

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, April 11, 2011
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Jon Larson, Chairman
Lorn Clement, Vice-Chair
Dr. Tom Taul
Diane Hoobler

Members Absent: Julie Henton

Staff Present: Bob Isaac – Planner, Steve Higgins – Zoning Enforcement Officer and
Lisa Daily – Administrative Assistant

Others Present: Sandra Pottorff, Laurie Hatfield and Lance Evans, Senior Planner, City of
Manhattan

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the March 14, 2011 meeting were presented and approved with corrections to the spelling of Howard Hahn's name. The Report of Fees for the month of March 2011 (\$1,050.00) were presented and approved.

Diane Hoobler moved to adjourn as the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and convene as the Riley County Board of Zoning Appeals Board. Tom Taul seconded. Carried 4-0.

RILEY COUNTY BOARD OF ZONING APPEALS

New Cingular Wireless DBA AT&T – Variance

Jon Larson opened the public hearing at the request of New Cingular Wireless DBA AT&T, petitioner, and Charles C. Pottorff & Sandra K. Pottorff, owners, for a variance authorization to permit the construction of a 150-foot monopole 3.5 feet below the required elevation of one foot above Base Flood Elevation.

Bob Isaac presented the request. Mr. Isaac reminded the Board that last October 2010, the Board approved Conditional Use #10-20 to permit construction and operation of a 150-ft. monopine self-supporting communications tower in a "G-1" (General Agricultural) zoning district. Mr.

Isaac explained that following the approval of Petition #10-20, the applicant met with the State Historical Preservation Office (SHPO) regarding the old homestead and barn on the property. He said due to the proximity of the proposed tower to the “historical” structures, the Applicant was directed by the SHPO to relocate the proposed site of the tower further south upon the original tract. Mr. Isaac stated the newly proposed location of the tower and ancillary structures is now located within the designated 1% annual chance floodplain, thus requiring a variance.

Mr. Isaac reviewed staff’s assessment of the variance criteria in relation to the request. Staff recommended approval.

Chairman Larson asked the Board if they had any questions or comments. There were none.

Laurie Hatfield, representative, stated the tower has to be relocated in order to receive approval from the Historical Board.

Lorn Clement moved to close the public hearing. Tom Taul seconded. Carried 4-0.

Lorn Clement moved to approve the request of New Cingular Wireless DBA AT&T, petitioner, and Charles C. Pottorff & Sandra K. Pottorff, owners, for a variance authorization to permit the construction of a 150-foot monopole 3.5 feet below the required elevation of one foot above Base Flood Elevation for reasons stated in the staff report.

Tom Taul seconded. Carried 4-0.

New Cingular Wireless DBA AT&T – Conditional Use

Jon Larson opened the public hearing at the request of New Cingular Wireless DBA AT&T, petitioner, and Charles C. Pottorff & Sandra K. Pottorff, owners, to amend Conditional Use Authorization #10-20, by permitting the construction/operation of a 150-foot monopole (monopine) in the “G-1” (General Agricultural) zoning district.

Bob Isaac presented the request. Mr. Isaac said he wanted to emphasize to the Board that the conditions are almost identical to the original conditions set forth in CU #10-20, and are as follows:

1. Tower height shall not exceed 150 feet.
2. The tower and all ancillary structures shall be made secure by the installation of fencing with a minimum height of six (6) feet.
3. Stealth materials must be maintained or upgraded, when necessary, to ensure continued stealth appearance of the tower.
4. Tower must have the capacity to allow the collocation of other carriers.
5. No microwave dishes shall be attached to the tower prior to amending this conditional use authorization.
6. The tower and associated uses shall not interfere with existing radio frequencies.
7. The tower and all ancillary structures shall be constructed and arranged as per the site plan approved by the Riley County Board of Zoning Appeals.
8. Any proposed screening, landscaping, new trees, etc., as per the site plan, be completed within six (6) months of tower construction.

9. Reclamation upon abandonment of tower facilities shall be in accordance with the Riley County Zoning Regulations.
10. Due to locating the proposed structures within a 1% Annual Chance Floodplain, a Floodplain Development Permit, along with a building permit, must be obtained prior to construction.

Mr. Isaac stated staff recommended the requested Conditional Use be approved subject to the conditions listed in the staff report.

There were no comments from the Board or the Applicant.

Chairman Larson asked if there was any opposition to the petition. There was none.

Diane Hoobler moved to close the public hearing. Tom Taul seconded. Carried 4-0.

Diane Hoobler moved to approve the request of New Cingular Wireless DBA AT&T, petitioner, and Charles C. Pottorff & Sandra K. Pottorff, owners, to permit the construction/operation of a 150-foot monopole (monopine) in the "G-1" (General Agricultural) zoning district, subject to the conditions listed in the staff report, repealing Conditional Use Authorization #10-20, approved October 11, 2010.

Tom Taul seconded. Carried 4-0.

Lorn Clement moved to adjourn as the Riley County Board of Zoning Appeals and reconvene as the Riley County Planning Board. Diane Hoobler seconded. Carried 4-0.

RILEY COUNTY PLANNING BOARD

Gateway to Manhattan Plan

Lorn Clement moved to take from the table the request to amend the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the proposed Gateway to Manhattan Plan as a part of the Manhattan Urban Area Comprehensive Plan.

Diane Hoobler seconded. Carried 4-0.

Diane Hoobler moved to adopt the amendments to the Manhattan Urban Area Comprehensive Plan and incorporating the proposed Gateway to Manhattan Plan as a part of the Manhattan Urban Area Comprehensive Plan and include a reference in Chapter 4 - Land Use and Growth Management, to Vision 2025- A Comprehensive Plan for Riley County, dated October, 2009, and to forward a recommendation of approval to the Board of County Commissioners.

Tom Taul seconded. Carried 4-0.

Mr. Isaac announced that the Board of County Commissioners will hear the request for adoption on April 21, 2011 at 10:30 AM.

Quarterly Analysis of the LESA System

Bob Isaac, Planner, explained that there still haven't been enough petitions that require a LESA analysis to give any indication of effectiveness or ineffectiveness. He explained that since the adoption of the Vision 2025 comprehensive plan, the majority of the requests to plat and rezone have been for extraneous farmsteads. Mr. Isaac said regardless of the LESA score, the Plan emphasizes the desire to allow extraneous farmsteads to continue as a residential use. Mr. Isaac informed the Board that the Planning Department has received petition requests to plat and rezone property and are scheduled for the May and June meetings. Mr. Isaac stated there has not been enough information yet to warrant any changes to the LESA system at this time. The next quarterly review of the LESA system will be July.

Annual Comprehensive Plan review

Bob Isaac, Planner, said the Board of County Commissioners received the Planning Boards' memo regarding the annual review of comprehensive plan. Mr. Isaac stated that the Commissioners were pleased with the fact the "Vision 2025-Comprehensive Plan" has received its second award and was encouraged to apply for a national award.

Tom Taul moved to adjourn. Motion seconded by Diane Hoobler.

The meeting was adjourned at 8:22 P.M.