

**PLANNING COMMISSION MINUTES
SEPTEMBER 13, 2022**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, September 13, at 7:00 p.m. in the Council Chambers at 7700 Mission Road. Chair Greg Wolf called the meeting to order at 7:00 p.m. with the following members present: Jon Birkel, James Breneman, Patrick Lenahan, Melissa Brown, Nancy Wallerstein and Jeffrey Valentino.

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.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the August 2, 2022, regular Planning Commission meeting. Mrs. Wallerstein seconded the motion, which passed unanimously.

PUBLIC HEARINGS

None

NON-PUBLIC HEARINGS

PC2022-119 Site Plan Exception for Solar Panel Installation
7813 Canterbury Street
Zoning: R-1A
Applicant: Bob Solger, Solar Design Studio

Mr. Brewster said that the applicant was requesting an exception related to the installation of ten solar panels on the principal dwelling and detached accessory car port. The panels were installed subject to a permit indicating the ordinance requirement that panels not project more than 5” from the surface of the roof. Upon installation and inspection, staff determined that the panels were too high and needed to be lowered. The applicant complied, but the lowest the panels can be set is approximately 5.8” from the roof surface. The panels are on the west (front) side of the principal structure and the rear pitch of the car port. The car port is situated in the front but is in a recessed front area due to the building footprint.

Mr. Brewster noted that the renewable energy provisions and solar energy standards of the zoning regulations have design compatibility standards, which require roof mounted panels to be generally parallel with the roof and project no more than 5” from the roof. The applicant submitted documents explaining why the selected panels can only be mounted approximately 5.8” to 6.0” above the roof, due to the mounting bracket mechanism and the general need for all solar panels to have appropriate ventilation.

Mr. Brewster stated that the solar panel standards allow for exceptions to be granted through the site plan review process. The exception criteria allow some leniency in application of the standards and account for energy design and technology issues, provided that the intent of the section is met, and the exception is necessary due to the design and function of the solar technology.

In this case, the following factors support an exception:

- The exception is a minimal deviation from the required standard (approximately 5.8” projecting rather than 5”), and will not be detectible from the ground, adjacent property, or streetscape
- The panels are otherwise parallel with the pitch of the roof and appear consistent with the existing scale and massing of the principal and accessory buildings
- The applicant has supplied specifications for the panels that justify the exception to promote the function of the panels and appropriate installation
- The panels are situated in a way that is not directly visible from adjacent property or the street due

Mr. Brewster said that staff recommended approval of the site plan with the exception to allow the panels to project approximately 5.8” to 6.0” above the roof surface due to the following:

- The limited nature of the exception request
- The panels remaining parallel to the roof structure and consistent with the scale and massing of the buildings
- The situation of the buildings and specific panel locations will have limited impact on the streetscape and adjacent property
- The specifications submitted demonstrate a need for the exception to allow property installation and maintain the function of the solar panels

Applicant Bob Solger, 23185 92 Highway, Platte City, MO, and property owner Steve McGuire were present to discuss the application.

Mr. Breneman made a motion to approve PC2022-119 based on the factors presented by staff. Mrs. Wallerstein seconded the motion, which passed unanimously.

PC2022-120

Site Plan Exception for Fence

7401 High Drive

Zoning: R-1A

Applicant: Jere Sellers

Mr. Brewster said that the applicant was requesting an exception to the required fence setback on 74th Street, allowing a new 6' wood privacy fence to be approximately 5' from the property line, rather than 17.5' from the property line. The property is a corner lot on the southeast corner of 74th Street and High Drive, and the lot to the east (abutting the rear lot line) orients to 74th Street. The subject lot is an "end grain" lot, meaning it faces High Drive while other lots further south on the block are oriented to 74th Street.

