



TOPEKA PLANNING COMMISSION

Monday, September 21, 2020

6:00PM – via video conference

Members present: Brian Armstrong (Chair), Marc Fried, Corey Dehn, Jim Kaup, Corliss Lawson, Ariane Messina, Katrina Ringler, Matt Werner (8)

Members Absent: Wiley Kannarr (1)

Staff Present: Bill Fiander, Planning & Development Director; Mike Hall, Current Planning Manager; Annie Driver, Planner; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call – Chairman Brian Armstrong called the meeting to order with seven members logged in for a quorum.

Approval of Minutes from August 17, 2020

Motion to approve by Mr. Fried, **second** by Ms. Ringler. **APPROVED** (6-0-2 with Ms. Lawson and Ms. Messina abstaining)

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

Mr. Armstrong stated he would abstain from voting on case P20/15 (Timber Ridge Subdivision) as his firm worked on the project.

Mr. Kaup stated he has a family member who is employed by Stormont-Vail but that would not influence his decision on case Z20/04.

Action Items

Public Hearing of Z20/04 by Stormont-Vail Healthcare, Inc. requesting to amend the district zoning map on property located at 700 SW Washburn Avenue from M-3 Multiple Family Dwelling District to MS-1 Medical Service District to allow for Cotton O'Neil Cancer Center Pharmacy Addition.

Mr. Hall presented the staff report and staff recommendation of approval.

Maria Kutina with HTK Architects was logged in representing the applicant. Ms. Kutina explained that Stormont-Vail is unable to meet federal regulations regarding the mixing of hazardous drugs (chemotherapy) in their current facility, thus the need for this new facility.

Mr. Armstrong declared the **public comment period open**. With nobody logged in to speak, he declared the **public comment period closed**.

Ms. Ringler stated that the proposal seems consistent and she has no concerns or questions. Mr. Armstrong agreed.

Motion by Ms. Lawson to recommend to the Governing Body approval of the reclassification of the property from "M-3" Multiple Family Dwelling District to "MS-1" Medical Service District; **second** by Mr. Dehn. **APPROVED** 8-0-0

Public Hearing of Z20/03 by A.M. El-Koubysi, Trustee for El-Koubysi Jana Trust, requesting to amend the district zoning map on property located at 3440 SE 29th Street from R-1 Single Family Dwelling District to M-2 Multiple Family Dwelling District to allow for conversion of the existing single family home to a duplex, as well as conversion of attached garage to use as a single family dwelling. Future development will add three duplexes on the north side of the property upon the extension of SE 28th Terrace.

Ms. Driver presented the staff report and staff recommendation of approval and stated the applicant was logged in and available for questions.

Mr. Armstrong asked what triggers the extension of 28th Terrace and what the funding mechanism will be. Ms. Driver explained that this is the first step in the process and a subsequent subdivision plat will be required. The street will need to be extended prior to building on the property to the north. Ms. Driver stated the funding could be through a benefit district or paid by the developer.

Mr. Kaup asked when public sewer connection and public water has to be accomplished. Ms. Driver verified that sewer must be extended prior to conversion of the current structures.

Mr. Fried inquired about whether access to the property needs to be or will be moved. Ms. Driver explained that both City and County traffic engineers have reviewed and the owner will be able to keep the existing driveways. Additional access to 28th Terrace will be required when that street is installed.

Mr. Ek-Koubysi was logged in and stated he had nothing to add to Ms. Driver's presentation but would take questions. There were none.

Mr. Armstrong declared the **public comment period open**. With nobody logged in to speak, he declared the **public comment period closed**.

Motion by Mr. Dehn to recommend to the Governing Body approval of the reclassification of the property from "R-1" Single Family Dwelling District to "M-2" Multiple Family Dwelling District; **second** by Mr. Fried. **APPROVED** 8-0-0

Mr. Armstrong reminded all that he would be abstaining from the next case and inquired if Mr. Fiander had any communications to the commission. Mr. Fiander stated he did not, other than noting the new case webpages available on the COT website which commissioners had already received an email about.

Mr. Armstrong turned the meeting over to Vice-Chair Fried and proceeded to mute his audio and video feed.

Mr. Fried called the next case.

P20/15 Timber Ridge Subdivision #2 (preliminary/final plat phase) is a 6.08 acre tract for ten lots generally located at the southeast intersection of SW 53rd Street and SW Timber Ridge Lane, the center of the tract being approximately 1,000 feet south of SW 53rd Street along the east side of SW Timber Ridge Lane, all being within the City of Topeka three mile extraterritorial jurisdiction and within unincorporated Shawnee County, Kansas.

Ms. Driver presented the staff report and staff recommendation of approval and stated the applicant was logged in and available for questions.

Mr. Kaup asked about the property's proximity to the city limits and what the current plat allows. Ms. Driver clarified that the re-plat adds 10 lots plus the cul-de-sac.

Angela Sharp of Bartlett & West was logged on and spoke representing the applicant. Ms. Sharp

explained that the developer has owned the property for decades and development has increased since an inter-local agreement between the City, USD 437 and his development company regarding sanitary sewer.

With no questions from the commission, there was a **Motion** by Mr. Dehn to recommend to the Governing Body approval of the Preliminary and Final Plat phases for Timber Ridge Subdivision #2, subject to the conditions listed in the staff report; **second** by Mr. Werner. **APPROVED** 7-0-1 with Mr. Armstrong abstaining

Communications to the Commission

Mr. Fiander stated that Council approved the two cases from the August Planning Commission meeting, Z20/01 and PUD19/03A.

With no further agenda items, the meeting was adjourned at 6:37PM