

**PLANNING COMMISSION AGENDA  
CITY OF PRAIRIE VILLAGE  
TUESDAY, SEPTEMBER 13, 2016  
7700 MISSION ROAD  
7:00 P.M.  
\*\*MULTI-PURPOSE MEETING ROOM\*\***

I. ROLL CALL

II. APPROVAL OF PC MINUTES - AUGUST 2, 2016

III. PUBLIC HEARINGS

IV. NON-PUBLIC HEARINGS

PC2016-123 Request for Monument Sign Approval  
6510 Mission Road  
Current Zoning: R-1a  
Applicant: Evan-Talon Homes  
(Submittal incomplete - continue)

PC2016-124 Request for Planned Unit Exception  
7878 Howe Circle  
Current Zoning: RP-1b  
Applicant: Craig & Julie Mahurin

PC2016-125 Request for Monument Sign Approval  
5300 West 94<sup>th</sup> Terrace  
Current Zoning: C-0  
Applicant: Charles Payne, Image 360

V. OTHER BUSINESS  
Discussion - Countryside Overlay District

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**  
**August 2, 2016**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, August 2, 2016 in the Municipal Building Council Chambers at 7700 Mission Road. Vice Chairman Gregory Wolf called the meeting to order at 7:00 p.m. with the following members present: Gregory Wolf, Melissa Brown, James Breneman, Jonathan Birkel, Patrick Lenahan 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 and Joyce Hagen Mundy, Commission Secretary.

**APPROVAL OF MINUTES**

Jonathan Birkel moved for the approval of the minutes of the Planning Commission for July 12, 2016 as submitted. The motion was seconded by James Breneman and passed by a vote of 5 to 1 with Patrick Lenahan abstaining.

**PUBLIC HEARINGS**

There were no Public Hearings scheduled before the Planning Commission.

**NON PUBLIC HEARINGS**

**PC2016-122 Request for Building Line Modification of platted front and side yard setbacks of 40 and 20 feet respectively  
7400 Roe Circle**

Jerad Foster, 7318 Roe Circle, stated that he is proposing two additions to the existing Drummond home with a single-car garage attached to the dwelling by a breezeway on the west side of the lot. He plans to move a garage to the east side of the lot along Roe and expand it to a 2-car garage with a similar projection and orientation. The garage would be accessed off Roe Circle as it currently is. The main dwelling would also be expanded to the west behind where the current garage sits.

Chris Brewster noted that all of the proposed additions meet the required zoning setbacks (30' front, 6' west side, 15' east/street side, and 25' rear). The proposed location of the new garage and home addition along Roe Avenue is 20' to 22' from the side lot line - as opposed to the 30-foot platted building line, and approximately 40' from the curb on Roe Avenue. The main body of the existing dwelling and proposed additions are well beyond the 40-foot platted building line; however the proposed new garage extends approximately 2 feet beyond this line.

The lot is located on the southeast corner of Roe Circle and Roe Avenue, and has a platted building line of 40 feet at the front on Roe Circle, and 30 feet at the side along Roe Avenue. These setbacks are in addition to and greater than required by the R-1B zoning (30 feet front setback and 15 feet street side setback). The house orients directly to Roe Circle, and has a 2-car front-loaded garage on the west side of the lot accessed off Roe Circle by a circle drive. The house meets all zoning setbacks for the R-1B zoning district, as well as the required platted setbacks, but the east elevation (Roe Avenue side) is built right along the 30-foot platted setback.

Homes on this block have a varied orientation as they stagger around the circle drive, and the home immediately to the west is built substantially closer to Roe Circle than the existing home (approximately even with the extent of the proposed projecting garage). The rear of the block is a drainage way, and the property to the west is used as a park and Johnson County water disposal building.

Staff presented the following review of the criteria established by Section 18.18.D for the granting of a platted building line modification:

**1. That there are special circumstances or conditions affecting the property;**

The lot is a corner lot with the building oriented to the front street (Roe Circle). The lot is irregularly shaped due to the circle configuration of the block and the drainage way on the rear of the block. The property to the west is a park and public water disposal building.

**2. The building line modification is necessary for reasonable and acceptable development of the property in question;**

The buildable area of the lot is reduced as a result of the platted setbacks. While the lot is large and there is a reasonable amount of buildable area under the platted setbacks, the platted building lines are substantially more constraining than zoning setbacks. The main portion of the current home (as well as proposed additions) remain well beyond the zoning and platted setback on the front lot line, with the greatest encroachment proposed on the west lot line along Roe Avenue.

**3. That the granting of the building line modification will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated;**

The addition of the garage is effectively flipping from the current location to allow more buildable space, creating more livable space closer to adjacent residential dwellings. The orientation to the front will be similar to the existing building and comparable to other homes fronting on Roe Circle, while the garage as some smaller additions are moving close to the side that borders Roe Avenue and the adjacent park. The lot to the rear (across the drainage way) is zoned for residential but used as a church. The request otherwise exceeds all zoning requirements.

If the Planning Commission finds favorably on the three considerations, it shall adopt a resolution that must be recorded with the register of deeds prior to obtaining a building permit.

Melissa Brown noted the Commission received surveys of two lots. Mr. Foster responded that he wanted the Commission to also be able to see the relationship to the adjacent lot.

Jonathan Birkel confirmed that the cantilever on the proposed addition extends to six feet from the property line.

James Breneman moved the Planning Commission approve PC2016-122 granting by resolution the requested building line modifications to the front platted setback from 40' to 38' and to the side setback from 30' to 20' as depicted on the plans presented. The motion was seconded by Melissa Brown and passed unanimously.

**PC2016-121 Request for Building Line Modification of three feet for the west side yard  
Platted setback of 20 feet  
5012 West 70<sup>th</sup> Street**

Chris Castrop, 4313 West 54<sup>th</sup> Street, presented the requested side yard building line modification of 2 to 3 feet on the west side for the addition of a 2-car garage along Fonticello. The garage would be accessed off the side-lot fronting on Fonticello. The previous garage will become a kitchen and they are also extending the existing home with main level master suite and great room to the rear of the existing home. Mr. Castrop noted a stairwell is needed to access the second level and forces the garage three feet over the platted building line on the west side of the lot. A driveway permit has been requested from Public Works for the new driveway access.

Mr. Brewster noted the lot is located on the northeast corner of West 70<sup>th</sup> Street and Fonticello, and has a platted building line of 20 feet adjacent to Fonticello Street and 45 feet adjacent to West 70<sup>th</sup> Street. These setbacks are in addition to and greater than required by the R-1B zoning (30 feet front setback and 15 feet street side setback). The house orients directly to West 70<sup>th</sup> Street, and has a 2-car front-loaded garage off of West 70<sup>th</sup> Street. The house meets all zoning setbacks for the R-1B zoning district, as well as the required platted setbacks, but the west elevation (Fonticello side) is built right along the 20-foot platted setback.

The proposed location of the new garage is more than 15 feet from the side lot line. All homes on this block and in the vicinity have a similar orientation as this dwelling; however the dwelling on the opposite corner to the south is oriented to Fonticello Street with a 2-car garage accessed off Fonticello. The house on the corner to the west has a side building line that is approximately 12 feet from the side lot line, and approximately 20 feet from the curb on Fonticello. The location of the proposed garage façade is approximately 17' from the side lot line and approximately 29 feet from the curb on Fonticello.

Staff presented the following review of the criteria established by Section 18.18.D for the granting of a platted building line modification:

**1. That there are special circumstances or conditions affecting the property;**

The lot is a corner lot with the building oriented to the front street (West 70<sup>th</sup> Street). The platted setbacks are similar to adjacent lots; however they are greater than setbacks for buildings and lots on the west side of Fonticello.

**2. The building line modification is necessary for reasonable and acceptable development of the property in question;**

The buildable area of the lot is reduced as a result of the platted setbacks. While the lot is large and there is a reasonable amount of buildable area under the platted setbacks, it is still more constraining than other lots in the area, and since the home does not have a "corner orientation", but instead is oriented to West 70<sup>th</sup> Street, the side setback on Fonticello is more constraining than required by zoning.

**3. That the granting of the building line modification will not be detrimental to the public welfare or injurious to or adversely affect adjacent property or other property in the vicinity in which the particular property is situated;**

The addition of the garage is effectively the side lot of the current home, and still has a substantial setback from the street edge of Fonticello, and most of the proposed addition is beyond the platted setbacks to the rear of the property. The request otherwise exceeds all zoning requirements.

Jonathan Birkel asked if there was a sidewalk on Fonticello. Mr. Castrop replied there is not but that there is one on 70<sup>th</sup> street that should be added to the drawing; they will be connecting the sidewalk where the existing driveway is replaced. Mr. Birkel asked how many feet it was from the curb to the proposed garage. Mr. Castrop responded approximately 27 feet.

Patrick Lenahan questioned the approximately two foot jog on the side of the proposed expansion. Mr. Castrop replied that represents a covered porch.

Jeffrey Valentino asked if they moving the garage to the right. Mr. Castrop replied they looked at that; however, it negatively impacted the size of the Great Room which is already relatively narrow at 14 feet.

James Breneman moved the Planning Commission approve PC2016-121 granting by resolution the requested building line modifications to the platted side setback from 20' to 17' as depicted on the plans presented. The motion was seconded by Patrick Lenahan and passed unanimously.

## **OTHER BUSINESS**

The September Planning Commission meeting will be September 13<sup>th</sup>, the second Tuesday in September due to the Labor Day holiday. The filing deadline is August 12<sup>th</sup>.

An application for signage approval for the Monument Sign for Homestead Estates is anticipated.

Wes Jordan stated an appeal has been filed to the Countryside East Overlay District that Mr. Birkel will hear later this month representing the Planning Commission.

**ADJOURNMENT**

With no further business to come before the Commission, Vice-Chairman Gregory Wolf adjourned the meeting at 7:20 p.m.

Gregory Wolf  
Vice-Chairman

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** September 13, 2016, Planning Commission Meeting

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**Application:** PC 2016-124

**Request:** Request for Plan Exception

**Property Address:** 7878 Howe Circle

**Applicant:** Craig and Julie Mahurin

**Current Zoning and Land Use:** RP-1B Planned Single-Family Residential - Single-Family Dwelling

**Surrounding Zoning and Land Use:** North: RP-1B Single-Family Residential - Single-Family Dwelling  
East: RP-1B Single-Family Residential - Single-Family Dwelling  
South: R-1A Single-Family Residential - Single-Family Dwelling  
West: RP-1B Single-Family Residential - Single-Family Dwelling

**Legal Description:** MISSION PINES LOT 31

**Property Area:** 0.11 acres (4,670 s.f.)

**Related Case Files:** September 1986 – Rezoning R-3 to RP-1B Approved  
October 1986 – Final Plan Approved  
March 1987 – Final Plat Approved  
May 1988 – Approved Revised Final Plan  
February 1989 – Approved Signs  
June 1989 – Revised Final Development Plan  
September 1989 – Revised Final Development Plan  
PC 2013-106 -- Revised Final Plan / Plan Exception

**Attachments:** Application, Drawings & Photos

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**General Location Map**



**Aerial Map**





**BACKGROUND:**

The Mission Pines development was rezoned to RP-1b by the City of Prairie Village in September 1986. This rezoning was based on specific proposed plan for the lots, buildings and open spaces, and a final plat was approved in March 1987 indicating the building setbacks based on the footprints of proposed buildings. It was originally conceived as a 35 lot development, but was eventually reduced to 25 lots through the final plan approvals, resulting in approximately 7,492 square feet per dwelling (the R-1B base is 6,000 square feet, so the deviations in the plan dealt mainly with lot orientation, building lines, and internal access and circulation.) Between 1987 and 1989 several exceptions and adjustments to the plan were approved to deal with the specifics of lot lines, easements, fences and decks that differed from the exact locations of the platted building footprints. In 2013 the Planning Commission approved a plan exception to allow a slightly larger building and different building configuration on Lot 35 (southwestern most lot on corner of Mission and 79<sup>th</sup> Street). There are no other records of exceptions or other deviations from the plan.

The applicant is proposing to expand an existing sunroom located at the southeast portion of the building nearest the intersection of 79<sup>th</sup> Street and Howe Circle. The addition would expand the current sunroom by about 50% and result in an approximately 7' x 13' extension of the footprint. Due to the angle of the lot and building this would extend the depth of the footprint by about 5' closer to 79<sup>th</sup> Street than the existing corner (at the furthest encroaching corner), resulting in that corner being 8' from the lot line on 79<sup>th</sup> Street.

**APPLICABLE STANDARDS:**

The Prairie Village zoning ordinance provides a Planned Zoning District option to regulate development through distinct alternative means from the typical standards and processes that would otherwise apply. [Chapter 19.24] The most comparable base district development standards apply, except to the extent they are altered by a specific plan as provided in that chapter. The Planned Zoning District Statement of Objectives provides the following: [19.24.010]

*"The use of the planned zoning procedures is intended to encourage efficient development and redevelopment of small tracts, innovative and imaginative site planning, conservation of natural resources and minimum waste of land."*

Among the stated objectives is a commitment to develop land according to approved plans in terms of "concept[s], intensity of use, aesthetic levels and quality of open space." [19.24.010.B.] One of the significant objectives of the planned district is to "[a]llow deviations in yard requirements, setbacks and relationships of buildings." [19.24.010.C.] The standard for approval of these deviations is to implement a plan with amenities or conditions that are equal or higher quality of development than will be obtained under the general development standards. Overall the objectives specify innovation and greater amenity in exchange for relief from conventional development standards.

This property was approved, platted and developed according to such a plan, and that plan fixed the original building footprints as the setback lines for the property, replacing what would otherwise be applicable in R-1b zoning. Among the most significant deviations were the lot sizes and building setbacks which resulted in an overall concept that staggered lots and angled buildings with a unique orientation, implementing an "enclave style" development. In exchange for smaller, more private spaces on the individual lots and two common "courtyards" at the center of each pod, and both the small private spaces and these large pots were richly landscaped.

The Planned District Procedures do provide some flexibility from approval of the original plan and buildout of that plan. While it is reasonably interpreted that this is intended to account for adjustments that are often needed between concept approval and construction, these criteria are helpful in evaluation post-construction adjustments as owner/occupants needs change. Section 19.24.040 allows for the following after plan approval in Planned Zoning districts:

*"Variations between the preliminary and final plans, which do not in the judgment of the Planning Commission, violate or exceed the above seven criteria, shall be approved by the Planning Commission in its administrative role."*

The seven referenced criteria area:

- A. It does not substantially vary from the concept agreed to at the time of rezoning.

- B. It does not increase the density or intensity of residential uses more than 5%.
- C. It does not increase the floor area of nonresidential buildings by more than ten percent.
- D. It does not increase the area covered by buildings or pavement by more than 10%.
- E. It does not increase the height of a building by one or more stories or four or more feet.
- F. It does not involve changes in ownership patterns or stages of construction that differ from the concept, its architectural harmony or quality, or impose substantially greater loads on the streets and neighborhood facilities.
- G. It does not vary from any specific development criteria adopted with the rezoning.

