

**CITY PLANNING COMMISSION**  
**Regular Meeting Minutes**  
**Ottawa, Kansas**

**City Hall – February 9, 2011**

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

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 York made a motion to approve the December 29, 2010 study session minutes, and the January 12, 2011 meeting minutes, seconded by Member Colbern. All present voted yes. (6-0).

**Held a public hearing on the proposed rezones in the Urban Growth Area from Franklin County I-1, Light Industrial District to City I-1 Light Industrial District, 3120 K-68 Highway, 3190 K-68 Highway, 3196 K-68 Highway, 3198 K-68 Highway, 3200 K-68 Highway, 3202 K-68 Highway, 3290 K-68 Highway, 3300 K-68 Highway, 3325 K-68 Highway, and 3266 Nebraska Terrace and Rezone from Franklin County A-2, Transitional Agricultural District to City A, Agricultural District, 3255 K-68 Highway.**

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed staff findings, and the map (power point presentations) with the Planning Commission. Mr. Yahl noting the rezone for 3255 K-68 Highway was continued from last month's meeting. Mr. Yahl indicated staff is recommending approval.

Chairperson Jackson asked for public comments.

Cyrus Oliver, 1204 N. 1 Rd, Baldwin City, owns the property at 3202 K-68 Highway. Mr. Oliver indicated he did not want his property rezoned to I-1 and would prefer it to be zoned agricultural as that is what its use is right now. Mr. Oliver also noted he did not want to be in the city limits. Wynndee Lee explained the Interlocal Agreement and responded to his concerns. Mrs. Lee indicated the change from county zoning to city zoning would not affect his taxes.

Terry Barnes, 3159 Nebraska Road, also owns 3139 Nebraska Road, asked if he was in the urban growth area. Wynndee Lee indicated no as his properties are east of the urban growth area, however since we are required to notify anyone within 1,000 feet of properties being rezoned he would receive notification of any rezones within 1,000 feet of his property.

Chairperson Jackson asked if there were any more public comments, there were none. Chairperson Jackson closed the public hearing.

Chairperson Jackson asked for questions or comments from the planning commissioners.

Member York made a motion to remove the property at 3202 K-68 Highway from being rezoned to I-1 and rezone it to Agricultural since there were horses on the property and the property is being use as agricultural, seconded by Member Colbern. The motion was considered and Member Livingston, yes; Member Colbern, yes; Member York, yes; Member Wasko, yes; Member Maxwell, yes; Chairperson Jackson, yes. The motion passed by a 6-0 vote.

Wynndee Lee asked if the Planning Commissioners wanted to review the findings changing 3202 K-68 Highway from Franklin County I-1 zoning district to City A zoning district. It was the consensus of the Planning Commissioners to have staff change the findings without a review by the Planning Commissioners.

Chairperson Jackson asked for a motion.

**Member York made a motion to accept staff findings, with the change of the rezoning for 3202 K-68 Highway as their own, seconded by Member Wasko.** The motion was considered and Member Wasko, yes; Member Livingston, yes; Member Colbern, yes; Member York, yes; Member Maxwell, 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 rezones in the UGA from Franklin County I-1, Light Industrial District to City I-1 Light Industrial District, 3120 K-68 Highway, 3190 K-68 Highway, 3196 K-68 Highway, 3198 K-68 Highway, 3200 K-68 Highway, 3290 K-68 Highway, 3300 K-68 Highway, 3325 K-68 Highway, and 3266 Nebraska Terrace; from Franklin County A-2, Transitional Agricultural District to City A, Agricultural District, 3255 K-68 Highway; and from Franklin County I-1, Light Industrial District to City A, Agricultural District, 3202 K-68 Highway, seconded by Member York.** The motion was considered and Member Livingston, yes; Member Colbern, yes; Member York, yes; Member Maxwell, yes; Member Wasko, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

#### **Announcements:**

The next regularly scheduled Planning Commission study session is Wednesday, February 23, 2011 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, March 9, 2011 at 7 p.m.

#### **Adjournment:**

Chairperson Jackson asked for a motion to adjourn. Member York made a motion to adjourn, seconded by Member Colbern. Chairperson Jackson adjourned the meeting at 7:40 p.m.

Respectfully submitted, Wynndee S. Lee, AICP  
Planning & Codes Director