

**PLANNING COMMISSION MINUTES  
DECEMBER 5, 2023**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, December 5 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: Chris Brewster, Multistudio; Nickie Lee, Deputy City Administrator; Mitch Dringman, Building Official; Greg Shelton, Council Liaison; Adam Geffert, City Clerk/Planning Commission Secretary.

**APPROVAL OF MINUTES**

Mrs. Wallerstein stated that a note should be added to the minutes indicating that public hearing speaker Michele Hanlon did not receive a letter informing her of the neighborhood meeting for application PC2023-114.

**Mr. Breneman moved for the approval of the minutes of the November 2023 regular Planning Commission meeting. Mr. Birkel seconded the motion, which passed unanimously.**

**PUBLIC HEARINGS**

PC2023-114           Amendment to special use permit for private school to install turf field, bleachers, new fencing, scoreboard, press box and playground  
4801 W. 79<sup>th</sup> Street  
Zoning: R-1A  
Applicant: Todd Zylstra, Kansas City Christian School

Mr. Brewster noted that the application was a continuation from the November 2023 meeting. He said that the special use permit was initially approved by the City Council in January 1999 for the reuse of a school building originally built in 1954. It was amended in December 2017 to support an expansion plan for the school and construction of new classrooms and facilities, and again in 2020 for reallocation of approved capacity.

The initial special use permit did not have an expiration date but was subject to four conditions relative to the design, construction, and operation of the school, as presented

on an approved site plan. One of the conditions was that expansion of the school or amending the approved site plan would require an amendment to the special use permit.

Growth of the school and the acquisition of other school properties further south led to reconfiguration of the campus and its operations. In 2008, the school applied for an amended special use permit and site plan. At that time, several issues related to parking utilization, drop-off procedures, and school transportation were raised by neighbors, and the amended permit and site plan dealt primarily with reconciling those issues.

Mr. Brewster said that the special use permit was again amended in 2017 in association with an expansion and capital campaign that renovated 12,466 square feet of the existing school, added 17,455 square feet of additional space, and reconfiguration of other spaces including the lobby, gymnasium and other common use or multi-purpose areas. The amendment was approved and addressed several issues related to the operations, management, and capacity of the school. The allocation was for up to 525 Kindergarten through 12<sup>th</sup> grade students, and a requirement for annual reporting to ensure that potential impacts on the surrounding neighborhood were appropriately addressed and mitigated.

In 2020, the permit was again amended to include daycare and preschool operations within the same capacity, in conjunction with a more complete enrollment strategy. From 1999 to present the enrollment has fluctuated between 543 students in 1999 to 274 students in 2008, with the high school and elementary school ratio changing.

Mr. Brewster said the current application requested converting the existing grass field on the west side of the property to a turf field, with accessory structures including a 6' perimeter black chain link fence, ball nets behind the goals, bleachers, a press box, and a scoreboard at the northeast corner. He added that a playground was noted as a future phase and that no immediate plans were included. Because the request is considered an expansion or amendment of the prior approved site plans, it requires an amendment to the special use permit.

A public hearing was held on November 14, 2023, and at that meeting the Planning Commission continued the hearing to the December 5, 2023, meeting due to the need for additional details on the accessory structures.

Mr. Brewster next provided an overview of the details of the plan area:

- Field: replace grass field with a 326' by 212' turf field. The surface will be between 9.4' (southwest corner) and 11.6' (northwest corner) from the west property line; approximately 20' from the north (front) property line; and approximately 45' from the south (rear) property line. The field is installed with a stabilized subgrade with permeable stone layers and a trench and perforated pipe system to address drainage.
- Press box and bleachers: replace the current storage container with an 18' by 8' structure with a 4.66' wide exterior stair to the upper level. The structure includes a lower level for storage and an upper level for a press box and is approximately

19.5' tall. It is made of pre-finished metal slate gray with white doors and trim. It will be placed on a 19' by 10.16' concrete slab. Two sets of bleachers, 24' by 8 rows will be associated with the press box and placed on approximately 24' by 20.5' concrete slabs. These structures are on the east side of the field.

- Fence and netting: the field will have a 6' high perimeter black chain link fence (located the same distance from property lines as the field perimeter). Each end will include a 120' long by 20' high black ball stop netting behind the goal areas.
- Scoreboard: a scoreboard is proposed at the northeast corner of the field, just outside of the field perimeter, and approximately 18.2' from the north (front) property line. The scoreboard is 20' wide by 8' high and will be mounted to a total height of 18'. It includes audible game signals but does not include a public address speaker.
- Playgrounds: specific playground plans are not included in the plan set and may be a future construction phase. However, the proposed plan does include transferring some play equipment to an expanded play area near an existing playground. All surfaces will be pervious. Any additional construction activity or accessory structures located in the play areas will require construction permits where compliance with City standards and specifications will be reviewed.

Mr. Brewster said that staff recommended approval of the amended special use permit, with conditions related to this specific site plan, as well as conditions on the overall special use permit.

The conditions for the specific site plan are:

1. The applicant submits an engineered drainage study for option #1, to be approved by Public Works, that demonstrates that the site will perform at or below existing conditions with respect to any off-site runoff.
2. All vegetation and fencing related to the perimeter of the field along the streetscape and adjacent property be retained, or any that is removed to facilitate construction is replaced in the same manner as exists.
3. Any tree removal, or any trees that are intended to be retained but are lost or damaged due to construction are replaced according to the city's tree preservation ordinance.
4. Two additional street trees be placed on the north side of the field to screen the back of the scoreboard from the streetscape. The species and location shall be selected by balancing: the ability to screen the scoreboard, relationship to existing or replacement trees, location of the right-of-way and sidewalk, and compatibility with overhead utility lines.

Mr. Brewster added that the special use permit should also be subject to the following conditions, several of which were part of the original special use permit, and all are carried over from the most recent 2020 special use permit amendment. In addition, condition #4, which was part of the original special use permit in 1999, is supplemented with specific provisions addressing potential increased use of the turf field.

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 does 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. In particular:
  - a. The turf field will be for school co-curricular activities during daylight hours, and no lighting of the field shall occur. Activities shall be subject to the same parking, transportation, and bus operation and management policies as other school activities. Any non-school use of the field shall be limited to the same limitations for intensity, access, and parking as the co-curricular activities and managed by the school under the same parameters as school activities.
  - b. The field shall be secured and monitored so that non-sanctioned use or activities are limited, controlled by the school, and are not a disturbance to the surrounding property owners.
  - c. Non-school activities or special events (i.e. league games, tournaments, etc. not related to school use) shall be considered an expansion of activities and require an amendment to the special use permit.
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 buses 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 School 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.

Mrs. Wallerstein asked for a definition of “co-curricular activities”, as referenced in condition 4-a. Mr. Brewster said that the term referred to things related to the school’s normal activities, such as practices and games for its own sports teams, rather than for non-school related teams. She also asked whether the field would be used for sports other than soccer, to which Mr. Brewster said the applicant could respond.

Mr. Wolf asked whether the conditions as written would allow the school to lease the field to a third party for soccer practices. Mr. Brewster said yes, if the event was managed like

other school activities with regard to parking and traffic, leasing would be allowed. However, events such as soccer tournaments would require an amendment to the special use permit. Mrs. Wallerstein shared concerns about overuse of the field by third parties during the summer months when school was not in session, as well as drainage issues for surrounding neighbors due to the increase of impervious areas.

Applicants Todd Zylstra and Josh Poteet from Kansas City Christian School, 4801 W. 79<sup>th</sup> Street, along with Erik Monhollon and Dylan Matlock from Mammoth Build were present to discuss the application.

Mr. Zylstra said that the turf field would only be used for soccer practices and games outside of school hours. He added that the school could consider renting the field occasionally but did not intend to do so on a regular basis. He added that the lack of outdoor lighting at the site limited the hours during which it could be used. Mr. Poteet, Athletic Director at KCCS, said that the school's athletic teams would use the field during the summer, though occasional use by external teams for practice was possible.

Mr. Birkel asked whether neighboring residents could use the field. Mr. Zylstra said that it would not be open to the public. Mr. Valentino asked about the sound system at the site. Mr. Poteet said that no additional sound system would be installed in the press box and added that the school had an existing portable sound system which was only used when announcing player names prior to games, which would continue to be the case.

Mr. Matlock, the engineer of the project, shared information about field drainage and noted that it would be built so that run-off did not affect surrounding properties.

Mr. Wolf asked the applicants whether they would agree to adding a stipulation stating that the field could not be leased to third parties during the summer when school is out of session. Mr. Zylstra and Mr. Poteet confirmed that they would agree to such a condition being added. Mr. Wolf suggested adding condition 4-d stating that no third-party usage would be allowed during non-school sessions.

After further discussion, Mr. Wolf opened the public hearing at 7:59 p.m.

- Aubrey Henderschott, 7921 Tomahawk Road, and Steve Spencer, 4804 W. 79<sup>th</sup> Street, shared their support for the proposed changes at the school.

With no one else present to speak, Mr. Wolf closed the hearing at 8:04 p.m.

Mr. Lenehan made a motion to recommend approval of the amendments to the special use permit with the following changes to the conditions:

- 4- a. The turf field will be for school co-curricular activities **and events** during daylight hours, and no lighting of the field shall occur. Activities shall be subject to the same parking, transportation, and bus operation and management policies as other school activities. Any non-school use of the field shall be limited to **times of the year when school is in session and subject** to the same limitations for

intensity, access, and parking as the co-curricular activities (**practice, recreation, or other non-spectator use**) and managed by the school under the same parameters as school activities.

- 4-d. **Any non-school use during times of the year when school is not in session shall be considered an expansion of activities and require an amendment to the special use permit.**

The motion was seconded by Mr. Valentino and passed 6-1, with Mr. Birkel in opposition.

## NON-PUBLIC HEARINGS

PC2023-111            Site plan for memorial wall with exception  
6641 Mission Road  
Zoning: R-1A  
Applicant: Bob Sperry, Village Presbyterian Church

Mr. Brewster stated that the applicant was requesting to build an ornamental brick wall to define a courtyard at the entry of the church along Mission Road. The wall will curve and extend to approximately 30.33' from the curb line along Mission Road at the closest point, which is approximately 15' from the front lot line, according to Johnson County AIMS data. The wall will be brick veneer to match the buildings, include 4" stone caps on the wall and end pillars, and have an ornamental iron sculpture as a center focal feature. The wall will be approximately 5' high (including cap stone), and the pillars will be 5.66' high (including cap stone). The high point of the center iron sculpture will be approximately 7.5' high.

Mr. Brewster noted that the request was for an exception to the design standards for "ornamental fences" located in the front setback. According to zoning regulations, a fence or wall located in the front yard needs to be a "decorative fence / wall, which is at least 50% open and no taller than 2.5'. In this case, the wall is located in the front yard, is more than 10' from the front lot line (approximately 15' setback) but is a solid brick wall approximately 5' tall rather than an open, ornamental fence no taller than 2.5' as the ordinance requires.

Mr. Brewster said that in addition to the site plan review criteria the specific criteria the Planning Commission shall consider for exceptions to the fence standards include:

- Results in a design that is more compatible
- Provides better screening
- Provides better storm drainage management
- Provides more appropriate utilization of the site

Mr. Brewster noted that the wall exception would impact the first, second, and last criteria. The proposed wall provides a prominent front focal point and further defines the existing entry and courtyard for the building; it serves as a better screen and allows better utilization of the front yard based on the street frontage. The overall site plan and wall

design enhances the relation of the site and building to the streetscape. Mr. Brewster said staff recommended approval of the site plan with the exception for an ornamental wall based on the above factors affecting this specific application.

Brian Rathsam with Mantel Teter Architects, 21402 W. 82<sup>nd</sup> Street, Lenexa, was present to discuss the application.

**Mr. Brenneman made a motion to approve the application as presented. The motion was seconded by Mr. Birkel and passed unanimously.**

## **OTHER BUSINESS**

Approval of 2024 meeting dates

**Ms. Brown made a motion to approve the 2024 meeting calendar as presented. Mr. Birkel seconded the motion, which passed unanimously.**

Continued discussion of potential updates to R-2, R-3, R-4, C- and MXD districts

Mr. Brewster stated that the Planning Commission held work sessions on August 22, 2023, and October 3, 2023, to discuss potential strategies for housing policies laid out in Village Vision 2.0. The work sessions were a direct follow-up to the public forums held on June 22, 2023, and July 13, 2023. Based on the direction from the work sessions, Mr. Brewster presented the following potential zoning amendments for discussion:

### **I. Strategies**

The Planning Commission arrived at five strategies based on discussions at the August 22 and October 3 work sessions:

1. Hold the status quo in R-3 and R-4 districts
2. Allow residential uses in C- districts
3. Improve the MXD district (planned district)
4. Revise current planned development standards and process
5. Consider MXD standards for application in a variety of contexts

### **II. Approach**

Mr. Brewster said that the following specific approaches could be used to amend the code based on the Planning Commission's discussions and policies established in the comprehensive plan.

