



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS

TUESDAY, APRIL 22, 2014

STUDY SESSION @ 6:00 P.M.

REGULAR MEETING @ 7:00 P.M.

PLANNING COMMISSION MEMBERS:

PLEASE CONTACT DON SLONE @ 667-1708

NO LATER THAN 12:00 NOON, TUESDAY, APRIL 22, 2014,

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, April 22, 2014**

Study Session 6:00 p.m.

- Planning Commission discussion on updates to the Comprehensive Plan – Vision 2025 for 2014; and
- Planning Commission update on FEMA/DWR RiskMAP Program and Draft DFIRM – Wolf Creek.

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 January 28, 2014.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Final Plat (Replat): PT-14-100: “Country Hills Subdivision Second Plat”, this request is to replat a portion of Lot C and All of Lot D divided into a 3 lot subdivision originally platted as “Country Hills Subdivision, Replat of Lots 11 and 12”. The property is zoned C-2, General Business District. Requested by Sam Malinowsky, P.E., Kaw Valley Engineering, Inc. for Bonner Springs Partners II, LLC, property owners of record. The request is in order to construct a 5,000 square foot retail strip center to be located at 630 S. 130th St. *(This item will be forwarded to the Governing Body on May 12, 2014)*

1. Staff Presentation / Applicant Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 3: Site/Landscape Plan: ST-14-102, “Bonner Springs Plaza” Requested by Dave Olson, Bonner Springs Partners II, LLC, property owners of record. The Site/Landscape Plan was submitted in order to construct a 5,000 square foot retail strip center on Lot D, Country Hills Subdivision Replat of Lots 11 & 12 being platted as Lot 1, Country Hills Subdivision Second Plat. The property is zoned C-2, General Business District located at 630 S. 130th St.

1. Staff Presentation / Applicant Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 4: Zoning Ordinance Amendment: BSZP-124: “O” Office District Amendments, A request by the Bonner Springs Planning Commission to consider several amendments to the Zoning Ordinance, Article XIV: “O” Office District Regulations, Appendix A and Appendix B. *(This item will be forwarded to the Governing Body on May 12, 2014)*

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 January 28, 2014 Planning Commission Meeting

PLANNING COMMISSION AGENDA

Tuesday, April 22, 2014 – 7:00 p.m.

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

MOTION: _____

SECOND: _____

ACTION: Make a Motiuon to Approve

STAFF RECOMMENDATION: Staff recommends approval of the Planning Commission meeting Minutes.

NARRATIVE: The minutes of the Janaury 28, 2014 meeting are attached.

PLANNING COMMISSION MEETING MINUTES

Tuesday, January 28, 2014 @ 7:00 p.m.

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

MEMBERS ABSENT: Dave Pierce

PRESENT: Don Slone, AICP, CFM, Planning Director

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

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the December 17, 2013 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 by unanimous vote.

NEW BUSINESS:

Chairman Parks introduced **ITEM NO. 2: Site Plan: ST-14-100, "Nettleton Manor Parking Lot Revision"** Requested by Brian Hill, P.E., MKEC Engineering for GP Nettleton LLC, property owners of record. The Site Plan is submitted in order to revise the existing parking in front of the High-Rise Senior Housing building to add nine (9) additional parking spaces which include four (4) additional handicapped spaces. The property is zoned C-1, Central Business District located at 111 E. Kump Avenue.

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

Chairman Parks asked if the applicant would like to address the Planning Commission. **Brian Hill, P.E., MKEC Engineering, Inc.**, for GP Nettleton LLC, property owners of record, stated that his clients are in agreement with Staff's Recommendations. He stated that he would be happy to answer any questions.

Taylor Hunt, GP Nettleton LLC, stated that they will be revamping the existing parking in two phases. Chairman Parks asked if the owners are in agreement with the listed conditions. Mr. Hunt stated that they were in agreement.

Chairman Parks noted that several Nettleton Manor residents were in attendance and asked if anyone wanted to address this item. **Ida Edson, Nettleton Manor resident** stated that she was very happy the new owners were addressing the parking issues on the site. **Teresa Jacobs, Nettleton Manor resident** spoke on the handicapped parking issues. She asked that they remove the two van accessible parking spaces and add two more spaces. Chairman Parks asked if she could guarantee that no one will ever move into Nettleton Manor that will need the van accessible spaces and she said she could not but restated there are none currently. The Planning Director stated that the engineers addressed the parking requirements in accordance with ADA requirements.

Chairman Parks asked if anyone else would like to address the Planning Commission. Seeing none he called for a motion. Commissioner Stephan made a motion to approve with the six listed conditions in the Staff Report. Commissioner Krone seconded the motion.

Chairman Parks asked if the Planning Commissioners had any further questions or comments. Seeing none he called for a vote. Motion passed 6-0.

Chairman Parks waited while the Nettleton Manor residents departed prior to introducing the next item.

ITEM NO. 3: Site Plan: ST-14-101, "El Potro Mexican Cafe Patio Addition" Requested by Scott Mosburg, Mosburg and Associates, property owners of record. The Site Plan is being submitted in order to construct a 336 square foot outdoor patio addition on 0.91 acres zoned C-2, General Business District located at 13035 Canaan Center Drive.

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

Chairman Parks asked if the applicant would like to address the Planning Commission. **Scott Mosburg, Mosburg and Associates**, stated that they were in agreement with the listed conditions and would be happy to answer any questions.

The Planning Commission discussed who had eaten at El Potro, how good the food was and hope it is a success. They also stated that they were very pleased the property is in use once again after two years of being vacant. They also asked about the signs as well as the human directional that were active on K-7 Hwy and Canaan Center Drive on Saturday. After a lengthy discussion of whom and what should move into the old Wendy's building, Chairman Parks asked for a motion. Commissioner Stephan made a motion to approve the site Plan for El Potro with the six listed conditions in the Staff Report. Commissioner Kasselmann seconded the motion.

Chairman Parks asked if the Planning Commissioners had 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. Seeing none, he adjourned the meeting at 7:37 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

Final Plat (Replat): PT-14-100: "Country Hills Subdivision Second Plat", this request is to replat a portion of Lot C and All of Lot D divided into a 3 lot subdivision originally platted as "Country Hills Subdivision, Replat of Lots 11 and 12". The property is zoned C-2, General Business District. Requested by Sam Malinowsky, P.E., Kaw Valley Engineering, Inc. for Bonner Springs Partners II, LLC, property owners of record. The request is in order to construct a 5,000 square foot retail strip center to be located at 630 S. 130th St

PLANNING COMMISSION AGENDA

Tuesday, April 22, 2014 – 7:00 p.m.

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

MOTION: _____

SECOND: _____

ACTION: Make a motion to approve.

STAFF RECOMMENDATION: Staff recommends 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 May 12, 2014.**

FINAL PLAT (REPLAT): "COUNTRY HILLS SUBDIVISION SECOND PLAT"**Case No.:** PT-14-100**Applicant:** Sam Malinowsky, PE, Kaw Valley Engineering, Inc.**Developers:** Bonner Springs Partners II, LLC**Engineer:** Sam Malinowsky, PE, Kaw Valley Engineering, Inc.**Surveyor:** Jason R. Loader, RLS, Kaw Valley Engineering, Inc.**Owners:** Bonner Springs Partners II, LLC**Location:** 630 S. 130th Street**Zoning:** C-2, General Business District**Land Use Summary:****Total Acreage:** 6.06 acres**Number of Lots:** 3**Easements Dedicated:** As shown on the Final Plat**Dedicated Rights-of-Way:** No additional Right-Of-Way dedicated with this plat

Exhibits: Final Plat (Replat), Preliminary Plat (for Building Reference Purposes Only), Staff Easement Exhibit, Final Plat of Country Hill Subdivision Replat of Lots 11 and 12, Country Hills Lot Split and Final Plat of Country Hills Subdivision (Original Plat).

Background:

This request to replat 6.06 acres into a 3 lot subdivision. This request is to replat a portion of Lot C and All of Lot D; Country Hills Subdivision, Replat of Lots 11 & 12 for the 5,000 square foot retail strip center. This replat will also vacate the 15' utility easement between Lot C and Lot D except as noted.

Staff Recommendation:

The Development Staff recommends approval of the submitted Final Plat subject to (24) conditions:

1. Correct the measured distance of 599.05' (M) in the upper left hand corner of Sheet 1 to 314.0 (M);
2. Add the following addresses to the Lot/Acreage/Address Block as follows:
 - Lot 1: 630-638 S. 130th Street
 - Lot 2: 13021-13049 Kansas Avenue
 - Lot 3: 626 S. 130th Street
3. Add U/E to the existing 54' Access Easement (See Staff Easement Exhibit (1));
4. Add an additional 10' U/E to the existing North/South U/E under the building for a total of 25' on Lot 2 (See Staff Easement Exhibit (2));
5. Add a new 20' U/E along the West Lot line of Lot 1 to intercept the existing 25' U/E to the North lot line of Lot 1 (See Staff Easement Exhibit (3));
6. Remove BSL for the 75' Road & Utility Easement along the east side of the plat drawing;
7. Correct Lot B1 Country Hills Lot Split to Lot A Country Hills Subdivision Replat of Lots 11 and 12;
8. Correct Lot A1 Country Hills Lot Split to Tract A-1 to match the filed Country Hills Lot Split;
9. Add the required Vicinity Map showing the project relationship to major roads and Section;
10. Provide a Map Closure report for the plat boundary;
11. Provide this office with signed and sealed Section Corner Reference Reports with a check and enveloped addressed to the Kansas State Historical Society or provide this office with copies of the reference reports, check and a cover letter that was sent to the Kansas State Historical Society;
12. Show the section corner ties on the face of the plat;
13. Show the original lot lines and label both Lot's C and D as faded back;
14. Any and all easements that are to remain shall be called out with bearings and distance or tied down in a way that they can be recreated in the field. Any existing easements shown without measureable values will be vacated up on the acceptance and filing of this plat. KSA 12-512b;

15. In the 5th line of the description you call out "*on an assumed line*" I believe you should call out your basis of bearing between the header and body of the description and remove the call of "*assumed line*". This line is a calculated line off your basis of bearing you refer to on the plat;
16. In the 6th line of the description you call out "Country Hills Lot Spilt". If the Lot Split was filed please add the book and page or document number this can be found under in the Register of Deeds;
17. In the 9th line of the description please insert "**said point being on the west right-of-way line of Kansas State Highway No. 7 as said highway now exists**" after "*Lots 11 & 12;*"
18. Change "*Unified Government Surveyor*" to **County Surveyor**;
19. Add the middle initial of E to the County Surveyors name;
20. Correct the Signature Block to be used for the Register of Deeds office as shown below under County Surveyor's Condition No. 11;
21. Resubmit one (1) digital copy of the "revised" Final Plat to the Planning Department that addresses all the above conditions for the Planning Director's review and approval prior to submission of the mylars;
22. The 2013 property taxes are required to be paid in full prior to filing the final plat per KSA 19-1207;
23. The surveyor shall furnish two (2) original signed/sealed mylars along with the filing fee of \$20.00 per page (\$40.00) made payable to the Register of Deeds; the "Section Corner(s) Tie Report" and fee as required by KSA-58-2003; and
24. The Planning Department will file the Final Plat and provide a digital copy of the filed Final Plat to the applicant.

Planning Director's Comments:

1. Correct the measured distance of 599.05' (M) in the upper left hand corner of Sheet 1 to 314.0 (M);
2. Add the following addresses to the Lot/Acreage/Address Block as follows:
 - Lot 1: 630-638 S. 130th Street
 - Lot 2: 13021-13049 Kansas Avenue
 - Lot 3: 626 S. 130th Street
3. Add U/E to the existing 54' Access Easement (See Staff Easement Exhibit (1));
4. Add an additional 10' U/E to the existing North/South U/E under the building for a total of 25' on Lot 2 (See Staff Easement Exhibit (2));
5. Add a new 20' U/E along the West Lot line of Lot 1 to intercept the existing 25' U/E to the North lot line of Lot 1 (See Staff Easement Exhibit (3));
6. Remove BSL for the 75' Road & Utility Easement along the east side of the plat drawing;
7. Add Utility Easement to the existing 54' Access Easement that runs north of Lot 2 to intercept the Access Easement on Lot B for future utility relocations;
8. Correct Lot B1 Country Hills Lot Split to Lot A Country Hills Subdivision Replat of Lots 11 and 12; and
9. Correct Lot A1 Country Hills Lot Split to Tract A-1 to match the filed Country Hills Lot Split.

Review Comments Received from Other Departments/Agencies

Building Official: No objections.

City Engineer: No objections.

Economic Development:

1. Could not find Lot C and Lot D. (Noted by County Surveyor).

Public Works: No objections.

Utilities:

1. The existing KDOT plans for the Kansas Avenue / K-7 Interchange shows additional R/W and A/C on the west side of K-7. If KDOT moves the R/W to the west, the Waterline and Sanitary Sewer will need to move west.

Atmos Energy: No comments received.

AT&T:

**FINAL PLAT OF
COUNTRY HILLS SUBDIVISION SECOND PLAT
A REPLAT OF A PORTION OF LOT C AND ALL OF LOT D, REPLAT OF LOTS 11 AND 12**

DESCRIPTION: THAT PORTION OF LOT C AND ALL OF LOT D, COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 & 12, A SUBDIVISION IN THE CITY OF BONNER SPRINGS, STATE OF KANSAS BEING DESCRIBED AS FOLLOWS: BEGINNING AND ENDING AT THE NORTHWEST CORNER OF LOT C, SAID COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 & 12, THENCE S 89°00'00" W 100.00' TO THE WEST LINE OF LOT A1, COUNTRY HILLS LOT SPLIT; THENCE S 00°00'00" W ALONG SAID WEST LINE, A DISTANCE OF 200.00 FEET TO THE EAST LINE OF SAID COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 & 12; THENCE S 00°00'00" W ALONG SAID EAST LINE, A DISTANCE OF 204.81 FEET; THENCE S 89°00'00" W ALONG SAID EAST LINE, A DISTANCE OF 63.71 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION REPLAT LOTS 11 & 12; THENCE S 89°00'00" W ALONG THE SOUTH LINE OF SAID SUBDIVISION, A DISTANCE OF 917.32 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION REPLAT LOTS 11 & 12; THENCE S 00°00'00" W ALONG SAID WEST LINE, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. CONTAINS 4.09 ACRES MORE OR LESS.

NOTE: THE SURVEY ON WHICH THIS DESCRIPTION IS BASED MEETS OR EXCEEDS THE STATE MINIMUM STANDARD FOR ACCURACY FOR A SURVEY OF THIS CLASS AND DATE. THE DESCRIPTION ITSELF ACTUALLY CLOSES TO 0.01% ON 1:158403.55. THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THIS PLAT, WHICH HEREINAFTER SHALL BE KNOWN AS "COUNTRY HILLS SUBDIVISION SECOND PLAT".

DEDICATION: THE UNDERSIGNED PROPRIETORS OF SAID PROPERTY SHOWN ON THIS PLAT DO HEREBY DEDICATE FOR PUBLIC USE AND PUBLIC WAYS AND THROUGHFARES, ALL PARCELS AND PARTS OF LAND INDICATED ON THIS PLAT AS STREETS, ALLEYS, AND PUBLIC RIGHTS HAVE BEEN GRANTED TO ANY PERSON, UTILITY OR CORPORATION OF SAID PARTS OF THE PLAT, AND THE SAME SHALL BE MAINTAINED AND KEPT OPEN AND FREE FOR THE USE OF THE PUBLIC. THE SAME SHALL BE MAINTAINED AND KEPT OPEN AND FREE FOR THE USE OF THE PUBLIC. THE SAME SHALL BE MAINTAINED AND KEPT OPEN AND FREE FOR THE USE OF THE PUBLIC.

THE UNDERSIGNED PROPRIETORS HEREBY ADOPT AND AGREE TO INCORPORATE AS PART OF THIS PLAT THE FOLLOWING UTILITY INSTALLATIONS WITHIN SAID PRIOR EXHIBITS, AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONDUIT, WATERLINES, GAS SERVICE LINES, POLES, WIRE, DAMAGE FACILITIES, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY AREAS". THE UNDERSIGNED PROPRIETORS HEREBY ADOPT AND AGREE TO INCORPORATE AS PART OF THIS PLAT THE FOLLOWING UTILITY INSTALLATIONS WITHIN SAID PRIOR EXHIBITS, AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONDUIT, WATERLINES, GAS SERVICE LINES, POLES, WIRE, DAMAGE FACILITIES, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY AREAS". THE UNDERSIGNED PROPRIETORS HEREBY ADOPT AND AGREE TO INCORPORATE AS PART OF THIS PLAT THE FOLLOWING UTILITY INSTALLATIONS WITHIN SAID PRIOR EXHIBITS, AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONDUIT, WATERLINES, GAS SERVICE LINES, POLES, WIRE, DAMAGE FACILITIES, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY AREAS". THE UNDERSIGNED PROPRIETORS HEREBY ADOPT AND AGREE TO INCORPORATE AS PART OF THIS PLAT THE FOLLOWING UTILITY INSTALLATIONS WITHIN SAID PRIOR EXHIBITS, AN EASEMENT OR LICENSE TO ENTER UPON, LOCATE, CONDUIT, WATERLINES, GAS SERVICE LINES, POLES, WIRE, DAMAGE FACILITIES, DUCTS AND CABLES, AND SIMILAR FACILITIES, UPON, OVER AND UNDER THESE AREAS OUTLINED AND DESIGNATED ON THIS PLAT AS "UTILITY AREAS".

FLOOD NOTE: SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN "OTHER AREAS ZONE 'X'" ON THE FLOOD INSURANCE RATE MAP FOR BONNER SPRINGS, MISSOURI, DATED SEPTEMBER 2, 2011. "OTHER AREAS ZONE 'X'" IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN". LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.

RESTRICTIONS: THESE LOTS SHALL BE RESTRICTED TO THE USES PERMITTED BY THE CITY OF BONNER SPRINGS, KANSAS AND ALL APPLICABLE ZONING ORDINANCES. THE CITY OF BONNER SPRINGS, MISSOURI, IS THE AUTHORITY FOR THE CITY OF BONNER SPRINGS, MISSOURI, GENERAL BUSINESS DISTRICT C-2. GENERAL BUSINESS DISTRICT.

BENCHMARKS: BM #1: "CUT 'SQUARE'" ON SOUTHEAST EDGE OF LIGHT POLE BASE. COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 & 12.

REVIEWED BY: BRETT THOMPSON, P.L.L.S. 1277

DATE:

SURVEYOR'S CERTIFICATION: IN HEREBY CERTIFY THAT THIS PLAT OF COUNTRY HILLS SUBDIVISION SECOND PLAT IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE STATE MINIMUM STANDARD FOR ACCURACY FOR A SURVEY OF THIS CLASS AND DATE. THE INFORMATION CONTAINED HEREIN AND SHOWN HEREON IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

JASON R. LOANER, KS LS NO. 1462

SIGNATURE AND STAMP IN BLUE INK INDICATES AN ORIGINAL SIGNED COPY BY THIS SURVEYOR. ANY OTHER COLOR IS NOT AN ORIGINAL COPY.

PROJECT NAME: COUNTRY HILLS SUBDIVISION SECOND PLAT CASE NO.: PT-14-100 DATE OF PREPARATION: XXXXXX PROJECT NO. A14-6750 SHEET 2 OF 2

KAW VALLEY ENGINEERING, INC. IS AUTHORIZED TO OFFER SURVEYING SERVICES BY KANSAS STATE CERTIFICATE OF AUTHORIZATION NO. LS-30, EXPIRES 12/31/14

KAW VALLEY ENGINEERING, INC.

200 WEST 10TH AVENUE
JUNCTION CITY, KANSAS 66401
(785) 792-0040 FAX (785) 792-7744

JUNCTION CITY, KS | LONDON, KS

STATE OF KANSAS

COUNTY OF BONNER

ON THIS DAY OF _____, 2014, BEFORE ME, APPEARED _____, HAVINGING NUMBER _____ OF BONNER SPRINGS, KANSAS, WHO KNOWS THE CONTENTS OF SAID INSTRUMENT AND THAT THE SEAL AFFIXED TO THIS INSTRUMENT BY THE AUTHORITY OF HIS GOVERNING BODY AND THAT SAID SAID INSTRUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT TO BE THE FREE ACT AND DEED OF SAID CORPORATION, AND HE DULY ACKNOWLEDGES THE EXECUTION OF THE SAID INSTRUMENT.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

ADDRESS: _____

THIS PLAT OF COUNTRY HILLS SUBDIVISION SECOND PLAT HAS BEEN SUBMITTED TO AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF BONNER SPRINGS, MISSOURI, ON THIS DAY OF _____, 2014.

MERLE E. PARKS, PLANNING COMMISSION CHAIRMAN

DON L. SLONE, AEP, CPA, PLANNING COMMISSION SECRETARY

THE ACCEPTANCE OF EXHIBITS AND DEDICATION OF LAND FOR PUBLIC USE BY THE GOVERNING BODY IN THE FOLLOWING FORM AND RIGHTS-OF-WAY ACCEPTED BY THE GOVERNING BODY OF BONNER SPRINGS, KANSAS, THIS DAY OF _____, 2014.

(SEAL) _____

ATTEST: _____

RITA HOAG, CITY CLERK

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 2014.

COUNTY REGISTER OF DEEDS _____

UNDEVELOPED/UNIMPROVED SUBDIVISION

THIS SURVEY HAS BEEN REVIEWED FOR FILING PURSUANT TO K.S.A. 55-2203, 56-2005, AND 56-2011, FOR CONTENT ONLY, AND IS IN COMPLIANCE WITH THOSE PROVISIONS, NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.



STAFF EASEMENT EXHIBIT

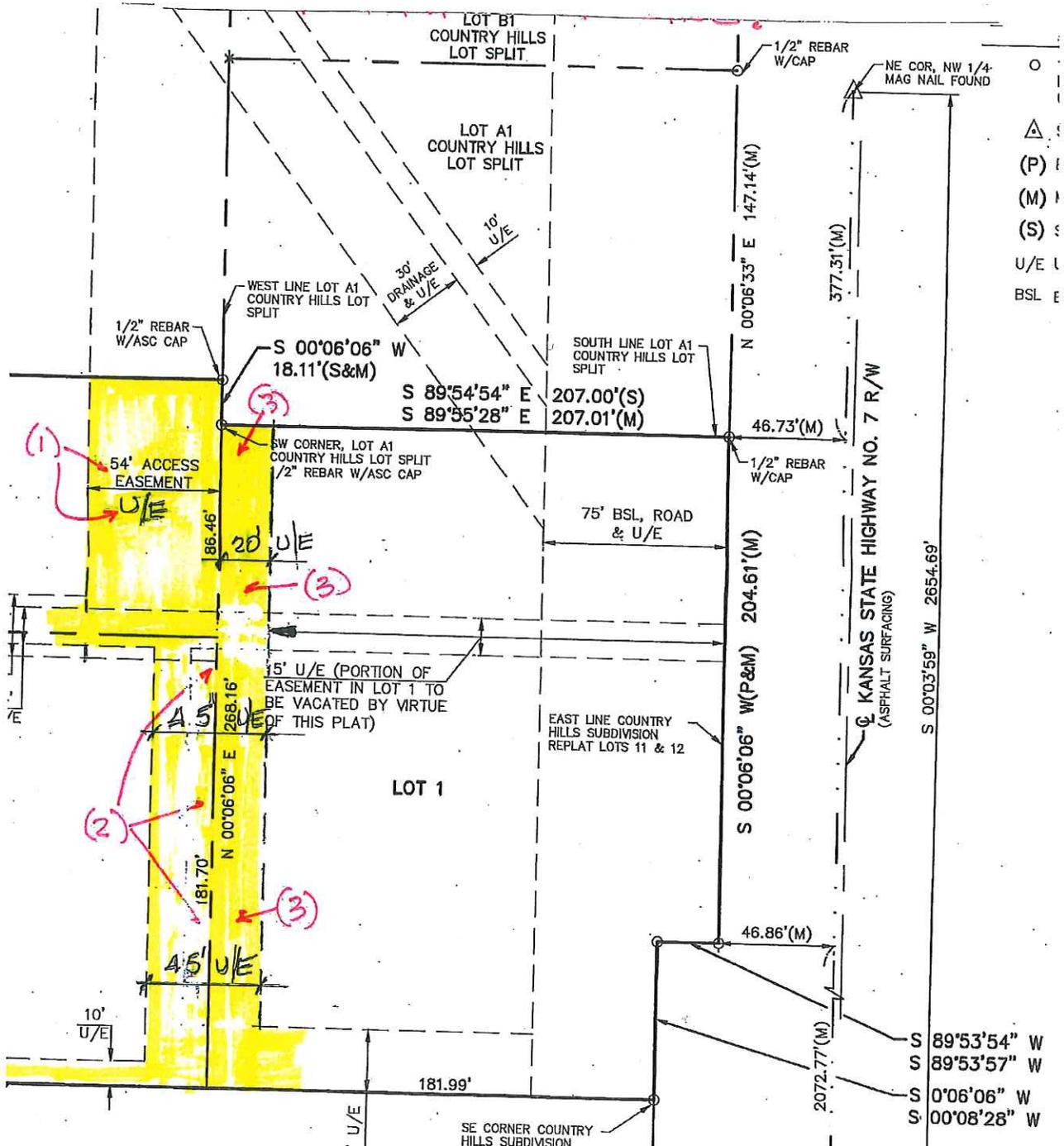


[Handwritten signature]

- (1) Add U/E to the existing 54' Access Easement
- (2) Add an additional 10' of U/E to the existing North/South U/E under the building for a total of 25' on Lot 2;
- (3) Add a new 20" U/E along the West Lot line of Lot 1 to intercept the existing 25' U/E North to the north lot line of Lot 1.

Notes are shown below in Yellow Areas

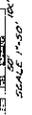
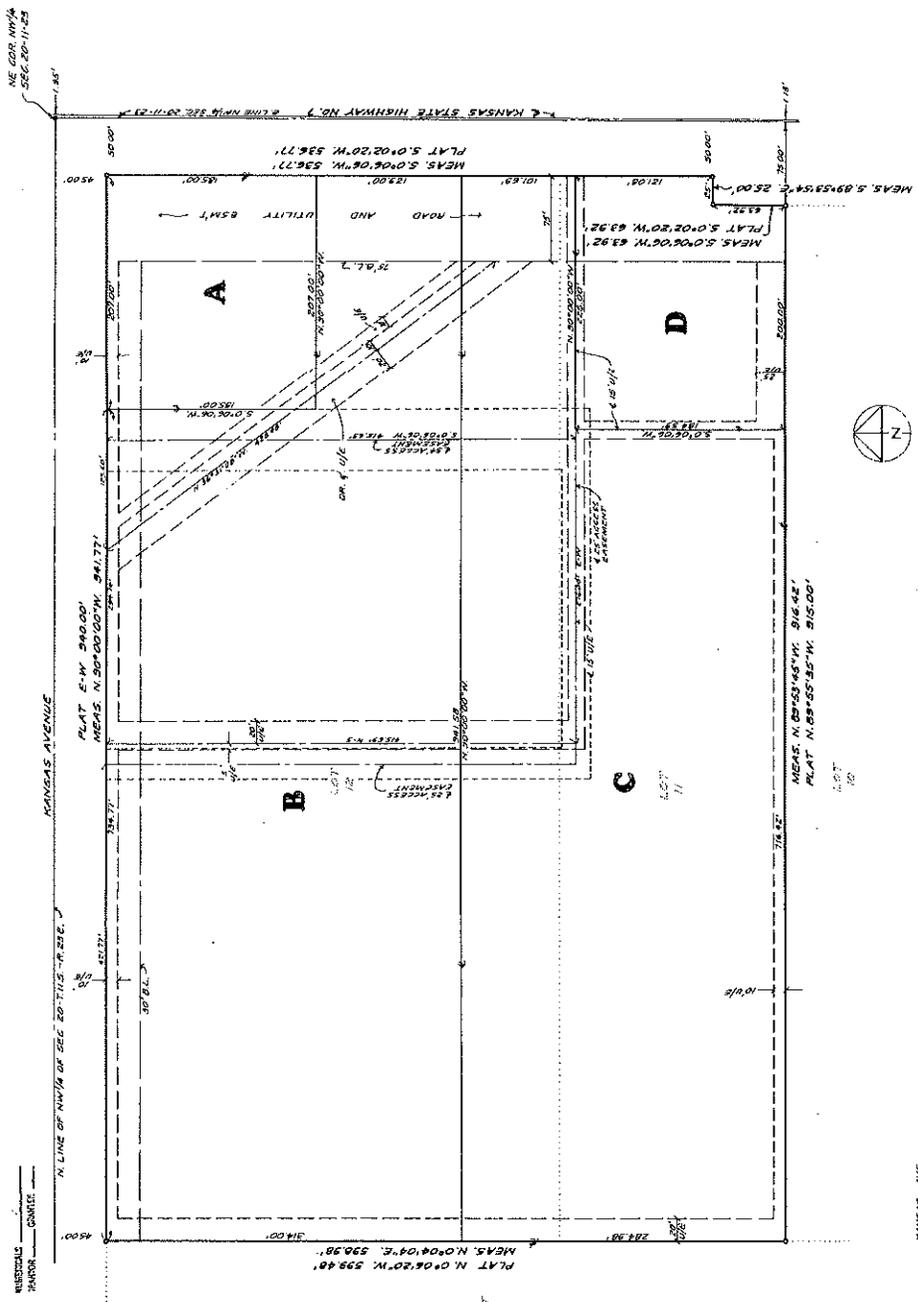
[Handwritten notes and symbols]



(P)
 (M)
 (S)
 U/E
 BSL

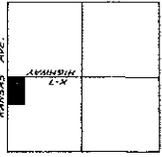
CONVERT TO METRIC
 1 INCH = 25.4 MM
 1 FOOT = 0.3048 METERS
 1 MILE = 1.60934 KILOMETERS

COUNTRY HILLS SUBDIVISION REPLAT LOTS 11 AND 12



OWNERS:
 HOLLAND PROPERTIES, INC.
 1100 W. 15TH AVENUE, SUITE 100
 PH. 1-913-251-4000
 BONNER SPRINGS DEVELOPMENT CO.
 1100 W. 15TH AVENUE, SUITE 100
 PH. 1-913-251-4000

D DENOTES MONUMENTS FOUND



EXCERPTS

This is a plat and subdivision of lots 11 and 12 in Country Hills subdivision, a subdivision of land in Section 20 - Township 15 South - Range 23 East, City of Bonner Springs, Wyandotte County, Kansas.

The undersigned proprietors of the above described tract of land have caused the same to be replatted in accordance with the provisions of the Kansas Subdivision Act, Chapter 15-110, Kansas Statutes Annotated, as amended, and the plat is hereby certified to be correct.

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, avenues, places, alleys, easements, and other public uses and purposes.

None of all lots in this subdivision shall be subject to the restrictions, conditions, covenants, and other provisions which shall be contained in the plat of the replat of said property, unless such restrictions shall hereby become a part of the definition of this plat as though they were therein.

An easement or license is hereby granted to the City of Bonner Springs, Kansas, to enter upon, locate, construct and maintain or reconstruct any location, construction or maintenance and use of conduits, water, sewer, gas, telephone, electric, cable, and other utility lines, and to install, maintain, repair, and alter these same, and to use the same for the purpose of utility purposes, as set forth in Sec. 15-110, Kansas Statutes Annotated, as amended.

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of the City of Bonner Springs, Kansas, may, in its discretion, and in accordance with the laws of the State of Kansas, cause the same to be dedicated for public use and purposes, and that the amount of the same shall be determined by the Board of County Commissioners of the City of Bonner Springs, Kansas, and that the amount of the same shall be paid by the undersigned proprietors of the above described land, and that the amount of the same shall be paid by the undersigned proprietors of the above described land, and that the amount of the same shall be paid by the undersigned proprietors of the above described land.

The undersigned proprietors of the above described land, by the authority of the Board of Directors, caused this instrument to be prepared by the City of Bonner Springs, Kansas, and the undersigned proprietors of the above described land, by the authority of the Board of Directors, caused this instrument to be prepared by the City of Bonner Springs, Kansas, and the undersigned proprietors of the above described land, by the authority of the Board of Directors, caused this instrument to be prepared by the City of Bonner Springs, Kansas.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my personal seal on the day and year last above written.

By: *[Signature]*
 General Partner

HOLLAND CORPORATION
 1100 W. 15TH AVENUE, SUITE 100
 BONNER SPRINGS, KANSAS 66008
 PH. 913-251-4000

DATE: 5/11/12
 DESIGN: J.A.L.
 DRAWN BY: J.A.L.
 PROJECT: 12-112

FINAL PLAT

PREPARED BY:
 HOLLAND CORPORATION
 1100 W. 15TH AVENUE, SUITE 100
 BONNER SPRINGS, KANSAS 66008
 PH. 913-251-4000

APPROVED BY THE BOARD OF DIRECTORS OF THE CITY OF BONNER SPRINGS, KANSAS, THIS 11th DAY OF MAY, 2012.

APPROVED BY THE BOARD OF DIRECTORS OF THE CITY OF BONNER SPRINGS, KANSAS, THIS 11th DAY OF MAY, 2012.

923212-2

251-31022

ITEM NO. 3

Site/Landscape Plan: ST-14-102, "Bonner Springs Plaza" Requested by Sam Malinowsky, P.E., Kaw Valley Engineering, Inc. for Bonner Springs Partners II, LLC, property owners of record. The Site/Landscape Plan was submitted in order to construct a 5,000 square foot retail strip center on Lot D, Country Hills Subdivision Replat of Lots 11 & 12 being platted as Lot 1, Country Hills Subdivision Second Plat. The property is zoned C-2, General Business District located at 630 S. 130th St.

PLANNING COMMISSION AGENDA

Tuesday, April 22, 2014 – 7:00 p.m.

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

MOTION: _____

SECOND: _____

ACTION: Make a motion to approve

STAFF RECOMMENDATION: Staff recommends 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/LANDSCAPE PLAN: BONNER SPRINGS PLAZA**Case No.:** ST-14-102**Applicant/Engineer:** Sam Malinowsky, P.E., Kaw Valley Engineering, Inc.**Architect:** Russ Ehnert**Property Owner:** Bonner Springs Partners II, LLC**Location:** 630 S. 130th Street (Lot 1, Country Hills Subdivision Second Plat)**Zoning:** C-2, General Business District**Lot Size:** 0.82 acres (35,415.19 sq.ft.)**Building Size:** 5,000 sq.ft.**Building Use:** Retail**Parking:**

Parking required: 1 space/150 sq.ft. = 33 spaces + 2 handicapped space = 35 spaces

Parking provided: 38 spaces + 2 handicapped spaces = 40 spaces

Landscaping:Trees required: 1 tree/40' lineal feet of Street frontage – K-7 Hwy = 268 lineal feet = 7 trees1 tree/10 Parking Spaces = 40 spaces = 4 treesTrees provided: 5 trees provided – 6 trees need to be added to meet the minimum requirement

Shrubs provided: As Shown

Signage: Wall Signs as shown on Building Elevations**Site Lighting:** Existing Site Lighting Poles to be relocated**Exhibits:** Site Plan, Grading Plan, Landscape Plan and Elevations.**Staff Analysis:**

The Site/Landscape plan is submitted in order to construct a 5,000 square foot retail strip center with a restaurant and other retail uses and associated off-street parking. The submitted Site Plan does meet the minimum submittal requirements of the Zoning Ordinance listed under Article V, Section 10: Site Plans.

The Landscape Plan does not meet the minimum submittal requirements as listed under Article XXX, Section 4(4) of the Landscape Regulations as the Landscape Plan is short 6 trees. The 6 trees could be installed in other areas of the existing parking lot within Lot 2 and Lot 3 to meet this condition.

Staff Recommendation:

The Development Staff recommends approval of the Site/Landscape Plan subject to the ten (10) listed conditions to include all Standing Conditions listed below:

1. Revise Sheet 1 to add an Address Block under the Notes for the three tenant spaces as follows:
 Tenant Space A: 630 S. 130th Street
 Tenant Space B: 634 S. 130th Street
 Tenant Space C: 638 S. 130th Street
2. Revise the Site Plan to address the changes to the Final Plat conditions and resubmit;
3. Revise the Landscape Plan to match the Site Plan. Revise and resubmit;
4. Consider adding the required additional 6 trees to existing parking lot within Lot 2 and Lot 3 to meet the minimum Landscape Regulations;
5. All corner parking stalls shown on all Sheets are less than the 9' required stall width. The stall dimensions were taken from the back of curb to the stall line that equates to less than the minimum 9' stall width. Revise all Sheets to correct this issue and ensure the 9' stall dimension is maintained;
6. Remove the existing fire hydrant and cap the line at the 12" mail as the fire hydrant located adjacent to Nuts & Bolts is approximately 330' to the face of the building that meets the fire code requirement;
7. We recommend the use of an irrigation meter for Commercial properties;

8. If a restaurant is planned for this location, a grease interceptor with control manhole will be required. Revise the Site Plan to address this condition;
9. Submit a copy of the Earth Change Permit application and \$50.00 fee to the Planning Department for approval prior to any site excavation; and
10. Resubmit two (2) full size, one (1) half size and one (1) PDF copy of the revised Site/Landscape Plans to the Planning Department to address all the above conditions for the Planning Director's final approval.

Standing Site Plan Conditions:

1. Changes or deviations from the approved site/landscape 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/Landscape Plans are valid for 180 days from the date of approval.

Review Comments Received from the Development Review Team:**Planning Director:**

1. Revise Sheet 1 to add an Address Block under the Notes for the three tenant spaces as follows:
Tenant Space A: 630 S. 130th Street
Tenant Space B: 634 S. 130th Street
Tenant Space C: 638 S. 130th Street
2. Revise the Site Plan to address the changes to the Final Plat conditions and resubmit;
3. Revise the Landscape Plan to match the Site Plan. Revise and resubmit;
4. Consider adding the required additional 6 trees to existing parking lot in Lot 2 and Lot 3 to meet the Landscape Regulations;
5. All corner parking stalls shown on all Sheets are less than the 9' required stall width. The stall dimensions were taken from the back of curb to the stall line that equates to less than the minimum 9' stall width. Revise all Sheets to correct this issue and ensure the 9' stall dimension is maintained;
6. Submit a copy of the Earth Change Permit application and \$50.00 fee to the Planning Department for approval prior to any site excavation; and
7. Resubmit two (2) full size, one (1) half size and one (1) PDF copy of the revised Site/Landscape Plans to the Planning Department to address all the above conditions for the Planning Director's final approval.

Building Official:

1. The existing fire hydrant shown to be relocated may be removed as the existing fire hydrant located adjacent to Nuts & Bolts is approximately 330' to the face of the proposed building that meets the fire code requirement.

City Engineer:**Stormwater Study:**

1. I have read and reviewed the Stormwater Management Study for the Country Hills Subdivision- 2nd Plat Proposed Lot 1. The Study appears to be consistent with the requirements of Bonner Springs and APWA Standards. Additional stormwater generated from this site will be detained in the proposed 36" underground pipe system. Then discharged into the existing 60" by 80" pipe located northeast of the project site.

Site/Landscape Plan:

1. I have no further comments regarding this proposal.

Economic Development Director:

1. The end parking stalls in each parking area look smaller than the other parking spaces. (Noted by the Planning Director)

Public Works Director:

No objections.

Utilities Director:

1. Service line relocation to the existing building is not necessary, the water for the strip center is provided on the west side of the building. The identified meter pit is obsolete and should be removed;
2. The waterline for the fire hydrant will not be allowed at the location shown. It should be tapped from the 12" waterline and lay due west to the point identified. Non-Restoration easement will be required for this waterline (See Building Official's condition to remove the fire hydrant);
3. The trees are shown very close to the R/W line, the waterline is only 5 feet east of the R/W according to construction prints. Utilities Department prefers to have a minimum of 10 feet between trees and the waterline. If tree roots cause damage to the waterline, the roots will be cut back to the R/W line and the City will not be responsible for tree damage;
4. We recommend the use of an irrigation meter for Commercial properties; and
5. If a restaurant is planned for this location, a grease interceptor with control manhole will be required. This is not shown on the plans.

KAW VALLEY ENGINEERING, INC.
 2300 W. JAY AVE., SUITE 100
 BONNER SPRINGS, KANSAS 66915
 PHONE: (620) 231-1144
 FAX: (620) 231-1144
 WWW.KAWVALLEYENGINEERING.COM

REGISTERED PROFESSIONAL ENGINEER
 STATE OF KANSAS
 LICENSE NO. 12285

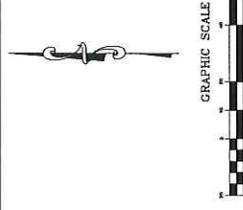
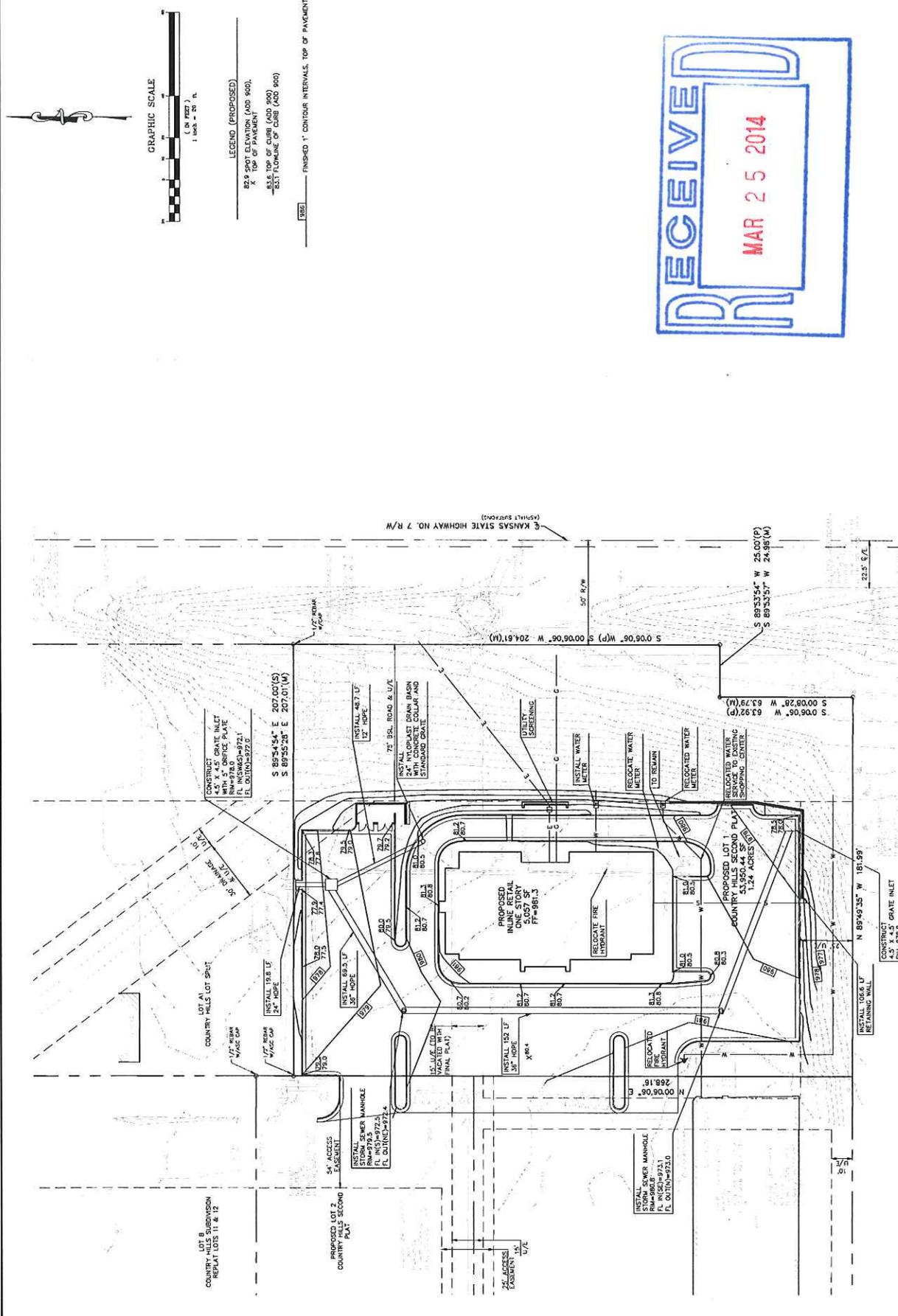
AMBER D. MALINOWSKY
 ENGINEER

REV	DATE	DESCRIPTION
0	3-23-14	INITIAL ISSUE



BENCHMARKS:
 BM #1: CUT "SQUARE" ON SOUTHEAST EDGE OF LIGHT POLE BASE
 ELEV=982.80
 BM #2: CUT "SQUARE" SOUTHEAST OF CONCRETE PAD FOR WET WELL, SOUTHEAST CORNER OF PARKING LOT
 ELEV=983.77

CASE NO.: ST-14-102 - BONNER SPRINGS PLAZA



REMARKS:
 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
 2. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 4. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
 5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 6. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
 7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 8. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
 10. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.

Russ Ehnert
a r c h i t e c t

572 SW Maple Ridge
Trinity, Missouri 63090
816.738.8300

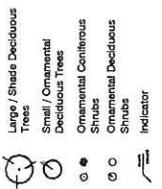
Design notes: Specifications
are to be used in conjunction with
plans. The architect reserves the
right to substitute materials of
equal or greater quality for
those specified. The contractor
shall verify the availability of
materials. The contractor shall
obtain all necessary permits and
insurances as required.



Project Number 1011.06
ASAP Construction
Certification
To be used only for the project
specified in the contract documents.
Not to be used for any other project.
Approved by the State of Missouri
for the State of Missouri
Kernas Architecture 2011

REVISIONS
3-24-2014
per drawing comments

Landscape Symbols



Plant Material Table

Code	Plant Name	Quantity
CBB	Compact Burning Bush (5 gal)	13
EJ	Euonymus Alatus 'Compactus'	13
SMS	Spiraea Nipponica 'Snowmound'	20
AJ	Armstrong Juniper (3 gal)	13
JC	Juniperus Chinensis 'Armstrong'	13
SSC	Spring Snow Creeper (1-1/2 cal)	1
RSM	Red Sunset Maple (2-1/2 cal)	4

Turf

All areas designated to receive turf shall be sodded with 'Cochise' or approved equal sod forming fescue.

Plant Materials

Substitution of specified material acceptable only upon approval of Architect and demonstration of availability of specified material. All materials to be placed in prepared planting beds.

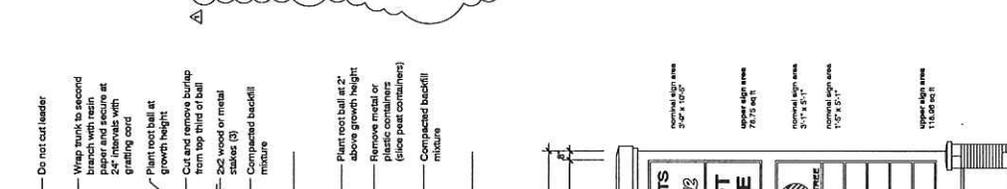
Edgings

Bubtype 4" vinyl edgings at turf / planting bed transitions.

Irrigation

'Rainbird' (or equal) landscape and fescue turf irrigation system meeting requirements of region and specified plant material. Landscaping contractor to provide drawings to Architect and City for approval.

1 Landscape Plan



1 Landscape Plan
1/16" = 1'-0"
note: refer Civil Drawings for utility and site development information

2 Deciduous

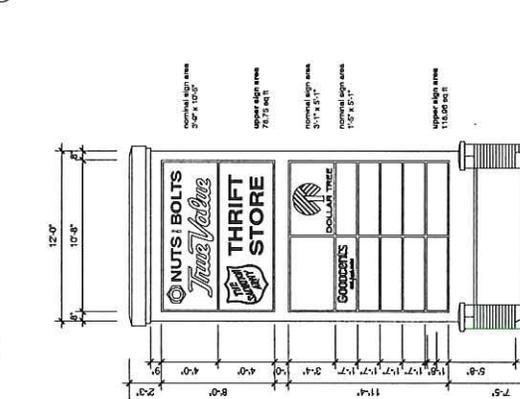
no scale
Prune dead or damaged wood just prior to planting (do not leave V-crotches or stubs leaders).
Double stake 12 gal plants with 2x4 stakes with 2x4 stakes with grating cord.
Plant root ball at growth height.
Cut and remove burping from top third of ball 2x2 wood or metal stakes (3) compacted backfill mixture.

3 Container Shrubs

no scale
Continuous rim with 4" shredded cypress mulch fill.
Backfill mixture (1/2 topsoil and 1/2 peat) mixture.
Plant root ball up 2" above growth height.
Remove metal or plastic containers (place post containers) mixture.

4 Pylon Sign Elevation

1/4" = 1'-0"

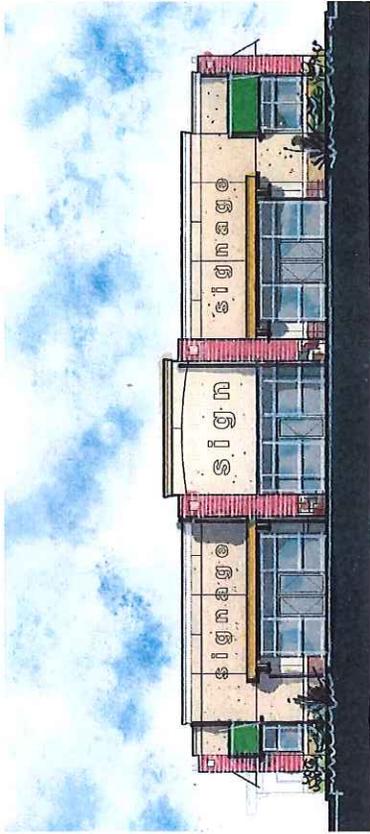


4 Pylon Sign Elevation
1/4" = 1'-0"

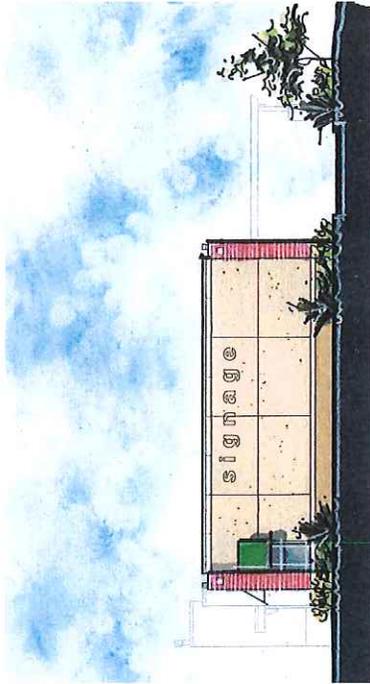


Sheet
AS1
Site Amenities
Kernas Architecture
24 January 2014

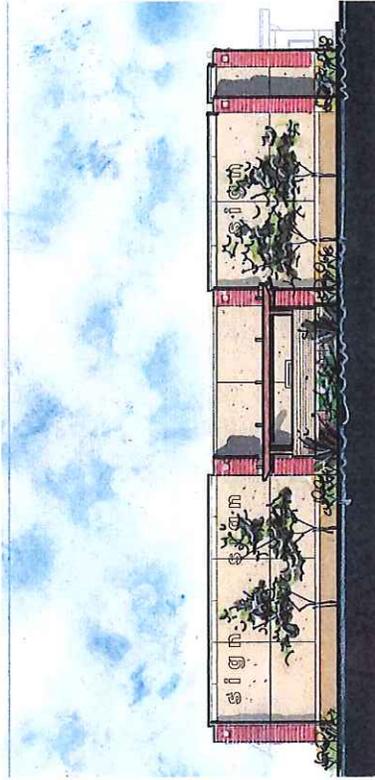
Bonner Springs Plaza
Landscape
new multi tenant retail shop building
Landscape
Kernas Architecture
Bonner Springs, Kansas
24 January 2014



w e s t
elevation

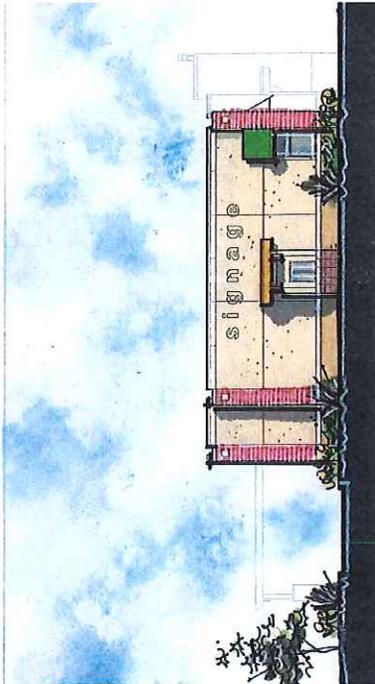


s o u t h
elevation



e a s t
elevation

outlot
conceptual
Exterior Elevations



n o r t h
elevation



outlot inline retail concept
Bonner Springs Plaza
 Kansas Highway 7 at Kansas Avenue
 Bonner Springs · Kansas
 28 January 2014



ITEM NO. 4

Zoning Ordinance Amendment: BSZP-124: "O" Office District Amendments, A request by the Bonner Springs Planning Commission to consider several amendments to the Zoning Ordinance, Article XIV: "O" Office District Regulations, Appendix A and Appendix B.

PLANNING COMMISSION AGENDA

Tuesday, April 22, 2014 – 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 May 12, 2014.**

To: Planning Commission

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

Subject: **Zoning Ordinance Amendment: BSZP-124: "O" Office District Amendments**

Recommendation:

The Development Review Team recommends the Planning Commission consider several amendments to the Zoning Ordinance, Article XIV: "O" Office District Regulations, Appendix A and Appendix B. The amendments recommended are shown below in Legislative Format.

Background:

The "O" Office District was adopted by the Governing Body on December 2, 1996. The district was set up to incorporate those office and retail uses north of the downtown area in the 100 block of North Nettleton Avenue.

The Planning Commission discussed the "O" Office District "permitted uses" that are in "direct conflict" with those listed under Appendix A and Appendix B for the "O" Office District. During their Study Session on September 24, 2013 after discussing several issues, they requested the Planning Director continue to review the regulations and bring back any proposed amendments at the next available Planning Commission Study Session.

The Planning Commission on January 28, 2014 continued to discuss the "O" Office District at the Study Session and the outcome of that discussion was:

1. To change the District Title from "O" Office to "MX" Mixed Use District;
2. To retain all remaining proposed amendments as well as all the Permitted and Special Uses as listed under Appendix A and Appendix B; and
3. Recommended the Planning Director publish the Public Hearing Notice for the next available meeting.

Discussion:

The Development Review Staff reviewed the two (2) restrictions listed under the "O" Office District that were in direct conflict with the "permitted" uses within the district listed under No. 2 below. A follow-up discussion was the "O" Office District title. In view of the fact that residential, office and limited commercial uses are allowed by right in the "O" Office District, Staff discussed a change to the district title from an "O" Office District to "MX" Mixed Use District.

The City's Comprehensive Plan, *Vision 2025*, under Chapter 4: Future Land Use, page 4-7 under Mixed Use, states "The Mixed Use category includes a variety of office, small-scale retail, and general business uses that are service-commercial oriented, located in centers that can accommodate related uses". This description encompasses the permitted uses listed in the current "O" Office District. In view of the fact that office uses are only a small section of permitted uses with the "O" Office District, a change in district title to "MX" Mixed Use District would be more descriptive of the district and would follow the direction recommended within the Comprehensive Plan.

The Planning Director sent a request to MARC to determine which communities within the KC Metro Area utilize a Mixed Use zoning district. Staff received six (6) responses to the request:

- Blue Springs, MO: MX-O, Mixed Use Overlay District
- Kansas City, KS: TND, Traditional Neighborhood District
- Liberty, MO: MU, Mixed-Use District
- Olathe, KS: PMUD, Planned Mixed-Use District
- Overland Park, KS: MXD, Planned Mixed District
- Ottawa, KS: MU, Mixed Use District

The above results indicate Mixed Use districts are utilized. Based upon this result and in conjunction with the recommendation of the Comprehensive Plan, the Development Review Team recommends the following amendments to the "O" Office District:

1. Recommend the zoning district title be changed from "O" Office District to "MX" Mixed Use District. This change in title would more closely reflect the actual uses that are permitted within this district.
2. Recommend two amendments to correct the current language that essentially prohibits both "retail" and "residential" uses, which is contradictory to the "permitted uses" listed in Appendix A as follows:
 - Section 1, states: "to permit the grouping of non-retail business". The restriction for non-retail businesses is in direct conflict with the allowed "retail uses" listed under Appendix A.
 - Section 2, states: "residential uses shall not thereafter continue if discontinued for a period of twelve (12) consecutive months". This regulation is also in direct conflict with the "permitted" residential uses listed under Appendix A as the "O" Office District includes single-family, duplex and multi-family residential uses.
3. Recommend amending the Height Regulations under Section 4 from sixty (60) feet to three (3) stories, or forty-five (45) feet in height to be consistent with the height regulations under the R-3, C-1, C-2 and C-S districts.
4. Recommend a new Section 6, Use Limitations, to limit the "outside storage" of goods and equipment as several of the permitted uses are "retail" in nature. This section is utilized in all the commercial districts.

The four recommendations listed above are shown below in legislative format:

"MX" MIXED USE "O" OFFICE DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to permit the grouping of office, retail and residential uses ~~non-retail businesses which are intended by design and use. for business and professional offices and similar uses which are compatible with such offices.~~

SECTION 2. PERMITTED USES: ~~Office, retail and residential uses are permitted. and similar non-retail and existing residential uses are permitted. Existing residential uses shall mean those properties located in the Office District on the Official Zoning Map of the City of Bonner Springs dated July 20, 1995 used exclusively for residential as of December 2, 1996. Such residential uses shall not thereafter continue if discontinued for a period of twelve (12) consecutive months. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations. (Revised, Ordinance No. 1760, 12/2/96)~~

SECTION 3. INTENSITY OF USE REGULATIONS: Area occupied by buildings in this district shall not exceed forty (40) percent of the ground area on which the buildings are ~~is~~ located.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height: Three (3) stories, or forty-five (45) feet. ~~No building shall exceed sixty (60) feet in height.~~

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of Article XXII, minimum yard sizes shall be as follows:

1. Front Yard: Twenty (20) feet
2. Side Yard: Ten (10) feet
3. Rear Yard: Twenty (20) feet
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6. USE LIMITATIONS: *Each business must be conducted entirely within an enclosed building, including the storage of supplies, goods and equipment; provided, however, that vending machines and the temporary display of seasonal retail goods shall be permitted where the area used for such display is less than 200 square feet.*

SECTION 7. 6. SCREENING REQUIREMENTS: Site and landscape plans for all high-density residential projects and all commercial, office and light industrial projects shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase “screened from public view” means not visible from adjoining properties or any street right-of-way. The below listed screening requirements shall be installed and maintained at the property owner’s expense.

1. Trash, grease, and business recycling enclosures shall be screened from public view on all four sides. The screening shall be a minimum of six (6) foot solid opaque fence constructed of wood, masonry or other compatible building material. The enclosure shall be constructed large enough to fully enclose the trash, grease and business recycling receptacle(s);
2. Exterior ground-mounted or building mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping, fencing or with an architectural treatment compatible with the building architecture;
3. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture;
4. All uses which back up to any arterial or collector street or highway, shall be screened with a solid opaque fence, wall, landscaping, berming or any combination to provide screening of the rear yards. This screening shall be not less than six (6) feet or more than eight (8) feet in height; provided that such screening shall not be constructed in any drainage easement, established floodplain, or site triangle areas; and
5. A minimum of six (6) foot screening shall be solid opaque fence, wall, landscaping, berming or any combination to screen from all adjoining lower intensity zoning districts.

The Permitted/Special Uses are listed for reference purposes. The only change is to the District title.

APPENDIX A

MX MIXED USE ~~O~~ OFFICE DISTRICT (PERMITTED USES)

- ANTIQUE SHOPS
- ART STUDIOS (DANCE, DRAMA, PHOTOGRAPHY, MUSIC, PROFESSIONAL WORK, ETC)
- ART SUPPLY SALES
- BAKERIES - RETAIL
- BARBER & BEAUTY SERVICES
- BOOK STORE (NEW OR USED BOOKS)
- BUSINESS & FINANCIAL INSTITUTIONS
- BUSINESS SERVICES
- COFFEE SHOPS
- COMMUNICATION SERVICES
- CONFECTIONARY STORE
- CONSTRUCTION CONTRACTORS OFFICES WITH NO OUTSIDE STORAGE
- DRUG STORES
- DRY CLEANING & LAUNDERING SERVICES
- DWELLING, MULTI-FAMILY
- DWELLING, SINGLE-FAMILY, ATTACHED
- DWELLING, SINGLE-FAMILY, DETACHED
- DWELLING, TWO-FAMILY
- FLORIST SHOPS
- HAIR CARE ESTABLISHMENTS
- HEALTH AND ATHLETIC CLUBS

- HOSPITALS AND MEDICAL CLINICS
- LIBRARIES
- MASSAGE THERAPY (THERAPEUTIC)
- MUNICIPAL SAFETY SERVICES
- MUSEUMS
- OFFICES (BUSINESS, PROF., MEDICAL, PUBLIC OR PRIVATE UTILITY COMPANIES)
- PARKS AND PLAYGROUNDS, PUBLIC
- PET SUPPLIES, GROOMING AND TRAINING (NO OVERNIGHT BOARDING)
- PHOTOCOPYING & BLUEPRINTING SERVICES
- PROFESSIONAL OFFICES
- QUICK COPY OR DUPLICATING CENTER
- READING ROOM
- RESTAURANTS
- WIND ENERGY CONVERSION SYSTEMS (WECS)

MX MIXED USE ~~O OFFICE~~ DISTRICT (SPECIAL USES)

- CHILD/ELDERLY CARE AND DEVELOPMENT CENTERS (NO OVERNIGHT ACCOM.)
- CHURCHES, SYNAGOGUES & TEMPLES
- DAY CARE CENTERS & NURSERY SCHOOLS
- PUBLIC UTILITY SUBSTATIONS OR PUMPING STATIONS
- SCHOOLS, GENERAL INSTRUCTION (PUBLIC OR PRIVATE)
- TEMPORARY/PORTABLE/PRE-MANUFACTURED BUILDINGS FOR OTHER THAN RESIDENTIAL, SLEEPING OR OVERNIGHT ACCOMMODATIONS

The only change to Appendix B is from O to MX.

APPENDIX B

LAND USE	AG	A-1	R	R-S	R-1	R-1A	R-2	R-3	M-P	M-H	O	C-1	C-2	C-S	I-1	I-2
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Accepted Version

“MX” MIXED USE DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to permit the grouping of office, retail and residential uses which are intended by design and use.

SECTION 2. PERMITTED USES: Office, retail and residential uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations.

SECTION 3. INTENSITY OF USE REGULATIONS: Area occupied by buildings in this district shall not exceed forty (40) percent of the ground area on which the buildings are located.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height: Three (3) stories, or forty-five (45) feet.

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of Article XXII, minimum yard sizes shall be as follows:

1. Front Yard: Twenty (20) feet
2. Side Yard: Ten (10) feet
3. Rear Yard: Twenty (20) feet

4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6. USE LIMITATIONS: Each business must be conducted entirely within an enclosed building, including the storage of supplies, goods and equipment; provided, however, that vending machines and the temporary display of seasonal retail goods shall be permitted where the area used for such display is less than 200 square feet.

SECTION 7. SCREENING REQUIREMENTS: Site and landscape plans for all high-density residential projects and all commercial, office and light industrial projects shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase "screened from public view" means not visible from adjoining properties or any street right-of-way. The below listed screening requirements shall be installed and maintained at the property owner's expense.

1. Trash, grease, and business recycling enclosures shall be screened from public view on all four sides. The screening shall be a minimum of six (6) foot solid opaque fence constructed of wood, masonry or other compatible building material. The enclosure shall be constructed large enough to fully enclose the trash, grease and business recycling receptacle(s);
2. Exterior ground-mounted or building mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping, fencing or with an architectural treatment compatible with the building architecture;
3. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture;
4. All uses which back up to any arterial or collector street or highway, shall be screened with a solid opaque fence, wall, landscaping, berming or any combination to provide screening of the rear yards. This screening shall be not less than six (6) feet or more than eight (8) feet in height; provided that such screening shall not be constructed in any drainage easement, established floodplain, or site triangle areas; and
5. A minimum of six (6) foot screening shall be solid opaque fence, wall, landscaping, berming or any combination to screen from all adjoining lower intensity zoning districts.

Affidavit in Proof of Publication

STATE OF KANSAS
Wyandotte County

(Published in The Chief-
tain, Thursday, March 27,
2014)

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

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

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

The Planning Commission will hold a public hearing on Tuesday, April 22, 2014 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:

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.

Zoning Ordinance Amendment: BSZP-124: "O" Office District Amendments", A request by the Planning Commission to consider several amendments to the Zoning Ordinance, Article XIV: "O" Office District Regulations, Appendix A and Appendix B.

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 03/27/2014 with publications being made on the following dates:

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

03/27/2014



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

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	\$20.04
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