

**SPRING HILL PLANNING COMMISSION
REGULAR MEETING AGENDA**

Thursday, January 5, 2012
7:00 p.m.
Spring Hill Civic Center
401 N. Madison St.

CALL TO ORDER

ROLL CALL

Tobi Bitner
Janet Harms
Brian Haupt
Valerie Houpt

Bill Kiesling
Troy Mitchell
Michael Newton
Stephen Sly
Cindy Squire

APPROVAL OF AGENDA

FORMAL COMMISSION ACTION

1. Approval of Minutes
November 3, 2011

2. PUBLIC HEARING - Preliminary Plat
Case No. : PP-01-12
Request: Wolf Creek Elementary School
Address: 19250 Ridgeview Rd.
Applicant: DLR Group

3. Final Plat
Case No. : FP-01-12
Request: Wolf Creek Elementary School
Address: 19250 Ridgeview Rd.
Applicant: DLR Group

4. Site Plan
Case No. : SP-01-12
Request: Wolf Creek Elementary School
Address: 19250 Ridgeview Rd.
Applicant: USD230

5. PUBLIC HEARING - Conditional Use Permit
Case No. : CU-01-12
Request: Wolf Creek Elementary School
Address: 19250 Ridgeview Rd.
Applicant: USD230

DISCUSSION

6. Report on Ordinance adoption for Planning Commission and Board of Zoning Appeals membership

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.

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- * **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).

Memo

To: Spring Hill Planning Commission
From: Jim Hendershot, Community Development Director
CC: file
Date: December 29, 2011
Re: January 5, 2012 regular meeting

The following offers a brief explanation of items on the January 5, 2012, Planning Commission agenda. Please feel free to contact the Community Development Department 913-592-3664 if you have any questions.

1. Approval of Minutes: November 3, 2011 meeting

2, 3, 4 & 5. Items 2-5 of the agenda are all related to the proposed Wolf Creek Elementary School at 19250 Ridgeview Road. The site required replatting with both the preliminary and final plat processes being required. As a result a public hearing must be held regarding the preliminary plat. Assuming positive action is taken on the preliminary plat, the final plat can then be considered.

Please note that plat maps are available to be viewed on our web site at www.springhillks.com Those links are under Departments/Community Development/Boards/Planning Commission/Plats & Plans etc. Those of you who have requested paper received it with this packet.

Schools are an allowed use within residential zoned districts with an approved Conditional Use Permit. Along with the CUP application the developer is required to submit a site plan that is subject to review by the Planning Commission and Governing Body. The site plan will be considered first by the PC and assuming positive action is taken, the public hearing for the CUP can then be held.

The final plat, site plan and CUP will be presented to the Governing Body for approval on January 26, 2012.

6. **Report on PC and BZA membership changes:** At the December 8, 2011 meeting of the Governing Body ordinances were adopted that changed the membership of the Planning Commission and Board of Zoning Appeals.

Effective March 1, 2012 the PC will consist of 9 members. Seven members will be residents of the City of Spring Hill, one member will reside in Miami County within three miles of the city limits and one will reside in Johnson County within three miles of the city limits.

Effective July 1, 2012 the Board of Zoning Appeals will consist of five members with all being residents of the City of Spring Hill.

The following minutes are subject to modification
And are not official minutes
Until approved by the Planning Commission

**SPRING HILL PLANNING COMMISSION
REGULAR MEETING
November 3, 2011**

Members Present: Janet Harms
Brian Haupt
Valerie Houpt
Bill Kiesling
Troy Mitchell
Michael Newton
Steve Sly
Cindy Squire

Members absent: Tobi Bitner

Staff Present: Jim Hendershot, Community Development Director
Mary Nolen, Community Development Secretary

CALL TO ORDER

Vice-Chairman Harms called the meeting to order at 7:00 P.M.

ROLL CALL

Roll call by Mary Nolen.

APPROVAL OF AGENDA

Mr. Hendershot asked to add an item to discussion at the end of the agenda.

Motion by Bill Kiesling to approve the agenda.

Seconded by Brian Haupt. Motion passed 8 yes 0 no 0 abstention

FORMAL COMMISSION ACTION

1. APPROVAL OF MINUTES

Motion by Bill Kiesling to approve the minutes from September 1, 2011.

Seconded by. Michael Newton. Motion passed 8 yes 0 no 0 abstention

Mr. Newton asked if he should abstain from this discussion due to his conflict of interest because he's a member of the Board of Zoning Appeals. He was asked to step out for this part of the meeting.

2. Public Hearing, proposed changes to Board of Zoning Appeals Membership

BEGINNING OF STAFF REPORT

With the Miami County Growth Area agreement ending in September 2011, the membership qualifications of both the Planning Commission and Board of Zoning Appeals need to be amended as both make reference to a member residing within three miles of the city limits and within the Growth Area. The membership qualifications for the Planning Commission are not located within the zoning ordinance; therefore a public hearing before the Planning Commission is not required. The City Council will address this issue in the upcoming weeks. Included with this packet you will find a copy of a draft ordinance that addresses the future membership of the Planning Commission.

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The membership qualifications for the Board of Zoning Appeals is within the scope of the zoning ordinance and therefore requires a public hearing before the Planning Commission. Included with this packet you will find a draft ordinance that deletes the Growth Area member from the membership and requires all members to reside within the city limits of Spring Hill.

Staff will request a recommendation of approval for the ordinance that will then be presented to the City Council on December 8, 2011, and will take effect the first day of July, 2012. That date is when the terms of the members expire.

END OF STAFF REPORT

Vice Chair Harms opened the public hearing, and with no one present to comment, she closed the public hearing.

Mr. Kiesling clarified that this action is due to the repeal of the Miami County Growth area. The wording for the Board of Zoning Appeals needed to be changed in the zoning regulations. This is not the case for the Planning Commission. The composition of the Planning Commission will be 7 from the City, 1 from Miami County and 1 from Johnson County. The Planning Commission cannot vote on something directly related to them, so the City Council will take care of that issue.

Motion by Brian Haupt to approve the ordinance changes related to the composition of the Board of Zoning Appeals.

Second by: Troy Mitchell. Motion passed 7,0,0

Mr. Newton rejoined the meeting.

DISCUSSION

Mr. Hendershot informed the Commission that a joint work session with the City Council and the Board of Zoning Appeals will take place in January. We will send some possible dates, and if anyone has any topic ideas, please send them to Jim in an email.

Motion by Bill Kiesling to adjourn

Second by Michael Newton. All voted yes.

Meeting adjourned at 7:20 PM.

Mary Nolen, Planning Secretary

Wolf Creek Elementary School
19250 Ridgeview Rd.



BACKGROUND:

The preliminary plat for Wolf Creek Elementary School combines areas previously final platted for Estates of Wolf Creek as well as areas of Estates of Wolf Creek that were approved on a previous preliminary plat. The plat contains one lot with a gross area of 15.8 acres and is zoned RP-4. Copies of the plat are available either on the City of Spring Hill website or paper copies from the Community Development Office.

After several pre-platting conferences with DLR Group, city staff and key consultants, copies of the plat were distributed to various city departments as well as consultants and utility providers to submit comments on the plat. Comments from these firms and individuals have been considered by staff and implemented into the plat as applicable.

The applicant provided the required ownership list of property located within 200 feet of the proposed plat within the city limits and 1,000 feet in the county area. Staff has completed the required notification of surrounding owners as well as published notice of the public hearing in the official city newspaper. To date, staff has received one phone request for information on the speed limit for Ridgeview Road. In addition, the applicant held a neighborhood meeting on December 14, 2011. Staff did not attend this meeting but the applicant and/or agent is prepared to comment on the meeting.

STAFF COMMENTS:

1. All required and applicable information as required by Section 17.372.C.3 is included with the preliminary plat.
2. A Traffic Impact Study and Storm Drainage Study was completed by Olsson Associates and reviewed by staff and applicable consultants.
3. Areas previously identified as Lots 1-12 and Tract D of Estates of Wolf Creek as well as Tipton Street are identified as being vacated and become part of the Wolf Creek Elementary School Plat.
4. Additional right-of-way on the north side of 193rd Street at the intersection of Ridgeview Road is to be dedicated for the construction of turning lanes.
5. Excise taxes have been calculated on the preliminary plat net area and will be referenced in the Improvement Agreement for the project.
6. The existing home shown in the northeast portion of the plat will be removed.
7. The existing intersection of Tipton Street and 193rd will be utilized as one of two entry points for vehicular traffic onto the school site.

RECOMMENDATION:

Staff recommends approval of the preliminary plat PP-01-12 for Wolf Creek Elementary School.

Wolf Creek Elementary School
19250 Ridgeview Rd.



BACKGROUND:

An application has been received for a final plat of approximately 15.8 acres at 193rd and Ridgeview to the Wolf Creek Elementary School.

STAFF COMMENT:

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

Public facilities and Services. Fire, police and public services will be able to serve this subdivision adequately. All utility services are available to the site.

Drainage. The final plat under consideration is a replat of the area. There is no additional development currently proposed with the replat. As a result, storm water and erosion control studies will be required with future development of each lot. Existing drainage on the property is adequate for the platted area and will not be altered with the approval of this final plat.

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

Public Improvements: There are no public improvements or dedications associated with this plat.

Improvement Agreement: An Improvement Agreement will be completed and signed by the owner prior to consideration of the final plat by the Governing Body.

Other Staff Comments.

1. All required and applicable information as required by Section 17.372.D is included with the final plat.

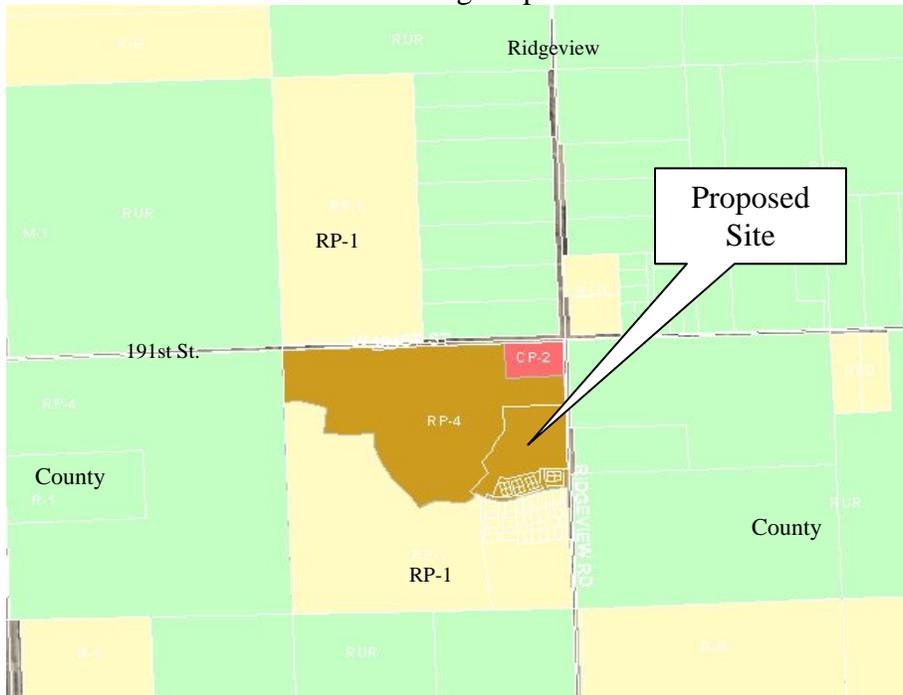
RECOMMENDATION:

Staff recommends approval of the Final Plat for the Wolf Creek Elementary School FP-01-12.

Wolf Creek Elementary School
19250 Ridgeview Rd.



Zoning Map



BACKGROUND: The applicant, USD 230, has submitted an application for site plan approval for an elementary school to be located at 19250 Ridgeview Road. A copy of the site plan is included with the staff report.

The site was previously approved as part of Wolf Creek Estates Subdivision and is currently zoned RP-4. As per Section 17.318.C.3 schools are allowed in an RP-4 district with an approved Conditional Use Permit. This site plan is associated with the CUP application.

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
- All parking areas have been identified and the type of surface and base course identified
- Trash receptacles are properly screened
- All exterior lighting is in compliance with applicable regulations
- Landscaping is identified on the site plan and is in compliance with code requirements
- The exterior finish of the building is brick and in compliance with the provisions for a Planned Development
- Utilities are identified and in compliance with regulations
- Adequate erosion and pollution control systems are identified
- A Traffic Impact Study has been completed identifying the need for turn lanes on 192nd and 193rd Streets. These turn lanes are included with the site plan. The study analyzes the proposed traffic flow within the project area to ensure possible negative effects on the surrounding area and transportation system are minimized.
- 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

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 allowed with a conditional use permit as provided for in Section 17.318.C.3
2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*
As communities grow new schools are necessary to provide education opportunities to the youth of the area. Consequently, schools are allowed in residential districts with an approved conditional use.
3. *The extent to which the development would be compatible with the surrounding area.*
The surrounding area is residential in nature and planned use. An elementary school is compatible with existing and planned future land uses in the area.

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.*

Appendix E of the Spring Hill Comprehensive Plan addresses the school districts growth potential and scenarios to adequately provide facilities to accommodate this growth. As the population of the northeast area of both Spring Hill and within the USD 230 boundaries continues to increase, the placement of this elementary school will fulfill the school districts need to expand and serve the residents of the area.

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 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.*

A Traffic Impact Study was completed for the project by Olsson Associates and reviewed by BHC Rhodes, the contracted traffic engineering consultant for the City of Spring Hill. During the many pre-platting conferences city staff and BHC Rhodes representatives emphasized the need for safety of the students and vehicular traffic in the area. Staff gave particular emphasis to provided adequate area for parents to transport students to the facility in a safe manner and minimizing the impact on Ridgeview Road. As a result, the project provides adequate turning lanes on 192nd and 193rd Streets and provides adequate area within the two parking lots to provide a safe means of traffic flow in and out of the 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 the site plan with the following stipulation:

- Final Plat for Wolf Creek Elementary School is recorded with the appropriate Johnson County office.
- Excise tax as calculated for the preliminary plat and identified in the Improvement Agreement is paid in full.

**SPRING HILL PLANNING COMMISSION
CONDITIONAL USE STAFF REPORT**

Case #: CU-01-11

Meeting Date: January 5, 2012

Description: Conditional Use for operation of an elementary school

Location: 19250 Ridgeview Rd.

Applicant: USD 230

Engineer: Phelps Engineering

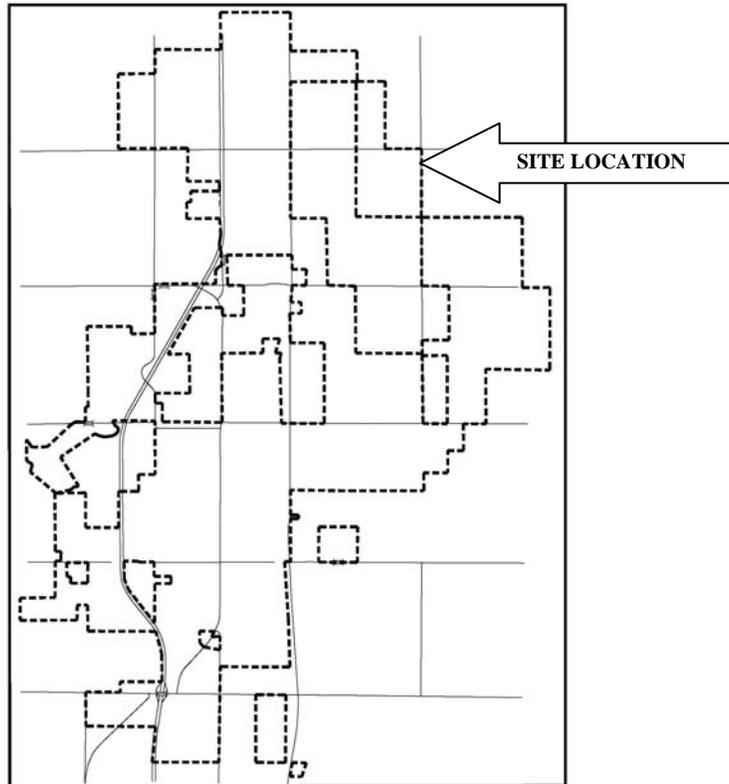
Current Zoning: "RP-4

Site Area: 14.25acres.

Number of Lots: 1

	Current Zoning	Existing Land Use	Future Land Use Map
Site:	"RP-4"	Planned Multi-family	Mixed-use residential
North:	"CP-2"	Planned General Business	Mixed-use commercial
South:	"RP-4"	Planned Multi-family	Mixed-use residential
East:		County	
West:	"RP-4"	Planned Multi-family	Mixed-use residential

Related Applications: PP-01-12, FP-01-12, SP-01-12



Wolf Creek Elementary School
19250 Ridgeview Rd.



BACKGROUND:

The applicant, USD 230, has submitted an application for a Conditional Use Permit for an elementary school to be located at 19250 Ridgeview Road. The site was previously approved as part of Wolf Creek Estates Subdivision and is currently zoned RP-4. As per Section 17.318.C.3 schools are allowed in an RP-4 district with an approved Conditional Use Permit.

GOLDEN FACTORS:

The review of the proposed conditional use permit 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 of the Proposed District:** Schools are an allowed use within residentially zoned districts with the approval of a Conditional Use Permit.
- 2. Neighborhood Character.** The surrounding area is primarily residential in character with county zoning to the east of the site.
- 3. Adjacent Zoning.** Specific zoning districts are identified on page 1 of this staff report.
- 3. Suitability for Current Zoning.** The site is zoned RP-4 (Planned Multi-Family). Planned zoning districts refer to the base zone (R-4) for many of the required

regulations. A school is allowed within an RP-4 or R-4 District with an approved Conditional Use Permit.

5. **Length of Time at Current Zoning.** The site was rezoned to RP-4 in 2006.
6. **Public Gain Balanced by Landowner Hardship.** Public gain includes regulating the property with a Conditional Use Permit.
7. **Conformance with Comprehensive Plan.** The proposed conditional use permit would be in conformance with the Spring Hill Comprehensive Plan.

RECOMMENDATION:

Staff recommends the approval of CU-01-12 for a elementary school located at 19250 Ridgeview Road with the following conditions:

1. The conditional use permit is subject to renewal in 25 years (January 2037).