

LYNDON PLANNING AND ZONING COMMISSION
MINUTES OF MONDAY, DECEMBER 5, 2022

Special Use Hearing

Lyndon Community Center – 204 Topeka Ave.

5:30 p.m.

ATTENDANCE:

Planning Commission Members Present: Chairperson- Charna Williams, Members- Peggy Clark, Debra Rasmusson, and George Stutzman. Travis Brown absent with notice.

Zoning Staff Present: Zoning Administrator- Danny Roush, and Planning & Zoning Secretary- Amanda Croucher.

City Staff Present: City Clerk – Julie Stutzman, and Public Works Supervisor- Scott Culley.

Others Present: Osage County Sheriff- Chris Wells, Bret Lewis, Joel Hansen, City Council Member- Lynn Atchison, Loren Dekat, Curt Krambeck, Charles Hanna, and Zacharia Hanna.

PUBLIC HEARING: Permit #22-45; Special Use Permit Application submitted by the Osage County Board of Commissioners for the Law Enforcement Center associated with the property located at 131 W. 14th St., Lyndon, KS.

OPENING OF HEARING:

At 5:32pm Chairperson Williams opened the hearing, noting that 4 of the 5 commission members are present tonight, Brown is absent with notice.

- Chairperson Williams read aloud the Planning & Zoning commission authority and limitations.
- Chairperson Williams asked members if they had had any outside contact regarding this subject; Clark – No; Stutzman – No; Rasmusson –Yes, this subject part of discussion at a City Council meeting she attended.
- Chairperson Williams asked members if they had a conflict of interest with this subject; Clark – No; Stutzman – No; Rasmusson – No.

APPELLANT REQUEST/ARGUMENT:

- Curt Krambeck with KBS, the architect for the new proposed Osage County Law Enforcement Center answered member questions and gave a brief summary of project.

PUBLIC COMMENT(S)& COMMISSION QUESTIONS:

- Chairperson Williams inquired about the size of building. Krambeck announced that due to rising construction costs the current proposed single story structure with a basement; which is estimated at 40,000 sq ft may be reduced to a 30,000 sq ft single story structure by removing the basement. The idea is to keep a similar footprint as originally proposed.
- Chairperson Williams inquired about proposed landscaping, signage, and general character of the building. There will be more details on the exterior of the building and landscaping when the application permit for the commercial building is submitted. Williams stated that they will be required to get a separate sign permit from the City when the time comes.

- Rasmusson inquired about the proposed impound lot's type of use/zoning, fencing requirements, and security of impounded vehicles. Sheriff Wells responded that the current police impound lot is used for evidence, seizure, and storage of various vehicles including cars/trucks/boats/all terrain vehicles and the proposed lot will be similar in use.
- Rasmusson inquired about the utility easement on the north east section of the property. Rasmusson discussed with Krambeck the proposed driveway's utility access and responsibility of costs if there is a need for utility repair. Maintenance Supervisor, Culley provided City utility maps for clarification of existing City utilities. Rasmusson's concern is driveway access and responsibility of costs associated with future utility repairs.
- Rasmusson inquired about fire protection and the need for additional fire hydrants. It was noted that if there is a need for an additional fire line, it will be included in the project costs.
- Rasmusson inquired about increased run-off and drainage to protect the surrounding properties. The civil design will take into consideration the drainage and discharge.
- Chairperson Williams inquired about the inmates as they are released and if they will have a place to wait for their rides vs. released into the neighborhood. Sheriff Wells reassured commission members that there will not be an increase in the number of releases compared to the current standard and that there is a proposed lobby/waiting area after release. Wells also commented that this facility will be safer for the employees and the inmates; subsequently it will also provide more jobs to Osage County.
- Hanna inquired about the traffic flow with the new building; Krambeck provided explanation.

APPELLANT REBUTTAL:

- No comment.

***Public Hearing is closed to all Public Comments.**

COMMISSION MEMBER DISCUSSION/MOTION:

- Commission Members reviewed Standards for Issuance of Special Use Permit:
 - A. Location & size of the proposed use in relation to the site and to adjacent sites and uses of property, and the nature and intensity of operations proposed thereon.
 - B. Accessibility of the property to police, fire, refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.
 - C. Utilities and services, including water, sewer, drainage, gas, and electricity, with particular reference to location, availability, capacity and compatibility.
 - D. The location, nature, and height of structures, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.
 - E. The adequacy of required yard and open space requirements and sign provisions.
 - F. The general compatibility with adjacent properties, other properties in the district, and the general safety, health, comfort and general welfare of the community.

RECOMMENDATION BASED ON MOTION/RECOMMENDATION TO CITY COUNCIL:

- Motion was made by Stutzman to recommend approval of the Special Use permit for application #22-45 by the Osage County Board of Commissioners for the Osage County Law Enforcement Center at 131 W. 14th St, Lyndon, KS; seconded by Clark.
- Member Discussion; Rasmusson would like see conditions added to the recommendation that is put forth to the City Council.

- Motion was made by Rasmusson to amend the previous motion adding the following conditions;
 1. Ingress/egress over the utility ROW and the city sewer line, 2. Monetary responsibilities during and after construction of those costs should there be costs to the city, 3. Implement conditions on types and duration of vehicles in impound storage. Seconded by Clark.Motion carried.

CLOSE HEARING/ADJOURNMENT:

At 6:12pm Chairperson Williams closed the hearing.

The Special Use Recommendation form was filled out in entirety and signed by all 4 commission members. A copy of the Standards for Issuance of Special Use permits was attached.

The secretary will type a draft copy of the minutes from the hearing and attach a copy of the draft minutes to the recommendation form for the City Clerk to discuss at the December 19th, 2022 City Council Meeting.

Respectfully submitted,



Amanda Croucher

Planning & Zoning Secretary

Passed by the Planning & Zoning Commission on the 16th day of January, 2022.