



City of Bonner Springs

KANSAS

Tuesday, April 18, 2023

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

PLANNING COMMISSION MEETING - 7:00 p.m.

The meeting is open to the public.

PLANNING COMMISSION MEETING - 7:00 PM

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of the minutes from the March 21, 2023 meeting

Action Approve, Amend or Deny the minutes from the March 21, 2023 meeting

Recommendation Approve the minutes as presented

Documents:

1. PC Minutes 3.21.23 Draft

OLD BUSINESS

NEW BUSINESS

1. Lot Split - LS-01-23 - 13901 Archer Road

Action Consider a Lot Split presented by Hahn Surveying; on behalf of the property owner, Sharon Spencer - The applicant is proposing to split an existing tract/parcel (13901 Archer Road), this shall be the final lot split allowed for these parcels; any subsequent request shall follow the procedures for platting property.

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

Documents:

1. Complete Agenda Item - 13901 Archer Rd - LS-01-23 - Lot Split

2. PUBLIC HEARING - Special Use Permit - SUP-04-23

Action Consider a request for a Special Use Permit to allow for the installation and positioning of six (6) storage containers for contractor usage and one (1) storage container to serve as an office for the facility, all to be located within the facilities' fenced lot.

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for installation of seven (7) metal storage container (Connex Box) to be located at 11845 Kaw Drive, with staff recommendations.

Documents:

1. Complete Agenda Item - 11845 Kaw Drive - Storage Facility - SUP

OPEN AGENDA

COMMUNITY DEVELOPMENT DIRECTORS REPORT

1. Directors Report

Action None needed

Recommendation NA

Documents:

ADJOURNMENT

WORKSESSION Following the regular meeting

1. Comprehensive Plan Updates - Review

Action None

Recommendation NA

Documents:

1. COMPREHENSIVE PLAN COMPARISON

Memorandum

Date: April 18, 2023
To: Mayor and City Council
From: Mark Lee

Subject: Approval of the minutes from the March 21, 2023 meeting

Recommendation: Approve the minutes as presented

Action: Approve, Amend or Deny the minutes from the March 21, 2023 meeting

Background: Minutes are attached

Discussion: None

Financial Impact: NA

MINUTES – 3.21.23 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, March 21, 2023 – Regular Meeting – 7:00 p.m.

=====

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

ROLL CALL

Planning Commissioners Present: Greg Gebauer; Lloyd Mesmer; Vince Bombardier; Sherri Neff; Nick Perica

Virtual: – Paul Zeps; Jason Cruse

Quorum Established

Staff Present: Mark Lee, Community Development Director

2. **CONSENT AGENDA**

Item #2 – Approval of Minutes of February 28, 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 Commissioner Mesmer and seconded by Commissioner Perica.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7 – 0

3. **UNFINISHED BUSINESS**

None

NEW BUSINESS

Agenda Items 4, 5 and 6 were requests that required Public Hearings, the items were from the same applicant and within the same general vicinity; staff suggested one Public Hearing for all 3 agenda items but requested each be introduced and heard separately. This replaced opening and closing 3 separate Public Hearings of each item.

4. **Agenda Item # 4 – PUBLIC HEARING: Special Use Permit - SUP-01-23 – 212 W. Kump Ave – 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.

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

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that area in which this request was being made was intended to provide for a variety of housing options and styles within close proximity to downtown. Staff explained the language within the Zoning Regulations that would allow for the Planning Commission to recommend approval of the requested Special Use Permit. Staff further stated that information provided within the Commissioners packets indicates the current number of multi-family residences and their location within the block, along with a site rendering showing the positioning of the dwelling on the lot.

Chair Gebauer requested a motion to open the Public Hearing – Commissioner Perica made a motion to the **OPEN** the hearing; Commissioner Bombardier **SECONDED**.

The Public Hearing was opened at 7:05pm.

Chair Gebauer asked if there were members of the public wishing to speak in favor of the request; being none Chair Gebauer asked if there were any members of the public that wished to speak against the request.

Mike Isabell (219 W. Kump) – Mr. Isabell stated he lived directly across Kump from the proposed site. He further stated there were two things wrong with the drawings provided, one was that the house located at 209 W. Kump was an abandoned house (the owner is deceased); that is full of nothing but feral cats and that they have been trying to get the City to do something about it for quite some time but nothing has ever been done about it. He further stated that if this was allowed to be constructed that they would then have 13 of them within the area. He further spoke about the City's trash service and how they allow the trash to blow around when emptying trash cans along the street and then leave it, he went on to state that then he and his neighbor have to go pick it up, sometimes from the vacant lot in question. Mr. Isabell further spoke about the condition of the neighborhood and how it had "become a Class A dump". Further stating; him and his wife were against all three proposed sites and at one a large tree would need to be cut down and how the City has 'bragged' about being a Tree City for years and couldn't believe we would allow that to happen.

Nyoka Isabell (219 W. Kump) – Mrs. Isabell clarified her husband's comments regarding the number of units, she stated that the majority of properties around them currently, are rental properties and how they only know of one rental owner that actually cares about their property. She spoke of how the majority of rental owners in the area do little to care for their property and that they are more worried about getting people in and out when needed. Mrs. Isabell stated she felt as though the size of the lot was not adequate enough to support the construction of a duplex unit. Mrs. Isabell spoke about the speeding cars along Kump during school zones, and how if more families and more cars are allowed it could prove to be dangerous. She further stated that of the houses along their side of Kump (north) that there were only two homes that were owner occupied and they feel as though they are being squeezed out by rental properties.

Alex Loeffler (211 W. Kump) – Mr. Loeffler began by relaying some historical information about the lot, regarding how there was a single family home on the parcel that had caught fire around 2016 and burned to the ground. Although he did not know who's hands the ownership had fallen into after that time but that it had always been a struggle to have the parcel maintained. Mr. Isabell stated that he, for years, has reached out to the former and current Code Enforcement Officer asking why the lot is being maintained as it had grass one foot tall on it, staff stated that by the Municipal Code it is not in violation until it is in excess of 12 inches. Mr. Loeffler stated that living directly across from the lot that it should be constructed as a single family home and not a duplex. He further agreed with the previous individuals that they feel as though there are too many multi-family residences currently in existence in the general area and no more should be allowed. Expressed concerns about 'another' rental not being maintained.

Lalo Salazar – Emerald Homes (Builder/Owner) – Mr. Salazar stated that he had grown up in this neighborhood, was from Bonner Springs and was still building homes within Bonner Springs up until recently. He expressed his joy in what he thought would bring something new to this area and neighborhood that he grew up in. He spoke to the fact that they pay an individual to mow that lot every two weeks and sometimes weather gets in the way of that happening. Mr. Salazar further spoke to the fact that builds a quality home and that these would be no different potentially bringing ‘good neighbors’ to the area. Their intent was to keep these structures up in appearance and make them a good addition to the area. Mr. Salazar brought a set of blueprints to indicate what the duplex would look like and showed them to the Commission and neighbors that were present.

Alex Loeffler – Asked if these were going to be low-income rentals.

Chair Gebauer stated some of the questions and concerns were not issues that the Planning Commission were tasked with and they were there today to determine if the request fit in to the Zoning District and if the request was applicable. But that the Commission sympathized with their concerns.

Staff explained that the intent behind the R-1A (Residential Special District) Zoning District was to provide for a wide variety of housing options, from single family detached, single family attached to multifamily. Staff presented a map and indicated where the differing housing styles were present currently, as well as the number of units in each.

Mr. Loeffler asked if we were not taking into consideration the number of low-income properties directly north of them on Insley Avenue.

Staff spoke to fact of what is required to be officially considered ‘low-income’ and how this owner had not proceeded down that path. Staff further stated that it was their understanding that these would be of moderate income rental potential.

Lesa Salazar – Emerald Homes (Owner) – Mrs. Salazar spoke to the fact they have three other rentals within Bonner Springs that have had the same tenants in them for many years (4-7) and that they did not want tenants in their units that were going to tear them up. She stated they run fairly thorough background checks as well. Mrs. Salazar stated to the neighbors that they should not be overly concerned with whom their tenants might be, because as the owners of the units they wanted them to remain a nice fixture for the neighborhood and not fall apart and become an issue.

Commissioner Zeps stated he was confused and needed some clarification – he asked if it was the applicants responsibility to have dealt with the burnt out house, the trash blowing around the neighborhood and the “cat urine house” and wondered if they (the applicants) were being blamed for these things? Commissioner Zeps further stated that the only reason he could see why these should not be allowed is if, in fact, the applicant was truly responsible for these items raised by the neighbors.

Staff stated these things are not the responsibility of the applicant. Staff further stated; he felt the neighbors were trying to express their concerns with the quality and condition of the neighborhood currently but that these items were not caused by nor the responsibility of the applicant. There was follow up discussions whether the applicant had been cited for any code violations regarding tall grass, staff could not verify that the applicant had ever been cited.

Commissioner Zeps stated that he was attempting to tie the items the public was unhappy about to anything the applicant had done or was responsible for, but that he could not come to that conclusion.

Mrs. Isabell approached the podium and clarified the comments that had been made by herself, her husband and the other neighbors. She stated their main issue was that, the existing landlords do not appear to care about, nor care for their properties and they are concerned that a new landlord/owner will fall into the same category and they will left with more of the same issues they currently deal with.

Chair Gebauer asked if there was anyone else from the public that wished to speak or if any of the Commissioners had questions or comments.

Commissioner Mesmer stated that he felt the Planning Commission did not have the ability to turn down the application based on the comments made by the public, trash blowing around, the condition of the surrounding neighborhood and other comments were not the fault of the applicant and they could not be held responsible for these complaints.

Commissioner Perica stated if the city is made aware of existing problems then the city needs to address them. He challenged the city to step up and rectify the violations in an appropriate manner.

Chair Gebauer called for a motion on the request. Commissioner Mesmer made a motion to **APPROVE** the requested Special Use Permit with staff recommendations. Commissioner Bombardier **SECONDED** the motion.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

PUBLIC HEARING REMAINED OPEN

5. Agenda Item # 5 - Special Use Permit – SUP-02-23 – 209 Shadyside Avenue - 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.

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 area in which this request was being made was intended to provide for a variety of housing options and styles within close proximity to downtown. Staff explained the language within the Zoning Regulations that would allow for the Planning Commission to recommend approval of the requested Special Use Permit. Staff further stated that information provided within the Commissioners packets indicates the current number of multi-family residences and their location within the block, along with a site rendering showing the positioning of the dwelling on the lot.

Chair Gebauer asked if there was anyone wishing to speak for or against the item. Staff stated to Commissioner Cruse and Commissioner Zeps that the public/neighbors had left and the only individuals left in the room were fellow Commissioners and the applicants.

Chair Gebauer called for a motion on the request. Commissioner Mesmer made a motion to **APPROVE** the requested Special Use Permit with staff recommendations. Commissioner Neff **SECONDED** the motion.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

PUBLIC HEARING REMAINED OPEN

6. Agenda Item # 6 - Special Use Permit – SUP-03-23 – 224 Coronado Road - 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.

Chair Gebauer introduced Item #6 and asked for staff's report.

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that area in which this request was being made was intended to provide for a variety of housing options and styles within close proximity to downtown. Staff explained the language within the Zoning Regulations that would allow for the Planning Commission to recommend approval of the requested Special Use Permit. Staff further stated that information provided within the Commissioners packets indicates the current number of multi-family residences and their location within the block, along with a site rendering showing the positioning of the dwelling on the lot.

Chair Gebauer asked if there was anyone wishing to speak for or against the item.

Chair Gebauer called for a motion on the request. Commissioner Mesmer made a motion to **APPROVE** the requested Special Use Permit with staff recommendations. Commissioner Bombardier **SECONDED** the motion.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

Chair Gebauer asked for a **motion to close the Public Hearing** – Commissioner Mesmer made a motion to close the hearing, Commissioner Perica seconded. Public Hearing was closed at 7:55pm.

7. Agenda Item # 7 - Site Plan - ST-01-23 – Consider a site and landscape plan for 11733 Kaw Drive – Built to Fit, Inc.

Chair Gebauer introduced Item #7 and asked for staff's report.

Staff introduced the item, explained the location of the project and the project itself. Staff further explained that area in which this request was being made and the requirements of the Site and Landscape Plan.

Staff stated that as submitted, the plan did not meet the regulations as set forth and that the applicant had been made aware. Staff further stated that if the item were approved with staff stipulations, the application for building permits would not be issued until the incorrect items had been addressed by the stipulations.

Chair Gebauer asked if there were any questions from the Commission.

Commissioner Zeps stated that from the stipulations presented by staff, he felt as though they needed to be denied and required to bring forth a correct version. Staff explained that in the stipulations listed, there are only 3 or 4 items that were actually in error and the majority of the others are standard recommendations that go along with all Site and Landscape submittals.

Chair Gebauer called for a motion.

Motion to **APPROVE** the Site and Landscape Plan with staff stipulations was made by Commissioner Perica and **SECONDED** by Commissioner Mesmer.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

8. Agenda Item # 8 - PUBLIC HEARING: Zoning Ordinance Amendment - BSZO-01-23 -
Accessory building size restrictions in the AG, A-1, R and R-S Zoning Districts.

Chair Gebauer introduced Item #8 and asked for staff's report.

Staff explained the unintended consequences that were brought about from the most recent iteration of the regulations and how it could pose undue or unnecessary harm or hardships upon large acreage owners and agricultural use area. Staff spoke of the worksessions we had concerning the regulations and how staff had incorporated recommendations into the revised set of regulations.

Chair Gebauer asked for a motion to **OPEN** the public hearing; motion was made by Commissioner Perica and **SECONDED** by Commissioner Bombardier. Public Hearing was opened at 8:13pm.

Chair Gebauer asked if there were any members of the public that would like to speak in favor or against the proposed revisions or questions from the Commission. Being none, Chair Gebauer asked for a motion to close the hearing; motion to **CLOSE** the hearing was made by Commissioner Neff and **SECONDED** by Commissioner Perica.

Chair Gebauer called for a motion.

Motion to **APPROVE** the revisions to the Zoning Regulations regarding accessory buildings was made by Commissioner Perica and **SECONDED** by Commissioner Bombardier.

Chair Gebauer asked staff for a Roll Call vote

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

NAY –

ABSTAIN - None

MOTION PASSED 7 - 0

9. Agenda Item #9 OPEN AGENDA – None

10. Agenda Item #10 COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

April Meeting Agenda Items

1. Lot Split – 13901 Archer Road
2. Special Use Permit – 11845 Kaw Drive

May Meeting Agenda Item

1. Board of Zoning Appeals – 143 W. Insley
 - i. Request for Variance from the approved sign regulations
2. Vacation of Right of Way – 518 N. Nettleton Ave

Chair Gebauer adjourned the meeting at 8:17pm.

Memorandum

Date: April 18, 2023
To: Mayor and City Council
From: Mark Lee

Subject: Lot Split - LS-01-23 - 13901 Archer Road

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

Action: Consider a Lot Split presented by Hahn Surveying; on behalf of the property owner, Sharon Spencer - The applicant is proposing to split an existing tract/parcel (13901 Archer Road), this shall be the final lot split allowed for these parcels; any subsequent request shall follow the procedures for platting property.

Background: The parcel in question had been allowed to split a twenty (20) acre parcel off in July of 2021. These two parcels are being split from the remaining parent parcel and do not affect the initial 2021 split.

This split will create 2 additional parcels, of twenty (20+/-) acres each. While the parent parcel remains seventy-six (76+/-) acres. Both Tracts conform to the minimum lot size required as well as the required road frontage. Any future splits of the parent parcel or the newly created parcels will require a plat of all properties.

The surrounding area consists of single-family residences on large acreage, along with agricultural uses.

Discussion: Staff report is attached

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 4

LS-01-23

Topic: **Consider a Lot Split** presented by Hahn Surveying; on behalf of the property owner, Sharon Spencer - The applicant is proposing to split an existing tract/parcel (13901 Archer Road), this shall be the final lot split allowed for these parcels; any subsequent request shall follow the procedures for platting property.

Narrative:

The parcel in question had been allowed to split a twenty (20) acre parcel off in July of 2021. These two parcels are being split from the remaining parent parcel and do not affect the initial 2021 split.

This split will create 2 additional parcels, of twenty (20+/-) acres each. While the parent parcel remains seventy-six (76+/-) acres. Both Tracts conform to the minimum lot size required as well as the required road frontage. Any future splits of the parent parcel or the newly created parcels will require a plat of all properties.

The surrounding area consists of single-family residences on large acreage, along with agricultural uses.

Presented by: Mark Lee – Community Development Director

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

DRT Review Comments: Included within staff report

Attachments:

Staff Report (3pgs)

Aerial Image (1pg)

Copy of Lot Split (1pg)

Application (1pgs)

LOT SPLIT – LS-01-23 – Consider a Lot Split- Consider a Lot Split presented by Hahn Surveying; on behalf of the property owner, Sharon Spencer - The applicant is proposing to split an existing tract/parcel (13901 Archer Road), this shall be the final lot split allowed; any subsequent request shall follow the procedures for platting property.

MEETING DATE: April 18, 2023
REPORT WRITTEN: April 5, 2023
CASE NUMBER: LS-01-23

APPLICANT:

- Sharon Spencer
13901 Archer Rd
Bonner Springs, KS 66012

OWNER:

- Same

SURVEYOR

- Hahn Surveying
PO Box 186
Basehor, KS 66007

REQUEST:

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

ZONING:

- The property is zoned as AG (Agricultural District - Loring)

SURROUNDING ZONING:

- North “R-1” Single Family Residential District and “AG” Agricultural District - Loring
- South “AG” (Agricultural District - Loring)
- East “R-1” Single Family Residential District and “AG” Agricultural District - Loring
- West “AG” (Agricultural District - Loring)

SUBDIVISION REGULATIONS:

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

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



REQUIREMENTS FOR LOT SPLITS:

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

1. A new street or alley or other public improvement is needed;
The lot will gain ingress and egress from Archer Road, no new streets shall be needed
2. A vacation of streets, alleys, setback lines, access control or easements is required or proposed;
No vacation of any of the above will be necessary.
3. Such action will result in significant increases in service requirements (e.g. utilities, schools, traffic control, streets, etc.); or will interfere with maintaining existing service levels (e.g., additional curb cuts, repaving, etc.);
Utilities are currently provided to the lots, no significant increase in service requirements shall be required.
4. There is less street right-of-way than required by these regulations or the Comprehensive Plan;
No additional road right of way is being requested

5. All easement requirements have not been satisfied;

No future easements are required

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

All lots front along Archer Road and will be provided with access to said road.

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

No substandard lot shall be created.

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

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

DESIGN REVIEW TEAM (DRT) COMMENTS:

Building Official:

1. None at this time

City Engineer:

1. None at this time

Public Works Director:

1. None at this time

County Staff:

1. None at this time – addressed during review timeframe

STAFF RECOMMENDATION:

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

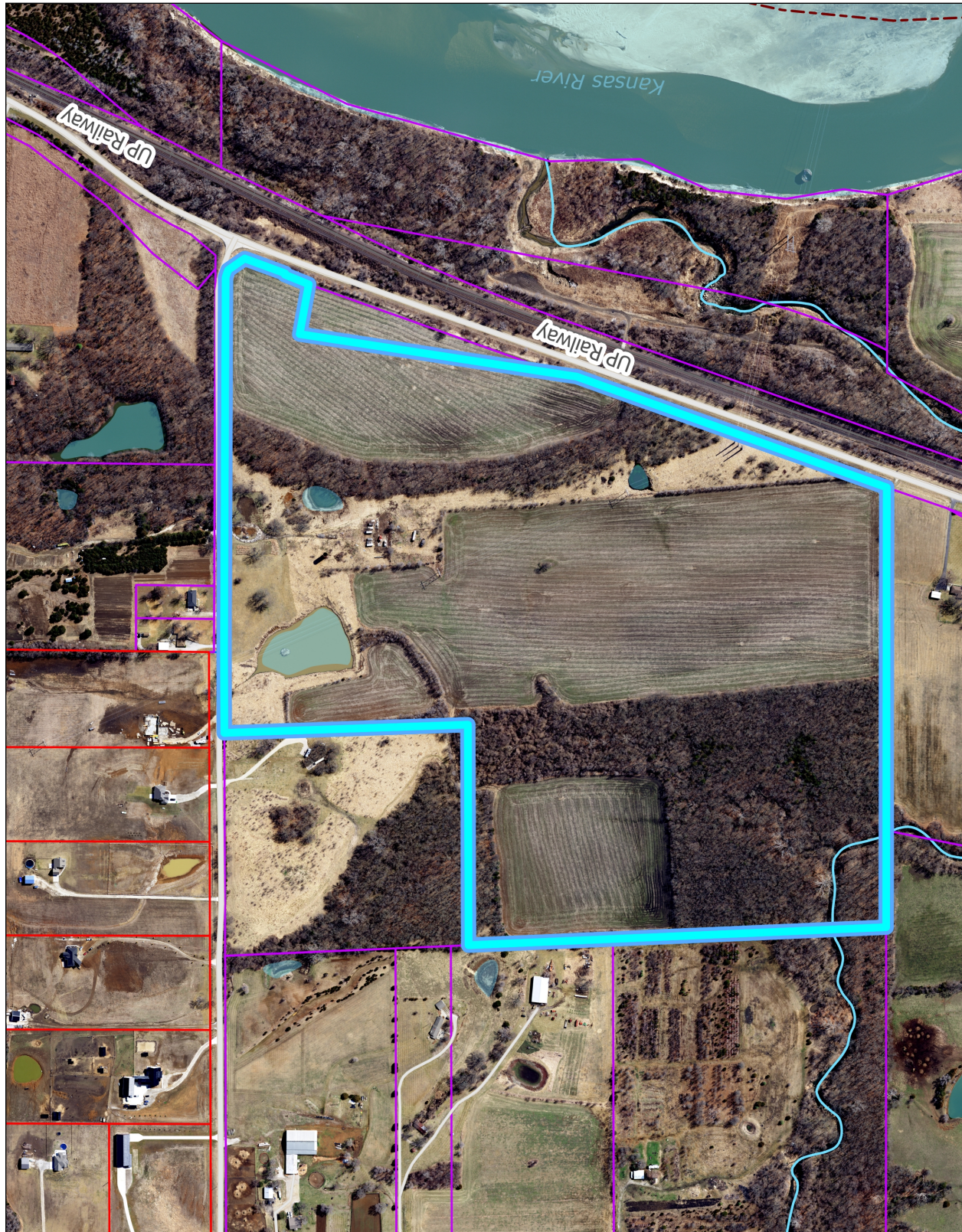
1. Any further division of this lot or the parent parcel shall be done via the platting process as outlined within the Zoning Regulations of Bonner Springs.
2. After approval, resubmit (2) 24” x 36” signed/sealed paper copies of the revised Lot Split drawings for Planning Commission signatures for filing;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

COMMISSION OPTIONS

Approve the request, with or without Staff recommendations.

Amend the Staff Recommendations as deemed necessary.

Deny the request



Legend

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

Locater Map

Notes

Map Print Date: 4/10/2023 11:40 AM
13901 Archer Rd

1252

0

626

1252

Feet

Map Scale

1: 7,514

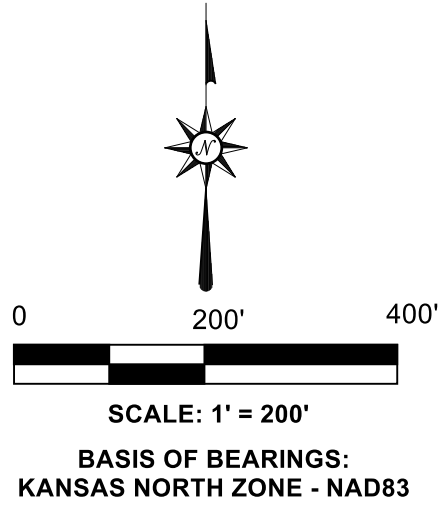


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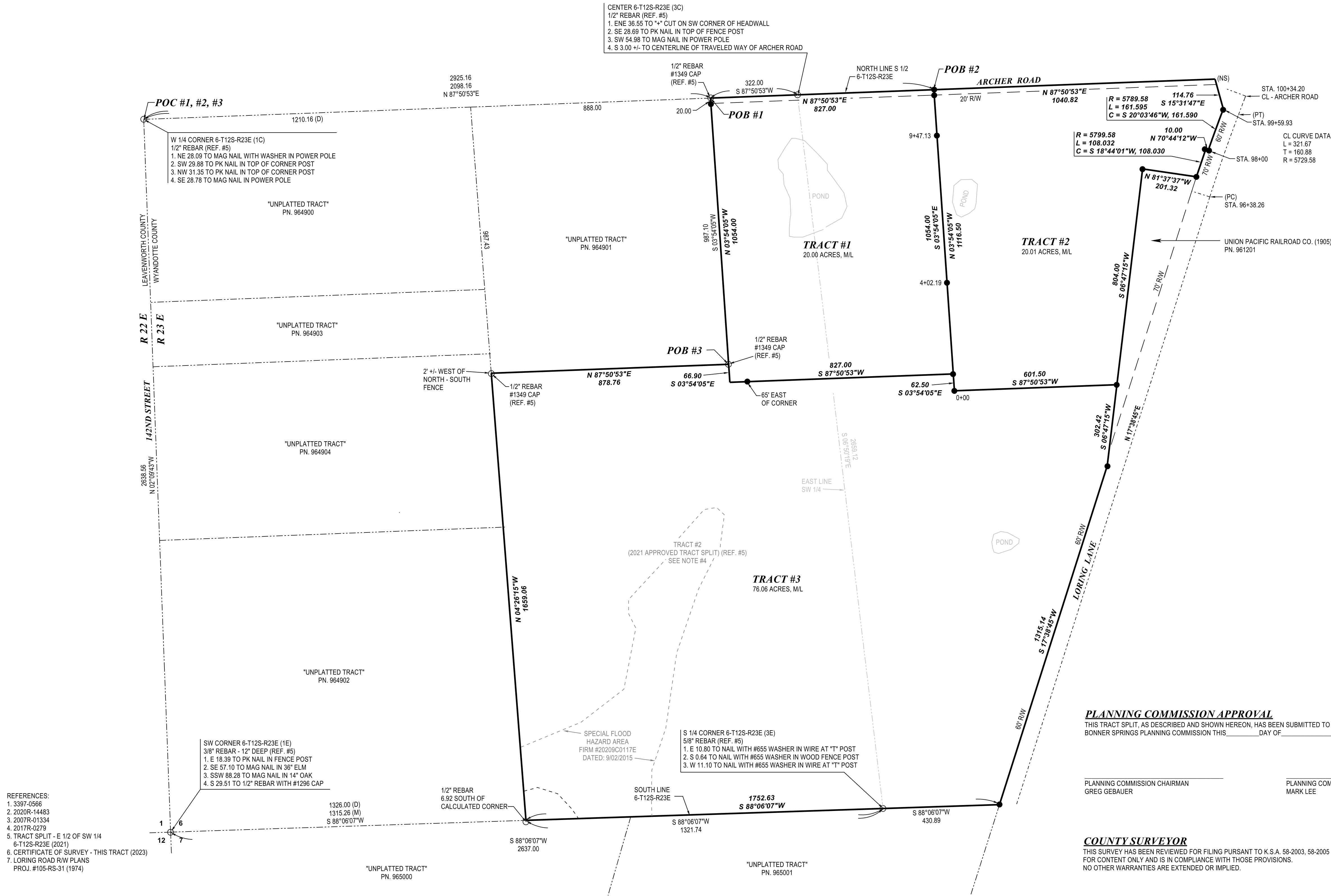
TRACT SPLIT

PREPARED FOR: SHARON SPENCER
TRACTS IN THE SOUTH HALF
SECTION 6-T12-R23E
COUNTY OF WYANDOTTE
STATE OF KANSAS
DATE: JANUARY 27, 2023



LEGEND

- 1/2" x 24" REBAR SET WITH #1349 CAP
- SURVEY MONUMENT FOUND (AS NOTED)
ORIGIN UNKNOWN, UNLESS REFERENCED
- (D) DEEDED
- (M) MEASURED
- POC POINT OF COMMENCING
- POB POINT OF BEGINNING
- (NS) NO MONUMENT SET BY
AGREEMENT WITH CLIENT



TRACT #1

A TRACT OF LAND IN THE SOUTH HALF OF FRACTIONAL SECTION 6-T12S-R23E OF THE 6TH P.M., WYANDOTTE COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6; THENCE, N 87°50'53"E, 2098.16 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF TO THE POINT OF BEGINNING OF THIS TRACT; THENCE, CONTINUING ALONG SAID NORTH LINE, N 87°50'53"E, 827.00 FEET; THENCE, S 03°54'05"E, 1054.00 FEET; THENCE, S 03°54'05"E, 827.00 FEET; THENCE, N 03°54'05"W, 1054.00 FEET TO THE POINT OF BEGINNING; CONTAINS 20.00 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JANUARY, 2023. RELATIVE: 1:0 (CLOSED LOOP)

TRACT #2

A TRACT OF LAND IN THE SOUTH HALF OF FRACTIONAL SECTION 6-T12S-R23E OF THE 6TH P.M., WYANDOTTE COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6; THENCE, N 87°50'53"E, 2925.16 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF TO THE POINT OF BEGINNING OF THIS TRACT; THENCE, CONTINUING ALONG SAID NORTH LINE, N 87°50'53"E, 1040.82 FEET; THENCE, S 15°31'47"E, 114.76 FEET TO THE WEST RIGHT OF WAY LINE OF LORING LINE; THENCE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 5789.58 FEET AND AN ARC LENGTH OF 161.595 FEET ALONG SAID RIGHT OF WAY LINE, SAID CURVE HAVING A CHORD OF S 20°03'46"W, 161.590 FEET; THENCE, N 70°44'12"W, 10.00 FEET ALONG SAID RIGHT OF WAY LINE; THENCE, ON A CURVE TO THE LEFT HAVING A RADIUS OF 5799.58 FEET AND AN ARC LENGTH OF 108.032 FEET ALONG SAID RIGHT OF WAY LINE, SAID CURVE HAVING A CHORD OF S 18°44'01"W, 108.030 FEET; THENCE, N 81°37'37"W, 201.32 FEET; THENCE, S 06°47'15"W, 804.00 FEET; THENCE, N 03°54'05"W, 1116.50 FEET TO THE POINT OF BEGINNING; CONTAINS 20.01 ACRES, MORE OR LESS, INCLUDING ROAD RIGHT OF WAY. AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JANUARY, 2023. RELATIVE: 1:932.239

TRACT #3

A TRACT OF LAND IN THE SOUTH HALF OF FRACTIONAL SECTION 6-T12S-R23E OF THE 6TH P.M., WYANDOTTE COUNTY, KANSAS, DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 6; THENCE, N 87°50'53"E, 2098.16 FEET ALONG THE NORTH LINE OF SAID SOUTH HALF; THENCE, S 03°54'05"E, 987.10 FEET TO THE POINT OF BEGINNING OF THIS TRACT; THENCE, S 03°54'05"E, 66.90 FEET; THENCE, N 87°50'53"E, 827.00 FEET; THENCE, S 03°54'05"E, 62.50 FEET; THENCE, N 87°50'53"E, 601.50 FEET; THENCE, S 06°47'15"E, 302.42 FEET TO THE WEST RIGHT OF WAY LINE OF LORING ROAD; THENCE, S 17°38'45"W, 1315.14 FEET ALONG SAID RIGHT OF WAY LINE TO THE SOUTH LINE OF SAID SECTION 6; THENCE, S 88°06'07"W, 1752.63 FEET ALONG SAID SOUTH LINE; THENCE, N 04°26'15"W, 1659.06 FEET; THENCE, N 87°50'53"E, 878.76 FEET TO THE POINT OF BEGINNING. CONTAINS 76.06 ACRES, MORE OR LESS. AS SURVEYED BY LARRY T. HAHN, KS PS-1349, JANUARY, 2023. RELATIVE: 1:571.710

PLANNING COMMISSION APPROVAL

THIS TRACT SPLIT, AS DESCRIBED AND SHOWN HEREON, HAS BEEN SUBMITTED TO AND RATIFIED BY THE BONNER SPRINGS PLANNING COMMISSION THIS _____ DAY OF _____, 2023.

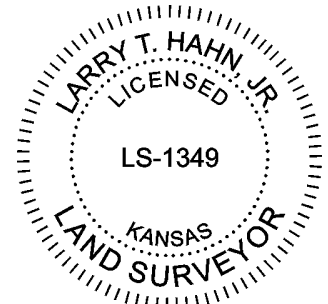
PLANNING COMMISSION CHAIRMAN
GREG GEBAUER

PLANNING COMMISSION SECRETARY
MARK LEE

COUNTY SURVEYOR

THIS SURVEY HAS BEEN REVIEWED FOR FILING PURSUANT TO K.S.A. 58-2003, 58-2005 AND 58-2011, FOR CONTENT ONLY AND IS IN COMPLIANCE WITH THOSE PROVISIONS. NO OTHER WARRANTIES ARE EXTENDED OR IMPLIED.

REVIEWED BY: _____ DATE: _____
BRENT E. THOMPSON, KS P.L.S. 1277



LARRY T. HAHN, KS PS-1349

THIS IS TO CERTIFY THAT IN THE MONTH OF JANUARY, 2023, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS.



HAHN SURVEYING
PO BOX 186
BASEHOR, KANSAS 66007
(913) 547-3405
hahnsurvey@gmail.com

NOTE:
1. THIS SURVEY DOES NOT SHOW ALL EASEMENTS OR OWNERSHIP.
2. NO TITLE INFORMATION WAS PROVIDED ON THIS SURVEY.
3. FENCE LINES DO NOT DENOTE PROPERTY LINES.
4. THIS TRACT SPLIT NULLIFIES TRACT #2 OF THE 2021 APPROVED SURVEY.

CITY OF BONNER SPRINGS, KS
Community and Economic Development Department

LOT SPLIT APPLICATION

Date: 1-31-23

Staff Use Only

LS: 01-23

Date Rec'd: 2/2/23

Rec'd by: MJL

PC Date: 4/18/23

Subject Property Address: 13901 ARCHER ROAD

Project Name (if applicable): NA

Applicant Name: SHARON SPENCER

Phone: [REDACTED]

Address: 13901 ARCHER ROAD BONNER SPRINGS

E-mail (required): hahnsurvey@gmail.com

Record Property Owner: SHARON SPENCER

Phone: [REDACTED]

Parcel No.: 961299

Section/Township/Range: 6-T12S-R23E

Zoning: AG

Original Tract Information

Legal Description of the Original Tract: _____

Water Supply (select): ☐ City Main ☐ Well -

Sanitation (select): ☐ City Sewer ☒ Septic Tank

Existing Use: AG

Tract 1 Information

Legal Description of the new Tract 1: _____

Lot dimensions and square footage: 20.00 ACRES

Proposed Use: RESIDENTIAL - AG

Tract 2 Information

Legal Description of the new Tract 2: _____

Lot dimensions and square footage: 20.01 ACRES

Proposed Use: RESIDENTIAL - AG

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

Applicant Signature: Sharon L. Spencer

Date: 1-31-23

Applicant Name (Print): Sharon L. Spencer

Property Owner Signature: _____

Date: _____

Owner Name (Print): _____

Memorandum

Date: April 18, 2023
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING - Special Use Permit - SUP-04-23

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for installation of seven (7) metal storage container (Connex Box) to be located at 11845 Kaw Drive, with staff recommendations.

Action: Consider a request for a Special Use Permit to allow for the installation and positioning of six (6) storage containers for contractor usage and one (1) storage container to serve as an office for the facility, all to be located within the facilities' fenced lot.

Background: The subject property is approximately 4.8 +/- acres (209.667 +/- sqft.).

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. Staff would further like to state that while the Zoning Regulations attempt to take into account "ALL" uses, it is very difficult to place every plausible use within its regulations.

While the specific use allowing for storage containers is not listed within our Zoning Regulations it is listed within our Municipal Code:

11-414. Storage Containers.

The use of storage pods and similar metal containers used for the storage of materials, possessions, products or other items may be permitted for no more than two (2) months in any twelve (12) month period, which may be consecutive or non-consecutive. Containers must be positioned or located on private property on a driveway or other improved surface. Storage containers shall not be positioned or located in the yard and shall not be placed in the public right-of-way, easement, public street or any public property without prior written permission from the City.
(Code 2014)

The requested containers are to be placed within the perimeter of the fenced area and screened as the rest of the lot is required, site renderings are included within the agenda packet.

Discussion: Staff report is attached

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 5

CASE #: SUP-04-23

Topic: **PUBLIC HEARING-** The applicant is requesting a Special Use Permit to allow for the installation and positioning of six (6) storage containers for contractor usage and one (1) storage container to serve as an office for the facility all to be located within the facilities fenced lot.

Narrative:

The subject property is approximately 4.8 +/- acres (209.667 +/- sqft.).

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. Staff would further like to state that while the Zoning Regulations attempt to take into account "ALL" uses, it is very difficult to place every plausible use within its regulations.

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(Code 2014)

The requested containers are to be placed within the perimeter of the fenced area and screened as the rest of the lot is required, site renderings are included within the agenda packet.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for installation of seven (7) metal storage container (Connex Box) to be located at 11845 Kaw Drive, with staff recommendations.

Attachments:

Staff Report (5pgs)

Site Plan with comments (1pg)

Application and Legal Description (3pgs)

Current visual representations (4 photos)

CONSIDER A SPECIAL USE PERMIT TO ALLOW FOR THE PLACEMENT AND/OR INSTALLATION OF SEVEN (7) STORAGE CONTAINERS (CONNEX BOX), WITHIN THE I-1 ZONING DISTRICT, TO BE LOCATED AT 11845 KAW DRIVE.

MEETING DATE: April 18, 2023
REPORT WRITTEN: April 6, 2023
CASE NUMBER: SUP-04-23

APPLICANT:

- Kaw Drive Storage (Brian Walters – Owner)
10625 W. 57th Street
Shawnee, KS 66203

REQUEST:

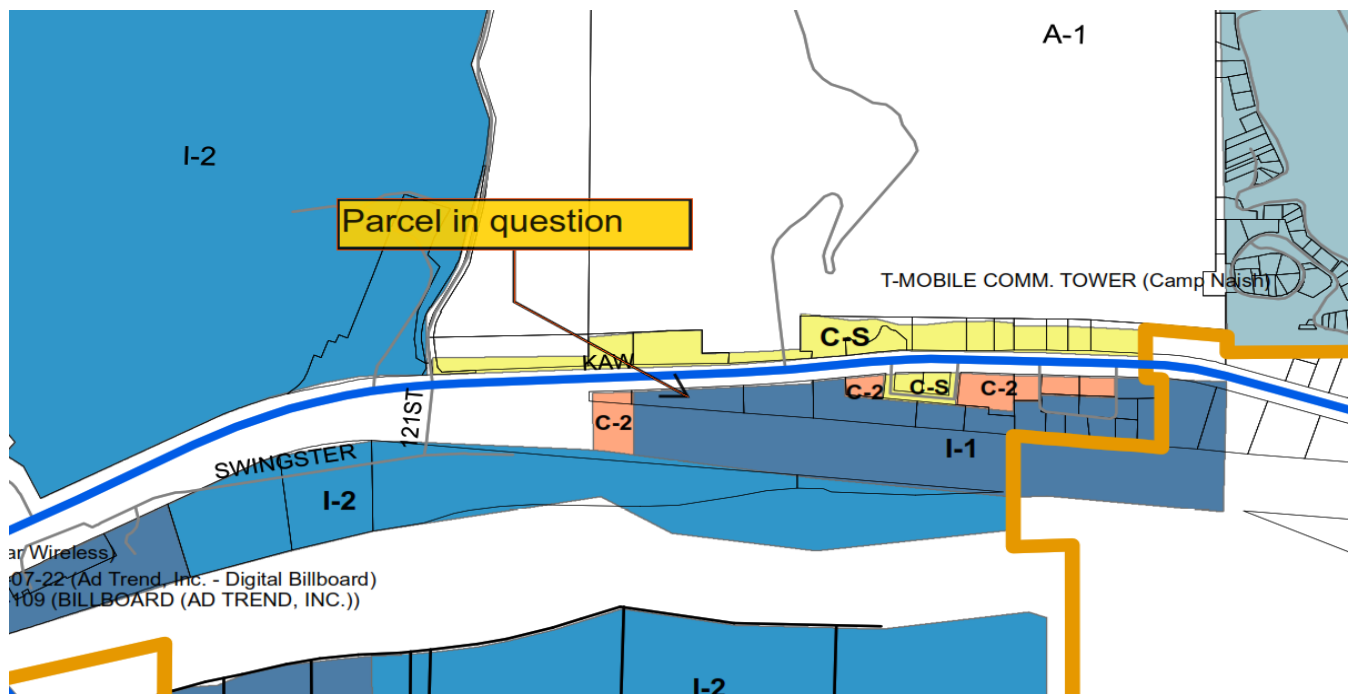
The applicant is requesting a Special Use Permit to allow for the installation and positioning of six (6) storage containers for contractor usage and one (1) storage container to serve as an office for the facility; all to be located within the facilities fenced lot.

ZONING:

The property is currently zoned “I-1” Light Industrial District

SURROUNDING ZONING:

- North - 32 Highway – beyond highway “C-S” Highway Service District
- South - Union Pacific R.R.
- East - I-1 Light Industrial District
- West - C-2 General Business 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.

While the specific use allowing for storage containers is not listed within our Zoning Regulations it is listed within our Municipal Code:

11-414. Storage Containers.

The use of storage pods and similar metal containers used for the storage of materials, possessions, products or other items may be permitted for no more than two (2) months in any twelve (12) month period, which may be consecutive or non-consecutive. Containers must be positioned or located on private property on a driveway or other improved surface. Storage containers shall not be positioned or located in the yard and shall not be placed in the public right-of-way, easement, public street or any public property without prior written permission from the City. (Code 2014)

During Mr. Walters initial meeting with staff, he presented a somewhat novel idea and one that would have been nothing like Bonner Springs had at the time; and still do not. Mr. Walters had a vision to bring in storage containers and allow contractors to rent a storage container and allow for the potential to have a work vehicle, trailer or similar equipment stored next to it. The contractors could then have their storage container delivered to a jobsite if needed or remain on site as a 'storage unit'. As Mr. Walters and I discussed this further, his interest wanned and the project did not move forward as his initial thoughts. As Mr. Walters began opening up his facility for storage purposes, a few storage containers began showing up, as more and more showed up staff reached out to Mr. Walters to inform him again, that containers were not allowed within the city and that was the reason he would have needed the Special Use Permit initially.

Mr. Walters received notice that no more containers would be allowed and that he must proceed forward with a request for a Special Use Permit in order for them to remain on the premise. This prompted the current request from the applicant.

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 address's locations of special uses. The Comprehensive Plan does indicate the area as being Industrial and states:

Industrial: This category accommodates land uses associated with industrial activities such as assembly, manufacturing, warehousing, and limited office/commercial activities as defined in the city's zoning regulations. This district corresponds to the 'I-1', and 'I-2' districts of the city zoning regulations.

