



CITY OF TOPEKA
TOPEKA PLANNING COMMISSION

MINUTES

Monday, February 15, 2016

6:00PM – Municipal Building, 214 SE 8th Street, 2nd floor Council Chambers

Members present: Scott Gales (Chair), Brian Armstrong, Kevin Beck, Rosa Cavazos, Dennis Haugh, Carole Jordan, Katrina Ringler, Wiley Kannarr, Patrick Woods (9)

Members Absent: (0)

Staff Present: Bill Fiander, Planning Director; Dan Warner, Planner III; Susan Hanzlik, Planner II; Kris Wagers, Office Specialist; Mary Feighny, Legal

A) Roll Call - Nine members present for a quorum.

B) Approval of Minutes from January 25, 2016

Motion to approve as typed; moved by Ms. Jordan, second by Mr. Beck. **APPROVED (8-0-1 with Mr. Kannarr abstaining)**

C) Communications to the Commission –

Mr. Fiander welcomed Mr. Wiley Kannarr to the Planning Commission

D) Action Items

1) 2017-2021 CIP Projects – In accordance with K.S.A. 12-748(b), review the city's capital improvement program to ensure that it is consistent with the comprehensive metropolitan plan and forward findings to the governing body as to whether such projects are consistent with the comprehensive metropolitan plan. **(Warner)**

Mr. Fiander explained that a local ordinance and state law require the Planning Commission review the Capital Improvement Program (CIP) to assure programs relevant to the LUGMP are in conformity with the current Plan. Once done, no further approval by the Planning Commission is necessary.

Mr. Fiander stated that the February packet included highlights of the projects within the CIP that Planning Staff believe may impact the LUGMP or other elements of the Comprehensive Plan in terms of physical capacity for growth. He added that present at the meeting were COT staff that could assist in answering questions or addressing concerns, including Shawn Bruns, City Engineer, Nickie Lee, COT Budget Director, and Doug Gerber, Assistant City Manager.

Mr. Gales asked Mr. Fiander to give a brief review of the relevance of the designations of Tiers I, II & III in the Urban Growth Area. Mr. Fiander did so, and he explained that the main focus of CIP projects is in Tier I.

APPROVED 3.21.2016

Mr. Warner reviewed some of the proposed projects and Commissioner questions were answered.

Mr. Fiander pointed out a correction on page 2 of the packet memo, stating that the bullet point regarding SE California Ave. should read 5 lanes, not 3.

Mr. Gales opened the floor to public comments. With none coming forward to speak, Mr. Gales stated that the public hearing was closed and asked if Commissioners had additional comments or questions.

Ms. Cavazos inquired regarding a pedestrian crossing in North Topeka project on the unfunded project list, asking when it might get funded. Mr. Fiander stated he's not certain, explaining there's a policy cap of approximately \$9m/year in general obligation bonds.

Motion by Mr. Beck, stating that upon review of the CIP, the Planning Commission determines that the CIP is consistent with the Comprehensive Plan. Second by Mr. Haugh.

APPROVAL (9-0-0)

- 2) **Elmhurst Neighborhood Conservation District (NCD)** Elmhurst N.A. is requesting the initiation of a Neighborhood Conservation District Zoning overlay for the properties roughly bounded by SW 10th St to the north, the alley between SW Boswell Ave. and SW Jewell Ave. to the west, SW Huntoon Ave. to the south, and SW Washburn Ave to the east, excluding the commercial properties along SW 10th St, the Library, the Topeka Bible Church campus, Lowman Hill Elementary School, the Elmhurst Greenway Park, and the 1000 block located between SW Mulvane Ave. and SW Garfield Ave. **(Hanzlik)**

Ms. Hanzlik reviewed the Elmhurst NCD, explaining that Elmhurst is the second neighborhood to seek this zoning overlay. Westboro was the first neighborhood to do so. She stated that the zoning overlay standards are administered and enforced by the Topeka Planning Department, with the design guidelines within the document reflecting the existing character of the neighborhood. The guidelines are written by neighborhood representatives and approved by the relevant Neighborhood Association, thus they reflect the concerns of the neighborhood property owners.

Upon Ms. Hanzlik's review of the proposal, Mr. Gales called for questions from Planning Commissioners.

Mr. Haugh asked about the wording of the fence portion of the regulations. Mr. Fiander stated that the verbiage will be reviewed to assure clarity.

Mr. Gales inquired regarding document's dealing with the styles of homes that are allowed to be built in the district and what someone's options might be if they wanted to build a different style of home. Mr. Fiander stated that additional detail may need to be added. Ms. Hanzlik stated that she had worked closely with neighborhood property owners to design the guidelines, and it was quite important to them that the neighborhood maintain the historic period goal.

Mark Galbraith of 1230 College, president of the Elmhurst Neighborhood Association (NA), came forward to speak as representative for the NA. He stated that the NA is grateful to

City Council for making the NCD option available to Elmhurst and other older, historic neighborhoods in Topeka because they feel there is value in the historic character of some of our older neighborhoods. The NCD gives neighborhoods a tool to help preserve that historic character.

Mr. Galbraith relayed some of the history of the neighborhood, stating it was developed in 1909 (the first year houses were made available) and though they're a fairly small neighborhood of around 400 homes, there is a wide variety of architectural styles. He stated there are a number of vacant properties and the neighborhood is somewhat concerned about the style of homes that might be built that could negatively impact the historic character of the neighborhood.

Mr. Galbraith shared that the NA has been working on the NCD plan for approximately two years. They got a lot of public input from the two neighborhood meetings required for NCD status, and they believe they were able to incorporate almost all the recommendations that came out of the meetings, making it a much better plan because of the process.

Ms. Ringler asked if there were any major items that came out of the neighborhood meetings that the neighborhood was unable to come to a compromise on. Mr. Galbraith stated he couldn't think of anything. He said there was a lot of discussion about metal accessory buildings. The plan originally called for none, but the compromise was that they would be allowed if they couldn't be seen from the street.

Mr. Gales thanked Mr. Galbraith for the work that the Neighborhood has done on the plan.

Mr. Fiander stated that staff would appreciate any comments the Commissioners may offer, as staff will work on clarifications or revisions the Commission feels necessary.

Mr. Haugh asked who would be responsible for the review and compliance with the NCD guidelines. Mr. Fiander stated it would be the responsibility of Planning Staff, and the BZA would be the ultimate arbiter of any disagreements.

Ms. Jordan stated it's exciting to her that the neighborhood is willing to go to these lengths to initiate this to protect their neighborhood. She added that she feels neighborhoods are the strength of our city and it fits well with the new land use planning.

Mr. Gales asked why there was nothing in the NCD plan addressing sidewalks or driveways. Ms. Hanzlik explained that the neighborhood was content with the current standards and didn't feel they needed to be more restrictive.

Motion by Mr. Woods to initiate the application for the Elmhurst NCD. Second by Ms. Ringler. Mr. Fiander pointed out that a vote for the initiation does not mean commissioners are in favor of the NCD. Mr. Gales encouraged the NA to remain sensitive to what options there might be for design and not be too explicit in the statement of design. **APPROVAL (9-0-0)**

Adjournment at 7:06 PM