

The public may attend the meeting in person or view it online at
<https://www.facebook.com/CityofPrairieVillage>.

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, JULY 12, 2022
7700 MISSION ROAD
COUNCIL CHAMBERS
7:00 P.M.**

- I. ROLL CALL**
- II. APPROVAL OF PLANNING COMMISSION MINUTES - JUNE 7, 2022**
- III. OLD BUSINESS**
- IV. PUBLIC HEARINGS**
 - None
- V. NON-PUBLIC HEARINGS**
 - PC2022-114 New Monument Signs Application
Kenilworth Apartments
4120 W. 94th Terrace
Zoning: R-3
Applicant: Michael Kuzmich, KC Custom Signs
 - PC2022-115 Site Plan Exception for Fence
4411 W. 90th Street
Zoning: R-1A
Applicant: Bryan Kuhn
 - PC2022-116 Request for Replat
7631 Reinhardt and 7641 Reinhardt
Zoning: R-1A
Applicant: Pat Boppart, MOJO Built, LLC
- VI. OTHER BUSINESS**
- VII. ADJOURNMENT**

Plans available at City Hall if applicable.
If you cannot be present, comments can be made by e-mail to
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, 2022

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 7, 2022, at 7:00 p.m. in the Council Chambers at 7700 Mission Road. Chair Greg Wolf called the meeting to order at 7:00 p.m. with the following members present: Jon Birkel (via Zoom), James Breneman, Patrick Lenahan, Melissa Brown and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; PJ Novick, Confluence; Jamie Robichaud, Deputy City Administrator; Mitch Dringman, Building Official; Greg Shelton, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Ms. Brown moved for the approval of the minutes of the May 3, 2022, regular Planning Commission meeting. Mr. Birkel seconded the motion, which passed 3-0, with Mr. Breneman, Mr. Lenahan and Mr. Wolf in abstention.

PUBLIC HEARINGS

None

NON-PUBLIC HEARINGS

PC2022-111 Lot Split - 4101 W. 85th Street and 4105 W. 85th Street
 Zoning: R-1A
 Applicant: Kevin Green

Mr. Brewster stated that the applicant was requesting to split an existing lot into two lots to allow the individual ownership of each side of a single duplex building. This property is part of an overall development project for adult senior dwellings that includes a special use permit and final development plan.

The Planning Commission initially approved a preliminary development plan, final plat and final development plan for Mission Chateau at its March 2016 meeting. At that time, it was understood that the large lot to the south would be re-platted at a future date to facilitate the construction and sale of villas, according to the final development plan. A final plat for lots 3 through 13 for each of the twin villa lots was approved by the Planning

Commission in July 2016 and accepted by the City Council. Each of these lots included a two-unit building.

As part of the special use permit and final development plan, it was understood that the twin villas would be individually owned, and a subsequent administrative step would be necessary to facilitate recording of documents to allow sale and individual ownership of each unit in each of the twin villa buildings. Four similar applications have been filed and approved by the Planning Commission for lots 8, 9, 10 and 12.

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

1. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of an occupancy permit.
2. That each of the resulting lots and the building continue to be subject to all conditions of approval of the special use permit, preliminary and final development plans, and final plat, as well as the covenants recorded with the previous final plat.

Mr. Breneman made a motion to approve the lot split with the listed conditions. Mr. Lenahan seconded the motion, which passed 6-0.

PC2022-112 Lot Split - 4201 W. 85th Street and 4203 W. 85th Street
Zoning: R-1A
Applicant: Kevin Green

Mr. Brewster said that as in application PC2022-111, the applicant was requesting to split an existing lot into two lots to allow the individual ownership of each side of a single duplex building. This property is part of an overall development project for adult senior dwellings that includes a special use permit and final development plan.

The Planning Commission initially approved a preliminary development plan, final plat and final development plan for Mission Chateau at its March 2016 meeting. At that time, it was understood that the large lot to the south would be re-platted at a future date to facilitate the construction and sale of villas, according to the final development plan. A final plat for lots 3 through 13 for each of the twin villa lots was approved by the Planning Commission in July 2016 and accepted by the City Council. Each of these lots included a two-unit building.

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

1. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of an occupancy permit.
2. That each of the resulting lots and the building continue to be subject to all conditions of approval of the special use permit, preliminary and final development plans, and final plat, as well as the covenants recorded with the previous final plat.

Mr. Breneman made a motion to approve the lot split with the listed conditions. Mr. Lenahan seconded the motion, which passed 6-0.

PC2022-113 Revision to Final Development Plan
Meadowbrook Park
Zoning: MXD
Applicant: Justin Duff, VanTrust Real Estate

PJ Novick stated that the applicant was seeking approval of an amendment to the “vision book” that details the design standards for the approved final development plan for the Meadowbrook Park development. The requested amendment would allow detached garages on both cottage and manor style lots. The vision book currently allows for accessory living quarters but does not include language regarding detached garages. The following is the text the applicant is requesting be added to the vision book for both lot types:

“One or two story detached accessory structures shall be permitted on cottage and manor lot types. Accessory structures may include accessory living quarters that meet the vision book and local jurisdictional requirements, one or two car garages, and garden structures. The ground floor footprint of such accessory structure shall not exceed 650 square feet and shall not exceed two stories. The construction type shall be consistent with the main residential structure and shall consist of footings, masonry, and frame construction methods, in order to provide a permanent structure. The exterior design elements of the accessory structure shall be consistent and match the design, character, and materials of the main residence. The building setbacks for the accessory structure shall be consistent with the vision book for the lot type but shall not be less than five feet for any side or rear setbacks unless it is solely a pergola garden structure. Garage doors for any detached garage, if perpendicular to the rear setback, shall be allowed to encroach into the rear 18-foot setback.”

Mr. Novick said that staff had no issues with the requested amendment, and that the proposed language includes requirements that will ensure any detached, accessory structure meets the established design standards of the Meadowbrook Park development. He added that staff recommended the Commission approve the requested revision to the

vision book for the Meadowbrook Park final development plan to allow for detached garages on manor and cottage style lots.

Ms. Brown asked why the following text was included in the Vision Book description of the manor lots, but not the cottage or village lots:

“One or two story detached accessory structures shall be permitted on Cottage and Manor lot types. Accessory structures may include: accessory living quarters that meet the vision book and local jurisdictional requirements, one or two car garages, and garden structures. The ground floor footprint of such accessory structure shall not exceed 650 square feet and shall not exceed two stories. The construction type shall be consistent with the main residential structure and shall consist of footings, masonry, and frame construction methods, in order to provide a permanent structure. The exterior design elements of the accessory structure shall be consistent and match the design, character, and materials of the main residence. The building setbacks for the accessory structure shall be consistent with the vision book for the lot type, but shall not be less than five feet for any side or rear setbacks unless it is solely a pergola garden structure. Garage doors for any detached garage, if perpendicular to the rear setback, shall be allowed to encroach into the rear 18-foot setback.”

Applicant Justin Duff, VanTrust Real Estate, 4900 Main Street, Kansas City, MO, said that edits would be made to the vision book to ensure the referenced language was included in the description of all three lots.

Mr. Breneman asked why the drawings of the cottage lots showed a 5' measurement from the back of the garage to the curb, whereas the manor lots showed a measurement of 5' from the back of the garage to the lot line. Mr. Duff stated the images would be edited so that both show the distance to the curb for consistency.

Mr. Lenahan made a motion to approve the revision to the final development plan as presented, with the condition that edits be made to the drawings as noted. Ms. Brown seconded the motion, which passed 6-0.

OTHER BUSINESS

None

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 7:25 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: July 12, 2022 Planning Commission Meeting

Application: PC 2022-114

Request: Site Plan for Monument Sign

Action: *A Site Plan requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application. Monument signs have specific approval and exception criteria.*

Property Address: 4120 W. 94th Terrace

Applicant: Michael Kuzmich, KC Custom Signs; Julie Banach, Avanti Residential, Owner

Current Zoning and Land Use: R-3 Garden Apartment District, Apartments

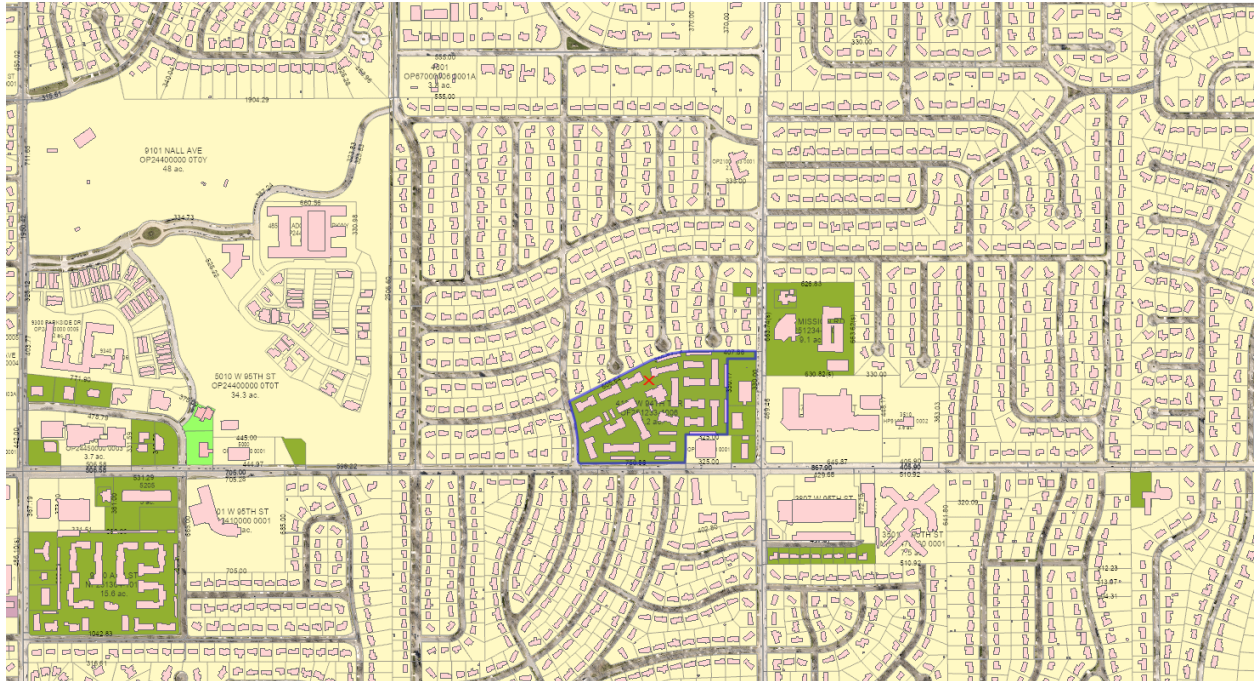
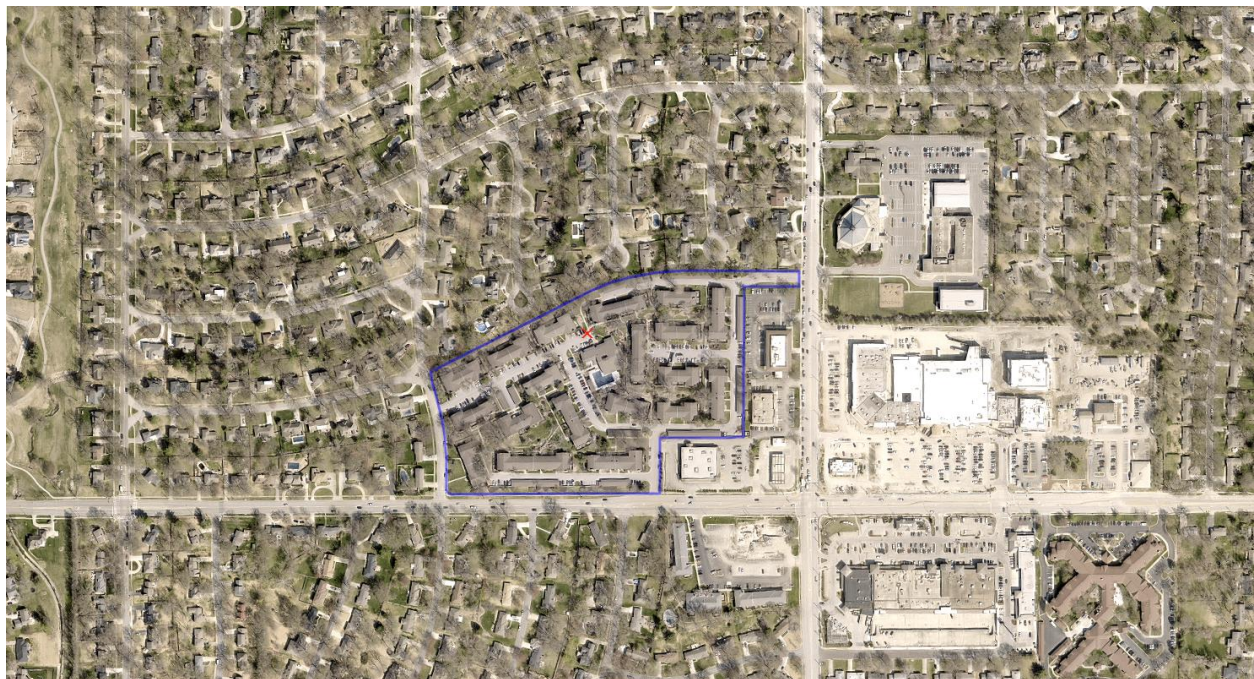
Surrounding Zoning and Land Use: North: R-1A Single-Family Residential; Single-Family Dwellings
East: C-1 Restricted Business District; Bank and C-2 General Business District; Retail and Gas Station SUP
South: C-1 Restricted Business District; Retail and R-1 & R-3 (Overland Park) Single Family and Multi-family.
West: R-1A Single-Family Residential; Single-Family Dwellings

