



LOUISBURG PLANNING COMMISSION MEETING MINUTES **Wednesday October 27, 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:	George Bazin, Rick Phillips, Danny Quinn, Michelle Olson and Lee Baer
City Administrator:	Nathan Law
City Council:	Donna Cook
Recording Secretary:	Rusty Whitham
Visitors:	Chad Rowe, Troy and Vicki Murray

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE AGENDA:

A motion was made by Lee Baer to adopt the agenda. The motion was seconded by George Bazin. The motion passed 5-0-1. Michelle Olson abstained.

ITEM 3: APPROVAL OF THE MINUTES:

A motion was made by George Bazin to approve the minutes from the September 29, 2021 meeting. The motion was seconded by Danny Quinn. The motion passed 3-0-3. Rick Phillips, Michelle Olson and Lee Baer 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: 21004-SUB (Subdivision) – H.L. Estates, vacant residential land consisting of 7.12 acres located at the N/W Corner of Metcalf and South 16th Street, Parcel ID: 1093104009002000.

Chairperson Andy Sauber began the discussion by asking City Staff if there have been any changes to this and if the information provided to the Planning Commission is current. Staff said there has been no changes and the information in the report is current. Sauber then asked if staff discussed the fifteen proposed stipulations with the property owner. Staff replied yes.

Andy Sauber then opened the discussion for public comment.

Mike Johnson said that he owns two vacant lots located on South 16th Terrace (Prairie Crossings Subdivision). Johnson stated that there are already stormwater issues in the area. He asked if the watershed is changed when H.L. Estates is developed will that increase the amount of water currently flowing over South 16th Street into the Prairie Crossings Subdivision. Johnson said that he cannot handle anymore stormwater flowing onto his properties. Law explained there's an undersized 12-inch culvert on the north side of the street. On occasion water doesn't make the drain and it flows over South 16th Street into the rear yard of several homes in the Prairie Crossing Subdivision. He recommends installing an 18-inch culvert and reshaping the drainage ditch when the property owner develops the property. This should resolve the flooding issues occurring the Prairie Crossing Subdivision

Johnson agreed reshaping the ditch on the north side of the street to direct a larger amount of water into the storm drain would help the solve the stormwater issue.

Danny Quinn asked if a stormwater study was done. Administrator Law said yes. The study was an evaluation of the existing stormwater infrastructure. Quinn then asked if the study needs to be done to evaluate the construction this project. Law explained larger subdivisions require an extensive stormwater study before permits can be issues. In this instance the number of homes is small and there is an existing infrastructure. In this case the infrastructure needs to be improved. Lee Bear suggested having a new stormwater study may be prudent.

No further public comment occurred. Andy Sauber then closed the public comment portion of this discussion.

Andy Sauber asked Chad Rowe (Applicant) if he had the opportunity to review the fifteen recommended stipulation and if so, does he have any issues or concerns. Chad Rowe said that he has read stipulations and he agrees with all of them. Reference below stipulations:

STIPULATIONS:

1. Culvert size for each driveway must be no less than 18" in diameter
2. If the property owner wishes to build an accessory building before a residential home is constructed, the Planning Commission must review the plans and provide approval construction. In addition, accessory buildings larger than 24'x36' requires a Special Use permit (SUP).
3. The sewer main located on Thomas Place may be extended at owner's expense. Any extension of sewer mains must be approved by KDHE. The property owner may install a private sewer line from Lot 1 to Lot 2. This private line will be the responsibility of the property owners to maintain. A sewer easement through Lot 2 must be identified as a private sewer line easement on the Final Plat if this option is selected.
4. Septic tanks are not allowed on Lots 1 and 2. These lots do not meet the minimum 3-acre lot size. Lot 3 may have a septic tank with approval from the Miami County Environmental Health Department.
5. Lot 3 may be subdivided into two lots if needed after the final plat is finalized.
6. A note is required on the Final Plat stating Lot 1 and 2 cannot be further subdivided due to sewer connection limitations.

