

**MINUTES OF  
CITY PLANNING COMMISSION STUDY SESSION  
OTTAWA, KANSAS**

**City Hall – June 25, 2008**

The City Planning Commission met at Noon on this date with the following members present and participating to wit: Members Colbern, Hatfield, Jackson, Warren, and Wasko. Absent was Member Jones and Chairperson York.

Vice-Chairperson Jackson 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. There were none.

**Information and Discussion Items:**

**Review May 28, 2008 study session meeting minutes:**

Vice-Chairperson Jackson asked if there were any changes or corrections needed. Member Hatfield had a change on page 4.

**Review June 11, 2008 meeting minutes:**

Vice-Chairperson Jackson asked if there were any changes or corrections needed. Member Hatfield had a change on page 3.

**Final Plat**

**1. Eastgate North**

Wynndee Lee reviewed the changes to the revised plat with the planning commissioners. Mrs. Lee also noted the letter from the attorney representing Eastgate and the right-of-way agreement that was received.

Member Warren asked if the access becomes a dedicated right-of-way. Wynndee Lee indicated yes, however it's a dedication of right-of-way, but does not mean the developer will build the road.

Member Wasko asked if the Underwood's do not lose their access, this right-of-way dedication is a moot point. Wynndee Lee indicated even if the Underwood's do not lose their access, the dedication of the right-of-way will remain on the plat and be filed with the Register of Deeds office. The agreement relocated to the dedication of the access tract was provided.

Member Wasko asked if the road would be developed. Wynndee Lee indicated not at this time.

Member Warren stated this has been discussed several times and feels the developer has gone out of his way to make it work. This is not a horrible solution to the problem, he feels everyone has worked hard to come up with a solution and that he is in favor of this plat.

Member Hatfield stated he handed out a memo and would ask that the memo be part of the record. Vice-Chairperson Jackson stated his memo would be entered into the record.

Member Hatfield stated he feels this design is inappropriate and doesn't feel like this is a good neighbor policy. Member Hatfield also noted the engineers could have done a better lay out of the project which would make a better plan for the gateway into Ottawa.

Vice-Chairperson Jackson asked for a motion.

Member Wasko made a motion to approve the final plat as submitted, seconded by Member Colbern. The motion was considered and Member Colbern, yes; Member Hatfield, no, Member Wasko, yes; Member Warren, yes; Vice-Chairperson Jackson, yes. Motion passed by a 4-1 vote.

### **Information and Discussion Items:**

#### **Discuss the proposed street vacation in the 600 block of Birch Street.**

Wynndee Lee indicated this is Heritage Park, which is City owned property and this is a clean up action for the City.

Vice-Chairperson Jackson asked for questions or comments, there were none.

#### **Discuss the proposed rezoning of an area at 109 W. 9<sup>th</sup>, 834 S. Main, and 840 S. Main from C-1 Office and Service Business Zoning District to C-3 General Commercial Zoning District.**

Tom Yahl reviewed the staff findings with the planning commission and stated staff is recommending denial of the rezone request.

Member Wasko asked what the concerns staff had with this rezone request were. Mr. Yahl stated the extent of uses allowed in a C-3 Zoning District and feels the development is not appropriate for this area.

Wynndee Lee indicated C-1 or C-2 zoning would be more suitable for this area.

Vice-Chairperson Jackson stated he felt the traffic would be a problem with this being a residential area.

Tom Yahl stated this development does not fit in with what the comprehensive plan shows for this area.

Member Hatfield stated he had concerns for the neighbors.

Wynndee Lee indicated to the planning commissioners that if rezoned all uses in the C-3 Zoning District would be allowed in this area.

Vice-Chairperson Jackson asked if there were any more questions or comments, there were none.

#### **Discuss the proposed rezoning of an area at 501 E. 23<sup>rd</sup> St., from C-3 General Commercial Zoning District to MU/CR Mixed Use Commercial/Residential Zoning District.**

Tom Yahl reviewed the staff findings with the planning commission and stated staff is recommending approval of the rezone request.

Wynndee Lee stated this parcel is next to Wal-Mart, there is a lack of utilities in the area and there is also flood plain in the area. This would be a down zoning for this parcel.

Member Hatfield asked if the rezone and conditional use should be grouped together. Wynndee Lee indicated should the planning commission deny the rezone request than the conditional use request would not be viable.

Member Warren asked how many people would be housed. Wynndee Lee indicated 60 would be the maximum.

Member Hatfield asked if Loma Vista has other facilities like this elsewhere. Wynndee Lee indicated yes, they have housing for their workers elsewhere.

Member Hatfield asked if this would include families. Wynndee Lee stated staff would have to ask the applicant.

Member Hatfield stated he thought this would be a good economic benefit to the City.

Tom Yahl stated this type of housing is heavily regulated by the Department of Labor.

Member Hatfield asked if there would be someone living there all year. Wynndee Lee stated they do have people working there all year, but does not know if any of them would be living in this facility all year.

Member Warren was concerned about the number of people being housed in the facility.

Member Hatfield asked if the mixed use zoning would be allowed in this area. Wynndee Lee indicated this is a lesser zoning than the C-3 zoning.

Vice-Chairperson Jackson asked if there were any more questions or comments, there were none.

**Discuss the proposed conditional use for the construction of a rooming house at 501 E. 23<sup>rd</sup> St., in an MU/CR Mixed Use Commercial/Residential Zoning District.**

Discussed this item with the previous, related rezone.

**Discuss the proposed conditional use for the construction of a four (4) unit dwelling structure at 832 S. Oak in an R-2 Medium Density Residential Zoning District.**

Tom Yahl reviewed the findings with the planning commission and stated staff is recommending approval.

Wynndee Lee reviewed the process for the map calculations that is done before an applicant is allowed to apply for a conditional use for a structure larger than permitted in a zoning district.

Member Hatfield stated he hoped the applicant would design the structure with similar architecture of the neighborhood. Other discussion followed.

**Discuss the proposed amendment to Article 24, Section 24-7, location of fences in Agricultural Districts.**

Tom Yahl reviewed the memo with the planning commission and stated staff is recommending approval.

**Discussion Items:**

Discussion on the date for the retreat. The majority of the commissioner stated the 23<sup>rd</sup> would be the better date.

Wynndee Lee stated that Member Jones is the appointee from the Planning Commission to the Board of Zoning Appeals. There is a meeting of the Board of Zoning Appeals meeting scheduled for later today and due to a conflict with two of the members, the Board of Zoning Appeals would be unable to hold this meeting. Staff is wanting to temporarily appoint a member from the Planning Commission to the Board of Zoning Appeals, as Member Jones could not be present.

Member Warren made a motion to temporarily appoint Member Wasko to the Board of Zoning Appeals, seconded by Member Colbern. The motion was considered and four voted yes and one abstained. Motion passed by a 4-0-1 vote.

**Announcements:**

The next regularly scheduled Planning Commission meeting is Wednesday, July 9, 2008, at 7 p.m. and the next regular scheduled Planning Commission study session is July 30, 2008.

**Adjournment:**

Vice-Chairperson Jackson adjourned the meeting at 12:54 p.m.

Respectfully submitted, Wynndee S. Lee  
Director of Planning & Codes Administration