

**Call meeting to order on August 11, 2020 at 5:30 PM:**

**Roll Call:** Mary Benton  Lloyd Colston (joined via teleconference)  Karla Gallegos  Paisley Howerton  Charles Jennings  Ian Kuhn  Andy Paton  Cody Richardson

Staff present at roll call was Public Information Officer Andrew Lawson and Principal Planner Josh White

Also present at roll call were applicants Rodrigo & Mauro Martinez, Debbie Davidson and Landon West represented the Arkansas City Recreation Commission. Several members of the public were also present including those that are identified in the public hearings. Prior to the meeting Planning Commissioner Ian Kuhn was sworn in.

**1. Declaration:**

Paton reported that he was on the board of the Recreation Commission which supports the vacation request. Richardson reported that his in-laws lived in the notification area of the conditional use permit request. Both indicated that this would not affect their ability to come to a fair decision.

**2. Public Comments:**

Colston commended city workers on the chip sealing projects that are ongoing and wanted to remind everyone to complete the Census. Gallegos joined the meeting in progress and was sworn in.

**3. Select vice-chair for 2020.**

Paton asked for clarification on why this action was needed. White stated that the current vice-chair was not reappointed and is no longer on the Planning Commission. Paton made a motion to nominate Jennings as vice-chair. Richardson seconded the motion. Voice vote carried the motion.

**4. Consent Agenda:**

Richardson made a motion to approve the February 11, 2020 minutes as written. Colston seconded the motion. Voice vote carried the motion.

**5. Hold a public hearing to consider the advisability of granting a conditional use permit for a tire and lube shop in an C-3, General Commercial District at 405 S 3<sup>rd</sup> Street**

Colston made a motion to open the public hearing. Jennings seconded the motion. Voice vote carried the motion. Paton declared the public hearing open. Paton turned the meeting over to White to make a presentation on the request. He noted that the closest use was a Motor vehicle repair and body shop which required a conditional use permit. The area is primarily residential but this site has long been in a commercial use and was identified as a commercial use on the current future land use plan. Paton asked the applicant if he wanted to make a brief presentation. Rodrigo Martinez discussed his proposal. He felt it would be an enhanced use to the currently vacant building. He discussed the possibility of building a new building on the site. His operating hours would be reasonable Monday-Friday 8-5 and possibly Saturdays 8-1. Kuhn asked if they had any drawings. Martinez stated not yet. Kuhn asked about how EPA regulations would be met. Martinez said he had not addressed the details yet as he wanted to get the approval first. Colston asked if he had talked to the neighbors and he stated he had not. Weston Marzuola of 324 S 4<sup>th</sup> Street noted there has been a lot of construction activity near the neighborhood and he was looking forward to having a quieter neighborhood again and this would disrupt that again. He was opposed to the location due to the noise of the proposed use, its effects on property values and the streets in the area are not in great shape as it is and this would generate more traffic. Alan Brook of 401 S 3<sup>rd</sup> Street noted similar concerns and would like to see a privacy fence erected between his property and the proposed use if approved. Howerton and Jennings both had questions about the proposed use and it was briefly discussed. Kuhn asked about waste disposal. Martinez said he had plans to dispose of the waste from the business and had multiple options. Kuhn asked if the building was up to code. Martinez said it was not yet and would need work. Kuhn noted he would like a more detailed plan before he could make a decision on the request. Richardson made a motion to close the public hearing. Benton seconded the motion. Voice vote carried the

motion. Paton declared the public hearing closed and asked if there was any more discussion. Colston felt the improvements could enhance the area and Howerton noted that the improvements could enhance the value of the property. Kuhn noted that the aesthetics were important for value and that the property does seem to be neglected in recent years. Kuhn made a motion to table the request for further consideration and for the additional details of the proposal. Jennings seconded the motion. Voice vote carried the motion. Paton requested staff to work with the applicant to get additional plans and details worked up and for the request to be brought back at a future meeting. White indicated he would work with the applicant.

**6. Hold a public hearing to consider a request for a vacation of vacate 5th Avenue from the West line of the Mill Canal to the West line of 6th Street and 6th Street from Washington Avenue to 5th Avenue.**

Jennings made a motion to open the public hearing. Richardson seconded the motion. Voice vote carried the motion. Paton declared the public hearing open. White made a presentation on the request. He explained that the request was recommended by multiple advisory boards and the Recreation Commission. There are a number of accessibility issues for the park and for the pool as well as some safety concerns as kids cross the street between the Ag Building, the park and the pool. Deb Davidson of the Arkansas City Recreation Center noted that this was a long term plan for the area that started back when Janet English was on the City Commission and also supported the closure of these streets. She stated that she has seen numerous people using 5<sup>th</sup> Avenue as sort of a drag strip and feels that there are some serious safety concerns for the children. Closing the streets in this area would greatly improve the safety of the area. Kuhn asked if there had been any accidents. Davidson stated she wasn't aware of any actual incidents with pedestrians being injured. Lawson noted that we can check on accident reports if needed. Davidson noted that there would still be access from 7<sup>th</sup> Street to get to the pool area for drop-off and deliveries of chemicals for the pool. Landon West of the Recreation Center noted that the intersection of 5<sup>th</sup> Street & 5<sup>th</sup> Avenue was fairly dangerous as it was too narrow and is difficult to see traffic coming westbound over the bridge. This request would eliminate that issue. Kuhn was worried about maintaining proper emergency access to the area. Lawson noted that the Technical Advisory Committee had no concerns about that. They typically use Washington Avenue to access the area. He then went on to explain that this was part of a larger plan for the Paris Park area. A Master Plan would eventually follow to address concerns of utilities and access. The vacation was just necessary to formally close the streets to vehicular traffic. Paton made a motion to close the public hearing. Colston seconded the motion. Voice vote carried the motion. Paton declared the public hearing closed. Jennings asked if this would turn into a plaza. Lawson indicated that was part of the plan. Jennings made a motion to recommend approval of a vacation request to the City Commission of 5th Avenue from the West line of the Mill Canal to the West line of 6th Street and 6th Street from Washington Avenue to 5th Avenue reserving a utility easement over the entire area. Benton seconded the motion. The vote was taken by roll call.

**Yes:** Benton, Colston, Gallegos, Howerton, Jennings, Kuhn, Paton, Richardson **No:** None

Paton declared the motion passed.

**7. Comprehensive Plan Update/Annexations**

Discussion was opened on a memorandum of understanding between the City and the County involving annexations of right of way near Goff Industrial Park and deannexation of a portion of right of way on Skyline Road from the West line of Compass Point Addition to 15<sup>th</sup> Street. Lawson noted that state statute had been changed since this memorandum was entered into that may prohibit annexation of right of way without adjacent properties. The Planning Commission requested that staff look further into that but did support the premise behind the original memorandum. White and Lawson then led a discussion of proposed updates to the Comprehensive Plan. Lawson introduced a new surveying tool the City has called FlashVote that will be used to gather citizen input. More details will be provided about the process in the near future.

**8. Other Items:** No other items were discussed.

**9. Adjournment:** Paton made a motion to adjourn the meeting. Jennings seconded the motion. Voice vote carried the motion. Meeting adjourned.

DRAFT