

# Jefferson County Planning & Zoning Oskaloosa, Kansas

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## OFFICIAL

### OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

#### Minutes of the Planning Commission Meeting of August 22<sup>nd</sup>, 2022

**Item 1. Call to Order**

**Item 2. Approval of the Agenda**

*Vice Chair Scherer moved to accept the agenda as presented and Commissioner Johnson seconded.*

Votes were taken by Ayes and Nays as follows:

<b>Tim Benyshek Chairman</b>	<b>Matt Scherer Vice Chair</b>	<b>Tiffany Asher Secretary</b>	<b>Stephen Phillips</b>	<b>Paul Johnson</b>	<b>Greg Hazen</b>	<b>Vacant</b>
DNV	Aye	---	Aye	Aye	Aye	--

Motion Passed 4-0

**Item 3. Roll Call**

<b>Tim Benyshek Chairman</b>	<b>Matt Scherer Vice Chair</b>	<b>Tiffany Asher Secretary</b>	<b>Stephen Phillips</b>	<b>Paul Johnson</b>	<b>Greg Hazen</b>	<b>Vacant</b>
PRESENT	PRESENT	ABSENT	PRESENT	PRESENT	PRESENT	--

**Item 4. Approval of the July 25<sup>th</sup>, 2022, meeting minutes.**

*Chairman Benyshek asked if there were any corrections for the minutes. There were no corrections to the minutes. He then asked for a motion to approve the minutes. Commissioner Johnson moved to approve the minutes and Vice Chair Scherer seconded.*

Votes were taken by Ayes and Nays as follows:

<b>Tim Benyshek Chairman</b>	<b>Matt Scherer Vice Chair</b>	<b>Tiffany Asher Secretary</b>	<b>Stephen Phillips</b>	<b>Paul Johnson</b>	<b>Greg Hazen</b>	<b>Vacant</b>
DNV	Aye	---	Aye	Aye	Aye	--

Motion Passed 4-0

**Item 5. Public Hearing**

*Chairman Benyshek explained the Commission meeting procedures to the public and opened the public hearing. Chairman Benyshek asked if any Commissioners currently have any ex parte communication with the applicants or any conflict of interest towards this case that would exclude them from giving a vote this evening. There were none.*

- I. **DP2022-01:** A request to consider a development plan amendment for improvements to an existing RV/Boat Storage site, as well as an existing convenience, food service, and retail location. This development plan amendment is being brought at the request of Jones Investments, LLC of 11875 Douglas Rd, Everest KS, 66424.

**During this time, staff asked who was here for the first case. The applicants, Derek & Shelly Jones were present via Zoom. Doug Schmitt was present via Zoom and was in favor. There were no opponents present or via Zoom.**

**Chairman Benyshek asked staff to give their report. Staff gave their report. After their report, Chairman Benyshek asked the board if they had any questions for staff.**

**Vice Chair Scherer:** Dustin, I have a clarification regarding the residential or excuse me the entrances. I noticed that Road and Bridge said that the standard was sufficient for residential entrance, and you mentioned that it was sufficient for a commercial entrance. I don't know if they're the same or not.

**Dustin Parks (Staff):** This up here is more than 40 foot wide so that one is approved for existing. The additional for residential right here with this structure is what they were referencing, and this here meets the residential requirement. And I talked to the Road and Bridge Department about that a little bit. And they said that since the use was existing and those met, they were only really worried about the new use when they were looking at the entrance to make sure that their entrances would meet that and since this entrance here meets the requirement for residential it's fine. Residential entrances have to be at least 30 feet wide and commercial have to be at least 40. So, they all meet the commercial and thus would meet residential requirement. Sorry about that I should have been more clear.

**Chairman Benyshek:** Go ahead. Matt has one more question.

**Vice Chair Scherer:** In your recommended motion you don't mention the waiver for the setback requirements?

**Dustin Parks (Staff):** I don't. So, there's some, I guess you would call it conjecture, about whether or not just approving the development plan approves that, knowing that it's there, and it's been mentioned. I don't know that it would be a condition requirement, but you're more than welcome to add one if you would like. Because to me, when you approve a development plan, you're approving the development plan as presented, structures, setbacks, and all. So, I don't see it being necessary to have it as a condition, but if the Planning Commission does, they are more than welcome to recommend that.

**Chairman Benyshek:** Greg had his hand up there for questions of staff there. Don't think we can hear you, Greg?

**Dustin Parks (Staff):** Nope, still can't hear you.

**Anna Driscoll (Zoom Coordinator):** You can type your message in the chat if you are able to access that?

**Chairman Benyshek:** Well, while we are figuring out our technology issues there. I did have one question, Dustin. On the aerial map, it looked like, you know, part of the entryway onto where they're parking, I believe probably the RVs and boats there, looks like it's partially surfaced in spots. To be honest with you, I didn't see anything in the development plan, or maybe I looked over it. Is there any requirement to where they have to surface any part of the rest of that lot that goes back to the building or around the additional lots?

**Dustin Parks (Staff):** So, on the development plan.... The applicant can speak to this a little bit because I believe they've already graveled, re graveled the lot there entirely, but for RV/ Boat Storage, our requirement is not that it has to be paved, that gravel is acceptable. And like I said, the applicant can speak to it, but I believe they've already gone ahead and re graveled everything because the side note here is that since this is a development plan amendment, even if the Planning Commission recommends denial for this, and the County Commission would deny it, the existing use is still permissible. So, the RV/ Boat Storage, the convenience store, and the retail stuff there is still permissible. What the development plan amendment is for is both codifying that, because it's, it's old enough to not have an active conditional use permit, but also

to approve the improvements. So, the existing lot would have been fine. If the applicant has decided to go ahead and gravel that that's also sufficient.

**Chairman Benyshek:** Unless we got Greg, up with sound there. I know Paul has a question for staff here. Go ahead, Paul.

**Commissioner Johnson:** Dustin, what's the status of the fencing right now? And what do you define fencing for security purposes?

**Dustin Parks (Staff):** It's very loosely defined since we don't have building code. A security fence is something that's taller than four feet. Usually, it's six foot tall. It can be chain link, or more sturdy than that. And usually has a couple of secured gates either by code, you know, like key code entry or some kind of motion entry, that kind of thing. But we don't really since, we don't have building code, we can't really specifically state what exactly type of fence they have to put in. But the existing fence that's there, and again, this is more probably a question for the applicant, in terms of what they're looking to do fence wise, but the existing fence would meet that criteria.

**Commissioner Johnson:** I'm sorry, you said the existing fence would meet that criteria today.

**Dustin Parks (Staff):** Yes, the existing fence would meet that criteria today.

**Commissioner Johnson:** So, can you expand a little bit more about this residential structure we're talking about adding to this?

**Dustin Parks (Staff):** In what manner?

**Commissioner Johnson:** Are we talking about living quarters?

**Dustin Parks (Staff):** Yes, that's all on the development plan. It says living quarters. And like I said, that's an approved use on this zoning. So, it technically would be a primary residence because it would be the only residential use on the property. It is potentially, you know, it's possible that they could maybe rent it out like Airbnb style. If you went out and bought a lot and built a house on it, you could rent that out. But beyond that, that my conversations with the applicant has said that it's going to be for their use. Did that answer your question, Paul?

**Commissioner Johnson:** Yes.

**Chairman Benyshek:** Looks like Dustin, I don't know if you can see the chat box or if you've got it up there if not, I can read it to you here if I can get to it.

**Dustin Parks (Staff):** I believe that chat might have been to just you.

**Chairman Benyshek (speaking for Commissioner Hazen):** So, this is from Greg, and it says, I'm wondering where the information supporting parking on a lateral field is from? Jeff County Health Department website has an article, Operation and Maintenance of Septic Systems, that states do not drive over a lateral field. Compaction from vehicles can cause settling, shifting or breakage of lateral lines.

**Dustin Parks (Staff):** Yes. And the information is also from the Health Department.

**Chairman Benyshek:** Sorry, maybe I assume you mean the information from the Health Department is also saying yes, you can park on it is what you're saying?

**Dustin Parks (Staff):** Yes.

**Chairman Benyshek:** Okay. I understand. Is that sufficient Greg?

**Chairman Benyshek (speaking for Commissioner Hazen):** So, he says what are we to make of that? I assume that I don't want to necessarily go on record saying it's a double standard, but the Health Department says it's, okay? We take it for what it is.

**Dustin Parks (Staff):** So, the Health Department is who sets that standard. And we as the zoning office do not have any purview at all over sanitation. So, it's not something we can regulate to. We actually don't even have it in our regulations beyond a simple mention of, if a subdivision is within so many feet of an existing public service utility than they have to connect but beyond that we don't have anything about sanitation in our regulations except for maybe RV/ Campgrounds and even then, it's having to build a public system. So, anything about private systems like this is not within the purview of zoning so I have to take what they give us.

**Chairman Benyshek (speaking for Commissioner Hazen):** He just typed in... Their letter does show some concerns.

**Dustin Parks (Staff):** Let me pull up their letter specifically here, because when I talked to them, their concern was about structure placement. And that the structure usage may require an expansion of the lateral field. So their letter specifically states, they received a request for environmental consults, the northwest corner planning on construction of a storage building that will have living facilities, there's plenty of area south of the proposed location for the water system, soil in the area of the Martin series at the Martin soils are moderately well drained, there should be no issues with installing a wastewater system there before any new work is done on a wastewater system for the new building, the system existing for the new building, the system for the existing building on the northeast corner must be located. And he has concerns over where that is located. And when a permit is obtained to construct a new building, they recommend at that time that it be pumped and inspected to see if it's possible to hook the new building into the existing systems. And unfortunately, that's also all I have to work on. I don't know if that means they have concerns that it's too close to the structure. I don't know if that means they have concerns that it's too close to the property line. But like I said, that's a private system. And that is entirely under their purview to approve.

**Chairman Benyshek:** That somewhat settle your concerns, Greg there? I got a thumbs up. So okay. Any further questions from the Planning Commission here? Go ahead, Matt.

