

**REGULAR PLANNING COMMISSION MEETING
CITY OF MERRIAM, KANSAS
9001 W. 62nd St.
COUNCIL CHAMBERS
MINUTES**

**May 1, 2019
7:00 P.M.**

The Regular Planning Commission meeting for the City of Merriam, Kansas was called to order at 7:00 p.m. by Chair Brian Dailey on Wednesday, May 1, 2019 in the Council Chambers with the Chair inviting everyone present to participate in the Pledge of Allegiance to the Flag.

I. ROLL CALL

Members Present: Bill Bailey, Secretary
Reuben Cozmyer-arrived 7:05 p.m.
Brian Dailey, Chair
Judy Devereay
Mitchell Fowler
Russ Harmon
Leah Ann McCormick, Vice Chair
Cole Stephens

Members Absent: Bill Carter

Also Present: Bryan Dyer, Community Development Director, and Nancy Yoakum, Recording Secretary.

II. APPROVAL OF MINUTES OF APRIL 3, 2019

Chair Brian Dailey stated that the Planning Commission members had received a copy of the April 3, 2019 meeting minutes and asked if there were any corrections or additions.

Hearing no comments, Chair Brian Dailey entertained a motion.

LEE ANN MCCORMICK MOVED THAT THE MINUTES OF THE PLANNING COMMISSION MEETING OF APRIL 3, 2019 BE APPROVED. MITCHELL FOWLER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

III. ITEMS OF BUSINESS

- 1. CUP19-000002 Conditional Use for solar panels at 8806 W. 49th Terrace in a R-1 (Single Family-Residential) District.**

Chair Brian Dailey presented to the Planning Commission application CUP19-000002 a request for solar panels for a residence located at 8806 W. 49th Terr.

Community Development Director Bryan Dyer stated the applicant is requesting a conditional use permit for solar panels. Mr. Dyer stated that staff can administratively approve solar panels unless they are primarily visible from the right of way and that is why the application is being presented to the Planning Commission.

Mr. Dyer stated the residence is located at 8806 W. 49th Terr. Mr. Dyer reviewed the surrounding zoning and land uses.

Mr. Dyer stated that the solar panels will be installed on the garage which is not highly visible from the right of way, and are not part of the application. Mr. Dyer stated there will be solar panels on the southern portion of the residence which is on a hill, however staff made a determination that it needed to be reviewed by the Planning Commission.

Mr. Dyer stated as part of the Planning Commissions consideration of the deviation there are four criteria that the Planning Commission should consider for a deviation listed in the staff report as follows:

Purpose and Intent Of Code: *Whether granting the deviation is in compliance with the general purpose and intent of the City's Solar Collection System regulations set forth in this Article.*

Finding: The purpose of these regulations is to accommodate solar collection systems while minimizing adverse impacts on adjacent properties. While the design directly faces a public street the proposed panels are not highly reflective, thin, and will be installed with materials that are dark in hue to blend better with the roof color. These features will minimize the adverse impacts the installation will have on adjacent properties. The proposed system is in compliance with the general purpose and intent of these regulations.

Impacts On Adjacent Properties: *Whether granting the deviation will adversely affect neighboring property owners or residents.*

Finding: The proposed system is designed to have a minimal impact on neighboring properties.

Safety: *Whether granting the deviation will adversely affect safety.*

Finding: Granting the deviation will not adversely affect safety.

Visual Clutter: *Whether granting the proposed deviation will significantly clutter the visual landscape of the area.*

Finding: The proposed system will utilize panels that are not highly reflective, thin, and will be installed with materials that are dark in hue to blend better with the roof color. These design elements will reduce the visibility of the panels. Granting the proposed deviation will not significantly clutter the visible landscape of the area.

Mr. Dyer stated that the Planning Commission had approved a similar application in 2014, application C-03-14 located 10014 Carrie Lane, and provided pictures of the solar panels.

Mr. Dyer stated that staff does recommend approval and would answer questions from the Planning Commission.

Chair Brian Dailey inquired if any of the Planning Commissioners had questions for Mr. Dyer.

Commissioner Bill Bailey inquired if the materials being proposed meet the NEC requirements.

Mr. Dyer stated the applicant will be submitting a building permit and specifications will be reviewed to ensure the NEC requirement is met before issuance.

Chair Brian Daily inquired if there were any additional questions for Mr. Dyer. Hearing none, he inquired if the Planning Commission had any questions for the applicant. Hearing none, he entertained a motion.

MITCHELL FOWLER MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION CUP19-000002 CONDITIONAL USE PERMIT FOR THE PEACH RESIDENCE AT 8806 W. 49TH TERR. WITH THE CONDITIONS LISTED IN THE STAFF REPORT. REUBEN COZMYER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED

IV. BUSINESS FROM THE FLOOR

1. PUD19-000006 Revised Sign Scheme for Country Hill Motors located at 6639 E. Frontage Rd. in a PUD-G (Planned Unit Development-General) District.

Community Development Director Bryan Dyer stated the application came in within a time frame after the Planning Commission packets had been mailed. Mr. Dyer stated this item is not a public hearing item, and there is no agenda for next month, so staff felt it was appropriate to bring he item to the Planning Commission this evening.

Mr. Dyer stated this is for an additional sign at County Hill Motors. Mr. Dyer reviewed the site location and current signage and proposed signage which is 25 sq. ft. Mr. Dyer stated the sign is for Vanderhall Motorworks which is a 3 wheeled vehicle. Mr. Dyer stated the total signage still meets the requirement of 5 percent of the façade, however two (2) façade signs are proposed and only one façade sign is permitted.

Mr. Dyer stated applicants can come to the Planning Commission to request a deviation from the sign code and this is something the Planning Commission has granted for most of the car dealerships in the city.

Mr. Dyer stated staff does recommend approval and he would answer any questions of the Planning Commissioners and the applicant was present as well.

Chair Brian Dailey inquired if there were any questions for Mr. Dyer. Hearing none, he inquired if there were any questions for the applicant. Hearing none, he entertained a motion.

BILL BAILEY MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION PUD19-000006 REVISED SIGN SCHEME PACKAGE FOR COUNTRY HILL MOTORS AT 6639 E. FRONTAGE RD. MITCHELL FOWLER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED

- Switzer Senior Villas was approved at last month's City Council meeting.
- Staff has been working with the consultants on the Comprehensive Plan and are accepting applications for the steering committee.
- Freddy's Frozen Custard and Steak Burger is getting closer to obtaining a building permit for the old Winsted's building.
- No updates on the old K-Mart or Hen House buildings.

- B.E. Smith Family Center at Shawnee Mission Medical Center is open and operating.
- The pre-cast panels for the community center parking garage are being erected.

V. UNFINISHED BUSINESS

None

VI. OLD BUSINESS

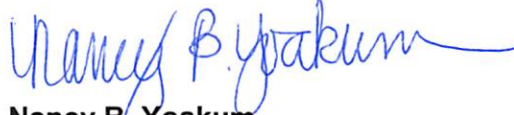
None

VII. ADJOURNMENT

With no further business for discussion, Chair Brian Dailey asked for a motion for adjournment.

BILL BAILEY MOVED FOR ADJOURNMENT. The meeting was adjourned 7:21 p.m.

Respectfully Submitted,



**Nancy B. Yoakum
Recording Secretary**

Approved: July 3, 2019