

**AGENDA
PLANNING COMMISSION
CITY OF ROELAND PARK, KANSAS
ROELAND PARK
4600 W 51ST STREET
APRIL 19, 2022 6:00 PM**

- I. Roll Call**
- II. Approval of Minutes**
 - 1. March 15th minutes
- III. Public Hearing**
- IV. Action Items**
 - 1. Approval of 47th Street Ordinance Revisions
- V. Discussion Items**
 - 1. Short term rental application review
 - 2. Comprehensive Plan Review and Action Item Progress
- VI. Other Matters Before the Planning Commission**
- VII. Adjournment**

Scheduled Meeting Dates

Item Number: **Approval of Minutes- II.-1.**
Committee **4/19/2022**
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 4/8/2022
Submitted By: Erin Winn
Committee/Department:
Title: **March 15th minutes**
Item Type: Other

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
<input type="checkbox"/> March 15th minutes	Cover Memo

PLANNING COMMISSION MINUTES
CITY OF ROELAND PARK
4600 W 51st Street, Roeland Park, KS 66205
March 15, 2022, 6:00 P.M.

The Roeland Park Planning Commission met on March 15, 2022.

Commissioners Present:

Darren Nielsen (At-Large) Chair	Lisa Brunner (Ward 1)
	Josey Shaw (Ward 2)
	Mark Kohles (Ward 3)
	Matthew Lero (Ward 4)

Commissioners Absent: Brian Ashworth
Haile Sims

Staff: Erin Winn, Assistant City Administrator
John Jacobson, Building Official
Chris Shires, Consultant, Confluence

I. ROLL CALL

Assistant City Administrator Winn called the roll. Commissioners Ashworth and Sims were absent. Staff members present were Assistant City Administrator Winn and Building Official Jacobson. Chris Shires, the City's consultant from Confluence was also present.

II. Approval of Minutes

1. Approval of June 15, 2021, minutes
2. Approval of July 20, 2021, minutes
3. Approval of August 17, 2021, minutes

MOTION: COMMISSIONER KOHLES MOVED AND COMMISSIONER BRUNNER SECONDED TO APPROVE THE MINUTES AS PRESENTED. (MOTION CARRIED 5-0.)

III. Public Hearing

1. 47th Street Committee Ordinance Revisions

Commissioner Nielsen opened the public hearing continued from the October 19, 2021, Planning Commission meeting.

Ms. Winn said there was no one at City Hall or online present to make public comment.

Commissioner Nielsen then closed the public hearing.

IV. Action Items

1. Direction on Illustrated Residential Design Guidebook

Chris Shires from Confluence presented the newly-created Single-Family Residential Design Standards Guidebook. He briefly reviewed the contents which include information and requirements for setbacks, open space, accessory structures, driveways, building exteriors, and solar-ready requirements.

Commissioner Brunner asked if the solar-ready ordinance requires new builds or remodels to create angled rooftops for solar panel installations. Mr. Shires said he did not work on that ordinance. The guidebook covers everything that a homeowner or prospective homeowner in Roeland Park should know about their property and what they can do. Also, people are encouraged to reach out directly to the City or refer to the City code with any questions.

Mr. Shires said it is a 17-page guide that is graphically heavy and refers back to City code.

Ms. Winn said the Planning Commission has approved the changes and are presenting this to the Planning Commission for any further questions or suggestions on its readability.

Mr. Jacobson noted that the City's logos have changed or do not appear in the document. Mr. Shires responded that he is only showing a PowerPoint presentation for simplicity. The actual document contains those logos.

Commissioner Lero stated not much is included with the solar-ready section, and as written, it does not state to whom it applies. Mr. Shires said the PowerPoint is only the highlights and the actual document has a lot of text and examples.

Ms. Winn said she will send the actual PDF document to the Commissioners for their review.

Mr. Jacobson said with regard to solar-ready, if a property cannot accommodate solar, then they will need an engineer's statement as to why it is not a viable option. He said he can see this being an issue with the City's tree canopy and could also apply to the direction in which a house is facing.

Mr. Shires said it has been a lot of fun working with everyone on this document.

Ms. Winn said she will present this to the Council at their next meeting with the hope of doing a spring marketing campaign to make people aware of the guidebook.

2. Approval of 47th Street Committee Ordinance Revisions

Ms. Winn said the creation of the overlay district in 2000 was to create development requirements for the area and provide oversight from the review board made of members from Roeland Park, Westwood, and the Unified Government. The purpose of the committee is moving to a more simplified role and referring development to individual jurisdictions but still notifying the committee of any upcoming projects. They are looking to become more of a merchant association and become more business-focused. Currently they are working on the Foodie Fest

After brief discussion, the Commission asked to review the document. Ms. Winn will email a track change version and the Planning Commission will discuss it at their next meeting.

Currently Mr. Jacobson, Ms. Winn, and Commissioner Shaw, and several Councilmembers serve on the committee. If anyone on the Committee would like to volunteer, contact Ms. Winn. She said it is a volunteer position and not an appointment. The group is less formal with the hope to draw more people in.

V. Discussion Items

There were no items presented.

VI. Other Matters before the Planning Commission

1. 2022 Land Use Calendar

Ms. Winn said this item is informational only and that the calendar is available on the website to developers and the public. It includes the 2022 deadlines for approval, public hearings, and is a guide on how to work with developers.

Commissioner Nielsen asked about a BZA calendar. Ms. Winn said they only meet as needed.

VII. Adjournment

MOTION: A MOTION WAS MADE AND SECONDED TO ADJOURN AT 6:32 P.M. THE MOTION CARRIED UNANIMOUSLY.

(Roeland Park Planning Commission Meeting Adjourned at 6:31 p.m.)

Item Number: Action Items- IV.-1.
Committee 4/19/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/8/2022
Submitted By: Erin Winn
Committee/Department: Neighborhood Services
Title: **Approval of 47th Street Ordinance Revisions**
Item Type: Ordinance

Recommendation:

To approve the ordinance as presented.

Details:

Background

In 2000, following the findings of a Neighborhood Community Impact Grant funded study, the City of Roeland Park, the City of Westwood and the Unified Government of Wyandotte County and Kansas City, KS established a multi-jurisdictional overlay district to govern development of the 47th Street Corridor. The ordinance established additional requirements for development in the area and established a multi-jurisdictional review committee as an additional layer of approval for any potential 47th Street development.

Original focus areas

- A common streetscape between the 3 jurisdictions
- Municipal gateways
- improved sidewalks- Within the 'Village' area, an urban sidewalk model was envisioned with wider sidewalks was proposed. Outside of the village, an emphasis on sidewalk continuity and appropriate buffers from the roadways was made.
- Street furniture, lighting, landscaping, and street trees were all addressed with the goal of a common palette
- Architectural character was addressed in detail, as was signage, screening of undesirable elements, and residential buffers.

Revisions

In 2016 members of the 47th Street Committee began studying the original ordinance and subsequent development activity to assess areas of improvement upon review of how the

language was interpreted and applied by developers. The review committee recommended the following changes:

- Clarifying the ordinance language where significant redundancies and unnecessary overlaps with the respective jurisdictions zoning language occurred.
- Removing references to the original study, it was deemed onerous to expect developers to review that study, in addition to the overlay district and underlying zoning district.
- Streamlining the committee review process
- Removing excessively restrictive language that has been difficult if not impossible to enforce over the years the ordinance has been in effect
- Addressing issues in the existing ordinance related to shared parking and overall parking capacity.
- Elimination of separation of Multi-Family and Commercial site design design standards, simplified to just site design standards addressing both uses, as the language was nearly identical between the two. Issues of MFR Density were already left to the local jurisdiction, and issues of Land Use are unchanged from the original text.

Staff and Planning Commissioners from all three jurisdictions have finalized a revised ordinance that will be consistent across all municipalities. The attached ordinance has passed both the Westwood Planning Commission and City Council and the UG Planning Commission and Board of Commissioners.

Council expressed their support for the revisions informally at the March 7th workshop. The ordinance will now be voted on by Council, complete with the Planning Commission's recommendation.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Redline ordinance	Cover Memo
<input type="checkbox"/> Ordinance 1029 - 47th Street Overlay District Revision	Cover Memo

7.2 COD-1 47th and Mission Road Area Overlay District

7.2.1 47th and Mission Road Area Design Review Overlay District Purpose and Authority

The 47th and Mission Road Area Design Review Overlay District is established by this ~~zoning ordinance~~[Zoning Ordinance](#), enacted to implement the goals and policies of the 47th and Mission Road Area Concept Plan, adopted by the cities of Westwood, Roeland Park, and the Unified Government of Wyandotte County and Kansas City, Kansas. The 47th and Mission Road Area Concept Plan was drafted pursuant to:

- A. the interlocal cooperation acts, Sections 12-2901 through 12-2909 of the Kansas Statutes Annotated;
- B. section 12-744(c) of the Kansas Statutes Annotated; and
- C. the interlocal agreement between the Cities of Roeland Park, Westwood, and the Unified Government of Wyandotte County/Kansas City, Kansas (collectively "Jurisdictions").

This ~~ordinance~~[Ordinance](#) translates the relevant portion of the plan within the boundaries of Westwood into the ~~zoning ordinance~~[Zoning Ordinance](#), in addition to all current regulations. This ~~ordinance~~[Ordinance](#) will accompany a similar ordinance adopted by each jurisdiction to ensure consistent implementation of the 47th and Mission Road Area Concept Plan. ~~In addition, this ordinance establishes the 47th and Mission Road Area Development and Management Committee as a multi-jurisdictional body to assist in implementation of the plan, as shown in Section 7.2.16 below.~~

7.2.2 Applicability

~~7.2.3 Property~~

- A. This ~~ordinance~~[Ordinance](#) shall apply to all property within Westwood and within the 47th and Mission Road Area Design Review Overlay District, ~~as described shown in the attached Exhibit A~~[Section 7.2.16 below as the "Suggested District Boundary", which hereby replaces the "Original District Boundary" as shown](#). The official zoning map of Westwood is hereby amended to reflect the [updated](#) 47th and Mission Road Area Design Review Overlay District.
- B. The standards in this ~~ordinance~~[Ordinance](#) shall apply to all property currently or subsequently zoned for commercial or multi-family use [within this overlay district](#).
- C. Any property zoned for single-family residential use is included within this overlay [district](#) to indicate neighborhood areas to be protected by buffers and design enhancements established in this ~~ordinance~~[Ordinance](#) for commercial or multi-family use. In addition, to further protect existing neighborhoods, any property currently zoned for single-family

residential use [within this overlay district](#) which is subsequently rezoned to multi-family or commercial uses must satisfy all design standards in this ~~ordinance~~[Ordinance](#).

7.2.4

D. Any legal nonconforming structure or use cannot increase its level of nonconformity without complying with this Ordinance.

7.2.3 Type of Development

These standards shall be applied to new development, redevelopment, or exterior modifications that ~~significantly alter~~[alters](#) the appearance of a building or site within the overlay district including, but not limited to, building additions, facade improvements, or landscaping improvements. Only those standards required by this ~~ordinance~~[Ordinance](#) and directly related to proposed development, redevelopment, or exterior modification shall be applied.

~~7.2.5~~7.2.4 Other Regulations

Within the overlay district, all Westwood ordinances, policies, regulations, and plans shall apply. Where conflicts occur regarding development standards in this ~~ordinance~~Ordinance, the standards established in this ~~ordinance~~Ordinance shall supersede those in the conflicting ordinance, policy, regulation, or plan.

~~7.2.6~~7.2.5 Definitions

For the purposes of this overlay ~~ordinance~~Ordinance, the following terms and phrases shall have the meaning given in this section. All other terms and phrases shall use definitions given in the Westwood ~~zoning ordinance~~Zoning Ordinance or other codes, unless context indicates that a standard dictionary definition is more appropriate. Terms and phrases not defined in this section or by any Westwood code shall have the standard dictionary definition.

Adjacent lot: a lot having a common border or endpoint with subject lot, or lots that would have a common border or endpoint in the absence of an existing right of way.

Development: the construction of man-made ~~structures~~site elements on an improved or unimproved parcel of land.

Distinctly different hours of operation: uses with hours of operation where 50% or more of one use's hours of operation, including peak hours of operation based on a parking demand study, are mutually exclusive of the hours of operation of the other uses which it proposes to share parking.

Distinctly different peak hours of operation: the peak hours of operation, based on a parking demand study, of uses proposing to share parking are mutually exclusive.

~~**Established existing building line:** a line created by three or more consecutive buildings that are licensed for occupancy and oriented in a consistently similar pattern in relation to the right of way. Deviations in the orientation of the buildings of 10% or less shall be rectified by averaging the distances. Deviations of more than 20% shall not be considered consistent.~~

Exterior modification: any maintenance, improvement, construction, or reconstruction of a structure or site, or any portion of a structure or site, that will result in an apparent change visible from the right of way or adjacent property.

Redevelopment: the reconstruction, enlargement, conversion, relocation of a manmade structure ~~involving structural modifications~~.

~~**Significantly alter:** any change to a structure or site that may potentially result in a comprehensive perceptible difference in the appearance of a specific physical element of a site or the entire site. However, a proposed change that replaces site or structure elements consistent with the existing appearance will not prevent the change from being considered a significant alteration.~~

~~7.2.7 Establishment of the Committee~~

~~The 47th and Mission Road Area Development and Management Committee (“Committee”) is hereby established, effective upon the passage of a similar ordinance by each jurisdiction. The Committee is established for the following purposes:~~

- ~~A. Implement objectives of 47th and Mission Road Area Concept Plan (“Concept Plan”), as adopted and amended by the Jurisdictions;~~
- ~~B. Review development applications within the 47th and Mission Road area, as authorized by the Jurisdictions through ordinances;~~
- ~~C. Make recommendations as to whether development applications are in compliance with the Concept Plan and all ordinances adopted by the Jurisdictions to implement the Plan;~~
- ~~D. Coordinate efforts for cooperation among the Jurisdictions in planning and construction of public improvements within the 47th and Mission Road area to ensure that public improvements are in compliance with the Concept Plan and consistent among the Jurisdictions;~~
- ~~E. Promote development within the 47th and Mission Road area corridor that is in compliance with the Concept Plan and all ordinances adopted by the Jurisdictions to implement the Plan, including business recruitment and business retention and redevelopment;~~
- ~~F. Coordinate with business owners for special events and promotions;~~
- ~~G. Work with neighborhood associations to achieve long-term goals of the Concept Plan;~~
- ~~H. Pursue grants to help with public funding and implementation of the Concept Plan.~~

~~7.2.8 Committee Members — Appointment and Terms~~

- ~~A. The Committee shall consist of nine members, three of which shall be appointed by each Jurisdiction.~~
- ~~B. The Mayor of Westwood shall appoint three members to the Committee, with the advice and consent of the City Council.~~
- ~~C. Of the three initial appointments, one shall be for one year, one shall be for two years, and one shall be for three years.~~
- ~~D. Upon the expiration of any initial appointment, successor appointments shall all be for a period of three years.~~
- ~~E. Committee members shall serve their full term or until a successor is appointed.~~

- ~~F. Committee members may be appointed to more than one successive term.~~
- ~~G. Vacancies by resignation, incapacitation, dismissal, or otherwise shall be filled in the same manner as an initial term and shall be for the duration of the vacated Committee member's term.~~
- ~~H. Committee members may be dismissed for cause after a hearing before the City Council.~~

~~7.2.9 Qualifications~~

- ~~A. All Committee members appointed by the Mayor shall be a resident of Westwood or a business owner or landowner in the Westwood portion of the 47th and Mission Road Area, at all times during the Committee member's term.~~
- ~~B. Committee members may serve in any other elected or appointed position.~~
- ~~C. Committee members should have some demonstrated special qualifications that will enable them to fulfill the purposes of this ordinance. Such qualifications may include any of the following:~~
 - ~~1. professional experience in a development profession such as planning, architecture, real estate development, or engineering,~~
 - ~~2. business owner within the 47th and Mission Road Area,~~
 - ~~3. experience in other elected or appointed municipal positions dealing with planning, zoning, or community development,~~
 - ~~4. membership on a neighborhood association or committee within the 47th and Mission Road area, or,~~
 - ~~5. any other demonstrated civic involvement that will enable the committee member to understand and enhance the implementation of the 47th and Mission Road Area Concept Plan.~~

~~7.2.10 Organization and Procedures~~

- ~~A. The Committee is authorized to adopt bylaws for conducting its business, consistent with the purposes and authority granted by this ordinance.~~
- ~~B. All applicants for development approvals within the Westwood portion of the 47th and Mission Road Area shall submit two additional sets of applications to the City of Westwood. The City of Westwood or its designated contact shall forward these additional applications to the Secretary of the Committee for review.~~
- ~~C. All applications received by the Secretary prior to two weeks in advance of the next regularly scheduled Committee meetings shall be placed on the Committee's agenda for discussion. Any applicant who submits applications more than one month prior to the next regular Committee meeting may make a request to the Chairperson of the Committee that~~

~~a special meeting be called to hear the application.~~

- ~~D. Applications placed on the Committee agenda shall be discussed for compliance with the 47th and Mission Road Area Concept Plan and the standards of this ordinance.~~
- ~~E. The applicant may appear or otherwise be represented at the Committee meeting and shall be given the opportunity to discuss the application before the Committee.~~
- ~~F. After discussion of an application, the Committee shall make a recommendation to the Planning Commission or Board of Zoning Appeals, as the case may be, on the application's compliance with the 47th and Mission Road Area Concept Plan and the standards of this ordinance.~~
- ~~G. The Committee may continue an application once after discussion if the Committee feels it has received incomplete information or it needs more information to make a recommendation. However, any such continuance must be reheard before the Committee within one month, whether at a special meeting or regular meeting, unless the applicant agrees on the record to a greater duration. Additionally, the applicant may elect to proceed to the Planning Commission or Board of Zoning Appeals, as the case may be, upon the understanding that the application will automatically carry a "Recommendation to Deny due to incomplete application" from the Committee. If an application continued by the Committee is not reheard before the Committee within one month of the original hearing, and the applicant has not agreed on the record to a greater duration, the application shall be deemed to have a recommendation of approval from the Committee and shall proceed to the Planning Commission or Board of Zoning Appeals.~~
- ~~H. To assist the Committee in its duties, the Westwood Planning Department, other staff, or appointed consultants shall prepare a staff report on each application within the 47th and Mission Road Area specifically addressing the application's compliance with the 47th and Mission Road Area Concept Plan and the standards of this ordinance. The staff report shall be submitted to the Secretary of the Committee at least five business days before the scheduled Committee meeting.~~
- ~~I. The Committee may use funds designated by any Jurisdiction or awarded by any local, state, or federal grant to retain staff members or consultants to review applications or otherwise assist in implementing the 47th and Mission Road Area Concept Plan.~~

~~All Committee meetings shall be open to the public, with notice published and records kept in accordance with the laws of the State of Kansas. The Secretary of the Committee shall be the custodian of records for the Committee.~~

~~7.2.11~~

7.2.6 Underlying Zoning Uses

The uses allowed in the 47th and Mission Road Area Design Review Overlay District shall be those uses allowed by the current or any future underlying zoning classification, provided that

all future development and redevelopment meets the standards established in this ~~ordinance~~[Ordinance](#). Any future rezoning shall be to a use district consistent with the 47th and Mission Road Area Concept Plan.

~~7.2.12~~[7.2.7](#) **Overlay Uses**

In addition to those uses allowed by the underlying zoning, all property zoned for commercial use within the 47th and Mission Road ~~Village area, as described in the attached Exhibit A,~~[Area Design Review Overlay District](#) shall be allowed residential uses as a supplemental use, subject to the following:

- A. No property with an underlying zone for Commercial use may have residential uses on the ground floor or at street level.
- B. No structures with supplemental residential uses may exceed 40 feet in height or 3 ½ stories, whichever is less.
- C. All structures with supplemental residential uses, whether new or existing at the time of adoption of this ~~ordinance~~[Ordinance](#), must comply with all other standards established in this ~~ordinance~~[Ordinance](#) in order to be eligible for supplemental residential uses.

~~7.2.13~~[7.2.8](#) **Commercial Site Design Standards**

Commercial site design in the 47th and Mission Road Area [Design Review Overlay District](#) shall conform to the principles outlined in the 47th and Mission Road Concept Plan. The following design standards implement and shall be interpreted consistent with the Plan.

~~7.2.14~~[7.2.9](#) **Commercial Building Placement**

[Site design in the 47th and Mission Road Area shall conform to the following design standards.](#)

[A. The provisions of this section shall apply to new development.](#)

[B. A-Front Setback: All new buildings shall be built into the right of way line, ~~except as provided~~ \[unless an additional setback is required to meet the minimum sidewalk width and buffer requirements in the Pedestrian Access requirement\]\(#\) in Section ~~G. below.~~ \[2 titled Site Access.\]\(#\)](#)

[C. B-Side Setbacks: The minimum side setbacks shall be:](#)

1. ~~0 feet, provided each sidewall of all buildings on a 0-foot side are constructed with a firewall;~~

~~2. 5 feet, if a firewall is not provided;~~

[2. 3-property](#)[Property](#) abutting residential districts shall have a side setback equivalent to this of the abutting residential district. In this case, the side setback area shall be used to provide a buffer according to Section 5 of this Article.

- D. ~~C.~~ Rear Setback: Minimum rear setbacks shall be ~~15 feet except~~ as defined by the zoning regulations of the municipality that the property ~~with a~~ is located in, unless the property is abutting a residential zoned property on its rear lot yard property line. If abutting a residential ~~district shall have a setback equivalent to the residential district. In such case zoned property,~~ the ~~rear~~ setback shall be ~~used equal~~ to provide a buffer according to Section 5 of this Article the residential properties rear yard setback requirements.
- E. ~~D.~~ Continuous Building Frontage: Building facades on the street frontage should be maximized to provide continuous corridors within the overlay district. All lot frontages should be occupied by building frontages except for entrance drives or alleys to rear parking, courtyards or patios, or any side parking. In the case of courtyards and patios, or side parking, the appearance of a continuous building frontage shall be maintained by a 2½- to 4-foot fence or wall constructed out of the same material as the building facade, or by a continuous landscape element ~~impenetrable by pedestrians. In all cases, at least 60% of the lot frontage shall be occupied by a building facade.~~
- F. ~~E.~~ Main Entrance: The main entrance of all buildings shall be oriented to the street. In the case of the corner lots, a building may have one entrance on each street or may have one corner entrance facing the intersection at a 45 degree angle.
- ~~F. Building Area: In addition to meeting all site requirements for landscaping, parking, and building setbacks, no building shall occupy more than 75% of the total lot area.~~
- ~~G. Exception: Buildings on commercial lots outside the Village Area described in the attached Exhibit A may be set back from the right of way line. In no case shall a front building setback exceed 80 feet. Any parking facilities in front of buildings shall be set back a minimum of 10 feet from the right of way line.~~

7.2.15

7.2.10 Commercial Site Access

- A. Pedestrian Access: All buildings shall have a continuous sidewalk along the frontage of the lot. The sidewalk shall be ~~a minimum of 10 feet wide, except as provided in Section D below.~~ 7 feet wide. All sidewalks shall be buffered from vehicular traffic with a minimum 3 foot buffer zone that includes landscaping, street trees, street furniture, pedestrian lighting, bicycle facilities, or other amenities that provide physical separation from vehicular traffic.
1. Alternative. Sidewalks outside the Village Area (as identified as the "Suggested Village Boundary" in the 47th and Mission Road Area Design Review Overlay District) may be a minimum of 5 feet in width, but the 3' buffer zone must be maintained.
 2. Alternative: Where unique site characteristics prevent a 7' sidewalk and 3' buffer zone from being achievable in the Village Area, sidewalk widths shall be maximized on that site.

- B. Vehicle Access: Curb cuts in the 47th and Mission Road area should be minimized. Wherever possible, adjacent properties ~~should~~are encouraged to minimize curb cuts by use of shared parking or shared access to separate parking lots.
- C. Connections: Continuous pedestrian connections shall be provided through all parking lots and between parking lots and store-front sidewalks. These pedestrian connections shall primarily be pedestrian-only sidewalks but may include crosswalks across parking lot drive aisles and driveways where necessary. The following design elements shall be used to maintain pedestrian connections and minimize conflicts with vehicles:
1. Alleys, driveways, and parking lot drive aisles shall not exceed 24 feet for two-way access or 12 feet for one-way access.
 2. "Bulb outs" for pedestrian-only travel should be used to minimize the distance of pedestrian walkways across driveways, alleys, parking lots, or other vehicle access ways.
 3. All pedestrian walkways across driveway, alleys, parking lots, or other vehicle access ways shall be distinguished from the vehicle access way by a visually identifiable path or distinctly textured surface.
- ~~D. Exception: Pedestrian access on commercial lots outside the Village Area in the attached Exhibit A may be provided by smaller sidewalks but shall meet the minimum accessibility standards of the Americans with Disabilities Act across the front of all lots. Additional pedestrian access may be provided as the site allows or may be provided on private property. If the building is set back from the right of way line, an additional pedestrian sidewalk, at least 8 feet wide, shall be provided across the front of the building and connected to the sidewalk at the lot frontage as provided in Section C above.~~

~~7.2.16~~

7.2.11 **Commercial Parking**

- A. Required Parking: The parking required for uses in the overlay district shall be established by the applicable standards for the underlying zoning ~~ordinance. However, parking shall not cover more than 50% of the lot area.~~
district.
- B. Location: Parking shall be provided primarily behind buildings ~~in the Village Area; however, up to 50% of the required parking may be provided to the side of the building. No off-street parking shall be provided in front of the building line~~ in the Village Area. Parking on commercial lots outside the Village Area should be located primarily behind the building but may be located on the side ~~or in front~~ of the building.
- C. Shared Parking: Parking requirements in the overlay district may be met through shared parking according to the following conditions and standards:

1. A written agreement for the joint use of the parking facilities shall be executed by the parties, approved by Westwood and recorded with the register of deeds for any county in which property subject to the agreement is situated. The agreement shall include any necessary cross access easements among property owners. Must meet all other shared parking standards of the said jurisdiction.
2. Parking requirements are cumulative except that parking may be shared based on uses either on the same site or on other sites that meet the requirements of this Section 7.2.11.C, at the sole discretion of Westwood, according to the following standards:
 - a. When two or more uses ~~located on the same or adjacent lot~~ have distinctly different hours of operation (e.g., commercial office and residential, or church and school), 100% of the required parking may be shared. Required parking shall be based on the use that demands the greatest amount of parking per the underlying ~~ordinance~~Ordinance requirement.
 - b. When two or more uses ~~located on the same or adjacent lot~~ have distinctly different peak hours of operation (e.g., office and restaurant / entertainment), 50% of the required parking spaces may be shared among the uses.
 - c. Shared parking shall ~~not be allowed if~~meet jurisdiction standards. If the parking spaces are more than ~~700~~800 feet from the main entrance of the building.
3. Direct pedestrian access, meeting the requirements of Section 7.2.11.C.2.c, ~~shall be provided~~is required between any shared parking and the main entrance of any building proposing to share parking.
4. Applicants for shared parking shall submit a statement indicating the ability of the proposed shared parking arrangement to meet the demands of all uses involved. The statement shall include hours of operation, hours of peak operation, forecasted demand, and other data indicating the appropriateness of shared parking.
5. Any change of use or other change causing violation of the shared parking agreement or these standards shall invalidate the shared parking eligibility, and the parking requirements of the underlying ~~zoning ordinance~~Zoning Ordinance shall be met. A plan for meeting the parking requirements of this Ordinance if the shared agreement is invalidated must be submitted with the proposed agreement.
- D. On-Street Parking: Any on-street parking, authorized by Westwood and within 300 feet of the lot, may be credited towards the on-site parking requirements ~~at a rate of one on-site parking space credit for every four on-street parking spaces~~. A maximum of ~~50~~10% of the required parking may be satisfied by on-street parking credits. On-street parking spaces may be counted by more than one user in meeting this requirement.

- E. Bicycle Parking: Bicycle parking facilities are ~~encouraged. Any bicycle parking spaces provided within 100 feet of the main entrance of a building may be credited towards the on-site parking requirements~~required at a rate of one ~~parking credit~~Bicycle for every ~~515 required vehicle parking spaces, with a minimum of two (2)~~ bicycle parking spaces. ~~A maximum of 10% of the required Bicycle parking facilities may be satisfied~~counted by ~~the bicycle~~more than one property in meeting this requirement, as long as the facility is within 150 feet of the entrance and the total required parking ~~credit~~is met for each property.
- F. Landscape Elements: Parking lots larger than 20 spaces shall incorporate at least one internal landscape island into the lot design. Landscape islands shall be at least 10% of the parking lot area. Each required landscape island shall be a minimum of 20 square feet and a maximum of 500 square feet. Landscape islands shall maintain a minimum 5-foot width at all times. Landscape islands shall be planted with landscape elements consistent with Section 5 of this Article. Landscape elements along the perimeter of a parking lot shall not count towards the landscape island requirement. Where a parking lot incorporates internal rows of parking, each row shall be terminated with a landscape element.
- G. Lighting: Exterior lighting on commercial properties shall be designed ~~and maintained as not to cause obtrusive glare onto sidewalks, streets, or property used for single-family residences~~to have minimal light trespass onto adjacent residential properties.

~~7.2.17~~

- H. All exterior lighting on the building must be full cut-off with non-adjustable heads to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street.
- I. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be full cut-off with non-adjustable heads to direct light 90 degrees downward. Bare light bulbs shall not be permitted in view of adjacent property or public right-of-way.
- J. Any light or combination of lights that casts light on a public street shall not exceed one foot-candle (meter reading) as measured from the centerline of the street. Any light or combination of lights that cast light on adjacent residentially zoned property shall not exceed 0.5 foot-candles (meter reading) as measured from that property line.
- K. Applicants shall be required to submit a base meter reading as part of their application materials.

7.2.12 ~~Commercial~~ Architecture Features

- A. Enhanced Entrances: All main entrances shall be enhanced by architectural details. Such details may include ~~recessed or~~ but are not limited to slightly protruding entrances, building material variations, color variations, or artistic elements and other special treatments.
- B. Windows: All buildings shall be predominantly transparent at the street level, with a minimum of 40% and a maximum of 80% of the facade occupied by windows. Upper levels may be less transparent, with a minimum of 25% of the facade occupied by windows.
- ~~C. Building Materials: The preferred building material in the overlay district is masonry, including brick or stone. Commercial grade materials should be incorporated into the building only as accent features.~~
- ~~D. Colors: Primary building colors should be earth tones. Trim or other specialty features should compliment the material and color of the building. Brighter or more dramatic color applications may be provided on doors, windows, awnings, and signs.~~
- C. ~~E.~~ Awnings and Canopies: Awnings or canopies are encouraged on facades to provide weather protection and shade to pedestrians, and to add visual appeal to the 47th and Mission Road Area Design Review Overlay District. Awnings and canopies may project into the building setback or right of way provided they are a minimum of seven and one-half (7½) feet above grade. Any awnings provided shall be fabric and shall not be back-lit. Permanent canopies may be constructed if designed as an integral part of the structure. All awnings or canopies on a single block shall be hung at the same height above finished ~~grade~~ floor elevation of the building it is associated with.
- D. ~~F.~~ Facade Lighting: Facade lighting is encouraged within the overlay district. Facade lighting may be used to highlight architectural features of a building, provide secondary light to the pedestrian zone, or to enhance visibility of signs. Facade lighting shall be shielded so that the light source is applied to the building and does not provide any direct light or glare on sidewalks or streets.
- ~~G. Proportion: Deviations in building heights of greater than one story or 15 feet, whichever is less, shall be prohibited between adjacent buildings. Three-story buildings or buildings between 35 and 40 feet shall be allowed only at the intersections of streets, unless the entire block is constructed of buildings of the same height. No buildings shall exceed 40 feet in height.~~
- E. ~~H. Roofs~~ Roof: Flat and pitched roofs are allowed. Flat roofs shall incorporate a roof-screening element, such as a parapet or pediment, as part of the building design. Pitched roofs shall ~~not have a reflective finish and shall have a color~~ be complementary to the building ~~color and~~ design. All mechanical equipment shall be screened from view, preferably mounted to the roof and behind a parapet.

~~7.2.18~~ 7.2.13 ~~Commercial~~ Landscape Requirements and Screening

- A. Residential Buffers: All commercial uses and multi-family residential uses shall provide a landscape buffer from any single-family uses. The landscape buffer shall be of a density to provide an all-season visual screen from the single-family property. Treatments may include any combination of earth berms, ~~masonry~~-walls or ~~privacy~~-fences approved by the jurisdiction having authority, and tree, bush, and shrub plantings. The buffer zone shall be a minimum of ten (10) feet in width.
- ~~B. Landscape Materials: All private landscape materials shall be consistent with the standards for public landscape improvements in the 47th and Mission Road Area, and be consistent with the 47th and Mission Road Area Concept Plan.~~
- B. ~~C.~~ Screening: Specialty equipment, such as antennas, satellite dishes, trash and recycling containers, meter and utility boxes, and HVAC equipment, shall be screened from direct view from streets, sidewalks, and other areas of regular public access. Ground-mounted equipment and trash enclosures shall be screened from view with year-round landscape coverage or masonry wall enclosure consistent with the main building material. Roof-mounted equipment shall be placed far enough from the roof edge, or shall be screened with architectural elements, such as parapets, incorporated into the design of the building, so as not to be seen from the sidewalk across any adjacent street.

~~7.2.19~~7.2.14 **Commercial Signs**

The following signs are allowed in the overlay district:

- A. Facade Sign: One facade sign shall be allowed per building tenant, identifying the business or tenant. ~~However~~ A façade sign shall be allowed on each façade fronting a street utilized for pedestrian or vehicular access, except no more than 10% of a building facade may be occupied by facade signs such sign should face a local street.
- B. Pedestrian Signs: One pedestrian sign shall be allowed per building tenant, identifying the business of the tenant. Pedestrian signs may be suspended from canopies or awnings, or affixed perpendicular to a building. Pedestrian signs shall not be lower than 7 feet, 6 inches from grade level and shall not exceed 10 square feet. Building-affixed pedestrian signs shall not protrude more than 3 feet from the building surface.
- ~~C. Monument Signs: Each building shall be allowed one monument sign no greater than 4 feet in height and no larger than 40 square feet in area. Where a building has multiple tenants, only one monument sign shall be allowed which may identify multiple tenants. No monument sign shall obscure any vehicle or pedestrian sight lines or obstruct pedestrian and vehicle movement. Monument signs shall be constructed of the same material as the primary building material or with materials consistent with the public streetscape elements.~~
- ~~Illumination of all signs should be only by external illumination. Internal sign illumination and back lit signs are strongly discouraged.~~

~~7.2.20 Multi-Family Site Design Standards~~

~~All multi-family site design shall conform to the principles outlined in the 47th and Mission Road Concept Plan. All new free-standing multi-family development within the zoning overlay shall consist of townhouses or senior housing and include the following development standards. Multi-family residential units are allowed as mixed-use development in the Village Area described in the attached Exhibit A.~~

~~7.2.21 Multi-Family Building Placement~~

- ~~A. Front Setback: All new buildings shall have a minimum front setback of 10 feet and a maximum front setback of 20 feet from the right of way line. However, in the even that an established existing building line on an adjacent lot on the same side of the block, in no case shall the front setback be more than 10 feet closer to the right of way line, than the established existing building line. Covered front porches or uncovered stoops may encroach up to 5 feet into the minimum front setback.~~
- ~~B. Side Setbacks: The minimum side setbacks shall be:
 - ~~1. 0 feet, provided each sidewall of all buildings on the 0-foot side are constructed with a firewall. No more than six side-by-side units may be constructed without a separation between buildings.~~
 - ~~2. Otherwise, a minimum 10-foot setback or a minimum 20-foot building separation is required.~~
 - ~~3. Property abutting single-family residential districts shall have a side setback equivalent to that of the abutting single-family residential district. In this case, the side setback area shall be used to provide a buffer according to Section 5 of this article.~~~~
- ~~C. Rear Setback: Minimum rear setbacks shall be 20 feet except that property with a rear lot line abutting a single-family residential district shall have a setback equivalent to the single-family residential district. In such case, the rear setback shall be used to provide a buffer according to Section 5 of this Article.~~
- ~~D. Main Entrance: The main entrance of all buildings shall be oriented to the street. This requirement may be satisfied by a main entrance of each unit opening onto the street, or a common entrance of all units opening onto the street. All main entrances shall be directly connected to the sidewalk with pedestrian access. All individual dwelling units shall have frontage on the street, whether through windows, balconies, or a direct entrance into the units.~~
- ~~E. Density: Residential density shall be established by the underlying zoning ordinance.~~
- ~~F. Building Area: In addition to meeting all site requirements for landscaping, parking, and building setbacks, no building shall occupy more than 60% of the total lot area.~~
- ~~G. Building Height: Buildings are limited to 3½ stories or 40 feet, whichever is less.~~

~~7.2.22 Multi-Family Site Access~~

- ~~A. Pedestrian Access: All buildings shall have a continuous sidewalk along the frontage of the lot. The sidewalk shall be a minimum of 5 feet wide.~~
- ~~B. Vehicle Access: Curb cuts in the 47th and Mission Road Area should be minimized. Wherever possible, multi-family residential lots should be accessed by a rear alley.~~

~~7.2.23 Multi-Family Parking~~

~~Parking requirements shall be according to the underlying zoning ordinance. However, no parking or vehicle storage entrances shall be provided on the front of any building. In addition, no more than 25% of a lot area shall be dedicated to surface parking.~~

~~7.2.24 Multi-Family Architectural Features~~

- ~~A. Enhanced Entrances: All main entrances shall be enhanced by architectural details. Such details may include recessed or slightly protruding entrances, building material variations, color variations, or artistic elements and other special treatments.~~
- ~~B. Building Materials: The preferred building material in the overlay district is masonry, including brick or stone. Commercial-grade materials should be incorporated into the building only as accent features.~~
- ~~C. Colors: Primary building colors should be earth tones. Trim or other specialty features should complement the material and color of the building. Brighter or more dramatic color applications may be provided on doors, windows, awnings, and signs.~~
- ~~D. Roofs: Pitched roofs are required which shall not have a reflective finish and shall have a color complementary to the building color design.~~

~~7.2.25 Multi-Family Landscape and Screening~~

- ~~A. Residential Buffers: All multi-family uses shall provide a landscape buffer from any single-family uses. The landscape buffer shall be of a density to provide an all-season visual screen from the single-family property. Treatments may include a combination of earth berms, masonry walls or privacy fences, and tree, bush, and shrub plantings. The buffer shall be a minimum of 10 feet in width.~~
- ~~B. Landscape Materials: All private landscape materials shall be consistent with the standards for public landscape improvements in the 47th and Mission Road Area and be consistent with the 47th and Mission Road Area Concept Plan.~~

- C. ~~Screening: Specialty equipment, such as antennas, satellite dishes, trash and recycling containers, meter and utility boxes, and HVAC equipment, shall be screened from direct view from streets, sidewalks, and other areas of regular public access. Ground-mounted equipment shall be screened from view with year-round landscape coverage or masonry wall enclosure consistent with the main building material. Roof-mounted equipment shall be placed far enough from the roof edge, or shall be screened with architectural elements incorporated into the design of the building, so as not to be seen from the sidewalk across any adjacent street.~~ Murals. Murals are allowed in the overlay district.

7.2.26

- i. Definition. A “mural” is a hand produced or machined graphic applied or affixed to the exterior of a building wall through the application of paint, canvas, tile, metal panels, applied sheet graphic or other medium generally so that the wall becomes the background surface or platform for the graphic, generally for the purpose of decoration or artistic expression, including but not limited to, painting, fresco or mosaic.
- ii. Standards.
 1. Murals are not permitted on the primary façade. A primary façade is defined, for purposes of this section, as a building elevation that faces the adjacent street right-of-way and is the primary customer entrance. Buildings located on a block corner with the primary customer entrance located diagonally at the building corner to both intersecting streets has two primary facades.
 2. On lots that share a property line with a residential zoning district, murals are not allowed on building walls that face a residential zoning district.
 3. Up to 20 percent of a mural may include text or commercial copy. No more than five items of information may be included in the area used for text or commercial copy. However, murals should not include any textural reference to the associated business or shall be considered a sign.
 4. The mural shall be kept in good condition for the life of the mural according to the maintenance schedule and responsibilities approved by the director and incorporated into the sign permit. A mural is in a state of disrepair when 10 percent or more of the display surface area contains peeling, faded or flaking paint, or is otherwise not preserved in the manner in which it was originally created.
 5. The display surface shall be kept clean, neatly painted, and free from corrosion.
 6. Murals shall be subject to the jurisdiction ordinances and requirements.

7.2.15 Multi-Family Public Improvements and Notification

Prior to placement of any public improvements on the Capital Improvements Program, or construction of public improvements within the 47th and Mission Road Area Design Review

Overlay District, the [City of Westwood](#) shall send notice of the intent to construct public improvements to ~~the Secretary of the Committee and to~~ each jurisdiction. ~~Notice to the jurisdictions shall be sent in the same manner as an application for development within the District for that jurisdiction.~~ This notice shall provide the opportunity for the ~~Committee and the~~ jurisdictions to coordinate for construction of public improvements consistent with the 47th and Mission Road Area Concept Plan and Streetscape Design Concept Plans.

For any proposed development, re-zoning, variance, or other action within the overlay district that would require a public hearing and notification to neighbors, notification will also be sent to the other jurisdictions.

7.2.16 Depiction of 47th and Mission Road Area Design Review Overlay District and 47th and Mission Road Area Concept Plan

The 47th and Mission Road Area Design Review Overlay District is hereby amended such that the overlay district shall consist of that area identified below as the "Suggested District Boundary". The Village Area, as used in this overlay district Ordinance, shall mean that area identified below as the "Suggested Village Boundary".

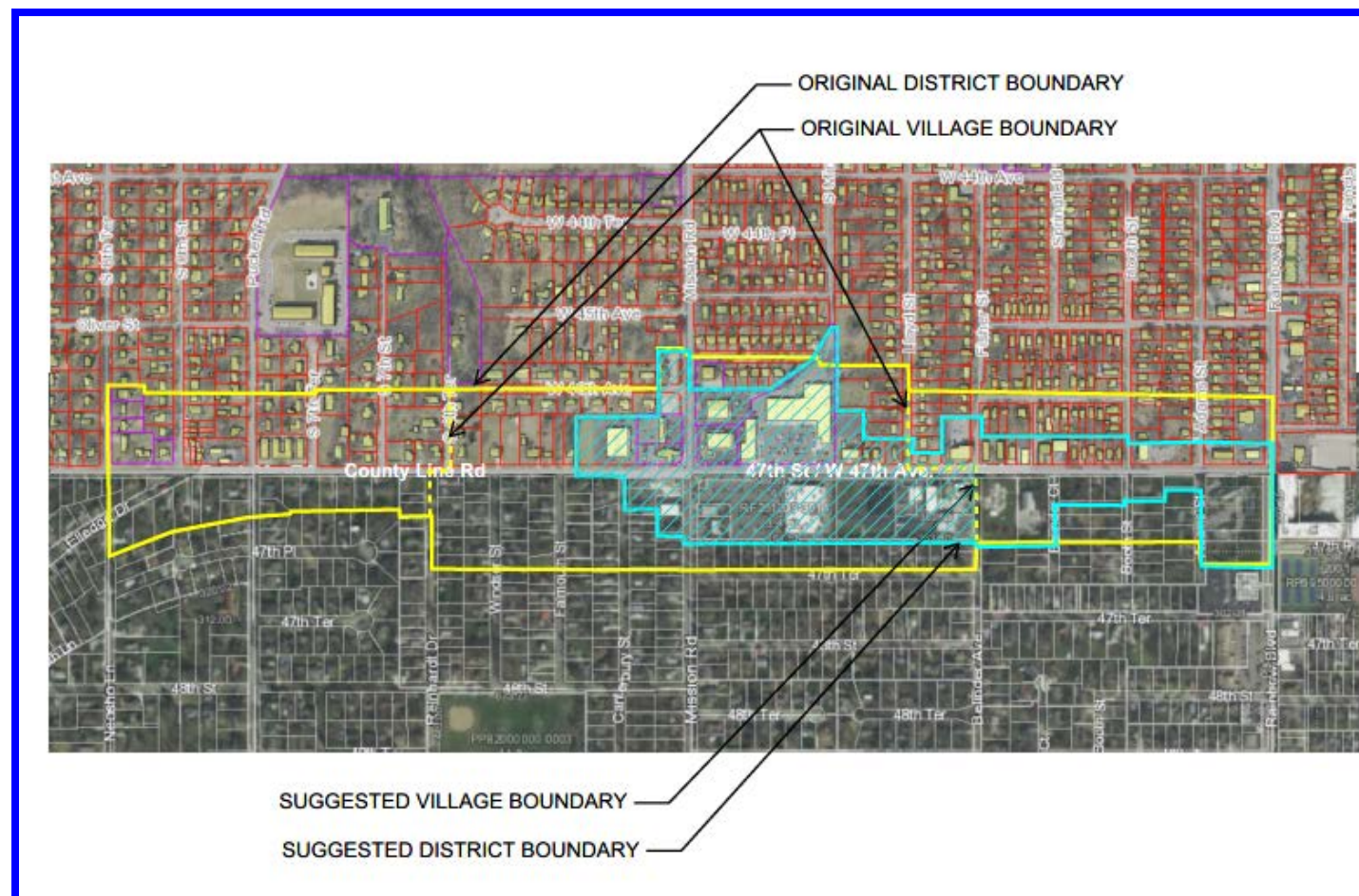
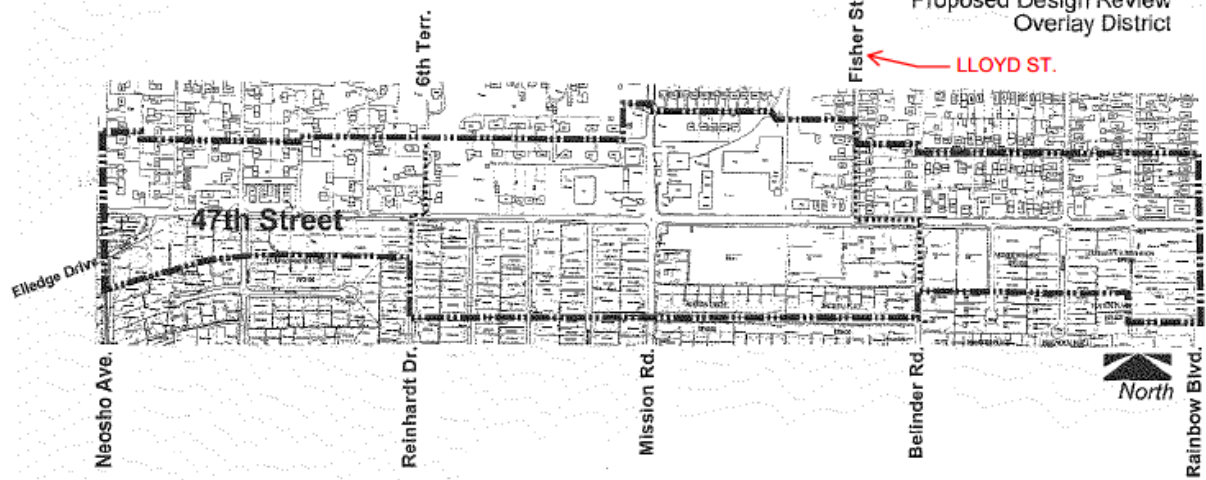



Exhibit A:
Development and Management Committee
Zoning Overlay Recommendation



47th & Mission Road
Area Concept Plan

Proposed Design Review
Overlay District



 **47th & Mission Road Area Design Review Overlay District**
General Design Guidelines

 **47th & Mission Road Village Area**
General Design Guidelines + Urban Village Criteria

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF ROELAND PARK, KANSAS.

Section 1. Section 16-501 of the Roeland Park Municipal Code is hereby amended to read as follows:

“Section 16-501. 47th and Mission Road Design Review Overlay District

Purpose and Authority. The 47th and Mission Road Area Design Review Overlay District is established by this Zoning Ordinance, enacted to implement the goals and policies of the 47th and Mission Road Area Concept Plan, adopted by the cities of Westwood, Roeland Park, and the Unified Government of Wyandotte County and Kansas City, Kansas. The 47th and Mission Road Area Concept Plan was drafted pursuant to:

- i. the interlocal cooperation acts, Sections 12-2901 through 12-2909 of the Kansas Statutes Annotated;
- ii. section 12-744(c) of the Kansas Statutes Annotated; and
- iii. the interlocal agreement between the Cities of Roeland Park, Westwood, and the Unified Government of Wyandotte County/Kansas City, Kansas (collectively “Jurisdictions”).

This Ordinance translates the relevant portion of the plan within the boundaries of City into the Zoning Ordinance, in addition to all current regulations. This Ordinance will accompany a similar ordinance adopted by each jurisdiction to ensure consistent implementation of the 47th and Mission Road Area Concept Plan.

(A) Applicability

(1) Property.

- i. This Ordinance shall apply to all property within the City and within the 47th and Mission Road Area Design Review Overlay District, as shown in Section 15-601(L) below as the "Suggested District Boundary", which hereby replaces the "Original District Boundary" as shown. The official zoning map of The City is hereby amended to reflect the updated 47th and Mission Road Area Design Review Overlay District.
- ii. The standards in this Ordinance shall apply to all property currently or subsequently zoned for commercial or multi-family use within this overlay district.
- iii. Any property zoned for single-family residential use is included within this overlay district to indicate neighborhood areas to be protected by buffers and design enhancements established in this Ordinance for commercial or multi-family use. In addition, to further protect existing neighborhoods, any property currently zoned for single-family residential use within this overlay district which is subsequently

rezoned to multi-family or commercial uses must satisfy all design standards in this Ordinance.

- iv. Any legal nonconforming structure or use cannot increase its level of nonconformity without complying with this Ordinance.
- (2) *Type of Development.* These standards shall be applied to new development, redevelopment, or exterior modifications that alters the appearance of a building or site within the overlay district including, but not limited to, building additions, facade improvements, or landscaping improvements. Only those standards required by this Ordinance and directly related to proposed development, redevelopment, or exterior modification shall be applied.

Other Regulations

Within the overlay district, all City Code ordinances, policies, regulations, and plans shall apply. Where conflicts occur regarding development standards in this Ordinance, the standards established in this Ordinance shall supersede those in the conflicting ordinance, policy, regulation, or plan.

(B) Definitions.

For the purposes of this overlay Ordinance, the following terms and phrases shall have the meaning given in this section. All other terms and phrases shall use definitions given in the City Code Zoning Ordinance or other codes, unless context indicates that a standard dictionary definition is more appropriate. Terms and phrases not defined in this section or by any provision of the City Code shall have the standard dictionary definition.

Adjacent lot: a lot having a common border or endpoint with subject lot, or lots that would have a common border or endpoint in the absence of an existing right of way.

Development: the construction of man-made site elements on an improved or unimproved parcel of land.

Distinctly different hours of operation: uses with hours of operation where 50% or more of one use's hours of operation, including peak hours of operation based on a parking demand study, are mutually exclusive of the hours of operation of the other uses which it proposes to share parking.

Distinctly different peak hours of operation: the peak hours of operation, based on a parking demand study, of uses proposing to share parking are mutually exclusive.

Exterior modification: any maintenance, improvement, construction, or reconstruction of a structure or site, or any portion of a structure or site, that will result in an apparent change visible from the right of way or adjacent property.

Redevelopment: the reconstruction, enlargement, conversion, relocation of a manmade structure.

(C) **Uses.**

- (1) *Underlying Zoning Uses.* The uses allowed in the 47th and Mission Road Area Design Review Overlay District shall be those uses allowed by the current or any future underlying zoning classification, provided that all future development and redevelopment meets the standards established in this Ordinance. Any future rezoning shall be to a use district consistent with the 47th and Mission Road Area Concept Plan.
- (2) *Overlay uses.* In addition to those uses allowed by the underlying zoning, all property zoned for commercial use within the 47th Street and Mission Road, Area Design Review Overlay District shall be allowed residential uses as a supplemental use, subject to the following:
 - A. No property with an underlying zone for Commercial use may have residential uses on the ground floor or at street level.
 - B. No structures with supplemental residential uses may exceed 40 feet in height or 3 ½ stories, whichever is less.
 - C. All structures with supplemental residential uses, whether new or existing at the time of adoption of this Ordinance, must comply with all other standards established in this Ordinance in order to be eligible for supplemental residential uses.

(D) **Commercial Site Design Standards.** Commercial site design in the 47th and Mission Road Area Design Review Overlay District shall conform to the principles outlined in the 47th and Mission Road Concept Plan. The following design standards implement and shall be interpreted consistent with the Plan.

(1) *Building Placement.* Site design in the 47th and Mission Road Area shall conform to the following design standards. The provisions of this section shall apply to new development.

- i. Front Setback: All new buildings shall be built ~~into~~ into the right of way line unless an additional setback is required to meet the minimum sidewalk width and buffer requirements in the Pedestrian Access requirement in Section 2 titled Site Access.
- ii. Side Setbacks: The minimum side setbacks shall be:
 - a. Property abutting residential districts shall have a side setback equivalent to this of the abutting residential district. In this case, the side setback area shall be used to provide a buffer according to Section 5 of this Article.
- iii. Rear Setback: Minimum rear setbacks shall be as defined by the zoning regulations of the municipality that the property is located in, unless the property is abutting a residential zoned property on its rear yard property line. If abutting a residential zoned property, the setback shall be equal to the residential properties rear yard

setback requirements.

- iv. **Continuous Building Frontage:** Building facades on the street frontage should be maximized to provide continuous corridors within the overlay district. All lot frontages should be occupied by building frontages except for entrance drives or alleys to rear parking, courtyards or patios, or any side parking. In the case of courtyards and patios, or side parking, the appearance of a continuous building frontage shall be maintained by a 2½- to 4-foot fence or wall constructed out of the same material as the building facade, or by a continuous landscape element.
- v. **Main Entrance:** The main entrance of all buildings shall be oriented to the street. In the case of the corner lots, a building may have one entrance on each street or may have one corner entrance facing the intersection at a 45 degree angle.

(E) Site Access

(1) Pedestrian Access: All buildings shall have a continuous sidewalk along the frontage of the lot. The sidewalk shall be 7 feet wide. All sidewalks shall be buffered from vehicular traffic with a minimum 3 foot buffer zone that includes landscaping, street trees, street furniture, pedestrian lighting, bicycle facilities, or other amenities that provide physical separation from vehicular traffic. *Alternative.* Sidewalks outside the Village Area (as identified as the "Suggested Village Boundary" in the 47th and Mission Road Area Design Review Overlay District) may be a minimum of 5 feet in width, but the 3' buffer zone must be maintained. *Alternative:* Where unique site characteristics prevent a 7' sidewalk and 3' buffer zone from being achievable in the Village Area, sidewalk widths shall be maximized on that site.

i. **Vehicle Access:** Curb cuts in the 47th and Mission Road area should be minimized. Wherever possible, adjacent properties are encouraged to minimize curb cuts by use of shared parking or shared access to separate parking lots.

ii. **Connections:** Continuous pedestrian connections shall be provided through all parking lots and between parking lots and store-front sidewalks. These pedestrian connections shall primarily be pedestrian-only sidewalks but may include crosswalks across parking lot drive aisles and driveways where necessary. The following design elements shall be used to maintain pedestrian connections and minimize conflicts with vehicles:

1. Alleys, driveways, and parking lot drive aisles shall not exceed 24 feet for two-way access or 12 feet for one-way access.
2. "Bulb outs" for pedestrian-only travel should be used to minimize the distance of pedestrian walkways across driveways, alleys, parking lots, or other vehicle access ways.
3. All pedestrian walkways across driveway, alleys, parking lots,

or other vehicle access ways shall be distinguished from the vehicle access way by a visually identifiable path or distinctly textured surface.

(F) Parking

(1) Required Parking: The parking required for uses in the overlay district shall be established by the applicable standards for the underlying zoning district.

- (i) *Location:* Parking shall be provided primarily behind buildings in the Village Area. Parking on commercial lots outside the Village Area should be located primarily behind the building but may be located on the side of the building.
- (ii) *Shared Parking:* Parking requirements in the overlay district may be met through shared parking according to the following conditions and standards:
 - a. A written agreement for the joint use of the parking facilities shall be executed by the parties, approved by the City and recorded with the register of deeds for any county in which property subject to the agreement is situated. The agreement shall include any necessary cross access easements among property owners. Must meet all other shared parking standards of the said jurisdiction.
 - b. Parking requirements are cumulative except that parking may be shared based on uses either on the same site or on other sites that meet the requirements of this Section 16-501, at the sole discretion of City, according to the following standards:
 - c. When two or more uses have distinctly different hours of operation (e.g., commercial office and residential, or church and school), 100% of the required parking may be shared. Required parking shall be based on the use that demands the greatest amount of parking per the underlying Ordinance requirement.
 - d. When two or more uses have distinctly different peak hours of operation (e.g., office and restaurant / entertainment), 50% of the required parking spaces may be shared among the uses.
 - e. Shared parking shall meet jurisdiction standards. If the parking spaces are more than 800 feet from the main entrance of the building.

(2) Direct pedestrian access, meeting the requirements of Section 16-501, is required between any shared parking and the main entrance of any building proposing to share parking.

- a. Applicants for shared parking shall submit a statement indicating the ability of the proposed shared parking arrangement to meet the demands of all uses involved. The statement shall

include hours of operation, hours of peak operation, forecasted demand, and other data indicating the appropriateness of shared parking.

- b. Any change of use or other change causing violation of the shared parking agreement or these standards shall invalidate the shared parking eligibility, and the parking requirements of the underlying Zoning Ordinance shall be met. A plan for meeting the parking requirements of this Ordinance if the shared agreement is invalidated must be submitted with the proposed agreement.
- c. On-Street Parking: Any on-street parking, authorized by City and within 300 feet of the lot, may be credited towards the on-site parking requirements. A maximum of 10% of the required parking may be satisfied by on-street parking credits. On-street parking spaces may be counted by more than one user in meeting this requirement.
- d. Bicycle Parking: Bicycle parking facilities are required at a rate of one Bicycle for every 15 required vehicle parking spaces, with a minimum of two (2) bicycle parking spaces. Bicycle parking facilities may be counted by more than one property in meeting this requirement, as long as the facility is within 150 feet of the entrance and the total required parking is met for each property.
- e. Landscape Elements: Parking lots larger than 20 spaces shall incorporate at least one internal landscape island into the lot design. Landscape islands shall be at least 10% of the parking lot area. Each required landscape island shall be a minimum of 20 square feet and a maximum of 500 square feet. Landscape islands shall maintain a minimum 5-foot width at all times. Landscape islands shall be planted with landscape elements consistent with Section 5 of this Article. Landscape elements along the perimeter of a parking lot shall not count towards the landscape island requirement. Where a parking lot incorporates internal rows of parking, each row shall be terminated with a landscape element.
- f. Lighting: Exterior lighting on commercial properties shall be designed to have minimal light trespass onto adjacent residential properties.

(G) Lighting

- 1. All exterior lighting on the building must be full cut-off with non-adjustable heads to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street.
- 2. Any lighting used to illuminate an off-street parking area, sign or other structure shall be arranged as to deflect light away from any adjoining residentially zoned property or from public streets. Direct or sky-reflected glare, from floodlights or commercial operations, shall not be directed into any adjoining property. The source of lights shall be full cut-off with non-adjustable heads to direct light 90 degrees downward. Bare light bulbs shall not be permitted in view of adjacent property or public right-of-way.
- 3. Any light or combination of lights that casts light on a public street shall not exceed one foot-candle (meter reading) as measured from the centerline of the street. Any light or combination

of lights that cast light on adjacent residentially zoned property shall not exceed 0.5 foot-candles (meter reading) as measured from that property line.

