

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. 207th St.

Applicant: Samuel Abbott

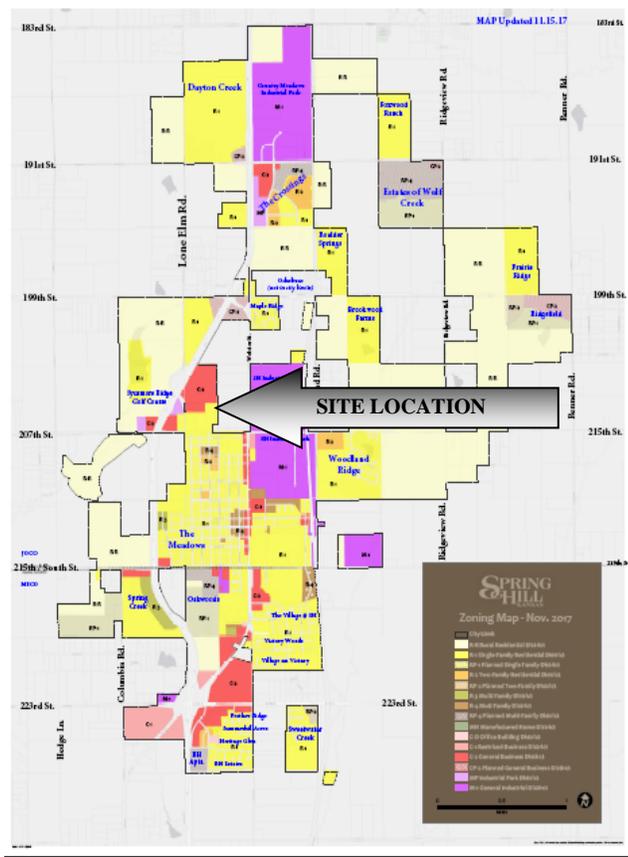
Engineer: Allenbrand-Drews Engineering

Site Area: North side of 207th Street

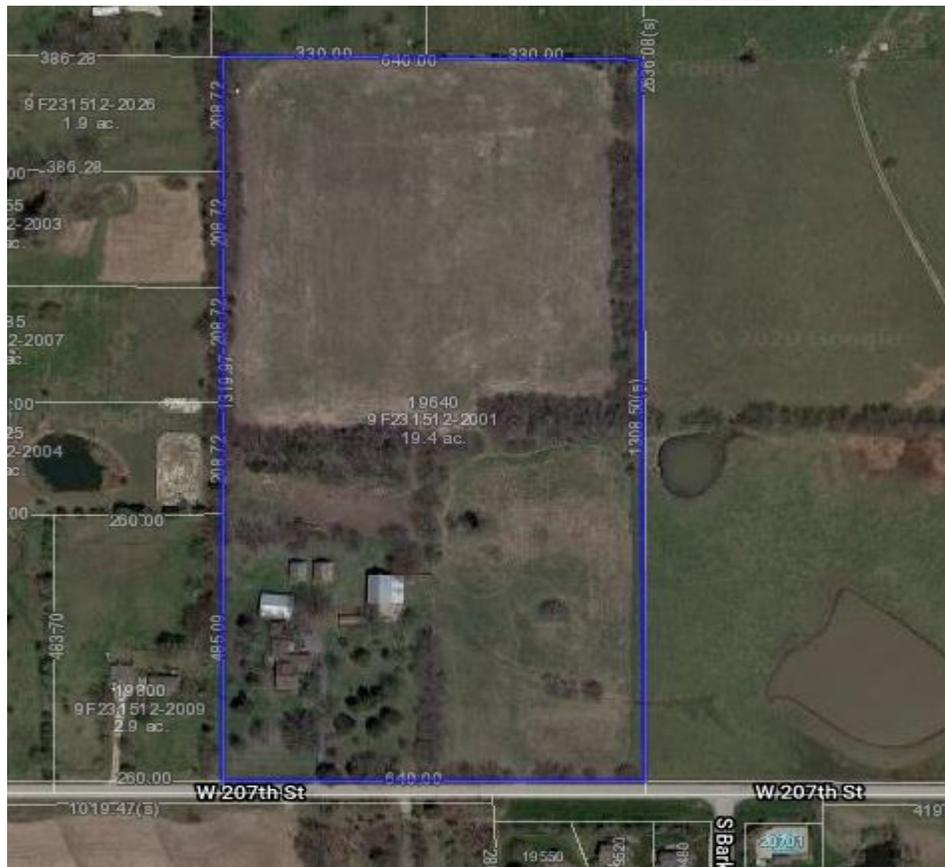
Total Lot Area: **Proposed Number of Lots:**

Current Zoning: R-R (Rural Residential) **Proposed Use:** Residential

Related Applications: Annexation Ord. 2020-02



AERIAL



SURVEY

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

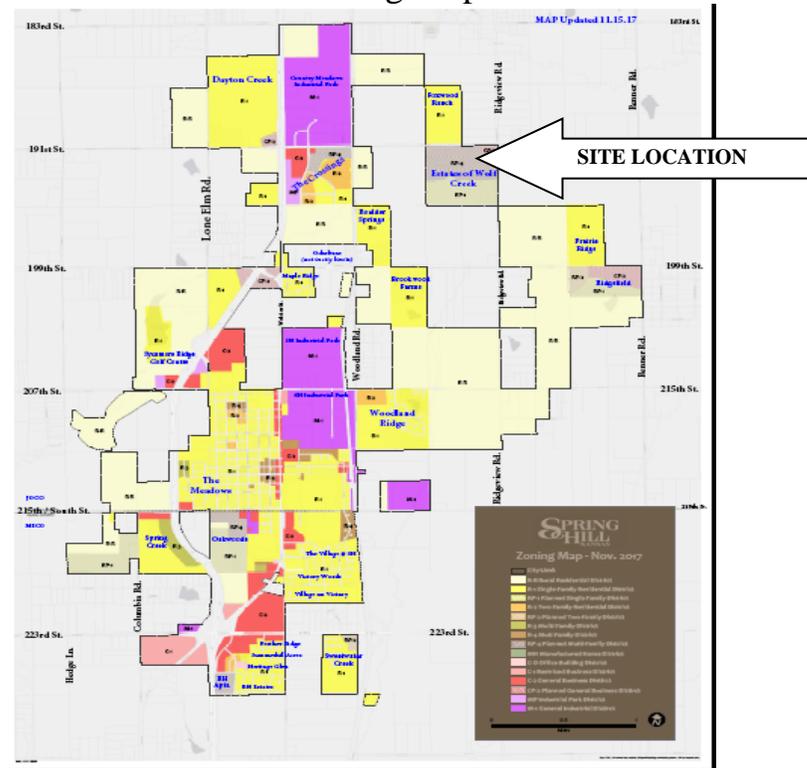
Beginning of Staff Report

**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 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

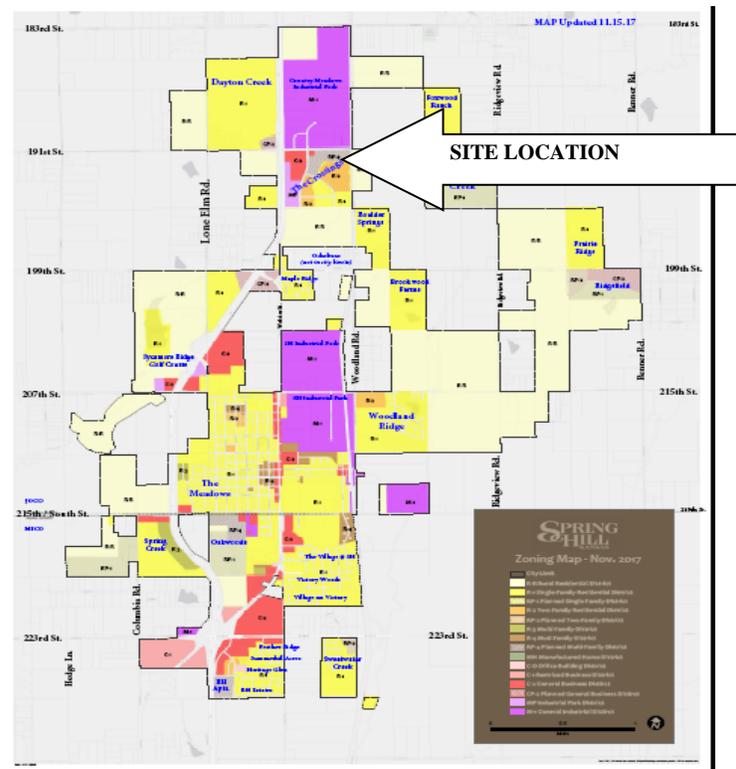
Engineer: RIC

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 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

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

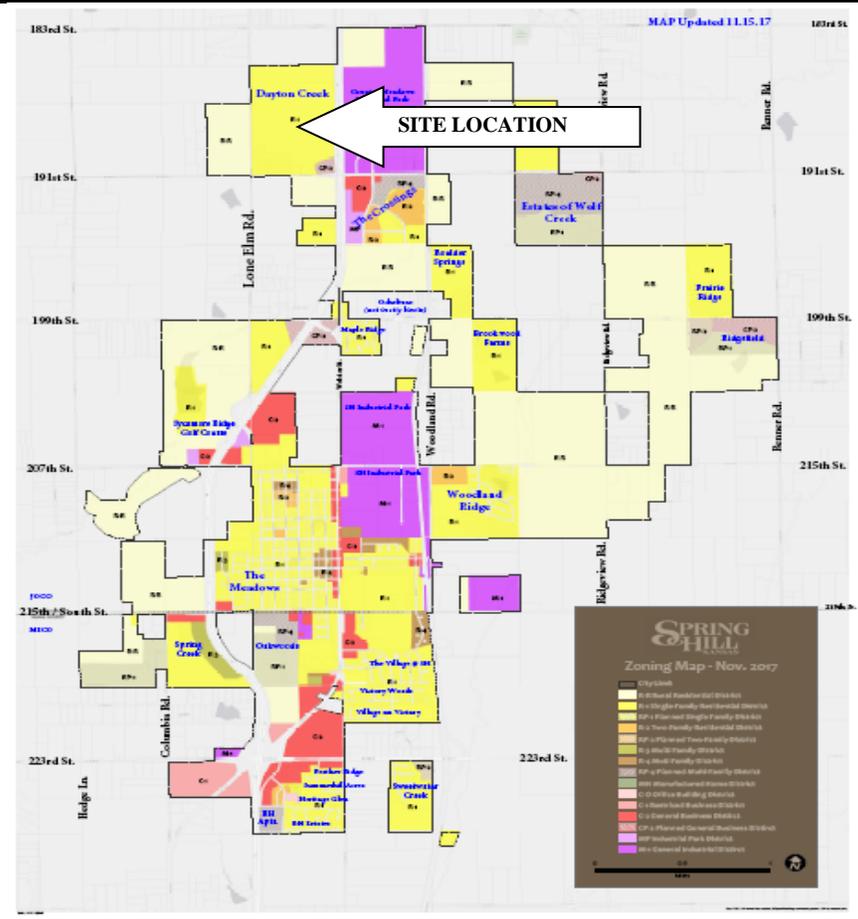
Motion carried 7-0-0

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:**

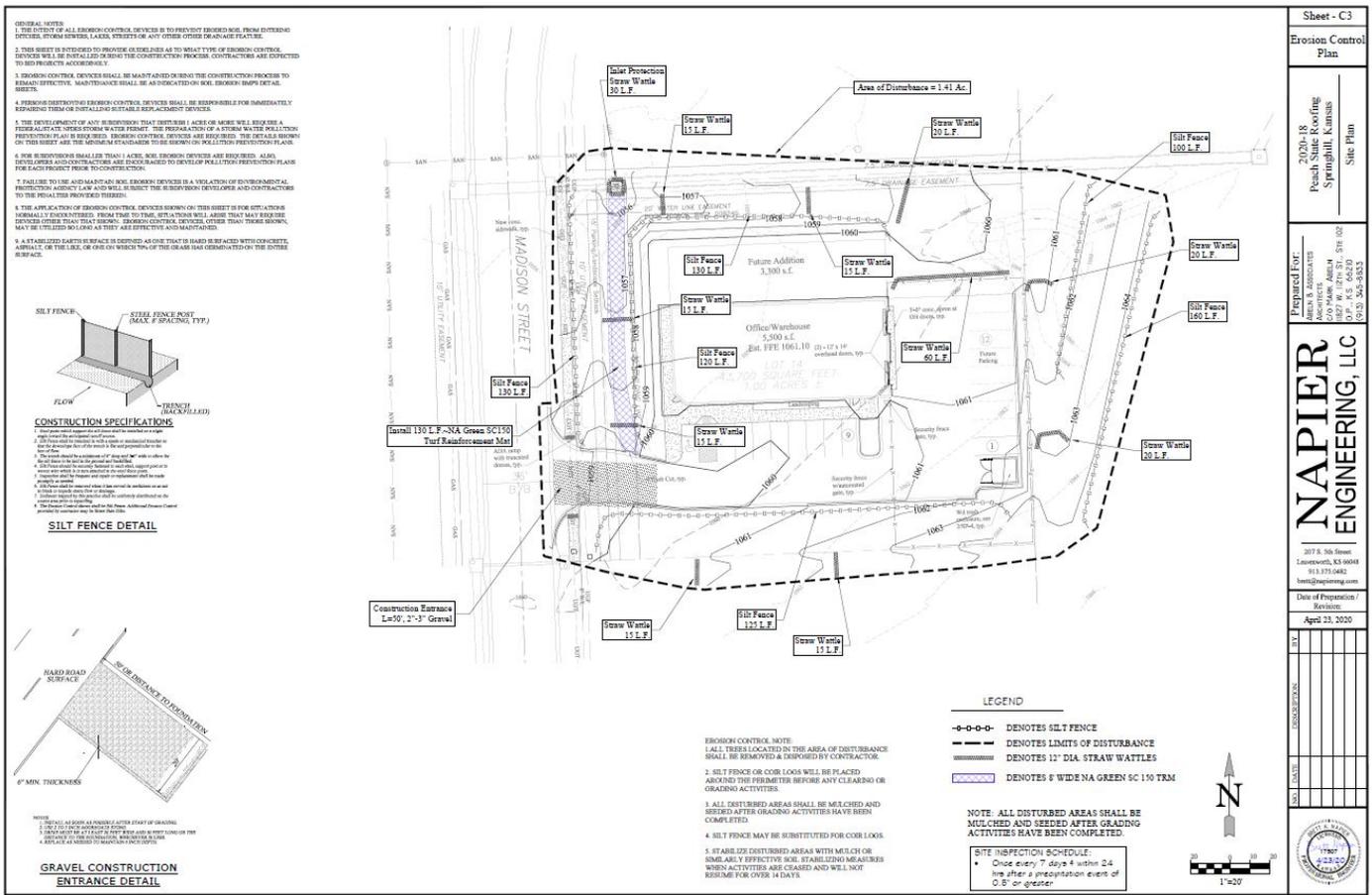
Current Zoning: C-2 **Proposed Use:** Commercial Office/Warehouse

	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

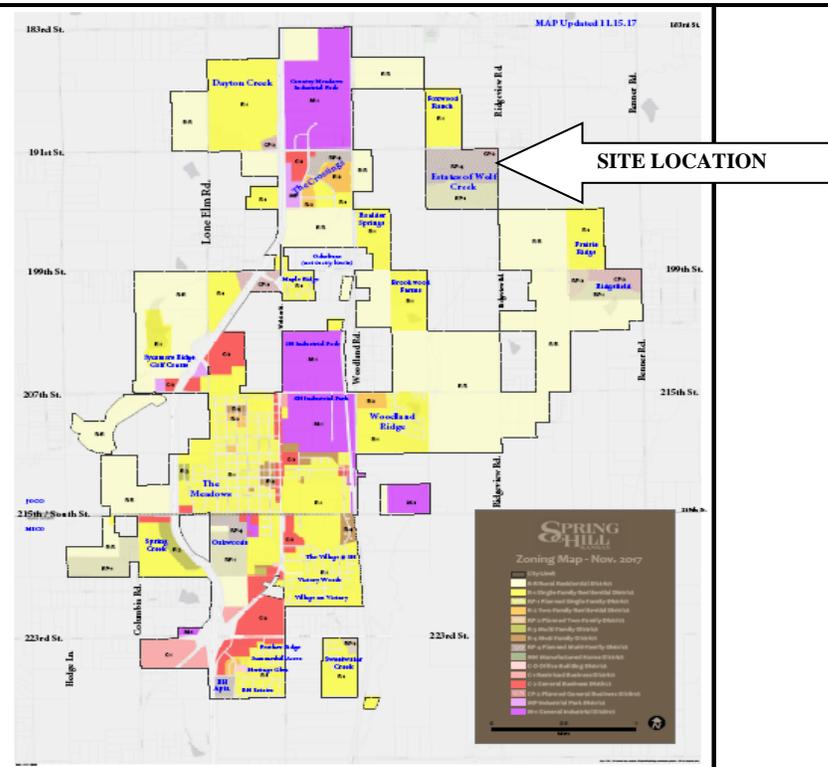
11. Final Plat (PLAT-000003-2020) and Site Plan (SP-000010-2019) – Cedar Hills Early Childhood Center

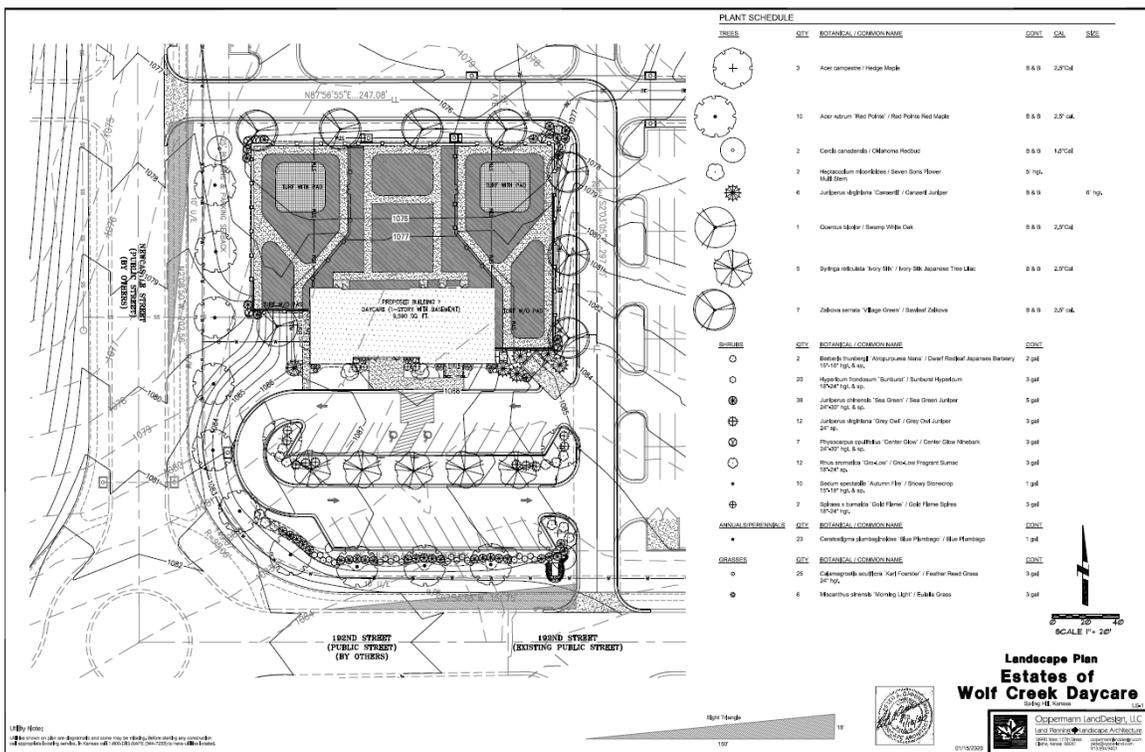
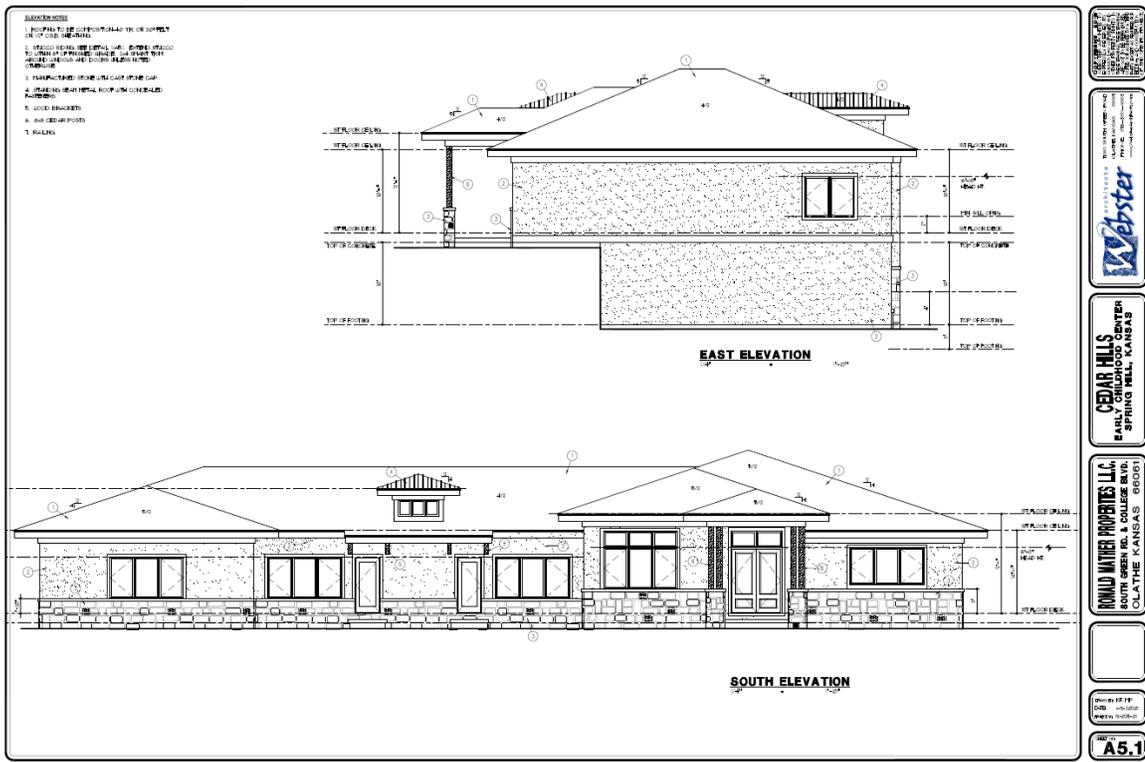
Beginning of Staff Report

**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.