**Vice Chair Scherer:** And this might be for the applicant actually. I assume those storage tanks for fuel are above ground tanks.

**Dustin Parks (Staff):** The existing ones there? Yes.

**Vice Chair Scherer:** They're on the photo.

**Dustin Parks (Staff):** They're also on the development plan.

**Vice Chair Scherer:** It's phase one, though.

**Dustin Parks (Staff):** I apologize. I thought you meant these fuel tanks back here to the southeast of the structure.

**Vice Chair Scherer:** Yes. I did.

**Dustin Parks (Staff):** So, there are existing tanks there as well, but this is probably more of a question for the applicant, if they intend to use those to also store for the new fuel pumps or not.

**Chairman Benyshek:** If there are no further questions or comments then moving forward. If the applicants are present, or on the Zoom meeting, which I believe looks like they're on the Zoom meeting here. Now is your time to make presentation. So go ahead whenever you are ready.

**Derek Jones (Applicant):** I think Dustin pretty much covered everything. Just a couple notes I made. We are as far as the phases, the buildings, the residential will all be with your approval happening now. The fuel possibly now. We just met with another fuel company this morning so we're exploring those options. I don't have an exact answer on that but they

everyone we'd met with recommended the best scenario would be in that existing containment system. So that would be staying. The lateral field, it will be operated on the same way it has for I guess however long it's been there. I don't I don't know how long that's been there. But we're not changing anything in that aspect. The west building, which I think Dustin had...there is 630 square foot, that's of that building is living quarters, that's just for personal family use not saying we'll never rent it out, but we do frequent the lake. So that was kind of the the point of that, I guess. And then I don't know, I don't know what else to really touch on. I did have a couple of questions, but I don't know if now is in the meeting, the time in the meeting or not. Do I ask questions or am I pitching my case here I guess?

**Chairman Benyshek:** Now, you're fine to ask questions. But before we do just a housekeeping thing if you would state both your names and your address for the record, please.

**Derek Jones (Applicant):** Derek Jones, 11875 Douglas Road, Everest, Kansas.

**Shelly Jones (Applicant):** I'm Shelly Jones. Same address.

**Chairman Benyshek:** Okay. Very good. And I believe, yeah, now would be a fine time. Are your questions for the Commission, or for Dustin and staff there?

**Derek Jones (Applicant):** I think for both maybe, I'm not sure.

**Chairman Benyshek:** Fire away.

**Derek Jones (Applicant):** All right. One thing that was mentioned was the permit, there was an addition put on while we were on vacation that by the tenant of that store that we didn't know about, and it did mention that there would be a need to permit for that before we could start construction. Would that be resolved today as well?

**Dustin Parks (Staff):** No, it's an actual building permit just like the building permits you've done in the past for some of your other locations. You have to go through the building permit process for that. This does not approve building permits, this just approves you, allows you to build them, and then the permit you still have to get so that's a separate building permit that you'd have to get. You can get it at the same time that you get the others it's just a separate permit since it's an after the fact permit.

**Derek Jones (Applicant):** Okay, but we won't need to go through another conditional use permit hearing?

**Dustin Parks (Staff):** No, no, no. It's a building permit through our office.

**Derek Jones (Applicant):** Okay. The other thing I had noted was on the east side and I don't have I don't know how to screenshare but not probably not the west but on the east side would if the building would the building serve as a fence where it runs like the fence could butt into the building?

**Dustin Parks (Staff):** We have done that for applicants in the past where as long as they were tying the structure into the fencing then yes, it counted but that's kind of up to the Planning Commission. I don't want to speak for them, but we have done that in the past.

**Derek Jones (Applicant):** Okay, that was our plan that fence is not in I mean it's not bad but it's not terrible to butt that fence into the building basically. So again, that would be on the Ferguson Road side. So, the gravel that we did that was a grass weed mud lot. We did gravel it upon purchase and in about the northwest I don't have the measurements, not fourth of it is existing asphalt that's not in great shape. Our plan is to re asphalt that once construction is complete. We don't want to we don't want to do it till we're done. So, we tear it up but basically the the asphalt that was asphalt will remain asphalt and everything that was grass is now gravel already.

**Chairman Benyshek:** All right. Any questions from Commission of the applicants while we have them on here?

**Commissioner Johnson:** Actually, a couple. So, what's your thought about the existing fencing and what's comfortable to? Are you planning to improve or heighten the fencing?

**Derek Jones (Applicant):** So, we did already, we put in on the northwest corner of the store. They they've had for years, like a twofold gate with a padlock. We put in an automated gate three weeks ago or so it gives the customers their own code. So only active current customers have access. That would be the entrance that's in the parking lot of the convenience store. The rest of the fence isn't in bad shape. We don't have any intentions of using the entrances on the north side along 39th for anything other than if I don't, I can't show it to you but there's two entrances on the north side. The east one of those two, we will leave for construction just dump trucks tear up stuff, so a way to get stuff in and out without going through the gas station liquor store parking lot. And then the west one along 39<sup>th</sup>, that's actually a fence. There is no gate there. I don't want to get rid of the entrance, but we have no intention of changing anything along there that, so the property is currently completely fenced. The only thing we'd like to change is on the east side. The building may replace the fence, just for aesthetics. I don't want....(inaudible)...a foot away from the building.

**Commissioner Johnson:** So, what's your hope after talking to fuel suppliers, gas companies about....what would be ideal for you for offering fuel services in the area? And how might that be accomplished?

**Derek Jones (Applicant):** So, the way it looks as of right now, is that we may be purchasing the fuel equipment and leasing it to the tenant. The traffic counts studies that we've gotten from the County and then also from an appraisal do meet some of the fuel companies' requirements of other stores they have that are successful. They are not large enough for participation from a fuel company. So, a lot of fuel companies will have you know, they'll install it. And for the next however many million gallons, they get the profit off the fuel where it's not that busy, so it's more of a cash investment, buy the fuel. So as of right now, we're kind of negotiating through that. But we met with Cap City oil this morning, they are the third company we've met with. And we're just putting the pieces together to see how it would work. So, no one's saying no, it's just not a large enough traffic count to support like a massive sponsorship from from a big company. But our thing is, pay at the pump, is what we're thinking with one pump to start with, like 91, no ethanol, both fuel and then normal 87 octane, that's kind of if we were going to do a phase one, and then go ahead and run the plumbing and wiring for a second pump. And diesel tank would be so what we're thinking right now, just from a cost standpoint, if we can come to some sort of agreement would be one pump 87 octane, and then 91 No ethanol.

**Commissioner Johnson:** So, can you do that with your existing tank storage that's on the property?

**Derek Jones (Applicant):** The containment is there; the tanks are gone. So, we will have to buy all new basically everything will be new, the tanks, the lines, and the pumps will have to be new. Unfortunately.

**Chairman Benyshek:** Okay. Any further questions by anyone? The Commission here? Seeing none, thank you for your presentation, by the way, and comments. We'll move on here. If there's anyone in the audience or on the Zoom call here this evening. For those who wish to speak in favor of the application, now's the time to state your name and make a case there.

**Doug Schmitt:** 3795 Ferguson Road, I've got the adjacent property to the south of it. I'm supportive of what they're trying to do there. And I'm probably the most impacted in the area. So, I just wanted to let you guys know that.

**Chairman Benyshek:** Okay, thank you Doug. Anyone else on the call or present here this evening that would like to speak in favor of the application this evening?

**Dustin Parks (Staff):** Mr. Chairman, I apologize. I didn't state it during my staff report, but we did also receive one written comment of support from the neighbor further south of Mr. Schmitt. That was included in your packet. I just forgot to state it in the staff report.

**Chairman Benyshek:** I saw it there. Okay. The next item is if there's anybody in the audience or on our zoom call this evening, who would be here to speak in opposition of the application? Same, same sign so to speak, if you'd state your name and now's your time to present Okay, well, we don't have any opposition tonight. So that's, we'll move on to our next thing here. I would say that the applicant could make a rebuttal statement, but there's nothing to rebut here so to speak. So,

before we close the public portion of this hearing here, I just want to make sure that the applicants have nothing further to state or Commission has no further questions for the applicants before we move on here?

**Derek Jones (Applicant):** I don't think I have anything.

**Chairman Benyshek:** Okay. All right, so we will go ahead and close the public portion of the hearing here on our application. So, with hearing all the information presented to us, we can if there's any discussion or questions further for staff moving forward, now's the time, or if there are none, we can move into the motion process here.

**Commissioner Johnson:** I don't know if this is for the applicant or for Dustin? Is the number of boat storage units increasing with this application?

**Dustin Parks (Staff):** I can speak from a previous standpoint, and the applicant can kind of speak to their purpose now. So previously, there was no approved plan on, because it's an existing conditional use permit, or a non-approved conditional use permit. But I believe and again, the applicant can correct me on this, but I believe they're not adding any new spaces. If anything, they might be taking away a few because of the size of the buildings. But that's more up to the applicant to clarify.

**Derek Jones (Applicant):** That is correct. We're kind of converting some of the outside storage into the more secure inside storage. So no, we're not adding any capacity to the facility.

**Commissioner Johnson:** So, what would be the ideal capacity that you're shooting for? Number of?

**Dustin Parks (Staff):** Well, on the conditional use development plan amendment site plan, it states that there are twenty-four total covered parking spaces, and 71 outdoor parking spaces proposed. So that would be the maximum.

**Commissioner Phillips:** I have a comment before we go to a vote. And there was mention of can he use the back of the building as the fence line. And that makes a lot of sense to me. Having a fence, a foot from a building would seem to be a maintenance nightmare. And sounds like a good idea to me.

**Vice Chair Scherer:** I've got a question for Dustin that just occurred to me, sort of just procedural. Does this, if this was approved by the County Commissioners, is it now completely covered as a conditional use permit?

**Dustin Parks (Staff):** Yes. So, I guess I should explain that a little bit. So, when you have, I'm going to speak in kind of common terms, for what we call what we call legal non-conforming and unapproved conditional use permit is just another name for grandfathering. It's the legal ease for grandfathered so these uses were grandfathered. And by doing a development plan amendment, what they're doing is they're approving that non approved conditional use permit the grandfathered use. So, this development plan amendment also becomes their conditional use.

**Chairman Benyshek:** Once again, any further questions and if not, I would entertain a motion on here.

**Vice Chair Scherer:** Mr. Chairman, I move approval of CU2022-01 with five conditions. Dustin, could you put up the four that you have now. As a fifth, I would suggest the applicant may incorporate the new buildings into the required security fence. And furthermore, I recommend to the County Commissioners that they approve the waiver of the setback requirement.

**Chairman Benyshek:** Sorry, I was, that was a long, awkward pause there. So, it has been moved by Matt, for approval here with the four existing conditions and his two, I believe two additional and number five being the the fencing requirement, I guess, be connected to the building, if I read that right or understood that correctly. And then number six being that recommendation to the County Commission that they approve the current or waive the current setback requirement for the new structures being built on there.

**Vice Chair Scherer:** And I might add, as shown on the development plan, that would make it clearer.

**Commissioner Johnson:** I second.

Votes were taken by Ayes and Nays as follows:

<b>Tim Benyshek Chairman</b>	<b>Matt Scherer Vice Chair</b>	<b>Tiffany Asher Secretary</b>	<b>Stephen Phillips</b>	<b>Paul Johnson</b>	<b>Greg Hazen</b>	<b>Vacant</b>
DNV	Aye	---	Aye	Aye	Nay	--

Motion passed 3-1

**Chairman Benyshek asked if any Commissioners currently have any ex parte communication with the applicants or any conflict of interest towards this case that would exclude them from giving a vote this evening. There were none.**

- I. **PR2022-04:** A request to consider the final plat of the Washington Estates Subdivision, a 12-lot subdivision generally located on the west side of Washington Rd between Northwind Dr and Stairstep Rd, where the smallest lot is 3 acres +/- . This request is brought by Landplan Engineering for owner Ethel LLC of Lawrence, KS.

**During this time, staff asked who was here for the second case. The applicant, Ethel, LLC/ Dennis Baker, and the surveyors for the project from Landplan Engineering, CL Maurer and Jess Noll were present in person. Jon & Christine Cross & Kent & Debbie Nunemaker were opponents that were present in person. Alex Knudson was present via Zoom and was also an opponent.**

**Chairman Benyshek asked staff to give their report. Staff gave their report. After their report, Chairman Benyshek asked the board if they had any questions for staff.**

**Dustin Parks (Staff):** Okay, give me just a second here. I have a process question for the board. The Road and Bridge supervisor is available for this hearing, but not for a whole lot of time. Would you like him to call in now? Or would you like me to, the staff report has a lot in it, not just about roads? So, would you like him to get on now? And then kind of go over what he's got for the road inside the subdivision and for any questions regarding Washington and 1<sup>st</sup> Street or would you prefer me to go through the staff report and then get him on the line?

**Chairman Benyshek:** I've got one definite yes, over here. And I don't see any disagreement with having Ben on the line here. So, if he is available to report his information, unless we hear some major objection, we can go ahead and jump into that Dustin.

**Dustin Parks (Staff):** Okay. So just to clarify, he's going to call in and then he'll give his information and take questions, and then I'll give the staff report after that.

**Chairman Benyshek:** Correct. Thank you. Okay.

**Dustin Parks (Staff):** Okay. You might want to enter into a few minute recess, if you want, till he gets called in.

**Chairman Benyshek:** Okay, if everybody is in agreement here, we take what a 5–10-minute recess. It is 7:58pm. Now, we want to take a quick 10-minute break or so and return here at, say 8:10pm and we will get after it.

**Chairman Benyshek:** Hello Ben. Can you hear us? Or hear me? Hear me at least? So, this is a little nontraditional here. You're on speakerphone, so don't say anything bad about anybody.

**Chairman Benyshek:** Okay. Well, we'll try and conduct the rest of the meeting here as best we can. So obviously, we're talking about the property here on Washington Road down with a Lawrence address there at the southeast end of the County here. So, we just want to have a chance for you to jump on with us here and state any comments for the Planning

Commission here and then potentially field some questions if we have any per your report there, sir. So, whenever you are ready, feel free to take off?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Well, I guess I will tell you. I don't actually have any issues that I see that will be problematic. So, it probably would be better if you would ask me questions that you guys had concerns about prior and then I can rebut those. Okay.

**Chairman Benyshek:** Okay. So, I'll go ahead and open it up for any of the Planning and Zoning Commission here. If we have any questions for Mr. Domann here in concerns to the roadways.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Who am I speaking with right now currently?

**Chairman Benyshek:** This is Tim Benyshek. I'm the Chair of the Jeff County Planning and Zoning.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Okay, sir, thank you.

**Chairman Benyshek:** You're not gonna get it any louder than what it is.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** I apologize. I tried the Teams meeting thing and it didn't work and I'm in bad service where I live, so we'll do our best. We'll get through.

**Chairman Benyshek:** All right. Well, we're waiting to see here if I got anybody that has questions for you at the moment? Anything? Anybody? This might be a short call.

**Vice Chair Scherer:** Actually, I do have one.

**Chairman Benyshek:** Okay. We've got Matt Scherer here, one of our Planning Commissioners here has a question for you, Ben.

**Vice Chair Scherer:** Ben, Dustin noted that Douglas County has a 200 vehicle per day guideline as to when they move to hard surface, does Jeff County have anything similar to that?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Not really. They kind of think that that is their standard. And that's okay. I don't disagree with it necessarily. But Douglas County has a budget that happens to be way more substantial than Jefferson County does. If we had we had the same policy at 200 vehicles per day, we would be hard surfacing some roads for sure. But that's something they kind of have in mind and it is not the same as our philosophy. I'm not saying that their philosophy is wrong. I'm saying that they have a budget that kind of lets them establish that to say we should hard surface something. And I wish that we could do that in our County, but we do not have the budget to sustain that.

**Vice Chair Scherer:** Mr. Chairman, this next question really isn't pertinent to this application but if I could ask.

**Chairman Benyshek:** Sure, go ahead.

**Vice Chair Scherer:** Generally speaking, when does Jeff County decide that hard surfacing is something that needs pursued?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** In my perspective, from the Director side of things, I wish that we could pursue it over and over on many of our well travel groups that are not hard surfaced. I guess it still goes back to the budget availability before I could answer that question. There are major collectors, minor collectors, but there are major thoroughfares that we honestly, I think we should be hard surfacing. But I can't tell you that there is a line in the sand that we draw, to say, this is when we think it should be or this is what it shouldn't.

**Vice Chair Scherer:** Thank you, Mr. Chairman.

**Chairman Benyshek:** Thank you. I think you got one more question here. You are going to have Paul Johnson, who's also one of our Planning Commissioners here.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Okay.

**Commissioner Johnson:** Well, from the staff report, it says a Grant Grant township maintains the first half mile of 1st Street N 2100 Rd., going east from Wellman and also maintains E 1500 Rd. south of the intersection of 1st Street and Washington Road, both currently gravel roads. Grant township does not have the necessary equipment to maintain paved roads. So, in essence, you're saying that because the County can't afford it, or won't afford it we're gonna live with gravel roads here?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Well, you pose a difficult question, but they do, as you stated, they do maintain what you said. There's always an option for a grant opportunity for us to fund something better, or in conjunction with a neighboring County. And I have no problem working with anybody. I know the the director down there, Chad Voight, I have had dealings with him. I would say that your statement about are we going to have to live with them? I couldn't tell you whether that's right or wrong. I will say that we can only do what our budget allows. And through the subdivision at Washington Estates and a slight increase in the traffic, I'm not so certain that it warrants that we do a hard surface situation.

**Commissioner Johnson:** Well, I'm on the edge of my technical understanding of all this, but I'm trying to understand the quality of roads we're talking about here. And can we upgrade from gravel to semi hard surface at less cost than a complete asphaltting?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** In my firm opinion, I would say no, for this reason. To establish a hard service road, you have to make sure that you start with the appropriate base with basically what we would call out standards. There would be a compaction effort with sheeps-foot walk-out, and then a four-inch lift of asphalt, and then a two-inch lift of asphalt, and then two more inches of total asphalt, for a total of eight. That would be what a typical road at 24ft wide road would need to be successful. There is a cheaper way to do it, we've tried in the past, but not when I have been in this role. I know that we have tried to spread oil on a compacted road without the asphalt base that we thought was sufficient and then tried to chip and seal it and see how it lasts, and it fails very quickly. A cheaper route is what we always looking for sure, for the benefit of tax taxpayers. However, to make something successful, you really need to do it right out of the gate, and you establish the asphalt base and then you can maintain it on a hard surface level. So, unfortunately, my answer to that would be I don't, I don't think you can cut any corners, if you plan on having.....

**Commissioner Johnson:** Are these interior roads and the cul-de-sac? They're going to be fully paved?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Yes, they will be paved, according to the plan, they'll have a four-inch base and a two-inch layer on top of that. They will not be to a KDOT standard of eight inches, but that is not going to be for a high traveled, heavy traffic road. It will be for a subdivision which is typically on a smaller, typically not a heavy traffic road.

**Chairman Benyshek:** Okay. Yeah, we can still hear you just fine there. So, before we maybe conclude here, I'll ask maybe one final time. If there's any other Commissioners on board here that have any further questions or hopefully, you guys listening online, were able to hear some or any of our phone conversation here. But if there are no further questions, there Ben, I believe, well, maybe we got one more here. Sorry. Go ahead, Paul.

**Commissioner Johnson:** So, what kind of, just put it in a ballpark for this layman here, non-technical person. What kind of cost are we talking about for if we've wanted this paved?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Are you talking about 1st or 2100 Rd according to Douglas, from Wellman over to Washington? Any typical situation, I'm talking about the past, I don't

know about current. A million dollars a mile easily. And most people will go crazy about that. But the numbers truly reflect it. It's about a million dollars a mile. I have other examples where I'm trying to improve existing hard surface roads. To do it right, mill it down, make sure everything's good, you are looking at a million dollars a mile. I'm not saying it's not doable, but I'm saying that that's pretty much the cost.

**Commissioner Johnson:** And what's the longevity of making such an investment? If you put that million dollars into a mile? Are you talking about a status quo of 10 years before necessary repairs?

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** I believe it's very well sustainable. I couldn't promise you 10 years. It all depends on the traffic that the road sustains. I would say, yes, it would be a very good thing over time. But I couldn't promise you that if a haul route gets a permit on that road and beats the heck out of it. It can easily degrade that road faster. But if you build it to that standard, it's basically what your highways are built to around here and it should sustain pretty well. But it is an average of basically a million dollars a mile and I said I was talking about the past, asphalt is up, fuel is up, oil is up as everyone knows. So, that used to be a standard and I couldn't be accurate by saying that is still the same thing, it could be worse than that at this point in time.

**Chairman Benyshek:** Thank you Ben. I don't believe we have any further question or comment for you, so I appreciate you calling in here. And like I said, hopefully, I know everybody in the room could probably hear you there, but I don't know about our online customers tonight. So, but anyways, I appreciate your time and thanks for your input.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** If you have any further questions, I'm available by phone or email. And I don't have any problem discussing any options that we can do. I don't see any problems with what is going on, or I would be the first to say I think we have issues but, on this situation, I think we're okay.

**Chairman Benyshek:** Alright. Thank you.

**Ben Domann (Director of Jefferson County Road and Bridge Dept – via telephone):** Thank you, sir.

**Chairman Benyshek:** Okay. Dustin, I think staff report is the next item in order here, please.

**Chairman Benyshek asked staff to give their report. Staff gave their report. After their report, Chairman Benyshek asked the board if they had any questions for staff.**

**Commissioner Johnson:** Dustin, I think you said that the suburban lots just south of this in Northwind are pretty much filled in at this point?

**Dustin Parks (Staff):** Northwind? Yes. Let me, I can tell you for sure here right quick. I believe that all of them are either built upon or owned. Yeah. All of Northwind has been built up, as has the subdivision to the south side of it and then Ethel Court, which is the other one that this developer owns, or owned, all of those lots have been sold. All of those lots have been sold and we have active building permits on many of the lots out there.

**Commissioner Johnson:** And are the other suburban developments.... (inaudible)....Are those bought at this point?

**Dustin Parks (Staff):** Where are you talking about? I apologize?

**Commissioner Johnson:** Well, just north of Ethel Court.

**Dustin Parks (Staff):** Oh, let's see. Some of them are. Cody court has two houses. And it looks like it's two different owners on two different so looks like one owner owns two lots and another owner owns two lots. Just on a brief glance here. I could be wrong there. And then there's a subdivision that runs north along Republic and there's a couple of houses there. Most of the suburban residential lots that are in subdivisions in this area are developed, yes.

**Commissioner Johnson:** In terms of the septic systems and the Health Department's concern or about the site visit on lots 1,2,3 and four. If it's determined that they cannot have individual septic systems per lot, then does the County allow a community septic system for a number of lots?

**Dustin Parks (Staff):** Again, this would be outside the purview of the zoning office but in my experience, no. But in my experience, there are, from what their letter said, the rock on those lots would prevent normal lateral fields type systems. There are other systems like mound systems, depending on the rock itself, and maybe a lagoon, but again, those are Health Department requirements, I wouldn't imagine that they're going to have trouble putting in a system, it may just be a more expensive system, or a different kind of system than just the standard tank and lateral.

**Commissioner Johnson:** So, we're talking about, I understand the hesitancy of the County in terms of working with homeowner associations relative to community septic systems, because if that goes away, or that homeowners' association falls apart, then that responsibility falls to the County. But in this instance, we're talking about preserving ongoing maintenance of the proposed open space tracks and/or conservation easements. So, the County is assuming that a homeowner's association will be able to countenance the enforcement or maintain those open spaces. And what's the fallback if that doesn't prove true?

**Dustin Parks (Staff):** So, obviously, an entire community septic system and buffer are not the same realm of responsibilities. For a HOA or a County. The cost wise is exceptionally different. But the big difference on this, is that regardless of if an HOA can maintain the buffered area in specific native grasses and that kind of thing, it's still a platted buffered area, which means that no construction can take place in there, and that it has to remain green space. So, excuse me, in those buffer areas as platted, people couldn't put a shed, even if they're, you know, inside the setbacks. They can't build there. They can't use it for, you know, an ATV track, it has to maintain as a natural buffer. So, it's a little bit easier to look at that and maintain a natural buffer that can't be built in than it is, say a community septic system.

**Chairman Benyshek:** Matt, you have question for Dustin?

**Vice Chair Scherer:** Yes, Dustin. The chairman asked if I had any comments, too. So, I have one. I noticed that the setback on lot three was set to I believe 75 feet in order to get the frontage requirement. And that's a real problem with our frontage requirements, they just don't work on a cul-de-sac. In this particular case, I don't think it makes much difference. I don't think there's any way to build that close on that lot. But nonetheless, I'd like for us to pursue that sometime. That is frontage requirements and cul-de-sacs.

**Chairman Benyshek:** Okay. Any questions? Steve or, Greg, any questions of staff at this point? Okay. Oh, sorry. We got one taker here. Go ahead, Matt.

**Vice Chair Scherer:** I apologize. Is tract A supposed to be covered by a covenant? That's the open space near the entrance?

**Dustin Parks (Staff):** Yes. All of the open spaces are supposed to be covered by covenants.

**Vice Chair Scherer:** It is coded differently on the plat?

**Dustin Parks (Staff):** Yes. I should say the request from the Planning Commission for a condition of final plat was that all of the open space would be covered under the covenant. As shown on the final plat, Tract A does not have platted buffer. But the request is that it is still covered under the covenant as open space.

**Chairman Benyshek:** Okay, thank you, Dustin. With no further questions of staff, we will go ahead, at this point in time, if the applicant or applicant's representative is present you may take the podium here and take just a minute here while we get our camera adjusted so you're on the spot there. So, if you would go ahead and state your name and address there and go ahead and take off.

**CL Maurer, Surveyor for Landplan Engineering:** My name is CL Maurer, with Landplan Engineering. I have a few comments I mean; we've gone through streets have been approved by engineering through public works. The water lines are being done Bartlett and West, which works for RWD #13, they have gone through the plans, I haven't seen them yet

that, they told me there were doing to do that and that was three weeks ago. So, but I know it's being upsized. At the same time, I haven't seen the fire hydrant locations for that. So roughly, that'll be three hydrants along there. One in the front, one in the middle, and then another one at the far end. So at least you will have those three. You don't really don't have a standard for water pressure and water gallons per minutes required that you will at least have a hydrant moving water. We just don't know how much water.....(inaudible)... that will then change once they get their improvement done up Stairstep to their...(inaudible)... which I think they said was 2024 was budgeted amount. So, a couple of years out. So I'm gonna address a couple of your comments, Paul, on the septic system of those four lots you brought up. They are called a mound system and basically what that is, that the rock is too high to the ground. They'll go down to that rock surface and then they'll put a layer underneath there, and then they'll start going up into your regular lateral fields. Now a lot of times those will have grinder pumps, in the basements of those units that then go to the that, and that whether that's on the surface, so that locations, we did of those lateral fields, I showed them all to this where I believe would be downstream of the houses, that that may not happen, they might have to go to the top of the hill and pump it up there. But I don't know that until we know the size of the house, all that kind of stuff, this factor. So that plan was just to let you know, yeah, the lots big enough. Those are 100 by 200-foot areas that I just plopped on. Those are more than enough room for a lateral field. So, it's extra-large, for whatever reason, but I didn't know what house to do it, but heard ....(inaudible)...The homeowners association, it will be formed. Dustin, you got to understand on your comments, you said that needs to be filed before the final plat. It's the other way around, we got to file that final plat, because the homeowner's association is going to be about the number of lots in the book and page of that final plat being filed. So that needs to go on homeowners' association. It's kind of working backwards so that we need to get the final plat filed first, and then we can do the homeowners association, which then addresses the book and page of that final plat. That's just a process within the....(inaudible)... they have to do.

**Dustin Parks (Staff):** And I apologize for that. I meant filed with our office. I should have been more clear because we're dealing with the deeds office too. So, I apologize about that.

**CL Maurer, Surveyor for Landplan Engineering:** Okay, sorry. Tract A you mentioned that will be maintained by the Homeowners Association. That's part of the green space. The reason it's a separate tract is that they can we just didn't put that lot that allows aren't big enough for that long narrow strip. And then your setback requirements, yes, I wish it would change. It makes it real difficult on some places, we have a narrow 3 ac. lot. You go back on that cul-de-sac. Sometimes it's just a hard time getting that to work. Do you have any questions for me? Again, this is a final plat. This is your last stage. We've already had discussion about preliminary.

**Chairman Benyshek:** So yes, this time if Commissioners have any further questions of the applicant here, now is the time. Steve or Greg have any questions there. Paul? Go ahead, Matt.

**Vice Chair Scherer:** This is probably not terribly fair since Bartlett and West is doing the hydraulics, but as you mentioned they don't know what improvements on Stairstep will do for them. I'm just a little surprised the Water District is providing....(inaudible).... I wonder if that was discussed at that time.

**CL Maurer, Surveyor for Landplan Engineering:** It was discussed and normally we do not do that. But one of those cases where I have a detention pond there, I have a dry standpipe designed to go into that, but when we start doing the water line, we're going to do a 6-inch line. There was no reason to spend the extra money for that. Because they're in a fire code. There is a stipulation. If you have a (inaudible) at a certain size, you can use that for the standpipe. But they had pumpers on the truck they strapped to it. And then they can fight a fire. Yeah, we I talked to Bartlett and West last week and find out what (inaudible) they were going to use but they we're sure yet. Maybe by the time I get to the County Commission meeting. I'll have the answer.

**Vice Chair Scherer:** Inaudible....in your back pocket. Thank you.

**Chairman Benyshek:** I just have one real quick question enough to get worse here but on like the properties that have potential for a mound system versus the traditional lateral field and tank there. I'm no expert on septic by any means but what type on a residential. I've seen mound systems done on commercial uses and they last for a long time. They don't have a lot of flow per se on a commercial business. But you know, I'm not sure what type of houses are being built out there. But if you get you know, 2-3-4-bathroom house with a lot of kids, it could be a lot of water flow going through there.

So, I didn't know what a typical shelf life on a mound system is if they and I know that's contingent on a lot of facts, but I was just curious about that.

**CL Maurer, Surveyor for Landplan Engineering:** What we've done in Leavenworth for the last 10 years, we haven't heard anything back from those. So at least, we know a 10-year life. Miami County requires them down there. They have so much rock down there. We did those 20 years ago. But like you said, it all depends on who puts them in.

**Chairman Benyshek:** Sure. Sure. Yeah. Just curious. I just know that eventually usually mound systems tends to have to be potentially replaced or the grinders on them.

**CL Maurer, Surveyor for Landplan Engineering:** It's the grinders on them that you are replacing quite a bit. (Inaudible) That's, that's what you're going to have to replace.

**Chairman Benyshek:** That's the only question I have at the moment. Before we move on here, any final questions for the applicant here? Okay. Well, thank you very much. So, our next section here, if there's anyone else present in the meeting tonight that wish to speak in favor of the application, either present or on the Zoom meeting, now would be the time to do so. Believe we have anybody else speaking in favor. So now is the time for those present who would like to speak in opposition to the application here. If you're present, we'll start with the folks in room here first, now would be your time to take the podium and state your name and address and present please. Go ahead.

**John Cross (18481 Northwind Dr):** Hi, my name is John Cross. 18481 Northwind Dr. I've been a resident since 2009. So, I've seen a lot of change happened, I was part of the whole issue that we had with the road, the benefit district, we're still paying for that, by the way. I'm not necessarily opposed to this project. I just want to be sure that it's done right. I'm happy to hear about the water. You made an agreement, because we were told that we were going to have to pay for that. So, thank you for that. I also would request that the hydrant be put at the end of Northwind drive and Washington, that makes the most sense to me. So, the fire department could go west. I guess. My wife and I, we just went through a mortgage refinance and our home appraised at quite a nice rate. You know, we don't know what type of houses are planning to be built. We were you know, our concern is that they're not low income that they that you know, because obviously, listings are based on comps in the area and you want these houses to be three, four bedroom three, four bath, you know, 500,000 plus, you know, that's what we're seeing. So, is that something that? I mean? Do I ask? I don't ask you a question. I guess I just want it done right.

**Chairman Benyshek:** I'm not meaning to sound rude. That question is something that you all can discuss potentially after the meeting. We are here, unfortunately, to discuss the final plat for the Zoning Commission, not the proposed properties that are going to look to be built on that. So, as I stated, I'm not trying to come off rude to you here, but most of the questions we have here need to be pertaining to any zoning issues or issues with the final plat of this property.

**John Cross (18481 Northwind Dr):** I am happy to say that about what I heard tonight, water, roads, hydrants. I'm happy with that. So that's all.

**Chairman Benyshek:** Okay. Thank you. And moving on here, is there anyone else in attendance this evening who would like to speak in opposition of the application or do we have anyone on our Zoom call?

**Alex Knudson (18360 Northwind Dr):** Hi, this is Alex Knudson. I'm not sure if you can hear me or not.

**Chairman Benyshek:** We can, we can hear you loud and clear Alex. Go ahead.

**Alex Knudson (18360 Northwind Dr):** Okay, great. Yes, I'm at 18360 Northwind drive. Hi, good evening, thanks for turning the camera around. Um, a couple of questions that I had in regards to the plat. In the preliminary plat process, the traffic study that was done, the locations of the traffic study were done at the bridge coming in from Wellman on 1st or 2400 Rd. And additionally, there was another traffic reader that was done at 1st and Washington. And I believe that there was one more done as the staff packet has indicated up towards a little further north on Washington as well where the 188 vehicles per day was recorded. I think that the traffic study that was done failed to accommodate and to actually track and measure the traffic that is going across Northwind drive. And as you guys consider what needs to be done with that County

road as well as Northwind. You know, Mr. Johnson, I appreciate your questions in regards to the grade and the level of the road that's going to be maintained there. So Northwind gets a considerable amount of traffic from the north. So, most people come in off of Wellman, they go down that little half mile on the County line, then they zip up through Northwind usually driving quite fast actually. And then they carry on north further up on Washington. So, the traffic study that was done, I think, personally, my husband and I were amiss, that the traffic study actually didn't take into account the traffic that is going across Northwind. And as Mr. Cross communicated to you guys, and I'm sure you know, we continue to pay the specials on Northwind Drive, it is a chip and seal road. And so, there is a varying degree. I didn't catch Ben's last name. But that expert that you had called in Ben, a million miles, or a million dollars for a mile is kind of an older cost analysis from my experience. And it doesn't take into the account that Northwind actually is chip and seal. And there could be some adjustments that I think the County both Grant township as well as Jeff County, and Douglas County in your conversations, you need to make consideration in regards to a much higher traffic count than what the traffic study produced for you. So, I think that the traffic study that was done, was done in such a way that it did not account for the traffic that's actually on Northwind. So, my suggestion, and my request of you is that you would make consideration for that. Even further requesting as you study what to do with this road, and how to make accommodation for it, that you would have a traffic study done, where it actually accommodates the cars that are coming per day, on and off of Northwind both on that connector to 1st or 2100 as well as to Washington, because that would give you a much higher or accurate I would think vehicle traffic count for Northwind. And additionally, I understand looking at the contract with the developer and the rural water district that the developer is 100% responsible for this six-inch line. And I just wanted to make sure that that was true. I understood by looking at there's a provision in the document, looks like it is under 1H, that if the cost exceeds the amount of the deposit for the construction process, the district shall be reimbursed us, I'm sorry, I'm actually reading the wrong part. It was maybe just above that. I believe it's an E said the district is in charge of choosing the bid. The developer advances the entire amount of the contractor bid. And essentially if there's any discrepancy the district is not responsible for the costs. So, I wanted to confirm that with you all. I'm not sure if that's with you or with the applicant but I did want confirmation of that. I understand that the rural water district is actually applying for a USDA grant. Not sure if you are aware of that or not. But in that grant process, there are costs that are expended to the rural water district. And I'd like to know and wondered if you guys have done any research on where the costs for that USDA grant are going to be spread to the district going to hold that entirely? Is the developer going to be considered? Is the developer going to have any responsibility towards that USDA grant? What would that look like? Typically, those costs in a rural water district are spread across the constituents of the district. Thus, although the developer carries the cost of actually laying the six-inch line for the development, the other costs that are borne that are ancillary to the actual development are borne by those who are already in the district, such as myself and my husband. Lastly, I just wanted to note that the lower LESA score, is actually due to the the Commission's decision. So, it's not just that because, you know, the lower LESA score actually was caused because of a decision that the Commission made. So just to clear that up that it wasn't like it happened to be this way. But that, due to your decision, this is a consequence of that. And then, lastly, the 50-foot buffer that is on the Washington Estates final plat, it's on the north and the west side, I understand that you can't do a 50-foot buffer on the south, although that's where the people are. So, the people that you guys are serving in your roles as Commission and at the County, that detention pond is what we're most concerned about, for those that are on the north side of Northwind. Because all of that detention and runoff of that hill, that's between and there's there's a pretty good grade. Last time I attended the Commission, I believe we talked about there being a fairly significant grade. And it sounds like I appreciate that Landplan has done some additional engineering to look about rate of water flow and create a larger detention that when then what was originally calculated. But the buffer is meant to be for the not only for the people that would be living in Washington State, but a Washington estates, not the state, but um, but for those and Northwind as well. So particularly those on the north end of Northwind. So, you can't do that with a detention pond very easily. So, I would just ask that you guys would make consideration, I do note on the plat that I believe it is a lot, it's the far east one. It's only a 25-foot buffer, versus a 50-foot buffer. And it's lot 12. So, consideration for that. That particular those homeowners that are on the north side of lot 12 on the north side of lot of Northwind. So, lot one, the east half of lot two, it just seems remiss that they are only getting a 25-foot buffer to this development coming into the north. So, I would love for consideration for that to be extended, expanded to the 50-foot buffer. And if additional buffer could be done for those lots, lot 11, 10, 9, 8 and probably even 7 as it relates to the detention easement. I'm not quite sure from an engineering perspective how you'd be able to do that. But that's the consideration that I would love for you guys to consider as you're looking at this final plat. Thank you for your time, appreciate your service too.

**Chairman Benyshek:** Excuse me, I am going to maybe go against the grain here. But before I do that, I'm going to ask if there is anyone else further that would like to speak in opposition of the application before we give the applicants chance

for rebuttal here. Seeing none, what I mean is in the applicant's rebuttal if you guys so choose to give a rebuttal. I guess you'd say I would allow you to maybe address Ms. Knudson's concerns if you so choose in a rebuttal there. But if not, that is completely fine as well. So, if you guys would like to make a rebuttal to any of the opposition, now is your time to speak. Name and address please?

**Dustin Baker/ Ethel, LLC (Applicant):** Dustin Baker, Ethel LLC, PO Box 3789. I appreciate your time tonight. Thank you, guys, for coming and hearing about the project. I will address, I want to address one thing about the water line in particular, I've never even heard the USDA grant. We are responsible for the improvements to the water line, or it won't get done. I mean, that's just the bottom line. We're paying for it. We've already we have the agreement. And if we don't pay for it, the water department isn't doing it. So that's all I have to say.

**Chairman Benyshek:** Before we close the public portion of our hearing here, I'd just like to make the request if any Commissioners have any questions for either the applicant or any of the opposition before we move into our further discussions here? Matt, go ahead.

**Vice Chair Scherer:** I would like to ask the applicant, why it's a 25-foot buffer on the south end of lot 12. It does seem a little contrary to everything else. I don't see any obvious reason that it couldn't be 50.

**CL Maurer, Surveyor for Landplan Engineering:** Well, it was more with the other plan and the way things were setting up was it was on the drainage of that lot and how it was being handled. And then from there on to the west, we have a 20 foot or 30-foot drainage easement, which is basically a berm for the people to the south to catch all that water. And then when you get in here with the pond, what we did for the detention, it takes into lots 7, 8 and 9. We were trying to kind of (inaudible) Does that make sense?

**Vice Chair Scherer:** So, I understand, and I think everything except like 12.

**CL Maurer, Surveyor for Landplan Engineering:** Right, everything but lot 12 but I was just saying by the time you look at the square footage of the detention pond, and everything done up to that lot 12. If you take a 50-foot swath all the way across there....(inaudible).... Also, that water from lot 12, also drains back to Washington St, so we were just trying to balance things out.

**Chairman Benyshek:** Is that your only question Matt?

**Vice Chair Scherer:** Maybe? I think that is it.

**Chairman Benyshek:** Paul? Steve or Greg, any questions for the applicant or any of the opposition here? Okay. I do not have any questions at the moment. So thank you for everybody who spoke here behalf of the applicant and everyone opposed to the application at this point in time we'll go ahead and close the public portion of our meeting here and the Planning Commission will discuss the case further if we have any more questions of staff or just general comments on the case here so anybody on Zoom or here in person that has comments or questions go ahead.

**Chairman Benyshek:** Okay, I'll back up then, I'll reopen the public side. Go ahead and stand up and state your name and address for the record. We will go ahead and take your comments.

**Kent Nunemaker (18421 Northwind Dr):** Kent Nunemaker, Northwind Drive, 18421 Northwind Dr. Also, property next to Mud Creek. My only question was, where they expand the waterline from Mud Creek all the way straight east on County Road one. And then Washington or does the waterline expand from the Mud Creek to around Washington Drive. That's my only question. Because I didn't know if it came up straight from the airport on 1500 road or if it..... Thank you, sir. I'm sorry.

**Chairman Benyshek:** You're fine. Okay. Now we're closed for public business. How about that? So, I will ask once again, from the Planning Commission here. If there are any further comments or questions among our group here or questions of staff at this time? And if oh, Paul has one.

**Commissioner Johnson:** I guess I would like clarification on especially the comments made about the vehicle counts, and where those were done. And I wish we would have had some of that, you know, we could have asked Ben about exactly that specific comment made in opposition or concerned about whether we had, you know, a true picture of what people are doing to cut through and etc., you know. And then I guess a follow up comment is, if we're dealing with gravel roads, and we're dealing with dust problems, and does the County make, if you're gonna put that many more cars on some of these roads, then, you know, is the County obligated for, you know, what, whatever sprays that they do, or, you know, road, dust control?

**Chairman Benyshek:** Great question for your local County Commissioner.

**Commissioner Johnson:** Well, it will be in the minutes of this meeting. I hope that Road and Bridge will. And I think it's a fair comment about whether it was it was accurately portrayed as to what you know how the vehicles are circumventing the various roads.

**Chairman Benyshek:** Matt you have a comment on that?

**Vice Chair Scherer:** I think part of the problem for me is that was back in November or something like that. And we did see some numbers more so than in our in today's packet. And I don't recall them well enough. And actually Ms. Knudson referring to those. I was gonna ask Dustin if he had those right handy.

**Dustin Parks (Staff):** Let's see. So, we did have for the preliminary hearing, they did have traffic information based on trip generation estimates. And that's where we had the total of, for the 12 lots, it was 9.4 per day per lot, which would be about 113 trips per day for the subdivision itself. And it looks like these were done. The numbers that I believe was referring to for the packet has the location. They're just off of the just between the Mud Creek and Northwind on 1st and 2100. Then north of Northwind on Washington and south of 1st Street. Those numbers were the most recent numbers that we had, as of the October hearings for the for the preliminary Platting. And I believe and this would have been more of a question for Ben. But I believe the idea was the reason they did to the west of Northwind, to the north of Northwind and to the south of Northwind, was to kind of see just how much traffic is bypassing through Northwind. And you can kind of see if you and Ms. Knudson is right, in that you can kind of see it. I agree the numbers, that that the information definitely could have come better from the Road and Bridge department on those traffic counts. But what you can kind of see is that if you take your 276 vehicles per day, and again, that's back and forth, you know, that's, that's total trips. And then the 188, you can definitely see where nobody's really going south. And so you can make the assumption that they're probably not going all the way across 1<sup>st</sup> street to go north, you can probably make the assumption that most of those vehicles are either going straight south, which the difference of 102 and 188 vehicles per day on average, versus the 276, you can kind of make the leap there. That and it's not a difficult leap to make that as soon as traffic hits Northwind from Washington, or 1st, they're cutting across to the other side of you know, whichever side that is. But I don't have any more up to date numbers, then those numbers that are reflected there. I can say, let's see...

**Vice Chair Scherer:** If I can interrupt, Dustin, that 102 vehicles per day is southbound on Washington extended into Douglas County.

**Dustin Parks (Staff):** Correct.

**Vice Chair Scherer:** That helps. That was not in the packet.

**Dustin Parks (Staff):** It wasn't? That map?

**Vice Chair Scherer:** The map with 102 vehicles per day was missing.

**Dustin Parks (Staff):** Oh, well, I apologize. Here, let me share this real quick. So, this is where we have the 276, 188 and the 102 heading south. And so, this number here would also be Douglas County or in Douglas County, I should say. And so, you can definitely see where Northwind is kind of a I'm gonna say a shortcut for the traffic traveling here. And so, I apologize. That's why I may have had a confused look. But that's I didn't realize that that portion didn't make it in your packet. So, I apologize about that. But yeah, you can definitely see where Ms. Knudson was talking about Northwind kind

of being a shortcut between Washington and that portion of First Street. I don't know if I actually answered your question or provided worse information.

**Vice Chair Scherer:** Oh, that's all I was looking for.

**Chairman Benyshek:** Any further questions, Matt? Steve or Greg have anything for comments questions? Paul? Well, go ahead Matt.

**Vice Chair Scherer:** Dustin, did you have a draft motion? I don't believe it's in the packet.

**Dustin Parks (Staff):** It's kind of sounding like maybe a couple pages were not included in your packet and I apologize about that.

**Chairman Benyshek:** So, with no further discussion, like I said, we've reached a point here where we would entertain motions for a recommendation for approval or denial of the application on here so, care to make a recommendation here. Oh, okay.

**Vice Chair Scherer:** Dustin, I note that you don't have the condition for provisions regarding maintenance on your recommended final motion? At least, I don't think so.

**Dustin Parks (Staff):** No. So that was much like what CL was talking about. That's something you can definitely add here. But from a regulatory standpoint, I can't recommend something that goes above and beyond what our regulations are for property specific. So, if you want to include as a condition that's absolutely fine. And I actually would agree with that. But the requirement for it was written as part of the final approval from the County Commission as well. And so, I had some I had a dilemma on whether or not to include it as a condition or much like I stated where the where the County Commission would take your recommendation, like with the rule exception, and not allow any building permits until that was filed. And I'll clarify that until it was filed in the deeds office if it were approved and filed, the plat filed or if it's if the covenant is filed in our office where I can take it to the County Commission they can review it but guess we need to specify that if you want to have that as a condition.

**Chairman Benyshek:** All right, well still looking for a recommendation, or sorry, a motion for approval or denial whatever application we have in front of us here. We have the choice to potentially table the matter, but I can't say I would recommend we probably do that.

**Vice Chair Scherer:** Mr. Chairman I'll make a motion to recommend to the County Commission approval of PR2022-04 with the following conditions: the proposed subdivision roads shall be designed and constructed to meet all County requirements, including pavement specifications, of Resolution 97-25 and applicable subdivision design standards. That the Governing Body approve a Rule Exception on the Final Plat pertaining to Section 4-102(18) street standards and Section 4-104 block length, allowing the main subdivision roadway (cul-de-sac) to exceed 1,320 feet in length as shown on the Final Plat. Lastly the Planning Commission also recommend a condition that would not allow any building permits to be approved until a covenant outlining the maintenance responsibilities for all natural buffers, open spaces, and drainage easements has been filed with the Register of Deeds office.

**Chairman Phillips:** Steve, I seconded. That was an impressive motion Matt. Second.

Votes were taken by Ayes and Nays as follows:

<b>Tim Benyshek Chairman</b>	<b>Matt Scherer Vice Chair</b>	<b>Tiffany Asher Secretary</b>	<b>Stephen Phillips</b>	<b>Paul Johnson</b>	<b>Greg Hazen</b>	<b>Vacant</b>
DNV	Aye	---	Aye	Aye	Nay	--

Motion passed 3-1

**Chairman Benyshek:** And thank you to our attendees. So, moving on to Item 6.

**Commissioner Hazen:** I wondered if, can you hear me now? Okay, I wanted to, before we moved on, if I could just express my appreciation to Ms. Knudson for taking the time to make the comments. Unfortunately, I don't think we can address all of them. But I would suggest on water issues go talk to Rural Water District 13 at one of their board meetings and I think they'll be able to answer your questions. And as far as the drive through traffic, which I'm very sympathetic to, why not call Lynn Luck, and see if she can do anything for you.

