

PLANNING COMMISSION MEETING MINUTES
Tuesday, September 24, 2013 @ 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
Mike Novak, PE, RLS, City Engineer
Terry Barlow, Departmental Administrative Assistant

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

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the August 27, 2013 Planning Commission meeting. Commissioner Pierce made a motion to approve the minutes as written with a second from Commissioner Stephan. 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: Rezoning: BSZ-129: "Lot 2 Replat of Lot 1 Berkel Subdivision"** A request to rezone 21.23 acres from R-1, Single-Family Residential District to O, Office District classification. Requested by John Amrein, Wolf Creek Partners, LLC, property owners of record. This request is to change the current zoning classification to allow for the construction of a proposed office building to be located at 14101 Gibbs Road (K-32 Hwy).

Chairman Parks opened the public hearing at 7:02 p.m. and 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 if the applicant would like to address the Planning Commission. **John Amrein, Wolf Creek Partners, LLC**, stated that he is in agreement with all the listed conditions and would be happy to answer any questions.

Chairman Parks asked if anyone in the audience had any questions or comments. **Mickey Hylton, 13840 Woodend Road**, asked if the project was going to start immediately or would it be some time before it started. He also asked about the price ranges of homes. He also asked about the property on Woodend Road that was zoned for apartments.

The Planning Director stated that the applicant cannot guarantee when the project would begin. The property being rezoned will be for an office building and not for residential homes. The piece of property to the south is not on the table and it was zoned R-3 in 1984. Mr. Amrein will ask for a down zoning to A-1 for the property on Woodend Road at a later date. There is a buyer for four (4) acres which will be an office building of approximately 1,500 square feet as shown on the Proposed Site Plan.

Chairman Parks asked if the Planning Commission had any comments or questions. Seeing none he closed the public hearing at 7:09 p.m. and asked for a motion.

Commissioner Stephan made a motion to approve with the listed condition. Commissioner Krone seconded the motion.

Chairman Parks asked if the Planning Commissioners had any questions or comments. Seeing none he called for a vote. Motion passed 7-0.

This item will be forwarded to the Governing Body on October 14, 2013.

Chairman Parks introduced **Item No. 3 Lot Split: LS-116: "Lot 2 Replat of Lot 1 Berkel Subdivision"**, is for 21.23 acres platted as Lot 2 Replat of Lot 1 Berkel Subdivision. The property is zoned R-1, Single-Family Residential District requested to be rezoned to O, Office District under Case No. 129. Requested by John Amrein, Wolf Creek Partners, LLC, property owners of record. The property is located at 14101 Gibbs Road (K-32).

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

Chairman Parks asked if the applicant would like to address the Planning Commission. **John Amrein, Wolf Creek Partners, LLC**, stated that he is in agreement with all the conditions listed in the Staff Report and would be happy to answer any questions.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he called for a motion. Commissioner Kasselmann made a motion to approve with the listed conditions. Commissioner Neff seconded the motion.

Chairman Parks asked if the Planning Commissioners had any questions or comments. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 4: Site/Landscape Plan: ST-13-103, "Bonner Springs Pointe I – Lot 3"** Requested by Shawn Duke, PE, Lutjen, Inc. for KAVE, Inc. property owners of record. The Site Plan is being submitted in order to construct a 9,500 square foot retail strip center with restaurant and other retail uses and associated off-street parking on 1.72 acres zoned C-2, General Business District located at 530 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 if the applicant would like to address the Planning Commission. **Shawn Duke, PE, Lutjen, Inc. for KAVE, Inc.**, stated that his clients were in agreement with the conditions listed in the Staff Report and that he would be happy to answer any questions.

Commissioner Krone asked the Planning Director about possible parking issues if the restaurant is greater than 50% of the building. The Planning Director stated that the parking regulations require 1 parking stall per 75 sq.ft. whereas a "strip center" requires 1 parking stall per 150 sq.ft.

Mr. Duke stated that 40% of the building would be for a restaurant and 60% would be for a retail strip center. If the restaurant is great that 50% then there would not be enough parking.

Chairman Parks asked if anyone in the audience or the Planning Commission had any questions or comments. Seeing none he called for a motion.

Commissioner Stephan made a motion to approve with the listed conditions and added a condition that the site plan shall be amended with a note that states the restaurant space shall not exceed 50% of the floor area. Commissioner Kasselmann seconded. Chairman Parks asked the applicant if he agreed with the added condition and Mr. Duke stated that he was in agreement.

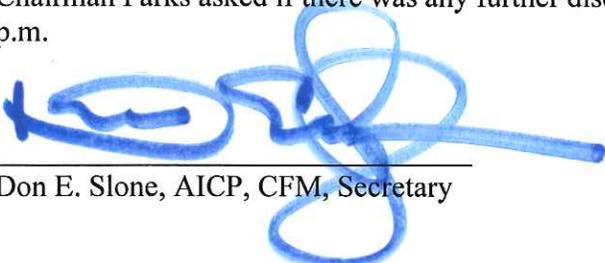
Chairman Parks asked if the Planning Commission had any further questions or comments.

Commissioner Stephan asked what would happen if two restaurants wanted to be in the building. The Planning Director stated that could as long as it does not exceed 50%. The Planning Director stated that a restaurant is required in accordance with the approved requirements of the Tax Increment Finance District (TIF).

Commissioner Pierce asked if there was any more room for parking and the Planning Director stated no.

Chairman Parks asked if the Planning Commissioners had any further questions or comments. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks asked if there was any further discussion. Seeing none, he adjourned the meeting at 7:35 p.m.



Don E. Slone, AICP, CFM, Secretary