In this circumstance, the zoning ordinance requires the fence to be set back from the lot line on 74th Street the greater of 15' or one-half the front setback of the adjacent lots. The abutting lot has a front setback of 35' from 74th Street, so the required fence setback is 17.5'. Since the proposed fenced area is in the side and rear there are no restrictions on the design of the fence, other than the general height and design standards

In this circumstance, the proposed exception will not have a significant negative effect on the intent of the standard. The following factors affect the situation:

- The proposed fence would be located 5' from the property line, rather than the required 17.5', but remains approximately 17' from the curb of 74th Street
- A fenced yard meeting the standards would have a smaller rear fenced area and only allow approximately 3' to 5' of the street side yard between the house and the street to be fenced
- The lot is an end grain pattern with three lots on the west end of the block fronting on High Drive while the rest of the houses to the east front 74th Street
- The property most impacted by the proposed exception to the east is approximately 25' from the side property line where the fence will project, and is oriented in a way that the exception will not have a significant negative impact on the views of the streetscape for the home
- The proposed fence will meet all other fence requirements in Section 19.44.025, except for the location

Mr. Brewster said staff recommended approval of the exception given the following considerations:

- The proposed fence would be located 5' from the property line, rather than the required 17.5', but remain approximately 17' from the curb of 74th Street
- A fenced yard meeting the standards would have a smaller rear fenced area and only allow approximately 3' to 5' of the street side yard between the house and the street to be fenced
- The lot is an end grain pattern with three lots on the west end of the block fronting on High Drive while the rest of the houses to the east front 74th Street
- The property most impacted by the proposed exception to the east, is approximately 25' from the side property line where the fence will project and is

oriented in a way that the exception will not have a significant negative impact on the views of the streetscape for the home.

- The proposed fence will meet all other fence requirements in Section 19.44.025, except for the location

Applicant and property owner Jere Sellers was present to discuss the application.

Mr. Breneman made a motion to approve PC2022-120 based on the considerations presented by staff. Mr. Birkel seconded the motion, which passed unanimously.

PC2022-121 Design review for Exception to Fenestration Requirements
5220 W. 69th Street
Zoning: R-1A
Applicant: Dan Wessel representing Patrick and Shannon O'Bryan

Mr. Brewster said that the applicant was applying for a design exception to allow the east elevation of the proposed residence to bypass window requirements. Specifically, the exception is in regard to the requirement that a minimum of 8% of side elevations to be comprised of window or entrance openings. The proposed application is approximately 2.62% and is comprised of two windows associated with the second story (a third window appears in the elevation, but it is associated with a massing component that is more than 12' removed from the side elevation, and therefore is not subject to the requirement.)

Mr. Brewster stated that a subsection of the building massing standards breaks down the volume of the buildable area and height into smaller scale masses to improve the relationship of the building to the lot, adjacent buildings, and the streetscape. Garage doors are excluded since one of the objectives of the standards is to promote more "human-scale" design and reduce the emphasis on automobiles. However, this latter issue primarily deals with issues on front elevations.

In this case, the exception is requested for the 8% side elevation requirement, which also includes a side-oriented garage. The elevation has varied massing due to the setback of one of the garage bays, gables at two different depths, and a larger remainder of the elevation more than 12' beyond the forward part. Staff has measured the elevations as follows:

- Plane A (double garage and gable) 319 s.f.
- Plane B (single garage and gable) 262 s.f.
- Plane C (rear dormer) 25 s.f.
- Total elevation 606 s.f.
- Windows 2.62% + allowance for up to 3% to be trim and molding = 5.62% (8% required)

The lower level is only comprised of garage doors. Although they technically cannot count to the window and opening requirement, for this side-oriented garage and the overall elevation they accomplish many of the goals stated above. Further, the windows that are

shown on the elevation are appropriately placed in association with the gables and provide sufficient transparency for the upper-level space.

Mr. Brewster said that the application meets all standards except for the window and entrance requirement on the east elevation, and therefore meets the intent of the building and massing standards. Despite not technically meeting the 8% window requirement, the elevation has substantial interest and relief, and the location of the garage in relation to the overall building and site design also add to the “transparency” of this elevation. As a result, staff recommends approval the exception to the neighborhood design standards (window and entrance requirements on the east elevation) subject to the plans submitted.

Mrs. Wallerstein asked if regulations would be met if the proposed windows were enlarged. Mr. Brewster said they would.

Applicant Dan Wessel, 7244 Ward Parkway, Kansas City, MO was present to discuss the application. He stated that he had created a design that would meet the criteria, but that it would negatively impact the interior design of the home in his opinion.

Mr. Lenahan made a motion to approve PC2022-121 based on the information provided by staff. Mr. Valentino seconded the motion, which passed unanimously.

PC2022-122 Site Plan Exception for Impervious Coverage Area
 9119 Alhambra Street
 Zoning: R-1A
 Applicant: Jason Leiker

Mr. Brewster said that the applicant was seeking an exception to build a pool and pool deck in the rear yard and requesting an exception to the 40% impervious surface limit. The application includes a 17' x 41' pool and surrounding pool deck in the rear yard. The applicant previously received an exception from the Planning Commission to the fence standards in May, for a fence to be built near the property line along 92nd Terrace.

In 2018, in association with the revisions to the R-1A and R-1B development standards and adoption of the neighborhood design standards, the City also adopted an impervious surface standard of 40%. This standard applies to any new homes built after the adoption date. This home was built in 2021, which means it is subject to all new neighborhood design and lot coverage standards. Based on a plan review, the proposed pool and deck area makes the total impervious surface coverage 40.9% on the property.

Mr. Brewster said staff recommends approval of this site plan with the lot coverage exception based on the following considerations:

- The limited nature of the exception (approximately 0.9% from the standard) and the negligible impact it will have on overall stormwater policies for the City
- The drainage plan for the specific improvements demonstrating no adverse impact on the abutting property or the overall stormwater system

Pool installer Stephen King, 19527 Stillwell Road, Linwood, KS, was present to discuss the application representing the applicant. He stated that the original permit only had one foot of decking around the pool, and that the request for an exception was to increase the amount of decking.

Mr. Valentino asked if the pool size could be reduced to allow for more decking and meet the impervious surface coverage limit. Mr. King said the pool would need to be reduced by approximately 50% in size to meet the 40% limit.

Ms. Brown noted that this was the second time that the property owner had come before the Planning Commission for an exception to building requirements, and that the amount of impervious area should have been considered prior to the first submission. Mrs. Wallerstein agreed, stating that a fence exception had already been granted to accommodate the pool.

Mr. Lenahan made a motion to approve PC2022-122 with the conditions listed by staff. There was no second to the motion; the application was not approved.

PC2022-123 Site Plan for Monument Sign
 8340 Mission Road
 Zoning: C-0
 Applicant: Dick Robinson, High Tech Signs of America

Mr. Brewster said that the applicant was requesting approval of a monument sign for a 1.97-acre commercial site. The sign would be placed at the mid-point of the landscape frontage along Mission Road, between the sidewalk and parking area. The proposed sign is double-sided and internally illuminated, with an aluminum cabinet, white acrylic letters, and individual tenant panels.

Mr. Brewster noted that the applicant has proposed the sign to be placed 6' from the property line and approximately 12.5' from the curb, centered in a landscape area between the sidewalk and parking lot. The sign is 20 s.f., 5' high and on a 4' wide brick base that matches the primary material of the building. He noted that the color of the cabinet was unclear from the application. Although there are no specific color standards, sections 19-48.080 (a) and (b) include guidelines to coordinate sign materials, colors, and styles with the site and building, particularly if signs include multiple tenants.

Mr. Brewster said the sign is properly situated in a landscape area at least 3' on all sides, but that detailed landscape plans were not included in the submittal. Some ground-level ornamental plantings may be necessary to integrate the sign better into the landscape buffer along the parking frontage.

Mr. Brewster stated that staff recommends approval of the of the proposed monument signs, subject to the following:

- The applicant confirms to the Planning Commission the color combinations of the sign panel and tenant backing, and particularly the conformance guidelines in 19.48.080 (a) and (b)
- The applicant submits detailed landscape plan for the base (number of plants, species, etc.) to be approved by the City’s landscape architect consultant prior to sign permits

Mrs. Wallerstein asked if the proposed sign would be compatible with the existing signs on the office building. Mr. Brewster said he believed the brick base matched the brick exterior of the building, which met the requirements for coordination.

