

**PLANNING COMMISSION MINUTES
JUNE 2, 2026**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, May 5 at 6:13 p.m. in the council chambers at 7700 Mission Road. Chair Greg Wolf called the meeting to order with the following members present: Jonathan Birkel, David Herron, James Kersten, Melissa Brown, Melissa Temple, and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the planning commission: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Nathan Vallette, Council Liaison; Mitch Dringman, Building Official; Cliff Speegle, Public Works Project Manager; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Birkel made a motion to approve the minutes of the May 5, 2026, regular planning commission meeting. Ms. Temple seconded the motion, which passed 6-0, with Mr. Valentino in abstention.

Mr. Wolf reorganized the agenda and placed the public hearing for PC-26-1 at the end of the agenda in anticipation of the length of discussion.

OLD BUSINESS

None.

NON-PUBLIC HEARINGS

PC-26-14 Residential building line modification
 5009 W. 70th Street
 Zoning: R-1B
 Applicant: Scott McKenzie and Connie Link McKenzie

Mr. Brewster said that the applicant was requesting a building line modification as provided in Chapter 18.18 of the subdivision regulations, to build additional living space and convert a one-car garage to a two-car garage on the east side of the lot. All portions of the addition remain single-story, consistent with the existing home. The proposed house would be built approximately 31.33' to 31.66' from 70th Street at the proposed front

setback, rather than a 35-foot platted building line. It would meet all zoning setbacks, lot coverage standards, and neighborhood design standards, except for a related variance request for the cumulative side setback, impacting the west side setback line.

The lot is located on the south side of 70th Street, one lot west of Fonticello Street, and has a platted building line of 35' on the front lot line. The house fronts on 70th Street and has a single-car driveway and garage that is proposed to be expanded to a two-car garage with an expanded driveway extending from the single-lane curb cut. A front entry feature and a front bedroom is also extending over the platted front building line. Front entry features are permitted to extend over the front setback line, and staff interprets this exception to apply to platted front building lines.

A 4' to 5' extension of the front living space (approximately 11' wide) and a 4' to 5' extension of the garage (approximately 18' wide) is proposed to encroach over the platted building line. However, all portions will be 1' to 1.5' behind the required front setback.

Mr. Brewster said that platted building lines exist in either one or both of the following circumstances: (1) where there is an irregular block and lot pattern that warrants setbacks different from what the zoning requires; and/or (2) where homes were built prior to the adoption of the zoning ordinance (this existing house was built in 1953). The building lines are platted at the time of original development and placed on the lot by the developer and recorded. Under the city's zoning regulations, the stricter of the platted building line or zoning setbacks apply, and the planning commission can modify platted building lines, but not zoning setbacks.

Section 18.18.D provides the criteria for the planning commission to consider for building line modifications:

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

The lot is adjacent to a corner lot to the west with a corner orientation, and which is skewed on that lot. Therefore, this establishes an irregular relationship of the lot to the street. Lots east of this lot all have similar relationships to the street as the proposed home, and therefore the subject lot is the first along the block to establish the pattern required of the platted building line. All homes were built prior to the establishment of the city's zoning regulations, and the platted building line appears to be intended to establish consistent frontages absent a required zoning setback. All lots are currently subject to a minimum 30' front setback.

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

The proposed modification will allow a minimal dimension for a two-car garage. This plan and allowance is in conjunction with (1) a related variance from the cumulative side setback to allow the garage to be expanded and built within 6' of the east lot line; and (2) an expansion of living areas to the south. Both are also being done to retain the majority of an existing structure, and to retain two large trees - one to the north and

west side of the existing structure, and one on adjacent property to the east and south of the existing structure.

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

Although the platted building lines are similar on adjacent lots, the proposed orientation is not a significant departure. This lot is the first home on the street face to conform with this pattern, which becomes more prevalent proceeding east along 70th Street. Also, the pattern is not so prevalent since there are some homes that have been torn down and rebuilt into larger homes, and others that have entry features that encroach over the platted building line, as permitted by ordinance. Additionally, the proposal will still maintain a significant setback from 70th Street, by at least 30'.

Mr. Brewster said that staff did not see any significant issue affecting adjacent properties or concerning the established character and pattern of buildings along the block if the building line modification is approved. If the planning commission finds favorably on the three considerations, it shall adopt a resolution based on the proposed survey and plot plan that must be recorded with the register of deeds prior to obtaining a building permit.

Applicant and property owner Scott McKenzie was present to discuss the application.

Mr. Valentino made a motion to approve a resolution for the building line modification as presented. Mr. Birkel seconded the motion, which passed 6-1, with Ms. Brown in opposition.

PC-26-8 Impervious surface coverage exception
5112 W. 67th Street
Zoning: R-1A
Applicant: William Trakas

Mr. Brewster stated that the applicant was applying for an exception to expand an existing outbuilding and attach it to the principal structure by an open pergola. The application was previously granted a variance to the cumulative side setback, which was impacted due to attaching the outbuilding to the principal structure. The variance also was granted with a condition that the applicant must prepare a stormwater study and be granted an impervious coverage exception to build the project as proposed. The applicant has submitted a stormwater study, which public works has reviewed and approved.

