

4. SPECIAL USE PERMIT NO. 2009-23 – 15970 Quivira Road

1. APPLICANT: Summerwood Associates, L.L.C., is the applicant for this request.
2. REQUESTED ACTION: The applicant is requesting approval of a special use permit, for a three-year period of time, to allow an off-site sign.
3. LOCATION: The subject property is located at 15970 Quivira Road.
4. EXISTING ZONING: This property is currently zoned A-J, Agricultural District, Johnson County.
5. NEIGHBORHOOD CHARACTERISTICS: The character of the neighborhood is agricultural or undeveloped land and homes on large parcels. The property is at the southwestern corner of the intersection of 159th Street and Quivira Road.
6. CONFORMANCE WITH THE MASTER PLAN: The Future Development Plan map shows this property as appropriate for Very-Low-Density residential use. The proposed use is a temporary use and will eventually be removed. It is the staff's opinion that the proposed use does not impact the future development of the site or adjacent land.
7. ANALYSIS: The applicant is requesting approval of a special use permit to allow an off-site sign for the Polo Fields subdivision. The Unified Development Ordinance (UDO) allows one off-site sign for developments up to ten acres in size and allows additional off-site signs for each additional 20 acres of land area of the development, up to three signs. The UDO limits off-site signs to residential developments. Summerwood Estates is a 152-acre subdivision.

The applicant is requesting that an off-site promotional sign be allowed at the southwest corner of the intersection of 159th Street and Quivira Road. The sign is proposed to be 16 feet wide and 11 feet tall, which is the maximum size allowed for an off-site sign.

The applicant has not indicated if the sign is to be lit, although lighting of the sign is allowed by the UDO. If lighting is proposed, staff recommends that the lighting be ground-mounted and shielded to illuminate the sign only and be set on a timer to turn off at an appropriate time.

There have not been many requests made for off-site signs in the past, one was approved for another subdivision at 167th Street and U.S. 69

Highway where the thoroughfare street system did not allow for access to the subdivision entrance from all directions. The main entrance into the Summerwood Estates subdivision is at Rosehill Street, where there is a monument sign with the name of the subdivision, approximately 1,900 feet west of the 159th Street and Quivira Road intersection. A secondary entrance at Caenen Street is approximately 950 feet west of the intersection.

A sign for another subdivision has been placed at the same intersection. The developer that is responsible for this sign has not requested a special use permit; staff has begun the appropriate enforcement action to either have the sign removed or for the applicant to obtain approval for the sign.

8. STAFF RECOMMENDATION: Staff has recommended approval of off-site signs for residential subdivisions when access to the subdivision entrance is either limited or difficult to find due to road construction.

If it is the judgment of the Planning Commission that this subdivision warrants the approval of Special Use Permit No. 2009-23 for an off-site sign, staff recommends a three-year period of time, subject to the following stipulations:

- a. The development shall be in accordance with Exhibit "A" (Site Plan), and Exhibit "B" (Building Elevations), which are filed in the office of the Planning Commission Secretary at City Hall and which are incorporated by reference as if set out in full herein. In addition, the development shall follow and comply with all regulations and standards of the City of Overland Park, unless specifically exempted by the Governing Body.
- b. Any lighting shall be ground-mounted cut-off type light fixtures and be timer controlled to shut off by 9:00 p.m.
- c. The sign shall be properly maintained at all times. Any necessary maintenance shall be completed immediately.