

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
COUNCIL CHAMBERS
7700 MISSION ROAD
WEDNESDAY, NOVEMBER 3, 2021
7:00 P.M.**

The Planning Commission will meet in person. The meeting will also be live-streamed on the City of Prairie Village Facebook page at <http://www.facebook.com/CityofPrairieVillage>.

Residents may email comments to City Clerk Adam Geffert at cityclerk@pvkansas.com. All comments must be received by 5:00 p.m. on Wednesday, November 3.

- I. ROLL CALL
- II. APPROVAL OF PLANNING COMMISSION MINUTES - OCTOBER 5, 2021
- III. OLD BUSINESS
- IV. PUBLIC HEARINGS
- V. NON-PUBLIC HEARINGS

PC2021-116 Conditional Use Permit - Drive-Up Service (Non-Food and Beverage)
3500 W. 75th Street
Zoning: C-0
Applicant: Ron Shaffer, RLS Architects

PC2021-119 Revised Site Plan
Homestead Country Club
4100 Homestead Court
Zoning: R-1A
Applicants: Jeff Pflughoft / Dennis Hulsing

- VI. OTHER BUSINESS

Discuss clean-up revisions in zoning regulations related to site plan, sign and fence criteria.

- VII. ADJOURNMENT

***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 OCTOBER 5, 2021

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, October 5, 2021 at 7:00 p.m. Due to the COVID-19 pandemic, Commission members attended a virtual meeting via the Zoom software platform. Chair Greg Wolf called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Patrick Lenahan, Melissa Brown, Nancy Wallerstein and Jeffrey Valentino.

The following individuals were present via Zoom in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; Jamie Robichaud, Deputy City Administrator; Keith Bredehoeft, Public Works Director; Ron Nelson, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the September 14, 2021 regular Planning Commission meeting. Mr. Lenahan seconded the motion, which passed unanimously.

PUBLIC HEARINGS

None

NON-PUBLIC HEARINGS

PC2021-120	Site Plan Approval for Fence Exception 5108 W. 76 th Street Zoning: R-1A Applicant: Robert Kohl
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Mr. Brewster stated that the applicant was requesting to build a fence on the rear property line approximately 8' to 10.5' high, exceeding the 6' height limit for rear fences. Specifically, the request is for a chain link fence at the eastern edge of the rear property line to the west side of the rear property line, with a height varying in association with the gradually increasing height of a retaining wall. The retaining wall is on the edge of the property to the north, which is primarily used as parking for a multi-unit condominium building. The parking area is elevated from approximately 2' to 4.5' above the rear yard of the subject property, and there is little room for landscape and screening. Therefore, vehicle circulation, other utility activities, and general maintenance have a negative

impact on the rear yard of the subject property. The proposed fence would include a canvas screening element connected to the chain link.

Mr. Brewster said that staff recommended approval of the site plan with the exception subject to the following conditions:

1. The fence is designed as a continuation of the top of fence to the east of this property line, and tapers to the extent of the 10.5' high exception on the east end. This increase is in response to the retaining wall on the property to the north and will have the effect of a 6' high fence when viewed from the property to the north.
2. Any screening associated with the proposed chain link fence is earth tone or other muted colors to blend with the landscape in the area and is well-maintained for an acceptable aesthetic appearance.
3. The fence shall not violate any provisions of easements in the area, and to the extent any violations are subsequently encountered, the fence is placed at the applicant's risk and subject to removal according to any easement provisions.
4. The fence exception is to address the current condition on the property to the north. In the event of redevelopment of that property, proper design of the border shall be an obligation of any future redevelopment and may not rely on the location of this fence and exception.

Robert Kohl, resident and owner of the property, was present to discuss the application.

Mr. Birkel asked if a storm drain was located on the property. Mr. Kohl stated that there was a 7' easement in the rear yard for storm drainage. He added that the fence installation would not impair the drain, and that he was aware the fence might need to be removed if work had to be done in the easement. Mr. Bredehoeft stated that Public Works had no concerns with the location of the proposed fence.

Mr. Breneman made a motion to approve the site plan with conditions as presented by staff.. Ms. Brown seconded the motion, which passed unanimously.

PC2021-121 Site Plan for Redevelopment of Macy's Building
4000 W. 71st Street
Zoning: C-2
Applicant: Kimley Horn & Associates; GRI Prairie Village, LLC

Mr. Brewster said the applicants were requesting site plan approval for a remodel involving changes to the exterior of the façade, a small addition, and reconfiguration of parking and loading areas. The property is zoned C-2, and was previously used as a department store. The remodeling is primarily an interior tenant finish to convert the building to multi-tenant space, which is anticipated to include a retail tenant on the first level, offices on the second level, and a fitness center on the lower walkout level. Mr.

Brewster added that tenant finishes or changes of use typically only require building permits and business licenses, when compliance with standards and codes are verified. However, expansions of buildings and exterior renovations with substantial material changes require the Planning Commission to review and approve a site plan.

Mr. Brewster stated that staff recommended approval of the site plan subject to the following conditions:

1. Pedestrian connections are made near the southeast corner of the building to the Mission Road sidewalk, from the signal at 71st Street and Mission Road directly to the parking area, and by a more formal “internal street” design at the entrance extending from Alhambra Street. The latter should involve a mid-block crossing to the sidewalk on the south side of 71st Street, subject to Public Works approval with respect to signs and pedestrian activated signals, unless any of the concepts for an improved sidewalk on the north side of 71st Street are pursued by the City and/or applicant.
2. A final revised landscape plan be submitted to staff prior to any building permits addressing the following:
 - a. Douglas Fir be switched to Norway Spruce or Green Giant Arborvitae.
 - b. Convert the painted landscape island in the parking area to a planted island with trees and maintain trees at other internal islands and near the building frontage.
 - c. Provide parking screening along both Mission Road and 71st Street through dense hedges, ornamental fence/wall, or a combination of both.
 - d. Provide street trees at 40-feet on center along both Mission Road and 71st Street. The 71st Street frontage may use ornamental trees to adjust to overhead utilities, or otherwise be incorporated into the parking lot edge.
3. Sign permits demonstrating compliance with City regulations will be required prior to finalizing signs for the project.

Mr. Birkel asked if the proposed trees would interfere with the low utility lines on 71st Street. Mr. Brewster stated the trees would either need to be small ornamental trees or strategically integrated if they were larger.

Gregg Zike with First Washington Realty, 7200 Wisconsin, Bethesda, MD was present to discuss the project along with project manager Tom Hippman and architects Matt Kist and Tyler Wysong with Kimley-Horn & Associates, 805 Pennsylvania Street, Suite 150, Kansas City, MO. Mr. Zike stated that he agreed with all staff recommendations with the exception of the requirement to plant street trees at 40’ intervals noted in item 2-d. He suggested equivalently sized trees could be planted in groups instead. Mr. Brewster stated this alternative could be considered acceptable and reviewed by staff for compliance with the zoning ordinance at the time of permits. Zike also said that the included building design elements, such as window locations, could change as result of a structural analysis that was currently underway. Mr. Brewster stated there was flexibility

in design approval in the zoning regulations, and that changes that still met the intent of the proposed elevations would not require further approval from the Planning Commission.

Mr. Zike also stated that the installation of a sidewalk on the north side of 71st Street had been considered, but doing so would limit all landscaping on that side of the parking lot, and was therefore not preferred.

Mr. Valentino and Ms. Brown shared concerns about the proposed internal crosswalk from Mission Road to the building. Additionally, they noted the small size of the sidewalk on the east side of the building, and its close proximity to Mission Road. Mr. Kist stated that other options would be considered to improve the pedestrian experience on the east side and through the parking lot.

After further discussion, Mr. Valentino made a motion to approve the site plan with staff recommendations. Mr. Birkel seconded the motion, which passed unanimously.

OTHER BUSINESS

ADJOURNMENT

With no further business to come before the Commission, Chair Greg Wolf adjourned the meeting at 8:17 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: November 3, 2021, Planning Commission Meeting

Application: PC 2021-116 - Revised

Request: Conditional Use Permit – Drive-up service (non food & beverage);

Action: *A Conditional Use Permit requires the Planning Commission to evaluate the facts and circumstances of a specific request and determine if those facts meet the criteria necessary for approval.*

Property Address: 3500 W. 75th

Applicant: Ron Shaffer, RLS Architects / Landmark National Bank

Current Zoning and Land Use: C-0 Commercial Office District – Multi-tenant Office Building

Surrounding Zoning and Land Use: **North:** R-1B – Single-family Residential – Single-family dwellings
East: R-1B – Single-family Residential – Single-family dwellings
South: C-O Office Building District – Office Building; and R-1A Single-family Residential – Single-family dwellings
West: C-O Office Building District – Office Building

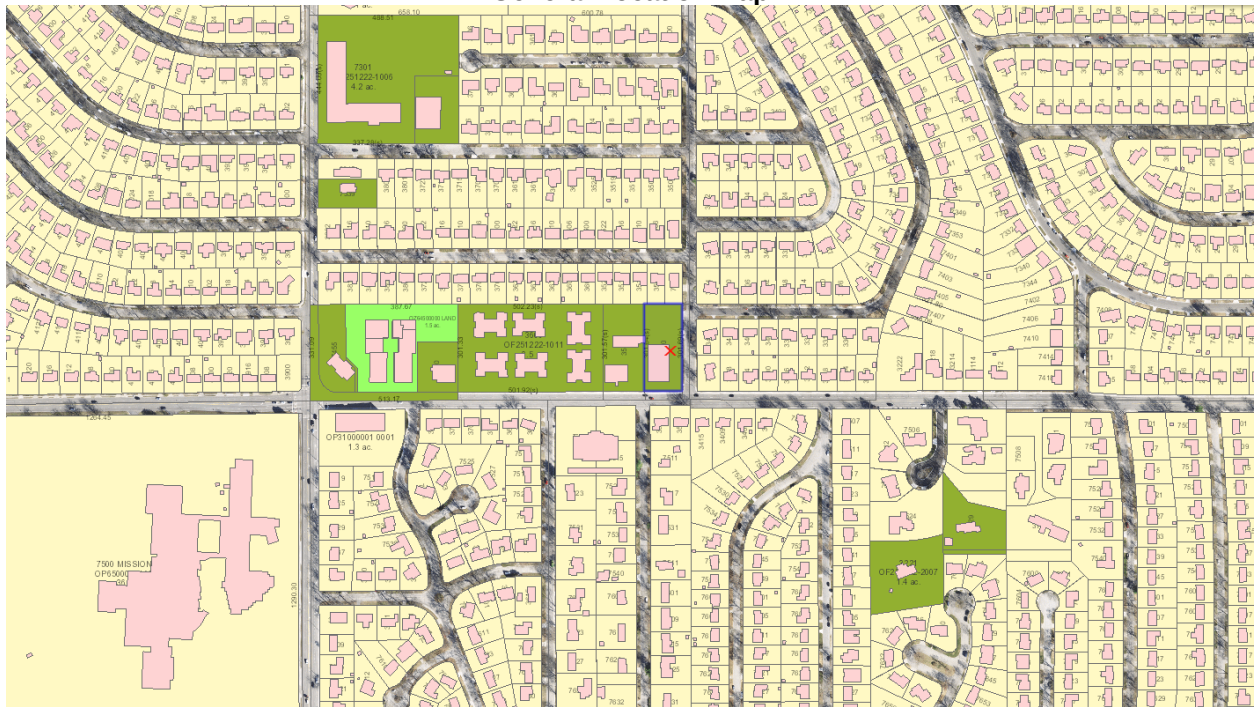
Legal Description: 22-12-25 TR A E 180' SE1/4 SE1/4 SW1/4 NW1/4 EX E 25' IN ST 1.17 AC M/L PVC 604

Property Area: .9 acres (39,340.83 s.f.)

