

**PLANNING COMMISSION MINUTES
JUNE 2, 2020**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 2, 2020 at 7:00 p.m. Due to the COVID-19 pandemic, Board members attended a virtual meeting via the Zoom software platform. Chair Greg Wolf called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Patrick Lenahan, Nancy Wallerstein, Melissa Brown and Jeffrey Valentino.

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

APPROVAL OF MINUTES

Mr. Lenahan moved for the approval of the minutes of the May 5, 2020 regular Planning Commission meeting as presented. Mrs. Wallerstein seconded the motion, which passed unanimously.

PUBLIC HEARINGS

PC2020-106 Rezoning and Request for Lot Split
7631 Reinhardt Street
Current Zoning: R-1A
Requested Zoning: R-1B
Applicant: Mojo Built, LLC

Mr. Brewster stated that the property was on a block with many non-conforming lots. Most of the lots were zoned R1-A, but the Planning Commission had approved a rezoning and lot split on the north end of the street to R-1B in 2018.

Mr. Brewster reminded Planning Commission members that a rezoning required them to evaluate facts, weigh evidence, and make a recommendation to the City Council based on balancing the “Golden Factors” outlined in the zoning ordinance:

1. The character of the neighborhood
2. The zoning and uses of property nearby
3. The suitability of the property for the uses to which it has been restricted under its existing zoning
4. The extent that a change will detrimentally affect neighboring property
5. The length of time of any vacancy of the property
6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners

7. City staff recommendations
8. Conformance with the Comprehensive Plan

Mr. Breneman asked how the proposed lot widths would compare to the lot split that was completed in 2018. Mr. Brewster stated that the prior lot split resulted in two 64' wide lots, whereas this lot split would result in two 60' wide lots, which met R-1B requirements. Mr. Lenahan asked why the area had originally been zoned R-1A since most of the lots were non-conforming. Mr. Brewster stated that it was unclear, but could have been due to the large lot sizes.

John Moffitt, applicant and co-owner of Mojo Built, was present to speak to the Commission. He noted that the company had constructed the current homes on the lots that had been rezoned and split in 2018.

Mr. Wolf opened the public hearing at 7:20 p.m. With no comments received and no one attending the Zoom meeting to speak, Mr. Wolf closed the public hearing at 7:21 p.m.

Based on the Planning Commission's consideration of the Golden factors, Mr. Valentino made a motion to recommend approval of the rezoning to the City Council. Ms. Brown seconded the motion, which passed unanimously.

Mr. Valentino made a motion to approve the lot split with the following conditions:

1. That the City Council accepts the Planning Commission recommendation and approves the rezoning; and
2. That the applicant submit a certificate of survey to comply with the following information required in the ordinance, prior to a building permit:
 - a) The location of existing buildings on the site, or specifically noting the removal of existing buildings.
 - b) The dimension and location of the lots, including a metes and bounds description of each lot.
 - c) The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
 - d) Any platted building setback lines with dimensions.
 - e) Indication of location of proposed or existing streets and driveways providing access to said lots.
 - f) Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines, and proposed drainage systems. (Staff recommends waiver of topography)
 - g) Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.

3. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of a building permit.

Ms. Brown seconded the motion, which passed unanimously.

NON-PUBLIC HEARINGS

PC2020-107 Conditional Use Permit - Drive-up Service (non-food and beverage)
7830 State Line Road
Zoning: C-0
Applicant: GastingerWalker for Community America Credit Union

Mr. Brewster provided background on the application, noting that the proposed Automatic Teller Machine (ATM) would be placed on the south side of the office building located at 7830 State Line. The bank itself would be built on the property across Somerset Drive to the south, which was not large enough accommodate an ATM. He noted that non-food and beverage drive-up services were allowed in districts zoned C-0, and that Public Works had reviewed the plan and found it acceptable for traffic flow. Staff recommended approval with the following conditions:

1. A drainage permit will be required from Public Works prior to construction.
2. The applicant shall verify the size and location of all signs associated with the kiosk through the Sign Permit process, and only signs meeting the sign ordinance will be permitted.
3. The conditional use permit shall expire, the drive up service shall be discontinued, and the kiosk shall be removed if at any point the bank is no longer operating at the site immediately to the south across Somerset.

Mr. Birkel and Mr. Valentino shared concerns about circulation around the building and what effect it could have on traffic on Somerset Drive. Mr. Brewster stated the Public Works Department had reviewed the proposal and did not have any concerns about additional ATM traffic causing issues.

Mrs. Wallerstein asked if there would be space for a new ATM sign due to the number of signs that were currently on the building. Mr. Brewster said that any additional signs would have to follow the sign ordinance along with those on the building already. Ms. Robichaud added that the applicant's proposed signage would only be placed on the ATM kiosk itself, not the building.

Applicants Andy Meyer, representing GastingerWalker and Chris Wolfe, representing Community American Bank were in attendance. Mr. Meyer stated that there would be no signage added to the building, and that the bank logo would only be placed on a glass surface over the ATM.

Mr. Birkel asked if a left-turn lane would need to be added to Somerset Drive for vehicles to enter the parking lot without backing up street traffic. Ms. Robichaud stated that Public Works did not indicate that a turn lane would be needed, and were of the opinion that the proposal to reduce parking lot entrances on Somerset from two to one was safer for drivers.

Mrs. Wallerstein asked that the southeast corner of the parking lot near the intersection of State Line and Somerset Road be softened with landscaping rather than adding striping to the pavement as indicated in the application.

Mr. Birkel suggested that a condition be added requiring a dedicated turn lane on eastbound Somerset Drive into the west entrance of the parking lot. Ms. Robichaud said that the Public Works Director and traffic engineers would need to be involved to determine that feasibility of the request to modify public infrastructure. Mr. Breneman and Mr. Valentino both recommended that the request be taken up at the next Planning Commission meeting after further traffic study.

Mr. Birkel made a motion to continue the application to the July 7 meeting to evaluate traffic and circulation. Mr. Valentino seconded the motion, which passed 6-1, with Mr. Lenahan in opposition.

ADJOURNMENT

With no further business to come before the Commission, Chair Greg Wolf adjourned the meeting at 8:08 p.m.

Greg Wolf
Chair