**ANALYSIS:**

According to AIMS data, the existing building footprint is 40% of the lot. The proposed addition (7' x 13' expansion of sun room), will increase the coverage to just under 42%. Other lots in this plan area range in size from 3,704 square feet to 8,415 square feet, with the most typical lot size in the range of 4,000 to 6,000 square feet. This lot is at the smaller end of the range. Building coverages vary widely based on the configurations and sizes of lots, from 31% to 55% with the most typical coverage in the range of 40% to 50%.

The setbacks on the interior of the project vary widely based on the individual lot configurations and building patterns. The setbacks on the perimeter of the property are typically 12' to 15' and primarily only projecting corners due to the building orientation. There are three instances of approximately 9' to 12' in the south and east portion of the project (on 79<sup>th</sup> Street and on Mohawk Drive) and one instance of 6' in the southwest portion of the project (the corner lot on Mission Road). The proposed addition is on the corner oriented away from any existing building, and will be located 8' from the lot line on 79<sup>th</sup> street at the closest corner.

**ADDITIONAL ITEMS:**

The Mission Pines Home Owners Association provides for a Design Review Committee that is required to review and approve all plans prior to obtaining a building permit. The City does not have any jurisdiction regarding private restrictions or covenants, however, because this project was approved as a Planned Development the design of the buildings must be in accordance with the approved plans. The proposed residence appears to be designed in the same theme as the original plan and will use the same building materials. The applicant has indicated that the Mission Pines Home Owners Association has granted its conditional approval, pending the City's approval.

The plat indicates an easement located on the rear side of these properties (along 79<sup>th</sup> Street) for KCP&L. Although this is generally a private property matter outside of the right-of-way, the City requested that the applicant demonstrate that this will not be an issue. The applicant has supplied a disclaimer and release of this easement from KCP&L.

**EFFECT OF APPROVAL:**

If the Planning Commission finds favorably on the above seven considerations, and otherwise does not feel that this proposed application negatively impacts the Planned Zoning Concept for RP-1B as specifically approved for this property, it may grant an exception to the plan, and specifically the building lines associated with this lot. If granted, the following conditions are recommended:

1. That the applicant shall use the same materials and colors used in the construction of the existing dwellings.
2. That all construction must continually but independently meet any applicable private restrictions, processes and approval criteria, including the Mission Pines Home Owners Associations requirements and any easement limitations, exceptions or waivers for easements on the property.
3. The exception should be recorded with the Johnson County Records and Tax Administration.



(Street view: Existing Structure looking west at the corner of 79<sup>th</sup> Street and Howe Circle)



(Zoom in view of corner where addition is proposed)

PC 2016-124

#18456

VARIANCE APPLICATION  
BOARD OF ZONING APPEALS

0012767

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No: \_\_\_\_\_

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

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

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

Public Hearing Date: \_\_\_\_\_

APPLICANT: Craig and Julia Mahurin PHONE: 913-708-1740

ADDRESS: 7878 Howe Circle ZIP: 66208

OWNER: Craig and Julia Mahurin PHONE: 913-708-1740

ADDRESS 7878 Howe Circle ZIP: 66208

LOCATION OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: Lot 31, Mission Pines, a subdivision  
of in the City of Prairie Village, Johnson County, Kansas

Variance Requested Extend existing building line south  
of existing sunroom 7 feet.

ADJACENT ZONING AND LAND USE:

	<u>Land Use</u>	<u>Zoning</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

Present use of Property: single family residence

Proposed Use of Property: single family residence

Utility lines or easements that would restrict proposed development:  
none

Please complete both pages of the form and return to:

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

**AGREEMENT TO PAY EXPENSES**

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

for a building line variance.

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

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

 8-8-16  
Applicant's Signature/Date

 8-8-16  
Owner's Signature/Date

## Variance Application

### Board of Zoning Appeals

#### 1. Uniqueness

The proposed building addition structure is well within the lot's fence line. The variance requested does not exist with respect to a number of properties in the area. The owner/applicant has not contributed to the present condition of the property.

#### 2. Adjacent Property

Granting the proposed variance will not adversely affect the rights of adjacent property owners or residents. The Mission Pines Homes Association has approved the building addition subject to receiving the City of Prairie Village's approval.

#### 3. Hardship

The strict application of the provision of the zoning regulations will constitute an unnecessary hardship. Many properties in Mission Pines have decks and/or house structures either up to the fence line or very close. The proposed building addition will be consistent with the look and style of other neighborhood structures and in relationship to the fence line.

#### 4. Public Interest

The variance requested will not adversely affect the public interest.

#### 5. Spirit and Intent

Granting the variance will not be in conflict with the intent and spirit of the zoning regulation.

JO CO KS	BK:201607	PG:010370
	20160728-0010370	
Electronic Recording		7/28/2016
Pages: 2	F: \$26.00	12:58 PM
Register of Deeds		T20160042730

Title of Document: Partial Release of Easement  
Date of Document: July 26, 2016  
Grantor: Kansas City Power & Light Co.  
Statutory Address: 1200 Main, Kansas City, Missouri 64106  
Grantee: Craig Mahurin  
Legal Description: The North 4 feet of the Southerly 10 feet of Lot 31, Mission Pines, a subdivision of land in Johnson County, Kansas.  
Reference Book and Page: Book 2703 at Page 951, Document No. 1755958

#### RELEASE OF EASEMENT

**THIS RELEASE OF EASEMENT** is given this 26<sup>th</sup> day of July, 2016, by **KANSAS CITY POWER & LIGHT COMPANY**, a Missouri corporation, whose mailing address is 1200 Main, Kansas City, Missouri 64106 ("KCP&L"), with respect to the following facts and objectives:

#### RECITALS:

**WHEREAS**, KCP&L was granted an easement by William B. Hickok, dated October 26, 1987, over certain tracts and parcels of ground in Johnson County, Kansas, for the purposes of erecting, constructing, maintaining, repairing and relocating facilities for the distribution and transmission of electric energy and for communication purposes, which Easement was recorded on November 23, 1987, in the Office of the Recorder of Deeds for Johnson County, Kansas, as Document No. 1755958 in Book 2703 at Page 951 (the "Easement");

**WHEREAS**, KCP&L is willing to provide this Partial Release in order to facilitate the development of the property upon which the Easement is located;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, KCP&L hereby disclaims and releases any easement rights that it may possess with respect to that portion of the Easement which is aforesaid legally described.

KCP&L:

KANSAS CITY POWER & LIGHT COMPANY

By: 


Printed Name: Derek A. Ward

Title: Supervisor of Right-of-Way

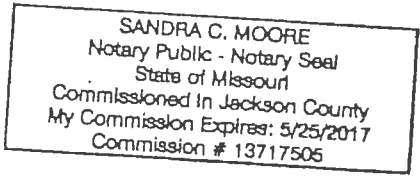
STATE OF MISSOURI            )  
  ) ss.  
COUNTY OF JACKSON        )

On this 26th, day of July, 2016, before me a Notary Public, appeared Derek A. Ward, to me personally known, who being by me duly sworn, did say that he is the Supervisor of Right-of-Way of **KANSAS CITY POWER & LIGHT COMPANY**, who executed the foregoing instrument, and stated that said instrument was signed on behalf of said corporation by the authority of it's Board of Directors and acknowledged said instrument to be the free act and deed of said corporation for the purposes stated therein.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

  
Signature of Notary Public

My Commission Expires:



S \_\_\_\_\_ / \_\_\_\_\_ QQ/Q  
T \_\_\_\_\_ County  
R \_\_\_\_\_ State



Mission Pines Design Change request

Name: Craig and Julie Makurin

Date: 6-22-16

Address: 7878 Howe Circle

Request:

- Painting exterior
- Windows trim and / or replacement
- Landscaping
- Add on exterior to home
- 
- Other

Will it require PVCC approval?  N

If needed, draw below or submit plans (one change)

Rough drawings are attached. The drawing shows a bay window and we have decided to instead carry the wall out the full 13ft with no bay window. The sun room is currently on the building line or very close. Our plan is to add 7ft to the existing room toward 74th st. we have consulted with the city and they require a full survey and complete building plans before they will consider approving. (the person we talked with was encouraging that we will ultimately be approved.) Please let us know if you need anything further.

