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# Press Release

## City Commission approves self-storage unit doors amendment

*Commissioners also approve Buchanan Ave. vacation for Cowley College*

ARKANSAS CITY, Kan. (February 19, 2016) — The City Commission of Arkansas City voted 5-0 during its regular meeting Tuesday night to approve an ordinance amending Subdivision Regulations Article 13 to lessen existing restrictions on doorways in mini-warehouse facilities or self-storage units.

The change, originally suggested Jan. 5 in a motion by the City Commission, will allow the doors on a proposed new storage unit to face Skyline Road or MeadowWalk Apartments, or both, as long as the site is screened from view appropriately. It was recommended last week by the Planning Commission.

The previous regulations did not allow door openings that face “any residentially zoned property or public right-of-way.” The City Commission struggled with that prohibition when considering a conditional-use permit for just such a storage unit at 1125 W. Skyline Road during its meeting on Dec. 1, 2015.

Testimony from the property owners indicated it would present a hardship for them, and Mayor Chad Giles was critical of the public right-of-way portion because of a possible impact on public safety.

The commissioners sent the permit back to the Planning Commission with a request to consider amending that requirement or deleting it entirely, but after extensive discussion on Dec. 8, that board declined to include an amendment as part of other revisions to the zoning and subdivision regulations.

The Planning Commission’s sentiment at the time was that rather than continue to make exceptions for this single piece of property, its members preferred that the City Commission issue some direction.

In response, the City Commission instructed City Attorney Tamara Niles to draft new language to fix the issue. Her alteration allows screening to obstruct the doors from external view.

“The buildings shall be architecturally compatible with the existing neighborhood,” the new regulations state. “To that end, newly constructed mini-warehouse storage units either shall (a) install a

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screen to shield door openings from residentially zoned property and public right-of-way, or (b) face door openings away from any residentially zoned property or public right-of-way.”

### **Buchanan Avenue vacation**

The City Commission also voted 5-0 on Tuesday night to vacate the eastern portion of Buchanan Avenue, between A and Summit streets.

The vacation, which also includes the alley in Block 2 of South Park Addition that runs just west of Cowley College’s Travis Hafner Training Center, was made at the request of the college, which owns all of the adjacent property. The City will continue to maintain an easement for various utilities in the area.

The Planning Commission on Feb. 9 held a public hearing to consider the advisability of and voted 5-0 to recommend granting Cowley College’s petition to vacate the right-of-way on Buchanan.

One commissioner asked City Planner Josh White what the college’s plans for the area were.

Gloria Walker, vice president of finance and administration, indicated last week that the college has no immediate plans to change anything on the street, which leads directly to a parking lot.

White added Tuesday night that the overall vision for the area, as expressed in the college’s 30-year master plan, was to expand its athletic complex and eventually co-locate all of its athletic facilities there.

He guessed that the road will remain in place to preserve access to the training center’s parking lot, but added that the college may choose to replat the area in the future in order to clean up the parcels.

### **In other business Tuesday, the City Commission:**

- Unanimously approved the following consent agenda items: the Feb. 2 regular meeting minutes as written; and the appointment of City Attorney Tamara Niles to the vacant City position on the Juvenile Corrections Advisory Board.
- Voted 4-1 to approve a resolution authorizing the City to enter into a contract agreement with Andale Ready Mix Central, Inc., to repair a number of concrete panels and their subsurface base on Goff Industrial Park Road, for an amount not to exceed \$67,000. The road is the main access for Creekstone Farms Premium Beef. Andale is already mobilized near the site because of the ongoing 61<sup>st</sup> and Skyline roads reconstruction project. Public Works Director Eric Broce said the project would be paid for using some of the street reimbursement funds recently

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received from the Kansas Department of Transportation that should have been paid back to the City in 2010, but were overlooked. Commissioner Brandon Every cast the lone dissenting vote.

- Voted 3-2, with Commissioners Every and Dan Jurkovich dissenting, to approve a resolution authorizing the City to enter into a change order agreement with Andale Ready Mix Central for the aforementioned improvements on Skyline and 61<sup>st</sup> roads, for an amount not to exceed \$44,249.14. Broce said the project has been coming in under budget, so he wanted to add back in some of the items that initially were cut from the project scope, such as crosswalks at the 61<sup>st</sup>-Skyline intersection and additional new signage. A previous motion by Every, seconded by Jurkovich, would have paid for just the changes that already have occurred on the project and not Broce's planned additions, which have not been completed yet, but it failed by a vote of 2-3.
- Voted 3-2 to approve a resolution authorizing the City to enter into a contract agreement with Bradburn Wrecking Company, Inc., of Wichita, for the demolition of 606 S. Summit St., for an amount not to exceed \$78,080. The large commercial building was condemned as a dangerous structure by the City Commission last December, but the \$75,000 set aside to pay for it in the 2015 budget since has rolled back into the general fund as cash carryover and this year's demolition budget of \$25,000 already has been expended. In order to pay for this additional demolition, Giles' motion requires the Parks and Facilities Division to delay until at least 2017 a planned remodel of the City Hall elevator that was expected to cost around \$92,000. Every and Jurkovich voted against the modified resolution.
- Heard a first reading of and unanimously approved an ordinance modifying Municipal Code Section 18-77 to no longer require hotels to produce their guest registries for police inspection without a search warrant. Niles said the previous code section was not defensible in court.
- Received Spring Hill Golf Course's annual report and heard an update on City board vacancies.
- Heard updates from Police Chief Dan Ward on whether citizens may discharge firearms within the City limits to dispose of wild animals — they may not, unless their life is in immediate danger — and ongoing burglaries in Bolton Township, south of Arkansas City. Ward gave an update on the efforts of the Arkansas City Police Department's Burglary Task Force and said any ACPD presence in the township was due to follow-up investigation of suspects who have lived there.
- Adjourned into a two-hour joint meeting with the South Central Kansas Medical Center Board of Trustees and administrative staff. The ultimate consensus of the board during the discussion was that the City should approve for a mail-in ballot a sales tax question that asks for a full one-cent special sales tax, rather than the originally proposed half-cent tax, the proceeds of which would go directly to pay the Public Building Commission's debt service obligations. City

Manager Nick Hernandez, however, suggested looking at a general sales tax, which does not sunset and must be removed by a resolution of the City Commission, rather than a special sales tax that must sunset after 10 years. No formal vote was held on the matter, but a proposed sales tax question likely will be on the City Commission's agenda for its next meeting at 5:30 p.m. March 1 in the commission room at City Hall, 118. W Central Ave.