

**PLANNING COMMISSION MINUTES
AUGUST 5, 2025**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, August 5 at 6:00 p.m. in the Council Chambers at 7700 Mission Road. Vice-Chair Jeffrey Valentino called the meeting to order at 6:00 p.m. with the following members present: Jonathan Birkel, David Herron (via Zoom), James Kersten, and Melissa Temple.

The following individuals were present in their advisory capacity to the planning commission: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Birkel made a motion to approve the minutes of the July 1, 2025, regular planning commission meeting as presented. Ms. Temple seconded the motion, which passed 5-0.

OLD BUSINESS

None.

PUBLIC HEARINGS

PC-25-13 Renewal of special use permit for service station, car wash, and convenience store
Station Corinth, LLC
8120 Mission Road
Zoning: C-2
Applicant: Mahmood Akbar

Mr. Brewster said that the applicant was requesting to renew a special use permit for a service station. The original permit was granted in 1991 and revised in 1992 to include a temporary groundwater remediation system. The permit was renewed again in 2002 and 2015, at which time it was specifically noted that KDHE had closed the groundwater remediation and monitoring in 2005. The 2015 renewal included the following conditions from the original 1991-92 special use permit:

1. That canopy lighting be directed as closely as possible toward the work surface and that all outdoor lighting be in conformance with Section 19.34.50 - Outdoor Lighting in the zoning regulations.

2. That if it is determined by KDHE that a remediation or monitoring system needs to be installed, the applicant shall apply for an amendment to the site plan through the planning commission.
3. That since no changes are proposed to the service station, the site plan illustrating the existing development be approved as the site plan.
4. That future changes and improvements to this site be handled as a site plan approval rather than an amendment to the special use permit.
5. That the special use permit be valid for a period of ten years.
6. If the permit is found not to be in compliance with the terms of the approval of the special use permit, it will become null and void within 90 days of notification of noncompliance, unless the noncompliance is corrected.
7. That the applicant shall maintain the landscaping and replace any plant materials as needed so that the integrity of the landscape screen is maintained throughout the life of the project.

Mr. Brewster said that there were no physical or operational changes proposed with the application. The property is zoned C-2 - General Business District, and the building and site meet all C-2 standards. Service stations with accessory car washes and retail stores are permitted uses in C-2, subject to review and approval of a special use permit. The permit application is accompanied by site plan demonstrating all facilities unchanged from the most recent site plan approved by the city.

Mr. Brewster noted that the planning commission is tasked with making findings of fact to support its recommendation to approve, conditionally approve, or disapprove special use permits. It is not necessary that a finding of fact be made for each factor. However, there should be a conclusion that the request should be approved or denied based upon consideration of as many factors as are applicable. The factors to be considered in approving or disapproving a special use permit are identified in Section 19.28.035:

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

The building and site meet all standards of the C-2 zoning district.

- B. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.**

The proposal is a renewal for an existing building and use that was originally approved in 1991, and the most recent site construction was an approved site plan in 2015. No changes have occurred to the use, intensity, or physical nature of the site since that time, and none are proposed. The site is at the intersection of two major streets, opposite a commercial activity center. The property is zoned and used in a similar way to nearby properties, with compatible design and intensity of uses. The residentially zoned property to the north is used as an institutional use (The Corinth branch of the Johnson County Library). The site complies with all standards and will not adversely affect the welfare or convenience of the public.

- C. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.**

There will not be any substantial injury to the value of other property and there are no changes proposed to how the use has been situated and operated in the past.

- D. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:**

- 1. The location, size, nature and height of buildings, structures, walls, and fences on the site.**
- 2. The nature and extent of landscaping and screening on the site.**

There are no changes to the proposed site. It is situated on a corner and has access from both Mission Road and Somerset Drive. The property includes landscape buffers on the north and west (between parking) and streetscape buffers with street trees and sidewalks on the public frontages on the south and east. This is an appropriate design and street treatment for a busy commercial frontage.

