

PLANNING COMMISSION MINUTES
March 4, 2014

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, March 4, 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 Wallerstein moved the approval of the Planning Commission minutes of February 10, 2014. The motion was seconded by Nancy Vennard and passed by a 5 to 0 vote with Bob Lindeblad abstaining.

PUBLIC HEARINGS

Chairman Ken Vaughn reviewed the procedure for the public hearings and reported the hearing had been duly published on February 11, 2014.

**PC2014-01 Proposed Revisions to Chapter 19.54 and 19.28 to add
A Reapplication Waiting Period**

Ron Williamson stated at the January 7th meeting of the Commission, staff was directed to prepare for public hearing proposed revisions adding to the city's zoning regulations a reapplication waiting period for Special Use Permit and Rezoning Applications at the recommendation of the Governing Body.

Ron Williamson reviewed the regulations regarding this issue from other cities.

LEAWOOD:

16-5-5.3 Reapplication after Denial

In the case of denial of an application by the Planning Commission or Governing Body, the applicant must wait a period of 6 months before reapplying for approval or a new development plan or zoning change on the same property, unless approved by the Governing Body upon a showing of changed circumstances.

Mr. Williamson noted in talking with the Leawood Planning Staff, they stated that this regulation has not been used for sure in the past five (5) years and perhaps, not in the past 15 years.

OLATHE:

18.12.015 Resubmitting Applications for Plats, Rezoning and Special Use Permits

When a proposed application for rezoning, special use permit or plat has been withdrawn by the applicant or denied by the Planning Commission or the Governing Body, the same application for the same property shall not be resubmitted for a period of one (1) year from the date of withdrawal or denial. However, an application for a different zoning classification or special use permit request can be submitted at any time. In addition, a new plat application showing major modifications and/or revisions to the withdrawn or denied plat application may be submitted at any time.

Mr. Williamson noted that as with the City of Leawood, the Olathe Planning Staff stated that this regulation has not been used since Staff can remember. They do feel it is a good safeguard and may encourage applicants to initially submit a better project.

OVERLAND PARK:

18.140.460 Limitation on successive rezoning applications by landowner

- A. No application for rezoning by a landowner or a landowner's agent shall be accepted if any application for substantially the same property has been filed and advertised for public hearing within the preceding 6 months.
- B. For purposes of subsection A, the preceding 6-month period shall be determined as follows:
 - 1. If there was a final action (either approval or denial) on the prior application, the 6-month period shall run from the date of such action.
 - 2. If the prior application was withdrawn after being advertised for public hearing, the 6-month period shall run from the date the application was withdrawn.
- C. The Director of Planning and Development Services shall determine if an application concerns "substantially the same property" as a prior application. The landowner may appeal any such determination to the Planning Commission.
- D. The Governing Body may waive the limitation in this section for good cause shown.

In conversation with the Overland Park Planning Staff, it was reported that this regulation may have been used two (2) or three (3) times in the past 20 years.

LENEXA:

H. Waiting Period for Re-Application:

In the event that the Governing Body denies an application for amendment to the Zoning Map, such application shall not be resubmitted for 1 year. The Community Development Director may, by separate action, waive the 1-year waiting period, upon petition by the applicant, if the Planning Commission finds that:

- 1. There have been significant physical, economic, land use or other changes in the area that affect the appropriateness of the zoning of property in the area in general; or

2. There has been a significant and pertinent change to the text of the Zoning Ordinance; or
3. The new application is for a more restrictive use than the original.

As with other cities, the Lenexa Planning Staff reported that this regulation has not been used in the past 13 years. Applicants typically revise the application to something that is more acceptable before reapplying.

MISSION:

440.360: LIMITATION ON SUCCESSIVE REZONING APPLICATIONS BY LANDOWNER

- A. No application for rezoning by a landowner or agent will be accepted if any application for substantially the same property and substantially the same development or land use has been filed and advertised for public hearing within the preceding six (6) months.
- B. For purposes of Subsection (A), the preceding six (6) month period shall be determined as follows:
 1. If there was a final action (either approval or denial) on the prior application, the six (6) month period shall run from the date of such action.
 2. If the prior application was withdrawn after being advertised for public hearing, the six (6) month period shall run from the date the application was withdrawn.
- C. The Public Works Director shall determine if an application concerns “substantially the same” property, development and land use as a prior application. The landowner may appeal any such determination to the Planning Commission.
- D. The City Council may waive the limitation in this Section for good cause shown. (Ord. No. 1007 §16-203A.400, 1-24-01)

Mission Planning Staff do not recall this regulation ever being used.

The concern with having no waiting period is that controversial applications require significant Staff, Planning Commission, and City Council time, as well as, numerous meetings for interested or affected citizens. Prairie Village has a small staff and repetitive applications take staff away from other responsibilities. It was also noted that if a lawsuit is filed, a waiting period might allow adequate time for the courts to decide an issue before a new application is considered. It appears that the most common waiting period is six (6) months. Another question is whether the reapplication waiting period applies to the same Special Use Permit or Rezoning, or if a different request is made should the waiting period not apply.

The general consensus from the five cities is that an applicant rarely reapplies for the same request. Usually the plan changes, the land use changes, or the legal description changes making it a new application. There is no compiled data to suggest it, but it could be concluded that the applicant thinks through the project more carefully and submits a better application the first time.

Mr. Williamson noted that none of the ordinances would have prevented the immediate reapplication of Mission Chateau. The legal description and land use changed substantially, which would allow an immediate reapplication.

Staff has drafted the following proposed revisions for consideration:

For rezoning, a new Section 19.52.055 Reapplication Waiting Period would be added to Chapter 19.52 PROCEDURAL PROVISIONS. Suggested wording is as follows:

19.52.055 Reapplication Waiting Period

In the case of denial of an application by the Governing Body, the applicant must wait a period of six (6) months from the date of denial before reapplying for approval of a new development plan or zoning change unless the legal description of the property has substantially changed or the application is for a more restrictive zoning district than the original.

The Governing Body may waive the waiting period for good cause shown.

Fewer cities have a reapplication waiting period for Special Use Permits. Since case law has determined that Special Use Permits are a change in land use and are subject to the "Golden Criteria", it would appear logical to treat them the same as rezoning.

A new Section 19.28.075 Reapplication Waiting Period would be added to Chapter 19.28 SPECIAL USE PERMITS. Suggested wording is as follows:

19.28.075 Reapplication Waiting Period

In the case of denial of an application by the Governing Body, the applicant must wait a period of six (6) months from the date of denial before reapplying for approval of a Special Use Permit unless the legal description of the property has substantially changed or the new application is for a Special Use Permit that is a different use than the original.

The Governing Body may waive the waiting period for good cause shown.

Bob Lindeblad felt the regulations needed to state who makes the determination on whether the legal description or the application has changed substantially. He suggested language used by the City of Overland Park with the appeal going to the Planning Commission. Although the city does not have a Director of Planning and Development, he feels that a specific individual or position needs to be stated.

Mr. Williamson suggested that the "City Administrator or his/her designee" be given as the individual making the determination.

Randy Kronblad confirmed the language found in #C of Overland Park's regulations with the City Administrator identified would be added to both sections as follows:

The City Administrator or his/her designee shall determine if an application concerns "substantially the same" property, development and land use as a prior application. The landowner may appeal any such determination to the Planning Commission.

The Governing Body may waive the waiting period for good cause shown.

Ken Vaughn noted it would probably be a rare application that would fall under these regulations, but feels the proactive step to have identified the process is good.

Chairman Ken Vaughn opened the public hearing on PC2014-01. No one was present to address the Commission on this application and the public hearing was closed.

Bob Lindeblad moved the Planning Commission recommend the Governing Body adopt the proposed amendments to Chapter 19.52 and Chapter 19.28 with the changes recommended by the Commission. The motion was seconded by Randy Kronblad and passed unanimously.

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

Ben Randell, Project Manager for Global Montessori Academy, 707 West 47th Street, Kansas City, stated Global Montessori Academy (GMA) is requesting a Special Use Permit to establish a Montessori School in a building previously occupied by the Cherokee Christian Church on the northwest corner of 75th Street and Blinder Avenue. They have purchased the property and plan to use the classroom area for the Montessori School and rent the sanctuary for Sunday Worship. The sanctuary has a seating capacity of 299.

Global Montessori Academy has been in operation for over 30 years. They are currently located in the Unity Temple on the Plaza and have outgrown the location. The school currently has 90 students, ages 2 - 9 years old, and is expecting 110 students for the 2014-2015 school year. The projected capacity of the proposed site would accommodate 150 students. The school hours are from 8:30 am to 3:30 pm, but the school drop-off starts at 7:30 am and the pick-up extends to 6:00 pm. The GMA was founded as a nonprofit in 1990; however, it has been in operation since 1984. The school will accommodate preschool to sixth grade students in six classrooms initially, but seven classrooms ultimately.

The existing fenced area on the south side of the building will provide outdoor activity space for the 2 - 6 year age group. The northwest corner of the parking lot will be partitioned off with movable barriers for an outdoor play area for the elementary students.

A neighborhood meeting on February 18, 2014, in accordance with the Planning Commission Citizen Participation Policy and two people attended. No concerns expressed were about the use.

Ron Williamson stated that the staff recommends the Commission act favorably on the application and forward it to the Governing Body for approval. However, he noted there are two issues that need to be addressed on the site plan approval and would recommend that site plan approval be continued. He noted the next Planning Commission meeting is prior to the City Council meeting where the Special Use Permit would be considered. Staff is requesting more information on the development of the east side of the property. There is currently a traffic back-up situation on Cherokee due to Belinder Elementary School traffic and traffic from the Montessori school across 75th Street. The applicant has been asked to provide a traffic study for review with the site plan approval.

Mr. Randell stated a firm has been hired to do the study and it will be available by the April 1st meeting of the Commission.

Randy Kronblad asked if the asphalt will be replaced with a soft material for the play area. Mr. Randelle stated at this time the asphalt area will remain. This will allow for it to be used for parking during Sunday services.

Nancy Vennard thanked Mr. Randell for their allowing the community garden to remain on this site.

Ron Williamson noted that it has been the practice of the Commission to grant five year permits for the initial Special Use Permit. He noted that the applicant is purchasing the property and making a substantial investment.

Bob Lindeblad stated that as long as the applicant meets the conditions of approval he does not see the need to limit the permit to five years. Ken Vaughn agreed that with their purchase of the property an indefinite special use permit would be appropriate.

Chairman Ken Vaughn opened the public hearing on PC2014-02. No one was present to address the Commission on this application and the public hearing was closed.

Chairman Ken Vaughn led the Commission through the following review of the factors for consideration of the requested special use permit:

- 1. The proposed special use complies with all applicable provisions of these regulations including intensity of use regulations, yard regulations, and use limitations.**

The proposed Montessori School classrooms will be contained within the existing building which is in compliance with the zoning regulations. The fenced play area on the south was approved as part of the day care center. The outdoor classroom area on the

east side of the building adjacent to Belinder Avenue needs to be better defined, specifically regarding fencing, paved areas, equipment, etc.

2. The proposed special use at the specified location will not adversely affect the welfare or convenience of the public.

The proposed Montessori School will use the existing building and site for its use with few external changes. Access to the school will be from the north parking lot which is adequate in size to provide for standing and parking vehicles.

3. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

The proposed Montessori School will be using the building and site currently occupied by the church. There will be additional noise created by children using the outdoor play area on the northwest corner of the site. This may create some inconvenience for the residents to the west and north, but will be no different from other elementary schools that are located in residential neighborhoods throughout the city.

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it, are such that this special use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to: a) the location, size and nature of the height of the building, structures, walls and fences on the site; and b) the nature and extent of landscaping and screening on the site.

The proposed Montessori School will accommodate approximately 150 students and will operate during normal working hours. It will use the existing building and will not have a dominant effect on the neighborhood. It is a good reuse of a church facility that is no longer viable.

5. Off-street parking and loading areas will be provided in accordance with standards set forth in these regulations and said areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious affect.

The Montessori School will use 56 spaces in the north lot, which should be more than adequate since pick-up and drop-off times vary significantly. The sanctuary has a capacity of 299 seats which requires 75 parking spaces. There are a total of 101 parking spaces on the site so it can accommodate the sanctuary at full capacity. This will require the elementary play area to be made available for parking on church meeting days.

6. Adequate utility, drainage and other necessary utilities have been or will be provided.

Utilities are available for the proposed use. If more impervious area is created on the east side of the building, some storm drainage improvements may be needed.

- 7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent hazards and to minimize traffic congestion in public streets and alleys.**

All access to the Montessori School will be off Belinder Avenue into the north parking lot. Entrance will be through the north driveway and exit will be through the south driveway. Currently, Belinder Avenue has some congestion problems at the 75th Street intersection during the morning peak. This probably is due to the Belinder Elementary School to the north, and the Montessori School and Day Care Center on the southeast corner of the intersection. Staff has requested the applicant to have a traffic study performed in order to analyze existing and future traffic congestion.

- 8. Adjoining properties and the general public will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors, or unnecessary intrusive noises.**

The proposed use will not have any hazardous or toxic materials, or obnoxious odors; however, some additional noise will be created by children using the outdoor play area in the northwest corner of the site.

- 9. Architectural style and exterior materials are compatible with such styles and materials used in the neighborhood in which the proposed structure is to be built or located.**

The proposed use will not require any significant changes in the exterior architecture of the existing building. The fire escape on the north end will be modified and some additional doors will be added on the east side of the building to meet code requirements.

GOLDEN FACTORS FOR CONSIDERATION:

- 1. The character of the neighborhood;**

The neighborhood is predominantly single-family dwellings to the north, south, east, and west. The existing property is a church and another church is located on the southeast corner of Belinder Avenue and 75th Street. Two blocks east of the site is a large office building along with other office buildings on the north side of 75th Street to State Line Road. The character of the immediate neighborhood is primarily residential with single-family dwellings and churches.

- 2. The zoning and uses of property nearby;**

North: R-1B Single-Family District - Single Family Dwellings
East: R-1B Single-Family District - Single Family Dwellings
South: R-1A Single-Family District - Single Family Dwellings
West: R-1B Single-Family District - Single Family Dwellings

- 3. The suitability of the property for the uses to which it has been restricted under its existing zoning;**

The property is zoned R-1B Single-Family Residential District which permits single-family dwellings, churches, schools, public building, parks, group homes and other uses that may be permitted either as a conditional use or special use. The property has a

variety of uses available and the building can be modified to easily accommodate the proposed school. The proposed repurposing of the church for a school is a good reuse of an existing facility.

4. The extent that a change will detrimentally affect neighboring property;

The site has been used as a church since it was built in 1957 and was a quasi-public use; the proposal is to change it to another quasi-public use. Very little change is proposed to the building and site so the appearance will remain essentially as it is now. Additional traffic on Belinder Avenue may have some adverse effects on the neighborhood, particularly between 7:30 am and 8:30 am.

5. The length of time of any vacancy of the property;

The church was built in 1957 and has been occupied by a Cherokee Christian Church who will terminate their use in June.

6. The relative gain to public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners;

The proposed use will be within an existing building that will have minor exterior modifications; however, there will be some site improvements. The applicant will be able to better utilize the property and no hardship will be created for adjacent property owners.

7. City staff recommendations;

The use will be within an existing building with minimal exterior changes; the use will have minimal impact on the neighborhood; and the use will provide a needed service for children that is in demand in Prairie Village. It is the opinion of Staff that this is a good reuse of an existing church facility.

8. Conformance with the Comprehensive Plan.

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

Randy Kronblad moved the Planning Commission find favorably on both sets of factors and recommend approval of the Global Montessori Academy Special Use Permit to the Governing Body subject to the following conditions:

1. That the Montessori School be approved for a maximum of 7 classrooms and 150 children between the ages of 2 and 9.
2. That the School be permitted to operate year round from 7:30 a.m. to 6:00 p.m. subject to the requirements of the State of Kansas
3. That drop-off and pick-up of students occur in the north parking lot.

4. That the School meets all requirements of the building and fire codes, and the State Fire Marshall.
5. That the site complies with ADA requirements.
6. If this use is found not to be in compliance with the terms of the approval of the Special Use Permit, it will become null and void within 90 days of notification of noncompliance unless noncompliance is corrected.
7. That the Special Use Permit be issued for the Montessori School for an indefinite period.
8. That the applicant has a traffic analysis performed and if any changes are necessary they be incorporated in the Site Plan Approval.

The motion was seconded by Bob Lindeblad and passed unanimously.

Ron Williamson stated the applicant would return at the April 1st Planning Commission meeting for Site Plan Approval.

NON PUBLIC HEARINGS

PC2014-105 Request for Lot Split Approval 5015 West 67th Street

James Porter, 5015 West 67th Street, stated he owns a large corner lot that faces on 67th Street and sides on Fonticello Street; and is proposing a lot split to sell off the south 100 ft. of the original lot. The proposed lot is only 108.9 ft. deep, where the ordinance requires a depth of 125 ft. The Board of Zoning Appeals earlier granted a variance for the rear yard depth from 125 feet to 108.9 feet.

Mr. Williamson noted that several of the large lots along Fonticello Street, between 67th Street and 69th Street, have either been replatted or have used the lot split procedure.

The proposed lot will be 100 ft. in width, 108.9 ft. in depth and will have 10,890 sq. ft., which is greater than the minimum of 10,000 sq. ft. required by the Zoning Ordinance. The two lots across the street are 15,000 sq. ft. each. It should be pointed out that two lots on the west side of Fonticello Street, between 68th Terrace and 69th Street, are only 10,160 sq. ft. which is slightly smaller than this lot.

Initially the applicant proposed a wider frontage on Fonticello Street, but there is a sanitary sewer line crossing the lot approximately 95 ft. north of the south property line. Also, the existing house sets back approximately 70 ft. from 67th Street and the depth of the house, the garage, and the driveway would not leave much area for a back yard.

Mr. Williamson stated the applicant will need to submit the required certificate of survey for Staff review and approval based upon the final decisions of both bodies.

State statutes require that subdivision regulations provide for the issuance of building permits on platted lots divided into not more than two tracts without having to replat such

lots. The subdivision regulations contain a lot split procedure and the lot split must be approved by the Planning Commission.

Nancy Wallerstein moved the Planning Commission approve the requested lot split of 5015 West 67th Street subject to the following conditions:

1. That the applicant submit a certificate of survey to Staff for their review and approval containing the following information:
 - a. The location of existing buildings on the site.
 - b. The dimension and location of the lots, including a metes and bounds description of each lot.
 - c. The location and character of all proposed and existing public utility lines, including sewers (storm and sanitary), water, gas, telecommunications, cable TV, power lines, and any existing utility easements.
 - d. Any platted building setback lines with dimensions.
 - e. Indication of location of proposed or existing streets and driveways providing access to said lots.
 - f. Topography (unless specifically waived by the City Planning Commission) with contour intervals not more than five feet, and including the locations of water courses, ravines, and proposed drainage systems. (Staff recommends waiver of topography)
 - g. Said certificate of survey shall include the certification by a registered engineer or surveyor that the details contained on the survey are correct.
2. That the applicant records the approved lot split with the register of deeds and provide a copy of the recorded document to the Secretary of the Planning Commission.
3. That the applicant submits a certificate showing all taxes and special assessments due and payable have been paid in full.

The motion was seconded by Gregory Wolf and passed unanimously.

**PC2014-107 Site Plan Approval with wireless antenna
7700 Mission Road**

Chris Ross, with Black & Veatch, representing AT&T stated that AT&T is proposing to replace three antennas and add a cable to its platform on the tower behind City Hall. The proposed antennas are to serve AT&T's LTE, Long Term Evolution Network. The existing antennas are approximately 72" in length and the new antennas will be approximately 96" in length. Each replacement antenna will add approximately 10 lbs. to the tower. The cable will be located inside the tower.

Ron Williamson noted that Verizon is planning to add three antennas to its installation on the tower and Sprint is also planning upgrades. A structural report was prepared that included the AT&T and Verizon upgrades. The tower and base are adequate to accommodate those improvements. Sprint was not far enough along in its planning to include its improvements in the structural analysis, so a structural update will be required when Sprint submits its application.

AT&T added three antennas and an emergency generator in 2011. In October 2009, the Planning Commission approved the Special Use Permit Renewal for this tower and the approval was based on the new Wireless Communications Ordinance. Changes in the installation for carriers are required to be submitted to the Planning Commission for site plan review and approval.

Since no neighbors have appeared at previous neighborhood meetings and the changes were not major, the applicant was not required to hold a neighborhood meeting.

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

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

The proposed improvements will occur on the existing tower which is adequate to accommodate the proposed improvements.

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

Adequate utilities are available to serve this location.

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

No additional impervious area will be created because all improvements will be on the tower.

D. The plan provides for safe and easy ingress, egress, and internal traffic circulation.

The site utilizes the existing driveway and parking lot for circulation that currently serves it and no changes are proposed.

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

The applicant has prepared a structural analysis and the tower is sufficient to carry the additional load.

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

The tower has been at this location for more than twenty years and the proposed installation consist of replacing three antennas, which is a minor improvement compared to the size of the tower. The tower is located in the Municipal Complex and has very little impact on surrounding residential areas.

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

Wireless communications are not specifically addressed in Village Vision. Generally it falls into maintaining and improving infrastructure.

Gregory Wolf moved the Planning Commission approve PC2014-107 for site plan approval for the installation of wireless antenna on the communications tower at 7700 Mission Road subject to the following conditions:

1. That the antennas be installed as shown on the proposed site plan.
2. That all wiring be contained inside the tower.

The motion was seconded by Nancy Vennard and passed unanimously.

**PC2014-108 Site Plan Approval with wireless antenna
7700 Mission Road**

Tommy Beeler, with Selective Site Consultants presented the application on behalf of Verizon Wireless who is proposing to add three antennas to its installation on the tower behind City Hall. These antennas are approximately 72” in length and, with the support equipment, weigh about 65 pounds each. The purpose of these antennas is to provide service for the Advanced Wireless System (AWS), which is high volume data, video streaming, etc. A new fiber optic line will also be installed within the tower to service these antennas.

A structural analysis has been prepared and states that the monopole or tower is structurally capable of supporting the existing and proposed antennas, their mounting equipment, and the coaxial and fiber optic cable inside the tower.

Ron Williamson noted that in October 2009, the Planning Commission approved the Special Use Permit Renewal for this tower and the approval was based on the new Wireless Communications Ordinance. Changes in the installation for carriers are required to be submitted to the Planning Commission for site plan review and approval.

Since no neighbors have appeared at previous neighborhood meetings and the changes were not major, the applicant was not required to hold a neighborhood meeting.

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

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

The proposed improvements will occur on the existing tower which is adequate to accommodate the proposed improvements.

B. Utilities are available with adequate capacity to serve the proposed development.
Adequate utilities are available to serve this location.

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

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The site utilizes the existing driveway and parking lot for circulation that currently serves it and no changes are proposed.

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The applicant has prepared a structural analysis and the tower is sufficient to carry the additional load.

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The tower has been at this location for more than twenty years and the proposed installation consist of adding three antennas, which is a minor improvement compared to the size of the tower. The tower is located in the Municipal Complex and has very little impact on surrounding residential areas.

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Wireless communications are not specifically addressed in Village Vision. Generally it falls into maintaining and improving infrastructure.

Gregory Wolf moved the Planning Commission approve PC2014-107 for site plan approval for the installation of wireless antenna on the communications tower at 7700 Mission Road subject to the following conditions:

1. That the antennas be installed as shown on the proposed site plan.
2. That all wiring be contained inside the tower.

The motion was seconded by Randy Kronblad and passed unanimously.

**PC2012-109 Sign Standards Approval
2220 West 75th Street**

Ron Williamson noted this is an application that has been on the shelf for a while and needs a resolution. The original monument sign was approved by the Planning Commission in October 2005, shortly after the building was renovated. No other signs were requested at that time.

In 2007, the owner requested approval of sign standards for the building. In Prairie Village, approval of Sign Standards is required for multi-tenant buildings. The owner requested signs that did not meet the sign ordinance. The owner then requested three lines of text on the monument sign and no building façade signs and the Planning Commission approved this on March 4, 2008.

The orientation of the building creates a problem with signage in relation to the entrances to the building. The building parallels 75th Street and the entrances are located on the east and west facades of the building. There is one tenant on the west end and two tenant spaces on the east end. The applicant has wanted better signage to identify where the tenants are located.

On June 5, 2012, the owner requested approval of two blade signs for the east end of the building. These blade signs are pole signs as defined in the sign ordinance and are not permitted. The signs were installed without a permit and are illegal. At that meeting, the Planning Commission directed Staff to work with the applicant and bring back some alternative proposals to the Commission.

Michael Schmidt, with Star Signs, LLC, presented the proposed signage for the three tenants. The signs are individual flat-cut aluminum letters and will not be lighted. The sign on the west end will not exceed 28 sq. ft. and the two signs on the east end will not exceed 13 square feet and 10 square feet.

Ken Vaughn asked if the current blade signs have been removed. Mr. Schmidt responded that he was not responsible for them, but that they would be removed.

Nancy Wallerstein confirmed there would not be any ground lighting on the signs.

Randy Kronblad moved the Planning Commission approved proposed signage for 2200 West 75th Street subject to the following conditions:

1. That the square footage for each sign not exceeds the size that is shown on the attached drawing.
2. That the size of the sign letters be as shown on the drawing.
3. That not more than the three wall signs be permitted.
4. That no wall signs be permitted on the east, west and north facades of the building.
5. That the wall signs not be lit.
6. That the applicant revises the sign standard text and submits it to the City prior to obtaining a sign permit.
7. That the existing blade sign(s) be removed.