The lot's current condition is at 45% impervious coverage. This existing condition predates the impervious cover standard being incorporated into the city's zoning regulations in 2018. Prior to that, public works reviewed and approved drainage permits, and no specific impervious coverage was required provided all drainage proposed met standards. A large portion of the existing impervious coverage comes from the driveway

that has a single-lane drive extending to the back of the lot opening to a large apron that accesses a three-car garage behind the existing home.

The proposed expansion of the existing outbuilding and attachment by the open trellis will expand the impervious cover by 551.92 sq. ft. (419.92 sq. ft. for the building and 132 sq. ft. for the trellis). This is 2.6% of the existing lot but would bring the pre-existing legal non-conforming coverage from 45% to 47.6%. The lot will comply with the independent “building coverage” standards, which is a three-dimensional massing standard that applies to any structure over 30” in height. The total building coverage for the lot is 27.5%, which is under the maximum allowed 30%. The city’s zoning regulations allow the planning commission to approve exceptions to the impervious coverage standard based on criteria and according to public works’ review of drainage conditions.

The property is located on the north side of 67th Street and is zoned R-1A. The lot is 92’ wide by 227’ deep and is 0.48 acres. The block features many large and irregular lots due to the pattern of lots in the area and due to the irregular shape of the block, as well as the curve and dead end of 67th Street (forming the north boundary of the block).

R-1A zoning districts require the following for principal buildings:

- Lot width: 80’
- Lot depth: 100’
- 30% Building coverage
- 40% Impervious coverage

The existing and proposed impervious cover includes:

- Existing principal building: 4,621.57.1 s.f.
- Existing accessory building: 573.6 sq. ft.
- Driveway / walks: 4,197.22 s.f.
- Addition to accessory building: 419.92 s.f.
- Addition of pergola: 132 s.f.
- Total lot area: 20,884 s.f.
- Existing impervious area: 9,391.79 sq. ft. (45%)
- Proposed impervious area: 9,943.71 sq. ft. (47.6%)

The proposed impervious coverage in this project is an additional 551.92 sq. ft., or 2.6% beyond the existing legal non-conforming condition.

Mr. Brewster said that section 19.06.015(b)(2)b. of the city’s zoning regulations provides that the planning commission may grant exceptions to the total lot impervious surface standards based on the neighborhood design exception criteria and provided that public works approves a drainage study. The criteria are:

1. The exception shall only apply to the design standards in this section, and not be granted to allow something that is specifically prohibited in other regulations.

2. Any exception dealing with the placement of the building is consistent with sound planning, urban design and engineering practices when considering the site and its context within the neighborhood.
3. The placement and orientation of the main mass, accessory elements, garages and driveways consider the high points and low points of the grade and locates them in such a way to minimize the perceived massing of the building from the streetscape and abutting lots.
4. Any exception affecting the design and massing of the building is consistent with the common characteristics of the architectural style selected for the building.
5. The requested exception improves the quality design of the building and site beyond what could be achieved by meeting the standards - primarily considering the character and building styles of the neighborhood and surrounding properties, the integrity of the architectural style of the proposed building, and the relationship of the internal functions of the building to the site, streetscape and adjacent property.
6. The exception will equally or better serve the design objectives stated in section 19.06.025(a) and the intent stated for the particular standard being altered.

Mr. Brewster said that the exception for lot impervious coverage primarily impact criteria #2 of this list, and because this standard is to primarily address drainage and stormwater issues, there is an additional requirement for public works to approve a drainage study.

The plans meet all other zoning and development criteria, except for the cumulative side setback, which was part of the related variance application approved by the board of zoning appeals at the May 2026 meeting.

Mr. Brewster said that staff recommended approval of the site plan with the lot coverage exception based on the following considerations:

1. Public works has reviewed a drainage permit for the project and does not believe the proposed plan will cause drainage issues on adjacent property and will not negatively impact public stormwater management.
2. The applicant has proposed design and drainage strategies that minimize any potential drainage impacts.
3. All other improvements and structures are in compliance with zoning regulations and the approved variance from the May 2026 BZA meeting.

Mr. Birkel asked for additional information about the proposed curb installation. Mr. Speegle said that it would run from the north end of the property by the garage out to the right-of-way on the south side, and would capture drainage from the roof the property and the driveway, and direct it to 67th Street.

Applicant and property owner Megan Thomas was present with architect William Trakas to discuss the application.

Mr. Herron made a motion to approve the impervious surface coverage exception as presented. Mr. Kersten seconded the motion, which passed 4-3, with Mr. Birkel, Ms. Brown and Ms. Temple in opposition.

PC-26-12 Site plan review for fence, with exception
 4512 W. 91st Street
 Zoning: R-1A
 Applicant: John Picerno

Mr. Brewster said that the applicant was requesting a fence exception to construct a rear yard fence that is 7' high and has support framing on the outside, which does not meet the yard fence standards. The property has an "intersection orientation" and fronts both Roe Avenue and 91st Street. The proposed fence is entirely in the rear yard. The applicant received a fence permit; however, a stop work order was issued when staff discovered that the fence design being constructed did not comply with standards, and the applicant applied for an exception. The city's zoning regulations allow rear yard privacy fences, provided they are no higher than 6' and requires that support structures are on the interior so that the finished side is outward facing.

The proposal is to build a 7' wood privacy fence, framed in three segments (each 8' x 7') with vertical and horizontal framing on the exterior. This fence would be located on the north and west property lines in the rear yard. The north property line abuts an electricity substation. The substation has a 6' slatted chain link fence with approximately 2' of security barbed wire at the top on the perimeter of the facilities, approximately 20' from the common property boundary. This area also has a line of trees approximately 10' to 15' on center.

Mr. Brewster said that fence standards allowed the planning commission to consider exceptions through site plan review and subject to specific criteria.

The 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.

(1) Appearance. Those fences which have surface material, whether it be wood, chain link, metal bars, or other permitted material, attached on one side of posts and/or rails, thus producing a finished side and an unfinished side, shall be installed with the finished sides exposed towards the street and adjacent properties.

(3) Height. No fence shall exceed 6' in height, except tennis court enclosures which may not exceed 12' in height, and except fences which are located within the building envelope of a lot shall not exceed 8' in height.

The intent of the applicable fence standards is to protect the front yard and streetscape views of lots along streetscapes and to preserve the ability to reasonably screen property

from adjacent lots and other private areas. The rear yard fence standards anticipate solid privacy fences providing a full screen for back yards at the rear of homes. For corner lots, there are some issues with standards relating to public streetscapes, but this application complies with all standards regarding the fence's relationship to Roe Avenue, and it is only the north and west property lines that are an issue.

The following factors that affect this situation:

- The lot is a unique circumstance due to the boundary that abuts a utility substation to the north, and the condition and operation of that property warrants additional screening measures.
- A combination of landscape, trees, and fencing is currently used - and will continue to be used as part of the screening to soften both the transitions and the use of fence structures.
- Though having outward facing posts, the proposed fence has a "finished look" to the support structure sides due to the complete framing of each fence panel at the base, at the vertical and horizontal supports, and at the top of the vertical fence panels.

In addition to the site plan review criteria, the following are the specific criteria the planning commission shall consider for exceptions to the fence standards:

- Results in a design that is more compatible
- Provide better screening
- Provides better storm drainage management
- Provides more appropriate utilization of the site

This fence exception impacts three of these criteria (all but the stormwater criteria for which there is no impact). The proposed fence location will allow better utilization of the site based and present better screening. The large nature of these yards, and the use of a combination of fences, landscape, and trees softens the fence structures and results in the 7' height not being out of scale with the yards or relation to other properties.

Mr. Brewster said that staff recommended approval of the site plan with the exception to the fence height and design standards based on the above factors and to the extent documented in the submitted fence permit.

Applicant and property owner John Picerno was present to discuss the project. He noted that the 7' portion of the fence only ran from the back corner of the driveway to the rear corner of the yard to block the view of the electrical substation.

Mr. Valentino made a motion to approve the site plan exception as presented. Ms. Temple seconded the motion, which passed 7-0.

PUBLIC HEARINGS

- PC-26-1 Rezoning from R-1A to RP-1B (public hearing)
4200 W. 79th Street
Zoning: R-1A
Applicant: Price Brothers
- PC-26-11 Preliminary plat approval (non-public hearing)
4200 W. 79th Street
Zoning: R-1A
Applicant: Price Brothers

Mr. Brewster said that the applicant was requesting to rezone approximately 4.5 acres of land from an R-1A single-family residential district to a RP-1B planned single-family residential district to build 20 detached dwellings. The property was formerly used as the YMCA until 2024, which is a permitted use in the R-1A zoning district. The proposal includes a “planned” designation of R-1B for specific deviations from the standards of R-1B, primarily regarding the minimum lot width, lot coverage standards, and setbacks. The applicant is also submitting a corresponding plat to divide the property into 20 residential lots, plat a private common access for the lots, and designate common space fronting the park on the north and providing a north/south connection from 79th Street. The proposed plat is preliminary and will require final review and approval through the final plat process. The applicant held a neighborhood meeting on April 14, 2026, as required by the Prairie Village Resident Participation Policy, and an additional courtesy meeting on May 21, 2026.

In considering a change in zoning classification, the planning commission must consider following factors from the city’s zoning regulations and make a recommendation to the city council. The commission should evaluate the facts, weigh the evidence presented to it, and determine if the criteria have been met. The factors should be considered on balance, and the weight of any single factor in determining the recommendation is up to the commission based on its evaluation of the facts and evidence applied to the context.

1. The character of the neighborhood

This area is at a transition between single-family neighborhoods to the west, moderate density neighborhoods with a mix of townhomes and condominiums to the east and south, and public and institutional uses to the north. The largest influence on the character of the area is a large, regional park (Harmon Park), that has an immediate border with this property to the north. The park is part of a larger civic campus that is active from other institutional uses, including the city pool and municipal campus, Shawnee Mission East High School, and a fire station. The property is situated at the corner of 79th Street, a collector street connecting neighborhoods east and west of this area to civic destinations and activity centers, and Delmar Street - a residential street that serves as a transition between single-family neighborhoods on the west and the civic and institutional uses on the east.

2. The zoning and uses of property nearby

- North: R-1A single-family district - civic and institutional uses
- East: RP-4 mixed dwelling district - condominiums
- South: R-4 mixed dwelling district - townhomes
- West: R-1B single-family district - single family dwellings

The property is situated at the transition of various residential neighborhoods with differing development intensity and supporting civic and institutional uses which have a city-wide or regional draw.

3. The suitability of the property for the uses to which it has been restricted under its existing zoning

The property is zoned R-1A, which requires a minimum lot width of 80' and a minimum area lot of 10,000 sq. ft. for residential lots. Its prior use was a civic / recreational center, taking advantage of its location on a collector street corner proximate to neighborhoods and other civic uses. The prior use and facility was no longer viable and ceased operating in 2024. Other allowed uses under the current zoning would be detached houses on 10,000 sq. ft. lots, 80' wide lots or other public, civic, and institutional uses that support neighborhoods and are allowed in residential districts.

4. The extent that a change will detrimentally affect neighboring property

The most immediate adjacencies are the park abutting this property on the north boundary and the condominiums abutting this property on the east boundary. While the city's plans, standards, and policies on neighborhood design support residential development adjacent to public green spaces, the transition and frontage on these public areas is an important detail. The transition to the condominiums is also important to ensure no negative impacts result from this project. The land use and building scale transition is compatible with both the immediately abutting property to the east, and surrounding properties. This project proposes two-story detached houses, and the surrounding areas are primarily one-story and two-story buildings with a mix of detached houses, attached townhouses, and condominiums. The project does promote smaller lots and more compact building patterns through the change from R-1A to R-1B, and deviations to standards through the P designation (the latter element is discussed below with the "planned zoning designation criteria"). However, with the mix of neighborhood types and characteristics and the general nature of the property as a transition between several of these areas, the scale and pattern of development is generally compatible. Since there is no specific connection proposed between this project and property to the east, the primary concern will be longer-term drainage effects and mitigating any impacts on the current buffer area to the east of the property during construction. The greater impact on property to the west and south is a result of this property having a prominent public corner, and will be determined by how buildings address 79th Street and the streetscape designs along both 79th Street and at the intersection of the common private access with Delmar Street.

5. The length of time of any vacancy of the property

Previously, this property was used as a recreation facility operated by the YMCA and built in 1970. The YMCA closed permanently in 2024.

6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners

The property has been vacant for approximately 1.5 years, and plans for its reuse as a civic or instructional use did not materialize. Provided that redevelopment for residential uses can address the abutting streets and immediate adjacencies appropriately, there is no anticipated detrimental effect on adjacent landowners.

7. City staff recommendations

[See detailed staff recommendation below.]

8. Conformance with the comprehensive plan

The Prairie Village comprehensive plan, Village Vision, was updated in 2019-20 and the updates were officially adopted in 2021 (Village Vision 2.0). The land use policy plan designates this area as “public place” on the land use policy map. It is at the south edge of this designation and at a transition between traditional neighborhoods to the west, village neighborhoods to the south and east, and larger public places to the north.

This specific public place is part of a concept plan identified as a civic campus in the implementation section of the plan. Public places and the civic campus are intended for a hub of institutional, recreational, and some residential uses arranged in a campus-like setting. The concept plans in the comprehensive plan suggest coordinated reinvestment in this area by a number of public, institutional, and civic uses that are in the area through a future master plan and coordinated redevelopment that meets the overall goals of the comprehensive plan, supports the needs of adjacent neighborhoods, and responds to the context. Several different uses were listed as possible options depending on specific redevelopment plans. No official plans advanced the civic campus concepts beyond those identified in the comprehensive plan.

The transitions to the adjacent neighborhood designations include:

- Traditional neighborhood (west). Neighborhoods of narrower single-family lots arranged along well-connected streets, where housing options would be directed to throughfares, adjacent to village centers, or at transitions to green space.
- Village neighborhood (south and east). Neighborhood with the broadest range of housing types in a neighborhood setting that provide alternatives to “conventional apartment complexes.” These neighborhoods create transitions to more intense hubs and activity centers.

The property also fronts on 79th Street, which is designated in the public space policy plan as a residential connector street type. This street type provides connections through neighborhoods but also are important streets in the overall transportation network. A balance of slower, neighborhood-appropriate speeds, multi-modal facilities, and connections to destinations throughout the city are intended design attributes. Neighborhood connectors are anticipated to support low intensity residential and civic uses along the frontages.

