

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, March 8, 2021  
7:30 pm

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

Members Present: Dr. Tom Taul, Chair  
Diane Hoobler, Vice-Chair (Zoom)  
John Wienck (Zoom)  
Joe Gelroth  
Nathan Larson

Members Absent: None

Staff Present: Amanda Smeller – Director (Zoom) and Bob Isaac – Planner

Others Present: Melanie Graber, Jim Ryan, Lynn Blecha and Riley County Director of Public Works, John Ellermann

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#### **OPEN PUBLIC COMMENTS**

None.

#### **CONSENT AGENDA**

The minutes of the February 8, 2021 meeting and the Report of Fees for the month of February (\$1,578.00) were presented and reviewed.

John Wienck moved to approve the consent agenda as presented. Diane Hoobler seconded. Carried 5-0.

Nathan Larson 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 5-0.

#### **RILEY COUNTY PLANNING BOARD**

##### **Peterson Ranch LLC - Plat**

Chairman Taul opened the public hearing at the request of Peterson Ranch LLC, petitioner and owner, to final plat a 174.05- acre tract onto eighteen (18) residential lots, based on the approved Preliminary Plat of Peterson Ranch Addition Unit One in Grant Township, Section 21 and 22, Township 9 South, Range 7 East, in Riley County, Kansas.

Bob Isaac presented the request stating the applicant purchased the subject property in April 2020, with the intent of developing it into several very-low density single family residential lots. He then described the background, location and physical characteristics of the subject property.

Mr. Isaac stated the applicant also intends to file restrictive covenants along with the Final Plat and form a Home Owner's Association. He said on January 4, 2021, the subject property was

rezoned from “AG” (Agricultural District) to “R-PUD” (Residential Planned Unit Development) and there are no variances, conditional uses or special uses associated with the property.

Mr. Isaac stated each lot will include a building envelope centrally located to each particular lot which functions as large building setback distances from lot lines. He explained the building envelopes also range in size and are based on the size and topography of the individual lots. Mr. Isaac said the applicant proposes to extend Thomas Wiard Road and each lot will have direct access to a publicly dedicated road. He explained one change from the preliminary plat is the name of the cul-de-sac which was proposed as Valley View Circle. He explained that the Director of Riley County Emergency Management indicated Valley View was similar to other existing road names and suggested Thomas Wiard Circle.

Mr. Isaac stated that the Riley County Planning Board approved the Preliminary Plat of Peterson Ranch Unit One on December 14, 2020, including the request to reduce the required Agricultural Buffer from 200 feet to 150 feet, as it was determined that all requirements of the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code were met.

Mr. Isaac stated that the Riley County Rural Fire Chief had reviewed the request and reported that, although rural water will serve the site, fire hydrants will not be placed on those lines. Mr. Isaac said he strongly recommended since Thomas Wiard Road will have a proper terminus (cul-de-sac) but will still be over 500 feet in length, the development should include turn-arounds as part of the extension of Thomas Wiard Road. Mr. Isaac said turn-arounds will be located on Lots 2 and 4 and included with the road construction plans. He explained that the cul-de-sacs on proposed Thomas Wiard Road and Thomas Wiard Circle will provide adequate turn around points for emergency vehicles.

Staff recommended the Final Plat of Peterson Ranch Unit One be approved, as it has been found to be in substantial compliance with the Preliminary Plat and the Riley County Subdivision Regulations, Zoning Regulations and Sanitary Code.

Diane Hoobler questioned the Emergency Management comments in the staff report that fire hydrants should be required and asked for clarification.

Bob Isaac explained former Emergency Management Director, Pat Collins reviewed the preliminary plat and understood that rural water districts don't allow fire hydrants. Mr. Collins requested the turn arounds and shorter cul-de-sacs for emergency vehicles.

Mr. Isaac explained the final request was reviewed by the new fire chief who was unaware the issues had been addressed during the preliminary plat phase. He said the comments you see in the staff report are those of the new fire chief and it is his job to the best method of fire protection for developments.

Diane Hoobler asked if fill points could be installed along the water line.

Lynn Blecha stated there will be clean-outs, which is what the rural water district calls them. He said the clean-outs can only be used by the fire services to fill their tanks. He said the fire services will estimate the usage of water and reimburse the rural water district.

John Wienck stated he still has concerns about fire protection.

Chairman Taul opened the public.

Lynn Blecha stated that there is also a 6-inch line to fill trucks/tanks located just south of the Riley County Shops.

There were no proponents or opponents.

John Wienck moved to close the public hearing. Joe Gelroth seconded. Carried 5-0.

Chairman Taul questioned the size of the rural water line going through the proposed site.

Bob Isaac confirmed it will be a 6-inch line running along Thomas Wiard Road and a 4-inch line running along Thomas Wiard Circle.

Joe Gelroth moved to approve the request to final plat of Peterson Ranch Unit One for reasons stated in the staff report.

Nathan Larson seconded. Carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on March 18, 2021 at 9:50 am, in the County Commission Chambers.

### **Annual Report**

Bob Isaac recommended the Board review the annual report in more detail as the annual comprehensive plan review will be coming up soon. He said during the annual review of the comprehensive plan, the Board will need to determine if the plan is succeeding and accomplishing the objectives as set forth.

Nathan Larson stated Vision 2025 was to address the purchasing of 20 acres and having residential houses spread throughout the county. He asked if staff felt this was addressed.

Mr. Isaac replied absolutely and referred to the Lot of Record in the annual report. He explained this was a compromise that was made for the 20-acre and larger tracts. He stated there are tracts less than 20 acres created prior to 1980 that are also Lots of Record. Mr. Isaac said if those smaller tracts meet the Sanitary Code and setbacks, a new house to be allowed.

Chairman Taul asked if Riley County ever allowed a one-time split to be done for an agricultural operation so a family member could build a house.

Mr. Isaac replied that other counties utilize that method, but Riley County does not. He said if the family member is involved in the farming operation, then an agricultural exemption could be granted to accommodate the split. He said if the family member is not involved in the agricultural operation, a Residential Use Designator could be an option.

John Wienck stated there are two examples in Riley County in which the Lot of Record didn't make sense; both property owners built homes on prime agricultural soil.

Mr. Isaac explained the parameters of the two types of Lot of Record and the criteria that constitutes them.

In reviewing the Annual Report, Chairman Taul commented on the number of repairs to wastewater systems and didn't realize there were that many systems that failed.

John Wienck moved to adjourn. Joe Gelroth seconded. Carried 5-0.

The meeting was adjourned at 8:10 P.M.