

**PLANNING COMMISSION MINUTES**  
**April 1, 2014**

**ROLL CALL**

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, April 1, 2014, in the Municipal Building Council Chambers at 7700 Mission Road. Chairman Ken Vaughn called the meeting to order at 7:00 p.m. with the following members present: Nancy Wallerstein, Bob Lindeblad, Gregory Wolf; Randy Kronblad and Nancy Vennard.

The following persons were present in their advisory capacity to the Planning Commission: Ron Williamson, City Planning Consultant; Kate Gunja, Assistant City Administrator; Jim Brown, Building Official and Joyce Hagen Mundy, City Clerk/Planning Commission Secretary.

**APPROVAL OF MINUTES**

Nancy Vennard moved the approval of the Planning Commission minutes of March 4, 2014. The motion was seconded by Nancy Wallerstein and passed unanimously.

**PUBLIC HEARINGS**

There were no public hearings.

**NON PUBLIC HEARINGS**

**PC2014-02 Request for Special Use Permit for Private School  
7457 Cherokee**

Brian Gordon, Executive Director of Global Montessori Academy, reported that the requested traffic study was completed. He has been in communication with Mr. Williamson and is in agreement with the staff recommendation.

Mr. Williamson noted there are several schools in the area and traffic backs up on southbound Belinder Avenue. The applicant has prepared a Traffic Impact Study which concludes that trips generated by GMA will not significantly impact the intersection.

The trip generation for private schools was taken from the ITE Manual. Private schools generate a high volume of traffic and because this school is relocating from the Plaza, it may generate more trips than a typical private school. Therefore, Staff recommends that the Site Plan be approved with a condition that the operation will be evaluated during the school year and adjustments may be required to accommodate the traffic. This could include the dedication of right-of-way on Belinder Avenue to construct a turn lane. Also, GMA needs to work with the Police Department to prepare a traffic flow plan that will be communicated to the parents.

The applicant proposed to install moveable barriers on the east and south boundaries of the elementary school play area. It is important that the barriers remain moveable in the event traffic needs to use Cherokee Drive for access.

The applicant submitted a Site Plan for approval by the Planning Commission. Since the proposed use is within an existing building, a detailed Site Plan was not required; however, the applicant needs to submit more detail for the proposed outdoor classroom area on the east side of the building.

Chairman Ken Vaughn led the Commission in the following consideration of the Site Plan criteria:

**A. The site is capable of accommodating the buildings, parking areas, and drives with the appropriate open space and landscape.**

The proposed Montessori School will be within an existing structure and parking and access will be accommodated within the existing north parking lot.

**B. Utilities are available with adequate capacity to serve the proposed development.**

This site is currently served by utilities and they should be adequate to serve the proposed use.

**C. The plan provides for adequate management of stormwater runoff.**

No changes in the existing site are proposed and therefore stormwater runoff will not be affected.

**D. The plan provides for safe ingress/egress and internal traffic circulation.**

The existing parking area on the north side will provide adequate ingress/egress for the proposed use. Currently the parents park and walk children in, at drop-off, and out, at pick-up. GMA plans to continue this procedure. Belinder Avenue currently backs up at 75<sup>th</sup> Street in the morning rush hour and this use will further aggravate that problem. A Traffic Impact Study has been prepared to address this issue.

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

The site is consistent with good land planning and design.

**F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building and the surrounding neighborhood.**

It is not proposed to change the external appearance of the building except for some minor items; however, some site changes are proposed.

**G. The plan represents an overall development pattern that is consistent with Village Vision and other adopted planning policies.**

One of the primary objectives of Village Vision is to encourage reinvestment in the community to maintain the quality of life in Prairie Village. The proposed Montessori School is an amenity that sets Prairie Village apart from other competing communities in the metropolitan area. This application for approval of the Montessori School is

consistent with Village Vision in encouraging reinvestment; providing multiple uses in existing buildings and making better use of underutilized facilities.

Ken Vaughn noted the outdoor lighting condition. Mr. Williamson stated as there are no exterior changes being made to the existing building, this will address any existing lighting that may not be in compliance. The fire and building codes for this different use of the building are being addressed by the Fire Department and the Building Official. Mr. Vaughn stated this is a wonderful reuse of this building.

Nancy Wallerstein noted the close proximity of the operating hours for the proposed school and Belinder Elementary School and expressed some concern with traffic congestion. Mr. Gordon responded that the school caters to working families and that approximately half of its students arrive early and stay until after 4 o'clock.

Ron Williamson replied the main problem with stack generally occurs in the morning hours and if this occurs the school will need to work with the Police Department to address it.

Gregory Wolf moved the Planning Commission approve the Site Plan for the Global Montessori School at 7457 Cherokee Drive subject to the following conditions:

1. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
2. That the applicant meet all requirements of the building and fire codes.
3. That the applicant submit a more detailed Site Plan for the proposed outdoor classroom to be reviewed and approved by Staff.
4. That any proposed modifications to the exterior of the building, including doors, etc., be subject to the review and approval of Staff for architectural compatibility.
5. That the conclusions and recommendations of the Traffic Impact Study be accepted at this time which states that the proposed school will not significantly impact the intersections. However, traffic will be monitored by the Police and Public Works Departments during the school year and if traffic does become an issue, the applicant will work with City Staff to implement a solution. One possibility may be the dedication of additional right-of-way for Belinder Avenue to construct a turn lane at the 75<sup>th</sup> Street intersection.
6. That the barriers for the elementary school play area be moveable in case access is needed from Cherokee Drive.
7. That the applicant work with the Police Department to prepare a traffic flow plan to be communicated to the people that will be dropping off and picking up students.

The motion was seconded by Randy Kronblad and passed unanimously.

**PC2014-109 Site Plan Approval for Exterior Seating  
Einstein Brothers Bagels  
6970 Mission Road**

Kylie Stock with Lega C Properties addressed the Commission on behalf of Einstein Bagel who is locating in the space previously occupied by Dolce Bakery and Starbucks,

and proposes to have an outdoor seating area. Einstein Bagel has reviewed the staff recommendation and is in agreement with the conditions of approval.

Ron Williamson stated the proposed outdoor seating area includes three four-top tables under the canopy and one four-top table on each end of the canopy. This is approximately 300 sq. ft. The distance between the columns and the curb is 60". In order to meet ADA accessibility through this area, an unobstructed walkway of 48" must be maintained and the distance between the face of the wall and the columns is 12'. Vehicle overhang could be 24" which reduces the accessible walkway to 36". The applicant proposes to place the tables closer to the building and maintain a 36" wide walkway adjacent to the columns. This would increase the outdoor space in the Center from 7,780 sq. ft. to 8,080 sq. ft. and would increase the Center sq. ft. from 301,886 to 302,186.

The square footage of Village Center has been agreed upon between the City and the owners. The off-street parking requirement for mixed office/commercial centers over 300,000 square feet is 3.5 spaces per 1,000 square feet. The addition of 300 sq. ft. for the outdoor seating area will increase the required parking from 1,057 spaces to 1,058 spaces. The Center provides 1,160 spaces and has an excess of 102 spaces. Based on the agreed upon parking calculation method, the applicant will need to submit a floor plan indicating the amount of area designated as storage and the Center will need to update the square footage chart, indicating the change in storage area and patio area. The Handicap Parking sign will need to be relocated because it is within the 36" walkway. It could easily be moved to the brick column. Also, the two existing planters will need to be located where they do not encroach into the 36" walkway on either side of the column.

Chairman Ken Vaughn led the Commission in review of the follow criteria:

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

The site is capable of accommodating the seating area provided an ADA accessible walkway is available. The walkway between the curb and the building columns is only 60" and with vehicle overhang it would be reduced to 36". The 48" width allows for a wheelchair and a pedestrian to pass. The applicant is proposing a minimum 36" walkway width on the north side of the columns and will meet the requirement.

**B. Utilities are available with adequate capacity to serve the proposed development.**

Utilities are currently in place serving the Prairie Village Center and are adequate to serve this minor expansion for outdoor seating.

**C. The plan provides for adequate management of stormwater runoff.**

There will be no increase in impervious surface so stormwater is not an issue.

**D. The plan provides for safe and easy ingress, egress, and internal traffic circulation.**  
The proposed site will utilize existing driveways and the general circulation of the Center will not be changed. Adequate pedestrian accessibility will need to be maintained between the columns and the parking lot, and the columns and the building façade.

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

The addition of outdoor seating will help create a more vibrant atmosphere for the Center and is consistent with good land planning practices. The primary site design issue is the need to maintain a minimum 36" walkway for ADA accessibility on both sides of the columns.

**F. An appropriate degree of compatibility will prevail between the architectural quality of the proposed building and the surrounding neighborhood.**

No changes are proposed to the building façade. The brick columns and other features will remain as they are now.

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

One of the principles of the Village Vision was to focus on redevelopment and reinvestment in the community. These issues have become primary goals for the City and this project represents a step in that direction. This is the opportunity to enhance and intensify the use of the building that will generate additional revenues for the City.

Bob Lindeblad moved the Planning Commission approve the proposed site plan for Einstein Bagel's outdoor seating area, 6970 Mission Road, subject to the following conditions:

1. That all lighting used to illuminate the outdoor area be installed in such a way as to not create any glare off the site and be in conjunction with the outdoor lighting regulations.
2. That a minimum 36" wide accessible walkway be maintained on both sides of the columns.
3. That the Handicap Parking sign be relocated and the planters be moved so that they do not encroach into the 36" walkway.
4. That the square footage chart and drawings for Prairie Village Center be updated and submitted to the City in order to determine the appropriate square footage for the parking requirement.

The motion was seconded by Nancy Wallerstein and passed unanimously.

## **OTHER BUSINESS**

### **Information on permitted uses in R-1a**

Ron Williamson briefly reviewed information that had been distributed to the City Council and discussed with them on March 3, 2014. The Council requested information on what was allowed in Prairie Village in Single Family Residential Districts compared to other Johnson County cities. The intent was to determine whether there are uses that

should be removed and/or moved to a different process. The MXD discussion was primarily a review to determine if it met the projected needs of the future.

Mr. Williamson noted that when the Conditional Use Permit was included in the State Statutes, it was envisioned to be a separate procedure from Special Use Permits. However, case law has determined over the years that Conditional Use Permits and Special Use Permits are used interchangeably and should follow the same procedures. Therefore, after further analysis, the Conditional Use Chapter should be eliminate and the list of uses whether transferred to Special Use Permits, Site Plan review or Staff review.

#### **NEXT MEETING**

The filing deadline for the May 6th meeting is Friday, April 4th. To date an application for renewal of the Special Use Permit for KCATC located in the Faith Lutheran Church facility has been submitted as well as a temporary use permit request for a summer camp program operating out the Kansas City Christian School. We anticipate taking action on the Preliminary and Final Plat for Chadwick Court at the May meeting and consideration of an application by Sprint for wireless antenna on the tower at 7700 Mission Road..

#### **ADJOURNMENT**

With no further business to come before the Commission, Chairman Ken Vaughn adjourned the meeting at 7:18 p.m.

Ken Vaughn  
Chairman