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<https://www.facebook.com/CityofPrairieVillage>.

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, MAY 2, 2023
7700 MISSION ROAD
COUNCIL CHAMBERS
7:00 P.M.**

I. ROLL CALL

II. APPROVAL OF PLANNING COMMISSION MINUTES

- March 7, 2023
- April 4, 2023

III. OLD BUSINESS

IV. PUBLIC HEARINGS

PC2023-106 Renewal of special use permit for the operation of a country club
4100 Homestead Court
Zoning: R-1A
Applicant: Homestead Country Club

V. NON-PUBLIC HEARINGS

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 MARCH 7, 2023

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, March 7, 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: Patrick Lenahan, Nancy Wallerstein, and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Greg Shelton, Council Liaison; Mitch Dringman, Building Official; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Lenahan moved for the approval of the minutes of the February 7, 2023, regular Planning Commission meeting. Mr. Valentino seconded the motion, which passed 3-0, with Mrs. Wallerstein in abstention.

PUBLIC HEARINGS

PC2023-103 Renewal of Special Use Permit for Service Station and Convenience Store
Hy-Vee Fast & Fresh
7720 State Line Road
Zoning: C-2
Applicant: Hy-Vee, Inc.

Mr. Brewster stated that the applicant was requesting the renewal of a special use permit for a service station. The original special use permit was issued to Getty, Inc. in 1983 for a period of twenty years. It was transferred to new owners in 1995 and amended to include a food mart. The permit was renewed in 2003 with no proposed changes to the site or operations. Mr. Brewster noted that the 20-year period of the current permit term was expiring, and the applicant was again requesting renewal with no changes to the site or operations. He added that the City did not have records of any complaints or other reports of non-compliance with ordinances or the conditions of the special use permit.

Mr. Brewster said that the property was zoned C-2, and the building and site met all C-2 standards. Service stations and retail stores are permitted uses in C-2, subject to review and approval of a special use permit. The permit application is accompanied by a survey demonstrating all facilities unchanged from the most recent site plan approved by the City.

Mr. Brewster noted that staff recommended that the Planning Commission should recommend approval of the renewal of the special use permit to City Council, subject to the following conditions:

1. A landscape plan shall be submitted and approved by staff that brings the site further into compliance with the landscape standards. The plan shall include:
 - a. At least 6 but no more than 12 street trees. The species and location shall be determined by the City's landscape architect and Public Works, with the range dependent on location of existing trees, configuration of landscape areas and other site considerations.
 - b. Low-level and ornamental landscape associated with the monument sign and compliant with any applicable sight distance requirements.
2. Staff recommends approval with no expiration date, but the permit is subject to revocation for non-compliance with any ordinance standards, other regulations, or special use permit conditions; or if unforeseen problems or significant changes in conditions in the area make the use and operation no longer consistent with the findings of the Commission.
3. The application be subject to all other conditions of the original special use permit, which are listed as:
 - a. The existing canopy lighting be retained, and no glare be visible on adjacent streets and properties. If the applicant desired to change the fixtures or light intensity in the future it must be approved first by the Planning Commission as a site plan modification.
 - b. Since no changes are proposed to the service station, the site plan illustrating existing development is the approved site plan. Any changes in the signage, rebranding architectural style, or exterior materials of the buildings and structures shall be submitted to the Planning Commission for site plan approval.
 - c. That future changes and improvements to the site be handled as a site plan approval rather than an amendment to the special use permit.
 - d. That the special use permit "run with the land" and remain valid for a period of twenty years from the date of City Council approval. (*Staff now recommends no expiration, subject to on-going enforcement and/or revocation for non-compliance*).
 - e. If the permit is found not to be in compliance with the terms of the approval of the special use permit, it will become null-and-void within 90 days of notification of noncompliance, unless the noncompliance is corrected.
 - f. That the applicant be responsible for the mitigation and cleanup of any environmental contamination as determined by the Kansas Department of Health and Environment.

Tom Smith from McClure Engineering, 11031 Strang Line Road, Olathe, KS, was present in representation of the applicant.

Mr. Wolf opened the public hearing at 7:07 p.m. With no one present to speak, Mr. Wolf closed the hearing at 7:08 p.m.

Mr. Lenahan made a motion to recommend approval of PC2023-103 to the City Council as presented. Mr. Valentino seconded the motion, which passed 4-0.

NON-PUBLIC HEARINGS

PC2023-104 Lot Split - 4000 W. 85th Street and 4004 W. 85th Street
 Zoning: R-1A
 Applicant: Kevin Green Homes

Mr. Brewster stated that the applicant was requesting to split an existing lot into two lots to allow 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 replatted 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.

Mr. Brewster said that 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. Six similar applications have been filed and approved by the Planning Commission for lots 8 through 13.

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. Lenahan made a motion to approve PC2023-104 as presented. Mr. Valentino seconded the motion, which passed 4-0.

OTHER BUSINESS

None

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 7:12 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary

PLANNING COMMISSION MINUTES APRIL 4, 2023

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, April 4, 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: Jonathan Birkel, James Breneman, Melissa Brown, Nancy Wallerstein, and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Greg Shelton, Council Liaison; Mitch Dringman, Building Official; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

There were not enough members that attended the March 7 meeting present to approve the minutes. The minutes will be approved at the May 2 meeting if enough members are in attendance.

