

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

**PLANNING COMMISSION/
BOARD OF ZONING APPEALS**

August 21, 2007

Commissioners Present: Cowman, Gage, Rhodes, McLean, L. Smith, Wrischnik

Others Present: Justin Givens, Amy Barenklau, Brian McCauley, Carol Everhart, Janet McRae, Clint Burkdoll, Alan Hire

Item 1: Consider minutes from the July 17, 2007 meeting

Chair Cowman called the meeting to order with the first order of business the consideration of the minutes from the July 17, 2007 meeting.

Commissioners McLean and Cowman made a motion to approve the minutes as submitted with a correction to date of minutes approved at the July meeting. All Commissioners voted in favor.

Planner Givens introduced Janet McRae, Miami County Economic Development Coordinator to the Planning Commissioners.

Item 2: Design Review – 21 West Wea – Advanced Dental

Planner Givens presented the staff brief. Ralph Schlatter, owner of the Advanced Dental building at 21 W. Wea has been working closely with Chamber Director Carol Everhart as he goes forward with a cosmetic facelift of the building. The front façade has begun to deteriorate and the City has received several complaints about falling bricks. While not an immediate danger, Mr. Schlatter has decided to renovate the façade.

Analysis:

Per the LDO, Section 15.210 provides design standards that are required. Those standards are as follows with staff commentary in *italics*.

SECTION 15.210 DOWNTOWN DISTRICT STANDARDS

The Downtown District contains the City Square, Court House Square, City Hall, and Library. The standards of this district are to maintain the historic image and character of the downtown area and to ensure that new buildings fit into that character. All buildings shall be reviewed during site plan approval by the planning commission for adherence to the following:

- A. **Building Material.** Red brick masonry is the preferred building fascia. Stone and other brick masonry may be approved, provided the building fits into the context of its neighbors and is not a sharp contrast to existing buildings.

Currently the building does have red brick that has been painted white above the stained glass. Mr. Schlatter's plan calls for this part of the front façade to be sandblasted and restored to the original red brick. In the plan, the white porcelain brick will remain to provide a contrast to the red brick and stucco areas that will be a stone color.

- B. **Building Height.** All buildings shall be at least two stories in height. If the use proposed is such that two stories are impractical, then the architecture and street facade(s) should be such that the two-story character of the streets is maintained.

At this time, it is not practical to require any false facades or increases in the existing structure to project a second story. All four buildings to the west of Advanced Dental are single stories.

- C. **Architectural Style.** There is no single style that is mandated for the downtown area. However, building elevations should be sensitive to the scale and style of neighboring buildings. Overall window placement, window size, decorative trim or material, and colors should be consistent with the general street face.

Mr. Schlatter's plan calls for new windows and doors similar to those found to the east. The window line and casing will be the same as on Evergreen Events so that consistency will remain.

- D. **General.** In looking at neighboring structures, it should be understood that some older buildings have been degraded with applications of more modern materials over the original building facade. In these cases, the Planning Commission may insist on a facade that more closely resembles the original styles, or is in keeping with buildings further down the same street that have preserved their historic character.

Staff feels that Mr. Schlatter has put much thought and effort into a plan that is consistent with the design requirements of the LDO as well as the existing architectural styles that are prevalent on the square. This new façade should complement the neighboring buildings and improve the character of the area.

Issue:

Does the Planning Commission wish to approve the design of 21 W. Wea?

Actions:

The Planning Commission may;
 Approve the Design Plan
 Deny the Design Plan
 Return the Design Plan for re-design

Recommendation:

It is staffs recommendation that the Planning Commission approve the design plan as submitted.

Commissioners Gage and Smith suggested that the property owner check into other restoration methods for the bricks instead of sandblasting. They stated that other business owners had sandblasted the brick and the upkeep is very costly, they mentioned that there are other options that might be more cost effective for the owner.

Commissioner Rhodes suggested they check with Gliem & Giddings, as they just restored the front of their building recently.

Commissioners Gage and Cowman made a motion to approve the design plan for 21 West Wea. All Commissioners voted in favor.

Item 3: Discussion – Proposed Multi-Family Development on Block 58 – Ottawa Street

Planner Givens introduced Clint Burkdoll and then presented the staff brief. Clint Burkdoll of Mesa Developments has proposed building 3 12 unit multi-family complexes on Block 58 of Ottawa Street. This property was re-zoned to NC-R3 recently and is surrounded by income-based multi-family properties. The plan calls for three 12-unit complexes. Because of the terrain of the lot, Mr. Burkdoll feels that each complex will accommodate basement units with walkout patios.

Analysis:

A majority of multi-family housing in Paola is income based – this project will be funded privately and rent will be market based.

The property is surrounded by public housing to the north, east, and southeast. A creek and floodplain abut the property to the rear.

The LDO defines Special districts that are applied to existing development areas. The Neighborhood Conservation (NC) District applies to neighborhoods or platted areas whose character is already set by existing uses and lotting and which should be protected or conserved.

SECTION 02.231 NEIGHBORHOOD CONSERVATION (NC) DISTRICTS

- A. These districts protect the residential character of existing neighborhoods or platted subdivisions that were or are being developed under previous zoning regulations.
- B. These districts recognize the lotting standards in effect when the community was developed and avoid making older developments nonconforming as development standards evolve. These districts permit minor infill consistent with the existing character, but are not otherwise intended for use of new development or rezoning.
- C. Different types of neighborhoods exist which receive an NC- designation. Distinctions between these neighborhoods are made by numbers or letters following the NC. For example, NC-R3 indicates a land that is zoned R3 multi-family. Each subcategory has lot size and setback standards (see Table 04.110 A.).

Table 3.110A General Use Table only allows Single Family Detached and Group homes in the NC districts.

Table 4.110A spells out specific setbacks and lot sizes in the NC districts for a multitude of housing options.

NC-R1 – single family only

NC-R2 – Single Family – Duplex – Other

NC-R3 – Single Family – Duplex – Multi-Family – Other

The following information is taken from Chapter 3 Housing Action Plan of the 2006 Comprehensive Plan. While owner-occupied housing comprises the large majority of residential units in Paola, attention may need to increasingly turn to the supply and cost of rental units.

GOAL 1. SUPPORT THE AVAILABILITY OF HOUSING IN PAOLA AND THE COMMUNITY GROWTH AREA FOR ALL AGES AND INCOME GROUPS.

Action:

1. Direct the Planning Office and Planning Commission to identify “opportunity sites” for infill development/redevelopment of new housing of varied types and costs, throughout the City and Growth Area. Develop and maintain a map showing these opportunity sites and make it available to developers and others.

2. Consider approaches such as density bonuses and transfer of development rights to provide more lots for housing, and to encourage higher density housing where such is appropriate.

GOAL 3. ENSURE THE DISPERSAL OF AFFORDABLE HOUSING THROUGHOUT THE CITY AND GROWTH AREA.

Concentrating affordable housing into confined areas of the City could potentially lead to unfair and unhealthy community perceptions about those areas. Such concentration can also lead to perceptions of isolation and separation of low-income families residing there, who do not feel they are seen as part of the community. Consequently, affordable housing should be dispersed throughout the community.

Action:

1. Examine the LDO and City-adopted building codes for any provisions which may unintentionally restrict the construction of affordable housing in any residential zoning district.

3. Consider amending the LDO to create incentives for developers to construct affordable housing, both single-family and multi-family, *e.g.*, density bonuses.

Issue:

There are several issues Mr. Burkdoll would like cleared before pursuing this matter further as well as providing direction for staff in how to proceed.

1. Is this a viable project in this location? The LDO is very conflicting in this area, one section indicates that this type of project is permissible while another section reads no it is not.
2. Is the scale of the project in line with the surrounding area? Controls can be placed on the project in terms of style, layout, landscaping and buffering as well as the number of units proposed.
3. Will this project help/hurt the character of the neighborhood? A majority of the multi-family units in the area are older, but there are some newer single-family homes in the neighborhood as well.
4. Would this project be better suited for rezoning or “spot” zoning or would a beneficial use application be a better process
5. Is there more information that could be attained to make a more informative decision? Such as market figures and appraisals – housing costs for the area – areas in other cities that have had similar situations

Actions:

There is no action to be taken at this time. This matter is for discussion purposes only. It is brought before the commission to provide direction to the property owner for this specific project and for staff for future housing issues.

Commissioner Cowman stated the he felt it was a viable project for the area, and asked Planner Givens to clarify which sections of the LDO discuss requirements for multi-family housing and which ones do not. Planner Givens stated that requirements are listed, but it is not an allowed use in the LDO’s use table.

Commissioner Rhodes asked how the use would be allowed if the property was not re-zoned. Planner Givens stated that it could be accomplished by an LDO text amendment, expanding the use table or by rezoning.

Commissioners Rhodes and Cowman both felt that there are reasons for spot zoning. Commissioners Cowman and Wrischnik both felt that the property should be re-zoned, and that the proposed use was the best use for the lots in question.

The Commissioners discussed the need to have a text amendment to the LDO to expand the Neighborhood Conservation classifications in the General Use Table. Planner Givens stated he would have the text amendments on the agenda for September.

Item 4: Items from Staff

Planner Givens informed the Commissioners that George Butler & Associates have been approved for the K-68 Corridor study. He indicated that there would be public involvement meetings and there would be other opportunities for the Commissioners to be involved in the project.

Staff informed Commissioners that there will be four public hearings next month; two requests for variances in setbacks, one for deviation in building materials, and the text amendment.

Item 5: Items from Commissioners

There were no items from the Commissioners at this time.

Item 6: Adjournment

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