

**MINUTES OF THE REGULAR PLANNING COMMISSION MEETING**

**PLANNING COMMISSION/  
BOARD OF ZONING APPEALS**

**April 18, 2006**

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

**Others Present:** Brian Faust, Amy Barenklau, Brian McCauley, Jack Rowlett

**Item 1: Consider the minutes for the March 21, 2006 meeting.**

Chair Cowman called the meeting to order with the first order of business the consideration of the minutes from March 21, 2006 meeting.

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

**Item 2: Preliminary/Final Development Plan:** Light Automobile Service at 1121 E. Kaskaskia – Lot 10, Block 2, Academy Addition (06-CUP-02)

Planner Faust presented the staff brief and recommendations. The applicant desires to construct and operate a light automobile service business (oil/lubrication) on the property east of the Kaskaskia Townhomes (just west of the car wash and south of Park Plaza 66). Mr. Oehlert owns the car wash and is looking to expand the services he currently provides. In the Thoroughfare Access zoning district, Light Automobile Service is allowed as a conditional use.

During the March 2006 Planning Commission and City Council meetings, the Conditional Use allowing Light Automobile Service was approved.

**DEVELOPMENT STANDARDS**

**Lot Size:** Required: This usage is under the ‘All Other Uses’: 1 acre minimum lot size  
Actual: 29,826sf (0.68 acres)

The LDO allows the minimum lot size to be waived if the other requirements in the LDO are satisfied and an additional 5% open space is provided.

**Minimum Open Space:** Required: 20% (1 acre lot)  
25% as this lot is less than 1 acre (7457sf)  
Actual: 50% (14900sf)

**Setbacks:**

- Street: 25 ft. required/45 ft. +/- provided
- Side: 20 ft. required/20 ft. provided on west side (higher on east side)
- Rear: 20 ft. required/rear setback is exceeded
- Parking: 15 ft. required (street)/15 ft. provided  
5 ft. required (side)/5 ft.+ provided

**Parking Requirements:**

1 per 1000sf or 4 per bay: Spaces required = 2 bays x 4 spaces + 1ADA = 9 spaces  
 Spaces Provided: 9 +

Minimum size for a parking stall is 9'x20' (LDO does allow 9'x18') – 9'x18' is provided.  
 One ADA parking spaces is required – 1 space is provided.

**Landscaping:**

<b>Table 13.110 PLANT UNIT ALTERNATIVES</b>		
<b>PLANT UNIT ALTERNATIVES</b>	<b>SIZE &amp; TYPE OF PLANTS REQUIRED</b>	<b>QUANTITY</b>
<b>STANDARD PLANT UNIT</b>	2.5" caliper canopy tree	1
	1.5" understory tree	2
	3' high shrubs	13
<b>ALTERNATIVE UNIT A*</b>	2.5" caliper canopy tree	1
	1.5" understory tree	1
	6' high evergreen trees	1
	3' high shrubs	11
<b>ALTERNATIVE UNIT B*</b>	1.5" understory tree	2
	6' high evergreen trees	3
	3' high shrubs	7
<b>ALTERNATIVE UNIT C*</b>	6' high evergreen trees	4
	3' high shrubs	15
<b>ALTERNATIVE UNIT D*</b>	2.5" caliper canopy tree	2
	3' high shrubs	3
* Preferred for year-round screen.		
** May be required where visibility is required for automobile operation.		

Street trees: 1 approved 2.5" caliper canopy tree/50 lineal ft. of street frontage  
 Parking: 1 p.u./18 parking spaces. Per Section 6.220 (B) of the LDO, properties that have 50% or less of the spaces specified in Table 4.110A (18 spaces) are exempt from parking lot landscaping – this is the case with 9 spaces.  
 Lot: 6 plant units/acre  
 Open Space: 5 plant units/acre  
 Bufferyard: The area is surrounded by the TA district with residential properties on the south and west sides. Table 4.110A of the LDO requires a 0.60 opacity buffer between TA and S/NC zoning but **not** between properties within the TA district. Table 4.110A directs the user to Section 6.230 that discusses special buffers with a 0.40 opacity.

As part of the conditional use process, the need for landscaping and a 6' privacy fence was identified. Table 13.140 identifies a 0.40 opacity buffer as a 6' privacy fence combined with a 10' wide bufferyard and 1.65 plant units/100lf

A landscape plan was NOT included as part of the development plan. With this said, the required plant unit breakdown is as follows:

Street Trees: Applicant is required to install a minimum of **2** street trees.  
 Parking: Landscaping is not required  
 Lot: Does not include areas covered by building, parking, or open space.  
 $[29826\text{sf} - 11400\text{sf (building/park)} - 7457\text{sf (25\% open)}] / 43560 \times 6 = \mathbf{1.5 \text{ p.u.}}$   
 Open Space: Does not include areas already included in previous calculations. Therefore the open space calculation is  $[7457 \text{ (25\% min open space)}] / 43,560 \times 5 = \mathbf{0.9 \text{ p.u.}}$   
 Bufferyard:  $[(225' + 136') / 100] \times 1.65 = \mathbf{6 \text{ plant units}}$  (spread over the south and west property lines)

**Total Landscaping Required:**

- 1 - 2.5" caliper street trees
- 2.4 plant units spread across the lot & open space
- 6 plant units as a buffer along the south/west property line (*See landscaping table for various landscaping options*)

**Signs:**

In the TA zoning district, a single tenant building is allowed a maximum of 3 signs – one on the front façade (*not exceeding 10%*), one on the side façade (*not exceeding 5%*) and one ground or pole sign.

Setback for any ground or pole sign in the TA district is 15' from the right-of-way (same as parking setback).

**Building Design Standards:**

Buildings located along Baptiste Drive fall within the ‘city entrance area’. All buildings in these areas regardless of the zoning are subject to design review by the Planning Commission. The following building standards shall be applied to the design review of non-residential uses:

- A. **Materials:** Masonry materials including integrally colored textured block, brick and stone with unpainted finishes are required on all street exposures. The use of stucco or exterior insulated finish may also be permitted. *The building front will be either stucco or block. The remainder of the building will be block.*
- B. **Colors:** The basic colors shall be earth tones or brick colors. The Baptiste Drive area shall use tones that are consistent with the hospital and high school. *The current plan is to have a stucco front (grayish in color) with a red or buff color on the other sides. Developer needs to be sure the colors work together. The awning color will be yellow (similar to Subway).*
- C. **Style:** There is no single style that is mandated for the entrance area. However, Building elevations should be sensitive to the scale and style of neighboring buildings. Design themes that reflect the city square band shell should be strongly considered.

Building Height:      Maximum allowed      = 32’  
    Actual Height                                      = 16’-2”

**Trash Enclosures/HVAC Systems:**

All dumpsters must be enclosed as provided in Section 03.212 of the LDO. All HVAC units shall be screened architecturally and/or with landscape materials. The location must be completely screened including a wooden gate. The dumpster will either be contained within its own enclosure or combined with the dumpster at the car wash. In either case, it will be screened.

HVAC units need to be screened on all sides.

**Sidewalks:**

A sidewalk along Kaskaskia is required and will be provided as part of this project.

**Access:**

Access to this development will be from an existing shared drive with the car wash located immediately east of this property. The drive will be widened a minimum of 12’ to accommodate future separation if properties are sold. If the properties are ever sold, a maintenance agreement will be required to address issues of separate ownership.

**Drainage:**

Drainage from this site will be an issue. A detailed drainage plan must be submitted.

**Lighting:**

A photometric study has not been provided. If parking lot lights are installed a photometric study will be required to ensure light spill-over onto adjoining property is limited to the levels identified in the LDO.

**Utilities:**

Sanitary sewer and water should be available to this lot.

**Recommendation:**

Staff recommends approval of the preliminary/final development plan for the proposed light automobile service business to be located on Lot 10, Block 2, Academy Addition contingent upon the following:

- 1> Submittal and approval of a landscaping plan.
- 2> Submittal and approval of a photometric study.
- 3> Submittal and approval of a detailed drainage plan.

*Commissioners Gage and Cowman made a motion to approve the preliminary/final development plans with list conditions. All Commissioners voted in favor.*

*Commissioner Smith inquired about drainage from the site. Faust stated staff would work with the developer, as he would like to see it flow to Baptiste Dr. instead of South to Lakemary’s pond.*

**Item 3: Design/Color Review: Park Plaza Roofing**

Planner Faust presented the staff brief and recommendations. The owner of the Park Plaza Shopping Center, Mr. Rusty Gerken, desires to replace the existing brown asphalt shingles, with a dark green metal roof. Once complete the roof should look similar to the new Citizen’s State Bank.

A photograph was provided that showed both the current configuration and the proposed design.

**DISCUSSION:**

As this property is located within our ‘City Entrance Area’ there are specific standards that must be adhered to and all buildings shall be subject to design review by the Planning Commission. These standards are found in Article 15 of the LDO and are shown below:

**SECTION 15.220 CITY ENTRANCE AREA STANDARDS**

City entrances are shown on the Zoning Map. All buildings in these areas regardless of the zoning shall be subject to design review by the Planning Commission. Only one of the three entrances has important existing buildings; Baptiste Drive has the hospital and high school. Other entrances will develop in the future. The following building standards shall be applied to the design review of non-residential uses:

- A. **Materials.** Masonry materials including integrally colored textured block, brick and stone with unpainted finishes are required on all street exposures. The use of stucco or exterior insulated finish system may also be permitted. Metal is not a permitted exterior

finish material. On Baptiste Drive, the materials should be selected to complement and blend with the high school and hospital. (Ordinance 2799, 06/11/02)

- B. **Colors.** The basic colors shall be earth tones or brick colors. The Baptiste Drive area shall use tones that are consistent with the hospital and high school. No important buildings existed as of the date of adoption of this Ordinance at the other two City entrances. The Planning Commission should review the first buildings in these areas and select a range of colors that can be extended to the rest of the corridor.
- C. **Style.** There is no single style that is mandated for the entrance area. However, building elevations should be sensitive to the scale and style of neighboring buildings. Design themes that reflect the city square band shell should be strongly considered. If a business park is the proposed use, an overall design guideline should be approved.

**RECOMMENDATION:**

Staff reviewed the surrounding area and feels the color (dark green) and material (standing seam metal roof) is consistent with the surrounding area.

Structures with metal roofs:

Roof Color:

Citizen’s State Bank	Green
Car Wash (Angela/Kaskaskia)	Green
Landmark Bank	Green
Paola High School	Rust
Sunflower Elementary	Dark Brown
Car Wash (Hospital/Kaskaskia)	Light Blue

Staff recommends approval of the roofing request.

*Commissioners Gage and Rhodes made a motion to approve the color of the roof with all Commissioners voting in favor.*

**Item 4: Discussion of Barn Repairs:** Barn at Lake Caretaker’s home at Lake Miola (repair with metal siding)

Planner Faust presented the staff brief and recommendations. The Paola Public Works Department desires to rehabilitate the barn located at the Lake Miola Caretaker’s home along 299<sup>th</sup>. As part of the rehabilitation, they would like to use metal/tin on the exterior of the structure – currently the barn has a wood exterior.

In reviewing the zoning maps, the city property surrounding Lake Miola is not defined within a specific zoning district. The property immediately outside the area is contained within the ‘Suburban’ zoning district.

**DISCUSSION:**

The question is whether metal/tin siding should be permitted on this barn. The city must be consistent with our application of the rules, without regard for whether it is a private citizen or city property.

Planning staff looked at this issue several different ways:

- 1) Accessory Uses, Residential. We tried to justify the barn as a residential accessory use since the Lake Caretaker lives adjacent to the barn. Residential accessory structures can be metal if the property (lot) exceeds 1 acre. As the city stores equipment in the building, classifying as a 'residential accessory use' is not justified.
- 2) Accessory Uses, Nonresidential. Metal sided buildings are prohibited in the majority of zoning districts. Exceptions are the 'I' district and some instances in the 'BP' and 'TA' districts.

**RECOMMENDATION:**

As stated earlier, staff feels strongly that we must be consistent with our application of the rules. We are looking for a recommendation from the Planning Commission on how to proceed.

