

CITY OF ROELAND PARK, KANSAS
GOVERNING BODY WORKSHOP MINUTES
ROELAND PARK CITY HALL
4600 WEST 51st STREET, ROELAND PARK, KS 66205
April 1, 2024, 6:00 P.M.

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| <ul style="list-style-type: none">• Michael Poppa, Mayor• Emily Hage, Council Member• Benjamin Dickens, Council Member• Jan Faidley, Council Member• Jennifer Hill, Council Member | <ul style="list-style-type: none">• Tom Madigan, Council Member• Jeffrey Stocks, Council Member• Matthew Lero, Council Member• Kate Raglow, Council Member | <ul style="list-style-type: none">• Keith Moody, City Administrator• Jennifer Jones-Lacy, Asst. City Admin.• Kelley Nielsen, City Clerk• John Morris, Police Chief• Donnie Scharff, Public Works Director |
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Admin
Lero
Faidley

Finance
Stocks
Dickens

Safety
Hage
Hill

Public Works
Raglow
Madigan

(Roeland Park Governing Body Workshop Meeting Called to Order at 7:13 p.m.)

I. DISCUSSION ITEMS

1. Review Chapter 16: Zoning and Subdivision Regulations, re: Article 4 - Zoning Districts and Article 6 - Accessory Uses and Structures

Chris Shires, the City's consultant from Confluence, walked through Articles 4 and 6 for the ongoing process to update the City's codes. Following the review, Mr. Shires will bring back a new zoning map to reflect the definition changes that will come out of the review process. After the final review by the Governing Body, there will be a public hearing so that the new and updated zoning map can be adopted.

Article 4 - Zoning Districts

Mr. Shires went over the proposed split of R-1 into two single-family districts to address different types of lots and newly created districts for townhouses and rowhouses which are different than apartments.

The biggest is adding more tables in a matrix form, which makes the information easier to access and is easier to understand compared to the long narratives. For example, users quickly can see what is or is not allowed in an area, whether it requires an SUP etc.

Mr. Shires said they will need to do some rewriting of the details for height and area standards.

CMBR Hill mentioned restricting the height of townhomes if they are built into neighborhoods so that they are three stories towering over a single-family home in the middle of neighborhood, but that they should blend with the existing neighborhood.

Mr. Shires said they have proposed the maximum building height be no greater than 35 feet or 2½ stories and they would maintain the same restrictions for townhomes.

CMBR Faidley questioned the difference in setbacks and green space for townhomes, apartments, and condominiums when compared to the R-1 district.

Mr. Shires said that what they have proposed is standard. He also added that he likes how the City calculates its side yard setbacks as it is a good standard that allows for flexibility. The open/green space for residential is high, but it is not usual to have those same standards for townhomes, multi-family, or commercial buildings as it limits the type of construction to be built.

For Office and Commercial Bulk Regulations, Mr. Shires said they are clarifying the front yard setback and minimum separation between the building and establishing a minimum green space.

Mr. Shires reviewed the table for Permitted and Special Uses demonstrating how it makes it easier to identify permitted uses in a variety of situations. It also addresses accessory dwelling units and short-term rentals.

CMBR Madigan noted in certain instances townhomes, rowhouses and short-term rentals do not need to get a license. Ms. Jones-Lacy said they could always request a license, but it is addressed in Chapter 5 of the business licensing code. CMBR Madigan said he has seen apartments on Airbnb, and they do not have a license, and would like to see them change that requirement. Ms. Jones-Lacy said they can add a license requirement in those categories.

City Manager Moody said he has talked with Mr. Shires about what is occurring currently in the marketplace, and that it is not unusual for apartment buildings that are intended for long-term are leased by a person who then uses it on a short-term rental basis. They are trying to reflect in the code the changes that are occurring. He noted that the Boulevard is also the City's only apartment complex.

Mayor Poppa said that most lease agreements stated they cannot be sublet. If the City passed a regulation saying yes, you can have a short-term rental in an apartment, but the apartment owner says no that is an issue. City Manager Moody said the City does not enforce private party agreements. He said if this is a concern, they can require a City license.

City Attorney Felzien stated if the property owner does not allow a sublet, then the lessee is breaking their agreement with the property owner, and that is not a matter for the City to be involved in.

CMBR Lero agreed they should require a license for short-term rentals in townhomes and duplex-type structures. He asked if they want to have a SUP to approve an accessory dwelling unit know there are regulations in place. Mr. Shires suggested they have the policies in place for a year or two and see how it goes and see how comfortable the community is with it over time. As they become more mainstream, they can come back further down the road and make adjustments.

