

**MINUTES OF PLANNING COMMISSION MEETING  
OF THE CITY OF FAIRWAY, KANSAS**

The Planning Commission of the City of Fairway, Kansas (the "Commission") conducted a meeting on Monday, October 28, 2024. The meeting was called to order at 6:00 P.M.

Present: Commissioners Drew Canning, Jeremy Deeken, Rorric Pfalzgraf, Michael Hoelscher and Ron Denton.

Absent: Commissioner Ben Zwick.

Presiding: Chair Wendy Bailey.

Staff Present: City Clerk Abbie Aldridge; Zoning Counsel Anna Krstulic; Community Development Director Basil Alani; Recording Secretary Barb Fox.

Visitors: Alex Szerwinski, Johnson County Wastewater, Olathe, Kansas; Scott Koenigsdorf, 4722 West 68<sup>th</sup> Street, Prairie Village, Kansas.

1. APPROVAL OF MINUTES

Chair Bailey asked for a motion to approve the minutes from the September 30, 2024 meeting.

MOTION: Motion was made by Commissioner Denton to approve the September 30, 2024 meeting minutes. Commissioner Hoelscher seconded the motion.

The motion carried unanimously.

2. OLD BUSINESS

None.

3. NEW BUSINESS

- a. SITE PLAN REVIEW – 5700 BELINDER ROAD, FAIRWAY, KANSAS (WASTEWATER PUMP STATION) AS SUBMITTED BY ALAN RINGHAUSEN OF BLACK & VEATCH CORPORATION ON BEHALF OF JOHNSON COUNTY WASTEWATER, PROPERTY OWNER, REQUEST FOR AN ADDITION WITH THE IMPROVEMENTS, AND EXCEPTION REQUEST TO GREENSPACE, SIZE AND NUMBER OF TREES FOR STREET FRONTAGE, GENERATOR PAD SIZE AND COMBUSION FUEL.

Chair Bailey asked for the staff report.

Director Alani reported that the applicant has submitted plans for a new 1,219 square foot expansion to the existing Belinder Pump Station building. The packet includes a letter from Johnson County Wastewater (JCW) stating that JCW recognizes the interests of the City, but it also asserts its immunity from the City's Codes because the County's project serves an important governmental interest and does not adversely impact the City's interests. The

applicant intends to generally comply with the R-1 zoning but due to the nature of the facility, they are seeking multiple exceptions. Those exceptions include greenspace, size and number of trees for street frontage, generator pad size and combustion fuel.

The greenspace exception requested is for 1,581 square feet (4.4 percent) due to the expansion and enlargement of the access driveways for truck deliveries of chemicals necessary for permit compliance and for regular waste disposal vehicle access. Per the Stormwater Runoff Report, the increase in runoff is considered insignificant and will not impact neighboring properties.

Three existing trees are slated to be removed. Due to the underground conditions of the site, the amount of available land for replanting large shade trees is limited and the applicant is seeking an exception to the requirement that they plant two new large shade trees for each tree removed. To meet the spirit of the requirement, JCW will provide four additional trees. JCW is also requesting approval to plant 1 ½ inch caliper trees rather than the required 3-inch caliper tree as planting a smaller tree will increase their ability to maintain the trees.

Finally, the applicant is seeking an exception to the size of the generator pad and for the use of diesel fuel. The existing diesel-driven emergency generator will be replaced with a larger capacity diesel-driven emergency generator. The generator will be housed in an acoustical enclosure and will not exceed the allowed 75 decibels at the property line.

Staff is not opposed to the application and the requested exceptions. If the Planning Commission approves the application, staff recommends the following conditions:

1. One electronic complete set of plans must be submitted for plan review and approval.
2. Building permit must be obtained and fees paid, as required by City Code.
3. Obtain approval and ROW permit for installation of storm line across Belinder Road from Public Works Department.
4. Project must comply with all City Ordinances, the 2012 International Building Code and other incorporated technical codes.
5. Application and approval are void if the building permit is not obtained within one year of the date of Planning Commission approval.

Chair Bailey asked for discussion from the Commission.

Commissioner Denton commented that he has always wished there were more trees at the pumping station and while he understands the reasons that is not possible, it seems like there used to be more and he wondered if they had died and were never replaced.

Chair Bailey asked the applicant to address the Commission.

Alex Szerwinski stated that he is managing engineer for Johnson County Wastewater, 11811 South Sunset Drive, Olathe, Kansas. Responding to Commissioner Denton's question, Mr. Szerwinski explained that a majority of the front yard space at the property is taken up by a

large underground facility that stores and treats wet weather flow. There is only about two or three feet above that storage tank for cover making it difficult for tree roots to grow. The expansion will push the building farther away from the residences and that requires removing the three trees that are currently there. They have identified some areas on the east side of the property along Belinder where additional trees can be planted.

Commissioner Denton stated that he appreciates the effort to make the area look the same in keeping with the residential look of the neighborhood. He is not concerned about the greenspace exception and also does not have concerns about the generator or the use of combustion fuel.

Commissioner Pfalzgraf agreed, stating that the Commission's normal concerns about the requested exceptions would not apply.

Chair Bailey asked for further discussion. Hearing none, she asked for a motion.

MOTION: Motion was made by Commissioner Pfalzgraf to approve the Site Plan for 5700 Belinder Road, Fairway, Kansas (Wastewater Pump Station) as submitted by Alan Ringhausen of Black & Veatch Corporation on behalf of Johnson County Wastewater, Property Owner, request for an addition with site improvements, and exception request to greenspace, size and number of trees for street frontage, and generator pad size and combustion fuel, subject to staff recommendations. Commissioner Denton seconded the motion.

The motion carried unanimously

- b. SITE PLAN REVIEW – 5531 NORWOOD ROAD, FAIRWAY, KANSAS, AS SUBMITTED BY SCOTT KOENIGSDORF OF KOENIG BUILDING & RESTORATION, PROPERTY OWNER, REQUEST FOR A NEW SINGLE-FAMILY RESIDENCE.

Chair Bailey requested the staff report.

Director Alani reported that the applicant is requesting a new single-family residence. The plans show the height of the new structure is 28 feet 7 inches measured from the existing grade. Pursuant to the watershed analysis, the proposed hardscape will increase runoff to the street marginally and storm detention is not required. The project meets all the requirements of Code Section 15-296 (Dimension Standards) and 15-297 (Site Design Standards).

Staff recommends approval of the project with the following conditions:

1. One electronic set of plans must be submitted for plan review and approval.
2. Building permit must be obtained and fees paid, as required by City Code.
3. Project must comply with all City Ordinances, the 2012 International Building Code and other incorporated technical codes.

4. Application and approval are void if the building permit is not obtained within one year of the date of Planning Commission approval.
5. Installation of approved temporary fencing before a permit can be issued.

Chair Bailey asked for discussion from the Commission.

Commissioner Denton asked what the red area in the upper right corner of the building represents.

Chair Bailey asked the applicant to address the Commission.

Scott Koenigsdorf, 4722 West 68<sup>th</sup> Street, Prairie Village, Kansas, stated that red area represents at the corner of the foundation where it will be one foot taller than the stem wall as they are trying to keep the house at about the same height as the previous home.

Chair Bailey asked if the dimension on the site plan showing the front door being 9.67 feet from the front of the garage is correct.

Mr. Koenigsdorf responded that the front door is shown as 9.67 feet in front of the garage.

There is a discussion that the Code requires that the garage be no more than 8 feet in front of the threshold of the front door and unless the applicant wants to revise the front door or garage location, an exception would be required.

Responding to Chair Bailey's question, Mr. Koenigsdorf stated that if an exception is not granted, he would need to make a determination on whether it is best to reduce the garage or make changes to the front porch.

The Commissioners discussed that requiring the applicant to move the front door threshold by 2.67 feet would make the front porch unusable. Commissioners also noted that the front porch has a roof overhead and also has columns so that the entryway does not appear to be pushed back. For those reasons, the Commissioners agreed to grant the exception.

Chair Bailey asked for further discussion. Hearing none, she asked for a motion.

**MOTION:** Motion was made by Commissioner Denton to approve the Site Plan for 5531 Norwood Road, Fairway, Kansas, as submitted by Scott Koenigsdorf of Koenig Building & Restoration, Property Owner, request for a new single-family residence, including the exception request to allow more than an 8-foot setback for the garage from the front door threshold, subject to staff recommendations. Commissioner Pfalzgraf seconded the motion.

The motion carried unanimously.

- c. SITE PLAN REVIEW – 6115 CATALINA STREET, FAIRWAY, KANSAS, AS SUBMITTED BY ADAM PFEIFER OF APD STUDIOS ON BEHALF OF MATT ADAM DEVELOPMENT CO., INC., PROPERTY OWNER, REQUEST FOR A NEW SINGLE-FAMILY RESIDENCE.

Chair Bailey requested the staff report.

Director Alani reported that the applicant is submitting a request for a new single-family residence. The plans show the height of the new structure will be 28 feet 7 ½ inches measured from the existing grade. The front drainage will increase to the street and will decrease to the rear. Storm detention is not required. The project meets all the requirements of Code Section 15-296 (Dimension Standards) and Section 15-297 (Site Design Standards).

Staff recommends approval of the Project subject to the following conditions

1. One electronic set of plans must be submitted for plan review and approval.
2. New survey with the new home footprint and all the easements.
3. Building permit must be obtained and fees paid, as required by City Code.
4. Project must comply with all City Ordinances, the 2012 International Building Code and other incorporated technical codes.
5. Application and approval are void if the building permit is not obtained within one year of the date of Planning Commission approval.
6. Installation of approved temporary fencing before a permit can be issued.

Chair Bailey asked for discussion from the Commission. Hearing none, she asked for a motion.

MOTION: Motion was made by Commissioner Denton to approve the Site Plan – 6115 Catalina Street, Fairway, Kansas, as submitted by Adam Pfeifer of APD Studios on behalf of Matt Adam Development Co., Inc., property owner, request for a new single-family residence, subject to staff recommendations. Commissioner Deeken seconded the motion.

The motion carried unanimously.

4. ADDITIONAL BUSINESS

a. NEXT MEETING

City Clerk Aldridge stated that no applications have been received so the November Planning Commission will be cancelled. The next Planning Commission meeting is scheduled for December 30, 2024.


5. ADJOURNMENT

Chair Bailey asked for a motion to adjourn.

MOTION: Motion was made by Commissioner Denton to adjourn. Commissioner Pfalzgraf seconded the motion.

The motion carried unanimously.

Hearing no further business, the meeting adjourned at 6:17 P.M.

  
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Abbie Aldridge, City Clerk