscape buffer around the edge, or where such a buffer is not present at the location that a landscape plan for low ornamental plantings in the landscape area are to be submitted and approved by staff. The motion was seconded by Melissa Brown and passed unanimously.

## **PUBLIC HEARINGS**

**PC2016-04 Consideration of Revisions to the Prairie Village Zoning Regulations**  
**Chapter 19.02, Section 19.02.100 "Building Height"**  
**Chapter 19.06, Section 19.06.020 "Height"**  
**Chapter 19.06, Section 19.06.030 "Side Yard - R-1a)"**  
**Chapter 19.08, Section 19.08.015 "Height - R-1b)"**  
**Chapter 19.08, Section 19.08.025 "Side Yard - R-1b)"**  
**Chapter 19.44, Section 19.44.015 "Height"**  
**Chapter 19.44, Section 19.44.030 "Building Elevations"**

Chris Brewster stated Prairie Village has been experiencing increasing amounts of investment and infill development in residential neighborhoods. Some of these projects involve tearing down older homes and replacing them with new and larger homes, raising questions and concern regarding the ability of the current zoning standards (R-1B and R-1A zoning districts) to guide new development.

The City conducted public official work sessions, stakeholder focus groups, and public open houses over the last 8 months to discuss and determine a direction on amendments to the R-1A and R-1B zoning districts. Through these discussions, consensus on some of the concepts considered was not evident and a clear direction could not be determined. However on others, there was apparent consensus.

The proposed amendments address three main areas:

1. *Height:* Reducing the overall building height by (a) altering how building height is measured; and (b) changing the maximum height in R-1B from 35 feet to 29 feet.
2. *First Floor Elevation:* Amending sections of the code that apply to the first floor elevations new residential buildings, so that a generally applicable standard for building placement based on the site and grade can apply regardless of where the elevation of the prior existing home is.
3. *Side Setbacks:* Amending the side setbacks from the existing 4 feet (R-1B) and 5 feet (R-1A), with additional building separation requirements dependent on adjacent buildings, to 10% of the lot width on each side regardless of where adjacent structures may be.

The City's Comprehensive Plan adopted in 2007 specifically addresses this issue as follows:

- *Community Character:* Provide and attractive, friendly and safe community with a unique village identity appealing to people of all ages.

- *Housing:* Encourage neighborhoods with unique character, strong property values and quality housing options for families and individuals of a variety of ages and incomes.
- *Land Resources:* Encourage a high quality natural and man-made environment that preserves community character, creates identity and sense of place, and provides opportunities for renewal and redevelopment, including vibrant mixed-use centers.

Several specific policies and action items under these goals further identify the values of the community in this regard. Strategies identified include updating development regulations to better balance the need for new investment with maintaining the character and identity that have made Prairie Village's neighborhoods attractive and valuable.

Mr. Brewster noted in the land use element of the comprehensive plan associated with these goals - the Conceptual Development Framework - identifies the neighborhoods for Conservation and Improvement. This includes a majority of the City's land area which is currently zoned either R-1A or R-1B. In general the plan establishes similar policies and desired outcomes for the "Neighborhood Conservation" and "Neighborhood Improvement" areas. The key difference is the anticipated amount of reinvestment activity based on age and existing conditions in the Neighborhood Improvement areas.

Mr. Brewster stated in August of 2015, staff was directed to follow up on the comprehensive plan policies and action strategies, and begin a process to explore options to amend development standards affecting Prairie Village neighborhoods. In addressing that directive the following actions were taken:

- *September 17, 2015*, Staff Memo to the Mayor and City Council on Residential Infill Development
- *October 1, 2015*, Developer Discussion # 1 - focus group with developers on preliminary issues and analysis.
- *November 20, 2015*, Developer Discussion # 2 - focus group with developers on potential strategies
- *November 2015 - February 2016*, Drafting Committee Work Sessions - several meetings with a smaller group of Planning Commissioners, architects and developers to review and discuss drafts of potential amendments.
- *October 19, 2015 and February 1, 2016*, City Council Status Updates,
- *February 18, February 22, and March 2 2016*, Neighborhood Open Houses - open public forum to review and comment on the Discussion Draft of the proposed amendments.
- *April 4, 2016*, Council Review and Direction - [date of Wes' meeting and update]
- *April - May 2016*, Drafting Committee Work Sessions - several meetings with smaller focus group to draft proposed amendments.
- *June 7, 2016*, Planning Commission Public Hearing

The result of the analysis and the public process was the recommendation of a “two-tiered” approach to the issues regarding development and investment in Prairie Village Neighborhoods:

*Tier 1* - Address basic zoning standards that are either out of scale with lots in neighborhoods, or which are creating the most difficulties through the development review process (i.e. height, side setback, and standards for first floor elevation of new residential structures).

*Tier 2* - Revisit design, scale and massing issues through a broader discussion with continued involvement of stakeholders that were introduced to these issues in the public open houses.

Tier 1 amendments are the subject of the proposed amendments and were summarized by Mr. Brewster as follows:

*1. Height:*

Currently height on pitched roofs is measured to the mean height of a pitched roof structure. This is typically done in zoning ordinances to accommodate the different scale and mass that results from different pitches of roofs. However, in Prairie Village’s context, it can result in buildings significantly out of scale with existing development. The maximum height measured from the grade to the mean of pitched roofs can be up to 35 feet, and consequently the overall height of some buildings could be significantly higher than 35 feet, possibly upwards of 42 to 45 feet. Through staff’s review and analysis houses were identified that have been built to the extent of what the current zoning allows. Many homes that have caused concern in neighborhoods are well within what is allowed by current standards. The response to this situation is to change how height is measured in R-1A and R-1B so that it is measured from the top of foundation to the highest point (or “peak”) of the roof structure (instead of from grade to the mean of pitched roof).

Currently the height limit in R-1A and R-1B is 35 feet. This is more than sufficient to accommodate a 2.5 story dwelling, particularly when considered in conjunction with current height measurement. The R-1B lots are the smallest residential lots, allowing lots as small as 60 feet by 100 feet, with most typically 65 feet by 120 feet. Existing homes originally built on these lots are typically 1-story, 1.5-story, or 2-story with the appearance of 1.5-story elements on the front elevations. Through staff’s analysis it was determined that most new homes built, including many of the exemplary examples of recent builds, are within (or could be easily modified to be within) 29 feet from top of foundation to the high point on the roof structure. The response to this situation is to change the overall height to 29 feet in R-1B and leave the R-1A height at 35 feet with the proposed change as to how height is measured.

*2. Building Elevations:*

Currently new residential structures are required to be set at the same first floor elevation or lower than the original structure. This appears to be an attempt to reduce the scale of new homes in relation to the existing and adjacent homes. However, in

addressing only the first floor elevation, these standards do not adequately address this issue. With the noted issues on overall building height, a new structure built at the elevation of a current home could still be substantially higher and out of scale with existing homes while meeting this standard.

Further, since many existing homes are built at grade (some “slab on grade”), which produces drainage problems, many new homes are forced into a discretionary review process for an exception. This process does not have specific criteria to guide applicants, staff or decision makers. Often the appropriate design from a building code or drainage and site design process is forced to get an exception. This, combined with the fact that the standards and exceptions do not seem to adequately address the reason for these standards to begin with (deal with building scale), caused staff to revisit these standards. The goal was to allow all lots a reasonable foundation elevation based on the site grade and lot, and not necessarily tie it to where an existing structure’s first floor elevation happens to be. Further, since the proposed draft addresses some of the overall height concerns on the upper end, a more reasonable allowance for foundation elevations based on typical building practices seems appropriate. The response to this situation is to allow all residential lots a top of foundation that is 6 inches to 24 inches above grade along the front façade, and to improve the current exception process for greater elevations with more specific criteria.

### *3. Side Setbacks:*

The relationship and the scale and mass of structures adjacent to each other have been a big part of this discussion. The current side setbacks - 4 feet (R-1B) and 5 feet (R-1A) can allow structures in close proximity. Therefore the current standards also have a minimum separation requirement from existing structures (12 feet in R-1B and 14 feet in R-1A). Since this pins a standard to what a neighbor may or may not do, and is subject to change as different property owners build at different times, these types of standards can become difficult to administer. Standards roughly similar to the current standards and keyed to the lot and not a neighbors building were explored. The response to this situation is to set the setback at 10% of the lot width resulting in a setback for a minimum size R-1B lot of 6 feet on each side (10% of the required 60 foot lot width) and a setback for a minimum size R-1A lot of 8 feet on each side (10% of the required 80 foot lot width). This would result in approximately the same scale, massing and dimensions of the current building separation standards (12 feet and 14 feet, respectively) if each lot were built to the extent of the setback, yet it can be applied independent of any review or analysis of what a neighboring property owner may have done. Further, the setback would scale to the size of the lot, requiring a slightly greater setback the wider the lot is.

Direction from the Council is to continue to work with stakeholders on potential solutions to the “Second Tier” issues. These discussions will involve continued work on more detailed building scale and mass standards, discussion of other elements of site or building design that impact the “neighborhood character” identified in Village Vision, and analysis of new potential strategies brought up in the public forum including basic material standards and “four-sided” architecture requirements.

Gregory Wolf asked if a two story home could be constructed under the proposed 29' height restrictions. Mr. Brewster replied based on their analysis it could be done. Wes Jordan distributed a map for the Commission's review identifying new homes constructed in 2015 and reflecting their roof height. The average height was 28.6' with only three homes built that would not be in compliance with the new height regulation.

Jeffrey Valentino confirmed the new setback regulations would remove the location of the first home constructed impacting the setback for the neighbor's home. Jonathan Birkel asked how windows would be handled. Mitch Dringman replied that windows and bays could project within the setback area.

Gregory Wolf confirmed the new setback regulations would be based on a percentage of the width of the lot and not be a set number. Mr. Brewster noted that many of the homes association deed restrictions in the city already establish setback as a percentage of width.

Jeffrey Valentino asked how the 12' separation was determined. Mr. Brewster replied there is no magic number or universal residential standard. One of the considerations was having a width great enough to allow equipment to get into a rear yard if necessary. The 12 feet is consistent with other 1<sup>st</sup> tier suburbs.

Melissa Brown asked if there were any provision regarding roof appurtenances allowed. Mr. Brewster replied that the current code 19.44.015C would remain allowing for these items. Mrs. Brown asked if there was a size restriction. Mr. Brewster replied the items are not to be occupiable space.

Jonathan Birkel asked what exceptions are allowed outside the setback. Mr. Brewster stated Section 19.44.020C from the current code would remain allowing for projecting windows, eaves, cornices, pilasters, trellises etc. to project into required yard setbacks.

Nancy Wallerstein asked how many of the current rebuilds would not be in compliance with the proposed code. Wes Jordan stated staff conducted an analysis of 2015 rebuilds to attempt to get balanced restrictions. He noted that the proposed code allows for the Building Official to grant minor variances to height. Of the 25 homes built last year only three would not comply with the proposed code.

Wes Jordan noted side yard setback is one of the biggest complaints received by the City from neighbors trespassing on and damaging neighboring property while constructing or working on adjacent residences. He stated that the Building Official spent significant time dealing with this problem over the Memorial Day weekend.

There has been significant discussion on these items to get a good balance to address issues and concerns that have been raised. The city has received several letters from members of the Prairie Village Homes Association in support of the proposed regulations.



Chairman Nancy Wallerstein opened the public hearing requesting those speaking limit their comments to five minutes.

Dennis O'Rourke, 5007 West 63<sup>rd</sup> Terrace, expressed concern with the potential impact the proposed regulations would have on residential home values. He views the changes taking place throughout Prairie Village as strengthening property values. He noted his difficulty in finding a home in Prairie Village that would accommodate his growing family's needs. He feels trying to maintain a village of Cape Cods is forcing families to move out. There needs to be more flexibility on smaller lots to allow for long term sustainability of housing stock. He asked the Commission to reconsider the 29' height restriction for the R-1b District. The city needs to look 20 to 30 years ahead to maintain a sustainable housing stock. He would like to have homes be able to have the desired 10' ceiling height and this can't be done with the proposed height. Mr. O'Rourke feels 33 to 35' height is fair and would like to see at least a minimum of 30 feet.

Andrea Ernst, 6828 El Monte, supported the proposed regulations and desires to maintain the character created by J.C. Nichols in developing Prairie Village. She noted some of the new homes constructed recently look like they belong further south. She does not want to see Prairie Village become another Olathe. She recognizes the changing demographics in the city and supports redevelopment but feels that the character of the community needs to be maintained.

Bruce Wendlandt, 4400 West 71<sup>st</sup> Street, stated the biggest challenge is addressing the density in R-1b. He was on the committee working on the proposed regulations and was hoping for a 30' height restriction. He wants to see the city re-green and redevelop. Mr. Wendlandt shared different scenarios addressing his concerns with density in R-1b. He feels the goal is to strike a good livable balance with continuity in fabric.

Bill Copeland, 5200 West 81<sup>st</sup> Street, stated he felt the proposed regulations are reasonable. He does not want to see the growth and increased property values caused by the teardown/rebuilds go to waste.

Annie Ireland, 4905 West 70<sup>th</sup> Street, moved from Leawood and likes the character and flavor of Prairie Village neighborhoods. She supports the proposed revisions and noted that in building bigger to get more light, the homes are denying light to the adjacent properties. She urged the Commission to approve the proposed regulations.

Allen Gregory, 3906 West 69<sup>th</sup> Street, stated that he is currently rebuilding a tear down in order to meet the needs of his family. He views the issue from the viewpoint of increasing property values and believes everyone benefits from increased building that is occurring. He stated that most surrounding communities have 35 feet for their building height regulation with Fairway having 31 feet. He noted that the city of Leawood allows smaller lots to have a 40' building height to allow them to accommodate housing needs. He feels the tighter restrictions will result in cheapened construction and he does not want to see market values decrease. Mr. Gregory stated 35' is the standard height regulation in the metropolitan area regardless of lot size.

Pat Roberts, 3912 West 68<sup>th</sup> Street, a 40 year resident does not want to stop change, but feels the issue is maintaining an appropriate ratio.

Lissa Haag, 6817 El Monte, stated that she and others in the Prairie Village Homes Association recently went door to door to get resident feedback on the proposed revisions. The majority of the residents they spoke with supported having some limitations put in place. She feels that the proposed 29' height is actually very tall compared to some of the existing homes in Prairie Village. Ms. Haag noted that families are moving into Prairie Village and there is a lot that can be done to homes within the proposed regulations to continue that trend. She encouraged the Commission to listen to the ordinary residents as well as the architects speaking this evening.

Steve Johnson, 3915 West 73<sup>rd</sup> Street, expressed appreciation to the Commission and the City as a resident since 1979. He stressed the need to strike a balance that will give families the features they need and desire while maintaining the character of Prairie Village neighborhoods.

Wes Jordan noted that recently a Prairie Village Homes Association had their covenants challenged that restricted homes to one and a half story and lost. Countryside East Homes Association has created an overlay district to provide greater control over redevelopment in their area. Prairie Village Homes Association was seeking to do the same but it became clear that more than an overlay was needed to address this issue. Mr. Jordan noted the PV Homes Association had previously proposed a 27' height restriction.

Mr. Jordan noted that more restrictive covenants and deed restrictions supersede the city's zoning regulations. He added it is very difficult and in some cases impossible to change covenants as they require 100% support and that it not possible. The Prairie Village Homes Association Board recently sent notification that the Association supported the proposed amendments.

The Public Hearing was closed at 8:17 p.m.

Mr. Birkel asked for clarification of Mr. Wendlandt's comments related to density.

Mr. Wolf asked for confirmation if smaller lots in Leawood allowed 30' height for homes; staff was not aware of this provision in Leawood's code and had not researched that issue.

Mrs. Brown expressed concern with the 29' wall section provided by Mr. Wendlandt and the challenges it would provide for windows. Mr. Brewster responded that the regulations address outside massing. Mr. Valentino questioned the ability to construction a standard two story home with a 29' height restriction. Noting the analysis done with most homes being 29 feet plus inches, suggested that the height be set at 30 feet. He noted he likes that the new houses being constructed in his neighborhood are different.

Mr. Wolf was concerned with the 29' height restriction was too restrictive causing Prairie Village residents to move south and feels that 30' makes sense with the ability to request a variance to allow for any higher construction.

Patrick Lenahan asked if heights of existing homes were reviewed by staff in making their recommendation. Mr. Brewster replied staff did not systemically measure specific homes, but did compare the relative scale of typical homes noting that one story elements had eave lines approximately between 8' and 1' and ridge lines between 15 feet and 18 feet; one and one-half story elements had ridge lines between approximately 15 feet and 22 feet. Two-story elements have eave lines between approximately 15 feet and 20 feet and ridge lines between 22 feet and 29 feet. Mr. Lenahan replied the crux of the residential complaints is based on how much taller the new construction is than what currently exists in the neighborhood. He noted his home is 22' in height and a 35' home would certainly tower over that and many of the existing ranches are 15 feet in height.

He is comfortable with the 30' noting only one home constructed in 2015 in R-1b exceeded that height or leave it at 29 feet.

Wes Jordan stressed that under the proposed regulations the Building Official can accept up to a 3% tolerance from the height. This would allow for up to 10.5" additional inches and could result in an actual height of almost 30'. If the Commission increases the height to 30', he recommends the ability to grant a variance be removed.

Jonathan Birkel agreed that with the variance the height is almost at 30'. He noted that missing from consideration with the proposed changes are limitations on the massing portion and scale that will be discussed later. Character is very important, not just height. He feels that a lot of value can be added and still be within scale. Regarding the side setbacks, he feels that they should be at least 5 feet.

Jeffrey Valentino stated he would support the 29' height with the allowed 3% tolerance granted by the Building Official, knowing that beyond that they can seek a variance. Mr. Brewster noted in Phase II an appeal process will be established for design. He does not want to address changes through the established variance process which requires legal criteria to be met.

Melissa Brown confirmed that the submitted plans for approval for a building permit must be drawn with a maximum 29' height and that the 3% allowance is for field conditions or construction practices.

