

CITY PLANNING COMMISSION
Regular Meeting Minutes
Ottawa, Kansas

City Hall – July 14, 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 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. There were none.

Public Comments: There were none.

Consent Agenda:

Member York made a motion to approve the May 26, 2010 study session minutes, June 9, 2010 meeting minutes, and the June 24, 2010 special meeting minutes, seconded by Member Colbern. All present voted yes. (6-0)

Public Hearing Items:

Continued the public hearing on the 2010 CIP.

Chairperson Jackson opened the public hearing.

There were no public comments.

Chairperson Jackson closed the public hearing.

Member Wasko made a motion to recommend to the City Commission to approve the 2010 CIP, seconded by Member Colbern. The motion was considered and Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member York, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Held a public hearing on the proposed rezone in the Urban Growth Area from: Franklin County A, Agricultural District to City P, Public District, located at 2129 E. Wilson; Franklin County A-1, Agricultural District to City A, Agricultural District, located at 3088 Sand Creek Road; Franklin County A-2, Transitional Agriculture District to City A, Agricultural District, located at 2731 Sand Creek Road and 2779 Reno Road; Franklin County R3-A, Residential Three Acre District to City A, Agricultural District, located at 3098 Pawnee Road; Franklin County R-E, Residential Estate District to City CS, Countryside District, located at 2880 Riley Road, 2990 Sand Creek Road, and 3077 Pawnee Road; Franklin County R3-A, Residential Three Acre District to City R-1, Low Density Residential District, located at,3897 US 59 Highway and 241 N. Cherry; Franklin County C-2, Highway Commercial District to City C-3, General Commercial District, located at 2515 E. Logan; Franklin County R-E, Residential Estate District, to City I-2 Heavy Industrial District, located at 3645 Montana Road.

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 of the rezones.

Chairperson Jackson asked for public comments.

Jay Clark, 2880 Riley Road, asked for more clarification of the Countryside District and the Urban Growth Area. Wynndee Lee explained what the Urban Growth Area is and stated the Countryside District is a zoning classification the city designated for the larger tracts in the rural area.

Chairperson Jackson asked for questions or comments from the Planning Commissioners.

Member York made the comment to Mr. Clark that the Countryside zoning was a good zoning classification for his property especially if he would want to sell the property.

Chairperson Jackson closed the public hearing.

Tom Yahl stated he had conversations with the Underwood's, Midland Railroad, Ames Construction, and the owner of 241 N. Cherry. Mr. Yahl stated staff had not received any written comments.

Member York made a motion to approve staff findings as their own, seconded by Member Wasko. The motion was considered and Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member York, 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 rezones in the Urban Growth Area from: Franklin County A, Agricultural District to City P, Public District, located at 2129 E. Wilson; Franklin County A-1, Agricultural District to City A, Agricultural District, located at 3088 Sand Creek Road; Franklin County A-2, Transitional Agriculture District to City A, Agricultural District, located at 2731 Sand Creek Road and 2779 Reno Road; Franklin County R3-A, Residential Three Acre District to City A, Agricultural District, located at 3098 Pawnee Road; Franklin County R-E, Residential Estate District to City CS, Countryside District, located at 2880 Riley Road, 2990 Sand Creek Road, and 3077 Pawnee Road; Franklin County R3-A, Residential Three Acre District to City R-1, Low Density Residential District, located at 3897 US 59 Highway and 241 N. Cherry; Franklin County C-2, Highway Commercial District to City C-3, General Commercial District, located at 2515 E. Logan; Franklin County R-E, Residential Estate District, to City I-2 Heavy Industrial District, located at 3645 Montana Road, seconded by Member Livingston. The motion was considered and Member Livingston, yes; Member Colbern, yes; Member York, 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 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.

Chairperson Jackson asked for public comments.

Shirley Coffman, 3281 K-68 Hwy., stated it was her understanding the ground has a high pressure gas lines running through it and nothing could be placed on the property. Mrs. Coffman was also concerned about the water runoff and the possible contamination of her pond due to asbestos and other contaminants being dumped on this property, trash from this area blowing onto her property, and from her back yard her family would have to look at it. Mrs. Coffman stated she did not want the landfill there.

Sherry Cox 3305 K-68 Hwy., stated with the current landfill they have dust, noise, during the winter there is no screening as there are no leaves on the trees. Mrs. Cox stated with the property values being lowered in today's economy, they feel this would lower their property value even more. Mrs. Cox asked the commission to think about the residences in this area and they are absolutely against this. Mrs. Cox also stated they do spend a lot of time in their back yard, they would have to look at the landfill and they are opposed.

Albert Coffman, 3281 K-68 Hwy., stated he had big concerns about water runoff and does not want the landfill to be allowed.

John Todd, 3255 K-68 Hwy., stated he and his wife, Joyce, are against this. Mr. Todd indicated he has a hayfield which is right next to this property and he raises horses. He doesn't understand why there is screening on every side but the south side and the issue of the high pressure gas lines is concerning too. Mr. Todd asked why they couldn't go to the north with this expansion. Mr. Todd indicated his property value has gone down yet his taxes have gone up. He expressed by putting this in his back yard it will cause his property value to lower even more.

Chairperson Jackson asked the applicant if they would like to make a presentation.

Larry Walrod, Franklin County Planning Director, the county is looking at the interest of all the citizens in the county. Mr. Walrod stated there will be no change in the operations of the current landfill and that everything that is being done at that site will still be done there and even the equipment will be stored on the current site. Mr. Walrod stated this use is essential to the City of Ottawa as well as the county. Mr. Walrod indicated there are a lot of KDHE regulations that have to be met and other conditions that have to be completed long before they will be able to use this ground. Mr. Walrod indicated the regulations that were in effect when the current landfill was developed were less than they are now. Mr. Walrod indicated the elevations on this ground would not be anywhere as high as they are on the current site and feels there will be less runoff from this site.

Member Livingston expressed concern about no screening on the south side. Member Livingston asked Mr. Walrod if he could enforce the tarping of the loads of trash. Wynndee Lee indicated that was a state requirement and is to be enforced by law enforcement agencies.

Member York asked about asbestos in the landfill and is there an air quality testing done for hazards. Mr. Walrod stated there is not much air testing done, but they do monitor the placement on the ground and runoff.

Member York asked about the concerns of the neighbors about the visual aspects of the south side. Mr. Walrod stated there is an existing hedge row there now that would provide screening.

Joyce Todd, 3255 K-68 Hwy., stated the hedge row is mainly regular trees and there are open spaces in this hedge row. Mrs. Todd asked the commissioners to consider this carefully.

Wynndee Lee indicated the commission could ask for the county to add cedar trees similar to the other sides as a condition of the permit.

Albert Coffman, 3281 K-68 Hwy., stated the county could not block the ditch in that area.

Larry Cox, 3305 K-68 Hwy., stated the elevations on this site will be higher than they are now. Mr. Cox wanted to know when the current landfill would be full.

Member Walrod stated there is about two years left on the current site and the new site would possibly last for 40 years.

Member Livingston asked Mr. Walrod in a 50 mile radius what other cities/counties have these type of landfills. Mr. Walrod indicated Anderson, Osage, and Douglas Counties.

Member Livingston asked about extra traffic on the roads and dust containment.

Mr. Walrod indicated that the county paved the road into the landfill. Mr. Walrod indicated he felt there would be no more traffic then there is right now. Mr. Walrod also stated KDHE has water runoff requirements, they have to do an AquaTerra construction plan, and everything has to be approved by the State.

Member Bond asked how much tonnage of debris would be put in this landfill. Mr. Walrod stated about 6,000 tons a year and this area should last about 40 years depending on the storms in the area.

Member Wasko asked how long the current landfill has been there. Mr. Walrod indicated possible 30 years but did not know for sure.

Member Bond asked if this new area would possibly increase the traffic, especially if there is dumping from other counties. Mr. Walrod indicated he did not think the traffic would increase and that if someone from another county used the landfill, they would have to pay a premium plus the tonnage cost.

Shirley Coffman, 3281 K-68 Hwy., again stated she does not want this in her back yard.

Larry Cox, 3305 K-68 Hwy., stated the hedge row is not full there are spaces in it. Mr. Cox was also concerned about runoff contaminating the ponds.

Chairperson Jackson asked for a motion to continue the public hearing to their August 11th meeting to allow staff time to obtain information about the concerns of the neighbors.

The Planning Commission considered whether to continue the hearing for more information or to close it.

Member Livingston made a motion to continue the public hearing on the special use permit to their August 11th meeting, seconded by Member Bond. The motion was considered and Member Colbern, yes; Member York, yes; Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Held a public hearing to consider the proposed Post-Construction Storm Water Best Management Practices Manual.

Chairperson Jackson opened the public hearing.

Wynndee Lee reviewed the power point presentation with the Planning Commissioners.

Chairperson Jackson asked for public comments, there were none.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked for a motion.

Member Colbern made a motion to recommend to the City Commission to approve the proposed Post-Construction Storm Water Best Management Practices Manual, seconded by Member Livingston. The motion was considered and Member Wasko, yes; Member Bond, yes; Member Livingston, yes; Member Colbern, yes; Member York, yes; Chairperson Jackson, yes. The motion passed by a vote of 6-0.

Other Items:

There were none.

Announcements:

The next regularly scheduled Planning Commission study session is Wednesday, July 28, 2010 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, August 11, 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 8:30 p.m.

Respectfully submitted, Wynndee S. Lee
Planning & Codes Director