

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

City Hall – December 30, 2009

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

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. There were none.

Information and Discussion Items:

Review the October 14, 2009 meeting minutes: Chairperson York asked if there were any changes or corrections needed. There were none.

Public Hearing Items:

Discuss the propose rezone in the Urban Growth Area from Franklin County A-2, Transitional Agriculture District to City CS, Countryside District, generally located at 2738 Rock Creek Road.

Tom Yahl reviewed the staff findings with the Planning Commission. Mr. Yahl stated staff is recommending approval of the rezone request.

Chairperson York asked if the rezone is in conformance with the area plan done for this area. Tom Yahl indicated the area plan did not include this property.

Chairperson York asked if there were anymore questions, there were none.

Discuss the proposed rezone in the Urban Growth Area from Franklin County C-2 Highway Commercial District to City P, Public District, generally located at 2537 and 2551 Eisenhower Road.

Tom Yahl reviewed the staff findings with the Planning Commission. Mr. Yahl stated staff is recommending approval of the rezone request.

Wynndee Lee indicated the whole parcel is being rezoned to P, Public Use. Mrs. Lee state this is what staff would have rezoned this area when doing the UGA rezones.

There was discussion on what uses were allowed in a P, Public Use District.

Discuss the proposed rezones in the Urban Growth Area:

**From Franklin County A-2, Transitional Agriculture District to City A,
Agricultural District**

- 1. 3655 US 59 Highway.**

From Franklin County C-2, Highway Commercial District to City MU/CI, Mixed Use Commercial/Industrial District.

2. 3353 US 59 Highway.
3. 3593 US 59 Highway.
4. 3599 US 59 Highway.
5. 3633 US 59 Highway.
6. 3645 US 59 Highway.

From Franklin County I-1, Light Industrial District to City MU/CI, Mixed Use Commercial/Industrial District.

7. 3521 US 59 Highway.

From Franklin County R3A, Single-Family 3 Acre District to City R-1, Low Density Residential District.

8. 3655 US 59 Highway.
9. 3705 US 59 Highway.
10. 2721 Sand Creek Road.

From Franklin County RE, Residential Estates to City CS, Countryside District.

11. 2720 Sand Creek Road.

Tom Yahl reviewed the staff findings and the map with the Planning Commission. Mr. Yahl stated staff was recommending approval of the rezones.

Member Davidson asked if Killough would be allowed to move his asphalt plant to this property. Tom Yahl stated this would have to be reviewed and a possible special use permit may be required. Wynndee Lee indicated she would talk to John Killough about his plans for this parcel.

Member Davidson asked about the house the Watt's own. Tom Yahl indicated it is considered a nonconforming use.

Member Davidson stated he did not know if this was a problem however Sand Creek Nursery, owned by Member Davidson, has a sign on a parcel of land being rezoned. Member Davidson stated he does not own the land. Member Davidson asked if he should be voting on this item. Wynndee Lee indicated she did not think it would be a problem.

Discuss the proposed amendments to Article 24, Section 24-6, Accessory Uses, Shipping Containers, and Article 2, Section 2-3, Definitions, Accessory Buildings.

Tom Yahl reviewed the proposal with the planning commissioners. Mr. Yahl stated staff is recommending approval.

There was discussion on where to allow this type of containers, if any, the length of time a container would be allowed on the property, setbacks, whether permits should be required, and the reference to mobile home and whether it should be changed to mobile unit.

Wynndee Lee indicated these containers were monitored by the inspection department.

Discussion Items:

1. **A residential subdivision concept plan on Estabrook Steet.**

Tom Yahl indicated this had been sent to the DRC and the only viable option they could see was Option 2. Mr. Yahl stated staff was going to do a history on the property and give that and comments from the DRC to the developers. The main concern was the width of Estabrook Street.

2. Darnell Johnson request related to temporary uses.

Tom Yahl reviewed the history on this structure with the Planning Commission.

Wynndee Lee indicated staff had been reviewing what other cities consider a permanent structure and how they deal with these types of uses. Mrs. Lee indicated staff had not completed their review, but wanted to discuss what information they had with the Planning Commission and get a census of what they would like staff to inform Mr. Johnson on whether he had to remove the structure or not.

The Planning Commission stated they would like staff to notify Mr. Johnson in writing that he does not have to move the structure this year, but by the end of next season the structure will need to be made permanent or it must be removed.

Announcements:

The next regularly scheduled Planning Commission meeting is Wednesday, January 13, 2010, at 7 p.m. and the next regular scheduled Planning Commission study session is January 27, 2010, at noon.

Adjournment:

Chairperson York adjourned the meeting

Respectfully submitted, Tom Yahl
Planner / Codes Officer