



MINUTES OF THE PLANNING COMMISSION MEETING

PLANNING COMMISSION/ BOARD OF ZONING APPEALS October 16, 2018

Commissioners Present: Hardwick, McLean, Pfefferkorn, Pritchard, Wrischnik
Commissioners Absent: Cowman

Others Present: Randi Shannon, Jessica Shay-Howell, Donnie Jones, Sheena Simon, Levi Fyock, Marla Dilliner & Spouse, Gene Wilson

Item 1: Pledge of Allegiance

Item 2: Consideration of minutes from the August 21, 2018 meeting

Commissioner McLean called the meeting to order. The first order of business was the consideration of the minutes from the August 21, 2018 meeting.

Commissioners Wrischnik and Pfefferkorn made a motion to approve the minutes with all Commissioners voting in favor.

Item 3: Consideration and vote on a variance to allow increased exterior storage at 508 Baptiste Drive, Levi Fyock, applicant.

Levi Fyock, applicant, presented information regarding the exterior storage. Fyock stated that the storage area would be located 30 feet from the west side of the building. It would be a 20' x 30', 6' tall wood privacy fence.

Commissioner Pritchard asked if the building owner had given permission for the fence. Fyock answered yes, that it would help with storage around the building.

Commissioner Hardwick asked which side of the fence material would face out. Fyock stated that the "nice" side would face outward.

Commissioner Hardwick asked what Fyock would do with the plants during the winter months. Fyock clarified in the winter only Christmas trees would be stored inside the fence.

Commissioner Pritchard asked if any other business could start building larger storage areas if they allow Fyock. City Planner, Randi, answered that with Thoroughfare Access zoning and Retail storage is usually 5% of the building. Since Fyock's building is only 20' x 20' that's why he is asking for a variance and if any other business wanted to deviate from the 5% then they would also have to apply for a variance.

Commissioner McLean asked if a conditional use permit would be needed in the event that this business moves. City Planner, Randi, clarified that variance may be approved with conditions. With this variance the condition would be for storage only for the retail business, if the use changes then the variance will expire.

Commissioner Pfefferkorn asked how tall the fence would be. Fyock answered 6 feet.

Commissioner McLean questioned the parking arraignment with Liberty Tax and if the fence would take away parking spaces. Fyock answered that tax season is over before his busy season begins so parking will not be an issue.

Commissioner Wrischnik asked if parking in front of the fence would be permitted. Fyock said no because he would want to leave the gates open so customers could see what is inside the fence during business hours.

Commissioners Wrischnik and McLean agree that marking the area as "no parking" could be a stipulation. Fyock said he would clearly mark the area in front of the fence as "no parking".

Commissioners Pritchard and Pfefferkorn made a motion to open public hearing with all Commissioners voting in favor.

No Comments.

Commissioners Hardwick and Pfefferkorn made a motion close public hearing with all Commissioners voting in favor.

Commissioners Wrischnik and Hardwick made a motion to approve the variance to allow increased exterior storage at 508 Baptiste Drive, Levi Fyock, applicant, with all Commissioners voting in favor.

Item 4: Consideration and vote to approve the exterior design review for Liberty Tax, located at 508 Baptiste Drive, Sheena Simon, applicant.

City Planner, Randi, presented the exterior remodel of Liberty Tax along with city entrance standards and stated the colors chosen by the applicant comply.

Commissioner Pritchard asked how "red" is the brick. Donnie Jones, general contractor for applicant, said the brick will be a similar match to First Option Bank.

Commissioner Pritchard asked if the siding will be metal. Jones said it will be wood siding.

Commissioner Wrischnik asked which direction the addition will go. Jones stated that it will be built to the south. City Planner, Randi, stated that the storefront would line up with Wilson's Jewelers and that was approved by the previous City Planner.

Commissioner Pritchard asked how much of the plan has been approved. City Planner, Randi, stated that once the Planning Commission approves the design then Bill can review the building plans.

Commissioner McLean asked if the parking lot lights work. Sheena Simon said that some bulbs need to be changed.

Commissioner Pfefferkorn stated that the Planning Commission needs to be sensitive to the surrounding color scheme and he feels blue is not an earth tone that is called out in the LDO for this area. Jones said that the blue will match the color of the existing building.

Commissioner Pfefferkorn questioned why this was being presented before Planning Commission. City Planner, Randi, clarified that any building with design needs must be presented before Planning Commission. Commissioner Pfefferkorn agreed and said that it was the Planning Commission's due diligence to ensure that designs match. Commissioner Pritchard asked what if the applicant decides to change the colors. Commissioner Pfefferkorn said that it would have to come back to the Planning Commission for approval.

Commissioner Pfefferkorn offers to let the public look at the drawings and color swatches. Marla Dilliner expressed her opinion on the color choices due to the fact that when her business renovated she was given the option of three color choices and not allowed to pick the brown she wanted. Commissioner Pfefferkorn said the Planning Commission must adhere to a color scheme of earth tones. Dilliner stated that the vet clinic across from her painted their building the same brown color she originally wanted for her business. City Planner, Randi, suggested to Dilliner to approach city staff when she was ready to repaint.

Commissioner Pfefferkorn state that the Planning Commission could be setting a precedent and if the tax office is allowed to paint blue then Dilliner could approach the Planning Commission to repaint her business brown.

Donnie Jones asked the Planning Commission to clarify what businesses needed approval from the Planning Commission. Commissioner Pfefferkorn answered that any business included in the entrance corridor would need approval.

Gene Wilson, owner Wilson's Jeweler, asked if he decides to paint his building brick red would he also need to get approval from the Planning Commission. City Planner, Randi, reiterated any business on the entrance corridor would need approval.

Sheena Simon asked if the approval was for both of the buildings on her lot. City Planner, Randi, stated that the only plans she received were for the big building and had double checked with Donnie Jones to make sure everything was turned in for the one building. Jones told City Planner, Randi, that they were only doing the addition to the bigger building at this time.

Commissioners Pritchard and Wrischnik made a motion to approve the exterior design review for Liberty Tax, 508 Baptiste Drive, Sheena Simon, applicant with Commissioners McLean and Hardwick voting in favor and Commissioner Pfefferkorn voting against.

Item 5: Consideration and vote on amendments of the Land Development Ordinance related to Article 11.250 Residential Access Drives, City of Paola, applicant.

Commissioner McLean stated that homes with three car garages are the problem area and he recently went around Paola to measure driveway widths. He suggested if a two car garage driveway is 24' wide then a three car garage driveway should be 34' wide.

Commissioner Pritchard stated that homes with a three car garage are having to park the third car or a camper on grass and suggests the driveway be the width of the garage.

City Planner, Randi, clarified that 24' width would be at the right-of-way along with wings that equal a 5' turning radius.

Commissioner Pfefferkorn cautioned against the larger width because of the storm water runoff it would create. He also stated that neighboring cities have driveway widths between 24' and 32'.

City Planner, Randi, reminded the Planning Commission that they are only looking to change the width at the right-of-way only.

Commissioner Pfefferkorn suggested increasing the width at the right-of-way to 32'.

Commissioners Pfefferkorn and Pritchard made a motion to amend the Land Development Ordinance related to Article 11.250 Residential Access Drives, City of Paola, applicant with all Commissioners voting in favor.

Item 6: Adjournment

Commissioners Pfefferkorn and Pritchard made a motion to adjourn with all Commissioners voting in favor.