Nancy Wallerstein stated that she preferred a set height limitation. She is hearing between 29 and 30 feet from the commission. She would like a clear maximum.

Chris Brewster reviewed the new definition of height which addresses both how it is measured (from the finished grade) and the 3% tolerance.

Nancy Wallerstein was concerned that the waiver/tolerance allowed builders to exceed the code. Gregory Wolf asked if the tolerance should be reduced from 3% to 2%. Mr. Birkel noted the idea to allow actual construction to be up to 30 feet while ensuring that it does not exceed 30 feet. Mr. Wolf asked if the building was 12" too tall, what the city would do. Would it be required to meet code? Mr. Birkel asked when the height is measured. Mr. Dringman replied it would be measured at rough-in. Mr. Wolf stated that a tolerance of 10.5" seems like a lot to him and he wants to be sure that it will be enforced. Mr. Valentino stated that by making it flexible, it is more likely to be enforced. Mr. Dringman noted that with height measurement taking place at rough-in there is still time to make necessary changes.

Jeffrey Valentino asked how the new side yard setbacks affected odd lots and corner lots. Mr. Jordan replied that the measurement of width would be taken at the front building line. Chris Brewster noted the exceptions granted in the existing code would remain and read them to the Commission. Mr. Lenahan stated that his was more of an issue with pie shaped lots and noted that most commercial zoning has set numbers for setbacks rather than percentages. Mr. Brewster replied the setback measurement is taken at the building line and follows through the lot line on all sides.

Gregory Wolf moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.02, Section 19.02.100 entitled "Building Height". The motion was seconded by Jonathan Birkel and passed by a vote of 4 to 2 with Melissa Brown and Nancy Wallerstein voting in opposition.

Patrick Lenahan moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.06, Section 19.06.020 entitled "Height" (R-1a). The motion was seconded by Melissa Brown and passed by a vote of 6 to 0.

Patrick Lenahan moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.06 Section 19.06.030 entitled "Side Yard" (R-1a). The motion was seconded by Gregory Wolf and passed by a vote of 5 to 1 with Jeffrey Valentino voting in opposition.

Patrick Lenahan moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.08, Section 19.08.015 entitled "Height" (R-1b). The motion was seconded by Jeffrey Valentino and passed by a vote of 6 to 0.

Melissa Brown moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.08, Section 19.08.025 entitled "Side Yard" (R-1b). The motion was seconded by Gregory Wolf and passed by a vote of 5 to 1 with Jeffrey Valentino voting in opposition.

Gregory Wolf moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.44, Section 19.44.030 entitled "Building Elevations". The motion was seconded by Melissa Brown and passed by a vote of 6 to 0.

Gregory Wolf moved the Planning Commission recommend the Governing Body adopt the proposed revisions for Chapter 19.44, Section 19.44.015 entitled "Height". The motion was seconded by Patrick Lenahan and passed by a vote of 6 to 0.

Jonathan Birkel asked what the timeline was for Phase II discussions. Mr. Jordan replied that if the proposed revisions are approved by the City Council on June 20<sup>th</sup> staff will make sure the Council still wants to proceed with Phase II as a priority. If so, he would anticipate those discussion would begin very quickly.

#### **NEXTMEETING**

The planning commission secretary noted filing deadline for the July meeting is the end of the week. No submittals have been made to date.

Mr. Lenahan stated he would not be in attendance at either the proposed joint PC/CC meeting on July 5<sup>th</sup> or the regulation Planning Commission meeting on July 12<sup>th</sup>.

#### **ADJOURNMENT**

With no further business to come before the Commission, Chairman Nancy Wallerstein adjourned the meeting at 9:12 p.m.

Nancy Wallerstein  
Chairman

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** July 12, 2016, Planning Commission Meeting

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**Application:** PC 2016-119

**Request:** Final Plat for Mission Chateau 2<sup>nd</sup> Plat – Replat of Lot 2

**Property Address:** 8500 Mission Road

**Applicant:** MVS, LLC

**Current Zoning and Land Use:** R-1A Single-Family District – Vacant Middle School

**Surrounding Zoning and Land Use:** **North:** R-3 Garden Apartment District - Apartments  
**East:** R-1A Single-Family District – Single Family Dwellings  
**(Leawood)** R-1 Single-Family Residential – Single Family Dwellings  
**South:** R-1A Single-Family District – Single Family Dwellings & vacant  
**West:** R-3 Garden Apartment District - Apartments

**Legal Description:** Meadowbrook Junior High School BLK 1 plus tract – Metes & Bounds

**Property Area:** 18.43 acres or 803,077 sq. ft.;

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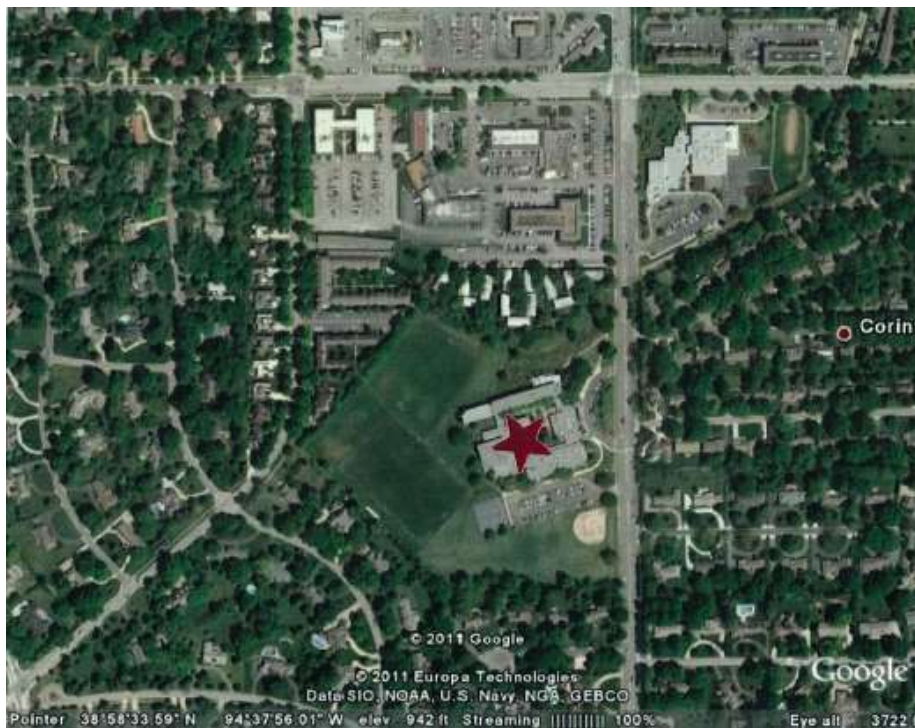
**Related Case Files:** PC 2015-110 Preliminary and Final Plat  
PC 2015-08 Special Use Permit for Adult Senior Dwellings & Final Development Plan  
PC 2013-127 Preliminary Plat  
PC 2013-126 Site Plan Approval for Adult Senior Dwellings  
PC 2013-11 Special Use Permit for Adult Senior Dwellings  
PC 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, Plat

General Location Map



Aerial Map



**BACKGROUND**

The Planning Commission approved a preliminary and final plat for Mission Chateau at the March 1, 2016 meeting. At this time it was understood that Lot 2 would be replatted at a future date to facilitate the construction and sale of the villas, according to the final development plan. The final development plan was also approved by the Planning Commission on March 1, 2016 subject to conditions.

Previously, the Planning Commission heard the application for a special use permit, site plan approval and a preliminary plat at a special meeting on July 29, 2015. The Commission recommended approval of the special use permit and site plan, subject to conditions, and the Council approved both recommendations on August 17, 2015.

**FINAL PLATCOMMENTS:**

Since approval of the final plat and final development plan the applicant has advanced on planning and engineering based on those approvals, and is preparing Lot 2 for the construction of the villas. They have submitted and replat of Lot 2, and the following comments relate to the recommended conditions for approval of the preliminary plat from Staff's July 7, 2015 review, and approved final plat from March 1, 2016:

**1. That the applicant provide a 5-foot sidewalk on the west side of Mission Road.**

On the replat, the applicant has indicated that a 40' deep easement along the west side of Mission Road for the location of the 5-foot sidewalk.

**2. That the applicant work with Public Works on the final design of the storm drainage system.**

Public Works has reviewed the previously approved final plat and the proposed drainage system, and the replat is consistent with the approved final plat.

**3. That the 25-foot platted rear setback line be dimensional on the northwest property line of Lot 1.**

[Not affected by the replat.]

**4. That the applicant prepare covenants to guarantee the maintenance of the common areas and utilities and submit it with the Final Plat.**

Draft covenants have been submitted with preliminary review and approvals to address this condition. These covenants may change or be updated prior to final submittals for development plans and construction. Prior to recording the Final Plat or replat, the final proposed covenants shall be submitted demonstrating that this condition is met.

**5. That the applicant dedicate a pedestrian easement on the west side of Lot 2 to provide access to Somerset Drive and construct the sidewalk.**

On the replat, a 10' easement is shown at this location (proposed Lot 13 on the replat); the sidewalk will need to be constructed as proposed through in the final plans and site development permits.

**6. That the applicant protect and preserve as much existing vegetation as possible along the property lines.**

A final landscape plan was approved by staff in May preserving trees along Mission Road and the property boundaries. All construction will need to occur according to the approved landscape plan.

**7. That access control to two locations on Mission Road be indicated on the plat.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat.

**8. That the driveways be constructed to City standards.**

Public Works reviewed the previously approved final plat and the driveways and access controls are in accordance with the final plat; construction and specifications for the driveway will occur through subsequent permits to ensure City standards are met.



The Subdivision Regulations also require the following additional information to be submitted with the Final Plat:

- A. Covenants – draft covenants submitted; final proposed covenants need to be submitted prior to recording to demonstrate that all conditions of the Special Use Permit, Site Plan and Plat approvals have been met.
- B. Proof of Ownership – submitted
- C. Review by County Surveyor – (The County Engineer will not review the Final Plat until it is approved by the City.)
- D. A Certificate showing all taxes and assessments have been paid – submitted.
- E. Construction Documents for streets, sidewalks and storm drainage – Construction documents will be submitted prior to final permits for site development and construction of improvements.

**RECOMMENDATION FINAL PLAT:**

It is the opinion of Staff that the proposed Final Plat for Mission Chateau 2<sup>nd</sup> Plat – Replat of Lot 2 is coordinated with the approved Special Use Permit and Final Development Plan, may approve the Final Plat with the following exceptions which will need to be conditions of approval of the Final Plat:

1. The approval is conditioned previously approved final development plan and conditions. Specifically as it relates to this plat:
    - a. Future buildings on proposed Lots 3 through 13 require approval of new plans by the Planning Commission demonstrating conformance with the approved Final Development Plan and Special Use Permit. [this is the continuation of condition 5.d. of the Final Development Plan approval, reflected in the March 1, 2016 staff report.]
    - b. All future construction shall be in conformance with the approved landscape plan (L1.00 Bid Set Vol.3 dated 4/29/2016).
    - c. A sidewalk along the west side of mission road correspond to the easement and be constructed in accordance with the approved final development plan.
    - d. A sidewalk connection on the west side of proposed Lot 13 in the replat correspond to the easement and be constructed in accordance with the plan.
    - e. Covenants demonstrating adequate maintenance of all common areas be approved in accordance with the final plans, and the plat shall not be recorded until those covenants are reviewed and endorsed by the City as addressing all conditions of the special use permit and final development plan.
  2. That any changes to approved final development plans that do not correspond to the platted lot and easements shown on the proposed final plat shall require the submittal of a new final plat corresponding to those changes and meeting all of the conditions for project approval.
  3. That the applicant submit the final plat to the County (surveying and engineering) after approval by the City.
  4. The final plat be submitted to the Governing Body for acceptance of easements.
  5. Prior to the recording of the final plat, it will be necessary for the property owner to either construct all the proposed improvements or provide a financial guarantee to the City that the proposed improvements will be constructed in accordance with the approved final development plans that were conditions of the special use permit and site plan approval.
-

# Final Plat of MISSION CHATEAU 2ND PLAT

A Replat of Lot 2, MISSION CHATEAU,

a Subdivision in the Southeast Quarter of Section 28, Township 12 South, Range 25 East, of the 6th Principal Meridian in Prairie Village, Johnson County, Kansas

## SUBDIVISION BOUNDARY DESCRIPTION

All of Lot 2, MISSION CHATEAU, a subdivision of land in the Southeast Quarter of Section 28, Township 12 South, Range 25 East in the city of Prairie Village, Johnson County, Kansas, the plat of said subdivision recorded as Instrument Number \_\_\_\_\_ in Book \_\_\_\_ at Page \_\_\_\_ in the Johnson County, Kansas Register of Deeds office, said Lot containing 370.367 square feet or 8.5025 acres.

## PLAT DEDICATION

I, the undersigned representative for the proprietor of the above described Tract of the land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereinafter be known as "MISSION CHATEAU 2ND PLAT".

## PUBLIC EASEMENT DEDICATIONS

**GENERAL UTILITY EASEMENT:** An easement to enter upon, locate, construct and maintain or authorize the location, construction, maintenance and use of electrical conduits, water, gas, and sewer pipes, poles, wires, drainage facilities, ducts, cables, and similar utility facilities upon, over and under those areas outlined and designated on this plat as "U/E" (Utility Easement) is hereby granted to the City of Prairie Village, Johnson County, Kansas.

**SIDEWALK EASEMENT:** An easement for the purpose of constructing, using, replacing, and maintaining a public sidewalk and appurtenant work, including the right to repair, maintain and replace the sidewalk, and for any reconstruction and future expansion of such facility, together with the right of ingress and egress, over and through the area designated as "SW/E" (Sidewalk Easement) on this plat is hereby granted to the City of Prairie Village, Johnson County, Kansas.

**SANITARY SEWER EASEMENT:** An easement to lay, construct, alter, repair, replace, and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns.

## PUBLIC EASEMENT VACATIONS PURSUANT TO K.S.A. 12-512b

In lieu of the public easements dedicated by this plat and pursuant to K.S.A. 12-512b, all public reservations dedicated by the plat MISSION CHATEAU and lying within Lot 2 are hereby vacated. All public easements that were dedicated by said MISSION CHATEAU and lying within Lot 2 are re-dedicated by this plat, therefore no further reference to easements dedicated by the plat of said MISSION CHATEAU and lying within Lot 2 need be made.

## BUILDING SETBACK LINES

Building setback lines (denoted hereon as "B/L") are hereby established as shown on the accompanying plat and no buildings shall be constructed between this line and the street Right-of-Way lines or Lot lines to which said Building setback lines are adjacent.

## ACCESS RESTRICTION TO MISSION ROAD

Direct access to Mission Road is hereby restricted to those areas designated on this plat as "ALLOWED ACCESS".

## APPROVALS

This plat of MISSION CHATEAU has been submitted to and approved by the Planning Commission for the City of Prairie Village, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Planning Commission  
Prairie Village, Johnson County, Kansas

Nancy Wallerstein, Chairman

Laura Wassmer, Mayor

Joyce Hagen Mundy, Secretary

Joyce Hagen Mundy, City Clerk

## MAINTENANCE OF TRACTS B, C, D, E AND F

Tracts B, C, D, E and F shall be owned and maintained by MVS, LLC, a Missouri limited liability company and shall be subject to the terms and conditions of the Mission Chateau Declaration of Covenants Conditions and Restrictions filed as Document Number \_\_\_\_\_ in Book \_\_\_\_\_ at Page \_\_\_\_\_.

## CONSENT AND AGREEMENT

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

## EXECUTION

IN TESTIMONY WHEREOF: MVS, LLC, a Missouri Limited Liability Company, has by the authority of its Manager caused this instrument to be executed by its Managing Member this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

MVS, LLC

Joseph Tutera, Managing Member

## ACKNOWLEDGMENT

STATE OF  
COUNTY OF

On this \_\_\_\_\_ day of \_\_\_\_\_, 2016, before me appeared Joseph Tutera, and affirmed before me that he is a Managing Member of MVS, LLC, a Missouri limited liability company, and that this instrument was signed on behalf of said company by authority of its Manager, and said Joseph Tutera acknowledged said instrument to be a free act and deed of said company.

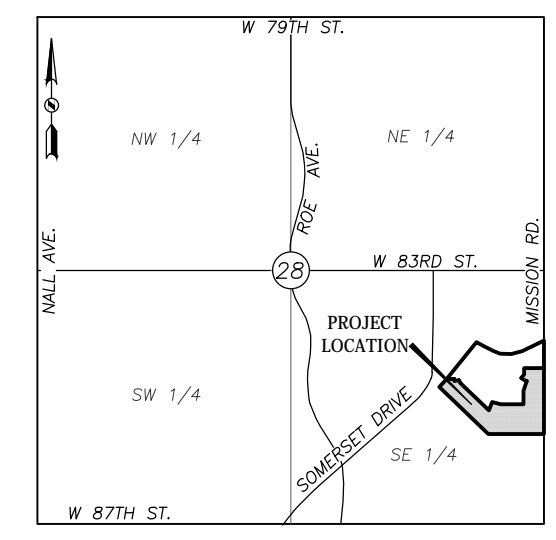
IN WITNESS THEREOF: I have hereunto set my hand and affixed by official seal at my office in said county, the day and year last above written.