PUBLIC HEARINGS

PC2023-105 Amendment of special use permit for the operation of a private school
Highlawn Montessori School
3401 Somerset Drive
Zoning: R-1A
Applicant: Friends of Montessori Association

Mr. Brewster stated that the applicant was requesting an amendment to an existing special use permit to include an additional property to the east, located at 3401 Somerset Drive, for playground expansion. The lot currently contains a single-family house which will be removed. The application includes a conceptual plan of the playground expansion, landscaping, and a future drop off drive lane along Somerset Drive. The drive lane would utilize existing driveways on the playground lot and on 3401 Somerset Drive for entrance and exit. This portion of the concept plan is subject to further review by Public Works and may require more specific plans prior to permitting and construction.

Mr. Brewster noted that the City Council approved the first phase of the Highlawn Montessori School as a special use permit on March 7, 1977; the second phase was approved in April 1984, and a third phase was approved in October 1993. In June 2009, the expansion to the east lot for a playground and open space was approved, and in

March 2012 and December 2014, the additions for new second floor classrooms were approved. Currently, the school has a capacity of approximately 216 students and nine classrooms.

The conditions for approval of the 2014 special use permit amendment are as follows:

1. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
2. That the following requirements be implemented to address traffic:
 - a. The Montessori School shall coordinate the parent and staff traffic education program with the Prairie Village Police Department Traffic Unit.
 - b. If traffic is an issue for either the preschool or elementary classes, as determined by the Police Department, the applicant's traffic engineer will work with the Police Department to resolve the issue. This may result in staggering start times. This will be observed on a semester basis and adjustments will be made accordingly.
3. That the applicant use the driveway on the east lot to accommodate at least two parking spaces for staff.
4. That the materials be the same as the existing structure, with the exception of adding stone, and that the applicant construct the addition in accordance with the plans dated 10/3/2014.
5. That the special use permit be approved for a maximum of nine classrooms (5 primary and 4 elementary) and one multi-purpose room with a maximum enrollment of 24 students per classroom for a total that does not exceed 120 primary and 96 elementary students.
6. That the applicant protect existing major trees during the demolition and installation of new improvements.
7. That the special use permit be approved for an indefinite period provided that the applicant obtains a building permit and starts construction within two years after the date of approval by the Governing Body.
8. If the applicant is found to be in non-compliance with the conditions of the special use permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.

The current application is for expansion of the playground and open space only and does not include any additional capacity or classroom expansions.

Mr. Brewster said that the property is zoned R-1A, Single-family Residential District, and both private schools and day care centers are allowed by special use permit. 3531 Somerset Drive is the location of the school authorized by the original special use permit and amendments. 3409 Somerset is the location of the existing playground and is authorized by the special use permit amendment in 2009. 3401 Somerset Drive includes a single-family house and is the subject of this proposed amendment. All lots meet the R-1A zoning standards, as well as the conditions and criteria of the existing special use permit.

Mr. Brewster stated that staff recommended that the Planning Commission should recommend that the City Council approve the renewal of the special use permit subject to the following:

1. The use continues to comply with all conditions of the original special use permit and renewals from the 2014 amendment noted above, and all other applicable standards of the zoning ordinance.
2. The proposed drive lane along the front is approved in concept but is subject to further review and permitting by Public Works according to the City's driveway standards and specifications.
3. The plant specifications (species, size, quantity) for the landscape along the front fence and any associated shade trees is subject to the City's landscape standards and shall be approved by the City's landscape architect at the time of permitting.
4. Replacement of street trees is subject to the City's tree preservation requirements, and subject to review and approval by Public Works.
5. The proposed monument sign is conceptual; the specific location and design shall be subject to City standards and reviewed at the time of a specific sign permit.
6. This special use permit is associated with the current owner and accessory to the operation at 3531 Somerset Drive, and if the property is sold to a different owner the special use permit and authorizations of this application applied to 3401 Somerset Drive shall be void.

Mrs. Wallerstein asked if parking spaces would be included in the proposed drive lane. Mr. Brewster stated that he believed there would be parallel parking spaces along the curb. Mrs. Wallerstein said that she was concerned for the safety of children walking between parked vehicles and those pulling into the driveway.

Kathy Morrison, Director of Highlawn Montessori School, 3531 Somerset Drive, was present to discuss the application. She stated that safety was the primary priority of the school, and that the new driveway would only be used for the drop-off and pick-up of students participating in after-school programs. She added that expanding the playground would allow for more recess periods for students. Lastly, she noted that she would be

working with the City Arborist to discuss the replacement of the existing sweet gum trees on the property.

Mr. Wolf asked for additional information about the proposed synthetic turf area. Ms. Morrison said that adding turf to the playground area would be easier to maintain than grass and would include appropriate drainage based on requirements set forth by Public Works. She added that installation would happen in the future when funding became available.

Mr. Wolf opened the public hearing at 7:30 p.m.

- The following residents shared concerns about the addition of the new driveway, stating that it would result in increased traffic in the surrounding neighborhood as well as remove existing green space:
 - Adam Gasper, 8031 Canterbury Street
 - Jacob Gears, 3225 W. 81st Street

Both residents indicated that they had no objections to the playground expansion.

