

**PLANNING COMMISSION MINUTES**  
**September 10, 2019**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, September 10, 2019 in the Council Chambers at 7700 Mission Road. Chair Nancy Wallerstein called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Patrick Lenahan, Melissa Brown, Greg Wolf and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, Gould Evans; Jamie Robichaud, Deputy City Administrator; Mitch Dringman, City Building Official; Ron Nelson, Council Liaison; and Adam Geffert, City Clerk/Planning Commission Secretary.

**APPROVAL OF MINUTES**

Mr. Breneman moved for the approval of the minutes of the August 6 regular Planning Commission meeting as presented. Mr. Birkel seconded the motion, which passed 5-0, with Mr. Lenahan and Mr. Wolf in abstention.

**PUBLIC HEARINGS**

**PC2019-116 Special Use Permit Renewal - 7700 Mission Road Tower**

Mr. Brewster stated that the permit renewal application was for the Sprint Spectrum equipment on the existing cell tower located on the municipal grounds behind City Hall. A site plan review was completed in 2018 when the equipment was last changed out. The special use permit was previously renewed in 2009 for a ten-year period; if approved, this renewal would extend for another 10 years. Mr. Brewster added that staff recommended approval subject to the same 10 conditions included in the previous renewal, along with the following new condition:

11. If the existing tower, or the overall SUP for the existing tower is amended in any way to accommodate structural changes for new equipment or a different capacity for this tower, or a new tower is constructed, the applicant shall comply with all design conditions in place at that time or which may be conditions of the new construction.

The applicant, Ann Kooyman, representing KGPCo, stated that she had no concerns with the conditions made by staff. Mrs. Wallerstein opened the public hearing at 7:04 p.m. With no one present to speak, Mrs. Wallerstein closed the hearing at 7:05 p.m.

**Mr. Breneman made a motion to approve the renewal of the special use permit, subject to the conditions recommended by staff. Mr. Wolf seconded the motion, which passed unanimously.**

## **NON-PUBLIC HEARINGS**

### **PC2019-117 Re-Plat Application - 7609 Fontana Street**

Mr. Brewster said that no procedure in the subdivision regulations existed to address lot splits of more than two lots. As a result, such applications must be reviewed via the final plat process. The property is located on the northeast corner of 77<sup>th</sup> Street and Fontana Street, and the applicant is proposing to split it into three lots: two facing Fontana, and one facing 77<sup>th</sup> Street. The property is zoned R-1B, and the dimensions of the proposed lots are consistent with zoning requirements and surrounding lot size patterns.

Mr. Brewster added that there is a sewer easement on the 77<sup>th</sup> Street side of the existing lot, and it is unclear whether additional easements would be needed to deliver power to Lot 1. He noted that any new public easements would require City Council approval. Furthermore, notice will have to be given to surrounding property owners before the existing home on the site is torn down, and any new structures will need to comply with neighborhood design standards.

Tim Tucker with Phelps Engineering spoke on behalf of the applicant, Fontana Partners, LLC. Mr. Tucker stated a 100-foot extension would need to be added to the existing sanitary sewer to serve the home built on Lot 1. Electrical service currently runs along the northern edge of the property, and would need to be extended at the rear of Lot 1, along with a pedestal to serve the home on Lot 2. Water and gas service will not need any additional easements. Mr. Tucker stated he was in agreement with the following four conditions recommended in the staff report:

1. To the extent that any of the easements shown on the plat are new easements and are dedicated to the City for public use, the Final Plat shall be submitted to the Governing Body for acceptance. In addition, the applicant shall confirm that no additional easements are necessary to serve Lot 1, or provide revised easements to be reviewed by Public Works prior to recording or any required acceptance by the Governing Body.
2. The requirement for sidewalks on both sides of the street is waived, since there are no sidewalks on any other lots along these block faces (east side of Fontana and north side of 77<sup>th</sup>), and sidewalks do exist on the opposite sides of each street.
3. That the applicant submit the Final Plat to the County (surveying and engineering) after approval and execution of all required signatures by the City.
4. Prior to any demolition or construction on the lots, the property owner(s) shall have provide notice to neighbors as required by the zoning ordinance. All new construction shall meet the neighborhood design standards applicable to new construction in R-1B, including the preservation or replacement of street trees.

**Mr. Lenahan made a motion to approve the site plan, subject to the conditions recommended by staff. Mr. Breneman seconded the motion, which passed unanimously.**

## **OTHER BUSINESS**

### **Review site plan criteria in zoning regulations**

Mr. Brewster stated that a public meeting on the proposed changes to zoning regulations would be held on September 17, after which they would be brought back before the Planning Commission in a public hearing at its October meeting. The updates affect sign regulations, landscape regulations, renewable energy regulations and site plan criteria. Mr. Brewster shared a presentation outlining the decision-making abilities of the Planning Commission, the Board of Zoning Appeals and City Council. Although the Planning Commission has limited discretion, it serves as the “gatekeeper” for zoning issues, and provides professional expertise to assist staff in making decisions.

Mr. Brewster reviewed section 19.32.030 of the zoning regulations regarding the standard of approval for site plan applications. Sections E and F in particular are vague and do not provide applicants and Commission members the specific detail needed to have a valuable discussion. Proposed changes in Section E focus on streetscapes and adjacent sites, while changes to Section F address the quality and appearance of building design, including materials, patterns and consistency.

Mr. Valentino stated that the new text in Section E.3 was nearly identical to Section A. He added that he liked the balance between vehicle and pedestrian circulation, and asked whether additional language regarding sustainability was needed. Discussion was also held to determine whether Sections F.2 and F.3 adequately addressed design consistency. Mr. Brewster stated that Section F.2 is more focused on design, whereas F.3 addresses pattern and material consistency.

Mr. Brewster noted that it was important to be consistent when evaluating site plan applications rather than looking at each uniquely. Mr. Wolf shared that he was concerned about the approval standards becoming too specific. Mr. Brewster stated that if Section F.2 was made less vague, it could be applied more consistently and objectively. Mr. Birkel and Mr. Valentino agreed that building scale and proportion should be included in Section F.2.

Mrs. Wallerstein asked what the phrase “impact on the character of the surrounding neighborhood” meant in Section F, and if it appropriately described how a building interacts with the surrounding area. Mr. Lenahan suggested that a phrase such as “the relationship of the proposed building with the surrounding character of the neighborhood” would be a better choice.

## **ADJOURNMENT**

With no further business to come before the Commission, Chair Nancy Wallerstein adjourned the meeting at 8:17 p.m.

Nancy Wallerstein  
Chair