

City of Spring Hill, Kansas
Minutes of Planning Commission Regular Session
September 1, 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 September 1, 2016. The meeting convened at 7:00 p.m. with Chairman Stephen Sly presiding, and Christie Campbell, Planning Secretary recording.

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

Commissioners absent: Josh Nowlin
Paul Ray
Vacancy
Vacancy

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

Public in attendance: Mark Sprecker, Polsinelli PC, Representing PV Investments, LLC

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. Mitchell, to approve the agenda as presented.

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

Motion carried 5-0-0

FORMAL ACTION

1. Approval of Minutes from the August 4, 2016 PC Meeting

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

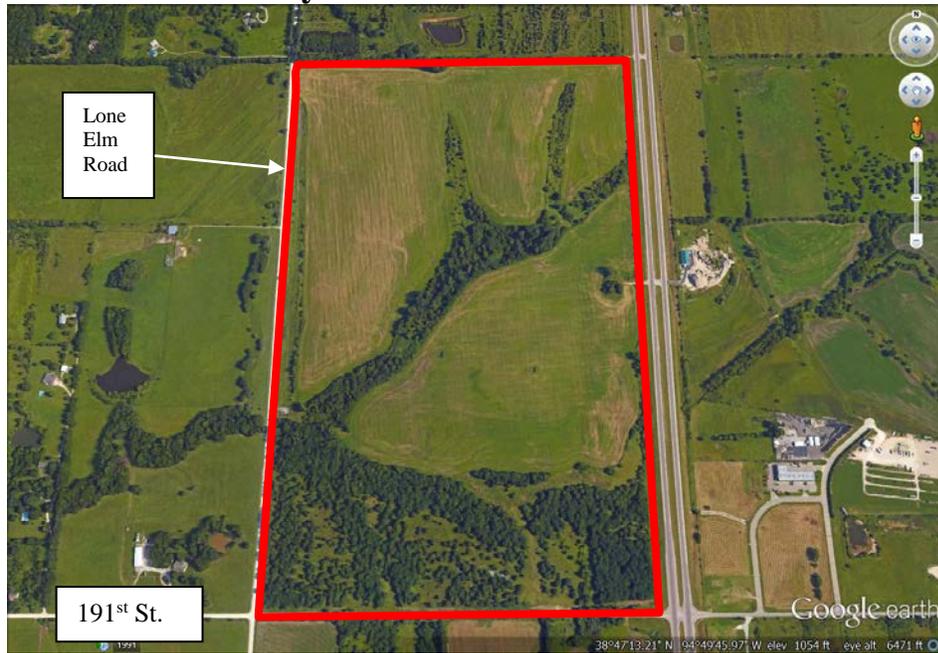
Roll Call Vote: Squire-Aye, Mitchell-Aye, Sly-Aye, Pollom-Aye, Vaughan-Aye

Motion carried 5-0-0

2. Final Plat Application (FP-06-16) – Dayton Creek, First Plat

Beginning of Staff Report

Dayton Creek 191st & US169



BACKGROUND:

Dayton Creek is a residential development first proposed for the June 2, 2016 Planning Commission meeting. At the applicant's request, the Final Plat (FP-03-16) was withdrawn so they could pursue a change in zoning and change the preliminary plat. This subdivision has a long history of different zonings, preliminary plats and final plats. The intended use of the property has always remained the same. The owners are ready to proceed with the project in a very viable and acceptable manner.

The Preliminary Plat (PP-02-16) was approved at the August 4, 2016 Planning Commission meeting, and the Rezoning (Z-01-16) was approved by the City Council on the August 25, 2016 Council Meeting. The Preliminary Plat consists of 233.35 acres of single-family residential, commercial and open space areas. A copy of the approved Preliminary Plat is attached to this staff report for your review.

Final Plat of Dayton Creek, First Plat consists of 48 residential lots and 3 common area tracts. The average size of the residential lots is 11,066 +/- square feet. There is 4.049 acres or 176,374.440 square feet of open space. The amount of open space meets the requirement of 4% of the gross area to be reserved for active open space. Entry to the development is from 191st Street on Theden Street, and West 190th Terrace intersects with Lone Elm Road. The Lone Elm Road entrance to the subdivision will not be connected with this phase. Staff's recommendation at the end of this staff report will address the timing of the road completions.

With regards to US169 Highway, the assumption was made in the study that the interchange at 191st Street and US169 Highway would be completed in 2012. Obviously, that is not the case, but the recent traffic counts allow the timeframe for all the road improvements to be pushed out in the same manner as the 2007 approval. The approved Preliminary Plat greatly reduces the density that the Preliminary Plat from 2007 had proposed. The new Preliminary Plat has larger lots to accommodate the targeted size of houses that are anticipated to be built.

The comments from the consultants and City Staff have been applied as applicable per this phase. The reviews on the infrastructure improvements will be conducted per the adopted City Standards.

STAFF COMMENT:

Phase 1 consists of 48 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 per Section 17.372.D of the Spring Hill Subdivision Regulations:

1. Separate drawings of profiles and cross section of streets and public use areas will need to be forwarded to the City Engineer for review.
2. Staff has verified the person or persons name on the plat are the owner(s) of the area subject to the final plat.
3. Staff has verified all due or unpaid taxes have been paid in full.
4. The description at the top of the page must read "Final Plat of Dayton Creek, First Plat".
5. It is required to have a 20 foot Utility Easement (U/E) around the entire plat.
6. Lots 1, 15, and 16 need to show the 25 foot side building on corner lots. On lot 46, the building line is mismarked. It should be 25 feet.
7. We would suggest that tract "C" be designated as a Utility Easement (U/E) also. If not then the 10 feet SS/E "Sanitary sewer Easement" need to be increase in size to 20 feet in width.
8. There are several SS/E's mismarked as S/E.
9. Tracts "A", "B", and "C" are subject to maintenance of adjoining homeowners or Dayton Creek homeowners association and any walking trails, parks or recreational amenities on these tracts can be used by the General Public.
10. Public facilities are adequate and available to the site. This plat is part of a benefit district.
11. Adequate control of storm water through appropriate BMP's will be detailed on drawings submitted to the City Engineer for approval.
12. Erosion control shall be installed and maintained per City Standards.
13. Several lots are effected by the defined FEMA Flood Zones. These lots will be reviewed at the building permit stage for elevation and building design compliancy by way of individual plot plan and building plan review.
14. Construction refuse will be disposed of in an appropriate manner.
15. 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.
16. Staff finds the proposed final plat in substantial compliance with the preliminary plat for the subdivision approved by the Planning Commission on August 4, 2016, and with the Comprehensive Plan for the City of Spring Hill.

ADDITIONAL STAFF COMMENTS:

1. *Storm water Study:* The original 2007 submittal included a storm water 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. No revisions were required to the study for this phase.
2. *Road Improvements:* This plan duplicates the approval from 2007 including the following:

- Improve 191st Street with full asphalt road surface from US169 Highway to just west of Theden Street with this phase.
- Improve 191st Street with full asphalt road from Theden Street to Lone Elm Road 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.

3. *Park Fees*: The total project meets the requirements for open space, and therefore park fees are not applicable.

STAFF RECOMMENDATION:

Staff recommends approval of final plat application FP-06-16, Dayton Creek, First Plat with the following conditions:

1. Traffic studies be reviewed with each future phase of development with emphasis on the intersection of 191st Street and US169/K7 Highway per KDOT recommendations.
2. Storm water studies will be reviewed with each future phases.
3. The applicant and the City will complete an Improvement Agreement as required by code.
4. Access to the subdivision from Lone Elm Road is required once 50 residential building permits have been issued for the development. Lone Elm Road is to be improved to chip seal standards from 191st Street to the second point of access.
5. All Staff Comment and Additional Staff Comments must be applied and complied with on the Plat and on future Plats.

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

Attachments: Final Plat
Preliminary Plat

End of Staff Report

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

Commissioner Vaughan asked for clarification on the timeframe for road completion along 191st St. from Theden St. to Lone Elm Road. Mr. Hendershot stated that the road from Theden St. to Lone Elm Road would be completed with the second phase of development.

Commissioner Vaughan inquired about the Theden St. entrance. Mr. Hendershot stated that as the development progresses, Theden St. will not be a full access ingress/egress; it will be a right turn in/out access only.

Commissioner Vaughan asked if there was any concern with development in the floodplain. Mr. Hendershot explained that those areas have been addressed. He further explained that for those lots located in a floodplain, it does not mean they are not buildable. It's just that there are specific requirements that must be met. Mr. Hendershot noted that if the lot is developed according to these requirements, then the property owner can apply for a Letter of Map Amendment (LOMA), which would take the property out of the floodplain; thus, they would not be required to carry floodplain insurance.

Commissioner Mitchell asked for clarification regarding the road surface on 191st St. between US169 Highway to Theden St. Mr. Hendershot confirmed that this section of 191st St. would be full asphalt from US169 Highway to Lone Elm Road. He clarified that during the first phase of development, the road will be completed with an asphalt surface just past Theden St. Once they reach at least 50 homes, then the rest of 191st St. would be completed with asphalt. Then, Lone Elm Road will be improved with a chip seal surface just past the 190th Terr. entrance.

Motion by Ms. Squire, seconded by Ms. Pollom, to recommend approval of Final Plat Application, FP-06-16, Dayton Creek, First Plat with the following five conditions:

1. Traffic studies be reviewed with each future phase of development with emphasis on the intersection of 191st Street and US169/K7 Highway per KDOT recommendations.
2. Storm water studies will be reviewed with each future phases.
3. The applicant and the City will complete an Improvement Agreement as required by code.
4. Access to the subdivision from Lone Elm Road is required once 50 residential building permits have been issued for the development. Lone Elm Road is to be improved to chip seal standards from 191st Street to the second point of access.
5. All Staff Comments and Additional Staff Comments must be applied and complied with on the Plat and on future Plats.

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

Motion carried 5-0-0

The Final Plat application (FP-06-16) for Dayton Creek, First Plat will be forwarded to the City Council for consideration on September 22, 2016.

DISCUSSION

- Chairman Sly asked about the status of Victory Road. Staff indicated that the second layer of chip seal has been delayed due to weather, the material is sensitive to moisture and temperature.
- Commissioner Squire inquired about landscaping at the Mid Am site development. Staff indicated that the owner of the property is still in the process of completing the site according to approved plans.
- Commissioner Squire stated that the crosswalk/sidewalk along Ridgeview Road connecting the high school to The Estates of Wolf Creek subdivision looks nice.
- Commissioner Squire asked about regulations for parking boats and campers in the front yard. Mr. Hendershot referenced Section 17.342 of the Spring Hill Unified Zoning Ordinance and Subdivision Regulations.
- Chairman Sly inquired about the status of the BlackHawk apartment project. Staff indicated that the development plans are still in the works, but hoping to begin construction very soon.

REPORTS

ANNOUNCEMENTS FROM PLANNING COMMISSIONERS AND STAFF

ADJOURN

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

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

Motion carried 5-0-0

The meeting adjourned at 7:42 p.m.

The September 1, 2016 meeting minutes were approved by the Planning Commission on October 6, 2016, as presented.



Christie Campbell
Planning Commission Secretary