



PLANNING COMMISSION REGULAR MEETING AGENDA

THURSDAY SEPTEMBER 3, 2020, 7:00 P.M.

SPRING HILL CIVIC CENTER

401 N. MADISON ST.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

CITIZEN PARTICIPATION

This is an opportunity for those in attendance to address the Planning Commission regarding items not on the agenda.

Guest speakers are asked to fill out a "request to speak" card located on the back table by the door and hand it to staff, although the provision of a name, address or other identifying information is optional. Speakers are limited to five (5) minutes each; the Chair may adjust the time limit in-light of the number of anticipated speakers.

FORMAL COMMISSION ACTION

1. Approval of Minutes: August 20, 2020

2. Motion to Amend Minutes from June 4, 2020:

- Under Item #5, Page 15 - Final Plat (PLAT-00016-2020) – Spring Hill Middle School #3; “Ms. Squire disclosed she works for the school district, but it will **not** affect how she votes”.
- Under Item #6, Page 18 - Conditional Use Permit (CUP-000014-2020) – Spring Hill Middle School #3; “Ms. Squire disclosed she works for the school district, but it will **not** affect how she votes”.

3. Final Plat (PLAT-000027-2020) – Brookwood Farms, 6th

Address/Vicinity: 201st and Cooper St.

Applicant: Engineering Solutions -Matt Schlicht

Purpose: Residential Lots

DISCUSSION

4. Jim Hendershot, City Administrator to discuss proposed Bylaw revisions

REPORTS

5. The following item(s) related to Community Development were approved at the August 13, 2020 City Council meeting:

- No agenda items

6. The following item(s) related to Community Development were approved at the August 27, 2020 City Council meeting:

- Final Plat (PLAT-000016-2020) – Spring Hill Middle School #3
- Conditional Use Permit (CUP-000014-2020) – Spring Hill Middle School #3

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

ADJOURN

PUBLIC HEARING PROCEDURE

1. Chairperson opens the public hearing.
2. Commission members describe what, if any, ex-party contacts they might have had regarding this case; indicating the nature of the communication and *whom* it was with.
3. Commission members describe what, if any, conflicts of interest they may have and dismiss themselves from the hearing.
4. Staff presents a report and comments regarding the case.
5. Applicant or agent of the applicant makes brief presentation of the case or request.
6. Commission members ask for any needed clarification of the applicant or agent.
7. Public comments are solicited from the audience. Each member of the audience must fill out a Citizen Participation/Comment Form.
8. Commission members ask for any further clarifications from applicant or staff.
9. Public Hearing is closed.
10. Members deliberate the request.
11. 14-day Protest Period begins after the Planning Commission Public Hearing is closed. *

* **Protest Petitions:** Any protest petition must be filed in the Office of the Spring Hill City Clerk within 14 days from the conclusion of the public hearing held by the Planning Commission. Sample copies of protest petitions may be obtained from the City Clerk Office at 401 N. Madison St., Spring Hill, KS 66083 (913-592-3664).

City of Spring Hill, Kansas
Minutes of Planning Commission Special Session
August 20, 2020

A Special Session of the Planning Commission was held at the Civic Center, 401 N. Madison St., Spring Hill, Kansas on August 20, 2020. The meeting convened at 7:00 p.m. with Chairman Stephen Sly presiding, and Amy Long, Planning Secretary recording.

Commissioners in attendance: Stephen Sly
Cindy Squire
Mary Dobson
Troy Mitchell
Roger Welsh, II
Josh Erhart

Commissioners absent: Mike Denny
Janell Pollom

Staff in attendance: Patrick Burton, Director of Community Development
Amy Long, Planning Secretary
Melanie Landis, Finance Director

PLEDGE OF ALLEGIANCE

ROLL CALL

The Secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

APPROVAL OF THE AGENDA

Motion by Mr. Mitchell seconded by Mr. Erhart to approve the agenda as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Aye

Motion carried 6-0-0

CITIZEN PARTICIPATION

Members of the public are welcome to use this time to make comments about City matters that do not appear on the agenda.

FORMAL COMMISSION ACTION

1. Approval of Minutes from the June 4, 2020 Regular Meeting

Motion by Mr. Welsh seconded by Mr. Mitchell to approve the minutes as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Aye

Motion carried 6-0-0

2. Approval of Minutes from the July 10, 2020 Special Meeting

Motion by Mr. Mitchell seconded by Mr. Erhart to approve the minutes as presented.
Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Aye
Motion carried 6-0-0

3. Approval of Minutes from the August 6, 2020 Regular Meeting

Motion by Mr. Mitchell seconded by Mr. Erhart to approve the minutes as presented.
Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Aye
Motion carried 6-0-0

4. Site Plan (SP-000005-2020) – Boulder Springs III Pool

Beginning of Staff Report

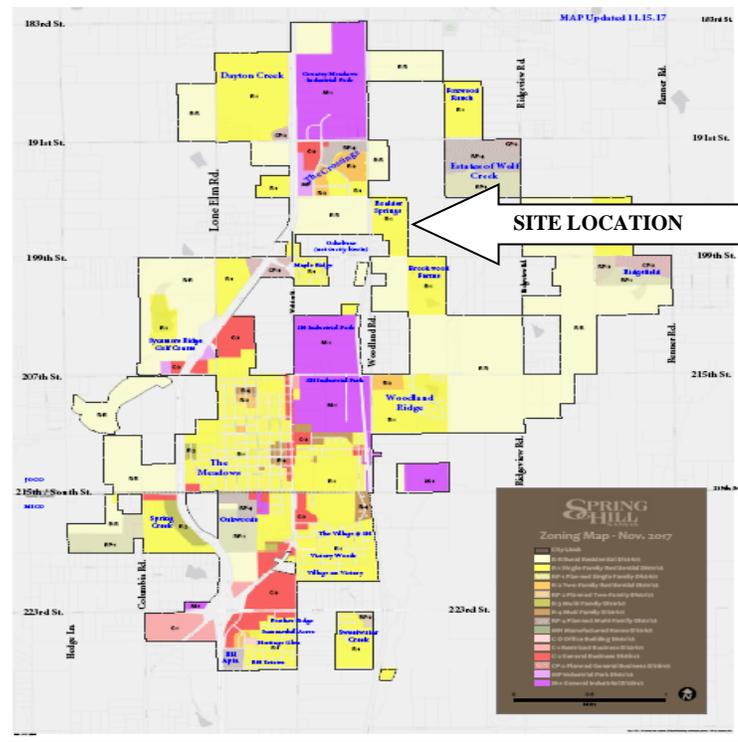
**SPRING HILL PLANNING COMMISSION
SITE PLAN STAFF REPORT**

Case #:	SP-000005-2020	Meeting Date:	August 6, 2020 moved to August 20, 2020 meeting
Description:	Boulder Springs Subdivision Community Pool and Clubhouse		
Location:	196 th St. and Emerald St. Boulder Springs, Tract C		
Applicant:	Day 3 Development – Travis Schram		
Engineer/Architect:	Schlaegel – Mark Breuer		
Site Area:	3.7 +/- acres 161,172 +/- square feet		

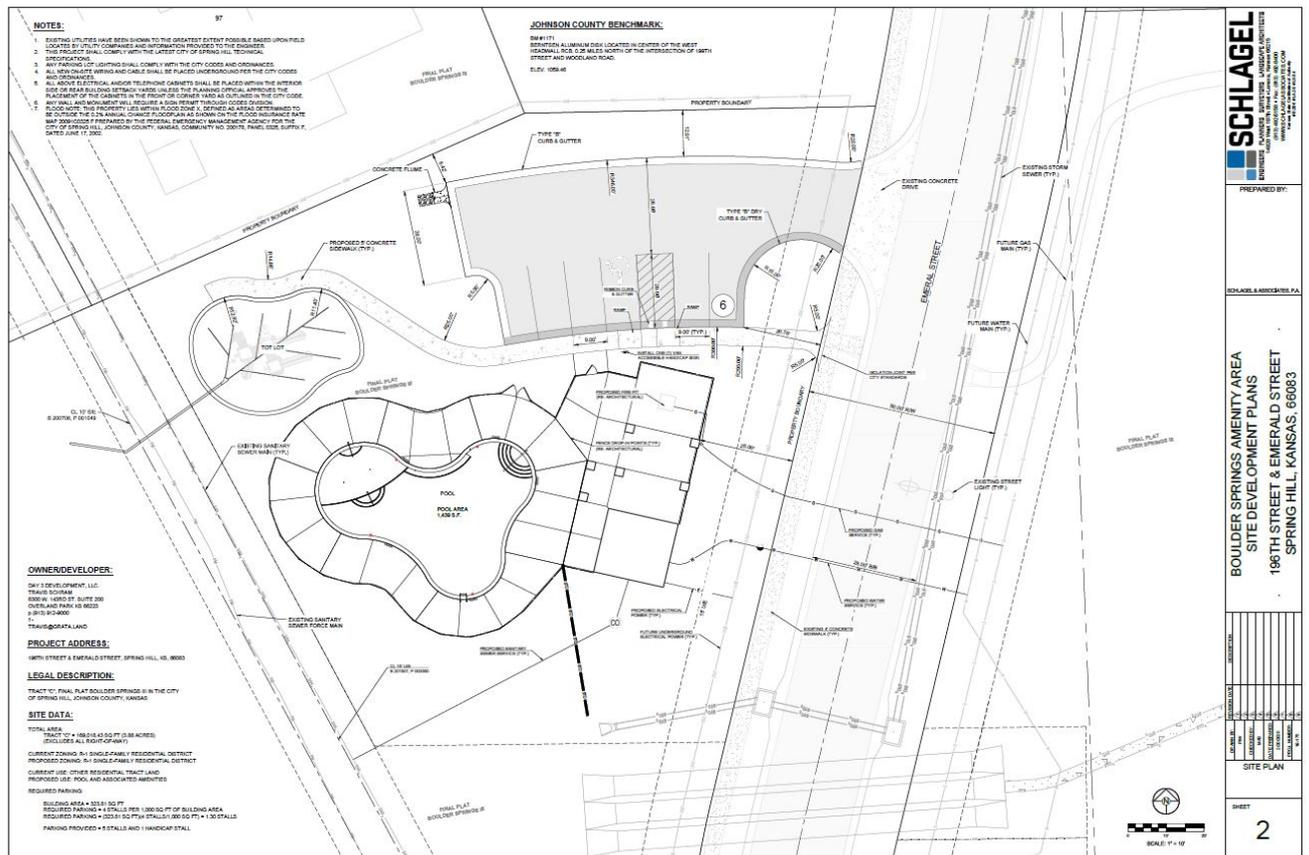
Minimum Lot Area:	N/A	Related Case:	Final Plat Boulder Springs
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Current Zoning:	R-1	Proposed Use:	Community pool, recreational area, parking and club house.
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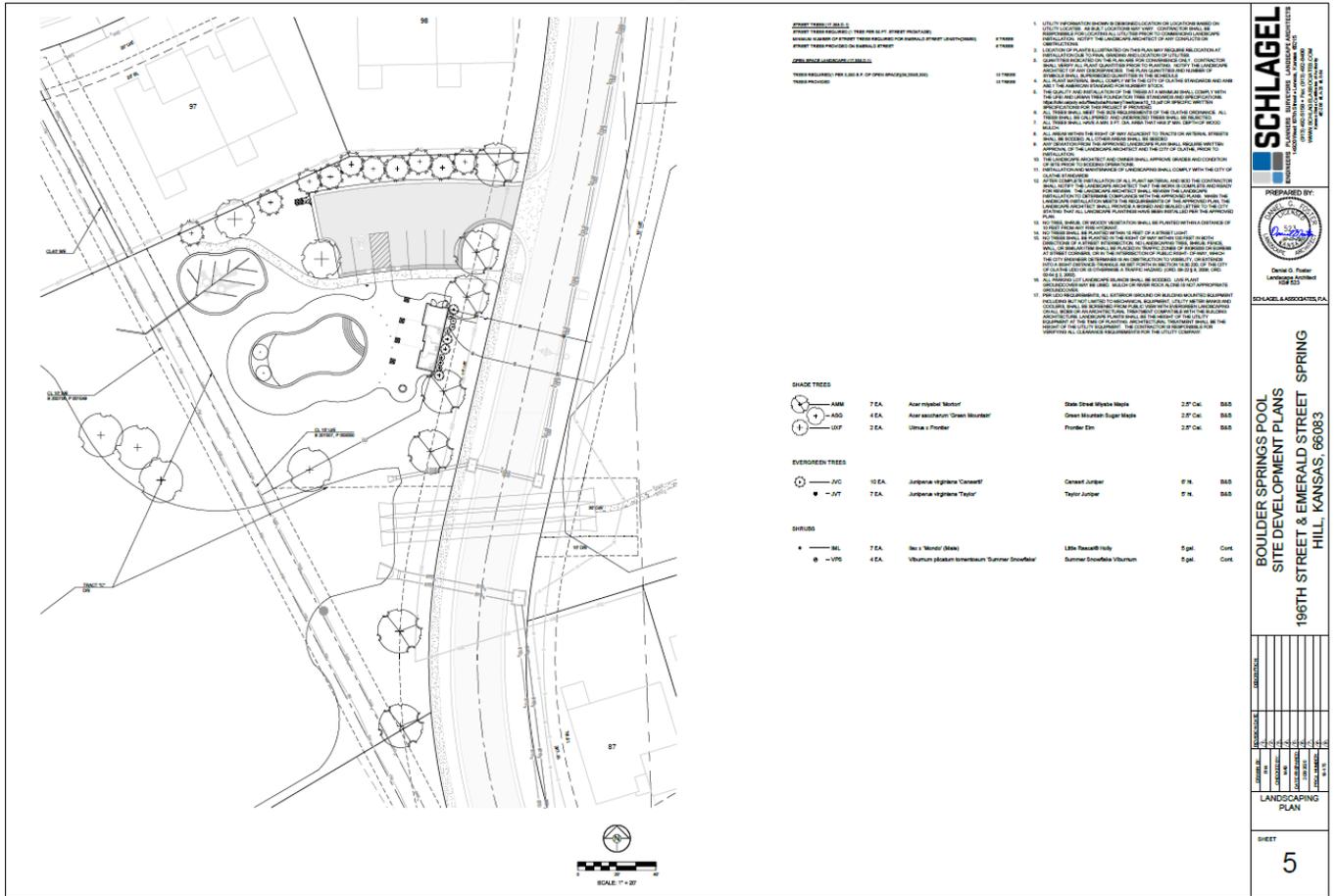
	Current Zoning	Existing Land Use	Future Land Use Map
Site:	R-1	Vacant	
North:	RP-2	Vacant	Two Family Residential
South:	R-R	Vacant	Open Space
East:	R-1	Vacant	Residential
West:	R-1	Being Developed	Residential



Site Layout



Landscape Plan



2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*
The site is in compliance with the Spring Hill Subdivision Regulations. This is an existing platted lot.
3. *The extent to which the development would be compatible with the surrounding area.*
The project is design to service the surrounding subdivision area.
4. *The extent to which the proposal conforms to the recommendations of the Spring Hill Comprehensive Plan including but not limited to the Vision Plan, the Community Development Recommendations, and the Planning and Principles and Design Guidelines.*
The proposal is in conformance with the recommendations of the Comprehensive Plan including the Future Land Use map that identifies this area as residential use in nature. The use conforms to the Preliminary Plat.
5. *The extent to which the proposal conforms to customary engineering standards used in the City.*
The overall project has been designed by recognized and licensed architects and engineers. The City Engineer and Building Official has reviewed the site plan.
6. *The extent to which the location of streets, paths, walkways, and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.*
The streets layout was designed in the Preliminary Plat to accommodate the pool area on Tract C.

STAFF AND CONSULTANTS REVIEW COMMENTS:

Staff has reviewed the site plan under the requirements of Section 17.340 of the Spring Hill Zoning Ordinance as follows:

1. Need to show the entrance approach areas to be poured concrete to R/W line.
2. Water service and sanitary sewer service lines for the clubhouse and pool must be shown.
3. Parking areas have been identified and the type of surface and base course to be used.
4. Utilities are available.
5. Exterior lighting will need to be reviewed at the building permit stage to insure it complies with City regulations as not to negatively affect surrounding properties or traffic. Manufacturer information on the fixtures are required to be submitted at time of building permit application review.
6. The pool will need to be reviewed, inspected and approved by the JOCO Health Department Division before opening for use.
7. Consultants, utility providers, and city staff have reviewed the site plan and provided comments. These comments and recommendations will be implemented on the site plan.

Planning Commission Review and Action:

Upon review of the site plan application the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

RECOMMENDATION:

It is the recommendation of staff, that the Planning Commission recommend approval of site plan SP-000005-2020.

Attachments: Site Development Plans
 Elevations

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Mr. Mitchell seconded by Mr. Erhart to approve the Site Plan Application (SP-000005-2020) for Boulder Springs III Pool as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly- Aye, Mitchell- Aye, Squire- Aye, Erhart- Aye

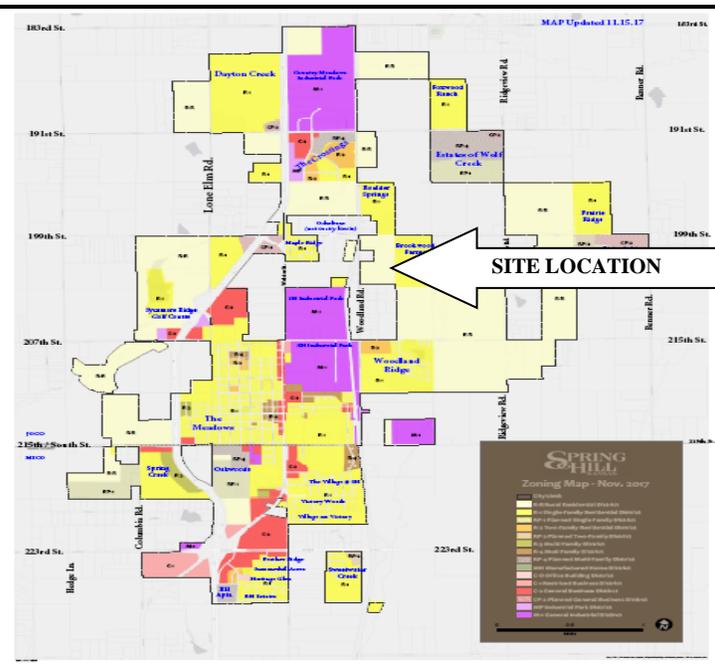
Motion carried 6-0-0

5. Final Plat (PLAT-000020-2020) – Woodland Crossing, 1st

Beginning of Staff Report

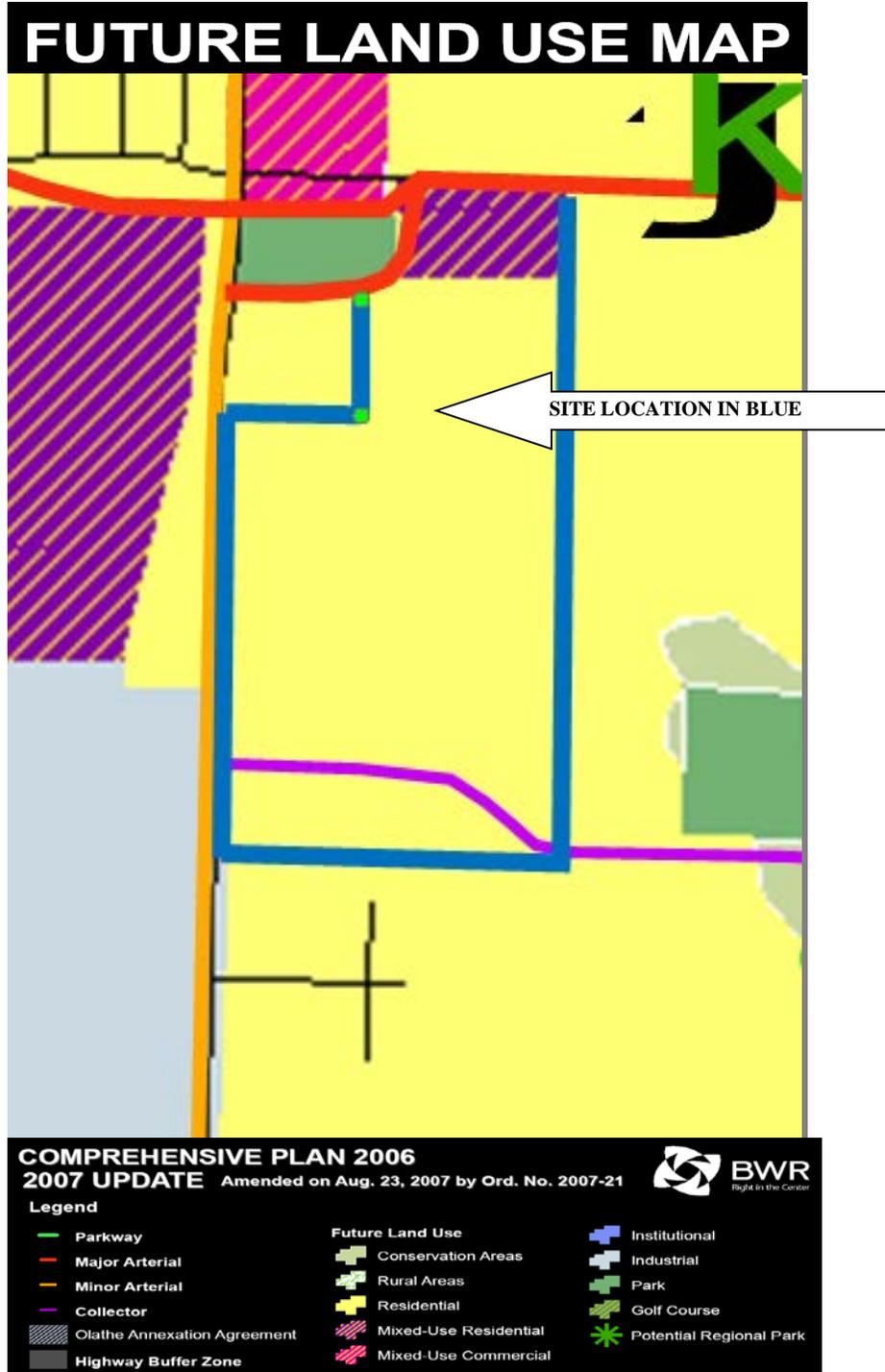
**SPRING HILL PLANNING COMMISSION
FINAL PLAT STAFF REPORT**

Case #:	Plat-000020-2020	Meeting Date:	August 6, 2020 moved to August 20, 2020 meeting
Description:	Proposed Final Plat, Woodland Crossing, First Plat		
Location:	South of 199 th Street and East of Woodland Road		
Applicant:	THS Investments, LLC. – Tom Smith		
Owner:	THS Investments, LLC. – Tom Smith		
Engineer:	Phelps Engineering, Inc. – Tim Tucker, P.E.		
Current Zoning:	“RP-1”		
Site Area:	12.25 +/- acres	Number of Lots:	31
Minimum Lot Area:	6,900 sq. ft.		
Related Applications:	Z-03-19 and PP-03-19		



BACKGROUND:

The applicant, Phelps Engineering, Inc. – Tim Tucker has submitted a request for the first phase final plat of Woodland Crossing subdivision located south of 199th Street and east of Woodland Road. The property is currently zoned RP-1 (Planned Single Family District). The Preliminary Plat / Development Plan was approved on the November 7, 2019 Planning Commission meeting and then by the Governing Body.



STAFF COMMENT:

Woodland Crossing, First Plat contains 31 residential lots on 12.25 +/- acres. Staff offers the following review per Section 17.372.D of the Spring Hill Subdivision Regulations:

1. Separate drawings of profiles and cross section of streets and public use areas are to be forwarded to the City Engineer for review.
2. Staff has verified the person or persons name on the plat are the owner(s) of the area subject to the final plat.
3. Staff has verified all due or unpaid taxes have been paid in full.
4. Adequate control of storm water through appropriate BMP's will be detailed on drawings submitted to the City Engineer for approval and will address the City Engineer comments regarding the drainage study.
5. Erosion control shall be installed and maintained per City Standards.
6. Construction refuse will be disposed of in an appropriate manner.
7. Must comply with erosion control standards throughout the development and construction of the improvements and home construction.
8. House elevations and typical plot plans have been submitted.
9. Park Fees: With no trail system, park fee of \$300.00 per lot will be paid at the issuance of a building permit.
10. The required Improvement Agreement is being prepared by staff and will be forwarded to the applicant, City Engineer and City Attorney for review and approval. This Agreement will be signed and excise tax in the amount of \$40,653.32 will need to be paid by the applicant prior to consideration of the final plat by the Governing Body. All required bonds and insurance documents would be submitted to the City prior to issuance of a Notice to Proceed from the City Engineer.
11. All utilities are adequate and available to the property with extensions as determined by the development plan(s).

The proposed site development plan is in conformance with the Spring Hill Comprehensive Plan. The utility easements are shown with dimensions meeting the minimum easement requirements for the City. The City will provide sanitary sewers and Johnson County WaterOne will provide water to the subdivision. This property will be required to participate with a buy-in to a sewer benefit district.

The plat was sent out to City Staff and consultants for review. The review comments from the government agencies, consultants and utility providers will be implemented as applicable on the plan. The applicant and their engineer have agreed to address all the provided comments.

The minimum easement requirements for the City and the locations will be addressed on the Final Development Plans. Additional easements will be required and addressed during the infrastructure construction design process.

ADDITIONAL STAFF COMMENT:

The attached proposed site layout and building elevations have been reviewed:

- 1) The RP-1 area proposes lot size reductions from the minimum standards required for standard R-1 developments. The minimum lot width would be reduced from 75-feet to 60-feet. The Comprehensive Plan recommends developments with reduced lot sizes and widths comply with minimum architectural standards (Guideline 10, Page A-5, Appendix A, Planning Principles and Design Guidelines).
- 2) The RP-1 areas propose building setback reductions: side setback reduction from 7-feet to 5-feet; rear setback may be reduction from 25-feet to 20-feet if needed; and front setback reductions from 35-feet to 25-feet.
- 3) The submitted building elevations are conceptual in nature. However, the building elevations are consistent with the architectural recommendations of the Comprehensive Plan, that all facades would be finished to the same level of detail as the front façade including windows, awnings, variety of high quality material finishes, etc. Final building plans will need to address such compatibility issues at the time of issuance of a building permit.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

If approved, this plat would be presented to the Governing Body at the last Council meeting in July.

Suggested Motion: Move to recommend approval of application Plat-000020-2020, Final Plat of Woodland Crossing, First Plat, to the Spring Hill Governing Body, including conditions as presented in the staff report

Attachments: Plans

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

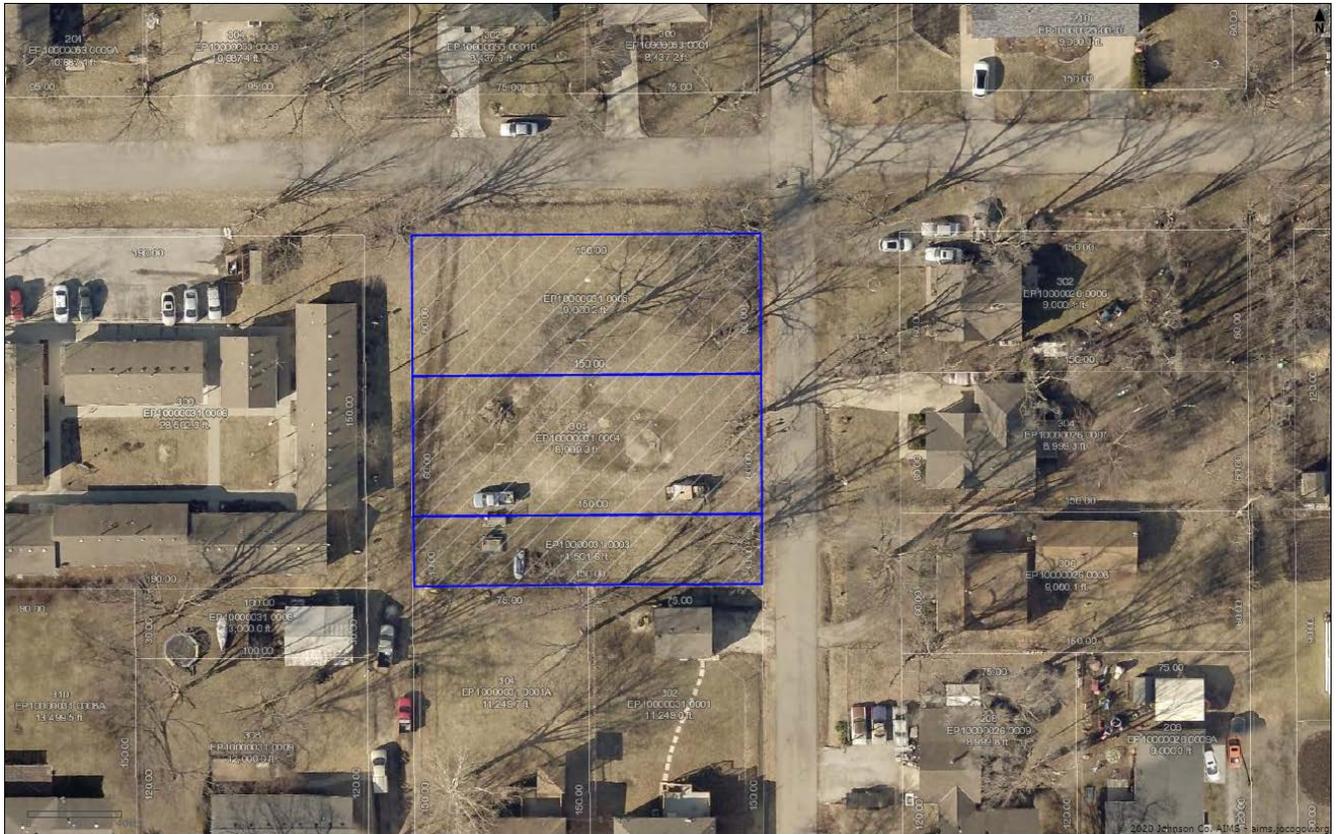
Commissioners questioned if sidewalks had been addressed with Applicant.

Motion by Mr. Erhart seconded by Ms. Dobson to approve the Final Plat Application (PLAT-000020-2020) for Woodland Crossing, 1st as presented by staff with the addition of the 6ft wide concrete city standard sidewalk on south side along 199th St, transitioning into 6ft wide asphalt paved trail along Woodland Rd. connect.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye, Erhart-Aye

Motion carried 6-0-0

EXISTING PLAT LAYOUT



BACKGROUND:

Applications have been received for the final plat for Bear Creek II, containing 2 residential lots. As shown in the AIMS snapshot above, the area is platted into 3 lots. Two of the lots are 60x150 and one lot is 30x150. Payne & Brockway has presented a new final plat of the lots that would create 2 lots measuring 74.81x150. The lots are not quite 75 feet in width, but the code does allow for lots and setbacks to be consistent with the surrounding area. The front setbacks are proposed to be 28 feet also to stay consistent with the neighborhood. All 3 lots could be built on as existing platted lots, but the structures would be much smaller than proposed with the lot changes.

STAFF COMMENT:

Bear Creek II contains 2 lots that would combine 3 existing residential lots. Staff offers the following review per Section 17.372.D of the Spring Hill Subdivision Regulations:

12. Staff has verified the person or persons name on the plat are the owner(s) of the area subject to the final plat.
13. Staff has verified all due or unpaid taxes have been paid in full.
14. Erosion control shall be installed and maintained per City Standards.
15. Construction refuse will be disposed of in an appropriate manner.
16. Must comply with erosion control standards throughout the development and construction of the improvements and home construction.
17. Park Fees: \$300.00 per lot will be collected at the building permit stage.
18. There is no required Improvement Agreement needed because all improves are existing. Excise tax in the amount of \$3,546.04 will be paid by the applicant prior to consideration of the final plat by the Governing Body.
19. Public facilities are adequate and available.

The proposed development / plot plan is in conformance with the Spring Hill Comprehensive Plan. The utility easements are shown with dimensions meeting the minimum easement requirements for the City.

The City will provide sanitary sewers and the water to the subdivision. This property is not participating in a sewer benefit district.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

If approved, this plat would be presented to the Governing Body at the last Council meeting in July.

STAFF RECOMMENDATION:

Staff recommends approval of applications Plat-000025-2020 of Bear Creek II, subject to:

1. All review comments and requirements from City Staff and Consultants as presented in this report.

Suggested Motion: Move to recommend approval of application Plat-000025-2020, Final Plat of Bear Creek II, to the Spring Hill Governing Body, including conditions as presented in the staff report

Attachments: Proposed Final Plat
Proposed Development / Plot Plan

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Commissioners questioned if sidewalks had been addressed with Applicant.

Motion by Mr. Mitchell seconded by Ms. Squire to approve the Final Plat Application (PLAT-000025-2020) for Bear Creek II as presented by staff with the addition of east/west sidewalk and grade permitting north/south sidewalk.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye, Erhart-Aye

Motion carried 6-0-0

7. Public Hearing for Rezoning Application (Z-000024-2020)

Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
REZONING STAFF REPORT**

Case #: Z-000024-2020 **Meeting Date:** August 6, 2020 moved to August 20, 2020 meeting

Description: Proposed Rezoning from “R-R” to “C-2”

Location: South of 199th Street and West of Webster St.

Applicant: Prairie Star Development, LLC. – Greg Prieb II

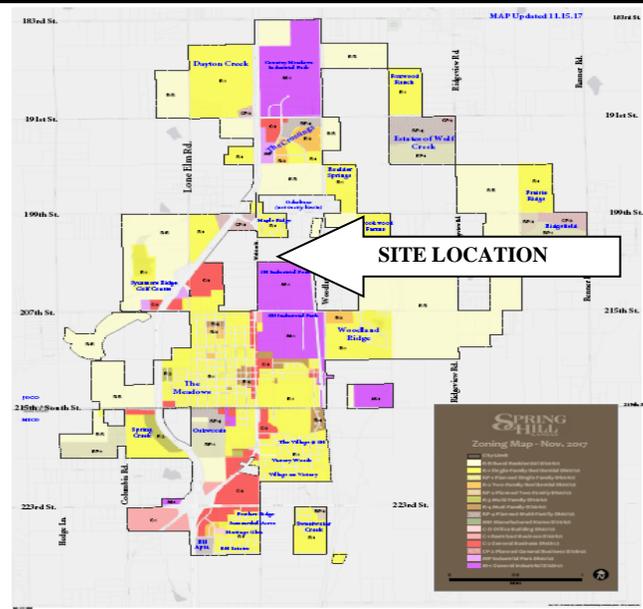
Owner: Prairie Star Development, LLC. – Greg Prieb II

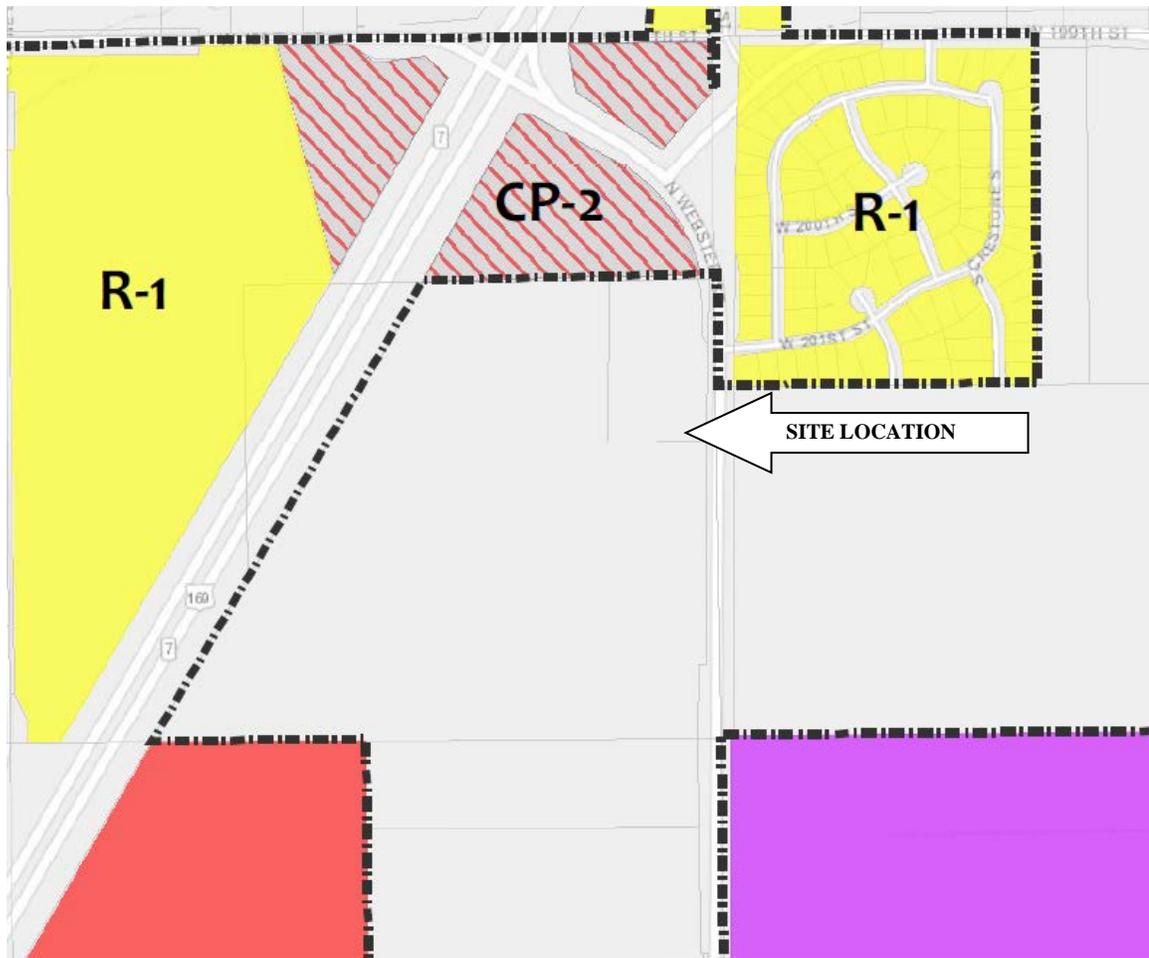
Engineer: Phelps Engineering, Inc. – Judd Claussen

Current Zoning: “R-R” **Proposed Zoning:** “C-2”

Site Area: 5.11 +/- acres **Number of lots:** 1

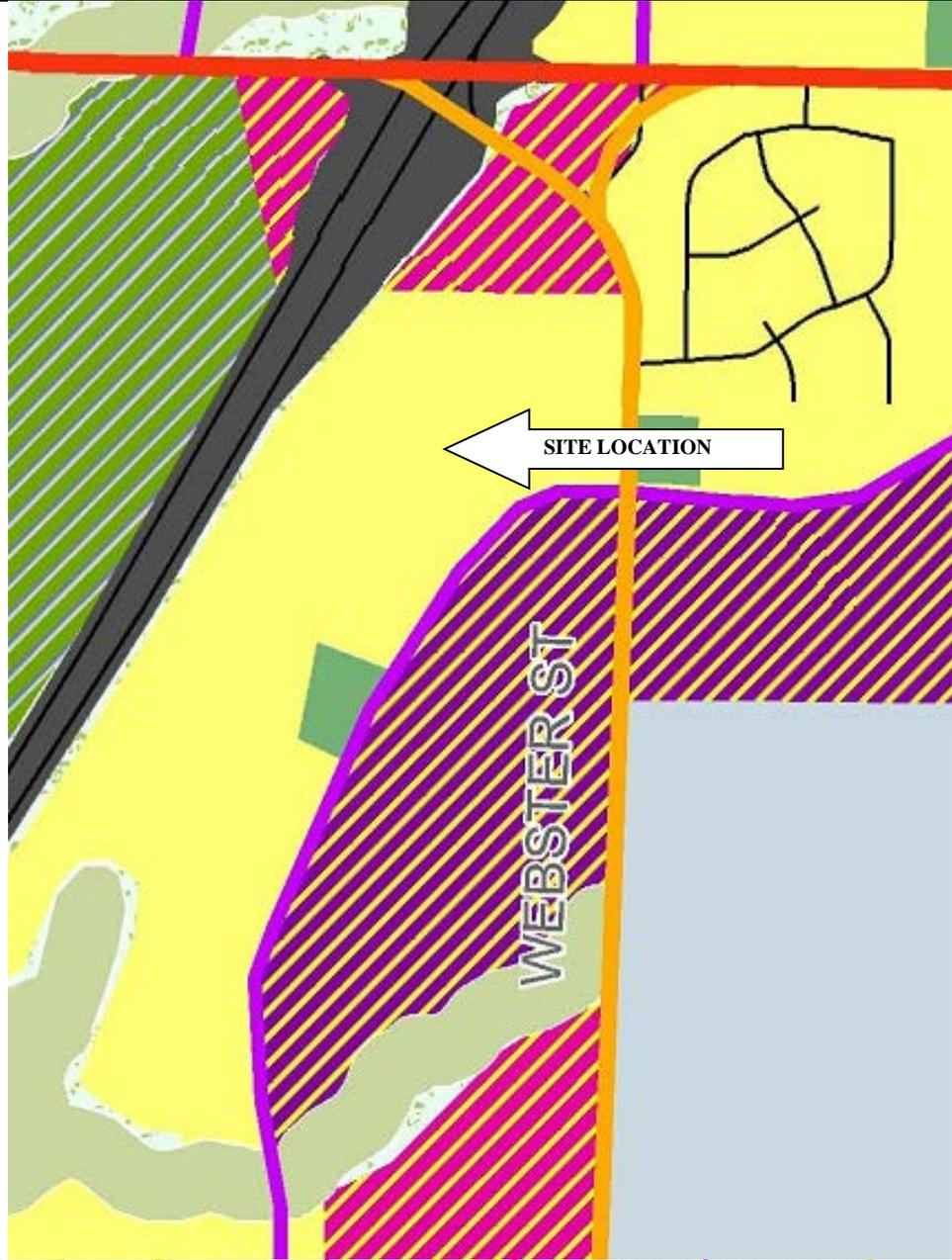
	Current Zoning	Existing Land Use	Future Land Use Map
Site:	“R-R”	Vacant	Residential
North:	“R-1”/ “RUR”	Residential	Commercial
South:	“C-2”	Rural Residential	Mix Commercial and Residential
East:	“RUR”/ “R-1”	Rural Residential	Mix use residential
West:	“C-2”	Vacant	Mix use residential
Proposed Use:	General Business District (commercial)		





- 4. Suitability for Current Zoning:** The site is currently zoned “R-R” Rural Residential District with the surrounding areas with a mix of zoned uses. The rezoning will allow for commercial development along Webster. The Future Land Use Map also shows mixed residential use along Webster Street. The commercial zoning uses along Webster is a more suitable classification. The north east subdivision across Webster St. is all single-family, and the proposed C-2 complies with the Comprehensive Plan. This proposed development area will be supported and will support the multi-family and Webster Street commuters.

FUTURE LAND USE MAP



COMPREHENSIVE PLAN 2006
2007 UPDATE Amended on Aug. 23, 2007 by Ord. No. 2007-21



Legend

- | | | |
|-----------------------------|------------------------------------|-------------------------|
| Parkway | Future Land Use Conservation Areas | Institutional |
| Major Arterial | Rural Areas | Industrial |
| Minor Arterial | Residential | Park |
| Collector | Mixed-Use Residential | Golf Course |
| Olathe Annexation Agreement | Mixed-Use Commercial | Potential Regional Park |
| Highway Buffer Zone | | |

5. **Requested because of changing conditions:** Request is based on business model as determined by the applicant.
6. **Suitability of parcel for uses restricted by the current zone:** The current R-R zoning does not allow the proposed use. Changing the R-R zoning will allow the property to be developed in a supporting role for the proposed multi-family use area. All other surrounding areas are supported by residential or proposed residential uses, meaning commercial development of this property will help support the multifamily and Webster Street commerce.
7. **Suitability of parcel for uses permitted by the proposed district:** The proposed zoning allows development of commercial on Webster Street.
8. **Detrimental Effect of Zoning Change:** The proposed rezoning to general business district will not impose unfavorable development in the area. The proposed zoning is adjacent to a major arterial street.
9. **Proposed amendment corrects an error:** No error(s) are being corrected.
10. **Length of Time at Current Zoning:** The site was zoned “R-R” at the time it was annexed into the City. The “R-R” zoning was the closets zoning that reflected the County.
11. **Adequacy of current facilities:** All utilities are adequate and available to the property with extensions as determined by the development plan(s). Road improvements will be determined by the phasing of the development and the traffic studies warrant.
12. **Public Gain Balanced by Landowner Hardship:** Public gain include, developing a property to help support the proposed future uses in the area and commerce with-in the City.
13. **Hardship if application is denied:** The issue of hardship can be better addressed by the applicant and owner. The proposed use does play a supporting role in the overall preliminary plat and development plan.
14. **Conformance with Comprehensive Plan:** The proposed rezoning would be in conformance with the general premises of the Spring Hill Comprehensive Plan. The Comprehensive Plan encourages a broad range of mixed development uses to help provide neighborhoods of a mix of people with diverse ages, races, incomes and possible employment.

PRELIMINARY PLAT/ DEVELOPMENT PLAN:

There are 4 lots and 1 tract propose on 5.11 +/- acres. (A copy of the proposed preliminary and development plan is included with this staff report.)

The plat was sent out to City Staff and consultants for review. The review comments from the government agencies, consultants and utility providers will be implemented as applicable on the new preliminary development plan. The applicant and their engineer have agreed to address provided comments.

Not all required utility easements are shown on the preliminary plan. The minimum easement requirements for the City and the locations will be addressed on the Final Development Plans. Additional easements will be required and addressed during the infrastructure construction design process. The right-of-way and utility

easements will be required to be shown with dimensions meeting the minimum requirements for the City and affected utility providers at the Final Development Plan phasing stage.

The traffic study has been provided and consultants are working with the applicant on the phasing of the proposed development to make road improvements as required. There are two access points to Webster Street. The connection to Webster at 201st Street will be designed as a signal light or round about so Maple Ridge will have a controlled access.

The City will provide sanitary sewers and Johnson County WaterOne will provide water to the subdivision. This property will be required to participate in future benefit districts for required new and/or improving existing infrastructure.

The estimated excise tax for the proposed preliminary plat calculates to be \$20,949.47. The portion associated with each final phase must be paid before the final development plan is placed on the Governing Bodies Agenda.

Staff has reviewed whether the park land/open space is in conformance with the Spring Hill Regulations. (See preliminary plat showing the proposed park and open spare areas.)

1. The subdivision lot is subject to 10 cents per square foot park impact fee that will be collected before final plat is placed on the Council Agenda or at the building permit stage.
2. The Comprehensive Plan does not show any park land or open space in the area of this subdivision, so the addition of some public trails is a good amenity to the area that may be connected to a regional trail system throughout the community. Staff would recommend a trail system be shown on the development plan. This trail system would be required to be maintained by the homeowner's association. If the open space and trail system is accessible to the general public, no park impact fees will be collected when a building permit is issued. Sidewalks must be shown on the preliminary development plan.
3. The building elevations are required to be submitted at the site plan approval process.

RECOMMENDATION:

Recommend approval of Z-000024-2020 ("C-2" rezoning)

- 1) The applicant pays a park fee when a building permit is issued.
- 2) Improvement Agreement must be signed and excise tax (if any) must be paid prior to recording the Final Development Plan and Site Plan.
- 3) Development must agree to participate in a future benefit districts for infrastructure improvements.

ALTERNATIVE ACTION: Alternatives for action by Planning Commission include:

- *Approval of application* with final action by the Governing Body on August 27, 2020, subject to the protest period and petition as provided by Section 17.364.I of the Spring Hill Zoning Regulations, or
- *Denial of application* (application would be forwarded to Governing Body) on August 27, 2020, subject to the protest period and petition as provided by Section 17.364.I of the Spring Hill Zoning Regulations, or

- *Continuance* of item to future meeting identifying specific issues to be reviewed by staff and/or the applicant.

Suggested Motion: Move to recommend approval to the Spring Hill Governing Body for rezoning application Z-000024-2020 as presented by staff.

Attachments: Plans

End of Staff Report

Ms. Sly opened the hearing to the Public

Mr. Patrick Burton presented the staff report as outlined above.

Mr. Sly closed public hearing.

Motion by Mr. Welsh seconded by Ms. Squire to approve the Rezoning Application (Z-000024-2020) as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye, Erhart-Aye

Motion carried 6-0-0

8. Capital Improvement Program (CIP) 2021-2025

Melanie Landis, Finance Director discussed the 2021-2025 Capital Improvement Program (CIP). The CIP serves as a guide to the city projects for planning and budgeting purposes. State Statute requires the Planning Commission to review the CIP and find it to be in compliance with the Comprehensive Plan. All projects listed in the CIP relating to infrastructure, building construction or other land use issues have been reviewed by staff and are compliant with the Comprehensive Plan. As a result, staff is recommending the Planning Commission find the CIP in compliance with the Comprehensive Plan.

At the conclusion of discussion, the following motion was made.

Motion by Mr. Erhart, seconded by Ms. Dobson to approve the 2021-2025 Capital Improvement Plan as being in compliance with the Spring Hill Comprehensive Plan.

Roll Call Vote: Dobson-Aye, Erhart-Aye, Welsh-Aye, Sly-Aye, Mitchell-Abstain, Squire-Abstain

Motion carried 4-0-2

DISCUSSION

REPORTS

9. The following item(s) related to Community Development were approved at the June 11, 2020 City Council meeting:

- Consumer Fireworks Retail Sales Permits Approved:
 - FS-000249-2020, Tim Durkin

10. The following item(s) related to Community Development were approved at the June 25, 2020 City Council meeting:

- Site Plan – Peach State Roofing

11. The following item(s) related to Community Development were approved at the July 9, 2020 City Council meeting:

- No agenda items

12. The following item(s) related to Community Development were approved at the July 23, 2020 City Council meeting:

- No Agenda items

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

ADJOURN

Motion by Mr. Welsh, seconded by Mr. Erhart, to adjourn.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye, Erhart-Aye

Motion carried 6-0-0

The meeting adjourned at 9:08 p.m.

Temporary changes due to COVID-19. — Attendance at meetings was limited to 10 individuals including Commissioners and staff. Public comments, for agenda items only, must be submitted in writing by noon on the day of the meeting to planning@springhillks.gov. There were no comments received. Public access to the meeting was available via phone or by a link that was provided at the City of Spring Hill website www.springhillks.gov.

City of Spring Hill, Kansas
Minutes of Planning Commission Regular Session
June 4, 2020

A Regular Session of the Planning Commission was held by way of Zoom under the temporary meeting protocol on June 4, 2020. The meeting convened at 7:06 p.m. with Chairman Stephen Sly presiding, and Amy Long, Planning Secretary recording.

Commissioners in attendance: Stephen Sly
Cindy Squire
Mary Dobson
Troy Mitchell
Janell Pollom – logged in at 7:22
Roger Welsh, II
Josh Erhart

Commissioners absent: Mike Denny

Staff in attendance: Patrick Burton, Director of Community Development
Amy Long, Planning Secretary
Antwone Smoot, I.T.

PLEDGE OF ALLEGIANCE

ROLL CALL

The Secretary called the roll of the Planning Commissioners. With a quorum present, the meeting commenced.

APPROVAL OF THE AGENDA

Motion by Mr. Erhart seconded by Mr. Welsh to approve the agenda with deletion of Agenda Item No. 10.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Aye

Motion carried 6-0-0

CITIZEN PARTICIPATION

Under Temporary Meeting Protocol, only participation is with items on the Agenda.

FORMAL COMMISSION ACTION

1. **Approval of Minutes from the March 5, 2020 Regular Meeting – No meeting held in April**

Motion by Ms. Squire seconded by Mr. Erhart to approve the minutes as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Abstain

Motion carried 5-0-1

2. Approval of Minutes from the May 7, 2020 Regular Meeting

Motion by Ms. Squire seconded by Ms. Dobson to approve the minutes as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Squire-Aye; Erhart-Abstain

Motion carried 5-0-1

3. Lot Split (L-000019-2020) – Samuel Abbott

Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
LOT SPLIT STAFF REPORT**

Case #:	L-000019-2020	Meeting Date:	June 4, 2020
Description:	Lot Split		
Location:	19640 W. 207 th St.		
Applicant:	Samuel Abbott		
Engineer:	Allenbrand-Drews Engineering		
Site Area:	North side of 207 th Street		

Total Lot Area:	Proposed Number of Lots:
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Current Zoning: R-R (Rural Residential)	Proposed Use: Residential
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Related Applications: Annexation Ord. 2020-02

BACKGROUND:

The owners and applicant, L-000019-2020 Samuel Abbott., have requested 19.22 acre parcels be split into two tracts and adding a private street to correct a land locked parcel. The property is currently zoned R-R and sewer can be extended from Woodland Ridge Subdivision by crossing 207th Street at Emerald Street. There is a house and accessory structure located on proposed tract A. Water and sewer are available to all tracts.

STAFF COMMENT:

The owners and applicants are requesting a lot split to create two tracts referred to as Tract A and B. Tract “A” is proposed to contain 3.36 acres and lot “B” 16.35 acres. Both proposed lots will remain R-R zoning in use after the split. It is staff’s understanding that there will be single-family structures built on the lot B in the future. Both lot meet the R-R zoning standards of 2 acre minimum and 250 ft of frontage and 300 ft lot depth (as seen above).

Staff finds the lot split to follow the intent of the established guidelines of Section 17.374 and Section 17.308 (R-R), of the Spring Hill Subdivision Regulations.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the lot split application the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application, or
- Recommend denial of the application and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

STAFF RECOMMENDATION:

Staff recommends approval of the lot split application L-000019-2020, Samuel Abbott.

Attachments: Survey

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Mr. Welsh seconded by Mr. Mitchell to approve the lot split (L-000019-2020) for Samuel Abbott as presented.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Aye

Motion carried 7-0-0

4. Preliminary Plat (PLAT-000015-2020) – Spring Hill Middle School #3

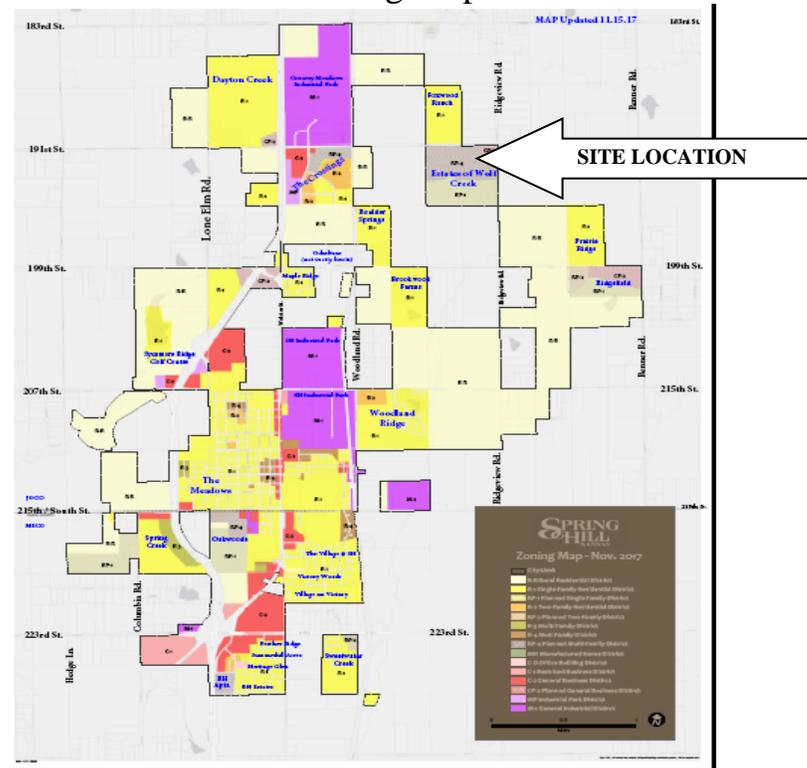
Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
PRELIMINARY PLAT STAFF REPORT**

Case #:	PLAT-000015-2020	Meeting Date:	June 04, 2020
Description:	Proposed Preliminary Plat		
Location:	18685 W. 191 st Street		
Applicant:	RIC – Chip Corcoran	Owner:	USD#230
Engineer:	RIC – Chip Corcoran		
Current Zoning:	“RP-4”	Proposed Zoning:	N/A
Site Area:	34.60 +/- acres	Number of Lots:	1

	Current Zoning	Existing Land Use	Future Land Use Map
Site:	RP-4	Agricultural	Planned Multi-Family
North:	R-R	Agricultural	Institutional
South:	RP-1	Residential	Mixed-Use Residential
East:	CP-2	Planned General Business	Planned General Business
West:	RP-4	Agricultural	Planned Multi-Family

Zoning Map





Existing Preliminary Plat of Estates of Wolf Creek



Background:

AN APPLICATION HAS BEEN RECEIVED FOR THE PRELIMINARY PLAT ON A 34.60 ACRE TRACT LOCATED APPROXIMATELY 629 FEET WEST OF THE 191ST ST. & RIDGEVIEW RD CENTER INTERSECTION. THE PROPERTY IS CURRENTLY ZONE RP-4 (PLANNED MULTI -FAMILY DISTRICT). THIS PRELIMINARY PLAT IS A MAJOR CHANGE IN THE NEXT PHASE OF DEVELOPMENT FOR THE ESTATES OF WOLF CREEK SUBDIVISION.

ADDITIONAL REVIEW COMMENTS:

Staff distributed the preliminary plat application to various consultants and City staff for comment. The review comments from the government agencies, consultants and utility providers have been implemented as applicable on the new Preliminary Plat. The applicant and their engineer will have addressed all of the provided comments by Final Plat approval.

Preliminary Plat:

The existing plat shows 442 +/- multi-family residential units. The new Preliminary Plat will not have any multi-family. A copy of the proposed preliminary plat and landscape plan is included with this staff report.

The utility easements are shown with dimensions meeting the minimum easement requirements for the City. Additional easements will be required and addressed during the infrastructure construction design process. The right-of-way and utility easements are shown with dimensions meeting the minimum requirements for the City and affected utility providers. Additional easement requirements will be reviewed and maybe required on the Final Plats.

The City will provide sanitary sewers and Johnson County WaterOne will provide water.

Additional Staff Comment:

1. Staff has coordinated plan reviews with internal utility, street, and community development staff. Staff has also received comments back from our On-Call City Engineer firm for the engineers to address. All comments and revised plans will be addressed prior to filling the Final Plat.

Recommendation:

Staff recommends

Recommend Approval PLAT-000015-2020 Spring Hill Middle School #3 Preliminary Plat subject to:

- 1) The City-at-large is granted access to the neighborhood trail system through a public access easement on the final plat.
- 2) The applicant pays a park fee when a building permit is issued if the access to the trail system is not granted to the City-at-large.
- 3) Improvement Agreement must be signed and excise tax (if any) must be paid prior to recording the Final Plat.
- 4) A master landscape plan for areas of common open space tracts, and a landscape buffer for residential areas.
- 5) A street tree plan for all local and collector streets will need to be submitted with the final plat(s) addressing the following, unless more restrictive city requirements are in effect at the time of installation:
 - Street tree species approved by the City.
 - An average spacing of forty (40) linear feet between trees, with a minimum planting size of two and one-half (2 ½) inch caliper to three (3) inch caliper as measured six (6) inches above ground.
 - The location of such trees must be coordinated so the trees at maturity are an adequate distance away from storm sewer inlets, street lights, fire hydrants, and sight-distance triangles at the street intersection.
 - All trees must be guaranteed for a period of no less than two years.

ALTERNATIVE ACTION: Alternatives for action by Planning Commission include:

- *Approval of application*, or
- *Denial of application*, or
- *Continuance* of item to future meeting identifying specific issues to be reviewed by staff and/or the applicant.

RECOMMENDATION: Staff recommends approval of PLAT-000015-2020 and allow applicant to proceed with Final Plat (with noted changes, if any).

Suggested Motion: Motion to recommend approval of the preliminary plat application PLAT-000015-2020 as presented by staff.

Attachments: preliminary plat

End of Staff Report

Mr. Erhart recused himself from this agenda item.

Mr. Mitchell disclosed his wife is a member of the school board, but it will not interfere with his ability to make a decision.

Mr. Sly disclosed his wife works for the school district, but it will not affect in any way his decision with voting.

Ms. Pollom disclosed she works for the school district and does not believe it will affect how she votes.

Ms. Squire disclosed she works for the school district and does not believe it will affect how she votes.

Mr. Patrick Burton presented the staff report as outlined above.

Mr. Welsh put on record that he does not believe the infrastructure will increase, or the roads will get any better. If they do, it will not be within the next couple of years. He does not believe there are plans or anyone will do anything.

Ms. Pollom read the traffic study and questioned how many more “new” trips it would take to tip it over where a traffic study would recommend improvements.

Motion by Mr. Welsh seconded by Ms. Squire to approve the Preliminary Plat (PLAT-000015-2020) for Spring Hill Middle School #3 as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Abstain

Motion carried 6-0-1

5. Final Plat (PLAT-00016-2020) – Spring Hill Middle School #3

Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
FINAL PLAT STAFF REPORT**

Case #:	PLAT-000016-2020	Meeting Date:	June 04, 2020
Description:	Proposed Final Plat – Spring Hill Middle School #3		
Location:	18685 W. 191 st St.		
Applicant:	RIC – Chip Corcoran	Owner:	USD#230
Engineer:	RIC – Chip Corcoran		
Site Area:	34.60 acres / RP- 4		
Minimum Lot Area:	34.60 +/- acres	Number of Lots:	1
	SP-000011-2020; PP-000015-2020; CUP-000014-2020		

and applicable excise tax paid by the applicant prior to consideration of the final plat by the Governing Body. All required bonds and insurance documents would be submitted to the City prior to issuance of a Notice to Proceed from the City Engineer.

10. The review comments from the government agencies, consultants and utility providers have been implemented as applicable. The applicant and their engineer have addressed all of the provided comments. Additional easements may be required to accommodate the improvements.
11. The plat conforms to the Property Development Standards addressed in Section 17.338.A, size of lots and setbacks. Maximum height and building setbacks will be addressed during the building permit issuance process for approval.
12. The City will provide sewers, and WaterOne will provide water to the subdivision.
13. The proposed final plat and subdivision complies with the Comprehensive Plan.
14. The Proposed final plat is in substantial compliance with the approved preliminary plat.
15. If plat is for a school, a CUP is required.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

RECOMMENDATION:

Staff recommends approval of the Final Plat (PLAT-000016-2020), Spring Hill Middle School #3 of Spring Hill, KS, Johnson County, KS, Subject to:

Suggested Motion: Move to recommend approval of Final Plat application PLAT-000016-2020 for Spring Hill Middle School #3, as presented in the staff report.

Attachments: 1. Final Plat

End of Staff Report

Mr. Erhart recused himself from this agenda item.

Mr. Mitchell disclosed his wife is a member of the school board, but it will not interfere with his ability to make a decision.

Mr. Sly disclosed his wife works for the school district and lives in the Estates of Wolf Creek, but it will not affect in any way his decision with voting.

Ms. Pollom disclosed she works for the school district and does not believe it will affect how she votes.

Ms. Squire disclosed she works for the school district, but it will **not** affect how she votes.

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Ms. Squire seconded by Mr. Mitchell to approve the Final Plat (PLAT-000016-2020) for Spring Hill Middle School #3 as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Abstain

Motion carried 6-0-1

6. Conditional Use Permit (CUP-000014-2020) – Spring Hill Middle School #3

**SPRING HILL PLANNING COMMISSION
CONDITIONAL USE STAFF REPORT**

Case #: CU-000014-2020

Meeting Date: June 4, 2020

Description: Proposed Conditional Use Permit for a USD 230 Middle School #3

Location: Estates of Wolf Creek Subdivision, 191st St. & Ridgeview Rd.

Applicant: USD230

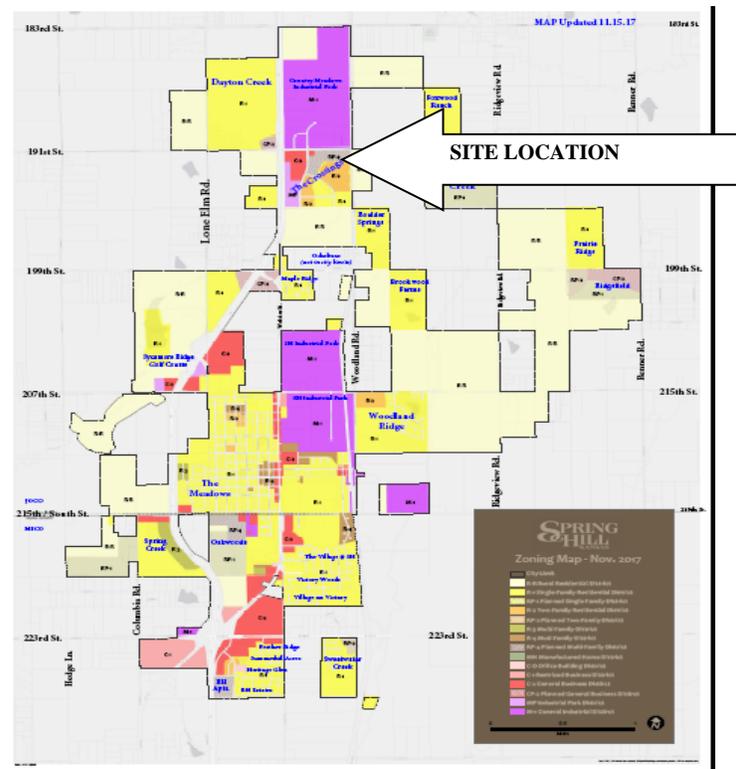
Engineer: RIC

Current Zoning: RP-4 Multi-Family Residential

Site Area: 34.60 acres

Number of Lots: 1

	Current Zoning	Existing Land Use	Future Land Use Map
Site:	RP-4	Agricultural	Residential Institutional
North:	R-R	Agricultural	Residential
South:	RP-1	Single Family Resid.	Planned General Business
East:	CP-2	Planned General Business.	Planned Multi-Family
West:	RP-4	Institutional.	



Background:

The applicants, USD230, have submitted a request for a conditional use permit for a middle school that would be that would be located in the Estates of Wolf Creek Subdivision. The Spring Hill Zoning Ordinance allows for a school in an RP-4 district with a Conditional Use Permit, as per section 17.310.C.3.

Golden Factors:

The review of the proposed conditional use permit is consistent with Golden v. City of Overland Park, 224 Kan. 591, 584 P. 2d 130 (1978).

1. **Neighborhood Character.** The surrounding neighborhood currently is vacant land as this proposed use is a part of the Estates of Wolf Creek Subdivision.
2. **Adjacent Zoning.** Adjacent parcels are zoned RP-1 Single Family Residential and CP-2 Planned General Business. The Proposed conditional use permit is compatible with existing zoning.
3. **Requested Because of Changing Conditions:** Growth in the community and within the boundaries of USD230 have necessitated the need for a new middle school.
4. **Detrimental Effect of Zoning Change.** The proposed conditional use permit will not have a detrimental effect on the nearby properties. It is the opinion of staff that the proposed use will not create land use conflicts with existing or planned future uses. To date, staff has not received comments negative to the request from adjoining owners or the general public.
5. **Public Gain Balanced by Landowner Hardship.** Public gain includes regulating the property with a Conditional Use Permit.
6. **Conformance with Comprehensive Plan.** The proposed conditional use permit Is in conformance with the Spring Hill Comprehensive Plan, which shows the parcel as planned multi-family residential.
7. **The proposed project is consistent with purposes of the regulations and intent of the district.** The proposed development is consistent with regulations and intent of the district in that a school is allowed in an RP-4 zone with a conditional use permit.
8. **Review of suitability of parcel for uses permitted by the district.** The proposed project is suitable for this particular parcel when considering zoning, current use and future land use.
9. **The proposed project corrects an error.** The project does not correct an error of any kind.
10. **Adequacy of current facilities.** Facilities such as road access, water, sewer, electric and gas are available to be extended to the site.
11. **Conformity with Comprehensive Plan.** The proposed use is in compliance with the Comprehensive Plan with regards to zoning and future land use.
12. **Hardship if application is denied.** The applicant could better speak to any perceived hardship if the application is denied.

SITE PLAN:

Conditional Use Permit applications are to be accompanied by a detailed site plan. The site plan is an additional item for consideration by the Planning Commission in connection with this CUP application. The site plan information and staff report are included with the PC packet. The site plan was approved by the Planning Commission at the May 7, 2020 meeting.

ADDITIONAL REVIEW CRITERIA:

As per the matrix adopted by the Planning Commission in 2014, schools with a Conditional Use Permit are recommended for annual review rather than scheduled renewal.

PLANNING COMMISSION REVIEW AND ACTION:

Upon review of the CUP application, the Planning Commission may, by a majority vote of those Members present:

- Recommend approval of the application to the Governing Body, or
- Recommend approval of the application to the Governing Body with conditions or modifications, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action.

Recommendation:

Staff recommends the approval of CU-000014-2020, for a school located within Estates of Wolf Creek subdivision, as described in the above staff report, with the following condition(s):

1. The conditional use permit is subject to annual staff review and reporting to the Planning Commission

Suggested Motion: Move to recommend approval of Conditional Use Permit, CU-000014-2020, for a middle school located within Estates of Wolf Creek subdivision as presented by staff, subject to the following:

Annual staff review and reporting to the Planning Commission

End of Staff Report

Ms. Sly opened the hearing to the Public

Mr. Erhart recused himself from this agenda item.

Mr. Mitchell disclosed his wife is a member of the school board, but it will not interfere with his ability to make a decision.

Mr. Sly disclosed his wife works for the school district and lives in the Estates of Wolf Creek, but it will not affect in any way his decision with voting.

Ms. Pollom disclosed she works for the school district and does not believe it will affect how she votes.

Ms. Squire disclosed she works for the school district, but it will **not** affect how she votes.

City Staff received the following comment/question from resident, Peggy Richey, 19306 Newcastle St which Mr. Sly ready aloud.

I live in Estates of Wolf Creek and I am very concerned about traffic flow on 193rd St, 191st St, and Ridgeview. It is already a nightmare getting out of my house at end of school, Between elementary and high school traffic. Mornings are not much better.

How do you plan to handle the traffic flow in these areas? In accordance with the traffic study, staff is working on the total area street improvements.

Are the three parking lots truly separated? Will the only traffic on 193rd St come Just from the south lot west of the building? Or will there be traffic flow between the lots? The bus traffic will flow only from the east side of the building parking lot. Busses will be completely separated from other traffic within the school.

Where will the buses go? Busses travel in on 192nd St and out on 192nd St.

How will arrival time and dismissal time be coordinated between the two buildings and the high school? Mr. Burton answered – Mr. Elliott with the school district answered that the arrival and dismissal times between the schools was established at the May 11 Board of Education meeting the middle schools will start 10 min later than elementary and the high school is five minutes in the middle of middle schools and elementary schools.

I plan to attend the meeting via zoom. I wish I could be there in person but understand the limitations.

Thank you for addressing these questions.

While I am not thrilled with the school going back there and all the noise and traffic that will be associated with it, I do realize it has to go somewhere. I am just really concerned with the poor capacity of these streets to handle it.

Mr. Patrick Burton presented the staff report as outlined above.

Mr. Sly closed public hearing.

Motion by Mr. Welsh seconded by Ms. Squire to approve the Conditional Use Permit (CUP-000014-2020) for Spring Hill Middle School #3 as presented by staff with annual staff review and reporting to Planning Commission.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Abstain

Motion carried 6-0-1

7. Preliminary Plat (PLAT-000018-2020) – Dayton Creek, 7th

Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
PRELIMINARY PLAT STAFF REPORT**

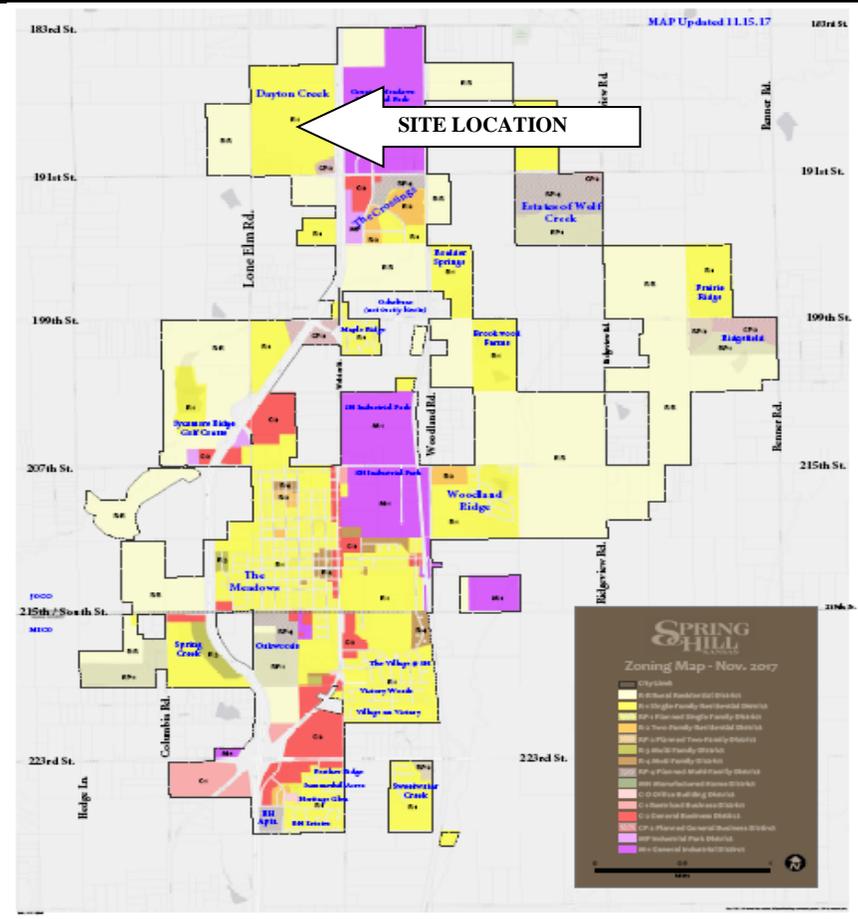
Case #:	PLAT-000018-2020	Meeting Date:	June 04, 2020
Description:	Proposed Preliminary Plat (Dayton Creek Subdivision)		
Location:	South Lone Elm Road and U.S. 169		
Applicant:	Polsinelli PC – Curtis Holland	Owner:	PV Investments, LLC.
Engineer:	McClure Engineering – Tom Smith		
Site Area:	138.90 acres / R-1		

Minimum Lot Area:	9,000 sq. ft.	Number of Lots:	300 / R-1
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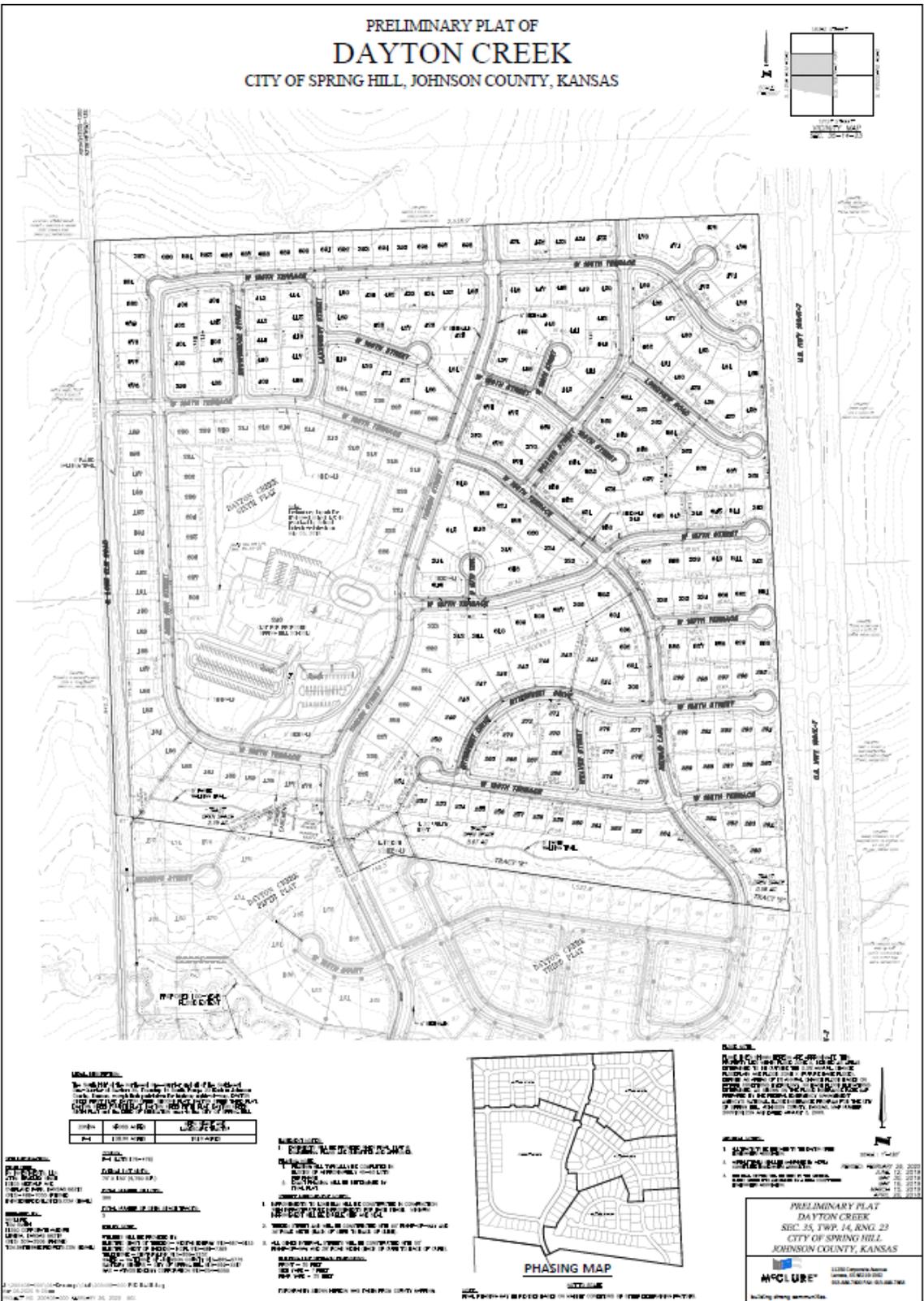
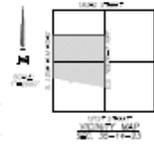
Lot Area R-1:	330,185 sq. ft.	Number of Lots:	300
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Current Zoning:	“R-1”	Proposed Use:	Residential
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Related Applications: PLAT-000017-2020



PRELIMINARY PLAT OF
DAYTON CREEK
 CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS



Background:

The applicant, Polsinell PC, and owner, PV Investments, LLC, has submitted an application for a new Preliminary Plat of Dayton Creek. (A copy of the proposed new preliminary plat is included with this staff report.)

In 2016, the Planning Commission approved a Preliminary Plat of Dayton Creek. The plat was reflective to “RP-1” / “CP-2” zoning. The applicate submitted and the PC approved a Preliminary Plat changing the commercial area of the plat to a planned residential district. This plat is another change in the R-1 zoned

area. Market conditions shows a need for a few larger lots that will accommodate the houses in demand. The applicant has submitted a new Preliminary Plat that conforms to “R-1” zoning with 300 standard lots.

Staff Comment:

The review comments from the government agencies, consultants and utility providers have been implemented as applicable on the new Preliminary Plat. The applicant and their engineer have addressed all the provided comments. Additional easements may be required to accommodate the improvements.

The plat and related information were sent to KDOT for review and comment. A new traffic study was not requested by KDOT due to the reduction in the number of lots. The items that KDOT requested to be changed have been addressed and changed on the Preliminary Plat. Again, the density of the newly revised plat has been decreased.

There remains 5 access points into this subdivision and 2 rather than 3 future street extensions toward the north.

The right-of-way and utility easements are shown with dimensions meeting the minimum requirements for the City and affected utility providers. Additional easement requirements will be looked at and maybe required on the Final Plats.

The plat conforms to the Property Development Standards addressed in Section 17.338.A, size of lots, and setbacks. Maximum height and building setbacks will be addressed during the building permit issuance process for approval.

The City will provide sewers, and WaterOne will provide water to the subdivision. This property is participating in the north sewer benefit district.

The subdivision layout provides 36.38 acres of open space / neighborhood parks and landscape easements overall. The first 3 phases of this subdivision is already developed or being developed with Therefore, if the preliminary plat is approved, the owner would not be subject to park impact fees if the open space / parks remain the same on the Final Plat. The pedestrian circulation system for each phase must be completed or the park impact fees will be assessed.

The excise tax will be calculated at the Final Plat phase. The amount of open space, KDOT road right-of-way, and certain road improvements will be used to off-set the excise tax. Due to these anticipated off-sets, the City does not anticipate there will be any excise tax assessed at this time.

Neighborhood park and pool areas are being constructed at this time. The monument sign has been constructed and the water feature within the sign is operational.

The subdivision does comply with the Comprehensive Plan.

Planning Commission Review and Action: Upon review of the preliminary plat application the Planning Commission shall determine if the plat conforms to the provisions of the Subdivision Regulations and Comprehensive Plan. The Planning Commission shall take action to:

- Approve the application, or
- Approve the application with modifications, or
- Table action on the application to a specific date and notify the applicant of such action
- Reject the application

Recommendation:

Staff recommends approval of the Preliminary Plat (PLAT-000018-2020), Dayton Creek Subdivision, 7TH Plat of Spring Hill, KS, Johnson County, KS, Subject to:

- 1) A landscaping plan will need to be submitted and approved prior to the approval of a final plat. The landscape plan shall be in compliance with Section 17.358-Landscaping of the Spring Hill Unified Subdivision Regulations. Note: The street tree plan has now been submitted.
- 2) The applicant shall plant landscaping in accordance with the staff approved landscape plan. The trail systems shall be completed with each phase of development. The last building permit in that phase of development and building permits in next phase of development will not be issued until the above items are completed.
- 3) The trail system shall be open to the public and an access easement to the trail system shall be shown on final plats.
- 4) The owner shall be responsible for improving 191st Street between U.S. 169 Hwy and Theden Street.

Suggested Motion: Motion to recommend approval of Preliminary Plat application PLAT-000018-2020 for Dayton Creek Subdivision, 7th Plat including conditions 1-4 as presented in the staff report.

Attachments: 1. Preliminary Plat

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Mr. Erhart seconded by Ms. Squire to approve the Preliminary Plat (PLAT-000018-2020) for Dayton Creek, 7th as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Aye

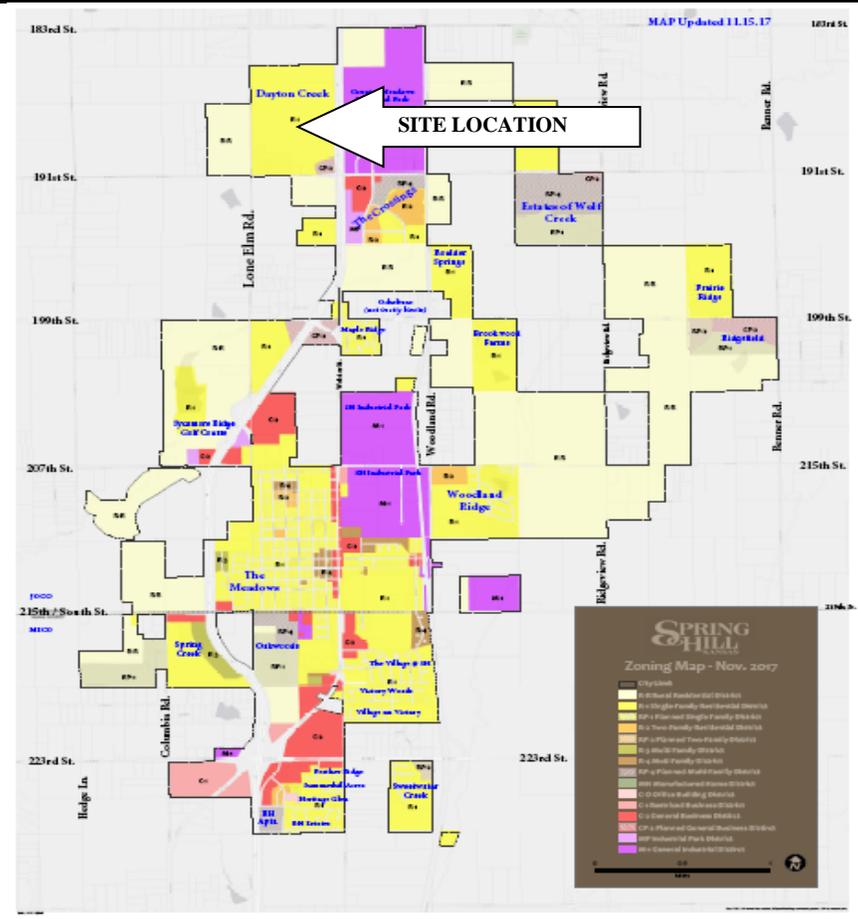
Motion carried 7-0-0

8. Final Plat (PLAT-000017-2020) – Dayton Creek, 7th

Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
FINAL PLAT STAFF REPORT**

Case #:	PLAT-000017-2020	Meeting Date:	June 04, 2020
Description:	Proposed Final Plat (Dayton Creek, 7th Plat)		
Location:	South portion of 18780 S. US169 Hwy		
Applicant:	Polsinelli PC – Curtis Holland	Owner:	PV Investments, LLC.
Engineer:	McClure Engineering – Tom Smith		
Site Area:	29.315 +/- acres / R-1		
Minimum Lot Area:	9,000 sq. ft.	Number of Lots:	59 / R-1 ZONING & 2 Tracts
Related Applications:	PLAT-000018-2020		



Staff Comment:

The review comments from the government agencies, consultants and utility providers have been implemented as applicable on the new Final Plat. The applicant and their engineer have addressed all of the provided comments. Additional easements may be required to accommodate the improvements.

The plat and related information were sent to KDOT for review and comment. A new traffic study was not requested by KDOT due to the reduction in the number of lots. The items that KDOT requested to be changed have been addressed and changed on the Preliminary Plat and Final Plat. Again, the density of the newly revised plat has been decreased by platting out the elementary school.

The right-of-way and utility easements are shown with dimensions meeting the minimum requirements for the City and affected utility providers. Additional easement requirements will be looked at and may be required on the Final Plat when the design of utilities is completed.

The plat conforms to the Property Development Standards addressed in Section 17.338.A, size of lots and setbacks. Maximum height and building setbacks will be addressed during the building permit issuance process for approval.

The City will provide sewers, and WaterOne will provide water to the subdivision. This property is participating in the north sewer benefit district.

The subdivision layout connects to 36.38 acres of open space / neighborhood parks and landscape easements overall. The first 5 phases of this subdivision are already developed or being developed with parks and open space; therefore, the owner would not be subject to park impact fees. The pedestrian circulation system for each phase must be completed or the park impact fees will be assessed.

The excise tax will be calculated and paid before Final Plat is recorded. The amount of open space, KDOT road right-of-way, and certain road improvements will be used to off-set the excise tax. Due to these anticipated off-sets, the City does not anticipate there will be any excise tax assessed at this time.

Neighborhood park and pool areas are constructed. The monument sign has been constructed, and the water feature within the sign is operational.

The proposed final plat and subdivision does comply with the Comprehensive Plan.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

Recommendation:

Staff recommends approval of the Final Plat (PLAT-000017-2020), Dayton Creek, 7th Plat, a Subdivision of Spring Hill, KS, Johnson County, KS, Subject to:

- 5) The applicant shall plant landscaping in accordance with the staff approved landscape plan. The trail systems shall be completed with each phase of development. The last building permit in that phase of development and building permits in next phase of development will not be issued until the required improvements are completed.

- 6) The trail system shall be open to the public and an access easement to the trail system shall be shown on final plat. The sidewalks and walking trails must be designed and constructed per the City Codes.
- 7) The owner shall be responsible for improving 191st Street between U.S. 169 Hwy and Theden Street.

CLAIRIFICATION OF RECOMMENDATION #3:

Planning Commission members,

This is a clarification on item #3 under recommendation. The recommendation should state that the developer is responsible for any repairs to 191st Street from Hwy 169 to Theden Street during the maintained bond timeframe for Dayton Creek, 7th Plat.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

Recommendation:

Staff recommends approval of the Final Plat (PLAT-000017-2020), Dayton Creek, 7th Plat, a Subdivision of Spring Hill, KS, Johnson County, KS, Subject to:

- 1) The applicant shall plant landscaping in accordance with the staff approved landscape plan. The trail systems shall be completed with each phase of development. The last building permit in that phase of development and building permits in next phase of development will not be issued until the required improvements are completed.
- 2) The trail system shall be open to the public and an access easement to the trail system shall be shown on final plat. The sidewalks and walking trails must be designed and constructed per the City Codes.
- 3) **The owner shall be responsible for improving 191st Street between U.S. 169 Hwy and Theden Street.**

Suggested Motion: Move to recommend approval of Final Plat application PLAT-000017-2020 for Dayton Creek, 7th Plat, including conditions 1-3 as presented in the staff report.

Attachments: 1. Final Plat

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Ms. Squire seconded by Mr. Erhart to approve the Final Plat (PLAT-000017-2020) for Dayton Creek, 7th including conditions 1-3 as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Aye

Motion carried 7-0-0

9. Site Plan (SP-000013-2020) – Peach State Roofing

**SPRING HILL PLANNING COMMISSION
SITE PLAN STAFF REPORT**

Case #: SP-000013-2020 **Meeting Date:** June 4, 2020

Description: Site Plan – Peach State Roofing
Location: 19069 Madison St.
Applicant: K&S Realty
Engineer/Architect: Abeln & Associates Architects, P.A. – Mark Abeln
Site Area: 1.0 Acres +/-

Minimum Lot Area: N/A **Related Case:**

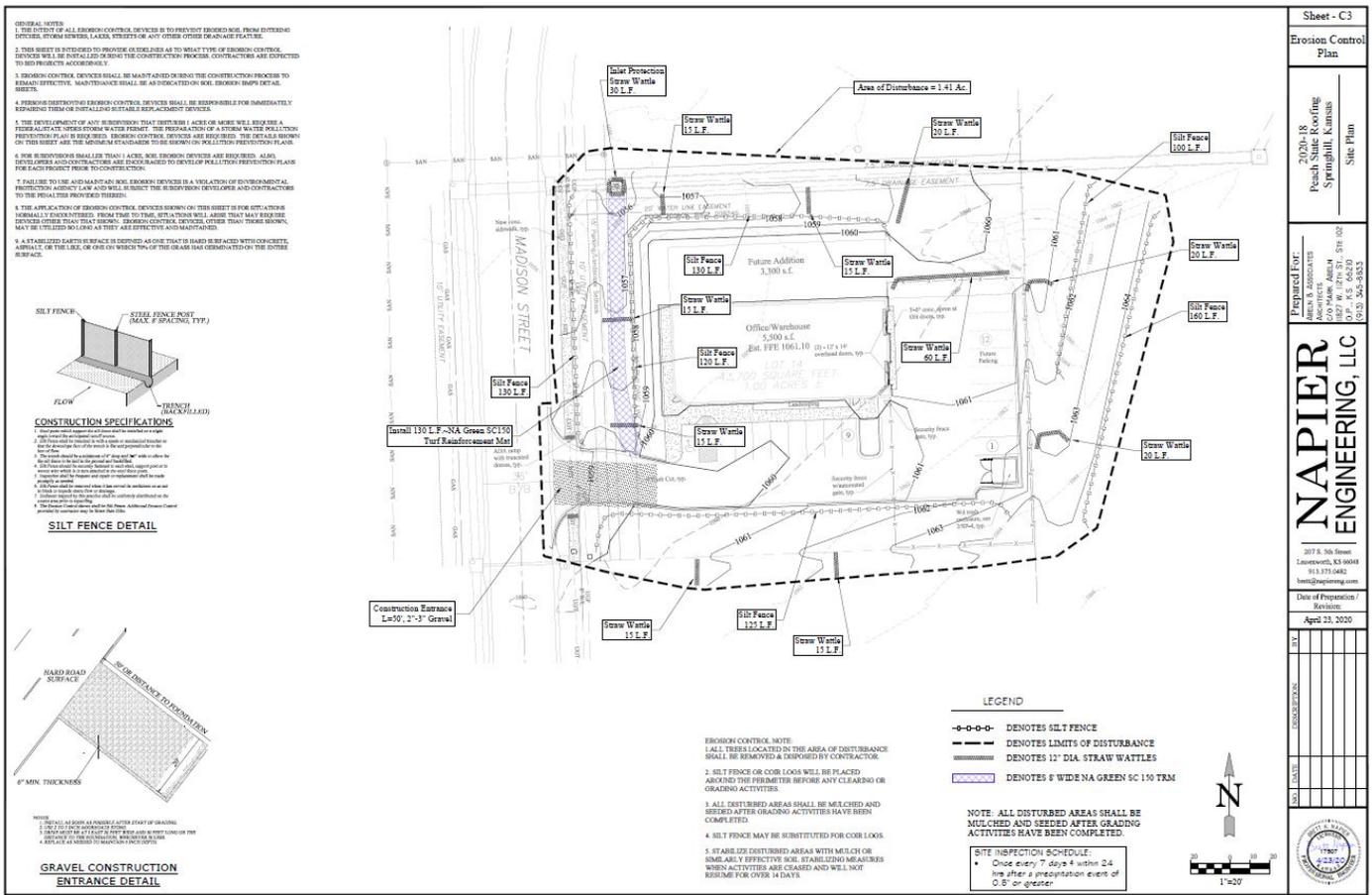
Current Zoning: C-2 **Proposed Use:** Commercial Office/Warehouse

	Current Zoning	Existing Land Use	Future Land Use Map
Site:	C-2	Agricultural	Mixed - Use Commercial

North:	M-1	Agricultural	Industrial
South:	C-2	Vacant	Mixed-Use Commercial
East:	C-2	Vacant	Mixed-Use Commercial
West:	C-2	Vacant	Mixed-Use Commercial

Proposed Use: Commercial C-2

Site Location



BACKGROUND: THE APPLICANT, K&S REALTY, HAS SUBMITTED A REQUEST FOR APPROVAL OF A SITE DEVELOPMENT PLAN AT 19069 MADISON ST. THE PROJECT CONSISTS OF A 5500 SQ. FT. NEW BUILDING, NEW ASPHALT PARKING, FENCING, LIGHTING AND LANDSCAPING.

STAFF REVIEW:

Staff has reviewed the site plan under the requirements of Section 17.340 of the Spring Hill Zoning Ordinance as follows:

- All lot lines and right-of-ways are identified
- All proposed structures with applicable data are identified until building permit stage.
- All parking and traffic areas have been identified and the type of surface and base course identified
- Utilities are available, identified, and in compliance with regulations
- Exterior lighting on the proposed structure will be reviewed with the building permit application. Manufacturer information on the fixtures will be reviewed by staff.
- Consultants, utility providers, and city staff have reviewed the site plan and provided comments. These comments and recommendations have been and will be implemented into the site plan as applicable.
- New storage areas will be enclosed with chain-link fence.

STANDARDS OF REVIEW

In addition to the above noted items the site plan has been reviewed for compliance with the following standards:

1. *The extent to which the proposal conforms to the provisions of the Code*

The proposed use follows the Spring Hill Zoning Code.

2. *The extent to which the proposal conforms to the provisions of the Spring Hill Subdivision Regulations.*

The site follows the Spring Hill Subdivision Regulations.

3. *The extent to which the development would be compatible with the surrounding area.*

The project is compatible with the surrounding area which is industrial in use.

4. *The extent to which the proposal conforms to the recommendations of the Spring Hill Comprehensive Plan including but not limited to the Vision Plan, the Community Development Recommendations, and the Planning and Principles and Design Guidelines.*

The proposed site plan and use meets the C-2 requirements with staff and consultant comments implemented.

5. *The extent to which the proposal conforms to customary engineering standards used in the City.*

The overall project has been designed by recognized and licensed architects and engineers

ADDITIONAL REVIEW CRITERIA:

1. A stormwater study was provided with the application and was reviewed by City Engineer. Comments from this review were forwarded to the design team and changes are being implemented into the design as applicable.
2. Site plan indicates 8 parking stalls and 1 Handicap. The code requires 4 and 1. This is following the required 1 per 1500 sq. ft. of building square footage required by the zoning code.
3. The erosion control plan is identified with in the excavation plans submitted to the City Engineer. Since the size of the area that is being disturbed is greater than one acre, the applicant has submitted a Notice of Intent for storm water discharges associated with construction activity under the National Discharge Elimination System and the City Engineer.
4. The required detention basin is an area basin along Hwy 169 for the plat.
5. Park fee in the amount of \$4,370.00 will be due at time of issuing building permit.

Planning Commission Review and Action: Upon review of the site plan application the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

RECOMMENDATION:

It is the recommendation of staff that the Planning Commission recommend approval of site plan SP-000013-2020, for the Peach State Roofing Site Development Plan.

Suggested Motion: Motion to recommend approval of site plan application SP-000013-2020, for Peach State Roofing, as presented by staff.

Attachments: Site Development Plan

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Motion by Mr. Erhart seconded by Mr. Mitchell to approve the Site Plan (SP-000013 -2020) for Peach State Roofing as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Aye
Motion carried 7-0-0

10. Site Plan (SP-000005-2020) – Boulder Springs Community Pool

APPLICANT WITHDREW APPLICATION

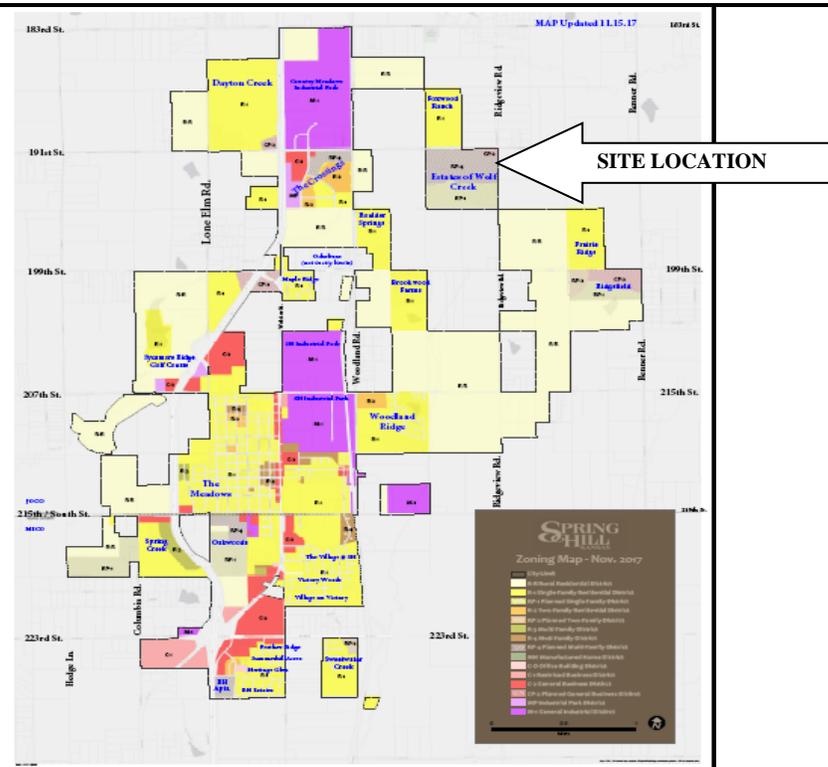
11. Final Plat (PLAT-000003-2020) and Site Plan (SP-000010-2019) – Cedar Hills Early Childhood Center

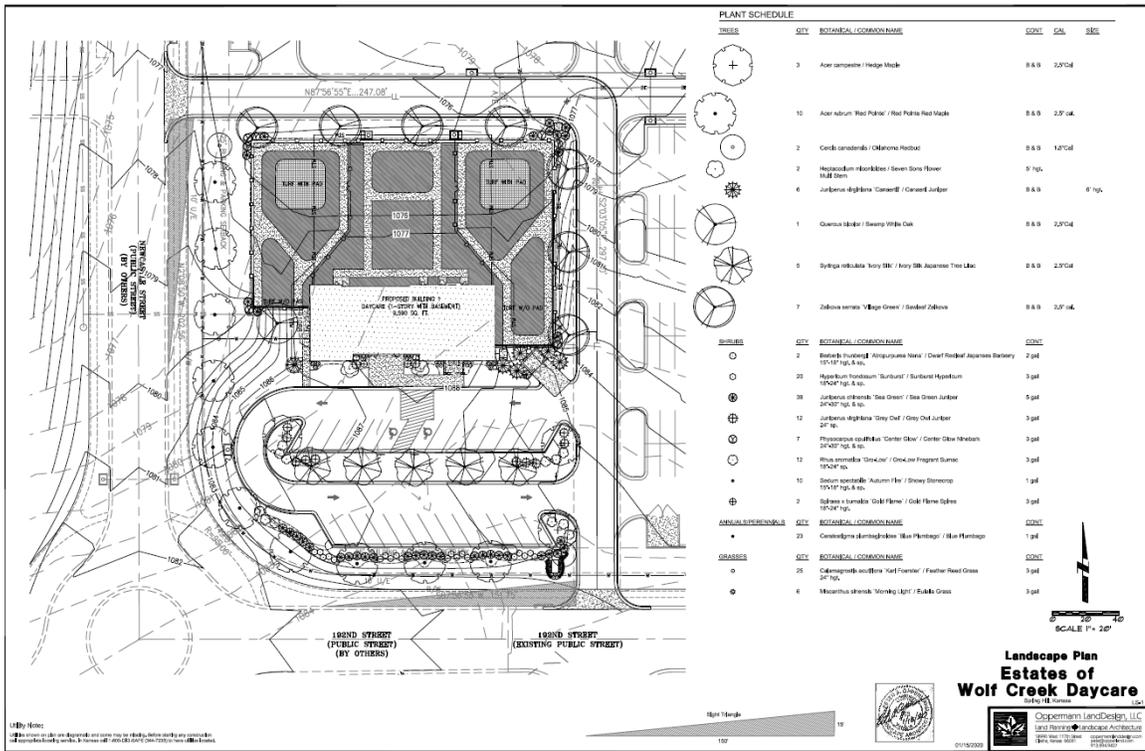
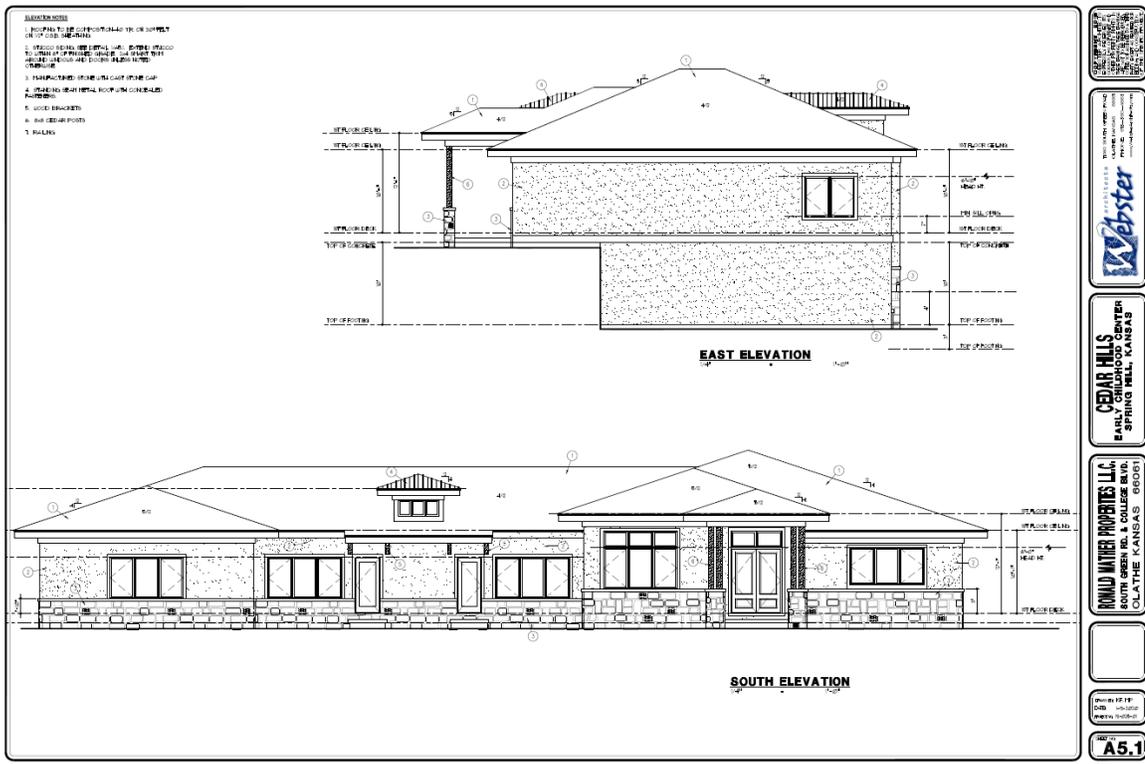
Beginning of Staff Report

**SPRING HILL PLANNING COMMISSION
FINAL DEVELOPMENT PLAN AND FINAL PLAT STAFF REPORT**

Case #: Plat-000003-2020 **Meeting Date:** June 04, 2020
Description: Proposed Final Development of Lot 1 and Final Plat
Location: South of 191st Street and west of Ridgeview Road
Applicant: Ronald A. Mather **Owner:** 191st Street Investors
Engineer: Phelps – J. Claussen / Harold Phelps
Current Zoning: “CP-2”
Site Area: 10.21 +/- acres **Number of Lots:** 4

Proposed Use: CP-2 - Planned General Business District





Background:

AN APPLICATION HAS BEEN RECEIVED FOR THE FINAL DEVELOPMENT PLAN AND FINAL PLAT OF A 10.21 AC. LOCATED AT THE SOUTHWEST CORNER OF 191ST & RIDGEVIEW ROAD. THE PROPERTY IS CURRENTLY ZONED CP-2 (PLANNED GENERAL BUSINESS DISTRICT). THE PRELIMINARY DEVELOPMENT PLAN AND SITE PLAN WERE APPROVED AT THE OCTOBER 2020 PLANNING COMMISSION MEETING.

STAFF COMMENTS:

The Planning Commission approved the preliminary development plan and site plan after changes were made by the request of the Planning Commission. The PC required the C-Store to be relocated on a lot on 191st Street further away from the elementary school. The revised plan was re-submitted to the PC in October 2020, and the PC approved the preliminary development plan and the site plan.

The review comments from the government agencies, consultants and utility providers have been implemented as applicable on the new Final Plat. The applicant and their engineer have addressed all of the provided comments. Additional easements may be required to accommodate the improvements

The right-of-way and utility easements are shown with dimensions meeting the minimum requirements for the City and affected utility providers. Additional easement requirements will be looked at and may be required on the Final Plat when the design of utilities is completed.

The City will provide sewers, and WaterOne will provide water to the subdivision.

The excise tax will be calculated and paid before Final Plat is recorded and the park impact fee will be collected at the building permit stage

The proposed final plat and subdivision does comply with the Comprehensive Plan.

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application, the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

RECOMMENDATION: Staff recommends approval of the Final Development Plan and Final Plat in the CP-2 (Planned General Business District) of the Estates of Wolf Creek.

Attachments: 1. Final Plat

End of Staff Report

Mr. Patrick Burton presented the staff report as outlined above.

Commissioners stated concerns on traffic increase in the area.

Motion by Mr. Mitchell seconded by Mr. Erhart to approve the Final Development Plan and Final Plat (SP-000010 -2019 and PLAT-000003-2020) for Cedar Hills Early Childhood Center as presented by staff.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye, Erhart-Aye

Motion carried 7-0-0

DISCUSSION

REPORTS

12. The following item(s) related to Community Development were approved at the May 14, 2020 City Council meeting:

- Final Plat – Brookwood Farms, 5th

13. The following item(s) related to Community Development were approved at the May 28, 2020 City Council meeting:

- Site Plan – Spring Hill Middle School #3
- Consumer Fireworks Retail Sales Permits Approved:
 - FS-000177-2020, Fireworks Mania Superstore
 - FS-000187-2020, Jakes Fireworks, Inc.
 - FS-000190-2020, Pyro Papas
 - FS-000191-2020, Pyro Papas
 - FS-000188-2020, Eddie’s Discount Fireworks
 - FS-000189-2020, Dale Shay

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

ADJOURN

Motion by Mr. Welsh, seconded by Mr. Erhart, to adjourn.

Roll Call Vote: Dobson- Aye, Welsh- Aye, Sly-Aye, Mitchell- Aye, Pollom-Aye, Squire-Aye

Motion carried 7-0-0

The meeting adjourned at 9:41 p.m.

**SPRING HILL PLANNING COMMISSION
FINAL PLAT STAFF REPORT**

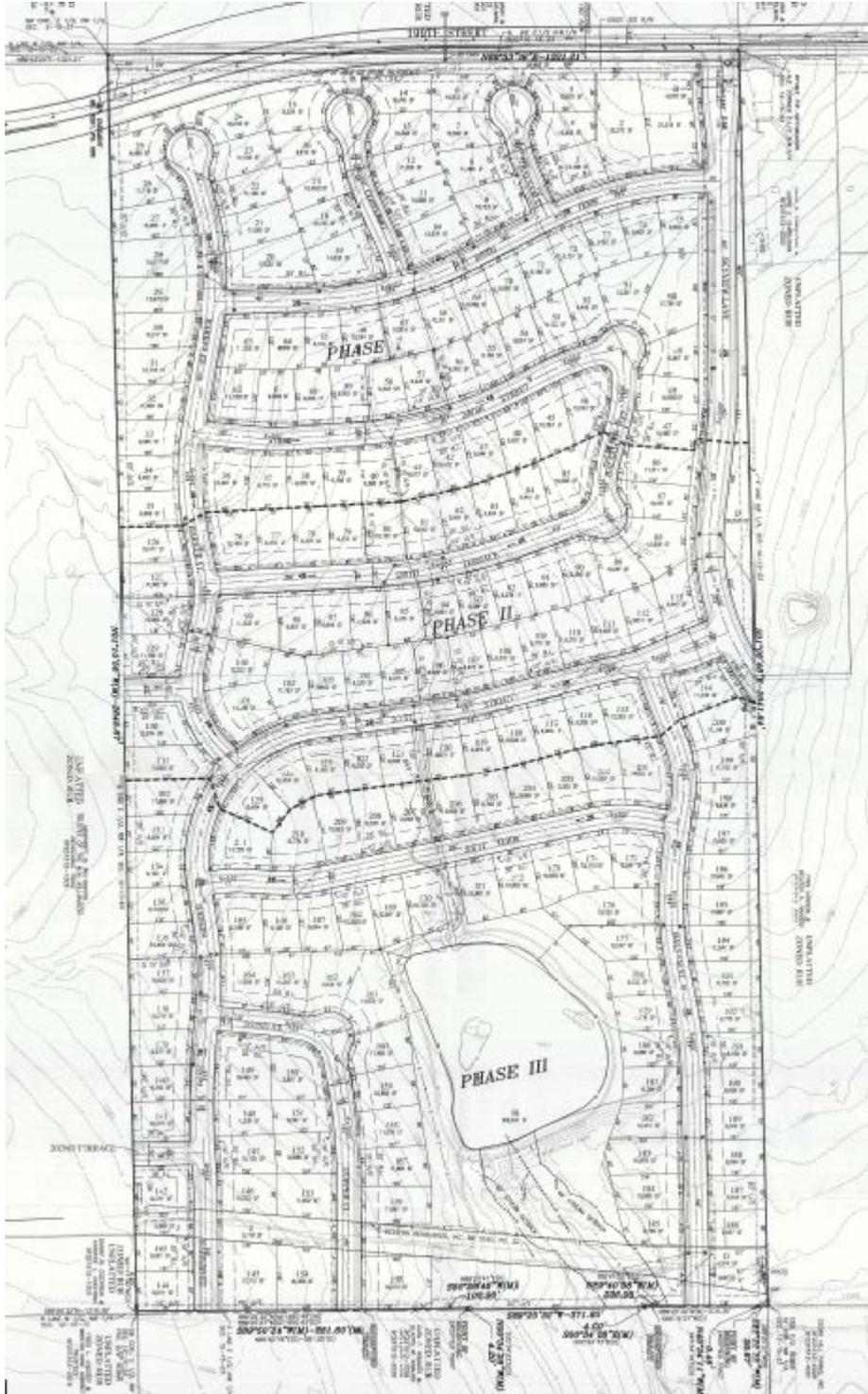
Case #: PLAT-000027-2020 **Meeting Date:** September 3, 2020
Description: Final Plat, Brookwood Farms, 6th Plat
Location: 201st Street and Cooper Street
Applicant: Engineering Solutions – Matt Schlicht
Owner: Catch Investments, LLC – Leonard Marks
Site Area: 4.06 acres

Minimum Lot Area: 9,000 sq. ft. **Number of Lots:** 14 Residential Lots

Current Zoning: “R-1” **Proposed Use:** Single-Family Residential

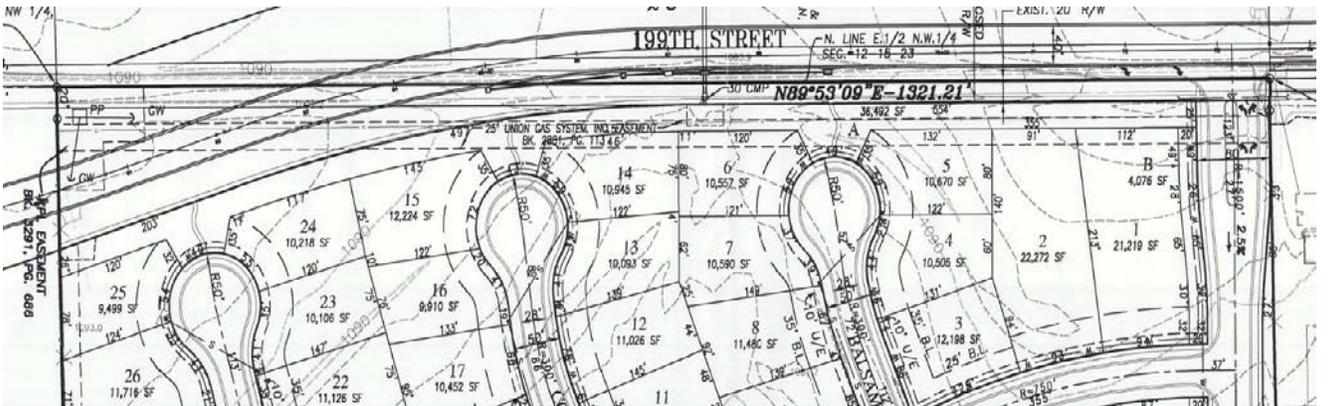
Related Applications: PP-04-05, FP-01-06, FP-04-07, FP-01-08, PP-14, FP-01-14, FP-01-16, FP-07-16, FP-05-18

PRELIMINARY PLAT





6th Plat area





BACKGROUND:

An application has been received for the development of the next phase of Brookwood Farms located on 199th Street, approximately one-half mile east of Woodland Road. Brookwood Farms, Sixth Plat consists of 14 residential lots on 4.06 acres with extensions to Cooper Street. The preliminary plat shows Cooper Street being extended to the south property line. The preliminary plat shows sidewalks to be installed along 199th Street and they have not been installed.

The preliminary plat was approved by the Planning Commission in 2007, then revised in 2014 with some changes to the open space. Staff finds that this final plat does not conform to the preliminary plat. Cooper Street is shown to be extended to the south property line. Follow up is in the staff comment section of this report. The preliminary plat is included with-in this staff report.

STAFF COMMENT:

Brookwood Farms, Sixth Plat, consists of 14 residential lots. Staff finds the final plat not to be in compliance with the previously approved preliminary plat (PP) and offers the following review of Section 17.372.D of the Spring Hill Subdivision Regulations:

1. Cooper Street is shown on the PP to be extended to the south property line of the subdivision to connect into future development to the south. Street needs to end at property line with a temporary turn-around installed.
2. Install sidewalk along 199th Street as indicated on the preliminary plat. The sidewalk must be installed prior to issuing building permits in this plat.
3. Separate drawings of profiles and cross section of streets and public use areas have been forwarded to the City Engineer for review.
4. The Public Works Director, City Engineer, and various consultants have reviewed the plat.

5. Staff has verified the person or persons name on the plat are the owner(s) of the area subject to the final plat.
6. Staff has verified all due or unpaid taxes have been paid in full.
7. Drainage areas are subject to maintenance of adjoining homeowners or the homeowner's association,
8. Public facilities are adequate and available to the site. An off-site easement description and exhibits for the sanitary sewer across Brookwood Farms, 5th Plat, Tract H. Additional easements are commonly needed.
9. The proposed plat meets the City's design standards for the proposed streets and sidewalks.
10. Fire, police, and school public services will be able to serve this subdivision adequately. The City of Spring Hill will provide sanitary sewer service, and Johnson County Water District Number One will provide water service.
11. Adequate control of storm water through appropriate BMP's have been detailed on drawings submitted to the City Engineer for approval. Additional easements are required where storm sewer is routed down a side lot line. Lots are listed in City Engineer's report.
12. Construction refuse will be disposed of in an appropriate manner,
13. The required Improvement Agreement is being prepared by staff and will be forwarded to the applicant, City Engineer and City Attorney for review and approval. This Agreement will be signed by the applicant prior to consideration of the final plat by the Governing Body. All required excise tax, bonds and insurance documents will be submitted to the City prior to issuance of a Notice to Proceed from the City Engineer.
14. Staff finds the proposed final plat in substantial compliance with the preliminary plat for the subdivision approved by the Planning Commission in 2014, except for Cooper Street extending to property line. The plat is in compliance with the Comprehensive Plan for the City of Spring Hill.
15. In the Tracts/Common Areas description language, must include that the areas are open to public use. If the development does not want the public to use the areas, then the lots are subject to a \$300.00 per lot park impact fee paid at building permit issuance

PLANNING COMMISSION REVIEW AND ACTION: Upon review of the final plat application the Planning Commission may by a majority vote of those members present:

- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action

RECOMMENDATION:

It is the recommendation of staff, that the Planning Commission recommend approval of Final Plat PLAT-000027-2020, Brookwood Farms, 6th Plat as presented by staff.

Suggested Motion: Move to recommend approval of PLAT-000027-2020, Final Plat, Brookwood Farms, 6th Plat, subject to staff report.