



City of Bonner Springs

KANSAS

Tuesday, March 19, 2024

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 minutes from the February 20, 2024 meeting

Action Approve, Amend or Deny the minutes as presented

Recommendation Approve the minutes as presented

Documents:

1. PC Minutes 2.20.24 draft

UNFINISHED BUSINESS

NEW BUSINESS

1. PUBLIC HEARING - Rezoning – BSRZ-01-24 - 13230 Riverview Avenue – Consider a request to rezone a portion of the property from its current zoning of RR (Rural Residential District) to GR (General Residential District). In order to create a new parcel that adheres to the Unified Development Ordinance.

Action Approve, Amend or Deny the rezoning request as presented

Recommendation Staff recommends the Planning Commission approve the requested zoning change for a portion of 13230 Riverview Avenue as indicated on the included site rendering. The requested zoning change is from RR (Rural Residential District) to GR (General Residential District).

Staff would further recommend the following if the request is approved by the Commission.

1. The division of the existing parcel and creation of the new parcel shall adhere to the requirements as provided in the Unified Development Ordinance for a Minor Plat.
2. A building permit shall be applied for and obtained prior to the construction of any future dwelling.
3. Appropriate and approved septic system permit shall be obtained from Wyandotte County
4. Driveway access to the newly created parcel shall be provided on the western edge of the property as to ingress and egress from the top of the hill as much as possible.
5. Any and all construction drawings shall be submitted to the City for review and approval prior to improvements commencing
6. In addition to the recommendations/stipulations listed within this staff report, the property owner agrees to abide by the Unified Development Ordinance of the City of Bonner Springs

Documents:

1. Agenda Item - 13230 Riverview Ave - BSRZ-01-24 - Rezoning
2. 597-Rendering
3. 597-Rendering photo

2. PUBLIC HEARING - Special Use Permit - SUP-01-24 - Country Stampede – Consider a request for a Special Use Permit – the applicant is requesting to host a multi-day music festival that will allow for overnight camping within specified areas of the Azura Amphitheater site and the Agricultural Hall of Fame property.

Action Approve, Amend or Deny the Special Use Permit as requested

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for overnight camping to occur at 633 N. 130th Street and 630 Hall of Fame Drive, with staff recommendations.

Documents:

1. Staff Report SUP-01-24- Country Stampede
2. COUNTRY STAMPEDE CAMPING SITE PLAN-FINAL
3. AG Hall and UG Consent Letters

3. PUBLIC HEARING – Special Use Permit – SUP-02-24 – Ad Trend, Inc. – Consider a request for an amendment to a SUP-05-23 – the applicant is seeking an amendment to a previously approved special use permit – the request is to allow for the alteration of a recently approved billboard from a static display to a digital format that will allow for more advertising and automatic scrolling.

Action Approve, Amend or Deny the Special Use Permit request.

Recommendation Staff recommends that the Planning Commission approve the Special Use Permit to allow for the installation of digital sign faces upon the approved billboard; located at 14110 Minnesota Avenue, with staff recommendations.

Documents:

1. Staff Report SUP-02-24- Ad Trend
2. Ordinance No. 2563
3. Chamber Support Letter
4. EcoDevo Digital Sign Support

4. Appointment of Planning Commission Secretary

Action Approve the recommendation made by the Community Development Director

Recommendation Staff would recommend approval of Larissa Phillips as the Planning Commission Secretary

Documents:

OPEN AGENDA

COMMUNITY DIRECTORS REPORT

1. COMMUNITY DEVELOPMENT DIRECTORS REPORT

Action Approve the recommendation by the Community Development Director to appoint

Recommendation

Documents:

ADJOURNMENT

Memorandum

Date: March 19, 2024
To: Mayor and City Council
From: Mark Lee

Subject: Approval of minutes from the February 20, 2024 meeting

Recommendation: Approve the minutes as presented

Action: Approve, Amend or Deny the minutes as presented

Background: Meeting minutes are attached

Discussion: NA

Financial Impact: NA

MINUTES – 2.20.2024 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, February 20, 2024 – Regular Meeting – 7:00 p.m.

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

ROLL CALL

Planning Commissioners Present: Lloyd Mesmer, Vice-Chair Larry Clark, Nick Perica, Jason Cruse, Paul Zeps, Sherri Neff, Chair Greg Gebauer

Absent – Vince Bombardier

Quorum Established

Staff Present: Mark Lee, Community Development Director

CONSENT AGENDA

2. Approval of Minutes of November 21, 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 Mesmer.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7 – 0

UNFINISHED BUSINESS

3. None

NEW BUSINESS

4. **Old Dominion Freight Lines Preliminary Plat - PP-01-24 – Consider the Preliminary Plat** for Old Dominion Freight Lines at 12900 Speaker Road.

Chair Gebauer called for the Staff's report.

Staff explained the project, it's location and how it has been progressing over the past few years, along with the issues it encountered with KDOT and the exchange of certain rights of way.

Chair Gebauer asked if there were any questions of staff.

Commissioner Zeps asked if agenda items 4 and 5 were related, as they appeared, and how staff recommendation #3 – "All comments made by the Wyandotte County Surveyor, City Engineer and Staff shall be addressed prior to approval of the Final Plat" is relevant if the Commission approved the preliminary plat. Staff explained that the comments made on the final plat document and the official letterhead from the GeoSpatial Services Division of the UG were intended to keep the project moving forward and that no signatures of city representatives would be placed upon the plat until those comments were addressed.

Commissioner Zeps clarified staff comments by stating – “if we approve this tonight, it will not be signed off on and given complete approval until all of these items are addressed”, staff stated yes, this is exactly the case.

Staff further explained that this is not a “typical” process for Bonner Springs, typically the preliminary plat comes forward for approval, if approved the project is constructed and the final plat comes forward at that time, essentially months or a year later. All comments for the preliminary plat would have already been addressed prior to the final. Since parts of the project were delayed with the exchange of right of way, the preliminary plat had expired and needed to come forward again as it did years ago.

Staff explained that a final walk-through had taken place a year or so ago with the City Engineer, Public Works, myself, representatives from the construction contractor and ODFL and that the list of outstanding items was minimal and that most of those had been addressed.

Commissioner Zeps asked if this was more or less a revisit of the original plan and if the area along the highway was still intended for retail space.

With no further discussion, Chair Gebauer called for a MOTION. Vice-chair Clark made a motion to **APPROVE** the preliminary plat with staff’s recommendations; Commissioner Neff **SECONDED**.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7-0

5. Old Dominion Freight Lines Final Plat – FP-01-24 – Consider the Final Plat for Old Dominion Freight Lines at 12900 Speaker Road.

Chair Gebauer called for the Staff’s report.

Staff explained the project, it’s location and how it has been progressing over the past few years, along with the issues it encountered with KDOT and the exchange of certain rights of way. Staff further explained that there are outstanding items that would not allow the project to completely wrap up at this time; of those are a final walk-through of the project with appropriate staff, a Maintenance Bond requirement – guaranteeing workmanship, and “As-Built” drawings being submitted that accurately depict the installation of public infrastructure, among other requirements.

Staff reiterated the requirement that all comments made by City Staff and the County shall be addressed prior to final signatures being obtained.

Chair Gebauer asked if there were any questions of staff or the applicant; being none Chari Gebauer called for a MOTION. Commissioner Zeps made a motion to **APPROVE** the final plat with staff stipulations; Commissioner Perica **SECONDED**.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7-0

6. PUBLIC HEARING – Request for Rezoning – BSRZ-02-23 – Consider a request for approval of a zoning change from RR (Rural Residential District) to GC (General Commercial District) for 300 S. 129th Street. Chair Gebauer called for the Staff's report.

Staff explained the project, the location and how they have been working with QuikTrip behind the scenes to progress their project through the review processes, while the ODFL plat was also moving forward. Staff spoke of some of the documentation and reviews they had already been through or were working on. These included a Traffic Impact Study, which was reviewed and approved by the City Engineer and KDOT; along with a Stormwater Study that was preliminary in nature until the rezoning is approved. Staff explained that the original preliminary plat indicated a total of 10 lots including the Old Dominion site, the revised preliminary plat now consists of 7 lots, with QuikTrip taking 3.

Staff further stated a representative from QuikTrip – Tara Limbach – was present if they had specific questions.

Chair Gebauer called for a MOTION to open the Public Hearing.

Vice-chair Clark made a motion to **OPEN** the Public Hearing, Commissioner Mesmer **SECONDED**, the hearing was opened at 7:20pm.

Chair Gebauer asked if there were any members of the public wishing to speak in favor of the item. Being none, Chair Gebauer asked if there were any members of the public wishing to speak against the item; there were none.

Ms. Limbach approached the podium and spoke of the wishes of QuikTrip to open a second location in Bonner Springs, she further stated that there was no intention of shuttering the current location. She stated that this location would provide more convenience to those on the southern end of town and the interstate traffic. This location is more similar to a “truck stop” with the ability to fill large diesel vehicles easier.

Commissioner Neff asked about the Traffic Impact Study and if there were any significant findings within it. Ms. Limbach stated that from her understanding the study indicated no adverse effects of constructing an additional QT at this location. Staff stated the Traffic Impact Study had been completed, reviewed and approved by KDOT and our City Engineer. Staff further stated this area had been intended to develop commercially and additional traffic had been accounted for prior.

Commissioner Zeps asked if this would be directly accessible from K-7. Staff explained that initially QT wanted access off of Speaker Rd, closer to the intersection at K-7, but that KDOT would not allow them because of traffic concerns. QuikTrip is required to take access off of S. 129th Street only.

Chair Gebauer asked if there were any further questions, being none Chair Gebauer called for a MOTION to close the public hearing. Commissioner Zeps made a motion to **CLOSE** the Public Hearing; Commissioner Zeps **SECONDED** the motion. The Public Hearing was closed at 7:28pm.

With no further discussion, Chair Gebauer called for a MOTION. Commissioner Zeps made a motion to **APPROVE** the rezoning request with staff recommendations; Commissioner Mesmer **SECONDED**.

Chair Gebauer called for a vote.

