

PLANNING COMMISSION MINUTES
February 5, 2019

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, February 5, 2019 in the Council Chambers at 7700 Mission Road. Chairman Nancy Wallerstein called the meeting to order at 7:00 p.m. with the following members present: Jonathan Birkel, James Breneman, Patrick Lenahan, Melissa Brown, Gregory Wolf and Jeffrey Valentino.

The following individuals were present in their advisory capacity to the Planning Commission: Chris Brewster, City Planning Consultant; Jamie Robichaud, Deputy City Administrator; Mitch Dringman, City Building Official, Ron Nelson, Council Liaison, and Adam Geffert, City Clerk/Planning Commission Secretary.

APPROVAL OF MINUTES

Patrick Lenahan noted that edits needed to be made to the minutes from the January 8, 2019 meeting, referencing the signage discussion on page 3. The last sentence of the third paragraph should read as follows: "Mr. Lenahan stated that the rendering shows consistent signage, and, that in presenting consistent signage in the application, this is what the commission would be approving."

Greg Wolf moved for the approval of the minutes of the January 8 regular Planning Commission meeting with the suggested amendment. James Breneman seconded the motion, which passed unanimously.

PUBLIC HEARINGS

No public hearings were scheduled.

NON-PUBLIC HEARINGS

**PC2019-101 Lot Split Approval
4001 and 4005 West 85th Street**

Kevin Green, representing Kevin Green Homes, was present to speak about the split of Mission Chateau Villas Lot 10, 4001 and 4005 West 85th Street. James Breneman stated the plan drawing showed several downspouts or sumps discharging directly against the side property line, adding that the water needs to be discharged to the street or to the back property line. Mr. Green stated that all downspouts are buried and extend ten feet from the building, and that all storm regulations and drainage requirements are being met, as stated in the master plan.

Chris Brewster said it had been anticipated that several lots in this development would be split, but each needed Planning Commission approval based on city subdivision regulations. Several more will be coming before the Commission in the future as they are built. Mr. Brewster recommended approval with the following two conditions:

1. That the applicant record the approved lot split with the register of deeds and provide a copy of the recorded document prior to issuance of an occupancy permit.
2. That each of the resulting lots and the building continue to be subject to all conditions of approval of the special use permit, preliminary and final development plans and final plat, as well as the covenants recorded with the previous final plat.

Mr. Breneman proposed a third condition that stated “roof, downspout and sump draining be revised to discharge toward the front or rear property line rather than the side property lines.” Mr. Green disagreed with this condition, noting that there is a 50-foot distance between each building line, which offers plenty of space for drainage. Mr. Lenahan asked whether the survey was accurate in showing that all downspouts are piped underground a minimum distance of ten feet from the building prior to daylighting, which Mr. Green verified.

Mrs. Wallerstein asked for a second to Mr. Breneman’s recommendation, but none was offered.

Greg Wolf made a motion to approve the site plan based on staff recommendation of the original two conditions listed above. Patrick Lenahan seconded the motion, which passed 6 to 1, with Mr. Breneman opposed.

**PC2019-104 Site Plan Approval
2914 West 73rd Terrace**

Craig Babb, homeowner of the property at 2914 West 73rd Terrace, was present to speak about the site plan application. In 2017, Mr. Babb hired a contractor to extend his driveway and build a retaining wall on the west side of his property. Unbeknownst to Mr. Babb, the contractor did not apply for a permit to do the work. Recently, he was alerted that the retaining wall was not in compliance with city code.

Mr. Brewster said that staff became aware of the issue from a Public Works field report that noted the driveway had been constructed without a permit. While being reviewed by Public Works, the compliance issue was identified. Per code, all retaining walls must be two feet from the property line, based on grading, drainage and wall-massing. However, the Planning Commission is allowed to make exceptions. Mr. Brewster noted that the compliance issue is not observable from the street and does not affect the aesthetics of the property. The neighboring property owner that is impacted has submitted a letter of support. The Public Works department has recommended that Mr. Babb apply for a drainage permit to confirm there are no adverse drainage impacts. This is the only condition for approval; if approved, the applicant will need to record the site plan.

Mrs. Wallerstein asked why this site plan did not require a variance. Mr. Brewster said that the retaining wall provisions specifically state that the Planning Commission can grant exceptions through a residential site plan approval.

Mr. Wolf asked if a requirement needed to be added to maintain the wall. Mrs. Robichaud said that the expectation of any improvement to property is for the owner to maintain it, which is enforced through existing property maintenance codes.

Jeffrey Valentino asked whether there was any sort of recourse against the contractor. Mitch Dringman stated that if the contractor was licensed in Johnson County, there could be, but this contractor was unlicensed. Mrs. Wallerstein asked that the contractor be notified that any work performed in the City must have a permit and plans submitted. Mr. Babb will provide the contractor's contact information to Mr. Dringman.

Mrs. Wallerstein asked how the wall was supported, and Mr. Babb responded that it was constructed of exterior stacking blocks.

Greg Wolf made a motion to approve the site plan with the following two staff conditions:

1. The applicant submit a drainage permit, which must be approved by Public Works, demonstrating no impact on adjacent property or other drainage.
2. If approved, the applicant shall record the site plan and approved exception with the Johnson County Records and Tax Administration.

Jonathan Birkel seconded the motion, which passed unanimously.

OTHER BUSINESS

Presentation and Discussion on Phase 1 of the Village Vision Update - Community Profile

Graham Smith and Abby Kinney representing Gould Evans gave a presentation on the first phase of the Village Vision project, focusing on demographics, environs, housing and destinations in the City. The next phase, which will be presented at a future meeting, will consider community direction and propose ideas for moving the community forward. The final phase will consist of updating implementation items. Mrs. Robichaud stated the goal for this meeting was to get feedback from the Planning Commissioners regarding the data that is provided in the community profile and what other information they might like to see included. Ms. Robichaud added that the community profile would also be presented to the City Council at its meeting on February 19.

Ms. Kinney began the presentation with an overview of city demographics. Mrs. Wallerstein asked if the population that was presented included data from new developments in the City, such as Meadowbrook. Ms. Kinney stated that the data points provided came from the U.S. Census, American Community Survey and Zillow. The population data for new units was not included, though the study did include the *number* of new units; they are just not factored into the overall population at this time. Ms. Brown

suggested that a clarification noting this should be added since the data will shape the plan going forward for the next two decades. Ms. Robichaud added that updated population data won't be available until after the 2020 census is complete. A footnote is included in the document indicating the source of the data.

Mr. Wolf asked if it would be more logical to wait until census data is updated in 2020 before proceeding with the project. Mr. Smith said that this section of the plan can stand alone and be easily updated in the future. Mrs. Robichaud added that the current Village Vision was completed in 2007, and staff does not believe the current Village Vision reflects the vision of the current City Council. Further, the majority of the goals included in that version have been accomplished, so delaying this update until 2022 when the next Census data becomes available is not feasible. Mrs. Wallerstein asked whether the presenters had spoken to the various developers in the City to discuss project density. Mrs. Robichaud said that they did not specifically speak to the developers about their projects when putting together the community profile; however, staff did provide unit counts to Gould Evans for all of these new developments to be included in the community profile.

Mr. Wolf stated he hadn't seen anything in the report about the incentives used for the Prairie Village and Corinth shopping center redevelopments. He asked whether the success of these projects can be measured, and if they were successful, should the incentives be offered again. Mrs. Wallerstein noted that there are several commercial areas around the city that could be redeveloped.

Mrs. Wallerstein asked about the solar panel section of the profile, noting that updated building codes required trees to be planted, which is counterintuitive to the installation and use of panels. Mr. Smith stated that the tree canopy is significant in residential areas, but not in commercial areas, which is where solar panels would work best. Mrs. Robichaud stated that she asked Gould Evans to add this section because the City Council is interested in pursuing environmental sustainability projects, and have specifically expressed interest in the use of solar throughout the City.

Mr. Birkel asked if it could be determined who is living in single-family homes and rental homes with non-family households since the report indicates a trend toward more rentals properties. Mr. Smith said renter information could be obtained at the block level and overlaid over the existing housing map. Ms. Kinney added that there is a visual correlation between younger residents and rental homes, and that the areas of the City in which rental homes are found are generally not being rebuilt. Ms. Brown asked if there was a way to overlay physical data about a house, such as its size, with rental information. Ms. Kinney said there may be some parcel-level data that can be added.

Mr. Lenehan stated that the City has dealt with the repurposing of schools and churches many times in the past. In planning for the future, it would be wise to monitor school enrollment trends to prepare for changes that may occur at facilities. Additionally, the existing Village Vision frequently references recreational greenspace. There are still areas of the City that lack access to these spaces, so opportunities to address this should be considered. Mr. Lenehan added that the plan could also look at amenity and

entertainment options, such as restaurants and theaters, as they are drivers of community attractiveness.

Mr. Valentino said information on infrastructure should be included as a data point set. Also, until it is established that sustainability is important to this update, there is no reason to include solar panels. He added that data should be better organized for the next step, noting that the housing information is disjointed.

Mrs. Wallerstein said that teardown and rebuild projects generally result in more impervious surfaces. She asked how much is being added to the city, and what strain does it put on storm sewers? The City has a stormwater fee that may need to be reviewed.

Mr. Wolf asked if something could be added regarding the fact that Prairie Village is a landlocked city, and whether projects that neighboring cities are working on could impact decision making.

Mr. Breneman stated that no information about senior living facilities was included, adding that they are growing in population. He asked what impact they have on transportation demands and housing. Mr. Smith stated that will need to be addressed in future discussions.

Mr. Birkel asked if there was a way to show a significant trend in the reduction of retail in the next decade, and if projections can be made to determine how that will affect the city.

Mr. Lenahan asked whether the presenters were seeking a reaction from the Commission about what was presented and a recommendation for the direction forward. Mr. Smith stated that that he was not seeking a direction forward yet, but rather reflection on the data that was presented and whether there was anything missing that will be needed before moving into Phase 2 of the update, in which there will be discussion of the direction moving forward. Mr. Lenahan shared his concern about the rising cost of real estate in the City, as well as the trend toward increased rental property. Further, commercial zones will be an ongoing issue due to the variety of commercial areas in the City. Mr. Birkel asked if information was available on local and/or absentee landlords. Mrs. Robichaud said that landlord addresses are available through the rental licensing program.

Mr. Breneman asked about public investment in transportation, and whether the presenters had coordinated with the Area Transit Authority (ATA) regarding increases in bus traffic. Ms. Kinney said that they had contacted the Mid-America Regional Council (MARC) to obtain the regional bike and transportation plans. They have also reviewed plans belonging to the ATA.

With no further input about the presentation, discussion was closed.

NEXT MEETING

Adam Geffert stated that only one application had been received for the March meeting, which is a conditional use permit for the Great Southern Bank to add a second drive-thru.

The proposed zoning regulation changes and planning commission annual training will be presented at the March 5 meeting.

ADJOURNMENT

With no further business to come before the Commission, Chairman Nancy Wallerstein adjourned the meeting at 8:56 p.m.

Nancy Wallerstein
Chair