

MINUTES

1. The meeting was called to order with Roll Call by Chairman Richard Hemphill.

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|---------------|------------|---------|-----------|---------|
| 2. Roll Call: | Allenbrand | Absent | McPherson | Present |
| | Garrett | Present | Shultz | Present |
| | Hemphill | Present | Zwahlen | Absent |
| | Lane | Present | | |

3. General Business:

A. Approve Planning Commission Agenda.

Motion by Commissioner McPherson to move Item 6 to the end of the Agenda; second by Lane.

All Commissioners approved by "ayes."

Motion carried.

Motion by Commissioner McPherson to approve the Agenda; second by Shultz.

All Commissioners approved by "ayes"

Motion carried.

B. Approve Minutes of the Planning Commission meeting held on April 24th, 2018.
No meeting was conducted in May due to lack of a quorum.

Motion by Commissioner Garrett to approve the Minutes, second by Shultz.

All Commissioners approved by "ayes" with Chairman Hemphill abstaining.

Motion carried.

C. Disclosure of conflicts of interest. N/A

D. Disclosure of outside communications regarding Commission business. N/A

4. Call to Public:

Members of the public who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Any presentation is for information purposes only. No action will be taken. There is a four-minute time limit.

No one appeared.

5. Public Hearing:

- A. Special Use Permit for 29145 W. 83rd Street. Planner Weisenburger said City staff began discussions in May with the applicant concerning a wedding venue and reception hall. The applicant intends to expand the allowable uses under the Residential Agriculture zoning to include weddings and other functions as allowed by City Code.

The Planning Commission recommended a text amendment for this use and it was officially approved by City Council in July, 2017, as Ordinance No. 2422. The subject property is currently zoned "RA" Residential Agriculture and the intended uses are allowed in this zoning district with a Special Use Permit. Letters notifying owners of properties within the 200-foot buffer were sent by Staff on June 4th, 2018. Proper notice has been given and a sign posted on the property. Staff hasn't received any feedback from the public relating to this application.

Planner Weisenburger provided a review of the General Zoning Requirements as set forth in the Staff Memo to Commissioners dated June 26, 2018. All Matters to be considered were reviewed by Staff and were found to be "Positive" in favor of granting the Special Use Permit request for a wedding/reception hall. Staff has talked with the applicant regarding the number of parking spaces needed for future overflow.

Chairman Hemphill asked several questions of Planner Weisenburger concerning the zoning district and the parking area of the property. Commissioner Lane asked about the water line being installed prior to any events being held. She also asked about the kitchen and restroom facilities. Planner Weisenburger said those items will come later from the Building Official's department. Commissioner Garrett asked about the size of the water line. It will be a six-inch line.

Justin Milburn, Milburn Civil Engineering, 33135 W. 83rd Street, in De Soto, addressed the Commissioners. He introduced Dustin Keith, one of the applicants. Mr. Milburn explained the Site Plan for the benefit of the Commissioners. The same color scheme and design of the current buildings will be retained as much as possible. Discussion ensued between Chairman Hemphill and Mr. Milburn on the existing buildings on the site. Mr. Milburn explained the new water line and hydrant dedicated to the fire sprinkler that will be extended to the property at the expense of the applicant.

Commissioner McPherson asked about the six-inch water line. Mr. Milburn and Planner Weisenburger commented that this is the size required by the International Building Code. Commissioner Garrett asked if the applicant will work with the Fire Department when the time comes in laying out the fire sprinkler system.

Mr. Dustin Keith, the applicant, said he grew up in De Soto and graduated DHS in 1999. He said he worked at the tree farm for Mr. Russell in his younger years. He wants to keep the property much like it is now, as it is the second oldest Christmas Tree Farm in the state. The family is keeping the Cedar Valley Forest name and tradition. His family wants to keep the farm functioning and a part of the City's history.

Chairman Hemphill opened the Public Hearing for comment. No one appeared.

Chairman Hemphill closed the Public Hearing.

No further discussion was heard from the Commissioners.

Motion by Commissioner Garrett to recommend approval to the City Council of the Special Use Permit for a wedding/reception hall at 29145 W. 83rd Street for a period of twenty (20) years; second by Lane.

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| Roll Call: | Allenbrand | Absent | McPherson | Yes |
| | Garrett | Yes | Shultz | Yes |
| | Hemphill | Yes | Zwahlen | Absent |
| | Lane | Yes | | |

Motion carried.

6. New Business:

- A. Temporary use permit for outdoor seating in the ROW. Planner Weisenburger stated the applicant is requesting a Temporary Use Permit for outdoor seating in the public right-of-way in front of their store at 33031 W. 83rd Street. Outdoor seating will only be available during normal business from 11:00 am to 9:00 pm. Planner Weisenburger has made the measurements to ensure the ADA access complies with regulations.

Chairman Hemphill asked about the bumper on the wall below the railing. Planner Weisenburger commented on the outdoor seating facilities, and said the Kansas ADA office has been out to the business and approved the facility and ADA compliance.

Motion by Commissioner McPherson to approve of the Temporary Use Permit for KJ's Pizzeria at 33031 W. 83rd Street for a maximum of two (2) years; second by Shultz.

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|------------|------------|--------|-----------|--------|
| Roll Call: | Allenbrand | Absent | McPherson | Yes |
| | Garrett | Yes | Shultz | Yes |
| | Hemphill | Yes | Zwahlen | Absent |
| | Lane | Yes | | |

Motion carried.

- B. Final Plat for Possum Creek. This is a Final Plat containing 20 units on 6.12 acres. The subdivision is consistent with the applicable provisions of the Comprehensive Plan, and is in conformance with the site plan previously submitted. This plat contains 20 units on a tract that was recently changed from "RH" to "UDO" zoning. The Final Plat is found to be in conformance with all applicant and review requirements, zoning regulations and subdivision regulations.

Chairman Hemphill asked about the fire department. Administrator Brungardt said the Building Official signs off for the fire code since the City is now covered by the Northwest Consolidated Fire District, serving De Soto.

Mr. Joe Rawie, 17123 158th Street, Basehor, Kansas, said all the setbacks will be the same, and what the City requires. Mr. Rawie commented that on the deed restrictions he will require that all the fences in the subdivision be the same so they all match. He wants to keep the 'old town' feel in the character of the neighborhood. Mr. Rawie said there are three house plans available and all of them will have a front porch. Discussion.

Motion by Commissioner Shultz to approve the Final Plat for Possum Creek; second by McPherson.

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|------------|------------|--------|-----------|--------|
| Roll Call: | Allenbrand | Absent | McPherson | Yes |
| | Garrett | Yes | Shultz | Yes |
| | Hemphill | Yes | Zwahlen | Absent |

Lane Yes

Motion carried.

7. Old Business:

- A. Update on the Comprehensive Plan. Planner Weisenburger introduced Mr. Todd Streiler, who presented information regarding the plan and process. Mr. Streiler has been working on this draft since February, 2018. Mr. Streiler introduced himself and said he has been meeting with City Staff for about 3-4 months gathering data. Mr. Streiler said he has also met face-to-face with eight (8) stakeholders in the City. There have been two workshops and the City also received 250 responses to the survey. He is here this evening looking for some input from the Commissioners and open the dialogue on formulating the plan. Mr. Streiler reviewed the draft of Chapter 1 and commented on the various issues noted as compared to the peer cities of Eudora, Spring Hill, Bonner Springs, Johnson County and the U.S.

No further discussion.

Motion by Commissioner McPherson to adjourn at 7:56 p.m.; second by Garrett.

All Commissioners approved by "ayes."

Motion carried.

Respectfully submitted:

Lana R. McPherson, MMC, City Clerk