

COMMISSIONERS RECORD 5, DOUGLAS COUNTY

79

Term, 19

day of

19

No further business, the Board adjourned to meet on Thursday, August 2, 1979.

ATTEST:

D. E. Mathia

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County Clerk

Beverly A. Bradley

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Chairman

August 2, 1979

The Board of County Commissioners of Douglas County met in regular adjourned session with all members of the Board present.

Approved the minutes of the meeting of August 1, 1979.

Treasurer's report

The Board noted receipt of Douglas County Balance Sheet for the month of July 1979 from the Treasurer's Office.

Plan. Comm. deny rezoning of Lawrence Assembly of God Church 7 1/2 A from A to B-3

At 9:30 a.m., as stated in the County Commission minutes of May 31, 1979, the Board resumed the rehearing of the application of the Lawrence Assembly of God Church for rezoning from A (Agriculture) to B-3 (Limited Business), approximately 7 1/2 acres generally described as being located one and one quarter mile west of the intersection of Kasold Drive and 23rd Street, the application having been filed by Lloyd Bilhimer for the Lawrence Assembly of God Church. The owners of the property and representatives for the owners made appearances. Representatives of the owners spoke in behalf of the application and owners of nearby property offered oral argument against the granting of the application. The potential buyer presented a scale model of the building, and also site plans and floor plans of the proposed business. After lengthy discussion it was moved by Mr. Neis that the Board deny the rezoning request based upon: the evidence before the Board; the requested zoning change would be contrary to the Comprehensive Mini-Plan for the Clinton Parkway area; the request would constitute commercial spot zoning; and for the reasons stated by Roger Hedrick in presenting to the Board the recommendation of the planning commission and staff that this request be denied. Motion seconded by Mr. Cragan and carried. The entire proceeding was transcribed by court reporter Frank Swanson of Ottawa, Kansas.

Plan. Comm. app. Rezone 9A from A to B-3 with 4 cond.

At the hour of 11:00 a.m., the Board discussed a planning item with Roger Hedrick, director of the planning department, Linda Finger and David Guntert, staff members. The Board considered Item No. 10 from the Planning Commission minutes of June 27, 1979. This item is a request to rezone property from A (Agriculture) to B-3 (Limited Business), containing approximately 9 acres and generally described as being located on the southwest corner of the intersection of Clinton Parkway (23rd Street) and Dragstrip Road. This item is requested by I. J. Stoneback and was first heard by the Planning Commission in October of 1978 and had been returned to the Planning Commission to review the applicant's development plan. After discussion it was moved by Mr. Neis that the Board approve this rezoning request from A (Agriculture) to B-3 (Limited Business), subject to the following conditions as recommended by the Planning Commission:

- (1) That only the portion shown on the development plan north of the restaurant parking (south parking bay) be rezoned (5.0 acres net);
- (2) That the rezoning not take effect until the property is platted and a site plan approved;
- (3) That the zoning be reviewed by the Planning Commission in 1982. If no development has occurred, the applicant should show proof why the property should remain B-3 and not revert to the prior zoning (A, Agriculture); and,
- (4) That approval of the final development plan be based upon connection with the proper sanitary sewer facilities and approval by the County Health Officer be obtained.

Motion seconded by Mr. Cragan and carried unanimously.

Final Plat of Twin Ridge Heights with 5 cond.

The next item considered by the Board was Item No. 5, Final Plat of Twin Ridge Heights, a residential county subdivision containing approximately 214.16 acres and generally described as being located in Lecompton Township on the east and west sides of Township Road 563, which is approximately 1/2 mile north of Middle Road (County Road 438), and is submitted by Peters, Williams, and Kubota for Dwight Jackson. After discussion it was moved by Mr. Neis that the Board approve this final plat for the acceptance of dedications and easements, subject to the following five conditions of the Planning Commission, with a revision to condition No. 3:

- (1) That the applicant's engineer certify that all lots are pinned or that a performance bond in an appropriate amount (as determined by the County Public Works Department and set by the Board of County Commissioners) be filed with the County Engineer;
- (2) That a performance bond for the construction of roads to "county rock road standards" and for the necessary traffic control devices and road or street signs be filed with the County Engineer in an amount deemed appropriate by the County Commission (based on an estimate from the Public Works Department);