

TONGANOXIE PLANNING COMMISSION
MINUTES
January 13, 2010

Call to Order – The Planning Commission met on January 13, 2010 for a rescheduled session at 7:00 pm in the City Council Chambers. The meeting was called to order by Chairman Joel Skelley. Members present were Commissioners; Bill Peak, Steve Clark and Joshua Mast. John Morgan arrived at 7:15 pm. Jim Bothwell was absent. A quorum was present.

Approval of Minutes–The Commissioners approved the minutes from the November 5th meeting and December 3rd meeting.

Old Business - None

Agenda Items –

4a. Site Plan Review – 327 West St – Eagle Memorials

Kevin Kokes, AICP, LEED AP, Planning Consultant with Bucher Willis Ratliff Corp. reviewed the staff report. He reported Eagle Memorials owned by Bill Jones has proposed to relocate his business to 327 West St. Mr. Jones has submitted a site plan, building improvement plan and sign application. Mr. Kokes explained there are plans coordinated with KDHE to remove the underground fuel tanks and the fuel pumps. Mr. Kokes stated the outside display areas meet the City's zoning requirements. There are ample parking spaces including one handicap space on the south side of the building. He stated the display area under the canopy meets the required 30' set-back from the road right-of-way. Mr. Kokes also recommends any new fencing or enclosures for the outside display area should come before the Planning Commission for approval.

Mr. Jones was present and answered questions from the commissioners. He stated the tank cleanup is under a KDHE superfund in the previous owners name (Brummit Oil). He stated testing of the liquid in the underground tanks is currently underway. Mr. Jones stated he plans to make his business an asset to the community.

- **Bill Peak made a motion** to accept the site plan with recommendations A-F from the BWR Memorandum dated 1/13/2010.
- **Joshua Mast seconded** the motion.
- **Roll Call Vote** was taken. Joshua Mast, aye; Joel Skelley, aye; Bill Peak, aye; John Morgan, abstain; Steve Clark, aye.
- **Motion carried** aye 4; abstain 1.

The motion is based on the following recommended conditions of approval:

- a. A designated handicap parking space and signage shall be installed in accordance with ADA requirements prior to occupying the building and issuance of an occupancy permit. The location of the handicap parking space shall be on the south side of the building (closest to the building entrance) unless otherwise approved by city staff.
- b. All monument markers and related outdoor display items in the “marker display area” shall remain under the overhead canopy in an area conforming to the required 30-foot setback from right-of-way.
- c. All outdoor display areas shall comply with the requirements of the City Zoning Ordinance, including the size of the display area and required setbacks from street right-of-way and adjoining properties.
- d. Prior to the installation of any signage, a sign permit shall be approved by the City. All signage must meet the requirements of the City's Sign Ordinance.

e. Any future lighting improvements to the exterior of the building or overhead canopy shall comply with the lighting standards of the City Zoning Ordinance.

f. Any fencing proposed around the display areas shall be reviewed and approved by the Planning Commission prior to installation.

4b. Working Draft of New Business Park Zoning District Regulations

Kevin Kokes, AICP, LEED AP, Planning Consultant with Bucher Willis Ratliff Corp. reviewed the staff report. He stated a new zoning district should be developed for use for in the new industrial property site recently annexed into City Limits. The proposed district, BP-Business Park, would require a development plan that could address land use restrictions, architectural design, landscaping, and buffers for nearby properties. The BP-Business Park district would allow for modifications based upon recommendations from the Planning Commission and subject to approval by the Governing Body. Mr. Kokes explained that a Preliminary or Conceptual Plan for the planned district would allow site by site review and approval for new buildings/businesses. Mr. Kokes also suggested Appendix A & B, the matrix for use/use groups, be merged together to form one appendix that will list allowed uses in more detail and eliminate any contradictions from the current Appendix A & B.

Mike Yanez, City Administrator, stated the creation of the new BP-Business Park District is primarily for the new 237 acres business park recently annexed into City Limits. He stated the City wants to zone the property to increase the property value.

The Commissioners reviewed the draft of Section 16-A BP-Business Park District and changes in Appendix A & B. They discussed conditional uses and uses allowed by right in the matrix. It was suggested to allow Retail Sales/Service as a conditional use, include definitions for Large and Small scale Trade Contractors. Kevin also discussed the need to define a detention/correctional facility. He suggested listing it as a conditional use which would allow the City to review the operation at a Public Hearing. The commissioners discussed whether the detention/correctional facility should be listed in the Business Park District and suggested it should be moved to the H-IND –Heavy Industrial District.

The Commissioners decided to table the discussion of the draft business park regulations to allow additional time to review the document and to make additional recommendations. Discussion will continue at the next regularly scheduled meeting.

4c. Leavenworth County Port Authority – Tonganoxie Industrial Site.

Mike Yanez, City Administrator, stated this report is a preliminary engineering analysis and evaluation of the new 240 acres industrial park. The report lists cost estimates and a conceptual layout of buildings that might possible fit on the site. Mike also stated a group from Leavenworth County will be traveling to Washington DC to meet with politicians to seek funding for projects in the county. He plans to seek Federal Funding Support to extend 14th St. from Hwy 24/40 to East St. and ask for support to extending water and sewer lines to the new Business Park. He stated the new BPU water line should be under construction in the spring. The City will then have access to an additional water supply that could service the business park. He also explained the current sewer treatment plant is running at 50% capacity and would also be able to service the business park.

Open Agenda - None

General Information

– Retail/Commercial Development Plan 2020 - Committee Meetings

Next meeting – February 16, 2010, 6:30pm City Council Chambers. Guest Speaker Victoria Rowley, LCDC Representative.

– Hotel Market Study – Richard Caplan & Associates

Mike Yanez, City Administrator, reviewed the market study report. He said the study suggests a 55-60 room hotel could prosper in Tonganoxie. He suggested having the Chamber of Commerce contact the hotel chains and market Tonganoxie.

– **Review for Leavenworth County – Pickman Lot Split and Flying Deer Estates.**

Kevin reported the letters sent to the Leavenworth County Planning Commissioners stated the City is not supportive of the 2 ½ acre lots splits. The city would like to see larger developments in the future growth area. Larger developments will help defray the costs for City water and sewer extensions.

– **Budget Report and November Residential Building Permits.**

The commissioners reviewed the General Information reports.

– **TEAP Awards**

Mr. Kokes stated the City of Tonganoxie was granted 3 TEAP (Transportation Engineering Assistance Program) Awards. The funding will provide a Preliminary Analysis for options and possible costs involved for:

- Improvements on Washington St. from Hwy 24-40 to East St. (Federal Safe Routes to School Program)
- Improvements on Church St. from Washington St to 4th St. (Federal Safe Routes to School Program)
- An extension of Ridge St., north of Hwy 24/40 that would allow Woodfield Dr to be a frontage road that will connect to Laming Rd. (US Hwy 24/40 Corridor Study)

The studies are scheduled to start the end of January or first part of February 2010.

With no further business to discuss, there was a **motion by Joshua Mast** to adjourn. **Second by Bill Peak. Motion carried, 5 Ayes.** Meeting adjourned at 8:40 PM.

Minutes Approved: _____

Submitted by: Patty Hagg