

MINUTES
 CITY PLANNING COMMISSION
 TUESDAY, APRIL 5, 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: Terry Bisbee, Harley Macklin, Janet Hamilton, Todd Carr, Tom Hornbeck, Mark Woleslagel, Robert Obermite, and Ken Peirce. Darryl Peterson was absent. Staff present were Casey Jones, Senior Planner; and Charlene Mosier, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the March 15, 2016, meeting were approved on a motion by Bisbee, 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 and approved unanimously by acclamation.

4. NEW BUSINESS

- 4a. 16-SD-04 and 16-SV-01: North Pointe Subdivision
 Preliminary Plat, Final Plat, Subdivision Variance
 2803 N. Lorraine St. and 1225 E. 30th Ave.

Peirce asked the applicant for a presentation. Jim Strawn, 507 N. Whiteside, said he has invested in landscaping, drainage, and building designs and does not want the project to be placed on hold because of a waterline flow request from the Fire Department. They are asking for a water flow of 5500 to 6500 gallons per minute for two hydrants. The local architect does not do these calculations and Strawn said he gave this request to the Wichita architect. Strawn said he will install whatever is needed for the waterline. The lots along 30th Ave. are deep lots and the land behind them is difficult to develop because of vehicle and utility access to this area. He asked that the cases be heard tonight so he could keep the project moving.

Casey Jones, Senior Planner, said the Fire Chief has asked for a report from a licensed engineer confirming the proposed water line meets the capacity required. The water line could impact the design of the preliminary plat and the requirements for the conditional use permit, which is why Staff recommends tabling North Pointe preliminary plat, final plat and the subdivision variance until the applicant has provided the information and revised the plats. The conditional use permit cannot be heard by the City Council until we have all the required water line information.

Carr asked when the calculations would be completed. Strawn said the report should be completed within two weeks. Hornbeck said if the waterlines only affect Strawn's property and no other properties, he would feel better about considering the cases.

Peirce suggested hearing the cases today and including the water flow request as a condition. He asked for the staff report.

Jones reviewed the staff report for the case. James Strawn is requesting approval of the preliminary plat and final plat for North Pointe, which consists of two tracts of land at 2803 N. Lorraine St. (North Pointe Center) and 1225 E. 30th Ave. (Fast Lane Car Wash). The tracts will be reconfigured into three lots totaling 5.355 acres. The car wash will be on Lot 1, the proposed self-storage facility will be on Lot 2, and North Pointe Center will be on Lot 3. The applicant has submitted conditional use permit application 16-CUP-02 for the proposed self-storage facility, which is contingent upon approval of the North Pointe plats. According to the Hutchinson Zoning Regulations, the property is required to be platted prior to any new construction. The property is zoned C-4.

Jones said the parking spaces for the mini storage use need to be on the same lot as the mini storage, and the applicant has provided a parking easement on the north side of Lot 2. The existing storage shed needs to be removed or reset. On the preliminary and final plats, separate easements for utilities and drainage need to be provided on Lots 2 and 3. A note on the plat will need to state the date of the variance approval if the variance is granted.

The applicant is also requesting a variance from the Hutchinson Subdivision Regulations, Sec. 9-619 Underground Utilities, which requires all existing overhead utilities to be moved underground in any new subdivision. There are overhead electric lines crossing Lot 1 and Lot 3, and the applicant requests a variance so these lines can remain in place.

Jones showed maps of the property and photos of North Pointe Center, the overhead utility lines along Lorraine St. and over the access drive off of 30th Ave. Staff is not recommending approval of the subdivision variance for the overhead electric lines. All new powerlines are required to be placed underground. The spirit and intent of the regulation is for powerlines to be located underground wherever feasible. However, this property poses a unique situation due to the aboveground lines that continue north and south of the subdivision along Lorraine St. and east and west of the subdivision on both sides of Lot 1. Moving the electrical lines will also represent additional cost to the owner.

It was noted that other properties in this area are also not platted and have above ground utilities.

Hornbeck said if we continue to do variances for above ground utilities, they will never get closer to meeting the new requirements of utilities be located underground. Peirce commented that digging up the concrete to move the electric lines is more difficult than digging dirt on undeveloped property.

There were no comments from the audience. Peirce asked for a motion on the variance request.

A motion was made by Bisbee, seconded by Macklin to approve variance 16-SV-01 for the North Pointe Addition at 2803 N. Lorraine St. and 1225 E. 30th Ave. The variance is from the requirements of the Hutchinson Subdivision Regulations, Sec. 9-619 Underground Utilities, which require overhead utilities to be removed and reinstalled underground. The Planning Commission made the following findings:

- 1. The granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property or improvements in the neighborhood where the subdivision is located.**
- 2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought, and are not generally applicable to other property in the vicinity.**
- 3. Because of the particular physical surroundings, shape or topographical conditions of the subdivision property, an extraordinary hardship to the owner would result, as distinguished from a mere inconvenience, if the standards of the Subdivision Regulations were applied.**
- 4. The variance will not in any manner cause the need for variances of the zoning regulations, comprehensive plan, official street classification map or other adopted plan or regulation of the City.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

Peirce asked for a motion on the Preliminary Plat.

Motion by Macklin, seconded by Bisbee to approve the preliminary plat for the North Pointe Addition subject to the provision of an approved waterline calculation and the following revisions:

- 1. Label the “30th Avenue right-of-way line” where it abuts Lot 1.**
- 2. Correct the spelling of “Alpha” at the found ½” rebar at the SW corner of the property.**
- 3. On the east side of Lot 2, provide a separate 10-foot utility easement and a separate 10-foot drainage easement running North to South. The utility easement shall be extended to the North to connect to the proposed utility easement running East to West.**
- 4. The shed on Lot 2 is located in an easement and it crosses a lot line. Add a note indicating that the shed will be removed from the property or moved to an approved location.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

Peirce asked for a motion on the Final Plat.

Motion by Carr, seconded by Bisbee to recommend to the City Council approval of the final plat for the North Pointe Addition subject to all conditions of the preliminary plat, waterline calculation approval, and the following revisions:

- 1. Add a note referencing the approved subdivision variance, including the nature of the subdivision variance, the date the subdivision variance was granted (4/5/2016), and the case number (16-SV-01).**
- 2. Label the “30th Avenue right-of-way line” where it abuts Lot 1.**
- 3. On the east side of Lot 2, provide a separate 10-foot utility easement and a separate 10-foot drainage easement running North to South. The utility easement shall be extended to the North to connect to the proposed utility easement running East to West.**

The motion passed with the following vote: Yes - Woleslagel, Hamilton, Obermite, Carr, Hornbeck, Bisbee, Macklin, Peirce.

5. PUBLIC HEARINGS

- 5a. 16-CUP-02 Request for a conditional use permit to establish a climate-controlled self-storage facility on property at 2803 N. Lorraine St. in the C-4 Special 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. The applicant, James Strawn, is requesting a conditional use permit to construct a self-storage facility on property located at 2803 N. Lorraine St. This property is zoned C-4 Special Commercial District. According to Sec. 27-406 of the Hutchinson Zoning Regulations, self-storage facilities require a conditional use permit in the C-4 District. Approval of this conditional use permit will be contingent on approval and recording of the final plat.

The applicant proposes to construct three freestanding self-storage buildings that would be ten feet in height. Two of the buildings would be 40' x 200'. The third building would be 100' x 200'. The facility would be accessible from 30th Ave. or Lorraine St. across private property that is also owned by the applicant. An access easement to 30th Ave. will be dedicated on the final plat and will provide a legal means of access to the property in the future in the event of a change in ownership. Driveways around the buildings will be paved with concrete. A 5' landscape buffer with juniper trees and a 35' drainage easement containing grass would be provided along the South property line, where the property abuts the rear yards of several houses. A 15' drainage easement containing a 7' grass strip would be provided along the East property line, the side facing Lorraine St. A 6' fence would be installed around the perimeter of the facility, with chain link on the North, South, and West, and wrought iron on the East.

A public hearing notice was published in *The Hutchinson News* on February 22, 2016. Public hearing notices were sent to 28 owners of the 29 parcels located within 200 feet of the subject property. One comment was received from Holly and Greg Horning, 1300 E 28th Ave., who have concerns about fencing for privacy, exterior lighting, and hours of operation. The Development Review Committee meeting was held March 8, 2016 and the Committee's comments were included in the packet.

Jones reviewed the analysis of the factors the Planning Commission must consider when making a recommendation

Staff recommends approval of this request contingent upon the applicant providing the City with sufficient evidence, as determined by the Fire Chief and City Engineer, that adequate fire flow to the facility can be provided.

Required conditions:

1. This conditional use permit shall only be used for construction of a self-storage facility on the property at 2803 North Lorraine Street;
2. Approval of this conditional use permit is contingent upon approval and recording of a final plat for the property.
3. A building permit shall be obtained prior to any construction;
4. An approved drainage study is required prior to issuance of a building permit;
5. The parcel shall be developed in accordance with the approved site plan, landscape plan, and architectural elevation drawings;
6. All driveways and parking spaces shall be paved with concrete or asphalt;
7. Rooftop and ground mounted mechanical equipment shall be screened from public view with a compatible architectural treatment, such as metal panels, stucco panels, a parapet wall, or similar treatment, as required by Section 27-908.E.8. of the Hutchinson City Code;
8. Exterior lighting must be shaded from adjacent residential properties as required by Section 27-909 of the Hutchinson City Code;
9. A sign permit shall be obtained prior to installation of any signs;
10. A certificate of occupancy shall be obtained prior to using each building. All site improvements, including landscaping, shall be installed prior to the issuance of a final certificate of occupancy.

Staff recommended condition:

1. Hours of operation shall be limited to the hours between 6:00 a.m. and 11:00 p.m.

Peirce asked the applicant for his presentation.

Jim Strawn said the proposed climate-controlled storage facility will be fenced, gated, have paved parking, landscaping, and minimal lighting. The interior is heated and cooled and will be ideal for storing vehicles, antiques or pharmaceuticals. The location is close to the hospital and clinics to use for this type of storage. He plans to construct the first building and when that one fills he will do the next buildings. The fence will be 6' chain link because the adjacent neighbors already have 6' privacy fences and trees will be located on the south

side. Signage will be placed along Lorraine. Strawn said he needs the restriction on hours of operation to be removed and allow for access 24 hours a day. He said no other storage facilities in Hutchinson have hours of operation restrictions. The gates will have codes for access and there will be security cameras. Based on the card codes, it will be possible to know who has accessed the property. The hallways of the facility will be illuminated. Most people will access the building between 8:00 a.m. and 8:00 p.m.; however, he asked that no restrictions be placed on hours of operation.

Strawn said he might decide to construct one large storage building instead of the two small buildings shown on the site plan.

The question was asked if another conditional use permit would be required if only one of the buildings was constructed and later a second building was constructed rather than two smaller buildings. Jones said that would not be considered a significant enough change to the site plan to require another conditional use permit.

The consensus of the commission was not to regulate the hours of operation.

There were no comments from the audience. Peirce asked for a motion.

Motion by Carr, seconded by Bisbee to recommend to the City Council approval of this request for a conditional use permit for a self-storage facility at 2803 North Lorraine St. based upon due consideration of the following factors and conditions:

Factors

- 1. Character of the neighborhood;**
- 2. Zoning and uses of nearby property;**
- 3. Suitability of the property for the proposed zoning classification and use;**
- 4. Impacts on nearby properties;**
- 5. Length of time the property has remained vacant;**
- 6. Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;**
- 7. Availability of public utilities to serve the development;**
- 8. Conformance to the Comprehensive Plan; and**
- 9. Recommendations of the professional staff.**

Conditions

- 1. This conditional use permit shall only be used for construction of a self-storage facility on the property at 2803 North Lorraine Street;**
- 2. Approval of this conditional use permit is contingent upon approval and recording of a final plat for the property.**
- 3. A building permit shall be obtained prior to any construction;**
- 4. An approved drainage study is required prior to issuance of a building permit;**
- 5. The parcel shall be developed in accordance with the approved site plan, landscape plan, and architectural elevation drawings; changes to the site plan shall be subject to administrative site plan review and approval;**

6. All driveways and parking spaces shall be paved with concrete or asphalt;
7. Rooftop and ground mounted mechanical equipment shall be screened from public view with a compatible architectural treatment, such as metal panels, stucco panels, a parapet wall, or similar treatment, as required by Section 27-908.E.8. of the Hutchinson City Code;
8. Exterior lighting must be shaded from adjacent residential properties as required by Section 27-909 of the Hutchinson City Code;
9. A sign permit shall be obtained prior to installation of any signs;
10. A certificate of occupancy shall be obtained prior to using each building. All site improvements, including landscaping, shall be installed prior to the issuance of a final certificate of occupancy.
11. The self-storage facility shall not be subject to limitations on hours of operation.

The motion passed with the following vote: Yes – Macklin, Woleslagel, Hamilton, Obermite, Hornbeck, Bisbee, Carr, Peirce.

6. UPCOMING CASES

- 6a. Preliminary Plat and Final Plat – Meadowlake Reserve Area Division.
On hold.
- 6b. Zoning Amendment C-2 to C-3 (302-324 E. 30th Ave. and 3009 N. Elm St.)
April 19, 2016.

7. CITY COUNCIL UPDATE

- 7a. 16-ZA-03 Jones said the City Council approved the rezoning request for the NW Corner of E. Bigger St. and Elm St. from R-4 to P/I at the City Council meeting today.

8. OPEN COMMENTS FROM THE AUDIENCE – None.

9. ADJOURNMENT – The meeting adjourned at 6:10 p.m.

Respectfully Submitted,
Charlene Mosier, Planning Technician

Approved this 19th day of April, 2016

Attest: _____