- Douglas Lenhart, 3317 W. 81st Street, shared his support for the proposed changes.

With no one else present to speak, Mr. Wolf closed the hearing at 7:46 p.m.

Mr. Valentino stated that he didn't believe the commission had enough information about the planned driveway to consider approval. He suggested that the application should either be considered with the driveway excluded, or that the entire application should be continued to the next meeting to give Public Works time to evaluate the proposal.

After further discussion, Ms. Morrison agreed to have the Planning Commission consider the proposal without the driveway.

Mr. Valentino made a motion to recommend approval of PC2023-105 to the City Council with the exception of the proposed driveway. Mr. Brenneman seconded the motion, which passed 4-2, with Mr. Birkel and Mrs. Wallerstein in opposition.

NON-PUBLIC HEARINGS

None.

OTHER BUSINESS

Continued housing discussion on R-2, R-3, R-4, mixed use, and commercial zoning areas

Ms. Lee said that the Planning Commission had decided to focus on R-2, R-3, R-4, mixed use and commercial zoning areas at its February 7, 2023, meeting. She noted that public forums would be the next step in the process, with a proposed date for the first session on May 23 at the Meadowbrook Clubhouse. The forums would be “open house” events at which attendees could discuss proposed plans with staff and provide feedback through discussion, feedback sheets, and online forms.

Mr. Brewster said the intent of the forums would be to do the following:

- Increase awareness and understanding of what housing options could mean in different contexts in Prairie Village:
 - Concepts and diagrams of housing options
 - General applicability (R-2, R-3, R-4, and C- districts)
- Contribute public perspective on housing options to future Planning Commission and City Council discussions and zoning strategies

He added that consideration would be given to diversifying housing options, maintaining the integrity of neighborhoods, and analyzing current zoning and opportunities for change, such as:

- Are compact lots and building types appropriate, and where?
- Are taller building formats appropriate, and where?
- Should there be greater distinction between R-2, R-3, and R-4 districts?
- Should housing be integrated into commercial areas, and if so, how?

Lastly, Mr. Brewster said that consideration should be given to how changes could occur:

- What design attributes are important for different housing options?
- What elements are essential to maintain the integrity of PV neighborhoods?

Several commission members supported holding two public forum sessions of approximately two hours each. Mr. Brewster said that after the forums, there would be multiple Planning Commission work sessions to consider results, followed by another public forum and lastly a public hearing.

Commission members noted that they would favor additional guidance from the City Council before making any recommendations.

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 8:28 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: May 2, 2023 Planning Commission Meeting

Application: PC 2023-106

Request: Special Use Permit Renewal

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

Property Address: 4100 Homestead Court

Applicant: Homestead Country Club

Current Zoning and Land Use: R-1A Single-Family Residential – Country Club

Surrounding Zoning and Land Use: **North:** R-1A Single-Family Residential - Single-Family Dwellings
East: R-1A Single-Family Residential - Single-Family Dwellings and vacant lots planned for Single-Family Dwellings
South: R-1A Single-Family Residential - Single-Family Dwellings
West: R-1A Single-Family Residential - Single-Family Dwellings

Legal Description: Metes and Bounds - Lot 1 and Lot A Block II Indian Fields

Property Area: 9.1 acres (396,325.45 s.f.)

Related Case Files: PC 2022-101 Revised Site Plan
PC 2021-119 Revised Site Plan
PC 2020-119 Revised Site Plan
PC 2019-110 Revised Site Plan
PC 2018-124 Revised Site Plan
PC 2018-01(Revised) Amended Site Plan
PC 2018-01 Special Use Permit Amendment & Site Plan
PC 2016-06 Rezoning from R-1A to RP-1A (withdrawn)
PC 2014-123 Preliminary and Final Plat, Homestead Estates
PC 2016-123 Request for Monument Sign
PC 2014-09 – Special Use Permit Approval
PC 2013-118 Site Plan Approval for Two Platform Tennis Courts
PC 2011-107 Site Plan Approval for Two Platform Tennis Courts
PC 2002-10 Special Use Permit for Wireless Communication Towers
PC 2001-107 Site Plan Approval for New Swim and Tennis Facilities
PC 1996-107 Site Plan Approval for Air Supported Structure
PC 1992-102 Addition to Four Seasons Building
PC 1988-109 Site Plan Approval for Addition to Tennis Pro Shop
PC 1982-__ Special Use Permit
PC 95-07 Amended Special Use Permit

Attachments: Application and support documents

General Location Map



Aerial Map



Site



Bird's eye view of block



Bird's eye view of site

Background:

Homestead County Club was built in 1954 and has been operating under a special use permit since 1982. The special use permit has been renewed and amended several times to account for different operations and development activity.

This application is to renew the Special Use Permit due to the set expiration date (5 years) from the 2018 Site Plan and Special Use Permit renewal. No additions or changes to the current site or operations are proposed with this application.

