

City of Spring Hill, Kansas
Minutes of Planning Commission Special Session
April 5, 2016

A Special Session of the Planning Commission was held in the Spring Hill Civic Center, 401 N. Madison, Room 15, Spring Hill, Kansas on April 5, 2016. The meeting convened at 7:02 p.m. with Chairman Stephen Sly presiding, and Christie Campbell, Planning Secretary recording.

Commissioners in attendance: Troy Mitchell
 Josh Nowlin
 Janell Pollom
 Stephen Sly
 Cindy Squire
 Tyler Vaughan

Commissioners absent: Tobi Bitner
 Paul Ray
 Michael Weber

Staff in attendance: Jim Hendershot, Community Development Director
 Patrick Burton, Community Development Dept.
 Christie Campbell, Planning Secretary

Public in attendance: Mr. Greg Watson, Shafer, Kline & Warren, Inc. (Rep. for Dayton Creek)
 Mr. Mark Sprecker, Polsinelli, PC (Rep. for Dayton Creek)
 Mr. Jim Thome, (Rep. for Ridgefield Subdivision)
 Mr. Stan Woodward, Doathit Frets (Rep. for Ridgefield Subdivision)
 Mr. Harold Phelps, Phelps Engineering (Rep. for Ridgefield Subdivision)

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 Ms. Pollom, to approve the agenda as presented.

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

Motion carried 6-0-0

FORMAL ACTION

1. Approval of Minutes: March 3, 2016

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

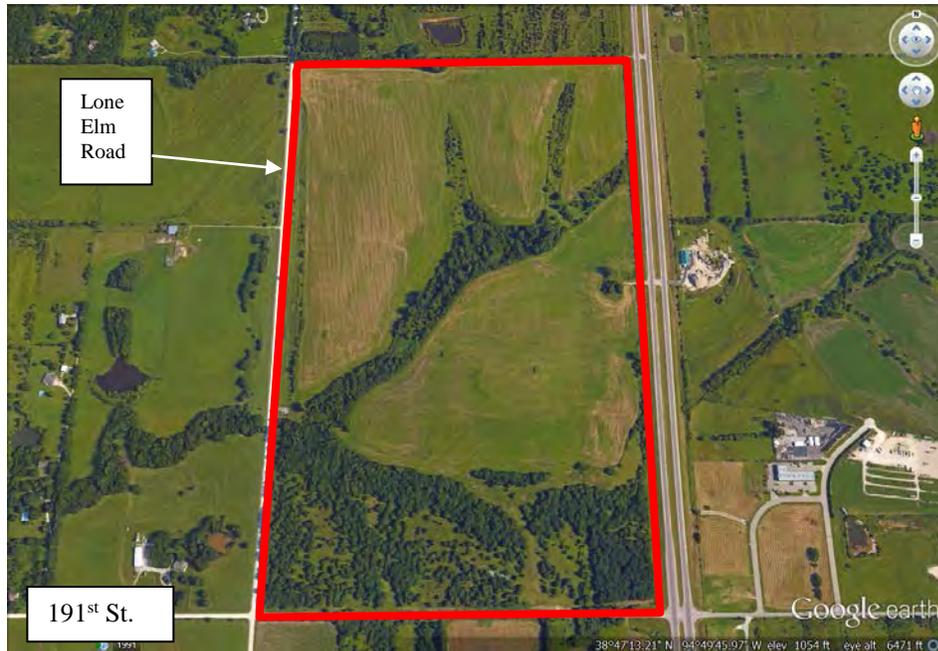
Roll Call Vote: Pollom-Aye, Mitchell-Abstain, Sly-Aye, Squire-Aye, Vaughan-Aye, Nowlin-Aye

Motion carried 5-0-1

2. Final Plat (FP-03-16) – Dayton Creek Subdivision

Beginning of Staff Report

DAYTON CREEK 191ST & US169



BACKGROUND:

Dayton Creek is a residential development first proposed in 2006. A brief history of the development includes approval of the preliminary plat in January 2007 followed by Phase 1 approval by the Planning Commission on June 7, 2007 and the City Council on June 28, 2007. The final plat was not recorded due to the housing recession and ongoing negotiations with the City of Spring Hill on other issues. These issues have now either passed or have been resolved and the owners are ready to proceed with the project. Due to the time delay from the 2007 approval, a new application was required. Staff has completed the review along with several consultants and utility providers.

The approved preliminary plat consists of 233 acres of single-family residential, commercial and open space areas. A copy of the preliminary plat is attached to this staff report for your review.

The 2016 application of Dayton Creek Phase 1 is identical to that of 2007. A copy of the 2007 staff report and PC minutes is included with this packet for your review. Phase 1 consists of 55 residential lots and 3 common area tracts. Entry to the development is from 191st Street on Theden Street. West 190th Terrace intersects with Lone Elm but this entrance to the subdivision will not be completed with this phase. Staff's recommendation at the end of this staff report will address the timing of this road completion.

