



**REGULAR MEETING AGENDA
PLANNING COMMISSION
THURSDAY, FEBRUARY 1, 2018
SPRING HILL COMMUNITY CENTER
613 S. RACE ST.
7:00 P.M.**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

FORMAL COMMISSION ACTION

- 1. Approval of Minutes:** January 4, 2018
- 2. Public Hearing for Rezoning Request (Z-01-18)**
 - Address/Vicinity:** Lots 10, 11, 13, 14 and 17, Country Meadows Industrial Park, 4th Plat
 - Applicant:** Lynn Baker, Country Meadows Properties
 - Purpose:** Rezone from M-1 (Gen. Industrial District) to C-2 (Gen. Business District)
- 3. Preliminary Plat Application (PP-01-18) – Boulder Springs Subdivision Replat; 161 lots**
 - Address/Vicinity:** 199th St. and Woodland Rd.
 - Applicant:** Ken Conklin, Day3, LLC
 - Purpose:** Replat due to significant changes from original plat
- 4. Final Plat Application (FP-01-18) – Boulder Springs II; 47 lots**
 - Address/Vicinity:** 199th St. and Woodland Rd.
 - Applicant:** Ken Conklin, Day3, LLC

DISCUSSION

REPORTS

- 5. Conditional Use Permit (CU-2016-0003) Annual Staff Review** for Crown Castle, to allow for telecommunication tower, located at 19005 Webster St.
- 6. The following item(s) related to Community Development were approved at the Jan. 11, 2018 City Council meeting:**
 - Acceptance of dedication of right-of-way, Woodland Rd. and 191st St., Hatcher Property
- 7. The following item(s) related to Community Development were approved at the Jan. 25, 2018 City Council meeting:**
 - Revised Sanitary Sewer Easement for Dayton Creek
 - Approval of the design for Veterans Park

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

ADJOURN

PUBLIC HEARING PROCEDURE

1. Chairperson opens the public hearing.
2. Commission members describe what, if any, ex-party contacts they might have had regarding this case; indicating the nature of the communication and *whom* it was with.
3. Commission members describe what, if any, conflicts of interest they may have and dismiss themselves from the hearing.
4. Staff presents a report and comments regarding the case.
5. Applicant or agent of the applicant makes brief presentation of the case or request.
6. Commission members ask for any needed clarification of the applicant or agent.
7. Public comments are solicited from the audience. Each member of the audience must fill out a Citizen Participation/Comment Form.
8. Commission members ask for any further clarifications from applicant or staff.
9. Public Hearing is closed.
10. Members deliberate the request.
11. 14-day Protest Period begins after the Planning Commission Public Hearing is closed. *

* Protest Petitions: Any protest petition must be filed in the Office of the Spring Hill City Clerk within 14 days from the conclusion of the public hearing held by the Planning Commission. Sample copies of protest petitions may be obtained from the City Clerk Office at 102 S. Main St., Spring Hill, KS 66083 (913-592-3664).

**City of Spring Hill, Kansas
Minutes of Planning Commission Regular Session
January 4, 2018**

A Regular Session of the Planning Commission was held at the Community Center, 613 S. Race St., Spring Hill, Kansas on January 4, 2018. The meeting convened at 7:01 p.m. with Chairman Stephen Sly presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance: Scott Buescher
Mike Denny
Josh Erhart
Troy Mitchell
Josh Nowlin
Janell Pollom
Stephen Sly

Commissioners absent: Cindy Squire
Tyler Vaughan

Staff in attendance: Jim Hendershot, Community Development Director
Patrick Burton, Project Coordinator, Community Development Dept.
Christie Campbell, Planning Commission Secretary
Ryan Crowley, Superintendent, Parks Division

Public in attendance: Larry Reynolds, Representative from Vireo
Craig Rhodes, Representative from Vireo

PLEDGE OF ALLEGIANCE

ROLL CALL

The secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

APPROVAL OF THE AGENDA

Motion by Ms. Pollom, seconded by Mr. Mitchell, to approve the agenda as presented.

Roll Call Vote: Nowlin-Aye, Buescher-Aye, Mitchell-Aye, Sly-Aye, Pollom-Aye, Erhart-Aye, Denny-Aye

Motion carried 7-0-0

FORMAL COMMISSION ACTION

1. Approval of Minutes from the December 7, 2017 Regular Meeting

Motion by Mr. Nowlin, seconded by Ms. Pollom, to approve the minutes with the name correction on page 1 under the section labeled Approval of the Agenda; the name should read as Ms. Squire not Mr. Squire.

Roll Call Vote: Nowlin-Aye, Buescher-Aye, Mitchell-Abstain, Sly-Aye, Pollom-Aye, Erhart-Aye, Denny-Aye

Motion carried 6-0-1

2. Veterans Park Design – review planned improvements for compliance with the Spring Hill Comprehensive Plan

Beginning of Staff Report

SPRING HILL PLANNING COMMISSION LOT SPLIT STAFF REPORT

Case #: n/a **Meeting Date:** January 4, 2018
Description: Veterans Park Improvements
Location: Veterans Lane west side of Spring Hill Lake
Applicant: City of Spring Hill
Engineer: Vireo Design Group
Site Area: South of 199th Street and Veterans Lane

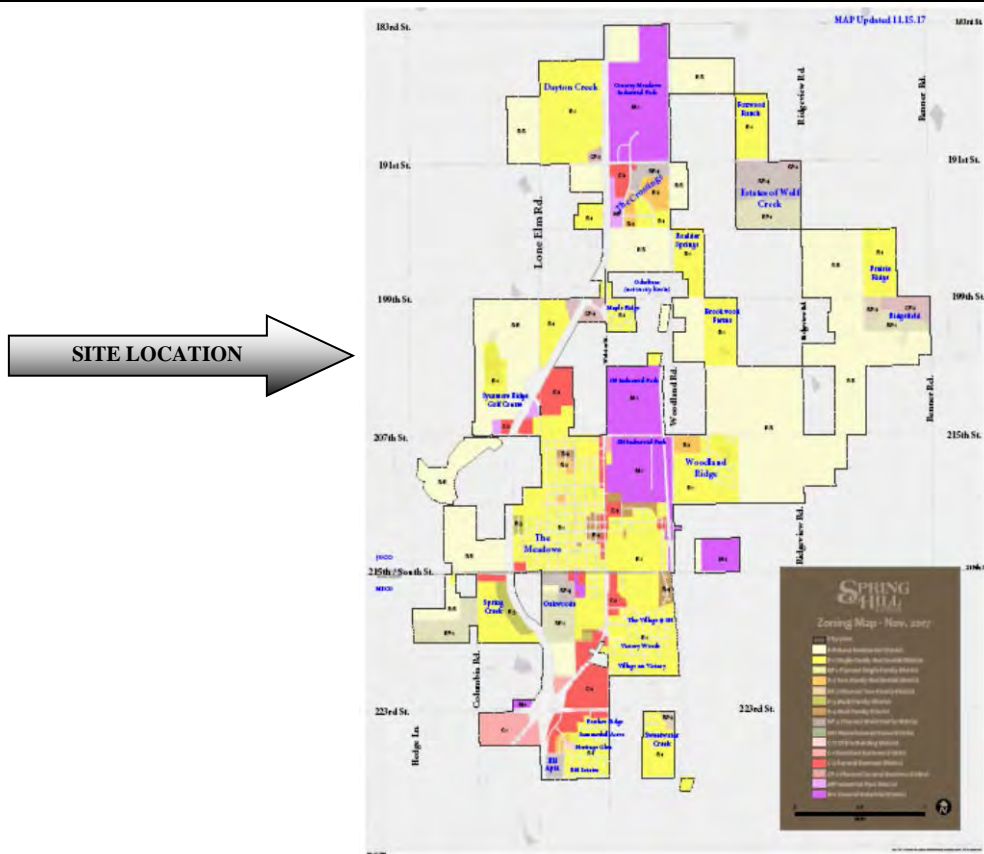
Total Lot Area: 14.73 ac.

Proposed Number of Lots: 1

Current Zoning: "R-R"

Proposed Use: Public Park

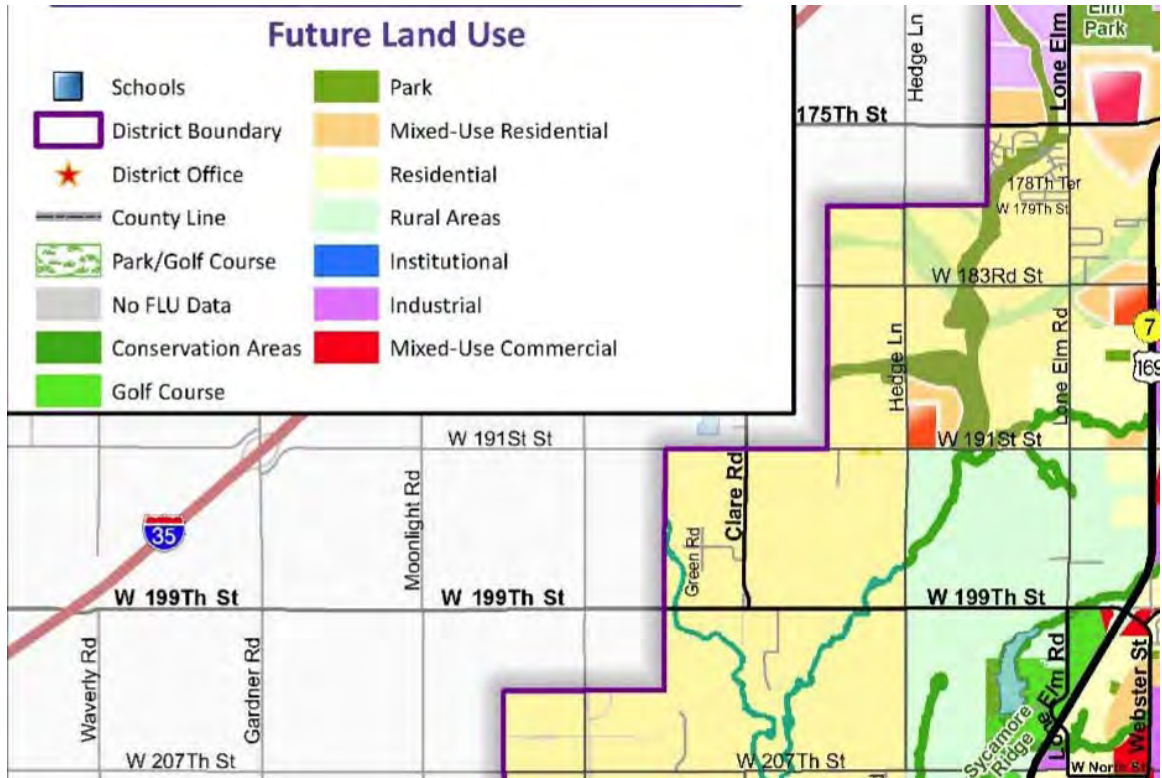
Related Applications:



Aerial



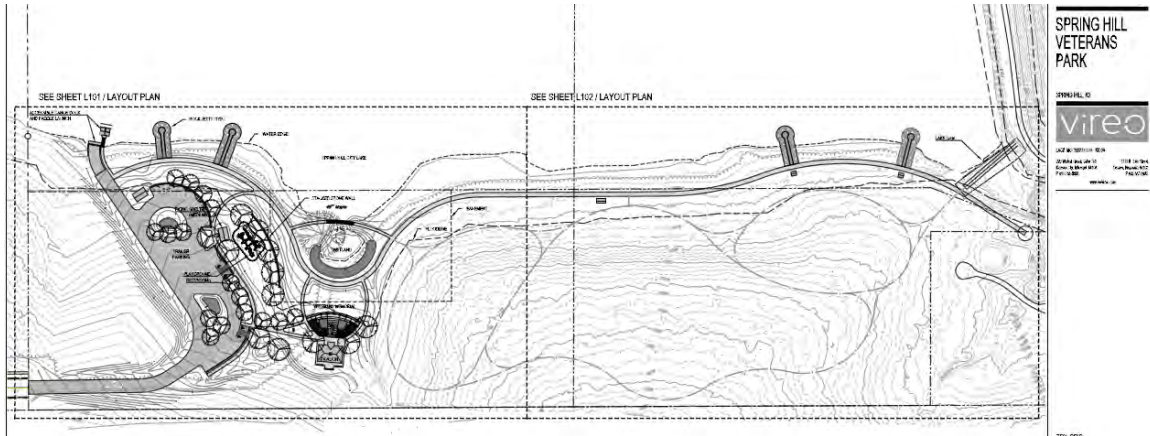
Future Land Use Map



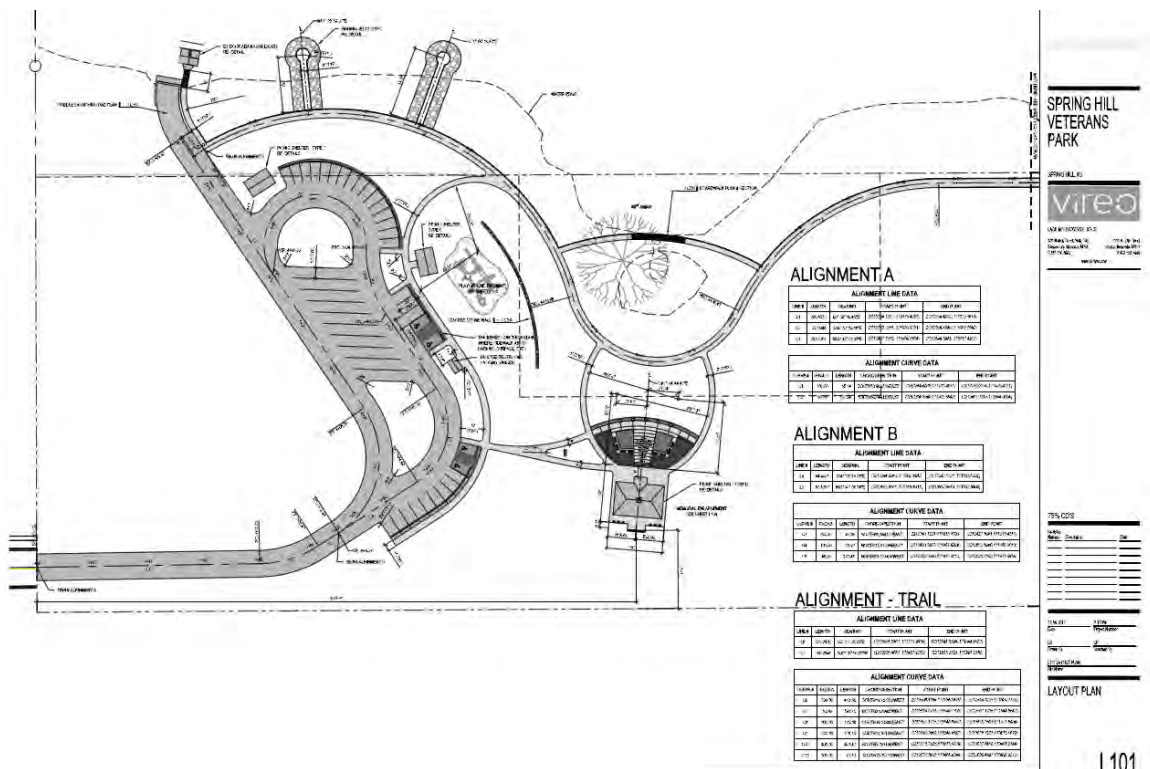
Master Plan Design



Overall Site Plan



Alignment Layout



BACKGROUND:

In 2008, the residents of Spring Hill passed a sales tax increase by general election ballot, to help fund a park project at the city lake. In the same year, conceptual drawings were created to form a “Master Plan”. The vision for the “Master Plan” was developed through a committee and public input over the years. These drawings envisioned improving the west side of the lake into a park that would serve the community with park amenities, recreation and educational opportunities. The idea was to take advantage of the natural surroundings, to preserve existing land formations, wooded areas, water area, and create open space to provide a unique opportunity for park patrons. In short, is to design a park that offers an opportunity for enjoyable time with family and friends, or have a rejuvenating experience by intertwining with nature or the amenities offered in the park. A sizeable list of recommended improvements was developed within the scope of uses for the park. This list included items such as, access, parking lot, docks, picnic shelters, restrooms, playgrounds, walking trails and a dog park just to name a few. The concept was to create a design to transform under-utilized outdoor space into a destination with opportunities to create experiences that would enhance the quality of life for individuals, families, and the community as a whole. Last year, the City took a huge step in making the park a reality by installing a new curbed asphalt street from 199th Street into the starting area of the proposed park. In addition, a path was cleared through the woods to the waterfront. This path gives the City a better picture of what may be encountered in developing the park. The City also purchased new playground equipment through a cost sharing grant program. This equipment has been delivered and will be installed once the design of the park is completed. Along with the equipment, the City received a matching grant from KDHE to install rubberize mulch around the new equipment. Local organizations, as well as the Community Fisheries Assistance Program through Kansas Department of Wildlife, Parks and Tourism, have expressed interests in assisting with the construction of the park. In order to apply for grants and utilize these organizations, the City must have a completed plan that is “shovel ready”. In May 2017, the Governing Body accepted the bid submitted by Vireo to design Veterans Park.

STAFF COMMENT:

Staff has reviewed the plan under the requirements of Section 17.340 of the Spring Hill Zoning Ordinance as follows:

- All lot lines and rights-of-way are identified.
- All existing and proposed structures with applicable dimensions are identified.
- All parking and loading areas have been identified; and the type of surfacing and base course has been identified.
- Existing and proposed landscaping on the property has been identified
- Parking has been identified and will be paved as required. The Spring Hill Zoning Ordinance does not specifically identify a parking ratio for this type of use, however the parking stalls provided appear to be adequate in number.
- Outside lighting is allowed at a maximum height of 33 feet or 25 feet when located adjacent to a residential development. Because calculations for the lighting were not provided with the plans they are to be submitted by the lighting engineer and are subject to review prior to lighting installation.
- The erosion and sediment control plan, and storm water drainage details are identified on the plans and are satisfactory for the site.
- Landscaping identified on the plans are in compliance with code as well as the recommendations of the Comprehensive Plan and Planning Principles and Design Guidelines.
- The landscape plans also show an area of various landscape plantings that comply with the City Code.

In addition to the above noted items the site plan has been reviewed for compliance with the following standards:

1. *The extent to which the proposal conforms to the provisions of the Code.*
The area is zoned R-R which allows “parks and recreation” as an allowed use. The definition of parks and recreation (Sec. 17.302.B.101) includes public park facilities. As a result, the facility is in compliance with the provisions and intent of the zoning code.
2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*
See comments of item #1 above.
3. *The extent to which the development would be compatible with the surrounding area.*
The surrounding area currently is primarily vacant with a mixture of agricultural and rural residential zoning districts. Public facilities such as parks are compatible with most zoning districts when proper consideration is given to items such as lighting, buffering and landscaping. Conversations with adjoining landowners of future

residential developments have resulted in their comments and suggestions being implemented into the project plans as applicable.

4. *The extent to which the proposal conforms to the recommendations of the Spring Hill Comprehensive Plan including but not limited to the Vision Plan, the Community Development Recommendations, and the Planning and Principles and Design Guidelines.*
Proposed “Veterans Park” is in compliance with the recommendations of the Comprehensive Plan as it provides a location easily accessible public facility. In addition, the 2008 Spring Hill Master Park Plan consistently identifies a park as one of the public’s most desired needs for the community. The proposed park includes amenities most commonly requested by the public.
5. *The extent to which the proposal conforms to customary engineering standards used in the City.*
 - a. Sanitary sewer plans will need to be approved by Johnson County Environmental Department for a septic system or holding tank.
 - b. Water plans approved by the City Engineer and Public Works Director
 - c. Storm water plans approved by the City Engineer and Public Works Director
6. *The extent to which the location of streets, paths, walkways, and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.*
A traffic impact study has not been completed, but traffic counts by JOCO Public Works Department, have shown that no improvements to 191st Street are required at this time.
7. *The extent to which the location of streets, paths, walkways, driveways, open space (if any), and parking lots have been located to achieve the following objectives:*
 - a. Preserve existing off-site views and create desirable on-site views
 - b. Conserve natural resources and amenities including prime agricultural land
 - c. Minimize any adverse flood impact
 - d. Ensure that proposed structures are located on suitable soils
 - e. Minimize any adverse environmental impact
 - f. Minimize any present or future cost to the City and private providers of utilities in order to adequately provide utility service to the site.
 - g. The parking lot is also designed in a manner that takes advantage of the natural topography and limits the impact to drainage and storm water facilities. Utilities will be provided to the site from existing utilities located at the Parks Maintenance Building below the dam.
8. *All structures shall be required to have permanent or continuous footings and foundations.*
All structures will be adequately designed and engineered.

RECOMMENDATION:

It is the recommendation of staff that the plan for the Veterans Park be approved by the Planning Commission and found in compliance with the Spring Hill Comprehensive Plan.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plan of Veterans Park, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the plan to the Governing Body, or
- Recommend denial of the plan to the Governing Body and notify the applicant of such action, or
- Table action on the plan to a specific date and notify the applicant of such action

STAFF RECOMMENDATION:

Staff recommends approval of the Master Plan, Veterans Park.

Attachments: Plans

End of Staff Report

Mr. Patrick Burton, Project Coordinator for the Spring Hill Community Development Dept., along with Mr. Ryan Crowley, Parks Superintendent, presented the staff report to the Planning Commission as outlined above.

Motion by Mr. Mitchell, seconded by Mr. Buescher, that the Planning Commission finds the master park plan to be in compliance with the Comprehensive Plan as presented by Staff.

Roll Call Vote: Nowlin-Aye, Buescher-Aye, Mitchell-Aye, Sly-Aye, Pollom-Aye, Erhart-Aye, Denny-Aye
Motion carried 7-0-0

DISCUSSION – N/A

REPORTS

1. **Conditional Use Permit (CU-2015-0001) Annual Staff Review** for Verizon Wireless - SSC, to allow for a communication tower, located at 20250 Webster St.
2. **Conditional Use Permit (CU-2015-0002) Annual Staff Review** for The Bowery Events, LLC, to allow for an outdoor recreation and entertainment area, located at 20559 Lone Elm Rd.
3. **Annual PC Meeting Summary Report (2017)**
4. **Building Permit Summary Report (2017)**
5. **The following item(s) related to the Community Development Department were approved at the Dec. 14, 2017 City Council meeting:**
 - Final Plat for Foxwood Ranch, 1st Plat (FP-09-17)
 - Improvement Agreement for Foxwood Ranch, 1st Plat (FP-09-17)
 - Site Plan (SP-03-17) for the material storage lot – New Century, 1st Plat, Lot 1
 - Permanent Utility Easement for Woodland Ridge VII
 - 2018 Corporate Limits and Boundaries of the City of Spring Hill (Resolution No. 2017-R-28)
 - Conditional Use Permit Renewal (CU-2017-0005) to allow for the operation of a car wash at 22421 S. Harrison St., Mr. Don Wessel (Ordinance No. 2017-19)
 - Conditional Use Permit Renewal (CU-2017-0006) to allow for the operation of an assisted living facility at 22550 S. Franklin St., NRFC Blackhawk Holdings, LLC (Ordinance No. 2017-20)

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

- Staff announced reminded commissioners of the training opportunity available on Jan. 12, 2018, this is sponsored by the League of Kansas Municipalities; the topic is Planning & Zoning.
- Mr. Hendershot stated that the terms for Mr. Sly, Ms. Pollom, and Mr. Denny will expire in February 2018. They will be receiving a letter from the City Clerk regarding reappointment procedures.
- Mr. Burton provided an update on the Civic Center Revitalization Project.
- Mr. Hendershot stated that the Planning Commission will need to elect a new Chairperson and Vice Chairperson at the March 2018 meeting.

ADJOURN

Motion by Mr. Mitchell, seconded by Mr. Nowlin, to adjourn.

Roll Call Vote: Nowlin-Aye, Buescher-Aye, Mitchell-Aye, Sly-Aye, Pollom-Aye, Erhart-Aye, Denny-Aye

Motion carried 7-0-0

The meeting adjourned at 7:56 p.m.

**SPRING HILL PLANNING COMMISSION
REZONING STAFF REPORT**

Case #: Z-01-18 **Meeting Date:** February 1, 2018

Description: Proposed Rezoning from M-1 (General Industrial District) to C-2 (General Business District)

Location: 191st north side east of 169 Highway North Madison and North Webster Streets **in Country Meadows Industrial Park** lots 10,11,13,14 and 17 of Country Meadows Industrial Park, 4th Plat

Applicant: Country Meadows Properties – Lynn Baker

Owner: L & J Development, LLC. – Lynn Baker

Engineer: Allenbrand Drews – Gary Allenbrand

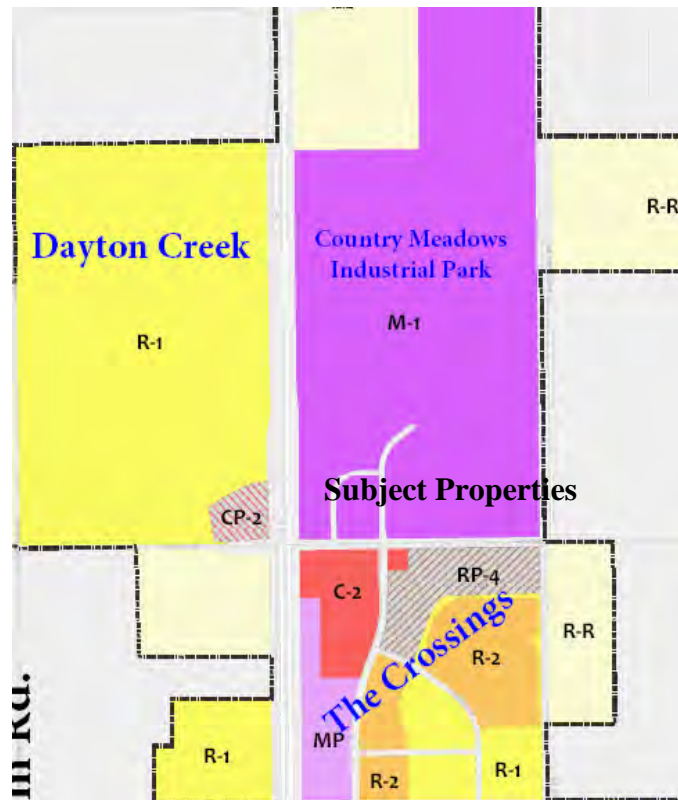
Current Zoning: M-1 **Proposed Zoning:** C-2

Site Area: 6.5 Acres **Number of Lot(s):** 5

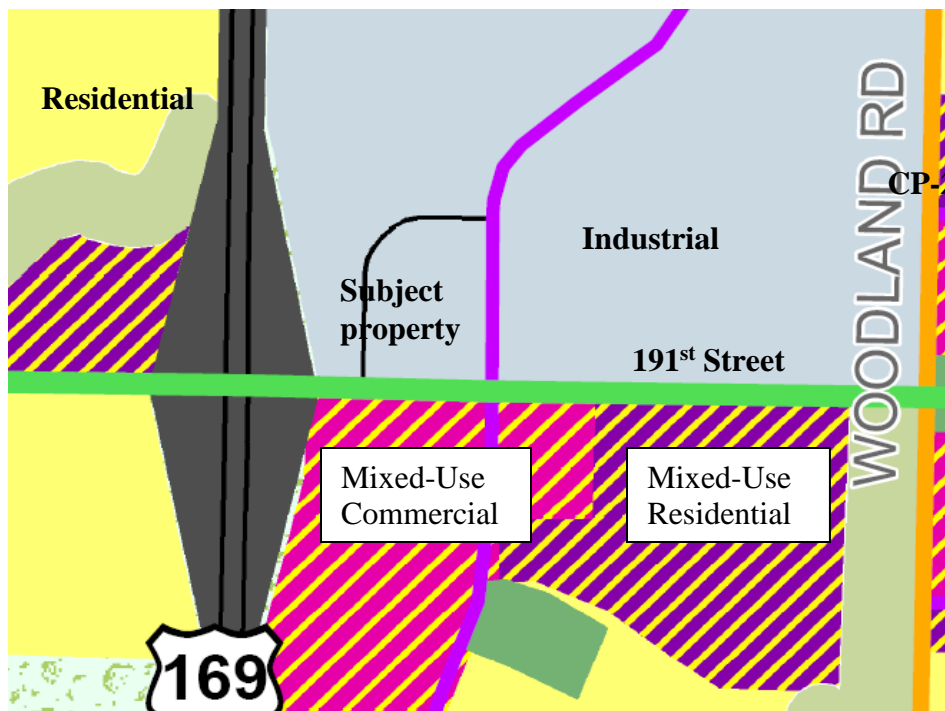
	Current Zoning	Existing Land Use	Future Land Use Map
Site:	M-1	Vacant	Industrial
North:	M-1	Vacant / M-1 / C-2	Industrial / Commercial
South:	R/W	M-1 / 191 st R-O-W	M-1 / Mixed-Use Commercial
East:	M-1	Vacant	Industrial
West:	M-1 / Hwy	Vacant	Industrial / 169 Hwy

Proposed Use: C-2 General Business

AREA ZONING



FUTURE LAND USE



BACKGROUND: An application has been received for rezoning of lots 10,11,13,14 and 17 of Country Meadows Industrial Park, 4th Plat. The property is zoned M-1 and replatted in 2001 as Country Meadows Industrial Park 4th Plat. The property is currently zoned M-1 (General Industrial District) with a requested zoning change to C-2 (General Business District). Changes in market conditions and types of business use demand, have resulted in this current rezoning request. Most of the existing uses within the plat today, would be an allowed use in the C-2 zoning district

REZONING:

The review of the proposed rezonings are consistent with Golden v. City of Overland Park, 224 Kan. 591, 584 P. 2d 130 (1978).

- 1. Consistent with purposes of the regulations and intent and purpose of the proposed district:** The proposed rezoning is consistent with the future land use map in the fact that property to the south within the same proximity from US 169 Highway is indicated as mix-use commercial on the Future Land Use Map and intent of the regulations regarding C-2 district.
- 2. Neighborhood Character:** The existing surrounding area is a mixture of uses, comprised of agricultural / rural residential and planned multi-family, commercial and industrial.
- 3. Zoning and uses of nearby parcels:** As shown on the area zoning map above, the properties to the north and east are General Industrial (M-1) within the City. The area to the south is currently zoned General Industrial District (M-1) and General Business District (C-2), with an area to the southeast across 191st Street is zoned Planned Multi-Family District (RP-4), that is currently being developed. All uses and proposed uses within the adjoining properties are compatible with a C-2 (General Business District).
- 4. Requested because of changing conditions:** Request is based on business opportunities determined by the applicant.
- 5. Suitability of parcel for uses restricted by the current zone:** The current zoning does allow many of the same uses with in the current zoning, but the foreseen uses by the applicant are better suited within the C-2 (General Business District) zoning. The proposed zoning change will conform with the zoning codes that state, a C-2 district should typically be directed to limited areas appropriate for highest intensity development such as at interchanges along US 169 Highway.
- 6. Suitability of parcel for uses permitted by the proposed district:** The proposed zoning change would result in a less intensive zoning. The existing lots are designed and their size are more compatible with C-2 zoning.
- 7. Detrimental Effect of Zoning Change:** No detrimental effects are anticipated.
- 8. Proposed amendment corrects an error:** No error(s) are being corrected.

