

CITY PLANNING COMMISSION
Regular Meeting Minutes
Ottawa, Kansas

City Hall – June 11, 2008

The City Planning Commission met at 7:00 p.m. on this date with the following members present and participating: Members Hatfield, Jackson, York, Wasko, and Chairperson Warren. Absent were Members Colbern and Jones.

Reorganization of Planning Commission:

Chairperson Warren asked for a motion to have staff as secretary. Member Wasko made a motion to have staff as secretary, seconded by Member Jackson. All those present voted yes. Motion passed by a 5-0 vote.

Chairperson Warren asked for nominations for Chairperson. Chairperson Warren nominated Member York, seconded by Member Wasko. There were no other nominations. All those present voted yes. Motion passed to elect Member York as Chairperson by a vote of 5-0.

Chairperson York asked for nominations for Vice-Chairperson. Member Warren nominated Member Jackson, seconded by Member Wasko. There were no other nominations. All those present voted yes. Motion passed to elect Member Jackson as Vice-Chairperson by a vote of 5-0.

Chairperson York asked the Planning Commission Members to make a declaration of any conflict of interest or of any Ex parte or outside communication that might influence their ability to hear all sides on any item on the agenda so they might come to a fair decision.

Member Jackson stated he would recuse himself from Item 7 as he works for the potential owner, ECKAN.

Consent Agenda:

Chairperson York asked if there were any corrections needed for the April 23, 2008 study session meeting minutes or the May 14, 2008 meeting minutes. There were none. Chairperson York asked for vote by acclamation. All present voted yes. (5-0)

Site Plan:

East Gate Travel Center.

Wynndee Lee indicated the site plan had been tabled at the last meeting. Mrs. Lee indicated the owner has requested this be removed from the agenda until the issues with the final plat have been resolved.

Public Comments: There were none.

Public Hearing Items:

Held a public hearing on the proposed conditional use for a child daycare center at 424 S. Poplar in an R-1 Low Density Residential Zoning District.

Chairperson York opened the public hearing.

Chairperson York asked if staff had received any correspondence or phone call. Staff indicated there were none.

Wynndee Lee reviewed the findings with the Planning Commission. Mrs. Lee stated staff is recommending approval with conditions.

The findings are as follows:

ECKAN is seeking approval of a conditional use permit to continue operation of a day care center. The subject property is located at 424 S. Poplar Street. The property is zoned R-1, Low Density Residential District.

A special use permit for the subject property was granted in 2003, and the facility was constructed in 2004. The previous owner of the facility ceased operation in 2007. The applicant seeks to be approved for 16 children at the site. The previous owner was licensed for 20 children.

It is the recommendation of staff that the conditional use permit be approved, with conditions related to hours of operation.

Findings

The Planning Commission may recommend approval of a conditional use that is expressly authorized to be permitted in a particular zoning district, and the Governing Body may approve such conditional use, using the following factors as guidelines:

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations;

The intent of the R-1 District is to provide primarily for one-family dwellings with accommodation for two- and three-family dwellings and related residential uses such as churches and certain public uses which tend to be located at the edge of higher density, and more centrally located residential areas. The district is intended to accommodate a low population density for specified types of dwelling units on large to medium sized lots with emphasis on adequate open space around buildings. As the use is permitted as a conditional use, it is consistent with the intent of the regulations.

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood;

The area surrounding the subject property is a single family neighborhood, with the former Hawthorne School nearby. The use is compatible with the surrounding area.

3. Whether the proposed use places an undue burden on the existing transportation, utility and service facilities in the area affected and, if so, whether such additional facilities can be provided;

Although the propose use may consume more utilities than a single family home during it's operation, overall it creates little burden on public services.

4. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected;

As found in review of the similar uses, the only impact this type of facility makes on surrounding area is traffic during drop off and pick up times. The proposed conditions are intended to limit the potential for adverse impacts.

5. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected;

There has been no change with the subject property or the surrounding area, other than a change in ownership of the property.

5. The length of time the subject property has remained vacant or undeveloped as zoned;

The subject property was developed with the existing building in 2006.

6. Whether the applicants property is suitable for the proposed conditional use;

The subject property is 75 feet wide and 150 feet deep. It is developed with a 1500 square foot structure. There is a parking lot capable of holding 6 vehicles. An outdoor play area is at the rear of the structure. Skunk Run bisects the rear yard of the lot. As the site was developed specifically for the proposed use, it is suitable.

7. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;

The Future Land Use Map designates the site for residential use.

8. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.

A special use permit was approved for the use in 2004.



9. The recommendations of professional staff;

It is the recommendation of the staff that the special use application for a non-residential day care facility at 424 S. Poplar Street be approved subject to the following conditions:

1. Compliance with all applicable State, County and local requirements.
2. Obtain all applicable state licenses to operate a daycare center.
3. The hours of operation of the day care facility are limited to 6 am to 6 pm daily

Chairperson York asked if the applicant would like to make any comments.

Aaron Heckman, ECKAN, stated the daycare would have 10 early head start children as well as about 6 children from the age of 0 to 3.

Member Warren asked how many employees there would be. Mr. Heckman stated there would be three. Member Warren asked how many parking spaces they have. Mr. Heckman stated three plus one handicap space.

Member Hatfield asked about exterior area lighting. Mr. Heckman stated he had not noticed the lighting, but the lighting is inadequate, they would take care of it.

Jeff Mourning, Kansas State Bank, stated they were the current owners of the property and were thrilled to see ECKAN interested in purchasing the property. Mr. Mourning stated he felt this daycare would be a good asset to the community.

Chairperson York closed the public hearing.

Member Warren made a motion to accept the findings as their own, seconded by Member Wasko. The motion was considered and Member Hatfield, yes; Member Wasko, yes; Member Warren, yes; Chairperson York, yes. Motion passed by a 4-0 vote.

Member Warren made a motion to recommend to the City Commission to approve the proposed conditional use for a child daycare center at 424 S. Poplar in an R-1 Low Density Residential Zoning District with the following conditions: 1. Compliance with all applicable State, County and local requirements; 2. Obtain all applicable state licenses to operate a daycare center; 3. The hours of

operation of the day care facility are limited to 6 am to 6 pm daily, seconded by Member Wasko. The motion was considered and Member Hatfield, yes; Member Wasko, yes, Member Warren, yes; Chairperson York, yes. Motion passed by a 4-0 vote.

Other Items:

Discussion was held on the date to have the retreat. Those Planning Commissioners present stated the 25th of June was good for them. Staff will check with those members that were absent at the meeting.

Announcements:

Chairperson York stated the next Planning Commission study session is Wednesday, June 25, 2008 at Noon, and the next regularly scheduled Planning Commission meeting is Wednesday, July 9, 2008 at 7 p.m.

Adjournment:

Chairperson York adjourned the meeting.
(A recorded tape will remain on file for a period of six months)
Respectfully submitted, Wynndee S. Lee
Director of Planning & Codes Administration