My commission expires: \_\_\_\_\_

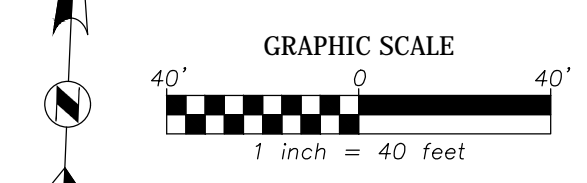
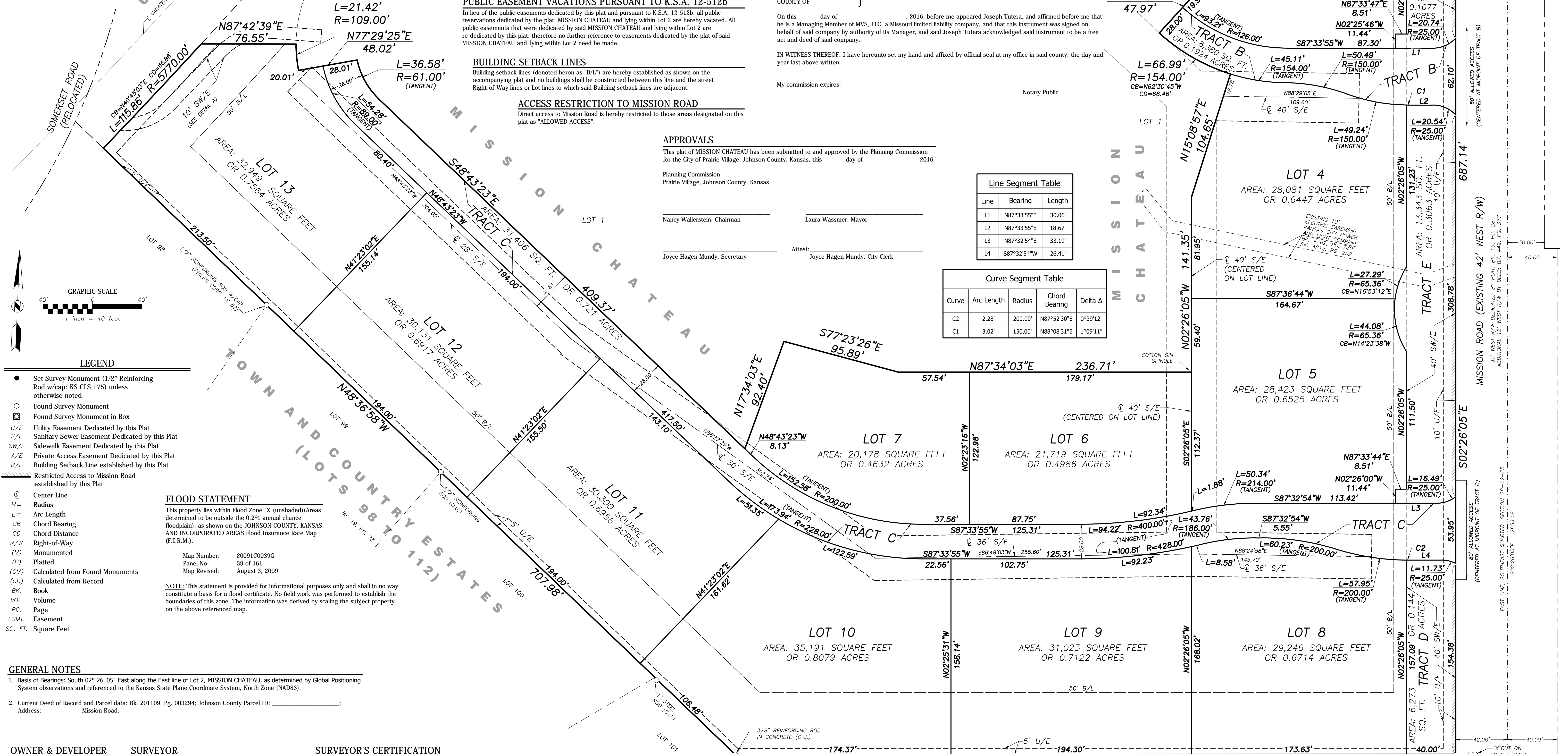
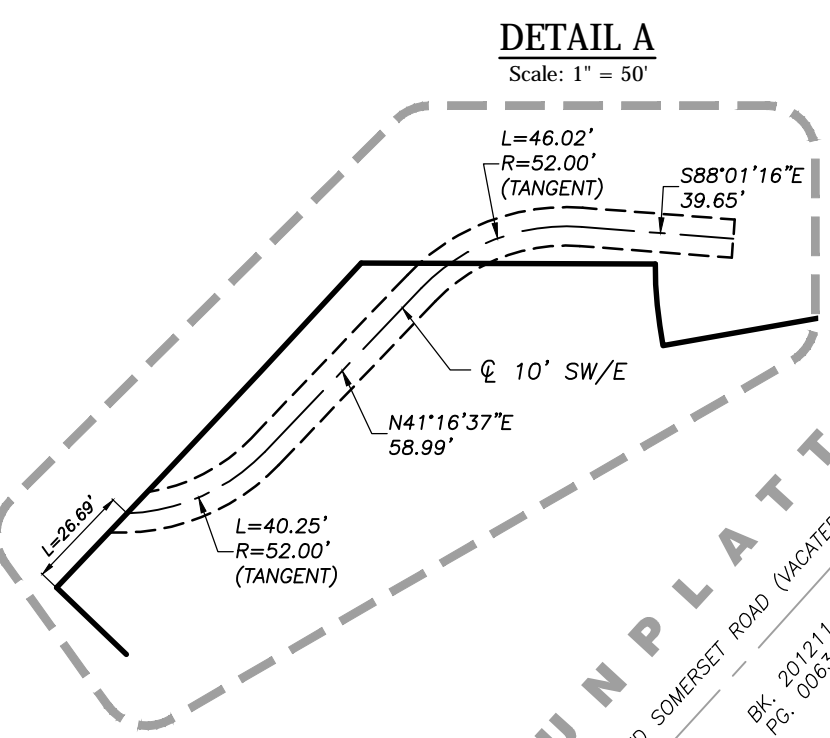
Notary Public

Line	Bearing	Length
L1	N87°33'55"E	30.06'
L2	N87°33'55"E	18.67'
L3	N87°32'54"E	33.19'
L4	S87°32'54"W	26.41'

Curve	Arc Length	Radius	Chord Bearing	Delta Δ
C2	2.28'	200.00'	N87°52'30"E	0°39'12"
C1	3.02'	150.00'	N88°08'31"E	1°09'11"



SECTION MAP  
SECTION 28-T12S-R25E  
(NOT TO SCALE)



- Set Survey Monument (1/2" Reinforcing Rod w/cap: KS CLS 175) unless otherwise noted
- Found Survey Monument
- Found Survey Monument in Box
- U/E Utility Easement Dedicated by this Plat
- S/E Sanitary Sewer Easement Dedicated by this Plat
- SW/E Sidewalk Easement Dedicated by this Plat
- A/E Private Access Easement Dedicated by this Plat
- B/L Building Setback Line established by this Plat
- R/W Right-of-Way
- (M) Monumented
- (P) Platted
- (CM) Calculated from Found Monuments
- (CR) Calculated from Record
- BK. Book
- VOL. Volume
- PG. Page
- ESMT. Easement
- SQ. FT. Square Feet

**FLOOD STATEMENT**  
This property lies within Flood Zone "X" (unshaded) (Areas determined to be outside the 0.2% annual chance floodplain), as shown on the JOHNSON COUNTY, KANSAS, AND INCORPORATED AREAS Flood Insurance Rate Map (F.I.R.M.).

Map Number: 20091C0039G  
Panel No: 39 of 161  
Map Revised: August 3, 2009

NOTE: This statement is provided for informational purposes only and shall in no way constitute a basis for a flood certificate. No field work was performed to establish the boundaries of this zone. The information was derived by scaling the subject property on the above referenced map.

## GENERAL NOTES

- Basis of Bearings: South 02° 26' 05" East along the East line of Lot 2, MISSION CHATEAU, as determined by Global Positioning System observations and referenced to the Kansas State Plane Coordinate System, North Zone (NAD83).
- Current Deed of Record and Parcel data: Bk. 201109, Pg. 003294; Johnson County Parcel ID: \_\_\_\_\_; Address: \_\_\_\_\_ Mission Road.

**OWNER & DEVELOPER**  
MVS, LLC  
Attn: Joe Tutera  
7611 State Line Road, Apt. 301  
Kansas City, MO 64114

**SURVEYOR**  
BHC RHODES  
901 N. 8th Street, Suite 100  
Kansas City, Kansas 66101  
Phone No.: 913-317-5300  
Fax No.: 913-317-2677

**SURVEYOR'S CERTIFICATION**  
THIS IS TO CERTIFY that on the "Field Date" shown in the title block of this document, this survey was made by me or under my direct supervision and that said survey was executed in accordance with the "KANSAS MINIMUM STANDARDS" for boundary surveys pursuant to K.S.A. 74-7037.

(See Title Block for date, seal and signature)  
BHC RHODES, KS CLS-175  
Mark A. Gabert, LS-1389

**BHC RHODES**  
Civil Engineering • Surveying • Utilities  
901 N. 8th Street, Suite 100  
Kansas City, Kansas 66101  
P. (913) 371-5300 F. (913) 371-2677  
BHC RHODES is a trademark of BHC Rhodes & Company, P.A.

