

**MEETING NOTICE  
MAIZE CITY COUNCIL  
REGULAR MEETING  
PUBLIC BUILDING COMMISSION MEETING**

**TIME: 7:00 P.M.**  
**DATE: MONDAY, SEPTEMBER 21, 2015**  
**PLACE: MAIZE CITY HALL**  
**10100 W. GRADY AVENUE**

**AGENDA**

**MAYOR CLAIR DONNELLY PRESIDING**

- 1) Call to Order
- 2) Roll Call
- 3) Pledge of Allegiance/Moment of Silence
- 4) Approval of Agenda
- 5) Public Comments
- 6) Consent Agenda
  - a. Approval of Minutes – Special Council Meeting Minutes of August 3, 2015, and Regular Council Meeting Minutes of August 17, 2015.
  - b. Receive and File Planning Commission Minutes July 9, 2015.
  - c. Receive and File Park and Tree Board Minutes of August 11, 2015.
  - d. Cash Disbursements from August 1, 2015 thru August 31, 2015 in the amount of \$1,590,129.75 (Check #61015 thru #61145).

\* Recess City Council Meeting and Convene Maize Public Building Commission Meeting:

**MAIZE PUBLIC BUILDING COMMISSION  
AGENDA  
PRESIDENT CLAIR DONNELLY PRESIDING**

- 1) Call to Order
- 2) Roll Call
- 3) Approval of the Agenda
- 4) Approval of Minutes – Meeting of August 17, 2015.
- 5) New Business
  - A. Bids and Sale of Maize Public Building Commission Bonds for the Public Works Building
- 6) Adjournment

\* Reconvene the City Council Meeting

**MAIZE CITY COUNCIL  
REGULAR MEETING  
AGENDA  
(continued)**

- 7) Old Business
  - A. City Approving Ordinance (PBC bonds and lease)
  
- 8) New Business
  - A. Zoning Case Z-03-015
  
- 9) Reports
  - Police
  - Public Works
  - City Engineer
  - Planning & Zoning
  - City Clerk
  - Legal
  - Operations
  - Mayor's Report
  - Council Member's Reports
  
- 10) Executive Session
  
- 11) Adjournment

**MINUTES-SPECIAL MEETING  
MAIZE CITY COUNCIL  
Monday, August 3, 2015**

The Maize City Council met in a special meeting at 7:00 p.m., **Monday, August 3, 2015** in the Maize City Hall, 10100 Grady Avenue, with **Council President Donna Clasen** presiding. Councilmembers present were **Pat Stivers**, and **Karen Fitzmier** and **Alex McCreath**. **Mayor Clair Donnelly** and **Kevin Reid** were absent.

Also present were: **Richard LaMunyon**, City Administrator; **Rebecca Bouska**, Deputy City Administrator; **Jocelyn Reid** City Clerk, **Matt Jensby**, Police Chief; **Ron Smothers**, Public Works Director and **Larry Kleeman**, Financial Advisor.

**APPROVAL OF AGENDA:**

The agenda was submitted for Council approval.

**MOTION:** **Fitzmier** moved to approve the Agenda as presented.  
**Stivers** seconded. Motion declared carried.

**PUBLIC HEARING FOR THE CITY OF MAIZE 2016 BUDGET:**

**Council President Clasen** opened the Public Hearing at 7:00 pm. Hearing no comments, the Public Hearing was closed.

**2015 GO BOND REFUNDING RESOLUTION:**

A resolution authorizing the refunding of the Series 2007A and 2010 GO Bonds was submitted for Council approval.

**MOTION:** **McCreath** moved to approve the resolution authorizing the refunding of the Series 2007A and 2010 GO Bonds.  
**Stivers** seconded. Motion declared carried.

*City Clerk assigned Resolution #575-15.*

**ADOPTION OF THE 2016 BUDGET:**

The City of Maize 2016 Budget was submitted for Council approval.

**MOTION:** **McCreath** moved to adopt the 2016 Budget for the City of Maize and submit to the Sedgwick County Clerk.  
**Stivers** seconded. Motion declared carried.

**ADJOURNMENT:**

With no further business before the Council,

**MOTION:** **Stivers** moved to adjourn.  
**McCreath** seconded. Motion declared carried.  
Meeting adjourned.

Respectfully submitted by: \_\_\_\_\_  
Jocelyn Reid, City Clerk

**MINUTES-REGULAR MEETING  
MAIZE CITY COUNCIL  
Monday, August 17, 2015**

The Maize City Council met in a regular meeting at 7:00 p.m., Monday, **August 17, 2015** in the Maize City Hall, 10100 Grady Avenue, with **Mayor Clair Donnelly** presiding. Council members present were **Pat Stivers, Karen Fitzmier, Donna Clasen, Kevin Reid** and **Alex McCreath**.

Also present were: **Richard LaMunyon**, City Administrator, **Rebecca Bouska**, Deputy City Administrator, **Sue Villarreal**, Deputy City Clerk, **Matt Jensby**, Police Chief, **Jeff Priddle**, Public Works Director, **Bill McKinley**, City Engineer, **Kim Edgington**, Planning Administrator, **Larry Kleeman**, Financial Advisor and **Kim Bell**, Bond Counsel.

**APPROVAL OF AGENDA:**

The Agenda was submitted for Council approval.

**MOTION:** **Clasen** moved to approve the Agenda as submitted.  
**McCreath** seconded. Motion declared carried.

**CONSENT AGENDA:**

The Consent Agenda was submitted for approval including:

- a) Approval of minutes - Regular Council Meeting of July 20, 2015 with addition of absent members to PBC minutes.
- b) Receive and file Park and Tree Board minutes of May 12, 2015 with changes to Arbor Day Review.
- c) Cash Disbursements from August 1, 2015 through August 31, 2015 in the amount of \$678,172.25 (Check #60803 through #61014)

**MOTION:** **Clasen** moved to approve the Consent Agenda with changes.  
**Stivers** seconded. Motion declared carried

**SERIES 2015B GO REFUNDING BONDS BIDS AND SALE:**

Bids for sale of Series 2015B GO Refunding Bonds in the amount of \$740,000 for Series 2007A and Series 2010 were submitted to Council. Country Club Bank submitted the low bid with an interest rate of 1.74%. An ordinance authorizing and providing for the issuance of the Series 2015B GO Refunding Bonds not to exceed \$740,000 and a resolution prescribing the form and details of the bonds were also submitted for Council approval.

**MOTION:** **Clasen** moved to accept the low bid from Country Club Bank with an average net interest rate of 1.74% and to approve the ordinance authorizing and providing for the issuance of the bonds not to exceed \$740,000 and to approve the resolution prescribing the form and details of the bonds.  
**McCreath** seconded. Motion declared carried.

*City Clerk assigned Resolution #576-15*

*City Clerk assigned Ordinance #901*

**Mayor Donnelly** recessed the Council meeting at 7:09 pm.

**PUBLIC BUILDING COMMISSION MEETING:**

The Maize Public Building Commission (MPBC) special meeting was called to order at 7:10 p.m. Members present were: **Clair Donnelly**, Chairman, **Kevin Reid, Alex McCreath, Donna Clasen, Pat Stivers, and Karen Fitzmier**. Members not present were: **Andy Schlapp**, Wichita State University and a representative for the Maize Recreation Commission.

**APPROVAL OF AGENDA:**

The agenda was submitted for MPBC approval.

**MOTION:** **Clasen** moved to approve the agenda as submitted.  
**McCreath** seconded. Motion declared carried.

**APPROVAL OF MINUTES:**

Minutes of Maize City Council meeting of June 1, 2015 and July 20, 2015 were submitted for MPBC approval.  
City of Maize  
Public Building Commission

**MOTION:** *Clasen* moved to approve the minutes with the addition of absent members.  
*McCreath* seconded. Motion declared carried.

**AUTHORIZING BOND SALE AND RESOLUTION FOR PUBLIC WORKS BUILDING:**

A sale resolution to authorize bids for PBC Series 2015A Improvement Revenue Bonds in the amount of \$1,065,000 for financing the public works facility was submitted to MPBC.

**MOTION:** *Clasen* moved to approve the sale resolution for the 2015A PBC Revenue Bonds in an amount not to exceed \$1,125,000.  
*Fitzmier* seconded. Motion declared carried 4-1 with *McCreath* voting no.

**AMENDED MOTION:** *Clasen* moved to amend the previous motion and approve the sale resolution for the 2015A PBC Revenue Bonds in an amount not to exceed \$1,065,000.  
*Fitzmier* seconded. Motion declared carried 4-1 with *McCreath* voting no.

*City Clerk assigned MPBC Resolution #13-15*

**ADJOURNMENT:**

With no further business before the MPBC,

**MOTION:** *Clasen* moved to adjourn.  
*McCreath* seconded. Motion declared carried.  
Meeting adjourned.

*Mayor Donnelly* reconvened the City Council meeting at 7:23 pm.

**POLICE DETECTIVE POSITION:**

Request for approval to remove restrictions on current full-time Police Detective position.

**MOTION:** *Clasen* moved to approve the realigning of the full-time Police Detective position by removing the current hourly and benefit restrictions.  
*McCreath* seconded. Motion declared carried.

**RJR ENTERPRISES CONTRACT FOR PARK RESTROOM FACILITY & SPLASH PARK:**

A contract for the construction of a new Restroom facility and a new Splash Park to be located at the Maize City Park was presented for Council approval.

**MOTION:** *Fitzmier* moved to approve the RJB Enterprise contract in an amount not to exceed \$208,000.00 and authorize the Mayor to sign, subject to City Attorney final review.  
*Reid* seconded. Motion declared carried.

**ADJOURNMENT:**

With no further business before the Council,

**MOTION:** *Reid* moved to adjourn.  
*McCreath* seconded. Motion declared carried.  
Meeting adjourned.

**Respectfully submitted by:**

Sue Villarreal, Deputy City Clerk

**MINUTES-REGULAR MEETING  
MAIZE CITY PLANNING COMMISSION AND  
BOARD OF ZONING APPEALS  
THURSDAY, JULY 9, 2015**

The Maize City Planning Commission was called to order at 7:00 p.m., on Thursday, July 9, 2015, for a Regular Meeting with *Mike Burks* presiding. The following Planning Commission members were present: *Mike Burks, Bryant Wilks, Dennis Downes* and *Jennifer Herington*. Planning Commissioner not present were *Andy Sciolaro, Gary Kirk* and *Bryan Aubuchon*.

Also present were *Sue Villarreal*, Recording Secretary; *Kim Edgington*, Planning Administrator; *Richard LaMunyon*, City Administrator; *Bill McKinley*, City Engineer and *LewJene Schneider*, Walker, Lane and Reed.

**APPROVAL OF AGENDA**

**MOTION:** *Herington* moved to approve the agenda as presented.  
*Downes* seconded the motion.  
Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** *Herington* moved to approve the May 7, 2015 minutes as presented:  
*Wilks* seconded the motion.  
Motion carried unanimously.

**NEW BUSINESS – PLANNING COMMISSION**

**V-02-015 Vacation of complete access control across Lots 2,3, and 3a, Block 5, Wyn-Wood Addition (North of 37<sup>th</sup> Street on the west side of Maize Road).**

*Edgington* explained to commissioners that the applicant is requesting to vacate complete access control to allow for a second opening to serve Lots 2, 3 and 3a.

**MOTION:** *Herington* moved to vacate complete access control to allow for a second opening to serve Lots 2, 3 and 3a subject to the conditions and modifications outlined in the staff report and subject to the following conditions:

- 1) Only one opening allowed with size, design and placement subject to approval by the City Engineer
- 2) Must allow crossflow of traffic for easy access to all businesses
- 3)

*Wilks* seconded the motion.

**ADJOURNMENT:**

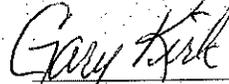
**MOTION:**

With no further business before the Planning Commission,  
*Wilks* moved to adjourn.  
*Downes* seconded the motion.  
Motion carried unanimously.

Meeting adjourned at 7:22 PM.



Sue Villarreal  
Recording Secretary



Gary Kirk  
Chairman

**MINUTES – REGULAR MEETING  
MAIZE PARK AND TREE BOARD  
Tuesday, August 11<sup>th</sup>, 2015**

The Maize Park and Tree Board met in a regular meeting at 5:30 pm on Tuesday, August 11<sup>th</sup>, 2015 with *Chair Jennifer Herington* presiding. Board members present were *Secretary Mike Burks, Marina Fulton, Patrick Atchison, Nancy Scarpelli* and *Hugh Nicks*. *Vice-Chair Dennis Wardell* was absent.

Also present was: *Jolene Graham Allmond*, Recording Secretary.

**APPROVAL OF AGENDA:**

The Agenda was submitted for Board approval.

**MOTION:** *Scarpelli* moved to approve the agenda.  
*Atchison* seconded. Motion declared carried.

**APPROVAL OF THE APRIL 14, 2015 MINUTES:**

The Park and Tree Board Meeting Minutes of May 12<sup>th</sup>, 2015 were submitted for approval.

**MOTION:** *Fulton* moved to approve the minutes.  
*Burks* seconded. Motion declared carried.

**MAIZE FALL FESTIVAL**

Participation in the Maize Fall Festival on October 9<sup>th</sup> and 10<sup>th</sup> was discussed. Booth options and ideas were submitted for collaboration with the Maize Lions club.

**CEMETERY LANDSCAPING**

*Herington, Scarpelli,* and *Nicks* reported on their meeting with City staff regarding the possibility of the board assisting with the landscaping and tree planting at the cemetery. A tour of the cemetery will be conducted at the September 8<sup>th</sup> Park and Tree board meeting.

**MONARCH BUTTERFLY WAYSTATION**

The consideration of establishing a nationally recognized Monarch Butterfly Waystation in the City of Maize was explored. A subcommittee of *Burks, Scarpelli,* and *Nicks* will meet with City staff and report to the board at the September 8<sup>th</sup> Park and Tree board meeting.

**ADJOURNMENT:**

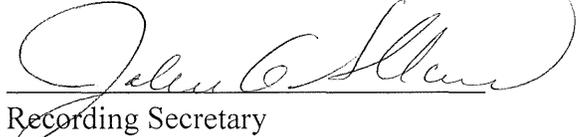
With no further business before the Board:

**MOTION:** *Burks* motioned to adjourn.  
*Fulton* seconded. Motion declared carried.

Meeting adjourned at 7:02 pm.

Approved by the Park and Tree Board on September 8 2015.

  
Park and Tree Board Member

  
Recording Secretary



**CITY OF MAIZE**

**Cash and Budget Position**

**Thru August 31, 2015**

FUND	NAME	BEGINNING	MONTH	MONTH	END MONTH	ANNUAL	YTD	YTD	REMAINING	REMAINING
		CASH BALANCE	RECEIPTS	DISBURSEMENTS	CASH BALANCE	EXPENSE BUDGET	REVENUE	EXPENSE	EXPENSE BUDGET	BUDGET PERCENTAGE
01	General Fund	\$ 935,614.33	\$ 67,841.36	\$ 248,575.92	\$ 754,879.77	\$ 3,406,860.00	\$ 2,287,103.62	\$ 2,420,186.37	\$ 986,673.63	28.96%
02	Street Fund	134,574.74	12,607.00	19,578.95	127,602.79	280,300.00	201,766.36	202,159.19	78,140.81	27.88%
04	Capital Improvements Fund	436,245.19	64,811.60	264,133.60	236,923.19	1,216,000.00	518,477.61	664,175.23	551,824.77	45.38%
5	Long-Term Projects	(871,963.43)	-	7,410.95	(879,374.38)	-	167,017.67	736,928.43		
10	Equipment Reserve	36,678.94	21,269.93	-	57,948.87	255,000.00	171,657.96	214,338.87	40,661.13	15.95%
11	Police Training Fund	128.99	96.00	-	224.99	7,500.00	1,752.00	3,632.45	3,867.55	51.57%
12	Municipal Court Fund	11,710.02	657.32	-	12,367.34	-	13,059.63	8,540.64		
16	Bond & Interest Fund	1,418,257.57	69,210.46	1,027,960.93	459,507.10	2,356,834.00	1,689,889.10	1,729,148.90	627,685.10	26.63%
19	Wastewater Reserve Fund	161,674.54	3,000.00	-	164,674.54	-	93,789.37	52,552.01		
20	Wastewater Treatment Fund	531,631.73	62,301.40	58,018.46	535,914.67	701,000.00	546,573.69	529,807.91	171,192.09	24.42%
21	Water Fund	411,419.11	62,073.01	65,470.19	408,021.93	754,500.00	550,318.12	538,444.87	216,055.13	28.64%
22	Water Reserve Fund	98,148.81	3,000.00	-	101,148.81	-	24,000.00	-	-	
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00	-	-	-		
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09	-	-	-		
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57	-	-	-		
38	Cafeteria Plan	1,766.45	3,075.45	598.40	4,243.50	-	11,071.62	8,802.00		
40	Carlson Assessments Fund	-	-	-	-	-	-	18,515.21		
47	53rd & Maize Road Expansion	-	-	-	-	-	-	13,113.02		
61	Carriage Crossing VI	-	-	-	-	-	-	114,403.53		
71	Fiddlers Cove 3rd	-	-	-	-	-	-	(342.00)		
73	Hampton Lakes Commercial	-	-	-	-	-	166,544.67	179,612.67		
74	Hampton Lakes 2nd Addition	-	-	-	-	-	17,044.67	63,840.04		
76	Series 2013B Refunding Bonds	-	-	-	-	-	-	463.25		
98	Maize Cemetery	176,097.71	167.86	1,804.98	174,460.59	139,901.00	23,664.03	15,287.76	124,613.24	89.07%
<b>Report Totals</b>		<b>\$ 3,900,189.36</b>	<b>\$ 370,111.39</b>	<b>\$ 1,693,552.38</b>	<b>\$ 2,576,748.37</b>	<b>\$ 9,117,895.00</b>	<b>\$ 6,483,730.12</b>	<b>\$ 7,513,610.35</b>	<b>\$ 2,800,713.45</b>	<b>30.72%</b>

**CITY OF MAIZE**

**Cash and Budget Position**

**Thru August 31, 2015**

FUND	NAME	BEGINNING	MONTH	MONTH	END MONTH	ANNUAL	YTD	YTD	REMAINING	REMAINING
		CASH BALANCE	RECEIPTS	DISBURSEMENTS	CASH BALANCE	EXPENSE BUDGET	REVENUE	EXPENSE	EXPENSE BUDGET	BUDGET PERCENTAGE
01	General Fund	\$ 935,614.33	\$ 67,841.36	\$ 248,575.92	\$ 754,879.77	\$ 3,406,860.00	\$ 2,287,103.62	\$ 2,420,186.37	\$ 986,673.63	28.96%
02	Street Fund	134,574.74	12,607.00	19,578.95	127,602.79	280,300.00	201,766.36	202,159.19	78,140.81	27.88%
04	Capital Improvements Fund	436,245.19	64,811.60	264,133.60	236,923.19	1,216,000.00	518,477.61	664,175.23	551,824.77	45.38%
5	Long-Term Projects	(871,963.43)	-	7,410.95	(879,374.38)	-	167,017.67	736,928.43		
10	Equipment Reserve	36,678.94	21,269.93	-	57,948.87	255,000.00	171,657.96	214,338.87	40,661.13	15.95%
11	Police Training Fund	128.99	96.00	-	224.99	7,500.00	1,752.00	3,632.45	3,867.55	51.57%
12	Municipal Court Fund	11,710.02	657.32	-	12,367.34	-	13,059.63	8,540.64		
16	Bond & Interest Fund	1,418,257.57	69,210.46	1,027,960.93	459,507.10	2,356,834.00	1,689,889.10	1,729,148.90	627,685.10	26.63%
19	Wastewater Reserve Fund	161,674.54	3,000.00	-	164,674.54	-	93,789.37	52,552.01		
20	Wastewater Treatment Fund	531,631.73	62,301.40	58,018.46	535,914.67	701,000.00	546,573.69	529,807.91	171,192.09	24.42%
21	Water Fund	411,419.11	62,073.01	65,470.19	408,021.93	754,500.00	550,318.12	538,444.87	216,055.13	28.64%
22	Water Reserve Fund	98,148.81	3,000.00	-	101,148.81	-	24,000.00	-	-	
23	Water Bond Debt Reserve Fund	268,000.00	-	-	268,000.00	-	-	-		
24	Wastewater Bond Debt Reserve Fund	147,800.09	-	-	147,800.09	-	-	-		
32	Drug Tax Distribution Fund	2,404.57	-	-	2,404.57	-	-	-		
38	Cafeteria Plan	1,766.45	3,075.45	598.40	4,243.50	-	11,071.62	8,802.00		
40	Carlson Assessments Fund	-	-	-	-	-	-	18,515.21		
47	53rd & Maize Road Expansion	-	-	-	-	-	-	13,113.02		
61	Carriage Crossing VI	-	-	-	-	-	-	114,403.53		
71	Fiddlers Cove 3rd	-	-	-	-	-	-	(342.00)		
73	Hampton Lakes Commercial	-	-	-	-	-	166,544.67	179,612.67		
74	Hampton Lakes 2nd Addition	-	-	-	-	-	17,044.67	63,840.04		
76	Series 2013B Refunding Bonds	-	-	-	-	-	-	463.25		
98	Maize Cemetery	176,097.71	167.86	1,804.98	174,460.59	139,901.00	23,664.03	15,287.76	124,613.24	89.07%
<b>Report Totals</b>		<b>\$ 3,900,189.36</b>	<b>\$ 370,111.39</b>	<b>\$ 1,693,552.38</b>	<b>\$ 2,576,748.37</b>	<b>\$ 9,117,895.00</b>	<b>\$ 6,483,730.12</b>	<b>\$ 7,513,610.35</b>	<b>\$ 2,800,713.45</b>	<b>30.72%</b>

**MAIZE PUBLIC BUILDING COMMISSION  
SPECIAL MEETING  
MONDAY, SEPTEMBER 21, 2015**

**AGENDA ITEM #5A**

**ITEM: PBC Financing of Public Works Facility**

**BACKGROUND**

On June 1, 2015 the Maize Public Building Commission (PBC) authorized revenue bonds to pay for the construction of a new Public Works maintenance facility.

In August, the PBC authorized bids to be received for the PBC's Improvement Revenue Bonds, Series 2015A, to finance the costs of the facility and related costs of bond issuance.

(The PBC issues "revenue bonds" to finance the facility which is then leased to the city. The city is responsible for making the "lease payments" used to pay off the bonds.)

**FINANCIAL CONSIDERATIONS:**

To provide "credit enhancement" (i.e., to attract more and better bids), the PBC bonds have been rated by S&P as "AA-". This is the same rating given to the City's 2015A G.O. Bonds.

The City's Financial Advisor (Larry Kleeman) is soliciting bids for \$1,065,000 in PBC revenue bonds – with bids due by 11 AM, September 21. A bid sheet summarizing the bids received will be distributed at the meeting on Monday.

**LEGAL CONSIDERATIONS:**

Bond Counsel (Kim Bell) has prepared a bond resolution by which the PBC authorizes the issuance of the Series 2015A Bonds and the lease of the public works facility to the City. Full resolution is available electronically.

**RECOMMENDATION:**

MOTION: Move to accept the low bid from \_\_\_\_\_.

MOTION: Move to approve the "bond resolution" authorizing the Series 2015A Bonds and related documents.

**MAIZE CITY COUNCIL  
REGULAR MEETING  
MONDAY, SEPTEMBER 21, 2015**

**AGENDA ITEM #7A**

**ITEM:**       **City Approving Ordinance (PBC Bonds and Lease)**

**BACKGROUND**

See previous agenda item of the PBC.

The PBC is issuing “revenue bonds” to finance a public works facility which is then leased to the city. The city is responsible for making the “lease payments” used to pay off the PBC’s Series 2015A Bonds.

**FINANCIAL CONSIDERATIONS:**

Because these are “revenue bonds” of the PBC, and the facility is leased to the City, the debt would not count against the City’s “general obligation” debt limit. However, the city is obligated to make lease payments in the amount needed for debt service on the PBC bonds.

**LEGAL CONSIDERATIONS:**

Bond Counsel has prepared the ordinance and related documents for the PBC lease to the City. The full ordinance and documents are available electronically.

**RECOMMENDATION:**

**MOTION:**     Approve Ordinance authorizing the lease and related documents.

**MAIZE CITY COUNCIL  
REGULAR MEETING  
MONDAY, SEPTEMBER 21, 2015**

**AGENDA ITEM 8A**

**ITEM: Z-03-015** - Zone change for 24.4 acres from SF-5 Single-Family Residential to 5.4 acres of LC Limited Commercial and 19 acres of MF-29 Multi-Family Residential on the east side of Maize Road, north of Ranch Road (see attached map which depicts the area requested for LC in red and the area requested for MF-29 in green).

**BACKGROUND:** The applicant is requesting a zone change in order to accommodate future commercial development along Maize Road and to construct a 270-unit upscale apartment community. The apartment community is planned to be a gated community with the main entrance off of the north end of the Reed cul-de-sac. A second point of emergency-only access is recommended at the east boundary of the Multi-Family property which would connect to the existing Village Place via a solid gate with emergency responder-only access.

A series of architectural renderings and site plans, as provided by the developer (Case & Associates, Tulsa OK) is included for your review.

The Planning Commission reviewed this case on September 3, 2015. Concerns of neighboring property owners were submitted in writing to the Planning Commission and heard at this public hearing. Copies of these communications are being distributed to the Council electronically. These considerations were taken into consideration by the Planning Commission and incorporated into recommended conditions of approval. The Planning Commission voted 4-1 to recommend approval of the zone change request to the City Council with the following conditions:

- 1) 6 foot decorative stamped concrete screening wall along the east perimeter of development adjoining Watercress Village and the south perimeter adjoining Watercress, with a break in the wall only at that point of the emergency access opening. The wall will be stamped on both sides to match the stone of the apartment buildings.
- 2) Subject to design review guidelines as adopted by the governing body and final site plan approval by the planning administrator.
- 3) All lighting should be of cut-off design and be directed away from adjacent single-family residences with no lighting elements visible from adjacent single-family residences.
- 4) Drainage plan approval by the City Engineer as part of the platting process

- 5) Emergency access at the west end of one of the village place streets, with access being limited to emergency vehicles only by way of a wrought iron gate with a fire-department approved entry system.
- 6) Platting of the property within two years of Governing Body approval.

Following the Public Hearing City Staff (Richard, Bill and Kim) have held a series of meetings with neighboring property owners. Based on these meetings Staff is recommending a set of conditions which will serve to address the concerns of the neighbors that we met with and ensure that the proposed development is an asset to the City of Maize. (See memo dated September 14, 2015 from Watercress Village Homeowners.)

As of Wednesday afternoon, September 16, 2015 there have not been any formal petitions filed with the City Clerk protesting the zone change request. The deadline for filing formal protests is September 18, 2015 at the end of the business day.

Staff is recommending the creation of a Protective Overlay (PO-03-2015) with the following conditions:

- 1) On the property zoned MF-29 a maximum of 270 dwelling units shall be allowed.
- 2) A minimum 50-foot building setback shall be provided on the Multi-Family property where adjacent to existing single-family residential uses. This setback may be decreased to 40 feet on the east boundary if 10 additional feet of property on the east boundary is deeded to the Watercress Village Homeowners Association for the purpose of drainage.
- 3) All apartment structures adjacent to existing single-family residential uses shall be limited to 2 stories and shall have no window or door openings adjacent to single-family residential uses.
- 4) A screening wall a minimum of eight feet in height shall be constructed adjacent to existing single-family residential uses, except in that area at the terminus of Village Place for construction of emergency access gate. Said wall shall be designed with columns spaced approximately 10 feet apart and shall be of masonry construction with a design, finish and stain or paint on all exposed sides which is consistent with the design of the apartment structures. Said wall shall be placed such that the base grade elevation shall be no more than one foot lower than the nearest adjacent structure finish floor elevation. A maintenance bond shall be required to maintain the painted or stained finish by the owner of the multi-family zoned property.
- 5) Landscape screening along the property lines adjacent to existing single-family residential uses shall be installed within the 50-foot building setback as established in Item #2. Such landscaping shall consist of: two-inch minimum caliper shade trees placed at intervals not exceeding 40 feet, eight foot minimum height evergreen trees placed at intervals not exceeding 40 feet and

eight foot minimum height ornamental, clump form trees placed at intervals not exceeding 40 feet.

- 6) The emergency access gate at the terminus of Village Place shall be constructed of a solid wood composite material and shall be operated by a Sedgwick County Fire District approved opening device. The design of the gate and opening shall be in compliance with the design presented at the time of approval by the Governing Body.
- 7) Trash enclosures shall be a minimum of 150 feet away from adjacent single-family property lines. Trash pick-up shall occur during standard business hours of 8:00 am to 5:00 pm.
- 8) All site lighting shall be of cut-off design and directed away for adjacent single-family residences with no lighting elements visible from adjacent same residences. Lighting elements shall not exceed 12 feet in height within 200 feet of existing single-family residences.
- 9) No amplification or sound systems shall be permitted on the property proposed for multi-family zoning in accordance with the City of Maize Zoning Code.
- 10) No signage for the development shall be visible from existing single-family residences.
- 11) Platting of the property shall be completed within 2 years of the date of Governing Body approval.

A copy of the Ordinance to implement the zone change will be provided to the Council at the time of the meeting. A copy of the staff report that was presented to the Planning Commission is also included for your review.

**FINANCIAL CONSIDERATIONS:** None

**LEGAL CONSIDERATIONS:** City Attorney is reviewing Ordinance as to form

**RECOMMENDATION/ACTION:** Approve and adopt the Ordinance for a zone change and Protective Overlay PO-03-215 within Maize city limits.



Zoning Map Elections Map

emaps

erial Year

2008 2011 2014

Map Layers

MAPSTEAD

MAZE RD

HAMPTON LAKES

RANCH

RANCH

GRADY

GRADY

WATERCRESS

BLUESTEM

GOLDENROD

WATERCRESS

WATERCRESS

SAGE

W 37TH ST N & N MAIZE RD, MAIZE, 67205

WYNWOOD  
Score: 73.7

Zoom to

300 m

1000 ft

City of Maize Kansas

September 10, 2015

Dear City of Maize City Council,

**HISTORY/BIO:**

Case & Associates Properties, Inc., is pleased to present our \$30,000,000 real estate development, Watercress Apartments. Case & Associates, headquartered out of Tulsa, OK was started in 1983 by Mike Case. We are a full service property management, development and investment company with ownership in each of our over 100-asset portfolio....consisting of over 30,000 apartments units in 5 states, over 1,000,000 square feet of office, retail & industrial properties and employing over 800 people.

**CONSTRUCTION EXPERIENCE:**

Over the past 15 years, we have built 40 apartment communities in 11 cities and have a great track record of working with our “neighbors”. Our goal is to provide successful professionals, young and old alike, and retirees an upscale place to call “home” with an abundance of amenities. Our residents want high amenities, security, luxury, safety and quiet, without having to worry about routine household maintenance. Most of our residents can afford a house, but they choose an apartment because they like the freedom to travel without having to worry about the maintenance of a house.

**DEVELOPMENT:**

Watercress Apartments, located on the N/E/C of N. Maize Rd. & W. 37<sup>th</sup> St. N. (adjacent to City Hall), is a 270 unit high-end Class A apartment community with a value of over \$30,000,000.

**This is a market rent development with NO Section 8 or Government Assistance Allowed!**

The development complemented with Tuscan-styled architecture will be constructed with a combination of brick & stone, hardi concrete siding and trim. The unit mix will include a combination of 1 and 2 bedrooms, ranging in size from 789 to 1,267 square feet. Rents will average \$1,000 per month, but will cost up to \$1,300 for a 2 bedroom with an attached garage.

**AMENITIES:** The interiors feature oversized floor plans, stainless steel appliances, ceramic tile in the entry, kitchen and baths, ceiling fans and large walk-in closets. Additionally, there will be 90 garages with remote controls. The property features a clubhouse, a business center with Wi-Fi

internet access, a fitness center, dogpark, limited access gates, picnic areas with barbeque grills, outdoor social areas including a fireplace and grills and an outdoor swimming pool.

The buildings on the perimeter of the site will be 2-story buildings with 6 garages below and 2 units above the garages. The 2-story buildings on the perimeter of the site serve as a visual barrier for the 3-story buildings, which are situated in the middle of the property. Our goal is for complete privacy between the developments and we feel we have designed a site plan that meets that criteria, which is the reason we have agreed to remove the windows and patios from the back of each 2-story garage building abutting the single-family homes. There will be a fence along the entire exterior of the community for privacy, consisting of stamped concrete, iron with brick columns and wood. Landscaping and Lighting will comply with city code.

### **RESIDENTS/QUALIFYING:**

Our residents are young professionals, school teachers, nurses, technicians, and even retirees. Each applicant must pay an Application Fee of \$50 and qualify using the criteria listed below:

\*Criminal Background check- No felonies or previous history of violent or sexual crimes allowed at all.

Parking tickets and speeding tickets are allowed but anything more than that must be explained.

\*Credit Check – Payment history is largely considered. Also, we check for any kind of judgments. If a person has filed bankruptcy, a minimum of 7 to 10 years before allowed to rent with Case. We do NOT want people who do NOT pay their bills.

\*Employment & Income Verification - Residents are required to have been employed for at least 1 year

to qualify and must make at least 3 times their rent; however, our clientele's income averages 7 times their rent.

\*Rental History – One year of verifiable residency will be required. A poor rental profile, consisting of non-payment, eviction, drug use, poor housekeeping, poor supervision of children, violence or unruly or destructive behavior by applicant or occupants, will be automatically denied.

## **PLANNING COMMISSION MEETING:**

During the Planning Commission meeting on September 3, 2015, we listened to the concerns of the neighbors and the Commissioners and agreed to make the following revisions to the development:

- Agreed to reposition the 2-story garage buildings to 50' from the back of the property line, abutting the single-family lots on the southeast and east of the development. Also, we agreed to remove the windows and patios, along with adding brick to the top of the gables.
- Agreed to construct 6' - 8' stamped concrete fence, abutting the single-family lots on the southeast and east of the development.
- Agreed to use directional lighting abutting the single-family lots, complying with city code.
- Agreed to have the drainage be approved by city staff.
- Agreed to construct a decorative wood privacy fence on hinges with Knox box, for the emergency-only crash gate into Watercress Village.
- In our attempt to soften the visual impact, we agreed to give each single-family lot owner abutting the southeast and east of the development, a landscape allowance of \$1,000 to plant trees in their back or side yards. Also, we removed the 3<sup>rd</sup> floor bedroom windows on 2 building ends facing the single-family lots on the southeast and east of the development.

For more information, please visit [www.caseusa.com](http://www.caseusa.com).

Please feel free to call me with any questions or concerns.

Sincerely,

CASE & ASSOCIATES PROPERTIES INC.

R. Scott Case, President



EXTERIOR VIEW

NO SCALE

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# WATERCROSS APARTMENTS

Case & Associates

Maize, Kansas



## Clubhouse

September 21, 2015 Council Meeting  
 Public Building Commission



EXTERIOR VIEW

NO SCALE

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**WATERCROSS APARTMENTS**  
 Case & Associates Maize, Kansas



A2

September 21, 2015 Council Meeting  
 Public Building Commission



EXTERIOR VIEW

NO SCALE

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**WATERCRESS APARTMENTS**  
 Case & Associates Maize, Kansas





EXTERIOR VIEW

NO SCALE

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WATERCRESS APARTMENTS  
Case & Associates Maize, Kansas





EXTERIOR VIEW

NO SCALE

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**WATERCRESS APARTMENTS**  
 Case & Associates Maize, Kansas





EXTERIOR VIEW

NO SCALE

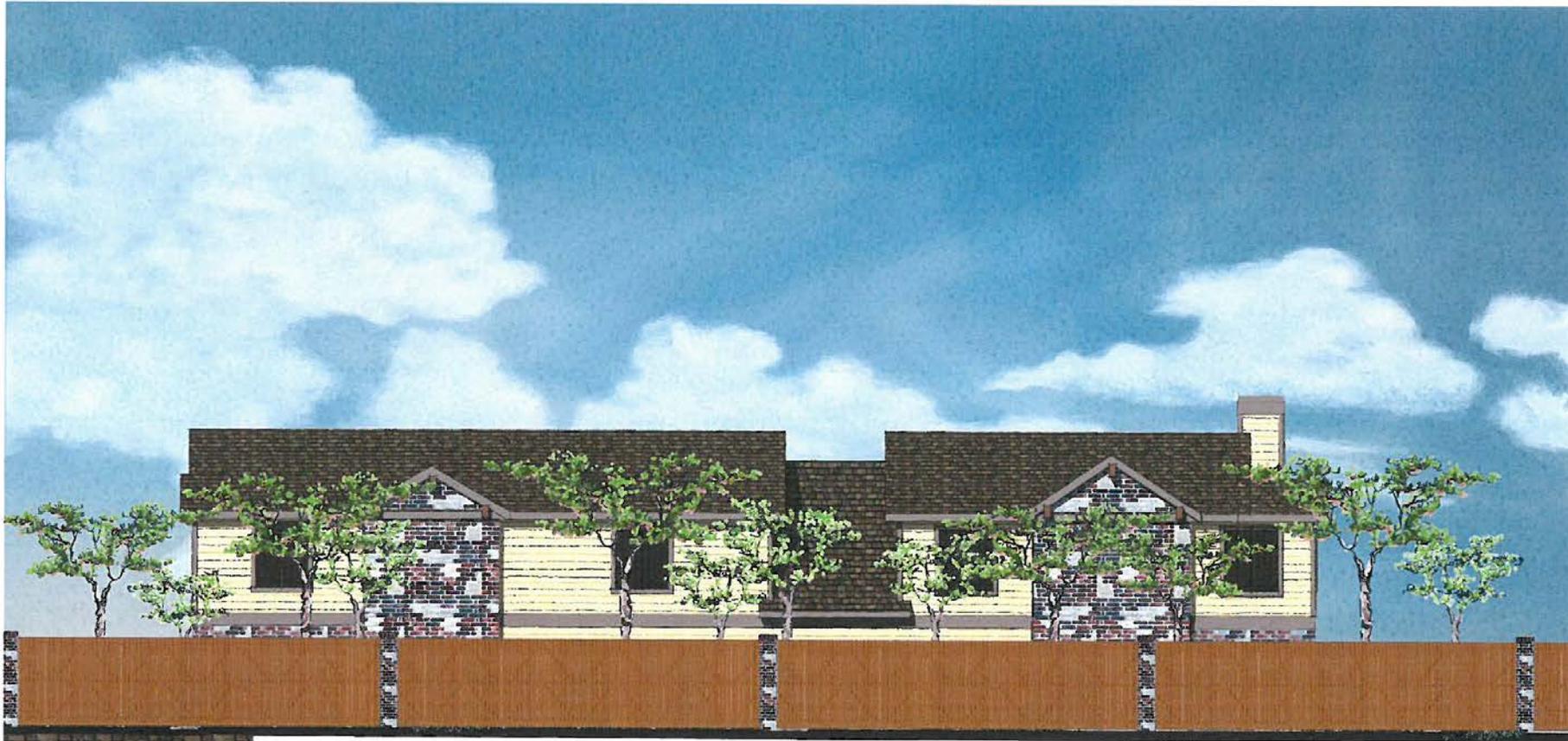
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**WATERCRESS APARTMENTS**  
 Case & Associates Maize, Kansas



Garages

September 21, 2015 Council Meeting  
 Public Building Commission



Faux Shutters with  
Trim (not a window)

EXTERIOR VIEW  
NO SCALE

# WATERCRESS APARTMENTS

Case & Associates

Maize, Kansas



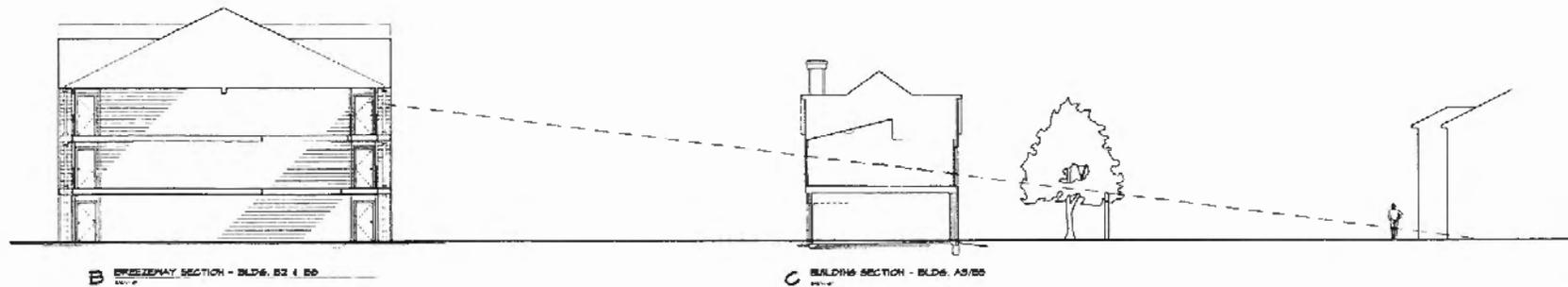
## Garages/Back

September 21, 2015 Council Meeting  
Public Building Commission



## Crash Gate

WATER CROSS (MAIZE)



1/16" = 1'-0"





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**PLAN VIEW**  
 NO SCALE

**WATERCROSS APARTMENTS**  
 Case & Associates Maize, Kansas



September 14, 2015

Mr. C. Donnelly  
Mayor, City of Maize, Kansas  
10100 W Grady Avenue  
P.O. Box 245  
Maize, KS 67101

## REFERENCE

*Proposed Zone Change – Case Z-03-015, Maize, KS*

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Mr. C. Donnelly and Maize City Council Members:

On behalf of the Watercress Village Home Owners we are writing in regard to the referenced zoning case. Under the proposed zone change, Case & Associates is proposing to construct an “up-scale gated residential apartment community” with an estimated value of \$30 million on this location. WaterCress Village, an EPCON Community, is a nationally recognized up-scale retirement community borders the aforementioned property to the east. The nearly 80 homeowners (about 150 voting age taxpayers) that reside in WaterCress Village have invested approximately \$25 million within the City of Maize.

On behalf of the concerned property owners within this neighborhood that will be affected in perpetuity by this governing body’s recommendations/decisions, we respectfully request that you deny the application as presented, or alternatively approve the applicant for MF-18 with a requirement for a Protective Overlay as outlined in the provisions that follow. We respectfully request that each of Council members give thoughtful consideration to each point. Doing so will ensure retained property values and good quality of life standards for current and future families of all properties affected.

The residents of Watercress Village desire that each of the following elements outlined be included as a Protective Overlay to the zoning use. Let it be noted that the proposed apartment project as presented by Case and Associates on August 4, 2015 will be supported by the Watercress Village Home Owners if these conditions are incorporated into the revised zoning change request as follows:

1. The applicant has indicated they desire to construct a total of 270 dwelling units. The proposed MF-29 zoning use is not necessary to achieve this desired density as shared by the applicant at the August 4, 2015 informational meeting. Recommending MF-29 would yield a dwelling unit maximum of 551 dwellings or more than twice as many units as desired. MF-18 would therefore be a more suitable zoning designation to approve given it would yield a maximum dwelling unit total of 342 dwellings, 72 more than desired within the requested 19 acres.

**RECOMMENDED ACTION: Approve MF-18, Deny MF-29 or approve MF-29 with a cap of no more than 270 units.**

## 2. Site Plan Concerns:

- a. **Drainage:** Address the drainage issue that exists west of the WaterCress property line.
  - i. **Background:** It is our understanding that a drainage channel was designed, constructed, inspected, and approved on the east edge of the petitioner's property (common to the WaterCress West boundary) without approval or consent of the property owner. Said ditch for whatever reason does not adequately drain storm water as intended.
  - ii. **Recommendation:** Figure 1, shows the existing condition and Figure 2 & 3 propose two alternatives. Alternative 3 is, we believe the most beneficial to all concerned, converting the drainage from an open ditch to a buried pipe system sized and installed to meet the required water flow. Note: If alternate 1 or 2 is adopted WaterCress Village will be responsible for maintaining any additional land deeded to it, up to the wall.
- b. **Apartment Structures:** All apartment structures adjacent to Single Family Residential Zoning Districts or PUD Zoning Districts having Single Family dwelling units shall be limited to 2-story and have no window openings facing the single-family residential.
- c. **Screening Wall:** Require an 8 foot minimum height masonry screen wall with columns spaced at approximate 10 foot centers to match character what the applicant has constructed at their Central and 127<sup>th</sup> Street east site in Wichita. Wall shall be placed such that the base grade elevation shall be no more than 1 foot lower than the nearest adjacent structure finish floor. The wall shall be painted and finished on all exposed sites and a color consistent with the apartment structures. A maintenance bond shall be required to maintain the painted finish.
- d. **Building Setback:** Establish a 50' minimum building setback adjacent to all Single Family Residential Zoning Districts or PUD Zoning Districts having Single Family dwelling units. Ref Figure 1, 2 & 3.
- e. **Landscape Buffer/Screening (naturalized layout):** Incorporate landscape screening along the West side of Watercress Village consistent with the resolution of the drainage issue discussed in paragraph "2 a." above. The plantings recommended are as follows:
  - i. **Shade Trees,** 2 inch min. caliper (Swamp White Oak, Bur Oak, Northern Red Oak, Shumard Oak, Shademaster Honeylocust, Kentucky Coffeetree, and Bald Cypress) at intervals not exceeding 40 feet.
  - ii. **Evergreen Trees,** 8 foot min. height (Eastern Red Cedar) at intervals not exceeding 40'.
  - iii. **Ornamental Tree,** 8 foot min. height, clump form (Eastern Redbud, Oklahoma Redbud, Tatarian Maple, Autumn Brilliance Serviceberry) at intervals not exceeding 40'.

f. **Emergency Access:**

- i. The staff report makes recommendation to tie an emergency access point into one of two streets within Watercress Village be constructed. Given the loop street layout proposed within the proposed apartment site, there is no reason that a secondary access could not be constructed tying into the proposed LC zoning proposed along the west edge of the apartment site with the approval of the fire chief.
  - ii. **Alternative:** Develop an emergency access utilizing roads/parking lots common to the Maize City building complex. This could be accomplished without impacting the proposed LC zoning, with the approval of the fire chief
- g. **Apartment Trash Handling:** Trash enclosures shall be a minimum of 150 feet away from adjacent single-family property lines. Trash pick-up shall occur during standard business hours of 8:00 AM to 5:00 PM.
- h. **Apartment Site Lighting:** All site lighting shall be of cut-off design and directed away from adjacent single-family residences with no lighting elements visible from adjacent same residences. Lighting elements shall not exceed 12 feet in height within 200 feet of Single Family Residential Zoning Districts or PUD Zoning Districts having Single Family dwelling units.
- i. **Apartment Noise Control:** No amplification of sound systems shall be permitted on the property proposed for multi-family zoning in accordance with the City of Maize Zoning Code.
- j. **Apartment Signage:** No signage for the development shall be visible from adjoining Single Family Residential Zoning Districts or PUD Zoning Districts having Single Family dwelling units.

**RECOMMENDED ACTION: Adopt each concern as part of Protective Overlay to run with the revised zoning**

Thank you for your consideration on behalf of the residents of Watercress Village. As a significant part of the Maize community, we sincerely hope that City leaders will honor the City's official slogan of "***where community counts***" and require the developer to incorporate the concerns expressed above.

We wish to thank City staff for meeting with us to provide clarification and understanding on this critical matter. We feel there can be an equitable solution that can allow the petitioner to proceed and we are willing to continue a dialog to that end.

Sincerely,

The petitioning residents of WaterCress Village

Cc. Richard LaMunyon, City Administrator,  
Kim Edgington, Planning Administrator;  
William McKinley, City Engineer

**ATTACHMENTS**

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- **Attachment A** – Signed Petition

# As Built Drainage Ditch Issue

Building a Separation Wall on the Property Line is not feasible without major re-construction of the drainage ditch

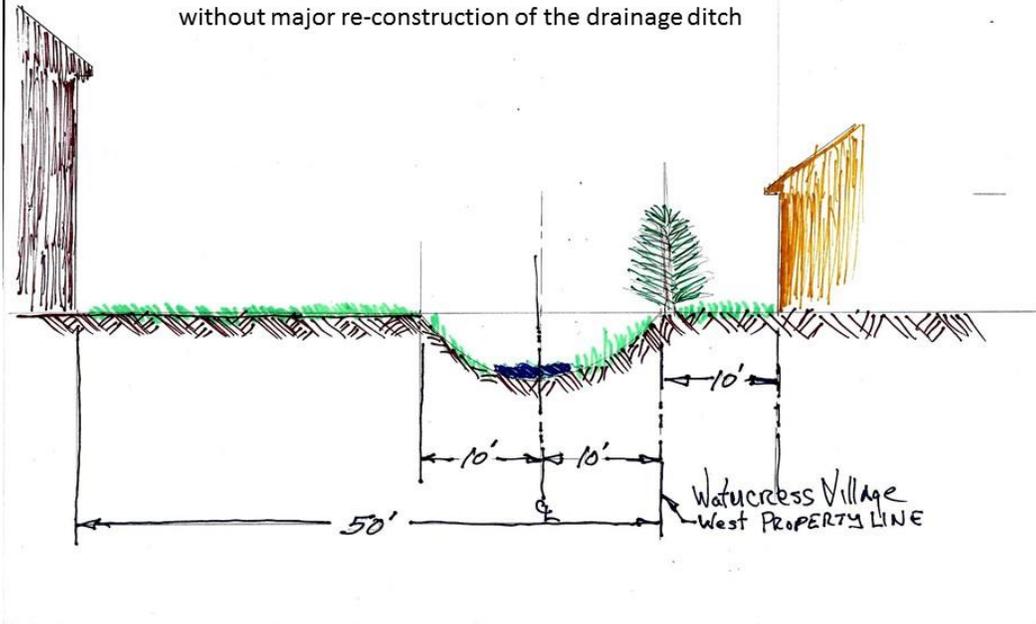


Figure 1

Alternative 1

- Move the drainage ditch west approximately 10 feet
- Construct 8 foot wall on new east edge of ditch
- Deed approximately 10 x 850 feet of additional green space to WaterCress Village (A New Reserve)

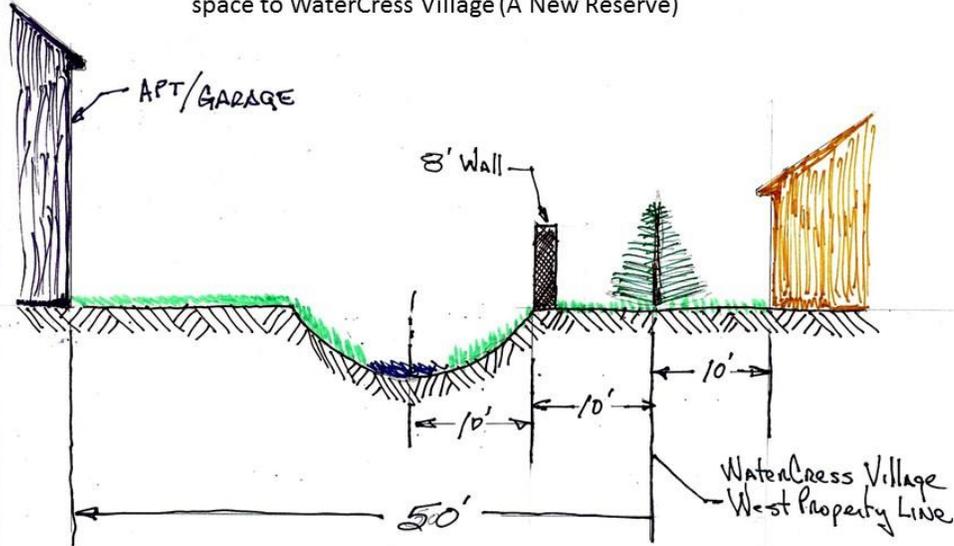


Figure 2

Alternative 2

- Install a drain pipe in the existing ditch and back fill.
- Construct 8 foot wall 20 feet west of WaterCress Village Property Line.
- Deed approximately 20 x 850 feet of additional green space to WaterCress Village (A New Reserve)

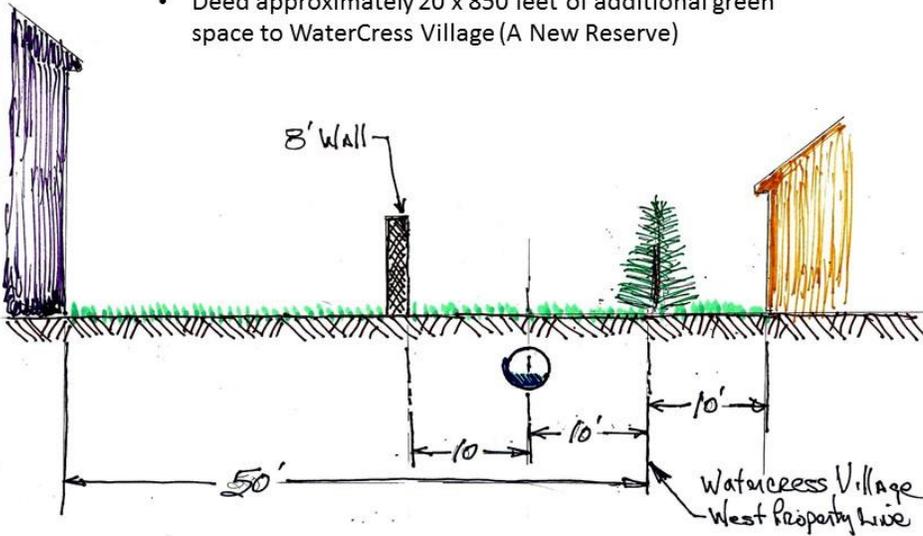


Figure 3

STAFF REPORT

**CASE NUMBER:** Z-03-015

**OWNER/APPLICANT:** Walker Lane & Reed Investments LLC  
3900 N Goldenrod  
Maize, KS 67101

**ENGINEER:** Tim Austin  
Kaw Valley Engineering  
200 N Emporia  
Wichita, KS 67202

**CONTRACT PURCHASER:** Scott Case  
Case & Associates  
4200 E Skelly Drive, Ste 200  
Tulsa, OK 74135

**GENERAL LOCATION:** East side of Maize Road, east of Hampton Lakes Road

**SITE SIZE:** 24.4 +/- acres

**CURRENT ZONING:** SF-5 Single-Family Residential District

**PROPOSED ZONING:** LC Limited Commercial (5.4 acres)  
MF-29 Multi-Family Residential (19 acres)

**PROPOSED USE:** Future commercial and multi-family development

**BACKGROUND:** The application area is pictured on the attached map, with the area proposed for Limited Commercial depicted in green and the area proposed for Multi-Family depicted in red. The potential developers are proposing to construct a 270-unit up-scale gated residential apartment community. The only public access to the development would be by way of the north end of the Reed cul-de-sac. An emergency access would also be required due to the number of units being requested. Staff recommends that the emergency access be located at the west end of one of the Village Place streets, with access being limited to emergency vehicles only by way of a wrought iron gate with a fire-department approved entry system.

Staff recommends that the eastern and southern boundary of the apartment complex where immediately adjacent to existing single-family uses be screened by a 6-foot decorative concrete screening wall with a break in the wall only at that point of the emergency access opening. The proposed screening will satisfy the screening requirements as set forth in the City of Maize Zoning Code. Staff also recommends that any buildings in these same areas be limited to 2-story and have no window openings on the building elevations adjacent to existing single-family developed areas. Staff would also recommend the planting of screening trees along these same boundaries.

All lighting shall be of cut-off design and be directed away from adjacent single-family residences with no lighting elements visible from adjacent single-family residences. No amplification of sound systems shall be permitted on the property proposed for multi-family zoning in accordance with the City of Maize Zoning Code.

The property owners and developers invited neighboring property owners and Planning Commissioners to an informational meeting on August 4<sup>th</sup> which prompted a great deal of discussion between neighboring developers, property owners and the proposed apartment developers. Staff has received letters from neighboring property owners outlining their concerns which are attached to this report.

The area proposed for future commercial development will be that area closest to Maize Road and is situated between existing Limited Commercial zoning to both the north and south. This area is most appropriate for commercial development due to its location along Maize Road.

**ADJACENT ZONING AND LAND USE:**

NORTH:	“LC Limited Commercial”	Retail/Commercial
	“SF-5” Single-Family Residential	Agricultural/large-lot residential
SOUTH:	“LC Limited Commercial”	Wyn/Wood Commercial/City Hall
	“SF-5” Single-Family Residential	Watercress Addition
EAST:	“SF-5” Single-Family residential	Watercress Village Addition
WEST:	“LC” Limited Commercial Residential	Hampton Lakes Commercial

**PUBLIC SERVICES:** Maize Road is a fully improved major arterial at this location. Public water and sewer are available to serve the proposed development. Staff recommends that a northbound decel lane along Maize Road at Ranch Road be considered since this will be the primary entrance to the apartment community. Access to the commercial portion of the development will need to be addressed at the time of platting.

**CONFORMANCE TO PLANS/POLICIES:** This property is recognized in the adopted Maize Comprehensive Plan as appropriate for commercial development along Maize Road and neighborhood residential development farther to the east.

**RECOMMENDATION:** The proposed change could be an appropriate use of land given the recommended development screening restrictions proposed by staff. Based on these factors staff would recommend that the request be APPROVED. Platting of the entire property shall be completed two years following the final approval by the Governing Body. Staff also recommends that the entire project shall be subject to design review guidelines as adopted by the Governing Body and require final site plan approval by the Planning Administrator.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: This property is located within an area that is currently a mix of commercial, residential uses. An up-scale residential apartment community is an appropriate buffer use between patio type homes on the east and future commercial uses along Maize Road. Apartment and commercial development is also an appropriate adjacent use to future Northwest By-Pass construction area to the north of the application area.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned for residential. However, the area immediately adjacent to Maize road is much better suited to commercial development which tends to make the area immediately to the west of the commercial less desirable for single-family residential development. The potential of future highway construction also limits the desirability for adjacent property to be developed with single-family residential uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Care would need to be taken if this request is granted that appropriate controls are put on the development that would assure compatibility with and provide safeguards for neighboring residential uses.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The City of Maize Comprehensive Plan contemplates this property is appropriate for commercial development along Maize Road and neighborhood residential development on the remainder of the property.
5. Impact of the proposed development on community facilities: The requested zone change would introduce a somewhat more intensive land use to this area and would likely necessitate intersection improvements including a decel lane where Maize Road intersects with Ranch Road and potential decel lanes along Maize Road for the commercial portion of the development. These issues would need to be addressed at the time of platting. The applicant would be responsible for providing financial guarantees for the construction of these improvements if and

when they become necessary, as judged by the Maize City Engineer. Municipal water and sewer service would be available but the cost of bringing them to this site would be the responsibility of the applicant.

**Planning Commission Action**

Having reviewed the above zone change, I \_\_\_\_\_  
move that the Planning Commission

Approve the zone change subject to conditions and modifications as heretofore agreed upon and listed, based upon the findings of fact outlined above, or

Disapprove the zone change for reasons heretofore agreed upon

Or defer the request until the October regular meeting of the Planning Commission for further information or study as heretofore specified

Motion seconded by \_\_\_\_\_ and passed by a vote of \_\_\_\_\_ to \_\_\_\_\_. Member(s) abstaining from the vote was (were) \_\_\_\_\_.

Note: Except in the case of a tie vote, abstentions are counted as part of the majority vote. Members disqualifying themselves are not a part of the quorum and unable to vote.

# Monthly Council Report

September 2015



## Department Highlights

- All departmental operations are functioning normally.
- Three people have been hired to fill our full-time vacancies. They will all start the state academy on September 21st, 2015.
- Officers continue to stay busy with our new assignments in USD266 schools. Since taking over policing operations for the district, our officers have generated more reports in the first two weeks of school than were reported for the entire year last year by the former USD266 Police. We feel this is very positive in two respects; Officers are being utilized more by staff and more is being reported enabling us to provide richer services to many in need.
- The department received a grant in the amount of \$4,125.34 to supplement the purchase of bullet proof vests for our officers.

**Budget status: 68.47/100%**

**Major purchases:** Surplus equipment was sold in the amount of \$7,600.00.

### Current Staff Levels.

12 Full-time  
2 Part-time  
2 Reserve  
2 Reserve -Vacant

### Monthly Activities

August Police Reports - 591  
August calls for service - Not available

### Community Policing:

Preparing for Fall Festival parade and activities.

## **PUBLIC WORKS REPORT 9-15-2015**

### **Regular Maintenance**

- Have continued to grade all the gravel streets. 45<sup>th</sup> east of Tyler Road has been completed by the County. It has a good stabilized base and chip seal on top. Should hold up for several years that way. They have also begun the same process on 37<sup>th</sup> between Maize Road and 119<sup>th</sup>. It should be done in a couple of weeks then we will take over the maintenance of it from now on.
- Read water meters, check lift stations, and water quality daily. Picking up brush monthly. Burning brush a couple of times a month. Mowing Right of Ways, parks, ponds, City Hall, EMS, and Community Building areas. Digging graves. Repairing broken equipment. These are some of the things we do on a regular basis.
- Swept quite a few streets in the last month. Will try to get over the whole city at least one more time before real cold weather gets here.

### **Special Projects**

- We have striped the lane lines and center lines along Maize Road and along Tyler Road. Getting used to the machine. Most of the lines are fairly straight.
- We are still working to replace the sidewalk in the 200 block of So. King. We poured 100 feet Monday and just poured the wheelchair ramp today. Will pull forms and backfill and King Street will be in pretty good shape.
- Put the flags up along Maize road last week for the 9-11 Memorial. Have had a lot of positive comments about them.
- Working with the Park Board to get the Butterfly Way Station at the Detention Pond ready for park Board Members to install the plants needed for the butterflies.
- Had a good workshop with you all about the need to upgrade the Wastewater Treatment Plant. I think it helped for you to see what it takes to operate a City Wastewater Treatment Plant. It takes intelligent, responsible employees to keep the entire city operating as it should. Thank you for your support for all of us in the Public Works Department.

Ron Smothers  
Public Works Director

**City Engineer's Report**  
**9/21/15**

**Industrial Park**

Reiloy USA's plant is completed. Dave Larson had a successful grand opening.

**Dairy Queen**

Currently pouring the drives and parking area outside. Inside, tile work and dry walling is being completed.

**Busby,Ford & Reimer**

Foundation is in and they are forming for the slab.

**AeroTech**

A slab foundation with footings for steel beams is being formed. They are also putting in rough plumbing and rough electrical.

**37<sup>th</sup> Street**

Andale Paving should have started by the Sept. 18<sup>th</sup>.

**PLANNING ADMINISTRATOR'S  
REPORT**

**DATE:** September 21, 2015

**TO:** Maize Mayor and City Council Members

**FROM:** Kim Edgington, Planning Administrator

**RE:** Regular September Council Meeting

The following is a summary intended to keep the Council apprised of the status of ongoing planning projects.

1. Potential apartment development in the 37<sup>th</sup> and Maize vicinity – The owner of 24.4 acres of property north of City Hall and east of Maize Road has filed an application for a zone change to Limited Commercial (5.4 acres) and Multi-Family (19 acres) for potential development of a luxury apartment complex and future commercial uses along Maize Road. The Planning Commission reviewed and recommended approval of this request at their September 3, 2015 meeting. The request is on your current agenda for review.
2. Zoning Area of Influence – the Sedgwick County Board of Commissioners has directed the Metropolitan Area Planning Commission to study the current practice of granting a 3-mile area of influence to cities within Sedgwick County. Currently all platting and zoning cases within this 3-mile ring are first reviewed by the Planning Commission of the affected city. A unanimous vote by the Sedgwick County Commission is required to overturn any recommendation of the local Planning Commission. I have been participating in the Advance Plans Committee meeting of the MAPC and attended the MAPC meeting on July 23 to insure that the needs and concerns of Maize were heard. At the July 23<sup>rd</sup> meeting the MAPC voted to defer discussion to September 17<sup>th</sup>. I will update the Council at the September 21<sup>st</sup> meeting as to what action, if any, was taken at this meeting.
3. General planning issues – I continue to meet, both on the phone and in person, with citizens and developer's representatives requesting information on general planning matters, such as what neighboring property owners are planning to do, what they are allowed to do on their property, and what the process is for submitting various applications and materials to the Planning Commission.



"Where Community Counts"

**City Clerk Report  
REGULAR COUNCIL MEETING  
September 21, 2015**

Year to date status (Through 8/31/15):

**General Fund –**

	Budget	YTD	
Rev.	\$2,666,831	\$2,287,104	85.76%
Exp.	\$3,030,450	\$2,420,186	71.04%

**Streets –**

Rev.	\$289,550	\$ 201,766	69.68%
Exp.	\$280,300	\$ 202,159	72.12%

**Wastewater Fund-**

Rev.	\$701,000	\$ 546,574	77.97%
Exp.	\$707,000	\$ 529,808	75.58%

**Water Fund-**

Rev.	\$754,500	\$ 550,318	72.94%
Exp.	\$754,500	\$ 538,445	71.36%

**Health & Dental Benefits**

Per Council's request, here are the 2015 numbers (through 08/31/2015) for employee health, dental, and life (including accidental death and short-term disability).

	<u>City Portion</u>	<u>Employee Portion</u>	<u>Total Paid</u>
Health:	\$ 145,946.56	\$ 36,441.08	\$182,387.64
Dental:	11,202.78	2,801.82	14,004.60
Life:	<u>5,083.98</u>	<u>0</u>	<u>5,083.98</u>
	\$ 162,233.32	\$ 39,242.90	\$201,476.22

**Dugan Park Funds**

Per Council's request, the following is a breakdown of the Dugan Park funds (as of 08/31/2015)

<b>Starting Balance:</b>	<b>\$304,736.57</b>
<b>Phase II Playground Equipment:</b>	<b>- 18,563.00</b>
<b>Master Park Plan:</b>	<b>- 10,000.00</b>
<b>Park Equipment:</b>	<b>- 8,000.00</b>
<b>Community Building Remodel:</b>	<b>- 36,580.00</b>
<b>Emergency Lighting Upgrade</b>	<b>- 1,057.47</b>
<b>Playground Signs (5-12 year old):</b>	<b>- 120.00</b>
<b>Volunteer Supplies:</b>	<b>- 19.12</b>
<b>Soap/Towel Dispensers:</b>	<b>- 454.56</b>
<b>Epoxy for Picnic Tables:</b>	<b>- 71.33</b>
<b>New Ceiling Registers:</b>	<b>- 123.33</b>
<b>Parts to Install Picnic Tables:</b>	<b>- 44.33</b>
<b>Concrete to Install Benches:</b>	<b>- 13.16</b>
<b>Ceiling Fans, Wall Plates:</b>	<b>- 171.44</b>
<b>Guttering for Comm. Building</b>	<b>- 955.50</b>
<b>New Chairs for Comm. Building</b>	<b>- 558.82</b>
<b>Appliances for Comm. Building</b>	<b>- 1,313.94</b>
<b>Electrical Receptacles at Park</b>	<b>- 1,679.21</b>
<b>Skate Park Equipment</b>	<b>- 7,214.04</b>
<b>Supplies to Install Equipment</b>	<b>- 871.80</b>
<b>Signs for Skate Park</b>	<b>- 340.00</b>
<b>Clean Up/Repair Bathrooms</b>	<b>- 127.49</b>
<b>Park Shelters</b>	<b>- 52,443.10</b>
<b>Skate Park Equipment</b>	<b>- 28,990.38</b>
<b>Removal of Light Poles</b>	<b>- 11,600.00</b>
<b>Skate Park Installation</b>	<b>- 24,478.30</b>
<b>Remaining Balance:</b>	<b>\$ 98,946.25</b>



# CITY OPERATIONS REPORT

**DATE:** September 15, 2015  
**TO:** Maize City Council  
**FROM:** Richard LaMunyon-Becky Bouska-Sue Villarreal-Jolene Allmond  
**RE:** September Report

- 1) **Trailer Parks Law Suit**  
No new information to report at this time.
- 2) **Wastewater Plant Funding**  
Staff is current researching funding options for the Wastewater Plant improvements.
- 3) **Park Improvements**  
Finalized design plans for the new restrooms have been completed. Ron & Jolene will be meeting with the Splash Park developer regarding construction scheduling. Sewer & Water Extension Plan is in progress.
- 4) **Highlights**  
Please provide any ideas for Highlights to Sara this week
- 5) **Economic Development**
  - Aerotech anticipates being operational by year-end.
  - Dairy Queen to be open by November.
  - 22 new single family housing & 2 tri-plexus.
  - Construction of the Busby, Ford & Reimer Building is underway.
  - ACE'S street vacation application to Planning Commission October 1<sup>st</sup>.
  - Carriage Crossing 2<sup>nd</sup> entrance being researched.
- 6) **City Meetings**
  - Sept 21<sup>st</sup> - Council @ 7pm
  - October 1<sup>st</sup> - Planning @ 7pm
  - October 12<sup>th</sup> - Park & Tree @ 5:30pm
  - October 19<sup>th</sup> - Council @ 7pm

**Draft**

**MINUTES-REGULAR MEETING  
MAIZE CITY PLANNING COMMISSION AND  
BOARD OF ZONING APPEALS  
THURSDAY, SEPTEMBER 3, 2015**

The Maize City Planning Commission was called to order at 7:00 p.m., on Thursday, September 3, 2015, for a Regular Meeting with **Gary Kirk** presiding. The following Planning Commission members were present: **Mike Burks, Andy Sciolaro, Gary Kirk, Dennis Downes** and **Bryan Aubuchon**. Planning Commissioner not present were, **Bryant Wilks** and **Jennifer Herington**.

Also present were **Sue Villarreal**, Recording Secretary; **Kim Edgington**, Planning Administrator; **Richard LaMunyon**, City Administrator; **Bill McKinley**, City Engineer; **Gerald Woodard**, Walker, Lane and Reed; **Scott Case**, Case & associates; **Tim Austin**, Kaw Valley Engineering; **Austin Duree**, resident; **Ron Weddle**, resident; **Marsha Weddle**, resident; **Elizabeth Tatge**, resident; **Joe Claeys**, resident; **Patrick Morgan**, resident.

**APPROVAL OF AGENDA**

**MOTION:** **Sciolaro** moved to approve the agenda as presented.  
**Burks** seconded the motion.  
Motion carried unanimously.

**APPROVAL OF MINUTES**

**MOTION:** **Downes** moved to approve the July 9, 2015 minutes as presented:  
**Burks** seconded the motion.  
Motion carried unanimously.

**NEW BUSINESS – PLANNING COMMISSION**

**Z-03-015 Zone change for approximately 24.4 acres from SF-5 Single-Family Residential to 5.4 acres of Limited Commercial and 19 acres of MF-29 Multi-Family Residential on the east side of Maize Road east of Hampton Lakes Road.**

**Aubuchon** entered the meeting at 7:03 p.m.

**Edgington** explained to commissioners that the only public access to the development would be at the north end of the Reed Road cul-de-sac. There would also be an emergency access located at the west end of one of the Village Place streets.

**Woodard** gave a brief history of the area.

**Scott Case** gave a history of their company and provided information about the complex and pictures of the layout and site plan. He stated that there would be no three story

buildings directly adjacent to adjoining properties. He agreed to provide \$1000.00 to property owners bordering the south and east sides of the development to provide additional screening.

*Austin* stated that Case is a highly recognized leader in multi-family housing and will construct a quality up-scale apartment community. The Maize Comprehensive Plan allows for various housing types including multi-family and it would be an appropriate buffer between the single-family developments and proposed commercial development along Maize road.

**PUBLIC COMMENTS:**

The following individuals addressed the Commissioners regarding the proposed Z-03-015 zone change:

1. Austin Duree 4039 N Bluestem
2. Ron & Macia Weddle 9705 W Village Place
3. Elizabeth Tatge 4095 N Goldenrod
4. Joe Claeys 9737 Village Place
5. Patrick Morgan 4027 N Bluestem Ct

Their concerns included screening, population density, traffic, noise, lighting, drainage, crime, environmental impact and effects on property valuation.

**MOTION:** *Burks* moved to deny Z-03-015 zone change for approximately 24.4 acres from SF-5 Single-Family Residential to 5.4 acres of Limited Commercial and 19 acres of MF-29 Multi-Family Residential. *Aubuchon* seconded the motion.

*Kirk* requested a roll call vote for denial with the following results:

*Burks* – yes

*Sciolaro* - no

*Kirk* – no

*Downes* - no

*Aubuchon* – yes

Motion failed 3-2.

**SUBSTITUTE MOTION:** *Sciolaro* moved to approve Z-03-015 zone change for approximately 24.4 acres from SF-5 Single-Family Residential to 5.4 acres of Limited Commercial and 19 acres of MF-29 Multi-Family Residential subject to the conditions and modifications as set forth in the staff report and subject to the following conditions:

- 1) 6 foot decorative stamped concrete screening wall along the east perimeter of development adjoining Watercress Village and the south perimeter adjoining Watercress, with a break in the wall only at that point of the emergency access opening. The wall will be stamped on both sides to match the stone of the apartment buildings.

- 2) Subject to design review guidelines as adopted by the governing body and final site plan approval by the planning administrator.
- 3) All lighting should be of cut-off design and be directed away from adjacent single-family residences with no lighting elements visible from adjacent single-family residences.
- 4) Drainage plan approval by the City Engineer
- 5) Emergency access at the west end of one of the village place streets, with access being limited to emergency vehicles only by way of a wrought iron gate with a fire-department approved entry system.

*Kirk* requested a roll call vote to approve Z-03-015 zone change request and listed conditions with the following results:

*Burks* – yes

*Sciolaro* - yes

*Kirk* – yes

*Downes* - yes

*Aubuchon* – no

Motion passed 4-1.

#### **ELECTION OF OFFICERS:**

**MOTION:** *Burks* motioned to reappoint the current officers to their current positions.

*Downes* seconded the motion.

Motion carried unanimously.

#### **ADJOURNMENT:**

**MOTION:** With no further business before the Planning Commission,

*Downes* moved to adjourn.

*Aubuchon* seconded the motion.

Motion carried unanimously.

Meeting adjourned at 9:00 PM.

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Sue Villarreal  
Recording Secretary

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Gary Kirk  
Chairman