



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS

TUESDAY, AUGUST 27, 2013

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, AUGUST 27, 2013,

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, August 27, 2013

Study Session 6:00 p.m.

- Planning Commission update on the 134th Street Utility Relocation Project;
- Planning Commission update on Phase 1 - K-7 and I-70 Interchange; and
- Planning Commission update on the Flood Insurance Reform Act 2012 and Changes to the NFIP Program.

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 April 23, 2013.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Election of Officers:

Chairman: Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

Vice-Chairman: Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

Secretary: Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

ITEM NO. 3: Special Use Permit: SUP-129: “CSM Bakery Products Office Facility”, Requested by Mike Brune, Corporate Engineer for CSM Bakery Products, property owners of record. This request is for a Special Use Permit in order to allow the continued placement of a temporary/portable/pre-manufactured office facility. A Special Use Permit was approved by the City on September 16, 2010 under Ordinance No. 2287 for CSM Bakery Products that permitted the existing temporary facility. The property is zoned I-2, Heavy Industrial District and located at 2410 S. Scheidt Lane. *(This item will be forwarded to the Governing Body on September 23, 2013)*

Open Public Hearing Time: _____

1. Staff Presentation / Applicant Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 4: Comprehensive Plan/Rezoning Extension: BSCP-22/BSZ-128, "Richland Apartments"

Requested by Daniel Foster, Schlager & Associates for Guy Tiner, Tiner Development, property owner of record. The request is for a six (6) month extension to the Comprehensive Plan Change, Commercial to High-Density Residential and Rezoning from C-2, General Business District to Multi-Family Residential District for the previously approved 24 unit, one and two-bedroom apartment complex located at 13100 Richland Avenue.

1. Staff Presentation
2. Applicant's Presentation
3. Public Comment

Motion: _____ Second: _____

4. Board Discussion

For: _____ #Against: _____

ITEM NO. 5: Site Plan: ST-13-102, "KCB Bank ATM", Requested by Paul Bush, Vice-President, KCB Bank, under lease from Northridge Ltd., property owners of record. This request is to install an ATM drive through facility on property zoned C-2, General Business District located at 13100 Kansas Avenue.

1. Staff Presentation / Applicants Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 6: Zoning Ordinance Amendment: BSZP-122: "Off-Street Parking & Loading Regulations", A request by the Bonner Springs Planning Commission to consider two amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts. *(This item will be forwarded to the Governing Body on September 23, 2013)*

Open Public Hearing Time: _____

1. Staff Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 7: Zoning Ordinance Amendment: BSZP-123: "Minimum Sight Triangle", A request by the Bonner Springs Planning Commission to consider an amendment to the Zoning Ordinance, Article XXII: Supplementary District Regulations, Section 9, Minimum Sight Triangle. *(This item will be forwarded to the Governing Body on September 23, 2013)*

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 April 23, 2013 Planning Commission Meeting

PLANNING COMMISSION AGENDA
Tuesday, August 27, 2013 – 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 April 23, 2013 meeting are attached.

PLANNING COMMISSION MEETING MINUTES

Tuesday, April 23, 2013 @ 7:00 p.m.

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

MEMBER ABSENT: Lew Kasselmann

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

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 January 22, 2013 Planning Commission meeting. Commissioner Pierce 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 Commissioner Stephan abstaining.

NEW BUSINESS

Chairman Parks introduced **Item No. 2: Lot Split: LS-115: "Goodwill @ The Pointe"**, 5.54 acres platted as Lot 5, Bonner Springs Pointe II. The property is zoned C-2, General Business District. Requested by Shawn Duke, P.E., Lutjen, Inc. for KAVE, Inc., property owners of record. The request is in order to split Lot 5 to provide a building site for a new Goodwill @ The Pointe. The property is located at 535 S. 129th Street.

Chairman Parks asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommends approval of the amendment.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Shawn Duke, P.E., Lutjen, Inc. for KAVE, Inc.**, property owners of record stated that they were in agreement with all the conditions listed in the Staff Report and he would be glad to answer any questions.

Chairman Parks asked if the Planning Commission had any comments or questions. Seeing none he called for a motion. Commissioner Neal made a motion to approve with the listed conditions with a second by Commissioner Pierce.

Chairman Parks asked if there were any further questions or comments. Seeing none he called for a vote. Motion passed 6-0.

Chairman Parks introduced **Item No. 3: Site/Landscape Plan: ST-13-100: "Goodwill @ The Pointe"** Requested by Shawn Duke, P.E., Lutjen Inc. for KAVE, Inc., property owners of record. The Site/Landscape Plan is being submitted in order to construct a new 12,700 sq. ft. building for Goodwill Industries located at 525 S. 129th Street.

Chairman Parks asked for Staff Presentation. Staff presented its recommendations to the Planning Commission. Staff recommends approval of the item subject to the conditions listed in the Staff Report.

Chairman Parks asked the applicant if he had would like to address the Planning Commission. **Shawn Duke, P.E., Lutjen, Inc. for KAVE, Inc.** stated that they were in agreement with all the conditions listed in the Staff Report and he would be glad to answer any questions the Planning Commission might have.

Chairman Parks asked if the Planning Commissioners had any questions or comments. Seeing none he called for a motion. Commissioner Stephan made a motion to approve with the listed conditions with a second from Commissioner Neff.

Chairman Parks asked about the parking. The Planning Director stated parking spaces were in excess of what is required.

Chairman Parks asked if there were any further comments or questions. Seeing none he called for a vote. Motion passed 6-0.

Chairman Parks introduced **Item No. 4: Site Plan: ST-13-101: “Jamz Bar & Grill Patio Addition”**

Requested by Mike and Janice Barnes for Jamz Bar & Grill, Inc., under lease from Plantation Partners, Inc., property owners of record. The Site Plan is being submitted in order to construct an outdoor patio addition for the existing bar & grill located at 11659 Kaw Drive.

Chairman Parks asked for Staff Presentation. Staff presented its recommendations to the Planning Commission. Staff recommends approval of the item subject to the conditions listed in the Staff Report.

Chairman Parks asked the applicant if he had would like to address the Planning Commission. **Mike Barnes, Jamz Bar & Grill, Inc.** stated that they were in agreement with all the conditions listed in the Staff Report and he would be glad to answer any questions the Planning Commission might have. Mr. Barnes stated that ABC had been to the site and had approved the patio and the fencing around it. They also approved the entry to and from the building and onto the patio.

Chairman Parks asked if the sidewalk would be blocked by the fence and the Planning Director stated that no, the sidewalk would not be blocked.

Chairman Parks asked if there were any further questions from the Planning Commission. Seeing none he called for a motion. Commissioner Stephan made a motion to approve with the listed conditions in the Staff Report with a second from Commissioner Krone.

Chairman Parks if there were any further questions or comments. Seeing none he called for a vote. Motion passed 6-0.

Chairman Parks asked if there was any further discussion or other items. Seeing none, he adjourned the meeting at 7:25 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 7:00 p.m.

Election of Officers:

Chairman:

Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

Vice-Chairman:

Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

Secretary:

Nominations: _____

Motion: _____ Second: _____

For: _____ #Against: _____

ITEM NO. 3

Special Use Permit: SUP-129: "CSM Bakery Products Office Facility", Requested by Mike Brune, Corporate Engineer for CSM Bakery Products, property owners of record. This request is for a Special Use Permit in order to allow the continued placement of a temporary/portable/pre-manufactured office facility. A Special Use Permit was approved by the City on September 16, 2010 under Ordinance No. 2287 for CSM Bakery Products that permitted the existing temporary facility. The property is zoned I-2, Heavy Industrial District and located at 2410 S. Scheidt Lane.

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 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 September 23, 2013.

SPECIAL USE PERMIT: CSM BAKERY PRODUCTS OFFICE FACILITY**Case No.:** SUP-129**Applicant:** Mike Brune, Corporate Engineer**Owner:** CSM Bakery Products**Location:** 2410 S. Scheidt Lane**Zoning:** I-2, Heavy Industrial District**Lot Size:** 10.76 acres (Tract C, Wolf Creek Industrial Park)**Building:** Existing bakery product manufacturing facility

Exhibits: Letter of Request of July 3, 2013, Special Use Permit – Site Plan, (2) Current Photo's, Ordinance No. 2287 and the Affidavit in Proof of Publication.

Project Description:

The applicant has submitted a request for a Special Use Permit in order to continue to utilize the temporary/portable/pre-manufactured building as an office facility. A Special Use Permit was approved by the Governing Body on September 13, 2010 under Ordinance No. 2287 for CSM Bakery Products.

Staff Recommendation:

Staff recommends approval of SUP-129 for CSM Bakery Products Office Facility for a temporary/portable/pre-manufactured building to be utilized as an office facility based upon the factors for consideration presented in the staff report and forwarding it to the Governing Body with a recommendation of approval.

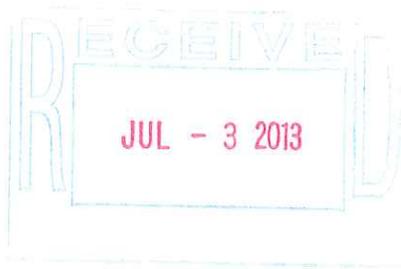
Subject to the following conditions:

1. Future expansions or additions to the site not identified on the Special Use Permit Site Plan shall require the submission of a new Site Plan to be reviewed and approved by the Planning Commission;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Article XXVII of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The Special Use Permit to be valid for a maximum of a three (3) year period of time unless:
 - a. The subject property is sold; or
 - b. The operation of such use by the owner designated in the permit is discontinued for more than 12 months; and
4. The special use permit may not be assigned, conveyed or transferred.

Factors for Consideration:

1. **The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations, unless specifically exempted by the provisions of these regulations** – The proposed use is allowed as a special use in the I-2, Heavy Industrial District and therefore, is an acceptable use under the use limitations thereof. The specific requirements to be considered for a temporary/portable/pre-manufactured building for other than residential, sleeping or overnight accommodations are modified as follows:
 - The request is for a three (3) year period. This request is the maximum time for which a temporary/portable/pre-manufactured building for other than residential, sleeping or overnight may be allowed on site.

2. **The proposed special use at the specified location will contribute to and promote the welfare or convenience of the public** – The existing bakery product manufacturing facility has been in operation since about 1978. There appears to be no benefit to the public that would result in the denial of the special use permit for the temporary office facility.
3. **The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located** – The property has been used as a bakery product manufacturing facility since 1978. The addition of a temporary office facility should not cause injury to the value of adjoining properties.
4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site:**
 - a. **The location, nature and height of buildings, structures, walls and fences on the site** – There are no additions to the site being proposed other than what is shown for the location of the temporary office facility. Any future additions to the facility will require submittal and approval of a site plan by the Planning Commission prior to receiving construction permits.
 - b. **The nature and extent of landscaping and screening on the site** – Three (3) new trees were planted along Scheidt Lane and adjacent to the temporary office facility. No other changes to the landscaping or screening are being recommended at this time.
5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect** – The off-street parking and loading areas will not increase from the current facility and the existing off-street parking and loading areas have been repaired that was required under the previous permit.
6. **Adequate utility, drainage, and other such necessary facilities have been or will be provided** – All utilities have been provided to the existing bakery product manufacturing facility.
7. **Adequate access roads or entrance drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets or alleys** – One access has been provided along the south end of the property along Scheidt Lane.



CSM Bakery Products
Corporate Engineering

2410 S. Scheidt Lane
Bonner Springs, KS 66012
USA

T +1 (913) 441-6310
F +1 (913) 441-6314

info@csmbaking.com

July 3, 2013

Don Slone
Planning Director
City of Bonner Springs
205 E. 2nd Street
Bonner Springs, KS 66012

Hi Don –

Per our conversation today, I am including a bit of the information as to why we still need the Special Use Permit for our detached building at the CSM Bakery.

The capital plan for 2011 included a line item and budget money for an office expansion within the existing building. Our plan was to add a second "story" of offices above the existing admin offices at the front of the building. Then the effects of the purchase of Best Brands by CSM in March of 2010 started getting in the way. The company spent large amounts of money moving some of the production processes from plant to plant to make the company more efficient. As the Best Brands plants were very similar to the HC Brill plants that were combined into the new company, some of these processes went both ways. Fortunately, the Bonner Springs plant was on the receiving end of some of the processes and the plant got bigger in terms of production, but, as you know the plant has not gotten bigger physically. The capital plan was almost totally consumed for doing this "integration" work between plants.

We again put the office expansion into the 2012 capital plan. At this time, we also had to move the employee lockers inside the building to satisfy BRC requirements. BRC (British Retail Consortium) is the CSM standard for food safety standards within the plant. BRC was not used within Best Brands until 2012. So, things were moved around to make an area for the lockers inside, and a conference room and two offices were moved to the detached portable building that is the subject of the Special Use Permit. 2012 is also the year the spiral freezers needed to be rebuilt, along with other infrastructure items that used up all the capital plan money for the Bonner Springs plant.

We put the office expansion into the 2013 capital plan as well. This year our company has again been sold, and the capital plan was trimmed to minimize the effect on the sale of the company. Most of the money available has been used to replace failing process equipment that would jeopardize our production capability if not replaced.

We are optimistic about our company within the structure of the new owners and are confident that this new ownership has good long term plans for our facility in Bonner Springs. We believe we will be able to keep the office expansion in the 2014 plan and finally get it accomplished. We really need it. When the last Special Use Permit was granted, we had 200 people in the plant. We now have 225. Several of these folks are office folks that need more office space.

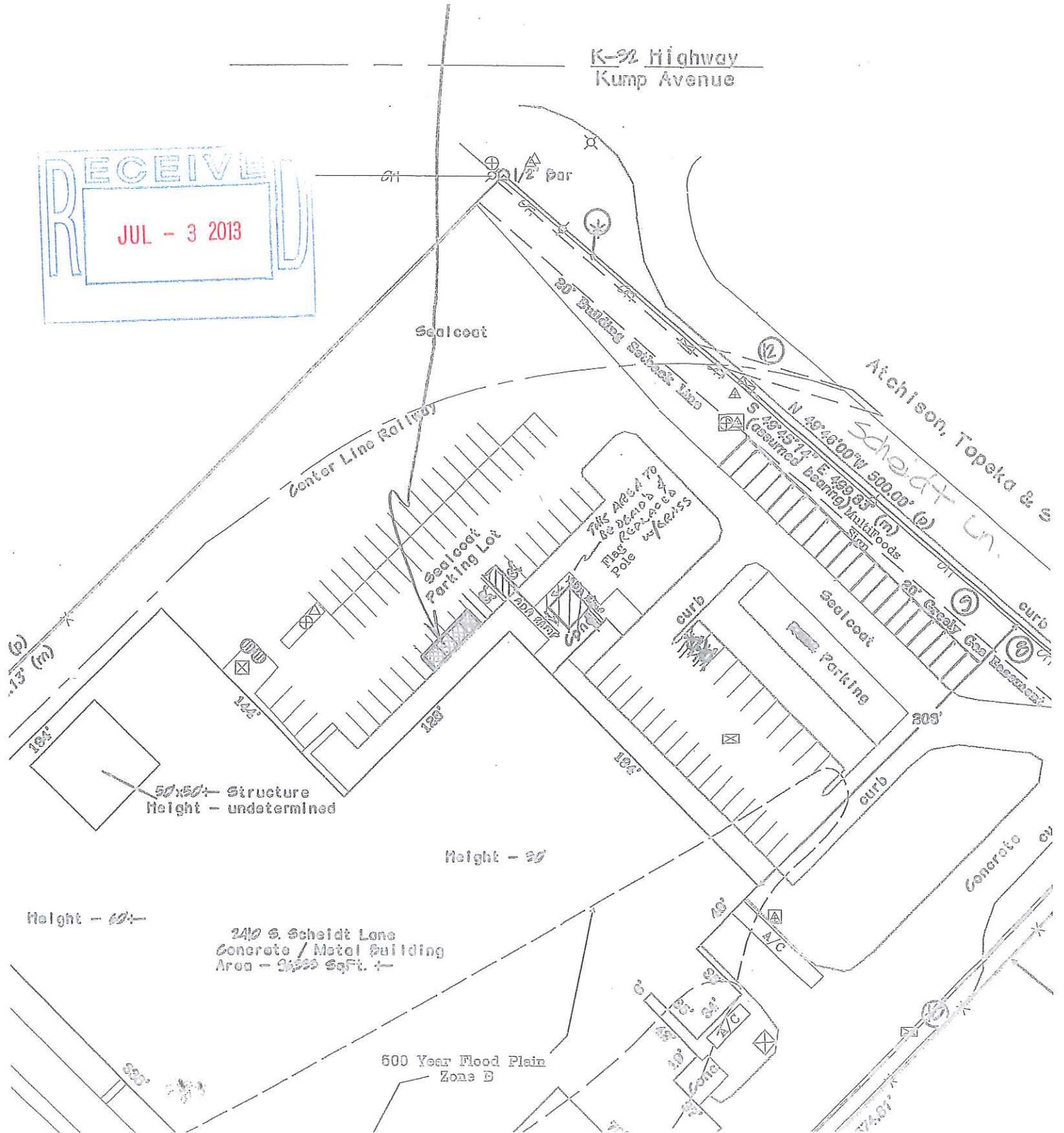
Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Mike Brune".

Mike Brune

Special Use Permit - Site Plan
10' x 40'
Temporary/Portable/Pre-Manufactured Building
Temporary Office Facility



50'x50' Structure
 Height - undetermined

Height - 20'

Height - 10'

2410 S. Scheidt Lane
 Concrete / Metal Building
 Area - 24,500 Sq.Ft. +/-

500 Year Flood Plain
 Zone B

K-92 Highway
 Kump Avenue

Atchison, Topeka & S
 Scheidt Ln.
 S 29° 45' 17" E 499.83' (m)
 N 49° 40' 00" W 500.00' (p)
 (assumed bearing) Mulda Foods





ModSpace
(866)772-2328
www.modspace.com

Handicapped Parking Sign

ORDINANCE NO. 2287

An Ordinance to Approve a Special Use Permit for CSM Bakery Products Locker Facility SUP-123 to Allow a 10' X 40' Temporary/Portable/Pre-Manufactured Locker Facility on Property Zoned I-2, Heavy Industrial District, Located on Tract C, Wolf Creek Industrial Park, also Known as 2410 Scheidt Lane, Bonner Springs, Kansas

Be it Ordained by the Governing Body of the City of Bonner Springs, Kansas:

SECTION I: That the Official Zoning Map be amended to include a Special Use Permit for "CSM Bakery Products Locker Facility" approved as SUP-123 to allow a 10' X 40' Temporary/Portable/Pre-Manufactured Locker Facility on property zoned I-2, Heavy Industrial District, located on Tract C, Wolf Creek Industrial Park, also known as 2410 Scheidt Lane, Bonner Springs, Kansas subject to the following conditions:

1. Future expansions or additions to the site not identified on the Special Use Permit Site Plan shall require the submission of a new Site Plan to be reviewed and approved by the Planning Commission;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Article XXVII of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit; and
3. The Special Use Permit to be valid for a maximum of a three (3) year period of time unless:
 - a. The subject property is sold, or
 - b. The operation of such use by the owner designated in the permit is discontinued for more than 12 months.
4. The special use permit may not be assigned, conveyed or transferred.

SECTION II: This ordinance shall be in full force and effect from and after its passage and publication in the official city newspaper.

Approved by the Governing Body and signed by the Mayor on September 13, 2010.


Clausie W. Smith, Mayor

ATTEST:


Rita Hoag, City Clerk

(SEAL)

Affidavit in Proof of Publication

Handwritten signature

(Published in the Bonner Springs Chieftain, Thursday, July 25, 2013)

STATE OF KANSAS
Wyandotte County

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

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

The Planning Commission will hold a public hearing on Tuesday, August 27, 2013 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:

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

Special Use Permit: SUP-129: "CSM Bakery Products Office Facility", A request for a Special Use Permit in order to allow the continued placement of a temporary/portable/pre-manufactured office facility. A Special Use Permit was approved by the City on September 16, 2010 under Ordinance No. 2287 for CSM Bakery Products that permitted the existing temporary facility. The property is platted as Tract C, Wolf Creek Industrial Park and is zoned I-2, Heavy Industrial District. Requested by Mike Brune, Corporate Engineer for CSM Bakery Products, property owners of record. The property is located at 2410 S. Scheidt Lane.

The complete legal description and application for the above item is available for public inspection at the Bonner Springs Planning Department, 205 E. 2nd Street, to Don E. Slone, AICP, CFM, Planning Director, at (913) 667-1708 or by email to dslone@bonnersprings.org.

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.

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

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 07/25/2013 with publications being made on the following dates:

07/25/2013

Handwritten signature

Subscribed and sworn to before me this

Handwritten signature of Notary Public

Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$45.00
	<hr/>
	\$45.00



ITEM NO. 4

Comprehensive Plan/Rezoning Extension: BSCP-22/BSZ-128, "Richland Apartments" Requested by Daniel Foster, Schlagel & Associates for Guy Tiner, Tiner Development, property owner of record. The request is for a six (6) month extension to the Comprehensive Plan Change, Commercial to High-Density Residential and Rezoning from C-2, General Business District to Multi-Family Residential District for the previously approved 24 unit, one and two-bedroom apartment complex located at 13100 Richland Avenue.

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 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.

COMPREHENSIVE PLAN/REZONING (EXTENSION) "RICHLAND APARTMENTS"**Case No.:** BSCP-22/BSZ-128**Applicant:** Daniel G. Foster, RLA, Schlagel & Associates**Owner:** Guy Tiner, Tiner Construction**Location:** 13100 Richland Avenue (Lot 10, Tiblow Centre)**Tract Size:** 1.36 acres**Designation:** Commercial Designation to a High-Density Residential Designation (BSCP-22)**Zoning:** C-2, General Business District to R-3, Multi-Family Residential District (BSZ-128)

Exhibits:

1. Letter of request for a six (6) month extension dated July 22, 2013; and
 2. Ordinance No. 2239 that approved the Comprehensive Plan Change/Rezoning - Richland Apartments, dated June 11, 2012.
-

Staff Recommendation:

Staff recommends approval of the six (6) month extension from the date of approval of the Comprehensive Plan Change/Rezoning by the Governing Body on June 11, 2012. The extension shall expire on December 11, 2013 if a Building Permit has not been issued by the Building Official. No further extensions shall be granted for this project.

Discussion:

The attached letter states the reason for the request for a six (6) month extension. The primary issue stated was in order for the developer to address the financial impact and associated fees for the construction of the 24 unit, one and two-bedroom apartment complex.



SCHLAGEL & ASSOCIATES, P.A.

Engineers • Planners • Surveyors • Landscape Architects

July 22, 2013

<mailto:dslone@bonnersprings.org>

Mr. Don E. Slone, AICP, CFM
Planning Director
City of Bonner Springs
205 E. Second Street
Bonner Springs, KS 66012

**RE: REQUEST FOR EXTENSION FOR COMPREHENSIVE PLAN CHANGE
AND REZONING RICHLAND APARTMENTS BSCP-22 AND BSZ-128**

Dear Don:

This letter is being written on behalf of our client, Guy Tiner of Tiner Development to respectfully request an extension of six (6) months for the above-referenced Richland Apartments Site Plan.

The owner has submitted and received approval for the site plan. The building permit plans have been submitted for review. The owner has met with City staff to discuss a development agreement related to the City impact fees. The project financing can not be completed until the impact fee requirements for this project are determined. This request is being made to allow more time discuss the development agreement and to complete the financing for this project.

If you have any questions or comments concerning this request, please do not hesitate to contact our office. Thank you.

Sincerely,

SCHLAGEL & ASSOCIATES, P.A.

Daniel G. Foster, RLA
Vice President

DGF/mdr

c: Guy Tiner

ORDINANCE NO. 2339

An Ordinance to Amend the Future Land Use Map of the Comprehensive Plan For BSCP-22, a Change from a Commercial Designation to a High-Density Residential Designation and to Amend the Zoning Classification on the Official Zoning Map from C-2, General Business District to an R-3, Multi-Family Residential District Zoning For BSZ-128 for "Richland Apartments" Located on Lot 10, Tiblow Centre within the City of Bonner Springs, Wyandotte County, Kansas

Be it Ordained by the Governing Body of the City of Bonner Springs, Kansas:

Section I: That the Land Use designation on the Future Land Use Map of the Comprehensive Plan and the Zoning classification of the Official Zoning Map be amended for the following described property situated in Section 17, Township 11 South, Range 23 East in the City of Bonner Springs, Wyandotte County, Kansas, to wit:

Lot 10, Tiblow Centre within the City of Bonner Springs, Wyandotte County, Kansas.

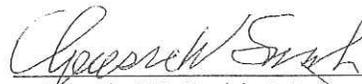
Be amended from a Commercial designation to a **High-Density Residential** designation under BSCP-22, and rezoned from C-2, General Business District to an **R-3, Multi-Family Residential District** zoning under BSZ-128 for "Richland Apartments".

Section II: Approval is subject to the following four (4) conditions:

1. Approval of the Comprehensive Plan Change: BSCP-22;
2. Planning Commission approval of the site/landscape plan and the issuance of a building permit;
3. The Official Zoning Map shall not be amended until approval of the site/landscape plan by the Planning Commission and the issuance of a building permit. The issuance of a building permit shall be within a one (1) year period from the date of approval of the change in Land Use designation and Zoning classification by the Governing Body; and
4. Upon completion of all the above conditions, the Planning Director shall amend the Future Land Use Map and Official Zoning Map to reflect the changes approved under BSCP-22 and BSZ-128.

Section III: This ordinance shall be in full force and effect after passage and publication in the official city newspaper.

Approved by the Governing Body and signed by the Mayor on June 11, 2012.


Claudie W. Smith, Mayor

ATTEST:


Rita Hoag, City Clerk
(SEAL)

ITEM NO. 5

Site Plan: ST-13-102, "KCB Bank ATM", Requested by Paul Bush, Vice-President, KCB Bank, under lease from Northridge Ltd., property owners of record. This request is to install an ATM drive through facility on property zoned C-2, General Business District located at 13100 Kansas Avenue.

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 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.

SITE PLAN: KCB BANK ATM
Case No.: ST-13-102
Applicant: Paul Bush, Vice-President, KCB Bank
Property Owner: Northridge Ltd.
Location: 13100 Kansas Ave. (Lot 5, Tiblow Centre)
Zoning: C-2, General Business District
Lot Size: N/A
Building Size: Drive-Thru ATM Facility
Signage: Located on ATM Machine

Exhibits: Site Plan, Photo of ATM Facility, Electrical Diagrams and Final Plat Tiblow Centre.

Staff Analysis:

The site plan is being submitted in order to construct a drive-thru ATM facility. The submitted site plan does meet the minimum submittal requirements of the Zoning Ordinance.

Staff Recommendation:

The Development Staff recommends approval of the Site Plan subject to the one (1) listed condition to include all Standing Conditions listed below:

1. KCB Bank shall provide a letter to the Planning Director that states the ATM facility will be removed and parking lot repaired to its original condition upon termination of lease.

Standing Site Plan Conditions:

1. Changes or deviations from the approved Site Plan shall require resubmittal to the Planning Department for review and approval. If the changes are substantial, resubmittal to the Planning Commission for approval shall be required; and
2. Site Plans are valid for 180 days from the date of approval.

Review Comments Received from Other Departments/Agencies

Planning Director:

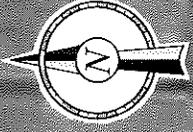
1. KCB Bank shall provide a letter to the Planning Director that states the ATM facility will be removed and parking lot repaired to its original condition upon termination of lease.

Building Official: No objections, looks good.

Economic Development Director: No objections, looks good.

Public Works Director: No objections.

Utilities Director: No objections.



SCALE: 1"=20'

THE SOUTH 75' OF LOT 6, TIBLOW CENTER, TRACT NO 2, 17073.0 SQ. FT. 0.3919 ACRES AS PER SURVEY BY TERRY B. MELTON LS-655 DATED 11-12-2001. ORDERED BY JOE PERRY, 536 COMMERCIAL DRIVE

EXPLUM
388-0674
TIBLOW CENTER LOT 5
13100 KANSAS AVENUE

PROP. WHITE AISLE STRIPING

PROPOSED ATM W/ BOLLARDS

20'R



20'

20' 25' 6'

KCB BANK
ATM INSTALLATION
SITE PLAN
LOT 5 TIBLOW CENTER
BONNER SPRINGS, KANSAS

OPTION 3 QUANTITY 1

H500 KIOSK w/ OPT-EVA 750

Options Shown:
Backlit Canopy



PROPOSED



CURRENT

10208 'L' Street
Omaha, NE 68127
Phone: (402) 592-0600
Fax: (402) 592-3572
www.tmsdesign.com



19619RN3

TMS

The above "Rendering" is an approximate representation of the end product.

ISLAND REQUIREMENTS

NOTES:

NEW CONSTRUCTION:

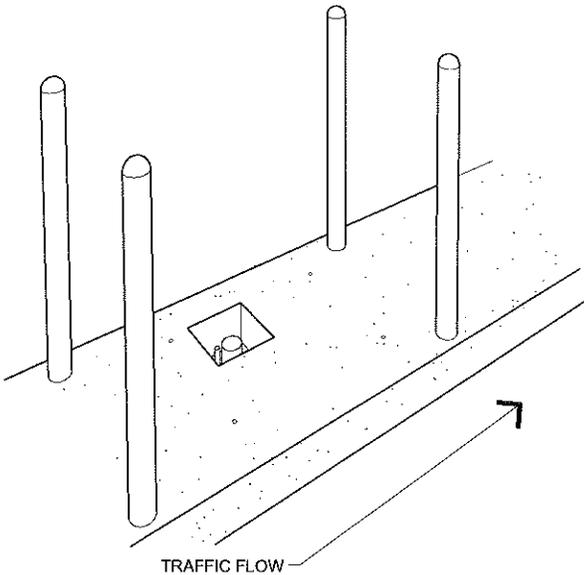
- OWNER TO FURNISH AND INSTALL (1) 19mm (3/4") RIGID CONDUIT FOR ELECTRICAL POWER. (SEE POWER REQUIREMENTS)
- OWNER TO FURNISH AND INSTALL 102 mm (4") P.V.C. PIPE (RECOMMENDED METHOD FOR ROUTING COMMUNICATION CABLE, EXPRESS BUS CABLE, ALARM CABLE, AND VIDEO CABLE).
(ALTERNATE METHOD) OWNER'S ELECTRICAL CONTRACTOR TO FURNISH AND INSTALL (1) 25mm (1") RIGID CONDUIT FOR ALARM CABLE AND (1) 38mm (1 1/2") RIGID CONDUIT FOR COMMUNICATION CABLE, EXTERNAL OPTIONS CABLE, AND VIDEO CABLE.
- PLEASE CONTACT THE DIEBOLD INSTALLING BRANCH IF CONSIDERING ATTACHMENT OF A REMOTE DESKTOP MONITOR/KEYBOARD TO THIS PRODUCT.
- OWNER'S INSTALLER TO DRILL (4) 19mm (3/4") DIA. X 203mm (8" MIN.) DEEP HOLES IN ISLAND CONCRETE SLAB (RECOMMENDED COMPLETELY THROUGH ISLAND SLAB WHEN POSSIBLE) (TEMPLATE PROVIDED FOR LOCATING HOLES, PART NO. 49-205381) AND SECURE UNIT TO ISLAND WITH (4) 19mm (3/4")-10 X 203mm (8") LONG WEDGE ANCHORS (DIEBOLD PART NUMBER 29-016376-000A, HILTI PART NUMBER 282520) SUPPLIED WITH UNIT.
- ISLAND TO BE FLAT AND LEVEL IN AREA OF UNIT.
- ISLAND CONSTRUCTION MUST SUPPORT WEIGHT OF UNIT 1,406 kg (3,100 LBS.).
- OWNER'S INSTALLER TO SET LEVEL, SECURE UNIT TO CONCRETE ISLAND AND CAULK AROUND BASE.

EXISTING CONSTRUCTION:

- EXISTING ELECTRICAL CONDUIT, PNEUMATIC TUBE AND/OR P.V.C. PIPE MUST BE RE-ROUTED TO ALIGN WITH REQUIRED ISLAND OPENING. EXISTING PNEUMATIC TUBE OR P.V.C. PIPE MAY BE USED TO ROUTE COMMUNICATION CABLE, EXPRESS BUS CABLE, ALARM CABLE, AND VIDEO CABLE.
 - EXISTING BUMPER GUARDS ON ISLAND MAY REQUIRE RELOCATION.
- (4) GUARD POST PIPES TO BE 102mm (4") DIA. FILLED WITH CONCRETE (ALL BY OWNER'S GENERAL CONTRACTOR). 00-051019-000C GUARD POST SLEEVE (OPTIONAL EXTRA) SLIPS OVER 102mm (4") TO 114mm (4 1/2") DIA. PIPE. MAXIMUM HEIGHT 1321mm (4'-4").
RECOMMENDED SIZE AND LOCATION FOR NEW CONSTRUCTION. EXISTING GUARD POST MAY OR MAY NOT NEED RELOCATED. LOCATION MUST NOT INTERFERE WITH SERVICE AREA REQUIREMENTS.

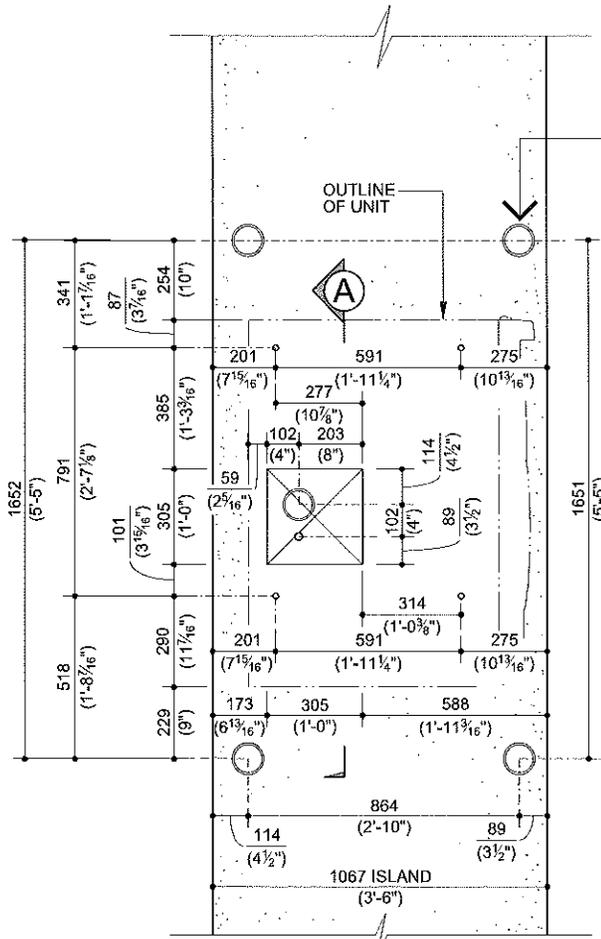
DIMENSIONS IN MILLIMETRES
(DIMENSIONS IN FEET-INCHES)

THIRD ANGLE
PROJECTION



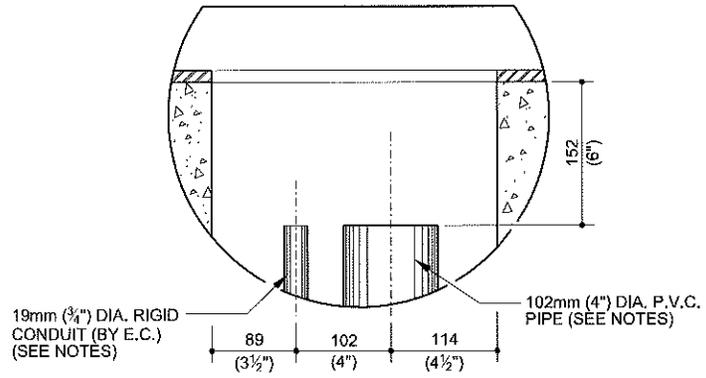
PERSPECTIVE

PAGE 4 OF 4



PLAN VIEW

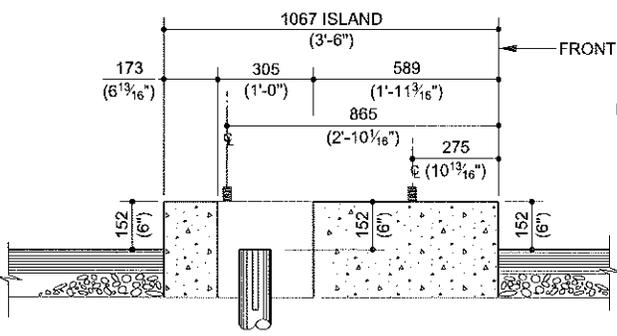
TRAFFIC FLOW



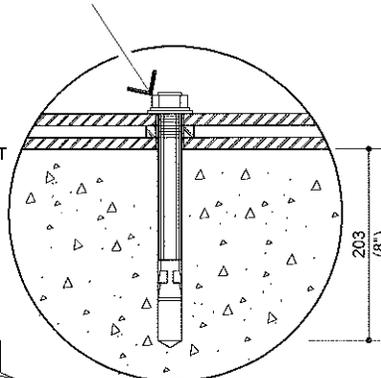
SECTION "A"

OWNER'S INSTALLER TO DRILL (4) 19mm (3/4") DIA. X 203mm (8" MIN.) DEEP HOLES IN ISLAND CONCRETE SLAB (RECOMMENDED DRILLING COMPLETELY THROUGH ISLAND SLAB WHEN POSSIBLE (A TEMPLATE USED TO LOCATE THE HOLES, DIEBOLD PART NUMBER 49-205381 IS PROVIDED) AND TO BE SECURED TO THE CONCRETE ISLAND WITH (4) 19mm (3/4")-10 X 203mm (8") LONG WEDGE ANCHORS (SUPPLIED WITH UNIT, DIEBOLD PART NUMBER 29-016376-000A, HILTI PART NUMBER 282520).

*ALL DIMENSIONS AND DESIGN CRITERIA
SUBJECT TO CHANGE WITHOUT NOTICE

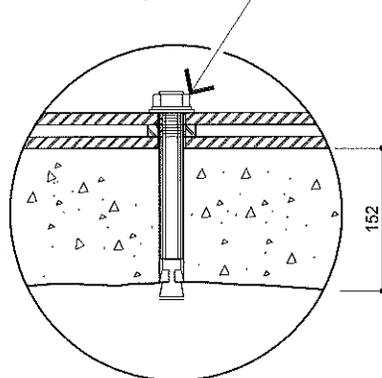


SECTION



VIEW "A"

MINIMUM HOLE DEPTH 203mm (8")



VIEW "B"

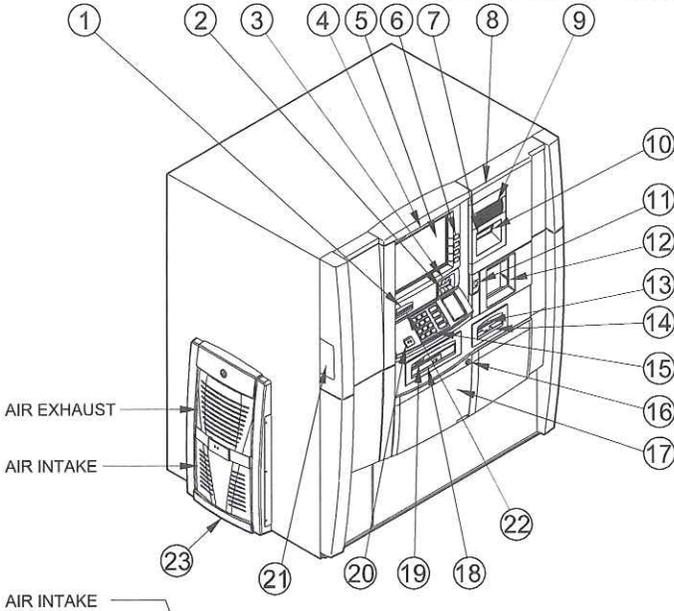
THROUGH HOLE

FILE NO. 177-473 REV. 11

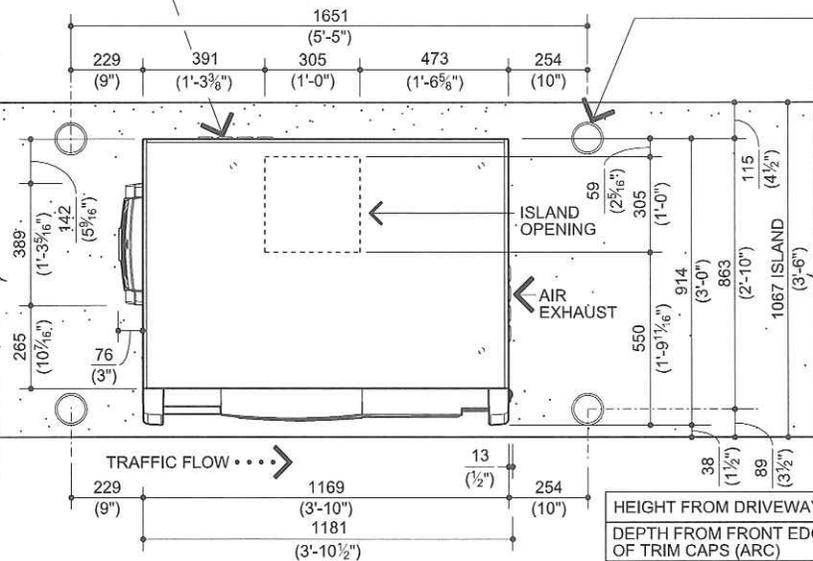
CALL 1-800-999-3600

CONSULT WITH DIEBOLD INSTALLATION/SERVICE BRANCH FOR ADDITIONAL DETAIL AND INFORMATION. PLEASE SEE PLANNING AND SITE PREPARATION GUIDE TP-820919-001 PD 5769

DIMENSIONS IN MILLIMETRES
(DIMENSIONS IN FEET-INCHES)



1. STATEMENT (OR RECEIPT) PRINTER LEAD-THROUGH INDICATOR
2. CARD ENTRY SLOT
3. CARD READER LEAD-THROUGH INDICATOR
4. TASK LIGHTING
5. CONSUMER DISPLAY (AND CONSUMER TOUCH SCREEN)
6. FUNCTION KEYPAD
7. INTELLIGENT DEPOSITORY MODULE (OR TWO-COLOR THERMAL RECEIPT PRINTER) LEAD - THROUGH INDICATOR
8. FASCIA LIGHTING
9. CAMERA PORT
10. INTELLIGENT DEPOSITORY MODULE (OR RECEIPT PRINTER) SLOT
11. UPPER FASCIA KEY LOCK
12. BULK CASH ACCEPTOR AND LEAD-THROUGH INDICATOR
13. DEPOSITOR LEAD-THROUGH INDICATOR
14. DEPOSITOR AND ENVELOPE SUPPLY SLOT
15. CONSUMER KEYPAD
16. LOWER FASCIA KEY LOCK
17. LOWER FASCIA ACCESS DOOR
18. DISPENSER SLOT
19. DISPENSER LEAD-THROUGH INDICATOR
20. STEREO HEADPHONE JACK
21. IN-SERVICE, OUT-OF-SERVICE INDICATOR
22. TWO-COLOR THERMAL STATEMENT (OR RECEIPT) PRINTER SLOT
23. EXTREME ENVIRONMENTAL KIT (AIR CONDITIONER)



(4) GUARD POST PIPES TO BE 102mm (4") DIA. FILLED WITH CONCRETE (ALL BY OWNER'S GENERAL CONTRACTOR), 00-051019-000C GUARD POST SLEEVE (OPTIONAL EXTRA) SLIPS OVER 102mm (4") TO 114mm (4½) DIA. PIPE. MAXIMUM HEIGHT 1321mm (4'-4")

RECOMMENDED SIZE AND LOCATION FOR NEW CONSTRUCTION. EXISTING GUARD POST MAY OR MAY NOT NEED RELOCATED. LOCATION MUST NOT INTERFERE WITH SERVICE AREA REQUIREMENTS

NOTE:

DIEBOLD ATMS ARE SPECIFICALLY DESIGNED TO MEET VARIOUS USER CRITERIA FOR DRIVE-UP AND WALK-UP APPLICATIONS INCLUDING REACH, PRIVACY AND SCREEN VIEW ABILITY. A DRIVE-UP ATM USED IN A WALK-UP APPLICATION MAY RESULT IN REDUCED USER PRIVACY. AN OPTIONAL KEYPAD PRIVACY SHIELD IS RECOMMENDED IN THIS APPLICATION.

THE CUSTOMER ACCEPTS ALL RESPONSIBILITY FOR ANY REDUCTION IN USER CONVENIENCE, VISIBILITY AND PRIVACY RISK ISSUES ASSOCIATED WITH USING DIEBOLD ATMS OUTSIDE OF THEIR INTENDED APPLICATIONS.

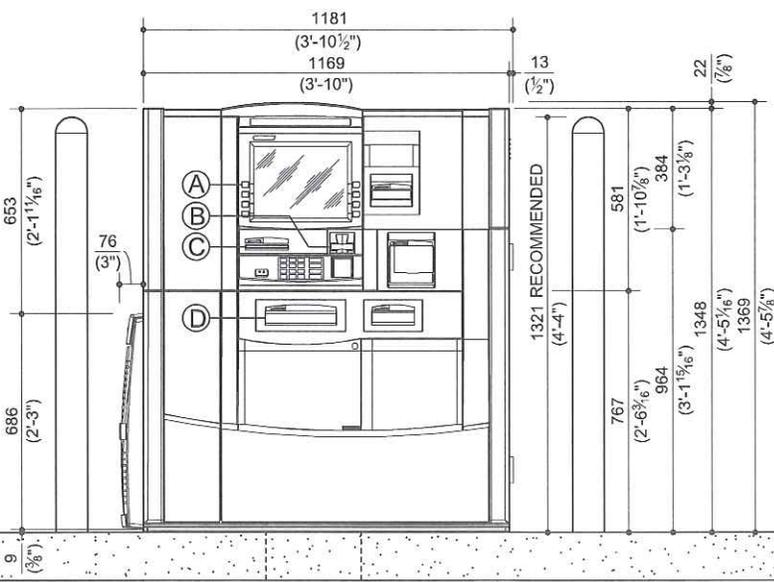
	(A) TOP FUNCTION KEY	(B) CARD READER	(C) STATEMENT PRINTER	(D) ADVANCE FUNCTION DISPENSE
HEIGHT FROM DRIVEWAY	1270 (4'-2")	1062 (3'-5¾")	1062 (3'-5¾")	834 (2'-8¾")
DEPTH FROM FRONT EDGE OF TRIM CAPS (ARC)	91 (3¾")	113 (4⅞")	102 (4")	32 (1¼")

PLAN VIEW

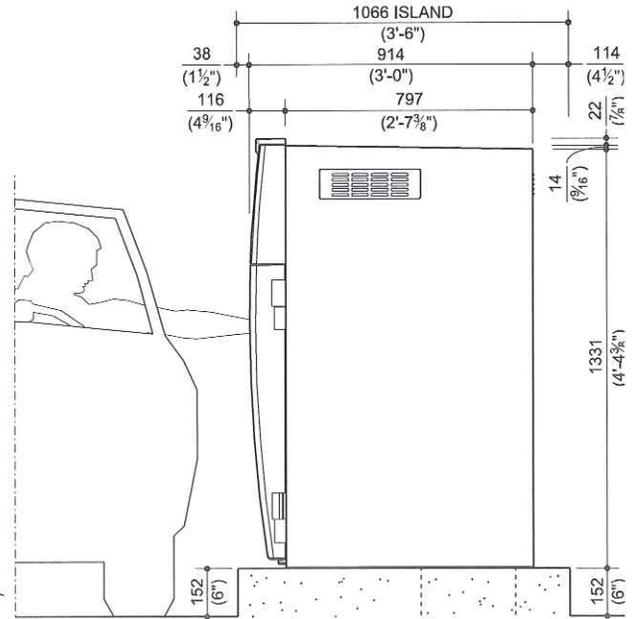
PAGE 1 OF 4

"ALL DIMENSIONS AND DESIGN CRITERIA SUBJECT TO CHANGE WITHOUT NOTICE"

FILE NO. 177-473 REV. 11



FRONT VIEW



SIDE VIEW

POWER REQUIREMENTS:

THE ATM REQUIRES SINGLE-PHASE THREE WIRE UNSWITCHED POWER. WIRING TO THE ATM MUST USE A THIRD-WIRE EARTH GROUND (CONDUIT GROUND IS NOT ACCEPTABLE). THE POWER SUPPLIED MUST BE AS SPECIFIED BELOW.

- 100-127 VAC (+6%,-10%) 50Hz (+/-1%) SINGLE PHASE
- 100-127 VAC (+6%,-10%) 60Hz (+/-1%) SINGLE PHASE
- 200-240 VAC (+/-10%) 50Hz (+/-1%) SINGLE PHASE
- 200-240 VAC (+/-10%) 60Hz (+/-1%) SINGLE PHASE

POWER TO THE ATM IS TO BE A DEDICATED SERVICE AND MUST BE PROTECTED BY A SAFETY QUICK-DISCONNECT DEVICE TO BREAK LINE VOLTAGE (SUCH AS A CIRCUIT BREAKER AT THE ELECTRICAL SERVICE PANEL). THE QUICK DISCONNECT DEVICE (OR CIRCUIT BREAKER) MUST TURN OFF THE LINE VOLTAGE AT THE AMPERAGE SPECIFIED BELOW.

- 100-127 VAC SERVICE, DISCONNECT AT 30 AMPERES
- 200-240 VAC SERVICE, DISCONNECT AT 15 AMPERES

MACHINE STATUS	①	① WITH HEATERS	②	② WITH HEATERS
IDLE (NO TRANSACTION)	310 WATTS	1,565 WATTS	375 WATTS	1,625 WATTS
TRANSACTION (DISPENSE OR BULK NOTE) IN PROGRESS	405 WATTS	1,655 WATTS	495 WATTS	1,745 WATTS
RAPID PROCESSING TRANSACTION IN PROGRESS	670 WATTS	1,920 WATTS	760 WATTS	2,010 WATTS

CONFIGURATION:

- ① PROCESSOR, COLOR LCD CONSUMER DISPLAY, MOTORIZED CARD READER, JOURNAL PRINTER, 80mm THERMAL RECEIPT PRINTER, STANDARD DEPOSITORY, FANS AND 4 HIGH AFD.
- ② PROCESSOR, SVD LCD CONSUMER DISPLAY, MOTORIZED CARD READER, JOURNAL PRINTER, 80mm THERMAL RECEIPT PRINTER, IDM, 4 HIGH AFD, FANS AND BULK NOTE ACCEPTOR.

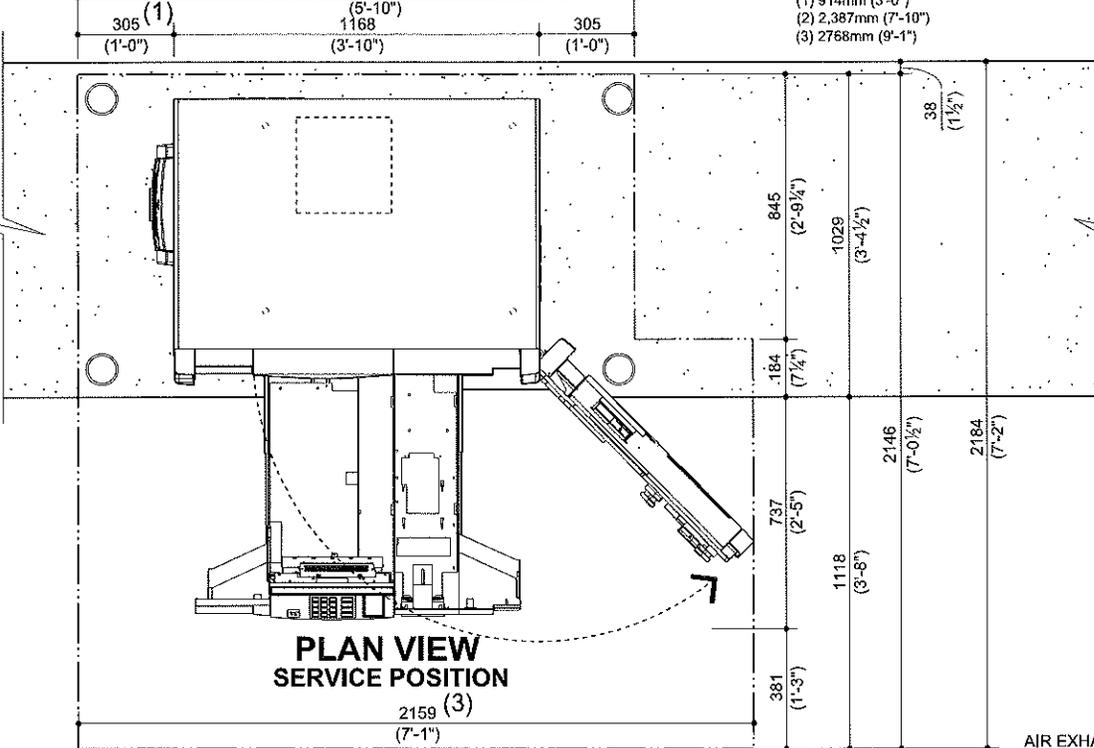
RAPID PROCESSING - SYSTEMS CONFIGURED FOR SIMULTANEOUS IDM (INTELLIGENT DEPOSITORY MODULE) AND ENA (ENHANCED NOTE ACCEPTOR) OR IDM AND BNA (BULK NOTE ACCEPTOR) OPERATIONS.

THE POWER USE DEPENDS ON THE NUMBER AND TYPE OF DEVICES PRESENT IN THE ATM, AND THE TYPE OF TRANSACTION THE ATM IS PERFORMING.

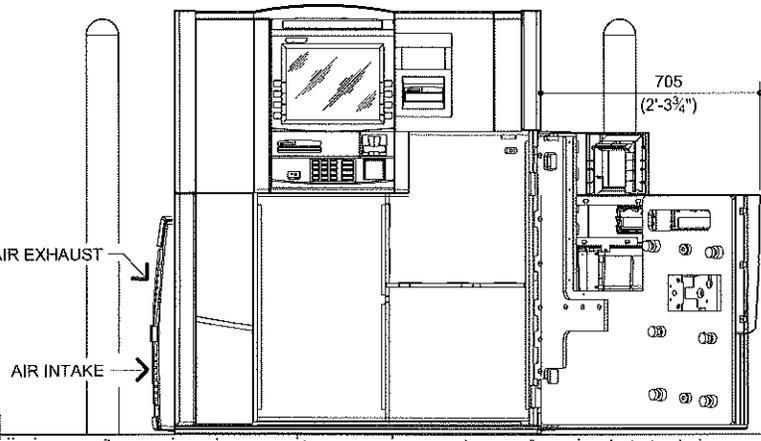
HEAT OUTPUT CONFIGURATION:

- ① 5,644 BTU/HR DISPENSE WITH HEATERS
1,057 BTU/HR IDLE WITHOUT HEATER
6,548 BTU/HR RAPID PROCESSING WITH HEATER
- ② 5,950 BTU/HR BULK NOTE WITH HEATERS
1,279 BTU/HR IDLE WITHOUT HEATER
6,854 BTU/HR RAPID PROCESSING WITH HEATER.

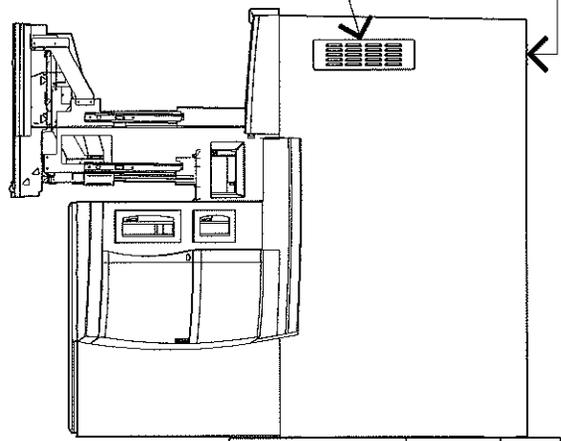
1778 (2)



PLAN VIEW SERVICE POSITION



FRONT VIEW



SIDE VIEW

SPECIFICATIONS

OPERATING ENVIRONMENT:

-35° C TO 50° C (-31° F TO 122° F)
15% TO 100% RELATIVE HUMIDITY.

NOTE:

IF THE AVERAGE DAILY MAXIMUM TEMPERATURE IN ANY ONE MONTH EXCEEDS 40° C (104° F), THE EXTREME ENVIRONMENTAL KIT (AIR CONDITIONER) IS STRONGLY RECOMMENDED.

CANOPY REQUIREMENT:

IT IS RECOMMENDED THE UNIT BE PLACED UNDER COVER/CANOPY FOR OPERATOR/SERVICE AND SUN PROTECTION.

WEIGHT OF UNIT:

1,406kg (3,100 LBS.)

ALARM PROTECTION:

THE UL-LISTED SAFE IS EQUIPPED WITH A BASIC ALARM SENSOR PACKAGE. THE BASIC PACKAGE INCLUDES A SAFE DOOR OPEN SWITCH, ALARM SHUNTING SWITCH, AND RATE-OF-RISE HEAT SENSOR.

RECOMMENDED ISLAND:

1066mm (3'-6") WIDE X 152mm (6") HIGH X 203mm (8") MIN. THICKNESS

PHYSICAL SECURITY:

THE SAFE MEETS THE REQUIREMENTS OF UL STANDARD 291 LEVEL 1 FOR AUTOMATED TELLER SYSTEMS FOR 24 HOUR SERVICE. THE SAFE DOOR IS PROVIDED WITH UL LISTED RELOCKING DEVICES AND A UL LISTED GROUP 1 ELECTRICAL LOCK WITH SINGLE OR DUAL COMBINATION LOCK. TO MEET REQUIREMENTS OF UL 291 THE UNIT MUST BE ANCHORED TO A CONCRETE PAD OF 152mm (6") MIN. THICKNESS USING ALL (4) OF THE 203mm (8") LONG WEDGE ANCHORS PROVIDED (DIEBOLD PART NUMBER 29-016376-000A, HILTI PART NUMBER 262520). INSTALL ANCHORS IN ACCORDANCE WITH INSTALLATION TEMPLATE 49-205381 (ALSO PROVIDED).

NOTE:

THE FOLLOWING DIMENSIONS ARE REQUIRED WHEN THE TERMINAL IS EQUIPPED WITH THE EXTREME ENVIRONMENTAL KIT (AIR CONDITIONER). SERVICE AREA INCREASES BY 2 ADDITIONAL FEET ON LEFT SIDE OF THIS TERMINAL.

