



CITY OF TOPEKA

TOPEKA PLANNING COMMISSION

C A S E M I N U T E S

Monday, February 20, 2017

6:00PM – Municipal Building, 214 SE 8th Street, 2nd floor Council Chambers

Members present: Katrina Ringler, Wiley Kannarr, Rosa Cavazos, Scott Gales, Brian Armstrong, Ariane Burson, Dennis Haugh, Patrick Woods (8)

Members Absent: Carole Jordan (1)

Staff Present: Bill Fiander, Planning Director; Dan Warner, Planner III; Mike Hall, Planner III; Annie Driver, Planner II; Kris Wagers, Office Specialist; Mary Feighny, Legal

ACZR17/01 Amending the Zoning Code / Matrix

On January 23, 2017 the Planning Commission conducted a public hearing to consider amendments to the zoning regulations regarding the conversion of the existing C-5 zoning to D-1 and an update of other sections of the zoning regulations. Upon closing the public hearing the Planning Commission moved to forward a recommendation of approval to the Governing Body with the exception of the sections listed below and any other minor modifications not presented:

18.200.090 (f) (2) Painted Exterior Wall Signs

18.200.090 (f) (4) Window Signs

18.200.0900 (f) (6) Monument Signs

18.210.050 (f) Cargo Containers

Mr. Hall reviewed the memo from Mr. Fiander to the Planning Commission and included as part of the agenda packet.

Regarding cargo containers, Mr. Gales asked what would happen if a cargo container needed to remain on site for a building project that lasted more than the allowed 180 days. Mr. Hall and Mr. Fiander clarified that after 180 days, they would be expected to remove the container, screen it, or move it somewhere not visible to the public.

Mr. Armstrong asked if the zoning amendments would include anything about raising the allowable fence height to 10' as requested in the letter from Electronic Guard Dog. Mr. Hall stated that staff feels they have not had sufficient time to research all the implications of this change so are not prepared to recommend it at this time. There was additional discussion, which included the fact that anything over 8' would require engineering plans and a structural review. Mr. Fiander point out that 8' is probably generous compared to what other cities allow. He added that there are 10' exceptions for some very specific uses, such as parks & rec uses, public utilities (substations), and schools.

Mr. Kannarr asked if there are a lot of requests for variances from 8' and Mr. Fiander stated that it is his perception that there are only occasional requests to go higher than 8' and they have to go through the Board of Zoning Appeals (BZA), which is a high bar. Nobody has gone to the BZA with a request in recent memory.

Mr. Kannarr invited the public to speak and Mr. Pate from EGD came forward to speak to the letter he wrote requesting the 8' limit be raised to 10'. Mr. Gales asked him if it's standard for them to put their electrified 10' fences inside a standard 8' fence and he stated that it's required by the standard they operate under.

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With no additional questions for Mr. Pate, he took his seat and nobody else came forward to speak.

Mr. Gales asked when this might be considered again and Mr. Fiander stated that it could perhaps be in the zoning code amendment package that would likely come before the commission in 2018 or 2019. He stated that he would not recommend doing a stand-alone amendment regarding the fence height.

With no further discussion, Mr. Woods made a **motion** to approve the zoning code amendments as recommended by staff. **Second** by Ms. Burson.

Mr. Fiander suggested including in the motion the revision to the text amendment in the cargo container section about removing, moving or screening the container after 180 days to come into compliance. Mr. Woods agreed to this as a friendly amendment.

Approval (8-0-0)