

KECHI PLANNING COMMISSION & BOARD OF ZONING APPEALS

Minutes August 9, 2022

1. Call to Order

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

2. Roll Call

Members in attendance were Oscar Thomison, Mark Bradbury, Richard Wolf, Deb Moore & Luke Harbor. Britt Hooper joining at 7:05. Staff in attendance were Matt Williams, PEC, Dustin Belton, Kamme Sroufe, Krista Brown. Guest in attendance were Gary & Denise Gelvin, David Messmore, Von Rhodes, William & Nancy Glenn, & Margaret McCormick.

3. Approval of Agenda

Oscar Thomison moved to approve the Agenda. Luke Harbor seconded the motion. Motion passed 5-0.

4. Approval of Minutes

Oscar Thomison moved to accept the minutes from the July 12, 2022. Motion was seconded Luke Harbor and carried 5-0.

5. Public Forum/ Communications

None

6. Public Hearings

6.1. CU-2022-01 Conditional Use request to permit a Detached Residential Carport or Garage over 960 square feet in R-1 Single-Family Residential; generally located 0.2 miles south of East 61st Street North, on the west side of South Matson Avenue.

Chairman Wolf called the item. A quorum of 5 was established. There were no ex parte communications, no abstentions and notification were published in the Ark Valley News July 14, 2022 as well as notice sent to the surrounding property owners July 11, 2022.

Matt Williams read the Staff report as written. He stated the Detached Residential Carport or Garage must also comply with the Specific Use Standards of Section 10.31. These include:

- A. Shall be limited to one (1) such structure per lot.
- B. Shall have exterior siding of a color and visual appearance similar to the principal structure.
- C. Except as approved by conditional use, maximum gross floor area shall be as follows.
 - a. Lots over ten-thousand (10,000) square feet in area, but not more than three (3) acres
Garages: Nine-hundred sixty (960) square feet; Carports: Six-hundred (600) square feet.

CASE HISTORY: The property was platted as Lot 1, Block A, The Trees on Matson Avenue Addition in May 2020.

ADJACENT ZONING AND LAND USE:

North: R -1 Single-family residence
South: R-1 Single-family residence
East: R-1 Single-family residence
West: A-1 Agricultural

PUBLIC SERVICES: South Matson Avenue is a paved, local road with open ditches.

CONFORMANCE TO PLANS/POLICIES: The requested conditional use is in conformance with Kechi's 2040 Comprehensive Plan. The Future Development Plan Map from the Plan depicts the subject property as appropriate for housing. The proposed detached garage will be a Secondary Use to a residence.

A goal of the Plan is to "provide quality and context-sensitive aesthetics in development and redevelopment." The proposed design will be required by the Specific Use Standards to "have exterior siding of a color and visual appearance similar to the principal structure." This will help to ensure that the detached garage has context-sensitive aesthetics. In addition, several properties along the west side of South Matson Avenue have similar detached garages and outbuildings.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, with the following conditions:

1. A building permit for the Detached Residential Carport or Garage shall not be approved until the construction of the residence (Primary Use) has reached at least 50% complete.
2. The Detached Residential Carport or Garage must comply with the Specific Use Standards of Section 10.31.
3. the driveway to the Detached Residential Carport or Garage shall be graded for appropriate drainage and surfaced with asphalt, concrete, or comparable hard pavement. The site plan shall be updated to remove the reference to gravel.
4. Development and maintenance of the site shall be in conformance with the approved site plan.
5. if the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Zoning Regulations, may declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Properties to the north, south, and east of the subject property are zoned R-1 Single-Family Residential and are developed with single family homes. The property to the west of the subject property is zoned A-1 Agricultural and is developed agriculturally.
2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned R-1 Single-Family Residential which permits a Detached Residential Carport or Garage over 960 square feet by conditional use.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate that approval of the request will have significant negative impacts on the surrounding properties. The conditions of approval should minimize any potential detrimental impacts.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request a Conditional Use is in conformance with Kechi's 2040 Comprehensive Plan as discussed in this staff report.
5. impact of the proposed development on community facilities: Staff does not expect negative impacts on community facilities.

Applicant Presentation: David Messmore, spoke on the conditions on approval. He stated that some of the build would cost efficient to do as same time as house build. He also stated that the garage would not just be for vehicle use. It would also have a small kitchenette and bathroom and serve as a pool house.

Discussion was made that some of the building on garage would be approved at same time as building of the house but no CO would be issued until the house was complete. Discussion was made that if the garage was to have a bathroom and kitchenette it would change the use of the building and would require a new CU to be applied for that usage. After discussion of what would be the best CU to be applied for and issued the applicant withdrew his application. He is going to reapply. He was told that the application would have to be turned in by August 11, 2022 to be able to be heard at the next Planning Commission meeting September 13, 2022.

6.2 Z-2022-02: Zone Change request from R-1 Single-Family Residential to C-1 Arts & Business District; generally located northwest of N. Oliver St. and W. Kechi Rd. (217 North Oliver Street).

Chairman Wolf called the item. Richard abstained from the voting. A quorum of 5 was established. There were no ex parte communications, and notification were published in the Ark Valley News July 14, 2022 as well as notice sent to the surrounding property owners July 11, 2022.

Matt Williams, PEC, read Staff report as written. Recommends approval with conditions of adding a visual buffer between R-1 and C-1.

BACKGROUND: The applicant is requesting a zone change from R-1 Single-Family Residential to C-1 Arts & Business District on property generally located northwest of North Oliver Street and West Kechi Road (217 North Oliver Street). The subject property is 1.82 acres and includes an existing home and carport. The R-1 Single-Family Residential district does not allow a mix of residential and commercial uses, while the C-1 Arts & Business District does.

CASE HISTORY: The property has not been platted and will need to be platted prior to redevelopment.

ADJACENT ZONING AND LAND USE:

North:	R:1	Single-family residence
East:	R:1	Single-family residence
South:	R-1/C-3/C1	Single-family residence/Agriculture/Commercial
West:	C-1	Commercial

PUBLIC SERVICES: North Oliver Street is a two-lane, paved arterial with open ditches.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with Kechi's 2040 Comprehensive Plan. The Future Development Plan Map from the Plan depicts the subject property as appropriate for Arts & Business. The proposed zone change will bring the subject property into conformance with this plan.

The Plan states that "a key objective for growing Kechi's economy is to promote the development of the Arts & Business District as the local hub of commercial and economic activity." A goal of the Plan is to "support programs and policies which serve the Arts & Business District and commercial interchanges as the major employment and business areas." This change in zoning will support a mixed-use environment and conforms with the vision of the Arts & Business District.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED.

This recommendation is based on the following findings:

- 1) **The zoning, uses and character of the neighborhood**: Properties to the north and south of the subject property are zoned R-1 Single-Family Residential and are developed with single family homes. Properties to the east of the subject property, across Oliver, are zoned a mix of R-1 Single Family Residential, C-1 Arts & Business District, and C-3 General Commercial. The property to the west of the subject property is zoned C-1 Arts & Business District.
- 2) **The suitability of the subject property for the uses to which it has been restricted**: The subject site is currently zoned R-1 Single-Family Residential which does not permit a mix of residential and commercial uses. The property is located along Oliver Street and has been identified as within the planned Arts & Business District.
- 3) **Extent to which removal of the restrictions will detrimentally affect nearby property**: Staff does not anticipate that approval of the request will have significant negative impacts on the surrounding properties. Other commercial properties, including directly to the west and southeast, are in the immediate vicinity.
- 4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies**: The request a Conditional Use is in conformance with Kechi's 2040 Comprehensive Plan as discussed in this staff report.
- 5) **Impact of the proposed development on community facilities**: Staff does not expect negative Impacts on community facilities.

Applicant Presentation: Von Rhodes, 229 N Oliver, Stated his plan is to demo the house that currently sets on property. He is wanting to build a couple of buildings one in front of lot and one possibly in the back of the lot. The front lot to be a retail type structure and the back possibly be a shop with apartment on upper floor.

Public communication: Gary Gelvin, 151 N Oliver, had concerns with people walking across his property to get to adjoining property. He also stated that he is not against the proposed plan. Nancy Glenn, 235 N Oliver, had concerns with making sure there was some type of visual buffer between the commercial and residential districts.

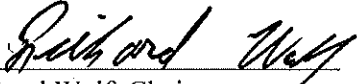
Chairman Wolf closed public hearing.

Luke Harbor made motion that the Planning Commission adopt the findings and recommendations stated in the Zoning Administrator's Report for Case Z-2022-02 and forward a recommendation of approval to the Governing Body regarding the requested Conditional Use. Second by Mark Bradbury. Carries 5-0.

The recommendation and a written summary of the Public Hearing will be considered by the Governing Body at their 8/25/22 meeting to be held at 7:00pm in the Council Room.

7. **Unfinished Business**- NA
8. **New Business**-
Kamme introduced Dustin Belton as the City's new City Planner.
9. **Adjourn**
Oscar Thomison made motion to adjourn the meeting. Seconded by Luke Harbor. Carries 5-0.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Richard Wolf". The signature is written in black ink and is positioned above a horizontal line.

Richard Wolf, Chairperson
Kechi Planning Commission

