

**Planning Commission
City of Basehor, Kansas**

Tuesday, September 10, 2013



City Hall Council Chambers

Regular Meeting – 7:00 p.m.

AGENDA
BASEHOR PLANNING COMMISSION
September 10, 2013
7:00 P.M.
Basehor City Hall

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes of the Preceding Meeting
 - 1. **Minutes of the August 6, 2013 Planning Commission meeting.**
- D. Unfinished Business
- E. New Business
 - 1. **Public Hearing: Consider a Conditional Use Permit for an in-home beauty shop, located at 14922 Parallel Rd.**
 - 2. **Consider Planning Commission Resolution No. 2013-01 to adopt the 2013 Comprehensive Plan.**
- F. Open Agenda
- G. Reports from Special Committees
- H. City Engineer's Report
- I. Adjournment

**Minutes of the August 6, 2013
Planning Commission Meeting**

MINUTES
BASEHOR PLANNING COMMISSION
August 6, 2013
BASEHOR CITY HALL

PLANNING COMMISSION MEETING
7:00 P.M.

A. Call to Order

Jon Gallion, Chair, called the meeting to order at 7:00 p.m.

Pledge of Allegiance

B. Roll Call

Members Present: Commissioners John Matthews, Ed Bush, Jon Gallion, Tracey Hannah, Terry Gall and Fred Farris. Absent: John Flower

Staff Present: Mitch Pleak, City Engineer and Connie Leggett, Administrative Assistant.

C. Approval of Minutes

A motion was made by Commissioner Ed Bush to approve the May 7, 2013 minutes and seconded by Commissioner Jon Matthews. Chair Jon Gallion asked for a vote and motion passed 6-0.

D. Unfinished Business – None

E. New Business –

1. Consider deviations to the Architectural Design Standards for the proposed 3B's/CDS, LLC building to be located on Lot C-10 within Pinehurst North Plat.

Mitch Pleak spoke about the building design and layout with the architectural features and the deviations for the building plans.

Jeff Schroeder spoke on behalf of the building design structure and what the owner has plans for on the west and east side of the building.

Commissioner John Matthews made a motion to deny the plans for the building structure on the basis that the designs did not meet the standards that have been set forth by the Planning Commission. Commissioner Ed Bush seconded the motion. Chair Jon Gallion called the matter to a vote with a 6-0 to deny the approval of the plans.

2. Public Hearing – Comprehensive Plan Update

Commissioner Tracey Hannah made the motion to open the public hearing at 7:21 p.m. and Commissioner Fred Farris seconded. Chair Jon Gallion asked for a vote and motion passed 6-0.

Motion was made by Commissioner Tracey Hannah to close the public hearing and seconded by Commissioner Fred Farris. Chair Jon Gallion asked for a vote and motion passed 6-0 and the public hearing was closed at 7:23.

3. Comprehensive Plan Update

Commissioner Ed Bush made a motion to approve comprehensive update. Commissioner Terry Gall seconded the motion. Chair Jon Gallion asked for a vote and motion passed 6-0.

4. Planning Commission Elections

Motion was made by Commissioner Ed Bush to add Agenda Item E4 regarding Planning Commission Annual Elections, and seconded by Commissioner Fred Farris. Chair Jon Gallion asked for a vote and motion passed 6-0.

Commissioner Ed Bush motioned to nominate Katherine Renn to remain Planning Commission Secretary. Commissioner Fred Farris seconded the motion and Chair Gallion asked for a vote, motion passed 6-0.

Commissioner Fred Farris motioned to nominate Jon Gallion for Planning Commission Chair. Commissioner Tracey Hannah seconded. Chair Jon Gallion asked for vote, motion passed 6-0.

Commissioner Terry Gall motioned to nominate Fred Farris for Planning Commission Vice Chair. Commissioner John Matthews seconded. Chair Jon Gallion asked for vote, motion passed 6-0.

F. Open Agenda – None

G. Reports from Special Committees

Commissioner Jon Matthews gave an update on the Leavenworth County's Planning Commission activities.

H. City Engineer's Report

City Engineer Mitch Pleak gave the update on the Zip Code Request. The United States Postal Service reported the results of the survey were in favor of the zip code change. The next step is that it will go to cost analysis and the city will know in November of the outcome.

I. Adjournment -

Commissioner Ed Bush made the motion to adjourn and Commissioner Terry Gall seconded. Chair Jon Gallion called for vote. Motion passed 6-0. There being no further discussion, the meeting was adjourned at 7:35 p.m.

Submitted for approval with/**without** additions or corrections this 10th day of September, 2013.

Jon Gallion, Chairperson

Katherine M. Renn, Planning Secretary

Unfinished Business

New Business

Agenda Item No. E1
Planning Commission – September 10, 2013

Public Hearing: Consider a Conditional Use Permit for an in-home beauty shop, located at 14922 Parallel Rd.

Narrative

A staff report and other supporting information is provided in the agenda packet.

Staff will be available for discussion at the meeting.

The City Council may consider this item at their meeting on October 7, 2013.

Staff Recommendation

Staff recommends the approval of the Conditional Use Permit for a period of five (5) years.

Staff Report

Date: September 4, 2013

Subject: Conditional Use Permit for an in-home beauty shop, located at 14922 Parallel Rd. Currently zoned "R-1" – Single Family Residential District.

GENERAL INFORMATION

Applicant: Faye Vestal
Owner: Faye Vestal
Address: 14922 Parallel Rd.
Basehor, KS 66007
Engineer: NA

SITE INFORMATION

Location: 14922 Parallel Rd.
Current Zoning: "R-1" – Single Family Residential District
Future Land Use Map: "R-1" – Single Family Residential District

STAFF ANALYSIS

Site Characteristics:

The conditional use permit (CUP) is located on a 2.2 acre tract. The tract consists of a house and 2 detached buildings. The property is currently used as a single family residence.

Character of Neighborhood:

The surrounding properties are zoned single family residential and suburban residential consisting of residential houses.

Adjacent Property:

	<u>Zoning</u>	<u>Use</u>
North:	"R-1"	Single Family Residential
South:	"R-O"	Suburban Residential
East:	"R-1"	Single Family Residential
West:	"R-1"	Single Family Residential

Conformance with the Comprehensive Plan:

The applicant is requesting a CUP for a beauty shop with no new buildings or additions to the existing structures on the property. **The CUP is in conformance with "R-1" Single Family Residential.**

Conformance with the Future Land Use Map:

The Future Land Use Map outlines this property as "R-1" Single Family Residential. Under appendix A of the zoning regulations, home occupations are permitted and beauty shops are a

conditionally permitted use. **The proposed Conditional Use Permit is in conformance with the Future Land Use Map.**

Traffic Impact:

The subject property is currently accessed from Parallel Rd. Per the zoning regulations, the applicant will be allowed only 1 station. The applicant is planning to work 2 days a week. The applicant is the only employee. Parking will be on the property and not along Parallel Rd. **The Conditional Use Permit will have a minimal effect on the existing street network.**

Drainage Impact:

Due to no new structures, the proposed Conditional Use Permit will not have any added impact to the drainage system.

Conditional Use Requirements:

1. The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions elsewhere in these regulations. **The zoning regulations have additional requirements for beauty shops. The additional requirements are:**
 - a. **There shall be no exterior evidence of the use other than any permitted sign.**
 - b. **There shall be no more than 1 "Beauty" station for the purposes of providing the services allowed, under the State Board of Cosmetology, of the proposed beauty shop.**
 - c. **The beauty shop shall comply with all regulations governing the occupation of cosmetology as outlined by the State Board of Cosmetology.**
2. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public. **The proposed CUP provides additional beauty salon services to community.**
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located. **There are no proposed changes to the property as it currently exists resulting in no additional hardship to surrounding properties.**
4. The location and size of the conditional use, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will not dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structures, walls and fences on the site. **The property consists of a house and 2 detached buildings typical of surrounding properties. Business will be conducted inside the existing house without remodeling the house.**
 - b. The nature and extent of landscaping and screening on the site. **Per the zoning regulations, there shall be no exterior evidence of the use other than any permitted sign.**
 - c. The number of employees and traffic generated by the proposed use. **The CUP consists of 1 employee which is the owner of the house. The zoning regulations allow for 1 station. The applicant will be working 2 days a week. Traffic generated by the CUP will have minimal effect to Parallel Rd.**

- d. Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations, and such areas shall be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect. **Clients will park at the house on the existing paved driveway.**
- e. Adequate utility, drainage, and other such necessary facilities have been or will be provided. **The beauty shop will be located in the existing house. Restroom and storm shelter facilities will be provided.**
- f. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestions in public streets and alleys. **An existing driveway will be utilized by customers.**

Recommendation by Planning Staff

The zoning regulations allow the permit to be issued for a period of not more than five (5) years from the date of approval. Staff recommends the approval of the Conditional Use Permit for a period of five (5) years.

Planning Commission Options

1. Recommend approval to the City Council, with or without conditions.
2. Recommend denial to the City Council.
3. Continue the Public Hearing to another date, time, and/or place.

Leavenworth County, KS



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Affidavit in Proof of Publication

STATE OF KANSAS
Leavenworth County

(Published in The Chieftain, Thursday, August 15, 2013)

PUBLIC HEARING NOTICE
CITY OF BASEHOR
PLANNING COMMISSION

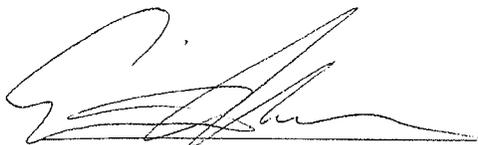
Eric Moore of the Legal Dept. of the Basehor Sentinel being first duly sworn, deposes and says:

That this weekly newspaper printed in the State of Kansas, and published in and of general circulation in Leavenworth County, Kansas, with a general paid circulation on a weekly basis in Leavenworth County, Kansas, and that said newspaper is not a trade, religious or fraternal publication, and which newspaper has been admitted to the mails as periodicals class matter in said County, and that a notice of which is hereto attached, was published in the regular and entire issue of the Basehor Sentinel

Said newspaper is published weekly 52 weeks a year; has been so published continuously and uninterruptedly in said county and state for a period of more than one year prior to the first publication of said notice and been admitted at the post office of Basehor in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks the first publication thereof being made as aforesaid on 08/15/2013 with publications being made on the following dates:

08/15/2013



Subscribed and sworn to before me this



Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$45.00
	<hr/>
	\$45.00

Notice is hereby given that the Planning Commission of the City of Basehor, Kansas, will hold a public hearing on Tuesday, September 10, 2013, at 7:00 PM in the meeting room of City Hall to consider a Conditional Use Permit for an in-home beauty shop consisting of one station, submitted by Faye Vestal, on the following described property:
Parcel 1:

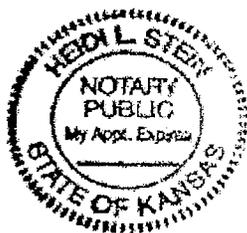
A tract of land in the South 1/2 of Section 35, Township 10 South; Range 22 East, in Leavenworth County, Kansas described as follows:
Beginning at a point 327.6 feet East and 30 feet North of the Southwest corner of said Section 35; thence North 218 feet; thence East 200 feet; thence South 218; thence West 200 feet to beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

And

Parcel 2:
A tract of land in the Southeast 1/4 of Section 35, Township 10 South, Range 22 East of the 6th P.M., more fully described as follows:
Beginning at a point that is 1596.00 feet West and 248.00 feet North from the Southeast corner of the said Section 35; thence West 385 feet; thence North 218.00; thence East 185.00 feet; thence Southeasterly 295.84 feet to the point of beginning, less any part thereof taken or used for road purposes, in Leavenworth County, Kansas.

All persons who desire to comment for or against said Conditional Use Permit are invited to appear at the time and place mentioned above. Copies of the application and full legal description are available for review during normal business hours at Basehor City Hall.

PLANNING COMMISSION
CITY OF BASEHOR, KANSAS



APPLICATION FORM

CITY OF BASEHOR

Planning & Zoning Department
 2620 N. 155th Street, PO Box 406, Basehor, KS 66007
 Phone: 913-724-1370 Fax: 913-724-3388
 www.basehor.org



Project Name & Description		Total Site Acreage	Present Zoning
Legal Description (May be attached as separate sheet)		Proposed Zoning	
Project Address / General Location <i>14922 Parallel Rd Basehor KS 66007</i>		Presubmittal Date	
Parcel ID Number (CAMA Number)		Floor Area Classification	
Property Owner Name <i>C. Faye Vestal</i>	Phone	Fax	
Property Owner Address <i>14922 Parallel Rd</i>	City <i>Basehor</i>	State <i>Ks</i>	Zip <i>66007</i>
Applicant's Name (if different from above)	Phone	Fax	
Applicant's Address	City	State	Zip
Applicant's mobile phone <i>816-898-4108</i>	Property Owner and/or Applicant's E-mail address <i>all4184@sbcglobal.net</i>		

APPLICATION TYPE	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input type="checkbox"/> Final Development Plan (Submit Sheet A)
<input checked="" type="checkbox"/> Conditional Use Permit (Submit Sheet A)	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Variance (Submit Sheet B)	<input type="checkbox"/> Final Plat / Replat

PROJECT INFORMATION	
Existing Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____	
Proposed Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____	

COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)			
Total Site Area	Existing Floor Area <i>12'8" X 11'5"</i>	Existing Building Footprint	Open Space Area
No. of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size

Property Owner/Agent Consent - I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

x *C. Faye Vestal* _____ Date _____

Office Use Only	
<input checked="" type="checkbox"/> Filing Fee \$ <i>150.00</i>	<input checked="" type="checkbox"/> Received by <u><i>CF</i></u> [] # of Plans _____
<input type="checkbox"/> Attached Legal Description	<input type="checkbox"/> Property Ownership List

CITY OF BASEHOR

Planning & Zoning Department
2620 N. 155th Street, PO Box 406, Basehor, KS 66007
Phone: 913-724-1370 Fax: 913-724-3388
www.basehor.org



Please respond to the following questions to the best of your knowledge (Attach additional sheets if needed)

1. Reason for This Request? to work from home
2 Days per week, light traffic will not bother neighbors
Will be working by myself
2. What Is the Suitability of Subject Property for the Uses to Which it Has Been Restricted? Single family - no building no add on sun room already there
3. To What Extent Will Removal of Restrictions Detrimentially Affect Nearby Property? None
4. What Is the Relative Gain to the Public Health, Safety, and Welfare by the Destruction of the Value of the Petitioner's Property as Compared to the Hardship Imposed upon the Individual Landowners? None
5. How Does Your Request Conform with the Comprehensive Plan? _____

If the application is for a Development Plan (Planned Residential, Planned Industrial or Mixed Use) please provide the following additional information.

1. Please provide a statement regarding why the development plan would be in the public interest. _____
2. Please provide a statement with regard as to why the PUD would be consistent with the statement of Objectives for Planned Unit Development as found in Section 20-1002. _____

Agenda Item No. E2
Planning Commission – September 10, 2013

Consider Planning Commission Resolution No. 2013-01 to adopt the 2013 Comprehensive Plan.

Narrative

In 2012, the City Council directed Staff and the Planning Commission to update the Comprehensive Plan. In October of 2012, a citizen survey was sent to all residents. Referencing the recent citizen survey, the existing Comprehensive Plan, a study of the surrounding areas as well as research by the Planning Commission, the Planning Commission compiled an updated Comprehensive Plan.

April 12, Staff presented the Comprehensive Plan update to the City Council for review.

June 10, the Planning Commission and City Council held a joint meeting to review the Comprehensive Plan update. During the meeting, the City Council advised Staff to move the Comprehensive Plan to a Public Hearing.

August 6, the Planning Commission conducted the Comprehensive Plan Public Hearing and recommend the adoption of the plan.

The Planning Commission shall consider Planning Commission Resolution No. 2013-01 to adopt the plan.

Staff Recommendation

Staff recommends the approval of Planning Commission Resolution No. 2013-01.

Attachments

Planning Commission Resolution No. 2013-01 (2 pages)

Comprehensive Plan Update (68 pages) – Located at www.cityofbasehor.org

PLANNING COMMISSION RESOLUTION NO. 2013-01

A RESOLUTION ADOPTING THE ANNUAL AMENDMENTS TO THE COMPREHENSIVE
PLAN OF THE CITY OF BASEHOR, KANSAS

WHEREAS, the City of Basehor, Kansas, has determined a need to update the Comprehensive Plan of the City; and

WHEREAS, the provisions of K.S.A. 12-747 were followed and addressed; and

WHEREAS, annual amendments to the Comprehensive Plan were prepared for review by the Basehor Planning Commission in accordance with K.S.A. 12-747; and

WHEREAS, a properly noticed public hearing was held on August 6, 2013, to consider all of the annual amendments to the Comprehensive Plan, in accordance with 12-747; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF BASEHOR KANSAS:

Section 1. That the Planning Commission hereby adopts the annual amendments to the Comprehensive Plan, and recommends to the Governing Body the approval of the Comprehensive Plan, incorporating within that Comprehensive Plan all adopted revisions to the text and maps that:

1. Include map changes reflected on the Major Streets Plan and Future Land Use Map.
2. Revise the community's demographic characteristics based on the 2010 Census.
3. Revise the City's existing infrastructure conditions.
4. Revise the identification of the City's priorities to include:
 - Annexation
 - Zoning and Physical Image
 - Infrastructure
 - Streets/Transportation
 - Public Safety
 - City Center
 - Parks and Recreation
 - Education
 - Economic Development

and revise the goals, strategies and action steps for each priority

5. Revise future land use characteristics for each zoning district.

Section 2. That this resolution, together with a certified copy of the annual amendments to the Comprehensive Plan and a written summary of the Planning Commission's public hearing, shall be submitted to the Governing Body pursuant to K.S.A. 12-747.

Section 3. That the Comprehensive Plan, once amended with the annual amendments, will be known as the 2013 Comprehensive Plan.

Section 4. That this resolution will become effective upon passage.

PASSED by the Planning Commission this ____ day of September, 2013.

[SEAL]

Jon Gallion, Chairman

ATTEST:

Katherine Renn, Planning Commission Secretary

APPROVED AS TO FORM:

Shannon M. Marcano, City Attorney

Open Agenda

Reports from Special Committees

City Engineer's Report

Adjournment