

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, MAY 8, 2013

6:35 p.m.

-Proclamation to declare May 11, 2013 as "Stamp Out Hunger Day" (Jeremy Farmer/Andy Tuttle)

CONSENT AGENDA

(1) (a) Consider approval of Commission Orders;

REGULAR AGENDA

(2) Consider approval of a proposed Temporary Business Use permit for a temporary job trailer at 1592 N 300 Road, Baldwin City, KS 66006 (Linda Finger)

(3) (a) Consider approval of Accounts Payable (if necessary)

(b) Appointments

-Lawrence-Douglas County Housing Authority (1) positions 06/13

-Lawrence-Douglas County Metropolitan Planning Commission 05/13

-Lawrence-Douglas County Mental Health Board 04/13

-Property Crimes Compensation Board 04/13

(c) Public Comment

(d) Miscellaneous

(4) Adjourn

WEDNESDAY, MAY 15, 2013

9:00 a.m. – The County Commission will perform a fence viewing at property located near 502 Eisenhower Road, Baldwin City, Section 34, Township 13, Range 20.

MEETING

4:00 p.m.

-Consider approval of Cereal Malt Beverage License for VanGo Special Event (Clerk's Office)

-Close out hearing for the Berry Plastics (CDBG) Grant (Garrett Nordstrum)

-Consider options for improvements at Lone Star Lake (Jackie Waggoner/Doug Stephens)

WEDNESDAY, MAY 22, 2013-Cancelled

WEDNESDAY, MAY 29, 2013

-Proclamation for "Relay for Life Week" (Betty Parks)

Note: The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.



Office of the County Commission
PROCLAMATION
For "Stamp Out Hunger Food Drive Day"
in Douglas County

- WHEREAS:** Every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation's largest one-day food drive, distributing the donations to local food banks; and
- WHEREAS:** The Stamp Out Hunger Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve. Since the pilot drive was held in 1991, more than a billion pounds of food have been collected; and
- WHEREAS:** We would like to recognize all letter carriers for their hard work and their commitment to their communities. All of the food collected in Douglas County stays in Douglas County and we support carriers' efforts to help those in need in our community.
- WHEREAS:** The National Association of Letter Carriers Branch #104 in Lawrence has collected more than 300,000 pounds of non perishable food since 1991.

NOW, THEREFORE, the County Commission of the County of Douglas County, Kansas, do hereby proclaim Saturday, May 11, 2013 as

"STAMP OUT HUNGER FOOD DRIVE DAY"

in the County of Douglas County, Kansas, and encourage the citizens of our community to support the food drive by placing non-perishable food items in or near your mailbox on food drive day. Your letter carrier will pick it up while delivering the mail—and together, we can all help to feed Douglas County's hungry

ADOPTED this 8th day of May, 2013.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Mike Gaughan, Chairman

Nancy Thellman, Vice-Chair

Jim Flory, Member



DOUGLAS COUNTY ZONING & CODES DEPARTMENT
MEMORANDUM

TO: Board of County Commissioners
SUBJECT: Temporary Business Permit for an off-site job trailer for KDOT use, to be located at 1592 N 300 Rd, Baldwin City, KS
DATE: May 7, 2013
FROM: Linda M. Finger, Interim Director Zoning & Codes

BACKGROUND:

N.R. Hamm has requested a Temporary Business Permit for an off-site job trailer to be used during KDOT's Highway 59/56 project, to be located just off the right-of-way, at 1592 N 300 Road, Baldwin City, Kansas. The off-site trailer will be used as a field office/lab for KDOT employees. Approval has been requested for a four month period from May 8th through October 15, 2013.

APPLICABLE REGULATIONS:

Temporary business uses may be permitted in any zoning district upon review and finding of the Board of County Commissioners that the proposed use is in the public interest [re: section 12-319-5]. In making this determination, the Board is required to consider:

- the intensity and duration of the use,
- the traffic that can be expected to be generated by the use,
- the applicant's plans for dealing with sanitation and other public health and safety issues, and
- other factors which the Board in its discretion determines will affect the public's health, safety and welfare.

Temporary business uses are enumerated in section 12-319-5.01.b. This specific uses falls in the "...other similar business use of a temporary and specific duration..." use category.

Typical application procedure requires an application be submitted a minimum of 28 days prior to the commencement date. [The Board of County Commissioners is given the authority in section 12-319-5.01.c to allow a shorter application period for good cause. Staff made a determination, in consultation with the County Administrator, to accept the application with less than 28 days; because of the nature of the work (State project let and work had begun).]

The application is required to be accompanied by a plan showing the location of the temporary business use (off-site job/lab trailer) and provide an explanation of the following activities (responses are in red):

- number of persons involved in the temporary business use(2-4 on average) ;
- how health and sanitation concerns are addressed at the site (portable toilets are on the site and drinking water will be provided.),
- if & how night illumination is provided for security (no exterior lighting),
- if & how other on-site security is provided at the site (no on-site security is proposed),



DOUGLAS COUNTY ZONING & CODES DEPARTMENT

2108 W 27th Street, Suite I

Lawrence, Ks 66047

Phone: 785.331.1343 Fax: 785.331.1347

PUBLIC NOTICE

TO : All property owners within 1,000 feet of a Temporary Business Permit
Situs Address: 1592 N 300 Road, Baldwin City, KS 66006
Property owner: Shirley and Rex Johnson, Trustees
Applicant: Hamm, Inc.

FROM: Linda M. Finger, Interim Director of Zoning & Codes Department

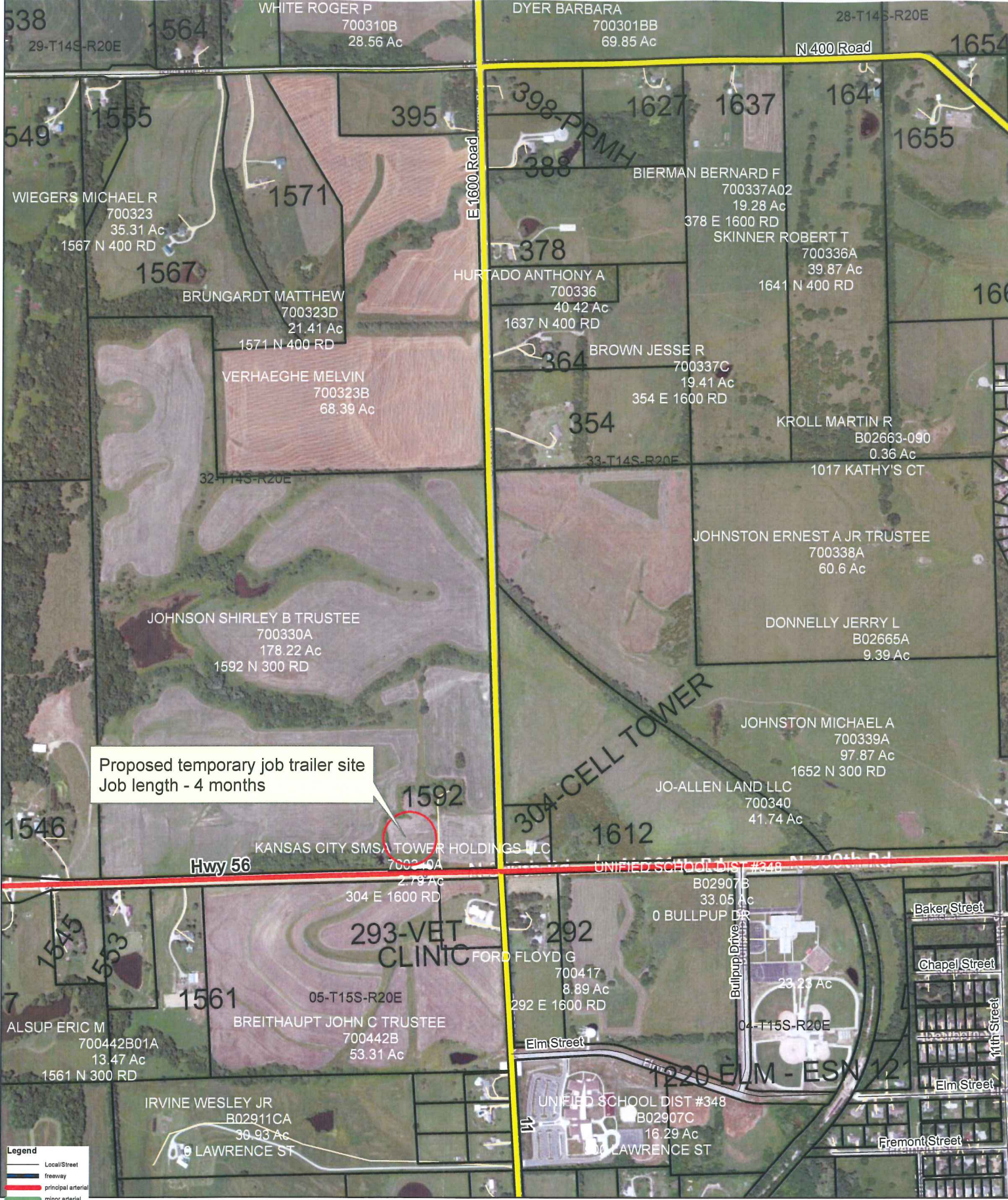
RE : Temporary Business Use Permit – Temporary job site trailer

DATE : April 26, 2013

This letter shall serve to inform you that this office has received an application from N. R. Hamm for a Temporary Business Permit. The purpose of the Temporary Business Permit would be to place an on-site job trailer for KDOT use, during the time period of May 8, 2013 through October 15, 2013. Location of the proposed temporary business is 1592 N 300 Road, Baldwin City, KS 66006.

For your information, this item will be on the Douglas County Board of County Commissioner's Agenda on May 8, 2013. The time of this meeting will be 6:30 P.M., on the 2nd floor of the Douglas County Courthouse, 1100 Massachusetts Street, Lawrence, Kansas 66044.

Should you have any questions or comments concerning this request, please feel free to attend the County Commission meeting May 8, 2013. If you should have any questions on this matter, please contact me at the Douglas County and Codes Department at (785) 331-1343.



Proposed temporary job trailer site
Job length - 4 months

- Legend**
- Local/Street
 - freeway
 - principal arterial
 - minor arterial
 - major collector
 - minor collector
 - park road
 - private
 - alley
 - parcels
 - plannum
 - Find Address
 - Driveways



DISCLAIMER NOTICE – The map is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for us solely on the requester. Douglas County makes no warranties, express or implied, as to the use of the map. There are no warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the including the fact that the map is dynamic and is in a constant state of maintenance, correction and update.

- township fire department consultation (**Willow Springs has not been contacted, but there is an address already assigned to this property for E911 purposes, as it was the former site of a home**); and,
- evidence that general liability and property insurance coverage for the temporary business use has been secured (**none has been obtained but it can be if the Commission so directs Hamm's to do so**).

Public notice of the temporary business use was mailed to property owners within 1000' on April 26, 2013. The Zoning & Codes Department has received no inquiries or calls in response to the notice sent.

A public hearing is required to be held by the Board of County Commissioners on the temporary business permit application in accordance with section 12-319-5.01.f. The Commission may approve or deny the permit. If the permit is approved, the Commission **is required to establish the effective time period for the permit and all conditions under which the permit is granted.**

A Temporary Business Permit is issued to the applicant making the request. It is not assignable to another part without the Commission's consent [re:-12-391-5.01.g]

STAFF RECOMMENDATION:

Approval of the Temporary Business Permit for location of an off-site job/lab trailer for KDOT employees for a four month period of time beginning May 9th and extending through October 15th, 2013, with a one month additional window for weather-related delays. Conditions of approval are recommended to be:

1. The trailer and all temporary electrical services to it must be removed from the property no later than 48 hours after the completion of the last day of work on the Highway project or by November 15th, 2013, whichever comes first.
2. General liability and property insurance coverage be obtained naming the County as an additional insurer, since the trailer is located closer to the highway than the required 150' setback from a principal arterial road.

NOTE: Please provide staff with direction on the process for Temporary Business Use permits, if the Commission would like to see some Temporary Business Uses to be eligible for administrative review and approval.