*Commissioner Gage inquired if the barn was structurally stable enough to support the proposed siding. Planner Faust indicated that typically the Building Inspector would review and get a Structural Engineer involved to investigate and supply a report as to the status of the building.*

*Commissioner Gage stated he would like to make sure the building was sound enough to hold up to extra weight. Faust said he would have the Building Inspector contact and Engineer to conduct a study and provide a report. He stated that the Public Works Department was suggesting metal for maintenance reasons.*

*Commissioner Cowman asked if a property owner in the area would be allowed to put up a metal building for similar uses. Planner Faust said that the LDO allows for metal residential accessory buildings, with property in excess of 1-acre, as long as the material is not scrap metal.*

*Commissioner Cowman said he is not a fan of the way tin looks, but the City should not be held to stricter standards than a citizen and citizens should have same standards as the City. Planner Faust agreed that there is a need for consistency in interpreting the LDO.*

*Commissioner Rhodes inquired about the cost for a Structural Engineer to study the barn. Planner Faust said he believed the cost to be \$150 - \$350. Commissioner Rhodes stated he felt there are other metals that would look better than tin.*

*Commissioner Smith asked about the condition of the roof. There was discussion among the Commissioners about how the doors would look with tin siding and felt that would be difficult.*

*Commissioners Gage and Cowman made a motion table a decision until a Structural Engineer has provided a report. All Commissioners voted in favor.*

**Item 5: Items from Staff**

Planner Faust presented an update on items.

**a> Detached Garage – 606 E. Peoria**

The owner at the above address desires to construct a detached garage that exceeds our defined size limitations. The lot in question is 55' x 127.5' = 7013sf with a maximum size for this garage at 7013 x 0.085 = 600sf. This equates to a 20' x 30' or 24' x 25' (or similar).

The owner has/is experiencing a number of health related issues and needs ADA accessibility for this structure. Looking at the City's parking stall requirements for ADA, a standard stall plus access aisle is 13' (could make the argument that for a two car ADA garage, the minimum width would be 26' with a minimum depth of 20' + 5' aisle = 25' x 26'). The owner desires to have a 24' x 28' (672sf) structure built by students from Paola High School.

Staff feels that a 24' x 28' detached garage meeting the 5' setback requirements is a reasonable accommodation for ADA accessibility. With this said, we are concerned about how far this will go in other instances – i.e. I need a '3 –car ADA garage or my mother-in-law is disabled so we need a larger garage'.

*Commissioner Cowman inquired about the standards for parking spots, both standard and ADA accessible. Planner Faust stated a standard spot is 9 foot wide, while an ADA spot is 8 foot with a 5 foot aisle. Commissioner Smith asked if ADA required the additional depth for the garage, and Faust stated that it allowed an area to pass in front/behind the vehicle.*

*Commissioner Cowman inquired about the need to have both spots ADA accessible, if there was a possibility they could have 1 ADA spot and one standard spot; it would help keep the width down.*

*Planner Faust stated that the property owners had been advised from the beginning of the process the size limitations for their lot size.*

*Commissioners Cowman and Smith inquired about any existing garage and if it would be removed. Planner Faust said his understanding was that the existing single-car garage would be removed.*

*Commissioner Rhodes said he liked the fact that they would consider allowing this for a legitimate disability, but felt they need to look at each request on a case-by-case scenario.*

*Commissioner Gage asked if the high school construction class having set building plans had an impact on the size of the garage.*

*Commissioner Cowman stated he would like to see the garage a little narrower. Planner Faust stated city staff would work with the property owners to come to a solution. Commissioner Gage agreed and along with Commissioner Cowman said if it could not be worked out, they would probably be agreeable with the proposed size. The other Commissioners concurred.*

**b> Comprehensive Plan – Jim Kaup & Wynndee Lee:**

Mr. Kaup and Ms. Lee scheduled a Public Meeting this evening which begins at 6:30 pm at Holy Trinity Parish School. They plan to present some of the findings from the survey that was mailed previously.

**c> May Meeting Update:**

- Comprehensive Plan – April 18<sup>th</sup> Public meeting Update
- Election of Chair and Vice-Chair
- Introduction of new member(s)
- Public Hearing(s)
  - text changes to the LDO for Pet Grooming Services
  - text changes to the LDO for Office usage in Suburban Zoning (possible)
  - Rezoning of Ursuline Property for Office usage (possible)
  - Rezoning of property near the Housing Authority from Suburban to NC

**Item 6: Items from the Planning Commission**

There were no items at this time.

**Item 7: Adjourn**

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