Action:  Approved       Not approved and comments

**Joyce Hagen Mundy**

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**From:** Mitch Dringman  
**Sent:** Tuesday, August 09, 2016 1:08 PM  
**To:** Joyce Hagen Mundy  
**Subject:** FW: 7878 Howe Circle Prairie Village Variance Request  
**Attachments:** SKMBT\_28316072909270.pdf; Mission Pines Design Change Request 7878 Howe Circle.pdf; 7878 Howe Circle Room Addition Rough Drawings.pdf

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**From:** 'Craig Mahurin' [mailto:cmahurinkc@gmail.com]  
**Sent:** Tuesday, August 09, 2016 1:00 PM  
**To:** Mitch Dringman  
**Subject:** 7878 Howe Circle Prairie Village Variance Request

Hi Mitch,

I have attached the partial easement release from KCPL and copied the email response Julie and I received from The Mission Pines Homeowners Association Board. Geoff Alston is the President. Also attached is our request to the homes association.

Please feel free to contact me anytime at [cmahurinkc@gmail.com](mailto:cmahurinkc@gmail.com) or 913-708-1740.

Thanks for your help,  
Craig

Craig Mahurin

**From:** Geoff Alston [mailto:galston@kc.rr.com]  
**Sent:** Thursday, June 23, 2016 10:15 AM  
**To:** 'Craig Mahurin'; 'Hilary Cooley'; 'Esther'; 'Micki Christian'  
**Cc:** 'Geoff Alston'  
**Subject:** RE: Design Change Request 7878 Howe Circle

Julie and Craig – the board approves with these caveats:

1. one review of your final plans / renderings when completed,
2. following our CC&Rs [paint, window trim, etc.]
3. that architecturally the room lines and slopes blend in with our current community, and do not look like an obvious add on.
4. and of course the final stamp of approval by the city.

We appreciate your investing in the Mission Pines community and also your commitment to submit your proposal for review.

Very close. Our plan is the add T&T to the existing room towards 29th st. we have consulted with the city and they require a full survey and complete building plans before they will consider approving. The person we talked with was encouraging that we will ultimately be approved.

Thank you,

Geoff Alston  
913-396-1199

**From:** Craig Mahurin [mailto:cmahurinkc@gmail.com]  
**Sent:** Wednesday, June 22, 2016 3:35 PM  
**To:** 'Geoff Alston' <galston@kc.rr.com>; 'Hilary Cooley' <hillykc@yahoo.com>; 'Esther' <bubbir@aol.com>; 'Micki Christian' <mickic345@aol.com>  
**Subject:** Design Change Request 7878 Howe Circle

Hi All,

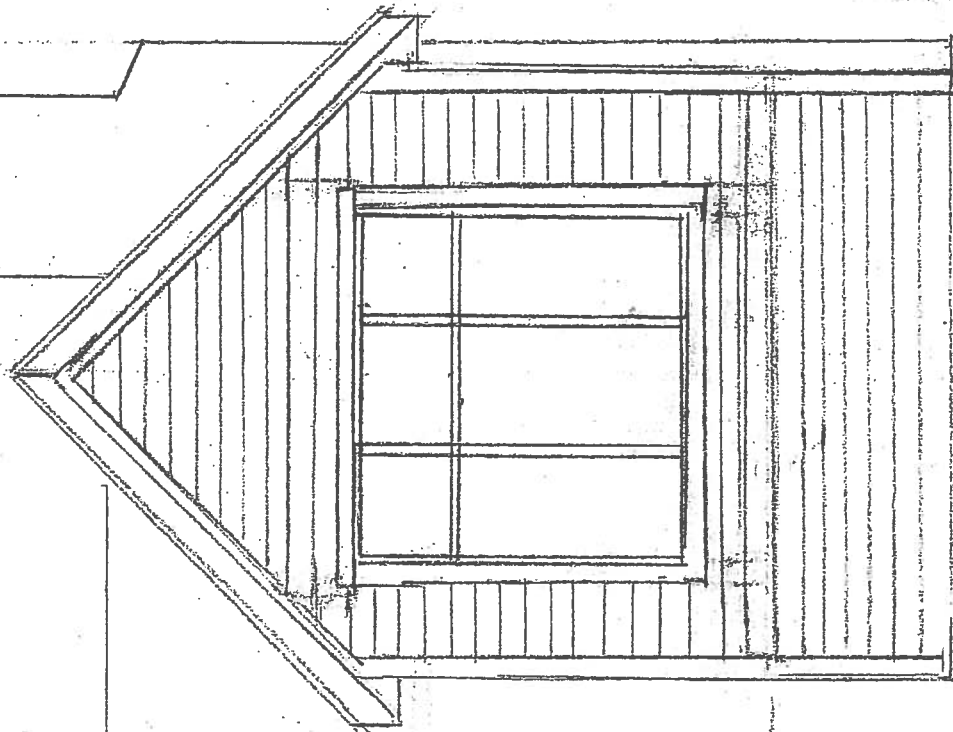
I have attached the Mission Pines Design Change Request form and rough design plans for your consideration. Julie and I have selected a contractor- Jack Fuller to help us if the Homes Association and Prairie Village provides approval. This process is taking a little longer than we hoped because our sunroom is on the building line or very close and the city has requested a complete survey and detailed building plans before they can consider our request.

The Homes Association is the important first step.....and we would very much appreciate a quick response from the board.

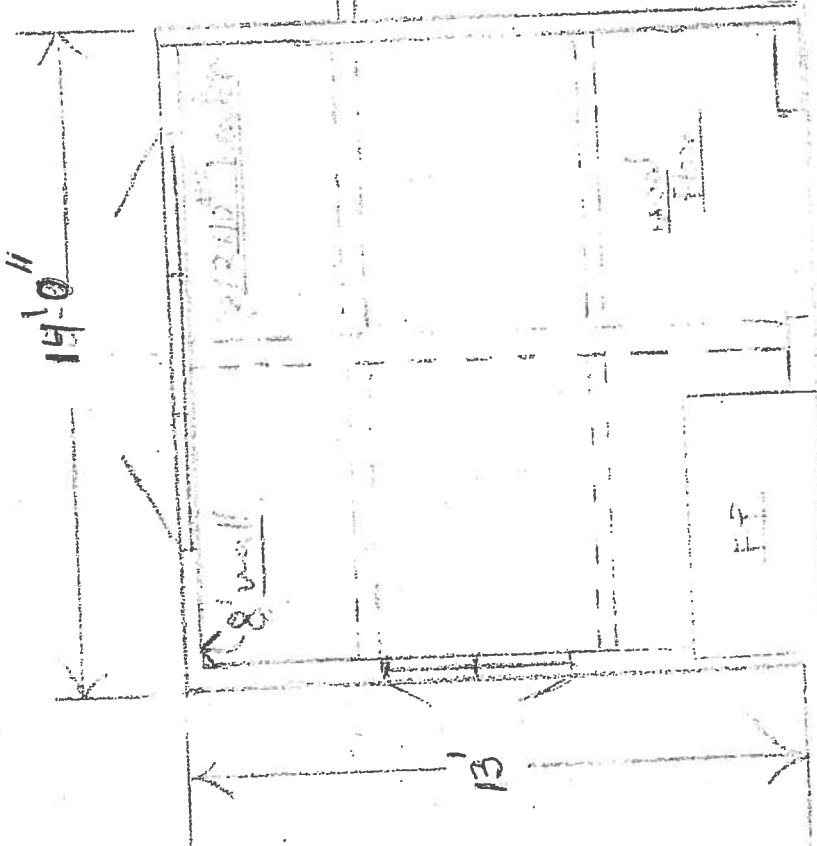
We look forward to hearing your comments or concerns.

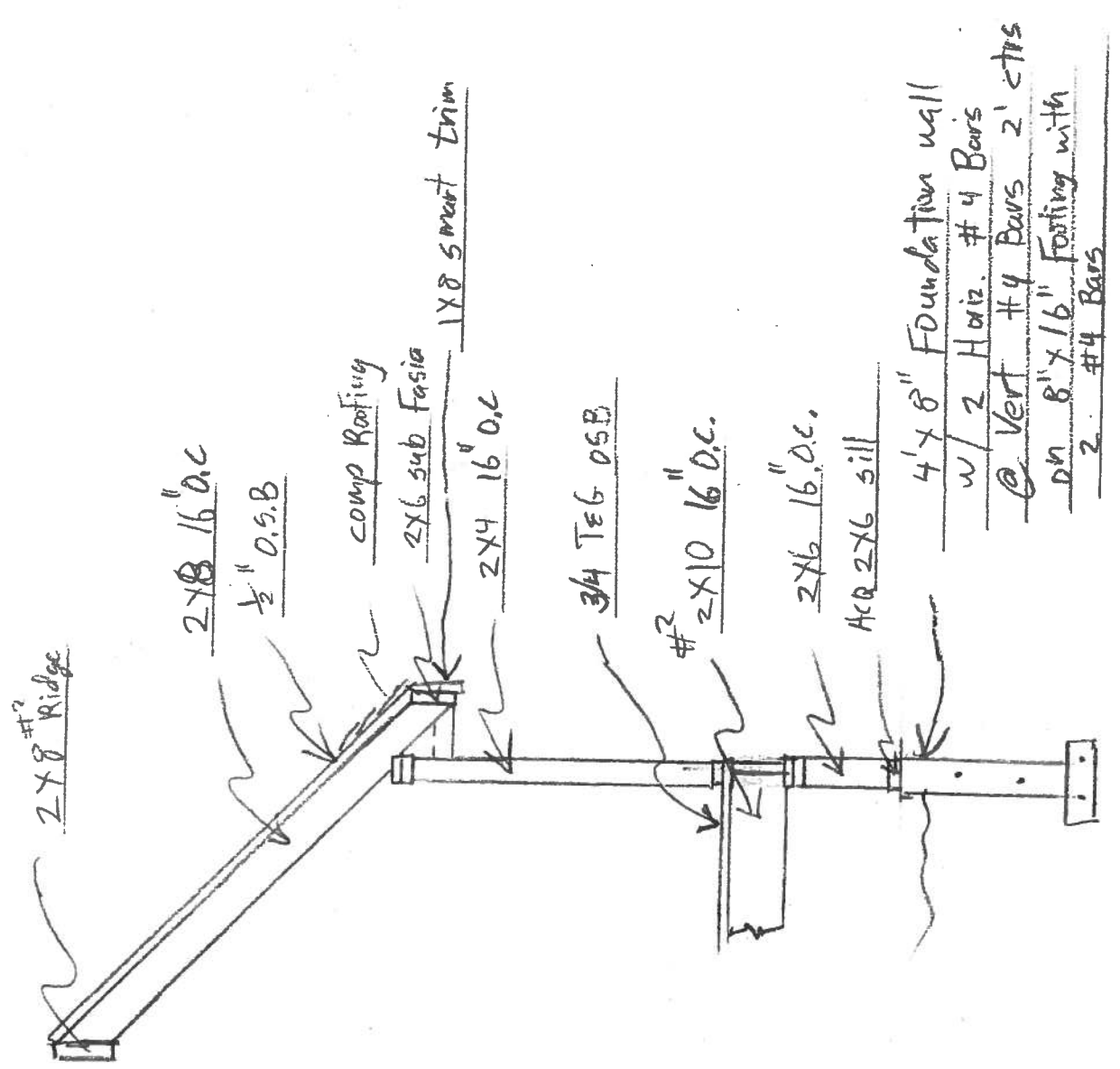
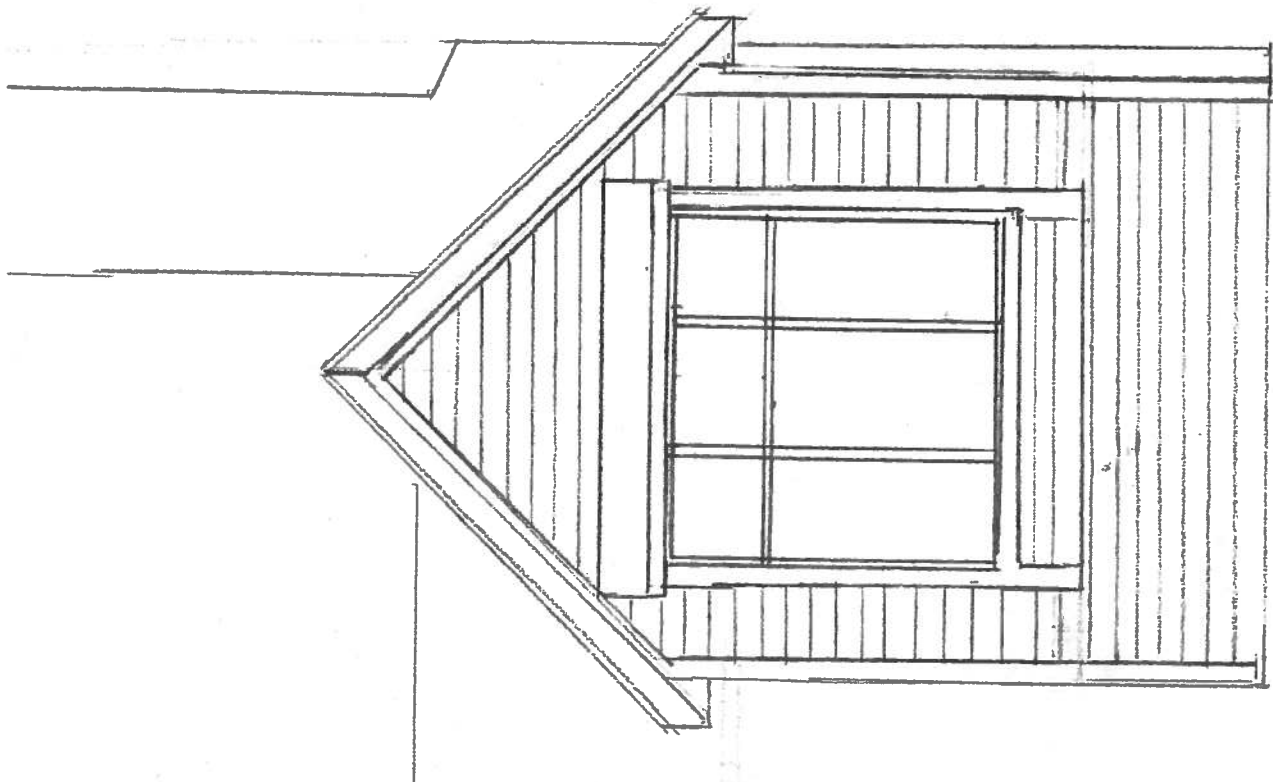
Thanks,  
Craig

Craig Mahurin



7878 Howe circle





2x8 #2 Ridge

2x8 16" O.C.

1/2" O.S.B.

comp Roofing

2x6 sub Fasia

1x8 smart trim

2x4 16" O.C.

3/4 T&G OSB

#2 2x10 16" O.C.

2x6 16" O.C.

