

1. **ROLL CALL**

The Planning Commission meeting was called to order at 5:00 p.m. with the following members present: Harley Macklin (1/1), Janet Hamilton (1/1), Todd Carr (1/1), Mark Wolesslagel (1/1), Ken Peirce (1/1), Tom Hornbeck (1/1), Robert Obermite (1/1) and Darryl Peterson (1/1). Terry Bisbee (0/1) was absent. Staff present were Jana McCarron, Director of Planning and Development; Casey Jones, Senior Planner; Aaron Barlow, Associate Planner; and Stephanie Stewart, Planning Technician.

2. **APPROVAL OF MINUTES**

The minutes of the December 20, 2016, meeting were approved on a motion by Carr, seconded by Macklin, passed unanimously.

3. **CORRESPONDENCE & STAFF REPORTS**

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

4. **PUBLIC HEARINGS**

a. **ZA16-000004: Zoning Amendment for 2714 N Waldron St**

*Request to rezone 2714 N Waldron St from R-3 to C-2.*

Hornbeck asked if any commissioners had any outside contacts or conflicts of interest in this case. There were none.

Jones presented the request to rezone the property at 2714 North Waldron Street from R-3 Moderate Density Residential District to C-2 Neighborhood Commercial District. The property is a large lot with a vacant single family dwelling. The 2005 adopted Comprehensive Plan Future Land Use Map designates this property as low density residential. However the City may, in the future, see commercial development along Waldron Street, so the draft comprehensive plan (not yet adopted) has this corridor designated as commercial. Jones stated that staff suggested the applicant contact the owners of the adjacent properties to the North to submit a joint rezone request in order to avoid spot zoning. However, the application was submitted only for this one lot. McCarron cautioned that rezoning the property, which is surrounded by residential uses, would result in spot zoning and would also pose development issues for the applicant and potential conflicts for land uses. Discussion ensued.

Jim Nunns, 1700 E 30th Ave, Suite A, spoke on behalf of the applicant, Dr. Janelle Regier. He stated that the house has been vacant for about two years. Dr. Regier practices rheumatology and typically sees 10 to 12 patients per day. They plan to demolish the house and build a new office building. She is not interested in using the property for retail purposes. He said it would have low impact on traffic, no bright lighting outdoors and will meet all City requirements for

new construction. They did speak with a couple of neighbors and stated that the neighbors were not opposed to rezoning their properties. He added they would be open to a different zoning classification that would allow an office if C-2 were not the most suitable zone. Discussion ensued.

**Motion by Carr, seconded by Macklin, to recommend approval of zoning amendment request #ZA16-000004 to rezone the property located at 2714 North Waldron Street from R-3 Moderate Density Residential District to C-2 Neighborhood Commercial District based upon a finding that the factors required for approval are met as follows:**

1. **Character of the neighborhood: C-2 zoning is located across the street.**
2. **Current zoning and use of nearby property: C-2 zoning is located across the street.**
3. **Suitability of the property for its current zoning designation as compared to the proposed zoning designation: C-2 zoning is located across the street and Waldron Street has been improved with a turning lane added.**
4. **Extent of detrimental effects to nearby properties if the application were approved: The area seems to be changing to commercial.**
5. **Length of time the property has remained vacant: Staff agrees this is met, as the property has been vacant for two years.**
6. **Relative gain to the public health, safety and welfare compared to the hardship imposed upon the landowner if the application were denied: The applicant agrees to follow City codes when constructing the office building and this will have minimal impact on traffic due to the fact that there is a turn lane and this is already a higher traffic street.**
7. **Conformance of this request to the Comprehensive Plan: Although the adopted Comprehensive Plan does not show this area as commercial, the Commission feels that the future points to this area being commercial.**
8. **Impact on public facilities and utilities: The street was recently updated and widened with a turning lane added.**

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

Jones stated that the statutory 14-day protest period begins now, and the case will be considered by the City Council on February 7, 2017, at 9:00 a.m.

5. **NEW BUSINESS** - None.

6. **UPCOMING CASES** - None.

7. **ADMINISTRATIVE CASES**

a. **16-WCF-03:** Zayo DAS Tower, 2400 Block of N Main St – Status: Denied.

b. **1683088:** Occupancy permit, Automotive Detailing, 2601 N Main St – Status: Approved

- c. **SIT16-000005:** Zoo Otter Exhibit – Status: Site Plan has been approved
  - d. **SIT16-000006:** Hutchinson Regional Medical Center ICU Addition – Status: Site Plan in review
8. **OPEN COMMENTS FROM THE AUDIENCE** – None.
9. **COUNCIL ACTION ON CASES** – The Adult Daycare ordinance amendments were approved on January 3, 2017, and will go into effect once the ordinance is published.
10. **ADJOURNMENT** – The meeting adjourned at 5:36 p.m.

Respectfully Submitted,  
Stephanie Stewart, Planning Technician

Approved this 7th day of February, 2017

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