

PLANNING COMMISSION MEETING

City of Gardner, Kansas

Tuesday, July 28, 2020

7 p.m.

CALL TO ORDER

The meeting of the Gardner Planning Commission was called to order at 7:00 p.m. on Tuesday, July 28, 2020, by Chairman Scott Boden.

ROLL CALL

Commissioners present:

Chairman Boden
Commissioner Deaton
Commissioner Ford
Commissioner Hansen
Commissioner McNeer
Commissioner Meder

Staff members present:

Robert Case, Chief Planner
Katherine Geist, Planner
Kristie Hatley, Planning Technician
Matt Wolff, Director of Finance

There were 3 members of the public in attendance.

CONSENT AGENDA

1. Approval of the minutes as written for the meeting on June 23, 2020.

Motion made by Meder to move the minutes to the regular agenda, seconded by Ford.

Motion passed 6-0.

REGULAR AGENDA

1. Commissioner Meder asked for a clarification on the minutes from the June 23, 2020 meeting about the discussion on the Prairie Trace final plats and development plans. She wanted a confirmation that the landscape was added on those plans for both the Estates and Meadows, as was discussed.

Mr. Bob Case, Chief Planner, replied he did add those items as additional conditions.

Motion made by Meder to approve the minutes, seconded by Hansen.

Motion passed 6-0

2. PRAIRIEBROOKE VILLAS

Located north of intersection of Pratt Street and 174th Street, along the east side of Kill Creek Road

- a. **FDP-20-04:** Consider a final development plan for a 20 multi-family lot development.

Mr. Robert Case, Planner, announced a correction to the staff report regarding the current zoning and land use for the property. The report should read as RP-3, not RP-2.

He proceeded to present the final development plan following the information in the staff report. Zoned RP-3, this property is approximately 14 acres. The final development plan consists of 20 lots totaling 7.34 acres, 2.22 acres of ROW, and 4.46 acres of open space on two Tracts. There are 76 total dwelling units with 18, 4-unit townhomes and 2, 2-unit ADA accessible duplexes. Lots 8 and 10 are designed for the Duplex building type, and all other lots are designed for the Row House building type. The street type is Local-Neighborhood and the Open and Civic Space type is Trail/Greenway. The proposed frontage type is Buffer Edge. Staff has found this project meets the intent of the Comprehensive Plan by providing connectivity, open space and neighborhood character. It is in compliance with the Land Development Code with the exception of the approved deviations from the Preliminary Development Plan. All technical reviews have been submitted, reviewed and approved by the City and all utilities are available to the site. The applicant has submitted a permit to the U.S. Army Corps of Engineers requesting relocation of the existing streambed. This permit is still under review and this submittal is contingent on approval of the permit. Staff has recommended approval of FDP-20-04 with the conditions outlined below.

COMMISSION DISCUSSION:

Hansen asked if the moving of a streambed is common for the approval of a development and if it is a barrier.

Mr. Case replied it rarely occurs and the applicant submitted it to the U.S. Army Corps of Engineers in hopes that new rule changes would take place, which did. This application is more likely to be approved with these new rule changes but if it is not, the applicant will need to go back to the preliminary development plan stage to redesign their development.

Motion made after review of application FDP-20-04, a final development plan for Prairiebrooke Villas, and final development plans dated July 17, 2020, and staff report dated July 28, 2020, the Planning Commission approves the application provided the following conditions are met:

1. Final Plat shall be reviewed, approved, and recorded with the County prior to the issuance of a building permit.
2. Construction plans and public improvement plans shall be submitted and approved prior to the issuance of a building permit
3. Approval of streambed relocation permit from the U.S. Army Corps of Engineers.

Motion by McNeer and seconded by Ford.

Motion passed 6-0.

3. BRECKENWOOD CREEK, 1ST PLAT

Located at the northern terminus of both Kill Creek Road and W 172nd Street and north of 171st Street

- a. **FP-20-07:** Consider a final plat for a 33 lot single-family subdivision.

Prior to his presentation, Mr. Case made two corrections to dates on the recommended motion, these being July 28, 2020 on the staff report and June 12, 2020 on the final plat. Also, the current zoning on this site is R-2, not R-1.

He then presented the information found in the staff report for this project, a final plat for the 33 lot, single-family subdivision. It includes 6.6 acres of a larger 38.6 acres single family development that is located approximately 0.4 miles north of 175th Street along Kill Creek Road, north of the Gardner Municipal Airport, and adjacent to St John's Highlands II subdivision. Both Kill Creek Road and 172nd Street terminate at the property boundaries. It has been rezoned numerous times in the past. Plans were shown for the proposed road network with future connections to Madison constructed in a later phase. All utilities are available to the site and similar to some of the transportation network improvements, once this development connects the water and electric lines from the existing developments to the west and east it will allow greater efficiencies through a looped utility system. Utility easements are being provided with this plat, except that the utility easements will be in front of lots 2-19. This allows the preservation of the natural tree line on the north property boundary, and creates a natural buffer from the rear of the lots to the proposed continuation of the east-west collector Madison Street.

Staff found this final plat has consistent block patterns with existing development and achieves the intent of the code to minimize the number of lots accessing collector streets. It is in substantial compliance with the preliminary plat and Land Development Code. This plat is consistent with established goals and policies of the City with no deviations requested. Excise tax will be levied since it has been platted in the past. The infill development promotes future development on adjacent property and will provide more direct access to the high school, and spread the traffic load along multiple routes. Staff recommends approval of FP-20-07.

Mr. Todd Allenbrand, Payne and Brockway Engineers, represented the developers and stated he was present to answer any Commission questions.

COMMISSION DISCUSSION:

Meder asked what the phasing plan was for the parcel to the east that would connect Madison and would truly impact the traffic load from the high school.

Mr. Allenbrand replied they were following the phasing on the preliminary plan phase two that would be to the west. Phase three would be to the east with either phase three or phase four including Madison. The developer worked with the City in attempting to construct Madison in an earlier phase but could not come to an agreement in the financing. He said if the City wanted to start the conversations again he felt the developer would be interested in seeing if further progress could be made.

Meder said she understood the challenge of continuing Madison over the existing creek and appreciated having a developer willing to construct it.

Mr. Allenbrand stated it was a very expensive section of street that included the cost of building a large five-cell box culvert. The developers believe the sale of some of the lots will provide money to apply to the later phases and the box culvert. He said the cost of the road did not work out financially for either the developer or the City even though they would like to have included Madison in the first phase. He reiterated they would be open to changing the phasing should the City be interested.

Chairman Boden commented he was happy to see Madison eventually get completed and also appreciated when a developer works to keep the tree lines.

Motion made after review of application number FP-20-07, a final plat for Breckenwood Creek, 1st Plat, located at the northern terminus of both Kill Creek Road and 172nd Street and north of 171st Street, Parcel ID CF221422-2007, based on review of a staff report date July 28, 2020 and a final plat dated June 12, 2020, the Planning Commission approves the application with the following conditions:

- 1. Prior to the recording of the final plat, excise tax shall be paid to the City; and**
- 2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.**

and recommends the Governing Body accept dedication of right-of-way and easements.

Motion by Ford and seconded by McNeer.

Motion passed 6-0.

4. CAPITAL IMPROVEMENT PROGRAM (CIP)

Conformance of CIP with Comprehensive Plan

Mr. Matt Wolff, Director of Finance, gave an overview of the CIP and followed with the conformance report and staff recommendation. According to Kansas statute, the Planning Commission must review any public improvement construction, a new public facility or utility improvement to make sure it is in conformance with the Comprehensive Plan. The key components of the CIP are:

- Identifies needs;
- Determines costs;
- Prioritizes capital requests; and
- Develops financing strategies.

The capital budget is an approved budget for capital projects. This month, the City Council will be approving the 2021 capital budget and conditionally approving the 2022 capital budget. The Capital Improvement Program (CIP) is a five-year program that identifies all of the major capital projects coming up in the near future that will need financing and the Capital Improvement Element (CIE) is a 20-year outlook studying growth patterns in the community, determining where development might occur and making sure the

infrastructure will be there to support it.

He presented a list of the capital improvements in conformance with the Comprehensive Plan. He highlighted two projects that were on the list that have included changes. The first was the Gardner Road Bridge over I-35 with the second phase of the improvements for the I-35 and Gardner Rd. Interchange. This was originally schedule in the 10 year CIP schedule, but was moved up due to securing approximately \$6 million in KDOT funding. The other project, the new South Wastewater Treatment Plant, is essentially the same project as the Wastewater Treatment Plant Expansion that was scheduled for 2032. The community continues to grow rapidly moving up the need for additional wastewater capacity. This project will help provide sewer service to the south side of I-35. He then presented a short list of projects in conformance with the Comprehensive Plan that are not specifically mentioned in the Plan such as the Main Street reconstruction from Sycamore to Old 56 Highway in 2021. KDOT has provided about \$3 million in grants to the City towards this needed project. Some other projects include the Quail Meadows Trail (2020), Grata water infrastructure (2020) and Cedar Niles to Clare Rd overhead power line (2021). Staff recommends the Planning Commission find the proposed 2020-2024 Capital Improvement Program in general conformance with the Comprehensive Plan.

COMMISSION DISSCUSSION:

Ford asked for clarifications if the I-35 and Gardner Road interchange and the Gardner Road Bridge project were basically one in the same project and if the Bridge was being moved to 2021 from 2022.

Mr. Wolff replied the I-35 to Gardner Road interchange design was occurring in 2020 and the design of the Bridge would occur in 2021 with its construction in 2022. KDOT funding allowed the project to move up on the schedule.

Motion made to find the proposed 2020-2024 Capital Improvement Program in general conformance with the Comprehensive Plan.

Motion by Meder and seconded by McNeer.

Motion passed 6-0.

DISCUSSION ITEMS

No items discussed.

ADJOURNMENT

Motion to adjourn made by Ford and seconded by McNeer.

Motion passed 6-0.

Meeting adjourned at 7:40 pm.