



CITY OF TOPEKA
TOPEKA PLANNING COMMISSION

MINUTES

Monday, March 21, 2016

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

Members present: Scott Gales (Chair), Brian Armstrong, Kevin Beck, Dennis Haugh, Katrina Ringle, Wiley Kannarr, Patrick Woods (9)

Members Absent: Carole Jordan, Rosa Cavazos (2)

Staff Present: Bill Fiander, *Planning Director*; Dan Warner, Planner III; Mike Hall, Planner III; Kris Wagers, Office Specialist; Mary Feighny, Legal

A) Roll Call – Six members present at roll call for a quorum.

B) Approval of Minutes from February 15, 2016

Motion to approve as typed; moved by Mr. Beck, second by Mr. Haugh. **APPROVED (6-0-0)**

C) Communications to the Commission –

None

D) Action Items

1) Initiation of re-zoning and review annexation for West Indian Hills Subdivision No. 12.

Rezoning Initiation - Consider initiating a rezoning of the West Indian Hills Subdivision No. 12.

Annexation Review - Review proposed annexation for consistency with the comprehensive metropolitan plan.

Mr. Warner explained that he would be speaking about the two actions together but would be requesting two different votes. He also stated that information had been sent to neighboring property owners indicating that this evening's Planning Commission meeting would be open to the public and serve as the neighborhood information meeting.

Mr. Woods entered and took his seat during this time.

Mr. Warner reviewed the annexation, stating that staff's recommendation at this time was that the Planning Commission forward a recommendation of approval of annexation to the Governing Body.

With no questions from commissioners, Mr. Warner reviewed the proposed rezoning initiation. Staff recommendation is that the Planning Commission initiate the rezoning of West Indian Hills Subdivision Number 12.

APPROVED 4/18/2016

Mr. Gales asked for clarification, and Mr. Warner explained that Planning Commission would not be approving the rezoning, but rather allowing staff to initiate the process. He added that the rezoning request would then come back to Planning Commission for consideration in the following months.

Mr. Gales asked for verification that there can be no rezoning until the property is annexed, and Mr. Warner confirmed this, stating that the rezoning request will not return to Planning Commission until and unless the property is annexed by the City of Topeka. Mr. Haugh asked what zoning staff anticipated requesting when/if it does come before the Planning Commission as a rezoning case. Mr. Warner stated that it would be logical to rezone as R-1, which would match the surrounding zoning.

Mr. Armstrong asked what cannot be done on RR-1 (current zoning) that can be done on R-1, and Mr. Fiander explained that R-1 is actually more restrictive and allows some agriculture type uses.

With no further questions, Mr. Gales opened the Public Hearing. With none coming forward to speak, the Public Hearing was closed.

Motion by Mr. Beck that the Planning Commission recommend approval to City Council for the annexation of the property. Second by Mr. Haugh. **APPROVAL (7-0-0)**

Motion by Mr. Beck to initiate the rezoning process for this property. He added that there is an understanding that the question of actual rezoning would come back before the Planning Commission at a later date. Second by Mr. Kannarr. **APPROVAL (7-0-0)**

- 2) ACZR16/1 Amendment to Chapter 18.190, Planned Unit Development Regulations,** requirements and standards relating to minimum parcel size for a Planned Unit Development, including conditions under which a parcel less than one acre may be reclassified to a planned unit development district.

Mr. Hall summarized and reviewed the proposed amendment.

Mr. Gales asked regarding the reason for the one acre minimum requirement in the first place. Mr. Fiander explained some of the history of the regulation, including the fact that originally the minimum was five acres. He stated that the proposed amendment allows an opportunity to address unique properties in some of our older neighborhoods, the re-use of which is in keeping with the land use plan and in-fill priorities. He verified for Mr. Gales that the amendment would apply only to current buildings, not empty lots.

Mr. Woods asked what potential problems we might see caused by the amendment, and Mr. Hall stated he couldn't think of any since it will go through a public process and is limited in its use.

Mr. Beck asked for and received confirmation that any cases considered under the amendment would come before the Planning Commission rather than be approved by

administrative approval. Mr. Hall stated that all new PUDs come before the Planning Commission, as well as all major amendments (changes of use).

Mr. Gales stated that the floor was open for public comment. With nobody coming forward, the Public Hearing was declared closed.

Mr. Haugh inquired about a further word change in the document, and Mr. Beck suggested removing a sentence from 18.190.050. Commissioners and staff agreed to these changes and Mr. Fiander explained that someone from City legal department would wordsmith appropriately.

Motion by Mr. Woods to recommend approval to City Council with the changes noted earlier. Second by Ms. Ringler. **APPROVAL (7-0-0)**

Adjourned at 6:50PM