

ITEM NO. 1 PRELIMINARY DEVELOPMENT PLAN FOR HUTTON FARMS WEST PHASE II; N SIDE OF PETERSON RD BETWEEN DAYLILLY DR & WILMA WAY (SLD)

PDP-14-00511: Consider a Preliminary Development Plan for Hutton Farms West Phase II, located on 16.4 acres on the north side of Peterson Road between Daylily Drive and Wilma Way. The plan includes 87 units of duplex and detached residential units. Submitted by Paul Werner Architects, for North Forty LC, property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented the item.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said this was an extension of a project that started over 10 years ago. He said most of the conditions on the staff report dealt with the Utility Department. He said the plan included 87 one-story units. He said access to Peterson made the project work better. He said there was a neighborhood meeting last week and concerns were expressed that traffic not cut through this development to get to Hutton Farms West. He said he agreed that the two properties should be divided with a gate system which would allow emergency access to Hutton Farms West and would also serve as a second exit for Hutton Farms West. He said regarding condition 1 in the staff report, there was not enough room to fit a sidewalk on both sides of the street. He said there were multiple pedestrian pathways in the project. He said if they had to put sidewalks on both sides they may have to consider creating a two-story development to make it fit.

PUBLIC HEARING

Mr. Jay Andrews said he was a resident of Hutton Farms West Phase I and that he was speaking on behalf of other residents. He said they were not opposed to the Phase II development but that they were concerned about the timing of the Phase II development. He said it sounded like the access issues would be mitigated. He said there were a number of empty lots in Phase I and it seemed those would stay empty for an indefinite amount of time. He said the Phase II proposal would have 87 units completed by August of this year which would be much quicker than the Phase I development. He wondered when Phase I would be completed. He felt that Phase II should not start until 80% of the units in Phase I have started construction. He played a short video that showed a dump site for cement and construction equipment. He expressed concern about the dump site growing if Phase II starts before Phase I ends. He said the access gate was important. He also expressed concern about the loss of greenspace.

APPLICANT CLOSING COMMENTS

Mr. Werner said the project would take about a year to build so that Phase II could be done in April or May of 2016. He said an access gate would be shown on the revised preliminary and final plat. He said most of the construction blight was on the side they were talking about tonight. He said the developer that constructed Hutton Farms West was disappointed with how sales had gone out there. He said the developer would like to build it and be done. He said he would remind the builder about picking up the site and that the builder should be doing a better job.

COMMISSION DISCUSSION

Commissioner Liese asked staff to comment about the sidewalks.

Mr. McCullough said sidewalks were recreational and a transportation system. He said the issue of safety was with crossing of the street. He said staff's position was that new development should have two sidewalks.

Commissioner Liese said Planning Commission had to think about making an exception to the two sidewalk requirement.

Ms. Day said the approved Final Development Plan did speculate that there would be sidewalks on both sides of the interior street. She said there was a design expectation that sidewalks would be there. She said regarding the utility easement staff could continue to work with the applicant.

Commissioner Culver asked staff about the access gate being part of the Final Development Plan.

Ms. Day said the gate was new to staff. She said there were a few issues with adding gates, such as public safety, that staff would need to discuss with other departments. She said the applicant could provide that with the Final Development Plan.

Mr. McCullough said if it was a required condition then there were ways to insure an access gate was included.

Commissioner Denney asked if the driveways were about 30' long from the front of the house to the street.

Ms. Day said in some cases they were less than 30'. She said under the old code there were design standards that required a minimum of 20' from the structure to the back of the sidewalk. She said staff would look at that in more detail with the Final Development Plan. She said adding another sidewalk to the other side would change things and that the building footprint may need to be adjusted.

Commissioner Denney encouraged staff to have Code Enforcement look at the blight on the site.

Mr. McCullough said he did not recall the issue being reported to Code Enforcement but that it was an issue that could be dealt with.

Commissioner Josserand asked if the market for Hutton Farms was short-term or long-term rental property.

Mr. Werner said both and that Hutton Farms has done well.

Commissioner Josserand asked who owned Hutton Farms.

Mr. Werner said it was owned by Tower Properties out of Kansas City.

Commissioner Josserand asked if there were many students living in Hutton Farms.

Mr. Werner said there was a little bit of everybody living there.

Commissioner Josserand asked how the new area would be distinguished or characterized in terms of the market place.

Mr. Werner said it would expand the availability of Hutton Farms. He said the new development would be all single level and all rental.

Commissioner Josserand asked if the structures would be sold off individually.

Mr. Werner said he would never anticipate that. He said it would be rental and was platted as one lot.

Commissioner Josserand inquired about parking.

Mr. Werner said there would be two car garages with the two-bedroom units.

Commissioner Josserand stated parking standards for duplexes was a concern of his. He asked if Mr. Larry Hatfield who sent a letter to Planning Commission was present this evening. An audience member said he was out of town.

Commissioner Josserand said Mr. Hatfield was known in the community and hardly an unsophisticated person in terms of knowledge of real estate.

Commissioner von Achen asked if there was a relationship between finishing the first development and going on to the second phase.

Mr. McCullough said from staff's perspective, no. He said staff does not necessarily control when the phases occur with market timing.

Commissioner Liese said it was coincidence that the owner owned both properties.

Mr. McCullough said they were different developments and different markets. He said there was no Code position that went one way or the other on the topic.

Commissioner Britton said he recalled a similar concern with property in the county that had multi-phases.

Mr. McCullough said that project was a quarry that had phasing. He said he would not necessarily want to compare this project to a quarry. He said they don't typically look at an adjacent project to see how far along it is when looking at the merits of a proposed project.

Commissioner Liese said Planning Commission could not take a position on where the greenspace was located.

Mr. McCullough said the greenspace was set by the previous plan and with the project from the beginning. He said Planning Commission should consider the gate issue and the sidewalk issue.

Commissioner Liese said the gate issue was mutually agreed upon by the applicant and neighborhood.

Commissioner Denney asked if there was a previous plat that laid out apartments. He wondered if it included sidewalks.

Ms. Day said the Final Development Plan showed the spin of the street and the designated areas of openspace and drainage because those were requirements upfront with Phase I. She said that plan showed sidewalks on both sides and that the street ended in a cul-de-sac.

Commissioner Josserand said a lot of history with land use planning was tied up with sidewalks and putting them into places where they weren't originally constructed. He suggested that if they waive the sidewalk they needed to have a good reason.

Commissioner Britton asked the applicant what could be done with the sidewalk issue. He asked if the solution would be to change the building footprint.

Mr. Werner said he would request the sidewalk be placed to the back of the curb which would get sidewalks on both sides.

Ms. Day said it was probably doable but the City Engineer would need to look at it before the Final Development Plan.

Commissioner Struckhoff felt it was important to have sidewalks on each side of the street. He said he was inclined to support the application.

Commissioner Britton felt it was good to address the access issue with a gate. He wished there was something they could do to make the Phase I development move more quickly but there was nothing that they could do. He said it was troubling to hear there were promises about development not occurring. He regretted there was

confusion. He said he would support this development with the various conditions noted in the staff report. He asked staff what they needed for the utility issue.

Mr. McCullough asked that their motion have flexibility to work with the Utility Department.

ACTION TAKEN

Motioned by Commissioner Britton, seconded by Commissioner Struckhoff, to approve Hutton Farms West Phase II Preliminary Development Plan, PDP-14-00511, based upon the findings of fact presented in the body of the staff report and subject to the following conditions:

1. Provision of a revised Development Plan to show the following changes:
 - a. Show sidewalks on both sides of all streets within the development.
 - b. Revise note 1.9 to indicate street width and that street will be built to City Standards.
 - c. Revise note 3.1 to include off street parking provided in both garages and driveways within the development and note that 148 spaces are required and that 294 spaces are provided.
2. Provision of a note on the face of the plan indicating the Planning Commission approval of reduced setbacks for units A, B & C as shown in Figure 9 on page 1-10 of report.
3. Provision of a revised Development Plan that includes the following notes and changes:
 - a. A note stating who shall own and maintain the common open space within the Planned Development boundary.
 - b. Provision of a revised Preliminary Development Plan per the approval of the City Stormwater Engineer to include the following changes:
 - i. Show two new curb inlets to be installed over the existing 30" CMP on the south end of Lou Lou Lane. Provide one on the west side and one on the east side of Lou Lou Lane.
 - ii. Specify that all curb inlets will be constructed per City storm sewer standard details.
 - iii. Label the existing storm sewer pipes including the length of pipe run, pipe diameter, material, and slope (i.e. 90 L.F. 15" HDPE @ 0.5%). Label the existing storm sewer structures, including structure dimensions, structure type and elevations (i.e. 4'x4' Curb Inlet, FL Out (S): 900.49 T/Inlet: 902.75).
 - c. Provision of a revised Preliminary Development Plan per the approval of the City Utility Engineer to include the following changes:
 - i. ~~For the existing 15' utility easement east of the homes on the east side of Lou Lou Lane, add 2.5 feet of U/E on the west side of the existing U/E and 5 feet of U/E on the east side of the existing U/E. Utility easements to be revised per staff and applicant.~~
 - ii. Clarify how the two homes on the west side of Gertie Court nearest to Lou Lou Lane have access to the sanitary sewer for their service.
 - iii. For sanitary sewers that are allowed to be in front of the homes, confirm that manhole lids will not be located in driveways.
 - iv. Coordinate with Fire Medical if a fire hydrant needs to be located on or near the entrance of Gertie Court and show location of hydrants.
4. Gated access for egress to the neighborhood to the east.

Commissioner Denney asked if the motion was to include a sidewalk on both sides however it got worked out.

Commissioner Britton said yes.

Commissioner Denney expressed concern about the distance from the front of the building to the end of the curb. He said the applicant commented briefly about trying to keep the development to one-story. He suggested a few feet smaller would do the same thing.

Motion carried 8-0. Commissioner Kelly was not present for the vote.