PLANNING COMMISSION MEETING AGENDA
THURSDAY, September 5, 2019, 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 6, 2019

2. Rezoning Application (Z-02-19) Mid Am Building Supply

DISCUSSION

REPORTS

3. The following item(s) related to Community Development were approved at the August 8, 2019 City Council meeting:
   • Approval of Final Plat (FP-06-19) for Foxwood Ranch, 2nd Plat
   • Approval of Final Plat (FP-04-19) for Dayton Creek, 6th Plat
   • Approval of Appointment of Community Development Director

4. The following item(s) related to Community Development were approved at the August 22, 2019 City Council meeting:
   • Approval of Site Plan (SP-06-19) for Foxwood Ranch Pool
   • Approval of Change Order No. 2 for Dayton Creek 4th and 5th Plats – Developer proposed to delete chip and seal surface and replace with 2” asphalt.

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF
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).
A Special Meeting Session of the Planning Commission was held at the Community Center, 401 N. Madison St., Spring Hill, Kansas on August 6, 2019. The meeting convened at 7:00 p.m. with Chairman Stephen Sly presiding, and Amy Long, Planning Secretary recording.

Commissioners in attendance: Mary Dobson
Josh Erhart
Roger Welsh
Stephen Sly
Troy Mitchell
Josh Nowlin
Janell Pollom
Cindy Squire

Commissioners absent: Mike Denny

Staff in attendance: Jim Hendershot, City Administrator
Melanie Landis, Assistant City Administrator
Amy Long, Planning Commission Secretary

Public in attendance: Travis Ruf, Clayton Properties Group Inc., developer of Foxwood Ranch
Representative from Phelps Engineering for Foxwood Ranch

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

Mr. Hendershot noted a correction to the agenda that Mr. Mike Denny had not resigned his duties from Planning Commission.

Motion by Mr. Mitchell, seconded by Mr. Erhart to approve the agenda with the correction.


Motion carried 8-0-0

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 July 2, 2019 Regular Meeting

Motion by Mr. Welsh, seconded by Mr. Mitchell, to approve the minutes as presented.
Motion carried 8-0-0

2. Site Plan Application (SP-06-19) – Foxwood Ranch – Pool & Clubhouse

Beginning of Staff Report

SPRING HILL PLANNING COMMISSION
SITE PLAN STAFF REPORT

<table>
<thead>
<tr>
<th>Case #:</th>
<th>SP-06-19</th>
<th>Meeting Date:</th>
<th>August 6, 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description:</td>
<td>Foxwood Ranch Subdivision Community Pool and Clubhouse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Location:</td>
<td>NW Corner of 191st St. and Mahaffie St. – Tract A, Foxwood Ranch, 1st Plat</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Applicant:</td>
<td>Clayton Properties Group, Inc., Lee’s Summit, MO</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Engineer/Architect:</td>
<td>Phelps Engineering – Olathe, KS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Site Area:</td>
<td>4.63 Acres</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Minimum Lot Area:</th>
<th>N/A</th>
<th>Related Case:</th>
<th>Final Plat Foxwood Ranch, 1st Plat</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Zoning:</td>
<td>R-1</td>
<td>Proposed Use:</td>
<td>Community pool, recreational area, parking and club house.</td>
</tr>
<tr>
<td>Current Zoning</td>
<td>R-1</td>
<td>Existing Land Use</td>
<td>Residential</td>
</tr>
<tr>
<td>Site:</td>
<td>R-1</td>
<td>Future Land Use Map</td>
<td>Residential</td>
</tr>
<tr>
<td>North:</td>
<td>R-1</td>
<td>Vacant</td>
<td>Residential</td>
</tr>
<tr>
<td>South:</td>
<td>R-R</td>
<td>Vacant</td>
<td>Open Space</td>
</tr>
<tr>
<td>East:</td>
<td>R-1</td>
<td>Vacant</td>
<td>Residential</td>
</tr>
<tr>
<td>West:</td>
<td>R-1</td>
<td>Being Developed</td>
<td>Residential</td>
</tr>
</tbody>
</table>
Preliminary Plat

FOXWOOD RANCH
A SUBDIVISION IN THE WEST ONE-HALF
OF THE SOUTHEAST QUARTER OF
SECTION 29, TOWNSHIP 14, RANGE 21,
IN THE CITY OF SPRING HILL, JOHNSON COUNTY, KANSAS

SITE LOCATION
Background: The applicant, Clayton Properties, Inc., has submitted a request for approval of a site development plan for a neighborhood pool and clubhouse at the NW corner of 191st Street and Mahaffie Street, in the Foxwood Ranch Subdivision. The clubhouse, parking, recreational area, and pool are proposed on Tract “A” of Foxwood Ranch, First Plat. The track contains 4.63 acres more or less. The clubhouse contains male and female restrooms and a unisex restroom, as well as a great room, multipurpose or flexible room, a covered patio and storage areas. The proposed facility also contains a swimming pool, parking lot and recreation areas. Proposed access to the facility is from Mahaffie Street. The project consists of constructing a 1,400 sq. ft. (approx.) clubhouse building that is shown to have stucco and stone veneer exterior finish along with composition shingle roof. The fully fenced pool area consists of the main pool, kid’s pool, a shade structure, slide, concrete deck and drainage facilities. The remainder of the project shows sidewalks and a playground area. This facility will be owned and maintained by the Foxwood Ranch Homeowners Association.

STAFF REVIEW:
1) All lot lines, easements and R/W lines are identified.
2) All proposed structures and uses are identified.
3) The parking lot has 20 standard parking spaces and 1 ADA H/C spaces. This amount of parking is compliant with code requirements.
4) Type of materials to be used for the parking lot is shown and compliant with code.
5) The storm water discharge from this site has been reviewed by the City Engineer.
6) The landscape shown on the plan exceeds the required landscape per the code.
7) There is no exterior lighting shown for the facility.
8) Fencing is shown enclosing the pool area as required.

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 is in compliance with the Spring Hill Zoning Code. Neighborhood pools are allowed without a conditional use permit when approved on the preliminary plat. This location and facility were identified and approved along with the preliminary plat in 2017.

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 designed to service the 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.

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, staff and consultants have reviewed the site plan.
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. Utilities are available.
2. The pool must be reviewed, inspected and approved by the JOCO Health Department.
3. 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 as applicable.

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-06-19 for the Foxwood Ranch Pool and Clubhouse Facility.

Suggested Motion: Motion to recommend approval of Site Plan application SP-06-19 for Clayton Properties, Inc. as presented by staff.

Attachments: Site Development Plans
Elevations

End of Staff Report
Mr. Jim Hendershot presented the staff report as outlined above.

Mr. Mitchell asked if there was any outside lighting. Mr. Hendershot stated there was not any shown on the site plan.

Mr. Nowlin asked if there are any specific items that should be noted that were provided by staff and consultants. Mr. Hendershot said there were no outstanding comments to be rectified. All comments were implemented on the site plan.

Motion by Mr. Welsh, seconded by Mr. Nowlin to recommend approval of Site Plan Application (SP-06-19)
Motion carried 8-0-0

DISCUSSION

3 Capital Improvement Program (CIP) Review for 2020-2024

Jim Hendershot discussed the 2020-2024 Capital Improvement Program (CIP). The CIP serves as a guide to 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.

One of the items listed on the 2020 budget is improvements to the existing Spring Hill Aquatic Center. For example, the reconstruction of the slide on the east side. It has not been operational for 2 years. The City asked the patrons of the pool if they would like to see something else put its place or fix the existing slide. Some of the recommendations were a splash park, lap pool area, etc. Even when the slide was operational, it was not used very much. Mr. Sly asked what happened to the slide to cause it to not be operational for 2 years. Mr. Hendershot stated that the material used as the slides surface has turned loose. The slide is out of warranty and the cost to repair it would be approximately $75,000.

Ms. Squire stated she doesn’t see a budgeted item for sidewalks and asked why it had been removed from the CIP. Melanie Landis, Assistant City Administrator said money has been allocated for a sidewalk plan in 2019 and then in a proposed plan for construction based on that study.

Mr. Nowlin stated the sidewalks needed to be added to CIP. Ms. Pollom made a statement the sidewalks used to be on CIP. Ms. Landis stated it was removed in the last couple of years due to no plan or funding for it.

Mr. Erhart would like to see sidewalk study worked in with the comprehensive plan and park study update.

Ms. Squire asked if City could reach out to K-State and/or University of Kansas to have college students do a study for sidewalks.

Ms. Pollom stated that in the future maybe sidewalks become a requirement for builders in subdivisions. Ms. Pollom said sidewalks were added at and around the new school in Olathe and would like to see the City of Spring Hill require something like that in the future.

Mr. Sly made a request for Staff to research what was required by the City of Olathe to have the sidewalks installed.

Ms. Squire recommended the sidewalk program be added to CIP on an annual basis beginning in 2020 and the rehabilitation of Webster St. be moved up from 2023 to 2020. Ms. Landis stated that moving the Webster St. program to 2020 it would be unfunded as the 2020 items already have funding in place. More than likely become an item for 2021.

Motion by Ms. Squire, seconded by Mr. Mitchell to approve the 2020-2024 Capital Improvement Plan with recommended changes that a sidewalk program be added on an annual basis for 2020 and rehabilitation of Webster St. be moved up from 2023 to 2020, as being in compliance with the Spring Hill Comprehensive Plan.


Motion carried 8-0-0

REPORTS

4. The following item(s) related to Community Development were approved at the July 11, 2019 City Council meeting:
   • There were no related items on this agenda

5. The following item(s) related to Community Development were approved at the July 25, 2019 City Council meeting:
   • Approval of Site Plan (SP-04-19) for Dayton Creek, 6th Plat
   • Approval of Conditional Use Permit (CU-2019-0002) for Dayton Creek, 6th Plat
ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

- Mr. Hendershot said a review of the chip & seal vs. 2 in. overlay requirements will be brought to Commissioners in September.

- Review on micro distillery’s, pawn shops and signs to be added to discussions within the next few months.

- Mr. Hendershot announced that Assistant City Administrator for Community Development and Public Works has been divided into Community Development Director and a Public Works Director.

ADJOURN

Motion by Mr. Welsh, seconded by Mr. Mitchell, to adjourn.
Motion carried 8-0-0

The meeting adjourned at 8:27 p.m.
SPRING HILL PLANNING COMMISSION
REZONING STAFF REPORT

Case #: Z-02-19  Meeting Date: September 5, 2019

Description: Proposed Rezoning from C-1 (Restricted Business District) to M-1 (General Industrial District)

Location: Southeast corner of 207th and Webster Street

Applicant: Knaebel’s, Inc. – Jon Rakers

Owner: Knaebel’s, Inc. – Jon Rakers

Engineer: George Butler Associates, Inc. – Craig Rogge

Current Zoning: C-1  Proposed Zoning: M-1

Site Area: 3.11 Acres +/- 14.66 Overall Acres  Number of Lot(s): 1

<table>
<thead>
<tr>
<th>Current Zoning</th>
<th>Existing Land Use</th>
<th>Future Land Use Map</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site: C-1</td>
<td>Vacant</td>
<td>Mixed - Use Commercial</td>
</tr>
<tr>
<td>North: 207th Street / vacant lot and the fire department</td>
<td>Vacant / fire department</td>
<td>Mixed - Use Commercial</td>
</tr>
<tr>
<td>South: R-1, C-2 &amp; M-1</td>
<td>Single family resident / A&amp;M industrial trailer storage</td>
<td>Industrial / Mixed - Use Commercial</td>
</tr>
<tr>
<td>East: M-1</td>
<td>Manufacturing / Storage</td>
<td>Industrial</td>
</tr>
<tr>
<td>West: C-2</td>
<td>Vacant &amp; Commercial</td>
<td>Mixed-Use Commercial</td>
</tr>
</tbody>
</table>

Proposed Use: Industrial M-1
Site Location
AREA ZONING (CITY)

Site Location

M-1

C-2
FUTURE LAND USE

Site Location

Legend
- Parkway
- Major Arterial
- Minor Arterial
- Collector
- Olathe Annexation Agreement
- Highway Buffer Zone
- Conservation Areas
- Rural Areas
- Residential
- Mixed-Use Residential
- Mixed-Use Commercial
- Institutional
- Industrial
- Park
- Golf Course
- Potential
- Regional Park
**BACKGROUND:** An application has been received for rezoning of a 3.1 +/- acre tract of land located at the southeast corner of 207th St. and Webster Street. The property is currently zoned C-1 (Restricted Business District) with a requested zoning change to M-1 (General Industrial District). In early 2016 Mid-Am expanded their operation with a project that consist of a stormwater detention basin with connecting piping, private access road, gravel outside storage area, fencing, lighting and landscaping. They need to rezone the remainder of their property for possible future expansion once more.

All required public notifications and publications have been completed along with posting of public hearing signs at the property. To date staff has received no public comment on the application.

**PROOF OF ADEQUATE FACILITIES:**

Adequate facilities are available to the site as follows:

- Sanitary sewer main is available on site
- Water to be supplied by City of Spring Hill.
- Storm water drainage.
- Sanitary sewer by City of Spring Hill
- Other utilities are available to the site with coordination with the providers

**REZONING:**


1. **Consistent with purposes of the regulations and intent and purpose of the proposed district:** The proposed use of construction sales, storage lot and service are consistent with the purposes of the M-1 regulations and intent and purpose of the proposed district.

2. **Neighborhood Character:** As shown on the images in this report, the adjacent areas to the north, east and southeast are existing industrial zoned property with industrial type uses in place. Immediately to the east is Webster Street. There is a residential property south.

3. **Zoning and uses of nearby parcels:** As shown on the Area Zoning City map on page 4 of this report, the properties surrounding the subject property are zoned; M-1 to the north, east, and southeast. There is mixed zoning of C-2 and R-1 directly south that is surrounded on the east and south with M-1 zoning.

4. **Requested because of changing conditions:** Request is based on business opportunities determined by the applicant with use of the remainder of the parcel to be the same.

5. **Suitability of parcel for uses restricted by the current zone:** The current zoning of C-1 (Mixed - Use Commercial) was placed on the property as a result of a city-wide zoning. Rezoning to an industrial district would allow the use of the remainder of the property to coincide with the business uses on the other portion of the property.

6. **Suitability of parcel for uses permitted by the proposed district:** The proposed zoning change would result in consistent zoning for the entire parcel. The M-1 zoning district is suitable for the proposed use of a construction sales, storage and service facility.

7. **Detrimental Effect of Zoning Change:** No detrimental effects are anticipated because the rest of the parcel has M-1 zoning.

8. **Proposed amendment corrects an error:** No error(s) are being corrected.
9. **Length of time property has been vacant:** This property is undeveloped but has had dirt work and landscape installed in 2016-2017.

10. **Adequacy of current facilities:** All utilities are adequate and available to the properties with limited extensions required. Entrance into this part of the parcel was installed in 2016-2017 construction.

11. **Conformance with Comprehensive Plan.** As shown on the Future Land Use map on page 5 of this report, the Comprehensive Plan identifies this area as Mixed - Use Commercial. It is staff’s opinion this designation as Mixed - Use Commercial is inconsistent with the character and development of the other portion of this parcel and the surrounding area. In addition, the exist area that is zoned C-1 is limited in size that will further hinder the commercial use development of subject property.

12. **Hardship if application is denied:** The issue of hardship can be better addressed by the applicant and owner. The major portion of the parcel has an existing M-1 zoning designation and use.

**ADDITIONAL REVIEW COMMENTS:**

Staff distributed the rezoning application to various consultants and City staff for comment. Any applicable comments have been addressed by the applicant.

Due to the location and size of the property along with the major portion of the parcel is designated M-1 zoning, it is staff’s opinion that future development of this property to anything other than industrial is unlikely. It is also staff’s opinion that the highest and best use of this portion of the property is industrial.

**ALTERNATIVE ACTION:** Alternatives for action by Planning Commission include:

- **Approval of application** with final action by the Governing Body on September 26, 2019, subject to the protest period and petition as provided by Section 17.364.1 of the Spring Hill Zoning Regulations, or
- **Denial of application** with final action by the Governing Body on September 26, 2019, subject to the protest period and petition as provided by Section 17.364.1 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.

**RECOMMENDATION:** Staff recommends approval of rezoning application Z-02-19 from C-1 (Restricted Business District) to M-1 (General Industrial District).

*Suggested Motion: Motion to recommend approval to the Spring Hill Governing Body for rezoning application Z-02-19 from C-1 to M-1 as presented by staff.*