

PLANNING COMMISSION MINUTES JUNE 4, 2024

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 4 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, 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; Wes Jordan, City Administrator; Nickie Lee, Deputy City Administrator; Mitch Dringman, Building Official; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/ Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the May 7, 2024, regular Planning Commission meeting. Mr. Birkel seconded the motion, which passed 5-0, with Mr. Wolf and Mr. Valentino in abstention.

OLD BUSINESS

None.

PUBLIC HEARINGS

None.

NON-PUBLIC HEARINGS

PC2024-107	Proposed amendments to the PV Zoning Regulations in the R-2, R-3, R-4, C-0, C-1, C-2, and MXD districts, planning applications, and other associated changes
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Mr. Brewster stated that consideration of the amendments to the City's zoning regulations had been continued from the previous meeting to give commission members the opportunity to review resident feedback. He provided a summary of the changes that were being proposed:

- Elements that would change right now:
 - R-3 lot area would be reduced from 2,250 to 1,750 square feet per unit (matching existing projects in R-3 districts)
 - Impervious coverage standards would be added to R-2 (40%), R-3 (50%) and R-4 districts (50%)
 - Residential uses would be allowed in mixed-use buildings in C-1 and C-2 (no development standard changes)
- Other elements that would change (all would require Planning Commission and City Council decision based on a specific proposal):
 - MXD and P- District procedures and criteria coordinated:
 - New specifications for plans (community plans and project plans)
 - Improved criteria - approval of plans and/or deviation from base or default standards
 - Mixed-use and mixed-density neighborhood design guidelines
 - Added “default” building type standards for MXD districts
 - Added recommended corresponding building types from MXD for application in small projects as P- district rezoning

Deviations from district standards would still require neighborhood notification, a public hearing, and approval by the City Council.

Public feedback about the amendments had generally proposed the following changes:

- Three-story / 40’ maximum building height
- Minimum 30% green space
- Minimum 30’ setback
- Remove residential from commercial districts
- Continuation of property owners’ right in the rezoning process

Mr. Brewster addressed each point:

- The draft regulations maintain the 2.5 story / 35’ height limit in all base zoning districts. Only medium and large mixed-use buildings could be built to the proposed four-story / 50’ maximum, which could only be approved through a planned rezoning process requiring neighborhood notification, a public hearing, and Council approval.
- Impervious surface standards were being added to three districts that also have no existing standards. Two mixed-use districts have 20% green space requirements, but only at the project plan scale. As an example, existing properties in the Meadowbrook development have less than a lot-specific 30% green space because they are situated adjacent to a park.
- There are no proposed changes to setbacks in any base district. The current MXD district standards have no required setback, and default to whatever is proposed and approved in a plan. Only a planned rezoning could deviate from setback

requirements. Standards would allow reduced front setbacks of 15' to 30' for some building types based on a plan for improved neighborhood streetscapes, to account for building and lot types that should be rear- or alley-loaded that preserve quality streetscapes. Standards would also allow for reduced front setbacks of 0' to 15' for other building types based on a plan for improved pedestrian streetscapes to account for walkable development patterns.

- The current code does not allow residential uses in C-1 or C-2 zoning districts, but does allow residential uses in C-O subject to either R-1, R-2, or R-3 standards, meaning:
 - A mixed-use building is not allowed, even in the C-O district despite allowing a mix of uses
 - Residential projects in the C-O district will follow residential development patterns and building formats (i.e., not necessarily walkable commercial or mixed-use formats)
 - If mixed-use is to occur in existing C- districts it would require rezoning to a P- district or MXD

The draft regulations add residential uses as a permitted use in C- districts, provided (1) it is limited to mixed-use buildings (upper story or behind ground level commercial); and (2) there are no changes to the physical development standards in these districts (setbacks, heights, etc.) This results in the following:

- A residential use could be located in an existing building subject to meeting all applicable building permits and all other zoning ordinance requirements
 - An existing building could be modified, or a new building constructed with a residential use if it meets all current standards (i.e. setbacks, 2.5 story / 35' height, etc.) This would require a neighborhood meeting, Planning Commission decision, and appeal option to City Council.
 - Any proposal for a new mixed-use building beyond the existing development standards or for residential-only buildings in C-districts would require rezoning to a P- district or MXD, as is currently the case.
- There have never been any proposed changes to rezoning procedures in this process, which are set by state statute. The Planning Commission's resident participation policy, which has been in place for over 20 years, goes beyond those statutes and requires neighborhood meetings for many applications, including rezonings and site plans.

Mr. Kersten asked how the process for a project such as the Meadowbrook development would change if the zoning amendments were passed. Mr. Brewster said the updated regulations would provide better guidance for projects than the existing code.

Mr. Breneman proposed the following additional changes to more specifically define building sizes:

- 19.12 - R3 Apartment District

- 19.12.030 - refers to “the following moderate- or large-scale building types” and the list of buildings below that calls out “...small, medium and large-scale building...s”. However, Table 19.23.A lists small, medium and large apartment buildings. Propose to delete the phrase “...moderate- or large-scale...” in the third line.
- 19.14 - R-4 Dwelling District
 - 19.14.030 - refers to “...the following small-and moderate-scale building types from Section 19.23.15...” and the list below that calls out detached houses, attached houses, townhouses and small apartments. Propose to delete the phrase “...small-and moderate-scale...” in the third line.
- 19.16 - District C-0 Office Buildings
 - 19.16.035 - references “...the following small- and moderate-scale building types...”. Propose to delete the phrase “...small- and moderate-scale...” in the third line.
- 19.23 - MXD Planned Mixed Use District
 - 19.23.015 - in the third line there is a phrase “...based on the following building types in Table 19.23.A...”, but there are no building types listed. Propose to delete the word “following” in the third line.
- 19.22.040 - Add “impervious area requirements” to the sentence “Any residential building constructed or located in District C-3 shall comply with height, yard and area regulations”.

Planning Commission members agreed to include Mr. Breneman’s edits in the draft document.

Mr. Valentino asked for clarification about what type of residential uses would be allowed in commercial districts. Mr. Brewster said residential uses could be above or behind commercial structures in C-1 and C-2 districts, with the exception of planned districts. Mr. Valentino also noted that any project requiring rezoning a commercial district to a planned or mixed-use district would need to be evaluated on its own merits through a complete review and evaluation regardless of the number of stories or building height. Because of this, he did not believe it was necessary to reduce the maximum height to three stories / 40’.

Mr. Breneman added that there were already two four-story apartment buildings in the Meadowbrook development.

Mr. Kersten said that he agreed with Mr. Valentino, and was comfortable with the proposed changes to building setback requirements because of the process that would have to be followed in order to obtain approval.

After further discussion, Mr. Breneman made a motion to recommend approval of the proposed amendments to the City's zoning regulations, with his additional edits. The motion was seconded by Ms. Brown and passed unanimously.

OTHER BUSINESS

None.

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 7:39 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary