



LOUISBURG PLANNING COMMISSION MEETING MINUTES

Wednesday July 31, 2019

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, George Bazin, Donna Cook, Chad Rowe, Michael Sharp, Brandon Fosbinder and Les Page
City Administrator: Nathan Law
Staff: Jean Carder
Recording Secretary: Rusty Whitham
City Council: Lee Baer
Visitors: Jenni Miller, Ross Vogel and Randy Wilbanks

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE AGENDA:

A motion was made by George Bazin to adopt the agenda. The motion was seconded by Chad Rowe. Motion passed 8-0.

ITEM 3: APPROVAL OF THE MINUTES:

A motion was made by Nate Apple to approve the minutes from the June 26, 2019 meeting. The motion was seconded by Donna Cook. Motion passed 6-0. 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.

The owner of “Cool Cats Sno Shack” (Jenni Miller) located at 608 South Metcalf Road approached the podium to address the Planning Commission. Miller stated that she was told by City Staff five weeks ago that her feather advertisement flag located in front of her establishment was in violation of the City Zoning Regulations. At that time she was asked to remove her flag. Miller then mentioned that the previous owners had the same type of flag for years without any issues. She suggested that her feather advertisement flag only became an issue when another business owner wanted to have multiple flags in front of their business. Miller requested that she be allowed to place one feather flag in front of her business during normal business hours. Her business is only open 4-6 months a year depending upon the weather. The owner mentioned since the flag was removed her business has substantially decreased. Miller

said her business went from selling 100-150 snow cones a day down to 40-60 a day. Miller's comments ended without Planning Commission response.

City Administrator Nathan Law stated, Ms. Miller presented this issue to the City Council and stated similar comments. The City Council suggested that this issue should be brought back to the Planning Commission for further discussion. Law reminded everyone that this issue was previously discussed by the Planning Commission during its May 29, 2019 monthly meeting and at that time it determined that this type of sign would not be allowed.

No further comments were made concerning this topic.



PUBLIC HEARING BUSINESS ITEMS:

Item 5: 19002-TXA (Text Amendment) - Addition of Section 622, "Solar Panel System Design Standards" to Article 6 of the City of Louisburg Supplementary District Regulations

Chairperson Andy Sauber opened this item for public comment. No comment was made. The public comment portion of this discussion was then closed.

After some discussion it was recommended that section 2, paragraph b, should be modified to better define screening requirements for mechanical equipment associated with ground-mounted solar panel systems. The Planning Commission provided Staff with guidelines for the needed change. The Planning Commission also gave Staff latitude to draft the verbiage.

After additional discussion Brandon Fosbinder made a motion to approve the Text Amendment adding Section 622, "Solar Panel System Design Standards" to Article 6 of the City of Louisburg Supplementary District Regulations. His motion allowed Staff to modify section 2, paragraph b, using recommendations made by the Planning Commission. This motion was seconded by George Bazin and passed 8-0.

No further discussion occurred concerning this item.

After the meeting, Staff incorporated the following changes to section 2, paragraph b, of the text amendment as requested by the Planning Commission:

“Any electrical or mechanical equipment larger than three (3) ft. x three (3) ft. and is not mounted to the structure shall be screened from view of any adjacent public thoroughfare or a residentially-zoned area. Such screening shall be a minimum of one (1) ft. taller than said equipment when based on the same elevation. The screening may be fencing or similar material or landscaping.”

NON-PUBLIC HEARING BUSINESS ITEMS:

Item 6: 19001-SUB (Subdivision) – Final Plat Phase 1 “Louisburg Landing” Subdivision

Chairperson Andy Sauber began the discussion by asking the Developer if they agree with all the stipulations recommended by City Staff. Ross Vogel and Randy Wilbanks indicated yes.

Sauber then mentioned that the original Preliminary Plat Plan for this Planned Unit Development (PUD) was approved by the Planning Commission on July 26, 2000.

Les Page asked if these lots are for single-family housing. Andy Sauber replied with yes.