Legal Description: (metes and bounds description)

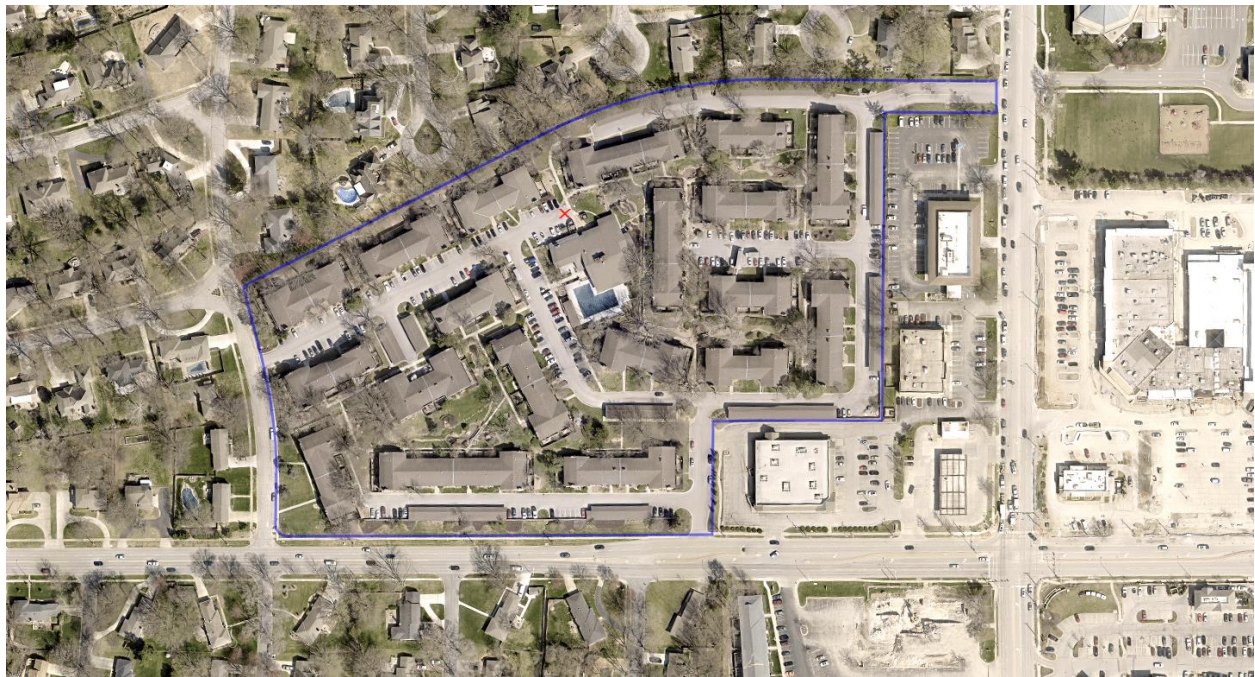
Property Area: 16.21 acres (706,325.28 s.f)

Related Case Files: None

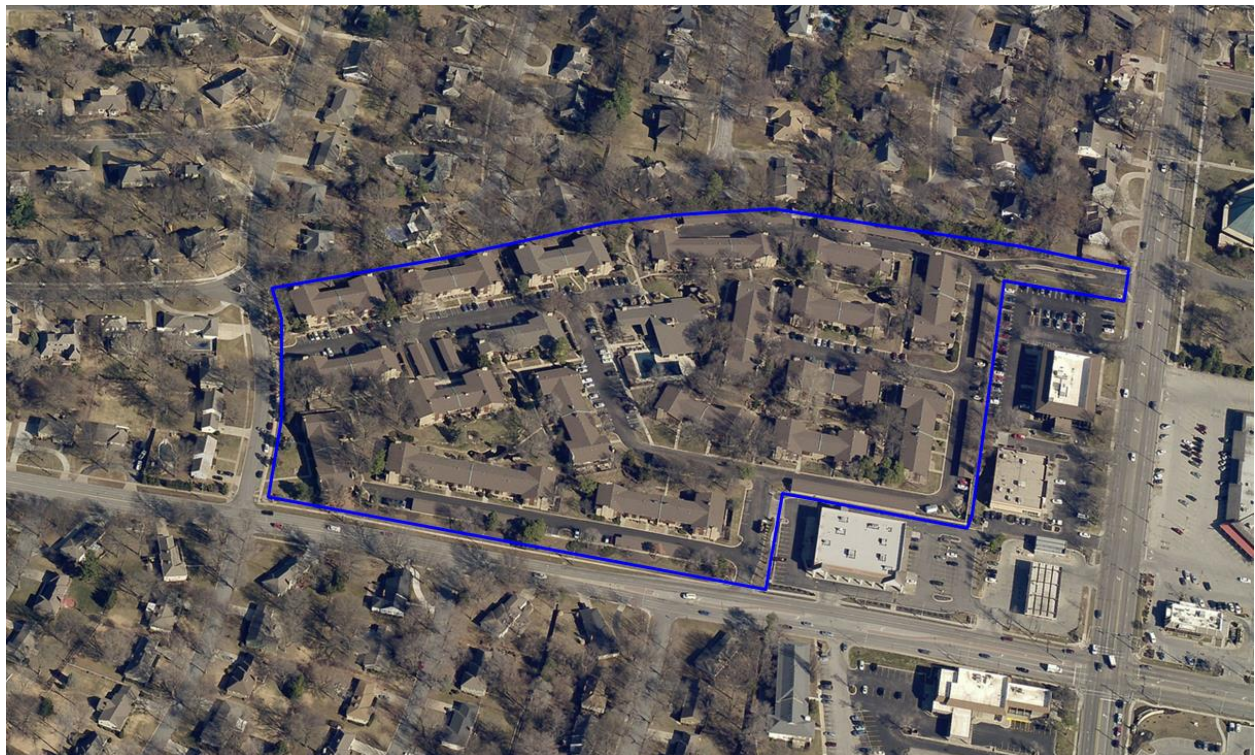
Attachments: Application, Sign Plans, Site Plans

General Location Map**Aerial Map**

Site



Birdseye



Street Views



Street view looking west on 95th Street at Buena Vista entrance – Sign # 1 location



Street view looking east on 95th Street at Delmar Street – Sign # 2 location



Street view looking south on Mission Road at 93rd Terrace entrance – Sign # 2 location

BACKGROUND:

The applicant is requesting approval of 3 monument signs for a 16.2 acre residential project. The monument signs would replace three existing monument signs at 3 different entrances to the facility. The proposed signs are similar in scale and location to the existing signs but have a different designs. All new monument signs require approval by the Planning Commission. [Prairie Village Zoning Ordinance, Section [19.48.070\(a\)](#)]

The Kenilworth Apartment complex was developed in 1964 according to Johnson County AIMS data. It includes 19 multi-family buildings with approximately 288 dwelling units, accessory parking shelters, and a community building. It is situated interna to the corner of 95th and Mission Road, with a significant frontage on 95th street, a small access frontage on Mission Road, frontage on Delmar street, and internal access streets.

ANALYSIS:

Monument signs require approval by the Planning Commission and have the following specific standards for multi-family projects in residential districts: [19.48.040](#) (monument signs in residential zoning) and [19.48.070](#)

- 1 per lot
- 20 square feet max
- 5' high max
- 3' setback from all property lines or 12' from street, whichever is greater, with associated landscape
- Base on at least 75% of plan, and materials that complement the building or other site elements.

The applicant has proposed 3 signs, two of which have a similar design. One is 17.5 s.f. aluminum sign on a stone base and is 5' high (sign # 3 on Mission Road at the 93rd Terrace entrance), and two approximately 13.89 s.f. signs that are 3.33 feet high, that are constructed out of painted aluminum with a cut out letters and aluminum tube mounting structure (signs # 1 and #2 at two locations on 95th Street). All signs have a similar design and color scheme and are located in landscape areas that meet the location, setback and landscape standards. However, detailed landscape plans are not included in the submittal.

The ordinance states that 1 monument sign is permitted per lot for multi-family uses, and this complex is located on a single lot. The residential monument sign standards have an allowance for multiple signs incorporated into "neighborhood identity" signs for projects with 10 or more lots or 5 or more acres to be approved by the Planning Commission. Although this provision is intended for subdivision identity signs, it is translatable to this project based on the scale (16.2 acres and 19 buildings) and context (frontage on 3 different streets and an internal circulation network). Additionally, this application is proposing to replace 3 existing signs. Further, the three proposed signs are comparable to the non-residential allowance of 1 monument sign per street frontage. Staff recommends that the proposed 3 signs are appropriate either by applying the "neighborhood sign" standard to this project, or by granting an exception to the allowed 1 per lot limit based on the scale of the project through the site plan process. [\[19.48.070\(a\)\(6\)\]](#)

Other than the exception / sign plan application for the additional signs, the proposed signs meet all standards and guidelines for monument signs.

