

PLANNING COMMISSION MEETING MINUTES

Tuesday, December 13, 2016 @ 7:00 p.m.

Members Present: Craig Stephan, Mark Yates, Sherri Neff, Merle Parks, Lloyd Mesmer, Dave Pierce and Jason Krone

Staff Present: Don E. Slone, AICP, CFM, Planning Director

Chairman Parks called the meeting to order at 7:00 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** from the November 15, 2016 Planning Commission meeting and stated that he would entertain a motion to approve the minutes with the grammatical corrections discussed during the Work Session. Commissioner Mesmer made a motion to approve the corrected minutes with a second from Commissioner Yates. Commissioner Parks asked if there were any additional questions or comments. Seeing none, he called for the vote. The minutes were approved by a 7-0 vote.

Old Business:

Chairman Parks introduced **Item No. 2: Special Use Permit: SUP-138: "Overton's Archery Center"** a request to construct and operate an indoor and outdoor archery range and single-family residence on 6.16 acres. Requested by Leticia Cole, Paul Warner Architects, for Jon Overton, Overton's Archery Center under contract from Mike & Kerry Hefton, property owners of record. The property is zoned A-1, Agricultural District and located at 46 N. 122nd Street.

Chairman Parks opened the public hearing at 7:02 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Special Use Permit as presented in the Staff Report. The Planning Director stated that a meeting was held on Monday, December 12, 2016 with the Planning Director, the adjacent property owners, LeVoide and Stacie Simpson along with Jon Overton and Leticia Cole.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:04 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the Special Use Permit with the listed conditions and add condition No. 5 "The use of firearms is prohibited on the property" with a second from Commissioner Krone.

The Planning Director asked Mr. Overton if he was in agreement with the added condition.

Commissioner Stephan asked about firearms in the indoor range and Mr. Overton stated that firearms are prohibited and only archery inside and outside.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 7-0.

The Planning Director stated that he will forward this item to the Governing Body on January 9, 2017 with a unanimous Planning Commission recommendation of approval.

Chairman Parks introduced **Item No. 3: Zoning Ordinance Amendment: BSZP-126: "Landscape Regulations – Minimum Planting Requirements"** A request by the Planning Commission to consider an amendment to the Zoning Ordinance, Article XXX: Landscape Regulations, Section 5: Minimum Planting.

Chairman Parks opened the public hearing at 7:08 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the changes.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:10 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the amendment as stipulated with a second from Commissioner Mesmer.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 7-0.

The Planning Director stated that he will forward this item to the Governing Body on January 9, 2017 with a unanimous Planning Commission recommendation of approval.

New Business:

Chairman Parks introduced **Item No. 4: Site/Landscape Plan: ST-16-101, “Wilkerson Crane Rental”** Requested by Kate Pfefferkorn-Mansker, Pfefferkorn Engineering & Environmental for Jeff and Diana Holt, Wilkerson Crane Rental Inc., property owners of record. The Site/Landscape Plan is submitted in order to construct a 16,885 square foot building to house a construction crane rental business on 17.23 acres, zoned I-1, Light Industrial District located at 14101 Gibbs Road.

Chairman Parks asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Site/Landscape Plan subject to the listed conditions in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. The applicant, **Kate Pfefferkorn-Mansker, Pfefferkorn Engineering & Environmental**, stated that she had no additional comments. She stated that she would be glad to answer any questions the Planning Commission might have.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he asked for a motion. Commissioner Mesmer made a motion to approve this item with the listed conditions in the Staff Report with a second from Commissioner Pierce.

Commissioner Stephan asked about widening the street up to their property. The Planning Director stated that the site plan shows the 12' Future Multi-Use Lane that is recommended to be reduced to 10' under Condition No. 1.

Chairman Parks asked if they needed to hold up on the vacation process and the Planning Director stated no.

Commissioner Stephan asked about the 30 feet of property to the east, if they leave the driveway where it is now will it be an issue. This could cause problems for two property owners.

Chairman Parks asked about a contingency if the City vacates the right-of-way. We are granting them permission to construct this this way. The issue is, if they don't want to build it this way they will have to amend the site plan.

Commissioner Yates asked if anyone had contacted the property owner to the east and the Planning Director stated he had contacted them.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 5: Preliminary Plat: PT-17-100, “Coleman Industrial Park II”** this request is to amend the preliminary plat for Coleman Industrial Park approved on January 22, 2007. The revised plat will consist of three (3) industrial lots. The revision is to Lot 3 that consists 59.2 acres zoned I-1, Light Industrial District and I-2, Heavy Industrial District pending completion under Case No. BSZ-134, for Quicksilver Readymix, LLC. Requested by Jim Story, Story Surveying for Bruce Coleman, Coleman Farm Properties, G.P. and Mitch and Michelle Mitchener, property owners of record.

Chairman Parks asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Preliminary Plat as listed in the “revised” Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. The applicant, **Jim Story, Story Surveying**, stated that he had no additional comments but would be glad to answer any questions the Planning Commission might have.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he asked for a motion. Commissioner Pierce made a motion to approve this item with the conditions listed in the “revised” Staff Report with a second from Commissioner Neff.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 6: Comprehensive Plan Change: BSCP-27: “Maple Hills”** a request to amend the Future Land Use Map of the Comprehensive Plan changing the land use designation for 5.19 acres from Commercial designation to a High-Density Residential designation. Requested by Daniel Sailler, MRE Capital under contract with Kinban Inc., property owners of record. These

amendments are to change the current Future Land Use designation and Zoning classification to allow for the construction of a 48 unit, three-story apartment development located at 128 N. 131st Street.

Chairman Parks opened the public hearing at 7:24 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Comprehensive Plan Change as listed in the Staff Report.

Chairman Parks asked if the applicant would like to address the Planning Commission. The applicant, **Dan Sailer, Sr., MRE Capital**, stated that he had no additional comments but would be glad to answer any questions the Planning Commission might have.

Chairman Parks asked if anyone in the audience had any questions or comments.

Mike Ford, 13225 Riverview Avenue asked if the issue is the change in the map from high density residential design to residential. A lot of things I am concerned with are traffic but what happens when traffic from this complex come back through our neighborhood and our streets are more like rural streets. There are about fourteen families there currently and now we want to shove 48 more families in a half block area. As far as high density residential area I have a problem with noise, my house sits on the property in a unique way and the house was meant to be a solar home and it depends on the southwest sun for the solar part of my home. If we put up two story apartments part of the functionality of my home would be gone. I will be looking at the back of an apartment building. We don't want to be staring at the neighbors. We don't want the high density residential and I am against the project all together. I think it will have a huge impact on my property.

Patricia Hall, 13212 Riverview Avenue, stated she is there representing her family. We lived in the city and we want the country. This is a country road not a city road. The people that like apartments won't like the country feeling that we have in our neighborhood. It is very difficult to turn right and come down Canaan Road and that is where everyone from the complex will be coming out. Our hearts in the country and please leave it like that. Ms. Hall stated that she was not in favor of the project.

Aaron Schwab, 13241 Riverview Avenue, just west of Ms. Hall. I'm a KCK firefighter stationed at 96th and State Avenue and I have some serious concerns about this apartment complex. KCK just completed the Legends Apartment complex. The first phase of the Legends complex is now Section 8. I run fire runs on this area and there was an assault at 110th and Parallel this morning. We run mutual aid for Bonner Springs. Dennis Hubbel does a great job with the manpower that he has but with volunteers there is only so much they can do. Adding 48 families to this area will be very problematic. He states that the KCK ambulance comes to Bonner Springs once or twice a week. Mr. Schwab stated that he was not in favor of the project.

Marc Potter, 401 N. 134th Street stated that he lives around the corner from where this proposed project. He is worried about the traffic. He moved there in 2009 and moved to the country. You add three buildings with 48 families you will need more firefighters and do we have enough equipment to address this issue. Mr. Potter stated that he was not in favor of the project.

Leland Scott, 13146 Riverview Avenue stated he just bought his house on Riverview. One concern is the traffic and people doing 60mph and then you add more people it will be worse. Some questions not answered will there be more than the original 48 units. Chairman Parks stated that if they want to build more they would have to come back with another site plan. Mr. Scott stated that he was not in favor of the project.

Dan Sailer, Sr., 6801 Lamar Avenue, Overland Park, Kansas asked Chairman Parks if he could answer some of the questions addressed by the public.

Chairman Parks said yes he could. Mr. Sailer stated they acquired a nursing home a few years ago and did rehabilitation for seniors on that and worked with Don and the City. This area could be a QuikTrip, a Dollar General or any other commercial entity and could generate a lot more traffic. These 48 families will only come and go a couple times per day. It potentially could have more traffic than it will. The City is moving and is growing; Kansas City, Kansas is coming this way with the Legends. This property was zoned for residential purposes years ago. At this time this is the only apartment complex we are planning. Bonner Springs is in need of this project. We have not gotten to the design of this project yet.

Chairman Parks asked if the square on the Site Layout was Mike Ford's house and the Planning Director stated yes.

Mike Ford stated the he will be looking at the back side of the proposed east building.

Commissioner Pierce asked if there were trees between his place and the apartments and Mr. Ford stated there would not be because of the road that would be put through. The house faces the tree line and he would be facing southwest. Mr. Ford stated that there wouldn't be any trees left after the project was completed.

Chairman Parks asked about the one strip shown between the property line and the detention pond and the Planning Director stated that is shown to be green space.

Mike Ford stated that they dug on the detention pond for months. The Planning Director stated that before the natural flow of drainage flowed down 130th street where it flows today. The natural flow went to the northwest.

The detention pond issue will be reviewed again before construction could begin. That would only happen if the comprehensive plan change and rezoning are passed.

Chairman Parks asked who owns the pond and the ownership of the lift station and will it go to the owner of the property. The Planning Director stated that is correct. The detention pond will be maintained by the property owners of the Riverview Crossings plat.

Commissioner Krone asked about 132nd Street as shown on the final plat. The Planning Director stated that 132nd Street was originally planned that in fact will not be needed with the Canaan Center Drive extension. He also stated that he recommended to the applicant to vacate the 132nd Street right-of-way.

Chairman Parks asked if there had been a traffic study done and the Planning Director stated a traffic study was done several years ago.

Chairman Parks asked if there is any access off Riverview Avenue. The Planning Director stated that access to Riverview Avenue would not be recommended.

Commissioner Krone asked about using the detention pond for this project.

Mike Ford is concerned about the traffic 48 more families driving through their streets. I have been looking forward to retiring and now I have to look at this complex.

Commissioner Pierce stated that he knows the neighbors are very concerned about the traffic going through the area. He doesn't think that anyone will go out onto Riverview but will go east.

Chairman Parks stated that is it better to have a commercial development or a residential development.

Commissioner Stephan stated that there would be a lot more traffic with commercial development.

Commissioner Yates stated he owns property at 142nd and Archer and they are wanting to develop 50 house by him and he doesn't want it developed into residential. He stated that he totally understands how they feel but there are certain steps that you have to go through. I had to have my property rezoned and I had to go through the entire process to run my farm. There could be another restaurant or a Target or anything bigger going in there instead of the residential housing. You just have to go through the hoops. This is just the beginning of the process.

Commissioner Stephan asked if they had any comments from the Fire Department. The Planning Director stated that no fire issues were proposed from the Building Official who does all the fire reviews for the City.

Commissioner Pierce asked if all 48 units would go up at once. Mr. Sailler stated it would be in single phases.

Chairman Parks asked who owns the property east of Mike Ford. Mr. Ford states the church just bought it.

Chairman Parks stated that it is pretty flat and open on 131st to the west and then it goes up and he is having a hard time visualizing how far it goes to the open area. The Planning Director stated that this is actually part of the original drainage area and will be filled in with construction of the buildings and parking areas.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 8:10 p.m. and asked for a motion. Commissioner Stephan made a motion to approve this item with a second from Commissioner Krone.

Chairman Parks asked if there would be plenty of parking spaces if they move east.

Commissioner Stephan stated that the Planning Commission gets nothing out of this. We volunteer our time and get nothing out of this. The City may get something but we as the Planning Commission get nothing.

Chairman Parks stated that the City Council will only have to hear the public hearing comments. There may or may not be open to comments at the City Council meeting.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 8:10 p.m. and asked for a motion. Commissioner Stephan made a motion to approve this item with the listed condition in the Staff Report with a second from Commissioner Yates.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote.

Commissioner Mesmer voted yes.

Commissioner Pierce voted yes stating that the Planning Commission's job is to help bring business to Bonner Springs.

Commissioner Stephan voted yes and there was an apartment complex planned for his neighborhood and no one wants apartments in the neighborhood. There is a Section 8 apartment complex in my neighborhood and we have no problems.

Commissioner Yates voted yes.

Commissioner Neff voted yes.

Chairman Parks voted yes. I think we have addressed the issues. The view, the neighborhood can be addressed in the site plan. This was a commercially planned development and this seems to be a reasonable planned development.

Commissioner Krone voted yes.

Motion passed 7-0.

The Planning Director stated that he will forward this item to the Governing Body on January 9, 2017 with a unanimous Planning Commission recommendation of approval.

Note: All meeting attendees with the exception of Mr. Sailler left the Council Chambers at this time.

Chairman Parks introduced **Item No. 7: Rezoning: BSZ-135: "Maple Hills"** a request to rezone 5.19 acres from a C-2, General Business District classification to an R-3, Multi-Family Residential District classification. Requested by Daniel Sailler, MRE Capital under contract with Kinban Inc., property owners of record. These amendments are to change the current Future Land Use designation and Zoning classification to allow for the construction of a 48 unit, three-story apartment development located at 128 N. 131st Street.

Chairman Parks opened the public hearing at 8:28 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve the Rezoning as listed in the Staff Report.

Chairman Parks asked if the applicant if he had any additional comments for this item. The applicant, **Dan Sailler, Sr., MRE Capital**, stated that he no additional comments but again would be glad to answer any questions the Planning Commission might have.

Chairman Parks asked if there was any public comment. See none, he closed the public hearing at 8:33 p.m. and asked for a motion. Commissioner Stephan made a motion to approve with a second from Commissioner Yates.

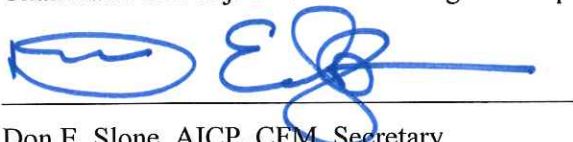
Chairman Parks asked if there were any additional questions or comments from the Planning Commission. Seeing none he called for a vote.

Commissioner Mesmer voted yes. He felt they had addressed all the concerns of the neighborhood. Talked about the nursing home that the applicants renovated and it is very nice. The population is much greater than it was fifty years ago and we have to have a place to house people.

Motion passed 7-0.

The Planning Director stated that he will forward this item to the Governing Body on January 9, 2017 with a unanimous Planning Commission recommendation of approval.

Chairman Parks adjourned the meeting at 8:38 p.m.



Don E. Slone, AICP, CFM, Secretary