7. No permanent structures can be constructed over any utility easements. Concrete or asphalt driveways are allowed over utility easements. The city may remove portions of driveway or concrete pad to facilitate repairs to utilities. The city is not responsible to replace or repair any driveway or concrete pad located over easements. Property owner may construct such items at their own risk.
8. Lots must be graded so that stormwater flows south into the drainage ditch located on South 16th Street.
9. All driveways must be constructed using concrete or asphalt. Gravel driveways are not allowed.
10. The driveway for Lot 3 must meet have a 100' setback from the intersection of Metcalf and South 16th Street.
11. The property owner 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.
12. Erosion control shall be installed prior to construction and maintained throughout construction.
13. Property owner shall pay the following prior to recording of final plat:
 - Final Plat Fee = \$200
 - Excise Tax = \$3,100.23
 - County Surveyor Fee = \$50 (Check)
 - County Register of Deeds Fee = \$32 (Check)
14. Developer shall ensure streets are always clear of mud and construction debris.
15. Each residential home shall be issued a separate construction permit. The owner is responsible to pay applicable permit and utility connection fees.

After additional discussion George Bazin made a motion to approve the H.L. Estates final plat with the above-mentioned stipulations. Michelle Olson seconded the motion. The motion passed 6-0. No further discussion occurred concerning this item.

NON-PUBLIC HEARING BUSINESS ITEMS:

NEW BUSINESS:

Item 6: Discussion with Troy Murray concerning the potential development of a vacant tract of commercial land consisting of 9.77 acres located at the S/W corner of K68 Highway and Rockville Road, Parcel ID: 1093200000001000.

A lengthy informal discussion occurred between Troy & Vicki Murray and the Planning Commission. The following items were discussed:

- Driveway /Parking Paving Requirements
- Stormwater Study and Retaining Ponds Requirements
- Design Standards
- Fence and Screening Requirements
- ADA Requirements
- Street/Road/Highway Access
- Exterior Lighting Requirements
- Wastewater Dumping
- Signage

This discussion was for informational purposes only. No action was taken was taken by the Planning Commission.

Item 7: Discussion concerning Article 5, Section 505, “M-P” Mobile Home Park Residential District of the City Zoning Regulations.

A brief discussion occurred concerning the potential of incorporating the below Housing and Urban Development (HUD) standards into the Zoning Regulations for manufactured homes.

HUD Manufactured Home Construction Standards

Manufactured homes are homes built as dwelling units of at least 320 square feet in size with a permanent chassis to assure the initial and continued transportability of the home. All transportable sections of manufactured homes built in the U.S. after June 15, 1976 must contain a certification label (commonly referred to as a HUD Tag) on the home. The label is the manufacturer's certification that the home section is built in accordance with HUD's Manufactured Home Construction and Safety Standards (the Standards). The Standards cover Body and Frame Requirements, Thermal Protection, Plumbing, Electrical, Fire Safety, and other aspects of the home. The Standards are published in the Code of Federal Regulations under 24 CFR Part 3280.

Multiple commission members asked if manufactured homes currently in city limits constructed after June 15, 1976 would be grandfathered. If these homes are grandfathered, how long shall the existing non-conforming designation be allowed.

The Planning Commission indicated that they are interested in moving forward adding the abovementioned HUD standard into the Zoning Regulations. Administrator Law said staff will do additional research on the non-conforming aspect of the HUD Standard and formally bring this item back as a text amendment at a later meeting.

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

Item 8: 21001-TXT (Text Amendment) – Section 622, “Solar Panel Design Standards”, to Article 6 of the City of Louisburg Supplementary District Regulations.

Administrator Law mentioned the Planning Commission recommended a text amendment to section 622, “Solar Panel Design Standards” of the Zoning Regulations on August 25, 2021. As part of the approval process this text amendment went to the City Council for consideration. The city council asked for additional clarification concerning the proposed amendment. Below is the question:

“Does the solar panel streetlights allowable in parking lots apply to both residential and commercial properties?” Reference below amendment:

Parking lot light pole installation:

The mounting height for parking lot light fixtures shall not exceed 33 feet as measured to the top of the light fixture from grade. Twenty percent (20%) of the height of the light pole may be added above the light fixture for the purpose of installing a solar collector panel. The overall height of the parking lot light pole and solar collector shall not exceed forty (40) feet. Any necessary solar collector appurtenances shall be painted to match the light pole and fixture.

Staff asked does solar panel streetlights in parking lots apply to all Zoning Districts or should they be limited to specific districts.

After a brief discussion Danny Quinn said he can do additional research to help the Planning Commission to make an informed decision.

No further discussion occurred concerning this item.

Item 10: ADJOURNMENT:

A motion was made by Lee Baer to adjourn the meeting. Second was made by Michelle Olson. The motion passed 6-0. Meeting adjourned at 7:38 p.m.

Submitted by Rusty Whitham