

MINUTES  
 CITY PLANNING COMMISSION  
 TUESDAY, APRIL 19, 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, Todd Carr, Tom Hornbeck, Darryl Peterson, and Ken Peirce. Mark Wolesslagel, Robert Obermite, Harley Macklin and Janet Hamilton were absent. Staff present were Jana McCarron, Planning and Development Director; Casey Jones, Senior Planner; and Stephanie Stewart, Planning Technician.

2. APPROVAL OF MINUTES

The minutes of the April 15, 2016, meeting were approved on a motion by Bisbee, seconded by Hornbeck, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

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

4. NEW BUSINESS

None.

5. PUBLIC HEARINGS

- 5a. 16-ZA-04 A petition for rezoning 302 E 30<sup>th</sup> Ave, 322 E 30<sup>th</sup> Ave, 324 E 30<sup>th</sup> Ave and 3009 N Elm St. from C-2 Neighborhood Commercial 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. The applicant, Doug Malone and Josie Thompson of JP Weigand & Sons, Inc. requested the four parcels to be rezoned from C-2 Neighborhood Commercial District to C-3 Outdoor Commercial District. The current zoning of C-2 limits what type of business may open. The owners of 302 E 30<sup>th</sup> Ave. were contacted by a party interested in leasing the building for a tire sales and installation business. Jones stated that at one time this property requested the same rezone and it was recommended for denial by staff on the basis of only one property and it being viewed as a spot zone. With the addition of the other three lots, it is more of a logical progression from C-1 and C-2 to the west of the properties and C-4 to the east of the properties. The current owner of the three residences does not have immediate plans to convert the homes to businesses. With the rezoning, the possibility in the future for commercial development is more appealing to developers. Jones added that a tire sales business would be permitted, but

the installation part of the business would still need a conditional use permit in the C-3 District.

A public hearing notice was published in *The Hutchinson News* on March 21, 2016. Public hearing notices were sent to 22 owners of the 22 parcels located within 200 feet of the subject property. No comments were received.

Peterson questioned if this request was to benefit the property at 302 E 30<sup>th</sup> Ave. Jones answered yes for now and could help with the development in the future for the other three properties.

Carr asked if including the other properties in the request changes staff's recommendation from the past request. Again Jones said yes and that it helps with future growth, and increases the likelihood that these properties will be redeveloped.

Jones reviewed the analysis of the factors the Planning Commission must consider when making a recommendation. Staff recommends approval of this request.

Peirce asked the applicant for their presentation.

Josie Thompson, JP Weigand & Sons, Inc. 1009 N Main, spoke on behalf of the owner of 302 E 30<sup>th</sup> Ave and the builder. She stated that the building at 302 E 30<sup>th</sup> Ave. has been listed approximately two years. The proposed tire sales and installation business has had difficulty finding a property and it would be costly to build a new structure. The proposed property will work. However, the zoning is holding them back. The owner of the residential properties informed Thompson that one of the homes is a family home and they have no plans to move. Rezoning to C-3 will allow more uses for the property such as the tire business.

Peirce asked where the garage doors will be. Thompson said the plans for now are to place them on the west side facing the church. She added that the north property line has an existing fence for screening.

Peirce asked if there were any comments from the audience.

Randy Beeghly, 3011 N Elm, voiced concern of tire storage and the possibility of rodents. The back parking lot of 302 E 30<sup>th</sup> Ave. is adjacent to his rear yard. He stated that currently there is no fence or screening.

McCarron stated that the proposed tire sales and installation business would require a conditional use permit and screening would be a required condition. Jones added that outdoor storage is not permitted in the C-3 zone.

Peirce asked if there were any more questions before asking for a motion on the zoning amendment.

**Motion by Hornbeck, seconded by Bisbee to recommend to the City Council approval of this request for a zoning amendment to rezone 302 E 30<sup>th</sup> Ave, 322 E 30<sup>th</sup> Ave, 324 E 30<sup>th</sup> Ave and 3009 N Elm St. from C-2 Neighborhood Commercial District to C-3 Outdoor Commercial District:**

**The motion passed with the following vote: Yes – Peterson, Hornbeck, Bisbee, Carr, Peirce.**

6. UPCOMING CASES

- 6a. Preliminary Plat and Final Plat – Meadowlake Reserve Area Division.  
On hold.
- 6b. 16-ZA-05, 1024 N Hendricks St- Rezone from R-4 to P/I for a fire station reconstruction (May 3, 2016)

7. CITY COUNCIL UPDATE

- 7a. 16-SD-04 North Pointe Preliminary Plat and Final Plat  
McCarron stated the City is still waiting on the water analysis.

8. STUDY SESSION

- 8a. Zoning Regulation for Accessory Structures.

McCarron explained that last year Mr. Norman Grass, 619 N Grandview St, approached the Commission requesting consideration for amendments to the Zoning Regulations pertaining to the maximum allowable size for accessory buildings. The Planning Commission directed staff to research benchmark cities to determine if Hutchinson’s regulations were similar. Our current regulations have caused hardships for multiple homeowners wanting to add a shed or detached garage. The regulations state that there can be one detached garage, one carport and one shed per lot as long as their combined square footage is less than the home and no more than 30% of the rear yard. The building must be like materials to the home, and detached garages and carports must have a paved surface from the road to the accessory structure. What staff is hearing from home owners is that many of our lots are quite large and the homes are small; therefore, they are unable to use their property and the cost to pave the drives sometimes doubles or triples the cost of the building. McCarron asked the Commission for their thoughts on how to improve the ordinance.

The Commission had several comments on size, style, number of buildings and the driveways. Maximum size requirement suggestions were as follows: detached storage shed: none; detached garages: 1,200 square feet (this would allow the structure to exceed the size of the primary structure, provided the total rear lot coverage is 10% or less); and detached carports: 600 square feet. The maximum rear lot coverage would increase to 35%. There would be no limit on storage buildings per lot (as long as to not exceed the lot coverage percentage). Side wall heights would not be allowed to exceed 12 feet. Materials used for accessory buildings were discussed with the suggestion of having fewer restrictions. Last

was the paved driveway, and suggestions would be to require the paved drive to extend from the street to the rear of the principal structure. Storage sheds with access doors shall not be greater than 6 feet in width. McCarron stated that she would put together a draft ordinance and bring it to the Planning Commission after meeting with the Development Review Committee.

9. OPEN COMMENTS FROM THE AUDIENCE – None.
10. ADJOURNMENT – The meeting adjourned at 6:00 p.m.

Respectfully Submitted,  
Stephanie Stewart, Planning Technician

Approved this 3rd day of May, 2016

Attest:   
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Casey A. Jones, AICP, CFM, Senior Planner