

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

**PLANNING COMMISSION/
BOARD OF ZONING APPEALS
March 17, 2009**

Commissioners Present: McLean, Gage, Wrischnik, Bonner, King
Commissioners Absent: Cowman, L. Smith

Others Present: Jay Wieland, Mike Gotfredson, Amy Barenklau, Harold E. Achey, Ross Jensen, Carl Hartley, Jerry Wiesner, James E. Sutherland, Brian McCauley

Item 1: Consider minutes from the February 17, 2009 meeting

Vice-Chair McLean called the meeting to order. The first order of business was the consideration of the minutes from the February 17, 2009 meeting.

Commissioners Gage and Wrischnik made a motion to approve the minutes as submitted, with all commissioners voting in favor.

City Manager Wieland introduced Mike Gotfredson, new City Planner, to the members and welcomed him to the community.

Item 2: 09-VARI-01 Variance, Sutherland Family; 907 North Pearl - Consider an application from the Sutherland Family Partnership for a reduction in required setbacks for a monument sign in the Thoroughfare Access zoning district.

Commissioners Gage and Bonner made a motion to open the public hearing with all commissioners voting in favor.

Planner Gotfredson presented the staff brief. He explained that the applicant desires to construct a new monument sign for the commercial development which is located along North Pearl Street, just north of the new Paola Justice Center.

The reason for the variance request is that the applicant desires to construct this sign basically at the City Right-Of-Way to be in line with current signage on an adjoining parcel. This would decrease the setback to none or very minimal (not the 15' required in the LDO). Mr. Gotfredson said that as the right-of-way adjacent to this property was much larger than others in the area, granting a variance would not be noticeable. In his opinion, the application met the requirements for granting a variance and recommended that it be granted.

Mr. Sutherland spoke to the Commissioners about his desire to install the sign, as well as his concern with having to go through a variance with all associated costs. He stated he felt the process was unfair, but that if it was a necessity, he would go through the process.

There were no additional comments from those in attendance.

Commissioners Gage and King made a motion to close the public hearing. All Commissioners voted in favor.

Commissioner Gage inquired about the possibility of the Right-Of-Way being utilized in the future and expressed his concern about who would be responsible for relocating or replacing the sign if it had to be moved.

Planner Gotfredson stated the Public Works Department did not see a need for the Right-Of-Way and did not have any future plans to do so at this time.

Commissioners Gage, McLean, Wrischnik and Bonner all stated they felt it should be the City's responsibility to replace the sign if it would have to be moved in the future for City projects.

Commissioner Gage made a motion to approve a variance from the setback and size requirements for a sign at 907 North Pearl Street, with the stipulation that the City of Paola shall be responsible for relocating and replacing the sign if the Right-Of-Way is used in the future. Commissioner Bonner seconded the motion. Motion passed unanimously.

Item 3: 09-DEV-01 Sign Deviation, Acme Sign; 2100 Baptiste Drive – Consider an application from Acme Sign for an additional sign at Miami County Medical Center.

Planner Gotfredson presented the staff brief. The application was for additional signage at the Miami County Medical Center. The proposed signage is for the doctors building which is located on the eastern side of the building. The reason for the deviation request is that the applicant desires to install an additional sign on the building. If this is not considered a multi-tenant building, the applicant already exceeds the number of allowed signs for Thoroughfare Access zoning. If considered a multi-tenant building the proposed sign does not comply with those requirements as they already have small signage on the front and the proposed sign will be on the side of their space. Staff has presented similar requests to the Planning Commission for several other businesses and past deviations have been approved based on the finding that all signage did not exceed the maximum 10% coverage of the front façade.

Mr. Gotfredson said that he felt that this application met the requirements for a sign deviation and recommended approval.

Commissioner Wrischnik stated that signs at this particular building are for direction and location, not advertising purposes.

Carl Hartley stated that the proposed sign would match all existing signs. He stated the proposed signage is for the Doctor's Building, not Miami County Medical Center, and felt that it would help with confusion for those visiting the campus.

Jerry Wiesner stated that it was amazing how many people get lost and he felt this will help them more easily find the office.

Commissioner Gage made a motion to approve the deviation from the sign ordinance at 2100 Baptiste Drive. Commissioner King seconded the motion. The motion passed unanimously.

Item 4: Staff Items

Planner Gotfredson reminded the members that several terms would be expiring in May and thanked the members for their continued service, as it is appreciated. He asked members to notify staff if they did not want to be reappointed.

Staff answered questions about specific items from the staff memo. Commissioner Wrischnik inquired about expired Conditional Use Permits. Mr. Gotfredson answered that he had begun to research them. Bonner asked if the Paola Girls Softball Association had been in contact with staff. Staff indicated that they are continuing to monitor work at the ball fields and continue to work through requests from all parties inquiring about building structures at the complex.

Commissioner McLean inquired about the Conditional Use Permit for 809 and 811 South Silver. Mr. Gotfredson explained that the City Council had denied the renewal, due to the fact that the applicant had not complied with the conditions of the CUP. Commissioner Gage asked about the status of Paola Crossing. Staff indicated that they have been informed that the center may be in foreclosure and will continue to work with the mortgage holder to rectify outstanding issues.

Item 5: Items from Commissioners

Commissioner McLean inquired about a sign on Pearl Street. Planner Gotfredson stated that the sign had been erected prior to obtaining a permit and that staff was currently working with the applicant to meet current requirements.

Commissioner Gage stated he had received several complaints about One Stop Auto Shop having vehicles parked to the south of the business. Staff stated they would pull the file and address with owners during their Conditional Use Permit renewal.

Item 6: Adjournment

Commissioners McLean and Wrischnik made a motion to adjourn with all Commissioners voting in favor.