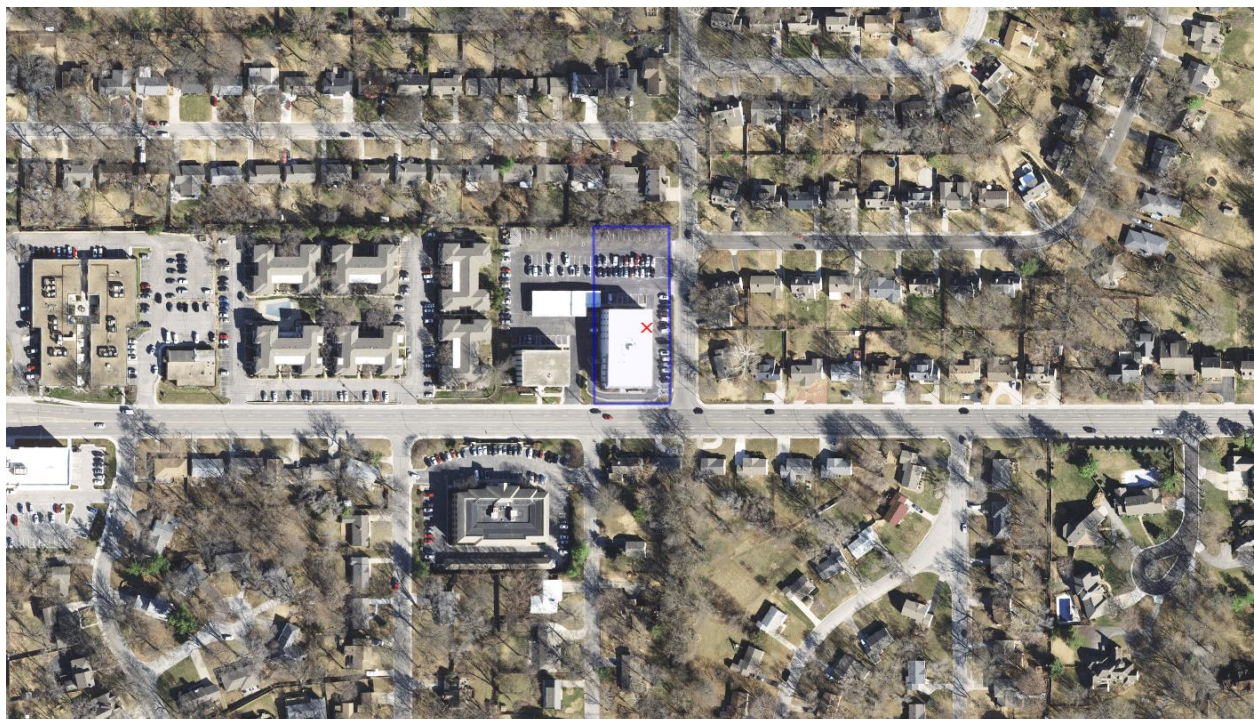
Related Case Files: PC 2021-116 – CUP - drive-up service & Site Plan - signs (original)
PC 2017-108 – Approval of Sign Standards
PC 2014-101 – Approval of Monument Sign
PC 2013-125 – Sign Standards

Attachments: Application, site plan and elevations

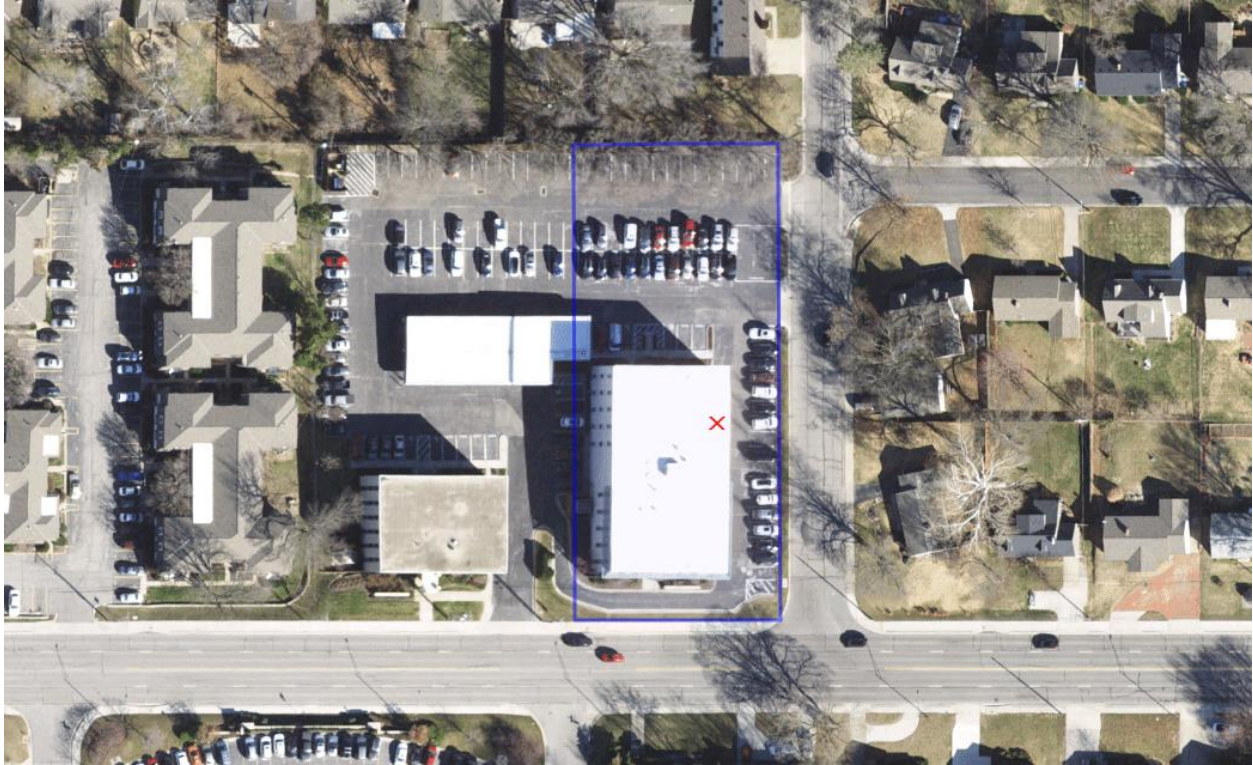
General Location Map



Aerial Map



Site



Street Views



Street view looking north on W. 75th Street



Street west on Windsor (drive up service to at northeast corner of lot).



Bird's eye view

Background:

The applicant originally submitted a plan for the August 2021 Planning Commission Meeting for the following:

1. A revision to previously approved sign standards for a multi-tenant office building, for the addition of a wall sign;
2. A new monument sign; and
3. A conditional use permit for a drive-up automated teller machine.

The conditional use permit was approved by the Planning Commission subject to conditions addressing the adjacency of the ATM to the residential boundary to the north. The sign standards revision and the additional monument sign request were continued to a future meeting, with a request for additional information. The applicant has withdrawn those aspects of the application. (This application no longer includes an additional monument sign and the applicant has submitted an application for a sign on west elevation that meets the established multi-tenant sign standard for this building, so no change in those standards is requested.)

However, the applicant is requesting a new location for the drive-up automated teller machine that requires an amendment to the site plan and the approved conditional use permit.

The applicant held a neighborhood meeting on October 26, 2021, regarding the new location of the ATM and in accordance with the City's Resident Participation Policy and will provide background on the meeting to supplement the application.

Update:

The Planning Commission approved a site plan and conditional use permit for the drive-up automated teller machine in the northeast corner of the parking lot. The revised site plan places the drive-up service at the center island. This has the following specific impacts on the previous approval and conditions.

1. The kiosk is moved to an internal portion of the site, conforming to all setbacks and further away from the residential and right-of-way boundaries on the north and east portions of the site. [65 feet and 35 feet respectively, rather than 10 feet and 20 feet.]
2. The kiosk and circulation will still replace 4 parking spaces, rather than 6. A condition of the Planning Commission approval was a more defined stacking area for at least 2 additional waiting vehicles that would have removed approximately 2 additional spaces.
3. The potential stacking of waiting cars can be accommodated in either parking drive aisles or the vehicle loading area (paved but not striped parking at the east end of the center bay). Public Works and Planning staff have reviewed this arrangement and feel it is acceptable. If more than 3 cars are at the service area at any one time, it is likely that cars would enter the site and wait at other available locations in the parking lot. Additionally, the loading area is used infrequently for parcel delivery vehicles and is available for waiting cars.
4. The structure associated with the ATM is now internal to the site, but does have greater exposure. A condition of the Planning Commission approval was that the west and north sides of the kiosk include no light sign panels and would otherwise be muted colors due to proximity to the residential property. The service area now faces this boundary and is approximately 65 feet from the north property line and 35 feet from the east property line (Windsor Street). The proposed structure is 60 square feet (10' x 6') and approximately 10.66 feet tall. It has dark metallic columns and frames and a 20" Lexan sign panel around the edge. The panels are burgundy and backlit, with metal halide under-canopy downlights. Additional details on the materials, color combination, and lighting should be provided at Planning Commission or prior to permitting to confirm no impacts on adjacent property will exist and that no light or glare will spill onto adjacent property per the Prairie Village lighting standards [19.34.050] and standards applicable to illuminated signs. [19.48.060].

5. The previous approval was conditioned on additional screening near the structure and at the north residential property boundary. This location includes a 6 feet solid privacy fence and a significant tree canopy. This provides an adequate screen particularly considering the new location of the proposed structure.

Zoning Requirements – CUP for Drive-up Service (Non-food and beverage):

[All of the following is from the August 3, 2021, staff report for the requested conditional use permit. It remains unchanged from that report since it impacts the revised site plan in the same manner, except as noted in the update section above.]

The property is zoned C-O Commercial Office District. The zoning ordinance allows accessory drive-up service areas for non-food and beverage businesses, but requires a conditional use permit, reviewed by the Planning Commission. The permit application is accompanied by a site plan.