Chris Eardley, Vice President of Tower Properties, was present to discuss the application, along with Dick Robinson, High Tech Signs of America, 1200 Romany Road, Kansas City, MO. Mr. Robinson stated that the sign would be brick along with white aluminum, which would match the building. Additionally, a landscape plan would be submitted.

Mrs. Wallerstein asked if the sign would be placed on a higher berm than the current sign currently sits. Mr. Brewster stated the height of the berm would not change.

Mr. Valentino made a motion to approve PC2022-123 with the conditions listed by staff. Mr. Breneman seconded the motion, which passed unanimously.

OTHER BUSINESS

Discussion of Ad Hoc Housing Committee Recommendations

Mr. Brewster shared information about the committee’s recommendations, as well as a primer on housing, zoning districts, and the Village Vision 2.0 comprehensive plan. He stated that the recommendations fit into three categories:

- **Regulatory:** amend zoning to allow “missing middle” housing by-right in more districts
 - R-1: accessory living quarters, small lots / courtyard patterns, multi-unit housing
 - R-2: smaller lot duplexes, 3- and 4- plex multi-unit houses, row houses
 - R-3 / R-4: improve provisions for various scales of multi-unit types
 - C-0, C-1, MXD: improve mixed use options
 - Update zoning map to identify most appropriate location for “missing middle” housing
 - Monitor short-term rentals / research further regulations
- **Policy:** support rehabilitation of existing housing stock / preserve existing attainable housing
- **Administrative:** continue to engage in regional initiatives for housing attainability and transit connectivity.

Mr. Brewster said that the Village Vision 2.0 comprehensive plan was a long-term guide that was meant to allow flexibility over its 20-year timeframe. He noted that the plan's focus included development principles, such as the diversification of housing options while maintaining the integrity of neighborhoods, as well as policy plans, such as reinforcing existing neighborhood patterns and strengthening neighborhood design.

Mr. Brewster stated that the following issues should be considered by the Planning Commission for each zoning district:

- **R-1A and R-1B (single-family):**
 - Review conditions for accessory living quarters (ALQs)
 - Improve the process, criteria, and options for “planned” applications
- **R-2 (single-family and two-family):**
 - Consider smaller-lot options for duplexes
 - Consider other “house-scaled” multi-unit building types
 - Develop strategies and criteria for application of R-2 district at transition areas, along with design standards.
- **R-3 and R-4 (multi-family):**
 - Identify options for additional appropriate multi-unit building types (row houses, small apartments, medium apartments)
 - Improve design standards and expectations for applications
- **C-0, C-1, and MXD (commercial and mixed use):**
 - Consider options for allowing accessory residential in commercial districts
 - Improve design standards and expectations for MXD rezoning process

Mr. Brewster also presented the series of steps that would be followed to review and consider updates to the zoning ordinance:

1. Public engagement and discussion
2. Notice to the public
3. Planning Commission public hearing
4. Planning Commission recommendation
5. City Council meeting
6. Decision

The following proposed schedule was presented:

1. Public forum #1: issues and options (October)
2. Planning Commission work sessions: strategies and recommendations (November and December)
3. Public forum #2 (December and January)
4. Planning Commission work session: finalize recommendations (January and February)
5. Formal processes zoning code update (February - TBD)

Mr. Valentino suggested a third public forum might be warranted due to the proposed timeline. Mr. Wolf agreed, adding that there should be a 30-day notice for each public forum. Mr. Breneman stated that the breadth of information would require more meetings to address all items thoroughly. Mr. Lenahan agreed and recommended avoiding the months of November and December to hold meetings. Mrs. Wallerstein stated that the timeline needed to be lengthened significantly to clarify details and provide enough time for public comment. Mr. Wolf suggested holding the first public forum in October, the second in January or February, and a third in March or April. He also recommended holding the first work session in October prior to the first public forum. Mr. Brewster stated that he would create a revised schedule based on the Planning Commission's recommendations.

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 8:57 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary