



City of Bonner Springs

KANSAS

Planning Commission Minutes - Regular Meeting - September 17, 2024

PLANNING COMMISSION MEETING - 7:00 PM -

CALL TO ORDER - ROLL CALL - Vincent Bombardier was absent

CONSENT AGENDA -

Approval of minutes from the August 20, 2024 meeting - Lloyd Mesmer moved Paul Zeps seconded to approve the minutes of the August 20, 2024, Planning Commission Meeting as presented.

UNFINISHED BUSINESS -

NEW BUSINESS - The Community Development Director gave a report on PP-02-21 Preliminary Plat for the Comapss 70 Logistics Center.

PUBLIC HEARING - PP-02-21 Preliminary Plat for the Compass 70 Logistics Center, the applicant is requesting approval of a preliminary plat of 159.26 +/- acres with an address of 110 S. 110th Street and a general location of the southwest corner of 110th Street and Riverview Avenue. - Greg Gebauer, Planning Commission Chair, opened the Public Hearing at 7:06 p.m. for PP-02-21 Preliminary Plat.

No one spoke in favor of the item.

Victoria Pavicich 131 S 110th St, Edwardsville, KS. Owns the 80 acres east of the project. She has concerns about the current water runoff problem. She feels that this project will add to the problem with her farm pond, filling it in with mud. She stated it was not built in 1971 to be a retention pond and is concerned with it overflowing and flooding other properties downstream. She is concerned about all the water that will be coming off the parking lots that will be put in because they are already having a problem with the water run off from the new road.

Joe Dragish- Vickie's cousin. They get all the rain from I70 south. He stated that there was no retention pond put in and all that water and all that mud comes down towards 110th street, secretly you put in storm sewers and there is no grass to slow it down. It immediately goes into the storm sewers and heads to the north side of the pond. All the water from the project that was on the east side of 110th runs down to the pond. He continued to list all the issues he has with the water run off and other issues with the new project. That they took out the berm and all the mud and water is going to go into their pond. They put in a road off of 110th St that wasn't supposed to be there this week.

Mark Lee, Community Development Director, stopped Joe Dragish and stated that their pond issues were caused by road improvements through Edwardsville and KDOT. Bonner Springs doesn't have anything to do with it. Regulations were read and the regulations state that the post-development run-off has to equal the pre-development. Mark Lee stated that per our regulations, per the storm water plan that was submitted that's been reviewed and approved, that approximately 90% of their storm water is going to flow to their retention pond.

Carolyn Gaihar 10550 Riverview Ave, Edwardsville, KS. From an Edwardsville resident's perspective, it is quite a unique situation where we have a development where three of the streets surrounding the development are a different city. So, when residents come to us, we are limited to what we can do because our hands are tied. The residents are used to 160 acres of farm field across from their homes, and then they find out there are going to be warehouses that their house is facing. Consider if this was right across from your front porch, what would you want the setbacks to be, what would you want the berm to be, how would you want the water run-off handled, making sure you know what the water run off was before the project and what it would be after to make sure it is not affecting those properties or has as little adverse affect as possible. Those are the things I would like you to consider.

Kelly Billings 11041 Speaker Rd, Edwardsville, KS. We are in the same situation. We ask you to please remember that there are residents all around this and that we would like you to keep the berms and trees. No one is maintaining the weeds or mowing.

Eric Kremer 11351 Riverview Rd, Bonner Springs, KS. He is directly west of this project. He wanted to know who was in

charge of the water run-off during construction. Mark Lee stated that during construction they put together an erosion control plan and a storm water protection plan and all that is approved at the state level as well as by our city engineer, and that is what is put in place. They did a storm water study to show where all the water runs. Mr. Kremer had complaints about the flooding and erosion of his driveway. Wants some kind of privacy and wants the berm and trees to block the view.

Mark Lee, Community Development Director, stated every time there was mud in the road he would notify the developer and the issues were addressed.

Paul Zeps, Planning Commission member, stated everything that has been addressed here tonight has been presented in a public forum and is on record. Tonight the body is only allowed to look at these things on the agenda and the public notice is whether the internal dimensions of this lot can be changed from 3 to 5 plated pieces. You have all gone on public record with your concerns. He acknowledged all of their issues and advised them that this committee is not a regulatory committee. He advised them to go to their elected officials about this item. Paul Zeps had to leave.

Dave Mareske, Hollis Center, 11414 Kansas Ave, Bonner Springs, KS. Asked that the developer make sure the size of the retention pond is sufficient for the water run-off and consider more grass land instead of all concrete parking lots. Create more green space between the buildings and the residents.

Joe Calharr, 10550 Riverview Ave, Edwardsville, KS. To all these residents, this has been going on for 5 years. Asked that stipulations be made on the plats, berms, trees, or other stipulations listed on the staff report.

Larry Clark, Planning Commission member, reiterated that they are only here to approve the change to a legal document that sets out how the existing plot will be subdivided.

The Planning Commission discussed public notices. Some items have none disclosures and the developer will let me know if I can give out any information.

Sherri Neff, Planning Commission member, asked if the berm was needed. Is that something to address tonight? Mark Lee stated we do not have berm requirements. We have plantings and fencing requirements for screening.

Cameron Duff, 7802 NE 160th Terr., Smithville, MO, Scanell Properties Development. He wanted to state that they were not involved in the 110th Street Improvements. He addressed complaints brought up by the residents. He stated that the water run-off from the property is designed to go to the pond on the property, and they are currently doing the work to the dam and the pond. He stated they purchased the property in 2021, from Compass Comodity Group, and they were never made aware of any berm requirements. They have changed the elevations in the SE corner to align with their masterplan, but they weren't removing a berm that they had built and agreed to stay. It was the way the land was. He wanted to find out who is responsible for maintaining the right of way off of Speaker Road. If we are responsible, then we need to put it into our regular maintenance. The general berming request, we have every intention of complying with the code and planting trees and plantings on property lines. He addressed Mr. Kremer's issues and that he had met with him on site multiple times and that there was run-off the first time they met. The company replaced gravel once or twice and replaced his culverts twice. He stated that he acknowledged that they have made mistakes and are trying to correct them. He addressed the Hollis Center's concerns about the run-off and that they did dirt work and silt work. He stated that he didn't have any issues with Mark sharing plans, but the only issue would be project Steamboat because it is a confidential project. Riverview Ave was another issue he wanted to address because his company sold 45 acres in the NE corner of the site in 2021 to Medline. The road was designed based on Medline's final grades. Medline put their project on hold and all the water was draining SW. Based on existing grades, about half of the water on that site was still pushing north. There was a ton of water run-off coming from the Medline site. The solution was moving 500,000 yards of dirt to regrade that site to get all that water to flow SW corner where it was originally engineered. With the grading we are doing on site, this should fix the problem.

Carolyn Calharr came up and asked that a berm be put into place and these conditions be added to your plat approval. You are the last opportunity for these residents and I realize this may not meet the minimum requirements for Bonner Springs, but this is in a neighborhood and not in an industrial area. There might not be berms required for an industrial area in Bonner Springs. If this were in your neighborhood, what would you want, and you do have that opportunity by adding conditions to the plat approval should you feel that's the right thing to do.

Chair Greg Gebauer stated that the only thing they can consider is the staff report, documents submitted, ordinances of the City and the State requirements. There was discussion again about this being the final public hearing for this item. Larry Clark clarified that Council has final approval. It may not be by a public hearing, but if you call your council members and convince them not to approve the plat, they won't approve it. Greg Gebauer said we make a recommendation, and it moves forward and is presented to the Council to accept the final plat the Council can reject the final plat. Lloyd Mesmer stated the only thing we are looking at is giving the developer the right to develop these 3 units into 5. We have no control over 99% of what has been said tonight. We are giving the developer the right to develop the property differently than originally submitted. Eric Kremer wanted to know if this was the last time for them to be able to change this. Jason Cruse landscape approval is later. Specifically for berms, you are correct, there are no stipulations in the law that a berm is needed. Other than that, there are trees and shrubs, but not specifically the berm.

Larry Clark motioned Nick Perica seconded the motion to close the Public Hearing at 8:25p.m.

Lloyd Mesmer motioned and Nick Perica seconded to approve PP-02-21 Preliminary Plat for the Compass 70 Logistic

Center.

Sherril Neff approved with concerns about landscaping.

FP-02-24 - Final Plat - Consider a Final Plat- Consider a Final Plat for the Compass 70 Logistic Center - Larry Clark moved Lloyd Mesmer seconded to approve the FP-02-24 Final Plat for the Compass 70 Logistic Center. This item will be at the October 14, 2024 City Council Meeting. That is where council will vote to accept or reject this proposal.

Public Hearing - SUP-03-24 - SPECIAL USE PERMIT - The applicant is requesting approval of a Special Use Permit to allow for the construction of contractor garages that would allow for the storage of materials indoors as well as provide work space for individual businesses as permitted within the Unified Development Ordinance. The site will consist of 68 – 20' x 50' spaces located within 6 larger buildings measuring 220' in length x 50' in depth. - The developer requested that this item be removed. They are not moving forward at this time.

OPEN AGENDA -

COMMUNITY DEVELOPMENT DIRECTORS REPORT - Mark Lee, Community Development Director, has been working on creating an Entertainment Zoning District to coincide with some of the proposals from Mattel and any other amusement or entertainment type of development that may come in the future. He has been looking at Branson and Glendale, AZ. an Entertainment District would make it easier to have height for rides and hotels, among other things. This would be a specific zoning district that we would have to approve.

The staff has received a final plat application for the Bonner Springs Senior Villas at 700 S 132nd Street, which is behind where the old Walmart was so behind True Value. Along with the site and landscape plan to review. This property, as one large lot, has been reserved for apartments since the plat for Deerfield Village was approved in 1987. No rezoning is necessary. It is already platted. The proposal for elevations and layout for the project was shown: 3 stories, 55 and older, 48 units with elevators.

Received building plans and site and landscape plans for 2 buildings at Compass. I have denied one building plan and one landscaping plan that have since been revised.

A review and explanation of the BZA item for 1140 S 130th variance request issues. We tabled it until the next meeting. There are 3 parcels zoned as Planned District and there is no plat map.

The Bylaws say 7, but we had a discussion about the start time of 6:30 p.m. Going to look into why we have elections in August and see if we can move it to January in the future.

ADJOURNMENT - 8:46 p.m.