



CITY OF TOPEKA
PLANNING COMMISSION
M I N U T E S

Monday, September 17, 2018

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

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

Members Absent:

Staff Present: Bill Fiander, Planning Director, Dan Warner, Planner III; 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 nine members present for a quorum.

Approval of Minutes from August 20, 2018

Ms. Lawson requested the minutes be changed to note that she left the room immediately after stating her conflict of interest with the first case, Z18/04.

Motion to approve with the requested change; moved by Ms. Jordan, **second** by Mr. Haugh. **APPROVED** (9-0-0)

Declaration of conflict of interest/ex parte communications by members of the commission or staff – none

Public Hearings

1. **Visual Code Update I (ACZR18/01)** considering amending the Topeka Municipal Code (TMC) Title 18 (Comprehensive Plan-Signs-Subdivisions-Zoning) as follows:
Creating Chapter 18.275 concerning non-residential design standards

Mr. Fiander explained that this and the next case are scheduled for public hearings where public input could be heard, and then action at this evening's meeting. He added that it is also the commission's prerogative to delay action to a future meeting date.

Mr. Warner presented a PowerPoint presentation and reviewed the proposed non-residential design standards. He noted that the proposal will allow the Planning Director the option to approve alternate materials if appropriate and that, if the applicant and Planning Director could not come to an agreement, the applicant could appeal the decision of the Planning Director to the Board of Zoning Appeals (BZA).

Upon completion of his review, Mr. Warner stated that staff's recommendation is for the Planning Commission to recommend approval of TMC 18.275 to the Governing Body.

With no questions coming from commissioners, Ms. Ringler declared the **Public Hearing open**. Nobody coming forward to speak, Ms. Ringler declared the **Public Hearing closed**.

Mr. Fried stated that staff has presented the proposal a number of times and made changes as requested by the Commission. He believes the design standards will do a good job of helping Topeka look better moving forward.

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Mr. Haugh stated he likes the flexibility that has been built into the plan; it will prove helpful to architects.

Mr. Werner stated he agrees with Mr. Fried and added that he sat on the review committee which worked to fine tune the plan. He believes it is at a point where it is ready to move forward toward approval and implementation.

Mr. Kannarr noted that it's obvious a great deal of work has gone into creating the plan and he is unaware of anyone who has stated they have strong objections to it. He noted that nobody came to the public hearing to speak against it.

Motion by Mr. Werner to recommend approval of ACZR18/01 to the Governing Body, **second** by Ms. Lawson. **APPROVAL** (9-0-0)

2. **Visual Code Update II (ACZR18/03)** considering amending the Topeka Municipal Code (TMC) Title 18 (Comprehensive Plan-Signs-Subdivisions-Zoning) as follows:
Amendments to the Land Use Matrix in Chapter 18.60 and Specific Use Requirements in Chapter 18.225, including amendments to the use standards for Vehicle Tow Lots, Contractor Offices, and Contractor Yards;
Amendments to the standards in Chapter 18.235, Landscape Requirements, pertaining to the quantity of landscaping, landscaping along street frontages, and landscape setbacks.

Mr. Hall presented a PowerPoint presentation and reviewed the proposed amendments. He noted that at the August Planning Commission, staff presented a proposal to require the landscape setback along street rights of way to be 6'. They have since changed that to 5'.

Upon completion of his presentation, Mr. Armstrong asked for clarification on one of the slides. Ms. Messina asked if the amendments allow the Planning Director discretion to override any of the requirements. Mr. Hall explained that the proposals allow for quite a bit of discretion on the part of the Planning staff as they work with the applicant(s). If staff and the applicant cannot come to an agreement, the Planning Director could approve an alternative to the requirements.

Mr. Armstrong asked for clarification regarding when the requirements would be triggered. Mr. Hall explained that they take effect when there's a 50% increase in new building or parking lot, but possibly less than 50% when a parking lot is being added and landscaping is needed to screen a parking lot from abutting homes, etc. In regard to tow lots, an increase would trigger the need for compliance on that part of the lot being added.

With no more questions coming from commissioners, Ms. Ringler declared the **Public Hearing open**. Nobody coming forward to speak, Ms. Ringler declared the **Public Hearing closed**.

Ms. Messina inquired in regard to parking lot increases – would the landscaping need to be re-done for the entire property or just for the add-on? Mr. Hall stated that it would depend on the circumstances and where the parking lot/building is located. He stated that unless it proved unreasonable, if someone is redeveloping a site and it's affecting the entire site, staff would work with the applicant to bring the property up to standards. Both the staff and the Planning Director have discretion and attempt to use it in a consistent, thoughtful and limited way.

Mr. Armstrong noted that he believes the amendments will add to the community, making it more appealing. He stated that the Visual Appeal Survey results indicate the public believes landscaping is important.

Ms. Ringler noted that there has been considerable conversation about the proposed amendments, as well as opportunities for people to object to them, and she's heard no strong objections.

Motion by Mr. Kannarr to recommend approval of ACZR18/03 to the Governing Body, **second** by Ms. Messina. **APPROVAL** (9-0-0)

Communications to the Commission

Mr. Fiander presented a framed certificate to outgoing Commissioner Dennis Haugh, thanking him for his two terms of service as Planning Commissioner. Ms. Ringler seconded Mr. Fiander's thanks.

With no further agenda items, meeting was adjourned at 6:47PM.