



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS

TUESDAY, FEBRUARY 24, 2015

STUDY SESSION @ 6:00 P.M.

REGULAR MEETING @ 7:00 P.M.

PLANNING COMMISSION MEMBERS:

PLEASE CONTACT DON SLONE @ (913) 667-1708

NO LATER THAN 12:00 NOON, TUESDAY, FEBRUARY 24, 2015,

IF YOU WILL BE UNABLE TO ATTEND

PREPARED BY:

DON E. SLONE, AICP, CFM
PLANNING DIRECTOR – FLOODPLAIN MANAGER

PEOPLE

PLANNING

PROGRESS

**City of Bonner Springs
Planning Commission Agenda
Tuesday, February 24, 2015**

Study Session 6:00 p.m.

- Planning Commission discussion to possibly assume the duties of the Board of Zoning Appeals
-

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 September 23, 2014.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Lot Split: LS-117: “Benz Lot Split”, is for 1.416 acres platted as Part of Tracts 5 and 6, John W. McDaniels Subdivision zoned R-1, Single-Family Residential District. Requested by Larry T. Hahn, LS, Hahn Surveying for Carol A. Benz, property owner of record. The property is located at 626 N. Nettleton Avenue.

1. Staff Presentation / Applicant Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 3: Lot Split: LS-118: “Hopkins Lot Split”, is for 0.76 acres platted as Part of Lot 1, East Grandview zoned R-1, Single-Family Residential District. Requested by Larry T. Hahn, LS, Hahn Surveying for Mark D. Hopkins, property owner of record. The property is located at 541 W. Morse Avenue.

1. Staff Presentation / Applicant Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

Adjournment Time: _____

ITEM NO. 1

Approval of Minutes of the September 23, 2014 Planning Commission Meeting

PLANNING COMMISSION AGENDA
Tuesday, February 24, 2015 – 7:00 p.m.

PRESENT	Stephan	_____
	Yates	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Mesmer	_____
	Pierce	_____

MOTION: _____

SECOND: _____

ACTION: Make a Motion to Approve

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

NARRATIVE: The minutes of the September 23, 2014 meeting are attached.

PLANNING COMMISSION MEETING MINUTES

Tuesday, September 23, 2014 @ 7:00 p.m.

MEMBERS PRESENT: Craig Stephan, Mark Yates, Sherri Neff, Lew Kasselmann, Merle Parks, Jason Krone, Lloyd Mesmer and Dave Pierce

PRESENT: Don Slone, AICP, CFM, Planning Director

Chairman Parks called the meeting to order at 7:03 p.m. and asked for a roll call. Roll call listed above.

Chairman Parks introduced **Item No. 1: Approval of Minutes** and called for a motion to approve the minutes of the July 22, 2014 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes as written with a second from Commissioner Kasselmann. Chairman Parks asked if there were any questions or comments about the minutes. Seeing none, he called for the vote. The minutes were approved by unanimous vote.

NEW BUSINESS:

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

Commissioner Stephan nominated Merle Parks for Chairman with a second from Commissioner Kasselmann. Chairman Parks asked if there were any further nominations. Seeing none he called for the vote. Motion passed 8-0 for Merle Parks to remain as Chairman of the Planning Commission.

Chairman Parks asked for nominations for Vice-Chairman. Commissioner Stephan nominated Dave Pierce for Vice-Chairman with a second from Commissioner Krone. Chairman Parks asked if there were any further nominations. Seeing none he called for the vote. Motion passed 8-0 for Dave Pierce to remain as Vice-Chairman of the Planning Commission.

Chairman Parks asked for nominations for Secretary. Commissioner Pierce nominated Don Slone, Planning Director, as Secretary with a second from Commissioner Stephan. Chairman Parks asked if there were any further nominations. Seeing none he called for the vote. Motion passed 8-0 for Don Slone, Planning Director to remain as Secretary of the Planning Commission.

Chairman Parks introduced **Item No. 3: Special Use Permit: SUP-132: "Holliday Sand & Gravel Plant"** a request for a Special Use Permit in order to continue the sand and gravel operation on 75.5 acres of property zoned I-2, Heavy Industrial District. The property is platted as Lot 4, Bonner Springs Industrial Park East in the City of Bonner Springs, Johnson County, Kansas. Requested by Mike Odell, Holliday Sand & Gravel, property owners of record. The property is located at 21900 W. 43rd Street.

Chairman Parks opened the public hearing at 7:08 p.m. and asked for Staff presentation. Staff presented its recommendations to the Planning Commission. Staff recommended approval subject to the listed conditions in the Staff Report. The Planning Director also stated that Condition No. 1 and No. 2 have been completed.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Mike Odell, Holliday Sand & Gravel Company** stated that they were in agreement with all the conditions listed in the Staff Report. Mr. Odell also stated that Holliday Sand & Gravel will complete the Shawnee Pit dredge next year and will continue to dredge the Kansas River subject to approval of that permit by the US Army Corp of Engineers. He stated that he would be happy to answer any questions from the Planning Commission.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none, he closed the public hearing at 7:12 p.m. and asked for a motion.

Commissioner Pierce made a motion to approve the special use permit with thirteen conditions as listed in Staff Report with a second from Commission Stephan. Chairman Parks asked if the Planning Commission had any comments or questions. Seeing none he called for the vote. Motion passed 8-0.

The Planning Director stated that he will forward this item to the Governing Body on October 13, 2014 with a Planning Commission recommendation of approval.

Chairman Parks introduced **Item No. 4: Site Plan: ST-14-103: “CSM Bakery Compressor Building”** requested by Mike Brune, Corporate Engineer for CSM Bakery Products, property owners of record. This request is for a Site Plan to construct and enclose a new compressor building. The property is zoned I-2, Heavy Industrial District and located at 2410 S. Scheidt Lane.

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

Chairman Parks asked if the applicant would like to address the Planning Commission. **Donald Gillum, Plant Manager, CSB Bakery Products** stated Mike Brune was out of town and that he was in agreement with the conditions in the Staff Report and would be glad to answer any questions from the Planning Commission.

Chairman Parks asked if the Planning Commission had any questions. Commissioner Stephan asked for the location of the addition and Mr. Gillum stated that it was on the northeast corner of the building facing Scheidt Lane. The Planning Director stated that it is in the location of the existing wood fence.

Chairman Parks asked if there were any other questions. Commissioner Stephan asked if the motion should include the “Material Waiver” and Commissioner Parks stated yes. Commissioner Stephan amended his motion to approve the Site Plan with the conditions listed in the Staff Report to include the “Material Waiver” with a second from Commissioner Neff to include the “Material Waiver”.

Chairman Parks asked if there was any further discussion. Seeing none he called for the vote. Motion passed 8-0.

Chairman Parks asked if there was any further business. Seeing none, he adjourned the meeting at 7:27 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

ITEM NO. 2: Lot Split: LS-117: “Benz Lot Split”, is for 1.416 acres platted as Part of Tracts 5 and 6, John W. McDaniels Subdivision zoned R-1, Single-Family Residential District. Requested by Larry T. Hahn, LS, Hahn Surveying for Carol A. Benz, property owner of record. The property is located at 626 N. Nettleton Avenue.

PLANNING COMMISSION AGENDA **Tuesday, February 24, 2015 – 7:00 p.m.**

PRESENT	Stephan	_____
	Yates	_____
	Neff	_____
& VOTE:	Kasselmann	_____
	Parks	_____
	Krone	_____
	Mesmer	_____
	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.

LOT SPLIT: BENZ LOT SPLIT

Case No.: LS-117
Applicant: Larry Hahn, LS, Hahn Surveying
Surveyor: Larry Hahn, LS, Hahn Surveying
Property Owners: Carol A. Benz
 Julie Finger
Location: 626 N. Nettleton Avenue – Benz
 622 N. Nettleton Avenue – Finger
Zoning: R-1, Single-Family Residential District
Overall Tract Size: 1.416 acres
Tract 1: 0.403 acres (626 N. Nettleton Avenue – Parcel No. 188804)
Tract 2: 1.013 acres (622 N. Nettleton Avenue – Parcel No. 188805)

Exhibits: Lot Split drawing, County Parcel Map, Hulburd's and McCurdy's Subdivision plat, Jno. W. McDaniels Subdivision plat, and GIS map of the surrounding area.

Staff Analysis:

The requested lot split is to convey property from 626 N. Nettleton Avenue to 622 N. Nettleton Avenue. The combined properties consist of 1.416 acres platted as Lots 1 and 2, Block 5 and Lots 6 and 7, Block 6, Hulburd's and McCurdy Subdivision and Part of Tracts 5 and 6, Jno. W. McDaniels Subdivision. This lot split is in conformance with the Subdivision Regulations subject to the listed conditions. No construction is proposed with this lot split, but rather a change in boundaries of the two existing parcels.

Staff Recommendation:

The Development Staff recommends approval of the submitted lot split subject to the following conditions:

1. Property taxes need to be paid in full for 626 N. Nettleton Avenue prior to filing the Lot Split;
2. The surveyor shall furnish two (2) original signed/sealed paper copies along with the filing fee of \$20.00 (Filing Fee Paid);
3. The Planning Department will file the Lot Split and provide an electronic copy of the filed Lot Split to the surveyor for his clients; and
4. Warranty Deeds are required to be filed in the Wyandotte County Register of Deeds Office for each new Tract in order to complete the Lot Split process.

Review Comments Received from Other Departments/Agencies**Planning Director:**

1. Property taxes need to be paid in full for 626 N. Nettleton Avenue prior to filing the Lot Split;
2. The surveyor shall furnish two (2) original signed/sealed paper copies along with the filing fee of \$20.00 (Filing Fee Paid); and
3. The Planning Department will file the Lot Split and provide an electronic copy of the filed Lot Split to the surveyor for his clients.

City Engineer: No objections.

Building Official: No objections.

Economic Development Director: No objections.

Public Works Director: No objections.

Utilities Director:

1. This lot split will add property to 622 Nettleton and cannot be subdivided as a separate lot. The additional area will not be served by public water or sanitary sewer;
2. No additional construction will be allowed on Tract 2 due to inability to access public utilities, unless said construction is not for habitation;
3. On-Site Wastewater System (OWTS) is not an option; City codes require connection to Public SS if within 200 feet of property;
4. Water service is not available at this time due to access;
5. Residential water wells are not allowed within City Limits, if Public Water System is within 200 feet of the property;
6. The Easement Agreement includes language that allows the City to maintain the infrastructure within the easement;
7. Prior to improvements on Tract 2, the property owner is required to submit plans to the City indicating the location of the improvement(s); and
8. The Utilities Department will need to confirm the location of the existing SS pipeline and manhole located within the property and confirm the easement documents that the SS pipeline was constructed within.

County Surveyor:

1. The original submittal shows an area of between the plat line and the property line that needs to be researched to find the book and page for the right-of-way vacation; and
2. Concur with the Mapping Departments comments noted below. No further objections.

WYCO Mapping:

1. Hulburd's and McCurdy's Subdivision is essentially the east 150' of Tracts 4, 5, & 6 of John W McDaniels Subdivision. The drawing of Hulburd's and McCurdy's Subdivision is misleading as it indicates that the East and West lines of Block 5 appear to run due North-South. No bearing is shown. On the John W McDaniels Subdivision the East boundary has a bearing of S3-36W and is not running due North-South. The East boundary of Tract 5 of John W McDaniels Subdivision runs parallel with the East and West lines of Block 5 Hulburd's and McCurdy's Subdivision. The lots within Block 5 Hulburd's and McCurdy's Subdivision should form parallelograms and not rectangles as depicted on the Lot Split. The East boundary of Tract 1 of the Lot Split is the East line of lot 1 and 2 Block 5 Hulburd's and McCurdy's Subdivision.

Atmos Energy: No comments received.

AT&T: No objections.

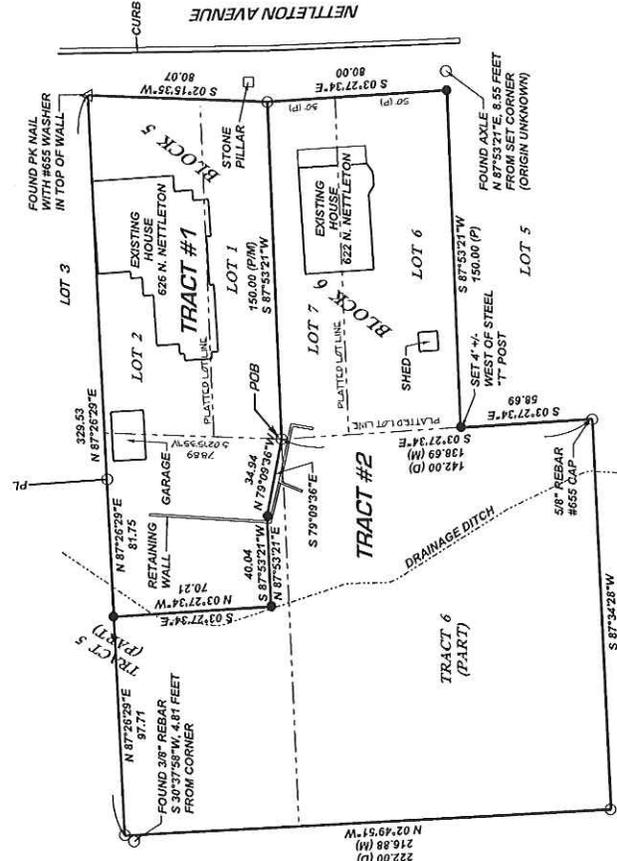
Time Warner Cable: No comments received.

Westar Energy: No conflicts.

BENZ LOT SPLIT: LS-117

PREPARED FOR: JULIE FINGER
 LOTS 6 AND 7, BLOCK 6
 LOTS 1 AND 2, BLOCK 5 - HULBURD'S AND MCCURDY'S SUBDIVISION
 AND,
 PART OF TRACTS 5 AND 6 - JOHN W. MCDANIELS SUBDIVISION
 CITY OF BONNER SPRINGS, COUNTY OF WYANDOTTE, KANSAS
 DATE: FEBRUARY 7, 2015

BENZ ORIGINAL DESCRIPTION - DOCUMENT #2007R-23985
 FINGER ORIGINAL DESCRIPTION - BOOK 4675, PAGE 359 (2003)



- LEGEND**
- 1/2" x 24" REBAR SET WITH #1349 CAP
 - 5/8" REBAR FOUND ORIGIN UNKNOWN
 - (M) MEASURED
 - (D) DEEDED
 - (P) PLATTED
 - (PM) PLATTED AND MEASURED
 - POB POINT OF BEGINNING
 - POC POINT OF COMMENCING

SCALE: 1" = 40'
 BASIS OF BEARINGS:
 KANSAS STATE PLANE NORTH ZONE

PARENT TRACT - DOC. #2007R-23985
 LOTS 1 AND 2, BLOCK 5, HULBURD'S AND MCCURDY'S SUBDIVISION
 THAT PART OF JOHN W. MCDANIELS, SOUTH 80 FEET OF LOT 5, LESS THE WEST 199.30 FEET,
 LESS THE EAST 180 FEET,
 AND,
 THE NORTH 142 FEET OF LOT 6, LESS THE WEST 206.70 FEET AND LESS THE EAST 180 FEET.

**TRACT #1
 BENZ DESCRIPTION - 626 N. NETTLETON**
 LOTS 1 AND 2, BLOCK 5, HULBURD'S AND MCCURDY'S SUBDIVISION,
 A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 29-T11S-R23E
 OF THE 6TH P.M., CITY OF BONNER SPRINGS, COUNTY OF WYANDOTTE, KANSAS,
 ALSO,
 A PART OF TRACT 5, JOHN W. MCDANIELS SUBDIVISION, A SUBDIVISION IN THE
 NORTHWEST QUARTER OF SECTION 29-T11S-R23E OF THE 6TH P.M., CITY OF
 BONNER SPRINGS, COUNTY OF WYANDOTTE, KANSAS, MORE FULLY DESCRIBED
 AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 5, HULBURD'S AND
 MCCURDY'S SUBDIVISION; THENCE, N 79°09'36"W, 34.94 FEET; THENCE, S 87°53'21"W, 40.04 FEET;
 THENCE, N 03°27'34"E, 70.21 FEET; THENCE, N 87°26'29"E, 87.75 FEET TO THE NORTHWEST CORNER
 OF LOT 5, BLOCK 5, HULBURD'S AND MCCURDY'S SUBDIVISION; THENCE, N 87°53'21"E, 78.89 FEET ALONG THE WEST LINE OF HULBURD'S AND MCCURDY'S SUBDIVISION
 TO THE POINT OF BEGINNING.
 CONTAINS 5341.07 SQ. FT. / 0.12 ACRES +/-
 BENZ TOTAL AREA - 17,537.031 SQ. FT. / 0.403 ACRE +/-

**TRACT #2
 FINGER DESCRIPTION - 622 N. NETTLETON**
 LOTS 6 AND 7, BLOCK 6, HULBURD'S AND MCCURDY'S SUBDIVISION,
 A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 29-T11S-R23E
 OF THE 6TH P.M., CITY OF BONNER SPRINGS, COUNTY OF WYANDOTTE, KANSAS,
 ALSO,
 A PART OF TRACTS 5 AND 6, JOHN W. MCDANIELS SUBDIVISION, A SUBDIVISION
 IN THE NORTHWEST QUARTER OF SECTION 29-T11S-R23E OF THE 6TH P.M.,
 CITY OF BONNER SPRINGS, COUNTY OF WYANDOTTE, KANSAS, MORE FULLY
 DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 6, HULBURD'S AND
 MCCURDY'S SUBDIVISION; THENCE, S 03°27'34"E, 138.69 FEET ALONG THE WEST
 LINE OF HULBURD'S AND MCCURDY'S SUBDIVISION; THENCE, N 87°53'21"E, 173.59 FEET;
 THENCE, S 03°27'34"E, 70.21 FEET; THENCE, N 87°53'21"E, 40.04 FEET;
 THENCE, S 79°09'36"E, 34.94 FEET TO THE POINT OF BEGINNING.
 CONTAINS 32,668.801 SQ. FT. / 0.738 ACRES +/-
 FINGER TOTAL AREA - 44,126.28 SQ. FT. / 1.013 ACRE +/-

PLANNING COMMISSION APPROVAL
 THIS LOT SPLIT, AS DESCRIBED AND SHOWN HEREON, HAS BEEN SUBMITTED TO
 AND RATIFIED BY THE BONNER SPRINGS PLANNING COMMISSION THIS _____ DAY
 OF _____ 2015.

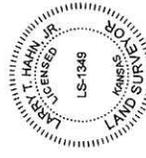
MERLE E. PARKS
 PLANNING COMMISSION CHAIRMAN

DON E. SLONE, AICP, CFM
 PLANNING COMMISSION SECRETARY

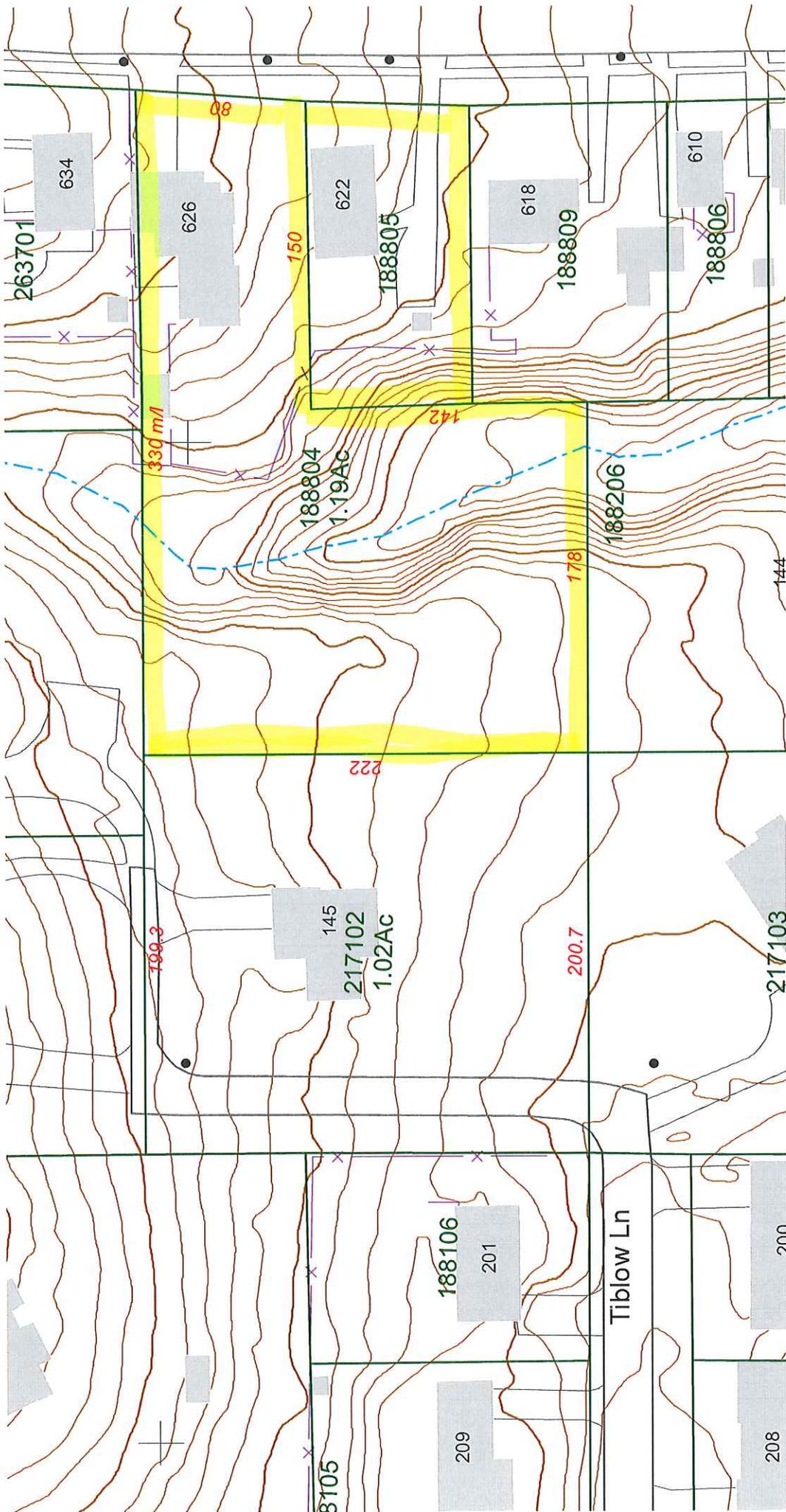
COUNTY SURVEYOR
 THIS SURVEY HAS BEEN REVIEWED FOR FILING PURSUANT TO K.S.A. 53-2003, 58-2005
 AND 58-2011, FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THOSE PROVISIONS.
 NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY: BRENT E. THOMPSON, KS P.L.S. 1277
 DATE: _____

- NOTES:**
1. THIS SURVEY DOES NOT SHOW OWNERSHIP OR EASEMENTS.
 2. FENCE LINES DO NOT DENOTE PROPERTY LINES.
 3. NO TITLE INFORMATION WAS PROVIDED ON THIS SURVEY.



LARRY T. HAHN, LS #1349
 HAHN SURVEYING
 LANSING, KANSAS 66043
 (913) 727-1007 (913) 547-3405
 lthahn@hahninc.com
 CASE NO. LS-117



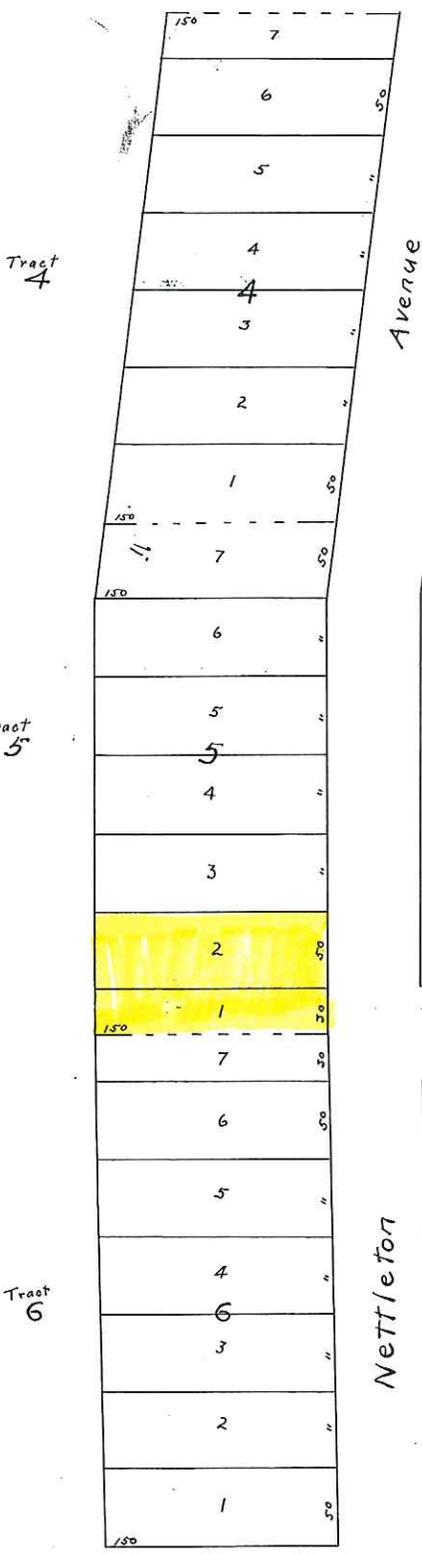
HULBURD'S and McCURDY'S SUBDIVISION

of a part each of Tracts 4, 5 and 6
of

John W. McDaniel's Subdivision of land in the N.W. 1/4 of Sec. 29, T. 11 S, R. 23 E.

Scale 1 inch = 50 ft

22 8
800 Ac. 10
40
W. Hulburd
S. Curdy
300 Pl.



This plat of HULBURD'S and McCURDY'S SUBDIVISION of a part each of tracts 4, 5 & 6 of John W. McDaniel's Subdivision of land in the N.W. 1/4 of Sec 29 - T. 11 S - R. 23 E contains land described as follows: —

Description - All of that portion of each of tracts 4, 5 and 6 of John W. McDaniel's Subdivision of land in the N.W. 1/4 of Sec 29 - T. 11 S - R. 23 E according to the recorded plat thereof, lying East of a line 150 feet West of and parallel to the West line of Nettleton Avenue.

The lands reserved for sale are blocks and lots in above numbered tracts and are designated on this plat by numbers, the blocks by large and the lots by small figures.

Nettleton Ave. is the only street designated on this plat having already been dedicated to the public for use as such and any interest in same is hereby relinquished and is hereby rededicated to the public for use as such.

In testimony whereof the undersigned owners of the land above described have hereunto set their hands and seals this 16 day of ~~November~~ December, 1908

William C. Hulburd
Sophronia P. Hulburd
John McCurdy
Ann McCurdy

STATE OF KANSAS }
COUNTY OF WYANDOTTE } ss.

Be it remembered that on this 16th day of ~~November~~ December, A.D. 1908 before me a Notary Public in and for said County and State came William C. Hulburd and Sophronia P. Hulburd his wife and John McCurdy and Ann McCurdy his wife who are personally known to me to be the same persons who subscribed the foregoing instrument and acknowledged the same to be their free act and deed.

In witness whereof I have hereunto set my hand and affixed my Notarial Seal the day and year first above written
My Commission expires March 12, 1909.

Notary Public

JNO. W. McDANIELS SUBDIVISION

McDANIELS SUBDIVISION

BOOK 9 PAGE 30

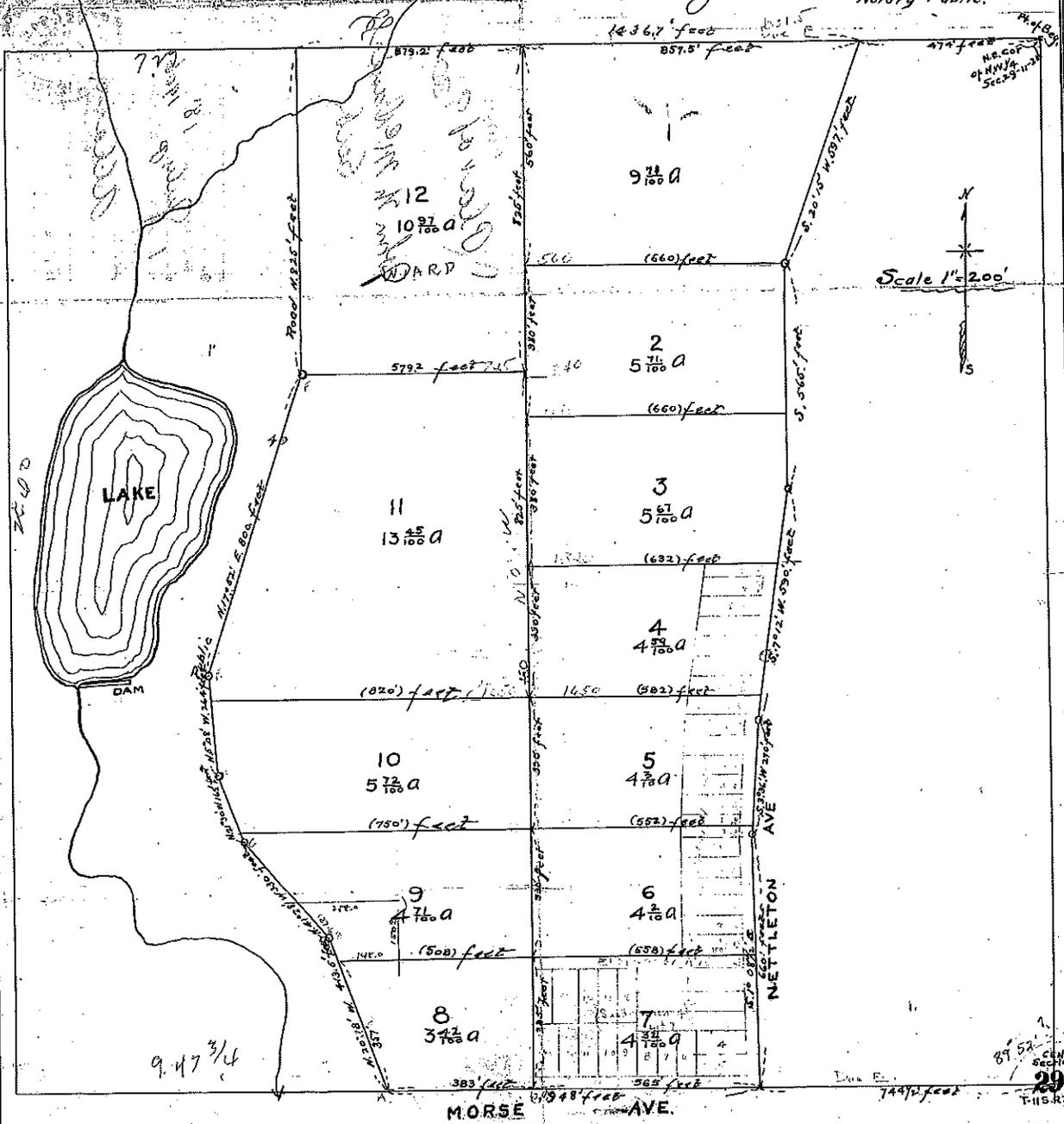
of Land in the
N.W. 1/4 of SEC. 29 - T. 11 S - R. 23 E.
Wyandotte County

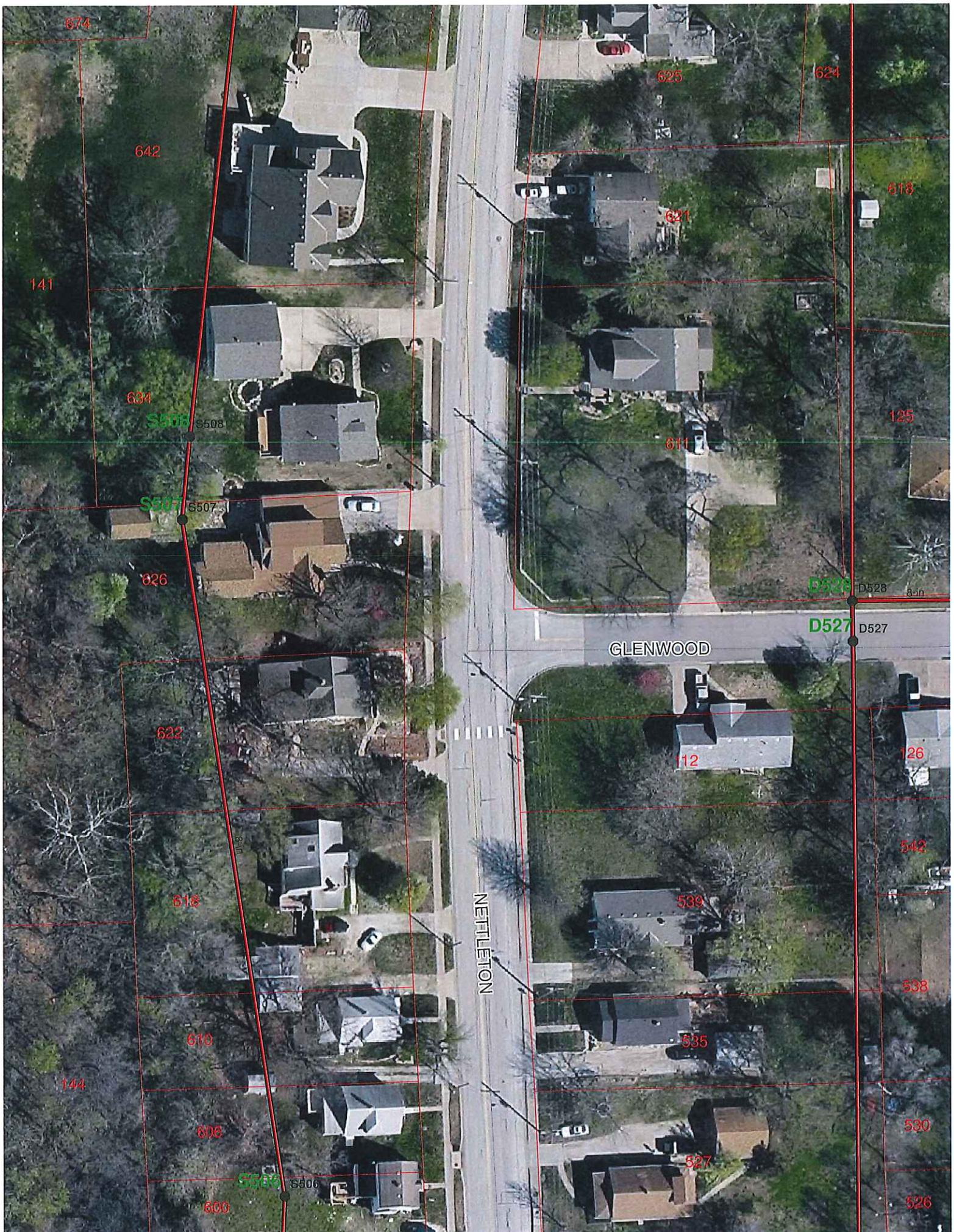
W.H. Staingker
Civil Engineer
Trenton Mo., Kansas City, Mo.

Mr. J. Thompson
Draftsman

This plat covers land in Wyandotte County, Kansas described as follows to wit: Commencing at a point 1/4 West of the E. cor. of the North West 1/4 of Section 29 Township 11, Range 23, which point is the intersection of North line of Sec. 29, with center line of Nettleton Ave., thence S 70° 12' W 870'; thence S 33° 36' W 270'; thence S 1° 08' 1/2' E 660' to a point 744 1/2' West of center of said Sec. 29 thence W 94° 1' to a point in the center of a public road thence along said center line N 20° 18' W 413'; thence N 14° 28' W 330'; thence North 21° 30' W 165'; thence N 5° 09' W 264'; thence N 17° 52' E 260'; thence N 82° S; thence East 1436.7' to beginning. The lands reserved for sale are lots or tracts numbered from 1 to 12 inclusive as shown on this plat and shall hereafter be known and described as lots or tracts in Jno. W. McDaniel's Subdivision of Land in NW 1/4 of Sec. 29 Town. 11. S. Range. 23 Wyandotte County, Kansas. In witness whereof We the undersigned proprietors of the above described land have hereunto set our hands this 18th day of July, A.D. 1906. *J. W. McDaniel*

State of Kansas }
County of Wyandotte. }
Do it remembered that on this 18th day of July, A.D. 1906 before me the undersigned Notary Public in and for the County and State aforesaid came Jno. W. McDaniel and Ellen McDaniel, his wife who are person ally known to me to be the same persons who executed the above and foregoing Plat and duly acknowledged the execution of the same. I testimony whereof I have hereunto set my hand and affixed my Notarial seal on the day and year last above written. My commission expires the 31st day of July, A.D. 1907. *J. W. McDaniel*
Notary Public.





674

642

141

634

S508

S507

826

622

618

610

144

608

600

S506

S506

625

624

618

621

611

125

D526

D528

D527

D527

GLENWOOD

112

126

542

539

538

535

530

527

526

NETLETON

ITEM NO. 3

ITEM NO. 3: Lot Split: LS-118: "Hopkins Lot Split", is for 0.76 acres platted as Part of Lot 1, East Grandview zoned R-1, Single-Family Residential District. Requested by Larry T. Hahn, LS, Hahn Surveying for Mark D. Hopkins, property owner of record. The property is located at 541 W. Morse Avenue.

PLANNING COMMISSION AGENDA **Tuesday, February 24, 2015 – 7:00 p.m.**

PRESENT	Stephan	_____
	Yates	_____
	Neff	_____
& VOTE:	Kasselman	_____
	Parks	_____
	Krone	_____
	Mesmer	_____
	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.

LOT SPLIT: HOPKINS LOT SPLIT

Case No.: LS-118

Applicant: Larry Hahn, LS, Hahn Surveying

Surveyor: Larry Hahn, LS, Hahn Surveying

Property Owner: Mark D. Hopkins

Location: 541 W. Morse Ave. (Parcel No. 185405)

Zoning: R-1, Single-Family Residential District

Overall Tract Size: 0.76 acres

Tract 1A: 0.379 acres (Address – 541 W. Morse Avenue)

Tract 1B: 0.379 acres (New Address – 531 W. Morse Avenue)

Exhibits: Lot Split drawing(s), Parcel Map, Utility Easement Dedication & Exhibit for 1833 S. 136 Street, Utility Easement Dedication & Exhibit for 541 W. Morse Avenue, Kansas Warranty Deed and Exhibit, East Grandview Subdivision plat, GIS map, As-Built drawing for the Low Pressure Sanitary Sewer (LPSS) system and Future Gravity Sewer Plan sheet.

Staff Analysis:

The requested lot split is for 0.76 acres platted as Part of Lot 1, East Grandview, zoned R-1, Single-Family Residential District and is in conformance with the Subdivision Regulations subject to the listed conditions. This request is in order to construct two new single-family residences on property acquired from the Wyandotte County Land Bank.

Staff Recommendation:

The Development Staff recommends approval of the submitted lot split subject to the following conditions:

1. The property owner shall acquire a 10 foot utility easement from the adjacent property owner located at 1833 S. 136th Street for low pressure sewer service as depicted on the attached Exhibit;
2. The City requests the property owner dedicate a 10 foot utility easement along the north boundary of Tracts 1A & 1B for low pressure sewer service and a 25 foot utility easement along the east boundary of Tract 1B for future gravity sewer installation;
3. The surveyor shall furnish two (2) original signed/sealed paper copies along with the filing fee of \$20.00 made payable to the Register of Deeds;
4. The surveyor shall furnish one (1) original signed/sealed Utility Easement Form for the utility easements along with the filing fee of \$60.00 made payable to the Register of Deeds;
5. The Planning Department will file the Lot Split and provide an electronic copy of the filed Lot Split to the surveyor for his clients; and
6. Warranty Deeds are required to be filed in the Wyandotte County Register of Deeds Office for each new Tract in order to complete the Lot Split process.

Note: The property owner has agreed to convey a 10 foot by 132 foot of property along the west boundary of Tract 1A to be combined with the existing 50 foot lot, 1833 S. 136th Street as a negotiated settlement for the 10 foot utility easement along the north boundary as required to provide low pressure sewer service to Tract 1A and Tract 1B.

Review Comments Received from Other Departments/Agencies

Planning Director:

1. The property owner shall acquire a 10 foot utility easement from the adjacent property owner located at 1833 S. 136th Street for low pressure sewer service as depicted in the attached Exhibit;

2. The City requests the property owner dedicate a 10 foot utility easement along the north boundary of Tract 1A and 1B for low pressure sewer service and a 25 foot utility easement along the east boundary of Tract 1B for future gravity sewer installation;
3. The surveyor shall furnish two (2) original signed/sealed paper copies along with the filing fee of \$20.00 made payable to the Register of Deeds;
4. The surveyor shall furnish one (1) original signed/sealed Utility Easement Form for the utility easements along with the filing fee of \$60.00 made payable to the Register of Deeds; and
5. The Planning Department will file the Lot Split and provide an electronic copy of the filed Lot Split to the surveyor for his clients.

Building Official: No objections.

City Engineer:

1. This request creates two tracts (1A, and 1B) from Lot 1 East Grandview, however the west 50 feet of Lot 1 of East Grandview has already been "split" from said Lot 1. Technically, this does not meet the definition of "lot split" because three tracts will be created from Lot 1 East Grandview;
2. Access to Tracts 1A and 1B is from W. Morse Avenue;
3. Due to the location of this request and mitigating circumstances, there may be justification to request a waiver of the requirements of a lot split for this specific request; and
4. The legal descriptions of tracts 1A and 1B may come into question at some future time. The west 50' of Lot 1 East Grandview has senior title over the newly created Tracts 1A and 1B. The dimension of the north line of Lot 1 is shown 300' however; it is unclear if this is from measured, plat, or deed information. This should be clarified. (Completed with revised drawing by the surveyor)

Economic Development Director: No objections.

Public Works Director: No objections.

Utilities Director:

1. Water Service is available on north side of Morse Avenue – possibly in the street;
2. The City does have public Sanitary Sewer (SS) service available in this area. However, the SS system is a Low-Pressure (LP) system which requires grinder pumps for connections;
3. The LPSS system is located within an alley easement west of 136th Street;
4. According to Construction drawings the LPSS extends across 136th Street to the east road right-of-way;
5. The adjoining property to the west – 1833 S. 136th Street and the property directly to the north – 1823 S. 136th Street are connected to the LPSS;
6. The Lot Split will require an extension of the LPSS Public system to serve both lots of record. The extension would not require extending to the east property line, since a future SS pipeline is planned for this area. This variance would need Planning approval;
7. The Utilities Department has a proposed sanitary sewer pipeline (Grandview Interceptor) designed along the east property line; we may request/need an easement for this future pipeline; and
8. There is potential possibility that the Grandview Interceptor could be constructed prior to or during the development of the properties that are affected by this lot split. If so, the properties could be served by gravity SS instead of grinder pumps and the LPSS.

County Surveyor: No objections.

WYCO Mapping: No objections.

Atmos Energy: No comments received.

AT&T: No objections.

Time Warner Cable: No comments received.

Westar Energy: No conflicts.

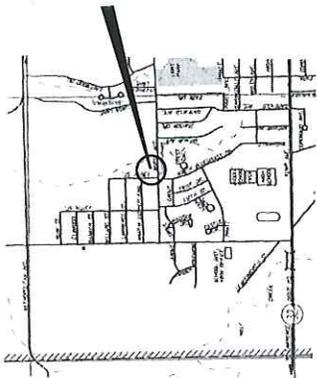
HOPKINS LOT SPLIT: LS-118

PREPARED FOR:
 MARK THOMPSON
 1301 W. MAIN STREET
 SHAWNEE, KANSAS 66216
 (816) 682-3791

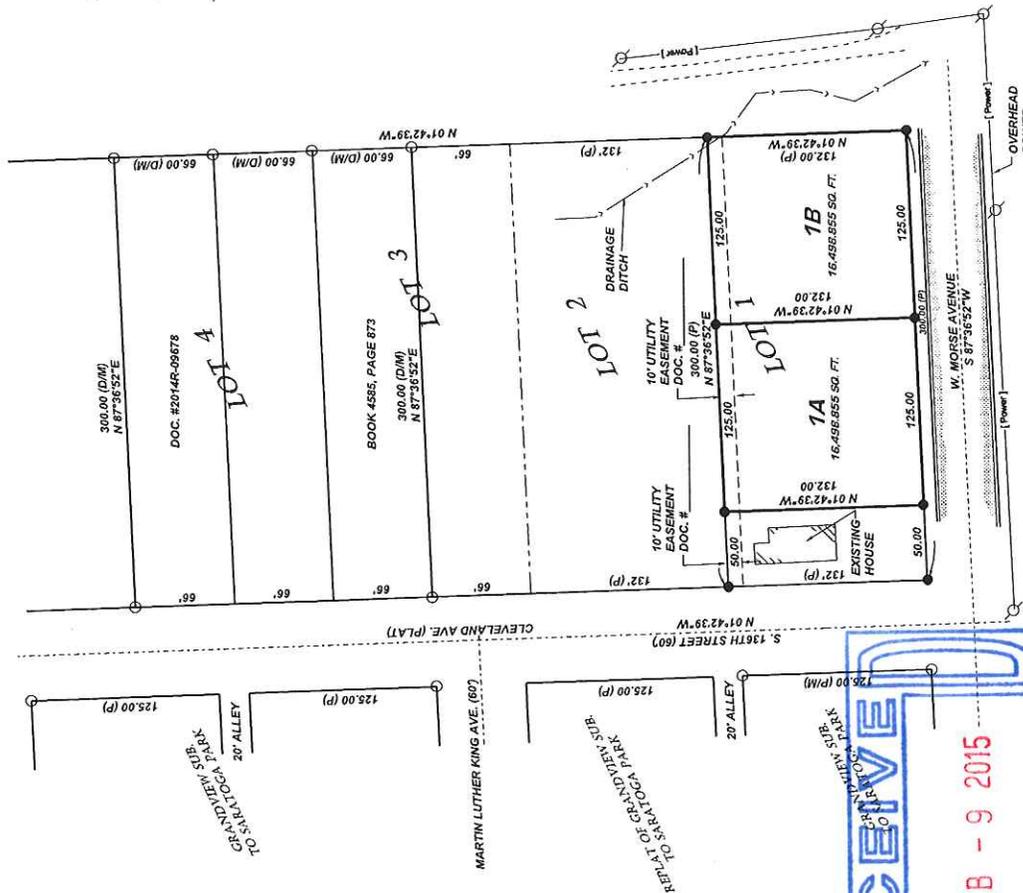
DATE: FEBRUARY 7, 2015

LOT TO BE SPLIT:
 541 MORSE AVE.
 PH. 185465

REVISED 2/17/15 REFERENCE ONLY



- LEGEND**
- 1/2" x 24" REBAR SET WITH #1348 CAP
 - 10" REBAR WITH #655 CAP FOUND (ORIGIN UNKNOWN, UNLESS OTHERWISE REFERENCED)
 - (P) PLATTED
 - (DM) DEEDED AND MEASURED
 - (PM) PLATTED AND MEASURED



PARENT TRACT - DOC #2014R-15855
 THE EAST 250 FEET OF LOT 1, IN EAST GRANDVIEW, A SUBDIVISION IN BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS.

TRACT 1A
 THE WEST 125 FEET OF THE EAST 250 FEET OF LOT 1, IN EAST GRANDVIEW, A SUBDIVISION IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 30-T11S-R23E OF THE 6TH P.M., IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS. CONTAINS 0.375 ACRES / 16,498.855 SQ. FT. +/-

TRACT 1B
 THE WEST 125 FEET OF LOT 1, IN EAST GRANDVIEW, A SUBDIVISION IN THE NORTHEAST QUARTER OF FRACTIONAL SECTION 30-T11S-R23E OF THE 6TH P.M., IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS. CONTAINS 0.375 ACRES / 16,498.855 SQ. FT. +/-

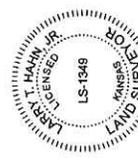
PLANNING COMMISSION APPROVAL
 THIS SURVEY HAS BEEN REVIEWED AND FOUND TO BE IN COMPLIANCE WITH THE PLANNING COMMISSION STANDARDS FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

MERLE E. PARKS
 PLANNING COMMISSION CHAIRMAN

DON E. SLOAN, AICP, CFM
 PLANNING COMMISSION SECRETARY

COUNTY SURVEYOR
 THIS SURVEY HAS BEEN REVIEWED FOR FILING PURSUANT TO K.S.A. 53-2003, 58-2005 AND 58-2011. FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THOSE PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY: BRENT E. THOMPSON, KS P.L.S. 1277
 DATE: _____



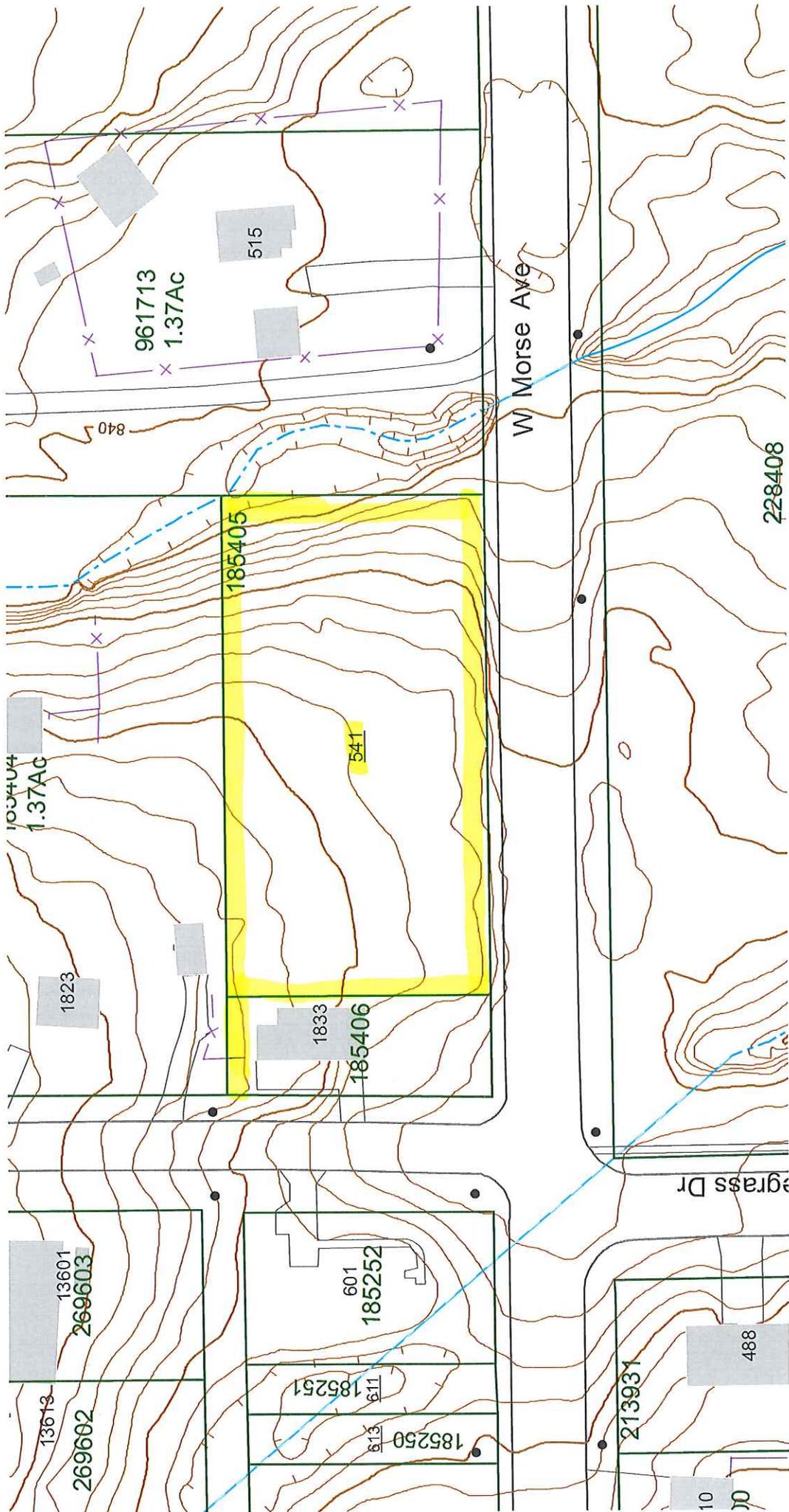
LARRY T. HAHN, LS #1349
 KANSAS LAND SURVEYOR
 THIS IS TO CERTIFY THAT IN THE MONTH OF JANUARY, 2015, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSUANT TO K.S.A. 74-7037. FIELD SURVEY COMPLETED JANUARY 20, 2015.

TRACT 1B
 CLOSED LOOP - 5 POINTS
 (TRAVERSE SUMMARY)
 HORIZONTAL DISTANCE: 514.00 FEET
 (ERROR SUMMARY)
 RELATIVE: TO CLOSED LOOP LINEAR: 0.000 FEET DIRECTION: N 00°00'00"E
 NORTHING: -0.000 FEET EASTING: 0.000 FEET

TRACT 1A
 CLOSED LOOP - 5 POINTS
 (TRAVERSE SUMMARY)
 HORIZONTAL DISTANCE: 514.00 FEET
 (ERROR SUMMARY)
 RELATIVE: TO CLOSED LOOP LINEAR: 0.000 FEET DIRECTION: N 00°00'00"E
 NORTHING: -0.000 FEET EASTING: 0.000 FEET

NOTES:
 1. THIS SURVEY DOES NOT SHOW ALL EASEMENTS OR OWNERSHIP.
 2. FENCE LINES DO NOT DENOTE PROPERTY LINES.
 3. NO TITLE INFORMATION WAS PROVIDED ON THIS SURVEY.

LARRY T. HAHN, LS #1349
 KANSAS LAND SURVEYOR
 (913) 727-1007 (913) 547-3405
 lthahn@klsurvey.com



**City of Bonner Springs, Kansas
Permanent Utility Easement**

Project Name: Hopkins Lot Split LS-118

Parcel No.: 185406 Address: 1833 S. 136th Street

KNOW ALL MEN BY THESE PRESENTS, that: Reginald Crosby, property owner of record, hereinafter called Grantor(s), in consideration of good and valuable consideration given by the City of Bonner Springs, Kansas, hereinafter called the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and convey to said City, its successors and assigns, a perpetual (permanent) easement with the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove conduits, waterlines, sewer lines, gas lines, power lines, drainage structures and related appurtenances, under and across the following land in the City of Bonner Springs, Wyandotte County, Kansas, to wit:

Utility Easement Description:

A permanent utility easement described as the North Ten (10) feet of the West Sixty (60) of Lot 1, East Grandview, A subdivision in the northeast quarter of fractional section 30-T11S-R23E of the 6th p.m., in the City of Bonner Springs, Wyandotte County, Kansas. (As shown on exhibit "A")

The City will maintain the underground city utilities and appurtenances, with the owner responsible for proper maintenance of the property. This agreement shall constitute a covenant running with the land of the Owner. IN WITNESS WHEREOF the said Owner(s) have executed this instrument this _____ day of February, 2015, at Bonner Springs, Kansas.

Reginald Crosby

STATE OF KANSAS, COUNTY OF WYANDOTTE, SS:

BE IT REMEMBERED that on this _____ day of February, 2015, before me, the undersigned a Notary Public in and for the County and State aforesaid, came Reginald Crosby, personally known to me to be the same person(s) who executed the within instrument and such person duly acknowledged the execution of same.

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

Notary Public

My Commission Expires: (Seal)



HAHN SURVEYING

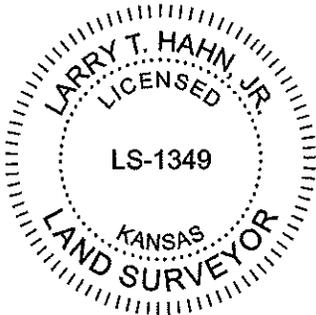
PO BOX 41
LANSING, KANSAS 66043
(913) 547-3405
(913) 727-1007
lhahn3@kc.rr.com

Page 1 of 2

February 17, 2015

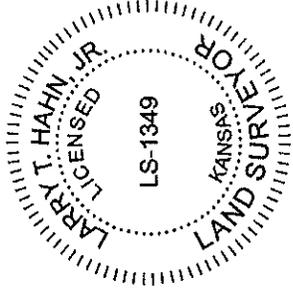
1833 S. 136th Street

*A permanent utility easement described as the North Ten (10) feet of the West sixty (60) feet of Lot 1, In East Grandview, A subdivision in the northeast quarter of fractional section 30-T11S-R23E of the 6th p.m., in the City Of Bonner Springs, Wyandotte County, Kansas.
(As shown on exhibit "A")*



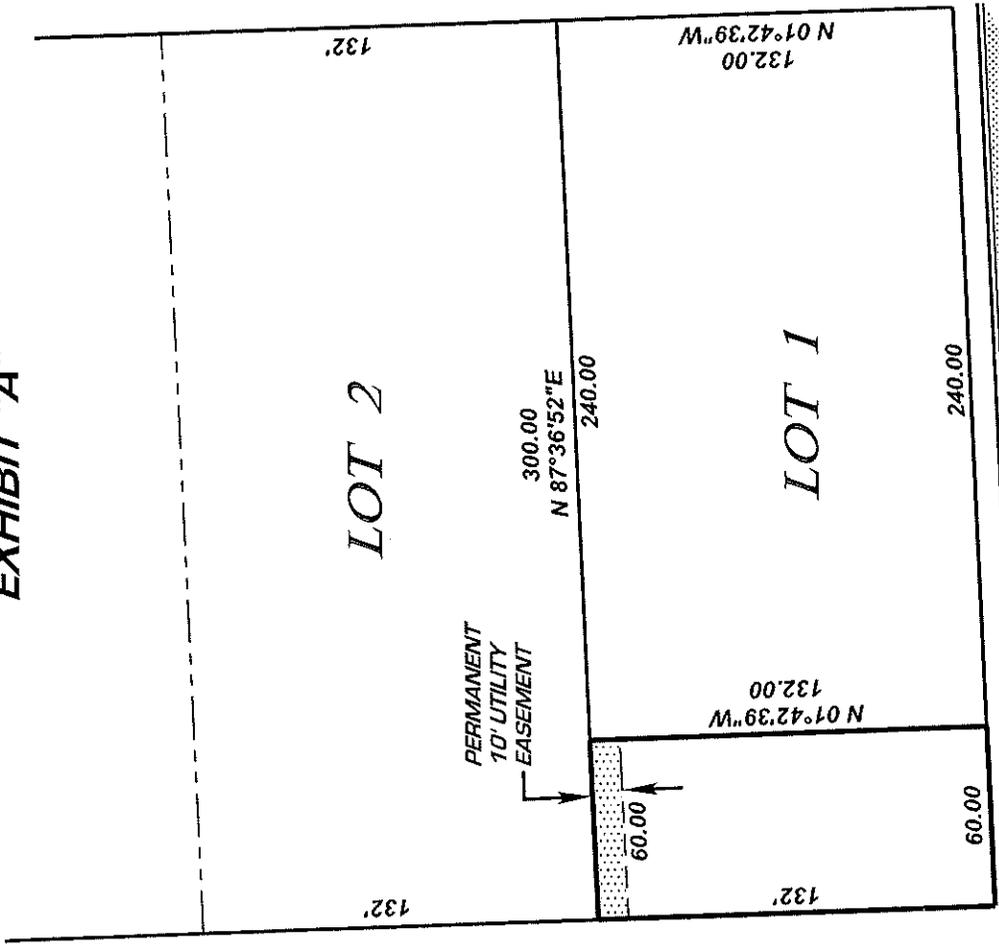


SCALE: 1" = 60'



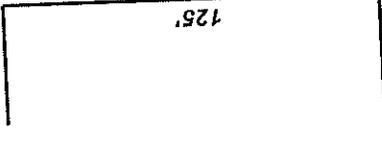
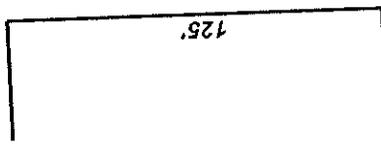
HAHN SURVEYING
PO BOX 41
LANSHING, KANSAS 66043
(913) 727-1007 (913) 547-3405
lhahn3@kc.rr.com

EXHIBIT "A"



W. MORSE AVENUE
S 87°36'52" W

MARTIN LUTHER KING AVE. (60')



S. 136TH STREET (60')
N 01°42'39" W

**City of Bonner Springs, Kansas
Permanent Utility Easement**

Project Name: Hopkins Lot Split LS-118

Parcel No.: 185405 Address: 541 W. Morse Avenue

KNOW ALL MEN BY THESE PRESENTS, that: Mark D. Hopkins, property owner of record, hereinafter called Grantor(s), in consideration of good and valuable consideration given by the City of Bonner Springs, Kansas, hereinafter called the City, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell, transfer and convey to said City, its successors and assigns, a perpetual (permanent) easement with the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove conduits, waterlines, sewer lines, gas lines, power lines, drainage structures and related appurtenances, under and across the following land in the City of Bonner Springs, Wyandotte County, Kansas, to wit:

Utility Easement Description:

A permanent utility easement described as the East Twenty-Five (25) feet and the North Ten (10) feet of the East Two Hundred And Forty (240) feet of Lot 1, East Grandview, A subdivision in the northeast quarter of fractional section 30-T11S-R23E of the 6th p.m., in the City of Bonner Springs, Wyandotte County, Kansas. (As shown on exhibit "A")

The City will maintain the underground city utilities and appurtenances, with the owner responsible for proper maintenance of the property. This agreement shall constitute a covenant running with the land of the Owner. IN WITNESS WHEREOF the said Owner(s) have executed this instrument this _____ day of February, 2015, at Bonner Springs, Kansas.

Mark D. Hopkins

STATE OF KANSAS, COUNTY OF WYANDOTTE, SS:

BE IT REMEMBERED that on this _____ day of _____, 2015, before me, the undersigned a Notary Public in and for the County and State aforesaid, came Mark D. Hopkins, personally known to me to be the same person(s) who executed the within instrument and such person duly acknowledged the execution of same.

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

Notary Public

My Commission Expires: (Seal)



HAHN SURVEYING

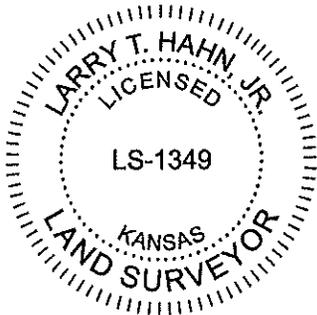
PO BOX 41
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Page 1 of 2

February 17, 2015

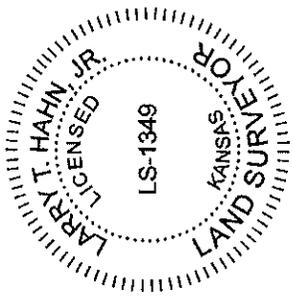
Hopkins – 541 Morse Ave.

*A permanent utility easement described as the East Twenty-Five (25) feet and the North Ten (10) feet of the East Two Hundred and Forty (240) feet of Lot 1, In East Grandview, A subdivision in the northeast quarter of fractional section 30-T11S-R23E of the 6th p.m., in the City Of Bonner Springs, Wyandotte County, Kansas.
(As shown on exhibit "A")*



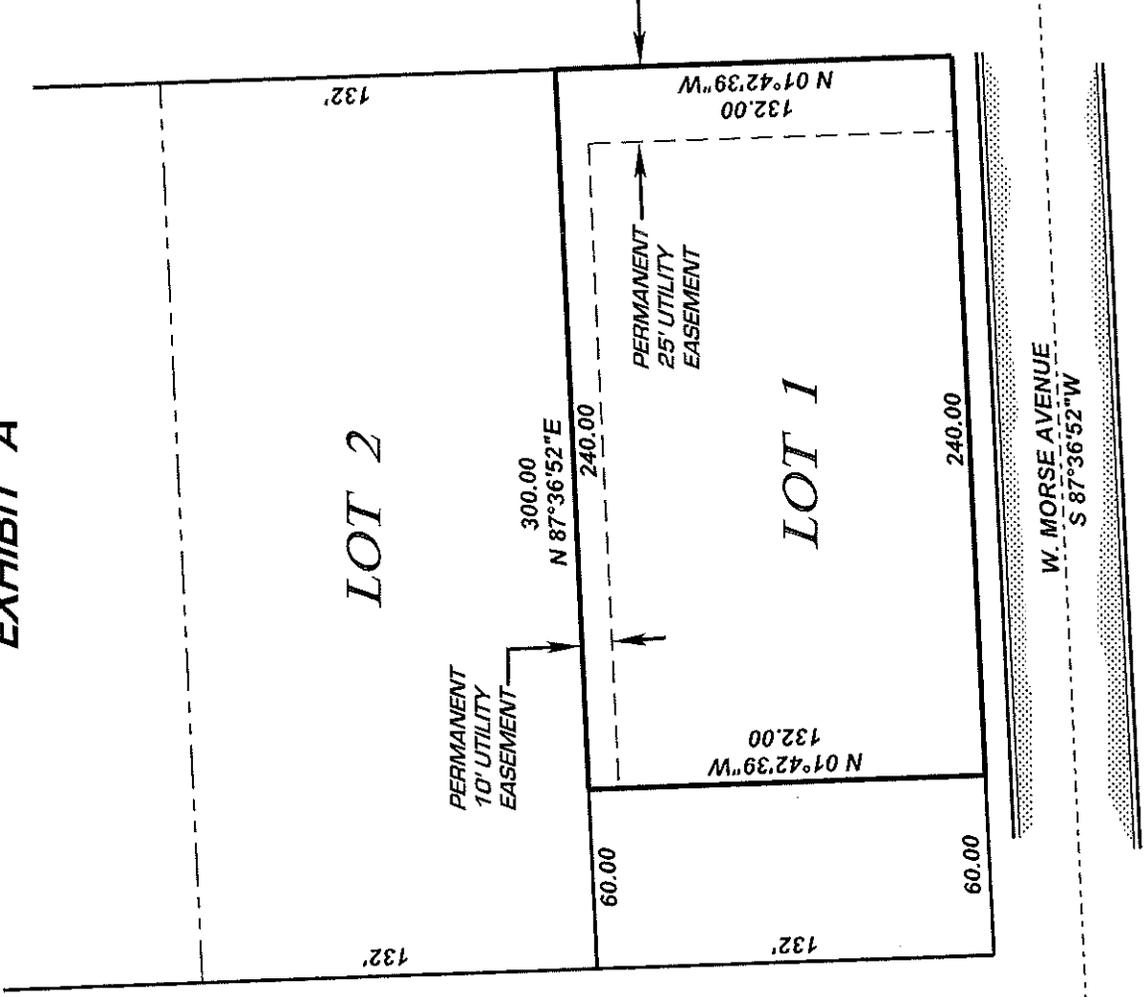


SCALE: 1" = 60'



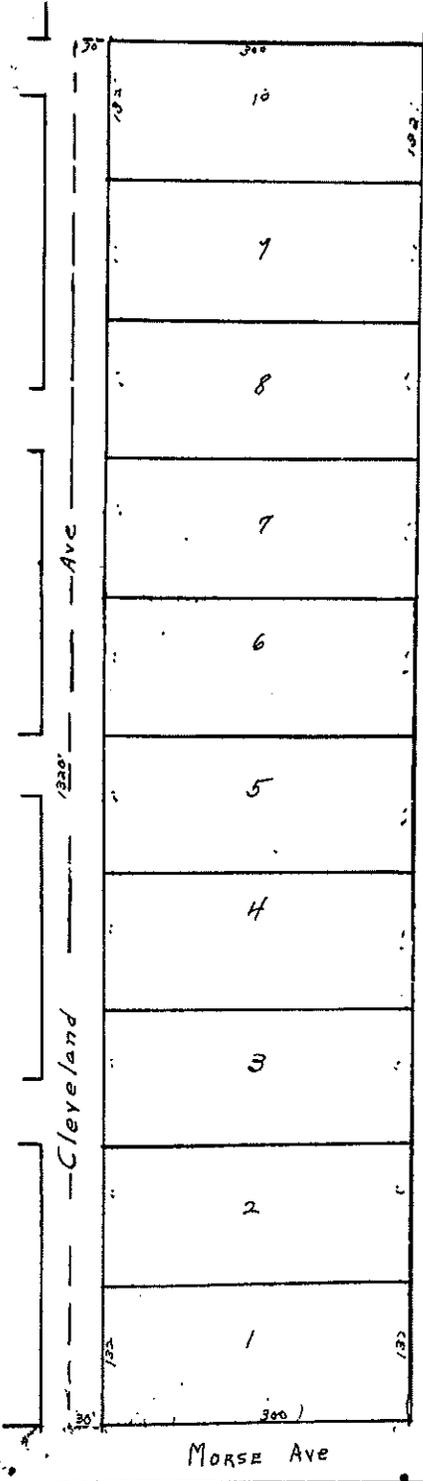
HAHN SURVEYING
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(913) 727-1007 (913) 547-3405
lhahn3@kc.rr.com

EXHIBIT "A"



EAST GRANDVIEW SUBDIVISION

AN ADDITION IN WYANDOTTE CO. KAN.



Description

This plat of East Grandview Subdivision comprises land in Wyandotte County, Kansas described as follows:-
The West 1/4 of the SE 1/4 of the NE 1/4 of Section 30-T11 S. R. 29 E. in Wyandotte County, Kansas.

Dedication:

The lands intended for sale are designated by numbers as lots in East Grandview Subdivision
The Streets shown on the within plat are already opened to public travel

Signed Jacob T. Williamson
Rebecca A. Williamson.

State of California)

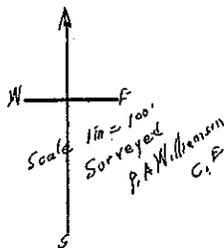
County of San Diego) ss

Before me the undersigned a Notary Public in and for the State and County aforesaid came Jacob T. Williamson and Rebecca A. Williamson his wife to me personally known to me to be the persons who executed the within instrument and acknowledged the same to be their free act and deed.

In Witness Whereof I have hereunto set my hand and affixed my official seal this 19th day of April AD 1915

A. D. Piersall
Notary Public
My Commission expires April 12-1916.

159187
Filed for record
May 15-1915 at 10 o'clock P.M.
William Beggs
Register of Deeds
By O. S. Gates
Deputy.



186TH

MARTIN LUTHER KING

MORSE

BLUEGRASS

GROVE

2-in PVC

1.5-in

1.6-in

6-in CIP

6-in CIP

6-in CIP

108

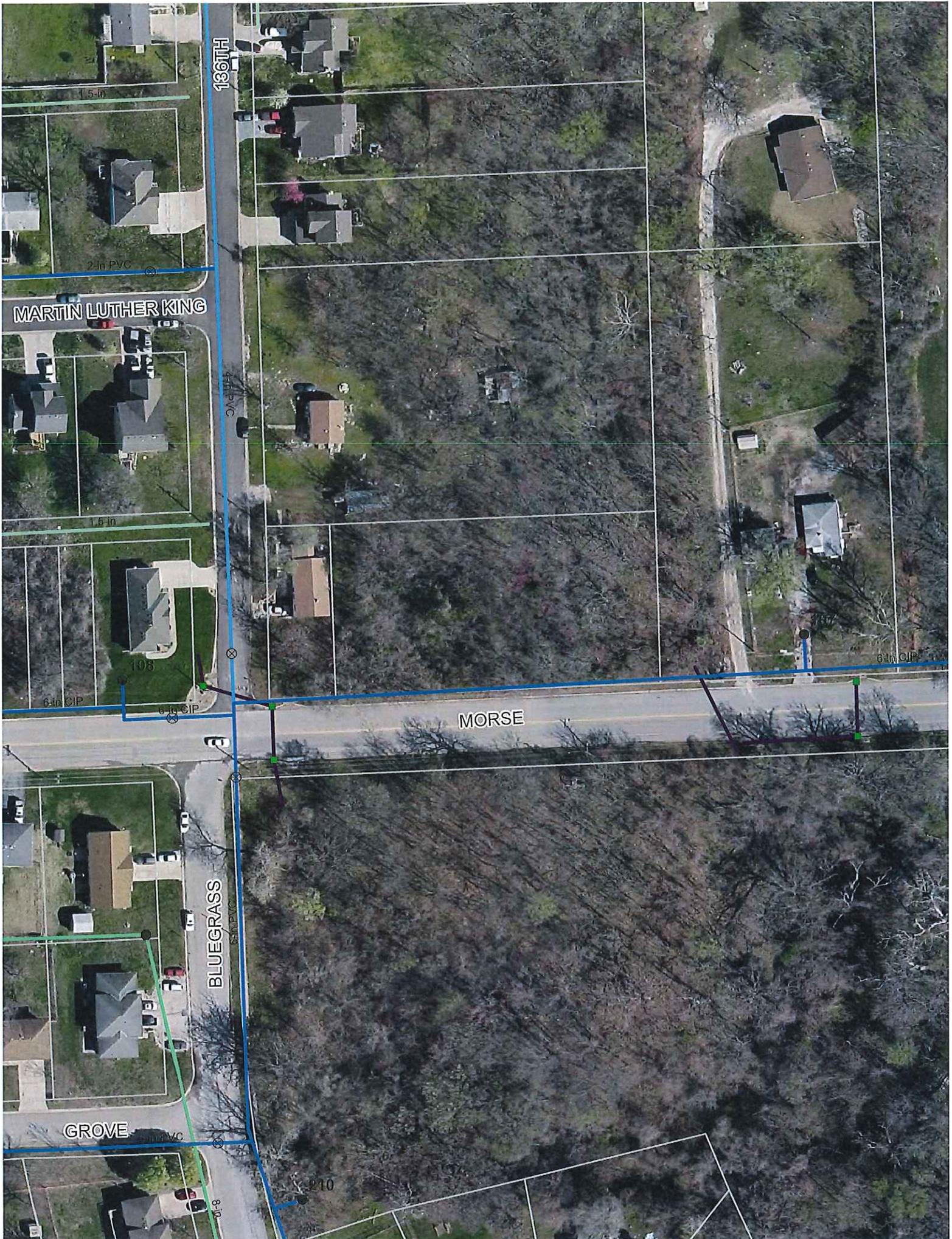
0.4-in

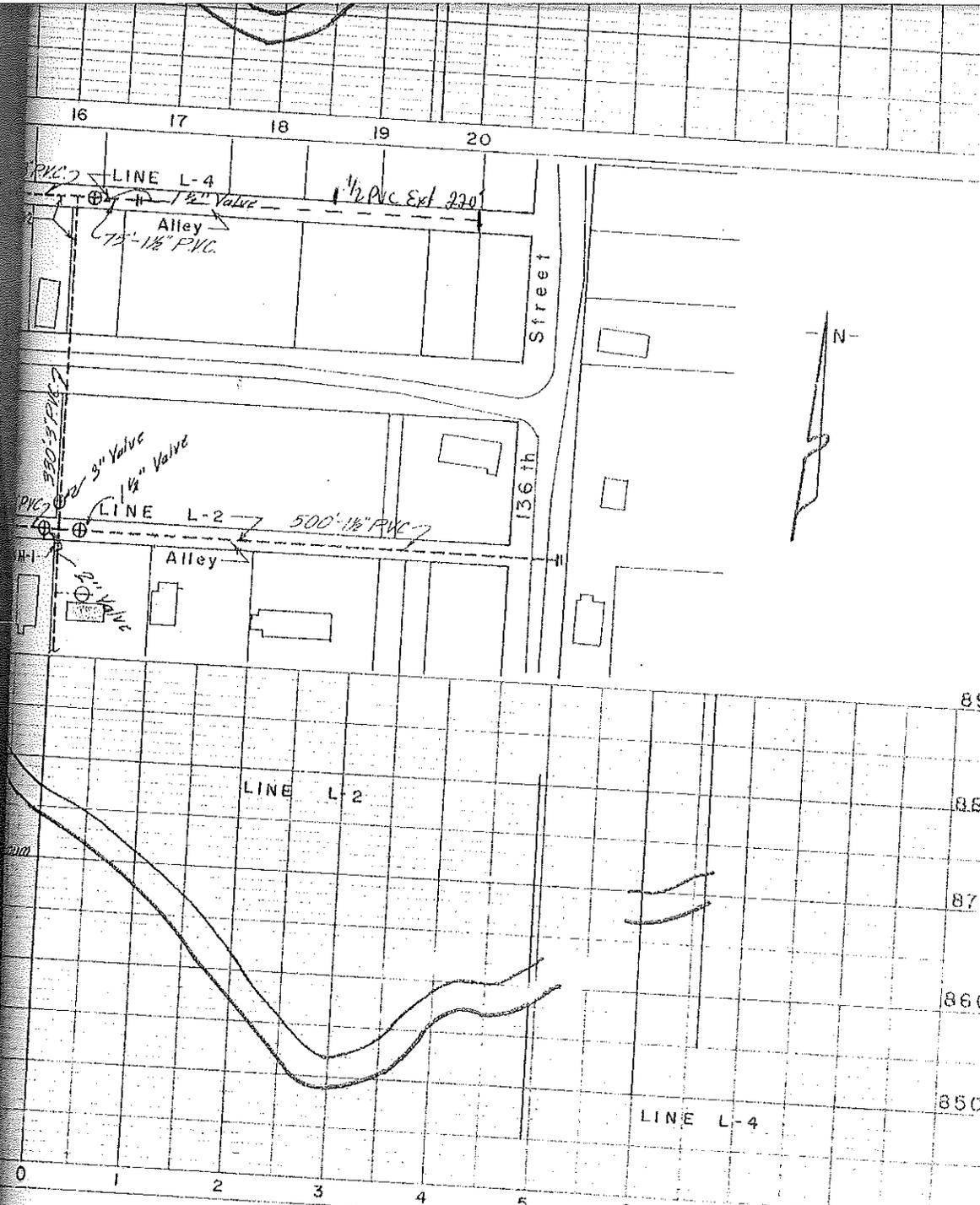
6-in PVC

1.5-in PVC

210

01-8





BONNER SPRINGS, KANSAS SH. 2 OF 4

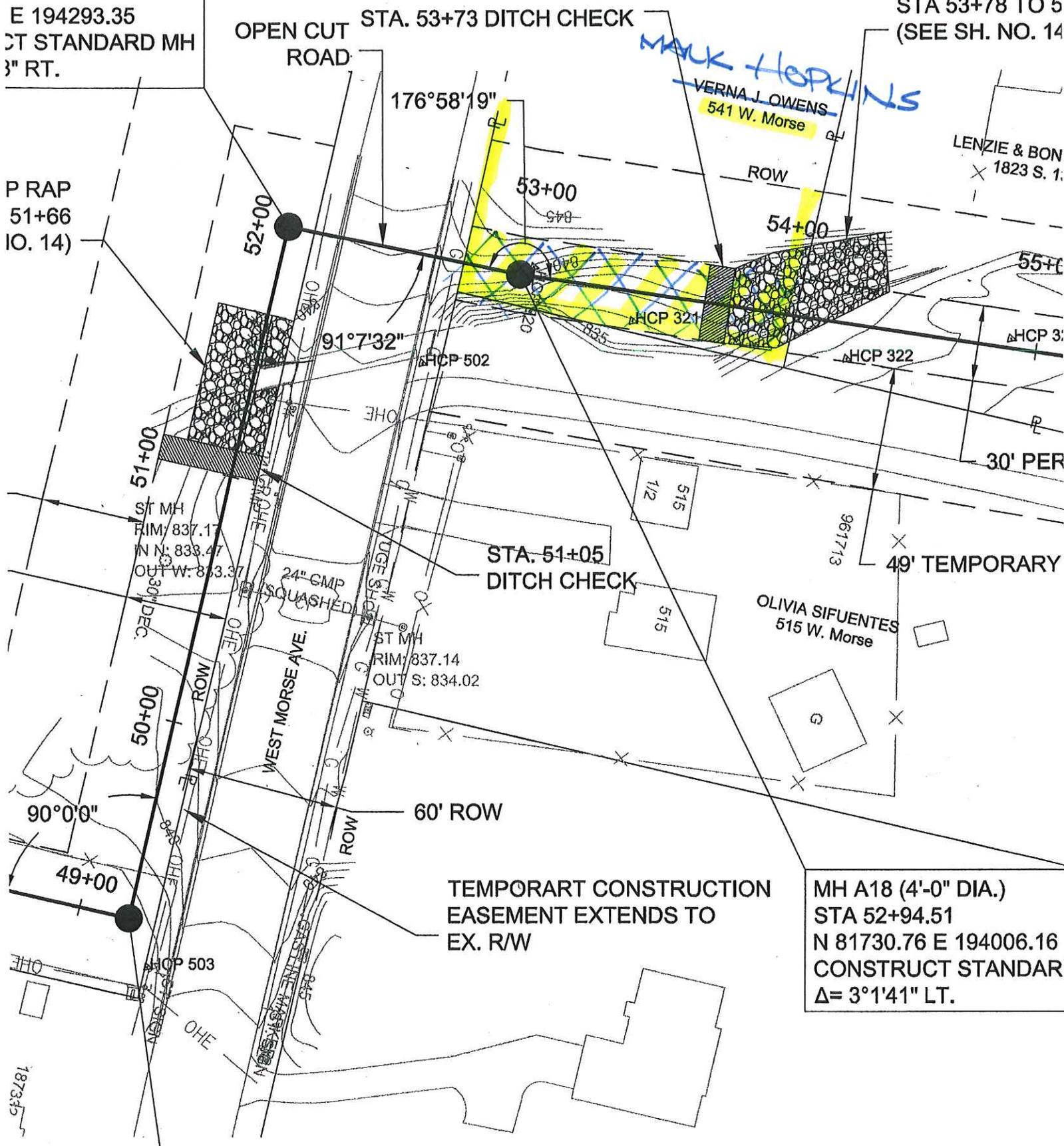
REVISIONS	86-79

" FUTURE GRAVITY SEWER "

4'-0" DIA.)
 90
 E 194293.35
 ST STANDARD MH
 3" RT.

218 S.Y. RIP RA
 STA 53+78 TO 5
 (SEE SH. NO. 14)

P RAP
 51+66
 IO. 14)



MH A16 (4'-0" DIA.)
 STA 49+20.10

MH A18 (4'-0" DIA.)
 STA 52+94.51
 N 81730.76 E 194006.16
 CONSTRUCT STANDARD
 $\Delta = 3^\circ 1' 41''$ LT.

TEMPORART CONSTRUCTION
 EASEMENT EXTENDS TO
 EX. RW

187335