

**PLANNING COMMISSION MINUTES
SEPTEMBER 9, 2025**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, September 9 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, 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; Mitch Dringman, Building Official; Terry O'Toole, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Ms. Temple made a motion to approve the minutes of the August 5, 2025, regular planning commission meeting as presented. Mr. Kersten seconded the motion, which passed 5-0 [Ms. Brown arrived after the vote was taken].

OLD BUSINESS

None.

PUBLIC HEARINGS

PC-25-9 Renewal of special use permit for service station, car wash, and convenience store
3901 Tomahawk Road
Station PV Tomahawk, LLC
Zoning: C-2
Applicant: Muhammad Jutt

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 was renewed in 2002 and again in 2015. In 1991, KDHE required a groundwater remediation and monitoring system when the tanks were replaced, and closed the environmental monitoring in 2011. Monitoring is no longer required, but may be required by KDHE if any future situations occur. 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 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, including architectural style or exterior materials, to this site be submitted to the planning commission for 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 property, with compatible design and intensity of uses. The residentially-zoned property to the north is separated by Tomahawk Road, and there are appropriate streetscape and frontage design transitions between these homes, this site, and the rest of the Prairie Village Shops to the south and west. 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 triangular corner of Tomahawk Road and Mission Lane. The property includes landscape buffers on the south and east (between parking and internal lanes to the Prairie Village Shops) and streetscape buffers with street trees and sidewalks on the public frontages on the west and north. 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)
- One space per 250 square feet of gross floor area (retail)

This results in approximately 22 parking spaces, queuing areas, or service stops required for the site. Between the service areas, queuing areas, 15 designated parking spaces and informal parking areas this site appears to comply with the

ordinance requirement (despite no development or operational changes triggering a parking requirement). Additionally, this site is included within the Prairie Village Shops that uses a blended parking rate for all parking; there are over 40 “on-street” parking spaces on the internal lanes immediately abutting the site. 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 1991 to 2011; however, that issue has been 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 the application. Consistent with prior similar applications, and since special use permits are revocable upon any violations of conditions or changed circumstances, staff recommended no specific time limit for the 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 city's zoning regulations.
2. That if it is determined 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, including architectural style or exterior materials, to this site be submitted to the planning commission for 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 can be revoked 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.

Applicant Muhammad Jutt, 3901 Tomahawk Road, was present to discuss the application. He stated 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.

Mr. Birkel 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 made a motion to recommend approval of the special use permit renewal to the city council. The motion was seconded by Ms. Temple and passed 6-0.

PC-25-16 Special use permit for restaurant and craft brewery
 4000 W. 71st Street
 Zoning: C-2
 Applicant: Big Grove Brewery and Taphouse

Mr. Brewster said that the applicant was requesting a special use permit to locate a microbrewery with associated restaurant and accessory retail services in the Prairie Village Shops. The use is proposed for approximately 11,500 square feet of the east portion of the former Macy's building fronting on the south elevation along 71st Street. A site plan for a remodeling of the building was approved in 2021, then revised and approved for changes that included:

- Removal of second story (third level of the building).
- Changes to the exterior of the façade.
- Reconfiguration of parking and loading areas.
- Landscape improvements associated with exterior plazas, courtyards, parking areas, and streetscapes.

Mr. Brewster noted that the property was zoned C-2 - General Business. A site plan for a remodel was approved in 2021 but never executed for building permits. That plan anticipated a retail grocery store on the lower level (accessed by the west and north elevations) and a mix of retail, restaurant, and service businesses on the second level (accessed by the south elevation). Mr. Brewster stated that remodels with expansions of buildings of more than 10%, or exterior renovations with substantial material changes required the planning commission to review and approve a site plan.

Microbreweries are permitted uses in C-2, subject to review and approval of a special use permit, and are also subject to specific business license requirements in the municipal code. The special use permit application is accompanied by a site plan demonstrating compliance with the prior approved site plan except for specific adjustments noted in the special use permit factors proposed to accommodate this specific tenant.

Mr. Brewster said 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 as follow:

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

This use is a regulated industry that is subject to specific licensing requirements of the Kansas Alcoholic Beverages Commission. Additionally, the Prairie Village Municipal Code has standards for microbreweries that repeat state licensing requirements. One of the requirements is a minimum distance from schools and churches by more than 200', or a waiver of this requirement through applicable procedures. The applicant submitted a letter of support from Colonial Church, 7039 Mission Road, which is within 200' of the proposed tenant building space, and has initiated proceedings with the city council to consider a waiver of this location restriction.

The building and site meet all standards of the C-2 zoning district and conform with the previously approved site plan, except where specifically noted below.

- The outdoor patio space has been redesigned and configured for more formal seating associated with the tenant space. This includes:
 - An enclosed stone wall and landscape features.
 - A covered canopy extending from the building over the west portion of the patio (black steel structure with exposed corrugated metal under panels - approximately 16' high).
 - A wood pergola over a smaller portion on the east of the patio (wood with translucent corrugated under panels - approximately 12' high).
 - Additional accessory landscape and outdoor amenity features.
- The east elevation has been changed to include two large windows in the mid-portion of the stone wall. This is consistent with and an improvement on the prior approved direction and provides additional architectural relief on this otherwise large blank wall (previously broken up by material changes and 4 vertical stone accents which remain).
- A specific sign proposal for the proposed tenant. The sign includes channel letters mounted on top of the canopy. The proposed sign is approximately 203 square feet (50.75' x 4'). The prior site plan approved signs in concept only since the Prairie Village Shops are currently under a property-specific sign plan and since there were insufficient details on specific signs to review against these standards or otherwise consider as updating or amending these standards. Under that currently applicable sign plan, this particular building includes four large anchor tenant signs - one on each main wall approximately 104 square feet each.

In association with the special use permit, the planning commission can recommend, and the city council may approve, a permit-specific sign. Mr. Brewster said that staff recommended approving the proposed sign in place of two of the otherwise allowed "anchor signs" (two at 104 s.f. each) for this property. All other signs shall remain only conceptually approved and subject to the property specific sign plans, unless a comprehensive sign plan for the Prairie Village Shops is proposed and approved by the city through appropriate review and procedures.

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

The proposed use is appropriate for the C-2 district and compatible with the overall nature and character of the Prairie Village Shops. It is consistent with the initial investment and site plan proposed and approved by the planning commission in 2024. In addition, it should contribute to the "activity center" concept identified in

the comprehensive plan for the city's commercial areas and specifically the Prairie Village Shops. Assuming that all compatibility and adjacency issues are adequately addressed and managed with the adjacent property, the proposed special use will not adversely affect the public welfare and convenience.

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.

Restaurants and drinking establishments are generally appropriate in the C-2 district and are similar to and compatible with other businesses in the Prairie Village Shops. The general use is also consistent with the use mix proposed in the approved site plan. Two aspects of "drinking establishments" requiring special use permits and of this specific plan are pertinent to the planning commission's consideration:

- As a microbrewery, this use proposes some on-site manufacturing of craft beer. Specifically, the applicant proposes approximately 6% of the area will be for production, 75% for kitchen and restaurant, and other portions for accessory retail and patio seating. These uses are subject to all Kansas Alcoholic Beverage Commission licensing standards as a microbrewery specifically, and all other business license and health code standards as a restaurant generally, which should adequately address any concerns with the manufacturing and sale of craft beer on premises.
- There is a significant outdoor seating and service area associated with this use which could potentially present negative impacts on nearby property. The applicant has proposed that hours of operations would typically be 11:00 a.m. to 11:00 p.m., with slight modification based on community and customer feedback. The nearest residential structure is over 200' from the nearest portion of the outdoor service area. This space includes a landscape perimeter of the patio, parking areas with landscape in islands and the perimeter, and a collector street that also includes some trees.

Further, all uses in business districts, and particularly business districts near residential areas must comply with the Prairie Village noise ordinance, which limits noises between 10:00 p.m. and 7:00 a.m. weekdays, and 12:00 a.m. and 8:00 a.m. weekends. Mr. Brewster said that staff felt that the combination of location and mitigating factors will not present negative impacts on adjacent residential property, or in the event that any unanticipated issues do arise there will be mitigating strategies or enforcement mechanisms to correct any issues.

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.
3. All elements of the plan were previously reviewed and approved by the planning commission in conformance with the city's standards and site plan criteria, except as noted above. No other factors that affect the building, site, or landscape plan are changing.

Additionally, businesses of this type, scale, and intensity were accounted for in the traffic analysis conducted with the prior approved plan and no additional traffic analysis is needed for this particular tenant.

- 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.**

A parking plan and a blended parking rate were applied to this property and approved in compliance with the parking standards with the 2024 site plan approval. Uses of this scale and intensity were incorporated into that approved plan. No aspects of the plan change the physical configuration or quantity of parking in the approved plan. The proposal includes a more intense use of the patio area than was originally proposed; however, this use is complementary to the restaurant uses that were anticipated. Specifically, the proposal involves up to a maximum of approximately 125 outdoor seating areas; approximately 180 to 200 inside seating areas; and up to 60 to 80 private event seating. Generally, these areas do not operate at capacity, and to some extent these three distinct areas would not be expected to be fully utilized at this time.

Mr. Brewster said that staff felt that the prior approved parking plan, and the fact that the Prairie Village Shops operates under a blended rate parking requirement for all uses throughout the shops (and where any one use has access to all of the available parking in the shops), that the increase intensity in the patio area does not significantly change the parking plan. Additionally, the brewery operator and the property owner are satisfied that there is adequate parking to meet their business interests.

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

The application is associated with a site plan and redevelopment of an existing building that addressed all utility needs. The applicant submitted an updated drainage letter demonstrating a minimal decrease in impervious surfaces through

landscape islands, which is consistent with the prior approval and stormwater requirements associated with redevelopment of the site.

