

**PLANNING AND ZONING COMMISSION
OSAGE CITY, KANSAS
MINUTES
July 5, 2023**

ROLL CALL: Now on this 5th day of July, 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, Michael Handly, Gail Lohmeyer, Maurice Koch and Loren DeBaun. Officials present: City Clerk Sadie Boos, Deputy City Manager/City Treasurer Katie Hodge, Utilities Director Dale Schwieger and City Manager Rod Willis. Others present: Mavet Cooper, Ed Berends, Mavet Cooper, Ross Wheeler of Colby Capital.

APPROVAL OF THE CONSENT AGENDA:

1. Approval of May 24, 2023 Regular Meeting Minutes
2. Approval of June 21, 2023 No Meeting Minutes

Motion by DeBaun, second by Lohmeyer to approve the consent agenda. The motion was declared carried.

REGULAR BUSINESS:

1. **Public Hearing for a parking lot variance application on the new Dollar General store to be built and located at 111 South Martin Street. Variance application and supporting documentation received from Karsten Erdman, Associate Designer, davidson a + e .**

Casey Mussatto, Chairman of Planning & Zoning turned the leadership of Agenda Items 1 and 2 regarding the parking lot variance over to Loren DeBaun, to avoid conflict of interest as the seller of the property for the new Dollar General store and left the bench during Items 1 and 2.

Commissioner DeBaun opened the Public Hearing at 7:03 p.m. City Manager Rod Willis gave the background on the parking lot variance request from zoning regulations to reduce the number of parking lot stalls to thirty-six (36) total from forty-nine (49) required and to reduce the length of stalls to 18' instead of 19' required for spaces adjacent to the yard.

Mavet Cooper, who owns the property directly south of the Dollar General site, was against the parking lot due to concerns of drainage onto her property causing flooding. Ed Berends agreed with the flooding concerns and described the drainage issues already existing off the Dollar General site. Ross Wheeler of Colby Capital representing the Dollar General planned construction, stated the parking lot being smaller than zoning standards will have less area of runoff and was willing to examine the site with Mavet Cooper and Ed Berends for a possible

berm location to reduce the chance of flooding the property. Casey Mussatto will provide a drainage study from the original subdivision work in 1995.

Commissioner DeBaun declared the Public Hearing closed at 7:16 p.m.

2. **Recommendation to the City Council on the parking lot variance application on the new Dollar General Store to be built and located at 111 South Martin Street. Following a 14-day protest period required by State Law, the recommendation will be presented to City Council on Tuesday July 25, 2023 for decision on the Planning and Zoning Committee recommendation.**

Motion by Koch, second by Handly to recommend approval of the parking lot variance for the new Dollar General store to be built at 111 South Martin Street. Voting: DeBaun "Yea", Handly "Yea", Koch "Yea", Lohmeyer "Nay". The motion was declared carried 3 to 1. Mussatto remained in the audience and did not vote on the parking lot variance.

Let the record show Mussatto returned to the bench for agenda items 3, 4 and 5.

3. **Public Hearing for a conditional use application for a new metal siding home at 1013 Brant Street to be constructed by Dean Davidson.**

Chairman Mussatto opened the Public Hearing at 7:21 p.m. City Manager Rod Willis gave the background for a conditional use for a metal home to be constructed by Dean Davidson at 1013 Brant Street. Janene Fry, who looks after her parent's property to the east objected expressing concerns about Strickland Street, which is platted but never developed, being used by Dean Davidson as his driveway to the new metal home. Clint Silver and Brad Meek submitted Reply Forms in favor of a metal home. Dean Davidson was present to answer any questions during the hearing. Chairman Mussatto declared the Public Hearing closed at 7:35 p.m.

4. **Recommendation to the City Council on the conditional use application for a new metal home at 1013 Brant Street to be constructed by Dean Davidson. Following a 14-day protest period required by State Law, the recommendation will be presented to City Council on Tuesday July 25, 2023 for decision on the Planning and Zoning Committee recommendation.**

Motion by DeBaun, second by Lohmeyer to recommend approval of the conditional use permit for a new metal siding home to be constructed by Dean Davidson at 1013 Brant Street. The motion was declared carried.

5. **Jim Kaup is now recovered from severe illness and surgery. Jim plans to present the workshop for land use regulatory procedures, practices, trends, etc. if the next regular Planning & Zoning meeting date of Wednesday August 16th works for the Committee.**

August 16th works for the Planning and Zoning Board by consensus of the group.

ADJOURN: *Motion made by Lohmeyer, second by Koch to adjourn. The motion was declared carried.*

APPROVED: _____ **ATTEST:** _____
Casey Mussatto, Chairman **Sadie Boos, City Clerk**

This 16th day of August, 2023

(SEAL)