

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
November 6, 2023**

**MIAMI COUNTY ADMINISTRATION BUILDING
COMMISSION CHAMBERS
201 SOUTH PEARL STREET
PAOLA, KANSAS 66071**

ATTENDANCE

CHAIR:	John Menefee
VICE-CHAIR:	Kelli Broers
PLANNING COMMISSION	Joshua Brown, Bret Manchester, Gary Brockus, Topher Philgreen (joined at 7:03), and Joe Flake (joined at 7:15)
ABSENT MEMBERS:	Charles Armour, Randy Kitchen
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Kenneth Cook
ASST. PLANNING DIRECTOR:	Jennifer Koehn
PLANNER:	Bobby Wardecker
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not present
ECONOMIC DEVELOPMENT	Not present
COUNTY COMMISSION:	None Present
COUNTY CLERK:	Not Present
PRESS:	None Present

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
November 6, 2023**

CALL TO ORDER

Chairman John Menefee called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call was taken with five (5) members present, making a quorum.

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

There were none.

ADOPTION OF THE AGENDA

Menefee recommended that 23013-SUB: Limestone Ridge be moved from New Business to Old Business on the Agenda.

Broers moved to adopt the agenda moving 23013-SUB: Limestone Ridge to Old Business. Brockus seconded, and the motion passed unanimously (5-0), via show of hands.

CONSENT AGENDA

- Minutes: Approval of the October 3, 2023, Planning Commission Minutes

Broers moved to approve the consent agenda. Brockus seconded, the motion passed unanimously (5-0), via show of hands.

REGULAR AGENDA

Old Business:

23013-SUB: Limestone Ridge

Menefee opened Staff Presentation at 7:02 p.m.

Philgreen joined the meeting at 7:03 p.m.

Cook presented the staff report for reconsideration of the board's decision requiring a shared access for Subdivision Application (23013-SUB) that was considered and approved at the October 3, 2023, Planning Commission meeting. Subdivision Application 23013-SUB is to include approximately 65.88 acres being divided into 4 lots ranging in size from 15.95 acres to 16 acres submitted by Charles D. Klaasmeyer II, the property owner of record. This request is utilizing the Standard Subdivision criteria per Section 5-5.02.1A of the Miami County Kansas Zoning Regulations. The subject property is zoned Countryside (CS) and is located on the East side of Crescent Hill Rd, approximately 491 feet south of 271st St, in the Northwest Quarter of Section 27, Township 16S, Range 22E, Richland Twp.

Cook noted subdivision applications are generally on the Consent Agenda, in the occasion that an irregularity arises with the subdivision plat the item is placed as a regular agenda item for discussion by the commission.

Cook reminded the commission that this subdivision plat was approved at the October 3rd meeting with the requirement that shared access easement between Lots 2 and 3 be upheld and that the required access easement between Lots 1 and 2 would be waived due to the issues with the existence of the pipeline and cathodic line impacting those lots.

Cook explained the reason this application is coming before the board again is the Applicant prefers not to have shared access easements for any of the lots in the proposed subdivision. Staff restated the regulations do require shared access easements between lots in a subdivision with lots smaller than 20 acres.

Menefee asked which lot the cathodic line is on.

Cook stated from the pipeline on Lot 1 to about halfway onto Lot 2 and demonstrated on the Final Plat. The cathodic line is located just off the paved surface in the County's Right-of-Way.

Cook concluded the Staff report and stated the Applicant's representative is present for any questions.

Broers stated Lot 2 will require a Floodplain permit regardless of access.

Cook stated that is correct. Cook stated he had a conversation with the applicant advising when there is shared access the applicant is required to pay for the entrance before Planning & Zoning will file the Plat. If the shared access were between Lots 3 & 4 it would be simpler, and the applicant wouldn't have to go through the Floodplain Development Permit process.

Broers asked for a demonstration on the map as to where the Crescent Hill culvert is located.

Cook demonstrated on the map.

Broers stated if they want the entrance 80 – 100 feet from the culvert of Lot 3 a Floodplain Development Permit might be needed.

Cook stated the existing entrance is on the far south side. The entrance for Lot 3 would be in the area that has no Floodplain, if it were in a Floodplain there would need to be a Floodplain Development Permit. If it is approved to not have shared access, then they will be required to get a Floodplain Development Permit when they get the Entrance Permit. Cook stated if the entrance is moved to a location in the Floodplain the applicant will have to go through the Floodplain Development Permit process before it can be

recorded. Cook noted from a time perspective the applicant would prefer not going through that process. Cook stated the Planning Commission approved this subdivision contingent on Staff's recommendation with the shared access. Since that was Staff's recommendation, Cook believes he needs to stand by that. Cook noted if the applicant were to modify the location of the corner between those two lot lines it would allow the entrance to be offset a little bit to the current location. There would still be a shared access, but the lot lines might change a little. Cook stated this was the original proposal to the applicant and it would still comply with the Planning Commission's approval. The applicant would prefer not making this change and since the approval was for a shared access Cook advised the applicant this would need to come before the Planning Commission again.

Menefee asked if the Planning Commission were to uphold the decision from last month and still require a shared access would the Planning Commission need to specify which lots the shared access will need to be on.

Cook replied the shared access location can be left up to the applicant, it just needs to be between Lots 2 & 3 or Lots 3 & 4.

Manchester stated the entrance and driveway for these lots will be in the Floodplain. Manchester believes if the driveway crosses the Floodplain it will be washed out.

Cook stated it is possible. Cook noted where the driveway is currently proposed between Lots 3 & 4 it is technically not in the Floodplain, but it is about 100-feet outside the Floodplain.

Menefee called for deliberation between the Planning Commissioners at 7:19 p.m.

Broers doesn't believe anything compelling has been provided to reverse the Planning Commissioners' previous decision. Broers believes it is a simple fix and can move the shared access to Lots 2 & 3 or adjusting the property lines and she will leave that to the applicant's discretion. Broers noted Miami County has rules and regulations for a reason, unless there is a compelling reason the regulations don't apply, like safety, then there shouldn't be exceptions to the rules. Broers agreed with Staff's updated analysis.

Flake asked Staff to repeat the applicant's two (2) options.

Cook stated option one would be for the applicant to put the shared access between Lots 2 & 3. The second option is to adjust the property line between Lots 3 & 4 either to the South or to the North.

Manchester stated he agrees with Broers.

Cook reminded the Planning Commission the applicant's representatives are present. Cook noted this is not a Public Hearing and it would be up to the Planning Commission if they hear from the applicant.

Menefee invited a representative of the applicant to the podium at 7:24 p.m.

Robert Zoller, 29580 Lone Star Rd, realtor for Dale Klaasmeyer, stating this property was picked because it was a paved road which is a high demand by people. The objective was to develop the area allowing an option to have five (5) homes built in this area and meeting the demands of Miami County for growth. Zoller believes there is very little tax base supporting this expensive road and this development will add to the tax base. Zoller stated he was informed by Road & Bridge that a shared entrance between Lots 3 & 4 was not feasible due to three (3) culverts passing under Crescent Hill Road North of the property line. Zoller believes the stream on this property is the reason for the heavy timbers on the property and the trees are the reason five (5) homes can be built on these lots. Zoller stated he asked Road & Bridge if there were any safety or line-of-sight issues requiring a shared access and the answer was no. The reason for rezoning from AG to Countryside (CS) was to get the number of acres reduced to attract more buyers that could afford the lots. Zoller stated the Klaasmeyer family appreciated the consideration the Planning Commission gave this issue.

Brockus stated he believes the applicant has a compelling argument.

Broers stated she appreciates the applicant taking time to share his perspective, but it doesn't change anything. Broers stated there was nothing there other than "I just don't like the rules". Broers believes it is the Planning Commission's job to apply the rules and regulations of the County and make a recommendation. Broers noted the County Commissioners can make a policy change at their level; they are supposed to lead on changes like this. Broers stated this isn't the first time the Planning Commission has heard that people don't like a shared access, but it is the rule County-wide. Broers stated a change to the regulations is something the Planning Commission should look at in the future but to approve things on the fly leads to inconsistency, it will also mean every application that comes in after this no one will want a shared drive and the rule means nothing. Broers stated there's no compelling reason here to grant an exception.

Menefee stated he agrees with Broers. Menefee believes the Planning Commission has the opportunity, with merit and reason, to make exceptions. Menefee noted he doesn't see any merit or reason as to why there cannot be a shared access and with it being a paved road compels him more that there should be a shared access due to the higher rate of speed. Menefee stated if exceptions are made every time, then subdivisions no longer get put on a consent agenda like they normally do. Menefee noted he doesn't know

how many of these were approved in Menefee's time on the board and they were on the Consent Agenda and never had a discussion. The only reason for this one being a discussion was because of the cathodic line and the exception needed there, otherwise, this would have been on a consent agenda voted on 1-2 months ago. He agrees the rules and regulations should be looked at in the future as we finish up the Comprehensive Plan. Menefee believes an inconsistency is a terrible precedent to set as a Planning Commission.

Flake believes there's a need to consider making a change to the regulations but reminded the Planning Commission there was a subdivision approved with an exception to shared access approximately 30-minutes prior to Limestone Ridge at the October Planning Commission meeting.

Menefee stated the exception was made for a compelling reason, it was on a dead-end road.

Flake asked if the exception was made due to the road, and it was on not due to the 15-acres.

Menefee replied yes.

Flake stated he believes the Planning Commission is being inconsistent.

Menefee stated he disagrees with that statement but respects Flake's opinion.

Broers stated the previous subdivision being referred to was not on the Consent Agenda because of a blanket easement issue. Broers stated if looking at the broader numbers, subdivisions do go on the Consent Agenda and the Planning Commission is consistent. Broers noted it just happened both subdivisions were on the same meeting and dealing with easement issues, this was the reason they were not on the Consent Agenda. Broers noted the purpose for a shared access is generally safety related and the County expense for snow removal. Broers believes the two (2) applications are not similar and it's like comparing apples to oranges.

Flake stated he isn't familiar with that regulation, but it doesn't talk about the type of road it is on it talks about the number of acres.

Cook stated when talking about subdivisions and having access onto an arterial or collector road then Lots of any size are required to have shared access easements. For Lots gaining access to a local road the regulations state a Lot greater than 20-acres in size it is highly suggested they have shared access but not required. Cook gave an example using an AG Preserve Subdivision with a 70-acre parcel left over and the other Lots had an interior road providing access to the road, but the 70-acre parcel would not be required to use the interior road provided for the other Lots.

Philgreen stated he came in 2-minutes late and not sure he understands what the motion is.

Cook stated Staff's recommendation is based on the Zoning Regulations which require a shared access easement between each set of 2-Lots. From Staff's perspective the shared access can either be between Lots 2 & 3 or make an adjustment to the boundary lines between lots and have the shared access easement between Lots 3 & 4.

Menefee stated the motion does not need to specify where the shared access is to be.

Brown asked if the stream running on this property is considered a Blue Line Stream?

Cook stated yes.

Brown asked if it would be advantageous to have the crossing over the stream.

Cook stated it would depend on the development of the properties.

Philgreen believes he might have been the one to suggest not having a shared access at the last meeting. And stated there should be policy discussion in the future regarding when there should or should not be shared accesses, and when a subdivision should be required to have an interior road with all lots sharing one (1) access to the County road. Philgreen stated this is a growing city and these are things he believes will come about more and more. Philgreen noted he agrees with Broers, he doesn't see a compelling reason to make an exception on this issue.

Brown believes on a road that is traveled less and has a lower speed limit there is less risk to safety. With the road in question, it is a big road with a higher speed limit and believes there is a greater risk to safety if allowed additional accesses to the road.

Cook agrees with Brown's assessment.

Brockus stated 5-entrances on a road where the traffic is less and slower would be better than the black-top road in question.

Cook replied it depends on the regulations. As soon as a Subdivision Plat is required that is when the shared access issues come into play. Cook stated if the applicant had split the 80-acres into two (2) 40-acre lots then split the 40-acre lots into two (2) 20-acre lots each then they would not have been required to have shared accesses. Cook stated because the applicant choose to have a fifth lot, (creating five (5) 15 acre lots) that now brings in the shared access requirements. Regulations require shared access when the lot size is less than 20 acres.

Brockus asked what if they made the entrance for Lot 1 come off the North and have separate entrances for the rest of the lots.

Cook stated the farthest North Lot is the lot that was split off prior to the Subdivision and is not part of this Plat, so all four (4) lots that are a part of this Subdivision will have to have access to the road to the West.

Brockus asked if that is technically or because the way it is Platted.

Menefee stated it's because the lot to the North is not part of this Subdivision Plat.

Cook stated it's possible the applicant could have reformatted the layout of the plat to give access off the back but there will still be a need for shared access.

Brockus asked if this shared access exception were approved what could the Planning Commission expect in the future.

Cook stated picking and choosing who to grant exceptions to and not base it off any findings could open the County up to litigation and/or the Planning Commission will receive more requests to grant exceptions. Cook reminded the Planning Commissioners there are reasons why the County has adopted certain regulations.

Broers stated it will make the Subdivision process more like the Conditional Use Permit (CUP) process, the Planning Commission will be weighing the facts and circumstances of every application. A dead-end road is a unique situation another case that might require an exception would be access to a road with a dangerous hill or even a wetland.

Cook stated another exception might be a major stream channel that bisects a property making it difficult or impossible to have access. Cook stated sometimes there are other topographical characteristics that come into play.

Broers stated to Brown's point this simplifies it for future homeowners because having two (2) access points crossing the stream on Lots 2 & 3. If the applicant chooses to have the access on Lots 2 & 3, there would just be one (1) crossing the stream. Broers believes it is potentially more efficient.

Cook stated from what he has looked at, if they moved the shared access North of the culvert by 80-100 feet they would avoid being in the Floodplain.

Broers stated North of the culvert, whether they need a Floodplain permit or not, they will have to cross the channel. Requiring the shared access here makes crossing the channel more efficient making one point to cross instead of multiple and makes this request less compelling to Broers.

Philgreen moved to deny the request to grant an exception to the shared access rule. Broers seconded.

Brockus stated after hearing everything tonight he can be onboard with the motion but still feels the applicant has a good argument.

Menefee stated he doesn't disagree with Brockus. Menefee noted for the record he believes the County Commissioners need to look at the requirement for shared access as we finish the Comprehensive Plan.

Broers thanked the applicant and stated she did appreciate their sharing their thoughts. Broers stated the lots are beautiful and it's good knowing that there will be homes on the lots.

Menefee called for the vote via show of hands, the motion passed 6-1 with Flake voting against.

New Business:

23014-SUB: Stillwater Estates

Menefee opened Staff Presentation at 8:05 p.m.

Cook presented the staff report for consideration of 23014-SUB Replat of Stillwater Estates, to allow an adjustment in boundary lines between Lots 1 & 2. The replat includes approximately 90.965 acres in 4 lots: two lots of approximately 4 acres each; one lot of approximately 3.5 acres, and a fourth agriculturally preserved lot of approximately 78.09 acres, utilizing the Agricultural Preservation Subdivision standards in the Countryside zoning district per Section 5-5.02.1(C) of the Miami County, Kansas Zoning Regulations. The subject property is located on the south side of 215th Street, approximately ¼ mile west of Lackman Road, in the Northeast Quarter of Section 20, Township 15S, Range 24E, Ten Mile Twp.

Cook stated this would typically be on the Consent Agenda but felt it needed a quick discussion due to the future plans the applicant is considering. Staff recommends approval of the Replat of Stillwater Estates as it is submitted, however, the applicant has made comments that they might come back in the future to do another Replat with the thought of moving Lot 2 to the East side of Lot 1. Cook noted this would create a 4-acre Lot with more than 50% being within the Floodplain area and Staff doesn't believe that is a large enough area to build a house and wastewater system. This is the main reason this application ended up on the regular agenda. Staff cannot recommend approval of this future plan.

Menefee stated it would create some issues with septic, sewage, or lagoon and noted he agrees with Staff's recommendation.

Cook stated for the current request Staff is recommending approval.

Manchester asked when the Subdivision to the East was created.

Menefee stated 1993.

Broers asked how many acres the whole arm is if they wanted to split off the entire chunk.

Cook stated if they were to do that it would create additional issues since this is an AG Preservation Subdivision.

Broers stated if they remove Lot 2 and used the entire chunk, it looks bigger than 4-acres.

Cook stated that is more than 4-acres but to meet the frontage requirements for Lot 1, it would end up with two (2) frontages and would not meet the 8:1 ratio requirement.

Broers is concerned it is looking a little flaggy to her. Broers asked why they only want to make the new Lot 4-acres.

Cook stated that was the discussion based on the floodplain location.

Menefee stated that is future and today only deciding on the access between Lots 2 & 3.

Cook replied yes.

Brown asked why the crossing between Lots 3 & 4 is not allowed.

Cook stated there is a shared access easement between Lots 3 & 4, the shared access comes close to the property line of Lot 1 if not all the way. If they wish to use that driveway they can, but regulations still require them to have a direct access to the road from their property.

Broers stated she still has concerns with future plans.

Menefee stated he believes Staff brought it to the Planning Commission to make sure everyone is on the same page.

Cook stated any further divisions of this property will require a Subdivision Plat.

Brockus moved to approve 23014-SUB Replat of Stillwater Estates based on Staff's findings and recommendations. Philgreen seconded; the motion passed 6-1 with Manchester voting against, via show of hands.

Menefee asked when these two (2) Subdivisions will go before the County Commissioners.

Cook replied November 22, 2023.

Public Hearing for 23003-CUP: KC Watersports Conditional Use Permit

Menefee opened Staff Presentation at 8:17 p.m.

Koehn presented the staff report for consideration to renew and modify/expand an existing Conditional Use Permit (CUP) for the operation of a commercially operated recreational lake and boat storage facility, per Section 8-2.02.14 and 8.2.02.15, of the Miami County Zoning Regulations. Modifications include additional outside boat storage, future inside boat storage, new cable system and 4 short-term rental cabins. The subject property is located on the east side of US 169 Highway (Edgemore Road), approximately ¼ mile south of 255th Street, in the Northeast ¼ of Section 14, Township 16S, Range 23E, Marysville Township.

An updated narrative was provided November 6, 2023, and has been passed out to the Planning Commission.

The Applicant is requesting to renew/modify the existing CUP for the operation of a commercially operated recreational lake and boat storage, new cable system, four (4) short-term rental cabins and added occasional recreational/entertainment uses not originally included which are permitted with a CUP in the C-2 District. Staff is recommending approval to renew and modify the existing CUP based on the Findings and Conditions laid out in the Staff report.

Koehn stated this is the applicant's off-season and is aware this may take some time.

Koehn concluded the Staff report and stated the Applicant is present for any questions.

Menefee referred to Condition 4 *"Those buildings and parking areas shown as "future" on the site plan are approved as part this conditional use permit but shall not be developed until approved through the site plan process. KC Watersports shall apply for and gain approval of a site plan prior to developing the buildings and parking areas shown as "future" on the site plan."* stating the cabins don't say future or proposed on them but the rest of the buildings do.

Koehn stated the cabins are future.

Philgreen referred to the site plan and asked if that is a road that goes in front of the four (4) buildings.

Koehn stated it is a gravel road.

Philgreen asked where the road goes.

Applicant answered, it goes to the back part of the property.

Broers asked what is allowed by right and what actually needs to be in this application.

Koehn stated since it is C-2 District any events inside are allowed by right. The outdoor events including the water park will require a CUP.

Cook stated there have been discussions on this, vehicle and boat maintenance would be allowed by right in the C-2 District, a restaurant, retail sales, and boat sales are permitted by right. Boat storage is still required under a CUP. Cook stated he is hoping for some discussion with the Planning Commission on whether there needs to be a conversation about the hours of operations especially with the outside events.

Brockus stated Condition 10 states hours of operations ending at 10:00 p.m. and the narrative states the cable operation is at 8:00 p.m. and asked the applicant if the park shuts down at 8:00 p.m.

Menefee invited the applicant to the podium.

Sean Hollenbeck, 10102 W. 252nd St, Overland Park, KS, stated he would like to keep the inside events open until 10:00 p.m. while the outside events will be over by 8:00 p.m. Hollenbeck stated they do have a liquor license and serve drinks inside. Hollenbeck noted the updated narrative indicates being open until midnight for inside events.

Menefee asked if the applicant had anything else to add.

Hollenbeck stated in 2013 when he did the Rezone Application a lot of the boxes on the site plan were put in place for future building areas so he wouldn't have to come back to the Planning Commission to amend the Conditional Use Permit (CUP) and he would be able to move forward with the building plans under the C-2 District site plan. Hollenbeck stated there are currently two (2) cables installed and he is hoping to have a third one installed.

Philgreen asked if they are doing slalom on the smaller lake and the larger lake waves.

Hollenbeck stated slalom can be on either lake, but the smaller lake is only about 400-feet long.

Manchester asked how long before the full plan is completed.

Hollenbeck stated he doesn't have that answer at this time.

Manchester is concerned about the road improvements needed.

Hollenbeck stated his annual fire inspection is scheduled for Wednesday and plans to talk with them to see what they require.

Flake had to leave the meeting at 8:44 p.m.

Broers referred to the site plan and stated it shows gravel for the boat storage then a building, asking if it is gravel now or is it being done in phases.

Hollenbeck stated it is gravel now and does not plan on allowing any outdoor storage.

Brown stated the applicant asked to open from 8:00 a.m. to midnight on indoor events and asked if he is wanting the same for outdoor events.

Hollenbeck stated he would like it for outdoor events as well and plans the movie dive-ins approximately twice a year.

Cook noted with other Conditional Use Permits (CUP) that have been approved and have special events they are limit to so many per year, weekends, and for certain hours. Cook stated this might be something the Planning Commission would want to consider when there are special events.

Philgreen stated he likes this facility and what it says about Miami County and would like to see the improvements.

Menefee opened Public Hearing 23003-CUP: KC Watersports Conditional Use Permit at 8:46 p.m. With no public comment, the public hearing was closed at 8:46 p.m.

Menefee stated he likes the facility and what they do for the County. Menefee asked Staff if it was agreed a few months ago by the Planning Commission not to send an incomplete plan to the County Commissioners.

Hollenbeck stated he has been having difficulties getting an engineer and is currently on No. 3.

Cook stated that is correct. Cook stated Staff wanted to bring this to the Planning Commission allowing time for discussion due to the mixture of Uses that are permitted in C-2 District and the Conditional Use Permit (CUP) uses. Staff is wanting direction from the Planning Commission so that Staff can work with the Applicant in getting things worked out and ready to present to the Planning Commission in January 2024 for final approval. Cook stated he would like to see something about the cabins being allowed for short-term rentals only and not long-term, there is discussion in the narrative with regards to the Boy Scouts using the facility. Cook noted there are existing sanitation facilities on the property and would like to have the location of those noted on the updated site plan. Staff believes the narrative states Boy Scouts would be there around five (5) times per year and would like to see that in the narrative. Have Camping for operated in compliance with sanitation requirements.

Broers asked if Staff knows what the maximum capacity is on the septic system and at what times they would need Johnny-on-the-spots.

Cook stated he believes they are currently using holding tanks and the applicant is wanting to upgrade to a lagoon.

Menefee asked under C-2 District is there anything that allows for rentals.

Cook stated the closest thing is hotels/motels other than cabins listed under the commercially operated recreational and sports related facilities.

Broers stated a hotel/motel would require some sort of license.

Cook agreed and stated when looking into the mixture of uses in the C-2 District having it a part of the CUP made more sense.

Philgreen stated to him, as they discuss the Comprehensive Plan and the areas of significance, this is a perfect example of that.

Cook stated there has been discussion about the hours of operation, currently opened until 10:00 p.m. and when they hold a dive-in movie it would go later. There was also a discussion regarding noise. Cook Stated the C-2 District does require no sound, dust, vibration, etc. is to be perceptible outside of a building, and when it comes to outdoor events most of them are listed as a CUP. Cook stated when working through the process of the CUP it will give Staff and the Planning Commissioners a chance to talk about those details.

Philgreen asked if they are allowed to ask the applicant to come back with a final proposal when he returns.

Broers stated thinking about flexibility for Staff and applicant on the cabins might consider designating one for a potential staff member. Example given, if the applicant hires help from Kentucky and wants to provide housing then they would have a cabin designated for that staff member.

Cook noted in the C-2 District there is an allowance and read the following statement from Zoning Regulations: *“Residential use of structures zoned and used for commercial or industrial purposes, when such auxiliary residential use is by the owner of the structures or by employees of the business, which is the principal use.”* Cook believes this allows an employee to stay on site, especially if that person were keeping track of the noise level and such.

Broers stated one of the things the Planning Commission considered when approving the Conditional Use Permit (CUP) for Wildwood Education Center was that a member of staff would remain on site to keep an eye on things.

Menefee asked what guidance does Staff need from the Planning Commission as Staff finalizes this application.

Cook stated the main items have been covered unless the Planning Commission has additional concerns.

Broers asked if insurance is on the Conditions.

Cook stated he noticed it was not included in the Conditions and will get it added.

Philgreen asked if a motion is needed tonight.

Menefee stated a motion is needed to continue the item.

Cook stated the applicant won't be available in December and suggested continuing it to the January 2024's meeting.

Hollenbeck stated he would be fine with tabling it to February 2024.

Menefee suggested tabling it to January 2024, and if needed can continue to February 2024.

Philgreen moved to continue 23003-CUP: KC Watersports Conditional Use Permit to the January 2, 2024, Planning Commission meeting. Brown seconded; the motion was unanimous via show of hands 6-0.

GENERAL DISCUSSION

Cook stated he had additional discussions with the County Commissioners, and they would like Staff to breakdown the five (5) major areas of concern with the Comprehensive Plan to give them a better understanding of what direction to take.

Broers stated she would like to learn more about counties with larger minimum Lot sizes. Broers stated she would like to compare Miami County's to the sister counties and maybe places like McPherson that are more rural. Menefee agreed.

Manchester stated the previous Planning & Zoning Director provided a monthly report on development in Miami County and would like to start receiving the monthly reports again.

PLANNING COMMISSION TRAINING

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

There were none.

Possible Future Amendments to Zoning and Subdivision Regulations

- A. Common Access Easement requirements
- B. Sign Regulations
- C. Telecommunications Regulations

D. Height limits for radio, television, internet antennas and satellite dishes designed for individual residences.

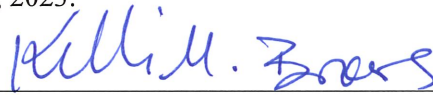
There was no discussion regarding these "Possible Future Amendments" to the regulations.

Philgreen moved to adjourn the meeting, Broers seconded. The meeting adjourned at 9:06 p.m. with a unanimous vote (6-0), via show of hands.

Approved this 5th day of December, 2023.



Casey d'Augereau, Secretary



John Menefee, Chair / Kelli Broers, Vice-Chair

Minutes written by Casey d'Augereau