

**JUNCTION CITY/GEARY COUNTY  
METROPOLITAN PLANNING COMMISSION  
BOARD OF ZONING APPEALS**

**May 13, 2010  
7:00 p.m.**

**Members Present**

Brandon Dibben  
Maureen Gustafson  
Ken Mortensen  
John Moyer  
Mike Ryan  
Mike Steinfort (arrived at 7:20 p.m.)  
Rick Ziegler (arrived at 7:15 p.m.)

**Members Absent**

None

**Staff**

David Yearout  
Jill Iwen

**1. CALL TO ORDER AND ROLL CALL**

Vice-Chair Maureen Gustafson called the meeting to order at 7:00 p.m. and noted a quorum present.

**2. APPROVAL OF MINUTES.**

It was noted that the minutes of the last meeting were not ready. This matter was continued to the next meeting.

**3. OLD BUSINESS**

**Item No. 1 – Planning Study Report Final Presentation – Students from KSU.**

Representatives from the KSU Student Study Group were present to make the final presentation on the downtown study project. A power point slide show was given outlining the items identified and the areas identified for additional study.

The presentation was well received by the Planning Commission and several Commissioners thanked the students for their work.

Mr. Yearout stated the materials would be included in discussions later this summer on a review of the Comprehensive Plan and the intent was to formally incorporate the study into the Plan.

Professor John Keller was also acknowledged for his guidance to the students on this project.

Both Chairman Steinfort and Commissioner Ziegler arrived during the student's presentation.

#### 4. NEW BUSINESS

**Item No. 1 – Case No. Z-05-01-10 – Public Hearing on request of Veterans Motorcycle Club by Kirk Crabtree, agent, to rezone property at 339 East 10<sup>th</sup>, Junction City, Kansas, from “IL” Light Industrial to “CS” Service Commercial.**

Chairman Steinfort called the public hearing to order on the request of the Veterans Motorcycle Club, by Kirk Crabtree, agent, to rezone property at 339 East 10<sup>th</sup> Street from “IL” Light Industrial to “CS” Service Commercial.

Mr. Yearout provided an overview of the staff report, noting the property has been zoned industrially for a number of years although the primary use of the property has been commercial virtually the entire time. The building had been a bar known as “Adams Place” for most of that time and had recently been used as a restaurant.

The Veteran’s Motorcycle Club desires to establish this as the meeting facility for the organization and in order to accommodate that use the property must be rezoned to a commercial category.

Kirk Crabtree, agent for the Veteran’s Motorcycle Club and also a member of the Club, noted the local organization was fairly small, but they were pursuing additional members. Having a location for the organization will allow that growth potential to more likely materialize. Mr. Crabtree noted the local group was affiliated with the National Veteran’s Motorcycle Club and would continue that association. Mr. Crabtree noted the organization was a philanthropic organization that was involved in a number of charitable activities.

Chairman Steinfort opened the public hearing for comments or questions from the public. No one was present to address the case. Chairman Steinfort closed the public hearing and asked for comments or a motion from the Commission.

Commissioner Gustafson moved to recommend the rezoning of the property at 339 East 10<sup>th</sup> Street, Junction City, from “IL” Light Industrial to “CS” Service Commercial as requested by the Veteran’s Motorcycle Club through Kirk Crabtree, agent. Commissioner Moyer seconded the motion and it passed unanimously.

**Item No. 2 – Case No. FP-05-01-10 – Final Plat of Riffel Addition, a Replat of a portion of Green Hills West Unit No. 2 Addition.**

Chairman Steinfort opened the meeting for consideration of the request of Kaw Valley Engineering, agent, on behalf of Larry and Mary Jane Riffel, owners, for the replat of lots 59 and 60 of Green Hills West Unit No. 2 Addition.

Mr. Yearout reviewed the staff report for this case. He noted this property is located at the northwest corner of Redbud Drive and Goldenrod Circle. A portion of the property has been replatted in the past, primarily in order to combine the lots. Mr. Yearout stated this request appeared to be for the same purpose, but staff could find no changes in the lots other than the elimination of the common lot line between the lots.

Mr. Yearout reported he had contacted representatives of the Green Hills Homes Association to see if there had been discussion with that group regarding this proposed replat. Mr. Yearout stated he believed the only purpose may be to attempt to avoid some Home's Association dues by this action and staff was uncomfortable recommending approval unless there was some report back from the Home's Association that all arrangements had been agreed upon. Mr. Yearout stated he had not heard anything back from the local representative of the Home's Association.

Josh Junghans, Kaw Valley Engineering, the agent for the owners, stated he had been in contact with the Home's Association representative as well and, as of this date, had heard nothing back either.

Chairman Steinfert opened the meeting for other comments or questions. No one spoke to this case.

Commissioner Gustafson moved to continue this request until information is received from the Green Hills Home's Association regarding the proposed replat. Commissioner Dibben seconded the motion and it carried unanimously.

## **RECESS AS METROPOLITAN PLANNING COMMISSION**

Commissioner Moyer moved to recess as the Metropolitan Planning Commission and reconvene as the Board of Zoning Appeals. Commissioner Gustafson seconded the motion and it passed unanimously.

## **CONVENE AS BOARD OF ZONING APPEALS**

### **1. OLD BUSINESS**

#### **Item No. 1 – Case No. BZACU-04-02-10 – Request for a Conditional Use Permit to allow a rock quarry on Boller Road, just north of I-70 and west of K-18.**

Chairman Steinfert called the continued public hearing to order on the request of Greg Jueneman, agent, on behalf of Daniel Boller and Chad Blockcolsky, owners, requesting a Conditional Use approval to operate a rock quarry excavation site on Boller Road just north of I-70 and west of K-18, on a portion of Section 27, Township 11 South, Range 6 East, Geary County, Kansas.

Commissioner Dibben noted he would be abstaining due to a conflict of interest.

Mr. Yearout reported he had contacted Dennis Baker with the Kansas State Conservation Commission regarding this property. Mr. Baker reported his office had also been contacted about the property and had actually conducted an on-site inspection. Mr. Baker reported to Mr. Yearout the State Conservation Commission office still considered the operation to be below the minimum requirements for registration with his office, but had recommended the agent still document the operation. Copies of the formal documentation from the Kansas State Conservation Commission were included in the staff report provided to the Planning Commission.

Mr. Yearout felt the information requested by the Planning Commission at the last meeting had been provided and staff was recommending approval of this case.

Greg Jueneman, agent and operator of the excavation business, discussed the status of the operation and that virtually all the material that will be needed for the bank stabilization projects on the Smoky Hill River had been extracted. Final processing of the material and restoration of the site in accordance with the lease agreement will occupy most activity the remainder of this year. Mr. Jueneman stated it was his hope to complete site work by this fall and have the site restored by next spring.

Kelly Briggs, Byer Construction, presented photos of a site of similar work performed by Mr. Jueneman in Riley County. Mr. Briggs was of the opinion the restoration was inadequate and that the Board of Zoning Appeals should be very specific as to the requirements for reclamation.

Mr. Jueneman stated the photos of the Riley County site showed the restoration precisely in the manner the landowner wished. In essence, the site was covered by numerous cedar trees prior to the excavation and the reclamation showed the cedar trees gone.

Dan Boller, landowner, stated the terms of the lease for this operation set the reclamation requirements and those would be monitored by the landowners.

Chairman Steinfert called for other comments from the audience. None were given.

Chairman Steinfert closed the public hearing and called for comments or a motion from the Board.

Commissioner Gustafson moved to approve the Conditional Use Permit for Greg Jueneman, agent, on behalf of Daniel Boller and Chad Blockcolsky, owners, to operate a rock quarry excavation site on Boller Road just north of I-70 and west of K-18, on a portion of Section 27, Township 11 South, Range 6 East, Geary County, Kansas, for one year or until June, 2011, with all work, including reclamation of the site, to be completed by that time. Commissioner Moyer seconded the motion and it carried 6-0-1, Commissioner Dibben abstaining.

## **2. NEW BUSINESS**

**None.**

## **ADJOURN AS BOARD OF ZONING APPEALS**

Commissioner Moyer moved to adjourn as the Board of Zoning Appeals and reconvene as the Metropolitan Planning Commission. Commissioner Ziegler seconded the motion and it carried unanimously.

## **RECONVENE AS METROPOLITAN PLANNING COMMISSION**

## **5. GENERAL DISCUSSION**

Mr. Yearout confirmed there would be no Planning Commission Work Session next week. Mr. Yearout stated he would be out of the office.

**6. ADJOURNMENT**

Commissioner Mortensen moved to adjourn at 8:42 p.m. Commissioner Ziegler seconded the motion and it carried unanimously.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

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**Mike Steinfort, Chairman**

**ATTEST:**

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**David L. Yearout, AICP, Secretary**