

**MINUTES OF THE PLANNING COMMISSION MEETING**

**PLANNING COMMISSION/  
BOARD OF ZONING APPEALS**

**June 16, 2009**

**Commissioners Present:** Cowman, McLean, Smith, Bonner, Wrischnik

**Commissioners Absent:** Gage, King

**Others Present:** Mike Gotfredson, Amy Barenklau, Brian McCauley

**Item 1: Pledge of Allegiance**

**Item 2: Consider minutes from the May 19, 2009 meeting**

Chair Cowman called the meeting to order. The first order of business was the consideration of the minutes from the May 19, 2009 meeting.

*Commissioners Cowman and McLean made a motion to approve the minutes as submitted. All commissioners voted in favor, with Commissioner Bonner abstaining.*

**Item 3: 09-CP-01 - Consideration and vote on annual review of the Comprehensive Plan, City of Paola, applicant.**

*Commissioners Cowman and Smith made a motion to open the public hearing with all commissioners voting in favor.*

Planner Gotfredson presented the staff brief. He explained that the city is required to review the comprehensive plan annually. Since the plan is relatively new, he explained that he felt the sentiments expressed by citizens were still viable and that the changes he is proposing are mostly updates, condensing of some areas to make them shorter and housekeeping items. He explained that the policies have not changed.

Planner Gotfredson stated that his findings were that the application will not be detrimental to the health, safety or general welfare of the community and that the application has followed the procedures set forth in K.S.A. 12-747. Mr. Gotfredson recommends that the Comprehensive Plan be amended as shown in the provided documents.

Chair Cowman noted a few changes that he had noted. Section 3.2 shows new house graphs through 2006, and other data provided includes 2007. He questioned if the graph for 2007 could be included or information changed to be for the same number of years. In Section 3.3 the

housing stock section data for 2005 is blank. It would be nice to add or delete the data so it is not blank. In Section 3.4 there are some items that are misaligned. In Section 4.6 where is discusses economic development, he questioned if the city had developed the economic development position as proposed? Mr. Gotfredson explained that Carol Everhart of the Chamber of Commerce was also the Economic Development Director.

Chair Cowman asked if anyone in attendance had any comments or questions. There were no comments from those in attendance.

*Commissioners Cowman and McLean made a motion to close the public hearing, with all commissioners voting in favor.*

*Commissioners Cowman and Smith made a motion to recommend approval of the proposed revisions of the Comprehensive Plan. All commissioners voted in favor.*

#### **Item 4: Discussion on possible revisions to the Land Development Ordinance**

Planner Gotfredson explained that he had planned to give a visual illustration, but due to the power outage he was unable to provide that for this meeting. Mr. Gotfredson reviewed traditional and performance zoning and explained the differences. He explained that Paola's zoning is actually a hybrid.

Mr. Gotfredson explained that he felt traditional zoning is well suited for residential development, and both the City and property owners would be better served by a more simple approach in the residential areas. He explained that he had provided some examples of how this could be adapted to the current zones. Mr. Gotfredson explained that for residential zones, a change could be done without a lot of work.

Planner Gotfredson explained that if the commissioners can determine how they want to approach zoning districts and get the zoning to work how they want, the rest is easier. He reviewed the provided sample of Estate zoning regulations. Mr. Gotfredson gave an example of a development for commissioners to see how the zoning and open space requirements can work together to create a nice subdivision without putting additional burden on property owners.

Commissioner Bonner stated that he agreed with the approach, as he feels Rockwood Estates is a perfect example of green space that is not beneficial to home owners. He stated that requirements were met, but there was no benefit to anyone with where the parcels were placed within the development.

Commissioner Smith asked if Planner Gotfredson had any additional thoughts for requirements on green space. Mr. Gotfredson explained that the only requirement now is that they can not be fenced. He stated that it is a property owners right to divide property, and the City wants to allow subdividing of property. He explained that exact open space would be increased/decreased based on density that the property owner wanted to provide for the development.

Planner Gotfredson stated that he felt there is still a place for performance zoning in Paola. He explained that the Thoroughfare Access district is one place that it still makes sense to keep some performance elements. One of the reasons is that it allows for a number of different uses without requiring a property owner to rezone property. Given that the exact nature of future development in the Thoroughfare Access district is difficult to predict, this seems to be a way for things to happen quickly.

Mr. Gotfredson explained that if commissioners liked the example provided he felt there was some fine tuning that would need to be done to get lot sizes where everyone felt comfortable. He explained that clusters are a good way to get parks and trails, but still have decent lot sizes.

Commissioner Cowman stated that the last few developers had wanted smaller lot sizes, no matter green space requirements, to maximize the number of lots to be sold. He also stated that he felt the LDO is a complicated document for everyone, and he would like to see a simpler system. Planner Gotfredson stated that he has noted there are different sections that discuss similar things, and just simply by condensing the document will be simpler.

Commissioner Cowman agreed and stated that the LDO was developed to give control over how the city developed. Over the years things have changed and the LDO needs to be updated to work with those changes. Commissioner Smith agreed that the LDO was developed to address the trend of houses being built row after row, but that lots sitting not getting mowed doesn't accomplish anything and he felt that there needs to be a compromise. Mr. Smith also stated that he does not want to see lots smaller than they are now.

Planner Gotfredson stated that any changes would affect only new applications for development. He stated that he will continue to work on the proposed changes. He stated it will take a little work but once it is done, development will be a lot simpler.

#### **Item 5: City Planner Report**

Planner Gotfredson stated that all items from the May 19<sup>th</sup> meeting had been approved by the City Council.

He informed commissioners that there will be action items at the July meeting.

#### **Item 6: Items from Commissioners**

Commissioner Bonner inquired if maintenance of homes would be addressed in any of the LDO revisions? Planner Gotfredson explained that maintenance requirements would be addressed in building codes, not development ordinances.

Commissioner McLean told staff that he would not be at the July meeting.

**Item 7:       Adjournment**

*Commissioners Bonner and Cowman made a motion to adjourn the meeting. All commissioners voted in favor.*