

MINUTES – 1.17.23 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, January 17, 2022 – Regular Meeting – 7:00 p.m.

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The regular meeting was preceded by a Worksession which covered a progress report from Freese and Nichols regarding the development of our Uniform Development Ordinance.

1. Meeting **CALLED TO ORDER** by Chair Gebauer at 7:00 p.m.

ROLL CALL

Planning Commissioners Present: Larry Clark; Greg Gebauer; Lloyd Mesmer; Vince Bombardier; Paul Zeps; Sherri Neff; Nick Perica

Absent: –Jason Cruse

Quorum Established

Staff Present: Mark Lee, City Planner

2. **CONSENT AGENDA**

Item #2 – Approval of Minutes of December 20, 2022 Planning Commission meeting

Chair Gebauer introduced the Consent Agenda Item #2. Commissioners were awarded time to comment or ask questions.

Motion to **APPROVE** the Consent Agenda was made by Vice-Chair Clark and seconded by Commissioner Mesmer.

Chair Gebauer called for a vote.

AYE – Clark, Gebauer, Mesmer, Perica, Bombardier, Zeps, Neff

NAY – None

MOTION PASSED 7 – 0

3. **UNFINISHED BUSINESS**

None

NEW BUSINESS

4. **Agenda Item # 4– PUBLIC HEARING: Comprehensive Plan Change – BSCP-02-22– Consider a request** to amend the Bonner Springs Future Land Use Map as currently indicated within the Comprehensive Plan for the property address of 720 N. 118th Street.

Chair Gebauer introduced Item #4 and asked for staff’s report.

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that the property currently has no utilities extended to service it and the developers would be responsible for the construction and extension of services to the site. Furthermore, they will need to work with the Unified Government to procure the necessary agreements in order to have certain services provided – mainly sanitary sewer and water.

Staff further stated that with the development of the URBN Distribution Center and future industrial development slated in the area, the immediate area is already undergoing significant changes.

Chair Gebauer called for a motion to open the public hearing – Motion was made by Vice-Chair Clark and **SECONDED** by Commissioner Perica. Public Hearing was opened at 7:03pm.

Chair Gebauer asked if there was any one present that would like to speak about the item. There were several members of the public present, Staff stated to those present that this was their opportunity to speak either in favor or against the proposal.

Commissioner Zeps asked how this relates to the proposed Future Land Use Map that was provided in their revised Comprehensive Plan draft. Staff stated the map that was included within the draft copy was nothing other than a staff option, any changes to the land use map would be indicated on the current Future Land Use Map.

Staff explained to the public that the requested change to the land use map is where the majority of discussion takes place and the following rezoning request does not have much discussion behind it. If members of the public were here to provide input, either positive or negative, now was the appropriate time to provide that input.

Grant Harrison with Van Trust provided a short power point presentation regarding past projects completed by their company as well as providing a brief background about Van Trust Real Estates. Mr. Harrison did mention that they did not currently have a tenant secured but they had interests. He spoke about their basic models – cross dock and rear load facilities. Mr. Harrison then explained the renderings that had been provided to the Commission and how they would/could interact with the site.

Commissioner Zeps asked about a neighborhood meeting, staff had stated earlier that Van Trust did request a neighborhood meeting with all surrounding property owners and one was held the week of January 9th. Traffic was one of the residents’ main concerns. Mr. Harrison stated a Traffic Impact Study was being completed and their intent was to provide turn lanes, both from Speedway Boulevard and N. 118th Street. He further spoke about what topics were covered in the neighborhood meeting other than traffic – landscaping, stormwater and a few other topics.

Commissioner Clark asked how many neighbors attended the meeting – Mr. Harrison stated 5 or 6 not including their group. Commissioner Zeps inquired about the actual number of residents in the area, staff used the Unified Governments GIS website to display the area in more detail. The developers reached out to all residents along N. 118th Street, staff indicated there were far more residents on the Kansas City Kansas side of the street then on the Bonner Springs side.

Vice-Chair Clark stated that he felt as though every year since he has been on the Commission that a different or new proposal has come forward regarding this site but nothing has come to fruition. Vice-Chair Clark asked if Van Trust had a planning horizon in which a tenant would be potentially secured for the site. Mr. Harrison stated that for them, industrial is purely a speculative market currently but that they would expect, if all goes as planned, to begin grading the site towards the middle of 2023 and build soon after that, with the construction anticipated to take 10-12 months, not including interior tenant finishes.

Vice-Chair Clark asked if the building would be constructed of tilt-up concrete panels, Mr. Harrison stated; “that or cast in place tilt-up.” One being cast off-site while the other takes place on-site.

Chair Gebauer asked if there were any other questions from the Commissioners; there were none. Staff asked if there was any particular section of the staff report that they would like to discuss. Staff mentioned Item #1 of the report – ‘What has changed since the Comprehensive Plan was adopted to warrant this request?’ and spoke about the construction of the URBN Distribution Center and the future plans for the “Speedway Commerce Center” along with what impact this will have on the area and how drastically the area has changed since the plan was adopted, including traffic patterns. Staff further explained the lack of utilities in the area and how our Sewer Master Plan indicated a connection to an existing 12” sewer line served by the UG. Staff further mentioned that within our 2022 Citizen Survey – 50% of respondents indicated industrial should occur “Along I-70 and within one mile of major intersections with direct access.”

Commissioner Zeps asked about the location of the Compass 70 project and discussed how that became a contentious issue with those surrounding land owners. He further stated that; since all of these changes have happened in the approximate area, we (the City) are using that as a catalyst to change from residential to industrial all over the city. That is all replacing residential, mixed-use or commercial real estate. Commissioner Zeps expressed his concerns over Bonner Springs losing that “small town” feel that everyone wants. He questioned what would eventually stop industrial development in this area, looking at uses that surround or back up to this particular site, Wyandotte County Park and Sunflower Hills Golf Course should serve as stopping points for westward expansion. Commissioner Zeps expressed his concern that those individuals were being surrounded by industrial uses.

Vice-Chair Clark asked what type development was happening just south of I-70, stating he had noticed dirt being moved on the Edwardsville side. Staff stated it was the proposed site of the Hard Rock Casino, Vice-Chair Clark corrected staff and stated it was on the west side of 110th not the east. Staff explained from what they were aware of was a previous sewer line that was installed through previously dedicated right of way. Staff stated they had received an email from the City Planner of Edwardsville asking for information regarding the Compass 70 project. Staff located the email and read it for the Commissioners – “We have an upcoming zoning case associated with a piece of property located at 11200 Riverview Avenue, along the border of Edwardsville and Bonner Springs.” But did not specify what it would be.

No members of the public had expressed interest in speaking on the matter; staff made it clear to them that this was the opportune time to express their viewpoint(s) and we did not want their voice to go unheard.

Mike Reilly; Triple R Properties – 608 Delaware Street; Leavenworth KS spoke – he stated they are the owners of the roughly 80 acres just north and connected to this parcel that was included within the previous development. He stated he was there to neither speak in favor nor against but was looking for collaboration between Van Trust and Triple R regarding coordination of access and utilities as it relates to the area as a whole, including access points and utilizes; including the extension of 122nd Street to the south. Mr. Reilly just wanted to make sure that his concerns were put into the public record, Mr. Reilly was concerned about the two access points from this property onto Speedway Boulevard – *there is only one indicated, the other access point is onto N. 118th* – he further stated that in today’s economic conditions that the extension of 122nd Street may not even need to occur depending on how the remainder of the area continues to develop. Mr. Reilly wanted to make sure that the extension of 122nd, if required, would not fall solely upon their development.

Commissioner Zeps asked staff if they knew anything about all of the land to the north of State Avenue. Commissioner Zeps stated that just because the URBN Distribution Center was constructed does not necessarily mean that the entire surrounding area is changing. Commissioner Zeps expressed concern that we were boxing out potential residential development with what was currently being developed around the Village West area along Parallel Road. Staff stated the only project he was aware of was that the American Royal project was picking up steam again and being discussed at the UG. Staff spoke about the zoning configuration in the area and how even the Speedway itself, including the new URBN Dist. Center was zoned as Agriculture, staff made the assumption that these existing buildings were operating under Special Use Permits to be allowed in that zoning district. Staff and the Commissioners looked at the surrounding zoning in Kansas City Kansas via the County GIS system, there are several different zoning districts north of State Avenue, including commercial, multifamily residential and mostly agricultural.

Chair Gebauer asked if any other members of the public would like to speak about the request.

Owners Representative (son-in-law) – 510 N. 118th Street spoke – He stated that the owner wishes the City would not approve the change. She is concerned about an increase in traffic on 118th Street. The concern is that employees of these facilities will begin to utilize 118th Street as a “cut-through” to Walmart and other retail spaces further south in Bonner Springs. They expressed concerns over street maintenance on 118th, stating that it has even been degraded in the limited time that URBN Dist. Center has been open. They expressed concerns over property values and what this may do to them. They spoke about the ‘odd’ entrance that the daycare has and how individuals must park on the east side of 118th and walk themselves and their children across the street to the facility. They then asked Van Trust if they would continue to own the property after completion of the building, they stated it could go either way but they would more than likely sell to an end user.

Chair Gebauer asked if there were any other members of the public wishing to speak, being none, he called for a motion to close the public hearing. Commissioner Zeps made a motion to close the public hearing, Commissioner Bombardier seconded, the public hearing was closed at 7:44pm.

Commissioner Zeps expressed his concern again about the amount of industrial development coming forward in Bonner Springs.

Commissioner Bombardier stated that he felt a precedent had already been set in the area by the construction and opening of the URBN Dist. Center. He further expressed mixed emotions, stating he understood that there was residential on both sides and that the traffic from a commercial business may be more impactful for the residents, but without knowing exactly what business would be moving into the industrial space it was difficult to determine

what the future impact may be, if there is truck traffic throughout the day – that could prove very impactful, the traffic study will very important.

Vice-Chair Clark stated that while he sympathizes with the individuals representing their mother-in-law, he feels as though she may be caught between a rock and a hard place due to the fact that a plan is already in place for multiple industrial facilities being proposed throughout the Speedway property. He further stated that with the industrial development occurring, the prospect of future residential being constructed in that vicinity is not likely to occur. He further stated he thought the City would be bucking the trend by leaving this area for residential development, in turn he felt that the surrounding area would more than likely develop as commercial or light industrial given the nature of the roadway system in the area – State Avenue being so heavily traveled, the potential development of the American Royal facility and the industrial development slated to continue.

Commissioner Mesmer stated that he could sympathize with the comments made by the Commissioners. He further stated what happens on the other side of State Avenue and the surrounding streets is completely out of our control but what happens on our side is fully within our control but, only though if we have someone come in that wants to develop the land in a certain way and has all of the appropriate financing in place which has not happened with the previous potential development of the area. This area has come through at least twice as residential housing and never moved forward, along with the other plans that have been submitted, approved and never moved forward with development. Commissioner Mesmer stated that living in this type of area – with all of the highway systems in place and commercial development in place – “you don’t simply ask what is coming in but when”.

Commissioner Neff stated that she also had mixed emotions about the project; while Bonner Springs does needs more industrial for job creation and this location would be a good fit, we also need to keep areas intact for the development of mixed use zoning.

Commissioner Zeps stated that as Kansas City Kansas continues to expand to the west, that more and more areas will become commercial or residential and this need will grow over the years.

Commissioner Mesmer stated the time for discussion amongst the Commissioners needed to come to a close and promptly made a motion to **APPROVE** the Future Land Use amendment with staff recommendations; Chair Gebauer called for a second. Commissioner Zeps **SECONDED** the motion.

Chair Gebauer asked staff for a Roll Call vote

AYE – Bombardier, Clark, Mesmer, Perica, Gebauer

NAY – Zeps, Neff

ABSTAIN - None

MOTION PASSED 5 – 2

5. Agenda Item # 5 PUBLIC HEARING: Request for Rezoning – BSRZ-03-22 - Consider a request for approval of a zoning change from MX (Mixed Use) to the zoning category of I-1 (Light Industrial) for 720 N. 118th Street.

Chair Gebauer introduced Item #5 and asked for staff’s report.

Staff explained the request for the project, the location of the project and that it must proceed through the public hearing process.

Chair Gebauer called for a MOTION to open the public hearing. Vice-Chair Clark made a motion to open the hearing, Commissioner Zeps **SECONDED**. Public hearing was opened at 8:04pm.

Chair Gebauer asked if any members of the public would like to speak in favor or against the proposed zoning change, none were present (members left after the Comprehensive Plan Amendment).

Chair Gebauer called for a MOTION to close the public hearing. Vice-Chair Clark made a MOTION to close the hearing, Commissioner Zeps **SECONDED**. Public hearing was closed at 8:04pm.

Vice-Chair Clark made a motion to **APPROVE** the requested zoning change, Commissioner Mesmer **SECONDED**.

Chair Gebauer asked if there was any discussion to be had amongst the Commissioners, staff commented that the concerns over the impact of traffic would be far less in this scenario as it would have been with the development of Bonner Crossing. The thought amongst staff and the Commission was that it would be more the nature of traffic than the amount of traffic. The comment was made that even in the Bonner Crossing development there would have still been some truck traffic for deliveries and other aspects of that particular development.

Staff stated the developers are and will be required to complete a Traffic Impact Study that will be reviewed and approved by the City Engineer and possibly the Unified Government. The study will more than likely indicate that improvements will be needed on certain sections of the impacted roadways.

Staff and the Commissioners discussed the lack of development in the area of the Kansas Speedway since it opened in 2001. The only large scale development in the immediate area, was the development of Village West, which has struggled to some degree over the years. None of the planned development that was to occur around the Speedway has come to fruition.

Chair Gebauer called for a Roll Call vote.

AYE – Bombardier, Clark, Mesmer, Perica, Neff, Gebauer

NAY – Zeps

ABSTAIN - None

MOTION PASSED 6 – 1

6. Agenda Item #6 Site Plan Review – ST-07-22 – 11939 Kaw Drive - Consider a Site/Landscape Plan for 11939 Kaw Drive – Eldon Hix (owner).

Chair Gebauer introduced Agenda Item #6 and asked for Staff's report.

Staff explained the project and project location and how this additional building was the only topic being discussed this evening. Staff explained that the current business (ABC Garage Doors) is doing so well that they are in fact running out of storage capacity in their current building and are in need of warehousing space.

Staff did discuss the fact that Mr. Hix indicated a metal structure in his application. The recently adopted Architectural Design Standards allowed for metal structures within certain existing areas but this parcel was just two away from one such area. Staff further stated that they felt Mr. Hix should be allowed to construct the metal building as presented. Staff further stated that recommendations are added into the staffs report that would require Mr. Hix to provide landscaping in the form of a minimum of five (5) trees of approved species. There is currently little to no landscaping present on-site.

There was discussion between the Commissioners and staff regarding Mr. Hix's' overall scope of work on the site but staff reiterated that tonight's meeting was only regarding the one additional build at this time.

Commissioner Zeps made a **MOTION** to approve the requested Site and Landscape with staff recommendations. Vice-Chair Clark **SECONDED**.

Chair Gebauer asked staff for a Roll Call vote.

AYE – Bombardier, Clark, Mesmer, Perica, Neff, Zeps, Gebauer

NAY – None

ABSTAIN - None

MOTION PASSED 7-0

7. Agenda Item #7 – OPEN AGENDA – None

8. Agenda Item #7 - CITY PLANNER'S REPORT

- a) Review comparison table of current Comprehensive Plan vs. Updated version
- b) Discuss revisions to the accessory building size limitations
- c) Next meeting agenda
 - i. Replat of Ensign Storage
 - ii. Replat of Lot 242 in Lake of the Forest

Chair Gebauer adjourned the meeting at 7:31pm.