



LOUISBURG PLANNING COMMISSION MEETING MINUTES
Wednesday October 30, 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: Michael Sharp, Brandon Fosbinder, Rick Phillips, Les Page, George Bazin and Nate Apple (Arrived 6:32 p.m.)
City Administrator: Nathan Law
City Council: Lee Baer
Staff: Jean Carder
Recording Secretary: Rusty Whitham
Visitors: Mike Johnson

ITEM 1: ROLL CALL

ITEM 2: ADOPTION OF THE AGENDA:

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

ITEM 3: APPROVAL OF THE MINUTES:

George Bazin mention that he noticed an error with the minutes. Bazin stated that he found at least one instance in the minutes where an address was identified incorrectly. Bazin explained that 105 East Amity was misidentified as 105 West Amity. Staff stated that they will make the needed corrections. A motion was then made by Les Page to approve the September 25, 2019 meeting minutes with the needed corrections. The motion was seconded by Brandon Fosbinder. Motion passed 6-0. George Bazin 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: 19001-SP (Site-Plan) – Commercial Building (MD Electric), 4 South 1st Street (Parcel ID: 1093101001011000)

Andy Sauber mentioned that the side and rear setback variance was approved by the Board of Zoning Appeals earlier this evening.

During a lengthy discussion the following stipulations were agreed upon:

1. The applicant shall obtain approval for variance from the Board of Zoning Appeals (BZA) to waive minimum side and rear yard setback requirements prior to site-plan consideration. Reference Planning and Zoning file number 19001-VAR.
2. Applicant shall provide the Planning and Zoning Department with a site-plan prepared by a licensed Civil Engineer prior to the issuance of construction permits.
3. Property owner shall direct stormwater collected from building and parking area towards South Metcalf Road. Stormwater construction plans shall be prepared by a licensed Civil Engineer and submitted to the Planning and Zoning Department prior to the issuance of construction permits.
4. The proposed building shall have a sloped roof with three or more roof sloped planes. section 618, paragraph B.1.C.
5. All dumpsters must be concealed and/or enclosed from view.
6. Property owner shall maintain a privacy fence between the subject property and the residential home located at 8 South 1st Street. All fencing shall meet standards outlined in section 611 of the Zoning Regulations and City Ordinance 1022.
7. Property owner shall obtain proper permits prior to construction. All Contractors shall be licensed with Miami County.
8. The proposed building shall meet the design standards outlined in Section 618 of the Zoning Regulations.
9. All exterior lighting shall be directed away from residential properties and not directed upward.
10. Landscaping shall meet requirements outlined in section 620 of the Zoning Regulations.
11. All signs shall meet the requirements outlined in Article 8 of the City Zoning Regulations.
12. Parking area shall be curbed and guttered.
13. Driveway and parking area shall be hard surfaced with either asphalt or concrete.
14. The proposed building may have an exterior composed of metal panels with a depth of less than one inch or a thickness less than U.S. Standard 26 gauge.
15. The building exterior may consist of metal panels used as wainscoting for the bottom third of the building with concrete panels located at the top of the wainscoting on all sides of the building.
16. Awnings shall be installed over all doors on the southside of the building.

Les Page made a motion to approve the site-plan for MD Electric with the above-mentioned stipulations. The motion was seconded by Michael Sharp. The motion passed 7-0.

OLD BUSINESS:

Item 7: 19001-SUP (Special Use Permit) “Gold Bridge Treatment Center” 24 hour In-Patient Drug and Alcohol Treatment Facility located at 105 East Amity.

At the request of City Council from action at its October 21, 2019 meeting, Planning Commission reviewed the stipulations for this SUP and adjusted the language to stipulation 11 and deleted stipulation 20 as it was the same as stipulation 6. The new language is listed in italics.

1. Owner shall obtain required licensing from Kansas Department of Aging and Disability Services (KDADS) and provide all such documents to the City of Louisburg Planning and Zoning Department.
2. Shared road access to K-68 must be maintained with the property located to the West (Parcel ID: 1093202003001000) in accordance with the “Little Round House” Final Plat dated October 26, 2000.
3. All Easements and Right-of-Ways (ROW) to include Storm Water Drainage shall be maintained in accordance with the “OMNIVILLAGE” Final Plat dated May 12, 1989.
4. If the property owner wishes to expand the Drug and Alcohol Treatment Facility into the adjacent tract of land located to the east (Parcel ID: 1093202003001090) an additional Special Use Permit must be obtained. This includes all accessory uses established on the adjacent property.
5. The owner shall submit a Change of Use Application to the Louisburg Planning and Zoning Department. 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.
6. The owner shall submit plans and obtain proper permits from the Louisburg Planning and Zoning Department prior to any construction. All contractors must be licensed in Miami County.
7. Owner shall install a privacy fence to enclose entire backyard. Fence height shall be at least six (6) feet tall measured at grade.
8. Owner shall have at least two (2) qualified Staff Members on duty at all times.
9. Patients shall be initially limited to no more than 16 at one time. The number of patients maybe increased upon approval from The State Fire Marshall.
10. All staff conducting counseling or clinical work with the patients must have an addiction license through the BSRB. All nurses are required to be licensed by the board of nursing. Other, non-clinical staff, are not required to be licensed.
11. ~~At least two qualified/trained staff members must be on duty at all times.~~ (Same as Stipulation #8 Replace with:) *“The Treatment Center will only accept cash and private health insurance as payment for their service. The Treatment Center will not accept Medicaid, Medicare, Federal or State funding, Federal or State grants, or Senate Bill 123 funding. Senate Bill 123 funding is the monies allocated by the State of Kansas for drug and alcohol offenders who are sentenced to in-patient treatment as an alternative to a jail sentence.”*
12. All patients leaving the facility for any reason must be accompanied by a staff member.
13. A sufficient number of security cameras (Indoor and Outdoor) shall be installed for the safety of staff and patients. The type and number of cameras shall be approved by the Louisburg Police Chief and Fire Marshall.

14. Security locks and hardware shall be installed on all exterior doors. Lock specifications must be approved by the Louisburg Police Chief and Fire Marshall.
15. The owner shall install and maintain a fire suppression system within the building. This fire suppression system must be approved by the Louisburg Fire Marshall.
16. Owner shall install a security/panic alarm system in the building.
17. All exterior signage shall meet requirements outline in the Zoning Regulation Requirements.
18. Any additions to the existing structure that alter the footprint of the building must be approved by the Planning Commission through the Site-Plan process outlined in Article 11 of the Louisburg Procedures Manual.
19. Existing landscaping of the property shall be maintained or enhanced.
20. ~~All interior construction or modifications to the existing building shall be done by a licensed contractor. Construction plans must be submitted and permits issued prior to work.~~
(Same as Stipulation #6)

A motion was made by Nate Apple to approve the amended stipulation as stated above. This motion was seconded by George Bazin. The motion passed 7-0. The amended stipulations will be presented to the City Council on November 4, 2019 for further discussion and consideration.

NEW BUSINESS:

Item 8: George Bazin asked if it is possible to have the two wooden Boy Scout recyclable containers moved to westside of Price Chopper parking lot. The containers are an eyesore and they are the first thing you see as you enter town, Staff mentioned that they will look into it.

Nate Apple suggested that we should not allow pole type construction without footing in the city.

REPORTS:

Item 9: None

Item 10: ADJOURNMENT:

A motion was made by Brandon Fosbinder to adjourn the meeting. Second was made by Nate Apple. The motion passed 7-0. Meeting adjourned at 7:31 p.m.

Submitted by Rusty Whitham