

**SPRING HILL PLANNING COMMISSION
REGULAR MEETING
AGENDA
THURSDAY, October 2, 2014
7:00 P.M.
SPRING HILL CIVIC CENTER
401 N. MADISON – ROOM 15**

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

FORMAL ACTION

1. **Approval of Minutes**
September 4, 2014

2. **Public Hearing – Rezoning**

Case No.: Z-02-14
Request: Zoning Change from R1 to R2
Address: Lawrence & Jackson
Applicant: CRN Properties, Randall Nay

3. **Final Plat**

Case No.: FP-04-14
Request: Estates of Wolf Creek 6th Plat
Address: Estates of Wolf Creek, 193rd Terrace and 194th St., west of Newcastle St.
Applicant: Wolf Creek Development

DISCUSSION

ANNOUNCEMENTS and REPORTS

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 401 N. Madison, Spring Hill, KS 66083 (913-592-3664).

**City of Spring Hill, Kansas
Minutes of Planning Commission Regular Session
September 4, 2014**

A Regular Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on September 4, 2014. The meeting convened at 7:00p.m. with Vice Chairman Weber presiding, and Natalie Lazenby, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell – Arrived at 7:04p.m.
Brian Haupt
Cindy Squire
Michael Weber
Janell Pollom
Stephen Sly
Josh Nowlin

Councilmembers absent: Tobi Bitner

Staff in attendance: Community Development Director, Jim Hendershot
Planning Secretary, Natalie Lazenby

ROLL CALL

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

7: 04p.m. Chairman Mitchell arrived

APPROVAL OF THE AGENDA

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

Motion carried 7-0-0

FORMAL ACTION

1. Approval of Minutes: August 7, 2014

Motion by Ms. Squire seconded by Mr. Haupt, to approve the agenda as amended. Motion carried 6-1(Sly)-0

2. Public Hearing – Rezoning

Case No.: Z-02-2014
Request: Zoning Change from R1 to R2
Address: Lawrence & Jackson
Applicant: CRN Properties, Randall Nay

Commissioner Haupt noted that due to a lack of notification being posted on the subject property, the meeting needed to be tabled and rescheduled for a later date.

The Community Development Director agreed that no notification had been posted on the property and that due to this oversight, this topic should be tabled until the October 2, 2014 meeting.

Motion by Mr. Haupt seconded by Ms. Squire, to table Rezoning Z-02-14, Zoning Change from R-1 to R-2 until October 2, 2014. Motion carried 7-0-0

3. Public Hearing - Ordinance Amendment
Case: Beekeeping

The Planning Commission Director noted that this topic is still a Public Hearing. He also stated his opposition to allowing beekeeping in districts other than RR and AG. However, at the direction of the Planning Commission an Ordinance amendment on beekeeping has been drafted. Proposed changes to Section 17.336.B.2 of the Spring Hill Zoning Regulations are as follows:

- xi. Beekeeping subject to the following conditions:
1. Hives may be located only on lots with residential use
 2. Parties responsible for the maintenance of hives shall reside on the property where the hives are located.
 3. A flyway barrier at least six (6) feet in height shall surround all hives and be located a minimum of six (6) feet from any hive. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.
 4. Hives shall be located a minimum of twenty-five (25) feet from any property line and located so that they are not visible from the public right-of-way.
 5. Permanent posting of ownership or individuals responsible for the maintenance of hives including name, address and phone number shall be posted in a conspicuous location on the residential structure, fence or flyway barrier.
 6. Hives are limited in size to no more than six square feet of ground coverage area and six feet in height, and shall not extend above the height of the required flyway barrier.
 7. Hives shall be maintained in a responsible manner and in conformance with accepted best management practices. Hives not being actively maintained shall be removed.
 8. No more than two hives, as described above, shall be located on any property in an R-1 or R-2 district.
 9. Annually, the owner or individual responsible for the hives shall register the hives with the City of Spring Hill and shall pay a registration fee as established by the Governing Body.
 10. Upon registration of hives with the City of Spring Hill, the applicant shall notify the Animal Control Officer when the installation of the hives is complete. The Animal Control Officer shall inspect the property for compliance with this code and shall reinspect the site annually or as required to maintain compliance with this code.

Commissioner Squire presented copies of letters written in support of honey bees, by Ms. Shelton's 4th-grade class at Wolf Creek Elementary School.

Commissioner Haupt suggested that a definition of what a "hive" is be established.

Vice Chairman Weber closed the public hearing at comments at 7: 35p.m.

Motion by Mr. Haupt seconded by Mr. Sly, to recommend to City Council the addition of 2, i, xi, Beekeeping subject to the conditions listed in the staff report with the amendment to point number 8, no more than two hives as described in point number 6 above, can be located on any property.

Roll Call Vote: Squire-yea, Pollom-yea, Weber-yea, Mitchell-yea, Haupt-yea, Nowlin-yea, Sly-yea.
Motion carried 7-0-0.

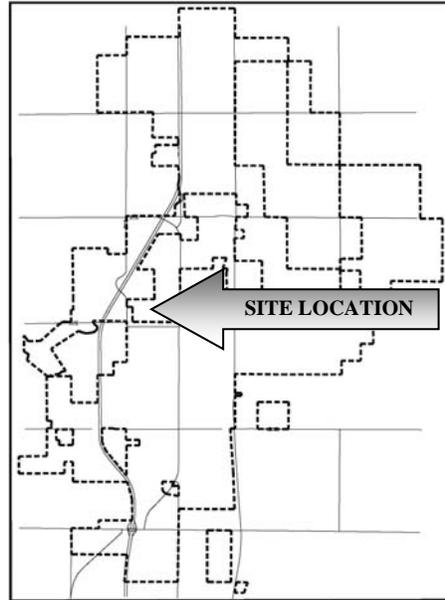
4. **Site Plan**
 Case No.: SP-01-14
 Request: Commercial Facility
 Address: Lone Elm Rd. & US169 Highway
 Applicant: Artistic Concrete Services, Mike Denny

Vice Chairman Weber asked if there were any contacts or conflicts of interest. There being none; Mr. Hendershot proceeded with this staff report.

**SPRING HILL PLANNING COMMISSION
SITE PLAN STAFF REPORT**

Case #:	SP-01-14	Meeting Date:	September 4, 2014
Description:	Artistic Concrete Surfaces – Office Building		
Location:	Lone Elm Road & US169/K7 Highway		
Applicant:	Artistic Concrete Surfaces – Mike Denny		
Engineer:	Helling Architecture – Randall Helling		
Site Area:	6.83 acres		
Minimum Lot Area:	N/A	Related Case:	FP-02-14, Z-01-14
Current Zoning:	C-2	Proposed Use:	Commercial Office
	Current Zoning	Existing Land Use	Future Land Use Map
Site:	C-2	Vacant	Residential
North:	C-2	Agriculture	Residential
South:	R-1	Residential	Residential
East:	RUR (JOCO)	Vacant	Residential
West:	R-1	M-1	Residential Vacant Industrial Industrial

THE FOLLOWING MINUTES ARE SUBJECT TO MODIFICATION
AND ARE NOT OFFICIAL MINUTES
UNTIL APPROVED BY THE SPRING HILL PLANNING COMMISSION



BACKGROUND: The applicant, Artistic Concrete Surfaces, Mike Denny, President, has submitted a site plan application to construct a two story metal frame commercial building to be used as offices for his concrete business (see attached drawings). The site consists of an asphalt drive, paved parking stalls, gravel work area behind a fence with a concrete apron, landscaped areas and a covered entry.

STAFF REVIEW:

Staff has reviewed the site 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 proposed structures with applicable data are identified
- Paved parking is provided as required
- Trash receptacles are screened from view by a six foot wood privacy fence
- The exterior finish of the building is metal with the front entry highlighted with heavy timbers and stone.
- The building sidewalls are 17 feet in height and an overall building height of 34 ft. 9 inches, which is in compliance with the C-2 regulations of 45 feet.
- Exterior lighting is not shown on the plan sheets. If provided, the lighting must meet the requirements of Section 17.338.A.6 and Section 17.350.H.
- The setbacks shown on the site plan are in compliance with the regulations of the C-2 district.
- Consultants, utility providers and city staff have reviewed the site plan and provided comments. These comments and recommendations have been implemented into the site plan as applicable

STANDARDS OF REVIEW

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 proposed use is an allowed use in the C-2 General Business District.
2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*
The property is located on a recently approved final plat known as the Bowery, and rezoning to C-2 was approved by the City Council on August 28, 2014. The proposed project is in compliance with the Spring Hill Subdivision Regulations.
3. *The extent to which the development would be compatible with the surrounding area.*
The project is compatible with the surrounding area when considering the location and distance to any other structure or land uses.
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.*
As noted during the rezoning hearings, the area is shown on the Future Land Use Map as residential, however existing C-2 zoning adjacent to the north of this property indicates a long range plan of commercial rather than residential. This is especially true when considering the location and proximity to US169/K7 Highway.
5. *The extent to which the proposal conforms to customary engineering standards used in the City.*
The building has been designed by recognized and licensed architects and/or engineers.
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.*
Access to the property is from Lone Elm Road, which has direct connection to US169/K7 Highway, which is appropriate for the type of traffic anticipated to this facility.
7. *All structures shall be required to have permanent or continuous footings and foundations.*
All structures are adequately designed and engineered.

RECOMMENDATION:

It is the recommendation of staff that the Planning Commission approve site plan SP-01-14.

Motion by Mr. Haupt seconded by Mr. Nowlin, to recommend approval of SP-01-14, Site Plan for Artistic Concrete Services.

Roll Call Vote: Squire-yea, Pollom-yea, Weber-yea, Mitchell-yea, Haupt-yea, Nowlin-yea, Sly-yea.
Motion carried 7-0-0.

DISCUSSION

5. Parking Regulations Amendment

The Community Development Director presented an update to the Parking Regulations. Staff has obtained measurements on Nichols and Main Streets for parking comparison. In addition, staff along with representatives from our on-call traffic consultant, BHC Rhodes, have viewed the areas noted above. BHC Rhodes was asked to compare our parking lot regulations to accepted standards for angle parking with a single lane of traffic in a public street. Our requirements are in compliance with area and nationally recognized standards.

Commissioner Squire requested that no parking signage be added to the draft ordinance.

Commissioner Haupt urged that if angle parking is determined to be acceptable in the Nichols and Main Street area, than we need to allow it in other locations throughout the city.

Motion by Mr. Haupt seconded by Mr. Mitchell, to have a public hearing at the November 6, 2014 Planning Commission Meeting to formally discuss possible amendments to the zoning code to allow for head-in (angle) parking on the street right-of-way.

Roll Call Vote: Squire-yea, Pollom-yea, Weber-yea, Mitchell-yea, Haupt-yea, Nowlin-yea, Sly-yea.
Motion carried 7-0-0.

6. 2014 Comprehensive Plan Review

The Community Development Director presented a review of the adopted Comprehensive Plan. The 2012 and 2013 reviews were extensive with respect to updates on information obtained in the 2010 US Census along with the termination of the Miami County Growth Area. He requested that after review if no areas are noted for change that the commissioners accept the current edition of the Comprehensive Plan.

Mr. Haupt noted that the only change that he could see would be to include head-in (angle) parking on the street right-of-way.

Ms. Squire inquired about anticipated growth by USD 230.

7. October 2, 2014 Planning Commission Meeting

The Community Development Director noted that he would not be at the October 2, 2014 meeting. The meeting is scheduled to be conducted in his absence.

ADJOURN

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

The meeting adjourned at 8:20 p.m.