RECOMMENDATION:

Staff recommends approval of the of the 3 new monument signs, subject to the following:

1. Planning Commission approves an exception or applies the "neighborhood sign plan" provisions to this application to allow for 3 monument signs; and
2. The applicant submit detailed landscape applications (# of plants, species, etc.) to be approved by the City's landscape architect consultant prior to sign permits.

App# 0028821
Cust# 018228



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only
Case No.: <u>PC2022-114</u>
Filing Fee: <u>\$100.00</u>
Deposit: <u>\$500.00</u>
Date Advertised:
Date Notices Sent:
Public Hearing Date:

Please complete this form and return with
Information requested to:

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

Stephan
@KC Customs Signs
com

Applicant: Michael Kuzmich Phone Number: 816.388.9520

Address: 20215 S State Route Y, Belton, MO 64012 E-Mail mike@kccustomsigns.com

Owner: Julie Banach Phone Number: 414-777-4239

Address: 4120 W 94TH TERRACE, PRAIRIE VILLAGE, KS 66207 Zip: 66207

Location of Property: 4120 W 94TH TERRACE, PRAIRIE VILLAGE, KS 66207

Legal Description: Apartments

Applicant requests consideration of the following: (Describe proposal/request in detail) Sign permit application approval for three new monuments to replace existing.

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 Sign Permit

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.

Michael Kuzmich
Applicant's Signature/Date

Julie Banach
Owner's Signature/Date

City of Prairie Village Building Permit Application

7700 Mission Rd, Prairie Village KS 66208

Phone 913-385-4604 Fax 913-385-4654 E-mail pmann@pvkansas.com

Application # _____

Permit # _____

Project Address 4120 W 94TH TERRACE, PRAIRIE VILLAGE, KS 66207 Date 5.27.2022Property Owner's Name Julie Banach Phone 414-777-4239**CHECK WITH YOUR HOMES ASSOCIATION REGARDING DEED RESTRICTIONS****Use Code: (circle one)**
☐ ACC accessory structure
☐ CC country club
☐ CON condominium

☐ FS fire station
☐ MUN municipal facilities
☐ OFF commercial office

☒ SFR single family residence
☐ RET commercial retail
☐ APT apartment

☐ CHU church
☐ DUP duplex
☐ POO pool

☐ PRK park
☐ REC recreation
☐ SCH school
Permit Type: (circle one)
☐ BR Building Residential
☐ ER Electrical Residential
☐ PR Plumbing Residential

☐ MR Mechanical Residential
☐ FF Footing / Foundation
☐ DP Demo / Move

☐ BC Building Commercial
☐ EC Electrical Commercial
☐ PC Plumbing Commercial

☐ MC Mechanical Commercial
☒ SB Sign / Banner
☐ AS Accessory Structure
General Contractor KC CUSTOM SIGNS Phone 816.388.9520 Fax _____Customer # _____ Estimated Value (inc. labor) \$1,000.00 Permit Fee _____Address 20215 S. STATE ROUTE Y, BELTON, MO 64012 email mike@kccustomsigns.com

Electrical Contractor _____ Phone _____ Fax _____

Customer # _____ Estimated Value (inc. labor) _____ Permit Fee _____

Address _____ email _____

Plumbing Contractor _____ Phone _____ Fax _____

Customer # _____ Estimated Value (inc. labor) _____ Permit Fee _____

Address _____ email _____

Mechanical Contractor _____ Phone _____ Fax _____

Customer # _____ Estimated Value (inc. labor) _____ Permit Fee _____

Address _____ email _____

DESCRIPTION OF WORK TO BE DONE:INSTALLATION OF MONUMENT SIGN. Existing monument at this location will be removed.

I have read and examined this application and declare my responses to be true and correct. All laws and ordinances governing this work will be followed whether specified herein or not. I understand this permit does not grant authority to violate or cancel any state or local law. I agree to pay a plan review fee even if this application is not approved. I understand that the City may contract with outside consultants for plan reviews and/or inspections associated with this permit. When consultants are utilized, I understand that I am responsible for all City costs incurred by the use of these services. I further understand that these costs will be significantly higher than the City fee schedule, and will be in addition to permit fees. If I am to be charged for these services, the City will make a reasonable attempt to inform me prior to the provision of these services.

Applicant's Name (Please Print) Michael Kuzmich Permit Fee _____

Signature of Contractor/Authorized Agent _____ Plan Review Fee _____

Designated Architect or Engineer of Record _____ Stop Work Fee _____

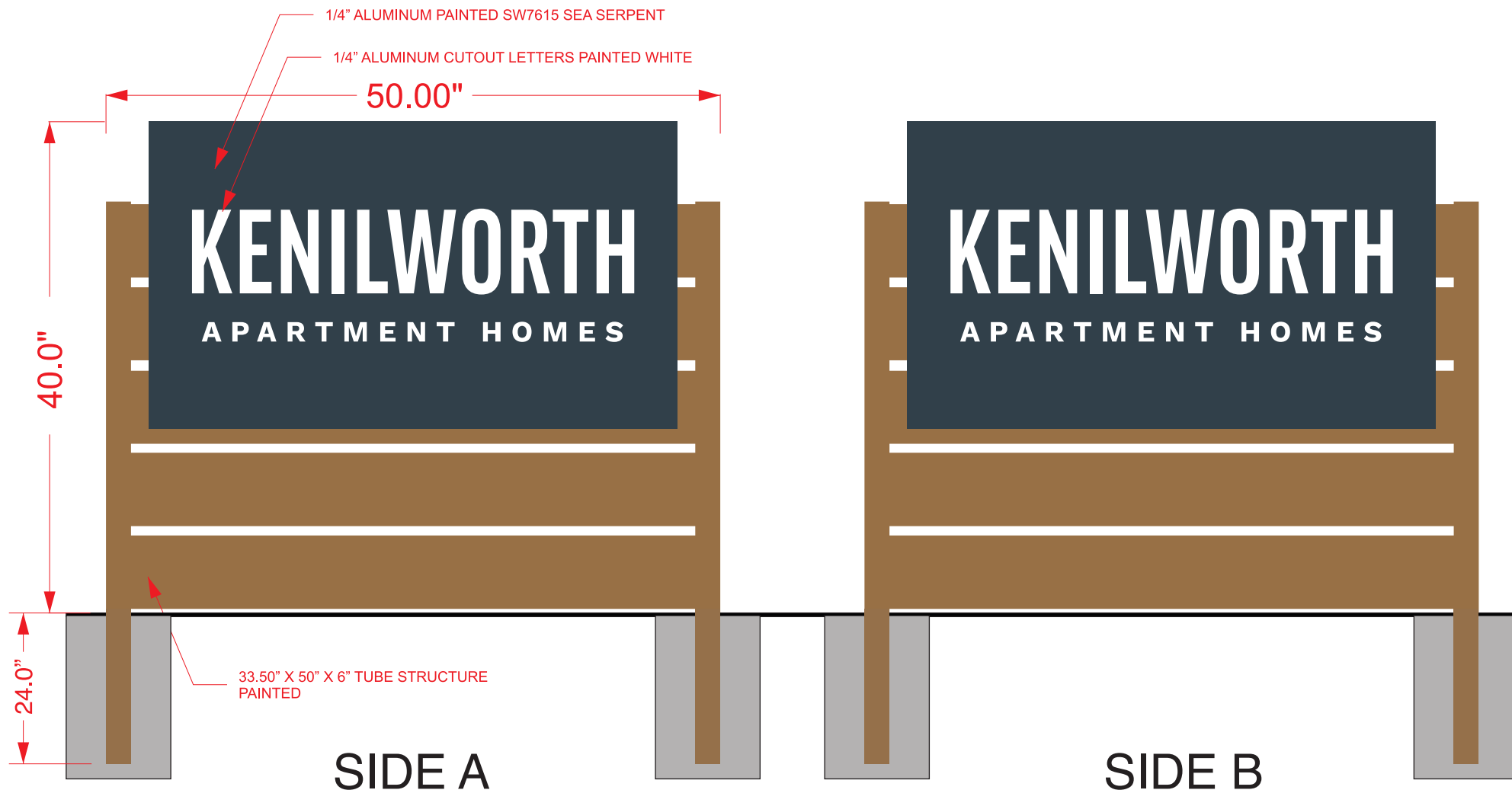
Approved By _____ Date _____ License Fee _____

HOA Notification _____ YES N/A TOTAL FEES _____

Please complete your payment method below if you are using Visa, MasterCard or Discover ☐ email or fax# required if not applying in person

Name on Card	Signature	
Card Number	Security code on back of card	Expiration Date

The issuer of the card identified on this item is authorized to pay the amount shown as TOTAL on proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.



PLEASE REVIEW PROOF COLOR, SIZE AND SPELLING BEFORE APPROVING



20215 S. State Route Y
BELTON, MO 64012
816-388-9520
info@kccustomsigns.com

WORK ORDER/BILLING INFO

JOSH TEMPLE \ JTEMPLE@POBLOCKI.COM \ 414-453-4010

CLIENT NAME/CONTACT

A CLIENTS\PQR\POBLOCKI\KENILWORTH.CDR

FILE LOCATION

INSTALL AT
4120 W 94TH TERRACE
PRAIRIE VILLAGE KS 66207

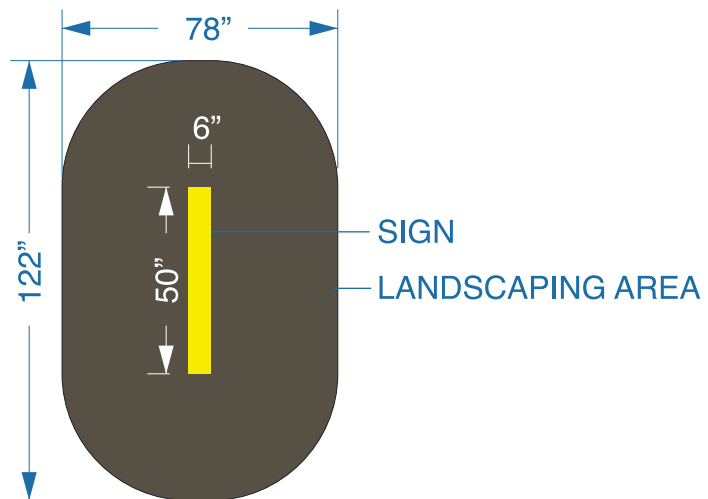
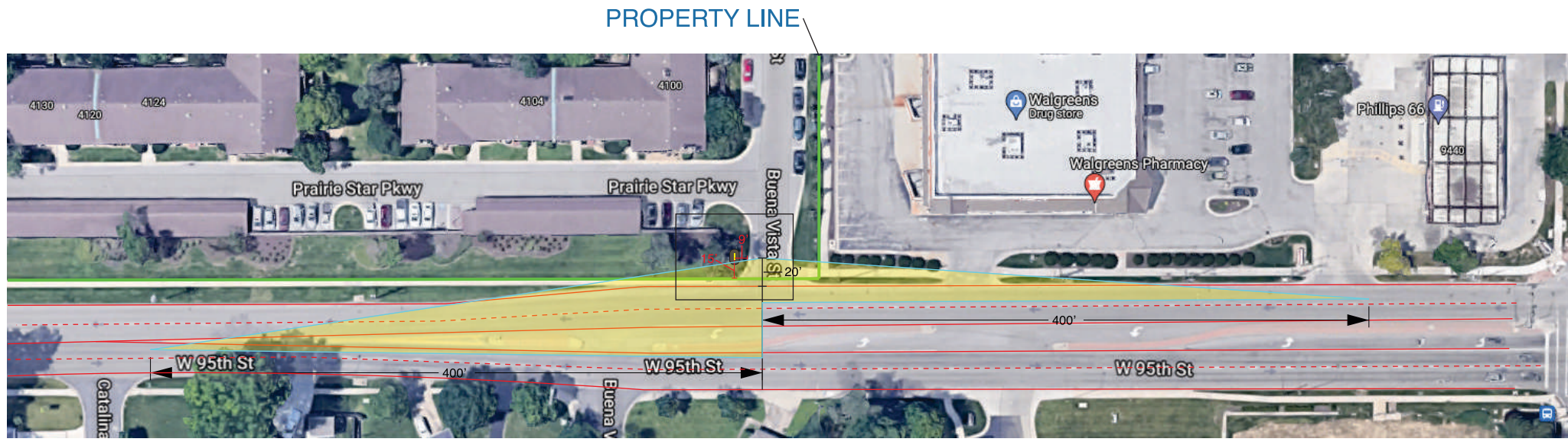
DELIVERY/INSTALL LOCATION

