

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, October 18, 2021
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

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

Members Absent: None

Staff Present: Amanda Smeller – Director, Bob Isaac – Planner, and Lisa Daily -
Administrative Assistant

Others Present: Dede Brokesh

OPEN PUBLIC COMMENTS

Dede Brokesh, Landscape Architect with Kansas State University introduced herself. She had comments concerning the draft Land Development Regulations which were addressed later in the meeting.

CONSENT AGENDA

The minutes of the September 13, 2021 meeting were presented and approved. The Report of Fees for the month of September (\$4,408.00) were presented and approved.

Diane Hoobler moved to approve the consent agenda. Joe Gelroth seconded. Carried 5-0.

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 5-0.

RILEY COUNTY PLANNING BOARD

Vinduska – Residential Use Designator – Extraneous Farmstead & Plat

Chairman Taul opened the public hearing at the request of David & Janet M. Vinduska, petitioners and owners, to receive a Residential Use Designator – Extraneous Farmstead for an unplatted tract of land and plat said tract of land into a single lot in Swede Creek Township, Section 17, Township 6 South, Range 6 East, in Riley County, Kansas.

Bob Isaac presented the request stating the subject site has been developed with a single family residence and used as a working farm for several years. He said the farmstead is heavily-wooded and surrounding by pasture ground. He said the entire parent tract is hilly, sloping eastward

toward a first order stream. He said the proposed site's east boundary follows along the west edge of a creek.

Mr. Isaac said if the request is approved, an Agricultural Protection Easement will be filed with the Register of Deeds along with the plat.

Staff recommended that the Board approve the request to receive a Residential Use Designator– Extraneous Farmstead, as it had been determined that it met the minimum requirements of the Riley County Zoning Regulations. Staff also recommended that the Planning Board approve the Concurrent Plat of Vinduska Addition, as it has been determined that all requirements of the Riley County Subdivision Regulations, Riley County Zoning Regulations and Sanitary Code have been met.

Chairman Taul opened the public hearing.

The applicant nor representative were in attendance. There were no proponents or opponents.

Diane Hoobler moved to close the public hearing. Nathan Larson seconded. Carried 5-0.

Diane Hoobler moved to approve the request for a Residential Use Designator – Extraneous Farmstead, as it was determined it met the minimum requirements of the Riley County Zoning Regulations and the concurrent Plat of Vinduska Addition as it was determined it met the minimum requirements of the Riley County Zoning Regulations, Riley County Subdivision Regulations and Sanitary Code.

John Wienck seconded. Carried 5-0.

Mr. Isaac announced that the Board of County Commissioners will hear the plat portion of the request on October 28, 2021, at 10:05 am, in the County Commission Chambers.

Riley County Land Development Regulations

Amanda Smeller reminded the Board that this is public hearing to adopt the Land Development Regulations and also adopt the Driveway Standards by reference. She referenced the staff report, which summarized the proposed changes as follows:

Cleaned up existing regulatory documents

1. Removed inconsistencies, contradictory language/requirements, redundancies, outdated concepts, unnecessary steps, etc.;
2. Re-organized the structure and format of the regulations to provide clarity, minimize confusion and make them easier to navigate; and
3. Added new options that provide convenience and options to properly develop/redevelop property.

Updated Zoning Districts

1. Created purpose statements for each of the zoning districts;
2. Included Corridor Overlay Districts for the Gateway K-I77 and Eureka Valley/K-18 Corridor; and

3. Proposed consolidation of districts & “retirements”
 - Reduced five single family residential districts down to three
 - Reduced four commercial districts down to two
 - Reduced four industrial districts down to two
 - Revamped the Planned Unit Development district process
 - Retired the N-1 district in favor of an Airport Overlay District

Created a consolidated Use Table

1. Removed the individual lists of Permitted Uses, Conditional Uses and Special Uses from each zoning district and created an accurate and convenient consolidated land use table.

Included Baseline Development Standards (new)

1. Parking and parking lot landscaping;
2. Landscaping, screening and buffering;
3. Fire buffering; and
4. Site layout

Enhanced Subdivision Regulations

1. Clarified applicability, jurisdiction and exemptions;
2. Enhanced general standards;
3. Added new section describing additional studies and standards for improvements;
4. Fortified the procedures of the platting and replatting process;
5. Added lot splits and boundary lines adjustments as options;
6. Added signature certificates and notes required on final plats; and
7. Referenced the Riley County Standards for Road Design in Platted Subdivisions

Overhauled the Floodplain Regulations

1. Re-organized structure and clarified language to be more “user friendly”;
2. Added illustrations provided by the State of Kansas;
3. Proposed an increase of the freeboard from one foot above base flood elevation to two feet above base flood elevation;

4. Established the “regulatory floodplain”, which is comprised of the Special Flood Hazard Area. This area encompasses both the Floodway (FW) and Floodway Fringe (FF) Overlay Districts; and
5. Included specific criteria for approving variances for agricultural structures.

Included Photos, diagrams and illustrations

1. For the purposes of providing clarity through visual examples, various photos, diagrams and illustrations were inserted with the text;

Included appendices

1. Appendices were added for:
 - The Memorandum of Understanding between Fort Riley, Kansas and Municipalities Adjacent to or Surrounding Fort Riley, Kansas Regarding Communication and Potential Land Use Changes;
 - The Manhattan Urban Area Boundary
 - The Zoning District Conversion Table
 - Airport Overlay District; and
 - The Corridor Overlay Districts

Chairman Taul stated he was not at the work session, but several suggestions were made by the other board members. He asked if those suggestions were put into the document.

Ms. Smeller said that, as per suggestion by the Board, the side yard setback in the proposed “SF-1” (Single Family Residential) zoning district was changed from 10 feet to 15 feet.

Bob Isaac explained that under the notes in residential zoning districts, the side yard setback increases one foot for every one foot of building height over 16 feet.

Chairman Taul asked that the Board address the suggestions of Dede Brokesh as follows:

Article 4, Section 13, paragraph C.3.d.: Manufactured Home Park Districts states “A drainage study prepared by an engineer licensed in the State of Kansas.” Please consider adding “a landscape architect in the State of Kansas” with regard to the surface drainage language of this paragraph.

The Board agreed by consensus to add “or landscape architect”.

Article 4, Section 22, paragraph 6.f.: Some shrubs are not available in 5 gallon sizes, especially for shrubs that stay short. She suggested a 2 gallon size (#2 container per ANSI Z60.1 terminology) as the smallest size for plants that reach 30” (inch) mature height or less.

The Board agreed by consensus to change the minimum size to #2 container.

Article 4, Section 22, D.1.b.: Gateway Corridor Overlay District does not define how many building stories are allowed. She suggested defining the number of stories.

Mr. Isaac stated those requirements would be found in the underlying zoning district and maps of the Corridor Overlay Districts can be found in the appendices. He suggested possibly putting in a link.

The Board agreed by consensus to provide a link to that information.

Article 4, Section 22 D.1.d.: Consider adding language about bicycle travel with regard to shared-use roadways, bike lanes, and/or shared pedestrian/bicycle paths.

Mr. Isaac said he believed that details regarding streets/road construction and design are addressed in the Riley County Standards for Roadway Design in Platted Subdivisions, but didn't think the document included specifics for bicycle traffic. Mr. Isaac stated that most of the road system outside the City limits are not designed for pedestrian/bicycle traffic, although that mode of travel is not illegal.

The Board agreed by consensus not to make any changes for bicycle travel.

Article 5, Section 2, T.2.b. Use-Specific Standards T.2.b.: "An extraction operation shall not be permitted within 300 feet of a residence or 200 feet of a residential district. Ms. Brokesh suggested making both setbacks consistent at 300 feet.

The Board agreed by consensus to change from 200 feet to 300 feet of a residential district.

Article 6, Section 6.6 E.3.: Streets, Driveways, and Pedestrian Circulation, Visibility at Intersections: The reference standard called "Riley County Standards for Roadway Design in Platted Subdivisions" is difficult to find with this title. Ms. Brokesh stated there is a standard that appears to meet this description but has a different title and does not talk about sight distances. She suggested making the document titles the same. Additionally, she recommended to use the AASHTO standards for setting sight triangles to meet or exceed the stopping distances found in Table 3 of the following website:

https://safety.fhwa.dot.gov/local_rural/training/fhwasal108/ch3.cfm.

Mr. Isaac stated the Riley County Standards for Roadway Design in Platted Subdivisions was created by the Public Works Department. He said we can't make changes to that document but can make recommendations. Mr. Isaac stated any proposed platted subdivision is reviewed by the County Engineer regarding street/road design and safety.

Diane Hoobler asked if a link could be added.

Mr. Isaac stated staff will look into implementing a link to that document.

The Board agreed by consensus to leave the review of street/road safety up the County Engineer, rather than include AASHTO standards within the Land Development Regulations.

Article 6, Section 7. Parking, Loading, Access Drive, paragraph C. Table 6-4 off-street parking: Ms. Brokesh stated that if a child care center has, for example, 250 children and 32 staff, the required number of off-street parking appears to be 94 (1 space per 3 occupants). She said this amount seems excessive. She suggested looking at this number and numbers of stalls for big box stores to evaluate if that many stalls are necessary. She explained that excess parking with impervious surfaces contribute to downstream flooding.

Mr. Isaac referenced the Gateway and Eureka Valley Corridors. He said if this type of development were to occur, it could eventually be annexed into the city due to the need of municipal services, such as water and sewer. He stated there is always an option for a variance to reduce the amount of required parking.

The Board agreed by consensus to have staff review this further.

Article 6, Section 8, paragraph B.3.c. and B.4.c. Landscaping: The tree size of 1-1/2" caliper conflicts with Article, Section 22, paragraph C. b. and d. which says to use 2-1/2" caliper for deciduous trees. Ms. Brokesh suggested to use the larger caliper to reduce vandalism. She said consider #2 container size for plants less than 30" mature height, and also add sight distance setback at apex of parking lot islands for mature plant height to be no taller than 30" height from parking lot surface to top of plant within 10' (feet) from apex of island. She explained the reason is for adequate sight visibility when backing out of a stall or maneuvering around a waste dumpster storage area.

The Board agreed by consensus to use 2" caliper for shade trees, 1-1/2" for ornamentals, and mature plant height no taller than 30" height from parking lot surface to top of plant within 10' (feet) from apex of island.

Diane Hoobler moved to close the public hearing. Joe Gelroth seconded. Carried 5-0.

Diane Hoobler moved to forward a recommendation to the Board of Commissioners of Riley County to repeal the existing Riley County Subdivision Regulations and Riley County Zoning Regulations, including Floodplain Regulations, in their entirety, and adopt the "Riley County Land Development Regulations" and also adopt the "Driveway Standards in the Unincorporated Area of Riley County, Kansas" by reference, with the aforementioned suggested changes discussed during this public hearing and the last work session.

Joe Gelroth seconded. Carried 5-0.

Nathan Larson moved to adjourn. John Wienck seconded. Carried 5-0.

The meeting was adjourned at 9:03 P.M.