

**CITY OF DE SOTO  
PLANNING COMMISSION**

City Hall, 32905 W. 84<sup>th</sup> Street  
April 26, 2005 – 7:00 P.M.

**MINUTES**

1. The meeting was called to order at 7:00 p.m. by Chairman Honomichl.

<b>Roll Call:</b>	Hemphill	Absent	Kroeger	Present
	Friday	Present	Templin	Present
	Honomichl	Present	Moberly	Present
	Krudwig	Present		

3. **General Business:**

A. Approve Planning Commission agenda.

Motion by Commissioner Moberly to approve the agenda; second by Friday.  
Commissioners approved with “ayes”.

B. Approve minutes from the Planning Commission meeting of March 29, 2005.

Commissioner Templin said the discussion on the last motion of the meeting was not accurately transcribed but he had no revisions.

Motion by Commissioner Moberly to approve the minutes; second by Friday. Commissioners approved with “ayes”; Commissioner Templin disapproved with “nay”; Commissioner Krudwig abstained.

4. **Call to Public:**

Members of the public who wish to address the Planning Commission regarding items not on the agenda may do so at this time. Any presentation is for information purposes only. No action will be taken. There is a four-minute time limit.

None appeared.

5. **Public Hearing:**

A. Public hearing to consider amendments to the City of De Soto Procedures Manual Articles 1 through 8.

Planning Coordinator Kim Gordanier stated that the Procedures Manual has not been updated since 1998. Revisions to the last half of the document, Articles 9 through 16, will be on the May Commission agenda. Gordanier reviewed the revisions, including that the Guide to Development and planning application checklists are replacing the Procedural Summary section. The Ethical Principles have been moved from Article 3 to Article 4, and several repetitious sections have been removed.

Commissioner Moberly noted that certain text needs to be more clearly identified as sections. He asked if Commissioners were required to leave the room upon recusing themselves from an agenda item. Gordanier responded that though this had been common practice, it was not required. Moberly questioned whether the ethical principles should address the public giving gifts or favors to the Commissioners. These principles should be exclusive to the Commission with the public addressed elsewhere. The Guide to Development and planning application checklists should be referenced in Article 5 and moved to an appendix.

Commissioner Templin asked that the City Attorney review the statutory requirements of having planning staff instead of the City Clerk perform the handling of petitions and other matters. He questioned the wording of a section of the Ethical Principles regarding increasing opportunity and choice for all persons. It is vague and could easily be argued. Is the Commission violating it's ethics by approving a plan that does not increase choice and opportunity for all people? He would like for the City Attorney to interpret this and possibly reword that section. Chairman Honomichl said it could be applied to a pattern of decisions that ultimately affect the community, not a single decision. Gordanier reviewed page by page the revisions suggested by the Commission.

Chairman Honomichl opened the public hearing.  
Chairman Honomichl closed the public hearing as none appeared.

Motion by Commissioner Kroeger to table the item in order to get feedback on Section 5 on Ethical Principles and review for approval sections 9 through 16 at a later date; second by Templin.

Roll Call:	Hemphill	Absent	Krudwig	Yes
	Moberly	Yes	Honomichl	Yes
	Templin	Yes	Friday	Yes
	Kroeger	Yes		

Motion carried.

B. Public hearing to consider amendment(s) to Chapter 7 and Map 12 of the Comprehensive Plan pertaining to various revisions to the Future Land Use map.

Planning Coordinator Kim Gordanier noted that the Council had approved the map amendments the Commission recommended in March. The Future Land Use amendments before the Commission now include applying land uses to areas within the floodplain. Previously, the floodplain had been a land use in itself. Gordanier noted that areas to the south of the BNSF railroad generally had adjacent land uses applied. Additional commercial land uses were added to parcels surrounding the 83<sup>rd</sup> Street and Kill Creek Road intersection. Areas north of the railroad have been revised to Public/Semi-Public, Parks and Recreation, Agricultural, or Heavy Industrial. An approximately 150-foot band of 'Parks and Recreation' now extends south around the Kansas River. Gordanier stated that these areas may be included in a public trail system in the future depending on the results from a future Parks Master Plan. The City may require conservation easements or open space to achieve this end.

Gordanier continued that areas within the floodplain to the Northwest could be serviced by public sewer from a force main being constructed along the BNSF railroad track. These areas may have access to the railroad and to K-10 Highway via Edgerton Road. Some, but not all, industrial uses are appropriate for the floodplain. Appropriate uses would include mineral extraction and contractor office and material storage. The Flood Mitigation Plan would require appropriate measures are taken to mitigate impacts of development on the floodplain. City Engineer Mike Brungardt noted that a significant amount of the land area within the floodplain to the Northwest of

town are actually above the base floodplain elevation, though this is not reflected by the current FEMA flood maps.

Commissioner Friday asked if there have been requests from the public for access to the river. Gordanier replied that she knew of none specifically, though the Mayor and staff have discussed constructing a riverfront trail in order to make the river an amenity for the general public. The text is necessarily vague until the Parks Board completes a master plan or otherwise solidifies their goals for the area.

The Commission discussed amending the Future Land Use map annually to reflect changes in condition or rezonings. Chairman Honomichl said that he doesn't agree with adding such extensive industrial to the map without having more discussion, particularly with the Council and the Economic Development Council. Templin agreed that he preferred to have the areas to the Northwest be agricultural instead of industrial until a workshop could be held. Commissioner Moberly noted that in other areas much industrial activity takes place in the floodplain. Kroeger added that he would like to see more areas for commercial development on the map. The Commission advised staff to coordinate a workshop to get others input before making these changes. Commissioner Templin noted that the County parkland and other areas to the west should be discussed in this forum as well.

Chairman Honomichl opened the public hearing.  
Chairman Honomichl closed the public hearing as none appeared.

Motion by Commissioner Kroeger to approve amendments to the Future Land Use plan as presented with the exception of Heavy Industrial zoning in areas to the Northwest, modifying these to agricultural uses; second by Krudwig.

Roll Call:	Hemphill	Absent	Moberly	Yes
	Templin	Yes	Kroeger	Yes
	Friday	Yes	Krudwig	Yes
	Honomichl	Yes		

Motion carried.

**6. Old Business:**

- A. Consider amendment(s) to the Special Use Permit for the De Soto Municipal Pool, 32905 W. 84<sup>th</sup> St.

City Engineer Mike Brungardt stated that the low bid received for the project was substantially higher than the City's budget. The City has entered into negotiations with contractor, Vanum Construction, and is discussing possible deletions and alterations to the project scope and design. Changes could include architectural modifications to the bath and filter building, pool feature and site layout modifications. The goal of the collaborative value engineering is to arrive at construction and contingency costs that would allow the project to move forward. The \$71,000 contingency fund is mainly for any unknown geotechnical subsurface conditions; expensive problems may arise during construction. Depending on the amount of contingency funds used, certain elements may be able to be added back in. Staff is looking for the Commission's input on what items hold priority if this should happen. Brungardt concluded that the family slide and tot slide features are high on the Pool Committee's priority list, followed by asphaltting the lower parking area or adding back in sidewalks that have had to be removed.

Chairman Honomichl noted that the slide features could be added at the end of construction,

whereas other items cannot. In his opinion, the biggest issue for the Commission was creating visual interest and having the structures be in keeping with the City Hall building; these considerations have not substantially changed. Commissioner Friday discussed the value engineering process with Brungardt. Deduct alternates were included in the original bid documents. The City hasn't entered into a construction contract with the low bidder yet.

Motion by Commissioner Templin to recommend approval of the modified site plan as presented without any changes; second by Friday.

Motion amended by Commissioner Templin to recommend approval of the modified site plan as presented as drawings B1A or B1B under the discretion of city staff; second amended by Friday.

Roll Call:	Hemphill	Absent	Moberly	Yes
	Templin	Yes	Kroeger	Yes
	Friday	Yes	Krudwig	Abstain
	Honomichl	Yes		

Commissioner Krudwig abstained as he was not present during the majority of the special use permit approval process.

Motion carried.

Commissioner Krudwig said he thinks the family slide is important for the community, and the sidewalk is more important than the chip and seal. Templin agreed that the sidewalks are critical. Patrons should be encouraged to walk or bike to the facility, and the sidewalks should connect directly to Lexington Road. Commissioners Friday and Moberly agreed that sidewalks are their number one priority, followed by one or both slides. Moberly voiced that sidewalks are his priority as well. Treadwell Jones, design consultant with Larkin Aquatics, noted the value engineering on building features. Honomichl stated that he would like to see the sidewalks incorporated into the project by opening day. His second priority would be putting the split face block for the building back in, his third are the slides. Commission members commended staff and the Committee for their work.

**7. New Business:**

- A. Consider final plat for Phase I of the Arbor Ridge subdivision, generally located at the Southeast corner of 83<sup>rd</sup> St. and Kill Creek Rd.

Brungardt noted that the applicant submitted a revised plat for Phase I and off-site improvement plans. The plat is consistent with the approved preliminary plat and meets the standards of the Subdivision Regulations with the exception that the public improvement drawings have not been approved. They are, however, substantially complete and the correct easements and rights-of-way are contained on the plat. Brungardt concluded that staff recommends that the Commission approve the plat, with limited consideration moving forward to the City Council.

Motion by Commission Templin to approve; second by Moberly.

Roll Call:	Hemphill	Absent	Kroeger	Yes
	Moberly	Yes	Templin	Yes
	Friday	Yes	Krudwig	Yes
	Honomichl	Yes		

Motion carried.

Commissioner Kroeger discussed his participation at the April 21<sup>st</sup> City Council meeting. Brungardt and Kroeger reviewed the Council's discussion regarding accessory structure regulations.

Motion by Commissioner Moberly to adjourn at 8:43 p.m.; second by Krudwig. All Commission approved by "ayes".

Respectfully submitted:

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Kim Gordanier  
Planning Coordinator