**MVS, LLC**  
7611 State Line Road, Apt 301  
Kansas City, Missouri  
64114

Client: MVS, LLC

Project: Final Plat of MISSION CHATEAU 2ND PLAT  
a Replat of Part of Lot 2,  
MISSION CHATEAU  
SE 1/4, Sec. 28, Twp. 12 S, Rng. 25 E  
Prairie Village, Johnson County, Kansas

Drawn By: PJS/JDS/DD  
Project No: 021390  
Field Date: 4/6/2015  
Issue Date: 06/10/2016  
Sheet: 1 OF 1

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** July 12, 2016 Planning Commission Meeting

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**Application:** PC 2016-120

**Request:** Final Plat – Replat of Prairie Ridge Lots 3, 4 and 5

**Property Address:** 5201, 5215 and 5219 W.77<sup>th</sup> Street

**Applicant:** GCG Properties LLC / Phelps Engineering, Inc.,

**Current Zoning and Land Use:** R-1B Single-Family District – Single Family Dwellings

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

**Legal Description:** PRAIRIE RIDGE LOT 3, 4, and 5 BLK 23,

**Property Area:** 1.44 acres (63,110 s.f.)

**Related Case Files:** None

**Attachments:** Application, Plat

**General Location Map**



**Aerial Map**



## BACKGROUND

This property was originally platted in 1953 as part of a larger subdivision. The application includes 3 lots on the southwest corner of Rosewood and 77<sup>th</sup> Street. Each lot includes a single family dwelling and some additional accessory structures. They date from around the original date of the plat with the exception of some minor additions and modifications. This proposal is to replat the 3 lots into 5 lots for redevelopment as single-family structures.

## ANALYSIS

The property is zoned R-1B which has a required minimum lot size of 60' x 100' [19.08.035]. In addition the Prairie Village subdivision regulations provide that the Planning Commission consider the average size of all lots within 300' of a proposed subdivision as part of the lot size standards, along with other similar criteria regarding the size, pattern and configuration of lots. [18.04.090].

The proposed lots all exceed the minimum standards for the R-1B zoning district. Three lots are approximately 70' x 209', and two are approximately 70' x 109'. The corner location and configuration of adjacent lots on the block result in two of the lots (proposed Lot 5 and Lot 3, respectively) being slightly larger than that due to the shape.

The area has many different configurations of lots due to the street network and pattern of blocks. However, the proposed lots are consistent with the sizes and patterns of lots within 300' of the proposed subdivisions:

- The typical lot pattern to the south and east is 65' – 72' x 125'. Deviations from this pattern are primary due to irregular block shapes or internal corners.
- The typical pattern to the north and west is 75' – 85' x 140'. A few lots are smaller than this, and several are significantly larger (6 lots in the 12,000 to 25,000 square foot range). The larger lots are primarily due to the large block and unusually deep lots immediately to the north across 77<sup>th</sup> street.

The proposed lot show all applicable setbacks for the R-1B district indicating the buildable area. In addition – and due to some pending considerations for setbacks in the R-1B zoning district at the time of pre-application meetings and discussions, 7' building lines are shown on the side setbacks. However, the City Council ultimately approved amendments that amount to the following for these lots:

- 6' side setbacks;
- Minimum of 20% of frontage between each sides (so 14' minimum total – i.e. it could be 6' on one side and correspondingly 8' on the other); and
- Minimum 12' between adjacent structures
- And 15' on street sides of corner lots, or ½ the depth of any front yard on any adjacent lot which faces the same street.

This affects the proposed lot in two ways:

1. The displayed building lines could be reduced to 6' on any one side, provided the other side is increased to 8';
2. The street side setback is shown as 15' along Rosewood. This meets the corner side setback in either case since the adjacent building facing Rosewood is setback approximately 25' from the street.

Public Works has reviewed this plat and has no issues with respect to utilities, infrastructure or drainage.

Proposed Lot 4 has a sanitary sewer easement extending from the north to south lot line. This interrupts the buildable area for this lot. The plat indicates this will be vacated by a separate document to allow for a more logical building footprint and orientation on the lot, and a new easement will need to be dedicated to Johnson County Wastewater providing a connection to the lot immediately to the south of Lots 4 and 5.

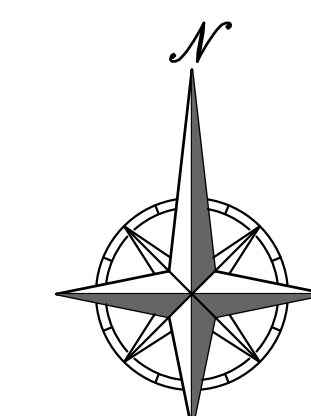
The subdivision regulations do not have a specific procedure for re-plats of lots, and this application is not eligible for the abbreviated lot split process, which is limited to no more than 2 new lots. Therefore, and since the lots have been previously platted, this application is being reviewed according to the final plat procedures and standards. Since there is no "preliminary plat" associated with the application, the

existing conditions and development patterns have been substituted for "conformance with the preliminary plat."

**RECOMMENDATION FINAL PLAT:**

It is the opinion of Staff that the proposed replat of Prairie Ridge lots 3, 4 and 5 into 5 lots meets all of the standards of the City's zoning ordinance for R-1B district and the requirements for a Final Plat in the subdivision regulations. Staff recommends that the Planning Commission approve the replat, and submit it to the Governing Body for acceptance of easements, subject to the following conditions:

1. The Final Plat be submitted to the Governing Body for acceptance of easements.
2. That the applicant submit the Final Plat to the County (surveying and engineering) after approval by the City.
3. Prior to the recording of the Final Plat, it will be necessary for the property owner to vacate the existing sanitary sewer easement on proposed lot 4, and grant a new easement to Johnson County Wastewater meeting their requirements to serve any existing or future needs associated with that easement.



SCALE: 1"=20'  
0' 20' 40'

BEARING BASIS:  
KANSAS STATE PLANE 1983  
NORTH ZONE # 1501

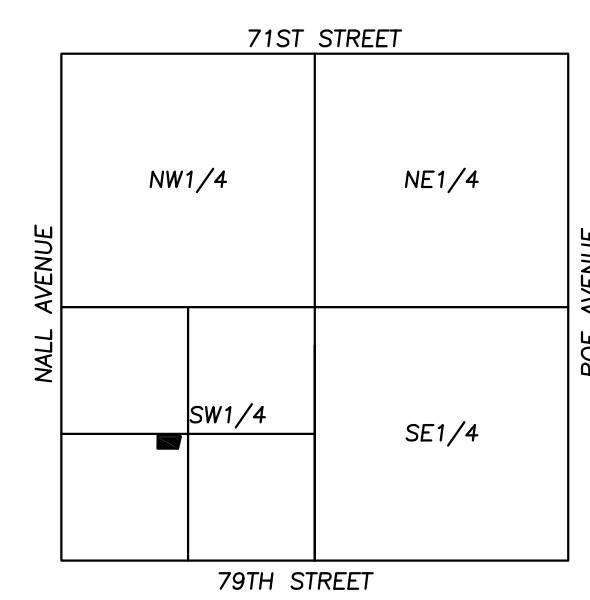
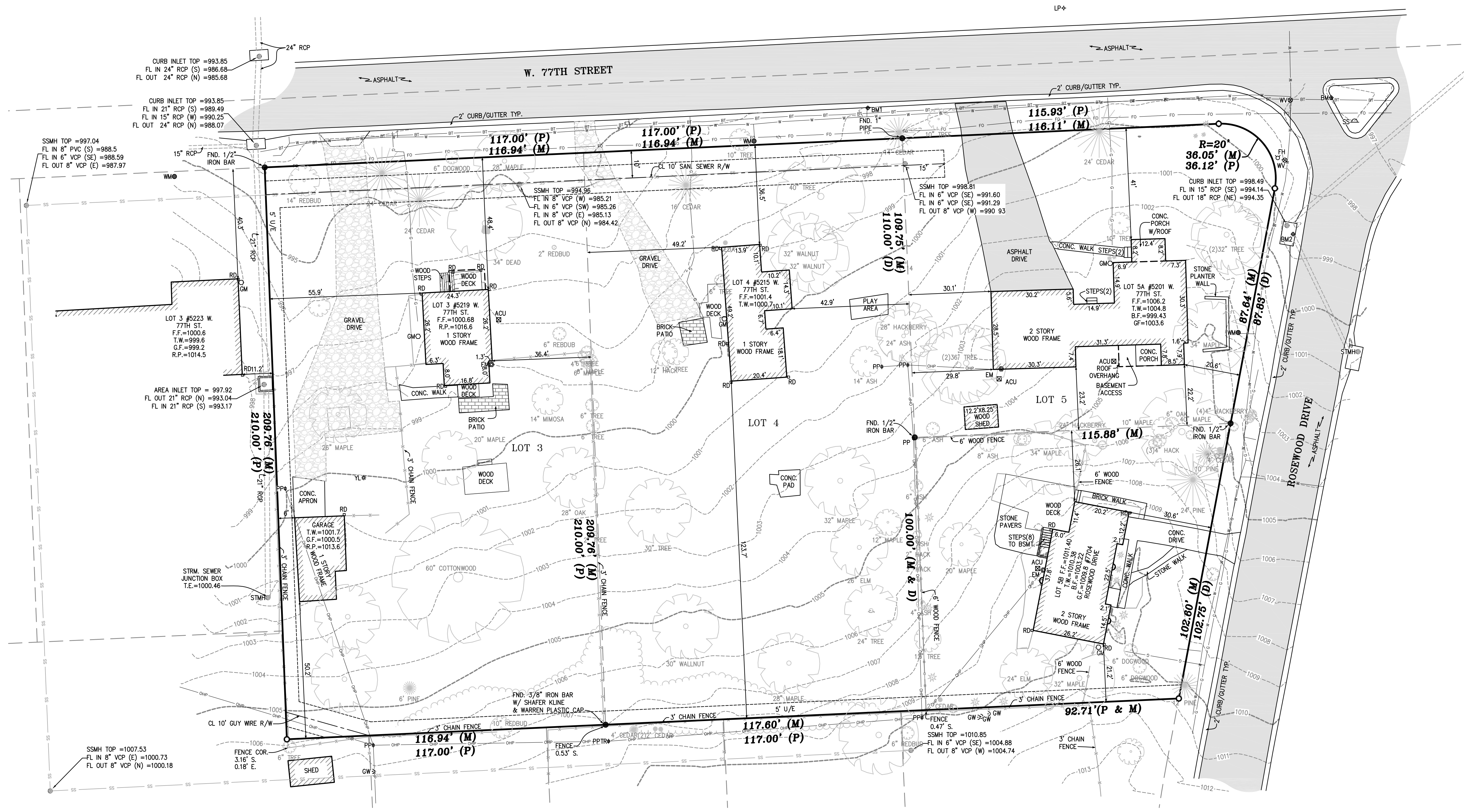
PREPARED FOR:  
CENTRIC HOMES  
MATT GOOD  
1814 MAIN STREET  
KANSAS CITY, MO 64108