1. Hold the status quo in R-3 and R-4 districts
  - a. Make current development compliant with standards with simple amendments
  - b. Clean up any conflicts / interpretation issues in the current standards
  - c. Allow a similar scale / pattern of redevelopment as existing buildings

2. Allow residential uses in C- districts
  - a. Limit residential to mixed use buildings (upper stories above ground level commercial or behind ground level commercial)
  - b. Allow subject to current C- district standards that apply to commercial buildings
  
3. Improve the MXD district (planned district)
  - a. Promote smaller scale projects that are more practical to Prairie Village's context (smaller redevelopment projects and strategic infill, rather than broad master planned communities)
  - b. Improve criteria (more specific policy goals and community benefit targets)
  - c. Set default standards and building types for the scale and types of buildings that are most appropriate in a variety of Prairie Village contexts
  - d. Include neighborhood / community design standards or criteria for new building types / projects with similar approaches used in the current R-1A and R-1B district design standards
  
4. Revise current planned development standards and process
  - a. Improve review criteria for better expectations
  - b. Define specific elements of a development plan necessary to support flexibility
  - c. Consider default standards as starting point (use base-district standards and/or borrow from MXD districts)
  - d. Create criteria, guidance, and/or ranges for evaluating deviations from default standards based on plan
  
5. Consider MXD for application in a variety of contexts
  - a. Mixed use redevelopment in C- districts [Rezoning to MXD]
  - b. Mixed use building projects / infill in C-districts [Rezoning to CP-1, CP-2, or MXD]
  - c. Residential-only projects in mixed use contexts - projects / strategic infill in C- Districts [Rezoning to CP-1, CP-2, or MXD]
  - d. Larger-scale neighborhood redevelopment in R-3 and R-4 districts [Rezoning to RP-3 or RP-4]
  - e. Low-scale neighborhood redevelopment in R-2 or R-3 areas [Rezoning to RP-2 or RP-4]

### III. Discussion Notes:

Mr. Brewster noted proposed amendments to the current zoning ordinance that executes the five strategies were included in the meeting packet. The following notes should be considered along with review of the discussion draft to assist with review, comments, or questions.

1. Hold the status quo in R-3 and R-4 districts



Several of the R-3 and R-4 properties were surveyed for compliance with the existing zoning standards using mapping estimates and available data on Johnson County AIMS mapping. The standards primarily include:

- Building Height
- Lot Coverage
- Lot Area Per Family
- Setbacks

Mr. Brewster said that the most frequent non-compliance issue was with the “lot area per family” condition in R-3 districts, which requires at least 2,500 square feet of lot area per family unit. He noted that several existing properties fell below this requirement, ranging from 1,773 square feet per unit to 2,451 square feet per unit. Therefore, the discussion draft changes the minimum to 1,750 square feet per unit.

The R-3 district also regulations also have a conflict; Section 19.12.035 states that no buildings and car port shall cover more than 20% of the lot, while Section 19.12.036 states that buildings and structures shall not cover more than 30% of the lot. Most of the properties surveyed have building coverage in the 21% to 29% range. Therefore, the discussion draft removes the 20% requirement and retains the 30% requirement.

The R-3 district does not currently have an impervious surface coverage standard. To be consistent with the 2018 R-1A and R-1B updates this is added. Most of the properties surveyed are below 50% coverage. The range is 19% to 56%, with only 3 being over 50% at 51%, 52% and 56%.

Mr. Brewster said that other changes to R-3 and R-4 districts were non-substantive formatting changes to be consistent with the approach of the 2018 amendments and clarify and simplify the code.

Lastly, to coordinate with strategy 5 (discussed below) a section is added to further direct planned zoning applications of the R-districts to the updated MXD standards and building types. Rather than have an open-ended approach to revising the standards, making this change will help establish targets and expectations for planned applications in R-districts. Mr. Brewster noted that it would also provide the opportunity for neighborhood design standards (discussed with strategy 3 below) to be included, where currently none exist in the R-2, R-3, or R-4 districts. He added that the R-2 district was included to be consistent in this approach through R-districts.

## 2. Allow residential uses in the C- districts

Currently only the C-O district allows residential uses, and it requires those uses to default to R-1, R-2, and R-3 standards. This results in building and development standards that are not appropriate for commercial or mixed-use contexts. Based on the direction of the Planning Commission to allow residential uses in commercial / mixed-use buildings, two simple amendments are recommended:

- Add a “mixed-use residential” entry to the use table in Chapter 19.27 (Zoning Ordinance, Section 19.27.010) and allow it in C-O, C-1, and C-2 districts.

