

## VALLEY CENTER PLANNING COMMISSION MINUTES

7:00 P.M., Tuesday, July 22, 2014

Valley Center City Hall at 121 S. Meridian Avenue

**CALL TO ORDER:** Chairperson Park called the meeting to order at 7:00 p.m. with the following members present: Danny Park, Ronald Colbert Sr., Del James, Scot Phillips, Terry Nantkes, Matt Stamm, and Ben Neaderhiser.

Members absent: Gary Janzen and Don Bosken

Staff Present: Warren Utecht and Deby Taylor

Meeting started with the Pledge of Allegiance to the American Flag.

**AGENDA:** A Motion was made by Commissioner Stamm, seconded by Commissioner Colbert to set the agenda as presented. Motion passed unanimously.

### **APPROVAL OF DRAFT MINUTES:**

A motion was made by Commissioner Colbert, seconded by Commissioner Nantkes to accept the June 24, 2014 draft minutes as written. Motion passed unanimously.

**PUBLIC COMMENT:** None

**COMMUNICATIONS:** None

### **BOARD OF APPEALS PUBLIC HEARING:**

#### **Special Use Application SU-2014-01: LeVenue Building at 109 W Main Street**

Consideration of land use from a banquet and reception facility to Public Library Use

### **DISQUALIFICATION DECLARED AND QUORUM DETERMINED:**

Chairperson Park asked the Board of Appeals if any members intend to disqualify themselves from participating in this case because they or a relative own property in the area of notification or have a conflict of interest. Let the minutes show that Del James has disqualified himself because of his involvement with the Library Board. (According to the Bylaws, those members who only abstain from voting are still part of the quorum). Matt Stamm stated that even though his wife Amy is the president of the Library Board he felt it was not a conflict of interest and was not disqualifying himself. Chairperson Park declared there was a quorum of 7 present for this hearing.

According to the Recording Secretary, a notice to this hearing had been published in the Ark Newspaper on June 26, 2014, and notices were mailed to 15 property owners of record within 200 feet of the subject property on June 26, 2014. The record shows that at least 20 days elapsed between the publication and mailing dates and the hearing date. There was no evidence to the contrary from anyone present, thus proper notification has been given.

Chairperson Park asked the Commission if any of them have received any ex-parte verbal or written communication from a third party prior to this hearing which they would like to share with all the members. There was none.

## **ZONING ADMINISTRATOR'S REPORT:**

Chairperson Park called on the Zoning Administrator, Warren Utecht, to provide the commissioners with his staff review on the request. Mr. Utecht's report is as follows...

### **Applicant's reasons for Special Use Request:**

The Valley Center Public Library has "outgrown" its present location and wants to move its operations to the "LeVenue" building.

### ***Review Criteria for a Zoning Amendment per 17.11.01.H (criteria in italics)***

1. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?*

The character of the surrounding area is predominantly retail and office space to the north, east and west. Governmental/Public buildings exist to the south. An animal slaughter and meat processing facility is 125 feet south of the "theater" entrance on S. Park Street. The condition of the surrounding properties is of similar age to the Theater, with some buildings within the notification area being vacant and unkempt, creating a blighting influence on the area.

- Entrances to the theater and banquet area front W. Main Street, which has moderate traffic counts.
- This section of Main Street also has a number of daily semi-truck traffic movements going to and from Valley Truss/Continental (202 S Cedar).

2. *What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning is C-1 Central Business District. The surrounding zoning and land uses are as follows:

- North: C-1 Central Business District-Office and services
- South: C-2 General Commercial District-Government offices
- East: C-1 Central Business District-Auto Dealership
- West: C-1 Central Business District-Office uses

3. *Is the length of time the subject property has remained undeveloped or vacant as zoned a factor in the consideration?*

No. The property is an operating banquet and marriage chapel

4. *Would the request correct an error in the application of these regulations?* No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?*

No, there are no changing conditions. The downtown has viable businesses that have been operating for a number of years.

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?*

Yes, all utilities are available and the building in question is connected to all of them.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?*

No, the land is platted and there is no need for additional platting.

8. *Would a screening plan be necessary for existing and/or potential uses of the subject property?* No

9. *Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?*

Yes, the Kasselmann property directly north of LeVenue is also available with 6,000 sq. ft. of floor space all on one level and 20 off-street parking spaces close by. This building is more accessible to most residential areas of the city without having to cross Main Street and is a 30 year old building as opposed to a nearly 70 year old building.

10. *If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?*

This is a public entity, so this question is not relevant.

11. *Is the subject property suitable for the uses in the current zoning to which it has been restricted?*

- If a library is approved as a special use, the hours of operation and occupancy of the building will change from evenings and weekends typical of present and past uses to daytime hours (10:00 a.m. to 6:00 p.m. Monday-Wednesday; 10:00 a.m. to 8:00 p.m. Thursday; 10:00 a.m. to 4:00 p.m. Saturday).

- This shift in peak hours will create competition with businesses downtown for on-street parking because the LeVenue Building presently has no off-street parking spaces available. This has never been an issue in the past because at the time it was a theater and a wedding/reception center, peak use was in the evenings and weekends when most businesses are not open.

- Parking will also be an important issue for elderly and handicap patrons since such parking spaces need to be close to the Library's front door (Main Street has a limited number of handicap spaces). A consultant's study is calling for re-designation of regular parking stalls to handicap stalls.

- During summer months, mothers of small children will not want to walk blocks to get to the library, and especially if they must cross Main Street given the extra-wide pavement. Cars turning from Meridian can come very quickly to the intersection of Park Avenue (exit from theater). A picture at the end of this staff review taken of a mother carrying a child flanked by two other children illustrates how two cars had to come to complete stop because it was impossible for the mother and her three young children to across the street with no traffic signal at Main and Ash. This kind of situation could become a safety hazard unless the City installs ADA compliant crosswalks and pedestrian traffic signals at the corner of W Main Street and Park Avenue which could be activated by pedestrians.

- If Children bike to a downtown library, the safest place to cross Meridian (if they live east of Meridian) will be a traffic light at Main and Meridian. The present traffic light has no pedestrian signals. However new traffic signals associated with the Meridian stormwater drainage and street reconstruction project will have full ADA compliant crosswalk and signals in 2015.

- Main Street has exclusively been devoted to retail, office and service type uses typical of downtown commercial districts. A public building used by all ages is a service type entity which will bring people to the downtown, but will take the property off the tax-roll as a private business location. It can be argued there are a limited number of commercial uses able to utilize an old theater, which is the predominant use and square footage of LeVenue.

12. *To what extent would the removal of restrictions, i.e., approval of a Special Use request, have detrimental effects on other property in the neighborhood?*

If the Library occupied LeVenue, on-street parking within a one block area and off-street parking on City Hall and school district property during “peak” summer library programs could result in serious parking shortage for downtown businesses. This may have a detrimental effect, not only for business clients, but also public parking spaces for people visiting City Hall, or anyone attending meetings at City Hall or the School District office.

13. *Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?*

The Library is not a retail or office establishment and is tax exempt. The services it will provide will attract people to the downtown area. Whether businesses nearby would benefit from library patrons is assumed but is not a known fact.

14. *Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?*

The Comprehensive Development Plan shows predominantly commercial development, in the C-1 Downtown Commercial District area. A public use of the LeVenue was not anticipated or identified in the 2007 Plan. In 2009, the City Planning Commission approved a more detailed Downtown Area Plan, which states “A new library is in the planning stages. Its location should be in the downtown area, have convenient access for all ages and away from the railroad tracks”. In its present form, the 2014-2023 Comprehensive Plan does not specifically identify LeVenue as a public land use but is shown as a commercial land use. If the Planning Commission recommends a Special Use to allow a Library in a commercial building, and the Council agrees to the acquisition, the 2014-2023 Comprehensive Plan should be amended to reflect its location as a public use in the 2015 update.

15. *What is the nature of the support or opposition of the request?*

The initial May 20th, 2013 presentation by the Library Board asking the City Council to consider partnering with the Library (who would like to purchase the LeVenue and transfer it to City Ownership) was well attended by supporters. A comment was made since the May meeting in the ARK newspaper questioning the purchase of an old building, stating any funding available should be applied to a new library. Another comment by the owner of the “All-Saints” building across Main Street questioned why his building was not being considered; given it is equivalent in size to the actual library footprint planned for LeVenue except, the theater space.

Additional public input is anticipated at the Special Use Public Hearing.

16. *Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?*

Yes, PEC has conducted a Pre-Purchase Assessment to determine the condition of the building and any shortfalls regarding parking spaces. A reference was made to the need for four additional handicap parking spaces, possibly located on S. Park Street.

17. *By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?*

There is no question the Public Library has for years needed to move to a larger facility. Few options have been available to find the right location due to limited options. A new facility is considered too expensive, but having a library in the heart of the downtown raises the issue of competing parking spaces and public health, safety and general welfare of mothers and their children having to cross busy downtown streets.

**Situation:**

The purpose of a Special Use review for a public facility is to answer the question whether the land use itself is consistent with the future land use plan in an adopted Comprehensive Plan, and whether the land use itself will be of “like nature” to surrounding land uses.

The 2007 Comprehensive Plan mentioned the need for a larger facility. It also referenced a questionnaire related to library usage. A comment was made of “a public meeting room and paved parking to make the Library more useful to the community and better support summer reading programs and other library programs.” The Downtown Neighborhood Plan makes a reference to having a library being in the downtown area with a condition it have convenient access for all ages and away from the railroad tracks.

The new Comprehensive Plan mentions the need for a larger facility by either building a new Library or finding an existing facility adaptable for a library with ample parking but does not mention the exact location. A public facilities land use is not shown on the 100 block of E Main at this time.

From a land use planning standpoint, the LeVenue building is not an ideal location for a public library, mainly because it has no off-street parking. The public will be dependent upon on-street parking or find off-street parking in nearby public building parking lots (City Hall and School District administrative offices). If library patrons park in existing off-street public spaces, conflict may occur if a meeting or event is taking place at either City Hall or the School District office. If it decided the LeVenue should be purchased, a parking agreement should be retained between the Library, City and School District to coordinate into perpetuity a common “usage” calendar of the three facilities to avoid conflicts. A longer term goal of the Library Board should be to purchase surrounding abutting properties to establish their own off-street parking spaces.

If the Planning Commission approves this Special Use, the Planning Commission will need to amend the recently approved Comprehensive Plan in January, 2015 by showing a public use designation on the Future Land Use Plan for 109 W. Main.

Pictures of LeVenue during the end of summer reading hour





Pictures of "All Saints" on North side of W. Main



All Saints off-street parking lot



Chairperson Park asked if the Commissioners had any questions. Commissioner Stamm questioned the street crossing concern, stating that to get to the existing library many cross Meridian Street and there has not been any problem. Commissioner James stated that there were other options for parking on South Park on the west side of the street. A comment was made some businesses near LeVenue open late or not open some days, thus mitigating parking conflict. Mr. Utecht urged the Commission to think long term, realizing businesses will change hands and demand for on-street parking may increase, depending upon new businesses. Commissioner Colbert said he had several ADA requirement concerns, both inside and outside the building.

Chairperson Park opened the hearing for comments from the public at 7:28 p.m.

- 7:28-7:31 pm: Chairperson Park called the petitioner, Amy Stamm, President of the Library Board, to make a presentation. Mrs. Stamm, 308 Valley Park Dr, stated she didn't have a prepared presentation but said she would be available for any questions. It was decided to hold questions after everyone else got a chance to share. The Chairperson opened the meeting to others who wanted to speak on the issue.
- 7:31-7:39 pm: Al Hobson, 531 W. 3<sup>rd</sup> St., stated that as a Council member he was representing several residents in his district whom he had spoken with concerning the Zoning Administrator's review. Mr. Hobson critiqued various points Mr. Utecht had noted, stating a yes/no answer to the 17 criteria listed in the zoning regulations would be all that is needed.
- 7:39-7:42 pm: Gene Sharp, 417 S. Sheridan Ave. (Site-Plan Member) Mr. Sharp commented on the street crossing issue saying the speed limit on Main Street was 20 mph rather than the normal 30 mph speed limit in other areas of the city. He also noted he had attended the summer reading program during the summer and there were no parking problems. He assured the committee that the ADA issues were being addressed and this location fit into the goal of having the new library in a central location.
- 7:42-7:45 pm: Andria Sharp, 417 S. Sheridan Ave., (previous employee & daughter of the director). Andria stated the present Library building has many more OSHA and ADA issues than the LeVenue building. She also noted that it was the driver's responsibility to be attentive as they turn west on Main Street and with the big dip at that corner no one could get through there very fast. Mr. Utecht pointed out the big dip will be gone when the intersection is rebuilt next year.
- 7:45-7:46 pm: Nancy Anderson, 8701 N. Kessler. Nancy stated she attends the library daily. She feels the LeVenue location would be a good move for the library and would

be put to good use at this property. She said with a parking agreement, it would be good for Valley Center.

- 7:46-7:48 pm: Ginger Bynorth, 214 N. Miles. Ms. Bynorth stated she and her grandchildren walk to the library on a regular basis. She feels the LeVenue location would be a good choice and is confident they will get the ADA issues worked out.
- 7:48-7:56 pm: Closing comments: Lisa Stamm & Janice Sharp (Library Director) 417 S. Sheridan Ave. Janice said an architect is working on remodeling plans and assured the commissioners the ADA requirements would be addressed in the building improvement list and there would be 3 wheelchair accessible entrances available to the library facility.

Chairperson closed the public hearing at 7:56 pm.

**DELIBERATION:** Commissioner Colbert expressed his concern over the Main Street crossing. He stated this is a truck route and based on his experience as a truck driver, he was very concerned the number of parents with their children would be crossing at Park and Main with no warning lights or designated crossing. The upcoming street improvements at Main and Meridian will eliminate the dip in the road and will not slow drivers down, and Valley Truss Company on S Cedar has loaded lumber trucks coming and going through Main Street daily. Chairperson Park noted that the decision the commissioners are making is for Land Use only.

**RECOMMENDED MOTION:** Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Park made a motion to approve the petition by the Valley Center Public Library to grant a Special Use Permit for a Library land use at 109 W Main Street, with the condition that representatives from the Library, City Hall and School District meet annually to coordinate off-street parking space allocation based on planned activities at their respective locations and noted a library was referenced in the 2009 Neighborhood Area Plan for the Central Business District. Motion was seconded by Ben Neaderhiser. Vote was 5 in favor with Commissions Colbert and James abstaining. Motion passed.

There was a short recess from 7:59-8:05 pm.

#### **PUBLIC HEARING BEFORE PLANNING COMMISSION**

**Rezoning Petition Z 1014-02:** filed by the Recreation Commission to amend the zoning from a PUD District to R-1B One Family Residential District for a 30 acre parcel generally described as being north of E 5<sup>th</sup> Street and east of McLaughlin Park and the Valley Center Middle School Property.

#### **DISQUALIFICATION DECLARED AND QUORUM DETERMINED:**

Chairperson Park asked the Board of Appeals if any members intend to disqualify themselves from participating in this case because they or a relative own property in the area of notification or have a conflict of interest. Let the minutes show that Danny Park has disqualified himself because of his involvement with the Recreation Board. (According to the Bylaws, those members who only abstain from voting are still part of the quorum). Chairperson Park declared there was a quorum of 7 present for this hearing.

According to the Recording Secretary, a notice to this hearing was published in the Ark Newspaper on June 26, 2014, and notices were mailed on the same date to **10** property owners of record within the 200 foot notification area in the City Limits or within 1,000 feet outside the City Limits. The record shows that at least 20 days elapsed between the publication and mailing dates and the hearing date. There was no evidence to the contrary from anyone present, thus proper notification has been given.

Chairperson Park asked the Commission if any of them have received any ex-parte verbal or written communication from a third party prior to this hearing which they would like to share with all the members. There was none.

**ZONING ADMINISTRATOR'S REPORT:**

Chairperson Park called on Zoning Administrator, Warren Utecht, to provide the commissioners with his staff report on the request. Mr. Utecht's report is as follows...

**Applicant:** Valley Center Recreation Commission

**Property Location** A 30 acre parcel west of the levy, north of the Public Safety detention pond and generally east of McLaughlin Park and the Middle School.

**Applicant's reasons for the Rezoning:** Because the PUD land uses associated with a previous site plan is changing to a proposed golf course, which is a permitted use in the R-1B zoning category, there is no longer a need for PUD zoning.

**Review Criteria for a Zoning Amendment per 17.11.01.H** (*criteria in italics*)

2. *What is the character of the subject property and the surrounding neighborhood in relation to existing uses and their condition?* The land in this rezoning is undeveloped as well as the land surrounding it. The only improvement on the south end of the subject property is a concrete paved sidewalk on the outer borders of athletic fields to be built by the Park Commission this fall.

3. *What is the current zoning of the subject property and that of the surrounding neighborhood in relationship to the requested change?*

The current zoning is PUD. The surrounding zoning and land uses are as follows:

- North: R-1B Single-Family Residential-Vacant
- South: R-1B Single-Family Residential-Detention Pond
- East: County zoned land-Agricultural
- West: R-1B Single-Family Residential-McLaughlin Park

4. *Would the request correct an error in the application of these regulations?* No

5. *Is the request caused by changed or changing conditions in the area of the subject property and, if so, what is the nature and significance of such changed or changing conditions?* No, there are no changing conditions. The land in this rezoning and the surrounding properties has been unchanged for many years.

6. *Do adequate sewage disposal and water supply and all other necessary public facilities including street access exist or can they be provided to serve the uses that would be permitted on the subject property?* No, to facilitate a clubhouse on the par-3 golf course, a public water line and a long sewer extension will need to be installed prior to a building permit. Additional Emporia Avenue right-of-way (which will occur with the plat under review)

and additional roadbed material will need to be added to allow the opening of the golf course.

7. *Would the subject property need to be platted or replatted or in lieu of dedications made for rights-of-way, easements, and access control or building setback lines?* Yes, this rezoning application is accompanied by a one lot plat and dedication of Emporia extending north to the north property line of the School District property.
8. *Would a screening plan be necessary for existing and/or potential uses of the subject property?* No
9. *Is there suitable vacant land or buildings available or not available for development that currently has the same zoning?* Other vacant land could be available, but the Recreation Commission already owns the land in question and is getting support from the school district via the use of district land to facilitate development of the Par 3 Golf Course
10. *If the request is for business or industrial uses, are such uses needed to provide more services or employment opportunities?* This is a public entity, so this question is not relevant.
11. *Is the subject property suitable for the uses in the current zoning to which it has been restricted?* Yes, this area of the City is on the fringe of development and has become the “focal point” for many athletic fields and outdoor recreation.
12. *To what extent would the removal of the restrictions, i.e., the approval of the zoning request detrimentally affect other property in the neighborhood?* Removal of the PUD overlay will not hinder a use already permitted by right in the R-1B Zoning District.
13. *Would the request be consistent with the purpose of the zoning district classification and the intent and purpose of these regulations?* Yes, a golf course is a permitted use by right.
14. *Is the request in conformance with the Comprehensive Plan and does it further enhance the implementation of the Plan?* Yes, a golf course is a public use as shown on the Comprehensive Plan.
15. *What is the nature of the support or opposition of the request?*
  - No objections have been voiced by those who were sent a notice and no comments have been heard from the public hearing notice.
  - Additional public input may come at the Special Use Public Hearing.
16. *Is there any information or are there recommendations on this request available from professional persons or persons with related expertise which would be helpful in its evaluation?* No
17. *By comparison, does the relative gain to the public health, safety and general welfare outweigh the loss in value or the hardship imposed upon the applicant by not approving the request?* Removal of the PUD overlay has no relevance to this question. The PUD only

hinders the Recreation Department to build a golf course as permitted in the underlying zoning district.

Chairperson Park opened the hearing for comments from the public at 8:09 pm.

- 8:09-8:10 pm: Recreation Commission representative, Josh Golka of PEC asked if the commission had any questions. Commissioner Colbert asked for clarification on one of dimensions the map. Josh was able to explain the dimension as a slight jog on the east side of the property.

Chairperson Park closed the public hearing at 8:10 pm.

**RECOMMENDED MOTION:** Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Stamm made a motion to approve the petition by the Recreation Commission to amend the zoning from a PUD District to R-1B One Family Residential District for a 30 acre parcel generally described as being north of E 5<sup>th</sup> Street and east of McLaughlin Park and the Valley Center Middle School Property. Motion was seconded by Commissioner Colbert. Vote was 6 in favor with Commission Park abstaining. Motion passed.

**NEW BUSINESS:** Recreation District's "Valley Center Sports Center" Preliminary and Final Subdivision for purposes of developing a golf course and dedication of Emporia Avenue right-of-way

Chairperson Park called on the Zoning Administrator, Warren Utecht, to provide the commissioners with his staff report on the request. Mr. Utecht's report is as follows...

**Applicant's reasons for Platting:** The petitioners' desire is to create a two lot plat with dedication of Emporia Avenue to the north line of the plat. Lot 1 is owned by the school district and lot 2 is owned by the Valley Center Recreation Commission.

**Technical Review of Plat:**

PEC is showing the following information on the face of the preliminary and final plat maps:

- Lot 1: 15.08 acres owned by the Unified School District No. 262 Zoned R-1B
- Lot 2: 28.24 acres owned by the Valley Center Recreation Commission Zoned R-1B with a PUD Overlay (being removed by rezoning being processed)
- Dedication of Emporia Avenue (70 wide right-of-way) starts from an already dedicated north-south portion of Emporia Avenue (110 feet wide) to the north line of the school property. The road jogs to the west side of the golf course and will be built once development occurs north of the plat.
- The golf course map shows how the City and Recreation Commission will extend a water main following the west line of Emporia Extended, then turn west along the north line of the middle school property to Meridian in order to "loop" the water service. Water service will not be extended to the golf course until permanent bathrooms or a clubhouse is constructed.
- A drainage plan is not being required at this time until a new topographic map is created based on the golf course layout. At that time, a site plan will be reviewed by the Site Plan Committee and Planning Commission before the golf course is built, at which time drainage issues will be addressed.

The information on this plat was reviewed and found acceptable by the Community Development Department and the Public Works Department.

**RECOMMENDED MOTION:** Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Nantkes made the motion to approve the Recreation Commission's Preliminary and Final Subdivision. Motion was seconded by Commissioner Neaderhiser. Vote was 6 in favor with Commission Park abstaining. Motion passed.

**NEW BUSINESS: S/D 2014-01**

Air Park Estates Preliminary and Final Subdivision, filed by Robert Davis, to create a 3 lot plat on the northeast intersection of W 5<sup>th</sup> Street (85<sup>th</sup> N) and Seneca.

Chairperson Park called on the Zoning Administrator, Warren Utecht, to provide the commissioners with his staff report on the request. Mr. Utecht's report is as follows...

**Applicant's reasons for Platting:** The petitioners' desire is to create three buildable lots on a 6.06 acre vacant parcel across from the Valley Center Clinic.

**Technical Review of Plat:**

Ruggles & Bohm, PA are showing the following aspects on the face of the plat:

- The three lots range from 1.9 to 2.2 acres.
- Lots 1 and 2 have a depth and width ratio that exceeds the typical ratio standards. However, due to restrictions on surrounding property ownership, the subdivider has little choice in lot ratio.
- Additional street right-of-way has been dedicated on both Seneca and Fifth to accommodate future turning lanes at the intersection of the two streets.
- According to the Suburban Residential zoning requirements, the 3 lots exceed 40,000 square feet, but are less than 5 acres. As a result, they must be able to support an alternate sewer system or septic tank system. The distance to the closest city sewer line would be cost prohibitive to connect.
- Even though these lots are in the Rural Water District #2, the City has a water line and fire hydrant directly across Seneca. According to a 2001 agreement with the Rural Water District, the City has the right to serve lots when city water is available at a fee of \$150 per lot. For this reason, the utility plan shows services installed under two locations on Seneca; the north 1½ inch service would split into two services for lots 1 and 2. The south 1 inch service would just serve lot 3.
- On the Drainage Plan, the surveyor has noted that *"due to the large size of the proposed lots, a grading plan and drainage plan shall be submitted for each parcel to the City of Valley Center to determine the need for detention"*, and that the *"Plan should be submitted prior to building permit application and stamped by a professional engineer"*.
- On the Grading Plan, arrows indicate direction of stormwater flow. Notes on the Grading Plan are as follows:
  1. Regrade rear yards and swales in side yards in areas around proposed homes to provide positive drainage away from structures.

2. House grades indicated represent one option at that location on the lot. A grading plan stamped by a professional engineer should be submitted with the building permit request.
3. Silt fence or other erosion control devices should be installed on the downhill side of any disturbed areas to prevent offsite silt transport.
4. A construction entrance should be installed on each property during home construction to prevent dirt tracking onto adjacent roadways. Alternate means for sediment control may be submitted to the City of Valley Center for approval.
5. Silt fence ditch checks should be installed at 100' intervals in side yard swales that are created during construction.

The information on this plat was reviewed and found acceptable by the Community Development Department, Public Works Department, and Mike Kelsey from PEC (City's Engineer).

**DELIBERATION:** Commissioner Colbert questioned how far water hookup would have been for the Rural Water District to serve the three lots. Warren estimated it would be over 550 feet to reach the third lot.

**RECOMMENDED MOTION:** Based on the City Staff recommendations, public comments, and discussion by the Planning Commission, Commissioner Colbert made the motion to approve the Air Park Estates Preliminary and Final Subdivision. Commissioner Colbert amended his previous motion to include the Grading Plan recommendations by Mike Kelsey from PEC (City's Engineer). Motion was seconded by Commissioner Nantkes and passed unanimously.

#### **COMMITTEE AND STAFF REPORTS-None**

#### **ITEMS BY PLANNING COMMISSIONERS:**

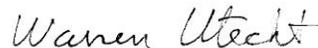
- Del James – Nothing
- Ben Neaderhiser – Nothing
- Scot Phillips - Nothing
- Ronald Colbert Sr. – Nothing
- Terry Nantkes – Nothing
- Danny Park – Thanked everyone for coming
- Matt Stamm – Nothing

#### **ADJOURNMENT:**

Motion made by Commissioner Stamm and seconded by Commissioner Colbert to adjourn. Motion passed unanimously.

Time of Adjournment: 8:24 p.m.

Respectfully submitted,



Warren Utecht,  
Planning Commission Secretary

Minutes to be reviewed and approved by the Valley Center Planning Commission at the next meeting.

        /Danny Park/          
Danny Park, Chairperson