

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

**City Hall – April 11, 2012**

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

**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. There were none.

**Public Comments:** There were none.

**Consent Agenda:**

Member Colbern made a motion to approve the February 29, 2012 study session minutes, and the March 14, 2012 meeting minutes, seconded by Member Wasko. All present voted yes. (6-0).

**Public Hearing Items:**

Held a public hearing on the proposed rezone from C-1, Office and Service Business District to MU/RC Mixed Use Residential/Commercial District for 109 W. 9th.

Chairperson Jackson opened the public hearing.

Tom Yahl reviewed the staff findings (power point presentation) with the Planning Commissioners. Mr. Yahl indicated staff was recommending approval based on the following conclusions:  
The change in classification is consistent with the intent of the MU/RC district regulations.  
If changed 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 is suitable for commercial development, at a limited scale.  
Adequate utilities and public services are available to serve uses permitted as changed.  
The proposed change is consistent with the City's Comprehensive Plan.

Chairperson Jackson asked if there were any public comments.

Brett Chartier of Crown Realty, representing Key Marketing LLC, commented that the subject property suits the needs of his client. Chartier also noted that the property has been proposed for commercial use at a larger scale in the past but his client is proposing a smaller scale commercial building, leaving the residence on the site in place. Chartier noted the proposed use of the subject property will be consistent with two other corners of the intersection, providing neighborhood scale commercial space.

Kirby Snider, owner of Key marketing LLC, made commented that his wife, Angie, and he own rental property in the community and are native Ottawans. Snider discussed his background, that he owns Blue Sky Liquor and would like to create a larger space for his business in order to provide sale of

grocery items once state legislation changes to allow sale of liquor and alcohol in grocery stores. Snider further mentioned that he selected the subject property because it is suitable for a neighborhood grocery store, and that his preliminary plan to develop the site will reduce the impacts upon neighbors, whom he has contacted. Snider also mentioned the number of persons he has employed, noting the project will increase employment by his business and increase investment in the community.

Member Bond asked if his intended use is a liquor store or convenience store. Snider responded that his current location does not have space for grocery items and that, if legislation changes, he will provide both liquor and groceries. Ms. Bond asked if he would also maintain operations at his current location and Snider responded he would not. Chairperson Jackson remarked that the Planning Commission is to consider all uses allowed in the proposed new zoning district, not just what the applicant intends.

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. Member Wasko asked if the two residential structures north of the subject property were occupied. Wynndee Lee responded that she did not believe the two houses are currently occupied. Member Livingston asked if the action will require a Traffic Impact Study. Ms. Lee responded that based on the preliminary development plan the applicant has provided, the size of the proposed building is not likely to require a traffic study but that issue will be examined further upon submittal of a site plan for the project.

**Member Wasko 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 Wasko, 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 C-1 Office and Service Business District to MU/RC Mixed Use Residential Commercial District at 109 W. 9<sup>th</sup> Street, seconded by Member Bond. The motion was considered and Member Bond, yes; Member Maxwell, yes; Member Wasko, 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, April 25, 2012 at noon and the next regularly scheduled Planning Commission meeting is Wednesday, May 9, 2012 at 7 p.m.

**Adjournment:** Member Wasko made a motion to adjourn. Chairperson Jackson adjourned the meeting at 7:19 p.m.

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