**Alex Knudson (18360 Northwind Dr):** Thank you for your comment, I appreciate it.

**Item 6: COMMENTS FROM THE PUBLIC ON ITEMS THAT ARE NOT ON THE AGENDA**

**No public present at this time.**

**Item 7: OLD BUSINESS, GENERAL STAFF REPORT**

**Dustin Parks (Staff):** I was going to discuss the accessory dwelling unit information. But I'm actually I've got quite a few comments from Commissioners, that I'm kind of piecing into the reg that that I was kind of drafting. So, I would like to take that take an opportunity to say thank you to those who have sent me information and sent me questions regarding that. And I will hopefully now, this is partly new business, but it pertains to old business. Next month, we have six cases. So, I am hoping to provide a draft resolution at the next meeting after that one. I know that puts a little bit of delay on it. But thankfully, it's one of those kinds of regulations that, that I feel we're going to have a few discussions on. And kind of an ongoing, you know, fix to the to the regs that we've been looking for. But it's not what I'm going to call mission critical. You know, it's not a big glaring emergency that needs to be fixed. I'd rather take the time to provide a good draft regulation and have the time for us to discuss some of it, then I would try to fit it in, you know, in little bits where we could. So that said, there's that. Old business, I'm still waiting for the County Commission to finish their budgetary requirements stuff before I broach the 'hey, what do you think of the RFP' conversation with them. So, I'm hoping to do that probably the well, it would probably be their meeting on the 12th because they won't have one on Labor Day and all the budgetary stuff is going to be settled next week. So hopefully, I'll be able to approach them on the 12th and say, hey, you know, for the RFP for the Comp Plan, what do you guys think? Let's start a discussion there. And to kind of curb on some of Paul's questions prior to the meeting. One of the big issues that we're going to face with that is data collection. And how do we aggregate the data from the public in terms of, because we're going to have online surveys, we're going to have in person meetings to discuss the changes to the Comp Plan that need to be done and the redo because it's not just changes. But a big portion of the RFP requirements are based on the contractor, consultant, whoever, who's going to be assisting with that, be able to assist with the data as well. And so, what my plan is, is once the County Commission gives there, okay for the RFP, then I'm gonna put it out to the prospective people we have on the list for all those agencies, the different engineering firms, and the like. And then I'm gonna bring their proposals in, I have to follow bid guidelines, obviously. And you know, handle those according to, to KORA. But my intention is to bring them to bring them in to discuss their data collection methods, and what we think would be the best fit for us in that regard. So, there's, there's a big move, there are gonna be some big moving pieces to that. But I feel like it's more of a more of a conversation to have once we have a better grasp of who's applying and what they're capable of. So, I'll bring more information on that when I have it. And, let's see, previous cases were approved. We did have our hearing for the Lakeland Estates, the 118th and Ferguson. That was held on August 8<sup>th</sup>. Previous to that, the week prior, August 1<sup>st</sup>, we went out to the site, we, being the County Commission, and myself and Ben Domann. Ben Domann, the Road and Bridge supervisor, who was on the phone earlier this morning, or this morning. I've been here since 630 this morning, who was on the phone earlier this evening. And he went out and we did as well as the paper and we did some measurements and walking of the property, and they inspected the entrances and made sure that there was plenty of sight distance. The members of the public who were present at the previous hearings were there for that, then we held the hearing on August 8<sup>th</sup>, and no members of the public showed up. So, that was kind of a surprise. The County Commission did approve that one after the site inspections. They approved it on August 8<sup>th</sup>. And then the previous hearings that we just did in late July were also approved the 15<sup>th</sup>. So, all those previous cases were approved, based on recommendation from the Planning Commission. But as I stated, the Lakeland Estates one was the one where one of the Planning Commissioners stated that as a condition of approval, they had to file a covenant with our office prior to the official filing, so that they could confirm that some of the stuff that was said at the meeting is actually in the covenant. And

I imagine that's kind of what may happen here. But with the case that was just voted on, but I won't know that till we take it to the County Commission. So that's all my old business.

**Vice Chair Scherer:** Dustin, I guess I should have thought of this when we were looking at the RFP and maybe we did, is there a data management section in the RFP that requiring the vendor to explain how they're going to manage all the data they are expecting to collect?

**Dustin Parks (Staff):** No. I am. I'm searching for it. I'm just going to have to pull it up on PDF it's not directly in front of me. So, hold on for me just one second here. Because I want, I want to make sure I give you the right wording. Okay. What we saw what we kind of have is what we expect the consultant to do. We don't have, we have a section called data collection analysis, and it'll be.... I'm just going to read it to you....perform existing conditions analysis to inform projected future conditions and constraints and opportunities. Update the public profile existing conditions section to reflect 2010 and 2020 census and other available data to profile natural conditions, major infrastructure that's been built, communication infrastructure, recreational community facilities, demographic trends, economic conditions and land trends, evaluate soil characteristics, identify our most important assets in project future development areas and infrastructure analysis, and then update our maps or provide mapping data with, with that data. But we don't have specific here's how we want the data collected. We have a lot of here's the data we want collected it, but not a, here's how we want that data collected, if that makes sense.

**Vice Chair Scherer:** And it might just make sense to ask them how they're going to do it rather than....

**Dustin Parks (Staff):** Right. Yeah, and I think that's I think, because when Kelly because Kelly wrote 99.99% of this. And in talking to her when she wrote this, that was kind of her thing is that she wanted to make sure they knew what data we were looking for. So that then we could approach them about the data collection methods they're going to use.

**Vice Chair Scherer:** Okay, thanks.

**Item 8: NEW BUSINESS – Discuss upcoming Accessory Dwelling Unit Text Amendment.**

**Chairman Benyshek:** New business. You already touched on it a little bit. But I don't know if you want to go any further on to the accessory dwelling units text amendment here or not.

**Dustin Parks (Staff):** I don't think tonight. Like I said, you know, I've gotten some good questions on it. You know, the Douglas County one is the reason I used the Douglas County one is a) it's amazing how often we hear well, I'll just go do that in Douglas County where it's easier. Followed very quickly, within a month or two of, we didn't realize Douglas County was that difficult. And because theirs is so comprehensive, because of all their other standards, that I felt it was a good, a good mix of here's some stuff that I think would work for us. And here's a bunch of stuff that you can go this deep with that we don't need. So, I just wanted to show you as the board, what the full breadth of what that looks like is because it can be as simple as we will permit an accessory dwelling unit that has to be in an accessory structure. It cannot be, you know, wholly a dwelling, and then define what that means and leave it alone. But I think there are some questions in there about, you know, transient guests type things like, you know, seasonal farmers, there's questions about, you know, family living in it for long periods of time, which I intended this to be more of a permanent dwelling type thing. But I don't think it's within our purview to limit, like Douglas County specifically says, you know, you have to live in this for at least three years and be one of these categories. I'm not policing that. I'm not going door to door to accessory dwelling units and saying, Hey, how long have you lived in here? You know, I intend it to be more of a permanent dwelling that the family can use. Because, for me, the big thing is when we get people who are sick, that's the biggest one that we tend to get is, you know, I've got elderly parents, and they need a place to stay. We want them close to us, but they still want to be independent. And we have regulations in place for that right now. But it requires a public hearing process that can take upwards of 90 days. And even then, whatever they do is temporary, they have to remove it when it's all done. And, you know, sometimes you find this stuff out. For instance, in my own personal experience. One weekend I went and visited my folks. And my mom mentioned that she wasn't feeling well. She went to the doctor that Wednesday. By the following Saturday, she was on chemo because they found out she had colon cancer, stage four colon cancer. And you know, if she had needed a place to stay, those 90 days were crucial. And so, and there are other situations, but I don't think we should have people go through a public hearing process for something like that, where they have the ability to do it. And that's

one of the big reasons for this accessory dwelling unit. And so, I don't want to limit the timeframe a person can stay in those. That sort of thing. Sorry, I got on a soapbox there. I didn't mean to.

**Commissioner Phillips:** Policing possible of who's in there?

**Dustin Parks (Staff):** No, it's an honor system. And I don't know how Douglas County would even police it to be honest. I know they're; I know they don't have they have more staff than we do but not by much.

**Commissioner Phillips:** And do we really care does it make a whole lot of difference who's in there?

**Dustin Parks (Staff):** It really doesn't, I want it, you know, basically it's, it's, it's essentially a secondary dwelling that people can use on their property. That's the intent.

**Chairman Benyshek:** I will say I have a customer that's in Douglas County that has went through the process, and they have built their accessory dwelling unit, and it is up and going, and they had a lot of boxes to check, let's put it that way before they get it put up. So. And essentially, it was a, it was a unit for grandma to live in.

**Dustin Parks (Staff):** Yep.

**Chairman Benyshek:** Go ahead Paul.

**Commissioner Johnson:** Dustin, I want to go back quickly to the RFP on the comprehensive plan. So, you're gonna get a kind of understanding first part of September, as to what budget will be available to do this. And then and, you know, having, thank you for sending out this RFP. I read it, reread it, and and I have some questions and comments about it. But I think Kelly did a good job, but so you get the budget number, then you're going to send it out to that full list of potential applicants. And then how does the process work beyond that.

**Dustin Parks (Staff):** So that is where they will submit their applications per what the RFP states, and the RFP has, you know, specific conditions of how they can submit when you know, and well, we'll have to put in dates and that kind of thing. They have to submit it by this date, we have a working budget of x, you know, and then we would then move on to the final selection phase, kind of after. So it would be like a release, then they can submit questions to us on the RFP, and then we give them a dead by date, which is, you know, anything received after this. We can't accept, and then we get to review those proposals. And then we get to select the proposals. Now the thing that I need to clarify is, I don't know if that's a, if that's a closed bid process. I don't think it is, because it's an RFP, we're putting it out there. But I just want County Counsel to look at me and say, yes, you can review them without opening them or with opening them. So, but I want the County Counsel to approve what that is. So, the next step, after sending it out, would be, they get to submit questions to us about those RFPs. And then we give them a date, that they can no longer submit questions, and then they can submit their proposals. And then we review those proposals.

