



AGENDA
PLANNING COMMISSION
 Tuesday, November 27, 2018 – 5:30 PM
City Council Chambers
 125 E Avenue B, Hutchinson, Kansas

1. ROLL CALL

- | | | |
|--|-----------------------------------|---|
| <input type="checkbox"/> Richardson | <input type="checkbox"/> Vacant | <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"/> Peterson | <input type="checkbox"/> Hornbeck (Chair) |

2. APPROVAL OF MINUTES – Meeting of October 9, 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

a. Strong Towns – What’s Next?

Presentation: <https://www.youtube.com/watch?v=enp7HgSg588>

b. Housing Assessment Tool

The City of Hutchinson is writing the next Housing Assessment Tool. The tool is designed to help communities identify their housing strengths and weaknesses, as well as identifying needs. The City is writing the HAT to be eligible to apply for Community Development Block Grants. Please complete the online survey prior to the meeting: <https://www.surveymonkey.com/r/HutchHAT5>

7. UPCOMING CASES

a. December 11, 2018

- **ZV18-000005** – Fence Height Variance (18 W 11th Ave)

b. December 20, 2018

- **SDP18-000004** – Simms Replat (1600 W 22nd Ave)
- **SDP18-000006** – Navarro Replat (3104 Mike St)

8. ADMINISTRATIVE CASES - None

9. COUNCIL ACTION ON CASES

- a. ZA18-000007 Leonard Ave** – Approved
- b. ZA18-000008 2301 E 4th Ave** - Approved

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

11. ANNOUNCEMENTS

12. ADJOURNMENT

Staff Contacts:	Jim Seitnater	620-694-2667	Aaron Barlow	620-259-4198
	Amy Allison	620-694-2638	Jade Shain	620-259-4134
	Charlene Mosier	620-259-4133		



1. ROLL CALL

The Planning Commission meeting was called to order at 5:30 PM with the following members present:
Richardson [14/15] Hamilton [14/15] Carr (Vice Chair) [13/15] Wells [12/15] Peterson [13/15] Bisbee [14/15] Roberts-Ropp [13/15] Hornbeck [12/15] Vacant

Planning Staff present were: Jim Seitnater, Interim Director of Planning & Development; Amy Allison, Senior Planner; Aaron Barlow, Associate Planner; and Jade Shain, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the August 14, 2018 meeting were approved on a motion by Hamilton, seconded by Carr, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

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

4. PUBLIC HEARINGS

a. ZA18-00007 Rezone Industrial Neighborhood

Hornbeck opened the public hearing and asked for the staff presentation. Barlow provided the staff presentation.

Barlow said the request is to rezone properties roughly located within Leonard Avenue, Halstead Street, 4th Avenue and the GVI canal from I-3 Heavy Industrial District to C-4 Special Commercial District. Many of the houses in the neighborhood were built over 50 years ago. The conditions of houses in the neighborhood vary from average to uninhabitable. Because single-family houses with damage to more than 50% of the building are not permitted to be reconstructed in the I-3 Heavy Industrial District, banks and other lending institutions are not willing to finance loans for purchase or updates in this neighborhood. Single-family dwellings, motels, and mobile home parks are all prohibited in the I-3 Industrial District. All of these uses existed before the area in question was annexed by the City. A zoning change is needed to bring these properties into conformance.

Barlow went over the standard factors required for approval of a zoning amendment request:

PLANNING COMMISSION MINUTES
MEETING OF: TUESDAY, OCTOBER 9, 2018

Analysis of Factors Required for Approval of Zoning Amendment Requests:

Factor	Analysis	Met Not Met																		
1. Character of the neighborhood	<p>The neighborhood in question contains a mixture of uses ranging from commercial (the Sunset Motel), Industrial (Groendyke Transport, Sonoco Paper Mill and City Beverage Co.), and residential. However, despite their proximity, the uses are clearly separated. The neighborhood was formerly part of the Hutchinson Industrial District #1 before it was annexed by the City in 2004. The area was zoned industrial in anticipation of future development projects. However, since the annexation only City Beverage's current building has been constructed.</p> <p>Many of the houses in the neighborhood were built over 50 years ago. The conditions of houses in the neighborhood vary from average to uninhabitable (see Exhibit B: Housing Condition Map). Because single-family houses with damage to more than 50% of the building are not permitted to be reconstructed in the I-3 Heavy Industrial District, banks and other lending institutions are not willing to finance loans for purchase or updates in this neighborhood.</p> <p>Rezoning the properties in question to C-4 Special Commercial District would allow all the existing uses in the subject area either by right or by Special Use or Conditional Use Permit.</p>	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met																		
2. Current zoning and uses of nearby property	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #fff9c4;">Location</th> <th style="background-color: #fff9c4;">Zoning</th> <th style="background-color: #fff9c4;">Use</th> </tr> </thead> <tbody> <tr> <td style="background-color: #fff9c4;">Subject Properties</td> <td>I-3 Heavy Industrial District</td> <td>Single-family houses, Sunset Motel, a vacant mobile home park, vacant land.</td> </tr> <tr> <td>North</td> <td>I-3 Heavy Industrial District</td> <td>Groendyke Transport, Kroger Regional Office</td> </tr> <tr> <td>South</td> <td>I-3 Heavy Industrial District</td> <td>City Beverage Company, Sonoco Hutchinson Paper Mill</td> </tr> <tr> <td>East</td> <td>P/I Public and Institutional District</td> <td>Hutchinson Fire Department Fire Training Center</td> </tr> <tr> <td>West</td> <td>I-3 Heavy Industrial District</td> <td>Cargill Grain Elevator</td> </tr> </tbody> </table> <p>While there is no adjacent properties zone C-4, Staff feels this factor is met because of precedent set by Planning Commission Approval of case 16-ZA-02, a request to rezone 2700 East 11th Avenue from I-3 Heavy Industrial District to C-3 Outdoor Commercial District.</p>	Location	Zoning	Use	Subject Properties	I-3 Heavy Industrial District	Single-family houses, Sunset Motel, a vacant mobile home park, vacant land.	North	I-3 Heavy Industrial District	Groendyke Transport, Kroger Regional Office	South	I-3 Heavy Industrial District	City Beverage Company, Sonoco Hutchinson Paper Mill	East	P/I Public and Institutional District	Hutchinson Fire Department Fire Training Center	West	I-3 Heavy Industrial District	Cargill Grain Elevator	<input checked="" type="checkbox"/> Met
Location	Zoning	Use																		
Subject Properties	I-3 Heavy Industrial District	Single-family houses, Sunset Motel, a vacant mobile home park, vacant land.																		
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East	P/I Public and Institutional District	Hutchinson Fire Department Fire Training Center																		
West	I-3 Heavy Industrial District	Cargill Grain Elevator																		
3. Suitability of the property for the proposed use as presently zoned	<p>No new uses are proposed. However, because single-family houses with damage to more than 50% of the building are not permitted to be reconstructed in the I-3 Heavy Industrial District, residents wishing to sell or maintain their homes have faced difficulty finding financing. The properties' current zoning of I-3 is not a suitable zoning district for their existing uses. Single-family dwellings, motels, and mobile home parks are all prohibited in the I-3 Industrial District. All of these uses existed before the area in question was annexed by the City. A zoning change is needed to bring these properties into conformance.</p>	<input checked="" type="checkbox"/> Met																		

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<p>4. Extent of detrimental effects to nearby properties if the application were approved</p>	<p>The C-4 Special Commercial District is a more restrictive district than the I-3 Industrial District. No new detrimental impacts to neighboring properties will be introduced with rezone. The detrimental effects of residential uses adjacent to industrial uses, such as screening, will continue whether or not the application is approved.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/> Met</p>												
<p>5. Length of time the property has remained vacant</p>	<p>Many of the properties in the subject neighborhood are either currently vacant or have been vacant for a significant period of time.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/> Met</p>												
<p>6. Relative gain to the public health, safety and welfare compared to the hardship imposed upon the landowner if the application were denied</p>	<p><u>Health, safety, and welfare:</u> Because the neighborhood already contains a variety of uses, the proposed change in zoning will not have a significant impact on the public health safety and welfare.</p> <p><u>Landowner hardship:</u> Because single-family houses with damage to more than 50% of the building are not permitted to be reconstructed in the I-3 Heavy Industrial District, residents in the subject neighborhood wishing to sell or maintain their homes will have difficulty finding financing.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/> Met</p>												
<p>7. Conformance of this request to the Comprehensive Plan</p>	<p>The City Manager’s Office has requested that the Comprehensive Plan land use designation remain industrial. This area was originally annexed with plans to develop industrial uses. The proposed change in zoning will not be in conformance with the Comprehensive Plan. However, precedents have been set to rezone industrially property to commercial to allow for the construction of residential uses. The Comprehensive Land Use Map indicates those areas as industrial.</p>	<p style="text-align: center;"><input checked="" type="checkbox"/> Met <input type="checkbox"/> Not Met</p>												
<p>8. Impact on public facilities and utilities</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Streets</td> <td>The proposed rezone would not change the impact on streets in the neighborhood.</td> </tr> <tr> <td>Alleys</td> <td>The impact on the alleys in the subject neighborhood will not change with this zoning change.</td> </tr> <tr> <td>Sidewalks</td> <td>There are no sidewalks in this area.</td> </tr> <tr> <td>Water</td> <td>This change in zoning district will not impact water infrastructure.</td> </tr> <tr> <td>Sewer</td> <td>This change in zoning district will not impact sewer infrastructure.</td> </tr> <tr> <td>Drainage</td> <td>Drainage facilities will not be impacted by this zoning change.</td> </tr> </table>	Streets	The proposed rezone would not change the impact on streets in the neighborhood.	Alleys	The impact on the alleys in the subject neighborhood will not change with this zoning change.	Sidewalks	There are no sidewalks in this area.	Water	This change in zoning district will not impact water infrastructure.	Sewer	This change in zoning district will not impact sewer infrastructure.	Drainage	Drainage facilities will not be impacted by this zoning change.	<p style="text-align: center;"><input checked="" type="checkbox"/> Met</p>
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Water	This change in zoning district will not impact water infrastructure.													
Sewer	This change in zoning district will not impact sewer infrastructure.													
Drainage	Drainage facilities will not be impacted by this zoning change.													

Hornbeck asked for the applicant to speak to the board. Clark spoke to the board and described the situation where she was unable to sell her home because of the industrial zoning designation. Hornbeck asked if anyone from the audience would like to comment on this case. Deana Zumalt, 2821 East 1st Avenue, shared her support for the rezone, she said she is upset that she would be unable to rebuild her property if it were destroyed by a storm. Stillings said that even with a large down payment no lender would be willing to lend the rest of the money to buy a house in the neighborhood.

Hornbeck asked for staff’s recommendation. Barlow said staff recommends approval. Hornbeck said

this would be a great opportunity for the Planning Commission to vote on fixing a hardship caused by the annexation by the City of this neighborhood, to which Richardson agreed.

Motion by Carr, seconded by Peterson, and passed unanimously to approve request to change the zoning designation for properties roughly located from 4th Avenue to Leonard Street and Scott Street to the Drainage Canal from I-3 Heavy Industrial to C-4 Special Commercial district.

B. ZA18-000008 – 2301 E 4th Avenue Rezone

Hornbeck opened the public hearing and asked for the staff presentation. Allison provided the staff presentation.

The applicant is requesting a change in zoning designation for the properties located at 2301 E 4th Avenue and 00000 E 4th Avenue from C-4 Special Commercial District to I-3 Heavy Industrial District. This change will allow for uses related to Truck Terminals and Parking. Allison reviewed the factors required for approval of zoning amendment requests:

PLANNING COMMISSION MINUTES
MEETING OF: TUESDAY, OCTOBER 9, 2018

Analysis of Factors Required for Approval of Zoning Amendment Requests:

Factor	Analysis	Met Not Met																		
1. Character of the neighborhood	The property in question is located adjacent to industrial property in a neighborhood with a mixture of industrial and commercial uses. The closest residential use is a mobile home park located to the north of this property. The first mobile home space is located some distance off of 4 th Avenue.	<input checked="" type="checkbox"/> Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/> Met																		
2. Current zoning and uses of nearby property	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #fff9c4;">Location</th> <th style="background-color: #fff9c4;">Zoning</th> <th style="background-color: #fff9c4;">Use</th> </tr> </thead> <tbody> <tr> <td style="background-color: #fff9c4;">Subject Properties</td> <td>C-4 Special Commercial District</td> <td>Vacant Commercial Building and Lot</td> </tr> <tr> <td>North</td> <td>C-4 Special Commercial District</td> <td>Mobile Home Park, Multi-Family</td> </tr> <tr> <td>South</td> <td>I-3 Heavy Industrial District</td> <td>Salvage Yard</td> </tr> <tr> <td>East</td> <td>I-3 Heavy Industrial District</td> <td>Salvage Yard</td> </tr> <tr> <td>West</td> <td>C-4 Special Commercial District</td> <td>Vacant Lot and Self-Storage Units</td> </tr> </tbody> </table>	Location	Zoning	Use	Subject Properties	C-4 Special Commercial District	Vacant Commercial Building and Lot	North	C-4 Special Commercial District	Mobile Home Park, Multi-Family	South	I-3 Heavy Industrial District	Salvage Yard	East	I-3 Heavy Industrial District	Salvage Yard	West	C-4 Special Commercial District	Vacant Lot and Self-Storage Units	<input checked="" type="checkbox"/> Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/> Met
Location	Zoning	Use																		
Subject Properties	C-4 Special Commercial District	Vacant Commercial Building and Lot																		
North	C-4 Special Commercial District	Mobile Home Park, Multi-Family																		
South	I-3 Heavy Industrial District	Salvage Yard																		
East	I-3 Heavy Industrial District	Salvage Yard																		
West	C-4 Special Commercial District	Vacant Lot and Self-Storage Units																		
3. Suitability of the property for the proposed use as presently zoned	The applicant plans to use the property for Commercial Truck Parking. The current C-4 zoning would not be compatible with the proposed use. The surrounding properties are zoned I-3 which the proposed use is compatible with.	<input checked="" type="checkbox"/> Met																		
4. Extent of detrimental effects to nearby properties if the application were approved	There would be no anticipated immediate impacts to adjacent property owners if the zoning amendment request is approved. However, the change in zoning would allow heavier industrial uses closer to existing residential uses. Any new developments would have to conform with the City's regulations but there could be instances where no changes would be required due to the 30% expansion rule.	<input checked="" type="checkbox"/> Met <input checked="" type="checkbox"/> Not Met <input type="checkbox"/> Met																		
5. Length of time the property has remained vacant	The property has been vacant since March of 2018.	<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> Because the neighborhood already contains a variety of uses and zoning districts, the proposed change in zoning will not have a significant impact on the public health safety and welfare.</p> <p><u>Landowner hardship:</u> If the zoning amendment request is denied, the applicant will be unable to use the property for commercial truck parking.</p>	<input checked="" type="checkbox"/> Met																		

7. Conformance of this request to the Comprehensive Plan	According to the 2017-2037 Comprehensive Plan, the property's land use designation is Industrial. The current zoning, C-4, is not a compatible zoning district with this designation. The proposed zoning district is compatible.	☑ Met	
8. Impact on public facilities and utilities	Streets	The proposed commercial parking lot would likely increase truck traffic on 4 th Avenue. However, 4 th Avenue is already used for commercial truck traffic and its designation as an arterial street supports this level of traffic.	☑ Met
	Alleys	N/A	
	Sidewalks	There is existing sidewalks in this area.	
	Water	This change in zoning district will not impact water infrastructure.	
	Sewer	This change in zoning district will not impact sewer infrastructure.	
	Drainage	The existing lot is already paved. Any impact should be offset by stormwater fees.	

Hornbeck asked for the applicant to speak to the board. Dean Sorensen, D & D Towing, said he is excited to develop his property. There will be a trucking company that will be able to use this space for parking semi-trucks.

Hornbeck asked for staff's recommendation. Allison said staff recommends approval of the request.

Motion by Bisbee, seconded by Carr and passed unanimously, to recommend approval to the Hutchinson City Council of Zoning Amendment case #ZA18-000008 to rezone 2301 E 4th Avenue and 00000 E 4th Avenue from C-4 Special Commercial District to I-3 Heavy Industrial District.

5. OLD BUSINESS

- a. None.

6. NEW BUSINESS

- a. None.

7. UPCOMING CASES

- a. None.

8. ADMINISTRATIVE CASES

- a) SIT18-0000014 New Fuel Center at 725 E 4th Avenue (Approved)
- b) PL18-000002 Parking Lot Permit for 1203 W 4th Ave (Approved)

9. CITY COUNCIL ON CASES

10. OPEN COMMENTS FROM AUDIENCE

11. ANNOUNCEMENTS

13. ADJOURNMENT - The meeting adjourned at 6:30 PM.

Respectfully Submitted
Jade Shain, Planning Technician
Approved this 23rd day of October 2018

Attest: _____