

Jefferson County Planning & Zoning Oskaloosa, Kansas

OFFICIAL

OFFICIAL MINUTES OF THE JEFFERSON COUNTY PLANNING COMMISSION

Minutes of Planning Commission Meeting of September 23rd, 2019

Item 1. Call to Order.

Item 2. Roll Call

Matt Scherer <i>Secretary</i>	Paul Johnson <i>Chairman</i>	Stephen Phillips	Gale Rudolph	Tim Benyshek	Brandon Newman <i>Vice-Chair</i>	Vacant
Present	Present	Present	Present	Absent	Absent	---

Item 3. Approval of the Agenda

Secretary Scherer moved to approve the Agenda as presented, Commissioner Rudolph Seconded –

Votes were taken by Ayes and Nays as follows:

Matt Scherer <i>Secretary</i>	Paul Johnson <i>Chairman</i>	Stephen Phillips	Gale Rudolph	Tim Benyshek	Brandon Newman <i>Vice-Chair</i>	Vacant
Aye	DNV	Aye	Aye	Absent	Absent	---

Item 4. Approval of the July 22nd, 2019 minutes
****Commissioner Benyshek arrived at this time****

Commissioner Rudolph moved to approve the minutes as presented and Secretary Scherer seconded

Votes were taken by Ayes and Nays as follows:

Matt Scherer <i>Secretary</i>	Paul Johnson <i>Chairman</i>	Stephen Phillips	Gale Rudolph	Tim Benyshek	Brandon Newman <i>Vice-Chair</i>	Vacant
Aye	DNV	Aye	Aye	Aye	Absent	---

- Item 5. Public Hearing**
CU2019-05 – A request to consider a conditional use permit application for a Retreat and Event Center with a Bed and Breakfast. The application was submitted by Scott Sayles of Iron Acres Ranch located at 9736 Westlake Road.

Chairman Johnson asked staff to give their report on CU2019-05 – Staff gave their report and recommended the following conditions:

- a) *Non overnight events will conclude by 9:00 PM on weekdays and 12:00 AM on weekends.*
- b) *A survey will be filed detailing the locations to be used for the proposed use within 60 days of an approval resolution being printed in the County newspaper of record.*
- c) *Amplified sound shall be directed away from the neighboring properties*
- d) *No RV camping on the property*
- e) *A gravel parking lot capable of sustaining at least 100 vehicles.*
- f) *A time line for implementation of phases shall be submitted, in writing, to the zoning office within 60 days of an approval resolution being printed in the County newspaper of record.*
- g) *Any Fireworks displays shall be limited to the time period of three (3) days prior to and three (3) days after the July 4th holiday unless approved by special event permit.*
- h) *A Jefferson County Health Department approved waste water plan of action for each phase shall be submitted to our office prior to the start of each phase.*
 - i) *Any improvements deemed necessary by the Jefferson County Health Department shall be completed at the property owner's expense.*

Chairman Johnson asked if any members of the board had questions for staff:

Secretary Scherer asked staff if there was any adopted code regulating the number of stalls needed for this type of application – Staff stated there were not.

Commissioner Phillips asked staff why they recommended not allowing RV parking on the property – Staff stated that the main reasoning behind the decision was due to the regulatory requirements for an RV park were not met in the application as it was presented. Staff further stated that the applicant made specific mention of utilizing local facilities for overnight accommodations in his application, so staff recommended that the applicant make use of those facilities in leu of onsite RV camping. Secretary Scherer asked staff to further clarify their staff report comments regarding not having available sanitary sewer on site for an RV park. Staff stated that the lack of existing sanitary sewer for the RV park is part of the not meeting regulatory standards.

Chairman Johnson asked staff about the permission of portable toilets. Staff stated that the requirements would be between the health department and the applicant.

Commissioner Phillips asked if there should be, or could be, a number of guests that trigger a portable toilet requirement. Staff stated that the requirements are ultimately up to the health department in what they will allow.

Commissioner Rudolph asked staff to define amplified sound – Staff stated that anything electronically amplified would fall under this category.

Chairman Johnson asked if there were any further questions, seeing none, he moved on the applicant presentation portion of the hearing.

Scott Sayles (applicant and owner of Iron Acres Ranch) gave his presentation at this time. Mr. Sayles explained the reasoning for purchasing the property, their current usage and future plans regarding this CUP application. There was general discussion between the board and the applicant during the presentation. Topics covered included the potential for a second northern entrance, the purpose for requiring a second larger facility, and the reasoning for requesting RV parking.

Chairman Johnson asked the board if there were any questions for the applicant;

Commissioner Rudolph asked the applicant how many events they foresee taking place on the property each year. The applicant stated that they are presently planning on 1 to 2 a month, not counting the retreats for ministries.

Commissioner Phillips asked how big the events would be. The applicant stated that they could be upwards of 200 or more people, but that he wasn't really comfortable giving a solid number.

Chairman Johnson asked how firm the timelines are for beginning each phase of the project. The applicant stated that he felt they were ahead of schedule at the moment but plans to stick to them as closely as possible. Chairman Johnson further clarified by asking how soon the applicant anticipated the cabins being built. The applicant stated that he would like to begin that phase as soon as the waste management side of things was done. He reiterated his previous discussion about using the pads for the cabins as RV camping until the cabins were built.

This led to a discussion between the board, the applicant and staff regarding what exactly was required to allow RV camping. During this conversation staff clarified that creating an RV camp ground is a much more in-depth process requiring public facilities.

Chairman Johnson asked if the applicant was proposing offering onsite camping – the applicant stated that he would like to offer that. This also led into a lengthy discussion regarding the difference between offering public camping facilities and facilities for events.

Chairman Johnson asked if there were anymore questions regarding the applicant's presentation. Seeing none, and with no members of the public present to speak for or against, Chairman Johnson asked the board if they had any more questions for staff or the applicant.

Secretary Scherer asked staff what type of timeline they are requesting regarding condition F. Staff stated that their intention was to not leave the CUP open ended and that any phases not completed by the time stated in the time line then a development plan amendment would be required. This led to a lengthy conversation between the board and staff regarding timeline requirements and what would give the applicant a better opportunity to provide a clearer timeline. Ultimately the board decided to go with staff's

recommendation of giving the applicant 60 days IF approved by the BoCC to provide staff with a timeline for phases would suffice.

Commissioner Phillips asked if the CUP goes with the property or the owner of the property. Staff stated that the CUP goes with the property, not the owner, unless a condition specifies something other than that.

Chairman Johnson discussed the grass and gravel parking lot size requirements with staff. Staff stated that since the building is not a retail space, but an event center, there are no parking stall requirements. As such, the parking locations would need to be outlined on the “to be” submitted site plan. Chairman Johnson asked why staff settled on room for 100 vehicles. Staff stated that their reasoning was an assumed 200-person event, with an average of 2 people per vehicle.

Chairman Johnson asked staff about their conditions with the language “Once printed in the County Newspaper of record” as it was the first time, he re-called seeing that. Staff stated that it had been in several previous conditions that required submitted site plans and that it gives a solid deadline.

Commissioner Benyshek asked staff to further clarify the difference between a “public campground” and something that can be offered to event guests only. This led to a discussion between the board and staff regarding the nuance of offering camping to the public and offering camping as an amenity to guests of events. This discussion leads to an amendment of the recommend conditions to allow for only 8 RVs at any time.

There was back and forth between the board and staff regarding the amending of conditions. The decided upon conditions were amended to read as the following:

- a) Non overnight events will conclude by 9:00 PM Sunday through Thursday and 12:00 AM Friday and Saturday.*
- b) A to scale site plan will be filed detailing the locations to be used for the proposed use within 60 days of an approval resolution being printed in the County newspaper of record.*
- c) Amplified sound shall be directed away from the neighboring properties*
- d) There shall be a maximum of 8 RV pads allowed.*
- e) A gravel parking lot capable of sustaining at least 100 vehicles shall be required with a grass parking lot for overflow.*
- f) A time line for implementation of phases shall be submitted, in writing, to the zoning office within 60 days of an approval resolution being printed in the County newspaper of record.*
- g) Any Fireworks displays shall be limited to the time period of three (3) days prior to and three (3) days after the July 4th holiday unless approved by special event permit.*
- h) A Jefferson County Health Department approved waste water plan of action for each phase shall be submitted to our office prior to the start of each phase.*
 - i) Any improvements deemed necessary by the Jefferson County Health Department shall be completed at the property owner’s expense.*

Commissioner Phillips moved to approve with conditions as amended and Commissioner Benyshek seconded
 Votes were taken by Ayes and Nays as follows:

Matt Scherer Secretary	Paul Johnson Chairman	Stephen Phillips	Gale Rudolph	Tim Benyshek	Brandon Newman Vice-Chair	Vacant
Aye	DNV	Aye	Aye	Aye	Absent	---

- Item 6. Public Comment** – None made
- Item 7. Old business** – Staff and the board discussed previous cases
- Item 8. New Business** - Staff discussed the next month’s hearings
- Item 9. Adjournment** – 9:04 PM

Minutes taken by: 
 Dustin Parks

Approved: 11/25/2019
 Date

Chairman: 
 Paul Johnson

Secretary: 
 Matt Scherer III