

**REGULAR MEETING
COFFEYVILLE PLANNING COMMISSION
TUESDAY, SEPTEMBER 1, 2020**

The Coffeyville Planning Commission met in Regular Session with Chairman Max Williams presiding.

1. **CALL TO ORDER** – Chairman M. Williams called the meeting to order at 5:29 p.m.
2. **ROLL CALL** - Those in attendance were:

	<u>Present</u>	<u>Absent</u>
Max Williams	X	
Eric Jensen	X	
Carla LeLaCheur	X	
Deborah Maples	X	
Jeffrey McCloud	X	
Chris Williams	X	

City Staff Present:

Mark Hall, City Administrator
Thomas Osborn, Director of Engineering
Matt Conger, City Building Official
Josh Hood, Code Enforcement
Angela Cook, Administrative Assistant
Charla Brown, Administrative Assistant
Ray Heinz, IT

3. **MINUTES** - Minutes of the last Planning Commission meeting of August 4, 2020.

Commissioner McCloud motioned and Commissioner Jensen seconded to approve the minutes of the Regular Planning Commission meeting of August 4, 2020.

Commissioner McCloud	Aye
Commissioner C. Williams	Abstain
Commissioner M. Williams	Aye
Commissioner Jensen	Aye
Commissioner LeLaCheur	Aye
Commissioner Maples	Aye

Motion approved.

4. **OLD BUSINESS** -
 - 4.1 CASES - None
 - 4.2 REPORTS FROM STAFF – Charla Brown will be taking over as Planning and Zoning Secretary as of October 1, 2020. Commissioner Max Williams welcomed Charla to the commission.
5. **COMMUNICATIONS** – Request to take BZA Case 2020-08 Tovar first.

6. NEW BUSINESS -

BZA 2020-08: Tovar – Jesus Tovar, 2615 W 8th, approached the podium to request a variance for the setbacks at his property. Mr. Tovar stated that he had recently built a pergola in his side yard and was unaware that he was over the city setbacks. Mr. Tovar was requesting a variance of 2 feet.

Commissioner Max Williams asked if there were any comments from staff: Matt Conger stated that Mr. Tovar has made good improvements on his property and has definitely made the community look better.

Commissioner Max Williams asked if anyone would like to speak in favor of this case: There was none.

Commissioner Max Williams asked if anyone would like to speak in opposition of this case: There was none.

Commissioner Max Williams asked if there were any other questions for this case: There was none.

Commissioner LeLaCheur motioned and Commissioner McCloud seconded to approve BZA 2020-08, Tovar.

Commissioner Maples	Aye
Commissioner McCloud	Aye
Commissioner C. Williams	Aye
Commissioner M. Williams	Aye
Commissioner Jensen	Nay
Commissioner LeLaCheur	Aye

Motion approved.

Zoning Case 2020-03; CU 2020-03; BZA 2020-05; BZA 2020-06; BZA 2020-07: CVR – Sterling Vance, 400 N Linden, Senior Project Manager for CVR approached the podium and presented a power point presentation on the proposed project from CVR. Mr. Vance's presentation was to address all the remaining items on the meeting agenda. Mr. Vance spoke about CVR looking to build a 150,000 square foot building. This building will essentially be three buildings in one. The front part of the building will be administrative offices, middle will be a warehouse and the back portion will be a maintenance shop. Robin Malachi, 400 N Linden, Director of Corporate Security for CVR, approached the podium to address the power point slide that touched on security. Mr. Malachi explained to the commission that the reason that the project needed the fencing was to comply with the Department of Homeland Security (DHS) and the Chemical Facility Anti-Terrorism Standards Program (CFATS). The facility is required to vet employees, contractors and visitors who are seeking access to the facility. Mr. Vance re-approached the podium to finish his power point. Mr. Vance explained that the street vacations that the project is requesting is due to comply with the DHS regulations. Mr. Vance also explained how the project will benefit the city and community. Mr. Vance stated that one of the variances that the project is requesting is for a 7 foot high chain link fence with three strands of barbed wire at the top of the fence.

Commissioner Max Williams asked if there were any other questions for this case:
Commissioner LeLaCheur stated that she has had some farmers that require 16 feet of clearance

for their equipment as well as the width of the turn at 4th and Sunflower. Mr. Vance stated that they will not be adding any overhead lines but actually taking a few lines down. Mr. Vance stated that they could look into the turning issue. Commissioner LeLaCheur then asked if Sycamore Street was going to be repaved and taken care of given its current state is bad. Mr. Vance stated that Sycamore Street is not currently part of the project as they will not be rerouting trucks down that street. Commissioner Max Williams asked the City if there were any commitments to fix Sycamore Street because it is in bad shape. Commissioner LeLaCheur asked if there is parking on both sides of 4th Street. An unidentified audience member answered no you cannot park on both sides.

Thomas Osborn asked Commissioner Max Williams if they would like to continue onto the street closure portion of the meeting or finish up the zoning cases first. Commissioner Max Williams stated that he would like to finish up the zoning cases first. Commissioner Max Williams asked Mr. Vance if he had anything else to present. Mr. Vance stated that he had nothing else unless there were questions for him. Commissioner Max Williams asked if there were any questions from the commissioners for Mr. Vance. Commissioner LeLaCheur asked Mr. Vance to tell everyone what the rezoning allows for. Mr. Vance stated that he didn't know all the ins and outs of that but it does allow for them to build the project with exception of one variance. Commissioner LeLaCheur stated that this rezoning will not allow for them to work with crude or anything like that. Mr. Vance stated no that this was basically a commercial building that will be zoned as light industry. It will be a maintenance shop so there will be welding, instrumentation and I & E stuff. There will be a pump shop.

Commissioner Max Williams asked if anyone would like to speak in favor of zoning and the conditional use permit of these cases: There was none.

Commissioner Max Williams asked if anyone would like to speak in opposition of zoning and the conditional use permit of these cases:

Zanvelt Tate, 702 E. 4th, approached the podium to address the commission. Mr. Tate stated that his concern was what would happen to the property values with the zoning changes. Mr. Tate stated that he would like to know what is going to happen to the properties that are close by to the zoning changes.

Jason Homer, 915 W. 12th, approached the podium to address the commission. Mr. Homer stated that he would like to know what is going to happen when they put the 7 foot fences up and people have to pass through those fields. He asked if they planned on putting fencing up on both sides of the alley to allow people to pass through there. Mr. Homer stated that he didn't hear any discussion as to what they are going to do to replace the sidewalks and alleys because last he knew it was illegal to sell sidewalks and alleys. Mr. Homer stated his community and their kids use 3rd street to walk up and down and that it is the center of his community. Mr. Homer asked if there will be concrete put in for parking lots because his kids play basketball on 3rd and Sunflower. He stated that in the parking lots across the street from there his kids play in dust. He stated that he would just like to know about the zoning when it comes to the fences, streets, alleys and sidewalks. Mr. Homer stated that he would like to know who owns those things, does the refinery own the whole block or who does.

Reverend Armogen Walker, 414 E. 2nd, Pastor of Sardis 1st Missionary Baptist Church, approached the podium to address the commission. Mr. Walker stated that the main concern of the church is the possibility of the refinery moving closer to the church. Mr. Walker stated that they are concerned with all the debris that will be coming if they move the fences closer. They already have problems with things coming from the refinery and if they move the fences closer they are

worried about the dust and other debris that will come from the gravel and things behind the fence damaging the automobiles of the church parishioners. Mr. Walker asked what they would need to do to be reimbursed for anything that happens to their vehicles while they are parked at the church and who is going to be responsible for that. Commissioner LeLaCheur asked where the church was located right now. Mr. Walker stated that it was on 2nd and Cedar. Mr. Walker stated that the church has had to replace air conditioning unit and paint on the north side of the church due to the debris currently coming from the refinery and moving the fences would make it worse. Mr. Walker asked if the fence would be chain link or wood or solid which is what they would prefer so they wouldn't have to see behind it. Commissioner Max Williams asked Mr. Vance if that could be done. Mr. Vance stated that the chain link fence is federally mandated to comply with regulations. Mr. Walker asked what they will be doing to control the debris. Mr. Vance stated that the new fence will be enclosing the new office building and that the gravel parking lot would not be air borne.