**Commissioner Johnson:** The Planning Commission may or may not play a role in that. More so just to the County Commission?

**Dustin Parks (Staff):** Yes, yeah, a lot of that will be brought before the Planning Commission. And then before we even do the consultant recommendation, we'll start forming a committee for selection to actually select the folks. So, my how I envision it is that we'll go in front of, we will get the report with the proposals, we'll review them, then we'll, we won't select them. The Planning Commission won't, I won't, the County Commission, obviously has the last say, but we'll form a selection committee, who will then review those and decide on the best one. And then that's the proposal that we take to the County Commission for approval, then it kind of goes from there. But yes, the Planning Commission will be a part of the review process of their submittals.

**Commissioner Johnson:** And last quick question. What's a realistic date that the that we can actually have a confirm, you know, a successful applicant. And if we still think that, you know, this RFP it says, we're going to do this Comp Plan in 12 to 18 months.



**proposed property improvements at 39th & Ferguson Rd.**

Melissa Arthur <melarthur1011@gmail.com>

Fri 7/29/2022 10:21 AM

To: storage@lakeperryharbor.com <storage@lakeperryharbor.com>;Dustin Parks <dparks@jfcountryks.com>

Cc: Mike Ray <mraymassage@gmail.com>

Hi Derek & Shelly,

My husband, Mike Ray, and I live at 3778 Ferguson Rd. and overlook your property.

I am writing to let you know (as well as submit for public comment) that we received your letter of intent, and fully support your proposed improvements. Your plan adds needed services at an already well used intersection for lake traffic. I don't anticipate that the proposed improvements will have any negative impact on us whatsoever.

Best wishes with expanding your business, Melissa

--

Melissa Arthur

785-817-6503

**Re: PR2022-04 Notice**

Dustin Parks <dparks@jfcountyks.com>

Thu 7/28/2022 4:39 PM

To: tlgolden@juno.com <tlgolden@juno.com>

Cc: mlluck23@yahoo.com <mlluck23@yahoo.com>; Erin George <egeorge@jfcountyks.com>; Donna Jones <djones@jfcountyks.com>

Good afternoon, Terry,

Thank you so much for reaching out to us about the comments submittals and report posting dates in the letter you received.

The reasons behind the dates listed are that when we create our staff reports for the planning commission (which are the reports referenced in the letter), we make note of how many written comments were submitted by the public, a summary of the issues raised by the public, and also provide copies of those written comments as part of the reports. The staff reports also encompass information regarding all the cases being heard at the meeting, and we must give the Planning Commissioners enough time to review those staff reports and any submitted written comments before the meeting. For example, on the night of the meeting for PR2022-04, there will also be a development plan amendment hearing for a local business. Those involve development plans and condition reviews which can take quite a while to review, not to mention the information surrounding the case you're concerned about.

By setting a deadline for written comments before those reports are sent to the planning commissioners and posted online, we ensure that the planning commissioners have ample time to review the documents for the cases and any submitted written public comments. Please know, however, that you're more than welcome to submit written comments after the deadline in the notice, but as the notice states, only written comments submitted by the deadline will be included in the meeting materials (staff reports) we send to the planning commission. If you submit written comments after the deadline, we will also provide those to the Planning Commission, but they wouldn't be accounted for in the information we send to the planning commission as part of our staff report.

We recommend any members of the public who, like yourself, wish to see the staff reports before making comments that they make those comments during the public hearing. Jefferson County Planning Commission meetings are open to the public and available in person and via zoom for participation. The public is given opportunities to speak during the meeting, specifically during any cases the Planning Commission reviews. If you'd like to participate via Zoom, please let me know, and I'll send you the zoom meeting link as soon as we have it available.

I hope this helps better explain our process, and thanks again for reaching out. I hope you have a good rest of your day.

Dustin Parks, CFM  
Community Development Director  
Jefferson County, KS

300 Jefferson St.  
Oskaloosa, KS 66066  
PH: 785-403-0000 (Option 3)

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**From:** tlgolden@juno.com <tlgolden@juno.com>

**Sent:** Thursday, July 28, 2022 3:00 PM

**To:** Dustin Parks <dparks@jfcountyks.com>

**Cc:** mlluck23@yahoo.com <mlluck23@yahoo.com>

**Subject:** PR2022-04 Notice

Dear Mr. Parks,

I am in receipt of Date of Notice 7/25/2022 PR 2022-04 public meeting.

I have a question about the dates. The meeting is the 22ND and all reports will be posted on line no later than Wednesday 8/17. But the deadline to submit written public comment is 3pm on August 15Th, two full days before all reports will be posted on line.

I would think that the written public comment would be after the reports are available on line so the writers of any public comment could comment on any postings between 8/15 and 8/17. With the date of submitting public comment being on the 15Th it appears you are restricting public comment to those postings made prior to the 15Th and excluding public comment to those posted from the 3pm 8/15 and 8/17.

I suggest written public comment be accepted through and including 8/19/22 so all postings may be commented on.

Respectfully,

Terry Golden  
1465 N 2100 Rd  
Lawrence, KS 66044

## Re: Washington Estates development

Kristy McKinney <gikto9@gmail.com>

Fri 7/29/2022 2:08 PM

To: Dustin Parks <dparks@jfcountryks.com>

Thank you so much for responding and addressing these questions. You have helped alleviate most of the concern that I (and many of my neighbors) have that the county is unaware of the bad road conditions and unwilling or unable to address the issue.

Again, thank you for your time. Enjoy a beautiful weekend!

Kristy

On Fri, Jul 29, 2022 at 11:45 AM Dustin Parks <[dparks@jfcountryks.com](mailto:dparks@jfcountryks.com)> wrote:

Good morning, Kristy,

Thank you for reaching out to share your concerns and questions regarding the Washington Estates subdivision.

We don't currently have any regulatory-based requirements for developers responsible for upgrades to streets or roads that lead to a subdivision (inside the subdivision is a different story.) For this specific case, however, over the past year and during the preliminary plat hearing phase for this project, both Douglas County and Jefferson County road departments had conversations regarding the road's current status and the potential for this subdivision to impact the roads in the area further. It was discussed that within the next few years, Douglas County plans to convert their portion of 1st street into a hard surface road. There are also talks between our road department and the developer regarding the impacts on Washington Street and how best to mitigate those.

While I can't speak to exactly what those remedies would be, as I don't think they've been finalized between the departments and the developer, I can say that traffic and road issues have been a major focus of this application.

I hope this helps, and please feel free to reach out with any other questions you may have. I hope you have a good weekend.

Dustin Parks, CFM  
Community Development Director  
[Jefferson County, KS](http://Jefferson County, KS)

[300 Jefferson St.  
Oskaloosa, KS 66066](http://300 Jefferson St. Oskaloosa, KS 66066)  
PH: 785-403-0000 (Option 3)

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**From:** Kristy McKinney <[gikto9@gmail.com](mailto:gikto9@gmail.com)>  
**Sent:** Friday, July 29, 2022 10:03 AM  
**To:** Dustin Parks <[dparks@jfcountryks.com](mailto:dparks@jfcountryks.com)>  
**Subject:** Washington Estates development

Hi Mr.Parks,

Just this week I received a letter from the county concerning the development of the Washington Estates Subdivision. I recall receiving multiple similar letters last fall, and had many questions at that time. I was unable to attend any of the meetings due to care-giving for my husband who was terminally ill. I was thankful to receive this last letter so that, perhaps, I can get a few answers to my questions concerning this development in our neighborhood.

My main concern has to do with the increased traffic. Has there been any discussion on the toll this will take on the already under-maintained gravel roads - Washington Rd. and 1st St.? Both of these roads are sorely neglected, in my opinion, with potholes, huge rocks, and washboards that, at times, can be dangerous. Road grading happens, but not frequently enough to mitigate these issues. So I'm wondering what the county is planning to do to address this? Has there been discussion of paving these roads? Is there a plan to get both roads into a serviceable condition and keep them maintained to a better standard than we currently have in place? I do know that in other places where this type of development occurs, the expectation is for the developer to pay for such improvements that are necessary due to the impact of their proposed project. I'm just concerned as this area already has a great deal of traffic and, as I said, the roads are continually in bad shape.

I appreciate you taking the time to look at my questions. I don't know that I'll be able to attend the meeting in August, and I feel I'm so far behind on information concerning this issue that I would not feel comfortable posing any questions during that time.

With respect,

Kristy McKinney  
[18711 Jefferson Hills Dr.  
Lawrence, KS 66044](http://18711 Jefferson Hills Dr. Lawrence, KS 66044)

Re: PR2022-04

Alex Knudson <alex.knudson@pobox.com>

Tue 8/9/2022 5:15 PM

To: Dustin Parks <dparks@jfcountyks.com>

Cc: Alex Knudson <alex.knudson@pobox.com>; Erin George <egeorge@jfcountyks.com>

Sounds good. Thank you!

Thanks,  
Alex Knudson

On Aug 9, 2022, at 11:59 AM, Dustin Parks <dparks@jfcountyks.com> wrote:

Good morning, Alex,

I apologize for the delay in responding - the person who sets up our Zoom meeting information is on vacation. We're expecting to have the zoom meeting information available no later than Monday of next week (the 15th). I've got you on the list of folks who have requested the information, and I'll send it as soon as we have it!

Have a great rest of your week,

Dustin Parks, CFM  
Community Development Director  
Jefferson County, KS

300 Jefferson St.  
Oskaloosa, KS 66066  
PH: 785-403-0000 (Option 3)

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**From:** Alex Knudson <alex.knudson@pobox.com>  
**Sent:** Saturday, August 6, 2022 12:16 PM  
**To:** Dustin Parks <dparks@jfcountyks.com>  
**Subject:** PR2022-04

Hi Dustin,

We received notice of the Planning Commission Meeting on August 22nd at 7:00pm. Can you send the Zoom link to the meeting?

Thank you!

Alex Knudson  
18360 Northwind Dr.  
Cell: 316.208.6391