

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

**PLANNING COMMISSION/
BOARD OF ZONING APPEALS
February 19, 2008**

Commissioners Present: Cowman, McLean, Gage, Rhodes, L. Smith, Bonner, Wrischnik
Commissioners Absent: None

Others Present: Justin Givens, Amy Barenklau, Brian McCauley

Item 1: Consider minutes from the December 18, 2007 meeting

Chair Cowman called the meeting to order with the first order of business the consideration of the minutes from the December 18, 2007 meeting.

Commissioner Cowman mentioned the need for a change to Item 1 on page 3 of the minutes.

Commissioners Cowman and Bonner made a motion to approve the minutes with the noted change, all Commissioners voted in favor.

Item 3: Sign Deviation – Consider an application from the Paola Assembly of God Church – 1016 North Pearl for a sign deviation.

Planner Givens stated the applicant, Rev. Roy Rhodes was in attendance, and then presented the staff brief. The Paola Assembly of God located on North Silver has applied for a Sign Deviation. The applicant states that their current sign does not meet the required setback and that they would like to move the sign further north on the property to center it with a future sanctuary maintaining the same setback from the road.

Analysis:

Section 21.245 provides criteria for the Planning Commission to consider upon a request for a deviation from the Sign Requirements. Those criteria are listed below with staff commentary in *italics*.

Purpose And Intent Of Code: Is granting of the deviation in compliance with the general purpose and intent of the City's signage regulations?

- A. **Impacts On Adjacent Properties:** Will granting of the deviation adversely affect neighboring property owners or residents? Is the image presented by the sign or attention-attracting device consistent or compatible with that in the area as a whole?

Staff would agree that the sign would not have a negative impact on the adjacent area or neighboring property owners. The LED lighting would be limited in view and focused on traffic instead of homes across the street. The proposed sign is well within the sign regulations of the city except for its location

- B. **Safety:** Will granting of the deviation adversely affect safety? For free-standing signs, a safe sight-distance setback is required, and the sign location must not encroach upon potential future right-of-way needs. The use of signs or attention-attracting devices should not significantly distract traffic on adjacent streets.

Staff feels that the sign will not be a detriment to traffic and will be outside of the ROW. The base of the sign will be roughly 48' from the edge of the pavement and any future expansion of the roadway will not be affected from the sign.

- C. **Visual Clutter:** Will granting of the proposed deviation significantly clutter the visual landscape of the area? The proposed deviation, in addition to all existing or potential future signs on nearby tracts, should be reviewed for their impact on cluttering the visual landscape. Reductions in the total number of signs or their size may be needed, or setbacks increased, to compensate for other signs and attention-attracting devices in the area.

The applicants have removed one sign and will be moving the proposed sign further north to help eliminate existing visual clutter from multiple power poles and lighting fixtures.

- D. **Site Constraints:** In some situations, topography, landscaping, existing buildings or unusual building design may substantially block visibility of the applicant's existing or proposed signs from multiple directions. While visibility of a sign or attention-attracting device is not to be guaranteed from all directions, deviations may be appropriate to provide reasonable visibility of a business's main sign.

This sign will be visible from both north and southbound traffic and will not damage the view of any other sign. The property spans some 400' so staff does not see a problem with the location in relationship to other signs or buildings.

- E. **Lighting:** Sign or attention-attracting device lighting should not disturb residents of nearby residential land uses or adversely affect traffic on adjacent streets.

Staff does not feel that the lighting of the sign would be a detriment to existing neighborhoods or traffic on Pearl.

- F. **Promotion Of High Quality - Unique Design:** The proposed sign(s) should be of high quality and must be compatible and integrate aesthetically with daytime/nighttime color, lighting and signs of the development and adjacent buildings. Facade signs may include unique copy design including painting of walls or integration into canopies/awnings, shapes, materials, lighting and other design features compatible with the architecture of the development of surrounding area. Attention-attracting devices should be of a unique, high quality design, which accentuates the architecture of the building(s) served, versus functioning solely to draw attention to it.

The proposed sign as submitted will be a quality sign designed to meet the city's strict sign standards and could help to promote upgraded signs in the area.

Issue:

Does the Planning Commission wish to approve this Sign Deviation?

Actions:

The Planning Commission may:

Approve the Sign Deviation

Deny the Sign Deviation

Table the matter for further study

Recommendation:

It is staff's recommendation that the Planning Commission approve this Sign Deviation

Commissioners Gage and Cowman made a motion to approve the sign deviation at 1016 North Pearl. Commissioner Rhodes abstained from voting. All other Commissioners voted in favor.

Item 2: Preliminary/Final Site Plan – Consider an application from Lakemary Center for Preliminary/Final Site Plan for a new building.

Planner Givens presented the staff brief. Lakemary Center of Paola has submitted a preliminary/final site plan to construct a new service building that will consolidate much of its offsite services. This project is located on the Lakemary Campus and will have a single entrance on East Peoria Street.

Analysis:

This project calls for an 11,250 square foot building that will be wrapped in stucco / model stone and accent bands. No colors have been provided at this time. They have provided ample parking with a 40' internal cul-de-sac for entering and exiting. The building will consist of office and conference space as well as two lifestyles rooms, an organizational employment area and area for future expansion internal to the building.

Staff has provided a review sheet with commentary but several items remain outstanding. No landscaping, signage, or lighting plan has been provided. The applicant states that there will be building mounted 200 w. metal halide lights at the entrances but does not provide any light measurements or calculations.

Issue:

Does the Planning Commission wish to recommend approval of this Preliminary/Final Site Plan to the City Council?

Actions:

The Planning Commission may:

- Recommend the Preliminary/Final Site Plan to the City Council
- Not Recommend the Preliminary/Final Site Plan to the City Council
- Table the matter for further study

Recommendation:

Normally between a preliminary and final plan the City is provided with a layout of how this project will work with the buildings within a 200-foot radius of the property lines. This sketch will detail existing and proposed buildings, drives, roads, and drainage structures. Staff feels that this information is lacking or if provided in a way that is difficult to determine the overall impact on the area. Staff would like to see how the project would affect the general area before recommending the approval. Staff would recommend that this matter be tabled for further information.

Commissioners Rhodes and Bonner made a motion to table a decision on the preliminary/final site plan for Lakemary until additional required information was provided by the applicant. All Commissioners voted in favor.

Item 4: Preliminary Site Plan – Consider an application for a Preliminary Site Plan approval from Pinnacle Point Apartments.

Planner Givens presented the staff brief. The submitted Preliminary Site Plan is the product of recent changes in the LDO to the NC-R3 division that allows for multi-family projects. Pinnacle Point is a 33-unit market based apartment complex that will be located on West Ottawa Street adjacent to Paola Housing Authority property.

Analysis:

This is the first step in the approval process for the apartment complex. Staff felt that it was important to have a preliminary plan in place so that the developer could make any required changes prior to submitting a final site plan and a conditional use permit application, which would be the final two steps in the approval process.

There are several aspects to this project that Staff feels the applicant has used to create a workable project within the limited space and terrain. Much of this property is in the floodplain and the proposed development has been designed to not infringe on the floodplain leaving ample open space for the residents of the apartment complex.

The 33-unit project consists of three buildings, one housing nine dwelling units the other two consisting of 12 dwelling units in each building. Four of the units in the east building will be fully ADA compliant and accessible.

Another area is the parking. Multi-family projects require 2.25 parking spots per dwelling unit. This project provides for 56 spaces in complete off street parking. Another 19 spaces will utilize cut out off street parking similar to that across the street from at the Paola Housing Authority. Based on the terrain and property location, Staff feels that this parking is a good solution to required parking and will blend with the location. All parking surfaces will be asphalt as well. Landscaping will be another area that staff and the applicant will work together on to determine the final number of plant units that will be required to comply with the LDO. Analysis of the preliminary plan shows that 37 plant units would be required with a reduction of 25% if a sprinkler system were installed. Sections 13.260 thru 13.320 provide for methods in calculating preserved tree credits that will affect the final number of required plant units. As this is a densely wooded area, a number of the required plant units may not be needed.

Additional outstanding items that will need to be addressed when a final plan is submitted will include lighting for the parking areas and the buildings, all signage as well as finalized building materials including colors and the extension of a sidewalk to tie into the existing sidewalk to the east. A drainage study will be required and any required detention or retention areas will need to be provided.

Issue:

Does the Planning Commission wish to recommend approval of this Preliminary Site Plan to the City Council?

Actions:

The Planning Commission may:

- Recommend the Preliminary Site Plan to the City Council
- Not recommend the Preliminary Site Plan
- Table the matter for further study or information

Recommendation:

It is staff's recommendation that the Planning Commission recommend the approval of the Preliminary Site Plan to the City Council.

Commissioner Cowman stated that the proposed parking is consistent with what is already done in the neighborhood.

Commissioners Cowman and Smith made a motion to approve the preliminary site plan for Pinnacle Point Apartments. All Commissioners voted in favor.

Item 5: Items from Staff

Downtown Master Plan – Staff has been directed by the City Manager to begin a study to complete a Downtown Master plan that will look to create common design elements such as streetscapes, lighting, signage, and other items to assist in creating a unified “look” for the

downtown area. This was spurred on from an application from Swan River Museum for the installation of a replica gas light in front of its building. Staff was concerned that this may have led to other property owners wanting to install items along the sidewalks, which would eventually create a unwanted effect to our downtown area. This project will look to create an overall design and streetscape appearance for the downtown area and will eventually seek input from city staff, the chamber, Planning Commission, City Council and other downtown stakeholders such as business and property owners. This project will be handled internally as much as possible with little outside agency assistance.

The Commissioners did not have any concerns or comments about this item.

Growth Area Meeting – Staff met with various planners and building inspectors in Miami County to discuss the growth area and issues pertaining to the administration of Zoning, Building and Nuisance Regulations in the Growth Area. Staff feels that this meeting was productive and help to reiterate some administrative procedures involved in the day to day management of the growth area.

Commissioner Smith inquired if items such as variances would be viewed by Miami County, and Planner Givens indicated they would.

Sewer Studies – The City will be commencing two separate sewer studies, one for the North Basin (areas north of Rockwood and east and west of Old Kansas City Road to K-68). The other tentatively scheduled for later this year for the Dorsey Creek Branch (areas north of the Hospital and Lake on both sides of US – 169) in anticipation of future growth in these areas.

Planner Givens stated that Blue Sky & Dennis Doherty have inquired for future planning purposes; specifically a couple of years out. Commissioner Gage voiced some concerns about maintenance of streets and the ability to maintain future streets given the status of current streets.

Planner Givens stated he might check with the Public Works Director to see if he could attend a future meeting to talk about the street maintenance plan.

Street Tree Placement – The Paola Tree Board has contacted staff about representing their recommendations for a text amendment to the LDO for the placement of Street Trees.

The following is their recommendation:

- A. A street tree shall be defined as any tree planted within the city street right of way. No tree shall be planted within five feet of concrete.
- B. Street trees shall be chosen from an approved list submitted by the Paola Tree Board and approved by the City of Paola. the species list will be reviewed and revised as needed.

C. Trees of the same species shall not be planted adjacent to one another. An exception may be granted to areas within overlay districts, i.e. downtown city entrance.

D. Street trees shall have a minimum caliper of 1 1/2 inches.

Commissioners did not have any concerns.

Estate District Uses – Staff has been approached about heavier uses within the Estate District and possible changes to the LDO that would allow for such uses. Currently the only non-residential uses that are allowed in the Estate District are Agriculture, Nursery, Institutional Residential, Outdoor Recreation, Home Office, and Day Care. The use in question would be of the Light and Heavy Industrial Uses. Any changes would most likely require either a conditional use permit or limited review.

Commissioners did not have any concerns.

Item 6: Items from Commissioners

Commissioner Rhodes asked for clarification that the Paola Crossing building would not be metal when completed. Staff verified that it would be stucco wrapped.

Item 7: Adjournment

Commissioners Cowman and Smith made a motion to adjourn with all Commissioners voting in favor.