40" X 50" X 6" ALUMINUM TUBE FRAME MONUMENT BASE TO BE PAINTED. 1/4" ALUM FACES PAINTED TO MATCH PANTONE AND INCLUDE 1/4" ALUMINUM SYMBOLS AND TEXT TO BE PAINTED WHITE.

PAGE 1/1

05/27/22

INTERSECTION SIGHT TRIANGLE



City of Prairie Village Building Permit Application

7700 Mission Rd, Prairie Village KS 66208

Phone 913-385-4604 Fax 913-385-4654 E-mail pmann@pvkansas.com

Application # _____

Permit # _____

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☐ ACC accessory structure
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☐ CON condominium

☐ FS fire station
☐ MUN municipal facilities
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☐ APT apartment

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☐ PR Plumbing Residential

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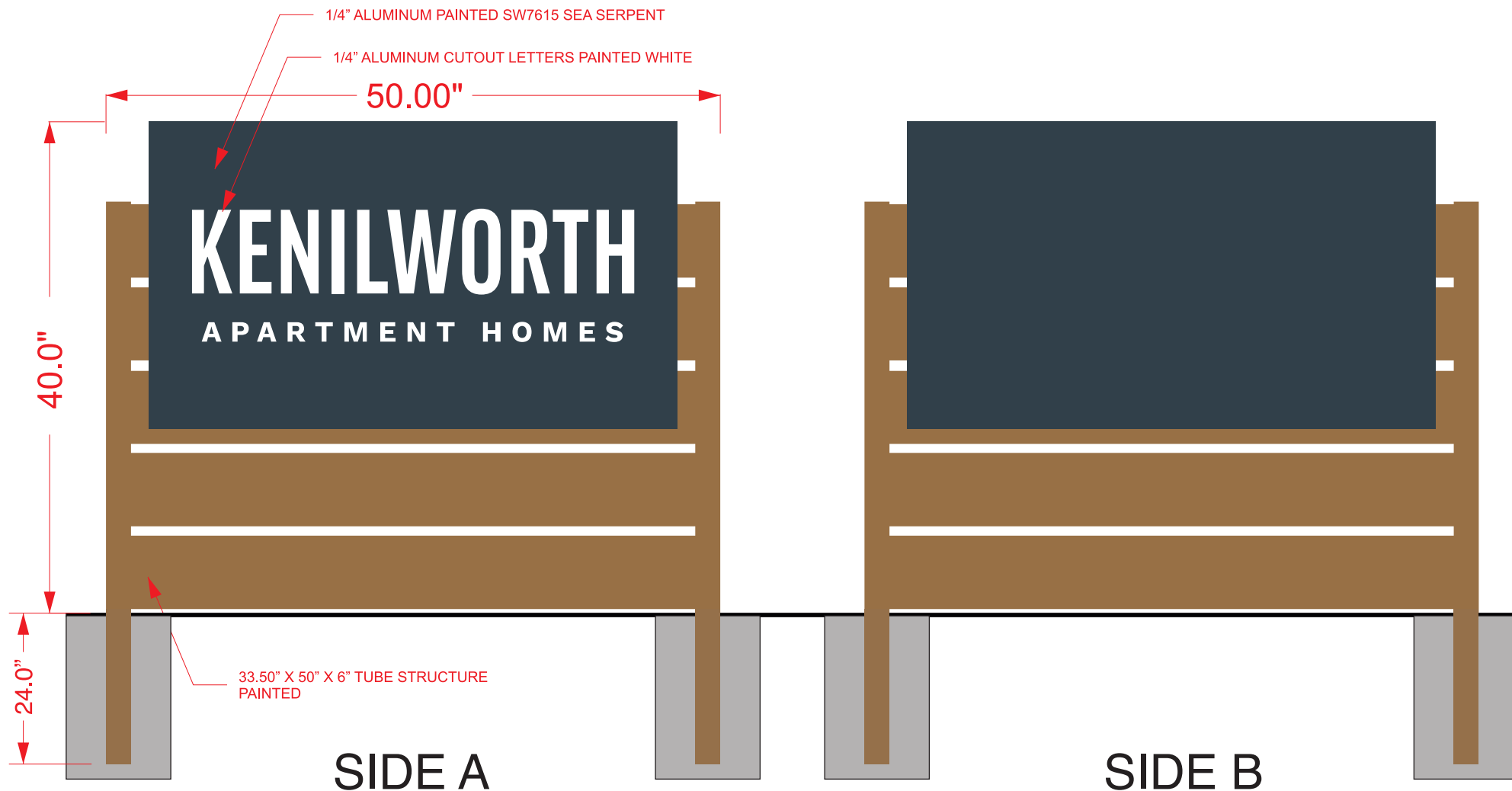
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HOA Notification _____ YES N/A TOTAL FEES _____

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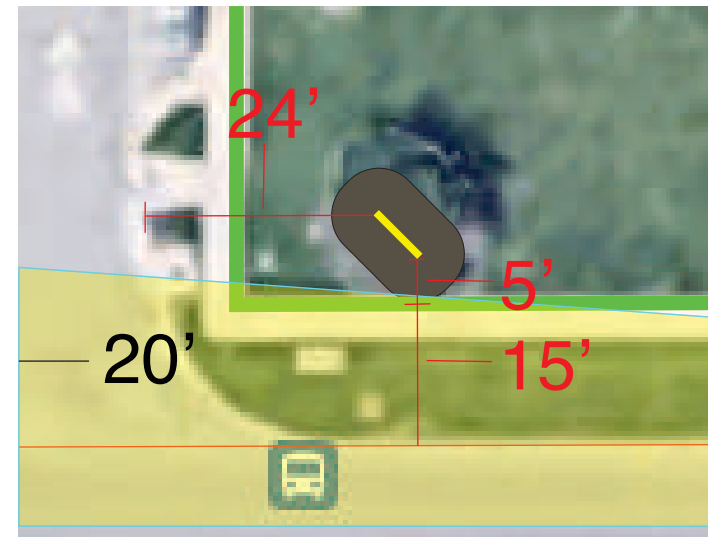
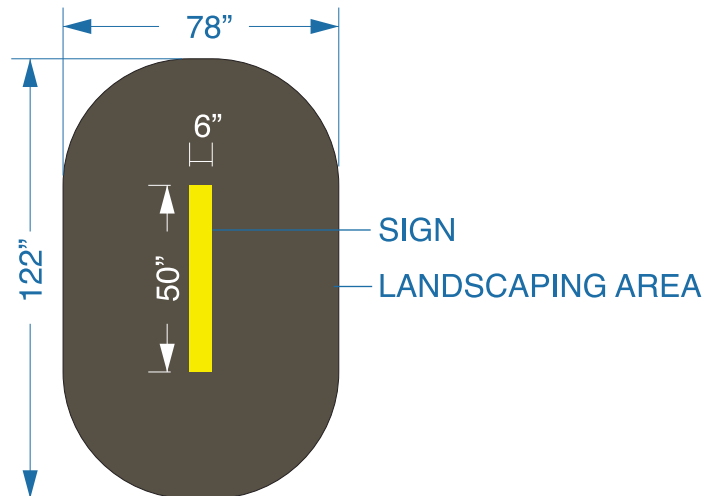
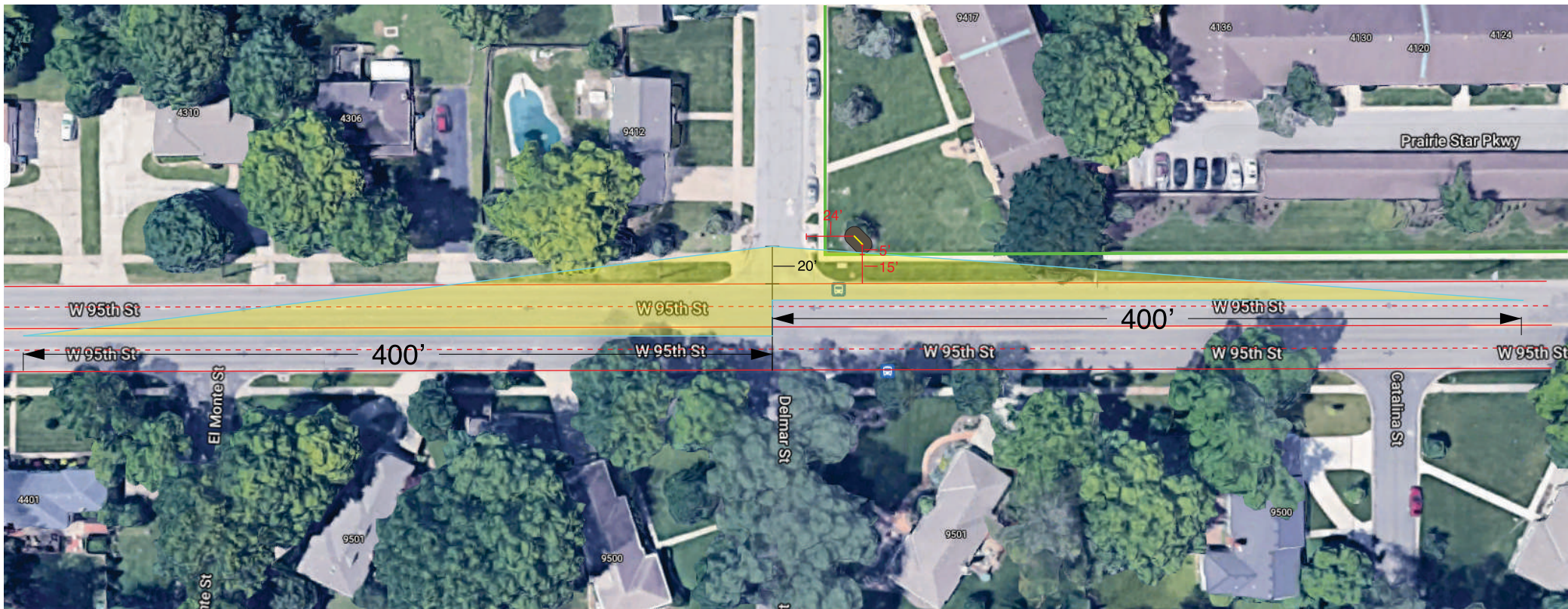
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Address _____ email _____

DESCRIPTION OF WORK TO BE DONE:INSTALLATION OF MONUMENT SIGN. Existing monument at this location will be removed.