Conditional Use Permit. According to Section 19.30.030 of the Prairie Village Zoning Regulations, the Planning Commission shall consider the following factors to review a conditional use permit.

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

The C-O district provides for low-intensity and small-scale commercial and office uses as a transition to residential areas. Office and service uses such as banks are permitted in this district, and accessory drive-up service uses are frequently associated with this use (and other uses permitted in the C-O district). There are no alterations proposed to the existing building; however, the application does propose constructing an accessory structure (service kiosk) with the use. The C-O district requires the following general setbacks:

- *35' rear [19.16.030]*
- *10' to 20' side, depending on the height (10' for one-story) [19.16.025]*
- *15' street side. [19.16.025]*
- *The zoning ordinance also allows accessory structures and uses that exceed 10' in height to be located in the setback, provided they are setback at least one-third its height. [19.34.040]*

The proposed structure is approximately 10' from the nearest property line and over 20' from the street side lot line, and is approximately 11' high. It therefore meets all setbacks required for accessory structures in the C-O district.

- B. The proposed conditional use meets any specific standards or limitations for the particular use listed in this ordinance.

Drive up services have specific standards that are listed below.

- C. The proposed conditional use meets all of the site plan review criteria in 19.32.030.

There are no alterations proposed to the principal building and only minimal changes to the proposed site. The plans propose an accessory structure – a service kiosk and canopy – in place of 6 existing parking spaces. The plans show a lexan (acrylic) back light panels on for the canopy, but do not include colors or material for the other components of the structure. These changes do not significantly impact the site plan criteria in 19.32.030 with respect to the overall site, other than specifically noted in criteria D. immediately below.

- D. The proposed conditional use at the specified location is adequately planned, designed, located, and limited to not cause any impacts on the character of the area, the public streetscape, or adjacent property, different from any other permitted use.

This site abuts a residential lot near the proposed kiosk. While it is an appropriate location on the site for this accessory facility (in relation to the use, parking, and streetscape), impacts on residential property will need to be minimized and mitigated. In particular, the lighting of the canopy structure on all sides and potential noise from the facility are a concern. There is

currently a 6 feet solid privacy fence and a mature tree line along the property at this location. While this can provide adequate screening for the ATM and ground-level activity, the canopy structure will be prominent. At a minimum there should not be any acrylic back-lit signs on the north and west sides of the canopy nearest the residential property, and any lighting of signs on the understory of the kiosk should be limited. Additionally, planting of tall, narrow evergreen trees may be necessary in the landscape area between the fence and the canopy that should extend to at least the height of the canopy structure. Further, the use of any audio prompts or service elements should be prohibited so that noise does not impact the residential use.

While the accessory for drive-up services, is consistent with the scale and use on this property, the location at a sensitive boarder will require additional mitigation and design changes from the submitted plan to comply with these criteria.

- E. In meeting these criteria, the Planning Commission may place additional conditions that it deems appropriate to ensure that the criteria are met based on the particular context, site, or plan.

See staff recommendations below.

Section 19.30.050.C also has the following specific criteria for drive-up service areas:

1. The service area and any circulation or stacking areas are designed and located in a way that minimizes impacts on any adjacent residential uses. This may include locating the service area at a remote part of the site, using enhanced screening and buffering of service areas, limiting the hours of operation and anticipated peak times of the operations, or demonstrating other operational or technical controls that will clearly meet the City's noise ordinance standards.

The drive-up service proposed is generally appropriate considering the orientation of this site, and current access and circulation patterns. However, the proximity to residential property may require additional mitigating designs including: eliminating any signs or lighting on the north and west edges of the canopy; limiting all lighting and signs on the structure; specifically indicating materials and colors that can blend in with the landscape; increasing a tall evergreen landscape barrier between the structure and the fence; and/or reducing the height and profile of the canopy.

2. The access and circulation does not present any disruption to surrounding traffic patterns in the street, any pedestrian access points to the site, or along the streetscape beyond ordinary vehicular access.

The location is remote considering overall circulation and layout of the site. Other than unanticipated and unusually busy times, this location would not have a significant impact on the overall parking and circulation on the site. Cars waiting for service could obstruct parking spaces on the north edge of the site, but the occurrence of this may be rare or brief and considering the remoteness of these spaces and overall demand for parking on this site, it should be a manageable situation. The loss of parking spaces to locate the kiosk is not crucial as the site is served by a large joint parking area for multiple buildings that exceeds the ordinance requirements, and the building and uses do not generate any unusual parking demands. The location in a larger parking area allows options for if the service area experiences larger-than-expected traffic at any point.

Public Works has reviewed the plan and does not have any access, circulation of public safety concerns.

3. No food or beverage services are permitted. Drive-through retail food and beverage services require a special use permit according to the procedures and criteria in Section 19.28.

The proposal is for an automated teller machine with no retail food or beverages.

Recommendation:

The location and accessory use for a drive-up service is appropriate at this location. Staff recommends approval of the revised site plan and revised conditional use permit subject to the following conditions:

1. No audio service prompts should be permitted, and noise shall otherwise be mitigated through either the technology or design of the canopy.
 2. Materials and colors of the canopy should be further specified and confirmed. The plan states duranodic (metallic) and burgundy. A combination of muted colors, complimentary building materials, and/or a lower-profile canopy should be considered to tie the structure in with the building and site, and to minimize impacts on adjacent residential property.
 3. Lighting of the sign and canopy should be the minimum to provide for security and adequate visibility of the canopy sign at the entrance to the site. Prior to permits the applicant shall submit details and specifications for the canopy and sign that demonstrate compliance with the outdoor lighting standards and the standards for illuminating signs.
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CITY OF PRAIRIE VILLAGE

The Star of Kansas

APP: 0026358
Cust# 000655

Planning Commission Application

For Office Use Only	
Case No.:	PC 2021-116
Filing Fee:	100.00
Deposit:	500.00
Date Advertised:	
Date Notices Sent:	
Public Hearing Date:	

Please complete this form and return with
Information requested to:

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

Applicant: RON SHAFFER, AIA
DBA RLS ARCHITECTS Phone Number: 913.384.0134
4011 HOMESTEAD DRIVE
Address: PRAIRIE VILLAGE, KS 66208 E-Mail: RLSARCH@AOL.COM
W. JEFFREY PHILLIPS O 913.239.2807
Owner: LANDMARK NATIONAL BANK Phone Number: C 913.909.7950
3500 WEST 75TH, SUITE 110
Address: PRAIRIE VILLAGE, KS Zip: 66208

Location of Property: AS LISTED ABOVE

Legal Description: 22-12-25 TR A E 180' SE 1/4 SE 1/4 SW 1/4 NW 1/4 EX E 25' IN ST 1.17 AC
M/L PVC 604

Applicant requests consideration of the following: (Describe proposal/request in
detail) INSTALLATION OF BANK BUILDING SIGNAGE, CORNER

MONUMENT SIGN & ITM KIOSK AND CANOPY

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or
the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS
(City) for INSTALLATION OF BANK SIGNAGE & ITM.

As a result of the filing of said application, CITY may incur certain expenses, such as publication
costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a
result of said application. Said costs shall be paid within ten (10) days of receipt of any bill
submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of
its commissions will be effective until all costs have been paid. Costs will be owing whether
or not APPLICANT obtains the relief requested in the application.

Applicant's Signature/Date

JULY 9, 2021

Owner's Signature/Date

JULY 9, 2021

PROPOSED SITE PLAN NOTES:

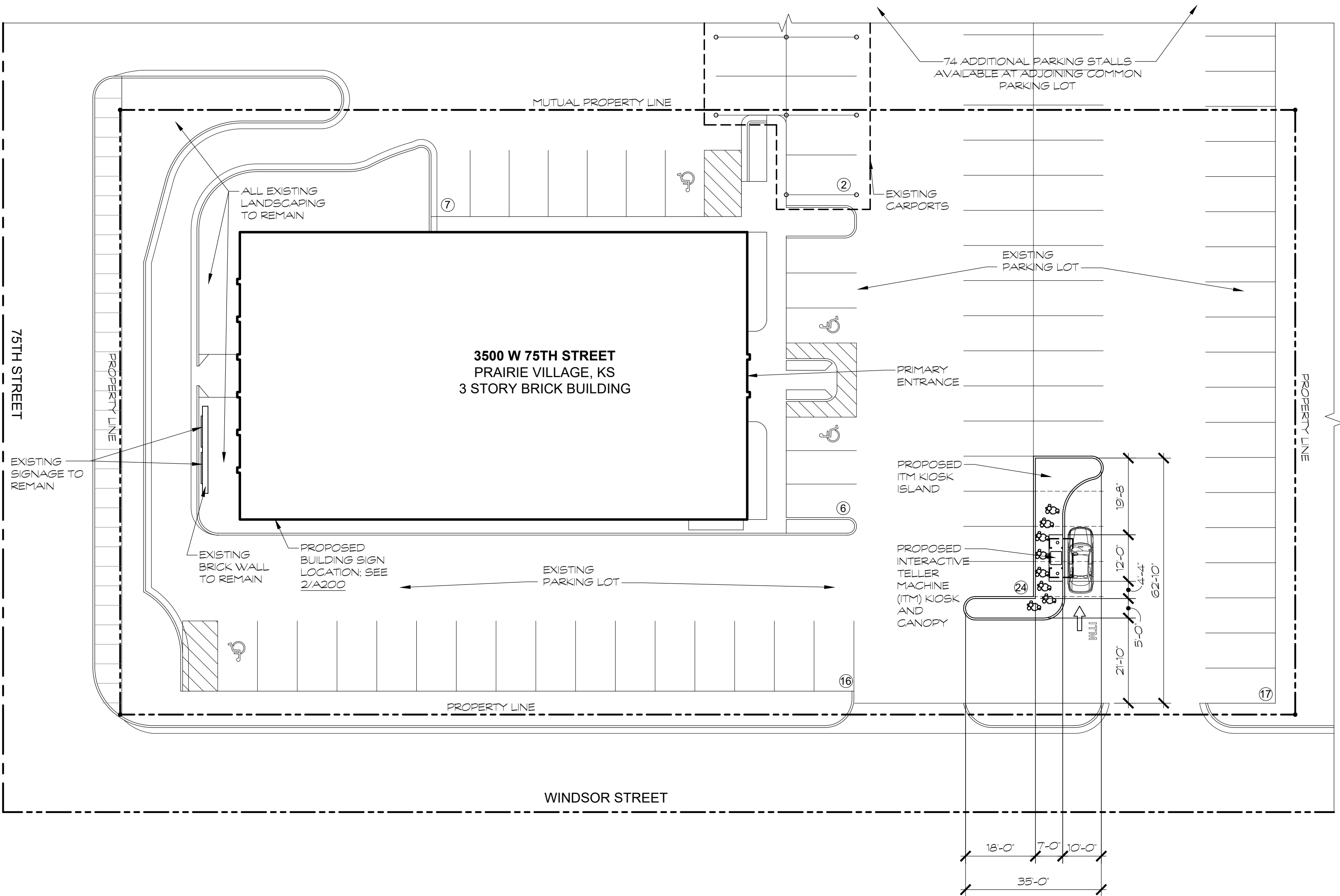
PARKING STALLS	68
ACCESSIBLE STALLS	4
TOTAL PARKING STALLS (THIS SITE)	72
ADJACENT SITE PARKING STALLS	74
TOTAL PARKING STALLS (BOTH SITES)	146
REQUIRED PARKING STALLS	131

LANDSCAPE LEGEND:

 - NEW RED DRIFT ROSE

NOTE:

FIELD VERIFY LOCATION AND CONDITION OF ALL EXISTING LANDSCAPING. LANDSCAPE CONTRACTOR SHALL REPAIR AND/OR REPLACE ALL EXISTING LANDSCAPE AS REQUIRED. COORDINATE FINAL LOCATIONS WITH OWNER.



1 EXISTING SITE PLAN

1" = 20'-0"

N

PLANNING
COMMISSION
SET



RLS ARCHITECTS

4011 HOMESTEAD DRIVE
PRAIRIE VILLAGE, KS 66208
913.384.0134
rlsarch@aol.com

BUILDING SIGNAGE & ATM KIOSK FOR:
LANDMARK NATIONAL BANK
75TH & WINDSOR
3500 W 75TH STREET
PRAIRIE VILLAGE, KANSAS 66208

JOB NUMBER:

DATE: OCTOBER 11, 2021

REVISIONS:

DRAWN BY:

EXISTING
SITE PLAN

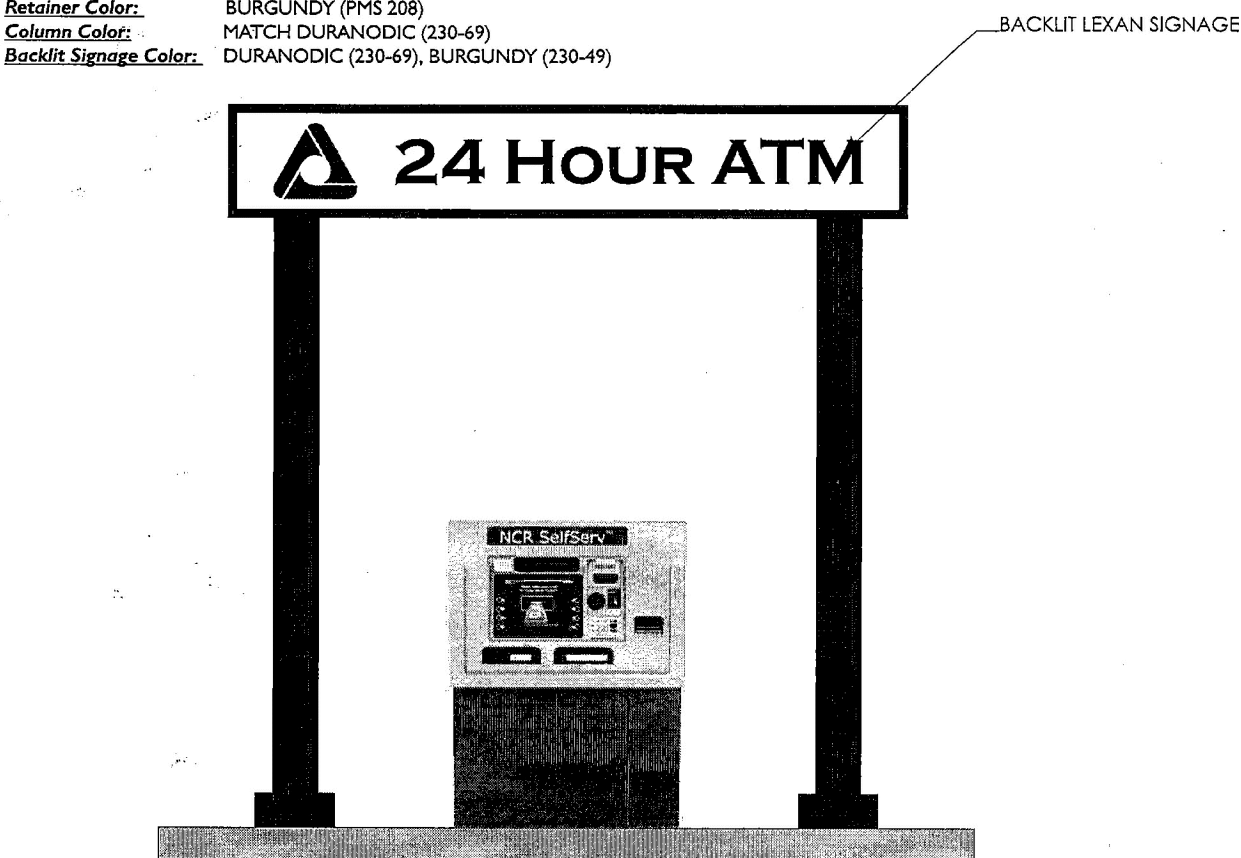
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Landmark National Bank
Manhattan, KS
13732GRX1.CDR
9/2/08

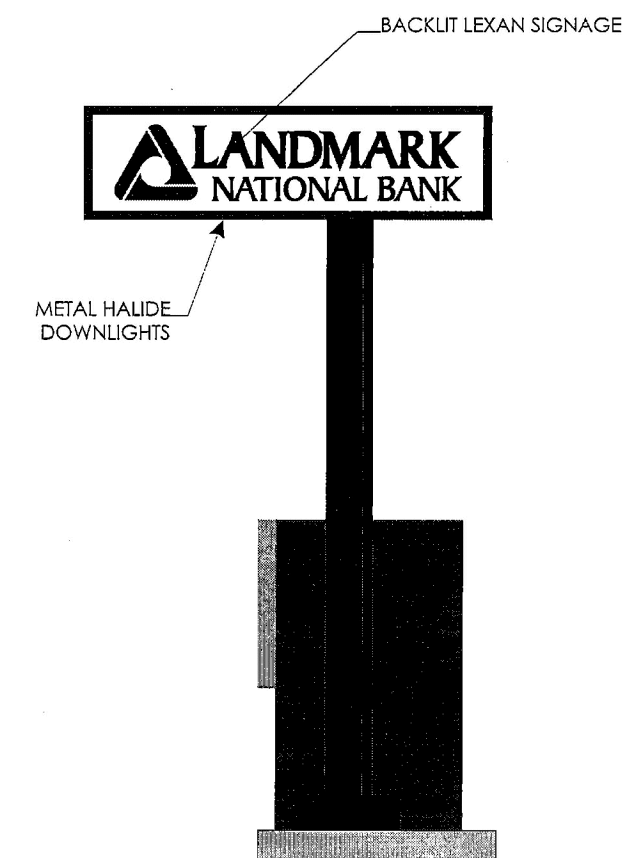
H580 CANOPY w/ NCR 6638

APPROVED: _____
DATE: _____

Retainer Color: BURGUNDY (PMS 208)
Column Color: MATCH DURANODIC (230-69)
Backlit Signage Color: DURANODIC (230-69), BURGUNDY (230-49)



FRONT ELEVATION



EXIT ELEVATION



7905 'L' Street, Suite 110
Omaha, NE 68127
Phone: (402) 592-0600
Fax: (402) 592-3572
www.tmsdesign.com

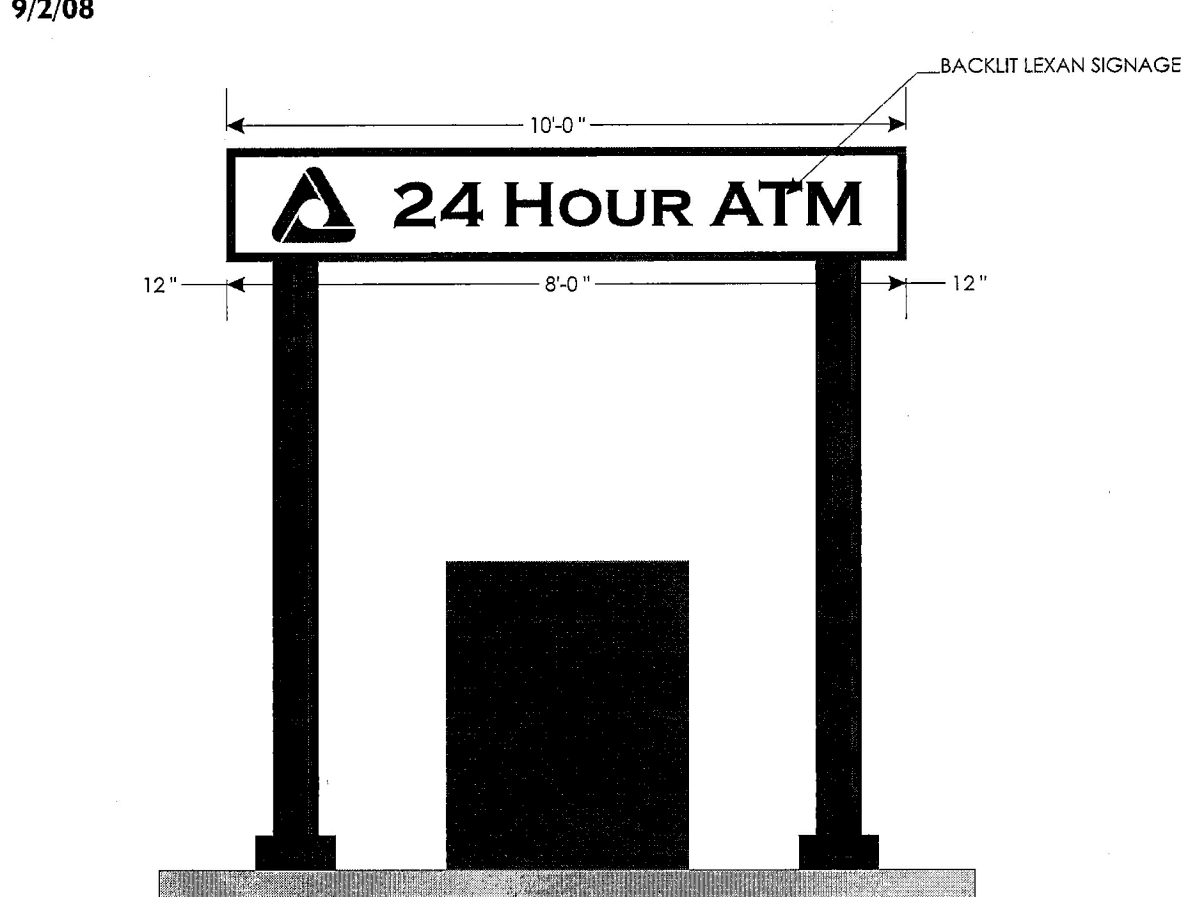
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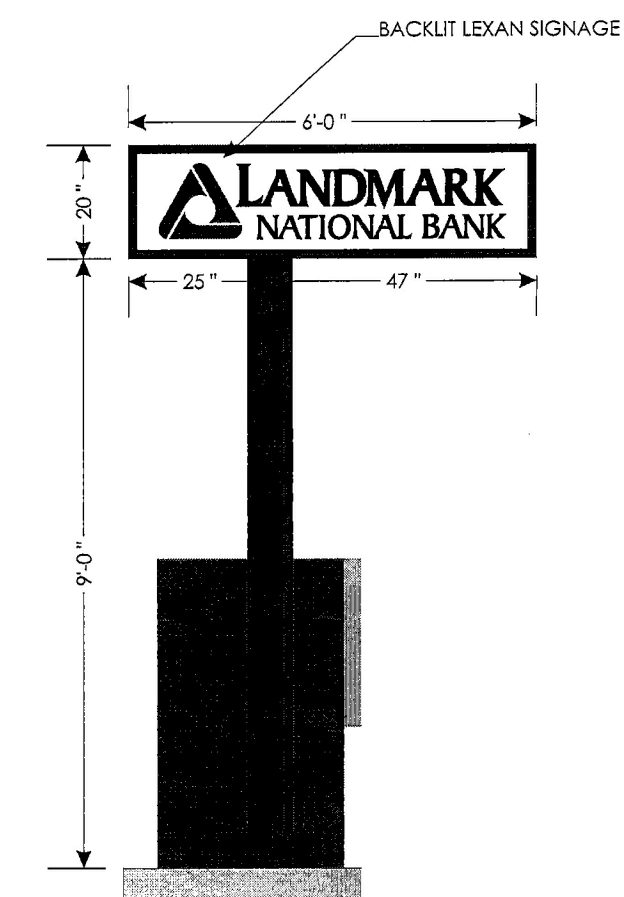
Landmark National Bank
Manhattan, KS
13732GRX1.CDR
9/2/08

