

KECHI PLANNING COMMISSION & BOARD OF ZONING APPEALS

Minutes September 8, 2020

1. Call to Order

Chairman Wolf called the regular meeting of the Kechi Planning Commission to order at 7:00pm in the Council Chambers at City Hall.

2. Roll Call

Virginia Riemann, Dan Clark, Richard Wolf, Buddy Pressnell, Bill Moss and Oscar Thomison. Staff in attendance were Kris Brown, Deputy City Clerk, Chris Morlan, Zoning Administrator, Theresa Morlan, City Clerk, Jessie Woodrow, Police Chief, Kamme Sroufe, City Administrator, Joe Trumbell, Lieutenant. Guest in attendance were Philip Zevebergen, MAPC, Russ Ewy, Baughman Company, agent for applicant Youth Horizons, along with 18 residents Mary Williams, Frank & Bea Nikhomvanh, Pat Safari, James Sharp, Luke Hallacy, Janice Papps, Artys Hallacy, Sandy Lamia, Claudia Green, Erin Green, Jarus Henning, Belinda Sharp, Dan Hoverson, Ray McHenry, Susan McHenry, Nancy Newton

3. Approval of Agenda

Motion by Dan Clark to approve the Agenda. Second by Virginia Riemann. Motion passed 6-0.

4. Approval of Minutes

Motion by Virginia Riemann to approve the minutes from August 11, 2020. Second by Oscar Thomison. Motion carried 6-0.

5. Public Forum/Communications

None

6. Public Hearings

Chris Morlan covered procedure

- a. MAPC- PUD2020-00005 -Youth Horizons, Inc, 2221 E. 101st St. N – Group Residence

Richard Wolf called the item. There were no abstentions and a quorum of 6 was established. There were no ex parte communications and 41 property owners were notified.

At 7:15pm meeting was recessed and moved to Community Room due to technical difficulty. Richard Wolf called item at 7:20pm.

Applicant's statement: MAPC-Philip Zevenbergen presented the request zoning change from RR to PUD (Planned Unit Development) Customized Zoning, multiple residences on same site. Group residents is defined by MAPC Zoning regulations as to 15 including staff that are not related. Does not include criminal housing. Text is binding beyond conditional use with up to 5 more houses with a total of 48 total people including staff. Majority of the staff will live at center. It would be a 50ft setback around the entire property, primarily a camp-like setting,

with 1 sign on 101st St. N. They have requested a 2nd access/drive from 101st St. N. on the west side for access to agricultural part of the property. It would require platting but MAPC staff are asking to remove the requirement on the 1st building permit to not require a plat to be filed and approved.

Russ Ewy-Baughman Company- agent for Youth Horizons- stated there is a Boy's Group Home on Woodlawn, near 109th St. N. with single home on it with no issues. He was unaware of the current occupancy. It is more visible and closer to the road than proposed site. The current proposal for new Group Residence would be more obscure, buildings more towards the center with heavily wooded area on almost 40 acres, 20 acres excluding the agricultural land. If property were platted into 5 acre lots, which then could build at least 5 additional homes. Mr. Ewy stated it is a conducive location enabling them to stay away from others and others to stay away from them. This will not be a Group Home. Group Homes are governed by state statutes and cannot be prohibited in any zoning ordinances where single family homes are allowed. A Group Residence is like Fraternity or Sorority setting or Children's Home by this MAPC definition. Residents will not be criminal, or substance abuse related. They will be middle school of age up to 22yrs of age, offering mentorship from college students.

Virginia Riemann mentioned the 101 Club in the area being an AA facility.

James Sharp-2200 E. 98th- Appreciated the chance to voice. He moved to the area in 2004 to be left alone. His north property line is adjacent to the applicant's south end. There is a tree line separates the pastures. He stated the boys ranch in the area are troubled and cannot be in regular foster homes. The boys leave the property and the neighbors are on alert. Currently the area is self-policed and relaxed. The boys from the Boys Ranch being on bus have caused local parents to remove their own children from busing to and from school to avoid negative impact. Mr. Sharp also mentioned a case at a Missouri boys' home where boys escaped and led to a murder. He questioned who will keep girls on property? What issues do the girls have? Is USD 262 prepared? Will it overload Police department? His own kids have had negative effects from the Boys Ranch boys. He stated one had fight after a football game. He inquired about property changes, lights, water & sewage? Concerned with girl's safety and becoming a hot spot for predatory traffic due to the proximity of truck stops and 1 mile east of the interstate highway. He is concerned about the financial impact this will have, perhaps cause a decrease of existing property values and/or raise Insurance costs. He also stated that when the land was bought it was going to be a church mission and is now a business,

James & Mary Williams-2300 98th St. N- stated they have lived in the area for 22yrs. Noted that the 101 club was not residential. It is a recreational/campground/ bingo parlor. Their land adjoins the property. The original owners of proposed site have dumped sewage down an abandon well & trash was put on a neighbors' yard. He spoke of unspecified children with unspecified issues. Concerned about the amount of homes on the amount of acreage. There are already water issues (not enough water pressure). Trees are already being knocked down. Concerned about the quality of people and quality of organization. Why are they there? What value will it add to Kechi and surrounding area? How long will they be there? He had several

ambiguous questions. Stated he had just built a building in the back yard and they had to follow rules for permit and wants others to do the same.

Kamme Sroufe-City of Kechi-City Administrator- Touched on the topic that Russ stated the boy's home have had no issues. She addressed that all though it cannot be shared on what type of dispatch or arrests were made, there have been 300 calls within a 2-year time frame dispatched the boy's home according to Chief Woodrow.

Luke Hallacy-2440 E 101st-spoke about 2 boys that left the boys ranch and were walking down 101st St. N. and made it all the way to Oliver before being discovered.

Mrs. Sharp-2200 E 98th St. N- she stated she knew of one 911 call due to cell phone and shoes being stolen at the high school and tracked to the Boy's Ranch.

Russ Ewy spoke again stating they would need building permit, as well as have adequate water/sewer. They have reached out to RWD#2 but RWD#2 has not addressed current issues. Virginia Riemann asked if a building permit has been issued. MAPC does not handle building permits, that is the responsibility of the Sedgwick County Public Works department. If building permit has been issued it would be non-residential, storage or an ag exempt building. Mr. Ewy addressed how Youth Horizons acquired the land. He stated when Mrs. Wrea died in 2007, she left it to her son. When he passed, he left it to Youth Horizons. Mr. Ewy has known about this project for about 2 months but does not know how long Youth Horizons has been planning on making it a Group Residence. He stated Youth Horizons is a not for profit business. They hired Baughman as a development agent, assisting with zoning, filing applications and other developmental procedures. He stated the real question is whether this is the highest and best use for this property according to the "Golden Rules" established by the Kansas Supreme Court.

MAPC hears the proposed application Thursday, August 10, 2020 at 1:30pm by "Go to meeting". It will be taken to Commissioner Lacy Cruze Advisory Board on September 14, 2020 by virtual meeting. Then will go the Board of County Commissioners in sometime in October.

Bill Moss – What are requirements for lagoon? Size is based on usage. Is there a possibility for community lagoon?

Dan Clark- What are the state requirement for staff? Mr. Ewy answered it is not regulated. Mr. Zevenbergen did not know the answer.

A PUD is complete when approved by County Commissioners. It will then be specified by text of documents. If County Commissioners require platting then that process is a 4-8 month additional time at a minimum.

Ms. Sharp stated Youth Horizon's website states open next fall.

Oscar Thomison asked how is it decided who goes there? Mr. Ewy & Mr. Zevenbergen were not aware of how the residents would be selected. Youth Horizons was not at meeting.

Nancy Newton-2129 N. 98th St. – stated they will be working on a protest petition that will be presented to the county commissioners. She is concerned if the county has the funds to hire more officers. She has asked that the Planning Commission represent the residents and do the “right thing”.

Ray McHenry-1800 E 98th- has a very trusting handicapped son. He is very concerned with the safety of not only his family personally but the community.

Closed public hearing at 8:34pm

Virginia Riemann made motion that the Kechi Planning Commission concludes the finding and recommendations stated in the MAPC Staff Report & Zoning Administrator’s recommendation for Case # PUD2020-0005 should result in a recommendation of denial to the MAPC regarding the requested use. Motion was seconded by Bill Moss.

Vote: Bill Moss-yay, Buddy Pressnell-yay, Virginia Riemann-yay, Dan Clark-no, Oscar Thomison-yay, Richard Wolf-did not vote. Carried 4-1.

9. Old Business

Old Business was addressed while waiting for the applicant of next public hearing to arrive. UAI-moving forward and we are line. ZA Morlan will get with Mitch Kaufman of PEC to inquire about updating maps in the Comprehensive Plan.

8:52pm

6. Public Hearings continued

B. CU-2020-01

No abstentions, Quorum of 6 was established. There were no ex parte communications. A public notice was published in the Ark Valley News on 8/13/20 and letters sent to the property owner and 12 surrounding property owners to meet the 20-day notice requirements.

Zoning Administrator reviewed his report with the Planning Commission. There were no questions to ZA Morlan. The applicant had no further comments other than their request be approved.

ZA Morlan’s recommendation: Based on the information, analysis and findings contained in his report, he recommended that Case # CU-2020-01 be approved as submitted.

Public Hearing closed at 9:04pm

Motion made by Buddy Pressnell to move that the Planning Commission adopt the findings and recommendations stated in the Zoning Administrator’s Report for Case # CU-2020-01 and forward a recommendation of approval to the Governing Body regarding the requested

Conditional Use. Seconded by Virginia Reimann. Carried 5-0. This case will be heard at City Council 9-24-2020.

7. Preliminary Plat
None
8. Final Plat
None
10. New Business
None
11. Committee & Staff Reports
None
12. Adjourn
Buddy Pressnell moved to adjourn, Dan Clark seconded, motion carried 5-0. Meeting adjourned at 9:06pm.

Respectfully Submitted,

Richard Wolf, Chairperson
Kechi Planning Commission