- (1) 914mm (3'-0")
- (2) 2,387mm (7'-10")
- (3) 2768mm (9'-1")

DIMENSIONS IN MILLIMETRES
(DIMENSIONS IN FEET-INCHES)

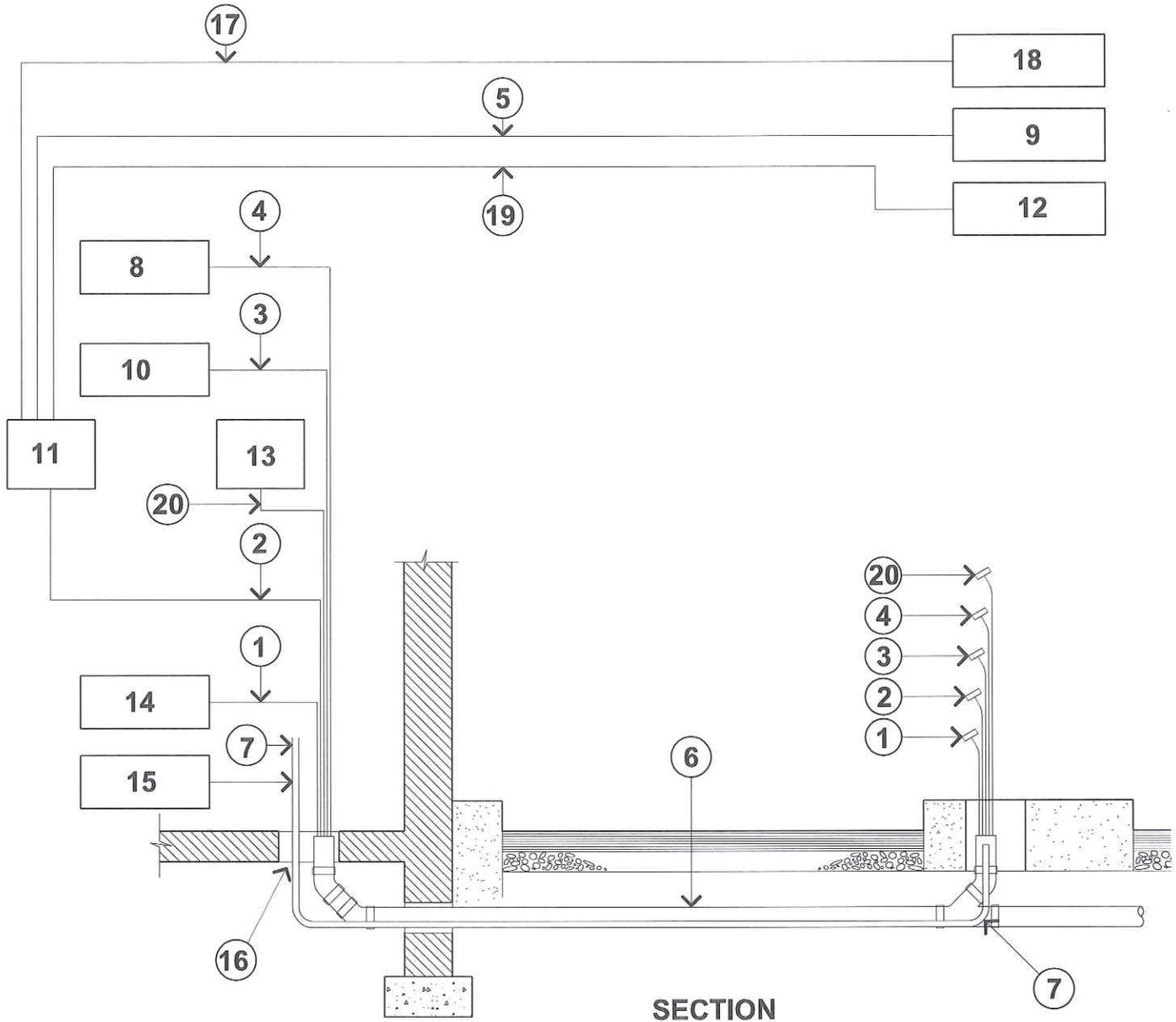


CALL 1-800-999-3600

DIMENSIONS IN MILLIMETRES
(DIMENSIONS IN FEET-INCHES)



PAGE 3 OF 4



1. COMMUNICATIONS CABLE-DIEBOLD TO FURNISH (OPTIONAL AND EXTRA) RS-232 CABLE TO BE INSTALLED BY THE OWNER.
2. CABLE FOR REMOTE OPTIONS-FURNISHED AND INSTALLED BY OWNER.
3. VIDEO SURVEILLANCE SYSTEM CABLE-FURNISHED AND INSTALLED BY OWNER.
4. ALARM CABLE-TO CONFORM TO GRADE A REQUIREMENTS, ALARM CABLE MUST BE HOME RUN FROM THE ATM BACK TO THE ALARM CONTROL CABINET, FURNISHED AND INSTALLED BY OWNER.
5. TRAFFIC CONTROL LIGHT CABLING-ONLY WHEN TRAFFIC CONTROL LIGHT ARE PRESENT, CUSTOMER FURNISHED AND INSTALLED. OPTIONAL DIEBOLD EXTERNAL FEATURES INTERFACE REQUIRED.
6. 102mm (4") DIAMETER PVC PIPE-FURNISHED AND INSTALLED BY OWNER.
7. ELECTRICAL POWER CONDUIT-FURNISHED AND INSTALLED BY OWNER.
8. ALARM.
9. OPTIONAL TRAFFIC CONTROL LIGHTS.
10. VIDEO SURVEILLANCE SYSTEM.
11. OPTIONAL EXTERNAL FEATURES INTERFACE.
12. SIGNAGE.
13. OPTIONAL REMOTE STATUS INDICATOR (RSI).
14. MODEM.
15. ELECTRICAL CONDUIT TO BUILDINGS ELECTRICAL PANEL.
16. FLOOR OPENING FOR CABLES (RECOMMENDED TO BE IN THE ELECTRICAL EQUIPMENT ROOM).
17. AFTER HOUR DEPOSITORY CABLING.
18. AFTER HOURS DEPOSITORY.
19. SIGNAGE CABLING.
20. RSI CABLING - FURNISHED BY DIEBOLD AND INSTALLED BY OWNER.

*ALL DIMENSIONS AND DESIGN CRITERIA
SUBJECT TO CHANGE WITHOUT NOTICE*

FILE NO. 177-473 REV. 11

ITEM NO. 6

Zoning Ordinance Amendment: BSZP-122: “Off-Street Parking & Loading Regulations”, A request by the Bonner Springs Planning Commission to consider two amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts.

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 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 September 23, 2013.

To: Planning Commission

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



Subject: Zoning Ordinance Amendments: BSZP-122: "Off-Street Parking and Loading Regulations", A request by the Bonner Springs Planning Commission to consider two amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts.

Recommendation:

The Development Staff recommends two amendments to Zoning Ordinance, Article XXIII; Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts as shown below in legislative format.

Background:

The Planning Commission discussed this amendment at their Study Session on April 23, 2013. 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 both amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts.

Discussion:

The Governing Body approved several amendments to the Off-Street Parking and Loading Regulations on January 11, 2010 under Ordinance No. 2276 that included changes to Section 2, General Provisions. The amendment changed the wording to reinforce the requirements for the off-street parking in Residential zoning districts as the City attempted to mitigate gravel drives and prevent parking on grass surfaces. In our attempt to clarify these regulations, we found an error in the current wording that excluded all zoning districts with the exception of the Agricultural and Residential. This exclusion is in direct conflict with the hard surface parking lot requirement in all of our Commercial zoning districts.

The recommended changes to correct the current regulations are as follows in legislative format:

Recommended Amendments

The first recommendation is to correct the language under Section 2, General Provisions as follows:

SECTION 2. GENERAL PROVISIONS: ~~Off-street parking in Residential zoning districts is allowed only on an all-weather dust free driveway in the front yard. When a lot configuration does not allow for placement of a driveway in the front yard, parking will be allowed on either the rear or side yard and must be on an all-weather dust free driveway.~~ **In all zoning districts with the exception of residential uses in Agricultural zoning districts, driveways and off-street parking shall be provided on an all-weather, dust free surface of asphalt or concrete.** Driveways in Residential and Agricultural zoning districts shall have an asphalt or concrete approach within the right of way.

The second recommendation is to use the "Residential" wording that relates to the Residential Zoning Districts from the current regulations and move it into Paragraph 2 of Section 2 as follows:

2. Residential Districts: **Off-street parking in Residential zoning districts is allowed only on an all-weather dust free surface in the front yard. When a lot configuration does not allow for placement of a driveway in the front yard, parking will be allowed on either the rear or side yard and must be on an all-weather dust free driveway.** No more than thirty-five (35) percent of the required front, side or rear yard may be covered with driveways or parking surface. Further, no vehicle with a manufacturer's gross vehicle weight of 12,500 pounds or greater may be parked in residential districts for other than delivery purposes with the exception of recreational vehicles.

Affidavit in Proof of Publication

Don

STATE OF KANSAS
Wyandotte County

(Published in the Bonner Springs Chieftain, Thursday, July 25, 2013)

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

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

The Planning Commission will hold a public hearing on Tuesday, August 27, 2013 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:

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

Zoning Ordinance Amendment: BSZP-122: "Off-Street Parking and Loading Regulations", A request by the Planning Commission to consider two amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts; and

Zoning Ordinance Amendment: BSZP-123: "Minimum Sight Triangle": A requests by the Planning Commission to consider an amendment to the Zoning Ordinance Article XXII: Supplementary District Regulations, Section 9, Minimum Sight Triangle.

Questions or comments may be addressed to Don E. Slone, AICP, CFM, Planning Director at (913) 667-1708 or by email to dslone@bonnersprings.org.

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

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 07/25/2013 with publications being made on the following dates:

07/25/2013

Subscribed and sworn to before me this

Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$45.00
	<hr/>
	\$45.00



ITEM NO. 7

Zoning Ordinance Amendment: BSZP-123: "Minimum Sight Triangle", A request by the Bonner Springs Planning Commission to consider an amendment to the Zoning Ordinance, Article XXII: Supplementary District Regulations, Section 9, Minimum Sight Triangle.

PLANNING COMMISSION AGENDA

Tuesday, August 27, 2013 – 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 September 23, 2013.

To: Planning Commission

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

Subject: **Zoning Ordinance Amendment: BSZP-123: "Minimum Sight Triangle"**: A requests by the Bonner Springs Planning Commission to consider an amendment to the Zoning Ordinance Article XXII: Supplementary District Regulations, Section 9, Minimum Sight Triangle.

Recommendation:

The Development Staff recommends an amendment to the Zoning Ordinance Article XXII: Supplementary District Regulations, Section 9, Minimum Sight Triangle as shown below in legislative format.

Background:

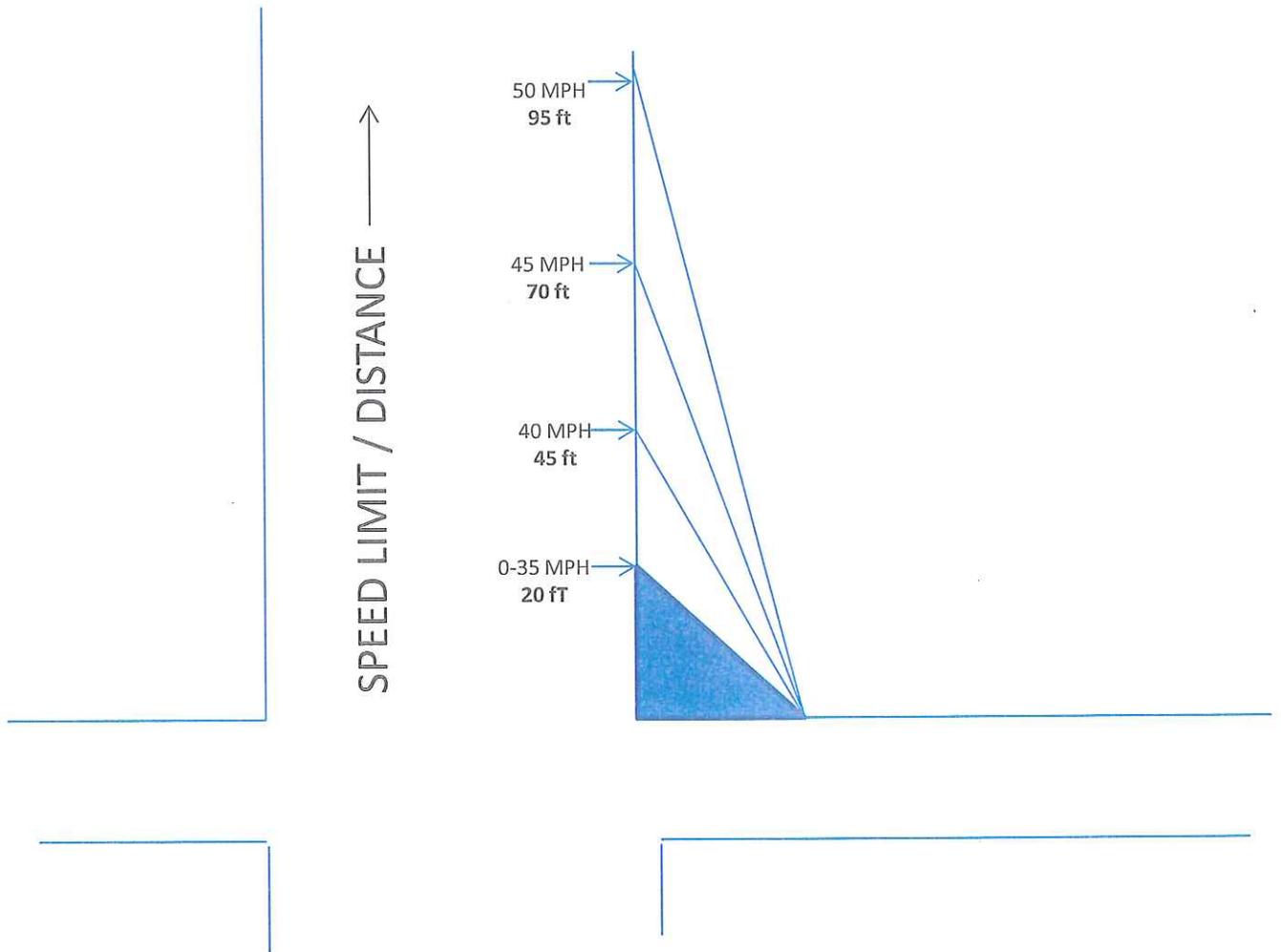
The current regulations that deal with the Minimum Sight Triangle have not changed since they were adopted as part of the major amendments to the City's Zoning Ordinance after the changes in State Statutes that dealt with Planning and Zoning in 1992.

Discussion:

The issue of fences, trees and shrubs in the sight triangle arouse during a municipal court case recently where fences, trees and shrubs were blocking the sight triangle. This is a traffic safety issue that has very simple remedy to grandfather previous approval by the City as shown below in legislative format:

SECTION 9. MINIMUM SIGHT TRIANGLE: The short leg (height) of each sight distance triangle shall be a minimum of twenty (20) feet in length (based on the adjacent street having a speed limit of at least thirty-five (35) miles per hour) measured along the edge of the pavement (back of curb). The base or long leg of sight triangles shall be increased twenty-five (25) feet for each five (5) mile per hour increase in the speed limit of the intersection street. The sight distance triangles shall remain free of visual obstructions that are more than two (2) feet in height measured above the edge of the pavement nearest to the obstruction, including but not limited to signs, ~~except approved~~ traffic control devices, fences, trees and shrubs unless previously approved by the City.

Sight Triangle Regulation



Don

Affidavit in Proof of Publication

(Published in the Bonner Springs Chieftain, Thursday, July 25, 2013)

STATE OF KANSAS
Wyandotte County

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

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

The Planning Commission will hold a public hearing on Tuesday, August 27, 2013 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:

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

Zoning Ordinance Amendment: BSZP-122: "Off-Street Parking and Loading Regulations". A request by the Planning Commission to consider two amendments to the Zoning Ordinance, Article XXIII: Off-Street Parking and Loading Regulations, Section 2, General Provisions and Section 2(2) Residential Districts; and

Zoning Ordinance Amendment: BSZP-123: "Minimum Sight Triangle": A requests by the Planning Commission to consider an amendment to the Zoning Ordinance Article XXI: Supplementary District Regulations, Section 9, Minimum Sight Triangle.

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.

Questions or comments may be addressed to Don E. Slone, AICP, CFM, Planning Director at (913) 667-1708 or by email to dsione@bonnersprings.org.

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

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 07/25/2013 with publications being made on the following dates:

07/25/2013

Subscribed and sworn to before me this

Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$45.00
	<hr/>
	\$45.00



Current Regulations (Same as 1994)

3. Prohibited Home Occupations: Permitted home occupations shall not in any event include the following:
 - (a) Retail or wholesale sales of merchandise, except where customers do not come to the premises and no sales or business contacts are made at the premises, except by phone or mail. (Revised Ordinance No. 1745)
 - (b) Funeral services.
 - (c) Retail or wholesale sales of groceries.
 - (d) Tourist homes.
 - (e) Equipment rental.
 - (f) Automobile and other motor vehicle repair services.
 - (g) Small engine repair services.
 - (h) Professional offices for physicians, osteopaths, chiropractors, ophthalmologists, dentists, and other related health care professions.

SECTION 7. OPEN STORAGE: The storage of salvage or scrap materials, inoperable motor vehicles, household goods or furniture, or business equipment or supplies for more than nine (9) consecutive days shall not be allowed in any residential district unless such items are stored in a completely enclosed building and are clearly secondary to the primary use of the property.

SECTION 8. WATER FACILITIES: All principal structures built hereafter shall be served by and connected to a public water system, as defined in these regulations.

SECTION 9. MINIMUM SIGHT TRIANGLE: The short leg (height) of each sight distance triangle shall be a minimum of twenty (20) feet in length (based on the adjacent street having a speed limit of at least thirty-five (35) miles per hour) measured along the edge of the pavement (back of curb). The base of sight triangles shall be increased twenty-five (25) feet for each five (5) mile per hour increase in the speed limit of the intersection street. The sight distance triangles shall remain free of visual obstructions that are more than two (2) feet in height measured above the edge of the pavement nearest to the obstruction, including but not limited to signs (except approved traffic control devices, fences, trees and shrubs).

SECTION 10. MANUFACTURED HOME:

1. A manufactured home-residential design shall be a minimum of 22 feet in width. The longest exterior dimension shall be not more than two and one-half (2 1/2) times the shortest exterior dimension;
2. The roof shall be double-pitched and have a minimum nominal vertical rise of four (4) inches for each twelve (12) inches of horizontal run. The roof shall be covered with roof material that is commonly used in standard residential construction, which is residential in appearance, excluding, corrugated aluminum, fiberglass, or metal roofing material. The roof shall have a minimum eaves projection and overhang of a minimum of twelve (12) inches, which may include a four (4) inch gutter;
3. The exterior siding shall be a material customarily used on site-built dwellings, such as wood, composition or simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials; but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior foundation or curtain wall;

1994 Regulations

SECTION 9. MINIMUM SIGHT TRIANGLE: The short leg (height) of each sight distance triangle shall be a minimum of twenty (20) feet in length (based on the adjacent street having a speed limit of at least thirty-five (35) miles per hour) measured along the edge of the pavement (back of curb). The base of sight triangles shall be increased twenty-five (25) feet for each five (5) mile per hour increase in the speed limit of the intersection street. The sight distance triangles shall remain free of visual obstructions that are more than two (2) feet in height measured above the edge of the pavement nearest to the obstruction, including but not limited to signs (except approved traffic control devices, fences, trees and shrubs). Sight distance triangles "A" and "B" shall be provided for all driveways that function as a street, but the length of the long leg of triangle "B" may be reduced to fifty (50) feet. Triangle "B" may be eliminated for driveways that do not function as a street. (Revised Ordinance No. 1710, 12/5/94)
