



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, February 18, 2019

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

Members present: Brian Armstrong, Corey Dehn, Marc Fried, Carole Jordan, Wiley Kannarr, Corliss Lawson, Katrina Ringler, Matt Werner (8)

Members Absent: Ariane Messina (1)

Staff Present: Bill Fiander, Planning & Development Director; Dan Warner, Comprehensive Planning Manager; Annie Driver, Current Planning; John Neunuebel, Current Planning; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call – Chairperson Katrina Ringler called the meeting to order with eight members present for a quorum.

Approval of Minutes from December 17, 2018

Motion to approve by Mr. Fried, **second** by Mr. Dehn. **APPROVED** (6-0-2 with Ms. Jordan and Mr. Kannarr abstaining)

Election of 2019 Officers – Chair and Vice Chair

Ms. Ringler confirmed she would be willing to serve as second term as Chair, and Mr. Armstrong confirmed he would be willing to serve a second term as Vice-Chair. **Motion** by Mr. Armstrong, **second** by Ms. Jordan to nominate Ms. Ringler as 2019 Chair. **Motion** by Ms. Lawson, **second** by Ms. Ringler to nominate Mr. Armstrong as 2019 Vice-Chair. The vote was taken by ballot. Results were **8-0-0** to elect **Katrina Ringler 2019 Planning Commission Chair** and **Brian Armstrong 2019 Planning Commission Vice-Chair**.

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

Ms. Lawson stated that she would abstain from hearing or voting on CU19/05 by GreatLIFE North Topeka. She then left the room as the case was called.

Public Hearings

CU19/05 JJ&J Inc. by: GreatLIFE North Topeka - Great Play requesting a Conditional Use Permit to allow for operation of Recreation, Outdoor Type II facility in the form of paintball and obstacle course(s), along with foot golf and disc golf course on property zoned R-1 Single Family Dwelling District and located at 1936 NW Tyler Street within a building formerly operated as North Topeka YMCA. (Neunuebel)

Mr. Neunuebel presented the staff report and staff recommendation for approval subject to conditions in the staff report, noting a handout (2/18/19 memo from Mr. Fiander) that recommends a revision to Condition #4.

Ms. Ringler declared the **public hearing open**.

APPROVED 3.18.19

Mark Boyd of SBB Engineering came forward representing the applicant. He stated that the applicant agrees to the conditions listed in the staff report, as well as the revision to Condition 4 as given in the handout (2/18/19 memo from Mr. Fiander). He stated that Planning staff summed up the request adequately and both he and the applicant were available for questions.

Mr. Fried asked for confirmation that the facility would be open until midnight on Sundays. Mr. Boyd clarified that they would be allowed to stay open as late as midnight Sundays.

Sam Reilly of 2320 SE 29th Street came forward to speak, expressing concern about the possibility of neighbors complaining about noise levels. He stated that if a neighbor complains the noise level is too loud, the owner could be cited.

Mr. Neunuebel pointed to the Statement of Operations noise limit of no more than 50 decibels at 10 feet from the muzzle of paintball gun (p 5 of the staff report).

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

Mr. Armstrong stated that it appears to be a good re-use of the facility and he hopes that it gives people in the area something cool to do and get outside. Mr. Werner stated he agrees with Mr. Armstrong and Ms. Ringler stated the same.

Motion by Mr. Dehn to recommend approval to the Governing Body of the Conditional Use Permit, subject to the conditions in the staff report, including the revision to #4 as typed in the memo/handout. **Second** by Ms. Jordan. **APPROVED** (7-0-1 with Ms. Lawson abstaining).

Upon the recording of the vote, Ms. Lawson returned to her seat.

CU19/04 David & Mary Kaiser by: AT&T Wireless requesting a Conditional Use Permit for a Communications Tower (130 ft. tall monopole structure and associated ground equipment) on property zoned R-1 Single Family Dwelling District and located at 2446 SE 29th Street. (Neunuebel)

Mr. Neunuebel presented the staff report and noted the handout (memo from Bill Fiander) recommending the addition of a condition requiring a new note be made on the CUP site plan regarding exterior lighting. He concluded his presentation with staff's recommendation for approval subject to conditions in the staff report as well as the additional condition included in the handout/memo.

Ms. Ringler declared the **public hearing open** and Glen Klocke came forward to speak representing the applicant.

