



TONGANOXIE PLANNING COMMISSION

Agenda

March 1, 2018

7:00 p.m.

City Council Chambers

321 S. Delaware St.

*Note – This meeting will be transmitted via Facebook Live on the City of Tonganoxie page

CALL TO ORDER – Planning Commission Meeting

1. **APPROVAL OF PC MINUTES** – January 4, 2018
2. **OPEN AGENDA**
3. **NEW BUSINESS**
 - a) Discussion – amending text in Zoning Regulations & Appendix A-Use Groups by Category
 - b) **Tabled** - Public Hearing – Rezone – from General Business District “GBD” to Moderate Industrial District “I-MD” - 1208 State Ave. Submitted by Lynch Residential
 - c) **Tabled to April 5th Meeting** - Public Hearing - Rezone – from Rural “RR2.5” to General Business District “GBD” – 500 West St. Submitted by Casey’s Retail Company
 - d) **Tabled to April 5th Meeting** - Public Hearing – Preliminary Plat Review submitted by Casey’s Retail Company
 - e) **Tabled to April 5th Meeting** - Site Plan Review – submitted by Casey’s Retail Company
 - f) **Tabled to April 5th Meeting** - Final Plat Review – submitted by Casey’s Retail Company
4. **OLD BUSINESS**
5. **GENERAL INFORMATION**
 - a) December/January Home Builders Association Permit Statistics
 - b) December Market Research Statistics
6. **ADJOURN**

TONGANOXIE
PLANNING COMMISSION
MEETING MINUTES
JANUARY 4, 2018

Call to Order – The Planning Commission met on January 4, 2018. John Morgan called the meeting to order at 7:00 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 Dan Porter, Assistant City Manager, Cory Henry, Bushyhead Law, City Attorney, Graham Smith, City Planning Consultant, and Patty Hagg, Planning Commission Clerk.

Approval of Planning Commission Minutes – Monica Gee motioned to approve the minutes from the 12/4/17 meeting, Patti Gabel seconded. All ayes,

Open Agenda - None

New Business – Public Hearing - Special Use Permit - In-Home Business – Freedom defense Arms Manufacturing LLC – 2604 E Sycamore St – Submitted by Jason Barker.

The Planning Commissioners followed the Public Hearing Script.

Graham Smith, Gould Evans, City Planning Consultant, presented the planning staff report # 2018-002P dated 12/22/2017. He reviewed the zoning regulations pertaining to an in-home business located in the Residential Single Family Zoning District and special use permit process. He provided maps of the property and surrounding area. He also reviewed the Mandatory Zoning Considerations, provided staff comments and discussed the conditions staff recommends for approval of the special use permit.

Jason Barker, Special Use Permit Applicant, 2604 E Sycamore St., explained that he needed to have city approval of zoning requirements before he can apply for his Federal Firearms License. He stated he plans to have more of an office located at his home until he is able to open a storefront after he finishes gunsmithing school and gets his Federal Firearms License. He explained that he will not be selling ammunition and that he will only be manufacturing custom firearm parts and repairing firearms. He explained he has a full time job and works 70 hours a week and only plans to work with the firearms on the weekends. He also stated he is not going to advertise his in home business and most of his clients will be seen by appointment only. He stated all firearms will be located in secure lockers when he is not working on them.

John Morgan, Planning Commission Chairman, asked if any one present wanted to speak in favor of the Special Use Permit.

Charles King, 2608 E Sycamore St., stated he lives next door to the Barkers and he does not have any problem with the Special Use Permit and the proposed business located in the home.

John Morgan, Planning Commission Chairman, asked if any one present wanted to speak in opposition of the Special Use Permit.

Mike Peine, resident at 2611 E Stone Creek Ave., stated his property is behind the applicant's property. He stated he had concerns about gun manufacturing in a residential neighborhood particularly because of the number of children they have in the neighborhood, he also had concerns about liability insurance for the business and asked if the neighbors will be notified if the insurance is cancelled.

Jason Barker stated he will check with his insurance agent about coverage under his home owners insurance. He also stated nothing will change, he will accept customers by appointment only. He stated everything will be locked up when he was not working on it.

Steven Jones, 2612 E Stone Creek Ave., stated he lives next door to Mike Peine and also opposes this type of business in a residential neighborhood. He stated he understands the regulations required for a Federal Firearms License but thinks there may be a safety issue and is opposed to the people this business will bring into a residential neighborhood.

No one else present at the meeting wished to speak in favor or against the special use permit.

The Public Comment portion of the hearing was closed

Planning Commissioners discussed several items including the revocation process, changing staff recommendation on renewal time period, relocation process, time period for license renewal by ATF and city business license regulations.

Graham Smith stated the special use permit could be revoked by the planning commission or the governing body or the renewal application could be denied.

Corey Henry stated the application could be approved for any period under 5 years.

Jason Barker stated the Federal Firearms License is renewed yearly.

Graham Smith explained that the special use permit is not transferable. If the applicant does not renew his firearm license, or renew his city business license or moves to a different residence the Special Use permit will no longer apply.

- Monica Gee made a motion to approve the Special Use Permit based on approval of the mandatory zoning considerations and recommend Ordinance 1432 to the City Council with the following recommendations:
 - ✓ The Special Use Permit is limited for a period of 2 years following the date of City Council approval.
 - ✓ Prior to operation and at all times during the use of the premises as proposed, the applicant shall have a valid Federal Firearms License from the Bureau of Alcohol, Tobacco, Firearms and Explosives. The Federal Firearms license shall be filed with the City before a City Business License will be issued. The applicant shall notify the City immediately of any changes to the license granted by the ATF.

- ✓ Non-employee business activity shall be by appointment only, limited to Saturdays and Sundays, and otherwise limited in extent and frequency to be compatible to residential traffic.
- ✓ The applicant shall obtain a fire inspection prior to initiation of any use under an approved permit, and renew the inspection on an annual basis, concurrently with the annual renewal of a City Business License.
- ✓ Employees shall be limited to residents of the home.
- ✓ The permit shall not be transferrable to another location, nor to another individual.

○ This motion has also been approved with agreement to the Mandatory Zoning Considerations as outlined in Section 22.020.b. of the Zoning Ordinances:

- **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 area consists of single-family, with some multifamily dwellings and commercial areas in the vicinity – primarily to the west and south. All buildings and lots on this block and adjacent blocks are a comparable size and are zoned R-SF. Home occupation in this area will be limited to low-intensity uses, primarily conducted entirely in the home, with no exterior parking or structural alterations needed to the home to conduct the proposed use.

- **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 municipal services along the abutting street. The low-intensity nature of the proposed use will not implicate traffic flow, parking or other impacts on adjacent property, provided the operations are limited as proposed in the application. Appointment-only services on weekends is similar in nature to residential traffic and can be accommodated by the site and street layout in the area.

- **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.

- **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. All activity is proposed to be inside the home, and the application indicates it will be focused to a 7' x 12' shop space on the lower level of the home. Appointment-only activities will not produce any parking demands or needs beyond what may occasionally be needed for residential uses, provided the business visits are limited as proposed in the application. The applicant has indicated that this would be primarily an office, with appointment visits limited to Saturday and Sunday.

- **The adequacy of required yard and open space requirements and sign provisions.**

The lot and building meet the yard requirements for a single family home. No specific yard or open space should be required for the limited nature of this proposed home occupation. No signs are proposed for this use. Any signs that are proposed for the property would need to meet the sign ordinance with respect to home occupations and receive a sign permit.

- **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.**

All adjacent property and the character of this area is low-density residential uses. In general, home occupations that produce little outside or non-residential traffic can be compatible with this character provided they are limited in scope and intensity. The nature of this specific home occupation for gunsmithing and potential limited and appointment-only sales require special consideration. These activities require federal licensing, and the issuance of a Tonganoxie Business license will require proof of and full compliance with these licenses.

- Zach Stoltenberg seconded the motion.
- Roll Call Vote: Patti Gable-yes, Steve Ashley-yes, Monica Gee-yes, John Morgan-yes, Jacob Dale-yes, Zach Stoltenberg-yes. All ayes. Motion passed. (6-0)

Chairman John Morgan stated the Special Use Permit will be recommended for approval to the Mayor and City Council on January 22, 2018 to allow a 14-day time period for a protest petition period to be filed with the City Clerk. He stated the protest petition must be signed by 20% of the landowners within a 200 foot radius of the Special Use Permit property

General Information

The October & November Home Builders Association and November Market Research reports were reviewed. No action was taken.

With no further business to discuss Monica Gee moved to adjourn. Jacob Dale seconded. All ayes. Meeting adjourned at 8:00 p.m.

Minutes Approved: _____

Submitted by: Patty Hagg, Recording Clerk



DECEMBER 2017

	Single Family Units ^A	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
CASS COUNTY						
Archie	0	0	0	3	0	3
Belton	8	0	8	103	0	103
Cass County	4	0	4	84	0	84
Cleveland	0	0	0	2	0	2
Garden City	0	0	0	3	0	3
Harrisonville	1	0	1	8	0	8
Lake Winnebago	0	0	0	8	0	8
Lee's Summit	3	0	3	39	0	39
Peculiar	7	0	7	93	0	93
Pleasant Hill	7	0	7	49	0	49
Raymore	9	0	9	281	0	281
Village of Loch Lloyd	1	0	1	14	0	14
	40	0	40	687	0	687
CLAY COUNTY						
Clay County	3	0	3	69	0	69
Excelsior Springs	2	0	2	19	0	19
Gladstone	1	0	1	27	0	27
Kansas City	29	0	29	685	0	685
Kearney	5	0	5	125	0	125
Lawson	0	0	0	0	0	0
Liberty	6	0	6	59	0	59
North Kansas City	0	0	0	5	0	5
Pleasant Valley	0	0	0	0	0	0
Smithville	4	0	4	155	0	155
	50	0	50	1144	0	1144
JACKSON COUNTY						
Blue Springs	37	0	37	227	0	227
Buckner	0	0	0	0	0	0
Grain Valley	31	0	31	147	0	147
Grandview	0	0	0	4	0	4
Greenwood	0	0	0	20	0	20
Independence	5	0	5	127	0	127
Jackson County	7	0	7	79	0	79
Kansas City	3	79	82	80	602	682
Lake Lotawana	0	0	0	6	0	6
Lee's Summit	20	0	20	429	308	737
Oak Grove	1	0	1	56	0	56
Raytown	0	0	0	0	0	0
Sugar Creek	0	0	0	0	0	0
	104	79	183	1175	910	2085
PLATTE COUNTY						
Kansas City	11	0	11	170	276	446
Parkville	6	0	6	58	0	58
Platte City	0	0	0	0	0	0
Platte County	7	0	7	183	0	183
Riverside	2	0	2	43	0	43
Weatherby Lake	0	0	0	14	0	14
Weston	0	0	0	3	0	3
	26	0	26	471	276	747
JOHNSON COUNTY						
De Soto	0	0	0	19	120	139
Edgerton	0	0	0	0	0	0
Fairway	1	0	1	10	0	10
Gardner	8	0	8	105	0	105
Johnson County	4	0	4	61	0	61
Leawood	5	0	5	54	0	54
Lenexa	46	26	72	308	519	827
Merriam	0	0	0	4	0	4
Mission Hills	1	0	1	6	0	6
Olathe	46	286	332	638	316	954
Overland Park	41	0	41	462	287	749
Prairie Village	4	0	4	54	6	60
Roeland Park	0	0	0	8	0	8
Shawnee	25	0	25	181	0	181
Spring Hill	14	0	14	124	0	124
Westwood	0	0	0	3	0	3
	195	312	507	2037	1248	3285

	Single Family Units ^A	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD
LEAVENWORTH COUNTY						
Basehor	7	0	7	82	0	82
Lansing	18	0	18	24	0	24
Leav. County	9	0	9	96	0	96
Leavenworth	0	0	0	11	0	11
Tonganoxie	1	0	1	48	0	48
	35	0	35	261	0	261
WYANDOTTE COUNTY						
Bonner Springs	0	0	0	12	0	12
Edwardsville	0	0	0	2	0	2
KCK/Wyandotte Co	14	0	14	309	0	309
	14	0	14	323	0	323
MIAMI COUNTY						
Louisburg	3	0	3	25	0	25
Miami County	5	0	5	58	0	58
Osawatomie	0	0	0	0	0	0
Paola	1	0	1	13	0	13
Spring Hill	2	0	2	24	0	24
	11	0	11	120	0	120
Totals	475	391	866	6218	2434	8652

Comparison of Single Family Building Units for Greater Kansas City
(Cass, Clay, Jackson, Platte, Johnson, Leavenworth, Miami, Wyandotte Counties)

Month/Year	2010	2011	2012	2013	2014	2015	2016	2017
January	137	90	188	273	287	240	274	457
February	145	121	182	224	216	260	408	478
March	252	180	270	335	362	393	542	571
April	228	210	277	444	439	437	523	563
May	213	230	294	337	385	395	503	506
June	239	262	268	333	364	438	578	570
July	180	204	288	409	375	399	494	514
August	243	205	260	354	352	425	536	481
September	173	202	379	384	383	462	424	511
October	279	205	331	369	468	459	466	585
November	173	185	283	340	312	360	417	505
December	209	207	279	288	328	432	352	475
Annual Total	2,471	2,301	3,299	4,090	4,271	4,700	5,517	6,216

Comparison of Permits By Units Issued Year to Date

	S-F Units	M-F Units	Total Units
2010	2471	253	2724
2011	2301	600	2901
2012	3299	1775	5074
2013	4090	2879	6969
2014	4271	3910	8181
2015	4700	3995	8695
2016	5517	4451	9968
2017	6218	2434	8652

^AThe Single Family number is units and includes both attached and detached units.
[%]Multi-Family units are in buildings with 5 or more units.
 # Not available at time of report

Permit information reflects the most recent data at time of publication. In order to ensure accurate recording of residential building permit statistics, the HBA may revise monthly and year-to-date figures when updated data is made available. Copyright 2018 Home Builders Assoc of Greater Kansas City. All rights reserved.



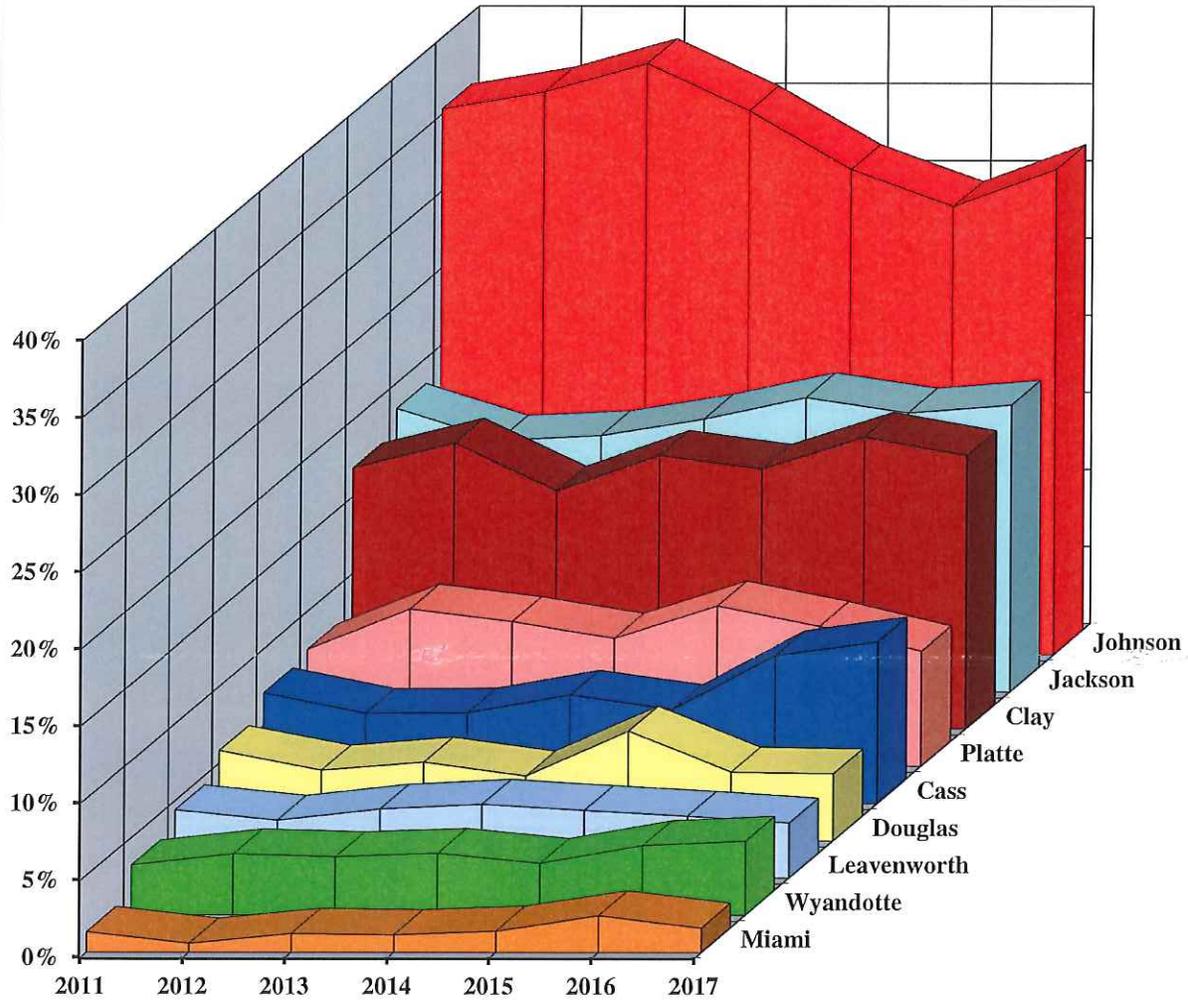
JANUARY 2018

	Single Family Units ^A	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD		Single Family Units ^A	Multi-Family Units [%]	Total Units	S-F Units YTD	M-F Units YTD	Total Units YTD									
CASS COUNTY							LEAVENWORTH COUNTY															
Archie	0	0	0	0	0	0	Basehor	7	0	7	7	0	7									
Belton	14	0	14	14	0	14	Lansing	0	0	0	0	0	0									
Cass County	0	0	0	0	0	0	Leavenworth County	4	0	4	4	0	4									
Cleveland	0	0	0	0	0	0	Leavenworth	0	0	0	0	0	0									
Drexel	0	0	0	0	0	0	Tonganoxie	4	0	4	4	0	4									
Harrisonville	1	0	1	1	0	1	Totals	15	0	15	15	0	15									
Lake Winnebago	1	0	1	1	0	1	WYANDOTTE COUNTY															
Lee's Summit	2	0	2	2	0	2	Bonner Springs	0	0	0	0	0	0									
Peculiar	0	0	0	0	0	0	Edwardsville	0	0	0	0	0	0									
Pleasant Hill	2	0	2	2	0	2	KCK/Wyandotte Co	11	0	11	11	0	11									
Raymore	4	0	4	4	0	4	Totals	11	0	11	11	0	11									
Village of Loch Lloyd	0	0	0	0	0	0	MIAMI COUNTY															
24	0	24	24	0	24	Louisburg	1	0	1	1	0	1										
CLAY COUNTY							Miami County	3	0	3	3	0	3									
Clay County	3	0	3	3	0	3	Osawatomie	0	0	0	0	0	0									
Excelsior Springs	1	0	1	1	0	1	Paola	1	0	1	1	0	1									
Gladstone	0	0	0	0	0	0	Spring Hill	0	0	0	0	0	0									
Kansas City	37	0	37	37	0	37	5	0	5	5	0	5										
Kearney	7	0	7	7	0	7	Comparison of Single Family Building Units for Greater Kansas City															
Lawson	0	0	0	0	0	0	(Cass, Clay, Jackson, Platte, Johnson, Leavenworth, Miami, Wyandotte Counties)															
Liberty	1	0	1	1	0	1	Month/Year	2011	2012	2013	2014	2015	2016	2017	2018							
North Kansas City	0	0	0	0	0	0	January	90	188	273	287	240	274	457	416							
Pleasant Valley	0	0	0	0	0	0	February	121	182	224	216	260	408	477								
Smithville	7	0	7	7	0	7	March	180	270	335	362	393	542	571								
56	0	56	56	0	56	April	210	277	444	439	437	523	562									
JACKSON COUNTY							May	230	294	337	385	395	503	504								
Blue Springs	34	0	34	34	0	34	June	262	268	333	364	438	578	567								
Buckner	0	0	0	0	0	0	July	204	288	409	375	399	494	512								
Grain Valley	4	0	4	4	0	4	August	205	260	354	352	425	536	480								
Grandview	0	0	0	0	0	0	September	202	379	384	383	462	424	514								
Greenwood	0	0	0	0	0	0	October	205	331	369	468	459	466	583								
Independence	21	0	21	21	0	21	November	185	283	340	312	360	417	502								
Jackson County	5	0	5	5	0	5	December	207	279	288	328	432	352	468								
Kansas City	0	0	0	0	0	0	Annual Total	2,301	3,299	4,090	4,271	4,700	5,517	6,197	416							
Lake Lotawana	2	0	2	2	0	2	Comparison of Permits By Units Issued Year to Date															
Lee's Summit	24	0	24	24	0	24	2011 - 2018															
Oak Grove	2	0	2	2	0	2		S-F Units	M-F Units	Total Units												
Raytown	0	0	0	0	0	0	2011	90	0	90												
Sugar Creek	0	0	0	0	0	0	2012	188	539	727												
92	0	92	92	0	92	2013	273	0	273													
PLATTE COUNTY							2014	287	539	826												
Kansas City	20	0	20	20	0	20	2015	240	214	454												
Parkville	6	0	6	6	0	6	2016	274	85	359												
Platte City	0	0	0	0	0	0	2017	457	10	467												
Platte County	14	0	14	14	0	14	2018	416	0	416												
Riverside	10	0	10	10	0	10	^A The Single Family number is units and includes both attached and detached units.															
Weatherby Lake	2	0	2	2	0	2	[%] Multi-Family units are in buildings with 5 or more units.															
Weston	0	0	0	0	0	0	# Not available at time of report															
52	0	52	52	0	52	Permit information reflects the most recent data at time of publication. In order to ensure accurate recording of residential building permit statistics, the HBA may revise monthly and year-to-date figures when updated data is made available. Copyright 2018 Home Builders Assoc of Greater Kansas City. All rights reserved.																
JOHNSON COUNTY																						
De Soto	0	0	0	0	0	0																
Edgerton	0	0	0	0	0	0																
Fairway	2	0	2	2	0	2																
Gardner	5	0	5	5	0	5																
Johnson County	3	0	3	3	0	3																
Leawood	2	0	2	2	0	2																
Lenexa	34	0	34	34	0	34																
Merriam	0	0	0	0	0	0																
Mission Hills	1	0	1	1	0	1																
Olathe	60	0	60	60	0	60																
Overland Park	19	0	19	19	0	19																
Prairie Village	10	0	10	10	0	10																
Roeland Park	0	0	0	0	0	0																
Shawnee	11	0	11	11	0	11																
Spring Hill	13	0	13	13	0	13																
Westwood	1	0	1	1	0	1																
161	0	161	161	0	161																	

Kansas City Metro, KS & MO (9 Counties)

Market Share by County

(Based on Building Permits Issued)



County	2011	2012	2013	2014	2015	2016	2017
Johnson	35.32%	36.43%	38.29%	35.23%	31.43%	29.04%	31.44%
Jackson	18.33%	16.28%	16.58%	17.66%	19.06%	18.06%	18.58%
Clay	16.88%	18.51%	15.40%	17.73%	16.84%	18.92%	17.73%
Platte	7.55%	10.15%	9.34%	8.27%	10.37%	9.05%	7.47%
Cass	7.15%	5.81%	5.85%	7.02%	6.09%	9.57%	10.46%
Douglas	5.81%	4.55%	5.07%	4.18%	7.10%	4.45%	4.34%
Leavenworth	4.40%	3.73%	4.46%	4.77%	4.38%	4.01%	3.58%
Wyandotte	3.23%	3.96%	3.77%	4.00%	3.35%	4.52%	4.80%
Miami	1.33%	0.59%	1.23%	1.14%	1.39%	2.38%	1.59%
	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%

December 2017