LEGEND

- = FOUND SURVEY MONUMENT (ORIGIN UNKNOWN UNLESS DESCRIBED)
- = SET 1/2"x24" REBAR WITH "PHELPS CLS-82" PLASTIC CAP

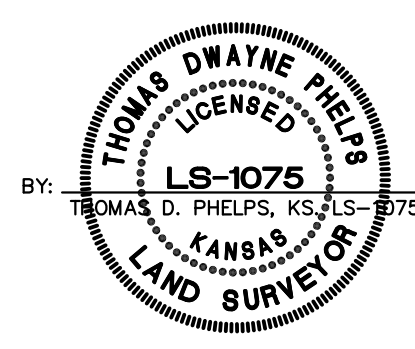
- ACU ☒ = AIR CONDITIONING UNIT
- BM# ⊕ = BENCHMARK
- EM ⊕ = ELECTRIC METER
- FH ⊕ = FIRE HYDRANT
- GM ⊕ = GAS METER
- GW ⊕ = GUY WIRE
- LP ⊕ = LIGHT POLE
- PP ⊕ = POWER POLE
- PPTR ⊕ = POWER POLE WITH TRANSFORMER(S)
- RD ⊕ = ROOF DRAIN
- SS ⊕ = STREET SIGN
- SSMH ⊕ = SANITARY SEWER MANHOLE
- STMH ⊕ = STORM SEWER MANHOLE
- WM ⊕ = WATER METER
- WV ⊕ = WATER VALVE
- YL \* = YARD LIGHT
- ☼ = BUSH
- ⊙ = CEDAR OR EVERGREEN TREE
- = DECIDUOUS TREE
- T.W. = TOP OF WALL
- G.F. = GARAGE FLOOR
- B.F. = BASEMENT FLOOR
- F.F. = FINISH FLOOR
- U/E = UTILITY EASEMENT
- (P) = PLATTED
- (D) = DEEDED
- (M) = MEASURED

- BT --- = BURIED TELEPHONE LINE
- FO --- = FIBER OPTIC LINE
- W --- = WATER LINE
- G --- = GAS LINE
- BE --- = BURIED ELECTRIC LINE
- OHP --- = OVERHEAD POWER LINE
- PL --- = PROPERTY LINE
- SS --- = SANITARY SEWER LINE
- FL --- = FENCE LINE
- TL --- = TREE LINE



SCALE: 1"=2000'  
VICINITY MAP  
SEC. 21-12-25

**CERTIFICATION:**  
I, THOMAS DWAYNE PHELPS, HEREBY CERTIFY THAT I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAN.



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

**UTILITY NOTE:**  
UTILITIES SHOWN HEREON ARE SHOWN FROM FIELD LOCATES BY THE UTILITY COMPANIES OR THEIR RESPECTIVE REPRESENTATIVES AND MAPPING PROVIDED BY THE UTILITY COMPANIES AND ARE NOT THE RESULT OF AN ACTUAL DIG. PEI DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN HEREON.

BEFORE DIGGING, CONTACT THE KANSAS ONE CALL SYSTEM AT 1 800 DIG-SAFE OR 811 FOR UTILITY LOCATES.  
BEFORE DIGGING, CONTACT THE MISSOURI ONE CALL SYSTEM AT 1 800 DIG-RITE OR 811 FOR UTILITY LOCATES.

- SURVEY NOTES:**
- OWNER OF LOTS 3 AND 4 IS CCG PROPERTIES, LLC 5940 REEDS ROAD MISSION, KS 66202
  - OWNER OF LOT 5B IS AARON DUBIN 7704 ROSEWOOD PRAIRIE VILLAGE, KS 66208
  - OWNER OF LOT 5A IS JENNIFER A. WILLEFORD 5201 W. 77TH STREET PRAIRIE VILLAGE, KS 66208

**BENCHMARK:**  
NOTE: VERTICAL DATUM: NAVD 88 BASED ON JOVN BM# 872 ELEV.=954.70 (SW COR. 75TH ST. & NALL AVE.)

- SET "C" CUT IN TOP OF CURB APPROX. 32' WEST OF DRIVEWAY FOR LOT 5A  
ELEVATION = 997.06'
- SET "C" CUT IN TOP OF CURB INLET ON WEST SIDE OF ROSEWOOD DRIVE IN FRONT OF LOT 5A  
ELEVATION = 998.54'

**DESCRIPTION:**  
LOTS 3, 4, & 5, BLOCK 23, PRAIRIE RIDGE, A SUBDIVISION IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS

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

PLANNING  
ENGINEERING  
IMPLEMENTATION

**EXISTING CONDITIONS SURVEY**  
LOTS 3, 4, 5A, & 5B, BLOCK 23  
PRAIRIE RIDGE  
PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS

PROJECT NO.	DATE	BY	APP.
151211	1/29/15	THOMAS DWAYNE PHELPS	

FINAL PLAT OF  
**PRAIRIE RIDGE REPLAT**  
 RESURVEY AND REPLAT OF ALL OF LOTS 3, 4 AND PART OF LOT 5, BLOCK 23,  
 PRAIRIE RIDGE (BLOCK-2 & BLOCKS-22 & 23), A PLATTED SUBDIVISION OF LAND  
 IN THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS

**LEGAL DESCRIPTION**  
 Resurvey and Replat of Lots 3, 4 and part of Lot 5, Block 23, Prairie Ridge, a platted subdivision of land in the City of Prairie Village, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of said Lot 3; thence N 87°22'45" E, along the North line of said Lots 3, 4 and 5, a distance of 349.99 feet; thence Southeastly along the Northerly and Easterly line of said Lot 5 and on a curve to the right, said curve being tangent to the last described course and a radius of 20.00 feet, an arc distance of 36.05 feet; thence S 10°39'23" W, along the Easterly line of said Lot 5, a distance of 87.64 feet to a point on the North line of the South 100.00 feet of said Lot 5; thence S 87°26'56" W, along the North line of the South 100.00 feet of said Lot 5, a distance of 115.88 feet to a point on the West line of said Lot 5; thence S 2°23'40" E, along the West line of said Lot 5, a distance of 100.00 feet to the Southwest corner of said Lot 3; thence S 87°22'45" W, along the South line of said Lot 4 and 3, a distance of 234.54 feet to the point of beginning, containing 1.4488 acres, more or less, of replatted land.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "PRAIRIE RIDGE REPLAT".

**DEDICATION**  
 The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on this plat as streets, terraces, places, roads, drives, lanes, parkways, and avenues not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby absolve and agree to indemnify the City of Prairie Village, Johnson County, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easements.

Building lines or setback lines are hereby established as shown on the accompanying plat. No building or portion thereof shall be constructed between this line and the associated lot line.

An easement is hereby granted all public utility companies, their successors or assigns, duly incorporated and authorized to do business in the City of Prairie Village, Kansas to enter upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E" for the purposes of utility installation and maintenance thereof. The use of said easement by any such entity shall obligate said entity to return said easement to its condition prior to any installation, maintenance or repair performed on said easement.

An easement to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "S/S" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Man Sewer District of Johnson County, Kansas or their assigns.

