

**CITY OF DERBY  
PLANNING COMMISSION MINUTES  
December 1, 2011 6:30 PM**

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**MEMBERS PRESENT:** Sue Wright, Kelly Farber, Doug Chambers, Eric Tauer, Keith Volz, Jack Hezlep, Gunter Hansen

**MEMBERS ABSENT:** Tasha Brackeen, Pat Baer, Shawn Riley

**CITY STAFF PRESENT:** Bud Newberry, City Planner; Stephanie Cox, Recording Secretary

**CONSIDERATION OF MINUTES:**

Minutes of November 3, 2011 Planning Commission Meeting.

MOTION: Kelly Farber moved to approve the minutes as written.

SECOND: Jack Hezlep

VOTE: 7-0, unanimous approval

**PUBLIC FORUM**

**AGENDA ITEM NO:** 1

**DESCRIPTION:** Site Plan Review – Part of Lot 2, Block 1, Mayfield-Minge-Rolison Addition

**GENERAL LOCATION:** Across from Kohl's on the south side of Patriot Avenue

**APPLICANT:** Shelton Collision Repair, Inc. (Brad Shelton)

**AGENT:** Spangenberg Phillips Tice Architecture

**REASON FOR REQUEST:** Convert existing building to auto body repair facility

**BACKGROUND INFORMATION:**

- This site is located mid way between K-15 Highway and Buckner Street on the south side of Patriot Avenue.
- This lot is located within the Mayfield-Minge-Rolison Addition. The plat for this addition was approved by action of the Derby City Council on October 17, 1978.
- This property is zoned B-5 "Restricted Commercial, Warehousing, Limited Manufacturing District", the appropriate zoning district for the proposed use.
- Properties with B-5 "Restricted Commercial, Warehousing, Limited Manufacturing District" zoning lie to the north, west and south of this parcel. East

of this site is the Old Ranch Commercial Addition, a large undeveloped commercial property zoned B-3 "General Business".

- The lot which is the subject site of this review is approximately 2.40 acres, which exceeds the minimum requirements of the B-5 district in all respects.
- Automobile Body and Fender Repair businesses are an outright permitted use in the B-5 District.

### **STAFF COMMENTS:**

1. Legal Description. The legal description for this site is not shown on the Site Plan documents but is stated on the application as Part of Lot 2, Block 1, Mayfield-Minge-Rolison Addition, Derby, Sedgwick County, Kansas. The correct legal description needs to be added to a corrected Site Plan.

2. Building Setbacks. A platted 35' building setback is shown on the Site Plan as required but is not labeled as such. This line needs to be labeled on the corrected plan. The proposed addition meets the setback requirements for the B-5 district.

3. Easements. There are no easements shown on the official plat of this lot and none are shown on this site plan. There is a platted floodway but it is located on the south end of this site and is not a part of the review area.

4. Access. Access to this site is gained with the use of one existing entrance near the northeast corner of the subject site. This entrance exceeds the width requirement for two way traffic. The City Engineer has reviewed and approved of this arrangement so there are no additional requirements.

5. Streets. This site is adjacent to Patriot Avenue (63<sup>rd</sup> Street South), a major arterial roadway connecting K-15 with Rock Road. This roadway is a minimum of four lanes wide with portions widening to six lanes. The entrance to this site is located in one of the areas where Patriot widens to six lanes which will make for excellent access to this site. No additional street paving is required.

6. Parking/Circulation Aisles. This facility requires 20 parking spaces (8 service bays X 2 plus 4 = 16 + 4 = 20 stalls). Nineteen properly sized parking stalls and one handicap compliant stall are shown on the site plan for a total of 20 spaces, which meets the requirement. All two way circulation aisles are shown with a minimum width of 25' and access to all sides of the building is available on hard surfaced driveways that are sized to adequately accommodate emergency equipment. The City Engineer and Fire Chief have reviewed and approved of this arrangement so there are no additional requirements.

7. ADA. Spot elevations in and around the handicapped parking area appear to indicate that proper slopes and grades have been established for ramps, sidewalks and the area between the handicap parking stall and the building entrance. General note number 4 on the Grading Plan states that the maximum cross slope on all pavement for

handicap stalls and accessible routes cannot exceed 2%. Although a separate detail of the handicap parking stall was not provided, the handicap accessible stall shown on the Site Plan appears to indicate compliance with ADA requirements. The applicant may want to provide a detail of the handicap stalls prior to Site Plan Review or be prepared to describe the type of stall being used during the review. Since the number of accessible parking spaces is based on the total number of spaces provided, one handicap stall is required to meet the ADA requirement for this parking lot. One is provided which meets the requirement. The Building Official has approved the location for the handicap parking stall, which is shown adjacent to the main building entrance.

8. Signage. The applicant provided details of both the wall and ground signs which will be installed for this project. The ground sign is proposed to be 21' tall and has a width of 9', which is less than the maximums allowable in the B-5 District.

9. Site Lighting. The Site Lighting Photometric Plan included shows adequate lighting around the front of the new addition and in the drop-off area at the northeast corner of the new addition. The maximum light levels around the perimeter of the site do not indicate any light spilling over onto adjacent properties and streets.

10. Landscape/Screening and Buffering.

Landscape Street Yard. This site has a frontage adjacent to Patriot Avenue so a landscape street yard 20 feet in depth is required along the north line of this property. The landscape street yard measures 4,080 S.F. (20' x 204' = 4,080 S.F.). A total of 8 shade trees are therefore required (4,080 S.F. / 500 S.F. per tree = 8.16 = 8). There are eight shade trees shown on the site plan but the species is not specified. This information must be provided prior to, or during Site Plan Review. Trees used for this requirement must be of a species approved by the city.

This parking lot has less than fifty parking stalls so the developer is not required to place trees in parking lot islands.

Screening/Buffering. The properties located adjacent to the east, west and south sides of this site have zoning which does not require any screening or buffering by the new owner with this project.

Parking Lot Screening/Landscaping. Proper screening of the parking area on the north side of this lot is shown on the Site Plan with the placement of a continuous row of shrubs, which meets the requirement.

Equipment Screening. The only new mechanical equipment installed with this addition will be a roof top HVAC unit which is located directly behind the new roof. It appears that this roof will completely hide this unit from view from the north and an existing tree row along the east property line will screen the equipment from the east. Since there isn't a parapet wall on the existing building where this unit will be located, the applicant

is advised to be prepared to discuss how the rooftop equipment will be screened from view from the west if the commission determines that screening is necessary.

Trash Receptacle Screening. Since this plan does not show where the trash receptacle will be located, it is assumed that it will be kept inside the building. If there will be an outside receptacle, it will have to be screened with an enclosure made of wood, masonry or materials similar to those used on the building.

Miscellaneous Landscaping Notes.

The Derby Zoning Ordinance does require that the landscaping be irrigated with a permanent irrigation system. The applicant needs to be prepared to explain how the landscaping will be watered. In accordance with local regulations, the installation of an automatic rain sensing device is now required if an automatic irrigation system is installed.

The applicant is reminded that all landscaping is to be maintained in good condition and that maintenance includes replacing dead or diseased plants and trees.

The applicant should verify that there are no vision problems created at the entrances with the placement of trees and landscaping.

The use of BMP's may be required during the construction of this building to control erosion per city ordinance. The requirement for placement of BMP's is a determination of the Environmental Control Officer.

11. Drainage. The Grading Plan shows that all runoff from this site will be directed to either the east or west sides of the building and allowed to run onto the platted floodway which occupies the southern 120' of this lot. Additionally, some of the runoff will be directed onto the lot to the west per an existing cross-lot drainage covenant. The City Engineer has reviewed and approved this plan.

12. Utilities. Sanitary sewer service for this new addition will be connected to an existing service line located on the east side of the existing building.

A new 2" domestic water service line is shown exiting the building on the west side and will be connected to the existing 24" water line located along the south side of Patriot Avenue. Sufficient water volume and pressure will be available from this line to provide adequate water service to the site. The applicant needs to contact El Paso Water Co. (788-1424) to coordinate water meter sizing and installation and to determine where the meter is to be located.

The Fire Protection Line is also shown tapped into the existing 24" water line. The Plumbing Floor Plan shows the Fire Department Connection (FDC) located near the northwest corner of the building. The Derby Fire Department has requested that this connection be moved to a location near the northeast corner for easier accessibility.

The developer needs to contact the Derby Fire Chief to resolve this matter. The plumbing plan also shows that an internal fire protection sprinkler system is being provided for protection of the paint booth and paint mixing room.

There are two existing fire hydrants located within 250' of this site which meets the requirement. The Derby Fire Chief has determined that no additional hydrants will be required.

The connection points for other utility services are not shown on the Utility Plan but are known to be readily available as they are currently serving the existing building.

13. No Smoking. In accordance with the recently approved ordinance banning smoking in public places and places of employment, "No Smoking" signs must be posted and a 20' smoke free zone must be established at all entrances to the facility.

14. Design Standards. Elevations for all four sides of the building are shown on the Elevations sheets with the types of material noted. The developer has been encouraged to provide samples of the proposed materials and colored renderings at Site Plan Review.

15. Miscellaneous. The applicant is reminded that a Business License for this location must be completed prior to issuance of the Certificate of Occupancy.

#### **CORRECTED PLANS:**

Following Planning Commission approval, the applicant will need to revise the Site Plan documents to incorporate all corrections or comments and submit 3 revised and final copies to the city.

#### **RECOMMENDATION:**

Approve the Site Plan for Part of Lot 2, Block 1, Mayfield-Minge-Rolison Addition, subject to staff comments and approval of the Final Plat.

**Note: Neither the applicant nor agent were in attendance.**

#### **DISCUSSION:**

**Kelly Farber** asked what requirement caused this project to be brought before the Planning Commission.

**Bud Newberry** replied when the remodeling of a property exceeds 50% of the County's assessed valuation of the existing building, they have to come before the Planning Commission.

**Jack Hezlep** asked if the relocation of Nelson Drive will affect this property.

**Bud Newberry** replied that it would not affect this property but the relocation will put Nelson closer to this site, and that could be a reason for the Commission to consider requiring screening of the roof top equipment on the west side of the building.

Since no one was present to represent the applicant, the Planning Commission asked that the following items be addressed during the Site Plan Review on December 15<sup>th</sup>, 2011:

1. What is the plan for the existing chain link fence on the north end of the property?  
Will there be a security fence on the west side of the building?
2. Need more detail on the proposed metal fence. (Style, color and photo)
3. Exterior light fixtures on the building and around the site need to be better described.
4. Will the mulch-only area shown include any plants? (The commission would like to have some if not already planned.)
5. What type of roof top unit screening will be used on the west side?
6. Landscaping species need to be identified on the landscape plan using approved species as outlined in the Zoning Ordinance.
7. Color rendering and explanation of the building materials and colors being proposed.

**Chairman Tauer** asked that an agenda item be added after the first of the year for Site Plan requirements to be reviewed by the Planning Commission.

MOTION: Chairman Tauer moved to table item until December 15<sup>th</sup>, 2011

SECOND: Doug Chambers

VOTE: 7-0, unanimous

**AGENDA ITEM NO: 2**

Approval of 2012 Planning Commission Meeting Schedule and Submittal Deadline

**DISCUSSION:**

**Chairman Tauer** asked if anyone had checked to insure there were no conflicts with holidays.

**Stephanie Cox** said she had checked.

MOTION: Jack Hezlep moved to receive and file.

SECOND: Gunter Hansen

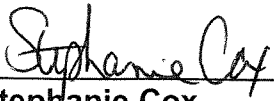
VOTE: 7-0, unanimous approval

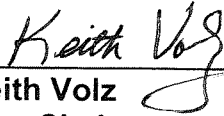
MOTION TO ADJOURN: Chairman Tauer

SECOND: Keith Volz

VOTE: 7-0, unanimous

Meeting adjourned at 7:45 PM.

  
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**Stephanie Cox**  
**Recording Secretary**

  
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**Keith Volz**  
**Vice Chairman**