Mr. Klocke noted that the pole in question is a 130' monopole tower for which the FAA does not require lighting. He explained that there would be a 60'x60' fenced area at the base of the pole, and everything related to the pole would be housed within that fencing. There are not guide wires, etc. An access road would be built from the owner's driveway to the pole to allow access.

Mr. Dehn asked if the property is occupied and Mr. Klocke stated that it is.

Ms. Ringler inquired about the expected lifespan for a tower such as the one proposed and Mr. Klocke stated that the property lease goes for 50 years; the towers are well maintained and life expectancy is likely greater than 70-80 years.

Roy Bynun of 2404 SE 28th Terrace came forward to speak in opposition of the CUP. Mr. Bynun stated that he attended the Neighborhood Information Meeting where he expressed concerns about the health effects of communication towers. He stated that the applicant said he would send information to him but he never received it. Mr. Bynun expressed concerns about long-run costs of the tower, especially its effect on property values and home depreciation. He suggested the tower be placed in Dornwood Park.

William Miller Jr. of 2835 SE Golden came forward to speak in opposition of the CUP. He stated he would see the tower every time he looks out his bay window. He stated that real estate agents he has spoken say the tower would affect property values by about 20%, which would be a \$24,000 loss to him. He also noted that this would mean a decrease in property taxes collected by Shawnee County.

Mr. Miller stated that a number of scientists suggest communication towers such as this should not be built due to health concerns. He also stated that the tower would point to the turnpike, giving people on the turnpike better service but not adding anything to the service of people in the city. He expressed concern about the health effects of the tower and their effect on wildlife in the area. He concluded by expressing concern about the City and the Planning Commission ignoring this part of town. He stated that he has rehabbed 8 homes in the neighborhood but will not be able to continue to do so when "the city seems to drag us down every chance they get."

Griselda Mora of 2419 SE 28th Terrace came forward to speak in opposition of the CUP. She stated she lives within 200' of where the tower is to be located and asked if commissioners would want this in their neighborhood. She expressed concern about the safety of children living in proximity to the tower.

Sam Reilly of 2320 SE 29th Street came forward to speak in opposition of the CUP. He expressed concerns about environmental and health risks of the tower and believes deer which normally run through Dornwood Park will go elsewhere due to the tower.

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

Mr. Armstrong asked Mr. Neunuebel to elaborate on staff's evaluation regarding potential environmental harm the tower might cause. Mr. Neunuebel explained that federal and state law prohibits cities from regulating the placement of personal wireless service facilities such as cell towers on the basis of the environmental effects of radio frequency emissions or perceived/alleged environmental effects of radio frequency emissions or exposure. Moreover, state law precludes cities from imposing environmental tests, sampling, or monitoring.

Ms. Ringler stated again that state and federal government does not allow cities to restrict the placement of communication towers based on health or environmental concerns. The decision of commissioners must be based strictly on planning and zoning related items.

Mr. Armstrong inquired about the service area. Mr. Klocke returned to the podium and explained that the towers in question provide service to an area approximately 1.5 miles in each direction, measured from the top of the tower, so a total area of around 3 miles. The towers "talk" to other towers they see.

Mr. Kannarr inquired regarding information that was to be sent to NIM attendees and Mr. Bynun indicated he had never received. Mr. Neunuebel explained that a Neighborhood Information Meeting was held by the applicant and Mr. Neunuebel was in attendance. He stated that several in attendance had expressed concerns about the potential health impacts. He stated that the applicant was going to some information to those who provided their contact information.

Mr. Klocke returned to the podium and stated that he had sent information to staff and people who had provided contact information at the Neighborhood Information Meetings regarding all 3 towers under consideration this evening. He added that there was contact information he could not read on the sign-in sheets. Ms. Ringler noted that there are links on the City of Topeka website's Communication Towers page that take people to health/safety information provided by both the applicant and by concerned citizens.

Mr. Dehn asked Mr. Klocke how sites are chosen. Mr. Klocke explained that engineers provide a rather small search ring based on where towers are needed to provide the best coverage. Mr. Klocke's firm then contacts property owners of potential sites and attempts to negotiate land leases.

Mr. Armstrong stated that he has reviewed information included in the City's CIP regarding the SE Topeka Interchanged. He noted that the proposed work would not be impacted by this tower.

Ms. Ringler noted that based on the zoning maps and land use and growth management plan maps of the City, the proposal appears to be consistent with the plans we have.

Mr. Kannarr stated he agrees with Ms. Ringler; he noted that nobody really wants to have a tower where they are, and people will speak against them wherever they're proposed to be placed. He also noted that there are a number of things that the Commission cannot consider due to state and federal regulations. While he may not love the idea, he can find no reason to vote against it based on things he's allowed to consider.

Mr. Armstrong noted that he concurs with Mr. Kannarr.

Mr. Dehn stated that he too concurs with Mr. Kannarr. He noted that he has a similar tower within about 400' of his home. He understands the concerns expressed by those speaking this evening, but the existence of the tower did not preclude him from purchasing his home.

Mr. Fried noted legal issues and subsequent financial effects that arose from a previous case where a Planning Commission denied a tower simply on the basis that they didn't like the placement, and Ms. Lawson noted that she too is familiar and understands that nobody really likes these towers.

Motion by Mr. Kannarr to recommend approval to the Governing Body of the Conditional Use Permit, subject to the conditions in the staff report, including the addition of the condition included in the handout/memo regarding exterior lighting. **Second** by Mr. Werner. **APPROVED** (8-0-0).

CU19/01 Fairlawn Church of the Nazarene by: AT&T Wireless requesting a Conditional Use Permit for a Communications Tower (130' tall monopole structure and associated ground equipment) on property located at 730 SW Fairlawn Road. (Driver)

Ms. Driver presented the staff report and noted the handout (memo from Bill Fiander) recommending the addition of a condition requiring a new note be made on the CUP site plan regarding exterior lighting. It was noted that upon request of Planning staff, AT&T and the property owner agreed to a change in the placement of the tower on the property. Ms. Driver concluded her presentation with staff's recommendation for approval subject to conditions in the staff report as well as the additional condition included in the handout/memo.

Ms. Ringler declared the **public hearing open**.

Glen Klocke came forward representing the applicant. He explained that the change in placement of the tower came about because of concerns by staff and neighbors. The original placement would have allowed the property owners to increase the size of their parking lot at some point in the future, but upon hearing concerns they agreed to the proposed relocation. Mr. Klocke explained that the fenced area of this tower would be 45'x75' and everything associated with the tower would be contained within the fenced area.

Mr. Armstrong asked if this tower would provide a 3 mile area of coverage (1.5 miles in each direction measuring from the top of the tower) and Mr. Klocke stated it would.

Ms. Lawson noted that at the Neighborhood Information Meeting someone had suggested placing the tower at Landon Middle School and asked Mr. Klocke if that was considered. He stated that he did not think he had spoken with the school and explained that the search ring for tower locations is very small. He noted there was one other location option but the property owners were not interested in leasing.

Patricia Byers of 726 SW Grand Ct. came forward to speak in opposition of the CUP. She said she and her husband calculated there are approximately 25 homeowners within 200' and of those, they obtained signatures from 20 individuals representing 15 home owners, all of whom disapprove of the tower. She stated the remaining 10 homeowners simply weren't home or they were impeded by snow. She stated they all think the proposed tower is an eyesore and will devalue their property. She also expressed concerns about the health risks, especially to children in nearby daycares and retired people who are home all day.

Ms. Byers expressed concern about the tower lighting, adding that she doesn't want a red flashing light outside her window. She inquired about the landscaping of the fenced area and who was going to maintain it. She made reference to CU19/03, noting that planning staff has not recommended approval of that tower. She believes planning staff are worried about the effect it will have on property values there and stated that's what the neighbors on Grand Court are concerned about regarding their property. She concluded by stating that a search for suitable sites for these poles should be away from any neighborhoods.

William Miller Jr. of 2835 SE Golden came forward to speak in opposition of the CUP, expressing concern about property values declining. He stated that in this neighborhood, there are approximately 100 homes that will lose substantial value if the tower is allowed to be built.

Mary Lou Weidenbach of 925 SW Grand Court came forward to speak in opposition of the CUP. She stated that some people received a letter dated 1/8 on 1/18 telling about the Neighborhood Information Meeting on meeting on 1/22. She stated there was a snowstorm and poor street/weather conditions the evening of the meeting and it was difficult for people to attend.

Ms. Weidenbach provided some history on the neighborhood and stated that every lot on Grand Court from 6th to 10th is residential single family homes and the people are concerned about property values decreasing because of the tower.

Dawn Downing of 822 SW 6th Avenue came forward to speak in opposition of the CUP. She stated she is the Ward Meade NIA President and urged commissioners to hear what the neighbors were saying when they voiced concerns. She stated she understands that nobody wants these towers in their neighborhood, but especially not in struggling neighborhoods. She stated that they hadn't received enough information so didn't know the right questions to ask. She's concerned about the tower being an eyesore, health concerns, and a lowering in property values.

Jim Simons of 704 Randolph came forward to speak in opposition of the CUP. He stated that a real estate agent has told him that his property value will go down because of the tower, plus the tower will be an eyesore. He stated that he hasn't spoken with anyone in the neighborhood that's for the tower.

Susan Bausch of 709 SW Crest Driver came forward to speak in opposition of the CUP. She stated she moved to her home in November 2017 from the country, and what attracted her to the neighborhood is that it is residential, has large lots, and she has a wonderful, scenic back yard. If the tower goes up, that's what she'll be looking at all the time she's out in her back yard.

Ms. Bausch expressed concern about the homes that will have a view of the tower. She doesn't understand why a tower would be proposed in such a dense neighborhood and believes it would be better placed at Landon Middle School.

With no others coming forward to speak, Ms. Ringler declared the **public hearing closed**.

Mr. Werner asked if there are alternate locations on the church's property, closer to Fairlawn, where the tower could sit. Ms. Driver stated that she's not aware of any that the church had agreed to. Mr. Werner stated it looks to him like there are other locations on church property, closer to Fairlawn, that the pole could sit, and he pointed out there are already 100+' transmission power pole in place along Fairlawn every few hundred feet. He believes the communication tower might blend in better if it were closer to the existing poles.

Mr. Klocke came forward and explained that the grassy area behind the parking lot is the only place available. The original location was further back away from Fairlawn, closer to Grand Ct.

Ms. Feighny stated that state law precludes the commission from taking into consideration where the pole could have been placed, so that cannot factor into the decision.

Some in the audience were having difficulty hearing, so Ms. Ringler re-stated that federal and state laws prohibit the commission from looking at the environmental and health impacts, as well as the possibility of the proposed tower being located somewhere else. Under consideration is the placement that is before them and how that will impact planning & zoning.

Mr. Kannarr asked staff if they are aware of the actual effect placement of communication towers has on property values. Mr. Fiander stated that staff has no information as to whether it does or does not affect

property values. Ms. Feighny explained that case law says that an owner's opinion is insufficient on its own; there has to be tangible evidence to establish a decrease in property values.

Motion by Ms. Ringler to recommend approval to the Governing Body of the Conditional Use Permit, subject to the conditions in the staff report, including the addition of the condition included in the handout/memo regarding exterior lighting. **Second** by Mr. Kannarr. **APPROVED** (6-2-0 with Mr. Werner and Ms. Jordan dissenting).

CU19/03 DMM LLC by: AT&T Wireless requesting a Conditional Use Permit to allow a Communications Tower (100' tall monopole structure and associated ground equipment) on property zoned M-1a Limited Multiple Family Dwelling District and located at 513 & 519 SW Taylor Street. (Driver)

Ms. Driver presented the staff report and noted the handout (memo from Bill Fiander) recommending the addition of a condition requiring a new note be made on the CUP site plan regarding exterior lighting. Ms. Driver concluded her presentation with a staff recommendation for disapproval of the proposal. She noted that if the commission chooses to approve the proposal, staff recommends they do so subject to conditions in the staff report as well as the additional condition included in the handout/memo.

Mr. Fried stated that he as a commissioner feels as though he's restricted legally and doesn't have a lot of discretion. He stated he is having difficulty understanding why staff feels a tower does not fit the character of this neighborhood but it did fit the character in the last neighborhood (referencing CU19/01).

Ms. Driver noted the small size of the property and the location of the leased area being in the middle of the property. In the cases of the other properties (CU19/01 & CU19/02), they are significantly larger and the towers can be located in a different manner so they are not set right up next to the street and right across from properties that are only set back 6' from the street right of way line.

Ms. Lawson noted that, given the other votes taken this evening, she will have a hard time voting. She stated that we want investors to come in and invest money in seriously distressed neighborhoods, but that's what has already been done in the other neighborhoods. She stated it doesn't seem right to withhold putting the cell tower in until after people have invested. She added that nobody likes these cell towers and she's struggling with this decision.

Ms. Ringler noted she sees a difference in the size of the lot (from previous cases) but also agrees with what other commissioners have spoken about.

Glen Klocke came forward representing the applicant and explained that this location was chosen by an engineer that was looking at coverage objectives. The fact that the area is populated had an effect on the choice because people need coverage in areas where there are houses. They're trying to provide coverage to both the residential areas and the business areas that are near the location. He stated the tower will not be lit and will have fencing that encases everything related to the pole. There are no guide wires, etc. and it will have a very short access road coming off the alley.

Ms. Jordan asked if any locations were looked at further north with fewer houses around. Mr. Klocke stated he believes they looked a bit to the north but again are restricted by where the engineers say best placement for coverage area is.

Ms. Ringler declared the **public hearing open**.

Dawn Downing, Ward Meade NIA president, came forward. She explained that the neighborhood is in an intensive care area. While property values may or may not be affected, because it's uncertain she feels the commission should consider the possibility that it may adversely affect property values. Regarding the NIM notice, she stated she didn't receive hers until the day after the meeting. She heard from several neighbors that they did not receive notices. She believes there is a lack of communication and neighbors don't have the whole story. They have no idea what they're getting in to and they don't want to see it in their back yard.

Joseph Ledbetter came forward to speak against the proposed CUP. Mr. Ledbetter stated that he has a client who lives nearby whom he is certain did not receive any information about the CUP else she would have contacted him about it. He also stated that the Planning Commission as a body voted on/approved the Neighborhood Plan in 2010.

Mr. Ledbetter wondered if the land had been re-platted to allow for such a lease and if it's an industrial use in a residential area. He wondered what the standard footprint is for a tower such as this, and how landscaping can help a 100' tower.

Mr. Ledbetter spoke of the importance of neighborhood plans and the fact that the neighborhood in question is deemed "intensive care". When his 4 minute time limit was up he requested and was granted an additional 2 minutes to speak. He stated that the reason the neighborhood has gone downhill and is considered in "intensive care" s due to city neglect. The neighborhood plan asks for the city to start turning that around and putting in infill housing. He believes the towers are industrial structures in residential areas. He stated that we need other infrastructure such as water towers, but not in residential areas. He's not concerned about AT&T making money but rather about our citizens. He urged the commission to disapprove this proposal.

Marty Hillard of 1011 SW 8th Avenue came forward to speak against the proposed CUP. He stated that he is aware notice was given within proximity to the site but stated a tower of this magnitude will have effects beyond its immediate vicinity. His concerns included a disruption to property values and he believes it invites vandalism because of the amount of space it occupies. He's concerned about health effects from long term electro-magnetic radiation and the fact that there are schools, hospitals and major intersections in close proximity. He stated that tens of thousands will come within this tower's location on a daily basis for an indefinite number of years. He believes the tower is counter to what we've committed to within the neighborhood as well as the city's commitment to revitalizing its core and building momentum for future generations. Setting the precedent sends a wrong message to Topeka citizens and he asks that the commission reject the proposal.

Kevin Byers came forward and stated that he doesn't believe a word the applicant's representative says.

Mary Lou Weidenbach of 925 SW Grand Court came forward to speak in opposition of the CUP. She stated he had spoken in opposition of a previous CUP case and she feels sorry for these residents also. She believes the pictures provided are misleading and wonders of commissioners have driven through the areas themselves. She suggested amending the application to limit what other equipment can be added to the top of the pole as more equipment will make it even more ugly.

With no others coming forward to speak, Ms. Ringler declared the **public hearing closed**.

Ms. Ringler asked staff about the notifications – who sends them out and how it is determined who they go to. Ms. Driver explained that per state law, notice of a public hearing is mailed by Planning staff to property owners within 200' of the property itself (property boundary). Regarding Neighborhood Information Meetings (NIMs), this is something staff initiated and staff opted to increase the notification area to 300' if the property in question is less than 3 acres or 500' if the property in question is more than 3 acres. For neighborhood meetings, planning staff creates the mailing labels and inserts and provides them to the applicant to mail. Planning & Development Department policy is to attempt to have notices and labels to the applicant at least 15 days prior to the meeting. In some cases this may not be possible, as is likely true in the instances with this evening's cases. It is Ms. Driver's understanding that AT&T's representative mailed the notices out as soon as he got them.

Upon questions from Mr. Kannarr, Ms. Feighny explained that NIMs are not statutory but rather the policy of the Planning & Development Department. State law requires all property owners within 200' of the property be notified of the public hearing. Lack of notice does not affect the validity of the decision the Planning Commission makes, nor should it affect the decisions made by commissioners.

Ms. Ringler asked staff about whether it's even possible to limit the amount of equipment placed on communication poles. Ms. Feighny explained that state law does not allow cities to dictate what kind of equipment does or does not go on those poles. Mr. Fiander added that in fact, staff actually encourages co-location so as to reduce the number of poles that have to be placed.

Mr. Kannarr asked if Mr. Klocke could let the commission know when the NIM notices were mailed. Mr. Klocke came forward and stated that he received labels and inserts for all 3 CUP applications in the same UPS deliver and people in his office mailed them out the day they received them. He's uncertain as to the exact date. He stated that he sent Ms. Driver and Mr. Neunuebel emails letting them know that the notifications had been mailed out.

Ms. Ringler commented that this CUP application concerns her more than the other two considered this evening because of the small lot size and proximity to the street and neighbors.

Mr. Dehn noted he struggles with voting no on this CUP after voting yes on the two previous. He acknowledged that they're very ugly; he stated he has one 4 lots down from his house and it's not attractive, but he has 5 cell phones in his house and knows that without infrastructure they won't work. He believes that when we are trying to bring people in from out of town, we need to have infrastructure in place.

Ms. Lawson stated that inevitably in the inner city we'll end up seeing infrastructure on smaller lots. Everyone wants coverage and new development and the infrastructure has to go somewhere.

Mr. Fried noted that he used to have to stand out in his driveway to make calls because of lack of cell coverage. He'd love to be able to say no because it doesn't look good, but he also knows that he's dealt with other cases where people thought it would destroy property values but ultimately sold their house with no obvious effect to property values. He understands the smaller lot size makes a difference but encourages people to speak with congress people and state legislators because so many laws limit what the commission can consider.

Ms. Ringler noted that staff has recommend disapproval but included language in their staff report encouraging the requirement of conditions if the commission does approve the CUP. She asked if anyone had any thoughts about those conditions, especially number 2 that talks about relocating the tower on the property. She stated she would be in support of the relocation condition.

Mr. Kannar asked staff if they discussed the possibility of relocating the tower on the property and staff explained that the applicant was not receptive to that idea. Mr. Klocke came forward and stated that with the lot being so small, they didn't feel like moving the tower location would have a substantial visual impact. He stated that if the required setbacks could be met, they would move it if necessary.

Ms. Driver estimated that the tower could be moved 30' to the west and 30' to the south and still meet the 50' fall zone required for residential properties. She further explained that the tower setback is measured from the monopole itself.

Ms. Ringler stated that while the tower is huge, her concern from a ground level has to do with the massing of the fencing being too close to the street.

Mr. Kannarr noted for him it's also the closeness to the street and feels the visual effects of the fencing could be limited to some extent by moving it back. If it's moved back, it's harder to come up with a specific reason to vote against it.

Motion by Mr. Kannarr to recommend approval of this proposal, subject to the recommendations provided by staff with the set back referred to in 2b to the maximum distance that can still comply with setbacks and as amended by the lighting memo. Second by Mr. Armstrong. Ms. Feighny stated again prior to the vote that the motion is to recommend approval of the CUP subject to conditions of staff.

APPROVED (6-2-0 with Mr. Werner and Ms. Jordan dissenting).

Other Action Items

2020-2029 CIP – In accordance with K.S.A. 12-748(b), review the City of Topeka's capital improvement program (CIP) to ensure that it is consistent with the comprehensive metropolitan plan. (Warner)

Mr. Warner explained that state statute designates the Planning Commission review the CIP for consistency with the Comprehensive Plan. Staff has selected projects from the CIP that may impact the City's Land Use and Growth Management Plan or other elements of the Comprehensive Plan such as our Bikeways Master Plan, etc. and included information and summaries of these projects in the agenda packet.

Mr. Warner reviewed some of the projects and answered questions as they arose. Ms. Ringler stated that the projects seem to represent a good diversity of project locations and project types.

Motion by Mr. Armstrong recommend approval to the Governing Body; **Second** by Mr. Werner.

APPROVED (8-0-0).

Communications to the Commission

Mr. Fiander announced that there are two public meetings scheduled for February 26 to present the new sign code update and received public feedback.

Mr. Fiander announced that Topeka Planning Department's name has officially changed to Topeka Planning & Development Department.

With no further agenda items, meeting was adjourned at 8:18PM.