

PLANNING COMMISSION MINUTES
June 4, 2019

ROLL CALL

The Planning Commission of the City of Prairie Village met in regular session on Tuesday, June 4, 2019 in the Council Chambers at 7700 Mission Road. Chair Nancy Wallerstein called the meeting to order at 7:04 p.m. with the following members present: Jonathan Birkel, 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

Patrick Lenahan moved for the approval of the minutes of the May 7th regular Planning Commission meeting as presented. Jonathan Birkel seconded the motion, which passed unanimously.

PUBLIC HEARINGS

No public hearings were scheduled.

NON-PUBLIC HEARINGS

**PC2019-107 Site Plan Approval
Retaining Wall
2918 W. 73rd Terrace**

Mr. Brewster provided background on the application, stating that the retaining wall that was constructed was less than the required two feet from the property line. Public Works already issued a drainage permit for the property, and capping was added to the top of the wall to prevent drainage from traveling to the property to the west. A drain was also added at the bottom of the driveway. Mr. Brewster stated that staff recommended approval subject to the following conditions:

1. The approval is subject to maintaining all conditions of approval of the drainage permit from Public Works that protect the property to the west from any adverse drainage impacts.
2. If approved, the applicant shall record site plan and approved exception with Johnson County Records and Tax Administration.

Mr. Birkel asked if a railing would be required for the wall due to the height. Anna Backman, owner of the property, stated that she had already received a building permit

for a fence and railing. Mrs. Backman added that she had seen the conditions required for approval and agreed to the terms.

Greg Wolf made a motion to approve the site plan with the existing conditions as well as a third: "Subject to the building permit that has been approved, a rail and privacy fence shall be built." Patrick Lenahan seconded the motion, which passed unanimously.

**PC2019-111 Approval of Sign Standards
9001 Roe Avenue**

Mr. Brewster reminded Commission members that this issue had been brought to the Planning Commission's attention when it was discovered that signs were added to the building without permits. The building previously had sign standards approved by the Planning Commission in May, 1998. After research, staff determined that the new signs were not in compliance with the standards approved in 1998.

The Planning Commission first reviewed and considered the issue at the May 7, 2019 meeting and agreed that the signs installed without a permit did not conform with the sign standards applicable to the property. The applicant developed a new set of sign standards for the Planning Commission's review.

Staff recommended approval of the new standards with the following conditions:

1. That permits be applied for and issued, subject to the new standards, for all signs installed without a sign permit.
2. That any window or door graphics are subject to the general city-wide standard of no more than 20% of the window or door area.
3. That any future monument sign is subject to approval by the Planning Commission as required by 19.48.015.M, for review of the specific location, the base and frame materials, and landscape plan, as well as the size standards included in the applicants proposed standards.

Andrew Cope, owner of the property, stated that he was in agreement with staff recommendations.

Greg Wolf made a motion to approve the sign standards, subject to the conditions recommended by staff. Patrick Lenahan seconded the motion, which passed 5-1, with Nancy Wallerstein in opposition.

**PC2019-112 Site Plan Approval
Construction of 8-Foot Fence
9030 Rosewood Drive**

Mr. Brewster stated the applicant was requesting site plan approval for an 8-foot tall fence, which would require an exception to the 6-foot height limit. The proposed fence would be built in the rear yard to enclose a pool on a lot that backs up to Nall Avenue. The exception would only be for the rear fence along the lot line that backs to the street.

Staff recommended approval with the following conditions:

1. The fence be constructed of wood to match as closely as possible the material and coloring of other fences along this section of the Nall streetscape.
2. The vegetation between the street and property line be maintained to the greatest extent possible to soften the appearance of the fence and obscure differences between sections of the fences along Nall Avenue.

Kevin Arnhold, owner of the property, stated there were no attendees at the neighborhood meeting, but that he received letters of support from several neighbors. He added that he had no concerns with the conditions required.

Jeffrey Valentino made a motion to approve the plan with the conditions laid out in the staff report. Greg Wolf seconded the motion, which passed unanimously.

OTHER BUSINESS

Special Use Permits and Conditional Use Permits

Mr. Brewster described the differences between special use permits and conditional use permits, noting that conditional use permits were used for routine items reviewed by the Planning Commission. Special use permits, on the other hand, were typically more complex and required a public hearing and approval by the City Council. He added that the purpose of the discussion was to better distinguish between the two, and provided an application summary chart showing how they differ. Lastly, he said that there would be no substantive or policy changes to the current allowed uses, and asked Commission members for direction in drafting changes.

Mr. Valentino stated that he appreciated the clarification of the differences between the two types of permits. He asked what the solution would be for items not included in the chart, and suggested some sort of framework would be useful. He also asked if there were existing restrictions for special use permits. Mr. Brewster said that there were, and added that lists for each type of permit will be refined before final approval. Further, the updated zoning regulations will be presented to Council on June 17th, then will be brought back to the Planning Commission for a public hearing and final consideration before they go back to the City Council for final approval.

Mrs. Robichaud stated that the wireless facilities section is being rewritten by the City Attorney because much of the requirements are out of date and unenforceable. In the future, approval for changes at cellular towers will likely not be brought before the Planning Commission.

Mrs. Robichaud reminded Commission members that the comprehensive plan survey that was previously sent out to the Commission needed to be completed by June 11th. The survey will be reviewed during the Planning Commission work session on June 18th.

ADJOURNMENT

With no further business to come before the Commission, Chair Nancy Wallerstein adjourned the meeting at 8:03 p.m.

Nancy Wallerstein
Chair