

**MINUTES – 5.18.2021 – DRAFT**  
**BONNER SPRINGS PLANNING COMMISSION MEETING**  
Tuesday, May 18, 2021 – Regular Meeting – 7:00 p.m.

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1. Meeting **CALLED TO ORDER** by Chair Greg Gebauer at 7:00 p.m.

**ROLL CALL**

Planning Commissioners Present: Larry Clark; Greg Gebauer; Lloyd Mesmer; Sherri Neff; Nick Perica; Paul Zeps

Absent: – None

Quorum Established

Staff Present: Mark Lee, City Planner; Amber Vogan, Assistant City Manager

2. **CONSENT**

**Item #1 – Approval of Minutes of March 16, 2021 Planning Commission meeting**

Chair Gebauer introduced the Consent Agenda Item #1. Commissioners were awarded time to comment or ask questions. There were no comments or questions.

Motion to **APPROVE the Consent Agenda** was made by Mesmer and seconded by Clark.

Chair Gebauer asked for those in favor of the motion to state “aye”.

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

3. **UNFINISHED BUSINESS**

None at this time

**NEW BUSINESS**

**Agenda Item #4 – PUBLIC HEARING – BSRZ-01-21 - Consider a request** for approval of a zoning change from MX (Mixed Use) to A-1 (Agricultural District) and from A-1 (Agricultural District) to MX (Mixed Use) as indicated within the included legal descriptions.

Chair Gebauer introduced New Business Item #4 and called for a staff report.

Lee explained the requested zoning change, its location within the development and how it works within the site. Lee explained the location of the concert pavilion was being changed to become more of a focal point; the request is to locate the concert pavilion to the northeast corner of the site.

Chair Gebauer asked if there were any further questions of staff or the applicant, being none Chair Gebauer asked if any member of the public would like to speak in favor or against the request.

Chris Fritz – 633 N. 130<sup>th</sup> Street – representing Azura Amphitheater (Sandstone) Mr. Fritz expressed his concern regarding two venues within such close proximity and how they could coexist. Mr. Fritz asked if any planning thought was put into this scenario.

Chair Gebauer asked if Staff had any comments in regards to the question. Staff stated they had no input as to how two facilities within close proximity could sustain and this was not within Staff's purview. Staff spoke about the numerous arenas and concert venues scattered throughout the Kansas City Metropolitan area and their coexistence for years.

Fritz spoke in reference to any potential debt service incurred by the request and the revenue generated by Azura Amphitheater and how this may be affected by a new venue. Fritz stated he did not know how two facilities like these could exist. He expressed his desire to have the proposed rezoning denied.

Chair Gebauer asked if there were any further comments, there were none.

Chair Gebauer called for a motion.

Motion to **APPROVE BSRZ-01-21** was made by Mesmer and **seconded** by Neff.

Commissioner Zeps asked if the request was for rezoning purposes only, Zeps wanted to clarify if Council had seen this project in the past. Chair Gebauer stated the property had previously gone through the rezoning process and this request in essence was a switching of the location of previously approved zoning. Staff explained that is the case. Zeps asked if City Council had approved the previous version. Staff stated Council had seen the project in the past and approved the zoning/rezoning the site currently holds.

With no further discussion, Chair Gebauer called for a vote

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

Upon approval this item proceeds to the next regularly scheduled Council meeting on June 14, 2021.

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**Agenda Item # 5– PUBLIC HEARING- SUP-01-21** - The applicant is requesting approval of a Special Use Permit to allow for the construction and operation of a Concert Pavilion on property zoned as A-1 (Agricultural District) as allowed by the Zoning Regulations of the City of Bonner Springs.

Chair Gebauer introduced New Business Item #5 and called for a staff report.

Lee reviewed the staff report stating the requested Special Use is allowed under the Zoning Regulations. Lee explained how the Special Use Permit is required to allow for the operation of the concert pavilion and that without the Special Use Permit being granted the concert pavilion could not exist.

Chair Gebauer asked if the applicant wished to speak. Lance Scott with CFS Engineers spoke about the new location within the lot and how the architects and owners had come to the conclusion that placement at the northeast corner of the property would make for a more striking visual appearance and a “gateway” to Bonner Springs.

Chair Gebauer asked if any Commissioners had questions for the applicant. Commissioner Clark asked the applicant if they were aware of the recommendations made by Staff, the applicant stated that they were fully aware and had no issues with the proposed recommendations.

With no further discussion, Chair Gebauer called for a motion.

Motion to **APPROVE SUP-01-21 including Staff recommendations** was made by Clark and **seconded** by Mesmer. With no further discussion, Chair Gebauer called for a vote

Commissioner Zeps asked for discussion pertaining to the operation of the facility itself and the questions raised by Mr. Fritz. Zeps asked Staff, if the Special Use Permit is approved, does the Special Use Permit need City Council approval. Commissioner Zeps asked then if Council had seen and approved this item in the past in its present form. Staff stated that yes; Council had seen the plan and was fully aware of the project. Commissioner Zeps then asked that it is in fact up to the City Council to issue final approval upon the recommendation of the Commission. Staff stated that yes; City Council would have the final option to approve, deny and/or amend the request as they see fit.

Chair Gebauer asked for any further comments or questions, there being none Chair Gebauer asked for a vote.

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

Upon approval this item proceeds to the next regularly scheduled Council meeting on June 14, 2021.

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**Agenda Item #6 – Lot Split- LS-01-21** - Consider a Lot Split presented by BHC Rhodes; on behalf of the property owners, Jetta Kierl/Tim Courtney - The applicant is proposing to split an existing tract (Tract 1) thus enlarging Tract 2.

Chair Gebauer introduced New Business Item #6 and called for a staff report.

Lee reviewed the staff report and spoke of how discussions had begun in late 2020 regarding this project. Lee spoke of the surrounding area and the uses that are currently present on those sites.

Chair Gebauer asked if there were any questions of the applicant or their engineer. There were none, Chair Gebauer asked if the applicants wished to speak, the applicant stated that Staff had adequately expressed their intent.

With no further comments, Chair Gebauer called for a motion.

Motion to **RECOMMEND APPROVAL** of **LS-01-21** was made by Perica and **seconded** by Zeps.

Commissioner Zeps asked Staff to clarify where exactly this request was located within the City. Staff explained the location of the area in question.

With no further discussion, Chair Gebauer called for a vote

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

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**Agenda Item # 7– ST-01-21** - Consider a Site and Landscape Plan for 4120 Bonner Industrial Drive (Teague Lumber); Lot 2 of the Coleman Industrial Park.

Chair Gebauer introduced New Business Item #7 and called for a staff report.

Lee reviewed the staff report stating the requested Site and Landscape Plan is for Teague Lumber, a wholesale lumber company. Lee explained the location and the discussions that have lead up to this point in the process. Lee stated the applicant and their Engineer were present if the Commission had any questions. Lee indicated the owner had provided images of what the facility is intended to look like. Lee stated that the site plan had been sent to the Design Review Team and any outstanding comments relating to the site plan had been addressed sufficiently at this time. Information was still being gathered by the applicant's team and would be delivered for review prior to the Earth Change Permit being issued.

Chair Gebauer asked if any Commissioners had questions of Staff, Chair Gebauer asked staff about the requirements for parking and if what the applicant was providing is sufficient and meets current regulations. Lee stated that Staff and the applicants Engineer discussed parking requirements and how they would pertain to this lot. As the facility is not generally open to the public and serves mainly as a delivery point of service with limited staff in the office portion; the use of Cartage, Delivery and Freight Terminal best fit this site in contrast to a Warehouse. The parking required would be eight (8) spaces and the applicant was providing eleven (11) spaces with one being an accessible space.

Chair Gebauer asked if there were any comments from the applicant. Chris Storm (applicant's engineer) spoke on behalf of the site plan and how the facility is was not a typical lumber yard. Mr. Storm spoke about the aesthetics of the facility while referring to the images included within Staff's report. Mr. Storm spoke about how this facility would help Teague Lumber service the western side of the Kansas City Metro area.

Chair Gebauer asked if any Commissioners had questions for the applicant. Being none, Chair Gebauer called for a motion.

Motion to **APPROVE ST-01-21** was made by Mesmer and **seconded** by Zeps. Commissioner Clark stated there where Staff recommendations included and felt as though the motion should reflect said recommendations.

Discussions between Commissioners revolved around Staff recommendations and how they pertained to the project and motion made.

**Commissioner Mesmer rescinded** his motion and restated it; Commissioner **Mesmer** made a motion to **APPROVE ST-01-21** with recommendations made by Staff. Commissioner Zeps **seconded**.

Chair Gebauer asked for any further comments or questions, there being none Chair Gebauer asked for a vote.

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

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**Agenda Item # 8– ST-02-21** - Consider a Site and Landscape Plan for 606 S. 130<sup>th</sup> Street (McDonald's); Replat of Lots 11 & 12 of the Country Hills Subdivision.

Chair Gebauer introduced New Business Item #8 and called for a staff report.

Lee reviewed the staff report stating the requested Site and Landscape Plan is for a remodel/renovation project occurring at the McDonald's restaurant. Lee explained that the overall site improvements were occurring to allow for more stacking in the drive-thru lanes and better overall traffic flow through the site. Lee stated that the site plan had been sent to the Design Review Team and returned with no comments at this time.

Chair Gebauer asked if any Commissioners had questions of Staff, there were none.

Chair Gebauer asked if there were any questions of the applicant. Commissioner Clark asked Jim Markey of McDonalds to "walk them through" the site plan. Mr. Markey spoke of how the changes were to make it appear more modern and improve the customer experience. He further explained how the changes to the drive-thru lane in particular would separate the "in-store" users from the "drive-thru" customers and improve overall traffic circulation.

Mr. Markey spoke of how the existing drainage study was reviewed to ensure the new additions would work within the existing underground storm water storage. He also spoke of how the site into consideration the City of Bonner Springs landscape requirements.

Commissioner Zeps stated he had read/heard that this McDonald's location is the top grossing sales store within the Kansas City Metro area. Mr. Markey followed that by stating Commissioner Zeps was correct and continued by introducing the store operator, Mr. Mike Dobski.

Mr. Dobski spoke about the gross sales of the store and how it did lead the Metro area in sales and further spoke about the effects of the COVID-19 pandemic on sales. Mr. Zeps was curious if the traffic volumes that are seen were reflected in gross sales. Mr. Markey spoke about the access agreement and how these improvements would not have an effect on city streets.

Chair Gebauer asked if the layout of the new drive-thru lanes would alleviate any of the traffic congestion that can typically occur on the site. Mr. Markey stated that there would be two dedicated lanes that serve the drive-thru and that they have been lengthen to provide for more vehicular stacking to occur; in fact it is intended to double the amount of cars that can traverse the drive-thru lanes.

Mr. Markey stated that they anticipated construction to take approximately 6-8 weeks once everything was approved and finalized.

Commissioner Mesmer asked about storm drains and sewer lines indicated on the site and how there is in fact a very large storm drainage line that travels beneath the property. Mesmer asked if they had given any thoughts as to potentially sending a camera through the line to make sure there are no issues.

Mr. Markey stated that there is no intent to have any permanent structure placed over the lines and it is their understanding that the lines are buried significantly deep and should not be impacted.

Chair Gebauer asked if any Commissioners had any further questions for the applicant. Being none, Chair Gebauer called for a motion.

Motion to **APPROVE ST-02-21 with staff recommendations** was made by Clark and **seconded** by Zeps.

Chair Gebauer asked for any further comments or questions, there being none Chair Gebauer asked for a vote.

AYE – Clark, Gebauer, Mesmer, Neff, Perica, Zeps

NAY – None

**MOTION PASSED 6 – 0**

#### **4. CITY PLANNER'S REPORTS**

Staff addressed the upcoming agenda items:

Special Use Permit for Teague Lumber, the request is to have a temporary job trailer placed upon the site during construction and possible operation.

Site/Landscape Plan for Lot 1 of Bonner Crossing, this would be for the Arts and Entertainment District portion of the development only.

Staff then proceeded to introduce the newly appointed Planning Commissioner, Mr. Vincent Bombardier.

#### **5. ADJOURNMENT**

Chair Gebauer adjourned the meeting at 7:29pm.