



CITY OF TOPEKA
TOPEKA PLANNING COMMISSION

MINUTES

Monday, November 21, 2016

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

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

Members Absent: (0)

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

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

B) Approval of Minutes from October 17, 2016

Motion to approve as typed; moved by Ms. Ringler, second by Mr. Kannarr. **APPROVED** (5-0-4; abstaining were Commissioners Armstrong, Burson, Gales, and Woods)

C) Communications to the Commission –

Mr. Fiander introduced and welcomed Commissioner Ariane Burson, giving information about her background.

Mr. Fiander informed the commission that the Governing Body had remanded Case CU16/05 back to the Planning Commission to be re-considered. The case will be re-heard at the December, 2016 Planning Commission (PC) meeting and prior to that, Planning staff will send to commissioners a video link to view and minutes of the October, 2016 PC meeting, a summary of council direction for remand, and information about what has transpired following the meeting. He asked commissioners to direct questions to Planning staff ahead of the December meeting so that staff can answer ahead of time or be prepared. There was discussion as to whether a second public hearing would be held for the case, with Mr. Fiander and Ms. Feighny explaining that since there had already been a public hearing at the October, 2016 PC meeting, and since no new information had come to light since that hearing, a second public hearing is not required. Mr. Gales stated that he felt there had been adequate time for the public to speak at the October PC meeting and no commissioners disagreed. The December PC meeting will not include a public hearing on CU16/05. Mr. Fiander stated that, though not legally required to do so, Planning staff will send out notification to those who gave their names/addresses on the October, 2016 PC meeting sign-in sheet.

**D) Declaration of conflict of interest/exparte communications
by members of the commission or staff**

Mr. Armstrong indicated that he would not be voting on items E2 and E3 as he was design engineer for both items.

E) Public Hearings

1) Z82/17A was continued by applicant

2) Z16/4 by Topeka Planning Commission requesting to amend the District Zoning Classification from “RR-1” Residential Reserve District to “R-1” Single Family Dwelling District on 15 acres of property located approximately 400 feet north of SW 45th Street and approximately 2,300 feet west of SW Burlingame Road.

DRAFT

(Driver)

Upon Mr. Gales calling the case, Mr. Armstrong left the room.

Ms. Driver reviewed the staff report and staff recommendations, stating that she was available for questions. Hearing none, Mr. Steve LaCasse of Bartlett & West Engineers came forward representing the owner. He stated he had no additional information to add to Ms. Driver's review of the case, adding that it is in conformance with the City's Land Use Plan and he feels it would be a good addition to the city.

Mr. Gales pointed out that the use appears to be in general conformance with the LUGMP and Ms. Jordan made a MOTION to approve the re-zoning from RR-1 to R-1 as requested. Second by Mr. Woods.

APPROVAL (8-0-1 with Mr. Armstrong abstaining)

- 3) P14/11 Misty Harbor Estates Subdivision No. 5** A revised final plat for forty single family residential lots on property located approximately 870 ft. north of SW 45th Street and lying between SW Gage and SW Burlingame all being inside the city limits. **(Driver)**

Ms. Driver reviewed the staff report and staff recommendations, pointing out that the Planning Commission had approved the final plat phase on 1/21/2015, but submission to the Governing Body was delayed at the request of the applicant as they preferred it go before the Governing Body in concurrence with seeking Council's approval for financing of the street benefit district. The final plat currently before the Planning Commission includes a request for a design variance. The applicant is seeking approval of both a new phasing plan for the final plat and a variance for the dead-end link in excess of 500 feet until construction of Phase II. She explained that the street will be extended in future phases.

Mr. Gales asked if the property includes a flood plain and Ms. Driver explained that it's a small portion of the property and doesn't include any of the lots that are being developed.

Mr. Steve LaCasse of Bartlett & West Engineers came forward representing the owner, stating he stated he had no additional information to add to Ms. Driver's review of the case and was available for questions.

MOTION by Mr. Woods to approve the final plat with a 50 foot dead end variance as recommended by staff; second by Mr. Haugh. **APPROVAL (8-0-1 with Mr. Armstrong abstaining)**

Following the vote, Mr. Armstrong returned to the room.

F) Discussion Items

- 1. Amendment to the Comprehensive Zoning Regulations, TMC 18.50.030, 18.60, and 18.225** that will convert all C-5 Commercial District zoned properties to D-1 Downtown District and eliminate the C-5 District from the zoning regulations. The area is generally bounded by SW 3rd Street (north), SW Topeka Blvd (west), SE Jefferson (east), and SW 11th Street (south).

Mr. Warner gave an overview of the proposal, informing the commission that a Neighborhood Information Meeting (NIM) had been held 11/14/16. Commissioners received a handout of questions and comments received during that public meeting.

Ms. Driver reviewed the proposed changes as indicated on the Zoning Matrix provided in the November Planning Commission agenda packet.

Mr. Hall reviewed proposed sign guidelines as presented in pages marked 23-34 in the November PC agenda packet and discussed public comments and questions from the NIM. Commissioner questions and discussion included allowed locations for monument signs and murals/mural signs

or signs painted directly onto buildings. Mr. Hall noted legalities of attempting to regulate sign content.

Mr. Warner noted that at their December, 2016 meeting the Landmarks Commission will review and consider the proposed zoning changes. Based on that review, they will make a recommendation to the Planning Commission.

2. Zoning Code/Matrix Amendments (Group C)

Review of Title 18 of the Topeka Municipal Code and potential amendments, including:

- Artisan Manufacturing
- Cargo Containers
- Fences
- Applicability of Mixed Use Districts
- Free Little Libraries
- Condition of Signs

Mr. Hall reviewed proposed zoning code/matrix amendments. Discussion included strong concern about allowing cargo containers for storage. Mr. Fiander reported that this has become a popular form of storage and staff has spent a good deal of time trying to think through possible standards. Commission feedback was given and included the possibility of a time limit of 1 year, screening, and a permit requirement.

With no further agenda items, meeting was adjourned at 7:44PM.