

CITY PLANNING COMMISSION
Regular Meeting Minutes
Ottawa, Kansas

City Hall – June 9, 2010

The City Planning Commission met at 7:00 p.m. on this date with the following members present and participating: Members Colbern, Davidson, Bond, Jackson, Wasko, and Livingston. Absent was Chairperson York.

Reorganization of Planning Commission:

Vice-Chairperson Jackson asked for a nomination for Chairperson. Member Wasko nominated Member Jackson, seconded by Member Colbern. The motion was considered and Member Davidson, yes; Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Vice-Chairperson Jackson abstained. The motion passed by a 5-0-1 vote.

Chairperson Jackson asked for a nomination for Vice-Chairperson. Member Davidson nominated Member Colbern, seconded by Member Wasko. The motion was considered and Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, abstained; Member Davidson, yes; Chairperson Jackson, yes. The motion passed by a 5-0-1 vote.

Chairperson Jackson asked for a motion to make staff secretary. Member Wasko made a motion to make staff as secretary, seconded by Member Colbern. The motion was considered and Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member Davidson, yes; Member Wasko, yes; Chairperson Jackson, yes. The motion passed by a 6-0 vote.

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.

Public Comments: There were none.

Consent Agenda:

Member Colbern made a motion to approve the April 28, 2010 study session minutes and the May 12, 2010 meeting minutes, seconded by Member Livingston. All present voted yes. (6-0)

Public Hearing Items:

Held a public hearing on the 2010 CIP.

Chairperson Jackson opened the public hearing.

Tom Yahl stated Scott Bird, Finance Director, was in attendance and had a presentation to make to the Planning Commission on the CIP.

Scott Bird, Director of Finance, reviewed how the CIP worked and highlighted some projects that changed due to available funding.

Chairperson Jackson, asked if Mr. Bird would chart a year and show how it would affect the mill levy.

Member Davidson, stated the hangers at the airport are not T-hangers being built it is the municipal terminal. Mr. Bird stated he would remove that reference from the CIP.

Chairperson Jackson continued the public hearing to the July 14, 2010 meeting.

Held a public hearing to consider the proposed amendments to Article 17, Mixed Use Districts related to Commercial/Industrial Sections 301 and 606.

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed the memo and the changes made to Article 17.

Chairperson Jackson asked for public comments, there were none.

There was discussion on the size of bulk warehouses. It was determined to change the regulation to only allow no more than 10,000 square feet of gross floor area per building lot.

Chairperson Jackson closed the public hearing.

Member Davidson made a motion to recommend to the City Commission to approve the proposed amendments as amended to Article 17, Mixed Use Districts related to Commercial/Industrial Sections 301 and 606, seconded by Member Colbern. The motion was considered and Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member Davidson, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Continue the public hearing to consider the proposed rezone from C-3 General Commercial District to MU/CI Mixed Use Commercial/Industrial District, located at 1102, 1112, 1120, & 1124 N. Main.

Chairperson Jackson opened the public hearing.

Tom Yahl stated this item was continued from their May meeting as changes to the regulations were requested. Mr. Yahl stated the item before this addressed those changes requested. Mr. Yahl stated staff is recommending approval of the rezone based on the following findings:

- The change in classification is consistent with the intent and purpose of the regulations
- The character and condition of the surrounding neighborhood will have no effect on the proposed change.
- The change in classification will have no effect on existing nearby land uses.
- The uses permitted on the property as reclassified are compatible with the uses permitted on other property in the immediate vicinity.
- The property is suitable for commercial or industrial uses.
- Whether adequate public services exist to serve the uses that would be permitted on the property if it were reclassified.

Tom Yahl noted that approval of this rezone was somewhat dependent on consideration and approval of the previously considered text amendment.

Chairperson Jackson asked for public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked for a motion.

Member Wasko made a motion to approve staff findings as their own, seconded by Member Colbern. The motion was considered and Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member Davidson, yes; Member Wasko, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Member Colbern made a motion to recommend to the City Commission to approve the proposed rezone from C-3 General Commercial District to MU/CI Mixed Use Commercial/Industrial District, located at 1102, 1112, 1120, & 1124 N. Main with the condition that the text amendments to Article 17 are approved, seconded by Member Davidson. The motion was considered and Member Livingston, yes; Member Colbern, yes; Member Davidson, yes; Member Wasko, yes; Member Bond, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Held a public hearing to consider the proposed amendment to Chapter 11 of the Municipal Code by adding Article 13, Pay Day Loan / Title Loan Businesses.

Chairperson Jackson opened the public hearing.

Tom Yahl stated staff had provided the Planning Commissioners with the ordinance that would regulate these types of business.

The commissioners asked if the current business would have to get a license once this ordinance went into affect. Bob Bezek, City Attorney, stated yes. They also asked if the current businesses moved, changed ownership or made a change in their business would they have to comply with the current regulations. Mr. Bezek stated yes.

Chairperson Jackson asked for public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked for a motion.

Member Livingston made a motion to recommend to the City Commission to approve the proposed amendment to Chapter 11 of the Municipal Code by adding Article 13, Pay Day Loan / Title Loan Businesses, seconded by Member Wasko. The motion was considered and Member Davidson, abstained; Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Chairperson Jackson, yes. The motion passed by a vote of 5-0-1.

Other Items:

Tom Yahl welcomed the new Planning Commissioner Deana Bond.

Chairperson Jackson wanted to thank Member York for his two years as chairperson for the planning commission.

Announcements:

The next regularly scheduled Planning Commission study session is Wednesday, June 30, 2010 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, July 14, 2010 at 7 p.m.

Adjournment:

Chairperson Jackson asked for a motion to adjourn. Member Wasko made a motion to adjourn, seconded by Member Colbern. Chairperson Jackson adjourned the meeting at 7:45 p.m.

Respectfully submitted, Tom Yahl, Planner
Planning & Codes Department