

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

**PLANNING COMMISSION/
BOARD OF ZONING APPEALS**

January 17, 2006

Commissioners Present: Cowman, Gage, Smith, and McLean

Commissioners Absent: Head, Rhodes, and Minden

Others Present: Brian Faust, Amy Barenklau, Brian McCauley, Todd Allenbrand, Ross VanderHamm, James Kaup, LeAnne Shields, Mayor Artie Stuteville

Item 1: Consider the minutes for the December 20, 2005 meeting.

Chair Cowman called the meeting to order with the first order of business the consideration of the minutes from the December 20, 2005 meeting.

Commissioners Gage and McLean moved to approve with all Commissioners voting in favor.

Item 2: Miami County Medical Center Doctor's Building Condominium – Second Plat: Replat of Unit 3 – Miami County Medical Center Doctor's Building Condominium, First Plat

Planner Faust presented the staff brief and recommendations. In April of 2005, the Planning Commission and City Council approved a Condominium Plat for the Miami County Medical Center that was prepared by Schafer, Kline & Warren. The City has received an application to re-plate Unit 3 of the Condominium Plat from Mr. Todd Allenbrand of Payne & Brockway. This re-plate separates Unit 3 into 3 individual units (Units 8, 9, and 10). As with the original Condominium Plat, the individual units are being separated for tax purposes.

Staff discussed the re-plate with the Miami County Assessor's Office and they have no issues with the re-plate. As the plat is defining common walls and rooms within the building, there are no issues with the site.

Staff recommended approval of the Miami County Medical Center Doctor's Building Condominium – Second Plat.

Mr. Faust introduced Mr. Todd Allenbrand with Payne-Brockway and stated he was in attendance to answer any questions.

Commissioners Gage and Cowman moved to approve the replat with all Commissioners voting in favor.

Planner Faust told Mr. Allenbrand that the replat would be brought before the City Council on the following Tuesday at 5:30 pm.

Item 3: Update of Paola's Comprehensive Plan: James Kaup, P.A. and Wynndee Lee, AICP have been retained to update our Comprehensive Plan.

Planner Faust gave a brief background on the decision.

Comprehensive Plan: As stated during our December meeting, the City of Paola is in the process of selecting a consultant to update our 1983 Comprehensive Plan. In reviewing the two proposals received, we felt confident that both firms would provide a quality plan for the community.

During their January 10th meeting, the City Council awarded the update to our Comprehensive Plan to Mr. James Kaup & Ms. Wynndee Lee. A copy of the Council brief and Mr. Kaup's proposal was submitted to the Planning Commission. Planner Faust turned the floor over to Mr. Kaup.

Mr. Kaup introduced himself and gave a background on his practice, education and knowledge of Paola. He told the Commissioners that he had consulted with the City of Paola since the inception of the Land Development Ordinance. Most of his career has been with smaller size cities. His partner, Wynndee Lee is currently the Planning Director for the City of Ottawa, KS.

Mr. Kaup indicated that his goal is to produce a forward-looking document. A Comprehensive Plan is an important document for a community. He asked the Commissioners for direction as to how involved they want to be in the process. He stated he felt that they were collectively a good representation of the Paola community.

Mr. Kaup said that the life span of the project is expected to be 6 months.

Commissioner Gage inquired about where they would be working. Mr. Kaup said they would work out of their offices in Ottawa and Topeka, but would spend a lot of time in Paola. He said the objective is to become as familiar as possible with the people and area. They plan to spend time talking to people in the community. He asked the Commissioners to complete a list of people, organizations, interest groups that they should contact.

Mr. Kaup asked to be included on the Planning Commission Agenda for the next six months.

Item 4: Items from Staff

a> **Discussion on 295th (Northridge Estates):** During their January 10th meeting, the City Council discussed the future of 295th (between Old KC Road and Hedge Lane).

Planner Faust stated that there may be some property owners in attendance at the meeting. The Crawford's were recognized.

The following is a portion of the brief as presented during the Council discussion:

Background

There are several reasons that the topic of closing a portion of 295th was raised. These include:

- (1) The proximity of the intersection of 295th and Hedge Lane to the at-grade railway crossing. As Paola continues to grow northward, this intersection will experience increased traffic volumes. As Hedge Lane will be a major arterial between K68, the new development to the north, and commercial/USD368 to the south; a new 'underpass' to eliminate the at-grade rail crossing is an improvement that will be needed. The timing for upgrades to the rail crossing are not known (5yrs – 25yrs), however planning for this eventuality does have merit.*
- (2) Proximity of buried high pressure gas main to the intersection.*
- (3) Flooding conditions (overtopping of 295th) during storm events. This overtopping occurs along the east property line of Rockwood Estates. This is not a new condition however it is a life-safety issue that will become more critical as traffic volumes increase. This high flow also impacts property to the south by creating soggy conditions/ponding water and eroding fairways.*

In order for this development to move forward through the platting process, the city needs to provide direction to the developer and his professional engineers on the future of 295th.

Options:

- Option 1: Leave 295th open between Old KC Road and Hedge Lane (no closure – road remains unchanged)*
- Option 2: Leave 295th open between Old KC Road and the last residence to the east (this would close the eastern ½ of 295th Street)*
- Option 3: Leave 295th open between Old KC Road and the entrance to Rockwood Estates (this would result in the closure of the majority of 295th)*

The City has spoken with Miami County about possible closure and they are supportive as long as accommodations are made for the existing County residents.

Any financial costs are not known at this time. If a section of road is closed, it will need to be removed and the area reestablished. There may also be some participation from the city to upgrade the main road in Northridge Estates to accept the increased traffic volumes (some over-width and possible increased pavement thickness).

If 295th remains open, there will be future costs associated with improvements to 295th. These include the acquisition of additional rights-of-way, paving/curb & gutter, and a new entrance once an 'underpass' is constructed. Improvement costs should be assessed back to the adjoining property owners (Northridge and the Country Club)

Guidance is needed by staff and the developer/engineer to allow forward movement of the Northridge Estates plat. The City Engineer recommends that 295th be closed (once the main road through Northridge is constructed) east of the 3 residences. Access for these homes will be from 295th (west to Old KC Road) and through Northridge Estates. This option does not land lock the tract immediately east of the County Club.

If the property east of the Country Club does not require access, it is staff's opinion that the section of 295th between Rockwood and the 3 residences be eliminated. This area could be reestablished in grass and/or a retention pond to reduce water runoff and create an amenity for the area.

During the Council meeting on Tuesday the 10th, Mr. & Mrs. Medlen, Mr. & Mrs. Pierce, Mr. Doherty, and a representative from Allenbrand-Drews were in attendance. After an extended discussion, the majority of the Council felt that a possible realignment/closing of 295th (identified as Option 2 – or something similar to this alignment) would be supported by the City. This support was contingent upon talking with the property owners along 295th that may be negatively impacted by changes to the road alignment.

Staff will continue to work with both the developer and the residents/property owners along 295th on this issue. It is staff's strong desire to provide direction to the developer to enable the plat of Northridge Estates to move forward. Planner Faust gave a description of the options that were discussed.

Commissioner Smith asked Mr. & Mrs. Crawford for their thoughts on the presented options.

The Crawfords indicated they believed the new development would be more like 1-acre lots, not as densely populated. They indicated they had spoken with Councilman Pritchard and felt the closure would be moved closer to Hedge Lane.

Planner Faust and the Crawfords discussed detention ponds and channeling water for the Northridge Estates and APWA 5600 requirements. The Crawfords inquired as to who maintains roads if they are closed. Planner Faust said if Northridge Estates was to be annexed and the road closed, then any closed portions would most likely be removed. There was additional discussion on who would be responsible for maintenance costs if the road remained open.

The Crawfords asked why the City would help pay for roads in Northridge Estates if 295th Street was closed, and not pay for maintenance if 295th Street remained open. Faust indicated if the City placed additional requirements on the developer, due to closure of 295th Street, the City typically pays the difference in cost, not the whole cost.

Ross VanderHamm explained that there were several things that would have to happen to trigger the closing of 295th Street. Northridge Estates would be completed in phases and the development process would partially dictate when 295th Street would close. The Crawfords inquired about the plans for phasing and Faust stated current plans were to start at Old KC Road and move east, but nothing was defined in stone at this time.

The Crawfords said they were more supportive of not closing 295th Street until an underpass was installed on Hedge Lane.

Planner Faust stated that the City is planning on having a meeting with all parties in the next couple weeks. Mr. VanderHamm asked if Mr. Faust could flag the location where the underpass would start at the North edge for a reference point.

b> Townsend Inc. Update: Staff talked with representatives of Townsend Inc. about their plans for the property east of the Miami County Medical Center. Based on this discussion, there are no current plans (from this developer) to develop the property.

Other Items:

A new project that is in the works is a Seniors Apartment Building. Planner Faust said it was likely that the Commissioners would see a site plan for the vacant lot on the Square. There are plans to build senior apartments, for those over the age of 55. The Commissioners will have a lot of input, regarding height, colors, and types of stone.

Commissioner Smith asked what the owners are saying about the availability of parking. Faust said it was a big issue, with much discussion. Commissioner Gage asked about height limitations and Faust indicated the building height would need to be compatible with the other structures in the Downtown Zoning district.

Item 5: Items from the Planning Commission

Commissioner McLean asked if the new owner of the McCrackin's Garage would be submitting anything to the Planning Commission for parking or otherwise. Faust stated his understanding was that the owner is currently planning to just rehabilitate the existing building.

Item 6: Adjourn

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