

TONGANOXIE
PLANNING COMMISSION
MEETING MINUTES
AUGUST 3, 2017

Call to Order – The Planning Commission met on August 3, 2017. John Morgan called the meeting to order at 7:05 pm. Commissioners present were Zach Stoltenberg, Jacob Dale, John Morgan, Monica Gee, Steve Ashley and Patti Gabel. Steve Gumm was absent. A quorum was met. Also present were Jamie Shockley, Asst. City Manager, Chris Brewster, City Planner, and Patty Hagg, Recording Secretary.

Approval of Planning Commission Minutes– 7/6/17-Monica Gee motioned to approve the minutes, Steve Ashley seconded. all ayes,

New Business

Review Special Use Permit – In Home Daycare submitted by Courtney Gordon

The Planning Commissioners followed the Public Hearing Script for Special Use Permits

Mr. Brewster, Planning Consultant, reviewed his staff report dated 8/1/2017. He reviewed the location, zoning, uses requiring special use permits and fencing. He recommends approval with renewal in 5 years contingent upon verification that a fence surrounds the backyard and permanent KDHE license has been issued. Mr. Brewster also discussed the mandatory review considerations and stated the Planning Commissioners should indicate agreement with the considerations if voting to allow the special use permit or indicate disagreement and the reasons for not allowing the special use permit.

No one was present to speak in favor or opposition to the Day Care special use permit.

The Public Comment portion of the meeting was closed.

The Commissioners discussed and reviewed the mandatory requirements. The commissioners stated the fencing should be verified before the 8/21/17 Council Meeting. The commissioners also discussed the possibility of other licensed daycares in the area and traffic concerns on residential streets.

- **Zach Stoltenberg made a motion** to recommend approval of the special use permit for an In- home Day Care at 215 S Whilshire Dr. and to include the staff recommendations in the staff report dated August 1, 2017.
- **Steve Ashley seconded** the motion.
- **Roll Call Vote** was taken. Zach Stoltenberg, aye; Jacob Dale, aye; John Morgan, aye; Monica Gee, aye, Steve Ashley, aye; Patti Gabel, aye.
- **Motion carried** - aye 6.

The staff recommendations approved by the Planning Commissioners were:

- a. The Special Use Permit is limited for a period of 5 years following the date of City Council approval.
- b. The applicant shall notify the City of any changes to the license granted by KDHE for child day care home on this the subject property.
- c. The applicant shall obtain a fire inspection on an annual basis, concurrently with the annual renewal of a City Business License for the child day care home.
- d. Employees shall be limited to residents of the home.
- e. A maximum of 10 children shall be allowed for care in the home, as restricted by KDHE.
- f. The applicant confirm that a fenced play area, meeting the Tonganoxie Zoning Ordinance will be maintained throughout the permit period.

The motion is also based on agreement with the following mandatory zoning considerations:

(a) The location and size of the proposed use in relation to the site and to adjacent sites and uses of property, and the nature and intensity of operations proposed thereon.

The surrounding are consists of a mixture of single-family and duplexes, plus unincorporated large-lot residential and pastures to the east. The immediately adjacent properties and properties on the block are all single-family homes with a similar lot size.

(b) Accessibility of the property to police, fire, and refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.

The subject property has good access for public safety and other municipals services along the abutting streets. The low-intensity nature of the proposed use will not implicate traffic flow, parking or other impacts on adjacent property. A drop-off and pick-up procedure for a low level of care proposed is similar in nature to residential traffic and can be accommodated by the site and street layout in the area.

(c) Utilities and services, including water, sewer, drainage, gas and electricity, with particular reference to location, availability, capacity and compatibility.

All utilities are provided and the proposed special use will not have any impact on the continued services in this area.

(d) The location, nature and height of structures, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.

The application is proposed in an existing building with no perceived impact on the site or adjacent sites. An existing fenced play area appears to be located in the backyard of the residence.

(e) The adequacy of required yard and open space requirements and sign provisions.

This use is subject to licensing requirements of the Kansas Department of Health and Environment (KDHE), and the applicant has maintained all applicable licenses and permits subject to their annual review and renewals. No other specific yard, open space or sign provisions apply to this proposed application.

(f) The general compatibility with adjacent properties, other properties in the district, and the general safety, health and comfort and general welfare of the community and surrounding neighborhood.

The proposed use is compatible with residential zoning and provides a necessary service use to the community in a neighborhood setting, provided the scale and intensity of the use is maintained at low, neighborhood-compatible levels.

Old Business

Review Planning Commission Bylaws

Additional changes were discussed. Staff will review and discuss changes with City Attorney, Shannon Marcano and present changes at the next Planning Commission meeting. Also discussed were Commissioner appointments and terms.

Officer Elections were held.

John Morgan accepted the nomination for Chairman

- Jacob Dale made a motion to approve John Morgan as Planning Commission Chairman
- Steve Ashely seconded. All ayes. (6-0) Motion approved.

Monica Gee accepted the nomination for Vice-Chairman

- Jacob Dale made a motion to approve Monica Gee as Planning Commission Vice-Chairman
- Steve Ashely seconded. All ayes. (6-0) Motion approved.

Zach Stoltenberg accepted the nomination for Secretary

- Patti Gabel made a motion to approve Zach Stoltenberg as Planning Commission Secretary
- Jacob Dale seconded. All ayes. (6-0) Motion approved.

OPEN AGENDA

Discussion of the Zoning & Subdivision Ordinances regarding Site Plan Requirements and Development Standards.

There will be a follow up discussion to the Comprehensive Plan at the September 7th meeting.

With no further business to discuss Jacob Dale moved to adjourn. Monica Gee seconded. All ayes. Meeting adjourned at 8:07 p.m.

Minutes Approved: _____

Submitted by: Patty Hagg, Recording Secretary