Village Vision 2.0 has the following overarching goals:

- *Quality Public Space.* Encourage the design of public spaces, including streets, parks and gathering spaces that support recreation, social/community life, a healthy environment, connectivity, and access in Prairie Village.
- *Strong Neighborhoods.* Allow neighborhoods to evolve in ways that reinforce their defining physical characteristics, while also supporting the progressing needs of existing and future residents.
- *Viable Commercial Centers.* Guide reinvestment in activity centers to support dynamic, walkable, and bikeable places with a diverse offering of commercial, civic, and living opportunities, while responsibly growing the sales and commercial property tax bases.
- *Sustainability.* Protect the natural and built systems within Prairie Village and beyond through environmentally sustainable practices.
- *Productivity.* Ensure the city's development activities and investments create more community value than liabilities.

The proposed rezoning is to the next increment up from the current zoning (R-1A to RP-1B). Additionally, while the public place designation does anticipate some residential uses, the comprehensive plan anticipated that as part of a more integrated civic campus concept. Absent any specific plans materializing among the several institutional uses, this property sits at the transition of three future land use designations: public place, village neighborhood, traditional neighborhood, and the proposed rezoning is consistent with the latter of those categories.

9. Planned zoning designations

The applicant is also requesting a rezoning to a planned zoning designation: RP-1B. The intent of planned zoning processes is for development concepts that require a higher degree of specific planning due to scale, complexity, and design to be based on a specific plan, and to grant flexibility in the standards based on that plan. Planned zoning districts include the following additional criteria to be demonstrated by the plan:

- a. The plan reflects generally accepted and sound planning and urban design principles with respect to meeting the goals of the comprehensive plan and the purposes and intent of the zoning regulations in section 19.01.010.
- b. The flexibility offered by the planned zoning is not strictly to benefit the applicant or a single project but provides other benefits to the community or supports plans and policies in an equal or better manner than the base district standards.

- c. The proposed deviations to the standards do not undermine the intent of any other standards relative to the proposed projects or relative to adjacent property.

The specific deviations requested under this planned zoning designation are:

- Reducing the minimum lot width from 60' to 58'.
- Reducing the front and rear setbacks from 30' and 25' to 20' for both.
- Increasing the allowed building coverage from 30% to 45%.
- Increasing the allowed impervious coverage from 45% to 60%. [The proposed maximum impervious coverage has been factored into the public works drainage review, analysis, and comments.]

The plan incorporates the following neighborhood design components to support these deviations:

- An approximately 10' to 12' wide tract (Tract B on the preliminary plat) of common area extending north-south between 79th Street and Harmon Park. This tract is proposed to have a 6' to 8' sidewalk providing both an internal circulation system for the neighborhood and a connection into the park at the northeast corner of the site. This future connection is subject to city-approved design and construction plans for the portion that crosses the park property.
- An approximately 12' to 29' wide tract (Tract A on the preliminary plat) of common area extending east-west along the north property boundary between the housing and the park. This tract is proposed to have a 6' to 8' sidewalk providing primarily internal circulation for homes fronting on the park side, but a secondary route and connections between Delmar Street and a park connection on the northeast corner of the site.
- Enhanced lot and building frontage standards on the 79th Street and the Harmon Park sides, facilitated by a "rear loaded" concept with garage access off the internal private access way. The applicant's design standards designate 79th Street and Harmon Park sides as the front. This supplements the otherwise-applicable R-1B neighborhood design standards and requires single-story front entry features on the frontages, increases the minimum front transparency from 15% to 25% on the park and street frontages, and caps the transparency of the garage-loaded (rear, non-primary) sides at 20%. This ensures that all buildings and lots front 79th Street or the park, and that the internal sides with garages are rear or non-primary sides of the lots and buildings.
- Streetscape enhancements on 79th Street. In addition to required streetscape designs, the applicant has proposed 4 regularly spaced seating areas on the north side of the 79th Street sidewalk that would be placed on private property and maintained by the HOA, and each area is mirrored by an enhanced planting area within the landscape area of the right of way. Staff recommends that these landscape areas be in addition to the standard required streetscape and street trees, and that these areas also be designated for maintenance by the HOA.

RECOMMENDATION - REZONING:

Mr. Brewster said that the proposed zoning (RP-1B) is reasonable for this location. Although designated within a potential civic campus, that concept in the plan included an anticipated mix of uses including residential and also envisioned larger scale development concepts based on a master plan coordinating many civic and institutional investors. Absent this coordinated effort, it is reasonable that smaller scale development and redevelopment plans will occur. This location is also at the edge of two specific types of neighborhoods designated in the plan: the lower-scale traditional neighborhoods and the larger-scale village neighborhoods (to the south and east), and the zoning of those properties reflect this. Therefore, it is reasonable to balance these transitions with housing compatible with either of these scales.

Additionally, the comprehensive plan envisions housing reinvestment fronting neighborhood connector street types and fronting public green spaces, and this property abuts both in 79th Street to the south (neighborhood connector) and Harmon Park to the north (public green space). The proposed rezoning of this site may make sense to promote this redevelopment, and general reinvestment in the neighborhood.

