

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
January 7, 2025**

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

ATTENDANCE

CHAIR:	Kelli Broers
VICE-CHAIR:	Topher Philgreen
PLANNING COMMISSION	John Menefee, Randy Kitchen, Bret Manchester, Phil Elliott, and Joe Flake
ABSENT MEMBERS:	none
EX-OFFICIO MEMBERS:	None present
PLANNING DIRECTOR:	Kenneth Cook
ASST. PLANNING DIRECTOR:	Jennifer Koehn
PLANNER:	Not present
PC SECRETARY:	Casey d'Augereau
COUNTY COUNSELOR:	Not present
ECONOMIC DEVELOPMENT	Not present
COUNTY COMMISSION:	None Present
COUNTY CLERK:	None Present
PRESS:	None Present

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CALL TO ORDER

Chairman Kelli Broers called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Roll Call was taken with eight (8) members present, making a quorum.

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

Tophier Philgreen recused himself from Agenda Item Public Hearing 24003-CUP: Youthfront Camps. Philgreen read the following statement:

“Note to Miami County Planning regarding Ex-Parte’ Declaration”

Dear Fellow Miami County Planning Commissioners,

As it pertains to Ex-Parte’ communication I have the following statement to add into the record:

Occasionally, when there is a potential conflict of interest, a commissioner elects to state it at this time in agenda, but the commissioner can still participate in the discussion and even legally vote.

Occasionally, a commissioner might choose to participate in the discussion but then abstain from the vote.

Even more rarely, a commissioner will recuse themselves from the process altogether and will not participate in the discussion or the vote.

Tonight, as an applicant before this body, I will be taking this one step further. As I did when Wildwood Camp and Conference Center was before us for their CUP review, I not only recused myself from the discussion and vote, but I actually left the bench and participated as an audience member and as a Miami County resident. Tonight, I will be doing the same. I and the organization I work for is on the Agenda for tonight’s meeting. I will be representing the applicant. During this time period I will step down from the Commission, recuse myself from the board discussion and vote and only participate as the applicant.

Additionally, although I have been on the commission for over a year now and have friendships of varying degrees with each of you, I have not specifically discussed the details of the business which I will be bringing before the commission this evening with anyone on the planning commission.

***** A written copy of the statement was provided to the Planning Commission Secretary to be part of the record. *****

Broers asked each Planning Commissioner to confirm they could remain impartial when voting on the 24003-CUP for Youthfront Camps:

- Randy Kitchen confirmed he can remain impartial
- John Menefee confirmed he can remain impartial
- Joe Flake confirmed he can remain impartial
- Phil Elliott confirmed he can remain impartial
- Bret Manchester confirmed he can remain impartial
- Kelli Broers confirmed she can remain impartial
- Josh Brown confirmed he can remain impartial

ADOPTION OF THE AGENDA

Menefee moved to adopt the remaining agenda as presented. Philgreen seconded, and the motion passed unanimously (8-0), via show of hands.

CONSENT AGENDA

- Minutes:
 - Approval of the September 3, 2024, Planning Commission Minutes.
 - Approval of the October 1, 2024, Planning Commission Minutes.
 - Approval of the November 12, 2024, Planning Commission Minutes.

Elliott moved to approve the consent agenda as presented, Menefee seconded. Philgreen noted he was not present for the November Planning Commission meeting but will still vote in favor. The motion passed unanimously (8-0), via show of hands.

New Business:

Broers stated a new Chairman and Vice-Chairman need to be elected for the 2025 year.

Elliott moved to elect Kelli Broers as Chairman, Philgreen seconded. Philgreen asked how long the term is. d'Augereau stated it is a 1-year term but can be held for 2-consecutive years. The motion passed unanimously (8-0), via show of hands.

Flake moved to elect Topher Philgreen as Vice-Chairman, Brown seconded. The motion passed unanimously (8-0), via show of hands.

Menefee asked if someone needs to be appointed as the Planning Commission representative for the Board of Zoning Appeals.

Cook stated yes, either reappoint Randy Kitchen or appoint a new representative from the Planning Commission.

Elliott stated if a Planning Commissioner has not been a representative on the Board of Zoning Appeals it is an experience and helps understand how the Planning Commissioners make the decisions they do.

Kitchen asked what the term is.

Cook stated it is a 1-year term, but he can do it again if he would like to be reappointed.

Kitchen stated he would do it again if selected.

Menefee moved to appoint Randy Kitchen as the Planning Commission Representative on the Board of Zoning Appeals, Elliott seconded. The motion passed unanimously (8-0), via show of hands.

Amended 2025/2026 Planning Commission Calendar

Cook stated the Planning Commission looked at the 2025/2026 Planning Commission Calendar at the last meeting. Planning & Zoning was under the understanding that it would be fine to move the meeting dates in August & November to the week before the elections. It turns out the elections will still be using the Chambers the week before the elections and an alternate meeting date needs to be selected for the Planning Commission meetings in August and November. It was suggested by Elliott at the November 2024 meeting that we consider moving the August and November meetings to the following Thursdays.

Philgreen asked what the two (2) dates are.

Cook stated August 7, 2025, and November 6, 2025.

Philgreen moved to adopt the amended 2025/2026 Planning Commission calendar, Flake seconded. The motion passed unanimously (8-0), via show of hands.

Public Hearing 24003-CUP: Youthfront Camps

Broers invited Staff to the podium for the Staff Report at 7:11 p.m. for 24003-CUP: Youthfront Camps.

Cook, Director of Planning, presented the Staff Report, stating the applicant is seeking to incorporate an additional 90 acres, located immediately south of the existing camp, into the CUP. This expansion would unify the property under a single CUP and allow for the integration of facilities across two adjacent camps.

The plan includes constructing 16 new cabins around an existing pond, which will increase camper capacity from 256 to 512 and staff capacity from 54 to 108. New amenities, such as a gymnasium and swimming facility, are also proposed, with these facilities likely to be constructed before the cabins. While the proposal outlines these additions, a specific construction timeline has not been provided. The camp's operations would remain consistent, including short-term residential camps, day camps, and availability for rentals by churches, businesses, and families.

Cook detailed the potential impacts of the project, supported by a traffic study that concluded only a minor increase in traffic during peak times. The study recommended minimal changes, while the Road & Bridge department suggested implementing dust control measures after 50 percent of the project is completed. The staff report does specify the comments from other department staff and agencies, but a copy of the emails failed to make it into the packet and Cook made note that those comments were handed out at the beginning of the meeting.

Cook noted one neighboring property owner expressed concerns about noise and increased traffic, which were outlined in a letter. To address this, Cook emphasized that natural buffers and setbacks in the site plan would help mitigate impacts. A copy of this letter was also handed out at the beginning of the meeting along with an amended site plan report.

Cook reviewed the *Golden Criteria*, focusing on the most case relevant points, specifically:

1. Character of the neighborhood including zoning and uses.

Staff concluded that the proposed operation is compatible with the character of the surrounding neighborhood. The area is primarily composed of large parcels used for agricultural purposes or as public parks. To the east of the property lies Hillsdale State Park, which encompasses approximately 12,000 acres of parkland and wildlife areas. The sections of the park adjacent to the Youthfront camp are designated as wildlife areas.

Directly to the north is Big Bull Creek Park, managed by the Johnson County Parks and Recreation District. This park spans roughly 2,060 acres and includes areas of open space, equestrian trails, and a youth group camp area, with these uses located near the Youthfront camp.

3. The extent to which the removal of the present zoning will detrimentally affect nearby property.

Staff identified concerns primarily related to potential increases in noise, light, and traffic due to the increased intensity of use. However, it is staff's opinion that these factors will not negatively affect surrounding properties. The Youthfront property is well-buffered and situated at a significant distance from the road. Additionally, the closest neighboring property is owned by the Army Corps of Engineers.

If the request is denied, the current facility would continue operations under an unconditioned Conditional Use Permit (CUP). Approval of the CUP, however, would enable Miami County to impose conditions on the facility, effectively mitigating potential impacts on the surrounding area.

5. The relative gain to the public health, safety, and welfare by the destruction in value of nearby property as compared to the hardship imposed upon the individual landowner.

Cook noted that this criterion closely aligns with the considerations outlined in the third criterion, with the added observation that camps and outdoor recreation activities are valuable to the larger community. These activities contribute to public health, safety, and welfare and could be regarded as a benefit, even if the proposed expansion results in some additional negative impacts.

Cook stated the 8th Criteria outlines some circumstances that were not previously discussed.

8. Such additional matters as may apply in individual circumstances.

RV Park and Mini Storage: Cook clarified that the RV park and mini storage are mentioned primarily for planning purposes and are not part of the current application. Should Youthfront wish to pursue these developments in the future, a separate application would be required. Cook noted that mini storage would be allowed in commercial or industrial zoning districts.

Maintenance of 215th Street: Cook explained that 215th Street, between Sunflower Road and Spoon Creek Road, is currently maintained by Johnson County and the City of Edgerton. Staff reached out to representatives of both jurisdictions to request comments on the proposed Conditional Use Permit (CUP) but did not receive a response.

Merger/Boundary Line Adjustment: Cook discussed comments from the Code Services Director regarding the property configuration. Youthfront's property comprises multiple parcels, with most proposed new structures situated on a recently acquired 90-acre parcel. This parcel remains separate from the property containing the existing camp. The Miami County Sanitation Code and Building Code prohibit private utility infrastructure from crossing property lines, even for properties under the same ownership. Consequently, Youthfront must either develop separate wastewater facilities for each parcel or merge the properties through a boundary line adjustment.

to ensure compliance. The applicant has expressed no objections to this requirement, which is considered desirable.

Hillsdale Easement: Cook noted that an easement exists over portions of the Youthfront property due to the development of Hillsdale Lake by the U.S. Government. This easement allows for potential flooding and restricts certain activities on areas below 926 feet above sea level. Staff recommends that the approximate location of the easement be shown on the site plan, as all easements are required to be identified per site plan standards.

Americans with Disabilities Act (ADA): Cook stated that site plan standards require a note indicating that all public buildings and facilities comply with ADA Accessibility Guidelines. Additionally, staff recommends that the site plan include the locations of all ADA-compliant parking spaces.

Minimum Infrastructure Requirements: Cook explained that CUP applications are expected to meet minimum infrastructure requirements, with the Planning Commission having the authority to confirm compliance. Staff recommends following the Road and Bridge Department's guidance that dust control measures be implemented once 50% of the project is completed.

Stormwater Management Plan: Cook emphasized that a stormwater management plan is typically required for all CUPs, though the Planning Commission has discretion regarding its necessity. Staff recommends requiring a stormwater management plan before the construction of any new structures associated with the proposed CUP.

Debris Removal: Cook noted that during a site visit to place public hearing signs, staff observed a significant amount of debris on the northern portions of the site. The applicant has since addressed the issue, and as of this date, most of the debris has been removed. The applicant anticipates completing debris removal before the Board of County Commissioners' consideration of the CUP.

Expiration of the Conditional Use Permit: Cook highlighted recent discussions about CUP terms, which have ranged from 5 to 20 years. The applicant requested a 25-year term in their narrative. Staff is drafting conditions for a 10-year term, consistent with typical approvals, but acknowledged that the Planning Commission may wish to consider a longer term given the camp's long-standing operation and the cost of the proposed improvements.

Cook concluded that staff recommends approval of the requested Conditional Use Permit for the operation of the expanded Youthfront camp, subject to the findings and conditions outlined in the staff report.

Cook asked if the Commissioners had any questions.

Kitchen inquired about the debris on the property.

Cook stated it consisted of some construction material and was intended to be a temporary holding area before being recycled. He noted a significant amount of the debris had been cleaned up prior to this meeting. Staff mentioned there have been past cases where a condition was placed on a CUP requiring the site to come into compliance before the CUP could take effect.

Menefee asked if the requirement for dust control being applied when "8 of the 16 cabins were constructed or the project was half completed" was included in the conditions and questioned how "half" was defined.

Cook responded it would most likely be based on square footage, with the completion of 50% of the proposed cabins being the most impactful stage. This would also be the most appropriate time to apply dust control to the road.

Elliott argued an increase in facilities, such as the gymnasium alone, could have an impact on intensity. He suggested this was likely why Sandburg included "or half" in his comments.

Cook stated this should have been included in Condition 7 but was accidentally left out. He recommended adding: "Dust control will be required once 8 of the 16 proposed cabins are completed or when half of the proposed expansion is completed" to Condition 7.

Kitchen asked how we would look at dust control if there was not an existing camp.

Broers noted the Planning Commission could require dust control now.

Kitchen asked if it was possible to have a CUP that covers two tracts of land.

Cook confirmed there is precedent for this, and it is acceptable. Menefee clarified that, in this case, the two parcels would be combined by the time the project was completed.

Manchester questioned the location of the Hillsdale easement for overflow.

Elliot asked if the requirement to show this easement on the site plan should be added to the conditions, given that Condition 9 already requires more detail on the site plan.

Manchester asked if anyone from Hillsdale Lake had been contacted regarding the project.

Cook confirmed they were part of the 1,000' notification area but did not respond.

Broers asked if a measurement had been taken of the road's width, given the higher intensity of use.

Cook stated Road and Bridge typically provide this information and noted the road measures approximately 22'. While the regulations specify 24', they typically allow for at least 20' in width to ensure emergency service access.

Broers mentioned noticing that Parks and Recreation had acquired most of the 80 acres at the corner of Sunflower and 215th and inquired about any future plans for the area.

Cook stated he was unaware of any plans at this time.

Broers questioned whether Condition 10 on stormwater applied to the future development of the camp or just to existing structures.

Cook explained his understanding was the stormwater plan applied to the entire facility.

Broers asked if there were any additional questions for staff. Hearing none, the applicant was invited to give his presentation.

The applicant, Topher Philgreen, presented the request to modify and expand the existing CUP for Youthfront Camp.

Kitchen asked about the distance for dust control.

The applicant stated that dust control would start at the intersection of Sunflower Road and Spoon Creek Road and follow Spoon Creek Road for 1½ miles to the camp's new entrance.

Manchester questioned how the RV park and storage were related to the camp and if it was for profit.

The applicant confirmed it would help offset the camp's costs in the future but was not part of this CUP; it is a separate future project.

Menefee asked about the prior use of the southern parcel before the applicant acquired it.

The applicant stated it was previously hayed and would continue to be hayed until the camp expanded.

Public Hearing:

Broers opened the public hearing at 7:47 p.m.

- David Jones (33276 W 223rd St, Edgerton, KS): Expressed appreciation for the camp and its work with kids and the community. He stated he enjoys having the camp near his home.
- Jacob Kopaska (1952 E Sheridan Bridge Lane, Olathe, KS): Shared his positive experience working in the seasonal employment program at the camp and praised Youthfront's impact on youth of all ages.
- Fletcher Kelly (7594 W. 274th, Louisburg, KS): Highlighted the positive experiences and impact of Youthfront on staff, college students, and youth throughout the years.
- Caleb Wood (21009 Spoon Creek Rd, Edgerton, KS): Camp manager and onsite resident, shared while he experiences dust, it is part of country living. He emphasized Youthfront's positive influence on his life.

Broers closed the public hearing at 7:56 p.m. and invited the Planning Commission to deliberate.

Broers asked if there were additional questions for staff.

Brown inquired whether delays could occur before the CUP takes effect, given the southern addition would not be developed immediately.

Cook explained regulations require operations to start within a year of CUP approval, or it will expire. Since the camp is already operational, the CUP would begin upon publication and cover both the current operation and the southern parcel, as presented in the site plan and narrative.

Elliott suggested Condition 9 clarify that the Site Plan show the US Army Corps of Engineer's easement, and the future development area mini storage and RV Park items excluded from the CUP grayed out and clearly labeled on the Site Plan as not included.

Broers asked what happens to the CUP if the City annexes the property.

Cook stated when a property is annexed by a city the zoning typically remains the same until that city or application is made to rezone the property. If there is a CUP on the property that would then fall under the jurisdiction of that city. At the end of the CUP term that city could possibly deny the CUP or require the property owner to apply for a new CUP. Cook stated the size of this property would make annexing difficult from the State of Kansas Statute prospective.

Cook noted the existing CUP has no conditions or expiration approving this CUP provides more oversight on operation.

Elliott, referencing Condition 4, noted that the camp has operated for over 55 years with no complaints. Given its location next to parks and state land, the property is unsuitable for heavy development, he supported a minimum term of 25 years or longer for the CUP.

Cook stated that past CUPs without terms caused issues, leading the county to move away from the practice.

Kitchen asked why dust control is not required earlier.

Elliott noted he was following the recommendation of the Director of Road & Bridge.

Brown noted no additional traffic is anticipated until improvements are complete.

Broers noted dust from the existing CUP preexisted all of the houses built in this area.

Kitchen noted the CUP being considered is brand new.

Elliott believes it is for a legacy operation, it is different.

Broers asked if Kitchen wants to make dust control an immediate condition.

Additional Recommendations:

- Elliott referenced Condition 7 stating he would like it to indicate “per the Director of Road & Bridge’s comment” when the project is half complete for dust control to be applied.
- Broers suggested Condition 7 include the phrase: “at the cost of the applicant.”
- Elliott proposed that entrances to the campground be paved when the road is improved.
- Elliott referenced Condition 10, stormwater management plan, would like wording added “for the area covered by the CUP”, will leave the exact wording up to Staff.
- Broers recommended adding a signage plan condition requiring Planning Commission review.
- Broers suggested once the entrances are moved to encourage people to use 223rd Street where there are fewer houses impacted.
- Elliott emphasized that future developments unrelated to the CUP should be excluded from the site plan or grayed out. Broers mentioned comprehensive, Elliott agreed.

Cook confirmed that the boundary line adjustment must occur before the two camps can connect to the same wastewater system.

Broers asked if there was any further discussion.

Topher noted different options for traffic.

Kitchen asked for clarification on the condition for dust control.

Cook stated dust control is to be paid by the applicant once 8 of 16 cabins are built or half of the project.

Menefee moved to approve 24003-CUP: Youthfront Church Camp Expansion with amendments to the following conditions:

- 2 – Specifying this does not include the described commercial uses (mini-storage & RV Park) and future development area,
- 4 – To be a 25-year term.
- 7 – Dust control should be at the cost of the applicant and to follow County Staff’s recommendations and Staff will need to define “half” and pave entrances when/if the road is improved and dust control is to be paid by the applicant.
- 9 – Floodway Easement needs to be shown; and commercial and future development areas grayed out and label as not being included as part of the CUP.
- 10 – A comprehensive stormwater management plan of the entire facility.
- 16 – Signage to be approved by Planning Commission.

Motion passed 6-1 with Kitchen against and Philgreen recusing, via show of hands.

Findings for Approval of Renewal

1. *The requested use, as conditioned, is consistent with the intent and purpose of the Zoning Regulations.*
2. *The proposed expansion of an existing camp on property directly adjacent to Hillsdale State Park and Big Bull Creek Park allow this use to be considered compatible with the character of the neighborhood. The requested amendment, as conditioned, is also expected to be compatible with surrounding uses and will help mitigate existing impacts on surrounding properties.*
3. *The requested use, as conditioned, does not detrimentally affect nearby properties or property values.*
4. *The requested use, as conditioned, is in conformance with the adopted Miami County Comprehensive Plan.*

Conditions of Approval:

1. *Except as amended by these conditions, the property shall be developed according to the site plan, attached hereto as Exhibit A.*
2. *Except as amended by these conditions, the property shall be developed according to the narrative report, attached hereto as Exhibit B.*
3. *This CUP is approved exclusively for the applicant (Youthfront Inc.). Change of ownership or subleasing of the property/facilities shall require review by the planning commission to ensure the use substantially complies with the original conditional use permit.*
4. *The term of this conditional use permit shall be ten (10) years, commencing from the date of County Commission approval.*
5. *All new construction and modifications to existing structures shall comply with all sanitary, building, fire and other applicable county codes and permit requirements.*
6. *A note shall be placed on the face of the site plan specifying: all public buildings and facilities have been designed to comply with the provisions of the Americans with Disability Act Accessibility Guidelines (ADAAG) for buildings and facilities*
7. *Dust control shall be applied annually along 215th Street and Spoon Creek Road from Sunflower Road to the main entrance.*
8. *All lighting shall be limited to 25-feet in height, and shall utilize a fixture that directs light downward and prevents light from traveling out above a horizontal plane relative to the bulb (fully shielded).*
9. *The site plan shall be revised to show parking space numbers and dimensions; method for delineating parking spaces and maintaining required fire access; the location and type of all solid waste trash receptacles and enclosures; building, pathway, and parking lot lighting; location of fire hydrants on the property. All drive aisles shall remain clear with no parking signs installed to insure access by emergency vehicles.*
10. *A stormwater management plan shall be required prior to the construction of any new structures.*

11. *Except for emergencies, activities that cause noise, odor, smoke, heat, vibration, or similar effects shall not occur outside of the hours of 7 AM to 10 PM. Noise shall not exceed 70dB at the property lines.*
12. *Liability insurance in an amount no less than \$1 million shall be maintained by the property owner(s) at all times, listing Miami County as a Certificate Holder.*
13. *New facilities/buildings will require: (a) Miami County wastewater connection permit and compliance with Miami County Environmental Health Code; and (b) a report from KDHE of acceptance of effluent into the wastewater lagoon system. A copy of KDHE approval will need to be supplied stating the existing lagoons and operating permit are adequate for the expected use or that modifications to the existing wastewater lagoons and operating permit will be required.*
14. *All wastewater facilities must comply with Miami County Environmental Health Code and must also be accessible for servicing. KDHE will need to address the facilities and permits must be obtained from Miami County and/or KDHE as appropriate. This will include the submittal of plans for facilities for plan review by the Miami County Environmental Health Department.*
15. *The Site Plan shall be amended to show the location of the existing dry hydrant located in the existing pond and show/provide a new dry hydrant to be provided in the new proposed pond.*

Philgreen rejoined the regular meeting at 9:25 p.m.

GENERAL DISCUSSION:

Cook stated that an email was received from a company with a potential CUP application, requesting contact information for the Planning Commission and the Board of Zoning Appeals. He noted that the individual would need to submit a KORA (Kansas Open Records Act) request through the County Clerk's Office to obtain this information. Cook will verify with legal counsel what contact information can be provided. He also stated that if Planning Commission members are contacted directly, it could impact a public hearing, potentially requiring those members to recuse themselves. Cook suggested that if Planning Commission members are contacted, they should direct the inquiry to Staff.

Cook reminded there is an appreciation dinner on January 23, 2025, at K&M BBQ in Spring Hill, KS from 6:00 to 8:00 p.m.

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

Elliott mentioned that after a previous Planning Commission meeting, he requested a copy of the Planning Commission By-Laws, specifically the section referring to Robert's Rules of Order. He asked whether the Board should review them, as some aspects of their procedures do not fully align with Robert's Rules of Order if followed strictly. He also questioned whether the By-Laws should be revised to better align with their procedures and help structure meetings with greater consistency.

Elliott asked why Miami County is listed as a certificate holder for liability insurance on CUPs.

Cook stated it is a way of protecting the Miami County residents.

Kitchen asked what would happen if they did not follow Robert's Rules of Order.

Menefee stated that it could lead to potential litigation.

Elliott stated that the issue needs to be addressed.

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; Brown seconded. The meeting adjourned at 9:35 p.m. with a vote 7-1 with Kitchen against, via show of hands.

Approved this 4th day of February, 2025.



Casey d'Augereau, Secretary



Kelli Broers, Chair / Topher Philgreen, Vice-Chair

Minutes written by Casey d'Augereau