



**Architectural Review Board**  
**February 27, 2018 at 4:00 p.m. Westwood City Hall**

**Members Present:** Ryan Bowden, Chairman  
Terry Cooper  
Jenna McCarter  
Mary Hunkeler

**Members Absent:** Pete Newcomer

**Also Present:** Carly Iverson, City Attorney  
Eddie McNeil, City Building Official  
Jason Eubanks, Applicant  
Lauren Eubanks, Applicant  
Ahmad Elkiwan, City of Westwood Resident

Chairman Bowden called the meeting to order at 4:01 p.m. and explained there were enough members present for a quorum despite the fact that Board Member Hunkeler was running late. There was one item on the agenda.

**1. 5123 Rainbow Boulevard**

Chairman Bowden introduced the request at issue for landscaping modifications on property located at 5123 Rainbow Boulevard, which included limestone borders and gravel/river rock mulch.

Jason Eubanks, Applicant, began his presentation. He explained that the previous owners had clearly neglected to maintain the landscaping and he and his wife now wish to replace the current wood mulch beds with rock. Mr. Eubanks stated the main reason they chose rock was to help control the amount of mud in their yard. Mr. Eubanks explained the mud creates safety concerns whenever it rains as mud runs down the stairs and into the garage, causing drainage issues.

Mr. Eubanks obtained signatures from a majority of the individuals on his street, acknowledging they understood his proposal. Mr. Eubanks stated he has photos of other homes in Mission

Woods, as well as the KU building behind his house that have similar rock. Examples of the decorative rock and limestone, in neutral colors, were presented. Mr. Eubanks stated the rocks will also be beneficial for weed control and, unlike regular wood mulches, are fireproof.

Chairman Bowden asked if there were any questions. Board Member McCarter asked about the color of the house, and Mrs. Eubanks informed her it is blue-grey. Board Member McCarter commented that the stone is a modern look and she prefers a softer look with landscaping. Mrs. Eubanks assured her of their plans to include vegetation among the rocks. Board Member Cooper asked if other alternatives, like ivy, had been considered, adding that ivy is more attractive and common in the area. Board Member McCarter asked how wide the area with the rock would be, and Mr. Eubanks compared the area to the size of a typical garden.

Board Member Cooper asked what the black material was in the pictures of the proposed landscaping, and Mr. Eubanks explained it is the fabric laid down for the rock. Board Member Cooper asked how the rock will assist their drainage issue. Eddie McNeil, City Building Official, explained that because they are working on the slope away from the foundation, any heavy rains will flow away from foundation before they soak into it.

Chairman Bowden reminded Mr. Eubanks that Mission Woods has denied rock mulch in the past. Mr. Eubanks asked why, his photos appeared to show rock being used throughout the City including the KU parking lot. Board Member McCarter pointed out that Mission Woods has no control over KU. Chairman Bowden commented that unless Mr. Eubanks could provide addresses for the homes which appeared to have rock mulch present, there was no way of knowing where the pictures were actually taken from. Mr. Eubanks was unable to provide residential addresses of the photos. Chairman Bowden asked if Mr. and Mrs. Eubanks would consider reducing the amount of rock used. Mr. Eubanks asked for clarification on whether this is an aesthetics issue or a City prohibition. He commented that his neighbor's signatures demonstrate a lack of aesthetic concern. Chairman Bowden explained that signatures are not an approval or disapproval of the proposal.

With no further comments or questions, Chairman Bowden asked for a motion by a Board Member. Board Member Cooper moved to approve the landscaping modifications. Board Member McCarter seconded the motion. (Ayes I – Nays III). Motion fails.

Chairman Bowden told Mr. Eubanks he can modify his proposal and reapply for approval. Mr. Eubanks asked for details on what would be acceptable going forward. The Board Members agreed they have no problem with the Eubanks using traditional mulch with their limestone borders, noting that the City's previous denial of rock landscaping took into account the large amount of visible rock mulch, similar to the Eubanks' proposal. Mr. Eubanks asked why the rocks could not go in the backyard, where they would not be visible to others. Chairman Bowden stated that the high standards set by the City are meant to preserve the aesthetics of homes in this area and many residents equate rock mulch with low-maintenance properties. Chairman Bowden

explained the confusion in implementing a system where standards are relaxed in the backs of homes. He provided a hypothetical situation where the City allows homeowners to have vinyl windows in the back of their homes, even though they are banned from using them in the front. Mr. Eubanks stated that unlike vinyl windows, the City Code does not specifically prohibit rock landscaping. Chairman Bowden responded that the Code cannot cover every possible issue that may arise.

With no further discussion, Chairman Bowden informed Mr. Eubanks of his right to appeal to the City Council. Having no further business, the meeting adjourned at approximately 4:39 p.m.



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Carly Iverson, City Attorney