The applicant has proposed a “planned” zoning designation, which based on larger scale planning and design can support deviations from the base zoning district standards. The proposed deviations and corresponding planning concepts in the development plan are identified above in item #9, Planned Zoning Designation.

Staff recommends that the planning commission recommend the proposed rezoning from R-1A to RP-1B for approval to the city council. To ensure that the intent of the proposed project plan is met and to fulfill the requirements of the planned zoning criteria, staff recommends the following conditions:

1. The landscape plan be finalized with staff prior to issuance of any building permits, and specifically:
 - a. Add ornamental trees 20’ on-center in the landscape area on 79th Street (This substitution would be in place of the ordinance requirement of one large tree per 40’ of lot frontage / one large tree per lot, and account for the overhead utilities). These should occur at greater frequency than the proposed enhanced landscape areas, but the landscape areas may incorporate a required street tree.
 - b. Add 6 large street trees on-center in the landscape area on Delmar Street. (This would meet the ordinance requirement of one large tree per 40’ of lot frontage.) The sidewalk should be relocated approximately 8’ from the back of curb and then orient back to the existing sidewalk on the park frontage at the north end of the property.
 - c. Tracts A and B on the preliminary plat should receive a complimentary amount of landscape elements with regularly-spaced ornamental or large trees (20’ and 40’ spacing respectively) to create vertical components similar to and corresponding with the public streetscape and sidewalks.

2. The rezoning is conditioned on submittal and approval of a final plat meeting all final plat standards, and addressing recommended conditions of approval on the preliminary plat. [*See preliminary plat approval conditions.*]
3. Final plans for any improvements or building permits shall be reviewed by public works to ensure compliance with the approved stormwater management study. [*See preliminary plat approval conditions.*]

SUMMARY - PRELIMINARY PLAT:

Plats are required to divide a property into separate lots to be recorded eligible for sale. The preliminary and final plat process ensure that all required improvements (access, utilities, drainage, etc.) are in place prior to the potential fracturing of ownership and that all lots meet the required development and zoning standards and will result in buildable lots ready for final design and permits. A preliminary plat is conceptual approval of a development plan, and approval authorizes the preparation of a final plat which includes more detailed and specific information to align with more developed engineering, design, and construction documents.

Based on the proposed project plan associated with the rezoning from R-1A to RP-1B, the preliminary plat divides two currently unplatted tracts into:

- 20 lots for detached houses ranging in sizes from 8,456 sq. ft. to 9,112 sq. ft. The lots on the south side are approximately 8,500 sq. ft. and the lots on the north side are approximately 9,000 sq. ft.
- 5 common area tracts:
 - Tract A - a pedestrian passage of approximately 11,900 sq. ft.
 - Tract B - a pedestrian passage of approximately 1,500 sq. ft.
 - Tract C - a private access easement of approximately 27,000 sq. ft. providing vehicle access to the rear of all lots between the park-fronting lots fronting Harmon Park and the street-fronting lots fronting 79th Street.
 - Tract D - an approximately 15' buffer on Delmar Street south of the entrance approximately 1,900 sq. ft.
 - Tract E - a 15' buffer on Delmar Street north of the entrance, approximately 1,800 sq. ft.

The lots meet R-1B standards except that they are proposed to be 58' wide rather than the required 60' wide. (R-1B standards are 60' wide and 100' deep; some zoning deviations for setbacks and building coverage were also addressed in the zoning plan). The easement and tracts will be owned, managed and maintained by a private property owners' association to be established in conjunction with the plat. The tracts will contain sidewalks for internal circulation between the public sidewalk on Delmar Street to the west and on 79th Street to the south and remain open for a potential public connection to the park on the northeast side of the project. The park connection would be contingent on the city planning and designing a connection to the edge of this property at a future date.

The access easement is designed to be 28' wide; despite being intended as a "rear alley", this will accommodate additional on-street parking for guest or overflow parking and meet

emergency access standards (each lot can park up to four vehicles including garage spaces and driveway spaces). It is approximately 540' long, terminating in a turnaround bulb that meets the fire district emergency access requirements. Design and construction of this private access will still be subject to public standards and subject to final review and approval by public works.

ANALYSIS - PRELIMINARY PLAT:

The Prairie Village subdivision regulations have the following review elements for preliminary and final plats:

Streets & Street Arrangement

The project is at the intersection of two public streets: 79th Street and Delmar Street, and is primarily served by these streets. The individual lots will be accessed by a private access street designed to public street standards and extending east-west into the project. This street will function as an alley, providing access to the rear of homes to ensure that the projects outward-facing frontages address the surrounding public spaces - primarily Harmon Park on the north and 79th Street on the west, and treating Delmar Street as a corner side street.

This arrangement results in two "half-blocks", each approximately 610' long, and is consistent with the street and block criteria despite not connecting to the east. In general, the subdivision regulations provide that blocks should be no longer than 1,800' and where they are longer than 1,000' they should provide pedestrian passages through the block. In conjunction with adjacent developed residential project the extent of this frontage is approaching 1,000' and the entire block between Mission Road and Delmar Street is approximately 1,200'. The applicant has also provided a mid-block pedestrian connection through their project in a common area tract.