- 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.**

Businesses of this type, scale, and intensity were accounted for in the traffic analysis conducted with the prior approved plan and no additional traffic analysis is needed for this particular tenant.

- 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.**

There are no anticipated hazardous or toxic materials associated with this use and all waste and byproducts are anticipated to be addressed through typical channels that affect restaurants. Production of beer can produce some odors, but at this scale and this particular manufacturing they would not generally be considered "obnoxious odors" that would be detrimental to public health or otherwise offensive to the general public.

- 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.**

Other than specific changes addressing existing standards, there are no proposed changes to the architectural or exterior elements from the prior approved site plans. Staff believes this plan and the changes are consistent with the prior approvals and this criteria.

Mr. Brewster said that absent any testimony or evidence to the contrary at the public hearing, staff believed that the planning commission may make findings that support approval of this application in compliance with the special use permit criteria. Staff recommends approval of the special use permit subject to the following:

1. The site plan and building elevations are consistent with the prior site plan approval except for the following, approved in conjunction with this special use permit:
 - a. Re-design of the patio space including enclosed wall, canopy, trellis, and other seating and amenities.
 - b. Addition of two large windows on the east elevation.
 - c. Specifications for a 203 +/- square foot channel letter sign on the canopy (50.75' x 4') in place of the two of the four 104 square foot wall signs otherwise permitted an anchor tenant. All other signs are conceptual only, and all future signs shall comply with the Prairie Village Shops sign standards, or any comprehensive updates to those standards, or comply with the general city-wide sign standards.

2. The special use permit is contingent on the city council approving a waiver of the location restriction related to churches as provided in licensing requirements of the Prairie Village Municipal Code, or otherwise determines that location restriction is inapplicable to this site.
3. The special use permit is limited to the site plan application associated with the permit in terms of location, extent, and operation limitations.
4. The special use permit is approved without an expiration date; however, the permit is revocable for any violation with the conditions of this permit, any non-compliance with approved site plans, or any other violation of city codes or business license requirements.
5. 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.
6. All other conditions of the site plan approved in October 2024 which are not specifically a part of this special use permit remain in effect.

Mr. Kersten asked whether future tenants surrounding the brewery would be limited in allowed signage size due to how large the proposed brewery sign was. Mr. Brewster said that staff believed that there was still enough available space for other tenants' anchor signage, but that an update to the overall sign plan of the Prairie Village Shops would need to be made at some point in the near future.

Mr. Kersten also asked whether city code limited the size and scale of the proposed "silo" structure in the outdoor seating area. Mr. Brewster said that the silo would be treated as an accessory structure, and the proposal was compliant with the requirements for such structures.

Mr. Birkel asked if a sign could be placed on the silo. Mr. Brewster said that it could not unless a property-specific sign plan was approved that included the silo.

Applicants Patrick Joyce and Carson Scheer with Kimley-Horn, 7300 College Blvd., Overland Park, KS, Al Buck, Solum Lang Architects, 1101 Old Marion Road, Cedar Rapids, IA, Andrea Hidalgo, First Washington Realty, 7200 Wisconsin Avenue, Bethesda, MD, and Matt Swift, Big Grove Brewery were present to discuss the application. A presentation was given showing design plans, elevations and landscapes for the proposed brewery.

Mr. Herron asked what type of stone would be used in the outdoor patio area. Mr. Buck said a stone type had not been selected yet, but it would likely be a local variety, such as limestone.

Mr. Valentino asked whether the silo was a "branding" structure found at other Big Grove locations. Mr. Buck said that each location did have a similar looking silo. Mr. Valentino also asked how the proposed signage would be lit, and Mr. Buck stated that each letter would have internal lighting.

Ms. Brown asked whether there would be live music at the brewery. Mr. Swift said on occasion, live music could be featured during the summer time, but it would typically be during the lunch hour or happy hour rather than late in the evening.

Mr. Valentino opened the public hearing at 7:12 p.m. With no one present to speak, Mr. Valentino closed the public hearing at 7:13 p.m.

Mr. Kersten and Mr. Valentino suggested that the proposed signage size be reduced for a better neighborhood scale. Mr. Valentino added that the sign should either be unlit or minimally lighted. Ms. Brown stated that the proposed silo did not fit the character of the shops or surrounding neighborhood. Ms. Temple said that she felt the proposed design was very industrial, and that a theme that better matched the rest of the shopping center would be preferred.

Mr. Valentino suggested removing the approval of the sign and silo (staff condition 1-c) from the site plan approval and consider them separately at a future meeting. Mr. Kersten said that consideration of a cohesive sign plan for the entire shopping center would be most effective. Ms. Hildago said that a sign plan would be submitted at a future date.

After further discussion, Mr. Kersten made a motion to recommend approval of the special use permit, and approve the site plan with the exception of the proposed signage and silo, which could be considered at a future date. The motion was seconded by Mr. Birkel and passed 6-0.

NON-PUBLIC HEARINGS

None.

OTHER BUSINESS

None.

ADJOURNMENT

With no further business to come before the commission, Mr. Valentino adjourned the meeting at 7:42 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary