

## PLANNING COMMISSION MEETING MINUTES

January 3, 2019

7:00 p.m. Regular Meeting



### CALL TO ORDER

- Chairman Morgan opened the meeting at 7:00 p.m.
- Roll Call: Planning Commissioners present were John Morgan, Monica Gee, Jacob Dale, Patti Gabel, Zach Stoltenberg, Crystal Henson, and Kevin Harris. No members were absent. City Manager George Brajkovic, Assistant City Manager Dan Porter, City Administrative Assistant Melanie Tweedy, City Planner Chris Brewster with Gould Evans and City Attorney Shannon Marcano were also in attendance.

### 1. APPROVAL OF PC MINUTES – DECEMBER 6, 2018

- Ms. Gee made a motion to approve the minutes from the December 6, 2018 Planning Commission meeting.
- Mr. Stoltenberg seconded.
- Vote of 6 ayes, 1 abstaining (Morgan), motion carried.

### 2. OPEN AGENDA

- Ray Stockman, 201 W Washington, addressed the Planning Commission and noted his role as the Chairman of the Board of the Tonganoxie Historical Society. He noted several concerns with the sign placement, size, and character.
- Scott Hueschen, Infinity Sign- 4900 Listen Ave, Kansas City, MO, commented on the efforts of Casey's General Store to adhere to the City's requirements and regulations in the sign design as presented to the Planning Commission.
- Chairman Morgan closed the open agenda portion of the agenda.

### 3. NEW BUSINESS

#### a) PUBLIC HEARING – SPECIAL USE PERMIT – SIGN PERMIT – 500 WEST STREET– SUBMITTED BY CASEY'S

- Mr. Brewster reviewed the most recent submission to the City of a revised sign document and that the item was being reconsidered due to an error noted in the public notice distributed for the December 6, 2018 Planning Commission meeting. He reviewed that the Planning Commission is reviewing this sign as part of a special use permit, which is required because the sign is a pylon sign. He noted that the most recent submission has been changed in material from the red matching the metal material on the building to a masonry appearance matching other elements on the building exterior.

CHAIRMAN MORGAN OPENED THE PUBLIC HEARING.

- No members of the public chose to speak in favor of the special use permit request.
- No members of the public chose to speak in opposition of the special use permit request.

CHAIRMAN MORGAN CLOSED THE PUBLIC HEARING.

- Mr. Dale asked what the material would look or feel like.
- Mr. Hueschen, applicant, commented that the material is a close imitation of brick.
- Mr. Stoltenberg commented that the current sign meets the sign ordinance requirements and makes concessions to the requests presented by the Planning Commission at the last meeting, but he also understands the concerns expressed with the fit of the canopy and building with the surrounding part of the community.
- Chairman Morgan noted that he feels the request meets the general considerations but doesn't seem to meet the additional considerations listed in the staff report based on the residential character of the surrounding area.
- Ms. Gabel commented that she feels it is unnecessarily tall compared to shorter signs.
- Mr. Stoltenberg added that this sign will not be much taller than the church sign located near the Casey's location. He also stated that with the landscaping, he feels that the sign is within reason.
  - **Mr. Stoltenberg made a motion to make a recommendation to the City Council to approve the special use permit subject to staff recommendations.**
  - **Ms. Gee seconded the motion.**
  - **Roll Call Vote – 4 ayes, 3 no (Morgan, Henson, Gabel), motion carried.**
  - **The City Council will plan to consider this item on January 22<sup>nd</sup>, 2019 at 7:00pm, in the City Council Chambers at 321 S. Delaware St., Tonganoxie KS.**
- Mr. Hueschen, applicant, commented that future edits to the sign ordinance might consider this type of sign to be a monument sign.
- Mr. Stockman added that lumens and light output is another consideration to consider.
- Mr. Hueschen noted that the lights on this sign are adjustable and that Casey's will be willing to work with the city to find a comfortable lumen output.

#### 4. OLD BUSINESS

##### a) RECONSIDERATION OF TEXT AMENDMENTS TO ZONING REGULATIONS SECTION 16 & APPENDIX A-USE GROUPS BY CATEGORY TO ALLOW FOR A USE DESCRIBED AS "EARLY EDUCATION CENTER" – WITH RECOMMENDATIONS FROM CITY COUNCIL

- Mr. Brewster provided some background on the history of the consideration of this item and how adding the use to the light industrial district was the original recommendation from staff which was recommended for approval by the Planning Commission. He noted that the City Council most recently continued the item to the Planning Commission asking for consideration of adding a special use permit requirement to the
- Mr. Morgan commented that it made to sense to him to add the special use permit based on consideration of safety and proximity of various uses.
- Mr. Stoltenberg stated that he didn't see the need for a special use permit based on licensing and safety requirements of other agencies.
- Ms. Marcano presented 3 different available procedural options. First, recommending approval again to the City Council as previously recommended for approval. Second, the Planning Commission could change the recommendation to recommend denial, where the City Council could review again and make a determination. Finally, the Planning Commission could agree with the recommendation to include the special use permit requirement and request that staff resubmit a new application to the Planning Commission with this
- Ms. Gee noted that a special use permit would add overly burdensome steps to the process of opening such a business.

- **Ms. Gee made a motion to make a recommendation to the City Council to approve the proposed language additions and use groups table edits, without an adjustment to require special use permit.**
- **Mr. Harris seconded the motion.**
- **Roll Call Vote – 6 ayes, 1 nay (Henson), motion carried.**

## **5. GENERAL INFORMATION**

- No items.
- Ms. Gee asked whether there is a need for revising the sign ordinance.
- Mr. Brajkovic noted that the current sign ordinance was approved in 2015.
- Mr. Stoltenberg stated that he saw a large overlay district with design guidelines for the 24/40 corridor as a good enhancement to the current requirements.

## **6. ADJOURN**

- **Ms. Gee made a motion to adjourn the meeting.**
- **Mr. Dale seconded the motion.**
- **Vote of 7 ayes, motion carried.**
- **Meeting adjourned at 7:54 p.m.**

Respectfully submitted,

Melanie Tweedy  
Administrative Assistant