This project has the following specific case history:

- 1988 through 2013 – Site Plan Amendments – several site plan approvals for building and court configurations.
- December 2014 – SUP Amendment, Preliminary and Final Plat – Removal of the front 5.62 acres from the SUP for the platting and sale of 11 single family lots; addition of a seasonal enclosure and site and parking reconfiguration.
- May 2018 – Site Plan and SUP – remodel of club house, conceptual elevations for tennis enclosure, and renewal of SUP
- August 2018 – Site Plan Revisions – reconfiguration of courts
- December 2018 – Site Plan Revisions – revised elevations of tennis enclosure
- May 2019 – Site Plan Revisions – reconfiguration of courts and change to parking area (convert two tennis courts to parking)
- November 2020 – Site Plan revisions – addition of pickle ball courts, extension of parking area to northwest (leaving one remaining court), and landscape plan revisions (reallocating tennis structure foundation planting to perimeter). (Planning Commission deferred action until neighborhood complaints addressed)
- July 2021 – Site Plan Revisions – continuation of the November 2020 site plan revisions. (Planning Commission approved a portion of the plan, but deferred action on the enclosed pickle ball structure)
- November 2021 – Site Plan Revisions – enclosed pickle ball structure, accessory structure, and proposed pool deck structure. Application denied and asked to resubmit with more specific details on the enclosed pickleball structure and poolside deck before approval could be granted.
- January 2022 – Site Plan Revisions – submitted application for enclosed pickle ball courts, accessory structure, and covered poolside deck.

The applicant held a neighborhood meeting on April 12th, 2023, in accordance with the City's Resident Participation Policy, and has provided background on the meeting to supplement the application.

Zoning Requirements:

The property is zoned R-1A Single Family Residential District and the building and site meet all R-1A standards, and particularly those applied to permitted civic and institutional uses in the R-1A district. "Country clubs and private clubs" are permitted in the R-1A zoning district subject to special use permits and this application is to renew the existing special use permit, with no proposed changes to the use or development on the site.

Special Use Permit Factors:

The Planning Commission shall make findings of fact to support its recommendation to approve, conditionally approve, or disapprove this special use permit. It is not necessary that a finding of fact be made for each factor. However, there should be a conclusion that the request should be approved or denied based upon consideration of as many factors as are applicable. The factors to be considered in approving or disapproving a special use permit include the following [19.28.035:]

A. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.

The building and site meet all standards of the R-1A zoning district, and no changes are proposed to the buildings or site in association with this application. The site is compliant with the most recent site plan approval associated with the special use permit.

B. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.

The proposal is the renewal for an existing building and use, that was originally approved in 1982, and amended in 1995, 2002, 2014, and 2018. The 2018 updated permit was limited to 5 years based on the extent of changes that were proposed to the site. These changes were also adjusted and revised through several site plans between 2018 and 2021, where a number of issues on the design and operations were addressed, including impacts of lighting on adjacent property. The current operations are in conformance with all of the conditions of the 2018 permit, and the City has not received any recent complaints regarding construction and operations permitted through the latest site plan.

C. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

Similar to the analysis in B., the use and facilities have been in operation at this site for over 65 years. Some recent changes have altered the operations and relationship to adjacent property and have been managed through amendments to the special use permit and site plan review. This application is a renewal of the permit subject to all previous approvals, and there are no new activities or development proposed that could pose substantial injury to the value of other property.

D. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood consideration shall be given to:

- 1. The location, size, nature and height of buildings, structures, walls, and fences on the site; and**
 - 2. The nature and extent of landscaping and screening on the site.**
-

There are no changes to the proposed site. It is situated at the interior of a neighborhood due to historical development patterns and practices with regard to housing and private clubs in Northeast Johnson County. Recent changes to add a cul-de-sac and residential use on the front property have placed this use in a unique situation, which has been managed through site plans and platting for both the club and the new housing. These include landscape on the perimeter of the property and operation limitations that ensure the club and the abutting property remain compatible. These limitations and design strategies are important to maintain the ongoing operation of the club in a compatible manner with surrounding property.

- E. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

This is a renewal for an existing site, building, and use, and does not trigger application of any new parking standards. The unique nature of the site and use have allowed the applicant to manage parking for the various activities that occur on this site. Some activities or events present challenges for parking during limited times, and Public Works has assisted in management and limitations of on-street parking. There are no changes proposed that would alter this current situation, and it is anticipated that this issue will continue to be managed in a similar way in the future.

- F. Adequate utility, drainage, and other such necessary facilities have been or will be provided.**

The application is for the continuation of an existing building and site, with no site development activity. There are adequate utilities in the area, and there have been no recent reports of drainage issues caused by the existing site layout. Past issues with drainage impacts have occurred primarily as a result of development of the single-family lots and are managed through administration of development on those properties.

- G. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.**

There are no proposed changes to the access or intensity and operations on the site. As indicated in item E., the site has generally functioned as anticipated with respect to access and traffic, and the issues and challenges for events occur in limited time periods that are managed between the applicant, residents, and Public Works.

- H. Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises.**

There are no known or anticipated hazardous or toxic materials or processes as a result of this use. Any noise issues would be managed through the City-wide noise ordinance applicable to all property throughout the city.

I. Architectural style and exterior materials are compatible with such style and materials used in the neighborhood in which the proposed building is to be built or located.

No changes are proposed for the building or site, and the site meets all applicable standards and conditions of previous approvals. Should any changes be proposed in the future the application shall be subject to the standard in effect at that time.

Recommendation:

Staff considers that the facts support the findings required renew the special use permit, and that the Planning Commission should recommend that the City Council approve the renewal of the special use permit subject to the following:

1. All conditions and limitations of previous special use permits, renewals, and site plans remain in effect, specifically noting the following:
 - a. The Special Use Permit is approved for a Country Club/Private Club which includes swimming, physical fitness, tennis, other similar recreational facilities and dining activities including the sales of beer, wine and alcoholic beverages, all of which will be available only to members and their guests.
 - b. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
 - c. That the special use permit shall run with the land.
 - d. If the applicant is found to be in non-compliance with the conditions of the special use permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.
 2. The following changes shall require review of a site plan by Planning Commission, and any significant changes could be considered an alteration of the special use permit requiring amendment of the permit through applicable procedures.
 - a. Changes to buildings and structures, including expansion, addition, new buildings and structures, or significant alteration of the style or appearance of buildings.
 - b. Changes to outside operations including the number, configuration, lighting, or orientation of sport courts and pool facilities, or other activities that could impact visual and audible impacts on property.
 - c. Changes to access and circulation, including the design, layout, and operation of parking areas, and the level of events and activities that affect peak parking and parking management strategies.
 - d. Significant changes to landscape that alter the relationship to surrounding properties.
 3. Staff may verify that all conditions of prior site plan approvals, and particularly related to parking, lighting, drainage, and landscape, comply and any non-compliance is corrected in accordance with condition 1.d.
 4. The special use permit shall be valid for a period of 10 years according to these conditions and limitations, and upon expiration shall require evaluation and
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potential renewal of the permit subject to the applicable standards, and the circumstances of the property and surrounding area at that time. If at any time the use is discontinued or abandoned the special use permit will expire in accordance with Section 19.28.055. Expiration of Special Use Permits

App# 0030405
Cust# 010335

SPECIAL USE PERMIT APPLICATION

CITY OF PRAIRIE VILLAGE, KANSAS

For Office Use Only

Case No.: PC2023-106
Filing Fees: \$100.00
Deposit: \$500.00



Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____

APPLICANT: Homestead Country Club PHONE: 913-262-4100

ADDRESS: 4100 Homestead Court, Prairie Village, KS 66208 E-MAIL: jpflughoft@hulsinghotels.com

OWNER: 73016 LLC PHONE: 913-274-1429

ADDRESS: 4100 Homestead Court, Prairie Village, KS ZIP: 66208

LOCATION OF PROPERTY: 4100 Homestead Court, Prairie Village, KS 66208

LEGAL DESCRIPTION: See attached

ADJACENT LAND USE AND ZONING:

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

Present Use of Property: Commercial - Country Club

Please complete both pages of the form and return to:
Planning Commission Secretary
City of Prairie Village
7700 Mission Road
Prairie Village, KS 66208

Does the proposed special use meet the following standards? If yes, attach a separate Sheet explaining why.

	Yes	No
1. Is deemed necessary for the public convenience at that location.	X	
2. Is so designed, located and proposed to be operated that the public health, safety, and welfare will be protected.	X	
3. Is found to be generally compatible with the neighborhood in which it is proposed.	X	
4. Will comply with the height and area regulations of the district in which it is proposed.	X	
5. Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential use from any injurious effect.	X	
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided.	X	

Should this special use be valid only for a specific time period? Yes _____ No ☒ _____

If Yes, what length of time? _____

SIGNATURE: _____

DATE: _____

BY: Dennis Hulsing

TITLE: Owner

Attachments Required:

- Site plan showing existing and proposed structures on the property in questions, and adjacent property, off-street parking, driveways, and other information.
- Certified list of property owners

Homestead Country Club

Current Ownership

Dennis Hulsing 100%

Dennis Hulsing is the sole member of Hulsing Enterprises, LLC.

Hulsing Enterprises, LLC

Sole member of 73016, LLC (100%)

73016, LLC

Sole owner of Homestead Country Club

Homestead Country Club

4100 Homestead Court

Prairie Village, KS

LEGAL DESCRIPTION

INDIAN FIELDS LT 1& LT A BLK 11 EX ALL LT 1 & PT LT A BG NECR 16-12-25 S
1206.47' W 30' TO W/L MISSION RD & TRUE POB W139.41' N 15' NW 439.73' & 87.65'
SW 131.59' & 43' SE CURLF 156.58' NE CUR RT 34.91' SW 125' SE 240' SW 135.46' E
478.41 N 295.09' TO POB

PVC 407A 36

**CITY OF PRAIRIE VILLAGE
SPECIAL USE PERMIT APPLICATION**

Homestead Country Club
4100 Homestead Dr
Prairie Village, KS
Case No. PC 2018-01
Attachment

1. Is the proposed special use necessary for the public convenience at that location?

Yes. Homestead Country Club was constructed in 1954. As with any aging facility, improvements are necessary to meet the public's needs. The proposed special use permit will allow Homestead Country Club to improve the tennis and fitness facilities to members by adding 2250 sq. ft. of indoor space, including a yoga room, spinning room, group fitness room and offices. Additionally, four outdoor tennis courts will be enclosed. Homestead Country Club will cease using a "bubble" to enclose those courts during winter months. This permits year-round tennis play, enhancing the beautify of the property and allowing year-round tennis. The proposed special use permit will also expand the outdoor dining area. These improvements are necessary to meet current member and community needs and maintain the property as it ages.