**SPRING HILL PLANNING COMMISSION
ZONING STAFF REPORT**

Case #: Z-02-14

Meeting Date: October 2, 2014

Description: Proposed Rezoning from R-1 to R-2

Location: Vacant city block, NW corner Lawrence and Jackson Streets

Applicant: CRN Properties – Randall Nay

Engineer: Don Bozich

Current Zoning: R-1

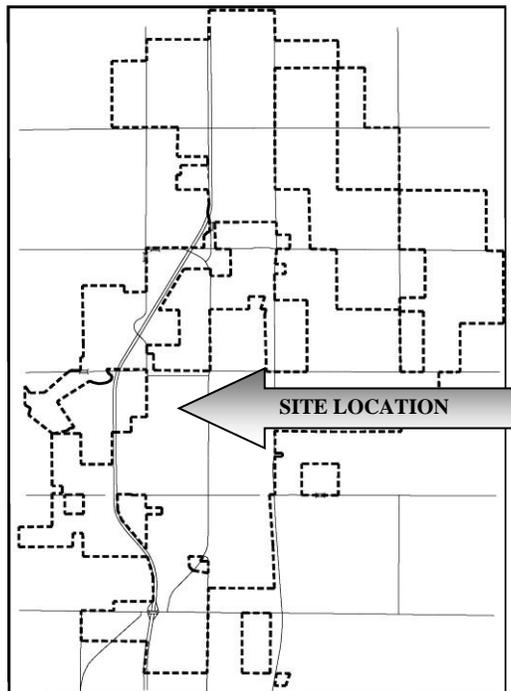
Proposed Zoning: R-2

Site Area: 2.35 Acres

Number of Lots: 10

	Current Zoning	Existing Land Use	Future Land Use Map
Site:	R-1	Vacant	Residential
North:	R-1	Residential	Residential
South:	R-1	Residential	Residential
East:	R-1	Residential	Residential
West:	R-1	Residential	Residential

Proposed Use: Residential – 2 Family Duplex



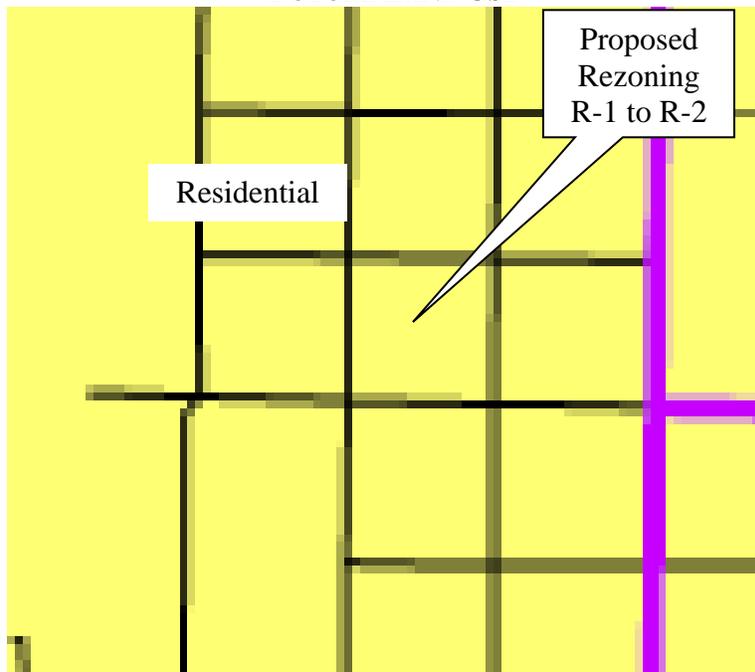
AREA PHOTO



AREA ZONING



FUTURE LAND USE



BACKGROUND:

An application has been received requesting the above shown property be rezoned from R-1 (Single-Family Residential) to R-2 (Two-Family Residential) for the purpose of constructing eight duplex homes. The homes would be slab-on-grade construction with a single attached garage for each unit, wood lap siding on the front and wood panel siding on the sides and rear of each unit..

Notifications to area owners were mailed as required and a notice was published in the newspaper. To date no comments have been received by staff.

REZONING:

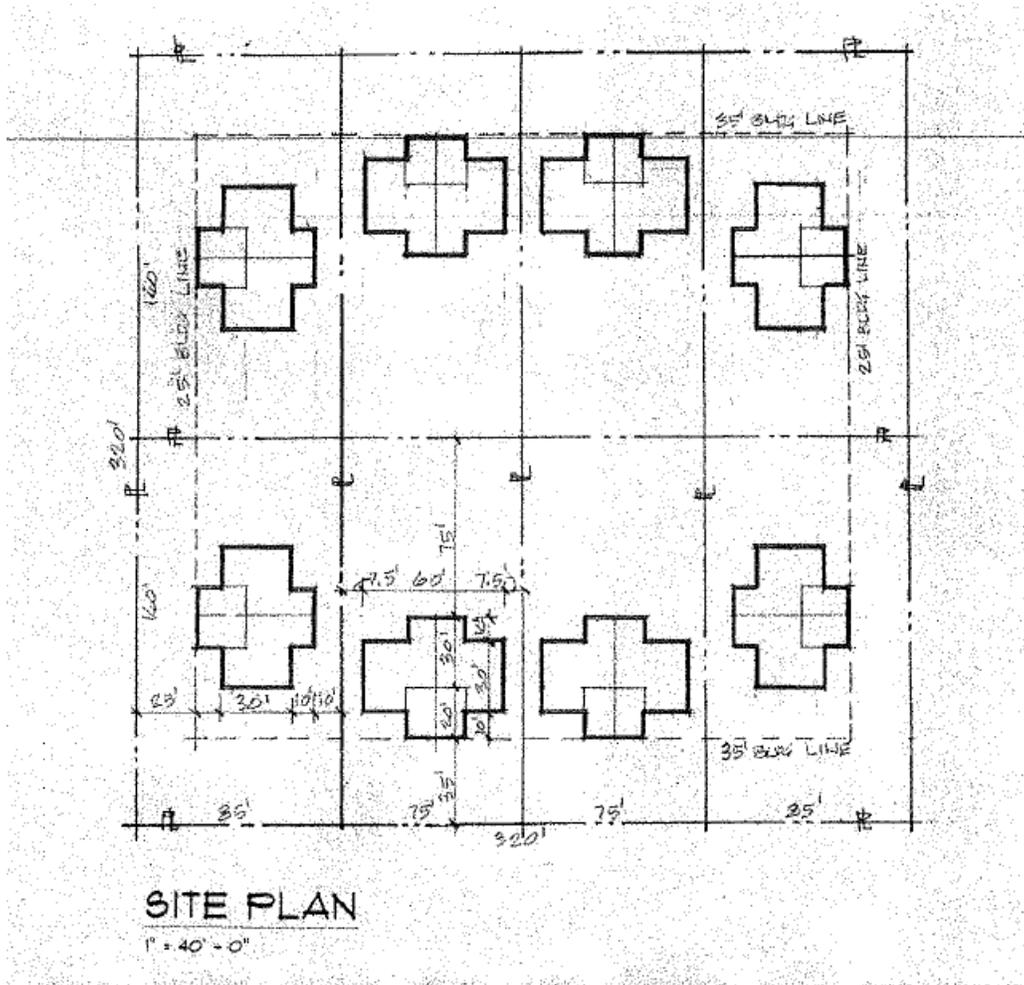
The review of the proposed rezonings are consistent with Golden v. City of Overland Park, 224 Kan. 591, 584 P. 2d 130 (1978).

- 1. Consistent with purposes of the regulations and intent and purpose of the proposed district:** The proposed rezoning is consistent with the purpose and intent of the regulations in that two-family dwellings are an allowed use in an R-2 District.
- 2. Neighborhood Character:** As shown on the aerial photo above, the surrounding neighborhood is primarily single family residential.
- 3. Zoning and uses of nearby parcels:** As shown on the area zoning map above the surrounding neighborhood is zoned R-1, single-family residential.
- 4. Requested because of changing conditions:** Request is based on a business and residential development opportunity at a location that has been historically vacant.

- 5. Suitability of parcel for uses restricted by the current zone:** The area of Spring Hill subject to this rezoning request is within the original town plat. The current zoning of R-1 restricts the development of this vacant city block from any residential development other than single family homes. Rezoning to R-2 would allow for both single and two-family residential construction. This project would include the construction of eight duplex homes with construction techniques and appearance that is compatible with the surrounding neighborhood.
- 6. Suitability of parcel for uses permitted by the proposed district:** As noted above it is staff's opinion the proposed infill of a vacant city block within the original plat of Spring Hill with duplex units is compatible with the surrounding neighborhood and permitted with an R-2 zoning designation.
- 7. Detrimental Effect of Zoning Change:** No detrimental effects are anticipated.
- 8. Proposed amendment corrects an error:** No error is being corrected.
- 9. Length of property has been vacant:** This property has been vacant for many years and staff has no records of previous land use.
- 10. Adequacy of facilities:** With respect to utilities, water, gas and electric are readily available. This block has remained vacant primarily because of the lack of adequate sewer service. Historically, home construction in Spring Hill consists of homes with basements. This type of construction requires sewers of sufficient depth for gravity flow or the installation of lift pumps which are subject to failure. Currently sewers are available on the south side of Lawrence Street that are too shallow for basements but adequate for slab-on-grade homes. North of Smith Street approximately 150 feet is a sewer manhole that is the end of a main line that flows north to an existing lift station (see area photo above). In the past year city crews have upgraded the lift station that serves the sewer line north of Smith Street to provide capacity for increased flows including the subject city block. Prior to this upgrade the lift station was operating at or beyond capacity. With the construction of slab-of-grade construction the developer has options of extending the sewer main from either the north or south.
- 11. Conformance with Comprehensive Plan.** The Future Land Use Map identifies this property and surrounding properties as residential which, by definition, is primarily characterized by a mix of single-family dwellings, moderate density with a mix of housing types. Two-family residential uses are primarily promoted in the Comprehensive Plan within Mixed Use Residential areas. While the proposed zoning of R-2 is not in full compliance with the guidelines of the Comprehensive Plan, consideration should be given to the scope of the proposed development of a full city block, as well as the age, character and style of existing homes in the area.

As shown on the drawing below each duplex will have a single wide attached garage with the garages adjoining one another in the center of the building. Staff has worked

diligently with the applicant with regards to the Comprehensive Plan guideline of the width of the garage as compared to the total building width, and the projection distance of the garage. The plan shows the total garage width is less than 50% of the building width and extends approximately ten feet from the front wall of the structure. The Comp. Plan recommends five to eight feet of projection. The applicant has been very cooperative to limit the projection distance of the garage by rearranging the floor plan of the units. The applicant will provide additional information and floor plans at the meeting.



12. Hardship if application is denied: It is staff's opinion the applicant is better qualified to respond to this issue.

13 Recommendation: Staff recommends approval of rezoning case Z-02-14 from R-1 to R-2.

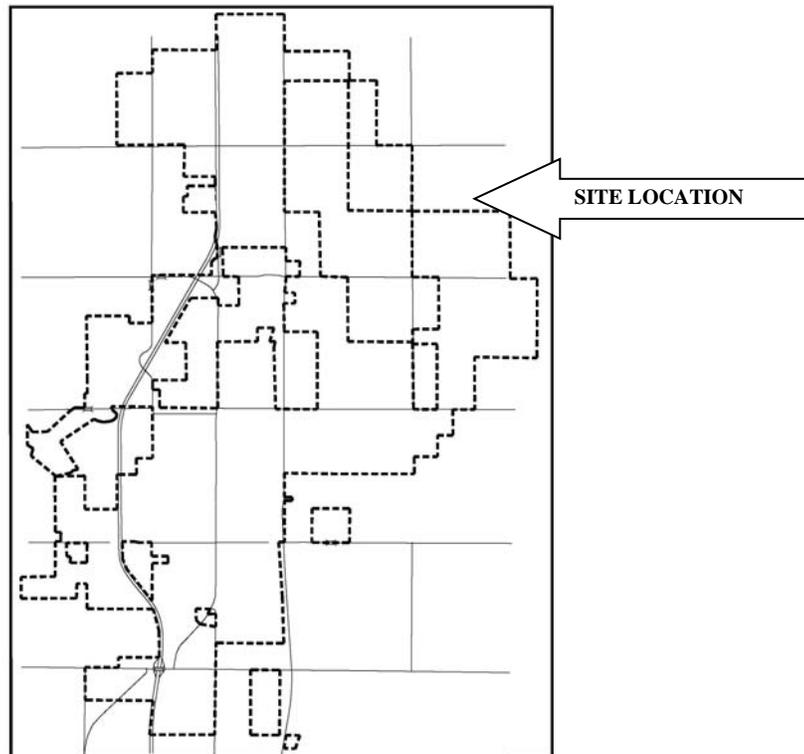
**SPRING HILL PLANNING COMMISSION
FINAL PLAT STAFF REPORT**

Case #: FP-04-14 **Meeting Date:** October 2, 2014
Description: Proposed Final Plat – Estates of Wolf Creek 6th Plat
Location: Estates of Wolf Creek, 193rd Terrace and 194th St., west of Newcastle St.
Applicant: Wolf Creek Development
Engineer: Phelps Engineering
Site Area: 7.41 acres (approx.)

Minimum Lot Area: Planned Development **Number of Lots:** 26 Residential
1 Common Area Tract

Current Zoning: RP-1 **Proposed Use:** Single-Family Residential

Related Applications: FP-01-11, FP-03-12





BACKGROUND:

The applicant, Wolf Creek Development, has submitted a final plat application for Estates of Wolf Creek 6th Plat. (A copy of the proposed final plat is included with this staff report.)

STAFF COMMENT:

There are 26 single-family lots and one tract of common ground in the Estates of Wolf Creek 6th Plat. The proposed plat meets the minimum lot requirements with regard to lot area, lot width and lot depth that was approved by the Planning Commission as planned development zoning on April 6, 2006. This plat is a continuation of several previous phases of development in the subdivision known as The Estates of Wolf Creek.

The utility easements are shown with dimensions meeting or exceeding the minimum easement requirements for the City.

The Public Works Director, City Engineer along with various consultants has reviewed the plat and their comments have been implemented into the plat as applicable.

Site Layout and Design. The site layout complies with the design of the preliminary plat.

Public facilities and Services. Fire, police and school public services will be able to serve this subdivision adequately. The City of Spring Hill will provide sewer service and Johnson County Water District Number One will provide water service.

Transportation. The proposed plat meets the City's design standards for the proposed streets and sidewalks.

Neighborhood Character. The proposed plat is compatible with the surrounding area.

Impacts. There are no fiscal or neighborhood impacts associated with the proposed plat.

Other Staff Comments. The applicant has been informed that the following information must be submitted and reviewed prior to plat consideration by the Spring Hill City Council:

1. Street profiles and cross sections
2. Erosion control plans
3. Drainage and/or storm water plans
4. Improvement agreement
5. Street lighting plans

RECOMMENDATION:

Staff recommends approval of the final plat for Estates of Wolf Creek 6th Plat subject to the following:

- 1) The applicant providing a copy of the Notice of Intent for storm water discharges associated with construction activity under the National Discharge Elimination System along with the Storm Water Pollution Prevention Plan.
- 2) The applicant provides the following for review by staff prior to consideration of the final plat by the Spring Hill City Council:
 1. Street profiles and cross sections
 2. Erosion control plans
 3. Drainage and/or storm water plans
 4. Improvement agreement
 5. Street lighting plans



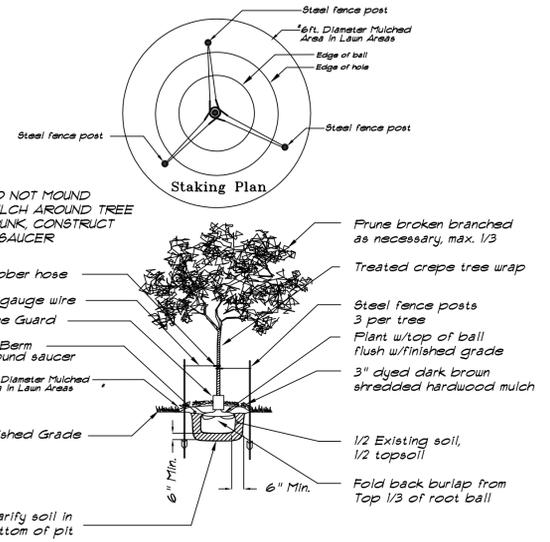
TREES	QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL
	40	Acer rubrum 'October Glory'™ / October Glory Maple	B # B	2.5' Cal
	20	Quercus bicolor / Swamp White Oak	B # B	2.5' Cal

Legend:

Existing and/or Future Plants (half-toned)

General Landscape Notes:

- Contractor shall verify the existence and location of all utilities before starting any work.
- Contractor shall verify all landscape material quantities and shall report any discrepancies to the Owner prior to installation.
- Contractor shall make no substitutions without the approval of the Owner.
- Contractor shall stake layout plan in the field and shall have the layout approved by the Owner before proceeding with the installation.
- Contractor shall guarantee all landscape work and plant material for a period of one year from date of acceptance of the work by the Owner.
- Any plant material which dies during the one year guarantee period shall be replaced by the contractor during normal planting seasons.
- Contractor shall be responsible for maintenance of the plants until completion of the job and acceptance by the Owner.
- All plant names on the plant list conform to the Standardized Plant Names prepared by the American Joint Committee on Horticultural Nomenclature or to names generally accepted in the nursery trade.
- All plant material shall be specimen quality stock as determined in the "American Standards For Nursery Stock" published by The American Association of Nurserymen, free of plant diseases and pests, of typical growth of the species and having a healthy, normal root system.
- Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than the specified sizes be accepted.
- Plants shall not be pruned prior to delivery to the site or after installation except for those branches that have been damaged in some way.
- Plants shall not have name tags removed prior to final inspection.

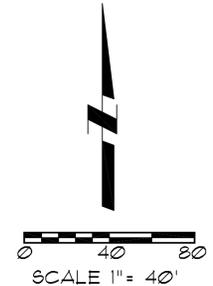
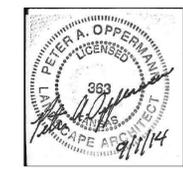


Tree Planting Detail
No Scale

Root Stimulator & Transplant Additives:

- Apply a commercial root stimulator (approved by the Landscape Architect) to all trees, shrubs, perennials & groundcovers at rates recommended by the manufacturer during the first plant watering following installation. This item shall be subsidiary to other planting items.
- Transplant additive shall be Plant Health Care Inc. "Mycor Tree Saver" mycorrhizal fungal transplant inoculant or equivalent equal containing the appropriate species of mycorrhizal fungi and bacteria, fungi stimulant, water retaining agents, mineral & organic nutrients and inert ingredients.
- Demonstrate installation of all transplant additives for this project to the Landscape Architect. Provide actual additive product as evidence of sufficient quantity of product. (Empty product bags to be stockpiled for inspection by the Landscape Architect prior to disposal).
- Number of transplant additive packets per tree, shrub, perennial or groundcover shall be applied according to the manufacturer's recommended rates and instructions. For all plants the packet mix shall be evenly distributed into the upper approximately 8" of backfill soil next to the rootball. Do not place mix in the bottom of the planting pit.
- Furnishing and application of transplant additive shall be subsidiary to the planting operations.

Utility Note:
Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-SAFE (344-7233) to have utilities located.



**6th Plat
Landscape Plan
Estates Of
Wolf Creek**
Spring Hill, Kansas

Oppermann LandDesign, LLC
Land Planning & Landscape Architecture
18990 West 117th Street
Olathe, Kansas 66061
oppermannlanddesign.com
pete@opperland.com
913.894.9407