I have read and examined this application and declare my responses to be true and correct. All laws and ordinances governing this work will be followed whether specified herein or not. I understand this permit does not grant authority to violate or cancel any state or local law. I agree to pay a plan review fee even if this application is not approved. I understand that the City may contract with outside consultants for plan reviews and/or inspections associated with this permit. When consultants are utilized, I understand that I am responsible for all City costs incurred by the use of these services. I further understand that these costs will be significantly higher than the City fee schedule, and will be in addition to permit fees. If I am to be charged for these services, the City will make a reasonable attempt to inform me prior to the provision of these services.

Applicant's Name (Please Print) Michael Kuzmich Permit Fee _____

Signature of Contractor/Authorized Agent _____ Plan Review Fee _____

Designated Architect or Engineer of Record _____ Stop Work Fee _____

Approved By _____ Date _____ License Fee _____

HOA Notification _____ YES N/A TOTAL FEES _____

Please complete your payment method below if you are using Visa, MasterCard or Discover ☐ email or fax# required if not applying in person

Name on Card	Signature	
Card Number	Security code on back of card	Expiration Date

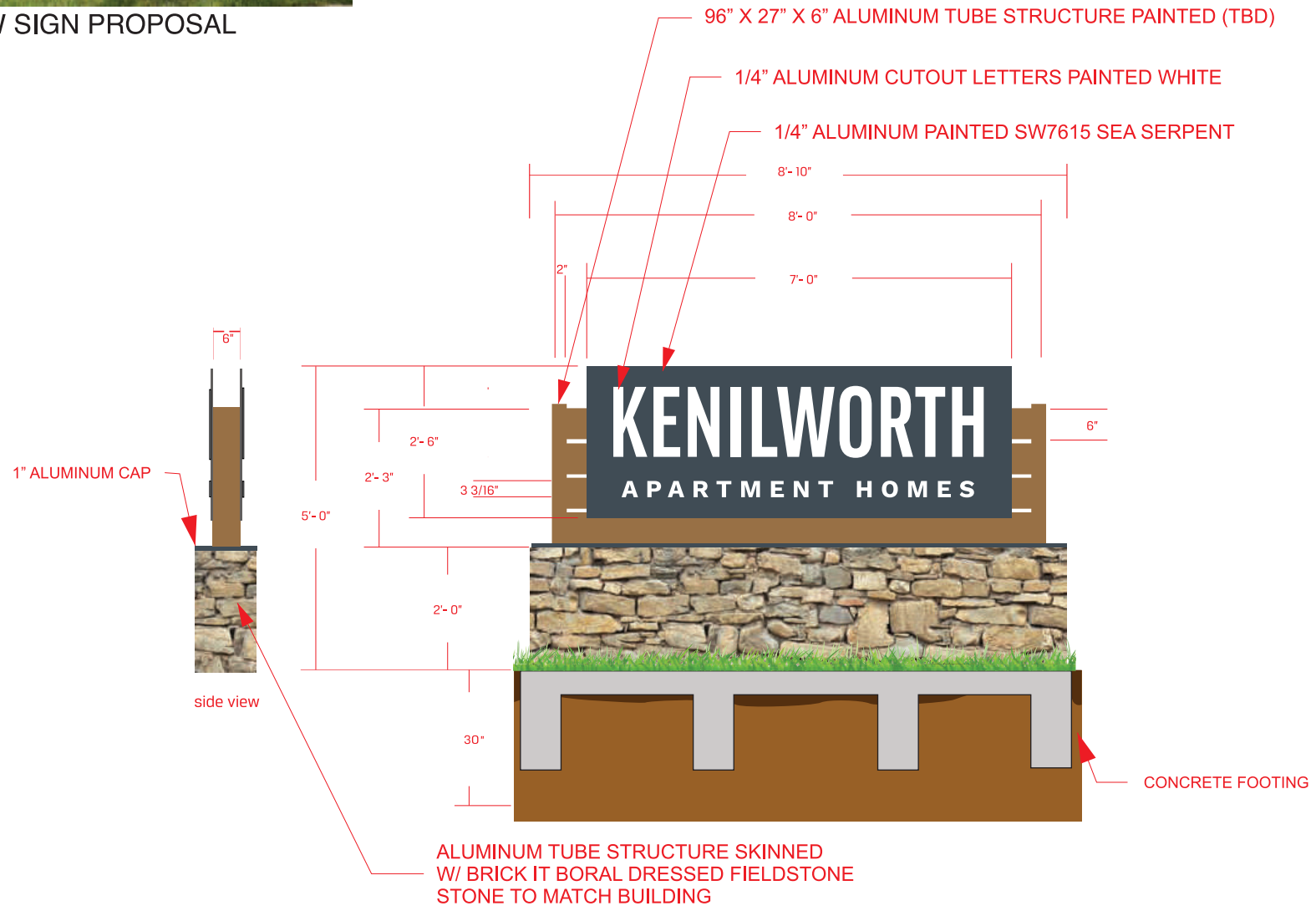
The issuer of the card identified on this item is authorized to pay the amount shown as TOTAL on proper presentation. I promise to pay such TOTAL (together with any other charges due thereon) subject to and in accordance with the agreement governing the use of such card.

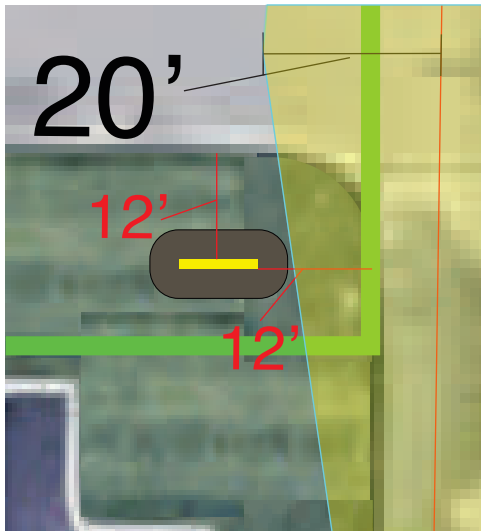
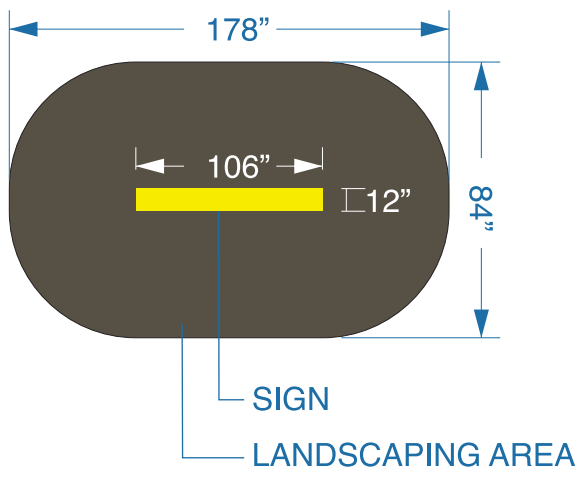


NEW SIGN PROPOSAL

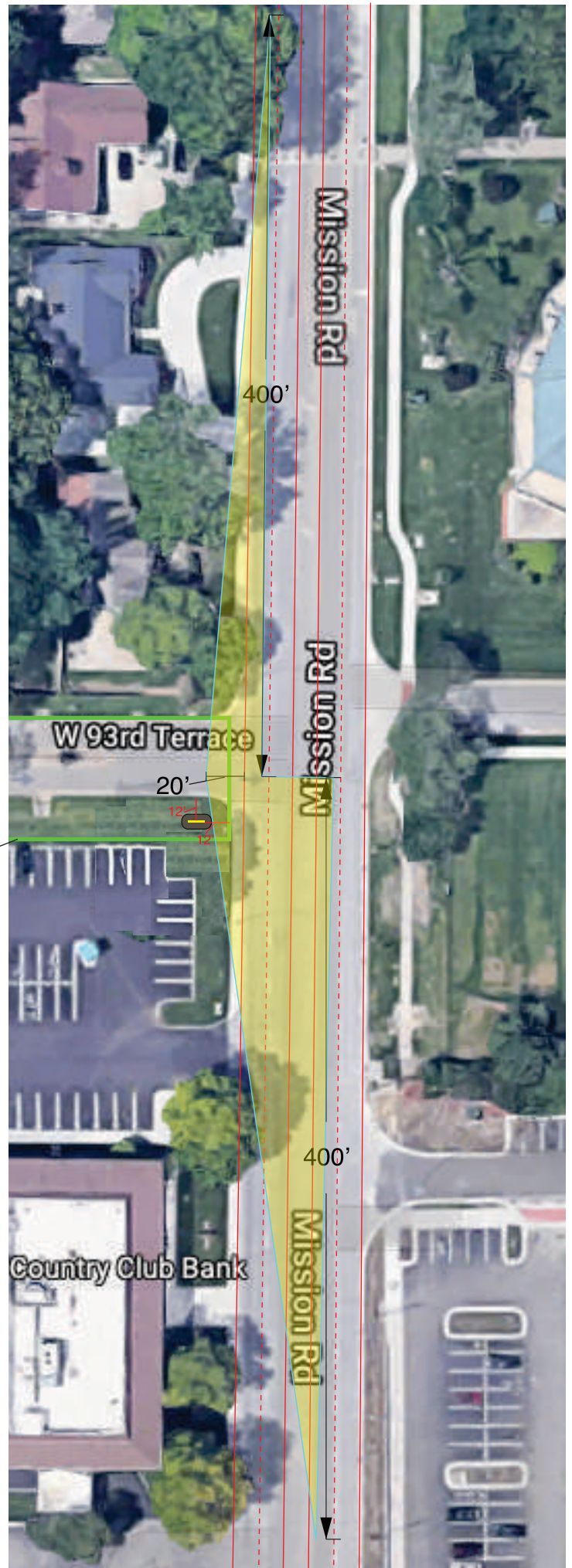


EXISTING SIGN TO BE REMOVED





PROPERTY LINE



STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: July 12, 2022 Planning Commission Meeting

Application: PC 2022-115

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

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

Property Address: 4411 W. 90th Street

Applicant / Owner: Bryan Kuhn

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

Surrounding Zoning and Land Use: **North:** R-1A Single-Family District – Single-Family Dwellings
East: R-1A Single-Family District – Single-Family Dwellings
South: R-1A Single-Family District – Single-Family Dwellings; and
C-O Office Building District – Office & services
West: C-2 General Business District – Office & Services

Legal Description: SOMERSET ACRES WEST LOT 4, BLK 7 PVC-0714 0045

Property Area: 39,599.92 sq. ft. (0.91 ac.)

