

**VALLEY CENTER
PLANNING COMMISSION/BOARD OF APPEALS
MINUTES**

7:00 P.M., Tuesday, June 25, 2013
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: Don Bosken, Terry Nantkes, Ronald Colbert Sr., Dee Wretberg, Danny Park and Matt Stamm. Members absent: Del James, Gary Janzen and Ricky Shellenbarger

Staff Present: Warren Utecht and Deby Taylor, Community Development Department and Councilmam Ishman.

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

AGENDA: A Motion was made by Commissioner Nantkes, seconded by Commissioner Colbert to set the agenda. Motion passed unanimously.

APPROVAL OF May 28, 2013 DRAFT MINUTES: A motion was made by Commissioner Stamm, seconded by Commissioner Wretberg to accept May 28, 2013 minutes as written. Motion passed unanimously.

COMMITTEE AND STAFF REPORTS: Community Development Director, Warren Utecht, stated that the staff would be driving through the community to accumulate pictures and addresses in order to prepare letters that will inform owners of recreational vehicles that there are new RV Zoning requirements.

COMMUNICATIONS: None

OLD BUSINESS:

MARQUEZ TABLED ITEM: Rezoning Petition Z-2013-03 filed by Jose Marquez to amend an existing PUD Site Plan.

A letter from Mr. Marquez's attorney, Robert Kaplan, to withdrawal the petition to amend the existing PUD Site Plan was reviewed and discussed. Mr. Utecht stated that Mr. Marquez and his attorney would like to meet with him and other staff to discuss what their options are with the current PUD. Mr. Utecht stated that Mr. Marquez will need to invest in infrastructure and comply with the original PUD Site Plan and zoning ordinance that adopted the PUD modifications. Commissioner Stamm requested that the shanties that had been built without obtaining building permits, be removed and the commissioners agreed.

MOTION: Based on City Staff recommendation, public comments, and discussion by the Planning Commission, Chairman Park made a motion to accept the withdrawal of Jose Marquez PUD amendment at 2750 E. Ford Street, based on Attorney Robert W. Kaplan's letter dated June 17, 2013 and the Community Development Director's analysis and recommendations. Motion was seconded by Commissioner Bosken and passed unanimously.

The commissioners charged Code Enforcement to stay on top of things and push for more compliance.

UNFINISHED BUSINESS-None

NEW BUSINESS

LOT SPLIT CASE LS-2013-01: Lot split petitioned by Leeker Valley Center Inc., to create a separate lot for Sid Unruh's Site Plan office building south of Leeker's Grocery Store dividing a platted lot into two parcels.

Adjacent property owners were sent a notice 10 days prior to the Planning Commission meeting making them aware that this lot split was being reviewed.

The lot being created will be 2.202 acres in size. The Small Tract Plat map shows a 35 foot front yard setback from S. Meridian Avenue, which is consistent with the front yard setback on the approved site plan. The new lot is large enough to meet all other setbacks for the office building as shown on the site plan approved at the May 28th, 2013 CPC meeting.

Per the City's request, the petitioner is showing the southerly 32 feet of their ownership to be dedicated for public right-of-way by separate instrument. When the landowner to the south is ready to develop, he will have to dedicate the other 32 foot strip of land to the City to create a 64 foot wide street. Once a full street is developed, the City would be able extend utilities and allow lot development to occur behind the Leeker's store.

MOTION: Based on City Staff recommendation, public comments, and discussion by the Planning Commission, Commissioner Nantkes made a motion to approve the lot split to create a separate lot for Sid Unruh's Site Plan office building south of Leeker's Grocery Store. Motion was seconded by Commissioner Colbert and passed unanimously.

PUBLIC STREET DEDICATION by Leeker Valley Center Inc.

Due to a lot split, the City has asked Leeker Valley Center Inc. to dedicate a 32 foot wide strip of land, which would run along the entire southerly lot line of their property. A preliminary development concept plan of this area makes the location of this street to be logical and would provide efficient access to vacant undeveloped land. The location of this road could also facilitate the extension of a future public sewer line from the treatment plant.

The street south of this dedication is shown as Sheridan Avenue, but is not a publicly dedicated street. It is a private driveway that services oil wells and two single family homes on the Little Arkansas River. The private drive is a dead-end road.

When the landowner to the south is ready to develop, he will have to dedicate the other 32 foot strip of land to the City to create a 64 foot wide street. Once a full street is developed, the City would be able extend utilities and allow lot development to occur behind the Leeker's store.

The driveway that will access Sid Unruh's office building will utilize this street right-of-way. When the street is fully dedicated, Sid Unruh understands that he will need to adjust his driveway entrance and pay for a special assessment for the road and utilities (when installed).

This dedication needs to be forwarded to the City Council for their action to accept the street as public right-of-way.

MOTION: Based on City Staff recommendation, public comments, and discussion by the Planning Commission, Commissioner Colbert made a motion to recommend approval of a 32 foot wide (half a dedicated public street) along the entire south line of the Leeker Valley Center Inc. property, south of Leeker's Grocery Store. Motion was seconded by Commissioner Stamm and passed unanimously.

ITEMS BY PLANNING COMMISSIONERS:

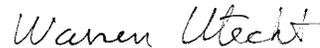
- Ronald Colbert Sr. – None
- Matt Stamm – None
- Dee Wretberg – None
- Terry Nantkes – None
- Don Bosken – Appreciated the Pledge of Allegiance
- Danny Park – Shared his concern over the recent Wetland Trail project. Stated how he felt it was crucial that staff be neutral.

ADJOURNMENT:

Motion made by Commissioner Nantkes and second made by Commissioner Wretberg to adjourn. Motion passed unanimously

Time of Adjournment 7:48 p.m.

Respectfully submitted,



Warren Utecht,
Planning Commission Secretary

Minutes to be reviewed and approved by the Valley Center Planning Commission on July 23, 2013.

/Danny Park/
Danny Park, Chairperson
WU/dt