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

NAY – None

MOTION PASSED 7-0

7. Review of 2024 Planning Commission meeting calendar

Staff provided the Commissioners with a copy of the 2023-2024-2025 Application and Review Schedule. This outlines the meeting days moving forward into 2025. Staff stated the June Commission date had been changed as it conflicts with a prior engagement of staff.

Chair Gebauer asked if the Commissioners had any questions regarding the calendar, there were none.

8. Open Agenda

None at this time

9. Community Development Directors Report

- With the adoption of the new Unified Development Ordinance and the revised Comprehensive Plan – staff would like to know if any Commissioner would like printed versions?
- Staff informed the Commission that with the adoption of the UDO, Site and Landscape Plans were now reviewed and approved at a staff level. This was not meant to take away from the Commission but was intended to speed up processes for potential developers. There are specific guidelines laid out within the UDO regarding these reviews and the requirements therefore. Staff will continue to brief the Commission on any S&L Plans that come forward for approval. With that staff stated they had begun review of – ST-03-23 - 300 S. 129th Street – Consider approval of a Site and Landscape plan for 300 S. 129th Street – QuikTrip.

March Meeting –

Board of Zoning Appeals

The 120 on Oak – adjusting to the new UDO, they are requesting the following variances.

- Variance request #1: Parking Lot Landscaping – Allow more than 12 stalls in a row.
- Variance request #2: Parking Lot Landscaping – Islands less than 9ft wide.
- Variance request #3: Buffering Requirements – Reduction of Thoroughfare buffer requirements
- Variance request #4: Parking Lot Landscaping – Islands less than 150 sf.
- Variance request #5: Parking Lot Landscaping – Landscaping less than 10% of parking area.
- Variance request #6: Dumpster Screening – Landscaping reduction.

Planning Commission

Special Use Permit – 14110 Minnesota – recently approved billboard would like a digital display

Special Use Permit – Azura Amphitheater – Country Stampede music festival

Rezoning – 13230 Riverview Avenue – applicant is requesting to divide an existing parcel and rezone the new portion to General Residential from the Rural Residential zoning it is currently in.

Chair Gebauer adjourned the meeting at 7:43pm.

Memorandum

Date: March 19, 2024
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING - Rezoning – BSRZ-01-24 - 13230 Riverview Avenue – Consider a request to rezone a portion of the property from its current zoning of RR (Rural Residential District) to GR (General Residential District). In order to create a new parcel that adheres to the Unified Development Ordinance.

Recommendation: Staff recommends the Planning Commission approve the requested zoning change for a portion of 13230 Riverview Avenue as indicated on the included site rendering. The requested zoning change is from RR (Rural Residential District) to GR (General Residential District).

Staff would further recommend the following if the request is approved by the Commission.

1. The division of the existing parcel and creation of the new parcel shall adhere to the requirements as provided in the Unified Development Ordinance for a Minor Plat.
2. A building permit shall be applied for and obtained prior to the construction of any future dwelling.
3. Appropriate and approved septic system permit shall be obtained from Wyandotte County
4. Driveway access to the newly created parcel shall be provided on the western edge of the property as to ingress and egress from the top of the hill as much as possible.
5. Any and all construction drawings shall be submitted to the City for review and approval prior to improvements commencing
6. In addition to the recommendations/stipulations listed within this staff report, the property owner agrees to abide by the Unified Development Ordinance of the City of Bonner Springs

Action: Approve, Amend or Deny the rezoning request as presented

Background: Staff report is included within the packet

Discussion: Staff has worked with the applicant to achieve their goal of creating a new parcel while adhering to the requirements of the Unified Development Ordinance. The applicant and staff tried several different layouts but none of those attempts could meet the UDO. The required minimum street frontage for the RR “Rural Residential” Zoning District is two-hundred and ten (210’) feet. The applicant’s property measures three-hundred and thirty (330’) feet. A non-conforming lot could not be created, this is the reasoning behind the rezoning request. The zoning district of GR “General Residential” allows for a minimum frontage of sixty (60’) feet.

The parcel is not located close enough to the sanitary sewer service of Bonner Springs, therefore will be required to obtain a septic system permit through Wyandotte County, this will require the parcel to be a minimum of one acre in size, thus increasing the frontage beyond the required minimum.

The proposed lot dimensions are one-hundred and twenty (120’) feet wide by three-hundred

and thirty (330') feet deep. The regulations further state that a parcel cannot exceed a depth to width ratio of 3:1, this parcel will exceed these dimensions in order to achieve the one acre minimum. The parcel dimensions will be 120' wide by 363' deep, thus creating the one acre required.

Financial Impact: NA

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 4

BSRZ-01-24
REZONING

Topic: PUBLIC HEARING - Rezoning – BSRZ-01-24 - 13230 Riverview Avenue – Consider a request to rezone a portion of the property from its current zoning of RR (Rural Residential District) to GR (General Residential District). In order to create a new parcel that adheres to the Unified Development Ordinance.

Narrative:

Staff has worked with the applicant to achieve their goal of creating a new parcel while adhering to the requirements of the Unified Development Ordinance. The applicant and staff tried several different layouts but none of those attempts could meet the UDO. The required minimum street frontage for the RR “Rural Residential” Zoning District is two-hundred and ten (210’) feet. The applicant’s property measures three-hundred and thirty (330’) feet. A non-conforming lot could not be created, this is the reasoning behind the rezoning request. The zoning district of GR “General Residential” allows for a minimum frontage of sixty (60’) feet.

The parcel is not located close enough to the sanitary sewer service of Bonner Springs, therefore will be required to obtain a septic system permit through Wyandotte County, this will require the parcel to be a minimum of one acre in size, thus increasing the frontage beyond the required minimum.

The proposed lot dimensions are one-hundred and twenty (120’) feet wide by three-hundred and thirty (330’) feet deep. The regulations further state that a parcel cannot exceed a depth to width ratio of 3:1, this parcel will exceed these dimensions in order to achieve the one acre minimum. The parcel dimensions will be 120’ wide by 363’ deep, thus creating the one acre required.

Presented by: Mark Lee - Community Development Director

Staff Recommendation:

Staff recommends the Planning Commission approve the requested zoning change for 13230 Riverview Avenue from RR (Rural Residential District) to GR (General Residential District) as indicated upon the provided renderings, a survey is being required as part of the Minor Plat process.

Attachments:

Staff Report (4pgs)
Current zoning areas (included within staff’s report)
Site rendering (2pgs)
Aerial image of site (included within staff’s report)

REQUEST FOR APPROVAL OF A ZONING CHANGE FROM RR (RURAL RESIDENTIAL DISTRICT) TO THE ZONING CATEGORY OF GR (GENERAL RESIDENTIAL DISTRICT) FOR A PORTION OF 13230 RIVERVIEW AVENUE.

MEETING DATE: Marh 19, 2024
REPORT WRITTEN: March 1, 2024
APPLICATION #: BSRZ-01-24

APPLICANT:
Phillip Loun
13230 Riverview Avenue
Bonner Springs, KS 66012

ENGINEER/SURVEYOR

REQUEST:
The applicant is requesting approval to rezone a portion of 13230 Riverview. A new parcel is being proposed that would adhere to the requirements and regulations of the Unified Development Ordinance.

COMPREHENSIVE PLAN/FUTURE LAND USE MAP:
The Future Land Use Map currently designates this property as Low Density Residential.

SURROUNDING ZONING:

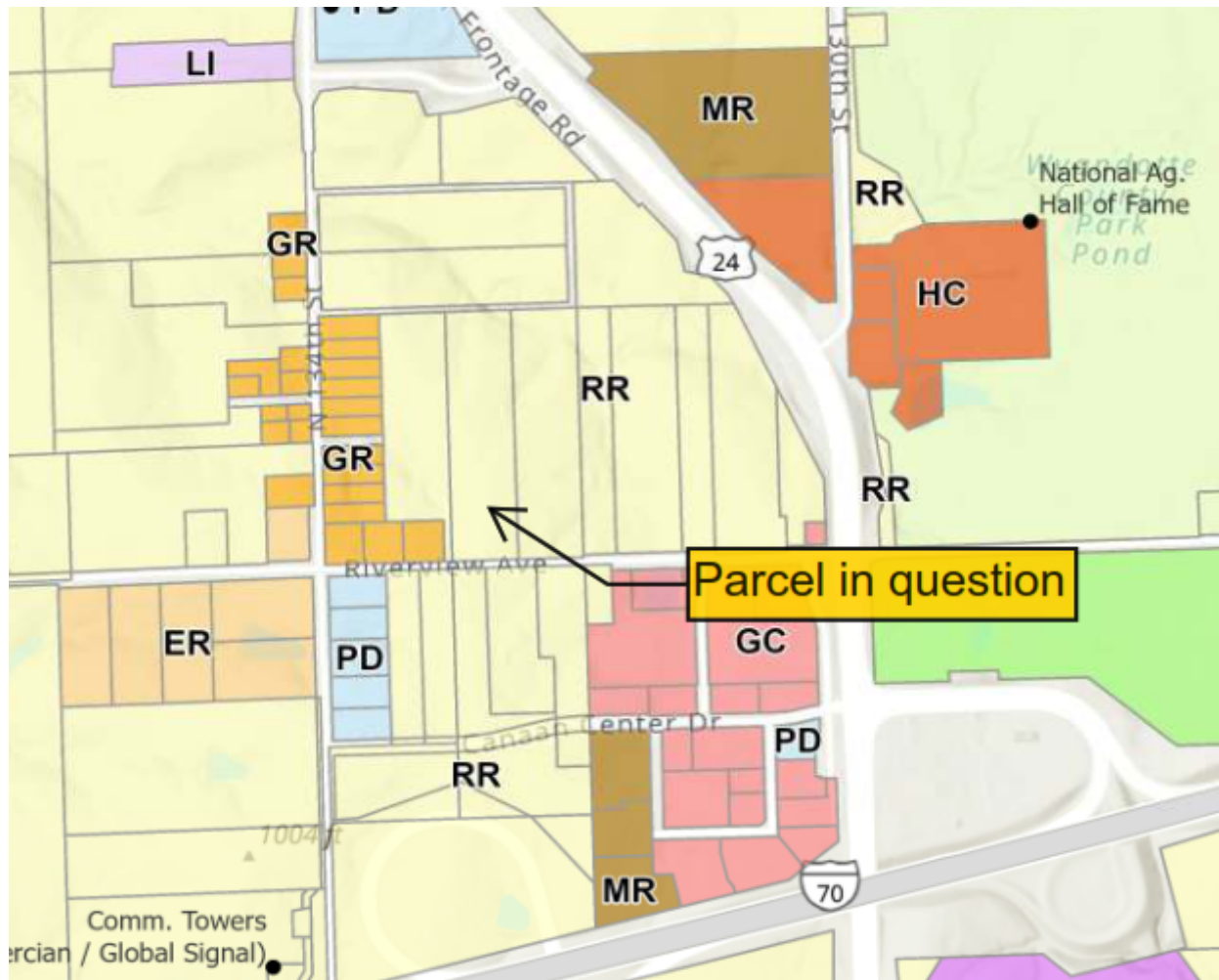
- North RR; Rural Residential District
- South RR; Rural Residential District
- East RR; Rural Residential District
- West GR; General Residential District

BACKGROUND:
Staff has worked with the applicant to achieve their goal of creating a new parcel while adhering to the requirements of the Unified Development Ordinance. The applicant and staff tried several different layouts but none of those attempts could meet the UDO. The required minimum street frontage for the RR “Rural Residential” Zoning District is two-hundred and ten (210’) feet. The applicant’s property measures three-hundred and thirty (330’) feet. A non-conforming lot could not be created, this is the reasoning behind the rezoning request. The zoning district of GR “General Residential” allows for a minimum frontage of sixty (60’) feet.

The parcel is not located close enough to the sanitary sewer service of Bonner Springs, therefore will be required to obtain a septic system permit through Wyandotte County, this will require the parcel to be a minimum of one acre in size, thus increasing the frontage beyond the required minimum.

The proposed lot dimensions are one-hundred and twenty (120’) feet wide by three-hundred and thirty (330’) feet deep. The regulations further state that a parcel cannot exceed a depth to width ration of 3:1, this parcel will exceed these dimensions in order to achieve the one acre minimum. The parcel dimensions will be 120’ wide by 363’ deep, thus creating the one acre required.

THE CURRENT ZONING CONFIGURATION:



THE ZONING AND USES OF THE PROPERTY NEARBY –

- North RR; Rural Residential District
- South RR; Rural Residential District
- East RR; Rural Residential District
- West GR; General Residential District

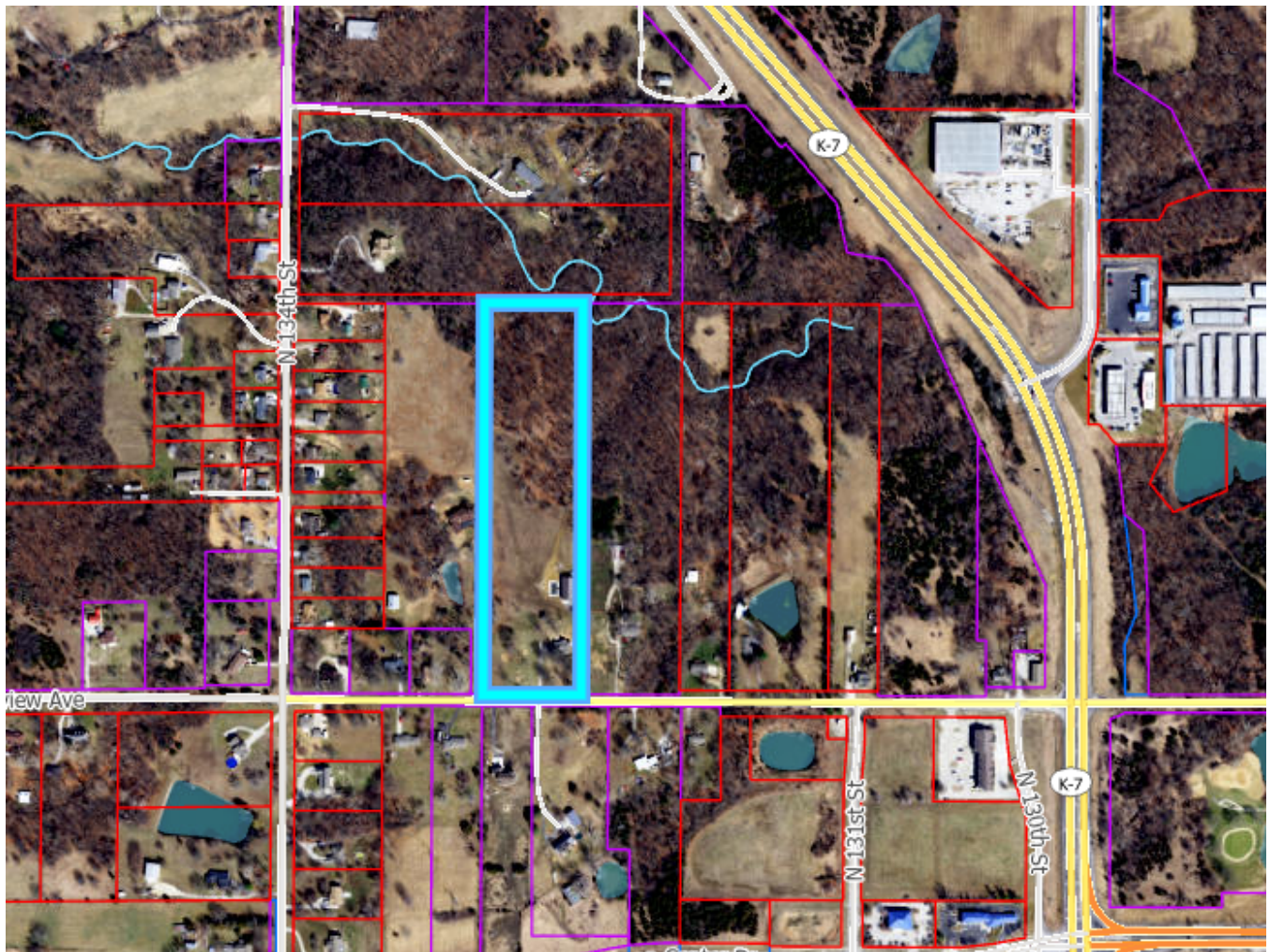
REZONING:

Section 2.03.A.2.b of the Bonner Springs Zoning Regulations and the *Golden* case, the factors to be used in determining approval or denial of an application for rezoning are as follows:

- The compatibility of the existing and proposed zoning conditions to the Comprehensive Plan;
- The character of the neighborhood or built environment surrounding the affected property;
- The compatibility of the zoning and allowed uses of surrounding properties;
- The suitability of the affected property to its existing and proposed zoning conditions;
- The extent to which removal or Alteration of the existing zoning designation will negatively impact nearby property;
- The impact on the general health, safety, and welfare of the public caused by the existing and proposed zoning conditions;
- The professional recommendations of the City's staff and Development Review Team;
- The availability and adequacy of required public improvements to serve the existing and proposed zoning conditions.
- The impacts the proposed zoning condition will have on the built and natural environment, including but not limited to storm water runoff, water, air, and noise pollution, lighting, or other adverse impacts; and
- The ability of the affected Parcel to satisfy the subdivision regulations and Development Standards of these regulations under the proposed zoning conditions.

CHARACTER OF THE IMMEDIATE AREA –

The area surrounding the subject property are a mix of zoning districts; but all residential in nature. Properties directly to the west are zoned as GR, General Residential; while the majority of surrounding properties are zoned as RR, Rural Residential; ER, Estate Residential and a small grouping along N. 134th Street that are zoned as a Planned District.



THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED –

The property, is currently occupied by one dwelling and the accessory structures associated with it. The Future Land Use Map reflects this area as Low Density Residential, the rezoning and creation of a new parcel from this property would adhere to that designation and surrounding zoning districts.

THE EXTENT TO WHICH REMOVAL OF THE PRESENT ZONING WILL DETRIMENTALLY AFFECT NEARBY PROPERTY –

The zoning classification of which is being requested will remain residential in nature and will mirror those properties directly west. Without rezoning, the new parcel could not be created as it could not meet the regulations of the UDO. With the zoning classification remaining residential, there should be no detrimental affect to neighboring properties.

THE LENGTH OF TIME THE PROPERTY HAS REMAINED VACANT AS ZONED –

The subject property would be a newly created parcel. The parent parcel does have an existing dwelling located upon it.

**THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY
THE DESTRUCTION OF THE VALUE OF THE PETITIONER'S PROPERTY AS
COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL**

There would be no particular gain to the public. The applicant is proposing creating a new parcel and rezoning said parcel to meet the requirements of the Unified Development Ordinance. Without proper rezoning the parcel would not be allowed due to the lack of required road frontage. The parcel will remain residential in nature.

RECOMMENDATION OF PROFESSIONAL STAFF-

Staff would recommend approval of the requested rezoning of a portion of 13230 Riverview as indicated on the included site rendering.

**THE CONFORMANCE OF THE REQUESTED REZONING TO THE DULY ADOPTED
COMPREHENSIVE PLAN –**

The Comprehensive Plan's Future Land Use Map currently identifies the subject property as low density residential. The creation of this new parcel and subsequent rezoning will be in conformance with the future land uses.

The Comprehensive Plan states:

The purpose of this district is to provide for low density single-family residential development within the city limits, including those uses which reinforce residential neighborhoods. This category is also appropriate for planned public and semi-public uses which are generally considered compatible with residential uses. 2 to 4 units per acre. The intent of this districts is to create a transition between large lot single family tracts to traditional smaller lot Single Family Residential (R-1) and Two-Family Residential (R-2) development patterns. Low Density Residential neighborhoods are typically located away from major shopping centers and major thoroughfares, such as Highway 24, 7 and 32; however, they still remain connected to these services with convenient access and interconnected roadway systems.

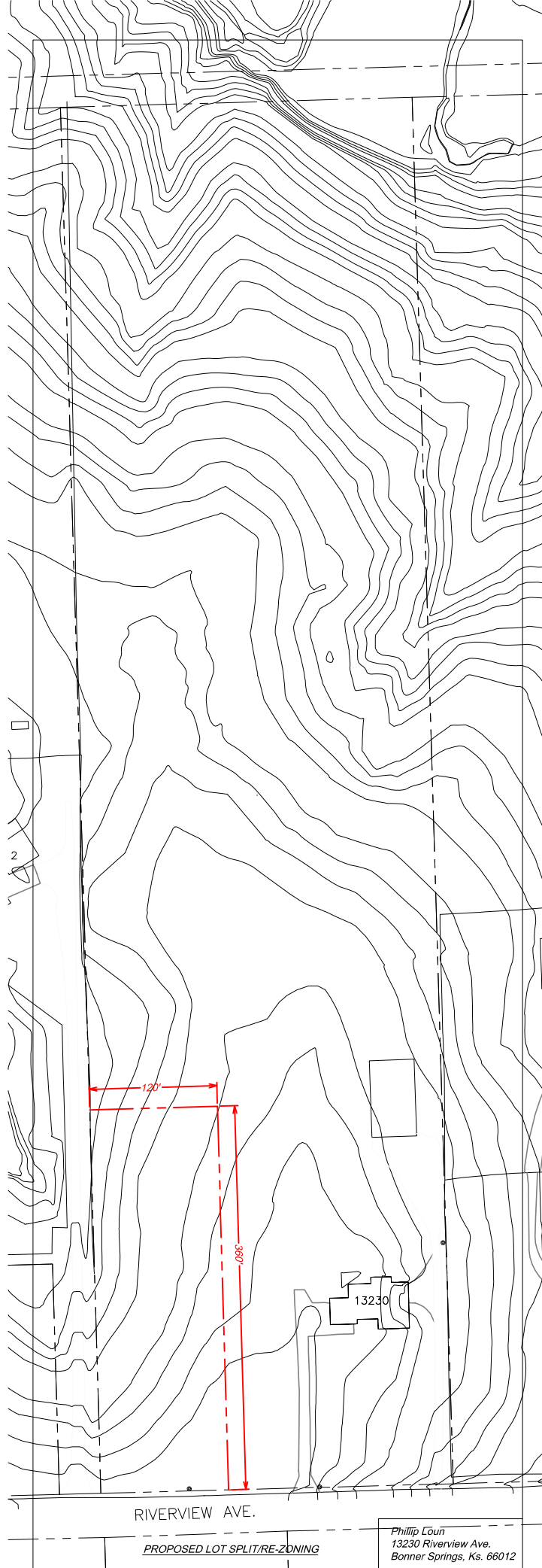
STAFF RECOMMENDATION:

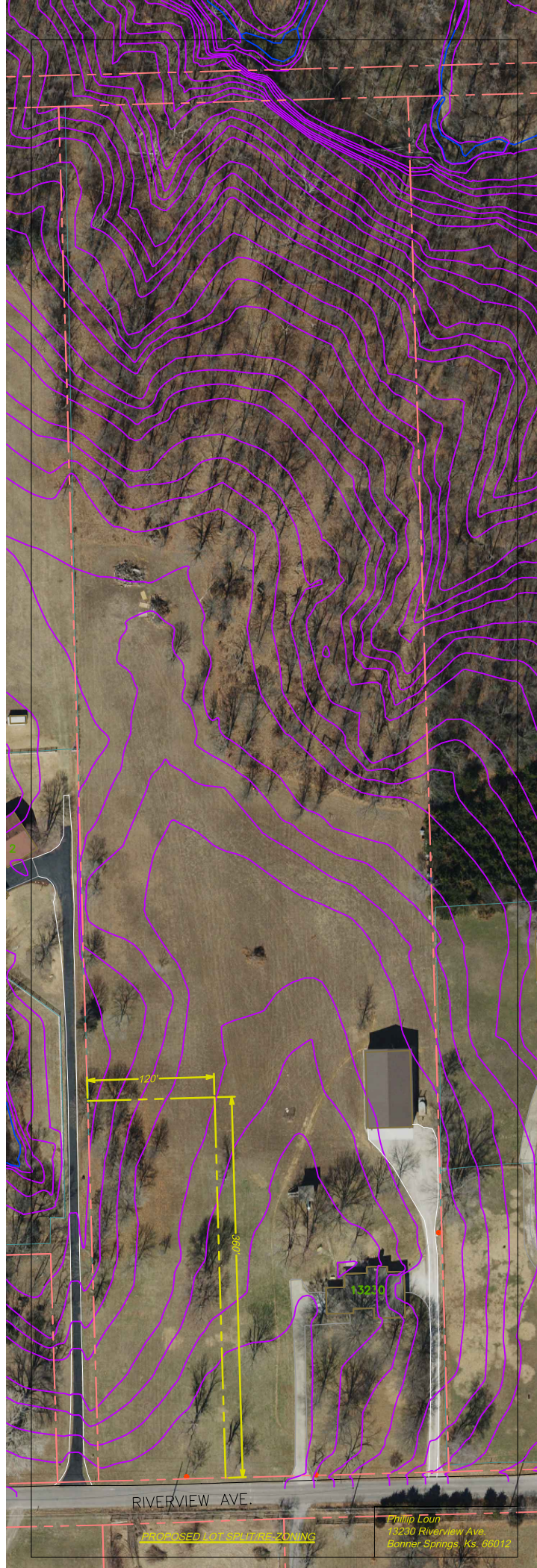
Staff recommends the Planning Commission approve the requested zoning change for a portion of 13230 Riverview Avenue as indicated on the included site rendering. The requested zoning change is from RR (Rural Residential District) to GR (General Residential District).

Staff would further recommend the following if the request is approved by the Commission.

1. The division of the existing parcel and creation of the new parcel shall adhere to the requirements as provided in the Unified Development Ordinance for a Minor Plat.
2. A building permit shall be applied for and obtained prior to the construction of any future dwelling.
3. Appropriate and approved septic system permit shall be obtained from Wyandotte County
4. Driveway access to the newly created parcel shall be provided on the western edge of the property as to ingress and egress from the top of the hill as much as possible.
5. Any and all construction drawings shall be submitted to the City for review and approval prior to improvements commencing
6. In addition to the recommendations/stipulations listed within this staff report, the property owner agrees to abide by the Unified Development Ordinance of the City of Bonner Springs

If approved, this item will move to the Governing Body. The request will be presented at the April 8, 2024 regular meeting for final action.





RIVERVIEW AVE.

PROPOSED LOT SPLIT RE ZONING

Philip Loun
13230 Riverview Ave.
Bonner Springs, KS. 66012

Memorandum

Date: March 19, 2024
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING - Special Use Permit - SUP-01-24 - Country Stampede – Consider a request for a Special Use Permit – the applicant is requesting to host a multi-day music festival that will allow for overnight camping within specified areas of the Azura Amphitheater site and the Agricultural Hall of Fame property.

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for overnight camping to occur at 633 N. 130th Street and 630 Hall of Fame Drive, with staff recommendations.

Action: Approve, Amend or Deny the Special Use Permit as requested

Background: Staff report is included within the packet.

Discussion: The request is associated with the Country Stampede Music Festival, being the festivals first year in Bonner Springs and the Azura Amphitheater, several items have been taken into consideration. The applicant has requested the use of a portion of the Azura Amphitheater's parking lot for large recreational vehicle parking; along with a portion of the Agricultural Hall of Fame property for recreational vehicles and primitive camping. These areas are designated on the included site layouts. The Unified Government of Wyandotte County along with the Agricultural Hall of Fame have provided letters of consent granting permission for camping to occur upon their respective properties.

Staff has worked with the Police Department, Fire Department and Public Works Department during this process. Police and Fire have been in contact with surrounding agencies to ensure smooth operations from an emergency service prospective. While this request is in conjunction with a large music festival, the ultimate authority of the Planning Commission lies within the land use aspect only. Staff is furthermore working towards amending the camping regulations as written. The current regulations allow for camping to occur for no longer than 48 hours, the request will be for either 72 or 96 hours, this timeframe is to be determined through further conversations between staff and the festival promoters.

In the City's Unified Development Ordinance, **Section 2.03.B -- 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 when required by the Table of Allowed Uses.

Financial Impact: NA

City of Bonner Springs Agenda Item Cover Sheet

Agenda Item No. 5

CASE #: SUP-01-24
SPECIAL USE PERMIT

Topic: **Public Hearing-** The applicant is requesting approval of a Special Use Permit to allow for overnight camping as allowed on private property as allowed by the Municipal Code of Bonner Springs, Chapter XII; Article 3 – Camping Permits. The overnight camping is associated with the Country Stampede music festival and is to occur on property owned by the Unified Government of Wyandotte County (Azura Amphitheater – 633 N. 130th Street) and the Agricultural Hall of Fame (630 Hall of Fame Drive).

Narrative:

The request is associated with the Country Stampede Music Festival, being the festivals first year in Bonner Springs and the Azura Amphitheater, several items have been taken into consideration. The applicant has requested the use of a portion of the Azura Amphitheater's parking lot for large recreational vehicle parking; along with a portion of the Agricultural Hall of Fame property for recreational vehicles and primitive camping. These areas are designated on the included site layouts. The Unified Government of Wyandotte County along with the Agricultural Hall of Fame have provided letters of consent granting permission for camping to occur upon their respective properties.

Staff has worked with the Police Department, Fire Department and Public Works Department during this process. Police and Fire have been in contact with surrounding agencies to ensure smooth operations from an emergency service prospective. While this request is in conjunction with a large music festival, the ultimate authority of the Planning Commission lies within the land use aspect only. Staff is furthermore working towards amending the camping regulations as written. The current regulations allow for camping to occur for no longer than 48 hours, the request will be for either 72 or 96 hours, this timeframe is to be determined through further conversations between staff and the festival promoters.

In the City's Unified Development Ordinance, **Section 2.03.B--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 when required by the Table of Allowed Uses.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for overnight camping to occur at 633 N. 130th Street and 630 Hall of Fame Drive, with staff recommendations.

Attachments:

Staff Report (4pgs)
Country Stampede Site Layout and descriptions (7pgs)
Unified Government Letter of Consent (1pg)
Agricultural Hall of Fame Letter of Consent (1pg)

CONSIDER APPROVAL OF A SPECIAL USE PERMIT TO ALLOW FOR OVERNIGHT CAMPING ON PRIVATE PROPERTY AS ALLOWED BY THE MUNICIPAL CODE OF BONNER SPRINGS, CHAPTER XII; ARTICLE 3.

MEETING DATE: March 19, 2024
REPORT WRITTEN: March 1, 2024
CASE NUMBER: SUP-01-24

APPLICANT:

- Country Stampede
PO Box 515
Raymore, MO 64083

REQUEST:

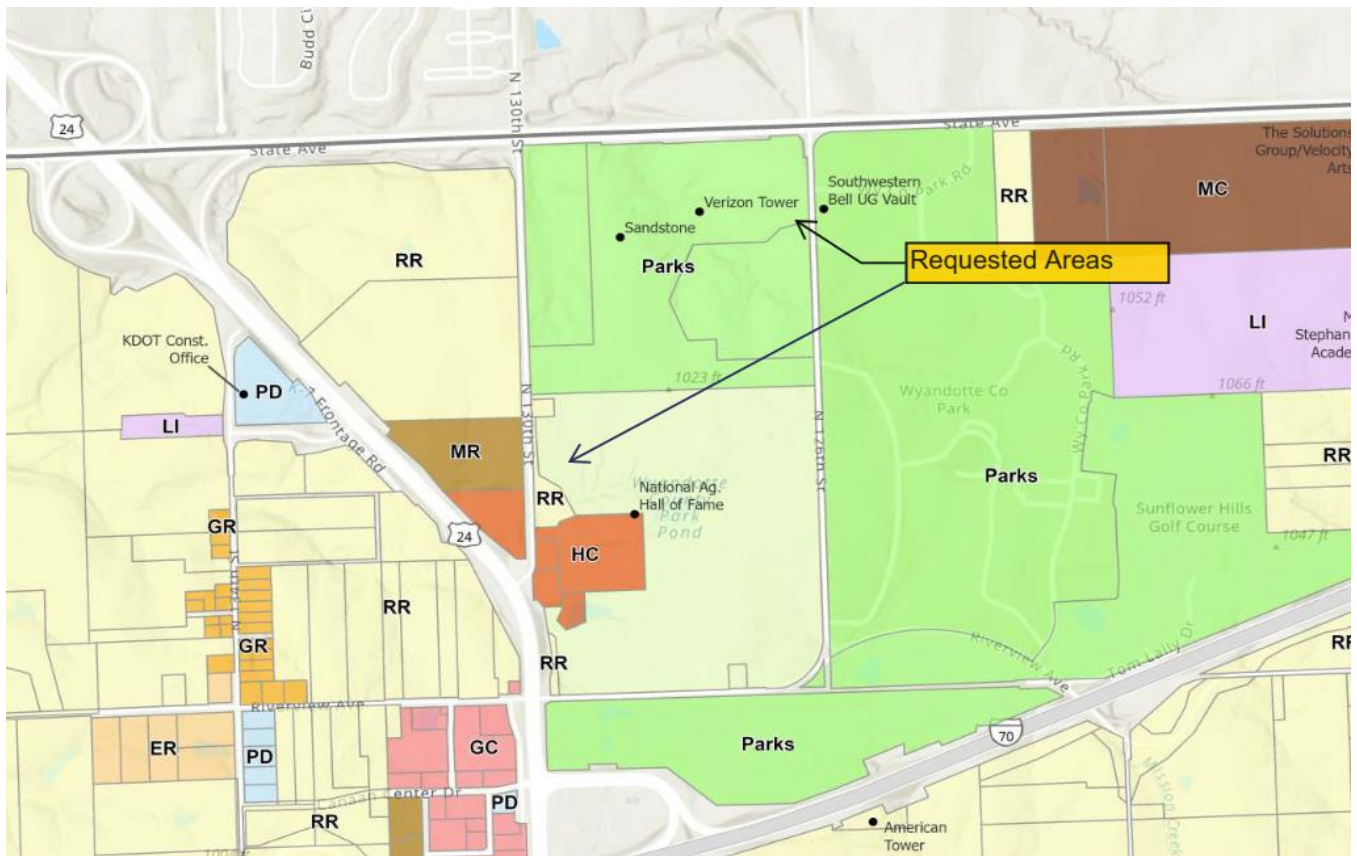
The applicant is requesting approval of a Special Use Permit to allow for overnight camping on private property as allowed by the Municipal Code of Bonner Springs, Chapter XII; Article 3.

ZONING:

The property is currently zoned “RR” Rural Residential District

SURROUNDING ZONING:

North	State Avenue – Kansas City, KS
South	HC – Highway Commercial
East	RR – Rural Residential; Wyandotte County Park
West	MR and RR – Rural Residential (vacant parcels) Mixed Residential (Sandstone Townhomes)



BACKGROUND:

The request is associated with the Country Stampede Music Festival, being the festival's first year in Bonner Springs and the Azura Amphitheater, several items have been taken into consideration. The applicant has requested the use of a portion of the Azura Amphitheater's parking lot for large recreational vehicle parking; along with a portion of the Agricultural Hall of Fame property for recreational vehicles and primitive camping. These areas are designated on the included site layouts. The Unified Government of Wyandotte County along with the Agricultural Hall of Fame have provided letters of consent granting permission for camping to occur upon their respective properties.

Staff has worked with the Police Department, Fire Department and Public Works Department during this process. Police and Fire have been in contact with surrounding agencies to ensure smooth operations from an emergency service perspective. While this request is in conjunction with a large music festival, the ultimate authority of the Planning Commission lies within the land use aspect only. Staff is furthermore working towards amending the camping regulations as written. The current regulations allow for camping to occur for no longer than 48 hours, the request will be for either 72 or 96 hours, this timeframe is to be determined through further conversations between staff and the festival promoters.

In the City's Unified Development Ordinance, **Section 2.03.B--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 when required by the Table of Allowed Uses.



Requirements as enumerated in Section 2.03.B.2; 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 compatibility of the existing and proposed zoning conditions to 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. This use is temporary in nature and shall have no affect on the current zoning or Comprehensive Plan.

2. The ability of the affected Parcel to satisfy the subdivision regulations and Development Standards of these regulations, including any conditional Development Standards required by Section 2.06 below, under the proposed use;

Staff has worked with the festival promoter, emergency services and additional staff to ensure the location will not have a detrimental effect on the surrounding properties. With the special use permit being issued for a limited amount of time, development standards do not play a role.

3. 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 neither contribute to, nor have, a detrimental effect on the general public. The allowance of this special use permit will benefit those festival goers that wish to stay onsite.

4. The impact of the proposed use to the value and enjoyment of surrounding property owners and users;

The property is currently zoned as rural residential but plays host to a variety of music concerts and other entertainment options. The proposed special use will not have any impact on the surrounding property owners' parcels. The majority of which, at this time are vacant.

5. The scale and intensity of the proposed use in relation to the surrounding built and natural environment;

There are sixty-three (63) spaces indicated as being located in the Azura parking lot just west of north 126th Street, designated as "Gold Parking" and an additional 140 spaces located in the northwest corner of the Ag Hall of Fame property, or immediately east of N. 130th Street, designated as "Silver Camping".

The properties in question are large enough to support this temporary use.

6. The impact of the proposed use on the developability of surrounding properties;

The request for camping is temporary in nature and shall have no effect on the developability of the surround properties.

7. The availability and adequacy of required public improvements to serve the proposed use;

The festival organizers have worked diligently with the City to ensure adequate facilities are present. These include portable restrooms, trash receptacles, security lighting towers, wayfinding signage and the stationing of “Camp Hosts” at each camping area.

8. The professional recommendations of the City’s staff and Development Review Team.

Staff recommends the Special Use Permit be approved, with staff recommendations.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-01-24 with the following conditions:

1. All information provided by the applicant in the “Country Stampede Camping Site Plan for Bonner Springs, KS” shall be adhered to.
2. A “Camp Host” shall be present at each camping location entrance for the duration of the event.
3. All spaces shown on the plan shall be labeled, with wayfinding signs provided.
4. The site(s) shall be returned in the condition in which they were provided to the applicant, all temporary trash receptacles shall be emptied and removed, any temporary structures shall be removed, all temporary restroom facilities shall be removed, and general site clean-up shall occur.
5. The Special Use Permit shall be valid for the 2024 edition of the Country Stampede, June 27th through the 29th and is contingent upon revisions to the Camping Ordinance (Ord. 1774)
6. The revocation of the Special Use Permit may occur for a violation of the Unified Development Ordinance as provided in Chapter 2; Section 2.03.B.3.d or a violation of any or all of the conditions set out in the Special Use Permit; and
7. 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.**

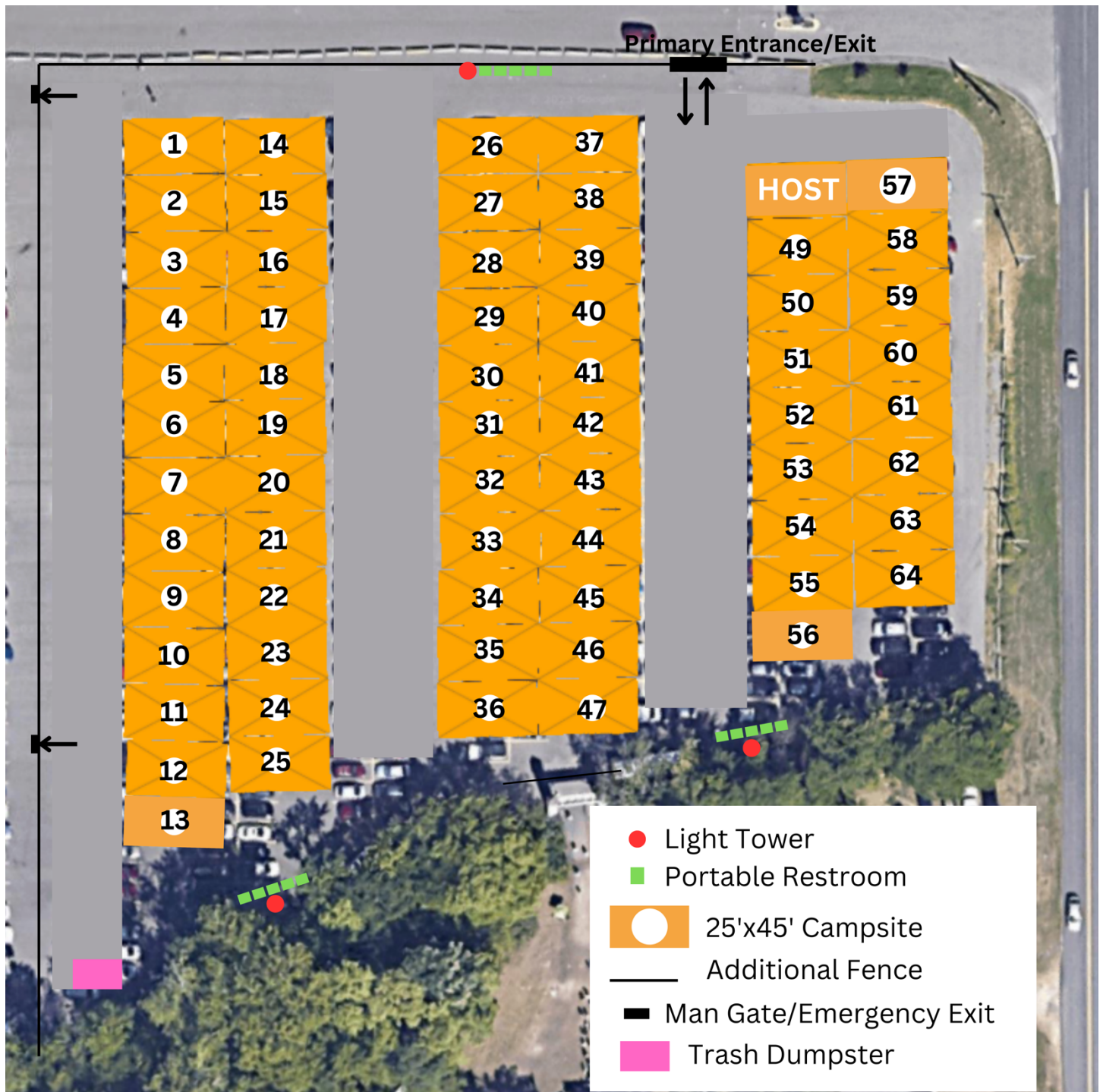


COUNTRY STAMPEDE CAMPING SITE PLAN BONNER SPRINGS, KS

Country Stampede camping is Located in two separate locations at or near Azura Amphitheater

- Location 1: Gold Camping
 - Approximately 63 RV sites.
 - Each site is 25' wide x 45' long.
 - A 25' wide drive is surrounding all RV sites. Allowing easy access for all vehicles and emergency vehicles.
 - There is 55' between each row. Allowing easy access for all vehicles and emergency vehicles.
 - Each site will have 50-amp power supplied by commercial generators provided by a local third-party vendor. United Rental has historically supplied and maintained all generators. UR is licensed, insured and bonded.
 - Water fill and dump service is provided by ORI.
 - All RV parking will be fenced off with three vehicle entrances and exits. One is a primary entrance/exit. Others are for egress and as an emergency exits.
 - Two man-gates are on the west side.
 - A dedicated camp host (employee) is on site 24/7.
 - Host will assist campers with all issues. They will be in direct contact with CS management, security and emergency services.
 - Each site will be marked.
 - Each RV is required to have a placard displayed in the windshield.
 - Gold Camping is located in the Azura Amphitheater Northwest paved parking lot.
 - Campers will enter/exit from 126th Street.
 - Camp Security personnel will be located at each man gate. There will be two roaming Camp Security personnel in addition to the onsite host starting Thursday 6/27 9:00 am and through Sunday 6/30 12:00 pm. Bonner Springs Police Department will have officers driving campgrounds overnight.
 - Trash service will be provided daily. Campers will set trash bags alongside the inner camp roads and Country Stampede staff will pick up twice daily. Trash will be disposed of in the onsite dumpster marked on the map.
 - Portable toilets and hand washing stations are noted on the map.

GOLD CAMPING MAP



- Light Tower
- Portable Restroom
- 25'x45' Campsite
- Additional Fence
- Man Gate/Emergency Exit
- Trash Dumpster

- Location 2: Silver Camping
 - Approximately 140 Camping spots.
 - Each site is 25' wide x 45' long.
 - A minimum 50' between each row. Allowing easy access for all vehicles and emergency vehicles.
 - Sites 1-32 will have 50-amp power supplied by commercial generators provided by a local third-party vendor. United Rental has historically supplied and maintained all generators. UR is licensed, insured and bonded.
 - The rest of Silver is "dry" camping area.
 - Water fill and dump service is provided by ORI.
 - All campsites will be fenced off by actual fencing or tree line with three vehicle entrances/exits. One is a primary entrance off 130th. One is an exit only with access to either 130th or 126th based on traffic patterns. The third is for egress and for an emergency exit.
 - Two man-gates on the north side.
 - A dedicated camp host (employee) will be on site 24/7.
 - The Host will assist campers with all issues. They will be in direct contact with CS management, security and emergency services.
 - Each site will be marked.
 - Each site will have a laminated number marking the camp site.
 - Each camper is required to have their placard displayed in their windshield.
 - Silver Camping is located at Northwest corner of Agriculture Hall of Fame.
 - Campers will enter from 130th Street.
 - Each day at 12:00 pm (noon) 130th Street will be closed north of the Silver Entrance gate. Campers will enter from the South entrance only after 12:00 pm (noon) each day. Campers will exit into the General Admission parking area and exit to 126th after 12pm (noon) each day.
 - Country Stampede will have 1 person by the camping entrance on 130th ensuring only campers turn into Silver Camping area.
 - Country Stampede will work with PD on coning off the far right north bound lane on 130th and placing signs stating "SILVER CAMPING RIGHT LANE ONLY"
 - Camp Security personnel will be located at each man gate. There will be two roaming Camp Security personnel in addition to the camp host starting Thursday 6/27 9:00 am and through Sunday 6/30 12:00 pm. Bonner Springs Police Department will have officers driving campgrounds overnight.
 - Trash service will be provided daily. Campers will set trash bags alongside the inner camp roads and Country Stampede staff will pick up twice daily. Trash will be disposed of in the onsite dumpster marked on the map.
 - Portable toilets and hand washing stations are noted on the map.

SILVER CAMPING MAP



Camping Rules for all campsites

- Each campsite is allowed one sleeping unit and one support (or tow) vehicle.
 - Each campsite is allowed one steering wheel. Motorhomes count as both, the sleeping unit and the support vehicle.
 - One additional support vehicle parking permit is available for purchase.
 - This must remain at the campsite.
 - **Camper's belongings, including camper, tents and vehicles, are required to stay within the 25'x45' camp site. Any items, vehicles, etc. not within the camp site will be removed and secured by camp security.**
- Absolutely **NO** open fires of any kind are allowed.
 - This includes, but not limited to campfires, fire rings, smokeless fire pits and etc.
- BBQ grills are allowed but must be attended when in use. Grills must be attended at all times until cool to the touch. All ashes must be stored in an appropriate container and removed from the site.
- Pets are prohibited in camping, exclusion service animals. ADA Guidelines will be followed.
- **NO** unauthorized aircraft, including drones.
- **NO** weapons are permitted in camping or the festival area.
- **All individuals entering the campground must have a valid ticket to Country Stampede. Anyone found in any camping areas without valid ticket will be removed immediately and are subject to trespassing charges.**
- **NO** ATVs, golf carts, motorcross motorcycles or recreational vehicles are allowed. All non-vehicle machines will be impounded.
- All campers are required to be courteous and respectful to other campers. Anyone deemed abusive or troublesome will be removed immediately from the campgrounds and banned from the festival.
- Minors must be accompanied by at least one parent or legal guardian, campgrounds included.
- Campsites must be kept clean throughout the weekend. All trash and refuse must be bagged and place it alongside the inner camp road for pick up each morning or deposited in waste dumpsters.
- All campsites must be cleaned, and all camping equipment removed by Sunday 12:00 pm. All garbage in trash bags and leave along the road for pick up or deposited in waste dumpsters. **Country Stampede will assess a cleanup fee of \$100 to an individual(s) if site is not found clean and not damaged. The charged will be to the credit/debit card on file.**
- Do not park vehicles on the campground roads. Illegally parked vehicles will be towed, and assessed an impound fee. All campers are asked to observe the NO PARKING and ONE-WAY signs, as well as a 5 mph speed limit. **No incoming traffic allowed after 10pm and before 7am, excluding security, police and emergency services.**
- Unauthorized vending is strictly prohibited inside and outside of the festival, including camping areas.
- **No fireworks and lasers allowed.**
- No overnight parking or camping in Azura parking areas. Vehicles in must be removed by 1:00 am. Vehicles left overnight may be towed and impounded. Vehicle owners are responsible for all tow and impound fees.
- Third party dump and fill services are available at an additional cost. Absolutely no dumping of waste tanks (Grey or Black). **Any person found dumping will be prosecuted,**

removed immediately and banned from the festival.

- Two additional camp security will roam campgrounds by UTV. Security will patrol all areas to ensuring that patrons do not enter Renaissance Festival area and AG Hall of fame property outside of Silver Camping.
- **IF ANY RV AND/OR VEHICLES EXCEEDING THE CAMPSITE DIMENSIONS WILL REQUIRE CAMPER TO PURCHASE AN ADDITIONAL SITE (IF AVAILABLE).**

All patrons camping at Country Stampede will do so at their own risk. Country Stampede, Azura Amphitheater and Agriculture Hall of Fall reserves the right to refuse admission, eject any person violating the facility, local, state, or federal laws or anyone's conduct deemed illegal, disorderly, or offensive by management and or law enforcement. Country Stampede, Kustom Entertainment, Digital Ally, Azura Amphitheater, Agriculture Hall of Fame, Unified Government of Wyandotte County, City of Bonner Springs assume no responsibility of any patrons and visitors.

NO REFUNDS, EXCHANGES OR RETURNS, ALL SALES ARE FINAL



The National Agricultural Center and Hall of Fame
630 North 126th St., Bonner Springs, KS 66012

January 19, 2024

Mark Lee, CPM
Community Development Director
City of Bonner Springs
200 E. 3rd Street
Bonner Springs, KS 66012

Dear Mr. Lee,

The board of directors of the National Agricultural Center and Hall of Fame consent to the use of the northwest portion of our grounds to be used for overnight camping in conjunction with the Country Stampede Concert event being held in the summer of 2024. We have had discussions with the owner of Country Stampede and have reached a mutually beneficial agreement.

If there are any further questions, please reach out to me or Kerry Mueller, secretary of the board.

Regards,

Dave Hurrelbrink
President, Board of Directors
dhurrelbrink1953@gmail.com
913.645.1755

Kerry Mueller
Secretary, Board of Directors
kerry.aghall@gmail.com
913.238.3014



County Administrator's Office

David W. Johnston, County Administrator

701 North 7th St., Suite 945
Kansas City, Kansas 66101-3064

Phone: (913) 573-5030
Fax: (913) 573-5540

February 1, 2024

Mark Lee, CPM
Community Development Director
City of Bonner Springs
200 E. 3rd Street
PO Box 38
Bonner Springs, KS 66012

Re: Letter of Consent for Camping

Dear Mr. Lee:

The Unified Government was delighted to hear that Country Stampede was coming to Azura Amphitheater. I understand that part of the amenities that will be offered to concertgoers will be camping. Specifically, RVs and campers will be in the paved reserved lot of Azura Amphitheater off 126th Street as outlined in the attachments.

Please consider this a letter of consent to allow camping to take place in the reserved lot of Azura Amphitheater from June 27, 2024, up to and including June 30, 2024, as outlined in the attachments and as part of the Country Stampede event. We are hopeful that this event will be highly successful and will make Bonner Springs its permanent home.

Sincerely,

David Johnston
County Administrator

Cc: Angel Ferrara, Director of Parks and Recreation

Memorandum

Date: March 19, 2024
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING – Special Use Permit – SUP-02-24 – Ad Trend, Inc. – Consider a request for an amendment to a SUP-05-23 – the applicant is seeking an amendment to a previously approved special use permit – the request is to allow for the alteration of a recently approved billboard from a static display to a digital format that will allow for more advertising and automatic scrolling.

Recommendation: Staff recommends that the Planning Commission approve the Special Use Permit to allow for the installation of digital sign faces upon the approved billboard; located at 14110 Minnesota Avenue, with staff recommendations.

Action: Approve, Amend or Deny the Special Use Permit request.

Background: Staff report is included within the packet.

Discussion: The subject property is located within the boundaries of 14110 Minnesota Avenue and leased by Ad Trend, Inc.

In the City's Unified Development Ordinance, Section 2.03.B states –

- (1) The purpose of this Section 2.03.B is to provide a process for reviewing and approving Special Use Permits (SUPs) when required by the Table of Allowed Uses established in Section 2.05 below.
- (2) Uses requiring a SUP are dissimilar to other uses permitted within a given zoning district, or are uses in which the product, process, mode of operation, or nature of the use may prove detrimental to the health, safety, or welfare of the surrounding built and natural environment

Billboards are allowed via Special Use Permit within the LI "Light Industrial" Zoning District. This applicant is currently approved under SUP-05-23. While requirements for digital display billboards are not located within the Zoning Regulations currently, Special Use Permits can allow deviations from the approved Zoning Regulations by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body.

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 6

CASE #: SUP-02-24
SPECIAL USE PERMIT

Topic: **Public Hearing-** The applicant is requesting approval of a Special Use Permit to allow for the installation of a digital display on the recently approved billboard at 14110 Minnesota Avenue..

Narrative:

The subject property is located within the boundaries of 14110 Minnesota Avenue and leased by Ad Trend, Inc.

In the City’s Unified Development Ordinance, Section 2.03.B states –

(1) The purpose of this Section 2.03.B is to provide a process for reviewing and approving Special Use Permits (SUPs) when required by the Table of Allowed Uses established in Section 2.05 below.

(2) Uses requiring a SUP are dissimilar to other uses permitted within a given zoning district, or are uses in which the product, process, mode of operation, or nature of the use may prove detrimental to the health, safety, or welfare of the surrounding built and natural environment

Billboards are allowed via Special Use Permit within the LI “Light Industrial” Zoning District. This applicant currently approved under SUP-05-23. While requirements for digital display billboards are not located within the Zoning Regulations currently; Special Use Permits can allow deviations from the approved Zoning Regulations by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for the installation of digital sign faces upon the approved billboard; located at 14110 Minnesota Avenue, with staff recommendations.

Attachments:

Staff Report (5pgs)

Ordinance approving SUP-05-23 (1pg)

Image of proposed sign (1pg)

Bonner Springs – Edwardsville Chamber of Commerce Letter of Support (1pg)

Bonner Springs Economic Development Coordinator Letter of Support (1pg)

CONSIDER APPROVAL OF A REVISION TO SPECIAL USE PERMIT – 109 TO ALLOW FOR THE INSTALLATION OF A DIGITAL DISPLAY ON THE SOUTH FACING SIDE OF THE CURRENT SIGN, 12700 KAW DRIVE WITHIN THE I-1 ZONING DISTRICT.

MEETING DATE: March 19, 2024
REPORT WRITTEN: March 11, 2024
CASE NUMBER: SUP-02-24

APPLICANT:

- Ad Trend, Inc.
14450 S. 71 Highway
Kansas City, MO 64147

REQUEST:

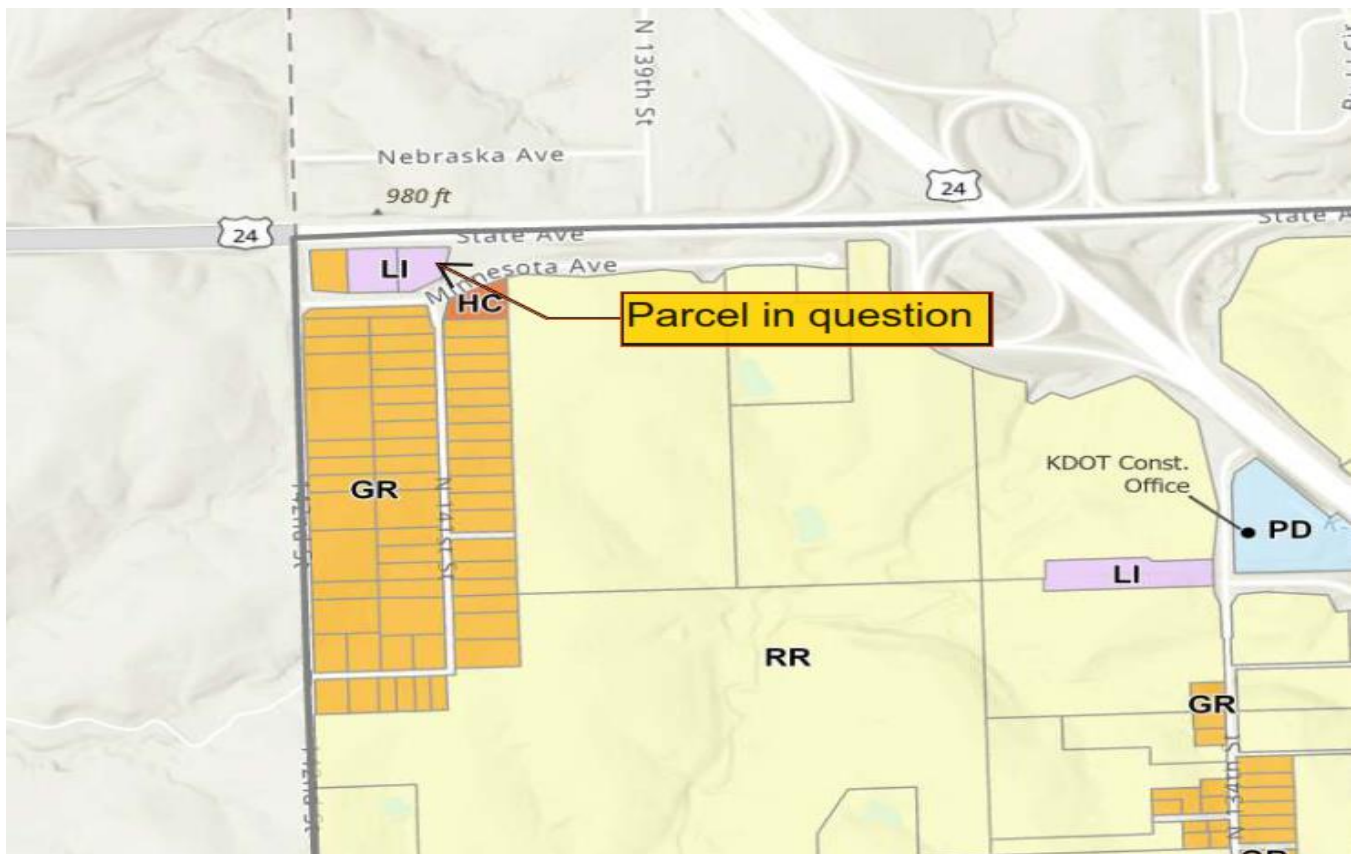
The applicant is requesting approval to amend their current Special Use Permit to allow for the installation of a digital face on the display area of the sign approved through SUP-05—23, located at 14110 Minnesota Avenue.

ZONING:

The property is currently zoned “LI” Light Industrial District

SURROUNDING ZONING:

North	State Avenue – Kansas City, KS
South	“GR” General Residential
East	No Zoning – no parcel
West	“LI” Light Industrial



BACKGROUND:

The subject property lies on the south side of State Avenue and north of Minnesota Avenue, east of 142nd Street with a property address of 14110 Minnesota Avenue.

In the City’s Unified Development Ordinance, Section 2.03.B states –

- (1) The purpose of this Section 2.03.B is to provide a process for reviewing and approving Special Use Permits (SUPs) when required by the Table of Allowed Uses established in Section 2.05 below.
- (2) Uses requiring a SUP are dissimilar to other uses permitted within a given zoning district, or are uses in which the product, process, mode of operation, or nature of the use may prove detrimental to the health, safety, or welfare of the surrounding built and natural environment.

Billboards are allowed via Special Use Permit within the LI “Light Industrial” Zoning District. Special Use Permits can allow deviations from the approved Zoning Regulations by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body.

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 Section 2.03.B.2; 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 current use (billboard) is allowed by special use permit in the LI, Light Industrial District, the addition of a digital face would be an allowed use under the use limitations stated below.

Outdoor Advertising Signs:

- (a) **Height:** No billboard shall exceed twenty (20) feet in height unless additional setbacks, measured from the ultimate right-of-way line on a one (1) foot vertical to a two (2) foot horizontal basis, to a maximum of thirty (30) feet);
- (b) Billboards or Advertising Signs in the LI and HI Zoning Districts are permitted by special use.
- (c) All other conditions of approval for the outdoor advertising sign (billboard) have been addressed with the previously approved location.

New: The Kansas Department of Transportation, Bureau of Right of Way, Outdoor Advertising, has evaluated the billboard location and is requiring the applicant to submit a Kansas Department of Transportation, Sign Application for approval prior to any construction. The Kansas Highway Advertising Control Act was amended on July 1, 2006 now requires all outdoor advertising companies to submit an application and shall receive an approved permit approval prior to commencing construction of any new sign (billboard) after that date. Due to this new KDOT requirement, a Sign Application must be submitted and a permit must be issued by KDOT, Bureau of Right of Way, Outdoor Advertising, prior to releasing a construction permit by the City.

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 neither contribute to, nor have, a detrimental effect on the general public. Per the requirements of the Special Use Permit the sign shall be located no nearer than 150 feet of a non-commercial use or Zoning District other than LI (Light Industrial) or HI (Heavy Industrial).

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 property is currently zoned as industrial. The property, in its current state, is housing industrial type equipment and located directly adjacent to a regional highway (US 24/40 – State Avenue). In its current location it will not have an impact on surrounding properties or neighborhoods.

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 location and size of the approved Special Use Permit shall not change (dimensions listed above). The existing grade at the subject site is fairly flat, there are no buildings present on the site, fencing is 6-foot chain link with a barbed wire top.

There are neighboring industrial structures but the parcel in general is used for storage of vehicles associated with the property owner's business.

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

The site is being utilized for storage of equipment associated with Pendergraft Erection Services, LLC. With no physical structure on-site, no landscaping is required.

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;

None is required, as no staff nor visitors should be on-site unless the sign is being installed or repaired.

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

All of the above will be or currently are 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.

Access is provided through the parcel upon which the sign will be located (14110 Minnesota Avenue).

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-02-24 with the following conditions:

1. All requirements of the currently approved SUP-07-22 shall apply where applicable.
2. Provide a copy of an approved Sign Permit from the KDOT, Bureau of Right of Way, Outdoor Advertising, along with one (1) set of signed and sealed construction plans reflecting the the installation of the digital display and a building permit application to the Planning Department for the City Planner and Building Officials review and approval;
3. The digital sign may not contain or display flashing, intermittent or moving lights, including animated or scrolling advertising.
4. The images appearing on said digital display must remain in a fixed position for a minimum of eight (8) seconds. (KDOT)
5. If a message is changed electronically, it must be accomplished within an interval of two seconds or less; (KDOT)
6. The sign is not placed within 1,000 feet of another automatic changeable facing sign on the same side of the highway, with the distance being measured along the nearest edge of the pavement and between points directly opposite the signs along each side of the highway; (KDOT)
7. If the sign is a legal conforming structure it may be modified to an automatic changeable facing sign upon compliance with these standards and approval by the department. A nonconforming structure shall not be modified to create an automatic changeable facing sign; (KDOT)
8. The sign contains a default design that will freeze the sign in one position if a malfunction occurs (KDOT)
9. The revocation of the Special Use Permit may occur for a violation of the Unified Development Ordinance as provided in Chapter 2; Section 2.03.B.3.d of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit; and
10. The Special Use Permit to be valid for an indefinite period of time unless:
 - a. The subject property is sold, or
 - b. The operation of such use by the owner designated in the permit is discontinued for more then 12 months.
11. 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.**

If approved this item will proceed to the April 8, 2024 City Council meeting for final action



ORDINANCE NO. 2563

An Ordinance to approve a Special Use Permit for Ad Trend Inc. under SUP-05-23. This Special Use Permit is to allow for the installation of an Outdoor Advertising Sign (billboard) as allowed for in the I-1; Light Industrial zoning district at 14110 Minnesota Avenue.

Be it ordained by the Governing Body of the City of Bonner Springs, Kansas:

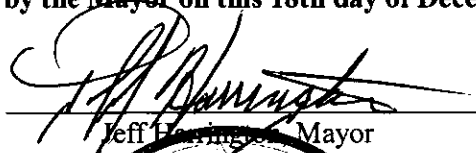
SECTION I: That the Official Zoning Map be amended to indicate a Special Use Permit for 14110 Minnesota Avenue for Ad Trend, Inc.; approved under SUP-05-23 allowing for the installation of an Outdoor Advertising Sign (billboard) as allowed in the I-1; Light Industrial zoning district.

The approval of SUP-05-23 is subject to the following six (6) conditions:

1. Provide a copy of an approved Sign Permit from the KDOT, Bureau of Right of Way, Outdoor Advertising, along with one (1) set of signed and sealed construction plans reflecting the the installation of said outdoor advertising sign and a building permit application to the Communnity Development Department for review and approval;
2. The sign shall not be placed within 1,500 feet of another outdoor advertising sign on the same side of the highway, with the distance being measured along the same side of the street;
3. The sign shall not be constructed neared than 150-feet of a noncommercial use nor in any zoning district other than I-1 and I-2
4. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 8, Article XXVII of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit; and
5. The Special Use Permit to be valid in perpetuity unless:
 - a. The subject property is sold, or
 - b. The operation of such use by the owner designated in the permit is discontinued for more than 12 months.
6. 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.

Section II: This ordinance shall be in full force and effect after passage and publication in the official city newspaper.

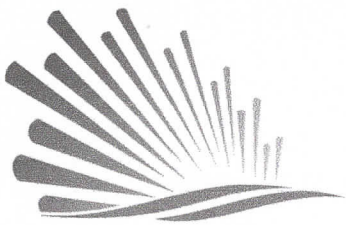
Approved by the Governing Body and signed by the Mayor on this 18th day of December, 2023.


Jeff Hering, Mayor

ATTEST:


Christina Brake, City Clerk





BONNER SPRINGS/EDWARDSVILLE
AREA
C H A M B E R O F C O M M E R C E
P. O. Box 548, 309 Oak Street, Bonner Springs, KS 66012 · 913-422-5044

January, 9 2024

Ad-Trend, Inc.
Attn: Deb Brobst
14450 S. U.S. 71 Hwy
Kansas City, MO 64147

Dear Deb & Ad-Trent team,

On behalf of the Bonner Springs-Edwardsville Area Chamber of Commerce, please consider providing (2) digital billboards that would majorly enhance our downtown visibility and special events attendance. The Chamber, Shop Bonner Merchants' Group and the City of Bonner Springs have been working incredibly hard to provide a variety of events for our community and outside guests to enjoy! You can find monthly Sip N Shops, 4th of July Bonner Blast, Annual Tiblow Days Festival, Christmas Ornament Crawl, Mayor's Christmas Tree Lighting, Valentine's Chocolate Crawl and more.

The digital billboards would be the perfect addition and alternative advertising for Bonner Springs' businesses with an emphasis on our downtown businesses. It's great location opportunities at 14110 Minnesota and at K32 and K7. We are confident that an array of businesses in our community will be interested in advertising with you.

Thank you for your time and consideration. Please let me know if you have any questions or needs. We look forward to working with you!

Respectfully,

Emily Blanks
Executive Director
913.626.2998



City of Bonner Springs
CITY MANAGER'S OFFICE

To Whom it May Concern:

On behalf of the City of Bonner Springs, we are providing this letter in support of Ad-Trend and their investment of a digital sign for advertising at K-7 and K-32 and 14110 Minnesota in Bonner Springs. As a city, we would utilize the sign for community events, city services and programs. We have a weekly farmers' market that would be ideal for the signage to promote the easy access to local, fresh foods. We also have numerous events in our downtown that promote shopping locally and local merchants that would be a great use for the sign. Bonner Springs is also home to many travel and tourism opportunities and the signage would be a great resource for attractions including Azura Amphitheater, The KC Renaissance Festival, The National Agricultural Hall of Fame and ZipKC.

I work with our local merchants to promote our charming downtown and they are very interested in the option to use digital signage on a billboard to promote their businesses. There are many opportunities between services, retail and food-based businesses for promotion.

We encourage you to support Ad-Trend's efforts to and we encourage further investment in this type of technology the immediate area. We have waited for a long time to get the digital board online and we would like to use it as soon as possible in 2024. If you have questions, please do not hesitate to contact me.

Megan Gilliland
Economic Development Coordinator
City of Bonner Springs
mgilliland@bonnersprings.org
(913) 276-8724

Memorandum

Date: March 19, 2024
To: Mayor and City Council
From: Mark Lee

Subject: Appointment of Planning Commission Secretary

Recommendation: Staff would recommend approval of Larissa Phillips as the Planning Commission Secretary

Action: Approve the recommendation made by the Community Development Director

Background: The Community Development Director is finding it increasingly difficult to conduct a meaningful and informative meeting while fulfilling the duties of the Planning Commission Secretary and Community Development Director at the same time during a meeting.

Discussion: The Community Development Director is finding it increasingly difficult to conduct a meaningful and informative meeting while fulfilling the duties of the Planning Commission Secretary and Community Development Director at the same time during a meeting.

Financial Impact: NA