

## MINUTES

### RILEY COUNTY PLANNING BOARD

Monday, August 10, 2009  
7:30 pm

Courthouse Plaza East  
Commission Meeting Room  
115 North 4<sup>th</sup> Street

Members Present: Jon Larson – Chair  
Rebecca Mosier  
Lorn Clement  
Tom Taul

Members Absent: Buck Gehrt

Staff Present: Monty Wedel – Planning Director; Bob Isaac – Planner; Lisa Ruthstrom –  
Administrative Assistant

Others Present: Tyler Cole Steiner, petitioner  
Randall and Cathy Steiner, representatives  
Doug Messer, representative  
Logan and Brook Steiner; Bob and Kathleen Steiner; Mark Oberhelman;  
Pat Collins; Brian McNulty; Diane Hoobler; Jerry Weis; Larry Corah; Joe  
Mertz

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#### **OPEN PUBLIC COMMENTS**

Mark Oberhelman asked if a hearing was held prior to putting in the rifle range on the north side of the property line of the Trap Shoot Park. Mr. Oberhelman inquired if the little metal storage shed will protect him and neighbors from an occasional misfire of high powered rifles and hand guns.

Monty Wedel said he will relay this concern to the Zoning Enforcement officer to verify if a zoning violation exists.

#### **CONSENT AGENDA**

The minutes of the July 13, 2009 meeting were presented and approved. The Report of Fees for the month of July (\$700.00) was presented and approved.

#### **OBERHELMAN SUBDIVISION UNIT THREE – RE-PLAT**

Jon Larson opened the public hearing at the request of Tyler Cole Steiner, petitioner and Robert and Kathleen Steiner, owners to re-plat Lot 1 of the Oberhelman Subdivision Unit Two, into two (2) lots (Oberhelman Subdivision Unit Three).

Bob Isaac presented the staff report. Mr. Isaac indicated that in December 2001, the subject site was platted as Lot 1 of the Oberhelman Subdivision Unit Two (Pet. #01-35) and rezoned from "G-1" (General Agricultural) to "A-5" (Single Family Residential) (Pet. #01-36). Mr. Isaac stated the Applicant wishes to replat the lot into two (2) residential lots. Mr. Isaac stated that the subject site is currently developed with a single family dwelling and the majority of the site is heavily wooded. Mr. Isaac stated the site currently has direct access to N. 48<sup>th</sup> Street, a two-lane, unimproved township road and will be maintained by the township. Mr. Isaac also stated proposed Lot 1 is currently served by an existing on-site septic system, while proposed Lot 2 will be served by a wastewater stabilization pond and both lots will be served by rural water.

Mr. Isaac explained that the request was reviewed with the Comprehensive Plan and found to be in conformance. Mr. Isaac stated that the Health Department, Riley County Conservation District, Riley County Fire Chief, Riley County Engineer, and Director of Public Works of Ft. Riley have reviewed the request and had no concerns. Staff recommended approval of the Final Plat of the Oberhelman Subdivision Unit Three, as it was determined that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code have been met.

Jon Larson asked if the Applicant would like to speak.

Tyler Steiner indicated that he and his wife have recently moved back to the area. Mr. Steiner said one of the reasons for looking at this site is they want to live within the Riley County school district.

There were no opponents or proponents.

Becky Mosier motioned to close the public hearing.

The motion was seconded by Tom Taul. The motion carried 4-0.

Jon Larson asked the Board for questions and comments. There were none.

Jon Larson asked the Board for a motion.

Tom Taul moved to approve the Final Plat of the Oberhelman Subdivision Unit Three.

Lorn Clement seconded. The motion was carried 4-0.

Mr. Isaac announced that the Board of County Commissioners will hear the request on August 27, 2009 at 10:30 AM.

### **RILEY COUNTY FIRE DISTRICT #1 – SPECIAL USE AUTHORIZATION**

Jon Larson opened the public hearing at the request of the Riley County Fire District #1, petitioner, and Glassel and Roberta Flaherty, owners, for a Special Use Authorization to construct and operate an Emergency Response and Training Center.

Bob Isaac presented the staff report. Mr. Isaac indicated that, in a continuing effort to provide essential services to the citizens of Riley County, Fire District #1 has chosen an appropriate site

on which to construct and operate a new Emergency Response and Training Center. Mr. Isaac stated the subject site is being purchased “on contract” from Glassel and Roberta Flaherty, contingent upon approval of the special use permit. Mr. Isaac indicated the site is zoned G-1 (General Agricultural).

Mr. Isaac indicated that although the southern portion of the subject site lies within the designated floodway, the proposed building and accessway will be located on the northern portion of the tract. Mr. Isaac stated that the site will have indirect access to K-13 Highway via a travel easement across Corp of Engineer property. Mr. Isaac stated the site will be served by Rural Water District #1 and an on-site wastewater lagoon.

Mr. Isaac stated that the Health Department, Riley County Conservation District, Riley County Fire Chief, Riley County Engineer, and Director of Public Works of Ft. Riley have reviewed the request and had no concerns. Staff recommends that the Board forward a recommendation of approval of the request to the Board of County Commissioners, for a special use permit to allow the construction and operation of an Emergency Response and Training Center.

Tom Taul questioned if the special use authorization will run with the land.

Mr. Isaac indicated that permitted uses and structures listed on site plans are similar to a Planned Unit Development.

Becky Mosier asked if there is another training center in Riley County.

Doug Messer responded that there was not.

Jon Larson asked if the Applicant would like to speak.

Doug Messer, Assistant Fire Chief for Riley County and representative, indicated that the property is being purchased on contract. Mr. Messer indicated that for several years Emergency Management has been trying to replace the Tattarax Hills fire station. Mr. Messer explained that the Tattarax fire station, due to annexations is now located within the City of Manhattan. Mr. Messer indicated that due to its location, part of the five mile circle is lost. Mr. Messer stated that Emergency Management is trying to combine the Tattarax and Tuttle Cove fire stations. He indicated that Emergency Management has found a need for a training facility and also a need to co-exist with other emergency services such as EMS, thus, the reason why the new facility will be called an Emergency Response Center. He stated that training is currently done in three separate locations in Manhattan, Randolph, and the Riley/ Leonardville areas. He explained that the proposed structure will provide a training facility for the southern part of the county. Mr. Messer indicated that they are currently negotiating with the Corp of Engineers for a travel easement, as there is no direct access to this property from Highway 13 or Tuttle Creek Boulevard.

Jon Larson asked if there is a time table for the building process.

Mr. Messer stated he does not envision it being completed with in the next 18 months.

Becky Mosier asked if fire engines and ambulances will be coming and going out of the entrance on Highway 13 and what kind of warning system will be at this entrance.

Mr. Messer indicated they have contacted KDOT and it appears KDOT will erect warning signs for the westerly south bound traffic coming off the dam.

Jon Larson asked if there were proponents for the request.

Brian McNulty, Operations Manager of the Tuttle Creek Corp of Engineers, indicated the Corps real estate office has sent a proposed leased agreement to the County regarding the travel easement and is currently in the County Counselor's office.

Linda Morse wanted it noted that Glassel Flaherty passed away.

Jon Larson asked if there were opponents of the request.

There were no opponents.

Tom Taul motioned to close the public hearing.

The motion was seconded by Becky Mosier. The motion carried 4-0.

Lorn Clement moved to forward a recommendation of approval of the request to the Board of County Commissioners, for a special use permit to allow the construction and operation of an Emergency Response and Training Center.

Tom Taul seconded. The motion was carried 4-0.

Mr. Isaac announced that the Board of County Commissioners will hear the request on August 27, 2009 at 10:20 AM.

### **GATEWAY PLAN STEERING COMMITTEE**

Monty Wedel indicated that the City of Manhattan and Riley County are beginning the process of updating the Gateway Plan. Mr. Wedel stated for whatever reason, two different plans were originally adopted in 1998; one for the City of Manhattan and one for Riley County. Mr. Wedel indicated one of the objectives is to establish a single plan. Lorn Clement was appointed to the Gateway Plan Steering Committee.

### **COMPREHENSIVE PLAN UPDATE**

Monty Wedel asked the Planning Board if they want any additional public meetings before going to public hearing.

The Planning Board agreed unanimously that there was no need for any additional public meetings.

Mr. Wedel indicated the Board of Commissioners also agreed there was no need for additional public meetings.

Comments from the public meetings held August 3, 2009 and August 5, 2009, were reviewed along with an email from Jason Fizzell, Kansas Land Trust, concerning the density bonus program.

Lorn Clement indicated from comments made at the public meetings, there is still concern on conservation easements and the 80 versus 160 acre requirement. Mr. Clement said a good comment came up in the last meeting stating that everyone should go through the development review process.

Monty Wedel discussed the results of the comments and changes that need to be done. Mr. Wedel indicated one of the changes will be to the density bonus program language. Mr. Wedel stated the Executive Summary needs to be completed; the Table of Contents updated, and changes made to the Emergency Services section after visiting with the police, fire and EMS departments. Mr. Wedel indicated the changes will be made and reviewed at the September Planning Board meeting.

Becky Mosier indicated she has concerns with the minimum acre requirement as it confuses people. Mrs. Mosier stated she is leaning towards the proposal that everything has to go through the development review process.

Tom Taul agreed that adjustments need to be made to the density bonus program.

Jon Larson said the most comments made to him from contractors and farmers are concerning the minimum lot size requirement. Mr. Larson is in favor of the concept that everything has to go through the development review process.

Lorn Clement stated he is concerned with the radical departure from past practices to not having a minimum lot size requirement. Mr. Clement also stated he is concerned with the additional increase in workload for county staff if all requests for development are reviewed.

Mr. Wedel stated he feels a good portion will be agriculturally exempt.

Tom Taul said the most common thing he has heard is regarding “grandfathering”, which is his primary concern.

Jon Larson indicated that having everyone go through the process will keep the Board and the County informed of what is going on.

Lorn Clement indicated that the past interpretation of agriculturally zoned land seemed to be land just waiting to be development and not protected by the zoning regulations. If our intentions are to be true with our zoning regulations, a strong case should be made to change it.

Jon Larson asked the Board what their wishes were.

Lorn Clement stated that it has come up in the comments and questions repeatedly in the past meetings and maybe the Board should make the change and not waffle on the 80 or 160.

Tom Taul asked to hear from the Vision 2025 Committee members that were present.

Linda Morse spoke to the importance of saving agricultural land.

Diane Hoobler concurred with Linda Morse.

Tom Taul asked Joe Mertz, being a large land owner, what his thoughts were.

Joe Mertz indicated that he is not in favor of having a minimum lot size requirement. He also stated the density bonus program needs to be worked on to have incentives for conversation, especially with the possible elimination of the 80 or 160 minimum lot size requirement, so as to not lose development rights.

Lorn Clement stated the experience with the Zeandale project that turned out to be so many lots, caused a lot of awareness. He said there are ways to protect property interest and do a reasonable amount of developing without causing havoc in the community.

Jon Larson asked for any other comments.

Tom Taul stated going through the review process will be more individualized.

Lorn Clement indicated hillside construction, with good site planning, can deal with steep slopes and this is where we should be directing development.

The Board, by consensus, agreed that the minimum lot size requirement should be eliminated and changes to the density bonus program should be made.

The meeting was adjourned at 8:48 P.M.