

**MINUTES-REGULAR MEETING
MAIZE CITY PLANNING COMMISSION AND
BOARD OF ZONING APPEALS
THURSDAY, October 2, 2008**

The Maize City Planning Commission was called to order at 7:30 p.m., on Thursday, October 2, 2008, for a Regular Meeting with *Gerald Woodard* presiding. The following Planning Commission members were present: *Andy Sciolaro, Bryan Aubuchon, Alex McCreath,* and *Pat Stivers*.

Also present were *Sue Villarreal*, Recording Secretary; *Kim Edgington*, Planning Administrator; *Bill McKinley*, City Engineer; *Ray Herndon*, Council Member; *Nick Ard*, Council Member; *Bob Scott*, S/D 02-008 Applicant; *Rob Hartman*, PEC; *Richard LaMunyon*, City Administrator; *Tom Lassley*, Remax; *Carrie Tiemeyer*, Daycare Administrator; *Rhonda Richardson*, Z-05-008 Applicant; *Ron Richardson*, Z-08-008 Applicant; *Trisha Hawes*, Citizen; *Kirk Short*, Remax; *Frances Gosch*, Citizen; *Carl Savage*, Z-04-008 Applicant; *Diana Forshee*, Citizen; *LewJene Schneider*, Watercress and *Gerry Loehr*, Citizen.

APPROVAL OF AGENDA

MOTION: *Sciolaro* moved to approve the Agenda with the correction of the addresses on items 8 and 9 which are transposed.
Stivers seconded the motion.
Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: *Sciolaro* moved to approve the August 7, 2008 minutes.
Stivers seconded the motion.
Motion carried unanimously.

New Business – Planning Commission

S/D 03-008 – FIDDLER’S COVE AT PRAIRIE PINES 3RD ONE-STEP FINAL PLAT FOR A 192 LOT SINGLE-FAMILY SUBDIVISION (a portion is a replat of Fiddler’s Cove at Prairie Pines 2nd)

Hartman and *Scott* were present to answer questions concerning the plat. *McCreath* asked about an access on the North end of the development. *Hartman* stated that it would be a while before that portion would be developed and by then the land to the North and to the West may be developed which would allow an additional access.

MOTION: *Stivers* moved to approve the One-step final plat for Fiddler’s Cove at Prairie Pines 3rd subject to the conditions and modifications set forth in the staff report and subject to the following conditions:
1) Revise to show new owners on previous Woodard

- Property
- 2) Show drainage structures that are missing
 - 3) Emergency access between lots 5 & 6 in SW corner
 - 4) Tying into existing access in SE corner

Sciolaro seconded the motion.
Motion carried unanimously.

Woodard excused himself from the Planning Commission due to a conflict of interest with the following agenda items.

New Business – Planning Commission

Z-04-008 – REZONING REQUEST FOR 10 ACRES AT 9010 W. 37TH STREET, FROM SF-5 SINGLE-FAMILY TO LC LIMITED COMMERCIAL AND MF-29 MULTI-FAMILY

Savage, Lassley and *Short* were present to answer questions concerning the rezoning. *Lassley* stated that the request for a change in zoning was based on a pending contract they have for an upscale apartment complex.

The commissioners had several concerns which included: Number of units, increased traffic on 37th street, dedication of right-of-ways, decel lanes, accommodations for roads to the back of property, drainage, a plan for utilities and would there be a need for a lift station.

Loehr asked the commissioners to take into consideration the following issues: The design standards of buildings to include masonry, number of units in the complex, traffic issues with schools and the requirement of a screening wall around the property.

Woodard had the following concerns: Zoning status if not developed within 1 year, and that it should be subject to design review standards.

Schneider stated that there are no grocery stores, no public transportation, no convenience stores and feels it is an odd use for the property.

Short reiterated that the complex would be upscale and would have larger units from 1000-1300 sq ft. He also added that there aren't many apartments that service the Maize school district.

MOTION: *Sciolaro* motions to approve the request for zoning changes at 9010 W. 37th street. Changes include Parcel 5 to LC Limited Commercial and Parcel 6 to MF-18 Multi-Family subject to the conditions and modifications set forth in the staff report and subject to the following conditions:

- 1) Property must be platted within 1 year of approval of zoning change by the Governing Body
- 2) Dedicate 30 feet of additional right-of-way immediately upon approval of zone change by the Governing Body.
- 3) Any development on the property to be subject to review and approval by the Planning Commission for site plan, building design, building elevations and building materials.

McCreath seconded the motion.
Motion carried unanimously.

**Z-05-008 – REZONING REQUEST FOR 10 ACRES AT 9120 W 37TH STREET,
FROM SF-5 SINGLE-FAMILY TO LC LIMITED COMMERCIAL AND MF-29
MULTI-FAMILY**

Lassley and *Tiemeyer* were present to answer questions concerning the zoning change and proposed Daycare Facility. *Tiemeyer* stated that the Daycare Facility would be upscale and compatible to North Ridge Academy. It will be education based with approximately 42 employees. It will have a library, gym and a full kitchen with a cook on staff. The projected hours will be 6:30 am to 6:00 pm, with a capacity of 160. Ages of children will range from 6 weeks to 12 years. The playground will be fenced and they would be willing to fence the perimeter as well.

Schneider would like to work with the Daycare on screening to the West of the property. *Lassley* expressed the need for a daycare facility in the area. He stressed that postponement of the zoning change would kill the deal.

MOTION:

Sciolaro motions to approve the request for a zoning change on the North 493.5 feet of 9120 W. 37th street to MF-18 Multi-Family subject to the conditions and modifications set forth in the staff report and subject to the following conditions:

- 1) Property must be platted within 1 year of approval of zoning change by the governing body
- 2) Subject the property to Protective Overlay which prohibits all uses except General Daycare and those uses allowed in SF-5 District
- 3) Any development on the property to be subject to review and approval by the Planning Commission for building design, building elevations, site layout and building materials

Stivers seconded the motion.
Motion carried unanimously.

ANNEXATION HEARING

LaMunyon was present to notify the Planning Commission that the Governing Body passed a Resolution on October 1st to annex 62 properties in Sedgwick County located along and within the current boundaries of the city of Maize. Certified letters will be sent out along with a copy of the resolution and a sketch of the area to all owners of land within the area proposed to be annexed as well as MAPD, USD #266 and all utilities. A public hearing will be held by the Governing Body on December 1st, 2008 at 7:30 P.M. At this time the proposal for annexation and a plan for extension of municipal services will be presented and comments from all interested persons will be heard. *LaMunyon*

added that the City of Maize water lines cross with Wichita water lines at 37th and Maize Road and we are currently working with Wichita on an emergency hookup plan.

COMPREHENSIVE PLAN REVIEW

The commissioners reviewed amendments to the land use map portion of the Comprehensive Plan. The recommended changes include the relocation of area “c”, the addition of a corridor on the West side of Tyler from 37th street to 45th street and the addition of centers at the Northwest and Northeast corners of 37th and Tyler.

- MOTION:** *Stivers* motions to approve the following changes to the land use map portion of the Comprehensive Plan:
- 1) Relocation of area “c”,
 - 2) Addition of corridor on West side of Tyler from 37th street to 45th street
 - 3) Addition of centers at the Northwest and Northeast corners of 37th and Tyler.

McCreath seconded the motion.
Motion carried unanimously.

ADJOURNMENT

- MOTION:** *Aubuchon* With no further business before the Planning Commission, moved to adjourn.
Stivers seconded the motion.
Motion carried unanimously.

Meeting adjourned at 10:20 PM.

Approved by the Planning Commission and Board of Zoning Appeals
on _____, 2008

Sue Villarreal
Recording Secretary

Gerald Woodard
Chairman