

**PLANNING COMMISSION MINUTES
DECEMBER 3, 2024**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, December 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, James Kersten, Melissa Brown, and Melissa Temple.

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; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman made a motion to approve the minutes of the November 12, 2024, regular Planning Commission meeting. Mr. Birkel seconded the motion, which passed 6-0.

OLD BUSINESS

None.

PUBLIC HEARINGS

None.

NON-PUBLIC HEARINGS

PC-24-9	Building line modification 5011 W. 65 th Street Zoning: R-1A Applicant: Katie Trenkle / Roemaine Bales
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Mr. Brewster said that the applicant was requesting a building line modification to replace an existing two-car garage and storage shed with a three-car garage that would extend approximately 8' into the side yard on the west side. The front portion of the third garage extension would be stepped back from the current garage front by approximately 2' and would be approximately 33' from the front lot line, but would still extend approximately 2' over the 35' platted front building line. The addition complies with the required zoning setbacks of 30' on the front and 7' and 34' cumulative on the side. Mr. Brewster noted that

in cases where platted building lines differ from zoning setbacks, the stricter of the standards apply. However, subdivision regulations allow the planning commission to modify platted building lines under specific criteria.

The lot is zoned R-1A which requires a 30' front setback, and a side setback of 7' and 20% of the lot width cumulative (in this case 34' total between both sides). However, the lot also has a platted building line of 35' along the front. The existing home is slightly skewed in relation to the front lot line and is already built slightly over the platted front building line, the greatest amount being 3.5' on the far-west corner of the existing garage.

Mr. Brewster said that along with the garage replacement, a front porch is also proposed, extending approximately 7.25' from the front of the house. Both encroachments are allowed into the front setbacks, and by interpretation into platted front building lines.

The driveway would also be expanded beyond the right-of-way entrance to access the garage, resulting in the removal of a large tree that is protected under the tree protection ordinance. In this case, it is a frontage tree that is prohibited from removal unless the building official finds one of three specific conditions: (1) the tree is dead; (2) the tree is diseased or dying; (3) no reasonable alternatives to revise plans and save the tree exist. These issues will be addressed through permitting, including consideration of the applicant and staff of altering the driveway design. In the event that removal is authorized under any of these criteria, mitigation of three replacement trees will be required.

Mr. Brewster stated that platted front building lines exist in Prairie Village and generally occur in one of two situations: when lots were platted before zoning regulations were established, or when larger lots were platted and required greater setbacks than the applicable zoning. The intent is to create a consistent building orientation to streets. He noted that this property is the only lot that fronts 65th Street on the block. The lot is located at the end of a stub street that terminates at the Highland Cemetery. The lot on the north side of the street and the lot to the east each orient to Hodges Drive, resulting in side yards along 65th Street. The proposed addition meets all zoning requirements and complies with the neighborhood design guidelines.

Mr. Brewster said that Section 18.18.010.D of the subdivision regulations provide 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 unique since it is at the end of a stub street adjacent to a cemetery, and it is the only lot that fronts on this portion of the street. The existing house also extends slightly over the front building line in some areas, and the addition will extend over the line less than the furthest extension of the existing home. The area of the addition is also into a large side setback adjacent to the cemetery and is not near any other houses.

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

The proposal is associated with an expansion of a two-car garage to allow a third bay. The lot is very large and wide (168' wide), and the proposed garage is proportionate to the lot. It meets all neighborhood design standards for garage extent and placement.

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**

The frontage and platted building line does not affect any other property since this is the only house fronting on the lot. The existing home already extends over the platted building line in some cases, and the proposed addition is less than the current encroachment. The addition is also into a large side setback adjacent to a cemetery and does not impact any nearby houses, and otherwise meets all zoning standards.