Related Case Files: none

Attachments: Application, existing condition / simulated proposed condition photos

General Location – Map**Aerial Map**

Block & Lot Context – Aerial



Site Birdseye



Street Views



Looking west on West 90th street; subject property on left, side lot line in background



Looking east on West 90th Street; subject property in background, side lot line in foreground

BACKGROUND:

The applicant is requesting to locate a 8-foot high privacy fence along the west property line, extending along the entire side yard from the rear lot line to the front. This lot line abuts commercial zoning and a commercial use to the west. Part of this boundary is the rear of a commercial building and part of it is a parking lot for the commercial use. There is a currently a 6-foot high privacy fence extending along this property line, only in the rear and side of the residential lot. The remainder of this is a heavily landscaped edge on the mostly on the residential lot.

This request does not meet the ordinance requirements and would require the following two exceptions:

- 19.44.025(b)(3) has a maximum fence height of 6 feet, and only allows up to 8 feet if the fence is within the building envelope (i.e. within all setbacks, as would apply to any building)
- 19.44.025(c)(1) limits fences in the front yard (any area in front of the front building line) to only “decorative fences”; decorative fences are described as at least 50% open and limited to no higher than 2.5 feet.

ANALYSIS:

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

(b) Design.

- (3) Height. No fence shall exceed six feet in height, except tennis court enclosures which may not exceed 12 feet in height, and except fences which are located within the building envelope of a lot shall not exceed eight feet in height.
- (4) Decorative Fences. Decorative fences shall be designed so they are at least 50 percent open and do not exceed two and a half feet in height. Split rail and wrought iron fences are examples of this type of fence.

(c) Location.

- (1) Fences located in the front yard are limited to decorative fences no closer than ten feet from the street right-of-way line..

[\[19.44.025 \(b\) and \(c\)\]](#)

These sections intend to preserve the relationship of buildings, lots and yards to adjacent property and to the streetscape

The factors that affect this particular situation are the following:

- The side lot line where the fence is proposed abuts commercial zoning and a commercial use.
- The building and parking on the adjacent commercial lot are very close to the side lot line (approximately 4 to 5 feet), and is likely a non-conforming situation (according to Johnson County AIMS mapping built in 1961, prior to the City's zoning ordinance).
- The front yard area and streetscape transitions from a residential street along the frontages to the east, and a neighborhood commercial street from this property to the west. This boundary is currently has a heavy landscape buffer.
- There is no sidewalk along this side of the street (south side), and there is an attached sidewalk on the north side.

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

[\[19.44.025.\(g\)\(1\).\]](#)

CRITERIA:

The following are the Site Plan review criteria: [\[Section 19.32.030.\]](#)

A. Generally.

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

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

B. Site Design and Engineering.

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

This site is currently served by utilities and this plan does not affect any utility, access or runoff issues not already addressed through the building permit. No changes to the grade, building footprint or impervious surface are proposed or impacted by consideration of this application, and therefore stormwater runoff will not be affected. The proposal does place the fence close to the right-of-way line, but due to the nature of this street (primarily residential traffic at this location), and the location of driveways, the fence location does not create any sight distance issues. However, approval of the exception should be limited so that no fence is permitted either in the right-of-way, or within 6-feet of the existing curb, whichever is greater.

C. Building Design.

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

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

D. Landscape Design.

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

The intent of the proposed location standards for fences is to improve and preserve the relationship of sites and buildings to street frontages and to adjacent property. Due to the differences in abutting property use and the location of commercial buildings and parking, this is a "buffer" situation, where fence design and landscape should mitigate potential impacts. In this case, the proposed fence will be 8' high rather than 6' to better screen the building and parking area. The privacy fence extending into the front yard better serves the purpose of buffering adjacent potentially incompatible uses than the standard, which requires only

decorative fences to promote the interest of an open streetscape, and this area is already heavily buffered. The commercial property to the west has a building and parking area nearly directly abutting the residential lot.

The fence standards also have the following specific criteria for the Planning Commission to approve exceptions [\[Section 19.44.\(g\)\(1\)\]](#):

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

RECOMMENDATION:

Staff recommends approval of this fence site plan with the exception height (8', instead of the required 6') and a design exception for the front yard (privacy fence rather than decorative fence) be approved, based upon adjacency of this property to a commercial use, with buildings and parking areas directly abutting the residential property. The exception should be based on the conceptual plan proposed in the application with the following limitations:

1. No fence shall be permitted within the right-of-way, or within 6' of the curb, whichever distance is greater from the street edge.
2. The landscape buffer be maintained along the fence in the front yard.



CITY OF PRAIRIE VILLAGE
The Star of Kansas

Cust # 612266
App # 0028844

**Planning Commission
Application**

For Office Use Only
Case No.: <u>PC2022-115</u>
Filing Fee: <u>\$100.00</u>
Deposit: <u> </u>
Date Advertised: <u> </u>
Date Notices Sent: <u> </u>
Public Hearing Date: <u> </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: **Bryan Kuhn** Phone Number: **816-805-1959**

Address: **4411 W. 90th St. Prairie Village, KS 66207**

Email: bakvalentine@hotmail.com

Owner: **Same as above** Phone # : **Same as above**

Address: **Same as above** Zip: **Same as above**

Location of Property: **Same as above**

Legal Description: **Somerset Acres West - LOT 4 BLK 7 PVC-0714 0045**

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

Hiring Denton Fence Co. to replace our existing fence. We are asking for approval on #1. Extending the fence on the West side of our residence between our residence and the commercial building out to the street as far as allowed by code. #2. Install 8' fence between our residence and the commercial building on the West side of our residence. **SEE ATTACHED FOR MORE DETAILS**

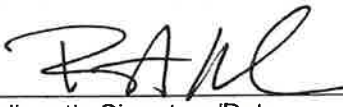
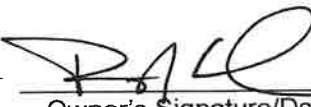
AGREEMENT TO PAY EXPENSES

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.

 6/3/22  6/3/22
Applicant's Signature/Date Owner's Signature/Date

Variance Request #1

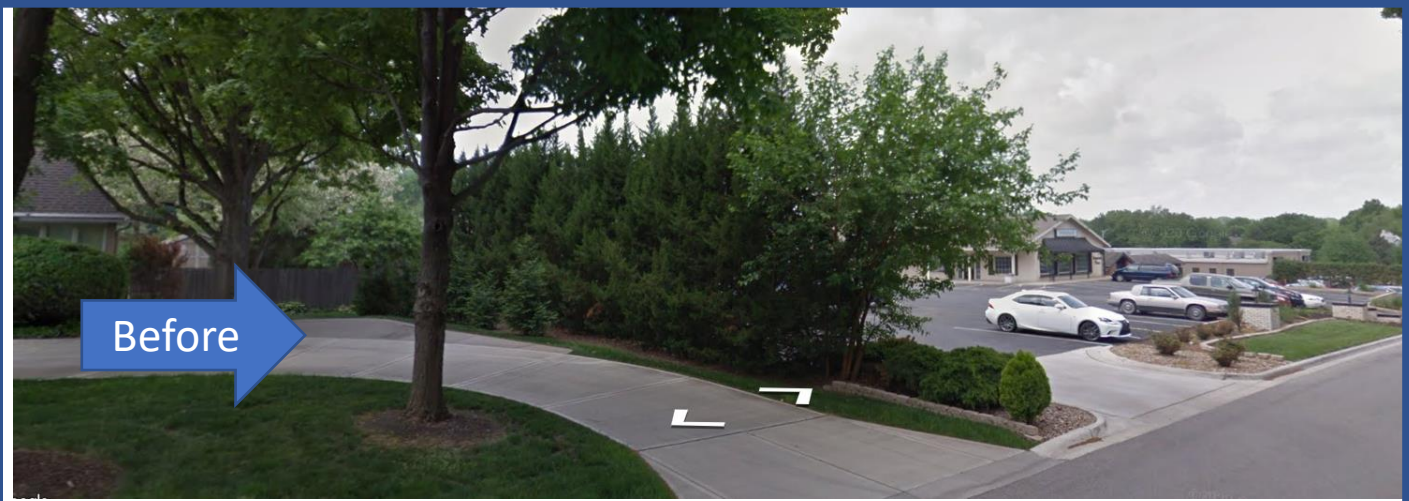
Extend fence to the street - between residence and Commercial properties

➤ (prevent headlights and reduce parking lot noise – adjacent to master bedroom)

Also, requesting approval for #2

8 ft fence replacing 6 ft - between residence and Commercial properties

➤ (Allow for more privacy between residence and commercial properties)



Requesting approval



Examples on next slide: of approved fence extensions already in place – 90TH Terrace



June 7, 2022

Property location: 4411 W. 90th. St.
Prairie Village, KS 66207

Dear Neighbor,

The purpose of this letter is to make you aware of plans to add a fence to the west side of the above listed property. There is currently no fence there and would provide separation and privacy between personal residence and commercial property (parking lot).

We are also planning to replace the current 6' fence that divides the above property's backyard from the commercial property building with an 8' fence. Current Prairie Village zoning regulations provide for a maximum of 6' high fence but since the grade of the commercial building is lower than the above property, the current 6' fence allows for minimal privacy.

This work will be scheduled in late August or September 2022 depending on contractors scheduling considerations.

An application has been made to the City of Prairie Village Planning Commission for approval on the plans. The Planning Commission's process requires an opportunity for residents nearby to raise any questions or concerns regarding the above plans.

This letter is to inform you of a meeting that will be held on Tuesday June 21, at 7:30 pm outside in the driveway at 4411 W. 90th. St. You are invited to attend but not required, to express any concerns you may have.

A record of the meeting will be submitted to the Prairie Village Planning Commission. This record will show attendees and will document any concerns that may be expressed.

If you would like to attend, please email bakvalentine@hotmail.com .

Thank you.

Hi Adam,

Hope all is well...

As stated in the letter sent out on June 7th. 2022, the meeting was held in my driveway at 4411 W. 90th.
St. PV. KS

Attached is invite list that shows there was no one in attendance...

I look forward to the copy of the Planning Staff Report you will be sending on July 8th. 2022, and I plan to attend the July Planning Commission meeting scheduled for Tuesday July 12th. 2022.

