

# CITY COUNCIL AGENDA

Monday, April 11, 2016

Council Meeting – 7:30 p.m.

1. Proclamation Presentation - Volunteer Recognition Week - April 10 - April 16
2. Proclamation Presentation - National Work Zone Awareness Week April 11 - April 15
3. Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)

CONSENT AGENDA - If a Councilmember has a simple question about an item, it can be asked before the Mayor calls for the vote on the Consent Agenda. An item only needs to be removed from the Consent Agenda if it warrants discussion.

4. Minutes of the March 28, 2016 City Council Meeting
5. Claims for City Operations for April 11, 2016
6. Public Housing Authority Claims for April 11, 2016
7. Appointments to Boards and Commissions

## REGULAR MEETING AGENDA

8. Comprehensive Plan Change: BSCP-24: Windridge Estates
9. Rezoning: BSZ-132: Windridge Estates
10. Resolution of Support for Windridge Estates
11. Special Use Permit: SUP-134: AT&T Tower at PMC Amphitheater
12. Resolution to Approve the FY 2016 Public Housing Authority Revised Annual Plan
13. Resolution to Amend FY 2016 PHA Operating Budget
14. City Manager's Report
15. City Council Items
16. Mayor's Report



# *City of Bonner Springs*

P. O. Box 38, 205 East Second Street, Bonner Springs, KS 66012

**NO WORKSHOP MEETING**

**REGULAR CITY COUNCIL MEETING**

**7:30 p.m.**

**CITY HALL COUNCIL CHAMBERS**

**Monday, April 11, 2016**

*Life is Better in Bonner Springs*

# ITEM NO. 1

City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

**AGENDA ITEM: Proclamation Presentation - Volunteer Recognition Week - April 10 through April 16**

**ACTION: The Mayor will present a proclamation for Volunteer Recognition Week.**

**STAFF RECOMMENDATION:**

## ITEM NO. 2

**City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Proclamation Presentation - National Work Zone Awareness Week  
April 11 through April 15**

**ACTION: The Mayor will present a proclamation for National Work Zone Awareness Week**

**STAFF RECOMMENDATION:**

# ITEM NO. 3

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Citizen Concerns About Items Not on Today's Agenda. (Copies of written material presented to the City Council also needs to be provided to the City Clerk.)**

**ACTION:** None

**STAFF RECOMMENDATION:**

This item is for comments and questions from the audience about items that are not included on today's agenda.

## **CONSENT AGENDA**

**The City Council will consider Consent Agenda items by one motion with no discussion unless the City Council, Staff or the audience requests removal of an item from the Consent Agenda. The City Council will consider an item removed from the Consent Agenda as the next item after their action on the Consent Agenda.**

# ITEM NO. 4

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Minutes of the March 28, 2016 City Council Meeting**

**ACTION: Make a Motion to Approve the Minutes of the Regular Meeting Held on March 28, 2016**

**STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval**

Enclosed are the minutes for approval.

**City Council Workshop Meeting – Monday, March 28, 2016 – 6:45 p.m.**

**Governing Body Present:** Mayor Jeff Harrington and Councilmembers: Tom Stephens, Bob Reeves, Joe Peterson, Dani Gurley, Mike Thompson, Mark Kipp, George Cooper and Rodger Shannon

**City Staff Present:** Amber McCullough, City Clerk; Tillie LaPlante, Finance Director, Marcia Harrington, Community and Economic Development Director and Skip Dobbs, Parks and Recreation Director

**City Staff Absent:** Sean Pederson, City Manager

**Others Present:** Dan Trent, City Attorney

**WS – 1 – UG Amphitheater Capital Improvements Memorandum of Understanding –** The Community and Economic Development Director presented:

- Introduced Joe Connor and Misty White, Unified Government, and Jamie Whitehead and Chris Fritz, New West Productions.
- At the July 27, 2015 Workshop meeting Chris Fritz, New West Productions, presented a request for assistance from the Unified Government and the City of Bonner Springs in the amount of \$865,000 with Bonner Springs contributing \$30,000 for capital improvements at the Providence Medical Center Amphitheater.
- New West Productions proposed making an annual \$15,000 user fee payment to the City in lieu of the amusement tax revenue collected, and to pay the City \$.25 for every ticket sold over 52,500.
- The City Attorney determined it would not be in the City's best interest to override the Charter Ordinance to eliminate the Amusement Tax.
- The current proposal is that the City will continue to collect the Amusement Tax at the current rates of \$.40 per ticket sold from 2016 - 2020 and \$.45 per ticket sold from 2021 - 2025. The City will pay the Unified Government any funds collected from the Amusement Tax over \$15,000.
- The City will pay the Unified Government \$.15 for each ticket sold over the minimum for 2016 – 2020 and \$.20 for each ticket sold over the minimum for 2021 – 2025.
- The Unified Government will establish a designated Bond/Capital Improvement fund to receive the payments which will be used to repay the debt.
- The \$30,000 up front payment was encumbered in the 2015 budget with \$15,000 funded from Tourism and \$15,000 from the General Fund.
- Staff recommended the City Council approve the Memorandum of Understanding with the Unified Government for Providence Medical Center Amphitheater Capital Improvements.

The City Council reached consensus without opposition to place the Memorandum of Understanding on a City Council Meeting agenda.

**WS – 2 – Tobacco 21: Purchase Age –** The Parks and Recreation Director presented:

- Introduced Scott Hall, Greater Kansas City Chamber of Commerce Vice President for Strategic Initiatives who explained "Tobacco 21" is an initiative by the Healthy KC Tobacco Action Team to promote healthy communities. The initiative proposes raising the age for purchase and sale of tobacco products to 21 years old.
- Scott Hall introduced Ed Ellerbeck MD, KU Cancer Center who stated 95% of smokers start before they are 21 years old. Adolescents' developing brains are more susceptible to the addictive effects of nicotine which makes them more vulnerable to other addictions.
- Rebecca Garza, Tobacco Free Wyandotte Coordinator at The Unified Government Public Health Department, supported raising the legal age to purchase tobacco to twenty-one to decrease adolescent use. Rebecca reviewed information included in the agenda packet.
- General discussion included how age 21 was selected, surrounding communities' support of the initiative and the determination to make changes at the city level rather than the state level.

The meeting adjourned at 7:25 p.m.

## City Council Minutes – Regular Meeting – Monday, March 28, 2016

The Bonner Springs City Council met in regular session at 7:30 p.m. on Monday, March 28, 2016.

**Governing Body Present:** Mayor Jeff Harrington; Councilmembers: Tom Stephens, Bob Reeves, George Cooper, Joe Peterson, Dani Gurley, Mark Kipp, Mike Thompson and Rodger Shannon

**City Staff Present:** Amber McCullough, City Clerk; Tillie LaPlante, Finance Director; Marcia Harrington, Community and Economic Development Director; Skip Dobbs, Parks and Recreation Director; Carrie Newton, Public Housing Director and Rick Sailler, Utilities Director

**City Staff Absent:** Sean Pederson, City Manager

**Others Present:** Dan Trent, City Attorney

The Mayor led the Pledge of Allegiance to the Flag of the United States of America.

**Item No. 1 – Proclamation Presentation – Fair Housing Month - April–** The Mayor presented a proclamation to the Public Housing Authority Director to recognize Fair Housing Month.

**Item No. 2 - Proclamation Presentation – National Library Week - April 10 through 16 –** The Mayor presented a proclamation to Jack Granath, Library Director to recognize National Library Week.

**Item No. 3 - Citizen Concerns About Items Not on Today’s Agenda –** None presented.

### CONSENT AGENDA

The Council President read the Consent Agenda Items 4 through 8 and asked the staff, audience or City Council if they wished to remove an item for separate consideration. No items were removed.

**Item No. 4 – Minutes of the March 14, 2016 City Council Meeting –** Presented for approval.

**Item No. 5 – Claims for City Operations for March 28, 2016 -** Presented for approval were the Supplement Claims in the amount of \$26,242.49 and Regular Claims in the amount of \$96,452.73.

**Item No. 6 – Public Housing Authority Claims for March 28, 2016 –** Presented for approval were Supplement Claims in the amount of \$734.34 and Regular Claims in the amount of \$16,128.55.

**Item No. 7 – Appointments to Boards and Commissions –** Bonner Beautiful – Reappoint Norman Maier, Sherri Neff and Ted Stolfus for three-year terms expiring April 2019. Library Board – Appoint Vicky Wheeler for a four-year term to replace Kelby Sherer whose term expires in April 2016.

**Item No. 8 – Strategic Planning Agreement –** Staff included the proposed contract, scope of service, timeline and cost information in the agenda packet.

### CONSENT AGENDA APPROVAL

Reeves made a Motion to Approve the Consent Agenda. Stephens seconded the motion and it carried on a vote of eight to zero.

### REGULAR MEETING AGENDA

**Item No. 9 – Tobacco 21: Purchase Age –** The Parks and Recreation Director presented:

➤ Dan Trent, City Attorney, suggested giving sufficient time before making the ordinance effective for merchants to update registers and place signage.

Cooper made a Motion to Approve an Ordinance to Raise the Age to Purchase Tobacco Products from 18 to 21 Years of Age in the City effective July 1, 2016. Reeves seconded the motion and it carried on a vote of eight to zero. **Assigned Ordinance No. 2422.**

**Item No. 10 – Award of Mowing Contract –** The Community and Economic Development Director presented:

➤ Each year the City requests bids to mow property when grass and/or weeds reach a height of twelve inches or more and the property owners do not mow by the deadline date.

➤ The City received five bids for 2016 Mowing Services: Arbor Masters Tree & Landscape - \$4,150, Custom Tree Care - \$2,940, Supreme Green Landworks - \$2,712.50, Predator Termite and Pest Control - \$2,553.75 and Top Care, Inc. - \$2,065.

➤ Staff used weighted bids this year instead of averages.

➤ Staff recommended the City Council approve to award the bid to Top Care, Inc. to expire March 31, 2017.

➤ The 2016 Property Maintenance Code has \$4,000 budgeted to cover these costs.

Shannon made a Motion to Award the 2016 Mowing Services Contract to Top Care, Inc. to expire March 31, 2017. Thompson seconded the motion and it carried on a vote of eight to zero.

**Item No. 11 – Public Housing Rent Rates –** The Public Housing Authority Director presented:

➤ The Consolidated Appropriations Act of 2014 required the Public Housing Authority (PHA) to set flat rent rates at a minimum of 80% of Fair Market Rents for the Kansas City area.

➤ Staff enclosed a memo explaining the proposed flat rents for PHA apartments.

➤ Staff recommended the City Council approve the Flat Rate Rent schedule.

Reeves made a Motion to Approve the Flat Rate Rent Schedule. Shannon seconded the motion and it carried on a vote of eight to zero.

**Item No. 12 – UG Amphitheater Capital Improvements Memorandum of Understanding** – The Community and Economic Development Director presented:

➤ The City Council discussed the Capital Improvements Memorandum of Understanding at the Workshop Meeting.

➤ The Unified Government is making \$865,000 in Capital Improvements to the Providence Medical Center Amphitheater. The Unified Government owns the property and New West Presentations runs the operations.

➤ The Unified Government requested Bonner Springs assist with financing the Capital Improvements including a \$30,000 up-front payment and funds from the Amusement Tax. Bonner Springs will keep \$15,000 of the Amusement Tax for a specified number of tickets yearly and remit the remainder to the Unified Government for the next ten years.

➤ Bonner Springs will remit to the Unified Government \$.15 for each ticket sold over the specified number for the first five-years of the agreement and \$.20 per ticket for the last five years of the agreement.

Cooper made a Motion to Approve the UG Amphitheater Capital Improvements Memorandum of Understanding. Shannon seconded the motion and it carried on a vote of eight to zero.

**Item No. 13 – Water and Wastewater Utility Rates** – The Utilities Director presented:

➤ Staff briefed the City Council on the rates at the March 14, 2016 Workshop.

➤ Staff recommended the City Council approve rates effective April 1, 2016 as follows:

- A 2% increase for Water Rates and Service charges. The service charge for residential customers will increase from \$12.60 to \$12.85 per month. Usage rates for residential customers will increase from \$5.64 per 1,000 gallons to \$5.57 per 1,000 gallons.
- A 6.8% increase for high volume water rate (over 120,000 gallons) increase of \$0.32 per 1,000 gallons from \$4.69 per 1,000 gallons to \$5.01 per 1,000 gallons.
- An 8% increase for Wastewater Rates and Service charges. The service charge for residential customers will increase from \$14.95 to \$16.15 per month. Usage rates for residential customers will increase from \$5.69 per 1,000 gallons to \$6.15 per 1,000 gallons.
- Remove discounted water rate for 70,000-120,000 gallons
- Remove the Water Service fee for ¾”, 1 ½” and 8” meters.
- Temporary Water Service Rate for fire hydrant water usage at 25% above base rate at \$6.96 per 1,000 gallons.

Thompson made a Motion to Approve the Water and Wastewater Rate and Fee Adjustments Effective April 1, 2016. Gurley seconded the motion and it carried on a vote of eight to zero.

**Item No. 14 – City Manager’s Report** – Staff included the City Manager’s report in the agenda packet.

**Item No. 15 – City Council Items** –

➤ Stephens stated Officer Davis provided t-shirts to the City Council which were supplied by the Bonner Springs High School Criminal Justice Club shirts to discourage texting and driving.

➤ Stephens encouraged everyone to attend the K-32 Tri-City Multimodal Redevelopment Plan meeting on Thursday March 31<sup>st</sup> from 6:00-7:30pm in the Sunflower room at the Community Center.

➤ Cooper received complaints from citizens that when the City repaved the street at Pratt and Park the contractor pushed the leaves and asphalt around the fire hydrant.

➤ Cooper stated he received complaints about the parking lot at the former Thriftway store.

➤ Gurley asked if Gambino’s will get a liquor license.

➤ Kipp reported the Parks and Recreation Easter Egg hunt drew 231 children with 6,000 eggs.

**Item No. 16 – Mayor’s Report** – The Mayor reported:

➤ Will assist the Rotary Club selling newspapers on Royals’ opening day at Nettleton and Kump.

➤ The utility cut repair on 138<sup>th</sup> Street north of Metropolitan seems to be failing.

➤ A resident at 13038 Swartz was concerned about the condition of his yard after the water main repair. Staff reported the resident has been contacted and the city will place sod in his yard next week weather permitting.

➤ Continues to meet with the Wyandotte-Johnson County Mayor’s group and encouraged everyone to contact their legislators and voice their opinion.

The meeting adjourned at 8:01 p.m.

\_\_\_\_\_  
Amber McCullough, City Clerk

# ITEM NO. 5

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Claims for City Operations for April 11, 2016**

**ACTION: Make a Motion to Approve the Claims for City Operations for April 11, 2016**

**STAFF RECOMMENDATION: The City Manager and City Clerk Recommend Approval**

Enclosed are the Supplement Claims for City Operations in the amount of \$147,503.62 and the Regular Claims in the amount of \$214,559.36.

Note: If a Councilmember has questions on any of the claims, it would be helpful to call or email ahead in order to get a detailed answer.

Check Register Report

SUPPLEMENTAL CHECK REGISTER

Date: 04/05/2016

Time: 3:45 pm

Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK &amp; TRUST Checks</b>							
129677	03/25/2016	Printed		4413	AT & T 5001	PHONE SERVICE	3,527.82
129678	03/25/2016	Void	03/25/2016			Void Check	0.00
129679	03/25/2016	Void	03/25/2016			Void Check	0.00
129680	03/25/2016	Void	03/25/2016			Void Check	0.00
129681	03/25/2016	Void	03/25/2016			Void Check	0.00
129682	03/25/2016	Void	03/25/2016			Void Check	0.00
129683	03/25/2016	Void	03/25/2016			Void Check	0.00
129684	03/25/2016	Void	03/25/2016			Void Check	0.00
129685	03/25/2016	Printed		6536	BANKCARD PROCESSING CENTER	SECURITY DOOR&WINDOW,CONF FEES	10,713.10
129686	03/25/2016	Printed		0122	BONNER SPGS FIREFIGHTERS ASSC	PAYROLL DEDUCTIONS	270.92
129687	03/25/2016	Printed		3665	W H GRIFFIN, TRUSTEE	PAYROLL DEDUCTIONS	2,220.00
129688	03/25/2016	Printed		7513	HSA BANK	PAYROLL DEDUCTIONS	620.00
129689	03/25/2016	Printed		0898	ICMA RETIREMENT CORPORATION	PAYROLL DEDUCTS/BENEFITS	26,241.42
129690	03/25/2016	Printed		2195	KANSAS PAYMENT CENTER	PAYROLL DEDUCTIONS	562.61
129691	03/25/2016	Printed		9879	MAINSTREET CREDIT UNION	PAYROLL DEDUCTIONS	3,177.82
129692	03/25/2016	Printed		8001	MIDWEST PUBLIC RISK	HEALTH,DENTAL,VISION INSURANCE	63,584.33
129693	03/25/2016	Printed		7206	NATIONAL INSURANCE MARKETING	PAYROLL DEDUCTIONS	2,490.81
129694	03/25/2016	Printed		2884	PITNEY BOWES	QTRLY MAINT/RENTAL AGMT	462.00
129695	03/25/2016	Printed		7665	JUSTIN SHERBINO	COURT BOND REFUND	100.00
129696	03/25/2016	Printed		4441	TMHC SVCS INC	DRUG POOL EXPENSES	378.50
129697	03/25/2016	Printed		8307	UNITED WAY	CONTRIBUTIONS	432.00
129698	03/25/2016	Void	03/25/2016			Void Check	0.00
129699	03/25/2016	Void	03/25/2016			Void Check	0.00
129700	03/25/2016	Printed		1315	WALMART COMMUNITY GEGRB	PRINTER,CLEANING/REC PROG SUPP	735.86
129701	03/29/2016	Printed		5271	HARTFORD INS CO OF THE MIDWEST	FLOOD INSURANCE-SOUTH PARK	1,371.00
129702	03/29/2016	Printed		7666	HEARTLAND MIDWEST	UT OVERPAYMENT REFUND	4.80
129703	03/29/2016	Printed		7667	HUMANA HEALTH CARE PLANS	AMBULANCE OVERPAYMNT REFUND	324.53
129704	03/29/2016	Printed		7043	LOCKTON COMPANIES, LLC	STORAGE TANK INSURANCE	201.60
129705	03/29/2016	Printed		1186	UNIFIED GOVERNMENT OF IMPROV	REISSUE CK AMPHITHEATER	30,000.00
129706	03/31/2016	Printed		1835	KACE	CONFERENCE FEE-PROPERTY MAINT	84.50
<b>Total Checks: 30</b>						<b>Checks Total (excluding void checks):</b>	<b>147,503.62</b>
<b>Total Payments: 30</b>						<b>Bank Total (excluding void checks):</b>	<b>147,503.62</b>
<b>Total Payments: 30</b>						<b>Grand Total (excluding void checks):</b>	<b>147,503.62</b>

Check Register Report

CHECK REGISTER

Date: 04/05/2016

Time: 3:42 pm

Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK &amp; TRUST Checks</b>							
129707	04/05/2016	Printed		7679	ADVANCED AES	SECURITY DEPOSIT REFUND	961.35
129708	04/05/2016	Void	04/05/2016			Void Check	0.00
129709	04/05/2016	Printed		3562	ALAMAR	UNIFORMS-PD	1,531.79
129710	04/05/2016	Printed		5615	AT & T 5011	SPECIAL CIRCUITS & ALARMS	291.58
129711	04/05/2016	Printed		7349	ATF BONNER SPRINGS,LLC	RETAIL INCENTIVE REBATE	435.37
129712	04/05/2016	Printed		0109	BERNING TIRE COMPANY	VEH MAINT/REPAIRS-PROP MAINT	29.85
129713	04/05/2016	Printed		0341	BLUHM MONUMENT INC	CEMETERY MONUMENT REPAIRS	1,190.00
129714	04/05/2016	Printed		0121	BONNER SPGS LIBRARY	LV CO TAX DISTRIBUTION	8.75
129715	04/05/2016	Printed		2798	BONNER SPRINGS AUTO REPAIR LLC	VEH MAINT/REPAIRS-EMS	170.00
129716	04/05/2016	Printed		6869	BONNER SPRNGS PARTNERS II, LLC	CID PAYMENT 1ST QUARTER	19,832.01
129717	04/05/2016	Printed		4172	BOUND TREE MEDICAL	MEDICAL SUPPLIES-EMS	158.76
129718	04/05/2016	Printed		7677	GORDON BREST	RENTAL DEPOSIT REFUND	100.00
129719	04/05/2016	Printed		7102	CENTRAL SECURITY GROUP-	SECURITY SYSTEM MONITORING	122.00
129720	04/05/2016	Printed		0144	CITY OF BONNER SPRINGS KS	SECURITY DEPOSITS APPLIED	425.00
129721	04/05/2016	Printed		2410	CITY TREASURER KCK	RESIDENTIAL REFUSE SVC	33,084.72
129722	04/05/2016	Printed		3511	CLARK MIDDLE SCHOOL	8TH GRADE AT-RISK PROGRAM	780.00
129723	04/05/2016	Printed		5560	COMMERCIAL AQUATIC SVCS INC	POOL WATER TESTER	499.00
129724	04/05/2016	Printed		5320	CREATIVE PRODUCTS SOURCING INC	D.A.R.E GRADUATION SUPPLIES-PD	1,666.65
129725	04/05/2016	Printed		6509	CS CAREY, INC.	MULCH F/COMMUNITY GARDEN	90.00
129726	04/05/2016	Printed		9965	DEE DEE'S JEWELRY &	RETAIL INCENTIVE REBATE	104.71
129727	04/05/2016	Printed		2626	EL POTRO MEXICAN CAFE 3 LLC	RETAIL INCENTIVE REBATE	2,915.78
129728	04/05/2016	Printed		5516	EXECUTIVE MARKETING PROMOTIONS	SPRING SOCCER UNIFORMS-REC PRG	2,376.35
129729	04/05/2016	Printed		4342	FELDMANS	GRASS SEED & STRAW F/COM GARDN	202.71
129730	04/05/2016	Printed		7501	CRYSTAL FRAKER	SOCCER REFEREE FEES	60.00
129731	04/05/2016	Printed		2898	GARLAND TAYLOR HOME	RETAIL INCENTIVE REBATE	8.31
129732	04/05/2016	Printed		7678	RICK GRIMM	RENTAL DEPOSIT REFUND	100.00
129733	04/05/2016	Printed		1532	GT DISTRIBUTORS	FIREARMS-PD	187.97
129734	04/05/2016	Printed		7627	HEART OF AMERICA LOCKSMITH LLC	ELECTRIC LOCK&INSTALLATION-PD	1,339.50
129735	04/05/2016	Printed		7666	HEARTLAND MIDWEST	SECURITY DEPOSIT REFUND	1,000.00
129736	04/05/2016	Printed		7348	HEARTLAND STEAK N SHAKE LLC	RETAIL INCENTIVE REBATE	1,528.84
129737	04/05/2016	Printed		7242	HELGET GAS PRODUCTS INC	OXYGEN-EMS	2.36
129738	04/05/2016	Printed		7676	AMBER HERRERA	RENTAL DEPOSIT REFUND	150.00
129739	04/05/2016	Printed		1990	BRET HOGAN	RENTAL DEPOSIT REFUND	100.00
129740	04/05/2016	Printed		5932	IMAGE TREND INC	FIELD BRIDGE SUPPORT-EMS	800.00
129741	04/05/2016	Printed		1888	JEFF W. JONES	RETAIL INCENTIVE REBATE	4.86
129742	04/05/2016	Printed		6093	KANSAS STATE TREASURER	STATE COURT FEES	9,392.50
129743	04/05/2016	Printed		2014	KCPL	ELECTRIC SERVICE	58.64
129744	04/05/2016	Printed		2364	KS DEPT OF HEALTH & ENVIROMENT	UNDERGROUND FUEL TANK PERMIT	20.00
129745	04/05/2016	Printed		0593	KS FEDERAL SURPLUS PROPERTY	STORAGE CONTAINER-PD	50.00
129746	04/05/2016	Printed		3003	LAKE OF THE FOREST INC	REFUSE SUBSIDY	247.00
129747	04/05/2016	Printed		6837	LAMAR TEXAS LIMITED PARTNERSHP	BILLBOARD ADVERTISING-TOURISM	415.00
129748	04/05/2016	Printed		2419	LARUE DISTRIBUTING INC	COFFEE & SUPPLIES-EMS/PD	377.80
129749	04/05/2016	Printed		1836	LOWE'S CREDIT SERVICES	COMMUNITY GARDEN SUPPLIES	84.26
129750	04/05/2016	Printed		7674	LISA MARTIN	RENTAL DEPOSIT REFUND	100.00
129751	04/05/2016	Printed		7587	MCANANY OIL CO., INC.	MOTOR FUEL	6,626.63
129752	04/05/2016	Printed		2953	AMBER MCCULLOUGH	MILEAGE EXPENSE 3/7-3/28	115.94
129753	04/05/2016	Printed		5912	MID AMERICA REGIONAL COUNCIL	MEMBER CONTRIBUTION-CITY CLERK	753.00
129754	04/05/2016	Printed		3759	MIDWEST BUS SALES INC	VEH MAINT/REPAIRS-TIBLOW	1,045.42
129755	04/05/2016	Printed		7669	MILAN PROPERTIES LLC	DEVELOPER REIMB CEDAR RIDGE	1,654.82



# ITEM NO. 6

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Public Housing Authority Claims for April 11, 2016**

**ACTION: Make a Motion to Approve the Public Housing Authority Claims for April 11, 2016**

**STAFF RECOMMENDATION: The City Manager and Finance Director Recommend Approval**

Enclosed are the Regular Claims in the amount of \$1,033.61.

Check Register Report

PUBLIC HOUSING CHECK REGISTER

Date: 04/05/2016

Time: 3:10 pm

Page: 1

Bonner Springs City Hall

BANK: UNION BANK & TRUST-PHA

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK &amp; TRUST-PHA Checks</b>							
97383	04/05/2016	Printed		P325	P A GREEN WAY HOME CLEANING	CLEAN AFTER TENANT MOVE	280.00
97384	04/05/2016	Printed		P827	P ATMOS ENERGY	TENANT UTILITY REIMBURSEMENT	184.71
97385	04/05/2016	Printed		P542	P LINDSEY SOFTWARE SYS INC	ACCOUNTING SVCS	142.00
97386	04/05/2016	Printed		P713	P WASTE MANAGEMENT OF MISSOURI	REFUSE SERVICE	62.61
97387	04/05/2016	Printed		P472	P WESTAR ENERGY	TENANT UTILITY REIMBURSEMENT	364.29
<b>Total Checks: 5</b>						<b>Checks Total (excluding void checks):</b>	<b>1,033.61</b>
<b>Total Payments: 5</b>						<b>Bank Total (excluding void checks):</b>	<b>1,033.61</b>
<b>Total Payments: 5</b>						<b>Grand Total (excluding void checks):</b>	<b>1,033.61</b>

**ITEM NO. 7**

**City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

<b>Name</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
<b>Mayor Jeff Harrington</b>				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Appointments to Boards and Commissions**

**ACTION: Make a Motion to Approve Appointments to Boards and Commissions**

**STAFF RECOMMENDATION: The Mayor Recommends Approval**

Bonner Beautiful - Appoint Cecelia Correa for a three-year term ending April 2019. Ms. Correa is filling the vacancy from the term expiration of Marilyn Tallman. Her bio form is on file in the City Clerk's Office.

## ACTION FOR CONSENT AGENDA

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

- Reminder:**
1. Councilmembers need to abstain on check numbers on the claims issued to their personal business.
  2. If a Councilmember has a simple question about a Consent Agenda item, it can be asked before the Mayor calls for a vote on the Consent Agenda.
  3. If a Councilmember feels a Consent Agenda item warrants discussion, then it needs to be removed from the Consent Agenda.

Staff Present: \_\_\_\_\_

## REGULAR AGENDA

The City Council will consider the following items individually.

# ITEM NO. 8

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Comprehensive Plan Change: BSCP-24: Windridge Estates**

**ACTION: Make a Motion to Accept the Comprehensive Plan Change for Windridge Estates.**

**STAFF RECOMMENDATION: The City Manager, Planning Director, and Planning Commission Recommend Approval**

The conditions for approval and background information are enclosed.

**City Council Staff Report**

**April 11, 2016**

To: Mayor and City Council  
Thru: Sean Pederson, City Manager  
From: Don E. Slone, AICP, CFM, Planning Director  
Subject: Comprehensive Plan Change: BSCP-24: "Windridge Estates"



**Recommendation:**

The Planning Commission, by unanimous vote, recommend 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.

**Note:** The approval of this item is incorporated into the adopting Ordinance to rezone the subject property.

**Exhibits:**

Applicant's Letter(s), Comprehensive Plan Change/Rezoning Exhibit, Sketch Preliminary Plat, Site Layout Plan, Building Elevations and Floor Plans.

**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).

**Discussion:**

Staff presented the following information to the Planning Commission including an Excerpt of the Minutes and Exhibits from the March 15, 2016 Public Hearing by the Planning Commission:

**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

**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.

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**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 131<sup>st</sup> 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 134<sup>th</sup> 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.

**Excerpt of the Minutes from the March 15, 2016 Public Hearing by the Planning Commission:**

Chairman Parks stated he has a conflict of interest on the Windridge Estates project as he represents Union Bank & Trust, property owners of record. Chairman Parks turned over the meeting to Vice-Chairman Pierce at 7:02 pm.

Vice-Chairman Pierce introduced **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. Vice-Chairman Pierce also stated the Planning Commission will be discussing both the Comprehensive Plan Change and Rezoning but will take separate votes on each item.

Vice-Chairman Pierce opened the public hearing at 7:04 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve this item as listed in the Staff Report. He also stated the applicant is considering increasing the development to 88 units which is still well below the allowable number of units in the R-3, Multi-Family Residential District. The Planning Director also requested the applicant's March 9, 2016 letter be entered into the record that stated acceptance of the conditions of approval of the Comprehensive Plan Change and Rezoning. That letter states the applicant agrees to all the conditions listed, but requests the public improvements for Lot 2 as shown on the Sketch Preliminary Plat which includes the roadway and utility extension for Canaan Center Drive west of 131 Street be constructed when Lot 2 is developed.

Vice-Chairman Pierce asked if the applicant would like to address the Planning Commission. **Donna Lilley, Hart Development Group** stated that she was in agreement with Staff's recommendation and had nothing to add but would be glad to answer any questions from the Planning Commission.

Vice-Chairman Pierce asked if anyone in the audience had any questions or comments.

**Jean Jacques, 115 N. 134<sup>th</sup> Street** stated that she lives in the old Walker School and was just curious about the project. She asked if there were any pictures of how the units will look as she did receive the information from Mr. Slone that went to all the property owners within 200 feet. She also asked if Hart Development developed a project in St. Louis or in Park Place in Kansas City, Missouri. Donna Lilley stated that Hart Development did the project in St. Louis and would be glad to send her the pictures as well as the Windridge Estates plans.

**Dennis Jacques, 115 N. 134<sup>th</sup> Street** asked if all the applicants are purchasing the 10.38 acres or just the 7.29 acres for this development. Paul Barrett, Vice-President Union Bank & Trust stated that the applicants, Hart Development Group have a contract to purchase the entire 10.38 acres.

**BC Kinsley, 13142 Riverview Avenue** asked about the storm water detention as his pond receives a significant amount of silt and mud every time it rains any significant amount. The Planning Director stated that this development will utilize the detention pond adjacent to Canaan Center Drive and that should mitigate this issue. He did state that there were runoff problems from the Riverview Crossings project that was developed several years ago but has since been revegetated and has significantly reduced or eliminated any silt runoff. The Planning Director also stated that the natural drainage flows from south to north through his pond eventually into the Wolf Creek drainage basin.

**Denise Garrett, Realtor** stated that she was in attendance at the request of her client, Cheryl Nickolett, who owns the property that abuts the proposed development that is currently on the market.

**Clodis Hunt, 13309 Riverview Avenue** stated the City acquired property from him for the new street (Canaan Center Drive): He then asked when the new street would be constructed and who would build it. The Planning Director stated the street would most likely be constructed as development occurred.

**Mike Ford, 13225 Riverview Avenue** stated this development will cause additional traffic in his neighborhood and along the rear of his property once the new street is constructed. He asked if a Traffic Study was done for this development as he thinks it will add additional traffic to Riverview.

**Dennis Jacques, 115 N. 134<sup>th</sup> Street** asked about the dead end streets shown on the Site Plan. He stated that he has seen people drive over his property and go down the grass on the Canaan Center Drive right-of-way and

thought that these dead end streets would allow others to access the back of his property from the proposed development. The Planning Director responded that the access points that look like dead end streets are to provide access to the City's property on the south end for a new elevated water tower that was donated to the City by KDOT. The property would eventually be fenced to prohibit access to Mr. Jacques' property.

Vice-Chairman Pierce asked if anyone else in the audience had any further questions or comments. Seeing none he closed the public hearing at 7:32 p.m. and asked for a motion. Commissioner Kasselmann made a motion to approve the Comprehensive Plan Change as recommended with a second from Commissioner Mesmer.

Vice-Chairman Pierce asked if the Planning Commission had any comments or questions. Seeing none, he asked the Planning Director if a Traffic Study was done or needed for this development. Mr. Slone stated that he did not believe a Traffic Study was needed since the street network would be completed with this development. If the street network was not to be completed, a Traffic Study would be required.

Vice-Chairman Pierce asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 5-0.

The Planning Director stated that he will forward this item to the Governing Body on April 11, 2016 with a Planning Commission recommendation of approval.



**Hart Development Group**

March 9, 2016

Mr. Don Slone  
Planning Director  
City of Bonner Springs  
205 E. 2nd Street, P.O. Box 38  
Bonner Springs KS 66012-0038

Re: Staff Reports for Comp Plan Change and Rezoning

Dear Mr. Slone,

I have received and reviewed the staff reports for the Comprehensive Plan Change as well as the Rezoning of the property at approximately 13133 Canaan Center Drive. I appreciate the time and effort that you and your staff have given to this process.

I agree with all aspect of this report though I would like to make one clarification. We have agreed to include in our development of Lot 1 (proposed for Windridge Estates) all the street improvements which include 131<sup>st</sup> Street south of Canaan Center Drive to connect with Ridge Drive as well as the extension of Canaan Center Drive from its current location to the west side of 131<sup>st</sup> Street. The development of any public improvements including roadway and utility for the extension of Canaan Center Drive west of 131<sup>st</sup> Street shall be determined when Lot 2 as shown on the Sketch Preliminary Plat is developed.

We certainly look forward to working with the city for the development of Windridge Estates. Should you have any comment or question, please feel free to reach me at 816-875-8000.

Thank you,



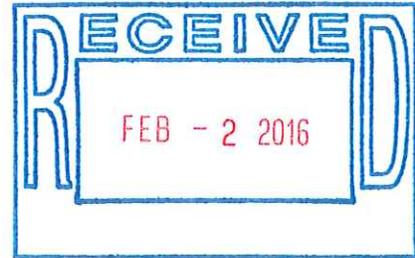
Donna Lilley



## Hart Development Group

February 2, 2016

Mr. Don E. Slone  
Planning Director  
City of Bonner Springs  
205 E 2<sup>nd</sup> 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 as 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

# COMPREHENSIVE PLAN CHANGE / RE ZONING FOR WINDRIDGE ESTATES

BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS

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



LOCATION MAP

- DEVELOPMENT INFORMATION
- A. EXISTING ZONING C-2
  - B. PROPOSED ZONING R-3
  - C. TOTAL LAND AREA 7.2986c
  - D. MAXIMUM DENSITY IN R-3 = 18 UNITS PER ACRE

LEGAL DESCRIPTION:  
SECTION 17, TOWNSHIP 11 SOUTH, RANGE 23 EAST, IN THE CITY LIMITS OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS:  
BEGINNING AT THE SOUTH WEST CORNER OF LOT 2, FINAL PLAT OF CAMAAN CENTER HOTELS, A SUBDIVISION OF LAND IN THE CITY OF BONNER SPRING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF;  
THENCE SOUTH 75 DEGREES, 31 MINUTES, 47 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE 70 AS SAID RIGHT OF WAY NOW EXIST A DISTANCE OF 444.02 FEET;  
THENCE NORTH 01 DEGREES, 39 MINUTES, 27 SECONDS WEST A DISTANCE OF 1026.11 FEET;  
THENCE NORTH 86 DEGREES, 19 MINUTES, 57 SECONDS EAST A DISTANCE OF 308.63 FEET;  
THENCE SOUTH 01 DEGREES, 44 MINUTES, 40 SECONDS EAST A DISTANCE OF 40.07 FEET;  
THENCE SOUTH 14 DEGREES, 28 MINUTES, 28 SECONDS WEST A DISTANCE OF 200.00 FEET;  
THENCE SOUTH 14 DEGREES, 28 MINUTES, 28 SECONDS EAST A DISTANCE OF 175.00 FEET;  
TO THE POINT OF BEGINNING CONTAINING 7.2986 ACRES.



BENCHMARK



## REZONING PLAN

PROJECT CONTRACT: HART DEVELOPMENT P.L.C.  
1414 E. PRIMEOSE, SUITE 100  
SPRINGFIELD, MO 65804  
PH.# 314-561-5910

**BDA**  
ARCHITECTS — PLANNERS — ENGINEERS  
BARON DESIGN & ASSOCIATES, L.L.C.  
1100 N. W. 10th St., Suite 100  
Bonner Springs, MO 64608  
PH: 816-251-1100 FAX: 816-251-1101

CONSULTANTS:  
M.E.P.:  
CIVIL:  
**Q** **Quicker Engineers, Inc.**  
Civil/Engineering/Development  
1414 E. PRIMEOSE, SUITE 100  
SPRINGFIELD, MO 65804  
PHONE: 314-561-5910

CONSTRUCTION OF:  
WINDRIDGE  
MULTIFAMILY  
HOUSING  
DEVELOPMENT  
BONNER SPRINGS, KS  
COUNTY

DATE: 01-22-16  
REVISION DATE:  
DESIGN DRAWN:  
APPROVED:  
SHEET TITLE:  
REZONING PLAN

SHEET NUMBER:  
**C102**  
PROJECT NO.:



**BARON DESIGN & ASSOCIATES, L.L.C.**  
 ARCHITECTS - PLANNERS - ENGINEERS  
 202 Springfield, MO 65804  
 Ph: 417-733-1111, Fax: 417-733-1122

**Quick Engineering, Inc.**  
 Civil Engineering & Surveying  
 1010 S. Summit St., Suite 101  
 Springfield, MO 65804  
 Phone: (417) 386-8425

CONSULTANTS:  
 M.E.P.:  
 CIVIL:

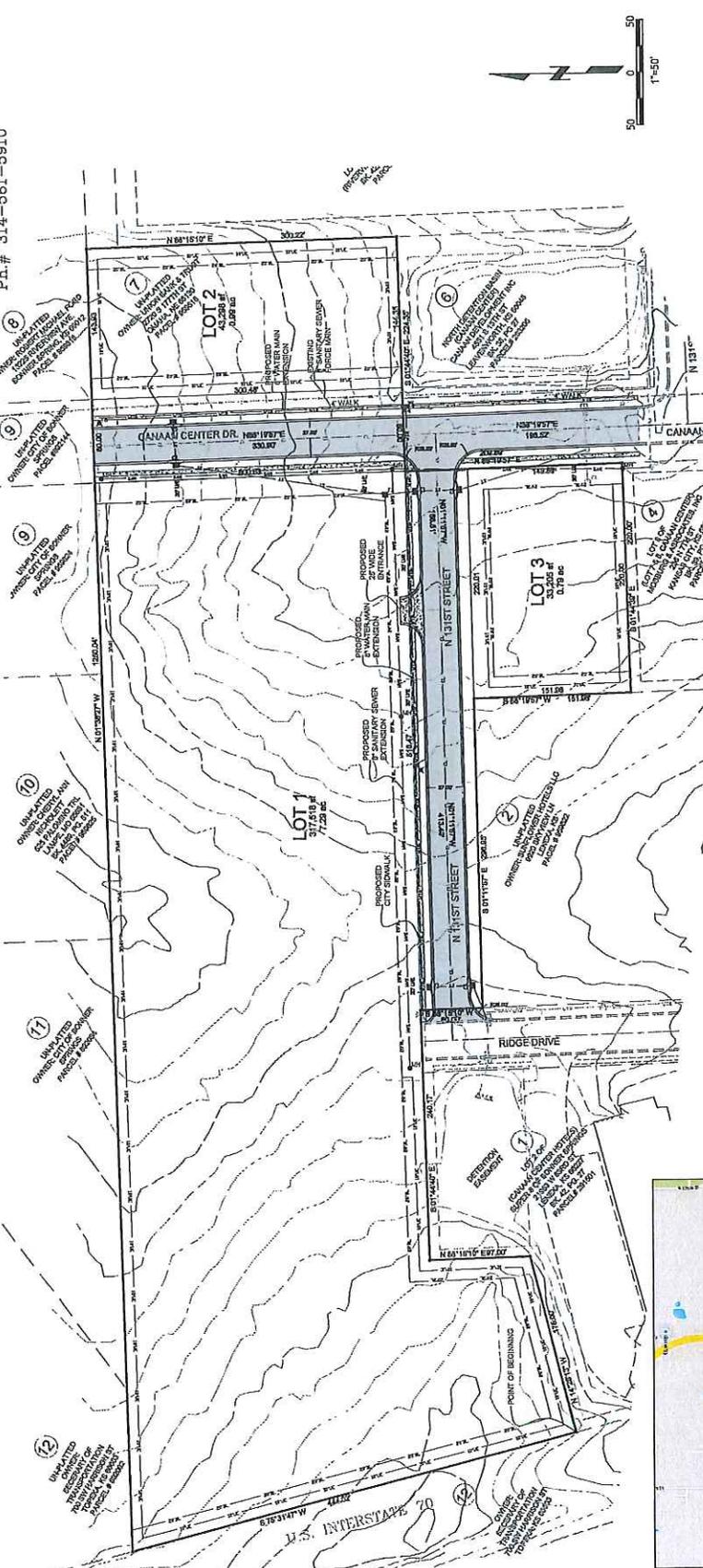
CONSTRUCTION OF:  
**WINDRIDGE MULTIFAMILY HOUSING DEVELOPMENT**  
 BONNER SPRINGS, KS  
 COUNTY

DATE: 01-25-18  
 REVISION DATE:  
 DESIGN:  
 DRAWN:  
 APPROVED:  
 SHEET TITLE:  
**PRELIMINARY PLAT**

SHEET NUMBER:  
**C101**  
 PROJECT NO.:

DEVELOPER:  
**GARDNER CAPITAL / HART DEVELOPMENT**  
 1414 E PRIMROSE, SUITE 100  
 SPRINGFIELD, MO 65804  
 Ph.# 314-661-5910

**SKETCH PRELIMINARY PLAT  
 WINDRIDGE ESTATES LOTS 1, 2, & 3  
 BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS**



**SYMBOL LEGEND**

EXISTING	PROPOSED
MHW	MHW
Canal	Canal
Junction	Junction
Field	Field
Fire Hydrant	Fire Hydrant
Blow Off	Blow Off
Water Valve	Water Valve
Water Meter	Water Meter
Standoff	Standoff
Utility Pole	Utility Pole
Day Wire	Day Wire
Electric Transformer	Electric Transformer

**LINE LEGEND**

EXISTING	PROPOSED
Storm Line	Storm Line
Sewer Line	Sewer Line
Water Line	Water Line
Building Use	Building Use
Easement Use	Easement Use
4" Slope	4" Slope
2" Cub	2" Cub
Center	Center
Tree Line	Tree Line
Fence Line	Fence Line
Gas Line	Gas Line
Overhead Telephone Line	Overhead Telephone Line
Underground Telephone Line	Underground Telephone Line
Overhead Power Line	Overhead Power Line
Underground Power Line	Underground Power Line
Underground Electric Line	Underground Electric Line
EXISTING	PROPOSED
EXISTING	PROPOSED

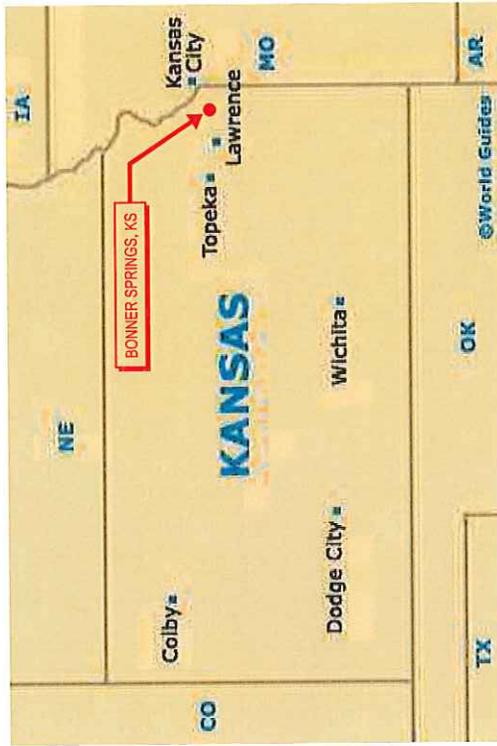
**LEGAL DESCRIPTION:**  
 A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 18 NORTH, RANGE 13 WEST, SUBDIVISION OF LANDS IN THE CITY OF BONNER SPRINGS, MO, SET AS FINAL PLAT OF CANAAN CENTER LOTS 1, 2, & 3, SUBDIVISION OF LANDS IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. 44 SECONDS WEST ALONG THE NORTHERLY CORNER OF WAY LINE OF INTERSECTION OF A SAID ROUTE OF WYANDOTTE COUNTY HIGHWAY 22, A DISTANCE OF 44.00 FEET, THENCE NORTH 88 DEGREES, 12 MINUTES, 15 SECONDS EAST, A DISTANCE OF 362.22 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. THENCE SOUTH 10 DEGREES, 44 MINUTES, 48 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER LOTS 1, 2, & 3, A DISTANCE OF 11.96 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. THENCE SOUTH 10 DEGREES, 44 MINUTES, 48 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER LOTS 1, 2, & 3, A DISTANCE OF 11.96 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. THENCE SOUTH 10 DEGREES, 44 MINUTES, 48 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER LOTS 1, 2, & 3, A DISTANCE OF 11.96 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. THENCE SOUTH 10 DEGREES, 44 MINUTES, 48 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER LOTS 1, 2, & 3, A DISTANCE OF 11.96 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF. THENCE SOUTH 10 DEGREES, 44 MINUTES, 48 SECONDS EAST ALONG THE WEST LINE OF SAID CANAAN CENTER LOTS 1, 2, & 3, A DISTANCE OF 11.96 FEET, TO THE POINT OF BEGINNING, WYANDOTTE COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

**FLOODPLAIN NOTE**  
 ENTIRE SITE LIES OUTSIDE OF FLOOD PLAIN  
 PANEL NUMBER 20209 C010 E  
 DATED SEPT. 2, 2015





# WINDRIDGE ESTATES MULTI-FAMILY HOUSING DEVELOPMENT BONNER SPRINGS, KS



STATE MAP  
Scale: NTS



AREA PLAN  
Scale: NOT TO SCALE



<b>BARON DESIGN &amp; ASSOCIATES, LLC.</b> 11666 Plaza 1855 S. Ingram Mill, Suite 201 Springfield, MO 65802 Ph. 417-877-9800, Fax 417-877-9802	Project No: _____ Drawn by: ML Approved: RAB Date: 02/01/16
	WINDRIDGE ESTATES MULTI-FAMILY HOUSING DEVELOPMENT BONNER SPRINGS, KANSAS GARDNER CAPITAL, INC.



## **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	2.448 +/-
GROSS BUILDING DATA	
OFFICE / COMMUNITY BUILDING	1
IO FLEX - COMBINATION 2 BED & 3 BED UNITS	1
B FLEX - COMBINATION 2 BED & 3 BED UNITS	2
B FLEX - COMBINATION 2 BED & 3 BED UNITS	2
TOTAL BUILDINGS	1 BUILDINGS
GROSS UNIT DATA	
2 BEDROOM / 1 BATH	26
3 BEDROOM / 2 BATH	12
TOTAL UNITS	44 UNITS
*HANDICAP ACCESSIBLE UNITS (10%) - (B) H/C 2 BEDROOM / 1 BATH	
(D) H/C 3 BEDROOM / 2 BATH	
TOTAL 5 H/C UNITS REQUIRED / PROVIDED	05 SPACES
PARKING REQUIRED	
2.0 SPACES PER UNIT	88 SPACES
TOTAL SPACES REQUIRED	88 SPACES
PARKING (LOT/ELVE/COMM. BLDG.)	6 SPACES
TOTAL SPACES PROVIDED	*INCL. 1 H/C SPACE
TOTAL PARKING SPACES PROVIDED	105 SPACES



# SITE PLAN

Scale: 1" = 80'

Project No: \_\_\_\_\_  
 Drawn by: JAL  
 Approved: RAB  
 Date: 02.01.16

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

BARON DESIGN & ASSOCIATES, L.L.C.  
 11400 Plaza, 1005 S. Highway 111, Suite 201  
 Bonner Springs, MO 64609  
 Ph: 417-877-9600, F: 417-877-9602





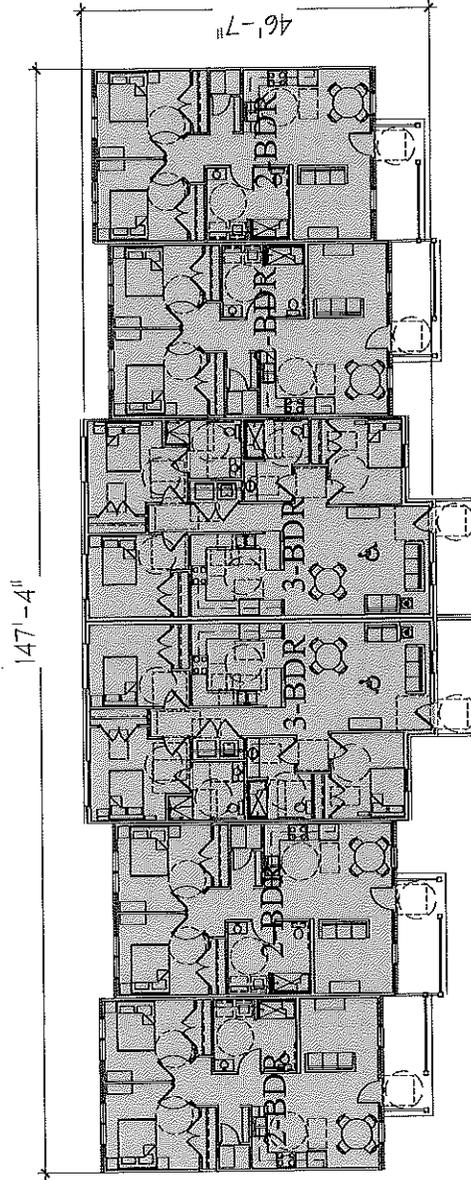
BUILDING 'C' 6-PLEX FRONT ELEVATION

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

<p>BARON DESIGN &amp; ASSOCIATES, LLC.          Lianna Plaza 1825 S. Ingram Mill, Suite 201          Springfield, MO 65802          Ph. 417-877-9800; Fax 417-877-9802</p>	<p>Project No: _____          Drawn by: _____          Approved: _____          Date: _____</p>	<p>KL          RAB          oz,dlle</p>	<p>FRONT ELEV</p>
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WINDRIDGE ESTATES  
 MULTIFAMILY HOUSING DEVELOPMENT  
 BONNER SPRINGS, KANSAS  
 GARDNER CAPITAL, INC.





6-PLEX - BUILDING 'C'

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

BARON DESIGN & ASSOCIATES, LLC. 11 Lane Plaza, 1955 S. Sigmon Hill, Suite 201 Springfield, MO 65804 Ph. 417-877-9800, Fax 417-877-9802	Project No: Drawn By: RAB Approved: Date: 02/01/16
	WINDRIDGE ESTATES MULTIFAMILY HOUSING DEVELOPMENT BONNER SPRINGS, KANSAS GARDNER CAPITAL, INC





BUILDING 'B' 8-PLEX FRONT ELEVATION

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

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

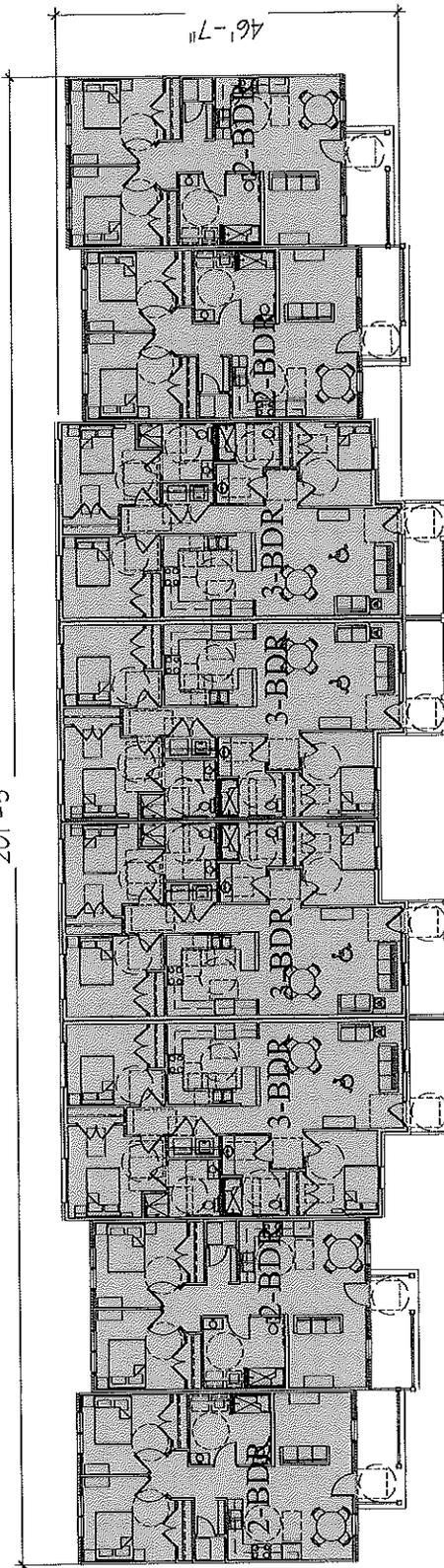
WINDRIDGE ESTATES  
 MULTIFAMILY HOUSING DEVELOPMENT  
 BONNER SPRINGS, KANSAS  
 GARDNER CAPITAL, INC.

BARON DESIGN & ASSOCIATES, LLC.  
 Liama Plaza 1955 S. Spring Hill Suite 201  
 Springfield, MO 65804  
 P: 417-877-9800; F: 417-877-9802



201'-5"

46'-7"



8-PLEX - BUILDING 'B'

BUILDING 'B' 8-PLEX FLOOR PLAN

8,264 SF

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

Project No:	AL
Drawn By:	RAB
Approved:	ozloj6
Date:	02/01/16

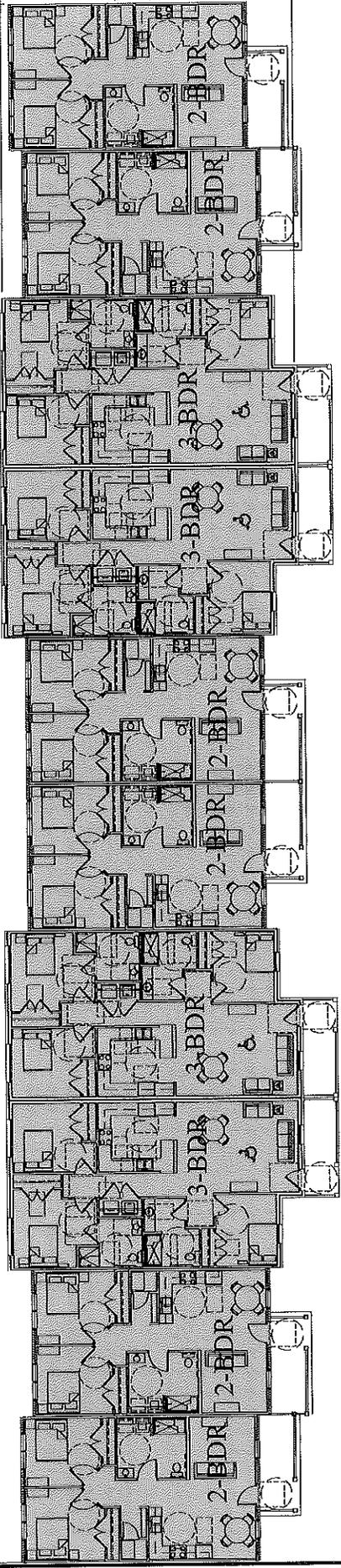
WINDRIDGE ESTATES  
 MULTIFAMILY HOUSING DEVELOPMENT  
 BONNER SPRINGS, KANSAS  
 GARDNER CAPITAL, INC

BARON DESIGN & ASSOCIATES, LLC  
 11444 Plaza 1955 S. Ngram Hill, Suite 201  
 Springfield, MO 65804  
 Ph: 417-877-9800; Fax: 417-877-9802



248' - 1 1/2"

46' - 7"



**BUILDING 'A' 10-PLEX FLOOR PLAN**  
 Scale: 1/16" = 1'-0"

10,098 SF

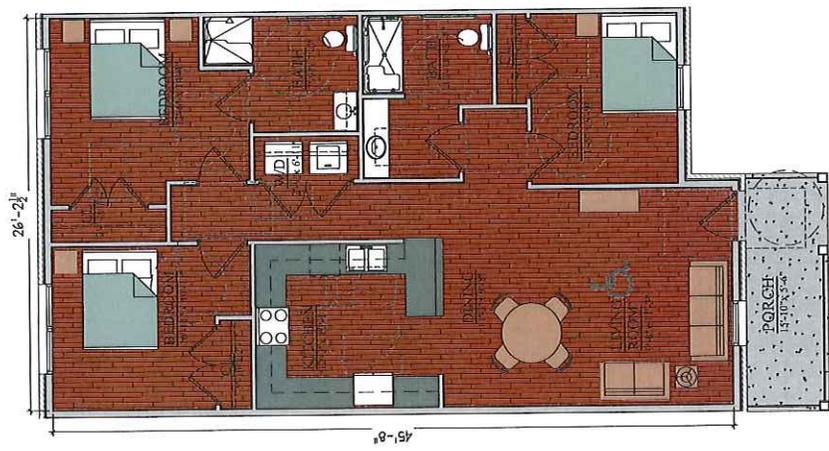
Project No. \_\_\_\_\_  
 Drawn by: RAB  
 Approved: \_\_\_\_\_  
 Date: 02.01.16

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

BARON DESIGN & ASSOCIATES, L.L.C.  
 11200 Plaza 1025 S. Legan Mill, Suite 201  
 Overland Park, MO 66204  
 Ph: 47-877-9800; Fax: 47-877-9802







1,155  
living



## 3-Bedroom / 2 Bath (ADA)

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

Project No: \_\_\_\_\_  
 Drawn by: RL  
 Approved: RAB  
 Date: 02.01.16  
 3 BDR UNIT

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

BARON DESIGN & ASSOCIATES, LLC.  
 11400 Plaza 10255 S. Ingram Mill, Suite 201  
 Springfield, MO 65804  
 Ph. 417-877-9800, Fax 417-877-9802





810  
living



2-Bedroom / 1 Bath (ADA)

BARON DESIGN & ASSOCIATES, LLC. 11441 Plaza 1855 S. Lynn Mill Suite 201 Springfield, MO 65904 Ph. 417-877-9800 Fax 417-877-9802	MINDRIDGE ESTATES MULTIFAMILY HOUSING DEVELOPMENT BONNER SPRINGS, KANSAS GARDNER CAPITAL, INC	Project No: ML Drawn By: RAB Approved: 02.01.16 Date:
	3 BDR UNIT	
	2- BDR UNIT PLAN	
	Scale: 1/8" = 1'-0"	



**ITEM NO. 9**

**City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.**

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

<b>Name</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
<b>Mayor Jeff Harrington</b>				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Rezoning: BSZ-132: Windridge Estates**

**ACTION: Make a Motion to Adopt an Ordinance for a Zoning Change Subject to the Four Conditions Listed in the Staff Report**

**STAFF RECOMMENDATION: The City Manager, Planning Director, and Planning Commission Recommend Approval**

The conditions for approval and background information are enclosed.

**City Council Staff Report**

**April 11, 2016**

To: Mayor and City Council  
Thru: Sean Pederson, City Manager  
From: Don E. Slone, AICP, CFM, Planning Director  
Subject: Rezoning: **BSZ-132: "Windridge Estates"**



**Recommendation:**

The Planning Commission, by unanimous vote, recommend approval of an ordinance 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:**

Final Ordinance – See Exhibits under the Comprehensive Plan Change: BSCP-24: "Windridge Estates"

**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.

**Discussion:**

Staff presented the following information to the Planning Commission including an Excerpt of the Minutes and Exhibits from the March 15, 2016 Public Hearing by the Planning Commission:

**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)

**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).

**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 listed above.

### Excerpt of the Minutes from the March 15, 2016 Public Hearing by the Planning Commission:

Vice-Chairman Pierce introduced **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.

Vice-Chairman Pierce opened the public hearing at 7:37 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve with the four (4) conditions listed in the Staff Report. Mr. Slone reiterated the applicants request to construct Canaan Center Drive west of 131<sup>st</sup> Street when Lot 2 is developed as shown on the Sketch Preliminary Plat. Mr. Slone also read the four (4) conditions of approval for the public’s benefit. He also explained the “reversionary clause” listed under Condition No. 3.

Vice-Chairman Pierce asked if the applicant had any additional comments for the Planning Commission. **Donna Lilley, Hart Development Group** stated that she was in agreement with the conditions as listed in the Staff Report and had nothing further to add but would be glad to answer any questions from the Planning Commission.

Vice-Chairman Pierce asked if anyone in the audience had any questions or comments.

**Dennis Jacques, 115 N. 134<sup>th</sup> Street** asked about how to kill this project. He stated he was not necessarily opposed to the project but wanted to know the process to object. The Planning Director explained the process under Kansas law that 20% of the noticed property owners could file a “Protest Petition” within 14 days after the Public Hearing. Mr. Jacques then asked what the steps were to have his property rezoned to commercial. Mr. Slone told him to stop by and visit and he would be glad to discuss the process but also stated that it would be very difficult to rezone his property to commercial as it is surrounded by very low density agricultural uses with the exception of the Loop Ramp.

**Mike Ford, 13225 Riverview Avenue** stated this development could cause property values to decline as he has seen apartment projects go into disrepair. The applicant, Donna Lilley stated that they get inspected annually by the state to ensure the property is maintained if the tax credits are approved for this development. Mr. Ford asked if this is a HUD or Section 8 project. Donna Lilley explained the process for tax credits and how they are approved. She also stated that this is an affordable housing project and not a HUD project.

**Clodis Hunt, 13309 Riverview Avenue** asked if these units within the proposed development are for sale or rent. Donna Lilley stated that they are rental units.

Vice-Chairman Pierce asked if anyone in the audience had any additional questions or comments. Seeing none he closed the public hearing at 7:52 p.m. and asked for a motion. Commissioner Mesmer made a motion to approve the Rezoning subject to the four (4) conditions listed with a second from Commissioner Yates.

Vice-Chairman Pierce asked if the Planning Commission had any comments or questions. Commissioner Mesmer explained that he had been on the Planning Commission and City Council for a number of years. He

**City Council Staff Report**

**April 11, 2016**

stated that it is time to develop this property as it will grow the tax base to help keep property taxes low. He then stated that if you do not grow, you will die as a community.

Vice-Chairman Pierce asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote. Motion passed 5-0.

The Planning Director stated that he will forward this item to the Governing Body on April 11, 2016 with a Planning Commission recommendation of approval.

Chairman Parks returned to the meeting at 7:55 pm.

ORDINANCE NO. \_\_\_\_\_

**An Ordinance to Amend the Future Land Use Map of the Comprehensive Plan For BSCP-24, a Change from a Commercial Designation to a High Density Residential Designation and to Amend the Zoning Classification on the Official Zoning Map from C-2, General Business District to R-3, Multi-Family Residential District For BSZ-132 for "Windridge Estates" in the City of Bonner Springs, Wyandotte County, Kansas**

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

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

Beginning at the South West Corner of Lot 2, CANAAN CENTER HOTELS, a subdivision of land in the City of Bonner Springs, Wyandotte County, Kansas, according to the recorded plat thereof:

Thence South 75° 31' 47" West along the Northerly Right of Way Line of Interstate 70 as said Right of Way now exists a distance of 444.02 feet; Thence North 01° 38' 27" West a distance of 1026.11 feet; Thence North 88° 19' 57" East a distance of 308.63 feet; Thence South 01° 44' 40" East a distance of 240.17 feet; Thence North 88° 15' 10" East a distance of 97.00 feet; Thence South 14° 28' 13" East a distance of 175.00 feet;

To The Point of Beginning containing 7.29 acres.

Be amended from a Commercial to a **High Density Residential** designation under BSCP-24, and rezoned from C-2, General Business District to an **R-3, Multi-Family Residential District** zoning classification under BSZ-132 for "Windridge Estates".

**Section II:** Approval is subject to the following 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.

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

**Approved by the Governing Body and signed by the Mayor on April 11, 2016.**

\_\_\_\_\_  
Jeff Harrington, Mayor

ATTEST:

\_\_\_\_\_  
Amber McCullough, CMC, City Clerk

(SEAL)

# ITEM NO. 10

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Resolution of Support for Windridge Estates**

**ACTION: Make a Motion to Adopt a Resolution of Support for Development of Windridge Estates, an Affordable Rental Housing Project**

**STAFF RECOMMENDATION: The Community and Economic Development Director Recommends Approval**

The previous two agenda items provide much of the information on the project. The resolution and information on the development are enclosed.

***City of Bonner Springs, Kansas***  
**Memorandum**

**DATE:** April 7, 2016  
**TO:** Mayor and City Council  
**THRU:** Sean Pederson, City Manager  
**FROM:** Marcia Harrington, Community and Economic Development Director

**SUBJECT:** Resolution of Support for Windridge Estates Affordable Housing Project

**Recommendation:**

The City Manager and Community and Economic Development Director recommends approval of a Resolution of Support for development of an affordable rental housing project, Windridge Estates, proposed by Hart Development Group in conjunction with Gardner Capital Development, Inc.

**Background:**

Donna Lilley with Hart Development Group met with me in December 2015 to assist her with identifying properties that would be conducive to an affordable housing project that her company and Gardner Capital were interested in developing. As previously reported to the Governing Body in prior workshops, the Kansas Housing Resources Corporation (KHRC) has identified Bonner Springs as an area in need of affordable housing, which includes family housing and senior housing. Ms. Lilley decided to investigate the property at 13133 Canaan Center Drive for their proposed project, Windridge Estates. The two previous agenda items for Windridge Estates Comprehensive Plan Change and Rezoning Change provide information on a majority of the project details.

**Discussion:**

The application for the Low Income Housing Tax Credits (LIHTC) was due to the KHRC the first week of February 2016. Ms. Lilley submitted the Windridge Estates project to the state and then proceeded with the Comprehensive Plan Change and Rezoning. If these two items are approved, the attached non-binding Resolution of Support is required as part of the state's application process and is provided for the City Council's consideration for support of the development project. As with any development or redevelopment project, all city ordinances, codes and regulations must be adhered to in order to receive a building permit and ultimately, final occupancy.

Ms. Lilley provided the following narrative: "Windridge Estates is a proposed rental housing project for families and consists of 6-plex, 8-plex and one 10-plex building for a total of 44 units; the property is located at roughly I70 and K7, 13133 Canaan Center Drive in Bonner Springs. Gardner Capital Development and Hart Development Group will be co-developers and tax credit applicants of Windridge Estate Developers, LLC, the ownership entity of the project.

The project rents are targeted at twenty-two (22) units at or below 50% of area median income and twenty-two (22) units at or below 60% of area median income. Projected rents are approximately \$649-\$770 for the 50% units and \$724-\$825 for the 60% units. The total project cost is approximately \$7,500,000. Part of the financing will include tax credit equity of \$5,660,000, approximately \$42,000 in the form of a deferred developer fee, and \$1,740,000 in the form of a conventional first mortgage loan.

The project will consist of 24 two-bedroom units that will have approximately 810 square feet of living space and 20 three-bedroom units that have 1,150 square feet of living space. All of the units will include hard surface flooring, washer-dryer hookups, range, refrigerators, garbage disposal, ceiling fans,

dishwasher and microwave. The community building will provide for a safe shelter, laundry facility, BBQs with outdoor seating, full kitchen, playground and computer lab. Lawn care, snow removal and trash pick-up will be provided by the project owner.

The development will be designed with Green Standards as set forth in the tax credit application. All of the 44 units are handicapped adaptable and will meet visit-ability standards. Three units will meet all UFAS requirements for accessibility.”

The proposed project is located in an area where Plan 5 of the Neighborhood Revitalization Property Tax Rebate Program is in effect. The rebate amount is 75% for five years and is allowed for new multifamily development with a minimum appraised value of \$200,000.

Staff believes this project will help fill a void in our community for affordable housing. The project will also help support the surrounding restaurants and service-related businesses in this development area and will be a convenience to residents living there.

**Financial Impact:**

The estimated investment for this housing project is \$7,500,000. Therefore, the City would realize an increase in property tax revenues – 25% increase for the first five years and full taxes in year six and thereafter. In addition, new residents to the community would undoubtedly help to increase sales tax and utility revenues.

**RESOLUTION NO. 2016-\_\_**

**WHEREAS**, the City of Bonner Springs, Kansas, has been informed by Donna Lilley, Principal with Hart Development Group in conjunction with Gardner Capital Development, Inc., that a housing tax credit application has been filed with the Kansas Housing Resources Corporation for the development of affordable rental housing to be known as Windridge Estates and generally located at 13133 Canaan Center Drive, Bonner Springs, Kansas, with a legal description as follows:

Northwest Quarter of Section 17, Township 11 South, Range 23 East in the City of Bonner Springs, Wyandotte County, Kansas, to wit: Beginning at the South West Corner of Lot 2, CANAAN CENTER HOTELS, a subdivision of land in the City of Bonner Springs, Wyandotte County, Kansas, according to the recorded plat thereof: Thence South 75° 31' 47" West along the Northerly Right of Way Line of Interstate 70 as said Right of Way now exists a distance of 444.02 feet; Thence North 01° 38' 27" West a distance of 1026.11 feet; Thence North 88° 19' 57" East a distance of 308.63 feet; Thence South 01° 44' 40" East a distance of 240.17 feet; Thence North 88° 15' 10" East a distance of 97.00 feet; Thence South 14° 28' 13" East a distance of 175.00 feet; To The Point of Beginning containing 7.29 acres.

**WHEREAS**, this garden-style townhouse development will contain 6-plex, 8-plex and 10-plex single-story buildings consisting of 44, two and three-bedroom living units;

**WHEREAS**, the units will target low to moderate income families;

**WHEREAS**, the development will be new construction;

**WHEREAS**, the property and/or units will have the following amenities: Community building that will provide entertaining space, playground, computer lab, Safe Room large enough to house property population; benches; community garden; microwave; dishwasher; electric stove; electric refrigerator; and washer and dryer hookups;

**WHEREAS**, Hart Development Group/Gardner Capital have requested local assistance from the City of Bonner Springs, Kansas in the form of a property tax rebate as described in the Neighborhood Revitalization Property Tax Rebate Program;

**NOW, THEREFORE, BE IT RESOLVED** by the City of Bonner Springs, Kansas, Governing Body that we support and approve the development of the aforesaid housing in our community, subject to city ordinances, the planning process and the building permit process. In the event that any of the characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

**ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR**, this 11<sup>th</sup> day of April 2016.

\_\_\_\_\_  
Jeff Harrington, Mayor

ATTEST:

\_\_\_\_\_  
Amber McCullough, City Clerk

[SEAL]

# ITEM NO. 11

City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

**AGENDA ITEM: Special Use Permit: SUP-134: AT&T Tower at PMC Amphitheater**

**ACTION: Make a Motion to Adopt an Ordinance Granting a Special Use Permit for AT&T Tower at Providence Medical Center Amphitheater Subject to the Six Conditions Listed in the Staff Report**

**STAFF RECOMMENDATION: The City Manager, Planning Director, and Planning Commission Recommend Approval**

The conditions for approval and background information are enclosed.

**City Council Staff Report**

April 11, 2016

To: Mayor and City Council  
 Thru: Sean Pederson, City Manager  
 From: Don E. Slone, AICP, CFM, Planning Director   
 Subject: Special Use Permit: SUP-134: "AT&T Tower @ PMC Amphitheater"

**Recommendation:**

The Planning Commission, by a unanimous vote, recommend approval of SUP-134 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:**

Final Ordinance, Applicant's Letter, Affidavit – Property Owner Consent, Site Plan for the SUP and Photos.

**Discussion:**

Staff presented the following information to the Planning Commission including an Excerpt of the Minutes and Exhibits from the March 15, 2016 Public Hearing by the Planning Commission:

**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. 130<sup>th</sup> 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)

**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.

**Excerpt of the Minutes from the March 15, 2016 Public Hearing by the Planning Commission:**

Chairman Parks introduced **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. 130<sup>th</sup> Street.

Chairman Parks opened the public hearing at 7:57 p.m. and asked for Staff Presentation. The Planning Director presented the case with a Staff Recommendation to approve subject to the six (6) listed conditions in the Staff Report. Mr. Slone read the conditions of approval for the public's benefit.

Chairman Parks asked if the applicant would like to address the Planning Commission. Caroline Boyd, Telecom Realty Consultants, LLC stated that she was in agreement with the conditions as listed in the Staff Report. She stated that as of today they have a signed lease agreement with the Unified Government for the temporary cell on wheels. She stated that she would be glad 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 8:07 p.m. and asked for a motion. Commissioner Kasselmann made a motion to approve the Special Use Permit subject to the six (6) listed conditions with a second from Commissioner Neff.

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

Vice-Chairman Pierce asked how the tower was elevated and if it would remain elevated for the duration or would it be lowered after each event.

Caroline Boyd stated it will be elevated and will remain elevated until it was time to remove the tower.

Chairman Parks asked if there were any additional questions or comments from the Planning Commission. Seeing none he called for the vote. Motion passed 6-0.

The Planning Director stated that he will forward this item to the Governing Body on April 11, 2016 with a Planning Commission recommendation of approval.

ORDINANCE NO. \_\_\_\_\_

**An Ordinance to Approve a Special Use Permit under SUP-134: "AT&T Tower @ PMC Amphitheater" on property zoned A-1, Agricultural District commonly known as 633 N. 130 Street, Bonner Springs, Wyandotte County, Kansas**

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**BE IT ORDAINED BY** the Governing Body of the City of Bonner Springs, Kansas:

**Section I:** That the Official Zoning Map be amended to include a Special Use Permit for "AT&T Tower @ PMC Amphitheater" approved under SUP-134 to allow a temporary cell on wheels (COW) on property zoned A-1, Agricultural District located at 633 N. 130 Street, Bonner Springs, Wyandotte County, Kansas 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.

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

**APPROVED by the Governing Body and signed by the Mayor on April 11, 2016.**

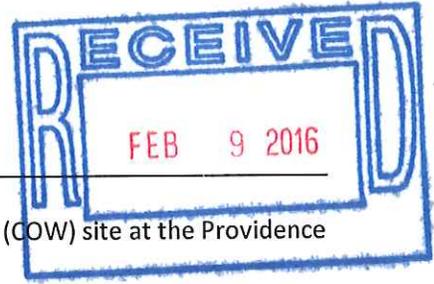
\_\_\_\_\_  
Jeff Harrington, Mayor

ATTEST:

\_\_\_\_\_  
Amber McCullough, CMC, City Clerk

(SEAL)

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 130<sup>th</sup> 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 9<sup>th</sup> day of February, 2014.  
My commission expires 2<sup>nd</sup> 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. 130<sup>th</sup> 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**

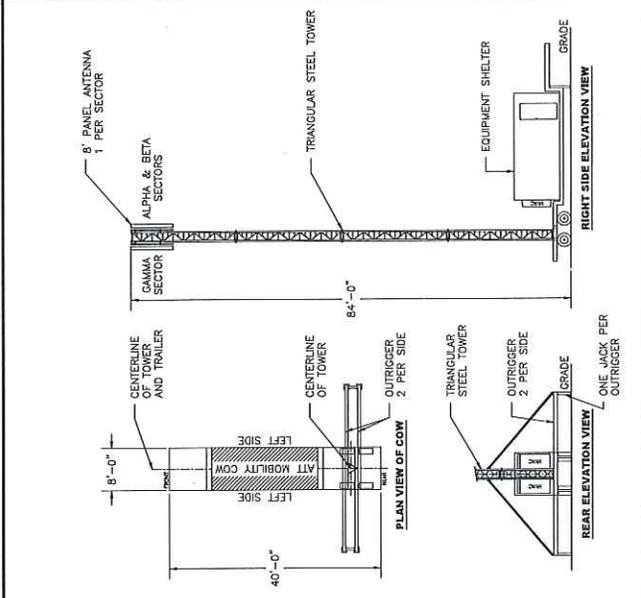
THIS PROJECT WILL PLACE AN ATT MOBILITY COW CELL ON WHEELS ON THE PROPERTY CONTAINING NETWORK THROUGHOUT THE 2016 SEASON BEFORE, DURING & AFTER THE EVENTS.

FIVE, KANSAS COUNTY, WAGONETTE JURISDICTION: BONNER SPRINGS

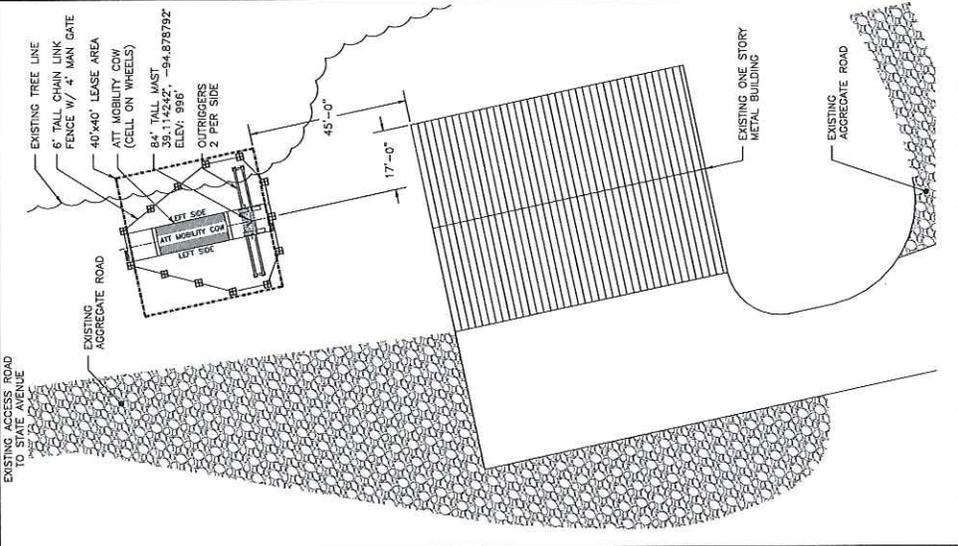
THE COW IS COMPRISED OF AN 8'x40' TRAILER WITH AN INTEGRATED SHELTER AND TRIANGULAR CROSS SECTION 80 SELF-SUPPORT TOWER.

OWNER:  
UNIFIED GOVERNMENT OF KANSAS CITY  
BONNER SPRINGS, KS 66612  
JAMIE WHITEHEAD, VENUE MGR

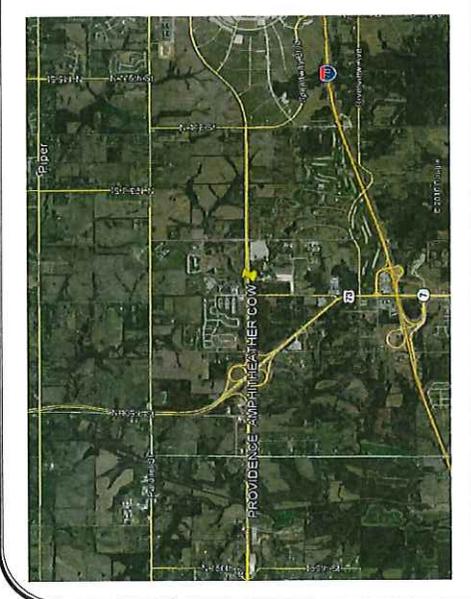
FACILITIES  
POWER: KOPL  
TELCO: ATT  
LAT & LONG: N 39.114242, W 94.878792  
ELEV: 998'



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



**PARTIAL SITE PLAN**  
SCALE 1/16" = 1'-0"



**VICINITY MAP**  
SCALE N.T.S.



**LOCATION MAP**  
SCALE N.T.S.

 1775 South Tower Square, Suite 202 Olathe, MO 64113	<b>CLIENT</b>  1875 MANCHESTER ROAD 888 PERE MARQUETTE BLDG PROVIDENCE, MO 64646	<b>ISSUED</b> APPROVE REVISIONS DATE DATE BY BY REVISION REVISION	<b>SHEET</b> A-1
	<b>DRAWING TITLE</b> MAPS, SITE PLAN AND COW PLAN AND ELEVATIONS <b>SITE ADDRESS</b> MARKET: KANSAS CITY SITE: PROVIDENCE AMPHITHEATER DRAWING PROJECT: 181645		



# ITEM NO. 12

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM: Resolution to Approve the FY 2016 Public Housing Authority Revised Annual Plan**

**ACTION: Make a Motion to Approve a Resolution for the 2016 Public Housing Authority Revised Annual Plan**

**STAFF RECOMMENDATION: The Public Housing Authority Director Recommends Approval**

The resolution, information and financial impact for the revised PHA annual plan are enclosed.

*City of Bonner Springs*  
*Public Housing Authority*



Date: April 11, 2016  
To: Mayor & City Council  
Through: Sean Pederson, City Manager  
From: Carrie Newton, PHA Executive Director

**Subject: FY 2016 Public Housing Authority Revised Annual Plan**

**Recommendation:** Staff recommends approval of a Resolution FY 2016 Public Housing Authority Revised Annual Plan

**Discussion:** Each year, the Housing Authority is awarded Capital Fund monies by HUD. The amount of funding is based on a formula which varies slightly every year. Recently, it was discovered through several trainings that because the Housing Authority has less than 250 units, we are allowed to move all of the Capital Funds awarded each year into our Operating Budget. Moving these funds to the Operating Budget would lessen the burden of managing two separate funds and requesting Capital Funds each time purchases are made for Capital Projects. The Capital Funds would still be used as they are currently, primarily for Capital Projects and would be presented to the Governing Body each year for the approval through the Operating Budget approval process. The revised annual plan to move Capital Funds to Operations is attached.

We plan to do this every year going forward as we believe it will cut back drastically on the amount of paperwork and time spent tracking Capital Funds.

**Financial Impact:** The Housing Authority is funded entirely by federal monies. No city funding is budgeted for Housing Authority expenditures; however, the City Council serves as the Governing Board of the Bonner Springs Housing Authority.

This action will not affect the amount awarded to the Housing Authority each year. It will also not cease necessary Capital Fund projects.

The Housing Authority was awarded \$46,280 for the 2016 year.

**RESOLUTION NO. \_\_\_\_\_**

**Resolution to Approve the FY 2016 Public Housing Authority Revised Annual Plan**

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

WHEREAS, the Quality Housing and Work Responsibility Act of October, 1998 introduced Five-Year and Annual PHA Plans to provide a ready source for interested parties to locate basic Public Housing Authority (PHA) policies, rules and requirements that concern the PHA's operations, programs and services and to inform the U.S. Department of Housing and Urban Development (HUD), families served by the PHA and members of the public of the PHA's mission and strategies to serve the needs of the low-income families; and

WHEREAS, PHA Executive Director met with interested PHA residents on February 10, 2016, to review, discuss and answer questions about the Revised Annual Plan; and

WHEREAS, the Revised Annual Plan was available for public review at the Bonner Springs Housing Authority located at 420 N Park Avenue, Bonner Springs, KS 66012, from March 8, 2016 to April 10, 2016; and

WHEREAS, the City Council held the noticed Public Hearing on April 11, 2016 at the regularly scheduled City Council Meeting to further receive resident and community comments; and

WHEREAS, The Governing Body of the City of Bonner Springs reviewed the proposed activities identified in the FY 2016 Revised Annual Plan; and

WHEREAS, the Governing Body of the City of Bonner Springs finds the proposed allocation to operations to be in compliance with the HUD Public Housing Capital Fund Program.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Bonner Springs, Kansas: The Governing Body hereby approves the FY 2016 Public Housing Authority Revised Annual Plan and Authorizes the Executive Director to Execute and Submit the Plan to the U.S. Department of Housing and Urban Development.

Approved by the Governing Body and Signed by the Mayor on April 11, 2016.

\_\_\_\_\_  
Jeff Harrington, Mayor

Attest:

\_\_\_\_\_  
Amber McCullough, City Clerk

[SEAL]

# ITEM NO. 13

City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

**AGENDA ITEM: Resolution to Amend FY 2016 PHA Operating Budget**

**ACTION: Make a Motion to Approve a Resolution Amending the 2016 Public Housing Operating Budget**

**STAFF RECOMMENDATION: The Public Housing Authority Director Recommends Approval**

The resolution, information and financial impact for the amended PHA budget are enclosed.

*City of Bonner Springs*  
*Public Housing Authority*



Date: April 11, 2016  
To: Mayor & City Council  
Through: Sean Pederson, City Manager  
From: Carrie Newton, PHA Executive Director

**Subject: Resolution to Amend FY 2016 PHA Operating Budget**

**Recommendation:** Staff recommends approval of a Resolution to amend the FY 2016 operating budget.

**Discussion:** As mentioned in the "Resolution to Approve the FY 2016 Public Housing Authority Revised Annual Plan" memo, the Public Housing Authority (PHA) would like to amend the 2016 Operating Budget to include the transfer of all 2016 Capital Fund monies.

With the transfer of funds, the PHA would like to complete the remaining twelve (12) family unit bathrooms. The remaining units do not currently have showers and these units are mostly occupied by single mothers. The Housing Authority would like to make this project priority and complete the remaining units all at once as opposed to completing a few over the next several years. A resident meeting was held in regards to these changes and all are in favor of focusing on the bathrooms at this time.

We have also added parking lot resurfacing for the Vaughn Dale building in the Operating Budget for 2016. During the REAC Inspection by HUD in December 2015, the PHA was deducted points for the condition of the parking lot. Making these repairs will help to ensure we do not lose points in this category for the 2016 REAC Inspection.

Both projects can be completed using remaining 2015 Capital Funds, 2016 Capital Funds allocated to the operating budget and additional reserve carryover. HUD suggests six (6) month reserve balance. The attached revised 2016 budget carries over a seven (7) month reserve balance into 2017.

The Public Housing Authority held an open comment period from March 8, 2016 to April 10, 2016 in regards to this matter, with no comments received.

**Financial Impact:** The PHA is funded entirely by federal monies. No city funding is budgeted for PHA expenditures; however, the City Council serves as the Governing Board of the Bonner Springs Housing Authority.

The estimated cost of the remaining twelve (12) bathrooms is \$126, 768. The estimated cost of the parking lot resurfacing is \$20,000. The table below shows the different sources of the money to complete the projects. As you will notice, some of the funds are coming from the 2015 Capital Fund award.

Source	Amount
2015 Capital Funds	\$11,768.43
2016 Capital Funds	\$46,280.00
Reserves	\$88,720.00

**PHA Board Resolution**  
Approving Operating Budget

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing -  
Real Estate Assessment Center (PIH-REAC)

OMB No. 2577-0026  
(exp. 04/30/2016)

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 6(c)(4) of the U.S. Housing Act of 1937. The information is the operating budget for the low-income public housing program and provides a summary of the proposed/budgeted receipts and expenditures, approval of budgeted receipts and expenditures, and justification of certain specified amounts. HUD reviews the information to determine if the operating plan adopted by the public housing agency (PHA) and the amounts are reasonable, and that the PHA is in compliance with procedures prescribed by HUD. Responses are required to obtain benefits. This information does not lend itself to confidentiality.

PHA Name: Bonner Springs Housing Authority

PHA Code: KS009

PHA Fiscal Year Beginning: 2016

Board Resolution Number: 2016-07

Acting on behalf of the Board of Commissioners of the above-named PHA as its Chairperson, I make the following certifications and agreement to the Department of Housing and Urban Development (HUD) regarding the Board's approval of (check one or more as applicable):

DATE

- Operating Budget approved by Board resolution on:
- Operating Budget submitted to HUD, if applicable, on:
- Operating Budget revision approved by Board resolution on: 04/11/2016
- Operating Budget revision submitted to HUD, if applicable, on: 04/12/2016

I certify on behalf of the above-named PHA that:

1. All statutory and regulatory requirements have been met;
2. The PHA has sufficient operating reserves to meet the working capital needs of its developments;
3. Proposed budget expenditure are necessary in the efficient and economical operation of the housing for the purpose of serving low-income residents;
4. The budget indicates a source of funds adequate to cover all proposed expenditures;
5. The PHA will comply with the wage rate requirement under 24 CFR 968.110(c) and (f); and
6. The PHA will comply with the requirements for access to records and audits under 24 CFR 968.110(i).

I hereby certify that all the information stated within, as well as any information provided in the accompaniment herewith, if applicable, is true and accurate.

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012.31, U.S.C. 3729 and 3802)

Print Board Chairperson's Name:	Signature:	Date:
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# ITEM NO. 14

City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

AGENDA ITEM: City Manager's Report

ACTION: None

STAFF RECOMMENDATION:

Report attached.

# City Managers Update

Date: April 7, 2016

To: Mayor and City Council

**1. Council Follow Up Items.**

- a. **Gambino’s Liquor License** – Staff contacted the owner of Gambino’s who stated they are still considering whether or not they will serve liquor or beer.
- b. **Leaves at Park and Pratt** – The leaves and asphalt at this location were cleaned up early last week and the area was seeded.
- c. **Failing Utility Cut on 138<sup>th</sup> Street** – This was repaired last week.

**2. Strategic Planning Meeting** – Reminder – There will be a Strategic Planning Meeting next Monday, April 18<sup>th</sup> at 5:30 p.m. in the City Hall Council Chamber.

**3. Marble Day Celebration** – The 10<sup>th</sup> Annual Marble Day Celebration will be held on Saturday, May 7, 9:30 a.m.-2:00 p.m. in downtown Bonner Springs (flyer attached). This year’s event will be bigger and better than ever since it is the 10<sup>th</sup> anniversary for this old-fashioned family fun day! Don’t forget to sponsor a Pinky Ball for \$2.00 that will help our local non-profit organization, Allegro Choir. They will be assisting with the event this year in various capacities as well as the Festival of the Arts on June 25. A new addition is an Egg Toss Eggstravaganza! immediately following the Running of the Pinkies. The committee would like to surpass the Guinness Book of World Records Largest Egg Toss in 2017, so this is a rehearsal to get ready for it next year.

**4. Annual Clean Up** – Volunteers are needed for our City wide Spring Clean Up day on Saturday, April 23. Volunteers should report to the South Park Community Room between 8:00 and 8:20 a.m. to sign in and we will complete the clean up around noon. It would really be great to see some Council members participate in this annual event to make our City clean and inviting. If you can’t make it, please pass the word about the event.

**5. Parks and Recreation**

**Aquatic Park:**

- Opening Day is May 28<sup>th</sup>, 2016.
- We have received one of the two diving boards coming in.
- Caulking of the pool area has been completed.

**Sports Programs:**

**Soccer:**

Season	P/K	1/2	3/4	5/6	7/8	Total
Spring ‘15	45	37	20	20	13	135
Fall ‘15	36	57	26	13	28	160
Spring ‘16	42	49	41	22	6	160

Youth Soccer games have started on Saturday April 2, 2016. We have a total of 16 teams throughout the divisions this season.

**Summer Ball:**

Tee-Ball Season	Total Tee-Ball
Spring ‘15	80
Spring ‘16	67 + 9

Baseball Season	7/8	9/10	11/12	13/14	Total Baseball
Spring '15	34	60	38	14	146
Spring '16	36 + 1	33 + 4	25 + 4	16 + 1	110 + 10

Softball Season	7/8	9/10	11/12	13/14	Total Softball
Spring '15	23	35	25	25	108
Spring '16	21 + 1	31 + 1	21 + 3	26	99 + 5

The registration deadline for Summer Ball was Wednesday March 30, 2016. The first number is all the kids that were registered by the deadline. The additional number is the number of kids that missed the deadline and were placed on the wait list. Most, if not all, of the kids on the waitlist will be pulled off and registered once coaches are verified. The coaches meeting will be Thursday April 14, 2016. Practices will begin the following week. Games will start the end of May and will go till the beginning of July. We are moving our 7/8 boys and girls coach pitch league to be machine pitch to match other leagues that are in the area that our teams play against.

**Senior Center:**

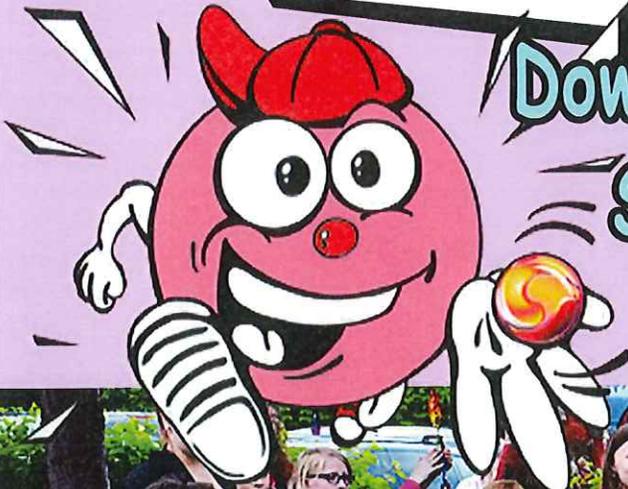
- Bingo potluck with Girl Scouts Troup 2560 to earn their community service award. They brought prizes, hosted our bingo, and assisted us with our potluck.
- A Public Hearing was held at the Senior Center with Wyandotte/Leavenworth Area Agency on Aging. This is an opportunity for the public to learn about programs and or give feedback regarding senior services in Wyandotte and Leavenworth counties.
- Attended the RSVP (Retired Seniors Volunteer Program) recognition luncheon to recognize the seniors who have performed volunteer services throughout the 2015 year. The seniors volunteer at the Bonner Springs Elementary School with the 2<sup>nd</sup> graders and have been doing so for the last 2 years. We have one senior Alice Zimmerman, who is 94 years young and still volunteering after 21 years making lab robes for Cancer Action. Thank you everyone for your support.

10th Annual  
**Marble Day**

Downtown Bonner Springs, KS

Saturday, May 7, 2016

9:30 am - 2 pm



- Marble Tournament
- Running of the Pinkys
- Marble Art & Invention Contest
- Wacky Parade & Ag Hall Tractor Cruise
- Marble Activities & Old Fashioned Games
- Straw Tunnel & Straw Mountain
- Zucchini Races, Balloon Artists
- Food vendors Bike Rodeo
- Cake Walk

BONNER SPRINGS  
**ARTS**  
ALLIANCE

[www.marbleday.com](http://www.marbleday.com)

# ITEM NO. 15

## City Council Regular Agenda Monday, April 11, 2016 – 7:30 p.m.

**MOTION:** \_\_\_\_\_ **SECOND:** \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
<b>RESULT</b>	<b>PASS</b>	<b>FAIL</b>		

**Mayor Vote on Charter Ordinances & Planning Items** \_\_\_\_\_

**AGENDA ITEM:** City Council Items

**ACTION:** None

**STAFF RECOMMENDATION:**

# ITEM NO. 16

City Council Regular Agenda  
Monday, April 11, 2016 – 7:30 p.m.

MOTION: \_\_\_\_\_ SECOND: \_\_\_\_\_

Name	Yes	No	Abstain	Absent
Tom Stephens				
George Cooper				
Bob Reeves				
Dani Gurley				
Joe Peterson				
Mike Thompson				
Mark Kipp				
Rodger Shannon				
Mayor Jeff Harrington				
RESULT	PASS	FAIL		

Mayor Vote on Charter Ordinances & Planning Items \_\_\_\_\_

**AGENDA ITEM:** Mayor's Report

**ACTION:** None

**STAFF RECOMMENDATION:**

The Mayor will give a verbal report at the meeting on Monday.