



TONGANOXIE PLANNING COMMISSION
Meeting Minutes
December 7, 2023 7:00 p.m.
303 S. Bury Street

CALL TO ORDER

- Chair Monica Gee opened the meeting at 7:00 p.m.

Roll Call: Planning Commission members present were Chair Monica Gee, Vice Chair Patti Bitler, Kirsten Moreland and Howie Brewington were present. John Kirk and Amanda Horner were present via phone. City Manager George Brajkovic, Assistant City Manager Dan Porter, City Attorney Anna Krstulic, Municipal Court Clerk Lindsay Huntington, and City Planner Chris Brewster were also present.

1. APPROVAL OF PC MINUTES – November 2, 2023

- **Ms. Bitler made a motion to approve the minutes from the November 2, 2023 Commission meeting.**
- **Ms. Moreland seconded the motion.**
- **Vote of all ayes, motion carried.**

2. OLD BUSINESS

3. EX PARTE COMMUNICATION

4. NEW BUSINESS

- a) Public Hearing: Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF
 - **Ms. Gee opened the public hearing.**
 - **No members from the public addressed the Planning Commission during the public hearing.**
- b) Consideration of Application to Rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-ST to R-SF
 - Mr. Brajkovic stated that the project being considered for rezoning and a preliminary plat included two requests for variances or deviation from the City's current regulations for side and rear setbacks on the preliminary plat submitted to the City and that the public notices for the public hearing for this project advertised in the newspaper and mailed to nearby property owners should have reflected a different rezoning classification in light of the requested changes to standard regulations. He said that staff would communicate with the applicant to confirm the requested standards and confirm with the City Attorney if reissuing the notices would be required to adhere to State and local requirements for rezoning actions.
 - Mark Breuer with Schlagel presented information on behalf of the applicant for the project. He presented an overview of the project and shared an image of a wider view of connectivity options for properties adjacent to the project site that was not provided to the City in advance of the meeting.
 - Mr. Brewster delivered the City staff report on the project.
 - Ms. Moreland expressed concern over the variances proposed in this project in light of a similar variance issue that was considered in a recent Planning Commission/Board of Zoning Appeals

- meeting and was eventually denied based on the conclusion of it not adequately meeting the conditions required to consider a variance.
- Anna Krstulic shared an exception procedure for requirements within the City's subdivision regulations for the contents of plats but noted that proving the case for using the exception procedure was the duty of the applicant and would require more clear identifications of that justification.
 - **Mr. Brewington made a motion to approve the application to rezone Wren Estates property generally located at Washington and East Streets, Tonganoxie, KS 66086 from R-R and R-SF to R-SF.**
 - **Ms. Bitler seconded the motion.**
 - **Roll call vote was 3-3 (No's - Gee, Kirk, Horner). Motion failed to pass.**
 - **The motion and second were both withdrawn.**
 - **Ms. Moreland made a motion to continue the public hearing Rezone of Wren Estates until the January 4, 2024 Planning Commission meeting and requested that City staff communicate with the applicant about outstanding questions and clarifications for the submittals.**
 - **Ms. Bitler seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**
- c) Public Hearing: Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
- d) Consideration of Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086
- **Ms. Moreland made a motion to continue the consideration of the Preliminary Plat for Wren Estates generally located at Washington and East Streets, Tonganoxie, KS 66086 to the Planning Commission meeting on January 4, 2024.**
 - **Mr. Kirk seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**
- e) Consider Site Plan Approval for Wilson Glass
- Mr. Brewster delivered the City staff report for the site plan for an additional building on the site zoned ILT and gave staff recommendations.
 - Mr. Brewster stated that City staff recommend approval of the site plan based on the applicant meeting conditions set forth in the staff report recommendations.
 - Ms. Bitler asked the applicant to share information about changes that would be completed for areas of the property currently containing white limestone surfaces used for parking that were not included in the previously approved site plan.
 - Brad Wilson, 1011 Pleasant Street, said the white limestone surfacing will go away and employee parking would be located in the new parking lot and the current area with limestone will become landscape rock in place between the two parking lots on the site.
 - **Ms. Bitler made a motion to approve the Site Plan for Wilson Glass with staff recommendations included in the staff report.**
 - **Ms. Moreland seconded the motion.**
 - **Roll call vote – All ayes, motion passed.**
- f) Review Applications received for Planning Commission Position Vacancy and Consider Making a Recommendation for the Appointment to the Mayor and City Council

- Mr. Porter stated four applications have been received for the vacant position on the Planning Commission. Mr. Porter stated this appointment will be to fill the unexpired term lasting through May 2024. Mr. Porter stated that the applicants Brianna Irvin and Susan Freemyer were present and that David Coffman and Christine Wiseman have also submitted applications but are not in attendance.
 - Ms. Brianna Irvin, 146 S Whilshire Drive, Tonganoxie, KS 66086 addressed the Planning Commission and expressed her interest in the open position.
 - Ms. Susan Freemyer, 206 W. 2nd Street, Tonganoxie, KS 66086 addressed the Planning Commission and expressed her interest in the open position.
 - The Planning Commission engaged in discussion regarding the applications and took a poll to make a recommendation to the City Council. The poll included 5 in favor of recommending Brianna Irvin and 1 (Kirk) in favor of recommending Christine Wiseman.
- g) Request for Proposals Process Update
- Mr. Porter stated two applications were received for the RFP and that the next step will be to regroup with the subgroup that developed the RFP to set interview times and make a recommendation for the award of the project at a later date.
 - Ms. Gee asked for a clarification about the previous rezoning discussion to clarify what Mr. Brewster stated during the staff report regarding rezoning the property to something that was not listed.
 - Mr. Brewster said that he was referring to a planned development, which is referred to in the City ordinance as community unit plan (CUP) and mentioned an example of the Timber Lakes development which was rezoned with a CUP because it had differing setbacks from normal City standards.

5. GENERAL INFORMATION

6. ADJOURN

- **Mr. Brewington made a motion to adjourn the meeting.**
- **Ms. Bitler seconded the motion.**
- **Vote of all ayes, motion carried.**
- **Meeting adjourned at 8:44p.m.**

Respectfully submitted,



Lindsay Huntington, Planning Clerk