

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

**City Hall – March 14, 2012**

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

Declaration:

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 Maxwell stated he will recuse himself from Item number 2 as his son-in-law owns the property and his son will be doing the work on the property,

Public Comments: **There were none.**

Consent Agenda:

Member Bond made a motion to approve the January 25, 2012 study session minutes, and the February 8, 2012 meeting minutes, seconded by Member Colbern. All present voted yes. (6-0).

Public Hearing Items:

Continued the public hearing on the proposed amendments to Article 5, Agricultural District, Section 5-2, Article 8, Countryside District, Section 8-2, Article 23, Home Occupations, Section 23-1, and Article 24, Supplemental District, Sections 24-602, 24-701, and 24-705.

Chairperson Jackson opened the public hearing.

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

Chairperson Jackson asked if there were any public comments. There were none in this meeting.

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked if the planning commissioners had any questions or concerns, there were none.

Member Colbern made a motion to recommend to the City Commission to approved the proposed amendments to Article 5, Agricultural District, Section 5-2, Article 8, Countryside District, Section 8-2, Article 23, Home Occupations, Section 23-1, and Article 24, Supplemental District, Sections 24-602, 24-701, and 24-705, seconded by Member Livingston. The motion was considered and Member Boyd, yes; Member Livingston, yes; Member Colbern, yes; Member Bond, yes; Member Maxwell, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

Held a public hearing on the proposed conditional use permit to allow warehouse/storage located at 122 W. Tecumseh.

Chairperson Jackson opened the public hearing.

Member Maxwell recused himself from this item.

Tom Yahl reviewed the findings and map (power point presentation) with the Planning Commissioners. Mr. Yahl indicated staff was recommending approval with the condition of no outdoor storage, including storage trailers.

Chairperson Jackson asked for public comments.

Jerry Harnden, owner of the property stated he was in favor of the conditional use for Big Bear Enterprises LLC as he has been looking for someone to take the building over and they have use for the storage area.

Brett Chartier, representing Big Bear Enterprises, stated they are planning on fixing the building and its roof and making it an attractive building for the area.

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

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked if the planning commissioners had any questions or concerns, there were none.

**Member Colbern made a motion to accept staff findings as their own, seconded by Member Boyd.** The motion was considered and Member Livingston, yes; Member Colbern, yes; Member Bond, yes; Member Boyd, yes; Chairperson Jackson, yes. Motion passed by a 5-0 vote.

Member Bond made a motion to recommend to the City Commission to approve the proposed conditional use permit to allow warehouse/storage at 122 W. Tecumseh, with the following condition:  
1. No outdoor storage, including storage trailers, seconded by Member Colbern. The motion was considered and Member Colbern, yes; Member Bond, yes; Member Boyd, yes; Member Livingston, yes; Chairperson Jackson, yes. Motion passed by a 5-0 vote.

Held a public hearing on the proposed rezone from I-2 Heavy Industrial District to R-1, Low Density Residential District at 321 Dundee.

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed the findings and map (power point presentation) with the Planning Commissioners. Mr. Yahl indicated staff did find an old zoning map dated 1976 at which time the zoning changed to industrial and the residential use has been a legal non-conforming use since then.

Mr. Yahl indicated staff was recommending approval based on the following conclusions:  
The change in classification is consistent with the intent of the R-1 district regulations.  
If change the surrounding area will not negatively impact the subject property and, conversely, the proposed change will not have an adverse effect on the surrounding neighborhood.

The subject property, by itself, is not suitable for industrial development. Adequate utilities and public services are available to serve uses permitted as changed.

Chairperson Jackson asked if there were any public comments.

Dave Griffin, 321 Dundee, stated he has lived at this address since 1977 and before that his parents and sister lived there. Mr. Griffin indicated he was trying to refinance and based on the zoning classification has been unable to do so, plus should anything happen to the residential structure he would not be able to rebuild. Therefore he is requesting the change in zoning classification.

Wynndee Lee stated the owner understands that he is next to an industrial use, and has been for several years. Mrs. Lee also indicated the tract itself would not support an industrial use as it is not large enough, however this situation is one you could support either way.

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

Chairperson Jackson closed the public hearing.

Chairperson Jackson asked if the planning commissioners had any questions, comments or concerns, there were none.

**Member Boyd made a motion to accept staff findings as their own, seconded by Member Colbern.** The motion was considered and Member Colbern, yes; Member Bond, yes; Member Maxwell, yes, Member Boyd, yes; Member Livingston, 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 I-2 Heavy Industrial District to R-1 Low Density Residential District at 321 Dundee, seconded by Member Boyd. The motion was considered and Member Bond, yes; Member Maxwell, yes; Member Boyd, yes; Member Livingston, yes; Member Colbern, yes; Chairperson Jackson, yes. Motion passed by a 6-0 vote.

**Other Items:** There were none.

**Announcements:** The next regularly scheduled Planning Commission study session is Wednesday, March 28, 2012 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, April 11, 2012 at 7 p.m.

**Adjournment:** Member Colbern made a motion to adjourn. Chairperson Jackson adjourned the meeting at 7:15 p.m.

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