2. Is the proposed special use designed, located and proposed to be operated so that the public health, safety, and welfare will be protected?

Yes. This expansion is designed to improve public health and safety at Homestead Country Club. Renovating the facility ensures it meets current building standards. The facility is set back from the road, protecting the residential area and providing a safe haven for the neighborhood.

3. Is the proposed special use generally compatible with the neighborhood in which it is proposed?

Homestead Country Club has been located at this site for more than half a century. The homes that have grown around it benefit from this improvement as it will raise property values and make the neighborhood a more desirable place to live.

4. Will the proposed special use comply with the height and area regulations of the district in which it is proposed?

Yes. The facilities were designed by BRR Architecture to comply with height and area regulations. The tennis building will be the tallest building, meeting City of Prairie Village Zoning Regulation §19-10.015 limitations of 35'.

5. Are off-street parking and loading areas provided and screened from residential areas?

Off-street parking is provided in accordance with the City of Prarire Village Subdivision Regulation §18.04.080. The existing parking will be expanded, with the expansion reaching toward the clubhouse and away from residences. Tennis courts adjacent to the residences will also be improved, and current screening from neighboring residence maintained.

6. Have adequate utility, drainage and other such necessary facilities been provided?

Yes. Adequate drainage and lighting are critical for a successful tennis facility, so Homestead Country Club has paid particular attention to ensuring the renovations meet these requirements.

AFFIDAVIT

STATE OF KANSAS)
) ss.
COUNTY OF JOHNSON)

Jeff Pflughoft - Owner Agent, being duly sworn upon his oath, disposes and states:

That he is the (owner) (attorney for) (agent of) the tract of land for which the application was filed. That in accordance with Section 19.28.025 of the Prairie Village Zoning Regulations, the applicant placed and maintained a sign, furnished by the City, on that tract of land. Said sign was a minimum of two feet above the ground line and within five feet of the street right-of-way line in a central position of the tract of land and had no visual obstruction thereto.


(Owner/Attorney for/Agent of)

Subscribed and sworn to before me this 13 day of April, 2023




Notary Public or Planning Commission Secretary

Application No. PC2023-106

Jeff Pflughoft, being duly sworn upon his oath, deposes and states:

1. I am the (owner of) (attorney for) (agent of) the property described in the attached notice upon which an application has been filed before the Planning Commission of the City of Prairie Village, Kansas.
2. On the 12th day of April, 2023 a public information meeting was held pursuant to the Citizen Participation Policy adopted on June 6, 2000, by the Planning Commission
3. On the 6th day of April, 2023, I did comply with notification requirements to landowners as stated Section 19.28.020, of the Prairie Village Zoning Regulations and notified in letter by certified mail all owners of land located within 200 feet of the described real property. Notice was mailed to the following:

Name

Address

See attached list

I certify that the foregoing is true and correct.

Jeff Pflughoft

Name

4100 Homestead Court, Prairie Village, KS

Address

ORDINANCE 2385

AN ORDINANCE APPROVING A SPECIAL USE PERMIT FOR THE OPERATION OF A COUNTRY CLUB/PRIVATE CLUB AT 4100 HOMESTEAD COURT, PRAIRIE VILLAGE, KANSAS

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

Section I. Planning Commission Recommendation. At its regular meeting May 1, 2018, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve a Special Use Permit for the operation of a country club/private club at 4100 Homestead Court subject to the following conditions:

1. All storm water recommendations of the study submitted to Public Works demonstrating that all site concerns and potential impacts are addressed through underground detention, rain gardens and other BMPs be reviewed at the time of construction and approved by public works as compliant with the drainage study prior to approval.
2. A dimensioned site plan, to scale, be submitted confirming that proposed buildings are in compliance with all zoning and development standards and the dimensions shown in the conceptual site plan.
3. A dimensioned landscape plan be submitted for the entire site, in addition to the detailed plan for the parking area and building plan, and that particular attention to the perimeter areas including new structures, outdoor activities and the parking area. All landscape will be maintained or replaced. This landscape plan shall be approved by staff, based on the following recommendations:
 - Evergreen trees be added on the north side, with a particular focus on the parking area;
 - The perimeter plantings on the west and south boundaries be specified considering a combination of evergreen, deciduous and ornamental trees to complement the existing healthy trees to remain.
4. Specification of materials and colors consistent with the conceptual elevations, and/or provide material samples prior to the final approval by the Planning Commission.
5. A specific parking count be listed on the site plan, including compliance with ADA guidance on the number of accessible and van accessible spaces.
6. In the event that the Planning Commission recommends approval of the amended special use permit, all conditions of the previous approval (PC 2014-09) remain in effect, and that the seasonal permit for the air bubble be eliminated upon the proposed permanent tennis structure being approved for occupancy. Specifically those are as follows:

