

**MINUTES
NEWTON-NORTH NEWTON PLANNING COMMISSION
REGULAR MEETING
April 7, 2008**

Members present: **Newton:** Carl Harris (10-2), Veronica Mosqueda (10-2)
Todd Smith (10-2), Gary Hill (10-2),

North Newton: Ron Loewen (10-2), Vern Miller (10-1)
Don Reinert (11-1)

Members absent: **Newton:** Lester Limon (11-1)

North Newton: None

[Note: attendance-recording period runs from 5-1-07 to 4-30-08.]

Staff: Terry Williams, Building and Zoning Administrator and Timothy Johnson, Community Development Director.

The Newton-North Newton Area Planning Commission met on April 7, 2008 in a regular meeting at the Newton City Hall City Commission chambers, 201 East 6th Street, Newton, Kansas with Vice Chairman Reinert presiding. At 7:00 p.m., a quorum was present and the meeting was called to order.

AGENDA ITEM NO. 1

The minutes of the previous regular meeting of March 3, 2008 were reviewed. The Vice Chair asked if there were any additions or corrections. There being none, Commissioner Harris moved the minutes be approved as presented. The motion was seconded by Commissioner Mosqueda and passed on a 7-0 vote.

AGENDA ITEM NO. 2

The Commission considered the appeal of Kenneth R. & Lori D Hein, 719 W 10th Street, Newton, Kansas and conducted a public hearing for a variance from Section 3.3 of the Newton Zoning Ordinance, which establishes the minimum street side yard setback at fifteen (15) feet for a detached garage in a residential zoning district. If granted, the variance would allow the issuance of a building permit for the construction of a detached garage at the residence at 719 W 10th Street, Newton, Kansas with a 7.5 foot street side yard setback.

The Vice Chair asked staff to introduce the application. Terry Williams, Planning and Zoning Administrator, reviewed the staff report and proposed findings, as part of the record. He noted he had received one letter in response to the notification mailings but it was more of a concern if the use of the building would be for commercial use. The citizen was informed commercial use would be in violation of the zoning classification of this area.

The Vice Chair inquired if there were any questions for staff. There were none.

The Vice Chair then asked the applicant or their representative to address the Commission.

The applicant, Kenneth Hein, appeared in support of the appeal and to answer any questions.

The Vice Chair opened the public hearing, requesting those for or against the project to speak. There being no one wishing to speak, the Vice Chair closed the public hearing and requested a motion from the bench.

Commissioner Hill moved the appeal be approved as presented. Commissioner Harris seconded the motion. There being no further discussion, the motion was approved with a 7-0 vote.

AGENDA ITEM NO. 3

The Commission held a public hearing and considered adoption of the South Newton/I-135 Corridor Land Use Plan as an addendum to the comprehensive Plan of the City of Newton.

The Vice Chair asked staff to introduce the application. Tim Johnson, Community Development Director, explained the required action of the Commission.

Tom Phillips explained this was an opportunity for the Commission to make any final changes or recommendations to the document.

Commissioner Hill and Commissioner Harris proposed a change in the language "creating a funding source" to "identify a funding source" or something similar to soften the meaning. This language is located on page 41, #10.

With no one wishing to speak for or against the recommendations, the Vice Chairman called for a motion.

After short discussion, Commissioner Harris made the motion to adopt the South Newton/I-135 Corridor Land Use Plan and recommend adoption to the governing body with the proposed changes. Commissioner Loewen seconded the motion. Motion carried on a 7-0 vote.

AGENDA ITEM NO. 4

The Vice Chair called for any old business.

Commissioner Hill inquired if the Downtown Master Plan study will come before the Planning Commission.

Tim Johnson stated there is a plan to invite the Planning Commission to the meetings or to appear before them as a Commission. He will be checking with Suzanne Loomis, City Engineer regarding the matter coming before the Planning Commission in May.

AGENDA ITEM NO. 5

The Vice Chair called for any new business

There was none.

AGENDA ITEM NO. 6

There being no other business to come before the Commission, the meeting adjourned at 7:27 p.m.

Timothy Johnson
Secretary