

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of April 22nd, 2019

- Item 1. Call to Order.**
- Item 2. Oaths of Office for New Members (Gale Rudolph and Tim Benyshek)**
- Item 3. Roll Call (with introductions)**

| Matt Scherer | Paul Johnson | Stephen Phillips | Gale Rudolph | Tim Benyshek | Vacant | Brandon Newman |
|--------------|--------------|------------------|--------------|--------------|--------|----------------|
| Present | Present | Present | Present | Present | --- | Present |

- Item 4. Approval of the Agenda**

Chairman Johnson asked for approval of the agenda – Secretary Newman moved to approve, and Commissioner Scherer seconded

Votes were taken by Ayes and Nays as follows:

| Matt Scherer | Paul Johnson | Stephen Phillips | Gale Rudolph | Tim Benyshek | Vacant | Brandon Newman |
|--------------|--------------|------------------|--------------|--------------|--------|----------------|
| Aye | DNV | Aye | Aye | Aye | --- | Aye |

- Item 5. Approval of the March 23rd, 2019 minutes**

Chairman Johnson asked for a motion to approve the minutes. Commissioner Scherer moved to approve the minutes as corrected and Secretary Newman seconded.

Votes were taken by Ayes and Nays as follows:

| Matt Scherer | Paul Johnson | Stephen Phillips | Gale Rudolph | Tim Benyshek | Vacant | Brandon Newman |
|--------------|--------------|------------------|--------------|--------------|--------|----------------|
| Aye | DNV | Aye | Aye | Aye | --- | Aye |

Item 6. Public Hearing

Chairman Johnson opened the public hearing for DPA2019-01 – a request to consider the Development Plan Amendment for Dailey Ag, LLC located at 10152 US 59 Hwy, Oskaloosa, KS 66066. Chairman Johnson asked staff for their report. - Staff gave their report.

Chairman Johnson asked the board if there were any questions for staff regarding their report.

Commissioner Scherer- Asked staff to confirm that the existing waste water system is not sufficient for the proposed changes. Staff confirmed this to be the case.

Chairman Johnson – Asked staff to explain the commercial overlay and to clarify that anything of a commercial nature can go into these areas. Staff explained that the overlay is meant to be a guide on where commercial zoning would be advisable or allowed.

Chairman Johnson – Asked staff if they knew the history on the property. Staff stated that their knowledge was centered around the case history, and not ownership history, but that when the Dailey's bought the property in 2011 they went through the CUP process to expand the business beyond the Co-op that was there when it was purchased.

Chairman Johnson asked the applicant if they would like to provide a statement regarding the application.

Dailey Ag (Applicants) – Stated their intention was to offer a better shopping experience for customers, easier parking layout, and better facilities for their own equipment.

Chairman Johnson – asked if the fuel storage was below ground. The applicants stated that it's all above ground.

Commissioner Scherer – asked where the store front would be located. The applicant stated it would be below the offices.

Chairman Johnson – asked the applicant to point out where the existing hard surface parking is. The applicant detailed their parking plan.

Chairman Johnson – asked the applicant their thoughts on their existing sewer system and their requirement to update the system. The applicant stated that they believed they would need to expand the lateral system.

Staff – Asked the applicant if their intention was to essentially create a convenience store at this location.

Dailey Ag (Applicants) – We're going to focus more on the ag store, but we'd like to be able to sell soda and snacks as well.

Staff – stated that the board should probably discuss this as well, so that the CUP can include those potential uses.

Dailey Ag – Stated that with the closing of the gas station in Oskaloosa, the business has expanded that way naturally and they want to make sure that they can do that if available.

Commissioner Scherer – asked Staff if they felt that anything needed to be amended in what was presented. Staff stated that they wrote their report with the convenience store style of operation in mind. Commissioner Scherer stated that he didn't see anything that would need to be amended and wanted to make sure that Staff's intention was to bring the convenience store aspect to the board's attention. Staff stated that since the convenience store style of operation had not been specifically stated, that wanted to make sure it was on the record and discussed.

Chairman Johnson – asked staff if their recommendations included the change to CP-1 zoning. Staff stated that if the applicants were requesting a re-zoning, that it would fall under CP-2, but since the request was about amending their existing CUP, none of the recommendations by staff mentioned any rezoning. Staff further stated that they felt due to the

nature of the business already in operation, the existing conditions, and the new proposed conditions, that the applicants request did not warrant rezoning.

Chairman Johnson – asked staff to clarify the sign situation. Staff stated that the sign permits are handled administratively, and that K-DoT would have their requirements.

Chairman Johnson – Asked if K-DoT would keep an eye on the entrance. Staff stated that K-DoT has stated they would keep an eye on the location for future degradation.

Chairman Johnson asked if there were any more questions from the board. Seeing none and stating that there were no members of the public present to speak for or against, Chairman Johnson asked for a motion.

Commissioner Scherer moved to approve DPA2019-01 based on staff’s finding with staff’s recommended conditions as follows:

1) Conditions approved by Resolution CU2011-01 shall remain in effect. Those conditions are as follows:

- i) Installation of a “Trucks Entering Highway” sign at both entrances to Fairview Road and/or as recommended by Jefferson County Road and Bridge Department.
- ii) Issuance of permits shall be contingent upon submission of the following:
 - (1) Dimensions and square footage of all existing buildings
 - (2) Revised Development Plan square footage of customer floor area;
 - (3) Written approval from KDOT regarding the access on US-59 Highway
- iii) Compliance with all other state and federal agencies regarding fuel and fertilizer storage, and
- iv) Hard surface parking installation from US-59 highway into the business where the parking areas are located.

2) Should an upgraded entrance to US Hwy 59 be requested by the Kansas Department of Transportation, the owner/applicant shall be responsible for upgrading said entrance, at their own expense, in a manner approved by Kansas Department of Transportation.

- i) Should a traffic study be required by the Kansas Department of Transportation, the owner/applicant shall complete one at their own expense.

3) The owner/applicant shall have a detailed site plan, drawn by a surveyor, filed in the Planning and Zoning office within 60 days of an approval resolution being signed by the Board of County Commissioners. The site plan must include the location, and use, of all existing and proposed structures.

4) Any lights placed on the property shall point inward toward the property and not be directed towards neighboring residential dwellings.

5) Any future signage shall adhere to Jefferson County and Kansas Department of Transportation regulatory requirements.

Secretary Newman seconded

| | | | | | | |
|---------------------|---------------------|-------------------------|---------------------|---------------------|---------------|-----------------------|
| Matt Scherer | Paul Johnson | Stephen Phillips | Gale Rudolph | Tim Benyshek | Vacant | Brandon Newman |
| Aye | DNV | Aye | Aye | Aye | --- | Aye |

Motion Passed – 5-0

Acting Chair Johnson moved on to item 7 – The Yearly Reorganization of the board. (officer elections)

There was discussion by the board about who would like what position.

Commissioner Phillips moved to recommend Commissioner Scherer for Secretary, Secretary Newman for Vice-Chair and for Chairman Johnson to retain his chairmanship as previously discussed. Commissioner Rudolph seconded.

Votes were taken as:

| Matt Scherer | Paul Johnson | Stephen Phillips | Gale Rudolph | Tim Benyshek | Vacant | Brandon Newman |
|--------------|--------------|------------------|--------------|--------------|--------|----------------|
| Aye | DNV | Aye | Aye | Aye | --- | Aye |

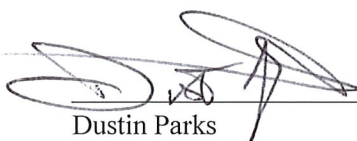
Item 8. Public Comment – None

Item 9. Old business – Staff and the board discussed previous cases and where we are for the RFQ of getting the comprehensive plan potentially redone.

Item 10. New Business - Staff stated that there would be no meeting in May as there were no items on the Agenda, but that in June staff would be submitting a text amendment removing square footage restrictions.

Item 11. Adjournment – 8:10

Minutes taken by:



 Dustin Parks

Approved:

6/24/19


 Date

Chairman:



 Paul Johnson

Secretary:



 Matt Scherer III