- Add a performance criteria in each of those zoning districts that mixed-use residential uses shall be on the upper floors or behind ground level commercial uses, and then otherwise subject to the commercial building standards

### 3. Improve the MXD district

Mr. Brewster said that MXD standards were intended for very large scale “master planned” communities. The intent and procedures imply mixing land uses across broad areas as well as mixed-use buildings. The provisions in this section are very broad and vague, and do not provide good guidance for how or where the district should be used, and instead for large scale planning efforts to address these specific issues (which have only been used once in a very limited application).

The recommended improvements involve the following key elements:

- Repurpose the district for smaller-scale redevelopment projects or targeted infill applications
- Establish “default” development standards based on the type and range of buildings anticipated in Prairie Village
- Add mixed-use and mixed-density neighborhood design standards. This adds more specificity to the current intent of the MXD district and creates planning thresholds for proposed development plans
- Simplify the procedures and defer to the planned zoning district process

### 4. Revise current rezoning / planned development standards and process

Mr. Brewster stated that current planned zoning provisions relied heavily on discretionary processes without clear criteria for applicants, staff, or decision makers. As a result, there is great flexibility in what could technically be accomplished under the planned zoning process, but there are few expectations. The procedures are confusing and imprecise and lead to a scenario where most outcomes are negotiated through a public process.

He noted that the following changes were recommended (with specific emphasis on leveraging the MXD changes discussed in strategy 3, and for more targeted applications to R-2, R-3, and R-4 districts discussed in strategy 1 and strategy 5):

- Simplify the intent statement and make clear the context, application, and benefits intended from planned applications
- Replace the arbitrary development standards in the current section with a system that defaults to the base district standards but includes specific guidance and design objectives for deviating from those standards
- Simplify the procedures but indicate planning elements and thresholds that must be demonstrated in a development plan to justify deviating from the base district standards. Two scales of plans are recommended: a community plan and project plans. For smaller-scale applications, the community plan may rely more on the existing conditions surrounding the project but are still essential for standards are justified

- Improved decision criteria to focus on planning objectives and community benefits that should result for planned applications

#### 5. Consider MXD for specific scenarios

The combination of the approach to the MXD district and improvements to the planned zoning district application can then be leveraged for a variety of situations:

- Larger-scale redevelopment and rezoning to MXD (current situation, improved with better MXD standards and criteria)
- Smaller-scale strategic infill in current commercial districts (“project plan” in the planned district)
- Planned applications for the C- districts for more targeted infill of commercial or mixed-use buildings
- Residential-only buildings in the C- districts, provided that are part of the larger mixed-use context based on a “community plan”
- Limited planned application in R-2, R-3, and R-4 districts for appropriate scaled residential projects

For the last three applications each of the R- and C- districts includes an added section specifying which building types are appropriate for each district application. Because these are “planned applications” they will rely on a discretionary review process and there is an opportunity to adjust the standards based on a specific plan.

#### IV. Next Steps:

Mr. Brewster said that based on discussion and direction provided on these issues, staff and the commission would determine next steps, which could involve any or all of the following:

- Further refinement or discussion of draft edits
- Additional or related development code changes, as directed by the commission
- Additional Planning Commission work sessions / discussions (if needed)
- Preparation of proposed official and recommended amendments
- Scheduling of official review and adoption procedures, including public hearings

Mr. Breneman stated that he didn’t think developers should necessarily be required to make the first floor of buildings in MXD or C- districts commercial space.

Mr. Valentino noted that the proposed changes sent a clear signal that the City was open to further mixed-use developments.

Mrs. Wallerstein asked if the inconsistencies in the zoning regulations (such as lot coverage percentages) should be addressed sooner rather than later. Mr. Brewster stated it would be easiest to make all proposed changes at the same time, but that some could be corrected more quickly if requested.

Mr. Lenahan recommended that MXD building type standards for large/mixed-use apartments maximum height be reduced to four stories and 50' rather than six stories and 65'.

Mr. Wolf asked what the next steps should be in the process. Mr. Lenahan suggested that commissioners should again review the information provided by Mr. Brewster and submit additional feedback at the January Planning Commission meeting. Mrs. Wallerstein recommended there be a work session to specifically discuss building height, density, and lot coverage. Commissioners indicated their support for Mr. Lenahan's recommendation.

## **ADJOURNMENT**

With no further business to come before the Commission, Mr. Wolf adjourned the meeting at 9:19 p.m.

Adam Geffert  
City Clerk/Planning Commission Secretary