A Traffic Impact Study for the subdivision was completed in December 2006. Staff requested and has received an update to this study based on current traffic counts. The attached letter from SKW Engineering shows the traffic counts on 183rd, 191st and US169 to be at or below the volumes of the original 2006 study. It was their conclusion, and staff agreed, that a complete study is not warranted based on the recent traffic counts and the fact that the subdivision plan from 2007 is the same as being proposed in 2016. As additional final plats are submitted additional consideration will be given to the improvement of 191st and Lone Elm as well as the impact to and from US169. With regards to US169, the assumption was made in the 2006 study the interchange at 191st would be completed in 2012. Obviously that is not the case, but the recent traffic counts allow the time frame for all the road improvements to be pushed ahead in the same manner as the 2007 approval.

Staff has contacted KDOT on this development and has received no comments or questions with regards to any impact from US169/K7 Highway. Staff will continue to communicate with KDOT as the development progresses. Right-of-way for the proposed interchange was a major topic of discussion during the earlier processes and understandings were reached for dedication of right-of-way in return for excise tax credits. This will again be addressed with future phases of the development.

STAFF COMMENT:

Phase 1 consists of 55 residential lots and three common area tracts. Staff finds the final plat to be in compliance with the previously approved preliminary plat and offers the following review of Section 17.372.D of the Spring Hill Subdivision Regulations:

1. Separate drawings of profiles and cross section of streets, alley's and public use areas have been 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. Drainage areas are subject to maintenance of adjoining homeowners or the homeowners association,
5. Public facilities are adequate and available to the site,
6. Adequate control of storm water through appropriate BMP's have been detailed on drawings submitted to the City Engineer for approval,
7. Construction refuse will be disposed of in an appropriate manner,
8. 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 bonds and insurance documents will be submitted to the City prior to issuance of a Notice to Proceed from the City Engineer.
9. Staff finds the proposed final plat in substantial compliance with the preliminary plat for the subdivision approved by the Planning Commission in 2006 and with the Comprehensive Plan for the City of Spring Hill

ADDITIONAL STAFF COMMENTS:

1. *Housing elevations:* An issue that was not resolved with the original submittals is the approval of typical housing elevations for planned developments. The attached letter from Richard Sailors (attached to the 2007 staff report) indicates Pulte Homes would no longer be the primary builder within the development. Therefore Pulte Home designs were not submitted for review. The letter requests approval of the final plat without this building review. Staff has found no other reference to this matter and, as noted previously, the plat was approved.

Staff has been in contact with the owner and development team about this housing elevation submittal issue and required elevations to be submitted. The owner has been consistent with his desire to provide affordable housing but understands the requirement of elevations being submitted with a planned development. The code for planned developments states the following:

Section 17.332.E.8 Residential and commercial zoned developments are expected to use higher-quality durable building materials and architectural-design features that provide an increase in visual interest over conventional zoned developments. Such developments are expected to comply with the Planning Principles and Design Guidelines recommendations in the Comprehensive Plan, including recommended building materials and building design. Single-family residential uses are expected to incorporate building materials consistent with those recommended for multifamily residential developments as well as stucco and fiber-cement board, particularly on sides of the structures visible to the public, except that the sides and rear of such single-family structures may be permitted other exterior finishes.

Included with this packet you will find examples of housing elevations submitted by the development team. Please note the photos of the homes without the architectural features noted above are shown only to represent the type of homes to be offered. Each will include additional exterior amenities such as brick or stone on the garage and or porch approximately 2 feet in height, and wrapping of porch supports with common materials. If approved by the Planning Commission, staff will review each building permit application for compliance with approved Planning Commission standards. Any homes not meeting this requirement will be denied the issuance of a building permit.

2. *Stormwater Study:* The original 2007 submittal included a stormwater study that was reviewed by staff and consultants. Adjustment were made to the plans according to comments received and the study was accepted with the approval of the preliminary and final plats. Staff required an update to the study be completed for the 2016 submittal. Included with this packet you will find a letter from SKW Engineers indicating the data utilized in the initial study is applicable today, no revisions were required to the study. Staff finds this conclusion reasonable due to the fact no revisions in the plat are being requested.

3. *Road Improvements:* This plan duplicates the approval from 2007 including the following:
 - Improve 191st with full asphalt road surface from US169 to just west of Theden Street.
 - Improve 191st with full asphalt road from Theden St. to Lone Elm when required with future phases of the development.
 - Second means of ingress/egress to Lone Elm Road required when building permits reaches a total of 50. Lone Elm Road may be improved with chip seal.
4. *Park Fees:* Total open space for this subdivision is less than the 15% required for a planned development. Therefore, a park fee of \$300 per building permit 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

STAFF RECOMMENDATION:

Staff recommends approval of final plat application FP-03-16, Dayton Creek Phase I with the following conditions:

1. Traffic studies be reviewed with each future phase of development with emphasis on the intersection of 191st and US169/K7 Highway
2. Building permits found to be noncompliant with submitted housing elevations be denied.
3. Applicant and City completing an Improvement Agreement as required by code.
4. A park fee of \$300 per building permit is required.
5. Access to the subdivision from Lone Elm is required once 50 residential permits have been issued for the development. Lone Elm to be improved to chip seal standards from 191st Street to the second point of access.

