



City of Bonner Springs

KANSAS

Tuesday, February 18, 2025

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

PLANNING COMMISSION MEETING - 6:30 p.m.

The meeting is open to the public.

PLANNING COMMISSION MEETING - 6:30 PM

CALL TO ORDER - ROLL CALL

CONSENT AGENDA

1. Approval of minutes from the January 21, 2025 meeting

Action Make a motion to Approve, Amend or Deny the minutes as written.

Recommendation Staff recommends approval of the minutes as written.

Documents:

1. 1.21.25 PC Minutes

OLD BUSINESS

NEW BUSINESS

1. FP-01-25 - Replat of 1715 and 1725 S. 138th Street

Action Make a motion to Approve or Deny the replat as presented

Recommendation Staff recommends that the Planning Commission approve the replat of Lots 1 through 8; Block 4, of the Grandview Subdivision of Saratoga Park, with the stipulations listed below:

1. All comments made by the Wyandotte County Surveyor and UG Review Staff, the Bonner Springs City Engineer, City Staff and Utility providers shall be addressed prior to the release of the Replat for filing.

2. All necessary building permits and fees shall be paid prior to a permit being issued for construction upon the newly created lot.

3. The Replat shall be filed with the Wyandotte County register of Deeds by the applicant, with one copy being returned to the City of recording.

4. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance

Documents:

1. Complete Agenda Item - Replat - FP-01-25 - 1715 and 1725 S. 138th

2. PUBLIC HEARING - Special Use Permit – SUP-01-25 – 1800 S. 121st Street – APAC – Kansas, Inc. - Bonner Springs Quarry

Action Make a motion to Approve, Amend or Deny the requested Special Use Permit with Staff Stipulations.

Recommendation Staff recommends approval of the Special Use Permit; SUP-01-25 with the following conditions:

1. Future expansions and additions to the site not identified on the Site Plan will require submission of a revised Special Use Permit and Phasing Plan. Improvements shown on the Phasing Plan are not a part of this approval.

2. The revocation of the Special Use Permit may occur for a violation of the Unified Development Ordinance or violation of any or all of the conditions set out in

the Special Use Permit;

3. The term of the Special Use Permit to be for a twenty (20) year period of time and only for Phase I, Stages II, III and Phase II. No other Phases or stages are approved as part of this Special Use Permit;
4. The hours of operation shall be as follows, subject to the filing of written public complaints on any of the individual operations:

Removal of Rock – 6 a.m. to 6 p.m. – Monday through Saturday;

Rock Crushing – 6 a.m. to 6 p.m. Monday through Saturday;

Blasting – 9 a.m. to 3 p.m. – Monday through Saturday; and

Blasting after 3 p.m. may be permitted only to meet Federal Blasting Requirements or for emergency situations with notification to and approval by the City Manager or his/her designated employee.

5. Plans and specifications shall be submitted on each occurrence for each temporary use of a portable crusher, portable asphalt plant and portable concrete ready-mix plant. Such plans, specifications and operation of the temporary uses on each individual basis shall conform to all federal, state and local requirements necessary to obtain any necessary permits prior to operation, but shall not require a revision to the Amended Special Use Permit. Hours of operation shall conform to those observed by the quarrying operation;
6. Reports of all inspections required by the Kansas Department of Health and Environment, U.S. Environmental Protection Agency, the State Board of Agriculture-Division of Water Resources, the Bureau of Mines, including insurance inspections or any other agency requirements shall be provided to the City as they occur and are received;
7. The applicant shall conform to all dust, noise, air or any other environmental regulations applicable and shall conform to the stated methods of control and operation contained in the application and Environmental Impact Study. These shall include, but not be limited to, the watering of internal roadways for dust control;
8. Once per calendar year, the City will conduct an inspection of the operations. City authorized personnel shall be allowed on the site to conduct

these inspections or to participate in any other inspections deemed necessary by the City or any other local, state or federal agency;

9. Quarrying equipment shall not be visible from adjoining properties or from K-32 Highway;
10. All reclamation areas identified on the prior special use permit(s), including the southwest portion of the property and the east central portion of the property shall be maintained to blend with the terrain surrounding the quarry. The trees in the reclamation areas shall be properly maintained and all dead, dying or diseased trees shall be replaced as soon as possible to coincide with a planting season(s);
11. The lowest elevation of the surface mine shall not be less than 735 feet above mean sea level;
12. If subsurface mining is allowed via this Special Use Permit, then detailed plans, including but not limited to; engineering, internal layout and other detailed plans or studies as requested by the City shall be provided prior to work commencing.
13. An annual report on the quarry operation shall be provided no later than March of each year following the approval of the Amended Special Use Permit. The Annual Report shall include the status of the quarrying operation and the progress of reclamation;
14. An annual blasting permit shall be obtained from the City and violation of the blasting requirements may constitute justification to revoke the Special Use Permit;
15. All trucks leaving the site shall be covered to eliminate the potential of spillage of rock on public roadways or damage to other property; and
16. Storm inlets on east side of 121st Street shall be cleaned out to prevent accumulated silt from proceeding further into storm sewer system.
17. Public right of way that exists on the property currently may be vacated via appropriate action through the UDO. The public right of way shall be rededicated at a future time that allows for the extension of S. 122nd St or Steventon Drive through the property.
18. The site shall not be utilized in the future as a municipal or private landfill.

Documents:

1. Complete Agenda Item SUP-01-25- 1800 S. 121st St - APAC Quarry

OPEN AGENDA

COMMUNITY DEVELOPMENT DIRECTORS REPORT

ADJOURNMENT

Memorandum

Date: February 18, 2025
To: Mayor and City Council
From: Mark Lee

Subject: Approval of minutes from the January 21, 2025 meeting

Recommendation: Staff recommends approval of the minutes as written.

Action: Make a motion to Approve, Amend or Deny the minutes as written.

Background: Meeting minutes are attached

Discussion:

Financial Impact:



City of Bonner Springs

KANSAS

Planning Commission Minutes - Regular Meeting - January 21, 2025

PLANNING COMMISSION MEETING - 6:30 PM - Was called to order at 6:31 p.m.

CALL TO ORDER - ROLL CALL - Sherri Neff was present via Teams video call and Vincent Bombardier was absent.

CONSENT AGENDA - APPROVAL OF MINUTES -

Approval of minutes from the November 19, 2024 meeting - Lloyd Messmer motioned Paul Zeps seconded to approve the minutes of the November 21, 2024 Planning Commission Meeting as presented.

The motion passed unanimously 7-0.

OLD BUSINESS - None

NEW BUSINESS -

PUBLIC HEARING - Rezoning - BSRZ-05-24; 13040 Cannan Drive - Paul Zeps motioned Lloyd Messmer seconded to open the Public Hearing for rezoning BSRZ-05-24; 13040 Cannan Drive at 6:34 p.m.

Larry Clark asked Staff if this was going to continue as an Auto Repair Shop also. Staff indicated that he thought they may be working on the vehicles they would sell.

Lloyd Messmer moved and Paul Zeps seconded to close the Public Hearing at 6:36 p.m.

Paul Zeps moved Lloyd Messmer seconded to approve the rezoning request with staff stipulations.

The motion passed unanimously 7-0.

PUBLIC HEARING - Special Use Permit - SUP-03-24 - 23920 W. 43rd Street - Bonner Springs Contractor Garages - Lloyd Messmer motioned Larry Clark seconded to open the Public Hearing for Special Use Permit SUP-03-24 23920 W. 43rd Street at 6:42 p.m.

Daniel Earhart 3705 W 52nd Place Roeland Park KS. Our focus is towards the trades, plumbers, landscapers, contractors anyone outgrowing their garage and don't have the capacity for a whole building. There are 4 buildings in the site plan each building will be 20' x 50', Each building will have 12 units and the units are 1000 sqft. Each unit will have a 12' x 14' bay door and man door next to that. No retail or office fronts, some parking.

Larry Clark asked if they will be renting the spaces and how will people be notified of the rentals. Mr. Earhart said there will be advertising and there will be no central office on site. The entrance will be electronic key pad and each tenant will get a code for the gate and each tenant will have their own key for their unit as well.

Michael McDermont at the Grass Pad need more explanation on the project. He wanted to know if there was a problem on site whom would he call, the police. He is concerned about all the traffic and whom would be responsible for the property. There will be a landlord but no one is on site. Staff explained that the contractor will come pick up his stuff and then leave. Emergency services will have to have access to the property.

More discussion about the parking and that each unit has room for them to pull up in front of their own door. They are basically storage units for contractors. They may have a office space in it but no living in them.

Lloyd Messmer thought that Water One has an easement. Staff showed the easement is to the east of the buildings.

Larry Clark motioned Lloyd Messmer seconded to close the Public Hearing for Special Use Permit SUP-03-24 23920 W. 43rd Street at 6:54 p.m.

Paul Zeps motioned Lloyd Messmer seconded to approve the Special Use Permit as written with Staff stipulations.

The motion passed unanimously 7-0.

PUBLIC HEARING – Unified Development Ordinance Amendment – BSZO-04-24 - City of Bonner Springs - Paul Zeps motioned Lloyd Messmer seconded to open the Public Hearing for Unified Development Ordinance Amendment - BSZO-04-24 for the zoning district; **ENT, Entertainment and/or Amusement District.** at 7:02 p.m.

Paul Zeps motioned Larry Clark seconded to Close the Public Hearing for Unified Development Ordinance Amendment - BSZO-04-24 at 7:02 p.m.

Paul Zeps motioned Larry Clark seconded to approve the Unified Development Ordinance Amendment - BSZO-04-24 for the zoning district; **ENT, Entertainment and/or Amusement District** as written.

The motion passed unanimously 7-0.

PUBLIC HEARING - Rezoning – BSRZ-04-24; 720 N. 118th Street, 11801, 12215 and 12301 State Avenue, – Destination KCK - Has been withdrawn for a later date.

OPEN AGENDA - None

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT - February meeting a. BZA – setback variance request in Lake of the Forest b. Replat for 1715/1725 S. 138th Street c. Rezoning for Mattel Adventureland Theme Park(?) d. SUP renewal for APAC – Bonner Quarry - Set Back Variance for Lake of the Forest for a room addition.
Replat for 715 and 725 S 138th Street at the corner of 138th and Willard- separate large lot into 3 lots.
Rezoning for the Mattel Adventureland will be in March
Special Use Permit renewal for the APAC Rock Quarry which expires this year.

Sandstone Townhomes first 3 buildings are being occupied now.
Moving forward with the apartments at I70 and Kansas Ave
Senior Villas are moving still have a few things to do.
120 Oak St. has an Earth Change permit so that should happen within the next month.

Compass has two buildings going up.

ADJOURNMENT - 7:09p.m.

Memorandum

Date: February 18, 2025
To: Mayor and City Council
From: Mark Lee

Subject: FP-01-25 - Replat of 1715 and 1725 S. 138th Street

Recommendation: Staff recommends that the Planning Commission approve the replat of Lots 1 through 8; Block 4, of the Grandview Subdivision of Saratoga Park, with the stipulations listed below:

1. All comments made by the Wyandotte County Surveyor and UG Review Staff, the Bonner Springs City Engineer, City Staff and Utility providers shall be addressed prior to the release of the Replat for filing.
2. All necessary building permits and fees shall be paid prior to a permit being issued for construction upon the newly created lot.
3. The Replat shall be filed with the Wyandotte County register of Deeds by the applicant, with one copy being returned to the City of recording.
4. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance

Action: Make a motion to Approve or Deny the replat as presented

Background: The property is currently zoned GR (General Residential District) with two residential structures upon it; the principal structure and an Accessory Dwelling Unit. This replat will place those two structures within their own lots with one lot remaining that can be constructed upon.

The proposed replat will combine several older lots of the Grandview Subdivision of Saratoga Park into three lots allowing for the potential construction of a new single-family residence. Those lots are as follows – Lots 1 through 8 of Block 4 of the Grandview Subdivision of Saratoga Park. The replat will name these lots as Willard's Way.

The proposed replat will dedicate additional right of way along S. 138th for future improvements. The proposed replat will not change any lots outside of the proposed area.

Discussion: Staff's Report is attached.

Financial Impact:

City of Bonner Springs

Agenda Item Cover Sheet

Agenda Item No. 4

CASE #: FP-01-25

Topic: Consider a replat of one single parcel within the Grandview Subdivision of Saratoga Park; this replat will divide the single parcel into three separate lots.

Narrative: The property is currently zoned GR (General Residential District) with two residential structures upon it; the principal structure and an Accessory Dwelling Unit. This replat will place those two structures within their own lots with one lot remaining that can be constructed upon.

The proposed replat will combine several older lots of the Grandview Subdivision of Saratoga Park into three lots allowing for the potential construction of a new single-family residence. Those lots are as follows – Lots 1 through 8 of Block 4 of the Grandview Subdivision of Saratoga Park. The replat will name these lots as Willard's Way.

The proposed replat will dedicate additional right of way along S. 138th for future improvements.

The proposed replat will not change any lots outside of the proposed area.

Presented by: Mark Lee – Community Development Director

Staff Recommendation: Staff recommends that the Planning Commission approve the Replat of Lots 1 through 8, of Block 4 of the Grandview Subdivision of Saratoga Park with the stipulations listed in the Staff report.

Attachments:

Staff Report (3pgs)

Aerial Image (1pg)

Copy of Willard's Way Replat (1pgs)

Copy of original Saratoga Park Plat (1pg)

A REPLAT OF LOTS 1 THOROUGH 8, BLOCK 4; OF THE GRANDVIEW SUBDIVISION OF SARATOGA PARK. – WILLARD’S WAY 1715 AND 1725 S. 138th STREET.

MEETING DATE: February 18, 2025
REPORT WRITTEN: January 27, 2025
CASE #: FP-01-25

APPLICANT:

- Wensheng Wang
1715 S. 138th Street
Bonner Springs, KS 66012

SURVEYOR/ENGINEER:

- Atlas Land Consulting
14500 Parallel Rd, Unit R
Basehor KS 66007

REQUEST:

The applicant is requesting approval of a replat of Lots 1 through 8 of Block 4 of the Grandview Subdivision of Saratoga Park.

ZONING:

- The property is currently zoned “GR” General Residential District

SURROUNDING ZONING:

- North GR (General Residential District)
- South GR (General Residential District)
- East GR (General Residential District)
- West RR (Rural Residential District - undeveloped)

BACKGROUND:

The property is currently zoned GR (General Residential District) with two residential structures upon it; the principal structure and an Accessory Dwelling Unit. This replat will place those two structures within their own lots with one lot remaining that can be constructed upon.

The proposed replat will combine several older lots of the Grandview Subdivision of Saratoga Park into three lots allowing for the potential construction of a new single-family residence. Those lots are as follows – Lots 1 through 8 of Block 4 of the Grandview Subdivision of Saratoga Park. The replat will name these lots as Willard’s Way.

The proposed replat will dedicate additional right of way along S. 138th for future improvements.

The proposed replat will not change any lots outside of the proposed area.



The typical replat procedure is being utilized for this application. The purpose of a Replat is to modify existing platted Lots without the need for a Vacating Plat and to ensure compliance with the Unified Development Ordinance of the City of Bonner Springs.

A Replat shall be required when altering the lot lines, lot identification number, block identification number, setbacks, or any easement or property dedicated to the City previously established by a lawful subdivision as determined by these regulations.

Traffic Impact

Additional traffic may be created by the proposed replat if and when a new single-family dwelling is constructed. The increase in traffic created by this new dwelling will be minimal and will not create any issues as it is within an existing subdivision currently.

Stormwater Management

Stormwater management is not needed for the single undeveloped lot. Stormwater management is planned throughout the entire subdivision currently.

Utilities

Utilities are currently located within subject plat area. Utilities surround the site currently with easements in place. The applicant has dedicated public right of way along S. 138th Street to allow for improvements when that times come.

Utility providers have been notified of the replat and have been given an opportunity to comment.

Unified Development Ordinance Requirements

All items to be submitted with and included on the replat per the Unified Development Ordinance requirements have been met and reviewed by UG Staff, the City Engineer and the Community Development Director.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the replat of Lots 1 through 8; Block 4, of the Grandview Subdivision of Saratoga Park, with the stipulations listed below.

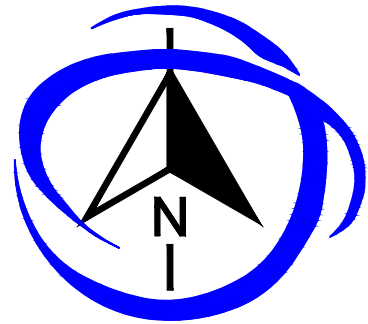
STAFF STIPULATIONS:

1. All comments made by the Wyandotte County Surveyor and UG Review Staff, the Bonner Springs City Engineer, City Staff and Utility providers shall be addressed prior to the release of the Replat for filing.
2. All necessary building permits and fees shall be paid prior to a permit being issued for construction upon the newly created lot.
3. The Replat shall be filed with the Wyandotte County register of Deeds by the applicant, with one copy being returned to the City of recording.
4. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Bonner Springs Unified Development Ordinance

If recommended for approval, this item will proceed to the Governing Body at the March 10, 2025 regular meeting.

WILLARD'S WAY

A REPLAT LOTS 1 TO 8, BLOCK 4, GRANDVIEW SUBDIVISION TO SARATOGA PARK, A
SUBDIVISION IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS

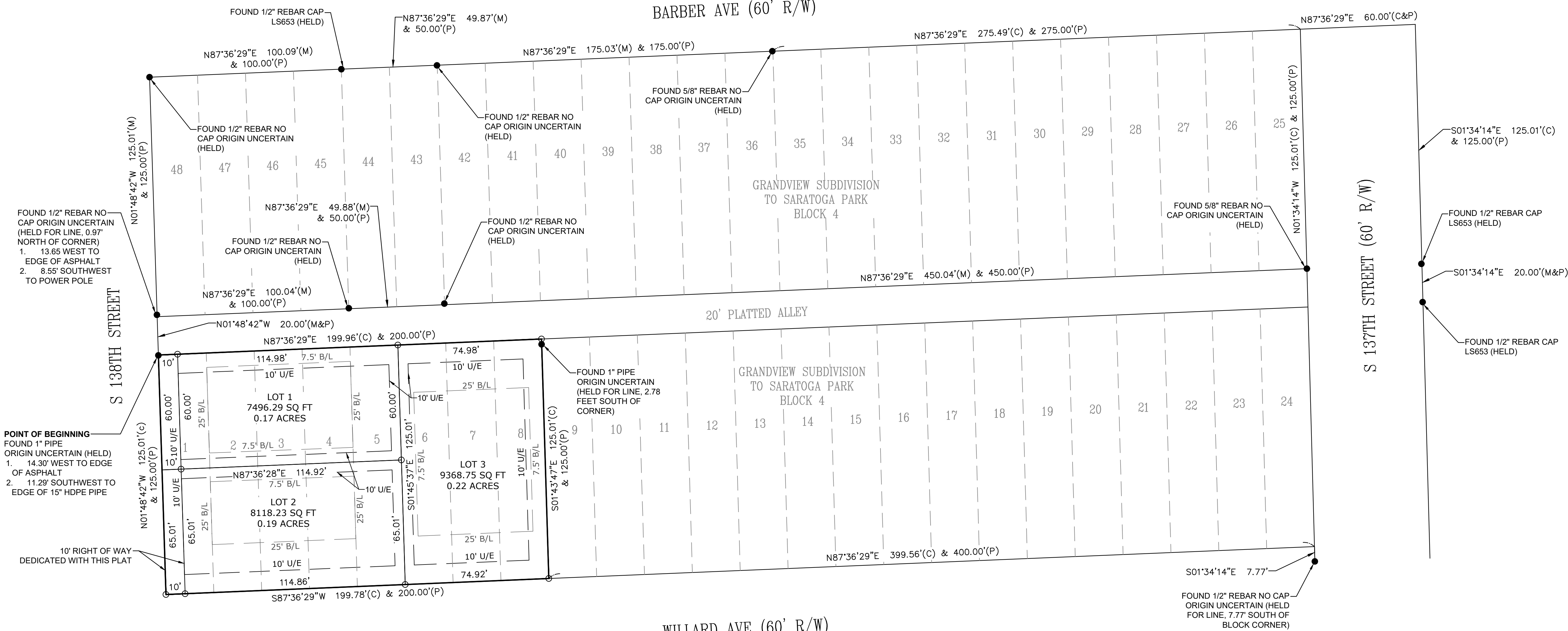


LEGEND

- SECTION CORNER
- BENCHMARK AS NOTED
- FOUND PROPERTY CORNER AS NOTED
- SET 1/2" X 24" REBAR CAP ALC KS CLS 363
- BUILDING SETBACK LINE
- CALCULATED
- DEEDED
- MEASURED
- PLATTED

GENERAL NOTES

- THE BASIS FOR THE BEARING SYSTEM FOR THIS SURVEY IS KANSAS NORTH ZONE U.S. STATE PLANE 1983
- ALL DISTANCES SHOWN HEREON ARE IN FEET
- KS ONE-CALL WAS CALLED ON THIS SURVEY TICKET #24640200
- REFERENCED SURVEY
-SARATOGA PARK FINAL PLAT
- FLOODPLAIN NOTE: ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBERS 20209C0109E ON SEPTEMBER 2ND, 2015, AREA ZONE X "AREA OF MINIMAL FLOOD HAZARD"
- CLOSURE PRECISION: 1 PART IN 61624365.000
- CURRENT ZONING- RESIDENTIAL-GR "(GENERAL RESIDENTIAL DISTRICT)"
- NO TITLE WORK WAS PROVIDED FOR THIS SURVEY.



DESCRIPTION PER DEED, DOCUMENT #2021R-03699
LOTS 1 TO 8 INCLUSIVE, IN BLOCK 4, GRANDVIEW SUBDIVISION TO SARATOGA PARK, IN BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS.

SURVEYORS SUGGESTED DESCRIPTION:
A REPLAT OF LOTS 1 THROUGH 8, BLOCK 4, GRANDVIEW SUBDIVISION TO SARATOGA PARK, A SUBDIVISION OF LAND IN THE CITY OF BONNER SPRINGS, WYANDOTTE COUNTY, KANSAS, PREPARED BY ANDREA N WEISHAUBT PLS 1730, DATED JANUARY 3, 2025; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, ALSO KNOWN TO BE A POINT ON THE EAST RIGHT OF WAY OF SOUTH 138TH STREET AS IT NOW EXISTS; THENCE NORTH 87°36'29" EAST, ALONG THE NORTH LINE OF SAID LOT 1 THROUGH LOT 8, A DISTANCE OF 199.96 FEET TO THE NORTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 01°43'47" EAST, ALONG THE EAST LINE OF SAID LOT 8, A DISTANCE OF 125.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8, ALSO KNOWN TO BE A POINT ON THE NORTH RIGHT OF WAY LINE OF WILLARD AVENUE AS IT NOW EXISTS; THENCE SOUTH 87°36'29" WEST, ALONG THE SOUTH LINE OF SAID LOT 8 THROUGH LOT 1 AND SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 199.78 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1 AND TO A POINT ON THE EAST RIGHT OF WAY LINE OF SAID SOUTH 138TH STREET; THENCE NORTH 01°48'42" WEST, ALONG THE WEST LINE OF SAID LOT 1 AND SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 125.01 FEET TO THE POINT OF BEGINNING, CONTAINING 24983.27 SQ FT OR 0.57 ACRES MORE OR LESS

DEDICATION:

THE UNDERSIGNED PROPRIETOR OF THE ABOVE DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "**WILLARD'S WAY**"

An easement is hereby granted to the City of Bonner Springs, Kansas, to enter upon, construct, maintain, use and authorize the location, of conduits for providing water, gas, cable, electric, sewers, and other utility services, including related facilities and appurtenances thereto, and drainage facilities, upon, under, over and across those areas outlined and designated on this plat as "Utility Easement" or "U/E", and further, subject to administration and regulation by the City, the subordinate use of such areas by other governmental entities and utilities, franchised or authorized to do business in the City of Bonner Springs, Kansas.

IN TESTIMONY WHEREOF,
I, undersigned owner of **WILLARD'S WAY** have set our hands this ____ day of ____, 202_.

WENSHENG WANG, OWNER

ACKNOWLEDGEMENT:

STATE OF KANSAS
COUNTY OF

BE IT REMEMBERED THAT ON THIS ____ DAY OF ____, 202_, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME **WENSHENG WANG**, OWNER, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FORGOING INSTRUMENT OF WRITING, AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARY SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC,

My Commission Expires: _____

THIS PLAT OF WILLARD'S WAY HAS BEEN SUBMITTED TO AND APPROVED BY THE BONNER SPRINGS PLANNING COMMISSION THIS ____ DAY OF ____, 202_.

BY
PLANNING COMMISSION CHAIRMAN - GREG GEBAUER

PLANNING COMMISSION SECRETARY - LARISSA PHILLIPS

THESE EASEMENTS AND RIGHTS-OF-WAY ACCEPTED BY THE GOVERNING BODY OF BONNER SPRINGS, KANSAS, THIS ____ DAY OF ____, 202_.

MAYOR - TOM STEPHENS

(SEAL)

ATTEST:

CITY CLERK - CHRISTINA BRAKE

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

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

STATE OF KANSAS
COUNTY OF

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THIS ____ DAY OF ____, 20__, AT ____ O'CLOCK AND IS DULY RECORDED.

SUSAN P. NELSON, REGISTER OF DEEDS

MARGARET A. ORENDAC, DEPUTY

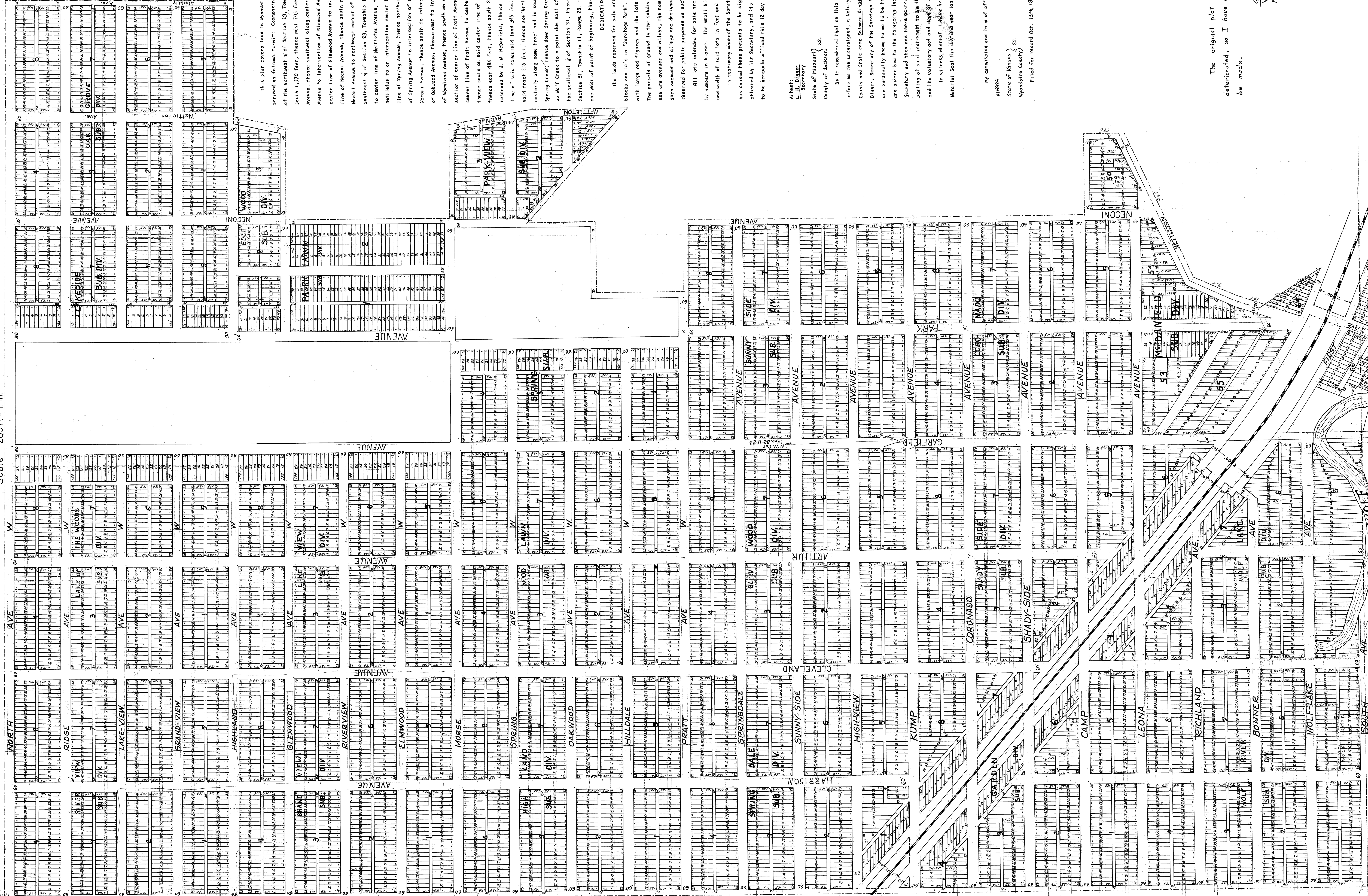
This is to certify on this 31ST day of DECEMBER, 2025 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

ANDREA N WEISHAUBT, PLS 1730	
VICINITY MAP	
	VICINITY MAP: SEC 30-11S-23E 1"=2000'
JOB NO:24-439	
SCALE	PREPARED FOR
30 15 0 30 SCALE IN FEET	WENSHENG WANG
SEC-TWN-RNG	ADDRESS: 1715 S 138TH ST BONNER SPRINGS, KS 66012
30-11S-23E	
DATE	
JANUARY 3, 2025	

SARATOGA PARK

BONNER SPRINGS
Wyandott County Kansas
Scale 200 ft. = 1 in.

Scale 200 ft. = 1 in.



This plot covers land in Wyandott County, Kansas, described as follows: Commencing at the northeast corner of the northwest $\frac{1}{4}$ of Section 29, Township 11, Range 23, thence along the northeast corner line of said section 29, thence south 1,370 feet, thence west 705 feet to center of Welliton Avenue, thence southwest along center line of Welliton Avenue to intersection of Cleveland Avenue, thence west along center line of Cleveland Avenue to intersection with center line of Nelson Avenue, thence south along said center line of Nelson Avenue to northeast corner of the northeast $\frac{1}{4}$ of the southeast $\frac{1}{4}$ of Section 29, Township 11, Range 23, thence east to center line of Welliton Avenue, thence southeasterly along center line of Welliton Avenue, thence southeasterly along center line of Spring Avenue, thence northwesterly along center line of Spring Avenue to intersection of same with center line of Nelson Avenue, thence south to intersection of center line of Oakwood Avenue, thence west to intersection of center line of Woodland Avenue, thence south on Woodland Avenue to intersection of center line of Pratt Avenue, thence east on said center line of Pratt Avenue to center line of Nelson Avenue, thence south on said center line of Nelson Avenue 340 feet, thence east 485 feet, thence south 235 feet to line of land reserved by J. W. McDonald, thence southeasterly along said line of said McDonald land 345 feet, thence southeast along line of said McDonald land 345 feet, thence southerly 125 feet, thence south 85 feet, thence southerly 125 feet, thence southeasterly along same tract and in north line of said tract to intersection of said tract and in north line of said tract to Spring Creek, thence down Spring Creek to Wolf Creek, thence up Wolf Creek to a point due east of the northeast corner of the southeast $\frac{1}{4}$ of Section 31, thence west to center of Section 31, Township 11, Range 23, thence north to a point due west of point of beginning, thence north to a point due west of point of beginning, thence north to a point

DEDICATION

The lands reserved for sale are described by numbers as blocks and lots in "Sardogo Park". The blocks being numbered with large red figures and the lots with small black figures. The parcels of ground in the subdivision reserved for public use are avenues and alleys, the names and directions of all such avenues and alleys are designated on the plat and are reserved for public purposes as such.

All lots intended for sale are set forth and described by numbers in blocks. The small block figures show the length and width of said lots in feet and decimal parts thereof. In testimony whereof the Saratoga Springs Town Company has caused these presents to be signed by its President, attested by its Secretary, and its common and corporate seal to be hereunto affixed this 12 day of October A.D. 1899.

Attest:
L. H. Dinger
Secretary

Be it remembered that on this 12 day of October, A.D. 1889 before me the undersigned, a Notary Public within and for said County and State came Salomon Dinger, President and H. Dinger, Secretary of the Saratoga Springs Town Company, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument on President and Secretary and then and there acknowledged the execution and sealing of said instrument to be their voluntary act and deed and the contents and meaning thereof to be as said company.

In witness whereof, I have hereunto set my hand and

2

Charles B. Reaves
Notary Public

#16824

State of Kansas } SS:
McDonald County }

My commission and term of office expire _____

Filed for record Oct. 15th 1889 at 9:30 o'clock A.M.
A. A. Lovelace
Reg. of Deeds
by E. F. Blewett
Deputy

The original plot of Saratoga Park has deteriorated, so I have caused this duplicate to be made.

W. D. Swanson.
Wyandotte County Engine
March 17, 1958

Memorandum

Date: February 18, 2025
To: Mayor and City Council
From: Mark Lee

Subject: PUBLIC HEARING - Special Use Permit – SUP-01-25 – 1800 S. 121st Street – APAC – Kansas, Inc. - Bonner Springs Quarry

Recommendation:

Staff recommends approval of the Special Use Permit; SUP-01-25 with the following conditions:

1. Future expansions and additions to the site not identified on the Site Plan will require submission of a revised Special Use Permit and Phasing Plan. Improvements not shown on the Phasing Plan are not a part of this approval;
2. The revocation of the Special Use Permit may occur for a violation of the Unified Development Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The term of the Special Use Permit to be for a twenty (20) year period of time and only for Phase I, Stages II, III and Phase II. No other Phases or stages are approved as part of this Special Use Permit;
4. The hours of operation shall be as follows, subject to the filing of written public complaints on any of the individual operations:

Removal of Rock – 6 a.m. to 6 p.m. – Monday through Saturday;

Rock Crushing – 6 a.m. to 6 p.m. Monday through Saturday;

Blasting – 9 a.m. to 3 p.m. – Monday through Saturday; and

Blasting after 3 p.m. may be permitted only to meet Federal Blasting Requirements or for emergency situations with notification to and approval by the City Manager or his/her designated employee.

5. Plans and specifications shall be submitted on each occurrence for each temporary use of a portable crusher, portable asphalt plant and portable concrete ready-mix plant. Such plans, specifications and operation of the temporary uses on each individual basis shall conform to all federal, state and local requirements necessary to obtain any necessary permits prior to operation, but shall not require a revision to the Amended Special Use Permit. Hours of operation shall conform to those observed by the quarrying operation;
6. Reports of all inspections required by the Kansas Department of Health and Environment, U.S. Environmental Protection Agency, the State Board of Agriculture-Division of Water Resources, the Bureau of Mines, including insurance inspections or any other agency requirements shall be provided to the City as they occur and are received;
7. The applicant shall conform to all dust, noise, air or any other environmental regulations applicable and shall conform to the stated methods of control and operation contained in the application and Environmental Impact Study. These shall include, but not be limited to, the watering of internal roadways for dust control;

8. Once per calendar year, the City will conduct an inspection of the operations. City authorized personnel shall be allowed on the site to conduct these inspections or to participate in any other inspections deemed necessary by the City or any other local, state or federal agency;
9. Quarrying equipment shall not be visible from adjoining properties or from K-32 Highway;
10. All reclamation areas identified on the prior special use permit(s), including the southwest portion of the property and the east central portion of the property shall be maintained to blend with the terrain surrounding the quarry. The trees in the reclamation areas shall be properly maintained and all dead, dying or diseased trees shall be replaced as soon as possible to coincide with a planting season(s);
11. The lowest elevation of the surface mine shall not be less than 735 feet above mean sea level;
12. If subsurface mining is allowed via this Special Use Permit, then detailed plans, including but not limited to; engineering, internal layout and other detailed plans or studies as requested by the City shall be provided prior to work commencing.
13. An annual report on the quarry operation shall be provided no later than March of each year following the approval of the Amended Special Use Permit. The Annual Report shall include the status of the quarrying operation and the progress of reclamation;
14. An annual blasting permit shall be obtained from the City and violation of the blasting requirements may constitute justification to revoke the Special Use Permit;
15. All trucks leaving the site shall be covered to eliminate the potential of spillage of rock on public roadways or damage to other property; and
16. Storm inlets on east side of 121st Street shall be cleaned out to prevent accumulated silt from proceeding further into storm sewer system.
17. Public right of way that exists on the property currently may be vacated via appropriate action through the UDO. The public right of way shall be rededicated at a future time that allows for the extension of S. 122nd St or Steventon Drive through the property.
18. The site shall not be utilized in the future as a municipal or private landfill.

Action: Make a motion to Approve, Amend or Deny the requested Special Use Permit with Staff Stipulations.

Background:

The subject property is located at 1800 S. 121st Street and 800 S. 118th Street, abutting the Boy Scouts of America - Camp Naish to the east, vacant light industrial ground and single family residential to the west and large lot residential to the north.

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

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

Special Use Permits can allow deviations from the approved Unified Development Ordinance by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body. The area in question has been utilized as a “mining operation” for many, many years and would continue its operations with the approval of this Special Use Permit.

There is a request from the applicant that the lowest elevation of the quarry be increased to a depth of 735 feet above mean sea level from the existing 820 feet, explanation for this request is provided within the applicants Renewal Cover Letter, dated January 25th, 2025 and supplied within this packet.

APAC is further requesting that underground mining below the requested 735 feet is allowed to occur, though no specific depth was provided at this time. Test drilling conducted around the site has indicated there is more “high quality” material below a layer of Lane shale that runs throughout the site. In the SUP renewal letter provided by the applicant, it is explained as “Mining of this rock strata would have the benefit of providing long term resources for the surrounding communities. Mining below ground reduces blasting concerns since the rock is much deeper and blasting shots are much smaller creating less noise and vibration for the surrounding community. Underground mining would not affect the above specified reclamation of the surface mine (paragraph 2) nor would it affect in any way the existing water way and associated flood plain areas. Typical post mining uses and reclamation of underground operations include underground storage, underground business and office space similar to the current Hunt Midwest Subtropolis and Park College underground storage operations in the Kansas City Area.”

Discussion: Staff's report is attached.

Financial Impact:

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 5

CASE #: SUP-01-25
SPECIAL USE PERMIT

Topic: PUBLIC HEARING- Special Use Permit – SUP-01-25 – 1800 S. 122nd Street – APAC – Kansas, Inc. - Bonner Springs Quarry – Consider a request for renewal of a Special Use Permit – the applicant is requesting renewal of SUP-103 as required by the Unified Development Ordinance, This Special Use Permit will allow for the continuance of the APAC Quarry and the ‘Extraction of Energy Resources’ as listed within the UDO and the HI, Heavy Industrial Zoning District.

Narrative:

The subject property is located at 1800 S. 122nd Street, west of Camp Naish Boy Scout Camp and east of the MacGrantwood Subdivision.

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

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

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

Special Use Permits can allow deviations from the approved Zoning Regulations by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body.

The process of ‘Energy Resource Extraction’ requires a special use permit, a special use permit for the quarry has been in place since at least 1993 and has undergone two such renewals, the initial special use permit was issued for ten (10) years while the second was issued for twenty (20) years thus expiring in April of 2025.

There is a request from the applicant that the lowest elevation of the quarry be increased to a depth of 735 feet above mean sea level from the existing 820 feet, explanation for this request is provided within the applicants Renewal Cover Letter, dated January 25th, 2025 and supplied within this packet.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

Staff recommends that the Planning Commission approve the Special Use Permit to allow for continued operation of the quarry, with staff recommendations listed below.

Attachments:

Staff Report (6pgs)
Site Rendering (1pg)
SUP Renewal Cover Letter (2pgs)
Phasing and Stage Plan – 2005 (1pg)
Ordinance 2089 approving SUP-103 (2pgs)

CONSIDER A REQUEST FOR RENEWAL OF A SPECIAL USE PERMIT – THE APPLICANT IS REQUESTING RENEWAL OF SUP-103 AS REQUIRED BY THE UNIFIED DEVELOPMENT ORDINANCE, THIS SPECIAL USE PERMIT WILL ALLOW FOR THE CONTINUANCE OF THE APAC QUARRY AND THE ‘EXTRACTION OF ENERGY RESOURCES’ AS LISTED WITHIN THE UDO AND THE HI, HEAVY INDUSTRIAL ZONING DISTRICT.

MEETING DATE: February 18, 2025
REPORT WRITTEN: January 24, 2025
CASE NUMBER: SUP-01-25

APPLICANT:

APAC – Kansas, Inc.
PO Box 23910
Overland Park, KS 66283

REQUEST:

Consider a request for renewal of a Special Use Permit – the applicant is requesting renewal of SUP-103 as required by the Unified Development Ordinance, This Special Use Permit will allow for the continuance of the APAC Quarry and the ‘Extraction of Energy Resources’ as listed within the UDO and the HI, Heavy Industrial Zoning District.

BACKGROUND:

The subject property is located at 1800 S. 121st Street and 800 S. 118th Street, abutting the Boy Scouts of America - Camp Naish to the east, vacant light industrial ground and single family residential to the west and large lot residential to the north.

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

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

Special Use Permits can allow deviations from the approved Unified Development Ordinance by placing more stringent requirements upon them and upon recommendation by the Planning Commission and approval by the Governing Body. The area in question has been utilized as a “mining operation” for many, many years and would continue its operations with the approval of this Special Use Permit.

There is a request from the applicant that the lowest elevation of the quarry be increased to a depth of 735 feet above mean sea level from the existing 820 feet, explanation for this request is provided within the applicants Renewal Cover Letter, dated January 25th, 2025 and supplied within this packet.

APAC is further requesting that underground mining below the requested 735 feet is allowed to occur, though no specific depth was provided at this time. Test drilling conducted around the site has indicated there is more “high quality” material below a layer of Lane shale that runs throughout the site. In the SUP renewal letter provided by the applicant, it is explained as “Mining of this rock strata would have the benefit of providing long term resources for the surrounding communities. Mining below ground reduces blasting concerns since the rock is much deeper and blasting shots are much smaller creating less noise and vibration for the surrounding community. Underground mining would not affect the above specified reclamation of the surface mine (paragraph 2) nor would it affect in any way the existing water way and associated flood plain areas. Typical post mining uses and reclamation of underground operations include underground storage, underground business and office space similar to the current Hunt Midwest Subtropolis and Park College underground storage operations in the Kansas City Area.”

ZONING:

The property is currently zoned “HI” Heavy Industrial District

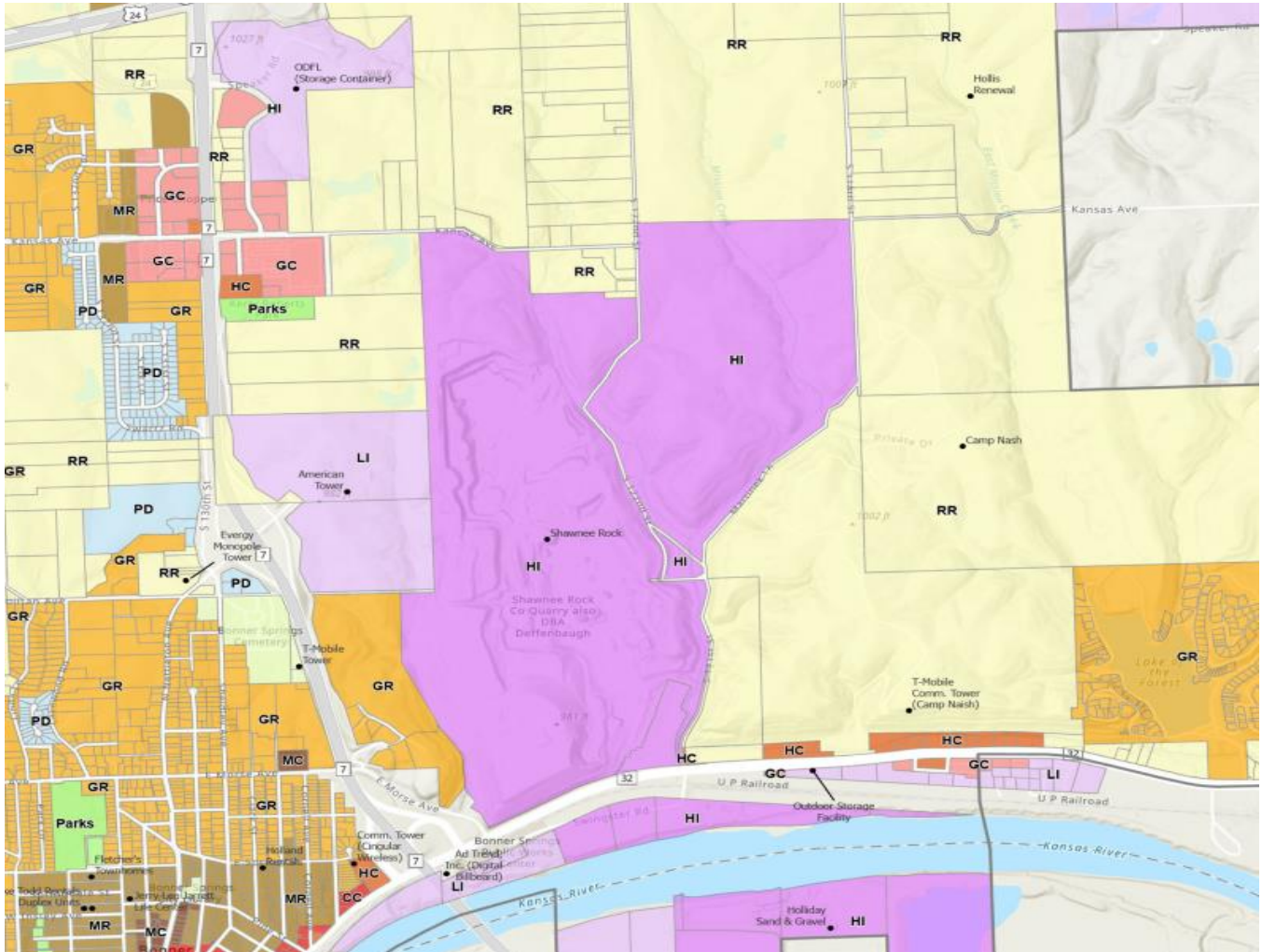
SURROUNDING ZONING:

North RR – Rural Residential

South HI – Heavy Industrial

East RR – Rural Residential

West GR – General Residential, LI – Light Industrial and RR – Rural Residential



CONFORMANCE WITH THE COMPREHENSIVE PLAN:

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

No specific language within the Comprehensive Plan address's locations of special uses.

The Comprehensive Plan does indicate the area as being Industrial and states:

Industrial: This category accommodates land uses associated with industrial activities such as assembly, manufacturing, warehousing, and limited office/commercial activities as defined in the city’s Unified Development Ordinance. This district corresponds to the ‘HI’ Heavy Industrial district of the city UDO.



Requirements as enumerated in Section 2.03.B.2; Special Uses:

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

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

The use of a property zoned as HI - Heavy Industrial for Energy Resource Extraction is allowed via Special Use Permit. The extension of the existing Special Use Permit would allow for the continuance of operations at the quarry's current location. The entirety of the property is zoned as heavy industrial and has been incorporated into the expansion plans for years. The additional request for underground mining is not limited by the zoning district and the use as defined does not preclude this use either. **Energy Resource Extraction** is defined as - *An establishment engaged in the extraction, using drilling, pumping, mining, or similar means, of raw materials from the Earth for distribution or refinement, including but not limited to oil and natural gas extraction, and mining.*

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

While the proposed special use does not contribute to nor promote the welfare and/or convenience of the general public, the extraction of materials from this site provides many opportunities to others throughout the Kansas City metro area and beyond, as well as local residents. The materials extracted from this site provide materials such as salt products, crushed limestone, rip rap, concrete rock and bedding material for underground piping to name a few.

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

The property is currently utilized as a rock quarry and has been for over 100 years, the property is also zoned as heavy industrial. The proposed special use has not proven to show injury to neighboring property values and is not expected to.

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

a) The location, nature and height of buildings, structures walls and fences on the site,
The location and size of the requested Special Use Permit lends itself to heavy industrial zoning and uses allowed within that district. No new buildings, structures or facilities are being constructed with this request.

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

The applicants have provided the following in regards to landscaping and screening – “APAC-Kansas proposes and will adhere to a 200-foot set back from the eastern property line. This will also include leaving the existing trees and ridge line on the eastern side alongside 121st street, essentially blocking the future mining line of sight from the traveling public. As 121st street moves north, the road elevation and existing elevation of the hill side nearly level out. To ensure a continued blocked line of sight in this area along 121st Street, APAC proposes to construct a 25-foot high, vegetated and treed berm as the mining operations move to the north.”

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

Parking and loading areas are confined to the parcel and within the building sites and are screened from the public view.

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

The necessary facilities are in place currently.

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

Access is provided to the parcel via S. 121st Street and the existing entrance to APAC quarry.

STAFF RECOMMENDATIONS:

Staff recommends approval of the Special Use Permit; SUP-01-25 with the following conditions:

1. Future expansions and additions to the site not identified on the Site Plan will require submission of a revised Special Use Permit and Phasing Plan. Improvements not shown on the Phasing Plan are not a part of this approval;
2. The revocation of the Special Use Permit may occur for a violation of the Unified Development Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The term of the Special Use Permit to be for a twenty (20) year period of time and only for Phase I, Stages II, III and Phase II. No other Phases or stages are approved as part of this Special Use Permit;
4. The hours of operation shall be as follows, subject to the filing of written public complaints on any of the individual operations:
 - Removal of Rock – 6 a.m. to 6 p.m. – Monday through Saturday;
 - Rock Crushing – 6 a.m. to 6 p.m. Monday through Saturday;
 - Blasting – 9 a.m. to 3 p.m. – Monday through Saturday; and
 - Blasting after 3 p.m. may be permitted only to meet Federal Blasting Requirements or for emergency situations with notification to and approval by the City Manager or his/her designated employee.
5. Plans and specifications shall be submitted on each occurrence for each temporary use of a portable crusher, portable asphalt plant and portable concrete ready-mix plant. Such plans, specifications and operation of the temporary uses on each individual basis shall conform to all federal, state and local requirements necessary to obtain any necessary permits prior to operation, but shall not require a revision to the Amended Special Use Permit. Hours of operation shall conform to those observed by the quarrying operation;
6. Reports of all inspections required by the Kansas Department of Health and Environment, U.S. Environmental Protection Agency, the State Board of Agriculture-Division of Water Resources, the Bureau of Mines, including insurance inspections or any other agency requirements shall be provided to the City as they occur and are received;
7. The applicant shall conform to all dust, noise, air or any other environmental regulations applicable and shall conform to the stated methods of control and operation contained in the application and Environmental Impact Study. These shall include, but not be limited to, the watering of internal roadways for dust control;
8. Once per calendar year, the City will conduct an inspection of the operations. City authorized personnel shall be allowed on the site to conduct these inspections or to participate in any other inspections deemed necessary by the City or any other local, state or federal agency;
9. Quarrying equipment shall not be visible from adjoining properties or from K-32 Highway;
10. All reclamation areas identified on the prior special use permit(s), including the southwest portion of the property and the east central portion of the property shall be maintained to blend with the terrain surrounding the quarry. The trees in the reclamation areas shall be properly maintained and all dead, dying or diseased trees shall be replaced as soon as possible to coincide with a planting season(s);
11. The lowest elevation of the surface mine shall not be less than 735 feet above mean sea level;
12. If subsurface mining is allowed via this Special Use Permit, then detailed plans, including but not limited to; engineering, internal layout and other detailed plans or studies as requested by the City shall be provided prior to work commencing.

13. An annual report on the quarry operation shall be provided no later than March of each year following the approval of the Amended Special Use Permit. The Annual Report shall include the status of the quarrying operation and the progress of reclamation;
14. An annual blasting permit shall be obtained from the City and violation of the blasting requirements may constitute justification to revoke the Special Use Permit;
15. All trucks leaving the site shall be covered to eliminate the potential of spillage of rock on public roadways or damage to other property; and
16. Storm inlets on east side of 121st Street shall be cleaned out to prevent accumulated silt from proceeding further into storm sewer system.
17. Public right of way that exists on the property currently may be vacated via appropriate action through the UDO. The public right of way shall be rededicated at a future time that allows for the extension of S. 122nd St or Steventon Drive through the property.
18. The site shall not be utilized in the future as a municipal or private landfill.

COMMISSION OPTIONS

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

If approved this item will proceed to the March 10, 2025 City Council meeting for final action



Daniel Jones, MS, MOLO

Operations Manager
Environmental
APAC – Kansas City
PO Box 23910
Overland Park, KS 66283
Tel: 913-238-9908
dsjones@apac.com

January 25, 2025

City of Bonner Springs
c/o Mark Lee
Community Development
PO Box 38
Bonner Springs, Kansas 66012

RE: SUP Renewal Supplemental Information

Mr. Mark Lee,

Per our meeting last week, APAC Kansas, Inc. is providing additional information to support our SUP renewal application.

1. See the attached Purchase Agreement In-Principal between APAC-Kansas (dba Holliday Sand and Stone Company) and Waste Management, Inc. Based on the requirement for a renewed SUP to secure the capital funds for purchase, APAC plans to execute this agreement as soon as the SUP renewal is completed. Once this agreement is executed, APAC will provide a copy of the executed agreement to the City of Bonner Springs. It should be noted that APAC will become the responsible party for mine reclamation and not Waste Management, formerly Shawnee Rock owned by Deffenbaugh Industries, after purchase.
2. APAC-Kansas requests that the bottom floor elevation specified in the current SUP of 820' be changed to 735' feet. This will allow us to mine the entire ledge of rock in the current west pit and the developing east pit. The lower ledge that we are currently mining sits on a large and very thick layer of Lane shale. It is believed and supported by test drilling that at the original start of the quarry the bottom elevation where the rock meets the shale has the elevation of 820'. However, the floor of the rock has started to dive deeper as the quarrying operation has progressed to the north and east thus leaving significant resources below the 820' elevation. We are currently staying at this 820' elevation in compliance with our SUP. This proposed elevation change in the new SUP will not affect any of the current reclamation plans that specify the mined acres to be reclaimed for commercial/industrial use.
3. For continued mining on the east section, APAC-Kansas proposes and will adhere to a 200-foot set back from the eastern property line. This will also include leaving the existing trees and ridge line on the eastern side alongside 121st street, essentially blocking the future mining line of sight from the traveling public. As 121st street moves north, the road elevation and existing elevation of the hill side nearly level out. To ensure a continued blocked line of sight in this area along 121st Street, APAC proposes to construct a 25-foot high, vegetated and treed berm as the mining operations move to the north.

Safety First *Always*



Daniel Jones, MS, MOLO

Operations Manager
Environmental
APAC – Kansas City
PO Box 23910
Overland Park, KS 66283
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dsjones@apac.com

4. Based on test drilling, APAC-Kansas has identified significant high quality rock reserves below the Lane shale layer. APAC requests that permission be granted to underground mine within the existing mine plan be included in this SUP. Prior to any underground mining, APAC would provide detailed plans and any other information that the city might require. Mining of this rock strata would have the benefit of providing long term resources for the surrounding communities. Mining below ground reduces blasting concerns since the rock is much deeper and blasting shots are much smaller creating less noise and vibration for the surrounding community. Underground mining would not affect the above specified reclamation of the surface mine (paragraph 2) nor would it affect in any way the existing water way and associated flood plain areas. Typical post mining uses and reclamation of underground operations include underground storage, underground business and office space similar to the current Hunt Midwest Subtropolis and Park College underground storage operations in the Kansas City Area.
5. APAC-Kansas requests that the term of this SUP be for 20 years as in the previous SUP stipulations.
6. APAC-Kansas agrees that it will not conduct municipal landfilling operations as a post mining, reclamation use.

Please let me know if you have any questions, comments or further information is needed.

Regards,

Dan Jones

Attachment(s): 1

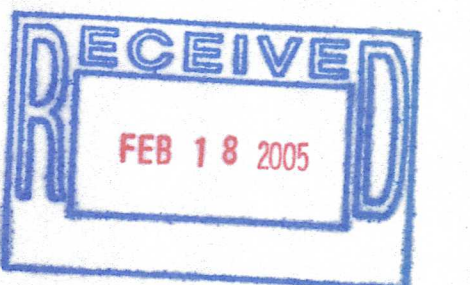
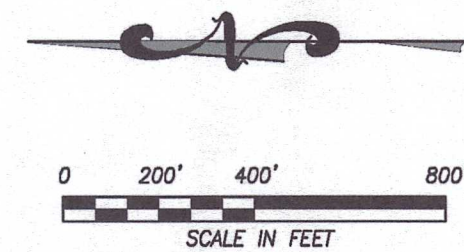


AREA	ACREAGE
PHASE I, STAGE I	143 Ac.
PHASE I, STAGE II	57 Ac.
PHASE I, STAGE III	179 Ac.
PHASE II	25 Ac.

LEGEND	
---	EXISTING TOPOGRAPHIC CONTOUR (10' INTERVAL)
---	TREELINE
---	RAILROAD TRACKS
---	EXISTING ROAD
---	EXISTING LAKE/STREAM
---	STAGE BOUNDARY
---	EXCAVATION BOUNDARY
---	APPROXIMATE PROPERTY LINE
---	PHASE LINE
---	SETBACK

NOTES:
EXISTING MIXTURE OF HARDWOOD & EVERGREEN LANDSCAPING
WILL BE PRESERVED.

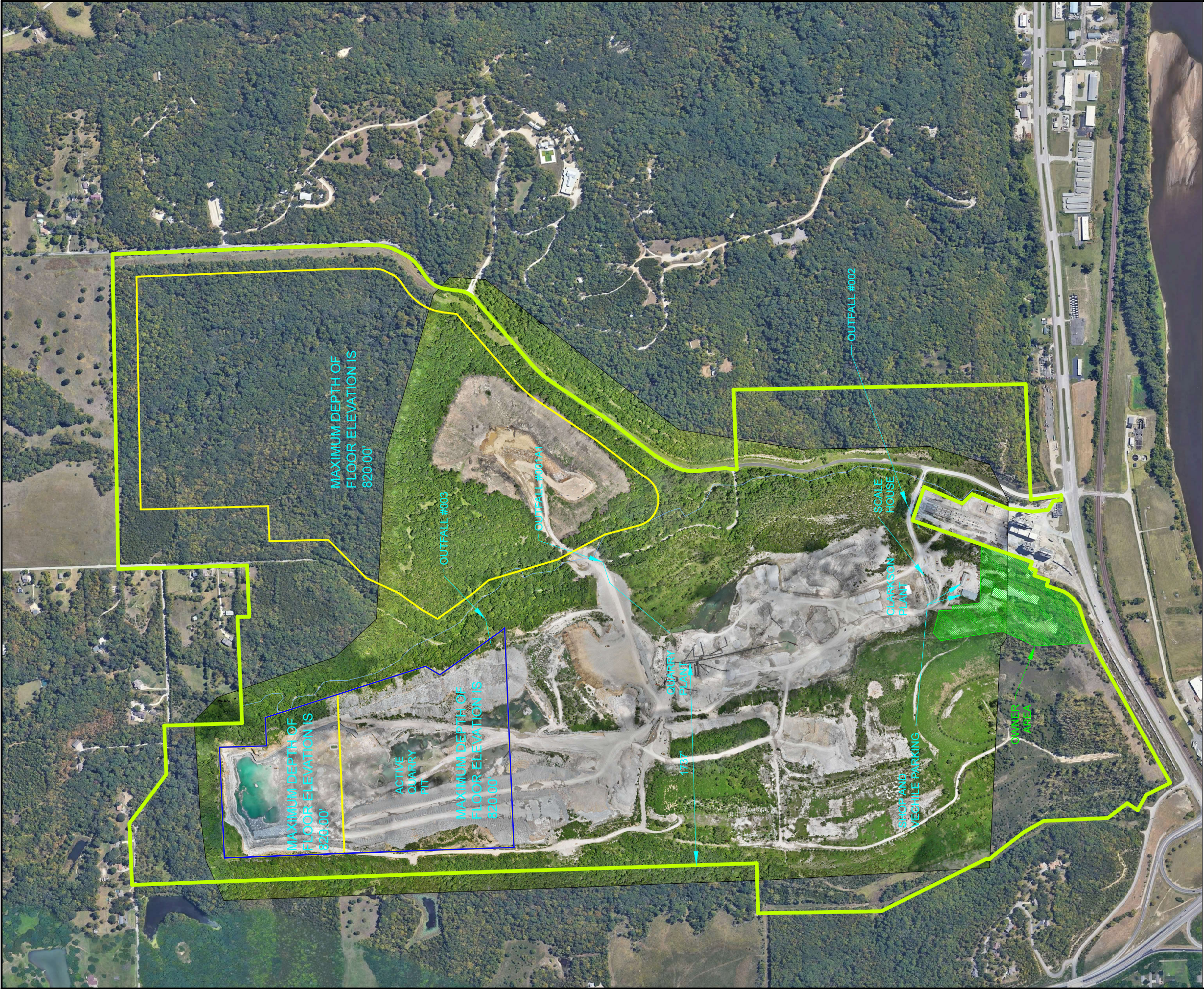
REVISED BY SHAWNEE ROCK COMPANY ON 02/08/05 *SLR*



AQUATERRA
ENVIRONMENTAL SOLUTIONS, INC.
6980 West 153rd Street
Overland Park, Kansas 66223

SHAWNEE ROCK COMPANY
PHASING PLAN
BONNER SPRINGS, KANSAS

Project Mgr.	SLR	Drawn By	DBN	Designed By	SLR	Project No.	01021085
Scale	1"=400'	Date	12/28/02	File Name	01021085_PHASING-F2.dwg	Drawing No.	2



- = BONDED AREA
- = LEASED LINES
- = OWNER AREA
- = BLUE LINE STREAM
- = PLANNED PHASE LINES

DRAWN BY: TMS 23OCT2015
REVISED BY: TMS 16JAN2024
REVISED BY:
REVISED BY:

BONNER SPRINGS QUARRY

1800 SOUTH 121st. STREET
BONNER SPRINGS, KS. 66012
SECTIONS 21,28, AND 29,
TOWNSHIP11 SOUTH, RANGE 23 EAST

NOTES:



APAC-KANSAS INC.
LAND SURVEYING DEPARTMENT
7355 WEST 162nd TERRACE
STILWELL, KANSAS 66085
PHONE: 913-238-7820

ORDINANCE NO. 2089

An ordinance of the Governing Body of the City of Bonner Springs, Kansas, approving a Special Use Permit (Amended) under SUP-103, "Shawnee Rock Company" for a rock quarry operation on property located at 1800 S. 121st St., Bonner Springs, Wyandotte County, Kansas

BE IT ORDAINED BY the Governing Body of the City of Bonner Springs, Kansas:

Section I: That the Official Zoning Map classification for the Shawnee Rock Company is amended for a Special Use Permit (Amended) and revised Phasing Plan for the Shawnee Rock Company located on I-2, Heavy Industrial District located at 1800 S. 121st St., Bonner Springs, Kansas subject to the following conditions:

1. Future expansions and additions to the site not identified on the Site Plan will require submission of a revised Special Use Permit and Phasing Plan. Improvements not shown on the Phasing Plan are not a part of this approval;
2. The revocation of the Special Use Permit may occur for a violation of the Zoning Ordinance as provided in Section 8, Article XXVII of the Zoning Ordinance or violation of any or all of the conditions set out in the Special Use Permit;
3. The term of the Special Use Permit to be for a twenty (20) year period of time and only for Phase I, Stages II, III and Phase II. No other Phases or stages are approved as part of this Special Use Permit;
4. Complete storm drainage calculations for Phase I, Stages III and Phase II shall be submitted to the city and approved by the City Engineer prior to mining in these areas;
5. The hours of operation shall be as follows, subject to the filing of written public complaints on any of the individual operations:
Removal of Rock – 6 a.m. to 6 p.m. – Monday through Saturday;
Rock Crushing – 6 a.m. to 6 p.m. Monday through Saturday;
Blasting – 9 a.m. to 3 p.m. – Monday through Saturday; and
Blasting after 3 p.m. may be permitted only to meet Federal Blasting Requirements or for emergency situations with notification to and approval by the City Manager or his/her designated employee.
6. Plans and specifications shall be submitted on each occurrence for each temporary use of a portable crusher, portable asphalt plant and portable concrete ready mix plant. Such plans, specifications and operation of the temporary uses on each individual basis shall conform to all federal, state and local requirements necessary to obtain any necessary permits prior to operation, but shall not require a revision to the Amended Special Use Permit. Hours of operation shall conform to those observed by the quarrying operation;
7. Reports of all inspections required by the Kansas Department of Health and Environment, U.S. Environmental Protection Agency, the State Board of Agriculture-Division of Water Resources, the Bureau of Mines, including insurance inspections or any other agency requirements shall be provided to the City as they occur and are received;

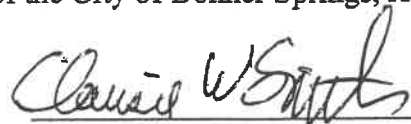
8. The applicant shall conform to all dust, noise, air or any other environmental regulations applicable and shall conform to the stated methods of control and operation contained in the application and Environmental Impact Study. These shall include, but not be limited to, the watering of internal roadways for dust control;
9. Once per calendar year, the City will conduct an inspection of the operations. City authorized personnel shall be allowed on the site to conduct these inspections or to participate in any other inspections deemed necessary by the City or any other local, state or federal agency;
10. Quarrying equipment shall not be visible from adjoining properties or from K-32 Highway;
11. All reclamation areas identified on the prior special use permit, including the southwest portion of the property and the east central portion of the property shall be maintained to blend with the terrain surrounding the quarry. The trees in the reclamation areas shall be properly maintained and all dead, dying or diseased trees shall be replaced as soon as possible to coincide with a planting season(s);
12. The lowest elevation of the mine shall not be less than 820 feet above mean sea level;
13. An annual report on the quarry operation shall be provided no later than March of each year following the approval of the Amended Special Use Permit. The Annual Report shall include the status of the quarrying operation and the progress of reclamation;
14. An annual blasting permit shall be obtained from the City and violation of the blasting requirements may constitute justification to revoke the Special Use Permit;
15. All trucks leaving the site shall be covered to eliminate the potential of spillage of rock on public roadways or damage to other property; and
16. Storm inlets on east side of 121st Street shall be cleaned out to prevent accumulated silt from proceeding further into storm sewer system.

Section II: The term of the Special Use Permit shall be for a twenty (20) year indefinite period of time unless:

1. The operation ceases, or
2. The property is sold, whichever occurs first.

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

PASSED AND APPROVED by the Governing Body of the City of Bonner Springs, Kansas, this 11th day of April, 2005.


Clausie W. Smith, Mayor

ATTEST:


Rita Hoag, City Clerk

(SEAL)