

Haysville Planning Commission  
Minutes  
June 8, 2017

The regular Planning Commission Meeting was called to order by Chairperson Tim Aziere at 7:00 p.m. in the Council Chambers, located in the Haysville Municipal Building, 200 W. Grand Avenue.

Those members present were: Tim Aziere, Bob Wethington, Richard Meyer, Debbie Coleman, Clay Randel, Samantha Dillon, Amber Chatwell, Penny Rosendale, Joe Holub, Steve Burden, Dawn Stock, and Rose Corby, Planning Commission Secretary.

Chairperson Aziere presented for approval the Minutes of April 27, 2017.

Motion by Randel - Second by Dillon

Move to approve the minutes.

Aziere abstain, Wethington yea, Meyer yea, Coleman yea, Randel yea, Dillon yea,

Chatwell abstain, Rosendale yea, Holub yea, Burden abstain, Stock yea.

Motion declared, carried.

Under New Business:

**IV. A.** Chairperson Aziere opened Case #: ZON2017-02 Zone Change Request for THAT PART RESERVA A BEG 15 FT W OF SE COR TH N 140 FT W 128.31 FT M-L TO W LI SWLY 142.20 FT M-L TO SW COR E 153.05 FT TO BEG RIGGS ADD. from 'D' Light Commercial to 'BB' One & Two Family Residential for public hearing.

Chairperson Aziere if any planning commissioners had outside contact concerning this case. Wethington stated that he saw the applicant at a restaurant and that the applicant stated he would be here for the hearing.

Chairperson Aziere asked if any commissioners had a conflict of interest with this case and to please disqualify themselves. No one had a conflict.

Chairperson Aziere asked the planning secretary if she received any electronic correspondence or communications concerning this case. There were none.

Chairperson Aziere asked the planning secretary to present the case.

Rose gave a brief description of the case and stated that this property is part of Reserve A, was split in 1994, re-zoned and has been for sale for 23+ years.

Chairperson Aziere stated that we are just talking about the front part so that it is clear. It is currently Commercial going to 'BB' One & Two Family.

Chairperson Aziere asked if the applicant or agent was present to please step forward and state their name. Applicant or agent was not present.

Chairperson Aziere opened for public comment. There were none.

Chairperson Aziere closed the public comment forum.

Chairperson Aziere opened for planning commission discussion

Dillon asked if they are requesting it to be zoned 'BB' for possible building of a duplex or are they just doing it to increase the property value. Rose stated that she believes the applicant feels that since the property has sat vacant for 23 years and he has exhausted all possibilities, he believes that re-zoning the property to 'BB' One & Two Family would make it more desirable to potential buyers. Discussion followed including the determining what the property was originally in which Rose stated that the property was originally commercial. Holub asked what the plan was for the house that is on site. Rose stated that property is the second re-zone public hearing we are doing tonight. Dillon asked if the properties was going to be marketed one & two family or was he planning on building the duplexes himself. Rose stated she believe he plans to sell the property as one & two family and that from the cities standpoint this could be a viable option she also stated that she believes he is willing to do anything to get it sold. Chatwell asked if with the re-zone, does he intend to build on it. Rose stated that he intends to sell it. Aziere stated that it is worth noting that with how this was platted as a Reserve, there is no setback. For whatever reason he was allowed to build on this Reserve. Dillon asked if they could require a minimum setback requirement and if they could require a re-plat be done on the Reserve. Rose stated the zoning code does have a minimum setback requirement. Aziere also mentioned that there are is no separate curb cut for this property. Dillon stated there is nothing on the plat that would require him to have a curb cut. Aziere stated that in 1994 he was specifically asked whether this would have a separate curb cut and he said no, they would share the drive. Coleman asked if the house was finished. Rose said no. Dillon asked if it had water and sewer. Rose said no. Aziere asked how the city could allow this house to remain this way. Rose stated that she does not know. Chatwell asked if the city would be interested in buying the property. Rose stated that she cannot answer for the city. Holub stated that he has a concern with what happens to the existing house and access to it. Dillon stated that there is no curb cut so technically there is no drivable access to it and the way the lots are there is a small area to the east. Dillon stated there are a lot of questions. Aziere said they will have to go with the information they have and clarified this re-zone is for the front half of Reserve A.

Motion by Coleman – second by Dillon

Move to approve the zone change request for THAT PART RESERVA A BEG 15 FT W OF SE COR TH N 140 FT W 128.31 FT M-L TO W LI SWLY 142.20 FT M-L TO SW COR E 153.05 FT TO BEG RIGGS ADD. from 'D' Light Commercial to 'BB' One & Two Family.

Aziere yea, Wethington yea, Meyer yea, Coleman yea, Randel yea, Dillon yea, Chatwell yea, Rosendale yea, Holub nay, Burden yea, Stock nay.  
Motion declared, carried.

**IV. B.** Chairperson Aziere opened Case #: ZON2017-03 Zone Change request for RESERVE A EXC BEG 15 FT W OF SE COR TH N 140 FT W 128.31 FT M-L SWLY 142.20 FT M-L TO SW COR E 153.05 FT TO BEG RIGGS ADD more commonly known as 510 W. Grand Ave. from 'A' Single Family to 'BB' One & Two Family.

Chairperson Aziere if any planning commissioners had outside contact concerning this case. There were none.

Chairperson Aziere asked if any commissioners had a conflict of interest with this case and to please disqualify themselves. No one had a conflict.

Chairperson Aziere asked the planning secretary if she received any electronic correspondence or communications concerning this case. There were none.

Chairperson Aziere asked the planning secretary to present the case.

Rose gave a brief description of the case and stated that this property is part of Reserve A, was split in 1994, re-zoned and has been for sale for 23+ years.

Dillon asked if there is any possible way for access on the North side of the property. Rose stated that is Riggs park. Burden asked where would parking occur if this was re-zoned. Rose stated the west and north sides would work but access would still need to be addressed

Chairperson Aziere asked if the applicant or agent was present to please step forward and state their name. Applicant or agent was not present.

Chairperson Aziere opened for public comment. There were none.

Chairperson Aziere closed the public comment forum.

Chairperson Aziere opened for planning commission discussion

Dillon asked if we approve this zoning and when they do any building will they have to abide by current zoning. Rose stated no, they would have to abide by any zoning regulations and building codes at the time of building. Atwell if he is planning to build or sell it. Rose stated he is trying to sell it. Atwell asked if he has someone lined up to buy it. Rose stated that she is unaware of any buyers. Aziere stated that the real question for him was can you reasonably turn a 1956 house with a 1994 basement into a duplex and sell it to someone. Discussion followed. Atwell asked if the zone change was approved he could then sell this house as a duplex. Rose stated he would have to obtain the required permits and follow all zoning and building codes. Discussion followed. Coleman asked if the surrounding property owners have been notified. Rose stated yes. Rose noted that she noticed a potential issue pertaining to the drive. With the existing driveway being 140 feet long and only 15' wide there could be a potential problem with fire truck access. She also stated that the nearest fire hydrant was on the western corner of Grand and German. Coleman stated that fire trucks normally do not use a drive. Rose stated it was because the drives would be much shorter. This drive is 140 feet and then there is still the distance of the home potentially preventing fire truck access. Burden stated that the county requires 30' wide for every 20'. Aziere stated that having this property as one & two family would be a great buffer between the commercial property located east and the single family on the west. Aziere asked if there is any other discussion. Dillon stated that she is reluctant to make a motion or even vote on it because there are just so many things that would need to be addressed and if they don't expand water or address fire then...Aziere stated that if we are not comfortable making a motion we need to have a lot more discussion but stopping now and leaving this as single family will not fix any of this. That house will just sit there. Dillon asked if there are any requirements we can put on this. Aziere stated no, and that it seems unfair to force him to replat driveway which has been allowed for 23 years for whatever reason. He stated that his personal feelings are that if we can zone this entire thing to 'BB' and let him sell it to someone who will do something with it, then it would be in the best interest of the city. He also stated that he does not believe that forcing a requirement to re-plate the property to correct the problems is what they can do.

Motion by Coleman – second by Dillon

Move to approve the zone change request for RESERVE A EXC BEG 15 FT W OF SE COR TH N 140 FT W 128.31 FT M-L SWLY 142.20 FT M-L TO SW COR E 153.05 FT TO BEG RIGGS ADD more commonly known as 510 W. Grand Ave. from 'A' Single Family to 'BB' One & Two Family.

Aziere yea, Wethington yea, Meyer yea, Coleman yea, Randel yea, Dillon yea,

Chatwell yea, Rosendale yea, Holub nay, Burden yea, Stock nay.

Motion declared, carried.

Under Old Business: Chairperson Aziere announced the Haysville Park Plan

Rose presented the Park Plan. She stated that she discovered she was sending the planning commission the wrong file after she made the changes that were required from the last meeting and that the file had actually been saving in a parent file that was unrelated. She believes they all now have the correct She

stated she was open for any corrections that still need to be made. Coleman stated that she has a couple of changes: some typographical that she will give to Rose. She stated that she does not believe she has the latest copy but will use the last one she has. On page 7 under planned improvements talks about the sand volleyball improvements with the natatorium which should be removed. Rose noted the removal. Talks about the volleyball court water fountain needed to be changed and evaluated in 2017 and will depend on the natatorium. Rose stated the natatorium has been taken out. On page 13 Coleman said under planned improvements the first bullet says concrete pads may have been already taken care of and needs to be removed. On page 15 Coleman asked to include the library and tractor. Coleman said on page 20 the first paragraph the last sentence L.W. Roberts Park is destined to be .... Is it supposed to be destined or designated? Rose said she would check if it was supposed to be designated. On page 21 Coleman said that Curtis Hampton's daughter's name should be mentioned. On page 22 Coleman said that under USD 261 facilities says that while we do have six elementary schools two of them are not in the city limits which are Oatville and Ruth Clark. She also stated that the soccer fields were removed. Rose stated that she will include Randal L. Dorner Park and see where they are at in completion of the fields. On page 25 Coleman said in the second column it talks about hike and bike path along Meridian and would like that changed. She also stated that in the following paragraph it talks about future soccer fields being adjacent to the future Haysville Lake and that she think they are either completed or nearing completion. Aziere asked if anyone else had comments. Meyer asked if Rose had taken out the Merry-Go-Round and Rose stated yes, but that she was unaware they had replaced the merry-go-round they removed two years ago. It will be added back into the document. Atwell asked if the water fountain was supposed to be a drinking water fountain. Aziere stated that he thought they were talking about a fountain similar to the one in Pride Park and that it is confusing and probably should be changed. Aziere asked if the Park Board had approved of the plan. Rose stated that this is what was sent to her. Aziere stated that it seems it is getting to the point of where the planning commission is "proofing the document and that the intent of it is to look at the things they are going to do in the future and approve that." He said that he doesn't know of a better way to do it than what they are doing now. He said he thinks that has gotten lost and has been this way for the last few years. Rose stated that she will take responsibility for being relatively new at the time she was given this and being unsure of her role but that she is now 100% confident in her ability to correct some of the problems before it goes to Planning Commission. Aziere stated that he hopes the next time they do this it will be more like when they update other documents and that these are the changes we are approving. Atwell asked if there was an opportunity to have this document read better because it reads like a book. It should read like an executive level summary.

Motion by Coleman – second by Rosendale

Move to approve the Park Plan with the requested changes.

Aziere yea, Wethington yea, Meyer yea, Coleman yea, Randel yea, Dillon yea, Chatwell yea, Rosendale yea, Holub yea, Burden yea, Stock yea.

Motion declared, carried.

Committee Updates:

Aziere asked if there were any positions that are unfilled on any of the boards. Rose stated that she will look into it and get back with them.

Coleman stated that Haysville Forward is working on the Haysville Showcase where developers and realtors are being invited to tour the city with a luncheon. Rose added that it was June 22 at 8:00 AM at 523 Sarah Lane.

Off Agenda Items: There were none.

Adjournment:

Motion by Coleman - Second by Atwell

Move to adjourn.

Aziere yea, Wethington yea, Meyer yea, Coleman yea, Randel yea, Dillon yea,  
Chatwell yea, Rosendale yea, Holub yea, Burden yea, Stock yea.

Motion declared, carried.

The meeting of the Haysville Planning Commission adjourned at 7:47 pm.