



LOUISBURG PLANNING COMMISSION MEETING MINUTES Wednesday September 30, 2020

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: George Bazin, Les Page, McKenzie Phillips, Michael Sharp, Lee Baer, and Nate Apple
City Administrator: Nathan Law
City Council: Thorvald McKiernan
City Staff: Jean Carder
Recording Secretary: Rusty Whitham
Visitors: Eric and Lauren Wiehe, Paul and Krissy Smith, and Bob Bazin

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 McKenzie Phillips. The motion passed 7-0.

ITEM 3: APPROVAL OF THE MINUTES:

A motion was made by Les Page to approve the minutes from the August 26, 2020 meeting. The motion was seconded by McKenzie Phillips. The motion passed 7-0.

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: 20003-Z (Rezone) 101 North 3rd Street from “C-3” General Business District to “R-1” Single-Family Residential District. Parcel ID: 1093004007001010

Andy Sauber began the conversation by opening this topic for public comment. No public comment was made. Sauber then closed the public comment portion of this discussion.

Andy Sauber asked if the property owners are present. Paul and Krissy Smith both said yes and did not make any further comment.

A brief discussion occurred. During this discussion, the eight Golden Factors were considered. The Planning Commission determined that this rezoning request meets minimum requirements outlined in each of the Golden Factors.

A motion was then made by Nate Apple recommending rezoning the property located at 101 North 3rd Street from “C-3” General Business District to “R-1” Single-Family Residential District. The motion was seconded by McKenzie Phillips. The motion passed 7-0.

This motion and recommendation will be forwarded to the Governing Body for further consideration on October 19, 2020.

Item 6: 20004-Z (Rezone) 401 & 403 South 1st Street from “C-2” Central Business District to “R-1” Single-Family Residential District. Parcel ID: 1093101011001000

Andy Sauber began the conversation by opening this topic for public comment. No public comment was made. Sauber then closed the public comment portion of this discussion.

Andy Sauber asked if the property owners were present. Eric and Lauren Wiehe both said yes and did not make any further comment.

A brief discussion occurred. During this discussion, the eight Golden Factors were considered. The Planning Commission determined that this rezoning request meets minimum requirements outlined in each of the Golden Factors.

A motion was then made by George Bazin recommending rezoning the properties located at 401 & 403 South 1st Street from “C-2” Central Business District to “R-1” Single-Family Residential District. The motion was seconded by McKenzie Phillips. The motion passed 7-0.

This motion and recommendation will be forwarded to the Governing Body for further consideration on October 19, 2020.

Item 7: 20002-SUP (Special Use Permit) 206 North Broadway – North Wastewater Lagoons Communications Tower needed to facilitate new Wastewater Treatment Plant located at 29140 South Rogers Road. Parcel ID: 113060000005010

Andy Sauber began the conversation by opening this topic for public comment. No public comment was made. Sauber then closed the public comment portion of this discussion.

Sauber said this SUP is requested by the City.

Administrator Nathan Law mentioned this tower is a line-of-sight piece of equipment needed for vital communication between the future sewer lift station that will be located at 206 North Broadway and the new wastewater treatment plant currently under construction at 29140 South Rogers Road.

Nate Apple asked what type of tower will be constructed on-site. Administrator Law said it will be a three-post triangular shaped communication tower. Apple said that the Zoning Regulations state that the tower must be constructed using a mono-pole design.

Lee Baer read aloud a sentence of section 614 of the Zoning Regulations:

“All towers shall maintain a hot dipped galvanized finish and shall be a mono-pole design unless otherwise approved by the City.”

McKenzie Phillips asked who is installing the tower. Administrator Law answered by saying Crossland Construction, the firm building the plant.

Both Nate Apple and McKenzie Phillips stated the location of the proposed tower is in an isolated, low-lying area making it difficult to be seen.

It was mentioned that the City Council may approve a three-post triangular shaped communication tower at its discretion.

Nate Apple asked if the Planning Commission can recommend, in the SUP, that the tower be constructed using a mono-pole design. Andy Sauber replied with yes.

Les Page said that it sounds like the Planning Commission is supportive of a tower. The only issue we have is the design.

The eight Golden Factors were then discussed. The Planning Commission determined that this SUP request meets minimum requirements outlined in each of the Golden Factors.

After additional discussion Les Page made a motion to approve a forty-four (44) foot communication tower to be constructed at 206 North Broadway. This SUP shall be in accordance with section 614 of the City Zoning Regulations. This SUP shall have one stipulation:

1. Planning Commission recommends that this tower be constructed with a galvanized finish and be a mono-pole design.

The motion was seconded by McKenzie Phillips. The motion passed 7-0.

This motion and recommendation will be forwarded to the Governing Body for further consideration on October 19, 2020.

Item 8: 20003-SUP (Special Use Permit) 106 West Amity – Request for Storage and Warehousing. Parcel ID: 1093004007012000

Andy Sauber began the conversation by opening this topic for public comment. No public comment was made. Sauber then closed the public comment portion of this discussion.

Sauber asked Bob Bazin (Property Owner) if there were any additional information he wants to provide to the Planning Commission. Bazin stated that the existing metal building on the property was built in 1974 and originally used for storage.

McKenzie Phillips asked what type of items would be stored on the property. Bazin was nonspecific by saying just storage.

Andy Sauber then stated that there should be no explosive, combustible or materials of a volatile nature stored on the property. Bazin mentioned he will store a lawn mower and some gas but nothing out of the ordinary that would present a hazard.

The eight Golden Factors were then discussed. The Planning Commission determined that this SUP request meets minimum requirements outlined in each of the Golden Factors.

After a brief discussion McKenzie Phillips made a motion to recommend approval of the SUP. This SUP will allow for Storage and Warehousing at 106 West Amity in accordance with section 509, paragraph C.12 of the Zoning Regulations. This SUP shall have one stipulation:

1. No explosive, combustible or volatile nature materials shall be stored on the property.

The motion was seconded by Les Page. The motion passed 6-0-1. George Bazin abstained.

This motion and recommendation will be forwarded to the Governing Body for further consideration on October 19, 2020.

Item 9: 20001-TXT (Text Amendment) Accessory Building Driveway Requirements for Tracts of land greater than five (5) acres within R-1 or A-L Zoning Districts - Article 6, Supplementary Districts Regulations, Section 602, Accessory Buildings, Structures and Uses, adding item 8 to the section.

Andy Sauber began the conversation by opening this topic for public comment. No public comment was made. Sauber then closed the public comment portion of this discussion.

After a brief discussion George Bazin made a motion to amend Article 6, Supplementary Districts Regulations, Section 602, Accessory Buildings, Structures and Uses in the Zoning Regulations. This motion will add item 8 in section 8. The new language states:

(Add Item 8)

“Tracts of land greater than five (5) acres within R-1 Single-Family Dwelling or A-L Agricultural Districts shall have the option to install a hard surface or gravel driveway leading to any constructed accessory building greater than 300 square feet. Accessory buildings within this category shall have a 100-foot front yard setback and a 50-foot side yard setback.”

The motion was seconded by Nate Apple. The motion passed 7-0.

This motion and recommendation will be forwarded to the Governing Body for further consideration on October 19, 2020.

NON-PUBLIC HEARING BUSINESS ITEMS:

NEW BUSINESS:

Item 10: 20003-SP (Site-Plan) 106 West Amity –Storage and Warehousing. Parcel ID: 1093004007012000

An extensive conversation between the Planning Commission and Bob Bazin (Property owner) occurred. It was determined by the Planning Commission that a fence between this tract (or property) and the R-1 property to the North will not be required. It was stated that the elevation and existing tree line will provide sufficient screening between residential properties and the subject property. The following stipulations were agreed upon:

1. Signage – All signage shall be in accordance with Zoning Regulations.
2. Trash Containers – All trash containers shall be enclosed and concealed from public view.
3. Exterior lighting – Exterior lighting fixtures shall be shielded so that no direct light is cast upon any residential property and so that no glare is visible to any traffic on any public street.
4. Outdoor Storage – No outdoor storage, except the display of merchandise for sale to the public, shall be permitted.
5. Location of new three-sided storage building- The building shall be constructed on the side yard closest to 100 West Amity (Landmark Bank). The side yard setback shall be zero in accordance with section 509, paragraph F.2.
6. Stormwater – Stormwater shall be managed so that no water is improperly directed towards adjacent properties in accordance with submitted plans.
7. Driveways and Parking Area - The area between the existing metal structure and the new storage building be hard surfaced with either asphalt or concrete. All other hard surfacing requirements will be discussed as the property is developed further.
8. Exterior Materials of proposed three-sided storage building – The eighty (80) feet by fifteen (15) foot three-sided storage building shall be constructed with six (6) foot concrete foundation walls and metal siding. The foundation concrete walls shall be exposed aggregate, hammered, sandblasted, or covered with a cement-based acrylic coating. The roof and sidewalls shall also be constructed using metal panels. Siding and Roof metal panels shall have the depth of less than one inch or a thickness less than U.S. Standard 26 gauge.

After a lengthy discussion Michael Sharp made a motion to approve the site-plan with the above-mentioned stipulations. McKenzie Phillips seconded the motion. The motion passed 6-0-1. George Bazin abstained.

NOTE: Nate Apple mentioned the 2018 Building Codes that were recently adopted by the City may adversely affect new construction in town. Apple suggested that there should have been some exclusions made to the building codes. Administrator Law said that this issue will be discussed at the next City Council meeting scheduled on October 5, 2020.

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

Item 11: None

Item 12: ADJOURNMENT:

A motion was made by Lee Baer to adjourn the meeting. Second was made by Les Page. The motion passed 7-0. Meeting adjourned at 7:22p.m.

Submitted by Rusty Whitham