Please let me know if you need anything more... Thanks, Bryan

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: July 12, 2022

Application: PC 2022-116

Request: Replat – 2 lots into 3 lots

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

Property Address: 7631 & 7641 Reinhardt Street

Applicant: MOJO Built, LLC; Joe Woods

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

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

Legal Description: SUNSET HILL ACRES LOT 9 & 10

Property Area: 0.38 acres, each (16,723.8f s.f. – lot 9; 16,714.72 s.f. lot 10);

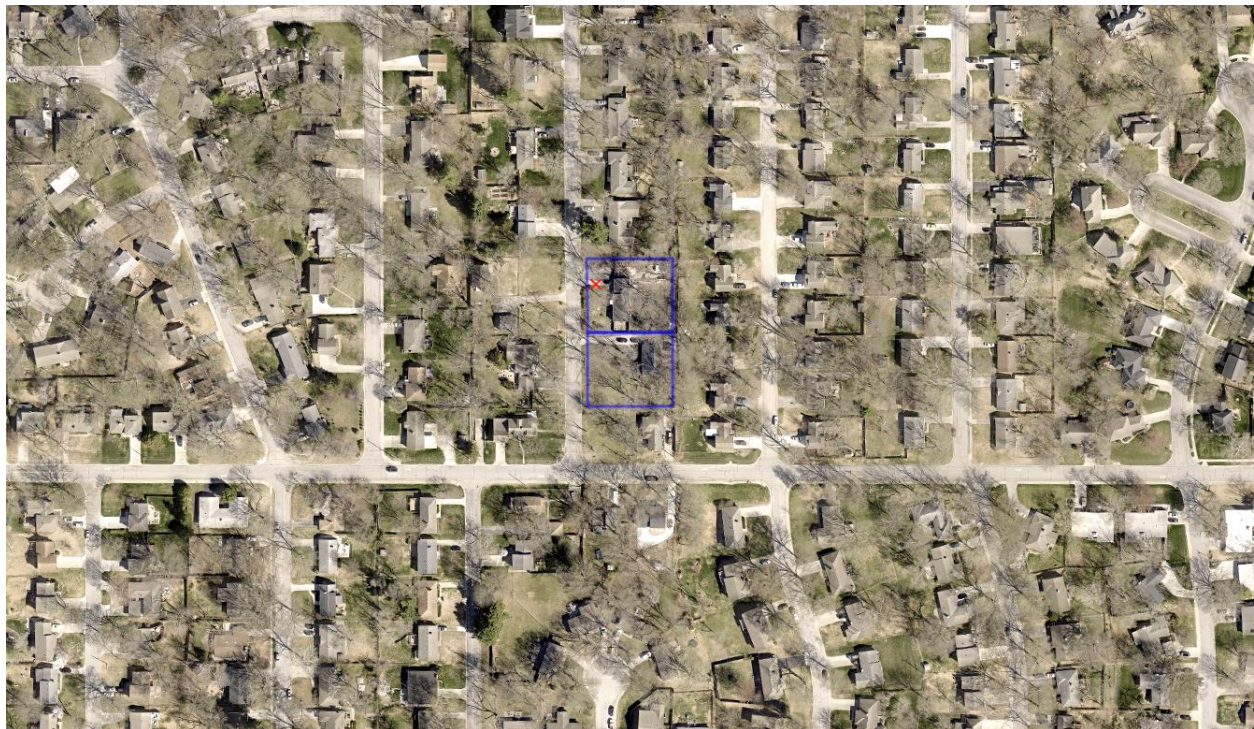
Related Case Files: PC 2020-106 Rezoning & Lot Split (7631 Reinhardt) - Denied
PC 2020-111 Rezoning and Lot Split (7641 Reinhardt) - Denied

Attachments Application, Replat

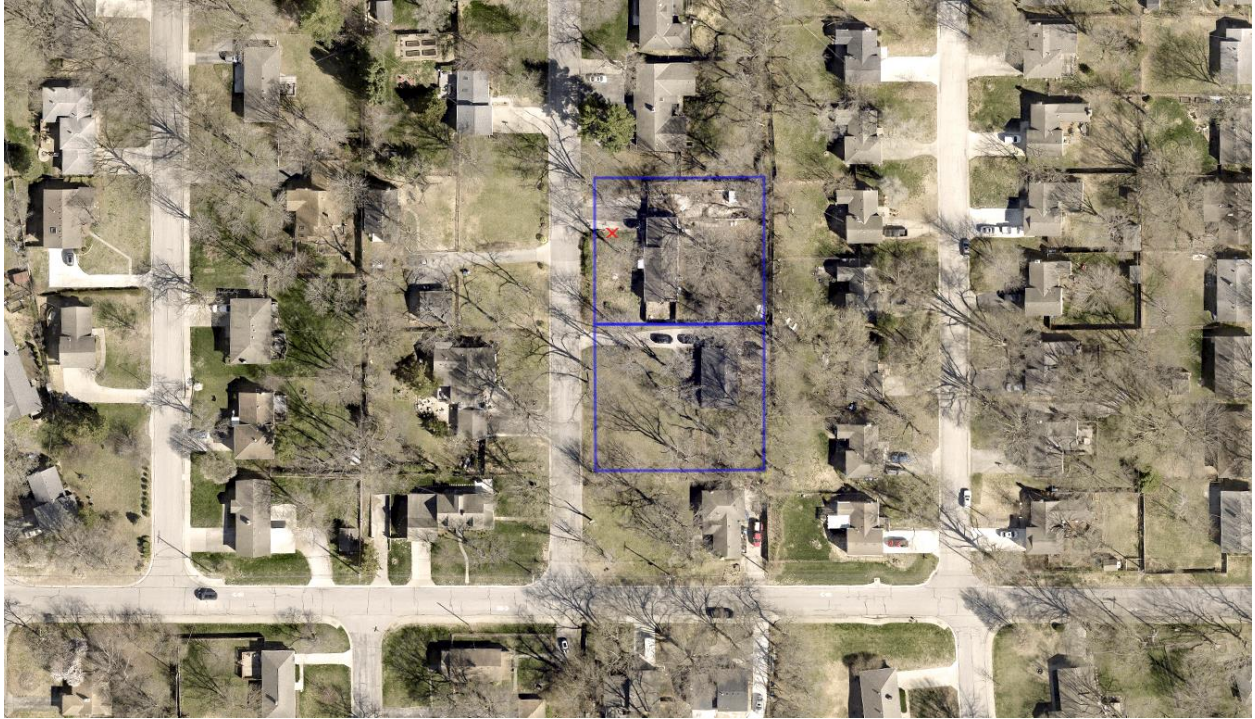
General Location Map



Aerial Map



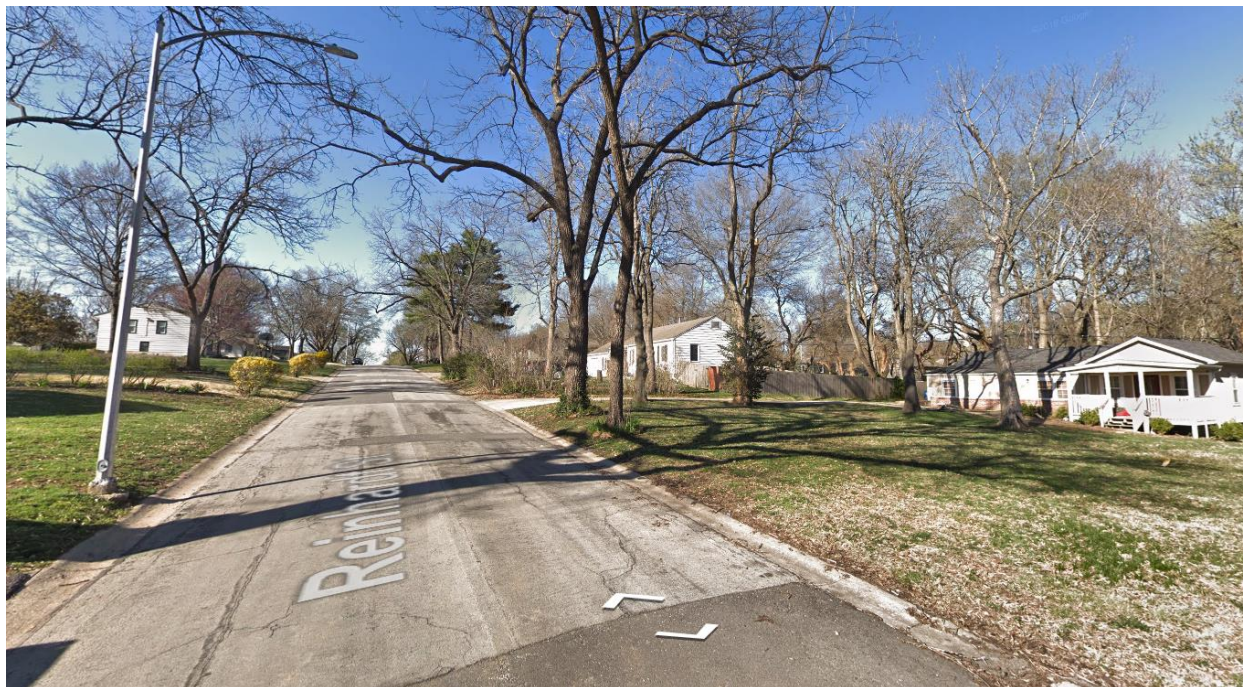
Block & Lot Aerial



Block & Lot Birdseye



Street View



Looking north on Reinhardt Street (subject lots on the right)



Looking south on Reinhardt Street (subject lots on the left)

SUMMARY

This property was originally platted in 1923 as part of a larger subdivision. The application includes 2 lots on the east side of Reinhardt Street, just north of 77th Street. Each lot includes a single-family dwelling, built in 1920 (Lot 10) and 1953 (Lot 9) according to Johnson County AIMS data. This proposal is to replat the 2 lots into 3 lots for redevelopment as single-family structures. The Prairie Village subdivision regulations does not have a specific approval process for replats, so the Final Plat process and criteria are used.

ANALYSIS

Plats are subject to standards of section [18.04](#) regarding the arrangement of streets, blocks, lots and easements. As a replat, and infill project most of these standards are not applicable to this application as they are already established by the original plat and pre-existing development patterns, other than the lot specific standards (lot size, building lines, and easements).

- **Lot Size** [\[18.04.090\]](#). The property is zoned R-1A which has a required minimum lot size of 80' x 120' [\[19.06.015\]](#). 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 two lots subject to this application are larger than required by the zoning district, and larger than several lots in the vicinity and on this block (they range from 79 to 120 feet wide, with a few in the 80 to 90 feet range.) Although most lots on this block are 120-feet wide, several in the vicinity on adjacent lots are between 64' and 80' wide. These lots are also in R-1A zoning and meet the R-1A lot size requirement, they are narrower than required due to pre-existing platting patterns.

The proposed lots are slightly over 80' wide and are approximately 140' deep, and meet this standard – they meet the minimum R-1A standards, are capable of being developed according to the R-1A development and design standards, and are comparable to the average sizes of lots within 300 feet.

- **Lot Configuration** [\[18.40.100\]](#). This standard requires all lots to fit into the overall block structure and lot pattern and result in buildable lots, and limits unusual configurations that do not relate to the streets and surroundings. Both the existing and the proposed lots are regular rectangles and meet this standard.
- **Building Lines** [\[18.40.110\]](#). The plat shows both the front and rear building lines, consistent with the zoning ordinance requirements for R-1-A. In addition, all lots will need to meet the side setbacks.
- **Utility Easements** [\[18.40.120\]](#). The subdivision regulations require a 5 feet utility easement on all side and rear lot lines. This standard applies more to larger-scale subdivisions to coordinate the layout of a range of potential utilities. The rear utility easement is the most important since it allows lots to be accommodated by either front-service facilities (in the right-of-way) or rear-service utilities (internal to blocks). The side requirement is mainly a contingency in the event that any access for public utilities is needed, and generally public utilities through side lot lines does not occur unless there is some other anomaly in the block, lot and utility structure. (Note: private service to individual lots and buildings may occur here but as private lines generally to not require easements.) Therefore the side utility easements are not typically necessary.

