



**LOUISBURG PLANNING COMMISSION MEETING MINUTES**  
**Wednesday June 27, 2018**

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: Nate Apple, Rick Phillips, Les Page, Brandon Fosbinder, Michael Sharp, and George Bazin  
Mayor: Marty Southard  
City Administrator: Nathan Law  
Staff: Jean Carder  
Recording Secretary: Rusty Whitham  
Media: John Vanpelt  
Visitors: Jeff Laubach

**ITEM 1: ROLL CALL**

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

A motion was made by Les Page to adopt the agenda. The motion was seconded by Brandon Fosbinder. Motion passed 7-0.

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

A motion was made by George Bazin to approve the minutes from the May 30, 2018 meeting. The motion was seconded by Nate Apple. Motion passed 5-0. Les Page and Brandon Fosbinder 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:** None

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

**Item 6:** 18001-SP - 1150 West Amity, Casey's Convenience Store (Parcel ID: 1093003001006040)

Chairperson Andy Sauber asked if there are any issues or information about this site-plan that needs to be brought to the attention of the Planning Commission.

A discussion began concerning the six items outlined in the staff report:

1. A variance request was submitted to the Board of Zoning Appeals by the applicant. The applicant wishes to reduce the minimum setback requirements outlined in Section 509, paragraph F.3 the City Zoning Regulations from twenty-five (25) feet to thirteen (13) feet. The applicant feels that due to the irregular lot shape, the lot requires a variance to provide sufficient space for parking, gas pumps, building and traffic flow. The Board of Zoning Appeals will discuss this request during a public hearing scheduled on June 27, 2018 at 6pm.

*Sauber mentioned that this item is now resolved. The Board of Zoning Appeals approved the variance request earlier this evening.*

2. Signage – The Applicant has requested a monument sign to be placed on the southeast corner of the subject property along K68/West Amity. The requested monument sign measures 7' 7 1/2" wide by 10' 6" High. Currently, there is an existing monument sign advertising businesses presently located in the Village Market Subdivision situated on that lot. In accordance with Section 806, paragraph 3.a of the Zoning Regulations, "one awning, canopy or marquee sign or wall sign shall be permitted on that side of a building having frontage on a publicly or privately dedicated road right-of-way." The requested monument sign would be the second monument sign causing a codes violation. Staff has discussed this issue with the applicant and has recommended splitting the property so that the existing monument sign is located on a separate tract of land. This would require a new survey and final plat for the Village Market Subdivision. The applicant was open to this solution but has not committed to this idea. This item needs to be discussed during the site-plan discussion.

*Jeff Laubach from Schmidt, Beck & Boyd Engineering, LLC (Representing the Applicant) mentioned that Casey's has agreed to split the property so that the existing monument sign would be separate from the Casey's property.*

3. The applicant wishes to construct an enclosed 28' x 20' dumpster/recycle area on the property. The proposed dumpster/recycle area will be concealed from view on four sides with a chain-link woven material. This type of fence has not been approved in prior Planning Commission actions. Staff recommends enclosing the dumpster area on three sides with a block wall and installing a metal gate for access. This type of dumpster/recycle enclosure has been used at other recently constructed Casey's retail stores in the local area.

*Laubach mentioned that Casey's has agreed to enclose the dumpster/recycle area with brick as requested by City Staff. This issue is now resolved.*

4. It's staff's opinion that the applicant has planned for sufficient amount of landscaping throughout the property. The proximity of the cemetery to the proposed retail store requires additional concealment. Staff thinks the proposed landscaping plan will adequately shield the proposed business from the cemetery. It must be noted that the city will be installing a sewer force main along the utility easement between the cemetery and the proposed Casey's in the near future. An arrangement between the city and Casey's should be discussed to avoid the installation of landscaping and then having the city remove the landscaping later to facilitate the installation of the new sewer force main shortly after installation. Staff recommends Casey's provide funds to the city for landscaping. The city will use those funds to install the landscaping along the cemetery property line after the sewer force main line is installed. This issue should be discussed during the Planning Commission meeting.

*Administrator Law explained after further research it has been determined that there is sufficient room within the existing easement to install the force main between the cemetery and the proposed Casey's property. The force main can be installed without disturbing the landscaping Casey's will be planting. This issue is now resolved.*

5. A note should be placed on the Site-Plan stating that Storm Water Drainage has been sufficiently designed to accommodate the proposed building and paved area. This will also require a stamped letter from an engineer stating the same. A full storm water study is not needed as long as an engineer's stamped letter is submitted.

*Laubach mentioned he will ensure that a storm water statement is placed on the revised site-plan and a stamped letter from an engineer is submitted to the city prior to the issuance of permits.*

6. As requested by the Fire Marshall, the property requires two fire hydrants. One is located N/W corner of the property. Fire Marshall requires one more hydrant. Please indicate a secondary location on site-plan.