CMBR Hill asked why they have zoning on townhouses that does not match their ordinance with the short-term rentals. Mr. Shires said what he heard is that they make it the same across all the residential districts.

CMBR Faidley said that they lost some breweries who ended up going to Mission and is it possible to investigate that. She also wanted to know if anything that they are doing with their zoning is keeping them from getting a restaurant that everybody wants. Mr. Shires said that a restaurant is permitted in the C-2 zoning district.

CMBR Lero asked if they want to allow theaters such as the Barn Players, not a movie theater, in churches that are closed in residential areas where they are normally not allowed. Mr. Shires said it could be possible, and that they could separate it out or someone could come to them for a rezoning.

CMBR Madigan requested there be a clarification in cremation services to denote the difference between selling of the service and the actual act of cremation.

CMBR Hill asked if there was still language regarding the distances between dollar stores and payday loan businesses. Mr. Shires said those limits are still in the code.

Mayor Poppa said he received a request online regarding adult entertainment stores that they are not changing anything in their current regulations. Mr. Shires said they must have rules and regulations regarding adult entertainment, but they cannot say they are not allowed. They are permitted if they meet all the rules and requirements.

CMBR Hill asked if they could add in distance between other locations outside of the City.

Planning Commissioner Simms noted that a smoking lounge is not permitted and asked if that is because of City ordinance. He was thinking more of a cigar lounge, and that they could issue an SUP.

Mayor Poppa stated he agreed with Mr. Simms from a DEI lens, and a cigar lounge could bring in diversified patronage and ownership.

CMBR Stocks said they are gaining in popularity.

CMBR Hill asked how that play with current smoking bans. Mr. Shires said he believed that an indoor smoking establishment requires membership.

The discussion moved on to building construction materials. CMBR Stocks asked that the acronym for EIFS (Exterior Insulation and Finish Systems) be identified and consistent throughout the code.

Mr. Shires went on to review the types of building materials allowed and where they would be appropriate.

CMBR Lero said they have done a lot with composite wood. He also noted that when real wood is used, it looks bad quickly. He also noted that if they are using composite wood on City facilities, they should not call them out as a lower end product. Mr. Shires said that as a Class 3 product they could be more generous on the use of siding. He added that this is also a good topic to continue in their next discussion.

City Manager Moody said in the past they have had no architectural design standard before. This plan now gives them the ability to impose standardized architectural materials and he genuinely appreciates this. He wanted something developed objectively for a subjective field so that they could look for something more professional.

Mr. Shires said he has given his recommendations from what he has gleaned from past conversations with the Planning Commission, Governing Body, and staff. He noted it is a balancing act and is open to

discussion. He again recommended they reevaluate this after a year or two to see if any amendments should be made.

Mr. Shires went on to discuss roofing and building materials are applied on construction.

CMBR Lero asked if someone wanted to do something different from the design standards, how would they go about that. Mr. Shires said that request would come before them.

Mr. Shires went on to talk about the building standards for commercial and retail buildings. In general, performance standards have been clarified for apartments, commercial, office buildings, trash and materials, recycling, collection, screening, exterior lighting, canopies, and office building and retail standards. Included in the updates are lot and yard standards for commercial and residential.

Article 6 - Accessory Uses and Structures. Mr. Shires noted that accessory uses largely apply to single-family, multi-family, townhouse, or row dwellings. He reviewed the location, setbacks, size, height, and building design for those accessory structures.

CMBR Raglow noted the language states the accessory is to match the principal structure and that may not be a favorable choice based on some of the older homes in the City. Mr. Shires said they can change the language from match to it must be consistent and complement the main dwelling.

CMBR Hill asked if these would apply to someone purchasing a pre-built shed. Mr. Shires said units under 100 square feet do not require a permit.

There was discussion of fences, their height, location, and the site line, as well as the height of front yard fences and whether they should be permitted.

It was agreed they would continue their discussion on front yard fencing.

Mr. Shires said at their upcoming discussion, it will be addressing Article 9 - sign regulations and Article 10 - landscaping and screening.

CMBR Raglow thanked Mr. Shires for sending out the redlines before the meeting so they could be prepared.

II. NON-ACTION ITEMS

There were no other items presented.

III. NON-ACTION ITEMS

There were no minutes presented.

IV. ADJOURN

CMBR Raglow adjourned the meeting.

(Roeland Park Workshop Adjourned at 9:03 p.m.)