

KECHI PLANNING COMMISSION & BOARD OF ZONING APPEALS

Minutes October 13, 2020

1. Call to Order
Chairman Wolf called the regular meeting of the Kechi Planning Commission to order at 7:02pm in Council Chambers of Kechi City Hall.
2. Roll Call
Members in attendance were Larry Burk, Buddy Pressnell, Richard Wolf, Dan Clark, and Bill Moss (entered at 7:06pm). Staff in attendance were Zoning Administrator Chris Morlan, and City Clerk Theresa Morlan. Guests in attendance were Mitch Coffman (PEC), Rick Alley, Will Clevenger, Jonathan Olsen, Debbie Williams, and Rob Davis.
3. Approval of Agenda
Buddy Pressnell moved to approve the Agenda. Larry Burk seconded the motion. Motion passed 4-0.
4. Approval of Minutes
Dan Clark moved to accept the minutes from the September 8, 2020. Motion was seconded by Buddy Pressnell and carried 4-0.
5. Public Forum/ Communications
None
6. Public Hearings
Z-2020-01 – Northwoods Addition – Lots 54-76 Block 1 – Request to change from R-1 to R-1A
Chairman Wolf called the item. A quorum of four was established (Bill Moss entered after quorum established, changing quorum to five). There were no abstentions nor ex parte communications. The notice of the public hearing was published in the Ark Valley News on September 17, 2020. Zoning Administrator, Chris Morlan reported that this is a request to rezone Lots 54 through 76 of Block 1 of Northwoods Addition from R-1 to R-1A. The rezone will allow narrower parcels, allowing the development to provide an additional 15 parcels on the same area (from 23 parcels to 38 parcels). The use will not change from the original proposal with single-family detached units still being proposed. The zoning change fits within the context of the adjacent development. The proposal complies with Applicable Lot Size, Bulk, and Off-street Parking & Loading Requirements. Compatibility Buffers are not required and there are no Applicable Specific Use Standards.

In the Land Use Analysis, Z.A. Morlan reported that the subject property was platted as Northwoods Addition in June 2005 as a single-family residential subdivision. The current request would allow for more single-family residences in the same area that was originally platted. The area is served by water, gas, and sewer from the City of Kechi, and connection to city utilities is required. Evergy provides electric service. Requested rezoning could account for a 65% increase on transportation, utilities, and drainage of the rezoned area. A drainage plan will be provided as part of the replatting process. The area generally drains to the east. The area surrounding the requested rezoning is single-family residences meeting the R-1 zoning requirements for lot size, setbacks, and lot coverage. The rezoning of lots 54 through 76 would still be single-family residences, but in a more dense configuration.

Summary of Findings

Compatibility with Neighborhood Character - The smaller lots would be compatible with the single-family residences to the south but would occur in a denser concentration. Undeveloped and rural development areas exist to the north, east and west.

Consistency with Community Vision and Plans - Chapter 6 "Housing" of the 2040 Comprehensive Plan states under Goals & Objectives

- Support residential developments and housing programs that provide housing options for people of all incomes, ages, and abilities including rental, ownership, size, and price.
- Allow a mix of housing types including smaller lots, smaller houses, duplexes, attached housing, accessory dwelling units, multi-dwelling housing, and mixed use developments
- Encourage housing design that supports the enhancement and vitality of neighborhoods.

(all from page 27)

Adequacy of Infrastructure and Services - All City utilities are in place or will be provided sufficient to service possible dwellings. Infrastructure will be done as bonds and assessed to each of these lots in the area of the proposed rezoning.

Suitability of Proposed Use - Property is suitable for proposed rezoning and use. This would provide for more dwellings and an option for housing that does not currently exist in Kechi.

Length of Time Vacant as Zoned – Property was platted in 2005. There have been a couple of economic turndowns since that time that have probably delayed development of this subdivision. There have been three phases of the Northwoods subdivision that are now close to completion.

Zoning Compatibility with Surrounding Development - Properties to the north are A-1 Agricultural and County RR zoning with low density residential, to the west are A-1 Agricultural, to the south are R-1 Single-Family Residential, and to the east are R-1 Single-Family Residential and County RR zoning.

Potential Negative Impacts of Proposed Zoning – The impacts of allowing an increase in allowed lot coverage of 60% on these two cul-de-sac streets should have minimal negative impacts to surrounding properties and provides a housing option that is not currently available in Kechi.

Property Impacts Versus Public Benefit – The increase in lot coverage would provide the developer greater options for housing design with minimal impact to the public benefit. Having a greater density of housing will add more to the tax base than what the original plat would provide.

Z.A Morlan recommends that the rezoning be approved as submitted with no added conditions.

Applicant's Agent, Mitch Coffman stated that the proposed rezoning fits the character, needs, objectives of the Comprehensive Plan.

Discussion: The Planning Commission (PC) asked about impact on water pressure and sewage, and what impact there would be if changes to other lots in development, ZA Morlan said the replat would have to address the impact on the infrastructure, drainage and utilities, and the plat cannot be approved without first having the area rezoned. The PC asked if the plan is to phase in the development. Rick Alley, developer, stated that the next phase of Northwoods would not begin until after the lots in the phase in the application area were absorbed. Dakota Street is not a through street currently but will be for this phase of development. Decreasing the lot size allows for more lots, and Mr. Alley provided a map showing all lots in the next phase of the development, but only the lots on the two cul-de-sacs would be rezoned. The remaining lots would stay the same and be developed as originally platted. The rezoned lots are planned to be patio homes on slabs

with safe rooms with older residents in mind to have zero entry as an option not currently available. The y will have double car garages. A maintenance program/restrictive covenants are required, but he is not sure what that will specifically look like at time.

Public Comment

1. Rob Davis, 350 E Dakota, addressed the PC as a representative of the Northwoods Homeowners' Association (HOA). He stated that the neighbors are not in favor of the zone change. Current homes are valued at an average of \$250,000. The proposed development would have smaller square footages with similar prices, which seems expensive. If the houses do not sell for similar values, there is a perception that property values in the area will be lower. There is also a concern with congestion in the area, what current residents were "sold," as well as activity requiring police response similar to what is happening in the Rock Pointe area. When asked about the number of neighbors stating opposition, he replied there were 5 or 6 in his vicinity. The HOA encompasses the whole subdivision as currently developed. The covenants are enforced by the HOA and not the city, and until the additional covenants are developed and applied to the rezoned lot, it is not known how they will be enforced and by whom. Mr. Alley stated these additional covenants would have to be disclosed at closing for those properties. The garages will be front load.
2. Debbie Williams, 239 E Kodiak Ct, purchased her home in May, and was drawn to the area as a single-family development. She is concerned with increased traffic. She feels that it would be more palatable with two new entrances instead of just one. PC noted that there will be an additional 15 lots developed, bringing the number of undeveloped lots to 75 instead of current 60, and there are 72 lots in the developed portion of the subdivision. Mr. Alley reiterated that these lots are to remain single-family homes and not multi-family lots and no intention of being rentals.

PC questioned if Reserve E to the north would be developed. Z.A. Morlan stated that it is a drainage and utility easement with high power electric lines, and it is very unlikely.

There were no written or verbal comments made to the City Clerk's office.

Jonathan Olsen, 231 E Kodiak Ct, asked if drainage for the rezoned lots would go to the north. Z.A. Morlan stated that drainage would be addressed on the plat.

Public Comment closed at 7:39pm.

PC Discussion: The number of total lots for the development is increasing from 145 to 160, which is not a large percentage increase, in which the increase in traffic seems minimal. When asked if the lots will be built upon as they are sold or if he will speculate, Mr. Alley replied that they will have pre-sales prior to infrastructure being in place, and will build a couple model home to generate sales, but they are at least a year away. He has no plan to have rentals or building so many as to need to hold onto them as rentals.

Motion: I, Dan Clark, move that the Planning Commission adopt the findings and recommendations stated in the Zoning Administrator's Report for Case # Z-2020-01 and forward a

recommendation of approval to the Governing Body regarding the requested Zoning Change. Motion was seconded by Bill Moss and carried 4-1.

Closing remarks – There must be a 14-day protest period by State Statute prior to being presented to the Governing Body. The request will be brought before City Council on November 12, 2020. Because the plat will most likely be presented at the Planning Commission meeting on November 10th, a condition of the plat approval will need to be that the rezoning request be approved.

7. Preliminary Plat

SD-2020-02 Weixelman Estates is presented as a One-Step Final.

8. Final Plat

SD-2020-02 Weixelman Estates is presented as a One-Step Final.

Chairman Wolf called the item. Z.A. Morlan presented that the property is currently two lots and will be platted as four. The applicants would like to build family homes for their relatives. The City Engineer did find issues with the plat and those have been addressed. There were also issues related to drainage, which were forwarded to the applicants' agent. Z.A. Morlan recommended approval of the plat with the condition that the City Engineer approves the requested changes. Reserve A will be a private drive and not a publicly dedicated street. The platted lots are 4.5 to 7 acres. Lot 3 has a home on it currently. The floodplain does run through the property as noted on the preliminary plat. Structures cannot be built upon the floodway, but bridges and drives can be constructed in the floodway.

Motion by Buddy Pressnell to approve the preliminary and final plats with the condition that the changes requested are made and approved by the City Engineer. Motion was seconded by Dan Clark and carried 5-0.

9. Unfinished Business

Urban Area of Influence will be updated and included in the Comp Plan, which MABCD would like to have approved before publishing it.

10. New Business

None

11. Committee & Staff Reports

None

12. Adjourn

Motion by Dan Clark to adjourn at 8:00pm., second by Buddy Pressnell. Motion passed 5-0.

Respectfully Submitted,

Richard Wolf, Chairperson
Kechi Planning Commission