



City of Bonner Springs

PLANNING COMMISSION AGENDA

CITY HALL COUNCIL CHAMBERS
TUESDAY, MARCH 15, 2016

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, MARCH 15, 2016,
IF YOU WILL BE UNABLE TO ATTEND

PREPARED BY:

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

PEOPLE

PLANNING

PROGRESS

City of Bonner Springs
Planning Commission Agenda
Tuesday, March 15, 2016

Study Session 6:00 p.m.

- Planning Commission continued discussion on updates the Comprehensive Plan – Vision 2025; and
- Planning Commission update on the K-32 Tri-City Multi-Modal Redevelopment Plan.

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 19, 2016.

Motion: _____ Second: _____

1. Board Discussion

For: _____ #Against: _____

New Business:

ITEM NO. 2: Comprehensive Plan Change: BSCP-24: “Windridge Estates” a request to amend the Future Land Use Map of the Comprehensive Plan to change the Land Use designation for 7.29 acres from a Commercial designation to a High-Density Residential designation. Requested by Donna Lilley, Hart Development Group for Gardner Capital under contract with Union Bank & Trust, property owners of record. This amendment is to support the change in zoning from C-2, General Business District to R-3, Multi-Family Residential District to allow for the construction of a 44 unit single-story townhouse development located at 13133 Canaan Center Drive. *(This item to be forwarded to the Governing Body on April 11, 2016)*

Open Public Hearing Time: _____

1. Staff Presentation / Applicants Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 3: Rezoning: BSZ-132: “Windridge Estates” a request to rezone 7.29 acres from a C-2, General Business District classification to an R-3, Multi-Family Residential District classification. Requested by Donna Lilley, Hart Development Group for Gardner Capital under contract with Union Bank & Trust, property owners of record. This amendment is to change the zoning classification to allow for the construction of a 44 unit single-story townhouse development located at 13133 Canaan Center Drive. *(This item to be forwarded to the Governing Body on April 11, 2016)*

Open Public Hearing Time: _____

1. Staff Presentation / Applicants Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 4: Special Use Permit: SUP-134: "AT&T Tower @ PMC Amphitheater", a request for a special use permit in order to install a temporary 84' Cell on Wheels (COW) for the 2016 concert season. Requested by Caroline Boyd, Telecom Realty Consultants, LLC for AT&T Mobility on behalf of New West Presentations under lease from the Board of County Commissioners, property owners of record. The property is zoned A-1, Agricultural District located at located at 633 N. 130th Street. *(This item will be forwarded to the Governing Body on April 11, 2016)*

Open Public Hearing Time: _____

1. Staff Presentation / Applicant Presentation
2. Public Comment

Close Public Hearing Time: _____

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

ITEM NO. 5: Site/Landscape Plan: ST-16-100, "Canaan Center Lots 7 & 8" a request by Scott Mosburg, Mosburg and Associates, property owners of record. The Site/Landscape Plan is being submitted in order to construct additional parking on Lot 8 to replace the parking removed for the 25' x 36' building addition to the El Potro Mexican Restaurant. The property is zoned C-2, General Business District located at 13045 Canaan Center Drive.

1. Staff Presentation / Applicant Presentation
2. Public Comment

Motion: _____ Second: _____

3. Board Discussion

For: _____ #Against: _____

Adjournment Time: _____

ITEM NO. 1

PLANNING COMMISSION AGENDA

Tuesday, March 15, 2016 – 7:00 p.m.

Approval of Minutes: The regular Planning Commission meeting held January 19, 2016

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

MOTION: _____

SECOND: _____

ACTION: Make a Motioun to Approve

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

NARRATIVE: The minutes of the January 19, 2016 meeting are attached.

PLANNING COMMISSION MEETING MINUTES

Tuesday, January 19, 2016 @ 7:00 p.m.

Members Present: Craig Stephan, Mark Yates, Sherri Neff, Lew Kasselmann, Merle Parks, Jason Krone and Lloyd Mesmer

Members Absent: Dave Pierce

Staff Present: Don Slone, AICP, CFM, Planning Director – Floodplain Manager

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 November 24, 2015 Planning Commission meeting. Commissioner Stephan made a motion to approve the minutes as written with a second from Commissioner Yates. 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: Special Use Permit: SUP-133: “A Step Above Academy”**, a request for a special use permit in order to continue the day care center last approved under Ordinance No. 2137 on August 14, 2006. Requested by Crystal Wenger under contract from James and Nancy Thomas, A Step Above Academy of Wyandotte County, LLC, property owners of record. The property is located at 600 N. 118th Street on 1.4 acres of property zoned A-1, Agricultural District. No additions or alterations are being proposed with this request. The property is being purchased by the applicant and requires the issuance of a new special use permit.

Chairman Parks opened the public hearing at 7:02 p.m. and asked for Staff Presentation. The Planning Director presented the case including the background dating back to 1998 with a Staff Recommendation to approve this item as listed in the Staff Report. The Planning Director stated that the applicant was called out of the country and provided a letter stating that she is in agreement with the listed conditions. The Chairman asked if the letter will be made part of the official record, the Planning Director confirmed that it would be part of the record. The Planning Director introduced Stephanie Krier, Director and Nancy Thomas property owner of the A Step Above Academy and stated that they were here to represent the applicant who was pout of the country.

Chairman Parks asked if the applicant’s representatives if they would like to address the Planning Commission. They both stated that they have nothing to add but would be glad to answer any questions.

Commissioner Krone asked how long it would take to obtain the license. Nancy Thomas stated it takes about a month once they receive the SUP approval letter.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:05 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the special use permit subject to the six (6) listed conditions with a second from Commissioner Krone.

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 February 8, 2016 with a Planning Commission recommendation of approval.

Chairman Parks asked if there was any further business. Seeing none, he adjourned the meeting at 7:08 p.m.

Don E. Slone, AICP, CFM, Secretary

ITEM NO. 2

PLANNING COMMISSION AGENDA

Tuesday, March 15, 2016 – 7:00 p.m.

Comprehensive Plan Change: BSCP-24: “Windridge Estates” a request to amend the Future Land Use Map of the Comprehensive Plan to change the Land Use designation for 7.29 acres from a Commercial designation to a High-Density Residential designation. Requested by Donna Lilley, Hart Development Group for Gardner Capital under contract with Union Bank & Trust, property owners of record. This amendment is to support the change in zoning from C-2, General Business District to R-3, Multi-Family Residential District to allow for the construction of a 44 unit single-story townhouse development located at 13133 Canaan Center Drive.

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. **This item will be forwarded to the Governing Body on April 11, 2016.**

COMPREHENSIVE PLAN CHANGE: "WINDRIDGE ESTATES"

Case No.: BSCP-24
Applicant: Donna Lilley, Hart Development Group
Owners: Union Bank & Trust
Developers: Hart Development Group / Gardner Capital
Location: 13133 Canaan Center Drive (Parcel No. 959807)
Tract Size: 7.29 acres (Lot 1 – Sketch Preliminary Plat)
Zoning: C-2, General Business District to R-3, Multi-Family Residential District (BSZ-132)
Land Use Designation: Commercial Designation to a High-Density Residential Designation

Staff Recommendation:

Staff recommends approval of the request to change the Future Land Use Map of the Comprehensive Plan for 7.29 acres from a Commercial to a High-Density Residential land use designation based upon the Factors for Consideration presented in the Staff Report and to forward it to the Governing Body with a recommendation for approval.

Exhibits:

Applicant's Letter, Comprehensive Plan Change/Rezoning Exhibit, Sketch Preliminary Plat, Site Layout Plan, Building Elevations, Floor Plans and the Affidavit in Proof of Publication.

General Information:

This request is to change the Land Use designation on the Future Land Use Map in order to rezone the subject property from C-2, General Business District to R-3, Multi-Family Residential District to allow for the construction of a 44 unit single-story townhouse development.

Note:

Hart Development Group LLC is under contract with Union Bank & Trust to purchase the remaining 10.38 acre unplatted tract as shown on the Sketch Preliminary Plat. The remaining 3.09 acres will retain the Commercial designation and C-2, General Business District zoning classification shown as Lot 2 and Lot 3 on the Sketch Preliminary Plat. This property is the remaining Canaan Center development foreclosed by Union Bank & Trust in early 2010 with the exception of 2.2 acre unplatted tract purchased on July 16, 2007 by HIE of Bonner Springs, LLC with a Quit Claim Deed filed on June 10, 2009 to Sunflower Hotels LLC (Parcel No. 959822 – 13040 Ridge Drive).

Background:

The first Comprehensive Plan for the City was completed by Wilson & Company in November 1973. The Future Land Use designation for the subject area defined by the Canaan Center development was given a Commercial designation for "Regional and Local Business". The Commercial designation continued on the Future Land Use Map updates of 1996, 2008 and the latest update in January 2016.

Factors for Consideration:

1. **What has changed since the Comprehensive Plan was adopted to warrant this request?**
 - There are no specific changes to the area, but rather a need for affordable housing for the residents of Bonner Springs and the need for housing with the continued development surrounding the Legends Area which includes the Cerner project. The K-7/I-70 Interchange construction has improved the access to and from Canaan Center. The subject property is somewhat removed from the K-7 corridor as commercial developments usually desire direct access to a primary street for view ability and access.

- The construction of 131st Street to the north was completed in late 2008 which provided direct access to Riverview Avenue under the Riverview Crossings project. Under the Riverview Crossings project, two additional commercial lots were platted for future development. As of today, those two lots remain vacant as platted and zoned.

2. Traffic Counts and Pattern Changes?

- Traffic counts have not changed dramatically since 2008. The Phase 1 improvements were completed in 2015 that improved access into Canaan Center due to the signal timing and access changes to the Canaan Center Drive intersection. The annual average 24-hour traffic count in the area around K-7/I-70 Interchange was approximately 23,100 cars per day per KDOT's Traffic Count Map dated Calendar Year 2011.

3. Utility/Infrastructure Changes?

- A new sanitary sewer force main that crosses the subject property from east to west was installed in late 2013 as part of the 134th Street Utility Relocation Project.
- The 8" waterline was extended west along the north side of Ridge Drive along with the Ridge Drive street extension in late 2006 as part of the Canaan Center Hotels project for the new Super 8 Motel.
- All required public utilities are adjacent to the subject property but will require extensions as shown on the Sketch Preliminary Plat in order to support the proposed townhouse development.

4. Status of Floodplain/Hydrology?

- No portion of the subject property is within the 100-year Floodplain as indicated on the Flood Insurance Rate Maps that were effective on September 2, 2015. The detention basin shown on the Sketch Preliminary Plat will be utilized for detention purposes for the proposed development.

5. Changes in Surrounding Land Use?

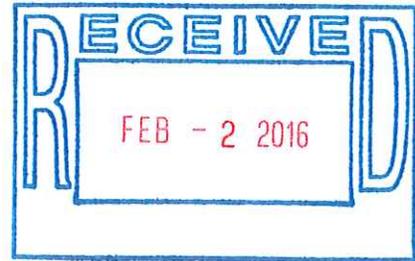
- The latest land use change was the approval and completion of the "Riverview Crossings" commercial project to the north of the subject property with the acceptance of the public improvement on October 14, 2008 by the Governing Body.



Hart Development Group

February 2, 2016

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



Dear Don;

Attached hereto please find the required applications and supporting documentation for the change to the Comprehensive Plan and Rezoning for the property located at 13133 Canaan Center Drive in the undeveloped portion of Canaan Center between Canaan Center Drive and Ridge Drive.

After careful review of this site we believe it to be an excellent choice for the location of a 44 unit single-story affordable family rental townhouse development. These units have been designed for families in the area. Bonner Springs Housing Authority has indicated that they currently have a waiting list of a minimum of three years for family units. It is our hope to help fill some of that significant need. These units will be constructed in conjunction with Kansas Housing Resource Corporation using the Low Income Housing Tax Credit program to keep the rents at an affordable level. These single-story garden style apartments will include many amenities including a community building that will provide entertaining space, playground, computer lab as well as a community garden.

We believe that our request to change the Comprehensive Plan and Rezoning are in order for this parcel to develop because as it has remained undeveloped since it was rezoned to commercial in 1986. The property has been foreclosed and has been for sale via Union Bank for several years. These requested changes will actually contribute to the further commercial development of this area as we will be providing roads and infrastructure to the area as shown on the Sketch Preliminary Plat.

We believe that this \$7,000,000 plus development will further the goals of the City of Bonner Springs and respectfully request your thoughtful consideration for these changes.

I would be happy to answer any questions that may arise through this process. Feel free to reach me via my cell at 816-588-1762.

Sincerely,

Donna Lilley



DEVELOPER:
GARDNER CAPITAL / HART DEVELOPMENT
 1414 E PRIMESE, SUITE 100
 SPRINGFIELD, MO 65804
 PH.# 314-561-5910

SITE PLAN FOR WINDRIDGE ESTATES

BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS

ARCHITECT:
BARON DESIGN & ASSOCIATES, L.L.C.
 201 E. Springfield, MO 65804
 PH. 417-873-8332, FAX 417-873-8332

CONSULTANTS:
 M.E.P.E.
 CIVIL
Q *us* **Engineering, Inc.**
 221 N.E. Community Dr.
 Columbia, MO 65201
 Phone: (616) 262-2275

CONSTRUCTION OF:
**WINDRIDGE
 MULTIFAMILY
 HOUSING
 DEVELOPMENT**

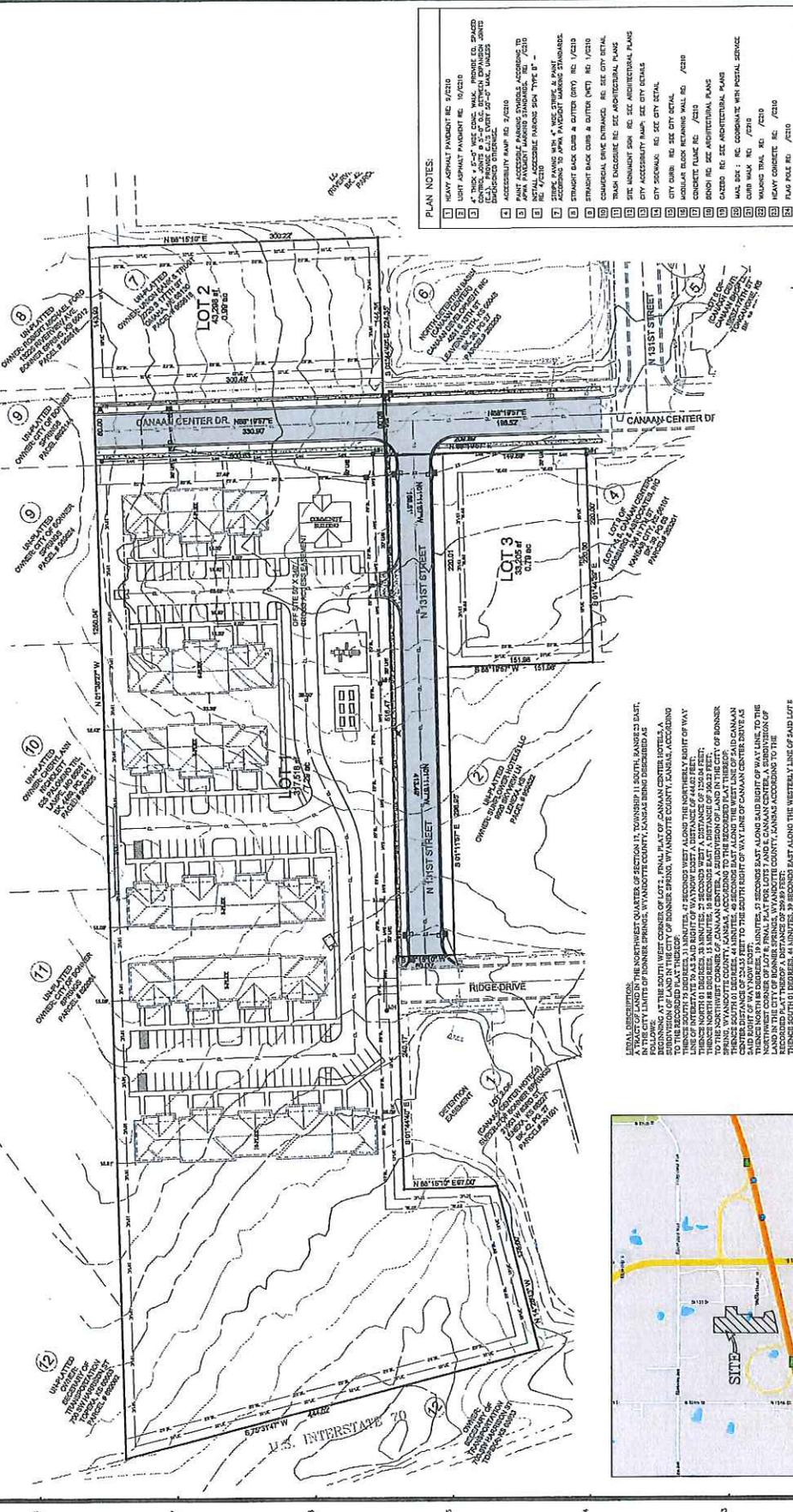
BONNER SPRINGS, KS
 COUNTY

DATE: 01-22-16
 REVISION DATE:
 DESIGN DRAWING:
 APPROVED:

SHEET TITLE:
PRJIMINARY PLAT

SHEET NUMBER:
C101

PROJECT NO.:



- PLAN NOTES:
1. PLANNING PERMITS: SEE CITY PERMITS
 2. LIGHT ASPHALT PAVEMENT: SEE 16/2310
 3. 4" THICK 4'-0" W.C. CONC. WALK: PROVIDE CO. SPACED REINFORCING BARS AT 18" ON CENTER. SEE CITY PERMITS
 4. ACCESSIBILITY: SEE CITY PERMITS
 5. WALK ACCESSIBLE PARKING SPACES: SEE CITY PERMITS
 6. WALK ACCESSIBLE PARKING SPACES: SEE CITY PERMITS
 7. STORM PAVING: SEE CITY PERMITS
 8. TRANSPORT BACK CURB & CUTTER: SEE CITY PERMITS
 9. SANITARIAN WALK: SEE CITY PERMITS
 10. WALK ACCESSIBILITY: SEE CITY PERMITS
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FLOODPLAIN NOTE
 ENTIRE SITE LIES OUTSIDE OF FLOOD PLAIN
 PANEL NUMBER 20209 C010 E
 DATED SEPT. 2, 2015

LEGAL DESCRIPTION:
 A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 11 SOUTH, RANGE 23 EAST, RANGE 10 WEST, COUNTY OF WYANDOTTE COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS:
 BEING A TRACT OF LAND IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE SECOND PLAT THEREOF.
 LINE OF INTEREST IS SAID RIGHT OF WAY NOW EAST A DISTANCE OF 44.62 FEET.
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS EAST A DISTANCE OF 202.3 FEET;
 TO THE NORTHWEST CORNER OF CANAAN CENTER, A SUBDIVISION OF LAND IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE SECOND PLAT THEREOF;
 THENCE SOUTH 01 DEGREE 44 MINUTES 44 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER DRIVE AS SAID RIGHT OF WAY NOW EAST TO THE SOUTH RIGHT OF WAY LINE OF CANAAN CENTER DRIVE AS SAID RIGHT OF WAY NOW EAST;
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER DRIVE AS SAID RIGHT OF WAY NOW EAST TO THE WEST LINE OF SAID LOT E;
 A DISTANCE OF 25.00 FEET TO THE WEST LINE OF SAID LOT E;
 THENCE SOUTH 01 DEGREE 44 MINUTES 44 SECONDS EAST ALONG THE WEST LINE OF SAID LOT E TO THE WEST LINE OF SAID LOT F;
 THENCE SOUTH 01 DEGREE 44 MINUTES 44 SECONDS EAST A DISTANCE OF 25.00 FEET TO THE WEST LINE OF SAID LOT F;
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS WEST ALONG THE NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET;
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS WEST ALONG THE NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET;
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS WEST ALONG THE NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET;
 THENCE NORTH 88 DEGREES 15 MINUTES 15 SECONDS WEST ALONG THE NORTH RIGHT OF WAY LINE, A DISTANCE OF 60.00 FEET;
 TO THE POINT OF BEGINNING CONTAINING 15.34 ACRES.



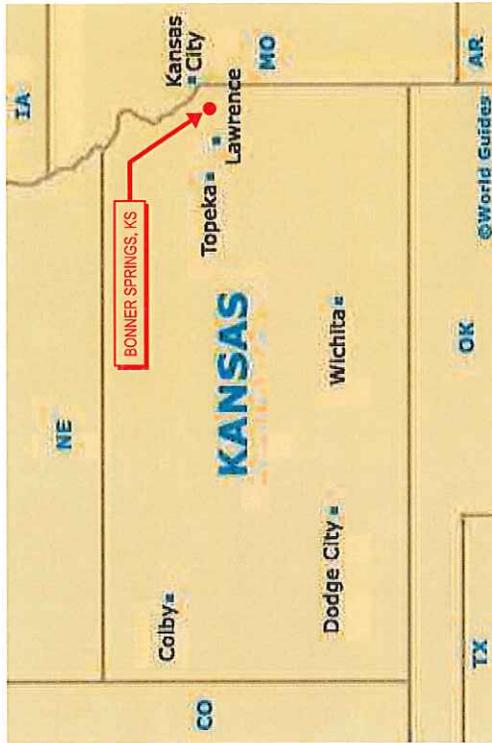
PROJECT CONTACT: ROBERT HANCOCK P.E.
 1111 N. COLLEGE ST.
 BONNER SPRINGS, MO 64608
 PHONE: 616-262-2275

50' 0' 50'

1"=50'

SITE LAYOUT PLAN

WINDRIDGE ESTATES MULTI-FAMILY HOUSING DEVELOPMENT BONNER SPRINGS, KS



STATE MAP
Scale: NTS



AREA PLAN
Scale: NOT TO SCALE



Project No: ML
Drawn By: RAB
Approved: [Signature]
Date: 02.01.16

WINDRIDGE ESTATES
MULTIFAMILY HOUSING DEVELOPMENT
BONNER SPRINGS, KANSAS
GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, LLC.
11mm Plaza, 1855 S. Joyce Mill, Suite 201
Topeka, KS 66604
Ph. 417-577-9800, Fax. 417-577-9802



COVER

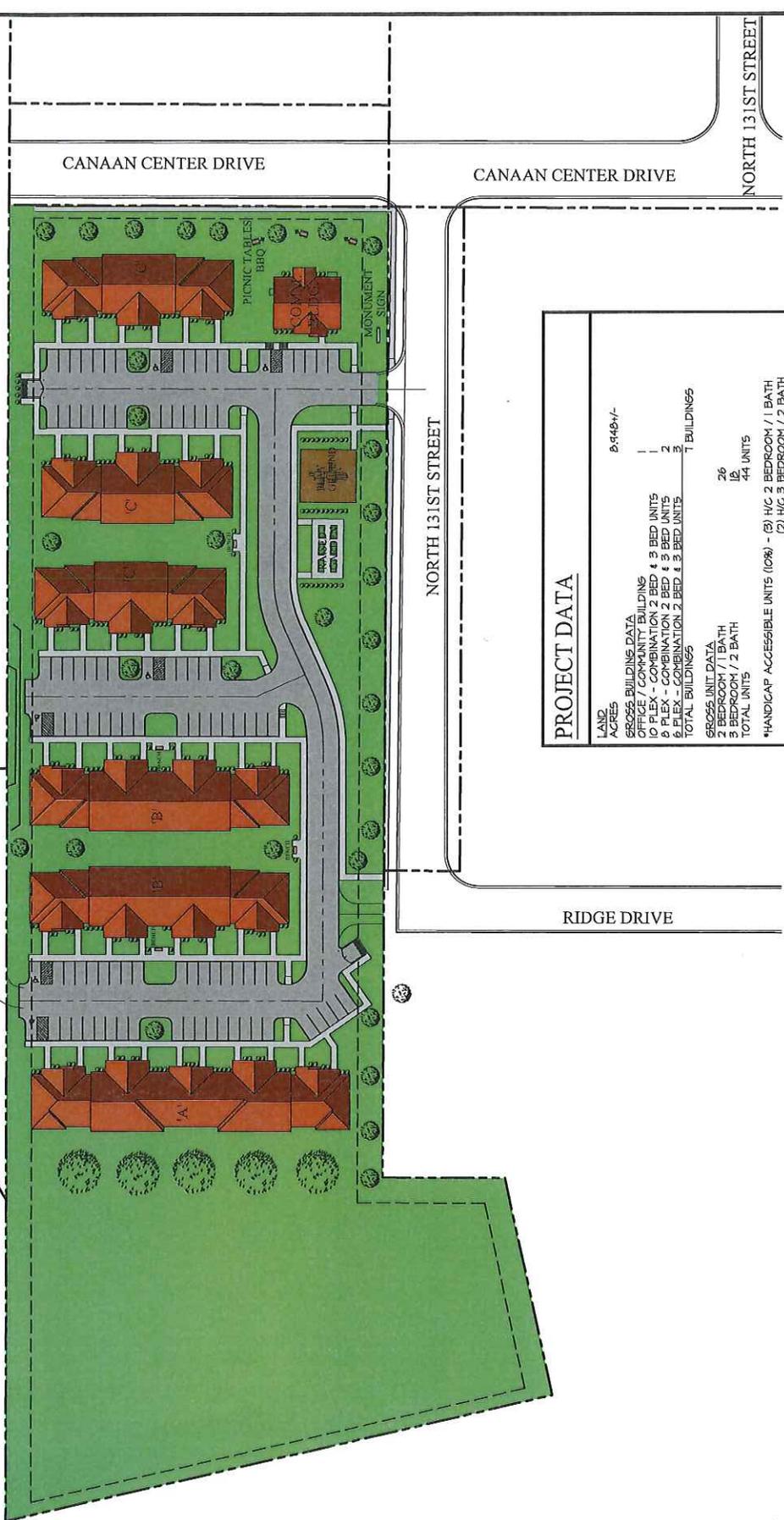
Amenities Windridge Estates

Interior Features

- Energy Star
 - Appliances
 - Windows
 - Doors
 - Lighting fixtures
 - HVAC
- Hard Surface Flooring throughout
- Microwave
- Dishwasher
- Electric Stove
- Electric Refrigerator
- Washer and Dryer Hookups
- Ceiling Fans

Exterior and Clubhouse Features

- 30 Year Roofing Materials
- Community Garden
- Playground Area
- Community Building including the following features:
 - BBQ Area
 - Full Kitchen
 - Computer Lab
 - Marketing Offices



PROJECT DATA	
LAND ACRES	9.4484/-
GROSS BUILDING DATA	
OFFICE / COMMUNITY BUILDING	1
10 FLEX - COMBINATION 2 BED 4 3 BED UNITS	1
4 FLEX - COMBINATION 2 BED 4 3 BED UNITS	2
4 FLEX - COMBINATION 2 BED 4 3 BED UNITS	2
TOTAL BUILDINGS	7 BUILDINGS
GROSS UNIT DATA	
2 BEDROOM / 1 BATH	26
3 BEDROOM / 2 BATH	12
TOTAL UNITS	44 UNITS
*HANDICAP ACCESSIBLE UNITS (10%) - (3) H/C 2 BEDROOM / 1 BATH (2) H/C 3 BEDROOM / 2 BATH	
TOTAL 5 H/C UNITS REQUIRED / PROVIDED	
PARKING REQUIRED	
2.0 SPACES PER UNIT	88 SPACES
TOTAL SPACES REQUIRED	88 SPACES
PARKING (OFFICE/COMM. BLDG.)	6 SPACES
TOTAL SPACES PROVIDED	*INCL. 1 H/C SPACE 105 SPACES
TOTAL PARKING SPACES PROVIDED	105 SPACES



SITE PLAN

Scale: 1" = 80'

Project No. ML
 Drawn By: RAB
 Approved: [Signature]
 Date: 02.01.16

MINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, L.L.C.
 11anna Plaza 1925 S. Ingram Mill Suite 201
 Springfield, MO 65804
 Ph. 417-877-9900 Fax 417-877-9902





BUILDING 'C' 6-PLEX FRONT ELEVATION

Scale: 1/16" = 1'-0"

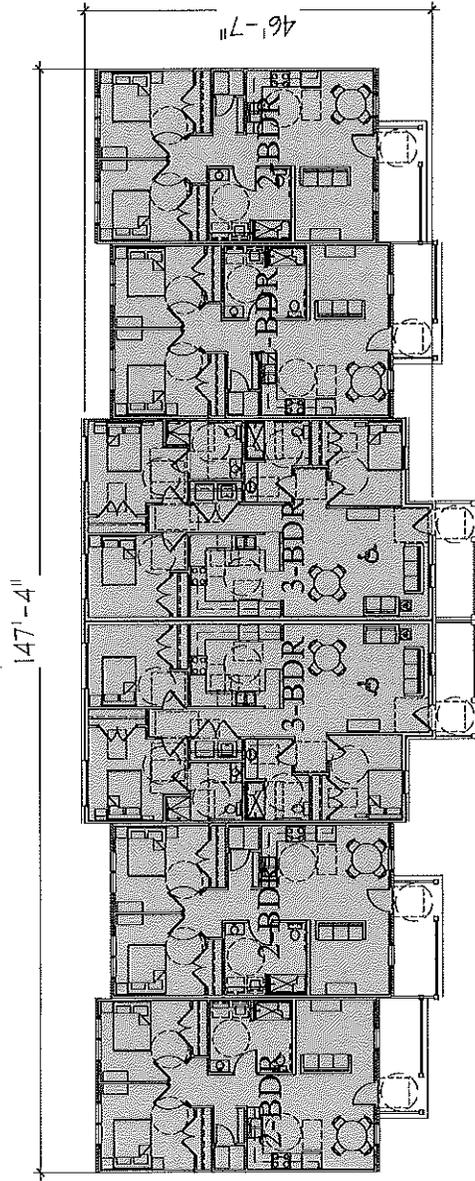
Project No:
 Drawn By: ML
 Approved: RAB
 Date: 02/01/16
 FRONT ELEV

MINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, LLC

James Plaza #255, 5, Ingers Mill, Suite 201
 Springfield, MO 65804
 Ph. 417-577-9800, Fax 417-577-9802





6-PLEX - BUILDING 'C'

BUILDING 'C' 6-PLEX FLOOR PLAN
 Scale: 1/16" = 1'-0" 5,978 SF

Project No: ML
 Drawn By: RAB
 Approved: 02/01/16
 Date: 6-PLEX PLAN

KINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, L.L.C.
 11mm Plaza #205, 1st Floor, N.W. 56th St, 201
 Ft. Lauderdale, FL 33309
 Ft. 407-577-9800; Fax 407-577-9802





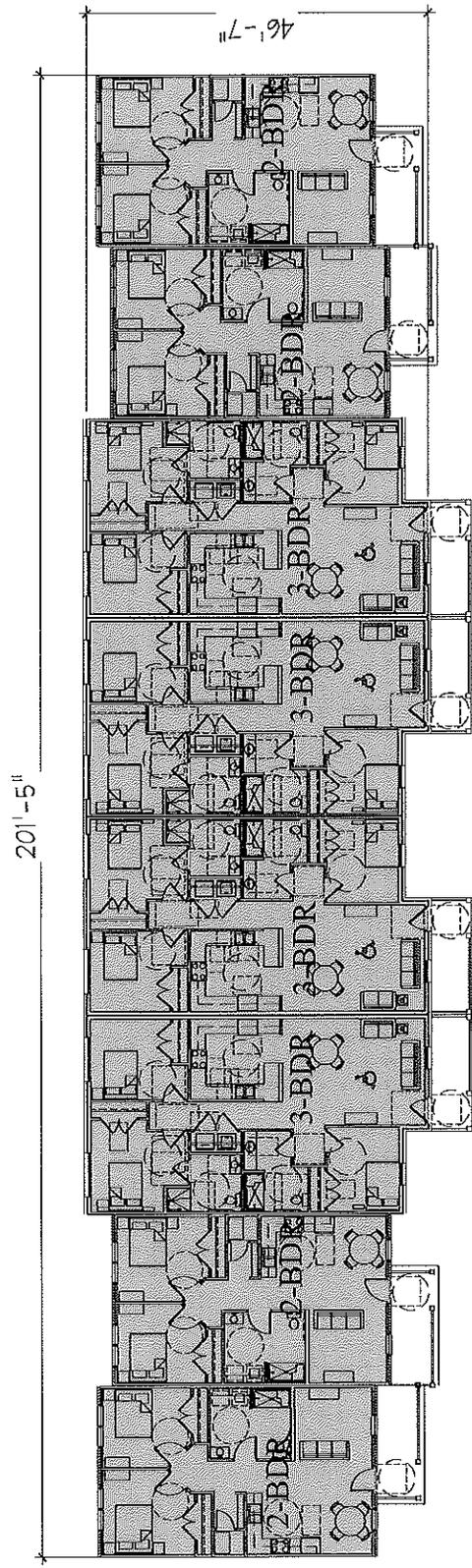
BUILDING 'B' 8-PLEX FRONT ELEVATION
 Scale: 1/16" = 1'-0"

Project No: _____
 Drawn By: RAB
 Approved: _____
 Date: 02.01.16
 FRONT ELEV

KINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC

BARDON DESIGN & ASSOCIATES, LLC.
 James P. Bardon, P.E., James M. Hill, Schultz 201
 James P. Bardon, P.E., James M. Hill, Schultz 201
 1100 S. 1st St., Suite 100
 Bonner Springs, MO 64604
 Ph. 816-877-9800; Fax 816-877-9802





8-PLEX - BUILDING 'B'

BUILDING 'B' 8-PLEX FLOOR PLAN
 Scale: 1/16" = 1'-0" 8,264 SF

Project No.	AL
Drawn By	RAB
Approved	
Date	02/01/16

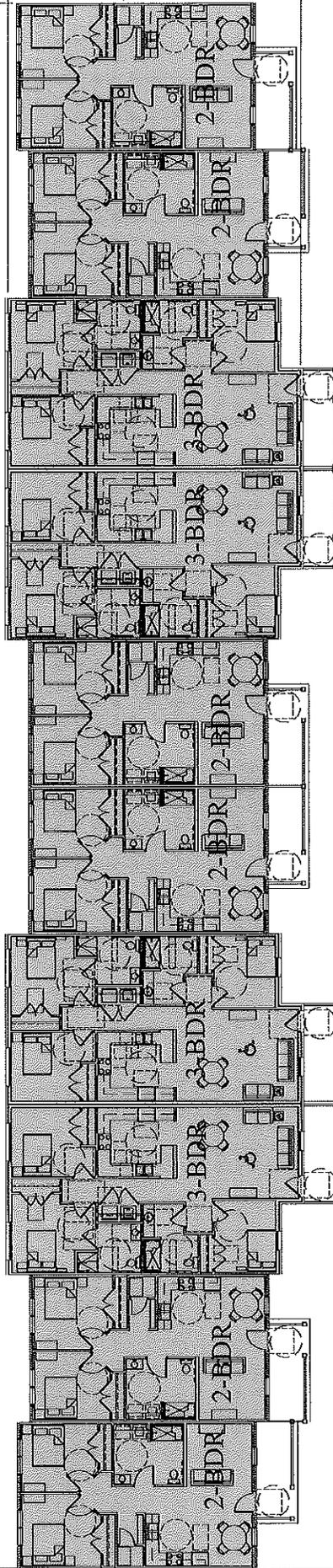
**WINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC**

BARON DESIGN & ASSOCIATES, LLC.
 James Plaza 1055 S. Jaym Hill, Suite 201
 Bonner Springs, KS 66915
 Ph. 477-9860; Fax 477-9802



248' - 1 1/2"

46' - 7"



BUILDING 'A' 10-PLEX FLOOR PLAN

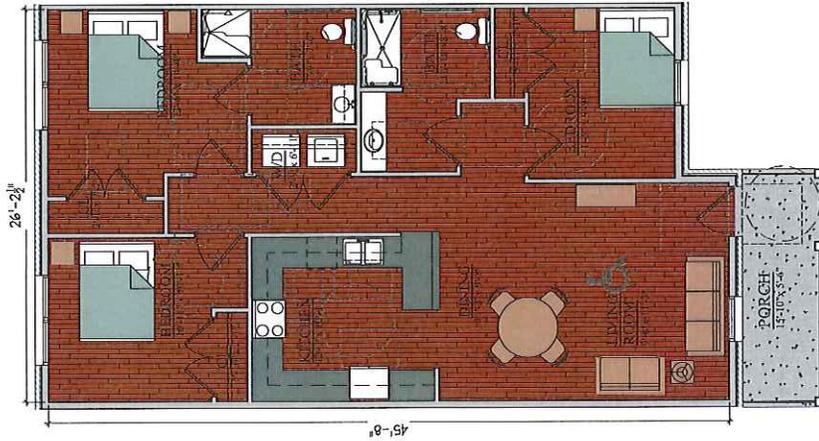
Scale: 1/16" = 1'-0" 10,098 SF

Project No. ML
Drawn By RAB
Approved Date: 02/01/16
IO-PLEX PLAN

KINDRIDGE ESTATES
MULTIFAMILY HOUSING DEVELOPMENT
BONNER SPRINGS, KANSAS
GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, LLC.
James P. Baron, LEED AP, James M. Hill, Suite 201
1405 S. 14th St., Suite 201
Bonner Springs, KS 66001
Ph: 47-977-9900; Fax: 47-977-9902





1,155
living

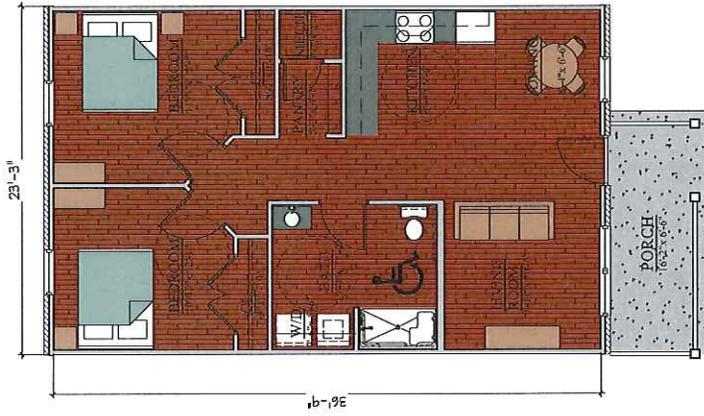
3-Bedroom / 2 Bath (ADA)

BARON DESIGN & ASSOCIATES, L.L.C. James Plaza 10525 S. James Mill, Suite 201 Overland Park, KS 66209 Ph. 472-877-9800; Fax. 472-877-9802	Project No: _____ Drawn By: M.L. Approved: RAB Date: 02.01.16 3 BDR UNIT
--	---

3- BDR UNIT PLAN
Scale: 1/8" = 1'-0"

WINDRIDGE ESTATES
MULTIFAMILY HOUSING DEVELOPMENT
BONNER SPRINGS, KANSAS
GARDNER CAPITAL, INC





810
living

2-Bedroom / 1 Bath (ADA)

BARDON DESIGN & ASSOCIATES, L.L.C.
 James P. Bardon, P.E., James M. Hill, S. Keith Zol
 1100 S. Main Street, Suite 201
 Lawrence, KS 66044
 Ph. 47-577-9800; Fax 47-577-9802

KINDRIDGE ESTATES
 MULTIFAMILY HOUSING DEVELOPMENT
 BONNER SPRINGS, KANSAS
 GARDNER CAPITAL, INC

Project No: AL
 Drawn By: RAB
 Approved: 02/01/16
 Date: 3 BDR UNIT

2- BDR UNIT PLAN
 Scale: 1/8" = 1'-0"



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

The Planning Commission will hold a public hearing on Tuesday, March 15, 2016 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:

Comprehensive Plan Change: BSCP-24: "Windridge Estates" Request to amend the Future Land Use Map of the Comprehensive Plan changing the land use designation for 7.29 acres from Commercial designation to a High-Density Residential designation; and

Rezoning: BSZ-132: "Windridge Estates" A request to rezone 7.29 acres from request to from a C-2, General Business District classification to an R-3, Multi-Family Residential District classification.

Requested by Donna Lilley, Hart Development Group for Gardner Capital under contract with Union Bank & Trust, property owners of record. These amendments are to change the current Future Land Use designation and Zoning classification to allow for the construction of a 44 unit single-story townhouse development located at 13133 Canaan Center Drive.

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

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

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

(First published 2-18-16)
1t-The Wyandotte Echo-2-18-16

PROOF OF PUBLICATION

State of Kansas, Wyandotte County, ss: **Roberta M. Peterson**, of lawful age, being duly sworn, says that she is the **PUBLISHER** of **The Wyandotte Echo**, a weekly newspaper, owned and operated by **M.R.P.P. Inc.**, printed and published in the city of Kansas City, Wyandotte County, State of Kansas, which said newspaper has a general circulation and has been admitted to the mails as second class matter in said county, and has been published therein during a period of more than five years prior to the first publication of the legal notice hereto annexed; that affiant, of her own knowledge, knows that the printed notice was published each and every issue of **The Wyandotte Echo** for 1 consecutive weeks as follows:

1st Publication was made on: February 18, 2016

2nd Publication was made on: _____

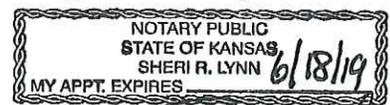
3rd Publication was made on: _____

4th Publication was made on: _____

Printer Fees: \$ 30.45

Roberta M. Peterson
SUBSCRIBED AND SWORN TO before me on this:

18th day of February, 2016



Notary Public: Sheri R. Lynn

ITEM NO. 3

PLANNING COMMISSION AGENDA

Tuesday, March 15, 2016 – 7:00 p.m.

Rezoning: BSZ-132: “Windridge Estates” a request to rezone 7.29 acres from a C-2, General Business District classification to an R-3, Multi-Family Residential District classification. Requested by Donna Lilley, Hart Development Group for Gardner Capital under contract with Union Bank & Trust, property owners of record. This amendment is to change the zoning classification to allow for the construction of a 44 unit single-story townhouse development located at 13133 Canaan Center Drive.

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. **This item will be forwarded to the Governing Body on April 11, 2016.**

REZONING: “WINDRIDGE ESTATES”**Case No.:** BSZ-132**Applicant:** Donna Lilley, Hart Development Group**Owners:** Union Bank & Trust**Developers:** Hart Development Group / Gardner Capital**Location:** 13133 Canaan Center Drive (Parcel No. 959807)**Tract Size:** 7.29 acres (Lot 1 – Sketch Preliminary Plat)**Zoning:** C-2, General Business District to R-3, Multi-Family Residential District**Land Use****Designation:** High-Density Residential Designation (If BSCP-24 is approved)**Staff Recommendation:**

Staff recommends approval of the request to rezone 7.29 acres from C-2, General Business District to R-3, Multi-Family Residential District based upon the Staff Findings presented in the Staff Report and to forward it to the Governing Body with a recommendation for approval.

Subject to four (4) conditions:

1. Approval of the Comprehensive Plan Change: BSCP-24;
2. Platting of the subject property to include the installation of all public improvements as shown on the Sketch Preliminary Plat;
3. The Official Zoning Map shall not be amended until the final plat has been approved by the City and filed with the County. The filing of the final plat shall be within a one (1) year period from the date of approval of the Zoning classification by the Governing Body. If the final plat is not filed within the one (1) year period from date approval, the Land Use designation and Zoning classification shall revert back to the prior designation and classification; and
4. Upon completion of all the above conditions, the Planning Director shall amend the Future Land Use Map and Official Zoning Map to reflect the changes approved under BSCP-24 and BSZ-132.

Exhibits:

Refer to the Exhibits listed under the Comprehensive Plan Change: BSCP-24: “Windridge Estates”

Note:

Hart Development Group LLC is under contract with Union Bank & Trust to purchase the remaining 10.38 acre unplatted tract as shown on the Sketch Preliminary Plat. The remaining 3.09 acres will retain the Commercial designation and C-2, General Business District zoning classification shown as Lot 2 and Lot 3 on the Sketch Preliminary Plat. This property is the remaining Canaan Center development foreclosed by Union Bank & Trust in early 2010 with the exception of 2.2 acre unplatted tract purchased on July 16, 2007 by HIE of Bonner Springs, LLC with a Quit Claim Deed filed on June 10, 2009 to Sunflower Hotels LLC (Parcel No. 959822 – 13040 Ridge Drive).

Background:

This request is to change the zoning classification on the Official Zoning Map from C-2, General Business District to R-3, Multi-Family Residential District to allow the construction of a 44-unit, single-story townhouse development.

The property was originally zoned commercial between the late 1960’s and early 1970’s by the County and was assigned a zoning classification of C, Neighborhood Shopping District before the property was annexed by the City.

The property was subsequently rezoned to C-P, Commercial Unit Plan District under Ordinance No. 1423 on February 18, 1986. That C-P zoning designation was later amended to C-2P, General Business District Planned with the Zoning Ordinance amended on February 2, 1987 under Ordinance No. 1461. The required Preliminary Development Plan expired; therefore, the P was removed from the zoning classification on Official Zoning Map for the remainder of Canaan Center. The current zoning is C-2, General Business District.

The reasoning for this detailed background is to show the intent for commercial development that dates back to the late 1960's with no development on the subject property.

General Information:

Current Zoning and Land Use: C-2 (General Business District) vacant;

Surrounding Zoning and Land Use:

A-1 (Agricultural District) Interstate I-70 to the south;

A-1 (Agricultural District) vacant with some agricultural uses to the west;

C-2 (General Business District) both vacant commercially zoned tracts and various commercial uses to the north and east as follows:

- US Bank – constructed 1997;
- Bonner Springs Auto Repair – constructed 1997;
- 7-11/Phillips 66 Gas & Convenience Store – constructed 1998;
- Steak & Shake (Wendy's) – constructed 1998;
- KFC-Taco Bell – constructed 1999;
- Waffle House – constructed 1999;
- El Potro Mexican Restaurant (Mazzio's) – constructed 2000;
- Subway – constructed 2004;
- Holiday Inn Express – constructed 1997; and
- Super 8 Hotel – constructed 2006.

- I. **CHARACTER OF THE NEIGHBORHOOD** – The character of the area is a mixture of various commercial uses that includes US Bank, Bonner Springs Auto Repair, 7-11/Phillips Gas & Convenience Store, Steak & Shake, KFC-Taco Bell, Waffle House, Subway and El Potro Mexican Restaurant as well as the Holiday Inn Express and Super 8 Hotel.
 - **Staff Finding** – The character of the area is a mixture of various commercial uses.
- II. **ZONING AND USES OF PROPERTY NEARBY** – See the zoning and uses of the nearby properties as shown under “General Information” listed above.
- III. **SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED** – The property was initially zoned “C” Neighborhood Shopping District by the County sometime in the late 1960's to early 1970's. The property was later rezoned to C-P, Commercial Unit Plan District that was later amended to C-2P, General Business District Planned again amended to the current C-2, General Business District zoning. The property never developed and remains vacant. The proposed use is considered a “compatible adjacent land use” and would allow for the development of the 44-unit single-story townhouse development if the change in zoning is approved.
 - **Staff Finding** – The proposed use is considered a “compatible adjacent land use” and would allow for the development of a 44-unit single-story townhouse development if the change in zoning is approved.

- IV. **EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY** – The removal of the present zoning should not have a detrimental effect on nearby properties as most of the properties are developed with various commercial uses that are considered “compatible adjacent land uses”. Two abutting properties to the west is owned by the City, with one tract dedicated to the new Water Tower along with a vacant tract for future development along with the Phase 1, Ramp from I-70 to K-7 Hwy.
- **Staff Finding** – The removal of the present zoning should not have a detrimental effect on nearby properties as most of the properties are developed with various commercial uses that are considered “compatible adjacent land uses”.
- V. **LENGTH OF TIME THE SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED** – The property was initially zoned “C” Neighborhood Shopping District by the County sometime in the late 1960’s to early 1970’s. The property was later rezoned to C-P, Commercial Unit Plan District that was later amended to C-2P, General Business District Planned again amended to the current C-2, General Business District zoning. The property never developed and remains vacant.
- **Staff Finding** – The property was initially zoned “C” Neighborhood Shopping District in the late 1960’s to early 1970’s. The property was later rezoned to its current C-2, General Business District zoning. The property never developed and remains vacant.
- VI. **RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE PETITIONER’S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNERS** – Denial of the request would not destroy the value of the petitioner’s property as it could continue to be marketed for a variety of commercial uses allowed under the current commercial zoning classification.
- **Staff Finding** – Denial of the request would not destroy the value of the petitioner’s property as it could continue to be marketed for a variety of commercial uses allowed under the current commercial zoning classification.
- VII. **AVAILABILITY AND ADEQUACY OF REQUIRED UTILITIES AND SERVICES TO SERVE THE PROPOSED USE** – All the required utilities are currently abutting the subject property and will be installed by the applicant as shown on the Sketch Preliminary Plat. Once the required public improvements are installed, all services will be available to serve the proposed use.
- **Staff Finding** – Once the required public improvements are installed, all services will be available to serve the proposed use.
- VIII. **CONFORMANCE WITH THE COMPREHENSIVE PLAN** – The current Future Land Use Map within the adopted Comprehensive Plan reflects a Commercial designation, however, if BSCP-24 is approved, the property will have a High-Density Residential designation and will then be in conformance with the adopted Comprehensive Plan.
- **Staff Finding** – The current Future Land Use Map within the adopted Comprehensive Plan reflects a Commercial designation, however, if BSCP-24 is approved, the property will have a High-Density Residential designation and will then be in conformance with the adopted Comprehensive Plan.

IX. PROFESSIONAL STAFF RECOMMENDATION**Staff Recommendation:**

Staff recommends approval of the request to rezone 7.29 acres from C-2, General Business District to R-3, Multi-Family Residential District based upon the Staff Findings presented in the Staff Report and to forward it to the Governing Body with a recommendation for approval.

Subject to four (4) conditions:

1. Approval of the Comprehensive Plan Change: BSCP-24;
2. Platting of the subject property to include the installation of all public improvements as shown on the Sketch Preliminary Plat;
3. The Official Zoning Map shall not be amended until the final plat has been approved by the City and filed with the County. The filing of the final plat shall be within a one (1) year period from the date of approval of the Zoning classification by the Governing Body. If the final plat is not filed within the one (1) year period from date approval, the Land Use designation and Zoning classification shall revert back to the prior designation and classification; and
4. Upon completion of all the above conditions, the Planning Director shall amend the Future Land Use Map and Official Zoning Map to reflect the changes approved under BSCP-24 and BSZ-132.

ITEM NO. 4

PLANNING COMMISSION AGENDA

Tuesday, March 15, 2016 – 7:00 p.m.

Special Use Permit: SUP-134: “AT&T Tower @ PMC Amphitheater”, a request for a special use permit in order to install a temporary 84’ Cell on Wheels (COW) for the 2016 concert season. Requested by Caroline Boyd, Telecom Realty Consultants, LLC for AT&T Mobility on behalf of New West Presentations under lease from the Board of County Commissioners, property owners of record. The property is zoned A-1, Agricultural District located at located at 633 N. 130th Street.

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. **This item will be forwarded to the Governing Body on April 11, 2016.**

SPECIAL USE PERMIT: AT&T TOWER @ PMC AMPHITHEATER**Case No.:** SUP-134**Applicant:** Caroline Boyd, Telecom Realty Consultants, LLC for AT&T Mobility**Owners:** Board of County Commissioners**Leased To:** New West Presentations**Location:** 633 N. 130th Street**Zoning:** A-1, Agricultural District**Tract Size:** 82.0 acres (Tracts B & D, Lenni Lenape' Haki Subdivision)**Project Type:** 84' Temporary Cell on Wheels (COW)**Staff Recommendation:**

Staff recommends approval of SUP-134: AT&T Tower @ PMC Amphitheater with the conditions specified based upon the Factors for Consideration presented in the Staff Report to forward to the Governing Body with a recommendation of approval.

Subject to the following six (6) conditions:

1. Amend Sheet A-1 to show how electricity will be provided to the temporary cell on wheels (COW);
2. Amend Sheet A-1 to correct the name of the venue from Providence Amphitheater to PMC Amphitheater;
3. A Building Permit issued by the Building Codes Department is required for the electrical power and fiber optic lines for the operation of the cell on wheels (COW);
4. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 4(11) Telecommunication Towers, Article XXVII, Special Uses of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
5. The Special Use Permit to be valid until December 31, 2016 unless:
 - a. The subject property is sold, or
 - b. When the operation of such use by the owner designated in the permit is discontinued for more than 12 months; and
6. The Special Use Permit may not be assigned, conveyed or transferred.

Exhibits:

Applicant's Letter, Affidavit – Property Owner Consent to Zoning Application, Site Plan for the Special Use Permit, Photos and the Affidavit (Proof of Publication).

Background:

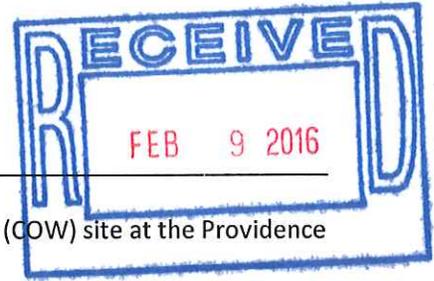
The applicant submitted a request on behalf of AT&T Mobility, for New West Presentations under lease from the Board of County Commissioners for a special use permit in order to install a temporary 84' cell on wheels (COW) during the 2016 Concert Season. The underlying Special Use Permit for "Sandstone Amphitheater" was approved under Ordinance No. 2215 on April 14, 2008. In accordance with the Zoning Ordinance, Appendix B, all communication towers (telecommunication) requires the issuance of a Special Use Permit without regard for the length of time requested for the permit.

Factors for Consideration:

1. **The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations, and use limitations, unless specifically exempted by the provisions of these regulations** – The proposed use is allowed as a special use in the A-1, Agricultural District and therefore, is an acceptable use under the use limitations thereof. The temporary cell on wheels (COW) as shown on the attached Sheet A-1 does meet all bulk and area requirements of the A-1, Agricultural District.

2. **The proposed special use at the specified location will contribute to and promote the welfare or convenience of the public** – The existing outdoor amphitheater was constructed in 1984 under the name “StarBrite” and has been used for that purpose since that time. The latest underlying Special Use Permit for “Sandstone Amphitheater” was requested by the Unified Government/KCK and approved under Ordinance No. 2215 on April 14, 2008. The need for on-site communications during concert events is critical from a 911 emergency response perspective.
3. **The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located** – The addition of the temporary 84’ cell on wheels (COW) should not have a negative effect on the value of other properties in the neighborhood as long as the conditions of approval of the special use permit coupled with the conditions placed upon the request by the property owners described in the attached Affidavit – Property Owner Consent to Zoning Application are met.
4. **The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site:**
 - a. **The location, nature and height of buildings, structures, walls and fences on the site** – No permanent additions are being proposed with this request; but rather a temporary 84’ cell on wheels (COW). Any future additions to the outdoor amphitheater will require submittal and approval of a site plan by the Planning Commission prior to receiving any construction permits.
 - b. **The nature and extent of landscaping and screening on the site** – No changes to the landscaping or screening at this time.
5. **Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect** – The off-street parking and loading areas will not increase from the current facility and meets the screening requirements from adjoining residential uses.
6. **Adequate utility, drainage, and other such necessary facilities have been or will be provided** – All utilities have been provided to the site. A Building Permit issued by the Building Codes Department is required for the electrical power and fiber optic lines for the operation of the cell on wheels (COW).
7. **Adequate access roads or entrance drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets or alleys** – Access has been provided by a paved drive accesses to the cell on wheels (COW) location.

AT&T MOBILITY COW SUP APPLICATION, 2/9/16
Caroline Boyd/Telecom Realty Consultants, LLC, agent



This SUP application is for an unmanned AT&T temporary cell on wheels (COW) site at the Providence Medical Center Amphitheater for the 2016 event season.

The event season for the AT&T COW site runs 4/18/16 – 10/31/16, and is the timeframe contemplated under AT&T's contract with the event managers. There is a two month contractual extension for any necessary unexpected events or reasons, but there are no further extensions. AT&T does not anticipate going into the extension period of the contract.

The need for additional wireless communications service is exponentially greater during Amphitheater events because of crowd influx and the corresponding increase in wireless device use. The COW will address this sporadic, but critical need, and is intended solely to address the wireless demands created by these crowds. The COW will also enhance any necessary emergency service communication during the events.

The Amphitheater parcel approximately 82.363 acres and is zoned A-1 Agricultural District. Special Uses under this district include Telecommunications Towers.

In support of this application, AT&T has attached the following documents:

1. Site plan drawings, including COW footprint & elevation
2. Aerial photo showing the COW location

Utilities/Location: The AT&T COW will be placed on a grassy area near a maintenance shed. AT&T will run underground fiber to the COW. The COW trailer will be fenced with temporary chain link fencing. Access to the trailer will be only by authorized AT&T personnel/contractors.

Public Safety Communications: The COW will use AT&T frequencies and will not interfere with Public Safety Communications.

Visual Impact: The COW will be visible to the Amphitheater road, and will have limited visibility from adjacent parcels. The base of the COW will be partially obscured on two sides by buildings and trees/vegetation.

Lighting: The COW will not be lit.

Height: The temporary tower height is 80' & the flatbed trailer is 4', making a total overall height of 84' for the temporary tower. See the elevation drawing in the site plan drawings.

Co-location: This is a temporary, crank up tower, and is not constructed/designed for co-location or for multiple users.

Other Towers: There are no other towers on this parcel. Other towers are located on parcels further away from the Amphitheater, but their coverage is not adequate to support the demands created by the crowds during events.

There was a tower on this parcel at one point in time, a 30' Verizon tower, but it is no longer there. Apparently, Verizon had a contractor remove the tower in 2011.

AFFIDAVIT – PROPERTY OWNER CONSENT TO ZONING APPLICATION

STATE OF KANSAS)
) SS:
COUNTY OF WYANDOTTE)

Comes now Douglas G. Bach, of lawful age, sound mind and open his/her oath states as follows:

1. That I am the authorized agent of the owner of 633 N 130th Street commonly known as Providence Medical Center Amphitheater owned by the Board of County Commissioners:
2. I have reviewed the application to the City of Bonner Springs, Kansas, by AT&T Mobility for an 84 foot tall Cell on Wheels (COW) to be located by the maintenance shed.
3. That after fully reviewing the application, I authorize the zoning application for a period of time not to extend past December 31, 2016.

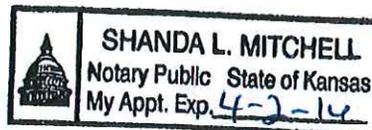
Further affiant saith not.

Douglas G. Bach
Affiant

SUBSCRIBED IN MY PRESENCE AND SWORN to before me this 9th day of February, 2014.

My commission expires 2nd of April, 2014.

Shanda L. Mitchell
Notary Public





**LEGAL DEPARTMENT of the UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY, KANSAS**

**Municipal Office Building – Room 961
701 North Seventh Street
Kansas City, Kansas 66101
Phone (913) 573-5060
Fax (913) 573-5243**

Chief Counsel
Kenneth J. Moore

Assistants:
Henry E. Couchman, Jr.
Patrick Waters
Misty Brown
Jennifer Meyers
Ryan Carpenter
Ryan Haga
Colin Welsh
Anna Krstulic
Jane Wilson

New West Presentations
633 N. 130th Street
Bonner Springs, KS 66012
Attn: Chris Fritz

February 9, 2016

Dear Chris:

Thank you for pursuing an opportunity to improve the cellular coverage at Providence Medical Center Amphitheater. This is important for customer service, but more importantly for emergency communications. As discussed, I would allow you to pass the affidavit enclosed to AT&T so we can begin mutually working towards this end.

I am providing you with an ownership affidavit that will allow an application to permit this temporary Cell on Wheels (COW) facility for the 2016 season. The affidavit authorizes AT&T mobility to make a zoning application to the City of Bonner Springs. I believe this is what our teams are pursuing at your request.

While I understand that this is perhaps not what is ultimately desired, I would like for our teams to spend time in 2016 working towards a permanent solution so that as vendors and providers change over the years, our customers are always going to have a first rate experience. I know that we both want all of the customers to have the best possible service and look forward to seeing what our team can work with you to propose as a long term solution.

Sincerely,

Misty S. Brown
Senior Counsel

Enc.

Cc. Joe Connor
Rob Richardson

NOTES

THIS PROJECT WILL PLACE AN ATT MOBILITY COW CELL ON WHEELS ON THE PROPERTY CONTAINING THE PROVIDENCE AMPHITHEATER. THE STRUCTURE WILL ADD ADDITIONAL CELL PHONE CAPACITY TO THE NETWORK THROUGHOUT THE 2016 SEASON BEFORE, DURING & AFTER THE EVENTS.

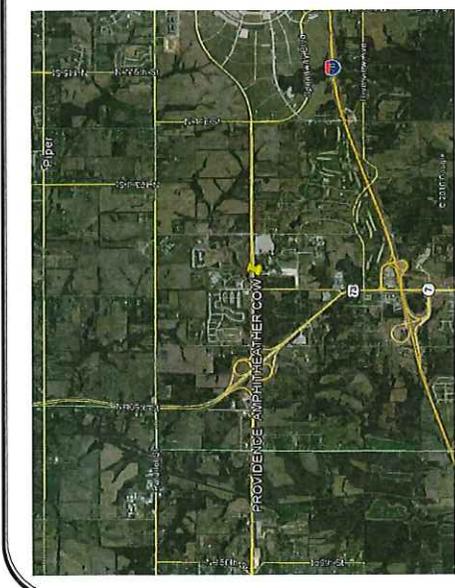
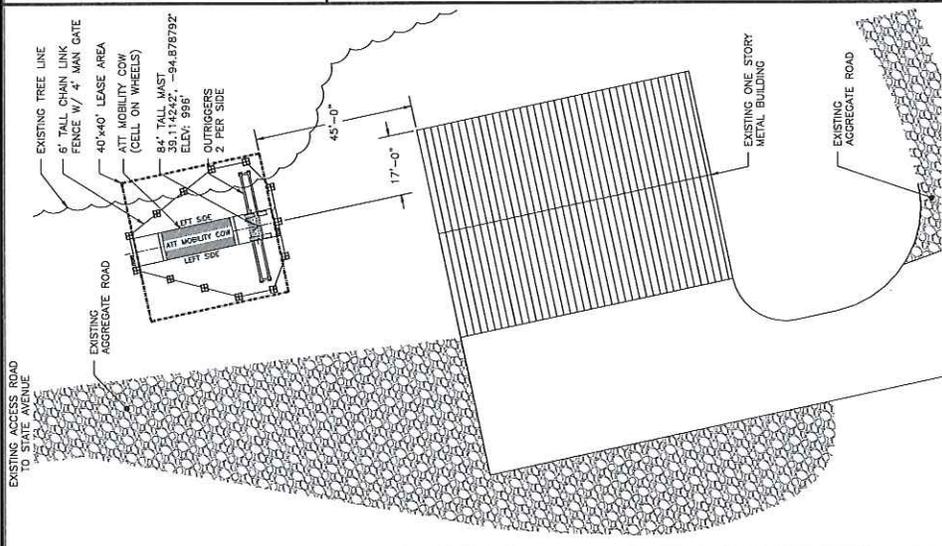
STATE: KANSAS
 COUNTY: WYANDOTTE
 JURISDICTION: BONNER SPRINGS

THE COW IS COMPRISED OF AN 84'-60" TRAILER WITH AN INTEGRATED SHELTER AND TRIANGULAR CROSS SECTION 80' SELF-SUPPORT TOWER.

OWNER: ORDERED GOVERNMENT OF KANSAS CITY
 635 N. 130TH STREET
 BONNER SPRINGS, KS 66012
 JAMIE WHITEHEAD, VENUE MGR

FACILITIES
 POWER: KCP&L
 TELCO: ATT
 ELEV: 996'

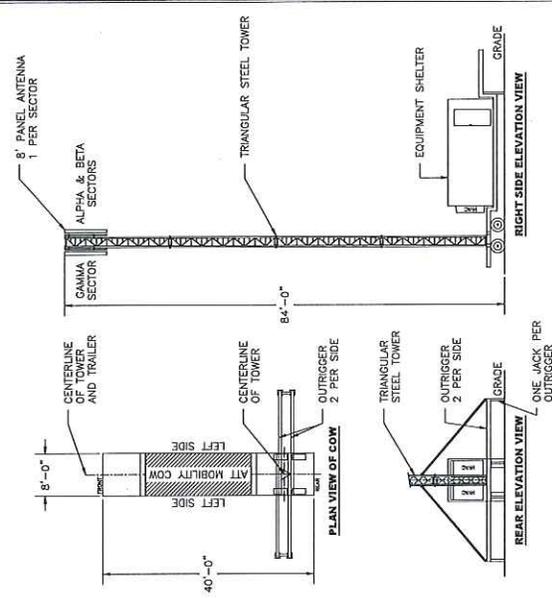
LAT & LONGS: N 39.114242, W 94.878792



VICINITY MAP
SCALE N.T.S.



LOCATION MAP
SCALE N.T.S.



COW PLAN AND ELEVATION
SCALE 3/32" = 1'-0"

DESIGNER

1111 South Tower Square, Suite 202
 Bonner Springs, KS 66012
 781-864-8676

CLIENT

13778 MANCHESTER ROAD
 BONNER SPRINGS, KS 66012
 PHONE: 781-864-8676

DRAWING TITLE
 MAPS, SITE PLAN AND COW PLAN AND ELEVATIONS

SITE ADDRESS
 MARKET: KANSAS CITY
 937 N. 131ST STREET
 BONNER SPRINGS, KS 66012

ISSUED REVISIONS

NO.	DATE	REVISION

A-1

SHEET



PROOF OF PUBLICATION

NOTICE

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

The Planning Commission will hold a public hearing on Tuesday, March 15, 2016 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:

Special Use Permit: SUP-134: "AT&T Tower @ PMC Amphitheater", Request for a special use permit in order to install a temporary 84' Cell on Wheels (COW) for a period of one (1) year during the 2016 concert season.

Requested by Caroline Boyd, Telecom Realty Consultants, LLC for AT&T Mobility on behalf of New West Presentations under lease from the Wyandotte County Board of County Commissioners, property owners of record. The property is located at 633 N. 130th Street on 82.36 acres of property zoned A-1, Agricultural District.

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

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 (First published 2-18-16) 1t-The Wyandotte Echo-2-18-16

State of Kansas, Wyandotte County, ss: Roberta M. Peterson, of lawful age, being duly sworn, says that she is the PUBLISHER of The Wyandotte Echo, a weekly newspaper, owned and operated by M.R.P.P. Inc., printed and published in the city of Kansas City, Wyandotte County, State of Kansas, which said newspaper has a general circulation and has been admitted to the mails as second class matter in said county, and has been published therein during a period of more than five years prior to the first publication of the legal notice hereto annexed; that affiant, of her own knowledge, knows that the printed notice was published each and every issue of The Wyandotte Echo for 1 consecutive weeks as follows:

1st Publication was made on: FEBRUARY 18, 2016

2nd Publication was made on: _____

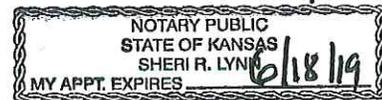
3rd Publication was made on: _____

4th Publication was made on: _____

Printer Fees: \$ 24.15

Roberta M. Peterson SUBSCRIBED AND SWORN TO before me on this:

18th day of FEBRUARY, 2016



Notary Public: Sheri R. Lynn

ITEM NO. 5

PLANNING COMMISSION AGENDA

Tuesday, March 15, 2016 – 7:00 p.m.

Site/Landscape Plan: ST-16-100, “Canaan Center Lots 7 & 8” a request by Scott Mosburg, Mosburg and Associates, property owners of record. The Site/Landscape Plan is being submitted in order to construct additional parking on Lot 8 to replace the parking removed for the 25’ x 36’ building addition to the El Potro Mexican Restaurant. The property is zoned C-2, General Business District located at 13045 Canaan Center Drive.

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.

SITE/LANDSCAPE PLAN: CANAAN CENTER LOTS 7 & 8

Case No.: ST-16-100
Applicant/Owner: Scott Mosburg, Mosburg & Associates
Engineer: David P. Lutgen, Lutgen Engineering
Location: 13035 Canaan Center Drive (Lot 7 – Parcel No. 263200)
13045 Canaan Center Drive (Lot 8 – Parcel No. 263201)
Zoning: C-2, General Business District
Lot Size: 0.92 acres
Building Use: El Potro Mexican Restaurant – Current Building = 3,826 sq.ft.
Building Addition: 25' x 36' (900 sq.ft.)
Parking Stalls: 55 Stalls currently provided on Lot 7 – 51 Stalls will remain on Lot 7 after Building Addition – Total of 63 Stalls will be required with the Building Addition

Staff Recommendation:

The Development Staff recommends approval of the Site/Landscape Plan subject to the 11 listed conditions to include all Standing Conditions listed below:

1. Provide the Planning Department with a filed copy of the Permanent Parking Easement with Exhibit from the Wyandotte County Register of Deeds that encumbers 13 parking stalls located on Lot 8 that are required for the building addition Lot 7;
2. Revise Sheet 1 - Site Plan to change the 24" RCP and CMP storm water piping to 24" HDPE pipe;
3. Revise Sheet 1 - Site Plan and Sheet 1 - Grading Plan by adding a Handicapped symbol to the west parking stall in front of the building as three (3) handicapped stalls are required; and
4. The parking lot drainage contours need to ensure that all water from impervious surfaces exits the site via the proposed storm sewer system. No water will be allowed to flow out of the driveways;
5. The storm sewer trench necessary to connect the private storm sewer system to the detention pond will require compacted backfill within the right-of-way of Canaan Center Drive;
6. Submit three (3) sets of the Construction Documents for the construction of the private on-site storm water system to include Conditions No. 2-6 above to the Planning Department for review and approval;
7. Submit an Earth Change Permit application along with three (3) copies of the signed/sealed Grading, Sedimentation and Erosion Control Plan along with the \$50.00 filing fee to the Planning Department for approval prior to any site excavation;
8. Recommend the "stucco finish" match the existing brick color or change the material to brick to match the existing building. Also recommend changing the exterior color of the stucco finish on the bathroom addition to match;
9. On Sheet K-1, revise the spelling of El Potro and Cannon Center accordingly;
10. On Sheet K-Elev, revise the spelling of Cannon Center and Bonnor Springs accordingly; and
11. Resubmit two (2) full size copies of all sheets and one (1) PDF copy of the revised Site/Landscape Plan to the Planning Department to address all the above conditions for the Planning Director's final approval.

Exhibits:

Filed copy Permanent Parking Easement/Exhibit, Site, Landscape and Grading Plans, Floor Plan, Elevations, Final Plat Lots 7 & 8, Canaan Center and Photos of Lot 7 Storm Water drainage.

Staff Analysis:

The Site/Landscape Plan is being submitted in order to construct a 25' x 36' (900 sq.ft.) building addition to the current restaurant for a new Reception Hall. An additional emergency exit is also being provided on the east wall along 130th St. Terrace per the Building Official's request. The submitted Site/Landscape Plan does meet the minimum submittal requirements of the Zoning Ordinance.

Standing Site Plan Conditions:

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

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

1. Provide the Planning Department with a filed copy of the Permanent Parking Easement with Exhibit from the Wyandotte County Register of Deeds that encumbers 13 parking stalls located on Lot 8 that are required for the building addition Lot 7;
2. Revise Sheet 1 - Site Plan to change the 24" RCP and CMP storm water piping to 24" HDPE pipe;
3. Revise Sheet 1 - Site Plan and Sheet 1 - Grading Plan by adding a Handicapped symbol to the west parking stall in front of the building as three (3) handicapped stalls are required;
4. Submit three (3) sets of the Construction Documents for the construction of the private on-site storm water system to the Planning Department for reviews and approval;
5. Submit an Earth Change Permit application along with three (3) copies of the signed/sealed Grading, Sedimentation and Erosion Control Plan along with the \$50.00 filing fee to the Planning Department for approval prior to any site excavation; and
6. Recommend the "stucco finish" match the existing brick color or change the material to brick to match the existing building. Also recommend changing the exterior color of the stucco finish on the bathroom addition to match.

Building Official:

1. Provide an emergency exit along the east wall for emergency exiting purposes. The condition was added to Sheet K-1 Floor Plan.

City Engineer:

1. The drainage information regarding detention was reviewed and approved prior to this submission and therefore I have no comment on the drainage and detention calculations;
2. The parking lot drainage contours need to ensure that all water from impervious surfaces exits the site via the proposed storm sewer system. No water will be allowed to flow out of the driveways; and
3. The storm sewer trench necessary to connect the private storm sewer system to the detention pond will require compacted backfill within the right-of-way of Canaan Center Drive.

Economic Development Director:

1. A mutual access easement should be defined between the 2 parking lots in case either lot sells in the future;
2. On Sheet K-1, El Potro and Canaan Center are misspelled;
3. On Sheet K-Elev, Canaan Center and Bonner are misspelled; and
4. The use of stucco on the addition will make it stand out and look like an addition; matching brick would be more attractive and aesthetically pleasing.

Interim Public Works/Utilities Director:

1. Water main is on north side of Canaan Drive;
2. Consideration for grease interceptor should be taken into account; and
3. Landscaping trees cannot be placed within Utility easements that contain sewer or waterlines.



8 1 5 7 6 0 9
Tx:4086847

2016R-01988

NANCY BURNS
REGISTER OF DEEDS
WYANDOTTE COUNTY, KS
RECORDED ON
02/17/2016 2:12:02 PM
REC FEE: 18.00
TECHNOLOGY FEE: 6.00
HERITAGE FEE: 2.00
PAGES: 2

✓

Permanent Parking Easement

Parcel No. 263201 – Lot 8 - Canaan Center Lots 7 and 8

KNOW ALL MEN BY THESE PRESENTS, that: Scott Mosburg, Mosburg & Associates, hereinafter called Grantor(s), do hereby acknowledged, grant, and convey to its successors and assigns, a perpetual (permanent) parking easement on the following land owned by the Grantor(s) in Bonner Springs, Wyandotte County, Kansas, to wit: * *Mosburg and Associates*

Exhibit: Attached as Exhibit "B"
Parcel No. 263201
Lot No. / Subdivision: Lot 8 - Canaan Center Lot 7 and 8
Street Address: 13045 Canaan Center Drive, Bonner Springs, KS 66012

Scott Mosburg
PRES.

This agreement shall constitute a covenant running with the land of the Owner(s) as the parking required for the restaurant located on Lot 7 – Canaan Center Lots 7 and 8 (Parcel No. 263200) will be allowed to utilize 13 parking stalls located on Lot 8 – Canaan Center Lots 7 & 8.

IN WITNESS WHEREOF the said Owner(s) have executed this instrument this 16 day of FEBRUARY, 2016, at Bonner Springs, Kansas.

Scott Mosburg Pres.
Signature of Owner(s)

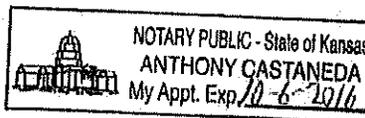
STATE OF KANSAS, COUNTY OF WYANDOTTE, SS:) ss:

BE IT REMEMBERED that on this 16 day of FEBRUARY, 2016, before me, the undersigned a Notary Public in and for the County and State aforesaid, came Scott Mosburg Pres. *, 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.

Anthony Castaneda
Notary Public

My Commission Expires: (Seal)

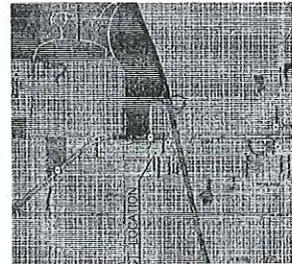
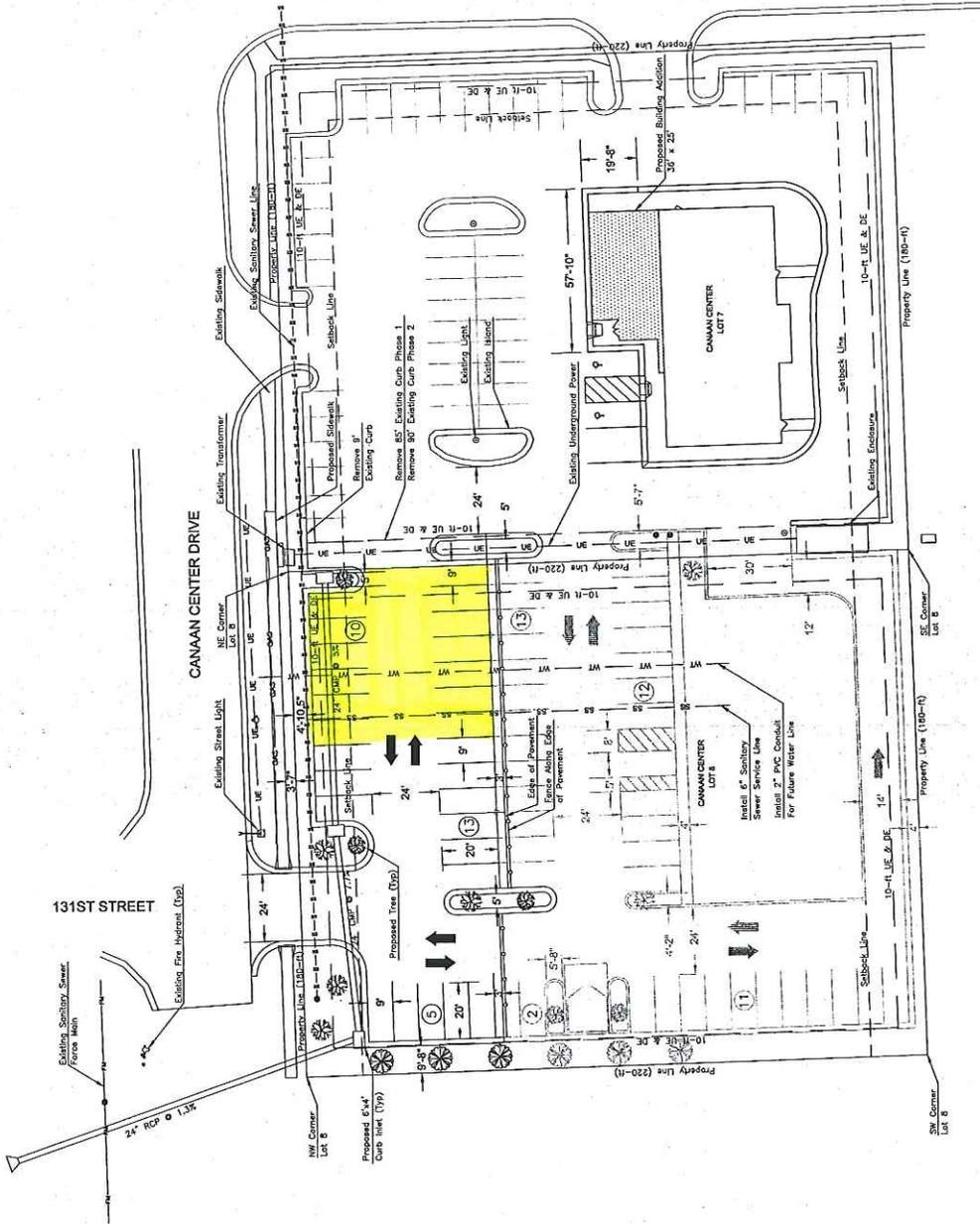


* *Mosburg and Associates*

CANAAN CENTER LOT 7 & 8 SITE PLAN

Zoning	C-2
Setbacks	
Front	20'
Rear	20'
Side	0'

Existing Detention Pond



PROJECT LOCATION

DATE	BY	PROJECT
10/11/13	JM	131ST STREET
10/11/13	JM	131ST STREET

AUTOCAD VBA 13.0 PERFORMING BLOCK



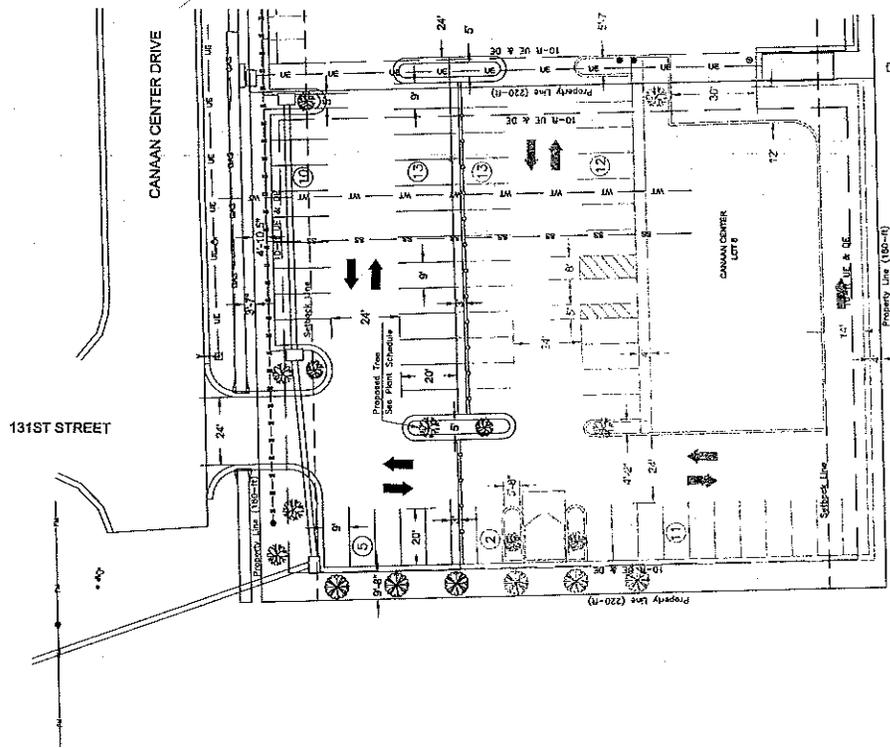
SHEET NO.
1 of 1

SITE PLAN
CANAAN CENTER LOT 7 & 8
13045 CANAAN CENTER DRIVE
BONNER SPRINGS, KS

LUTGEN ENGINEERING
David P. Lutgen, P.E.
15554 E. 35th St.
Bonner Springs, Kansas 66007
Phone 913-683-2864

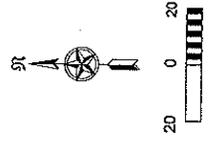
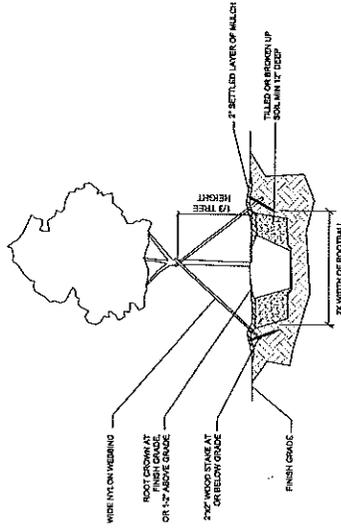
Job No.		
Drawn By		
Checked By		
Design Date		
NO.	DATE	REVISIONS
1		
2		
3		
4		
5		

CANAAN CENTER LOT 7 & 8 LANDSCAPE PLAN



TREES REQUIRED	PHASE 1	PHASE 2
1 TREE/40-FT FRONTAGE	5	4
1 TREE/10 PARKING STALLS	3	4

COMMON NAME	SCIENTIFIC NAME	PHASE 1	PHASE 2	SIZE	SPACING
	Eastern Redbud	3	2	6-FT	10-FT
	Amur Maple	4	2	6-FT	10-FT
	American Sweetgum	3	3	6-FT	20-FT



NO.	DATE	REVISIONS	BY	APP'D.
1				
2				
3				
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Designed By	
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Checked By	
Issue Date	
Job No.	

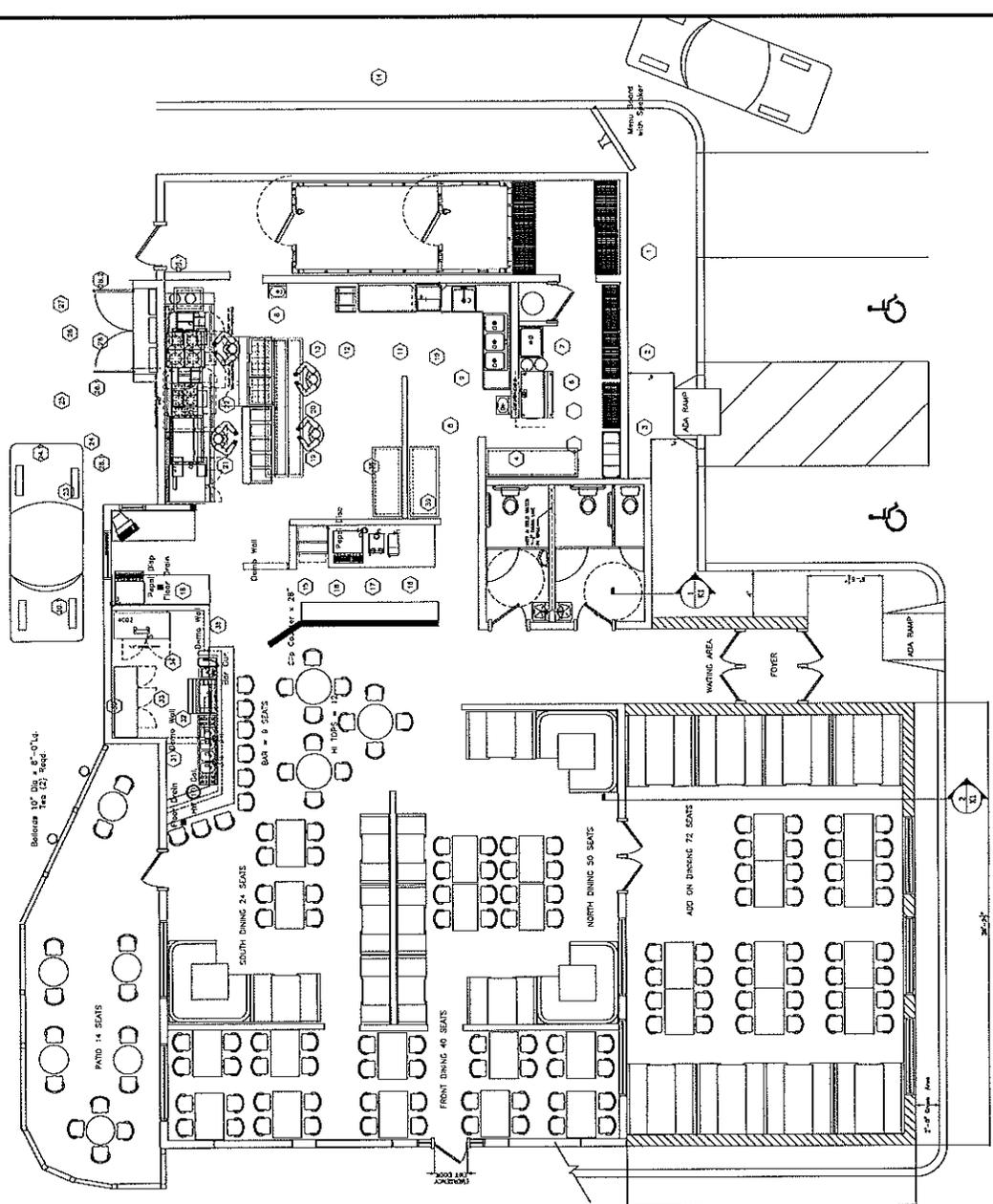
LUTGEN ENGINEERING
 Dent P. Lutgen, P.E.
 15541 Elm St.
 Bonner, Kansas 66007
 Phone 913-681-2864

LANDSCAPE PLAN
 CANAAN CENTER LOT 7 & 8
 13045 CANAAN CENTER DRIVE
 BONNER SPRINGS, KS

SHEET NO.
 1 OF 1

EQUIPMENT SCHEDULE	
NO.	DESCRIPTION
1	1/2" DIA. 1/4" THICK
2	3/4" DIA. 1/4" THICK
3	1" DIA. 1/4" THICK
4	1 1/2" DIA. 1/4" THICK
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200	99 1/2" DIA. 1/4" THICK

SEATING SCHEDULE	
FRONT DINING	= 40
NORTH DINING	= 50
SOUTH DINING	= 24
BAR	= 9
H. TOPS	= 12
SUB TOTAL	= 135
PATIO SEATS	= 14
TOTAL	= 149



EQUIPMENT LAYOUT PLAN
Scale: 1/4" = 1'-0"

GENERAL NOTES

1. This drawing is intended to be used in accordance with the specifications and conditions of use set forth in the contract documents. It is not to be used for any other purpose without the written consent of the architect.
2. The contractor shall be responsible for the procurement and installation of all equipment and materials shown on this drawing. The contractor shall also be responsible for the coordination of all equipment and materials with the other trades.
3. This drawing is intended to be used in accordance with the specifications and conditions of use set forth in the contract documents. It is not to be used for any other purpose without the written consent of the architect.

PROJECT
EL PORTO
MOSBURG & ASSOCIATES
13035 Canton Center Drive
Banner Springs, Kansas 66612

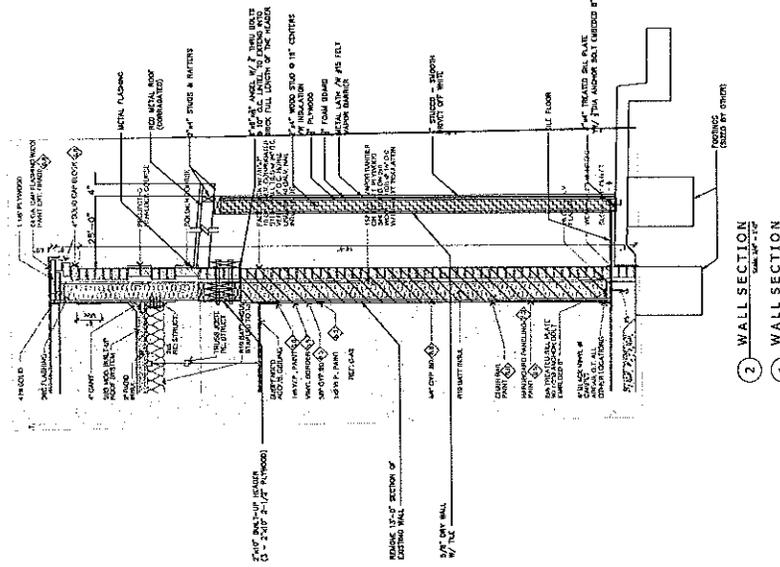
CLIENT
B Food Services Equipment
& J Contract Department
3333 W. 12th Street
Kansas City, KS 64101
Phone: (816) 451-4185 / Fax: (816) 421-5229

DATE
REV. NO. DATE BY

SCALE
1/4" = 1'-0"

REVISIONS

NO.	DATE	DESCRIPTION



WALL SECTION
Scale: 3/8" = 1'-0"

WALL SECTION
Scale: 3/8" = 1'-0"

