



City of Bonner Springs

KANSAS

Tuesday, January 18, 2022

200 East Third Street, Bonner Springs, KS 66012

The meeting is open to the public. Online or phone observation is available but does not enable participation in the meeting.

We will follow safety precautions recommended by the Centers for Disease Control and Prevention, the Kansas Department of Health and Environment, and local health officers. Attendees are required to wear masks and observe proper social distancing. If you are exhibiting symptoms of illness, think you may have been exposed to illness or would prefer to listen online please use the instructions below.

PLANNING COMMISSION MEETING - 7:00PM

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of minutes from the November 16, 2021 meeting

Action

Recommendation

Documents:

1. PC Minutes 11.16.21 draft

UNFINISHED BUSINESS

1. Tabled item LS-03-21, Lot Split for 1201 S. 138th Street

Action

Consider a Lot Split- Consider a Lot Split presented by Atlas Land Consulting; on behalf of the property owners, Keith L. Roberts Revocable Trust (Copher's) - The applicant is proposing to split an existing tract/parcel (Tract 2) and create a new parcel (Tract 1).

Recommendation

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

1. Ten (10') feet of additional right of shall be dedicated along South 138th Street, for future expansion and widening.

2. Twenty (20') feet of additional right of way shall be dedicated along Metropolitan Avenue, for future expansion and widening.

3. 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.

4. After approval, resubmit (2) 24" x 36" signed/sealed paper copies of the revised Lot Split drawings for Planning Commission signatures for filing;

5. 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

6. No building permits shall be issued until the City of Bonner Springs has received a copy of the filed Lot Split.

Documents:

1. LS-03-21 Complete Agenda item

NEW BUSINESS

1. Site/Landscape Plan – ST-07-21

Action

Consider a site and landscape plan for Lot 3 of the Compass 70 Logistics Center.

Recommendation

Staff recommends the Planning Commission approve the site and landscape plan for Lot 3 of the Compass 70 Logistics Center with the stipulations listed in the Staff report.

Documents:

1. 1. ST-07-21 - Compass 70 - Complete Agenda Item

2. PUBLIC HEARING – BSCP-01-21 - Comprehensive Plan Change Request

Action	PUBLIC HEARING-Consider a request to amend the Bonner Springs Future Land Use Map as currently indicated within the Comprehensive Plan for the property address of 1401 S. 130 th Street.
Recommendation	Staff recommends that the Future Land Use Map be amended to reflect the proposed industrial use for the parcel, 1401 S. 130 th Street. The proposed alignment of the Nettleton Avenue extension, as indicated in the Future Transportation Map, should be taken into account and potentially used as a dividing line between future uses.

In Staff's opinion the existing industrial use to the east makes development of that area east of the proposed Nettleton Avenue a logical area for more intense land uses while the change in elevations moving westward and north would protect those less intense uses (multifamily and commercial) from the proposed industrial uses.

If recommended for approval to the Governing Body; Staff recommends the following stipulations:

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.
2. A rezoning of the property in question shall take place prior to the Future Land Use Map being officially amended
3. Developer shall be responsible for the extension of services including but not limited to, sanitary sewer, water, other public utilities as well as the extension of Nettleton Avenue.
4. A preliminary and final plat adhering to the requirements of the Bonner Springs Subdivision Regulations shall be submitted and approved by the City prior to building permits being issued.
5. Any and all construction drawings shall be submitted to the City for review and approval prior to site improvements commencing
6. A Privately Funded Public Improvements construction agreement shall be prepared and approved by all parties prior to commencement of construction on such improvements.
7. The final plat shall be recorded with the Wyandotte County Register of Deeds.
8. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

Documents:

1. Complete Agenda Item-K7 and Nettleton-BSCP

3. PUBLIC HEARING – BSRZ-03-21 - Request for Rezoning

Action **Consider a request** for approval of a zoning change from A-1 (Agricultural District) and C-2 (General Business District) to the zoning category of I-1 (Light Industrial) at 1401 S. 130th Street.

Recommendation Staff recommends approval of the rezoning for 1401 S. 130th Street from A-1 (Agricultural District) and C-2 (General Business) to I-1 (Light Industrial) as presented, Staff would further recommend the following if the request is approved by the Commission.

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.

2. Developer shall be responsible for the extension of services including but not limited to, sanitary sewer, water, other public utilities as well as the extension of Nettleton Avenue.

3. A preliminary and final plat adhering to the requirements of the Bonner Springs Subdivision Regulations shall be submitted and approved by the City prior to building permits being issued.

4. Any and all construction drawings shall be submitted to the City for review and approval prior to site improvements commencing

5. A Privately Funded Public Improvements construction agreement shall be prepared and approved by all parties prior to commencement of construction on such improvements.

6. The final plat shall be recorded with the Wyandotte County Register of Deeds.

7. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs

Documents:

1. Agenda Item-K7 and Nettleton-RZ-Revised 1.14.22

4. PUBLIC HEARING – BSZO-02-21 – Zoning Ordinance amendments

Action **Consider Zoning Ordinance amendments** allowing for Accessory Building size restrictions, Accessory Dwelling Units and Architectural Design Standards. Staff and Planning Commission have discussed the proposed ordinances over two separate workshops that would:

1. Restrict accessory building size within certain residentially zoned properties;

2. Allow for Accessory Dwelling Units

3. Implement Architectural Design Standards for Multi-family residential buildings, commercial buildings and industrial facilities

Recommendation

1. Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District), R-1 (Single Family Residential District), R-1A (Residential Special District), R-2 (Duplex Residential District), R-3 (Multi-Family Residential District), M-P (Manufactured Home Park District), M-H (Manufactured Home Subdivision District) and MX (Mixed Use District).

2. Staff recommends the Planning Commission approve the proposed regulations that will amend Article XXII by adding Section 4, Accessory Dwelling Units and Article XXVIII; Section 3 Definitions.

3. Staff recommends the Planning Commission approve the Zoning Ordinance amendment to Section XXII, Supplementary District Regulations; regarding architectural design standards for certain zoning districts throughout the city.

Documents:

1. Accessory Building Complete Agenda Item
2. ADU Complete Agenda Item
3. Architectural Design Standards Agenda Complete Agenda Item

OPEN AGENDA

CITY PLANNER'S REPORT

1. City Planner's Report

Action None

Recommendation None

Documents:

MINUTES – 11.16.2021 – DRAFT
BONNER SPRINGS PLANNING COMMISSION MEETING
Tuesday, November 16, 2021 – Regular Meeting – 7:00 p.m.

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

ROLL CALL

Planning Commissioners Present: Paul Zeps; Lloyd Mesmer; Sherri Neff; Nick Perica; Vince Bombardier; Larry Clark, Greg Gebauer

Absent: – none

Quorum Established

Staff Present: Mark Lee, City Planner

2. **CONSENT**

Item #1 – Approval of Minutes of September 21, 2021 Planning Commission meeting

Chair Gebauer introduced the Consent Agenda Item #2. Commissioners were awarded time to comment or ask questions. There were no comments or questions.

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

Chair Gebauer asked for those in favor of the motion to state “aye”.

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

NAY – None

MOTION PASSED 7 – 0

3. **UNFINISHED BUSINESS**

None at this time

4. **NEW BUSINESS**

Agenda Item # 4– LS-03-21 – Lot Split – Copher - The applicant is requesting a Lot Split presented by Atlas Land Consulting; on behalf of the property owners, Keith L. Roberts Revocable Trust (Copher’s) - The applicant is proposing to split an existing tract/parcel (Tract 2) and create a new parcel (Tract 1). Chair Gebauer introduced New Business Item #4 and called for a staff report.

Staff reviewed the report stating that the applicant was wishing to split the parent parcel in order to square the northern piece up. This would in turn leave the parent parcel consisting of 43 acres more or less and the new parcel would in turn consist of 16 acres more or less.

Commissioner Zeps stated that Mr. Roberts (property owner) was a close family friend and that if item became contentious he would recuse himself and abstain from any voting. He further stated that he initially did not see any reason he would need to do so.

Chair Gebauer asked if any Commissioners had questions of Staff; there were none at that time.

Chair Gebauer asked if there were any questions for the applicant, the applicant, as stated on the application, was not present but the property owner, Mr. Keith Roberts was. Mr. Roberts approached the podium to provide comment. Mr. Roberts spoke about the dimensions of the parcel, stating that most other parcels in the area were approximately one half mile (1320') deep. He further stated that the property was recently purchased from Mr. Owens and that Mr. Owens was not sure why the northern parcel stopped short and did not continue to the eastern property line. Mr. Roberts questioned why the City would request additional public rights of way, he stated, "as a fee, I guess you could call this, they want ten feet of right of way added to the 1200 and some odd feet, and then they want an additional twenty feet along Metropolitan." Mr. Roberts stated he didn't understand why the City would make this request he was only attempting to square up the northern parcel.

Mr. Roberts then asked if anyone could explain the reasoning behind this request. Staff explained the review process and how lot splits; plats and similar land development applications are reviewed by the Design Review Team, consisting of the City Engineer, Public Works Director, City Planner and others. During the review process we look to our Comprehensive Plan and any ongoing plans. Within the Comprehensive Plan we indicated both Metropolitan and 138th Street to be improved to arterial status, Staff further stated we were currently wrapping up plans and had obtained funding for improvements on the southern end of 138th Street and intended to proceed with those improvements soon. It was added that requesting rights of way, utility easements and the like is common planning practice from a City standpoint. As projects similar to this come forward; it is Staff obligation to utilize approved future land planning documents to make informed decisions and requests.

Commissioner Clark asked that as funding becomes available and we continue to improve 138th Street going north, properties that had not dedicated public right of way would have it "taken" by the City. Staff stated there are typically several steps and other processes that Cities can utilize in order to acquire right of way, including a simple request for dedication, purchasing or condemnation. Mr. Roberts stated he would be happy to do that when the time comes and still could not understand why the back corner of the property had anything to do with additional right of way along the front.

Commissioner Zeps stated he was finding it difficult to determine what the current layout of the parcels was. The documents submitted for review indicated the proposed layout; the existing parcel lines were lighter in color and somewhat difficult to see. Staff indicated what the current layout was via another image from the Wyandotte County GIS.

Mr. Roberts then proceeded to talk about how the addresses for the parcels had been switched at some point in time; this was also noted by the title company during sale/purchase. Mr. Roberts said no one that he had spoken with knew why the parcel was so oddly shaped, but at one point in time the property was owned by the Bonner Springs Saddle Club.

Commissioner Zeps proposed a general comment, "When we start talking about things like eminent domain, payments and things like that, I am in dangerous close territory and so my general comment would be; that if someone knows things are going to go in, and that eminent domain or payments may be made a later date, I don't know that I would acquiesce to anything like that quietly either if I'm being asked to give it free or that someone may have to pay me for it later, a little bit of a no-brainer."

Mr. Roberts reiterated that every parcel up and down 138th Street was 1320 feet deep and they were only coming in to square this northern parcel up and didn't understand why the city would "hold him hostage" by making the request for additional right of way. He further stated that this request "just caught him wrong".

Commissioner Bombardier asked Staff if this was normal practice when property is replatted or reconfigured to incorporate the future visions. Staff stated yes, this was common practice, looking at the future goals and plans of the City, whether they are transportation, utility or otherwise and to put in place items like future rights of way, utility easement or similar when possible. Commissioner Bombardier stated "this isn't a one off occurrence, it is common practice with a focus toward the future", Staff responded 'yes'.

Mr. Roberts said; “the problem is they have plans, so are these plans ten years? Twenty years? And they want this frontage now?” Staff, spoke to the fact these types of processes are typically the easiest and most advantageous ways for Cities to gain additional rights of way or utility easements, it is common practice and part of the planning process. Staff stated, ‘to Keith’s point, it may be fifty years, and that we may have right of way dedicated for years prior to actual construction, in this instance it would depend on how much development occurred to the north. In theory this right of way may go unused for five or more years, but that we have planned improvements for this roadway and are moving forward with improvements to the south currently.’ Mr. Roberts said, I can appreciate that but I do not see what this has to do with the back corner of the property.

Commissioner Clark asked for clarification, the right of way that we are talking about is along Metropolitan and 138th Street, Staff responded ‘yes’ that is correct.

Staff spoke to the fact that Mr. Roberts had asked prior to the meeting what our intentions were with other neighboring properties, how would we acquire that right of way? Staff stated they did not know at this time how things would proceed. Staff further explained that if an individual requested to plat an eighty (80) acre subdivision in the area, we would require the additional right of way from them as well.

Mr. Roberts stated, “I’m not trying to gain on this; whatever that frontage would be nothing to me, I gave this City a ten acre prime piece of property along K-7 to make a park out of many years ago, it’s the idea, why do I have to give up property for something that we don’t know when and if it’s ever going to happen and then if you put new fences out there you have to set them back, what does that corner have to do with 138th Street, nothing. I’m going to tell you all right now, I’m not going to do this and if the City wants to get nasty with me, they aren’t going to be able to afford what I do. I think all you guys know me and it won’t be pretty.”

Vice-Chair Zeps stated he most certainly abstains.

Chair Gebauer asked Mr. Roberts, since he stated he was not going to do this, did he mean the Lot Split all together or continue with the Lot Split minus the request for additional right of way. Mr. Roberts stated yes, that his intent was to go through with the Lot Split but he was not in agreeance with request for additional right of way. Mr. Roberts stated that when they first approached the City, no one had mentioned that in order to do the Lot Split, the City was going to require the dedication of additional right of way. Mr. Roberts went on to state that 138th Street does need to be four lanes or definitely widen because there are so many school kids on it and hills are steep.

Commissioner Clark asked Mr. Roberts if he had concerns with any of the other Staff recommendations, he asked about the comment from the County; stating ownership had changed since first submitted and needs to reflect the current owner, Keith L. Roberts Revocable Trust. Mr. Roberts stated he had the deed which indicated he was the owner. He then asked Staff if the property was still in Mr. Owens name when it was submitted, Staff stated, yes it was.

Mr. Roberts stated that he just wanted it approved the way it had been submitted and that if the City wanted to hold him up on it, then that is just the way it is and he would just leave it the way it is currently.

Vice-Chair Zeps stated that it appeared as though everyone went into this thinking that their requests were just basic requests and it has gone beyond that now. Perhaps tabling the item for now and going back into discussions to see how committed everyone is to their side as far as what the requests were. He further stated that no one seemed to be in a hurry to proceed as the Lot Split did not stop anyone from proceeding.

Mr. Roberts said he could not believe that every lot split or similar item has these same requirements, Staff stated, yes they do, again it is common practice to preserve open space, rights of way and other items necessary for the future growth of the City. Mr. Roberts asked Staff what the law said about this, Staff stated they were not a lawyer and could not answer that question, but Staff did state that if the road was shown to be improved at some point in time then the request/recommendation would be made in the same manner.

Chair Gebauer asked how the Commission would like to proceed. Commissioner Clark made a motion to **TABLE** the item, a second on the motion was made by Commissioner Perica; Staff stated that item would be tabled until the January meeting if the motion passed. Staff further stated that they would gather the Design Review Team and discuss options regarding the dedication of public right of way.

Chair Gebauer called for a vote.

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

NAY – None

ABSTAIN - Zeps

MOTION PASSED 6 – 0 – 1

Agenda Item # 5– SUP-05-21 – Special Use Permit – Mikes Rentals – 231/233 W. Insley Avenue

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

Staff reviewed the report and explained the requested Special Use Permit; Staff explained that within the R-1A, Residential Special District there are allowances for multiple types of residential dwellings including single family, two family and multi-family. Staff stated the applicants' intent was to construct two, two-family dwelling units (2 duplexes). Staff discussed the proposed location, the surrounding area and how these two duplex units may fit in to the neighborhood. Staff stated they had also driven to and through the area and came to the conclusion that there was currently several types of dwellings within the block – 2 multi-family buildings, several single family dwellings and other civic/social uses nearby and that the addition of two new duplex units would fit within that area based on the number of different uses in place currently. Staff further explained that the only way two family dwellings were allowed to be constructed was through a Special Use Permit.

Chair Gebauer asked the Commissioners if there were any questions of Staff. Commissioner Mesmer spoke regarding one of the aerial images that were provided in the packets. He stated that it appeared to him as though an existing driveway was encroaching upon one of the lots in question. Staff explained that that while GIS mapping is an excellent source of visual representation, it was difficult to project property lines evenly upon a satellite image and the majority of the time those property lines are not accurate and the aerial images were for references only.

Chair Gebauer asked if there were any further questions for Staff, there being none, Chair Gebauer asked for a motion to open the Public Hearing; Vice-Chair Zeps made a motion to **OPEN** the Public Hearing with Commissioner Clark **SECONDED**.

Chair Gebauer asked if any Commissioners had questions of the applicant; Staff stated that he believed the applicant was present but in fact they were not. The Commissioners had no questions of the applicant, Chair Gebauer asked if anyone from the public wished to speak in favor or against the requested Special Use Permit, there were none.

Chair Gebauer asked for a motion to close the Public Hearing, Vice-Chair Zeps made a motion to **CLOSE** the Public Hearing, Commissioner Clark **SECONDED**. Chair Gebauer asked the Commissioners if they had any further questions or discussion, being none a motion was made by Commissioner Clark to **APPROVE** the requested Special Use Permit with Staff recommendations, Vice-Chair Zeps **SECONDED**.

Chair Gebauer asked for a vote.

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

NAY – None

MOTION PASSED 7 – 0

Agenda Item # 6– BSRZ-02-21 – Rezoning – Sandstone Townhomes – 546 N. 130th Street

Chair Gebauer introduced New Business Item #6 and called for a staff report.

Staff explained the location of the requested rezoning and what the project was to entail. Staff explained that the rezoning request was from the blanket zoning of A-1, Agricultural to that of R-3 Multi-Family Residential District. Staff stated the property was currently vacant and had been that way for quite some time.

Chair Gebauer asked for a motion to open the Public Hearing, Commissioner Clark made a motion to **OPEN** the Public Hearing with Commissioner Neff **SECONding**.

Chair Gebauer asked if there were any questions of Staff. Commissioner Bombardier stated that in Staff recommendations he noticed that a Traffic Impact Study was being requested; Commissioner Bombardier asked who conducted these for us. Staff stated that it was in fact the developer that is responsible for these studies. Staff stated they were provided a Scope of Service from the developers' team and in turn Staff reached out to the City Engineer and KDOT to verify the Scope would suffice all parties involved.

Chair Gebauer asked if the applicant wished to speak, at that time they chose not to, Chair Gebauer then asked if there were any questions of the applicant. Vice-Chair Zeps indicated concerns with the traffic, knowing what the traffic is like currently during events in the area, he voiced concerns over what the impact of an additional 140 units may have.

Commissioner Mesmer spoke about the past development challenges. Commissioner Mesmer asked about further development of the surrounding property and how placing multi-family dwellings in this area may impact further development or aid in it. Commissioner Mesmer asked what if light industrial development was to look into moving into that area what impact would have, negative or positive.

Staff stated that in their opinion, if this rezoning were to be approved and the project moved forward that it would set the precedence of what further development to the north would look like. Staff stated the area could develop in a more mixed use manner by potentially providing office or retail space, possibly small commercial developments, etc. Staff did state, in some areas of the Metro, light industrial is being placed directly next to multi-family developments, developments that are in essence planned that way and being built by the same developers not after the fact.

Dave Hurrelbrink – Chair of the Ag Hall Board of Directors asked if the units were going to be Market Rate, Section 8 or any other kind of tax incentivized development. He further asked about the number of units and what the density was. Vice-Chair Zeps stated that within the Staff report it was stated there was 140 units proposed and that a preliminary site layout had been provided. The applicant approached the podium and stated that they would be 100% Market Rate and there were no tax credits associated with the project.

Layout was discussed lightly, amenities were asked about, would a swimming pool be provided, what types of amenities would be provided. The applicant stated there was no swimming pool but they would provide walking trails, picnic areas and other open green spaces for the residents.

Robert Eugster owner of the property directly north of the parcel in question approached the podium with questions and comments. Mr. Eugster stated he owned the property for approximately 20 years, he stated the City had told him this was part of a K-7 commercial corridor and that in the past the City has told him that this not the place for residential development or any kind and it would not be allowed. Mr. Eugster then spoke about the amount of traffic that is generated by the RenFest and concerts, he further stated he did not live on the property but is all too familiar with the traffic congestion. Mr. Eugster expressed his concerns regarding delayed emergency service response times and how traffic from concerts is the main culprit. He then provided pictures for the Commissioners to view which indicated the traffic congestion during these concert events. Vice-Chair Zeps said they would be glad to look at them but they had all experienced the traffic congestion in that area at some point in time.

Vice-Chair Zeps asked if there was anything currently funded or in the planning process to address the intersection at K-7 and N. 130th. Staff spoke about the K-7 Corridor Study and that if constructed the intersection would look nothing like it does today. Vice-Chair Zeps asked the applicant what he thought their development time frame looked like. The applicant stated they were looking for preliminary direction at this meeting but stated they would like to begin sometime around March 2022, they also stated they were still working with the County, the property is currently within the Land Bank of Wyandotte County. Zeps asked at what speed the State was moving in implementing the K-7 plan, Staff stated they were still in design stages and were not actively pursuing these intersection improvements.

The applicant stated that in their initial proposal they indicate emergency response vehicle access directly from K-7 but the State had told them it would not be allowed.

Mr. Eugster made further comments about the issues that Delaware Ridge has, as well as surrounding businesses regarding individuals parking in their respective lots during events and walking to the amphitheater from those places.

Staff was asked for their thoughts regarding the potential traffic implications, Staff stated that the road is a four lane, improved roadway and it would more than likely have the same potential traffic issues. It would not matter necessarily if it was 'small box' retailer, several fast-casual restaurants, or a strip mall scenario, the road is not congested on a daily basis.

Vice-Chair Zeps asked if there was some other type of zoning district that would allow both or either commercial/industrial development as well as multi-family dwellings. Vice-Chair Zeps stated he liked the fact that we were looking to expand housing options but he felt this was more spot zoning than anything. Staff stated that a Mixed-Use zoning would allow for certain uses to be intermingled but the requirements on the applicants end were far more cumbersome than straight zoning.

Randy Willbanks – part of the applicants team, stated that they are just as concerned about safety and traffic as the next person but they have also identified a need for this style of housing. He stated these would be luxury townhomes at approximately 9 units per acre with great interior finishes including granite countertops and high end fixtures. Mr. Willbanks spoke about how these units would increase the tax base of Bonner Springs and allow people to hopefully work and live in close proximity to the community.

Chair Gebauer asked if there was any further discussion from the public or the Commissioners, being none he asked for a motion to close the Public Hearing. Commissioner Bombardier made a motion to **CLOSE** the Public Hearing with Commissioner Mesmer **SECONDING**.

Vice-Chair Zeps stated it was a cost benefit risk analysis, we are in the rezoning process currently and agrees with the need the applicant is filling, he also agrees with the concerns that have been raised. Zeps further stated that as the Planning Commission they will still be able to review the project as it moves forward, site plan, etc. Zeps further stated that he felt this was a good opportunity to allow the process to work the way it was intended, working with the County, the developer, the City etc. and that the Traffic Impact Study would become a driving force behind the progression of the development.

Commissioner Mesmer stated he agreed with Vice-Chair Zeps comments and followed those up by stating the developer has to understand that there are traffic issues in the area currently, if they understand that then some of the responsibility falls on their shoulders to determine how best the get into and out of the development. Commissioner Mesmer further expressed his opinion that Bonner Springs needed the rooftops and felt as though the project should most likely move forward.

Vice-Chair Zeps said this would be a good opportunity to start getting some of the proposed roadway designs and safety measures in place. He further stated that he felt the Governing Body could use this development to spur KDOT to address certain issues.

Commissioner Bombardier made a comment regarding the amphitheater and how they utilize the public roadway system, further stating that if they follow procedures and address traffic on their end then traffic congestion could be mitigated to a certain point.

Chair Gebauer asked if there were any other comments, Commissioner Clark stated he felt that there were enough safeguards within Staffs recommendations, mainly the Traffic Impact Study, that it could take care of a lot of the concerns.

Chair Gebauer asked for a motion on the rezoning, Vice-Chair Zeps made a motion to **APPROVE** the requested rezoning with Staff recommendations, Commissioner Bombardier **SECONDING**.

Chair Gebauer asked for a Roll Call vote.

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

NAY – None

MOTION PASSED 7 – 0

Agenda Item #8 - CITY PLANNER'S REPORTS

- a. No meeting in December
- b. I will have the public hearing notices published for the proposed amendments to the Zoning Regulations that we have discussed in the past two work sessions for the January meeting.
 - i. Accessory building limitations
 - ii. Accessory Dwelling Units
 - iii. Architectural Design Standards for Multifamily, Commercial, Industrial and regulations regarding the downtown district
- c. Beginning of 2022, I would like to begin discussing updates to the Comprehensive Plan, beginning with updating the Future Land use Map and continuing from there.
- d. New Planning Commission Member should be joining the ranks in January – Jason Cruse – Mr. Cruse will represent one of 2 vacant positions from the Loring Service Area.

- e. Staff spoke of the applications that had been dropped off recently that will proceed in January
 - i. Proposed rezoning at K-7 and Nettleton
 - ii. Site plan for Lot 3 of the Compass 70 Logistic Center

Agenda Item # 8 - ADJOURNMENT

Chair Gebauer adjourned the meeting at 8:08pm.

DRAFT

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 3

LS-03-21

Topic: **Consider a Lot Split-** Consider a Lot Split presented by Atlas Land Consulting; on behalf of the property owners, Keith L. Roberts Revocable Trust (Copher's) - The applicant is proposing to split an existing tract/parcel (Tract 2) and create a new parcel (Tract 1).

Narrative: This item was Tabled at the November 16, 2021 regular meeting

The properties in question are addressed as 1201 S. 138th Street and 1133 S. 138th Street.

The surrounding area consists of vacant agricultural land, large lot single-family residences and North Park (City of Bonner Springs).

The proposed lot split would create a new parcel consisting of 16.8 +/- acres or 731,817.89 sqft.; the parent parcel shall consist of approximately 43.87 +/- acres or 1911210.10 +/-sqft. The dedication of additional public right of way along S. 138th Street and Metropolitan Avenue is being requested as a Staff stipulation.

Presented by: Mark Lee-City Planner

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

DRT Review Comments: Included within staff report

Attachments:

Staff Report (3pgs)

Aerial Image (1pg)

Copy of Lot Split (1pg)

Application (2pgs)

LOT SPLIT – CONSIDER A LOT SPLIT Consider a Lot Split presented by Atlas Land Consulting; on behalf of the property owners, Keith L. Roberts Revocable Trust (Copher’s) - The applicant is proposing to split an existing tract/parcel (Tract 2) and create a new parcel (Tract 1).

MEETING DATE: November 16, 2021
REPORT WRITTEN: November 1, 2021
CASE NUMBER: LS-03-21

APPLICANT:

- Atlas Land Consulting
Andrea Weishaubt (on behalf of owners)
2300 Hutton Rd, Suite 108
Kansas City KS 66109

SURVEYOR:

Same as above

REQUEST:

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

ZONING:

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

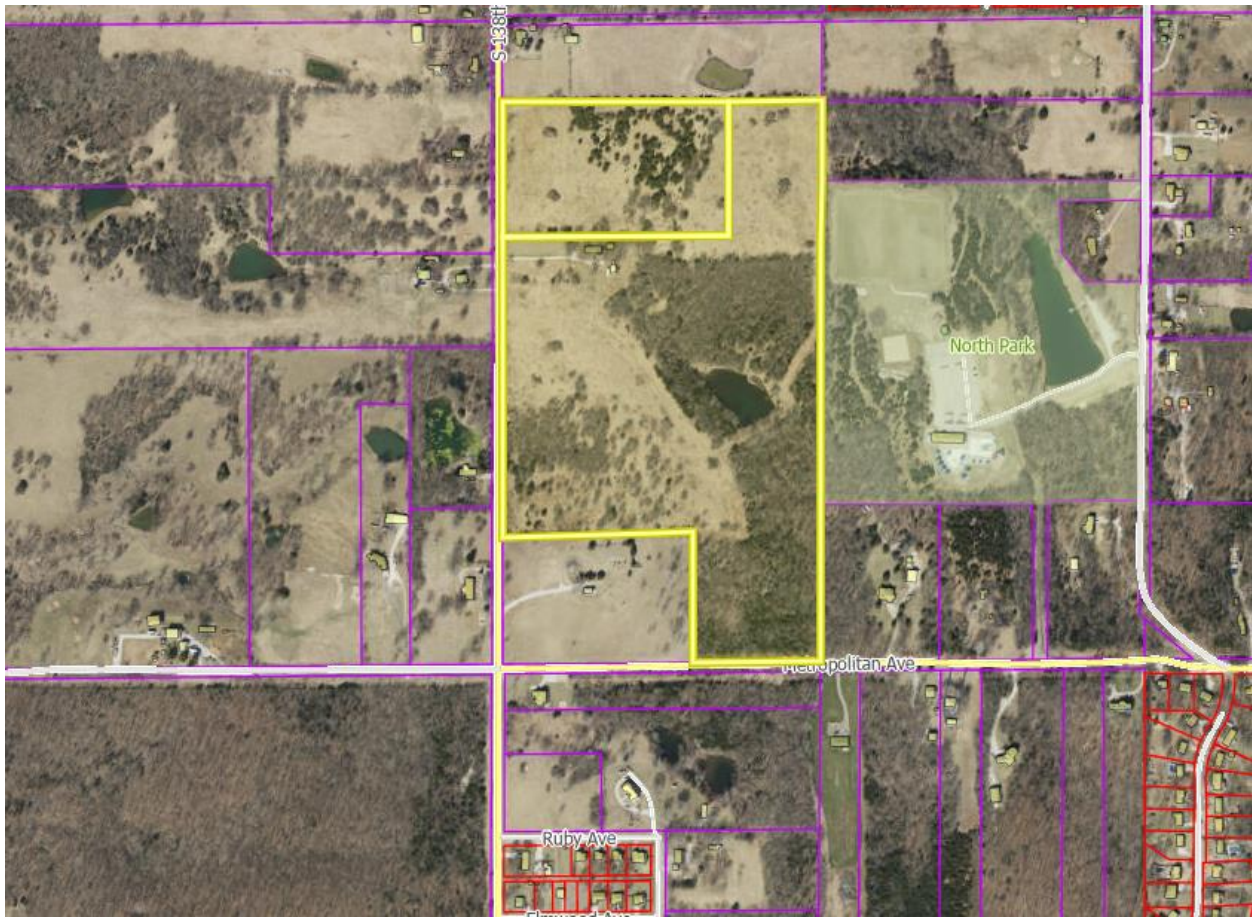
SURROUNDING ZONING:

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

SUBDIVISION REGULATIONS:

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

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



Properties highlighted in yellow represent the lots in question

REQUIREMENTS FOR LOT SPLITS:

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

1. A new street or alley or other public improvement is needed;
The lot will gain ingress and egress from South 138th, 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;
Additional public street right of way is being required and shall provide for the future expansion and widening of South 138th Street and Metropolitan Avenue on the south.

5. All easement requirements have not been satisfied;

No future easements are required

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

All lots shall maintain the current access provided to South 138th Street.

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

No substandard lot shall be created.

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

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

DESIGN REVIEW TEAM (DRT) COMMENTS:

Building Official:

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

City Engineer:

1. Additional right of way should be dedicated along S. 138th Street and Metropolitan to allow for the future expansion and widening of both roadways

Public Works Director:

1. Expressed the same requirement as the City Engineer

County Staff:

1. Ownership has changed and should be reflected as such
a. Keith L. Roberts Trust as per Document 2021R-18251 recorded on October 4, 2021.

STAFF RECOMMENDATION:

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

1. Ten (10') feet of additional right of way shall be dedicated along South 138th Street, for future expansion and widening.
2. Twenty (20') feet of additional right of way shall be dedicated along Metropolitan Avenue, for future expansion and widening.
3. 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.
4. After approval, resubmit (2) 24" x 36" signed/sealed paper copies of the revised Lot Split drawings for Planning Commission signatures for filing;
5. 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
6. No building permits shall be issued until the City of Bonner Springs has received a copy of the filed Lot Split.

COMMISSION OPTIONS

- Approve the request, with or without conditions/changes.
- Amend the Staff Recommendations as deemed necessary.
- Deny the request
- Continue the Public Hearing to another date, date, time, and/or place

CITY OF BONNER SPRINGS, KS
Community and Economic Development Department

LOT SPLIT APPLICATION

Date: 9/21/2021

Staff Use Only	
LS:	<u>-03-21</u>
Date Rec'd:	<u>10/19/21</u>
Rec'd by:	<u>MTL</u>
PC Date:	<u>12/14/21</u>

Subject Property Address: 1201 S 138th St Bonner Springs, KS 66012

Project Name (if applicable): Copier Lot Split

Applicant Name: Andrea Weisnau Phone: 913-702-5873

Address: 2300 Hutton Road Suite 108 Kansas City, KS 66109

E-mail (required): andrea.weisnau@attasurveyors.com

Record Property Owner: Keith L. Roberts Phone: 913-835-0104

Parcel No.: 906808 Section/Township/Range: 19-11-23 Zoning: _____

Original Tract Information

Legal Description of the Original Tract: _____

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

Sanitation (select): ☐ City Sewer ☐ Septic Tank

Existing Use: Residential

Tract 1 Information

Legal Description of the new Tract 1: See Attached

Lot dimensions and square footage: 16.80 AC Proposed Use: Residential

Tract 2 Information

Legal Description of the new Tract 2: See Attached

Lot dimensions and square footage: 43.87 AC Proposed Use: Residential

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

Applicant Signature: [Signature] Date: 9/21/2021

Applicant Name (Print): Andrea Weisnau

Property Owner Signature: [Signature] Date: 10/18/2021

Owner Name (Print): Keith L. Roberts



LOT SPLIT APPLICATION INFO

- Any individual or company who wishes to divide platted or unplatted property within the City of Bonner Springs, Kansas must apply for a Lot Split application.
- A pre-application meeting with staff is required prior to submittal. Call or email to schedule an appointment -- 918-667-1708
- The applicant and owner (if different) must sign the original application.
- The Planning Commission will vote to approve or deny application. Planning Commission meetings are typically on the third (3rd) Tuesday of each month at 7:00 PM
- The acknowledgement block of the Planning Commission and Unified Government Surveyor must appear on the face of the Lot Split drawing in the following form:

This lot split, as described and shown above, has been submitted to and ratified by the Bonner Springs Planning Commission this _____ day of _____, 20____.

Planning Commission Chair

Planning Commission Secretary

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: _____
County Surveyor

SUBMITTAL REQUIREMENTS

- ☒ Completed and signed application – Signatures of applicant and property owner are required
- ☒ Eight (8) 11" x 17" copies of a scaled survey that includes the acknowledgment block displayed above
- ☒ Check for \$150.00 – made payable to the City of Bonner Springs for application fee
- _____ PDF copy of survey must be emailed to staff
- _____ Microsoft Word documents of all legal descriptions must be emailed to staff



GeoSpatial Services
710 N 7th St, Suite 200 | Kansas City, KS 66101
Ph: 913-573-2941 | gss@wycokck.org
www.wycokck.org/gss

1201 - 1133 S. 138th St



Legend	
	Parks
	Buildings
	POI Labels
	POI
	Street Labels
	Kansas Regional Counties
	Missouri Regional Counties
	Municipal Labels
	Municipal Boundaries
	Railroads
	MAIN
	SPUR
	YARD
	Roads
	INTERSTATE
	HIGHWAY
	MAJOR ARTERIAL
	MINOR ARTERIAL

Locator Map

Notes
Map Print Date: 11/2/2021 3:11 PM



Map Scale
1: 14,672



DISCLAIMER OF WARRANTY AND ACCURACY: Unified Government of Wyandotte Co./Kansas City, KS (UG) makes no representations or warranties about this map or its content, including, without limitation, accuracy, completeness, or fitness for any purpose. Users of this map document do so at their own risk. UG will not be liable to any such user for any loss or damage whatsoever.

(c) 2015 Unified Government

Memorandum

Date: January 18, 2022
To: Mayor and City Council
From: Mark Lee

Subject: Site/Landscape Plan – ST-07-21

Recommendation: Staff recommends the Planning Commission approve the site and landscape plan for Lot 3 of the Compass 70 Logistics Center with the stipulations listed in the Staff report.

Action: Consider a site and landscape plan for Lot 3 of the Compass 70 Logistics Center.

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

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

Discussion:

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

1. Compatibility of design and exterior materials and appearance with existing and surrounding structures;
 - i. *The structure, as proposed, is a modern industrial building. There are currently no buildings on the site to compare this one too; it shall set the tone for the remaining two lots/buildings.*
2. Appropriate screening of mechanical equipment;
 - i. *No mechanical equipment is indicated on the site plan or the architectural drawings – all mechanical equipment shall be screened as required by the Zoning Regulations.*
3. The building design shall include a variety of materials, with a maximum of 70% of any one

- material on all elevations of the structure;
- i. *The building is industrial in nature and is comprised of tilt-up concrete panels, tinted vision glass windows and is indicated as having a four color scheme palette*
 4. Structure design or choice of materials required as part of any franchise type operation shall be considered;
 - i. *N/A*
 5. Architectural design should create visual interest and variety through the use of different mixtures, complimentary colors, shadow lines and contrasting shades. The use of walls and a single color, with little detail or completely blank, is discouraged;
 - i. *There are limited varying heights although there are elevations changes on all sides of the structure, contrasting colors and materials. The renderings provided meet the intent of this requirement.*
 6. Use of substantial amounts of masonry materials (face brick, stucco, stone) is encouraged;
 - i. *The structure consists of tilt-up concrete panels*
 7. The use of aluminum siding, metal roofs panels and extensive mirrored glass surfaces is discouraged;
 - i. *N/A*
 8. Evaluation of building materials shall be based on the quality of its design in relationship and compatibility to building materials in the immediate neighborhood;
 - i. *The majority of modern industrial sites throughout the metro area are being constructed of tilt-up concrete panels. This structure shall be constructed of compatible materials to the Medline facility.*
 9. The City encourages the use of a variety of architectural design and building materials to give each commercial center a distinct character;
 - i. *The area is not commercial in nature*
 10. Loading, delivery and service bays shall be oriented away from residential areas and public streets;
 - i. *The loading doors of the facility are located in an east west fashion, half facing towards the private street and the other half being screened by berms and landscaping but facing outwards towards a residential property.*
 11. Design and proportion of buildings shall be compatible with the scale, design and proportion of existing development in the immediate area;
 - i. *This building is comparable in size, although smaller, to the proposed Medline facility to be located on Lot 1 of the Compass 70 Logistic Center.*
 12. Lengthy horizontal faces should be varied with differing heights, materials, colors, entrance canopies and landscaping; and
 - i. *The rendering provided indicates loading bays as well as architectural detailing over and around entrance doors, differing colors in various spaces around the building, differences in heights are mainly focused at the ends of the building, glass is used in areas to break up long stretches of wall surface.*
 13. Consideration of external traffic circulation.
 - i. *The site is accessed from two different directions with ingress/egress from Riverview Avenue and S. 110th Street via Private Drives*

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 4
CASE NO. ST-07-21

Topic: **Site/Landscape Plan** – Consider a site and landscape plan for Lot 3 of the Compass 70 Logistics Center.

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

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

Presented by: Mark Lee-City Planner

Staff Recommendation: Staff recommends the Planning Commission approve the site and landscape plan for Lot 3 of the Compass 70 Logistics Center with the stipulations listed in the Staff report.

DRT Review Comments: Included within staff report

Attachments:

Staff Report (8pgs)

Aerial Image (1pg)

Copy of Overall Landscape Plan (1pg)

Building Elevation Renderings (1pg)

SITE AND LANDSCAPE PLAN FOR LOT 3 OF THE COMPASS 70 LOGISTICS CENTER – REQUEST FOR APPROVAL OF THE SITE PLAN AS PRESENTED

MEETING DATE: January 18, 2022
REPORT WRITTEN: December 6, 2021

APPLICANT:

- Scannell Properties #516, LLC
294 Grove Lane East, Suite 140
Wayzata, MN 55391

ARCHITECT/ENGINEER

- Renaissance Infrastructure Consulting
1815 McGee Street, Suite 200
Kansas City, MO 64108

REQUEST:

The applicant is requesting approval of the site and landscape plan as submitted.

ZONING:

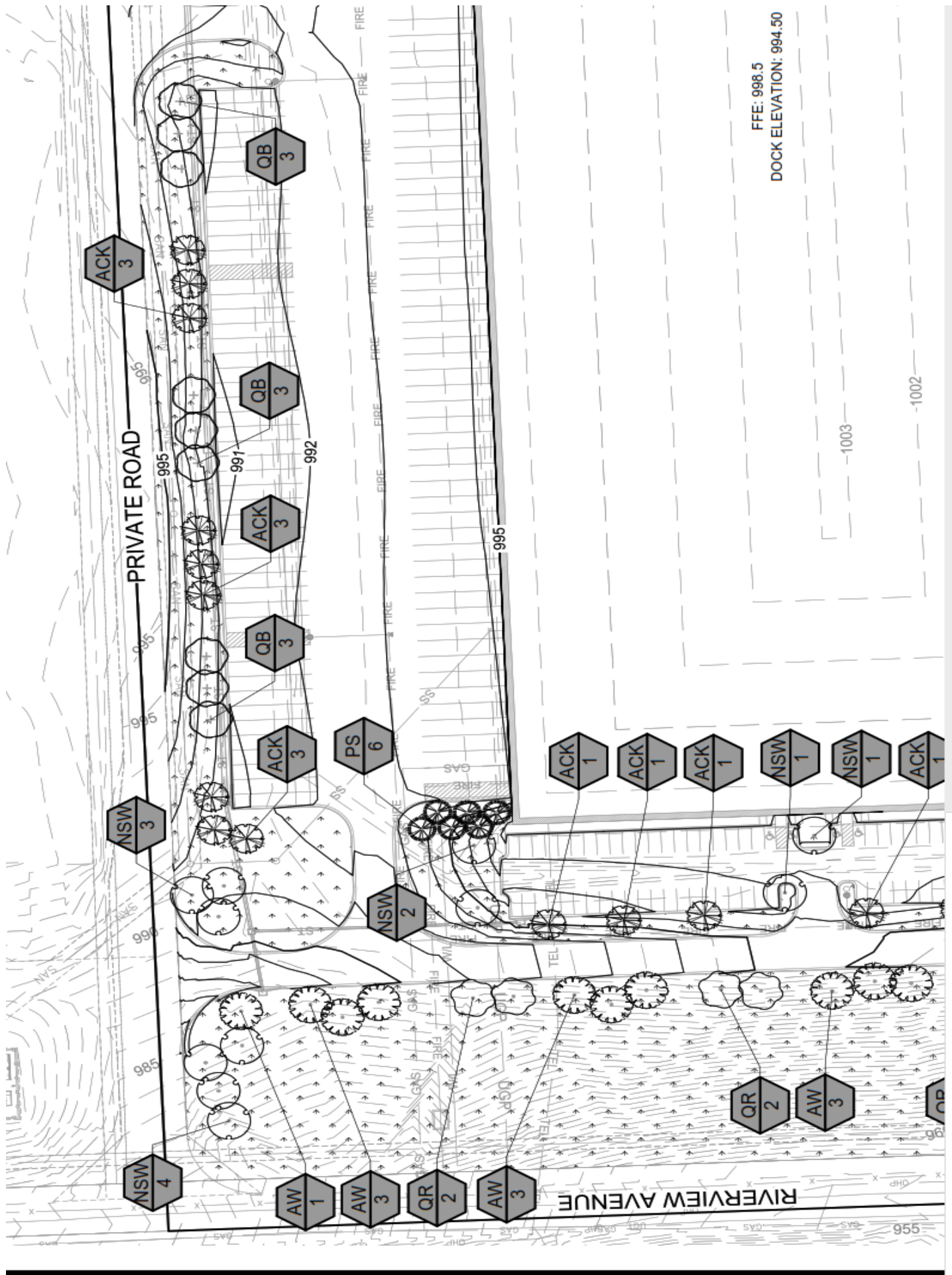
- The property is currently zoned “I-1” Light Industrial District

SURROUNDING ZONING:

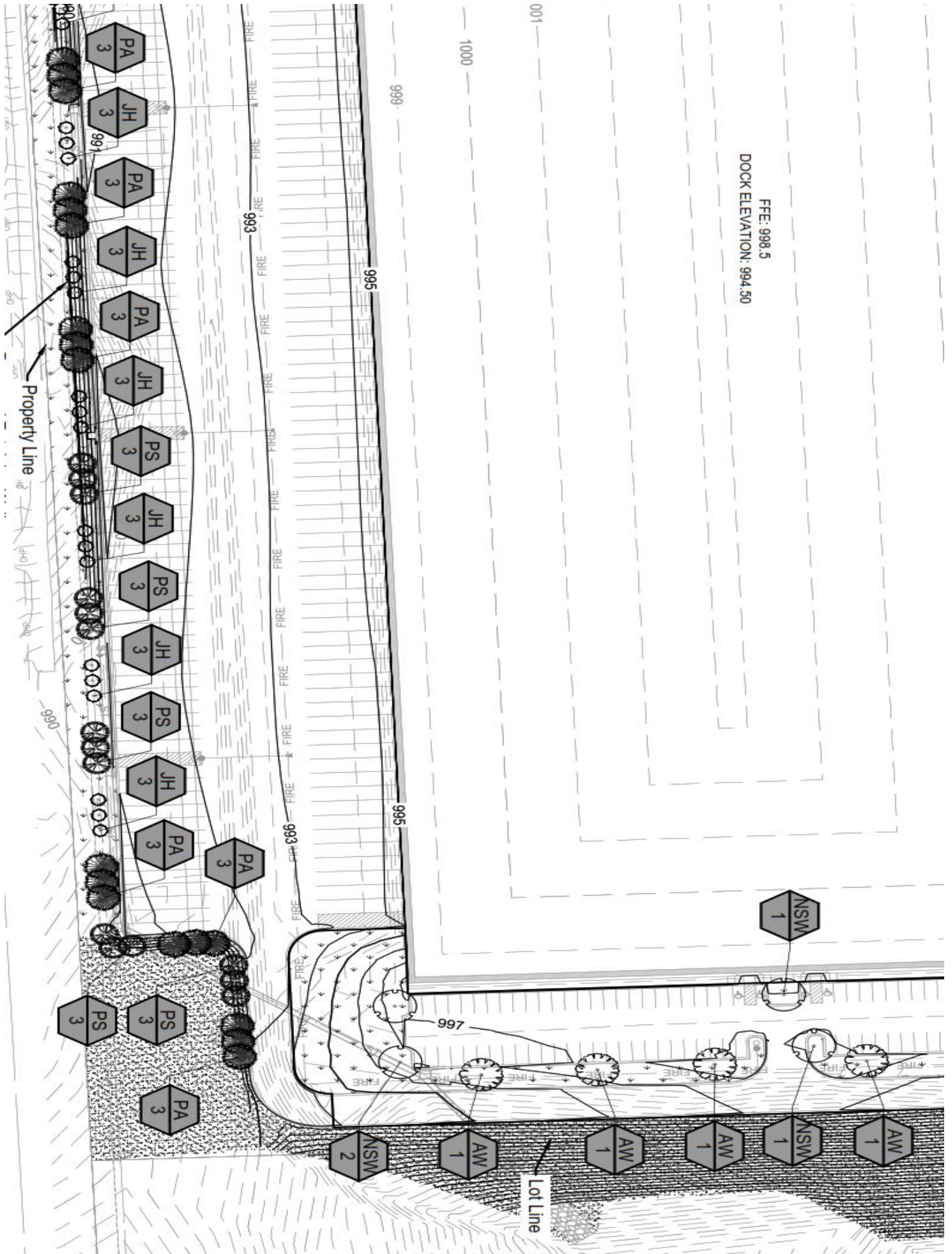
- The entire site is surrounded by A-1 (Agricultural District) Zoning, while the site itself approximately 160 acres, consisting of three individual lots, is zoned as I-1 (Light Industrial)

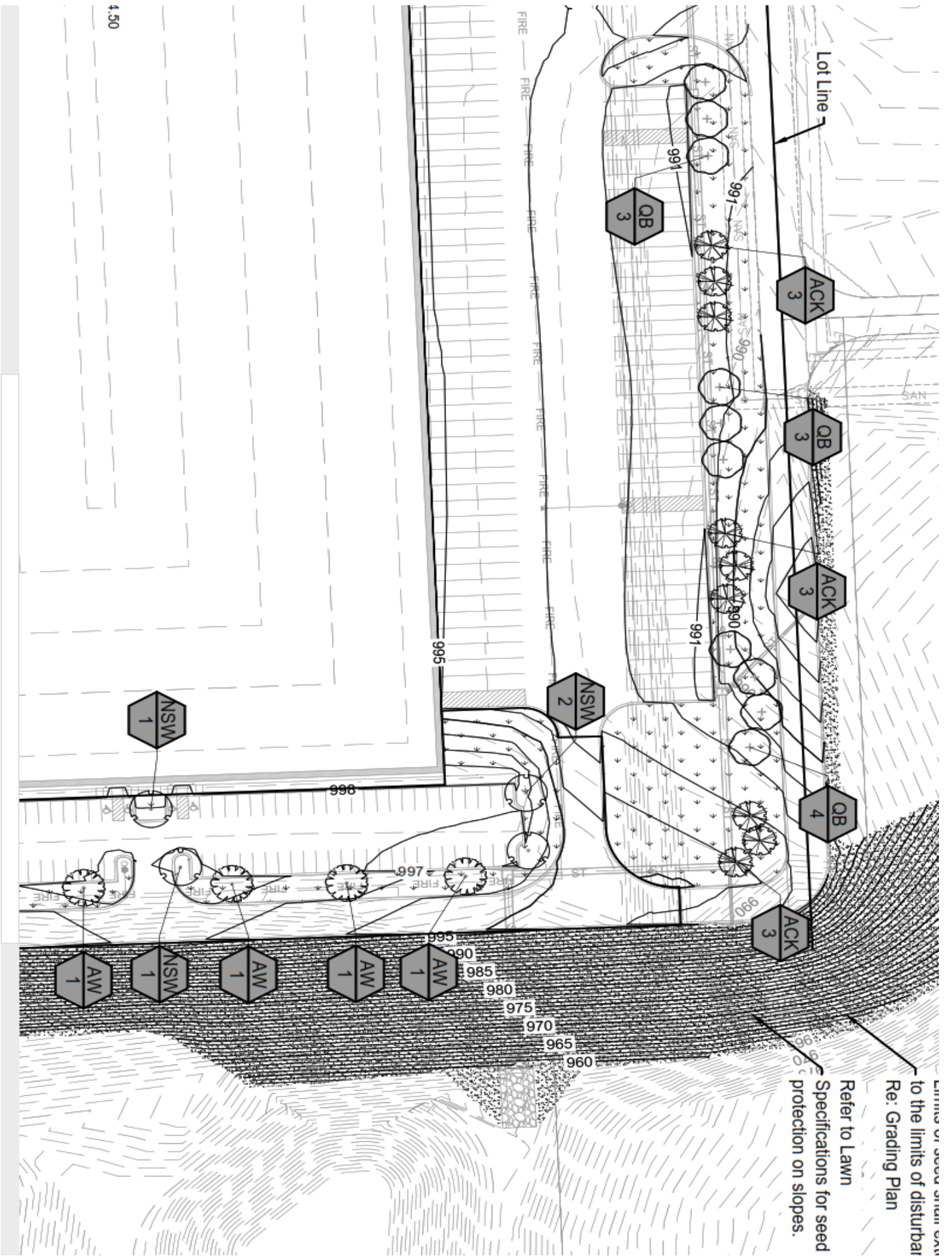
SITE INFORMATION:

Location -	110 S. 110 th Street (11329 Riverview) - Lot 3; Compass 70 Logistics Center
Lot Size -	37.84 +/- acres; 1,648,529sqft +/-
Building Use -	470' x 1270' appx. (596,900sqft) warehouse and logistics facility with associated semi-trailer loading docks
Parking –	
Required -	One space for each two employees in the largest working shift in a 24 hour period; plus one space for each vehicle maintained on the property. (Article XXIII; Section 5(2)(e))
Provided -	204 Parking Spaces (standard spaces-Employee Parking) 8 ADA Compliant Parking Spaces 180 Truck dock spaces (60'x13') 183 Trailer parking spaces (60'x12')
Landscaping:	
Required -	1 tree per 40' of street frontage; 1 tree per 4,000sqft of landscape open space; No less than 6% of the interior parking lot shall be landscaped and/or 1 tree per parking space
Provided -	24 trees along Riverview Avenue, 44 trees along interior Private Street, 115 trees scattered throughout site, 55,322 sqft of interior landscaping, and 22 parking lot trees
Outdoor Lighting -	No exterior lighting seen on the site plan, all exterior lighting shall follow the zoning regulations as required.
Signage -	Indicated on building, no dimensions shown – all signage shall comply with the Zoning Regulations of Bonner Springs.
Trash Enclosure -	None shown



FFE: 998.5
DOCK ELEVATION: 994.50





4.50

ZONING REGULATIONS SITE PLAN REVIEW CRITERIA:

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

1. Compatibility of design and exterior materials and appearance with existing and surrounding structures;
 - i. *The structure, as proposed, is a modern industrial building. There are currently no buildings on the site to compare this one too; it shall set the tone for the remaining two lots/buildings.*
2. Appropriate screening of mechanical equipment;
 - i. *No mechanical equipment is indicated on the site plan or the architectural drawings – all mechanical equipment shall be screened as required by the Zoning Regulations.*
3. The building design shall include a variety of materials, with a maximum of 70% of any one material on all elevations of the structure;
 - i. *The building is industrial in nature and is comprised of tilt-up concrete panels, tinted vision glass windows and is indicated as having a four color scheme palette*
4. Structure design or choice of materials required as part of any franchise type operation shall be considered;
 - i. *N/A*
5. Architectural design should create visual interest and variety through the use of different mixtures, complimentary colors, shadow lines and contrasting shades. The use of walls and a single color, with little detail or completely blank, is discouraged;
 - i. *There are limited varying heights although there are elevations changes on all sides of the structure, contrasting colors and materials. The renderings provided meet the intent of this requirement.*
6. Use of substantial amounts of masonry materials (face brick, stucco, stone) is encouraged;
 - i. *The structure consists of tilt-up concrete panels*
7. The use of aluminum siding, metal roofs panels and extensive mirrored glass surfaces is discouraged;
 - i. *N/A*
8. Evaluation of building materials shall be based on the quality of its design in relationship and compatibility to building materials in the immediate neighborhood;
 - i. *The majority of modern industrial sites throughout the metro area are being constructed of tilt-up concrete panels. This structure shall be constructed of compatible materials to the Medline facility.*
9. The City encourages the use of a variety of architectural design and building materials to give each commercial center a distinct character;
 - i. *The area is not commercial in nature*
10. Loading, delivery and service bays shall be oriented away from residential areas and public streets;
 - i. *The loading doors of the facility are located in an east west fashion, half facing towards the private street and the other half being screened by berms and landscaping but facing outwards towards a residential property.*
11. Design and proportion of buildings shall be compatible with the scale, design and proportion of existing development in the immediate area;
 - i. *This building is comparable in size, although smaller, to the proposed Medline facility to be located on Lot 1 of the Compass 70 Logistic Center.*
12. Lengthy horizontal faces should be varied with differing heights, materials, colors, entrance canopies and landscaping; and
 - i. *The rendering provided indicates loading bays as well as architectural detailing over and around entrance doors, differing colors in various spaces around the building, differences in heights are mainly focused at the ends of the building, glass is used in areas to break up long stretches of wall surface.*

13. Consideration of external traffic circulation.
 - i. *The site is accessed from two different directions with ingress/egress from Riverview Avenue and S. 110th Street via Private Drives*

STANDING SITE PLAN CONDITIONS:

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

CITY PLANNER COMMENTS:

1. An exterior lighting plan must be submitted for review prior to installation. This lighting plan shall adhere to Article V; Section 11 of the Bonner Springs Zoning Regulations.
2. If an outdoor dumpster is to be provided on-site, it shall be screened in accordance with Article XVIII; Section 7(1)
3. All site or building signage shall adhere to Article XXXI of the Bonner Springs Zoning Regulations.
4. Trees along Riverview Avenue shall be planted in manner as to avoid future conflict with the utilities along the roadway, nor the required Sight Triangle.

DESIGN REVIEW TEAM (DRT) COMMENTS:

Building Official:

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

City Engineer:

1. Silt fence needs to be located outside/downstream of the limits of disturbance.
2. Include erosion control details.
3. Provide permanent traffic control at Riverview and 110th.

Public Works Director:

1. None at this time

STAFF RECOMMENDATION:

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

1. **All Standing Site Plan Conditions shall be adhered to.**
2. **All comments provided by the Design Review Team shall be adhered to as written in the Staff report.**
3. **All site improvements indicated on the site plan shall be completed as shown or recommended by the DRT.**

4. **An exterior lighting plan must be submitted for review prior to installation. This lighting plan shall adhere to Article V; Section 11 of the Bonner Springs Zoning Regulations.**
5. **If an outdoor dumpster is to be provided on-site, it shall be screened in accordance with Article XVIII; Section 7(1)**
6. **All site or building signage shall adhere to Article XXXI of the Bonner Springs Zoning Regulations.**
7. **Trees along Riverview Avenue shall be planted in manner as to avoid future conflict with the utilities along the street as well as the required Sight Triangle.**
8. **Screening of any rooftop mechanical equipment shall be provided.**
9. **Silt fence needs to be located outside/downstream of the limits of disturbance.**
10. **Provide permanent traffic control at Riverview.**
11. **Upon approval, two (2) complete full size 24" x 36" and one (1) 11" x 17" signed and sealed Site Plan shall be submitted to the Planning Department for final approval and release to the Building Department for issuance of a building permit.**



End Elevation - Scale: 1" = 50'-0"



Dock Elevation - Scale: 1" = 50'-0"



Dock Elevation - Scale: 1" = 50'-0"

Color 1
SW7668 March Wind

Color 2
SW7673 Pewter Cast

Color 3
SW7666 Fleur De Sel

Color 4
SW7674 Peppercorn

Compass 70 Building One

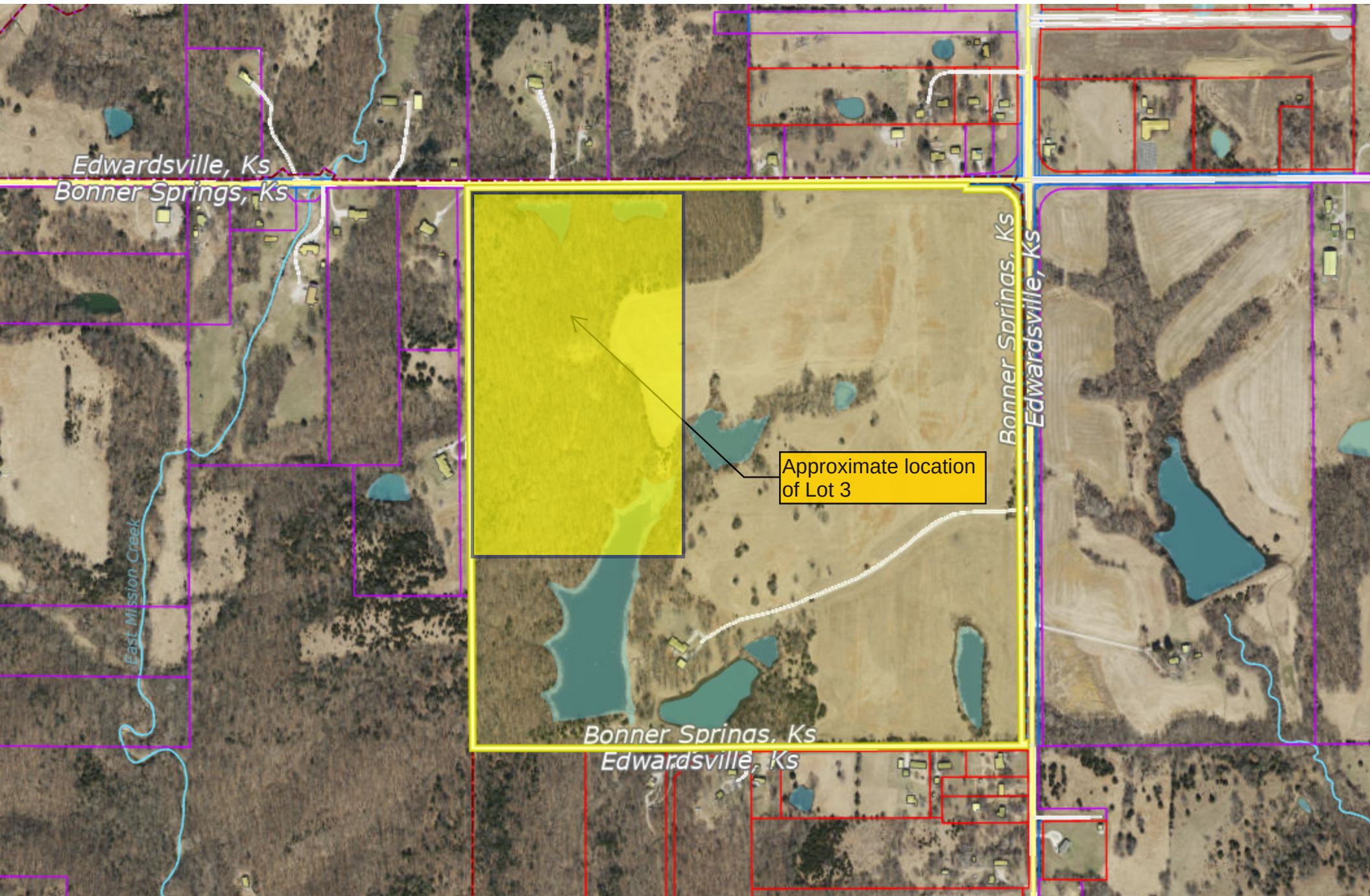
Bonner Springs, Kansas

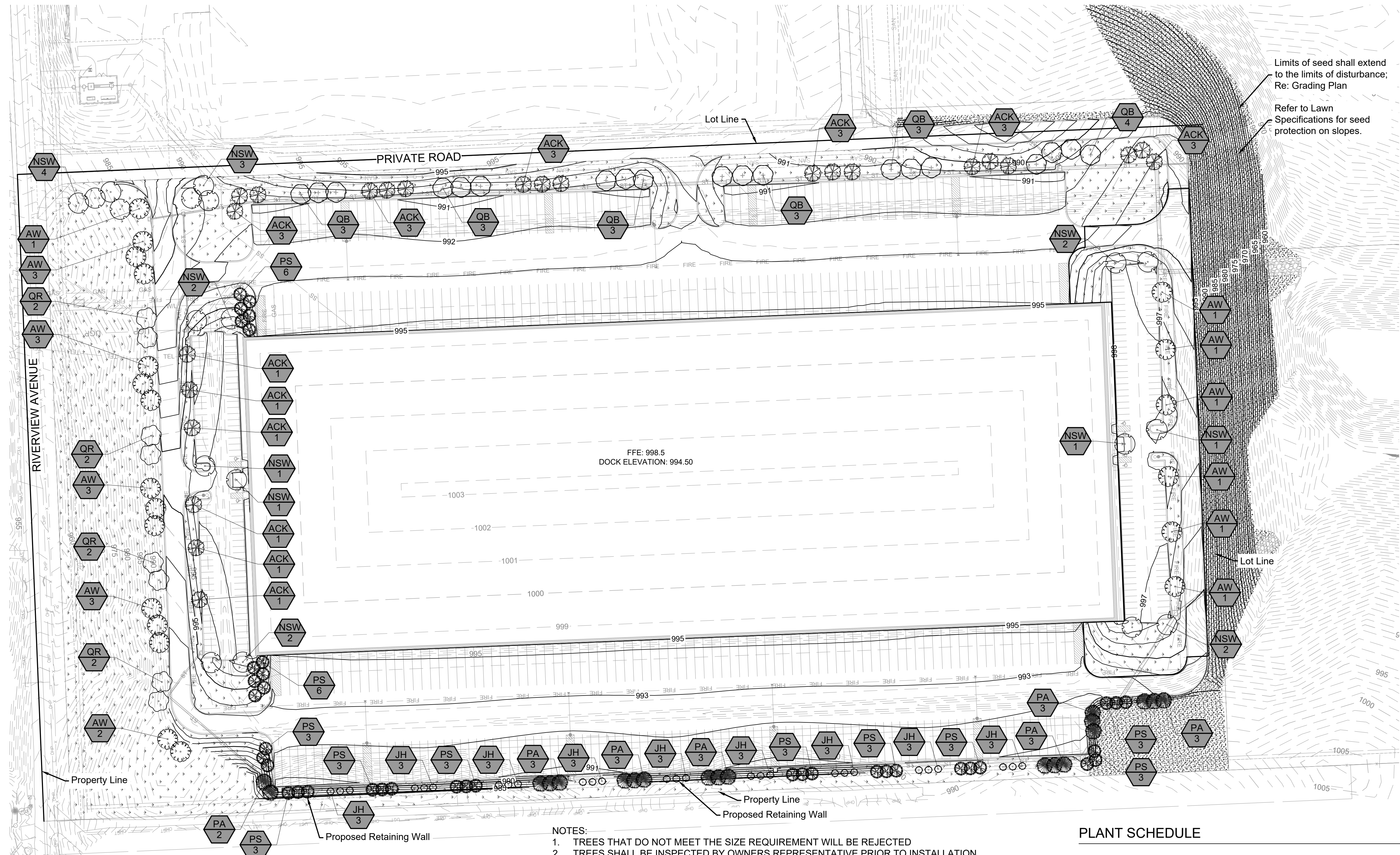
ELEVATIONS

21435.00

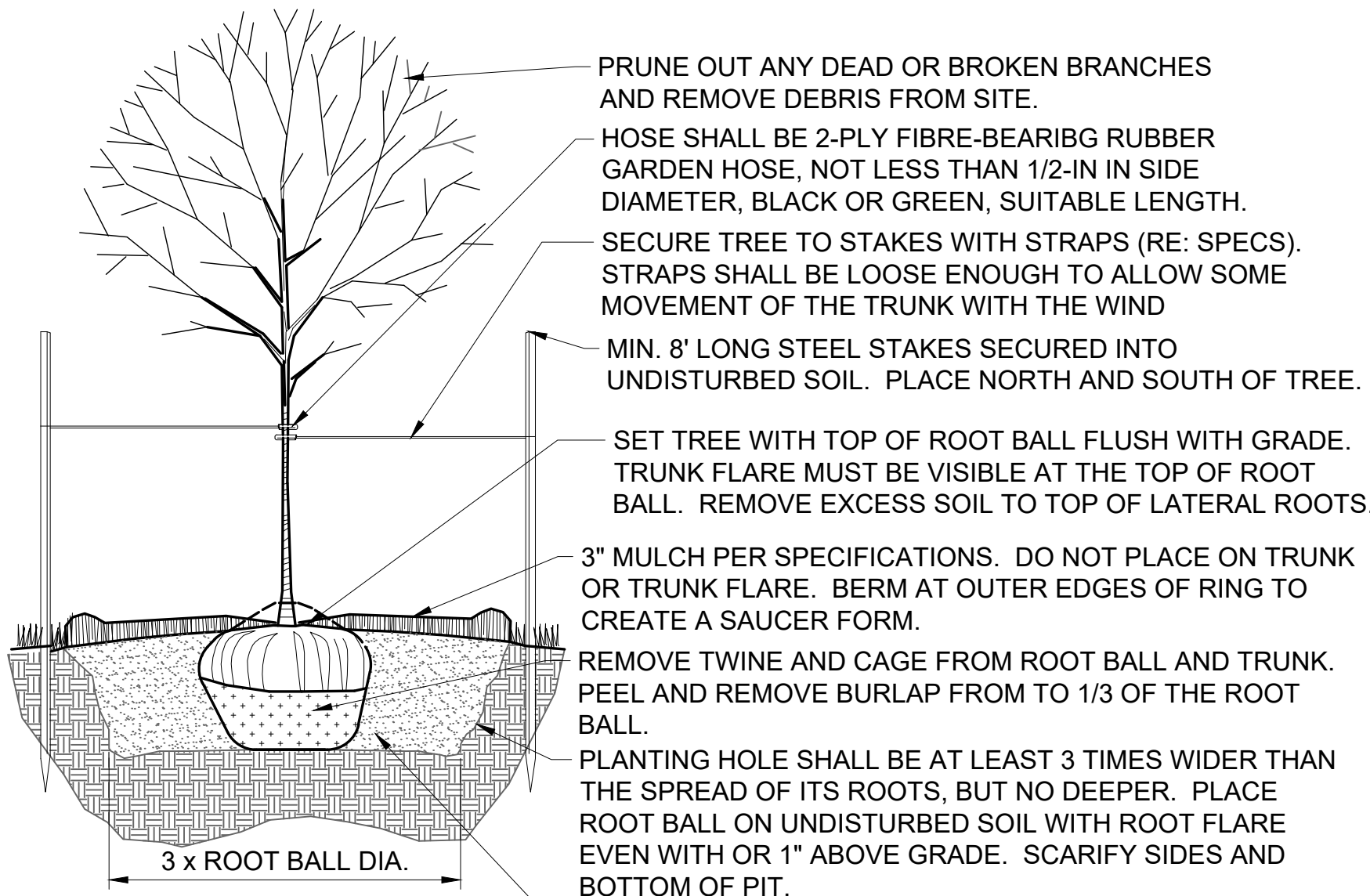
12.30.2021







- NOTES:
1. TREES THAT DO NOT MEET THE SIZE REQUIREMENT WILL BE REJECTED
 2. TREES SHALL BE INSPECTED BY OWNERS REPRESENTATIVE PRIOR TO INSTALLATION.



DECIDUOUS TREE PLANTING DETAIL - NTS

PLANT SCHEDULE

DECIDUOUS TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
ACK	Acer platanoides 'Crimson King' / Crimson King Maple	B&B	2" Cal.		24
AW	Acer truncatum 'Warren Red' / Pacific Sunset Maple	B&B	2" Cal.		21
NSW	Nyssa sylvatica 'Wildfire' / Black Gum	B&B	2" Cal.		19
QB	Quercus bicolor / Swamp White Oak	B&B	2" Cal.		19
QR	Quercus rubra / Red Oak	B&B	2" Cal.		8
EVERGREEN TREES	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY
JH	Juniperus virginiana 'Hillspire' / Hillspire Juniper	B&B		6' Ht. Min.	27
PA	Picea abies / Norway Spruce	B&B		6' Ht. Min.	20
PS	Pinus strobus / White Pine	B&B		6' Ht. Min.	39
GROUND COVERS	BOTANICAL / COMMON NAME	CONT			
	Turfgrass - Seed - 8lbs PLS per 1,000 SF / Turf-Type Tall Fescue	SEED			129,133 sf
	Turfgrass Sod Fescue Mix; RE: Notes / Fescue Sod	SOD			342,089 sf

Turfgrass quantities shown for reference only, Contractor shall verify all quantities & disturbed areas prior to seeding. Refer to Note 3, this sheet.

LANDSCAPE CALCULATIONS

Zoning: I-1
Per Section XXX
Street Trees:
Required: 1 Tree / 40 LF

Riverview Ave.: 954 LF / 40 LF = 23.85 Trees
Provided: 24 Trees

Private Drive (East): 1,748 LF / 40 = 43.7 Trees
Provided: 44 Trees

Open Space:
Required: 1 Tree / 4,000 sf landscape open space
Total Open Space: 386,209 sf / 4,000 sf = 97 trees
Provided: 115 Trees
*Parking Lot Trees count towards Open Space Trees

Parking Lot:
Required Interior: 6 % Min. Interior & 1 tree per 10 spaces
Setback: Min. 4' from Property Line

Total Parking Provided: 202 Spaces / 10 = 22 Trees
Provided: 22 Trees

Total Percentage: 185,520 sf x 6% = 11,131 sf
Provided: 55,322 sf = 30%

LANDSCAPE NOTES

1. LOCATE UTILITIES PRIOR TO COMMENCING LANDSCAPE OPERATIONS. ALL TREES SHALL BE FIELD POSITIONED AS TO AVOID CONFLICTS WITH EXISTING AND PROPOSED UTILITIES. NOTIFY LANDSCAPE ARCHITECT OF ANY CONFLICTS OR OBSTRUCTIONS.
2. CONTRACTOR SHALL STAKE ALL PLANTING AREAS IN THE FIELD PRIOR TO PLANTING FOR APPROVAL OF THE OWNER OR THEIR REPRESENTATIVE.
3. QUANTITIES SHOWN ARE FOR REFERENCE ONLY. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES PRIOR TO BIDDING AND SHALL BE RESPONSIBLE FOR ALL QUANTITIES FOR THEIR BID. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERCEDE SCHEDULED QUANTITIES.
4. ALL PLANT MATERIAL SHALL BE SPECIMEN QUALITY AND SHALL COMPLY WITH RECOMMENDATIONS AND REQUIREMENTS OF ANSI Z60.1 THE 'AMERICAN STANDARD FOR NURSERY STOCK'.
5. PREPARE PLANTING BEDS AND INCORPORATE AMENDMENTS ACCORDING TO PLANS.
6. SHREDDED HARDWOOD MULCH, PER SPECIFICATIONS SHALL BE USED AS A THREE INCH (3") TOP DRESSING IN ALL PLANTING BEDS AND AROUND ALL TREES. SINGLE TREES AND SHRUBS SHALL BE MULCHED TO THE OUTSIDE EDGE OF THE SAUCER OR LANDSCAPE ISLAND.
7. ALL TREES SHALL BE STAKED PER DETAIL.
8. ALL PLANT MATERIAL SHALL BE INSTALLED TO ALLOW A ONE FOOT (1') CLEARANCE BETWEEN PLANT AND ADJACENT PAVEMENT.
9. THE LANDSCAPE CONTRACTOR SHALL NOT COMMENCE WORK UNTIL THE SITE IS FREE OF DEBRIS CAUSED BY ON-GOING CONSTRUCTION OPERATIONS. REMOVAL OF DEBRIS SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. LANDSCAPE WORK SHALL NOT BEGIN UNTIL THE LANDSCAPE ARCHITECT AND OWNER HAVE GIVEN WRITTEN APPROVAL FOR SUCH. THERE SHALL BE NO DELAYS DUE TO LACK OF COORDINATION FOR THIS ACTIVITY.
10. THE LANDSCAPE ARCHITECT AND OWNER SHALL APPROVE GRADES AND CONDITION OF SITE PRIOR TO SODDING/SEEDING OPERATIONS.
11. ALL AREAS DISTURBED DURING CONSTRUCTION AND NOT DESIGNATED FOR OTHER PLANTINGS OR HARDSCAPE SHALL BE SEEDED WITH TURF TYPE FESCUE.
12. ALL LANDSCAPE AREAS SHALL BE IRRIGATED BY HOSE OR AUTOMATIC IRRIGATION SYSTEM.

Memorandum

Date: January 18, 2022
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING – BSCP-01-21 - Comprehensive Plan Change Request

Recommendation:

Staff recommends that the Future Land Use Map be amended to reflect the proposed industrial use for the parcel, 1401 S. 130th Street. The proposed alignment of the Nettleton Avenue extension, as indicated in the Future Transportation Map, should be taken into account and potentially used as a dividing line between future uses.

In Staff's opinion the existing industrial use to the east makes development of that area east of the proposed Nettleton Avenue a logical area for more intense land uses while the change in elevations moving westward and north would protect those less intense uses (multifamily and commercial) from the proposed industrial uses.

If recommended for approval to the Governing Body; Staff recommends the following stipulations:

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.
2. A rezoning of the property in question shall take place prior to the Future Land Use Map being officially amended
3. Developer shall be responsible for the extension of services including but not limited to, sanitary sewer, water, other public utilities as well as the extension of Nettleton Avenue.
4. A preliminary and final plat adhering to the requirements of the Bonner Springs Subdivision Regulations shall be submitted and approved by the City prior to building permits being issued.
5. Any and all construction drawings shall be submitted to the City for review and approval prior to site improvements commencing
6. A Privately Funded Public Improvements construction agreement shall be prepared and approved by all parties prior to commencement of construction on such improvements.
7. The final plat shall be recorded with the Wyandotte County Register of Deeds.
8. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

Action: PUBLIC HEARING-Consider a request to amend the Bonner Springs Future Land Use Map as currently indicated within the Comprehensive Plan for the property address of 1401 S. 130th Street.

Background: The property at 1401 S. 130th Street has gone through several planning processes over the past ten plus years but no development has ever occurred upon the property. The Future Land Use Map was amended initially in 2007 with the proposed use designation of Mixed-Use Residential and Commercial. Along with the approved Future Land

Use Map amendment in 2007, was an approved rezoning application.

There are currently two (2) distinct zoning districts located on the parcels, A-1 (Agricultural) generic blanket zoning (32 acres +/-), and C-2 (General Business) (10 acres +/-).

The property lacks utilities and would require the extension of services, including but not limited to sanitary sewer, water, electricity, roadways, etc. Nettleton Avenue is proposed to extend just north of the property and is indicated within the Comprehensive Plan as a future arterial street as well as within the K-7 Corridor Master Plan, there is currently a preliminary design completed through KDOT. In ongoing discussions with the applicant, their design team and the City Engineer; a redesign and/or realignment of Nettleton Avenue may suit the site better and provide easier access to and from potential future development within the entire area. These discussions will continue with the intent of coming to an agreeable location and design.

Discussion:

FACTORS FOR CONSIDERATION:

The Comprehensive Plan which includes the Future Land Use Map has been amended several times over the years. As requests are reviewed and approved by the Planning Commission and Governing Body, the Future Land Use Map is updated. The current Future Land Use Map reflects approximately 231.5 acres of mixed use land use designation on and around the subject property abutting Heavy Industrial District zoning (Rock Quarry) on the east which is much less desirable for residential development.

The Comprehensive Plan states:

Mixed Use : (Primarily Commercial; and if residential, more than 6 dwelling units per acre):

The Mixed Use category includes a variety of office, small-scale retail, and general business uses that are service-commercial oriented, located in centers that can accommodate related uses. Such nonresidential uses are intended to provide services primarily to residents of the surrounding area and placed in locations with a design character that blends into the district and the neighborhood. If a Mixed Use-Residential component is proposed, it must be designed in a manner to promote pedestrian activity through a system of interconnected streets and varied streetscapes that also provide safe and efficient movement of vehicular traffic. This category promotes a variety of high-density residential land uses including a variety of commercial and mixed use-residential/commercial land uses if approved by the City; and would be limited to townhouse, condominium, and multifamily apartment dwellings. They would be designated M-U districts. They should be reviewed for land use compatibility against the City's core Guiding Principles and Neighborhood Design Policies, and the Multifamily Design Guidelines for any multifamily developments proposed within mixed use districts (Reference Appendix B). Additional uses including live-work, and limited retail commercial stores are permitted in this category under strict architectural and land use controls.

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.

Per the Bonner Springs Zoning Regulations there are five (5) factors that used when considering amendments to the Future Land Use Map, those factors follow with staff responses.

Responses from the applicant are shown in bold italics

1. What has changed since the Comprehensive Plan was adopted to warrant this request?

The land uses that were initially changed in 2007 did not materialize and the parcels have been vacant since. The traditional brick and mortar retail industry is suffering and has for years; therefore large-scale commercial development is less appealing to developers in the current market.

While the need for housing still remains strong within Bonner Springs the close proximity to other industrial land uses makes residential development on the eastern side of the property, as proposed in 2007, less desirable. Grade changes on the site though do provide the opportunity for high to medium density residential to be located along the western side of the property.

The extension of Nettleton Avenue, to serve as an arterial street, is still a viable project and is indicated within the Future Transportation Map as meeting these needs. The extension of Nettleton Avenue will allow citizens within the core of Bonner Springs a more direct route to commercial necessities at Kansas Avenue and K-7 without needing to access K-7 directly, thus reducing local traffic on that route.

The existing Comprehensive Plan designation for the subject property as identified on the Future Land Use Map (Mixed-Use) is no longer feasible given current and long-term market conditions. The land lies adjacent to a large rock quarry which creates significant development impacts (noise, dust, vibration, etc.). The subject property also has severe grade changes, with the eastern third of the land falling off more than 60' in elevation. This causes significant challenges for mixed-use development, such as multi-family and retail. The retail market was already in severe decline even before the COVID-19 pandemic. There is no market today for building new big-box retail in today's e-commerce environment, or even traditional retail (in-line, pad site, fast-food, and specialty) on the subject property. There are still several available but undeveloped/unleased retail opportunities near this site, that are in locations that retailers consider to be better if the market changes. See attached retail analysis letter from Elevate Property Advisors, a major retail broker in the KC market. The best use for the property is Industrial, as presented by the Applicant. Some flex office/warehouse would likely be feasible on the adjoining lands to the north. Given its location further away from the rock quarry operations, there may even be a market for multi-family to the east of the existing Wal-Mart along Kansas Ave.

2. Traffic Counts and Pattern Changes?

As Nettleton Avenue does not connect to the north through the property currently, the traffic patterns and counts on that section of roadway have not changed and cannot be adequately addressed. The traffic counts and pattern changes would need to be looked at along K-7.

Traffic counts have steadily increased over the past fourteen (14) years; the included map indicates a significant number of additional vehicle traffic between Nettleton Avenue and I-70; approximately 4,500 vehicles. A large portion of these can be attributed to additional traffic from Nettleton headed northbound. The extension of Nettleton would alleviate local traffic impacts on the K-7 Corridor by providing access to one of our largest commercial nodes via the planned major arterial connection.

2019 traffic counts (map produced in 2020) as indicated by KDOT show and Annual Average Daily Traffic:

21,200 total vehicles (including 1660 Heavy Commercial vehicles) between Nettleton and Kansas Avenue

• Versus 2006 counts

19,400 total vehicles (including 1515 Heavy Commercial vehicles) between Nettleton and Kansas Avenue

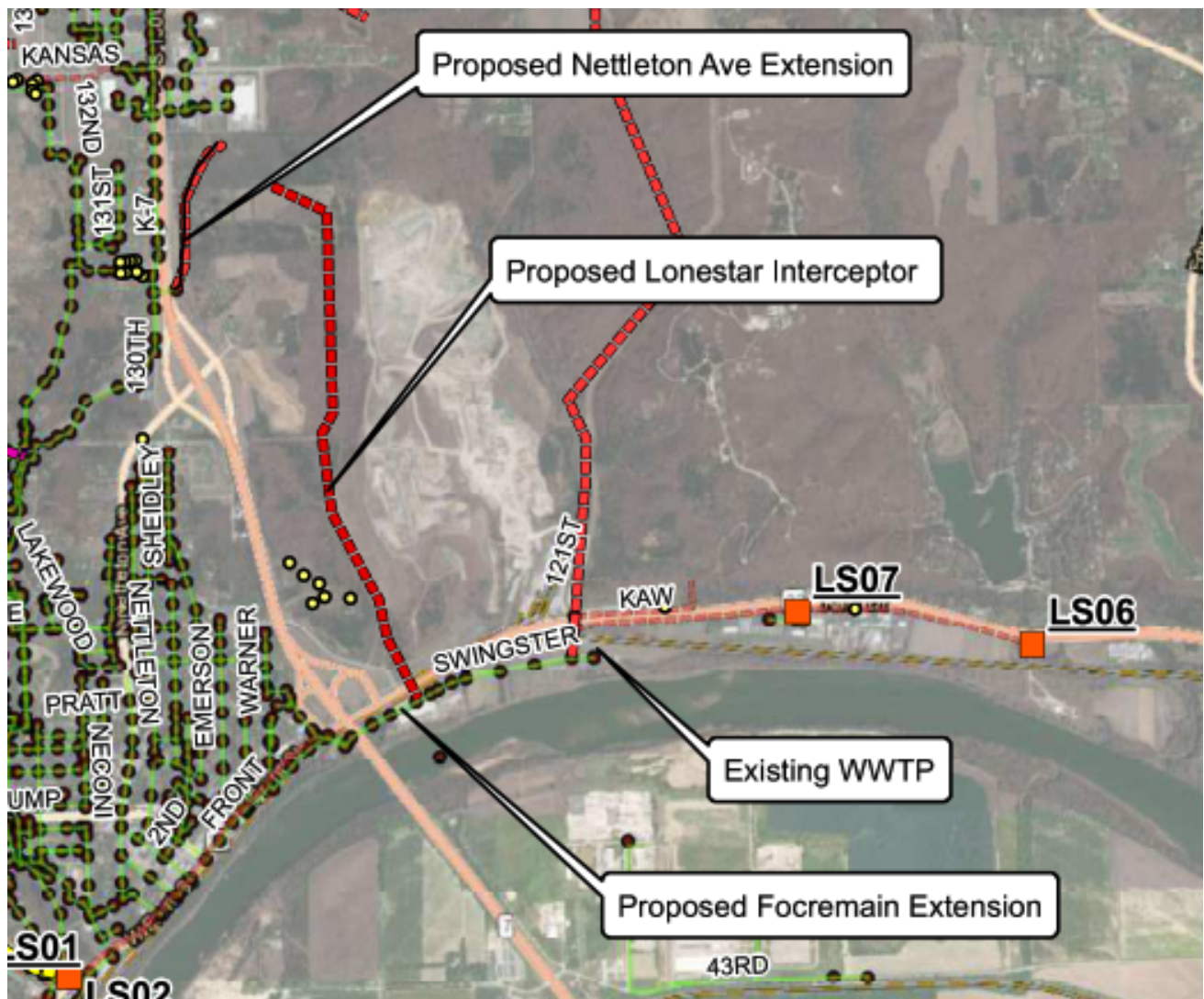
The Nettleton interchange is designed in a manner that it can handle large amounts of vehicular traffic from various styles and types of development with limited to no improvements.

Changes to traffic counts and patterns correlate with proposed industrial development, which is anticipated to generate considerably less traffic than the land uses anticipated in the Comprehensive Plan. Nettleton Ave. will need to be extended and realigned to accommodate truck/vehicle traffic from

the new development. Most truck and vehicle traffic will access the property and exit via K-7 and Nettleton interchange. The Applicant will work with the City and KDOT to ensure that traffic patterns and volumes generated by the proposed redevelopment are appropriately accounted for in accordance with City code.

3. Utility/Infrastructure Changes?

There are currently inadequate utilities upon the site and surrounding area. Infrastructure improvements would need to be undertaken in order to make the site developable. Per the 2019 Sanitary Sewer Mater Plan; the site is expected to receive its sanitary sewer services through the planned Lonestar Interceptor line that traverses the eastern side of the property and extends to approximately the midpoint of the entire developable area.



Infrastructure improvements will be needed to support development of the subject property into its highest and best use. But no changes to anticipated and planned infrastructure are needed for industrial uses.

4. Status of Floodplain/Hydrology?

The site lies on top of a large ridge that runs north to south, there is no floodplain located within the site. Stormwater run-off will need to be addressed with development of the site.

No improvements are proposed in the floodplain, and a stormwater management study will be provided with the site plan submittal.

5. Changes in Surrounding Land Use?

There have been no changes to the surrounding land uses other than the growth of the rock quarry that lies to the east expanding further north within their property.

The area to the north was developed for retail uses approximately 15 years ago, but no other development has occurred in or around the surrounding area. Areas to the immediate east (rock quarry), south (vacant) and west (K-7) have not had any changes in decades. The highest and best use of the subject property is industrial.

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 5

BSCP-01-21

Topic: **PUBLIC HEARING-** Consider a request to amend the Bonner Springs Future Land Use Map as currently indicated within the Comprehensive Plan for the property address of 1401 S. 130th Street.

Narrative:

The property at 1401 S. 130th Street has gone through several planning processes over the past ten plus years but no development has ever occurred upon the property. The Future Land Use Map was amended initially in 2007 with the proposed use designation of Mixed-Use Residential and Commercial. Along with the approved Future Land Use Map amendment in 2007, was an approved rezoning application.

There are currently two (2) distinct zoning districts located on the parcels, A-1 (Agricultural) generic blanket zoning (32 acres +/-), and C-2 (General Business) (10 acres +/-).

The property lacks utilities and would require the extension of services, including but not limited to sanitary sewer, water, electricity, roadways, etc. Nettleton Avenue is proposed to extend just north of the property and is indicated within the Comprehensive Plan as a future arterial street as well as within the K-7 Corridor Master Plan, there is currently a preliminary design completed through KDOT. In ongoing discussions with the applicant, their design team and the City Engineer; a redesign and/or realignment of Nettleton Avenue may suit the site better and provide easier access to and from potential future development within the entire area. These discussions will continue with the intent of coming to an agreeable location and design.

Presented by: Mark Lee- City Planner

Staff Recommendation:

Staff recommends that the Future Land Use Map be amended to reflect the proposed industrial use for the parcel, 1401 S. 130th Street. The proposed alignment of the Nettleton Avenue extension, as indicated in the Future Transportation Map, should be taken into account and potentially used as a dividing line between uses.

In Staff's opinion the existing industrial use to the east makes development of that area east of the proposed Nettleton Avenue a logical area for more intense land uses while the change in elevations moving westward and north would protect those less intense uses (multifamily and commercial) from the proposed industrial uses.

Attachments:

Staff Report (5pgs); Site Plan Rendering (8.5x11); Legal Description (1pg)
KDOT K-7 Corridor Plates (2pgs)
KDOT Traffic Counts 2006 vs. 2020 (1pg)
Aerial Image (8.5x11)

REQUEST FOR APPROVAL TO AMEND THE FUTURE LAND USE MAP AS INDICATED IN THE COMPREHENSIVE PLAN OF BONNER SPRINGS; REQUESTED AMENDMENT IS FROM MIXED-USE TO INDUSTRIAL WITH A LOCATION OF 1401 S. 130th STREET.

MEETING DATE:

January 18, 2022

REPORT WRITTEN:

December 3, 2021 (Revised January 14, 2022)

APPLICATION #:

BSCP-01-21

APPLICANT:

BK Properties LLC (C/O Ken Block)
4622 Pennsylvania Avenue, Suite 700
Kansas City MO 64112

ENGINEER

McClure
11031 Stang Line Road
Lenexa KS 66215

REQUEST:

- The applicant is requesting to amend the Future Land Use Map (FLUM) as indicated in the Comprehensive Plan; the requested amendment will be from Mixed-Use to Industrial. The property in question is located east of K-7 and south of the current Nettleton Avenue.

BACKGROUND:

The applicant reached out in October of 2021 regarding two parcels, 1209 and 1401 S. 130th Street, and the potential for industrial use upon those parcels. Through ongoing discussions with the applicant regarding the Nettleton Avenue extension and the uses designated within our Comprehensive Plan currently; the applicant has withdrawn their request to change the northern parcel (1209 S. 130th Street) for the time being.

Staff and the applicant will continue discussions regarding the potential realignment/redesign of Nettleton Avenue and how it may best serve not only the entirety of the area but the City as a whole and remain the arterial street as intended.

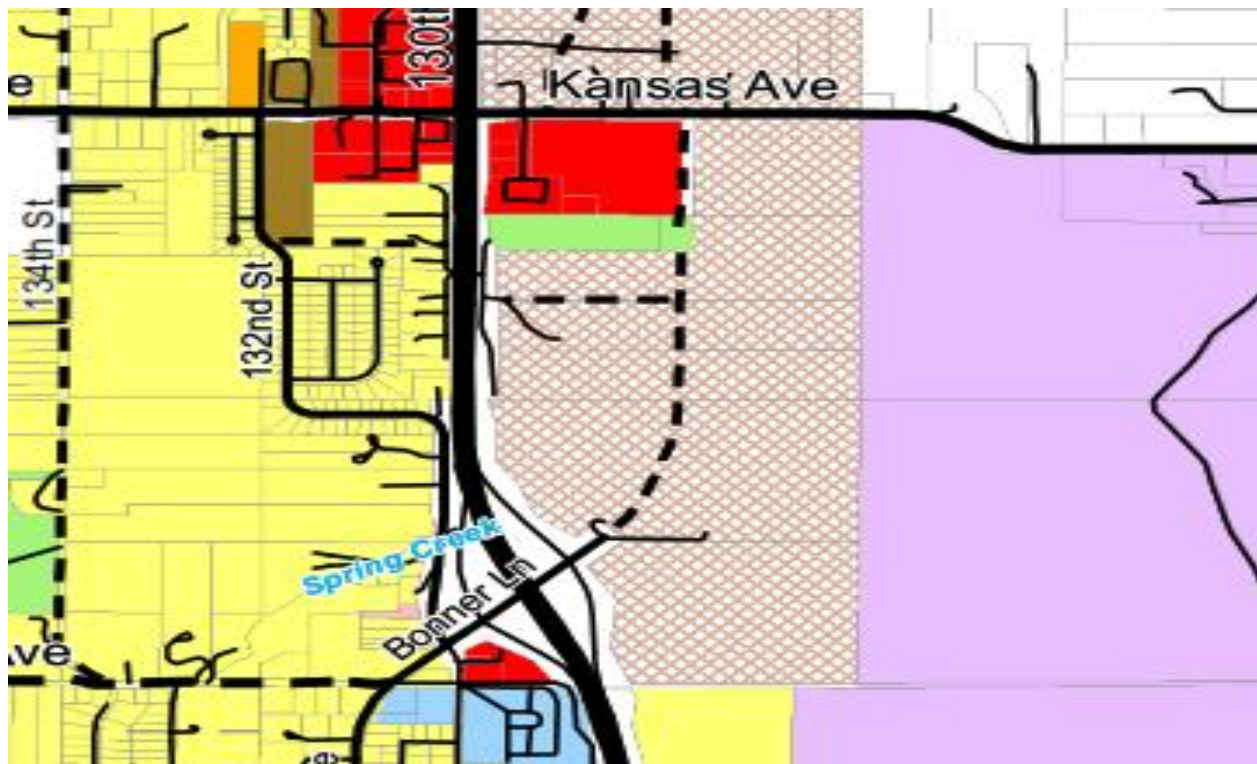
The property at 1401 S. 130th Street has gone through several planning processes over the past ten plus years but no development has ever occurred upon the properties. The Future Land Use Map was amended initially in 2007 with the proposed use designation as Mixed-Use Residential and Commercial. Along with the approved Future Land Use Map amendment in 2007, was an approved rezoning application.

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potential future development within the entire area. These discussions will continue with the intent of coming to an agreeable location and design.

THE CURRENT FUTURE LAND USE MAP DESIGNATION:



FACTORS FOR CONSIDERATION:

The Comprehensive Plan which includes the Future Land Use Map has been amended several times over the years. As requests are reviewed and approved by the Planning Commission and Governing Body, the Future Land Use Map is updated. The current Future Land Use Map reflects approximately 231.5 acres of mixed use land use designation on and around the subject property abutting Heavy Industrial District zoning (Rock Quarry) on the east which is much less desirable for residential development.

The Comprehensive Plan states:

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STAFF RECOMMENDATION:

Staff recommends that the Future Land Use Map be amended to reflect the proposed industrial use for the parcel, 1401 S. 130th Street. The proposed alignment of the Nettleton Avenue extension, as indicated in the Future Transportation Map, should be taken into account and potentially used as a dividing line between future uses.

In Staff's opinion the existing industrial use to the east makes development of that area east of the proposed Nettleton Avenue a logical area for more intense land uses while the change in elevations moving westward and north would protect those less intense uses (multifamily and commercial) from the proposed industrial uses.

If recommended for approval to the Governing Body; Staff recommends the following stipulations:

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.
2. A rezoning of the property in question shall take place prior to the Future Land Use Map being officially amended
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7. The final plat shall be recorded with the Wyandotte County Register of Deeds.
8. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

If **APPROVED** this item will move to the Governing Body; the request will be presented at the February 14th, 2022 regular meeting.

Area removed from
current request

PROPOSED BUILDING 638K
638,793 S.F.
(1,400'x580')

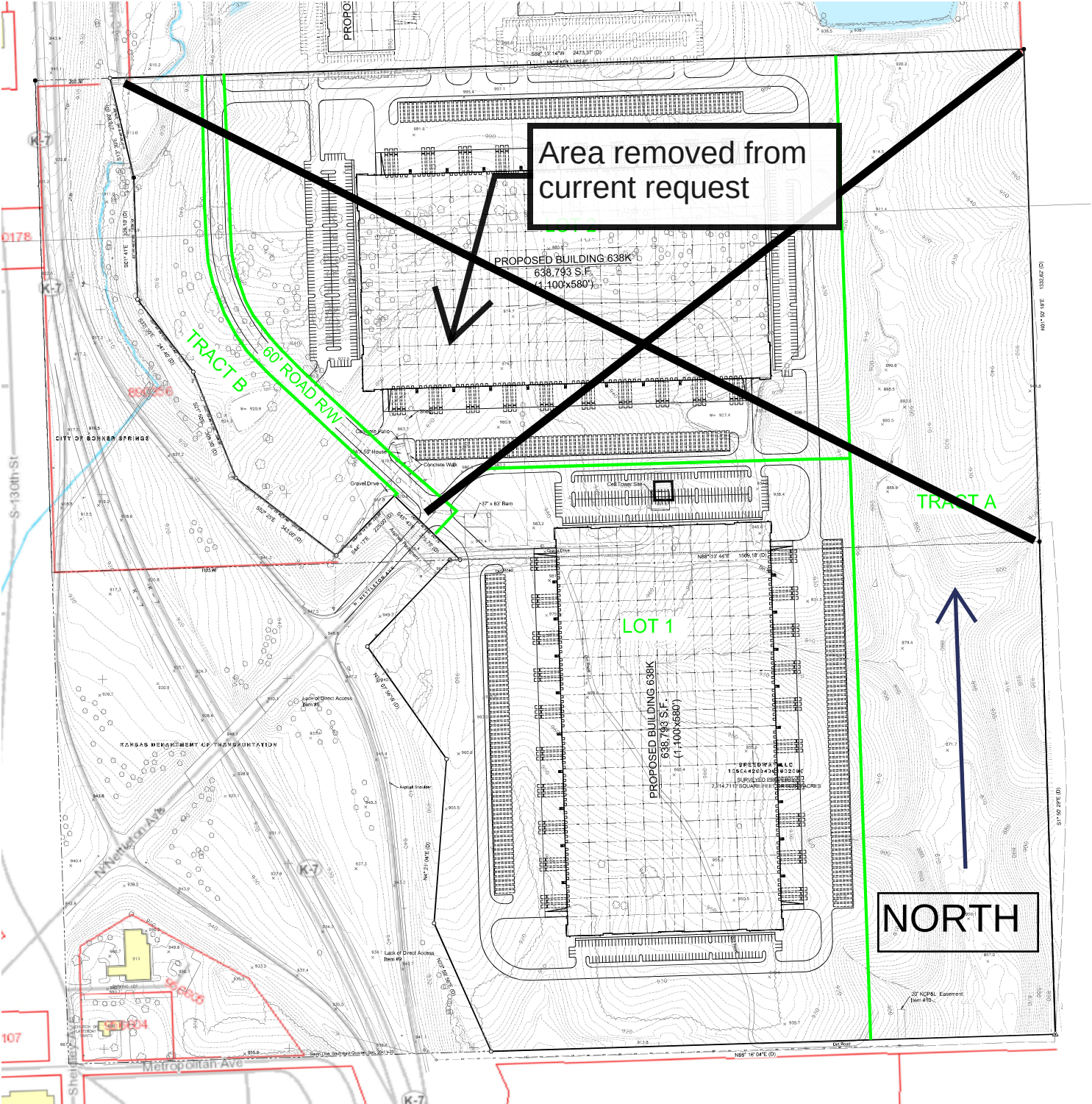
TRACT B
60' ROAD RW

TRACT A

LOT 1

PROPOSED BUILDING 638K
638,793 S.F.
(1,400'x580')

NORTH



A tract of land being the South One-Half of the Southeast Quarter of Section 20 Township 11 South Range 23 East of the Sixth Principal Meridian in Wyandotte County, Kansas, lying East of K-7 Highway and North of Metropolitan Avenue, more particularly described as follows:

Beginning at the Southeast corner of Section 20, said point being monumented by a smooth 1 inch iron bar in concrete; Thence South $88^{\circ} 16' 04''$ West, along the South line of the Southeast Quarter of Section 20, 1526.87 feet to the East right-of-way line of State Highway K-7; Thence North $23^{\circ} 59' 56''$ West 379.30 feet, along said right-of-way; Thence North $04^{\circ} 21' 04''$ East 445.50 feet, along said right-of-way; Thence North $35^{\circ} 07' 56''$ West 371.70 feet, along said right-of-way; Thence North $43^{\circ} 37' 04''$ East 323.27 feet, along said right-of-way to the North line of the South One-Half of the Southeast Quarter of Section 20; Thence North $88^{\circ} 13' 29''$ East 1595.47 feet, along said North line of the South One-Half of the Southeast Quarter of Section 20 to the midpoint of the East line of the Southeast Quarter; Thence South $01^{\circ} 50' 29''$ East 1332.71 feet, to the point of beginning, except that part in roads.

(Legal description take from ALTA survey prepared by Michael J. Schmidtberger,, and dated 11-08-21)

New Arterial

New Collector /Access Road

K-7 Mainline and Ramps

Proposed K-7 Right of Way

Overpass

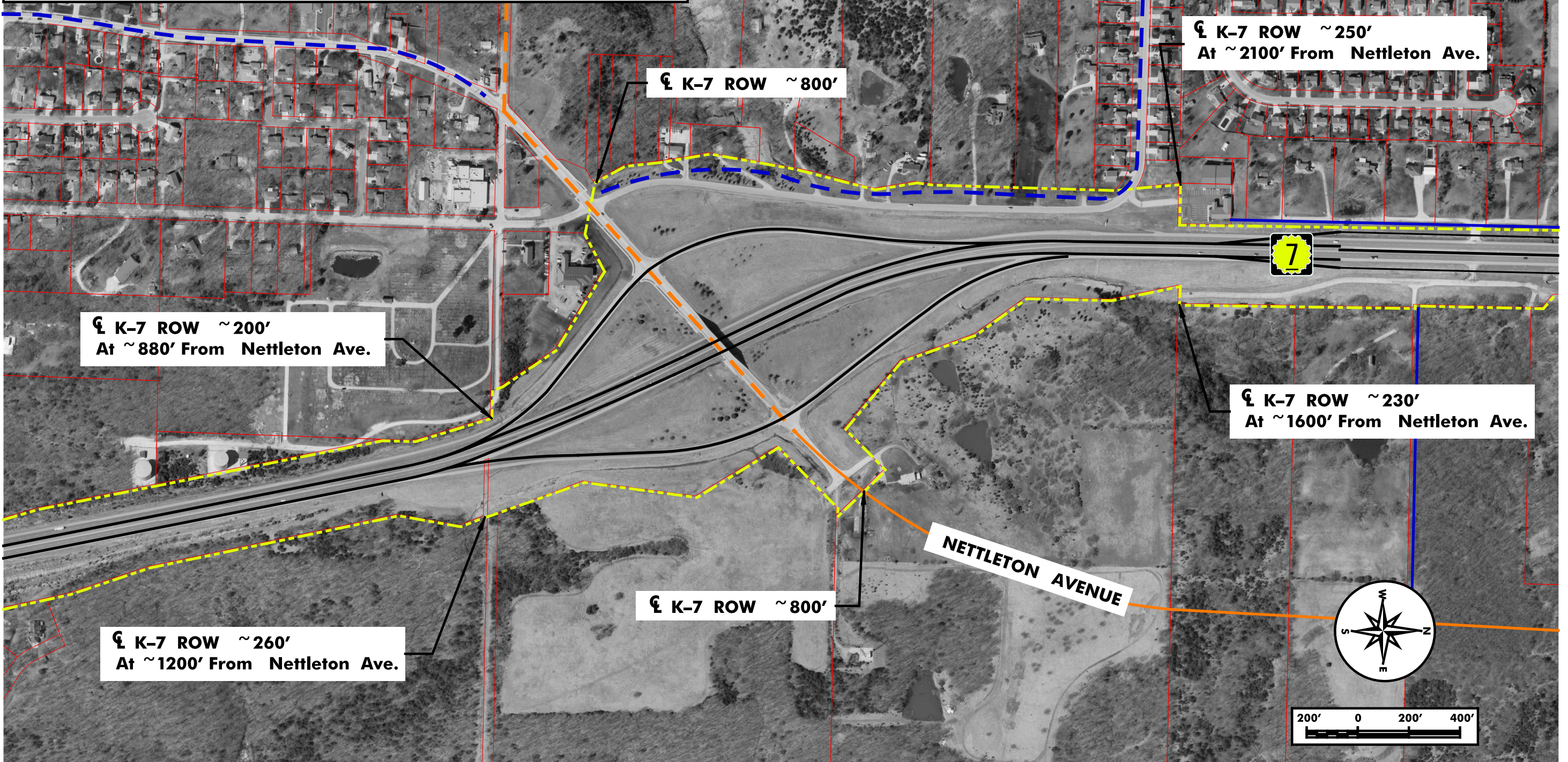
Legend

Existing Arterial

Existing Collector

City/County Boundary

Property Lines



GBA

GEORGE BUTLER ASSOCIATES, INC.
 Engineers · Architects

DISCLAIMER:
 These concepts are current as of May, 2013 and depict
 KDOT's recommended improvements for K-7 and the local
 street network from Spring Hill to Leavenworth. Modifications
 have been made to GBA's original plate by HNTB as part of
 KDOT's Rapid Response Work Order process. The exact location,
 design, and right-of way for this project cannot be determined
 from these concepts and could be different from that shown.
 Additional preliminary design will need to be performed to
 further refine the improvements and right-of-way requirements.

K-7 CORRIDOR STUDY

Nettleton Avenue
 Plate No. B-31

Date of Aerials: 2010

June 2015

New Arterial

New Collector /Access Road

K-7 Mainline and Ramps

Proposed K-7 Right of Way

Overpass

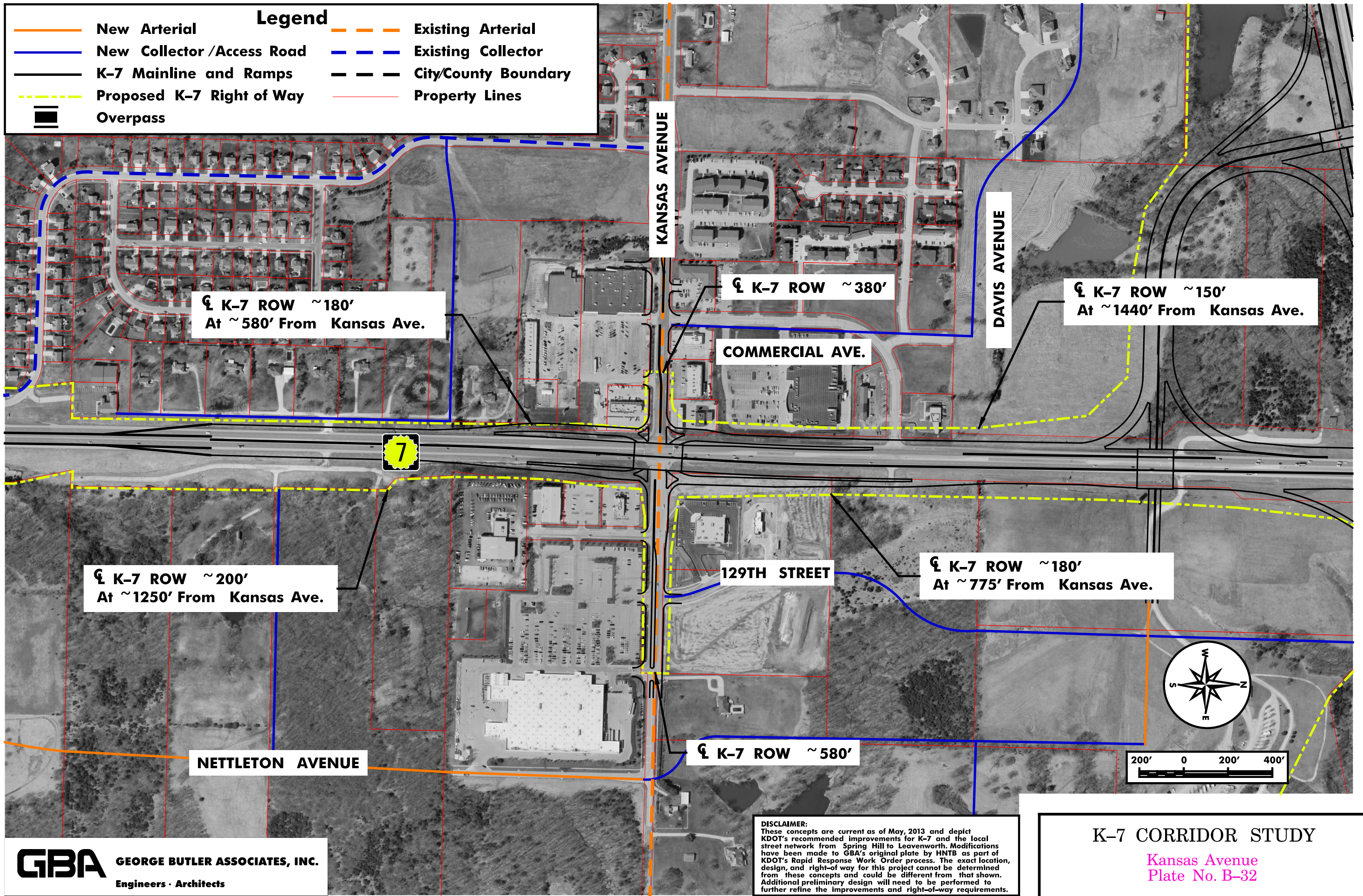
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Existing Arterial

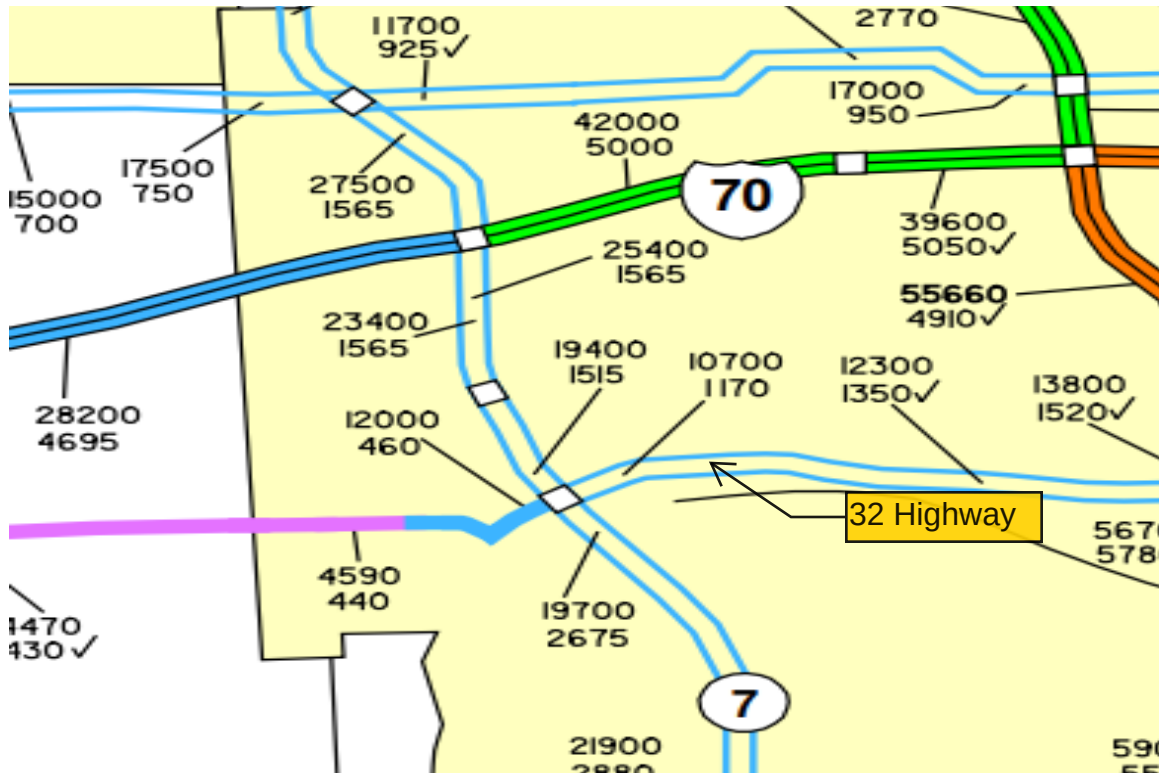
Existing Collector

City/County Boundary

Property Lines



2006 KDOT Annual Average Daily Traffic (AADT)



2020 KDOT Annual Average Daily Traffic (AADT)





GeoSpatial Services
710 N 7th St, Suite 200 | Kansas City, KS 66101
Ph: 913-573-2941 | gss@wycokck.org
www.wycokck.org/gss

K-7 & Nettleton Ave



Legend

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

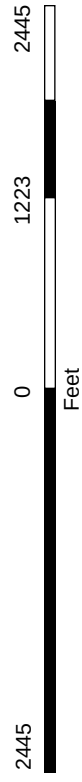
Locator Map

Notes

Map Print Date: 1/12/2022 12:40 PM



Map Scale
1: 14,672



DISCLAIMER OF WARRANTY AND ACCURACY: Unified Government of Wyandotte Co./Kansas City, KS (UG) makes no representations or warranties about this map or its content, including, without limitation, accuracy, completeness, or fitness for any purpose. Users of this map document do so at their own risk. UG will not be liable to any such user for any loss or damage whatsoever.

(c) 2015 Unified Government

Memorandum

Date: January 18, 2022
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING – BSRZ-03-21 - Request for Rezoning

Recommendation:

Staff recommends approval of the rezoning for 1401 S. 130th Street from A-1 (Agricultural District) and C-2 (General Business) to I-1 (Light Industrial) as presented, Staff would further recommend the following if the request is approved by the Commission.

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.
2. Developer shall be responsible for the extension of services including but not limited to, sanitary sewer, water, and electric utilities as well as the extension of Nettleton Avenue.
3. A preliminary and final plat adhering to the requirements of the Bonner Springs Subdivision Regulations shall be submitted and approved by the City prior to building permits being issued.
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6. The final plat shall be recorded with the Wyandotte County Register of Deeds.
7. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to comply with all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs.

Action: Consider a request for approval of a zoning change from A-1 (Agricultural District) and C-2 (General Business District) to the zoning category of I-1 (Light Industrial) at 1401 S. 130th Street.

Background: The property has gone through several planning processes over the past ten to twenty years. Significant development has occurred upon the property. An approved 2007 rezoning plan indicated this parcel be rezoned directly to the north to become a retail/commercial center with multi-family residential along the eastern boundary of the northern parcel; this layout is indicated in the current zoning configuration.

There are currently two (2) distinct zoning districts located on the parcel, A-1 (Agricultural) generic blanding (32 acres +/-) and C-2 (General Business) (10 acres +/-).

The property lacks utilities and would require the extension of services, including but not limited to sanitary sewer, water, electricity, roadways, etc. Nettleton Avenue is proposed to extend just north of the property and is shown within the Comprehensive Plan as a future arterial street as well as within the K-7 Corridor Master Plan. A preliminary design has been completed through KDOT. In ongoing discussions with the applicant, the City Engineer, and the City Engineer; a redesign and/or realignment of Nettleton Avenue may suit the site better.

provide easier access to and from potential future development within the entire area. These discussions continue with the intent of coming to an agreeable location and design.

Discussion: According to Article XXV, Section 1 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:

CHARACTER OF THE IMMEDIATE AREA –

The area surrounding the subject property is a mix of highway use to the west, with residential beyond. The east is zoned heavy industrial (I-2) and consists of 490 acres owned by Deffenbaugh Industries which is currently utilized as a rock quarry. To the north lies the Kerry Roberts Park, an occupied single family residential parcel and a vacant parcel and a retail center anchored by the Walmart store. To the south is a vacant residential parcel consisting of 45+/- acres, this parcel abuts a 7 lot residential subdivision.

THE ZONING AND USES OF THE PROPERTY NEARBY –

- NORTH - C-2 (General Business) – current zoning - vacant.
R-3 (Multi-family Residential) – current zoning - vacant.
A-1 (Agricultural District) – single family residence
C-2 (General Business)
C-S (Highway Service) Districts – retail center and large retailer along with other commercial uses
- EAST - I-2 (Heavy Industrial) - rock quarry
- SOUTH - R-1 (Single Family Residential) – vacant wooded parcel

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

The property is currently vacant with a portion of the current zoning reflecting a retail/commercial development (C-2) and the remaining portion being zoned as agricultural (A-1) with no active plans for development. The property has had at least two different mixed-use designs laid out, presented to the City and approved in the past. Bonner Springs has long envisioned the entirety of this area as an additional commercial hub similar to K-7 and K-8. Along Avenue, the heavy industrial use to the east makes this style of development increasingly difficult due to the visual appearance, noise, dust and quarry blasting that is present today. The interchange at Nettleton is the best suited for larger amounts of vehicular traffic, thus benefitting a residential-commercial (mixed-use) development though it can permit an increase in truck traffic as well.

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

Rezoning this parcel to I-1 (Light Industrial) would remove a small portion of potentially viable sales tax revenue from retail/commercial development. The conventional retail industry is dwindling nationwide though and traditional brick and mortar businesses are not being developed as in the past. With an already existing heavy industrial zoning use directly to the east it is difficult to determine if the rezoning of this property will prove detrimental to the property directly north and south of the intended rezoning, while under individual ownerships; is utilized for residential and could continue to develop as such. Locating light industrial in the area may decrease the value of these properties as a residential development but increase the value for other uses. While the residential properties are abutted by a heavy industrial use to the east, they are buffered by the significant elevation change and wooded area between the two.

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

The subject property has not seen development occur upon it to date; the parcel is vacant but does have an active Earth Change Permit issued. The Earth Change Permit was issued to the current owners; Staff

understands they were interested in flattening the parcel to make it more marketable.

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

By removing the commercial zoning from the property and replacing it with light industrial there is little gain, to the public health, safety and welfare.

As the property is currently zoned, C-2 (General Business) and A-1 (Agricultural) it has been anticipated to be utilized in much larger residential-retail-commercial configuration. If the zoning change were not approved, it could potentially be a financial hardship placed upon the current property owner, as this is the first proposed development of the parcel since 2007.

RECOMMENDATION OF PROFESSIONAL STAFF-

Staff would recommend approval of the requested rezoning of 1401 S. 130th Street from C-2 (General Business) and A-1 (Agricultural) to I-1 (Light Industrial). Staff would further state, that ongoing discussions are planned to determine how the property to the north, 1201 S. 130th Street, could be utilized to better serve the general public, potentially as a multifamily residential area with limited commercial and light industrial to the east, this conforms more to adopted Future Land Use Map.

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 Mixed Use. The Mixed Use zoning district is intended to provide a live-work-play scenario within close proximity or with the inclusion of residential living with a variety of types and styles. This live-work-play lifestyle is intended to provide retail and commercial uses within walking distance of the residents that live within the area. Currently the requested rezoning does not conform to the Comprehensive Plan.

The Comprehensive Plan states:

Mixed Use : (Primarily Commercial; and if residential, more than 6 dwelling units per acre): This category includes a variety of office, small-scale retail, and general business uses that are service-oriented, located in centers that can accommodate related uses. Such nonresidential uses are intended to provide services primarily to residents of the surrounding area and placed in locations with a design character that fits into the district and the neighborhood. If a Mixed Use-

Residential component is proposed, it must be designed in a manner to promote pedestrian activity through a system of interconnected streets and varied streetscapes that also provide safe and efficient movement of vehicular traffic. This category promotes a variety of high-density residential land uses including a variety of commercial and mixed use-residential/commercial land uses if approved

by the City; and would be limited to townhouse, condominium, and multifamily apartment dwellings. They should be designated M-U districts. They should be reviewed for land use compatibility against the City's core Principles and Neighborhood Design Policies, and the Multifamily Design Guidelines for any multifamily developments proposed within mixed use districts (Reference Appendix B). Additional uses including limited retail and limited retail commercial stores are permitted in this category under strict architectural and land use

In contrast the Comprehensive Plan 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.

Financial Impact:

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 6

BSRZ-03-21

Topic: PUBLIC HEARING - Consider a request for approval of a zoning change from A-1 (Agricultural District) and C-2 (General Business District) to the zoning category of I-1 (Light Industrial) for 1401 S. 130th Street.

Narrative:

The property has gone through several planning processes over the past ten to twenty years but no development has occurred upon the property. An approved 2007 rezoning plan indicated this parcel and the one directly to the north to become a retail/commercial center with multi-family residential along the eastern side of the northern parcel; this layout is indicated in the current zoning configuration.

There are currently two (2) distinct zoning districts located on the parcel, A-1 (Agricultural) generic blanket zoning (32 acres +/-) and C-2 (General Business) (10 acres +/-).

The property lacks utilities and would require the extension of services, including but not limited to sanitary sewer, water, electricity, roadways, etc. Nettleton Avenue is proposed to extend just north of the property and is indicated within the Comprehensive Plan as a future arterial street as well as within the K-7 Corridor Master Plan, there is currently a preliminary design completed through KDOT. In ongoing discussions with the applicant, their design team and the City Engineer; a redesign and/or realignment of Nettleton Avenue may suit the site better and provide easier access to and from potential future development within the entire area. These discussions will continue with the intent of coming to an agreeable location and design.

Presented by: Mark Lee- City Planner

Staff Recommendation:

Staff recommends the Planning Commission approve the requested zoning change for 1401 S. 130th Street from A-1 (Agricultural District) and C-2 (General Business District) to I-1 (Light Industrial) as presented.

Attachments:

Staff Report (5pgs)
Current zoning areas (1pg)
Legal Description (1pg)

REQUEST FOR APPROVAL OF A ZONING CHANGE FROM A-1 (AGRICULTURAL DISTRICT) AND C-2 (GENERAL BUSINESS DISTRICT) TO I-1 (LIGHT INDUSTRIAL)

MEETING DATE: January 18, 2022
REPORT WRITTEN: November 29, 2021 (Revised January 14, 2022)
APPLICATION #: BSRZ-03-21

APPLICANT:
BK Properties LLC (C/O Ken Block)
4622 Pennsylvania Avenue, Suite 700
Kansas City MO 64112

ENGINEER
McClure
11031 Stang Line Road
Lenexa KS 66215

REQUEST:

- The applicant is requesting approval to rezone 1401 S. 130th Street from A-1 (Agricultural District) and C-2 (General Business) to I-1 (Light Industrial). The property in question is located east of K-7 and south of the current Nettleton Avenue.

COMPREHENSIVE PLAN/FUTURE LAND USE MAP:

- The Future Land Use Map currently designates this property as Mixed Use.

SURROUNDING ZONING:

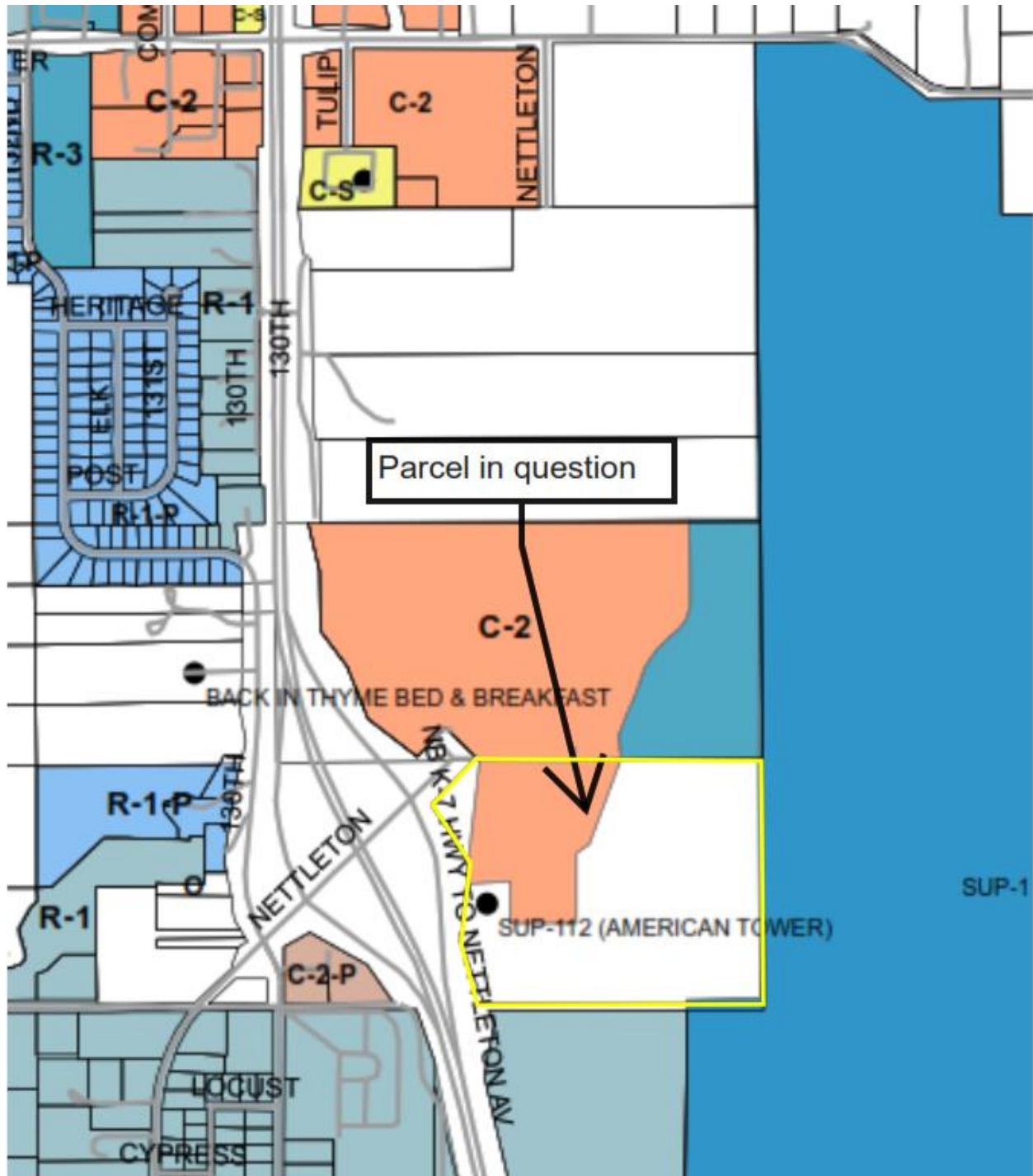
- North A-1 Agricultural District
- South R -1 Single Family Residential District
- East I-2 Heavy Industrial
- West Kansas Highway 7, mix of zoning districts west of K-7

BACKGROUND:
The properties have gone through several planning processes over the past ten to twenty years but no development has occurred upon the property. Currently the property is occupied by a vacant farm house and its surrounding acreage, it was also slated to become a retail/commercial center with multi-family residential to the east; this layout is indicated in the current zoning configuration.

There are currently three distinct zoning districts located on the parcels, A-1 (Agricultural) generic blanket zoning (32+/- acres) and C-2 (General Business) (10+/- acres).

The property lacks utilities and would require the extension of services, including but not limited to sanitary sewer, water, electricity, roadways, etc. Nettleton Avenue is proposed to extend just north of the property and is indicated within the Comprehensive Plan as a future arterial street as well as within the K-7 Corridor Master Plan, there is currently a preliminary design completed through KDOT. In ongoing discussions with the applicant, their design team and the City Engineer; a redesign and/or realignment of Nettleton Avenue may suit the site better and provide easier access to and from potential future development within the entire area. These discussions will continue with the intent of coming to an agreeable location and design.

THE CURRENT ZONING CONFIGURATION:



REZONING:

According to Article XXV, Section 1 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:

CHARACTER OF THE IMMEDIATE AREA –

The area surrounding the subject property is a mix of highway use to the west, with residential beyond that. To the east is zoned heavy industrial (I-2) and consists of 490 acres owned by Deffenbaugh Industries which is currently utilized as a rock quarry. To the north lies the Kerry Roberts Park, an occupied single family residence, a vacant parcel and a retail center anchored by the Walmart store. To the south is a vacant residential parcel consisting of 45+/- acres, this parcel abuts a 7 lot residential subdivision.

THE ZONING AND USES OF THE PROPERTY NEARBY –

- NORTH - C-2 (General Business) – current zoning - vacant.
R-3 (Multi-family Residential) – current zoning - vacant.
A-1 (Agricultural District) – single family residence
C-2 (General Business)
C-S (Highway Service) Districts – retail center and large retailer along
with other commercial uses
- EAST - I-2 (Heavy Industrial) - rock quarry
- SOUTH - R-1 (Single Family Residential) – vacant wooded parcel

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

The property is currently vacant with a portion of the current zoning reflecting a retail/commercial development (C-2) and the remaining portion being zoned as agricultural (A-1) with no active plans for development. The property has had at least two different mixed-use designs laid out, presented to the City and approved in the past. Bonner Springs has long envisioned the entirety of this area as an additional commercial hub similar to K-7 and Kansas Avenue, the heavy industrial use to the east makes this style of development increasingly difficult due to the visual appearance, noise, dust and quarry blasting that is present today. The interchange at Nettleton Avenue is best suited for larger amounts of vehicular traffic, thus benefitting a residential-commercial (mixed-use) use, though it can permit an increase in truck traffic as well.

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

Rezoning this parcel to I-1 (Light Industrial) would remove a small portion of potentially viable sales tax generating retail/commercial development. The conventional retail industry is dwindling nationwide though and traditional brick and mortar businesses are not being developed as in the past. With an already existing heavy industrial zoning use directly to the east it is difficult to determine if the rezoning of this property will prove detrimental. The property directly north and south of the intended rezoning, while under individual ownerships; is utilized as residential and could continue to develop as such. Locating light industrial in the area may decrease the potential value of these properties as a residential development but increase the value for other uses. While these residential properties are abutted by a heavy industrial use to the east, they are buffered by the significant elevation change and wooded area between the two.

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

The subject property has not seen development occur upon it to date; the parcel is vacant but does have an active Earth Change Permit issued. The Earth Change Permit was issued to the current owners; Staff understands they were interested in flattening the parcel to make it more marketable.

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

By removing the commercial zoning from the property and replacing it with light industrial there is little, to no gain, to the public health, safety and welfare.

As the property is currently zoned, C-2 (General Business) and A-1 (Agricultural) it has been anticipated to be utilized in much larger residential-retail-commercial configuration. If the zoning change were not approved there could potentially be a financial hardship placed upon the current property owner, as this is the first prospective development of the parcel since 2007.

RECOMMENDATION OF PROFESSIONAL STAFF-

Staff would recommend approval of the requested rezoning of 1401 S. 130th Street from C-2 (General Business) and A-1 (Agricultural) to I-1 (Light Industrial). Staff would further state, that ongoing discussions are planned to determine how the property to the north, 1201 S. 130th Street, could be utilized to better serve the general public; potentially as a multifamily residential area with limited commercial and light industrial to the east, this scenario conforms more to adopted Future Land Use Map.

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 Mixed Use. The Mixed Use zoning district is intended to provide a live-work-play scenario within close proximity or with the inclusion of residential living with a variety of types and styles. This live-work-play lifestyle is intended to provide retail and commercial uses within walking distance of the residents that live within the area. Currently the requested rezoning does not conform to the Comprehensive Plan.

The Comprehensive Plan states:

Mixed Use : (Primarily Commercial; and if residential, more than 6 dwelling units per acre): The Mixed Use category includes a variety of office, small-scale retail, and general business uses that are service-commercial oriented, located in centers that can accommodate related uses. Such nonresidential uses are intended to provide services primarily to residents of the surrounding area and placed in locations with a design character that blends into the district and the neighborhood. If a Mixed Use-Residential component is proposed, it must be designed in a manner to promote pedestrian activity through a system of interconnected streets and varied streetscapes that also provide safe and efficient movement of vehicular traffic. This category promotes a variety of high-density residential land uses including a variety of commercial and mixed use-residential/commercial land uses if approved by the City; and would be limited to townhouse, condominium, and multifamily apartment dwellings. They would be designated M-U districts. They should be reviewed for land use compatibility against the City's core Guiding Principles and Neighborhood Design Policies, and the Multifamily Design Guidelines for any multifamily developments proposed within mixed use districts (Reference Appendix B). Additional uses including live-work, and limited retail commercial stores are permitted in this category under strict architectural and land use controls.

In contrast the Comprehensive Plan 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.

STAFF RECOMMENDATION:

Staff recommends approval of the rezoning for 1401 S. 130th Street from A-1 (Agricultural District) and C-2 (General Business) to I-1 (Light Industrial) as presented, Staff would further recommend the following if the request is approved by the Commission.

1. A Traffic Impact Study shall be conducted by the applicant and submitted to the City and KDOT for review prior to platting of the property.
2. Developer shall be responsible for the extension of services including but not limited to, sanitary sewer, water, other public utilities as well as the extension of Nettleton Avenue.
3. A preliminary and final plat adhering to the requirements of the Bonner Springs Subdivision Regulations shall be submitted and approved by the City prior to building permits being issued.
4. Any and all construction drawings shall be submitted to the City for review and approval prior to site improvements commencing
5. A Privately Funded Public Improvements construction agreement shall be prepared and approved by all parties prior to commencement of construction on such improvements.
6. The final plat shall be recorded with the Wyandotte County Register of Deeds.
7. In addition to the recommendations/stipulations listed within this staff report, the developer/property owner agrees to abide by all Zoning Ordinances and Subdivision Regulations of the City of Bonner Springs

This item will move to the Governing Body if approved. The request will be presented at the February 14th, 2022 regular meeting.

Rezoning A1 and C-2 to I-1 Legal Description

A tract of land being the South One-Half of the Southeast Quarter of Section 20 Township 11 South Range 23 East of the Sixth Principal Meridian in Wyandotte County, Kansas, lying East of K-7 Highway and North of Metropolitan Avenue, more particularly described as follows:

Beginning at the Southeast corner of Section 20, said point being monumented by a smooth 1 inch iron bar in concrete; Thence South $88^{\circ} 16' 04''$ West, along the South line of the Southeast Quarter of Section 20, 1526.87 feet to the East right-of-way line of State Highway K-7; Thence North $23^{\circ} 59' 56''$ West 379.30 feet, along said right-of-way; Thence North $04^{\circ} 21' 04''$ East 445.50 feet, along said right-of-way; Thence North $35^{\circ} 07' 56''$ West 371.70 feet, along said right-of-way; Thence North $43^{\circ} 37' 04''$ East 323.27 feet, along said right-of-way to the North line of the South One-Half of the Southeast Quarter of Section 20; Thence North $88^{\circ} 13' 29''$ East 1595.47 feet, along said North line of the South One-Half of the Southeast Quarter of Section 20 to the midpoint of the East line of the Southeast Quarter; Thence South $01^{\circ} 50' 29''$ East 1332.71 feet, to the point of beginning, except that part in roads.

(Legal description take from ALTA survey prepared by Michael J. Schmidtberger,, and dated 11-08-21)

Memorandum

Date: January 18, 2022
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING – BSZO-02-21 – Zoning Ordinance amendments

Recommendation:

1. Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District), R-1 (Single Family Residential District), R-1A (Residential Special District), R-2 (Duplex Residential District), R-3 (Multi-Family Residential District), M-P (Manufactured Home Park District), M-H (Manufactured Home Subdivision District) and MX (Mixed Use District).
2. Staff recommends the Planning Commission approve the proposed regulations that will amend Article XXII by adding Section 4, Accessory Dwelling Units and Article XXVIII; Section 3 Definitions.
3. Staff recommends the Planning Commission approve the Zoning Ordinance amendment to Section XXII, Supplementary District Regulations; regarding architectural design standards for certain zoning districts throughout the city.

Action:

Consider Zoning Ordinance amendments allowing for Accessory Building size restrictions, Accessory Dwelling Units and Architectural Design Standards. Staff and Planning Commission have discussed the proposed ordinances over two separate workshops that would:

1. Restrict accessory building size within certain residentially zoned properties;
2. Allow for Accessory Dwelling Units
3. Implement Architectural Design Standards for Multi-family residential buildings, commercial buildings and industrial facilities

Background: Agenda items have been discussed at two worksession, the items have been prepared with Planning Commission's recommendations

Discussion: 1. Currently the zoning regulations state that an accessory building occupies no more than 30% of the required rear yard of a property, there are no maximum size restrictions, in staff experiences this can and does lead to large buildings that no longer meet the intent of an accessory structure as they may be larger than the principal structure.

In researching requirements, staff looked at seven (7) surrounding communities and their current regulations. Those seven communities were Lenexa, Shawnee, Kansas City (MO), Lansing, Olathe, Lee's Summit (MO) and Overland Park. Taking from those regulations currently in place and taking into consideration agricultural areas of Bonner Springs and the Loring Service Area, staff has come up with a set of regulations that would regulate size

limitations while allowing for larger size buildings were applicable.

2. Accessory Dwelling Units are becoming a very popular way to increase housing supply without changing the physical character of neighborhoods. According to AARP; ADU's can be utilized by the owners in many different ways, including;

- EMPTY NESTERS can build an ADU and move into it, then rent out the main house for supplemental income or make it available to their adult children.
- FAMILIES WITH YOUNG CHILDREN can use an ADU as housing for a nanny or au pair or even a grandparent or two, who can then help raise their grandkids and be

assisted themselves as they age.

- INDIVIDUALS IN NEED OF CARE can reside in an ADU to be near family members, or they can use the ADU to house a live-in aide. (In fact, ADUs can be an affordable and more comforting alternative to an assisted-living facility or nursing home.)
- HOME BUYERS can look forward to the rental income from an ADU to help pay their mortgage or finance home improvements, especially in expensive housing markets.

ADU's can come in many shapes, styles and varieties. Staff has researched the surrounding communities that have regulations in place currently along with information provided by AARP "The ABCs of ADUs" and the Urban Institute "Designing Accessory Dwelling Unit Regulations" as prepared for the City of Alexandria, Virginia.

Staff has drafted regulations that address the use of ADU's within Bonner Springs.

3. Several municipalities have instituted building design guidelines to ensure that a certain architectural character is upheld. Some municipalities have chosen to regulate residential, multi-family, commercial, office and industrial. In staffs opinion regulating the design of single family or duplex homes can become burdensome and time consuming and is best handled through private Home Owners Associations.

The proposed regulations would provide architectural standards for the following zoning districts:

C-1 (Central Business Dist. including Downtown), C-2 (General Business Dist.), C-S (Highway Service Dist.), I-1 (Light Industrial)
I-2 (Heavy Industrial), R-3 (Multi-family Residential Dist.), As well as any of these districts carrying the designation of "Planned"
MX (Mixed Use) – these would regulate business facades and multi-family dwellings

Within the Comprehensive Plan of Bonner Springs is Appendix B, "Planning Principles and Design Guidelines"; these guidelines layout standards for street networks, preservation of greenspace, incorporation of different housing styles and densities, among other elements that pertain to site development. They further provide architectural guidelines for multi-family residential development and commercial development; the Appendix does not address industrial buildings or development. Staff has taken portions of Appendix B and created a document that addresses building form as well as limited site layout concepts. This document would then be incorporated into Article XXII - Supplementary Regulations.

In researching design criteria, staff looked at seven (7) surrounding communities and their current regulations. Those seven communities were Lenexa, Shawnee, Basehor, Olathe, Lee's Summit (MO) and Overland Park. Liberty (MO) was looked at as well; their design standards focus on the historic downtown district.

Financial Impact: NA

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 7a

Topic: Accessory Structure size limitations within specific zoning districts.

Narrative: Currently the zoning regulations state that an accessory building occupies no more than 30% of the required rear yard of a property, there are no maximum size restrictions, in staff experiences this can and does lead to large buildings that no longer meet the intent of an accessory structure as they may be larger than the principal structure.

In researching requirements, staff looked at seven (7) surrounding communities and their current regulations. Those seven communities were Lenexa, Shawnee, Kansas City (MO), Lansing, Olathe, Lee's Summit (MO) and Overland Park. Taking from those regulations currently in place and taking into consideration agricultural areas of Bonner Springs and the Loring Service Area, staff has come up with a set of regulations that would regulate size limitations while allowing for larger size buildings were applicable.

Presented by: Mark Lee-City Planner

Staff Recommendation:

Staff recommends the Planning Commission approve the amendments to the Zoning Ordinance zoning districts of AG (Agricultural District-Loring Service Area), A-1 (Agricultural District), R (Rural Residential District-Loring Service Area), R-S (Suburban Residential District), R-1 (Single Family Residential District), R-1A (Residential Special District), R-2 (Duplex Residential District), R-3 (Multi-Family Residential District), M-P (Manufactured Home Park District), M-H (Manufactured Home Subdivision District) and MX (Mixed Use District).

Attachments:

Repealed Zoning Regulations (2pgs)
Zoning District Sections (24pgs)

ARTICLE XXII SUPPLEMENTARY DISTRICT REGULATIONS

SECTION 1. HEIGHT REGULATIONS: Chimneys, cooling towers, elevator head-houses, fire towers, grain elevators, monuments, stacks, stage towers, or scenery lofts, tanks, ornamental towers, and spires, church steeples, antennas (not for commercial purposes) or necessary mechanical appurtenances, usually required to be placed above the roof level and not intended for human occupancy, are not subject to the height limitations contained in the district regulations. In all districts, one (1) additional foot of height above the specified height limitation shall be permitted for each one (1) foot of additional yard provided over the minimum requirement on all sides of the lot, provided the application is submitted to the Planning Department and approved by both the Planning Commission and Governing Body.

SECTION 2. LOT SIZE REQUIREMENTS AND BULK REGULATIONS FOR PUBLIC UTILITY FACILITIES: Notwithstanding any other provision of these regulations, none of the following public utility or public service uses shall be required to comply with the lot size requirements and bulk regulations of the zoning district in which they are located:

1. Electric and telephone substations and distribution systems.
2. Gas regulator stations.
3. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the transmission of electricity, gas or water.
4. Pumping stations.
5. Radio, television and microwave transmitting or relay stations and towers.
6. Transformer stations.
7. Water towers or standpipes.

SECTION 3. YARD REGULATIONS:

1. Minimum Yard Requirements: The yard requirements heretofore established shall be adjusted in the following cases:
 - (a) Where the property fronts on two intersecting streets (a corner lot), such lot shall maintain a front yard setback on both streets, except in the following cases:
 - (1.) Where no lots within the same block front on one of the two intersecting streets, the side yard requirements along such street shall be fifteen (15) feet.
 - (2.) The buildable width of a lot of record at the effective date of this ordinance shall not be reduced to less than thirty-five (35) feet, except where necessary to provide a yard five (5) feet in width along the side street.

~~**SECTION 4. ACCESSORY BUILDINGS:** No accessory building shall be erected in the front of the house with the exception of gazebos or similar decorative structures. Also, no accessory building shall be erected in the any required yard, and shall not be erected closer than five (5) feet to any other building. Accessory buildings may be located in the rear yard, but shall not be closer than five (5) feet to the rear lot line and shall not be closer to the side lot line than the required side yard setback of the district. No accessory building shall cover more than thirty (30) percent of the required rear yard. No accessory building shall be erected on or over a utility easement. No accessory structure or use as defined in these regulations shall be built, moved or remodeled, altered or enlarged unless such structure or use is permitted by these regulations.~~

~~Accessory buildings shall not be erected on properties where no main structure exists, except in Agricultural zoning districts for the storage of agricultural products or equipment or for shelter of livestock. Accessory buildings which are erected on property where no main building exists shall not have sewer facilities within the accessory structure.~~

SECTION 5. TEMPORARY USES PERMITTED: No temporary structure or use shall be built, moved, remodeled, altered or enlarged unless the temporary structure or use is permitted by these regulations. (Revised, Ordinance No. 1745)

1. **Christmas Tree Sales:** Christmas tree sales are permitted in any business or industrial district for a period not to exceed sixty (60) days. There are no yard or setback requirements, provided that no trees shall be displayed within thirty (30) feet of the intersection of the curb line of any two streets.
2. **Temporary, Contractors, or Seasonal Business or Ticket Office and Equipment Sheds:** Contractors or other temporary and seasonal business offices and equipment sheds accessory to construction projects or other temporary or seasonal businesses are permitted and may continue only during the duration of such project, or, if a seasonal business, for a period of no longer than six (6) months. Such uses may not include sleeping or cooking accommodations. A permit shall be obtained from the Codes Department for such temporary structures.
3. **Real Estate Offices:** Real estate offices are permitted where they are located on-site and are incidental to a new housing development, provided that such uses continue only until the sale or lease of all dwelling units in the development. Such uses may not include sleeping or cooking accommodations unless located in a model dwelling unit and sales must be limited to housing within the new housing development.
4. **Seasonal Sales:** Seasonal sales of farm produce grown on the premises are permitted in an "AG" and 'A-1' District. Front yard requirements are not applicable to structures incidental to such sales if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used. (Revised Ordinance No. 1636).
5. **Carnivals and Circuses:** Carnivals or circuses, in "C-1", "C-2", "C-S" and "I-1" Districts, permitted only for a period that does not exceed three (3) weeks. Front yard requirements are not applicable, provided that the location of structures or equipment shall conform to the requirements of the sight triangle as defined by these regulations.
6. **Garage, Porch, or Yard Sales:** The sale of used or second-hand merchandise shall be permitted in any residential district or by non-profit organizations, provided that such use shall not exceed three (3) consecutive days in duration nor shall it occur more than two (2) times in a consecutive twelve (12) month period at any particular location. Such sales shall be only for the purpose of disposing of personal property.
7. **Fireworks Sales:** The sale of fireworks, as set forth in local ordinance and all amendments thereto relating to the regulation of the storage, sale and discharge of fireworks, shall be permitted in "C-1", "C-2", "C-S", "I-1", and "I-2" Districts, only for the period permitted by City ordinance or State Statute, whichever is more restrictive.

ARTICLE V-A
“AG” AGRICULTURAL DISTRICT

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

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

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum Lot Area

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

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

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

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

SECTION 6. ACCESSORY BUILDINGS:

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

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

Rear yard – 5 feet

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

No closer than 5 feet to another structure

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

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

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

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

ARTICLE VI

“A-1” AGRICULTURAL DISTRICT

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

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

SECTION 3. INTENSITY OF USE REGULATIONS:

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

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

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

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

SECTION 6. ACCESSORY BUILDINGS:

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

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

Rear yard – 5 feet

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

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

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

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

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

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

ARTICLE VI-A

“R” RURAL RESIDENTIAL DISTRICT

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

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

SECTION 3. INTENSITY OF USE REGULATIONS:

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

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

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

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

SECTION 6. ACCESSORY BUILDINGS:

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

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

Rear yard – 5 feet

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

No closer than 5 feet to another structure

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

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

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

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

ARTICLE VII

“R-S” SUBURBAN RESIDENTIAL DISTRICT

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

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

SECTION 3. INTENSITY OF USE REGULATIONS:

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

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

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

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

SECTION 6. ACCESSORY BUILDINGS:

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

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

Rear yard – 5 feet

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

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

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

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

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

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

ARTICLE VIII

“R-1” SINGLE-FAMILY RESIDENTIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for single-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods.

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

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum lot area: Seven thousand (7,000) square feet
2. Minimum lot width: Sixty (60) feet

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

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

1. Front Yard: Twenty-five (25) feet.
2. Side Yard: Seven and one-half (7-1/2) feet, except where utility easements are required, then the minimum side yard must be ten (10) feet.
3. Rear Yard: Twenty-five (25) feet. The Planning Staff as designated by the City Manager shall average irregular yard dimensions to establish setback requirements. Should the average dimension meet the requirement of the zoning district, a building permit shall be issued if requested. Should the average dimension not meet the requirements of the zoning district, the application for a building permit shall be denied. (Revised Ordinance No. 1648)
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments. (Revised, Ordinance No. 1884, 12/20/99)

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard

4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise:

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-1:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)

Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.

- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)

Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft

- e. For lots over five acres (217,800sqft):

Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

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

SECTION 8. RESIDENTIAL STRUCTURE ORIENTATION:

1. The main entrance of any residential structure shall be oriented parallel to the street right-of-way line; and
2. On corner lots, the entrance of any residential structure shall be oriented parallel with, or at an angle not to exceed 45 degrees between the street right-of-way lines.

SECTION 9: SCREENING REQUIREMENTS: Residential subdivision landscape plans for all low and moderate intensity residential districts shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase "screened from public view" means not visible from adjoining properties or any street right-of-way. The below listed screening requirement shall be installed and maintained at the property owner's expense.

1. All uses which back up to 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 rear 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.

ARTICLE IX

“R-1A” RESIDENTIAL SPECIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for single-family residential development as well as appropriate multiple-family residential development at a higher density than the "R-S" District, including those uses which support and encourage residential neighborhoods.

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

SECTION 3. INTENSITY OF USE REGULATIONS

1. Minimum lot area: Seven thousand (7,000) square feet
2. Minimum lot width: Sixty (60) feet

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

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

1. Front Yard: Twenty-five (25) feet
2. Side Yard: Seven and one-half (7-1/2) feet, except where utility easements are required, then the minimum side yard must be ten (10) feet.
3. Rear Yard: Twenty-five (25) feet. The Planning Staff as designated by the City Manager shall average irregular yard dimensions to establish setback requirements. Should the average dimension meet the requirement of the zoning district, a building permit shall be issued if requested. Should the average dimension not meet the requirements of the zoning district, the application for a building permit shall be denied. (Revised Ordinance No. 1648)
4. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard

4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-1A:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)

Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.

- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)

Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft

- e. For lots over five acres (217,800sqft):

Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

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

SECTION 8. RESIDENTIAL STRUCTURE ORIENTATION:

1. The main entrance of any residential structure shall be oriented parallel to the street right-of-way line; and
2. On corner lots, the entrance of any residential structure shall be oriented parallel with, or at an angle not to exceed 45 degrees between the street right-of-way lines.

SECTION 9: SCREENING REQUIREMENTS: Residential subdivision landscape plans for all low and moderate intensity residential districts shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase “screened from public view” means not visible from adjoining properties or any street right-of-way. The below listed screening requirement shall be installed and maintained at the property owner’s expense.

1. All uses which back up to 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 rear 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.

ARTICLE X

“R-2” DUPLEX RESIDENTIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for moderate density residential development, including two-family and higher density single-family dwellings, to encourage strong residential neighborhoods.

SECTION 2. PERMITTED USES: Single-family residences, two-family residences, including residential-design manufactured homes and group homes as defined in these regulations, and related public and semi-public uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations.

SECTION 3. INTENSITY OF USE REGULATIONS

1. Minimum lot area: Seven thousand (7,000) square feet for single-family lots and eight thousand (8,000) square feet for two-family lots.
2. Minimum lot width: Seventy (70) feet

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

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

1. Front Yard: Twenty-five (25) feet
2. Side Yard: Ten (10) feet
3. Rear Yard: Twenty-five (25) feet. The Planning Staff as designated by the City Manager shall average irregular yard dimensions to establish setback requirements. Should the average dimension meet the requirement of the zoning district, a building permit shall be issued if requested. Should the average dimension not meet the requirements of the zoning district, the application for a building permit shall be denied.
3. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.

3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-2:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

SECTION 7. SCREENING REQUIREMENTS: Residential subdivision landscape plans for all low and moderate intensity residential districts shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase “screened from public view” means not visible from adjoining properties or any street right- of-way. The below listed screening requirement shall be installed and maintained at the property owner’s expense.

1. All uses which back up to 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 rear 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.

ARTICLE XI
“R-3” MULTI-FAMILY RESIDENTIAL DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for high density residential development, including multi-family residences, in strong residential neighborhoods.

SECTION 2. PERMITTED USES: Multi-family dwellings, nursing homes and boarding houses are permitted. For a specific listing of permitted uses and uses permitted by special use permits, see Appendices A and B of these regulations

SECTION 3. INTENSITY OF USE REGULATIONS

1. Minimum Lot Area:
 - (a) Two thousand (2,000) square feet per dwelling unit with a minimum lot requirement of nine thousand (9,000) square feet.
 - (b) Nursing Homes and Boarding Homes: Five hundred (500) square feet per occupant.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height Three (3) stories, or forty-five (45) feet.

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

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

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-3:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

SECTION 7. USE LIMITATIONS: The maximum density of dwelling units permitted in an “R-3” district is eighteen (18) units per acre with a minimum of seventeen (17) percent open space. (Revised Ordinance No. 2172).

SECTION 8. SCREENING REQUIREMENTS: Site and landscape plans for all high-density residential projects and all commercial, office and light industrial projects shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase “screened from public view” means not visible from adjoining properties or any street right-of-way. The below listed screening requirements shall be installed and maintained at the property owner’s expense.

1. Trash, grease, and business recycling enclosures shall be screened from public view on all four sides. The screening shall be a minimum of six (6) foot solid opaque fence constructed of wood, masonry or other compatible building material. The enclosure shall be constructed large enough to fully enclose the trash, grease and business recycling receptacle(s);
2. Exterior ground-mounted or building mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping, fencing or with an architectural treatment compatible with the building architecture;
3. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture;
4. All uses which back up to 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 rear 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
5. 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.

ARTICLE XII

“M-P” MANUFACTURED HOME PARK DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to provide for medium density manufactured home parks which are compatible with the character of the surrounding neighborhood in which it is located. Manufactured home developments are residential uses and shall be located in areas where services and amenities found in conventional residential areas are available. (Revised Ordinance No. 1636).

SECTION 2. PERMITTED USES: Manufactured homes not on permanent foundations are permitted. For a specific listing of other permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations. (Revised, Ordinance No. 1630, 1636 and No. 1710, 12/5/94)

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum Lot Area:
 - (a) Manufactured Home Park: Ten (10) acres
 - (b) Each manufactured home space shall be at least 45 feet wide and 90 feet deep.
2. Minimum Lot Width:
 - (a) Manufactured Home Park: Two hundred (200) feet.

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

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

1. Front Yard: Thirty (30) feet shall be provided around the periphery of all manufactured home parks.
2. Side Yard: Thirty (30) feet
3. Rear Yard: Thirty (30) feet
5. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.

SECTION 6: ACCESSORY BUILDINGS:

1. No accessory structure shall be located within the required front yard
2. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
3. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district M-P:

120 sqft

SECTION 7. USE LIMITATIONS: Each manufactured home park shall be designed in accordance with the following minimum design standards:

1. Minimum Design Standards:

- (a) The manufactured home park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water;
- (b) The manufactured home park shall have a maximum density of eight (8) manufactured homes per gross acre, and a minimum area of 4,050 square feet shall be provided for each manufactured home lot;
- (c) Each lot for a manufactured home shall be at least 45 feet wide and 90 feet deep;
- (d) Clearance of not less than twenty (20) feet between manufactured homes or between a manufactured home and any building within the manufactured home park shall be required;
- (e) Each manufactured home lot shall front upon a private roadway of not less than twenty-four (24) feet in width; provided, however, that no on-street parking is permitted. If parallel parking is permitted on one side of the street, the width of the private roadway shall be increased to thirty (30) feet, and if parallel parking is permitted on both sides of the street, the width of the private roadway shall be increased to thirty-six (36) feet. All roadways shall have access to a public street;
- (f) All roadways and sidewalks within the manufactured home park shall be constructed to the standards of public streets in the City of Bonner Springs and shall be adequately lighted at night; and
- (g) Each manufactured home shall be fully skirted with commercial grade skirting.

2. Water Supply:

- (a) Water shall be supplied to the manufactured home park by a public water system;
- (b) The size, location and installation of water lines shall be in accordance with the requirements of the City of Bonner Springs; and
- (c) Individual water service connections shall be provided at each manufactured home lot.

3. Sewage Disposal:

- (a) Sewage disposal shall be provided to the manufactured home park by a public sewer system;
- (b) The size, location and installation of sewer lines shall be in accordance with the requirements of the City of Bonner Springs; and

- (c) Individual sewer service connections shall be provided at each manufactured home lot.
4. Electrical: Each manufactured home lot shall be provided with an individual electrical outlet supply which shall be installed in accordance with the requirements of the City of Bonner Springs.
 5. Gas: Natural gas hookups, when provided, shall be installed in accordance with the regulations of the City of Bonner Springs.
 6. Tie-Downs and Ground Anchors: All manufactured homes shall be secured to the ground by tie-downs and ground anchors in accordance with the Mobile Home and Recreational Vehicle Code, K.S.A. 75-1211 et seq.
 7. Blocking: All manufactured homes shall be blocked in accordance with the Mobile Home and Recreational Vehicle Code, K.S.A. 75-1211 et seq.
 8. Refuse and Garbage Handling:
 - (a) Storage, collection and disposal of refuse in a manufactured home park shall be required so as to create no health hazards, rodent harborage, insect breeding areas, accidents, fire hazards or air pollution; and
 - (b) All refuse shall be stored in fly-tight, watertight, rodent- proof containers.Containers shall be provided in sufficient number and capacity to properly store all refuse.
 9. Pad Requirements: The pad for each manufactured home shall be of a concrete surface of a minimum of two eighteen (18) inch wide ribbons or slabs capable of carrying the weight and of sufficient length to support all blocking points of the manufactured home.
 10. Recreational Area: A recreational area shall be provided at a central location in the manufactured home park at the rate of 200 square feet for each trailer space.
 11. Buffering: A solid fence or wall and a 10-foot landscaped buffer area shall be provided between the Manufactured Home Park District and any adjoining property zoned for residential purposes. The solid fence or wall shall be not less than four feet high nor more than six feet high. The owner shall be responsible for the maintenance of the fence or wall and the landscaped buffer area.
 12. Laundry Facilities: Laundry facilities for the exclusive use of the manufactured home occupants shall be provided.
 13. Storm Shelters: A storm shelter shall be provided to give protection to all residents of the manufactured home park.
 - (a) The storm shelter shall be constructed to provide adequate protection from tornadoes and high winds;
 - (b) The storm shelter shall provide a minimum of thirty (30) square feet per manufactured home pad; and
 - (c) The storm shelter shall comply with the applicable codes and ordinances as adopted by the City of Bonner Springs.

SECTION 8. APPLICATION REQUIREMENTS:

1. An applicant for "M-P" Manufactured Home Park District shall prepare or cause to be prepared a preliminary Manufactured Home Park Plan, drawn to a scale of not

less than 1" - 100', and twenty (20) copies of said Plan shall be submitted to the Planning Commission for its review and recommendations. Said plan shall be designed in accordance with the Minimum Design Standards and shall have contours shown at two (2) foot intervals.

2. Upon approval of the preliminary manufactured home park plan by the Planning Commission, the applicant shall prepare and submit a final plan, which shall incorporate any changes or alterations requested. The final plan and the Planning Commission recommendation shall be forwarded to the Governing Body for their review and final action.
3. Any substantial deviation from the approved plan, as determined by the Building Official, shall constitute a violation of these regulations. Changes in plans shall be submitted for consideration and approval by the Planning Commission and Governing Body prior to the issuance of a building permit for the construction of the manufactured home park.

ARTICLE XIII
“M-H” MANUFACTURED HOME SUBDIVISION DISTRICT SECTION

SECTION 1. PURPOSE: The purpose of this district is to permit manufactured homes on permanent foundations where a lot or a group of lots is owned by the manufactured home owner. (Revised Ordinance No. 1630)

SECTION 2. PERMITTED USES: Manufactured homes on permanent foundations and related public and semi-public uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations. (Revised Ordinance No. 1630)

SECTION 3. INTENSITY OF USE REGULATIONS:

1. Minimum Lot Area: Seven thousand (7,000) square feet.
2. Minimum Lot Width: Sixty (60) feet.
3. Minimum Site Area: Ten (10) acres.

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

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

1. Front Yard: Twenty-five (25) feet.
2. Side Yard: Seven and one-half (7 ½) feet, except where utility easements are required, then the minimum side yard must be ten (10) feet.
4. Rear Yard: Twenty-five (25) feet.
5. Encroachments: Under no circumstances will structures encroach into easements, required yards or rights-of-way. Encroachments shall not include chimneys, balconies, roof overhangs, etc., two feet above grade and not extending more than three (3) feet into the setback. Structural retaining walls that are not part of a larger structure also shall not be considered as encroachments.
(Revised, Ordinance No. 1884, 12/20/99)

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard

4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district M-H:
250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
One thousand (1000) square feet, maximum
- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)
Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.
- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)
Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft
- e. For lots over five acres (217,800sqft):
Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

ARTICLE XIV
“MX” MIXED USE DISTRICT

SECTION 1. PURPOSE: The purpose of this district is to permit the grouping of office, retail and residential uses which are intended by design and use.

SECTION 2. PERMITTED USES: Office, retail and residential uses are permitted. For a specific listing of permitted uses and uses permitted by special use permit, see Appendices A and B of these regulations.

SECTION 3. INTENSITY OF USE REGULATIONS: Area occupied by buildings in this district shall not exceed forty (40) percent of the ground area on which the buildings are located.

SECTION 4. HEIGHT REGULATIONS: Maximum structure height: Three (3) stories, or forty-five (45) feet.

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

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

SECTION 6: ACCESSORY BUILDINGS:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district MX:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

SECTION 7. USE LIMITATIONS: Each business must be conducted entirely within an enclosed building, including the storage of supplies, goods and equipment; provided, however, that vending machines and the temporary display of seasonal retail goods shall be permitted where the area used for such display is less than 200 square feet.

SECTION 8. SCREENING REQUIREMENTS: Site and landscape plans for all high-density residential projects and all commercial, office and light industrial projects shall include a detailed drawing of the screening methods as provided hereafter. For the purpose of the section, the phrase “screened from public view” means not visible from adjoining properties or any street right-of-way. The below listed screening requirements shall be installed and maintained at the property owner’s expense.

1. Trash, grease, and business recycling enclosures shall be screened from public view on all four sides. The screening shall be a minimum of six (6) foot solid opaque fence constructed of wood, masonry or other compatible building material. The enclosure shall be constructed large enough to fully enclose the trash, grease and business recycling receptacle(s);
2. Exterior ground-mounted or building mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping, fencing or with an architectural treatment compatible with the building architecture;
3. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture;
4. All uses which back up to 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 rear 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
5. 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.

ORDINANCE NO. _____

An Ordinance of the Governing Body Amending Articles V-A, VI, VI-A, VII, VIII, IX, X, XI, XII, XIII and XIV of the Zoning Ordinance of Bonner Springs, Kansas; by adding Section 6: Accessory Buildings and adjusting all other Section Numbers to coincide with this addition.

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

SECTION I: The Zoning Ordinance, Article XXII; Section 4, Accessory Buildings is hereby repealed in its entirety.

SECTION II: The Zoning Ordinance, Articles V-A, VI, VI-1, VII, VIII, IX, X, XI, XII, XIII, and XIV shall be amended by adding Article 6; Accessory Buildings and thus renumbering some Article sections to coincide.

Article V-A; Section 6 shall read:

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

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

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

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

Article V; Section 6 shall read:

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

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

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

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

Article VI-A; Section 6 shall read:

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

1. No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

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

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

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

Article VII; Section 6 shall read:

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

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

Rear yard – 5 feet

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

No closer than 5 feet to another structure

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

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

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

Article VIII; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise:

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-1:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)

Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.

- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)

Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft

- e. For lots over five acres (217,800sqft):

Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

Article IX; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise
 - Setbacks are as follows:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-1A:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
 - Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
 - One thousand (1000) square feet, maximum
- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)
 - Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.
- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)
 - Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft
- e. For lots over five acres (217,800sqft):
 - Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

Article X; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot, this includes detached garages and sheds unless noted otherwise
 - Setbacks are as follows:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-2:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
 - Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
 - One thousand (1000) square feet, maximum

Article XI; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.

2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise
 - Setbacks are as follows:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district R-3:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
 - Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
 - One thousand (1000) square feet, maximum

Article XII; Section 6 shall read:

1. No accessory structure shall be located within the required front yard
2. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
3. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise
 - Setbacks are as follows:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district M-P:

120 sqft

Article XIII; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise
 - Setbacks are as follows:
 - Rear yard – 5 feet
 - Side Yard – as required by the zoning district in which it is located
 - No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district M-H:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
 - Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
 - One thousand (1000) square feet, maximum
- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)
 - Maximum two (2) accessory buildings shall be allowed with a maximum combined square footage of 1500sqft.
- d. For lots from three acres (130,680sqft) to five acres (217,800sqft)
 - Maximum three (3) accessory buildings shall be allowed with a maximum combined square footage of 2000sqft

e. For lots over five acres (217,800sqft):

Maximum three (3) accessory buildings with a maximum combined square footage of 3000sqft

Article XIV; Section 6 shall read:

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

1. All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit.
2. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.
3. No accessory structure shall be located within the required front yard
4. In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot. Accessory structures may not exceed the square footage of the principal structure
5. Only one accessory structure per lot this includes detached garages and sheds unless noted otherwise

Setbacks are as follows:

Rear yard – 5 feet

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

No closer than 5 feet to another structure

Maximum sizes of an accessory structure located within the zoning district MX:

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

a. For lots under seven thousand (7,000) square feet:

Five hundred (500) square feet, maximum

b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):

One thousand (1000) square feet, maximum

Section III: 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 ____ day of _____, 2022.

Jeff Harrington, Mayor

ATTEST:

Christina Brake, CMC, City Clerk
(SEAL)

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 7b

Topic: Accessory Dwelling Units

Narrative: Accessory Dwelling Units are becoming a very popular way to increase housing supply without changing the physical character of neighborhoods. According to AARP; ADU's can be utilized by the owners in many different ways, including;

- EMPTY NESTERS can build an ADU and move into it, then rent out the main house for supplemental income or make it available to their adult children.
- FAMILIES WITH YOUNG CHILDREN can use an ADU as housing for a nanny or au pair or even a grandparent or two, who can then help raise their grandkids and be assisted themselves as they age.
- INDIVIDUALS IN NEED OF CARE can reside in an ADU to be near family members, or they can use the ADU to house a live-in aide. (In fact, ADUs can be an affordable and more comforting alternative to an assisted-living facility or nursing home.)
- HOME BUYERS can look forward to the rental income from an ADU to help pay their mortgage or finance home improvements, especially in expensive housing markets.

ADU's can come in many shapes, styles and varieties. Staff has researched the surrounding communities that have regulations in place currently along with information provided by AARP "The ABCs of ADUs" and the Urban Institute "Designing Accessory Dwelling Unit Regulations" as prepared for the City of Alexandria, Virginia.

Staff has drafted regulations that address the use of ADU's within Bonner Springs.

Presented by: Mark Lee-City Planner

Staff Recommendation: Staff recommends the Planning Commission approve the proposed regulations that will amend Article XXII by adding Section 4, Accessory Dwelling Units and Article XXVIII; Section 3 Definitions.

Attachments:

Article XXII, Supplementary District Regulations (6pgs)

Article XXVIII Rules and Regulations; Section 3 Definitions (1pg)

Designing Accessory Dwelling Unit Regulations (28pgs) via web link

<https://www.urban.org/sites/default/files/publication/103275/designing-accessory-dwelling-unit-regulations.pdf>

The ABCs of ADUs – AARP (20pgs) via web link

<https://www.aarp.org/content/dam/aarp/livable-communities/livable-documents/documents-2019/ADU-guide-web-singles-071619.pdf>

Johnson County KS ADU Regulations (24pgs) via web link

<https://jocogov.org/sites/default/files/documents/PLN/ADU%20REGULATIONS%20APPROVED%20BY%20THE%20BOCC%20Revised%2004%2015%202020.pdf>

Johnson County ADU General Information (2pgs)

City of Olathe, Kansas ADU Regulations (2pgs)

City of Lawrence, KS ADU Regulations (2pgs)

ARTICLE XXII SUPPLEMENTARY

DISTRICT REGULATIONS

SECTION 1. HEIGHT REGULATIONS: Chimneys, cooling towers, elevator head-houses, fire towers, grain elevators, monuments, stacks, stage towers, or scenery lofts, tanks, ornamental towers, and spires, church steeples, antennas (not for commercial purposes) or necessary mechanical appurtenances, usually required to be placed above the roof level and not intended for human occupancy, are not subject to the height limitations contained in the district regulations. In all districts, one (1) additional foot of height above the specified height limitation shall be permitted for each one (1) foot of additional yard provided over the minimum requirement on all sides of the lot, provided the application is submitted to the Planning Department and approved by both the Planning Commission and Governing Body.

SECTION 2. LOT SIZE REQUIREMENTS AND BULK REGULATIONS FOR PUBLIC UTILITY FACILITIES: Notwithstanding any other provision of these regulations, none of the following public utility or public service uses shall be required to comply with the lot size requirements and bulk regulations of the zoning district in which they are located:

1. Electric and telephone substations and distribution systems.
2. Gas regulator stations.
3. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the transmission of electricity, gas or water.
4. Pumping stations.
5. Radio, television and microwave transmitting or relay stations and towers.
6. Transformer stations.
7. Water towers or standpipes.

SECTION 3. YARD REGULATIONS:

1. Minimum Yard Requirements: The yard requirements heretofore established shall be adjusted in the following cases:
 - (a) Where the property fronts on two intersecting streets (a corner lot), such lot shall maintain a front yard setback on both streets, except in the following cases:
 - (1.) Where no lots within the same block front on one of the two intersecting streets, the side yard requirements along such street shall be fifteen (15) feet.
 - (2.) The buildable width of a lot of record at the effective date of this ordinance shall not be reduced to less than thirty-five (35) feet, except where necessary to provide a yard five (5) feet in width along the side street.

SECTION 4. ACCESSORY DWELLING UNITS: Accessory Dwelling Units shall be allowed within the following zoning districts: AG (Agricultural District – Loring Area), A-1 (Agricultural District), R (Rural Residential District – Loring Area), R-S (Rural Suburban District), R-1 (Single Family Residential District) and R-1A (Residential Special District)

1. Recreational vehicles do not constitute an Accessory Dwelling Unit
2. ADU's are limited to no more than 1,000 square feet, and

3. No Accessory Dwelling Unit shall be larger in total living area than that of the principal structure, this does not include lower level garages of detached ADU's
4. ADU's shall contain no more than two (2) bedrooms
5. All ADU's require the owner of the primary dwelling or ADU be a permanent resident of the parcel in which it was constructed (Owner/Occupancy)
6. An ADU may be constructed as a new building, created by renovating and/or adding on to an existing accessory structure currently located on the same lot, created by constructing an addition to an existing home, created by converting a portion of the existing home, an entire floor, an attic or basement
7. If said ADU is constructed by converting a portion of an existing home, said area shall be required to provide a means of emergency egress per the adopted building code
8. ADU's constructed above detached garages shall be required to provide mechanical equipment separate from the garage, and they shall be required to provide a means of emergency egress directly to the ground via an exterior stairway, no emergency egress shall exit through the garage
9. Only one ADU is allowed per lot, regardless of lot size
10. The architectural styling of the ADU shall be architecturally similar in design to the principal structure premanufactured metal clad buildings do not meet this standard
11. Setbacks shall adhere to those required of other accessory buildings within the zoning district in which they are located when constructed as an accessory building
12. An ADU shall not exceed two (2) stories in height or twenty-five feet (25')
13. Any structure to be utilized as an ADU shall conform to the current Building Code as adopted, including permit requirements
14. ADU's will be issued an address of the principal structure and given a Unit letter at the end (ex. 212 W. Kump Ave. Unit B)
15. The ADU shall provide a minimum of one off street parking space, with access to a public street system, this space may be located on the public street as allowed by law or located within the lot of said ADU
16. ADU's shall not be constructed over or upon any public or private utility, drainage or access easement
17. An ADU constructed as an addition to an existing home must meet the same setbacks as required within the zoning district in which it is located
18. A "tiny home" or similar shall be considered an ADU if it is permanently anchored to the ground per code and any wheels and tires removed

SECTION 5. TEMPORARY USES PERMITTED: No temporary structure or use shall be built, moved, remodeled, altered or enlarged unless the temporary structure or use is permitted by these regulations. (Revised, Ordinance No. 1745)

1. **Christmas Tree Sales:** Christmas tree sales are permitted in any business or industrial district for a period not to exceed sixty (60) days. There are no yard or setback requirements, provided that no trees shall be displayed within thirty (30) feet of the intersection of the curb line of any two streets.

ARTICLE XXVIII

RULES AND REGULATIONS

SECTION 1. RULES: In the construction of these regulations, the provisions and rules of this section shall be preserved and applied, except when the context clearly requires otherwise:

1. Words used in the present tense shall include the future.
2. Words in the singular number include the plural number, and words in the plural number include the singular number.
3. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for".
4. The word "shall" is mandatory
5. The word "may" is permissive
6. The word "person" includes individuals, firms, corporations, associations, governmental bodies and agencies, and all other legal entities.
7. The word "Board" means the Bonner Springs Board of Zoning Appeals.
8. Unless otherwise specified, all distances shall be measured horizontally.
9. The word "City" means the City of Bonner Springs, Kansas.
10. The abbreviation N/A means not applicable
11. Any word or phrase which is defined in this article or elsewhere in these regulations shall have the meaning as so defined whenever the word or phrase is used in these regulations, unless such definition is expressly limited in its meaning or scope.

SECTION 2. INTERPRETATION:

1. Minimum Requirements: In interpretation and application, the application of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.
2. Overlapping or Contradictory Regulations: Where the conditions imposed by any provision of these regulations upon the use of land or structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of any other law, ordinance, resolution, rule or regulations of any kind, the regulations which are more restrictive shall govern.
3. Private Agreements: These regulations are not intended to abrogate, annul or otherwise interfere with any easement, covenant or any other private agreement of legal relationship; provided, however, that where the provisions of these regulations are more restrictive (or impose higher standards or requirements) than such easements, covenants or other private agreements or legal relationships, the provision of these regulations shall govern.
4. Unlawful Uses: No structure or use which was not lawfully existing at the time of the adoption of these regulations shall become or be made lawful solely by reason

of the adoption of these regulations; and to the extent that, and in any respect that, said unlawful structure or use is in conflict with the requirements of these regulations, said structure or use remains unlawful hereunder.

SECTION 3. DEFINITIONS: For the purpose of the zoning regulations, certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise:

Accessory Building: A subordinate building which serves as a function clearly incidental to or customarily found in connection with and located on the same lot as that of the main use. Customary accessory buildings include garages, carports, and small storage sheds. (Revised Ordinance No. 1884)

Accessory Dwelling Units (ADU) - An ADU is a dwelling unit that is accessory to a principal single-family dwelling unit on the same lot. ADU's shall be constructed to ensure they do not change the residential character of the principal use or surrounding area. ADU's are buildings or part of a buildings that provide complete independent living facilities for one or more people, including a kitchen, living room, bathroom, and bedroom, and that is -

- a. Attached to the principal dwelling, or
- b. A detached building on the same lot.
- c. Within an existing structure (internally, i.e. finished basement, single floor)

Accessory Use: A subordinate use which serves an incidental function to or customarily found in connection with and on the same lot as the main use of the premises. Customary accessory uses include tennis courts, swimming pools, air conditioners, barbecue ovens, and fireplaces.

Adult Entertainment Business: See Adult Entertainment Code for the definition and specific requirements for the issuance of a special use permit.

Agricultural Districts: Shall include "AG" and "A-1" uses. (Revised Ordinance No. 1636)

Agricultural Use: The use of a tract of land of not less than five (5) acres for the growing of crops, pasturage, nursery, or the raising of poultry, including the structures necessary for carrying out farming operations and the residence or residences of those owning or operating the premises, a member of the family thereof, or persons employed there- on, and the family thereof, but such use shall not include feedlots as defined by the Kansas Statutes Annotated.

Alley: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way of which is twenty (20) feet or less in width.

Alteration: Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered as an alteration.

Alternative Tower Structure: This shall mean man-made trees, clock towers, bell steeples, light poles and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers. (Revised, Ordinance No. 1803)

Antenna: Any structure or device used to collect or radiate electromagnetic waves, including both directional antennas, such as panels, microwave dishes and satellite

ACCESSORY DWELLING UNITS: GENERAL INFORMATION

The *Zoning Regulations* were amended on March 7, 2013 to allow an Accessory Dwelling Unit (ADU) in association with a Principal Dwelling Unit on the same lot or parcel in the rural and residential zoning districts of unincorporated Johnson County.

Definitions

- An ADU is defined as a dwelling unit that is accessory and secondary to the principal dwelling unit and under the same ownership in all respects.
- The Principal Dwelling Unit is defined to be the larger of the two dwellings.

Purpose and Intent

The general purpose and intent of allowing Accessory Dwelling Units (ADU) in the unincorporated portion of the County is to:

- Allow life-style choices in single-family neighborhoods that respond to changing demographics and economic conditions;
- Respond to the needs of family members with health concerns or disabilities in a manner that is appropriate for people at a variety of stages in their life cycle by providing homeowners with a means of obtaining companionship, security, and services (e.g., on-site healthcare worker, housekeeper, childcare worker);
- Provide homeowners the opportunity to use their property to enhance or fulfill personal objectives by allowing more options for the use of accessory buildings (e.g., family game or media rooms with kitchens);
- Protect neighborhood stability, property values, and the single-family residential appearance of the neighborhood by ensuring that ADUs are well-designed and compatible with the neighborhood and constructed under the requirements of these Regulations; and
- Recognize that homeowners are likely to maintain an owner-occupied residence in a manner that upholds the single-family character of the property. Requiring owner occupancy is intended, therefore, to support and foster housing maintenance and neighborhood stability.

ADUs are not Duplexes

Allowing ADUs is not intended to replace duplex and other multi-family zoning districts and dwellings. An ADU is different than a duplex in that typically the two units that make up a duplex are attached to each other, are relatively equal in size and height, and one unit usually does not dominate the other. In contrast, an ADU may or may not be attached and, unless otherwise allowed by this section, is subordinate in size, location, and appearance to the Principal Dwelling Unit that it accompanies. Additionally, both duplex units may be rented while an ADU or its accompanying Principal Dwelling Unit shall be owner-occupied, unless otherwise allowed by this section.

Administrative Approval v. ADU Permit

If a proposed ADU meets the performance standards set forth in Article 18, Section 7(D)(2)(a) of the *Johnson County Zoning Regulations*, then the ADU may be administratively (Planning staff) approved. These performance standards have been chosen so that the proposed ADU will fit the character of the neighborhood and will have few impacts on the surrounding neighbors. If the proposed ADU does not meet the performance standards, then an applicant may submit an application for an Accessory Dwelling Unit Permit (ADU Permit) which requires a public hearing, a recommendation by the Zoning Board, and a final decision by the Board of County Commissioners.

Owner-occupancy Requirement

Owner-occupancy of either the ADU or the Principal Dwelling Unit is a condition of both administrative approval of the ADU and approval of the ADU Permit.

ADU Permit Review Requirements:

ADU Permits shall be reviewed using established land use criteria such as, but not limited to, that suggested by the Kansas Supreme Court in the case of *Golden v. Overland Park, Kansas* (which is also used to review rezoning and conditional use applications).

The ADU Permit shall be reviewed to ensure that granting the ADU Permit is in harmony with the general purpose and intent of the Regulations. More specifically, it is the intent of the Regulations that an ADU functions as an accessory to the Principal Dwelling Unit and that the ADU is subordinate in size, location, and appearance to the Principal Dwelling Unit that it accompanies.

Lastly, a finding shall be made that granting the ADU Permit will not impact surrounding parcels and the public in general.

18.50.025 Accessory Dwelling Units

 *Purpose: Certain accessory structures may be converted to or developed for residential dwelling uses to promote efficient use of land. This section allows accessory dwelling units (ADUs) with standards to ensure that they do not change the residential character of the principal use. This provides affordable living options in prescribed zoning districts, while protecting their character and maintaining compatibility between uses. Examples of living arrangements for ADUs include seniors occupying a second family living unit or apartment, or families with elderly parents unable to live completely alone.*

⇔ *Note: this section lists accessory dwelling unit uses by zoning district summarized in the land use table.*

A. Applicability

1. This section applies to any Accessory Dwelling Unit (“ADU”).
2. An ADU is a dwelling unit that is accessory to a principal single-family dwelling unit on the same lot. This includes a building or part of a building that provides complete independent living facilities for one or more people, including a kitchen, living room, bathroom, and bedroom, and that is -
 - a. Attached to the principal dwelling, or
 - b. A detached building on the same lot.

B. Where Allowed

1. ADUs are permitted in accessory structures in the “A,” “R-1 and R-2” districts.
2. An ADU may be -
 - a. constructed as a new building, or
 - b. adapted from an existing building into an existing accessory structure on the same lot, or
 - c. adapted from a portion of the principal dwelling unit.
3. Only one ADU is allowed on a lot.

C. Standards

1. The accessory residential dwelling shall be located in the established rear yard at least ten (10) feet from the rear lot line.
2. The ADU shall conform to side yard setbacks.
3. Easements shall be dedicated for separate utilities to be provided to each dwelling unit.
4. The architectural style of the secondary dwelling structure shall conform to the architectural style and materials of the principal structure.

5. ADUs shall not exceed a gross floor area one-thousand (1,000) square feet or more than fifty percent (50%) of the principal structure's floor area, whichever is less, or have more than two (2) bedrooms.
6. An ADU shall not exceed two (2) stories or the height of the principal dwelling unit.
7. The ADU shall not cause lot coverage to exceed 75 percent, including the principal structures.
8. All structures shall meet or be brought up to current building code requirements.
9. The ADU shall obtain a separate address to help guarantee emergency response.
10. The ADU shall provide one off-street parking space with access to a public street from the existing driveway. This space may be located in the established front yard of the principal structure.

The Olathe Unified Development Ordinance is current through Ordinance 20-40, passed December 1, 2020.

Disclaimer: The City Clerk's Office has the official version of the Olathe Unified Development Ordinance. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited here.

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[City Website: www.olatheks.org](http://www.olatheks.org)

[Code Publishing Company](#)

Residential Accessory Dwelling Units, Accessory Structures & Room Additions

Planning and Development Services Department

www.lawrenceks.org/pds

This covers the basic requirements for accessory dwelling units, accessory structures and room additions for residential one- and two-family dwellings. Consult with the [Planner of the Day](#) at (785) 832-3150 prior to establishing any home occupation business.

This should not be considered as a complete list of City of Lawrence Building Code or Land Development Code requirements. Complete information is available in the [codes](#) and [ordinances adopted by the City](#). The International Code Council (ICC) code books referenced in the City's adopted codes are available for review at the Building Safety Division office at 1 Riverfront Plaza, Suite 110 or the local public library, or can be purchased at the [ICC Book Store](#). Some materials and construction methods may require the use of an architect or other design professional. The City of Lawrence Land Development Code is available online, at the local library or from the Planning Office in City Hall at 455 N. Main St.

PERMITS AND PLANS REQUIRED

- **PERMIT REQUIRED** - A building permit is required for all additions to dwellings, accessory dwelling units and for detached tool and storage sheds exceeding 200 square feet. If the property is in a Planned Zoning District, conditions may apply regarding accessory structures. Contact the [Planner of the Day](#) at (785) 832-3150.
- **APPLICATION FORM** - A fully completed and signed City [building permit application](#) form is required.
- **PLOT PLAN** - A [plot plan](#) drawn to scale showing the lot with lot lines, lot dimensions, streets abutting the lot, proposed new and existing structures on the lot, setbacks of the proposed new accessory structure or building addition from adjacent property lines and other existing structures on the lot, easements and driveways must be provided.
- **CONSTRUCTION DRAWINGS** - Provide floor plan, framing plan, foundation plan, elevations (drawings of the front, rear and sides of a building or building addition) and use of each room, area or space. Drawings prepared and sealed by a Kansas licensed design professional are not generally required unless non-conventional construction is used or new loads are applied to existing structural members; sealed drawings may be required if unusual situations are identified at the time of the building permit plan review. Elevations may not be required for small accessory buildings not located in a design overlay or historic district.
- **ELECTRICAL** - Any electrical wiring to an accessory structure requires an [electrical permit](#) regardless of structure size.
- **LICENSING** – Contractors and sub-contractors (including framing; concrete; electrical; heating, air-conditioning and ventilation; plumbing) are required to be licensed to perform work within the City. An owner may perform as a contractor or sub-contractor provided they are the owner and occupant of the residence and complete and sign the [owner/occupant form](#).

ACCESSORY DWELLING UNITS - DESIGN STANDARDS

An accessory dwelling unit is defined in the Lawrence Land Development Code (LDC) as: "A dwelling unit that is incidental to and located on the same lot as the principal building or use, when the principal building or use is a dwelling." Per the LDC, accessory dwelling units are only allowed in RS40, RS20, RS10, RS&, MU or CN1 zoning districts. The City's [interactive map](#) can be used to determine a property's zoning designation. An accessory dwelling unit is prohibited to have a type B home occupation business per the LDC. Accessory dwelling units shall be registered with the Planning Director prior to their establishment.

PURPOSE

Accessory dwelling unit design standards are intended to ensure that accessory dwelling units: are compatible with the desired character and livability of the zoning districts in which they are located; respect the general building scale and placement of structures to allow sharing of common space on the lot, such as with driveways and yards; and are 960 square feet or smaller in size.

METHODS OF CREATION

- a) Conversion of an existing living area within a detached dwelling, attached dwelling (e.g., attic, basement or attached garage).
- b) Addition of floor area to an existing detached dwelling, attached dwelling or detached garage.
- c) Constructing a new detached dwelling, attached dwelling or detached garage with an internal accessory dwelling unit.

LOCATION OF ENTRANCES

- a) Only one entrance to the principal building may be located on the front facade that faces the street, unless the principal building contained an additional street-facing entrance before the accessory dwelling unit was created.
- b) When the accessory dwelling unit is located behind the rear wall of the principal building, the accessory dwelling entrance shall face the front lot line.
- c) An exception to subsection (b) above is dwelling units that do not have access from the ground such as dwelling units with entrances from balconies or elevated decks.

SIZE

The maximum size of an accessory dwelling unit may be no more than 33% of the living area of the detached dwelling or attached dwelling, or 960 square feet, whichever is less.

SETBACKS

Refer to the Accessory Structures – Design Standards section of this document for setback requirements for accessory structures.

NO CONSTRUCTION ON OR OVER EASEMENTS

Construction of any accessory dwelling unit structure on or over a public or private utility, drainage or access easement is not allowed.

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 7c

Topic: Architectural Design Standards for Multifamily, Commercial and Industrial facilities located within highly visible and heavily traveled corridors.

Narrative: Several municipalities have instituted building design guidelines to ensure that a certain architectural character is upheld. Some municipalities have chosen to regulate residential, multi-family, commercial, office and industrial. In staffs opinion regulating the design of single family or duplex homes can become burdensome and time consuming and is best handled through private Home Owners Associations.

The proposed regulations would provide architectural standards for the following zoning districts:

C-1 (Central Business Dist. including Downtown) C-2 (General Business Dist.)
C-S (Highway Service Dist.) I-1 (Light Industrial) I-2 (Heavy Industrial)
R-3 (Multi-family Residential Dist.)
As well as any of these districts carrying the designation of “Planned”
MX (Mixed Use) – these would regulate business facades and multi-family dwellings

Within the Comprehensive Plan of Bonner Springs is Appendix B, “Planning Principles and Design Guidelines”; these guidelines layout standards for street networks, preservation of greenspace, incorporation of different housing styles and densities, among other elements that pertain to site development. They further provide architectural guidelines for multi-family residential development and commercial development; the Appendix does not address industrial buildings or development. Staff has taken portions of Appendix B and created a document that addresses building form as well as limited site layout concepts. This document would then be incorporated into Article XXII - Supplementary Regulations.

In researching design criteria, staff looked at seven (7) surrounding communities and their current regulations. Those seven communities were Lenexa, Shawnee, Basehor, Olathe, Lee’s Summit (MO) and Overland Park. Liberty (MO) was looked at as well; their design standards focus on the historic downtown district.

Presented by: Mark Lee-City Planner

Staff Recommendation: Staff recommends the Planning Commission approve the Zoning Ordinance amendment to Section XXII, Supplementary District Regulations; regarding architectural design standards for certain zoning districts throughout the city.

Attachments:

Planning Principals and Architectural Design Guidelines (19pgs)
City of Shawnee Design Guideline Brochures (4pgs)
City of Liberty, MO – “Design in the Liberty Square Historic District” (2pgs)
City of Overland Park Architectural Design Standards – web link
<http://online.encodeplus.com/regs/overlandpark-ks/doc-viewer.aspx#secid-6935>
City of Lenexa Architectural Design Standards (2pgs)

13. All units shall provide shelter from severe storms. The shelter area(s) shall be designed and constructed in accordance with Federal Emergency Management Agency (FEMA) Publication 320, Taking Shelter from the Storm: Building a Safe Room Inside Your House, latest edition; FEMA's National Performance Criteria for Tornado Shelters, May 1999; or the National Storm Shelter Association's Standard for the Design, Construction, and Performance of Storm Shelters.

Approved by the Shawnee Planning Commission on July 7, 1997, and amended on June 6, 2005.

Multi-Family Design Standards



For further information, contact the

Planning Department

11110 Johnson Drive

Shawnee, Kansas 66203

Phone: 913-742-6011

Fax: 913-631-7351

02/01/09



SHAWNEE

P L A N N I N G

DUPLEX AND MULTIPLE FAMILY RESIDENTIAL DESIGN STANDARDS

Development of duplex and multiple family units within the City of Shawnee shall be located in areas designated for such developments on the City's Land Use Guide. A variety of housing styles available to citizens assists in the building of a strong community. It is the desire of the City of Shawnee to create an architectural character for duplex and multi-family housing which is attractive whether the units will be for rent, or owned by the occupants.

It is the desire that such developments provide their own character, rather than creating communities that appear identical. The following design guidelines are provided which have been determined to be appropriate for such developments:

1. New landscaping, preservation of existing tree lines and use of natural features will be expected to be used as a means to make immediate impact within the development, and provide a natural means to beautify which can not be achieved through the built environment.
2. Housing units shall be oriented with varied front yards areas and spacing between units. Attention will be given to the orientation of the structures to maximize privacy between units and in relation to the current and/or anticipated development surrounding the site. Attractive and effective landscaping and buffering will be expected to occur between land uses.
3. Street design with curves and cul-de-sacs which is common in single family residential developments will be encouraged. Streets will be expected to be private, and will be maintained by the owner. To ensure adequate public safety access as well as ease of traffic movement throughout the site, adequate off-street parking to handle the needs of residents as well as their guests shall be provided. Adequate off-street parking will be provided so that on-street parking will be minimized. Covered parking units will be expected to be constructed using the same materials and colors as the units. The location of such parking shall be made as not to interfere with traffic flow, and shall not inhibit the ability of public safety vehicles to access the residential units. The entire traffic design shall be developed which does not compromise the ability of public safety equipment to access each unit in an expedient manner.
4. Rental units will be expected to have the same quality as condominium or town home units
5. Materials used on duplex or multiple family units shall be of high quality and be time-tested regarding maintenance.
6. Architectural features such as varied rooflines and window features will be expected to be incorporated into the building design.
7. Roofing materials shall be of high quality. Public safety officials discourage the use of wood shingles on duplex and multi-family dwellings. The use of standard composition shingles will not be accepted. "Timberline" or equivalent shingles, concrete tile or clay tile roofing materials will be expected to be used.
8. It is expected that all units will utilize brick, stone, or stucco (not synthetic stucco) covering at least 50% of the front of the unit. Such materials will also be expected on other elevations, especially those which face single family residential units, or are adjacent to arterial and/or collector streets. In lieu of the use of the above mentioned materials, such construction materials on elevations other than the front such as wood lap, or concrete fiber lap siding will be considered, vinyl materials are not acceptable. EIFS or similar material is not a suitable alternative to stucco. Masonry materials will be expected to be used on chimney construction.
9. When reviewing proposals for multiple family developments, attention will be given to amenities in relationship to the number of units will be reviewed. The mere provision of undeveloped open space will not be acceptable. (Multi-Family Amenity Policy adopted January 21, 2004.)
10. Units shall be placed in a manner to provide a 36-foot driveway from edge of curb to garage door or edge of building for a two car wide driveway, and a longer length for a one car wide driveway. (SMC 17.54.210)
11. Private sidewalks shall be placed in yard areas to provide access between driveways and entrances to the units.
12. Storage facilities shall be provided for developments without garages.

10. Materials Not Acceptable:

The following exterior construction materials shall not be used:

- Painted brick, block, stone or other painted masonry;
- EIFS (except to provide molded accents to enhance the architectural features of a building when trim such as limestone is not reasonable for use).

11. Exterior Building Material Colors:

Detailing and accent colors should be used as a method to highlight the theme and character of the development.

- Primary and secondary surfaces and highlights shall be neutral or earth tone colors;
- Standing seam metal roofs visible form the street shall be a neutral or earth tone color such as terra cotta, beige, bronze, hunter green or navy;
- Portions of man doors not covered in glass, guttering and downspouts shall be colored to match the existing walls;
- Awnings and/or canopies shall be of a uniform color and material.

12. Prototype buildings:

The use of prototype buildings may not be acceptable. A prototype may be required to be modified to use acceptable materials, colors, and design style.

13. Screens and Enclosures:

- Trash enclosures (except for the gates) shall be constructed of the same material as the building, and where possible screened with landscape materials. Enclosures shall generally be located at the rear of the building, and shall not be placed along street frontage. Gates shall

be constructed of a durable material to be easily maintained.

- All roof top units shall be completely screened from view and, to maintain a unified appearance, shall use materials and colors compatible with the building.
- Rooftop access ladders are encouraged to be placed in the interior of the building. Ladders on the exterior are encouraged to be placed on the rear of the building and painted to match the existing walls.

14. Drive-thru windows:

Drive-thru windows may be permitted where the resulting traffic patterns are safe, easily understood, and provide sufficient on-site stacking space. Such windows shall be encouraged to be placed on facades not facing a public street.

These standards shall be used by City staff and the Planning Commission in their review of site plan applications for construction of professional office and financial institution buildings and other similar use buildings (such as child care facilities) located in the Professional Office, Planned Office/Commercial, and other commercial zoning districts where such uses may be allowed.

For further information, contact the

Planning Department

11110 Johnson Drive

Shawnee, Kansas 66203

Phone: 913-742-6011

Fax: 913-631-7351

09/27/13

Office Building Design Standards



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PURPOSE: These Standards are to provide developers of professional office and financial institutions and other similar use buildings (such as child care facilities) located in the Professional Office, Planned Office/Commercial and Commercial zoning districts. They are complementary to the regulations in the zoning ordinance, as well as the goals for such developments established in the Comprehensive Plan.

POLICY: These standards were prepared to provide detailed guidance regarding the expectations of staff, Planning Commission, and the Governing Body. The intent is to:

- Ensure high quality design of buildings constructed within the City of Shawnee;
- Ensure building design is compatible with overall site design;
- Create architectural interest;
- Establish uniformity in acceptable exterior construction materials; and
- Ensure the construction of high quality buildings that will retain their value over the long term.

While these standards are minimum standards, it is the expectation of the City that the overall design will result in construction of buildings that exceed these standards.

DESIGN STANDARDS:

1. Buildings shall be designed by an architect registered in the State of Kansas.
2. Buildings shall be designed using scale, proportion, massing and building forms appropriate for their intended use. Building designs should reflect the character of the tenant.
3. Buildings are expected to be of exceptional design quality and incorporate signature

elements consistent throughout the development. Architectural enhancements such as arches, covered pedestrian features and interesting rooflines are encouraged. Building designs shall incorporate off-set walls, variations in surface planes, shadow lines, curves and angles when appropriate, especially along longer facades and large wall masses.

4. Buildings shall be designed to provide a variety of color and texture with the use of banding, trim, patterned or detailed brick work, and other detail design features. Building designs with a minimal degree of detail are not acceptable.
5. Buildings along major arterial and collector streets shall incorporate color accents or architectural features to enhance visual interest along these roadways.
6. Building designs shall incorporate distinctive architectural features that distinguish the building from others.
7. Buildings for uses that are located in office parks or shopping centers shall adhere to building design and materials used within the overall development.

Building Heights

- One story buildings shall not exceed 28 feet in height;
- Two story buildings shall not exceed 36 feet;
- Three story buildings shall not exceed 45 feet;
- Free standing ATM machines or other similar devices shall not exceed an overall height of 14 feet, and shall be constructed using materials found on the adjacent principal structure.

Generally, the height of any parapets, towers, or other features shall be in proportion to the building as a whole. These features should be designed so as to not dominate the aesthetics

of the building. Any signage placed on these types of features shall not be placed at an elevation that exceeds the height of the principle rooflines of the structure adjacent to the feature.

Office buildings and branch banks located at high profile intersections or along major arterial streets will be expected to be multi-tenant or multiple story in elevation.

9. Acceptable Exterior Construction Materials:

It is expected that the materials selected will be used from the base of the building to the roof line. The same building materials will be used on all elevations. All building elevations shall be constructed entirely or with a combination of the following:

Primary and Secondary Wall Surfaces:

- Solid brick masonry veneer;
- Stone (including limestone, sandstone, granite, slate, marble, or other hard and durable natural all weather stone);
- Colored architectural pre-cast concrete panels that incorporate rustication joints or inlaid brick, stone or tile;
- Colored or tinted glass; or
- Ceramic tile.

Angled Roof Surfaces:

- High quality laminated composition shingles;
- Pre-tinted concrete tile;
- Pre-finished standing seam flat metal provided with a 20-year enduring finish such as KYNAR or equivalent.

Acceptable Secondary Materials:

- Masonry block, pre-tinted, rough hewn or ground face.

Commercial

Building Design Standards



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screened with landscape materials. Enclosures shall generally be located at the rear of the building, and shall not be placed along street frontage. Gates shall be constructed of a durable material to be easily maintained.

- All roof top units shall be completely screened from view and, to maintain a unified appearance, shall use materials and colors compatible with the building.
- Rooftop access ladders are encouraged to be placed in the interior of the building. Ladders on the exterior are encouraged to be placed on the rear of the building and painted to match the existing walls.

13. Drive-thru windows

Drive-thru windows may be permitted where the resulting traffic patterns are safe, easily understood, and provide sufficient on-site stacking space. Such windows shall be encouraged to be placed on facades not facing a public street.

In addition to these standards set forth for commercial/retail developments, developers shall also refer to design standards for office buildings, financial institutions, medical facilities and similar office uses that may be also found in the office zoning districts.

These standards shall be used by City staff and the Planning Commission in their review of site plan applications for construction of commercial, retail and other similar use buildings (such as child care facilities, medical facilities and office buildings) located in the Commercial Highway, Commercial Neighborhood, and Planned Office/Commercial zoning districts.

For further information, contact the
Planning Department

11110 Johnson Drive

Shawnee, Kansas 66203

Phone: 913-742-6011

Fax: 913-631-7351

09/27/13

Acceptable Secondary Materials:

- Masonry block, pre-tinted, rough hewn or ground face;
- Painted stucco;
- Painted cementitious lap siding;
- Ceramic tile.

9. Materials Not Acceptable

The following exterior construction materials shall not be used:

- Painted brick, block, stone or other painted masonry; EIFS (except to provide molded accents to enhance the architectural features of a building when trim such as limestone is not reasonable for use).

10. Exterior Building Material Colors

Detailing and accent colors should be used as a method to highlight the theme and character of the development.

- Primary and secondary surfaces and highlights shall be neutral or earth tone colors;
- Standing seam metal roofs visible form the street shall be a neutral or earth tone color such as terra cotta, beige, bronze, hunter green or navy;
- Portions of man doors not covered in glass, guttering downspouts and utility boxes shall be colored to match the existing walls;
- Awnings and/or canopies shall be of a uniform color and material.

11. Prototype buildings

The use of prototype buildings may not be acceptable. A prototype may be required to be modified to use acceptable materials, colors, and design style.

12. Screens and Enclosures

- Trash enclosures (except for the gates) shall be constructed of the same material as the building, and where possible,

PURPOSE: These Standards are to provide developers of commercial and retail properties design standards to be used in new construction and redevelopment of commercial, retail and other similar developments (such as child care facilities, financial institutions, medical facilities and office buildings) located in the Commercial Highway, Commercial Neighborhood, and Planned Office/Commercial zoning districts. They are complimentary to the regulations in the zoning ordinance, as well as the goals for such developments established in the Comprehensive Plan.

POLICY: These standards were prepared to provide detailed guidance regarding the expectations of staff, Planning Commission, and Governing Body for the construction of these structures. The intent of these standards is to:

- Ensure high quality design of buildings constructed within the City of Shawnee;
- Ensure imaginative and creative commercial centers that signify a sense of place, are aesthetically pleasing, and provide the quality of built environment expected by Shawnee residents;
- Ensure building design is compatible with overall site design;
- Create architectural interest;
- Establish uniformity in acceptable exterior construction materials; and
- Ensure the construction of high quality buildings that will retain their value over the long term.

While most newly constructed commercial/retail buildings possess good architectural quality, examples of exceptional quality located in each of the commercial zoning districts are numerous. Examples of such quality would include Westbrooke Village, Paulo and Bill, Prairie Star Medical Building, and First National Bank of Kansas.

While the design standards below are minimum

standards, it is the expectation of the City of Shawnee that the overall design will result in construction of buildings that exceed these standards. The following standards shall be established:

DESIGN STANDARDS:

1. Buildings shall be designed by an architect registered in the State of Kansas.

2. Buildings shall be designed using scale, proportion, massing and building forms appropriate for their intended use. Building designs should reflect the character of the tenant.

3. Buildings are expected to be of exceptional design quality and incorporate signature elements consistent throughout the development. Architectural enhancements such as arches, covered pedestrian features and interesting rooflines are encouraged. Architectural detail along rooflines and entries is expected.

4. Buildings shall be designed to provide a variety of color and texture with the use of banding, trim, patterned or detailed brick work, and other detail design features. Building designs with a minimal degree of detail are not acceptable.

5. Building designs shall incorporate off-set walls, variations in surface planes, shadow lines, curves and angles when appropriate, especially along long facades and large wall masses.

6. Buildings for uses located in shopping centers shall adhere to building design and materials used within the overall development.

7. Building Heights

- The overall height of a commercial building shall be appropriate for its use. Building

facades shall not be increased in height to provide areas for signage.

- Free standing ATM machines or other similar devices shall not exceed an overall height of 14 feet, and shall be constructed using materials found on the adjacent principal structure.

Generally, the height of any parapets, towers, or features shall be in proportion to the building as a whole. These features should be designed so as to not dominate the aesthetics of the building. Any signage placed on these types of features shall not be placed at an elevation that exceeds the height of the principal rooflines of the structure adjacent to the feature.

8. Acceptable Exterior Construction Materials

It is expected that the materials selected will be used from the base of the building to the roof line. The same building materials will be used on all elevations. All building elevations shall be constructed entirely or with a combination of the following:

Primary and Secondary Wall Surfaces:

- Solid brick masonry veneer;
- Stone (including limestone, sandstone, granite, slate, marble, or other hard and durable natural all weather stone);
- Colored architectural pre-cast concrete panels that incorporate inlaid brick, stone or tile;
- Glass.

Angled Roof Surfaces:

- High quality laminated composition shingles;
- Pre-tinted concrete tile;
- Pre-finished standing seam flat metal provided with a 20-year enduring finish such as KYNAR or equivalent.

8. Materials Not Acceptable:

The following exterior construction materials shall not be used:

- Painted brick, block, stone or other masonry;
- Smooth faced pre-cast panels or block;
- EIFS (except to provide molded accents to enhance the architectural features of a building when trim such as limestone is not reasonable for use).

9. Exterior Building Material Colors:

Buildings shall be designed to provide a variety of color, or use materials that provide shadow lines that result in the appearance of different colors.

- Primary and secondary surfaces such as banding and highlights shall be neutral or earth tone colors.
- Standing seam metal roofs visible from the street shall be a neutral or earth tone color such as terra cotta, beige, bronze or hunter green;
- Portions of man doors not covered in glass, guttering and downspouts shall be colored to match the adjacent walls.

10. Overhead Doors:

Overhead doors shall not be located along a street frontage. Overhead doors, when used, shall be the same color or shade as the adjacent building materials. The Planning Commission may consider allowing overhead doors along a street frontage on lots that have frontage on three or more streets. In that event, the overhead doors shall be placed on the side or rear elevation, along the street, which is expected to carry the least traffic, and is screened from view using dense landscaping.

11. Screens and Enclosures:

All roof top mechanical units shall be completely screened from view and, to maintain a unified appearance, shall use materials and colors compatible with the building. Screening used to enclose storage areas shall be solid. Chain link fencing will not be

Industrial and Office/Warehouse Building Design

- acceptable.
- Trash enclosures shall be constructed of the same material as the building. Gates shall be constructed of a solid material such as metal and shall be securely anchored. Collection bins shall be kept inside the enclosure except on collection day. Enclosures shall be placed in a location behind the front line of the building, and shall not be readily visible from the street. Screens that may be visible from the street shall be landscaped on the street side of the enclosure.

12. Buildings for uses that are located in the PI (Planned Industrial) zoning district, but which may also be allowed in commercial districts, shall adhere to a higher standard as would be expected of an office building or a commercial building.

13. The developer shall submit to the Planning Commission proposed covenants and restrictions that outline the use of building materials, exterior design features, cross access parking, as well as how conversion of warehouse, office/showroom, or manufacturing areas to strictly office spaces will be undertaken. The covenants and restrictions shall be filed with the register of deeds with the plat (if platting is required), or prior to issuance of a building permit if a plat is not required.

IMPLEMENTATION: These standards shall take effect immediately and shall be used by City staff and the Planning Commission in their review of site plan applications for construction of buildings in the PI (Planned Industrial) zoning district.

For further information, contact the
Planning Department
11110 Johnson Drive
Shawnee, Kansas 66203
Phone: 913.742.6011

02/10/13



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PURPOSE: To provide developers of industrial sites standards to be used in the construction of manufacturing and office/warehouse and other buildings located in the PI (Planned Industrial) zoning district. These standards are complimentary to the regulations set forth in the zoning ordinance, as well as the goals for such developments established in the Comprehensive Plan.

POLICY: These standards were prepared to provide detailed guidance regarding the expectations of staff, Planning Commission, and Governing Body for the construction of these structures. The intent of these standards is to:

- Ensure high quality design of buildings constructed within the City of Shawnee;
- Create a lessened visual impact on surrounding land uses;
- Ensure building design is compatible with overall site design;
- Establish uniformity in acceptable exterior construction materials; and
- Ensure the construction of high quality buildings that will retain their value over the long term.

While the design standards below are minimum standards, it is the expectation of the City of Shawnee that the overall design will result in construction of facilities that exceed these standards. The following standards shall be established:

DESIGN STANDARDS:

Buildings shall be designed by an architect registered in the State of Kansas.

1. Buildings shall be designed using scale, proportion, massing and building forms appropriate for their intended use.
2. Buildings should reflect the character of the tenant and shall incorporate distinctive architectural features that distinguish the building from others, and provides diversity within a business park.
3. Building designs shall incorporate off-set walls, variations in surface planes, shadow lines, curves and angles when appropriate, especially along lengthy facades and on large wall masses.
4. Architectural features, especially for those uses of a more commercial nature allowed in the PI (Planned Industrial) zoning district, shall be proportionate in size to the overall design of the building and shall not be so dominate as to detract from the overall appearance of the building.
5. Buildings located along major arterial and collector streets shall incorporate color accents and architectural features to enhance visual interest along these roadways.
6. To provide enhanced architectural detail for buildings located along major arterial, major collector, or service collector streets, not less than fifteen percent of each front exterior facade and street sidewall, where a building is located on a corner lot, excluding windows and doors, shall be recessed, projected or alternately staggered from the primary plane of the wall, not less than one (1) foot in depth or projection.

Acceptable Exterior Construction Materials:

It is expected that the materials selected will be used from the base of the building to the roof line. The same building materials will be used on front and side building facades. The rear of the building

may provide a different finish provided similar materials are used, and provided the rear facade is not visible from surrounding streets. All building facades shall be constructed entirely or with a combination of the following:

Primary and Secondary Wall Surfaces:

- Solid brick masonry veneer;
- Masonry block, pre-tinted, rough hewn or ground face;
- Colored and textured architectural pre-cast concrete panels that incorporate rustication joints or inlaid brick, stone (including limestone, sandstone, granite, slate, marble, or other hard and durable all weather stone) or tile;
- Glass;
- Limited amounts of wood.

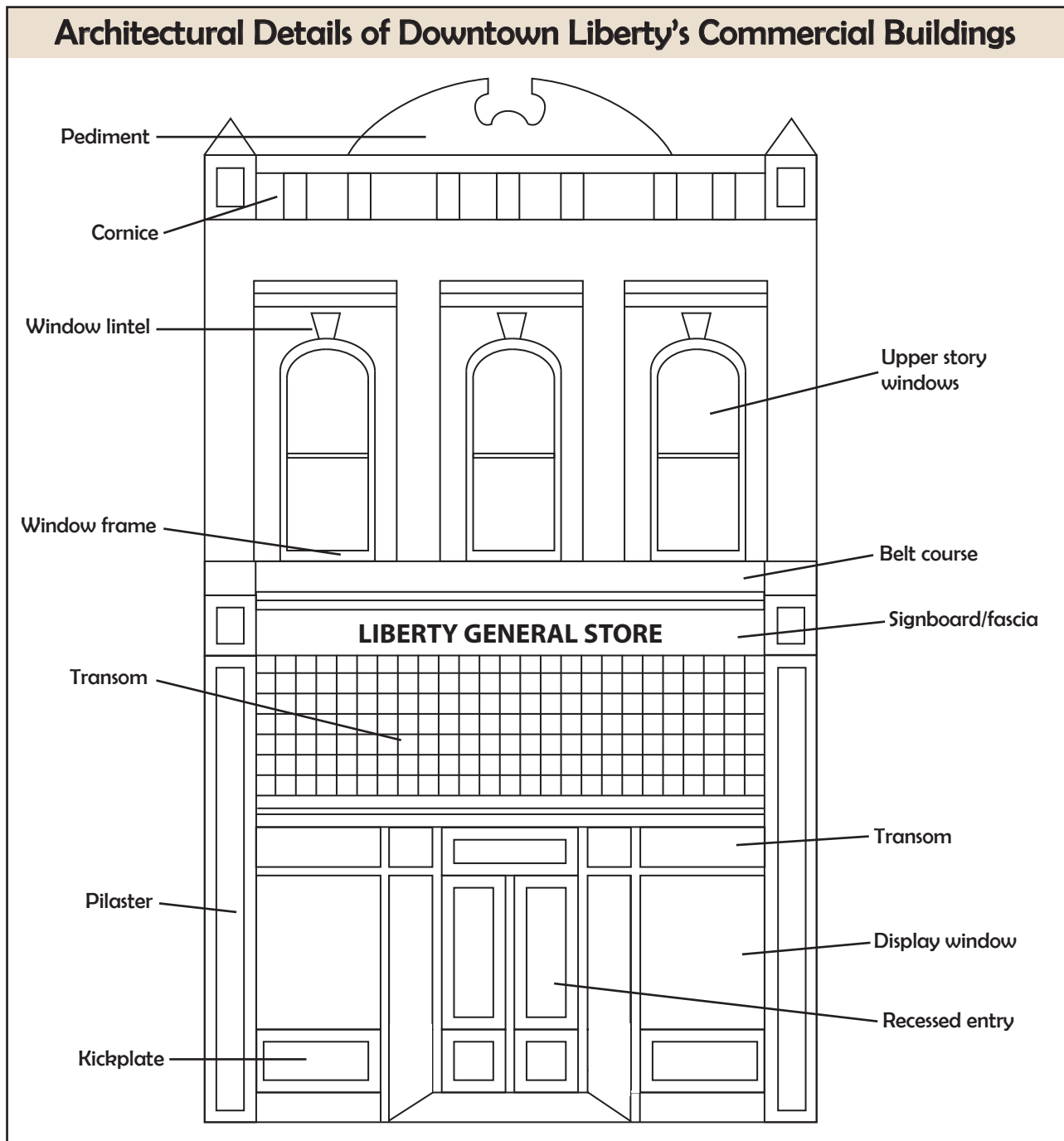
Angled Roof Surfaces:

- Pre-finished Standing Seam Metal provided with a 20-year enduring finish such as KYNAR or equivalent;
- Pre-tinted concrete tile.

Pre-finished flat metal wall panels may be used in industrial areas where the current predominant building material is metal. The metal panel may not be used on facades with street frontage, and sides of the buildings will be expected to be constructed of the materials mentioned above on no less than one-quarter of the depth of the side elevations. All metal walls shall be provided with a 20-year enduring finish such as KYNAR or equivalent, and shall be of at least a 26 gauge metal. No corrugated or flat metal panels which do not meet the above mentioned standards shall be submitted for site plan approval. When metal panels are used, no exposed or semi-exposed connectors shall be allowed. The business parks that fall into this category are: Woodland Acres, K-7 Commercial Center and Cole Industrial Park.

DESIGN IN THE LIBERTY SQUARE HISTORIC DISTRICT

The entire downtown Liberty Square is designated as a local historic district. Many of the buildings, which date from about 1875, have retained much of their historic integrity. Most of the buildings have features associated with traditional commercial designs. Ground level floors of the buildings are oriented to pedestrians, with large display windows designed to showcase the merchandise and services offered for sale inside. Recessed entries are common, and transom windows above the door and display windows let in natural light. A horizontal band of molding is commonly found separating the ground floor from the upper floors, and the roofline is often capped with a decorative cornice. In Liberty, most commercial buildings are two stories, although there are a few exceptions.



DESIGN IN THE LIBERTY SQUARE HISTORIC DISTRICT

The sensitive rehabilitation of historic storefronts will not only enhance the architectural character of the building, but will contribute to the historic character of the downtown business district as well.

Recommended

- Whenever possible, preserve windows, sashes, doors, transoms, signs, and decorative features in order to retain the historic character of the building.
 - Maintain the size, shape and placement of original openings.
 - Where an original or early storefront no longer exists or is too deteriorated to save, the commercial character of the building should, nonetheless, be preserved – either through an accurate restoration based on historic research and physical evidence, or a contemporary design that is compatible in scale, design, materials, color, and texture of the historic building.
 - Scale: Respect the scale and proportion of the existing building design.
 - Materials: Select materials that are appropriate to the storefronts; wood, cast iron, and glass are usually appropriate replacement materials.
 - Cornice: Respect the horizontal separation between the storefront and the upper stories. A cornice or fascia board traditionally contained the store's sign.
 - Frame: Maintain the historic planar relationship of the storefront to the facade of the building and the streetscape. Most storefront frames are generally composed of horizontal and vertical elements.
 - Entrances: Differentiate the primary retail entrance from the secondary access to upper floors. In order to meet current code requirements, out-swinging doors generally must be recessed. Place entrances where there were entrances historically, especially when echoed by architectural detailing (a pediment or projecting bay) on the upper stories.
 - Windows: Keep the storefront as transparent as possible. Use of glass in doors, transoms, and display areas allows for visibility into and out of the store.
 - Secondary Design Elements: Keep the treatment of secondary design elements such as graphics and awnings as simple as possible in order to avoid visual clutter to the building and its streetscape.
- (From: U.S. Department of the Interior. Preservation Briefs #11. *Rehabilitating Historic Storefronts*, by H. Ward Jandl.)



These are three of the oldest commercial buildings on the square and are listed on the National Register of Historic Places.

TITLE 4 UNIFIED DEVELOPMENT CODE

CHAPTER 4-1 ZONING

Article 4-1-C GENERAL DEVELOPMENT STANDARDS

Section 4-1-C-5 ARCHITECTURAL DESIGN STANDARDS.

- A. **Purpose:** The intent of these design criteria is to assist in the review and evaluation of building design during preliminary and final plan. These guidelines should be used in conjunction with the "Urban Design Guidelines" contained in the *Comprehensive Plan*. The design of a development proposal should seek to integrate the following design characteristics into those plans submitted for site plan approval. Due to the unique design characteristics of the CC, Planned City Center District and the PMU, Planned Mixed Use District, adherence to the specific guidelines of this Section may be waived by the Planning Commission.
- B. **Effect:** When architectural design standards have been approved or established as part of a preliminary or final plan approval in accordance with [Article 4-1-H](#) of this Chapter, all buildings subject to that preliminary or final plan shall comply with the approved design standards.
- C. **Residential Districts:** No single-family or duplex home shall be erected that does not meet the following minimum standards:
1. **Permanent Foundations:** The dwelling unit shall be erected on a permanent foundation.
 2. **Minimum Dimension:** The smaller dimension of a rectangular dwelling unit shall be at least 24 feet. If a dwelling unit is not rectangular, then the minimum dimension of a rectangle superimposed over and enclosing the entire footprint of the dwelling unit shall be at least 24 feet.
 3. **Roof Design:** The pitch of the roof shall be at least 3 in 12, and the roof eaves shall extend at least 12 inches beyond the wall of the dwelling on the 2 longer sides. The Community Development Director may approve a roof with a lesser pitch when the area of the lesser roof pitch is part of a consistent architectural design based on the overall architectural character of the house or when the area of the lesser roof pitch is less than 25% of the total roof area.
 4. **Exterior Surfaces:** The nonglass exterior surfaces of the dwelling shall not be made of galvanized metal or corrugated metal and shall, in general, not reflect light to a greater extent than would a coat of semi-gloss enamel applied to wood.
 5. **Porch And Garage:** A single-family dwelling shall include a garage or carport, constructed with the same materials as the dwelling. In addition, a single-family dwelling shall include a covered entrance, alcove or porch. The Planning Commission may grant exceptions to this standard where it finds that the proposed residential design is compatible with the neighborhood character and predominant architecture.
- D. **Multi-Family Residential, Commercial, Office And Industrial Districts:** In zoning districts other than single-family residential, no building shall be erected that does not meet the following minimum standards:

1. **Rooftop Equipment:** Rooftop equipment shall be screened from view from the ground near the building with vertical extensions of the building walls or with parapets or other architectural design features of the same materials used on the walls of the building. Where the topography permits, it is desirable to screen such equipment from adjacent property, but it is not the intent of this requirement to increase the height of the screening significantly above that of the equipment in order to screen it from view from tall buildings or from higher ground.
2. **Form, Scale And Proportion:** The form and proportion of buildings shall be consistent or compatible with the scale, form and proportion of existing development in the immediate area.
3. **Unusual Buildings:** The use of unusual shapes, color and other characteristics that cause new buildings to call excessive attention to themselves and create disharmony shall be avoided.
4. **Mass And Voids:** The rhythm of structural mass to voids, such as windows and glass doors, of a front facade should relate to the rhythms established in adjacent buildings.
5. **Long Facades:** Where large structures with overly-long facades (walls) are proposed, such as warehouses, building mass should be articulated with variations in the building plane and parapet height and through the use of other unique design or site plan features.
6. **Architectural Design:** Architectural design should create harmony through the use of different textures, complementary colors, shadow lines and contrasting shapes. The use of walls in a single color, with little detailing or completely blank is discouraged.
7. **Monotony:** Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form and siting shall be used to provide visual interest.
8. **Roofs:** Careful consideration of durable materials, proportions and shapes, emphasizing the importance of roofs as integral and embracing elements of the over-all design, is particularly important.
9. **Materials:** Use of substantial amounts of masonry materials (face brick, stucco, stone) is encouraged. The use of aluminum siding, metal ribbed panels and extensive mirrored glass surfaces is discouraged. Evaluation of building materials shall be based on the quality of its design and relationship and compatibility to building materials in the immediate neighborhood.
10. **Design Uniformity:** Architectural treatments (e.g., building materials, colors, facade design, roof lines, screening) shall be consistent and compatible on all sides. Treatment that is uniform on all sides will be deemed to meet the requirements of this principle. Adjacent land uses, visibility from public streets and use of screening devices (walls, fences, berms, landscaping) are criteria to be considered when varying this treatment. The applicant will have the burden of demonstrating the reasons for differing treatment on different sides (e.g., the need for truck access on 1 side and pedestrian access on another).

Planning Principals and Architectural Design Guidelines

for Multi-Family, Commercial and
Industrial Zoning Districts within
Bonner Springs, Kansas



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The Bonner Springs Comprehensive Plan advocates the use of land planning principles and design guidelines to act as the basic framework for creating high quality environments to live, work, shop, and play. This document is intended to provide guidelines for the quality of development desired within our community and was derived from Appendix B of the Plan. These guidelines provide guidance and direction to the development and construction within certain ~~areas and~~ Zoning Districts of the City. This Section of the Zoning Ordinance shall regulate the design and characteristics of building forms with in the following zoning districts:

R-3 (Multi-family Residential Dist.)
MX (Mixed Use) – including business facades and multi-family dwellings
C-1 (Central Business Dist., except those located within the downtown core)
C-1 (Downtown Business District)
C-2 (General Business Dist.)
C-S (Highway Service Dist.)
I-1 (Light Industrial)
I-2 (Heavy Industrial)
Any of the above districts carrying the designation of “Planned”

~~Future land use and development decisions, including individual zoning changes, subdivision plans and plats, site planning, infill development, annexations, and capital improvement programming should be coordinated with the Guiding Principles and recommendations set forth by the Comprehensive Plan of Bonner Springs.~~

These design guidelines are derived from public input, through the Community Involvement process and workshops coinciding with the adoption of *Vision 2025*, the Comprehensive Plan of Bonner Springs.

The Community

1. ~~Future d~~Development and redevelopment ~~should~~shall respect the historical patterns, and precedents of Bonner Springs, including downtown.
2. Development of land in the planning area ~~should~~shall respect the natural environment and retain its natural and visual character derived from topography, woodlands, and riparian corridors. Engineering techniques requiring significant amounts of cut and fill should not be used to force-fit development into the environment.
3. The physical organization of the community should be supported by a framework of transportation alternatives, including improved pedestrian access and mobility while continuing to invest in automobile routes, such as managed access to K-7.
4. ~~Future t~~Transportation updates should be planned and reserved in coordination with planned future land uses.
5. New stormwater management standards require new improvements to natural drainage areas, floodplains, and wooded areas, and should be used to define and serve urbanized areas of the community.
6. The Downtown and its surrounding neighborhoods comprise the historic core of Bonner Springs and should be targeted for revitalization and future growth of higher intensity development, destination retail and entertainment, and higher density housing to maintain the area as the center focus of the community.
7. ~~Civic, institutional, and mid-sized commercial uses serving the larger community should be embedded in downtown and the city core area, rather than isolated in remote single-use complexes.~~

The Block, the Street, and the Building

1. Individual developments and buildings should be seamlessly integrated to their surroundings.
2. Accommodations for automobiles should be accomplished in ways that respect the pedestrian and the form of public space.
3. Buildings and landscaping should contribute to the physical definition of thoroughfares as civic spaces.
4. Streets and public spaces should be safe, comfortable, and interesting pedestrian environments. Properly configured, such spaces should encourage walking and enable neighbors to know each other and protect their neighborhoods.
5. Civic buildings and public gathering places should be placed on important sites and developed with one (1) distinctive form to reinforce the community's identity



Multifamily Residential Design Guidelines

FOR ZONING DISTRICTS R-3 (MULTIFAMILY) AND MX (MIXED USE)



Open Space and Amenities

New multifamily areas are expected to provide common open space or contribute to the public open space for the use and enjoyment of the development's residents. Open space ~~should~~shall be provided in useful, quality spaces integrated purposefully into the overall development design—particularly if access to the Kansas River Corridor is obtainable—such as an expansion of a community park. Views of the river ~~should~~shall be incorporated into site design. Residual areas left over after buildings and parking lots are sited are not considered acceptable open space. Open space may be active and passive. However, a minimum percentage of formal active open space should be provided—a minimum ten (10) percent of the net land area is preferred for such space.



- Priority should be given to preserving areas of significant natural features, such as floodplains and drainage channels, mature trees and vegetation, stream corridors, wetlands, prominent bluffs and steep slope areas. Such features should be preserved through common open space or public dedication. Buildings, parking areas, other structures, and grading should be set back from such features a sufficient distance to ensure their continued quality and natural functions.

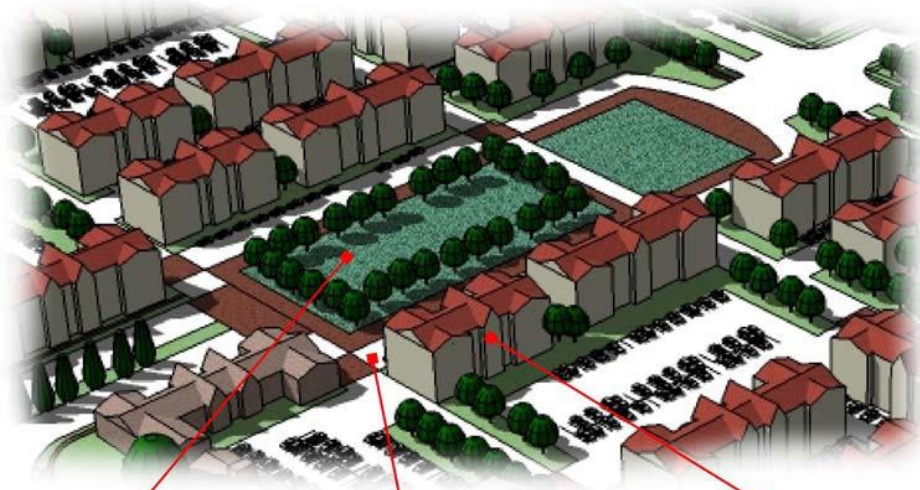


- Multifamily areas should provide “neighborhood greens” of at least 1-acre in total size, in centrally located areas that are easily accessible for residents within the development. The quantity and size of such open space areas depends on the overall density and design of the development. Neighborhood greens should include the following design elements:

- Neighborhood greens should be mostly open and visible to residents, rather than secluded behind buildings or surrounded by parking lots. Buildings adjacent to a green should front onto the space and include entrances and windows rather than rear facades.
- The perimeter of a neighborhood green should front entirely to the street/drive curb on at least two sides. Buildings should not abut more than two sides of the green's perimeter.
- Neighborhood greens should be landscaped and provide amenities such as walkways, plazas, seating, recreational facilities, gazebos or other similar decorative shelters, pedestrian scale lighting, or other similar features for the use and enjoyment of residents.



- Multifamily areas are expected to provide active recreational amenities within the development site, or submit a comparable donation to the City for park and recreation purposes when such amenities are not feasible for the development site.
 - Paved walking trail through common open space areas, minimum 8-feet in width, or wider if a joint venture with an approved public trail.
 - Tot lot and play equipment.
 - Other recreation facilities such as ball fields, swimming pool, etc. may be incorporated if in the city's judgment the facility is an enhancement for the development and the residents of the community.



Provide a neighborhood "green" / park in neighborhoods if located more than a quarter-mile walking distance from an existing or planned park area. Such neighborhood "greens" / parks should typically be owned and maintained by a neighborhood homes association, but may be public if determined appropriate by the city.

A neighborhood green / park / plaza should be surrounded predominately by public streets, rather than located behind development or on remnant tracts of land.

Incentives to allow higher density development may be granted if the size of the park and its amenities benefit the city at large.



Parking Location and Layout

- Design and locate surface parking areas and freestanding parking structures (detached garages or carports) as follows:
 - Parking areas and parking structures (detached garages or carports) shall occupy no more than thirty (30) percent of a perimeter street frontage.
 - Locate parking structures (detached garages or carports) perpendicular to a perimeter street to minimize the visual impact.
 - Locate parking areas behind or between buildings, not between a building and the street / drive. Any parking lots along a street /drive shall be screened from view along the street.
 - Arrange parking areas in small "blocks" of parking spaces, generally no more than twenty (20) spaces per block, and no closer than thirty (30) feet to a street right-of-way.
 - Separate parking blocks with a landscape area at least ten (10) feet in width.
 - Detached garages or carport structures ~~should~~shall not exceed 120 feet in length, with no more than two such structures placed end-to-end.
- Parking along a street or drive ~~should~~shall be parallel to the street, rather than angled or perpendicular, to avoid the appearance of a parking lot.
- Provide lighting in parking lots with individual decorative poles and fixtures, rather than building mounted fixtures. Any building mounted light fixtures ~~should~~shall be decorative in nature and used primarily at entrances, rather than for site or parking lot lighting purposes.

Building Design

The design of multifamily buildings, either large or small, ~~should~~shall contribute to a sense of “neighborhood” and add to the visual interest of Bonner Springs’s streets.

Building designs ~~should~~shall be compatible with adjacent development and use building materials that are durable and attractive to maintain lasting value.



- The massing and use of exterior materials on small multifamily buildings such as duplexes, triplex, fourplex, etc. should be arranged to give the appearance of a large single-family dwelling (“big house”) to the extent possible. When such a design is not practical, small multifamily buildings should be designed with an appearance of individuality between dwelling units including varied rooflines, varied colors, and varied façade depths to create variety and individuality. “Mirror image” design structures with the same general design repeated or flipped between units are not desired.
- Multifamily buildings should generally be limited to 2 stories in height for areas designated on the Future Land Use Map as “Residential”, while buildings of more than 3 stories in height should be directed to areas designated as “Mixed Use – Residential” or “Mixed Use-Commercial” or the zoning District R-3 “Multifamily Residential.”



- All sides of a multifamily building ~~should~~shall display a similar level of quality and architectural interest, rather than limiting a majority of a building’s architectural features and interest to a single façade.
- Building elevations oriented toward the street shall be articulated through the use of bays, insets, balconies, porches, or stoops related to entrances and windows.
- A prominent front entry with a porch or stoop ~~should~~shall be provided on all facades facing the street.
- Any rear walls of multifamily buildings that back onto a perimeter street ~~should~~shall be articulated with features similar to the front façade to avoid a “rear” appearance.
- Attached garages for multifamily buildings should be integrated into the building design and should not dominate the appearance of the structure, and should comply with the following:
 - Attached garages should be provided for at least a portion of dwelling units in apartment buildings. Garages should not project in front of the habitable living space.
 - Most or all of attached garages for small multifamily buildings such as town homes and row houses should be located on the sides or rear of the structure, rather than oriented toward the street.
 - Attached garages on the street side of any multifamily building should not comprise more than fifty (50) percent of the overall length of the front façade, and every two single-bay garage doors or every double garage door should be offset by at least four (4) feet from the plane of an adjacent garage door(s).
 - Attached garages recessed back from the front façade or accessed from the rear or side are preferred over garages projecting toward the street/drive. Any attached garages oriented toward the street/drive should not project in front of habitable living space more than 5-feet. Side-loaded garages should comply with all exterior articulation and treatment, maximum length of front façade, and garage door appearance guidelines if visible from the street.
 - Attached garages with two or more bays oriented toward the street/drive should be designed with one-door per bay or incorporate doors with features to give the appearance of individual doors.
 - Any side rear walls of detached garages and carports that back onto a perimeter street should be articulated with features such as windows, a trellis, and a variety of roof planes.





- A variety of exterior building materials and colors should be used to create visual interest and to avoid monotony. An amount no less than forty (40) percent of the total net exterior wall area of each elevation should be finished with brick or stone, excluding gables, windows, doors, and related trim. The balance of the net exterior wall area may be lap siding (excluding vinyl lap siding) and/or stucco (excluding pre-manufactured stucco panels or EIFS on the lower four feet if in proximity to sidewalks or off-street parking areas).



- Predominate roofing materials should be high quality and durable. Preferred materials include 40-year or longer composition shingles, clay tiles, or concrete tiles. Other materials will be considered on a case-by-case basis.
- Detached garages, carports and other accessory structures including but not limited to grouped mailboxes, storage and maintenance facilities, clubhouses, recreational facility structures, and gazebos, should incorporate compatible materials, scale, colors, architectural details, and roof slopes as the primary multifamily buildings, except that flat and shed roofs are prohibited.
- Colors of structures should maintain an earth tone pallet and compliment the surrounding area.



Commercial Design Guidelines

**FOR ZONING DISTRICTS C-1(CENTRAL BUSINESS, EXCEPT THOSE LOCATED WITHIN DOWNTOWN)
C-2(GENERAL BUSINESS) C-S(HIGHWAY SERVICE), MX (MIXED USE)**

The intent of the Commercial Design Guidelines is to improve the visual appearance and overall quality of development in Bonner Springs. Commercial development should contribute to the “sense of community” desired in Bonner Springs and be more than a collection of corporate, generic architectural styles that do not reflect the image and character of the community. New commercial development should remain compatible with surrounding land uses, particularly residential neighborhoods, and should foster a pedestrian experience that encourages nearby residents to walk or ride as an alternative to driving by creating a balance between the needs of the vehicle and the pedestrian.



Site Layout and Development Pattern

Appropriately sited buildings will greatly enhance the formation of the public streetscape. Buildings should be sited to provide a “sense of place” and to create a cohesive visual identity and attractive street scene. All primary and freestanding buildings should be arranged and grouped to create a distinct street edge.

Building location and orientation:

Buildings should be sited to:

- front onto a street or major access drive to define a clear edge. Buildings should provide at least fifty percent (50%) of the building’s “active wall” oriented toward the street. An “active “wall is considered the side of the building containing the majority of the storefronts, customer entrances, and windows.
- frame the corner of an adjacent street or entrance drive intersection.
- frame and enclose parking areas on at least three sides. Parking should not be located between the building and the street. However, on-street parking may be permitted in order to create a “main street”. A majority of the frontage along an arterial street or other major roadway should be occupied by buildings or other structures such as decorative architectural walls (not to exceed 3-feet in height).
- cluster individual freestanding buildings to define the street edge and create amenity areas between buildings. The even dispersal of freestanding buildings in a widely spaced pattern is not desirable.
- create a focal point at the four corners of major street intersections. A focal point may consist of a building with exceptional architectural design, a vertical architectural feature, public art, and/or exceptional designed public plaza or landscape amenities. However, parking areas should not be located within a minimum 200-foot radius of the center point of the intersection.



Vehicle and Pedestrian Circulation: Internal circulation for both vehicles and pedestrians should be safe and convenient, and provide connectivity within and between developments. The pedestrian network and the experience of the pedestrian within the development should be considered with the same or higher priority as that of the automobile. Walkways should be designed and buffered in a manner that encourages their use.

- Create a network of pedestrian walkways to link the entrances of every commercial building to each other and to the public sidewalk system along perimeter streets, as well as to adjacent neighborhoods. Walkways should be at least five (5) feet in width and wider in areas with higher levels of pedestrian activity.
- Provide walkways along entrance or internal access drives and setback at least six(6) feet from drive or parking lot curbs, unless designed as a “main street” with on-street parking.

Vehicle and Pedestrian Circulation (cont.):



- Walkways should be setback several feet from a building wall to incorporate building foundation landscape plantings. In “main street” environments sidewalks may not be setback from the building wall but should be wider and should include a “transition zone” of pedestrian amenities along the street/drive such as street trees, landscape planters, pedestrian lighting, and other streetscape amenities.
- At each point where a walkway crosses a paved area in a parking lot or internal street or driveway, the crosswalk should be clearly delineated through the use of change in paving materials distinguished by color, texture, or height.



Parking Layout and Design: The intent of these guidelines is to create developments that focus on creating quality places and move away from the conventional suburban development pattern of predominant and highly-visible parking areas. Parking lots should be effectively screened from the surrounding street network and adjacent incompatible uses.



- A distinct system of internal circulation drives should be provided for access to parking areas. Such circulation drives should not be located along the facades of buildings that contain primary customer entrances in order to minimize pedestrian conflict.
- Developments designed as a “main street” may include directly-accessing parking spaces and may be located along building facades that contain primary entrances. Otherwise, directly accessing parking spaces and the number of parking aisle intersections with the internal circulation drives should be limited.
- Parking areas should be distributed into smaller parking blocks generally containing no more than 40 spaces. Each parking block should be separated by buildings, landscaping, access drives or streets, or pedestrian walkways.
- Where parking blocks cannot be easily defined, interior landscape islands should be provided at a ratio of at least one island (180 square feet) for every ten (10) parking spaces, or an equivalent amount of interior landscape area as defined by the Zoning Regulations (Article V; Section 10 and Article XXX).
- Parking and circulation drive connections should be provided between adjacent nonresidential developments. Connections with adjacent residential areas should be planned and incorporated wherever possible to provide convenient access for nearby neighborhoods, without encouraging cut-through traffic from the commercial center to access a major roadway.



Open Space and Amenities for Commercial Developments

A key element of new commercial developments is the creation of public gathering space with site amenities and pedestrian-scale features to enhance the overall development quality and to contribute to the character of the area. Neighborhood center developments are expected to integrate with nearby residential areas and offer attractive places for nearby residents to gather and interact. Larger commercial developments may incorporate gathering spaces when located in near proximity to residential or as urban design elements at key intersections for developments where public gathering spaces may not be suitable due to the nature of the land use.

- Priority should be given to preserving areas of significant natural features, such as floodplains and drainage channels, mature trees and vegetation, stream corridors, wetlands, prominent bluffs and steep slope areas. Such features should be preserved through common open space or public dedication.



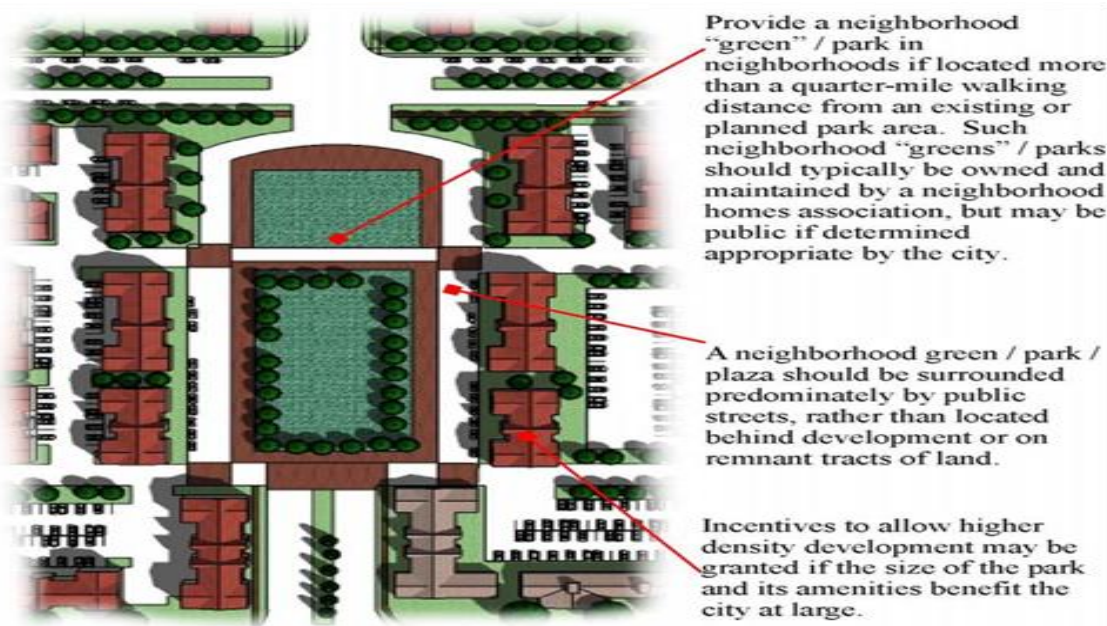
- Buildings, parking areas, other structures, and grading should be set back from such features a sufficient distance to ensure their continued quality and natural functions. However, the preservation of such areas generally will not be considered a site amenity unless they comply with the remaining guidelines in this section.
- Site amenities such as public plazas or open landscaped gathering spaces should generally be provided in commercial developments at a ratio of 15 square feet for each 10 parking spaces.
- Desired site amenities include the following.



- Public plaza with seating;
- Landscaped mini-park, neighborhood green, or square;
- Water feature;
- Public art feature or clock tower;
- Other similar area of focal feature that in the city's judgment is an appropriate public gathering space or urban design enhancement.



- Site amenities for neighborhood centers may be aggregated with required open space of adjacent residential development to create a neighborhood.
- All site amenities should be an integral part of the overall development design, rather than an undevelopable remnant parcel, storm water facility, or an unusable perimeter buffer.
- Public gathering spaces should have direct access to the public sidewalk network.
- Open storm drainage and detention areas visible to the public should be incorporated into the design of the development as an attractive water feature amenity or focal point. Such an area may be considered a site amenity provided it meets the spirit and intent of these guidelines to serve as a development amenity or public gathering space.



Building Design

The design and treatment of commercial buildings plays an important role in the visual identity of Bonner Springs. The purpose of these guidelines is to ensure the function, quality, and appearance of new structures is compatible in the context of the surrounding area.

- Consistent architectural design, including building materials and colors, should be carried throughout the development. Designs that provide visual interest and variety, yet are consistent with the theme, are required.
- Buildings should be designed to create a human scale with elements such as canopies or porticos, arcades, colonnades, raised landscape planters, pedestrian level lighting, and special building material treatments at the base of the building.
- Each building should have similar qualities and architectural elements that contribute to the overall theme and should include some of the following; arched windows, covered walkways, open courtyards, tile roofs, ornamental wrought iron, tile inlays, vertical towers, etc.
- Buildings near residential uses should be compatible in design, scale, and massing.
 - Buildings near residential uses should include sloped roofs, or the appearance of sloped roofs (mansard and gables) to maintain a residential appearance, unless other architectural features and site design provide residential compatibility.
 - Nonresidential sites designed to “back up” to residential rather than integrate with residential uses are subject to buffers with greater setbacks and landscape requirements. Setbacks and landscape buffers for buildings and parking/paved areas should be further increased for developments with loading docks, overhead doors, parking, or nonresidential buildings more than one story in height adjacent to residential zoning.
- All buildings should have architectural interest and variety to avoid the effect of long or massive walls with no relation to human scale. Building walls facing a street, pedestrian walkway, or adjacent development should meet the following:
 - Incorporate architectural features such as columns, ribs, pilaster or piers, changes in plane, changes in texture or masonry pattern, or an equivalent element that subdivides the wall into human scale proportions.
 - Incorporate a building bay or structural building system for walls exceeding 30 feet in width. Bays should be visually established by architectural features such as columns, ribs or pilasters, piers, changes in wall planes, changes in texture or materials and fenestration pattern no less than twelve inches (12”) in width.
 - Incorporate at least one change in wall plane, such as projections or recesses, having a depth of at least three (3) percent of the entire length of the façade and extending at least twenty (20) percent of the entire length of the façade.
 - Incorporate features into ground level walls such as windows, entrances, arcades, arbors, awnings, trellises, or alternative architectural detail that defines human scale to subdivide façade along no less than sixty (60%) percent of the façade. Windows should be recessed and include visually prominent sills or other forms of framing.



- The sides and rear of the nonresidential buildings should be treated with the same level of design quality and appearance as the front facades where such elevations are visible from a street or parking lots.
- Any business with drive-through lanes should be oriented so the drive-through areas are not readily visible from street right-of-way.
- Window canopies/awnings should be canvas with a matte finish, tile, slate, or decorative metal and should be compatible with the overall color scheme of the facade from which it projects. Awnings with a high gloss finish or illuminated plastic canopies/awnings are not desirable.
- All exterior building wall signs facing toward or visible from residential dwellings should be either non-illuminated or indirectly illuminated. No internally illuminated wall signs ~~should~~shall be permitted in any location where visible from residential dwellings.
- Decorative architectural accent lighting and landscape lighting ~~should~~shall be required.

Building Materials / Colors: Building materials and colors used in a commercial development are expected to be durable, attractive, and have low maintenance requirements. Individual “corporate image” design elements and colors should be incorporated only as secondary elements to the development. Such elements should be consistent and blend with the larger development area.

- Colors of structures should maintain an earth tone pallet when at all possible and compliment the surrounding area.
- A variety and well-proportioned mixture of exterior building materials and colors should be used to create visual interest and to avoid monotony, but should be consistent with a pallet of materials approved for the development area. No one material and color should dominate a building or a development. Corporate materials and colors should only be used to create variety if incorporated as secondary elements.
- Exterior building materials should consist of those that are durable, economically- maintained, and of a quality that will retain their appearance over time, including but not limited to, natural or synthetic stone; brick; stucco; integrally-colored, textured, or glazed concrete masonry units; high-quality prestressed concrete systems; or glass. Water-managed Exterior Installation Finish Systems (EIFS) may also be incorporated as a decorative accent material.
- Materials considered not acceptable include: vinyl siding; smooth-faced gray concrete block, painted or stained concrete block, tilt-up concrete panels; barrier-type EIFS; standard single- or double-tee concrete systems; split shakes, rough-sawn or board and batten wood; or field-painted or pre-finished standard corrugated metal siding.

Commercial Design Guidelines **FOR ZONING DISTRICT C-1 (Downtown Area)**

The area in which these design standards are intended to encompass are from Front Street to South Nettleton and Cedar Avenue to Elm Street, with focus on Oak Street.

Located within downtown are several different architectural styles; creating an eclectic downtown area that spans old world architecture with mid-century modernism. The intent of the Commercial Design Guidelines for the downtown area is to maintain visual appearance and quality of redevelopment and new development that may occur. While downtown Bonner Springs is not considered historical, it has several architectural features that the community sees as valuable assets.

Commercial development and redevelopment should contribute to the “sense of community” desired for the downtown area and be more than a collection of generic architectural styles that do not reflect the image and character of the area. New commercial development should remain compatible with the surrounding area, and should foster a pedestrian experience that encourages nearby residents to walk or ride as an alternative to driving by creating a balance between the needs of the vehicle and the pedestrian.

Ground floor levels of buildings are oriented to pedestrians, with large display windows designed to showcase the merchandise and services offered for sale inside. Recessed entries are typical and transom windows above entry doors and display windows let in natural light. A horizontal band of molding is commonly found separating the ground floor from the upper floors, and the roofline is often capped with a decorative cornice.

Site Layout and Development Pattern

Appropriately sited buildings will greatly enhance the formation of the public streetscape. Buildings should be sited to provide a “sense of place” and to create a cohesive visual identity and attractive street scene.



- Buildings and sites shall promote vibrant streetscapes with active uses and attractions located in storefronts of buildings, frequent windows, and a repetitive pattern of doors which are the primary entrance.
- Facades visible from the public right-of-way should be architecturally emphasized through the arrangement of windows, entrance treatments and details.
- Buildings must incorporate architectural styles, design features, building materials and accents that are compatible with original materials used throughout the surrounding block. For alterations or expansions, the materials and design should be consistent with the original building elements and characteristic of the building period, and should not cover, destroy or otherwise minimize original architectural elements.
- Light fixtures attached to the exterior of buildings should be compatible with the style, materials, colors and details of the building and the character of the district.
- Owners are encouraged to use historically appropriate colors schemes and contrasts, including use of primary building colors with trim, doors, awnings and other accents in complimentary colors.

Building Design

The design and treatment of buildings within downtown plays an important role in the visual identity of Bonner Springs. The purpose of these guidelines is to ensure the function, quality, and appearance of remodeled and new structures is compatible in the context of the surrounding area.



- Nothing contained within these design guidelines shall prohibit the use of modern materials, so long as any street level portions of new construction abide by these regulations
- Select materials that are appropriate to the storefronts; wood, cast iron, and glass are usually appropriate replacement materials
- All buildings shall have a primary entry feature on the street and any pedestrian alley or open space. Multi-tenant and larger mixed-use buildings shall have an entrance at least every fifty (50) feet of street frontage. Entry features shall be clearly defined and emphasized with combinations of the following:
 - Awnings, porticos, or overhangs.



- Transoms and/or display windows.
- Architectural details such as tile work and moldings, lintels, pediments, pilasters or columns.
- Integral planters or wing walls that incorporate landscaping and/or places for sitting, statues, or public art.
- Recessed entry doors
- Respect the horizontal separation between the storefront and the upper stories. Utilization of cornices or transoms should be considered as an acceptable separation piece. A transom traditionally contained the store's sign.
- The location, orientation, size and proportion of openings establish a relationship of the building to the public realm. All buildings shall meet the following transparency requirements:
 - Commercial and mixed-use buildings shall have between sixty percent (60%) and ninety percent (90%) transparency on the first story, which shall be measured between two (2) feet and eight (8) feet above the street level. Upper stories shall have between twenty percent (20%) and fifty percent (50%) transparency on front facades measured between the floor level and ceiling of each story.
- Massing creates the relationship of the building to the streetscape and public spaces. To ensure human-scale massing, large masses shall be broken up to relate better to public spaces.
 - The first floor shall be level with the sidewalk as will allow.
 - The first story shall be between ten (10) feet and twenty (20) feet high. Any upper stories shall be between eight (8) feet and twelve (12) feet high.
 - Buildings greater than two (2) stories or wider than one hundred (100) feet shall use massing that breaks down the components of the main mass.
 - No single wall plane shall be longer than one hundred (100) feet without having off-sets of at least one (1) foot to add depth and proportion to the wall.
 - Use structural bays, projections, balconies, cantilevered floors or step backs from the main mass to break up larger wall planes and relate the building scale to nearby buildings.
 - Whenever possible, preserve windows, sashes, doors, transoms, signs, and decorative features in order to retain the historic character of the building.
 - Where an original or early storefront no longer exists or is too deteriorated to save, the commercial character of the building should, nonetheless, be preserved -- either through an accurate restoration based on historic research and physical evidence, or a contemporary design that is compatible in scale, design, materials, color, and texture of the historic building.

INDUSTRIAL DESIGN GUIDELINES

FOR ZONING DISTRICTS I-1 (LIGHT INDUSTRIAL) AND I-2 (HEAVY INDUSTRIAL)



The intent of the Industrial Design Guidelines is to ensure high quality design of large industrial facilities constructed within the City of Bonner Springs and improve the visual appearance and overall quality of development. New Industrial facilities shall create less of a visual impact on the surrounding land uses; ensure building designs are compatible throughout the site and to establish acceptable exterior construction materials, and designs.

Site Layout and Development Pattern

Appropriately designed buildings shall use scale, proportion and building forms in appropriate manners. Buildings should incorporate architectural features that distinguish the building from others in order to alleviate monotony and provide diversity within the area.

Building Design

Due to the anticipated size of industrial facilities, the design and treatment of industrial buildings play an important role in the visual identity of Bonner Springs. The purpose of these guidelines is to ensure the function, quality, and appearance of new structures is compatible in the context of the surrounding area.

- All buildings ~~should~~shall have architectural interest and variety to avoid the effect of long or massive walls with no relation to human scale.
- Incorporate a building bay or structural building system for walls exceeding 50 feet in width. Bays ~~should~~shall be visually established by architectural features listed below:
 - Offset of the horizontal wall plane by at least four (4) feet extending for the full height of the primary façade.
 - A setback or notch in the horizontal wall plane that is at least four (4) feet deep and eight (8) feet wide for the full height of the primary façade.
 - Projection or wall molding that is at least four (4) inches deep and one (1) foot wide for the full height of the primary façade.
 - A variation in building or parapet height of at least four (4) feet
 - A difference in roof pitch or roof form
- Incorporate at least one change in wall plane, such as projections or recesses, having a depth of at least three (3) percent of the entire length of the façade and extending at least twenty (20) percent of the entire length of the façade.
- Incorporate features into ground level walls such as windows, entrances, arcades, arbors, awnings, trellises, or alternative architectural detail that defines human scale to subdivide façade



along no less than sixty (60%) percent of the façade.
Windows ~~should~~shall be recessed and include visually prominent sills or other forms of framing.

- Garage and overhead doors may only face a local or collector public street, unless completely screened from view. If visible, street-facing doors must include a three (3) foot deep canopy or overhang above the doorway, be recessed a minimum of two (2) feet from the building façade line, and the door be architecturally treated.
- Buildings less than three (3) stories in height must include tower elements or similar special vertical articulation to bookend the building or to anchor the main entry or building corner.



Building Materials / Colors: Building materials and colors used in an industrial development are expected to be durable, attractive, and have low maintenance requirements. Individual “corporate image” design elements and colors ~~should~~shall be incorporated only as secondary elements to the development. Such elements should be consistent and blend with the larger development area.

- Colors of structures shall maintain an earth tone pallet when at all possible and compliment the surrounding area.
- It is expected that the materials selected will be used from the base of the building to the roof line. The same building materials will be used on front and side building facades. The rear of the building may provide a different finish provided similar materials are used, and provided the rear façade is not visible from surrounding streets. All building facades shall be constructed entirely or with a combination of the following:



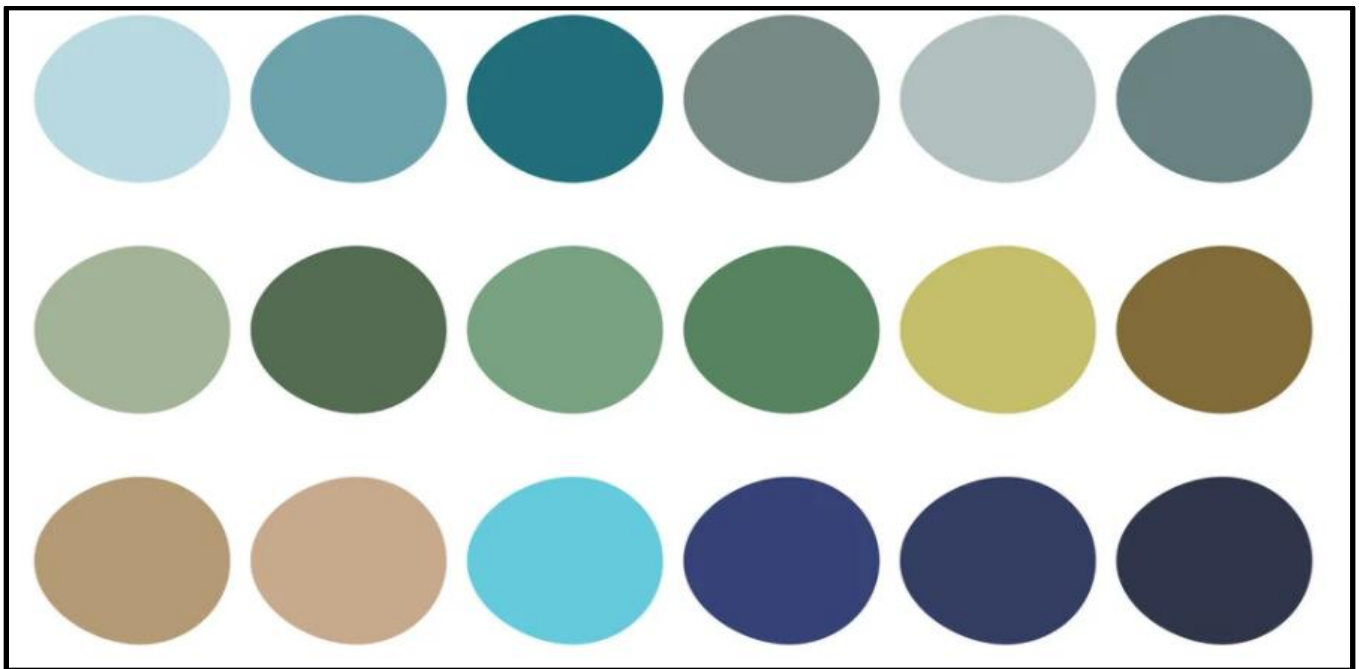
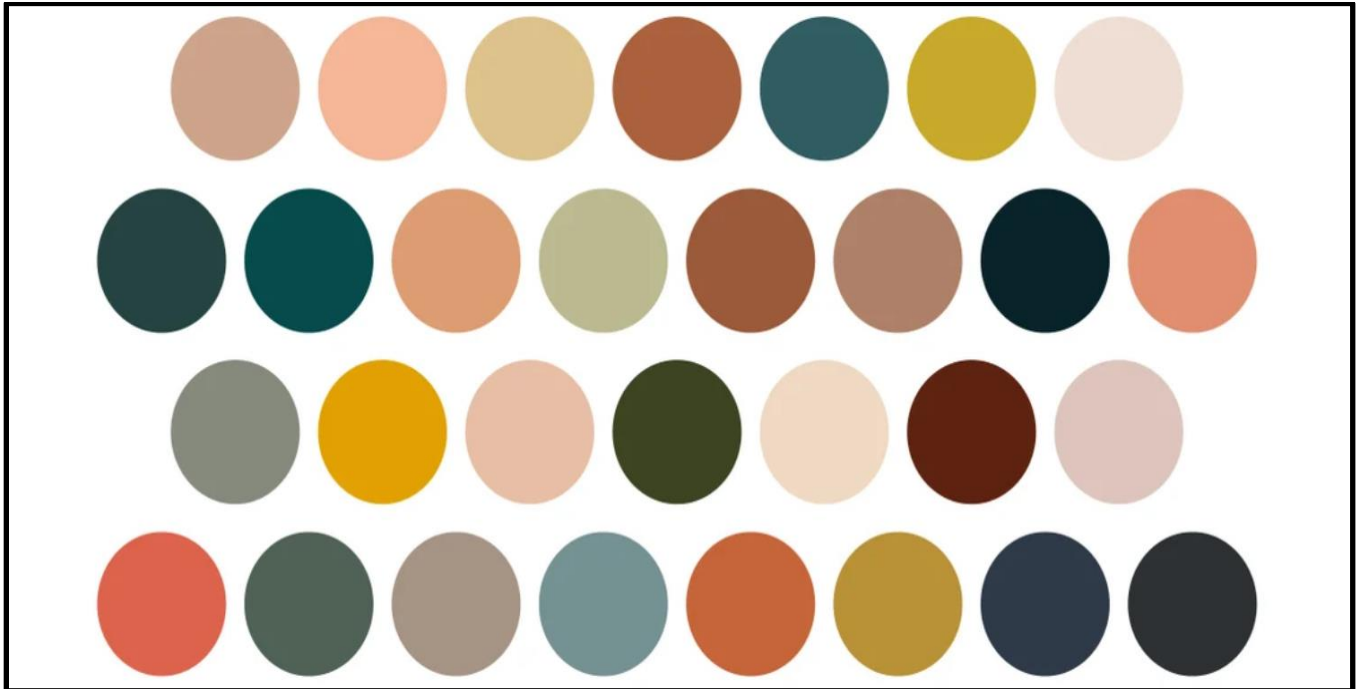
Primary and Secondary Wall Surfaces

- Solid brick masonry veneer;
 - Masonry block, pre-tinted, rough-hewn or ground face;
 - Colored and textured architectural pre-cast concrete panels that incorporate rustication joints or inlaid brick, stone (including limestone, sandstone, granite, slate, marble, or other hard and durable all weather stone) or tile;
 - Glass;
 - Limited amounts of wood.
- If changes in roof pitch are utilized that include angled roofs visible from the public street system, the following materials shall be utilized:
 - Pre-finished Standing Seam Metal
 - Pre-tinted concrete tile
 - Metal Panel
 - Simulated metal roofing – appearance of standing seam
 - Architectural asphalt shingles
 - Living/Green roof – rooftop plantings if the pitch allows

Established Industrial Districts

- Pre-finished flat metal wall panels may be used in industrial areas where the current predominant building material is metal. The metal panel may not be used on facades with street frontage and sides of the buildings will be expected to be constructed of the materials mentioned above on no less than one-quarter of the depth of the side elevations. All metal walls shall be provided with a 20-year finish and shall be of at least a 26 gauge metal.
- No corrugated or flat metal panels which do not meet the above Standards above shall be submitted for site plan approval.
- When metal panels are used, no exposed or semi-exposed connectors shall be allowed.
- The industrial areas that fall into this category are: Bonner Industrial Park and industrial zoned areas within the Prairie Plaza Estates and the Loring Service Area.

SUGGESTED EARTHTONE PALETS



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