



# City of Arkansas City

## PLANNING COMMISSION MEETING

### AGENDA

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Tuesday, January 10, 2023 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS

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GoTo Meeting: <https://meet.goto.com/692023565> or call +1 (646) 749-3122 **Access Code:** 692-023-565

#### Call to Order

#### Roll Call

Mary Benton\_\_ Lloyd Colston\_\_ Brandon Jellings\_\_ Ian Kuhn\_\_ Kyle Lewis\_\_ Cody Richardson\_\_  
Tom Wheatley\_\_

#### Consent Agenda

1. Meeting Minutes, **December 13, 2022 meeting.**

#### Public Hearings

2. Hold a public hearing on the proposed 2022 Comprehensive Plan updates

#### Other Items

#### Adjournment



# City of Arkansas City

## PLANNING COMMISSION MEETING

### MINUTES

**Tuesday, December 13, 2022 at 5:30 PM – 400 W Madison Ave, Arkansas City, KS**

Chair Ian Kuhn called the meeting to order at 5:30 PM.

Present was Mary Benton, Lloyd Colston, Ian Kuhn, Kyle Lewis, Cody Richardson, and Tom Wheatley.

Also present was Alex Munoz from Creekstone.

#### 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 declarations were made.*

#### 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. No comments were received.*

#### Consent Agenda

1. Meeting Minutes, **October 11, 2022 meeting.**
  - a. Lloyd Colston made the motion to approve the meeting minutes and Tom Wheatley made the second motion. Voice vote carried the motion.

#### Consideration

2. Consider a recommendation to the City Commission regarding the annexation of 300 Goff Industrial Park Road and 26865 61<sup>st</sup> Road.
  - a. Josh explained to the board that this would be a three part thing. Josh went on to explain that he received a petition for annexation of 300 Goff Industrial Park Road. He showed the board the overhead view of the property as well as when property is annexed, it is automatically zoned R-1.
  - b. Cody Richardson made the motion and Tom Wheatley made the second. Voice vote carried the motion.

#### Public Hearings

3. Hold a public hearing to consider the advisability of rezoning 300 Goff Industrial Park Road from an R-1 (Low Density Residential District) to a C-3 (General Commercial District).
  - a. Ian asked if anyone would like to speak to the board about the property being annexed.
  - b. Randall McMains of 26281 61<sup>st</sup> Rd doesn't have an issue with the Creekstone but does not want to be annexed. Wants the board to be clear that there are several neighbors that live by Creekstone, but they don't want to be annexed. Peggy Good (26473 61<sup>st</sup> Rd) is the closest neighbor. She asked about the property zoning, Ian and Mr. McMains were able to clarify the zoning for Mrs. Good. Josh explained to McMains that the current commission is only interested in annexing what Creekstone has asked for, nothing more.

- c. Ian asked for any other comments from the audience. Representative from Creekstone, Alex Munoz explained that Creekstone is very excited about the expansion and hopes to help support the community with childcare.
  - d. Roll Call Vote: Tom Wheatley made the motion to vote on the annexation and Kyle Lewis made the second. Roll Call vote was completed with 6 yes'
4. Hold a public hearing to consider the advisability of rezoning 26865 61<sup>st</sup> Road from an R-1 (Low Density Residential District) to an I-2 (Heavy Industrial District).
- a. Property is pre-existing. Josh showed the board the pictures and explained the difference between this area and the other. Ian asked if Josh felt that this would be best served with Creekstone, and Josh agreed.
  - b. Ian opened the public hearing/comments and asked if anyone would like to speak. Peggy Good said she spoke with the builder and was pleased that he took the time to listen to her.
  - c. Lloyd Colston made the motion to approve the rezone from an R-1 to an I-2 and Tom Wheatley made the second. Roll Call vote carried the motion with 6 yes'

### Comprehensive Plan

5. Comprehensive Plan discussion
- a. Josh asked if there was anything to change for the first 7 chapters. Ian didn't see anything that stood out. Per Ian's notes, water distribution was discussed, priorities were discussed. Josh explained items from 2013 were no longer needed. Tom Wheatley asked if the valve replacement was in the plane, Josh thought it was.
  - b. Josh stated that chapter 8 is a different chapter compared to the rest. This chapter is designed to do is influence the zoning regulations. Josh wanted to hit a few high points of this chapter. Josh showed the current future land use map, showing where zoning should be.
  - c. Ian asked why there would not be any mass re-zonings, Josh explained that there would be, but not like there was in 2014.
  - d. Ian stated that he felt there were a lot of exceptions of zoning granted the past few years and it could look like favoritism.
  - e. Josh mentioned the section of 1<sup>st</sup> street south of Kansas could have special regulations just for that area. Suggestions, no traffic on 1<sup>st</sup> street. For example, Family Dollar could have taken out a few more houses instead of an exit off 1<sup>st</sup> street.
  - f. Historic District, overlay doesn't do anything, just maps it.
  - g. The site plan regulations are currently in the planning regulations, Josh recommended to move it back to the zoning regulations.
  - h. Josh stated the zoning plan and future land use wouldn't be exact. Josh showed the current zoning maps and the future land use map kind of follows the zoning map. Josh clarified future land use areas of the town.
  - i. Ian asked what Josh's timeline would be for the document. After Josh explained, Ian stated that he would like to see a public hearing for the comp plan in January. Ian asked if anyone else had any discussions on the idea of having a public hearing in January. Josh explained to the board what the process would be for that.
  - j. Josh stated that there are no regulations about tiny homes. Discussions included that the homes were stick built homes on a trailer at times and placed on a permanent foundation. Airbnb are also not discussed.
  - k. Ian proposed that the comp plan be submitted for a public hearing. Lloyd moved that the plan be submitted for public hearing in January and Tom Wheatley made the second. Voice vote carried the motion.

Adjournment

Ian made the motion to adjourn the meeting at 7:15 PM and Lloyd made the second. Voice vote carried the motion.

DRAFT



# Planning Commission Agenda Item

**Meeting Date:** 1/10/23  
**From:** Josh White, Principal Planner  
**Item:** Comprehensive Plan Public Hearing

**Purpose:** Hold a public hearing on the proposed 2022 Comprehensive Plan updates

**Background:**

The last Comprehensive Plan update occurred in 2013. Much of the content has started to become out of date. Comprehensive Plans are supposed to be reviewed annually but major updates tend to happen every 5 years or so. Starting in August 2020 the Planning Commission started reviewing each Chapter of the 2013 Plan. Other city boards including the Beautification and Tree Advisory Board, the Equal Opportunity and Accessibility Advisory Board and the Historic Preservation Board also provided input throughout 2021 and 2022. At the December 2022 meeting, the Planning Commission voted to set a public hearing which is required in order to adopt a Comprehensive Plan. The purpose of the public hearing is to gather input from the public on the draft plan. At the conclusion of the hearing, the Planning Commission could make minor changes to the Plan based on feedback from the public or could vote to advance the Plan to the City Commission. The City Commission will have ultimate responsibility of approval of any Plan changes or updates.

As part of the hearing process, staff will present a summary of the new Plan to those in attendance. After the presentation is over, the public hearing can be opened. Barring any major issues that arise during the public hearing, staff recommends voting to recommend approval of the 2022 Comprehensive Plan to the City Commission. Upon such a vote, staff will prepare to present the Plan likely at a City Commission study session and is hopeful that adoption of the Plan could happen in February or March.

**Action:**

Hear staff report, hold public hearing, make a motion to recommend approval/disapproval of the 2022 Comprehensive Plan to the City Commission.

**Attachments:**

Executive Summary, the full draft 2022 Comprehensive Plan is available by visiting  
<https://www.arkcity.org/neighborhood-services/page/2022-comprehensive-plan-update>

## EXECUTIVE SUMMARY: AN OVERVIEW TO THE ARKANSAS CITY 2022 COMPREHENSIVE PLAN

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One primary purpose of this Comprehensive Plan is to provide a rational basis for zoning decisions, patterns of land use, and actions (both public and private) affecting the physical development of Arkansas City as well as its economic development. This Plan seeks to coordinate publicly financed capital improvements, such as streets, sewers and water lines, with private development activities that produce homes and businesses.

Another primary purpose of this Plan is to identify and articulate the needs and desires of the citizens of Arkansas City. While undertaking such a task is always challenging – and results are inherently subject to differing interpretations – this Plan enjoys the benefit of multiple surveys completed by citizens in 2021-22 and much of the results from the 2013 Survey are also still recognized. These survey results – which are reported in detail throughout the text of the Plan – are supplemented by input from other sources from the community as well as numerous other recent studies on housing, the economy, infrastructure, and community health. That input – both fact and opinion – was first extensively reviewed and analyzed by the Arkansas City Planning Commission. This document is the work product of citizens who are knowledgeable of their community’s past, its present, and who desire to convey and energize the possibilities for the future.

This Comprehensive Plan, once it is adopted by the City Commission, is the City’s official policy guide for future development. As such the Plan: sets out the City’s planning-related goals; provides a data resource base for long-range and strategic planning; identifies factors influencing growth and development in the area; makes recommendations as to future land use and development in the area so as to guide future planning decisions; and recommends adoption of zoning regulations to enable implementation of the goals set forth in the Plan. Those goals are to **promote economic growth and land use development, and to do so in a manner which protects, and enhances, the factors which already make Arkansas City a good place to live.**

The Planning Area for this Plan includes the land within Arkansas City’s corporate city limits as well as unincorporated lands specified as the City’s "Growth Area". The Future Land Use Maps which are part of the Plan cover the Planning Area.

While Kansas law does not require any city to adopt a Comprehensive Plan, a proper plan is recognized in the law as a means to help cities reach goals and develop an environment that is aesthetically pleasing, safe, operates efficiently, and strives for equitable treatment for all citizens.

While a Comprehensive Plan is not itself a law that can be enforced – as compared to zoning regulations which are – the Plan nonetheless plays a direct role in land use regulatory actions by the City, and as such directly affects property owners and developers. The Plan will be used as a guide by the Arkansas City Planning Commission and City Commission when considering rezoning, condition use permits, and other requests. A legally recognized criterion for City consideration of a rezoning is whether the proposed rezoning is consistent with the City’s adopted plan.

This revision to the 2013 Comprehensive Plan updates the plan including by providing updated data and the update of goals and actions. This document should not be construed as a brand-new plan but rather an updated and revised one. The Planning Commission desired to develop goals that were measurable and specific. Every attempt has been made to achieve that directive. In each Chapter, with the exception of the first two, goals and actions are organized around priorities. Generally, where specific actions build on a goal, they will be listed immediately following the goal. Some goals may not have specific actions listed. Short term priority means a goal or action should be achieved within the next 5 years. Medium term priority means it should be achieved within 5-10 years. A long-term priority means it should be achieved in 10 or more years. A brief synopsis of each of the Chapters follows:

**Chapters One and Two** provide some basic background information, demographic data, history and trends relevant to Arkansas City and some detail as to the nature and extent of some of the assets and resources which help define the “character” of the community. For example, schools, civic organizations, community events and municipal services are described. No attempt has been made to fully list and describe all elements of the community, as such would be a task that would overshadow the fundamental purpose of this Plan.

**Chapter Three – Housing and Neighborhoods:** The goals relating to housing can be stated generally as taking actions to **encourage residential development that will serve the entire community**. This means housing size, type (single-family, detached, duplexes, etc.) and cost that meet the needs of large families and small, higher, middle and lower income, young adults and seniors. It is not the goal of the City government to play a direct role in the housing market but to seek to remove as many obstacles as is possible.

**Chapter Four – Economic Development:** The goals relating to Arkansas City’s economic development are as broad and far-ranging as those for housing: to take actions that will **promote the growth of existing businesses and at the same time create an atmosphere that will appeal to new employees that the community wants to have**. The role of the City will be to encourage and facilitate the efforts of organizations presently engaged in economic development activities.

**Chapter Five – Parks, Recreation and Natural and Historic Resources:** The 2013 community survey identified a general sense of satisfaction with the number and maintenance of existing City parks. Survey responses also showed support for extending the hike and bike trail, and for development of a wetland for wildlife habitat and park and hike and bike trail purposes. The City owns a large number of parcels and structures, including small and seldom-used parks. The City should study each of those properties and determine whether disposition is in the best interests of the community.

**Chapter Six – Infrastructure and Transportation:** The 2013 survey, and other sources, reveals the community is well aware of the importance of a reliable supply of good quality water, the public sewer system and stormwater management. The goals set out in this chapter show the need for capital improvements with respect to all of those municipal services. As for the transportation infrastructure there is a need for a systematic program for improvements to streets and sidewalks to catch up on deferred maintenance.

**Chapter Seven - Community Health:** This chapter shows the connection that exists between housing and health of community members, the economy and health, and municipal services and programs and health. The community's health care resources are described, including the City-County Health Department, and recent studies relating to health care and conditions are summarized. The impact of the Coronavirus pandemic cannot be overemphasized. COVID-19 has changed the healthcare picture forever. It brought to the forefront issues on how public health is handled. Now, more than ever, the City must work to promote public health by promoting our local health institutions and to ensure that public health is looked at in all planning decisions.

**Chapter Eight –Land Use/Growth Management:** The goals in the Plan relating to how the City grows, and what land use is most appropriate for a given piece of property, are broad and far-reaching. Implementing strategies to attain land use goals is important to achieving other goals set forth in the Plan.

The 2013 Plan called for the City’s new land use regulations, and development occurring in accordance with those regulations, to preserve the existing character of Arkansas City while at the same time promoting the area’s economic development, growth and prosperity. Sufficient land area needs to be identified to serve housing needs. Those regulations were developed and have, for the most part, worked well. However, with changes in the community and technologies there is a need to update the regulations to reflect the current trends in place today.

Any updates to the City’s land use regulations and future zoning actions need to take into account the goals relating to commercial and industrial growth. Again, the goal is not just “enough” land zoned to meet such

demands, but land that is well-suited and well-situated for such development given all the interrelated goals of this Comprehensive Plan.

**Future Land Use Maps:** The Future Land Use Maps are a component of this Plan. They show the desired future land use for property within the corporate city limits and within the designated unincorporated area known as the "Growth Area". The land uses as designated on the map do not specifically utilize the proposed new zoning regulations' classification of zoning districts, instead use is made of more generic land use classifications (agricultural, industrial, residential, etc.) that will be more useful to citizens, property owners and the Planning Commission and Governing Body as rezonings are considered.

It is important to understand that the Future Land Use Maps are not zoning maps. They do not impose zoning upon any property. The maps provide a picture of what the community believes the best and/or most likely land uses will be in the future.