



City of Bonner Springs

KANSAS

Tuesday, March 15, 2022

200 East Third Street, Bonner Springs, KS 66012
Bonner Springs City Hall
Council Chambers

**PLANNING COMMISSION MEETING - 7:00 p.m.
PLANNING COMMISSION WORKSHOP FOLLOWING THE REGULAR MEETING -
DISCUSSIONS REGARDING THE FUTURE LAND USE MAP OF BONNER
SPRINGS**

The meeting is open to the public.

**We will follow safety precautions recommended by the Centers for Disease
Control and Prevention, the Kansas Department of Health and Environment, and
local health officers.**

Attendees are strongly encouraged to wear masks.

PLANNING COMMISSION REGULAR MEETING - 7:00 PM

1. Workshop to follow regular meeting - discussions regarding the Future Land Use Map of Bonner Springs

Action

Recommendation

Documents:

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of the minutes from the February 15, 2022 meeting

Action

Recommendation

Documents:

1. PC Minutes 2.15.22 draft

OLD BUSINESS

1. None at this time

Action

Recommendation

Documents:

NEW BUSINESS

1. Lot Split - LS-2-22

Action

Consider a Lot Split presented by BHC; on behalf of the property owner(s), SWJ Enterprises, LLC - The applicant is proposing to split an existing tract/parcel (Tract 1 – 80 N. 118th St) and reduce its size, while increasing the size of parcel (Tract 2 – 30 N. 118th St) in order to capture an accessory building straddling a property line.

Recommendation

Staff recommends the Planning Commission approve the Lot Split with the stipulations listed in the Staff report.

Documents:

1. 30 N. 118th St - Lot Split - LS-01-22 - Complete Agenda

OPEN AGENDA

1. None at this time

Action

Recommendation

Documents:

CITY PLANNERS REPORT

1. April meeting:

- we currently have a Lot Split for Bonner Springs Church of Christ - splitting the parsonage off from the church parcel.
- continue the discussion regarding Future Land Uses within the City

Limits

Action

Recommendation

Documents:

PLANNING COMMISSION WORKSHOP

1. Workshop to follow Regular Meeting

Action

Recommendation

Documents:

MINUTES – 2.15.2022 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, February 15, 2022 – Regular Meeting – 7:00 p.m.

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

ROLL CALL

Planning Commissioners Present: Paul Zeps; Sherri Neff; Nick Perica; Larry Clark; Greg Gebauer; Vince Bombardier – Lloyd Mesmer and Jason Cruse joined the meeting in progress

Absent: – None

Quorum Established

Staff Present: Mark Lee, City Planner

2. **CONSENT AGENDA**

Item #1 – Approval of Minutes of January 18, 2022 Planning Commission meeting

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

Motion to **APPROVE the Consent Agenda** was made by Commissioner Perica and seconded by Commissioner Clark.

Chair Gebauer asked for a roll call vote since the meeting was being conducted virtually.

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

NAY – None

MOTION PASSED 6 – 0

3. **UNFINISHED BUSINESS**

None

4. **NEW BUSINESS**

Agenda Item # 4– ST-01-22 – Site and Landscape Plan (Lot 2 of the Bonner Springs Pointe) 540 S. 129th Street - The applicant is requesting approval of a Site and Landscape plan for the above mentioned lot.

Chair Gebauer introduced New Business Item #4 and called for a staff report.

Staff reviewed the report stating that the applicant was requesting approval of the site and landscape plan as submitted. Staff explained the location of Lot 2, being the old Burger King drive-thru. Staff stated the applicants were reconfiguring the parking lot and relocating a handful of the existing parking spaces to other locations throughout the site. Staff determined that with those changes it should move forward through our Site and Landscape Plan process. Staff provided exhibits to the Commission indicating what areas were to be removed and how this would increase the “stacking” capabilities of the drive-thru lane. Staff discussed the future configuration of the Starbucks, including the added patio with landscaping and the addition of landscaping around the dumpster enclosure. Staff further stated they had reviewed the site and landscape

plan and that it met all criteria as stated within the regulations. Staff stated the recommendation for approval was coming forward with seven (7) conditions, some of which were ‘standing recommendations’.

Chair Gebauer asked if any Commissioners had questions of Staff. Vice-Chair Zeps asked that with the additional traffic flows that may be created from the Old Dominion Freight Terminal, was this taken into account. Staff stated that 129th was intended to extend to north anyways and that the area, being zoned commercial, additional traffic flows had been factored in to the initial design of the development area. Mr. Zeps stated a concern with the potential for traffic to back up onto 129th Street and how that could be a potential issue. Staff referred to the additional stacking being provided in the drive-thru lane and asked the applicants how many vehicles they anticipated being able to que – applicant stated approximately twenty (20) vehicles can stack from the drive-thru window around the building. Vice-chair Zeps aligned his concerns with the new additions that McDonalds had undertaken and how vehicles are still stacked into areas outside of their property. Commissioner Bombardier stated that this store appeared to provide more stacking than one of its counterparts in Shawnee and reiterated Vice-chair Zeps comments regarding impeding the flow of traffic on 129th Street.

With no further questions or comments; Commissioner Clark made a motion to **APPROVE** the plan as presented, Chair Gebauer asked for a second, Commissioner Neff **SECONDED** the motion.

Chair Gebauer called for a roll call vote.

AYE – Mesmer, Neff, Perica, Clark, Zeps, Cruse and Gebauer

NAY – None

ABSTAIN - None

MOTION PASSED 8 – 0

Agenda Item # 5 – ST-02-22 – Site and Landscape Plan for 11845 Kaw Drive- The applicant is requesting approval of a Site and Landscape plan for the above mentioned lot.

Chair Gebauer introduced New Business Item #5 and called for a staff report.

Staff reviewed the report stating that the applicant was requesting approval of the site and landscape plan as submitted. The site is proposed to be an open storage yard with appropriate screening and street trees. The property is zoned as I-1, Light Industrial. Staff explained that the parcel in question is largely, if not completely within the floodplain which does limit the applicant’s uses upon the property. Staff further spoke about the applicant’s discussions with KDOT regarding the entrance and exit from Kaw Drive (32 Highway).

Chair Gebauer asked if there were any questions of Staff. Commissioner Bombardier asked if there would be the potential for any hazardous materials to be stored on the site. Staff stated no, there had been no discussions regarding hazardous waste being stored onsite. Staff went on to explain the applicants initial proposal; the initial proposal was to have an outdoor contractor storage facility where individuals could rent a space to park a vehicle and then a storage container in which to store their goods within. The applicant spoke and stated that primarily the area will be used for large truck storage. Staff explained this scenario is very similar to the Whale Tail RV and Boat storage facility located on Gibbs and 138th St.

Vice-chair Zeps commented that he had heard the applicant talk about the use of the facility and asked if he would continue. The applicant stated the site would currently be used for primarily trucks and trailers. He then spoke furthermore regarding his initial thoughts of providing storage containers for individual

storage purposes. He further stated the containers, if any, would not be owned by him but rather contractors if they needed them for storage purposes and be able to take them in and out as needed.

Chair Gebauer asked if there were any further questions of Staff or the applicant. Commissioner Cruse asked if there would be any concrete pads within the site or if it would all be covered in asphalt millings, the applicant stated only the entrance would be concrete the rest would consist of asphalt millings. Vice-chair Zeps stated he felt as though this aligned with what was currently happening in that area, referencing current storage facilities nearby.

Chair Gebauer called for a motion, Vice-chair Zeps made a motion to **APPROVE** the site plan as submitted, Commissioner Clark **SECONDED**.

Chair Gebauer asked for a roll call vote.

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

NAY – None

ABSTAIN - None

MOTION PASSED 8 – 0

Agenda Item # 6 – Open Agenda

None

Agenda Item #7 - CITY PLANNER'S REPORTS

None at this time

Staff apologized and thanked all of the Commissioners for attending virtually on such short notice, Staff had been fighting off an illness for several days and had hoped to be better by the meeting day and time but was not.

Chair Gebauer adjourned the meeting at 7:20pm.

Memorandum

Date: March 15, 2022
To: Mayor and City Council
From:

Subject: None at this time

Recommendation:

Action:

Background:

Discussion:

Financial Impact:

Memorandum

Date: March 15, 2022
To: Mayor and City Council
From: Mark Lee

Subject: Lot Split - LS-2-22

Recommendation: Staff recommends the Planning Commission approve the Lot Split with the stipulations listed in the Staff report.

Action: Consider a Lot Split presented by BHC; on behalf of the property owner(s), SWJ Enterprises, LLC - The applicant is proposing to split an existing tract/parcel (Tract 1 – 80 N. 118th St) and reduce its size, while increasing the size of parcel (Tract 2 – 30 N. 118th St) in order to capture an accessory building straddling a property line.

Background: Previously, the three parcels were owned by the same individual(s), a home and accessory structures were built on Tract 2 and utilized for many years. The property has since sold and it was discovered one of the larger accessory buildings was straddling a property line. The new owners would like for this accessory building to remain on the parcel with the home.

In essence, this is a boundary line adjustment survey but the City does not have allowances for these at this time, thus the Lot Split process is being utilized.

The properties in question are addressed as 30 N. 118th Street (Tract 2) and 80 N. 118th Street (Tract 1).

The surrounding area consists of large lot single-family residences.

The proposed lot split would expand Tract 2 to 5.4 +/- acres or 236,292 sqft. and reduce Tract 1 to 4.6 +/- acres or 203,078 sqft.. Both Tracts conform to the minimum lot size required as well as the required road frontage.

Discussion:

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 3

LS-01-22

Topic: **Consider a Lot Split-** Consider a Lot Split presented by BHC; on behalf of the property owner(s), SWJ Enterprises, LLC - The applicant is proposing to split an existing tract/parcel (Tract 1 – 80 N. 118th St) and reduce its size, while increasing the size of parcel (Tract 2 – 30 N. 118th St) in order to capture an accessory building straddling a property line.

Narrative:

Previously the three parcels were owned by the same individual(s), a home and accessory structures were built on Tract 2 and utilized for many years. The property has since sold and it was discovered one of the larger accessory buildings was straddling a property line. The new owners would like for this accessory building to remain on the parcel with the home.

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Presented by: Mark Lee-City Planner

Staff Recommendation: Staff recommends the Planning Commission approve the Lot Split with the stipulations listed in the Staff report.

DRT Review Comments: Included within staff report

Attachments:

Staff Report (3pgs)

Aerial Image (1pg)

Copy of Lot Split (1pg)

Application (1pgs)

LOT SPLIT – Consider a Lot Split- Consider a Lot Split presented by BHC Rhodes; on behalf of the property owner(s), SWJ Enterprises, LLC - The applicant is proposing to split an existing tract/parcel (Tract 1) and reduce its size, while increasing the size of parcel (Tract 2) in order to capture an accessory building straddling a property line.

MEETING DATE: **March 15, 2022**
REPORT WRITTEN: **March 1, 2022**
CASE NUMBER: **LS-01-22**

APPLICANT:

- BHC (on behalf of owner)
712 State Avenue
Kansas City KS 66101

OWNER:

- SWJ Enterprises, LLC

REQUEST:

The applicant is requesting approval of the lot split as submitted.

ZONING:

- The property is zoned as A-1 (Agricultural District)

SURROUNDING ZONING:

- North “A-1” Agricultural District
- South “A-1” Agricultural District
- East “A-1” Agricultural District
- West “A-1” Agricultural District

SUBDIVISION REGULATIONS:

ARTICLE V; Lot Splits; Section 1-General states:

The intent of this section is to provide for the issuance of building permits in lots divided into not more than two tracts without having to plat or replat said parcel, provided that the resulting tracts shall not again be divided without platting or replatting. However, lots zoned for industrial purposes may be divided into two or more tracts without replatting such lot. The Building Official may issue building permits for such lots in accordance with the regulations that follow.



Properties highlighted in yellow represent the lots in question

REQUIREMENTS FOR LOT SPLITS:

The Zoning Regulations lay out eight requirements used to determine if a lot shall be split and ensure they meet the necessary criteria. Those requirements are stated below and followed by Staff's justification.

1. A new street or alley or other public improvement is needed;
The lot will gain ingress and egress from North 118th, no new streets shall be needed
2. A vacation of streets, alleys, setback lines, access control or easements is required or proposed;
No vacation of any of the above will be necessary.
3. Such action will result in significant increases in service requirements (e.g. utilities, schools, traffic control, streets, etc.); or will interfere with maintaining existing service levels (e.g., additional curb cuts, repaving, etc.);
Utilities are currently provided to the lots, no significant increase in service requirements shall be required.
4. There is less street right-of-way than required by these regulations or the Comprehensive Plan;
No additional road right of way is being requested
5. All easement requirements have not been satisfied;
No future easements are required

6. Such split will result in a tract without direct access to a street (i.e., property must abut a street and meet minimum lot width requirements);

All lots shall maintain the current access provided to North 118th Street.

7. A substandard-sized lot or parcel will be created; and

No substandard lot shall be created.

8. The lot has been previously split in accordance with these regulations.

The lot has not been previously split per the Subdivision Regulations, any further division of this parcel or the parent parcel shall result in the lots being platted per the Subdivision Regulations.

DESIGN REVIEW TEAM (DRT) COMMENTS:

Building Official:

1. None at this time

City Engineer:

1. None at this time

Public Works Director:

1. None at this time

County Staff:

1. None at this time

STAFF RECOMMENDATION:

Staff recommends approval of the Lot Split application, with the following stipulations:

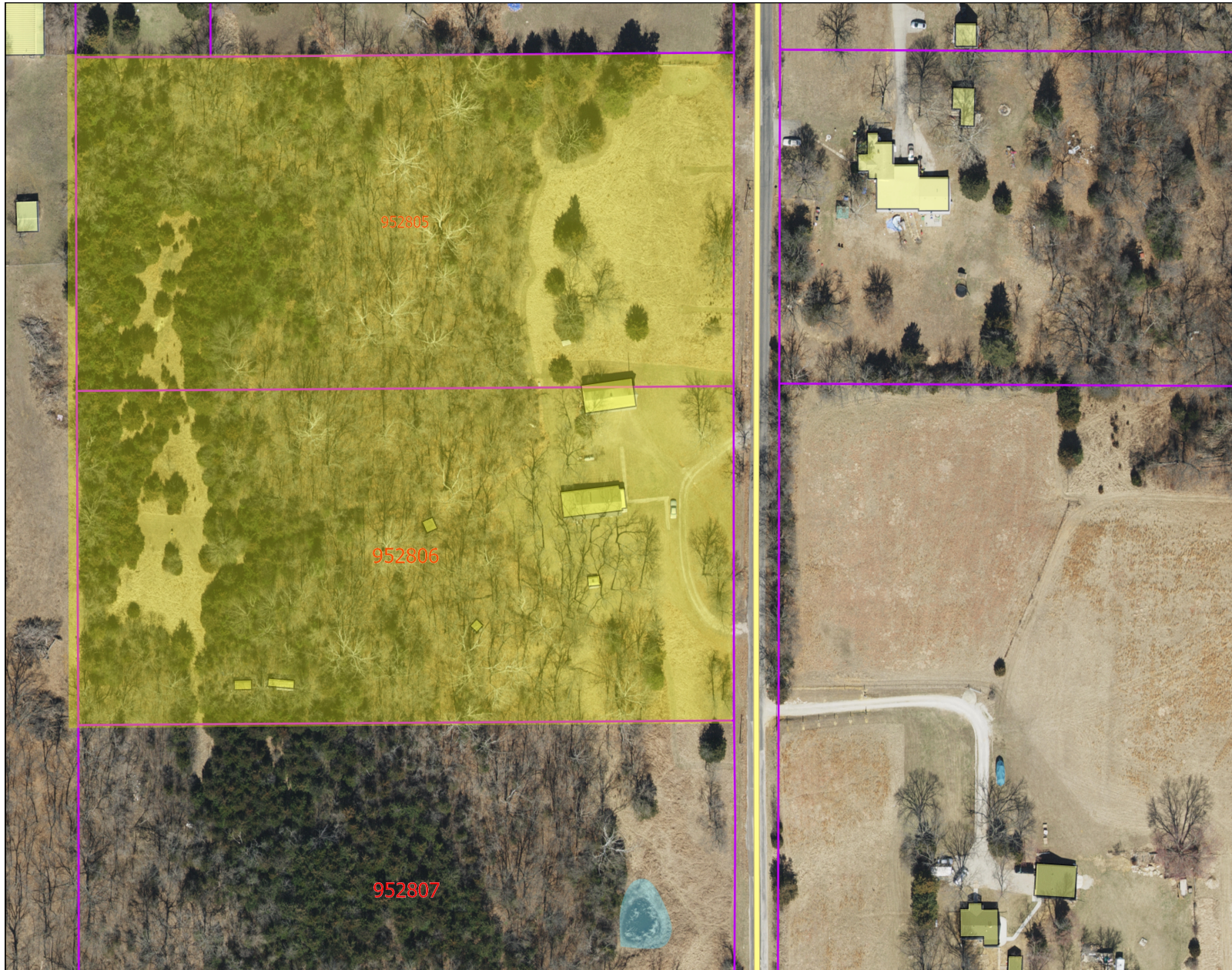
1. Any further division of this lot or the parent parcel shall be done via the platting process as outlined within the Zoning Regulations of Bonner Springs.
2. After approval, resubmit (2) 24" x 36" signed/sealed paper copies of the revised Lot Split drawings for Planning Commission signatures for filing;
3. The Applicant shall file the Lot Split with the Register of Deeds and provide a paper copy and electronic (PDF) copy of the filed Lot Split to close the file; and
4. No building permits shall be issued until the City of Bonner Springs has received a copy of the filed Lot Split.

COMMISSION OPTIONS

Approve the request, with or without conditions/changes.

Amend the Staff Recommendations as deemed necessary.

Deny the request



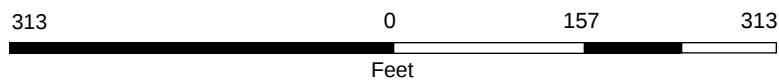
Legend

- Parks
- Street Lables
- Kansas Regional Counties
- Missouri Regional Counties
- Municipal Labels
- Municipal Boundaries
- Buildings
- Railroads**
- MAIN
- SPUR
- YARD
- Roads**
- INTERSTATE
- HIGHWAY
- MAJOR ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL

Locater Map

Notes

Map Print Date: 3/3/2022 10:45 AM



Map Scale
 1: 1,878



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CITY OF BONNER SPRINGS, KS
Community and Economic Development Department

LOT SPLIT APPLICATION

Staff Use Only

LS: _____

Date Rec'd: _____

Rec'd by: _____

PC Date: _____

Date: 3-1-2022

Subject Property Address: 405 E Morse Avenue, Bonner Springs

Project Name (if applicable): _____

Applicant Name: BHC Phone: 913-371-5300

Address: 712 State Avenue, Kansas City, KS 66101

E-mail (required): joe.mclaughlin@bhc.com

Record Property Owner: Bonner Springs Church of Christ Phone: T.J. Tinsley 913-677-3300

Parcel No.: 189201 Section/Township/Range: Sec 29-11-23 Zoning: R-1

Original Tract Information

Legal Description of the Original Tract: South 230' of Lots 1, 2, 3 and 4,
Resurvey of Dakside Addition

Water Supply (select): ☒ City Main ☐ Well - Sanitation (select): ☒ City Sewer ☐ Septic Tank

Existing Use: _____

Tract 1 Information

Legal Description of the new Tract 1: See Attachment

Lot dimensions and square footage: 115'x115', 13,251 sq. ft. Proposed Use: R-1 Residential

Tract 2 Information

Legal Description of the new Tract 2: See Attachment

Lot dimensions and square footage: 230'x280' less Tract 1 Proposed Use: R-1 Residential
51,196 sq. ft.

I hereby certify that the information herein submitted is complete, true and accurate and that I/we have been notified on the development procedures and guidelines.

Applicant Signature: [Signature] Date: 3/2/2022

Applicant Name (Print): Joseph McLaughlin, Sr. Project Manager, BHC

Property Owner Signature: [Signature] Date: 3/2/2022

Owner Name (Print): Bonner Springs Church of Christ