Attachments: Final Plat

Preliminary Plat

Staff Report, June 7, 2007

Shafer, Kline, Warren stormwater update, Feb. 3, 2016

Shafer, Kline, Warren traffic study update, January 18, 2016

Planning Commission minutes, June 7, 2007

Product sample photos

End of Staff Report

Mr. Hendershot, Community Development Director, presented the staff report to the Planning Commission, as outlined above.

Mr. Hendershot referenced a correction to the park fees associated with the subdivision. It was noted in the original staff report that the total open space for this subdivision is less than 15% required for a planned development. He noted that this is incorrect, as they are only required to have 4% of open space, and this current final plat actually has 11.6% open space, which exceeds the minimum required. As a result, a park impact fee of \$300 per building permit is not required; it does not apply to this subdivision.

Mr. Hendershot presented images of the housing elevation samples submitted by the applicant. Currently, the developer does not have a designated home builder, but they are aware that in a planned subdivision if there is a reduction in lot sizes, then it is required to improve the aesthetics on the front side of the house.

For example, the houses should include materials such as stone, brick, or stucco facades. It was reiterated that the developer is still in the process of establishing a builder for this development, so they were unable to provide exact housing elevation plans at this time.

Mr. Hendershot recommended that if the Planning Commission were to approve the final plat without specific housing elevation plans, then there should be conditions placed on the building permit review process to ensure that each and every house is in compliance with the intent of the code that is quite specific. If the plans are not, then the building permit is denied. If it becomes an issue with the builders and developers, then it will be brought back to the Planning Commission.

Commissioner Vaughan asked about the target price range for the houses in this development. Mr. Greg Watson, the engineer with Shafer, Kline, & Warren, Inc., stated that he didn't recall the exact price range, but believes they would be between \$200K to \$250K. Mr. Hendershot added that the discussions with the developer regarding the types of houses to be built would be in a range that might attract first time homeowners.

Commissioner Vaughan and Commissioner Nowlin, both agreed that the current housing elevation plans would have to be significantly improved at the \$200K to \$250K price point, or decrease the sale price of the house. Commissioner Vaughan indicated that if we want to attract young families to the community, then we must offer homes at a price point that is affordable and in line with the guidelines set forth in the Comprehensive Plan.

Commissioner Squire expressed concerns that the oversized garage frontage impedes the view of the front door and entry way. She stated that she would not be in agreement with the existing housing elevation plans with this type of design.

Commissioner Vaughan asked if the housing elevation plans would come back to the Planning Commission to be reviewed once the builders have been chosen. Mr. Hendershot stated that they would, only if the Planning Commission establishes those conditions in the motion for approval.

Commissioner Pollom expressed concerns about new construction without basements and/or storm shelters. Mr. Hendershot indicated that the City currently has no regulation that requires basements or storm shelters. This is a choice that is made among the developer, builder, and buyer when selecting a house plan.

Commissioner Squire agreed with Commissioner Pollom on the concerns of houses without storm shelters. Squire asked if there were warning sirens located near the planned development. Mr. Hendershot indicated that there are warning sirens at this location.

Mr. Hendershot suggested that the Planning Commission table the final plat if they are not comfortable with the elevations being presented. This would give the developer time to provide more specific plans for housing elevations.

Commissioner Squire asked if the street names on the final plat matched the emergency 911 records. Mr. Hendershot indicated that the street names were approved by Johnson County Emergency Management with the original preliminary plat, and match the 911 records.

Commissioner Nowlin indicated that it seems there would be a little more stability in making a decision to approve the final plat if they knew who the builder was, along with more details on the style of homes. Commissioner Squire added to Commissioner Nowlin's comments stating that there is not even a concrete price range for the homes known at this time. Mr. Hendershot noted that with regards to price point, this is a market and business decision for the developer and should not be a consideration for plat approval.

Commissioner Vaughan asked if there is a timeline for the developer to select a builder. Mr. Mark Sprecker, attorney representing Dayton Creek, indicated that the developers are working on selecting a builder, but they do not have a definitive timeline.

Mr. Frank Jenkins, City Attorney, referenced the Kansas Statutes regarding the timeline for the City to approve a final plat. The Planning Commission has 60 days to make a decision. The City Council also has 60 days to make a decision on the plat. If no decision is made after 120 days, then the final plat is deemed approved. It also noted by Mr. Jenkins that all parties involved can agree on an extended timeframe if necessary.

Commissioner Mitchell asked for clarification on the definition of a planned residential district. Mr. Hendershot stated that a planned district is one with increased density, based on the fact that when the planned zoning is approved the lot sizes are reduced from 75 feet in an R-1 district to no less than 60 feet in a RP-1 district. The trade off with the reduced lot size is to increase available open space, as well as increase and/or improve architectural amenities on the homes.

Motion by Ms. Squire, seconded by Ms. Pollom, to **table** the final plat application FP-03-16 for Dayton Creek Subdivision pending more product information and style of homes.

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

Motion to Table Carried 5-1-0

3. Final Plat (FP-04-16) – Estates of Wolf Creek 7th Plat

Beginning of Staff Report

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

Case #: FP-04-16 **Meeting Date:** April 5, 2016

Description: Estates of Wolf Creek, 7th Plat

Location: Ridgeview & 192nd St.

Applicant: Wolf Creek Development, LLC

Engineer: Phelps Engineering, Inc.

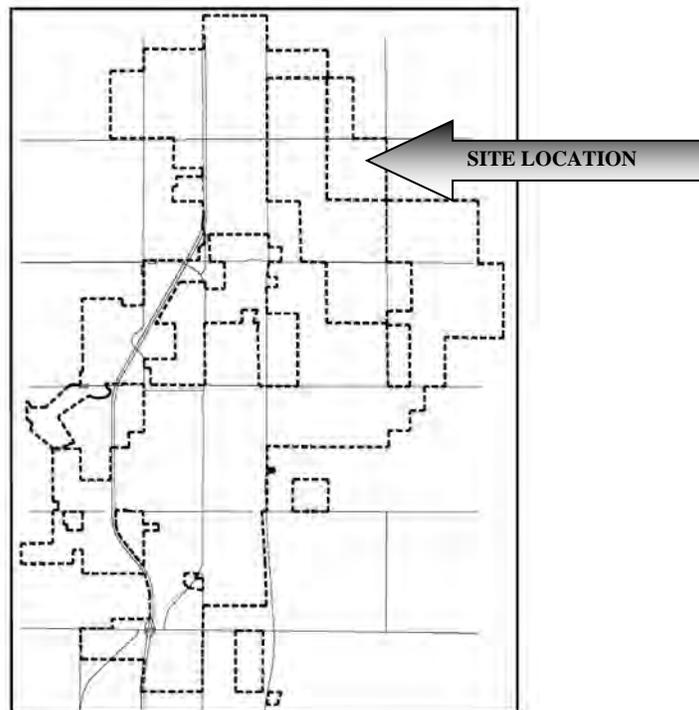
Site Area: 25.26 acres

Minimum Lot Area: 5,500 sq. ft. **Number of Lots:** 54 Residential Tracts

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

Related Applications: PP-02-14

FP-04-14



AERIAL PHOTO



BACKGROUND:

In November 2014, the Planning Commission voted to recommend approval of the revised preliminary plat for Estates of Wolf Creek. The final plat for Estates of Wolf Creek 6th Plat was then approved and is now under construction with new homes. The current application is for a continuation of the project containing an additional 54 lots and 3 common area tracts.

STAFF COMMENT:

As noted previously the 7th Plat contains 54 residential lots, 3 common area tracts, and street construction for 192nd Street, Mahaffie Street and 194th Terrace. Staff finds the final plat to be in compliance with the previously approved preliminary plat and offers the following review of Section 17.372.D of the Spring Hill Subdivision Regulations:

10. Separate drawings of profiles and cross section of streets, alleys and public use areas have been forwarded to the City Engineer for review,
11. Staff has verified the person or persons name on the plat are the owner(s) of the area subject to the final plat,
12. Staff has verified all due or unpaid taxes have been paid in full,
13. Drainage areas are subject to maintenance of adjoining homeowners or the homeowners association,
14. Public facilities are adequate and available to the site,
15. Adequate control of storm water through appropriate BMP's have been detailed on drawings submitted to the City Engineer for approval,
16. Construction refuse will be disposed of in an appropriate manner,
17. 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 bonds and insurance documents will be submitted to the City prior to issuance of a Notice to Proceed from the City Engineer.
18. Staff finds the proposed final plat in substantial compliance with the preliminary plat for the subdivision approved by the Planning Commission in 2006, and with the Comprehensive Plan for the City of Spring Hill.

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

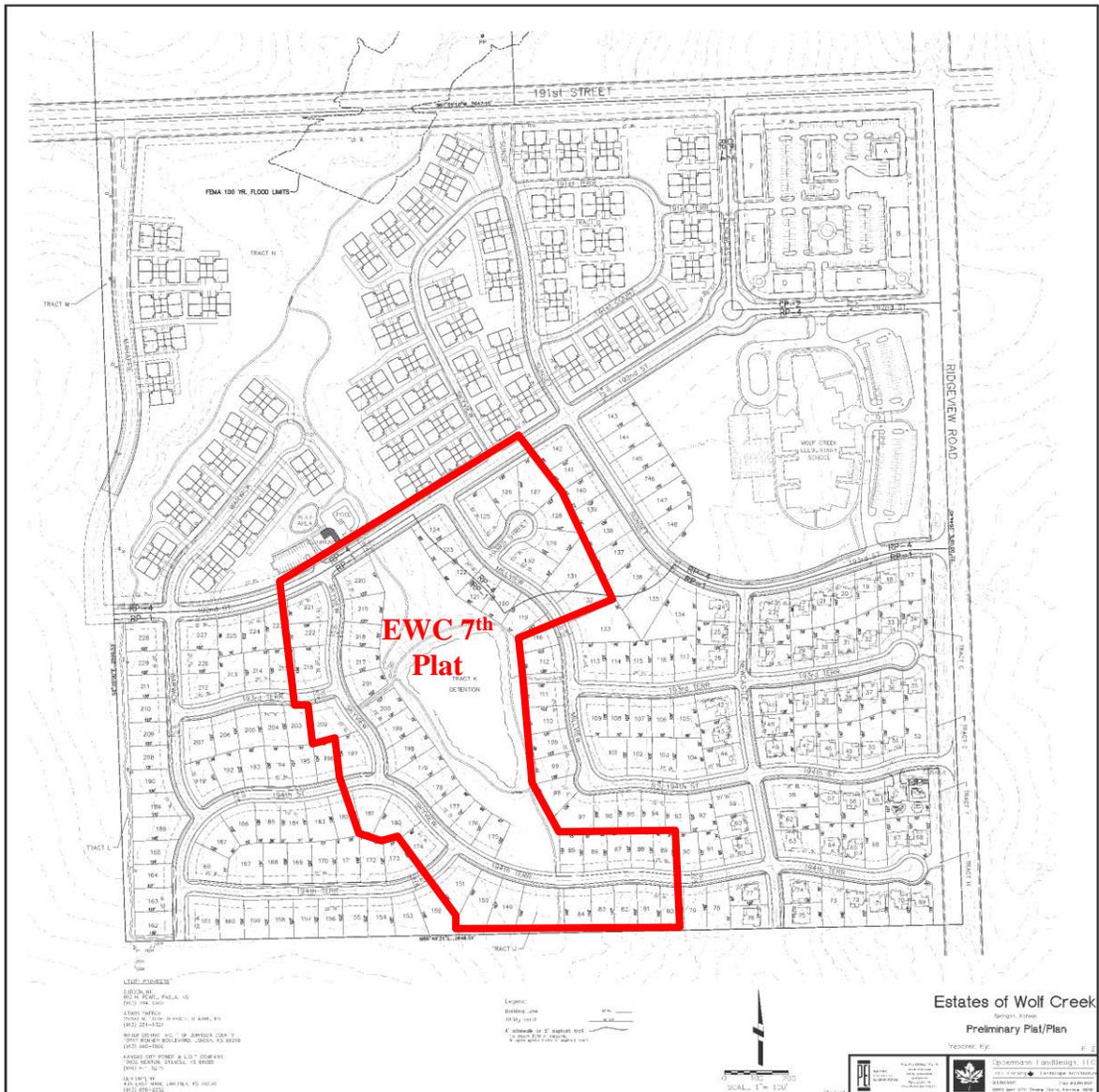
- Recommend approval of the application to the Governing Body, or
- Recommend denial of the application to the Governing Body and notify the applicant of such action, or
- Table action on the application to a specific date and notify the applicant of such action.

STAFF RECOMMENDATION:

Staff recommends approval of final plat application FP-04-16, Estates of Wolf Creek 7th Plat.

Attachments: Final Plat
Preliminary Plat

Preliminary Plat



End of Staff Report

Mr. Hendershot, Community Development Director, presented the staff report to the Planning Commission, as outlined above. With no questions or comments, a motion for approval was made by Commissioner Mitchell.

Motion by Mr. Mitchell, seconded by Ms. Squire, to approve the final plat application FP-04-16, Estates of Wolf Creek 7th Plat, as presented.

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

Motion carried 6-0-0

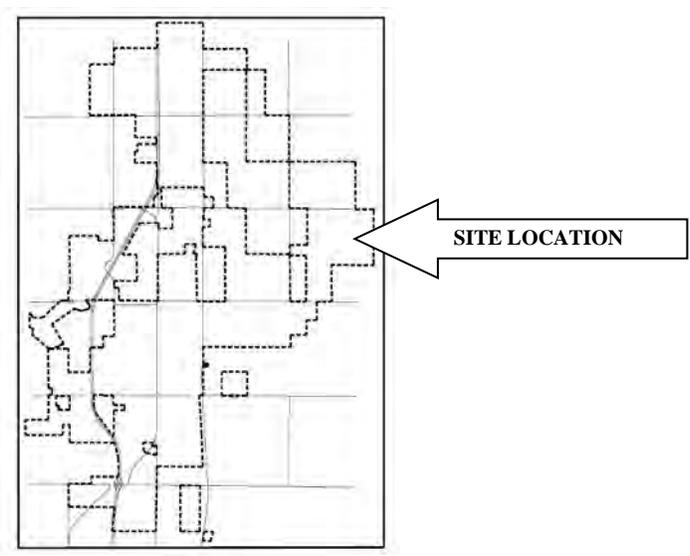
The final plat application (FP-04-16) for the Estates of Wolf Creek 7th Plat will be forwarded to the City Council for review on April 28, 2016.

4. Preliminary Plat Extension Request (PP-01-16) – Ridgefield Subdivision (tabled from the March 3, 2016 meeting)

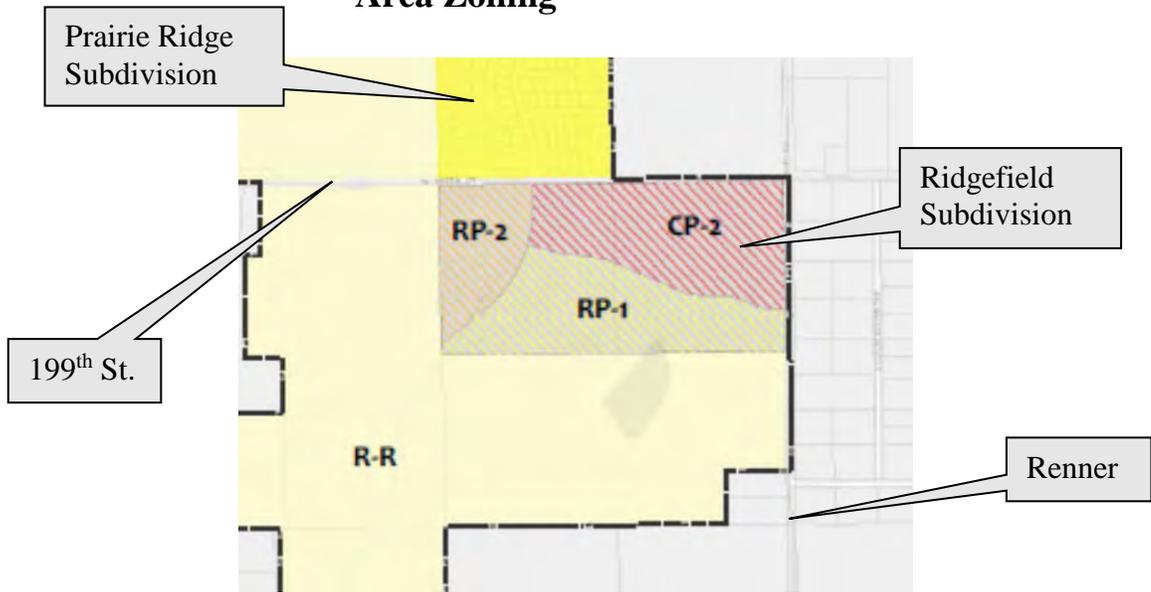
Beginning of Staff Report

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

Case #:	PP-01-16	Meeting Date:	April 5, 2016
Description:	Proposed Preliminary Plat renewal		
Location:	16915 & 17505 W 199 th St. (west of Renner)		
Applicant:	Renner 199 Investors, LLC		
Engineer:	Harold Phelps		
Site Area:	79.3 acres		
Minimum Lot Area:	Varies by zone.	Number of Lots:	166
Current Zoning:	RP-1, RP-2, CP-2	Proposed Use:	Residential & Commercial
Related Applications:	PP-01-07, PP-01-14		



Area Zoning



Aerial Location



BACKGROUND: This application serves to renew the approval of PP-01-04. The original application was approved by the Planning Commission on February 1, 2007, renewed in March, 2014 and all allowable time extensions to submit a final plat application have expired.

This site consists of 81.26 acres with 24 acres being commercial, 34 acres being single-family and 15 acres being two-family residential. The balance of the subdivision or approximately 7 acres is designated for open space. This open space consists of neighborhood parks maintained by the homeowners association if not accepted by the City and a trail system that will have public access via easements on the final plats. Dependent on acceptance by the City of park land, park impact fees may be applicable.

The subdivision is to have two access roads from 199th and two from Renner Road. The traffic impact study recommends designated left and right turn lanes at all four intersections until such time county improvements are completed to 199th and/or Renner. At this time Norton Street will become a full access intersection with all others limited to right-in and right-out only. Details of these improvements would accompany a final plat application as well as the improvement agreement related to the infrastructure improvements.

Please note the Traffic Study dated December 6, 2006 contains references to future traffic counts and improvements to 199th as key factors in the development of conclusions and recommendations. As with other subdivisions in the area, the traffic counts, both existing and projected, remain consistent today. Therefore, the recommendations from the study are relevant with the 2006 anticipated timeline for future improvements being delayed.

The rezoning of the property from RR (Rural Residential) to RP-1, RP-2 and CP-2 was approved by the City Council in December 2006 after a 3-3 vote from the Planning Commission. The zoning districts are currently in effect. Along with the rezoning's, the preliminary plan was approved with the following stipulations:

- 1) The final plat shall clearly designate future access to 199th Street to be limited to one full access intersection at Norton Street and a right-in/right-out access to the CP-2 area when the road is built to four-lanes with a median.
- 2) The City only accepts the park land, trail, and water feature if they meet the City standards when the final plat is submitted. Financial guarantees shall be provided with the final plat to ensure construction of the amenities to be dedicated to the City.
- 3) The City-at-large is granted access to the neighborhood trail system through a public access easement on the final plat.
- 4) A home owners association maintain the parks, open space and trail system that the City does not accept.
- 5) The applicant pays a park fee when a building permit is issued if the City does not accept the park land; and access to the trail system is granted to the City at-large.
- 6) A master landscape plan for areas of common open space tracts, and a landscape buffer for residential areas abutting 199th St. or Renner Road shall be submitted with the final plat(s). This includes the parking lot frontage being screened with meandering and undulating berms of no less than 4-feet in height topped by dense evergreens to form a solid screen at maturity with a total height of 10 to 12 feet from grade. In addition, staff recommends that the developer provide some ornamental trees and shrubs under the overhead power line along the trails in accordance with the planting types recommended by KCP&L.
- 7) The final plat(s) for residential areas abutting 199th Street or Renner Road shall identify a perimeter common open space landscape buffer tract on the rear of any lots along those roadways (minimum 25-foot width) exclusive of utility easements along the roadway.

8) 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.

9) The developer builds the street improvements at the time identified in the City Traffic Engineer's letter.

10) The developer's contribution to the cost of the traffic signal at 199th Street and Norton Street will be determined at the time the signal is warranted, based on the percentage of traffic contributed by this development.

A copy of the December 7, 2006 staff report from Dave Peterson is included with this packet for your review.

ADDITIONAL STAFF COMMENTS:

Original application reviews and approvals were granted under the guidance of Dave Peterson, the former Planning Director. This preliminary plat approval was extended in 2010 and 2012. The current application contains no modifications to the original submittal. A copy of the 2007 preliminary plat is included with this staff report.

Also included with this packet you will find typical elevations of residential and commercial properties as required submissions in 2006. These elevations were approved by the Planning Commission and are in effect for this renewal. When building permit applications are received, staff will compare the plans to the approved elevations for compliance with the intent of the original elevation submittals. If the developer desires to change the overall style of buildings then new elevations will be submitted to the Planning Commission for approval.

Staff has verified the taxes on the property are current. This is important to verify as final plats are not eligible for recording if the taxes are in arrears.

With the original submittal of the preliminary plat staff has discovered a series of various correspondence between city staff and consultants. Staff has verified that all comments and concerns discussed in these pieces of correspondence were successfully resolved leading to the original recommendation of approval subject to the conditions noted above.

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 Ridgefield Subdivision Preliminary Plat, PP-01-16 subject to the following conditions that are identical to the conditions placed on the original preliminary plat application PP-01-07:

- 1) The final plat shall clearly designate future access to 199th Street to be limited to one full access intersection at Norton Street and a right-in/right-out access to the CP-2 area when the road is built to four-lanes with a median.

- 2) The City only accepts the park land, trail, and water feature if they meet the City standards when the final plat is submitted. Financial guarantees shall be provided with the final plat to ensure construction of the amenities to be dedicated to the City.
- 3) The City-at-large is granted access to the neighborhood trail system through a public access easement on the final plat.
- 4) A home owners association maintain the parks, open space and trail system that the City does not accept.
- 5) The applicant pays a park fee when a building permit is issued if the City does not accept the park land; and access to the trail system is granted to the City-at-large.
- 6) A master landscape plan for areas of common open space tracts, and a landscape buffer for residential areas abutting 199th St. or Renner Road shall be submitted with the final plat(s). This includes the parking lot frontage being screened with meandering and undulating berms of no less than 4-feet in height topped by dense evergreens to form a solid screen at maturity with a total height of 10 to 12 feet from grade. In addition, staff recommends that the developer provide some ornamental trees and shrubs under the overhead power line along the trails in accordance with the planting types recommended by KCP&L.
- 7) The final plat(s) for residential areas abutting 199th Street or Renner Road shall identify a perimeter common open space landscape buffer tract on the rear of any lots along those roadways (minimum 25-foot width) exclusive of utility easements along the roadway.
- 8) 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.
- 9) The developer builds the street improvements at the time identified in the City Traffic Engineer's letter.
- 10) The developers contribution to the cost of the traffic signal at 199th Street and Norton Street will be determined at the time the signal is warranted, based on the percentage of traffic contributed by this development.

Suggested Motion: Motion to recommend approval of Preliminary Plat application PP-01-16 for Ridgefield Subdivision including conditions 1-10 as presented in the staff report.

- Attachments:
1. Pages 1-6, Traffic Study dated December 6, 2006
 2. Staff report, December 7, 2006
 3. Rezoning plat
 4. Preliminary Plat
 5. Planning Commission minutes Dec. 7, 2006
 6. City Council minutes, Dec. 28, 2006

End of Staff Report

Mr. Hendershot, Community Development Director, presented the staff report to the Planning Commission, as outlined above.

Commissioner Squire inquired about the original motion for approval with specific conditions regarding the CP-2 General Business District on December 28, 2006, pursuant to Ordinance No. 2006-47. She believes these conditions need to be included in the current motion for approval.

Mr. Frank Jenkins, City Attorney, agreed with Commissioner Squire and recommended that the current motion should include the original motion verbiage from the City Council meeting on December 28, 2006.

Commissioner Vaughan asked how long the extension would be. Mr. Hendershot indicated that it is one year per the code, and the Community Development Director has the authority to grant an additional year.

Commissioner Squire expressed concerns requiring the homeowner's association to maintain the park space. She asked what happens if the homeowner's association is disbanded. Mr. Hendershot reiterated that it is not the City's responsibility to maintain the park space in the subdivision. He added that the only time it would become a City maintenance issue is if the City notifies the registered owner of a code violation. If the owner does not comply (i.e. mowing, weed control), then the City would take care of the maintenance issue and send the owner a bill to cover the expense.

Commissioner Squire asked who the registered owner is on the homeowner's association lots. Mr. Hendershot stated that it depends on how the plat is written and recorded.

Commissioner Nowlin asked if there is any indication as to when this development might move forward. Mr. Stan Woodworth, attorney representing the applicant, stated that timing of the preliminary plat in 2006 ended up being a difficult time due to the economic down turn in the residential building industry. He stated that they are currently communicating with a specific builder regarding single and multi-family home plans.

Commissioner Vaughan asked if the developer is still looking at similar plan designs that were submitted in 2006. Mr. Woodworth indicated that they are similar, with more upscale design features.

Commissioner Squire asked how many phases are in this development. Mr. Woodworth explained they are planning a few phases for two-family duplex units, and two or three phases for single family homes.

Motion by Mr. Nowlin, seconded by Mr. Vaughan, to approve the preliminary plat extension request (PP-01-16) for Ridgefield Subdivision including conditions 1 through 11 as outlined below:

- 1) The final plat shall clearly designate future access to 199th Street to be limited to one full access intersection at Norton Street and a right-in/right-out access to the CP-2 area when the road is built to four-lanes with a median.
- 2) The City only accepts the park land, trail, and water feature if they meet the City standards when the final plat is submitted. Financial guarantees shall be provided with the final plat to ensure construction of the amenities to be dedicated to the City.
- 3) The City-at-large is granted access to the neighborhood trail system through a public access easement on the final plat.
- 4) A home owners association maintain the parks, open space and trail system that the City does not accept.
- 5) The applicant pays a park fee when a building permit is issued if the City does not accept the park land; and access to the trail system is granted to the City at-large.

- 6) A master landscape plan for areas of common open space tracts, and a landscape buffer for residential areas abutting 199th St. or Renner Road shall be submitted with the final plat(s). This includes the parking lot frontage being screened with meandering and undulating berms of no less than 4-feet in height topped by dense evergreens to form a solid screen at maturity with a total height of 10 to 12 feet from grade. In addition, staff recommends that the developer provide some ornamental trees and shrubs under the overhead power line along the trails in accordance with the planting types recommended by KCP&L.
- 7) The final plat(s) for residential areas abutting 199th Street or Renner Road shall identify a perimeter common open space landscape buffer tract on the rear of any lots along those roadways (minimum 25-foot width) exclusive of utility easements along the roadway.
- 8) 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.
- 9) The developer builds the street improvements at the time identified in the City Traffic Engineer's letter.
- 10) The developer's contribution to the cost of the traffic signal at 199th Street and Norton Street will be determined at the time the signal is warranted, based on the percentage of traffic contributed by this development.
- 11) **Pursuant to Ordinance No. 2006-47, Z-10-06 REZONING R-R RURAL RESIDENTIAL TO CP-2 GENERAL BUSINESS DISTRICT, PETE OPPERMANN**, the following is an additional condition recommended for the CP-2 zoning district approved at the December 28, 2006 City Council Meeting:

MOTION: Council member Fortney made a motion to approve Ordinance 2006-47 adding the following additional conditions: 1) landscape plan to be approved by the City Council; and 2) Building A is shown on the preliminary plan as a 70,000 square foot maximum building footprint: 35 feet maximum height with the intended tenant as a grocery store. If the footprint increases in size or the intended use is not for a grocery store this will be considered a substantial change that requires Planning Commission and Governing Body approval after notice of public hearing; further, it is subject to approval of findings of fact. Council member Ellis seconded. The roll call vote: Ellis-yes, Beck-yes, Squire-yes, Fortney-yes, Hanson-yes, Leaton-yes. Motion carried 6, 0, 0.

Roll Call Vote: Pollom-Aye, Mitchell-Aye, Sly-Aye, Squire-Aye, Vaughan-Aye, Nowlin-Aye
Motion carried 6-0-0

DISCUSSION

REPORTS

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

- Mr. Hendershot announced the following:
 - The Site Plan (SP-01-16) for Mid Am Building Supply Improvements was approved by the City Council on March 24, 2016.
 - The Zoning, Subdivision, and Sign Regulations were approved by the City Council on March 24, 2016.
 - Commissioner Janell Pollom has been re-appointed to the Planning Commission for a 3-year term.

- Mr. Hendershot has been appointed as the Interim Director of Community Services, which includes Public Works and Community Development.
 - It is anticipated that Pat Burton's role as Building Inspector will change to a new role as the Planning Assistant and Project Coordinator.
-
- Commissioner Vaughan expressed that he would really like to see the development within current and future subdivisions with moderately priced homes, which would be affordable for young families and/or first-time homeowners.
 - Commissioner Pollom expressed concerns regarding incorporating storm shelters in the building of new homes.
 - Commissioner Mitchell suggested that the City offer an incentive program to builders, such as discounts on permit fees, for incorporating storm shelters or safe rooms in new homes.
 - Commissioner Squire asked that City staff look at the USD 230 School District future growth projection report and compare the City's projections with their report. Staff will review the reports from USD 230 and compare to the Spring Hill Comprehensive Plan. A follow up report will be provided at the May 2016 PC meeting.

ADJOURN

Motion by Mr. Nowlin, seconded by Ms. Pollom, to adjourn.

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

Motion carried 6-0-0

The meeting adjourned at 8:40 p.m.