

TONGANOXIE PLANNING COMMISSION
MINUTES
October 7, 2009

Call to Order – The Planning Commission met on October 7, 2009 for a rescheduled session at 7:00 pm in the City Council Chambers. The meeting was called to order by Vice-Chairman Bill Peak. Members present were Commissioners; Jim Bothwell, Steve Clark, Bill Peak and Josh Mast. John Morgan arrived at 7:08. Joel Skelley was absent. A quorum was present.

Approval of Minutes–Josh Mast made a motion to approve the minutes from the Planning Commission Meetings held on September 15, 2009 and September 23, 2009 as presented. Jim Bothwell seconded the motion. The motion carried; four ayes.

Agenda - Item 3a – Request to allow a corner lot side setback reduction in R-1 Infill District

Mike Yanez, City Administrator, presented the staff report prepared by City Planning Consultant, Kevin Kokes. He stated the property is a corner lot located in the R-I-Infill district. The applicant is requesting a reduced side yard setback from the R-SF regulations of 30 feet to 15 feet on the south side of the property along 8th street. This would allow the developer to put a slightly larger house on the lot and the side yard setback would be similar to existing side yards along 8th Street. Mr. Yanez explained this setback reduction is allowed in the R-I Infill District if the Planning Commission determines the proposed development would be similar to those in immediately adjacent areas. The Commissioners discussed the property with the applicant; they discussed concerns about the road width and the side setback if there were any future road improvements on 8th St., size and placement of the proposed structure and deeds that needed to be corrected to show the two lots as Parcel A & Parcel B as shown on the Lot Consolidation Survey filed 1/17/2006.

- **Steve Clark made a motion** to approve the request for a corner lot side yard setback reduction from 30 ft to 15-feet at 724 Yoeke St. contingent upon the correction of the deeds to show two separate parcels for 722 & 724 Yoeke St.
- **Bill Peak seconded** the motion.
- **Roll Call Vote: Josh Mast, aye; Bill Peak, aye; John Morgan, aye; Steve Clark, aye; Jim Bothwell, abstain due to business relations with the applicant.**
- **Motion carried, 4 ayes, 1 abstain**

The motion was approved based on the finding that the proposed development will be compatible with other existing developed properties in the area.

Agenda Item 4 – Old Business – None

Agenda Item 5 - Open Agenda

Mike reported on a tax rebate program for new single family owner occupied houses the City Council may consider. He stated the city attorney is verifying the legality of similar programs in Basehor and Bonner Springs. The commissioners discussed pros and cons of the program and alternatives to a tax rebate.

Pros-Tax rebates for New Construction

- May encourage builders to start more houses
- May encourage developers to look at new subdivisions

Cons-Disadvantage to existing property owners.

- Disadvantage to buyers who are not purchasing a newly constructed house.
- No property tax revenue for the City for several years
- Home Owners will still have to pay county and school taxes

Alternatives – Lower Building permit fees

- Encourage home owners to shop locally
- Look for ways to help put people to work locally

Mike stated the City Council may ask the Planning Commissioners for input if they decide to pursue the tax rebate program.

Mike also reported that there will be a Board of County Commissioners Public Hearing on October 19th to discuss the annexation of the land acquired by the city for an Industrial Park. This annexation is considered an island annexation and must be approved by the county. There will be time for Public Comment. He thought support for the annexation from the Planning Commissioners would be helpful.

Agenda Item 6a – Retail/Commercial Development Plan 2020 - Committee Meetings

Bill provided an overview of a two day class he attended with Keyta Kelly. The program was sponsored by a grant from Kansas Department of Commerce Travel & Tourism through The Kansas Sampler Foundation. Bill & Keyta developed a community page for Tonganoxie on the website www.getruralkansas.org. They learned the importance of exploring communities using the 8 Rural Culture Elements from Kansas Sampler Foundation. The 8 Elements are Architecture, Art, Commerce, Cuisine, Customs, Geography, History and People. The next Retail Commercial committee meeting will be Tuesday, October 20th at 1:00pm in the City Council Chambers.

Agenda Item 6b – Discussed County Road 1 Development Standards

Mike Yanez stated the Leavenworth County Planning Commission Public Hearing to consider the Special Development District and Policy Guidelines for County Road 1, will be held on October 14th @ 6:30 pm at the Leavenworth County Courthouse 2nd Floor. A letter from the Mayor outlining the City’s recommendations has been sent to the Planning Staff for inclusion in the LV. CO. Planning Commissioners packet. He suggested the Tonganoxie Planning Commissioners attend the meeting to speak on behalf of the city. If the Leavenworth County Planning Commissioners accept the proposed Special Development District and Guidelines, the Board of County Commissioners hearing will be October 29th at 9:30 am, Leavenworth County Courthouse, 2nd Floor.

Agenda Item 6c, d & e – Budget Report, August Residential Building Permits & Vacant Lots Report

The commissioners reviewed the General Information reports.

With no further business to discuss, there was a **motion by John Morgan** to adjourn. **Second by Jim Bothwell. Motion carried. 5 Ayes.** Meeting adjourned at 7:45 PM.

Minutes Approved: _____

Submitted by: Patty Hagg