

**MINUTES OF THE
MIAMI COUNTY PLANNING COMMISSION
February 3, 2026**

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

ATTENDANCE

CHAIR: Tophers Philgreen

VICE-CHAIR: Joshua Brown

PLANNING COMMISSION Randy Kitchen, John Menefee, Shane Hall, Phil Elliott,
Rusty Gerken, and Drew Moore

ABSENT MEMBERS: Kelli Broers

EX-OFFICIO MEMBERS: None present

PLANNING DIRECTOR: Kenneth Cook

ASST. PLANNING DIRECTOR: vacant

PLANNER: Not present

PC SECRETARY: Casey d'Augereau

COUNTY COUNSELOR: Not present

COUNTY COMMISSION: None present

COUNTY CLERK: Not present

CODES SERVICES DIRECTOR: Not present

PRESS: None present

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CALL TO ORDER

Chairman Topher Philgreen called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

DISCLOSURE OF ANY EX PARTE COMMUNICATIONS OR POTENTIAL CONFLICTS OF INTEREST

There was none.

ADOPTION OF THE AGENDA

Planning Commissioner Phil Elliott moved to adopt the agenda as presented. Planning Commissioner John Menefee seconded; the motion passed unanimously (8-0), via show of hands.

CONSENT AGENDA

1. Minutes
 - Approval of the January 6, 2026 Planning Commission Minutes
2. 25006-SUB: Starling Estates

Menefee moved to approve the consent agenda. Planning Commissioner Drew Moore seconded; the motion passed 7-0, via show of hands (Planning Commissioner Randy Kitchen abstained).

Old Business:

There was none.

New Business:

Public Hearing 25008-CUP: Believe Barn

Philgreen invited Staff to the podium to present the Staff Report for 25008-CUP: Believe Barn at 7:02 p.m.

Kenneth Cook, Planning & Zoning Director, presented the Staff Report including that the applicant had provided an updated site plan earlier this week and which had been handed out to the Planning Commission prior to the meeting. Cook noted the updated Site Plan addresses some of the issues mentioned in the Staff Report as well as showing where the parking will be. Cook also provided a history of the property, general description of what was being proposed and discussions that had occurred with the City of Spring Hill for the annexation of the property (which was denied).

Cook reviewed the Golden Criteria as presented in the staff report.

Cook stated the updated Site Plan does address most issues that Staff noticed on the original Site Plan and noted the two (2) main issues with the updated Site Plan is the location of the parking lot and how close it

is to the property line. Cook stated there is not enough room for screening, if required, between the parking lot and the adjacent property.

Cook offered to answer any questions the Planning Commission might have and noted the Conditions presented in the Staff Report are close to the same Conditions in other event venues within Miami County. The applicants are also present to answer questions.

Planning Commissioner Rusty Gerken asked why not ask the applicant to rezone the property to commercial.

Cook stated if the property is rezoned to commercial the Miami County Zoning Regulations do not allow for residential dwellings.

Gerken asked even with a parish.

Cook stated the residence would require a CUP if the property were zoned commercial based on the way the Zoning Regulations are worded.

Gerken asked they would be required to have a CUP either way.

Cook stated yes. Cook stated there are more things for the applicant to do if they rezone the property to commercial and file for a CUP for the residence than if they just file for the CUP under the CS District for the event venue.

Philgreen stated the church in Wea Township has a parish and asked if they did a CUP for the house.

Cook stated the church in Wea Township and many other churches in Miami County were developed prior to the Zoning Regulations being adopted and therefore are "grandfathered" in.

Gerken asked if the applicant could split the house off.

Cook stated the lot size is too small. If they were to annex into the city, then the lot size requirements would change, especially if they are able to connect to sewer. Cook stated something else Staff looked at was the Environmental Health Code which requires any property within 400-foot of a wastewater line to connect to the public wastewater line. At this time Spring Hill does not desire for the applicant to connect to their wastewater line.

Elliott stated Spring Hill's City Ordinances do not allow non-city connections.

Gerken stated there is no way around a CUP either way.

Cook agreed and stated if the applicant were to do a rezoning application and a residential CUP application it would double the application fees on the applicant.

Philgreen asked if the applicant's property is currently on a septic system.

Cook agreed and stated that if the CUP for a venue is approved Environmental Health will need to evaluate the septic system to ensure it will be able to manage the added waste. Cook stated that when the applicant purchased the property there were no bathroom facilities in the barn, but they have installed two (2) bathrooms since purchasing the property which use the same septic system as the house.

Gerken asked what if the house is not used as a house.

Cook stated if the house were converted into an insurance agency that use is permitted in a Commercial District.

Philgreen asked what about using it for classrooms.

Cook stated it would be a possibility but would require a change in occupancy to make sure the structure is compliant with commercial standards.

Philgreen asked Staff to address the properties that are located to the West that appear to include a number of residential structures and appear to share the driveway for the parking lot.

Cook stated there is a couple of houses and several accessory structures on the properties to the West. The driveway for one of those properties is parallel to the access for the subject property but has a separate entrance.

Philgreen invited the applicant to the podium at 7:30 p.m. asking them to state their name and address for the record.

Ronda and Jaysen Sloan, 22504 Old KC Rd. Jaysen Sloan stated the property owners to the South are the previous owners of the subject property. It does appear that there is overlapping entrances through that area as the person owned all that area at one time. Jaysen Sloan stated they are currently in discussions with the property owner to the South to purchase that property.

Jaysen Sloan stated it has always been his and his wife's desire to have a church there, but it is the community's desire for them to offer a blessing to the City of Spring Hill and Miami County offering small event bridal showers, baby showers, church services, and other small venue events.

Ronda Sloan stated they have an Agritourism Certificate from the State of Kansas, and they will be allowing people to pick nuts and berries as well as doing school tours of their facilities. All agritourism related events will be by appointment only.

The Sloans believe they have good relations with their neighbors, the neighbors are aware of the different types of events the Sloans would like to have available at their facility.

Jaysen Sloan stated the maximum occupancy for the facility will be 150 people but that will not be the standard number of people present.

Ronda Sloan stated the church services are every Sunday morning until 12:15 p.m. and 1-hour on Tuesday evenings.

Philgreen asked whose name is on the deed of the property.

Jaysen Sloan stated his and his wife's name.

Philgreen asked why the applicant did not annex into Spring Hill.

Jaysen Sloan stated they applied to annex, but the City Planner in charge of the Spring Hill Zoning Department resigned prior to the annex being processed and the temporary person did not believe it was the right thing for them to pursue at this time.

Planning Commissioner Drew Moore asked for clarification of the driveways stating it appears to him that there are two (2) driveways that curve together and asked if that neighbor is aware of what is going on.

Jaysen Sloan stated that neighbor is aware of what is going on and he even attends the services held at the facility currently.

Philgreen asked what the applicant's plans are to bring the facility up to commercial standards.

Ronda Sloan explained the action they have already taken to change the facilities to commercial standards but is waiting to hear if they are approved for the CUP before they continue with the more expensive items needing done.

The Sloans want to bring the facility compliant to Miami County Zoning and Codes Regulations.

Philgreen invited Staff back to the podium at 7:37 p.m.

Cook placed an aerial view of the property on the overhead projector for the Planning Commission to see and showed on the aerial view how the neighbor accesses his property.

Philgreen opened Public Hearing 25008-CUP: Believe Barn at 7:39 p.m. Philgreen stated due to the number of people present each person would be allowed to speak for 2 minutes. Philgreen asked that each person states their name and address for the record and direct all comments and questions to the Planning Commission and not to the applicant or Staff.

Brody Eldridge, 24515 Old KC Rd, gestured towards the citizens in the room and stated these people are members of the church and they have all grown at this church. Eldridge stated the church is a huge blessing and asked the Planning Commission to please approve the CUP.

Lori Knight, 401 S. Pearl St, stated the church is for the community and wants to be involved in the community. Knight stated she does not attend this church but knows they are all about being a part of the community and asked the Planning & Commission to approve the CUP.

Elizabeth Perico, 502 N. Webster St, thanked the Planning Commissioners and Staff for working with them and to give them this opportunity. Perico stated she does attend this church, and they are all about the community.

Josiah Sloan, 401 N. Washington St, stated it is not just the community service the church will be available to but the event space as well. Josiah Sloan stated there is not many places large enough in Spring Hill to accommodate a social gathering. Josiah Sloan stated the church has frequently met up with the Spring Hill Police Department, schools, and attending the Spring Hill festival giving away free stuff. Approving this CUP for an event center would mean a lot to a town that does not have many facilities like this.

Philgreen asked if there were any additional individuals who wanted to speak on this item. There being none, the Public Hearing for 25008-CUP: Believe Barn was closed at 7:44 p.m.

Philgreen asked if the applicant or Staff have any additional comments. Having none Philgreen called for deliberation amongst the Planning Commissioners.

Elliott is concerned with the screening on the South side of the property. Elliott believes the screening needs addressed better than just allowing for a 3-4-foot privacy fence. Elliott suggests putting in the Conditions that if and when there is development to the South then screening will apply. Elliott does not believe it is necessary to add screening to the property today but believes there is a need for a safety net in the future.

Menefee agreed with Elliott and stated he did not like the idea of just adding a 3-4-foot solid privacy fence.

Elliott stated the screening of the parking lot on the South side was not specifically called out and will allow Staff to add the correct verbiage to Condition No. 4 with the screening.

Elliott asked what ratio is used in determining the number of parking spaces.

Cook stated the standard is 1-parking space per 35-square foot of area in the main meeting room. There have been times when the Planning Commission, when discussing open spaces or outdoor events, have calculated 1-parking space for every three individuals.

Menefee referred to page 3 of the Staff Report and read "120 space parking lot located Northeast of the event venue" stated when looking at the spaces on the Site Plan he did not come up with 120 spaces.

Cook stated that it was an accidental carryover from the previous report.

Philgreen stated for the record there are only 50-parking spaces not 120-parking spaces.

Cook agreed.

Gerken confirmed no traffic study will be required.

Cook stated that is Staff's recommendation unless the Planning Commission believes a traffic study would be necessary.

Philgreen asked Elliott if he had given some thought to the wording for the screening.

Elliott stated he was going to leave the wording up to Staff.

Philgreen suggested instead of modifying Condition 4 to just add a sentence specifically calling out the screening.

Elliott agreed.

Gerken asked why the applicant is required to upgrade the driveway entrance.

Cook stated regulations calls for the upgrade of the entrance of the driveway when the road is a paved road. Only the portion of the entrance that is located in the ROW needs to be paved.

Vice-Chair Joshua Brown referred to Condition 10 and asked the Planning Commissioners for their thoughts on asking for a stormwater plan due to the expense of the plan.

Gerken asked if the stormwater plan is something the Planning Commission can strike.

Cook stated it is in the parking lot regulations that a stormwater plan be is required.

Planning Commissioner Shane Hall asked if that applies to Countryside (CS) District. Cook noted that the structures are already on the property so the engineers will be looking at the increasingly impervious area of existing conditions.

Cook stated it is any non-residential type operation.

Elliott believes it is important to require the stormwater plan because the North property line is adjacent to the City of Spring Hill, and the stormwater plan document will protect the applicant.

Brown agreed with Elliott's thoughts.

Gerken struggles with it because it is super expensive for a church.

Cook stated they look at what it was before the development. The applicant has already started doing some expansion. When the property was just being used for residential the driveway/gravel areas were less than they are now. The Zoning Regulations require a stormwater plan and therefore, Staff's recommendation is for the stormwater plan to be provided.

Brown referred to Condition 3 (the 10-term of the CUP) and asked the Planning Commission if they would consider extending the term from 10-years to 20-years.

Gerken said yes.

Kitchen thought CUPs, in general, were changed to a 20-year term.

Cook stated Staff typically stays with a 10-year term as the recommendation and the Planning Commission is able to accept the recommendation of Staff or elect to change the recommendation to a term they believe would be best for the CUP being presented.

Philgreen asked when they expand, will they need to come before the Planning Commission again.

Cook stated yes.

Gerken believes that comes back to his point of “why they are not being pushed to rezone to commercial.” Gerken stated he wants the applicant to understand their choices and how important their decision is. Gerken stated once the church starts growing, they will have to come back to Planning & Zoning and do the CUP process all over again.

Jaysen Sloan asked for a better understanding of the pros and cons of rezoning the property.

Philgreen stated if they rezone the property to commercial, they will have to apply for a CUP for the residence and that will be a longer process and harder to accomplish. If they keep the current zoning, they only need the CUP for the event venue and it is not as difficult to obtain. Philgreen believes Staff picked the path of least resistance for the applicant, and less money involved.

Jaysen Sloan believes the path Kenny has them on is the simplest and can look at amending it later down the road when it is needed.

Cook stated if they acquire the adjacent property to the South, it would be easier to get a commercial zoning because now the area will be commercial zoning from 223rd Street and South in that area.

Moore thanked the citizens for attending the meeting and speaking.

Kitchen stated this is where CUPs are supposed to happen.

Menefee moved to approve 25008-CUP: Believe Barn with the Findings and Conditions presented by Staff but amending the screening in Condition 4 and the length of the term from 10-years to 20-years in Condition 3. Elliott seconded, the vote passed unanimously (8-0).

Philgreen reminded that the Planning Commission is a recommending body they do not make the final decision, the final decision will be made by the Board of County Commissioners on Wednesday, February 25, 2026, at 1:00 p.m.

Public Hearing 2003-Z: Doherty Steel Rezoning

Philgreen invited Staff to the podium to present the Staff Report for 2003-Z: Doherty Steel rezoning application at 8:07 p.m.

Cook presented the Staff Report and reviewed the Golden Criteria.

Elliott asked if all the Planning Commissioners have reviewed the Staff Report, would it be possible to move to onto any questions the Planning Commissioners have for Staff.

There were no questions for Staff.

Philgreen asked if the applicant is present. Cook stated the applicant is not present.

Philgreen opened Public Hearing 25003-Z: Doherty Steel at 8:12 p.m.

Philgreen closed Public Hearing 25003-Z: Doherty Steel at 8:13 p.m. due to no public comments.

Kitchen referred to the last sentence of Golden Criteria No. 4: The extent to which removal of the present zoning will detrimentally affect nearby property. The applicant will need to use care to avoid planting in the floodplain.

Kitchen asked if the last sentence is referring to FEMA.

Cook stated yes.

Kitchen reminded Staff in a Planning Commission meeting last year it was agreed that Staff would present a discussion on FEMA.

Cook stated FEMA can be added to future agendas under "Possible Future Amendments to Zoning and Regulations."

Elliott suggested when adding items to "Possible Future Amendments to Zoning and Regulations" that the majority of the Planning Commissioners agree that the item needs to be added and to not add items that just one (1) or two (2) Planning Commissioners would like to discuss.

There was no other discussion on 25003-Z: Doherty Steel rezoning application.

Elliott moved to approve 25003-Z: Doherty Steel rezoning based on the Findings provided by Staff. Kitchen seconded, the vote passed unanimously (8-0).

Philgreen reminded that the Planning Commission is a recommending body they do not make the final decision, the final decision will be made by the Board of County Commissioners on Wednesday, February 25, 2026, at 1:00 p.m.

GENERAL DISCUSSION:

Philgreen invited Staff to the podium at 8:20 p.m.

Cook stated he passed out a couple of documents at the January Planning Commission asking the Planning Commissioners to review the documents and to provide him some feedback. Cook noted this is the last section of the 2026 Comprehensive Plan, the implementation section.

Cook stated commercial solar and wind regulations will be at the top of the regulations to be addressed once the 2026 Comprehensive Plan is adopted.

Cook found some wording needing corrected as well as removing references to the Economic Development & Advisory Board as this board is no longer an active board. There is still an Economic Department so plans on leaving references to the Economic Department in the 2026 Comprehensive Plan.

Elliott asked if any thought was given to adding the Chamber of Commerce in place of the Economic Advisory Board.

Cook stated there has been some communication regarding how the County is communicating with the cities and believes the Chamber of Commerce has been allowing membership with organizations.

Cook showed the Future Land Use Map on the overhead projector and pointed out some changes that need to be made by the consultant.

Philgreen confirmed this is just a discussion but the March Planning Commission meeting will be the

Public Hearing for the 2026 Comprehensive Plan.

Cook agreed.

ANNOUNCEMENTS BY STAFF / COMMISSIONERS

Cook stated he hired a new Assistant Director and he is scheduled to start on February 9, 2026.

Kitchen stated once the Comprehensive Plan is adopted, he would like to revisit FEMA.

Philgreen asked how items are added to the agenda.

Cook stated the Planning Commission simple states they want an item on the agenda; it will be placed on the agenda under "Possible Future Amendments to Zoning and Regulations."

Elliott reminded that it needs to be a majority of the Planning Commissioners wishing to discuss that matter, not just a one (1) or two (2) Planning Commissioners.

Cook announced there is a possibility of a regulation change taking place. It has been a struggling keeping people for the Board of Zoning Appeals and there is currently a discussion with the Board of County Commission to disband the Board of Zoning Appeals and have the Planning Commission act on behalf of the Board of Zoning Appeals.

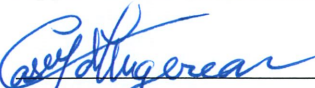
Possible Future Amendments to Zoning and Subdivision Regulations

- A. Discussion on Solar Farms: Moratorium
- B. Sign Regulations: Moratorium
- C. Height limits for radio, television, internet antennas, and satellite dishes designed for individual residences.
- D. Telecommunications Regulations
- E. Wayfinding Signs
- F. Discussion on FEMA

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

Menefee moved to adjourn the meeting; Kitchen seconded. The meeting adjourned at 8:49 p.m. with a unanimous vote of 8-0.

Approved this 3rd day of March 2026.


Casey d'Augereau, Secretary


Fopher Philgreen, Chair / Josh Brown, Vice-Chair

Minutes written by Casey d'Augereau

