

PLANNING COMMISSION MINUTES DECEMBER 7, 2021

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, December 7, 2021 at 7:00 p.m. Vice-Chair James Breneman called the meeting to order via Zoom at 7:00 p.m. with the following members present: Jonathan Birkel, Melissa Brown, Nancy Wallerstein, and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; Jamie Robichaud, Deputy City Administrator; Mitch Dringman, Building Official; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman said that a change should be made to the November 3, 2021 minutes, to modify the third paragraph on page 2 to state the following:

“Mr. Breneman, Mr. Lenahan and Mr. Birkel shared concerns about the lighting of the ATM signage impacting residents to the north and east of the parking lot, and suggested that the signage be installed in a way that would prevent lighting from being visible from the north and east.”

Additionally, the motion to approve was modified to state the following:

“Mr. Lenahan made a motion to approve the conditional use permit with the three conditions presented by staff, as well as a fourth condition that the lighting of the sign shall not be visible from the north or east at night. Mr. Valentino seconded the motion, which passed unanimously.”

Mr. Birkel moved for the approval of the minutes of the November 3, 2021 regular Planning Commission meeting with the noted amendments. Mr. Valentino seconded the motion, which passed 5-0.

PUBLIC HEARINGS

PC2021-123	Consideration of changes applicable to site plans, fences and sign regulations
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Mr. Brewster said that the proposed changes addressed items that triggered a site plan, specifically in relation to buffers and significant visual impacts to adjacent properties. Changes to the sign standards would allow staff to review and approve sign proposals to ensure they meet design standards in the municipal code, reducing the need for site-specific sign plans to require Planning Commission approval each time a sign is to be replaced. Lastly, requirements for fence exceptions would be relaxed, so fewer applications would need to be reviewed by the Planning Commission. The specific changes are as follows:

- Updates the site plan applicability requirements in Section 19.32.010 to include situations when buffers or screening from adjacent property is impacted
- Updates the sign regulations in Section 19.48.070 to clean up the approval process for sign plans on multi-tenant buildings
- Updates the fence regulations in Section 19.44.025 to clarify fence placement on corner lots

Mr. Breneman opened the public hearing at 7:11 p.m. With no one present to speak, Mr. Breneman closed the public hearing at 7:12 p.m.

Ms. Brown made a motion to recommend approval of the proposed changes to the zoning regulations to the Governing Body. Mrs. Wallerstein seconded the motion, which passed 5-0.

NON-PUBLIC HEARINGS

PC2021-122 Site plan for fence exception
7647 Falmouth Street
Zoning: R-1A
Applicant: Josh Haith

Mr. Brewster stated that the applicant wished to replace an existing fence that did not conform to required setback standards on 77th Street. An exception would allow the replacement of a four-foot tall chain link fence with a six-foot tall wood fence located in the current location approximately on the property line, rather than 15 feet from the property line.

The property is a corner lot on the northeast corner of 77th Street and Falmouth Street. In this circumstance, the zoning ordinance requires the fence to be set back from the lot line on 77th Street the greater of 15 feet or one-half of the front setback of the adjacent lots. Since the proposed fenced area is in the side and rear, there are no restrictions on the design of the fence, other than the general height and design standards.

The proposed fence would be set back approximately 14 feet from the curb of 77th Street. The adjacent house is setback approximately 20 feet (half the setback is 10 feet, which is

less than the default 15 feet setback). In this case, there is approximately 14 feet of right-of-way in the frontage, and the adjacent home has a relatively shallow setback (20 feet). Replacing the fence at the current location would be slightly closer than half the distance between the adjacent house front setback and the curb line (approximately 34 feet).

Mr. Birkel asked if the utility pole on the fence line indicated the presence of an easement to access the property. Mr. Brewster stated he was not aware of an easement. Mrs. Wallerstein asked if the property owner would need install a gate to allow access to the pole. Ms. Robichaud stated that the City did not keep track of utility easements, and that property owners install fences at their own risk. If a utility needs access to the site, it will be the responsibility of the property owner to provide access at their cost.

Applicant Josh Haith, 7647 Falmouth Street, was present to speak about the project. He stated that he preferred not to install a gate in the fence.

Mrs. Wallerstein made a motion to approve the site plan as presented. Mr. Birkel seconded the motion, which passed 5-0.

OTHER BUSINESS

Consider approval of 2022 meeting dates

Mr. Valentino made a motion to approve the proposed meeting dates. Mrs. Wallerstein seconded the motion, which passed 5-0.

ADJOURNMENT

With no further business to come before the Commission, Vice-Chair James Breneman adjourned the meeting at 7:29 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary