Roll Call and Announcement of Hearing Procedure: Brian Aubert, Chair, called the work session to order at 6:01 p.m. and asked for roll call to be taken.

Members Present: Brian Aubert, Judy Moler, Tyler Tenbrink, Matthew McCurry, Chad Depperschmidt and Elaine Schwartz. With six members present, a quorum was established.

Members Absent: Jake Fisher.

Staff Present: Randy Anderson, Planning Director; Anna M. Ortega, Zoning Administrator and Joelee Charles, Administrative Assistant.

Approval of November 12, 2019, Public Hearing Minutes: Ms. Moler moved to approve the November 12, 2019, public hearing minutes, seconded by Ms. Schwartz, and with a majority voice vote, the minutes were approved.

Communications: None were indicated.

Ex Parte Communication by Members of the Board: None were indicated.

Declaration of Conflict of Interest by Members of the Board or Staff: None were indicated.

Zoning and Subdivision Items:

1. CU19/02 by Consolidated Rural Water District No. 1 (CRWD No. 1) seeking a Conditional Use Permit (CUP) to establish a public use facility (replacement of elevated water storage tower and building a new office and warehouse) on property zoned “RA-1” Rural Agriculture District and located at 7325 SW Auburn Road in Auburn Township.

Mr. Anderson stated a CUP would allow for replacing the 250,000 gallon water tank with a 500,000 gallon tank. The applicant would also be able to build a new office and warehouse which would allow the District to consolidate its operations. The new tower would be similar to the applicant’s two other water towers located in rural residential areas in western Shawnee County. They do not seem to have any impact on the residents or property in those areas. Staff has no objections to the use and it meets the Golden Criteria. No impacts on the area are anticipated and the operation is suitable for this rural setting. Approval would be subject to the following conditions:

1) Prior to the issuance of permits, the applicant shall:
   a. Submit a Drainage Plan for County Engineer review and approval;
   b. Obtain a septic system permit from the Environmental Health Department;
   c. Submit a Dust Control Plan for staff review and approval, and comply with the approved plan;
   d. Obtain approval of the proposed building plans and site plan by the Mission Township Fire District;
   e. Obtain FAA/Metropolitan Topeka Airport Authority approval of the height and location of the tower and required water tower warning beacons; and
   f. Dedicate additional right-of-way across the length of the property to provide a 52.5-foot ROW section measured from the road centerline and dedicate Controlled Access across the length of the street frontage. These dedications shall be shown on a revised site plan.

2) Site improvements shall comply with building, sign, and water tower renderings file dated November 4, 2019.

3) The site plan shall be amended to show a half-ROW of 52.5-feet from the centerline SW Auburn Road and “controlled access” along the SW Auburn Road. The driveway width is limited 30-feet, and is permitted to shift, if necessary, to comply with driveway design and placement standards.

4) The site shall be developed and used in accordance with the Plan of Operation file dated November 4, 2019.

5) Exterior building and driveway lighting shall comply with the revised site plan note.

6) Fencing shall be installed in accordance with the revised site plan notes, with 6-foot tall wrought iron fencing facing SW Auburn Road.
Mr. Aubert asked how the dust control language would be updated before it went to the County Commission. Mr. Anderson suggested the applicant notify the Planning Department of the type of rock selected. Blowing dust is a concern addressed in the Conditions.

Nathan Rewerts, 10749 NW 4th Street, Topeka, KS 66603.
- Serves 1,868 rural customers over 65 square miles including a small area in Wabaunsee County and the City of Auburn.
- Three towers have unequal maximum levels causing a reduction in pressure/lower flow volumes.
- The existing 250,000 gallon tower built in 1978 would be replaced with a 500,000 gallon tower and include a redundant elevated storage facility. It would stand 48 feet higher and have an anticipated service life in excess of 75 years.
- The Auburn office is not adequate for their needs. Equipment/supplies are not stored in one place.
- The new building will be a single-story building set back 140 feet from Auburn Road. Lighting will be minimal as to not interfere with the character of the area. The drive will be concrete. The site will be surrounded by a dark fence, possibly wrought iron.
- During construction, gravel will be used for the drive until the building is complete.
- Tower construction is anticipated to start in May of 2020 and take approximately 9 to 12 months.
- Building construction will take around 5 months to complete.
- A traffic impact study was not completed. Construction traffic will be held to a minimum. They do not anticipate any noticeable difference in traffic once the project is complete.
- Local trades will be used for the construction; however the contractor could be from out of state.
- Environmental issues will be minimal; however, one possible issue would be the need to drain the tower due to an unexpected failure of monitoring equipment. The chlorine in the water could be harmful to any fish located in the pond area. PEC has designed a system to remedy that situation.
- Prior to construction, the neighbors will be sent letters to provide an anticipated construction start date.
- Hope to have minimal impact on the neighbors and will respond to neighbors’ concerns.

There was some discussion regarding the drainage. It was noted that a drainage report was requested and it will be reviewed by the County Engineer. At this time, the condition regarding dust will be left as it is with the understanding that the applicant can wet the gravel or use a different gravel if needed. Solutions will be reviewed as needed in order to mitigate the concerns.

Mr. Aubert asked if anyone wanted to speak in favor.

Kyle Soldani, 7424 SW Auburn Road, Auburn, KS 66402.
- A member of the neighborhood for over a year.
- Agreed it was a necessary upgrade due to the aging infrastructure.
- As a volunteer firefighter, increased water storage/volume would be a major plus. Hydrants are not abundant. Significant fires require them to engage in tanker shuttle operations and possibly travelling miles out of the way to fill up. The time to fill up is important and makes a pretty significant difference.
- Supports the project. Thinks the new tower will be more visually appealing to the area.

Mr. Aubert asked if anyone wanted to speak in opposition.

Leonard Schutter, 7244 SW Auburn Road, Auburn, KS 66402.
- Home is across the road.
- Not opposed to the tower but concerned about the proposed building’s type and location, lighting, the drive’s location being a safety issue and the proposed tower location.

With no further comments in opposition, Mr. Aubert gave the applicant the opportunity to make a rebuttal.

Nathan Rewerts, 10749 NW 4th Street, Topeka, KS 66603.
- The top of the tower needs to be at 1,321 to keep the towers at the same height.
- The front of the building will be limestone so it fits in with the character of the area. Usually one car will be parked out front. Lighting will be minimal around the building for safety and security.
- Public Works will determine the speed of the road and if additional signs are needed.
Ms. Schwartz asked if this change would have any effect on the Roy Tower. Mr. Rewerts said the new tower would add to it.

Mr. Anderson indicated it is a public utility and provides an essential service to the community. It is not considered a commercial business. Traffic concerns should be expressed to KDOT.

Mr. Aubert closed the public hearing. There were no comments from the Planning Commission.

Mr. Tenbrink moved for approval of the Conditional Use Permit including the six conditions in the Staff Report, seconded by Ms. Moler. With a vote of 6-0-0, the item was Approved.

Public Comment on Non-Agenda Planning and Zoning Items: No one was present to speak.

Discussion of Planning Related Issues:

Mr. Anderson’s presented slides covering zoning and land use concepts with updated Land Use Tables. He requested the Commissioners review the information and provide feedback before they meet again. He stated two Conditional Use Permits would be considered at the January 13, 2020, hearing. They will continue their review of the proposed Zoning Regulations following those items.

Adjournment:

With no further items to consider, Mr. Aubert asked for a motion. Ms. Moler moved to adjourn, seconded by Ms. Schwartz. A unanimous voice vote declared the public hearing to be adjourned at 7:34 p.m.