**CONSENT TO LEVY**

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Prairie Village, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

**EXECUTION**

IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

GCG Properties, LLC, A Kansas limited liability company

By: \_\_\_\_\_  
 Matthew David Good, Member

**ACKNOWLEDGMENT**

STATE OF KANSAS )  
 ) SS  
 COUNTY OF JOHNSON )

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, a Notary Public in and for said County and State, came Matthew David Good, Member of GCG Properties, LLC, a Kansas limited liability company, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_

**APPROVALS**

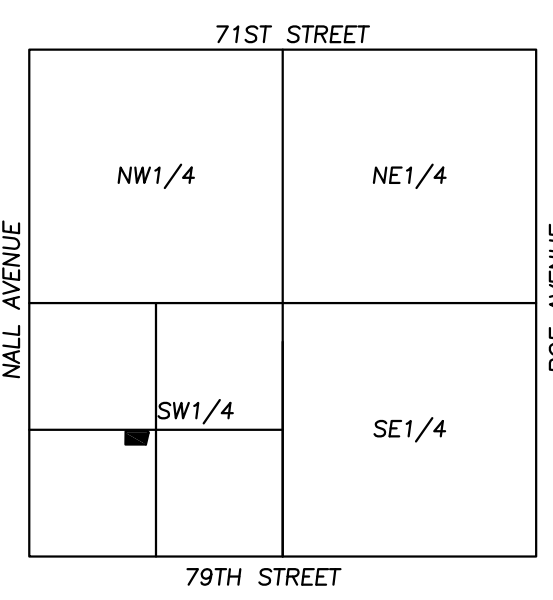
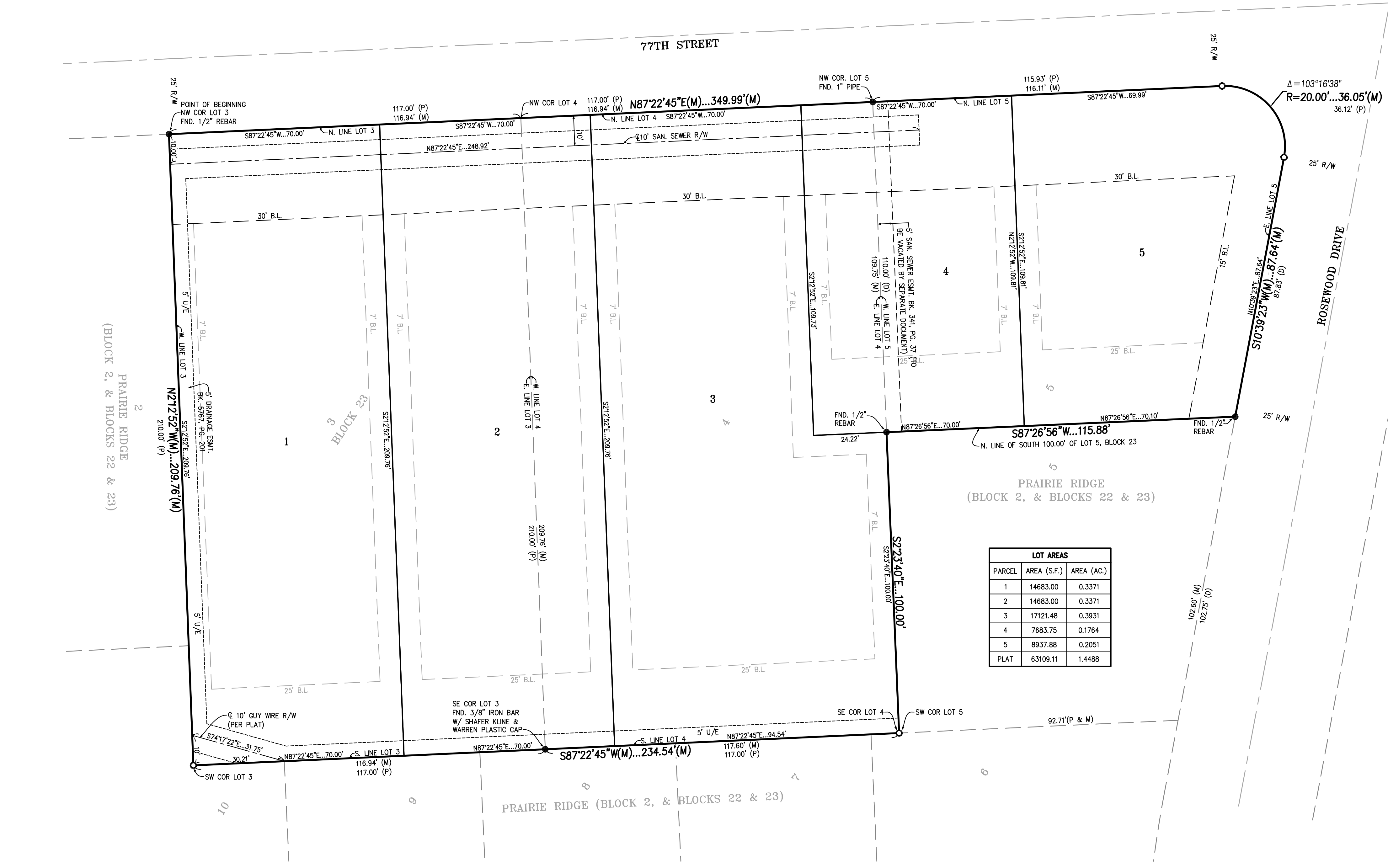
Approved by the Planning Commission of the City of Prairie Village, Johnson County, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Chairman: Nancy Wallerstein

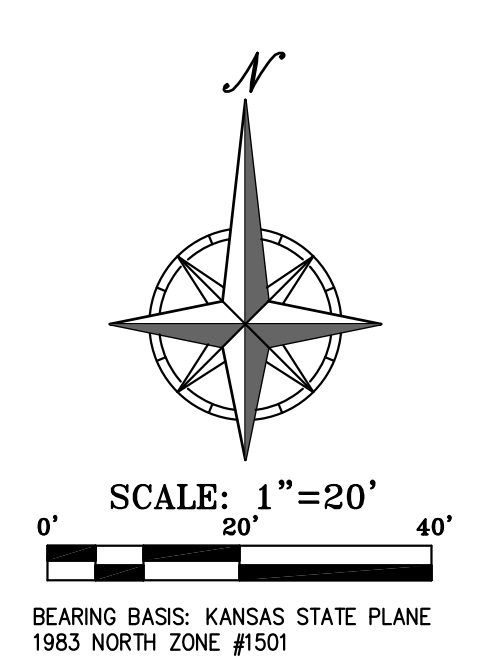
Approved by the Governing Body of the City of Prairie Village, Kansas, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Mayor: Laura Wassmer Attest: \_\_\_\_\_  
 City Clerk: Joyce Hagen Mundy

LOT AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
1	14683.00	0.3371
2	14683.00	0.3371
3	17121.48	0.3931
4	7683.75	0.1764
5	8937.88	0.2051
PLAT	63109.11	1.4488



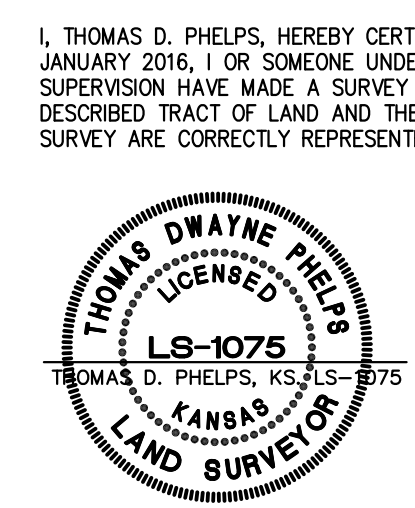
SCALE: 1"=2000'  
 VICINITY MAP  
 SEC. 21-12-25



- LEGEND**
- DENOTES SET 1/2"x24" REBAR W/PHELPS CORP. CLS-82 PLASTIC CAP IN CONCRETE
  - DENOTES FOUND MONUMENT AS DESCRIBED RESET IN CONCRETE, AS NOTED (ORIGIN UNKNOWN UNLESS DESCRIBED)
  - U/E DENOTES UTILITY EASEMENT
  - B.L. DENOTES BUILDING LINE
  - S/E DENOTES SANITARY SEWER EASEMENT
  - (D) DENOTES DEED
  - (M) DENOTES MEASURED
  - (P) DENOTES PLATTED

**FLOOD NOTE:**  
 THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSAS, PANEL NO. 20091000396, AND DATED AUGUST 3, 2009.

**TITLE NOTE:**  
 THE EASEMENT SHOWN ARE FROM RECORDED PLAT OF PRAIRIE RIDGE (BLOCK 2 & BLOCKS 22 & 23) TOGETHER WITH INFORMATIONAL REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY FILE NO. NCS-777508-KCTY WITH AN EFFECTIVE DATE OF FEBRUARY 11, 2016, AT 8:00 AM; AGENTS NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE COMMITMENT NO. 14070732 WITH COMMITMENT DATE 6/22/2014 AT 8:00 AM-AMENDED-1 AND FIDELITY NATIONAL TITLE INSURANCE COMPANY POLICY NO. 2730672-93688448 FILE NO. 15090708 WITH DATE OF POLICY: MAY 27, 2015 AT 11:09:32 AM



I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN JANUARY 2016, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

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

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