

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of March 25th, 2019

Item 1. Call to Order.

Item 2. Roll Call

Matt Scherer	Paul Johnson	Stephen Phillips	Jerry White	Vacant	Vacant	Brandon Newman
Present	Present	Present	Absent	---	---	Present

Item 3. Approval of the Agenda

Acting Chair Johnson asked for approval of the agenda – Commissioner Scherer moved to approve, and Secretary Newman Seconded

Votes were taken by Ayes and Nays as follows:

Matt Scherer	Paul Johnson	Stephen Phillips	Jerry White	Vacant	Vacant	Brandon Newman
Aye	DNV	Aye	---	---	---	Aye

Item 4. Approval of the February 25th, 2019 minutes

Acting Chair Johnson asked for clarification on previous conditions listed in the minutes regarding CU2019-02 involving a 2-year review and if that was a sunset on the CUP. Staff clarified that what was approved was a 2-year review.

Commissioner Scherer moved to approve the minutes as corrected and Secretary Newman seconded.

Votes were taken by Ayes and Nays as follows:

Matt Scherer	Paul Johnson	Stephen Phillips	Jerry White	Vacant	Vacant	Brandon Newman
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Aye	DNV	Aye	---	---	---	Aye
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Item 5. Public Hearing

Acting Chair Johnson opened the public hearing for PR2019-03 and Z2019-02 – a request to consider the Final Plat of the Moore Meadows subdivision and to rezone the lots there in. This request is being brought by Daniel Moore. Acting Chair Johnson asked for the staff report. Staff gave their report.

Acting Chair Johnson asked the board if they had any questions for staff regarding the report.

Commissioner Scherer- Asked staff to confirm if lot 4 meets our regulatory requirements. Staff confirmed that it does.

Acting Chair Johnson – Asked if the Corps. has ever responded to cases. Staff responded that to their recollection the Army Corps. has not responded to a case notification.

Acting Chair Johnson – Asked staff to clarify a question on a form created by staff for rural water districts to use for cases. Staff stated that the question references a potential agreement between an applicant and the rural water board if one is required.

Secretary Newman – Asked staff if Lot 4 had two areas of frontage and staff confirmed that it does.

Acting Chair Johnson asked the applicant if they would like to provide a statement regarding the application.

Daniel Moore (applicant) – Stated that his intention with the property is to build a house on lot 3.

Acting Chair Johnson asked if the board had any questions for the application.

Acting Chair Johnson – Asked the applicant how the property was being farmed at the moment. The applicant stated that previously it had sheep on the property, but that his intention is to just hay the ground.

Acting Chair Johnson asked if there was anyone in the public who wished to speak in favor of the application. Seeing none he asked if there was anyone who wished to speak against the application. One member of the public asked if she could ask a question. Acting Chair Johnson stated she could.

Karen Strickler (9465 162nd Street Valley Falls) - Asked how the road will be improved, if at all.

Steve Tufte (surveyor for the applicant) – Stated that the applicant had agreed to pay for the first run of rock and then the county would maintain it since it’s a county accepted road already but is currently considered minimum maintenance.

Acting Chair Johnson – Asked staff if the board should expect this kind of information in their letters from road and bridge. Staff stated that the regulatory requirement is whether entrances are available or not. Unless the applicant is building a road, or the road is in too bad of shape for entrances, the decision of how or if to approve the existing road for entrances is entirely up to the road department.

Acting Chair Johnson asked the board if they had any more questions for staff. Chairman Scherer thanked the member of the public for asking that particular question. Mrs. Strickler asked if she could expand her question. Acting Chair Johnson stated she could.

Karen Strickler – Stated that she didn’t think the road is wide enough for two cars and wanted to know if the county would widen the road.

Steve Tufte – Stated that while he was on the road it was wide enough for two vehicles, though it was tight.

Staff – Stated that the decision as to whether or not to widen the road is entirely up to road and bridge, and that they would ensure the minimum safety standards are enforced.

Acting Chair Johnson closed the public hearing and asked the board if there was any further discussion or a motion.

Acting Chair Johnson – Asked how the board is supposed to make decisions on plats without having more information from road and bridge regarding potential road improvements. Staff stated that they didn’t believe agreements between public works and developers on how to improve roads are under the purview of the planning commission unless entrances cannot be established on any of the lots. Staff further stated that if such a situation arises, then road and bridge does notify staff.

Acting Chair Johnson asked for a motion on the hearing. Secretary Newman moved to approve PR2019-03 and Z2019-02 based on staff’s finding. Commissioner Phillips seconded.

Matt Scherer	Paul Johnson	Stephen Phillips	Jerry White	Vacant	Vacant	Brandon Newman
Aye	DNV	Aye	---	---	---	Aye

Motion Passed on a Vote of 3-0

Acting Chair Johnson moved on to the Public Hearing for CU2019-04 – a request for a concrete business made by Philip Miller located at 14346 110th St, Oskaloosa, KS. Acting Chair Johnson asked for the staff report. Staff gave their report.

Acting Chair Johnson asked if the board had any questions for staff regarding their report.

Commissioner Scherer – Asked staff to point out the location of where the location of the building would go on the property.

Acting Chair Johnson – Asked staff to clarify their comment during the staff report that the rest of the property would remain in agricultural use, except for the uses associated with this building. Staff clarified that the proposed structure would become a commercial structure, but that is only due to use and a CUP. Should the applicant cancel their CUP the structure could be converted to personal use by means of a building permit expressing the change in use. Staff further clarified that Conditional Use Permits only expand uses on a property, they don’t change the inherent zoning of a property. Since this property is zoned ag, it will continue to be zoned and used Agriculturally with the exception of the location for the building.

Acting Chair Johnson – Asked how the health department would view porta potties on this property. Staff stated that the health department doesn’t permit porta potties lightly but could in the event of a special event permit or something similar.

Acting Chair Johnson – Asked staff if a development plan amendment can be done administratively. Staff stated that it cannot be. It requires a public hearing. Acting Chair Johnson asked if that pertained to needing a new water form that showed the potential change in the plan could be handled. Staff stated that the applicant would be required to re-apply and a new water letter/form is part of the application.

Acting Chair Johnson asked the applicant if they would like to provide a statement regarding the application.

Philip Miller (applicant) – Stated he did not wish to provide a statement.

Acting Chair Johnson asked if there was anyone in the public who wished to speak in favor of the application. Seeing none he asked if there was anyone who wished to speak against the application. There were none.

Acting Chair Johnson closed the public hearing and asked the board if there was any further discussion by the board.

Commissioner Scherer – Expressed his concern over conditions such as “Must abide by weight limits.” Staff clarified that it was from a request of road and bridge. Commissioner Scherer commented that he was aware, but he didn’t see how much control an applicant would have over traffic using the road.

Acting Chair Johnson – Asked if the condition could be worded to reference large vehicles directly related to this business. Staff stated that the intention was to cover deliveries of materials and large vehicles leaving the property.

Commissioner Scherer- Stated that if the applicant doesn’t have any problems with the condition, then he wouldn’t either.

Acting Chair Johnson asked for a motion on the hearing. Commissioner Scherer moved to approve CU2019-04 with the following conditions as recommended by staff:

1. Any lighting placed on the property will be directed as to point inward toward the property.
2. Outdoor storage of materials shall be placed behind a privacy or screening fence of at least 6 foot in height.
3. All commercial vehicles traveling to and from this location must abide by weight limits posted on nearby bridges.
4. Mixing or Delivering Concrete from this location shall require a development plan amendment.

Secretary Newman seconded the motion.

Matt Scherer	Paul Johnson	Stephen Phillips	Jerry White	Vacant	Vacant	Brandon Newman
Aye	DNV	Aye	---	---	---	Aye

Motion Passed on a Vote of 3-0

Acting Chair Johnson closed the public hearing portion of the meeting and moved on with the next items of the agenda:

Item 6. Public Comment – None

Item 7. Old business – Staff and the board discussed previous cases.

Item 8. New Business - Staff discussed the next month’s hearings and the yearly reorganization of the board in April.

Item 9. Adjournment – 8:15

Minutes taken by:  _____
Dustin Parks

Approved: April 22, 2019
Date

Chairman: Paul Johnson
Acting Chair – Paul Johnson

Secretary: Brandon Newman
Brandon Newman