H580 CANOPY w/ NCR 6638

APPROVED: _____
DATE: _____



REAR ELEVATION



APPROACH ELEVATION



7905 'L' Street, Suite 110
Omaha, NE 68127
Phone: (402) 592-0600
Fax: (402) 592-3572
www.tmsdesign.com

TMS

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BUILDING SIGNAGE & ATM KIOSK FOR:
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JOB NUMBER:

DATE: OCTOBER 11, 2021

REVISIONS:

DRAWN BY:

ATM ELEVATIONS

A201

PLANNING
COMMISSION
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RLS ARCHITECTS
4011 HOMESTEAD DRIVE
PRAIRIE VILLAGE, KS 66208
913.384.0134
rlsarch@aol.com

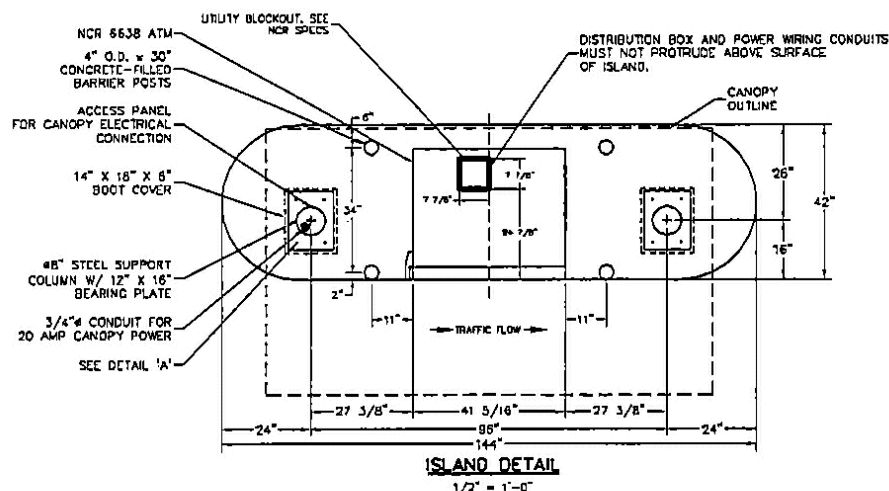
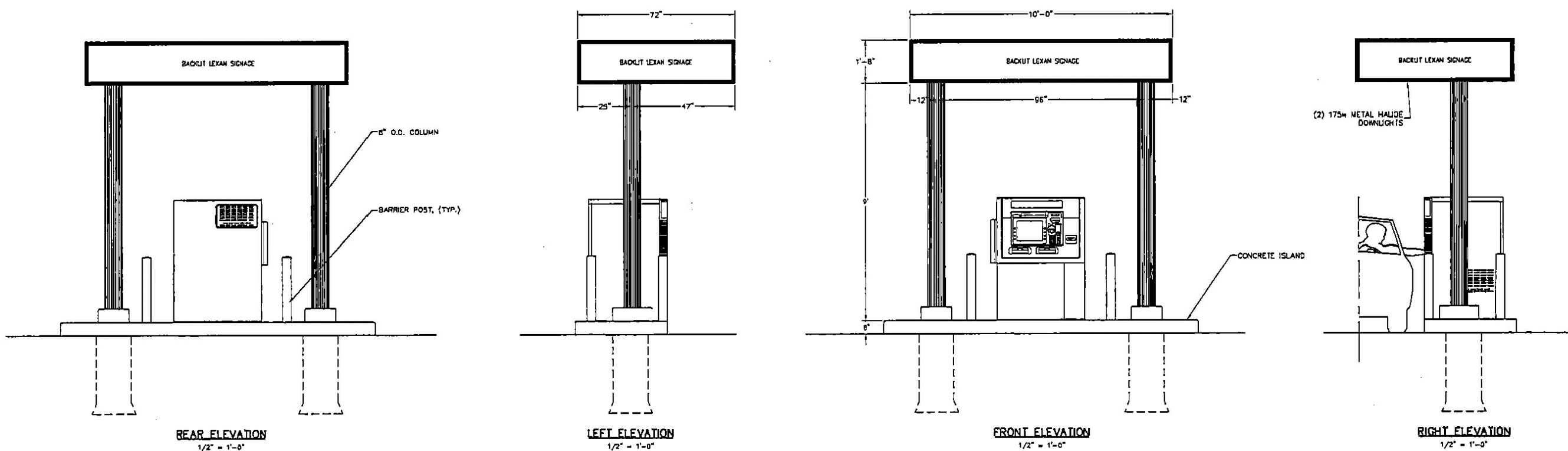
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LANDMARK NATIONAL BANK
MANHATTAN, KS
H580 w/ NCR 6638

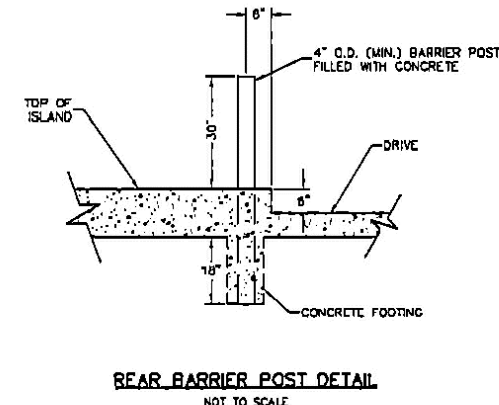
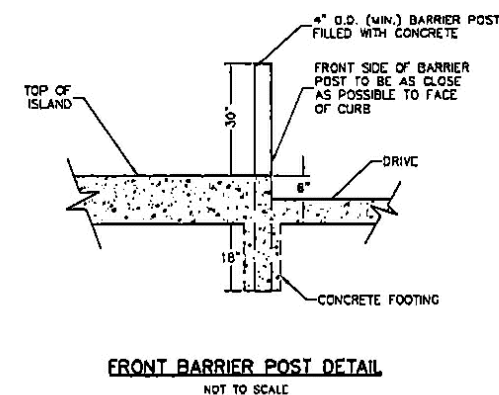
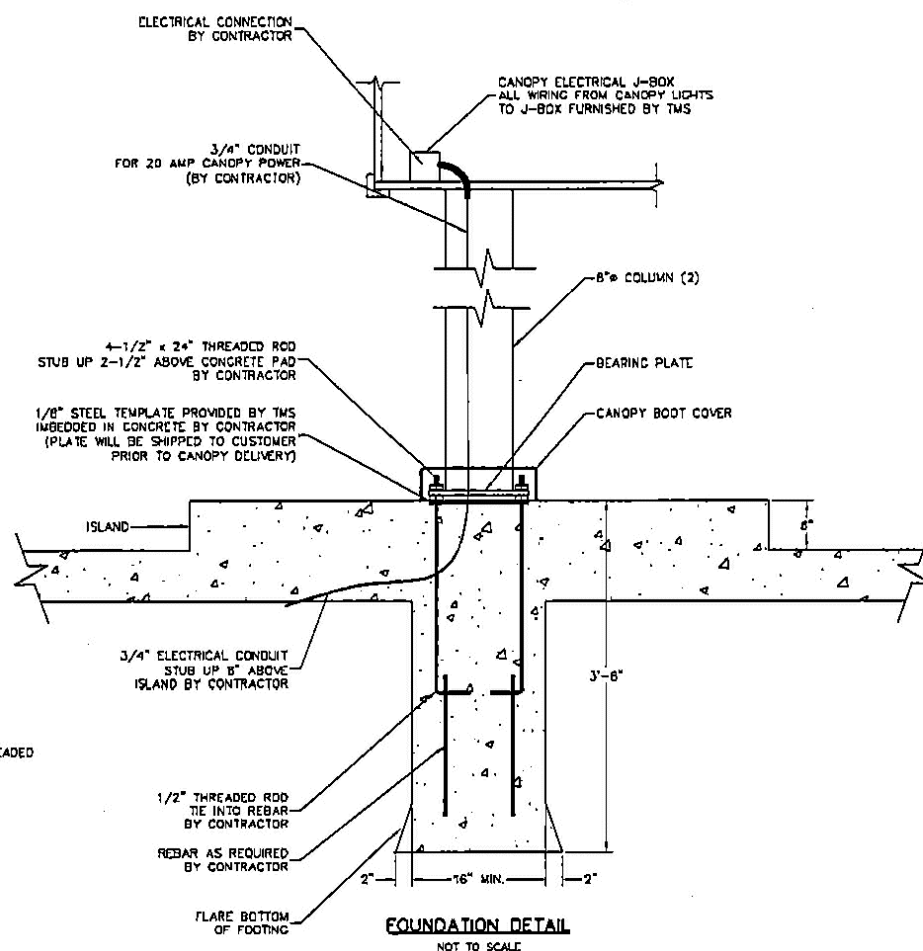
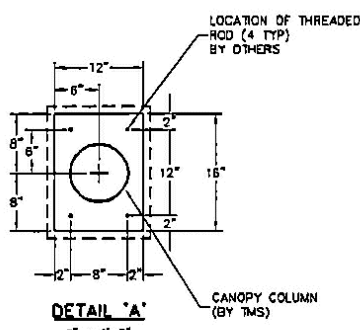
Drawn by: TAV
Date: 9/2/08
Revised by: Date:
File Name: 13732SP.DWG
Scale: AS SHOWN
Job Number: 13732
Sheet Number: 1 of 1



ELECTRICAL NOTE
HERITAGE INDUSTRIES HAS INSTALLED THE CANOPY ELECTRICAL SYSTEM TO THE ELECTRICAL J-BOX. IT IS THE SITE CONTRACTORS RESPONSIBILITY TO TURNISH & INSTALL A 20 AMP ELECTRICAL SERVICE & METERING (IF REQUIRED) TO THE J-BOX, MAKING CONNECTIONS TO THE J-BOX.

NOTE:
ALL PERMITS ARE THE SITE CONTRACTORS RESPONSIBILITY.

IMPORTANT NOTE
THIS SPECIFICATION SHEET DETAILS THE NCR 6638 ATM. **NO** AIR CONDITIONING OPTION. IF AIR CONDITIONING OPTION IS NEEDED, PLEASE CALL THIS DESIGN FOR UPDATED SPECIFICATION SHEET.



JOB NUMBER:
DATE: OCTOBER 11, 2021
REVISIONS:

DRAWN BY:

ATM DETAILS

A202



October 14, 2021

RE: Follow-up Conditional Use Permit / Site Plan Application for Landmark National Bank ATM at 3500 West 75th Street, Prairie Village, Kansas.

Landmark National Bank has filed an amended application with the Prairie Village Planning Commission for the construction of a new automated drive-up teller machine, drive lane and stand alone canopy on the property owned by Windsor-Continental Investors, L.L.C. The new single-lane ATM will be located in the existing parking lot the west of, and between, the two existing parking lot entry/exit driveways off of Windsor.

The application will be heard by the Planning Commission on Wednesday, November 3, 2021 at 7:00 P.M. in the council chambers at the Prairie Village Municipal Building, 7700 Mission Road or via Zoom online depending on current COVID restrictions at the time.. The application number associated with this proposed project is PC2021-116.

You are invited to attend an informal neighborhood meeting at the site at 3500 West 75th Street, at Landmark National Bank, Suite 110, at 6:00 P.M. on Tuesday, October 26, 2021.

The drawings for the proposed ATM lane and canopy will be presented to you and you will have the opportunity to ask questions of the project.

If you cannot attend and have questions, please contact;

Ron Shaffer, AIA
913-384-0134
rlsarch@aol.com

Sincerely,

A handwritten signature in black ink, appearing to read 'W. Jeffrey Phillips', written over a large, loopy oval shape.

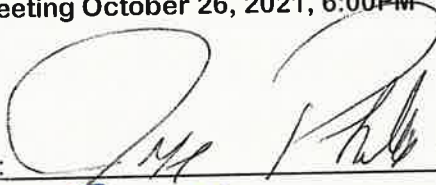
W Jeffrey Phillips
Senior Vice President
Landmark National Bank



Conditional Use Permit/Site Plan Application
Landmark National Bank Proposed ATM
3500 West 75th Street, Prairie Village, Kansas

Neighborhood Meeting October 26, 2021, 6:00PM

Name & Address:

 - Landmark National Bank

Name & Address:

 - KES ARCHITECTS

Name & Address:

Name & Address:

Name & Address:

Name & Address:

Name & Address:

Name & Address:

Name & Address:

Name & Address:

Name & Address:

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STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Gould Evans, Planning Consultant
DATE: November, 2021 Planning Commission Meeting

Application: PC 2020-119 – Re-submittal November 2021

Request: Revised Site Plan

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

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 2020-119 Revised Site Plan (original submittal)
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, revised site plan

General Location Map



Aerial Map



Site



Bird's eye view of block



Bird's eye view of site

Background:

Update: *This is a continuation of an application originally submitted and discussed at the November 2020 Planning Commission Meeting. The Planning Commission deferred action on the application until neighbor concerns associated with lighting and landscape related to previous plans were addressed. Between November 2020 and July 2021, staff worked with the applicant and neighbors to resolve these issues. The Planning Commission most recently considered this application at the July 2021 meeting and approved part of the plan (approving the parking area design over a portion of the tennis courts on the north and reconfiguring tennis courts for 4 portable / removable pickle ball courts).*

This application involves the following remaining or revised elements:

- 1. A 65' x 65' enclosed pickle ball court structure between the club house, accessory storage building and tennis enclosure.***
- 2. A 15' x 18' accessory structure to the west of the tennis enclosure.***
- 3. A 72' x 50' covered poolside deck on the south side of the pool.***

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. The special use permit was amended in May of 2018 to allow for the remodeling and add an addition to the club, and to replace the seasonal tennis enclosure with a permanent structure. The site plan associated with the special use permit has been revised by the Planning Commission in August 2018, December 2018, May 2019, and July 2021.

This project has the following specific case history:

- 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 (this application) – enclosed pickle ball structure, accessory structure, and proposed pool deck structure.

The applicant held a neighborhood meeting on June 15, 2021, on the original plan (considered in July) and again on October 19, 2021 for the updated plan. This is in accordance with the City's Resident Participation Policy and will provide background on the meeting to supplement the application.

Site Plan Criteria:

This application is a revision to a site plan associated with an approved special use permit. The revisions are within the special use permit parameters, but revisions to the site plan require Planning Commission approval. The following are the site plan review criteria: [Section 19.32.030]

A. Generally.

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

This property is zoned R-1A and the existing use is authorized by an approved special use permit. The primary issue addressed by the special use permit is the relationship to the surrounding property. This relationship involves four primary issues addressed more specifically under the other site plan criteria:

- *Stormwater issues associated with any expansion of the impervious surfaces, and how that relates to detention, landscape and runoff, and grading and berms.*
- *Parking, and the buffers of parking areas in relation to adjacent property.*
- *Lighting, and potential glare or spill-over lights on adjacent residential property.*
- *Landscape design, primarily related to buffering residential property from sound, views of the facilities and lights.*

Each of these is discussed more thoroughly in the criteria below.

B. Site Design and Engineering.

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

There are no circulation or parking design changes associated with this portion of the plan. At the July 2021 Planning Commission meeting the Planning Commission approved a reconfiguration of the parking area to extend over one tennis court on the north boundary, leaving one remaining court in the northwest corner of the site. The site plan has been amended two times prior to July 2021 to reconfigure the parking.

- *Originally it was proposed to extend in a north south manner, leaving all 4 courts on the north boundary (May 2018).*
- *A revised site plan was approved converting two of the four courts to parking. (May 2019)*

During this time the applicant constructed and striped the entire area for parking. However, only the surface area over 3 courts has been approved for parking, and the paved surface in the northwest corner of the site is only approved for a tennis court use at this time.

This results in approximately 122 parking spaces to serve the club, which is sufficient for the proposed use according to the zoning requirements, review of comparable ordinances and uses, and the approved special use permit. Anecdotal evidence suggests that on-street parking has been an issue on Homestead Court. This appears to be due to not utilizing the designated parking area rather than a parking problem. However, there may be occasional utilization of on-street parking during peak use times. At the July 2021 meeting the following parameters were discussed:

- *The applicant would manage employee and member parking so that the parking lot is used for all parking, and on-street parking is only used during peak or overflow demands.*
- *Public Works would monitor the on-street parking situation and consider limiting parking to one side of the street if necessary.*
- *For any special events where excess parking is expected (i.e. swim meets), the applicant would manage parking through off-site, shuttle or valet services (Note: this extends to the May 2018 special use permit approval.)*

The previous approved plan included a condition of a revised drainage study and final design details of a detention area, including investigating berms on the south boundary of the property. Public works was satisfied with the results of the revised submittals associated with the prior amendments to the site plan. This proposal does include three additional impervious areas and includes additional rain gardens. Prior to any permits, Public Works will require a further revised

drainage study and submission of specifications of the rain garden to ensure that performance standards are met with respect to drainage.

C. Building Design.

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

The plan includes the following proposed structures:

- A 15' x 18' storage shed. There is no other specific information on the plans regarding this building. However, the R-1A zoning district does allow up to three accessory structures for non-residential uses, limited to 300 square feet each and 16 feet tall. [19060.020.(b)]. There are no particular design standards for these types of buildings, and it is anticipated they can be generic storage sheds provided they meet all setbacks and are generally not visible from the right-of-way and appropriately landscaped. The structure is in a well landscaped area and not visible from any adjacent property or right of way.*
- A 65' x 65' enclosed pickleball structure between the enclosed tennis courts, a small accessory structure, and the club house. There is one generic rendering of this building, but it does not include dimensioned elevations, materials, or building height. From the generic rendering this appears to be a metallic building and it is showing a garage entry on one elevation and a door on another. However, the rendering is not shown in any context relevant to the site. Due to the size this building is not eligible for the general accessory building standards and needs to demonstrate that it meets the above criteria. The building is located internal to the site at a transition between the clubhouse (serving as the principal building and establishing the design quality and character of the site) and the enclosed tennis structure (which is a large-scale building with a utilitarian design). The enclosed pickleball court appears to have a similar utilitarian design as the tennis enclosure. Due to its location and the smaller scale nature of the building relative to the tennis structure it does not have a significant impact on the adjacent properties, provided all perimeter landscape is maintained. The building is located in an internal landscape area near the entry to the club and is visible at the entry to the site from homestead court. There are two options for consideration of this structure: (a) due to its location and relation to the enclosed tennis structure, a basic and utilitarian design is acceptable; or (b) due to its size and proximity to the site frontage and club entry, design details that tie it into the clubhouse should be required. In either case, additional information on the height, materials and colors is necessary prior to approval.*
- A 72' x 50' covered poolside deck. A dense evergreen screen addition is proposed on the south boundary near this structure. There are no specific plans for this area or the structure, however conceptual images are provided that suggest materials and design similar to the existing clubhouse. Assuming that the plans are suggesting that the entire 72' x 50' area would have a covered structure, this structure is also not eligible for the general accessory building standards, and more detailed elevations, dimensions, and material specification should be provided prior to approval. Additional details on any appliances, services, lighting, and sound mitigation with expanded activities associated with the deck should be provided.*

D. Landscape Design.

- 1. The plan creates an attractive aesthetic environment and improves relationships to the streetscape and adjacent properties.**

2. **The plan enhances the environmental and ecological functions of un-built portions of the site.**
3. **The plan reduces the exposure and adverse impact of more intense activities or components of the site or building.**

Additional landscape has been provided in two locations – evergreen trees in the frontage landscape near the proposed pickle ball court and a dense evergreen hedge near the south boundary of the proposed covered pool deck. The evergreens in the frontage do not completely address the design and relationship of the proposed pickleball building to the site (see criteria C.) and there are several existing trees in this area very near the building location. These trees should be required to be saved and/or mitigated according to the tree protection ordinance if they can not be saved through any construction. The proposed evergreen screen on the south border is a sufficient buffer for the poolside deck but a specific planting plan and species shall be provided before any construction.

Additionally, the prior plan approval from the July 2021 meeting included some conditions for landscaping related to the expanded parking area, which should also be completed prior to any permits being issued. (See July 2021 staff report for details).

RECOMMENDATION:

Staff recommends the following:

1. Approval of the accessory structure west of the tennis enclosure.
2. Approval of the enclosed pickle ball structure due to a Planning Commission determination of one of the following:
 - a. That due to the scale, location, and relationship to the larger tennis enclosure, this structure would be eligible for treatment as a generic accessory building.
 - b. Based on additional design details provided by the applicant or required by the planning commission, compatibility with the club house and the tennis structure is demonstrated – particularly at the frontage visible from homestead court.
 - c. In either case, the applicant shall provide the maximum height of the structure and a revised drainage study shall be required and approved by public works prior to any permits.
3. The proposed pool deck should not be approved until more specific designs and dimensions of the structure are provided (height, setback from property, materials, design and details of the enclosure, and potential sound and light mitigation for any utilities or services that will be provided in the structure. In the case that the proposed deck is only a surface with a minor accessory structure associated with it (under 300 square feet), it may be approved subject to the requirement of a revised stormwater study and drainage permit being issued by public works prior to any building permits.

The following additional conditions were part of the partial approval of the revised site plan by the Planning Commission in July 2021, and are repeated here:

4. The applicant and the City (via Public Works) explore prohibiting parking on one side of Homestead Court, and the applicant specifically implements parking management processes and policies that reduce the practice of parking on Homestead Court to overflow situations, only and that no members or employees routinely park on the street when other available parking exists.
 5. The revised court configuration (13 tennis courts and 10 pickle ball courts) is approved, provided the pickle ball is located in the central-most portions of the court areas near the clubhouse. This is intended to place the more intense activity and potential noise increases that result from pickle ball furthest from adjacent residential areas.
 6. Landscape for the increased 50 feet of parking lot perimeter on the north boundary be added to meet the ordinance requirement (5 shrubs for 25 feet of perimeter), or if grade or existing plantings make this impractical, the applicant work with staff to plant additional evergreens or other type of barrier that meets the intent of the standard.
-

7. No other changes to the site are authorized, and any new configuration of the site, to include courts, lighting, traffic and parking control, or other facilities shall require staff review and a revised site plan or amended special use permit.



CITY OF PRAIRIE VILLAGE

The Star of Kansas

Planning Commission Application

For Office Use Only
Case No.: PC2021-119
Filing Fee:
Deposit:
Date Advertised:
Date Notices Sent:
Public Hearing Date:

Please complete this form and return with
Information requested to:

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

Applicant: Homestead Country Club

Phone Number: 913-205-4501

Address: 4100 Homestead Court E-Mail: jpflughoft@hulsinghotels.com

Owner: Hulsing Enterprises, Inc. Phone Number: 913-274-1429

Address: 4100 Homestead Court Zip: 66208

Location of Property: 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 CURLE 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

Applicant requests consideration of the following: (Describe proposal/request in detail)
Enclose approved two new pickleball courts with a metal structure aesthetically coordinating with the tennis building
Expand deck at pool and add a lean to roof in the center.
Add 20 new parking stalls in center of property, adjacent to new pickleball.
~~Add an aesthetically coordinated storage shed on existing pad to the west of tennis building. Door would face east.~~

AGREEMENT TO PAY EXPENSES

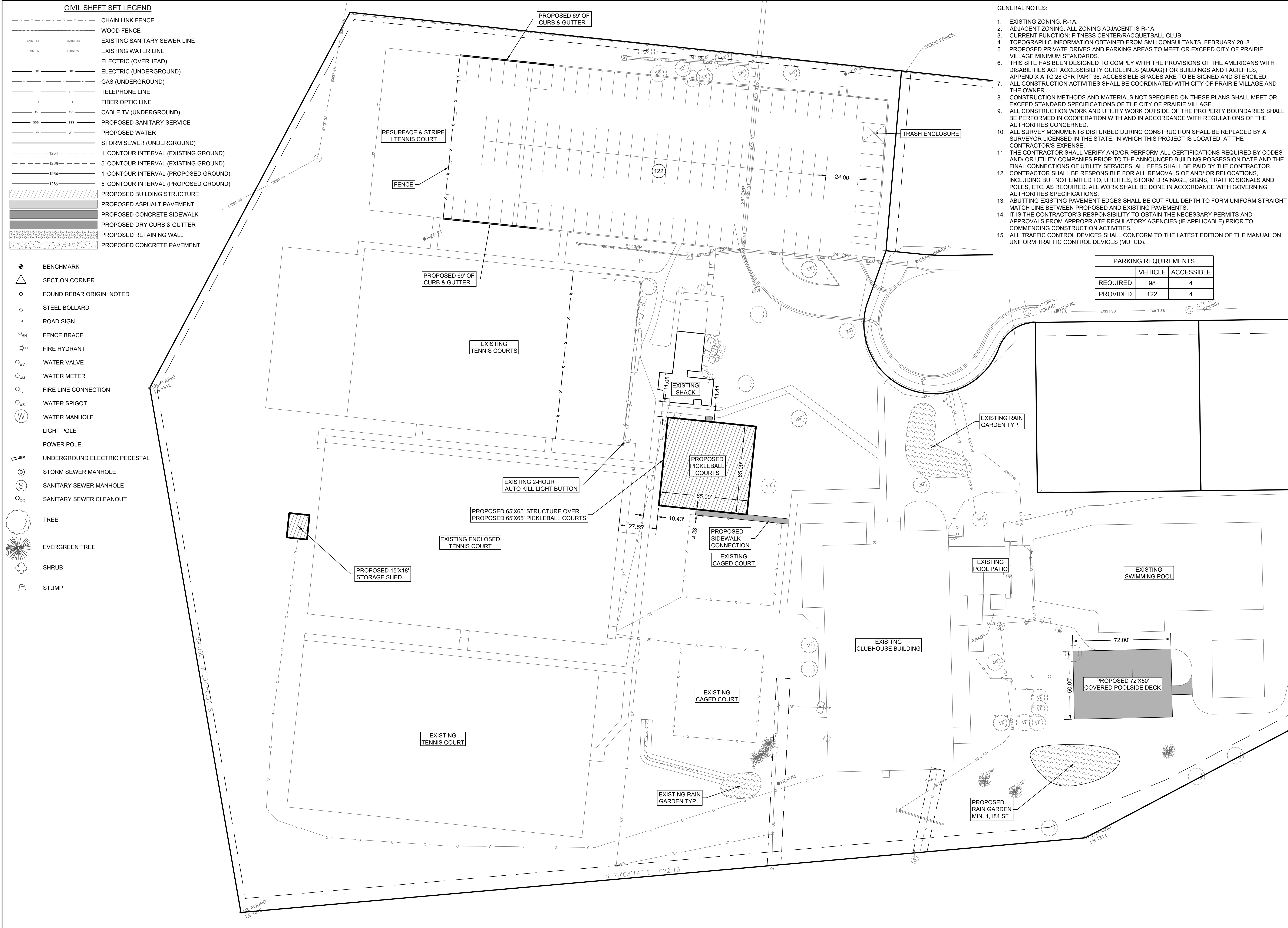
APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for Homestead Country Club.

As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

Applicant's Signature/Date

Owner's Signature/Date



SMH CONSULTANTS

www.smhconsultants.com
Civil Engineering • Land Surveying
Landscape Architecture
Manhattan, KS - HQ
(785) 776-0541
Dodge City, KS
(620) 255-1952
Overland Park, KS
(913) 444-0615
Colorado Springs, CO
(719) 465-2145

HOMESTEAD COUNTRY CLUB
PLANNING COMMISSION SITE PLAN
4100 HOMESTEAD COURT, PRAIRIE VILLAGE, KANSAS

REVISION	DATE	DESCRIPTION
1	00/00/00	

NORTH

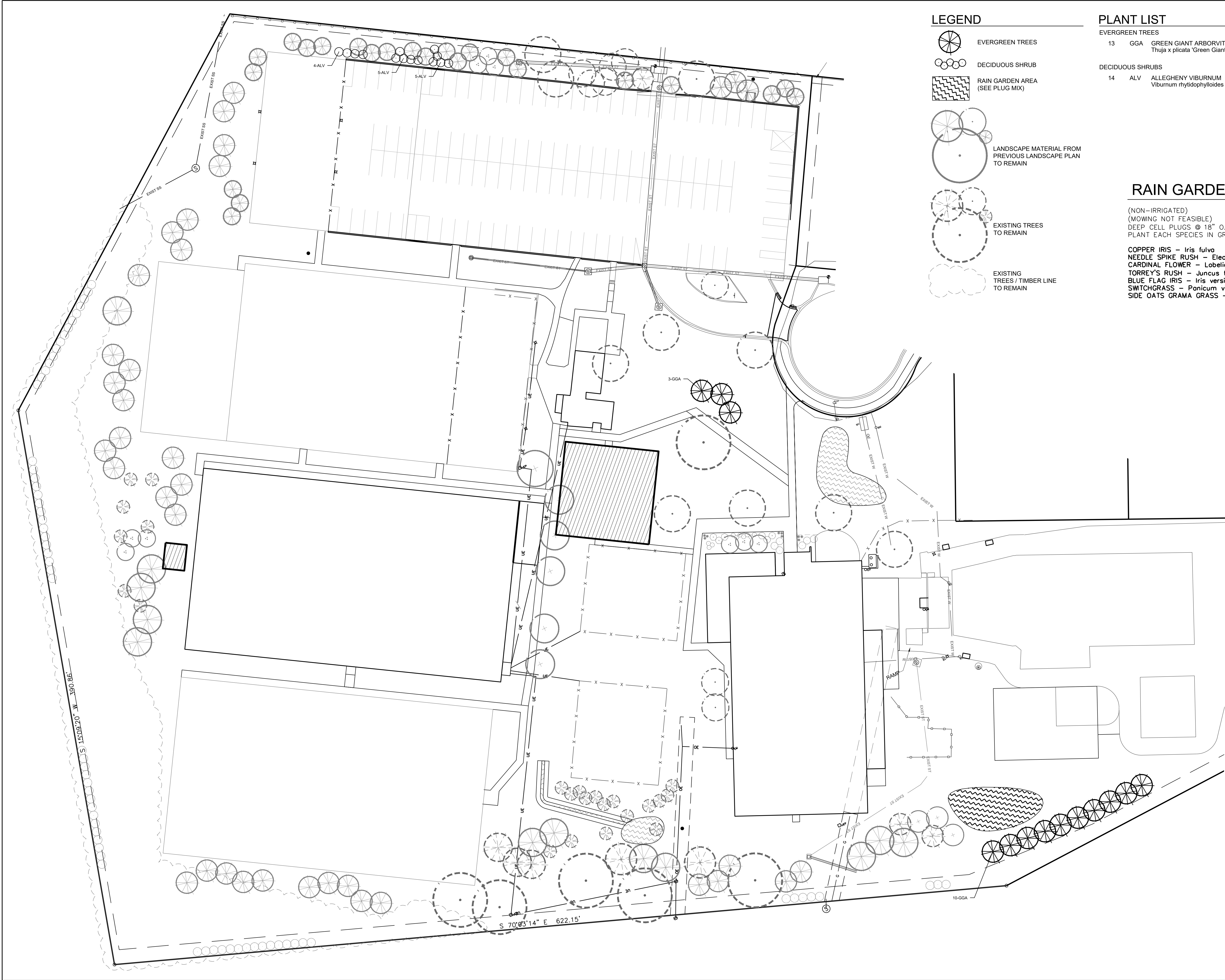
SCALE: 1" = 30'

