

EDWARDSVILLE BOARD OF ZONING APPEALS AND PLANNING COMMISSION
EDWARDSVILLE CITY HALL COUNCIL CHAMBERS
690 SOUTH 4TH STREET P O BOX 13738
EDWARDSVILLE, KANSAS 66113

MINUTES January 16, 2018

Members Present: Bryan Smith, John Altevogt, Tim Sweeten, Mark Bishop, Greg Scott, Erin Harves, Robert Niffen

Staff Present: Dave Knopick, City Planner
Michael Webb, City Manager
Zack Daniel, Assistant City Manager/City Clerk

PLANNING COMMISSION

The regular meeting was called to order by Chairman Bishop at 7:00 p.m.

Minutes from December 19, 2018

Commissioner Niffen made the motion to accept the minutes as written. Commissioner Harves seconded the motion, which passed 7-0.

New Business

(a) Replat/Final Plat public Hearing – 432 S. 102nd St. (2018-14-FPT) – Erin Harves and Deanna Smith, Owner(s) of Record/Erin Harves, Applicant(s)

City Planner Dave Knopick introduced this item, noting that two of the Planning Commissioners (Erin Harves and Bryan Smith) have ownership interest in the property in question and as such have been advised to recuse themselves from the discussion. Additionally, Commissioner Robert Niffen is within the 200 ft. notification radius and has decided to recuse himself as well. The group still had a quorum necessary to formally consider and recommend an action.

Mr. Knopick noted the action before the group would replat the parcel in question, creating three new parcels of approximately 5, 9.86, and 8.02 acres respectively. Mr. Knopick reviewed the recommended staff conditions for approval, which included the standard items as well as modification/removal of the last statement under the public transportation easement note per comments from the City Engineer.

Commissioner Sweeten made the motion to open the public hearing. Commissioner Altevogt seconded the motion, which passed 4-0.

Commissioner Altevogt asked for additional details regarding the split, which were provided by Bryan Smith.

Robert Niffen, 10323 Richland Ave., addressed the group. Mr. Niffen provided a history of the property and specifically highlighted a long-standing discrepancy over the property lines of his parcel in relation to other adjacent parcels. Mr. Niffen provided survey

information supporting his points. He also raised some questions on whether or not the correct information was provided in the public notice materials, to which Mr. Knopick responded and provided additional information about what is included in public notices. City Manager Michael Webb noted that some of the items Mr. Niffen brought up may require additional legal review.

Commissioner Sweeten asked if the Planning Commission could move forward on the replat of the property in light of the information provided by Mr. Niffen. Mr. Knopick responded that he believed the Planning Commission could make a recommendation on the item, including the condition that this issue be resolved by the time of the City Council meeting. Commissioner Scott asked if that should be included in the formal motion, which Mr. Knopick replied that it could be if the Planning Commission requested. There was additional discussion to the effect that the two parties' surveying crews could get together and resolve this issue in a relatively short amount of time.

Commissioner Scott made the motion to close the public hearing. Commissioner Altevogt seconded the motion, which passed 4-0

Commissioner Sweeten made the motion to recommend acceptance of the replat/final plat of 432 S. 102nd St. with the existing staff conditions and a desire that the discrepancy be addressed prior to the City Council meeting. Commissioner Scott seconded the motion, which passed 4-0.

(b) Special Use Permit Public Hearing – 11401 Kaw Dr. (2018-15-SUP) – LRA Properties LLC, Owner(s) of Record/Applicant(s)

Mr. Knopick provided background on this item, noting that the applicant intends to establish a used car sales lot on the site, similar to its previous use. The SUP is required due to the zoning regulations being changed since the previous occupant. Mr. Knopick also noted that the applicant was not required to submit a concept layout plan for the property as it will continue to use the existing structure and parking area for sales/display. Mr. Knopick then reviewed the conditions recommended for approval. Commissioner Smith asked how long the SUP would be active, which Mr. Knopick noted it is a permanent SUP but applies only to the current business owner.

Commissioner Altevogt made the motion to open the public hearing. Commissioner Smith seconded the motion, which passed unanimously.

Reagan Studna, applicant, took the podium and provided some background on his business and the reason for the move. He indicated that at this time he intends to continue sales of the storage sheds. Mr. Studna also noted he would be providing minor maintenance of vehicles as well.

Commissioner Scott made the motion to close the public hearing. Commissioner Sweeten seconded the motion, which passed 7-0.

Commissioner Scott made the motion to recommend approval of the special use permit with staff conditions. Commissioner Sweeten. seconded the motion, which passed 7-0

(c) Planning Commission membership appointments/Election of Officers

It was noted that this item was not included in the minutes of the previous meeting. Commissioner Altevogt made the motion to retain all current commissioners in their current role (Chair Mark Bishop, Secretary Erin Harves, and Vice Chair Greg Scott). Commissioner Sweeten seconded the motion, which passed 7-0.

Staff Reports

Mr. Webb noted construction occurring along Woodend Rd. and highlighted the IRB application approval for Fastenal that occurred at the City Council which also included an extension to the trail system.

Adjournment

Commissioner Altevogt motioned to adjourn the meeting, which was seconded by Commissioner Niffen. The motion passed 7-0.

Minutes submitted by Zack Daniel, Assistant City Manager/City Clerk.