

CITY PLANNING COMMISSION
Regular Meeting Minutes
Ottawa, Kansas

City Hall – September 14, 2011

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

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.

Member Boyd stated he would abstain from the last agenda item as his law firms represents the owners of 2194 US-59 Highway.

Member Livingston arrived at 7:06 p.m. prior to public hearing items.

Public Comments: There were none.

Consent Agenda:

Member Wasko made a motion to approve the July 27, 2011 study session minutes, and the August 10, 2011 meeting minutes, seconded by Member Colbern. All present voted yes. (6-0).

Public Hearing Items:

Held a public hearing on the proposed amendment to Article 8, Countryside Addition, Section 8-2 Permitted Uses to allow “Churches and other similar places of worship” as a permitted use.

Chairperson Jackson opened the public hearing.

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

Chairperson Jackson asked for public comments.

Ken Morton, 2341 Greenwood Dr., asked if this was the article that needed to be changed to make the property being rezoned at 2264 US-59 Highway owned by the Church of Christ a permitted use. Mr. Yahl indicated yes. Mr. Morton stated he did not have a problem with the amendment request.

Chairperson Jackson asked if there were any other public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked the Planning Commissioners if they had any questions or comments, there were none.

Member Wasko made a motion to recommend to the City Commission to approve the proposed amendment to Article 8, Countryside Addition, Section 8-2, Permitted Uses to allow “Churches and other similar places of worship” as a permitted use, seconded by Member Colbern. The motion was considered and Member Wasko, yes; Member Livingston, yes; Member Colbern, yes; Member Bond, yes; Member Maxwell, yes; Member Boyd, yes; Chairperson Jackson, yes. Motion passed by a 7-0 vote.

Continue the public hearing for the proposed rezone in the UGA from Franklin County R-E Residential Estate District, to City CS, Countryside District at 2264 US-59 Highway.

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed the staff findings (power point presentation) with the Planning Commissioners. Mr. Yahl stated staff is recommending approval.

Chairperson Jackson asked for public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked the Planning Commissioners if they had any questions or comments, there were none.

Member Colbern made a motion to accept staff findings as their own, seconded by Member Wasko. The motion was considered and Member Livingston, yes; Member Colbern, yes; Member Bond, yes; Member Maxwell, yes; Member Boyd, yes; Member Wasko, yes; Chairperson Jackson, yes. The motion passed by a 7-0 vote.

Member Colbern made a motion to recommend to the City Commission to approve the proposed rezone in the UGA from Franklin County R-E Residential Estate District, to City CS, Countryside District at 2264 US-59 Highway, seconded by Member Bond. The motion was considered and Member Colbern, yes; Member Bond, yes; Member Maxwell, yes; Member Boyd, yes; Member Wasko, yes; Member Livingston, yes; Chairperson Jackson, yes. The motion passed by a 7-0 vote.

Held a public hearing on the proposed rezones in the Urban Growth Area from Franklin County A-1, Agricultural District, to City A, Agricultural District, 2360 Montana Road, 2439 US-59 Highway, 2620 Montana Road, 2690 Montana Road, 2895 Rock Creek Road; from Franklin County A-2, Transitional Agriculture District, to City A, Agricultural District, 2730 Kingman Road; from Franklin County R-E, Residential Estate District, to City CS, Countryside District, 2660 Montana Road, 2710 Montana Road, 2725 Rock Creek Road, 2765 Rock Creek Road; and from Franklin County R-E/I-1, Residential Estate/Light Industrial District, to City MU/RC, Mixed Used Residential/Commercial District, 2194 US-59 Highway.

Chairperson Jackson opened the public hearing.

Wynndee Lee indicated that the owners of the property located at 2194 US-59 Highway have requested the rezoning of their property be continued to next month.

Member Wasko made a motion to continue the rezone from Franklin County R-E/I-1, Residential Estate/Light Industrial District, to City MU/RC, Mixed Used Residential/Commercial District, 2194 US-59 Highway to the October 12, 2011 meeting, seconded by Member Bond.

The motion was considered and Member Boyd, abstained; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member Wasko, yes; Member Maxwell, yes; Chairperson Jackson, yes. Motion passed by a vote of 6-0-1.

Tom Yahl reviewed the findings (removing those findings for 2194 US-59 Highway rezoning which has been continued to the October 12, 2011 meeting) and map (power point presentation) with the Planning Commissioners. Mr. Yahl indicated staff was recommending approval.

Chairperson Jackson asked for public comments.

Ken Ferguson, 351 Fricke Road, Bates City, MO, owner of the property at 2360 Montana Road, asked why the property was being rezoned. He also indicated the property was used agriculturally for crops. Wynndee Lee reviewed the UGA with Mr. Ferguson. Mr. Ferguson asked if the property would be annexed into the city in the near future. Mrs. Lee indicated on the map where the city limits were currently and stated there were no immediate plans on annexing land in that area into the city. Mrs. Lee also noted that the change from the county's agricultural district to the city's agricultural district would not impact his current uses of the property.

Chairperson Jackson asked if there were any other public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked if the Planning Commissioners had any questions or comments, there were none.

Member Bond made a motion to accept staff findings as their own, seconded by Member Colbern. The motion was considered and Member Bond, yes; Member Maxwell, yes; Member Boyd, yes; Member Wasko, yes; Member Livingston, yes; Member Colbern, yes; Chairperson Jackson, yes. Motion passed by a 7-0 vote.

Member Livingston made a motion to recommend to the City Commission to approve the proposed rezones in the Urban Growth Area from Franklin County A-1, Agricultural District, to City A, Agricultural District, 2360 Montana Road, 2439 US-59 Highway, 2620 Montana Road, 2690 Montana Road, 2895 Rock Creek Road; from Franklin County A-2, Transitional Agriculture District, to City A, Agricultural District, 2730 Kingman Road; from Franklin County R-E, Residential Estate District, to City CS, Countryside District, 2660 Montana Road, 2710 Montana Road, 2725 Rock Creek Road, 2765 Rock Creek Road, seconded by Member Wasko. The motion was considered and Member Maxwell, yes; Member Boyd, yes; Member Wasko, yes; Member Livingston, yes; Member Colbern, yes; Member Bond, yes; Chairperson Jackson, yes. Motion passed by a 7-0 vote.

Announcements:

Wynndee Lee reminded everyone of the photo contest.

The next regularly scheduled Planning Commission study session is Wednesday, September 28, 2011 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, October 12, 2011 at 7 p.m.

Adjournment:

Member Colbern made a motion to adjourn; Chairperson Jackson adjourned the meeting at 7:30 p.m.

Respectfully submitted, Wynndee Lee, AICP
Director of Planning & Codes Department