

**PLANNING COMMISSION AGENDA
CITY OF PRAIRIE VILLAGE
VILLAGE PRESBYTERIAN CHURCH
6641 MISSION ROAD
TUESDAY, MAY 1, 2012
FELLOWSHIP ROOM
7:00 P. M.**

I. ROLL CALL

II. APPROVAL OF PC MINUTES - April 3, 2012

III. PUBLIC HEARINGS

PC2012-05 Consider Amendment to Chapter 8 "Potential
Redevelopment of the Comprehensive Plan, Village
Vision, to include the former Mission Valley Middle School
site
Applicant: City of Prairie Village

IV. NON-PUBLIC HEARINGS

PC2012-105 Site Plan Approval for fence
8526 Fontana
Zoning: R-1a
Applicant: David Byars

PC2011-116 Sign Approval - Monument Sign
83rd & Mission Road
Zoning: C-2
Applicant: CSN Retail Partners

V. OTHER BUSINESS

VI. 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 MAY 1, 2012

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, May 1, 2012, in the fellowship room at The Village Presbyterian Church, 6641 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Randy Kronblad, Dirk Schafer, Gregory Wolf, Nancy Wallerstein and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, Planning Consultant; Dennis Enslinger, Assistant City Administrator and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Nancy Vennard moved for the approval of the minutes of April 3, 2012, as presented. The motion was seconded by Randy Kronblad and passed by a vote of 5 to 0 with Greg Wolf abstaining.

Chairman Ken Vaughn welcomed new Planning Commission member Greg Wolf.

PUBLIC HEARINGS

PC2012-05 Consider Amendment to Chapter 8 "Potential Redevelopment of the Comprehensive Plan, Village Vision, to include the former Mission Valley Middle School site.

Ron Williamson stated that on February 6, 2011, the City Council voted not to move forward with a proposed Comprehensive Plan Amendment for 84th and Mission Road and directed staff to prepare a Comprehensive Plan Amendment addressing only the Mission Valley Middle School site based on the uses allowed in the R-1a District in which it is currently zoned. Tonight's action is only the consideration of an amendment to the City's Comprehensive Plan - it is not a zoning action.

Staff prepared the amendment following the same format used in the existing Comprehensive Plan addressing the Somerset Elementary School site. On March 6th, the Planning Commission reviewed the draft amendment and suggested changes prior to the authorization of the Public Hearing.

Staff also met with representatives of the neighborhood on April 16th to obtain their input. Their requested changes were reviewed by Mr. Williamson and are reflected in bold print in the staff report that follows. Mr. Williamson noted that none of the proposed changes significantly change the intent of the proposed Comprehensive Plan.

D. Mission Valley Middle School

The 18.43 acres of the former Mission Valley Middle School site is located on the west side of Mission Road south of 83rd Street. There are single-family dwellings to the south, southwest and east and multiple-family dwellings to the northwest and north. The site is also in close proximity to the Corinth Shopping Center. Access is currently off Mission Road and the site is zoned R-1A Single-Family Residential District. Shawnee Mission School District closed the school at the end of the school year in 2011 and sold it to a private developer in the fall of 2011. When Village Vision was prepared in 2006, it was not anticipated that this facility would be closed.

The following outlines the critical issues related to the sites potential for redevelopment and offers some recommendations for future redevelopment.

Issues

- 1. The school site functions as an integral part of the neighborhood.** The school site is an integral part of the neighborhood and provides an opportunity for active recreation. Use as a recreational area was limited by school usage but there was still a significant amount of time that the outdoor area was available to the general public. Schools frequently give a neighborhood identity and contribute to the social fabric of the area. Since this was a middle school, the geographic influence of the location was significant. Any reuse of the site should maintain the status as a center of the neighborhood.
- 2. Existing Structures.** The building was recently updated and expanded so it has been significantly modified from its original construction in 1958. The building is in good physical condition and could easily accommodate a use such as a private school or an educational wing for a church. There is also the possibility that it could be converted to a residential use.
- 3. Single-Family Residences to the South, Southwest and East.** There are high value residences abutting the south and southwest boundary of the site. The existing school building is located in the north half of the site and the athletic fields abut the south and southwest property line. There also are high to mid value *residences dwellings* on the east side of Mission Road across from the school site. Any redevelopment of the site needs to address how it will *be compatible with or relate to residences* ~~relate to the variety of adjacent residential development types~~ adjacent to the site.
- 4. Multi-Family Residences to the North and Northwest.** There are four multi-family residential developments to the north and northeast of the former school site. One of these sites is a condo structure with individual ownership of the units; the others represent traditional rental property units. These sites have the following density levels:

3917 W 84th - 52 units on 3.81 acres - 13.6 du/acre
8361 Somerset Dr. - 41 units on 1.70 acres - 24.1 du/ac
8401 Somerset Dr. - 31 units on 1.29 acres - 24 du/ac
8449-51 Somerset Dr. - 2 units on .54 acres - 3.7 du/ac

These multi-family residential units represent both high and low value residences abutting the north and northwest. Any redevelopment of the site needs to address how it will relate to the variety adjacent residential type developments adjacent to the site.

5. **Drainage and Flood Plain.** There is an open drainage ditch along the north property line that flows from west to east and is part of Dykes Branch. The FEMA Flood Insurance Rate Map dated August 3, 2009 designates this area as ZONE X (Future Base Flood). This is defined as “Areas of 1% annual chance of flood based on future conditions hydrology. No base flood elevations determined.” A copy of the Map is attached. While a hydrology study has not been completed, significant issues include upstream flows and several undersized box culverts downstream. *These issues will need to be addressed for any redevelopment or expansion of the existing uses on the site.*
6. **Parking.** There is a large parking lot on the site, however, a use such as a private school or church could require more parking to accommodate the use. Any parking expansion will create more impervious surface and more stormwater runoff which will need to be addressed.
7. **Access.** This is a large site which *is not located at an intersection and* only has *mid-block* access from Mission Road. Mission Road has high traffic in this area because of Corinth Square Center and Corinth Elementary School and therefore the traffic impact and internal site circulation will need to be addressed for any future development.
8. **Public Perception.** The floor area ratio (building area divided by site area) of this site is 0.13 which is very low. The neighbors living in this area have perceived this as an open space site *and do not wish to see the open space significantly reduced. This is privately owned now, however, and that low floor area ratio normally is not financially feasible.* It is likely that the floor area ratio will increase in the future, but it needs to occur in a manner that is compatible with the existing *single-family and multi-family residential* development.
9. **Zoning Regulations limit uses.** The site is currently zoned R-1A Single-Family Dwelling District which limits the type and intensity of uses that can be permitted on the site. The R-1A District primarily allows single-family dwellings, public uses and churches. However, the District also allows conditional and special permits subject to restrictions and conditions. Public hearings are required for conditional use permits and they must be approved by the Planning Commission while special use permits require a public hearing and recommendation of the Planning Commission and are finally approved by the Governing Body. As with the Meadowbrook Country Club property, the site could be redeveloped into a traditional single-family neighborhood ~~with little or no oversight by the City~~ under the current zoning *and subdivision* regulations. Another option available is planned residential districts (RP-1A) which allows residential development to have a different form such as condominiums, patio homes, apartments but the density and other standards are controlled by the district regulations. The creation of a Planned Zoning

District would be specific to this site and would regulate the form of the development. This includes the relationship of the buildings to the street, the type of street improvements, the massing and height of buildings, lot coverage, etc. This process requires a zoning change. There are a variety of uses that can be accommodated in the R-1A District, however, some may require rezoning, conditional use permits or special use permits.

Recommendations

1. Encourage developers to obtain community input.

Residents, the City, and property owner all have a vested interest in the future development of the site. As such, Redevelopment Plans should address the needs of the community as a whole and consider a variety of potential re-uses for the site. Any proposed plans for new uses or the expansion of existing uses-needs the input of the surrounding neighborhood. *Do to the former school's prominent role in the City and surrounding neighborhood, the City and residents expect ample opportunity to provide input into future redevelopment plans for the site.* To address these expectations, developers will need to make significant efforts to solicit community input in redevelopment planning. An assessment of the existing building and site should take place to determine whether or not they can accommodate the proposal. If not, then a new development plan could be considered, which may give more flexibility to incorporating other uses (e.g. residential) on the site. The site may be large enough to allow for compatible senior housing development. A mixed residential use concept on this site could serve to further reinforce and reconnect the neighborhood to public uses. The issues of open space, drainage, access, *traffic* and parking all need to be addressed in detail as a part of any proposed development or expansion of existing uses on this site. The developer needs to conduct an adequate public involvement process to obtain input from the neighborhood.

2. Limit the uses to those allowed in the R-1A Single-Family District.

Uses for this proposed site are restricted to uses that are permitted in the R-1A District which also may include conditional use permits, special use permits and planned residential. The uses generally are residential, including senior housing, and possibly a mixture of housing types. In addition, schools, (private require a special use permit) churches and other public uses are also permitted.

Economic Perspective

Issues: Due to the scarcity of land and the size, location, and configuration of the site, the parcel would be considered highly desirable by the private real estate development community. Civic uses could be considered as a part of that mixed-use *residential* environment. The major issues regarding any future development of this site are the density or intensity of development, access, *traffic*, stormwater management and compatibility with the existing developed neighborhood. Because of the limited type of development that can occur on this site, the City needs to consider very carefully whether to approve any incentives.

Recommendations: As an attractive site for redevelopment, the City should carefully consider re-use of the former Mission Valley Middle School property. Through a joint

effort between the City Council, citizens, property owner, and potential developers, a variety of potential uses for the site should be explored and considered. This is an attractive site for redevelopment, but there is a very significant and updated building on the site that has limited opportunities for repurposing. Designation for the Mission Valley site for a mix of residential uses as described in the Village Vision Strategic Investment Plan could serve to provide tangible examples of how the Plan's implementation will adhere to the community's land use principles. Particular attention should be paid not only to the type of land uses, but also to the ultimate form of the development and its compatibility with low density single-family and high density multi-family use found in the mixture of residential densities in the surrounding neighborhood. The neighborhood is very concerned about the future of this site and will need to have significant input into any future change in use. If any change in use is considered, it is important that the site and the facility be designed compatible with the surrounding neighborhood. To successfully execute a project on this site, it will require creative and unique design talent and buy-in from the neighborhood and the community at large. Density levels, *access*, *traffic* and Storm water runoff are major issues and will need to be addressed as a part of any redevelopment plan.

Ron Williamson noted comments were also received by MVS, LLC, the current owners of the property, after preparation of the staff report and copies have been distributed to the Commission. The letter requests that the Commission limit the uses of this property and that they be considered through a formal redevelopment proposal. They view the Comprehensive Plan as a broad planning tool. Staff felt that this request implies a broader inclusion of land uses than those permitted in R-1a and does not recommend this revision.

Chairman Ken Vaughn reviewed the procedures to be followed for the public hearings calling for presentation by staff, questions from the Commission followed by public input asking the public to identify themselves prior to speaking and not to repeat comments previously voiced. He asked that the audience refrain from applause and vocal outbursts.

Virginia Cooley, 8436 Somerset, asked whose idea it was to change this site. Dennis Enslinger responded the School District closed the school and sold the property to a private developer. The proposed amendment addresses how the city would like to see the property developed. Mrs. Cooley expressed concern that any change to this site would increase current water runoff problems that exist in the neighborhood. Mr. Williamson responded that if there was an application for development those issues would be addressed at that time by the property owner. Mrs. Cooley asked who was the new property owners and if they were local. Residents in the audience responded to Mrs. Cooley's question.

John Duggan, representing the Mission Valley Neighborhood Association, expressed the association's support of the proposed amendment. They feel it is consistent with the direction given the staff by the Governing Body on February 6, 2012. He agreed with staff's opposition to the broader language proposed by MVS, LLC. and urged the Planning Commission to approve the amendment as presented by staff.

Brian Doerr, 4000 West 86th Street, spoke on behalf of the Mission Valley Neighborhood Association, whose Mission Statement is to “preserve the former Mission Valley Middle School property as R-1 zoning, in support of the proposed amendment as written by staff. The amendment is consistent with the directive given by the City Council on February 6, 2012. Mr. Doerr presented the following reasons the association felt the amendment is appropriate:

- Redevelopment requires sensitivity to the character of existing neighborhoods.
- Village Vision requires the preservation of the identity and character of the City.
- Current open space in the City is woefully inadequate - converting Mission Valley to commercial development will exacerbate this problem.
- Revitalizing existing office/retail is emphasized as more important than creation of new office/retail.
- The effect of commercial development on the Mission Valley site will likely leave existing commercial/retail development blighted.
- Village Vision points out that the redevelopment of Corinth Square is primary. Allowing for more commercial development nearby is counter to this concept.
- Adding additional retail merely moves dollars from one store to another. Mr. Doerr noted the Corinth Square retailers are not in favor of commercial development of this property.

Mr. Doerr highlighted the issues raised by staff in the staff report including compatibility, drainage, traffic and public perception and closed asking the Planning Commission to support to amendment as proposed.

Craig Satterlee, 8600 Mission Road, stated that creation of a Mixed Use District at this location would be inconsistent with the City’s Village Vision and felt the addition of new retail would negatively impact the merchants at Corinth Square as well as negatively impact the value of the surrounding residential properties. Mr. Satterlee urged the Planning Commission not to take business away from Corinth merchants by allowing retail development of this site, but to adopt the proposed amendment as presented.

Mr. Satterlee also read a letter from Steve Carman expressing appreciation for the amount of time the City has devoted to this issue. He feels the recommendation of staff reflects a thoughtful and measured approach that is entirely consistent with Village Vision and provides a broad base of uses for this property.

Whitney Kerr, 4020 West 86th Street, stated as a planning body, planning should not be based on what is most economically feasible for the developer.

Jamie Guild, 3717 West 84th Street, expressed concern for his two young children who would be walking to Corinth Elementary if this site was developed with mixed use bringing even greater traffic to Mission Road. He feels strongly that the site should remain residential in use.

Sheila Myers, 4505 West 82nd Street, noted she lives one block from Corinth Square and had no problem when it was identified in Village Vision as one of the prime retail developments and possible expansion to a mixed use district was suggested.

However, she feels that allowing mixed use development on this site would cannibalize Corinth merchants and noted the large number of office spaces already available in the city.

Charles Miller, attorney representing the property owner, addressed the Commission. Mr. Miller clarified the ownership of this property is solely Dan Lowe and Joe Tutera, both of whom reside locally. RED was hired to develop the property and RED is also a local company. He noted Dan Lowe did talk with staff regarding the proposed amendment. He stated he was not present to discuss redevelopment or to oppose the comprehensive plan amendment, but to highlight the points expressed in their letter.

“In light of the tremendous time and effort put forth by elected officials, city staff, residents and other stakeholders in creating and adopting the Village Vision Strategic Investment Plan, it seems that any amendment to that plan should encourage the City to consider uses of the MVS site that are consistent with the broadly stated goals of that plan. Specifically, portions of the Action Agenda in Section F. of the Village Vision Strategic Investment Plan’s Executive Summary statement that top priorities of the City include (1) consider revising the zoning ordinance to allow more residential, commercial and office development, particularly in walkable, mixed-use areas of greater intensity, (2) permit higher residential densities and mixed uses near existing commercial areas and along arterial roadways and (3) allow for a greater variety of housing types throughout Prairie Village.”

Mr. Miller proposed that the Planning Commission not recommend uses be limited until they consider uses as part of a formal redevelopment proposal.

With no one else wishing to address the Commission, Chairman Ken Vaughn thanked the residents for their comments and closed the public hearing at 7:35 p.m.

Mr. Vaughn asked if staff had any additional comments.

Ron Williamson stated that staff feels adding the language suggested by the owner broadens land use outside of R-1a and they feel uses should stay within R-1a District.

Nancy Vennard suggested the language in the last sentence of #3 under Issues should be changed to read “be compatible with or relate to **surrounding** residences” to include those residents across Mission Road from this site.

Ms Vennard also pointed out a typo in the last sentence under #4 “relate to the variety ~~adjacent~~ of residential type developments adjacent to the site.” Nancy Wallerstein pointed out a typo in #1 of recommendations on the top of page 4 - “Do to the former . . . should read **Due** to the former . . .

Nancy Vennard questioned the use of R-1a and RP-1a in the recommendations. Mr. Williamson clarified that the uses were the same, but that RP-1a is a planned district and the use could take a different form. Mr. Williamson also noted that the word “adjacent” would include properties across the street and is not limited to immediately adjoining properties.

Nancy Wallerstein confirmed the flood plain map designations of "Zone X" were currently unrated classifications.

Randy Kronblad moved the Planning Commission adopt by Resolution 2012-01 the proposed amendment to Chapter 8 of the Comprehensive Plan as written including the two typographical corrections and forward said resolution to the Governing Body for its approval. The motion was seconded by Dirk Schafer and passed unanimously.

Dirk Schafer expressed the Planning Commission's appreciation for those in attendance at the meeting and thanked them for being involved in their community. Their input and passion is welcome.

NON-PUBLIC HEARINGS

PC2012-105 Site Plan Approval for fence 8526 Fontana

David and Janet Byars, 8526 Fontana, presented their request for a waiver from Section 19.44.025 C which requires a five (5) foot setback from the right-of-way adjacent to Somerset because the subject property is located on a corner lot. There is eighty (80) feet of right-of-way along this section of Somerset which would place the fence forty-five (45) feet from the center line of the street.

They want to construct a new fence in the same location of the original fence which was approximately forty-one feet from the centerline of Somerset. The proposed fence is six (6) foot in height and is a standard privacy fence design.

They believe it is a hardship to have to take existing vegetation on the backyard side of the fence and replace it under the strict interpretation of the zoning code. Secondly, they would like to maintain as much rear yard space as possible and do not believe that the fence in the current location affects the rights of adjacent property owners.

Staff reviewed the following criteria for a modification to the required setback under the approval of a site plan.

A. The site is capable of accommodating the building(s), parking areas and drives with appropriate open space and landscape;

The applicant is not proposing to significantly alter the existing building, parking or drive configuration. The open space will remain relatively the same since the proposed fence design is similar the previous fence and in the same location.

B. Utilities are available with adequate capacity to serve the proposed development;
The site has existing utilities.

C. The plan provides for adequate management of stormwater runoff;
The proposed modifications to the site will not have any impact on stormwater runoff.

D. The plan provides for safe and easy ingress, egress and internal traffic circulation;
The Planning Commission has given the placement of fences a great deal of consideration related to safe ingress and egress circulation. In developing setback

standards for fences, the Planning Commission has considered impacts on adjacent properties. In this case, the property to the west could be adversely impacted by the construction of a standard six (6) foot privacy fence along the property line; however, both properties front on Fontana and in this situation would not be impacted. There would be little impact to the adjacent property given site placement of the existing fence and the lack of a driveway curb-cut along Somerset. .

E. The plan is consistent with good land planning and site engineering design principles;

The plan is consistent with good land planning and site engineering design principles.

F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building(s) and the surrounding neighborhood;

The proposed fence is compatible with the residential structure and the surrounding neighborhood.

G. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted planning policies.

The plan is consistent with overall development patterns represented in the neighborhood and with the policies adopted in the Comprehensive Plan.

Dirk Schafer moved the Planning Commission find the PC2012-105 meets the required criteria and grant the requested waiver from Section 19.44.025C. The motion was seconded by Greg Wolf and passed unanimously.

**PC2011-116 Sign Approval - Monument Sign
83rd & Mission Road**

Jeff Berg, representing Lane4, presented revised monument signs for Corinth Square Shopping Center. He noted the sign to be located on the southeast corner has been lowered to five feet in height but is approximately 36 feet in length.

Ron Williamson stated staff feels the new design and materials are better than the original design originally approved by the Planning Commission. The only concern is that the monument be set back far enough so it does not adversely affect the site distance at the intersection.

Nancy Wallerstein asked what the surface would be in the open areas. Scott Schultz replied the open areas are designed to hold shopping center and community related announcements and it was anticipated that it would never be open. The back will be a solid finish selected by Lane4 with on-going interchangeable lettering for the announcements.

Randy Kronblad asked what would be in the blank squares on the ends of the monument sign. These would be signs identifying Lane4 with leasing contact information. Mr. Kronblad questioned the need for two such signs. Dennis Enslinger noted that one sign was approved in the original submittal. Jeff Berg stated they would be willing to have only one sign as originally proposed.

Nancy Vennard confirmed the location of the monument signs to be at the southeast corner of 83rd & Mission and two signs, one on each side of the new main entrance to the center off Mission Road. Randy Kronblad confirmed there are no monument signs planned along 83rd Street and confirmed that signs would be backlit.

Nancy Wallerstein noted with the backlighting it was essential that there be text in the changeable section at all times. Mr. Schultz assured her with the promotion of community events as well as center events, the sign area would be filled at all times.

Ron Williamson noted the proposed signs would eliminate the need for the numerous temporary signs now found around the center.

Nancy Vennard asked how long the community sign face was on the corner monument sign. Mr. Berg responded it was approximately eight feet in width. He noted there would be no tenant specific signage in this location.

Staff noted the change to the monument sign would also need to be addressed in revised sign standards for the center. These changes could be made and approved by staff. Staff also noted that approval should be conditioned upon meeting the appropriate site distances at the intersection. Mr. Berg stated the conditions of approval were acceptable.

Nancy Vennard moved the Planning Commission approve the revised monument sign for the Corinth Square Shopping Center as presented subject to the sign location meets the appropriate site distances at the intersection and the sign standards for the center be revised and presented to staff for approval to reflect the changes to the monument sign. The motion was seconded by Dirk Schafer and passed unanimously.

OTHER BUSINESS

Next Meeting

The June 5th Planning Commission agenda at this time includes a lot split on 72nd Street, sign standard revisions on 75th Street, a possible Special Use Permit for a daycare at 7501 Belinder and a BZA (rear yard setback) and Site Plan approval for 3704 West 71st Street. The filing deadline is Friday.

ADJOURNMENT

With no further business to come before the Planning Commission, Chairman Ken Vaughn adjourned the meeting at 8:15 p.m.

Ken Vaughn
Chairman