- 9. Length of time property has been vacant:** This property is undeveloped and has been vacant ground with limited agricultural in use for many years.
- 10. Adequacy of current facilities:** All utilities are adequate and available to the properties with limited extensions as determined by the development plan(s).
- 11. Conformance with Comprehensive Plan.** As shown on the Future Land Use map above, the Comprehensive Plan identifies this area as industrial use, but the shown uses to the south and west are compatible with C-2 zoning.
- 12. Hardship if application is denied:** The issue of hardship can be better addressed by the applicant and owner.

ADDITIONAL REVIEW COMMENTS:

Staff distributed the rezoning application to various consultants and City staff for comment. Any applicable comments have been addressed by the applicant. As required, area property owners were notified of the hearing by mail and a newspaper publication was completed 20 days prior to the hearing date. In addition, signs advertising the public hearing date for this application were posted on the property as required. To date, no written or verbal public comments have been received.

ALTERNATIVE ACTION: Alternatives for action by Planning Commission include:

- *Approval of application* with final action by the Governing Body on February 22, 2018, subject to the protest period and petition as provided by Section 17.364.I of the Spring Hill Zoning Regulations, or
- *Denial of application* (application would be forwarded to Governing Body) on February 22, 2018, subject to the protest period and petition as provided by Section 17.364.I of the Spring Hill Zoning Regulations, or
- *Continuance* of item to future meeting identifying specific issues to be reviewed by staff and/or the applicant.

RECOMMENDATION: Staff recommends approval of rezoning application Z-01-18 from M-1 (General) to C-2 (General Business District).

Suggested Motion: Motion to recommend approval to the Spring Hill Governing Body for rezoning application Z-01-18 as presented by staff.

AFFIDAVIT OF PUBLICATION

NPG Newspapers, Inc., P.O. Box 29, St. Joseph, MO 64502

Reference: 182892
Ad ID: 6516785

P.O. :

DESC. :Hearing 2-01-18.Rezone M1 to C2.Z-01-18

GLEND A GERRITY
CITY OF SPRING HILL
PO BOX 424
SPRING HILL, KS 66083

Miami County Republic

(Published in the Miami County
Republic Wed., 1/10/18)

State of Kansas, Miami County, ss:

CITY OF SPRING HILL, KANSAS
NOTICE OF REZONING
PUBLIC HEARING

I, Sandra Ridings being duly sworn according
to law, state that I am the Legal Advertising
Coordinator of the Miami County Republic, a
weekly newspaper printed in the State of
Kansas, and published in and of general circula-
tion in Miami County, Kansas, with a general
paid circulation on a weekly basis in Miami
County, Kansas; and that said newspaper is not
a trade, religious, or fraternal publication.
Said newspaper is published at least weekly fifty
times a year and has been so published continu-
ously and uninterruptedly in said County and
State for a period of more than five years prior to
the first publication of the said notice; and has
been admitted to the post office of Paola, in said
county as second class matter.
That this notice, a true copy of which is hereto
attached, was published in the regular and entire
issue of said weekly newspaper as follows, to-
wit:

Real Property: NOTICE is hereby
given that the PLANNING COMMIS-
SION of the CITY of SPRING HILL,
KANSAS, will hold a Public Hearing at
their regularly scheduled meeting at
613 S. Race Street, Spring Hill, Kansas
on the 1st day of February, 2018, at
7:00 P.M. at which time and place you
may be heard in regard to the applica-
tion for a rezoning hearing, for the fol-
lowing described real property, situated
in the City of Spring Hill, Johnson
County, Kansas, to wit:

Owner requests a rezoning from
M-1 (General Industrial District) to C-2
(General Business District)

LEGAL DESCRIPTION:
LOTS 10, 11, 13, 14 AND 17, COUN-
TRY MEADOWS INDUSTRIAL PARK
4TH PLAT, A SUBDIVISION IN THE
CITY OF SPRING HILL, JOHNSON
COUNTY, KANSAS

This notice shall be published once in
the official city newspaper at least twen-
ty (20) days prior to the date of said
hearing.

Dated this 3rd day of January, 2018
SPRING HILL
PLANNING COMMISSION
Stephen Sly, Chairman
ATTEST:

(SEAL)

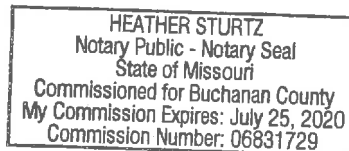
Glenda Gerrity, City Clerk

Run Dates: 01/10/18 to 01/10/18
Appearances: 1
AD SPACE: 79
TOTAL COST: \$77.68

(Signed) [Signature]

Subscribed and sworn before me this
10th day of January 2018

[Signature] Notary Public



My Commission Expires: 7/25/20