

MINUTES

1. The meeting was called to order by Chairman Hemphill at 6:00 p.m. with Roll Call.

2. Roll Call:	Manson	Present	McPherson	Present
	Garrett	Present	Shultz	Present
	Hemphill	Present	Fisher	Absent
	Lane	Present		

3. General Business:

A. Approve Planning Commission Agenda.

Motion by Commissioner McPherson to approve the Agenda; second by Shultz.

All Commissioners approved by "ayes."

Motion carried.

B. Approve Minutes of the Planning Commission meeting held on January 22nd, 2019.

Motion by Commissioner Garrett to approve the Minutes; second by Manson.

All Commissioners approved by "ayes."

Motion carried.

C. Disclosure of conflicts of interest. N/A

D. Disclosure of outside communications regarding Commission business. N/A

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. Consider re-zoning Arbor Ridge Townhomes from C2 Business General to R2 Residential Medium Density. Planning Director Weisenburger stated this request is being made by Don Parr of DVP, LLC to rezone a tract of land south of 83rd Street and west of Valley Spring Drive, at 31765 Valley Spring Drive. Staff has reviewed the City's Zoning Compatibility Factors, as stated in the Staff report. A discussion ensued

between Chairman Hemphill and Planner Weisenburger regarding the previous zoning of this area. Staff's analysis of the criteria is determined to be 'positive' to approve the request. Staff recommends approval of the rezoning request.

Chairman Hemphill opened the Public Hearing for comment.

Don Parr, developer, said this will be townhomes and all maintenance will be provided as recorded on the plat restrictions. He said this is continuing what has already been done. He said the neighbors have stopped by and seem to be happy with the proposed development. Mr. Parr said he has been very pleased with the great responses. Discussion ensued that building costs and lumber are higher now than they've ever been. Chairman Hemphill asked if there is interest in homes in the \$160,000 range. Mr. Parr said that is a very hard sell due to the prices in today's market for lots, building materials, and amenities.

John Stephnoski, 8508 Valley Spring Drive, said he thinks the townhomes are a good idea. He does have a question about the spillway side of the development. Discussion ensued.

No further comments.

Chairman Hemphill closed the Public Hearing.

Motion by Commissioner Garrett to recommend approval of the rezoning from C-2 to R-2 to the City Council; second by Lane.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill	Yes	Fisher	Absent
	Lane	Yes		

Motion carried.

6. Old Business:

A. Text Amendment for Digital Highway Monument Signs. Planner Weisenburger commented and asked Commissioners what they would like to do. City Clerk stated the original motion was to table this until the full Commission was present. Commissioner Lane said she would consider making a new motion. Discussion ensued that the original motion failed. This matter has been tabled due to there not being the full Planning Commission present per the approved motion at the November 27th, 2018 meeting. Discussion ensued among Commissioners and Staff.

Council member Rob Daniels said at some point this matter will come before the City Council. It is unlikely the Commissioners will change their vote. He addressed the reasons the Commissioners voted against the proposed sign. Discussion ensued among Commissioners and Council member Daniels.

Commissioner Shultz said if the proposed changes were implemented, De Soto would be the only community within the K-10 corridor that allows electronic billboard monument signs of this size. Discussion continued among the Commissioners. Commissioner Lane asked if there could be a smaller sign proposed. Commissioner McPherson asked Mayor Walker what his thoughts were on the proposed amendment.

Mayor Rick Walker said he feels the Planning Commission has done their work, and they have shared their thoughts and ideas as requested. He said this is a good process and a vote that probably equally shows the community's feelings. Mayor Walker said he isn't attached to this amendment nor has a personal opinion at this time. Mayor Walker said he appreciates the Commissioners' work and if they want to send the original motion to the Council, then the Council can take up the matter and discuss it.

Further discussion ensued between Council member Daniels and Commissioner Garrett on what if the sign goes through and then it falls flat and the sign owner decides to sell the sign. Then what happens when the original agreement is done away with?

Commissioner Manson said this sign would be under a Special Use Permit which would be tied to the operation of the sign. Commissioners and Staff discussed this.

Chairman Hemphill said he feels this is a decision the elected officials should decide on what is best since they were voted to make these types of decisions. It appears the Commission isn't going to change their votes on this matter.

Motion by Commissioner McPherson to rescind his November 27th, 2018 motion of 'until there is a full Commission present'; the second on that motion was withdrawn by Commissioner Garrett.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill	Yes	Fisher	Absent
	Lane	Yes		

Motion carried on the rescinding of the motion to table. The original motion which was a tie vote of 3 to 3 will send this matter back to the City Council for their consideration.

7. New Business:

- A. Consider Re-Plat of Oak Country Estates 10th - Lot 78. Planning Director Weisenburger stated this request is submitted by Mr. Joe Pinkley. The single lot had the incorrect building setback line recorded. Staff advised Mr. Pinkley to re-plat the tract without any setbacks on the plat. Staff found the re-plat document is in conformance with all application and review requirements and recommends it for approval. Mayor Walker asked Staff why this couldn't be done through a public hearing process. Planner Weisenburger said this had already been recorded with Johnson County. Discussion.

Motion by Commissioner McPherson to approve the Re-Plat for Oak County 10th – Lot 78; second by Lane.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill	Yes	Fisher	Absent
	Lane	Yes		

Motion carried.

- B. Consider Preliminary Plat Arbor Ridge Townhomes. Planning Director Weisenburger stated this is the Arbor Ridge Townhomes Second Plat. The features and supplemental data are required to be submitted for review. Notification letters and signs were

provided to surrounding property owners about the preliminary plat to be considered. Staff has reviewed the application materials, plan details, and the standards as found in Section 4.03 of the City's Subdivision Regulations. Based on this review, Staff recommends approval by the Planning Commission. There is a note on the plat that sidewalks will be required when the location has been finally determined.

Discussion between Chairman Hemphill and Planner Weisenburger regarding sidewalk connections. Chairman Hemphill asked Staff several questions regarding the plat.

Motion by Commissioner Garrett to approve the Preliminary Plat for Arbor Ridge Townhomes Second Plat; second by Manson.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill	Yes	Fisher	Absent
	Lane	Yes		

Motion carried.

- C. Consider Final Plat Arbor Ridge Townhomes. Planning Director Weisenburger stated this is the Arbor Ridge Townhomes Second Plat and contains six (6) lots with two-unit duplex type residences for each lot. The applicant is also asking for easement vacation as shown. Staff has conducted a technical review of the final plat document. Based on that review, Staff recommends approval of the final plat for Arbor Ridge Townhomes Second – Final Plat.

Chairman Hemphill asked questions of Staff. Staff said there is no reason to have setback lines on a final plat as setbacks change and evolve through time.

Motion by Commissioner Manson to recommend approval to the City Council of the Arbor Ridge Townhomes Second Final Plat; second by Shultz.

Roll Call:	Manson	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill	Yes	Fisher	Absent
	Lane	Yes		

Motion carried.

- D. Comprehensive Plan Update – Chapter 5. Planner Weisenburger said this plan is in the discussion stage. Staff is still working on revisions. Staff is suggesting a joint meeting with the City Council on March 21st at 6:00 p.m. for an hour. The current text of this chapter is in raw form and changes will be made prior to being ready for final approval. Administrator Brungardt said the format of the plan is laid out very well. Much of the text will need to be revised and rewritten. He then provided comments through Chapter 5 for Commissioners to consider. Administrator Brungardt stated the Future Transportation Map 5.1 will include the pedestrian elements. He reviewed Chapter 5 and commented on the maps and text that will be revised. Discussion ensued concerning the water and sewer extensions that could be expanded and extended.

Commissioner Lane asked Staff when the Property Maintenance Code can be reviewed and updated so the City can enforce the property maintenance issues. She said she would like to have those codes reviewed and if changes need to be made, then consider making them. Discussion ensued that there is interest in from more people wanting to volunteer in De Soto and work on projects for those who can't afford to do the maintenance. Many of the dilapidated properties are rental properties. Discussion.

Planner Weisenburger said he would like to complete the Comp Plan before we start on another set of code reviews. Commissioners agreed.

No further business was brought up.

Motion by Commissioner McPherson to adjourn at 8:01 p.m. second by Garrett.

All Commissioners approved by 'ayes.'

Motion carried.

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk