



AGENDA

Paola Planning Commission/ Board of Zoning Appeals To be held via YouTube

https://www.youtube.com/channel/UCEIqDJzXV_XvXznUfKQomw/featured?view_as=subscriber

Tuesday, July 20, 2021 - 5:00 PM.

1. Pledge of Allegiance.
2. Approval of the minutes from the June 15, 2021 meeting.
3. **Public Hearing:** To review and recommend text amendments to the Land Development Ordinance pertaining to buildable residential lot sizes.
4. Community/ Economic Development Director Report.
5. Adjournment.

Note: When addressing the Commission, please step to the podium and state your name and address so that it can be recorded in the minutes of the meeting. In compliance with the American with Disabilities Act, Individuals needing assistance or other services or accommodation for this meeting should contact Randi Shannon at least 24 hours in advance of this meeting at 259-3600.

**NEXT SCHEDULED MEETING
AUGUST 17 , 2021**



MINUTES OF THE
PLANNING COMMISSION MEETING
PLANNING COMMISSION /
BOARD OF ZONING APPEALS
JUNE 15, 2021

Commissioners Present: Cowman, McLean, Newton, Prtichard
Commissioners Absent: Pfefferkorn, Scott, Nickelson
Others Present: Assistant City Manager Randi Shannon,

Item 1: Pledge of Allegiance

Item 2: Consideration of minutes from the May 19, 2021 meeting

Commissioner Cowman called the meeting to order. The first order of business was the consideration and approval of the minutes from the May 19, 2021 meeting.

Commissioner McLean made a motion to approve the minutes from the May 19, 2021 meeting, Commissioner Cowman made a second motion. All Commissioners voted in favor with Commissioners Pritchard and Newton abstaining due not being present at the May 19, 2021 meeting.

Item 3: Consideration and vote on a recommended approval for the Final Replat of Burr Oak Lot 1, Nick Hart, Applicant.

Assistant City Manager Randi Shannon, presented that the applicant wants to replat lot 1 of Burr Oak. The lot was 15.27 acres with one residence, the owners are looking at replatting it into 3 separate lots. The minimum lot size for a single family conventional lot in the Suburban Zoning District is 12,000 square feet. Each of the three lots in the replat exceeds this requirement.

Due to there being no adequate emergence turnaround for these lots, staff recommends either advising that the developer bring the street up to City standards for a residential road before it will be dedicated to the City, or to have it be a private drive and maintained by the homeowners.

Commissioners Cowman and Newton made a motion to recommend approval of the final replat of Burr Oak, Lot 1, with the conditions of the dedicated street being brought up to City standards, or being platted as a private drive with all commissioners voting in favor.

Item 4: Discussion of regulations pertaining to buildable lot sizes.

Assistant City Manager Randi Shannon presented the following language for review and discussion in regards to amending the Land Development Ordinance for buildable lot sizes.

The current language in the LDO is “Lots platted prior to 1983 shall have a minimum lot area of 6,000 square feet; lots platted after the year 1983 shall have a minimum lot area of 8,500 square feet”.

Suggested amends are as follows. “The minimum lot area requirements of 6,000 square feet, for lots platted prior to 1983 may be waived for residential use if the following conditions are met per staff review and approval.

A.) Applicant must submit a certified plot plan for staff review before permit application can be submitted and approved.

B.) Plot plan shall comply with the setback requirements stated in Article 4 of the Land Development Ordinance.

C.) The combined square footage of the principal structure, detached garage, and storage/utility shed shall not exceed the maximum building coverage in Table 04.110A Use and Lot Standards. Where no maximum building coverage is provided, the combined structures shall not cover more than 70% of the lot area.

D.) The primary residential dwelling shall comply with Section 15.525 SINGLE FAMILY RESIDENTIAL DESIGN STANDARDS.

E.) The primary residential dwelling shall comply with the building code requirements adopted by the Paola Municipal Code.”

Staff is looking for direction from the Planning Commission, therefore no official motion is needed. If general consensus is reached, staff can move forward with the public hearing notifications, and bring text amendment options for consideration to the next regular scheduled meeting.

Consensus of the Commission was that the suggested language would help with consistency in the regulations, promote infill development, and allow the property owners of the smaller lots the ability to utilize their properties. Direction was given to move forward with the public hearing notifications for the July 20, 2021 Planning Commission meeting.

Item 5: Discussion of regulations pertaining to residential cluster developments.

At its last meeting on May 19, Shannon presented that the City had been approached by a developer who wanted to invest in a cluster development. This development would be for tiny homes only. The lot that the developers have in mind for this development is currently in the Thoroughfare Access zoning district. A Single-Family Cluster Development is only permitted in the Estate and Suburban zoning districts. In order to proceed the City will need to amend some of the zoning regulations, and adopt some new language as well.

Staff gave some proposed changes for the Planning Commission to review and indicated that they are not yet ready to move forward with setting a public hearing. Staff needs more time to do some more research and continue to modify some of the proposed changes.

Shannon asked for feedback on what the allowable range of square footage should be for a tiny home. Commissioners agreed that they would be comfortable with a wider range from 100 to about 800 square feet, and for the owner to decide how big or small they would like their home to be.

Staff will continue to research, draft suggested language and conversations with the developer and have a modified draft to review at the next scheduled meeting.

Item 6: Community/Economic Development Director Report

Assistant City Manager Randi Shannon informed the Commission that the Baptiste Extension, and Hedge Lane Project are on schedule, thanked the Commission for attending the Comprehensive Plan meeting with the City Council on June 9, 2021, and that to use the project website and give any feedback they might have to Randi so she can pass it along to Confluence.

Item 7: Adjournment

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

SUBJECT: Buildable Lot Size Regulation Public Hearing
CONTACT: Randi Shannon, Assistant City Manager
DATE: June 15, 2021

Background:

At its meeting on May 19, 2021, the Planning Commission discussed the current building lot size regulations. The general consensus was that it is believed that there should be a way to modify the regulations in a way to help promote infill development, but not overcrowding, and help minimize the amount of variances. Assistant City Manager Shannon was given direction to research some proposed language that was reviewed and discussed at the June 15, 2021 meeting.

Discussion:

Original Text from LDO:

Lots platted prior to 1983 shall have a minimum lot area of 6,000 square feet; lots platted after the year 1983 shall have a minimum lot area of 8,500 square feet.

Suggested:

The minimum lot area requirements of 6,000 square feet, for lots platted prior to 1983 may be waived for residential use if the following conditions are met per staff review and approval.

A.) Applicant must submit a certified plot plan for staff review before permit application can be submitted and approved.

B.) Plot plan shall comply with the setback requirements stated in Article 4 of the Land Development Ordinance.

C.) The combined square footage of the principal structure, detached garage, and storage/utility shed shall not exceed the maximum building coverage in Table 04.110A Use and Lot Standards. Where no maximum building coverage is provided, the combined structures shall not cover more than 70% of the lot area.

D.) The primary residential dwelling shall comply with Section 15.525 SINGLE FAMILY RESIDENTIAL DESIGN STANDARDS.

E.) The primary residential dwelling shall comply with the building code requirements adopted by the Paola Municipal Code.

SECTION 21.212 STANDARDS FOR ORDINANCE TEXT AMENDMENT:

In acting upon a text amendment the Planning Commission and Council shall consider whether the proposed amendment:

- A. Would implement a new portion of the Comprehensive Plan or amendment.
- B. Would implement and better achieve the Comprehensive Plan's goals and objectives that have proved difficult to achieve under the Ordinance's existing provisions.
- C. This Ordinance's provisions were inconsistent or unreasonable in light of standards for similar uses.
- D. Is necessary to respond to State and/or federal legislation.
- E. Provides additional flexibility in meeting this Ordinance's objectives without lowering the Ordinance's general standards.
- F. Addresses a new use(s), changing conditions, and/or clarifies existing language.
- G. Clarifies the Ordinance or makes adjustments to account for interpretations

Action:

The Planning Commission may take action by majority vote of the members present.

Motion:

I recommend approval of the proposed text amendments to the Land Development Ordinance amending the buildable residential lot size requirements.