

**CITY OF DE SOTO
PLANNING COMMISSION**

City Hall, 32905 W. 84th Street
Tuesday, September 25th, 2007 at 7:00 P.M.

MINUTES

1. The meeting was called to order with Roll Call by Vice-Chairman Michael Kroeger.

Vice-Chairman Kroeger introduced and welcomed the two new Planning Commissioners, Rick Walker and Mark Crumbaker.

2. Roll Call:	Crumbaker	Present	Hemphill	Present
	Honomichl	Absent	Kroeger	Present
	Krudwig	Present	Walker	Present
	Templin	Absent		

3. General Business:

- A. Approve Planning Commission agenda. Vice-Chairman Kroeger said in the interest of the applicant, he would like to move Item 7.A. to after the "Call to Public".

Motion by Commissioner Hemphill to approve the Agenda as stated by the Chair; second by Krudwig.

All Commissioners approved by "ayes".

Motion carried.

- B. Approve minutes of the August 28, 2007 Commission meeting.

Motion by Commissioner Krudwig to approve the Minutes as presented; second by Hemphill.

Commissioners approved by "ayes".

Commissioners Crumbaker and Walker abstained as they were not at the meeting.

Motion carried.

- C. Disclosure of conflicts of interest. None disclosed.

- D. Disclosure of outside communications regarding Commission business. None.

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.

(The record reflects Commissioner Templin arrived at 7:09 p.m.)

(**This item was moved from New Business Item 7. A.)

**Final Plat for Snowy Acres. Engineer Brungardt reviewed the comments in the staff report dated September 20, 2007. The Preliminary Plat for The Estates of Snowy Acres was conditionally approved on June 26, 2007. Engineer Brungardt reviewed the conditions that have been met, with the exception of the condition that the developer sign an agreement not to protest a benefit district for future road maintenance, safety and capacity upgrades to Corliss Road adjacent to the subdivision prior to the city's signatures on the plat.

Discussion by Commissioner Crumbaker with Engineer Brungardt regarding the encumbrance of the Agreement Not to Protest a Benefit District. Discussion by Commissioner Krudwig and Engineer Brungardt regarding the section of roadway that was discussed in previous meetings. The benefit district responsibility would be for the portion of the roadway that the subdivision fronts on. Discussion between Engineer Brungardt and Commissioner Templin and Commissioner Walker regarding the assessment of the benefit district. Continued discussion by Commissioners and Engineer Brungardt on the benefit district agreement. Commissioner Crumbaker discussed with Engineer Brungardt the arrangement of lots 4 and 5 and the lot shape. Commissioner discussion on this subdivision.

The applicant was present, and had no further comments.

Motion by Commissioner Walker to approve the Final Plat for Estates of Snowy Acres and forward it to the City Council for acceptance of easements and rights-of-way, on the condition that the developer sign an agreement not to protest a benefit district for future road maintenance, safety and capacity upgrades to Corliss Road adjacent to the subdivision prior to the City's signatures on the plat; second by Templin.

Roll Call:	Crumbaker	Yes	Hemphill	Yes
	Honomichl	Absent	Kroeger	Yes
	Krudwig	Yes	Walker	Yes
	Templin	Yes		

Motion carried.

5. Public Hearing: N/A

6. Old Business:

A. Discussion of proposed changes to Septic System Regulations. Vice-Chairman Kroeger said the Sub-Committee has met and made the recommendations as set forth in the staff memo dated September 17, 2007. The overall consensus of the Sub-Committee is to proceed with the adoption of the 2006 International Private Sewage Disposal Code (IPSDC). The Sub-Committee did recommend modifications as set forth in Exhibit A of the staff report.

Engineer Brungardt stated the Sub-Committee concluded that this group was not the appropriate group to make specific recommendations on some land-use

type policies. It would be more appropriate for a committee made up of members of the City Council, Planning Commission, administrative City Staff and other stakeholders. The Sub-Committee also discussed the time to implement the new policy, and recommended that this specific language be set out in the ordinance that adopts this new policy.

Engineer Brungardt said the Sub-Committee did discuss areas where septic systems may not be permissible in some future land use areas. The Commission and the Council may want to discuss these areas and recommend a septic system policy for the future land use plan.

Commissioner Templin said Building Official Steve Chick came to the Commission requesting better septic system regulations. He suggested that moving to this International Code would be a better way for the City to evaluate the septic system plans that come before the City. Discussion continued by Commissioner Templin and the Commissioners addressing the request of the Building Official.

Discussion by Commissioner Crumbaker on the types of septic systems. Commissioner Walker said he has seen some steel tanks around here, but most of them have failed due to the nature of the corrosive soils in this area. Discussion ensued by Commissioners on why just "Miami" county and not any other surrounding counties. Commissioner Krudwig said it should read to the effect "any county that meets or exceeds the criteria of Johnson County." The Commissioners agreed and discussions continued with Engineer Brungardt on the licensed installer and licensed designers meeting the Johnson County licensing criteria. Engineer Brungardt will make these suggestions to Council.

Discussion by Commissioner Krudwig with Engineer Brungardt that the septic square footage should be calculated and shown on the plan, i.e. lot area minus the easements. Discussion between Commissioner Krudwig and Engineer Brungardt regarding "privies". Commissioner Kroeger discussed the map with Engineer Brungardt. Commissioner Templin requested Engineer Brungardt to bring back the future land use map reflecting the allowed and non-allowed areas for septic systems. Commissioner Crumbaker said the City needs to retain the County's equivalent zoning designation of "RUR". Discussion ensued.

Motion by Commissioner Krudwig for City Staff to prepare an Ordinance for the Council's consideration adopting the 2006 IPSDC with the modification listed as "Exhibit A" to the staff report, as amended by the discussions of the Planning Commissioners; second by Templin. Discussion.

Roll Call:	Crumbaker	Yes	Hemphill	Yes
	Honomichl	Absent	Kroeger	Yes
	Krudwig	Yes	Walker	Yes
	Templin	Yes		

Motion carried.

Comprehensive Plan Review—

- B. Re-define the future land use map for 95th Street Corridor area. Planner Bohnsack reviewed the comments in her staff report dated September 25, 2007, regarding the Visioning Outline. She also provided a proposed schedule for the meetings in this process. Commissioner Templin recommended that there be a joint meeting of the City Council and Planning Commission to get hands around what direction the City wants this visioning to proceed. Discussion.

Comments by Commissioner Hemphill that City Council should be involved prior to the public meetings. Discussion by Planner Bohnsack and Commissioner Templin on what the key components might be that can be identified by the City Council and Planning Commission before proceeding with public meetings. Discussion ensued by Commissioners and Planner Bohnsack on the scope.

Commissioner Crumbaker said he wonders if the City should put a moratorium on any rezoning or platting in the 95th Street area until the City has a scope and a plan on how this area is to be developed. Discussion on what the City wants to accomplish for this area. Commissioner Krudwig said he would like a list of items and criteria that define what is the "good" plan for the area and what the "bad" plan would be for this area. Continued discussion.

- C. Consider regulations for Gateway areas. Planner Bohnsack reviewed her comments in the staff report dated September 25, 2007. She requested comments from the Commissioners regarding the transition gateways. One is located along Lexington Avenue and the other along 83rd Street for the Downtown District. Discussion by Commissioners and Planner Bohnsack regarding whether or not these two gateways need to be designated by signage appropriate for the particular district within the City.

Commissioners discussed the gateway overlay districts and what kind of special attention should be given to these areas. Commissioners agreed there needs to be gateway overlay regulations to prevent future concerns like the Engineered Air expansion has presented in the City's main gateway at Kill Creek and Lexington Avenue. Discussion ensued.

Commissioner Templin recommended a Sub-Committee to begin discussions. Commissioner Krudwig said he would volunteer as did Commissioner Crumbaker. Commissioner Walker will provide technical support on transportation type issues. Planner Bohnsack will also contact the City Council and EDC, as well as Chamber Director Sara Ritter. Discussion by Commissioner Crumbaker and Commissioner Templin.

Commissioner Krudwig asked about the pole sign that is still up on the corner of the parking lot by Wally's Café at K-10 and Lexington as he thought it was supposed to come down over a year ago. Engineer Brungardt said he would follow up on this. Commissioner Krudwig said this sign is in the gateway.

Planner Bohnsack requested the Commissioners review the maps she provided on the gateway areas and make notes of what they think should be in the areas. Commissioners suggested that Planner Bohnsack also edit the maps and they will compare them at the October meeting.

- D. Downtown Redevelopment Plan—discussion of proposed zoning regulations. Planner Bohnsack said she did request a scope of work from Marty Shukert and his bid was \$6,000. Presently, there isn't funding budgeted. The staff will continue to work with Commissioners and the City Council on the modification for the Comprehensive Plan.

Planner Bohnsack discussed the need to review the zoning regulations Appendix of Allowable Uses and the R-H District uses. Comments by Commissioner Templin that it was his recollection the chart was not the "be all, end all" of uses; it is a guide. Discussion by Commissioners. Planner Bohnsack will review the Appendix and provide further comments to the Commissioners.

- E. Update all maps within the plan--Future Land Use Map, transportation, utilities
(TABLED)

Planner Bohnsack provided Commissioners with new indexes for the Comprehensive Plan. Commissioner Krudwig requested when pages are revised, there is a date on the page reflecting the date it is amended.

7. New Business:

- A. (This item was moved at the beginning of the meeting.)
B. Arbor Ridge Final Development Plan for Phase II **(TABLED AT REQUEST OF APPLICANT)**

8. Calendar:

- A. *October 4th, 2007 - City Council* - Tentative Planning agenda items include:
1. Snowy Acres Final Plat
- B. *October 20th, 2007 - City Council* - Tentative Planning agenda items include:
1. Snowy Acres Final Plat
- C. *October 23rd, 2007 - Planning Commission* – Tentative agenda items include:
1. Comprehensive Plan review
2. Arbor Ridge Phase II Final Development Plan

Vice-Chairman Kroeger requested Commissioners discuss a date change for the December 25th meeting. Commissioners said December 18th looks like the meeting date. They will confirm the December date at the October meeting.

Motion by Commissioner Templin to adjourn at 9:20 p.m.; second by Crumbaker.

All Commissioners approved by "ayes".

Respectfully submitted:

Lana R. McPherson, MMC
City Clerk