

**SPRING HILL PLANNING COMMISSION  
REGULAR MEETING  
AGENDA  
THURSDAY, November 6 , 2014  
7:00 P.M.  
SPRING HILL CIVIC CENTER  
401 N. MADISON – ROOM 15**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**FORMAL**

1. **Approval of Minutes: October 2, 2014**
2. **Public Hearing – Rezoning, Estates of Wolf Creek**  
Case.: Z-03-14  
Request: RP-1 to RP-4  
Address: Southwest Corner of 191<sup>st</sup> & Ridgeview  
Applicant Phelps Engineering, Inc.
- 2a. **Revised Preliminary Plan, Estates of Wolf Creek**  
Case.: PP-02-14  
Request: Plat Revision  
Address: Southwest Corner of 191<sup>st</sup> & Ridgeview  
Applicant Phelps Engineering, Inc.
3. **Amended Final Plat, Oak Woods Subdivision**
4. **Public Hearing – Parking Regulations**

**DISCUSSION**

5. **January 1, 2015, Meeting Schedule**

**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).

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

**City of Spring Hill, Kansas  
Minutes of Planning Commission Regular Session  
October 2, 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 October 2, 2014. The meeting convened at 7: 00p.m. with Chairman Mitchell presiding, and Natalie Lazenby, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell  
Brian Haupt  
Cindy Squire  
Josh Nowlin  
Michael Weber  
Janell Pollom

Commissioners absent: Stephen Sly  
Tobi Bitner

Staff in attendance: City Administrator, Jonathan Roberts  
Planning Secretary, Natalie Lazenby

Consultants in attendance: City Attorney Frank Jenkins

**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. Squire, seconded by Mr. Weber, to approve the agenda as presented.**

Motion carried 6-0-0

**FORMAL ACTION**

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

**Motion by Ms. Squire seconded by Mr. Weber, to approve the agenda as presented.**

Motion carried 6-0-0

**2. Public Hearing – Rezoning**

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

The chairman asked if anyone had any contact or conflict of interest with the applicant. With none stated, Mr. Roberts presented the following staff report.

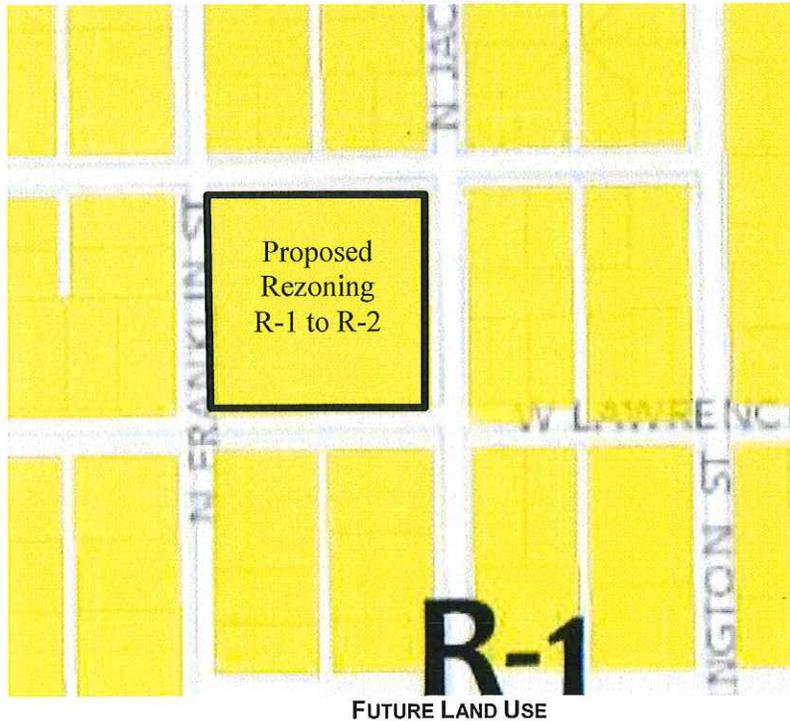


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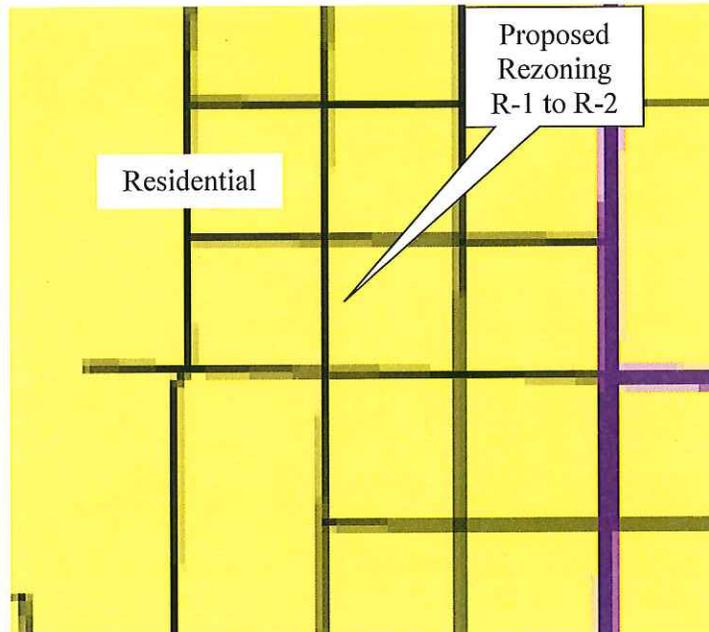
**AREA PHOTO**



**AREA ZONING**



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**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 rezoning is consistent with Golden v. The 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 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.

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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 the 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.



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The Chairman asked the commissioners if they had any additional information that they would need clarification with none stated he closed the public hearing.

Commissioner Haupt expressed that the issue here is a land use issue. Our job is not to be concerned with whether this property will be owner or renter occupied. It was his opinion that what the applicant has requested is an appropriate use for this property.

Commissioner Weber inquired about storm water concerns? Mr. Roberts addressed this issue by explaining that our Public Works department had located an outlet drain that needs to be cleaned out. We are in the process of gaining access to these properties, to have them cleaned.

Commissioner Squire addressed Mr. Steve Smith of Crown Reality, who was in attendance. She questioned his opinion on the potential of falling property values for the existing residents. Mr. Smith indicated that in his opinion if a property is well-cared for, then no, it should not negatively impact surrounding owners.

**Motion by Mr. Haupt to recommend approval of Z-02-14, from R-1 to R-2.**

**Second by Mr. Weber.**

Roll Call Vote: Weber-Aye, Pollom-Aye, Haupt-Aye, Mitchell- Aye, Squire-Aye, Nowlin-Aye

**Motion passed 6-0-0.**

The Chairman stated that 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. Copies of protest petitions may be obtained from the City Clerk Office.

**Final Plat**

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

The chairman asked if anyone had any contact or conflict of interest with the applicant. With none stated, Mr. Roberts presented the following staff report.



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**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.

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**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 is 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

**End of Staff Report**

**Motion by Ms. Squire** recommends approval of the final plat for Estates of Wolf Creek 6th Plat subject to the following:

- 1) The applicant is 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:
  - Street profiles and cross sections
  - Erosion control plans
  - Drainage and/or stormwater plans
  - Improvement agreement
  - Street lighting plans
  - Street lighting plans
  -

**Second by Mr. Weber.**

Roll Call Vote: Weber-Aye, Pollom-Aye, Haupt-Aye, Mitchell- Aye, Squire-Aye, Nowlin-Aye

**Motion passed 6-0-0.**

**ADJOURN**

Motion by Ms. Squire, seconded by Mr. Weber, to adjourn.

The meeting adjourned at 8:07 p.m.

