

PLANNING COMMISSION MEETING MINUTES

Tuesday, May 15, 2012 at 7:00 P.M.

MEMBERS PRESENT: Craig Stephan, Sherri Neff, Merle Parks, Jason Krone, Robin Neal, and Dave Pierce

STAFF PRESENT: Don Slone, AICP, CFM, Planning Director
Terry Barlow, Departmental Administrative Assistant

Chairman Parks called the meeting to order at 7:02 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the January 24, 2012 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes as written with a second from Commissioner Krone. Chairman Parks asked if there were any questions or comments about the minutes. Seeing none, he called for a vote. The minutes were approved as written.

NEW BUSINESS

Chairman Parks introduced **Item No. 2: Preliminary Plat "Amended": PT-12-100, "Bonner Springs Pointe"**, The request is to amend the preliminary plat for Bonner Springs Pointe approved on June 24, 2008 that consisted of six (6) lots that has been reduced to five (5) lots. The two (2) lots that remain will contain 6.78 acres. This request is in order to plat and convey Lot 4; Bonner Springs Pointe II to AutoZone, Inc. for the construction of a new Auto Parts Store No. 3784 directly across the street from Walgreens. Requested by Eric Ramer, PLS, Weiskirch & Parks Engineers, Inc. for K.A.V.E., Inc., property owners of record. The subject property is zoned C-2, General Business District and is located at 12850 Kansas Avenue.

Chairman Parks asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Eric Ramer, PLS, Weiskirch & Parks Engineers, Inc. for K.A.V.E., Inc.**, stated that his clients were in agreement with all of the conditions listed in the Staff report.

Chairman Parks asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he asked for a motion. Commissioner Pierce made a motion to approve with the conditions listed in the Staff report with a second from Commissioner Stephan.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Chairman Parks asked about the 109' on the east side of Lot 5 and what purpose did it serve. The Planning Director stated that the property is for sale and when it is sold it will potentially be combined with the property to the east that is also for sale. AutoZone did not need the property to the east and that is one of the reasons they are amending the preliminary plat.

Chairman Parks asked if that restricted the access to that property. The Planning Director suggested that they replat the church property. Once it is filed and platted they will be able to lot split the remaining property since the utilities are in place. This is also part of the Tax Increment Finance district.

Commissioner Neal asked about the detention basin located by Lot 4. The Planning Director said it was initially designed to handle all the storm water detention requirements for the east side. There is actually a junction box to the east and it will pick up the storm water. The same detention basin will be used by Auto Zone.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Seeing none he called for a vote. Motion passed unanimously.

Chairman Parks introduced **Item No. 3: Final Plat: PT-12-100, "Bonner Springs Pointe II"**, This request to "replat" 6.78 acres into a 2 lot subdivision on 6.78 acres and convey the new Lot 4 of Bonner Springs Pointe II to AutoZone, Inc. for the new auto parts Store No. 3784. Requested by Eric Ramer, PLS, Weiskirch & Parks Engineers, Inc. for K.A.V.E., Inc., property owners of record. The subject property is zoned C-2, General Business District and is located at 12850 Kansas Avenue.

Chairman Parks asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff report.

Chairman Parks if the applicant would like to address the Planning Commission. **Eric Ramer, PLS, Weiskirch & Parks Engineers, Inc. for K.A.V.E., Inc.**, stated that he would be happy to answer any questions and that they were in agreement with all the conditions listed in the Staff report.

Chairman Parks asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he asked for a motion. Commissioner Pierce made a motion to approve with the conditions listed in the Staff report with a second from Commissioner Krone.

Chairman Parks asked about how storm water detention was being handled for both new lots. The Planning Director stated that Detention Calculations, Construction Documents and Grading Plans are required to be submitted and approved to address the storm water detention as listed under condition No. 2 for the Preliminary Plat.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Seeing none he called for a vote. Motion passed unanimously.

The Planning Director stated that he will forward this item to the Governing Body on June 11, 2012 with a Planning Commission recommendation of approval and requests the Governing Body accept the dedication of easements as shown on the final plat.

Chairman Parks introduced **Item No 4: Site/Landscape Plan: ST-12-100, "AutoZone @ The Pointe"** located at 545 S. 129th Street being platted as Lot 4, Bonner Springs Pointe II. Requested by Matt Murphy, PE, Treanor Architects for the Auto Zone, Inc., under contract from KAVE, Inc. property owners of record. The site/landscape plan is being submitted in order to construct a 6,446 square foot auto parts retail store and associated off-street parking on 1.24 acres zoned C-2, General Business District.

Chairman Parks asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Keiv Spare, PE, Treanor Architects** for AutoZone, Inc. stated they were in agreement with all the conditions listed in the Staff report.

Chairman Parks asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he asked for a motion. Commissioner Krone made a motion to approve with the conditions listed in the Staff report with a second from Commissioner Neff.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Seeing none he called for a vote. Motion passed unanimously.

Chairman Parks introduced **ITEM NO. 5: Comprehensive Plan Change: BSCP-22: "Richland Apartments"** A request to amend the Future Land Use Map of the Comprehensive Plan to change the land use designation for 1.36 acres from a Commercial designation to a High-Density Residential designation. Requested by Daniel Foster, Schlagel & Associates for Guy Tiner, developer, under contract from Constance S. Djajich, Trustee for Shibley Living Trust, property owners of record. This amendment is to support the change in zoning from C-2, General Business District to R-3, Multi-Family Residential District to allow for the construction of a proposed 24 unit, one and two-bedroom apartment complex to be located on Lot 10, Tiblow Centre, 13100 Richland Avenue.

Chairman Parks opened the public hearing at 7:15 p.m. and asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff report. The Planning Director stated the recommendation was not unanimous as he had one member in opposition as noted in the Staff report.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Daniel Foster, Schlagel & Associates, 19920 W. 107th, Lenexa, KS** made comments as follows:

- His client was in agreement with all the conditions for both the Comprehensive Plan Change and Rezoning.
- The property to the west of this is already zoned for multi-family. The area to the east is commercial properties.
- The property we are discussing is actually on Richland Avenue.
- Mr. Tiner has been a resident of Bonner Springs for a long time and a builder in Bonner Springs.
- The City's Comprehensive Plan is to keep up with the housing demand for the City and have a mixture of housing in the City.
- It is common practice to have a transitional zoning from commercial to low-density residential, you have commercial, multi-family and single-family residential.
- Things have changed quite a bit in this area in the last few years. This gives us an opportunity for growth in your community. The valuation of multi-family dwelling will also help property values.
- Presented a drawing of the proposed apartment complex that explains the amenities, construction phases and the type of residents that they hope to have in the development.
- He would be happy to answer any questions the Planning Commission might have for him.
- The builder wants to maintain the values that will keep the property values up in the residential neighborhood.

Commissioner Krone questioned if this was part of the other apartment complex to the west. Mr. Foster stated yes it was because it was owned by the same person and would look like the other apartments.

Chairman Parks asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he closed the public hearing at 7:30 p.m. and asked for a motion. Commissioner Stephan made a motion to approve with the conditions listed in the Staff report with a second from Commissioner Neal.

Chairman Parks asked the Planning Director if Lots 8 and 9 were supposed to be commercial lots. The Planning Director explained that Lots 8 and 9 were rezoned to R-3, Multi-Family Residential District in 1986 that included the property that was rezoned for the "Village of Deerfield". Chairman Parks asked if they were always meant to be multi-family and the Planning Director stated that yes.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Seeing none he called for a vote. Motion passed unanimously.

The Planning Director stated that he will forward this item to the Governing Body on June 11, 2012 with a Planning Commission recommendation of approval.

Chairman Parks introduced **ITEM NO. 6: Rezoning: BSZ-128: "Richland Apartments"** A request to rezone 1.36 acres from a C-2, General Business District classification to an R-3, Multi-Family Residential District classification. Requested by Daniel Foster, Schlagel & Associates for Guy Tiner, developer, under contract from Constance S. Djajich, Trustee for Shabler Living Trust, property owners of record. This amendment is to change the zoning classification to allow for the construction of a proposed 24 unit, one and two-bedroom apartment complex to be located on Lot 10, Tiblow Centre, 13100 Richland Avenue.

Chairman Parks opened the public hearing at 7:34 p.m. and asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff report. The Planning Director stated the recommendation was not unanimous as he had one member in opposition as noted in the Staff report.

Chairman Parks asked if the applicant would like to address the Planning Commission. Daniel Foster, Schlagel & Associates, 19920 W. 107th, Lenexa, KS stated he had no further comments. His client is in agreement with all the conditions listed in Staff report and he would be happy to answer any questions the Planning Commission might have.

Chairman Parks asked if there were any further questions or comments from the audience or the Planning Commission. Seeing none he closed the public hearing at 7:37 p.m. and asked for a motion. Commissioner Pierce made a motion to approve with the conditions listed in the Staff report with a second from Commissioner Krone.

Commissioner Pierce asked about the time frame for building. Mr. Tiner stated as soon as possible. Commissioner Pierce asked if each building had both one and two-bedrooms in them but Mr. Tiner stated one building is for one bedroom units and the other is for two-bedroom units.

Commissioner Stephan agrees totally with this land use change. He went on to state that retail development in the future will go to the east side of K-7 Highway and west side will be mixed use with mostly multi-family uses due to the changes recommended and approved by KDOT.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Seeing none he called for a vote. Motion passed unanimously.

The Planning Director stated that he will forward this item to the Governing Body on June 11, 2012 with a Planning Commission recommendation of approval.

Chairman Parks asked if there was any further discussion or other items. Seeing none, he adjourned the meeting at 7:39 p.m.



Planning Commission Secretary