

Advance Plans Committee

Summary of Meeting
7:35 a.m., May 21, 2009

Attendance

Committee and MAPC Members: David Dennis, Darrell Downing, Bud Hentzen, Ron Marnell, Debra Miller Stevens, MS Mitchell, John McKay
MAPD staff: Scott Knebel, Stephen Banks, Dale Miller,
Other: Dale Churchman, Vicki Churchman, Larry Mong, Kenny Johnson

Discussion Summary

1. The Advance Plans Committee approved the minutes of the April 23, 2009 Committee meeting.
2. Scott Knebel reviewed the proposed South Central Neighborhood Residential Rezoning Map prepared by staff showing the revision to the area generally bounded by Wichita Street on the west, Lincoln on the south, Gilbert on the north and the alley west of Broadway from the originally proposed B zoning to MF-29. The rest of the map was the same as presented last time with a majority of the rezoning in the South Central Neighborhood going to SF-5.
3. Mr. Knebel introduced the notice of public hearing that will be sent out. There will be four different versions of the notice going out to property owners dependent upon the rezoning that will take place with their property. The four rezoning types are B to MF-29, MF-29 to SF-5, MF-29 to TF-3 and TF-3 to SF-5. There are about 2,800 properties, only about 2,500 letters will go out to 2,500 property owners as some people own more than one property. The notices will go out about June 8th.

The notice states that the current zoning stems from 1958 zoning that envisioned urban renewal using more multi-family redevelopment that never occurred. It also states that the rezoning will not prevent any legally permitted uses or create any nonconforming uses. A "Request for Exemption from Rezoning Form" is included and a schedule of meetings and their purpose is provided. The notice also explains how to send comments to the MAPC and how to file a written protest.

There is a database of all the properties involved which we have to have according to statute and in case we are asked by people so they can see their property legal description. Staff did discover that since the rezoning is a decrease in intensity, commonly referred to as a down zoning, and there are so many properties involved, that we do not have to send notices to adjoining property owners within a 1,000 foot radius.

4. A discussion ensued regarding a couple of properties. One was the old Safeway property that is currently zoned B. Mr. Knebel said that rezoning that property to LC would be consistent with previous practice if the owner requested it. The second question involved the Immanuel Baptist property that would be changed from MF-29

- to SF-5. Mr. Knebel said that churches are allowed by right in SF-5 including their parking lots.
5. Following the staff presentation and Committee discussion, the Committee unanimously passed a motion recommending that the MAPC initiate the rezoning map as revised and presented.
 6. The Committee then unanimously passed a motion recommending the public notice as presented.
 7. Scott Knebel said he would come to the MAPC on June 4th to request the public hearing on July 9th, 2009.
 8. Dale Miller reviewed the language changes to the new land use definition called “motor vehicle impoundment lot” requested by the Advanced Plans Committee at its last meeting and its distinction from the current “wrecking/salvage yard” definition. This new definition would become a category permitted by right in LI and GI zoning.
 9. A discussion ensued regarding routine and periodic sales and how this might affect police impound. There does seem to be a need to keep some reference to make sure vehicles are not kept indefinitely. This should not be too much of a problem since this type of operation does not make money by holding on to vehicles, but only as they move them out. While there should only be a handful of these businesses, they should be registered and classified as an impound lot versus a salvage lot.
 10. The Committee passed a motion recommending the zoning amendment as written.
 11. A discussion then ensued regarding the state of amendments to the Zoning Code being discussed with the County. Items being discussed with the County include vehicle storage in the County, who can issue tickets for zoning code violations, substituting the word contiguous in place of the word adjacent throughout the code, and use of the word “none” in agricultural zoning and another category.
 12. The meeting adjourned at 8:20 a.m.