

MINUTES OF THE PLANNING COMMISSION MEETING

**PLANNING COMMISSION/
BOARD OF ZONING APPEALS
July 20, 2010**

Commissioners Present: Cowman, Gage, Wrischnik, Peterson

Commissioners Absent: Bonner, McLean, Smith

Others Present: Mike Gotfredson, Amy Barenklau, Brian McCauley, Julie McWilliams, Tim Lang and others

Item 1: Pledge of Allegiance

Item 2: Consider minutes from the June 15, 2010 meeting

Chair Cowman called the meeting to order. The first order of business was the consideration of the minutes from the June 15, 2010 meeting.

Commissioners Gage and Wrischnik made a motion to approve the minutes as submitted. All Commissioners voted in favor.

Item 3: Public Hearing: Consideration and vote on a Conditional use permit for a bed and breakfast at 29360 W 311th Street, Julie McWilliams, applicant.

Commissioners Cowman and Gage made a motion to open the public hearing. All Commissioners voted in favor.

Planner Gotfredson presented the staff brief and gave a brief overview of the applicant's plans for the use. A brief review of the LDO criteria for bed and breakfasts was given.

Planner Gotfredson's findings are that the application is consistent with Section 21.220 and the conditions of approval are consistent with Section 21.222 of the Land Development Ordinance. Additionally, the application will not be detrimental to the health, safety or general welfare of the community.

Planner Gotfredson recommends approval of the conditional use permit with conditions outlined in the LDO and any other conditions that the Planning Commissioners may deem appropriate for this use.

There were no comments from those in attendance.

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

Commissioner Wrischnik stated the application seemed pretty straight forward, but felt the county may have some concerns.

Commissioners Cowman and Gage made a motion to recommend approval of the Conditional Use Permit for a bed and breakfast at 29360 W 311th Street with the following conditions:

- 1. The owner/proprietor is required to occupy the residence.*
- 2. The number of bedrooms used for a Bed and Breakfast shall not exceed five (5).*
- 3. Bed and Breakfasts shall comply with County and State requirements/licenses as a food service or lodging facility.*
- 4. Short-term overnight lodging shall be permitted. Monthly rentals or leasing shall be prohibited.*
- 5. A minimum of one off-street parking space is required.*

All Commissioners voted in favor.

Item 4: Consideration and vote on a sign deviation for a replacement pole sign at 32575 Old Kansas City Road, Tim Lang, applicant.

Planner Gotfredson presented the staff brief and gave a brief overview of the applicant's request. Currently the sign exceeds the maximum height and size regulations and the new sign standardization for dealers nationwide would require a sign deviation.

Mr. Gotfredson reviewed the criteria for sign deviations in the LDO and reminded the Commissioners that it was not necessary to meet all the criteria for the deviation. He stated that if the Commissioners desired to approve a deviation that he would suggest the sign height be limited to 23 feet.

Planner Gotfredson's findings are that the application is consistent with Section 21.245 of the Land Development Ordinance, the addition of the applicant's sign to the current and potential future signage in the area will not create unreasonable clutter, and that the sign is not a hazard to safety and will not present an unreasonable negative impact to neighboring properties.

Mr. Lang spoke to the Commissioners about the history of the existing sign and indicated that the current need is in response to GM's implementation of sign standardization for dealerships nationwide. He stated that in the next two to three years they will be standardization standards for dealership buildings. He stated he would appreciate consideration of the deviation.

Commissioners Gage and Wrischnik made a motion to approve the sign deviation request for Lang Chevrolet at 32575 Old Kansas City Road with a height restriction of 23 feet. All Commissioners voted in favor.

Item 5: City Planner report and items from the Commissioners.

Planner Gotfredson stated the City Council had approved text amendments to the LDO at their meetings. He also updated Commissioners on building permits and that they are staying steady. He stated that Burger King has paid for and obtained their permit and staff is waiting for them to begin work.

Planner Gotfredson gave an overview of the provided training on conflicts of interest for Planning Commissioners. He gave a short explanation of Kansas law and explained it does not necessitate Commissioners abstaining based on the nature of their decisions. He explained that disclosure is typically adequate for their particular situation.

Commissioner Cowman inquired about the outcome of the Lighthouse Presbyterian Church site plan and sidewalk requirements. Planner Gotfredson explained that an escrow would be established and paid into for a couple of years. He stated he understands that the City will install sidewalks in that area and will most likely install those required for the Lighthouse at that time and will utilize funds from the escrow for that portion.

Item 6: Adjournment

Commissioners Cowman and Wrischnik made a motion to adjourn the meeting. All Commissioners voted in favor.

Meeting was adjourned at 5:18 pm.