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 Department at 785-368-3728 at least three working days in advance.
HEARING PROCEDURES

Welcome! Your attendance and participation in tonight’s hearing is important and ensures a comprehensive scope of review. Each item appearing on the agenda will be considered by the City of Topeka Planning Commission 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. Chairperson will call for a presentation by the applicant followed by questions from the Commission.

3. Chairperson will then call for public comments. Each speaker must come to the podium and state his/her name. 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, unless Planning Commission members have specific questions about evidence already presented. Commission members will then discuss the proposal.

6. Chairperson will then call for a motion on the item, which may be cast in the affirmative or negative. Upon a second to the motion, the Chairperson will call for a roll call vote. Commission members will vote yes, no or abstain.

Each item appearing on the agenda represents a potential change in the manner in which land may be used or developed. Significant to this process is public comment. 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.**

<table>
<thead>
<tr>
<th>Members of the Topeka Planning Commission</th>
<th>Topeka Planning Staff</th>
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<tbody>
<tr>
<td>Katrina Ringler, 2018 Chairperson</td>
<td>Bill Fiander, AICP, Planning Director</td>
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<tr>
<td>Brian Armstrong</td>
<td>Carlton O. Scroggins, AICP, Planner III</td>
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<td>Ariane Burson</td>
<td>Dan Warner, AICP, Planner III</td>
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<td>Marc Fried</td>
<td>Mike Hall, AICP, Planner III</td>
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<td>Dennis Haugh</td>
<td>Tim Paris, Planner II</td>
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<td>Carole Jordan</td>
<td>Annie Driver, AICP, Planner II</td>
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<td>Wiley Kannarr</td>
<td>John Neunuebel, Planner II</td>
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<td>Corliss Lawson</td>
<td>Taylor Ricketts, Planner I</td>
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<tr>
<td>Matt Werner</td>
<td>Tim Esparza, Planner I</td>
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<td>Kris Wagers, Administrative Officer</td>
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AGENDA
Topeka Planning Commission
Monday, August 20, 2018 at 6:00 P.M.

A. Roll call
B. Approval of minutes – July 16, 2018
C. Declaration of conflict of interest/ex parte communications
   by members of the commission or staff
D. Public Hearings
   1. Z18/04 by: Van Buren Street Development requesting to amend the District
      Zoning Classification from “O&I-2” Office and Institutional District to “D-1” Downtown
      District to accommodate mixed use development, including 11 residential loft
      apartments and a future, undetermined commercial use on property located at 304-308 SW Van Buren (Driver)
   2. PUD18/02 by: Pioneer Midtown Homes, requesting to amend the Zoning District
      for the subject properties comprised of 3 parcels located generally at the southwest corner of
      SW Topeka Blvd. and SW 6th Ave. from C-4, D-1, and O&I-2 to PUD (Planned Unit
      Development) to provide for re-use of existing vacant building (“Casson Building”) for senior
      apartments (23 units), along with construction of two new apartment buildings (8 units and 10
      units). (Neunuebel)
E. Discussion Items
   1. Building Design Standards
      Review and discuss draft of the non-residential building design standards.
   2. Screening and Landscape Requirements
      Review and discuss proposed screening and landscape requirements.
F. Communications to the Commission
G. Adjournment
Members present: Brian Armstrong, Marc Fried, Dennis Haugh, Wiley Kannarr, Corliss Lawson, Katrina Ringler, Matt Werner (7)
Members Absent: Carole Jordan, Ariane Messina (2)
Staff Present: Bill Fiander, Planning Director, Mike Hall, Planner III; Annie Driver, Planner II; John Neunuebel, Planner II; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call – Chairperson Katrina Ringler called the meeting to order with eight members present for a quorum.
Approval of Minutes from June 25, 2018

Motion to approve; moved by Mr. Fried, second by Mr. Kannarr. APPROVED (6-0-1 with Mr. Armstrong abstaining.)

Declaration of conflict of interest/ex parte communications by members of the commission or staff - none

Public Hearings

Z18/03 by Belt, Kathleen & John, requesting to amend the Zoning District for the subject property (0.09 acre) located at 412 SW Jackson Street from I-1 Light Industrial District to D-1 Downtown Mixed Use District to allow for residential living on 2nd floor and garden level apartment at back of main floor.

Mr. Neunuebel presented the staff report and staff recommendation for approval of the proposal.

Mr. Fried asked for clarification on where living spaces would be, and Mr. Neunuebel explained that the 2nd floor would be living space, as well as a small apartment in the rear on the 1st floor. Mr. Fried asked how that would work with D-1 zoning and Mr. Neunuebel explained that with D-1 the front of the 1st floor shouldn’t be used for residential living space, but it’s okay in the back of the building. Ms. Ringler asked about Downtown Design Guidelines and Mr. Neunuebel explained that yes, if re-classified, this building would be subject to the Downtown Design Guidelines for future modifications.

The applicant was available to answer questions but chose not to present.

Ms. Ringler declared the public hearing open.

Tony Privitera of 1245 SW Hodges Road came forward and stated that he owns the 3 buildings next to the location in question, namely, 414, 416, and 420 SW Jackson. Mr. Privitera wished to go on record about the fact that he purchased these three buildings with a zoning of I-1 Light Industrial and intends to use them for purposes allowed within that zoning classification. He is concerned that those potential uses, though allowed in I-1 zoning, might prove disruptive to residential living. He stated that he attended the Neighborhood Information Meeting and voiced his concerns there. He stated he has also spoken of them privately with the applicants.
Ms. Ringler asked the applicant if they wished to respond. Mr. Belt came forward and stated that he is aware of Mr. Privitera’s concerns. He stated that when he first met Mr. Privitera, Mr. Privitera stated that his intent was to make apartments out of the 3 buildings he owns. He pointed out that since then, Mr. Privitera has apparently changed his mind. Mr. Belt stated that he intends to live in the loft apartment of 412 SW Jackson and is not concerned about potential noise levels. He pointed out that AMR is across the street and he expects there will be siren noise from there, which also doesn’t concern him. He confirmed that he intends to lease out the small apartment in the back of the 1st floor.

Ms. Ringler asked if he’s aware of the Downtown Design Guidelines and he stated that he is aware and intends to abide by them.

With nobody further coming forward to speak, Ms. Ringler declared the public hearing closed.

Mr. Kannarr asked Mr. Privitera if he had in fact originally intended to make his buildings into apartments. Mr. Privitera stated that this had been his intention, but he then decided against it because he didn’t want to go through the re-zoning process.

Mr. Haugh asked if there are limits on sound decibel levels in I-1 and Mr. Hall stated that there are not.

Ms. Ringler asked if the Land Use and Growth Management Plan has a long range plan for developing this area into downtown mixed use and Mr. Hall stated that it does.

Motion by Ms. Lawson to recommend APPROVAL to the Governing Body of the reclassification of the subject property from “I-1” Light Industrial District to “D-1” Downtown District; Second by Mr. Armstrong. APPROVAL (7-0-0)

PUD11/05C by USD 501 and Calamar Development requesting to amend the Master PUD Plan for Kanza Education and Science Park on Lot 1, Block C (“O&I-3” District uses and others as stated) to provide for multiple family dwellings on a 26-acre property located at 3001 SW Kanza Drive lying between SW 3rd Street and SW Kanza Drive, the centerline of the tract being approximately 1,432 ft. west of SW MacVicar Avenue.

Ms. Driver presented the staff report and recommendation for approval of the proposal, subject to the 10 conditions listed in the staff report.

Mr. Fried asked if there are any known plans to develop the rest of Lot 1, and Mr. Driver explained that Planning is unaware of any future plans. She stated that the applicant only owns that portion is included in the proposed amendment.

Jerry Hill, Midwest Development Director for Calamar Development, came forward representing the applicant. He gave some background about the 30-year old company that currently has 30 senior independent living facilities located around the country, including a number of facilities in Kansas. He explained that the facilities sell an “active lifestyle” and provide on campus such things as a movie theater, lounge, library, computer room, fitness room, yoga room, etc. He explained that they are working with the local school district to provide programs for high school students to interact with those living in the facility and also are working on programs to involve other seniors living in the general area.

Mr. Hill stated that they are on board with all of the staff recommendations but would like to amend #2 to allow for an “average” set-back of 30’. He explained that in the site plan stage, they will attempt to design the building so that it’s possible to keep most or all of the large trees currently on the property. In order to do this, it would be helpful if the wording on staff condition #2 were changed to say a 30’ average setback. This would give them more flexibility in designing their building to allow for retention of the trees. He added that the site plan, landscaping plan, etc. are required to be approved by the City at a future date.
Mr. Haugh asked if there is a chance that the company would one day enlarge the facility, and Mr. Hill stated that historically the company has not enlarged facilities but rather built additional facilities. He explained that the majority of those who move into their facilities come from surrounding neighborhoods or within about 10 miles.

Mr. Werner asked how the building will sit and Mr. Hill explained that the site plan included in the packet is their typical site plan – not one specific to Topeka. That may be different since they will be attempting to work around the trees. The project specific site plan will be provided to the City during the Site Plan Review stage.

With nobody else coming forward to speak, Ms. Ringler declared the public hearing closed.

Mr. Fried asked what the process is for changing setbacks. Mr. Hall explained that assuming Council approval, the next step in the process would be Site Plan Review, where the set-backs could potentially be dealt with administratively.

Discussion followed about potential wording and allowances for setback. It was suggested that perhaps a “no less than” or minimum number be added. Mr. Werner pointed out that there are utility easements that cannot be changed and suggested that would be sufficient for a “minimum”.

Following additional discussion, it was agreed that simply adding the word “average” into condition #2 would suffice and allow staff ample discretion in the Site Plan Review stage. Mr. Fiander pointed out that there’s not a hard and fast number or percentage that administrative approval is allowed for, but what would require a major amendment and thus Planning Commission approval would be a change in the character of the project. He also pointed out that condition #3 includes performance standards that will assist staff in determining whether the proposed design and layout should be approved.

Ultimately Mr. Haugh suggested that the word average be added to condition #2 and staff could determine the rest. Mr. Kannar agreed, stating that adding a minimum might cause more problems than it intended to solve.

Motion by Mr. Kannar to approve the proposal, subject to staff comments #1 through 10, amending #2 to include the word “average” to the 30’ setback requirement; second by Mr. Armstrong. APPROVAL (7-0-0)

Communications to the Commission

Mr. Fiander reported that the Planning Department is hosting a Development Forum on July 25 at 11AM in the Holliday Conference Room at 620 SE Madison. Planning staff will share information and receive feedback and input regarding proposed Building Design Guidelines. Also on the agenda will be a proposal for adding a landscape component to the guidelines. Mr. Fiander reminded the Commissioners that the Visual Appeal Survey indicated landscaping is important to the overall appearance of a project site. The meeting will include a stormwater review process update.

Mr. Fiander explained that Planning staff anticipate bringing the Building Design Guidelines to Planning Commission as a discussion item at the August 2018 meeting and as an action item at the September 2018 meeting.

With no further agenda items, meeting was adjourned at 6:54PM.
APPLICATION CASE NUMBER / NAME: Z18/4 By: Van Buren Street Development LLC

REQUESTED ACTION / CURRENT ZONING: Rezoning from “O&I-2” Office and Institutional District TO “D-1” Downtown District.

APPLICANT / PROPERTY OWNER: Van Buren Street Development LLC/Mark Burenheid

APPLICANT REPRESENTATIVE: Falk Architects/Bryan Falk

CASE PLANNER: Annie Driver, AICP, Planner II

PROPERTY LOCATION / PARCEL ID: 304 and 308 SW Van Buren/PID: 1093101012002000 and 1093101012003000

PHOTO:

Figure 1: SW 3rd Street

Figure 2: SW Van Buren Street
RECOMMENDATION: APPROVAL

RECOMMENDED MOTION: Based on the findings and analysis listed below in the staff report I move to recommend to the Governing Body approval of the reclassification of the subject property from “O&I-2” Office and Institutional District TO “D-1” Downtown District.

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY: The rezoning will better facilitate the re-use and re-purposing of the former St. Joseph German Catholic School building for 11 market rate, 1 and 2 bedroom residential apartments and future use of the old convent and Let’s Help addition for undetermined future commercial use. The applicant is requesting the “D-1” zoning because it provides relief from the off-street parking requirement under “O&I-2” zoning, as well as to facilitate a mixed use residential/commercial building within the “Downtown” area. The current zoning of “O&I-2” and proposed “D-1” zoning already permit residential uses on all floors of the building since it was originally constructed as a “School” and pursuant to TMC 18.225 Specific Use Requirements for Dwelling Units on the Main Floor.

DEVELOPMENT / CASE HISTORY: The properties have remained zoned “O&I-2” Office and Institutional District since 1992. Prior to that, the subject property was zoned “E” Multiple-Family Dwelling District and allowed both offices, institutional uses, non-profit organizations, religious organizations, and multiple-family residential uses. In 1992, a City of Topeka comprehensive zoning code conversion changed the classification of the “E” Multiple Family Dwelling District to the “O&I-2” Office and Institutional District, which was consistent with the property’s land use for religious uses at the time.

ZONING AND CHARACTER OF SURROUNDING PROPERTIES: North: “O&I-2” Office and Institutional District and used for surface parking for the St. Joseph’s Church

West: “O&I-2” Office and Institutional District and used by Kansas Gas Service as a utility substation

South: “C-4” Commercial District and used for a surface parking lot that is associated with the automobile body repair business on Jackson Street

East: “I-1” Light Industrial District with property being used for steel fabrication and associated light industrial uses.
DEVELOPMENT STANDARDS AND POLICIES

PURPOSE, USE STANDARDS: “The purpose of the “D-1” Downtown District is to encourage compatible mixed use activity in Downtown Topeka. The Downtown Districts are intended to implement the Downtown Redevelopment Plan, which is an element of the Comprehensive Plan. The purpose of the “D-1” District is to facilitate a compatible mixed use activity center within the core area of Downtown. . .The district includes compatible residential, office, civic, and commercial retail/service uses which complement and support a higher density and facilitate pedestrian usage.”

DIMENSIONAL STANDARDS: “D-1” zoning allows for 100 percent building coverage with no minimum building setbacks. There is no restriction on residential density. There is no height restriction in “D-1” zoning except for those properties within the State zoning area that is located south of SW 7th Street.

OFF-STREET PARKING: The off-street parking requirement in the “O&I-2” zoning for multiple family uses is 2 stalls per dwelling unit. “D-1” zoning has no required off-street parking. Under the current zoning, the 11 residential units will require 22 off-street parking stalls and office uses at a ratio of 1 stall per 300 sq. ft. Commercial uses require 1 parking stall per 200 sq. ft. The current parking requirements in “O&I-2 are not conducive for purposing of the building without impacting its historic integrity.

The site contains 15 off-street parking stalls on the east side of the building. There is also under-utilized cutback parking along SW Van Buren Street. The addition of bicycle racks is recommended although not required since new off-street parking is not being created.

LANDSCAPING: Pursuant with TMC 18.235 Landscape Regulations, landscaping is not required under the “D-1” zoning since the district allows for 100 percent building coverage.

SIGNS: Any potential future signage on the building face will be subject to the sign standards for downtown districts and historic district guidelines reviewed both internally and externally by planning staff and the State. (TMC section 18.200.090).

OTHER DESIGN GUIDELINES AND CONSIDERATIONS: Development in the “D-1” District is subject to the Downtown Topeka Urban Design Guidelines. (TMC 18.200.090). The standards generally only apply to new development and not adaptive re-use of buildings. The applicant proposes to place the building on the Kansas Register of Historic Places. Once placed on the Kansas Register, exterior modifications will be reviewed by the State.

COMPREHENSIVE PLANS: Land Use and Growth Management Plan – 2040
Ward Meade Neighborhood Plan
OTHER FACTORS

SUBDIVISION PLAT: Platted as Lots 74-84 (even), Original Town Subdivision.

FLOOD HAZARDS, STREAM BUFFERS: Not applicable

UTILITIES: The site is already served by water and sanitary sewer. No changes are required to the existing lines.

TRANSPORTATION/TRAFFIC: SW 3rd and Van Buren are both local streets at this location and have adequate capacity for the proposed use. Sidewalks exist currently along both street frontages.

HISTORIC PROPERTIES: The owner is in the process of nominating the property to the State Register of Historic Kansas Places.

NEIGHBORHOOD INFORMATION MEETING The applicant held a Neighborhood Information Meeting on Thursday, August 2, 2018 at 6 pm held at St. Joseph’s Catholic Church. Six people attended the meeting in addition to planning staff and the applicant and all expressed support for the project.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

PUBLIC WORKS/ENGINEERING: The driveway on SW 3rd Street will need to be upgraded and re-built to The City standard for commercial driveways as requested by the City Engineer. The parking lot will be restriped and signed per the Federal Highway Administration’s Manual of Uniform Traffic Control Devices (MUTCD) criteria (adopted in City Code).

WATER POLLUTION CONTROL: None at this time

FIRE: No issues with the rezoning. Fire Prevention will review future plans that are submitted with the building permits

DEVELOPMENT SERVICES: Buildings Permits will be required for a Change of Use or Change of Occupancy. A parking lot layout and striping plan will be required at this time if changes are proposed to the existing off-street parking lot.

KEY DATES

SUBMITTAL: July 6, 2018

NEIGHBORHOOD INFORMATION MEETING: August 2, 2018

LEGAL NOTICE PUBLICATION: July 23, 2018
STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: The proposed “D-1” zoning is compatible with the existing and desired future character of the neighborhood for mixed uses on the east edge of the Central Business District and adjacent with the mixed-use “Downtown” area of the Ward-Meade neighborhood. The surrounding neighborhood comprises a vast mix of institutional, utility, light industrial and residential uses. The existing buildings on the property and the use and development of some of surrounding parcels is consistent with the purpose and dimensional standards of the “D-1” zoning district given the fact this is a transitioning area.

ZONING AND USES OF PROPERTY NEARBY: The zoning and land uses surrounding the property comprise a vast mix of land uses and zoning, including: industrial (east), utility (west), institutional (northwest), automobile body repair (south) and single family residential uses (south). The subject property is located in an area transitioning for mixed use redevelopment so some of the surrounding land uses may not necessarily be compatible with the proposed land use at the present time.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The buildings were constructed in or near 1912 and used as a Catholic school and convent until the 1970s when the school was closed. The school building was used by the St. Joseph’s parish for religious education classes until approximately 2006. The buildings have been vacant since that time. The convent building has been vacant for much longer. An addition was added on to the south side of the convent building at some point in the distant past and has been used by the Let’s Help non-profit organization. As the present buildings have remained vacant for at least 10 years and longer, the current zoning likely does not reflect the highest and best potential use of the properties. The proposed “D-1” zoning will facilitate redevelopment that is beneficial to the neighborhood.

CONFORMANCE TO COMPREHENSIVE PLAN: The Topeka Land Use and Growth Management Plan 2040 (LUGMP) designates the subject property on the Future Land Use Map for “Downtown” land uses. In accordance with the Downtown designation, the LUGMP envisions redevelopment within the area comprising a mix of uses including retail, high density residential, and residential loft conversions that are also encouraged within the City’s adopted Downtown zoning districts.

Additionally, the subject property lies immediately adjacent to the east boundary of the Ward Meade Neighborhood Plan. The Ward-Meade Neighborhood Plan designates this area east of Tyler and crossing over Topeka Blvd also for “Downtown” land uses. The idea behind this designation in the neighborhood plan was to allow for a mix of office buildings, new apartments/condominiums, pedestrian-oriented retail as part of a high density mixed use corridor along Topeka Blvd. The neighborhood plan noted some properties as being not conducive to new construction for this type of new development such as the area around St. Joseph Catholic Church and rather should be preserved and renovated. The proposed re-use of the former St. Joseph German Catholic School is consistent with this designation of the Comprehensive Plan. The rezoning will better facilitate the conversion and re-use of the existing building for other uses consistent with the “Downtown” designation and safe guard its protection as a historic property by keeping the building maintained and occupied.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES OF WHICH IT HAS BEEN RESTRICTED: The proposed “D-1” zoning allows more opportunities to re-use the school and convent buildings than the current “O&I-2” zoning that are also suitable within the mixed use Downtown area as proposed by Comprehensive Plan. The “O&I-2” zoning has an off-street parking requirement that is not suitable for this area’s redevelopment for Downtown mixed-use given the fact there is ample public parking along SW Van Buren. Van Buren Street was historically a visual link between Great Overland Station to the Capitol Building and redevelopment along this primary street is vital to the implementation of policies in the Comprehensive Plan encouraging mixed-use. This existing on-street parking along Van Buren is currently being under-utilized and lends capacity to support densities consistent with its “Downtown” mixed use designation.
THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES:  The change in zoning to “D-1” is considered a less restrictive zoning than the current “O&I-2” zoning and thus results in more compatible development with what is encouraged by the mixed-use Downtown area surrounding Downtown. The proposed zone change will result in rehabilitation of the building which together with new residents will contribute to the vitality of Downtown and the Ward Meade neighborhood to its immediate west. Adequate off-site parking exists along Van Buren. Thus, no detrimental effects are anticipated by the change in zoning to accommodate mixed-uses and residential in the buildings.

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 gain to the public health, safety, and welfare by approval of the zone change will allow for a more appropriate zoning that encourages the re-use and renovation of this historic asset in Downtown. Denial of the zone change will impose an undue hardship upon the landowner with an overly restrictive off-parking requirement that is not conducive in encouraging the re-purposing of a historic asset and critical densities.

AVAILABILITY OF PUBLIC SERVICES: All utilities are presently available to the area and are already serving the subject property.

STAFF RECOMMENDATION:

RECOMMENDATION: Based on the above findings and analysis the Planning Department recommends APPROVAL of the zoning reclassification from “O&I-2” to Office and Institutional District TO “D-1” Downtown District.

RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body APPROVAL of the reclassification of the property from “O&I-2” Office and Institutional District TO “D-1” Downtown District.

Attachments:
- Aerial Maps
- Zoning Map
- Future Land Use Map
- NIM Report/Attendance
Z18/4 - By: Van Buren St. Development (Zoning Map)
A neighborhood meeting was held on Thursday, August 2 at 6:00. The meeting was held in the St. Joseph Church, 227 SW Van Buren Street, Topeka, KS 66603. Approximately 15 people attended the meeting. A sign-in sheet is attached. Attendees were from the Downtown NIA and Ward-Mead NIA. Several members from St. Joseph Parish were also present, including Fr. Tim Haberkorn.

The purpose of the meeting was to discuss changing the zoning for the former St. Joseph School, Convent and Let’s Help from O&I to Downtown Zoning (302 – 308 SW Van Buren).

Mark Burenheide, representing Van Buren Street Development, LLC explained that the goal of the redevelopment was to turn the former school into 11 residential lofts. The convent would be turned into an office and different options were being explored for the former Let’s Help building. Bryan Falk, architect for the project showed blueprints and rendings of the lofts.

Attendees at the meeting expressed support for the project. Most attendees said that having housing and other development would be good for the neighborhood. No one spoke against the project.
# Neighborhood Information Meeting

## Sign in Sheet

**Z18/4 Van Buren St. Development**

**Date:** Thursday, August 2, 2018 at 6:00pm  
**Location:** St. Joseph Catholic Church, basement

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<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<tbody>
<tr>
<td>Mark Burenhaide</td>
<td>224 S.W. Greenwood Ave 06</td>
<td><a href="mailto:jacksonstreetlotte@yahoo.com">jacksonstreetlotte@yahoo.com</a></td>
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<tr>
<td>Ann Pielke</td>
<td>101 Planning Dept.</td>
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<tr>
<td>Teresa Thomas</td>
<td>St. Joseph Church</td>
<td><a href="mailto:stjosephtopeka@juno.com">stjosephtopeka@juno.com</a></td>
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<td>Jay Lehmann</td>
<td>601 N.W. Butternut Rd.</td>
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</tr>
<tr>
<td>Fr. Tim Heilbuckert</td>
<td>227 S.W. VanBuren Studios</td>
<td><a href="mailto:FatherKow@att.net">FatherKow@att.net</a></td>
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<tr>
<td>Berman Falk</td>
<td>712 S. Kansas Ave #1</td>
<td><a href="mailto:bryan@falk-architects.com">bryan@falk-architects.com</a></td>
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APPLICATION INFORMATION

APPLICATION CASE NUMBER/NAME: PUD18/02 By: Pioneer Midtown Homes LLC

REQUESTED ACTION / CURRENT ZONING: Rezoning from “D-1” Downtown District (Area A), “C-4” Commercial District (Area B), and “O&I-2” Office and Institutional District (Area C) to “PUD” Planned Unit Development District (M-3 Multiple-Family Dwelling Use Group)

APPLICANT/ PROPERTY OWNER: Pioneer Midtown Homes LLC

APPLICANT REPRESENTATIVE: Mr. Mark Boyd, SBB Engineering, LLC

CASE PLANNER: J. Neunuebel, Planner II

PROPERTY ADDRESSES & PARCEL ID(S): Area A – 603 SW Topeka Boulevard; Area B – 507 SW 6th Avenue.; and Area C – 612 SW Tyler Street, 1093102021001000; 1093102021002000 & 10933102021003000; 1093102021008000 & 1093102021009000

PHOTOS:

Facing west from east side of SW Topeka Blvd with view of front facade of The Casson Building proposed for reuse for 23 residential units, with adjacent multi-family residential structure on left
Facing south with view of existing parking lot on the south side of SW 6th Avenue proposed for new building with 10 residential units (Area B), with west side of the Casson Building on the left adjacent to alleyway

Facing northeast from west side of SW Tyler Street with view of vacant property proposed for new building with 8 residential units (Area C), with existing driveway on right and public alleyway on left, and The Casson Building in background

PARCEL SIZE(S):

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<tr>
<td>Area A (The Casson Building)</td>
<td>0.129 acre</td>
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<tr>
<td>Area B (Existing Parking Lot)</td>
<td>0.446 acre</td>
</tr>
<tr>
<td>Area C (Vacant with driveway)</td>
<td>0.261 acre</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0.836 acre</td>
</tr>
</tbody>
</table>

RECOMMENDATION: APPROVAL subject to conditions in the staff report
**RECOMMENDED MOTION:**
Based on the findings and analysis in the staff report I move to recommend to the Governing Body **APPROVAL** of the PUD Master Plan along with conditions.

**PROJECT AND SITE INFORMATION**

**PROPOSED USE / SUMMARY:**
The Pioneer Midtown Homes PUD Master Plan provides for renovation and reuse of The Casson Building for 23 residential apartments, along with construction of a new building for 10 residential apartments fronting onto SW 6th Avenue and a new building for 8 residential apartments fronting onto SW Tyler Street, with all three buildings having access to existing, adjoined public alleyways. Additionally, two parking lots will provide 41 parking spaces for use by project residents.

**DEVELOPMENT / CASE HISTORY:**
The Casson Building, comprising Area A of the project site, was originally constructed in 1927 as a 2-story building with commercial uses on the ground floor and residential apartments on the second floor, while the third and fourth stories were added in 1947 at which time the building was converted to an office and commercial use. A penthouse apartment was added atop the then 4-story building in 1956. The upper floors of the building have not been utilized for many years, while the entire building has been vacant for 2 years. The Casson Building was recently approved for inclusion on the Register of Historic Kansas Places.

The portion of the project site fronting onto SW 6th Avenue (Area B) replaces a parking lot that for many years provided off-street parking for The Casson Building’s various office, commercial, and residential uses. Area C, fronting onto SW Tyler Street, has remained vacant except for an existing public alleyway and private driveway presumably in providing additional access and parking for The Casson Building and other adjacent properties.

**ZONING AND CHARACTER OF SURROUNDING PROPERTIES:**
The Casson Building and adjacent multi-family residential building to the south are zoned D-1 Downtown District, while the property further south is zoned O&I-2 Office and Institutional District and includes a small, 1-story office building. The east side of SW Topeka Blvd. is also within the D-1 Downtown District and includes the First United Methodist Church.

Area B, with the existing parking lot, as well as adjacent properties to the west are currently zoned C-4 Commercial and include a multi-family residential structure. Further to the west, west of Tyler Street, there are several commercial businesses including one occupied by a pet day care service. On the north side of SW 6th Avenue there are several businesses including Terry’s Bar & Grill, a liquor store, and a vacant residential apartment building, all within the C-4 Commercial District. The property at the immediate northwest corner of the 6th Ave/Topeka Blvd. intersection is zoned D-1 and is occupied by a tobacco products store.

Area C is currently within the O&I-2 Office and Institutional District, while the adjacent property to the south of the project area includes an existing...
single-family residence, and a parking lot adjacent, while further to the south within the same block are residential structures with O&I-2 or M-3 zoning. Much of the block to the west, on the west side of Tyler Street, is zoned M-3 with those lots directly across from project Area C being presently vacant.

**PUD MASTER PLAN ELEMENTS (PROPOSED):**

**PARKING, CIRCULATION, & TRAFFIC:**

SW Topeka Blvd. within the project area, is categorized as a Principal Arterial, while SW 6th Avenue is a Minor Arterial and SW Tyler Street is a local street. All roadways currently include sidewalks adjacent to the project area. Existing public alleyways will provide cross-access to parking lot areas and public streets and walkways. Additional traffic as will be generated by the proposed development is not anticipated to be significant and a traffic impact study is not being required by the City.

The City of Topeka parking standards normally require 72 parking spaces for the proposed 41 residential apartments (2 spaces per dwelling unit for first 20 units, and 1.5 spaces per dwelling units after the first 20 dwelling units – TMC 18.240.030). As proposed, the 41 parking spaces to be located to the rear of project buildings are deemed sufficient due to the location of the project within a near-downtown, mixed-use, and higher intensity type neighborhood where it is anticipated that some future residents will not own private vehicles and will instead utilize public bus transportation or other alternatives. (The project applicant/developer will be providing a bus stop pad near the intersection of SW Topeka Blvd. & SW 6th Ave. pursuant to placement and construction standards of the Topeka Metro Transit Authority.)

In addition to new off-street parking areas, there are approximately 5 existing cut-back parking spaces on SW 6th Avenue adjacent to The Casson Building that will be retained.

**DIMENSIONAL STANDARDS:**

The new residential building within Area B of the project fronting onto SW 6th Avenue (Bldg.2) will include ten (10) 1-bedroom units (5 units at ground level and 5 units on upper level accessed via an external stairway), with an overall building footprint of 3,123 sq.ft. comprising approximately 16% of the Area B site. The new residential building within Area C fronting onto SW Tyler Street (Bldg.3) will include eight (8) 1-bedroom units (4 units at ground level and 4 units on upper level accessed via an external stairway), with a building footprint of 2,488 sq.ft. comprising approximately 17% of the Area C site.

The front facade of Building 2 to be located 13.1 feet from the SW 6th Avenue public right-of-way, while the front facade of Building 3 to be located 27.3 feet from the SW Tyler Street public right-of-way, with both buildings including a second floor deck and walkway that project 7' into the setback. Both proposed building setbacks are generally commensurate with that of adjacent development.
DESIGN STANDARDS: The Casson Building, having recently been approved for inclusion on the Register of Historic Kansas Places, will be subject to historic design requirements during the rehabilitation and reuse of the building. The two new residential buildings will be constructed in conformance to the Building Elevations exhibits as noted on the PUD Master Plan.

LANDSCAPING: The PUD Master Plan will be subject to the City's landscape requirements, with the project to also include additional trees being planted within the enriched pathway adjacent to SW Topeka Blvd. subject to approval by the City Forester. Detailed landscape plans will be approved during the site plan review process.

SIGNAGE: The PUD Master Plan provides for two (2) monument signs, as well as one (1) wall sign with specified dimensional standards on each of the two new residential buildings. Signs for The Casson Building will be permitted in accordance with the Downtown Districts sign standards in TMC 18.200.090, which is appropriate for an historic building in a near-downtown location.

OTHER: None

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES The amended PUD Master Plan establishes development standards and guidelines including the aforementioned standards.

OTHER FACTORS

SUBDIVISION PLAT: The Casson Building (Area A) comprises Lots 181, 183, and 185 of Original Town, while Area B comprises Lots 7, 9, 11, 13, 15, and 17 of Original Town, and Area C comprises Lots 194, 196, 198, and 200 of Original Town.

UTILITIES: City sanitary sewer and water service are available to the property.

FLOOD HAZARDS, STREAM BUFFERS: The PUD Master Plan is notated to indicate that no building permit shall be issued until all stormwater management requirements of the City of Topeka are adhered to.

HISTORIC PROPERTIES: The Casson Building was recently approved for inclusion on the Register of Historic Kansas Places.

NEIGHBORHOOD INFORMATION MEETING: The applicant conducted a neighborhood information meeting on Wednesday, 25th, at 6:00 p.m., with attendees including Council Member Karen Hiller. Subjects discussed included: types of rental
units including monthly rents; available parking; stormwater management; and general history of The Casson Building.

ADDITIONAL COMMENTS AND CONCERNS:
None

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

Public Works /Engineering: No issues identified.
Water Pollution Control: No issues identified.
Fire Department: Provide for easier circulation and access through the elimination of apparent intrusions into existing alleyways, such as old concrete steps and curbing.
Development Services: No issues identified.

KEY DATES

SUBMITTAL: June 21, 2018
NEIGHBORHOOD INFORMATION MEETING: July 25, 2018
LEGAL NOTICE PUBLICATION: July 30, 2018
PROPERTY OWNER NOTICE MAILED: July 26, 2018

STAFF ANALYSIS

CHARACTER OF THE NEIGHBORHOOD:
The proposed PUD Master Plan is compatible with the existing and desired future character of the neighborhood which includes a mix of uses including residential, commercial, and office uses. The rehabilitation and reuse of the currently vacant Casson Building in accordance with historic standards and guidelines, along with new in-fill construction, will likely have a very positive impact upon future development and re-development within the neighborhood. The proposed 2-story apartment buildings will provide an appropriate transition from the
commercial buildings on Topeka Boulevard and 6th Avenue to the residential buildings and land use to the west and southwest.

**ZONING AND USE OF NEARBY PROPERTIES:** The proposed zoning and use are compatible with the zoning and use of nearby properties. The parcels adjacent to the subject property are classified C-4 Commercial, O&I-2 Office & Institutional, and D-1 Downtown. Other parcels on the same block and surrounding blocks are zoned M-3 Multiple Family Residential. The proposed zoning and use, as well as the zoning and use of surroundings properties, are reflective of a near-downtown, mixed use area.

**LENGTH OF TIME THE PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER THE PRESENT CLASSIFICATION:** The Casson Building has been entirely vacant for over two years. Area B of the PUD, fronting on 6th Avenue, has been a surface parking lot since the 1940s primarily for tenants of The Casson Building. Historical records indicate that part of Area C of the PUD, fronting on Tyler Street, was converted from a residential use to a parking lot as early as 1968, but has in recent years seen little or no use as a parking lot. The proposed PUD zoning will provide for new residential infill development that will better utilize existing infrastructure.

**SUITABILITY OF USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED:** The parcel at the southwest corner of 6th Avenue and Topeka Boulevard is currently zoned D-1 and thus provides for a mix of uses including multiple-family residential use above the ground floor and retail or office on the ground floor. A change in zoning is needed to allow residential on the ground floor.

The current C-4 zoning of the parcel fronting on 6th Avenue (“Area B” on the proposed PUD Master Plan) provides for intense retail and other commercial uses, and does not allow for residential development. The current O&I-2 zoning of the parcel fronting on Tyler Street (“Area C” on the master plan) provides for office and other light commercial uses but does not permit residential apartments or most other residential uses.

Residential uses as proposed are effectively integrated with the neighborhood and are a better fit than those uses permitted under the current zoning considering the surrounding residential uses and the small size and irregular configuration of the two parcels.

**CONFORMANCE TO THE COMPREHENSIVE PLAN:**

The Topeka Land Use and Growth Management Plan 2040 (LUGMP) includes the subject properties within a Mixed Use Node as are generally located in and around major street intersections in anticipation of both commercial and non-commercial uses including residential being located within the same buildings or within the overall node. Subject properties are also included within Old Town Neighborhood Plan as “Downtown” in recognition of the mixed-use nature and higher intensity of the area between Tyler Street and Topeka Boulevard. The proposed PUD amendment is in conformance with both the Topeka LUGMP 2040 and the Old Town Neighborhood Plan.

**THE EXTENT TO WHICH REMOVAL OF RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES:**

The proposed PUD Master Plan will provide for new, infill residential development on currently under-utilized properties which is possible only by the change in zoning and will have a positive impact on nearby properties. The PUD Master Plan also facilitates the rehabilitation and reuse of The Casson Building which has recently been approved for inclusion on the Register of Historic Kansas Places. The addition of new residential units and additional residents will help to support retail services and other area business. The design of Buildings 2 and 3 and the renovation of Building 1, the historic Casson Building, will have a positive effect on surrounding properties.
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: Approval of the proposed zoning change to PUD will allow a vacant building, as well as underutilized infill properties to be used for purposes that are economically feasible and allow for investment in the neighborhood and wider area. Denial of the zoning change will not provide for the rehabilitation of a deteriorating, historic building, nor will it provide for development of underutilized properties with new residential units that are smaller and more moderately-priced within a central, near-downtown area of the City.

AVAILABILITY OF PUBLIC SERVICES:
All essential public roadways, utilities, and services are currently present and available within the area.

COMPLIANCE WITH ZONING AND SUBDIVISION REGULATIONS:
The Pioneer Midtown Homes – Casson PUD Master Plan establishes developments standards and guidelines as indicated. The property is part of the “Original Town” plat. A re-plat is not required.

STAFF RECOMMENDATION
Based upon the above findings and analysis, Planning staff recommend APPROVAL of the PUD Master Plan, subject to:

1. Use and development of the site in accordance with the Pioneer Midtown Homes – Casson Planned Unit Development Master Plan as recorded with the office of the Shawnee County Register of Deeds.

2. Replace Note 1 of Building and Structure Notes with “The design of the exteriors of Buildings 2 and 3 shall conform to Exhibit – Building 2 Exterior Elevations and Exhibit – Building 3 Exterior Elevations.” Add corresponding titles to said exhibits.

3. On the exhibits, Building 2 Exterior Elevations and Building 3 Exterior Elevations, revise the label “Wood Rail (Stained)” to “Wood Rail and Stair (Stained with Color Consistent with the Vinyl Siding Color).”

4. Revise Landscape Note #2 as follows: “Landscape Plan(s) for Area(s) A, B, and C shall include landscaping in accordance with Landscape requirements within TMC 18.235 to be reviewed upon submittal of a Site Plan Review application. Area A shall include the addition of a minimum of two (2) street trees within the parkway along SW Topeka Blvd adjacent to The Casson Building subject to review and approval by the City Forester.”

PLANNING COMMISSION MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body APPROVAL of the PUD Master Plan along with conditions.

ATTACHMENTS:
- Aerial Map
- Zoning Map
- Future Land Use Map
- PUD Master Plan (2 Sheets)
- Elevations – Building 2 and Building 3
- Neighborhood Information Mtg. Summary and Sign-In sheet
PUD18/02 - Zoning Map
Pioneer Midtown Homes

Subject Properties
- AREA A
- The Casson Bldg

Subject Properties
- AREA B
- Existing Parking Lot

Subject Properties
- AREA C
- Vacant with driveway & parking
PUD18/02 - Future Land Use Map
Pioneer Midtown Homes

Subject Properties
AREA A
The Casson Bldg

Subject Properties
AREA B
Existing Parking Lot

Subject Properties
AREA C
Vacant with driveway & parking

Commercial (Old Town Neigh. Plan)

Residential Med. Density (Old Town Neigh. Plan)

Downtown (Old Town Neigh. Plan)

Mixed Use Node (LUGMP 2040)

Downtown Core (Ward-Meade Neigh. Plan)

Downtown (LUGMP 2040)
PIONEER MIDTOWN HOMES - CASSON
PLANNED UNIT DEVELOPMENT MASTER PLAN

LEGAL DESCRIPTION:
Linn Co., SEC II, T105, R13E, Section 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21.

PERFORMANCE OBJECTIVES:
To provide diversified housing along the boundaries and interior of the Casson Protective Boulevard, along with construction of new approach buildings.

GENERAL NOTES:
1. All building or parking to be developed shall be pursuant to a development plan subject to TMC. No 019-000-0014.
2. All buildings shall be designed to harmonize with the surrounding environment, ensuring easy access to pedestrian and vehicular traffic.
3. Building setbacks shall be maintained to ensure adequate visibility and safety for pedestrians and vehicles.

LEGAL NOTES:
1. All structures and buildings shall be designed in accordance with the City of Tropicana Master Plan.
2. All buildings shall be constructed to meet the standards set forth in the City of Tropicana Building Code.

BUILDING AND STRUCTURAL NOTES:
1. Design of the building shall conform to the Tropicana Master Plan.

RECORDS OF REVISIONS:
This Planned Unit Development (PUD) Master Plan has been reviewed and approved in accordance with the provisions of Chapter 12-90 of the Comprehensive Zoning Ordinances of the City of Tropicana, Pinal County, Arizona. This review was conducted in accordance with the provisions of Title 16 of the Arizona Revised Statutes, and is in compliance with the requirements established by the City of Tropicana and other authorities.

PROPERTY OWNERS:
Pioneer Midtown Homes, LLC
4545 W. 92nd
Tropicana, Kansas 68060

DATE:
JUNE 10, 2018
Date: July 26, 2018
To: City of Topeka Planning Department
From: SBB Engineering, LLC
      Mark A. Boyd
Re: Pioneer Midtown Homes – Casson (PUD18/02)
      Neighborhood Meeting Minutes

To whom it may concern:

On July 25, 2018 at 6:00 P.M., we held a publicized meeting for the above referenced case. There were 3 people present for the meeting. An attendance sheet is attached for name and address. Others in attendance were Michael Hall and John Neunuebel (Topeka Planning Department), Ross Freeman, Rick Kready and Tom Woltkamp (Pioneer Group, Owner), Karen Hiller (City Council) and Mark Boyd (SBB Engineering).

Mr. Hall opened the meeting by explaining the re-zoning request and the PUD process. Mr. Boyd explained the conditions of the site and the proposed improvements.

There were questions about the type of tenants the owner thought they would attract and the amount of parking necessary. A question was also raised about the amount of stormwater that currently affects SW Taylor and if the development would address this concern during construction. No other concerns were raised.

The owner was present to address questions or concerns.

Respectfully submitted,

Mark A. Boyd
SBB Engineering, LLC
# Neighborhood Information Meeting

## Sign-In Sheet

### Pioneer Midtown Homes – Casson

**July 25, 2018**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS</th>
<th>PHONE</th>
<th>EMAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mark Boyd</td>
<td>SBB Eng</td>
<td>715-8630</td>
<td><a href="mailto:Mark.boyd@sbbeng.com">Mark.boyd@sbbeng.com</a></td>
</tr>
<tr>
<td>2. Rick Kready</td>
<td>Pioneer Group</td>
<td>783-3385</td>
<td>Rick.Kready@PioneerGroupInc.</td>
</tr>
<tr>
<td>3. Ross Freeman</td>
<td></td>
<td>784-3384</td>
<td><a href="mailto:rrossp@ic.msn.com">rrossp@ic.msn.com</a></td>
</tr>
<tr>
<td>4. Pat Heaman</td>
<td>714 SW Tyler</td>
<td>235-1117</td>
<td><a href="mailto:mes@msn.com">mes@msn.com</a></td>
</tr>
<tr>
<td>5. Dave Frederick</td>
<td>1517 SW Van Buren</td>
<td>633-9559</td>
<td>DaveFrederick.msn.com</td>
</tr>
<tr>
<td>6. Val Walker</td>
<td>532 SW 6th St</td>
<td>554-3631</td>
<td><a href="mailto:Valawalker.52@yahoo.com">Valawalker.52@yahoo.com</a></td>
</tr>
<tr>
<td>7. Mike Hall</td>
<td>620 SE Madison</td>
<td>368-3007</td>
<td><a href="mailto:mghall@topeka.org">mghall@topeka.org</a></td>
</tr>
<tr>
<td>8. Jim Malley</td>
<td>1522 SW 7th Ave</td>
<td>221-8966</td>
<td><a href="mailto:wmc21006@Hotmail.com">wmc21006@Hotmail.com</a></td>
</tr>
<tr>
<td>9., John Neumuebel</td>
<td>1035 SW Lane</td>
<td>232-2917</td>
<td><a href="mailto:Khrler@topeka.org">Khrler@topeka.org</a></td>
</tr>
<tr>
<td>10. John Neumuebel</td>
<td>cot Planning</td>
<td>318-3011</td>
<td><a href="mailto:JNeumuebel@topeka.org">JNeumuebel@topeka.org</a></td>
</tr>
</tbody>
</table>
Topeka Non-Residential Design Standards

Purpose and Intent

The Non-Residential Design Standards are intended to provide descriptions of acceptable design for non-residential development projects. The design standards establish the basic requirements for the development of the structure, and its architectural components, which are common to all types of commercial development. The design standards are not intended to promote a particular style of architecture or design theme, but will enable developers, architects, landowners and the general public to anticipate and plan for building acceptability as a key element of the overall project approval process. The standards are intended to accomplish the following objectives:

- Ensure design that enhances a sense of place and strengthens the identity of Topeka;
- Enhance pedestrian-oriented design;
- Relate development to surrounding community;
- Support property values in new development/redevelopment;
- Encourage higher quality in design and use of materials in new development; and
- Balance functional and economic objectives of community residents and business owners through aesthetic considerations affecting the community at large.

Application of design standards

a) Non-residential design standards shall apply to the following:

1. New construction or an alteration to an existing structure which increases or decreases the amount of gross floor area of such structure by more than 50 percent.
2. Any project requiring a building permit for a remodel of at least 50% of the front and/or street facades.
3. Churches, schools and other institutional uses in any zoning district and all developments constructed under the provision of a conditional use permit, in any zoning district.
4. Any construction within the O&I-1, O&I-2, O&I-3, C-1, C-2, C-3, C-4, M-S, I-1, I-2, X-1, X-2, X-3, D-1, D-2, D-3, U-1, and all planned unit development districts for the above listed use groups.
5. Accessory buildings requiring a building permit, that are visible from the street, and 1,000 square feet or larger.

b) The design standards do not apply to designated local, state or national historic properties.

c) Type A building design standards shall apply to O&I-1, O&I-2, O&I-3, C-1, C-2, , X-3,D-1, D-2, D-3 and all planned unit development districts for the above listed use groups, and all developments constructed under the provisions of a conditional use permit and any of these districts. Buildings in any “D” district shall comply with these standards and the Downtown Topeka Urban Design Guidelines (TMC 18.200.090, Exhibit A).

d) Type B building design standards shall apply to C-3, C-4, U-1, M-S, X-1, all planned unit development districts for the above listed use groups, and all developments constructed under...
the provisions of a conditional use permit in any of these districts. Type B building design standards shall apply to churches, schools, and other institutional uses in any zoning district.

e) Type C standards shall apply to I-1, I -2, X-2, and all planned unit development districts for the above listed use groups, and all developments constructed under the provisions of a conditional use permit in any of these districts.

f) Only those portions of the building that are undergoing expansion/alteration are expected to comply with the design standards.

g) The planning director may exempt the building design standard requirements under the following circumstances:

1. The applicant demonstrates that strict application of the design standards results in undue hardship due to one or more of the following factors:
   i. Size of building,
   ii. Lack of visibility from the public right-of-way,
   iii. Function or use of the building,
   iv. Overall context of the area, or
   v. Building permit not required.

2. The strict application of the design standards would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the property owner; provided there is no substantial detriment to the public welfare and the purpose and intent of the standards are not substantially impaired.

Alternative Compliance

a. An alternate building design may be approved under the following circumstances:

   a. If the design fails to meet one of the requirements for building materials, architectural details, or windows/doors, the applicant shall utilize at least one of the elements below.

   b. If the design fails to meet two of the requirements for building materials, architectural details, or window/doors, the applicant shall utilize at least two of the elements below.

   c. If the design fails to meet all three of the requirements, the alternate building design elements cannot be used as an alternative building design.

b. Elements that may be utilized in lieu of full compliance with the design standards include:

   a. Excess landscaping (at least 25% more points accrued than required) concentrated along public rights-of-way,

   b. Additional parking lot islands (with trees) beyond what is required by the landscaping regulations,

   c. Landscape screening,

   d. The addition of a front or street facing outdoor patio appropriate to the building,

   e. The addition of integrated planters, landscaping features, or wing wall appropriate to the building

   f. Parking located to the side or rear of the building,

   g. Includes a proposal to reduce the existing sign height on the property,
h. At least 20% higher percentage of required windows/doors,
i. Additional number of required architectural details (at least 1 additional detail per insufficiently met design standard).

Design Review

The planning director will utilize the following general standards in determining whether an applicant has complied with the design standards.

a) Building elevation design determinations must consider the character of the surrounding architecture and neighborhood and incorporate design elements that further reflect or enhance surrounding community character.
b) In areas where the existing character is not definitively established or is not consistent with the purposes of these standards, the architecture of new development shall set an enhanced quality for future projects or redevelopment in the area.
c) Non-residential buildings shall provide significant architectural interest and shall not have a single, large dominant building mass.
d) Non-residential development shall take into account the architectural design of all building elevations – 360 degrees. Quality design shall exist on all elevations of the building.
e) The street level shall be designed at a pedestrian scale in order to establish attractive street fronts.
f) Buildings shall be designed with predominant materials, elements, and design features tailored to the site and its context.
g) Projects located downtown, along arterials streets, or adjacent to residential uses shall comply with all applicable building type design standards plus at least one element from Alternative Compliance.
h) Projects located within an industrial context, or not visible from the street, may design to a lesser building type standard than required by zoning, provided that the project completely meets the design requirements of the lesser building type and includes at least one element from Alternative Compliance.

Building Design Standards – Type A, B, and C non-residential buildings

a) The specific design standards in the table below shall apply for Type A, B, and C non-residential buildings.
b) When calculating building material and window/door percentages, the façade width will be multiplied by the average façade roofline height (upper limit of 20’) to determine the total square footage of the façade. The window/door area will be deducted from the square foot calculation of the total façade area before determining the percentage of building materials.
c) Garage doors do not count towards the required window/door percentages.
d) The Planning Director may approve other building materials or architectural details not listed.
**Building Design Standards**

<table>
<thead>
<tr>
<th>Type A &amp; Type B Building Materials</th>
<th>Total square footage of all stories of front and/or street-facing facades shall contain the following <em>minimum</em> percentages of the building materials listed below:</th>
</tr>
</thead>
</table>
|                                   | * Natural stone  
* Brick  
* Cast Stone  
* Synthetic Stone, such as pre-manufactured fiberglass, cultured stone, or glass fiber reinforced concrete, if it is identical in appearance and of equal or greater durability to natural stone  
* Traditional stucco or gypsum concrete/plaster materials with smooth finish  
* Exterior insulating finishing system (E.I.F.S)  
* Integrally-colored or glazed concrete masonry units  
* High quality pre-stressed concrete systems (Pre-cast w/veneer or textured finish)  
* Glass curtain wall  
* Architectural metal panels – must be a higher quality material than standard industrial, ribbed, pre-engineered metal panels.  
* Cement Board siding  
* Solid wood planking and decorative cement fiber panels may be used for accent features |
|                                   | The remaining exterior surface area of all stories of front and/or street-facing facades shall be comprised of these materials, or cement fiber panels, or integrally-colored split-faced concrete masonry blocks. |
| **Building Types** | **A** | **B** | **C** |
| Total square footage of all stories of front and/or street-facing facades may integrate the following *maximum* percentage of materials into the composition of the materials listed above. | 85% | 60% |
| * Cement fiber panels  
* Integrally-colored split-faced concrete masonry block |
| Type C Building Materials | Total square footage of all stories of front and/or street-facing facades shall contain the following *minimum* percentage of the building materials listed below. |
| * Any of the designated materials for Type A and B  
* Glass block or curtain wall  
* Integrally-colored split-faced concrete masonry unit  
* Pre-cast concrete tilt wall with a decorative or textured finish  
* Industrial, ribbed, pre-engineered metal panels with permanent baked-on enamel finish, or painted to manufacturer’s specs |
| **Building Types** | **A** | **B** | **C** |
| Total square footage of all stories of non-front and/or non-street-facing facades for Type C buildings listed below. | 60% |
| The remaining exterior surface area of all stories of front and/or street-facing facades shall be composed of these materials, or those materials listed for use within non-front and non-street-facing facades for Type C buildings listed below. |
| Total square footage of all stories of non-front and/or non-street-facing facades on Type C buildings may integrate the following *maximum* percentage of additional materials into those listed above. | 85% |
| * Cement fiber planking (not panels)  
* Solid wood planking and decorative cement fiber panels  
* Metal with permanent baked-on enamel finish, or painted to manufacturer's specs |
### Building Design Standards

<table>
<thead>
<tr>
<th>Types of Architectural Details</th>
<th>Building Types</th>
</tr>
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<tbody>
<tr>
<td>For the first 50 linear feet (or less) of <strong>front and/or street-facing facades</strong>, all building types shall be designed with the following minimum number of architectural details. One additional architectural detail shall be required for each additional 25 feet of building street frontage.</td>
<td>A</td>
</tr>
<tr>
<td>* At least 15% more windows/doors than the required minimum percentage</td>
<td>4</td>
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<tr>
<td>* Display or other ornamental windows</td>
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<tr>
<td>* Recessed entries</td>
<td></td>
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<tr>
<td>* Horizontal or vertical recesses, projections, or off-sets at least 1-foot wide, located an average of every 30 horizontal feet, and with a depth at a minimum of 4”-6”</td>
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<tr>
<td>* Modulating facade. Individual tenant spaces in multi-tenant buildings must modulate facades of the individual tenant spaces. Modulated facades help break up the mass of the building and create visual interest.</td>
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<tr>
<td>* Variation of roof heights</td>
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<tr>
<td>* Porches or balconies</td>
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<tr>
<td>* Breezeways</td>
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<tr>
<td>* Courtyards</td>
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<tr>
<td>* Awnings or canopies (permanent)</td>
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<tr>
<td>* Alcoves</td>
<td></td>
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<tr>
<td>* Arcade, gallery, veranda, or pergola</td>
<td></td>
</tr>
<tr>
<td>* Arches</td>
<td></td>
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<tr>
<td>* Structurally different building materials (i.e. stone and brick)</td>
<td></td>
</tr>
<tr>
<td>* Decorative tile work, brick patterns, moldings or other materials integrated into the façade</td>
<td></td>
</tr>
<tr>
<td>* Ornamental cornice</td>
<td></td>
</tr>
<tr>
<td>* Varied roof forms. Large uninterrupted expanses of rooftop ridgelines must include architectural details that add articulation and visual interest, such as gable-roofed dormers, hip-roof elements, or other design measures to achieve an equivalent result.</td>
<td></td>
</tr>
<tr>
<td>* Premium roofing materials such as tile, or standing-seam metal</td>
<td></td>
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<tr>
<td>* Tower cap</td>
<td></td>
</tr>
<tr>
<td>* Tower or raised parapet</td>
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</tbody>
</table>

| Doors & Windows | * The area of all stories’ **front facades** of all building types shall contain the following minimum percentage of window or door openings. | 50% | 40% | 25% |
| * The area of all stories’ **non-front street-facing facades** of all building types shall contain the following minimum percentage of window or door openings. For **non-front facades**, faux windows may be applied when the interior function of the building is not conducive to being seen from the exterior. | 30% | 20% | 15% |

| Non-Street Facing Walls | Maximum length of **non-street or non-front-facing facades** without architectural details. | 30’ | 50’ | 75’ |

| Mechanical Systems | All roof mounted mechanical units (including evaporative coolers, HVAC units, vents, etc.) for all building types shall be located or screened so as not to be visible from the project’s property lines that are adjacent to public and private streets, as well as adjacent to residential properties (unless height difference makes screening impractical). The screening methods/materials shall be consistent with and incorporated into the design of the building. |  |  |  |
Appeal

a. If the planning director determines that the design plans are not in conformance with the design standards, the planning department shall deny the plans and notify the applicant, in writing, of the design features that do not comply.

b. The applicant may appeal the planning director’s determination to the board of zoning appeals as provided in Chapter 2.45 TMC. (Ord. 19815 § 8, 5-7-13.)
BUILDING TYPE EXAMPLES
TOPEKA NON-RESIDENTIAL BUILDINGS
Non-Residential Design Standards – Building Type Examples
The following are Building Type A, B, and C examples.

Type A Buildings

Type B Buildings
Type C Buildings
Non-Residential Design Standards – Building Design Review Examples
The following examples detail the key elements (building materials, architectural details, and windows/doors) required for each type of building design review. The examples are meant to depict compliance with the standards for each building type and how to identify the particular elements. The examples do not show all of design standards, nor do they show all of the compliance options available for each standard depicted.

Type A Building

Building Materials (85% stone, brick, etc. on street and/or front required)

Architectural Details (4 architectural details on street and/or front required)

Architectural Details
- Varied roof line
- Cornice
- Modulating facade
- Canopies
Windows/Doors (50% of the area of the front façade required)

- Calculate percentage of window/door area versus front façade area.

Type B Building

Building Materials (60% stone, brick, etc. on street and/or front required)
Architectural Details (3 architectural details on street and/or front required)

- Varied roof line
- Varied building materials
- Canopies

Windows/Doors (40% of the area of the front façade required)

- Calculate percentage of window/door area versus front façade area.
Type C Building

Building Materials (Type A/B, concrete tilt-wall, metal with baked-on enamel finish, etc). on street and/or front required)

Architectural Details (2 architectural details on street and/or front required)

Materials
- Metal
- Concrete

Materials
- Awnings
- Concrete material different than the metal
Windows/Doors (need 25% of the area of the front façade required)

Materials

- Calculate percentage of window/door area versus front façade area.
August 20, 2018 Planning Commission Meeting

Summary of Proposed Changes to the Topeka Zoning Ordinance

- **Increase the overall quantity of required landscaping for new development.** The required quantity of landscaping is based on a point-based system. The higher the point total, as determined by the size of the development site and other factors, the greater the quantity of landscaping required. With the exception of development in I-1, I-2, X-2, and X-3 zoning districts, it is proposed that the points generated, and the resulting required quantity of landscaping, be increased by up to 20 percent.

- **Establish a minimum standard for landscaping along street frontages.** The current landscape regulations require landscape plans to “emphasize plantings along visible street frontages . . . to the greatest extent possible.” To more effectively accomplish the objectives of the landscape regulations it is proposed that a minimum of 50 percent of the total required landscaping be applied to the street frontage for sites fronting on one street, a minimum of 60 percent of the total for sites fronting on two streets, and a minimum of 70 percent of the total for sites fronting on three streets.

- **Clarify and revise the required landscape setback along street rights-of-way.** The current landscape regulations require a 4 foot landscape setback for parking areas along street rights-of-way for lots platted prior to the adoption of the landscape ordinance (June 11, 2002). It is proposed that the landscape setback for lots platted prior to June 11, 2002 be increased to 6 feet to provide sufficient permeable surface to support landscaping.

- **Provide for alternative compliance to the 20 foot landscape setback along street rights-of-way.** Current landscape regulations require a minimum 20 foot landscape setback for parking areas along street rights-of-way for lots platted on or after June 11, 2002. To encourage more visually appealing development, it is proposed that the regulations be amended to allow reduced building and landscape setbacks for site plans that meet particular design conditions, including the siting of off-street parking to the side and rear of buildings.

- **Require screening of automobile tow lots and contractor yards.** In zoning districts where tow lots, contractor offices and yards are permitted (C-4, I-1, I-2, D-1, and D-3) it is proposed that screening with fencing and/or landscaping be required along lot lines adjoining street rights-of-way and in yards abutting residentially zoned property.