*Staff mentioned that they asked the Fire Marshall to reevaluate the requirement for two fire hydrants. After reevaluation the Fire Marshal determined that one hydrant located on the Northwest corner of the lot would be sufficient.*

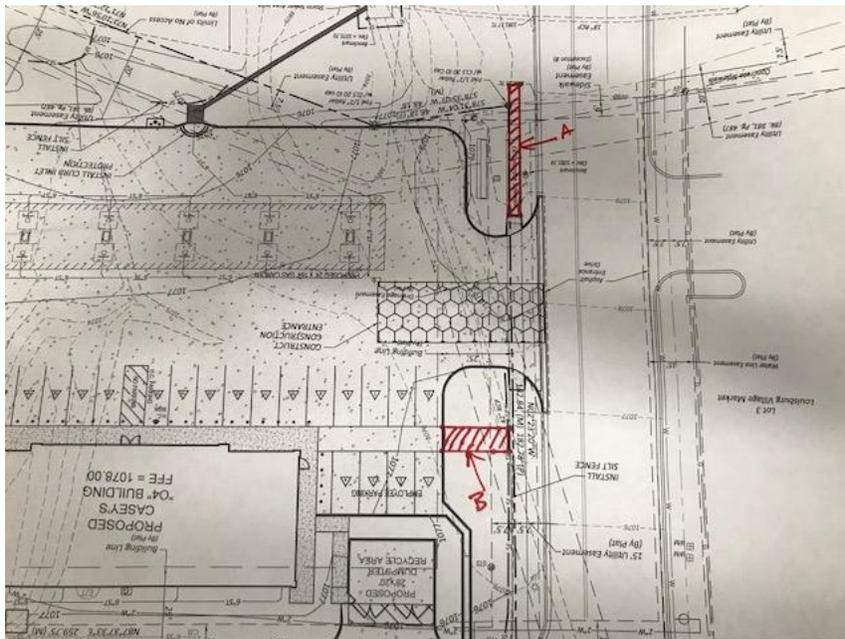
A brief discussion then occurred concerning the landscape plan. There were no negative comments. The landscape plan was approved as submitted.

Sauber then expressed his concern for the need for a sidewalk on the south side of the proposed Casey's property. Sauber noticed that there is not a sidewalk on the site-plan and he feels that one should be installed. Sauber felt that his fellow commission members should examine the sidewalk requirement further. Law mentioned that the City has applied for a grant to install a sidewalk from Broadway to Crestview Drive which would be installed on the south side of Amity. Administrator Law explained the right-of-way between K68/Amity and the older part of the cemetery is insufficient to construct a sidewalk on the north side of the road. If the city were to place a sidewalk along the south side of Casey's property a cross walk would have to be installed at the corner of South Rogers Road and K68/Amity. That would involve placing a stop light at that location. Most

likely there will never be a stoplight at South Rogers Road and K68/Amity. Law then explained it is the city's plan to continue the existing sidewalk on the south side of road between South Rogers Road and Sutherland Road. A crosswalk may be installed at the intersection of Sutherland and K68/Amity in the future if the traffic count requires it.

After additional discussion it was determined that a sidewalk on the south side of the Casey's property would be difficult to install due to the existing storm water retaining pond on the property. Nate Apple suggested if staff is able to have a sidewalk installed in the area please do so.

It also was suggested that Casey's extend the sidewalk along the private access road to lineup with the existing sidewalk located in front of O'Reilly Auto Parts Store (See below picture "A"). It was also recommended that the sidewalk near the front of the Casey's be extended when a crosswalk is installed at the intersection of Sutherland and K68/Amity (See below picture "B"). Jeff Laubach agreed to both sidewalk requests.



Nate Apple made a motion to approve the site-plan with the following stipulations:

1. Enclosed 28' x 20' dumpster/recycle with brick **not** chain-link woven material.
2. Existing monument sign advertising businesses presently located in the Village Market Subdivision shall be split from the Casey's property so that the existing monument sign is located on a separate tract of land. Applicant shall submit a new site-plan and final plan indicating the requested property split.
3. A note shall be placed on the site-Plan stating that Storm Water Drainage has been sufficiently designed to accommodate the proposed building and paved area. In addition, a stamped letter from an engineer stating the same. A storm full water study is not needed as long as an engineer's stamped letter is submitted.
4. Sidewalks located on the west side of the property shall be extended as indicated in the above picture (items A and B).

The motion was seconded by Les Page. The motion passed 7-0.

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

**Item 7:** None

**NEW BUSINESS:**

**Item 8:** None

**REPORTS:**

**Item 9:** None

**Item 10: ADJOURNMENT:**

A motion was made by Brandon Fosbinder to adjourn the meeting. Second was made by George Bazin. The motion passed 7-0. Meeting adjourned at 7:09 p.m.

**Submitted by Rusty Whitham**