

**PLANNING COMMISSION MINUTES
JULY 11, 2023**

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, July 11, 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: Jonathan 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: Graham Smith, Multistudio; Nickie Lee, Deputy City Administrator; Greg Shelton, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Mr. Breneman moved for the approval of the minutes of the May 2, 2023, regular Planning Commission meeting. Mrs. Wallerstein seconded the motion, which passed unanimously.

OLD BUSINESS

Ms. Lee said that there would be follow-up discussions to consider results from the two housing forums that were held, as well as a neighborhood design guideline discussion.

PUBLIC HEARINGS

PC2023-108 Renewal of special use permit for the operation of an animal daycare facility
8827 Roe Avenue
Zoning: CP-1
Applicant: Christine Gregory, Queen of Paws Boutique and Spa

Mr. Smith stated that the applicant was requesting the renewal of a special use permit for a pet grooming, daycare, and training business located at the 89th and Roe Shops. The site is currently zoned CP-1, which allows a variety of retail and service businesses, though pet daycare and related non-medical pet services require a special use permit. The renewal includes no proposed change in operations or physical facilities on the site.

Queen of Paws first began operating at this location in 2015 as a pet grooming business that relocated from its previous location in Prairie Village. In 2016, the Planning Commission approved a special use permit to expand the operation to include animal

daycare services. This application was renewed in 2018 for a five-year period, and authorized care for up to 20 dogs under 20 pounds and up to 15 dogs over 20 pounds for daycare at a single time, with other limitations.

Mr. Smith said that the CP-1 zoning district included several performance standards in Section 19.18.010 which specifically limit outside activities and noise. The expiring permit contained several conditions on the scope, number and size of animals, and coordination with other animal care activities in the shopping center to ensure that the performance standards for the district were met. The conditions also included limitations on outside activities and prohibition of overnight commercial boarding; only medically related boarding in the adjacent veterinary office is allowed. The City has received no complaints regarding the operations of the animal daycare or for violation of these conditions at this property during the five-year renewal period.

Mr. Smith noted that staff recommended renewal of the special use permit for animal daycare facilities subject to the previously established conditions:

1. The renewal be for a period of five years, but any expansion or change in operations related to animal care beyond this permit shall require amendment of the special use permit
2. The use is limited to the scale and intensity. Specifically:
 - a. No more than 20 dogs total at any time, including dog grooming and daycare services
 - b. No more than 15 dogs over 20 pounds at any time, including dog grooming and daycare services
 - c. If complaints are received at this level of activity, staff is authorized to assess the situation, and work with the applicant to reduce activity so that complaints are minimized, and activities and impact remain similar to current levels of activity at this location
 - d. Indoor activities only - behavioral and socialization; and outdoor activity shall be limited as follows:
 - i. Only to the 12' x 130' grass strip behind the building, and specifically excluding any property along the north edge, whether it is owned by the subject lot or the adjacent owner
 - ii. Only for short periods of time sufficient for the animals to relieve themselves
 - iii. No more than four animals at any one time
 - iv. Clean-up and maintenance of this area shall occur on at least a weekly basis
3. No commercial overnight boarding is permitted unless the special use permit is amended. Any coordination with the adjacent veterinary office shall occur within the allowed parameters of each business, and not be used to expand the permitted operations of either business.

Mrs. Wallerstein recommended that the renewal period of the permit be increased from five years to ten.

Applicant and business owner Christine Gregory, 10334 Caanan, Overland Park, KS, was present to discuss the application. She stated that she was supportive of extending the duration of the permit to ten years.

Mr. Wolf opened the public hearing at 7:12 p.m. With no one present to speak, Mr. Wolf closed the hearing at 7:13 p.m.

Mr. Valentino made a motion to recommend approval of the renewal of the special use permit with staff recommendations for a ten-year term. The motion was seconded by Mrs. Wallerstein and passed unanimously.

NON-PUBLIC HEARINGS

PC2023-107 Exception to neighborhood design standards for windows and entrances
2216 W. 71st Terrace
Zoning: R-1B
Applicant: Gary and Cindy Wainscott

Mr. Smith stated that the property was zoned R-1B and that the neighborhood design development standards in Section 19.08.025 of the zoning regulations applied to the property, specifically:

1. Windows and Entrances. All elevations shall have window and door opening covering at least:
 - a. 15% on all front elevations or any street facing side elevation
 - b. 8% on other side elevations
 - c. 15% on rear elevations

Any molding or architectural details integrated with the window or door opening may count for up to three percent of the requirement.

Mr. Smith noted that the standards were intended to break down the volume of the buildable area and height into smaller scale masses and to improve the relationship of the building to the lot, adjacent buildings, and the streetscape. Garage doors are excluded from this count since one of the objectives of the standards is to promote more “human-scale” design and reduce the emphasis on automobiles.

