

MINUTES

1. The meeting was called to order by Commissioner Garrett with Roll Call.

2. Roll Call:	Allenbrand	Present	McPherson	Present
	Garrett	Present	Shultz	Present
	Hemphill	Absent	Zwahlen	Absent
	Lane	Absent		

3. General Business:

A. Approve Planning Commission Agenda.

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

All Commissioners approved by “ayes.”

B. Approve Minutes of the Planning Commission meeting held on March 27th, 2018.

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

All Commissioners approved by “ayes.”

Motion carried.

C. Disclosure of conflicts of interest. None

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.

(NOTE: Commissioner Lane joined the meeting at 6:03 p.m.)

5. **Public Hearing:**

A. Consider Re-zoning request from RH-Residential Historic to UDO-Uptown Overlay District at Ottawa and 84th Street. Planning Director Brad Weisenburger reviewed the report to Commissioners dated April 24, 2017. The application was submitted by Joe Rawie of All-In Enterprises, LLC. The tract of land is vacant and zoned RH currently. The Uptown Overlay District is compatible with the zoning purposes and goals. Planning Director Weisenburger commented on the goals and purposes for the benefit of the citizens in attendance.

In recommending approval or disapproval of the rezoning request, the Planning Commission is charged with determining whether the proposed zoning is found to be

generally compatible with surrounding area and is in the best interest of the City as a whole. The change to the UDO will be a benefit to this area.

Planning Director Weisenburger reviewed all the characteristics and compatible of the proposed zoning and uses and they have been determined to have a 'positive' finding.

The suitability of the uses of the property, the length of time the property has remained vacant as zoned, community need, availability and adequacy of required utilities and services, along with parking and street usage all have a finding of "positive" in favor of granting the rezoning request.

The environmental impacts will not significantly increase or decrease environmental impacts. The finding is "neutral" in favor of granting the request.

The economic impact in the community of the currently vacant property would allow the development to increase the value of the property and benefit the community. The finding is "positive" in favor of granting the rezoning request.

The remaining impacts to the public health, safety and welfare are found to be 'positive' in favor of granting the request. The Comprehensive Plan, and applicable plans of the City Code are found in favor of granting the request.

The recommendation of professional staff is found to be 'positive' in favor and staff recommends approval of the rezoning of the Uptown Overlay District.

Commissioner Shultz asked if the City will maintain the public alley within this development. Planning Director Weisenburger said the City will maintain the public alley way. Commissioner Lane asked if heavy rains will cause any drainage problems.

Mr. Gary Spehar, licensed Kansas engineer, said he first looked at Kill Creek and the drainage that currently exists with the culvert from the property that drains under Lexington Avenue into Kill Creek. Mr. Spehar said the drainage runoff into Kill Creek is negligible. He gave the specifications of the drainage area and showed the Commissioners where the drainage inlets will be located on the proposed development. Discussion continued with Commissioner McPherson regarding the City-owned property that borders this development. Commissioner McPherson asked if the Fire Department has or will review the plans. The response was "yes."

Commissioner Garrett opened the public hearing for comment.

Mr. Joe Rawie, 17123 158th Street, Basehor, Kansas, the owner and developer, said he has had his eye on this property for over ten years. He wants to keep the 'old style' of downtown on this property. He said the houses will be built to look like the older style with front porches and some homes will have a detached garage. He said he likes the old alleyways in town and explained that all the houses will be three-bedroom, two and one-half baths, and will be a quality home. He wants to build a smaller, affordable home that fits into the neighborhood. The price range will be around \$250,000 to \$275,000 per home. He said he plans to build the homes himself so that he can ensure the homes are built to his standards because he is 'picky'. Mr. Rawie said the alley system is in the old part of town and he wants to preserve that. He is passionate about affordable housing in the City. Mr. Rawie said he has a vested interest in the town and he wants to see De Soto grow and succeed. This area will be pedestrian friendly. His vision is to keep this area looking like the homes in the older part of town.

William Caudle, 33205 W. 84th Street, said he wants to know if the aging sewer system has been looked at and will this affect the sewer system. Planning Director

Weisenburger said the utilities will be handled easily and there will be no impacts to the utilities. Administrator Brungardt commented about the sewer system and two-thirds of the homes will drain into a new sewer. The engineer for the development explained the two sewer connections.

Commissioner Shultz asked what size water main will be utilized in this development. Administrator Brungardt commented on the network connectivity, and the addition of these lots will not impact the hydraulics of the utility system.

Joan Davis, 8455 Peoria Street, commented on the water mains breaking in the past. She asked about the corrosion in the lines. She is concerned about the overall density of the development and whether or not the rainfall would impact runoff. She is concerned about two inches of rain and whether the development of homes will cause less soil absorption. She said there is clay soil about 18" down. Parking is a big concern on Ottawa Street. She wants to know where extra vehicles will park.

Planning director Weisenburger said extra spaces are included in the development and in the alley way behind the houses. Administrator Brungardt said on-street parking is a part of the historic downtown area.

Boots Linden, 8485 Peoria, said she has lived in her house for 65 years. She said she has always wondered what would happen to "the hollow". She said she is delighted with the development, even though there are small items to be worked out. She is happy they are going to rehab the former Sigman house. The land was deeded over in 1858 to John Possum. She thinks this is good for the town and she is happy it is going to be developed. It will be a great addition to the town.

Pam Oswald, 8350 Peoria Street, said she knows Joe Rawie builds a good home. Her concern is the sewer system because when there is heavy rainfall, all the water runs into the system and then backs up into her basement. She said \$275,000 is not a first-time home buyer price. Mr. Rawie said the average home price to build today is \$150 per sq. ft. average not including the price of the lot.

Commissioner Lane said she would rather have a nice home next to her than a cheap one.

Ms. Oswald asked about senior housing being built there. Mr. Rawie said he did consider that, but he felt the older style single residence homes is more compatible with the neighborhood. He could build senior housing, and it would be more money, but that isn't his vision for this property. Mrs. Oswald asked what this new development is going to do to her real estate taxes. Mr. Rawie said that taxes may go up in the area, but it also means those surrounding homes will have a higher value. Ms. Oswald asked about the alleyway off Ottawa.

Lawrence Davis, 8455 Peoria, said he first thought about this project and coming to the City to complain. But, when he found out Joe Rawie was doing the project, he has no complaints. A discussion ensued between Mr. Davis and Mr. Rawie concerning the accessibility of the development. Mr. Rawie commented on the sidewalks that will be installed in the development.

Commissioner Garrett closed the Public Hearing since no further comments were brought forward.

Commissioner Lane said she is comfortable with Mr. Rawie doing this project and knows Mr. Rawie will ensure this is an asset to the community.

Commissioner Shultz said he has reviewed the plans and he thinks this will be a good deal for the City.

Commissioner McPherson said it will be a nice addition to the City.

Commissioner Allenbrand said she thinks this will be a good addition for the City.

Motion by Commissioner Shultz to recommend approval to the City Council for the rezoning of the property from RH-Residential Historic to UDO-Uptown Overlay District; second by McPherson.

Roll Call:	Allenbrand	Yes	McPherson	Yes
	Garrett	Yes	Shultz	Yes
	Hemphill		Zwahlen	
	Lane	Yes		

Motion carried.

6. Old Business:

- A. Update on the Comprehensive Plan. Planning Director Weisenburger commented on the ongoing list of items that have been completed this month working on the details. There will be a public meeting on May 8th at 3:00 p.m. and at 7:00 p.m. for citizen input. There will be a committee meeting on May 9th to consider the citizen input.

7. New Business:

- A. None

Motion by Commissioner McPherson to adjourn at 6:52 p.m.; second by Shultz.

All Commissioners approved by “ayes.”

Motion carried.

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk