

PLANNING COMMISSION MEETING MINUTES

Tuesday, November 15, 2016 @ 7:00 p.m.

Members Present: Craig Stephan, Mark Yates, Sherri Neff, Merle Parks, Lloyd Mesmer, Dave Pierce and Jason Krone

Members Absent: Lew Kasselmann

Staff Present: Don E. Slone, AICP, CFM, Planning Director

Chairman Parks called the meeting to order at 7:00 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the September 20, 2016 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes with a second from Commissioner Yates. Commissioner Parks asked if there were any questions or comments. Seeing none, he called for the vote. The minutes were approved by a 7-0 vote.

New Business:

Chairman Parks introduced **Item No. 2: Special Use Permit; SUP-138: "Overton's Archery Center"** a request to construct and operate an indoor and outdoor archery range and single-family residence on 6.16 acres. Requested by Leticia Cole, Paul Werner Architects, for Jon Overton, Overton's Archery Center under contract from Mike & Kerry Hefton, property owners of record. The property is zoned A-1, Agricultural District and located at 46 N. 122nd Street.

Chairman Parks opened the public hearing at 7:02 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Special Use Permit as presented in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. The applicant was unable to attend the meeting but Mr. Ryan Berendzen with Paul Werner Architects, stated they had no additional comments. He then stated that he was attending for Leticia Cole, who was unable to attend the meeting tonight. Mr. Berendzen then stated he would be glad to answer any questions the Planning Commission might have.

Chairman Parks then asked the owner, Jon Overton if he had anything to add. Mr. Overton stated that he did not have anything to add but would also be glad to answer any questions. Chairman Parks then asked if he was in agreement with all the listed conditions. Mr. Overton stated that he was in agreement with the listed conditions.

Chairman Parks asked if the owner intended to use the outdoor range at night. Mr. Overton stated no and further stated that the proposed outdoor range was for daytime use only.

Commissioner Pierce asked how far it was to the I-70. He then asked if an arrow is shot accidentally, will it be able to make it to the highway. It was determined to be approximately 200' feet to the south lane of I-70. Commissioner Yates stated that it would be almost impossible for an arrow to go that far. He then stated that there is usually a "range master" that oversees the outdoor range. Commissioner Yates stated that he is an avid archer and was very supportive of this type of business.

Commissioner Krone asked if the special use permit would allow the use of firearms or was is restricted to archery use only. The Planning Director stated that the Zoning Ordinance does not specify the difference. Shooting Ranges - Indoor and Outdoor under Appendix B stated that they are allowed only with the approval of a Special Use Permit. A restriction could be added to the list of conditions, however; since the request was for an indoor and outdoor archery center, that would be a sufficient restriction for the use of firearms.

Commissioner Pierce then asked how many people would utilize the center at any given time. Mr. Overton stated between 20 and 30, but generally would be no more than 20 unless he has a tournament.

Chairman Parks asked if anyone in the audience had any questions or comments.

LeVoide Simpson, 36 N. 122nd Street stated that he has lived here for 13 years and did not want to see a commercial business go in. He also stated that with the road construction by KDOT, the area has changed quite a bit. He stated that Mr. Overton did stop by and brief him on his proposal which he did appreciate. Mr. Simpson then stated that he was not in favor of the project.

Walt Stephen, 3329 S. 142nd Street stated that he currently lives in Bonner Springs but travels to Lawrence to use the current Overton's Archery Center and was very excited to see that he might have an archery range closer for his use. He then stated that he has been a client of Jon's for several years and was very much in favor of the project. He also stated that this is a "low impact" business and was in favor of the project.

Stacie Simpson, 36 N. 122nd Street stated they were a hunting family but did not want an archery business next to her home. She also stated that she did not want car lights shining into her bedroom on the north side of her home. She stated that she was not in favor of the project.

Don Sennett, 330 S. 122nd Street stated that he felt that we did not need that type of use out there.

Dave Couch, 240 S. 122nd Street stated that this was not good for the residential area where they live and was not in favor of the project.

Based upon the comments received, the Planning Director after hearing the comments from the abutting neighbors, he recommended to the Planning Commission that they "continue" this item until their December 13, 2016 meeting to allow the applicant/owner to meet with the adjacent property owners to discuss any possible solutions to move this project forward if at all possible. Mr. Slone asked Mr. Overton if he was supportive of the request and if he was willing to have a meeting with the adjacent property owners? Mr. Overton stated that he was willing to have the meeting as this project is very important to him and his family.

Chairman Parks asked if anyone else in the audience had any questions or comments. Seeing none he closed the public hearing at 7:53 p.m. and asked for a motion. Commissioner Yates made a motion to "continue" this item until the December 13, 2016, Planning Commission meeting in order for the applicant and owner and adjacent property owners to meet and discuss their concerns with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 7-0.

The Planning Director stated that this item will placed on the agenda for the next Planning Commission meeting on December 13, 2016.

Chairman Parks introduced **Item No. 3: Zoning Ordinance Amendment: BSZP-126: "Landscape Regulations – Minimum Planting Requirements"** A request by the Planning Commission to consider an amendment to the Zoning Ordinance, Article XXX: Landscape Regulations, Section 5: Minimum Planting.

Chairman Parks opened the public hearing at 7:58 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to "continue" this item until the December 13, 2016, Planning Commission meeting. The rational was for the Planning Director and Planning Commission to further discuss changes to the "Recommended Tree List" to be compliant with the City's Tree Species listed under the Code of Ordinances, Chapter XIV, Streets and Sidewalks.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 8:00 p.m. and asked for a motion. Commissioner Stephan made a motion to continue this item until the December 13, 2016, Planning Commission meeting with a second from Commissioner Krone.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 7-0.

The Planning Director stated that this item will be placed on the agenda for the next Planning Commission meeting on December 13, 2016.

Chairman Parks asked if there was any further business. Seeing none, he adjourned the meeting at 8:10 p.m.



Don E. Slone, AICP, CFM, Secretary