

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

**City Hall – August 11, 2010**

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

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.

Bob Bezek, City Attorney, stated that Member Bond works for the Ottawa Herald and manages the ad account for ORC. Mr. Bezek indicated the monetary compensation Member Bond gets off of the sale of the ad is so minor that there is no conflict of interest with her voting on the ORC site plan.

**Public Comments:** There were none.

Chairperson Jackson stated due to an error in publication the Comprehensive Plan would not be discussed at this meeting, but is scheduled for the September meeting. Chairperson Jackson asked if there was anyone present who wished to speak concerning the Comprehensive Plan to come forward. There were none.

**Consent Agenda:**

Member York made a motion to approve the July 30, 2010 study session minutes, and the July 14, 2010 meeting minutes, seconded by Member Wasko. All present voted yes. (7-0)

**Non Public Hearing Items:**

**Site Plan for the Ottawa Recreation Center, new building, 705 W. 15<sup>th</sup> Street.**

Chairperson Jackson asked staff to make their presentation.

Tom Yahl reviewed staff's memo and a power point presentation with the Planning Commissioners. The power point presentation consisted of the site plan, exterior elevations, pictures of the proposed building and of residential structures in the area. The presentation also including discussion on the detention pond.

Jane Huesemann, reviewed the features of the building with the Planning Commissioners. Items discussed were suspended track, basketball court, office space, multipurpose room. Features of the building are its energy efficient, compact, ribbed metal skin. The parking is 4 feet lower than the curb in order to protect the residential area from car lights. Ms. Huesemann stated they checked other metal buildings that had been built in residential areas and felt this building would not be unreasonable in this area. Ms. Huesemann also stated the residential structures in the surrounding area were mainly wood or vinyl siding.

Member York asked Ms. Huesemann how they determined the style of the building. Ms. Huesemann stated the function and context of the use and that a metal building is more economical in cost than other types of buildings.

Chairperson Jackson stated there were several brick buildings in the area red in color. Chairperson Jackson indicated he wished they had a sample of the material of the building to look at. Wynndee Lee stated that a request was sent to the architect but did not know if they were able to obtain a sample. Ms. Heuesemann stated that the school buildings were screened by a lot of vegetation and when you are standing at the site surveying the area you don't see much brick.

Member Bond stated the landscaping shown on the site plan does not agree with the landscaping shown in the illustrations and that she would like to see more vegetation to break up the site of the building.

Discussion was held about what buildings were used to define the features of the new building. Ms. Heuesemann indicated the design of Eisenhower School was the main factor. Wynndee Lee stated she considered the institutional buildings primarily and other than Eisenhower they are brick. Mrs. Lee also indicated staff looked at the residential structures surrounding the area and found there was a mix of brick and stone facades on portions of many, and the siding was more horizontal than vertical in the area.

Chairperson Jackson stated he looked at the metal building on 17<sup>th</sup> Street, but feels that area is totally different from this area.

Ms. Heuesemann showed a picture of a metal building to the Planning Commissioners and stated this is the type of ribbed material the building would be constructed, she also stated the color would be a tan metallic color. Ms. Heuesemann indicated the use of masonry would challenge the budget and with talking to the board this would cause them to scale back in other areas that might impact their programming and functionality.

Member York stated he has big concerns about the detention pond. Member York asked if during a heavy rain storm a child could drown in it? Mitch Lambeth, TransSystems, design engineer, stated at three feet it would be going over the banks. The detention pond would fill up and drain within two hours. Member Colbern asked if this was the required size. Mr. Lambeth stated yes.

Members of the Planning Commission asked Mr. Lambeth if there were other alternatives beside the detention pond. Mr. Lambeth stated none that would meet the city's requirements. Mr. Lambeth was asked about underground piping. Mr. Lambeth stated it would take a considerable amount of piping to make up for the volume the detention pond would have. Mr. Lambeth was asked about using pervious concrete. Mr. Lambeth stated it would cut down on the volume they would have to detain and would decrease the size of the pond. However Mr. Lambeth stated due to cost, maintenance, and no contractors with experience in this area to install it, it would not be cost effective as concrete / asphalt holds up better.

Member Maxwell asked when the building ages what will it look like in five years. Ms. Huesemann stated it is a powder coated material and in five years it should look the same.

Chairperson Jackson asked for public comments.

Mr. Yeargin asked why there was a detention pond. Wynndee Lee stated explained city requirements Mr. Yeargin stated he would think a perimeter would need to be put around it to mitigate the dangers. Tom Yahl stated there have been studies done and the occurrence of a child drowning in a detention pond is exceptionally rare occurs more with drainage pipes, but not common.

Chairperson Jackson asked for comments from the Planning Commissioners.

Wynndee Lee stated that the storm water engineering has not be approved by the City Engineer and there are easements that need to be obtained. Mrs. Lee indicated staff wanted to make sure that when a motion was made these conditions were made with the motion.

Member York stated he felt the prominence of this building should show pride of ownership, the building needs to be broken up and ascetically pleasing. Member York stated without seeing the product he is visioning a pole barn style building and would like to see some brick or even stucco on the building.

Member Wasko stated she thought the tan color was a bland choice.

Member Livingston stated he would like to see if some manufactured stone could be integrated into the building. Member Livingston also asked about the shading shown on the site plan. Ms. Huesemann stated the shading was for the windows on the upper floor to help keep the heat from the out.

Member Bond stated when talking about adding any masonry on the building the indication was the budget couldn't handle it and would have to take away other features of the building. However the commission has not been given any features and how this building is going to enhance the ORC experience from the old building. Member Bond asked if there were going to be newer programs that will benefit the kids now that it is closer to the schools.

Jeff Curry, ORC Board Member, stated they have lots of pride in the ownership of the building. Mr. Curry indicated with the new building they would be able to add 20 to 30 new programs, they would have an open basketball program, the walking track open to the public, space for other public activities. When asked what they would lose if they had to change the design of the building, Mr. Curry indicated the elevated walking track would not be affordable.

Member Livingston asked if the building needed to be expanded, what direction would they go. Mr. Curry stated to the west.

Chairperson Jackson stated they did not want the public or the ORC Board get the perception that the Planning Commission was not in favor of this. A new structure has been needed for years and the questions being asked them are questions that are asked on any site plan.

Chairperson Jackson stated he assumes that other styled buildings were looked at and that this was the least expensive building, and could they give them some numbers on the cost differences. Ms. Huesemann stated a budget was established and the functionality of the building and size of building were established and then looked at the budget the scenario that fit was a metal building with a metal skin. Ms. Huesemann stated they have not looked at other options. They have talked to the contractor about switching out panels but he stated it would be quite costly.

Dan Stepp, ORC Board Member, stated they are very proud of the project, will provide after school programs, they have a great sense of pride in the community. Mr. Step stated it's a beautiful building and would be a great addition to the City.

Wynndee Lee indicated the Planning Commission choices for the site plan would be approve with the conditions staff has requested, plus any other conditions or not to approve at all.

Member Colbern asked if they conditioned for more landscaping would it be brought back to the planning commission. Wynndee Lee indicated yes if the planning commission so stated.

Member York stated it would be nice to know what the panel looked like. Ms. Huesemann showed the planning commission a sample of the material to be used.

Bob Bezek asked what the difference was between an architect panel and a ribbed panel. Wynndee Lee indicated staff was not for sure and after this item staff will need to make changes to the regulations. Ms. Huesemann stated she was not sure either, it could be a differentiation made by manufacturers.

Member Colbern asked if the panels would be attached with screws. Ms. Huesemann stated yes.

Member Livingston asked about the driveway apron. Ms. Huesemann indicated there are left and right turns out of the parking lot.

Member Bond asked if the building ended up with graffiti on it would there be paint to match the building. Ms. Huesemann stated yes there would be paint to repair, but would be up to the owner on how to fix it.

Member Livingston asked if the roof was metal or membrane. Ms. Huesemann stated membrane with a minor slope.

Member Livingston asked if there was screening for the mechanical equipment. Ms. Huesemann stated landscaping and the trash would be enclosed with metal siding. Wynndee Lee indicated staff would have to look at the regulations on what could be used for screening.

**Member Livingston made a motion to approve the site plan with the following conditions: 1. Detailed landscaping plan be submitted for additional review to break up the building; 2. Stormwater study issues approved by the City Engineer; 3. The necessary easements are signed, seconded by Member Bond.**

Chairperson Jackson asked for any discussion.

Member Maxwell stated he was just appointed on Monday and until tonight had not seen any of the documentation on this item. Member Maxwell stated he had made some observations tonight and that it was obvious to him that mostly people are not satisfied with the exterior appearance as there have been lots of questions and discussion. He stated he has been on boards before where this raises a red flag. He indicated this is a great facility and a great idea and the right time and the right place for him for it. He continued that his idea is that anything new that is added shouldn't just conform to the standards of the area but should be an asset to the area and it should really raise the bar not lower the bar. The facility will add value functionally that the community desperately needs. However it will be hard for him to vote on something so significant in such a visible place when he is not convinced the appearance of the facility really speaks to the kind of quality we would hope to have if we were going to actually raise the bar.

Chairperson Jackson asked for other comments, there were none.

The motion was considered and Member Colbern, yes; Member York, no; Member Wasko, no; Member Bond, yes; Member Livingston, yes; Member Maxwell, no; Chairperson Jackson no. Motion failed by a 3-4 vote.

**Member York made a motion to continue the site plan to the August 25<sup>th</sup> meeting asking the developer to look at other exterior styles, rather than the metal specified in the plan, and to break up the exterior finish so the new recreation facility conforms better with the surrounding neighborhood and the prominence of the site, seconded by Member Wasko.** The motion was considered and Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member York, yes; Member Wasko, yes; Member Maxwell, yes; Chairperson Jackson, yes. Motion passed by a 7-0 vote.

**Continued the public hearing to consider the proposed Special Use Permit to operate a construction and demolition landfill in the UGA Franklin County A-1 Agricultural Zoning District, located at 3268 Osborne Terrace.**

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed the staff memo and map (power point) with the Planning Commissioners. Mr. Yahl stated staff is recommending approval with conditions.

Tom Yahl indicated staff received an anonymous letter with pictures which has been handed out to the Planning Commissioners. Bob Bezek stated any item submitted anonymously does not have credibility and should not be considered as public comment.

Larry Walrod, Franklin County Planning Director, stated he felt Tom Yahl had answered most of the questions that were brought up at the last meeting. Mr. Walrod did indicate the depth of a cell will vary as they are measured from the highest ground water table and then must be five feet above that table. Mr. Walrod stated the setbacks for the cells are 100 feet from any property line.

Mr. Walrod stated the existing cell in use is number one and the depth of that cell was 25 feet. The state approved four cells, however the other three cells are on the existing closed solid waste landfill and the county would prefer not to use those. Mr. Walrod stated the current cell has been in use for approximately 7 years and has approximately 2 years of use left.

Mr. Walrod stated the Forester recommends seedlings for the Red Cedar trees, due to most nurseries do not grow native species and you must receive them from a program such as the RC&D.

Member Wasko asked how quickly they grew. Mr. Walrod stated once they are established they grow pretty quick, however, it takes approximately 1 to 1 ½ years for these trees to get established. Wynndee Lee indicated the Planning Commission could required an immediate screen be put in place along the south side and have the Red Cedars placed for the long term screening.

Member Bond asked if the other three cells on the existing lanfill are approved by the state. Mr. Walrod indicated yes, however those cells are part of the original solid waste landfill and have been given final grade approval, if the county was to use them, they would be digging up items that have already been approved to be buried there and then there would be a lot of monitoring that would need to be done which the county would prefer not to do. Bob Bezek ask Mr. Walrod if it would be cost effective to use the other cells, Mr. Walrod indicated no.

Member York asked Mr. Walrod if he would like to comment on the anonymous letter and pictures the Planning Commissioners received. Mr. Walrod indicated all the pictures were of the current working landfill some of which were of the current C & D Landfill and others of the other parts of the operation.

Chairperson Jackson asked for public comments.

John Todd, 3255 K-68 Hwy., stated Red Cedars grow real slow. Mr. Todd just wanted to encourage the Planning Commissioners to be good neighbors. The quality of life went down when the Wal-Mart Distribution Center was built, and now they are looking at a dump being built on their backside. Mr. Todd also stated it is being perceived as this is already a done deal since the county has already purchased the property. Mr. Todd wanted to know what the cost of the property was and what the terms of the sale were. Bob Bezek stated that those items are never considered when the Planning Commission looks at any item, and in fact they never know the details of those items. Wynndee Lee stated the Planning Commissioners have not made a conclusion until they vote.

Albert Coffman, 3281 K-68 Hwy., stated there are gas lines running through that property and does not want the landfill to go in.

Tom Yahl indicated that he investigate the assumption there were high pressure gas line running through this property, however his research indicates there are no gas lines through this property.

Scott Yeargin, 2263 Nevada Road, stated the City should encourage the county to do more recycling of the items they get at the landfill, maybe place recycling bins downtown. Wynndee Lee indicated this was for a construction and debris landfill. Mr. Yeargin stated have them take the nails out and recycle the wood.

Shirley Coffman, 3281 K-68 Hwy. stated she was concerned about the water runoff towards their pond and things in the water such as asbestos. Mrs. Coffman stated she did not want the landfill there.

Sherry Cox 3305 K-68 Hwy., stated she has concerns about the water runoff, property values decreasing making it hard for the property owners to sell.

Joyce Todd, 3255 K-68 Hwy., stated she sees the current landfill every time she walks into her kitchen and asked the planning commission to take the property owners into consideration.

Chairperson Jackson closed the public hearing.

Member Livingston asked about putting a berm on the South property line. Due to storm water needs, water will still need to course through to the south.

**Member York made a motion to accept staff findings as their own, seconded by Member Colbern.** The motion was considered and Member York, yes; Member Wasko yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member Maxwell, abstained; Chairperson Jackson, yes. Motion passed by a 6-0-1 vote.

**Member Wasko made a motion to recommend to the City Commission to approve the proposed Special Use Permit to operate a construction and demolition landfill in the UGA Franklin County A-1 Agricultural Zoning District located at 3268 Osborne Terrace with the following conditions: 1. Submission and approval of KDHE permits, per K.A.R. 28-29-325; 2. Applicant will adhere to the buffering standards stated in 28-29-302(e); 3. Applicant will install and maintain a vegetative screen of at least six (6) feet in height along the south side of the property and further implement the Forest Management Plan for Tree Planting, of Eastern Red Cedar trees on each of the property lines, seconded by Member Colbern.** The motion was considered and Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern,

yes; Member York, yes; Member Maxwell, abstained; Chairperson Jackson, yes. Motion passed by a 6-0-1 vote.

**Other Items:** There were none.

**Announcements:** The next regularly scheduled Planning Commission study session is Wednesday, August 25, 2010 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, September 8, 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 9:45 p.m.

Respectfully submitted, Wynndee S. Lee  
Planning & Codes Director