Les Page then asked if Tracts A and B are designated green space on the Final Plat. City Administrator Nathan Law replied with yes.

Nate Apple asked if sewer is available. Nathan Law replied with yes.

Donna Cook noted a discrepancy and asked if there will be 21 or 20 single-family houses constructed in Phase 1. Nathan Law replied with 20 as indicated in the Final Plat.

Donna Cook then asked does this subdivision have anything to do with Low Income Housing. Nate Apple replied with no. Donna Cook also asked if Phase 2 of this subdivision will come to the Planning Commission for approval. Nate Apple replied with yes.

Stipulations:

1. *Applicant shall pay Excise tax in the amount of \$0.12 per square foot to be assessed, payable at the time of recording final plat in accordance with City Ordinance 821. ($0.12 \times 11485 = \$12,058$ Excise Tax).*
2. *Applicant shall pay Parkland fee of \$200 per unit to be assessed prior to recording of final plat ($20 \text{ homes} \times \$200 = \$4,000$).*
3. *“South 8th Street East Court” shall be renamed “Landing Place”.*
4. *Street Parking on Landing Place shall not be allowed.*
5. *Street Parking on Danford Drive shall be limited to the west side of the street.*
6. *Applicant shall obtain needed sewer and water permits from KDHE and provide documents to the City of Louisburg.*

7. *Establish and maintain an adequate buffer between the Lake Subdivision and Louisburg Landing Subdivision. Additional trees and shrubs may be needed as agreed upon by the Developer and the Planning Commission.*
8. *Applicant shall submit "As Built" civil engineering plans for phase 1 and provide all such plans to the City of Louisburg to include one PDF copy.*
9. *Single-Family Residential permit fees shall be waived in accordance with City Ordinance 1100. Permit Fees for Single-Family dwellings have been waived until December 31, 2019.*
10. *Applicant shall submit Stormwater calculations and stamped plans from a licensed engineer indicating that the storm water system is sufficient handle current and new phases of this development in accordance with City Ordinance 707.*
11. *A \$75 re-inspection fee may be charged for inspections that have been scheduled by the builder, but are not ready for inspection.*
12. *Contractors shall not drive through the Lake Subdivision to access the Landing Subdivision.*
13. *Developer shall provide City with Homeowners Association Covenants.*
14. *If green/open spaces are irrigated, a separate irrigation permit will be required.*
15. *Erosion control shall be installed prior to construction and maintained throughout project*
16. *Maintenance Bonds: Prior to acceptance by the Governing Body of the improvements required herein, the applicant shall provide one of the following to guarantee the improvements against defects in workmanship and materials, and providing for any required repairs for the first two (2) years after the date of acceptance of such improvements. Such guarantee shall be in an amount equal to one hundred percent (100%) of the cost of the improvements, and shall be in the form of one of the following:*
 - *Maintenance bond issued by a bonding company.*
 - *Cash deposited in escrow from which the applicant would be entitled to any interest income.*

After additional discussion Nate Apple made a motion to approve the Final Plat Phase 1 "Louisburg Landing" Subdivision as submitted with the above mentioned stipulations. This motion was seconded by Brandon Fosbinder and passed 8-0.

No further discussion occurred concerning this item.

Item 7: Discussion concerning the potential to establish two Rural Housing Incentive Districts (RHID). The two proposed subdivisions considered for the RHID are the "Prairie Crossings Subdivision" and the "Louisburg Landing Subdivision".

City Administrator Nathan Law provided a brief description of Rural Housing Incentive Districts (RHID) and their intended purpose. He also answered questions asked by the Planning Commission Members.

The purpose of this discussion was to provide information to the Planning Commission. No action by the Planning Commission was required. This discussion was for informational purposes only.

OLD BUSINESS:

Item 8: None

NEW BUSINESS:

Item 9: None

REPORTS:

Item 10: None

Item 11: ADJOURNMENT:

A motion was made by Brandon Fosbinder to adjourn the meeting. Second was made by Michael Sharp. The motion passed 8-0. Meeting adjourned at 7:08 p.m.

Submitted by Rusty Whitham