

EDGERTON COMMUNITY BUILDING
PLANNING COMMISSION MEETING
Regular Session
January 13, 2015
Minutes

Prior to the meeting, Bill Braun was sworn in as Planning Commissioner.

The Edgerton Planning Commission met in regular session with Chair Davis calling the meeting to order at 7:00 p.m.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were: Commissioners Chuck Davis, Ron Conus, Maria O'Neill, Cliff Withrow, Randal Gifford, and Bill Braun. Absent were: Missy Drinkard, Bob O'Neill and Andrea Lucero. Also present were Community Development Director Kenneth Cook, and Recording Officer Debra Gragg.

The Recording Officer announced a quorum was present.

MINUTES

Minutes of November 4, 2014 and December 9, 2014 were considered.

Motion by M. O'Neill, seconded by Withrow, to approve the minutes as presented. Motion was approved, 6-0.

GUESTS:

Guests introducing were: Charlie Troutner, Edgerton City Council.

COMMUNICATIONS

The Community Development Director informed the Commission of the recent Middleton/Plank annexation near the Homestead Lane Interchange area. He indicated the owners will be working on rezoning the property, which should require action by the Planning Commission in March.

Mr. Cook also spoke about the Pheasant Ridge Apartment project on land owned by Larry Pearce. He indicated the applications are requesting the City's support for the funding request.

He also informed the Commissioners about the recent Supreme Court case regarding political signage (Arizona case). In this instance, there is no restriction on political signage, but limitations on religious signage. He indicated this is an action to keep in awareness.

Ron Conus spoke about an emergency storm shelter in the City. Mr. Cook stated he will check into the status and report back.

Bill Braun was introduced as the new member to the Planning Commission. Mr. Braun overviewed his background in construction.

PUBLIC HEARING – PRELIMINARY SITE PLAN

The Development Services Director informed the Commissioners the applicant requested this item be removed from the agenda. It was noted this application will be resubmitted and published for a future meeting. He indicated staff will be able to look at possible changes to the regulations and this matter could potentially be considered as preliminary and final site plans together.

Continuance of an opened public hearing for Preliminary Site Plan Case No. PS-10-08-2014 requesting approval of a preliminary site plan on property located in the southwest corner of 191st and Waverly Road, within Section 3, Township 15 South, Range 22 East in Johnson County, Kansas containing approximately 141.38 acres, more or less. Owner/Applicant: Patrick Robinson, Edgerton Land Holding Co. Engineer: Dan Cook, Renaissance Consulting was not considered.

UNIFIED DEVELOPMENT CODE (UDC) - DISCUSSION

Mr. Cook indicated the items for tonight's discussion involved four (4) topics: general duties of Article 8 (Zoning Administrator and the Planning Commission), Article 4 (Commercial Zoning Districts), Article 5 (Industrial Zoning Districts) and Article 10 (Site Plans and Design Standards).

Mr. Cook noted that in reviewing cases, he stated there are some items that do not mesh. He stated he is looking at same or similar standards for various districts and spoke about the public hearing procedures. The response from the Commissioners were favorable in regards to the assistance.

The Administrative Services Director stated he is available to provide assistance to the Commissioners and encouraged all to contact him there is something that can be added or done to help. He stated regulations can and may be changed, adding that is a community decision. He indicated the Zoning Administrator will make professional recommendations/reasonings, adding there is not always is there full agreement, but an indication is noted as to why the decision is made. He also noted sometimes the Governing Body may overrule.

Mr. Davis stated it is the duty of the Planning Commission to rule by Unified Development Code requirements. Briefly discussed under duties of the Planning Commission: 1) Recommendation of actions; 2) secretary (can be Ex-Officio – Zoning Administrator), 3) quorum of five and need of quorum vote for some actions, 4) disqualification of members for certain actions, and 5) party to ex parte (staff looking at changing). In regards to public hearings: Commissioners or agents have right to speak

on the matter at hand, but shall not hold “closed meetings.” Mr. Davis asked if a member could remove him/herself from the table and make comments. Mr. Cook addressed disqualification from the matter and indicated someone else may assist the Commissioner.

Mr. Cook also addressed the “Golden Criteria” and noted not all the factors weigh the same. Other matters discussed were 1) final plats, indicating they are sent to Governing Body only to accept dedications for land, if applicable, and 2) protest periods.

Mr. Cook recommended removing under Article 8.3 F 2 the words “*with a taped record.*”

Section C under Powers and Responsibilities, Mr. Cook discussed granting of variances and addressed the matter regarding the granting of variances will not adversely affect the rights of adjacent property owners or residents and strict adherence to the regulations in the specific case will constitute unnecessary hardship upon the property owner requesting the variance.

Discussion continued under Article 8 regarding appointment, powers and duties of the Zoning Administrator. Mr. Cook presented within the agenda document a sample of verbiage uses for various portions of meeting regarding conditional use and zoning amendment cases.

Mr. Cook overviewed Article 10 and noted the red-lined comments to the current Unified Development Code. Items discussed were preliminary site plans, adding more details would help with the decision/s for the larger pieces/sections.

It was noted the final site plan would be more specific to the location and/or site. He also noted in some instances with smaller project, the process could use a one-step consideration.

Commissioner Bill Braun asked if the intent is to review a large area for development of land and not so much for actual structure. The Development Services Director indicated that is correct, stated the final site plan is a more intense review.

Redline comments for Article 5 regarding Industrial Zoning Districts were briefly reviewed. Mr. Cook spoke in regards to Section 5.2H.3 regarding “*the storage of items must occur within a fully enclosed building or storage yard and is limited to 20% of the ground floor area of the building*” and continues to specify that all storage shall be 100% screened from public view. He stated this is causing issues for some of the projects due to configuration of buildings adjacent to public streets. He suggested the Planning Commission review and possibly look at some adjustments to the UDC. He also suggested reviewing landscaping requirements regarding size and type, and update parking requirements.

Mr. Cook addressed design standards and guidelines and similar requirements for all districts – should all be combined for industrial uses. It was agreed there is a need to review to determine by use.

He asked the Planning Commission to give direction to staff to begin update of the sections based upon recent actions.

Mr. Cook informed the Commissioners that staff is performing research on possible changes to Commercial Zoning Districts (Article 4) to adopt specific site and building design standards. He noted the need for the Planning Commission to discuss what future development should look like. Mr. Cook encouraged the members to take pictures or notes on types of favorable developments. He also stated examples of items that will be needed to determine when standards are in process of being developed, such as: truck stops, gas stations, restaurants, other commercial developments; allowance of metal buildings; proportion of building requirements for brick, stone, or similar product; vertical and horizontal articulation; type and quantity of landscaping, and types of signs – allowance of pole signs, type of material, and digital.

The Commissioners asked if they could see/review other community plans as a start. Mr. Cook addressed, indicating this would be feasible.

There was a brief discussion regarding building and lighting facility maximum heights.

The Planning Commission expressed support for the reviews and updates. They asked for redline comparison text changes. They also indicated no expectations of dead-line or time-frames for the process, but work at the speed possible.

Staff will take the comments and suggestions and work on the changes and bring drafts to the Planning Commission in chunks to continue the process.

FUTURE MEETING

The next scheduled meeting is February 10, 2015.

ADJOURNMENT

Motion by Withrow, seconded by M.O'Neill, to adjourn. Motion was approved, 6-0.

The meeting adjourned at 9:03 p.m.

Submitted by:

Debra S. Gragg
Recording Officer