- a. That the required parking of 98 spaces be approved for the project, including compliance with ADA guidance on the number of accessible and van accessible spaces
 - b. The hours of operation be approved from 6:00 a.m. to 10:00 p.m., Monday through Friday, and 8:00 a.m. to 10:00 p.m., Saturday and Sunday. All lighting to be reduced to only security levels after 10:00 p.m.
 - c. That the Special Use Permit be approved for a Country Club/Private Club which includes swimming, physical fitness, tennis, other similar recreational facilities and dining activities including the sales of beer, wine and alcoholic beverages, all of which will be available only to members and their guests.
 - d. That the Club shall comply with all statutes of the State of Kansas and all ordinances of the City of Prairie Village relating to alcoholic liquor and/or cereal malt beverage and the sale or dispensing thereof.
 - e. That the Special Use Permit shall run with the land.
 - f. That any significant change to the exterior of any existing buildings, the replacement of buildings, the expansion of buildings, the construction of new buildings or changes to the site such as entrances and parking and major grading changes shall be submitted to the Planning Commission for Site Plan review and approval.
 - g. That the Special Use Permit be approved for a period of five years with the reevaluation of the conditions and shall be renewed and approved if all conditions have been met, if however, it is discontinued or abandoned the Special Use Permit will expire in accordance with Section 19.20.055. Expiration of Special Use Permits.
 - h. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.
 - i. That the applicant obtain an easement of access to serve this property until Homestead Court is constructed.
 - j. That parking lots shall be 15 feet from the street and 8 feet from other property lines.
7. Any new lighting will be directional and applicant will provide a good faith effort to replace existing lighting with directional lighting if it's cost effective.

Section II. Findings of the Governing Body. At its meeting on May 21, 2018, the Governing Body adopted by specific reference the findings as contained in the minutes of the Planning Commission meeting of May 1, 2018, and the recommendations of the Planning Commission and approved the Special Use Permit as docketed PC2018-01.

Section III. Granting of the Special Use Permit. Be it therefore ordained that the City of Prairie Village grant a Special Use Permit for the operation of a Country Club/Private Club at 4100 Homestead Court, Prairie Village, Kansas subject to the conditions listed above.

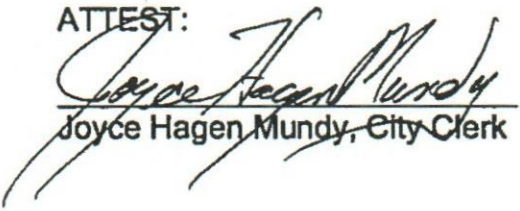
Section IV. Take Effect. That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND ADOPTED THIS 21st DAY OF MAY, 2018.

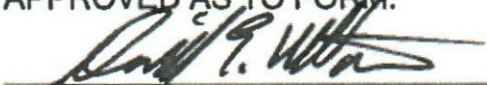
CITY OF PRAIRIE VILLAGE, KANSAS

By: 
Laura Wassmer, Mayor

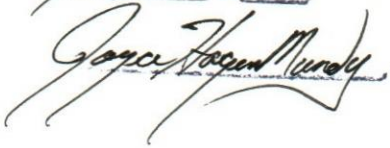
ATTEST:


Joyce Hagen Mundy, City Clerk

APPROVED AS TO FORM:


David Waters, Interim City Attorney

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 21st day of May, 2018; that the record of the final vote on its passage is found on page 91 of Journal 53; that it was published in the Legal Record on the 5th day of

June, 2018

Joyce Hagen Mundy, City Clerk

April 6th, 2023

NOTICE TO NEIGHBORING PROPERTY OWNERS

RE: Renewal of Special Use Permit Homestead Country Club

Dear Neighbor,

Homestead Country Club has submitted documents to renew its five-year special use permit as required by the City of Prairie Village. Prior to review and approval of the City Planning Commission and City Council, the subject of this permit is open and welcome for discussion with the neighborhood.

Homestead Country Club is hosting a meeting of interested neighbors to discuss the subject scheduled for 5:30pm, Wednesday, April 12th.

The meeting will take place in the lower side of the Grille, in the clubhouse.

We look forward to seeing you and hearing your feedback.

Thank you,

Sincerely,

A handwritten signature in black ink, appearing to read 'JTC', is positioned above the printed name and title.

Jeff Clark
General Manager

HCC Neighborhood Meeting
Wednesday, April 12th / 5:30pm

Last Name	First name	Street	City, State, Zip	Attendee Signature
Allen	Brock and Meghan	4303 Wigton Dr.	Houston, TX 77096	
Amrein	John and Sarah	4106 Homestead Dr.	Prairie Village, KS 66208	
Bell	Michael and Jennifer Elliot	4002 Homestead Dr.	Prairie Village, KS 66208	
Bell	James and Nancy	4322 Homestead Circle	Prairie Village, KS 66208	
Calabro	Joint Revocable Trust	4300 W. 64th St	Prairie Village, KS 66208	
Callenbach	Anne	3910 Homestead Dr.	Prairie Village, KS 66208	
Degnan	Blaine and Brooke	4109 Delmar Dr.	Prairie Village, KS 66208	
Dippel	Jason and Sara	4318 Homestead Circle	Prairie Village, KS 66208	
Dunn	Joseph S. Revocable Trust	4012 Homestead Ct.	Prairie Village, KS 66208	
Fitzpatrick	Terence and Kelli	4203 Homestead Dr.	Prairie Village, KS 66208	
Fried	Sue Ellen W. Trust	4003 Homestead Dr.	Prairie Village, KS 66208	
Ganz	Casey and Erica	4209 W. 64th	Prairie Village, KS 66208	
Garrison	Robert and Lora	4303 Homestead Dr.	Prairie Village, KS 66208	
Gibson	Matthew and Frances	4301 W. 64th	Prairie Village, KS 66208	
Goldstein	Lawrence and Margaret	4101 Delmar Dr.	Prairie Village, KS 66208	<i>Goldstein's</i>
Goodman	Blake and Bailey	4206 Homestead Dr.	Prairie Village, KS 66208	
Guignon	Katherine R.	4211 Homestead Dr.	Prairie Village, KS 66208	
Hartwell	Scott Aaron	4207 Homestead Dr.	Prairie Village, KS 66208	
Heim	David and Sue Ann	4009 Delmar Dr.	Prairie Village, KS 66208	<i>David Heim</i>
Heretzenberg	Casey and Amanda	<i>3909 Homestead Ct</i> 10300 Eby St.	<i>PV</i> Overland Park, KS 66212	<i>[Signature]</i>

