

**PLANNING COMMISSION MINUTES
MAY 5, 2020**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, May 5, 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. Valentino moved for the approval of the minutes of the February 4, 2020 regular Planning Commission meeting as presented. Mr. Lenahan seconded the motion, which passed unanimously.

PUBLIC HEARINGS

PC2020-104 Amendment to Special Use Permit
 4801 W. 79th Street
 Zoning: R-1A
 Applicant: Kansas City Christian School

Mr. Brewster stated the application was an amendment to the existing special use permit at Kansas City Christian School to allow the addition of daycare services. The prior permit, most recently amended in 2017, only allowed for kindergarten through 12th grade students. He noted that enrollment at the school would not change, nor would any major construction be required since the daycare would be located in an existing room. Drop-off and circulation for the daycare would be a part of the same traffic flow and timeframe as the rest of the school.

Mr. Brewster reminded the Planning Commission that a special use permit requires the Planning Commission to evaluate facts, weigh evidence, and make a recommendation to the City Council based on balancing the “Golden Factors” outlined in the zoning ordinance. Staff recommended approval subject to the nine conditions found in the existing special use permit, along with an additional tenth condition:

1. The applicant shall meet all conditions and requirements of the Planning Commission for the approval of a site plan.

2. The Special Use Permit not have a termination or expiration time established for it.
3. If the applicant violates any conditions of the zoning regulations and requirements as part of the Special Use Permit, the permit may be revoked by the City Council.
4. The applicant cannot further expand or amend the Site Plan without an amendment to the Special Use Permit requiring a public hearing before being approved.
5. Kansas City Christian School adopt a policy that all students will park on site and develop a procedure for implementation and enforcement of the policy.
6. The number of designated high school classrooms shall be limited to 12.
7. No more than four busses shall be parked in the rear of the school when not picking-up or dropping-off, and shall not idle more than five minutes during pick-up and drop-off.
8. Kansas City Christian provide to the City at the beginning of each school year an updated student count reflecting the number of students in each grade and the number of classrooms use for each grade level.
9. The permit anticipates a projected enrollment capacity of 525 students, and any enrollment significantly beyond this capacity or reconfiguring of classrooms that creates impacts beyond those anticipated by this baseline may require a revised site plan or may result in revocation of the permit at the discretion of the City.
10. Daycare classrooms are permitted within the previously approved number of classrooms (17) and capacity limits (525), provided hours and operational procedures remain comparable and similar to early elementary students, and that all necessary Kansas Department of Health and Education licenses and approvals are acquired prior to operating a daycare.

Mr. Birkel asked if there would be a conflict between vehicles entering and leaving from the northeast entrance to the building. Mr. Brewster said that the traffic pattern was consistent with what was approved in the 2017 special use permit amendment.

Applicants Todd Zylstra, Head of Kansas City Christian School, and Amy McGruder, Elementary Principal, attended remotely via Zoom. Mr. Zylstra stated that the school currently had approximately 100 fewer students than the maximum amount allowed under the special use permit, and wished to add a daycare in an effort to increase future kindergarten enrollment. Ms. McGruder added that the daycare would function as a preschool, and only be comprised of 3-5 year olds. She noted that the Kansas Department of Health and Environment determined the maximum number of children allowed in the classroom.

Mr. Wolf opened the public hearing at 7:25 p.m. With no one attending the Zoom meeting to speak, Mr. Wolf closed the public hearing at 7:26 p.m.

Based on the Planning Commission's consideration of the Golden factors, Mr. Breneman made a motion to approve the amended special use permit, subject to the conditions recommended by staff. Mr. Valentino seconded the motion, which passed unanimously.

NON-PUBLIC HEARINGS

PC2020-105 Site Plan Review - Fence with Exception
4300 W. 63rd Street
Zoning: R-1B
Applicant: Nate Scherzer

Mr. Brewster provided background on the application, noting that the applicant was requesting an exception to the fence standards to construct a fence in the side yard that did not meet the required setback. The proposed fence would replace an existing, approximately 4' high, chain link fence with a 6' high wooden privacy fence. The existing fence is placed at the property line, rather than at the 5' setback required by the zoning ordinance. This location aligns with the fence on the property to the rear, creating a continuous fence line along Delmar in the rear yards of each property.

Mr. Brewster added that staff recommended approval with the following considerations:

- This proposal having a side yard configuration on a street with an attached sidewalk (proposed fence location 10' from curb with approximate 5' grass strip between fence and sidewalk);
- All lots on this segment of Delmar having a similar side yard configuration;
- The fence is replacing an existing fence and aligned with the fence to the rear;
- All fencing being proposed is located in the rear yard of the lot (no side of house or front of house); and
- The proposed fence will meet all other standards other than the required setback.

Nate Scherzer, the applicant and property owner, said that he preferred to keep the existing uniform appearance with the home to the north, as well as to maintain the same rear yard dimensions.

Mr. Birkel made a motion to approve the exception to the fence standards. Mr. Breneman seconded the motion, which passed unanimously.

OTHER BUSINESS

Amended Planning Commission Bylaws

Mrs. Robichaud noted that the Planning Commission reviewed the existing bylaws at its previous meeting, at which it was observed that additional updates needed to be made in the document. Commissioners sent recommendations for changes, which were included in the packet.

Mrs. Wallerstein made a motion to replace the word “elect” with “appoint” in Article 3, paragraph 4, entitled “Secretary”. Mr. Breneman seconded the motion, which passed unanimously.

Mr. Valentino made a motion to change the required number of votes in Article 6, paragraph 2, entitled “Suspension of Rules”, from 3/4 of the members of the Commission (6 members) to 2/3 (5 members). Mr. Lenahan seconded the motion, which passed unanimously.

Mr. Breneman made a motion to switch the order of Article 4, paragraph 5, entitled “Appearances before the Commission”, with Article 4, paragraph 6, entitled “Incomplete Submittals”, and to switch the order of Article 4, paragraph 7, entitled “Commission Action” with Article 4, paragraph 8, entitled “Motions after Public Hearing”. Mr. Lenahan seconded the motion, which passed unanimously.

Mr. Lenahan made a motion to change Article 4, paragraph 1, entitled “Regular Meetings”, to state “meetings shall adjourn no later than 10:00 p.m.” Mr. Birkel seconded the motion, which passed unanimously.

Mr. Lenahan made a motion to approve the remaining edits made prior to the meeting by Mrs. Robichaud. Mrs. Wallerstein seconded the motion, which passed unanimously.

ADJOURNMENT

With no further business to come before the Commission, Chair Greg Wolf adjourned the meeting at 7:58 p.m.

Greg Wolf
Chair