

October 9, 2024

City Commission Room, 701 N. Jefferson, Junction City KS 66441

Mayor Pat Landes  
Vice Mayor Ronna Larson  
Commissioner Jeff Underhill  
Commissioner Al Gordon  
Commissioner Richard Pinaire  
Interim City Manager Gerry Vernon  
Attorney Britain Stites  
Deputy City Clerk Tammy Melton

1. **5:00 P.M. - CALL TO ORDER:**

2. **NEW BUSINESS:**

- a. Consideration of Ordinance No. S-3301, authorizing litigation against the Board of Zoning Appeals concerning the Conditional Use Permit at 343 East Chestnut Street.

3. **ADJOURNMENT:**

**City of Junction City**  
**City Commission Agenda Memo**  
**October 8, 2024**

**From:** Britain D. Stites, City Attorney

**To:** City Commission

**Subject:** Conditional Use Permit Appeal – 343 E Chestnut

**Background:** Lee Enterprises purchased the old Meritrust building located at 343 E Chestnut. They sought a conditional use permit to sale motor vehicles. It is currently zoned as Central Commercial Special District “CCS”. Permitted use are to offer a broad range of retail shopping facilities. The sale of motor vehicles or automobiles is a conditional use.

There are three types of uses in zoning. First is permitted uses. By the virtue of the zoning, the use, building, or activity is permitted and expected in the zoned area.

Example permitted uses in a CCS are bookstores, offices, clothing stores, retail food stores, hotels, motels, restaurants, furniture stores, and private gymnasiums.

Conditional uses are those permitted but only by approval of the Board of Zoning Appeals (“BZA”). They are ones that need approval because they may or may not fit the districted/zoned area. Automotive sales is one such conditional use.

Then there are special uses. Those are not listed as a permitted or conditional use; however, they may seek a hearing before the BZA. And the BZA will make a recommendation to the City Commission. The Commission holds final authority.

In this case, Lee Enterprises sought a Conditional Use Permit. On September 10, 2024, the BZA approved a conditional use permit for automotive sales of “late model cars” with no servicing of vehicles. There was public comment at the hearing with written and oral commentary on both sides of the permit issuance. The BZA voted 3-1 in favor of the Conditional Use Permit.

**Discussion of Issue:** The City Commission does not have review of the issuance of a Conditional Use Permit like it does Special Use Permits. However, K.S.A. 12-759 allows the Commission if “dissatisfied with any order or determination of the [BZA]”

to “bring an action in the district court [ ] to determine the reasonableness of any such order or determination.”

The Kansas Supreme Court established guiding factors which can be weighed in a case-by-case analysis that help evaluate the reasonableness of a zoning decision in *Golden v. City of Overland Park*, 224 Kan. 591, 584 P.2d 130 (1978). *Golden* is still cited favorably up to now. *Zimmerman v. Board of County Commissioners of Wabaunsee County*, 289 Kan. 926, 945 – 946, 218 P.3d 400 (2009); *Austin Properties, LLC v. City of Shawnee*, 64 Kan.App.2d 166, 187 – 200, 547 P.3d 531 (April 26, 2024). What those mean is that the Kansas Supreme Court still uses the *Golden* factors and the Kansas Court of Appeals just used those factors in another issue in April 2024.

Those factors are as follows:

- The character of the neighborhood;
- The zoning and uses of properties nearby;
- The suitability of the subject property for the uses to which it has been restricted;
- The extent to which removal of the restrictions will detrimentally affect nearby property;
- The length of time the subject property has remained vacant as zoned;
- The relative gain to the public health, safety, and welfare by the destruction of the value of plaintiff’s property as compared to the hardship imposed upon the individual landowner;
- Recommendations of a permanent or professional planning staff; and,
- The conformance of the requested change to the City’s master or comprehensive.

The BZA’s minutes from that meeting as well as public comments and other records are attached.

One other thing to consider is the City would need to pay for the BZA to have an attorney handle their side of the litigation.

**Recommendation:** Staff recommends discussion. I cannot guarantee a results if litigation occurs; however, at first blush, it appears strong.

**Possible Motions:** I move to authorize the City Attorney to initiate litigation regarding the rezoning of 343 E Chestnut.

**ORDINANCE NO. S-3301**

**AN ORDINANCE AUTHORIZING LITIGATION AGAINST THE BOARD OF ZONING APPEALS CONCERNING THE CONDITIONAL USE PERMIT CONCERNING 343 E CHESTNUT**

WHEREAS, the Board of Zoning Appeals of the City of Junction City, Kansas, held a hearing and voted to allow a Conditional Use Permit at 343 E Chestnut Street, Junction City, Geary;

WHEREAS, the City Commission for the City of Junction City, Kansas, is dissatisfied with the order or determination to allow the Conditional Use Permit;

WHEREAS, the City Commission may bring an action before the Geary County District Court pursuant to K.S.A. 12-759 to determine the reasonableness of the Board of Zoning Appeals' order or determination.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF JUNCTION CITY, KANSAS:

SECTION 1. It is hereby authorized and provided that the City Attorney may prepare and file a petition and other such pleadings as are necessary to initiate an action in District Court concerning the Conditional Use Permit authorized by the Board of Zoning Appeals.

SECTION 2. Take Effect. This Ordinance shall be in full force and effect from and after the date of its passage, approval, and publication as provided by law. However, the City Attorney may initiate pleadings and their filing prior to the publication.

ADOPTED by the Governing Body of the City of Junction, Kansas, on the 9th day of October, 2024.

APPROVED by the Mayor on the 9th day of October, 2024.

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PAT LANDES, Mayor

(SEAL)

October 2024  
BZA Litigation Ordinance

ATTEST:

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Tammy Melton, Deputy City Clerk

APPROVED AS TO FORM:

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Britain D. Stites, City Attorney

October 2024  
BZA Litigation Ordinance



## AGENDA

Junction City Planning Commission/Board of Zoning Appeals Meeting  
Second Floor Training Room  
City Building  
700 N. Jefferson Street  
Junction City, KS  
September 10, 2024  
5:00 P.M.

### Planning Commission

Kendell Schoenrock, Chairman  
George Savage, Vice-Chairman  
Mary Snipes  
Brad Chauncey  
Stuart Wells

A. Call to Order

B. Approve Minutes of July 9, 2024 Meeting.

C. Public Hearing to Consider a Request for a Conditional Use Permit on property with a common address of 343 E. Chestnut Street, Junction City, KS for Lee Enterprise LLC automotive sales and services.

D. Public Hear to Consider a Request for a Variance for property with a common address of 0000 Cinder Ct, Junction City, KS for C&C Homes LLC.

E. Other items for the Good of the Cause.

F. Adjourn.

Next meeting will be on Tuesday, October 8<sup>th</sup>.



(Published in the Junction City Union on Wednesday, August 14, 2024)  
Notice of Public Hearing

Junction City Board of Zoning Appeals

Notice is hereby given that on Tuesday, September 10, 2024, at 5:00 PM, the Junction City Planning Commission will hold a public hearing in the Second Floor Training Room of the Junction City Office, located at 700 N. Jefferson Street, Junction City, KS.

The public hearing will address the following requests:

1. **Lee Enterprises LLC:** Conditional Use Permit for property zoned "CCS" Central Commercial Special District to allow automotive sales and services at 343 E. Chestnut Street, Junction City, KS. Legal description: Block 1, Lot 3, Acres 1.2, Section 12, Township 12, Range 05. The property is situated northwest of the intersection of S. Hammons Dr. and E. Chestnut St., Junction City, KS.

All interested parties are invited to submit written comments to the Board of Zoning Appeals before the public hearing or to present both written and oral comments during the hearing. Following the hearing, the Junction City Board of Zoning Appeals may take action on the Conditional Use Permit or may choose to continue consideration of these matters at a future date with no further notice.

Dated this 9th day of August 2024.

Christopher Srackangast  
Community Development Director  
City of Junction City

**AFFIDAVIT OF PUBLICATION**

State of Pennsylvania, County of Lancaster, ss:

Yuade Moore, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Junction City Union, a newspaper printed and published in the City of Junction City, County of Geary, State of Kansas, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

**Publication Dates:**

- Aug 14, 2024

**Notice ID:** GMebBXq1KrRcOznI0DY7

**Publisher ID:** J10691

**Notice Name:** Public Notice 343 E CHESTNUT SEPTEMBER MEETIN

**Publication Fee:** \$38.99

(signed) Yuade Moore

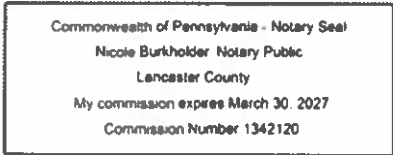
**VERIFICATION**

State of Pennsylvania  
County of Lancaster

Subscribed in my presence and sworn to before me on this: 09/03/2024

Nicole Burkholder

Notary Public



Notarized remotely online using communication technology via Proof.

Vendor # \_\_\_\_\_ Ck # \_\_\_\_\_ Ck Date \_\_\_\_\_  
 GL Acct # 000.5.02000.0000.0703  
 Invoice Amount \$ 38.99 Entered DT/BY \_\_\_\_\_  
 Dept Head/DT [Signature] AP Clerk \_\_\_\_\_

(Published in The Junction City Union on Wednesday, August 14, 2024)

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1. Lee Enterprises LLC Conditional Use Permit for property zoned "CCS" Central Commercial Special District to allow automotive sales and services at 343 E. Chestnut Street, Junction City, KS. Legal description: Block 1, Lot 3, Acres 1.2, Section 12, Township 12, Range 05. The property is situated northwest of the intersection of S. Hammons Dr. and E. Chestnut St., Junction City, KS. All interested parties are invited to submit written comments to the Board of Zoning Appeals before the public hearing or to present both written and oral comments during the hearing. Following the hearing, the Junction City Board of Zoning Appeals may take action on the Conditional Use Permit or may choose to continue consideration of these matters at a future date with no further notice.  
Dated this 9th day of August 2024.

Christopher Sauciangasi  
Community Development Director  
City of Junction City

J10691



**Junction City Planning Commission/Board of Zoning Appeals Meeting  
September 10, 2024**

**C. Public Hearing to consider a request for Conditional Use Permit on property with a common address of 343 E. Chestnut Street.**

**Description of Request:** Lee Enterprise LLC is requesting approval for a Conditional Use Permit for the property at 343 E. Chestnut. The permit would allow Lee Enterprise LLC to use the property as a automotive sale and services lot.

**Staff Review and Recommendations:** Under the current zoning regulations, automotive sales and services are not permitted without a Conditional Use Permit. Granting this permit to Lee Enterprises would support local business growth in the area. However, several factors should be considered before approval. Granting a Conditional Use Permit may or may not have potential negative impact on property values in the surrounding area. Issuing this permit could set a precedent for potentially making it easier for similar businesses to obtain Conditional Use Permit in the future in that surrounding area.

**Actions to be Taken:**

1. Approve the Conditional Use Permit for automotive sale and Service to Lee Enterprise LLC.
2. Table for further Discussion



**Minutes**  
**Junction City Planning Commission/ Board of Zoning Appeals**  
**September 10, 2024**

The meeting of Junction City Planning Commission/Board of Appeals was called to order by Chairmen, Kendall Schoenrock on September 10, at 5:00 P.M. in the second Floor Training Room of the City Office. Members present were George Savage, Mary Snipes, and Brad Chauncey. The Community Development Director Christopher Srackangast was also present.

The minutes from the July 9, 2024, meeting were reviewed. Brad Chauncey made a motion to approve the minutes, and Mary Snipes seconded. The Planning Commission unanimously approved the minutes.

With no other business the Planning Commission was adjourned 5:07 P.M.

The Board of Zoning Appeals was call to order by Chairmen, Kendall Schoenrock

A public hearing was conducted to review the request for a Conditional Use Permit for the property located at 343 E. Chestnut Street, pertaining to the conditional use of automotive sales. Mr. Bryan Mosthaff, an attorney representing Lee Enterprises, spoke on behalf of the Lee family, emphasizing that they have been part of the community for over 40 years. He argued that granting the permit would boost sales and property tax revenue for a building that has remained vacant for several years. Mr. Mosthaff also provided the commission with the Lee's business plan for the property and invited Mr. Arin Lee to highlight key points.

Arin Lee addressed the commission, explaining that the plan is to establish a franchise dealership in Junction City. He noted that the location is ideal for launching the company and mentioned that the dealership would focus on selling quality late-model cars, without offering automotive services or mechanical work at this site. He added that, if the permit were granted, Lee Enterprises would aim to hire two to three sales representatives and one title processor, contributing to local employment. Mr. Lee projected that with the building being vacant for a year, the dealership could generate approximately \$700,000 in sales tax annually, along with property tax revenue and job creation that would benefit Junction City.

Mr. Martin Hemingway expressed support for the Lee's business plan, citing the success of their other dealership on Washington Street. He noted the long vacancy of

the E. Chestnut property and argued that revitalizing it with a business would enhance the community by generating income and supporting neighboring businesses.

Mr. Jacob Hess also spoke in favor of the permit, stating his long-standing relationship with the Lee family. He emphasized their commitment to the community and noted that the presence of four competitors at the meeting underscored the respect for their business plan. He believed the initiative would not only benefit the Lee family but also support similar businesses in the area.

Christopher Srackangast, the community director for Junction City, discussed the criteria the commission should consider in their decision. He referenced the Planning and Zoning regulations for Kansas municipalities, which suggest evaluating factors like public safety, property values, and the overall impact on the community. He highlighted the eight factors established by the Kansas Supreme Court in the 1978 case *Kansas Gold v. Overland Park*, including neighborhood character and the suitability of the property.

After no further comments, Chairman Schoenrock expressed his support for entrepreneurs but voiced reservations about the specific location for the business. He felt there might be better-suited locations for the Lee's plans.

Commissioner Brad Chauncey remarked that concerns regarding traffic and property impact should not deter the community from supporting the business. Commissioner Mary Snipes inquired about the price range for the cars, to which Arin Lee responded that they would be selling quality late-model vehicles starting at around \$15,000.

It was noted that there would be a limit on the number of cars allowed on the property to ensure compliance with zoning and code regulations and to avoid impacting neighboring businesses.

With no further discussion, Chairman Schoenrock called for a roll call vote. The results were: Brad Chauncey - yes, Mary Snipes - yes, Kendall Schoenrock - no, George Savage - yes. The Conditional Use Permit for 343 E. Chestnut was approved with a three to one vote.

The Board of Zoning Appeals held a hearing regarding a variance request for the property located at 0000 Cinder Ct for C&C Homes LLC.

Brad Chauncey presented the plan to build two multi-family duplexes on three lots, noting that many homes and duplexes in the subdivision have successfully obtained variances.

Leon Osbourne, the City's acting Engineer, expressed concerns that granting a ten-foot front variance could lead to vehicles parking in the driveway over the sidewalk, obstructing public right-of-way. He suggested that there was sufficient elevation difference from the rear yard to the building line, which would minimize the need for

retaining walls. Mr. Osbourne believed it would be beneficial to grant a yard setback variance of 6.5 feet.

Chairman Schoenrock used Google Earth to review the property and noted that a total of 18.5 feet for the front setback should provide adequate space to prevent any obstruction of the right-of-way.

Vice-Chairman George Savage motioned to grant a variance for the front setback of 6.5 feet, which Commissioner Mary Snipes seconded. The Board voted unanimously in favor.

In a discussion on other matters, Community Development Director Christopher Srackangast informed board members that the City Commission has 30 days to contest the Board of Zoning Appeals' decision regarding the Lee's Conditional Use Permit for 343 E. Chestnut. He assured the board that he would keep them informed about any developments.

Chairman Schoenrock suggested rescheduling the Planning Commission meeting, stating that he found it difficult to attend the Tuesday sessions. He proposed moving it to the first Wednesday of each month, which the other members agreed to. Mr. Srackangast noted that the October meeting was already scheduled and could not be changed, but all members concurred with the new schedule starting in November. The Junction City Planning Commission/Board of Zoning Appeals will now meet on the first Wednesday of every month, beginning November 6, 2024.

Commissioner Brad Chauncey motioned to adjourn, Vice-Chairmen George Savage seconded. The meeting was adjourned.

The next meeting will be held October 10<sup>th</sup>, 2024, at 5: P.M.

Respectfully Submitted,

Christopher Srackangast  
Community Development Director  
City of Junction City

**BOARD OF ZONING APPEALS ORDER  
CASE NO. BZAJC-9-10-24-C**

**WHEREAS**, pursuant to **CHAPTER 440** of the Zoning Regulations of Junction City, Kansas, **Arin Lee**, owner, has requested a Conditional Use to allow Automotive Sales located at property 343 E. Chestnut St., Junction City, Kansas, and legally described as follows:

HAMMONS, JOHN Q; ADD., BLOCK 1, LOT 3, ACRES 1.2, SECTION 12 TOWNSHIP 12 RANGE 05

**WHEREAS**, proper notice as required by statute and by the rule of the Junction City Board of Zoning Appeals was given September 10, 2024; and,

**WHEREAS**, the Junction City Board of Zoning Appeals, at meeting of September 10, 2024, considered said application; and,

**WHEREAS**, the Junction City Board of Zoning Appeals has proper jurisdiction to consider said request for a Conditional Use under the provisions of SECTION 440.360 – AUTHORIZATION of the Zoning Regulations of Junction City, Kansas; and,

**WHEREAS**, the Junction City Board of Zoning Appeals has found the granting of the Conditional Use will not adversely affect the right of adjacent property owners or residents; and,

**WHEREAS**, the Junction City Board of Zoning Appeals has found the Conditional Use desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and,

**WHEREAS**, the Junction City Board of Zoning Appeals has found the granting of the Conditional Use desired is in conformance with the general spirit and intent of the Junction City Zoning Regulations.

**NOW, THEREFORE, BE IT ORDERED** by the Junction City, Kansas Board of Zoning Appeals, this request for a Conditional Use to permit Automotive Sale located on property at 343 E Chestnut St., Junction City, Kansas, and legally described as follows: HAMMONS, JOHN Q; ADD., BLOCK 1, LOT 3, ACRES 1.2, SECTION 12 TOWNSHIP 12 RANGE 05 be approved with the following conditions:

**SECTION 1.** There is to be no Automotive service conducted on 343 E. Chestnut St., Junction City, Kansas

**SECTION 2.** There is to be no more than 40 cars on 343 E Chestnut St., Junction City, Kansas

**ADOPTED AT JUNCTION CITY, KANSAS, this 10<sup>th</sup> day of September 2024.**

By: 

Kendell Schoenrock, Chairman

Attest: 

Christopher Srackangast, Secretary

## **Srackangast, Chris**

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**From:** Stites, Britain  
**Sent:** Tuesday, September 10, 2024 12:41 PM  
**To:** Srackangast, Chris  
**Cc:** Lorenzo, Ariana  
**Subject:** Golden factors for zoning and conditional or special use permits

The leading case in Kansas is *Golden v. City of Overland Park*, 224 Kan. 591, 598, 584 P.2d 130 (1978), which described eight factors the Kansas Supreme Court felt should be considered:

- \* The character of the neighborhood;
- \* The zoning and uses of nearby property;
- \* The suitability of the subject property for the uses to which it has been restricted (that is, whether the property can be developed as zoned);
- \* The extent to which removal of the restrictions will detrimentally affect nearby property;
- \* The length of time the subject property has remained vacant as zoned (often considered in determining whether the current zoning is prohibiting development);
- \* The relative gain to the public health, safety, and welfare by the destruction of the value of a complaining party's property as compared to the hardship imposed upon the individual landowner (applicant) if the rezoning is not approved;
- \* The recommendations of permanent or professional staff; and
- \* Conformance of the requested change to the adopted or recognized master plan.