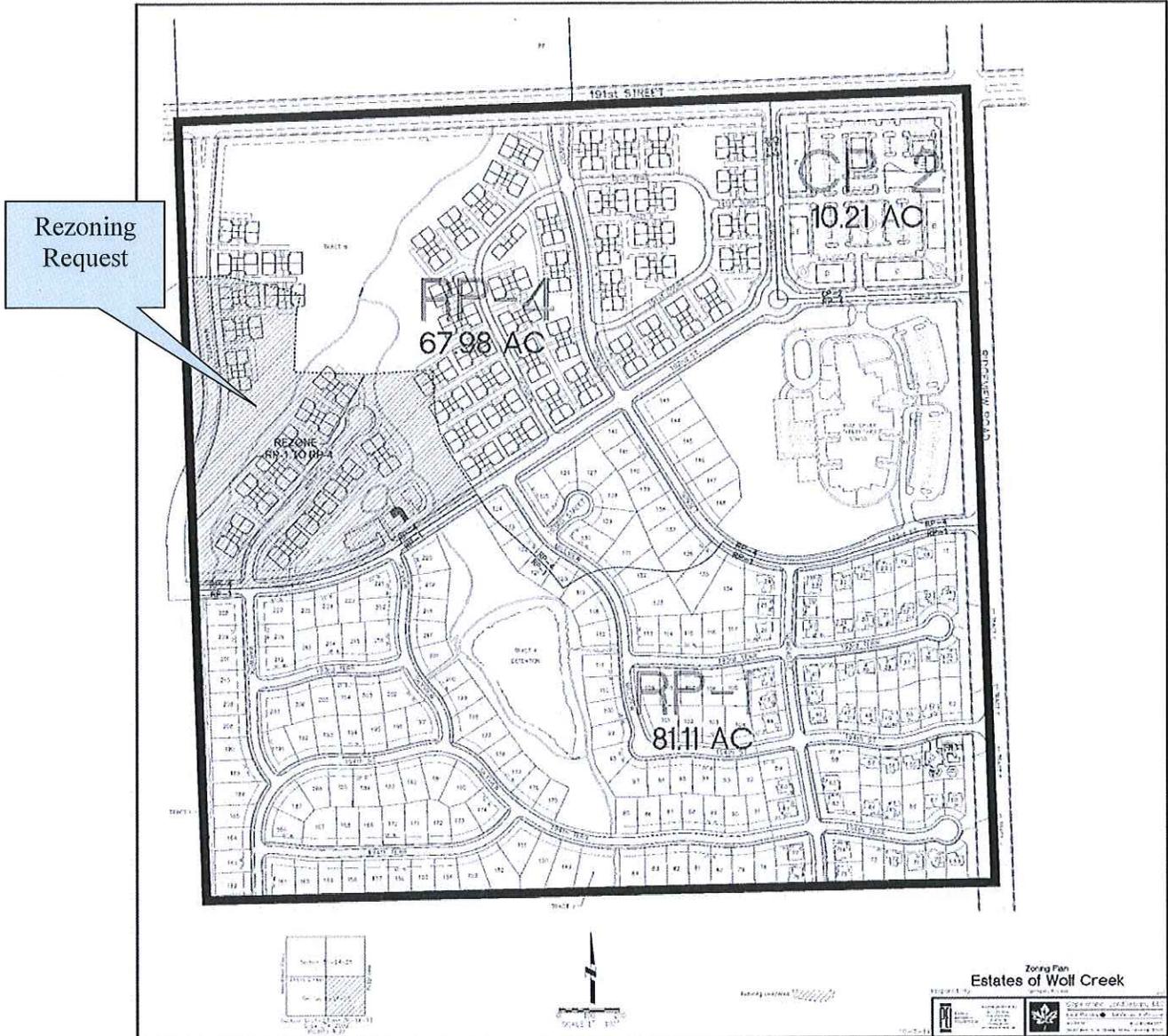
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Natalie Lazenby, Planning Secretary

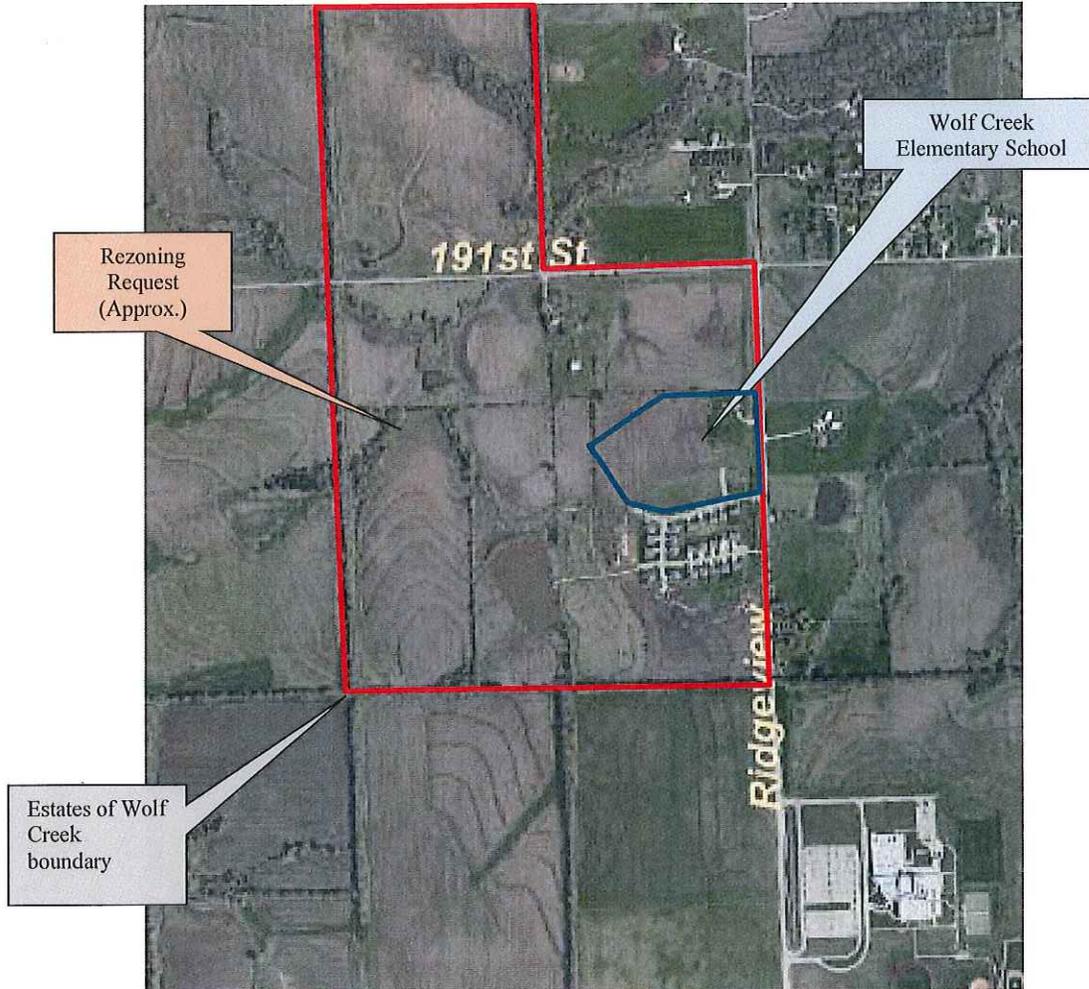


# Existing and Proposed Zoning

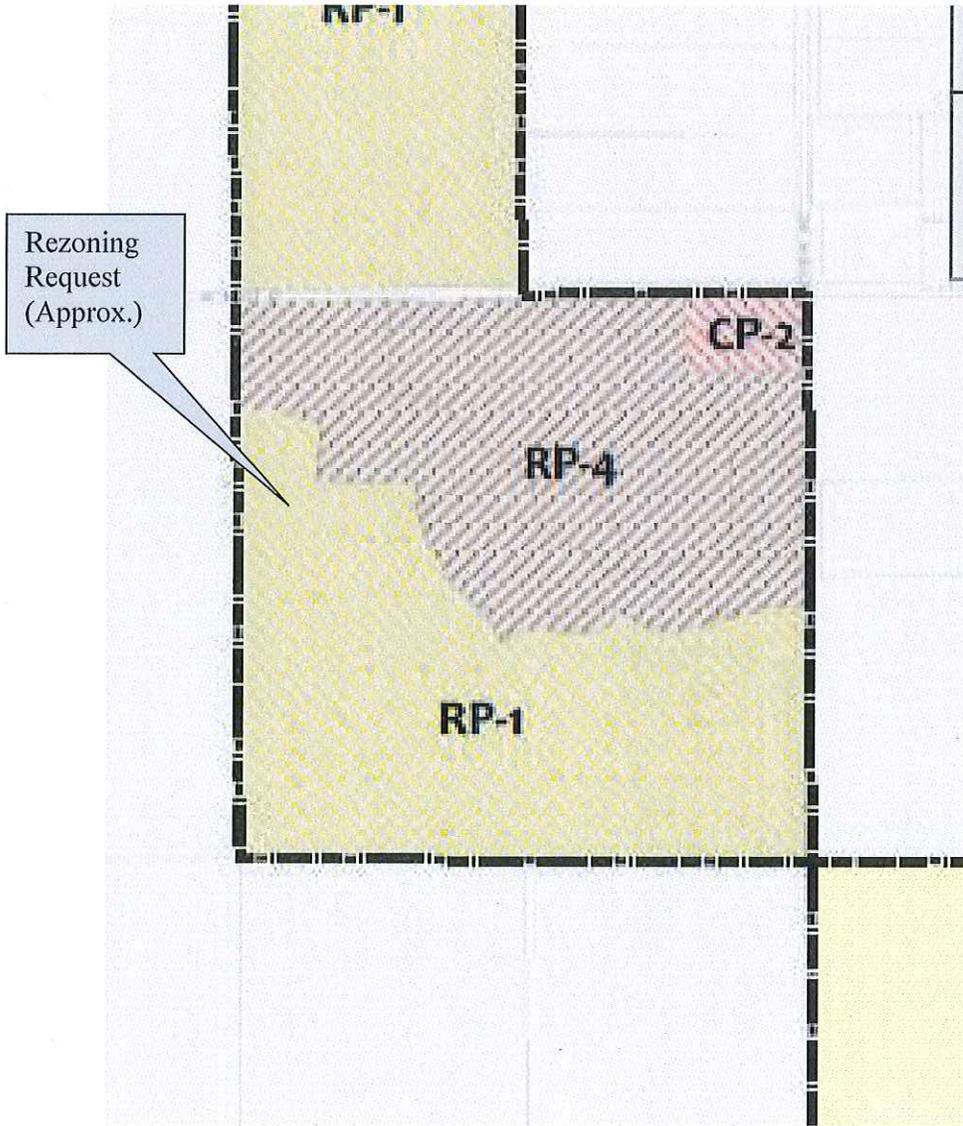
(Larger drawing included with packet)



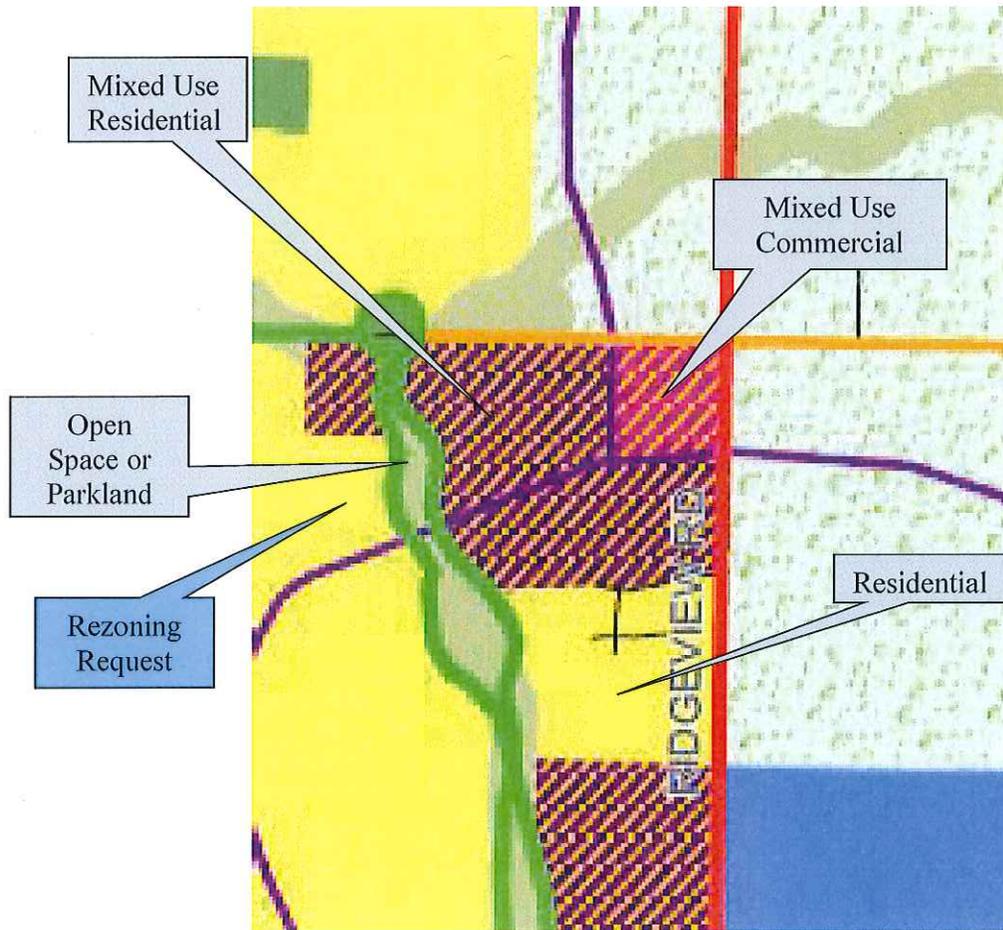
# AREA PHOTO



# AREA ZONING



## FUTURE LAND USE MAP

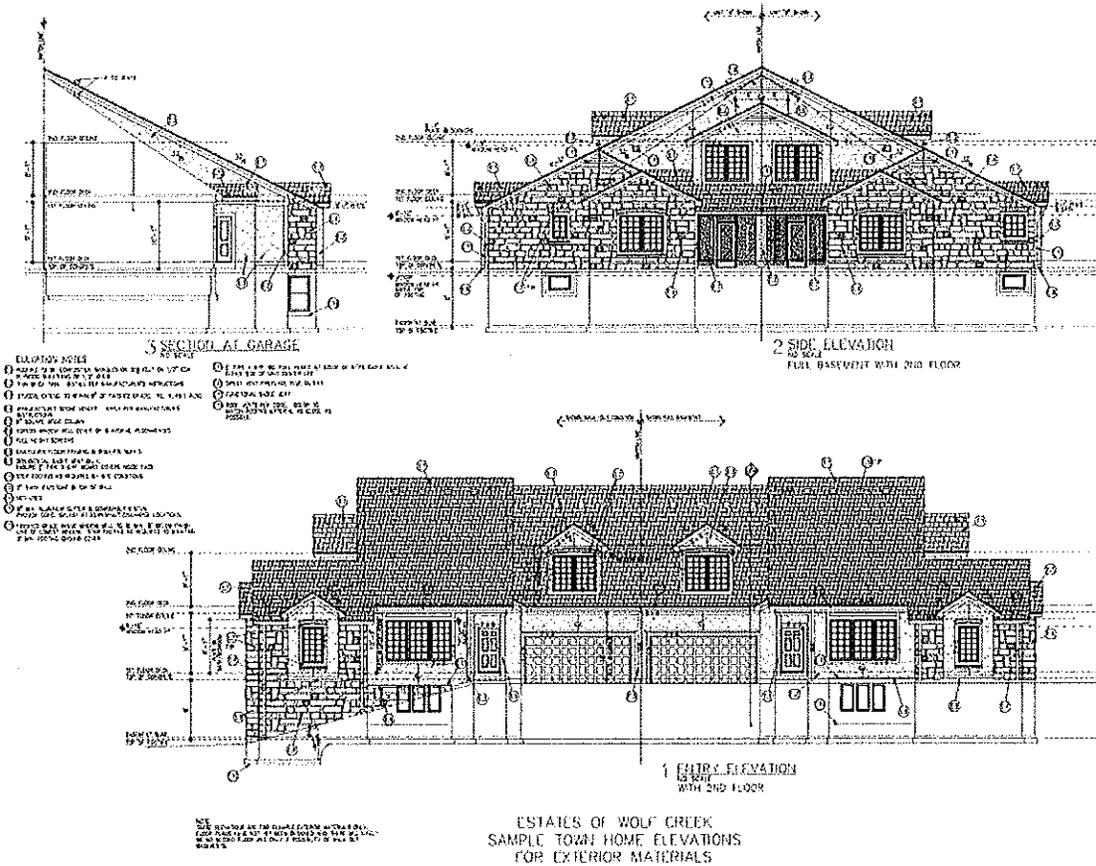


### BACKGROUND:

An application has been received requesting the above shown property be rezoned from RP-1 (Planned Single Family District) to RP-4 (Planned Multi-Family District). The property located south of 191<sup>st</sup> St. and west of Ridgeview is a 15.5 acre tract located within a 159.3 acre tract that is currently approved for a planned development. This request is based on a market reassessment by the developers. The area subject to rezoning is an extension of the RP-4 District to the east and north and will be bordered on the south by 192 Street providing a transition area from single to multi-family districts.

The area subject to rezoning will contain approximately 14, four-plex, or pinwheel style townhomes. The townhomes will be owner occupied with exterior maintenance provided

by the homes association being considered. The sketch below is a representation of the exterior of these units. (Larger drawing included with packet)



As noted on the drawing above the exterior of the units will consist of composition shingles, stone veneer, brick and stucco. The drawing also notes the units may be single or two story and the drawing is a representation of the exterior materials with floor plans to be determined.

As detailed in the Spring Hill Zoning Code and Comprehensive Plan areas zoned as Planned Developments are expected to use higher quality durable building materials and architectural features that provide an increase in visual interest over conventional zoned districts. This is accomplished with the noted use of the building materials noted above. As per the Planning Principles and Design Guidelines of the Spring Hill Comprehensive Plan the following has been implemented into the proposed project.

1. The exterior of the townhomes give the appearance of a large single-family dwelling with varied rooflines and façade depths.
2. The townhomes will be no more than 2 stories in height.
3. All sides of the townhomes display a similar level of quality and architectural interest.

4. Garages are integrated into the building design and do not project in front of the habitable living space.
5. A majority of the buildings and garages are oriented away from street frontage and face onto internal drives that are similar to public streets and provide a direct connection to public streets.
6. Open space and amenities are provided with the close proximity of the area to the centrally located swimming pool facility. In addition, the area has direct connection to open space and trails that extend from north to south thru the entire property.

**REZONING: RULES OF PROCEDURE (SECTION 17.364)**

1. Complete application received 10/7/14
2. Newspaper Publication: Notice of hearing published 10/15/14
3. Hearing notification mailed to property owners within the notification area on 10/16/14. The notification area consists of property owners within 200 ft. of the rezoning area within the city limits, and 1,000 ft. for owners of property in the county.
4. Signs (2) posted at or near the rezoning area on 10/20/14. Signs identified the date, time and location of the public hearing along with requested zoning district.

**THE REVIEW OF THE PROPOSED REZONING IS 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 use of the property for multi-family residential units is an allowed use in an RP-4 District and consistent with the proposed zoning. See Section 17.318 of the Spring Hill Zoning and Subdivision Regulations for the base regulations and Section 17.332 for Planned Developments.
2. **Neighborhood Character:** As shown on the aerial photo (page 3), the surrounding area is vacant with zoning districts described in #3 below.
3. **Zoning and uses of nearby parcels:** As shown on the area zoning map (page 4), the area to the east and north is zoned RP-4 (Planned Multi-Family Residential), the area to the south is zoned RP-1 (Planned Single Family Residential) and to the west is unincorporated Johnson County.
4. **Requested because of changing conditions:** The area was previously zoned RP-1 to reflect the developer's preliminary plan that was developed in 2006. This request is based on changing conditions of the current economy and a change in marketing strategy or business plan.
5. **Suitability of parcel for uses restricted by the current zone:** This request is based on a revised preliminary plan that expands the existing RP-4 district currently in place on the property. As a result of the revised plan that includes new street patterns the request creates a separation from single and multi-family districts with the construction of 192 Street.

6. **Suitability of parcel for uses permitted by the proposed district:** The proposed use of the parcel for multi-family homes is consistent with allowed uses in the proposed district of RP-4. The base district of R-4 also identifies multi-family residential as an allowed use.
7. **Detrimental Effect of Zoning Change:** Staff has identified no detrimental effect of the zoning change as the request is an extension of existing RP-4 zoning and 192<sup>nd</sup> Street will separate the district from the RP-1 district to the south.
8. **Proposed amendment corrects an error:** No error is being corrected.
9. **Length of property has been vacant:** The property has never been developed and remains vacant.
10. **Adequacy of facilities:** Adequate utilities are available at the property. Extensions of required infrastructure are identified on the preliminary development plan.
11. **Conformance with Comprehensive Plan.** As noted above the Future Land Use Map (page 5) identifies this property as "Residential". The Comprehensive Plan recognizes moderate density residential areas including two-family, three-family, townhomes and condominiums as areas which may be integrated into low-density areas with planned developments to ensure architectural compatibility (See Section 4.2.2 Spring Hill Comprehensive Plan). This combined with the fact the request is an extension of an existing RP-4 district results in staff's opinion the proposed district is in compliance with the Comprehensive Plan.
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 application Z-03-14 for Estates of Wolf Creek from RP-1 to RP-4.

SPRING HILL PLANNING COMMISSION  
ZONING STAFF REPORT

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**Case #:** PP-02-14

**Meeting Date:** November 6, 2014

**Description:** Revised Preliminary Development Plan, Estates of Wolf Creek

**Location:** Southwest corner 191<sup>st</sup> and Ridgeview Road, Spring Hill, KS

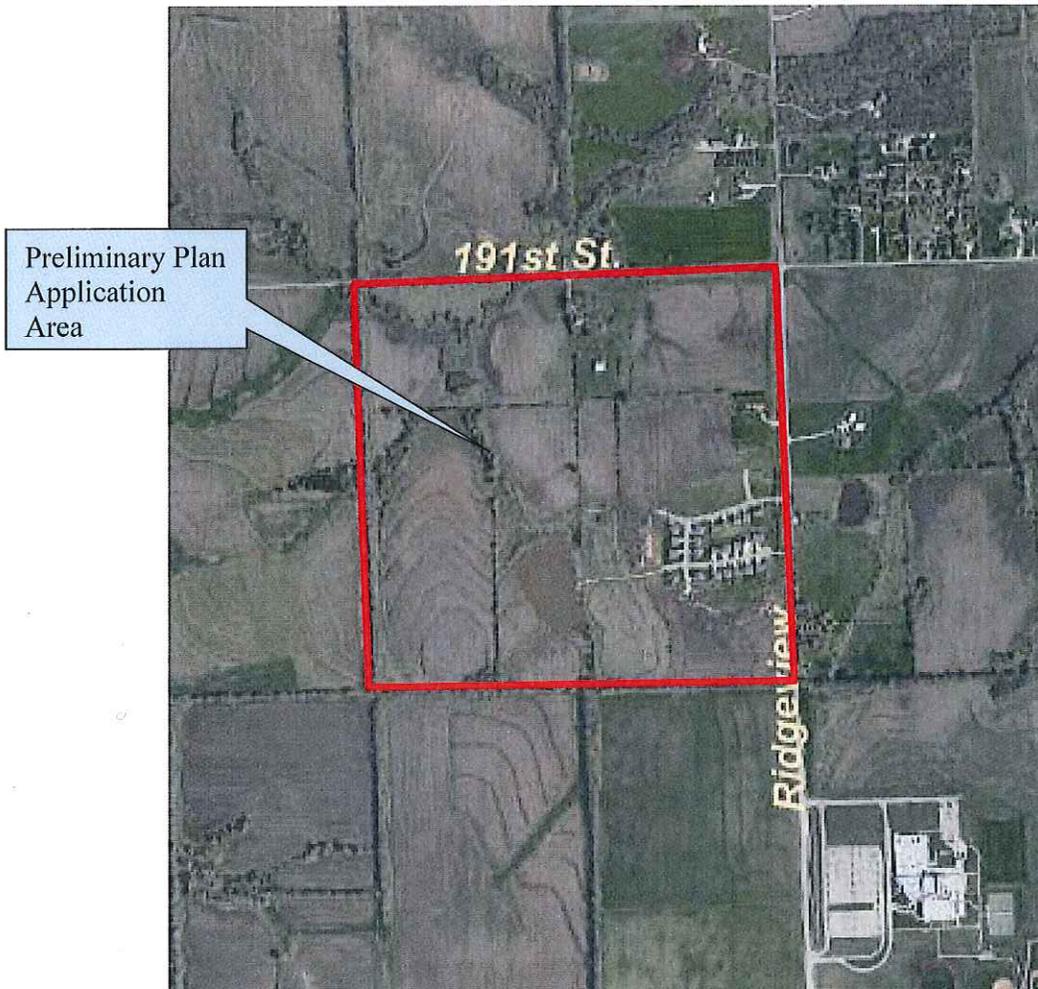
**Applicant:** Wolf Creek Development, LLC

**Engineer:** Phelps Engineering

**Site Area:** 159.3 Ac.

**Number of Lots:** 441

AREA PHOTO



**REQUIREMENTS OF THE SPRING HILL ZONING REGULATIONS FOR  
PRELIMINARY DEVELOPMENT PLANS ASSOCIATED WITH PLANNED ZONING**

**Section 17.332.F Spring Hill Zoning Regulations:** When a property is zoned as a planned district, the development plan shall be considered as preliminary and approved as part of the rezoning application.

**Section 17.332.H Spring Hill Zoning Regulations:** The Planning Commission shall advertise and hold a public hearing on the plan as provided by law and as set forth in Section 17.364. The review criteria set forth in Section 17.364.D (see note below) and the statement of objectives of planned zoning provided in Section 17.332.B (below) shall apply to the approval of planned districts and the associated preliminary plan.

NOTE: The review criteria provided in Section 17.364.D are the criteria established in *Golden v. City of Overland Park* and are detailed in the staff report for rezoning of the subject tract from RP-1 to RP-4.

**Section 17.332.B Spring Hill Zoning Regulations:**

**Statement of Objectives.** The zoning of land in the City of Spring Hill to one of the Planned Districts (RP-1 through RP-4 and CP-0 through CP-2) shall be for the purpose of encouraging and requiring orderly development on a quality level generally equal to that of the equivalent standard zoning districts, but permitting deviations from the normal and established development techniques. The use of planned zoning procedures is intended to encourage large-scale development tracts, efficient development of small tracts, innovative and imaginative site planning, conservation of natural resources and minimizing the inefficient use of land. Planned Districts are expected to be consistent with the *Comprehensive Plan* recommendations, including the Planning Principles and Design Guidelines. The following are specific objectives of this section.

1. A proposal to rezone land to a planned district shall be subject to the same criteria relative to compliance with master plans, land use policies, neighborhood compatibility, adequacy of streets and utilities and other elements as are normal in rezoning deliberations.
2. The submittal by the developer and the approval by the City of the approved plan in concept, intensity of use, aesthetic levels and quantities and qualities of open space.
3. Deviations in yard requirements, setbacks and relationship between buildings as set out in the Standards of Development of the underlying district may be

approved if it is deemed that other amenities or conditions will be gained to the extent that an equal or higher quality of development is produced.

4. Residential areas will be planned and developed in a manner that will produce more useable open space, better recreational opportunities, safer and more attractive neighborhoods than under standard zoning and development techniques.
5. Commercial areas will be planned and developed so as to result in attractive, viable and safe centers and clusters, as opposed to strip patterns along thoroughfares. Control of vehicular access, architectural quality, landscaping and signs will be exercised to soften the impact on nearby residential neighborhoods, and to assure minimum adverse effects on the street system and other services of the community.
6. The developer will be given latitude in using innovative techniques in the development of land not feasible under application of standard zoning requirements.
7. Planned zoning shall not be used as a refuge from the requirements of the equivalent district as to intensity of land use, amount of open space to other established development criteria. Nor will any use be permitted in the planned district that is not clearly permitted in the equivalent district.
8. Any building or portion thereof may be owned in condominium under KSA 58-3101.
9. For purposes of this title, the term "shopping center", "office park", or other grouping of buildings shall mean developments that were planned as an integral unit or cluster on property under unified control or ownership at the time the zoning was approved by the City. The size and/or subdivision of other partitions of the site after zoning approval does not exempt the project or portions thereof from complying with development standards, architectural quality, sign concepts and other conditions that were committed at the time of rezoning.
10. Open space in planned developments shall contribute to the use and enjoyment of the development's residents or users. Open space shall be provided in useful, quality spaces integrated purposefully into the overall development design. Residual areas left over after buildings and parking areas are sited are not considered acceptable useful open space.

This staff report will address the requirements of a revised preliminary development plan for Estates of Wolf Creek and will be considered during the public hearing for rezoning the subject tract from RP-1 to RP-4. If approved, the developer shall file with the Register of Deeds a statement that such a plan has been filed with the City of Spring Hill

and has been approved, and that such planned unit development is applicable to certain specific legally described land and such statement recorded shall also specify the nature of the plan, the proposed density or intensity of land uses and other pertinent information sufficient to notify any prospective purchaser of users of land of the existence of such plan (Sec. 17.332.I.1 Spring Hill Zoning Regulations).

Approval of a final development plan is required any time a preliminary development plan is required and approved for a zoning district. No building permit shall be issued until a final development plan is approved and the property is platted as applicable (Sec. 17.332.K Spring Hill Zoning Regulations).

Final development plan review shall be performed by the Zoning Administrator and presented to the Planning Commission for approval. The Planning Commission shall forward the plan to the City Council for consideration with recommendations(s) (Sec. 17.332.M.1 Spring Hill Zoning Regulations).

#### **BACKGROUND**

An application has been received requesting a portion of the area shown above be rezoned from RP-1 to RP-4. Accompanying this rezoning application is a revised preliminary plan for the subdivision.

Originally approved in 2006, Estates of Wolf Creek has progressed thru six final plat phases for residential construction and the construction of Wolf Creek Elementary School. A change in market conditions due to the recent housing and financial recession, along with the construction of the elementary school has created the need for the developer to reassess the marketing strategies for the subdivision. The 2006 plan contained amenities such as a traffic circle on 191<sup>st</sup> that are now proving to be financially unreasonable. In addition the 2009 FEMA Floodplain maps for the City of Spring Hill has caused revisions in previous plans.

Staff has worked with the developer and his design team over the past several months to formulate the application being presented to the Planning Commission. This plan revises the configuration of roads and decreases the density in both the RP-1 and RP-4 areas. The plan has 27% open space and implements the "pinwheel" style of townhomes not found anywhere in the area.

Included with this staff report you will find the preliminary development plan as required to be submitted with a planned zoning request. The development plan consists of the following:

1. Revised Preliminary and Rezoning Plan
2. Preliminary Plat/Plan
3. Concept Plan
4. Preliminary Utility Routing Plan
5. Zoning Plan
6. Preliminary Landscape Plan
7. Sample Townhome Elevations

Section 17.332.A of the Spring Hill Zoning Regulations indicates the "zoning of land to a Planned District shall be for the purpose of encouraging and requiring orderly development on a quality level generally equal to that of the equivalent zoning district, but permitting deviations from the normal and established development techniques". As noted above, a planned zoning request requires the submission of a preliminary development plan. If the preliminary development plan is approved, the Planning Commission and Governing Body must then approve a final development plan prior to the issuance of any permits for construction. A final development plan can be considered by the Planning Commission and Governing Body without a public hearing provided it is in substantial compliance with the preliminary plan and contains no substantial or significant changes. Procedures for the approval process including details on substantial or significant changes are found in Section 17.332 of the Spring Hill Zoning Regulations, 2009 Third Edition.

**SECTION 17.332.F - PLANNED DISTRICT PRELIMINARY DEVELOPMENT PLANS - CONTENTS AND SUBMISSION REQUIREMENTS**

**F. Planned District Preliminary Development Plans – Contents and Submission Requirements.** When property is zoned a planned district, the development plan shall be considered as preliminary and approved as part of the rezoning application. Due to the nature of planned districts, the preliminary site development plan may be more schematic and general in nature than a final plan that is more detailed in nature. The proponents of a planned district shall prepare and submit to the Planning Commission 16 copies of the preliminary development plan and a digital format approved by the Zoning Administrator, containing the following information:

1. A development plan showing the property to be included in the proposed development, plus the area within 200 feet thereof.

*Comment: Submitted and acceptable*

- a. Existing topography with contours at two-foot intervals, and delineating any land areas subject to one hundred-year flood, including those areas identified by flood studies prepared by the Johnson County Storm Water Management Program.

*Comment: Submitted and acceptable*

- b. Location of existing or proposed buildings and other structures, parking areas, drives, walks, screening, drainage patterns and drainage controls, public streets, proposed utility connection layouts for water and sewer, any existing easements, and areas of existing tree cover.

*Comment: Submitted and acceptable*

- c. Sufficient dimensions to indicate relationship between buildings, property lines, parking areas, and other elements of the plan.

*Comment: Submitted and acceptable*

- d. General extent and character of proposed landscaping, including common names and planting size.

*Comment: Submitted and acceptable.*

- e. Exterior Building Elevations. Preliminary sketches depicting the general style, size and exterior construction materials of the buildings proposed. In the event of several buildings, a typical sketch may be submitted.

*Comment: Submitted and acceptable*

- f. Schedules. A schedule shall be included indicating total floor area, dwelling units, land area, number of required and proposed parking spaces, and other quantities relative to the submitted plan in order that compliance with requirements of this title can be determined.

*Comment: Submitted and acceptable*

- g. Amenities. Proposed development amenities shall be identified, including but not limited to pedestrian walkways and trails, neighborhood parks, plazas, landscaped open spaces, recreational facilities, pools, clubhouses or community buildings, and any other site amenities.

*Comment: Submitted and acceptable*

2. The following information shall be shown on the same drawing within the 200-foot adjacent area:

- a. Any public streets, which are of record.

*Comment: Submitted and acceptable*

- b. Any drives which exist or which are proposed to the degree that they appear on plans on file with the City of Spring Hill, except those serving single-family houses.

*Comment: Submitted and acceptable*

- c. Any buildings, which exist or are proposed to the degree that their location and size are shown on plans on file with the City of Spring Hill. Single and two family residential buildings may be shown in approximate location and general size and shape.

*Comment: Submitted and acceptable*

- d. The location and size of any drainage structure, such as culvert, paved or earthen ditches or storm water sewers and inlets.

*Comment: Submitted and acceptable*

3. The following other relevant information including:

a. Name, address, telephone number, and fax number of the landowner, as well as the architect, landscape architect, land planner, engineer, surveyor, or other person involved in the preparation of the plan, technical studies, and documents submitted with the application.

*Comment: Submitted and acceptable*

b. Date of plan preparation.

*Comment: Submitted and acceptable*

c. The boundary lines of the area included in the development plan, including bearings, dimensions and reference to a section corner, quarter corner, or point on a recorded plat.

*Comment: Submitted and acceptable*

d. Existing land uses and current zoning districts.

*Comment: See staff report for Z-03-14*

e. North arrow and small key map indicating the location of the property within the City.

*Comment: Submitted and acceptable*

f. Engineering scale for site plans and standard architectural scale for building elevations.

*Comment: Submitted and acceptable*

g. Proof of adequate public facilities as set forth by Section 17.370.F of the City of Spring Hill Subdivision Regulations.

*Comment: Submitted and acceptable*

**G. Studies.** The applicant shall furnish a traffic impact study and a storm water runoff study pertaining to the planned district.

*Comment: Staff has reviewed the Traffic Impact Study submitted with the previous application. It is important to note the study was prepared prior to the implementation of the traffic circle on 191<sup>st</sup>. St. The street layout for this study is very similar to the current proposed layout, however, the density for the current application has decreased by 71 single family units and 116 multi-family units. Therefore, a revised traffic study was not required.*

*Comment: With respect to the Storm Water study, staff has reviewed the study submitted with the previous preliminary plan. Stormwater runoff beyond the perimeter of the development have remained constant. With the reduction of density noted above the impervious area of the proposed development has been reduced significantly. Therefore, a revised storm water study was not required as the recommendations of the study will be implemented into the final design of the development.*

**OTHER REVIEW CRITERIA:**

1. 17.332.E.8 Residential and commercial zoned planned developments are expected to use higher-quality durable building materials and architectural-design features that provide an increase in visual interest over conventional zoned developments.

*Comment: Architectural design features for single-family dwellings will remain constant from previously approved plans that are used in the construction of homes previously built in the subdivision. Architectural features for the townhomes are show on the attached drawings. These include the use of stone, stucco and composition shingles. Please note the units depicted on the drawings are for two-story townhomes. As noted on the drawings two-story townhomes are an option however, single story homes with the possibility of walkout basements are more likely to be constructed. In any case, the materials identified on the drawings are consistent with both one and two story units.*

2. Landscaping:

*Comment: As shown on the preliminary landscape plan, the project is in compliance with the landscaping requirements of the zoning regulations. The final landscape plan will provide additional detail on tree and plant species.*

**Recommendation:** Staff recommends approval of application PP-02-14, Revised Preliminary Development Estates of Wolf Creek.

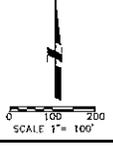
Attachments: Revised Preliminary/Rezoning Plan  
Preliminary Plat/Plan  
Concept Plan  
Preliminary Utility Routing Plan  
Zoning Plan  
Preliminary Landscape Plan  
Building Elevations - Townhomes





**UTILITY SERVICES**  
 SLOTTED MANHOLE  
 24" S.W. 1/4, 20th St., MOBILE, MS  
 (913) 234-8620  
 SEWER SERVICE  
 15250 N. 113th ST. REFUGEE, OLAH, KS  
 (913) 234-8221  
 WATER DISTRICT NO. 1 OF JOHNSON COUNTY  
 15247 152nd ST. FORGEVILLE, LENEXA, KS 66215  
 (913) 855-1800  
 KANSAS CITY POWER & LIGHT COMPANY  
 12400 BERKMAN, WEEHILL, KS 66159  
 (913) 431-5275  
 CENTRAL PACIFIC  
 433 EAST MAIN, GARDNER, KS 66030  
 (913) 824-2332

**Legend:**  
 Boundary Line  
 Utility curb  
 4" sidewalk or 5" asphalt curb  
 6" concrete curb or 5" asphalt curb



**Estates of Wolf Creek**  
 Springfield, MO  
**Preliminary Plat/Plan**

Prepared By: P-2

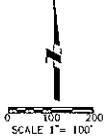
Prepared By: **Opgermann LandDesign, LLC**  
 12000 N. 113th St., Lenexa, KS 66215  
 (913) 234-8221  
 www.opgermann.com





STREETSCHEDULE:

PRINCIPAL (LOCAL ST. W/O)	13.831'	= 2.8 MILES
COLLECTOR 30' W/O	3.416'	= 0.7 MILES
TOTAL	17.247'	= 3.5 MILES



Concept Plan  
**Estates of Wolf Creek**  
 Spring 2011

Prepared By:



**Opfermann LandDesign, LLC**  
 LAND DESIGN & ARCHITECTURE  
 10000 N. 197th St., Suite 100, Edmonds, WA 98149  
 PH: 206.275.1111 FAX: 206.275.1112  
 WWW.OPFERMANNLANDDESIGN.COM



WOLF CREEK  
 SUBDIVISION  
 343 N. FEAR, PAOLA, MS  
 (601) 224-0922  
 ANTON ENGINEERS  
 20207 W. HORN TERRACE, OLATHE, MS  
 (601) 224-0020  
 WATER DISTRICT NO. 1 OF JOHNSON COUNTY  
 10700 AVENUE BOULEVARD, LEWIS, MS 68219  
 (414) 815-1820  
 PAULSON GUY FRASER & HOYT COMPANY  
 63300 ALUMINUM, STANLEY, MS 68083  
 (414) 471-2375  
 CENTERPLAN  
 432 EAST MAIN, CARPENTER, MS 68008  
 (414) 634-2322

- Legend:
- SS --- Sewer Sewer
  - SW --- Storm Sewer
  - P --- Pump Station
  - W --- Water Main
  - S --- Storm Water Main
  - C --- Curb & Gutter
  - G --- Gutter



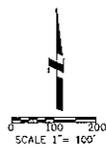
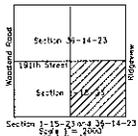
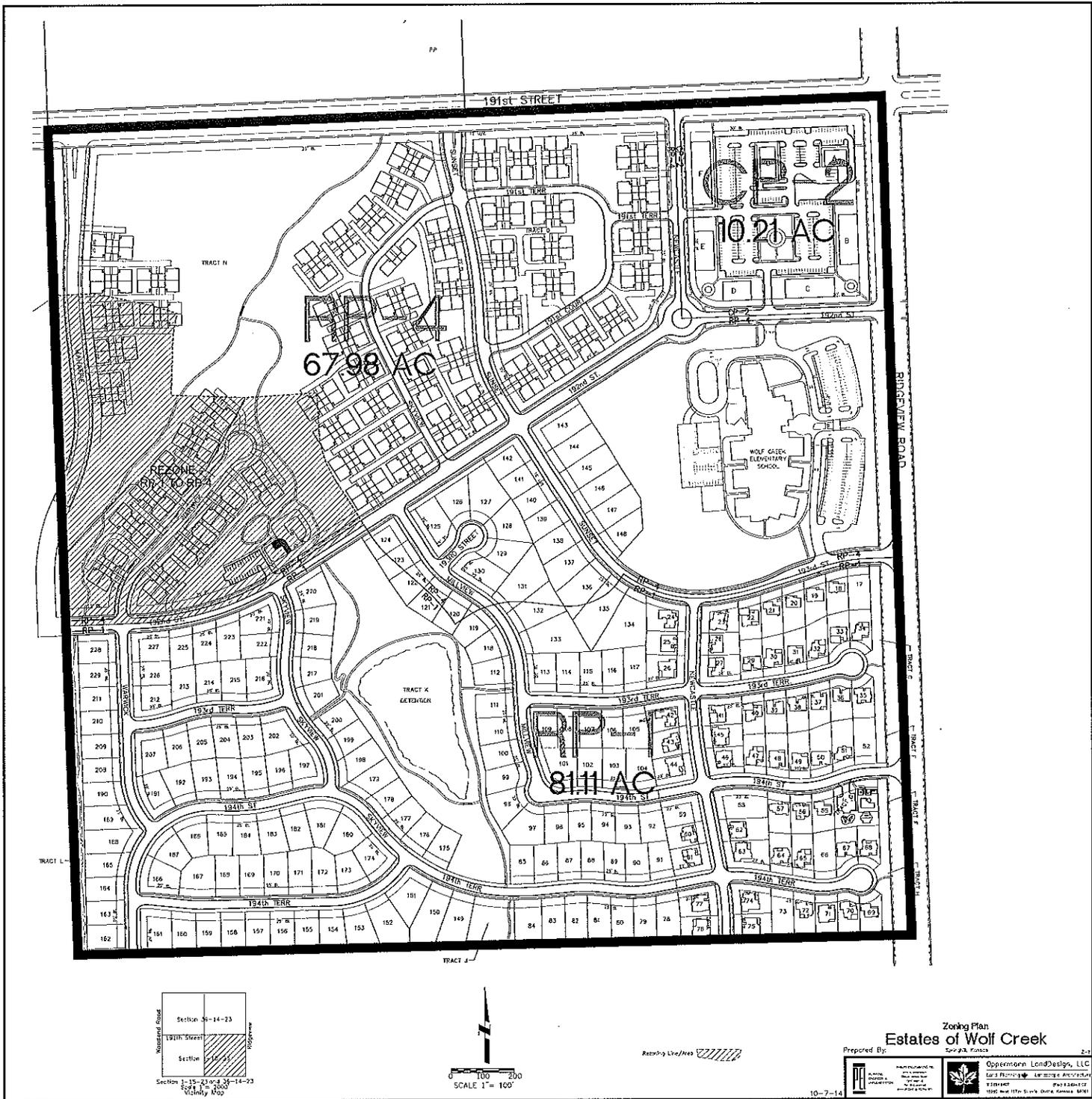
Estates of Wolf Creek  
 Springfield, Missouri

Preliminary Utility Routing

Prepared By: U-1

Appropriate  
 Seal Number  
 License No.  
 State of Missouri

Oppermann LandDesign, LLC  
 1001 Parkway  
 Lawrence, MO 66044  
 (785) 842-1111  
 www.oppermannlanddesign.com



Re-zoning Area

Zoning Plan  
**Estates of Wolf Creek**  
EPC 2014-00004

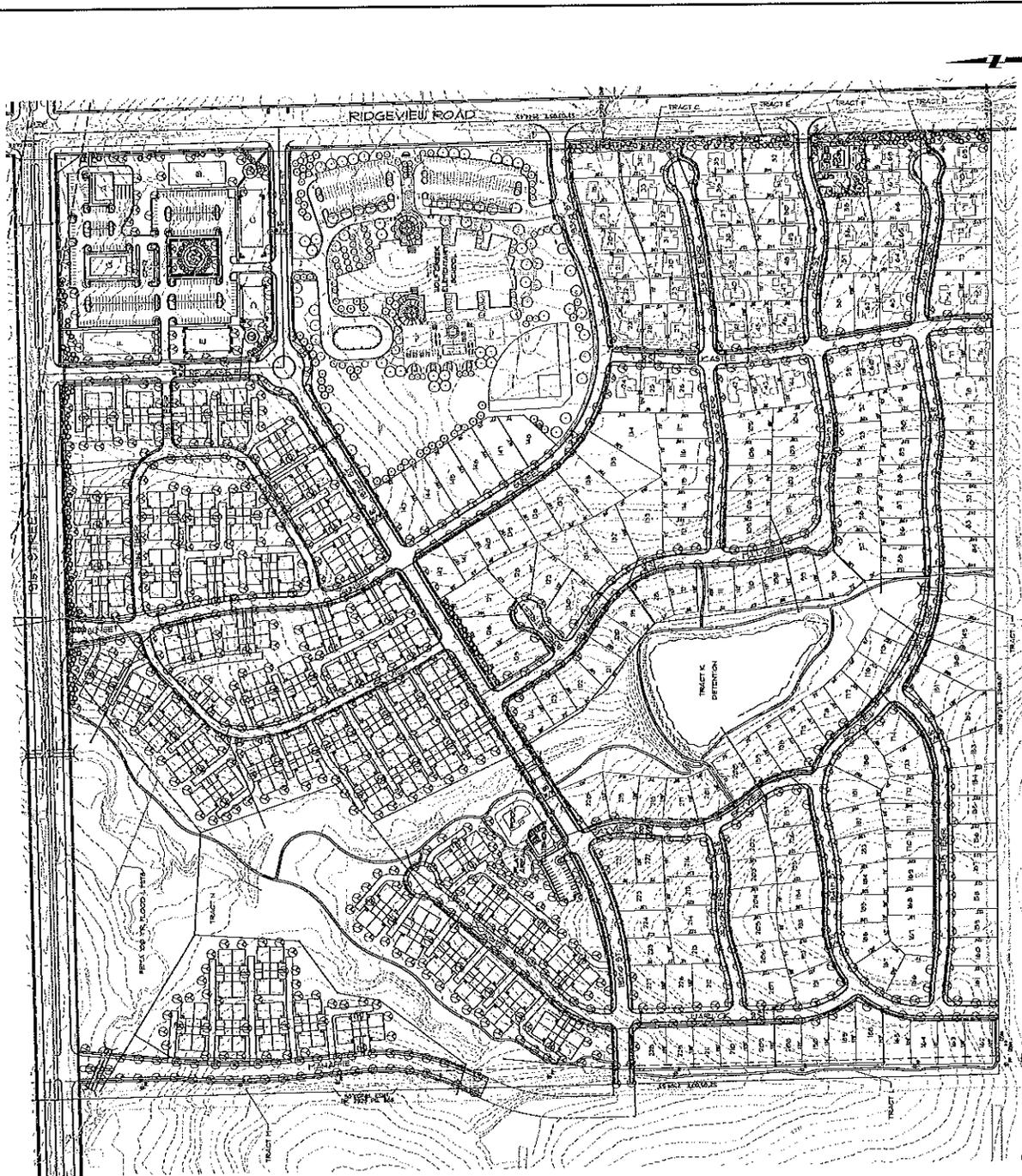
Prepared By:

Oppermann LandDesign, LLC  
1000 West 11th Street, Suite 200, Kansas City, MO 64105  
Tel: 816.234.1100  
Fax: 816.234.1101  
www.oppermannlanddesign.com

10-7-14

# Estates of Wolf Creek

Spring Hill, Kansas



SCALE 1" = 100'

Prepared By: **PPD**  
Property Owner's Subdivision  
Date Prepared: 04/24  
2014 14:30:35

**Chubberram LandDesign, LLC**  
LAND DESIGN • LANDSCAPE ARCHITECTURE  
1000 N. 10th St., Suite 100  
Spring Hill, MO 64082  
Phone: 816.424.2222  
Fax: 816.424.2223  
www.chubberramlanddesign.com





**BACKGROUND:**

In 2005 Oak Woods First Plat was approved and recorded with Miami County and the infrastructure was installed over the next 2-3 years. Since then there has been no construction activity on site. Recently, the owner, Tri-Star Developers (Lynn Baker) noted an error on the recorded plat. In the statement section of the plat is the following statement: "Tracts A thru D as shown hereon will be owned and maintained by the Oak Woods Homes Association. These tracts are intended to be used as private open space and common areas and may include landscaping, fencing, subdivision monuments, storm water detention and amenities".

The owner claimed this statement is incorrect in that Tract C was planned for multi-family construction and Tract D was intended for a day care facility.

**STAFF COMMENT:**

Staff has researched this issue thoroughly by reviewing three files containing several hundred pages of information on the approval process of both the preliminary and final plat for this subdivision. Staff has determined the claim of the owner is correct and the error is administrative in nature. Thru extensive review of the minutes from numerous Planning Commission and City Council meeting minutes, as well as preliminary drafts of the plats it is apparent the intent for Tract C was always to be multi-family residential and Tract D was to be a day care.

The City was then requested to approve an affidavit to be filed with the final plat that corrected this error. City Attorney Frank Jenkins reviewed the affidavit and found it is not applicable for this error on the plat. State Statute allows for an affidavit to be used to correct minor errors such as measurements, angles, street names, misspelling, etc., but the affidavit cannot be used for any type of change of ownership or transfer of land rights. As a result the plat must be amended by being reviewed by the Planning Commission and approved by the Governing Body.

To copy the material reviewed to validate staff's opinion the plat is incorrect would create a very large packet. In an effort to save time and money, staff will make a presentation of pertinent information related to this issue. All documents will be available at the November 6 Planning Commission Meeting.

Included with this packet you will find a copy of the Preliminary Plat, First Final Plat and proposed Second Final Plat.

The proposed Second Final Plat contains the correct language for Tracts A and B to be owned by the Homes Association, and Tracts C and D designated as areas for development. Signature lines have also been updated for those required to sign the plat after approval.

**RECOMMENDATION:**

Staff recommends approval of the FP-05-14 Oak Woods Second Plat

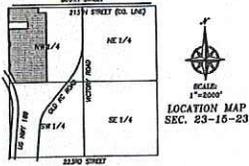
Attachments: Oak Woods Preliminary Plat  
Oak Woods First Plat  
Oak Woods Second Plat



PRELIMINARY PLAT & REZONING PLAN

OAK WOODS

A PROPOSED PLANNED RESIDENTIAL COMMUNITY
PART OF NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 15, RANGE 23,
IN THE CITY OF SPRING HILL, MIAMI COUNTY, KANSAS



SCHEDULE

Table with 3 columns: Section, Lots/Units, Acres±. Rows include The Ridge at Oak Woods, The Villas at Oak Woods, The Village at Oak Woods, Park, and Day Care Center.

LEGEND

- EXISTING CONTOURS
SANITARY SEWER
WATER LINE
UTILITY EASEMENT

OWNER / DEVELOPER / APPLICANT: TRI-STAR DEVELOPERS OF SPRING HILL, L.L.C.
JOE CAMPBELL, MANAGING PARTNER
7540 W. 180TH STREET
OVERLAND PARK, KANSAS 66065

RP-4 (VILLAS) LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 23 EAST, IN THE CITY OF SPRING HILL, MIAMI COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RP-4 (TOWNHOMES) LEGAL DESCRIPTION

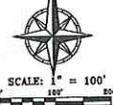
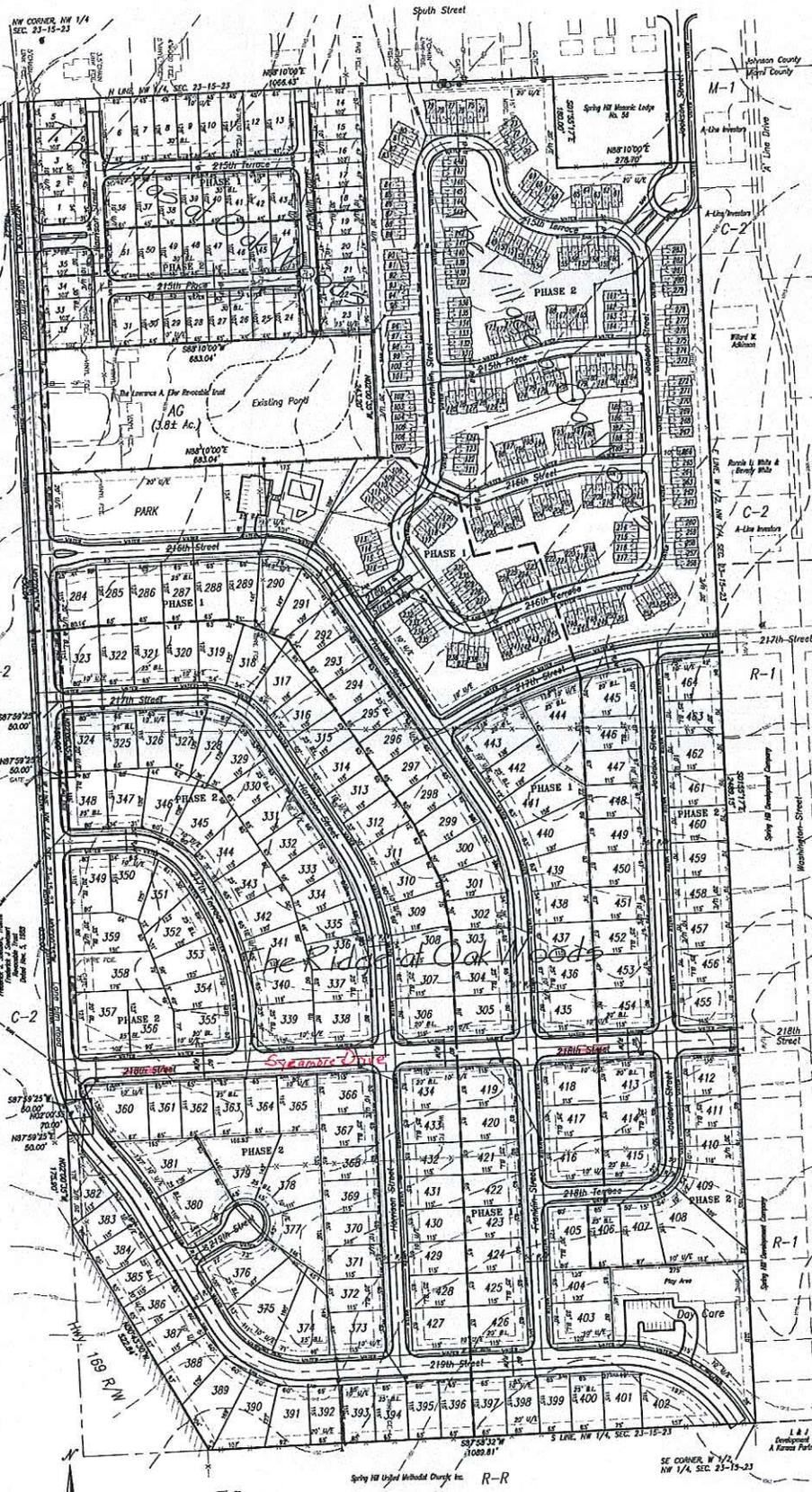
ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 23 EAST, IN THE CITY OF SPRING HILL, MIAMI COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RP-1 LEGAL DESCRIPTION

ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 15 SOUTH, RANGE 23 EAST, IN THE CITY OF SPRING HILL, MIAMI COUNTY, KANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION

ALL THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 15, RANGE 23, MIAMI COUNTY, KANSAS, DESCRIBED AS FOLLOWS:



NOTES: WATER LINES ALONG JACKSON ST. & LONE ELM ROAD TO EXTEND NORTH TO SOUTH. THE PROPOSED WATER LINE AT THE EAST END OF 217TH ST. SHALL EXTEND TO THE EXIST. 8" WATER LINE ON THE NORTH SIDE OF 217TH ST. EXIST. HIGHWAY R/W @ LOTS 324, 348, 360, & 382 TO BE VACATED PRIOR TO LOT'S BEING PLATTED.

Andrew J. Schlager - Planning Consultant - Overland Park, Kansas
PHELPS Engineering, Inc. ENGINEERING-PLANNING-SURVEYING-CONSTRUCTION MANAGEMENT
1370 N. WOODSTOCK OLATHE, KS 66061-0313-1356 FAX(913)882-1158



**Section 17.350 Parking and Loading Regulations**

- G. Head-in Parking.** Head in parking from any public right-of-way shall not be permitted. Head in parking that exists at the time of the adoption of this Code may continue to be used as a nonconforming use.

Exception: Head in parking shall be permitted in C-2 Districts when reviewed by the Planning Commission and approved by the Governing Body. Applications for head in parking shall be submitted to the Community Development Department and shall include plans and specifications prepared by a licensed architect or engineer unless waived by the Department Director. Plans may be submitted with a site plan or individually. The Department Director shall forward the application to the City Engineer, Public Works Department and Traffic Consultant for review and recommendation(s). The Planning Commission shall review the application and forward the plan to the City Council for consideration with recommendation(s).