As an infill project and with limited ability to shape the street and block patterns based on surrounding conditions, the proposed street arrangement adequately addresses the subdivision standards, and achieves the desired goals for connectivity and access. The applicant has provided a trip generation analysis showing expected traffic to be less than the prior use (community center / recreation facility) and the existing streets and proposed access street are sufficient to serve the proposed development.

The street arrangement also involves the dedication or confirmation of right-of-way for a narrow track along the entire frontage of the property along 79th Street. This tract aligns with the property / right-of-way of the abutting property to the east, and will allow the proposed landscape area and sidewalk configuration along 79th Street to occur in the right-of-way.

Sidewalks

The project is primarily served by public sidewalks on the north side of 79th Street and the east side of Delmar Street on the perimeter of the property. The zoning plan indicates that these sidewalks should be 6' to 8' wide based on coordination with the streetscape and

landscape area plans. The sidewalk on 79th Street will be relocated from the back of curb to an alignment consistent with the sidewalk fronting on property immediately to the east, and allow for a sufficient landscape area between the curb and sidewalk.

There is an existing sidewalk on the east side of Delmar Street, and staff is recommending that this sidewalk also be sufficiently moved back from the curb to allow planting of the required street trees (at least 6' to 8' from the back of curb). This will require an alignment shift to the existing sidewalk on the park property to the north, until that sidewalk could be reconstructed and aligned with sufficient curb separation.

Mr. Brewster stated that subdivision regulations require sidewalks to be on both sides of the streets and around the bulb of cul-de-sacs. However, since the access street is intended to function as a rear alley and is private access, and since the project provides alternative internal circulation between the public sidewalks on Delmar Street and 79th Street, staff does not interpret the sidewalk standard to apply to the private access. Additionally, staff believes the pedestrian circulation plans achieve the goals for sidewalk requirements in the subdivision regulations.

In addition, and with the absence of sidewalks on the internal access street, the zoning plan also offers sidewalks that provide internal circulation within the project and a connection into Harmon Park. The zoning plan specifies that these will also be 6' to 8' sidewalks within Tract A (east-west from Delmar Street) and Tract B (north-south between 79th Street and the park), with a connection into Harmon Park at the northeast corner of the property.

Utilities

Utilities already serve the site, and the applicant is working with the various utility companies to provide the necessary water, sewer, power, communication, gas, etc. to each lot. The applicant will need to work with the fire district to determine the location of any fire hydrants.

Storm Drainage

The applicant submitted a stormwater management study demonstrating that the proposed development will match or reduce peak runoff rates compared to existing site conditions, ensuring no adverse downstream impacts. While the redevelopment slightly reduces the site's overall impervious footprint, the existing site had an underground parking lot detention system for stormwater management. To manage runoff effectively, the proposed plan introduces two underground stormwater detention basins on the north and south sides of the property. Additionally, the design reduces runoff directed toward the existing drainage swale on the adjacent eastern property. Final construction and drainage plans remain subject to review and written approval by the public works department to ensure conformance to performance standards.

Lot Sizes and Building Lines

The applicant is proposing 20 lots for detached houses in association with the proposed RP-1B standards. The zoning plan includes requested deviations with the rezoning analysis, but otherwise meets the R-1B development and design standards.

Preliminary Grading

The applicant has submitted a preliminary grading plan with the preliminary plat demonstrating the general feasibility of the plan. Final grading shall be subject to approval by the city prior to construction of any improvements or approval of any building permits, provided it meets the approved stormwater plan, city construction specifications, and is consistent with the development patterns and all design requirements of the zoning plan and community design standards.

RECOMMENDATION - PLAT:

Staff recommends that the planning commission approve the preliminary plat, and authorize preparation of a final plat based the concepts in the preliminary plat and on the following conditions:

1. The sidewalks in the common areas remain open and ungated, and the applicant shall coordinate with the city for construction of a park connection near the northeast portion of the property. The final plat shall include easement language ensuring public access.
2. The final plat shall confirm and/or provide any fire hydrants required to meet fire district standards.
3. The applicant shall submit HOA documents for city review that ensure both the organizational and financial capacity for the association to maintain all common areas, and particularly the landscape amenity and sidewalks, private access street, and the stormwater facilities in the common areas and/or easements. The final HOA documents shall be recorded with the final plat (or otherwise attach to and ensure that each lot is jointly obligated, as approved by the city attorney).
4. The final plat shall have the following additional information, required by section 18.12.040, submitted prior to being routed for signatures by the city and recording by the county:
 - a. Restrictive covenants in a form approved by the city attorney.
 - b. Proof of ownership.
 - c. Certificate showing all taxes and special assessments have been paid.
 - d. Construction documents, or if to be submitted at a later date, other commitment that all required improvements will be built to public works specifications.
5. The final plat shall include all certifications required by section 18.12.050 prior to being routed for signatures by the city and prior to recording with the county, specifically:
 - a. Certification by parties holding title;
 - b. Certification by a registered surveyor;
 - c. Space for certification of approval by the planning commission (chair and secretary)
 - d. Space for certification of acceptance or easements and right-of-way by the city council (mayor and city clerk)
6. Final plans for any improvements or structures shall be reviewed by public works and are subject to their approval to meet easement requirements and the approved stormwater management plan.