These Golden factors are not necessarily an exclusive list of relevant considerations.<sup>121</sup> For example, see *R.H. Gump Revocable Trust v. City of Wichita*<sup>122</sup> (holding that a municipality may consider aesthetic and cultural matters and, in zoning determinations, "public welfare" includes spiritual, physical, and aesthetic factors). K.S.A. 12-755(a)(4) further specifically authorizes a city to adopt zoning regulations which "control the aesthetics of redevelopment or new development".

Sent from my iPhone

**JUNCTION CITY PLANNING COMMISSION  
And  
BOARD OF ZONING APPEALS**

**APPLICATION FORM**

DATE: August 6, 2024

Case No. \_\_\_\_\_  
(Assigned by Staff)

Applicant/Prop. Owner: Lee Enterprises LLC Phone: 785-410-3020  
(please print name)

Email: leenterprisesmhk@gmail.com

Address: 343 E Chestnut, Junction City, KS 66441

Signature: \_\_\_\_\_  
Street/City/State/Zip --- Please Print  
Janet Lee, Managing Member  
(Printed Signature)

\*\*\*\*\*

Agent (if applicable) Janet Lee Phone: 785-410-3020

Print Name

Address: PO Box 1, Manhattan, KS 66505-0001

Street/City/State/Zip --- Please Print

Signature:  Janet Lee  
(Printed Signature)

\*\*\*\*\*

This form MUST be completed and filed at the City Codes Department, located in the Municipal Building at 700 N. Jefferson, Junction City, KS 66441, in accordance with directions on the accompanying instruction sheet. Check the appropriate box below for type of application being submitted.

**SECTION 1**

This property is located within:  Junction City

Planning Commission

- Zone Change from \_\_\_\_\_ to \_\_\_\_\_
- Special Use Permit
- Site Plan/Development Plan
- Plat ~ preliminary \_\_\_; or final \_\_\_
- Vacation
- Other \_\_\_\_\_

Board of Zoning Appeals

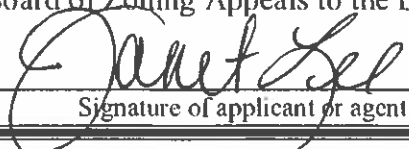
- Conditional Use Permit
- Variance
- Appeal (e.g. decision/interpretation of Person administering zoning regulations.)
- Special Exception
- Other \_\_\_\_\_

SECTION II

- 1. Legal description: Lot 3, Block 1, John Q. Hammons Addition to Junction City, Geary Co, KS  
(If appropriate, a meets and bounds description may be attached.)
- 2. Property is located at (address) 343 E Chestnut St, Junction City, KS 66441 which is  
generally located at (relation to nearest streets/roads) Chestnut Street
- 3. Application area contains \_\_\_\_\_ acres or square footage.
- 4. Request filed for the following reasons: Property is currently zoned for commercial use.  
We are requesting the Conditional Use Permit to allow us to conduct Vehicle Sales  
from this location.

*(Attach additional sheets, if need; and any supporting documentation {e.g., site plan or drawing} or other applicable information.)*

6. Applicant acknowledges receipt of the **instruction sheet** explaining the method of submitting this application. Applicant realizes this application cannot be processed unless it is completely filled in; is accompanied by all required documents (e.g., **written statement explaining reason for request; authorization letter; development plan, etc.**); and the **appropriate fee**. Applicant further certifies that the foregoing information is true and correct to the best of his knowledge. Applicant authorizes unannounced inspections of the subject property by City staff for the purpose of collecting information to review and analyze this request. Applicant further acknowledges that the Planning Commission, Board of Zoning Appeals or Governing Body shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare. Applicant further acknowledges he has been advised of his **right to appeal** a decision of the Board of Zoning Appeals to the District Court.



Signature of applicant or agent or property owner

8/6/2024

Date

SECTION III - Office Use Only

This application was received at the office of the City Codes Department on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_; at \_\_\_\_\_ (time). This application has been checked and found to be complete and accompanied by the required documents and the appropriate fee of \$\_\_\_\_\_.

**Case No. Assigned:** \_\_\_\_\_

Name

Title

**AUTHORIZATION LETTER**

Date: August 6, 2024

For Case No. \_\_\_\_\_

Land owner's name and address: (please print)

Name: Lee Enterprises LLC Phone No. 785-410-3020

Janet Lee, Managing Member 785-410-3020

Address: PO Box 1

Manhattan, KS 66505-0001  
(City/State/Zip)

I, Lee Enterprises LLC and Janet Lee, Managing Member, hereby authorize \_\_\_\_\_ to act as my agent in the pursuit of a (rezoning/variance/conditional use/special use/other) for my property at 343 E Chestnut Street, Junction City, KS 66441.

  
\_\_\_\_\_  
Landowner's signature

  
\_\_\_\_\_  
Landowner's signature

**STREET RODS INC**

785-762-5777  
1425 N WASHINGTON STREET  
JUNCTION CITY, KS 66441

23802



Date 8/6/2024 83-492/1011

Pay to the  
order of

*City of Junction City*

\$ 100.00

Dollars



THE BENNINGTON STATE BANK

WWW.BSBKS.COM

For *Dep Dep/conditional use funds*

⑆023802⑆ ⑆101104928⑆ 200099757⑆

*Garret Jop*

MP

## **PROPOSAL FOR CAR DEALERSHIP**

We would like to put a car dealership in the building located at 343 E. Chestnut. That building formerly housed Meritrust Credit Union. The building has been sitting vacant since early 2020. When we purchased the building, several squatters were removed. During the process of closing on the sale of the property, the building was vandalized. Since the purchase of the building, the graffiti has been removed along with several other objects.

We are currently in the process of hiring staff to run this new dealership. We plan on hiring six (6) new employees for this location. The dealership will house approximately 50 vehicles, with plans of selling 40 vehicles a month. (All service of vehicles will be completed at an offsite location.) We believe that this new location will generate approximately \$700,000 in sales tax a year and also bring in more money to the community (transport trucks getting fuel, customers getting lunch/dinner, parts stores hiring more employees to help service the Vehicles).

Within the next year we plan on installing Junction City's first and only public electric vehicle chargers. We believe this is a great location for this due to being close to the interstate and close to many restaurant and stores. These chargers will also help keep the electric vehicles in the dealership's inventory charged. Other local businesses would also benefit from Interstate traffic using the chargers.

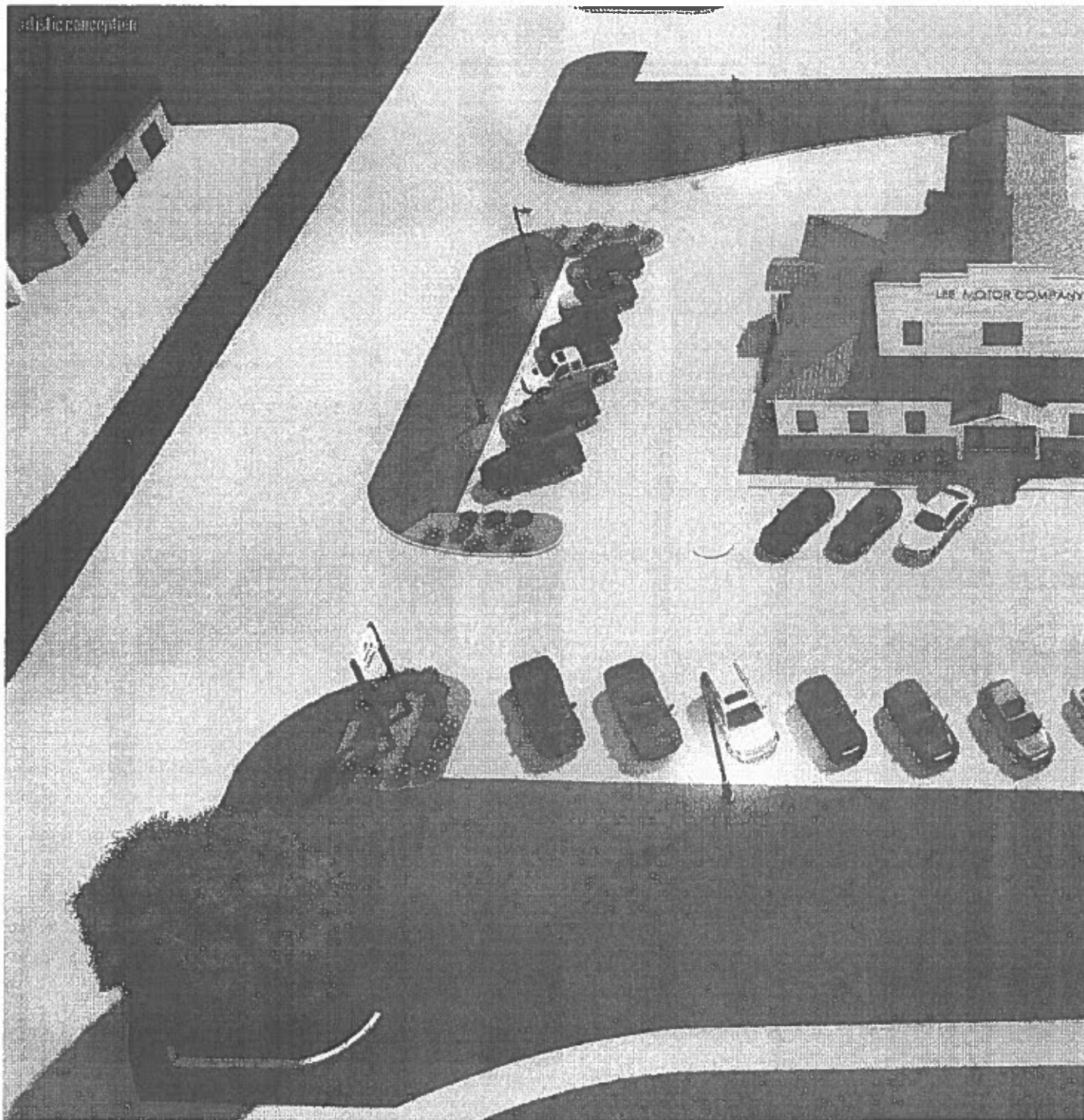
At this time, this location will receive no major updates besides a new coat of paint. The purchase and rezoning of this building will allow us to have a contract with Casey's General Store to purchase our 1750 N. Washington location for a convenience store. We are excited about this new location and investing in the local community. We have discussed our proposal with several local business owners, past, present and future customers, and members of the community. Everyone we spoke to is in favor of our plans and how it would benefit Junction City.

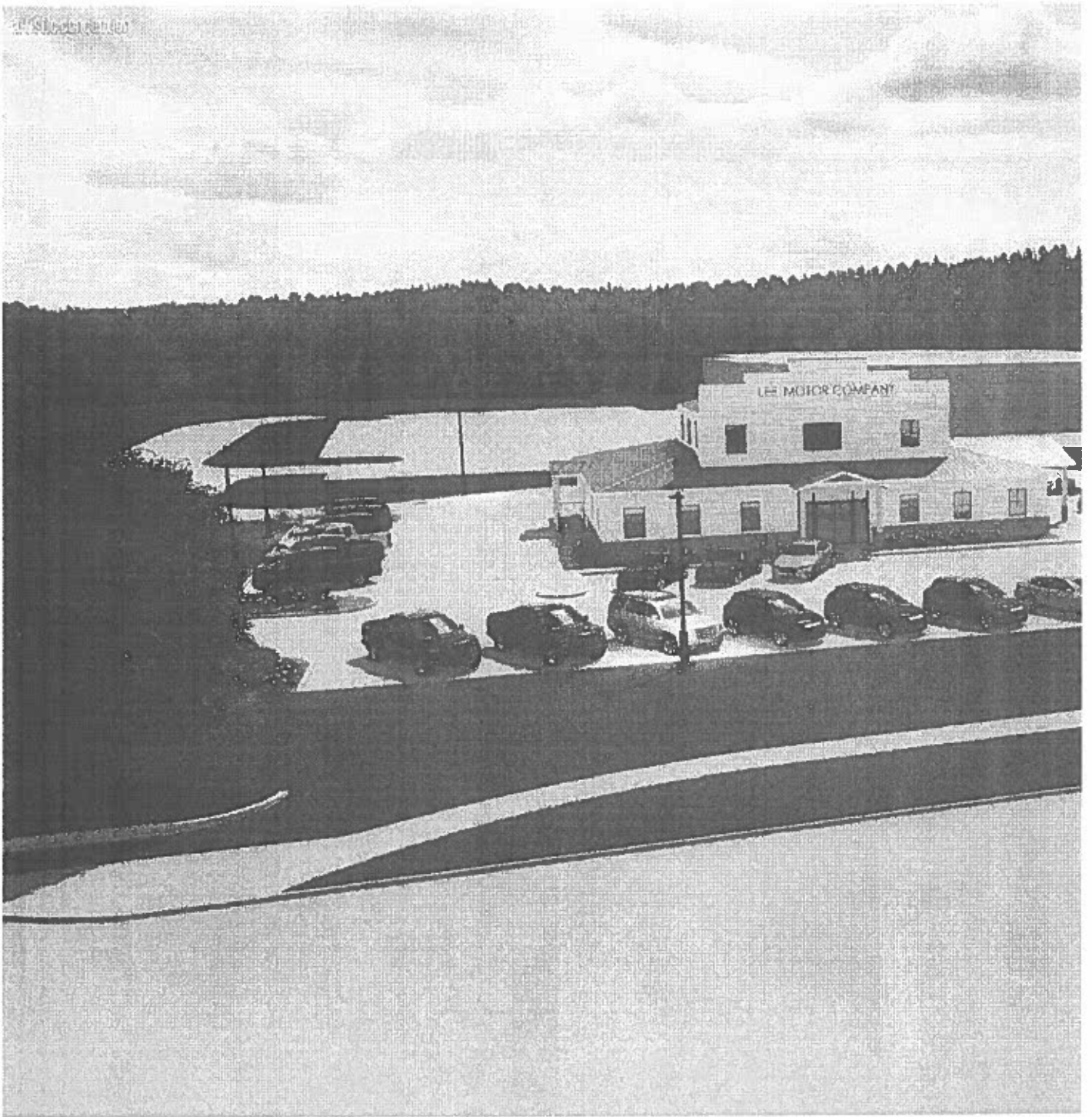
Within the next three (3) years we plan on growing, and for that growth to be in Junction City. The long term goal with this location is to open a new car franchise which we think will be the perfect location to do so. At that time, sales tax revenue and the number of employees would increase significantly.

The establishment of this car dealership represents a significant investment in the local community, with huge anticipated economic benefits, job creation, and future growth opportunities. The project aligns with community feedback and supports both immediate and long-term local development.

Arin Lee  
Adam Lee









## **Srackangast, Chris**

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**From:** john york <jbannisteryork@yahoo.com>  
**Sent:** Monday, September 2, 2024 10:00 AM  
**To:** Srackangast, Chris  
**Subject:** RE: [External - Email] Re: zoning

Chris, I don't think I want to attend in that I am not a property within the required notification limits. My only interest is in support of current zoning regulations of which I believe. So here are my thoughts.

I believe conditional use permits should be allowed only under extreme conditions. The problem with a conditional use in this instance is that granting one brings into play the possibility of other car dealerships applying to open a used car dealership on that section of chestnut street. By granting this current request it seems you will have established a precedent thus making it difficult to deny future used car dealerships applications for conditional use.

I also believe having a used car dealership there will diminish property values in the area, i.e. north Washington street. If you have any questions or desire further conversation on this please do not hesitate calling me.

John B. York  
785.210.5700

Sent from [Mail](#) for Windows

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**From:** [Srackangast, Chris](#)  
**Sent:** Friday, August 30, 2024 11:59 AM  
**To:** [kendall@kendallschoenrock.com](mailto:kendall@kendallschoenrock.com); [john.york](mailto:john.york)  
**Cc:** [George Savage](#)  
**Subject:** RE: [External - Email] Re: zoning

Mr. York,

Thank you for reaching out regarding your concerns about the car lot on E. Chestnut. To ensure your concerns are addressed properly, could you please let me know if you plan to attend the hearing in person to express your concerns, or if you would prefer that your email be submitted as a written statement for the hearing?

Please contact me at your earliest convenience so that I can make the necessary arrangements.

Thank you!

Very Respectfully

***Christopher Srackangast***

**Community Development Director  
City of Junction City  
Office: 785-238-3103 (ex184)  
Cell: 785-802-8702**

**From:** Kendall Schoenrock <kendall@kendallschoenrock.com>  
**Sent:** Thursday, August 29, 2024 12:05 PM  
**To:** john york <jbannisteryork@yahoo.com>; Srackangast, Chris <chris.srackangast@jcks.com>  
**Cc:** George Savage <edd.savage@hotmail.com>  
**Subject:** [External - Email] Re: zoning

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

John,

First, thank you for reaching out. I appreciate your feedback.

I would like to introduce you to Chris Srackagast, the Community Development Director for the City. Chris is now running point for the zoning board meetings and I think it would be very valuable if you would request to speak at our next meeting. We will meet Tuesday, September 10th on the second floor of the municipal building.

Chris, please see John's email below. Can you let him know how he needs to sign up to speak or if his email below is sufficient?

Let me know if you have any questions or how else I may be of assistance.

Kendall Schoenrock  
SilverRock Ventures  
[kendall@kendallschoenrock.com](mailto:kendall@kendallschoenrock.com)  
c: 610.608.2788

**Make Quality Personal:** Demonstrate a passion for excellence and take pride in the quality of everything you touch and everything you do. Good is not good enough. Do it right the first time and always ask yourself, "Is this my best work?" Focus on quality over quantity.

On Thu, Aug 29, 2024 at 8:15 AM john york <[jbannisteryork@yahoo.com](mailto:jbannisteryork@yahoo.com)> wrote:

kendall i appreciate this opportunity to address the issue of the placement of a used car lot in the johnson addition ( i believe) on east chestnut street. i am not in favor of issuing a conditional use permit for this project. i served 8 years on the metropolitan planning commission with four of those years as chairman. i understand the necessity of zoning. i am not wanting to deny this individual the right to do business in our community however the placement of that business does not comply with our current zoning plan.

again thank you for this opportunity. if an in person appearance is necessary at your meeting i would be glad to attend.

Sent from my iPhone

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Any views or opinions expressed in this email are those of the author and do not represent those of the City of Junction City.

Warning: Although precautions have been taken to make sure no viruses are present in this email, the company cannot accept responsibility for any loss or damage that arise from the use of this email or attachments.

## Crackangast, Chris

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**From:** Kimberly Roberts <kimberrenee72@gmail.com>  
**Sent:** Wednesday, August 28, 2024 1:23 PM  
**To:** Crackangast, Chris  
**Subject:** [External - Email] Please share

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

To the City Commission, Community Development Director, City Manager, Planning and Zoning Committee and anyone else that may have bearing on this very important decision:

You are receiving this letter with the up most concern for our community in regard to the public notification of a letter received of the new zoning appeal at 343 E Chestnut, Junction City KS.

First off, this is in no way a reference to Mr. Lee's character. This is not a personal concern. Mr. Lee was duped by his REALTOR. This should have been developed in the closing of said property long before purchase was finalized. But even with this said I am completely against a car lot of any sorts going into this empty building. This is no place for of any kind of vehicle sales.

Other reasons a used car lot is NOT acceptable at 343 E Chestnut and why this change in zoning should NOT be acceptable are as explained as follows:

- I am extremely concerned about other properties owned personally and as an LLC by the individual as they are not kept up to proper standards. (Go check them out yourselves)
- Has anyone investigated their blight history on all their properties?
- Do you know that the company's Better Business Bureau rating is only one star out of 5. Is that the kind of business you want representing the City of Junction City in our heavy commerce area?
- I truly feel like it is a poor area due to traffic flow and the numerous wrecks that have occurred in this area. It's an extremely busy intersection and with both sides having very busy commerce businesses it will just clog up and distract drivers.
- I also do not like having it located right as one enters Junction City at the main exit that says "Hello. Welcome to Junction City. Want to buy a car?" WE CAN DO BETTER JUNCTION CITY!!!! Washington Street already has many along with Golden Belt Blvd and all of the billboards along I-70.

We do not need another or additional car lot. What we need are restaurants, stores, and better options for those to get off and I-70 and see what our City/County has to offer. Do you see Salina or Manhattan making these development changes to their new plans-NO! And why not - because it is a terrible and horrible idea.

And I cannot encourage each and every one of you to always investigate, investigate and then do it some more!

Also, please acknowledge that putting notices in the worthless piece of newspaper publication (this County /City are currently has)needs to change and I really hope our City Attorney Mr. Stites is on this and applying for changes through the State to have it put on the City's website instead. We no longer have worthy and adequate publications in our area for such a thing.

I would also like to include that it is about high time that this County and City terminate the Economic Development Director and revise the committee as this building should NOT have been empty at all. I am truly disappointed that zero efforts have been made on finding a worthy occupant for this prime location along with many other venues. Enough is enough Junction City. It's time for a new leader! Someone who lives here, wants what is best for our community and participates in public as a person of her stature should.

Sincerely,

Kimberly Roberts

## Srackangast, Chris

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**From:** Kendall Schoenrock <kendall@kendallschoenrock.com>  
**Sent:** Tuesday, September 3, 2024 10:22 AM  
**To:** Srackangast, Chris  
**Subject:** [External - Email] Fwd: East Chesnot

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

Kendall Schoenrock  
SilverRock Ventures  
[kendall@kendallschoenrock.com](mailto:kendall@kendallschoenrock.com)  
c: 610.608.2788

**Speak Straight:** While always being respectful, speak honestly in a way that helps make progress. Say what you mean, and be willing to ask questions, share ideas, or raise issues that may cause conflict when it's necessary for team success. Be courageous enough to say what needs to be said. Address issues directly with those who are involved or affected. Provide honest and timely feedback.

----- Forwarded message -----

**From:** Steve Locke <[slocke6@cox.net](mailto:slocke6@cox.net)>  
**Date:** Tue, Sep 3, 2024 at 10:01 AM  
**Subject:** East Chesnot  
**To:** Kendall Schoenrock <[kendall@kendallschoenrock.com](mailto:kendall@kendallschoenrock.com)>

Kendall,

If I'm not too late, please add me to the group that is opposed to a car sales lot on East Chestnut. Thanks.

Steve

## **Srackangast, Chris**

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**From:** Janie Murk <janiemurk@gmail.com>  
**Sent:** Monday, September 9, 2024 12:09 PM  
**To:** Srackangast, Chris  
**Subject:** [External - Email] Lee Enterprises LLC

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

### **Please share:**

To the City Commission, Community Development Director, City Manager, Planning and Zoning Committee and anyone else that may have bearing on this very important decision:

You are receiving this letter with concern for our community in regard to the public notification of a letter received of the new zoning appeal at 343 E Chestnut, Junction City KS.

This is not a personal concern. I am completely against a car lot of any sorts going into this empty building. I have already expressed this to Mr. Gordon, whom I hope passed along my concerns to those "in charge."

Not only is the Chestnut exit THE BEST exit in Junction City to welcome travelers, it is also a very dangerous street to get onto. Exit 298 has restaurants, shopping, and hotels; hotels in which people pay good money to stay. They DO NOT want to look at a junky used car lot. Car lot row(s) is on Washington Street and Grant Avenue, not Chestnut Street. This vacant building should be a restaurant; NOT a used car lot.

Who made the decision to approve this? Does the individual who is putting in a car lot even know that he or she may not be able to? Who sold this building to said individual?

I am not sure that the general public is even aware of what is going on. The only reason that I know is because I work at a business right across the street. We received a letter from Christopher

Strackangast. The letter states that it was published in the Junction City Union on August 14th, 2024; NOBODY reads the paper. It is trash.

Again, our guests do not want to look at a bunch of junky used cars while they are visiting the area.

The leadership in this community is weak. I really hope that Mr. Vernon gets us back on track; he is the best City Manager that we have had since I moved here in 2007. The EDC Director has no clue what is going on in this town. We need people who LIVE IN and LOVE this community; not just people looking for an easy paycheck because they are "friends" with the "right" people.

Please consider this when making decisions about our community.

Thank you for your time.

Janie Kruse Murk  
Candlewood Suites  
Director of Sales  
100 S Hammons Drive  
Junction City, KS 66441  
(785) 238-1454 x.404  
<http://www.candlewoodsuites.com/welcome>



Think twice before printing this e-mail. Share in our **Green Engage** commitment!

## **Srackangast, Chris**

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**From:** Garrett Stewart <garrettstewartdvm@gmail.com>  
**Sent:** Tuesday, September 10, 2024 12:58 PM  
**To:** Srackangast, Chris  
**Subject:** [External - Email] Economic Development

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

To whom it may concern,

I am sending a letter in support of the Lee family's expansion of Street Rods in Junction City Kansas. I have been an avid customer of Jan, Neil, Adam and Arin Lee's business for 8 years. They have always treated my family and I with honesty and respect. Something I can personally attest isn't common in the car business. We continue to send many of our friends and clients to Street Rods for cars, trucks, and SUV's. They are a small business in your community who contributes to your local economy. Being a veterinarian in a small rural town has given me the opportunity to interact with all sorts of businessmen and women in their respective trades. As a founding member of the Washington County Economic Partnership we work with businesses of all sizes to contribute to our local communities. Each business no matter how big or small plays a vital role. I find it a great opportunity to allow two young entrepreneurs to expand their family's business onto a prime real estate location they have recently purchased. This will give them more visibility in an area better suited for esthetics for their new car sales showroom. Again, thank you for your time and consideration for an incredible family!

Kind Regards,

Garrett Stewart

Dr. Garrett Stewart, DVM

Washington Veterinary Clinic

Cell: 1-785-747-6583

Work: 1-785-325-2391

[garrettstewartdvm@gmail.com](mailto:garrettstewartdvm@gmail.com)

[www.washingtonveterinaryclinic.net](http://www.washingtonveterinaryclinic.net)

"In any moment of decision, the best thing you can do is the right thing, the next best thing is the wrong thing, and the worst thing you can do is nothing" Theodore Roosevelt

## **Srackangast, Chris**

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**From:** Cody Theobald <codytheobald01@gmail.com>  
**Sent:** Tuesday, September 10, 2024 1:04 PM  
**To:** Srackangast, Chris  
**Subject:** [External - Email] 343 E. Chestnut

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

Hello Christopher, my name is Cody Theobald. I want to write in to show my support of the rezoning of 343 E. Chestnut. I have done business with the Lee family several times over the years and I am excited for them to be expanding. I think it is great that young people are investing in the community and look forward to doing business with them in the Junction City community in the future.

Thank you for your time Cody Theobald

## **Srackangast, Chris**

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**From:** Arin Lee <arinl@streetrodsks.com>  
**Sent:** Tuesday, September 10, 2024 2:09 PM  
**To:** Srackangast, Chris  
**Subject:** Re: [External - Email] 343 E. Chestnut

This is who has contacted me in the last couple of hours. Some of them might have been in contact with you already.

Jake Hess  
Timmy Rexroad  
Bryan Mosthaff  
Martin Hemingway  
Dave Rapp  
Wesley Garibay

I will let you know if anything changes or anyone contacts me.  
Sent from my iPhone

> On Sep 10, 2024, at 12:13 PM, Arin Lee <arinl@streetrodsks.com> wrote:

>

> When do I need to let you know by?

> Sent from my iPhone

>

>> On Sep 10, 2024, at 11:29 AM, Srackangast, Chris <chris.srackangast@jcks.com> wrote:

>>

>> Arin,

>>

>> Since you have indicated in writing that they would like them to speak on the progression of the property, and considering it is an open hearing, they are welcome to attend and share their insights. Please provide a list of names in writing so I can ensure proper documentation for the records.

>>

>>

>> Very Respectfully

>>

>> Christopher Srackangast

>> Community Development Director

>> City of Junction City

>> Office:785-238-3103 (ex184)

>> Cell:785-802-8702

>>

>>

>> -----Original Message-----

>> From: Arin Lee <arinl@streetrodsks.com>

>> Sent: Tuesday, September 10, 2024 9:49 AM

>> To: Srackangast, Chris <chris.srackangast@jcks.com>

>> Subject: Re: [External - Email] 343 E. Chestnut

>>

>> Is it possible for me to send you a list of people that are wanting to come and share their thoughts on it? I think that will be easier than having everyone call or email you.

>>

## **Srackangast, Chris**

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**From:** Chase Junghans <chasejunghans18@gmail.com>  
**Sent:** Tuesday, September 10, 2024 1:57 PM  
**To:** Srackangast, Chris  
**Subject:** [External - Email]

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

Hello Chris, My name is Chase Junghans. I was going to attempt to make it to the rezoning meeting in regards to the rezoning of 343 E Chestnut. As a land owner in the CCS district and a previous local business owner I think this is a great idea. The use of a once vacated lot that is now going to be utilized and employing people is great for the community. I believe that this is also good for local property owners in this area. As a previous business owner in this area (Shop Quik Convenience Stores) I think the influx of people making large purchases in the area will benefit all businesses in Chestnut area. Sincerely Chase Junghans

Chase Junghans Racing  
615 S. 4th Street  
Manhattan, KS 66502  
Cell 785-410-6600

## **Crackangast, Chris**

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**From:** Amber Aguinaga <amlee.aguinaga@gmail.com>  
**Sent:** Tuesday, September 10, 2024 12:04 PM  
**To:** Crackangast, Chris  
**Subject:** [External - Email] Re: 343 e. Chestnut

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

Good Morning Mr. Crackangast,

I am writing you in regards to the re zoning at the above address. I would like to inform you that I am in favor of this rezoning to the car dealership. The Lee family are very hard workers and dedicated to supporting Junction City. Already having been a member of your community for more than 44 years, their continued support from the local city officials is greatly appreciated.

Thank you for your time,

Amber L. Aguinaga

Sent from my iPhone

## **Srackangast, Chris**

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**From:** william eastman <w.eastman9@gmail.com>  
**Sent:** Tuesday, September 10, 2024 12:38 PM  
**To:** Srackangast, Chris  
**Subject:** [External - Email] Meritrust building zoning

"NOTICE: This email originated from outside our organization. DO NOT CLICK on any links or attachments unless you are expecting the content and know that it is safe."

To whom it may concern,

I support the re-zoning of the vacant Meritrust building to support a local small business. The Lee's business at 18th and Washington always appears clean and well kept. It seems to me the city has plenty to gain in tax revenue from this venture as well. While I am not affiliated with the Lee's I do support small business having opportunity in our community.

-William Eastman  
Sent from my iPhone