

PLANNING COMMISSION MINUTES OCTOBER 3, 2023

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, October 3, at 7:00 p.m. in the Council Chambers at 7700 Mission Road. 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 in their advisory capacity to the Planning Commission: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Mitch Dringman, Building Official; Greg Shelton, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the July 11, 2023, regular Planning Commission meeting. Mr. Birkel seconded the motion, which passed unanimously.

Mr. Lenahan moved for the approval of the summary of the August 22, 2023, Planning Commission work session. Mr. Breneman seconded the motion, which passed unanimously.

PUBLIC HEARINGS

PC2023-112 Conditional use permit for drive-up ATM
 5368 W. 95th Street
 Zoning: CP-1
 Applicant: Scott McGregor, Southwind Group

Mr. Brewster stated that the applicant was requesting approval of a conditional use permit for a drive-up automated teller machine (ATM), which had already been placed in the parking area of the shopping center. The ATM was not included in the final development plan which was approved by the Planning Commission in 2021; however, it was included on subsequent permit plans reviewed and approved by the City. At the time of approval, that fact that the ATM was not included in the prior plans and did not have the required conditional use permit approval was missed.

The prior associated application reviewed by the Planning Commission in 2021 included the partial tear-down of an existing building, construction of a new two-story building,

cosmetic changes to all existing buildings, and associated site improvements for the property. The plan also included a playground, reconfiguration of outside courtyard spaces, some parking reconfiguration and reconstruction, and associated landscape changes. The Planning Commission approved the preliminary and final development plan subject to conditions provided by staff. Since that time, all conditions have been met, and the only outstanding issue is the ATM.

Mr. Brewster said that the property was zoned CP-1: Planned Restricted Business District, and that zoning regulations allowed accessory drive-up service areas for non-food and beverage businesses but required a conditional use permit to be reviewed and approved by the Planning Commission. He added that the application met the criteria for conditional use permits for drive-up service areas, and was consistent with the approved preliminary development plan, final development plan, and landscape plan. Public Works and Consolidated Fire District #2 had both reviewed and approved the proposed circulation pattern around the ATM.

Mrs. Wallerstein asked how many parking spaces were lost due to the installation of the ATM, and how that impacted total parking for the shopping center overall. Mr. Brewster stated two spots had been removed, but that the amount of parking was still adequate.

Mr. Birkel asked whether additional on-street parking would be allowed on 94th Terrace behind the shopping center. Mr. Brewster said that parking along the street was not included in the previous plan approval, nor a part of the overall parking count, but was permitted.

Jared Hagedorn with Generator Studio, the architect for the project, was present to discuss the application. He noted that with the rise in online banking, ATM visits had decreased, which would limit traffic flow in the lot.

Mr. Wolf opened the public hearing at 7:18 p.m. With no one present to speak, Mr. Wolf closed the hearing at 7:19 p.m.

Mr. Breneman made a motion to approve the conditional use permit. The motion was seconded by Ms. Brown.

Mrs. Wallerstein amended the motion to add a five-year term to the permit. After further discussion, the amended motion passed unanimously.

NON-PUBLIC HEARINGS

PC2023-110	Site plan for alternate location for standby emergency generator 7340 Windsor Street Zoning: R-1B Applicant: Julie Schlachter
------------	--

Mr. Brewster stated that the applicant was requesting approval of a permit for a generator. The Building Official determined that the proposed location needed to be approved by the Planning Commission through the site plan review process, due to its proximity to the adjacent house.

The City's zoning regulations allow permanent standby emergency generators as an accessory use for any single-family dwelling subject to specific conditions and location criteria, but state that the Building Official may require an application to the Planning Commission when there are questions or interpretation issues associated with the conditions or location criteria. Mr. Brewster noted that in this case, there was an interpretation issue associated with the side and rear yard, and proximity to the adjacent house.

The side yard is generally any yard that is not the front or the rear, and the front of a lot is defined as the short side of the lot, unless the Building Official determines otherwise based on the context. Therefore, the 74th Street frontage is the front yard unless circumstances determine otherwise. Mr. Brewster said that the house had an atypical configuration oriented toward Windsor Street and had a Windsor Street address. However, the building is positioned similar to other buildings along the blocks in relation to the lot, so the home to the west has a side-to-side yard relationship, and the home to the north has a rear-to-rear yard relationship. This circumstance warrants consideration of the location criteria to allow the generator to be placed at a site different from what otherwise may be considered the rear yard, regardless of the interpretation.

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

1. The applicant submits specifications or other equipment information regarding noise or noise mitigation, that ensures the equipment is operated within Prairie Village noise ordinances or otherwise does not cause adverse impacts. This may include a low-noise generator, and noise shield, or other type of buffer and sound barrier
2. The location is within 5' of the principal structure
3. The equipment is screened with landscape and/or a decorative fence at or behind the building line on 74th Street; and the equipment is also screened from the adjacent property by the same techniques or by equipment casing

Applicant and property owner Julie Schlachter was present to discuss the application. She stated she had no concerns with the three conditions proposed by staff.

