

## PLANNING COMMISSION MEETING MINUTES

Tuesday, April 18, 2017 @ 7:00 p.m.

**Members Present:** Craig Stephan, Sherri Neff, Tyler McMahan, Merle Parks, Jason Krone, Lloyd Mesmer and Dave Pierce

**Members Absent:** Mark Yates

**Staff Present:** Don E. Slone, AICP, CFM, City Planner  
Sean Pederson, City Manager

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

Chairman Parks introduced **Item No. 1: Approval of Minutes** from the March 21, 2017 Planning Commission meeting. Commissioner Mesmer made a motion to approve the minutes with a second from Commissioner Stephan. Commissioner Parks asked if there were any additional questions or comments. Seeing none, he called for the vote. The minutes were approved by a 6-0 vote. Commissioner Pierce abstained.

### **Old Business:**

Chairman Parks introduced **Item No. 2: Rezoning: BSZ-137: "Lake Forest Addition"** to rezone 3.72 acres from an A-1, Agricultural District to an R-1, Single-Family Residential District zoning classification. Requested by Scott D. Confer, PS, Shafer, Kline & Warren for Lake of the Forest, Inc.; Glenn H. Crocker; Brian E. & Anne C. Holt; and Robert R. Laing, Jr., property owners of record. This request is to rezone a 66 foot strip of land acquired from the Boy Scouts of America, Heart of America Council that runs along the western property line of The Lake of the Forest Club. *(This item was "Tabled" on March 21, 2017 and will be forwarded to the Governing Body on May 8, 2017)*

Chairman Parks opened the public hearing at 7:02 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Rezoning subject to the three (3) listed conditions.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Scott D. Confer, PS, Shafer, Kline & Warren** stated that they are in agreement with the Staff Report and conditions.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:04 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the Rezoning with the three (3) listed conditions with a second from Commissioner Krone.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a unanimous Planning Commission recommendation for approval.

Chairman Parks introduced **Item No. 3: Preliminary Plat: PT-17-101, "Lake Forest – Mesa Lot"** this request is to preliminary plat 0.67 acres into a one (1) lot subdivision within the "common area" of The Lake of the Forest Club. Requested by Scott D. Confer, PS, Shafer, Kline & Warren for The Lake of the Forest Club, Inc., property owners of record. The subject property is being rezoned to R-1, Single-Family Residential District under the "Lake Forest Addition" to be addressed as 212 Lake Forest Drive.

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Preliminary Plat with the five (5) listed conditions.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Scott D. Confer, PS, Shafer, Kline & Warren** stated that they are in agreement with Staff Report and conditions.

Commissioner Stephan asked if the new owner had purchased the property. Gary Bicknell stated that the new property owner had not signed the contract. He has paid some money down and after the decision tonight they will meet with him and finalize the contract.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he asked for a motion. Commissioner Stephan made a motion to approve the Preliminary Plat with the five listed conditions with a second from Commissioner Neff.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 4: Final Plat: PT-17-101, "Lake Forest – Mesa Lot"** this request is to final plat 0.67 acres into a one (1) lot subdivision within the "common area" of The Lake of the Forest Club. Requested by Scott D. Confer, PS, Shafer, Kline & Warren for The Lake of the Forest Club, Inc., property owners of record. The lot will be addressed as 212 Lake Forest Drive. *(This item was "Tabled" on March 21, 2017 and will be forwarded to the Governing Body on May 8, 2017)*

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Final Plat with the eight (8) listed conditions.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Scott D. Confer, PS, Shafer, Kline & Warren** stated that they are in agreement with Staff Report and conditions.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he asked for a motion. Commissioner Pierce made a motion to approve the Final Plat with the eight (8) listed conditions with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a unanimous Planning Commission recommendation for approval.

#### **New Business:**

Chairman Parks introduced **Item No. 5: Resolution – "Complete Streets Policy"** a request by the City Planner to approve a Resolution to adopt a "Complete Streets Policy" and forward that recommendation to the Governing Body for final adoption.

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Resolution as presented.

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he asked for a motion. Commissioner Mesmer made a motion to approve the Resolution with a second from Commissioner McMahan.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a unanimous Planning Commission recommendation for approval.

Chairman Parks introduced **Item No. 6: Comp Plan Change/Rezoning (Extension): "Windridge Estates"** Requested by Donna Lilley, Hart Development Group for Mark Gardner, property owner of record. The request is for a six (6) month extension for the Comprehensive Plan Change and Rezoning approved by the Governing Body under Ordinance No. 2423 on April 11, 2016.

Chairman Parks asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Comp Plan Change/Rezoning (Extension).

Chairman Parks asked if the Planning Commission had any questions or comments. Seeing none he asked for a motion. Commissioner Krone made a motion to approve the Comp Plan Change/Rezoning (Extension) with a second from Commissioner Stephan.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

Chairman Parks introduced **Item No. 7: Vacation: EV-105: "141<sup>st</sup> Street Vacation"** A petition was filed by Kate Pfefferkorn-Mansker, Pfefferkorn Engineering & Environmental for Jeff and Diana Holt, Wilkerson Crane Rental Inc. and Donald W. Kozel, Calvary Baptist Church Association, property owners of record requesting a vacation of the right-of-way of 141<sup>st</sup> Street, Lot No 2 Replat of Lot 1, Berkel Subdivision.

Chairman Parks opened the public hearing at 7:14 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Vacation subject to the four (4) listed conditions.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Kate Pfefferkorn-Mansker, Pfefferkorn Engineering & Environmental**, stated they are in agreement with the listed conditions and would be happy to answer any questions the Planning Commission might have.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 7:16 p.m. and asked for a motion. Commissioner Mesmer made a motion to approve the Vacation with the four (4) listed conditions with a second from Commissioner Pierce.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for a vote. Motion passed 7-0.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a unanimous Planning Commission recommendation for approval.

Chairman Parks introduced **ITEM NO. 8: Comprehensive Plan Change: BSCP-29: "Compass Center Project"** a request to amend the Future Land Use Map of the Comprehensive Plan changing the Land Use designation for 156.68 acres from a Vacant/Agricultural to an Industrial designation. Requested by Korb W. Maxwell, Polsinelli PC for Compass Commodity Group 300, LLC under contract from David C. Assmann, property owner of record. This amendment is to allow the property to be considered for a rezoning in order to be platted as an Industrial Park. The property is located at the southwest corner of 110<sup>th</sup> Street and Riverview Avenue addressed as 110 S. 110<sup>th</sup> Street.

Chairman Parks opened the public hearing at 7:15p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Comprehensive Plan Change.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Korb W. Maxwell, Polsinelli PC for Compass Commodity Group 300, LLC**, appearing on behalf of Compass Center Project. Mr. Maxwell stated that he usually gives a Power Point presentation but that he would be handing out copies of the Proposal to the Planning Commission and the audience instead and then making his presentation.

Chairman Parks asked Mr. Maxwell if he had provided this information to the City Planner prior to the meeting and he stated no, he had not.

Mr. Maxwell made a presentation to the Planning Commission and the audience concerning the Rezoning of the Compass Center Project.

Chairman Parks asked if anyone in the audience had any questions or comments.

**Mark Bishop, Retired Kansas City, Kansas Fire Chief, 11224 Kansas Avenue, Edwardsville.** I have concerns about public safety. Your fire station is about six miles from this development and the Edwardsville fire station is about five miles away. Has there been any discussion about mutual aid for police and fire? I think this should be addressed before any rezoning is considered. There are a lot of unanswered questions and we don't understand what is happening. Who is going to maintain the streets? The public needs to understand exactly what is going to be developed and we might better receive this project. We have no idea who is going to take care of the roads and there needs to be a discussion with the residents concerning this and the other matters that I mentioned.

Chairman Parks explained that once the public comment section is over, there will be a motion made by the Planning Commission with a second and that will open discussion for the Planning Commission. That will give the Planning Commission the opportunity to discuss the issues and ask any questions.

Chairman Parks asked the audience to please address all of your questions or concerns on both the Comprehensive Plan Change and Rezoning when they are speaking.

**Jeff Tinberg, 11401 Riverview Avenue, Bonner Springs**, how can you do a comprehensive study with the road in such bad shape? The traffic when you come off I-70 into Bonner Springs or Edwardsville already backs up? If you bring in all these extra jobs where will all the traffic be routed? I cannot see why someone with five acres would want to live next to this project. Will we be able to see what is actually going to be built? Is this the only opportunity to comment? This project will not affect anyone west of Edwardsville.

Chairman Parks stated that if this is passed tonight it will come back through the Planning Commission for a Site Plan and that will explain exactly what will go into the project and how it will look. The Traffic Study will be addressed at that time.

**Chris Sanders, 11351 Riverview Avenue, Bonner Springs**, my front door is ½ mile from the proposed warehouse. We have a lot of farmhouses around this area. We came from California five months ago and I pay \$10,000 in property taxes to be able to have my kids play outside. I will be very surprised if my property value goes up. I don't believe that to be true. I'm very surprised that this is being considered in this area. Now you want to put huge warehouses in the middle of farmhouses. These warehouses are fully automated and there will not be a lot of jobs. I don't want to see concrete walls and detention basins when I look out my front door. I don't even know what a detention basin is. They talked about the docks being behind the building but that is right out my front door. I want to see deer and turkey when I look outside and there will be no wildlife if this project is developed. Thank you for your time and consideration. I am very passionate about this matter.

**Adam Bonnita, 334 S. 110<sup>th</sup> Street, Edwardsville**, I don't have anything to add except to speak for Edwardsville, and I can tell you for sure that we will not see increased property values. We don't want the industrial zoning in our area.

**Gary Carpenter, 11030 Riverview Avenue, Edwardsville**, on the back side of this is where I will be looking and seeing the back of the dock. I am totally against any industrial project in this area. This will have a detrimental effect on my property. I'm going to have to give up right-of-way and thousands of dollars for the trucks to go across. There will be constant truck traffic. We will lose our property to easements and restrictions. I am totally against this project.

Chairman Parks asked if there was any further discussion and asked if the people left in the audience are against the Comprehensive Plan Change and Rezoning. The audience acknowledged that they were in fact against both the Comprehensive Plan Change and Rezoning.

Chairman Parks asked if there were any other speakers. Seeing none he asked Mr. Maxwell if he would like to address any of the questions. Mr. Maxwell thanked all the neighbors. We understand the fear of the unknown. It is not something that they as a Development Team take lightly. This is not the end of the project. Mr. Maxwell stated that there would be a lot of public meetings if this passes the Planning Commission tonight, they will have informative meetings with the community and let them express all of the issues they have. They will be available to discuss any issues that they may have.

Mr. Maxwell stated that they will have discussions about public safety, mutual aid and how the site will be served.

Mr. Maxwell stated that there is a lot of detail that needs to be figured out as far as the gravity sewer service between Bonner Springs and Edwardsville.

Commissioner Pierce asked about the traffic situation on Riverview Avenue. Where will the trucks be going? Mr. Maxwell said they could go on Riverview Avenue or 110<sup>th</sup> Street or on Speaker Road. They will have a professional traffic engineer determine what type of road plan they will need for the traffic and how it will be financed.

Commissioner Mesmer stated that it would be better with three lanes.

Commissioner Pierce stated that is a rough road. How far up would you improve Riverview Avenue? Mr. Maxwell stated they understand the quality of the roads and they are not in the shape that they need to be for this type of development. They will have to have an engineer determine the traffic and road situation.

Commissioner Krone asked about trees surrounding the site. The City Planner stated that we will have to work through all of these site development items.

Mr. Maxwell stated they have a lot of money for landscaping for on and off the site if the community wants to discuss these issues.

Commissioner Mesmer asked if they were all neighbors of this project. This is the first time I have seen anything like this since I came on this Commission in 1994. The sign over there has been defaced by someone in your neighborhood. We don't know who did it but you all might. This sign is required by ordinance and whoever did that put a black mark on you and us. Take it for how it goes or however you like it.

Chairman Parks thanked Commissioner Mesmer for his comment and reiterated that the signs have to be out there for public information.

Chairman Parks asked if anyone in the audience had any questions or comments. Seeing none he closed the public hearing at 8:10 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the Comprehensive Plan Change with the five conditions listed in the Staff Report with a second from Commissioner Krone.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote.

Commissioner Pierce voted yes stating that if the project is done correctly it will be good for Bonner Springs. This project will increase the tax revenue for the City

Commissioner Stephan voted no. I am a big advocate of promoting our City. I like having the idea of industrial projects in our City but I'm not sure that this is the right piece of property. It looks nice but I'm not sure if this is the correct place as most of the surrounding area is residential.

Commissioner Neff has some concerns about the location and the traffic count but is voting yes.

Commissioner McMahan voted yes for growth to Bonner Springs. I hope there will be proper landscaping along with the project. Future growth is what Bonner Springs needs.

Chairman Parks voted yes. I have sympathy for the gentlemen with the five acres but this area changed back when the speedway came to the area. He is disappointed in the proposal that was presented and if the site plan was like this he would be voting no. This needs to be done right. This is a developing area and that will be the way it is going in the future.

Commissioner Krone voted yes. He has plenty of concerns but they can be worked out in the specifics of the site plan. We can look at those needs at the site plan level.

Commissioner Mesmer voted yes. He stated that you could look at this from two sides. He hates to see farm ground changed to industrial zoning. Wyandotte County used to be the poorest county in the state. Johnson County has gone hog wild with the industrial zoning in what used to be farm land locations. There are conditions that need to be worked out, traffic will increase and this part of the county is right for industrial zoning, whether light or heavy.

Motion passed 6-1. Commissioner Stephan voted no.

Chairman Parks explained that the hearing tonight and the vote will be sent to the governing body on May 8, 2017 and it will not be an open hearing. During the City Council meeting you will not be able to speak so you need to contact your City Council representative before the meeting to voice your concerns. Edwardsville has no direct representation.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a Planning Commission recommendation for approval.

Chairman Parks introduced **Item No. 9: Rezoning: BSZ-138: "Compass Center Project"** a request to amend the Official Zoning Map by rezoning 156.68 acres from an A-1, Agricultural District to an I-1, Light Industrial District classification. Requested by Korb W. Maxwell, Polsinelli PC for Compass Commodity Group 300, LLC under contract from David C. Assmann, property owner of record. This amendment is to

consider allowing the property to be rezoned in order to be platted as an Industrial Park. The property is located at the southwest corner of 110<sup>th</sup> Street and Riverview Avenue addressed as 110 S. 110<sup>th</sup> Street.

Chairman Parks opened the public hearing at 8:39 p.m. and asked for Staff Presentation. The City Planner presented the case with a Staff Recommendation to approve the Rezoning with the listed conditions in the Staff Report. The City Planner stated that it would have been nice to have the handout presented to him before the meeting.

Chairman Parks asked if the applicant would like to address the Planning Commission. **Korb W. Maxwell, Polsinelli PC for Compass Commodity Group 300, LLC** stated that they agree with the listed conditions and will answer any questions.

Chairman Parks asked if there were any questions or comments from the audience. Seeing none he called for a motion. Commissioner Stephan made a motion to approve the Rezoning with the listed conditions with a second from Commissioner Krone.

Seeing none he closed the public hearing at 8:43 p.m. and asked for a motion. Commissioner Stephan made a motion to approve the Rezoning the five listed conditions with a second from Commissioner Krone.

Chairman Parks asked if there were any additional questions from the Planning Commission. Seeing none he called for the vote.

Commissioner Stephan voted no. I am a big advocate for promoting our City. I like having the idea of industrial in our City but I'm not sure that this is the right piece of property. It looks nice but I'm not sure if this is the correct place as most of the surrounding area is residential.

Commissioner Neff voted yes.

Commissioner McMahan voted yes.

Commissioner Parks voted yes.

Commissioner Krone voted yes.

Commissioner Mesmer voted yes.

Commissioner Pierce voted yes.

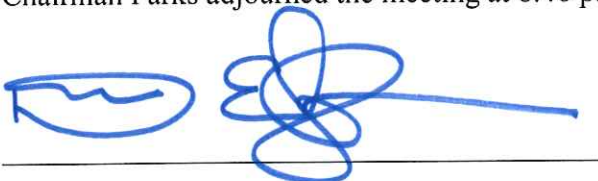
Motion passed 6-1.

Commissioner Stephan stated that he felt confident that everyone can come together and make sure the site plan will be substantial and will enhance the City.

Commissioner Mesmer wanted to thank everyone for staying.

The City Planner stated that he will forward this item to the Governing Body on May 8, 2017 with a Planning Commission recommendation for approval.

Chairman Parks adjourned the meeting at 8:46 p.m.



Don E. Slone, AICP, CFM, Secretary