

**CITY OF DE SOTO
PLANNING COMMISSION**
City Hall, 32905 W. 84th Street
February 28, 2006 – 7:00 P.M.

MINUTES

1. The meeting was called to order at 7:00 p.m. by Chairman Kevin Honomichl.

2. Roll Call:	Friday	Present	Hemphill	Present
	Honomichl	Present	Kroeger	Absent
	Krudwig	Present	Moberly	Absent
	Templin	Present		

3. General Business:

A. Approve Planning Commission agenda.

Motion by Commissioner Friday to approve the agenda; second by Hemphill

All Commissioners approved by “ayes”.

Motion carried.

B. Approve minutes from the January 24, 2006 Commission meeting.

Motion by Commissioner Krudwig to approve the Minutes as submitted; second by Friday.

All Commissioners approved by “ayes”.

Motion carried.

4. **Call to Public:**

Members of the public who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Any presentation is for information purposes only. No action will be taken. There is a four-minute time limit.

No one appeared.

5. **Public Hearing:**

A. Public hearing to consider a rezoning from ‘R-1’ Residential Low Density zoning district to ‘M-1’ Light Industrial zoning district for property located between 95th and 103rd Streets on Sunflower Road.

Withdrawn by applicant due to incorrect legal description.

B. Public hearing to consider a rezoning from ‘RUR’ Johnson County rural zoning district to ‘M-1’ Light Industrial zoning district for property located between 95th

and 103rd Street on Sunflower Rd., parcel no. 3F221306-3006. Chairman Honomichl asked Commissioners for comment. City Engineer Brungardt stated he has a correction to item number 7 and stated some uses in the M-1 district could increase the need for some improvements. Therefore, staff's recommendation on Item 7 would be a "negative" and not "neutral". Discussion by Chairman Honomichl and Engineer Brungardt on the existing use currently being served. Commissioner Templin thanked staff for providing economic impact information for this property. Commissioner Hemphill asked staff about the rezoning.

Discussion by Commissioners on the "grandfathering" in of this property. Commissioner Hemphill stated he was a part of the Site Plan Review on this property and Commissioners discussed the future regulations if the rezoning is perfected. Discussion by Commissioners and Planning Coordinator Gordanier regarding the discussions with Johnson County Planning and the reasons as to why the applicant has petitioned the City for a rezoning. Commissioners discussed with staff annexation agreements and potential special use permits. The property is currently zoned "RUR" in the County is a legal non-conforming use under the County's zoning regulations.

Chairman Honomichl asked the applicant if he would like to speak. He did not. Chairman Honomichl opened the public hearing; no one commented; public hearing was closed.

Commissioner Templin stated this request is consistent with the future land use and he feels this area will develop into an industrial area in the future. Commissioner Hemphill stated the Site Plan Review Committee discussed the landscaping and lighting; he would like to see the business upscale the property as the area develops in the future. Commissioner Krudwig is fine with the rezoning. Commissioner Friday stated he is fine with it. He also discussed the potential findings of the City Council regarding the rezoning application. Staff discussion regarding the annexation and the rezoning applications going before the Council on March 16th. Chairman Honomichl said this request is consistent with the future land use plan.

Motion by Commissioner Hemphill to recommend approval of the requested zoning application for the rezoning for Lumber One consistent with the staff report recommendation; second by Templin.

Roll Call:	Friday	Yes	Hemphill	Yes
	Honomichl	Yes	Kroeger	Absent
	Krudwig	Yes	Moberly	Absent
	Templin	Yes		

Motion carried.

- C. Public hearing to consider amendment(s) to Article 8 and Map 14 of the Comprehensive Plan pertaining to the standard street classification of Golden Lane. Chairman Honomichl commented on the content of the staff report. No comments from the Commissioners. City Engineer Brungardt stated Map 14 of the Comprehensive Plan is the only place this amendment is necessary.

Commissioner Templin stated this is necessary for access into DeMeadows; Commissioner Krudwig commented he didn't understand how the subdivision was built without completing this road all the way through into the subdivision. Discussion by Chairman Honomichl and Engineer Brungardt on the construction of the collector standard of the street.

Chairman Honomichl opened the public hearing; no one appeared; the public hearing was closed. Discussion by Chairman Honomichl and Commissioners on the future development potential if this map is revised.

Motion by Commissioner Friday to recommend to the City Council that they reclassify Golden Lane from Lexington Avenue to Valleyview Street as a collector street; second by Krudwig.

Roll Call:	Friday	Yes	Hemphill	Yes
	Honomichl	Yes	Kroeger	Absent
	Krudwig	Yes	Moberly	Absent
	Templin	Yes		

Motion carried.

6. New Business:

- A. Consider final plat for First Community Bank, 33485 Lexington Avenue, located at the southwest corner of Lexington Avenue and Ottawa Street.

Commissioner Krudwig recused himself from the public hearing due to a potential conflict.

Commissioner Templin recused himself from the public hearing due to a potential conflict.

Due to lack of a quorum, this matter cannot proceed at this meeting.

Motion by Commissioner Friday to table this item to the next scheduled meeting;

Discussion ensued between Commissioners, staff and the applicant regarding building permits.

second by Hemphill on the motion made by Commissioner Friday.

Roll Call: Commissioners approved by "ayes".

Commissioners Krudwig and Templin were recused.

Motion carried.

Commissioners Krudwig and Templin returned to the regular meeting.

- B. Consider temporarily allowing signage to be placed within the City right-of-way for First Community Bank, to be located at the southwest corner of Lexington Avenue and Ottawa Street, parcel no. AF221228-4078. Chairman Honomichl asked if there was any conflict on this issue with Commissioners Krudwig and

Commissioner Templin. Discussion by Commissioners on the subject matter.

Commissioners Krudwig and Templin recused themselves due to a potential conflict of interest in this matter.

Motion by Commissioner Friday to table this item to the next meeting; second by Hemphill.

Commissioners approved by "ayes".

Motion carried.

The applicant, Roger Parrish, of FCB Bank, discussed his concerns with staff regarding proceeding with some construction work. A special meeting of the Planning Commission may be necessary prior to be March meeting.

Commissioners Templin and Krudwig were recalled to the regular meeting.

7. Old Business:

- A. Consider a text amendment to Article 9 of the Procedures Manual and Article 12 of the Zoning Regulations pertaining to powers and jurisdiction of the Board of Zoning Appeals. Chairman Honomichl reviewed the memo dated October 21, 2005, from City Attorney Patrick Reavey. Planning Coordinator Kim Gordanier reviewed and discussed the "red-lined" document changes that are proposed for the regulations.

Discussion by Commissioner Hemphill on the economic hardship to the applicant. Discussion by Commissioner Templin and Engineer Brungardt on the economic hardship not always being just the "dollars and cents" of a request for granting a variance. Commissioners discussed the term "economic hardship" as it would apply to an individual applicant.

Commissioner Hemphill referred to page 12-4, paragraph (2) (b) pertaining to an applicant submitting a survey instead of a sketch as referred to in this paragraph. Commissioner Hemphill suggested including, "depending upon the application, a survey of the property may be required at staff's discretion" as the second sentence of this paragraph.

Motion by Commissioner Hemphill to recommend approval of the text amendment changes on the authority of the BZA as recommended by Patrick Reavey's memo, with the addition under 3. B. (2)(b) Variances (b) as stated above; second by Templin.

Roll Call:	Friday	Yes	Hemphill	Yes
	Honomichl	Yes	Kroeger	Absent
	Krudwig	Yes	Moberly	Absent
	Templin	Yes		

Motion carried.

- B. Consider amendments to Article 7 of the Zoning Regulations pertaining to sign regulations. Chairman Honomichl reviewed the comments provided by staff

and requested additional comments from Commissioners regarding sign regulations. Commissioner Hemphill discussed pole sign dimensions on page 5, figure 5. Planning Coordinator Gordanier will include the word "maximum" in figure 5. Commissioner Krudwig stated at the last meeting a discussion ensued concerning keeping all the pole signs in some type of general uniformity. Further discussion by Commissioner Hemphill regarding the minimum 15 feet from the ground elevation. Commissioners discussed the height minimum.

Commissioner Templin discussed the differences in the aerial maps that were provided. Discussion by Chairman Honomichl on the maximum number of signs that could be constructed within a 400 feet radius. Commissioners Friday and Krudwig agreed on the maximum. Discussion by Hemphill that this would not preclude someone from coming in and requesting a variance if property is divided. Further discussion by Commissioner Friday on a variance not being justified in this area. Discussion by Commissioner Templin on whether the City wants to allow pole signs at all. Commissioners discussed the "pincushion" effect of pole signs. Commissioner Hemphill agreed with the 400 feet radius. Commissioner Templin asked if the quality of the pole sign has been addressed. Planning Coordinator Gordanier referred Commissioners to page 10, under J. Design Materials. Commissioners discussed the quality of the sign and sign colors to be used to preserve the character and intent of the neighborhood. Discussion by Commissioners that a site plan be required for pole signs and that pole sign approval be made by the Planning Commission. Commissioners agreed.

Motion by Commissioner Templin to table this item; second by Friday.

All Commissioners approved by "ayes".

8. **Calendar:**

- A. March 1, 2006 - Future Land Use joint workshop with Council (6:00p)
- B. March 2, 2006 - City Council
- C. March 14, 2006 - Site Plan Review Meeting (7:00p) Honomichl & Templin
- D. March 16, 2006 - City Council
- E. March 21, 2006 - Future Land Use map revision public meeting
- F. March 28, 2006 - Planning Commission

Discussion by City Engineer Brungardt on the City's regulations requirements for a quorum of the Planning Commission. Discussion by Commissioners on the intent of the language in the City's zoning regulations concerning what constitutes a quorum.

Motion by Commissioner Hemphill to reconsider Item 6. b of the Agenda on the sign for FCB Bank; second by Friday.

All Commissioners approved by "ayes".

Commissioners Templin and Krudwig recused themselves from the meeting.

6. B. Consider temporarily allowing signage to be placed within the City right-of-way for First Community Bank, to be located at the southwest corner of Lexington Avenue and Ottawa Street, parcel no. AF221228-4078. Commissioner Hemphill stated he does not see a problem in allowing a temporary sign; Commissioner Friday agreed.

Motion by Commissioner Friday to approve temporary signage for the First Community Bank to be located at the southwest corner of Lexington Avenue and Ottawa St with the conditions described in the staff report dated February 23, 2006; second by Hemphill.

Roll Call:	Friday	Yes	Hemphill	Yes
	Honomichl	Yes	Kroeger	Absent
	Krudwig	Recused	Moberly	Absent
	Templin	Recused		

Motion carried.

Motion by Commissioner Hemphill to adjourn at 8:20 p.m.; second by Friday.

Respectfully submitted:

Lana R. McPherson, CMC
City Clerk