



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS

TUESDAY, OCTOBER 23, 2012

STUDY SESSION @ 6:00 P.M.

REGULAR MEETING @ 7:00 P.M.

PLANNING COMMISSION MEMBERS:

PLEASE CONTACT TERRY BARLOW @ 667-1710

NO LATER THAN 12:00 NOON, TUESDAY, OCTOBER 23, 2012,

IF YOU WILL BE UNABLE TO ATTEND

PREPARED BY:

DON E. SLONE, AICP, CFM
PLANNING DIRECTOR

PEOPLE

PLANNING

PROGRESS

City of Bonner Springs
Planning Commission Agenda
Tuesday, October 23, 2012

Study Session 6:00 p.m.

- Planning Commission discussion on possible changes to the Sign Regulations dealing with posting of Temporary Election Signs;
- Planning Commissioner training: Biggert-Waters Flood Insurance Reform Act of 2012; and
- Flood Insurance Policy Requirements.

Planning Commission Meeting – 7:00 p.m.

Call to Order: Time: _____

Roll Call:

ITEM NO. 1: Approval of Minutes: The regular Planning Commission meeting held August 28, 2012.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Zoning Ordinance Amendment: BSZP-120: “Landscape Regulations, Article XXX” A request by the Bonner Springs Planning Commission to consider an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required from two (2) per dwelling unit to one (1) per dwelling unit for multi-family apartment projects under the R-3, Multi-Family Residential District. *(This item will be forwarded to the Governing Body on November 13, 2012)*

Open Public Hearing Time: _____

1. Staff Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

Adjournment Time: _____

ITEM NO. 1

Approval of Minutes of the August 28, 2012 Planning Commission Meeting

PLANNING COMMISSION AGENDA
Tuesday, October 23, 2012 – 7:00 p.m.

PRESENT	Stephan	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Neal	_____
	Pierce	_____

MOTION: _____

SECOND: _____

ACTION: MAKE A MOTION TO APPROVE

STAFF RECOMMENDATION: STAFF RECOMMENDS APPROVAL OF THE MINUTES

NARRATIVE: The minutes of the August 28, 2012 meeting are attached.

PLANNING COMMISSION MEETING MINUTES

Tuesday, August 28, 2012 @ 7:00 p.m.

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

PRESENT: Don Slone, AICP, CFM, Planning Director
Terry Barlow, Departmental Administrative Assistant
Mike Novak, P.E., City Engineer

Chairman Parks called the meeting to order at 7:05 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 July 24, 2012 Planning Commission meeting. Commissioner Neal 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 5-0 with Commissioners Stephan and Pierce abstaining.

NEW BUSINESS

Chairman Parks introduced **Item No. 2: Election of Officers**: and asked for nominations for Chairman.

Commissioner Pierce nominated Merle Parks for Chairman with a second from Commissioner Neal. Chairman Parks asked if there were any further nominations. Seeing none he called for a vote. Motion passed 6-0 for Merle Parks to remain as Chairman of the Planning Commission

Chairman Parks asked for nominations for Vice-Chairman. Commissioner Stephan nominated Dave Pierce for Vice-Chairman with a second from Commissioner Neal. Chairman Parks asked if there any further nominations. Seeing none he called for a vote. Motion passed 6-0 for Dave Pierce to remain as the Vice-Chairman.

Chairman Parks asked for nominations for Secretary. Commissioner Stephan nominated Don Slone, Planning Director, as Secretary with a second from Commissioner Neal. Chairman Parks asked if there were any further nominations. Seeing none he called for a vote. Motion passed 7-0 for Don Slone, Planning Director to remain as the Secretary of the Planning Commission.

Chairman Parks introduced **Item No. 3: Site/Landscape Plan: ST-12-102: "Richland Apartment"** located at 13100 Richland Avenue. Requested by Daniel Foster, Schlager & Associates for Guy Tiner, developer, under contract from Constance S. Djajich, Trustee for Shibley Living Trust, property owners of record. The site/landscape plan is being submitted in order to construct a proposed 24 unit, one and two-bedroom apartment complex.

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. The Planning Director stated that he had recommended reducing the number of trees from 48 to 24 trees; however, the Planning Commission will have to amend the zoning at a public hearing in order for that to happen.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Daniel Foster, Schlager & Associates**, stated that his client was in agreement with all conditions listed in the Staff report. New plans will be submitted showing brick all around with conformity of brick and stucco to other buildings already in complex. His client is also in agreement with changing the number of trees that are needed.

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 Neal made a motion to approve with the conditions listed in the Staff report along with changing the number of trees needed and the color pallet of the buildings with a second from Commissioner Stephan.

Chairman Parks asked if the Planning Commission had any further questions or concerns. Chairman Parks asked about the brick frontage and the fact that the color pallet was not consistent on all of the existing buildings. He asked Mr. Tiner if the new building would be the same brick as the existing ones and would the siding on the building to the north be the same as the new building. Mr. Foster indicated that are trying to get the brick to match as close as possible but since it has been some time since the existing buildings were built it may not match exactly and that the siding would be as close to the same color pallet as possible.

Commissioner Stephan stated that he wanted to see uniformity in the color of the buildings.

Commissioner Pierce asked about the different shades of green on the drawing. Mr. Foster indicated the different shades of green indicate the different types of shrubs and trees that will be used around the complex.

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

Chairman Parks asked if there was any further discussion or other items. Seeing none, he adjourned the meeting at 7:18 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

Zoning Ordinance Amendment: BSZP-120: "Landscape Regulations, Article XXX" A request by the Bonner Springs Planning Commission to consider an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required from two (2) per dwelling unit to one (1) per dwelling unit for multi-family apartment projects under the R-3, Multi-Family Residential District.

PLANNING COMMISSION AGENDA

Tuesday, October 23, 2012 – 7:00 p.m.

PRESENT	Stephan	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Neal	_____
	Pierce	_____

MOTION: _____

SECOND: _____

ACTION: MAKE A MOTION TO APPROVE

STAFF RECOMMENDATION: STAFF IS RECOMMENDING APPROVAL OF THIS ITEM AS LISTED IN THE STAFF REPORT

NARRATIVE: A Staff Report is included in the agenda. Staff will be present to answer any questions. **This item will be forwarded to the Governing Body on November 13, 2012.**

To: Planning Commission

From: Don E. Slone, AICP, CFM, Planning Director

RE: Zoning Ordinance Amendment: BSZP-120: "Landscape Regulations, Article XXX", A request by the Bonner Springs Planning Commission to consider an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required for multi-family apartment projects under the R-3, Multi-Family Residential District.

Recommendation:

The Planning Director recommends approval of an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required from two (2) per dwelling unit to one (1) per dwelling unit in the R-3, Multi-Family Residential District.

Background:

The Planning Commission discussed this amendment at their Study Session on August 28, 2012. After that discussion, the Planning Commission requested the Planning Director publish a notice for a Public Hearing on the next available Planning Commission meeting to consider the recommended change to the Landscape Regulations for the number of trees required per dwelling unit in R-3, Multi-Family Residential District.

Discussion:

The number of trees required per dwelling unit in the R-3, Residential District arose during my review of the Landscape Plan for the Richland Apartments and my follow-up discussion with the applicant. The Landscape Regulations require two (2) trees per dwelling unit plus the street trees. The number of trees required in this district exceeds the number of trees required in all other zoning districts including the most intense Office and Commercial districts. Placement of that many trees on a multi-family site becomes very difficult when you add the number of additional trees required for every fourth (40) feet of street frontage.

Research shows what other area cities require for trees per dwelling unit for multi-family projects:

- Lenexa = No trees required per unit. All trees determined by street frontage, buffer and parking lots.
- Olathe = 1 tree per dwelling unit
- Overland Park = .75 trees per dwelling unit
- Shawnee = 16 trees per acre of usable open space in addition to street trees.
- UG/KCK = 1 tree per eight dwelling units

The amendment recommended to the Landscape Regulations is shown in legislative format.

SECTION 4. MINIMUM TREE REQUIREMENTS PER ZONING DISTRICT:

2. **R-3:** One tree per forty (40) feet or portion thereof of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

In addition to the required trees, based upon street frontage, ~~two (2) trees~~ **one (1) tree** shall also be required for every dwelling unit. These trees may include the trees required in parking lots, as set out in Section 6.

Affidavit in Proof of Publication

STATE OF KANSAS
Wyandotte County

(Published in the Bonner Springs Chieftain, Thursday, September 27, 2012)

Erika Gray of the Legal Dept. of the Bonner Springs Chieftain being first duly sworn, deposes and says:

That this weekly newspaper printed in the State of Kansas, and published in and of general circulation in Wyandotte County, Kansas, with a general paid circulation on a weekly basis in Wyandotte County, Kansas, and that said newspaper is not a trade, religious or fraternal publication, and which newspaper has been admitted to the mails as periodicals class matter in said County, and that a notice of which is hereto attached, was published in the regular and entire issue of the Bonner Springs Chieftain

Said newspaper is published weekly 52 weeks a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice and been admitted at the post office of Bonner Springs in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks the first publication thereof being made as aforesaid on 09/27/2012 with publications being made on the following dates:

09/27/2012

Erika Gray

Subscribed and sworn to before me this

[Signature]

Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$39.00
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	\$39.00

NOTICE OF PUBLIC HEARING PLANNING COMMISSION CITY OF BONNER SPRINGS, KANSAS

The Planning Commission will hold a public hearing on Tuesday, October 23, 2012, at 7:00 p.m. at City Hall in the Council Chambers, 205 E. 2nd Street, Bonner Springs, Kansas. The purpose of the public hearing is to receive public comment for:

Zoning Ordinance Amendment: BSZP-120: "Landscape Regulations, Article XXX" A request by the Bonner Springs Planning Commission to consider an amendment to the Landscape Regulations, Article XXX, Section 4(2) of the Zoning Ordinance to reduce the number of trees required from two (2) per dwelling unit to one (1) per dwelling unit for multi-family apartment projects under the R-3, Multi-Family Residential District zoning.

Questions or comments may be addressed to the Planning Department located at 205 E. 2nd Street to Don E. Slone, AICP, CFM, Planning Director at (913) 667-1708.

Persons who wish to be heard will be given an opportunity to make comments at the public hearing.

/s/ Don E. Slone, AICP, CFM
Planning Commission Secretary



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12 SEP 28 AM 10:14
CITY OF BONNER SPRINGS