

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

**MINUTES
February 14, 2019**

**Members
(Present)**

Maureen Gustafson
Dan Roether
Brandon Dibben
John Moyer
Sheila Burdett

**Members
(Absent)**

Cindy Carlyon
Ken Mortensen

**Staff
(Present)**

Troy Livingston

1. CALL TO ORDER & ROLL CALL

Chair Gustafson called the meeting to order at 5:15 p.m. declaring a quorum with five members present. Commissioners Carlyon and Mortensen were absent.

2. APPROVAL OF MINUTES – Consideration of the November 8th, 2018 minutes.

Commissioner Moyer moved to approve the minutes as written. Commissioner Roether seconded the motion and it carried unanimously.

3. OLD BUSINESS – None

4. NEW BUSINESS

Item No. 1 ~ Case No. SUP-02-01-19; Public hearing requesting a Special Use Permit allowing operation of a food trailer in the "RD" Duplex Residential District.

Chair Gustafson opened the public hearing and called for the staff report.

Mr. Livingston indicated that this was the application of Sabrina Frey, agent on behalf of Peter Adam, owner of property located at 2514 Deer Trail, Junction City, Kansas seeking a Special Use Permit to allow her to operate a business in the form of a "food trailer" located in the "RD" Duplex Residential District. Mr. Livingston admitted that traditional food trucks are not allowed in residential districts, but that this was not a traditional food truck. The applicant indicated to staff that the trailer was used to prepare meal kits that customers had pre-ordered, and then would travel to her location for pick-up.

Mr. Livingston went on to explain that while he had no hesitation about the proposed use, he had discovered Declarations of Conditions, Covenants and Restrictions legally recorded with the Geary County Register of Deeds regarding development within the subdivision where 2514 Deer Trail is located. Those declarations outlined restrictions on home-based businesses limiting those businesses to NO additional employees and NO customers on-site. In addition, Mr. Livingston forwarded concerns from neighboring land owners that were all basically centered around the possible increase in traffic in and around the neighborhood.

Vera Reese, 2532 Deer Trail Junction City, Kansas ~ Ms. Reese is a neighbor of the Frey's and was present at the hearing to voice concerns she had about increased traffic. Ms. Reese pointed out that the entire neighborhood has only a single point of ingress/egress and that Deer Trail ends on a Cul-De-Sac. Expressing concerns for the safety of the neighborhood children and pets who often play in and along

the street, Ms. Reese simply wanted the Planning Commission to be aware that she really didn't have a problem with the proposed use but was just thinking of the children and pets.

Sabrina Frey, 2514 Deer Trail Junction City, Kansas

Mrs. Frey is the owner of "Mindful Meals", a healthy meal preparation service that prepares healthy meals based on customer input and then offers those meals on a weekly basis for customer pick-up. Lengthy discussion occurred between Mrs. Frey and all members of the Planning Commission until everyone was clear about how and when meals are prepared and picked up.

The Commission indicated a desire to see her business succeed and Commissioner Roether made the motion to recommend approval provided Mrs. Frey would meet clients at an off-site location for meal pick-up. Commissioner Burdett seconded the motion and it carried unanimously.

Item No. 2 ~ Case No. FP-02-01-19; Consideration of Final Plat of Orscheln's Addition to Junction City, Kansas

Chair Gustafson opened the hearing and called for the staff report.

Mr. Livingston noted that this was the request of 21 Design Group, agent, on behalf of Orscheln Farm and Home, LLC, owners, seeking approval of the Final Plat of Orscheln's Addition to Junction City, Kansas being a replat of Lot 1 of Block 1 of Chestington Addition No. 2 to Junction City, generally located at the southwest corner of Chestnut Street and Franklin Street. Mr. Livingston went on to note that this was basically a "lot split" creating an additional lot that Orscheln Farm and Home, LLC would offer for sale.

No formal plat review or preliminary plat was required since all the infrastructure is already in place and no other formal dedications are required. The lot created by the replat will be "shovel-ready".

Commissioner Roether moved that the application be approved and that the Chair and the Secretary of the Planning Commission be authorized to sign the plat and forward it to the City Commission of Junction City for final approval and acceptance.

Chair Gustafson declared the Metropolitan Planning Commission in recess and reconvened as the Board of Zoning Appeals.

5. BOARD OF ZONING APPEALS

Item No. 1 ~ BZASE -02-01-19; Public hearing requesting a Special Exception to the Junction City Fencing Regulations.

Chair Gustafson opened the hearing and called for the staff report.

Mr. Livingston stated that this was the request of Jake Long, Project Manager for GloveCon, Inc., agent on behalf of Orscheln's Farm and Home Store, owner of property located at 121 E. Chestnut Street requesting a Special Exception to construct a security fence more than six (6) feet in height. Mr. Livingston noted that during the plan review process for the new Orscheln's store location that an outside storage area was designated and that the appropriate notation for fencing was included with the plans. It was later realized that the standard fencing used by Orscheln's for all their outside storage was eight (8) feet in height. Since Junction City Zoning Regulations only allow for a maximum height of six (6) feet a Special Exception would be required.

Commissioner Roether made a motion to approve the request for the Special Exception and Commissioner Dibben made a second and the motion carried unanimously.

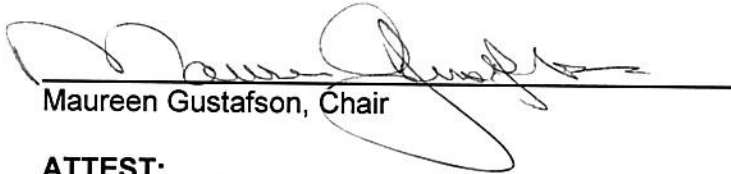
6. GENERAL DISCUSSION

Mr. Livingston noted that there had been interest and intent shown by a retail grocery to establish a new location in Junction City. General discussion among the Commissioners followed.


7. ADJOURNMENT

Commissioner Roether motioned to adjourn, Commissioner Moyer seconded the motion. Chair Gustafson declared the meeting adjourned at 6:10 p.m.

PASSED and APPROVED this 11th day of April 2019.


Maureen Gustafson, Chair

ATTEST:


Troy Livingston, Secretary