

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, March 12, 2018
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Dr. Tom Taul, Chair
John Wienck
Nathan Larson
Joe Gelroth

Members Absent: Diane Hoobler, Vice-Chair

Staff Present: Monty Wedel – Director, Bob Isaac – Planner and Lisa Daily -
Administrative Assistant

Others Present: Derrick Roberson – Arthur-Green, LLP; Fred Gibbs – BG Cons., Inc.;
Chris Nelson – Meadowlark Hills; Bryce Larson – citizen; Jim Otto -
citizen

OPEN PUBLIC COMMENTS

Bryce Larson stated that he had spoken with Monty Wedel about his desire to work with Riley County to implement ways of educating folks that move out to the county; whether by building their own home or renting an existing one. He expressed his interest in improving methods of dispensing information more thoroughly so that folks can be better prepared for the change in culture they most likely experience by moving to the country. He said that he realized there are brochures available that are an excellent resource of information, but they could be improved upon and made more widely available. He said they could include such things as land stewardship, basics of Ag law, and perhaps the history of a particular area of the county. He also suggested that classes could be provided as well. Mr. Larson provided the Board members with a handout describing his ideas. Chairman Taul thanked Mr. Larson for sharing his thoughts with the Board.

OATH OF OFFICE

Planning Board Secretary Bob Isaac administered the Oath of Office to new Planning Board members Nathan Larson and Joe Gelroth.

CONSENT AGENDA

John Wienck moved to approve the consent agenda, which consisted of the following:

1. The minutes of the February 12, 2018.
2. The Report of Fees for the month of February (\$3,313.00)
3. The Final Development Plan of Baumgartner Deer Camp

Nathan Larson seconded. Motion passed 4-0.

John Wienck moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board. Joe Gelroth seconded. Carried 4-0.

RILEY COUNTY PLANNING BOARD

Manhattan Retirement Foundation, Inc. (Meadowlark Hills) – Plat & Rezone

Chairman Taul opened the public hearing at the request of Manhattan Retirement Foundation, Inc. (Meadowlark Hills), petitioner, and City of Manhattan, owner, to rezone of an unplatted tract of land from “AG” (Agricultural District) to “SF-5” (Single Family Residential) and plat the tract together with Lot 1, Tremblay Addition into a single lot in Madison Township, Section 35, Township 8 South, Range 5 East, in Riley County, Kansas.

Bob Isaac presented the request. He explained that the request involved an unplatted tract of land and Lot 1 of Tremblay Addition. He said that Lot 1 Tremblay Addition was rezoned from “AG” (Agricultural District) to “SF-5” (Single Family Residential) (Pet. #17-37) in September 2017 and platted at that time. He said the unplatted portion of the request has been zoned agricultural since at least 1974. He stated that the previous property owners were under the assumption that the contiguous, unplatted tract situated along the west line of Lot 1 Tremblay Addition was a part of said Lot 1. He said a survey of the land revealed the original miscalculation, thus, the applicant was taking action to combine the aforementioned tract with existing Lot 1 Tremblay Addition through a plat and rezoning it to match.

Staff recommended approval of the request.

Chairman Taul opened the public hearing and asked if the Applicant wanted to speak.

Derrick Roberson explained that Meadowlark Hills purchased the subject property through bonds through the City of Manhattan, causing the City to be the property owner. He said as soon as the bonds are paid, the title gets transferred to Meadowlark Hills.

Jim Otto, 13425 W. 128th Street, Overland Park, asked what was considered the Riley County growth area. He stated he owns 135 acres of farm ground east of the subject property.

Bob Isaac brought up the GIS website on the screen and clarified that it was a “designated growth area” determined by the Vision 2025 Comprehensive Plan. He said the one surrounding Riley was one of six such areas in Riley County, which includes the Manhattan Urban Area. Mr. Isaac explained how staff and officials of each city met and discussed where the anticipated growth would occur. Mr. Isaac explained that these areas are where the County is encouraging growth to occur, rather than scattered throughout the unincorporated area.

Monty Wedel added that staff met with the City to determine where they could eventually serve with municipal services (water, sewer, etc.). He said those are the areas that, if the County were to receive a development proposal, we would coordinate with the City as to how the development should occur. Mr. Wedel explained that just because it’s a designated growth area, doesn’t mean the County is going to plat and rezone it.

Mr. Larson thought the designated growth area for the City of Riley extended north to the high school, taking in the Falcon Road corridor.

Monty Wedel clarified and stated that the development along Falcon Road was attributed to other things such as agricultural exemptions and lots of record (grandfathered).

Chairman Taul asked if there was anyone else that wanted to speak.

There were no proponents or opponents.

John Wienck moved to close the public hearing. Mr. Larson seconded. Carried 4-0.

John Wienck moved to recommend approval of the request to rezone the subject property from "AG" (Agricultural District) to "SF-5" (Single Family Residential) and to approve the concurrent plat of Autumn Hills, for the reasons in the staff report. Mr. Larson seconded. Carried 4-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on March 29, 2018, at 9:30 am, in the County Commission Chambers.

Annual Report

Monty Wedel reviewed the 2017 Annual Report with the Board, highlighting the development patterns showing most of the non-agricultural residential building permits were issued within the designated growth areas, meeting a goal of the Comprehensive Plan of directing the majority of our non-agricultural residential growth to the cities and designated growth areas. Mr. Wedel stated that we review this every year to see if we are accomplishing that goal.

Bob Isaac clarified that the chart the Board was viewing was building permits issued as per a corresponding action. He said that there were rezonings to allow residential development that are not showing because a building permit wasn't issued yet.

Nathan Larson asked for clarification on "replacement" houses. Mr. Wedel explained that in some cases it's because a house was destroyed and in other cases a house needed replaced.

John Wienck mentioned that it seemed that over the past six or so months there have been an increase in the number of people requesting Ag Exemptions.

Monty showed the Board the map, which illustrates the number and type of Ag Exemptions granted and highlighted the small number of exemptions for residences, basically the same as previous years. Mr. Wienck noted an error on the map, where an Ag Exemption for a house on Swede Creek Road was not indicated correctly.

Mr. Wedel also pointed out the growing number of Agricultural Protection Easements since its inception. He said that Planning and Development hasn't received any complaints about the easements.

Mr. Wienck mentioned that it was interesting speaking with folks living just across the Riley County/Marshall County line on the differences as to what is required when developing their land.

Mr. Wedel explained that there may be some similarities, but overall, Riley County has different development pressures and the way we have to address them is applied to the entire county, not just around Manhattan.

Nathan Larson asked how the Moving to the Country brochure was being distributed.

Mr. Wedel asked when the brochure is being distributed. Lisa Daily stated that it is mainly when people come into the office or if they call with questions, we'll direct them to the website. She said that she believed that what Bryce Larson was referring to were folks that moved out to the country that may not have gone through our office. She recommended that we should provide the brochures to companies such as Charlson Wilson or companies that are more involved with the sale of property.

Mr. Wedel suggested to have Planning and Development invite Bryce Larson to come in and discuss his ideas with the Department and K-State Extension staff.

Nathan Larson, referring to the Annual Report document, stated that he noticed the list of unresolved or ongoing violations and asked what happens when Planning & Development encounters an unresolved violation.

Mr. Wedel said we have a much larger list than what is shown and explained the typical procedure as to how Planning and Development responds to violations, including when the County Counselor gets involved.

Nathan Larson asked about allowing stock animals in a residential district and what type.

Mr. Wedel described a situation involving hogs in Keats. He explained that the SF-4 and SF-5 Single Family Residential districts allow stock animals such as horses, cows, sheep, hogs, etc.

Nathan Larson asked if chickens were considered a stock animal.

Mr. Wedel said chickens were not a stock animal, but that livestock was not allowed in residential districts currently. With the rewrite of the zoning regulations, it is being evaluated to perhaps allow chickens in residential districts under certain conditions.

Development Guidance System

Bob Isaac explained that any modifications made to the document may be completed administratively following approval by the Riley County Planning Board and the Riley County Board of Commissioners. Mr. Isaac explained that several of the proposed changes were simply modernizing the language to be more current. He also mentioned that it was discovered during the spring of 2017, when Riley County's Fire Protection Class rating was graded, Insurance Services Offices (ISO) had changed their rating schedule; thus, the DGS needs to be amended to reflect these changes.

John Wienck stated that Riley County was audited last year by the ISO. He stated that the rating list was much larger than what is shown in the DGS. Mr. Isaac agreed stating that what is shown in the DGS is sufficient for our purposes.

Mr. Isaac stated that if suggested changes to the DGS were approved, there would be nothing to sign, but the action would be acknowledged in the minutes.

Chairman Taul asked if this is something the Planning Board approves and doesn't go to the Board of County Commissioners.

Mr. Wedel stated that the request goes onto the Board of County Commissioners, but the Planning Board is not sending a recommendation regarding the proposed changes. He said that this is not a public hearing as the document is adopted by reference and is therefore not a text amendment to the Zoning Regulations.

Nathan Larson moved to recommend approval of the recommended changes to the Development Guidance System as shown. John Wienck seconded. Carried 4-0.

Annual Comprehensive Plan Update

Mr. Isaac stated that although in recent years Planning and Development has provided the Board with a detailed analysis of how well the Plan was or was not performing, this year would be a simple review of the Executive Summary of the Plan. He asked the Board to review the Plan and if there were any suggestions or comments to submit them.

Monty Wedel explained the next steps in the review procedure; Bob Isaac will draft a memo to the Board of County Commissioners and submit it for signature by the Chairman of the Planning Board; then, Mr. Isaac will schedule a time and deliver the update to the Board of County Commissioners.

Update on Zoning and Subdivision Regulations Re-write

Monty Wedel stated that he had no changes to report at this time.

John Wienck moved to adjourn. Nathan Larson seconded. Carried 4-0.

The meeting was adjourned at 8:46 P.M.