In this case, the four windows on the front elevation account for approximately 7.35% of the wall planes (or 10.35% if the 3% limit for trim and ornamentation associated with the windows or doors is included). These wall planes include the front-facing garage, but the garage door is specifically excluded. Other transparency on this elevation occurs with the front door and with upper-level windows in the wall supporting the staggered pitched roof. However, these wall planes are more than 12’ back from the front building line, and neither the wall plane nor the windows count towards the requirement. The elevation has varied

massing due to the step back of one of the garage bays, gables at two different depths, and a larger remainder of the elevation more than 12' beyond the forward section.

Section 19.06.025(f) of the zoning regulations allows the Planning Commission to grant exceptions to the neighborhood design standards based on the following criteria:

1. The exception shall only apply to the design standards in this section, and not be granted to allow something that is specifically prohibited in other regulations.
2. Any exception dealing with the placement of the building is consistent with sound planning, urban design and engineering practices when considering the site and its context within the neighborhood.
3. The placement and orientation of the main mass, accessory elements, garages, and driveways considers the high points and low points of the grade and locates them in such a way to minimize the perceived massing of the building from the streetscape and abutting lots.
4. Any exception affecting the design and massing of the building is consistent with the common characteristics of the architectural style selected for the building.
5. The requested exception improves the quality design of the building and site beyond what could be achieved by meeting the standards - primarily considering the character and building styles of the neighborhood and surrounding properties, the integrity of the architectural style of the proposed building, and the relationship of the internal functions of the building to the site, streetscape, and adjacent property.
6. The exception will equally or better serve the design objectives stated in Section 19.08.025(a) and the intent stated for the particular standard being altered.

Mr. Smith stated that the existing building did not provide transparency or meet design standards, and that the proposed elevations associated with the remodel are bringing the building further towards compliance. The existing building and proposed remodel have a unique architectural character that is appropriate for this lot and context. Further, the recessed entry court and upper-level windows (which do not count towards meeting the fenestration standard) contribute to the front elevation becoming closer to the intent of the standards than the current building.

Mr. Smith said that staff recommended approval of the exception to the neighborhood design standards (window and entrance requirements on the front elevation) subject to concurrence of the Planning Commission on all criteria and limited to the plans submitted.

Mrs. Wallerstein asked if there were enough windows on the eastern wall plane to meet the neighborhood design guidelines. Mr. Lenahan noted only wall planes over 500 square feet required architectural details such as windows to break the plane into distinct masses. In this case, the wall plane is less than 500 square feet. Ms. Lee added that if the wall plane or any other aspect of the design did not meet the guidelines, it would be noted by the building official during the permit process.

Applicants and property owners Gary and Cindy Wainscott were present to discuss the variance.

Ms. Brown made a motion to approve the exception to the neighborhood design standards, including recommendations from staff but without a requirement for window shutters. The motion was seconded by Mr. Valentino and passed unanimously.

PC2023-109 Site plan for monument sign
 3500 W. 75th Street
 Zoning: C-0
 Applicant: Ron Shaffer, RLS Architects

Mr. Smith said that the applicant was requesting approval of a monument sign for a 0.9-acre site and office building on the southwest corner of 75th Street and Windsor Street. The sign will replace an existing monument sign that is currently located on a low wall near the entrance of the building. The wall will remain, but the sign will be removed. The proposed sign will be a more traditional monument sign located in a reconfigured landscape island on the corner of 75th Street and Windsor Street. The property is zoned C-O, Commercial Office District, and includes an approximately 18,000 square foot office building with multiple tenants.

Mr. Smith stated that all monument signs required approval by the Planning Commission and have the following specific standards for signs in nonresidential districts:

- One sign per street frontage
- 20 square feet maximum
- 5' high maximum
- 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 structural elements
- Base under at least 75% of sign structure, and materials that complement the building or other site elements

The new sign is 20 square feet (excluding the ornamental brick structure which includes the address numbers). It is located on an 8" high brick base with a 5', 4" side ornamental column. The brick will be painted to correspond with the building colors.

Mr. Smith noted that the application did not include any indication of whether the sign will be illuminated, so the assumption is that it will not. The sign is proposed in a landscape area associated with the southeast corner of the parking lot, reconfigured to accommodate the sign, landscape, and comply with corner sight distance standards. One parking stall will be removed from the east side of the property, but the site will still comply with parking requirements. Mr. Smith added that the applicant would need to provide a planting plan for review by the city planning consultant's landscape architect prior to sign permits.

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

1. The applicant shall provide a detailed landscape plan approved by the city prior to permitting
2. 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)
3. The monument signs shall require dimensioned drawings prior to permits, subject to approval by Public Works regarding sight clearance at intersections

Mr. Smith said that the application met all standards, and staff recommended approval 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 standards, specifications, and construction codes.

Ron Shaffer of RLS Architects, 4011 Homestead Drive, was present to discuss the application. He noted that the resubmitted drawings included a landscape plan, dimensions, and lighting which met City standards.

Mr. Breneman made a motion to approve the site plan with recommendations from staff. The motion was seconded by Mr. Birkel and passed unanimously.

OTHER BUSINESS

ADJOURNMENT

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 7:56 p.m.

Adam Geffert
City Clerk/Planning Commission Secretary