



AGENDA
HUTCHINSON PLANNING COMMISSION
 Tuesday, February 16, 2016 – 5:00 p.m.
Executive Conference Room**
 125 East Avenue B, Hutchinson, Kansas

1. ROLL CALL

- | | | |
|--|---|-----------------------------------|
| <input type="checkbox"/> Macklin | <input type="checkbox"/> Woleslagel | <input type="checkbox"/> Bisbee |
| <input type="checkbox"/> Hamilton (Vice Chair) | <input type="checkbox"/> Peirce (Chair) | <input type="checkbox"/> Obermite |
| <input type="checkbox"/> Carr | <input type="checkbox"/> Hornbeck | <input type="checkbox"/> Peterson |

2. APPROVAL OF MINUTES – Meeting of February 2, 2016.

3. CORRESPONDENCE & STAFF REPORTS – Motion to accept documents into the official record.

4. NEW BUSINESS

- a. **Planning Commission Training
 (Zoning Changes, Conditional Use Permits & Special Use Permits)**

(Staff Representative: Jana McCarron, AICP, Planning & Development Director)

5. PUBLIC HEARINGS - NONE

6. UPCOMING CASES

- a. Preliminary & Final Plat – Kisiwa West (replat of 6 lots into 1 lot) [March 1, 2016]
 b. Rezone - NW Corner of Bigger & Elm (from R-4 to P/I) [March 15, 2016]

7. OPEN COMMENTS FROM THE AUDIENCE (Please limit comments to five minutes.)

8. ADJOURNMENT

****PLEASE NOTE CHANGE OF LOCATION. MEETING WILL BE HELD IN THE EXECUTIVE CONFERENCE ROOM ACROSS FROM THE CITY MANAGER’S OFFICE.**

Staff Contacts:	Jana McCarron	620-694-2681	Casey Jones	620-694-2667
	Amy Denker	620-694-2638	Stephanie Stewart	620-694-2635
	Charlene Mosier	620-694-2639		

MINUTES
 CITY PLANNING COMMISSION
 TUESDAY, FEBRUARY 2, 2016 – 5:00 p.m.
 CITY COUNCIL CHAMBERS
 125 EAST AVENUE B

1. The Planning Commission meeting was called to order with the following members present: Harley Macklin, Terry Bisbee, Janet Hamilton, Mark Woelzel, Robert Obermite, Darryl Peterson, Tom Hornbeck, Todd Carr, and Ken Peirce. Staff present were Jana McCarron, Director of Planning and Development; Casey Jones, Senior Planner; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the January 19, 2016, meeting were approved on a motion by Hamilton, seconded by Macklin, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

The documents and staff reports were accepted into the official record on a motion by Bisbee, seconded by Obermite, passed unanimously.

4. NEW BUSINESS
 - 4a. 16-SD-01 Request for approval of the preliminary and final plats for the Sandy Lake Addition

Peirce asked if there were any outside contacts or conflicts of interest; there were none.

Jones reviewed the staff report for the case. The property is owned by Clarence and Susan Nolte. The applicant has submitted preliminary and final plat applications for the Sandy Lake Addition. The property is located to the North of E. 11th Avenue between Halstead Street and Alcoa Drive in the City of Hutchinson. The subdivision would consist of two lots on 58.5 acres and is zoned I-3 Heavy Industrial District.

The owner proposes to establish a watercraft sales and service business on Lot 1 and has submitted an application to rezone the property from I-3 to C-3. A conditional use permit application has also been submitted for a proposed single family dwelling that would also be located on Lot 1. Access to public water and sewer is in place. Maintenance of the reserve area will be the responsibility of the property owners. Jones showed a zoning map and the proposed plat for the property.

There is a drainage ditch along the north and east sides of the property. The west side of the property, along Halstead St., has businesses that abut the proposed subdivision. The property currently has a driveway access from 11th Avenue.

Jones said staff recommends approval of the preliminary and final plat subject to the following:

- 1) Provide a copy of the “30’ Private Road Right of Way and Easement (Bk. 178, Pg. 276),” which is shown on Lot 1.
- 2) Show the Black Hills Energy gas pipeline easement on the preliminary plat and final plat (Bk. 85, Pg. 35). (The pipeline is shown on the preliminary plat adjacent to the south and west boundaries of the property.)
- 3) Add note to preliminary plat: “All new utilities shall be located underground. Existing above-ground utilities shall be placed underground unless a subdivision variance is granted.”
- 4) Add note to final plat that assigns maintenance responsibilities for Reserve Area “A.” (This note appears on the preliminary plat and also needs to be on the final plat.)
- 5) On final plat, change Planning Commission Chairman to “Ken Peirce” and replace “Hutchinson-Reno County Joint Subdivision Committee” with “Hutchinson Planning Commission.”
- 6) On final plat, move the “Review Surveyor’s Certificate” label; It is on top of another notation.
- 7) Submit a revised preliminary plat and final plat (one paper copy and one PDF of each) and a signed final plat mylar to the Planning Department a minimum of one week prior to the desired City Council meeting.

Peirce asked for the presentation by the applicant.

Dan Garber, Garber Surveying, 2908 N. Plum, explained the owners want to return the lake to its previous condition making it suitable for fishing. The applicant plans to force the geese off the lake which also makes it safer for the airport because it is located in close proximity. The owner plans to build a structure for a workshop and to store boats and equipment. An office area would be included. A dock may be constructed for fishing and boats are tested on the lake. The water depth of the lake is approximately 40 feet.

There were no comments from the audience. Peirce closed the hearing.

Motion by Bisbee, seconded by Peterson to approve the Preliminary Plat for the Sandy Lake Addition, subject to the revisions presented by Staff, passed with the following vote: Yes – Macklin, Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Peterson, Bisbee, Peirce.

Motion by Bisbee, seconded by Carr to recommend approval of the Final Plat for the Sandy Lake Addition, subject to the revisions presented by Staff, passed with the following vote: Yes - Macklin, Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Peterson, Bisbee, Peirce.

5. PUBLIC HEARINGS

- 5a. 16-ZA-02 Request to rezone 00000 East 11th Avenue from I-3 Heavy Industrial District to C-3 Outdoor Commercial District.

Peirce asked if there were any outside contacts or conflicts of interest; there were none.

Jones reviewed the staff report for the case. Clarence and Susan Nolte are requesting to rezone the 58.5 acre property on the north side of 11th Avenue between Halstead Street and Alcoa Drive. The property is undeveloped and contains a lake. They would like to construct a watercraft sales and service building, demonstrate watercraft on the lake, and construct a single family dwelling. A watercraft sales, service and accessory storage use is permitted in the current I-3 zoning and in the requested C-3 zoning district. Single family dwellings are not permitted in the I-3 District and require a conditional use permit in the C-3 District. A legal notice was placed in the newspaper for the zoning amendment and the conditional use permit.

Notices of the public hearing were mailed to property owners within 200 feet and no comments were received. The proposed property is surrounded by I-3 zoning. Jones reviewed the factors. The character of the neighborhood is industrial. The zoning and uses of nearby property are also industrial. Staff would not recommend permitting a residential use on the property. A residential use on this property could impact the surrounding industrial uses because buffering and screening requirements would be imposed on future non-residential developments on the adjacent properties. The Comprehensive Plan 2005-2010 calls for industrial uses on this property.

Peterson commented this use is good for the area and would actually improve the property. Bisbee agreed the watercraft business is excellent; however he had concerns about not following the Comprehensive Plan and imposing expenses on other industrial businesses that have been there for years and are in the correct zoning.

Garber stated that the three cases are all tied together. If the applicant does not receive approval to live on the property, he would not proceed with any of the plans. The applicant would also be willing to waive the required buffering due to surrounding business expansion. The owner currently lives in the county and would like to live next to the business and living there will provide security for the property. Vandalism and theft has been an issue on this property in the past. An elevation drawing of the proposed lodge-style home was shown.

Mr. Nolte said he has run out of space at the business on 4th Avenue and this is the ideal location to expand. He has owned this property since the 1980's. He would employ two or three mechanics at the proposed shop on the Sandy Lake Addition. He said he will use lasers and noise to scare off the geese to help clean up the water. He said he has no plans for Lot 2 as there are numerous pipelines and little ground on this lot. He would like to add a gate and stone entrance and additional landscaping to the property. He may also add a boat dock for fishing.

Macklin asked if a conditional use permit is possible for a residence in an industrial zone. McCarron said it is not; it must be zoned C-3 to have a conditional use permit for a home. It is also not an option to allow waiving any buffering. The applicant would need to apply for a variance from required screening.

Hamilton asked about signage. The applicant said he has no plans to put up any signs.

Peirce closed the hearing and asked for a motion.

Motion by Hamilton, seconded by Woleslagel to recommend to the City Council approval of this request to rezone the property at 00000 East 11th Avenue from I-3 Heavy Industrial District to C-3 Outdoor Commercial District based on the following factors:

- 1. Character of the neighborhood – there are other businesses in this area.**
- 2. The property is unique because there are no other lakes this size within the city limits.**
- 3. There were no comments from surrounding neighbors.**
- 4. The request would improve the condition of the property.**
- 5. Improved safety for the airport due to mitigation of geese.**
- 6. All utilities are currently in place.**
- 7. Commercial development and a home would increase the tax base of this area.**

The motion passed with the following vote: Yes – Macklin, Woleslagel, Hamilton, Obermite, Peterson, Peirce; No – Bisbee, Carr, Hornbeck.

- 5b. 16-CUP-01 Request for Conditional Use Permit approval to construct a single family dwelling on property zoned C-3 Outdoor Commercial District located at 00000 East 11th Avenue.

Peirce asked if there were any outside contacts or conflicts of interest; there were none.

Jones reviewed the staff report for the case. The applicant is requesting a conditional use permit to construct a new 2,172 square foot, single family dwelling on the property located at 00000 East 11th Avenue. The property was recommended to be rezoned by the Planning Commission from I-3 to C-3. Single family dwellings require a conditional use permit in the C-3 District.

Staff is recommending denial of the request because the required factors for approval are not met. It is not in conformance with the comprehensive plan and a single family dwelling is not compatible with the zoning and uses of surrounding properties that are all industrial. The proposed use would experience the traffic, noise and dust from surrounding uses that are not typically compatible with residential dwellings. Jones said a site plan would need to be approved and the driveway would need to be paved with a required 24 foot wide concrete or asphalt drive off of 11th Avenue. Landscaping requirements are currently met. Two parking spaces for the house and three parking spaces for the business would be required.

Obermite commented that this property has limited uses and this use seems to fit very well while improving the property.

Macklin asked about the timeframe for construction. Garber said the applicants have been working on this project for a year and are ready to begin as soon as everything is approved.

There were no comments from the audience.

Peirce closed the hearing and asked for a motion.

Motion by Woleslagel, seconded by Peterson to recommend to the City Council approval of this request for a conditional use permit for construction of a single family dwelling at 00000 East 11th Avenue based on the following factors:

- 1. Character of the neighborhood;**
- 2. Length of time the property has remained vacant;**
- 3. Impacts on nearby properties;**
- 4. Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;**
- 5. Availability of public utilities to serve the development.**

The Planning Commission had the following condition:

- 1. The single family residence must be a site built home only.**

The motion passed with the following vote: Yes – Macklin, Hamilton, Obermite, Carr, Bisbee, Peterson, Woleslagel, Peirce; No – Hornbeck.

6. UPCOMING CASES

6a. Jones said the next upcoming case is a subdivision application for Kisiwa West, near 3900 N. Monroe. This will be a replat of six lots to one lot for a single family residence that will be constructed.

7. OPEN COMMENTS FROM THE AUDIENCE – None.

8. ADJOURNMENT – The meeting adjourned at 6:35 p.m.

Respectfully Submitted,
Charlene Mosier

Approved this _____ day of _____

Attest: _____