Mr. Brewster said that staff recommended if the planning commission approved the modification that it be conditioned on going through the necessary permitting review steps regarding tree protection and tree removal identified in the report, specifically:

1. Staff determine whether any of the three conditions for removal exist
2. If the tree is not removed, the applicant make all reasonable efforts to design the driveway around the tree, and take required protection steps during construction
3. If the tree is removed, that mitigation of the tree removal be required per the ordinance (three replacement trees located in the vicinity of the removed tree or elsewhere on the site if suitable adjacent locations do not exist)

Mr. Brewster said the location of the tree and the potential impact the construction could have on it triggered the tree protection ordinance. He added that the city arborist had inspected the tree and noted a significant crack in the trunk. As a result, the tree would likely need to be removed before causing damage to the property. He added that a new tree had recently been planted on the property to the west of the existing damaged tree.

Property owner Roemaine Bales and architect Katie Trenkle, 4319 W. 69th Street, were present to discuss the application. Ms. Trenkle said that Mr. Bales had also hired an arborist to examine the tree, and that the recommendation was to have it removed due to the extent of the damage.

Mr. Breneman made a motion to approve the application with the conditions listed by staff. The motion was seconded by Ms. Brown and passed 6-0.

OTHER BUSINESS

Approval of 2025 meeting dates

Ms. Breneman made a motion to approve the 2025 meeting calendar as presented. Ms. Temple seconded the motion, which passed 6-0.

Consider updates to R-1B neighborhood design guidelines

Mr. Brewster said that the city council held a work session in April 2023 to discuss next steps in the housing discussion related to R-1 zoning areas. At the session, council completed a prioritization exercise to provide staff direction for which areas to address first. The top two results were updating the neighborhood design guidelines and researching further regulations and/or fees for short-term rentals.

The current neighborhood design guidelines went into effect February 1, 2019 with the understanding that they could be revisited in the future to address issues. The guidelines include requirements for street trees, green space, window and door openings, size restrictions, and impervious coverage limits. Mr. Brewster noted that housing discussions brought up questions about whether the design guidelines went far enough to limit the size and scale of homes, especially teardown/rebuilds. Council directed staff to look into reducing the size and scale to better fit into existing neighborhoods, and also review green space and lot coverage requirements.

The council's initial direction had three objectives:

1. Focus on R-1B zoning districts
2. Reduce the scale of buildings further than the current development and design standards
3. Review and update any other design standards necessary

Mr. Brewster shared four options to consider (listed below), the first two of which were presented to the council, with Option 2 being favored. The third and fourth options were developed by staff subsequent to the council meeting to address some challenges with the first two options. He noted that these options were still conceptual and up for discussion by the commission, and that other variations or completely different options were not precluded from the planning commission discussion.

Option 1: Simple Size Reduction

- Reduce building height from 29' to 27'
- Reduce building coverage from 30% to 25%

This will result in smaller footprints and lower overall heights, but may not reduce the overall massing of structures, particularly as it relates to adjacent properties.

Option 2: Refined Side Massing Standards (city council preferred)

- Reduce height and massing within 10' of side setback
 - 12' wall plane height
 - 19' gable or dormer height (under sloped roof)
 - 500 s.f. wall plane limit

- Reduce overall building height from 29' to 27'
- Leave building coverage at 30%

This will result in 1-story or 1.5 story massing nearest the site property lines, and 2-story massing only permitted in more central portions of the lot. However, it may have implications on typical floor plans and garage placement.

Option 3a and 3b: Floor to Area Ratio (FAR) + Refined Massing (developed by staff subsequent to council discussion)

- 3a - Change 30% lot coverage to a 40% floor-to-area ratio. This would result in:
 - 1-story buildings having more coverage allowances than currently (up to 40%, where currently limited to 39% maximum)
 - 1.5 story buildings having approximately 23% - 30% coverage allowances
 - 2-story buildings having approximately 20% coverage allowance
- 3b - In combination with a FAR, reduce massing within 6' of side setback line (changed from 10' in Option 2 to 6' in Option 3b due to impact on smaller and narrower lots)
 - 12' wall plane height
 - 19' gable or dormer height (under sloped roof)
 - 500 s.f. wall plane limit
- Leave overall building height at 29'

This would give lower-scale buildings more options and may lead to more varied massing among buildings. Option 3b would reduce the building scale nearest side lot lines. It would also retain options for overall height allowing some steeper pitched roof designs. It may have implications on typical floor plans and garage placement.