PROJECT #: 2106-0270
CHECKED BY: BCG
DRAWN BY: BCG

DATE: 10/07/21

SHEET #

TOTAL SHEETS



LEGEND

- EVERGREEN TREES
- DECIDUOUS SHRUB
- RAIN GARDEN AREA (SEE PLUG MIX)
- LANDSCAPE MATERIAL FROM PREVIOUS LANDSCAPE PLAN TO REMAIN
- EXISTING TREES TO REMAIN
- EXISTING TREES / TIMBER LINE TO REMAIN

PLANT LIST

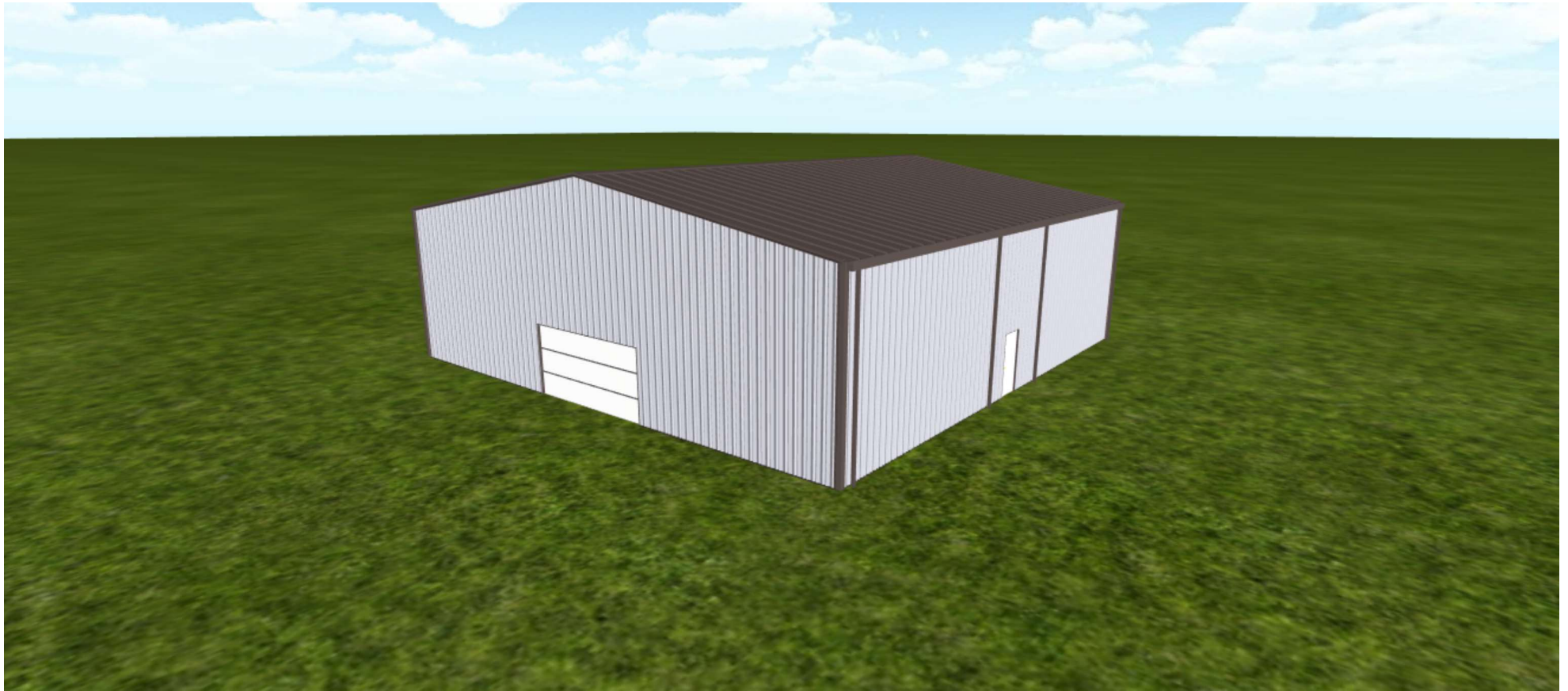
EVERGREEN TREES			
13	GGA	GREEN GIANT ARBORVITAE Thuja x plicata 'Green Giant'	6' HT. SINGLE TRUNK
DECIDUOUS SHRUBS			
14	ALV	ALLEGHENY VIBURNUM Viburnum rhytidophylloides 'Allegheny'	5 GAL. 18"-24" HT.

RAIN GARDEN PLUG MIX

(NON-IRRIGATED)
(MOWING NOT FEASIBLE)
DEEP CELL PLUGS @ 18" O.C.
PLANT EACH SPECIES IN GROUPS OF 3, 5, 7, OR 9

COPPER IRIS – *Iris fulva*
NEEDLE SPIKE RUSH – *Eleocharis acicularis*
CARDINAL FLOWER – *Loebelia cardinalis*
TORREY'S RUSH – *Juncus torreyi*
BLUE FLAG IRIS – *Iris versicolor*
SWITCHGRASS – *Panicum virgatum*
SIDE OATS GRAMA GRASS – *Bouteloua curtipendula*

REVISION DESCRIPTION (DESCRIPTION)			
△		-	
REVISION DATE	00/00/00	-	
NORTH			
			
			
SCALE: 1" = 30'			
PROJECT #: 2106-0270			
CHECKED BY: XXX			
DRAWN BY: XXX			
DATE:		DATE	
SHEET #			
TOTAL SHEETS			



Future Covered Pool Deck Examples



Adam,

Per the citizen involvement policy of the City of Prairie Village, a neighborhood meeting was initiated at the Homestead Country Club last night, scheduled for 6:00pm.

Unfortunately, none of our neighbors invited chose to attend. General Manager, Kyle Hulsing, and I were present and waited one half hour before adjourning.

I believe this satisfies the Resident Participation Policy and allows our site submittal to move onto PC for review this November 3rd.

Please correct any errant points of mine and let me know of any further information needed.

In addition, at this time, do you know if the next PC meeting will be virtual or physical?

Thank you very much,



Jeff Pflughoft
Purchasing Manager, Hulsing Hotels, LLC

t: 913-359-6210 | m: 913-205-4501

e: jpflughoft@hulsinghotels.com | w: www.hulsingenterprises.com

4100 Homestead Court, Prairie Village, KS 66208

Site Plan Approval Draft Revisions

19.32.010 Applicability

~~All uses except single-family and two-family dwellings, group homes and residential design-manufactured homes including proposed expansions or enlargements of more than ten percent of the existing floor area of existing buildings shall prepare and submit a site plan in accordance with chapter 19.32 Site Plan Approval prior to the issuance of a building permit.~~

Site Plan review is required in the following circumstances:

- (a) Any new building, except single-family and two-family dwellings.
- (b) Any expansion or enlargement of the existing floor area of existing buildings by more than 10%, except single family and two-family dwellings
- (c) Any site development activity, grading, or other construction activity that in the opinion of the building official may cause significant impacts or changes in the relationship to adjacent property or streetscape.
- (d) If application is made for a building or structure which is not required to submit a site plan, and whose architectural style, exterior materials, or scale and massing vary substantially from the style, materials, or building patterns which are used in the area, the building official may require site plan review.

19.48.070. Standards for Specific Sign Types

(d) *Multi-tenant Buildings and Sites.*

- (1) All signs for multi-tenant buildings or sites shall require sign plan and permit approved by ~~the planning commission~~staff according to these standards and criteria.
- (2) The sign plan shall demonstrate coordination of all signs on the building and site, and allow sufficient flexibility for the replacement of signs or new tenants without the need for a new sign plan. ~~unless a completely new sign design concept is proposed for the entire building or site.~~ Any proposed signs that do not comply with an approved sign plan shall not be given a permit, unless a new sign plan for the entire building or site is approved demonstrating coordination of all signs.
- (3) The wall sign allowance may be apportioned to any tenant with a separate exterior entrance. In the case where all tenants share a common entrance the wall sign allowance may be apportioned to no more than two signs per facade.
- (4) The monument sign allowance for the building(s) and site shall meet the standards of section 19.48.070(a), however the copy within the allowed sign may be apportioned to multiple tenants.
- (5) ~~The planning commission~~Staff shall consider the intent of this chapter and the objectives of the Design Guidelines in section 19.48.080 in approving a sign plan ~~and permit, or any sign permit under an approved sign plan.~~ Deviations from the specific design guidelines may be approved for any sign plan that equally or better meets the intent or design objectives of this chapter. A proposed sign plan that does not meet the guidelines in section 19.48.080 may be referred by staff to the Planning Commission according to the procedures and criteria in chapter 19.32., and the Planning Commission may approve the sign plan if it finds that the plan equally or better meets the intent of this chapter and the objectives of Section 19.48.080.

19.44.025. FENCES AND WALLS.

(c) *Location.*

- (1) Decorative fences may be located in the front yard but shall be located no closer than ten feet from a street right-of-way line.
- (2) Fences, other than decorative fences, shall not be located in the front yard and may be attached to or extended from the front corner of the dwelling.
- (3) Fences located on the side street of a corner lot shall ~~not be less than five feet from the right-of-way line~~ be on private property and at least 18 inches from any public sidewalk, whichever is greater, except that if an adjacent lot faces the side street, the fence shall be setback from the right-of-way line a distance of 15 feet or not less than one-half the depth of the front yard of an adjacent building, whichever is the greater setback.
- (4) If the rear of a through lot is fenced, a gate shall be installed to provide access to the right-of-way.
- (5) Diagrams depicting the location of fences on various types of lots are attached.