

Call meeting to order on February 11, 2020 at 5:30 PM:

Roll Call: Mary Benton Lloyd Colston Paisley Howerton Charles Jennings Andy Paton
Cody Richardson Dotty Smith

1. Declaration:

At this time I would like to ask the Planning Commission members to make a declaration of any conflict of interest or of any Ex parte or outside communication that might influence their ability to hear all sides on any item on the agenda so they might come to a fair decision.

2. Public Comments:

Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three minutes. Any presentation is for information purposes only. No action will be taken.

3. Select chair/vice-chair for 2020.

4. Consent Agenda:

Meeting Minutes, **December 10, 2019 meeting.**

5. Hold a public hearing to consider a request for a vacation of all of 8th Street north of Goff Industrial Park Road.

Motion: To recommend approval (or disapproval) a vacation request to the City Commission of all of 8th Street north of Goff Industrial Park Road reserving a utility easement over the entire area.

Roll Call: Benton Colston Jennings Paton Richardson Smith

6. Make a recommendation to the City Commission for a representative to the Historic Preservation Board.

7. Make a recommendation to the City Commission for a representative to the Capital Improvement Plan Committee.

8. Recess the Planning Commission and Convene the Board of Zoning Appeals (Growth Area members should step down)

Motion: To recess the Planning Commission and convene the Board of Zoning Appeals

9. Select a chair/vice chair for 2020.

10. Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission (Growth Area members may return).

Motion: To adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission.

11. Other Items:

12. Adjournment:

Future Meetings: The Planning Commission/Board of Zoning Appeals regularly meets on the 2nd Tuesday of the month at 5:30 p.m. if there are any items on the agenda.

Action Items 1-4

Title:

Declaration, Public Comments, Consent Agenda & the election of chair and vice-chair for 2020.

Description:

The Chair should read the Declaration, followed by public comments for items not already on the agenda. In accordance with the bylaws, the Planning Commission should then nominate and elect a chair and vice-chair for 2020.

Consent Agenda Item: Meeting minutes for the December 10, 2019 meeting is attached.

Action:

After the Declaration has been read and public comments have been received, a motion should be made to elect a chair and vice-chair for 2020. Once those motions are made and passed, the new chair will take over and a motion should be made to approve the consent agenda as written or with appropriate changes as discussed.

Call meeting to order on December 10, 2019 at 5:30 PM:

Roll Call: Mary Benton Charles Jennings Andy Paton Cody Richardson Dr. Scott Rogers
Dotty Smith Chris Tackett

Staff present at roll call was Public Information Officer Andrew Lawson and Principal Planner Josh White

Also present at roll call were Sara Williams and Harold Arnett representing Best Western and SCKMC; Citizens Jeff and Natasha Bryant, Mark and Robin Bartlett and an unidentified county resident.

1. Declaration:

No declarations of outside or ex parte communication or other conflicts of interests were made.

2. Public Comments:

No members of the public brought any comments for items not on the agenda.

3. Consent Agenda:

Rogers made a motion to approve the October 29, 2019 meeting minutes as written. Smith seconded the motion. Voice vote carried the motion.

4. Recess the Planning Commission and Convene the Board of Zoning Appeals (Growth Area members should step down)

Jennings made a motion to recess the Planning Commission and convene the Board of Zoning Appeals. Rogers seconded the motion. Voice vote carried the motion. Rogers turned the meeting over to Benton. Benton opened the meeting of the Board of Zoning Appeals.

5. Hold a public hearing to consider a request for a variance to the front yard setback for an addition at 514 Highland Drive

Benton declared the public hearing open. The meeting was turned over to White for the staff report. The project involves an addition of a covering over a new proposed circle drive on the front of the home that would encroach upon the required front yard setback. He indicated staff had no objections to the approval of a variance. Jeff Bryant passed out a drawing of the proposed structure. Smith asked if the house to the south had an existing circle drive. Pictures determined this to be true. Smith asked about drainage issues and applicant Jeff Bryant spoke of his plans for drainage. Drainage was briefly discussed. She also asked if there was any opposition to the request. White indicated he had previously heard no opposition prior to the meeting. Robin & Mark Bartlett of 416 Highland Drive both expressed opposition to the variance citing concerns about the project changing the appearance of the neighborhood and possibly being in violation of covenants placed on the property. Smith asked Bryant to further explain the project. Bryant gave the details of the project noting that carport was not an accurate description as he felt that implied cheapness. This project would be tied into the home and would be tastefully designed. Smith, Rogers & Jennings noted that the project would not obstruct any view and the objection seemed to be more about personal preference. Staff reiterated that this project should not cause any safety or visibility concerns. Smith asked if Bryant was aware of any covenants. Bryant stated he was unaware of any covenants placed on the property. White pointed out that staff does not enforce covenants as they are a private agreement and staff was also unaware of any covenants that may be in place. Jennings asked if any action by the board would not prevent neighbors from filing civil suit against the project. White said no and noted any decision of this board could be appealed to District Court. Jennings made a motion to close the public hearing. Smith seconded the motion. The public hearing was closed. Board members held further discussion on the variance. Smith asked White to confirm who was notified. White noted letters were sent to all property owners within 200 feet. Harold Arnett 2202 Fairlane asked to speak on the request as well. Benton granted his request. Arnett

requested the item be tabled until more research could be done in regards to the covenants. He asked for some clarification of the project and stated he personally did not have any objections. He said this affected the whole neighborhood not just those within 200 feet and felt that more time was needed for the neighborhood to learn more about the project. Jennings expressed concern about not having absolutes. Tackett pointed out that he understood the desire to not spend a lot of money on design and exact measurements if approval of the request may be denied. Smith made a motion to approve a variance to allow a 10 foot front yard setback for an addition at 514 Highland Drive. Benton seconded the motion. The vote was taken by roll call.

Yes: Benton, Jennings, Richardson, Rogers, Smith **No:** Tackett

The motion was declared passed on 5-1 vote.

6. Hold a public hearing to consider a request for a sign variance at 6100 Patterson Parkway

Motion: To approve (or disapprove) a variance to allow a pole sign to exceed the maximum size by 120 square feet at 6100 Patterson Parkway.

Benton opened the public hearing and turned to meeting over to White. White presented the staff report. The project involves a sign that would exceed the allowable size in the C-3 district. He stated that staff had no objection to the granting of the variance due to the fact that it is a sign along a highway and is setback considerably from the roadway itself and would not adversely impact any neighbors. He did note that Strother Field had requested that the lighting be directed downward so as to not affect any incoming air traffic. Smith & Rogers felt this would help with visibility for the two entities as long as Strother Field's concerns were addressed. A county resident present stated that he had no objection, he just wanted to verify the proposed placement of the sign. Rogers made a motion to close the public hearing. Jennings seconded the motion. Voice vote carried the motion. The public hearing was closed. Rogers made a motion to approve a variance to allow a pole sign to exceed the maximum size allowed by 120 square feet at 6100 Patterson Parkway subject to the condition that the lights be pointed downward as requested by Strother Field Airport. Jennings seconded the motion. The vote was taken by roll call.

Yes: Benton, Jennings, Richardson, Rogers, Smith, Tackett **No:** None

The motion was declared passed.

7. Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission (Growth Area members may return).

Jennings left the meeting. Rogers made a motion to adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission. Smith seconded the motion. Voice vote carried the motion.

8. Other Items:

White mentioned that this was the last meeting for Rogers as he would be joining the City Commission in January. This would also be the last meeting for Tackett who asked to not be reappointed when his term expires. White stated staff is working with the incoming mayor to find replacements. Smith indicated she had several potential candidates and requested applications be sent to her. White stated he would do that.

9. Adjournment:

Tackett made a motion to adjourn. Richardson seconded the motion. Voice vote carried the motion. Meeting adjourned.

Action Item 5

Title:

Consider a request for a vacation of all of 8th Street north of Goff Industrial Park Road.

Description:

Creekstone Farms has filed a request to vacate 8th Street north of Goff Industrial Park Road. Adjacent property owners include: to the northwest is Steve & Connie Tyler, to the East and West is owned by the applicant, to the southwest is owned by Arkansas City Industries and to the Southeast is Wichita Warehouse Realty (Kan-Pak). All adjacent property owners were notified. The street was built but only accesses the applicant's property. The vacation of the street would aid in the applicant's ongoing expansion efforts. The City would like to retain a utility easement over the entire area. The Technical Advisory Committee expressed no concerns except that emergency vehicles should be able to continue to access the site as needed. Staff recommends approval of the request to vacate the area with the provision that a utility easement be maintained over the entire area.

- No private rights will be injured or endangered as the applicant owns all property adjacent and the public should suffer no loss
- The proposed vacation with retention of the utility easement leaves access to any current and proposed future utilities.

Action:

Hold a public hearing. After the public hearing is closed, make a motion to recommend approval (or disapproval) a vacation request to the City Commission of all of 8th Street north of Goff Industrial Park Road reserving a utility easement over the entire area.



STAFF REPORT

City of Arkansas City Neighborhood Services Division
 Josh White, Principal Planner
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CASE NUMBER
 VR-2020-040

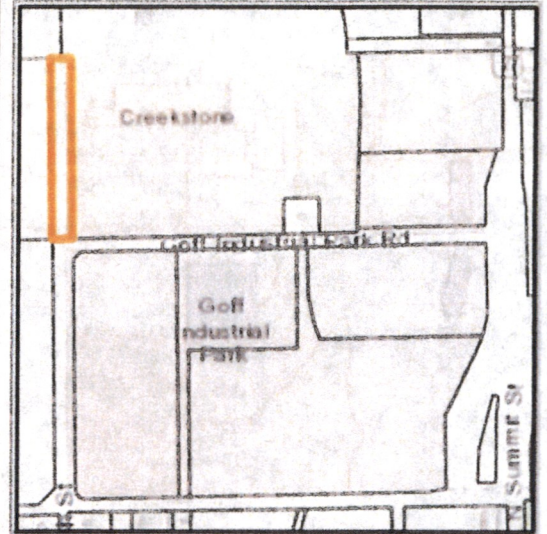
APPLICANT/PROPERTY OWNER
 Creekstone Farms Premium Beef LLC

PUBLIC HEARING DATE
 February 11, 2020

PROPERTY ADDRESS/LOCATION
 8th Street North of Goff Industrial Park Rd

BRIEF SUMMARY OF REQUEST

Creekstone Farms has filed a request to vacate 8th Street north of Goff Industrial Park Road. Adjacent property owners include: to the northwest is Steve & Connie Tyler, to the East and West is owned by the applicant, to the southwest is owned by Arkansas City Industries and to the Southeast is Wichita Warehouse Realty (Kan-Pak). All adjacent property owners were notified. The street was built but only accesses the applicant's property. The vacation of the street would aid in the applicant's ongoing expansion efforts. The City would like to retain a utility easement over the entire area. The Technical Advisory Committee expressed no concerns. Staff recommends approval of the request to vacate the area.



Map data ©2020 Esri World Topographic Map

EXISTING ZONING Not applicable	EXISTING LAND USE Street	SURROUNDING ZONING & LAND USE North-Unzoned/Industrial (I-2) East-Industrial(I-2) South-Right of Way West-Unzoned County	SITE IMPROVEMENTS Street	SIZE OF PROPERTY Approx 3 acres
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STAFF RECOMMENDATION

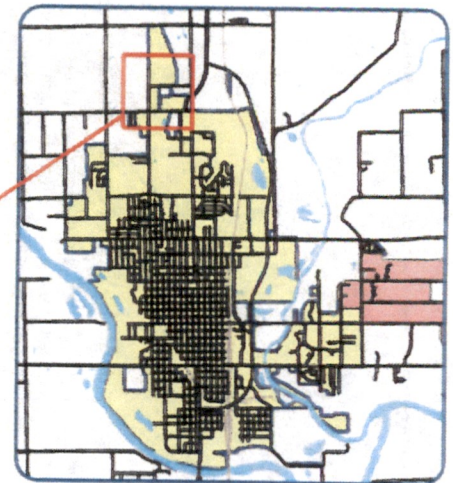
Staff recommends approval subject to retaining a utility easement over the entire area to be vacated.

TECHNICAL ADVISORY COMMITTEE COMMENTS The committee reported no issues as long as a utility easement is retained and emergency vehicle access is maintained.	PROPERTY HISTORY The road was built about 1999 alongside the new Future Beef facility which would later become Creekstone Farms. The area was annexed into the City in 2000.
	NOTICE GIVEN Proper notice was published in the newspaper. Notices were sent to the adjacent property owners.




PRIVATE RIGHTS /PUBLIC GAIN/LOSS No private rights will be injured or endangered as the applicant owns all property adjacent to the proposed vacations. The proposed vacation leaves proper access to maintain the existing utilities, subject to the reservation of a utility easement. Due to the development of the facility, it is unlikely any member of the public would need to access this area. The public should suffer no loss.
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Proposed Vacation of Right of Way

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR Aero, IGN, USDA, USDA, AeroGRID, IGN, and the GIS User Community



Vacation of Right of Way Requested
8th Street from Goff Industrial Park Road
to the North end at the half-section line.

-  Vacation Request
-  Property Lines
-  City Limits

Produced by the
City of Arkansas City GIS
using the best available
data to date.
Created: January 14, 2020



Action Item 6

Title:

Make a recommendation to the City Commission for a representative to the Historic Preservation Board.

Description:

The Planning Commission makes a recommendation of one member to the Historic Preservation Board every three years. The current member is Charles Jennings. Staff recommends that he be reappointed at this time.

Action:

Make a motion to recommend a representative to the Historic Preservation Board

Action Item 7

Title:

Make a recommendation to the City Commission for a representative to the Capital Improvement Plan Committee.

Description:

The Planning Commission makes a recommendation of one member to the Capital Improvement Plan Committee each year. This helps to ensure that the goals of the Comprehensive Plan are met when making plans for future capital improvements in the City.

Action:

Make a motion to recommend a representative to the Capital Improvement Plan Committee.

Action Item 8

Title:

Recess the Planning Commission and convene the Board of Zoning Appeals

Description:

This is a chance for Planning Commissioners or staff to bring up miscellaneous items not on the agenda and to make announcements.

Action:

No further action is necessary.

Action Item 9

Title:

Elect a chair and vice-chair for 2020

Description:

In accordance with the bylaws, a new chair and vice-chair should be elected at the first meeting of each year.

Action:

Make a motion to appoint a chair for 2020. Make a motion to appoint a vice-chair for 2020

Action Item 10

Title:

Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission

Description:

At this time it is necessary to adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission

Action:

Make a motion to adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission.

Action Item 11

Title:

Other Items

Description:

This is a chance for Planning Commissioners or staff to bring up miscellaneous items not on the agenda and to make announcements.

Action:

No further action is necessary.

Action Item 12

Title:

Adjournment of Planning Commission

Action:

Make a motion to adjourn the Planning Commission. The next regularly scheduled meeting is at 5:30 p.m. Tuesday, March 10 if there is any business to come before either board.