Marion Johnson Jr., 408 E. 2nd, approached the podium to address the commission. Mr. Johnson stated that diesel trucks are always going down Sycamore and 1st streets and they should be staying on Sunflower. Mr. Johnson stated that Sycamore and 1st streets are all tore up because of the trucks and he feels that the truck route should always be on Sunflower. Mr. Johnson asked what they will be doing to control the noise and contain the chemicals because leaks happen and they become air borne and eats paint off houses. Jason Homer spoke from the audience and stated that it is killing them. Mr. Homer stated that the stuff falling out of the sky is killing everyone and that everyone is dying.

William Jenkins, 304 E. John, representing Enterprise Lodge #70 and 1st Baptist Church approached the podium to address the commission. Mr. Jenkins stated that they have marginalized people who have no place to go except over where they are. Mr. Jenkins also stated that the people with property, their property values will go down. Mr. Jenkins stated that with the fabrication happening in the building then things will be stored outside and will be an eyesore. Industrializing this area will make property values go down. Mr. Vance stated that they will not be fabricating anything in that building that they will only be storing things there, inside where you won't be able to see it from the outside.

Hortense Mason, 1012 W. 5th, approached the podium to address the commission. Ms. Mason stated that she owns land over in that area and she does not want the streets blocked off to limit the access to her community. Ms. Mason stated that she feels that if they want to build a new building there is plenty of land elsewhere to do so. Ms. Mason does not want to see the community lose its streets or have it fenced in. Ms. Mason stated that she was denied permits to build on her land due to it being in the flood zone however corporations and businesses were given the permits to do so. Ms. Mason stated that she feels that this is a Black Lives Matter issue and that the commission was ruining their community. Ms. Mason stated she was there to protest the closing of the streets and fencing in of the community.

Ron Davis, 101 Edgewood Drive, approached the podium to address the commission. Mr. Davis questioned the commission on what they would be doing to better the community as CVR is only doing this project to benefit them. Mr. Davis blames the commission for all the decisions over the past 20 years when it comes to CVR. Mr. Davis asked what the city and commission are doing to make the billionaire company better the community. Mr. Davis stated that he would like to know why CVR isn't doing more to put money back into the community. An argument ensued regarding where the blame lies for the deterioration of the black and minority community. Commissioner LeLaCheur stated that she resigned from this commission and left the meeting. Commissioner Chris Williams asked that everyone calm down and have a conversation instead of the yelling which is not accomplishing anything. Mr. Davis stated that racial issues in our area doesn't look

good on the commission, the city or the city commission.

Marcus Kastler, 502 Overlook, approached the podium to address the commission. Mr. Kastler serves on the park board and would like to know about what is being done about parking on the north side of Harmon Park. Mr. Kastler also questioned whether the information presented and the information on the city commission meeting would be available on social media.

Linda Follett, 2019 ½ South Walnut, Director of Genesis, approached the podium to address the commission. Ms. Follett stated that she was concerned about the status of the three apartment complexes as she was informed that they were sold and residents were receiving eviction notices as of today. Mr. Vance said that the apartments were not part of the projects.

Mario Shobe, 704 W. 3rd, approached the podium to address the commission. Mr. Shobe voiced his concerns regarding the apartment complexes as well as the fencing and barbed wire that will potentially be in some of the resident's back yards. Mr. Shobe also stated that he feels that this project will be more broken promises when it comes to maintaining the roads that the trucks drive on since they don't take care of them now.

Carlos Walker, 1646 CR 5500, approached the podium to address the commission. Mr. Walker questioned as to why CVR didn't just buy the whole east side along 4th street and then none of this would be an issue. Mr. Walker is concerned about gravel, dust, noise and unsightly stuff behind a chain link fence that will not benefit the neighborhood.

Taletha Dean, 2702 Midland Avenue, approached the podium to address the commission. Ms. Dean is concerned about what is going to happen to all the displaced families and who is going to help them.

Commissioner Max Williams asked if there was anything from staff:

Thomas Osborn stated that there are some areas in I-2 going to I-1 and some areas going to I-1 from residential.

Commissioner Jensen stated that he has concerns about the closure of the streets on the east side.

Commissioner Max Williams would like to throw all the zoning and conditional use cases in one lump.

Commissioner Chris Williams encourages the residents to contact the city commissioners with their concerns as they are the ones who control the issues brought up tonight.

A motion was made by Commissioner Chris Williams and seconded by Commissioner McCloud to advance the application to the city commission. The context of the motion seemed to be the approval of rezoning, driveway width variance, fence height variance, and barbed wire fence variance requested in order to advance to city commission for approval or disapproval.

Commissioner McCloud	Aye
Commissioner C. Williams	Aye
Commissioner M. Williams	Aye

Commissioner Jensen	Aye
Commissioner LeLaCheur	Absent
Commissioner Maples	Aye

Motion approved.

Street Vacations (X8): CVR –

Commissioner Max Williams asked if anyone would like to speak in favor or against the street closings:

Mario Shobe approached the podium to address the commission. Mr. Shobe stated that he just wanted it on the record that he was against the street closing.

Jason Homer approached the podium to address the commission. Mr. Homer stated that the streets are already vacated due to the poor conditions of the current streets. Mr. Homer stated that he is tired of talking to white folks about the east side problems. Mr. Homer stated that he would like for the people on the commission to care about his folks. Mr. Homer stated that CVR has pushed the older folks out the door and that he has ways and will do anything in his power to stop the progress of this project.

Taletha Dean approached the podium again to address the commission. Ms. Dean asked what CVR's purpose was for the zoning. Ms. Dean stated that CVR has run this town for too long and it needs to stop. Ms. Dean is concerned about the taxes going up and the lack of access for the families on the east side.

Paul Cosper approached the podium to address the commission. Mr. Cosper is concerned with the fact that he is expected to make his property better but why should he. Mr. Cosper0 was questioning about buffer zones. He would like to know why there are no buffer zones.

Commissioner Max Williams asked if there were anything from staff for the street closings:

Thomas Osborn presented a report regarding the utilities if the streets are closed. Mr. Osborn stated that the city would be requesting a few things as a contingency of approving the closures. Mr. Osborn stated that the city would be requesting parking for Harmon Park as well as improvements to current streets and a new route for traffic that typically uses 1st Street.

Commissioner Jensen asked why the streets on two sides of Harmon Park needed to be closed. Mr. Vance explained that there would be drainage ditches that will be installed to direct water to a retention area.

A motion was made by Commissioner Chris Williams and seconded by Commissioner McCloud to approve the street closures and send it on to the city commission.

Commissioner Maples	Aye
Commissioner McCloud	Aye
Commissioner C. Williams	Aye
Commissioner M. Williams	Aye
Commissioner Jensen	Aye
Commissioner LeLaCheur	Absent

Motion approved.

7. ADDITIONAL BUSINESS:

- A.** General Discussion by the Planning Commission Members.
- B.** Comments from the public addressing any planning or zoning issue.
- C.** Scheduled date for next meeting: TBD.

8. ADJOURNMENT –

A motion was made by Commissioner Maples and seconded by Commissioner McCloud to adjourn.

Commissioner McCloud	Aye
Commissioner C. Williams	Aye
Commissioner M. Williams	Aye
Commissioner Jensen	Aye
Commissioner LeLaCheur	Absent
Commissioner Maples	Aye

Motion approved. Commissioner Max Williams adjourned the meeting at 7:11 p.m.

Date of Approval

Max Williams, Chairman