HCC Neighborhood Meeting
Wednesday, April 12th / 5:30pm

Last Name	First name	Street	City, State, Zip	Attendee Signature
Jolles	Shaul and Michelle	4205 W. 64th	Prairie Village, KS 66208	
Jones	Lawrence W. Trust	4005 Delmar Dr.	Prairie Village, KS 66208	
Joyce Living Trust		4201 Delmar Dr.	Prairie Village, KS 66208	
Kohring	Kraig and Molly	4210 Homestead Dr.	Prairie Village, KS 66208	
Koranda	Frank Jr. and Alicia	4314 Homestead Circle	Prairie Village, KS 66208	
Kroening	Scott and Margaret	4200 Homestead Dr.	Prairie Village, KS 66208	
Liemen	Mildred M. Trustee	4107 Homestead Dr.	Prairie Village, KS 66208	
Lisson	Michael and Dana	4102 Delmar Dr.	Prairie Village, KS 66208	
Mason	Lauren Rees	4004 Homestead Ct.	Prairie Village, KS 66208	
McKim	Robert Jr. and Jane	4007 Homestead Dr.	Prairie Village, KS 66208	
Moriarty	Brian and Judith	4310 Homestead Dr.	Prairie Village, KS 66208	
Ness	Matthew and Kari	4105 Delmar Dr.	Prairie Village, KS 66208	
Peeke	Thomas and Nancy	4309 W. 64th	Prairie Village, KS 66208	
Pfeiffer	Ryan and Libby	4307 Homestead Dr.	Prairie Village, KS 66208	
Poskin	Richard and Mary	4317 W. 64th	Prairie Village, KS 66208	
Reed	William Martin	3908 Homestead Ct.	Prairie Village, KS 66208	
Robertson	John and Jeree	3910 Homestead Dr.	Prairie Village, KS 66208	
Shaffer	Rondald and Jeannine	4011 Homestead Dr.	Prairie Village, KS 66208	
Singh	Ajay / Mandire Living Trust	4010 Homestead Dr.	Prairie Village, KS 66208	
Smith	Jeffrey	3901 Homestead Ct.	Prairie Village, KS 66208	

**HCC Neighborhood Meeting
Wednesday, April 12th / 5:30pm**

Last Name	First name	Street	City, State, Zip	Attendee Signature
Stephenson	Jeffrey and Marisa	4110 Homestead Dr.	Prairie Village, KS 66208	
Sweeney	Michael and Susan	4111 Homestead Dr.	Prairie Village, KS 66208	
Taylor	Leah C.	4103 Homestead Dr.	Prairie Village, KS 66208	
Thompson	Robert III and Catherine	4006 Homestead Dr.	Prairie Village, KS 66208	
Upperman	John and Shauna	3905 Homestead Ct.	Prairie Village, KS 66208	
Wissel	Scott and Tessie	4302 Homestead Dr.	Prairie Village, KS 66208	
Worner	Rick Trust	4009 Homestead Ct.	Prairie Village, KS 66208	
Worthy	Cynthia Hayes	4306 Homestead Dr.	Prairie Village, KS 66208	
Wright	Douglas E. / Kelly T. Trust	4305 W. 64th St.	Prairie Village, KS 66208	
Zastrow	Mark and Emily	4005 Homestead Ct.	Prairie Village, KS 66208	

Hoffman Rick

3904 Homestead Ct,

**Homestead Country Club
Neighborhood Meeting to discuss SUP renewal.
Wednesday, April 12th**

Topics for discussions presented by HCC per Special Use Permit application process.

Residents in attendance:

- Margaret and Lawrence Goldstein, 4101 Delmar Dr.
- David and Sue Ann Heim, 4009 Delmar Dr.
- Casey and Amanda Heretzenberg, 3909 Homestead Ct.
- Kraig and Molly Kohring, 4210 Homestead Dr.
- Rick Hoffman, 3904 Homestead Ct.

Discussion Summary:

- The Goldstein's inquired and we discussed the plan to renew dead ornamental trees and on north property line and irrigate to keep alive.
- The Goldstein's pointed out dead brush and limbs in north ditch. Assured these will be removed promptly and regularly.
- The Heim's pointed out trash had accumulated outside the dumpster enclosure in the past, but has been better lately.
- David Heim would like the area between the curb and the east property line to be seeded for a better foot path from his house to the club. It was agreed to accommodate him.
-

Submitted by: Jeff Pflughoft on behalf of Homestead Country Club

Date: April 13th, 2023