

**PLANNING COMMISSION MEETING MINUTES**  
**Tuesday, February 21, 2017 @ 7:00 p.m.**

**Members Present:** Craig Stephan, Mark Yates, Sherri Neff, Merle Parks, Tyler McMahan, Lloyd Mesmer and Dave Pierce

**Members Absent:** Jason Krone

**Staff Present:** Don E. Slone, AICP, CFM, City Planner

Chairman Parks called the meeting to order at 7:00 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** from the December 13, 2017 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes with a second from Commissioner Yates. Commissioner Parks asked if there were any additional questions or comments. Seeing none, he called for the vote. The minutes were approved by a 7-0 vote.

**New Business:**

Chairman Parks introduced **Item No. 2: Comprehensive Plan Change: BSCP-28: “Archer Road Estates”** a request to amend the Future Land Use Map of the Comprehensive Plan changing the land use designation for 47.5 acres from a Long-Term Non-Residential to a Low-Density Residential designation. Requested by Mark Breuer, P.E., Schlagle & Associates for the BICO Group, LLC, property owners of record. These amendments are to allow the property to be platted for the sale and construction of single-family homes on the proposed seven (7) lot rural residential subdivision. The property is generally located at the northeast corner of 142<sup>nd</sup> Street and Archer Road in the unincorporated area of Wyandotte County, known as the Loring Service Area. The property address is 3515 S. 142<sup>nd</sup> Street.

Chairman Parks stated that he will not be voting on this matter as his law partner represents the sellers. He then stated that he will not vote but will conduct the meeting to make sure it is handled but will abstain from voting.

Chairman Parks asked Commissioner Yates if he was going to participate. Commissioner Yates stated that he was going to abstain from voting. Commissioner Parks stated that Commissioner Yates lives within the 200' radius of the property being requested, so he has an interest in it also so likewise, he will abstain from voting.

Chairman Parks then asked if anyone else wanted to declare anything on this issue. See none, Chairman Parks opened the public hearing at 7:04 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Comprehensive Plan Change as presented in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Mark Breuer, P.E., Schlagle & Associates**, stated that they were in agreement with Staff's Recommendation and would be glad to answer any questions from the Planning Commission.

Chairman Parks asked if anyone in the audience had any questions or comments.

**Linda Clark**, 14220 Archer Road, stated that she was concerned about her pond and her cattle. The intersection gets a lot of traffic from that property already and it is eating away the road. How would the new residents feel about the agricultural district with the farming and in general? Will there be problems with the cows, burning etc.?

**James Clark**, 14220 Archer Road, stated that he had concerns if they are on septic, what about the ground water run-off and they have drilled wells. The wells that were built by the city down by the train tracks and how will this affect the water supply. What about all of the septic systems?

**Luke Thibault**, 13744 Archer Road, the potential run-off could be a problem for existing properties.

Chairman Parks asked if there were any further comments from the audience. Seeing none he closed the public hearing at 7:14 p.m. and asked for a motion. Commissioner Mesmer made a motion to approve the Comprehensive Plan Change with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission.

Commissioner Stephan asked where the main water supply would be coming from. The City Planner stated that he had spoken with Leavenworth Rural Water and the 8" waterline along the west side of 142<sup>nd</sup> Street could be extended east along Archer Road to provide the required domestic water service and fire flow.

Commissioner Stephan asked the residents about the septic systems they were concerned about. You can have a septic system on an acre lot so this would seem more than sufficient.

Commissioner Pierce asked about the farm animals and about the contamination of the ground water as it stands now.

Linda Clark brought up the comprehensive plan for the Loring Area and that it should remain the same. It should be agricultural in nature.

Commissioner Pierce asked if there were going to be any improvements to Archer Road. The City Planner stated no.

Commissioner Mesmer stated that if you cut this into seven lots you won't have to worry about the run-off because it will be all grass and not field crops. There should not be any worry about pollution of the ground water.

Commissioner Stephan stated there is a drainage problem on Archer Road already. We have to rely on the City Engineer that any time there is change from its original condition the run off needs to be looked at.

The City Planner stated that he received a call from Francis Theno who stated the past farming practices caused a lot of run-off issues from this property. Leavenworth County properties abutting this area are zoned RR-2.5, Rural Agricultural and Residential District and have the same Future Land Use designation. Staff believes this is a good change for this area.

Chairman Parks asked there were any further comments or questions from the Planning Commission. Seeing none he called for the vote.

Commissioner Stephan voted yes based on looking at the surrounding area. These are large lots and will be consistent with the area around it.

Commissioner Yates abstained.

Commissioner Neff voted yes.

Commissioner McMahan voted yes.

Chairman Parks abstained.

Commissioner Mesmer voted yes, and stated that this ground could see a better use grassed in.

Commissioner Pierce voted yes, and pretty much agreed with Lloyd.

Motion passed 5-0-2. Chairman Parks and Commissioner Yates abstained from the vote.

The City Planner stated that he will forward this item to the Governing Body on March 13, 2017 with a unanimous Planning Commission recommendation of approval.

Chairman Parks introduced **Item No. 3: Rezoning: BSZ-136: "Archer Road Estates"** to rezone 47.5 acres from an AG, Agricultural District to an R, Rural Residential District Classification. Requested by Mark Breuer, P.E., Schlagel & Associates for the BICO Group, LLC, property owners of record. These amendments are to allow the property to be platted for the sale and construction of single-family homes on the proposed seven (7) lot rural residential subdivision. The property is generally located at the northeast corner of 142<sup>nd</sup> Street and Archer Road in the unincorporated area of Wyandotte County, known as the Loring Service Area. The property address is 3515 S. 142<sup>nd</sup> Street.

Chairman Parks opened the public hearing at 7:28 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Rezoning.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Mark Breuer, P.E., Schlagel & Associates**, stated that they are in concurrence with Staff's Recommendation and he would be glad to answer any questions from the Planning Commission.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:30 p.m. and asked for a motion. Commissioner Pierce made a motion to approve the Rezoning with the five (5) listed conditions with a second from Commissioner Stephan.

Chairman Parks asked the City Planner to read the listed conditions. The City Planner read the following conditions from the Staff Report:

1. Approval of the Comprehensive Plan Change: BSCP-28;
2. Platting of the subject property;
3. The developer shall be required to install a new waterline and required fire hydrants in order to provide the required fire protection for the new structures to meet the City's adopted 2015 International Fire Code prior to filing the final plat;
4. The Official Zoning Map shall not be amended until the final plat has been approved by the City and filed with the County. The filing of the final plat shall be within a one (1) year period from the date of approval of the Zoning classification by the Governing Body. If the final plat is not filed within the one (1) year period from date approval, the Land Use designation and Zoning classification shall revert back to the prior designation and classification; and
5. Upon completion of all the above conditions, the City Planner shall amend the Future Land Use Map and Official Zoning Map to reflect the changes approved under BSCP-28 and BSZ-136.

Commissioner Pierce asked what size water line. The City Planner stated it would be at least a six inch line to provide the required fire protection.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 5-0-2. Chairman Parks and Commissioner Yates abstained from the vote.

The City Planner stated that he will forward this item to the Governing Body on March 13, 2017 with a unanimous Planning Commission recommendation of approval.

Commissioner Pierce left the meeting at 7:35 p.m. to attend the School Board meeting.

Chairman Parks introduced **Item No. 4: Final Plat: PT-17-100, "Coleman Industrial Park II"** this request is for a final plat for Coleman Industrial Park II. The plat will consist of two (2) industrial lots. Lot 1 contains 14.74 acres zoned I-2, Heavy Industrial District for Quicksilver Readymix, LLC approved under Case No. BSZ-134 and Lot 2 contains 10.72 acres zoned I-1, Light Industrial District. Requested by Jim Story, Story Surveying for Bruce Coleman, Coleman Farm Properties, G.P., property owners of record.

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Final Plat subject to the listed conditions in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Jim Story, Story Surveying**, was not present due to an illness. The City Planner asked the property owners agent, Jim Denham if he had any questions or comments. He stated he had a copy of the Staff Report and had nothing to add but they were in agreement with the listed conditions.

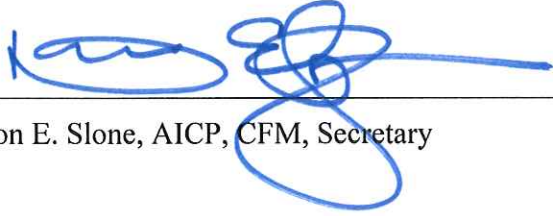
Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he asked for a motion. Commissioner Stephan made a motion to approve the Final Plat with the listed conditions with a second from Commissioner Neff.

Commissioner Stephan asked if they would be coming back to do the third lot and the City Planner stated yes. The City Planner explained the plat name would be "Coleman Industrial Park III", Lot 1.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 6-0.

The City Planner stated that he will forward this item to the Governing Body on March 13, 2017 with a unanimous Planning Commission recommendation of approval.

Chairman Parks adjourned the meeting at 7:41 p.m.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right. The signature is positioned above a horizontal line.

Don E. Slone, AICP, CFM, Secretary