Acq 2x6 sill

4'x8" Foundation wall

w/ 2 Horiz. #4 Bars

@ Vert #4 Bars 2' ctrs

on 8"x16" Footing with

2 #4 Bars

7878 Home circle

LAND SURVEY COMPANY

Quality Since 1959  
P.O. BOX 528 GREENWICH, MISSOURI 64601  
PHONE: (516) 964-0539 FAX: (516) 761-176

SITE PLAN

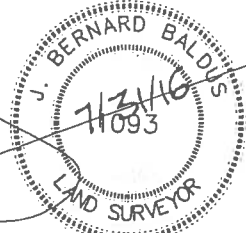
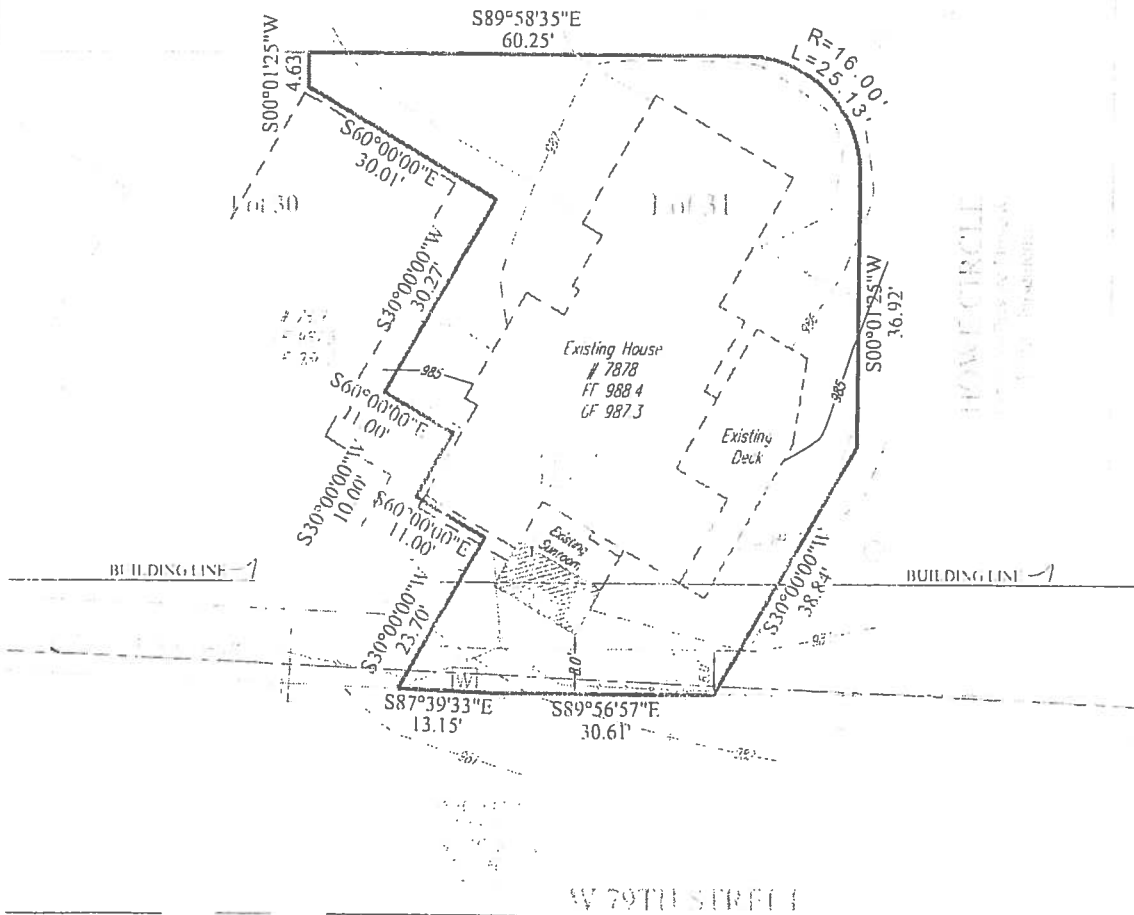
ORDERED BY: CRAIG MAHURIN

PROPERTY ADDRESS: 7878 HOME CIRCLE

DESCRIPTION: Lot 31, MISSION PINES, a subdivision in the City of  
Prairie Village, Johnson County, Kansas.

HOME CIRCLE

Circle 2400' in Diameter  
Lot 31 of 30



SCALE: 1" = 20'  
DATE: 07/14/2016  
Rev. Part Vac. 7/31/16  
JOB NO: 194302

This does not constitute a Boundary Survey per Customer Request  
Basis of Bearings Assumed From Plat

# STAFF REPORT

**TO:** Prairie Village Planning Commission  
**FROM:** Chris Brewster, AICP, Gould Evans, Planning Consultant  
**DATE:** September 13, 2016, Planning Commission Meeting

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**Application:** PC 2016-125

**Request:** Approval of Monument Sign

**Property Address:** 5300 West 94<sup>th</sup> Terrace

**Applicant:** Image 360/Charles Payne

**Current Zoning and Land Use:** CP-1 Planned Restricted Business District - Offices

**Surrounding Zoning and Land Use:** **North:** MXD – Meadowbrook Redevelopment (planned senior housing)  
**East:** CP-1 Planned Restricted Business District - Offices  
**South:** CP-1 Planned Restricted Business District – Meadowbrook Center  
**West:** CP-1 Planned Restricted Business District - Offices

**Legal Description:** 33-12-25 BG 696.76' N & 390' E & SE SW CR SW1/4 SE 256' X S 180' 1.06 ACS M/L PVC 722A 2D

**Property Area:** 1.07 acres (46,617 s.f.)

**Related Case Files:** PC 2014-114, Approval of Sign Standards

**Attachments:** Application, Photos

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**General Location Map**



**Aerial Map**



**SUMMARY:**

The applicant is requesting approval of a monument sign associated with a multi-tenant office building in the CP-1 zoning district.

**BACKGROUND:**

The applicant had sign standards for a multi-tenant building approved by the Planning Commission in June 2014 as required by ordinance. Each of the signs proposed was under the 5% allowance for wall signs in this district. At this time it was noted that the property did not have a monument sign, but that if one was desired in the future, the sign and landscape plan would need to be approved by the Planning Commission.

**ANALYSIS OF PROPOSED SIGN STANDARDS:**

The sign ordinance states that one wall sign shall be permitted on each façade. [19.45.25.B Regulations Applicable to Districts C-O, C-1, C-2 and C-3]. In addition, en lieu of one of these wall signs a monument sign may be permitted. [19.45.25.C.1.] However for multi-tenant office projects, additional sign standards may be proposed in order to allow uniform sign standards throughout a development, and to allow monument signs in association with proposed wall signs. [19.45.25.J.] This section applies to shopping centers and office parks under uniform control. The control of all of the office properties along West 94<sup>th</sup> Terrace are in separate ownership, but the site and building meets the definition of multi-tenant office and this section was interpreted to apply to this specific property in association with the June 2014 application.

In addition to subsection J. allowing multi-tenant sign plans that can include monument signs, the following standards are applicable to monument signs in all districts: [19.48.015.M Regulations Applicable to All Districts, Monument Signs]

- Maximum height 5' above average grade of base.
- Sign area maximum 20 s.f. per face (not including base or structural elements)
- Location – at least 12' from curb and at least 3' from property lines, plus any other safety or visibility location limitations.
- Materials compliment building materials on the site or in the area.
- A landscape plan approved by the Planning Commission.

Although the fragmented ownership of other office buildings within the area does not facilitate a uniform sign plan for all properties on 94<sup>th</sup> Terrace in association with this application, four other monument signs do exist. None of them exhibit strong uniformity, however there are some similarities (see photos):

- Three of the four include either a brick structure or a brick base matching the brick of the buildings (though not all buildings have the same brick, the brick is very similar among buildings)
- All meet the size and location standards of subsection M. noted above.
- Two of the four have letters mounted on the brick, while two of the four are sign panels (one on a brick base as is proposed here, one in a wood frame.)
- Three are not illuminated, and one is. The illuminated sign is white letters in a dark panel cabinet.

The proposed sign meets all of the applicable sign standards:

- The proposed height is 4.5' (below the 5' maximum)
- The proposed area is 12.5 s.f. (below the 20 square feet maximum)
- The proposed location is more than 12' from the curb, more than 3' from the front property line, and 5' from the adjacent side property line.
- The proposed sign is built on a brick base incorporating materials similar to the principal building on the site.

In addition, the sign is comparable to monument signs located on other property in the vicinity.

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The location of the sign is in a larger landscape area, so it does not require any specific landscape base (as would be required for monument signs with less than 3' of landscape area around it). However, the applicant is proposing to remove an existing tree to locate the sign. There are several trees along the frontage of this lot and adjacent lots that begin to form a "street edge," and the tree proposed to be removed is not a significant contributor to this landscape affect. Further, this tree appears to be in poor health. While the overall streetscape would benefit greatly if the remaining trees were truly "street trees" and future trees were located in the tree lawn, none currently are. No other location for a replacement tree would appear to have a significant effect on either the streetscape or the screening of the parking area.

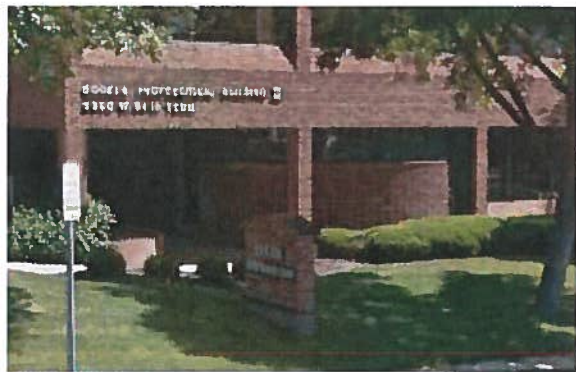
**RECOMMENDATION:**

Staff recommends approval of the proposed monument sign subject to the following:

- The exact location of the monument sign be specified and confirmed to be at least 5' from the side property line, and at least 3' from both the sidewalk and the parking area (3' of landscape clearance on all sides.
- This monument sign shall be the only monument sign permitted for this multi-tenant building and lot, and the it shall be the owner's responsibility to allocate sign space among tenants of the building.



*Street View looking west on 94<sup>th</sup> Terrace*



*Monument Signs of Other Buildings in the Area*



**CITY OF PRAIRIE VILLAGE**

*The Star of Kansas*

# 18466  
App # 0012815

**Planning Commission Application**

For Office Use Only
Case No.: <u>PC2016-125</u>
Filing Fee:
Deposit:
Date Advertised:
Date Notices Sent:
Public Hearing Date: <u>9/19/16</u>

Please complete this form and return with Information requested to:

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

Applicant: Image 360/Charles Payne Phone Number: 816-960-4546

Address: 3637 Main St, Kansas City, MO 64111 E-Mail info@image360kcm.com

Owner: Awakenings/Carlos Vigo Phone Number: 816-541-9075

Address: 5300 W 94th Terr, Prairie Village, KS Zip: 66207

Location of Property: 5300 W 94th Terr, Prairie Village, KS 66207

Legal Description: \_\_\_\_\_

Applicant requests consideration of the following: (Describe proposal/request in detail) Adding an illuminated monument sign to the property above. Sign face will be 30" in height and sit on

a brick base of 24" in height. Width will be 60" and depth of approximately 18"

**AGREEMENT TO PAY EXPENSES**

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

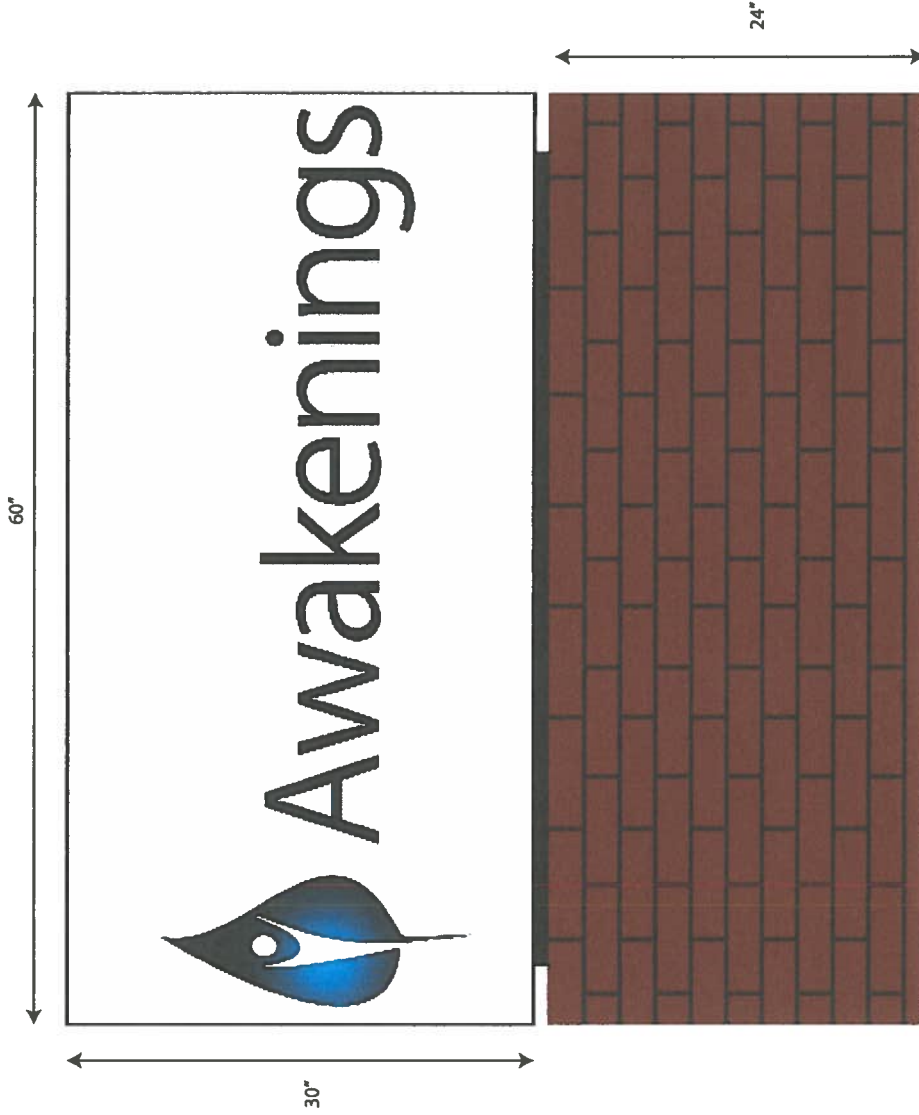
As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

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

Charles A Payne 8/12/16  
Applicant's Signature/Date

[Signature] 8-11-16  
Owner's Signature/Date

JOB DESCRIPTION: **Monument Sign**



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FINISHING NOTES:

COMPANY NAME: **Awakenings**

PHONE NUMBER: **816-541-9075**

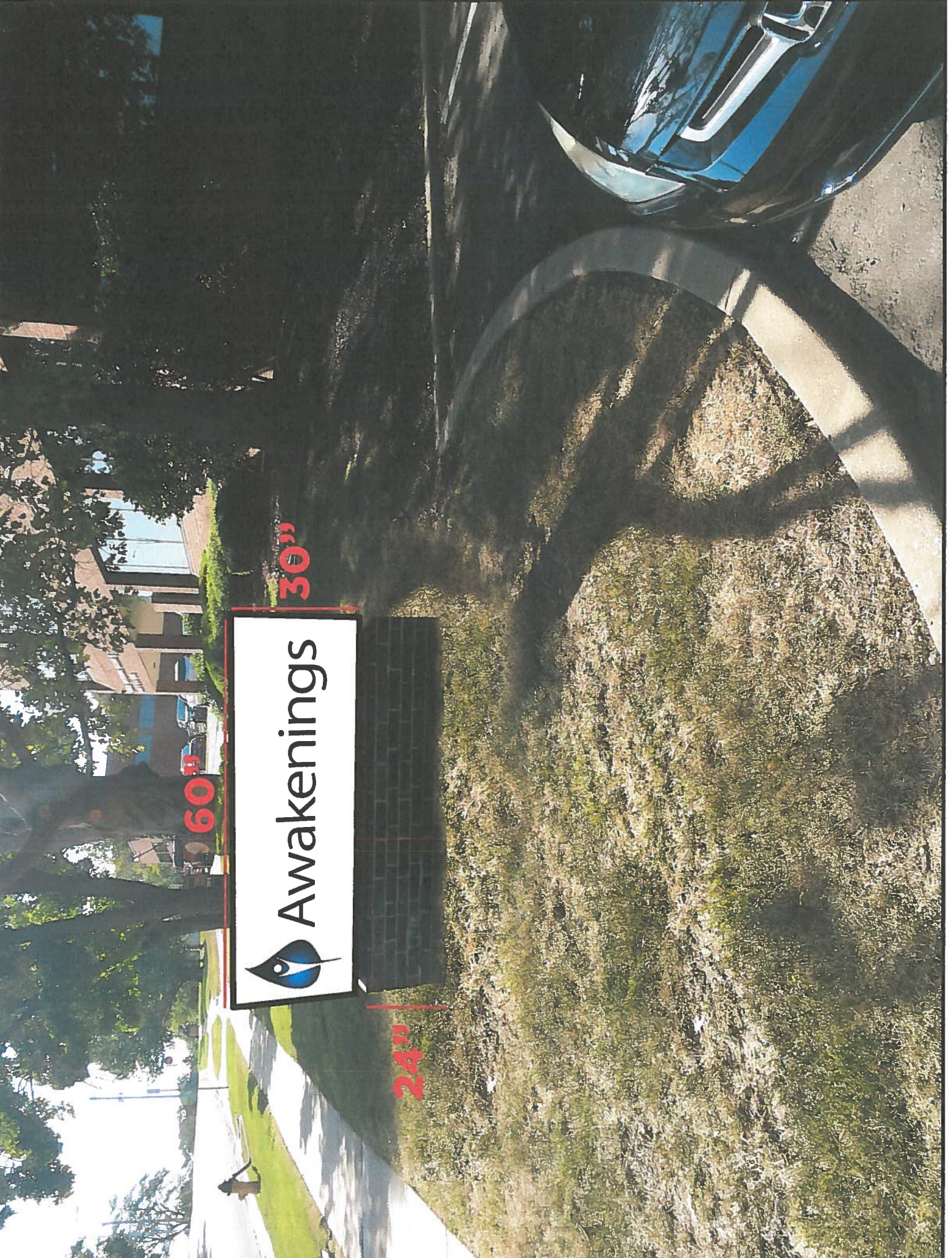
SIZES: **See Proof**

INVOICE NO:

**8313**

DATE:

**08/12/16**



30"

60"

24"

 Awakenings

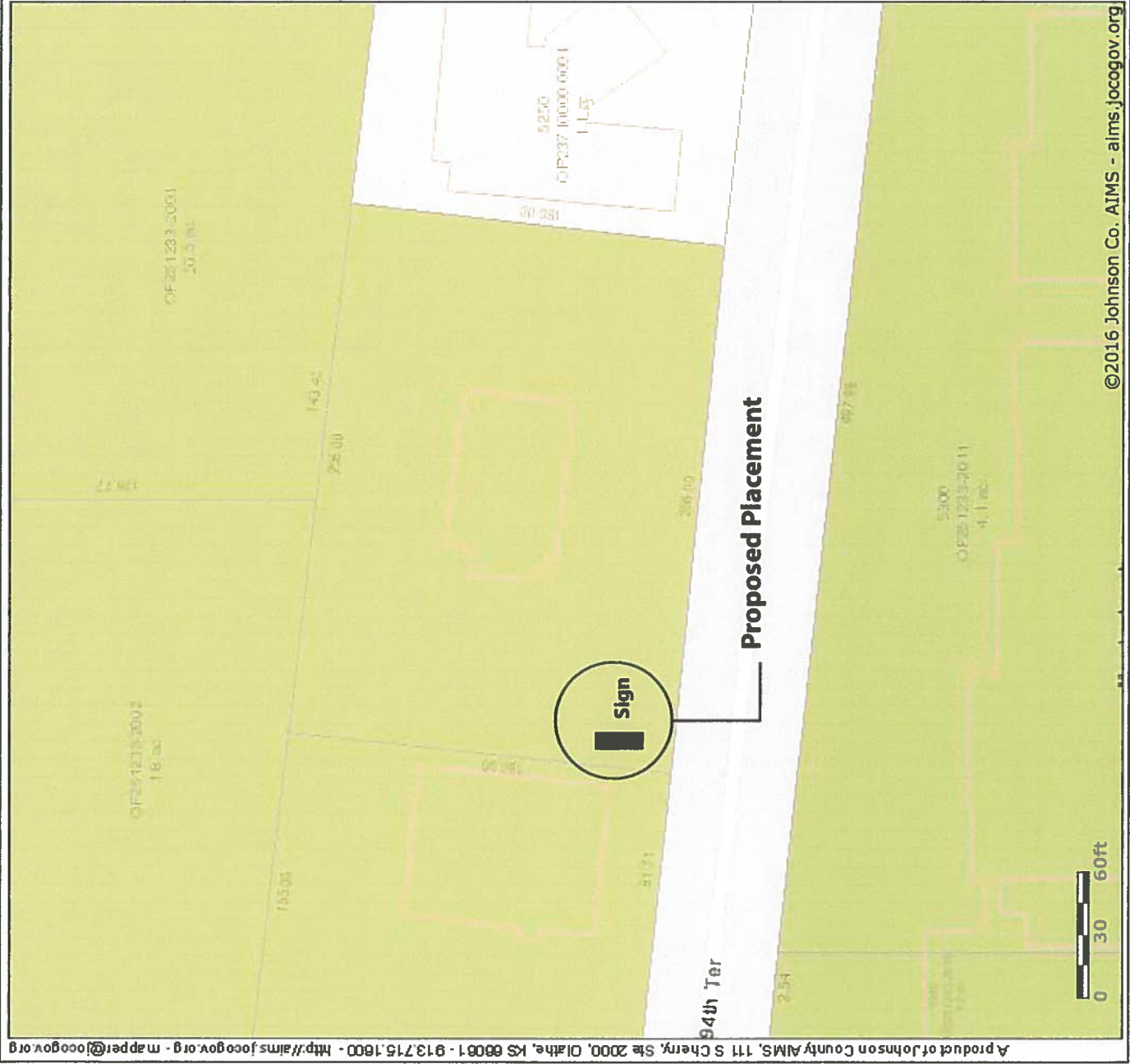


**Tree to  
Be Romved**

**Drawing Not To Scale**



**Drawing Not To Scale**



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# Johnson Co AIMS Map

## LEGEND

- Address Point
- Building/Structure
- Property
  - Untaxed
  - Vertical
  - Unplatted
  - Mineral Rights
  - Common Interest
  - Platted
  - Right-of-way
  - Leased Land



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8/11/2016

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