



# City of Arkansas City

## PLANNING COMMISSION MEETING MINUTES

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Tuesday, July 13, 2021 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS

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### Call to Order

### Roll Call

PRESENT: Chair Andy Paton, Mary Benton, Ian Kuhn, Lloyd Colston, Joni Curl

ABSENT: Charles Jennings, Paisley Howerton, Karla Gallegos, Cody Richardson

Staff present at roll call was Principal Planner Josh White, Public Information Officer Andrew Lawson and City Manager Randy Frazer.

Also present at roll call was Cheri Hulse and Holly Harper representing Cowley College; Jeff Sherrard of Alloy Architecture representing USD 470; Sandra Davis and Deb Davidson representing the Arkansas City Recreation Commission; Harrison Taylor and Candace Hendricks representing the Beautification Advisory Board; and two members of the public.

### Declaration

*At this time, Planning Commission members are asked 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.*

No members declared any conflict of interest or ex parte communication.

### Public Comments

*Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only. No action will be taken.*

There were no comments from the public regarding items not on the agenda.

### Consent Agenda

1. Meeting Minutes, **June 8, 2021 meeting.**  
Motion made by Colston, Seconded by Benton to approve the minutes as written  
Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

### Public Hearings

2. **Hold a public hearing to consider the advisability of rezoning 1110 E Kansas Ave from a MU Mixed Use District to a C-3 General Commercial District**  
Motion made by Colston, Seconded by Benton to open the public hearing  
Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl  
White presented the staff report on the rezone request. The proposal was the rezone from MU to C-3. The City proposes to transfer about 12 acres to KLANDS Venture LLC to develop a travel center. The property was annexed in 2007 as zoned MU in 2014 as we weren't sure how the property would be used. MU will not allow the proposed use so it will need to be rezoned. This project will help alleviate some of the problems with truck parking for Creekstone Farms. The property has received a

Conditional Letter of Map Revision based on fill based on fill. Paton asked if there will be any fill. White said that there would some fill brought in but that would have been required to level the lot anyway. Kuhn asked if they had received the approval from FEMA. White replied yes, but conditionally until the project is complete. Colston asked about run-off. White indicated a drainage plan would be required. Staff recommends approval of the rezone request. Kuhn asked about required utilities. White stated that sewer would have to be extended to the site but the other utilities should be readily available. He did note that there would need to be an approach and likely turn lane. Colston asked for clarification on the project. White described the project noting that it would be a truck stop with restaurant and convenience store. Harrison Taylor asked if there was any way to stop truck traffic from going westbound on Kansas Avenue. White said that trucks would not be allowed to go that direction as it is not a designated truck route. Kuhn asked if any plans had been submitted. White indicated we had not received any plans beyond the preliminary site plan which he reviewed. Paton asked if the City had acquired an easement for the sewer line but White said that had not happened yet.

Motion made by Colston, Seconded by Benton to close the public hearing

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

Motion made by Colston, Seconded by Benton to recommend the rezoning of 1110 E Kansas Avenue from MU Mixed Use District to a C-3 General Commercial District.

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

**3. Hold a public hearing to consider the advisability of rezoning 315 E Filmore Avenue from a “R-1” Low Density Residential District to a “P” Public Use District**

Motion made by Colston, Seconded by Benton to open the public hearing

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

White presented the staff report for the rezone request. The proposed use is public and will be a bus barn. Cowley College owns the property to the east as well but is not requesting a rezone for that property at this time. The property has remained vacant since 1994 when the existing house was demolished by the City. The college bought the property in 2012 and it has remained vacant ever since. The property owner to the south had no real concerns with the proposed use. He noted that the crime in the area might actually be reduced by its presence. Curl noted that the buses are currently stored outside. The Planning Commission agreed getting a more secure building for these would be good for these publicly owned buses. Sandra Davis asked if there were any plans to improve the curb and gutter in the area. White replied there were no plans for that. In response to some questions he noted that there were no known drainage problems in the immediate area. Staff recommends approval of the rezone request.

Motion made by Colston, Seconded by Curl to close the public hearing.

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

Motion made by Colston, Seconded by Curl to recommend approval of the request to rezone 315 E Filmore Avenue from a R-1 Low Density Residential District to a P Public Use District.

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

## **Board of Zoning Appeals**

**4. Recess the Planning Commission and convene the Board of Zoning Appeals**

Motion made by Colston, Seconded by Benton to recess the Planning Commission and convene the Board of Zoning Appeals

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl

White reminded the Board of Zoning Appeals that Curl is not a member of the Board of Zoning Appeals. Paton asked for clarification on who chair was. White stated that the Chair was Jennings who was absent but the vice-Chair is Paton. Paton assumed the duties of chair for the meeting.

**5. Elect a chair and vice-chair for 2021**

Motion made by Colston, Seconded by Benton to reappoint Jennings as Chair and Paton as Vice-chair for the remainder of 2021.

Voting Yea: Chair Paton, Benton, Kuhn, Colston

**6. Hold a public hearing to consider the advisability of granting a variance for a sign to exceed the maximum allowed height by 4' 6" and exceed the maximum size by 26 square feet at 1200 W Radio Lane.**

Motion made by Colston, Seconded by Benton to open the public hearing.

Voting Yea: Chair Paton, Benton, Kuhn, Colston

White presented the staff report on the variance request. Request filed Jeff Sherrard of Alloy Architecture on behalf of the school district. The sign would be larger and taller than allowed in the P district. The applicant argued that the sign regulations would not allow a large enough sign for the proposal. White clarified that the notifications were sent to all properties within 200 feet of the USD 470 property and not within 200 feet of the sign so some property owners would not even be able to see the sign from their property. White also indicated that the nearest home was 250 feet away from the sign but the regulations state that the property line is within 200 feet so the electronic message center would be required to be shut off between the hours of 10 PM and 6 AM. White noted that he is a representative of the Church of the Nazarene but had no further comment on that matter. A resident asked what the sign would say. White clarified that the sign would show the school's activities. The school district has long wanted a sign that would allow more messaging. White felt that the expanded sign size would be acceptable do to the size of the property and the distance from the nearest homes. Staff recommends approval of the variance request. Paton asked about the crosswalk to the east of this area. White said there were no plans to expand signals in this area. Lawson indicated the Traffic Safety Committee will be discussing this issue further. Colston asked if there was any feedback from the neighbors. White said there was none. Kuhn suggested that the sign regulations should be adjusted for P Districts. White stated that could be looked at after the Comprehensive Plan is done next year. Sherrard added that the sign would be comparable to what would be allowed in the C-2/C-3 district and due to the nature of this area felt the sign should be allowed.

Motion made by Colston, Seconded by Benton to close the public hearing.

Voting Yea: Chair Paton, Benton, Kuhn, Colston

Motion made by Colston, Seconded by Benton to approve a variance to allow a sign to exceed the maximum allowed height by 4'6" and exceed the maximum size by 26 square feet at 1200 W Radio Lane.

Voting Yea: Chair Paton, Benton, Kuhn, Colston

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

Motion made by Benton, Seconded by Colston to adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission

Voting Yea: Chair Paton, Benton, Kuhn, Colston

**Items for Discussion**

**8. Comprehensive Plan discussion on Parks and Recreation**

White asked for the Planning Commission to look at potential goals as well as the Paris Park Pool Facility Evaluation Report. Deb Davidson of the Arkansas City Recreation Commission discussed the findings from the report. Planning Commissioners agreed that something needed to be done and welcomed public input. It was discussed that if possible the facade of the bath house should be saved if the building cannot be. Kuhn suggested the fundraising be done to pay for the improvements. White noted that there will be a number of public forums to gain input. Several goals

were discussed including a master plan for Paris Park including the pool, maybe some smaller goals for every park as recommended by the Beautification Advisory Board and a dedicated funding source for parks as possible. Lawson noted that the Historic Preservation Board had finished a project for a walking tour and would be helping to provide goals for the historic preservation portion of the Plan.

#### **Other Items**

Lawson noted that the next topic would be community health. The Planning Commission agreed.

#### **Adjournment**

Motion made by Colston, Seconded by Curl to adjourn the meeting.

Voting Yea: Chair Paton, Benton, Kuhn, Colston, Curl