Mr. Brewster stated that the floor-to-area ratio was a simple formula used to key building scale to lot size. It is similar to building coverage (the current zoning standard), except that it adds a three-dimensional element. The result is the taller the building, the less footprint allowed. What is counted in the floor area is important to reach the intended results. For example, vaulted ceilings with over 15' of clear area should typically be counted as two levels. Similarly, unfinished attic or roof space that have clear floor-to-ceiling heights above 6' should also be counted. Further, beneficial items such as useable covered outdoor porches or entry features, covered decks or patios, and foundational egress wells should be excluded from the floor area.

Another implication is the effect on garage placement. With a simple lot coverage standard, there is an incentive to incorporate the garage into the building footprint and have livable space above it. This can affect the massing of the building and lead to more prominent garage frontages since the garage is typically 1.5' or more below the first-floor elevation, and the second stories are typically all placed at the same level (resulting in garage floor-to-ceiling being 1.5' or more than the floor-to-ceiling of the livable space).

Under the floor-to-area ratio, there is not necessarily a “buildable area” benefit to incorporating the garage into the building footprint, since the livable area is counted differently. However, there still may be a practical and construction advantage to doing so. An additional option would be to exclude the garage from the floor area if it is detached or an attached side addition that is not incorporated into the building. The latter is a common design in older Prairie Village homes that leads to lower-scale garages and an “accessory” building appearance.

Option 4: 1.5 Story Limitation (developed by staff subsequent to council discussion)

This would limit the amount of second-story massing that could occur, but be flexible to where and how the space in upper story is allocated within the building footprint.

- Change the height / story limit from 2 stories to 1.5 stories
- Leave the building coverage at 30%
- Leave the total structure height at 29’ (this would account for potential steeper pitched roofs with half-stories incorporated)
- Add a definition for “story, half” to embellish the current definition of “story”. “Story, half - An area within a sloping roof structure which is:
 - (a) capable of providing a room with a net floor to ceiling distance above 6.5’
 - (b) less than 60% of the floor immediately below. This space is achieved by integrating dormers and gables into the roof structure of the story immediately below.”

Mr. Brewster said that the “half-story” approach reduced the scale of the building by one of two methods: (1) reducing the proportion of upper level to lower level living space; and/or (2) reducing the scale and perceived massing of the building by incorporating upper levels into the roof structure; or both. It presents a simpler and more flexible approach to all other options but does put a premium on how “half-story” is defined. This option would not give any bonus to homes that elect a solely single-story option, but it would eliminate plans that are trending towards a pure 2-story profile, dependent on how “half-story” is ultimately defined. The definition of half-story can go further to emphasize incorporation of a roof structure with limitations on exterior wall heights including dormers (typically 4’ height maximum and 50% of elevation maximum), opposite wall gables (height determined by roof pitch), or knee walls (typically 2’ maximum).

Mr. Wolf asked how neighboring cities were addressing design guidelines. Mr. Brewster noted some cities, such as Mission Hills, had architectural review boards, whereas cities such as Leawood generally had homeowner associations handle design standards. He added that Fairway used a similar strategy as Prairie Village.

Mr. Kersten asked what the process would be for the commission to develop its recommendations. Mr. Brewster shared the steps that would need to be taken:

- Planning commission discuss options and direction
- Prepare an update to the city council based on this discussion and direction

- Collect any additional feedback and input as directed by city council or planning commission
- Prepare formal draft amendments (if any)
- Present amendments in the formal adoption process:
 - planning commission public hearing
 - city council decision

Mr. Wolf suggested that the proposed concepts be reviewed by the council first to ensure changes were still desired, as significant time had passed since the original discussion, and because four new councilmembers had been elected. He noted that the process was challenging and that having political support prior to beginning it was critical. Mr. O'Toole agreed that the council should first discuss the guidelines to ensure there was still an interest in revisiting them. Mr. Birkel stated that he felt more direction and information was needed from council before commissioners began considering the proposed options.

After further discussion, commission members agreed that the proposals should be discussed by council first to ensure they wished to proceed.

ADJOURNMENT

With no further business to come before the commission, Mr. Wolf adjourned the meeting at 7:54 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary