



CITY OF
TOPEKA

A G E N D A

TOPEKA PLANNING COMMISSION

**MONDAY, NOVEMBER 20, 2023
6:00 P.M.**

**214 SE 8TH AVE.
CITY COUNCIL CHAMBERS
TOPEKA, KANSAS 66603**

MEETINGS ARE LIVESTREAMED AT WWW.TOPEKASPEAKS.ORG

Persons addressing the Planning Commission will be limited to four minutes of public address on a particular agenda item. Debate, questions/answer dialogue or discussion between Planning Commission members will not be counted towards the four minute time limitation. The Commission by affirmative vote of at least five members may extend the limitation an additional two minutes. The time limitation does not apply to the applicant's initial presentation.

Items on this agenda will be forwarded to the City Council for final consideration.

All information forwarded to the City Council can be accessed via the internet on Thursday prior to the City Council meeting at: <https://www.topeka.org/calendar>



ADA Notice: For special accommodations for this event, please contact the Planning Division at 785-368-3728 at least three working days in advance.

PUBLIC HEARING PROCEDURES

Public Hearings will occur in the following manner:

1. The Topeka Planning Staff will introduce each agenda item and present the staff report and recommendation. Commission members will then have an opportunity to ask questions of staff.
2. If the public hearing involves a rezoning or conditional use permit application, the Chairperson will call for a presentation by the applicant followed by questions from the Commission.
3. Chairperson will then open the public hearing. Each speaker must come to the podium and state his/her name. The time limit is 4 minutes. At the conclusion of each speaker's comments, the Commission will have the opportunity to ask questions.
4. The applicant will be given an opportunity to respond to the public comments.
5. Chairperson will close the public hearing at which time no further public comments will be received. Planning Commission members may inquire of the applicant or staff.
6. Chairperson will then call for a motion on the item. Upon a second to the motion, the Chairperson will call for a roll call vote. Commission members will vote yes, no, or abstain.

Your cooperation and attention to the above noted hearing procedure will ensure an orderly meeting and afford an opportunity for all to participate. Please Be Respectful! Each person's testimony is important regardless of his or her position. **All questions and comments shall be directed to the Chairperson from the podium and not to the applicant, staff or audience.**

Members of the Topeka Planning Commission

Corey Dehn, 2023 Chairperson
Willie Brooks
Jennifer Hannon
Del-Metrius Herron
Jim Kaup
William Naeger
Katy Nelson
Donna Rae Pearson
Jim Tobaben

Topeka Planning Staff

Rhiannon Friedman, Director, Planning & Development Dept.
Dan Warner, AICP, Director, Planning Division
Carlton Scroggins, AICP, Transportation Planning Manager
Mike Hall, Land Use Planning Manager
Annie Driver, Planner
Taylor Ricketts, Planner
Bryson Risley, Planner
William Sharp, Planner
Zoe Brown, Intern Planner
Megan Rodecap, Zoning Inspector
Amanda Tituana-Feijoo, Administrative Officer
Quinn Cole, Management Analyst



CITY OF
TOPEKA

TOPEKA PLANNING COMMISSION

Agenda for Monday, November 20, 2023

A. Roll call

B. Approval of Minutes – September 18, 2023

Recognition of Incoming Planning Commissioners

C. Declaration of Conflict of Interest/Ex Parte Communications by members of the commission or staff

D. Action Items

- 1. CU23/5 by Emilio Cuevas (School House Rentals LLC)** requesting a Conditional Use Permit on property located at 1610 NW Tyler, zoned “X-1” Mixed Use District, to allow for expansion of the existing multiple family residential development.
- 2. PUD23/7 by DreamMakers LLC,** requesting to amend the District Zoning Map on approximately 0.40 acres at 2900 SE Kentucky Ave from “O&I-2” Office and Institutional District to “PUD” Planned Unit Development to allow O&I-2 uses and automobile sales.

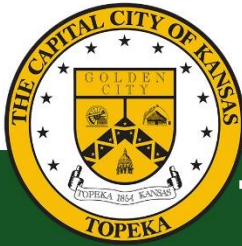
E. Discussion Items

- 1. Missing Middle/Accessory Dwelling Unit (ADU) Project Update**

F. Public Comment

G. Communications

H. Adjournment



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, September 18, 2023

6:00PM

Members present: Corey Dehn (2023 Chair), Del-Metrius Herron, Jim Kaup, William Naeger, Donna Rae Pearson, Jim Tobaben, Matt Werner (7)

Members Absent: Marc Fried (1)

Staff Present: Rhiannon Friedman, Planning & Development Director, Dan Warner, Planning Director; Mike Hall, Land Use Planning Manager; Bryson Risley Planner; Amanda Tituana-Feijoo, Administrative Officer; Mary Feighny, Legal

A. Roll Call –Chairman Corey Dehn called the meeting to order with 7 members present for a quorum.

B. Approval of Minutes from August 21, 2023

Motion by Commissioner Kaup to approve; **second** by Commissioner Pearson. **APPROVED 6-0-1.**

1. Recognition of Outgoing Planning Commissioners- Matt Werner and Marc Fried (absent)

C. Declaration of conflict of interest/ex parte communications - NA

D. Actions Items

Planning Commission By - Laws

City Attorney, Mary Feighny presented three different drafts to the commissioners.

Questions/Comments from Commissioners:

Referencing “Article V, Conduct of Meetings, Section 1- Parliamentary Authority”, Commissioner Kaup asked for clarification of the last sentence pertaining to the chairperson and the last decision. Ms. Feighny confirmed that the chairperson will make the final decision.

Commissioner Kaup also referenced “Section III, Article 5 - Public Comment, Paragraph B” when he asked for clarification from Ms. Feighny on whether there would be “public comment on remands”. Ms. Feighny stated although the decision to pull the clause was based on a previous conversation, she could restore the language if the commissioners wanted her to. Commissioner Kaup believes that a matter that is remanded should be limited to the information that was previously presented, and feels like new information might create an endless loop between the commission and City Council. Commissioner Kaup also stated, if the language is put back in and the commission is not taking testimony on the remand, then there is a sense of closure for the group.

Motion by Commissioner Kaup, **second** by Commissioner Pearson: **to restore lines 152-154 in draft two, which would not allow public comment on remands.**

Commissioner Naeger expressed his satisfaction with how clear either draft is, and feels that everyone will know what to expect.

Commissioner Dehn asked if the City Council could require the commissioners to take public comment

when a case is remanded back. Ms. Feighny was not sure of the answer, but ultimately told the commissioners that they would have to decide if they wanted to do what was requested of them.

Dan Warner, City of Topeka, asked for clarification if the motion was just to add the verbiage to draft two, or would it go into draft three as well. Mr. Feighny informed Mr. Warner that whatever draft they selected, then the language will appear.

Mike Hall, City of Topeka, asked when the staff introduces new information, and there is no public comment, if there would be a concern for due process. Ms. Feighny stated that there would not be any.

Motion Carried 6-0

Ms. Feighny stated the next issue was whether to allow public comment before or after the regular business.

Mr. Warner stated the staff's preference would be to run the meeting similar to the governing body with the comment after the action items. Director Friedman added that if public comment is held before the meeting, and then there are specific items that people have signed up to speak to then items might be covered twice.

Commissioner Naeger stated that he initially liked the idea of public comment before the meeting so that people could get on their way. With public comment having to be in writing, he feels comfortable with public comment being after the meeting.

Commissioner Kaup inquired about "Topeka Speaks" and if there was an option for general comments or non – agenda items. Director Friedman stated that she thought it would be possible to create an item for public comment where people could post comments.

Motion by Commissioner Naeger, **second** by Commissioner Pearson: **To adopt draft 3, which would have public comment after the meeting, as amended by the previous motion. Motion carried 6-0.**

E. Discussion Item

Presentation and Discussion: Update to the Holliday Park

Staff:

Bryson Risley led the discussion.

DREAMS I is part of the City of Topeka's Neighborhood Improvement Initiatives Program, and aligns with what was previously SORT or Stages of Resource Targeting. DREAMS I provides one Neighborhood Improvement Association \$1.7 million in infrastructure funds and \$330,000 in Housing rehabilitation funds through CDBG funds. DREAMS I is a three-year process with the first year being an update or creation of a Neighborhood Plan, with part of that plan including an implementation section that outlines how the \$1.7 M and \$330,000 will be spent. The second year the Engineering Department works on the design of these projects (2024) and in 2025 actual implementation with the ground work beginning.

Commissioner Pearson asked for clarification on the two historical districts located within Holliday Park. Mr. Risley confirmed that one is made up of six properties, located off the southwest corner of Fillmore between 10th and 11th Street. The other one is relatively large and centralized around the park.

Commissioner Dehn asked about the surrounding streets, and if it is possible to take the asphalt off to reuse the brick. Mr. Risley confirmed there are ways, but they are cost prohibitive. Commissioner Naeger asked for clarification of the cost and whether maintaining the streets was also included when removing the pavement. Mr. Risley confirmed that the price would not include maintenance.

Commissioner Pearson asked if there was a sidewalk project currently going on in the neighborhood. Mr. Risley stated that was correct.

F. Communications to the Commission

1. There will be no meeting in October.
2. There are three open seats for the Planning Commission, and applications are currently being taken until Friday, September 22, 2023.

With no further business appearing, the meeting adjourned at 7:45 PM.

**STAFF REPORT – CONDITIONAL USE PERMIT
TOPEKA PLANNING DEPARTMENT**

PLANNING COMMISSION DATE: Monday, November 20, 2023

APPLICATION CASE NUMBER / NAME:	CU23/05 By: Emilio Cuevas (Schoolhouse Rentals LLC)
REQUESTED ACTION / CURRENT ZONING:	A Conditional Use Permit (CUP) to allow for expansion of multiple family dwellings for five additional, four-unit apartment buildings added to the property for a maximum of 28 dwellings units.
APPLICANT / PROPERTY OWNER :	Emilio Cuevas (Schoolhouse Rentals LLC)
APPLICANT REPRESENTATIVE:	Bryan Falk, Falk Architects
PROPERTY LOCATION / PARCEL ID:	1610 NW Tyler Street
PARCEL SIZE:	2.25 acres
	Annie Driver, AICP, Planner II
RECOMMENDATION:	Based upon the findings and analysis in the staff report, Planning staff recommend APPROVAL , subject to the conditions listed in the staff report.
RECOMMENDED MOTION:	Based on the findings and analysis in the staff report I move to recommend APPROVAL to the Governing Body, subject to the conditions listed in the staff report.
PROPOSED USE / SUMMARY:	A maximum of 28 dwelling units at a residential density of 12 units per acre. 20 new units are proposed and may be built in phases. (Five buildings, each with four units per building). The existing structure contains 8 units and has remained on the property since 1998.
DEVELOPMENT / CASE HISTORY:	A low-rise (two-story) garden apartment complex (5,940 sq. ft.) containing eight dwelling units was constructed in 1998 under the previous "M-2" Multiple-Family zoning. The property was rezoned to the "X-1" Mixed Use District as part of the <u>North Topeka Neighborhood Plan</u> in 2000. The "X" Districts (created after the adoption of this plan) were intended to accommodate the existing pattern of low intensity industrial and commercial uses previously existing in the neighborhood and to support very limited expansion of legal non-conforming uses already in the neighborhood. The CUP is required because the additional five apartment buildings exceed the expansions that are allowed under the X-1 zoning.
ZONING OF SURROUNDING PROPERTIES:	North: "OS-1" Open Space District / Old Soldier Creek (Land owned by City of Topeka)

South: "X-1" Mixed Use District / Self Storage Facility, Truck Repair (Kansas Powertrain & Equipment)

West: "X-1" Mixed Use District / General contracting and outside storage, vehicle salvage yard and single family residence

East: "X-1" Mixed Use District / Service garage and truck repair , Old Soldier Creek/ Soldier Creek trail

PHOTOS:



View of Property from NW Tyler Street

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES

BUILDING SETBACKS:

The minimum building setbacks under the "X-1" Mixed Use District are as follows:

Building Setbacks:

- Front: 0 – 15 ft. **Compliant** (See below)- The existing front setback is deemed compliant.
- Side: 0 – 8 ft. (from property lines) **Compliant**
- Rear: 0- 25 ft. **Compliant**
- Minimum 10 ft. separation between buildings on the same lot (as noted)

The front yard setback of the existing building may have been reduced from its original platted setback to 0 ft. because of right-of-way dedication along Tyler. Under the provision of TMC 18.230.020 (e) public improvement projects), a front yard setback less than that required by the code caused by dedication of right of way from a public improvement project is deemed to be in accordance with the code.

DENSITY & DIMENSIONAL STANDARDS:

Density: 12 units per acre (28 units/2.25 acres) – 12.44 units per acre is **Compliant** because of rounding and the right-of-way acquisition.

Maximum Height: 40 ft. – Buildings are proposed as two story and less than 25 feet in height as height is defined by zoning code - **Compliant**

Maximum Building Coverage: **75 percent** – The east portion of the site is left as open space to accommodate stormwater detention.

OFF-STREET PARKING:

Residential dwellings in “X-1” Mixed Use District: Required off-street parking is one space per dwelling unit (28 total stalls required). The 19 existing, 24 proposed, and 25 future parking stalls provided on the plan are more than sufficient to satisfy the off-street parking standards for multiple-family in “X-1” zoning. Two bicycle racks are required by code.

Surfacing: The applicant proposes the use of the existing parking to accommodate all off-street parking needs associated with the use. New surface parking is proposed, as needed, and will comply with the applicable off-street parking surfacing standards. The condition of the existing parking is evaluated at the time of site development. If maintenance and repairs are needed, this will be done at such time per City surfacing policy. The commercial driveway approach will be improved to City standard with concrete.

LANDSCAPING:

A Landscape Plan satisfying requirements of TMC18.235 will be required at the time of Site Plan Review for each phase as each phase develops. Staff has made recommendation that landscaping be provided along the north property line, accommodating medium or large trees and ornamental shrubs or grasses screening the parking lot perimeter. A note has been added to the site plan requiring submittal of a landscape plan at the time of site plan review.

OUTDOOR LIGHTING:

The existing outdoor parking lot lighting should be depicted on future submittal of site plans. *Any outdoor lighting shall comply with TMC 18.235(b)(6) not exceed three foot-candles as measured at the property line, shall be downward directed, and the source of illumination not be visible from adjacent properties or the public right-of-way.*

SIGNAGE:

There is currently no signage identifying the apartments. If proposed, signage is subject to “X-1” standards and require separate sign permit submittal.

COMPREHENSIVE PLAN:

“Medium Low Intensity” – North Topeka West Neighborhood Plan.

OTHER FACTORS

SUBDIVISION PLAT:

The subject property is platted as Lot 2, Block A, Cuevas Subdivision.

**FLOOD HAZARDS, STREAM
BUFFERS:**

A stream buffer off-site covers the Old Soldier Creek Channel to the east of this property. The site lies in Zone X Area of Minimum Flooding, which are areas covered by the levee protection.

UTILITIES:

The existing building is connected to the existing City sewer and water mains. New connections to, or required extensions of, these mains to accommodate the new units will be made by the developer at the time of site development.

A Stormwater Management Plan will be submitted at the time of the Site Plan Review Application. Water quality and quantity controls for storm water runoff will be reviewed at such time based on the runoff generated by the increase in impervious surface.

TRANSPORTATION/TRAFFIC:

All ingress to the site from an existing driveway off of SW Tyler. SW Tyler Street is currently under reconstruction and has ample capacity for traffic increase attributed to the minimal increase in units, up to a maximum of 28 units..

Traffic Engineering conditionally approved the proposal. Issues identified and will be addressed are as follows: 1. Bicycle racks will be added; 2. Provide private sidewalk connection to public shared use path along SW Tyler; 3. Improving commercial approach on Tyler to City standard.

HISTORIC PROPERTIES:

There are no listed historic properties or districts within proximity to the site.

NEIGHBORHOOD INFORMATION MEETING:

The applicant conducted a Neighborhood Information Meeting on Wednesday, October 25, 2023 at Papan's Landing Senior Center, 619 NW Paramore. Two neighbors attended the meeting and did not express any significant concerns directly related to this project. An email from the applicant is attached. Staff has not received any other public comments relative to the CUP.

FIRE:

Compliance with the City of Topeka's Life Safety Code will be required for all. A second fire hydrant may be required at the time of Development of the future phases due to dead-end length.

DEVELOPMENT SERVICES:

All permits, including submittal of civil plans and stormwater management plans associated with the project, will be provided to the City at the time of Site Plan Review application and prior to Building Permits.

KEY DATES

APPLICATION SUBMITTAL:

September 26, 2023

NEIGHBORHOOD INFORMATION MEETING:

October 24, 2023

LEGAL NOTICE PUBLICATION:

October 24, 2023

ADJOINING PROPERTY OWNER NOTICES MAILED:

October 27, 2023

STAFF ANALYSIS

EVALUATION CRITERIA: In considering an application for a Conditional Use Permit, the Planning Commission and Governing Body will make findings and conclusions regarding the following pursuant to Topeka Municipal Code Section 18.245.020 (b)(3)(ix) in order to protect the integrity and character of the zoning district in which the proposed use is

located and to minimize adverse effects on surrounding properties and neighborhood. In addition, all Conditional Use Permit applications are evaluated in accordance with the standards established in the Section 18.215.030 for land use compatibility, site development, operating characteristics, and consistency with the Comprehensive Plan. The proposed CUP satisfies these standards of evaluation.

1. **The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies:** The proposed multiple family residential development is consistent with the applicable neighborhood plan. The subject property is located within an area designated on the Future Land Use Plan in the North Topeka West Neighborhood Plan as "Mixed Use Low Intensity". The designation is intended to support "a balance of compatible residential, office, civic, and neighborhood commercial retail/service uses of low to moderate intensity that complement . . . dense neighborhood residential areas and pedestrian usage with quality urban and pedestrian design." Additionally, locating higher density in proximity to higher traffic corridors and improving housing stock are guiding principles of the North Topeka West Neighborhood Plan, and the proposed residential development is consistent with these principles.
2. **The character of the neighborhood including but not limited to: land use, zoning, density, architectural style, building materials, height, structural mass, siting, open space and floor-to area ratio:** As proposed, the five vinyl-clad, two-story, apartment buildings, each containing four apartments, will be similar in building materials, height, mass, and siting to the existing structure to remain on the property. The narrow, linear property allows the placement of the buildings to the middle and rear of the property, clustering them around the central parking lot, which places them near the middle of the property and farther from the frontage of NW Tyler. This offsets any perceived negative impact on nearby properties because siting them to middle makes the buildings less visible from the roadway and, thereby, having less visual impact on adjacent properties. The medium density residential land use provides a suitable transition between the existing light industrial uses and open space/residential uses in the neighborhood. The site plan for the CUP includes a note to ensure construction is consistent with those elevations that were submitted.
3. **The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses:** The zoning classification of the subject property is not changing from the "X-1" Mixed Use District. The surrounding area is zoned X-1 Mixed Use District, OS-1 Open Space District and I-1 Light Industrial District. The base zoning of X-1 will remain and the total density of the apartments satisfies the maximum residential density allotted under X-1 zoning (12 units per acre). The existing legally non-conforming use of apartments have remained on the subject site since 1998. The CUP enables additional apartments, thereby allowing for significant improvements to be made to the property and buildings. The proposed use is a suitable land use lying between low intensity industrial and open space. All dimensional standards of the X-1 zoning will remain in effect or will otherwise be more stringent under the approved CUP.
4. **The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations:** The subject property is still suitable as currently zoned for X-1. A broad variety of land uses are permitted under X-1 zoning. The site would likely be suitable for some of those permitted uses were it not for the existing eight unit apartment building on the site. The proposed medium density residential use is an appropriate transition between the light industrial to the south and west and open space and light industrial to the north.
5. **The length of time the property has remained vacant as zoned:** The subject property has been zoned for the "X-1" Mixed Use District since the 2000 rezoning to implement the neighborhood plans. Prior to that, the property was zoned "M-2" Multiple Family Dwelling District. The existing eight unit apartment building was constructed in 1998 and, because it was not approved by a conditional use permit, rendered a legal non-conforming use by the City of Topeka when the zoning was changed to the "X-1" zoning in 2000.
6. **The extent to which the approval of the application would detrimentally affect nearby properties:**

Little or no detrimental effects upon nearby properties is anticipated since the residential use is less intense in nature than the commercial light industrial uses on surrounding properties. Approval of the CUP will allow the owner to make improvements to the property not presently allowed under the current zoning. SW Tyler Street has been improved to public standard and includes the construction of a shared use bike path adjacent to the property.

7. **The extent to which the proposed use would substantially harm the value of nearby properties:** There should be no significant harm upon the value of nearby properties by allowing the expansion. The development allowed by the CUP is of lesser negative impact than the commercial and light industrial uses on surrounding properties. The proposed CUP gives the owner the ability to expand the multi-family dwellings, which ultimately improves the value of the subject property.
8. **The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property:** The existing road network is sufficient to accommodate the proposed 28 residential multiple family units. A recent road project resurfaced and widened SW Tyler and added a bicycle path adjacent to the property as well as a private sidewalk connection to the shared use path along Tyler. There is adequate space on the property to accommodate off-street parking as depicted conceptually on the plan.
9. **The extent to which the proposed use would create excessive air pollution, water pollution, noise pollution or other environmental harm:** The developer will be required to provide all associated civil, landscape, utility and stormwater management plans prior to the issuance and approval of Building Permits for approval by City staff. Stormwater management plans are required to detain runoff to the pre-developed condition and treat water runoff so that there is not a negative impact on adjacent properties. The proposed residential use is not likely to generate discernible air pollution or increases in noise. The project will be subject to all local and state requirements at the time of building and site development.
10. **The economic impact of the proposed use on the community:** The proposed use supports the expansion of missing middle housing in North Topeka, it allows rehabilitation of the existing apartments, and it supports a connection with the shared use path along Tyler.
11. **The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application:** There is no apparent gain to the public, health, safety and welfare by denial of the application as the use has remained on the property since for over two decades in its current state and the expansion is not likely to generate any substantial negative effects. The CUP will allow the owner to make significant investments in the property, thereby, raising the property value and potentially improving the value of surrounding properties. The hardship imposed on the landowner through the denial would be the inability for him to invest in the property by increasing dwelling units under the current zoning, other than maintenance and repairs to the existing 8-unit apartment.

RECOMMENDATION: Based on the above findings and analysis, Planning Staff recommends approval of the Conditional Use Permit subject to the conditions listed below.

RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body approval of the Conditional Use Permit subject to the conditions listed below:

1. Subject to Statement of Operations, Site Plan, and Building Elevations included with the application.
2. Adding note: *"The front property line as depicted on the CUP is an approximation and the actual boundaries will be surveyed at the time of site plan review application."*
3. Numbering all notes on the CUP plan..

4. Removing Landscape Point Analysis from the plan. The exact points will be addressed with site plan review to include residential buffer and street tree requirements in addition to all required points and is already addressed in the existing note on CUP plan.
5. Removing the pedestrian path to the north from the CUP plan as upon further review the pedestrian path should be a suggestion and not a requirement because its placement on the plan is too specific for this stage of review. See condition 6a.
6. Revising and numbering note at bottom of page about pedestrian path to state:
 - a. Adding note: *"The property owner shall construct a private sidewalk connection with the public shared use path along NW Tyler at the time of site development. The pedestrian path to the north is optional."*

Exhibits:

CUP Site Plan
Aerial Map
Zoning Map
Future Land Use Map
Neighborhood Information Meeting Note

SITE PLAN LEGEND

	EXISTING PROPERTY LINES
	SETBACK LINES
	SEWER
	EXISTING IMPROVEMENTS
	NEW IMPROVEMENTS
	FUTURE PROPOSED IMPROVEMENTS
	2.5" CALIPER TREE - SPECIES TBD

NOTES:
AN EXISTING BUILDING OF SIMILAR OCCUPANCY IS LOCATED ON THE WESTERN PORTION OF PROPERTY.

AN EXISTING DRIVEWAY THAT COMPLIES WITH TMC STANDARDS IS IN PLACE ON THE WESTERN EDGE OF THE PROPERTY.

SITE IS APPROXIMATELY 2.25 ACRES WITH A DESIGNED IMPERVIOUS ZONE OF 29,030 SF AND A FUTURE PHASE ADDITIONAL IMPERVIOUS ZONE OF 16,000 SF

LANDSCAPING WILL MEET LANDSCAPING POINT MINIMUMS.

ALL WORK IN THE PUBLIC R/W SHALL MEET THE CITY OF TOPEKA STANDARD SPECIFICATIONS.

IMPROVED SITE WILL CONSIST OF 29,030 SF OF IMPERVIOUS AREA. THEREFORE, OWNER WILL NEED STORMWATER MANAGEMENT UNDER TMC 12.35.010/020.

CONTRACTOR SHALL COORDINATE WITH THE APPLICABLE CITY OF TOPEKA UTILITIES DEPARTMENTS TO PERMIT AND INSTALL WATER AND SANITARY SEWER SERVICE LINES.

CONTRACTOR TO PROVIDE EROSION AND SEDIMENT CONTROL IN ACCORDANCE WITH TMC 13.30.060, ALONG WITH ANY OTHER LOCAL, STATE AND FEDERAL REQUIREMENTS.

PROJECT IS OVER 3,000 SF, THUS REQUIRING A SITE CONSTRUCTION ACTIVITY PERMIT.

OWNER IS USING A DUMPSTER LOCATED IN MIDDLE OF NORTHERN EDGE OF PARKING LOT.

BUILDING DESIGN IS SUBJECT TO REVIEW AND APPROVAL BY CITY STAFF IN CONSIDERATION OF THE BUILDING DESIGN STANDARDS IN TMC 18.275, THE APPLICABLE NEIGHBORHOOD PLAN, AND NEIGHBORHOOD CONTEXT.

CITY OF TOPEKA -PUBLIC SANITARY SEWER AND WATER SHALL BE PROVIDED WITH ALL CONNECTIONS BEING MADE AT THE EXPENSE OF THE DEVELOPER.

A LANDSCAPE PLAN FOR THE PROPERTY SHALL BE SUBMITTED AT THE TIME OF THE SITE PLAN REVIEW PURSUANT TO TMC 18.235 THAT ADDRESSES ALL OF THE REQUIRED POINTS, SPECIES, AND QUANTITIES OF ALL LANDSCAPING, INCLUDING SUBSTANTIALLY ADDRESSING THE REQUIRED 6' WIDE RESIDENTIAL ZONE BUFFER ALONG THE NORTH PROPERTY LINE. THIS LANDSCAPE PLAN SHALL BE DESIGNED BY A QUALIFIED PROFESSIONAL AND REFLECT THE COMMONLY ACCEPTED OPTED (CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN) PRACTICES.

APPROVAL OF ALL PERMITS FROM CITY OF TOPEKA DEVELOPMENT SERVICES IS REQUIRED, INCLUDING BUT NOT LIMITED TO BUILDING, FENCE, SIGN, SITE CONSTRUCTION, ACTIVITY, AND PARKING LOT PERMITS, INCLUDING ANY REQUIRED EROSION AND SEDIMENT CONTROL AND DEMOLITION PLANS.

THE CITY OF TOPEKA STANDARDS FOR SURFACES OF PARKING AND OUTDOOR STORAGE AREAS APPLY FOR THE HARD SURFACING OF ALL PRIVATE OFF - STREET PARKING AREA, FIRE LANES, AND ACCESS DRIVES.

ALL WORK IN PUBLIC RIGHT-OF-WAY OR OTHERWISE ON CITY PROPERTY SHALL BE CONSTRUCTED TO CITY OF TOPEKA STANDARD TECHNICAL SPECIFICATIONS.

UNLESS STATED OTHERWISE HEREIN, THE BASE ZONING USE GROUP AND DIMENSIONAL STANDARDS OF THE "X-1" MIXED USE DISTRICTS SHALL APPLY.

CURRENT USE: EIGHT UNIT APARTMENT BUILDING ON WESTERN SIDE OF PROPERTY

STATEMENT OF OPERATIONS: A CONDITIONAL USE PERMIT TO ALLOW THE EXPANSION OF THE EXISTING EIGHT UNIT APARTMENT COMPLEX FOR A TOTAL OF 28 DWELLING UNITS ON THE PROPERTY (20 NEW UNITS WHICH MAY BE COMPLETED IN PHASES

NEW SIGNAGE SHALL COMPLY WITH TMC 18.10 SIGN CODE

NO BUILDING PERMIT(S) FOR ANY PHASED SHALL BE ISSUED UNTIL ALL STORMWATER MANAGEMENT REQUIREMENTS SET FORTH IN THE TOPEKA MUNICIPAL CODE (TMC) ARE MET: INCLUDING APPROVAL OF STORMWATER MANAGEMENT PLAN, GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT, DRAINAGE OR STREAM BUFFER EASEMENTS, AND CONSTRUCTION AND INSPECTION OF ALL STORMWATER MANAGEMENT OF ALL STORMWATER MANAGEMENT FACILITIES CONTAINED IN THE APPROVED STORMWATER MANAGEMENT PLAN FOR EACH PHASE AS APPLICABLE.

CONSTRUCTION SHALL BE CONSISTANT WITH BUILDING ELEVATIONS SUBMITTED AS PART OF THE CONDITIONAL USE PERMIT, WHICH ALLOWS SOME VARIATIONS TO BE APPROVED ADMINISTRATIVELY BY THE PLANNING DEPARTMENT AT THE SITE PLAN REVIEW OR BUILDING PERMIT PHASES.

OWNER SHALL CONSTRUCT AT TIME OF SITE DEVELOPEMNTN PHASE 1, A PATHWAY CONNECTING THE SITE TO THE NORTH PROPERTY LINE TO PROVIDE A CONNECTION THE SHARED USE PATH AT WADDELL TRAIL CONNECTION BEING CONSTRUCTED ALONG THE NORTH SIDE THE NORTH SIDE OF THE PROPERTY AND CONNECTING WITH THE SOLDIER CREEK TRAIL SYSTEM.

LANDSCAPING POINT ANALYSIS:

182 LANDSCAPING POINTS REQUIRED.

(17) 2.5" CALIPER TREE - 187 POINTS

TOTAL POINTS PROVIDED: 187 POINTS

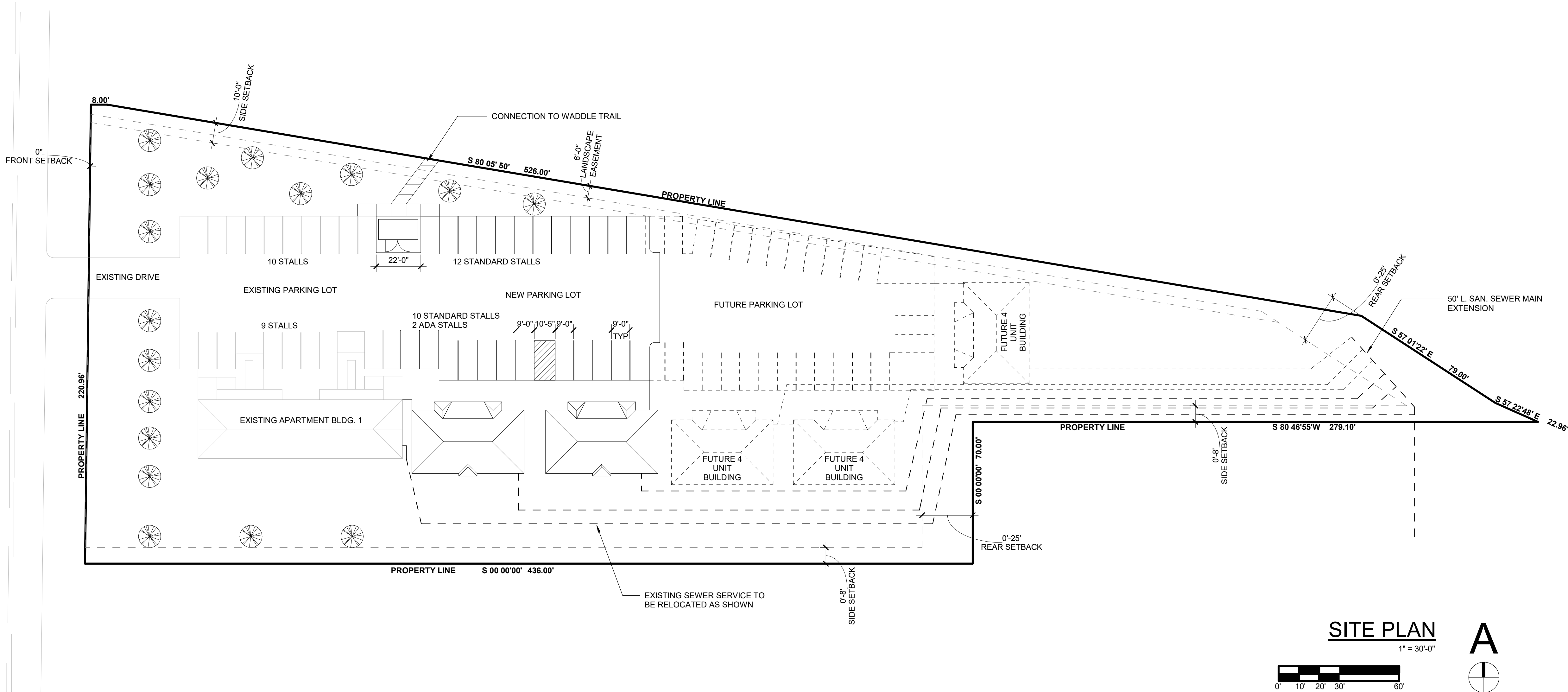
NOTE: EXACT LANDSCAPING PLANS TO BE DETERMINED AT LATER SUBMISSION, LANDSCAPING WILL MEET REQUIRED POINTS. CURRENT LANDSCAPING IS CONCEPTUAL ONLY.

X-1 MIXED USE DISTRICT DIMENSIONAL AND SETBACK STANDARDS:

MAXIMUM BUILDING HEIGHT:
SETBACKS:
FRONT: 0'-0"
SIDE: 10'-0"
REAR: 25'-0"
10'-0" SEPERATION BETWEEN BUILDINGS ON THE SAME LOT



SITE AERIAL CONTEXT



CUP
DATE: 10-23-2023
2021-014

EMILIO CUEVAS QUADPLEXES
1610 NW TYLER ST, TOPEKA KS, 66608

DRAWINGS NOT FOR CONSTRUCTION UNLESS PROFESSIONAL STAMP, SIGNATURE & DATE IS PROVIDED.

DRAWN BY: JES
CHECKED BY: BJF

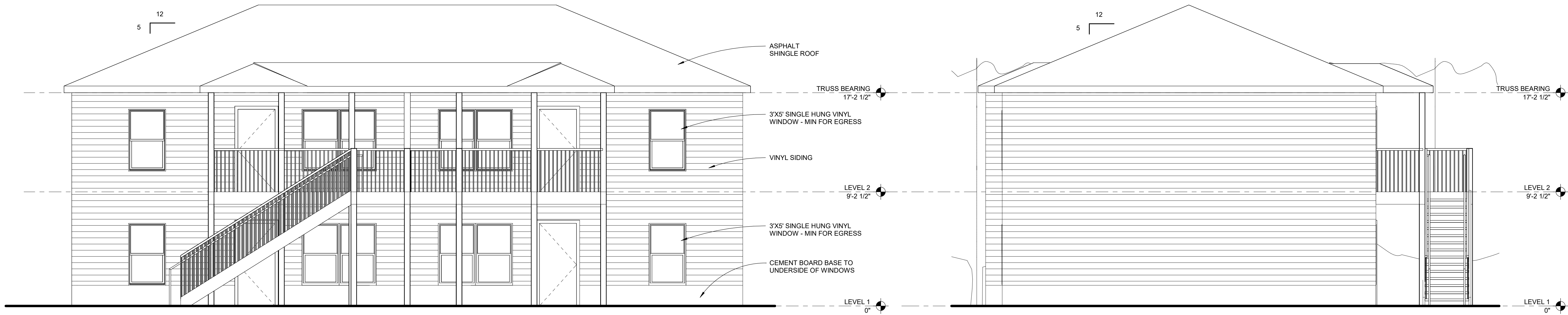
FALK ARCHITECTS
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A100

SITE PLAN

FALK ARCHITECTS INC

DATE PRINTED: 10/23/2023 11:29:07 AM
FILE PATH: C:\Users\js\AppData\Local\Temp\G:\wag62awA\p\p\m84H\Z\OH\2023 Projects\2023 Contracted Projects\2023-075 Emilio Cuevas Apartment CUP\old project notes and files\Rev\1021-014 Emilio Cuevas Quadplexes.vt



NORTH
1/4" = 1'-0" D

EAST
1/4" = 1'-0" C

SOUTH
1/4" = 1'-0" B

WEST
1/4" = 1'-0" A

CUP
DATE: 10-23-2023
2021-014

EMILIO CUEVAS QUADPLEXES
1610 NW TYLER ST, TOPEKA KS, 66608

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CONSTRUCTION UNLESS
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CHECKED BY: BJF

FALK
ARCHITECTS
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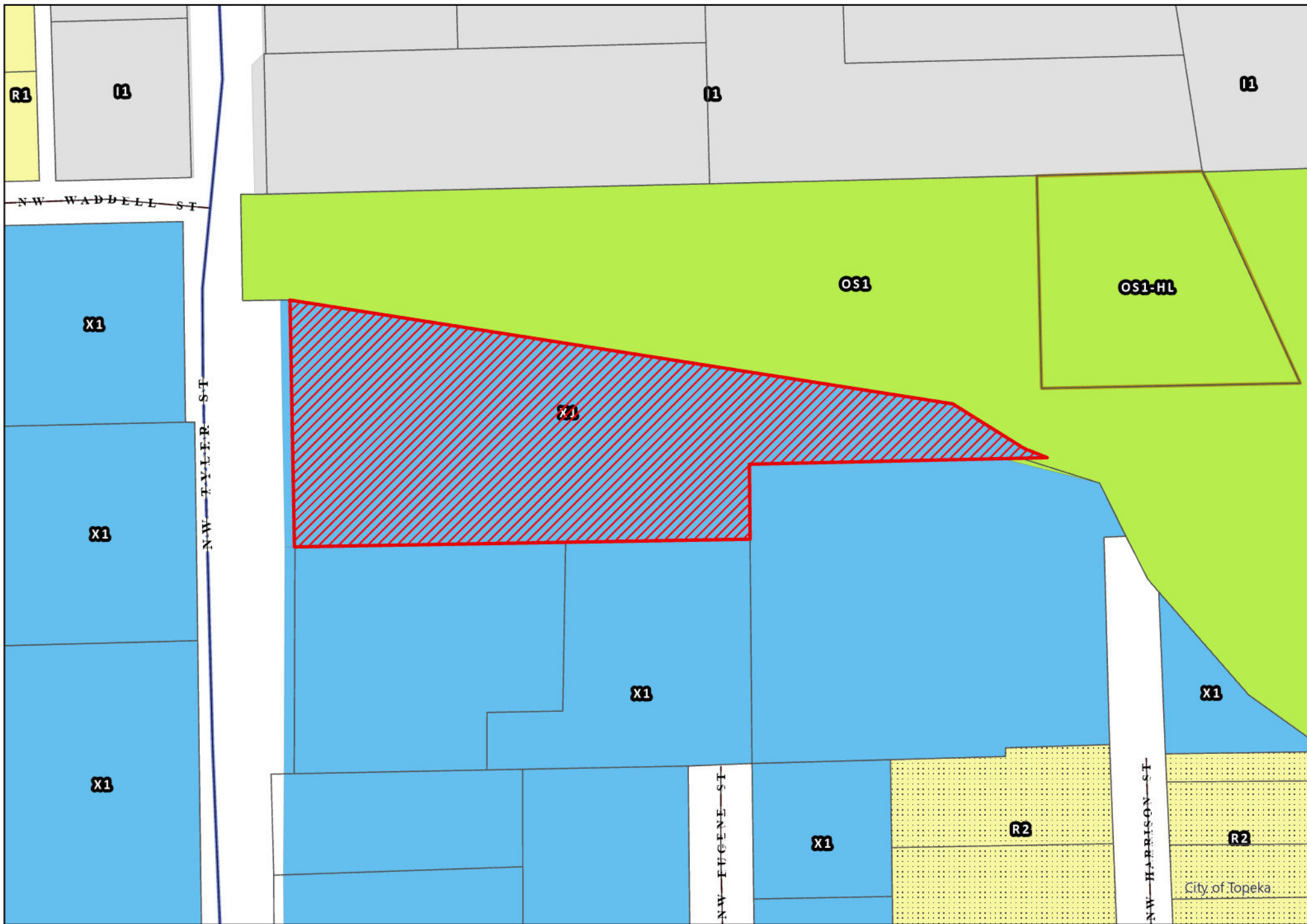
ELEVATIONS

FALK ARCHITECTS INC



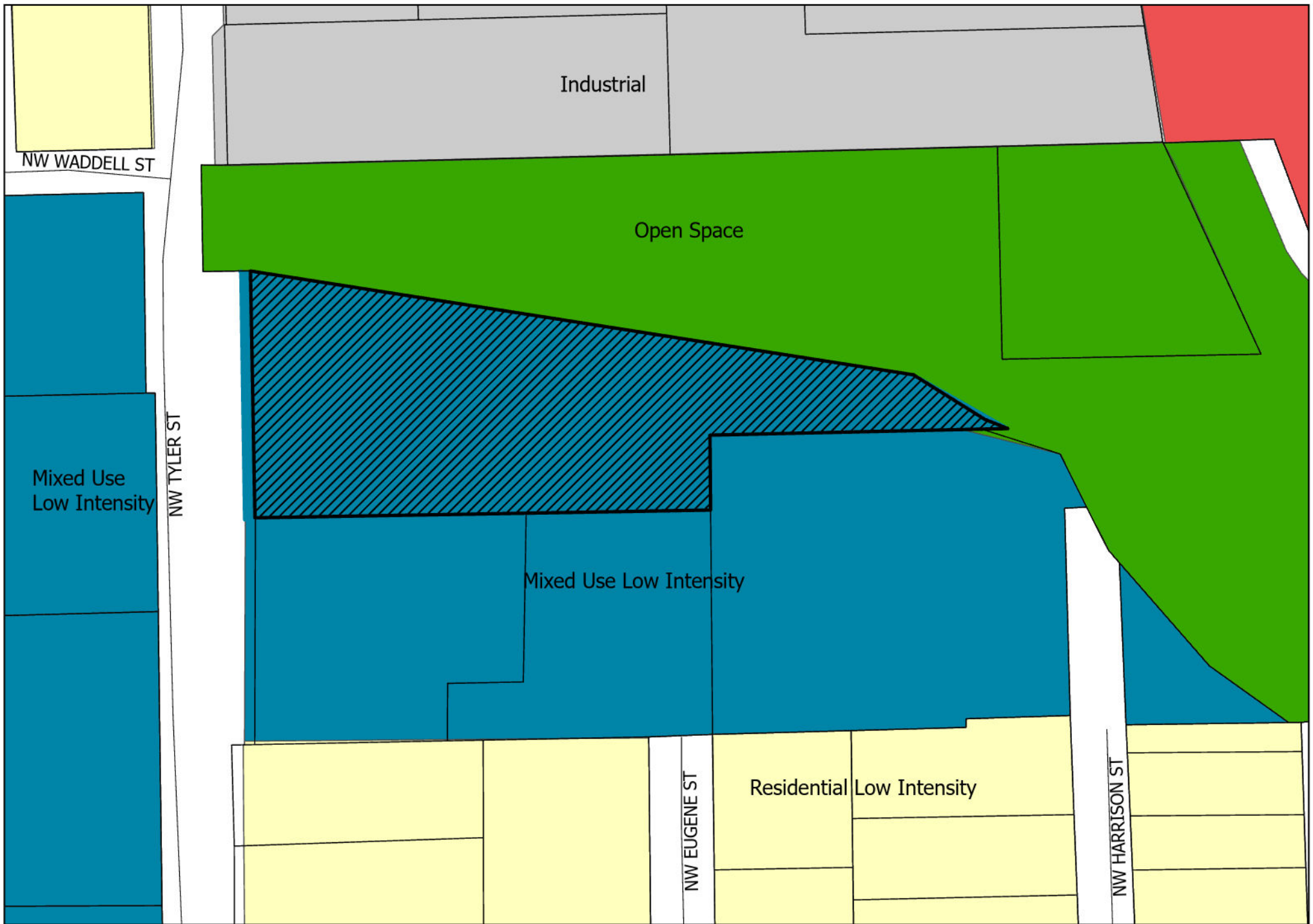
CU23/05 By: Emilio Cuevas (Schoolhouse Rentals LLC)





CU23/05 By: Emilio Cuevas (Schoolhouse Rentals LLC)





CU23/05 By: Schoolhouse Rentals LLC (Emilio Cuevas)

North Topeka West -
Future Land Use Map



From: Bryan Falk <bryan@falk-architects.com>
Sent: Thursday, October 26, 2023 11:39 AM
To: Annie Driver; John Sampson
Subject: Re: Last Night's Meeting

This message originated from outside your organization

Annie,

My summary is:

Two neighbors attended the meeting. One voiced his concerns that the City had treated him unfairly about his addition project a few years ago and warned the Owner about this. The second neighbor did not necessarily support the project but he did not object either. He was really just there to listen.

Let me know if you need anything further from me.

Thanks,

Bryan Falk, AIA - NCARB - LEED AP

Architect, *licensed in KS, MO, CO & NE*

Falk Architects, Inc

827 N. Kansas Avenue

Topeka, Kansas 66608

785-691-9958 (cell)

785-338-4920, extension #700 (office)

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On Thu, Oct 26, 2023 at 11:03 AM Annie Driver <adriver@topeka.org> wrote:

Bryan,

When you get around to this please go ahead and send your summary of the meeting.

Thanks,

Annie Driver, AICP

Planner II

Planning & Development Dept.

City of Topeka

785-368-3010

**STAFF REPORT – PLANNED UNIT DEVELOPMENT
TOPEKA PLANNING AND DEVELOPMENT DEPARTMENT**

PLANNING COMMISSION DATE: Monday, November 20, 2023

**APPLICATION
INFORMATION**

**APPLICATION CASE
NUMBER/NAME:**

PUD23/07 by DreamMakers LLC

**REQUESTED ACTION /
CURRENT ZONING:**

Rezoning from “O&I-2” Office and Institutional District to “PUD” Planned Unit Development to allow “O&I-2” uses and automobile sales.

Applications for PUD zoning typically include a master plan. As is allowed under TMC 18.190.050 (PUD procedures) the requirement for a master plan is waived in this case because the conditions and restrictions of the PUD can be adequately included in the ordinance reclassifying the property.

PROPERTY OWNER:

DreamMakers Real Estate Pros LLC

APPLICANT REPRESENTATIVE:

Anthony Griffin

CASE PLANNER:

William Sharp, Planner I

PROPERTY ADDRESS:

2900 SSE Kentucky Avenue – PID: 1341702001002000

PARCEL SIZE(S):

0.40 acre

PHOTOS:



Corner of SE 29th St & Se Kentucky Ave



View looking east from northwest corner of property.

RECOMMENDATION:

Staff recommends approval of the application to rezone the property from “O&I-2” Office and Institutional District to “PUD” Planned Unit Development allowing O&I-2 uses and automobile sales subject to conditions described in the staff report.

The recommended zoning limits land use to what is permitted by O&I-2 zoning and automobile sales. The recommended PUD zoning includes restrictions regarding auto sales.

RECOMMENDED MOTION:

Motion to approve rezoning of the property located at 2900 SE Kentucky Avenue FROM “O&I-2” Office and Institutional District TO “PUD” Planned Unit Development with an “O&I-2” use group and operation of automobile sales subject to conditions as described in the staff’s report.

**PROJECT AND SITE
INFORMATION**

PROPOSED USE / SUMMARY:

Applicant proposes to utilize no more than five of the existing off-street parking spaces for the display of automobiles for sale. Applicant proposes to install a 5’ high ornamental black aluminum fence around the site for security.

The State of Kansas requires those seeking an auto dealer’s license to obtain zoning verification from the local zoning authority. The City of Topeka cannot provide that verification under the site’s current O&I-2 zoning because “automobile sales and service” is prohibited on property zoned O&I-2. (TMC 18.60.010)

Rezoning as a PUD is necessary to restrict the permitted land uses to those that are compatible with the surrounding neighborhood. While some land uses within higher intensity zoning designations may be compatible with low density residential surroundings, others are not. Rezoning the property as a PUD provides for the option to restrict land uses such that the applicant can make use of compatible land uses while protecting the interest of surrounding land owners and residents from potentially incompatible land uses.

DEVELOPMENT / CASE HISTORY:

The property was annexed into the City of Topeka in 1959, the principal structure on the property was constructed in 1970 as the Highland Park State Bank with drive-in. In the following years the use of the building has largely remained the same as other businesses have utilized the building for accounting and tax services and insurance offices. The property's initial rezoning in the early 1960s was denied twice but was eventually rezoned from "A" single-family dwelling district to "E" Multiple-Family Dwelling District. "E" Multiple-Family Dwelling District converted to M-3 Multiple-Family Dwelling District, which allowed O&I-2 uses at the time of conversion.

ZONING AND CHARACTER OF SURROUNDING PROPERTIES:

North: "R-2" Single Family Dwelling District – Single-family neighborhood

East: "C-2" Commercial District – Convenience store

South: "M-3" Multiple-Family Dwelling District – Three-story garden apartment complex

West: "R-1" Single Family Dwelling District - Single Family Neighborhood

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES

USE STANDARDS AND DIMENSIONAL STANDARDS:

City of Topeka O&I-2 use, density, and dimensional standards will apply except as noted in the conditions of this PUD. Conditions of the PUD include restrictions on the quantity of cars displayed for sale (5 maximum); the size of vehicles displayed for sale; temporary signs; and fencing. Auto repair on site is prohibited. Cars related to the auto repair use must be in operable condition and registered.

The PUD zoning allows owner to use the property as intended without the risk of future development into a potentially incompatible commercial use.

PARKING AND ACCESS:

Off-street parking requirements are determined by land use and not the zoning classification. (TMC 19.240)

Total available parking spaces: 12

Parking for display of autos for sale: 5

Remaining spaces: 7

Required spaces: 5

DESIGN STANDARDS:

N/A (No substantial exterior changes to the building are proposed.)

LANDSCAPING:

Landscaping requirements will apply for expansion and new construction on site (TMC 18.235).

SIGNAGE:

Signage will be required to comply with the Sign Code (TMC18.10). Feather signs, balloons as defined by the Topeka sign regulations (section 18.10.170), and streamers and similar attention-getting devices are not permitted.

LIGHTING & SOUND:

Any exterior lighting installations shall not have a negative impact on traffic safety or the surrounding properties. Any new outdoor light shall not exceed a level of 3 foot-candles at the property line.

VARIANCES REQUESTED:

None requested.

OTHER FACTORS

SUBDIVISION PLAT:

Shawnee Highlands Subdivision

UTILITIES:

Public sanitary sewer and water connections are readily available.

**FLOOD HAZARDS, STREAM
BUFFERS:**

None

HISTORIC PROPERTIES:

None

NEIGHBORHOOD PLAN:

Located in the Highland Crest neighborhood and is subject to the 2015 Hi-Crest Neighborhood Plan.

**NEIGHBORHOOD INFORMATION
MEETING:**

The applicant conducted a Neighborhood Information meeting in person at the subject property at 2900 SE Kentucky Ave on November 1, 2023. Owners of properties within 300 feet of the property were invited to the meeting. No one attended other than the applicant and Planning staff.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

Public Works /Engineering:	No issues identified regarding traffic or engineering.
Water Pollution Control:	No issues identified regarding rezoning.
Fire Department:	No issues identified regarding rezoning. Fire Department has provided general comments and conditions applicable to site development.
Development Services:	No issues identified regarding rezoning. Permits will be required.

KEY DATES

SUBMITTAL:	October 4, 2023
LEGAL NOTICE PUBLICATION:	October 30, 2023
PROPERTY OWNER NOTICE MAILED:	October 27, 2023

STAFF ANALYSIS

Planning staff have reviewed the zoning application relative to the required findings and conclusions in Topeka Municipal Code Section 18.245 (Findings and conclusions reflect the “golden factors” per Donald Golden v. City of Overland Park, 1978 Kansas Supreme Court) as is required for applications for rezoning.

CHARACTER OF THE NEIGHBORHOOD: The surrounding neighborhood is characterized by small to medium-sized detached single family homes to the north and west. A convenience store borders the property to the east sitting on the corner of SE 29th St and SE Indiana Ave. A three-story, 24-unit apartment building built in 1972 is directly to the south. The subject property is located in the Hi-Crest neighborhood with the Central Highland Park neighborhood just to the north across 29th St. The limitations and requirements of the PUD zoning will help to prevent nuisances and maintain the character of the surrounding neighborhood.

ZONING AND USE OF NEARBY PROPERTIES: The properties to the north are zoned “R-2” Single-Family Dwelling District and with single-family residential being the predominant land use, although there is an auto repair use at the northwest corner of SE 29th and Indiana Avenue that does not conform to the R-2 zoning. Like the north, lands to the west are zoned “R-1” Single-Family Dwelling District and single-family residential use predominates. To the south is an apartment building zoned “M-3” Multiple-Family Dwelling District on its northern half and “M-2 Multiple-Family Dwelling District on its southern portion. To the east is a convenience store zoned “C-2” Commercial District.

LENGTH OF TIME THE PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER THE PRESENT CLASSIFICATION: The subject property received its current zoning designation in 1964. The property had been originally classified as “E” Multiple Dwelling District to allow use for a savings and loan branch office. The property has kept its office use and character with the site being used for a bank and insurance offices during its history. The property later converted to its current zoning of “O&I-2” Office and Institutional District.

SUITABILITY OF USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED: The property is suitable for uses permitted under its current O&I-2 zoning, but the zoning does not allow the owner to sell cars and light trucks at this location. The current zoning allows for a limited range of nonresidential and noncommercial uses such as general purpose office, professional, or administrative operations. The property has appeared to stay within this office land use since its existence.

CONFORMANCE TO THE COMPREHENSIVE PLAN: The subject property is located in the Hi-Crest neighborhood and is subject to the 2015 Hi-Crest Neighborhood Plan. The neighborhood plan’s Future Land Use Map designates the subject property as “Commercial - Neighborhood.” The neighborhood plan indicates C-2 as an appropriate zoning classification, but automobile sales requires C-3 or C-4 zoning. C-3 and C-4 zoning does not meet the intent of the neighborhood plan and allows uses that might be incompatible with the adjacent residential land use. The proposed PUD zoning, which allows limited automobile sales with restrictions, is consistent with a goal and guiding principle of the neighborhood plan to protect existing single-family residential areas from encroachment of higher-intensity land uses particularly within the interior of the neighborhood.

THE EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: Development of the subject property as proposed is not expected to generate any substantial deleterious effects to the nearby properties. The proposed automobile sales use is limited to no more than five existing parking spaces for the sale of automobiles. The O&I-2 zoning will still remain on the parcel and the land use for the building will remain the same as well. Any type of service or maintenance required for the vehicles will be done offsite at another location.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER’S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER: The proposed zoning and development as designed is not anticipated to have a detrimental effect on neighboring property owners. The current zoning allows for office and institutional uses already at the location. The conditions of the PUD zoning designate five existing parking spaces for use of auto sales. The rest of the parking lot will remain for customers and staff.

AVAILABILITY OF PUBLIC SERVICES: All essential public roadways, utilities, and services are currently present and available at this location. The additional land use permitted by the PUD zoning will not result in a substantial increase in traffic.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS: Development under the proposed zoning will require compliance with the conditions detailed in the staff’s report as well as “O&I-2” Office and Institutional District zoning, land use, and dimensional standards. The property is platted as a part of the Shawnee Highlands Subdivision and at this time there is no intent to subdivide the property.

STAFF RECOMMENDATION

Based upon the above findings and analysis, Planning staff recommend **APPROVAL** of the proposed zoning, subject to the following conditions, which are to be included in the ordinance adopted by the Governing Body:

- (1) O&I-2 uses are permitted. In addition to O&I-2 uses, the sale of cars and light trucks is permitted. The use and dimensional standards applicable to O&I-2 zoning shall apply except as stated in these conditions.
- (2) The sale of cars and light trucks, hereafter referred to as “auto sales”, is permitted in accordance with the attached Statement of Operations in Exhibit A and with the following conditions.
- (3) Automobile sales and leasing of vehicles is restricted to automobiles, pickup trucks, motorcycles and other vehicles that will not exceed a gross vehicle weight rating of 12,000 pounds.

At any single time, no more than five cars or light trucks for sale may be parked or displayed on the site. Cars or light trucks parked or displayed must be operable and have current registration with the Kansas Department of Motor Vehicles. All other parking of vehicles on the property is for customers and employees of business conducted on the site.

- (4) Auto repair, whether as a separate use or a use accessory to auto sales, is not permitted on site.
- (5) Use of feather signs and balloons as defined by the Topeka sign regulations (section 18.10.170) is not permitted. Streamers and other similar attention-getting devices are not permitted.
- (7) Any fencing of the site requires a fence permit. Any fencing north of the building shall be the same or of a similar material, quality, and design as the black aluminum fencing shown in the attached Exhibit B.
- (8) The inventory of vehicles for sale, lease, or service shall be parked only on paved areas and shall not displace the minimum required number of off-street parking spaces.
- (9) Any substantial change to the auto sales use as described in the Statement of Operations or any of the conditions herein may require an amendment to this Planned Unit Development in accordance with the amendment procedures in TMC 18.190.070.

PLANNING COMMISSION MOTION: Based on the findings and analysis in the staff report, I move to recommend to the Governing Body **APPROVAL** of the rezoning from “O&I-2” Office and Institutional District TO “PUD” Planned Unit Development with an “O&I-2” use group and automobile sales subject to conditions as described in the staff report.

ATTACHMENTS:

Statement of Operations (Exhibit A to Conditions)
Fencing Specifications (Exhibit B to Conditions)
Intended Use of Parking Lot (Exhibit by Applicant)
Aerial Map
Zoning Map
Future Land Use Map
Neighborhood Information Meeting Attendance and Summary



DreamMakers LLC

2900 SE Kentucky Ave Topeka KS, 66605

STATEMENT OF OPERATIONS

The written statement of operations is written up based on the need to expand the business operations at DreamMakers (2900 SE Kentucky Ave Topeka KS, 66605). The listed business wants to operate as a small used car dealership. The dealership at the above-listed address will only have on site a total of five vehicles that will be sold to the public. The owner has obtained the proper Sales Tax ID and Clearance.

The site will operate physically as a small used car dealership utilizing 5 parking spots in the parking lot for the inventory of vehicles that will be sold. The other parking stalls will be used for my personal vehicle to get to and from the office and for vehicles that our patrons drive to view our cars that are for sale. There are seven parking stalls to accommodate my vehicle and those of anyone viewing the vehicles. The office located inside at 2900 SE Kentucky Ave Topeka KS, 66605 will be used to conduct any paperwork needed to process the vehicles sale.

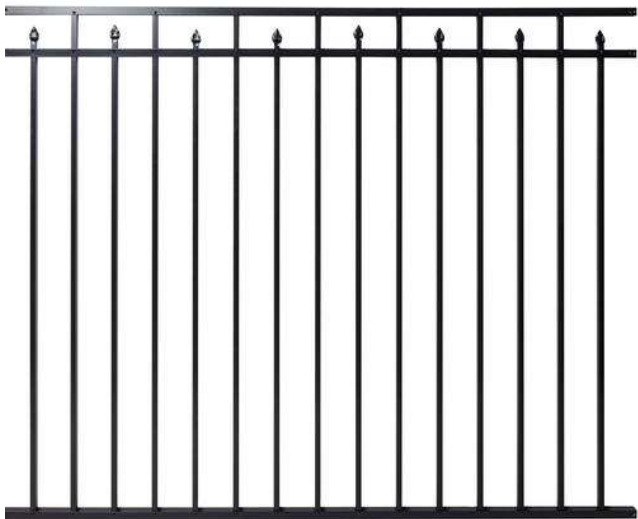
Our hours of operations will be 9:00AM- 5:00PM CST Monday through Saturday. I have included a copy of our zoning information that I obtained from the Shawnee County Appraisers website. Along with included documents is a screenshot of the parking lot listing where the vehicles will be parked and where my personal vehicle and those of our patrons will be parked.

In the screenshot provided there also lists where our property line is. The location of the fence will be where the property line is. I have included the type of fencing that will be used with specifications about that fence. The square footage of the proposed fencing is 460 sq ft.

EZ Fence Columbia 5' x 6' Black 3-Rail Aluminum Fence Panel

(Actual Size 60" H x 70-1/2" W)

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- Quality aluminum construction

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Delivery

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Description & Documents

This Columbia Aluminum Fence Panel features a classic smooth-rail top with traditional spear point pickets alternating below. The external post and bracketing system that's sold separately makes this product easy to install.

Brand Name: **Specrail**



Features

- Nominal 5' high
- Nominal 6' wide
- Quality aluminum construction
- Easy and fast installation
- This maintenance-free product doesn't require painting as it will keep its attractive finish without rusting or peeling
- Posts sold separately

Specifications

Product Type	Metal Fence Panel	Material	Aluminum
Thickness	1 inch	Special Features	Rust Resistant
Overall Height	60 inch	Weight	14 pound
Overall Width	70-1/2 inch	Color/Finish	Black
Installed Height	60 inch	Rough Opening Width	72 inch
Top Style	Flat	Shipping Dimensions	73.00 H x 61.00 W x 2.00 D
Shipping Weight	14.0 lbs	Return Policy	Regular Return (view Return Policy)



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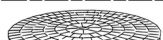
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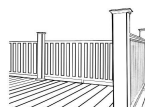
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The blue outline of the property will be where the proposed fence line will be once it is built. I have attached a screenshot of the type of fence that will be used.

The yellow highlighted area will be where the used automobiles will be parked that we would be listing for sale. No more than five vehicles that will be for the intention of sale will be on the lot at one time. We are only choosing to utilize that space and only sell five vehicles at a time.

The other seven parking spaces in the office lot will be used for personal vehicles that we use for our personal transportation to and from the office and for customers that are there for our services.

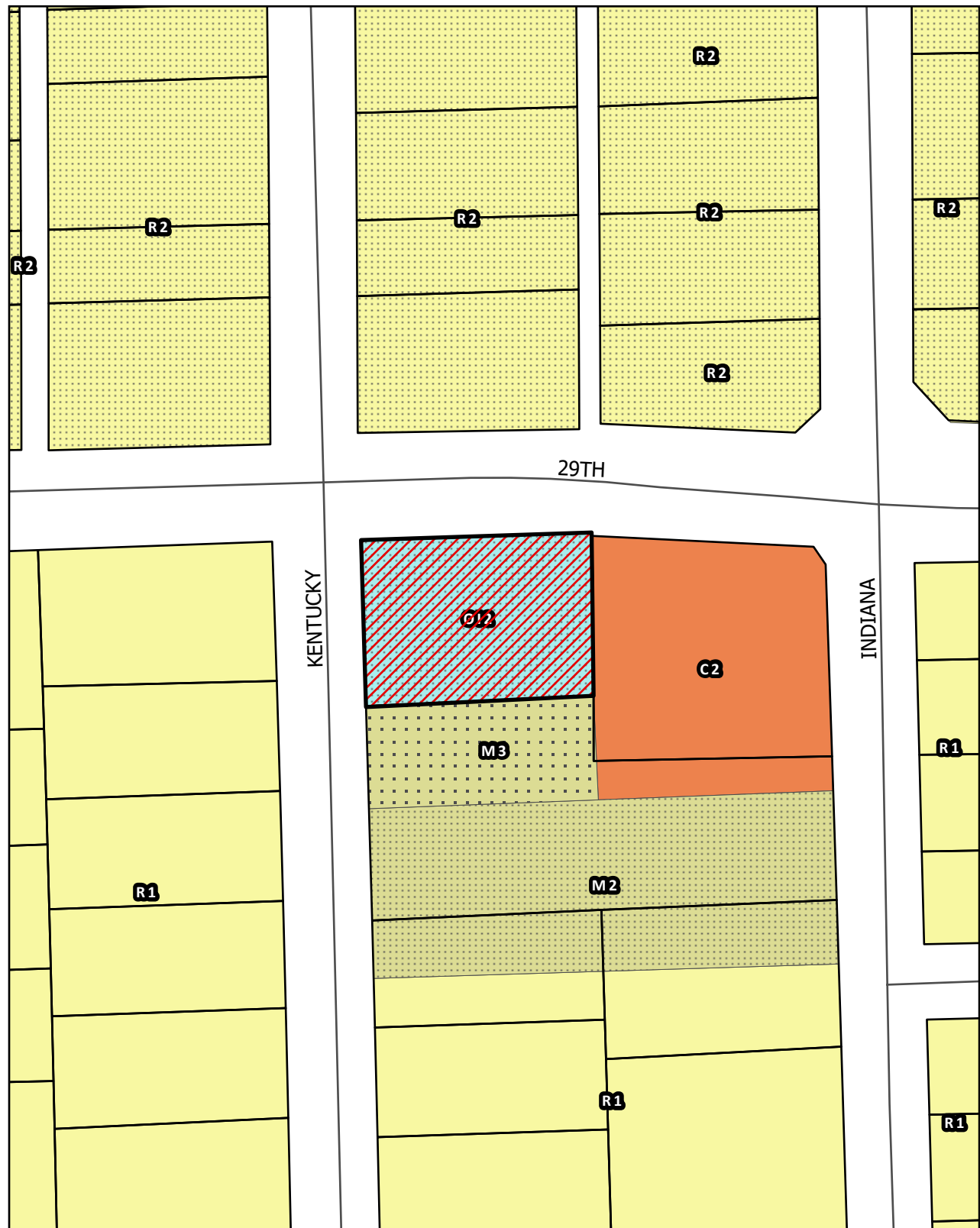


Topeka Planning Division

Aerial Map



Subject Property

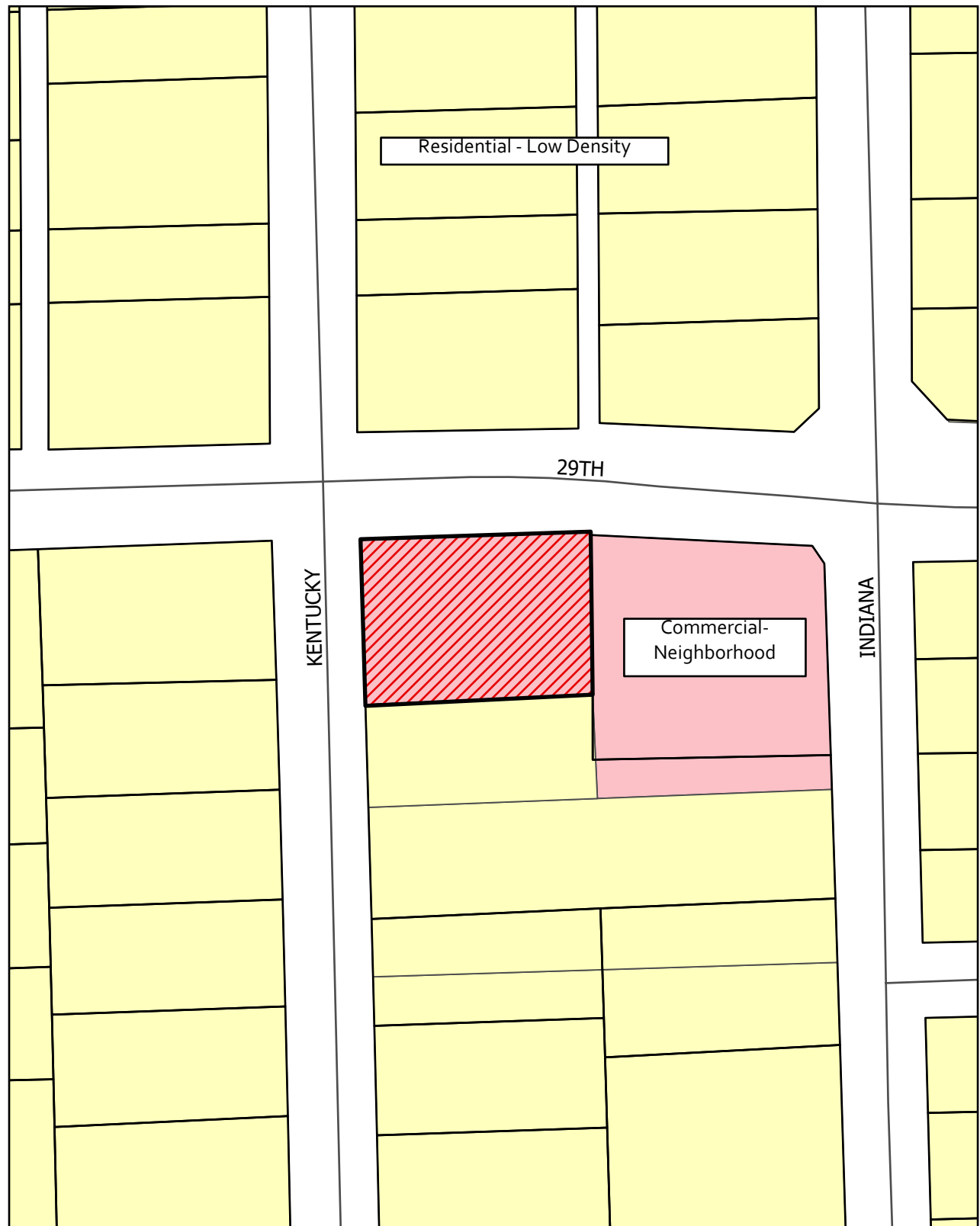


Topeka Planning Division

Zoning Map




Subject Property



Topeka Planning Division

Future Land Use Map

 Subject Property



CITY OF TOPEKA

Planning Division
Holliday Building, 620 SE Madison St., Unit 11
Topeka, KS 66607

Dan Warner, AICP, Director
Tel: 785-368-3728
www.topeka.org

MEMORANDUM

To: File
From: William Sharp, Planner I
Date: November 8, 2023
RE: Neighborhood Information Meeting, PUD23/07

On November 1, 2023 at 5:30pm a neighborhood information meeting was held at 2900 SE Kentucky Ave for DreamMakers LLC regarding their PUD application.

Anthony Griffin attended on behalf of the applicant. William Sharp and Mike Hall attended the meeting on behalf of City of Topeka. The meeting was concluded at 5:50pm after having no guests attended beyond staff and the applicant.

Amanda Tituana-Feijoo

From: Chuck Duffield <chuckduffield.ks@gmail.com>
Sent: Wednesday, October 18, 2023 1:00 PM
To: Planning Distribution
Subject: PUD23/07 Office and Institutional District 2900 SE Kentucky, Topeka Kansas

This message originated from outside your organization



This message needs your attention

- You've never replied to this person.
- This is a personal email address.

Powered by Mimecast

We received a Notice or Neighborhood Information Meeting

Reference DreamMakers Real Estate Pros LLC

The letter received is not descriptive of the actual development plans of DreamMakers. We understand that zoning must be changed on an as needed basis. What is missing is DreamMakers real intent for development.

As a member of this neighborhood, we cannot and will not support any zoning changes without validated and verified intent for the use of the location at 2900 SE Kentucky Ave, Topeka, KS 66605

--

Thank you.

Chuck Duffield