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;

Per the Municipal Code of Bonner Springs, metal outdoor storage containers (Connex Box) are not allowed for longer than a two (2) month period in any zoning district without prior written authorization from the City; it does not differentiate between commercial, industrial or residential uses, they are simply not prohibited for any extended amount of time. Storage containers are becoming more and more prevalent and are being utilized in many different ways today, staff feels as this should be addressed in the near future.

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

The requested use will not contribute to, nor promote, the welfare or convenience of the public but will provide an office area for the facility and storage for contractors an/or customers.

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 six storage containers are currently on-site and while their placement is sporadic, staff has put forth stipulations that should address some of this along with the appearance of the containers themselves. The parcel and majority of surrounding area is zoned as industrial, both light and heavy, the presence of storage containers in these zoning districts needs to be addressed moving forward.

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 exterior of the site and should not prove detrimental to the surrounding area, if arranged and kept in an orderly manner.

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

The site is existing and screening was installed as part of the initial site plan approval. Per the I-1 Zoning District requirements; “All uses which back up to, or front upon any arterial or collector street or highway, shall be screened with a solid opaque fence, wall, landscaping, berming or any combination to provide screening of the yards. This screening shall be not less than six (6) feet or more than eight (8) feet in height; provided that such screening shall not be constructed in any drainage easement, established floodplain, or site triangle areas; and

A minimum of six (6) foot screening shall be solid opaque fence, wall, landscaping, berming or any combination to screen from all adjoining lower intensity zoning districts.”

It is staff’s opinion that the screening installed currently is not adequate and shall be reinforced or backed with some other form of screening to create a more opaque screen as called for in the Zoning Regulations.

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 areas are located on an approved surface and within the facility.

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

All of the above are currently provided

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 are in place currently. There will be no further impact to traffic if the Special Use Permit is allowed.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-04-23 with the following eleven (11) conditions:

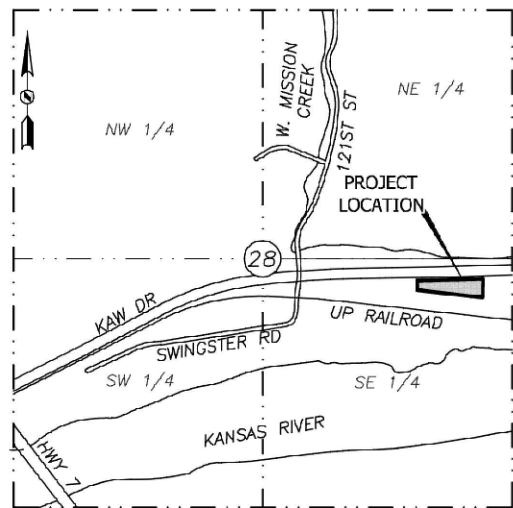
- 1) Additional screening of the site shall occur and include fabric reinforcement or additional measures to create the opaque screening as required in the I-1; Light Industrial Zoning District.
- 2) The Special Use Permit shall be for the continued use of six (6) storage containers with one (1) additional container to be utilized as an office space – totalling seven (7) storage containers.
- 3) The proposed storage containers, excluding the one used for an office, shall be relocated to along the southern property boundary and as far from the public right of way as possible.
- 4) The proposed storage containers shall be kept in a clean and presentable manner. This shall include no visible decomposition of the container.
- 5) The storage containers shall be arranged in a straight line, parallel to the fencing upon the property.

- 6) The storage containers and on-site fuel storage shall be secured per FEMA guidelines as the parcel is located within the floodplain.
- 7) Any increase in additional storage containers on-site shall initiate further Special Use Permit applications and hearings as required by the Zoning Regulations prior to the receipt and placement of said containers.
- 8) The Special Use Permit shall expire if the land on which the use is operated is sold, or if leased, upon termination of the lease
- 9) The Special Use Permit shall expire when the operation of the approved use is discontinued for a period of more than six (6) months
- 10) The Special Use Permit shall not transfer to another person or to a different location; and
- 11) The 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.

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.**

Jan 23, 2023 - 10:29am Plotted By: les.hamilton V:\032560-Kaw Valley Storage\04-DWG\Eng\Sheet\032560-SHFS-SITE.dwg Layout: Site Plan (SUP)



SECTION MAP
SECTION 28-T11S-R23E
(NOT TO SCALE)

Property Description: Warranty Deed 2018R-06723

All that part of the Southeast Quarter of Section 28, Township 11 South, Range 23 East in Wyandotte County, Kansas bounded as follows: On the East by a line 360.6 feet West of and parallel to the North and South line between Sections 27 and 28, Township 11, Range 23, on the West by a line of right of way of the Union Pacific Railroad Company, on the west by a line 1640 feet East of the North and South centerline of said Section 28, and on the North by the South line of State Highway No. 32, (Golden Belt Highway), less any part taken or used for highway or road purposes, subject to the right of Union Pacific Railroad Company to land 200 feet Northerly of center line of said Railroad Company's right of way.

Lease Area: Union Pacific Railroad Company Lease, Audit 11867

The premises at Bonner Springs, Kansas shown on the print dated November 20, 2018, marked Exhibit A, hereunto attached and made a part hereof [Exhibit shows a 150-foot parcel immediately adjacent to the south line of the tract].

CIVIL ENGINEER

BHC
7101 COLLEGE BOULEVARD, SUITE 400
OVERLAND PARK, KANSAS 66210
P (913) 663-1900
F (913) 663-1633
CONTACT: LESLIE R HAMILTON, PE, PS
EMAIL: les.hamilton@ibhc.com

DEVELOPER

REDPOINT PROPERTIES, LLC
10625 W 57TH ST
SHAWNEE, KS 66203
PH: (913) 710-6064
CONTACT: BRIAN WALTERS
EMAIL: baw841@gmail.com

SURVEYOR OF RECORD

BHC
712 STATE AVE.
KANSAS CITY, KANSAS 66101
P (913) 663-1900
F (913) 663-1633
CONTACT: STEVEN SHAFER
EMAIL: steve.shaffer@ibhc.com

SITE
PARCEL 952307: 2.4 AC
LEASE AREA: 2.4 AC
TOTAL PROJECT AREA: 4.8 AC

IMPERVIOUS AREA:
EXISTING: AGRICULTURAL USE NONE
PROPOSED: 4.52 AC

BUILDING
BUILDING AREA: CONEX STORAGE CONTAINER (~20-FT X 8-FT X 8.5-FT TALL) = 160 SF

PARKING
PARKING PROVIDED: NO DESIGNATED PARKING (STRIPING NOT PROVIDED)

YARD REGULATIONS:
FRONT YARD = 20-FEET
SIDE YARD = NONE
REAR YARD = 20-FEET

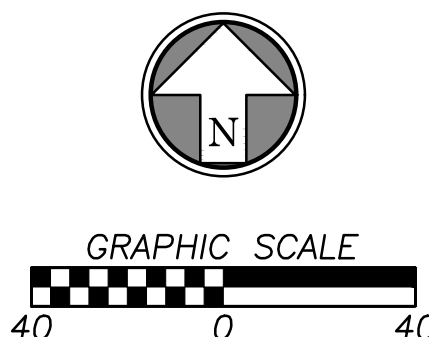
LANDSCAPING:
LANDSCAPING REQUIRED - FRONTAGE: 1 TREE PER 40-FEET @ 690 FEET = 18 TREES
- INTERIOR: MINIMUM 6-PERCENT OF INTERIOR PARKING AREA AND/OR 1 TREE PER 10 PARKING SPACES
LANDSCAPING PROVIDED - FRONTAGE: 19 TREES
- INTERIOR: NONE

EXISTING ZONING: L-1, LIGHT INDUSTRIAL
PROPOSED ZONING: L-1, LIGHT INDUSTRIAL SUP
EXISTING LAND USE: AGRICULTURAL
PROPOSED LAND USE: CONSTRUCTION CONTRACTOR OUTSIDE STORAGE, SELF-STORAGE WITH OUTSIDE STORAGE

- 00 EXISTING SECURITY FENCE INSTALLED AT RIGHT-OF-WAY LINE
02 EXISTING SECURITY FENCE
03 EXISTING MILLINGS SURFACE
04 EXISTING SITE TREES
05 PROPOSED CONCRETE ENTRANCE
06 EXISTING GATE
07 EXISTING STREET TREES

SITE LEGEND

- PROPOSED CONCRETE PAVEMENT
MILLINGS SURFACE TREATMENT
LEASE LINE
PROPERTY LINE
EXISTING OVERHEAD ELECTRICAL LINE
EXISTING GAS LINE
EXISTING WATERLINE
EXISTING FIBER OPTIC LINE
EXISTING SANITARY SEWER LINE
TREE TO BE SAVED - DO NOT DISTURB
EXISTING STREET TREE



GENERAL NOTES:

- Contractor shall verify the location, size, material and depth of all utilities prior to any excavation or construction activity.
- It shall be the Contractor's responsibility to meet all applicable laws and regulations pertaining to the disposal of construction/demolition material.
- The Contractor shall be responsible for obtaining and payment of any permits for demolition that pertain to this project.
- All removals required to properly perform the work (whether shown on the plans or not) shall be performed by the Contractor at no additional cost to the owner.
- Per KDA-DWR, the storage containers shall be considered a permanent structure and shall be elevated a minimum one-foot above the BFE.

FLOOD PLAIN NOTE:

THIS SITE LIES WITHIN FLOOD ZONE "AE" (BASE FLOOD ELEVATIONS DETERMINED) AS SHOWN ON FEMA FIRM, WYANDOTTE COUNTY, KANSAS AND INCORPORATED AREAS, PANEL 128 OF 210, MAP NUMBER 20209C0128D, EFFECTIVE DATE SEPTEMBER 2, 2011.
- BFE ALONG WEST PROPERTY LINE ~776
- BFE ALONG EAST PROPERTY LINE ~ 775.3

UTILITY CONTACTS

Atmos Energy
Tony Benedict
25090 W 110th Terrace
Olathe, KS 66061
Direct (913) 254-6344

Bonner Springs Utilities
Ron Wyatt (Wastewater and Water)
12401 Kaw Drive
Bonner Springs, KS 66012
Office (913) 422-8117
Cell (913) 207-0359
E-Mail: rwyatt@bonnersprings.org

BPU
Courtney Conner (Electric)
540 Minnesota Ave
Kansas City, KS 66101
Direct (913) 573-9538
E-Mail: cconner@bpu.org

Sprint (T-Mobile)
(877) 651-2379

All existing utility locations shown are approximate only and are not guaranteed to be accurate or all inclusive. Contractor shall be responsible for contacting all utility companies and verifying the actual field locations of all utilities prior to any construction activity. Contractor shall keep all utility locations current. Utilities damaged through the negligence of the contractor to obtain the proper field locations shall be the responsibility of the contractor to repair or replace at their expense and at the direction of the utility company. The contractor shall pothole and survey all utility crossings prior to construction of any portion of storm sewer, sanitary sewer laterals, underdrains, conduit and any other subsurface element of the project. The survey information shall be forwarded to the project engineer for review. The contractor shall not begin construction on any subsurface element on the project without the approval of the project engineer. Utility coordination, potholing/surveying shall be subsidiary to other bid items.

LESLIE R. HAMILTON, PE, PS
KS PE 9264



Prepared For:
REDPOINT PROPERTIES, LLC
BRIAN WALTERS
10625 W 57TH STREET
SHAWNEE, KS 66203
913-710-6064

KAW VALLEY STORAGE
11845 KAW DRIVE
BONNER SPRINGS, KS

SITE PLAN - SPECIAL USE PERMIT

Design: LRH Drawn: IDJ
Checked: LRH
Issue Date: 2023-01-18
Project Number: 032560

C1

Pd + signed
2/10

CITY OF BONNER SPRINGS, KS
Community and Economic Development Department

SPECIAL USE PERMIT (SUP) APPLICATION

Staff Use Only

SUP - 04-23

PC Date: 4/18/23

CC Date: 5/8/23

Date Rec'd: 2/10/23

Rec'd by: _____

Date: January 18, 2023

Subject Property Address: 11845 Kaw Drive, Bonner Springs, KS 66111

Project Name (if applicable): Kaw Drive Storage

Applicant Name: Brian Walters

Phone: [REDACTED]

Address: 10625 W 57th Street, Shawnee, KS 66203

E-mail (required): baw841@gmail.com

Record Property Owner: Redpoint Properties, Inc. (Brian Walters)

Phone: [REDACTED]

Parcel No.: 952307

Quarter Section: SE

Section/Township/Range: 28-11-23

Legal Description of the Tract: see attached

Tract Acreage: 4.8 acres

General Location/Cross-streets: _____

Zoning: L-1

Present Use: outside storage,
self storage

L-1, Light Industrial

Requested Use: (outside storage, self-storage)

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: Brian Walters

Date: 2-10-23

Applicant Name (Printed): Brian Walters

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

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

X Eight (8) 11" x 17" copies 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.

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

X 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 \$ 300.00 pd 2/10
Notification: ____ x \$12 = \$ ____
Publication: \$ ____
Sign (first): \$25 \$ ____
Add'l Signs ____ x \$10 = \$ ____

Total Due: \$ _____

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

Property Description: *Project consists of Parcel No. 952307 (Warranty Deed 2018R-06723) and adjoining UPRR Lease (Audit 11867).*

All that part of the Southeast Quarter of Section 28, Township 11 South, Range 23 East in Wyandotte County, Kansas bounded as follows: On the East by a line 360.6 feet West of and parallel to the North and South line between Sections 27 and 28, Township 11, Range 23, on the West by a line of right of way of the Union Pacific Railroad Company, on the west by a line 1640 feet East of the North and South centerline of said Section 28, and on the North by the South line of State Highway No. 32, (Golden Belt Highway), less any part taken or used for highway or road purposes, subject to the right of Union Pacific Railroad Company to land 200 feet Northerly of center line of said Railroad Company's right of way.

And also:

The premises at Bonner Springs, Kansas shown on the print dated November 20, 2018, marked Exhibit A, hereunto attached and made a part hereof [Exhibit shows a 150-foot parcel immediately adjacent to the south line of parcel no. 952307].









Memorandum

Date: April 18, 2023
To: Mayor and City Council
From: Mark Lee

Subject: Comprehensive Plan Updates - Review

Recommendation: NA

Action: None

Background: Comparison worksheet is attached

Discussion:

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
-