



AGENDA
PLANNING COMMISSION
 Tuesday, June 12, 2018 – **5:30 PM**
City Council Chambers
 125 E Avenue B, Hutchinson, Kansas

1. ROLL CALL

- | | | |
|--|---|---------------------------------------|
| <input type="checkbox"/> Richardson | <input type="checkbox"/> Woleslagel | <input type="checkbox"/> Bisbee |
| <input type="checkbox"/> Hamilton | <input type="checkbox"/> Wells | <input type="checkbox"/> Roberts-Ropp |
| <input type="checkbox"/> Carr (Vice Chair) | <input type="checkbox"/> Hornbeck (Chair) | <input type="checkbox"/> Peterson |

2. APPROVAL OF MINUTES – Meeting of May 1, 2018.

3. CORRESPONDENCE & STAFF REPORTS – Motion to accept correspondence and staff reports into the official record.

4. PUBLIC HEARINGS – None

5. OLD BUSINESS – None

6. NEW BUSINESS – Discussion of request made by Mick Goetz on behalf of Brian and Jessica Fleeman, 3712 Olympic Lane, for consideration of code amendments to allow for guest houses in the R-3, Moderate Density Residential District (McCarron)

7. UPCOMING CASES –

- a. SDP18-000002 – Prairie Star II, Preliminary Plat (June 26, 2018)
- b. SDF18-000001 – Prairie Star II, Final Plat (June 26, 2018)
- c. ZA18-000004 – Amendments to the Zoning Regulations Pertaining to Parking & Landscaping
- d. ZA18-000005 – Elliott Mortuary Rezone (July 10, 2018)

8. ADMINISTRATIVE CASES

- a. New Antennas on Plaza Tower – Sprint WCF18-000001 – Approved
- b. Site Plan Review - YMCA Parking Lot Expansion (716 E 13th Ave) – Approved
- c. Site Plan Review – Drake Accounting Office Expansion (401 W 1st Ave) – Denied
- d. Site Plan Review – PrairieLand Partners (1800 S Lorraine St) – Approved
- e. Site Plan Review – Egbert Liquors – Pending Variance Approval
- f. Site Plan Review – Prairie Star Addition – Pending Platting
- g. Site Plan Review – Cargill Expansion – Under Review
- h. Site Plan Review – Avenue A School Addition – Under Review

9. COUNCIL ACTION ON CASES

- a. **CUP18-000003** – Conditional Use Permit for Duplex in a C-4 Zoning District – Approved 5/15/2018

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

11. ANNOUNCEMENTS – Demonstration of Online Permitting System (CitizenServe) – Aaron & Jade

12. ADJOURNMENT

Staff Contacts:	Jana McCarron	620-694-2681	Aaron Barlow	620-259-4198
	Amy Allison	620-694-2638	Jade Shain	620-259-4134
	Charlene Mosier	620-259-4133		



PLANNING COMMISSION MINUTES

MEETING OF: TUESDAY, MAY 1, 2018

MEETING LOCATION: CITY COUNCIL CHAMBERS
125 EAST AVENUE B

1. ROLL CALL

The Planning Commission meeting was called to order at 5:46 p.m. with the following members present: Jon Richardson (8/9), Mark Woleslagel (6/9), Brock Wells (8/9), Tommy Hornbeck (7/9), Terry Bisbee (8/9), Valery Roberts-Ropp (8/9), and Darryl Peterson (7/9). Members Janet Hamilton (7/9) and Todd Carr (8/9) were absent.

Planning Staff present were: Jana McCarron, Director of Planning & Development; Aaron Barlow, Associate Planner; Amy Allison, Housing Program Coordinator, and Jade Shain, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the April 17, 2018 meeting were approved on a motion by Bisbee, seconded by Woleslagel, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

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

4. PUBLIC HEARINGS

a. CUP18-000003 – Conditional Use Permit for residential duplex in a commercial zone, 128 W 5th Ave

Hornbeck asked for the staff presentation. Allison provided the staff presentation.

The property at 128 W 5th Ave, owned by Marvin Mast, is zoned C-4 *Special Commercial District*. The Comprehensive Plan Designation is *Commercial*. The applicant, Marvin Mast, has requested a Conditional Use Permit for a residential duplex. A duplex requires a Conditional Use Permit in the C-4 zoning district because it is not permitted by right.

Wells arrived at 5:50 PM.

Allison provided the standard factors of approval required for conditional use permit requests:

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MEETING OF: TUESDAY, MAY 1, 2018

Factor	Analysis	Met Not Met																		
1. Character of the neighborhood	The subject property is located in a neighborhood with a mixture of uses. The property is located on a commercial corridor and sits adjacent to a residential neighborhood. The properties immediately to the north and east are residential properties. Neighboring commercial uses are separated by arterial and collector streets. Modifying the existing structure into a residential duplex use at this property will not significantly impact the character of the neighborhood.	<input checked="" type="checkbox"/> Met																		
2. Current zoning and uses of nearby property	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Location</th> <th style="width: 45%;">Zoning</th> <th style="width: 40%;">Use</th> </tr> </thead> <tbody> <tr> <td>Subject Property</td> <td>C-4 Special Commercial District</td> <td>Vacant</td> </tr> <tr> <td>North</td> <td>C-4 Special Commercial District</td> <td>Single family residential</td> </tr> <tr> <td>South</td> <td>C-4 Special Commercial District</td> <td>Laundromat</td> </tr> <tr> <td>East</td> <td>C-4 Special Commercial District</td> <td>Multiple family residential</td> </tr> <tr> <td>West</td> <td>C-4 Special Commercial District</td> <td>Grocery store</td> </tr> </tbody> </table>	Location	Zoning	Use	Subject Property	C-4 Special Commercial District	Vacant	North	C-4 Special Commercial District	Single family residential	South	C-4 Special Commercial District	Laundromat	East	C-4 Special Commercial District	Multiple family residential	West	C-4 Special Commercial District	Grocery store	<input checked="" type="checkbox"/> Met
Location	Zoning	Use																		
Subject Property	C-4 Special Commercial District	Vacant																		
North	C-4 Special Commercial District	Single family residential																		
South	C-4 Special Commercial District	Laundromat																		
East	C-4 Special Commercial District	Multiple family residential																		
West	C-4 Special Commercial District	Grocery store																		
3. Suitability of the property for the proposed use as presently zoned	The property was developed as a commercial property. The existing structure has plumbing for two bathrooms in place but bathing facilities and kitchen units will need to be added. Issues with the Building or Fire Code, if any, will be addressed prior to the issuance of a Certificate of Occupancy.	<input checked="" type="checkbox"/> Met																		
4. Extent of detrimental effects to nearby properties if the application were approved	The property is already developed. A residential duplex will have less impact on the surrounding neighborhood than a commercial use. Currently there is no room for parking on the property. The City Engineer has authorized on-street parking on 5 th Ave to count towards the four parking spaces required for the use.	<input checked="" type="checkbox"/> Met																		
5. Length of time the property has remained vacant	The property has been vacant for one year.	<input checked="" type="checkbox"/> Met																		
6. Relative gain to the public health, safety and welfare compared to the hardship imposed upon the landowner if the application were denied	<p><u>Health, safety, and welfare:</u> The proposed use will not have a significant impact to the public health, safety or welfare.</p> <p><u>Landowner hardship:</u> If the landowner is unable to convert the subject property, then he will likely continue to have issues finding a tenant for the property.</p>	<input checked="" type="checkbox"/> Met																		
7. Conformance of this request to the Comprehensive Plan	The Comprehensive Plan Land Use designation for this property is Commercial and the proposed use is compatible with commercial uses with conditions.	<input checked="" type="checkbox"/> Met																		
8. Impact on public facilities and utilities	There are no expected impacts on public facilities and utilities, as this site is already developed with existing, water, sewer, street, sidewalk and other public facilities / utilities in place.	<input checked="" type="checkbox"/> Met																		

PLANNING COMMISSION MINUTES

MEETING OF: TUESDAY, MAY 1, 2018

The representative of the applicant, Benjamin Mast, spoke to the Board about his request. He said it has been difficult to find a stable tenant for a Commercial property. The property has been vacant for a long time. He believes that the Hutchinson housing market could benefit from a duplex with small rooms for fixed and low-income people; adding that these tenants would be more stable as tenants and the turnover at this property would be reduced.

Hornbeck asked for staff's recommendation; Allison responded that staff recommends approval with conditions:

- 1) This conditional use permit shall only be used for residential duplex to be located at 128 W 5th Ave.
- 2) All parking of vehicles shall be on a paved surface.

Hornbeck asked if anyone from the audience would like to comment; there were no comments. Hornbeck closed the public hearing and asked for a motion.

Motion by Bisbee, seconded by Richardson and passed unanimously, to recommend **approval with conditions** to the Hutchinson City Council of Conditional Use Permit request #CUP18-000003 for a residential duplex located at 128 W 5th Ave. based upon a finding that the factors required for approval are **met**.

This item will be considered by City Council on May 15, 2018.

5. **OLD BUSINESS**

- a. Floodplain Changes – City of Hutchinson (Barlow)

Barlow discussed the proposed FEMA floodplain changes in the City of Hutchinson. The FEMA draft map was shown.

6. **NEW BUSINESS**

- a. None.

7. **UPCOMING CASES**

- a. None.

8. **ADMINISTRATIVE CASES**

- a) New Antennas on Plaza Tower – Sprint WCF18-000001 – In progress
- b) Site Plan Review - YMCA Parking Lot Expansion (716 E 13th Ave) – Waiting for revised plans
- c) Site Plan Review – Drake Accounting Office Expansion (401 W 1st Ave) – Waiting for complete application.

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d) Site Plan Review – PrairieLand Partners (1800 S Lorraine St) – Variance Hearing

9. COUNCIL ACTION ON CASES

a. None.

10. OPEN COMMENTS FROM THE AUDIENCE

11. ANNOUNCEMENTS

a. McCarron gave an update on the Landscaping/Paving amendments. She said she hopes that the Commission will be able to consider the changes on the June 26, 2018 meeting. McCarron also updated everyone about how Wichita administers the Administrative Adjustments. Typically, staff there has the authority to administratively allow small adjustments to things such as building setbacks or height restrictions. Wichita requires that before staff make these changes, the applicant must post a sign at the property whereby the Public has 10 days to comment. If no negative comments have been made, staff in Wichita are able to administratively adjust *some* regulations. McCarron said she will send the Board the proposed language in the coming weeks.

12. **ADJOURNMENT** - The meeting adjourned at 6:45 PM.

Respectfully Submitted,
Jade Shain, Planning Technician

Approved this 12th day of June, 2018

Attest: _____



**Planning Commission
Staff Report**

Public Hearing: TBD

DATE: June 6, 2018

TO: Hutchinson Planning Commission

FROM: Jana McCarron, AICP 
Director of Planning &
Development

**SUBJECT: GUEST HOUSES / ACCESSORY
DWELLING UNITS IN THE R-3
ZONING DISTRICT**



REQUEST:

Request for consideration of amending the City's Zoning Regulations to allow for accessory dwelling units / guest houses in the R-3 Zoning District, as petitioned for by Mr. Mick Goetz acting on behalf of Brian and Jessica Fleeman.

Staff Recommendation:

Staff recommends moving forward with proposed amendments to the regulations and incorporating them in the use table updates to the code.

Motion:

Motion to direct staff to (proceed / modify and proceed / not proceed) with amendments to the Zoning Regulations pertaining to accessory dwelling units in the R-3 Zoning District.

BACKGROUND:

In February 2011, the City of Hutchinson adopted new Zoning Regulations. The regulations do not allow for accessory dwelling units in any zoning district, however, some districts allow for duplexes. As part of the Residential Infill Study Implementation Plan, residents south of 17th Avenue have expressed a desire for allowing accessory dwelling units (ADUs).

Since 2014, Planning Staff has received approximately four requests to allow for guest houses or accessory units on lots in the R-3, Moderate Density Zoning District. While this does not represent a large number of inquiries, when Mr. Goetz called earlier this week staff suggested he petition the Planning Commission for consideration, as the City is in the process of making amendments to the pertinent sections of the code. That process should be completed in August of this year.

ANALYSIS:

ADUs are not presently allowed in the City's Zoning Regulations, however, duplexes would be allowed in the R-3 Zoning District pursuant to obtaining a Conditional Use Permit. ADUs were not strongly favored in the City's Comprehensive Plan questionnaire, but they did receive strong support during the Town Hall meetings for the proposed R-6 Zoning District. It is possible that people were not aware of what accessory dwelling units were and were, therefore, not supportive of the concept.

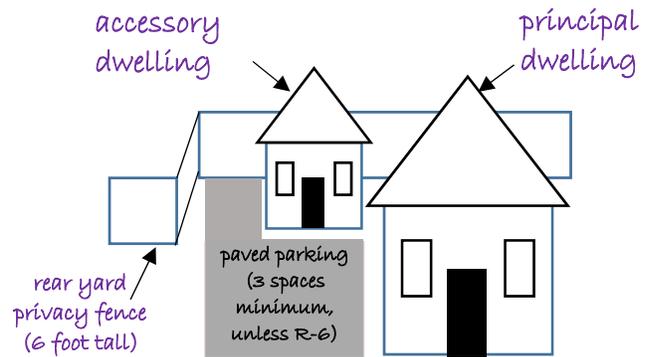
ADUs, also referred to as granny flats, can provide housing for elderly parents or boomerang adult children, or simply be used as a pool house for guests. Some areas of the City already have ADUs, as these were historically used for servant’s quarters or to house elderly parents. Many cities have moved in the direction of allowing for ADUs, as they allow for increased density to meet the housing needs of a community without having to expand at the edges. They also provide for greater flexibility in development of residential properties.

The proposed design requirements for ADUs in the R-6 Zoning District are included in purple below:

27-406.A.1. Accessory Dwelling Unit (ADU) Design Standards & Use Restrictions

One accessory dwelling unit per residential zoning lot is permitted where the following design standards and use restrictions are met. Accessory dwelling units shall:

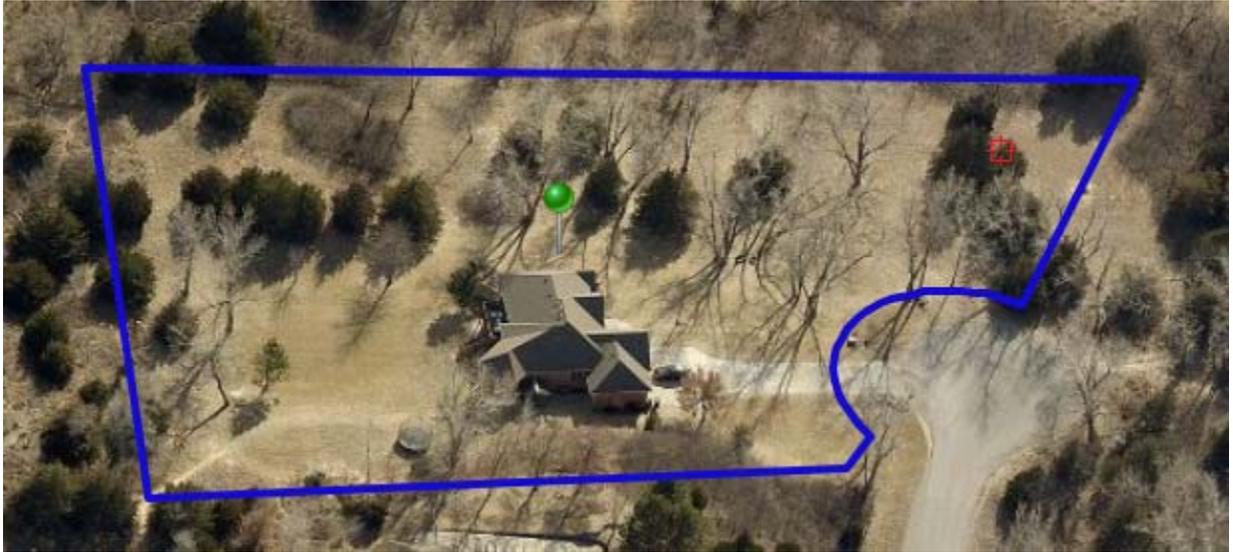
- a. ADUs shall be a minimum of 400 square feet and a maximum of 960 square feet and shall not exceed 50% of the size of the principal structure.
- b. be permitted only in the side or rear yards. An ADU shall not project into the front yard or into the required side street front yard.
- c. be separated from adjacent residential properties by a minimum 6-foot privacy fence that meets the requirements of this Article.
- d. have a minimum of one, paved off-street parking space dedicated for the use of residents of the ADU. This parking space shall be in addition to required parking for the principal dwelling. Those parking spaces with access only from an unpaved alley shall be allowed to be gravel, in accordance with the provisions of Sec. 27-701.C. In the R-6 Zoning District, the parking requirement may be reduced to one per dwelling unit.
- e. be permitted only on zoning lots where the property owner resides in either the principal dwelling or ADU.
- f. be constructed of materials typically found in residential construction and compatible with the principal structure.
- g. have separate kitchen, sleeping, restroom and bathing facilities located within the ADU and not shared with the primary dwelling.
- h. meet the requirements of the adopted Hutchinson Residential Building Code.



Accessory Dwelling Unit. Diagram is for illustrative purposes only.

If the Commission supports expanding ADUs to the R-3 or other zoning districts, the Commission may want to attach a minimum lot size before an ADU or add other design criteria beyond that proposed above. Alternately, the Commission may choose to allow for ADUs with special permitting requirements that includes notification of neighbors.

The screenshot below provides an aerial view of the Fleeman's lot. They own more than two acres of property and a guest house/ ADU would not seem out of character on this property, in staff's opinion.



ATTACHMENTS:

Exhibit A – Email from Mr. Mick Goetz requesting guest houses in the R-3 Zoning District

Jana McCarron

From: mick goetz <mickgoetz@hotmail.com>
Sent: Thursday, June 7, 2018 7:11 AM
To: Jana McCarron
Subject: Olympic Lane Lot Amendment

Jana,

I spoke with you earlier this week about a customer of mine wanting to build a guest house on their property located at the end of Olympic Lane in the Spyglass Area. Brian and Jessica Fleeman are the property owners and they own lots 2 & 3 at the end of Olympic Lane and have already had them combined into one lot. I am emailing to request an amendment to the existing coding to allow this. Let me know what other information you need from me on this subject.

Thanks,

Mick Goetz