

**SPRING HILL PLANNING COMMISSION  
REGULAR MEETING AGENDA**

Thursday, May 5, 2011  
7:00 p.m.  
Spring Hill Civic Center  
401 N. Madison St.

**CALL TO ORDER**

**ROLL CALL**

Tobi Bitner  
Janet Harms  
Brian Haupt  
Valerie Houpt

Bill Kiesling  
Troy Mitchell  
Michael Newton  
Stephen Sly  
Cindy Squire

**APPROVAL OF AGENDA**

**FORMAL COMMISSION ACTION**

1. Approval of Minutes  
January 6, 2011
2. Election of Officers

**DISCUSSION**

3. Update on Growth Area Meetings  
Erik Pollum, Miami County Planner
4. Quarterly Review Conditional Use Permit, Newcome Trucking

**ADJOURN**

## PUBLIC HEARING PROCEDURE

1. Chairperson opens the public hearing.
2. Commission members describe what, if any, ex-party contacts they might have had regarding this case; indicating the nature of the communication and *whom* it was with.
3. Commission members describe what, if any, conflicts of interest they may have and dismiss themselves from the hearing.
4. Staff presents a report and comments regarding the case.
5. Applicant or agent of the applicant makes brief presentation of the case or request.
6. Commission members ask for any needed clarification of the applicant or agent.
7. Public comments are solicited from the audience. Each member of the audience must fill out a Citizen Participation/Comment Form.
8. Commission members ask for any further clarifications from applicant or staff.
9. Public Hearing is closed.
10. Members deliberate the request.
11. 14-day Protest Period begins after the Planning Commission Public Hearing is closed.

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\* **Protest Petitions:** Any protest petition must be filed in the Office of the Spring Hill City Clerk within 14 days from the conclusion of the public hearing held by the Planning Commission. Sample copies of protest petitions may be obtained from the City Clerk Office at 401 N. Madison, Spring Hill, KS 66083 (913-592-3664).

# Memo

To: Spring Hill Planning Commission  
From: Jim Hendershot, Community Development Director  
CC: file  
Date: April 29, 2011  
Re: May 5, 2011 regular meeting

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The following offers a brief explanation of items on the May 5, 2011 Planning Commission agenda. Please feel free to contact the Community Development Department 913-592-3664 if you have any questions.

1. **Approval of Minutes:** January 6, 2011 meeting
2. **Election of Officer:** Annual election of Chairman, Vice-Chair and appointment of Secretary
3. **Report on Miami County Growth Area:** The joint agreement between Miami County and Spring Hill regarding Growth Area regulations will expire on September 1, 2011. Erik Pullom, Miami County Planner, will be present to discuss and provide updates on the process of eliminating the growth area adjacent to Spring Hill in Miami County. Mr. Pullom will explain how the County and City will coordinate activities in what are now termed "Communication Areas" and will also present a series of maps outlining these Communication Areas as well as anticipated zoning of properties currently within the Growth Area. The Planning Commission will be asked to comment on the process and suggestions will be received from the PC. Meetings with Mr. Pullom and other area Planning Commission's will be followed by a public hearing to allow citizens an opportunity to review and comment on the proposed zoning map. This public hearing is anticipated to take place in July, 2011.
4. **Quarterly Review, Newcome Trucking Conditional Use:** The CUP approved for Newcome Trucking on Old KC Road requires quarterly inspections of the property for compliance with the CUP. Staff conducted the inspection in March, 2011 and found the property to be in compliance. Since this inspection staff was contacted by an area neighbor regarding the number of trucks being parked on the site and working on equipment in front of the garage building. Newcome Trucking was contacted and is once again in compliance.

I look forward to meeting with you and please contact Mary Nolen or myself at 592-3664 if you are unable to attend the meeting or if you have questions concerning the agenda.

The following minutes are subject to modification  
and are not official minutes  
until approved by the Planning Commission

**SPRING HILL PLANNING COMMISSION  
REGULAR MEETING  
January 6, 2011**

Members Present: Tobi Bitner  
Janet Harms  
Brian Haupt  
Bill Kiesling  
Troy Mitchell  
Michael Newton  
Steve Sly  
Cindy Squire

Members absent: Valerie Houpt

Staff Present: Jim Hendershot, Community Development Director  
Mary Nolen, Planning Commission Secretary

**CALL TO ORDER**

Chairman Bitner called the meeting to order at 7:05 P.M.

**ROLL CALL**

Roll call by Mary Nolen.

**APPROVAL OF AGENDA**

**Motion by** Bill Kiesling to approve the agenda as amended.

**Seconded by** Troy Mitchell. Motion passed 8 yes 0 no 0 abstention

**FORMAL COMMISSION ACTION**

**1. Approval of Minutes:** December 2, 2010

**Motion by** Bill Kiesling to approve the minutes from December 2, 2010.

**Seconded by** Janet Harms . Motion passed 6 yes 0 no 2 abstention (Newton, Sly)

**2. Report on Miami County Growth Area.**

Mr. Hendershot described the plan to terminate the current Interlocal agreement with the cities in Miami County, including Paola, Osawatomie and Spring Hill. Louisburg had changed its agreement with the County at an earlier date. On September 29, 2010, the Miami County Commissioners announced the current agreement will end on September 1, 2011.

The first of monthly meetings was held on December 15, 2010. The Miami County Commissioners and many of the Miami County staff were present, as well as representatives of the cities and the public. A letter summarizing this meeting is below:

## Beginning of Summary letter

# Growth Area Alternatives

## Meeting Summary

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**Date:** December 15, 2010

**Meeting Subject:** Identifying issues and general organization

**County/City Participants:**

Miami County

Erik Pollom, Planning Director  
Shane Krull, County Administrator  
David Heger, County Counselor  
Mike Davis, Code Official  
Teresa Reeves, Planner

Miami County Commission

George Pretz  
Rob Roberts  
Jim Wise  
Ron Stiles  
Lyle Wobker

City of Paola

Jay Wieland, City Manager  
Mike Gotfredson, City Planner

City of Osawatomie

Bret Glendening, City Manager  
Terry Anderson, Building & Planning Official

City of Spring Hill

Jim Hendershot, Community Dev. Dir.

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**SUMMARY:**

Introduction

The meeting began with introductions of both the people involved and the task at hand. It was recognized that the task before the group is to identify challenges and create new city/county administrative policies to set a framework for cooperation and communication once the community growth areas are dissolved in September.

Identifying Challenges

City and county representatives identified concerns and items to be addressed in the coming meetings, including:

- Identifying how conditional use permits created in the growth areas will be handled by the county,
- Preserving the intent of the growth areas' creation, to ensure that approved uses in the cities' fringe areas are compatible with existing and future city development,
- Creating a communication and review framework that promotes a cooperative approach to the review of development applications within growth areas,
- Providing for adequate involvement and feedback from cities' planning commissions,
- Further defining of the county's role in the establishment of future annexation boundaries,
- Examining the cities' current growth area boundaries to determine whether or not they should be modified before they are possibly used to delineate notification areas, and

- Exploring the county's subdivision regulations to better understand how development in the county might impact the cities' future plans for land use and infrastructure in their growth areas.

### Discussion

It was noted that the changes in jurisdiction within the growth areas simply represent a reversal of today's roles. Miami County becomes the approving body for land use decisions with input from the cities on applications that are of interest to them, rather than the other way around. The level of input, communication and reporting may vary depending on the proximity to a city and the intensity or scale of the development proposal.

The common expectation is that notable land use decisions (multiple-lot plats, conditional use permits, rezoning, etc.) within the cities' growth areas would automatically include a process for notification and feedback, allowing the cities to provide input during the county's review of the application. Applications of lesser significance (e.g. lot splits, boundary adjustments, and building permits) in the growth areas would be included in a periodic report to the cities, but would not necessarily involve feedback from the cities during the review process.

During discussion, it was agreed that once a preliminary framework is developed, there is a need for citizens and the various planning commissions to have an opportunity to provide feedback. Therefore, a tentative draft should be ready with enough time for that communication to take place prior to the September deadline.

### Future Meetings: Scheduling & Format

The consensus of the group was that it is desirable for the entire group to meet on a monthly basis between now and the September 1<sup>st</sup> deadline. The third Wednesday of each month at 2:00pm was chosen. Miami County staff will prepare an agenda for each meeting, along with a meeting summary (like this one). A working document should be developed to incorporate the progress of each meeting into a draft interlocal agreement.

### Public Outreach & Involvement

Two county residents provided comments at the end of the meeting, expressing their desire to see adequate public involvement in the group's decision making process. The primary concern was that the results of decisions made would effectively recreate the former growth area situation. It was explained that the purpose of these meetings was to promote a positive and responsible relationship between the county and cities when it comes to making future land use decisions in the areas surrounding the cities, and that no policies were being proposed that would place final land use decisions anywhere but with the County, where the residents of the growth areas have elected representation.

It was acknowledged that the public should have access to information about these meetings, and an opportunity to provide feedback. In order to support and promote public awareness and involvement, Miami County will work to post meeting details on the website, including meeting times, agendas and summaries. Also, Miami County residents that would like to provide input or ask questions regarding this process should feel free to attend future meetings, or they may contact the Miami County Planning Department with any questions, suggestions or concerns.

### Next Meeting

For a tentative subject of the next meeting (January 19<sup>th</sup>), the group identified the need to discuss the county's zoning and subdivision regulations and how they can be expected to guide development in the growth areas. Other items may be added to the agenda prior to the meeting.



- What will be the transition process for Conditional Use Permits
- What issues exist for annexation of “island” areas, locations surrounded by the City, but under County rules

Mr. Kiesling asked if there is a state statute concerning an area surrounding the City as far as development projects. Mr. Hendershot said there is a three mile agreement that a City can have with the County where the City will be aware of development plans.

Mr. Haupt discussed annexation issues, saying it would be a good time for the City Council to consider current City limits. He suggested the topic be added to the worksession agenda for January 20 with City Council. It may be in the interest of the City or possibly the County to review some of the “island” areas we have. It causes concern for emergency, police and fire departments, as well as others, to know areas completely surrounded by the City are related to County services. We may also lose control of these “island” locations.

Ms. Squire suggested residents of these areas be notified of this upcoming change, and she felt talking to the school would be advisable as well.

Ms. Bitner expressed concern of losing control of the 223<sup>rd</sup> St. corridor, the southern entrance to the City. She would like to see the City have impact on development of that area.

### 3. Electronic distribution of Planning Commission packets

Mary Nolen asked the Commissioners if any of them would like to take the information for their monthly meetings from the web site, instead of being mailed. She emphasized there are many reasons to receive the information in the mail, it's already printed for review and notations, and it's a good reminder of the meeting coming up. However, some members have expressed a desire to stop the paper.

Those members who do want to view the packet online need to submit a “notify me” form located on the web site. This process adds them to an automatic list that is sent the information via email from the web site. They also have the control to remove themselves at any time.

## ADJOURN

**Motion by** Janet Harms to adjourn.

**Second by.** Bill Kiesling. Motion passed unanimously.

Meeting adjourned at 7:45 PM.

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Mary Nolen, Planning Secretary