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**SITE PLAN APPLICATION  
COUNTRYSIDE LEARNING CENTER  
STAFF REPORT  
TO THE  
PLANNING COMMISSION  
CITY OF DE SOTO, KANSAS  
MAY 18, 2006**

Agenda Item:	Consider Site Plan application for Countryside Learning Center, located at 10120 Lexington Avenue.
Meeting Date:	Tuesday, May 23 <sup>rd</sup> , 2006
Owner/Developer:	De Soto USD No. 232 8255 Peoria St. De Soto, KS 66018 (910) 583-9833
Project Engineer:	Shafer, Kline & Warren 11100 W 91 <sup>st</sup> Street Overland Park, KS 66214 (913) 888-7800
Report Prepared By:	Kim Gordanier, Planning Coordinator Mike Brungardt, City Engineer
Submittal Materials:	Site Plan Sheets C000, C100:104, E100, and L100 dated 4/24/06.

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**I. GENERAL DESCRIPTION**

- A.** The De Soto School District, represented by Arnie Tulloch of Shafer, Kline & Warren, has submitted a Site Plan for Countryside Learning Center. The plan has been submitted for the purpose of expanding an existing parking area, adding landscaping and stormwater detention. Approximately 23 parking spaces are to be added to an existing parking lot directly west of the building.
- B.** The subject property is zoned 'R-0' Residential Suburban; a public educational use is allowed in residential zoning districts by Special Use Permit. As such, Countryside Learning Center is considered a legally nonconforming use. The high school, middle and elementary schools to the north along Lexington Avenue have approved Special Use Permits dating to their construction, 1997, 2000, and 2001. Legally nonconforming uses cannot expand or enlarge their facilities without first coming into conformance with the regulations. Staff has determined that only parking facilities are being expanded, and not the structures wherein the nonconforming uses are taking place, therefore, there is not an expansion of the nonconforming use. A Special Use Permit should not be required in this case.



- C. The Site Plan Review Committee did not meet to discuss the Site Plan submittal. Staff determined that the plan's scale and simplicity did not warrant a formal Committee meeting.
- D. The subject tract consists of one parcel located west of Lexington Avenue between 95<sup>th</sup> Street and 103<sup>rd</sup> Street. The location of the proposed development is indicated on Figure 1 below.
- E. Figure 1 and the proposed site plan show a street designated as 102<sup>nd</sup> Street. There appears to be some question as to the ownership and maintenance of this street. According to the Johnson County mapping information, no public right-of-way exists for this street. It is therefore the City's position that this is a private street, and no maintenance responsibility has been accepted. In discussing this issue with the School District and their engineer, it is evident that they are under the assumption that the street is a public street. In the past, the City has performed some limited maintenance on this road, mainly plowing snow. Whatever the resolution on this issue, it has little impact on the consideration of this site plan. In our actions relating to this proposal, we should make clear that the approval of this site plan has no bearing on whether the street is public or private.

FIGURE 1: AERIAL MAP





## II. SITE PLAN REVIEW

### A. Submittal Materials: Article 11, Section 4

The submittal materials have been reviewed to ensure that all the necessary information is present to facilitate an adequate review of the proposal. It is concluded that all the elements of the site plan are present, and the plan is adequate to facilitate a full review of the proposal.

### B. Development Standards: Article 11, Section 7

#### 1. Buildings and On-Site Utility Layouts (Items A, B, C, D, E, & F)

There are no proposed buildings associated with this site plan. The only on-site utilities proposed are storm sewer elements including a stormwater detention facility.

#### 2. Pedestrian Access (Item H)

In accordance with the referenced section of the Zoning Regulations, a sidewalk is required along all sides of a lot that abuts a dedicated public or private street. The site plan does not include a walk along 102<sup>nd</sup> street to the west of the parking lot. There is a short section of an existing walk along 102<sup>nd</sup> Street just north of the proposed parking. Sidewalks are provided (proposed and existing) that connect the entrance with the parking areas and the street. There is also an existing sidewalk along the façade of the building, as required by the regulations. To comply with the sidewalk requirements, the site plan should include a 5-foot concrete sidewalk along 102<sup>nd</sup> Street that runs between the two parking drive entrances.

### C. Off-Street Parking: Article 6

1. **Required Spaces:** Because this site plan is not proposing a new building, expansion of an existing building, or expansion of an existing use, it is determined that the requirements relating to the minimum number of parking spaces do not apply in this case. The plan notes that 34 new parking spaces are being provided, however approximately 11 of these spaces are to be constructed in the same location as an existing parking area. It is therefore concluded that 23 of the spaces are new.
2. **Layout:** The proposed layout of stalls and drives meets the requirements of the Zoning Regulations. Because this parking lot does not access a loading dock or other point for bulk delivery, it is reasonable to assume that truck traffic through the lot will be limited. It is therefore less critical that the layout allow room for truck turning movements.
3. **Materials:** The proposal meets the requirements for pavement type, pavement thickness, and curbing.

### D. Landscaping: Article 8

Though landscaping improvements are proposed, improvements to existing development that do not result in an increase in building floor area are exempt from the requirements of Article 8.



### **E. Storm Water Management & Floodplain: Subdivision Regulations / City Ordinance**

The school property is located in a watershed that drains into a stream that flows toward the north and east under Lexington Avenue and eventually into Kill Creek just south of K-10. This creek is known to have a restriction just east of Lexington Avenue that causes flooding to occur on Lexington Avenue. It is therefore important that the added runoff from the increased parking area is adequately managed.

The applicant has submitted a drainage study showing that the proposed detention facility will adequately mitigate the negative runoff impacts of the new parking area. The peak runoff rates after the installation of the parking lot and detention facility will be less than the peak runoff rates currently produced from the site. The study findings are summarized in the table below.

Design Storm	Current Pre-Development Peak Runoff	Post-Development Peak Runoff (with detention)
2-Year	2.42	2.19
10-Year	4.58	3.06
100-Year	7.67	3.77

### **III. CONCLUSIONS AND RECOMMENDATIONS**

After full review of the site plan dated April 24<sup>th</sup>, 2006, it is recommended that approval of the Site Plan be conditioned upon the following:

1. The addition of a 5-foot concrete sidewalk along 102<sup>nd</sup> Street that runs between the two parking drive entrances.
2. In approving this Site Plan, the Planning Commission is making no judgment or declaration relating to the public or private status of 102nd Street.

END OF REPORT