



**MINUTES OF THE PLANNING COMMISSION MEETING  
PLANNING COMMISSION/  
BOARD OF ZONING APPEALS  
February 19, 2019**

**Commissioners Present:** Cowman, Hardwick, McLean, Scott  
**Commissioners Absent:** Pfefferkorn, Pritchard

**Others Present:** Randi Shannon, Jessica Shay-Howell

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**Item 1: Pledge of Allegiance**

**Item 2: Consideration of minutes from the January 15, 2019 meeting**

Commissioner Cowman called the meeting to order. The first order of business was the consideration of the minutes from the January 15, 2019 meeting.

*Commissioners McLean and Hardwick made a motion to approve the minutes with all Commissioners voting in favor. Commissioner Scott abstained from voting.*

**Item 3: Consideration and vote to recommend approval for final site plan for Tract 1 of the Paola Industrial Park, Klaasmeyer LLC, applicant.**

City Planner, Randi, presented to Commissioners a site plan review for Klaasmeyer LLC to build a 12,000 sq. ft. building on Tract 1 of the Paola Industrial Park. She stated that the lot size is conducive to a building of that size. This building will be office space in the front 2400 sq. ft. and remaining 9600 sq. ft. will be used as warehouse space and heavy equipment storage.

Commissioner McLean asked if there was any foreseeable issues with having a chip and seal parking lot since heavy machinery would be driving on it. City Planner, Randi, said that the site plan has been reviewed and approved by a licensed engineer.

Commissioner Cowman asked if the landscaping is sufficient. City Planner, Randi, stated it will meet landscaping requirements.

Commissioner McLean asked if a lighting plan had been submitted. City Planner, Randi, stated that a plan had not yet been submitted.

Commissioner Cowman asked if there will be a fence required. City Planner, Randi, stated that since the building will back up to the Armory screening is not needed.

*Commissioners McLean and Hardwick made a motion to recommend approval for final site plan for Tract 1 of the Paola Industrial Park, Klaasmeyer LLC, applicant, with all Commissioners voting in favor.*

**Item 4: Consideration and vote to approve the repeal of Conditional Use Permits: 01-CUP-04, 09-CUP-03, 09-CUP-06, 09-CUP-09, 12-CUP-01, 13-CUP-01, 13-CUP-02, and 17-CUP-01.**

City Planner, Randi, stated that these CUP's are no longer needed because the businesses they were approved for are no longer operating.

01-CUP-04 – City Planner, Randi, stated that this CUP was approved for commercial retail and the use was discontinued eleven (11) years ago.

*Commissioners Hardwick and McLean made a motion to repeal Conditional Use Permit 01-CUP-04 with all Commissioners voting in favor.*

09-CUP-03 – City Planner, Randi, stated that this light industry business relocated and was granted a CUP for their new location.

*Commissioners Hardwick and Scott made a motion to repeal Conditional Use Permit 09-CUP-03 with all Commissioners voting in favor.*

09-CUP-06 – City Planner, Randi, stated that this light auto service shop and convenience store is no longer operating.

*Commissioners Hardwick and Scott made a motion to repeal Conditional Use Permit 09-CUP-06 with all Commissioners voting in favor.*

09-CUP-09 – City Planner, Randi, stated that this CUP was granted to operate a pet grooming service and has been discontinued for longer than six (6) months.

*Commissioners Cowman and McLean made a motion to repeal Conditional Use Permit 09-CUP-09 with all Commissioners voting in favor.*

12-CUP-01 – City Planner, Randi, stated that this CUP was granted to operate a light auto service and the use has been discontinued for longer than six (6) months.

*Commissioners Cowman and Hardwick made a motion to repeal Conditional Use Permit 12-CUP-01 with all Commissioners voting in favor.*

13-CUP-01 – City Planner, Randi, stated that this CUP was granted to operate a heavy retail business that has been discontinued for longer than six (6) months.

*Commissioners Hardwick and Cowman made a motion to repeal Conditional Use Permit 13-CUP-01 with all Commissioners voting in favor.*

13-CUP-02 – City Planner, Randi, stated that this CUP was granted for a pet grooming business that has since relocated and operating under a new CUP.

*Commissioners Cowman and McLean made a motion to repeal Conditional Use Permit 13-CUP-02 with all Commissioners voting in favor.*

17-CUP-01 – City Planner, Randi, stated that this CUP was granted to operate an automobile dealership that never opened.

*Commissioners Scott and Hardwick made a motion to repeal Conditional Use Permit 17-CUP-01 with all Commissioners voting in favor.*

**Item 5: Review of the current Conditional Use Permits: 02-CUP-05, 04-CUP-03**

City Planner, Randi, stated that reviews of current Conditional Use Permits (CUP) do not require notification to the business owner. The reason for the review of these two CUP's is due to recent complaints.

02-CUP-05 – City Planner, Randi, stated that after receiving complaints she performed an inspection of the business located at 404 North East Street and found that conditions three (3) and four (4) are currently in violation. She asked the Commissioners how they would like her to proceed to get this business back in compliance.

*Ordinance No. 2813 Conditions and Stipulations:*

3. *All overnight parking, except for four (4) after-hours drop-off spaces, shall be in the fenced area.*
4. *The total number of cars in the fenced area shall be limited to twenty (20) vehicles. No more than two (2) vehicles shall be inoperable.*

Commissioner Scott asked if the business owner knows they are in violation. City Planner, Randi, stated that the file shows the business owner has been notified previously.

Commissioner Cowman stated that the CUP was originally granted to operate a repair shop and not a tow business or junk yard. His suggestion for City Planner, Randi, is to give written warning of violations and set a timeline for correction. If no corrections are attempted to be made then the revocation process should begin.

*Commissioners agree that a feasible timeline for corrections to be made should be set and a notification letter sent.*

04-CUP-03 – City Planner, Randi, stated that after receiving complaints, mainly line of site issues, she performed an inspection of the business located at 102 South Hospital Drive and found that condition four (4) and seven (7) are currently in violation. She asked the Commissioners how they would like her to proceed to get this business back in compliance.

*Ordinance No. 2985 Conditions and Stipulations:*

4. *No overnight parking, except for two (2) after-hours drop-off spaces and two (2) spaces for display of for-sale automobiles, shall be allowed (in the parking spaces along Hospital Drive).*
7. *Parking shall not be allowed in the area fifteen (15) feet south of Wea Street and fifteen (15) feet east of Hospital Drive.*

Commissioner Cowman agrees that violation of condition seven (7) is a safety concern.

*Commissioners agree that a feasible timeline for corrections to be made should be set and a notification letter sent.*

**Item 6: Community/Economic Development Director Report**

Permit totals to date are:

- February = 16
- 2019 = 48

Pizza Hut passed their final inspection at their new location, 1613 E Peoria.

There was a building fire at 18 S Gold. The fire department said the building is a total loss and no injuries were reported.

**Item 7: Adjournment**

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