

**City of Greensburg Planning Commission  
May 30, 2012 6:30 PM**

**Location: City Hall Council Chambers- 300 S. Main, Greensburg, KS 67054**

**Call to Order & Roll Call**

Travis Barnes called the meeting to order at 6:30 pm. Roll Call was taken with the following members present: Travis Barnes, Georgina Rodriguez, and Loren Campbell. Mary Racette and Shawn Cannon were absent.

**Approval of Minutes**

Barnes pointed out a typing error on page 3, paragraph 1, line 4 of the May 16<sup>th</sup> minutes. "Town" was typed "townt." Campbell made a motion to approve the minutes with the correction of the typing error. Rodriguez seconded. Motion passed 3-0.

**Public Hearings**

**Case 2012-01-BZA – Fleener/GreenTown**

The Planning Commission convened as the Board of Zoning Appeals (BZA) to hear Case # 2012-01-BZA. Mike Gurnee, Planning and Zoning Consultant, explained that Wylan Fleener had proposed to staff a sign directing traffic to GreenTown be allowed to be erected on his property at the northwest corner of Main Street and Kansas Avenue. Off premise signs are not allowed in the City of Greensburg unless as directed by section 9.3.C. Staff made the determination that the sign could not be permitted and advised Fleener. Fleener has chosen to appeal staff's decision to deny his application. Gurnee stated that the BZA must determine if staff properly applied the Sustainable Land Development Code.

Fleener interjected that GreenTown did not make the application, he did. Fleener explained that he had the sign made, is paying for it, and would like to place it on his lot. He described the sign as being a 4x8, two sided, metal sign. Fleener had erected the sign at the corner of Kansas Ave. and Main St. over the May 4<sup>th</sup> Anniversary Weekend, but the wind took it down. His initial intent was to direct visitors down Main Street to get to GreenTown when Sycamore St. was closed. Since Sycamore is now open, he would put the sign to the back of the lot. Fleener acknowledged that he had briefly looked at the zoning code with staff and understands it.

Barnes explained that the purpose of the appeal is to show if staff properly applied the code. Fleener stated that he did not feel that staff had misapplied the code, but pointed out that there are other off premise, directional signs. He asked why the new code was put in place (when adopted in 2011). Barnes asked if items being advertised on the sign were provided free of charge. Fleener stated that they were not (GreenTown charges for tours and to stay at their bed and breakfast) but stated that GreenTown was not a business. Fleener described GreenTown as a non-profit visitor's center. Barnes then asked if GreenTown is a public entity, supported by tax dollars, noting that if so, code 9.3.C would allow the sign to be erected. Fleener stated that GreenTown is not a public entity but has received funding from the City and County. Barnes asked if the government oversees the entity. Fleener stated that it did not. Barnes explained that he was trying to see how the Commission could allow the sign or support staff's recommendation.

Rodriguez agreed that she would like to find a way to work with people and not discourage them. She feels that advertisement for GreenTown is needed. She also agreed that it made more sense if the sign were placed to the back of the property as opposed to the front, where it was placed for the anniversary weekend. She stated that she was concerned about the construction of the sign because of the wind, but had previously discussed that with Fleener.

Campbell asked for confirmation of who the applicant was. Fleener confirmed that he was the applicant.

Rodriguez noted that there are other off premise signs, including those recently placed in various locations around town that say "Ducksalt.com." Gurnee advised that staff was aware of the Ducksalt signs and that a letter was being drafted on a code violation. The sign company who is advertising on the Mikey's lot and the antique store sign on E. Kansas were also discussed.

Fleener stated that he understood that he could receive a 30 or 60 day permit. He was informed that this was not the case.

Barnes asked Fleener if the process of appeal was explained to him. Barnes stated that because of the code in place, offering an appeal was the only thing that staff could do. Fleener acknowledged that he had briefly spoken to staff about his ability to appeal and then was sent a notice of when his hearing was. Staff had also given him a copy of the code. Gurnee was also contacted to see if there was a way to permit the sign. Barnes asked why Fleener went ahead and put the sign up on the May 4<sup>th</sup> weekend, prior to his hearing. He said that he thought he could get a 30 day permit.

Rodriguez asked how Fleener intended to construct the sign as she has serious concerns that the wind will be an issue. Fleener stated that the sign would have a wood frame with posts. He would place it to the back of the lot near Sycamore St.

Barnes closed the meeting to public comment and opened the floor for discussion amongst the Commission. He reminded them that their task was to determine if the City's code was properly applied in this case. He felt that Staff had clearly applied the code correctly. Rodriguez would like to see every case reviewed on an individual basis. Barnes feels that allowing the sign, against code, would set precedence, and if the Commission would prefer to go that direction the code should be changed. He stated that picking and choosing "at whim gets us in trouble." Barnes stressed the need for consistency, however the Commission decides.

Barnes asked if GreenTown had attempted to have a State directional sign placed, such as the one for the Big Well. Fleener stated that they had not, but agreed that this would possibly meet the need for advertising.

Rodriguez mentioned that GreenTown currently has a handwritten sign on Main Street and asked if the sign that Fleener was wanting to place on his property couldn't be put in place of the handwritten one. Gurnee confirmed that if GreenTown owned the property, the Fleener sign could be placed there. Barnes was in favor of this suggestion as it would allow the sign to be utilized, allow the Commission to follow the current code and support staff's application of the code. Rodriguez suggested that Fleener may be able to get a letter from the City, encouraging the State to authorize a directional sign on the highway.

Barnes made a motion, seconded by Campbell, that Staff's determination to disapprove Fleener's sign application was correct, that the sign should be relocated onto GreenTown property on Main Street, and recommended that GreenTown seek a directional sign from the State. Motion passed 3-0.

Barnes declared a 30 second recess. The meeting reconvened at 7:00 pm.

### **Consideration of a public hearing to discuss temporary RV park regulations and changes to the Planned Unit Development regulations.**

Gurnee distributed a copy of the current text for Planned Unit Developments that showed changes that he would recommend to the code. Gurnee feels that the current code is very complex and meant for large, permanent RV park development. His proposal would get rid of the distinctions and call a park development a Planned Unit Development (PUD) and reduce the length of the code from six pages to four. The proposal would allow a workforce park (a small, temporary park) and waive certain standards if the site plan for the development met the intent of the code. He requested that the Commission call for a hearing to discuss the issue. He advised that temporary permits for individual RV placement will be considered by the City Council. A draft copy of a resolution for the City Council was provided. Currently, an RV on an individual lot can only be approved through the Conditional Use process. Passage of the proposed resolution would eliminate the delay required for a Conditional Use.

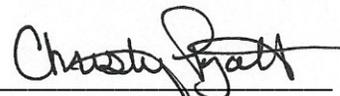
Discussion on what zoning districts currently allow RV parks began. Gurnee explained that they are currently allowed with a Conditional Use in the Highway Commercial, Industrial and R-1B zones. With the potential for an influx of oilfield and wind turbine workers, and the already present need for additional housing, Staff feels that a PUD would be much more accommodating. He also mentioned that the current code allows for mother-in-law apartments and tenants, which would allow homeowners to rent space to workers.

The consensus of the Planning Commission was to call for a public hearing to discuss changes to the PUD regulations. Staff will advise the Council on when that hearing will be scheduled.

### **Staff Items**

Staff proposed another amendment to the zoning code. Currently the text of the code states that recreation parks are only allowed in the R-1B district. The table of uses shows that they are allowed in 3 districts. Gurnee proposed changing the wording in the text to match the adopted table. The Commission concurred. There is no hearing necessary for this change.

With no additional discussion, Barnes made a motion to adjourn. Rodriguez seconded. Motion passed 3-0 and the meeting adjourned at 7:20 p.m.

A handwritten signature in black ink, appearing to read "Christy Pyatt", written over a horizontal line.

Christy Pyatt - Secretary