

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

**MINUTES
May 8, 2023**

**Members
(Present)**

Maureen Gustafson, Chair
Ken Mortensen, Vice-Chair
Brandon Dibben
Sheila Burdett
Cindy Carlyon
John Moyer

**Members
(Absent)**

**Staff
(Present)**

Troy Livingston

1. CALL TO ORDER & ROLL CALL

Chair Gustafson called the meeting to order at 5:30 p.m. declaring all members present.

2. APPROVAL OF MINUTES – Consideration of the April 10, 2023 minutes.

Chair Gustafson asked if everyone had a chance to read the minutes, and Commissioner Moyer moved to approve the minutes as written. Commissioner Burdett seconded the motion and it carried unanimously.

3. OLD BUSINESS – NONE

4. NEW BUSINESS ~ Case No. SUP-05-01-23; Consideration of a request for Special Use Permit allowing a food pantry in the “RM” Multi-family Residential District.

Chair Gustafson called for the case and Mr. Livingston outlined the case explaining that it was a request of Brad Carlton, acting as agent, for a Special Use Permit allowing the Geary County Food Pantry to build a new building on property zoned “RM” located at the corner of 7th St. and N. Clay St. Mr. Livingston indicated that a Special Use Permit was more appropriate than re-zoning the property since it is imbedded in a residential neighborhood, and we don’t want to “spot zone”. He went on to explain that the property has been a vacant lot since the adjoining property was owned and used as a Lutheran school decades prior. Mr. Livingston further explained that the site plan submitted by Mr. Carlton met the requirements for the zoning district and that all the criteria used to evaluate a request for a Special Use Permit had been addressed and that the responses were outlined in the staff report.

Chair Gustafson asked if there were any sidewalks or if they would be required with the new construction and Mr. Livingston noted that all new construction within the city limits of Junction City requires sidewalks. Chair Gustafson also asked what kind of impact the new bicycle path along 7th St. might have on traffic flow into and out of the proposed facility. Mr. Livingston indicated that bicycle traffic is minimal and that it shouldn’t have much of an impact.

Chair Gustafson asked if there were any further questions or comments from the board and there being none opened to floor to the public.

Brad Carlton, Geary County Food Pantry stated that the pantry had outgrown their current location and there is a real need for a new building with the potential for future growth. They would be going from a 1500 square foot space to a roughly 5,000 square foot space and it would be designed more like a neighborhood grocery store where the clients could choose the items they needed instead of simply receiving a box of various food items.

Allen Dinkel, City Manager agreed that a re-zone would not be appropriate and that he is happy to see the proposed location more centrally located and that with its proximity to Dillon's grocery store he just feels as though it is a good fit. He asked if there was adequate parking proposed and Mr. Livingston noted that the required parking is dependent on the type of use, but what the Pantry had proposed was certainly more than adequate. Mr. Dinkel concluded that he had no objection to the proposed use.

Commissioner Mortensen asked about the purpose of the existing round-about at the intersection of 7th and Clay and Mr. Dinkel stated It was built with grant money at no cost to they City and that it was to calm traffic and that it should alleviate any potential issues with bicycle traffic.

Chair Gustafson asked if there was anyone else who wished to speak on the matter and, there being none, closed the public hearing.

Commissioner Mortensen asked if the Board could impose some screening requirements along the north property boundary since it abuts some residences and Mr. Livingston indicated that it would be acceptable to do so. Commissioner Mortensen stated that other than the screening he didn't have any problems and Commissioner Moyer stated that he also thought screening would be appropriate.

Chair Gustafson asked for a motion and Commissioner Mortensen moved to recommend approval of the request for the Special Use Permit with the caveat that screening would be required. Commissioner Moyer seconded the motion and it carried unanimously.

Case No. GCCU-05-01-23; Request for Conditional Use Permit to allow primitive campsites and camper sites on property zoned "SR" Suburban Residential.

Chair Gustafson called for the staff report and Mr. Livingston stated that this was the request of Lisa Smith, owner, seeking a Conditional Use Permit that would allow her to set up campers and use them as short-term rentals very similar to an AirBnB. In addition to the campers, Mrs. Smith desires to establish up to 4 primitive campsites for tents that would be served by composting toilets. There would be no running water or electricity. Mr. Livingston noted that his main concern was with the possibility of fire getting out of control from campfires.

Chair Gustafson asked if there were any questions for Mr. Livingston, and there being none, opened to floor to public comment.

Lisa Smith, 8343 Nelson Rd. outlined her desire to invite quilters and crafters to stay in the campers for a weekend class setting. There would be no campfires allowed, only controlled burning in an existing fire pit behind her house. She further clarified that she was not seeking permission to run an R.V. park as some of the neighbors had thought.

Commissioner Carlyon asked how many people would be utilizing the proposed facilities at any given time and Mrs. Smith stated that they only have one camper currently and that she had envisioned no more than 1 or 2 couples at a time.

Chair Gustafson asked if it would only be open to crafters and Mrs. Smith stated that she would begin with quilting classes and then try to open it up to other users just to see if the AirBnB concept would work.

Commissioner Mortensen asked what types of sanitary facilities would be available and Mrs. Smith indicated that they would be using composting toilets that would be emptied into their existing lagoon. She went on to explain that she would not be providing meals and that the camper is equipped with a small kitchen but that the guests could also utilize a bbq grill located at their house.

Chair Gustafson asked about the primitive camp sites, how they would cook, and what type of sanitation would be available. Mrs. Smith reiterated that composting toilets would be available and that the guests could utilize their bbq grill but that there would be no fires allowed. She also noted that her and her husband would offer their garage as a storm shelter.

Commissioner Burdett indicated her concern about opening the door to additional uses that we really don't want to see in the unincorporated part of Geary County. She went on to note that she feels this would create a dangerous situation.

Mrs. Smith reiterated that she does not want to establish an RV park and that she is willing to accept anything the Board has to offer.

Commissioner Mortensen noted that the fire issue does not bother him so much as the multi-family residential scenario. He is not in favor.

Chair Gustafson asked if the site would be open year-round and Mrs. Smith stated that she would likely only offer classes April through October. Chair Gustafson also noted that she is a renter of the neighboring property and she worries that guests who don't understand the nature of the agricultural way

of life won't be able to deal with smoke from annual burning, ag equipment, etc. In addition, she is concerned that guests might be inclined to wander from the property in an effort to get a closer look at cattle, horses, or just nature in general and that the guests won't respect property ownership.

Mrs. Smith noted that she would be onsite and would control guests coming and going.

Chair Gustafson noted that she doesn't feel the quilters would be an issue, but rather the AirBnB concept would create problems and open the door to things that we don't want out in the county.

Mrs. Smith asked if she could make a distinction between the two and just offer crafting classes and not open it to AirBnB folks and Chair Gustafson stated that, for her, it really boils down to the ag way of life and that she simply doesn't think guests would respect it.

Chair Gustafson asked if there was anyone else who wished to speak on the matter.

Alva Hartman, 8263 Skiddy Rd. Junction City, KS stated that fire is his major concern even if it is contained in a fire pit. They can still get out of control and he noted a recent fire that burned for several days. He also noted that sanitation is a concern for him because lagoons are for single-family use not mutli-family. He also stated his concern about the water supply because the rural water district provides water for household use and they might have issues with a business utilizing the water. He went on to note that traffic is not really an issue for him because the roads are already in such poor condition.

Greg Clemens 8400 Nelson Rd. Junction City, KS stated that fire is also an issue for him but he is really concerned with non-residents using his driveway to do turn-arounds because he has already had someone knock down his mailbox. He is also concerned about guests not respecting property boundaries and the dangerous situations that could result if someone crossed fences to get a better look at livestock or prairie flowers or whatever. He also stated that he feels like the increase in water demand could affect water pressure for other residents.

Chair Gustafson asked if anyone else wished to speak, and there being none, closed the public portion of the hearing.

Commissioner Dibben noted that is in favor of landowners being able to use their property however they want but is afraid that this proposed use would open the door to other uses that we don't want to see.

Commissioner Mortensen stated that he would be fine if we dropped the AirBnB portion of the request and just opened it to quilters and crafters.

Mrs. Smith indicated that she would be happy with that.

Commissioner Dibben asked how she would advertise if she was not going to utilize AirBnB and Mrs. Smith indicated that it would be word of mouth and the crafting world is really pretty small but very well connected.

Chair Gustafson stated that the Board really needed to stick with the original request and not try to modify it into something completely different. As a result, Commissioner Mortensen moved to recommend the Board of County Commissioners deny Mrs. Smith's request for a conditional use permit. Commissioner Carlyon seconded the motion and it carried unanimously.

5. BOARD OF ZONING APPEALS ~ None

6. GENERAL DISCUSSION

Mr. Livingston shared that the Board of County Commissioners had submitted a signed letter to the Junction City Board of Commissioners outlining the County's desire to withdrawal from the Joint Metropolitan Planning Commission. General discussion ensued regarding the nature of how things would work moving forward. Mr. Livingston indicated that there was to be a meeting outlining a timeline and that he would have more information for the next meeting.

7. ADJOURNMENT

Gustafson declared the meeting adjourned at 6:20 p.m.

PASSED and APPROVED this 12th day of June, 2023.



Maureen Gustafson, Chair

ATTEST:



Troy Livingston, Secretary