



AGENDA

**PLANNING COMMISSION MEETING
CITY OF MERRIAM, KANSAS
9001 W. 62ND ST.
COUNCIL CHAMBERS
February 6, 2019
7:00 P.M.**

- I. **CALL TO ORDER-PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL**
- III. **APPROVAL OF MINUTES – January 2, 2019**
- IV. **BUSINESS TO BE CONDUCTED**
 1. SDP19-000001 Site Development Plan for DS Bus Lines at 5519 Merriam Dr. in an I-1 (Light Industrial) District and C-2 (Retail Business) District.
 2. PA19-000001 Final plat for DS Bus Lines at 5519 Merriam Dr. for Merriam Kincaid 1st Plat in an I-1 (Light Industrial) District and C-2 (Retail Business) District.
 3. Discussion of Comprehensive plan update.
- V. **BUSINESS FROM THE FLOOR**
- VI. **UNFINISHED BUSINESS**
- VII. **OLD BUSINESS**
- VIII. **ADJOURNMENT**

Respectfully submitted,

**Bryan P. Dyer, AICP
Community Development Director**

**REGULAR PLANNING COMMISSION MEETING
CITY OF MERRIAM, KANSAS
9001 W. 62nd St.
COUNCIL CHAMBERS
MINUTES**

**January 2, 2019
7:00 P.M.**

The Regular Planning Commission meeting for the City of Merriam, Kansas was called to order at 7:00 p.m. by Vice Chair Leah Ann McCormick on Wednesday, January 2, 2019 in the Council Chambers with the Vice Chair inviting everyone present to participate in the Pledge of Allegiance to the Flag.

Vice Chair Leah Ann McCormick welcomed Cole Stephens as the new Planning Commissioner, and Nancy Yoakum, Notary Public, swore in Cole Stephens at 7:05 p.m.

I. ROLL CALL

Members Present: Bill Bailey
Reuben Cozmyer
Brian Dailey
Judy Devereay
Mitchell Fowler
Secretary Russ Harmon
Vice Chair Leah Ann McCormick
Cole Stephens

Members Absent: Bill Carter

Also Present: Bryan Dyer, Community Development Director, and Nancy Yoakum, Recording Secretary.

II. APPROVAL OF MINUTES OF DECEMBER 5, 2018

Vice Chair Leah Ann McCormick stated that the Planning Commission members had received a copy of the December 5, 2018 meeting minutes and asked if there were any corrections or additions.

Hearing no comments, Vice Chair Leah Ann McCormick entertained a motion.

MITCHELL FOWLER MOVED THAT THE MINUTES OF THE PLANNING COMMISSION MEETING OF DECEMBER 5, 2018 BE APPROVED. REUBEN COZMYER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

III. ITEMS OF BUSINESS

1. Discussion of the Comprehensive Plan update process.

Community Development Director Bryan Dyer reviewed the Comprehensive Plan update process to date. He stated that the city had issued a Request for Proposal (RFP) to provide services to update the city's comprehensive land use plan. He stated February 4th is the due date for RFP responses.

Mr. Dyer stated that there would be many opportunities for Commissioners to participate in the update process. Two of those opportunities would be in the form of the Firm Selection Group and the Comprehensive Plan Steering Committee. The Selection Group will be a small “ad hoc” group consisting of city staff, a Councilmember, and a Planning Commissioner. The group’s task will be to review the RFP responses and recommend a Firm to the Council.

The Comprehensive Plan Steering Committee will be appointed by the Mayor to guide the updating process. The Committee will serve for the duration of the update process and will consist of residents, property owners, business persons, Councilmembers, and Planning Commissioners. The Committee will meet regularly.

Mr. Dyer stated that he had received a response from Commissioner Bill Bailey who expressed interest in the selection group.

Vice Chair Leah Ann McCormick inquired if anyone had any comments. Vice Chair Leah Ann McCormick stated it is a good opportunity, and she has volunteered in the past.

Commissioner Brian Dailey inquired to Mr. Dyer how many Planning Commissioners he is looking for to volunteer.

Mr. Dyer stated that for the selection group one (1) Planning Commissioner would be suitable. Mr. Dyer stated for the second group he is looking for at least one (1) volunteer

Mr. Dyer stated that the immediate need is for Selection Group and sought with the Planning Commission’s input. Commissioner Russ Harmon stated that he thought Bill Bailey would be a great choice to serve on the selection committee.

Mr. Dyer inquired if the Planning Commissioners would like to have more discussion or if they would like to wait until next month’s meeting. Mr. Dyer inquired if any of the Planning Commissioners had any interest serving on the Steering Committee.

Commissioner Brian Daily stated that he would be interested in serving on the Steering Committee.

Vice Chair Leah Ann McCormick has stated that the last plan has served the City of Merriam well, helped develop businesses and created a great road map.

Mr. Dyer stated he appreciated the discussion and will be discussing again at the next Planning Commission meeting.

2. Election of Officers

Vice Chair Leah Ann McCormick stated that the first meeting of the year is the time to elect officers.

Community Development Director stated that there are two ways that the elections can take place. Officers can be nominated individually or as a group. Mr. Dyer reviewed the current officers and reviewed the responsibilities of each of the positions.

Mr. Dyer stated that the current officers are Carol Whitlock-Chair whom retired December 2018, Leah Ann McCormick-Vice Chair, and Russ Harmon-Secretary.

COMMISSIONER JUDY DEVEREY NOMINATED BRIAN DAILEY FOR CHAIR, LEAH ANN MCCORMICK FOR VICE CHAIR, AND BILL BAILEY FOR SECRETARY. MITCHELL FOWLER SECONDED THE NOMINATIONS. THE NOMINATIONS WERE UNANIMOUSLY APPROVED.

IV. BUSINESS FROM THE FLOOR

- Freddy's Frozen Custard and Steak Burgers are looking to start remodeling for the old Winsted's building in the spring.
- Grading is occurring for the new Community Center. Plans have been submitted and staff is working on comments.
- The new I-Hop restaurant is open for business.
- No applications have been submitted for the vacant Hen House building.
- No applications have been submitted for the vacant K-mart building.
- The large drainage project south of the Infiniti dealership is in the process of installing a sanitary sewer force main.

Commissioner Judy Deverey inquired if there was a specific automobile dealership for the space.

Community Development Director Bryan Dyer stated there have been no applications at this time.

Commissioner Bill Bailey stated that the old Mundy & Yazdi Oriental Rug building has been painted white.

V. UNFINISHED BUSINESS

None

VI. OLD BUSINESS

None

VII. ADJOURNMENT

With no further business for discussion, Vice Chair Leah Ann McCormick asked for a motion for adjournment.

BILL BAILEY MOVED FOR ADJOURNMENT. The meeting was adjourned 7:23 p.m.

Respectfully Submitted,

**Nancy B. Yoakum
Recording Secretary**

Approved:

Community Development Staff Report
Planning Commission– February 6, 2019
SDP19-000001 – DS Bus Lines Office Building Addition Site Development Plan

<u>Application:</u>	SDP19-000001 DS Bus Lines Office Building Addition
<u>Request:</u>	Approval of a site development plan
<u>Property Address:</u>	5519 Merriam Drive
<u>Applicant:</u>	Jay Longhauser, Kincaid Group

Current Zoning and Land Use	I-1 (Light Industrial) District and C-2 (Retail Business) District, developed as a bus transportation facility with related office, training and maintenance buildings.
Surrounding Zoning and Land Use	BNSF Railroad and I-35 to the east. I-1 (Light Industrial) District to the south, developed with an auto repair facility. I-1 (Light Industrial) District to the west, developed with automotive sales uses. I-1 (Light Industrial) District to the north, developed with an existing gravel surface parking lot.
Current Legal Description:	TRACT I: Commencing at the Point of Intersection of the East line of Merriam Drive, and the North line of the Northeast 1/4 of Section 12, Township 12 South, Range 24 East in the City of Merriam, Johnson County, Kansas; thence South 18 degrees, 09 minutes, 32 seconds West along said East line of Merriam Drive, 208.47 feet to the Point of Beginning of the tract of land described herein; thence South 74 degrees, 15 minutes, 52 seconds East, 519.63 feet (532.2 feet described) to a point on the Westerly line of the railroad right-of-way; thence South 16 degrees, 13 minutes, 39 seconds West along said Westerly right-of-way line, 164.5 feet; thence North 74 degrees, 14 minutes, 57 seconds West, 525.17 feet (527 feet described) to a point on the East line of Merriam Drive; thence North 18 degrees, 09 minutes, 32 seconds East along said East line, 164.5 feet to the Point of Beginning.

	<p>TRACT II: Commencing at the Point of Intersection of the North line of the Northeast 1/4 of Section 12, Township 12 South, Range 24 East, Johnson County, Kansas and the Westerly line of the Frisco Railroad right-of-way; thence South 16 degrees, 13 minutes, 39 seconds West along said Westerly right-of-way line, 246.77 feet to the Point of Beginning of the tract of land described herein; thence South 16 degrees, 13 minutes, 39 seconds West continuing along said Westerly right-of-way line, 108.73 feet; thence North 74 degrees, 15 minutes, 52 seconds West, 519.63 feet (532.2 feet described) to a point on the East line of Merriam Drive, said point being 208.47 feet Southwesterly from the Point of Intersection of said Easterly line of Merriam Drive and the North line of the Northeast 1/4 of said Section 12, as measured along said Easterly line; thence North 18 degrees, 09 minutes, 32 seconds East along said Easterly right-of-way line of Merriam Drive, 108.76 feet; thence South 74 degrees, 16 minutes, 18 seconds East, 515.96 feet (536.61 feet described) to the Point of Beginning.</p>
Proposed (not filed) Legal Description:	Merriam Kincaid 1 st Plat, Lot 1
Property Area	Lot 1 – 3.521± Acres (150,375± sq. ft.)
Buildings Proposed building	4,300 Existing 2,400 Addition 6,700 sq. ft. total
Parking Requirements	<p>Campus parking for employees provided on three properties. One space for each 300 square feet of office floor area. 6,700 sq. ft. of office = 23 spaces. One maintenance and warehouse building = 7 parking spaces required. Parking for buses = 41 spaces. 40 parking spaces required for buildings and 41 for bus parking.</p>
Parking Spaces Provided	Total 132 parking spaces provided, plus 41 bus parking spaces. Campus parking utilized at three properties.
Related Case Files	PA19-000001 – Merriam Kincaid Final Plat
	SD-5-95 Site Development Plan (Withdrawn)
	SD-3-96 Site Development Plan
	SD-1-97 Site Development Plan

Vicinity Map SDP19-000001
DS Bus Lines Office Building Addition Site Development Plan



Aerial View of Site



Vicinity Map

Staff Comments:

The applicant, Kincaid Group, is requesting approval of a site development plan for an approximately 2,400 square foot office building addition to the existing 4,300 square foot building. The proposed office addition will assist the employees with their daily duties related to the transportation of school children. The subject property currently serves as a storage, operations, training and maintenance facility for a school bus transportation company. This property is one of three properties (5501, 5519 and 5639 Merriam Drive) that is controlled by the Kincaid Group and is integral to their campus operations.

In 1996 and 1997 the bus facility submitted site development plans for the original office building construction (SD-3-96 and SD-1-97). These plans were subsequently approved by the Planning Commission. There are two existing training and maintenance buildings on the subject property. The remainder of the property is paved parking for employee use west of Turkey Creek and bus parking east of Turkey Creek with a bridge connecting the two paved areas.

There will be little change to the number of available parking stations for the employees or school buses. The addition will remove 11 parking spaces, and add three (3) spaces to the east side of the office addition in a reconfiguration of the existing parking lot. Four (4) of the 11 spaces proposed to be removed are located within the required 30 foot front yard setback, thus decreasing an existing non-conformity. Staff requested the applicant address the non-conformity in an appropriate manner and finds the proposed parking changes acceptable. Required parking will be paved and located toward the north, south and east of the existing office building and its proposed addition.

The proposed building addition will consist of a metal frame building, wrapped with a matching brick and stucco exterior veneer along the north, south and west elevations that are visible from Merriam Drive. The proposed building colors will be a tan or beige color with accents to match the existing building. Doors will be painted to match the building or accent color chosen. The exterior colors and materials chosen for the building are suitable for an I-1 (Light Industrial) District and C-2 (Retail Business) District.

Existing gravel parking areas are utilized by smaller buses and employees on the property (5501 Merriam Drive) to the north of the subject property. Kincaid Group has stated it is in the process of acquiring 5501 Merriam Drive. This property was previously utilized as a vehicle storage yard. The applicant has indicated that they plan to submit a rezoning request to PUD-G and a development plan for all the properties they control on Merriam Drive (5501, 5519, and 5639).

The north portion of the subject property is zoned I-1 (Light Industrial) District. The southern portion is zoned C-2 (Retail Business) District. Staff has reviewed the bulk regulations and use limitations for these districts and find the site development plan complies with Merriam Code.

A portion of the property lies within Zone "AE" – Floodway/Floodfringe, which is shown on the site development plan. The proposed office building addition and existing buildings are not located within this zone.

The applicant has submitted a final plat application for 5519 Merriam Drive (PA19-000001), which is on this month's Planning Commission agenda.

Comments from Public Utilities

As part of the review process, staff provided copies of the proposed site development plan to the public utilities. In addition, staff solicited comments from other city departments.

The applicant has addressed all comments.

Site Development Plan Requirements (Sec. 74-87)

Staff has reviewed the site development plan and finds that it meets city requirements.

Traffic Analysis (Sec. 74-87)

The applicant has indicated that the building addition will not cause an increase in the number of employees at the facility. Because of this, staff did not request a traffic analysis.

Lighting Plan (Sec 74-84)

Site lighting is not expected to be altered to a degree requiring a lighting photometric.

Landscaping Requirements (Sec. 74-85)

Staff has reviewed the site development plan for landscaping and finds that it generally meets Merriam Code requirements. Prior to their application, in anticipation of redeveloping the property to the north (5501 Merriam Drive) the applicant removed some trees from the north property line to facilitate future paving and circulation between the properties. These trees were originally shown as part of the SD-1-97 site development plan.

This site plan does show additional landscaping has been placed toward the front of the building where it will be primarily visible from the city right of way. One additional street tree has also been added to the site plan. There are existing trees and greenspace along Turkey Creek that meet interior landscaping requirements.

There is little green space to plant trees and low level landscaping on the subject property. The applicant has indicated that when they bring forth a rezoning and development plan for all three properties, the development plan will include landscaping that will meet city requirements for the property as a whole.

Parking Requirements (Sec 74-534 - 536)

The facility is required to provide one parking space for each 300 square feet of office floor area. Including the proposed addition, the office building requires 23 parking spaces. In addition, the two existing buildings on the property (maintenance and training) are required to have 7 parking spaces. There are 132 "standard" parking spaces being provided on the subject property. Additionally, there are 41 bus parking stalls provided on the subject property.

The subject property provides the required number of parking stalls. Overall, there is adequate parking for employees and buses on all three properties controlled by Kincaid.

Existing gravel parking area at 5501 Merriam Drive is utilized by smaller buses and employees.

Staff finds that the site development plan meets parking requirements. Revised parking calculations will be provided with future development of the Kincaid properties.

Access

Vehicular access to the site will remain unchanged.

Pedestrian site access has been provided as part of this development plan. A bike rack is proposed as part of this development.

The existing site access meets city requirements.

Stormwater Management (Chapter 26)

The applicant provided a letter from their engineer stating that the impervious surface area will decrease as a result of the proposed development. Staff has reviewed the documentation provided by the engineer and finds that the stormwater management requirements have been met.

Staff Recommendation:

The Community Development staff finds the applicant's request is in order for approval subject to the following conditions:

1. Final plat shall be recorded prior to issuance of a building permit.
2. Paving or developing the 5501 Merriam Drive property shall not occur prior to submitting appropriate plans for staff and governing body's review and consideration.
3. When 5501 Merriam Drive redevelops additional landscaping on that property may be required to address the removal of landscaping on the 5519 Merriam Drive property as a result of this site development plan.

Bryan P. Dyer, AICP
Community Development Director
February 6, 2019

Community Development Staff Report
Planning Commission – February 6, 2019
PA19-000001 – Merriam Kincaid 1st Plat

<u>Application:</u>	PA19-000001 –Merriam Kincaid 1 st Plat
<u>Request:</u>	Approval of a final plat
<u>Property Address:</u>	5519 Merriam Drive
<u>Applicant:</u>	Jay Longhauser, Kincaid Group Owner Representative

Current Zoning and Land Use	I-1 (Light Industrial) District and C-2 (Retail Business) District, developed as a bus transportation facility with related office and maintenance buildings.
Surrounding Zoning and Land Use	BNSF Railroad and I-35 to the east. I-1 (Light Industrial) District to the south, developed with an auto repair facility. I-1 (Light Industrial) District to the west, developed with automotive sales uses. I-1 (Light Industrial) District to the north, developed with an existing gravel surface parking lot.
Proposed Legal Description	Merriam Kincaid 1 st Plat, Lot 1
Property Area	3.4521 ± Acres 150,375 ± sq. ft.
Number of Lots (1)	Lot 1

Related Case Files

SD-5-95	5639 Merriam Drive	Site Development Plan –Building (Withdrawn)
SD-3-96	5639 Merriam Drive	Site Development Plan – Parking and Future Building
SD-1-97	5639 Merriam Drive	Site Development Plan - Building

Vicinity Map PA19-000001 Merriam Kincaid 1st Plat



Vicinity Map



Aerial View

Staff Comments:

The applicant, Kincaid Group, is requesting approval of a final plat, Merriam Kincaid 1st Plat, for 5519 Merriam Drive. The purpose of the proposal is to facilitate construction of a building addition to the existing office building on the property, which was originally constructed in 1997. The proposed plat consists of one lot (Lot 1) that is approximately 150,375 square feet or 3.4521 acres.

In the future, the applicant will be requesting a rezoning of the subject area from its current designation of I-1 (Light Industrial) District and C-2 (Retail Business) District to PUD-G (Planned Unit Development – General) District. The applicant has indicated that they plan to submit a rezoning request to PUD-G and a development plan for all the properties they control on Merriam Drive (5501, 5519, and 5639).

A site development plan (SDP19-000001) for the proposed building addition is on this month's Planning Commission agenda.

Currently, the subject property is developed with a school bus transportation facility that includes offices and maintenance buildings related to the transportation facility's operations. The proposed addition is for the office building that is located closest to Merriam Drive.

Comments from City staff and Public Utilities

As part of the review process, staff provided copies of the proposed plat to the public utilities. In addition, staff solicited comments from other city departments.

The applicant has addressed all comments.

Conformance with Development Plan

The property is currently unplatted and consists of two land tracts. Platting the property into one (1) lot (Merriam Kincaid 1st Plat, Lot 1) will bring the property into compliance with the proposed site development plan.

Floodway/Floodway Fringe (Floodplain)

Turkey Creek passes through a portion of the property, roughly running in a northeasterly direction through the eastern half of the site. The plat notes the boundaries of the floodway and the floodway "fringe" and labels them as Zone "AE". The proposed building addition and existing buildings on the site are not located within Zone "AE".

Dedication of Right-of-Way

The plat dedicates 40 feet of additional right of way on the east side of Merriam Drive.

Easements

The plat dedicates 7.5 foot perimeter utility easements around Lot 1.

The remaining easements shown on the plat are existing.

Access

Access to the property will remain unchanged following the approval of the final plat.

Lots

Total Area: Approximately 3.4521± Acres (150,375 ± sq. ft.)

Lot 1: 3.4521± Acres (150,375 ± sq. ft.)

Public Utilities

The subject property has access to all required public utilities.

Staff Recommendation:

Community Development staff finds that the applicant's proposal is in order for approval and forwarding it to the City Council for the acceptance of right of way and easements subject to the following conditions:

1. Prior to approval of building permits the final plat shall be recorded with Johnson County.
2. Prior to providing the plat to the city for signatures, revise the final plat to indicate "William A. Bailey, Secretary" on the signature block.

Bryan P. Dyer, AICP
Community Development Director
February 6, 2019