

Frequently Asked Questions

How did we get here?

On June 21, 2022, the City Council voted 11-0 (Bonnie Limbird was absent) to direct staff to begin working on implementation of the ad hoc housing committee recommended strategies. The committee's recommended strategies are summarized in three categories:

- Amend the city's zoning regulations to allow quality, attainable housing, especially missing-middle housing by-right in more zoning districts. This strategy includes promoting and removing impediments to accessory dwelling units (ADUs) and consideration of other "neighborhood scale" housing options in R-1A and R-1B (single-family residential), such as small-lot detached houses, courtyard patterns, and multi-unit houses. Further, this strategy called for improving the R-2 (duplex) district for a wider range of small-scale, multi-unit types, such as smaller-lot duplexes, 3- and 4-plex multi-unit houses, row houses, and apartments.
- Support the rehabilitation of the existing housing stock to preserve existing attainable housing.
- Ensure the city continues to participate in regional initiatives regarding housing attainability and transit connectivity.

From this motion, PV United was born. The group is an incorporated nonprofit whose purpose is to oppose rezoning of R-1 neighborhoods to include multifamily housing. Citizen engagement and education started with distribution of yard signs, emails, social media outreach, and door knockings.

Did the City Council change course?

On February 6, 2023, the council approved a motion to amend the housing recommendations to remove references to R-1, R-2, and by-right. The motion passed 8-3. Before the vote, council member Dave Robinson added that the goal of the motion was to **temporarily pause** the discussion and reduce the level of apprehension among residents.

The confusion among residents stems from Robinson's caveat. The references to R-1, R-2 and by-right have been **temporarily** set aside, contributing to fears that those items will be added back by council.

What do the citizens want?

PV United wants the City Council to officially declare R-1 off limits to rezoning by-right and to retain the current process for variances to allowable use of property. This process provides neighbors with the right to be notified, the right to submit a protest petition, and the right to a public hearing.

The mayor and council members have failed to provide a clear and consistent objective for the housing recommendations. The objective has evolved from affordable housing to attainable housing to increasing diversity of housing. PV United has repeatedly submitted a list of questions that would help to clarify the council's objectives, but those questions have not been answered.

Prairie Village is the densest municipality in Kansas and completely built out, so a net increase in housing units can only be achieved by increasing density of housing.

PV United opposes increasing density in R1 neighborhoods for the following reasons:

- More crowding of already crowded schools (larger classroom sizes, burden on teachers)
- Reduced green space
- Exacerbation of drainage issues because of increased non-permeable surfaces

- Increased demand on an aging utility infrastructure
- Increased traffic
- Decreased parking
- Increased noise
- Increased wear and tear on roads
- Potential for litigation between residents of neighborhoods with existing enforceable single-family-only housing covenants and the city

How did the petition drive happen?

Because the City Council has ignored requests to permanently remove R-1 rezoning from consideration, six concerned citizens — one from each ward — are running for City Council on November 7. As added protection from the whims of the City Council, three petition initiatives were drafted, reviewed by the county counselor, signed by thousands of citizens, and submitted for inclusion on the November ballot.

What do various zoning terms mean?

By-Right: This wording would remove our property and due process rights, including:

1. The right to be notified of new zoning or construction within 200 feet of your property and the property of your neighbors (the “notice” right)
2. The right to be heard at a public hearing before the construction gets underway (the right “to be heard”)
3. The right, along with your neighbors, to file a legal protest petition that changes the number of votes needed for approval (the right to “protest” or “object”)
4. The right to have the Planning Commission and City Council vote on the proposed change in use of the nearby property (the right to a “public vote”).

All four rights would be obliterated with the proposed “by right” language.

Zoning Categories:

- R-1: single-family residential
- R-2: two-family residential
- R-3: garden apartment district
- R-4: condominium or common-wall dwelling house district

Current R-1A and R-1B Zoning: Single-family zoning allows only single-family residential use. An accessory dwelling unit (ADU), which is a separate living unit on a single-family lot, would be the second family unit on a lot, so would no longer be “single family.”

Due Process: This means providing notice and a meaningful opportunity to be heard before a citizen’s rights to life, liberty, or property are diminished.

Rezoning: The action or process of assigning land or property to a different category of restrictions on use and development. (*Oxford Dictionary*)

ALQ: Accessory living quarters (ALQ) are separate residential accessory structures that can be used by the occupants or persons employed on the premises, or for temporary use by guests of the occupants. ALQ are attached and not rental dwelling spaces. ALQ are already allowed in R1A and R1B zones. See PV Zoning Ord. 19.02.013.