



**MINUTES OF THE PLANNING COMMISSION MEETING
PLANNING COMMISSION / BOARD OF ZONING APPEALS
MAY 19, 2020**

Commissioners Present: Cowman, Hardwick, McLean, Pfefferkorn, Pritchard
Commissioners Absent: Scott
Others Present: Randi Shannon
Present via ZOOM: Michael Brown representing applicant, Paola Christian Church
Commissioners were present, public attendance via Zoom

Item 1: Pledge of Allegiance

Item 2: Consideration of minutes from the March 17, 2020 meeting

Commissioner Cowman called the meeting to order. The first order of business was the consideration and approval of the minutes from the March 17, 2020 meeting.

Commissioners Pfefferkorn and McLean made a motion to approve the minutes from the March 17, 2020 meeting with all Commissioners voting in favor. Commissioner Pritchard abstained due to absence.

Item 3: Public Hearing: Consideration and vote on a Variance to the minimum rear setback requirement at 302 E Peoria St., Paola Christian Church, Applicant.

Commissioners Pritchard and McLean made a motion to open a Public Hearing with all Commissioners voting in favor.

Michael Brown, representing applicant explained that Paola Christian Church would like to add an eight by ten-foot addition to the back of their building, where their main entrance is located.

No Public Comments.

Commissioners McLean and Pritchard made a motion to close the Public Hearing with all Commissioners voting in favor.

Assistant City Manager, Randi Shannon, presented that the Paola Christian Church is a legal nonconforming building due to the fact that the building was built before the current Land Development Ordinance was adopted in 1997. Therefore, the building does not comply with the current setback requirements, and permitting the applicant to expand would increase the degree of nonconformity. Which according to Article 9, Section 9.130 is not permitted.

Commissioners reviewed Article 21, Section 21.251 STANDARDS FOR VARIANCES to evaluate the variance request.

Commissioners agreed that the special circumstances and condition imposed on this building have not resulted from any act of the applicant, and that it was necessary to grant the variance to relieve the hardship of the strict setback regulations of this property. It was in agreement that application met all of the standards laid out in Section 21.251.

There was no further discussion among the Commissioners.

Commissioners Cowman and Pritchard made a motion with all Commissioners voting favor to approve the variance to the minimum rear setbacks for 302 E Peoria to allow for the addition to extend 8 feet off of the existing building towards the rear property line.

Item 4: Consideration and vote on a sign deviation for a sign for Daylight Donuts at 816 N Pearl St., Daylight Donuts, applicant.

Assistant City Manager, Randi Shannon, presented that this is a request for a deviation from sign regulations on the allowed placement of the signs according to the Land Development Ordinance. The applicant would like to install a four by eight-foot, roof top mounted sign at this time, but would also like to explore the possibility of having a ground sign placed in the right-of-way approved for future use.

Paola Land Development Sign Regulations do not allow for root top signage in any zoning district in Paola. The setbacks for a ground monument sign in the TA zoning district is 20 ft from the street property line.

Commissioners reviewed Article 21, Section 21.245 DEVIATIONS FROM SIGN REQUIREMENTS to evaluate the sign deviation requests.

Commissioners agreed that there were many sections in the criteria such as the impacts on adjacent properties, safety and visual clutter that are not in favor of granting the ground monument sign in the right-of-way. Commissioners did believe that request for a root top sign was valid due to the site constraints of the property and that it was favorable to the rest of the deviation criteria in Section 21.245.

There was no further discussion among the Commissioners.

Commissioners Pfefferkorn and Hardwick made a motion with all Commissioners voting favor to approve the sign deviation request for Daylight Donut Shop, 816 N Pearl St., allowing for one roof top sign as presented on the submitted sign application.

Item 5: Community/Economic Development Director Report

Building permits for the year 151.

Paola Crossings is continuing to move forward to expand their CID District.

We are continuing to work with DPI on an agreement for them to build in the Industrial Park.

Update on the COVID Re-Opening of the City facilities.

Item 6: Adjournment

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