



City of Bonner Springs

KANSAS

Tuesday, March 21, 2023

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

PLANNING COMMISSION WORKSESSION - 6:00 p.m.

PLANNING COMMISSION MEETING - 7:00 p.m.

These meetings are open to the public.

PLANNING COMMISSION WORKSESSION - 6:00PM

1. *Discuss the updates to the Comprehensive Plan of Bonner Springs*

Action NA

Recommendation NA

Documents:

1. COMPREHENSIVE PLAN COMPARISON

PLANNING COMMISSION MEETING - 7:00 PM

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of the minutes from the February 28, 2023 meeting

Action Approve, amend or deny the minutes from the February 28, 2023 meeting

Recommendation Approve the minutes as presented

Documents:

1. PC Minutes 2.28.23 draft

OLD BUSINESS

NEW BUSINESS

1. PUBLIC HEARING: Special Use Permit - SUP-01-23 – 212 W. Kump Ave

Action Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit (duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 212 W. Kump Avenue with staff recommendations.

Documents:

1. Complete - Staff Report SUP-01-23- Salazar - 212 W. Kump Ave

2. PUBLIC HEARING: Special Use Permit – SUP-02-23 – 209 Shadyside Avenue

Action Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit (duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 209 Shadyside Avenue with staff recommendations.

Documents:

1. Complete - Staff Report SUP-02-23- Salazar - 209 Shadyside Ave

3. PUBLIC HEARING: Special Use Permit – SUP-03-23 – 224 Coronado Road

Action Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit

(duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 224 Coronado Road with staff recommendations.

Documents:

1. Complete - Staff Report SUP-03-23- Salazar - 224 Coronado Road

4. Site Plan - ST-01-23

Action Consider a site and landscape plan for 11733 Kaw Drive – Built to Fit, Inc.

Recommendation Staff recommends the Planning Commission approve the site plan for 11733 Kaw Drive with the stipulations listed in the Staff report.

Documents:

1. Complete - ST-01-23 - Built to Fit - Site and Landscape Plan Review

5. PUBLIC HEARING: Zoning Ordinance Amendment - BSZO-01-23

Action Consider an amendment to the Zoning Regulations regarding accessory building size restrictions in the AG, A-1, R and R-S Zoning Districts.

Recommendation Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District).

Documents:

1. Complete - Accessory Building Agenda Item

OPEN AGENDA

COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. April upcoming agenda items

Action NA

Recommendation NA

Documents:

ADJOURNMENT

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: *Discuss the updates to the Comprehensive Plan of Bonner Springs*

Recommendation: NA

Action: NA

Background: Staff has been working on revisions to the 2008 Comprehensive Plan over the past year and has brought them forward for discussion amongst the Commission.

Discussion: Discuss proposed changes to the existing Comprehensive Plan - No Official Action needed at this time

Financial Impact: NA

COMPREHENSIVE PLAN COMPARISON 2008 VS. 2022

- Front cover has been improved with updated pictures
- Acknowledgements have been updated
- Table of Contents has been updated to reflect revised layout

Below is a comparison table between of Table of Contents – this will also distinguish the difference in layout –
Bold typeface indicates section headers, indented listings are maps

Adopted Plan

Chapter 1: Comprehensive Plan Overview

Introduction - *about the plan*
Planning Authority
Vicinity and Planning Areas
How the Plan Is Used
Public Benefits of the Plan
Jurisdictional Responsibility
Role of Planning Commission
Role of City Council
Role of Board of Zoning Appeals
Role of the Zoning Ordinance

Revised Plan

Introduction - *about the City*

Executive Summary

Purpose of the Comprehensive Plan
Preparation of the Plan
Planning Authority
How to Use the Plan
Public Benefits
Extraterritorial Jurisdiction Responsibility

Overview of the Comprehensive Plan and its Development

Plan Specifics

Plan Implementation

The Plan and its Role
Role of the Planning Commission
Role of the City Council
Role of the Board of Zoning Appeals
Role of the Planning and Zoning Department
Role of the City Zoning Ordinance
The Basis of Decision-Making
Community Input

Chapter 2: Existing Conditions

Introduction
Municipal Utility Infrastructure
Development Patterns
Economic Development
Demographics

Overview of the City / Existing Conditions

Background Information
Demographics
 Demographics Chart
Economic Development
Existing Land Use
Transportation
 Future Transportation Map
Soils and Topography
Ecological Profile/Physical Limitations/Floodplains
Surrounding Growth Factors

Community Facilities

City Offices
Parks and Recreation
 Parks and Trails Map – Existing
Library
Education
Electric System
Gas System
Water System
Stormwater System
 Wastewater System Wastewater Maps
 Drainage Basin Maps

Chapter 3: Goals, Objectives, and Policies

Introduction
Environmental Management
Land Use and Development
Parks, Open Space, and Recreation
Economic Development
Residential
Infrastructure
Public Participation

Community Vision and Planning Goals

Topics of Importance
Environmental Management
Land Use and Development
Development Challenges Map
Zoning and Physical Image
Zoning Districts
Current Zoning Map
Citizen Survey Result Map – Future
Commercial Development
Citizen Survey Result Map – Future
Industrial Development
Infrastructure
Streets / Transportation
Future Transportation Map
Parks, Open Space and Recreation
Future Trail and Park Plan
Economic Development

Chapter 4: Future Land Use

Introduction
Growth Areas
Future Land Use
Future Commercial Needs
Future Industrial Needs
Future Land Use Plan
Housing and Infrastructure
Natural Resources
Land Use Growth Area Policy
Guiding Principles and Design Guidelines

Future Land Uses / Future Land Use Map

Agricultural
Residential
Mixed Use
Commercial
Industrial
Public/Industrial Open Space
Future Land Use Map Introduction
Future Land Use Map

The Guiding Principles and Design Guidelines were adopted as the Architectural Design Standards section of the Zoning Ordinance in January 2022.

Chapter 5: Major Transportation Plan

Introduction
Road and Street Classifications
Transportation Planning Issues
Access Control
Roadway Financing
Recommendations

Transportation Planning and applicable sections are found under the Community Vision and Planning Goals of the revised plan

Chapter 6: Implementation

On-Going Action Items
Short-term Action Items
Long-term Action Items

Goals, Objectives and Action Steps are included within each section of the “Community Vision and Planning Goals” section of the revised plan

APPENDICES

Appendix A: Public Participation Summary

Focus Session Overview
Planning Policy Charrette

Appendices and Addendums

Appendix A: U.S. Census Bureau Demographics

Appendix B: Neighborhood and Site Development Guidelines

Guiding Principles
Neighborhood Development Guidelines
Multifamily Residential Design Guidelines
Commercial Design Guidelines

Appendix B: 2022 Citizen Survey Results

Appendix C: Public Finance Options

Guiding Policies
Community Finance Policies to Date
New Citywide Policies
Related Public Finance Mechanisms

Appendix C: Public Finance Options

Copied and pasted, this section has remained the same

Addendum: 2016 Tri-City Multi-Modal Redevelopment Plan

This plan was adopted in 2016 as an Addendum to the adopted Comprehensive Plan

- Introduction has been added to provide individuals with some history of Bonner Springs
- The ‘Overview/Existing Conditions’ section has been revised, dealing with Demographics first vs. Soils as in the adopted plan
 - Added a Demographics Chart that compares 6 other cities to ourselves, some of these comparisons are Median Age, Median Household Income, Average Household Size, Poverty Rates and Percent of the Workforce in Manufacturing among several other key categories
- The initial sections of ‘Overview’ deal directly with our citizens and expand upon the Demographics Table; it addresses population growth, housing, Economics/Education.
 - Included are snapshot graphs comparing Bonner Springs to the 6 other cities
- It then dives into our Economic Development Incentive Programs that we currently have in place
 - Need to add Rural Housing Incentive Districts (RHID); recently adopted by the Governing Body
- The next few sections deal directly with Economic Development in our current state – all categories provide updated numbers
 - Building Permits – past 6 years (2016-2021)
 - Assessed Valuation – in five-year increments except 2022 (2010, 2015, 2020 and 2022)
 - Largest Taxpayers via assessed valuation (mostly business oriented – most recent assessments)
 - Sales tax revenue – in five-year increments (2010, 2015, 2020 and 2021)
 - Tax levies
 - A section is provided that could assist an individual approximate property taxes using the value of a home
- Adopted version provides statistical demographic information within the plan pages, ours has been condensed into the demographic table and the ACS Surveys as Appendices

- The Topics of Importance have changed

Adopted Plan

Environmental Management
Land Use and Development
Parks, Open Space and Recreation
Economic Development
Residential
Infrastructure
Public Involvement

Revised Plan

Environmental Management
Land Use and Development
Zoning and Physical Image
Infrastructure
Street and Transportation Network
Parks, Open Space and Recreation
Economic Development
Future Land Uses

- The majority of existing Goals, Objectives and Action Steps remained the same, as staff reviewed the existing plan it was realized that those Action Steps had not been accomplished in the manner intended. Where Action Steps had been completed, they were removed from the revised plan.
- The revised plan lists “Strategies” vs. “Objectives” in the adopted plan

Environmental Management – No Change

Land Use and Development –

Adopted Plan

Objective 1 had two tasks accomplished, they were removed

Objective 3 from current plan was removed – we accomplished this through the adoption of design standards

Objective 4 from current plan was removed – accomplished with adoption of design standards

Revised Plan

Annexation was placed into the Land Use and Development section, with an appropriate Objective and subsequent Action Steps

New ‘Goal’ added – Future Urban Growth

Objective added “Manage growth in a orderly manner....not leapfrogging beyond areas that can be reasonably served by utilities and services”

Parks, Open Space and Recreation –

Adopted Plan

Objective 1 had one task removed

Revised Plan

New “Strategy” placed in revised plan – Develop a Trails Master Plan

Include Future Parks and Trail Plan - map

Economic Development –

Adopted Plan

Objective 1 - removed four “Action Steps” that were either achieved previously or outdated

Objective 2 – removed one “Action Step” develop non-residential south on Front Street along Loring Lane

Revised Plan

New “Strategy” placed in revised plan – Encourage development in an orderly and efficient patternin a fiscally responsible manner (four “Action Steps” added

Residential –

removed from the adopted plan, while significant residential development is desired, we unfortunately cannot dictate what develops within the city limits

Infrastructure –

Adopted Plan

Objective 2 – removed “Action Step” relating to the K-7 corridor study as the City rethinks its stance on this staff felt it best to not include this step

Objective 3 has been narrowed down to two “Action Steps” which have been accomplished

Revised Plan

Infrastructure was divided into two sections, Municipal Utilities and Streets/Transportation

Added “Pedestrian Realm” into Infrastructure, including four “Action Steps”

Added three new “Action Steps” to Infrastructure – Construction and Extension

Public Involvement -

removed from the revised plan, Public Involvement is a very important topic and without the public's input and involvement the plan would not be successful. The Comprehensive Plan is a tool for those looking to develop within the city limits, while public involvement is necessary in this process it should not be incorporated into the plan, it was used to develop the plan and the revised plan should reflect the public's involvement.

Zoning and Physical Image – Revised Plan only

Zoning and Physical Image was added in order to press to the forefront the desires of the City when looking at future development(s) and the future growth of the City

- The current Zoning Districts are listed,
 - A current Zoning Map is provided
 - The mapped results of the 2022 Citizen Survey are also provided
-

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: Approval of the minutes from the February 28, 2023 meeting

Recommendation: Approve the minutes as presented

Action: Approve. amend or deny the minutes from the February 28, 2023 meeting

Background: Minutes are attached

Discussion: None

Financial Impact: NA

MINUTES – 2.28.23 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, February 28, 2023 – Regular Meeting – 7:00 p.m.

=====

1. Meeting **CALLED TO ORDER** by Chair Gebauer at 7:03 p.m.

ROLL CALL

Planning Commissioners Present: Larry Clark; Greg Gebauer; Lloyd Mesmer; Vince Bombardier; Jason Cruse; Sherri Neff; Nick Perica

Absent: – Paul Zeps

Quorum Established

Staff Present: Mark Lee, Community Development Director

2. **CONSENT AGENDA**

Item #2 – Approval of Minutes of January 17, 2023 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 Vice-Chair Clark and seconded by Commissioner Neff.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7 – 0

3. **UNFINISHED BUSINESS**

None

NEW BUSINESS

4. Agenda Item # 4 – Final Plat (Replat) – FP-01-22 - 399 N. 130th Street – Consider a Repat for Ensign Storage at 399 N. 130th Street.

Chair Gebauer introduced Item #4 and asked for staff's report.

Staff had set up a GoTo Meeting link for the applicant, it failed at the time of the meeting and would not work correctly. The applicant was not able to join the meeting but staff sent several emails relaying information and how the meeting would proceed, including that if the item became contentious I would ask that the item be tabled so the applicant would have a chance to speak.

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that replat was being requested to coincide with the expansion of the Ensign Storage facility and the ground was in the process of being purchased from the Agricultural Hall of Fame.

Staff explained that it was their understanding that these additional pieces of ground were to be utilized as Temporary Construction Easements but sometime during the discussions with the AG Hall of Fame, the owners decided to purchase the additional property versus utilizing it as Temporary Construction Easements.

Chair Gebauer asked if there were any questions or comments from the public.

David Hurrelbrink (AG Hall of Fame) – asked about the storm water retention plan and why an additional portion of ground was being requested by the applicant and how this affected the plat. Mr. Hurrelbrink expressed concerns of erosion potentially caused by the release of storm water from the site and was curious as to how this was being addressed.

Staff explained that the storm water report had been submitted and reviewed by our City Engineer and given approval prior to the commencement of construction. Staff further explained the locations of the storm water retention areas, stating one is an open pond, located in the northwest corner of the property while the other is located underground in the general area of the outside storage.

Staff further stated that the additional portion of ground being requested by the applicant was not part of this plat and that the applicant was pursuing this for possible future expansion if needed.

Commissioner Mesmer made a motion to **APPROVE** the final plat (replat) with staff recommendations; Chair Gebauer called for a second. Commissioner Perica **SECONDED** the motion.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

5. Agenda Item # 5 - Final Plat (Replat) – RP-01-23 - Lot 242 Lake of the Forest – 542 Lake Forest Drive – Consider a replat for 542 Lake Forest Drive

Chair Gebauer introduced Item #5 and asked for staff's report.

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that replat was being requested to coincide with a requested fence permit. The applicant had submitted a permit for the installation of a fence; after staff's review of the permit it was determined that the area in which the applicant wanted to place the fence was not part of their property but instead considered "Common Area" for the subdivision. This did not allow for the installation of the fence as the applicant had wished. Through discussion with the applicant, it was determined that they did indeed wish to construct a fence where initially located. This triggered the process of replatting the lot so that portion would now be included within the applicant's lot.

During the discussions between staff and the Commissioners confusion began to evolve around the numbering of the lots and naming of the plat.

Alex Elliott – Atlas Land Consulting – Represented the owners and spoke on their behalf. Mr. Elliott clarified the naming of the plat and how it correlated to an existing replat of three lots prior. A 'Resurvey' of Lots 240, 241 and 242 had been completed in the past adjusting property lines, etc. This revised plat was only for Lot 242 of the original three, while the naming of the plat did appear confusing-

"A REPLAT OF LOT 242 LAKE OF THE FOREST CLUB RESURVEY LOTS 240, 241 AND 242"

It was correct, due to the previous resurvey being recorded at an earlier date.

Vice-Chair Clark made a motion to **APPROVE** the plat with staff's recommendations, Commissioner Perica **SECONDED**.

Chair Gebauer called for a Roll Call vote.

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

NAY –

ABSTAIN - None

MOTION PASSED 7 – 0

6. Agenda Item #6 OPEN AGENDA – None

7. Agenda Item #7 COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

- i. Funding has been awarded for the Planning Sustainable Places round of grants through MARC – we have been awarded \$75,000.00 in order to have a Downtown Master Plan developed. MARC handles all RFP's, once those are received we will receive those RFP's to choose one. Staff will keep everyone updated
- ii. March meeting will consist of
 - a. 3 distinct Special Use Permits to allow for multifamily residences to be constructed in the R1-A zoning district
 - b. A site plan approval for Built to Fit and their proposed new building
 - c. Revisions to the accessory building language in certain zoning district.

Chair Gebauer adjourned the meeting at 7:38pm.

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING: Special Use Permit - SUP-01-23 – 212 W. Kump Ave

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 212 W. Kump Avenue with staff recommendations.

Action: Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit (duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Background: In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of "Dwelling, Two-Family" is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are two different styles of residences, the majority of which are single-family; while there are two large multi-family residences located to the west fronting Kump. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .245+/- acres, 10,655sqft +/- .

Discussion: Staff report is attached

Financial Impact: NA

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 4

CASE #: SUP-01-23

Topic: **PUBLIC HEARING-** The applicant is requesting approval of a Special Use Permit to allow for the construction of one – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 212 W. Kump Avenue.

Narrative:

In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of "Dwelling, Two-Family" is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are two different styles of residences, the majority of which are single-family; while there are two large multi-family residences located to the west fronting Kump. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .245+/- acres, 10,655sqft +/- .

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 212 W. Kump Avenue with staff recommendations.

Attachments:

Staff Report (4pgs)

Aerial Image (included within staff's report)

Application (2pgs)

Site Rendering (1pg)

CONSIDER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF ONE – SINGLE FAMILY ATTACHED DWELLING UNIT (TOWNHOME/DUPLEX), WITHIN THE R-1A ZONING DISTRICT.

MEETING DATE: March 21, 2023
REPORT WRITTEN: February 27, 2023
CASE NUMBER: SUP-01-23

APPLICANT:

- Emerald Homes, Inc
PO Box 493
Bonner Springs, KS 66012

SURVEYOR

- NA

REQUEST:

The applicant is requesting approval of a Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 212 W. Kump Avenue.

ZONING:

The property is currently zoned “R-1A” Residential Special District

SURROUNDING ZONING:

North	“R-1A” Residential Special District
South	“R-1A” Residential Special District
East	“R-1A” Residential Special District
West	“R-1A” Residential Special District

BACKGROUND:

In the City’s Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of “Dwelling, Two-Family” is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are two different styles of residences, the majority of which are single-family; while there are two large multi-family residences located to the west fronting Kump. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .245+/- acres, 10,655sqft +/- .

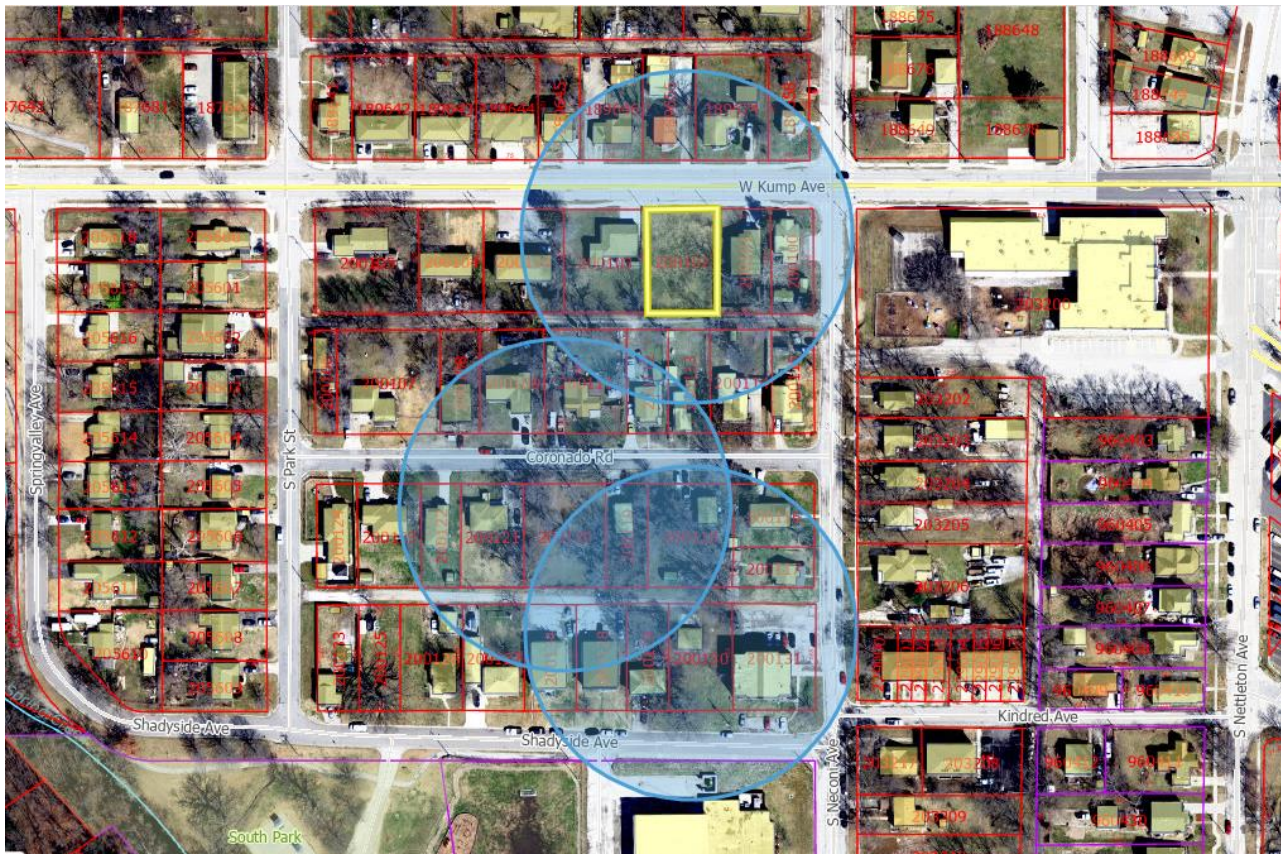
Article XXVII, Special Uses; state: *Special uses are those type of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Comprehensive Plan states that the role of the Planning Commission is to serve as an advisory board to the City Council; by conducting public hearings to obtain public opinion regarding each special use permit application. The Commission shall adopt recommendations that are forwarded to the City Council on each special use permit application request. In viewing requested special use permits the Commission shall consider compatibility and compliance with the Comprehensive Plan.

No specific language within the Comprehensive Plan addresses locations of special uses.

While this does not mirror the current zoning district and development patterns, the Comprehensive Plan does indicate the area as being Low-Density Residential and states:



Low-Density Residential (Generally 2 to 4 dwelling units per acre): This category is appropriate for single-family detached dwellings. It may also include planned public and semi-public uses considered compatible with residential uses, such as schools, religious institutions, and civic uses. This district may be modified with cluster development and ‘PUD’ districts of the City Zoning Ordinance.

Requirements as enumerated in Article XXVII; Special Uses:

Special Uses produce unique and special impacts because of their location, design, life span, method of operation, traffic circulation, or other similar characteristics which may have an impact on available or provided public facilities so that each such use must be considered individually. A special use permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:

1. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions of these regulations;

The proposed use is indicated as an allowed special use in the R-1A, Residential Special District; Staff feels as though this use is aligned with other similar uses within the neighborhood. The proposed uses shall meet all zoning regulations regarding setbacks, yard regulations and use limitations.

2. The proposed special use at the specified location will contribute to and promote the welfare or convenience of the public;

The proposed special use will allow the applicant to construct one single-family attached dwelling unit (duplex) on the vacant parcel, thus allowing new or relocating families to join the Bonner Springs community.

3. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

The proposed use will not cause injury to the value of the property in the neighborhood. The Residential Special District is meant to consist of a variety of housing options and act as an infill district.

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:

- a) The location, nature and height of buildings, structures walls and fences on the site,

The requested special use will not change the physical character of the neighborhood as there are currently several different styles of housing in the area including multifamily and single family residences.

- (b) The nature and extent of landscaping and screening on the site.

There are currently a few sporadic trees located on the lot and no landscaping. Per Article V; Section 10, the owner of properties in which a Special Use Permit has been issued are required to submit a site and landscape plan. Article XXX, Section 4 further states:

R, R-S, R-1, R-1A and R-2: Two trees per dwelling unit shall be required within the landscape setback abutting said street frontage. All residential subdivisions abutting collector or arterial streets shall be required to provide one tree per forty (40) feet or portion thereof of street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;
All parking shall occur off-street and on areas that are concrete or asphalt per the Zoning Regulations.
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided; and
Adequate site utilities are present. As infill development lots; drainage facilities will not be required of the lots but drainage shall not negatively impact nearby residents.
7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
Adequate ingress and egress drives will be constructed with the units. The impact to traffic should be minimal.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-01-23 with the following conditions:

- 1) Developer/builder shall be responsible for all fees associated with building permits.
- 2) Special Use Permit shall be valid in perpetuity
- 3) Special Use Permit shall expire when the operation of the approved use is discontinued; and
- 4) Special Use Permit shall not transfer to another person without notification being sent to the Community Development Department or to a different location; and
- 5) Special Use Permit may be revoked by the Governing Body for violation of and/or non-compliance with the Municipal Code of Ordinances of the City of Bonner Springs, Kansas.
- 6) In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

COMMISSION OPTIONS

1. **Recommend approval to the City Council, with or without conditions.**
2. **Recommend denial to the City Council.**
3. **Continue the Public Hearing to another date, time and/or place.**

CITY OF BONNER SPRINGS, KS

Community and Economic Development Department

SPECIAL USE PERMIT (SUP) APPLICATION

Staff Use Only

SUP - 01-23

PC Date: 3/21

CC Date: 4/10

Date Rec'd: 4/13

Rec'd by: MJL

Date: 4-6-23

Subject Property Address: 212 W Kump Ave.

Project Name (if applicable): _____

Applicant Name: Emerald Homes Inc Phone: 816-830-3491

Address: PO Box 493 Bonner Springs Ks 66012

E-mail (required): emeraldhomesinc@yahoo.com

Record Property Owner: Ladislado + Lesa Salazar Phone: 816-830-3491

Parcel No.: 200102 Quarter Section: _____ Section/Township/Range: 532/T11/R23

Legal Description of the Tract: Coronado Sub to Saratoga, 532, T11, R23, Acres 0.240000, B&W 10FT L29, ALL 30 to L32

Tract Acreage: .24 General Location/Cross-streets: S Necon Ave.

Zoning: R-1A Present Use: Vacant Requested Use: Multi-family

I hereby certify that the information herein submitted is complete, true, and accurate. That I have been reviewed the development procedures and guidelines required, and I hereby grant the City permission to post a public notice sign on the subject property.

Applicant Signature: Les Salazar Date: 4-6-23

Applicant Name (Printed): Les Salazar

Does Applicant have Permission from the Owner(s) to Apply for an SUP and Authorize Permission to Post?

Yes X No _____

If Requested, Can the Applicant Provide a Letter of Consent from the Owner(s)?

Yes X No _____

Special Use Permit (SUP) Application Process

A pre-application meeting with the City Planner is required prior to application submittal. Call or email to set an appointment -- 913-667-1708

Applicants are encouraged to communicate with all adjacent property owners prior to beginning the special use permit process.

Submittal Requirements

_____ Completed and signed application – Signature of applicant and property owner's consent are required

_____ Digital renderings of a scaled site plan or survey of the area for a special use permit

Site plan must be:

- drawn to scale,
- contain the legal description, and
- indicate buildings, parking, north arrow, etc.

_____ Check for \$300.00 – made payable to the City of Bonner Springs for application fee

_____ PDF copy of all drawings must be emailed to the City Planner

Additional fees

City staff generates a list of property owners within the 200' radius of the exterior of the subject property and creates and mails notification of a public hearing for a Special Use Permit application.

- *Applicants will be billed \$12 for each unique property owner on the 200' mailing list.*

City staff submits the required notification to the City newspaper for publication not less than 20 days prior to the public hearing.

- *Applicants will be billed for the publishing costs.*

City staff will prepare and post a Notice of Public Hearing sign.

- *Applicants will be billed \$25 for the first sign and \$10 for each additional sign, if applicable.*

Meetings

The Planning Commission holds a public meeting and votes to recommend approval or denial of the application.

- *Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM*

The Governing Body will review the application for consideration and action at a regular City Council meeting.

- *The City Council typically meets on the second (2nd) and fourth (4th) Monday of each month at 7:30 PM.*

Reference

Lists of all Special Uses are located in the Zoning Ordinance Appendix A or Appendix B

Additional information on Special Uses is located in the Zoning Ordinance Article XXVII

https://www.bonnerrsprings.org/DocumentCenter/View/92/zoning_ordinance?bidId=

Questions? -- Contact the City Planner at 913-667-1708

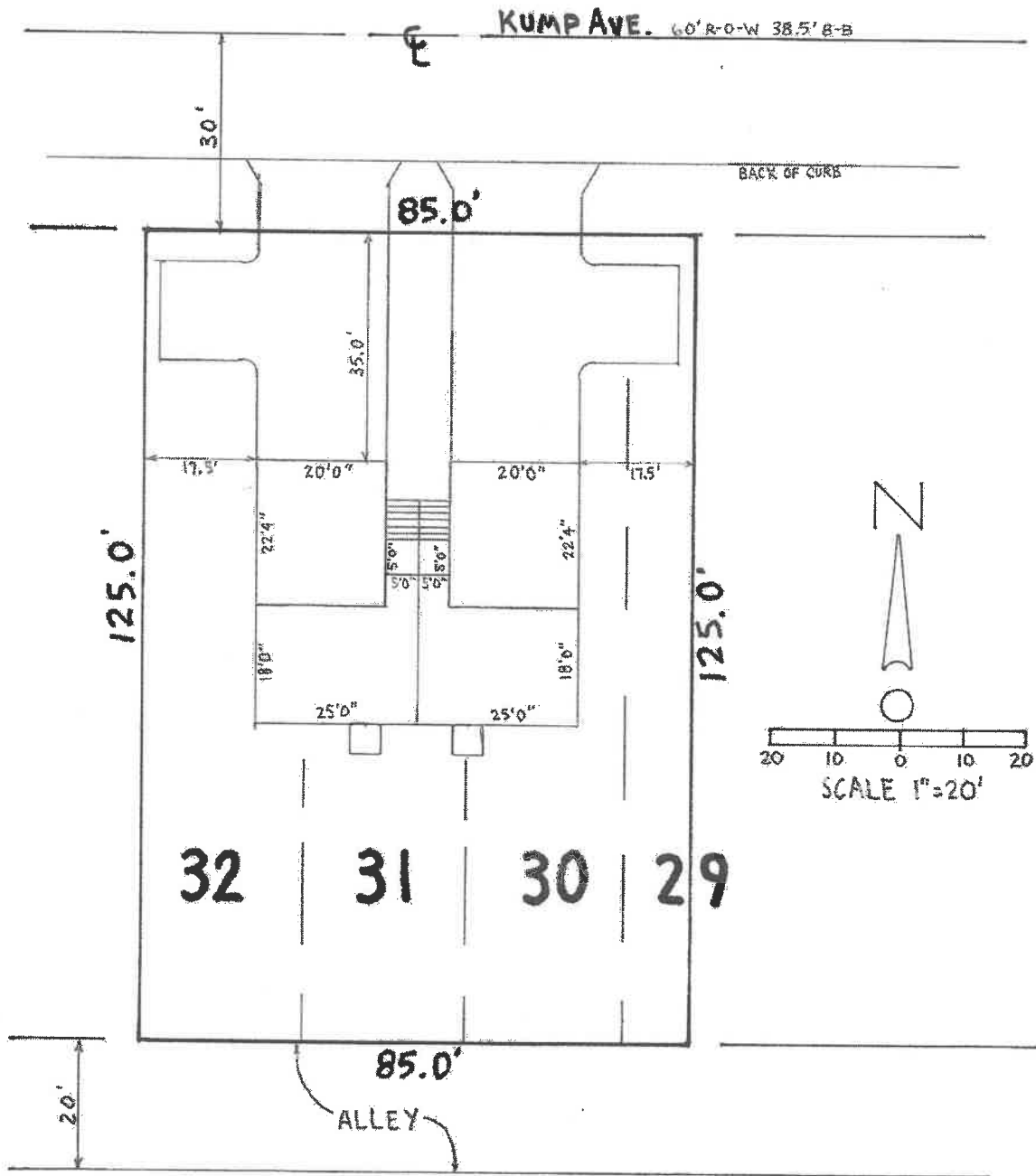
FEES

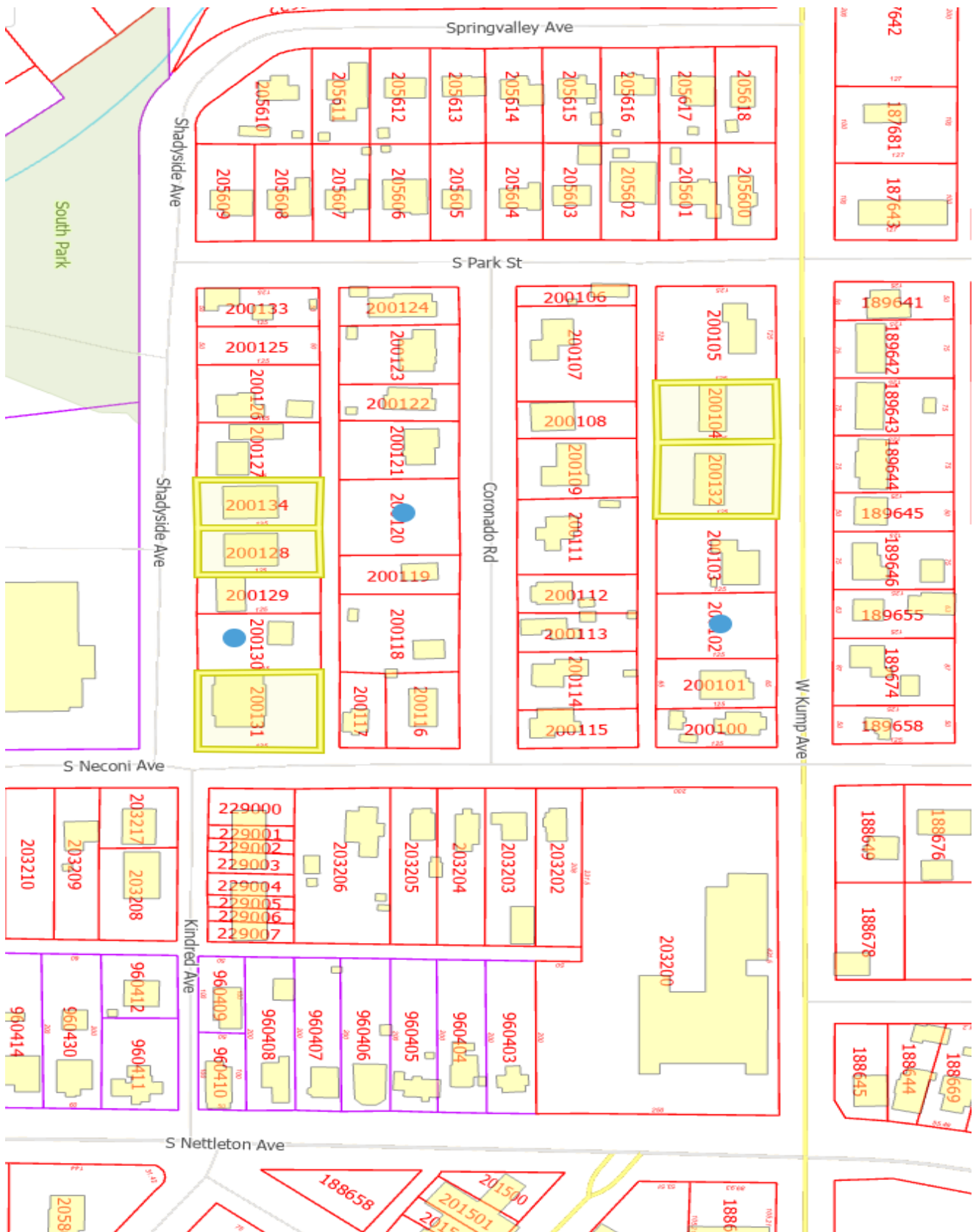
Application Fee: \$300 \$ *x → Pd 1/13*
Notification: _____ x \$12 = \$ _____
Publication: _____ \$ _____
Sign (first): \$25 \$ _____
Add'l Signs _____ x \$10 = \$ _____

Total Due: \$ _____

Invoice Date: _____
Payment Rec'd Date: _____
Check #: _____
Receipt #: _____

Proposed Duplex
212w Kump





The image above shows the 3 block area in which these duplex units are proposed the blue dots indicate those lots in questions, while the parcels identified within the yellow boxes indicate the existing multi-family dwellings.

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING: Special Use Permit – SUP-02-23 – 209 Shadyside Avenue

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 209 Shadyside Avenue with staff recommendations.

Action: Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit (duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Background: In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of "Dwelling, Two-Family" is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are multiple styles of residences, the majority of structures of which are single-family; while there are two large multi-family residences located to the south fronting Shadyside Avenue, and a larger multi-family complex on the corner of Shadyside and S. Neconi Ave. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .226+/- acres, 9,861 sqft +/- .

Discussion: Staff report is attached

Financial Impact: NA

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 5

CASE #: SUP-02-23

Topic: **PUBLIC HEARING-** The applicant is requesting approval of a Special Use Permit to allow for the construction of one – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 209 Shadyside Avenue.

Narrative:

In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of "Dwelling, Two-Family" is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are multiple styles of residences, the majority of structures of which are single-family; while there are two large multi-family residences located to the south fronting Shadyside Avenue, and a larger multi-family complex on the corner of Shadyside and S. Neconi Ave. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .226+/- acres, 9,861 sqft +/- .

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 209 Shadyside Avenue with staff recommendations.

Attachments:

Staff Report (4pgs)
Aerial Image (included within staff's report)
Application (2pgs)
Site Rendering (1pg)

CONSIDER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF ONE – SINGLE FAMILY ATTACHED DWELLING UNIT (TOWNHOME/DUPLEX), WITHIN THE R-1A ZONING DISTRICT.

MEETING DATE: March 21, 2023
REPORT WRITTEN: February 27, 2023
CASE NUMBER: SUP-02-23

APPLICANT:

- Emerald Homes, Inc
PO Box 493
Bonner Springs, KS 66012

SURVEYOR

- NA

REQUEST:

The applicant is requesting approval of a Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 209 Shadyside Avenue.

ZONING:

The property is currently zoned “R-1A” Residential Special District

SURROUNDING ZONING:

North	“R-1A” Residential Special District
South	“R-1A” Residential Special District
East	“R-1A” Residential Special District
West	“R-1A” Residential Special District

BACKGROUND:

In the City’s Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of “Dwelling, Two-Family” is a Special Use that is allowed under the Zoning Regulations. The intent of the R-1A Zoning district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are multiple styles of residences, the majority of structures of which are single-family; while there are two large multi-family residences located to the south fronting Shadyside Avenue, and a larger multi-family complex on the corner of Shadyside and S. Neconi Ave. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .226+/- acres, 9,861 sqft +/- .

Article XXVII, Special Uses; state: *Special uses are those type of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs.*

CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The Comprehensive Plan states that the role of the Planning Commission is to serve as an advisory board to the City Council; by conducting public hearings to obtain public opinion regarding each special use permit application. The Commission shall adopt recommendations that are forwarded to the City Council on each special use permit application request. In viewing requested special use permits the Commission shall consider compatibility and compliance with the Comprehensive Plan.

No specific language within the Comprehensive Plan addresses locations of special uses.

While this does not mirror the current zoning district and development patterns, the Comprehensive Plan does indicate the area as being Low-Density Residential and states:



Low-Density Residential (Generally 2 to 4 dwelling units per acre): This category is appropriate for single-family detached dwellings. It may also include planned public and semi-public uses considered compatible with residential uses, such as schools, religious institutions, and civic uses. This district may be modified with cluster development and ‘PUD’ districts of the City Zoning Ordinance.

Requirements as enumerated in Article XXVII; Special Uses:

Special Uses produce unique and special impacts because of their location, design, life span, method of operation, traffic circulation, or other similar characteristics which may have an impact on available or provided public facilities so that each such use must be considered individually. A special use permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions:

1. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions of these regulations;

The proposed use is indicated as an allowed special use in the R-1A, Residential Special District; Staff feels as though this use is aligned with other similar uses within the neighborhood. The proposed uses shall meet all zoning regulations regarding setbacks, yard regulations and use limitations.

2. The proposed special use at the specified location will contribute to and promote the welfare or convenience of the public;

The proposed special use will allow the applicant to construct one single-family attached dwelling unit (duplex) on the vacant parcel, thus allowing new or relocating families to join the Bonner Springs community.

3. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

The proposed use will not cause injury to the value of the property in the neighborhood. The Residential Special District is meant to consist of a variety of housing options and act as an infill district.

4. The location and size of the special use, the nature and intensity of the operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the special use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the special use will so dominate the immediate neighborhood, consideration shall be given to:

- a) The location, nature and height of buildings, structures walls and fences on the site,

The requested special use will not change the physical character of the neighborhood as there are currently several different styles of housing in the area including multifamily and single family residences.

- (b) The nature and extent of landscaping and screening on the site.

There are currently a few sporadic trees located on the lot and no landscaping. Per Article V; Section 10, the owner of properties in which a Special Use Permit has been issued are required to submit a site and landscape plan. Article XXX, Section 4 further states:

R, R-S, R-1, R-1A and R-2: Two trees per dwelling unit shall be required within the landscape setback abutting said street frontage. All residential subdivisions abutting collector or arterial streets shall be required to provide one tree per forty (40) feet or portion thereof of street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;
All parking shall occur off-street and on areas that are concrete or asphalt per the Zoning Regulations.
6. Adequate utility, drainage, and other such necessary facilities have been or will be provided; and
Adequate site utilities are present. As infill development lots; drainage facilities will not be required of the lots but drainage shall not negatively impact nearby residents.
7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.
Adequate ingress and egress drives will be constructed with the units. The impact to traffic should be minimal.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-02-23 with the following conditions:

- 1) Developer/builder shall be responsible for all fees associated with building permits.
- 2) Special Use Permit shall be valid in perpetuity
- 3) Special Use Permit shall expire when the operation of the approved use is discontinued; and
- 4) Special Use Permit shall not transfer to another person without notification being sent to the Community Development Department or to a different location; and
- 5) Special Use Permit may be revoked by the Governing Body for violation of and/or non-compliance with the Municipal Code of Ordinances of the City of Bonner Springs, Kansas.
- 6) In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

COMMISSION OPTIONS

1. **Recommend approval to the City Council, with or without conditions.**
2. **Recommend denial to the City Council.**
3. **Continue the Public Hearing to another date, time and/or place.**

CITY OF BONNER SPRINGS, KS

Community and Economic Development Department

SPECIAL USE PERMIT (SUP) APPLICATION

Staff Use Only

SUP - 02-23

PC Date: 3/21

CC Date: 4/10

Date Rec'd: 4/13

Rec'd by: MJL

Date: 1-6-23

Subject Property Address: 209 Shadyside Ave

Project Name (if applicable): _____

Applicant Name: Emerald Homes, Inc Phone: 816-830-3491

Address: Po Box 493 Bonner Springs KS 66012

E-mail (required): emeraldhomesinc@yahoo.com

Record Property Owner: Ladislado Salazar Phone: 816-809-2282

Parcel No.: 200130 Quarter Section: _____ Section/Township/Range: S32, T11, R23

Legal Description of the Tract: Coronado Sub to Saratoga, S32, T11, R23, Acres 0.230000, B7, L18 to L20

Tract Acreage: .23 General Location/Cross-streets: S Neconi Ave

Zoning: R-1A Present Use: Vacant Requested Use: multi-family

I hereby certify that the information herein submitted is complete, true, and accurate. That I have been reviewed the development procedures and guidelines required, and I hereby grant the City permission to post a public notice sign on the subject property.

Applicant Signature: [Signature] Date: 1-6-23

Applicant Name (Printed): Lesia Salazar

Does Applicant have Permission from the Owner(s) to Apply for an SUP and Authorize Permission to Post?

Yes ☒ No _____

If Requested, Can the Applicant Provide a Letter of Consent from the Owner(s)?

Yes ☒ No _____

Special Use Permit (SUP) Application Process

A pre-application meeting with the City Planner is required prior to application submittal. Call or email to set an appointment -- 913-667-1708

Applicants are encouraged to communicate with all adjacent property owners prior to beginning the special use permit process.

Submittal Requirements

_____ Completed and signed application – Signature of applicant and property owner’s consent are required

_____ Digital renderings of a scaled site plan or survey of the area for a special use permit

Site plan must be:

- drawn to scale,
- contain the legal description, and
- indicate buildings, parking, north arrow, etc.

_____ Check for \$300.00 – made payable to the City of Bonner Springs for application fee

_____ PDF copy of all drawings must be emailed to the City Planner

Additional fees

City staff generates a list of property owners within the 200’ radius of the exterior of the subject property and creates and mails notification of a public hearing for a Special Use Permit application.

- *Applicants will be billed \$12 for each unique property owner on the 200’ mailing list.*

City staff submits the required notification to the City newspaper for publication not less than 20 days prior to the public hearing.

- *Applicants will be billed for the publishing costs.*

City staff will prepare and post a Notice of Public Hearing sign.

- *Applicants will be billed \$25 for the first sign and \$10 for each additional sign, if applicable.*

Meetings

The Planning Commission holds a public meeting and votes to recommend approval or denial of the application.

- *Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM*

The Governing Body will review the application for consideration and action at a regular City Council meeting.

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Additional information on Special Uses is located in the Zoning Ordinance Article XXVII
https://www.bonnerrsprings.org/DocumentCenter/View/92/zoning_ordinance?bidId=

Questions? -- Contact the City Planner at 913-667-1708

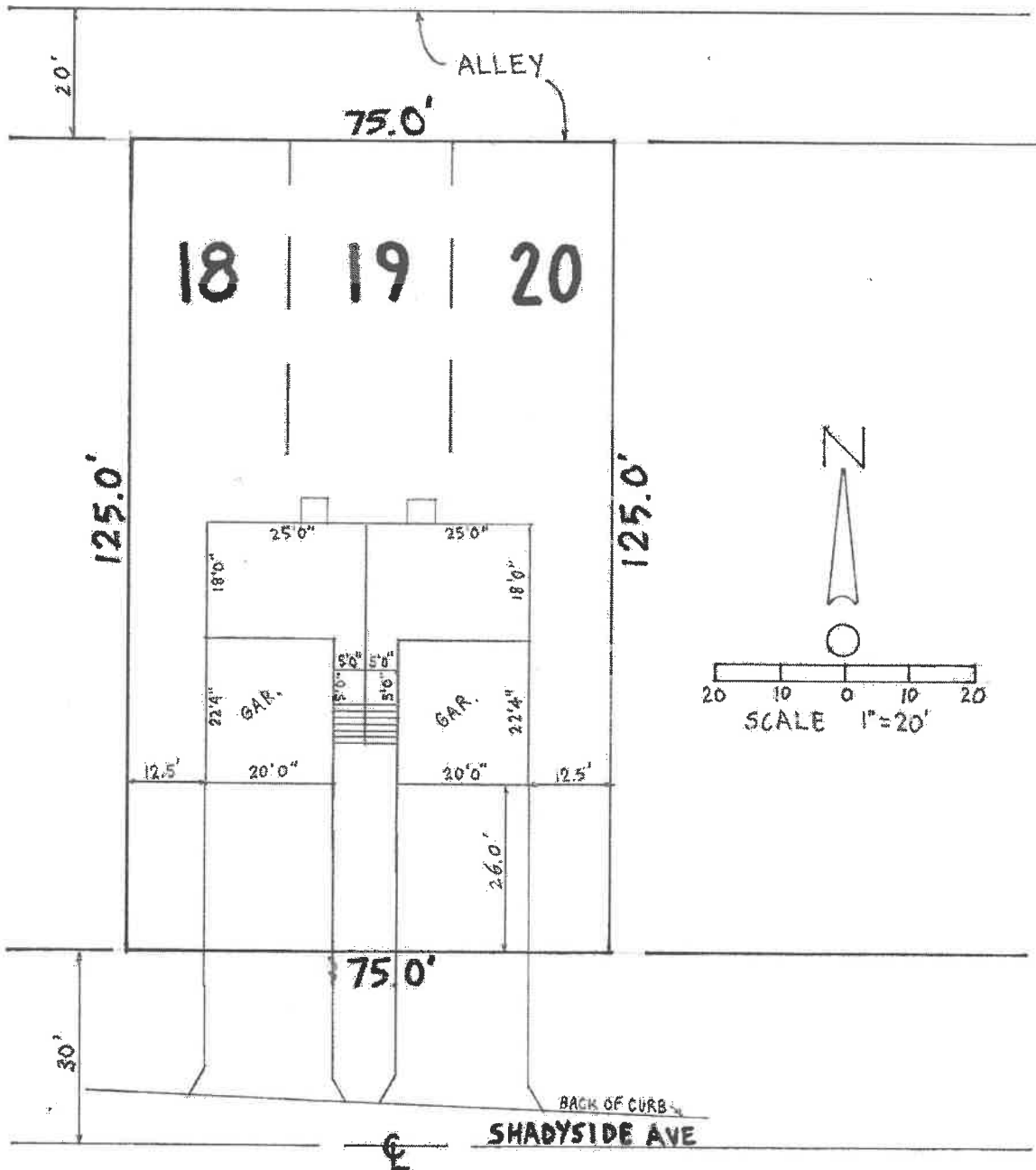
FEES

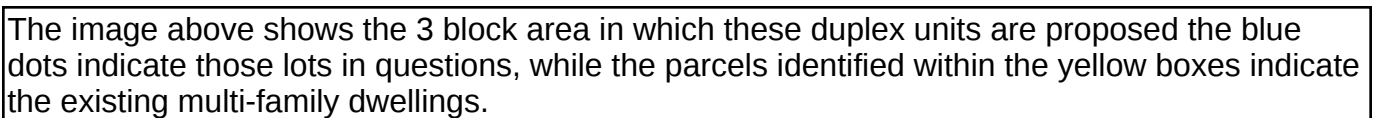
Application Fee: \$300 \$ *→ PD 1/13*
Notification: _____ x \$12 = \$ _____
Publication: _____ \$ _____
Sign (first): \$25 \$ _____
Add'l Signs _____ x \$10 = \$ _____

Total Due: \$ _____

Invoice Date: _____
Payment Rec'd Date: _____
Check #: _____
Receipt #: _____

Proposed Duplex
209 Shadyside Ave.





Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING: Special Use Permit – SUP-03-23 – 224 Coronado Road

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 224 Coronado Road with staff recommendations.

Action: Consider a request for the approval of a special use permit to allow for the construction of one – single-family attached dwelling unit (duplex) – as allowed for in the R-1A (Residential Special District) at the listed address.

Background: In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

The use of "Dwelling, Two-Family" is a Special Use that is allowed under the Zoning Regulations. The R-1A Zoning District is meant to provide a diversity of housing options, including those uses which support and encourage residential neighborhoods. Staff has visited the area to assess what uses are in close proximity and if this use would fit amongst those. Within the block this is to be constructed are multiple styles of residences, the majority of structures are single-family, while there are two large multi-family residences located to the south fronting Shadyside Avenue, and a larger multi-family complex on the corner of Shadyside and S. Neconi Ave. With the mix of uses within the immediate area, staff felt as though the two-family dwellings would fit in to the character of the neighborhood and provide more residential options.

The subject property is .284+/- acres, 12,382 sqft +/- .

Discussion: Staff report attached

Financial Impact: NA

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 6

CASE #: SUP-03-23

Topic: PUBLIC HEARING- The applicant is requesting approval of a Special Use Permit to allow for the construction of one – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 224 Coronado Road.

Narrative:

In the City's Zoning Ordinance, Article XXVII--SPECIAL USES--Sections 1 & 2, the Planning Commission and the Governing Body are authorized to recommend and to approve Special Use Permits in accordance with the Special Uses by Zoning District located in Appendices A & B.

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The subject property is .284+/- acres, 12,382 sqft +/- .

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:

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Attachments:

Staff Report (4pgs)

Aerial Image (included within staff's report)

Application (2pgs)

Site Rendering (1pg)

CONSIDER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF ONE – SINGLE FAMILY ATTACHED DWELLING UNIT (TOWNHOME/DUPLEX), WITHIN THE R-1A ZONING DISTRICT.

MEETING DATE: March 21, 2023
REPORT WRITTEN: February 27, 2023
CASE NUMBER: SUP-03-23

APPLICANT:

- Emerald Homes, Inc
PO Box 493
Bonner Springs, KS 66012

SURVEYOR

- NA

REQUEST:

The applicant is requesting approval of a Special Use Permit to allow for the construction of one (1) – single family attached dwelling unit (townhome/duplex) as allowed for in the R-1A (Residential Special District) at 224 Coronado Road.

ZONING:

The property is currently zoned “R-1A” Residential Special District

SURROUNDING ZONING:

North	“R-1A” Residential Special District
South	“R-1A” Residential Special District
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BACKGROUND:

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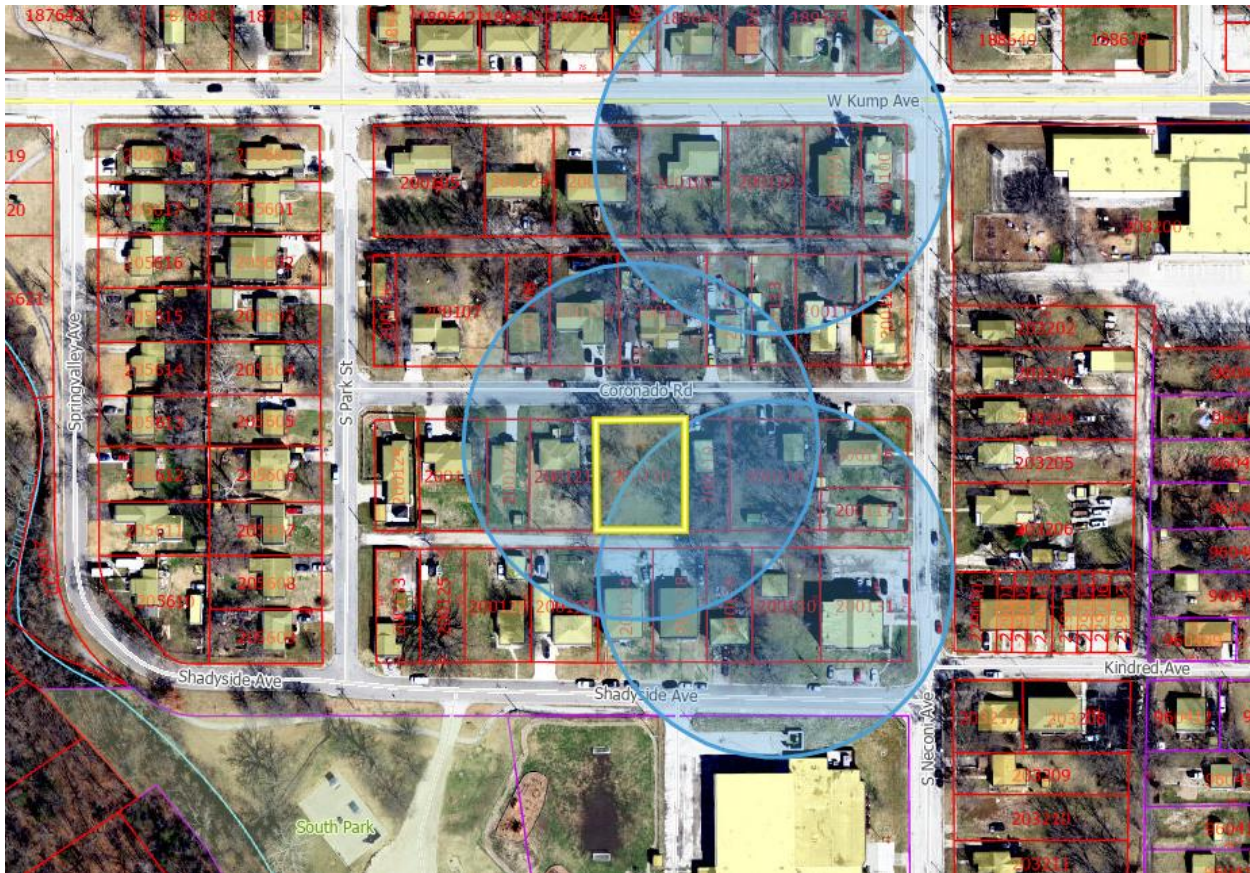
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1. The proposed special use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions of these regulations;

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3. The proposed special use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

The proposed use will not cause injury to the value of the property in the neighborhood. The Residential Special District is meant to consist of a variety of housing options and act as an infill district.

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- a) The location, nature and height of buildings, structures walls and fences on the site,

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5. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;

All parking shall occur off-street and on areas that are concrete or asphalt per the Zoning Regulations.

6. Adequate utility, drainage, and other such necessary facilities have been or will be provided; and

Adequate site utilities are present. As infill development lots; drainage facilities will not be required of the lots but drainage shall not negatively impact nearby residents.

7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Adequate ingress and egress drives will be constructed with the units. The impact to traffic should be minimal.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-03-23 with the following conditions:

- 1) Developer/builder shall be responsible for all fees associated with building permits.
- 2) Special Use Permit shall be valid in perpetuity
- 3) Special Use Permit shall expire when the operation of the approved use is discontinued; and
- 4) Special Use Permit shall not transfer to another person without notification being sent to the Community Development Department or to a different location; and
- 5) Special Use Permit may be revoked by the Governing Body for violation of and/or non-compliance with the Municipal Code of Ordinances of the City of Bonner Springs, Kansas.
- 6) In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

COMMISSION OPTIONS

1. **Recommend approval to the City Council, with or without conditions.**
2. **Recommend denial to the City Council.**
3. **Continue the Public Hearing to another date, time and/or place.**

CITY OF BONNER SPRINGS, KS
Community and Economic Development Department

SPECIAL USE PERMIT (SUP) APPLICATION

Staff Use Only

SUP - 03-23

PC Date: 3/21

CC Date: 4/10

Date Rec'd: 4/13

Rec'd by: msz

Date: 1-6-23

Subject Property Address: 224 Coronado Road

Project Name (if applicable): _____

Applicant Name: Emerald Homes Inc Phone: 816-830-3491

Address: Po Box 493 Bonner Springs KS 66012

E-mail (required): emeraldhomesinc@yahoo.com

Record Property Owner: Lesia Salazar Phone: 816-830-3491

Parcel No.: 200120 Quarter Section: _____ Section/Township/Range: S32/T11/R23

Legal Description of the Tract: Coronado Sub to Saratoga, S32, T11, R23, Acres 0.280000, B7, L35 to L38

Tract Acreage: .28 General Location/Cross-streets: S Necon Ave

Zoning: R-1A Present Use: VACANT Requested Use: multi-family

I hereby certify that the information herein submitted is complete, true, and accurate. That I have been reviewed the development procedures and guidelines required, and I hereby grant the City permission to post a public notice sign on the subject property.

Applicant Signature: Lesia Salazar Date: 1-6-23

Applicant Name (Printed): Lesia Salazar

Does Applicant have Permission from the Owner(s) to Apply for an SUP and Authorize Permission to Post?

Yes X No _____

If Requested, Can the Applicant Provide a Letter of Consent from the Owner(s)?

Yes X No _____

Special Use Permit (SUP) Application Process

A pre-application meeting with the City Planner is required prior to application submittal. Call or email to set an appointment -- 913-667-1708

Applicants are encouraged to communicate with all adjacent property owners prior to beginning the special use permit process.

Submittal Requirements

_____ Completed and signed application – Signature of applicant and property owner's consent are required

_____ Digital renderings of a scaled site plan or survey of the area for a special use permit

Site plan must be:

- drawn to scale,
- contain the legal description, and
- indicate buildings, parking, north arrow, etc.

_____ Check for \$300.00 – made payable to the City of Bonner Springs for application fee

_____ PDF copy of all drawings must be emailed to the City Planner

Additional fees

City staff generates a list of property owners within the 200' radius of the exterior of the subject property and creates and mails notification of a public hearing for a Special Use Permit application.

- *Applicants will be billed \$12 for each unique property owner on the 200' mailing list.*

City staff submits the required notification to the City newspaper for publication not less than 20 days prior to the public hearing.

- *Applicants will be billed for the publishing costs.*

City staff will prepare and post a Notice of Public Hearing sign.

- *Applicants will be billed \$25 for the first sign and \$10 for each additional sign, if applicable.*

Meetings

The Planning Commission holds a public meeting and votes to recommend approval or denial of the application.

- *Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM*

The Governing Body will review the application for consideration and action at a regular City Council meeting.

- *The City Council typically meets on the second (2nd) and fourth (4th) Monday of each month at 7:30 PM.*

Reference

Lists of all Special Uses are located in the Zoning Ordinance Appendix A or Appendix B

Additional information on Special Uses is located in the Zoning Ordinance Article XXVII

https://www.bonnerrsprings.org/DocumentCenter/View/92/zoning_ordinance?bidId=

Questions? -- Contact the City Planner at 913-667-1708

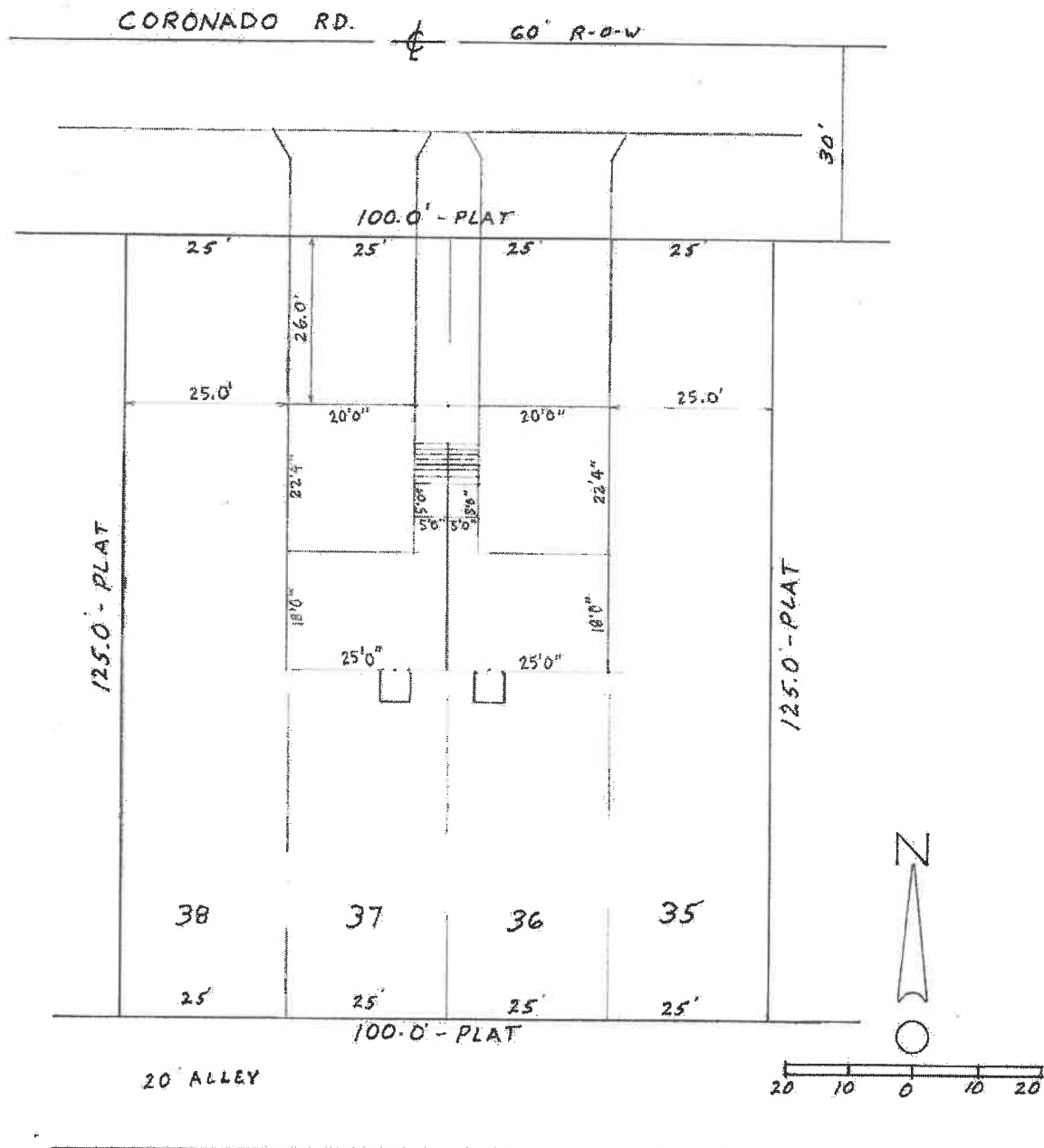
FEES

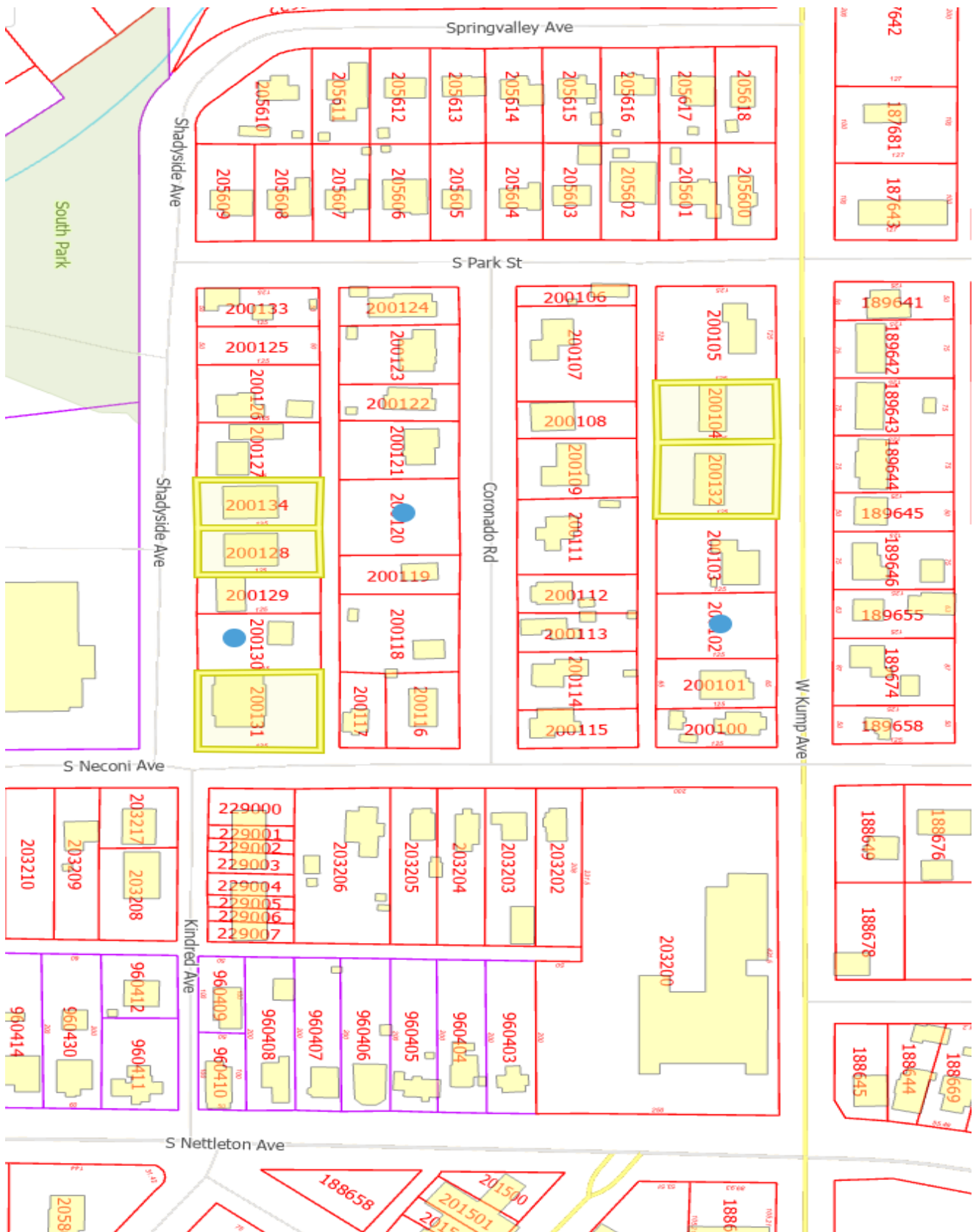
Application Fee: \$300 \$ 2 - 1/13pd
Notification: _____ x \$12 = \$ _____
Publication: _____ \$ _____
Sign (first): \$25 \$ _____
Add'l Signs _____ x \$10 = \$ _____

Total Due: \$ _____

Invoice Date: _____
Payment Rec'd Date: _____
Check #: _____
Receipt #: _____

Proposed Duplex
224 Coronado Rd.





The image above shows the 3 block area in which these duplex units are proposed the blue dots indicate those lots in questions, while the parcels identified within the yellow boxes indicate the existing multi-family dwellings.

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: Site Plan - ST-01-23

Recommendation: Staff recommends the Planning Commission approve the site plan for 11733 Kaw Drive with the stipulations listed in the Staff report.

Action: Consider a site and landscape plan for 11733 Kaw Drive – Built to Fit, Inc.

Background: The Zoning Regulations state the owner, applicant or developer of property shall submit to the Planning Commission or its designated authority, a site and landscape plan for any building or addition to be constructed in R-3, MX, C-1, C-2, C-S, I-1 or I-2, Special Uses and Planned districts. Site plans at a minimum shall show a unified and organized arrangement of the building and/or buildings, off-street parking, points of ingress or egress, internal traffic circulation, site lighting, landscaping, stormwater calculations, signage, service facilities, utility locations, building service connections for water, sewer and public utilities, curb lines, neighboring curb cuts, on which the building or buildings are proposed to be located and shall minimize any adverse effects on nearby properties. The site plan and landscape plan should contain all applicable information as required by this section and as detailed on the site and landscape plan applications.

The minimum submittal requirements for a site plan application are listed on the Site Plan “Fact Sheet” to include the Site Plan Features and Engineering Design Requirements that must be submitted with a completed application. The property owner of record must sign the application if the applicant is not the owner of record. Site plans must reflect the current requirements established at the time of submittal. The Planning Commission shall approve all changes to the Site Plan Features and Engineering Design Requirements. The minimum requirements may be reduced by the Planning Department for minor improvements and additions depending upon the intensity of the development.

This project entails the construction of a new office building with garage, parking area and stormwater detention facilities.

Discussion: Staff report is attached

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 7
CASE NO. ST-01-23

Topic: **Site/Landscape Plan** – Consider a site and landscape plan for 11733 Kaw Drive – Built to Fit, Inc.

Narrative: The Zoning Regulations state the owner, applicant or developer of property shall submit to the Planning Commission or its designated authority, a site and landscape plan for any building or addition to be constructed in R-3, MX, C-1, C-2, C-S, I-1 or I-2, Special Uses and Planned districts. Site plans at a minimum shall show a unified and organized arrangement of the building and/or buildings, off-street parking, points of ingress or egress, internal traffic circulation, site lighting, landscaping, stormwater calculations, signage, service facilities, utility locations, building service connections for water, sewer and public utilities, curb lines, neighboring curb cuts, on which the building or buildings are proposed to be located and shall minimize any adverse effects on nearby properties. The site plan and landscape plan should contain all applicable information as required by this section and as detailed on the site and landscape plan applications.

The minimum submittal requirements for a site plan application are listed on the Site Plan “Fact Sheet” to include the Site Plan Features and Engineering Design Requirements that must be submitted with a completed application. The property owner of record must sign the application if the applicant is not the owner of record. Site plans must reflect the current requirements established at the time of submittal. The Planning Commission shall approve all changes to the Site Plan Features and Engineering Design Requirements. The minimum requirements may be reduced by the Planning Department for minor improvements and additions depending upon the intensity of the development.

This project entails the construction of a new office building with garage, parking area and stormwater detention facilities.

Presented by: Mark Lee-Community Development Director

Staff Recommendation: Staff recommends the Planning Commission approve the site plan for 11733 Kaw Drive with the stipulations listed in the Staff report.

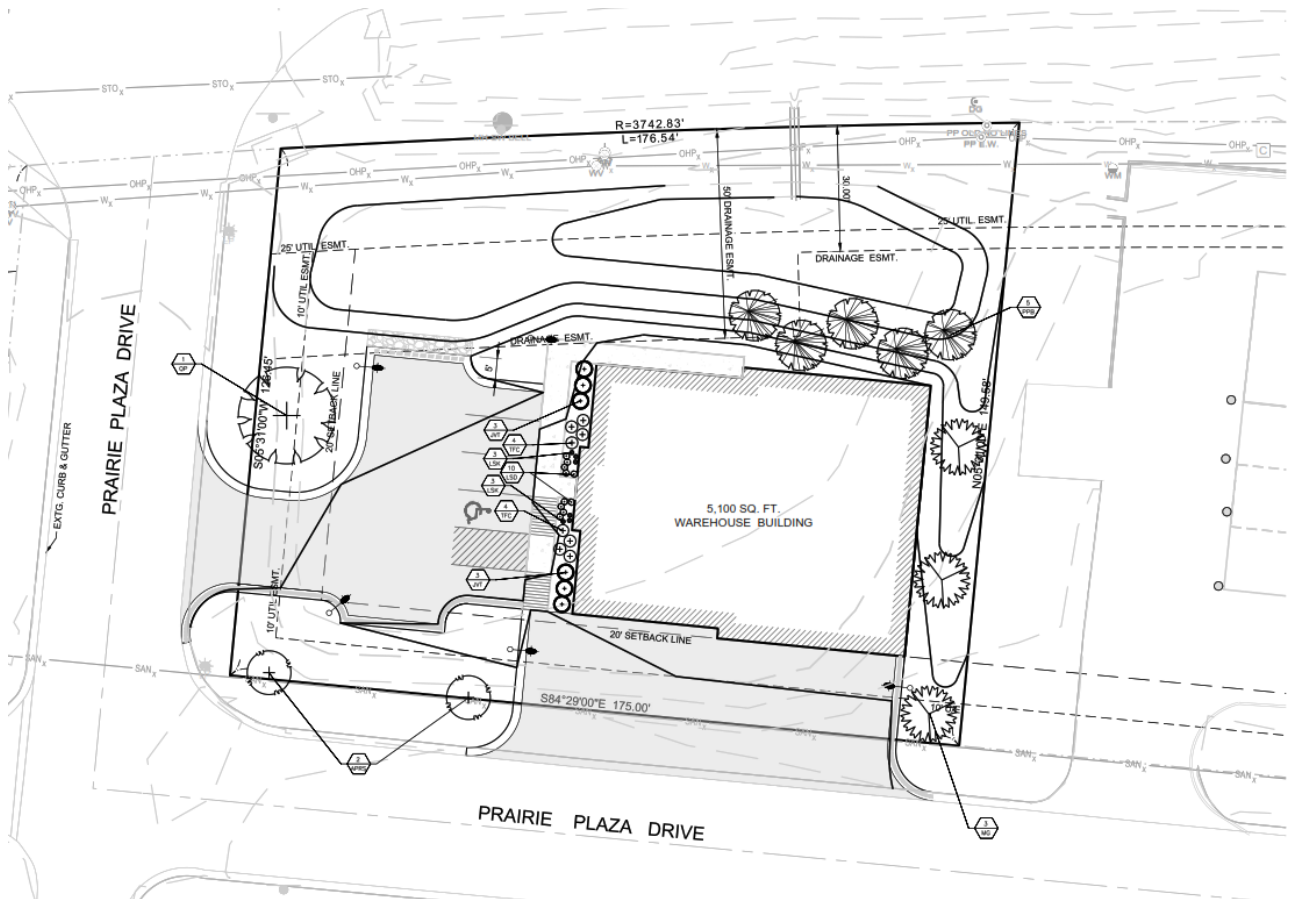
DRT Review Comments: Included within staff report

Attachments:

Staff Report (6pgs)
Aerial Image (located within staff’s report)
Landscape Plan Review Pages – comments (2pg)
Application (6pgs)
Representative color selection image (1pg)
Elevations (1pg)

MEETING DATE: March 21, 2023
REPORT WRITTEN: February 27, 2023

Page 50 of 80



SITE INFORMATION:

Location -	11733 Kaw Drive
Lot Size -	0.554 acres +/-; 24,132 sqft +/-
Building Use -	Office/garage space for existing business
Parking –	
Required -	7 spaces : Office = One (1) parking space for each three hundred (300) square feet of gross floor area dedicated to the same. 2100sqft of office space = 7 spaces
Provided -	5 spaces including one (1) ADA compliant space and a large non-striped entrance to the garage bays located on the south side of the building.
Landscaping:	
Required -	One (1) Street Tree for every 40’ street frontage; plus, one (1) tree for every 3,000 square feet of landscape open space
Provided -	

LANDSCAPE REQUIREMENTS:

STREET TREES

CODE REQUIREMENT ARTICLE XXX SECTION 4.4
KAW DRIVE (K-32) TREES REQUIRED (176.54/40)
SHADE TREES PROVIDED
PRAIRIE PLAZA DRIVE TREES REQUIRED (126.45/40)
SHADE TREES PROVIDED
PRAIRIE PLAZA DRIVE TREES REQUIRED (175/40)
SHADE TREES PROVIDED

LANDSCAPE OPEN SPACES TREES

CODE REQUIREMENT ARTICLE XXX SECTION 4.4
TREES REQUIRED (12,913.43/3,000)
TREES PROVIDED

PARKING AREA LANDSCAPE

CODE REQUIREMENT ARTICLE XXX SECTION 6.1
TREES REQUIRED (5/10)
TREES PROVIDED

1 TREE PER 40 LF OF FRONTAGE
5 TREES
0 TREES
3 TREES
1 TREE
4 TREES
3 TREES

1 TREE PER 3000 SF OF OPEN SPACE
4 TREES
7 TREES

1 TREE PER 10 SPACES
1 TREE
0 TREES

Outdoor Lighting -	5 area lights are indicated as being installed around the parking lot areas, lighting shall adhere to the Zoning Regulations.
Signage -	None indicated – if signage is to be utilized it shall adhere to the Zoning Regulations and receive proper permitting.
Trash Enclosure -	None indicated, if one is to be installed, it shall be screened as required in the Zoning Regulations.

ZONING REGULATIONS SITE PLAN REVIEW CRITERIA:

The Zoning Regulations lay out thirteen requirements used to review site plans and ensure they meet the necessary criteria. Those requirements are stated below and followed by Staff's justification.

1. Compatibility of design and exterior materials and appearance with existing and surrounding structures;
 - i. *The site is currently vacant, the majority of structures located in this general vicinity are constructed of metal exteriors or a mix of materials. During the adoption of the Architectural Design Standards in 2022 the Prairie Plaza industrial areas was allowed to continue with metal clad buildings. The initial plans that were presented to staff did not indicate a metal building. The renderings provided by the applicant indicate a variety of materials including stone, stucco, Smartside shingles and standing seam metal roofing.*
2. Appropriate screening of mechanical equipment;
 - i. *All mechanical equipment shall be screened as required by the Zoning Regulations – plan pages do not indicate mechanical equipment, if mechanical equipment is to be installed outside then it shall be screened per the Zoning Regulations.*
3. The building design shall include a variety of materials, with a maximum of 70% of any one material on all elevations of the structure;
 - i. *The building, as proposed, indicates a variety of materials; the south facing area of the garage is indicated as stucco with other sections of the south wall being, stone, stucco and LP Smartside shingles. Allowances were provided for in the recently adopted Design Standards, that would allow for metal structures to be built in this general area.*
4. Structure design or choice of materials required as part of any franchise type operation shall be considered;
 - i. *N/A*
5. Architectural design should create visual interest and variety through the use of different mixtures, complimentary colors, shadow lines and contrasting shades. The use of walls and a single color, with little detail or completely blank, is discouraged;
 - i. *The proposed building has a variety of materials and colors, the image provided indicates colors of natural stone with black or dark accents.*
6. Use of substantial amounts of masonry materials (face brick, stucco, stone) is encouraged;
 - i. *The renderings provided by the applicant indicate a main entry way surrounded with stone veneer on both sides, the remainder of the building is clad with stucco and Smartside shingles*
7. The use of aluminum siding, metal roofs panels and extensive mirrored glass surfaces is discouraged;
 - i. *The building is proposed to be roofed with a standing seam metal roof, the area of the Prairie Plaza industrial park was removed from the design regulations based on the style of structures currently in place. With the walls of the structure utilizing differing materials, the standing seam metal roof will not be overbearing and should provide a nice accent.*
8. Evaluation of building materials shall be based on the quality of its design in relationship and compatibility to building materials in the immediate neighborhood;
 - i. *The majority of structures within the general area are constructed using metal clad exteriors. This building will be one of the newest and most modern looking facilities within the complex or area.*

9. The city encourages the use of a variety of architectural design and building materials to give each commercial center a distinct character;
 - i. *The renderings indicate a unique architectural shape and design to the structure with the use of several different building materials.*
10. Loading, delivery and service bays shall be oriented away from residential areas and public streets;
 - i. *A large loading bay/garage space is indicated as being located on the south side and oriented away from the main public street.*
11. Design and proportion of buildings shall be compatible with the scale, design and proportion of existing development in the immediate area;
 - i. *This new building will be compatible in scale and proportion to other buildings in area.*
12. Lengthy horizontal faces should be varied with differing heights, materials, colors, entrance canopies and landscaping; and
 - i. *The renderings indicate varying heights along the north and south facades, with the west façade being the main entrance. The building measures 82 feet in length by 60 feet in width, it does not contain lengthy horizontal faces that are not varied in some form or fashion.*
13. Consideration of external traffic circulation.
 - i. *The site is accessed from one main ingress and egress point, customer traffic is limited to that entrance; while a large paved area is available on the south side of the building for vehicle parking and access to an interior garage. External traffic flow should not be impacted.*

STANDING SITE PLAN CONDITIONS:

1. Changes or deviations from the approved Site Plan shall require resubmittal to the City Planner for review and approval. If the changes are substantial, resubmittal to the Planning Commission for approval shall be required;
2. Structures shall adhere to all building codes as adopted by the City;
3. An approved Site Plan shall be valid if a building permit is issued within 180 days from the date of approval by the Planning Commission;
4. All utilities shall be placed underground; and
5. Erosion control per City Standards to be installed and maintained during construction.

CITY PLANNER COMMENTS:

1. Landscaping indicated on plan page does not meet the zoning requirements and shall be adjusted to meet the requirements
2. Property is located within the mapped floodplain and shall require a floodplain development permit and any applicable FEMA requirements.

DESIGN REVIEW TEAM (DRT) COMMENTS:

Building Official:

1. None at this time, building plans to be submitted upon approval

City Engineer:

1. Provide a drainage report that addresses detention and water quality.
2. All sheets need to be sealed by a Kansas PE.
3. Revise notes on sheet C4.0. All Construction shall be in accordance with the City of Bonner Springs, not Edwardsville, BPU, or UG.

Public Works Director:

1. None at this time

STAFF RECOMMENDATION:

The Development Staff recommends **approval** of the Site Plan subject to the conditions listed below and to include all **standing conditions** listed above. Staff recommends approval of the site plan application, with the following stipulations:

1. All Standing Site Plan Conditions shall be adhered to.
 - i. Changes or deviations from the approved Site Plan shall require resubmittal to the City Planner for review and approval. If the changes are substantial, resubmittal to the Planning Commission for approval shall be required;
 - ii. Structures shall adhere to all building codes as adopted by the City;
 - iii. An approved Site Plan shall be valid if a building permit is issued within 180 days from the date of approval by the Planning Commission;
 - iv. All utilities shall be placed underground; and
 - v. Erosion control per City Standards to be installed and maintained during construction.
2. All site improvements indicated on the site plan shall be completed as shown or recommended by the DRT.
3. Silt fence needs to be located outside/downstream of the limits of disturbance.
4. Tree planting shall be drawn and planted per the Zoning Regulations for C-S Zoning along with the appropriate numbers and additional landscaping called out, plan sheet shall be revised to reflect this requirement.
5. Provide a drainage report that addresses detention and water quality.
6. All sheets need to be sealed by a Kansas PE.
7. Revise notes on sheet C4.0. All Construction shall be in accordance with the City of Bonner Springs, not Edwardsville, BPU, or UG.
8. Any exterior mechanical equipment or trash receptacle shall be screened per the Zoning Regulations
9. All signage shall adhere to the Zoning Regulations and shall be permitted.
10. The subject property is located within the mapped floodplain and shall require the issuance of a Floodplain Development Permit and all appropriate FEMA studies
11. Upon approval, two (2) complete full size 24" x 36" and one (1) 11" x 17" signed and sealed Site Plan shall be submitted to the Planning Department for final approval and release to the Building Department for issuance of a building permit.

CITY OF BONNER SPRINGS
Community and Economic Development Department
SITE and LANDSCAPE PLAN APPLICATION

Staff Use Only

ST - 01-23

PC Date: 3/21/23

Date Rec'd: 1/25/23

Rec'd by: MJL

Date: 1/23/2023

Project Address: 11733 KAW DR., BONNER SPRINGS, KS

Project Name (if applicable): BUILT TO FIT, INC. - OFFICE BUILDING

Applicant (Print): BRAD BONO / JERRY HOFFME Phone: (913) 238-6139

Address: 11675 KAW DR., KC KS 66111

E-mail (required): brad.builttofit@gmail.com

Name of person/firm preparing the site plan (Print): SCHAGEL - JEFF SKIDMORE

Address: 14920 W. 107TH ST., LENEXA, KS Phone: (913) 492-5158

E-mail (required): JS@SCHAGELASSOCIATES.COM (JEFF SKIDMORE)

Proposed Use and Project Description:

BUSINESS OFFICE

General Location/Cross Streets: KAW DRIVE & PRAIRIE PLAZA DRIVE

Current Zoning: C-5 (HIGHWAY) Lot/Tract Size (sq.ft./acres): 24,153 SQFT .55 AC

Is the Property Platted: ☒ Yes ☐ No

If Yes, Subdivision Name: PRAIRIE PLAZA ESTATES Block/Lot(s): 4

If No, Provide full legal description - a separate sheet maybe used:

Exterior building materials along street frontages: STUCCO / STONE / SMART SIDE SHINGLE
SIDING

Size, height, and location of any proposed sign(s): N/A

Total Street Frontage (LF): 477.99 Building Sq. Ft.: 5,100

Parking Provided: 5 Handicapped Spaces Provided: 1 Van Accessible? YES

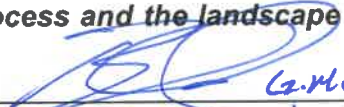
Parking Required: 5 Handicapped Spaces Required: 1

Total Impervious Area (sq. ft.): 5,345

Permit #
202200577

Note: Location and Description of Easements must be noted on the Site Plan with dimensions.

I hereby certify that the information herein submitted is complete, true, and accurate. That I have reviewed the development process and the landscape plans contain all the information required by the zoning ordinance.

SIGNATURE OF APPLICANT:  Date: 1/23/2023

APPLICANT'S NAME (PRINTED): BRADLEY D. BOND, GEN. MGR.

DOES THE APPLICANT HAVE PERMISSION FROM THE OWENER(S) TO APPLY?

Yes X No

IF REQUESTED, CAN THE APPLICANT PROVIDE A LETTER OF CONSENT FROM THE OWNER(S)?

Yes X No

=====

Site & Landscape Plan Review Process

A pre-application meeting with the City Planner is required prior to application submittal. Call to set an appointment -- 913-667-1708

Submittal Requirements

- ☒ Completed and signed application
- Digital renderings of a scaled site plan (see site & landscape guidelines page)
- ☒ Check for \$400.00 – made payable to the City of Bonner Springs for application fee
- ☒ PDF copy of all drawings must be emailed to the City Planner

Additional fees

City staff will prepare and post a Notice of Public Hearing sign.

- Applicants will be billed \$25 for the first sign and \$10 for each additional sign, if applicable.

Meetings

The Planning Commission holds a public meeting and votes on the application.

- Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM

Questions

Contact the City Planner at 913-667-1708

Reference

See attached *Site, Landscape, & Engineering Design Requirements Fact Sheets*

FACT SHEETS

FOR SITE PLANS, LANDSCAPE PLANS, & ENGINEERING DESIGN REQUIREMENTS

WHO SHOULD APPLY:

The owner, applicant, or developer shall submit to the City Planner a site and landscape plan for any building(s) or addition(s) to be constructed in the following zoning districts:

R-3; MX; C-1; C-2; C-S; I-1; I-2.

If the project requires a Special Use Permits or is a Planned District, the site and landscape plan is required regardless the zoning district.

REVIEW AND APPROVAL:

All applications shall be reviewed and approved by the Planning Commission.

An approved site plan shall be valid if a building permit is issued within 180 days from the date of approval.

If a building permit is not issued within that period the site plan shall be deemed to have expired.

A written request for an extension with reasons explaining the request may be submitted to the City Planner for consideration.

If a site plan has expired, a new application shall be required for review and approval by the Planning Commission.

APPEAL OF THE PLANNING COMMISSION DECISION:

If the owner, applicant, developer, or staff does not agree with the Planning Commission's decision, they may appeal the Commission's decision to the Governing Body.

In order to appeal, the owner, applicant or developer must file a written request with the City Planner within fourteen (14) days from the date of the Planning Commission's action.

The written request must specify the item or items that are being appealed and the filing fee of \$25.00 shall be paid at time of submittal.

At a minimum

Site plans shall show a unified and organized arrangement of:

- Building and/or buildings,
- Off-street parking,
- Points of ingress or egress,
- Internal traffic circulation,
- Site lighting,
- Landscaping,
- Stormwater calculations,
- Signage,
- Service facilities,
- Utility locations,
- Curb lines,
- Neighboring curb cuts

SITE PLAN SHOULD INCLUDE THE FOLLOWING FEATURES:

1. A location map of 1:2,000 scale shown on plans;
2. Location of proposed structures;
3. Location of proposed building service connections for water, sewer and public utilities;
 - a. Existing features (if any);
 - b. Fire hydrants locations;
 - c. Existing structures;
 - d. Utility poles (lines and meter locations); and
 - e. Existing trees (indicating caliper).
4. Zoning Ordinance requirements:
 - a. Depth of yards (show and setback building lines);
 - b. Floor to lot area ratio (density); and
 - c. Building height(s).
5. Complete dimensions of property, structures and yards;
6. Building separation (if more than one building);
7. Provisions for fire protection;
8. Exterior elevations of building(s) showing materials are required;
9. Screening fence placement and height;
10. Sign placement, size, color, and height (see Sign Ordinance for signage standards);
11. Sidewalk placement (min. 4' width), 6" off the property line in the right-of-way;
12. Parking and access design:
13. Number and size of parking stalls;
14. Design of internal traffic circulation;
15. Radius of driveway curbs;
16. Location and number of access points;
17. Distance of pavement from property line; and
18. Landscape edge along street frontage.
19. Arrangement of acceleration/deceleration bays (if any);
20. Show all outdoor light poles and height (see Outdoor Lighting Ordinance for lighting standards);
21. Location of trash receptacles and height of screening fence.

LANDSCAPE PLAN SHOULD INCLUDE THE FOLLOWING FEATURES:

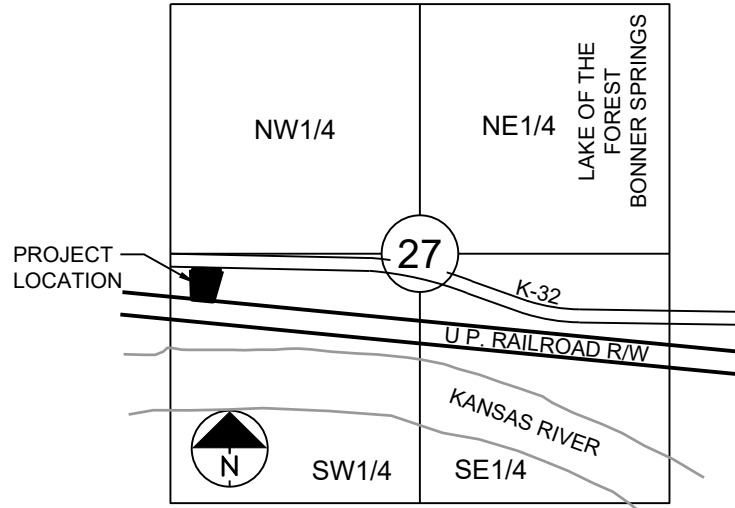
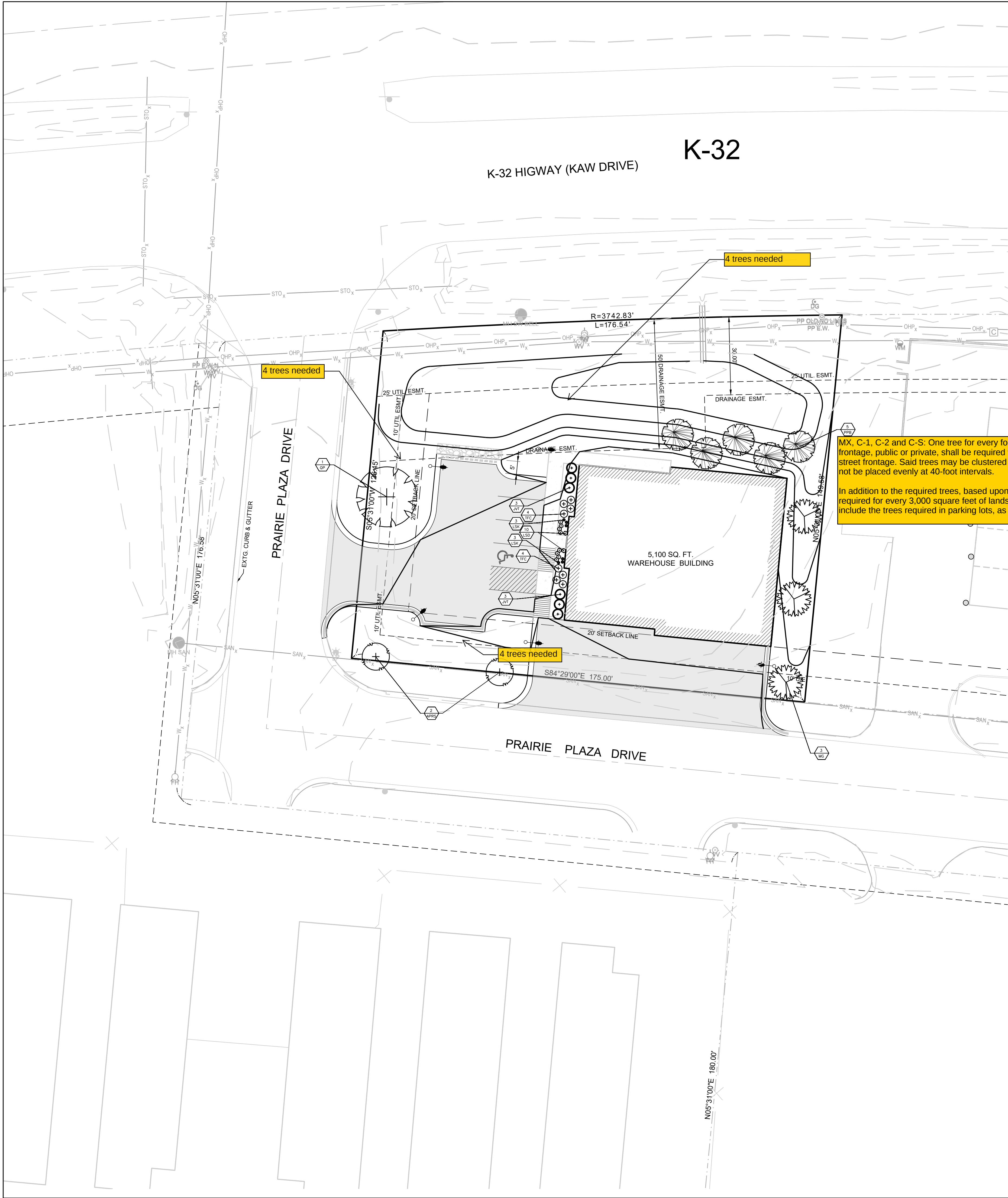
1. Existing features: (if any) ✓
 - a. Fire hydrants;
 - b. Structures;
 - c. Utility poles (lines and meter locations); and
 - d. Existing Trees (indicate caliper).
2. Zoning ordinance requirements:
3. Location of required landscape edge with dimension;
4. Location of all utility easements with dimensions
5. Dimensions of any parking lot islands; N/A
6. Screening fence placement and height; N/A
7. Any special landscape provisions of Special Use Permits or Planned Districts if applicable;
8. Sign placement, size, color, and height; N/A
9. Sidewalk placement along street frontage (min. 4' width) and any leading to or in front of structures;
10. Parking and access design: ✓
 - a. Location and number of access points; and
 - b. Location of all interior parking stalls.
11. Exterior light poles; ✓
12. Location of trash receptacles and height of screening fence; NONE
13. Plant key showing at a minimum quantity, size, common name, and botanical name; ✓
14. Tree and shrub planting detail; ✓
15. Details of any additional hardscape features; N/A
16. Method of irrigation. (If hand watering is chosen, hose bibs must be no greater than 100' from furthest installed plant; and IRRIGATION SYSTEM
17. Any reserve areas, water features, greenways, or trails. N/A

📌 The Recommended Tree List available on the City's website www.bonnerrsprings.org

Mlee@bonnersprings.org

ENGINEERING DESIGN REQUIREMENTS SHOULD INCLUDE THE FOLLOWING FEATURES:

1. A location Map @ 1:2,000 scale shown on plans;
2. Existing and proposed contours to be shown on plans;
3. Title of project shown on plans;
4. Engineer and owner listed on plans with physical and email addresses and phone numbers;
5. Existing storm sewer shown on plans;
6. Manhole top of rim elevations to be shown on plans -- If needed show manhole adjusted to grade with proposed elevation;
7. Silt fence for sediment control shall be shown on plans;
8. Two (2) copies of the Stormwater Management Plan with Detention Calculations in accordance with APWA 5600 (1990 Edition);
9. No increase in run-off onto adjoining property;
10. Run-off will be piped to a storm sewer system before entering public streets. Include profiles of storm pipe with Q10, V10, Q100 and V100 information for each pipe run;
11. Show permanent erosion control on the plans for concentrated flows; and
12. Grading, drainage and stormwater detention calculations and construction plans shall be signed and sealed by a Registered Professional Engineer.



SECTION 27-11-23

LOCATION MAP
SCALE 1" = 2000'

LANDSCAPE REQUIREMENTS:

STREET TREES
CODE REQUIREMENT ARTICLE XXX SECTION 4.4
KAW DRIVE (K-32) TREES REQUIRED (176.54/40)
SHADE TREES PROVIDED
PRAIRIE PLAZA DRIVE TREES REQUIRED (126.45/40)
SHADE TREES PROVIDED
PRAIRIE PLAZA DRIVE TREES REQUIRED (175/40)
SHADE TREES PROVIDED

LANDSCAPE OPEN SPACES TREES
CODE REQUIREMENT ARTICLE XXX SECTION 4.4
TREES REQUIRED (12,913.43/3,000)
TREES PROVIDED

PARKING AREA LANDSCAPE
CODE REQUIREMENT ARTICLE XXX SECTION 6.1
TREES REQUIRED (5/10)
TREES PROVIDED

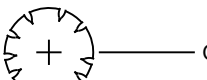
1 TREE PER 40 LF OF FRONTAGE
5 TREES
0 TREES
3 TREES
1 TREE
4 TREES
3 TREES

1 TREE PER 3000 SF OF OPEN SPACE
4 TREES
7 TREES

1 TREE PER 10 SPACES
1 TREE
0 TREES

MX, C-1, C-2 and C-S: One tree for every forty (40) feet or portion thereof of street frontage, public or private, shall be required within the landscape setback abutting said street frontage. Said trees may be clustered or arranged within the setback and need not be placed evenly at 40-foot intervals.

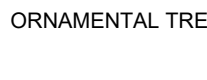
In addition to the required trees, based upon street frontage, one tree shall also be required for every 3,000 square feet of landscape open space. These trees may include the trees required in parking lots, as set out in Section 6.



1 EA. Quercus palustris

Pin Oak

2.5" Cal. B&B



2 EA. Acer palmatum var. dissectum 'Red Select'

Red Select Japanese Maple

2" Cal. B&B

EVERGREEN TREES



6 EA. Juniperus virginiana 'Taylor'

Taylor Juniper

5' Ht. B&B



3 EA. Metasequoia glyptostroboides

Dawn Redwood

2" Cal. B&B



5 EA. Picea pungens

Colorado Blue Spruce

5'-6' B&B

SHRUBS



8 EA. Thuja Occidentalis 'Congabe' PP19009

Fire Chief™ Arborvitae

5 gal. Cont.

PERENNIALS



10 EA. Leucanthemum x superbum

Shasta Daisy

1 gal. Cont.

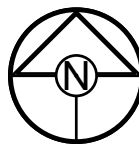
WILDFLOWER



6 EA. Liatris spicata 'Kobold'

Kobold Blazing star

1 gal. Cont.



0 20' 40'
SCALE: 1" = 20'

PREPARED BY:



FINAL DEVELOPMENT PLAN
BUILT-TO-FIT, INC
11733 KAW DRIVE
BONNER SPRINGS, KANSAS

DESCRIPTION

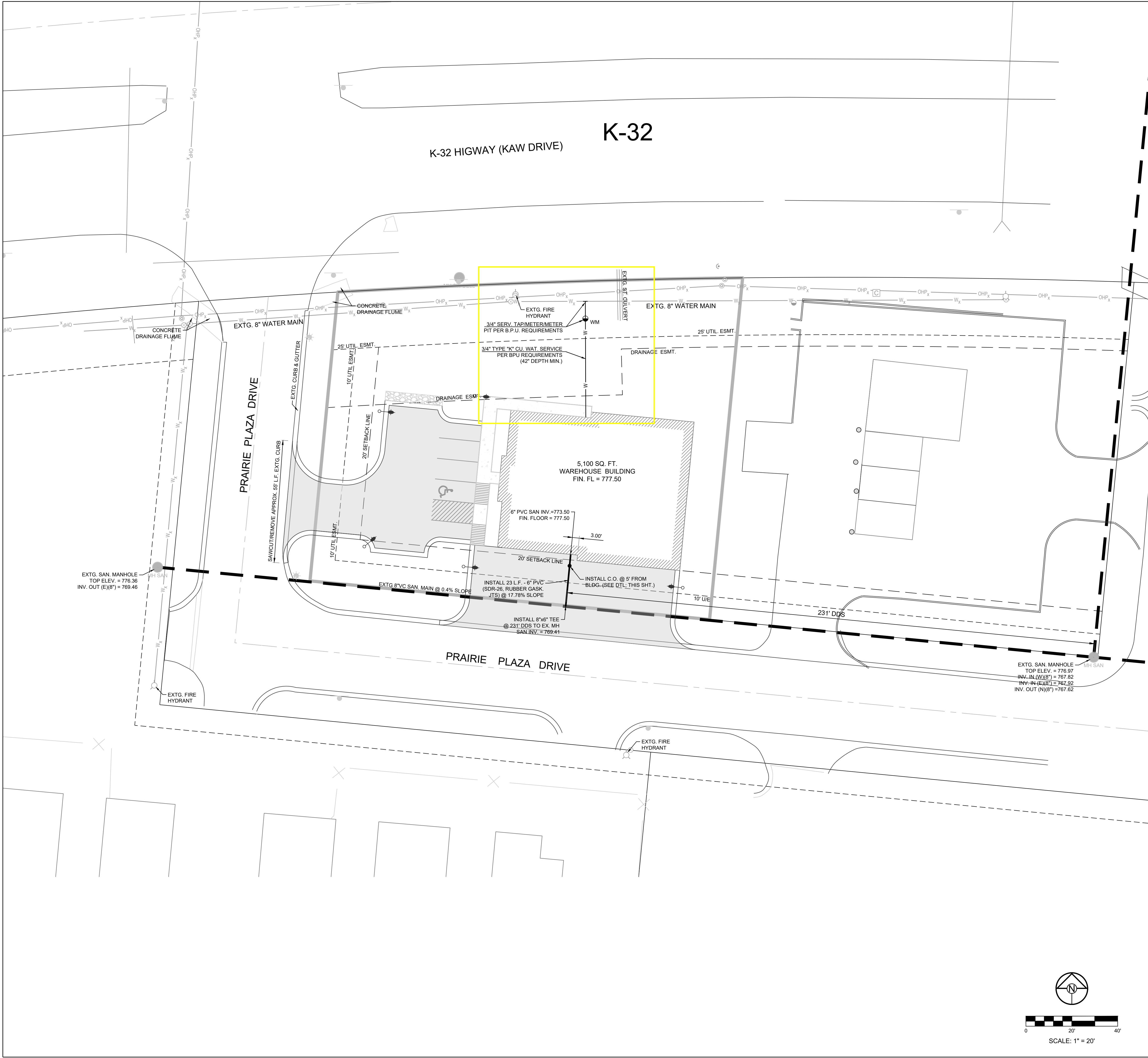
REVISION DATE

DRAWN BY:
CHECKED BY:
DATE PREPARED:
PROJ. NUMBER:

FINAL LANDSCAPE
PLAN

SHEET

L 1.0



SANITARY NOTES:

1. DOWNSPOUTS SHALL NOT DISCHARGE INTO THE SANITARY SEWER. ROOF DRAINS SHALL DISCHARGE THRU THE WALL AT GRADE.
2. FOUNDATION DRAINS ARE NOT PLANNED FOR THIS PROJECT. (RE: ARCH.).
3. A MINIMUM OF 30" OF COVER SHALL BE MAINTAINED OVER THE TOP OF THE SERVICE LINE AND A MINIMUM OF 36" OF COVER SHALL BE MAINTAINED OVER THE TOP OF SANITARY SEWER MAINS.
4. WHEN ADJACENT TO OR CROSSING A WATERLINE, TEN FEET OF HORIZONTAL SEPARATION AND TWO FEET OF VERTICAL SEPARATION SHALL BE REQUIRED.
5. DDS = DISTANCE TO DOWNSTREAM MANHOLE.
6. EOS = END OF STUB ELEVATION

GENERAL NOTES:

1. ALL CONSTRUCTION ON THIS PROJECT SHALL CONFORM TO THE CITY OF CITY OF EDWARDSVILLE AND UNIFIED GOVERNMENT BOARD OF PUBLIC UTILITIES REQUIREMENTS AND SPECIFICATIONS.
2. ALL CONSTRUCTION ON THIS PROJECT SHALL CONFORM TO THE CITY OF BONNER SPRINGS MUNICIPAL CODE.
3. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL EXISTING UTILITY LOCATIONS PRIOR TO EXCAVATION.
4. CONNECTIONS TO THE PUBLIC STORM SEWER BETWEEN STRUCTURES WILL NOT BE PERMITTED.

UTILITY CONTACTS:

SANITARY SEWER
City of Bonner Springs, Public Works
200 E. 3rd Street
Bonner Springs, KS 660125
Phone: 913-422-1010

Water
Board of Public Utilities (BPU)
Attn: Dan Jaksa
300 N. 65th Street
Kansas City, Kansas 66102
Phone: 913-573-9882
email: djaksa@bpu.com

Power
Board of Public Utilities (BPU)
Attn: Courtney Conner
5400 Minnesota Avenue
Kansas City, Kansas 66104
Phone: 913-573-9538

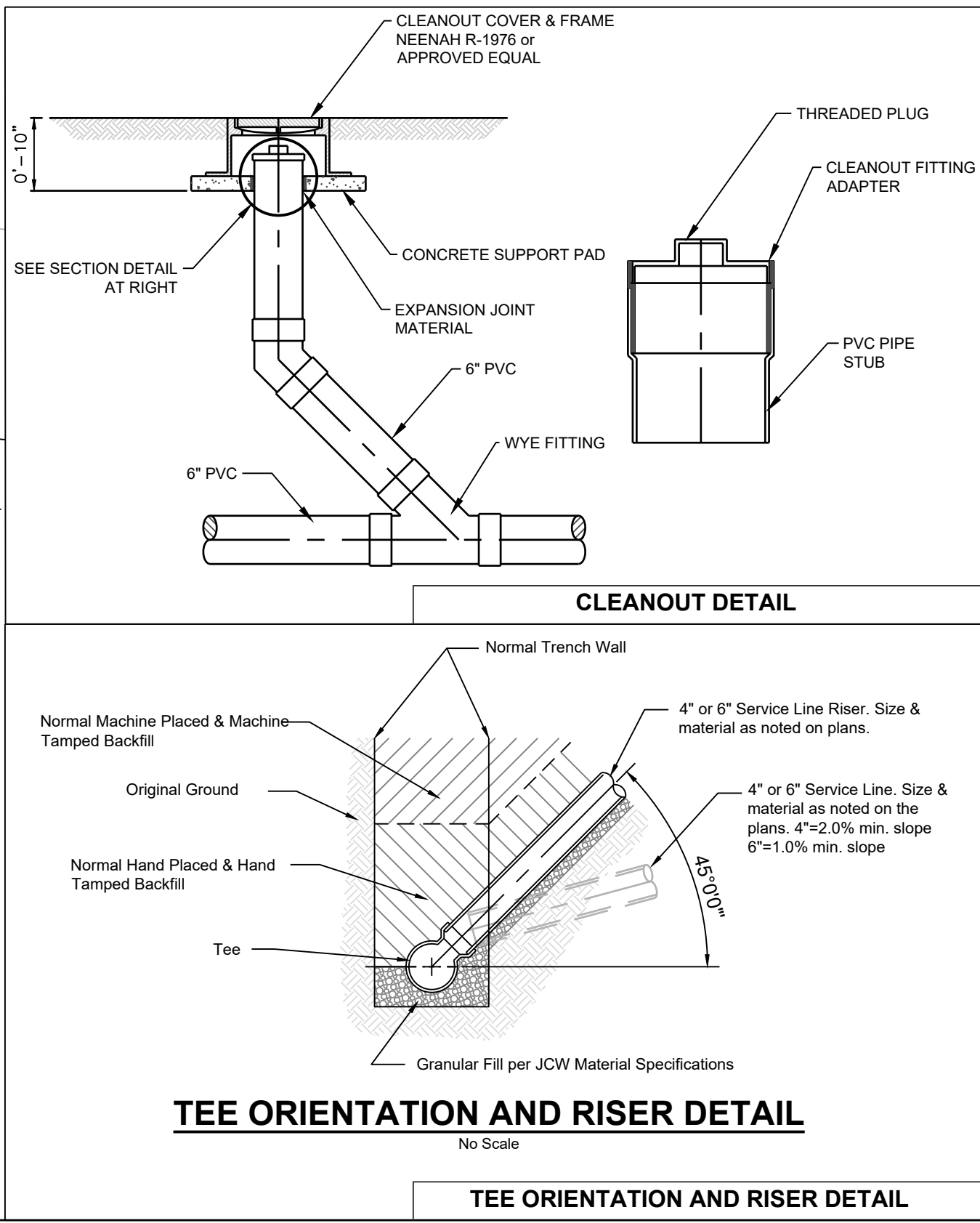
Gas
Atmos Energy
Attn: Mike Saresky
25090 W. 100th Terrace
Olathe, KS 66061
Phone: 913-254-6347
email: mike.saresky@atmosenergy.com

Phone
Southwestern Bell
Contact: Engineering Dept.
9444 Nail Avenue
Overland Park, Kansas 66207-2516
Phone: 913-383-4848

Kansas One Call
811
www.kansasonecall.com

PROJECT ADDRESS:
11733 Kaw Drive
Bonner Springs, Kansas 66111

Power should be provided by Evergy, to Staff's knowledge



SCHLAGEL

ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS

14920 West 107th Street • Lenexa, Kansas 66215
(913) 492-5158 • Fax: (913) 492-8400
WWW.SCHLAGELASSOCIATES.COM
Kansas State Certificates of Authority
#E-286 #LA-29 #LS-54

PREPARED BY:

SCHLAGEL & ASSOCIATES, P.A.

FINAL DEVELOPMENT PLAN
BUILT - TO - FIT, INC.

-----11733 KAW DRIVE-----
BONNER SPRINGS, KS

REVISION	DATE	DESCRIPTION
1	01-23-2023	PROJ. NUMBER: 20-217
2		
3		
4		
5		
6		
7		
8		

SITE UTILITY PLAN

SHEET
C4.0

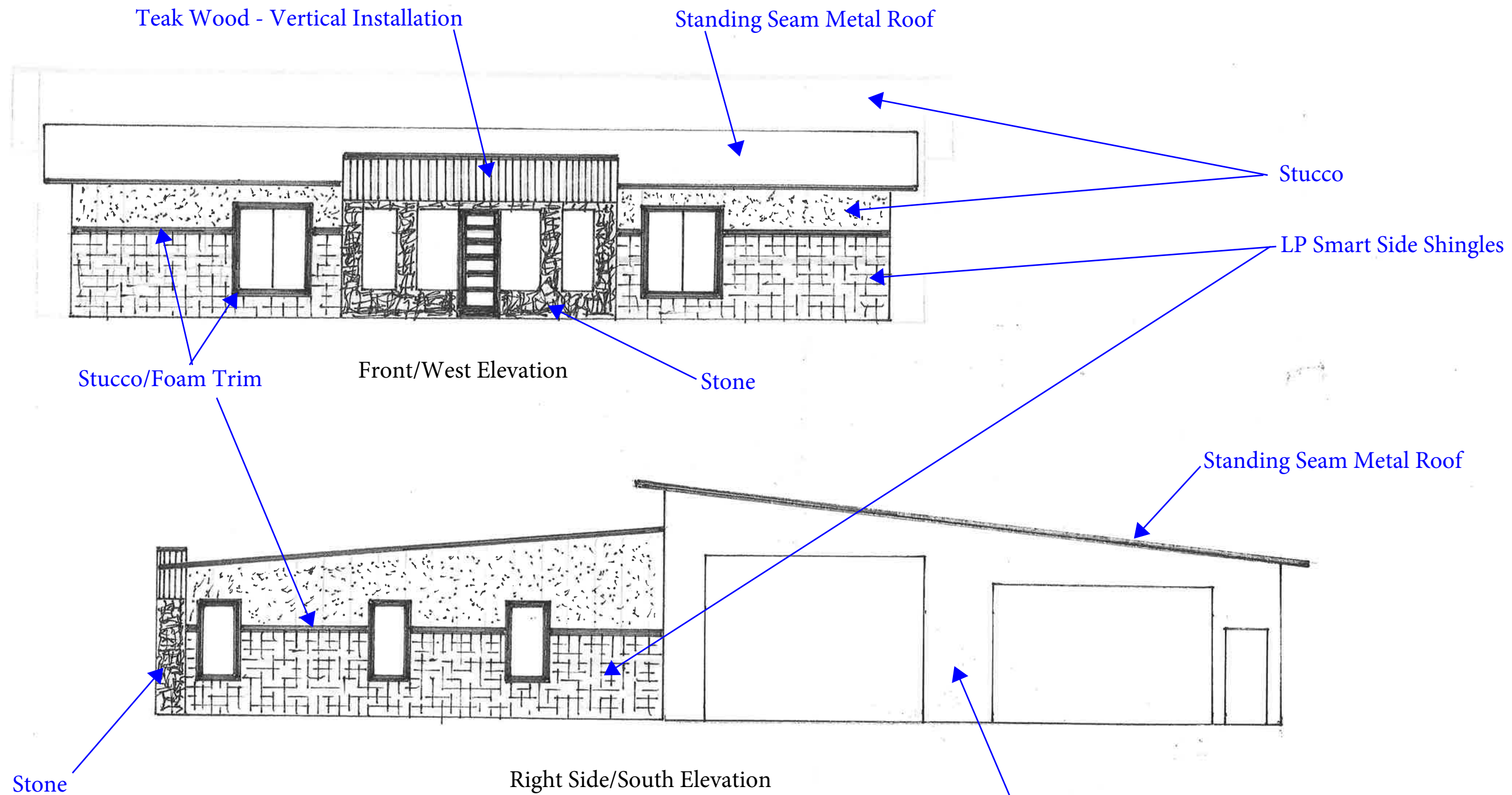
0 20' 40'

SCALE: 1" = 20'

Page 63 of 80



Built To Fit, Inc. - 11733 Kaw Drive



Left Side/North Elevation has same finish. Floor plan notes window/door locations.

Rear /East Side Elevation is all stucco with no windows or doors.

Memorandum

Date: March 21, 2023
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING: Zoning Ordinance Amendment - BSZO-01-23

Recommendation: Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District).

Action: Consider an amendment to the Zoning Regulations regarding accessory building size restrictions in the AG, A-1, R and R-S Zoning Districts.

Background: In January 2022, guidelines were put into effect regulating the size of accessory structures within all Zoning Districts. These regulations had unintended consequences for some of the large tract zoning districts; most notably the Agricultural districts of A-1 and AG, along with the Rural/Suburban residential districts R and R-S.

Taking from those regulations currently in place and taking into consideration agricultural areas of Bonner Springs, the Loring Service Area and large lot single family residential districts, staff has revised the set of guidelines that would regulate building sizes in some areas; while allowing for larger size buildings were applicable.

Discussion: Staff report attached; including regulations currently in place

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 8

BSZO-01-23

Topic: Accessory building size allowances in the AG, A-1, R and R-S Zoning Districts.

Narrative: In January 2022, guidelines were put into effect regulating the size of accessory structures within all Zoning Districts. These regulations had unintended consequences for some of the large tract zoning districts; most notably the Agricultural districts of A-1 and AG, along with the Rural/Suburban residential districts R and R-S.

Taking from those regulations currently in place and taking into consideration agricultural areas of Bonner Springs, the Loring Service Area and large lot single family residential districts, staff has revised the set of guidelines that would regulate building sizes in some areas; while allowing for larger size buildings were applicable.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District).

Attachments:

Zoning Regulation Amendments (4pgs)

Existing AG, A-1, R and R-S Regulations (8pgs)

AG AGRICULTURAL ZONING DISTRICT – Loring District

Minimum lot size = twenty (20) acres

ARTICLE V-A “AG” AGRICULTURAL DISTRICT

SECTION 6. ACCESSORY BUILDINGS

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 15 feet if under 5,000 square feet

Rear yard – 25 feet if over 5,000 square feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure

2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.
3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning districts of AG:

- *No size restriction other than those stated*
- *All accessory structures in excess of 10,000 square feet shall require a Special Use Permit*
- In no instance shall an accessory structure occupy more than 30% of the "required yard" on a lot

A-1 AGRICULTURAL ZONING DISTRICT – Bonner Springs City Limits

Minimum lot size = three (3) acres

ARTICLE VI “AGRICULTURAL DISTRICT”

SECTION 6. ACCESSORY BUILDINGS

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 15 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure

2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.
3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning districts of A-1:

- *3 acres = 3,000 square feet of accessory structure(s), an additional 1,000 square feet per full acre of structure is allowed up to 5 acres or 5,000 square feet.*
- *On parcels in excess of 5 acres structures are limited to an additional 500 square feet per full acre.*
- *10-acre parcels are limited to 7,500 square feet*
- *15-acre parcels are limited to 10,000 square feet*
- *All accessory structures in excess of 10,000 square feet must obtain a Special Use Permit*
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

R – RURAL RESIDENTIAL ZONING DISTRICT – Loring Service Area

Minimum lot size = five (5) acres

ARTICLE VI-A “RURAL RESIDENTIAL DISTRICT”

SECTION 6. ACCESSORY BUILDINGS

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 15 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure

2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.
3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning district of R:

- *5 acres = 5,000 square feet of accessory structure(s),*
- *On parcels in excess of 5 acres structures are limited to an additional 500 square feet per full acre.*
- *10-acre parcels or larger are limited to 7,500 square feet*
- *All accessory structures in excess of 7,500 square feet must obtain a Special Use Permit*
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

R-S - SUBURBAN RESIDENTIAL DISTRICT – Bonner Springs City Limits

Minimum lot size = one (1) acre

ARTICLE VII “R-S” SUBURBAN RESIDENTIAL DISTRICT SECTION 6. ACCESSORY BUILDINGS

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 10 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure

1. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.

No Changes were made to the size restrictions

Maximum size of an accessory structure located within the zoning district R-S:

- One thousand (1000) square feet, maximum
- An accessory structure may be larger than 1000 square feet in total floor area, provided the size may increase only 250 square feet for each full acre in lot size over one acre and up to three acres.
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

ARTICLE V-A
“AG” AGRICULTURAL DISTRICT

SECTION 1. PURPOSE: It is the purpose of this district to provide for agricultural and related uses, and to preserve and protect agricultural resources; and to provide a zoning district in which land not ready for development may be located. This zone is intended to retain a farming community environment. This zoning district applies to the Loring Service Area only as defined in Article V, General Provisions, Section 1, Jurisdictional Area. (Revised Ordinance No. 1636 and No. 1710)

SECTION 2. PERMITTED USES: Farms, single family residences, including residential-design manufactured homes and group homes as defined in these regulations and certain public and semi-public uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A & B of these regulations. (Revised Ordinance No. 1636).

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum Lot Area

- (a) Every lot of land upon which a residential building is to be erected shall have an area of not less than twenty (20) acres and a minimum road or street frontage of six-hundred sixty (660) feet.
- (b) Every lot or tract of land which is used for any other permitted use within the "AG" Agricultural District shall have a minimum area of not less than 80,000 square feet.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height: Two and one-half (2 1/2) stories, or thirty-five (35) feet. (Revised ordinance No. 1636).

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of Article XXII, minimum yard sizes shall be as follows: (Revised Ordinance No. 1636)

- 1. Front Yard: Fifty (50) feet for residential dwellings and one hundred (100) feet for all other permitted uses.
- 2. Side Yard: Thirty (30) feet for residential dwellings and one hundred (100) feet for all other permitted uses.
- 3. Rear Yard: Fifty (50) feet for residential dwellings and one hundred (100) feet for all other permitted uses.
- 4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6. ACCESSORY BUILDINGS:

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure
2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.
3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning districts of AG:

- No size limit, other than, no one single structure shall be larger than the primary structure
- Total of all buildings shall not exceed 5,000sqft
- In no instance shall an accessory structure occupy more than 30% of the "required yard" on a lot

SECTION 7. MANUFACTURED HOME: All manufactured homes residential design shall meet all of the aesthetic requirements listed under Article XXII: Supplementary District Regulations, Section 10: Manufactured Home. (Revised Ordinance No. 2126)

ARTICLE VI

“A-1” AGRICULTURAL DISTRICT

SECTION 1. PURPOSE: It is the purpose of this district to provide for agricultural and related uses; and to preserve and protect agricultural resources; and to provide a zoning district in which land not yet ready for development may be located.

SECTION 2. PERMITTED USES: Farms, single-family residences, including residential-design manufactured homes and group homes and related public and semi-public uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations. (Revised Ordinance No. 1636).

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum lot area: Three (3) acres for all uses.
2. Minimum lot width: Two hundred ten (210) feet

SECTION 4. HEIGHT REGULATIONS: Maximum structure height Two and one-half (2-1/2) stories, or thirty-five (35) feet.

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of Article XXII, minimum yard sizes shall be as follows:

1. Front Yard: In agricultural districts the front yard shall be the minimum right-of-way required by the major street plan plus twenty- five (25) feet.
2. Side Yard: Fifteen (15) feet
3. Rear Yard: Forty (40) feet
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments. (Revised, Ordinance No. 1884, 12/20/99)

SECTION 6. ACCESSORY BUILDINGS:

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 5 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure
2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.

3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning districts of A-1:

- No size limit, other than, no one single structure shall be larger than the primary structure
- Total of all buildings shall not exceed 2000sqft
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

SECTION 7. MANUFACTURED HOME: All manufactured homes residential design shall meet all of the aesthetic requirements listed under Article XXII: Supplementary District Regulations, Section 10: Manufactured Home. (Revised Ordinance No. 2126)

ARTICLE VI-A

“R” RURAL RESIDENTIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for very low density single-family residential development including those uses which reinforce residential neighborhoods at a density less than that of the R-S District. This zoning district applies to the Loring Service Area only as defined in Article V, General Provisions, Section 1, Jurisdictional Area. (Revised Ordinance No. 1636 and No. 1710, 12/5/94)

SECTION 2. PERMITTED USES: Single-family residences and those in the "AG" Agricultural District, except that a private stable shall not be erected or used on any lot containing less than one (1) acres, no raising of poultry or livestock shall be permitted upon any farm or truck garden of less than five (5) acres or on a scale that would be objectionable because of noise or odor to surrounding residences and any detached accessory building shall be located not less than sixty (60) feet from the front lot line. Such uses shall include residential-design manufactured homes and group homes as defined in these regulations. For a specific listing of permitted uses, and uses permitted by special use permit, see Appendices A & B of these regulations. (Revised Ordinance No. 1636).

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum lot area: Five Acres
2. Minimum lot width: Three Hundred Thirty (330) feet

SECTION 4. HEIGHT REGULATIONS: Minimum structure heights: Two and one-half (2 1/2) stories, or thirty-five (35) feet. (Revised ordinance No. 1636).

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of ARTICLE XXII, minimum yard sizes shall be as follows: (Revised Ordinance No. 1636).

1. Front Yard: Fifty (50) feet
2. Side Yard: Ten (10) feet. A side yard fronting a street shall be feet thirty (30) feet.
3. Rear Yard: Thirty (30) feet. A rear yard fronting a street shall be fifty (50) feet.
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments. (Revised, Ordinance No. 1884, 12/20/99)

SECTION 6. ACCESSORY BUILDINGS:

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 5 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure

2. Accessory buildings shall not be erected on properties where no primary structure exists, except in agricultural zoning districts (AG and A-1) for the storage of agricultural products or equipment or for shelter of livestock.
3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning district of R:

- No size limit, other than, no one single structure shall be larger than the primary structure
- Total of all buildings shall not exceed 3,000sqft
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

SECTION 7. MANUFACTURED HOME: All manufactured homes residential design shall meet all of the aesthetic requirements listed under Article XXII: Supplementary District Regulations, Section 10: Manufactured Home. (Revised Ordinance No. 2126)

ARTICLE VII

“R-S” SUBURBAN RESIDENTIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for low density single-family residential development, including those uses which reinforce residential neighborhoods.

SECTION 2. PERMITTED USES: Single-family residences including residential- design manufactured homes and group homes as defined in these regulations, and related public and semi-public uses are permitted. For a specific listing of permitted uses, and uses permitted by special use permit, see Appendices A and B of these regulations. (Revised, Ordinance No. 1630)

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum lot area: One acre
2. Minimum lot width: One hundred sixty-five (165) feet.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height: Two and one- half (2-1/2) stories, or thirty-five (35) feet.

SECTION 5. YARD REGULATIONS: Except as modified by the provisions of Article XXII, minimum yard sizes shall be as follows:

1. Front Yard: Twenty-five (25) feet
2. Side Yard: Ten (10) feet
3. Rear Yard: Twenty-five (25) feet
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments. (Revised, Ordinance No. 1884, 12/20/99)

SECTION 6. ACCESSORY BUILDINGS:

No one single accessory structure shall be greater in size than the primary structure.

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 5 feet

Side Yard – as required by the zoning district in which it is located

No closer than 5 feet to another structure
2. Accessory buildings shall not be erected on properties where no primary structure exists, except in Agricultural zoning districts for the storage of agricultural products or equipment or for shelter of livestock.

3. Accessory buildings which are erected on property where no primary structure exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning district R-S:

- One thousand (1000) square feet, maximum
- An accessory structure may be larger than 1000 square feet in total floor area, provided the size may increase only 250 square feet for each full acre in lot size over one acre and up to three acres.
- In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

SECTION 7. MANUFACTURED HOME: All manufactured homes residential design shall meet all of the aesthetic requirements listed under Article XXII: Supplementary District Regulations, Section 10: Manufactured Home. (Revised Ordinance No. 2126)