

## **MINUTES OF THE PLANNING COMMISSION MEETING**

**April 16, 2018**

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, April 16, 2018. Members also present: Stuart Braden [*arrived after roll call*], Brad Davidson, Robin Dukelow, Charlie Troppito, Scott Babcock [*arrived after roll call*], and Pete Christiansen. Absent were Frank Bruce and Burton Taylor. Also in attendance: Danielle Sitzman, City Planner and Ashley Elmore, Secretary to the Planning Commission.

### **Approval of Minutes from the March 26, 2018 Meeting**

**Mr. Troppito moved and Mr. Davidson seconded** a motion to approve the minutes of the March 26, 2018, Planning Commission meeting.

The vote was taken (5-0). The **motion carried**. Commissioners Taylor and Babcock arrived after the vote.

### **Case # 18-01 Lot Split of Lot 66 Missionhill Acres - 5538 Maple Street**

**Ms. Sitzman**: Thank you, Mr. Chair. This is a request for a lot split. We frequently have these, but there is a provision in our code that governs how they are requested and approved. Basically, they come to the Planning Commission, and then proceed on to City Council.

Some information about the lot split. There's currently a developed lot at 5538 Maple Street. A homeowner occupies a house on the north side of the lot and intends to conduct the lot split, and if approved, sell the newly-created lot for development of an additional single-family home. It's part of an already-platted subdivision, Lot 66 of Missionhill Acres. It's the original size of the lots at the time that that subdivision was created. It's 120 feet wide and 104 feet deep. So, the request tonight is to divide it down the middle into two lots.

The code section that governs current modern lot sizes intends for new lots created in new subdivisions to be 70 feet in width. However, if you're in an existing situation, they can be reduced down to 60 feet - which is what is requested tonight - as long as the width is not less than 75 percent of the average front lot width of the lots in this subdivision's property block. So, we did an analysis in our staff report for you of what the block is and what those widths are. The average lot width - or the mean - in this subject block is 70 feet. Seventy-five percent of that is 53 feet, so the 60 feet that they are proposing does meet that standard. If you look at the table in the staff report, it does show you that there are several lots that are 60 feet in width, some are 62 1/2, so it's a fairly typical lot size for that block.

We also looked at other aspects and advised the applicant when they go through this process that they need to make sure that they're not creating non-conformities, meaning that the existing house is still going to meet the modern setbacks, making sure that that's not being created. In this case, the current house would still meet all the setbacks required. There is a chimney on the south side of the house that does project into that side yard, but it's an allowable projection under one of the exceptions in our code, so it's perfectly fine.

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When and if this proceeds on to development, staff would take a look at any proposed new building proposal and do a planning and zoning review before a building permit is issued, to double-check setbacks, lot coverages, and all of those other things. Also, minimum house size. The applicant did provide an example of the home that is being considered for development. This is not binding in any way. It's just provided to give you an idea of what they're considering. That's not something you're reviewing this evening. They also provided their analysis of the lot sizes. Unfortunately, I think they used the wrong interpretation of what a block would be, but when we did our interpretation, it still works out just fine. Also included in the packet tonight was a survey showing where that dividing line would be drawn, where the site lines would be for the existing house.

Staff feels that all the findings required for granting of a lot split have been met. We have provided that analysis in the staff report. We do recommend that you adopt these findings of fact and recommend approval of the proposed lot split to the City Council. That concludes the staff report.

Chair Lee: Thank you. Is the applicant here?

*David Bennier, 5538 Maple Street, appeared before the Planning Commission and made the following comments:*

Mr. Bennier: Yes, sir. I live at 5538 Maple Street with my wife and five kids. We bought the place about seven years ago, maybe a little less. We saw that it was extra wide, and we liked that. Then, as kind of an investment idea, we thought we'd look into splitting it, and it appeared to work out. So, here we are. In a sense, capitalizing on the market right now. A lot of houses have been going up around us, so we thought we would give it a shot.

Chair Lee: Any questions for the applicant? Charlie?

Mr. Troppito: How many trees will you be displacing, if any?

Mr. Bennier: There will be one tree displaced in the front. I don't know if there are plans to replace it.

Mr. Davidson: This might be more for Danielle. Is there any limited access, since this is a corner lot, as far as if it has to be a frontage, garage-sited tree, or are both options available?

Ms. Sitzman: Both options would be available. We would take a look at how far away from the intersection they are proposed to be. The house plans that were provided show a side-loaded garage, so if the house were to front Maple, the driveway would be on the opposite street, and vice-versa. Both allowed. Again, since those house plans aren't binding, I don't want to dwell on them too much, but when they show a side-loaded garage like that, that's an allowable configuration, to not need to have the two-foot setback of the garage behind the front face of the house. The front face of the house doesn't look like a garage, even though it is, because the door to it is on the side. It can project away from the house like that. With just a quick glance at the plans, staff doesn't have any concerns with it, necessarily.

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Chair Lee: Any other questions? [*None.*] Thank you. Any questions for staff?

Ms. Sitzman: To the question about trees, a tree is required to be planted for every 50 feet of frontage. So, on the new lot, there would be one tree in the front area at some point.

Mr. Troppito: Take one down, put one up.

Ms. Sitzman: Yes.

Ms. Dukelow: I just want to say, I share the concern about a tree near the corner, but unfortunately, I don't think we have any control over that. Correct me if I'm wrong.

Ms. Sitzman: I think you are correct. If they wanted to conserve a tree and count it towards the requirement, that's allowed, but simply protecting a tree from being removed is not a part.

Mr. Troppito: My concern is whether it would be a net loss or a net gain. I'm satisfied.

Mr. Babcock: Correct me if I'm wrong. There's a precedence for this, and with two lots on Lamar, one of them is --

Ms. Sitzman: Actually, the lots that Mr. Babcock is referencing are smaller than 60 feet in width. They are non-conforming lots, which is a little more complicated than this one. This one has no non-conformities.

Mr. Braden: I know they meet the side yard setback requirements. I just didn't see where it was listed what that is. Just for my information.

Ms. Sitzman: Yeah, we didn't spell out every requirement. On an interior lot, which is what the existing house would become once the lot split occurs, it's five feet on the side yards.

Chair Lee: Other comments? If not, I would entertain a motion.

Mr. Babcock: I make a motion that we recommend approval of Case No. 18-01 Lot Split of Lot 66, Missionhill Acres, 5538 Maple Street.

Mr. Braden: Second.

The vote on the motion was taken (7-0). **The motion to approve this application carried.**

## **Planning Commission Comments/CIP Updates**

Chair Lee: Before we bring up comments of committee, we'll let Charlie read something.

Mr. Troppito: I'm going to pass this out so you all have a copy. What I'm introducing is a resolution in recognition and appreciation for distinguished service by Danielle Sitzman. Here is a full copy for the secretary.

**WHEREAS**, Danielle Sitzman has served the City of Mission, Kansas, Planning Commission as city planner and as the planning and development services manager with great professionalism, dedication and distinction since April 2007; and

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**WHEREAS**, throughout Danielle's tenure she has provided the Planning Commission with invaluable staff insights, perspectives, fact-finding and professional guided opinion and;

**WHEREAS**, Danielle has participated with distinction in the following professional and community service activities which have brought credit to the city of Mission, Kansas exceeding her job requirements:

AICP (American Institute of Certified Planners) Certified Planner

Member Kansas City Chapter of the American Planning Association

International Code Council, Certified Permit Technician

International Code Council, Permit Specialist (T6)-Pending Spring 2018

International Code Council, Legal and Management Modules Certifications-Pending Spring 2018

Johnson County Building Officials Association

Heart of America International Code Council

Women in Code Enforcement and Development

Mid-America Regional Council, Bicycle & Pedestrian Advisory Committee and Technical Forecast Committee

Urban Land Institute

NEJC Chamber Leadership Institute graduate

Youth Pedestrian and Bicycle Safety Ambassador

Shawnee Mission School District and Turner School District, Mentor

**NOW, THEREFORE, BE IT RESOLVED** that the Mission Kansas Planning Commission acknowledges and extends its gratitude to Danielle Sitzman for her exceptional service to the Commission and citizens of Mission, Kansas.

Chair Lee: I would entertain a motion.

Ms. Dukelow: Mr. Chairman, I would like to recommend to the Planning Commission that we adopt the resolution, the recognition and appreciation of distinguished service by Danielle Sitzman, on this day, April 16, 2018.

Mr. Babcock: Second.

The vote on the motion was taken (7-0). **The motion to adopt the resolution carried.**

[*Applause.*]

## Staff Update

Staff provided an update on current and upcoming projects and events.

## ADJOURNMENT

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With no other agenda items, **Ms. Dukelow moved and Mr. Braden seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:20 P.M.

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Mike Lee, Chair

**ATTEST:**

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Ashley Elmore, Secretary