

ITEM NO. 8C AMENDMENTS TO DEVELOPMENT CODE; PLAN APPROVALS/EXTENSIONS (SMS)

TA-5-6-09: Consider Text Amendments to various sections of Chapter 20 of the Development Code to address implementation issues regarding Plan Approvals/Extensions.

ITEM NO. 8D AMENDMENTS TO DEVELOPMENT CODE; SITE PLAN NOTICE PROVISIONS (SMS)

TA-5-7-09: Consider Text Amendments to various sections of Chapter 20 of the Development Code to address implementation issues regarding Site Plan Notice provisions.

STAFF PRESENTATION

Ms. Sheila Stogsdill presented items 8C and 8D together.

Commissioner Rasmussen asked where the 200' notice came from.

Ms. Stogsdill said the Kansas State Statute requires 200' notice for all Planning Commission public hearing items and Board of Zoning Appeals.

Commissioner Hird felt the change in the notice provision was a good step forward. He asked if there had been any public comment received.

Ms. Stogsdill said Paul Werner sent an email today and specifically commented on the phrase regarding 'good cause shown' in section 20-1306(k)(i). He wondered why an applicant would need to provide justification for an extension. She said there needs to be some sort of limit on the approval so it is not indefinite.

Commissioner Finkeldei asked how long it takes to obtain a building permit.

Mr. McCullough said 90% of the time it takes 15 days for a non-residential building permits but they can take longer if Code requirements are not met.

Ms. Stogsdill said the date the City issues a building permit is a trigger that is used in many other facets of development.

Mr. McCullough said it is all about at what point the projects start vesting. The Code vests projects upon issuance of the building permit.

ACTION TAKEN ON ITEM 8C

Motioned by Commissioner Harris, seconded by Commissioner Hird, to forward a recommendation for approval of the proposed amendments [TA-5-6-09] to Sections 1304, 1305, 1306, 1307 and 1309 of Chapter 20, Land Development Code to the City Commission.

Unanimously approved 8-0, with Student Commissioner Shelton voting in the affirmative.

ACTION TAKEN ON ITEM 8D

Motioned by Commissioner Harris, seconded by Commissioner Hird, to forward a recommendation for approval of the proposed amendments [TA-5-7-09] to Section 1305 of Chapter 20, Land Development Code to the City Commission.

Unanimously approved 8-0, with Student Commissioner Shelton voting in the affirmative.