



City of Bonner Springs

KANSAS

Planning Commission Minutes - Regular Meeting - April 15, 2025

PLANNING COMMISSION MEETING - 6:30 PM -

CALL TO ORDER - ROLL CALL - Greg Gebauer called the meeting to order at 6:32 pm. Paul Zepps and Larissa Phillips were absent. Chris Brake sat in for Larissa Phillips.

CONSENT AGENDA The City Council will consider Consent Agenda items by one motion with no discussion unless the City Council, Staff or the audience requests removal of an item from the Consent Agenda. The City Council will consider an item removed from the Consent Agenda as the next item after their action on the Consent Agenda. -

Approval of the minutes of the February 18, 2025 meeting. - Sherri Neff corrections: Chamber "H" is missing. Approved as amended.

OLD BUSINESS -

NEW BUSINESS -

Public Hearing - SUP-02-25 – Country Stampede -The applicant is requesting approval of a Special Use Permit to allow for overnight camping as allowed on private property as allowed by the Municipal Code of Bonner Springs, Chapter XII; Article 3 – Camping Permits. The overnight camping is associated with the Country Stampede music festival and is to occur on property owned by the Unified Government of Wyandotte County (Azura Amphitheater – 633 N. 130th Street) and the Agricultural Hall of Fame (630 Hall of Fame Drive). - Chair Greg Gebauer called for the staff report: Mark Lee provided the staff report. Increased length of SUP to 3 years

Lloyd Messmer moved to open the public hearing at 6:37 p.m.

Dave Hurrellbrink, 4015 N 111th St Kansas City KS, Chairman of the Board of Governors of the Agricultural Hall of Fame and they are in favor.

Lloyd Mesmer spoke in favor as a long-term volunteer of the Agricultural Hall of Fame. The Ag Hall draws no money from the government and operates on volunteer labor. Country Stampede may be established as a meeting place. Would benefit the AG Hall financially.

Larry Clark moved to close the Public Hearing at 6:40 pm.
Larry Clark moved, Lloyd Mesmer seconded to grant the SUP-02-25 country Stampede

The motion passed 7-0

City Council meeting on May 12th for final action

PUBLIC HEARING- Special Use Permit – SUP-01-25 – 1800 S. 121st Street and 800 S. 118th 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. - Chair Greg Gebauer called for the staff report. Mark Lee presented. It was approved in January by the Planning Commission and proceeded to the City Council. City Council approved for 1 year and sent it back to the Planning Commission due to a protest petition. The new staff report lists current stipulations after the public info meeting. The individual representing several homeowners will be allowed to speak. Set a time limit of 5 minutes for other individuals.

Chair Greg Gebauer asked about changes in the stipulations. Mark Lee - underlined and asterisked indicate changes
Larry Clark asked for clarification on what the Planning Commission is doing. The Community Development Director explained the SUP was approved by City Council for one year. Sherry Neff verified needs approved needs to be reevaluated for 10-year approval.

The Community Development Director read all 23 stipulations, bringing attention to the new and amended stipulations that

came from public feedback.

Larry Clark moved to open the public hearing at 6:55 p.m.

Chair Greg Gebauer called for those in favor to speak.

Paul Barrett, 309 Oak St, UBT, Chamber, gave the commissioners a letter signed by supporters. APAC has been a good chamber member, supportive of several activities and organizations in the City. Was approved unanimously at the last Planning Commission meeting, APAC heard the comments from neighbors and was willing to make accommodations. Big capital expense for APAC. APAC intends to purchase the property with a deed restriction prohibiting a future landfill. Their intended use after they are done quarrying is to convert it into a suburb, which would bring in businesses. Paul Zep arrived at 6:58 p.m.

Rob Richardson, Richardson Brothers Development, presented printed copies to the commissioners. Residents stood who wanted additional stipulations. Richardson is representing them.

The Mayor at the last council meeting stated this is significant and asked staff to identify a 1000 ft buffer zone. Richardson read the initial stipulations of SUP. IN the past 25 years, quarry has expanded significantly. The movement coincides with recent reported damage to homes. At the neighborhood meeting last week, neighbors are concerned about what is being said, a large tract of property close to the quarry that is for sale. Finding no 2. Applicants block streets in case rock comes out of trucks. They don't believe conditions 4 and 7 have been met. Condition 6 for more water on site hasn't been met. Read recommendations in Pit & Quarry magazine. Presented a list of alternate stipulations.

1. Damage to existing homes. Survey all structures by December 31, 2025
2. Blasting charge limits (same as Olathe) are less than what they have been blasting.
3. Hours of operation agreed
4. Agree with 1000' setback

Discussed truck traffic to reduce trucks on non-truck routes,
Landfill - appreciating the offer of a deed restriction, asked that it be extended to existing neighbors.

Plans should be submitted and reviewed in a public forum.

Weather and wind - no blasting during temperature inversion or windy.

Dust control, storm water quality - agree with

Applicants maintain seismographs on property. Maintain lower parts per second.

Process for neighbors to be able to submit claims, concerns or violations to the City

Discontinue helicopter training once they own the property.

5-year term requested but will agree to 10-year.

Neighbors understand the importance of the business, and the stipulations are more costly. Trying to work together as a community.

Nick Perica asked if people were aware of the quarry when they bought their property. Answer - Some cases, not told; some cases, the quarry wasn't as close as it is now. When the quarry started moving north, issues arose. Nick Perica wondered what obligation sellers hold for not disclosing.

Ricky Ledgerwood, 704 S 122nd st. expressed appreciation to the Planning Commission for allowing residents to speak. Support of a neighborhood group. Recognize and respect the value the quarry brings to the community. However, the impact of operations changes. With growth comes the responsibility to balance industrial activity with the quality of life of residents. Dust particles can become a health risk. Ongoing noise and blasting are constant, not occasional. Concerned about potential decreased property values. Greater setbacks can make a significant difference. Not asking for shutdown, asking for measured consideration.

Julia Parker, 12520 Kansas Ave., purchased our home in 2018. No necessity of disclosure at that time. It was not a nuisance. In 2019, blasting moved closer to our home. Complained to quarry. Former owners contacted her to state the blasting was more significant. Described shifting to her home. The legal team contacted the quarry within Bureau of Mines regulations, but have home damage that wasn't there previously. Spoke with rep, spoke with insurance. Said they weren't responsible, said the first insurance company was responsible. APAC sent a cease and desist letter. Stipulations requested aren't unreasonable. Successfully won an appraisal report for reduction in taxes due to damage to property.

Kevin Stratham 12420 Kansas Ave. purchased the property in the fall of 2020, not disclosed. Was told they were about done. Concerned about depth after \$30-40,000 worth of damage to the basement. Appreciate the 1000' setback. No blast limit in restrictions. Previously agreed to blast restrictions. Quarry states only blast to 1/3 their blasting limit.

Megan Moore, 541 S 118th St., currently lives in the home she was raised in her father and uncle built 30 years ago. Long-term health, safety and livability of our community. Blasting, dust and semi-truck traffic for 10 more years will impact public health. Dust piles up, loose gravel, road closures. Damage to our home. Renewal should be short term with strict oversight.

James Dominique Davis, 12700 Kansas Ave., third generation owner of this land. Grandfather, Mickie Altieri, owned, passed it to his mom, who passed it to him, Old Dominion on one side, dumping all their water into a spring-fed pond. Old Dominion has agreed to improve their wastewater management. Walmart trash blows out of their parking lot into his pond and trees. Third, quarry blasting, APAC placed a seismograph and told mother blasting was not causing problems.

Chad Chadwick, 642 MacGrantwood. The family owns three houses on MacGrantwood, 40 acres. In 1993, he was on a committee to challenge Lonestar's blasting, repeated issues with each quarry owner. Shorter SUP is a win, but we need to consider other stipulations.

Chair Greg Gabauer asked for any questions from staff.

Paul Zeps recused himself from discussion and voting because he owns adjacent property at 532 MacGrantwood. Filed flight safety violation on the helicopter.

Mark Lee asked Paul Zeps to leave the room.

Larry Clark asked if Mark Lee had a response to the stipulations received earlier. Mark Lee responded that some of them made it into the staff report.

Chair Greg Gabauer asked if there were any questions for the applicant.

Sherri Neff asked to learn more about blasting charge size.

Dan Jones, APAC, introduced Doug Redenco, Vibrotech Engineers, John Wilson, Buckley Powder contracted blaster for APAC. Blasting charge size is dependent on ledge depth. Multiple rock ledges within the quarry range from 5' to 21'. We fill a percentage of the hole with explosives. Not a way to limit the blast charge, dictated by geology. Larry Clark asked Wilson for a response to the proposed stipulations: 3/10 inches per second peak particle velocity at the property line. .3 inches per second measures the ground vibration. Detonation has two effects: one travels through the ground, one travels through the air. About 1/2 states use those regulations. NFP495 code fire marshals regulation, Larry Clark asked if you can effectively control the extent of the vibrations. Yes, the function of distance and charge weight. To limit the charge weight, you can reduce hole depth and reduce the diameter of the hole. Larry Clark asked about using multiple smaller charges instead of one larger one.

Lloyd Mesmer explained that the caps are numbered and go off in sequence, a series of smaller blasts.

Chair Greg Gebauer asked if there were any other questions for the applicant.

Vincent Bombardier asked what the average distance between blast holes. Wilson stated it depends on ledge depth.

Chair Greg Gebauer called for a motion to close the public hearing.

Lloyd Mesmer made a motion, then retracted to allow another speaker,

Our goal is to stay in the lower charge range. Different conditions will cause the vibrations to be larger. Setting a cap, allows no room for variation. We are sticking with the federal and state limits.

HAMM quarry permit, 2 yr special permit where blast limits were reduced because of railroad excavations. Currently, a 7 year permit with no restrictions.

Lloyd Messmer moved to close the Public Hearing at 7:56 pm

Lloyd Messmer motioned Sherri Neff seconded the motion to approve SUP 01-25.

Lloyd Messmer spent 42.5 years in the construction industry. Application for a sand plant SW of city. Everybody here loves to drive on good roads. Sooner or later, you will buy a new home. You can't produce concrete without crushed stone. I'm sometimes called a hard-nosed person. Not in favor of shutting the quarry down. Meeting a few nights ago, most people came to the conclusion that most people didn't want to shut the quarry down.

Larry Clark. This commission makes a recommendation. The final judgment will be made by the City Council. Council bowed to desires for reconsideration. A tough issue trying to balance the interests of the community as a whole and supporting commerce and against the individual interests of property owners. Spent over 40 years in the appraisal industry. If I were God, I would suggest the quarry buy out the homeowners or the homeowners buy out the quarry. Neither will happen. The only thing I have the authority to do is to vote for or against the quarry SUP. The quarry can't control everything underground. I will vote against it.

The motion passed 5-2 with Larry Clark and Nick Perica voting against.

Will proceed to City Council May 12th for final action.

OPEN AGENDA -

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT - May - Rezoning for Archer road to go from agricultural to residential.

June - work session, comprehensive plan updates, short-term rentals. Chair Greg Gebauer asked about previously discussed regulations on short-term rentals. Suggest restricting numbers per block/area. Also consider downtown residential rentals. Mark Lee's biggest concerns are safety and inspections.

Chair Greg Gebauer asked if a move toward including short-term rental regulations in the Unified Development Ordinance. Prairie Village has banned short-term rental completely. Some cities don't regulate at all.

ADJOURNMENT - Adjourn the Planning Commission meeting at 8:08 p.m.