The proposed replat does not indicate easements as required by this section. In this case, the mid-block utility easement is already established by previous plats through a 10-foot easement on the rear of lots to the east front on Windsor Street. A 5-foot utility easement only on these three lots would not serve the intent of this requirement, unless there were some over-riding factors regarding utilities and access in this location. Therefore, staff would recommend waiving this requirement, unless the applicant felt a need to dedicate and easement for other utility and access issues revealed in the survey or other utility planning

- Sidewalk Requirements [18.04.130]. This section requires sidewalks on both sides of public streets, and subject to location criteria of public works. There are currently no sidewalks on this street, and constructing sidewalks on only three lots and a limited mid-block location would not meet the intent of this section. Staff recommends waiving this requirement for the replat.

RECOMMENDATION

Staff recommends that the Planning Commission approve of Sunset Hill Acres, Second Plat, replating lots 9 and 10 into three lots (34, 35, and 36), subject to the following conditions:

1. The applicant consider whether any easements are necessary, and particularly on the rear of the lots in association with the 10-foot easement on lots to the east, and if necessary provide easements on the plat prior to recording.
2. If any easements are necessary, the plat shall be submitted to the Governing Body for acceptance of easements; otherwise the plat may be recorded as approved by the Planning Commission.



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

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

Please complete this form and return with Information requested to:

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

Applicant: MOJO Built, LLC Phone Number: (913) 927-4197
Address: 5300 College Boulevard E-Mail: pat.boppant@mojofittbuilt.com
Owner: MOJO Built, LLC Phone Number: (913) 927-4197
Address: 5300 College Boulevard, OKS Zip: 66211
Location of Property: 7631 Reinhardt St + 7641 Reinhardt St.
Legal Description: Sunset Hills Acres, Lot 9 + Sunset Hills Acres, Lot 10
Applicant requests consideration of the following: (Describe proposal/request in detail) Combine the two properties of approx. 240' x 140' and split into 3 properties that are 80' wide x 140' deep each.

AGREEMENT TO PAY EXPENSES

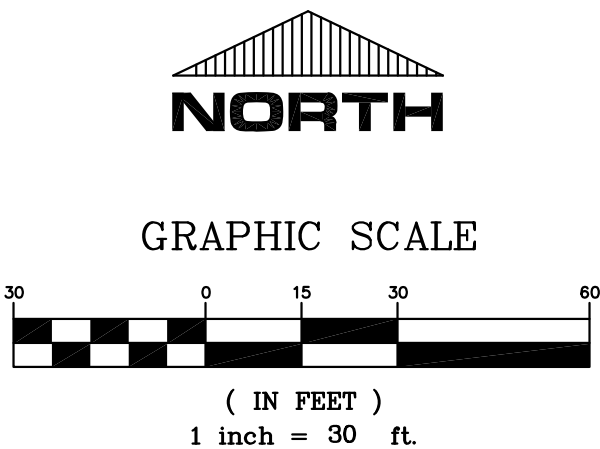
APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for a tot split replst of lots 9 + 10 Sunset Hill Acres. As a result of the filing of said application, CITY may incur certain 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.

Pat Boppant 6/14/22
Applicant's Signature/Date
Pat Boppant
MOJO Built, LLC

Joe Woods 6/14/22
Owner's Signature/Date
Joe Woods
MOJO Built, LLC

FINAL PLAT OF
SUNSET HILL ACRES, SECOND PLAT
A REPLAT OF LOTS 9 & 10, SUNSET HILL ACRES,
CITY OF PRAIRIE VILLAGE, JOHNSON COUNTY, KANSS



THIS IS TO CERTIFY THAT ON THE 1ST DAY OF JUNE 2022, THIS FIELD SURVEY WAS COMPLETED ON THE GROUND BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.A.R. 66-12-1.



BASIS OF BEARINGS: Kansas State Plane, North Zone

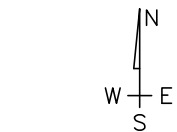
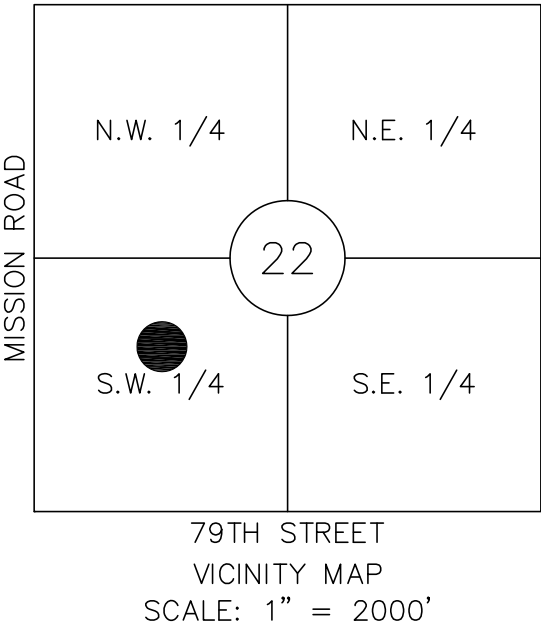
ERROR OF CLOSURE
Perimeter: 761.82' Area: 33713.20 Sq. Ft.
Error Closure: 0.0199 Course: N3°55'17"W
Error North: 0.01990 East: -0.00136

Precision 1:38282.41

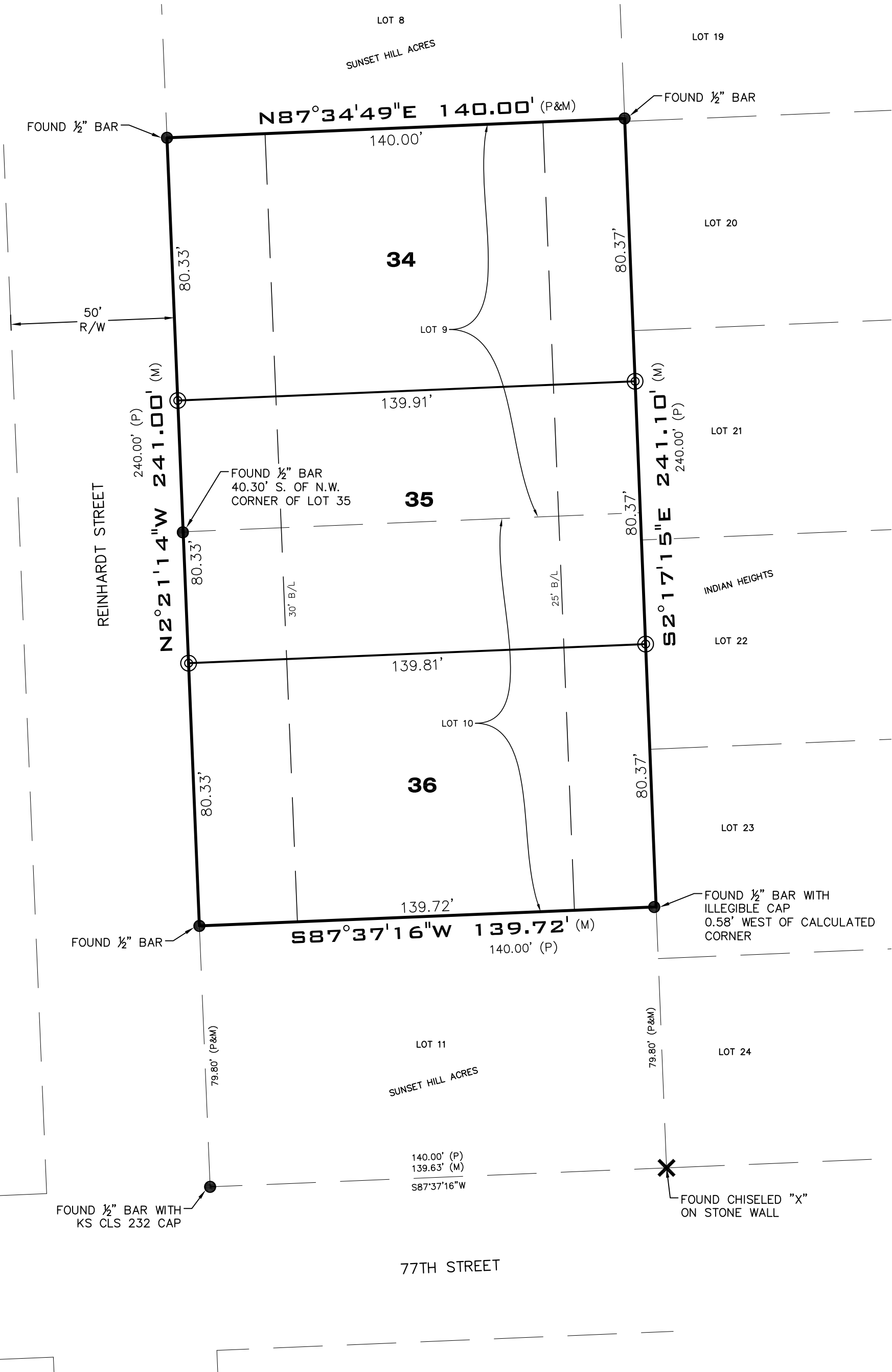
LEGEND

- BAR FOUND AS DESCRIBED, UNKNOWN ORIGIN UNLESS NOTED
- ⊙ SET 1/2" X 24" REBAR WITH PLASTIC KS CLS 93 CAP
- ✕ CHISELED "X" MARK FOUND
- B/L BUILDING LINE
- R/W RIGHT-OF-WAY

LOT	SQ. FT.
34	11,245
35	11,238
36	11,230



PROJECT LOCATION
SECTION 24-13-23



LEGAL DESCRIPTION

This is a resurvey and replat of all of Lots 9 and 10, SUNSET HILL ACRES, a subdivision of land in the City of Prairie Village, Johnson County, Kansas, containing 0.77 acres, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "SUNSET HILL ACRES, SECOND PLAT".

CONSENT TO LEVY

The undersigned proprietor of the above described tract of land hereby agrees and consents 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 assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this _____ day of _____ 20____.

MOJO Built, LLC

By: _____
Joe Woods, Managing Member

ACKNOWLEDGEMENT

STATE OF KANSAS)
COUNTY OF JOHNSON) SS:

BE IT REMEMBERED, that on this _____ day of _____ 20____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Joe Woods, Managing Member of MOJO Built, LLC, who is personally known to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same for himself and for the uses and purposes herein setforth.

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

My Commission Expires: _____
Notary Public

APPROVAL

APPROVED BY, the Planning Commission of the City of Prairie Village, Johnson County, Kansas, this _____ day of _____ 20____.

By: _____
Gregory T. Wolf, Chairman

PREPARED FOR:
MOJO Built, LLC
5300 College Blvd
Overland Park, Kansas 66211

SUNSET HILL ACRES, SECOND PLAT



**CIVIL ENGINEERS
LAND SURVEYORS - LAND PLANNERS**
122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076
FAX: (913) 764-8635
14 W. PEORIA
PAOLA, KANSAS 66071
PHONE: (913) 557-1076
FAX: (913) 557-6904