- E. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

This is a renewal for an existing building and use, and does not necessarily trigger the parking standards. However, the ordinance would require the following:

- One space per employee and two spaces for each service bay (service station)
- Three holding spaces for each washing stall (automobile wash)
- One space per 250 square feet of gross floor area (retail)

This results in approximately 35 parking spaces, queuing areas, or service stops required for the site. Between the service areas, queuing areas, eight designated parking spaces with accessible parking stalls, and informal parking areas, the site appears to comply with the ordinance requirement (despite no development or operational changes triggering a parking requirement). Further, there have been no problems or unusual difficulties with access reported in this area that impact other businesses or traffic flow on the street. The site is appropriately landscaped based on the context and relationship to adjacent property and streets.

F. Adequate utility, drainage, and other such necessary facilities have been or will be provided.

The application is the reuse of an existing building and site, with no site development activity. There are adequate utilities in the area, and there have been no reports of drainage issues caused by the existing site layout. The site was under a groundwater remediation and monitoring requirement from 1992 to 2005; however, that issue was cleared by KDHE and there have been no other reports of issues.

G. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

There are no proposed changes to the access or intensity and operations on the site. The site has functioned properly under these conditions and there have been no reports of problems or unusual difficulties with access or traffic in this area due to the use or site layout.

H. Adjoining properties and the general public shall be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises.

Storage of gasoline can produce environmental or hazardous material concerns, and underground storage tanks are subject to safety and remediation standards. Staff is not aware of any evidence of non-compliance or any other reports of problems or concerns regarding hazardous or toxic materials. The applicant shall be subject to all other applicable state or federal requirements for use, operation, and removal of tanks should the use change or be discontinued.

I. Architectural style and exterior materials are compatible with such style and materials used in the neighborhood in which the proposed building is to be built or located.

No changes are proposed for the building or site, and the site meets all applicable standards and conditions of previous approvals. Should any changes be proposed in the future the application shall be subject to the standards in effect at that time.

Mr. Brewster said that staff believed the facts support the requisite findings for the planning commission to recommend, and the city council to approve, the renewal of this application. Consistent with prior similar applications, and since special use permits are revocable upon any violations of conditions or changed circumstances, staff recommends no specific time limit for this renewal. The recommended conditions are:

1. That canopy lighting be directed as closely as possible toward the work surface and that all outdoor lighting be in conformance with Section 19.34.50 - Outdoor Lighting in the zoning ordinance.

2. That if it is determined by KDHE that a remediation or monitoring system needs to be installed, the applicant shall apply for an amendment to the site plan through the planning commission.
3. That since no changes are proposed to the service station, the site plan illustrating the existing development be approved as the site plan.
4. That future changes and improvements to the site be handled as a site plan approval rather than an amendment to the special use permit.
5. That the special use permit be valid for an unlimited time, but is revocable by the city due to any violations of the conditions or substantial changes in operations or conditions of the property or surrounding context.
6. If the permit is found not to be in compliance with the terms of the approval of the special use permit, it will become null and void within 90 days of notification of noncompliance, unless the noncompliance is corrected.
7. That the applicant shall maintain the landscaping and replace any plant materials as needed so that the integrity of the landscape screen is maintained throughout the life of the project.

Mr. Valentino asked whether the special use permit would need to be renewed or reconsidered by the planning commission if ownership of the station were to change hands. Mr. Brewster said that a special use permit could be transferred to another owner subject to a signed statement that the new owner agrees to all prior conditions.

Mr. Birkel asked about landscape requirements for the site. Mr. Brewster said that the landscaping at the site met the requirements from the previous renewal.

Applicant Mahmood Akbar, 8120 Mission Road, was present to discuss the application. He noted that he had no objections to the recommended conditions.

Mr. Valentino opened the public hearing at 6:06 p.m. With no one present to speak, Mr. Valentino closed the public hearing at 6:07 p.m.

Ms. Temple made a motion to recommend approval of the special use permit renewal to the city council. The motion was seconded by Mr. Birkel and passed 5-0.

NON-PUBLIC HEARINGS

None.

OTHER BUSINESS

None.

ADJOURNMENT

With no further business to come before the commission, Mr. Valentino adjourned the meeting at 6:11 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary