



**LOUISBURG PLANNING COMMISSION MEETING MINUTES**  
**Wednesday April 28, 2021**

The Planning Commission of the City of Louisburg, Kansas met at 6:30 p.m. in the City Hall Council Chambers with Chairperson Andy Sauber presiding.

**ATTENDANCE:**

- Commission Members: Les Page, Lee Baer, Nate Apple, Michelle Olson, Michael Sharp, and George Bazin (Arrived 6:33pm)
- City Administrator: Nathan Law
- City Council: Sandy Harris
- City Staff: Jean Carder
- Recording Secretary: Rusty Whitham
- Visitors: Matt Cox, Raj Trivedi, David Sandir, Cathy Feriend, Chris Koch, Megan Barnes, Dr. Brian Biermann, Bob Bazin, Rosie and Paul Guetterman

**ITEM 1: ROLL CALL**

**ITEM 2: ADOPTION OF THE AGENDA:**

A motion was made by Les Page to adopt the amended agenda. The agenda was amended by adding discussion Item 10. The motion was seconded by Lee Baer. The motion passed 6-0-1. Michelle Olson abstained.

**ITEM 3: APPROVAL OF THE MINUTES:**

A motion was made by Lee Baer to approve the minutes from the March 31, 2021 meeting. The motion was seconded by Les Page. The motion passed 5-0-2. Michelle Olson and Michael Sharp abstained.

**ITEM 4: PUBLIC COMMENTS:** Persons who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only.

None

**PUBLIC HEARING BUSINESS ITEMS:**

**Item 5: 21001-SUB – Wea Creek Phase II Subdivision Preliminary Site Plan**

*The following individuals were present representing the applicant: Matt Cox (Allenbrand-Drews and Associates), Raj Trivedi, David Sandir and Cathy Feriend (Commercial Group)*

Chairperson Sauber asked Staff if there are any changes to this request or concerns that needs to be brought the Planning Commission's attention. Staff replied with no.

Matt Cox explained that he is representing the developer and Wea Creek Phase II will consist of a community building and 36 multi-family residential units. Cox went on to say that this project will involve grading, installation of infrastructure, and significant stormwater improvements.

Sauber asked if the Developer has had the opportunity to review the 17 stipulations listed in the Staff Report. Matt Cox replied yes and said that the developer has no issues with any of the listed stipulations.

### **Stipulations**

1. Developer shall provide temporary trash containment plan prior to building permit issuance to reduce blowing of debris and trash during all phases of construction.
2. Developer shall provide stabilized gravel parking areas for each residential structure during initial phase of construction to provide sub contractors with parking areas that are free of mud. Gravel shall be no smaller than ¾ inch.
3. Erosion control shall be installed prior to construction and maintained throughout project.
4. Parkland fee of \$200 per unit shall be assessed prior to recording of final plat.  
36 units x \$200 = \$7,200 Total Parkland Fees.
5. Certificates of Occupancy (CO) shall be issued for each individual building; The City will require 24-hour notice for all inspections.
6. A \$75 re-inspection fee shall be charged for inspections that have been scheduled by the builder but are not ready for inspection.
7. Developer shall obtain approval from USD416 to establish easements and modifications to existing stormwater drain line located on school property.
8. Developer shall ensure Danford Drive is always clear of mud and construction debris.
9. Developer shall provide two porta-johns on-site during construction.
10. Each building shall be issued a separate construction permit.
11. Developer shall submit a revised Stormwater Management Plan and Study. This plan will be reviewed for feasibility and accuracy by a third-party engineer selected by the City of Louisburg. This third-party review shall be at City's expense. The stormwater Plan and calculations must be in accordance with the current version of the American Public Works Association Standard Specifications & Design Criteria Section 5600 Storm Drainage Systems & Facilities (APWA 5600) dated February 16, 2011.
12. Stormwater shall not be increased causing flooding to adjacent property (USD416) or downstream housing development (Lake Subdivision).
13. Developer shall install landscaping in accordance with preliminary plan. Final Certificates of Occupancy maybe withheld if all landscaping is not installed.
14. The Developer shall ensure the Final Plat has been reviewed by the Miami County Surveyor prior to any signature to the document.
15. City Staff shall route the Final Plat to the County for approval and filing. The Developer shall provide \$50 for the Miami County Surveyor and \$29 for Miami County Register of Deeds.

16. Developer shall provide updated Final Plat correct signature blocks and dates.
17. Developer shall pay the following upon issuance of construction permits:

Residential 4-Plex:

Permit Fee Each Building = \$2,273.29  
Water Connection Fee Each Building = \$3,150  
Sewer Connection Fee Each Building = \$8,000

Community Building:

Permit Fee Community Building = \$1,406.98  
Water Connection Fee Community Building = \$3,150  
Sewer Connection Fee Community Building = \$2,500

Lee Baer asked if Danford Drive currently has street lighting. Staff replied yes.

Sauber opened the discussion for public comment. No public comment occurred, and the public hearing was closed.

Nate Apple stated Wea Creek Phase I constructed in 2007 is wonderful and expects that Phase II will be the same. Apple also said this type of housing is needed in Louisburg.

Les Page asked what exhibit A in the staff report illustrates. Matt Cox explained the Wea Creek property abuts USD416 acreage to the west. There is currently a detention basin on the Wea Creek property and stormwater is directed from the basin towards USD416 via an 8-inch diameter storm drainpipe. This 8-inch diameter drainpipe was installed roughly 20 years ago. Cox also mentioned that there is no evidence that this 8-inch pipe located approximately 15 feet onto USD416 property has a documented easement. Matt Cox believes no easement was ever established. Cox then explained that the water detention basin and pipe are vastly undersized to support further development on Wea Creek property. The existing basin also supports stormwater runoff from surrounding properties. The Developer needs to increase the size of the basin and drainage pipe. The drainage pipe will be increased from an 8-inches to 36-inches in diameter. In addition, the developer also requests a 15-foot drainage easement on USD416 property. Cox said the developer is currently working with USD416 to establish this easement.

Nate Apple asked why the new drainpipe needs to be 36-inches in diameter. Cox explained when Danford Drive was constructed two years ago a 36-inch drainage pipe was installed under the street. The Wea Creek Stormwater Drainage Plan calls for this pipe to be removed and all water routed to the newly constructed detention basin on Wea Creek property. The larger pipe will support the expected volume of stormwater from the new basin. This basin is designed to sustain the entire development and surrounding properties. Stormwater will gradually drain from the new basin via the 36-inch drainpipe onto USD416 property and travel to City Lake via existing ditches.

Cox stated that there is a 48-inch and a 36-inch pipe feeding into the new stormwater basin. There will only be a 36-inch pipe draining the basin. Water will be regulated as it leaves the basin. Apple stated that City and USD416 are aware of the potential downstream drainage issues.

Les Page asked if the community building will be available to everyone at large or just Wea Creek residents. David Sandir confirmed that the community building will be constructed for Wea Creek residents only.

After additional discussion Nate Apple made a motion recommending approval of the Wea Creek Phase II Subdivision Preliminary Site Plan with the above-mentioned stipulations. George Bazin seconded the motion. The motioned passed 7-0.

This item with Planning Commission recommendations will be presented to the City Council on May 3, 2021 for additional consideration.

**Item 6: 21002-SUB – Wea Creek Phase II Subdivision Final Plat**

*The following individuals were present representing the applicant: Matt Cox (Allenbrand-Drews and Associates), Raj Trivedi, David Sandir and Cathy Feriend (Commercial Group)*

Chairperson Sauber asked Staff if there is any change to this request or concerns that needs to be brought the Planning Commission’s attention. Staff replied with no.

Sauber opened the discussion for public comment. No public comment occurred, and the public hearing was closed.

Sauber then mentioned that the stipulations associated with the Final Plat are the same as the ones listed with the Preliminary Site Plan previously discussed in item 5 (21001-SUB).

**Stipulations**

1. Developer shall provide temporary trash containment plan prior to building permit issuance to reduce blowing of debris and trash during all phases of construction.
2. Developer shall provide stabilized gravel parking areas for each residential structure during initial phase of construction to provide sub-contractors with parking areas that are free of mud. Gravel shall be no smaller than ¾ inch.
3. Erosion control shall be installed prior to construction and maintained throughout project.
4. Parkland fee of \$200 per unit shall be assessed prior to recording of final plat.  
36 units x \$200 = \$7,200 Total Parkland Fees.
5. Certificates of Occupancy (CO) shall be issued for each individual building; The City will require 24-hour notice for all inspections.
6. A \$75 re-inspection fee shall be charged for inspections that have been scheduled by the builder but are not ready for inspection.
7. Developer shall obtain approval from USD416 to establish easements and modifications to existing stormwater drain line located on school property.
8. Developer shall ensure Danford Drive is always clear of mud and construction debris.

9. Developer shall provide two porta-johns on-site during construction.
10. Each building shall be issued a separate construction permit.
11. Developer shall submit a revised Stormwater Management Plan and Study. This plan will be reviewed for feasibility and accuracy by a third-party engineer selected by the City of Louisburg. This third-party review shall be at City's expense. The stormwater Plan and calculations must be in accordance with the current version of the American Public Works Association Standard Specifications & Design Criteria Section 5600 Storm Drainage Systems & Facilities (APWA 5600) dated February 16, 2011.
12. Stormwater shall not be increased causing flooding to adjacent property (USD416) or downstream housing development (Lake Subdivision).
13. Developer shall install landscaping in accordance with preliminary plan. Final Certificates of Occupancy maybe withheld if all landscaping is not installed.
14. The Developer shall ensure the Final Plat has been reviewed by the Miami County Surveyor prior to any signature to the document.
15. City Staff shall route the Final Plat to the County for approval and filing. The Developer shall provide \$50 for the Miami County Surveyor and \$29 for Miami County Register of Deeds.
16. Developer shall provide updated Final Plat correct signature blocks and dates.
17. Developer shall pay the following upon issuance of construction permits:

Residential 4-Plex:

Permit Fee Each Building = \$2,273.29

Water Connection Fee Each Building = \$3,150

Sewer Connection Fee Each Building = \$8,000

Community Building:

Permit Fee Community Building = \$1,406.98

Water Connection Fee Community Building = \$3,150

Sewer Connection Fee Community Building = \$2,500

After a brief discussion Nate Apple made a motion recommending approval of the Wea Creek Phase II Subdivision Final Plat with the above-mentioned stipulations. Les Page seconded the motion. The motioned passed 7-0.

This item with Planning Commission recommendations will be presented to the City Council on May 3, 2021 for additional consideration.

**Item 7: 21001-SUP (Special Use Permit) – 104 West Amity, Storage and Warehousing Parcel ID: 1093004007015000.**

George Bazin recused himself from this discussion.

Chairperson Sauber asked Staff if there are any changes to this request or concerns that needs to be brought the Planning Commission's attention. Staff replied with no.

Sauber opened the discussion for public comment. No public comment occurred, and the public hearing was closed.

Les Page asked if the entrance to the indoor storage units is located at the front of the building facing West Amity. The answer was yes.

Les Page then asked if all storage will be located inside the building and no storage will be kept outdoors. City Administrator Nathan Law replied as he understands no storage will be located outdoors.

The Planning Commission then discussed the Eight Golden Factors outlined in the staff report. After a brief discussion it was determined that this request meets the conditions within the Golden Factors.

Below are the stipulations proved by Staff:

### **Stipulations**

1. Hazardous materials - No explosive, combustible or volatile nature materials shall be stored on the property.
2. All storage shall be within enclosed buildings except for boats, campers, and other vehicles which may be outside if properly screened.
3. Any side of the building providing doorways to storage areas shall be set back from the property line not less than thirty-five (35) feet. **Since indoor storage will be provided in an existing structure, this item does not apply.**
4. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete or asphalt. All one-way driveways which provide direct access to cubicles shall provide for one 10 foot-parking lane and one 15-foot travel lane. All two-way driveways which provide direct access to cubicles shall provide for one 10-foot parking lane and two 12-foot travel lanes. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
5. All lights shall be shielded to direct light away from adjacent properties.
6. No activities such as miscellaneous or garage sales or the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment shall be conducted on the premises. Also, no manufacturing, assembly or processing of any product shall be permitted.
7. The area shall be properly policed by the owner or operator for removal of trash and debris.
8. Two copies of a plot plan showing ingress and egress, widths of driveways, off-street parking, loading areas, and on-site traffic circulation shall be submitted to the Planning Commission for their consideration with the special use permit application. **Indoor storage will be provided in an existing structure. Driveways, loading areas and traffic circulation have previously been established. This item does not apply.**
9. One residential dwelling may be erected in conjunction with the facility to allow a watchman to reside on the premises.
10. The Planning Commission or Governing Body may attach such other conditions as deemed necessary to provide for compatible development.

11. A solid or semi-solid fence, hedge or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than seventy (70) percent per square foot, shall be provided adjacent to an adjoining residential district unless the adjacent residential district and the commercial development are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner or owners of the property in the "C-3" District. **This commercial lot does not adjoin a residential property.**
12. The property owner shall submit the following prior to leasing storage units:
  - A drawing illustrating the overall interior layout of the building.
  - Change of Use/Life Safety Application - The purpose of this two-phase inspection process is to ensure that all commercial buildings are periodically inspected checking for fire and safety issues. The City Fire Marshall and the City Building Inspector will be conducting two separate inspections of your building(s). The fee for both inspections is \$50. This inspection process is initiated every time the ownership or change of use of a commercial property has occurred.

After a brief discussion Lee Baer made a motion recommending approval of Special Use Permit 21001-SUP allowing Storage and Warehousing in an existing building located at 104 West Amity. All stipulations listed above shall be complied with in conjunction with this Special Use Permit. Michelle Olson seconded the motion. The motioned passed 6-0-1. George Bazin abstained.

This item with Planning Commission recommendations will be presented to the City Council on May 17, 2021 for additional consideration.

**Item 8: 21002-SUP (Special Use Permit) - 110 West Amity, Storage and Warehousing. Parcel ID: 1093004007011000.**

George Bazin recused himself from this discussion.

Chairperson Sauber asked Staff if there are any changes to this request or concerns that needs to be brought the Planning Commission's attention. Staff replied with no.

Sauber opened the discussion for public comment. No public comment occurred, and the public hearing was closed.

Michelle Olson asked about stormwater runoff. She noted that a large area will be paved with concrete. Concrete is impervious and will cause stormwater to drain off the property rapidly. What has been done to mitigate the rapid runoff of stormwater. Will the storm drain be able to handle the expected amount of water? Nate Apple mentioned that the property owner recently installed a large storm drain with drainpipe that routes water from the property to the existing stream located to the north. Apple believe this drainage system installed by the owner is sufficient to handle the expected runoff.

Les Page asked are the three buildings illustrated in the staff report for indoor storage. Bob Bazin (MBB, LLC.) said they are mini storage buildings. Page then asked will there be outdoor storage. Bazin said that he believes outdoor storage is limited in the "C-3" General Business District.

The Planning Commission then discussed the Eight Golden Factors outlined in the staff report. After a brief discussion it was determined that this request meets the conditions within the Golden Factors.

Below are the stipulations proved by Staff:

### **Stipulations**

1. Hazardous materials - No explosive, combustible or volatile nature materials shall be stored on the property.
2. All storage shall be within enclosed buildings except for boats, campers, and other vehicles which may be outside if properly screened.
3. Any side of the building providing doorways to storage areas shall be set back from the property line not less than thirty-five (35) feet.
4. All driveways, parking, loading and vehicle circulation areas shall be paved with concrete or asphalt. All one-way driveways which provide direct access to cubicles shall provide for one 10 foot-parking lane and one 15-foot travel lane. All two-way driveways which provide direct access to cubicles shall provide for one 10-foot parking lane and two 12-foot travel lanes. Adequate bumper guards or fences shall be provided to prevent the extension of vehicles beyond property lines.
5. All lights shall be shielded to direct light away from adjacent properties.
6. No activities such as miscellaneous or garage sales or the servicing or repair of motor vehicles, boats, trailers, lawn mowers, and other similar equipment shall be conducted on the premises. Also, no manufacturing, assembly or processing of any product shall be permitted.
7. The area shall be properly policed by the owner or operator for removal of trash and debris.
8. Two copies of a plot plan showing ingress and egress, widths of driveways, off-street parking, loading areas, and on-site traffic circulation shall be submitted to the Planning Commission for their consideration with the special use permit application.
9. One residential dwelling may be erected in conjunction with the facility to allow a watchman to reside on the premises.
10. The Planning Commission or Governing Body may attach such other conditions as deemed necessary to provide for compatible development.
11. A solid or semi-solid fence, hedge or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than seventy (70) percent per square foot, shall be provided adjacent to an adjoining residential district unless the adjacent residential district and the commercial development are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner or owners of the property in the "C-3" District.
12. All buildings shall meet the Design Standards outlined in section 618 of the Zoning Regulations.



13. The property owner shall submit the following prior to construction:
  - Stamped Site-plan for Planning Commission review
  - Stamped construction plans
14. Property owner shall maintain stormwater stream located on the northside of the property to prevent erosion.
15. Property owner shall provide KDOT traffic study/certificate/letter approving access to K68 Highway.

After additional discussion, Les Page made a motion recommending approval of Special Use Permit 21002-SUP allowing Storage and Warehousing at 110 West Amity. All stipulations listed above shall be complied with in conjunction with this Special Use Permit. Lee Baer seconded the motion. The motioned passed 6-0-1. George Bazin abstained.

This item with Planning Commission recommendations will be presented to the City Council on May 17, 2021 for additional consideration.

### **NON-PUBLIC HEARING BUSINESS ITEMS:**

#### **NEW BUSINESS:**

#### **Item 9: 20001-SP (Site-Plan) – 505 East Amity, Louisburg Middle School Storm Shelter Addition and Parking lot reconfiguration. Parcel ID: 1093202001001000.**

*The following individuals were present representing the applicant: Chris Koch and Megan Barnes (Hollis & Miller Architects), Dr. Brian Biermann (USD416)*

Megan Barnes explained the scope of the proposed project and said that they have no issues with the six stipulations outlined in the staff report.

#### **Stipulations**

1. Contractor shall submit a permit application and stamped construction plans before work begins. All permit fees shall be waived. All construction shall meet standards outlined in the following Building Codes adopted by the City of Louisburg:
  - 2018 International Building Code (IBC),
  - 2018 International Plumbing Code (IPC),
  - 2018 International Fire Code (IFC), (IECC),
  - 2018 International Mechanical Code (IMC),
  - 2017 International Energy Conservation Code
  - 2014 ICC 500/NSSA Standard for the Design and Construction of Storm Shelters
2. All contractors shall be licensed in Miami County.
3. Contractor shall provide temporary trash containment plan prior to construction to reduce blowing of debris and trash during all phases of construction.
4. Erosion control shall be installed prior to construction and maintained throughout project.
5. Contractor shall ensure all streets are always clear of mud and construction debris.

6. Grading for the new parking lot shall be kept to a minimum. Stormwater shall maintain its current direction draining the parking lot to the open culvert located at the Northwest of the existing parking lot.

Les Page asked if the storm shelter can support all the students. Barnes stated that the storm shelter is designed to accommodate the entire student population based on the square footage requirements outlined in the ICC.

George Bazin stated that the auditorium was designated as the storm shelter when he went to school. Dr. Biermann explain the building was constructed in 1992 without a storm shelter. The students are currently required to shelter in the hallways. Biermann said we cannot keep our staff and students safe with our present situation. George Bazin said that this project sounds like a positive move for the students and USD416.

Nate Apple mentioned that the proposed sidewalk located in front of the middle school is designed with a roundabout. He said the existing concrete sidewalk was poured thicker to support emergency service vehicles. Emergency vehicles were able to drive-up to the doors when needed. The proposed roundabout will obstruct emergency vehicles from gaining drive-up access to the doors. Megan Barnes stated that this additional access requirement was not identified during the planning process. Barnes stated that she was unaware of the reinforced concrete. She stated that the proposed design will provide sufficient emergency access to the building. Apple said that the sidewalk was designed with this specific safety feature in mind and there is no reason why this should not be included in the new design. Apple strongly opposes installing a roundabout in the sidewalk in front of the school. Les Page mentioned that most schools are not designed for emergency vehicles to drive up to the doors. Apple replied that he understands Page's remarks, but this building has this design with this feature, and it should be kept. Apple ended by saying it would be a waste of money tearing this sidewalk up and losing this safety feature for a roundabout.

Les Page asked since the storm shelter addition will also be used as classrooms will they have windows. Megan Barnes said yes. The windows will have interior shutters.

Nate Apple asked if this storm shelter designed is to meet FEMA requirements. Megan Barnes replied that the shelter is designed in accordance with 2014 ICC 500/NSSA Standard for the Design and Construction of Storm Shelters.

Andy Sauber asked if there is only one interior access into the shelter. Megan Barnes replied yes. This is a standard design.

It was mentioned that the parking lot design is well thought out.

Andy Sauber asked when will work begin. Barnes indicated that they will apply for permits this May and begin parking lot construction this summer. They expect the building addition to be completed by the Fall of 2022.

Nate Apple asked that all concrete be KCMB mix.

Lee Baer asked how many parking stalls the middle school will have when the construction is completed. Chris Koch did not have a specific number but did mention that there will be less stalls than the current configuration. Koch said the parking lot was originally designed to support a high school. Since this building is now a middle school, less parking is needed.

After additional discussion, Les Page made a motion to approve the site-plan with the above-mentioned stipulations. Lee Baer seconded the motion. The motion passed 7-0.

No further discussion or action concerning this topic occurred.

**Item 10: 20001-LS (Lot Split) – Farmland consisting of 53.67 acres will be divided into two tracts Tract 1 (35 acres) Tract 2 (18.67 acres). This farmland is located near the N/W corner of Rockville Road and West 271<sup>st</sup>. Parcel ID: 1042000000005000.**

*The following individuals were present representing the applicant: Rosie and Paul Guetterman (Guetterman Brothers Family Farms)*

After a brief discussion Nate Apple made a motion to approve the lot split as submitted. The motion was seconded by Michael Sharp. The motion passed 7-0.

**OLD BUSINESS:** Any old business the Commission may wish to discuss

**Item 11:** None

**Item 12: ADJOURNMENT:**

A motion was made by Michael Sharp to adjourn the meeting. Second was made by Michelle Olson. The motion passed 7-0. Meeting adjourned at 7:18p.m.

**Submitted by Rusty Whitham**