



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, October 15, 2018

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

Members present: Brian Armstrong, Corey Dehn, Marc Fried, Wiley Kannarr, Corliss Lawson, Katrina Ringler (Chair), Matt Werner, Carole Jordan, Ariane Messina (9)

Members Absent:

Staff Present: Bill Fiander, Planning Director, Mike Hall, Planner III; Annie Driver, Planner II; John Neunuebel, Planner II; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call – Chairperson Katrina Ringler called the meeting to order with eight members present for a quorum. Ms. Lawson arrived after the first vote.

Approval of Minutes from September 10, 2018

Motion to approve; moved by Ms. Messina, **second** by Mr. Kannarr. **APPROVED** (7-0-1 with Mr. Dehn abstaining)

Declaration of conflict of interest/ex parte communications by members of the commission or staff

Regarding Z18/05 - Mr. Armstrong stated that his dentist is part of the Gage Dental Group, but that does not constitute a conflict of interest.

Ms. Lawson arrived at 6:03PM

Regarding Z18/05 – Mr. Fried stated that he sees a dentist in that building, but that does not constitute a conflict of interest.

Public Hearings

Z18/05 by: Gage Center Dental Group, PA requesting to amend the District Zoning Classification from “R-1” Residential District to “O&I-2” Office and Institutional District to provide for expansion of accessory parking lot for dental clinic located at 1329 SW Woodhull Street.

Mr. Neunuebel presented the staff report and staff recommendation for approval.

Ms. Messina asked if there is a need for more parking, and Mr. Neunuebel stated he’s not aware of any parking problems reported in the area.

Ms. Ringler declared the **public hearing open** and Kevin Holland of CFS came forward representing the applicant. He stated that Dr. Jeffrey Burkett of Gage Dental Group was in attendance and available for questions.

APPROVED

Mr. Holland explained that additional parking is needed in order for the dental group to grow and add dental staff. It would also make it possible to connect of all the current lots, and handicap parking could be extended further to the east to make the building more accessible. He said that some of the staff are currently parking on Hillsdale rather than in any of the parking lots.

Ms. Messina asked if staff is allowed to park in the parking lot on the east side, across the street on Woodhull. Mr. Holland stated that the property is not owned by Gage Dental and Gage Dental does not have permission to use the parking lot.

With nobody else coming forward, Ms. Ringler declared the **public hearing closed**.

Ms. Messina stated she has conflicts with the request based on the amount of parking currently available. She said she drove by this morning and this afternoon and didn't see a demand for additional parking. She suggested that an agreement might be made with the owners of the parking lot across the street (Woodhull) to allow parking there, as well as a cross walk be added.

Mr. Armstrong stated that from his experience, he's been there when there aren't spaces available in the north or east lots.

Ms. Messina asked what growth is anticipated and Mr. Holland explained that currently there are 7 dentists and the group would like to add 1 or 2 more. He added that it would be difficult to come to an agreement with the owners of the parking lot across the street to allow Gage Dental Group to use their property.

Ms. Messina asked how many additional spots would be required for 1-2 additional dentists and Mr. Holland stated that they are looking to add 18-25 spots, landscaped as required by the City of Topeka.

Mr. Kannarr asked if the size of the building would allow for the addition of 1-2 dentists and still more in the future and Mr. Holland explained that there likely is not room in the building to add more than the 1-2 current planned.

Ms. Ringler stated that she is not a fan of additional parking, yet she also understands the need for it. Ms. Jordan stated that it seems the group is being proactive and thinking ahead to future needs. She also believes it is a good idea to expand handicap parking.

Mr. Fried expressed concern about people having to park and walk across the street, which also causes traffic disruptions. He also pointed out that having an agreement with another owner is not a permanent solution and he'd rather the applicant rely on their own parking on their own property.

Motion by Ms. Jordan to recommend approval of Z18/05 to the Governing Body, **second** by Mr. Fried.
APPROVAL (8-1-0 with Ms. Messina voting no)

Z18/07 by TERC, LLC requesting to amend the Zoning District for the subject property located 1834 SW Topeka Boulevard comprised of 2 parcels currently utilized as a portion of an automobile dealership (Sharp Honda) from I-1 **to** C-4 to provide for the construction and operation of a car wash.

Mr. Neunuebel presented the staff report and staff recommendation for approval.

Mr. Fried asked if the requested zone change is to allow for the potential use as a car wash, or does the applicant intend to build a car wash there once the property is vacated by the current owner. Mr.

Neunuebel explained that, assuming the zoning change is approved, the applicant does intend to build a car wash on the property.

Ms. Messina asked if there was any concern expressed by residents in the area and Mr. Neunuebel stated there was not.

Ms. Ringler declared the **public hearing open** and Kurt Daniels of Cochran Engineering came forward representing the applicant. He stated that this applicant does wish to build a car wash on the property; they are excited to be there, and they believe it brings a good amenity to the area. He stated he had nothing to add to Mr. Neunuebel's report and would stand for questions.

Ms. Ringler referred to the letter included in the agenda packet where people had questions about the property being in a flood plain. Mr. Daniels explained that the site would be raised and meet all requirements of the City of Topeka. He also stated that he had received an email of support from a citizen that had attended the Neighborhood Information Meeting (NIM) but he did not bring or forward it on to Planning staff.

With nobody else coming forward, Ms. Ringler declared the **public hearing closed**.

Ms. Messina stated that it looks to be a good plan, and Ms. Ringler stated that she's happy to see someone move in rather than leave a vacant lot. Mr. Armstrong stated he doesn't believe there is another car wash nearby.

Motion by Ms. Lawson to recommend approval of Z18/07 to the Governing Body, **second** by Ms. Messina. **APPROVAL** (9-0-0)

Z18/06 by TKG 125, LLC and JT&DV Investments, LLC requesting to amend the District Zoning Map reclassifying the zoning of the properties located at 125 and 121 N Kansas Avenue from "I-2" Heavy Industrial District to "D-3" Downtown District.

Ms. Driver presented the staff report and staff recommendation for approval.

Mr. Armstrong asked and received confirmation that the other buildings on the block (south) had been re-zoned in recent years. He noted that that since then, substantial improvements have been made to the buildings.

Ms. Ringler declared the **public hearing open** and Ted Graf came forward as the applicant. He stated that he and his wife purchased the building as a historic building about 2 years ago and have been working on improvements since then.

Ms. Ringler asked if the apartments are currently occupied and Mr. Graf said they are. Ms. Ringler asked for confirmation that the residents are aware that they live in an urban/industrial mixed use area and Mr. Graf stated they are aware and like the fact that they live in an historic building. Industrial noise, etc. has not bothered them at all.

With nobody else coming forward, Ms. Ringler declared the **public hearing closed**.

Ms. Ringler noted that the residential use is already built, and as long as residents know what they're getting in to, she didn't see any issues. She made reference to a zoning case earlier in the year where

one of the questions that came up had to do with whether people were aware of and preferred living in a more industrialized area. She noted that they answered they were aware and liked it.

Motion by Mr. Werner to recommend approval of Z18/06 to the Governing Body, **second** by Mr. Dehn.
APPROVAL (9-0-0)

Z55/43K Gage Center Master Planned Unit Development Plan by BLEM Development Co., Inc.

requesting to amend the Master PUD Plan for Gage Center to provide for a change of use on a 1.78 acre property located at 1301 SW Gage Blvd. specifically allowing for a gas station and convenience store on this site. The PUD master plan area encompasses approximately 18.4 acres, all lying between SW Huntoon and SW 15th Street and SW Gage Blvd and SW Woodhull.

Ms. Driver presented the staff report and staff recommendation for approval, subject to the conditions listed in the staff report document.

Mr. Fried asked for additional information about the “extended peninsula” and Ms. Driver explained that this is to be sure there aren’t lines of traffic queuing up at the driveways; cars will be forced to pull further onto the property before they can turn left into the gas station. Mr. Fried stated that looking at the site plan helped to clarify.

Mr. Werner asked if the PUD master plan has been changed to reflect the extended peninsula and Ms. Driver explained that the PUD is conceptual in nature and staff is leaving some items to be addressed at Site Plan Review stage. The same is true of the 15’ landscape setback.

Mr. Werner noted that lighting should be a consideration during site plan review, adding that lighting on the canopy can be very bright and needs to be shielded or directed downwards. Ms. Driver stated that this was brought up at the NIM and the applicant assured all that the lighting would be directed downwards.

Ms. Jordan asked about NIM notes regarding concern about cut-through traffic. Annie stated that some were concerned about people using York Way and Avalon as a cut-through. Mr. Werner pointed out that this can be done now.

Ms. Ringler declared the **public hearing open** and Kevin Holland of CFS came forward representing the applicant. He noted that Tony Tremble with Haag Oil was also present and available for questions.

Mr. Holland noted that the lighting will be similar to the new Haag Oil Phillips 66 located at 29th & Topeka Blvd. / SW corner of Holliday Square Shopping Center. It will be recessed LED that points straight down. He added that one of the keys to a successful gas station is location near a number of “rooftops”, and there are 3,000 within 2 miles of the proposed location. The gas station will give them the ability to fuel up near their homes.

Mr. Holland stated that many of the people at the NIM were excited to have some economic development at this location, as Gage Center currently has a number of “darkened storefronts”.

Bill Padget, 3637 SW York Way, came forward to speak. He stated that York Way is a cut through street right now, but currently there’s no destination other than Gage. He stated that there is no heavily used gas station close to the proposed location, and this will give people a reason to come down Avalon and York Way. He is concerned about increased traffic and wondered if it would be possible to

put in speed bumps or other measures to cut down on traffic. He also noted that there are no stop signs in Westboro. Another concern he spoke of was the lighting potentially being an issue. He said he's excited about the convenience of the gas station location and he anticipates it being a busy place.

Ardith Griffin of 1412 SW Woodhull came forward to speak. She is president of and represents the Woodhull Group HOA. Board members and others went to the NIM and heard the proposed changes to the Gage Center Master PUD; they have concerns about increased traffic on 15th between Gage & McAlister. She noted that the proposed location of the gas station has been "abandoned" for some time and Gage Center is showing signs of disrepair and poor lighting, so they were excited to think that new life is coming to the area. At the same time, they are concerned about increased traffic on 15th and on Gage. She expressed concern about the amount of traffic generated by the post office at 15th & Woodhull and offered suggestions as to how traffic movement could be improved there, especially placing no parking signs on 15th street.

With nobody else coming forward, Ms. Ringler declared the **public hearing closed**.

Ms. Ringler asked staff to make a note of traffic/parking concerns which are beyond the purview of the Planning Commission. Mr. Fiander explained that concerns about traffic/parking issues can be addressed with the City Engineer. Neighborhoods can request a mini-traffic study be done by our engineering department.

Mr. Fiander stated there are avenues to address any impacts that might result from the development in question, but at this point staff and the applicant's engineer do not see an issue. He added that the entire center is zoned for commercial development and the current request is simply for a change in character. Uses that are already allowed can also generate large amounts of traffic (i.e. restaurants). The focus here is more the ingress/egress areas of the site, as well as circulation on the site itself.

Ms. Ringler stated that she appreciates the traffic and lighting concerns, and she's happy to see vacant property coming back into use.

Mr. Kannarr stated that he, too is happy to see a building that has been empty for years be used again and perhaps help to revitalize the center. He appreciates the concerns about traffic and noted that anything that does well for Gage Center is going to generate additional traffic.

Motion by Mr. Fried to recommend approval of Z55/43K to the Governing Body, **second** by Mr. Werner.
APPROVAL (9-0-0)

Discussion Item – review and discuss standards for incidental and temporary signs in all districts

Mr. Fiander stated that staff does not yet have "standards" to share with the Commission, noting that they are in the works and still need to be reviewed by the consultant and the technical committee.

Mr. Hall spoke about some of the complexities involved in writing the standards, as well as the standards themselves. It is vital to assure that the standards are effective, content neutral, and enforceable. He asked about specific thoughts or concerns commissioners might like addressed in the standards and discussion followed about community input from the survey that was done, the direction the staff and technical committee is going with the standards, and the process going forward. With no cases coming in for a November Planning

Commission meeting, staff will continue to work on the standards and provide another update at the December Planning Commission meeting.

Mr. Fiander welcomed Planning Commissioner Corey Dehn to the Commission.

With no further agenda items, meeting was adjourned at 7:27PM.