7. Final design and construction of the private access (78th Place) be subject to approval of public works.

Mr. Valentino asked for clarification between P (planned) zoning districts and MXD (mixed use) zoning districts. Mr. Brewster said that MXD zoning districts were very broad, and were intended to contain mixed uses, such as commercial and residential. The P designation could be applied to any zoning district to address beneficial deviations for a specific project.

Mr. Birkel asked if any part of the development would include fencing. Mr. Brewster said there was a potential for wrought iron or faux wrought iron decorative fencing to be used, but no other type of fencing would be allowed.

Mr. Wolf asked whether the private street was wide enough to allow for parking on both sides of the street. Mr. Brewster said that it would be wide enough.

Ms. Brown asked if there would be changes to the overhead power lines along 79th Street to the south of the project. Mr. Brewster said that the lines would remain, but that the sidewalk would be moved to the other side of the poles.

Applicants Henry Clover, Clover Architects, 8813 Penrose Lane, Lenexa; Bart Lowen, Price Brothers, 12721 Metcalf Avenue, Suite 200, Overland Park; and Luke Moore, Olsson Engineering, 7310 W. 133rd Street, Overland Park, were present to discuss the application. Mr. Clover gave a presentation showing highlights of the proposal, and noted the width of the private street was large enough to accommodate fire trucks. He added that a 23' wide "green belt" would be installed on the north side of the site to connect with the park, and that each home would have a front porch as well as a rear garage on the alley side.

Mr. Wolf asked for additional information about the drainage plan. Mr. Moore stated that there would be a slight decrease (approximately 1%) in the impervious surface coverage relative to the existing conditions at the site. He added that with city staff's help, an existing water detention basin was located below the parking lot. Underground detention chambers would be installed to run east-west on the north and south sides of the site, and swales would be placed on the south side of the site to detain water and ensure surrounding properties are not affected. In a 100 year flood event, water would flow to 79th Street and into storm drains. Lastly, Mr. Moore stated that the HOA for the development would be responsible for cleaning out the pipes and other drainage equipment on a regular basis.

Mr. Valentino noted that two of the documents provided by the applicant showed different measurements for the size of the proposed lots. Mr. Moore noted that there were two zoning plans included in the packet, one which showed 26 lots, and another that showed 20 lots. He stated that the data on the 20 lot plan was the correct information.

Ms. Brown asked how the proposed impervious surface coverage and building coverage compared to the Meadowbrook development. Mr. Brewster stated that the proposed lots

were generally larger than those at Meadowbrook, and that the proposed coverage percentages were lower.

Mr. Wolf asked whether multiple architects would be designing homes for the project, and how infrastructure would be handled. Mr. Lowen stated that a sister-company associated with Price Brothers would handle all of the site infrastructure work, street work, and utilities, and that a single architect would be designing the homes.

Ms. Temple asked whether it would be possible for a future homeowner to expand their home, such as by adding a deck, and surpass the building coverage deviation or lot line deviation. Mr. Brewster said that deviations to the approved zoning plan would require another rezoning application.

Mr. Kersten, Mr. Herron and Ms. Brown stated that they wished to see more specific and accurate grading information and elevations in order to understand how homes on the lots would actually look. Additionally, concern was shared about a 20' setback on the south side of the project.

Mr. Wolf opened the public hearing at 8:15 p.m. With no one present to speak, the public hearing was closed at 8:16 p.m.

Mr. Kersten asked for further information about the traffic study, and how it would affect traffic on Delmar Street. Mr. Moore stated that the traffic study compared the expected traffic from the development to the traffic generated by the YMCA when it was active. The study indicated traffic would be lesser than it was when the YMCA was open. Additionally, the entrance to the private street would be located further north than the existing two driveways to the YMCA parking lot in order reduce congestion near the intersection of 79th Street and Delmar Street.

After further discussion, Mr. Wolf made a motion to approve PC-26-1, rezoning from R-1A to RP-1B with staff conditions and the following additional conditions:

- **The applicant provide a grading plan that will be approved as part of the final plat approval**
- **The applicant provide a plan to address the planning commission's concerns with setbacks**
- **The applicant provide accurate information related to dimensions of lots and setbacks**

Additionally, if the planning commission finds that one or all of the above conditions are not met, the rezoning approval will be null and void. Ms. Brown seconded the motion, which passed 7-0.

Mr. Wolf made a motion to approve PC-26-11, approving the preliminary plat, with the same conditions as the prior motion. Ms. Brown seconded the motion, which passed 7-0.

OTHER BUSINESS

None.

ADJOURNMENT

With no further business to come before the commission, Mr. Wolf adjourned the meeting at 9:07 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary