

**City of Spring Hill, Kansas**  
**Minutes of Planning Commission Regular Session**  
**January 7, 2016**

A Regular Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on January 7, 2016. The meeting convened at 7:00 p.m. with Chairman Stephen Sly presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance:           Stephen Sly  
  Troy Mitchell  
  Josh Nowlin  
  Janell Pollom  
  Paul Ray – arrived at 7:03 p.m.  
  Cindy Squire  
  Tyler Vaughan  
  Michael Weber

Commissioners absent:                 Tobi Bitner

Staff in attendance:                   Jim Hendershot, Community Development Director  
  Christie Campbell, Planning Secretary

Public in attendance:                 Mr. Robert Cummins, Representative for RLC Management  
  Mr. Jeff Skidmore, Engineer, Schlagel & Associates, P.A.  
  Mr. Robert Wiltshire, Representative for RLC Management  
  Mr. Jack Meyers, General Public

**ROLL CALL**

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

**APPROVAL OF THE AGENDA**

**Motion** by Ms. Squire, seconded by Mr. Weber, to approve the agenda with Item 3-Preliminary Plat (PP-01-15) be tabled.

**Roll Call Vote:** Nowlin-Aye, Mitchell-Aye, Sly-Aye, Weber-Aye, Pollom-Aye, Vaughan-Aye, Squire-Aye

**Abstain:** Ray-arrived after roll call vote

**Motion carried 7-0-1**

**FORMAL ACTION**

**1. Approval of Minutes: December 3, 2015**

**Motion** by Mr. Mitchell, seconded by Ms. Pollom, to approve the minutes as presented.

**Roll Call Vote:** Nowlin-Aye, Mitchell-Aye, Sly-Aye, Weber-Aye, Pollom-Aye, Vaughan-Aye, Squire-Aye

**Abstain:** Ray-arrived after roll call vote

**Motion carried 7-0-1**

**2. Public Hearing – Rezoning (Z-03-15)**

*Beginning of Staff Report*

**SPRING HILL PLANNING COMMISSION  
ZONING STAFF REPORT**

**Case #:** Z-03-15

**Meeting Date:** January 7, 2015

**Description:** Proposed Rezoning from RR (Rural Residential) to M-1 (General Industrial)

**Location:** 20241 W. 183<sup>rd</sup> St.

**Applicant:** RLC Management – Bob Cummins

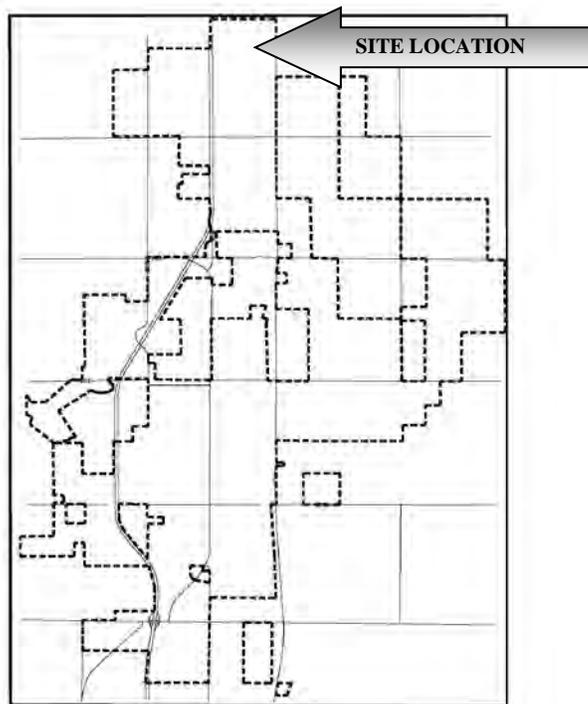
**Engineer:** Schlagel & Associates, P.A. – Jeff Skidmore

**Current Zoning:** RR                      **Proposed Zoning:** M-1

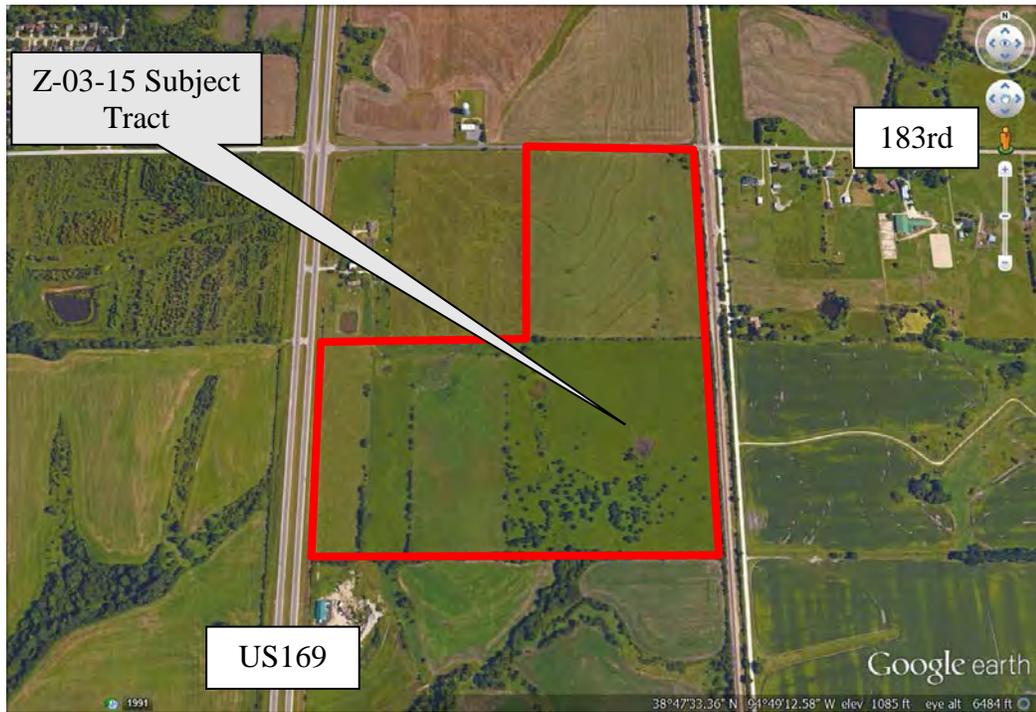
**Site Area:** 107.6 Ac.                      **Number of Lots:** 1

	Current Zoning	Existing Land Use	Future Land Use Map
<b>Site:</b>	RR	Vacant	Mixed Use Comm.
<b>North:</b>	JOCO	Vacant	County
<b>South:</b>	M-1	Ind./Vacant	Industrial
<b>East:</b>	N/A	BNSF R-O-W	Industrial
<b>West:</b>	N/A	KDOT R-O-W	Residential
	RR	Vacant	Industrial

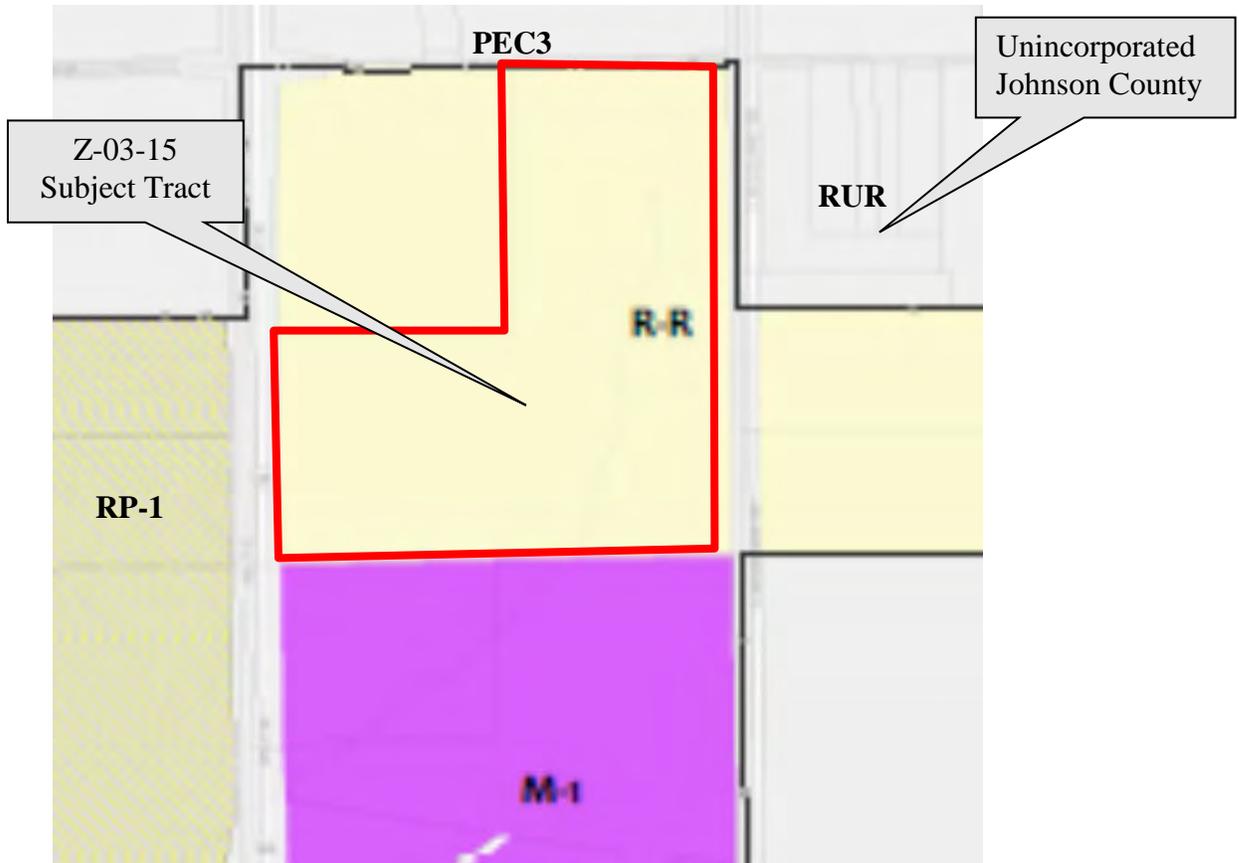
**Proposed Use:** Self-Storage and Warehousing



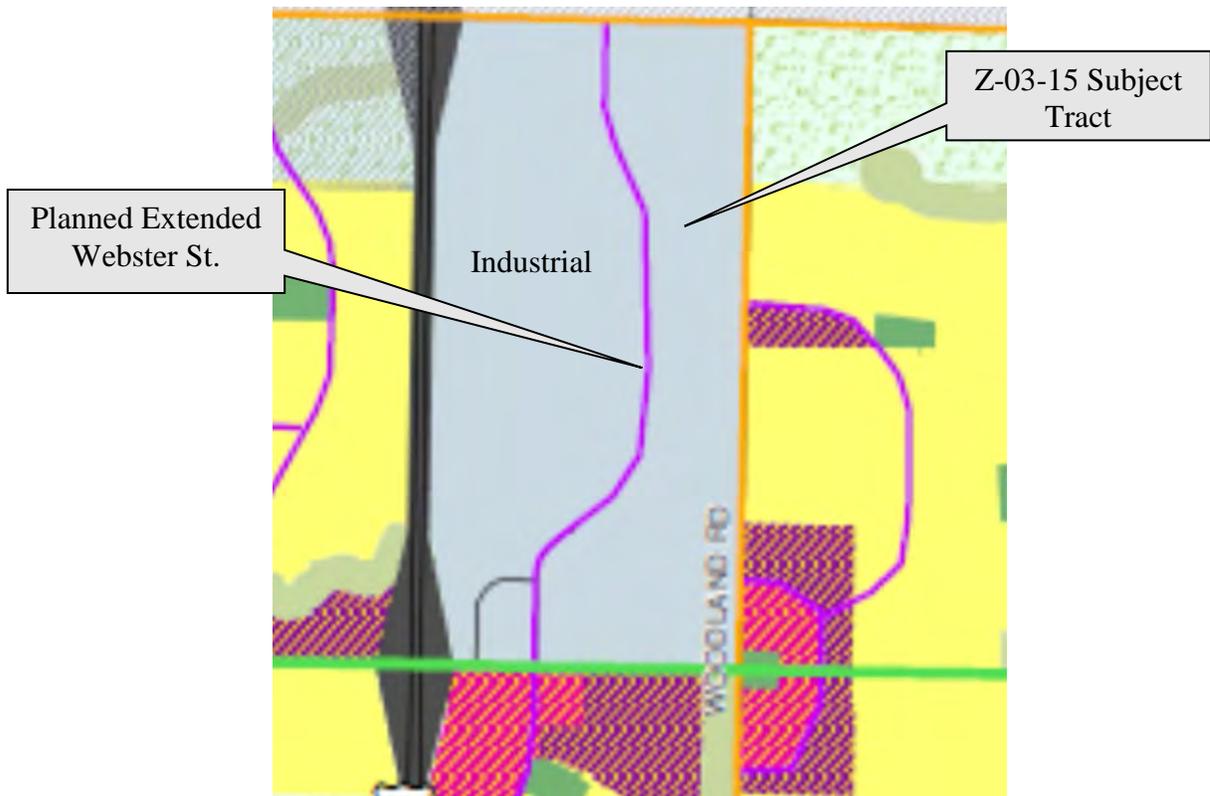
**AREA PHOTO**



**AREA ZONING**



## FUTURE LAND USE



**BACKGROUND:** An application has been received for rezoning a 107 acre tract located at 20241 W. 183<sup>rd</sup> St. The property located approximately at the southeast corner of 183<sup>rd</sup> and US169 Highway is currently zoned RR (rural residential) with requested zoning to M-1 (General Industrial). The preliminary plan for the property is the construction of self-storage buildings enclosed within a security fence. The long range plan is for the construction of warehousing when market demand is present.

As required, area property owners were notified of the hearing by mail and a newspaper publication was completed 20 days prior to the hearing date. To date no public comments have been received.

### **REZONING:**

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

- 1. Consistent with purposes of the regulations and intent and purpose of the proposed district:** The proposed rezoning is consistent with the purpose and intent of the regulations regarding M-1 districts. The proposed uses of self-storage storage and warehousing are permitted uses within the district.
- 2. Neighborhood Character:** As shown on the aerial photo above, the surrounding area is primarily vacant with railroad right-of-way to the east and KDOT right-of-way to the west.
- 3. Zoning and uses of nearby parcels:** As shown on the area zoning map above the property to the south is zoned M-1 (General Industrial). The area to the north is unincorporated Johnson County zoned PEC3 (Planned Industrial Park). Parcels to the west are zoned RP-1 (Planned Single Family) but are separated by the KDOT right-of-way for US169/K-7 Highway. Properties to the east are a combination of RR

(Rural Residential) and Johnson County RUR district (Rural Residential) but are separated by the combined right-of-ways for the BNSF railroad and Woodland Road.

4. **Requested because of changing conditions:** Request is based on a business opportunity as determined by the applicant.
5. **Suitability of parcel for uses restricted by the current zone:** This area of Spring Hill is currently RR or Rural Residential. Updates to the Comprehensive Plan completed in 2010 identified this area as best suited for industrial uses based on the proximity to the four-lane highway and railroad. Rezoning to an industrial district would be compliant with the Comprehensive Plan and allow uses that would not be allowed with the current zoning.
6. **Suitability of parcel for uses permitted by the proposed district:** The parcel under consideration for rezoning is suitable for uses permitted in an M-1 district. The proposed use for warehousing and self-storage is an allowed use within the M-1 district.
7. **Detrimental Effect of Zoning Change:** No detrimental effects are anticipated.
8. **Proposed amendment corrects an error:** No error is being corrected.
9. **Length of time property has been vacant:** This property is undeveloped and has agricultural in use for many years.
10. **Adequacy of current facilities:** All utilities are adequate and available to the property but may require minor extensions as determined by the development plan.
11. **Conformance with Comprehensive Plan.** As shown on the Future Land Use map above, the Comprehensive Plan identifies this area as Industrial. The requested zoning district of M-1 and the proposed use are in conformance with the Comprehensive Plan.
12. **Hardship if application is denied:** ~~This issue has been addressed by the applicant in the narrative provided with the application.~~ **Correction as follows: The applicant can better respond to any hardships if this application is denied.**

**ADDITIONAL REVIEW COMMENTS:**

Staff distributed the rezoning application to various consultants and city staff for comment. Of particular interest in this review process is the relationship to the K-7 Corridor Management Plan which identifies a future interchange at 183<sup>rd</sup> Street. This plan does not interfere with the zoning nor does it create any difficulties for access to the property from 183<sup>rd</sup> Street. KDOT representatives responded to the review request without comment of any type.

**RECOMMENDATION:** Staff recommends approval of rezoning application Z-03-15 from RR (Rural Residential) to M-1 (General Industrial).

*Suggested Motion: Motion to recommend approval to the Spring Hill Governing Body for rezoning application Z-03-15 as presented by staff.*

*End of Staff Report*

Mr. Hendershot, Community Development Director, presented the staff report to the Planning Commission. He noted a correction to item # 12 in the staff report. It should read, “the applicant can better respond to any hardships if this application is denied.” He also added clarification that the unscheduled, unfunded, yet planned diamond interchange at 183<sup>rd</sup> and K7 will have no effect on this property. Any access to this property would have sufficient distances away from those interchange ramps if and when they are constructed.

Mr. Hendershot asked that the information was distributed relating to the preliminary plat, which is the next item on the agenda, be disregarded. He is going to ask for that item to be tabled, as the preliminary plat is in the process of being redesigned.

Commissioner Vaughan stated that there was one thought mentioned about a business need for the developer with regards to storage units. He asked if there was some type of study that was done to say that we have the capacity that would require this, or what is the thought process behind bringing in another storage facility.

Mr. Hendershot responded in saying that the owner and applicant can better respond to those questions. He did indicate that the other storage facilities are full based on conversations he has had with the owners. He added that the site plan for the expansion of an existing storage unit was approved at the November 2015 Planning Commission meeting.

Commissioner Squire asked a question about the area zoning map. She asked, “when we abut to the PEC3 for Johnson County, is that pretty much the end of the Spring Hill city limits as far as we go, or is that another donut hole?” Mr. Hendershot stated that it is not. He clarified that the PEC3 section is the northern limits of the annexation agreement between the City of Spring Hill and the City of Olathe.

Commissioner Ray asked if the first phase of the building project would be the storage units and as demand increases, phase two would be warehouses. Mr. Hendershot indicated that was the initial thought process, but the plan is being revised by the developers at this time, which is why staff will ask to table agenda item #3 regarding the preliminary plat hearing.

Commissioner Mitchell inquired about the zoning classification of the property just east of the M-1 area. Mr. Hendershot indicated that is unincorporated Johnson County RUR (rural residential).

Commissioner Squire asked if it (referring to the storage units and warehouses) did not pan out, what other types of things could go in there if they approved the rezoning to M-1. Mr. Hendershot indicated that M-1 is a fairly wide open zoning district. It does open up the possibility of other types of industrial occupancies, as well as storage and warehousing. Based on the owner’s intent, the basic plan is still there for self-storage and warehousing. It does not close the door for any other options for them.

Commissioner Squire wanted to reiterate to everyone that this is a rezoning request and not a consideration for what the business is. She indicated that it is important to look at it from a land use perspective, not a proposed business that may or may not be built on this land.

Mr. Hendershot clarified that there can be no residential uses in an M-1 zoning district. There can be some public and civic uses, but commercial uses would be somewhat limited. Conditional Use provisions of an M-1 still apply for more intrusive industrial business, such as salvage yards, cargo container storage, or quarries. These types of uses would be brought back to the Planning Commission for review and approval.

Commissioner Mitchell reiterated that the future land use planned for this area is industrial.

Commissioner Ray asked if there has ever been any residential interest in that plot that we know of. Mr. Hendershot indicated there has not been any interest.

Mr. Jeff Skidmore with Schlagel & Associates, P.A. addressed the Planning Commission as a representative for RLC Management. He indicated that he didn't have a lot to add to what Mr. Hendershot has already presented. He thanked Mr. Hendershot and staff for working with their team over the past 30 days. He stated that they are revising the original plan as a result of recent interest in the property, and will be resubmitting revised plans for review.

*With no further questions or comments, the Public Hearing was officially closed at 7:25 p.m.*

**Motion by Mr. Weber**, seconded by Mr. Mitchell, to approve the rezoning application Z-03-15 with the correction to staff report item #12.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Mitchell-Aye, Sly-Aye, Weber-Aye, Pollom-Aye, Vaughan-Aye, Squire-Aye

**Motion Carried 8-0-0**

The rezoning application (Z-03-15) will be forwarded to the City Council for review on January 28, 2016.

### **3. Public Hearing – Preliminary Plat (PP-01-15)**

Mr. Hendershot requested that this agenda item be tabled to allow the applicant time to revise the preliminary plat.

**Motion by Ms. Squire**, seconded by Ms. Pollom, to table the public hearing for Preliminary Plat (PP-01-15).

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Mitchell-Aye, Sly-Aye, Weber-Aye, Pollom-Aye, Vaughan-Aye, Squire-Aye

**Motion carried 8-0-0**

## **DISCUSSION**

## **REPORTS**

## **ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF**

- Mr. Hendershot announced that the City Council approved the following items at the December 10, 2015 meeting:
  - Conditional Use Permit for Verizon Wireless (CU-2015-0001)
  - Conditional Use Permit for The Bowery Events (CU-2015-0002)
  - 2016 Economic Stimulus Program (2015-R-22)
- Mr. Hendershot introduced the Builder's Guide marketing material.
- City of Spring Hill has received approved by Johnson County for funding through the C.A.R.S. Program to construct a northbound acceleration lane at the intersection of 207<sup>th</sup> St. and Webster St. This will allow for trucks to merge into northbound traffic more safely.

- City engineer is working on the design for the road that will give access to Westlake Park from 199<sup>th</sup> St.
- City staff is preparing to submit bids for the sidewalk project along Ridgeview Rd. and 199<sup>th</sup> St.

## **ADJOURN**

**Motion** by Mr. Mitchell, seconded by Mr. Weber, to adjourn.

**Roll Call Vote:** Ray-Aye, Nowlin-Aye, Mitchell-Aye, Sly-Aye, Weber-Aye, Pollom-Aye, Vaughan-Aye, Squire-Aye

**Motion carried 8-0-0**

The meeting adjourned at 8:09 p.m.

**The January 7, 2016 meeting minutes were approved by the Planning Commission on February 4, 2016, with a correction to the area photo map on page 3 of the Staff Report for case # Z-03-15.**