

PLANNING AND ZONING COMMISSION

OSAGE CITY, KANSAS

February 15, 2023

ROLL CALL: Now on this 15th day of February, 2023 the Planning and Zoning Commission met at 7:00 p.m. at the City Council Chambers in said City, the following members being present and participating to wit, Commissioners: Casey Mussatto, Loren DeBaun, Michael Handly, Gail Lohmeyer and Maurice Koch. Officials present: City Manager Rod Willis; Excused: Code Administrator James Welch, Planning & Zoning Clerk Clarissa Meek and City Clerk Sadie Boos. Others present: Eric Loquist

APPROVAL OF THE CONSENT AGENDA:

- 1. Approval of January 18, 2023 Regular Meeting Minutes**

Motion made by DeBaun, second by Handly to approve the Consent Agenda. The motion was declared carried.

REGULAR BUSINESS:

- 1. Set a Public Hearing on March 15, 2023 at 7:00 p.m. for a Conditional Use Permit for automotive service and repair on Lots 12, 14, 16, 18 and 20 in Block 29 in Original Town of Osage City, commonly known as 264 and 268 Ellinwood Street owned by Eric and Sandy Loquist. Property is Zone R-1.**

Motion made by Lohmeyer, second by DeBaun to set the Public Hearing for a conditional use permit for automotive service and repair at 264 and 268 Ellinwood Street on March 15, 2023 at 7:00 p.m.

- 2. Background information on the Conditional Use request from Eric and Sandy Loquist.**

Owner Eric Loquist was present to give an overview of the conditional use request for the automotive service and repair shop initially in his existing garage and later in a 28' x 30' shop building to be built on the two vacant lots next to their existing home and garage. Eric has obtained NAPA as a sponsor for the Car Care Center.

3. **Jim Kaup, the attorney who prepared a set of zoning and sub-division regulations for Osage City in 2009-2010 is available for the April 19th Planning & Zoning meeting. Topics that can be covered are:**

Kaup Law Office

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Topeka, Kansas 66603

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OSAGE CITY WORKSHOP FOR LAND USE REGULATORY PROCEDURES & PRACTICES

April 19, 2023

Topics to be covered:

1. **Comprehensive Plans -- A Brief Explanation of the Purpose, Content, Use, and Potential of Comprehensive Plans.**
2. **Overview to Land Use Law and Regulations ... Why Regulate?**
3. **Zoning -- Purpose, Permitted and Conditional Uses, Regulations, Zoning Maps, Vesting of Development Rights, Nonconformities, Variances/Exceptions/Appeals.**
4. **Discussion of the decision-making process for a body engaged in a "quasi-judicial" zoning proceeding (e.g., rezonings).**
 - **Due process requirements set by City, state and federal law**
 - **Legal standard of "reasonableness" that the PC and Governing Body must meet**
 - **Understanding the *Golden* factors**
 - **Weighing and applying the *Golden* factors**
 - **Best practices**
 - **Conducting the public hearing**
 - **Creating the record of the PC and the Governing Body**
5. **Land Subdivision Process -- Purpose, Subdivision Regulations.**
6. **Respective Roles -- Planning Commission, BZA, Governing Body, City Staff.**
7. **Ethics in the Land Regulatory Process -- Purpose, Ex Parte Contacts, Prejudgment, Conflicts of Interest, Contacts with Applicants and the Public.**
8. **Jurisdictional Issues -- Extraterritorial Authority, City-County Interlocal Agreements, Annexation.**
9. **A review of KOMA and KORA laws and how they relate to the work of the Planning Commission.**
10. **The development trends and forecasts. Preparing the City for different potential futures.**

Q & A during and after the workshop.

Emphasis will be on relating to issues that have raised concerns or uncertainties in the past and/or are expected to occur in the future, but being careful not to improperly discuss matters already pending before the City.

What are the topics Planning and Zoning is interested in covering?

Planning and Zoning consensus was to have Jim Kaup present a general overview of the topics listed above for the workshop on Wednesday April 19th, but limit the time to 1 ½ hours instead of 2-3 hours as proposed by Kaup Law Office.

ADJOURN: *Motion made by DeBaun, second by Lohmeyer to adjourn at 7:40 p.m. The motion was declared carried.*

APPROVED: _____ **ATTEST:** _____
Casey Mussatto, Chairman **Clarissa Meek, P & Z Clerk**

This 15th day of March, 2023

(SEAL)