4. Applicants shall be required to submit a base meter reading as part of their application materials.

(H) Architecture Features

1. *Enhanced Entrances*: All main entrances shall be enhanced by architectural details. Such details may include but are not limited to slightly protruding entrances, building material variations, color variations, or artistic elements and other special treatments.
2. *Windows*: All buildings shall be predominantly transparent at the street level, with a minimum of 40% and a maximum of 80% of the facade occupied by windows. Upper levels may be less transparent, with a minimum of 25% of the facade occupied by windows.
3. *Awnings and Canopies*: Awnings or canopies are encouraged on facades to provide weather protection and shade to pedestrians, and to add visual appeal to the 47th and Mission Road Area Design Review Overlay District. Awnings and canopies may project into the building setback or right of way provided they are a minimum of seven and one-half (7½) feet above grade. Any awnings provided shall be fabric and shall not be back-lit. Permanent canopies may be constructed if designed as an integral part of the structure. All awnings or canopies on a single block shall be hung at the same height above finished floor elevation of the building it is associated with.
4. *Facade Lighting*: Facade lighting is encouraged within the overlay district. Facade lighting may be used to highlight architectural features of a building, provide secondary light to the pedestrian zone, or to enhance visibility of signs. Facade lighting shall be shielded so that the light source is applied to the building and does not provide any direct light or glare on sidewalks or streets.
5. *Roof*: Flat and pitched roofs are allowed. Flat roofs shall incorporate a roof-screening element, such as a parapet or pediment, as part of the building design. Pitched roofs shall be complementary to the building design. All mechanical equipment shall be screened from view, preferably mounted to the roof and behind a parapet.

(I) Landscape Requirements and Screening

1. *Residential Buffers*. All commercial uses and multi-family residential uses shall provide a landscape buffer from any single-family uses. The landscape buffer shall be of a density to provide an all-season visual screen from the single-family property. Treatments may include any combination of earth berms, walls or fences approved by the jurisdiction having authority, and tree, bush, and shrub plantings. The buffer zone shall be a minimum of ten (10) feet in width.

2. *Screening*: Specialty equipment, such as antennas, satellite dishes, trash and recycling containers, meter and utility boxes, and HVAC equipment, shall be screened from direct view from streets, sidewalks, and other areas of regular public access. Ground-mounted equipment and trash enclosures shall be screened from view with year-round landscape coverage or masonry wall enclosure consistent with the main building material. Roof-mounted equipment shall be placed far enough from the roof edge, or shall be screened with architectural elements, such as parapets, incorporated into the design of the building, so as not to be seen from the sidewalk across any adjacent street.

(J) Signs

The following signs are allowed in the overlay district:

1. *Facade Sign*. One facade sign shall be allowed per building tenant, identifying the business or tenant. A facade sign shall be allowed on each facade fronting a street utilized for pedestrian or vehicular access, except no such sign should face a local street.
2. *Pedestrian Signs*. One pedestrian sign shall be allowed per building tenant, identifying the business of the tenant. Pedestrian signs may be suspended from canopies or awnings, or affixed perpendicular to a building. Pedestrian signs shall not be lower than 7 feet, 6 inches from grade level and shall not exceed 10 square feet. Building-affixed pedestrian signs shall not protrude more than 3 feet from the building surface.

(K) Murals. Murals are allowed in the overlay district.

1. *Definition*. A “mural” is a hand produced or machined graphic applied or affixed to the exterior of a building wall through the application of paint, canvas, tile, metal panels, applied sheet graphic or other medium generally so that the wall becomes the background surface or platform for the graphic, generally for the purpose of decoration or artistic expression, including but not limited to, painting, fresco or mosaic.
2. *Standards*.
 - a. Murals are not permitted on the primary facade. A primary facade is defined, for purposes of this section, as a building elevation that faces the adjacent street right-of-way and is the primary customer entrance. Buildings located on a block corner with the primary customer entrance located diagonally at the building corner to both intersecting streets has two primary facades.
 - b. On lots that share a property line with a residential zoning district, murals are not allowed on building walls that face a residential zoning district.
 - c. Up to 20 percent of a mural may include text or commercial copy. No more than five items of information may be included in the area used for text or commercial copy. However, murals should not include any textural reference to the associated business or shall be considered a sign.
 - d. The mural shall be kept in good condition for the life of the mural according to the

maintenance schedule and responsibilities approved by the director and incorporated into the sign permit. A mural is in a state of disrepair when 10 percent or more of the display surface area contains peeling, faded or flaking paint, or is otherwise not preserved in the manner in which it was originally created.

e. The display surface shall be kept clean, neatly painted, and free from corrosion.

f. Murals shall be subject to the jurisdiction ordinances and requirements.

(L) Public Improvements and Notification

Prior to placement of any public improvements on the Capital Improvements Program, or construction of public improvements within the 47th and Mission Road Area Design Review Overlay District, the City shall send notice of the intent to construct public improvements to each jurisdiction. This notice shall provide the opportunity for the jurisdictions to coordinate for construction of public improvements consistent with the 47th and Mission Road Area Concept Plan and Streetscape Design Concept Plans.

For any proposed development, re-zoning, variance, or other action within the overlay district that would require a public hearing and notification to neighbors, notification will also be sent to the other jurisdictions.

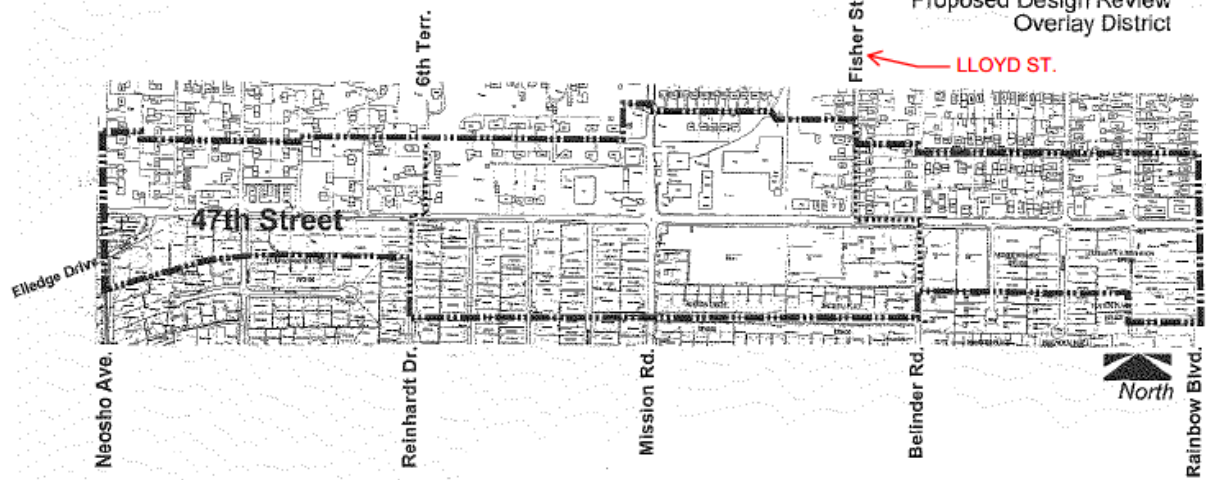
- (i) *Depiction of 47th and Mission Road Area Design Review Overlay District and 47th and Mission Road Area Concept Plan.* The 47th and Mission Road Area Design Review Overlay District is hereby amended such that the overlay district shall consist of that area identified below as the "Suggested District Boundary". The Village Area, as used in this overlay district Ordinance, shall mean that area identified below as the "Suggested Village Boundary".

Exhibit A:
Development and Management Committee
Zoning Overlay Recommendation



47th & Mission Road
Area Concept Plan

Proposed Design Review
Overlay District



 **47th & Mission Road Area Design Review Overlay District**
General Design Guidelines

 **47th & Mission Road Village Area**
General Design Guidelines + Urban Village Criteria

Item Number: Discussion Items- V.-1.
Committee 4/19/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/7/2022
Submitted By: Wade Holtkamp
Committee/Department: Neighborhood Services
Title: **Short term rental application review**
Item Type: Discussion

Recommendation:

Staff recommends denying the short-term rental application due to the large opposition from (5) of the (13) property owners that received the required mail notice. A previous Governing Body set the threshold to deny the license at (3) or more objections from neighbors. Additionally, while city code does not require that nearby renters receive notices of a short-term rental application (it is only required to notify property owners), staff received a written objection from a nearby renter.

Details:

The applicant, Kiersten Olsen, a property owner and resident of 5343 Briar St, is requesting approval of a short term rental license. In accordance with the code application process, notices have been sent via certified mail to all property owners within 100 feet of her residence giving them the opportunity to object. Staff received (5) written objections, triggering this application to be reviewed by the Planning Commission. City code gives authority for the Planning Commission to approve or deny the application.

100 feet from 5343 BRIAR ST (13 listings)

5332 BRIAR ST
5333 BRIAR ST
5332 SHERWOOD DR
5336 BRIAR ST
5337 BRIAR ST (Objection received and attached)
5326 SHERWOOD DR
5346 SHERWOOD DR (Objection received and attached)
5342 BRIAR ST (Objection received and attached)
5342 SHERWOOD DR

5346 BRIAR ST
5347 BRIAR ST (Objection received and attached)
5400 BRIAR ST (Objection received and attached)
5401 BRIAR ST
5400 SHERWOOD DR

Summary of reason for objections:

Unknown strangers coming and going.
Security concerns.
Increased street traffic.
Younger children in our home.
Takes away from the residential neighborhood feel.
This is a residential neighborhood and not a hotel.
Parking on the street is already at a premium.
Unknown individuals walking between house and our yard to get to basement entrance.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

Definition of short-term rental:

Short-term rental (STR) means any dwelling, dwelling unit, rooming unit, room or portion of any dwelling unit, rooming unit or room rented or leased for valuable consideration for periods of time less than 30 days, with six or fewer guests where the rental may only serve as an accessory use, but excludes boarding houses but excludes boarding houses (as defined in section 5-601 of the Code).

Definition of City requires licensing:

According to code the purpose of rental licensing is to protect the public health, safety and general welfare of the people of the City with regard to rental housing, including:

Protecting the character and stability of residential areas.

Correcting and preventing housing conditions that adversely affect or are likely to adversely affect the life, safety, general welfare and health, including the physical, mental and social well-being of persons occupying dwellings.

Providing minimum standards for the maintenance of existing residential buildings, thus preventing slums and blight.

Preserving the value of land and buildings throughout the City.

Penalties for not having a license:

All short-term rentals must follow the provisions as outlined in 5-704 of the City Municipal Code. Failure to comply may result in the City not issuing or revoking a rental license and issuing a \$350 fine for every 30-day period in violation. This amount can be assessed to the violator's Johnson County property taxes.

Short term rental application requirements:

_Applicant is the owner and this property is their principal residence.

Applicant will notify all property owners located within 100 feet from my property of their intent to operate a short-term rental giving them the opportunity to object to the issuance of the license. This will be given by certified mail with return receipt or on a waiver signed by the property owners.

Applicant will include the City rental license on all marketing material and online platforms (i.e. Airbnb, VRBO, etc) to advertise the rental of the home.

Applicant will include on the rental license the contact information of the City Code Enforcement Officer and the contact information of the registered agent or property owner.

Applicant will complete a provided safety checklist attestation.

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
<input type="checkbox"/> 5343 Briar St STR application	Exhibit
<input type="checkbox"/> 5343 Briar St STR objections	Exhibit
<input type="checkbox"/> 5343 Briar St STR mail tracking	Exhibit
<input type="checkbox"/> 5343 Briar St STR JOCO details	Exhibit
<input type="checkbox"/> 5343 Briar St STR 100' neighbor map	Exhibit
<input type="checkbox"/> 5336 Briar Street resident renter letter objection	Exhibit

Parcel _____

Ward _____

From: _____

To: _____

License No. _____

Receipt No. _____

Do Not Write Above This Line

**APPLICATION FOR OCCUPATION LICENSE FOR
RENTAL OF SINGLE / MULTI FAMILY RESIDENCE
CITY OF ROELAND PARK, KANSAS**

Date of Application: 3/14/22

Owner of Record

Kiersten Olsen

Address of Rental Property

5343 Briar St

Rental Fee \$75.00

Phone Number: 913-980-5167

E-mail: O.Kiersten.Olsen@gmail.com

This application will not be processed unless all applicable information is completed.

Approx. Sq. Footage _____ (excluding basement & garage, if any)

Number of Bedrooms 3

Is the property a short-term rental (i.e. Airbnb, VRBO, etc): / yes _____ no (if yes answer below and initial)

- ❖ All short-term rentals must follow the provisions as outlined in 5-704 of the City Municipal Code. Failure to comply may result in the City not issuing or revoking a rental license and issuing a \$350 fine for every 30-day period in violation. This amount can be assessed to your Johnson County property taxes.

KO Initial

I certify that I am the owner and this property is my principal residence.

KO Initial

I will notify all property owners located within 100 feet from my property of my intent to operate a short term rental giving them the opportunity to object to the issuance of the license. This will be given by certified mail with return receipt or on a waiver signed by the property owners.

KO Initial

I will include the City rental license on all marketing material and online platforms (i.e. Airbnb, VRBO, etc) to advertise the rental of the home.

KO Initial

I will include on the rental license the contact information of the City Code Enforcement Officer and the contact information of the registered agent or property owner.

KO Initial

I will complete a provided safety checklist attestation.

The undersigned hereby consents to the Exterior Inspection of the single/duplex family residence described above and the real estate upon which it is located at such reasonable times as may be necessary to carry out the provision of Article 7 of Chapter 5 of the Municipal Code.

The undersigned further agrees that any notice provided for under the provision of Article 7 of Chapter 5 of the Municipal Code may be mailed to me at the address shown for the owner(s) of this application or if not at that address then at the following address:

Owner forwarding address

*** If any rental property is offered for lease by an owner of property who is not a resident of Johnson County, Kansas, the property owner shall designate a resident agent who resides within Johnson County, Kansas, who shall be responsible for the payment of all fees and penalties, receipt of notices and all other matters provided herein. **For short term rentals a registered agent must reside within 30 concentric miles from rental property.** (Section 5-704 of the Municipal Code)

Resident Agent Address (If applicable):

I declare under penalty of false statement (**a felony in the State of Kansas**) that to the best of my knowledge and belief the information provided herein is correct and true. I, the undersigned, agree to notify the City Clerk of any change of address within ten (10) days of such change.

Kiersten Olsen

Printed Name of Property Owner

05/02/1995

Date of Birth

[Signature]

Signature of Property Owner

B125121001 MISSOURI

Driver License Number and State

5343 Briar St

Property Owner Principal Address

Roeland Park

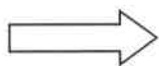
City

Kansas

State

66205

Zip Code



Short-term rental applications must be notarized and property owner(s) must provide a copy of their driver license to City Hall.

STATE OF KANSAS)

COUNTY OF JOHNSON)

Kiersten Olsen, of lawful age, being first duly sworn, upon his/her oath states that she/he was the bearer of the above signature, and that she/he states to the best of their knowledge and belief the information provided herein are correct and true.

Subscribed and sworn before me the 14th day of March, 2022, 2019

KATHRYN OWSLEY
Notary Public-State of Kansas
My Appt. Expires 02/11/25
My Commission Expires 02/11/25

[Signature]
Notary Public

Make Check or Money Order payable for amount of annual fee due to the "City of Roeland Park" and mail to the City Clerk, 4600 W. 51st Street, Roeland Park, Kansas 66205

MAIL: NOTICE OF SHORT-TERM RENTAL

Date: 3/15

To: Darlene & Richard Larson
5400 BRIAR ST.
5347 BRIAR ST.

Re: Notice of short-term City of Roeland Park rental application

Dear Property owner,

This letter is to inform you that your neighbor residing at 5343 Briar St has applied for a short-term rental license. This short-term rental license will allow your neighbor to list part of their home on websites such as Airbnb and VRBO which is similar to a hotel.

Pursuant to the Roeland Park City Code/Ordinance No. 986, "Any resident wishing to host a short-term rental must notify owners of record of lands located within at least 100 feet of the property which is the subject of the application, thus providing the property owner the opportunity to file an objection to issuance of the short-term rental license. If the City has received not more than two protests concerning the short-term rental license application, City Hall shall issue the short-term rental license."

Please take a moment to complete the following and return this letter to City Hall in the enclosed self-addressed, envelope by April 4th. If the City Planning Commission does not receive any responses regarding this short-term rental application, it will be assumed that you are not opposed to the issuance of the short-term rental license. You may also fax this notice to 913-722-3713, email to wholtkamp@roelandpark.org, or drop off at Roeland Park City Hall, 4600 W. 51st St.

Please check one:

☐ I/we have no concerns with the approval of this application and subsequent issuance of the short-term rental license.

☒ I/we oppose the issuance of a short-term rental license for the following reason(s):

THIS IS A RESIDENTIAL NEIGHBORHOOD AND NOT A
HOTEL. KEEP IT AS A RESIDENTIAL PROPERTY.

Richard L. Larson
Signature

3/28/22
Date

RICHARD L. LARSON PROPERTY @ 5400 & 5347 BRIAR
Printed name

Thank you for your cooperation.

Sincerely,

MAIL: NOTICE OF SHORT-TERM RENTAL

Date: 3/15

To: Erin Brown
5342 BRIAR ST.

Re: Notice of short-term City of Roeland Park rental application

Dear Property owner,

This letter is to inform you that your neighbor residing at 5343 Briar St has applied for a short-term rental license. This short-term rental license will allow your neighbor to list part of their home on websites such as Airbnb and VRBO which is similar to a hotel.

Pursuant to the Roeland Park City Code/Ordinance No. 986, "Any resident wishing to host a short-term rental must notify owners of record of lands located within at least 100 feet of the property which is the subject of the application, thus providing the property owner the opportunity to file an objection to issuance of the short-term rental license. If the City has received not more than two protests concerning the short-term rental license application, City Hall shall issue the short-term rental license."

Please take a moment to complete the following and return this letter to City Hall in the enclosed self-addressed, envelope by April 5th. If the City Planning Commission does not receive any responses regarding this short-term rental application, it will be assumed that you are not opposed to the issuance of the short-term rental license. You may also fax this notice to 913-722-3713, email to wholikamp@roelandpark.org, or drop off at Roeland Park City Hall, 4600 W. 51st St.

Please check one:

☐ I/we have no concerns with the approval of this application and subsequent issuance of the short-term rental license.

☒ I/we oppose the issuance of a short-term rental license for the following reason(s):

Unknown persons coming & going from residence.
Increased traffic

Signature

Erin Brown
Erin Brown

Printed name

Date

3/19/22

Thank you for your cooperation.

Sincerely,

Jennifer L Moore

MAIL: NOTICE OF SHORT-TERM RENTAL

Date: 3/15
To: Jennifer Franklin
5337 BRIAR ST.

Re: Notice of short-term City of Roeland Park rental application

Dear Property owner,

This letter is to inform you that your neighbor residing at 5343 Briar St has applied for a short-term rental license. This short-term rental license will allow your neighbor to list part of their home on websites such as Airbnb and VRBO which is similar to a hotel.

Pursuant to the Roeland Park City Code/Ordinance No. 986, "Any resident wishing to host a short-term rental must notify owners of record of lands located within at least 100 feet of the property which is the subject of the application, thus providing the property owner the opportunity to file an objection to issuance of the short-term rental license. If the City has received not more than two protests concerning the short-term rental license application, City Hall shall issue the short-term rental license."

Please take a moment to complete the following and return this letter to City Hall in the enclosed self-addressed, envelope by April 5th. If the City Planning Commission does not receive any responses regarding this short-term rental application, it will be assumed that you are not opposed to the issuance of the short-term rental license. You may also fax this notice to 913-722-3713, email to wholtkamp@roelandpark.org, or drop off at Roeland Park City Hall, 4600 W. 51st St.

Please check one:

☐ I/we have no concerns with the approval of this application and subsequent issuance of the short-term rental license.

☒ I/we oppose the issuance of a short-term rental license for the following reason(s):
I feel it takes away from residential feel of neighborhood. Do not want unknown individuals walking between house and in our yard to get to entrance of basement. ~~Parking on the street is already at a premium.~~ Security concerns.

Jennifer L Moore
Signature

3/25/2022
Date

Jennifer L Franken AKA as Jennifer L. Moore
Printed name

Thank you for your cooperation.

Sincerely,

MAIL: NOTICE OF SHORT-TERM RENTAL

Date: 3/15

To: Sara & Cory Coe
5346 SHERWOOD DR

Re: Notice of short-term City of Roeland Park rental application

Dear Property owner,

This letter is to inform you that your neighbor residing at 5343 Briar St has applied for a short-term rental license. This short-term rental license will allow your neighbor to list part of their home on websites such as Airbnb and VRBO which is similar to a hotel.

Pursuant to the Roeland Park City Code/Ordinance No. 986, "Any resident wishing to host a short-term rental must notify owners of record of lands located within at least 100 feet of the property which is the subject of the application, thus providing the property owner the opportunity to file an objection to issuance of the short-term rental license. If the City has received not more than two protests concerning the short-term rental license application, City Hall shall issue the short-term rental license."

Please take a moment to complete the following and return this letter to City Hall in the enclosed self-addressed envelope by April 4th. If the City Planning Commission does not receive any responses regarding this short-term rental application, it will be assumed that you are not opposed to the issuance of the short-term rental license. You may also fax this notice to 913-722-3713, email to wholtkamb@roelandpark.org, or drop off at Roeland Park City Hall, 4600 W. 51st St.

Please check one:

☐ I/we have no concerns with the approval of this application and subsequent issuance of the short-term rental license.

☒ I/we oppose the issuance of a short-term rental license for the following reason(s):

We have younger children in our home. I do not like the idea of random people nearby and changing.

Sara Coe
Signature

3.28.2022
Date

Sara Coe
Printed name

Thank you for your cooperation.

Sincerely,

Search for: [GO](#)
enter address, property id, owner name, or kupn

Results for 5343 BRIAR ST (PP66000030 0013)

[\[Create Plot Plan ▼\]](#) [\[Driving Directions\]](#)

[myAIMS Login](#) | [Locate Me](#) | [Link](#) | [Disclaimer](#) | [Help](#)

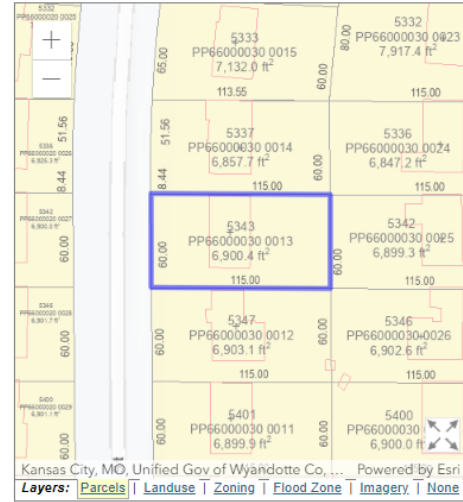
General Information

[\[Collapse All\]](#)

Property ID: PP66000030 0013
 Site Address: 5343 BRIAR ST
 ROELAND PARK, KS 66205
 Legal Description: ROELAND PARK LOT 13 BLK 30 RPC-1502
 Block/Lot: 0030 /0013
 Subdivision: ROELAND PARK
 Plat: [ROELAND PARK \(BLKS 20,21 & 30\)](#)
 Plat Book/Page: 0012/0031
 Plat Recorded: 10/28/1946
 KS Uniform Parcel Num.: 0460620403022008000
 Quick Ref: R147452

Owner Information

Owner 1: OLSEN, KIERSTEN
 5343 BRIAR ST
 ROELAND PARK, KS 66205



Special Assessment Information

RPC TRASH (205): \$201.5000
 RPC12145TRM (328): \$137.1500

Property & Location Information

Zoning: SFR (Single Family Residence District)
 Property Type: Platted Property Polygon
 Taxing Unit: 0655UW
 General Landuse: Single Family Residential
 Year Built: 1950
 Property Area: 0.16 acres
 Addresses: 1
 Township-Range-Section: 12-25-04
 City/Township: Roeland Park
 Quarter Section: SW
 X, Y: 2265577, 272007
 Latitude, Longitude: 39.03165221, -94.64354075

Appraisal Information

Please note, all 2022 appraisal data is frozen until the completion of informal appeal cycle of the 2022 valuation process, on or before May 20th. Thank you for your patience.

[PRC](#) [Sketch](#) [NOAV](#) [Tax Bill](#) [Map](#) [Nearby Addresses](#)

Values

Year	Appraised Value	Assessed Value
2022	\$259,900	\$29,888
2021	\$216,700	\$24,920

Change:
19.94%

Main Dwelling Information

Style: Ranch	Basement Type: Full
Total Rooms: 6	# Full Baths: 2
# Bedrooms: 3	# Half Baths:
# Family Rooms: 1	Finish Bsmt: 500
Foundation: Block - 3	Rec Room: 0
Main Flr Area: 824	
Other Liv Area: 0	
Total SFLA: 824	

Components

[Glossary of Terms](#)

Description	Units	Percent
-------------	-------	---------

Front Elevation Photos

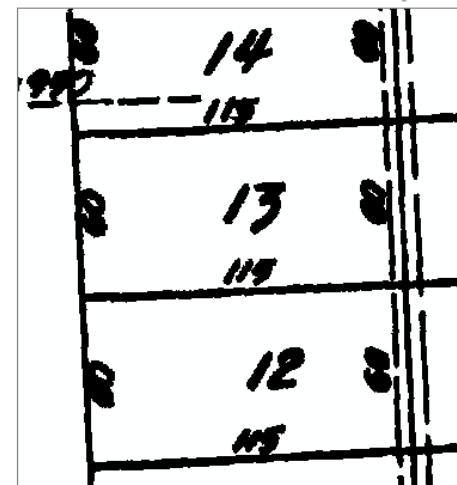


046-062-04-0-30-22-008.00-0 01/28/2016



Click image thumbnail to display larger image.

Plat Image Detail - ROELAND PARK (BLKS 20,21 & 30)



This plat image thumbnail may represent additional easement, setback, and right of way not found on the above property map. The image may not be a full representation of property restrictions and

Components		Glossary of Terms
Description	Units	Percent
Frame, Plywood or Hardboard		100
Composition Shingle		100
Warmed & Cooled Air		100
Automatic Floor Cover Allowance		
Plumbing Fixtures (#)	8	
Plumbing Rough-ins (#)	1	
Raised Subfloor (% or SF)	824	
Attached Garage (SF)	264	
Garage Finish, Attached (SF)	264	
Partition Finish Area (SF)	500	
Total Basement Area (SF)	816	
Open Slab Porch (SF)	144	
Raised Slab Porch (SF)	30	
Comparables		
Subdivision Sales History		
Landuse (Land Based Classification Standards - LBCS)		

School Information	
School District:	Shawnee Mission (USD #512)
Elementary School:	Roesland (0.7 miles) 4900 Parish Dr 913-993-4700
Middle School:	Hocker Grove (3.4 miles) 10400 Johnson Dr 913-993-0200
High School:	SM North (1.7 miles) 7401 Johnson Dr 913-993-6900
School Board District:	Shawnee Mission (District 1)

Stormwater/Flood Information	
FEMA Panel:	20091C0009G
Watershed:	Brush Creek

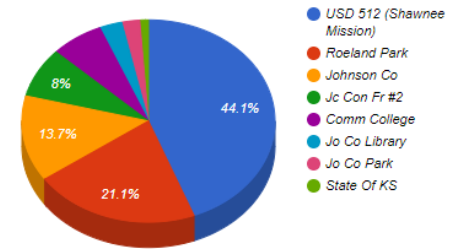
Utility Information	
IMPORTANT: These are utility providers that service the region in which this property is located. These providers may or may not service this particular property. Contact the individual utility provider to determine if this property is connected to the utility service provider.	
Electric Provider:	Evergy, Kansas Metro - (888) 471-5275
Gas Provider:	Kansas Gas Service - (800) 794-4780
Sewer Provider:	Johnson County Wastewater - (913) 715-8500
Water Provider:	WaterOne - (913) 895-1800
Cable Provider(s):	Spectrum , Google Fiber , AT&T - (800) 892-4357, (866) 777-7550, (800) 288-2020
Stormwater/Public Works Provider:	City of Roeland Park - (913) 722-2600 * stormwater service is automatic, no setup is required
Fire Service Provider:	Consolidated Dist. #2 * service is automatic, no setup is required

Voting & Elected Official Information	
Precinct:	P301.01
Precinct City:	Roeland Park
Polling Place:	ROELAND PARK COMMUNITY CENTER 4850 ROSEWOOD DR, ROELAND PARK
Next Election:	08/02/2022
County Commissioner:	Becky Fast (1st District)
State Representative:	Rui Xu (D), (25th District)
State Senator:	Ethan Corson (D), (7th District)
KS Board of Education:	Melanie Haas (D), (2nd District)
City Ward:	Roeland Park Ward 3 (District P3)
Voter Lookup & Sample Ballot	

Census Information	
Block:	4017
Block Group:	4
Tract:	050100
Zip:	66205
FIPS PMSA:	20091

This plot image thumbnail may represent additional easement, setback, and right of way not found on the above property map. The image may not be a full representation of property restrictions and most recent document filings. Use mousewheel to zoom image.

Property Taxes - Where Your Property Tax Dollars Go



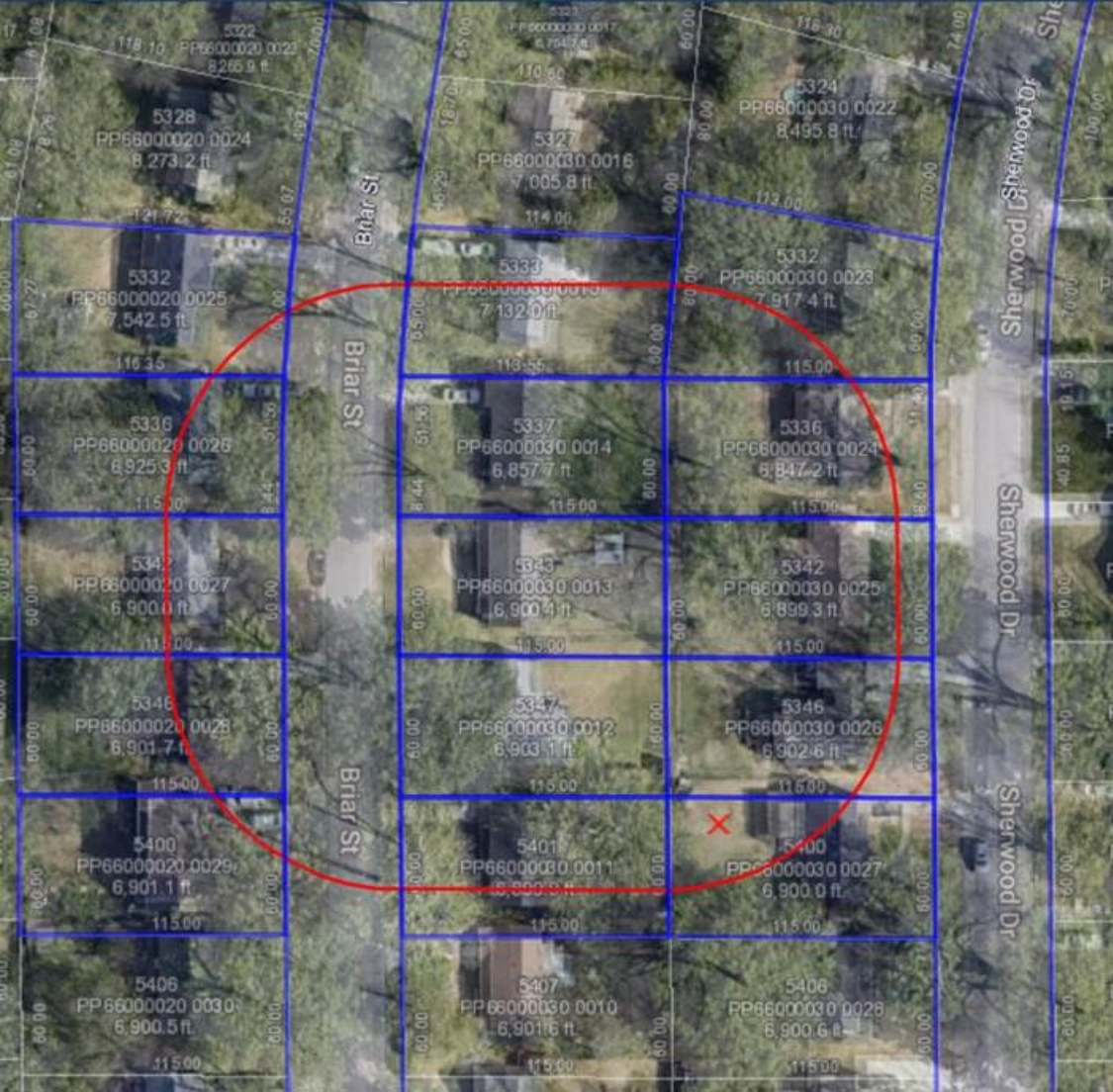
Alternative Views (pie chart, bar chart, table):



Oblique Imagery



Notice: Please visit the [Johnson County Oblique Photography Viewer](#) for more oblique imagery.



Dear Wade,

I have lived on 5336 Briar Street for 27 years, and have found Roeland Park to always be a great community for families, as I raised my daughter here, and am now helping her raise my 9 year old Grandson. As you know, since we talked on the phone this afternoon, I learned of my new neighbors interest in making their house an Air B&B property, which concerns me, since we do not know anything about them, and there has already been a lot of different vehicles in and out of the driveway since they moved in recently. Although I think the idea of Air B&B is great for certain areas of the city, I feel that because our little neighborhood has always been a pretty close knit community, as well as quiet, I think introducing a completely unknown element into our Street would not only have the potential to diminish property values, but may risk bringing situations we're not familiar with, as already no one has met the owners and we're seeing a lot of traffic in and out of the house. Since we value trust between knowing who our neighbors are, and we are concerned about their intentions with making this house an Air B&B, I would like to personally vote NO on allowing this to go through at this time. We also enjoy having peace and quiet on our street as well, and I would feel uncomfortable with my Grandson playing outside with a transient situation across the street from us. I hope that our collective voices will be considered during the decision process on this matter, and they would understand our reasons for voting against turning this into an Air B&B property. Thank you for your attention in this matter, and feel free to contact me with any questions or concerns.

Sincerely,

Cathleen Pluta

913-558-8473
Cathlnp@gmail.com
5336 Briar Street
Roeland Park, KS

Item Number: Discussion Items- V.-2.
Committee 4/19/2022
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 4/8/2022
Submitted By: John Jacobson
Committee/Department: Neighborhood Services
Title: **Comprehensive Plan Review and Action Item Progress**
Item Type: Discussion

Recommendation:

Staff does not recommend any changes to the adopted plan at this time.

Details:

One of the primary duties of a Planning Commission is to review the adopted comprehensive plan on an annual basis. As you know, the City adopted a new Comprehensive Plan in the spring of 2021.

Given the timeline of plan adoption and with no major change in development strategy, it makes sense to review the action item section of the new plan to determine progress in the last twelve month period towards established goals.

With the adoption of the last comprehensive plan, a series of action items were identified with specific timetables to move the ideas expressed in the plan forward. Staff periodically will update the commission on progress in these matrices to monitor progress towards the established plan goals.

Short term action items defined as those attained in 1- 3 years from the date of plan approval are approximately sixty (60%) percent completed.

Some of these items include:

- 1) 47th/Mission Road development
- 2) Universal Design Incentives
- 3) Residential Standards Adoption and Illustrated Brochure on the City's Website
- 4) Roe Boulevard Streetscape Improvements

Action Items remaining are

- 1) Updating master parks plan and sidewalk plan
- 2) Pedestrian Areas of Refuge on Roe Boulevard
- 3) Intermodal Transit Hubs

Medium term action items defined as those targeted in the 3-6 year timetable are approximately forty (40%) percent completed since adoption. Some of these items include:

- 1) City signage and new development used as gateways to the city
- 2) Promotion of infill and housing rehabilitation in vacant lots

Additional Items to be considered:

- 1) Zoning Ordinance Update
- 2) Perform economic development studies at regular intervals for mixed uses and commercial corridors
- 3) Identify new park opportunities

Financial Impact

Amount of Request: NA	
Budgeted Item?	Budgeted Amount: NA
Line Item Code/Description: NA	

Additional Information

How does item relate to Strategic Plan?

Complies with established timetable of action matrices

How does item benefit Community for all Ages?

See Plan