

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

MINUTES

**September 12, 2013
7:00 p.m.**

Members
(Present)

Members
(Absent)

Staff
(Present)

Maureen Gustafson
Ken Mortensen
Mike Watson
John Moyer
Brandon Dibben
Chuck Mowry

David Yearout
Shari Lenhart

1. CALL TO ORDER & ROLL CALL

Chair Gustafson called the meeting to order at 7:00 p.m. and declared a quorum with all members present.

2. APPROVAL OF MINUTES

Commissioner Mortensen moved to approve the minutes of the August 8, 2013, meeting as written. Commissioner Watson seconded the motion and it carried unanimously.

3. OLD BUSINESS

Item No. 1 – TA-01-01-13 – Continuation of Public Hearing to consider a Text Amendment to the Junction City Zoning Regulations.

Chair Gustafson reopened the public hearing on the application initiated by the Metropolitan Planning Commission to amend the Junction City Zoning Regulations relating to the keeping of animals. Chair Gustafson stated the staff report indicates the need to continue this case for at least one more time and asked for staff comment.

Mr. Yearout replied the final draft is on the September 17th City Commission agenda for consideration. If approved by the City Commission, staff will have the language available to prepare the necessary amendments to the Zoning Regulations to conform to the City Codes dealing with the keeping of household pets. Mr. Yearout stated until adoption of the ordinance, staff recommends continuation of this case.

Commissioner Moyer moved to continue case TA-01-01-13 until the October, 2013, meeting. Commissioner Mortensen seconded the motion and it carried unanimously.

Item No. 2 – GCCU-08-01-13 – Continuation of Public Hearing to consider a request for a Conditional Use Permit for a rock quarry in Geary County.

Chair Gustafson reopened the public hearing and stated this is the application of Jim Didas, agent, on behalf of Scott Johnson, owner, seeking a Conditional Use Permit to

reopen and operate a rock quarry on property located on the east side of Munson Road between Rucker Road and K-244 Highway, Junction City, Geary County, Kansas

Chair Gustafson stated the applicant, Mr. Didas, had contacted her earlier today, and requested a continuation on this matter. Chair Gustafson asked for any staff comments.

Mr. Yearout stated Mr. Didas sent an e-mail to the Planning office this afternoon requesting the hearing be continued to the October meeting. Mr. Yearout explained the Planning Commission has honored such requests from applicants in the past; however, it is up to the Commission's discretion.

Following a brief discussion concerning the honoring of such requests from applicants in the past, Commissioner Moyer moved Case No. GCCU-08-01-13, the request of Jim Didas, agent, on behalf of Scott Johnson, owner, seeking a Conditional Use Permit to reopen and operate a rock quarry on property located on the east side of Munson Road between Rucker Road and K-244 Highway, Junction City, Geary County, Kansas, be continued to the October, 2013, meeting. Commissioner Watson seconded the motion and it passed unanimously.

In response to a question from the audience, Mr. Yearout stated the next MPC meeting is scheduled for October 10, 2013, and anyone wishing to speak would be afforded the opportunity to do so since the public hearing would still be open.

4. NEW BUSINESS

Item No. 1 – TA-09-01-13 – Public Hearing to consider a text amendment to the Junction City Zoning Regulations.

Chair Gustafson opened the public hearing on the application initiated by the Metropolitan Planning Commission to consider an amendment to the Junction City Zoning Regulations by amending Section 445.180 – Special Uses Enumerated – to add the establishment of an off-site storage area in a residential district for parking of vehicles for an auto repair business, and asked for the staff report.

Mr. Yearout stated this case grows out of a request to rezone land in the 200 block of East 2nd Street and East 3rd Street from a residential district to a commercial district, which was denied. The proposed amendment adds language to Section 445.180, Special Uses Enumerated, and will allow these types of cases to be considered as a Special Use Permit in residential zones. Mr. Yearout stated the staff report sets out the proposal in its entirety. He briefly reviewed the language and stipulations as proposed and asked for input from the Commissioners.

Discussion ensued between the Commission and staff relating to screening; surfacing requirements, location of entrances and exits, area to be used by the auto repair business, security lighting, and signage.

The consensus of the Commission was any screening material should be of a neutral color; any parking/storage area surfaced as required by City ordinances, unless waived by the Governing Body; delete requirement to limit entrances and exits off of an alley access point, ingress/egress to be determined on an individual basis; and the use of the property limited to vehicles associated with the repair business and not for equipment storage or salvage vehicles. During discussion, it was determined lighting issues can be addressed in the existing Special Use Permit restrictions; and any signs requested are governed by the City's Sign Code.

Chair Gustafson opened the hearing for public comment; there being no appearances and no further questions of staff, Chair Gustafson closed the public hearing and called for a motion.

Commissioner Watson moved Case No. TA-09-01-13, the request to amend the Junction City Zoning Regulations by adding specific language in the listed Special Use Permits which allows consideration of establishing remote parking and/or storage facilities for vehicles associated with an auto repair business, be recommended for approval by the City Commission of the City of Junction City, Kansas, for the reasons stated in the Staff Report and as heard at this public hearing; provided the language concerning limiting access is eliminated. Commissioner Mortensen seconded the motion and it carried unanimously.

Item No. 2 – TA-09-02-13 – Public Hearing to consider a text amendment to the Junction City Subdivision Regulations.

Chair Gustafson opened the public hearing on an application initiated by the Metropolitan Planning Commission to amend the Junction City Subdivision Regulations relating to design standards for public improvements within the City of Junction City, Kansas, and asked for the staff report.

Mr. Yearout stated the memo and proposed changes the Commissioners received were prepared by Greg McCaffery. Mr. Yearout explained the proposed changes primarily affect the Subdivision Regulations, with minimal language in the Zoning Regulations. Mr. Yearout stated these are primarily intended to delete the reference to a standard when that standard will be established in the new Engineering Development Standards being developed by the City.

Mr. Greg McCaffery, Junction City Municipal Services Director, stated the proposed Engineering Design Standards Handbook would be a “stand alone” document that will provide guidance for developers and contractors. Mr. McCaffery explained the desire is to establish design criteria for the various aspects of public infrastructure in new developments and, by adopting them in this fashion, when modifications need to be made it is easier to do through the Governing Body adoption of a resolution. Mr. McCaffery stated the intent is not to take away from the MPC’s role in plat approvals, but to address the standards for infrastructure in a separate manner. Mr. McCaffery asked the Planning Commission to recommend approval of the proposed text changes in the Zoning and Subdivision Regulations to the City Commission.

Mr. Yearout indicated he felt this was a step in the right direction. The past practice of putting standards within the Zoning and Subdivision Regulations has been shown not to be the best way to deal with the changes that have occurred over the years. Having a separate document with those standards is in the best interests of the City.

Discussion ensued between Mr. McCaffery and Commissioners concerning specific topics within the standards, particularly the change in minimum width of sidewalks. Mr. McCaffery stated the proposed standard to 5 feet of width is consistent with the standards common in the area.

Mr. Yearout explained to the Commissioners that none of the amendments to the Zoning and Subdivision Regulations would occur until the Engineering Design Standards are approved and adopted by the Governing Body. Mr. Yearout stated staff is asking the

Planning Commission to recommend the amendments to the Regulations so the standards would be in the Engineering Design Standards Handbook.

Chair Gustafson opened the hearing for public comment, there being no appearances or further discussion, Chair Gustafson called for a motion.

Commissioner Mortensen moved Case No. TA-09-02-13, the request to amend certain sections of the Zoning and Subdivision Regulations as shown in Title IV of the Municipal Code by deleting infrastructure design standards and inserting language that references a new Engineering Design Standards Manual of the City of Junction City, Kansas, be recommended for approval only after adoption of an Engineering Design Standards Handbook by the City Commission. This recommendation is for the reasons stated in the Municipal Service Director's staff memo of September 12, 2013, and as heard and discussed at this public hearing. The motion was seconded by Commissioner Mowry and it passed unanimously.

BOARD OF ZONING APPEALS - Recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals.

Commissioner Dibben moved to recess as the Metropolitan Planning Commission and convene as the Board of Zoning Appeals. Commissioner Moyer seconded the motion and it carried unanimously.

5. OLD BUSINESS – None

6. NEW BUSINESS

Item No. 1 – BZASE-09-01-13 – Public Hearing to consider a Special Exception from the Geary County Zoning Regulations.

Chair Gustafson opened the public hearing on the application of Duwayne and Rebecca Durham, agents, for James and Julie Didas, owners, requesting a Special Exception from the Geary County Zoning Regulations to allow construction of an accessory structure prior to the primary structure at 2900 Lakeview Terrace, Milford, Geary County, Kansas, and asked for the staff report

Mr. Yearout stated staff received an e-mail from the applicant stating they may request a permit to construct the home and the accessory building at the same time, which would make this action moot. As such, the applicant is requesting to continue the case until the October meeting. Mr. Yearout indicated a copy of the e-mail was provided in the Commissioners packet information.

Commissioner Watson moved Case No. BZASE-09-01-13, the request of Duwayne and Rebecca Durham, agents, for James and Julie Didas, owners, for a Special Exception from the Geary County Zoning Regulations to allow construction of an accessory structure prior to the primary structure at 2900 Lakeview Terrace, Milford, Geary County, Kansas, be continued to the October, 2013, meeting. Commissioner Moyer seconded the motion and it carried unanimously.

METROPOLITAN PLANNING COMMISSION – Adjourn as the Board of Zoning Appeals and reconvene as the Metropolitan Planning Commission.

Chair Gustafson declared the Board of Zoning Appeals adjourned and the Metropolitan Planning Commission reconvened.

7. GENERAL DISCUSSION

Item No. 1 – Metropolitan Planning Organization Report

Mr. Yearout stated there is nothing new to report. A subcommittee of the Technical Advisory Committee is working with the MPO staff to select a consultant to prepare the Transportation Demand Model. Mr. McCaffery is on that subcommittee.

Mr. McCaffery reported the subcommittee has created a “short list” of firms to be interviewed for the project. A recommendation is anticipated soon, which will be submitted to the Policy Board for final action. It is hoped the consultant will be selected and working very soon.

Item No. 2 – Comprehensive Plan Update Status

Mr. Yearout stated invitations were mailed to businesses and individuals inviting them to participate in the Stakeholder’s Meetings set for September 19, 2013, at the Opera House. Mr. Yearout indicated this included the invitations to the MPC Commissioners. Mr. Yearout explained five meeting times were set throughout the day, and the consultant representatives would be present to facilitate the meetings.

Mr. Yearout reminded the Commissioners they are to meet at 7:00 p.m. on September 19 to review the results of the meetings. Chair Gustafson and Commissioner Mortensen indicated they would be unable to attend.

Item No. 3 – Other Items

Mr. Yearout stated staff is preparing the discussion points for the possible amendment of the Interlocal Agreement to include Milford as part of the Metropolitan Planning Commission. This matter will be discussed with the Governing Bodies of the County, Junction City and Milford soon.

8. ADJOURNMENT

Commissioner Moyer moved to adjourn. Commissioner Watson seconded the motion and it carried unanimously. Chair Gustafson declared the meeting adjourned at 8:25 p.m.

PASSED and APPROVED this _____ day of October, 2013.

Maureen Gustafson, Chair

ATTEST:

David L. Yearout, Secretary