

**PLANNING COMMISSION /
BOARD OF ZONING APPEALS
AUGUST 20, 2024 MEETING MINUTES**

Commissioners Present: Cowman, Dees, Maurer, McLean, Upshaw, Parks

Commissioners Absent: DeGrande

Others Present: Mitch Gabbert - City of Paola, Blake Heid, Leanne Shields, Robert Drummer, Matt Meek, Beth Waddle, Curt Waddle

Item 1: Pledge of Allegiance.

Item 2: Consideration of minutes from the June 18, 2024 meeting.

Commissioner Cowman called the meeting to order. The next order of business was the consideration and approval of the minutes from the June 18, 2024 meeting.

Commissioner McLean made a motion to approve the June 18, 2024 meeting minutes. The motion was seconded by Commissioner Mauer with all commissioners voting in favor.

Item 3: Consideration and vote to recommend approval of the Final Plat for the JD Condominiums at 1102 Durham Dr., Aspen Grove Durham, LLC applicant.

Planning and Zoning Administrator Mitch Gabbert presented the following information on the application for the final plat of the JD Condominiums:

Background:

Michael O'Hara of Aspen Grove Durham, LLC has recently purchased the apartments located at 1102 Durham Dr. and would like to plat the current apartments into condominiums (condos). This would allow the current residents and future residents to purchase the condos on an affordable basis. The JD Condominium Association will own and maintain the common areas, and Aspen Grove Durham will initially own the condos until they are sold. Aspen Grove Durham intends to honor all existing leases after the platting process is completed.

Allenbrand-Drews and Associates completed the plat for this project. The plat was reviewed by the Public Works Director and staff, and almost all review comments have been satisfied.

Analysis

Sections 10.520 thru 10.540 of the LDO cover regulations for condominiums in the City of Paola.

Required Documents:

1. Articles of incorporation
2. Corporation by-laws
3. Declaration of covenants, conditions, restrictions and management policies/declaration of condominium management agreement
4. Open space easements
5. Record of survey map/final subdivision plat (when applicable)

All documents were provided to staff.

Off Street Parking (set by staff)

Required - 2/du

Provided - 2/du

Common Open Space

Required - 20%

Provided - 70% +/-

Utility and Facilities

Required - All units shall be separately metered for water, gas, electricity, and sewer

Provided - Yes

Findings:

1. The application is consistent with section 21.620 of the LDO.
2. The application will not be detrimental to the health, safety, or general welfare of the community.

Recommendation:

Staff recommends approval of the Final Plat for the JD Condominiums, with the condition that it satisfies all review comments.

Commissioner McLean made a motion to recommend approval of the Final Plat for the JD Condominiums, with the condition that it satisfies all review comments. Commissioner Upshaw seconded the motion and all commissioners voted in favor.

Item 4: Consideration and vote to recommend approval of the Preliminary Site Plan for Phase 1 of the Tiny Home Cluster Development at 1004 N Pearl St., My Father's House applicant.

Planning and Zoning Administrator Gabbert presented the following information on the proposed preliminary site plan for phase 1 of the Tiny Home Cluster Development at 1004 N Pearl St.:

Background:

My Father's House has submitted a preliminary site plan application for a tiny home cluster development, located at 1004 N Pearl St. The site plan was done by Pfefferkorn Engineering & Environmental, LLC. The preliminary site plan was reviewed by staff, as well as Wilson and Company Engineers & Architects, with minimal comments.

Analysis: (Ordinance 3205 covers regulations on tiny home cluster developments)

Minimum Site Area: Required: 1.5 Acres
 Provided: 8.93 Acres

Setbacks: Street: 15 ft
 Rear: 8 ft
 All setbacks met

Bufferyard: Required: 6' - 100% opaque fence
 Provided: 6' - wooden privacy fence

Parking: Required: 45 spaces
 Provided: 25 in circle, and 50+ existing in current lot

Trash Enclosures: All dumpsters must be enclosed with a masonry or wood structure.

Storm Shelter: Provided

Sidewalk: Sidewalks are not required, however the developer plans to install a pedestrian lane around the circle.

Signage Plan: Not provided, to be approved at staff level.

Landscaping Plan: Will be submitted for staff approval during the permitting phase.

Drainage Calculations: Drainage calculations will be reviewed during the final site plan phase.

Findings:

1. The application is consistent with section 21.625 of the LDO.
2. The application will not be detrimental to the health, safety, or general welfare of the community.

Recommendation:

Staff recommends approval of the preliminary site plan for Phase 1 of the Tiny Home Cluster Development at 1004 N Pearl St.

Commissioner McLean asked about the spacing and fire protection of the individual tiny homes and Gabbert advised that the minimum spacing is set to 10' to provide fire protection between the homes. McLean asked if the lane around the circle could handle vehicle traffic and Gabbert advised that the circle was designed for vehicle traffic and there should be plenty of room for emergency vehicle traffic, as the conditional use permit does not allow for any on street parking. Commissioner McLean said he would like to see this site plan go through an official fire review before the final site plan was approved and Gabbert advised it would.

Commissioner Dees made a motion to recommend approval of the preliminary site plan for Phase 1 of the Tiny Home Cluster Development at 1004 N Pearl St.

Commissioner Parks seconded the motion and all commissioners voted in favor.

Item 5: Community / Economic Development Director Report

Planning and Zoning Administrator Gabbert presented the following information:



APPROVED

1. Permits year to date = 274
2. Building Inspection
 - a. Since the last meeting, Inspector Trever Buckles has started and hit the ground running.
 - b. Lakemary overall final this week.
 - c. Fiber projects have been stopped due to contractors hitting several utilities.
 - d. Moriah has been updating docs for building inspection and P&Z.
3. Discussion on LDO text amendments
 - a. Beekeeping
 - b. Chickens
 - c. Sidewall Heights
 - d. Street Tree Requirements
 - e. Hard Surface requirement on long driveways (possible deviation)
4. July/August City Council
 - a. Council approved ADA ramps to be installed in front of the Museum
 - b. Bur Oak 3 Final Plat passed
 - c. Firefighter Dennis Hinman received his 50 year service award
 - d. Paola Rec will be moving to the house at Wallace Park
5. September Planning Commission
 - a. Final Site Plan for Tiny Homes
 - b. Possibly AEC

Item 6: Adjournment

Commissioner Mauer made a motion to adjourn. The motion was seconded by Commissioner Cowman, with all Commissioners voting in favor.