Ms. Brown asked how the size of generators was regulated in the zoning regulations. Mr. Brewster stated that there were no size restrictions. Ms. Brown and Mr. Valentino suggested that staff consider adding such limits.

Mr. Lenahan made a motion to approve the application with the conditions recommended by staff. The motion was seconded by Mr. Valentino and passed unanimously.

OTHER BUSINESS

Continued discussion of potential updates to R-2, R-3, R-4, C- and MXD districts

Mr. Brewster said that the Planning Commission held a work session on August 22, 2023, to discuss next steps on housing policies related to Village Vision 2.0, and the specific task of considering updates to R-2, R-3, R-4, C-, and MXD districts to integrate housing options. The work session was a direct follow-up to the public forums held on June 22, 2023, and July 13, 2023.

He noted that the direction of the Planning Commission based on the August 22 work session was the following:

- R-2 district
 - Monitor if changes are needed to be a better transition between R-1 and R-3 districts, but no specific changes identified
- R-3 and R-4 districts
 - Update to maintain existing development scale
 - Use improved planned zoning for any redevelopment
- C-O district
 - Target residential types more compatible with mixed-use contexts
- C-1 and C-2
 - Allow mixed-use residential subject to general standards
 - Facilitate new residential infill or redevelopment through MXD and/or improved planned zoning
- MXD district
 - Develop better criteria and standards for mixed-use projects
 - Improve expectations in plan process and submittals
 - Repurpose for strategic application (smaller scale and/or infill situations)
- -P (Planned zoning)
 - Improve criteria, applications, and expectations

Mr. Brewster then shared a proposed strategy for potential amendments:

- MXD: Improve for current needs
 - Better criteria and standards for mixed-use projects
 - Neighborhood and community design standards (circulation and structure)
 - Building design (range of residential and mixed-use types with design standards similar to R-1 approaches)
 - Relation to surrounding contexts (integration and/or transitions)
 - Repurpose for more strategic application
 - Residential types - at edges of current commercial centers
 - Residential and mixed-use types - integrate into current commercial areas

- All types - redevelopment of current commercial areas as mixed-use project
- -P: Improved criteria
 - Rezoning action (i.e., R-3 to RP-3, C-0 to CP-0)
 - Better criteria and/or standards for planned projects
 - Identify community improvements and design enhancements
 - Targets for project scale - changes to height, density, or lot coverages
 - Improve expectations in plan and process
 - Coordinate planning details with approvals and/or entitlements
- R-2: Monitor for transitions between R-1 and R-3
 - No specific changes recommended
 - Consider basic design standards
- R-3 / R-4: Maintain existing development scale
 - Inventory of biggest non-conformities
 - Amend to reflect existing buildings
 - Permit redevelopment / increases through improved -P designations
 - Incorporate low- and mid-scale residential projects from MXD districts
 - Consider basic design standards (similar to R-1 approach)
- C-0: Target residential types compatible with mixed-use contexts
 - Currently requires R-1, R-2, or R-3 standards
 - Incorporate mid-scale residential projects from MXD
 - Allow repurposing of commercial buildings as mixed-use or all residential projects
 - Allow residential in commercial buildings
 - Incorporate low- and mid-scale mixed-use projects from MXD districts
- C-1 / C-2: Residential currently not allowed
 - Allow residential in commercial buildings (upper floor or behind ground-level commercial)
 - Greater intensity and/or redevelopment for residential of mixed-use in C-1 or C-2
 - Use improved “planned zoning” criteria (more specific community benefits or design enhancements)
 - Rezone to MXD (mid-scale residential; small- or medium-scale mixed-use buildings)

Lastly, Mr. Brewster shared recommended next steps:

- Update City Council on Planning Commission direction
- Revise strategy and create initial draft updates
- Review and discuss concepts and initial draft with the Planning Commission and / or via public forum
- Incorporate feedback into recommended draft updates - revise and discuss as needed

- City Council status updates as needed
- Introduce recommendations into formal public review, comment, and adoption process

Mrs. Wallerstein asked if the recommendations were in alignment with the actions Council took on October 2, 2023, clarifying their priorities in the housing discussion. Councilman Greg Shelton stated that they did align with the “status sheet” the Council passed.

Mr. Lenahan agreed with additional clean-up to the language regarding building coverage, parking, landscaping percentages and building heights rather than “lot area per unit” requirements.

Mr. Birkel requested to receive information ahead of time for the next discussion and others agreed.

Commissioners indicated their support for the proposed strategies and next steps.

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 8:26 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary