

The public may attend the meeting in person or view it online at
<https://www.facebook.com/CityofPrairieVillage>.

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
TUESDAY, JANUARY 10, 2023
7700 MISSION ROAD
COUNCIL CHAMBERS
7:00 P.M.**

- I. ROLL CALL
- II. APPROVAL OF PLANNING COMMISSION MINUTES - December 6, 2022
- III. OLD BUSINESS
- IV. PUBLIC HEARINGS

None
- V. NON-PUBLIC HEARINGS

PC2023-101 Site Plan for Monument Sign
 3917 W. 84th Street
 Zoning: R-3
 Applicant: Miller Sign Shoppe
- VI. OTHER BUSINESS

Election of Chair, Vice-Chair and Secretary

Annual review of Planning Commission bylaws
- VII. ADJOURNMENT

Plans available at City Hall if applicable.
If you cannot be present, comments can be made by e-mail to
cityclerk@pvkansas.com

***Any Commission members having a conflict of interest, shall acknowledge that conflict prior to the hearing of an application, shall not participate in the hearing or discussion, shall not vote on the issue, and shall vacate their position at the table until the conclusion of the hearing.**

**PLANNING COMMISSION MINUTES
DECEMBER 6, 2022**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, December 6, at 6:00 p.m. in the Council Chambers at 7700 Mission Road. Chair Greg Wolf called the meeting to order at 6:00 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; Greg Shelton, Council Liaison; Mitch Dringman, Building Official; Wes Jordan, City Administrator; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the October 11, 2022, regular Planning Commission meeting. Mrs. Wallerstein seconded the motion, which passed unanimously.

Mr. Breneman moved for the approval of the October 25, 2022, Planning Commission work session meeting summary. Mr. Birkel seconded the motion, which passed unanimously.

PUBLIC HEARINGS

None

NON-PUBLIC HEARINGS

PC2022-126 Lot Split
 2211 W. 71st Street
 Zoning: R-1B
 Applicant: Kevin Green, Kevin Green Homes

Mr. Brewster stated that the applicant was requesting to split an existing lot into two lots to allow two single-family structures to be built. The existing lot is approximately 125.5' wide by 130' deep, resulting in a lot that is greater than 16,000 square feet. The proposal would split the lot down the middle for two lots that are 62.74' wide, and approximately 8,156 square feet each. The existing house would be torn down to allow for two new

houses. Mr. Brewster noted that the lot was platted prior to adoption of the Prairie Village zoning ordinances and subdivision regulations, and that other lots in the area ranged in width from 60' to 100', with some irregular lots being larger. Additionally, there are several lots to the west and east on the adjacent block that are 60' wide. The property is zoned R-1B, which has a minimum lot width of 60'.

Mr. Brewster said that the applicant had submitted a survey as part of the application which specified that the lot would be divided into two equal lots. Each resulting lot would be capable of being developed according to R-1B zoning standards. Mr. Brewster added that staff recommended approval of the lot split subject to the following conditions:

1. The lots are assigned addresses and lot identification numbers acceptable to the Johnson County Land Records requirements
2. Prior to recording, a note be added to the survey plat that the existing structure over the proposed lot line is to be demolished, and the split is subject to approval and execution of a demolition permit

Applicant Kevin Green from Kevin Green Homes, 6610 Royal Street, Pleasant Valley, MO, was present to discuss the application. Mr. Green stated that he agreed to the conditions for approval.

Mrs. Wallerstein asked why the application needed to be approved by the Planning Commission if it met all required criteria. Mr. Brewster stated that zoning regulations required the Planning Commission to approve all lot splits.

Mr. Valentino made a motion to approve PC2022-126 with the conditions listed by staff. Mr. Breneman seconded the motion, which passed unanimously.

PC2022-127 Site Plan for Monument Sign
5250 W. 94th Terrace
Zoning: CP-1
Applicant: Lee Mendenhall, Kansas City Signs

Mr. Brewster said that the applicant was requesting approval of a monument sign for a 1.11-acre office building on 94th Terrace, just northeast of 95th Street and Nall Avenue. The proposed sign would replace an existing sign in a large lawn area to accommodate the primary business and additional tenants.

Mr. Brewster noted that all new monument signs required approval by the Planning Commission, and that zoning regulations required the following specific standards for signs in non-residential districts:

- One sign per street lot
- 20 square feet size maximum
- 5' height maximum

- 3' setback from all property lines or 12' from street, whichever is greater, with associated landscape
- Base on at least 75% of plan, and materials that complement the building or other site elements

The proposed sign would sit approximately 6.5' beyond the sidewalk and 16' from the street curb. It is less than 20 square feet (19.36 square feet sign area) and sits on a 4.8' wide by 5' high black aluminum cabinet with aluminum skirt base. It has a white background and includes a main sign for the primary tenant and eight replaceable spaces for additional tenants. There are no plans for the sign to be illuminated.

Mr. Brewster said that the application generally met all standards, and recommended approval subject to the following condition:

1. All replaceable signs have a consistent appearance according to Section 19.48.080(d) of the City's zoning regulations, and ideally a white background, consistent font, and the same dark lettering.

Applicant Lee Mendenhall with Kansas City Signs, 8248 NW 101st Terrace, Suite 13, Kansas City, MO, was present to discuss the application.

Mrs. Wallerstein noted that there was no landscaping around the sign and asked that a condition be added requiring a landscape plan to be submitted for review by the City's landscape architect along with the sign permit application. Mr. Mendenhall agreed to the additional condition.

Mr. Breneman made a motion to approve PC2022-127 with the condition listed by staff as well as Mrs. Wallerstein's additional condition. Mr. Lenahan seconded the motion, which passed unanimously.

PC2022-128 Site Plan Exception for Fence
 7433 Village Drive
 Zoning: R-1B
 Applicant: Susan Robinson and Kyle Hill

Mr. Brewster said that the applicant was requesting to replace an existing fence that did not conform to zoning standards. Specifically, the request is for an exception to the required setback on Village Drive, allowing the construction of a new black steel picket fence in the same location (ranging from approximately 6' to 8' from the property line along the street rather than 17.5' back).

Mr. Brewster noted that the property is a corner lot on the southwest corner of a short cul-de-sac in the 7400 block of Village Drive. The cul-de-sac (also named Village Drive) serves four houses that sit back off the main Village Drive; one corner lot fronts the cul-de-sac on the west side, and the subject corner lot fronts the main Village Drive on the east side, with the side and rear yard abutting the cul-de-sac.

According to zoning regulations, this is defined as a street-facing side yard that abuts the front yard of the adjacent house to the southeast, which requires that the fence to be set back the greater of 15' or half the adjoining lot's front setback. In this case, the adjoining lot's front setback is 35', requiring the fence to be set back 17.5'. The fence that existed prior to the reconstruction on the lot was approximately 6' to 8' from the property line on that side, and approximately 11' to 13' from the curb edge of the cul-de-sac. 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.

Mr. Brewster said that the proposed fence location would allow better utilization of the side and rear yard based on the corner location and the orientation of the house. Further, when comparing the proposed location to the location required by the ordinance, there would be no significant negative impacts on the public streetscape or the property most impacted to the southeast. The application would otherwise meet all site plan review criteria and fence standards applicable to the site. As a result, Mr. Brewster said that staff recommended approval of the fence site plan with the exception.

Property owners Susan Robinson and Kyle Hill were present to discuss the application.

Mr. Birkel asked if the location of the driveway would change with the construction of the new home. Mr. Dringman said that it would.

Mr. Valentino made a motion to approve PC2022-128 as presented. Mr. Lenahan seconded the motion, which passed unanimously.

OTHER BUSINESS

Approval of 2023 Meeting Dates

Mr. Birkel made a motion to approve the 2023 meeting date calendar as presented. Mr. Breneman seconded the motion, which passed unanimously.

Discussion of Ad-Hoc Housing Committee Recommendations

Mr. Brewster stated that based on the commission's direction at its October 25, 2022 work session, the topics to be prioritized for discussion at the meeting included the following:

- Key terms and common understanding
- R-3, R-4, MXD and C-district zoning
 - Current situation
 - Options and opportunities
- Options for public engagement
- Additional discussion

Mr. Brewster began by defining the terms being used in the housing discussion that were taken from the Village Vision 2.0 comprehensive plan, as well as the City's current zoning regulations and general planning and policy resources.

- “Attainable” or “affordable” housing: Terms that reflect the concept that housing costs should take up less than 30% of a household's gross annual income. Several categories are then gauged on rent or mortgage costs compared to the area median income (AMI) of a particular geographic area (i.e., the midpoint of all incomes). A more complete framing includes the following housing price points:
 - Extremely low: less than 30% AMI
 - Very low: 30% to 50% AMI
 - Low: 50% - 80% AMI

Village Vision 2.0 defines “workforce housing” as below 80% AMI, but the term often includes the “attainable” category in some markets or covers the 50% to 120% range:

- Attainable: 80% -120% AMI
- Moderate price: 120% - 200% AMI
- High price: 200%-300% AMI

The ranges are based on housing price points and are independent of any housing type or building type (i.e., a detached house can be in the “very low income” category, and an “apartment unit” can be in the “luxury” category). Amounts fluctuate over time based on market conditions, income trends, housing age and condition, housing and community amenities, and real estate values. Additionally, the ranges of categories may differ by market and are typically defined regionally or locally to reflect specific policy targets or priorities.

Mr. Brewster said that there were currently no policies or targets for any category established in Prairie Village. In Village Vision 2.0, the stated goal of the policy is to “diversify housing in terms of size, type, and price point,” with the understanding that doing so improves the ability for the overall housing stock to cover more of these ranges over time.

- “Missing middle housing”: A term used to describe a range of small-scale, multi-unit residential buildings within the following parameters:
 - Height: 2 to 4 stories
 - Lot size: 1,500 to 14,000 square feet
 - Units: 2 to 12

Village Vision 2.0 categorizes “missing middle” based on the following building types:

- Duplex - small lot: A residential building with a scale and massing consistent with a detached house, with two principal dwelling units. Each may share a common entrance, or where there are separate entrances, they are either coordinated in a single entrance feature, or one is subordinate to the other to maintain the scale and massing of a house.

- Multi-unit house: A residential building with the scale and massing like a detached house with three or four principal dwelling units. Each may share a common entrance, or where each has a separate entrance, they are either coordinated with a single entrance feature, or others are more discrete to maintain the scale and massing of a house.
 - Row house: A series of attached dwelling units, each with their own separate frontage and entrance, typically orienting to the same common lot frontage or open space.
 - Apartment - small lot: A small-scale, residential building with multiple dwelling units that share a common entrance oriented to the front of the building and lot.
 - Live / work: A building with separate residential and non-residential areas that share a common wall or floor between the residential and non-residential areas, and where the non-residential portion makes up no more than 50% of the floor area.
 - Mixed-use - small lot: A small-scale, non-residential building with ground level commercial or office uses, and dwelling units as accessories to the principal non-residential uses on the upper floors or behind the ground level commercial or office uses.
- “Accessory Living Quarter” - The zoning ordinance currently defines this as: “a subordinate dwelling unit within a single-family dwelling that provides basic requirements for cooking, living, sleeping, eating and sanitation. ALQs may not be subdivided or otherwise segregated in ownership from the primary unit.” ALQs are allowed in R-1A and R-1B zones subject to specific standards in the zoning regulations. This definition is similar to the one typically used for “Accessory Dwelling Units” other than the requirement that the dwelling unit be attached or “within” a single-family unit.
 - “Accessory Dwelling Unit” - A subordinate dwelling unit that is associated with and on the same lot as the principal dwelling unit, that may be attached to the principal building, internal to the principal building (i.e. attic or basement apartment), or in a permitted detached building.

Mr. Brewster next provided information about R-3 and R-4 zoning districts, noting the following:

- Current zoning regulations require the following:
 - Minimum lot size:
 - R-3: 2,500 square feet per unit
 - R-4: 3,500 square feet per unit
 - Most existing 3 and 4-unit houses are on larger lots and result in two larger attached houses
 - No specific building type or design standards in R-3 and R-4
- Opportunities to create more options:

- Reduce the per-unit lot size (i.e., allow 3 or 4-unit buildings on 6,000 to 10,000 square foot lots)
- Include maximum lot sizes (i.e., require more compact formats in some areas)
- Apply neighborhood design standards or similar design for compatibility

Mr. Birkel asked how transportation is addressed in the proposed recommendations. Mr. Brewster stated that the Center for Neighborhood Technology had a transportation affordability metric which could be helpful. Mr. Birkel also asked for clarification on the goals of the conversation. Mr. Brewster responded that the goals were in line with those found in the comprehensive plan, which are to diversity housing options and maintain the integrity of Prairie Village neighborhoods.

Mr. Wolf asked if there would be a parking requirement for smaller lots. Mr. Brewster said that the current requirements would still be in place, though the recommendation would be to place parking areas in a location that is not visible from the street.

Mr. Lenahan noted that the information presented was likely too technical for the public and suggested that using pictures instead of illustrations would be helpful.

After further discussion, Mr. Brewster shared information about C-0, C-1, C-2 and MXD zoning districts, noting the following:

- Current zoning regulations require the following:
 - C-0 allows residential buildings subject to R-1 through R-3 standards; no specific mixed-use building standards
 - C-1 and C-2 districts do not permit residential uses
 - MXD subject to discretionary plan review
- Opportunities to create more options:
 - Incorporate all other R-3 and R-4 options in C-0 districts
 - Allow small-scale and multi-unit buildings in C-1 and C-2
 - Create standards for different scales of mixed-use buildings
 - Investigate smaller application of MXD zoning (i.e., infill within current commercial zoning)
 - Improve criteria or consider baseline standards for smaller-scale mixed-use buildings in MXD

Mr. Valentino stated that sharing detailed maps and visual examples of each zoning district during public comment sessions would be helpful for residents to better understand what is being proposed.

Mrs. Wallerstein asked what the current process is if a developer was seeking to put a residential project in a commercial district. Mr. Brewster stated that no such proposals had been received, but that staff would let the developer know that a rezoning to a residential or mixed-use district would be required first. He added that staff would advise developers if a proposed project would be difficult to get approved by the Planning

Commission and City Council. Ms. Brown said that rezoning would likely not be seen in a favorable light by residents. She asked if staff could provide examples of other cities that had made similar changes, and what processes were used to accomplish them.

Mr. Wolf noted that the Planning Commission was not a legislative body, and that the options being considered needed to be sanctioned by the Council rather than simply making zoning changes to allow for different types of development in specific areas. He added that the cost of land in the City made it difficult for developers to build more affordable housing without economic incentives.

Mr. Jordan suggested that a joint work session of the Planning Commission and City Council could be beneficial to discuss goals more thoroughly. Mr. Wolf asked if any commissioners were supportive of a work session with the Council, and all agreed with the proposal. Mr. Jordan stated that staff would provide potential dates for the work session, after which a public input session would be scheduled.

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 7:52 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary

STAFF REPORT

TO: Prairie Village Planning Commission
FROM: Chris Brewster, Multistudio, Planning Consultant
DATE: January 10, 2023 Planning Commission Meeting

Application: PC 2023-101

Request: Site Plan for Monument Sign

Action: *A Site Plan requires the Planning Commission to apply the facts of the application to the standards and criteria of the ordinance, and if the criteria are met to approve the application. Monument signs have specific approval and exception criteria.*

Property Address: 3917 W. 84th Street

Applicant: Miller Sign Shoppe / Prairie Property Gardens, LLC

Current Zoning; Use: R-3, Garden Apartment District; Apartments

Surrounding Zoning; Use: *North:* C-2, General Business & C-O Office; Shopping Center, Offices
East: R-1A, Single Family; Detached Houses & School
South: R-1A, Single Family; Senior Living
West: R-3, Garden Apartment; Apartments

Legal Description: (metes & bounds)

Property Area: 145,971.00 s.f. (3.35 acres)

Related Case Files: None

Attachments: Application, Sign Plans, Site Plan

General Location Map



Aerial Map



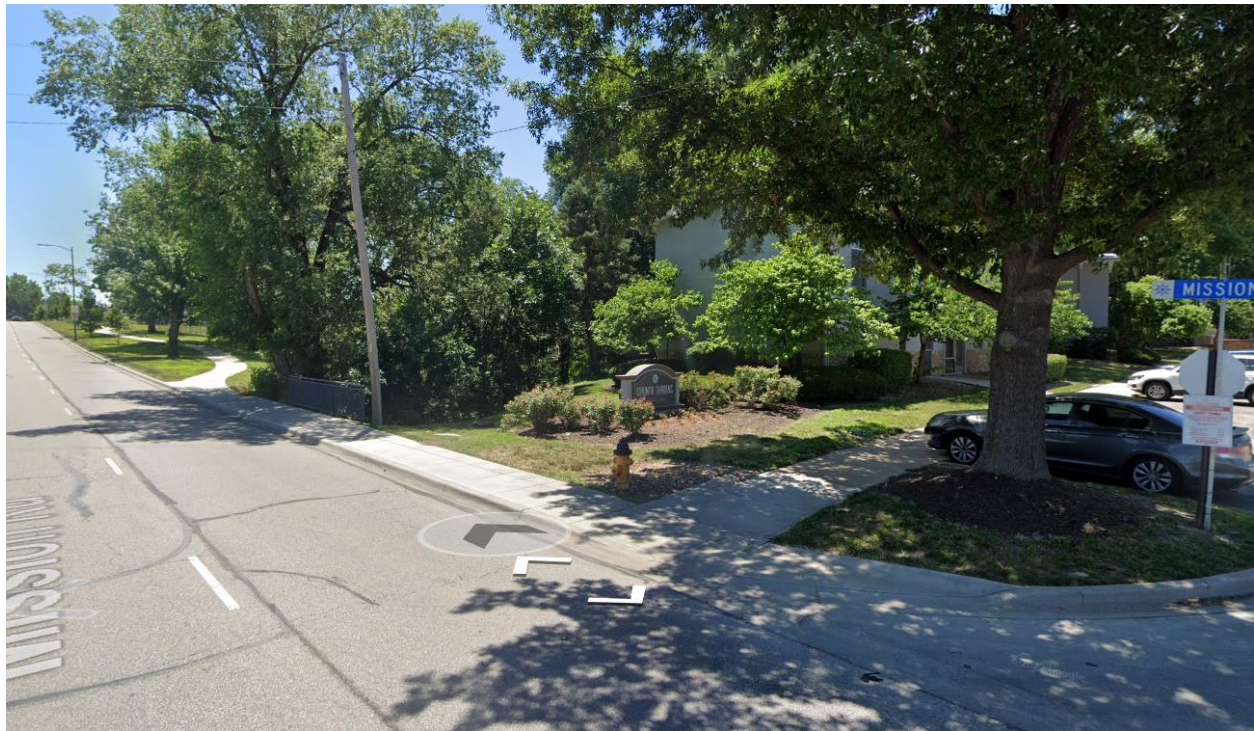
Site



Birdseye



Street Views



Street view looking south on Mission Road – sign will replace existing sign.

BACKGROUND:

The applicant is requesting approval of a monument sign for a 3.35 acre apartment complex on W. 84th Street, off of Mission Road. The monument sign will replace an existing monument sign at the corner of W. 84th Street and Mission Road, in the current location within an established landscape bed.

All new monument signs require approval by the Planning Commission. [Prairie Village Zoning Ordinance, Section [19.48.070\(a\)1](#)]

ANALYSIS:

Monument signs require approval by the Planning Commission and have the following specific standards for signs in residential districts: [19.48.040](#) (Residential Sign Allowance – monument signs of permitted nonresidential uses or multi-family uses) and [19.48.070\(a\)](#) (specific standards for monument signs)

- 1 per lot
- 20 square feet max
- 5' high max
- 3' setback from all property lines or 12' from street, whichever is greater, with associated landscape plan to integrate sign into site and soften appearance of structure elements
- Base under at least 75% of sign structure, and materials that complement the building or other site elements.

The applicant has proposed 1 sign to replace the current sign, which is in an existing landscape area approximately 14 feet beyond the sidewalk / property line and 20 feet from the street curb on both Mission Road and W. 84th Street. The new sign is below 20 square feet (14.66 square feet sign area plus a 2.91 square feet address panel on the side of the sign). It is located on 6.25 feet wide by 5 feet high cabinet incased by 4-inch wood slats. The sign has an "Iron Ore" colored sign panel with white letters, but the specific material is not identified.

The application does not include any indication if the sign will be illuminated, so the assumption is that the sign will not be illuminated. Additionally, the application does not include a landscape plan, so the assumption is that the existing landscape bed and plants will be retained through construction of the new sign.

The sign meets all standards; however, prior to the Planning Commission approval the applicant shall confirm 3 items that can impact further processing of the sign permits:

1. The materials for the sign cabinet and sign panel.
2. Confirm that landscape plan will retain all existing landscape materials through construction.
3. Confirm if the sign will be illuminated, and if so how (details and specifications may be part of construction permits, provided it meets all City standards).

RECOMMENDATION:

The application meets all standards, and staff recommends approval of the of the proposed monument sign, subject to clarification of the above three items prior to Planning Commission approval, and subject to administrative permits confirming any of these details meet city specifications and construction codes.



CITY OF PRAIRIE VILLAGE
The Star of Kansas

Planning Commission Application

For Office Use Only	
Case No.:	PC2023-101
Filing Fee:	\$100.00
Deposit:	\$500.00
Date Advertised:	---
Date Notices Sent:	---
Public Hearing Date:	---

Please complete this form and return with Information requested to:

Assistant City Administrator
City of Prairie Village
7700 Mission Rd.
Prairie Village, KS 66208

Applicant: Miller Sign Shoppe Phone Number: 913 441 6883
 Address: 15146 174th ST. KS 66012 F-Mail: Kim @ millersignshoppe.com
BONNER SPRINGS
 Owner: Prairie Property Gardens, LLC Phone Number: 587-225-5814 - Katie
403-984-9303
 Address: 3917 W. 84th ST. PV KS 66207 Zip: Kbigley @ avenue living. ca
 Location of Property: 3917 W. 84th ST. Corinth Gardens Apts
 Legal Description: See Attached

Applicant requests consideration of the following: (Describe proposal/request in detail) Replacing Existing monument with Newly designed
monument in same location

AGREEMENT TO PAY EXPENSES

APPLICANT intends to file an application with the PRAIRIE VILLAGE PLANNING COMMISSION or the PRAIRIE VILLAGE BOARD OF ZONING APPEALS of the CITY OF PRAIRIE VILLAGE, KANSAS (City) for \$100 application fee and \$500 deposit = \$600 total. As a result of the filing of said application, CITY may incur certain expenses, such as publication costs, consulting fees, attorney fees and court reporter fees.

APPLICANT hereby agrees to be responsible for and to CITY for all cost incurred by CITY as a result of said application. Said costs shall be paid within ten (10) days of receipt of any bill submitted by CITY to APPLICANT. It is understood that no requests granted by CITY or any of its commissions will be effective until all costs have been paid. Costs will be owing whether or not APPLICANT obtains the relief requested in the application.

Amberly S. Man Town 12-12-22
Applicant's Signature/Date

K. Bigley 12-12-22
Owner's Signature/Date

Main Monument

Total Size: 6' 3" W x 5' H
Double-Faced
Qty: 1
Font(s): Montserrat - Medium

COLOR KEY	
	SW 7069 "Iron Ore" (Hex# 434341)

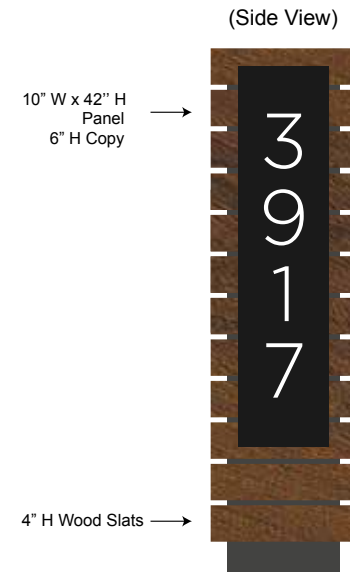
Letter Area
Measures
53.5" W x 23.24" H
(8.63 Sq Ft)



(Side 1 View)



(Side 2 View)



(Side View)



MILLERSIGN
SHOPPE
LLC

15146 174th St Bonner Springs, KS 66012

Phone (913) 441-6883

Fax (913) 441-8692

Designer: stacey@millersignshoppe.com

Customer :

Contact Name:

Address :

Phone Number :

Email :

PROOF 5

Proof Approved

Proof Not Yet Approved

Installation Notes :

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CUSTOMER'S SIGNATURE OF APPROVAL

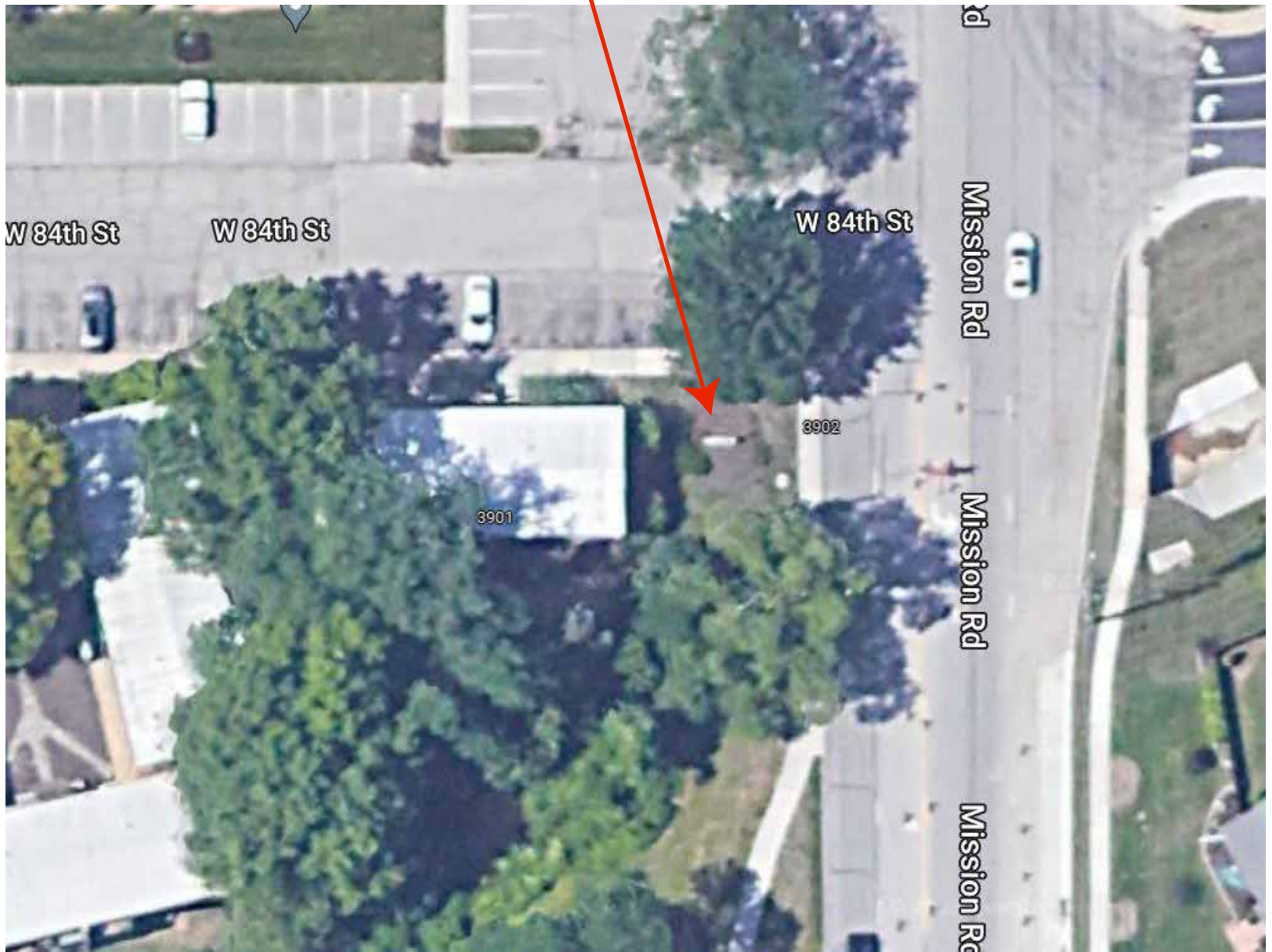
PRINTED NAME

DATE

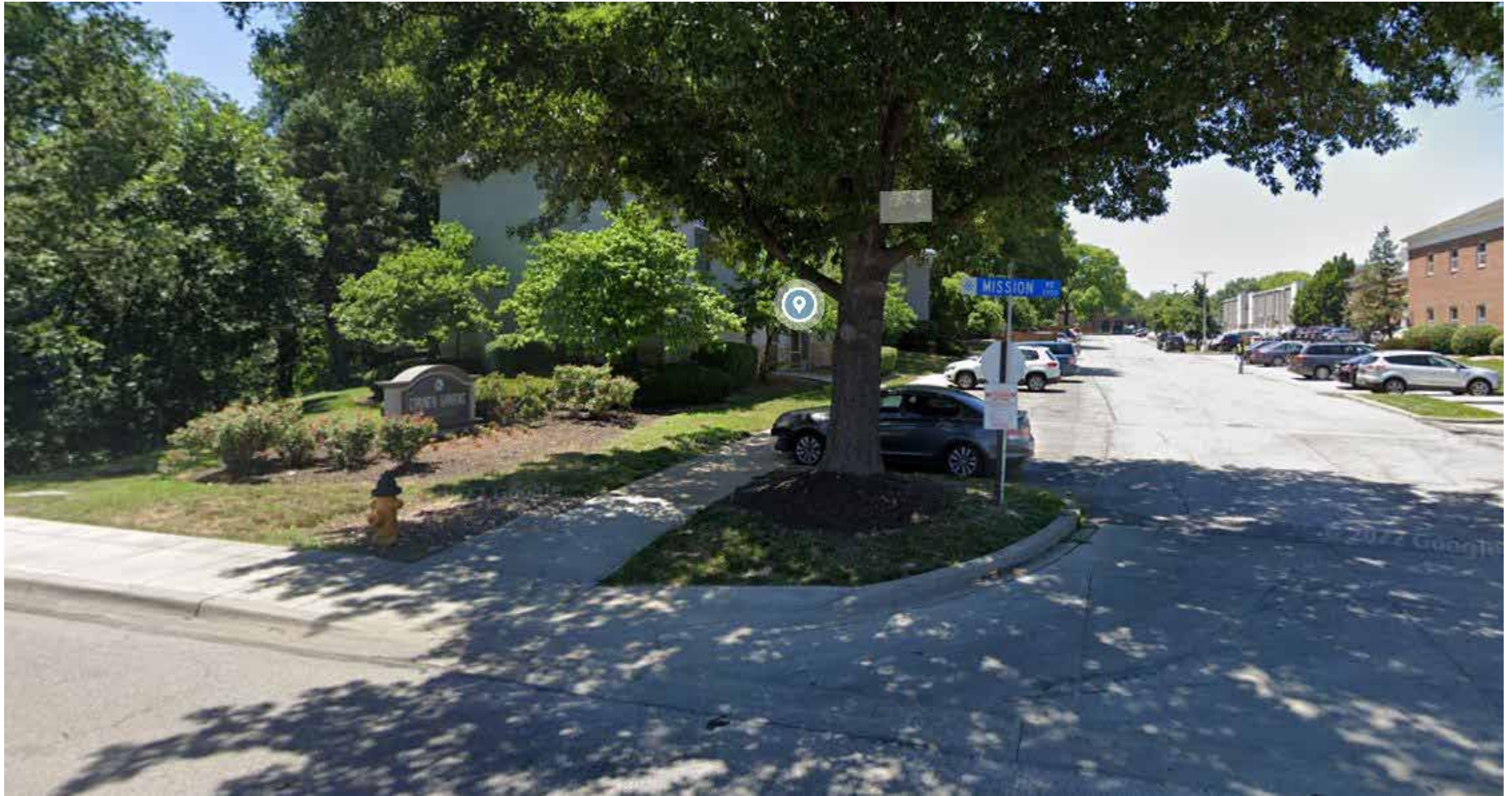
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Replace existing sign in same spot



Existing Landscaping remains around new sign



BY-LAWS OF THE PRAIRIE VILLAGE PLANNING COMMISSION

Adopted May 5, 2020

ARTICLE ONE

Creation

1. **Name.** There is hereby established by the City Code of Prairie Village, a City Planning Commission to be named "The Prairie Village Planning Commission. (Hereinafter referred to as "Planning Commission" or "Commission.")
2. **Membership.** The Planning Commission shall consist of seven (7) members. The members shall be appointed by the Mayor with the consent of the Council to serve on the Planning Commission without compensation for their services. Members of the Planning Commission shall serve for a three (3) year term, which shall expire on March 1 three (3) years later. The appointment of the members shall be staggered so that not more than three (3) Commissioners' membership terms expire at the same time. Vacancies on the Commission shall be filled by appointment of the unexpired term.

ARTICLE TWO

Purpose

1. **By-Laws.** The purpose of these By-Laws are to establish rules for the internal organization and procedures of operation of the Planning Commission.
2. **Commission.** The function, powers, and duties of the Planning Commission are as authorized by State Law, and by the existing municipal codes establishing the Planning Commission. The Planning Commission adopts its own rules and policies for procedure, consistent with its powers granted in municipal and state law.

ARTICLE THREE

Organization

1. **Officers.** The officers of the Commission shall be a Chairman, Vice-Chairman, and Secretary. The Chairman, Vice-Chairman and Secretary shall be elected by the Planning Commission at its regular meeting in January of each year. The term of office shall be one (1) year. The officers may be re-elected by a majority vote of the membership of the Planning Commission.
2. **Chairman.** The chairman shall preside at all meetings of the Planning Commission. At his or her discretion, a Chairman may call special meetings and may also relinquish the Chair to the Vice-Chairman or other specific member. The Chairman may not make or second motions, but he or she may vote on any and all motions to come before the Commission. The Chairman shall appoint all committees of the Planning Commission. The Chairman shall perform all of the duties assigned to the

office by law and by the City Governing Body. If the Chairmanship becomes vacant for any reason, the Vice-Chairman shall succeed to the Chairmanship for the remainder of the term.

3. **Vice-Chairman.** The Vice-Chairman shall act as Chairman in the absence of the Chairman or disability of the Chairman, and, while so serving, shall have all the authority held by the Chairman. In the event the office of the Chairman becomes vacant, the Vice-Chairman shall succeed to that office for the unexpired term and the Planning Commission shall elect a new Vice-Chairman for the unexpired term.
4. **Secretary.** The Commission shall appoint a recording secretary, who shall be provided by the City of Prairie Village and who need not be an appointed member of the Planning Commission.
 - a. The secretary shall attend all meetings of the Planning Commission and shall send notices of all regular and special meetings to all members of the Commission. In addition, the Secretary shall have, under the Chairman, responsibility for books, papers, and records of the Planning Commission and attend to all correspondence of the Planning Commission.
 - b. The secretary is responsible for keeping an accurate record of all regular and special meetings and transcribing them for Planning Commission approval. All motions shall be recorded an accurate record made of all reasons for motions or votes by the members of the Commission shall be made. All meeting minutes shall become a permanent record and part of the official records of the City of Prairie Village.
5. **Attendance.** In the event that the Chairman, Vice-Chairman, or Secretary of the commission shall be absent or unable for any reason to attend to the duties of their offices, the members of the Commission may, at any regular meeting or any special meeting called for that purpose, appoint a Chairman pro tem or a Secretary pro tem, as the case may be, who shall attend to all the duties of such officer until such officer shall return or be able to attend to his or her duties.
 - a. A commission member shall be removed by the Mayor without Council consent as a result of:
 - i. Absence from three (3) consecutive meetings; or
 - ii. Absence from five (5) meetings during the calendar year.

ARTICLE FOUR

Meetings

1. **Regular Meetings.** Regular meetings of the Planning Commission, unless otherwise provided, shall be at Prairie Village Municipal Building at 7:00 p.m. on the first Tuesday

of every month. All meetings shall be open to the public. Meetings shall adjourn no later than 10:00 p.m., unless extended upon motion of a majority of the Planning Commission members present.

- a. Items remaining on the agenda at the end of a meeting may be continued by the Planning Commission until the next regular meeting unless otherwise provided by law.
 - b. The Chairman or Vice-Chairman may authorize the Secretary or designee to poll the members of the Commission for the purpose of cancelling a meeting.
2. **Special Meetings.** Special meetings of the Planning Commission can be called by the Mayor, city staff, or by a majority of the Planning Commission members. The Planning Commission shall provide at least three (3) days' notice to each member prior to any special meeting unless the notice requirement is waived by all members.
 3. **Quorum.** A majority of the membership of the Planning Commission (4 members) shall be necessary to constitute a quorum for the transaction of business and the taking of official action.
 4. **Agenda.** The agenda for all regular meetings shall be available on the City's website by the end of the business day on the Friday prior to the meeting. The order of items on the agenda shall be at the discretion of Deputy City Administrator or his or her designee, with due consideration being given to early consideration of items likely to attract large attendance at the meeting. The Chairman may, for reasons stated to all in attendance, vary from the order of the agenda.
 - a. An item may be added to the agenda only by affirmative vote of a majority of the members.
 - b. An agenda item consisting of a proposed amendment to the zoning regulations may be removed from the agenda only by a motion to recommend approval or denial.
 - c. Other items not pertaining to ordinance approval may be removed by a majority of the members and reasons therefore stated in the record.

ARTICLE FIVE

Conduct of Meetings

1. **Parliamentary Procedure.** Except as otherwise provided, meetings of the Planning Commission shall be conducted in accordance with the procedures proclaimed by Robert's Rules of Order.
2. **Order of Business.**
 - a. The agenda shall be organized in the following order: Roll Call, Approval of Minutes, Public Hearings, Non-Public Hearings, Other Business, and Adjournment.

- b. The Chairman shall call each agenda item and ask staff to provide a report or presentation on the agenda item prior to opening it up to the applicant (if applicable) and questions/debate by the Planning Commission.
3. **Staff Reports.** Staff reports on all agenda items shall be included in the Planning Commission packet posted to the City website and be available the Friday prior to the Planning Commission meeting. All staff reports and recommendations should be sent directly to applicants (if applicable) prior to the Planning Commission meeting.
4. **Continuances by Staff, Commission Member, or Applicant.** Any item may be continued upon request or recommendation by staff or a Commission member except as provided by law. The Commission may continue items requiring a public hearing to a date certain. Other items allowed by law may be tabled and recalled at the request of the staff or Commission. A continued item which fails to be recalled after six (6) months shall be considered withdrawn.
 - a. An applicant may continue his or her own proposal to a date certain by notifying the Secretary not less than two business days prior to the date of the hearing (or 10 days if a public hearing notice was required to be published). Where notification by mail of adjacent property owners has taken place as required by law, the applicant shall further notify the same property owners, by registered mail, return receipt requested, of the continuance and the new date of the hearing. This notification of continuance shall be mailed not less than ten (10) days prior to the date of the originally scheduled hearing and at least twenty (20) days prior to the next hearing date.
 - b. Any proposal not withdrawn prior to preparation of the agenda may be continued at the applicant's request only by affirmative vote of a majority of the Commission members. In consideration of such a motion to allow a continuance, the Commission may question the audience as to the number who have been inconvenienced and/or incurred expense on the presumption that the item would be heard, and the Commission may refuse to continue the proposal and proceed with the hearing and take appropriate action thereon. In any case of continuance, it shall be to a date certain. Only one continuance shall be permitted, and the applicant shall notify by registered mail all parties initially notified of the new hearing date, with such notification to be mailed not less than twenty (20) days prior to the date of the new hearing. In addition, the Commission may direct the applicant to change the posting on the property and direct the staff to publish the new date in the appropriate newspaper at the applicant's expense.
5. **Incomplete Submittals.** The Commission will not hear items that fail to meet submission requirements.
6. **Appearances Before the Commission.** Applicants or their representatives may appear before the Commission to present their views on an agenda item. The

Commission will hear those views at an open meeting. The name and address of the applicant and his or her agent shall be entered in the record, as well as a summary of the presentation. At the conclusion of the applicant's presentation, members of the Commission and staff shall have the opportunity to question the applicant. Any other supporting testimony may then be requested. Public input will then be heard on Public-Hearing items, with the members of the Commission and staff having an opportunity to question any speaker. The applicant will then be given opportunity to present a short summary. All statements shall be directed to the Commission and cross conversation among those in attendance is prohibited.

- a. All persons who wish to speak shall first give their names and addresses for the record. The Chairman may establish limits on time used by all parties making presentations or comments to the Planning Commission; however, the decisions made by the Chairman may be overridden by a majority vote of Commission members.
- b. Questions between opposing parties shall be directed first to the Chairman, who may then ask the proper person to answer, such answer being directed to the Commission. At such time that the Chairman feels testimony has been sufficiently heard, the Chairman shall declare the public hearing closed after which the public in attendance may address the Commission only with the permission of the Chairman, and only to answer a question by a member of the Commission.

7. Motions after Public Hearings. Following the closing of public hearings, a motion may be made to recommend approval or denial of the application, to continue the application to a later date certain, or to table the item if allowed by law. A brief statement of reason or reasons for the motion will precede the making of all motions. Any stipulations relative to plans, development procedures, etc., should be listed following the motion to approve.

- a. Upon receiving a second, the motion may be discussed, and, upon the call for question or at the discretion of the Chairman, brought to a vote. A motion to amend, if necessary, must be voted on first. Then, the main motion would be voted on in its amended state. Motions shall require an affirmative vote of a majority of the members of the Planning Commission for passage, except as otherwise provided by law.
- b. A vote shall be by the raising of hands or by roll call, at the discretion of the Chairman. Any member may call for a roll call vote on any issue. Any motion may be tabled or amended in keeping with Robert's Rules of Order. If not prohibited by law, and if the Commission feels that delaying an action would be in the best interests of the parties involved, the hearing may be continued to a date certain. Such a motion for continuance shall include a reason for the action and shall require a majority vote of the Planning Commission Members.

8. **Commission Action.** The Commission shall, at the conclusion of discussion on the item, take action on each item presented. Voting shall be raising of hands or by roll call as determined by the Chairman; however, any member may call for a roll call vote on any issue. All members, including the Chairman, shall have a vote and shall vote when present, except that any member shall automatically disqualify him or herself from voting on any decision in which he or she may have a conflict of interest.
 - a. If the item upon which the Planning Commission action is taken is remanded for reconsideration by the Governing Body, it shall be considered at the next regular meeting of the Planning Commission after notices of the remand is received. If no action is taken on the remanded item at this meeting, the same recommendation will be deemed made and will be returned to the Governing Body.
9. **Abstentions.** If, after considering an item, a Commissioner wishes to abstain from voting, his or her abstention shall be counted as a vote cast in favor of the position taken by the majority of the Commissioners present and voting. If there is a tie vote, an abstention shall be considered a denial.
10. **Failure to Recommend.** If there is a tie vote of the Planning Commission on any item on which the Commission sits as a recommending body, such as a rezoning or text amendment, such a tie vote is considered a failure to recommend and goes to the Governing Body with no recommendation, except as otherwise provided by law. If the tie vote occurs on action on which the Commission sits as a final decision maker, a tie vote defeats the motion. If no subsequent motion is made and approved after the tie vote, the request is deemed denied.
11. **Applicant Not in Attendance.** In case an applicant or his or her agent is not in attendance when the item is called, the item shall be continued to the next month's meeting agenda. If, at the time the item is called again, the applicant is still not present, the Commission may approve or deny the application as it sees fit.

ARTICLE SIX **Miscellaneous**

1. **Conflict of Interest.** When a member of the Commission feels he or she may be in conflict of interest on a particular case before the Commission, he or she shall state so for the record and should not participate in the hearing or discussion and shall not vote on the issue. If this will eliminate a quorum, then the Planning Commission shall continue the hearing to the next regular meeting. The Chairman may ask the member to vacate his or her chair and leave the room if he or she deems it necessary.
2. **Suspension of Rules.** These by-laws may be amended or repealed for stated reasons by affirmative vote of three fourths (2/3) of the members of the Commission

(five out of seven members).

3. **By-Law Review.** The Prairie Village Planning Commission shall review, amend, and approve these by-laws in January of each year.
4. **Disclaimer.** If the Prairie Village Planning Commission fails to strictly follow these by-laws, any action taken will not be invalidated.