

PLANNING COMMISSION MINUTES
May 7, 2019

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, May 7, 2019 in the Council Chambers at 7700 Mission Road. Chair 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, Greg 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

James Breneman moved for the approval of the minutes of the April 2nd regular Planning Commission meeting as presented. Greg Wolf seconded the motion, which passed 5-0, with Patrick Lenahan and Nancy Wallerstein in abstention.

PUBLIC HEARINGS

No public hearings were scheduled.

NON-PUBLIC HEARINGS

**PC2019-108 Site Plan Approval
Generator Installation
7801 Delmar Water Tower**

Chris Brewster provided background on the request, stating that the generator would be placed on an existing concrete pad at the site. He added that staff recommended approval since all required specifications had been met. Pete Akers, representing T-Mobile, said that the generator was for emergency use only, and would not be operational otherwise.

Mr. Birkel asked if the fuel tank was double-walled to prevent leaks. Mr. Akers stated he was unsure, but could research if needed.

Greg Wolf made a motion to approve the site plan as presented. James Breneman seconded the motion.

Mr. Birkel asked that the motion be amended to require a double-walled tank. Mrs. Wallerstein asked about the noise level of the generator when it is operational. Mr. Breneman stated that the sound output was 65 dB based on the equipment documentation provided in the packet, slightly less than a vacuum cleaner. Mr. Valentino

added that the documentation also noted that the fuel tank is adequately designed to safely contain fuel and avert leaks.

Mr. Birkel agreed to withdraw his amendment and return to the original motion, which passed unanimously.

**PC2019-109 Revised Development Plan
Canopy Design Change
Tidal Wave Auto Spa
7930 State Line Road**

Mr. Brewster stated that the final development plan for the site had been approved by the Planning Commission in June, 2018. The new proposal would alter the pay kiosk canopy from two arched canopies to one flat-roof canopy. Mr. Brewster recommended approval, subject to all previous conditions of the preliminary and final development plans.

Petty Hardin, a representative from Tidal Wave Car Wash, stated that the reason for the design change was to keep employees warm during cold weather. An attendant booth with heating and air conditioning will be located under the canopy. The new canopy is made of the same material and is the same color as the previously approved design.

David Wooldridge, 2115 Somerset Drive, indicated that he was out of town during the neighborhood meeting, and asked the Commission for time to speak against the updated proposal. He stated that he lived behind the property, and was asked by neighbors to attend the meeting. He suggested that the new canopy design will introduce additional noise to surrounding homes and asked for a different design to direct noise in another direction.

Mr. Brewster stated that performance standards were already in place to address noise levels at the site, particularly with regard to vacuums and car wash equipment. All of these issues were reviewed by staff and are conditions of the final development plan. Mrs. Wallerstein asked Mr. Hardin if he agreed to the terms laid out in the staff recommendations, to which he said he did.

Greg Wolf made a motion to approve the revised development plan, subject to the conditions of the preliminary and final development plans. Patrick Lenahan seconded the motion, which passed 6-1, with Jonathan Birkel in opposition.

**PC2019-110 Site Plan Approval
Design Changes
Homestead Country Club
4100 Homestead Court**

Mr. Brewster stated that the country club originally received a special use permit in 2018, and that two other site plans had been received and approved since that time. The new

plan reconfigures the parking lot over a portion of the existing tennis courts and leaves the center portion in its current configuration. There will no longer be a covered pickleball structure, and all the existing small courts will remain as they are configured now. The most significant change affects the parking area. Approval is recommended, but will require that the conditions of the previous site plan remain in place.

Becky Ludovissie, representing Homestead, stated that the new plans are better for both neighbors and the City, and will require much less construction and cause less disturbance to residents. The revised plan will utilize the existing raised surface for pickleball courts instead of creating more impervious surfaces.

Mrs. Wallerstein asked where the playground equipment would be moved. Ms. Ludovissie stated that the current location will be sodded over, and the playground would move to the southern end of the property, next to the existing childcare facility. She added that there was no objection to the new plans from attendees at the neighborhood meeting. Mrs. Wallerstein noted that some neighbors had requested a berm across the entire south side of the property to address drainage issues, and that it should be added as a condition for approval.

Mrs. Wallerstein asked where the downspouts from the clubhouse went. Tyler Holloman with Frontier Construction said that all downspouts were included in the plan drawings, and that raingardens would be installed as well if the plan was approved. Mr. Brewster stated a drainage study would be conducted by Public Works to ensure that flooding would not be an issue for neighboring homes. Mrs. Robichaud added that the Public Works Director had been in contact with neighbors regarding drainage issues and made them aware that changes to site plan were again coming to the Planning Commission for consideration.

Mrs. Wallerstein requested that the following condition be added for approval: “a berm and landscaping will continue all along the southern border subject to final approval by Public Works.”

Greg Wolf made a motion to approve the plan with the conditions laid out in the staff report along with the additional condition. James Breneman seconded the motion, which passed unanimously.

OTHER BUSINESS

Planning Commission Interpretation: 9001 Roe Sign Standards

Mrs. Robichaud stated she was seeking an interpretation of the documents included in the packet regarding the previous sign standards developed for 9001 Roe Avenue. Recently, two signs were installed on the building without permits. When staff reviewed the permit status, it was noted that the new signs did not conform to the multi-tenant sign standards approved for this building by the Planning Commission in 1998. The standards presented by the owner state that sign cabinets need to be a dark, contrasting color to the building, but do not mention the color of the lettering. However, after approval of the standards by the Planning Commission in 1998, both the confirmation letter sent to the

building owner as well as the meeting minutes included a condition stating that the letters must be white.

A notice was sent to the owner indicating that the new signs did not meet the standards, and that there were two options to remedy the issue. The first option was for the owners to remove the signs, apply for permits and replace signs with new ones that met the standards. Alternatively, they could go through the site plan review process to revise the sign standards for the Planning Commission's consideration.

Andy and Susan Cope, building owners, stated that the sign company with whom they had a contract was responsible for applying for permits from the City. Mr. Cope added that the sign standards developed in 1998 were created to remove and replace the initially installed signs, which ended up being difficult to read from the street. He indicated that he worked closely with City staff to determine the size and location of signs, and developed signs standards based on those discussions. Mr. Cope noted that there was never a condition in the standards that required sign letters to be white. Instead, the standards only described the permissible colors of the sign boxes and their locations on the building.

Commission members agreed that the conditions referenced in both the meeting minutes and confirmation letter would need to be considered the final version of the sign standards, as those documents were the only record of the Planning Commission's actions and final decision. As a result, the building owners will need to go through the site plan review process to revise the building's sign standards, and present the new standards to the Commission for approval.

Discussion of Proposed Zoning Regulation Changes

Mr. Brewster stated that landscape standards, sign standards, and renewable energy standards had each been reviewed by the Commission at recent meetings. For this meeting, two additional documents were presented for the first time: revised site plan criteria and a revised approach to use and districts. Mr. Brewster added that the proposal will continue to use both special use permits and conditional use permits. In general, conditional use permits are less rigorous and are for routine items. Special use permits are analogous to re-zoning, and require more consideration by the Planning Commission. A table was included in the packet listing allowed uses for both types of permits.

Mr. Lenahan stated that he had questions and comments on each document, so Commission members agreed to review each of them individually. Mr. Lenahan asked if it was necessary for the Alternative Energy Systems ordinance to require a site plan for all wind turbines. Mr. Brewster stated that small turbines that sit on a roof probably wouldn't need a site plan. Mr. Lenahan asked whether ground-based turbines had size restrictions and would need a site plan or special use permit in a residential neighborhood. Mr. Breneman added that the language did not address turbines that rotate vertically rather than horizontally, which should be considered as well. Mr. Valentino asked if there were any standards regarding flagpoles. Mr. Brewster stated that flagpoles would fall under "accessory structure" regulations. Mr. Birkel asked if there was a decibel level limit for windmills, and Mr. Brewster stated that a limit of 55 dB was referenced in the standards.

Mr. Lenahan said the landscape specifications described in section 19.47.030, A1a, speak to having six feet of landscape area between a sidewalk and curb to place a tree, which seemed like a small amount. Furthermore, section A1b states that only four feet of landscape area are required on streets where no sidewalk exists. Mr. Brewster indicated that the landscape architect preferred eight feet of landscape, but six feet was chosen to allow for more trees to be planted.

Mr. Breneman noted that 19.47.030, A2 says foundation plantings are allowed within 20 feet of a building, which he felt was too great a distance. Mr. Brewster stated the goal was to find a distance that allowed plantings that accent the building, such as ornamental trees, which building owners may not want to be too close to the structure. Shrubbery would be an example of something that would sit closer to the foundation. Mr. Breneman also asked about section A3b, in reference to the size of parking lot perimeters. Mr. Brewster stated that the square footage recommendations for parking lot islands would give more flexibility for parking. He added that parking lots under 80 spaces did not need islands.

In the Sign Standard ordinance, Mr. Lenahan asked what was meant in Section 19.48.080, A, which indicated that natural construction materials must be used for frames. Mr. Brewster stated that the guidelines were written in an effort to get away from back-lit acrylic boxes. Mr. Valentino suggested Section A should be simplified, and Mr. Breneman recommended eliminating the second and third sentences of the paragraph, which was supported by the group. Mr. Breneman added that Section 19.48.100, A, bullets 1 and 3 refer to the area and shape of signs. Mr. Birkel asked if it would be easier to use the word "rectangle" instead of "standard geometrical shapes" to determine area. The group agreed to the change.

Mrs. Robichaud said that the updated regulations would be taken to the City Council for review, which would be followed by a public hearing and final consideration by the Planning Commission and City Council at a later date.

NEXT MEETING

Adam Geffert stated that four applications had been received for the June meeting:

- BZA2019-01 - Variance from front setback requirements and building line modification for carport at 7737 Chadwick Street
- PC2019-107 - Site plan application for retaining wall at 2918 W. 73rd Terrace
- PC2019-111 - Site plan review for sign standards at 9001 Roe Avenue
- PC2019-112 - Site plan application for eight-foot fence at 9030 Rosewood Drive

ADJOURNMENT

With no further business to come before the Commission, Chair Nancy Wallerstein adjourned the meeting at 9:45 p.m.

Nancy Wallerstein
Chair