The motion was seconded by Bob Lindeblad and passed unanimously.

PC2012-113 Revised Site Plan for PV Shopping Center NW Corner 71st & Mission Road

Kylie Stock with LegaC Properties stated the Hen House at the PV Shopping Center has decided not to expand, although exterior improvements are being discussed. This changes the site plan that was approved by the Planning Commission on November 6, 2012. Ms Stock noted that Starbucks has received a building permit for their tenant finishes to the new retail building and should be open by late spring.

They would like to begin work on Mission Lane Improvements as soon as the weather allows and appreciate the Planning Commission willingness to consider the new site plan on short notice. They are hoping to begin work on the improvements in April. The most significant changes will be to the parking lot near Bruce Smith Drugs.

The proposed changes are as follows:

1. The footprint for the Hen House expansion will be removed and parking will remain on the north side of the store. The number of parking spaces in that lot will increase by 39.
2. The crosswalk will be moved south to the existing Hen House entrance.

3. The entrance and exit drives to the parking lot south of 69th Terrace will change back to where they are now. The Site Plan proposed to close the drive from Mission Lane and replace it with access to 69th Terrace. This reconfiguration will result in the loss of 12 parking spaces which results in a net increase of 27 parking spaces for the Center.
4. The applicants are also relocating several trash bin enclosures. The new trash bin locations will be screened with brick walls that match the brick in the Center.

Kylie Stock reviewed the relocation of the trash bin enclosures and additional enclosures that have been added.

Ron Williamson noted the applicant has revised the off-street parking requirements table and the counts by lot on the Parking Analysis drawing; however, there may need to be additional revisions after Staff reviews the information in more detail. The revised Site Plan will also change the landscape plan. The revised landscape plan needs to be submitted to the Tree Board for review and approval.

Nancy Wallerstein asked for clarification on the location of the 8' trail. It was noted that the trail has been preserved as approved. Mr. Vaughn noted the area in front of the new retail building will be walkable but will be somewhat narrower.

Nancy Wallerstein confirmed the plan maintains the crossover area between Hen House and south parking lot.

Nancy Wallerstein moved the Planning Commission approve the revised site plan for Prairie Village Shops removing the Hen House expansion and reconfiguring the parking lots will improve the traffic circulation and parking, and recommends approval subject to the following conditions:

1. That the applicant work with Staff to revise the off-street parking table and drawings for the Center, if necessary.
2. That the applicant submit the revised landscape plan to the Tree Board for review and approval.
3. That the applicant submit three revised sets of the approved site plan to the city staff.

The motion was seconded by Randy Kronblad and passed unanimously.

OTHER BUSINESS

Discussion of possible changes to RV regulations

Kate Gunja stated the City adopted its current Recreational Vehicle ordinance in September, 1994. In working with the Police Department, who enforces the code, during non-business hours, they have requested that the code be moved from the zoning regulations to the municipal code in the traffic section.

The Planning Commission members supported the move to the municipal code.

Mrs. Gunja confirmed the Planning Commission's earlier recommended change to extend the time limit increasing the time allowed to 7 days within a 30 day period. The Commission members felt the illustrations provided were good. They want to see the requirement for parking on a hard surface on private property retained.

Kate Gunja stated there will need to be a public hearing to remove the language from the zoning regulations. She would provide the Commission with the language that the Council is considering for their input.

Gregory Wolf confirmed that there would not be a break in enforcement between the removal of the regulations from the zoning code to its adoption in the municipal code.

JOINT MEETING

Kate Gunja advised the Commission that in discussing the joint meeting with the City Council, the Council felt that more time was needed that allowed by meeting prior to a City Council meeting. An alternate Monday evening date will be determined after the general election.

NEXT MEETING

No new applications have been filed for the April 1st meeting. The agenda will contain the continued items of the revised site plan for the Global Montessori Academy; possible final plat for Chadwick Court and discussion of possible code changes addressing sign standards and off-street parking.

There will not be a Board of Zoning Appeals meeting.

ADJOURNMENT

With no further business to come before the Commission, Chairman Ken Vaughn adjourned the meeting at 8:00 p.m.

Ken Vaughn
Chairman