

**AGENDA
PLANNING COMMISSION
CITY OF ROELAND PARK, KANSAS
ROELAND PARK
4600 W 51ST STREET
JANUARY 23, 2024 6:00 PM**

I. Roll Call

II. Approval of Minutes

1. Approve Minutes from November 21, 2023 Planning Commission

III. Public Hearing

1. Review Request for Special Use Permit for 5015 Buena Vista

IV. Action Items

1. Elect a Chair and Vice Chair of the Planning Commission

V. Discussion Items

VI. Other Matters Before the Planning Commission

VII. Adjournment

Scheduled Meeting Dates

Item Number: Approval of Minutes- II.-1.
Committee 1/23/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/23/2024
Submitted By: Jennifer Jones-Lacy, Assistant City Administrator/Finance Director
Committee/Department: Admin
Title: **Approve Minutes from November 21, 2023 Planning Commission**
Item Type: Other

Recommendation:

Review and approve the attached minutes.

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Minutes 11.21.23	Exhibit

PLANNING COMMISSION MINUTES
CITY OF ROELAND PARK, KANSAS
4600 W 51st Street, Roeland Park, KS 66205
November 21, 2023, 6:00 P.M.

The Roeland Park Planning Commission met on November 21, 2023.

Commissioners Present: Lisa Brunner, Vice Chair
Mark Kohles
Josey Shaw
Matthew Lero

Commissioners Absent: Darren Nielsen, Chair
Macrina Abdouch
Haile Sims

Staff: Jennifer Jones-Lacy - Assistant City Manager/Finance Director
Wade Holtkamp – Building Inspector

I. ROLL CALL

Ms. Jones-Lacy called the meeting to order. Commissioners Nielsen, Abdouch, and Sims were absent.

II. Approval of Minutes

1. Planning Commission Meeting Minutes - June 21, 2023

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER KOHLES SECONDED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF JUNE 21, 2023, AS PRESENTED. (THE MOTION CARRIED 4-0.)

2. Planning Commission Meeting Minutes - October 17, 2023

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER SHAW SECONDED TO APPROVE THE PLANNING COMMISSIONER MEETING MINUTES OF OCTOBER 17, 2023, AS PRESENTED. (THE MOTION CARRIED 4-0.)

III. Public Hearing

1. Approve Final Plat of 5400 Buena Vista

Ms. Jones-Lacy opened the public hearing and provided a staff report regarding the requested final plat for 5400 Buena Vista. The property owners plan to tear down the existing house and build a larger two-story home on the property. It was discovered that the property had never been platted and is a stipulation in City code for a property to be platted before a plat can be approved. Once approved by the Planning Commission, it

would then go to the City Council for approval of the dedication of easements. The specific plat information and notes are provided in the agenda packet. One item that staff is recommending is to allow for a rule exception for a sidewalk. City Code would require a sidewalk be placed on the Buena Vista side of the street. However, since a sidewalk was recently installed on the east side, it renders this location less of a priority and for that reason the request from the Planning Commission to approve the rule exception.

Ms. Jones-Lacy asked for public comment.

Terry Hires (4109 West 54th) Ms. Hires said she is confused at what was going on and that she and her mother had concerns with a larger house built next door, it would drive their property values down.

Commissioner Lero said he is not sure anyone on the Commission have any expertise in real estate, but they are to only approve the plat and the City Council will approve the easements.

Commissioner Kohles said they are just approving the property plat and not the actual design of the house.

Donald Smith (5408 Buena Vista) Mr. Smith said he is good with everything and agreed the sidewalk rule exception should be approved since there is one across the street.

Ms. Jones-Lacy closed the citizen comment portion of the public hearing, and then called for a vote.

MOTION: APPROVE THE FINAL PLAT FOR 5400 BUENA VISTA AS WELL AS A RULE EXCEPTION TO THE SIDEWALK REQUIREMENT AS LAID OUT IN SEC. 16-1440 OF THE CITY CODE. (THE MOTION CARRIED 4-0.)

IV. Action Items

No Action Items were presented.

V. Discussion Items

No Discussion Items were presented.

VI. Other Matters Before the Planning Commission

Ms. Jones-Lacy gave an update on the meeting regarding the zoning code updates. She said there were members of the public in attendance who commented on what they would like to see in the code updates. She added that there was a lot of good conversation largely about fences and ADU. She noted that Commissioner Lero was also in attendance. Chris Shires, their consultant from Confluence, was at the meeting taking in all the information from which he will prepare a draft to present to the Planning Commission for review. Once approved, it will then go to the City Council for final approval.

Ms. Jones-Lacy said they also need to put on the agenda the Planning Commission's annual review of the Comprehensive Plan as required by state statute. Their review ensures it is still helping development and makes sense for their community. The last complete rewrite of the Comprehensive Plan was three years ago.

VII. Adjournment

MOTION: COMMISSIONER LERO MOVED AND COMMISSIONER KOHLES SECONDED TO ADJOURN. (THE MOTION CARRIED 4-0.)

(Roeland Park Planning Commission Meeting Adjourned at 6:38 p.m.)

Item Number: Public Hearing- III.-1.
Committee 1/23/2024
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 1/23/2024
Submitted By: Wade Holtkamp, Building Inspector
Committee/Department: Admin
Title: Review Request for Special Use Permit for 5015 Buena Vista
Item Type: Other

Recommendation:

Staff recommends approval of the Special Use Permit (SUP) for the 5015 Buena Vista Street, the former Southridge Presbyterian Church, for use as a daycare with the following contingencies:

- **Facility only operates on the first floor of the facility.**
- **Facility receives full licensure to operate a daycare facility from the state of Kansas.**
- **Facility receives approval from the state Fire Marshall to operate a daycare in the facility.**
- **The facility is able to get a certificate of occupancy through the building permitting process; and**
- **The facility receives a business license from the City to operate.**
- **Daycare children are required to be walked into the facility by a parent or their designee.**

Details:

The location of the building lot is zoned residential. The use of the day care facility being non-residential in nature, requires a Special Use Permit. City code requires all new day cares go through a Special Use Permit process to allow for operation in any zoning district.

The applicant states that the morning drop (7:30am-9am) and evening pick up (4:30pm-6:30pm) will take place in the west parking lot. The facility will have 29 total parking spaces available. There will be up to 13 parking spaces taken by staff, the remaining 16 spaces for parents.

After parking their vehicle, the child will be walked into the facility by a parent and signed in. A daycare parking attendant will be outside during those periods to keep vehicles entering and exiting in a timely and efficient manner. Parents will not be parking or idling on the surrounding streets

dropping off children to walk in unattended. Children will not be allowed to leave the facility unattended to walk to a vehicle.

Sec. 16-318. - Special Use Permit.

(d) Day Care Facilities: Day care facilities for more than five children or adults shall:

- (1) Be licensed with the State pursuant to K.S.A. 65-501 et seq.;
- (2) Obtain a Special Use Permit from the Planning Commission;
- (3) Obtain an annual City business license;
- (4) Obtain and furnish an annual fire inspection from the Fire Marshal or designee;
- (5) A loading zone capable of accommodating at least two automobiles for picking-up or dropping-off passengers;
- (6) Meet all requirements of the building code applying to day cares;
- (7) That any special use permit issued shall be for an indefinite period, and that the rights granted in said special use permit shall extend to the owner or his agent or licensee of said owner requesting such permit and shall not run with the land;
- (8) The special use permit for the operation of a daycare may be revoked at any time by the Planning Commission upon a determination that it is in violation of the standards of this section or any other City Code requirement including City Code violations such as nuisance violations that endanger the life, health, property, safety, or welfare of the general public and property maintenance violations containing substandard or unsanitary conditions;

16-319. - Special Use Permit Applications—Submission Requirements.

(a) The following items shall be submitted in support of an application for a special use permit requested pursuant to Subsection 16-319(a).

- (1) Legal description of the property that is covered by the application for a special use permit.
- (2) A statement of the reasons why the special use permit is being requested.
- (5) If the Application is for an in-home daycare, the applicant must include:
 - i. Applicant's name;
 - ii. Description of the particular premises in or at which the in-home daycare will be carried on;
 - iii. Hours of operation;
 - iv. Parking plan;
 - v. If staff outside the home are employed, the number of staff and where they will park;
 - vi. Proof of state licensure; and
 - vii. Proof of a fire inspection.
- (6) All studies as may reasonably be required pursuant to Section 16-304.
- (7) Assurance of adequate public facilities as required by Section 16-305.

It should be noted on the attached site plan that a west 6 foot solid privacy fence is shared with (2) residential property lots. No setback is present or required for fence construction on a residential zoned lot. Many children may utilize this space thought the day. Also on the site plan is a proposed east fenced playground area that will require a variance for a fence taller than 30 inches.

Staff reports that required neighbor notices were sent to property owners with 200 feet. Staff did not receive any formal objections. If this application is approved by the Planning Commission, it will go to the Governing Body for final approval.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
<input type="checkbox"/> SUP Request Description of Services and Parking	Exhibit
<input type="checkbox"/> Building and Parking Footprint	Exhibit
<input type="checkbox"/> SUP Application	Exhibit

Special Use Permit Request Statement

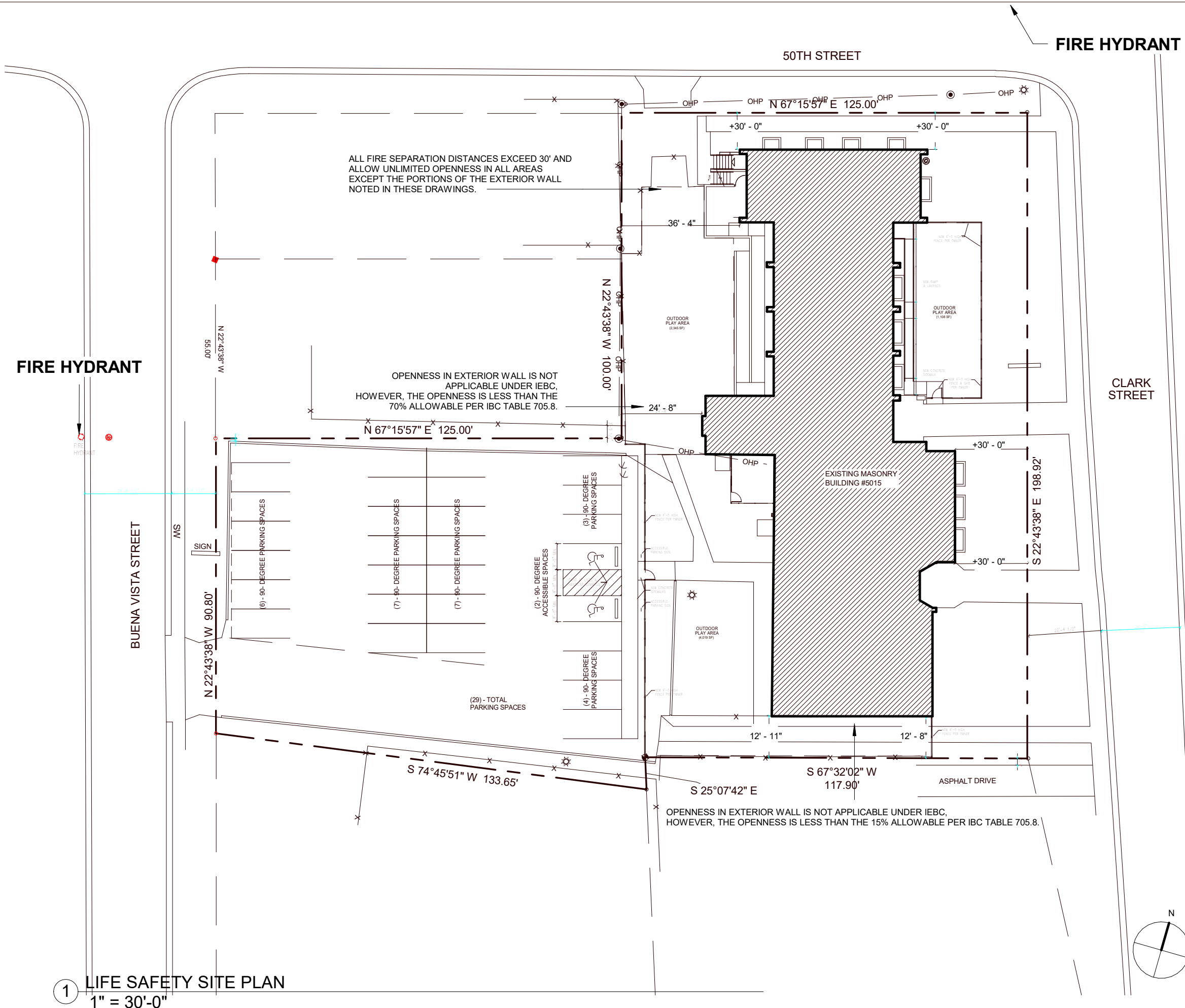
Gioiosa Montessori is responding to the need for quality childcare services in the community and will provide day care services on a full-time basis for 60+ children in year one and 100+ children in year two. Gioiosa Montessori will run as a child care center and will be licensed by the State of Kansas. The business will provide service to a maximum of 99 children initially and will expand to accommodate more than 100 children and an after school program. It is across the street from Roesland Elementary School.

The facility will be located at 5015 Buena Vista St., Roeland Park, KS 66205. The facility totals 19,262 square feet. In addition, there are three outdoor play areas that are 1300, 2340, and 1000 square feet respectively.

The property is currently zoned as single family residential, necessitating a special use permit per Sec. 16-319 of the Roeland Park Municipal Code. This is in line with the approach leveraged for the Community Center ECLC zoning and approach in Roeland Park.

Parking Plan

The facility will have 29 total parking spaces available. There will be 13 staff onsite at any given time, leaving 16 parking spaces for parents dropping their children off.



FIRE HYDRANT

50TH STREET

FIRE HYDRANT

CLARK STREET

BUENA VISTA STREET

1 LIFE SAFETY SITE PLAN

1" = 30'-0"

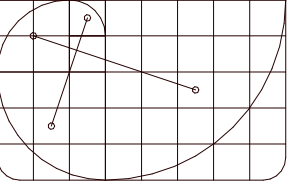
ALL FIRE SEPARATION DISTANCES EXCEED 30' AND ALLOW UNLIMITED OPENNESS IN ALL AREAS EXCEPT THE PORTIONS OF THE EXTERIOR WALL NOTED IN THESE DRAWINGS.

OPENNESS IN EXTERIOR WALL IS NOT APPLICABLE UNDER IEBC, HOWEVER, THE OPENNESS IS LESS THAN THE 70% ALLOWABLE PER IBC TABLE 705.8.

OPENNESS IN EXTERIOR WALL IS NOT APPLICABLE UNDER IEBC, HOWEVER, THE OPENNESS IS LESS THAN THE 15% ALLOWABLE PER IBC TABLE 705.8.



Mark D. George
Architecture
7812 Caenen Lake Drive
Lenexa, Kansas 66216
913 - 249 - 6146
mark.d.george@sbglobal.net



BUILDING ALTERATIONS FOR
GIOIOSA MONTESSORI DAY
CARE CENTER
5015 BUENA VISTA STREET
ROELAND PARK, KS 66205

Date	Description	Initials
12/16/23	FOR FIRE MARSHALL REVIEW	MDG



**SPECIAL USE PERMIT
TO PROVIDE GENERAL HOME DAY CARE**

4600 W 51st Street
Roeland Park, KS
66205

Phone: 913-772-2600
Fax: 913-772-3713
www.roelandpark.net

☐ New Application

☐ Renewal

Appl
Date:

Fee Paid: Case

No.: Meeting Date:

\$250.00

Please include documentation of state current state licenseure with application

Applicant Name: Brandy Poiry

Phone: 417-529-3906

Address: 5015 Buena Vista St

Zip Code: 66205

Day Care Name: Gioiosa Montessori

Cell: 417-529-3906

E-Mail: brandypoiry@gmail.com

Property Zoning Designation: Single family residential
(if not known, can be supplied by staff)

Name of Subdivision: SR Church

Do you own the property?

Yes ☐

No ☒

Note: If not, please provide written permission from the owner for the CUP request.

Total number of children which care will be provided:

81

Note:

Number of providers living in the home: 0

Number of Employees: 22

Hours of operation: Days of week: Monday - Friday

Hours: 7:30 am - 6:30 pm

Provide a plot plan or sketch of the home showing the following:

Location and number of parking and/or drop-off spaces;

Location and type of facilities/equipment for the required outdoor activity area;

Location, type and height of fencing.

Location of the 100ft²/per child open area

Provide a written narrative of the day to day operations / daily schedule to include the following:

Describe the daily activities / schedule;

Drop off/pick up times;

of all day participants and ages;

of before/after school participants and ages.

Provide pictures of all rooms where daycare will be held

Have there been conversations with adjacent neighbors to determine whether or not they have objections to this business? Please describe: No

Along with this application, a copy of the State of Kansas License or Application for License must be submitted.

Application information and accompanying site plans are reviewed by the City staff and/or the Fire District, which can include representatives from Neighborhood Services, Fire, and Police.

After reviewing the plans, the City staff prepares comments that are e-mailed to the contact person and that subsequently must be addressed and resubmitted by the applicant according to the required schedule. Resubmittals must include a letter addressing all staff comments and questions in writing.

Duration Of Permits:

A Special Use Permit may be revoked at any time by the Governing Body upon a determination that the business is in violation of the standards of the Section or any other City Code requirement.

I hereby affirm the above statements are true and correct. I have read Roeland Park's Home Business Regulations and agree to abide by them and any stipulations added below. I hereby certify that the location (address) of the proposed home business (as noted above) is used as my permanent and primary residence. I understand that false information or violation of any stipulation could result in revocation of the permit / license.

Date: Dec 07, 2023

Applicant Signature: Brandy Poiry

Date: _____

Property Owner : _____
Signature (if different than applicant)

Revised 12/6/23

Gioiosa Montessori Daycare Special Permit

- Describe the daily activities / schedule
 - See below
- Drop off/pick up times
 - Drop off will occur between 7:30 and 8:30 am
 - Pick up will occur between 4 and 6:30
- # of all day participants and ages
 - 12 weeks - 1 year - 9 children
 - 1-2 years - 20 children
 - 2-3 years - 28 children
 - 3-6 years - 24 children
- # of before/after school participants and ages
 - 0 before/after school participants
- Provide pictures of all rooms where daycare will be held
 - See below

Toddler Schedule	
7:30AM-8:00AM	Arrival and Free Play
8:00AM-8:45AM	Handwashing, Breakfast, Clean Up
8:45AM-9:00AM	Diapering, Handwashing
9:00AM-10:00AM	Montessori Work (Naps if Needed)/Music
10:00AM-10:15AM	1st Circle Time: Songs, Colors, Shapes
10:15AM-11:00AM	Outdoor/Indoor Gross Motor Time
11:00AM-11:45AM	Handwashing, Lunch, Clean Up
11:45AM-12:00PM	Diapering, Handwashing
12:00PM-12:30PM	2nd Circle Time: Teacher Books, Language Cards
12:30PM-3:00PM	Nap Time
3:00PM-3:15PM	Diapering, Handwashing
3:15PM-3:30PM	Snack Time
3:30PM-5:30PM	Outdoor/Indoor Gross Motor Time

Gioiosa Montessori Daycare Special Permit

Early Preschool Schedule	
7:30AM-8:00AM	Arrival and Free Play
8:00AM-8:45AM	Handwashing, Breakfast, Clean Up
8:45AM-9:00AM	Diapering, Handwashing
9:00AM-9:30AM	Greetings, Social Emotional Skills
9:30AM-10:15AM	Outdoor/Indoor Gross Motor
10:15AM-10:45AM	Literacy and Math Lessons
10:45AM-11:15AM	Geography/Spanish/Music
11:15AM-12:00PM	Lunch, Handwashing, Diapering
12:00PM-12:30PM	Montessori Work
12:30PM-3:00PM	Nap Time
3:00PM-3:30PM	Diapering, Handwashing, Snack
3:30PM-5:30PM	Outdoor/Indoor Gross Motor

Preschool	
7:30AM-8:00AM	Arrival and Free Play
8:00AM-8:45AM	Handwashing, Breakfast, Clean Up
8:45AM-9:15AM	Greetings, Social Emotional Skills
9:15AM-9:45AM	Montessori Work
9:45AM-10:30AM	Outdoor/Indoor Gross Motor
10:30AM-11:15AM	Literacy and Math Lessons
11:15AM-11:45AM	Lunch, Handwashing
11:45AM-12:15PM	Music/Montessori Work
12:15PM-12:45PM	Geography/Spanish
12:45PM-1:30PM	Older Preschool Work/Quiet Reading
1:30PM-3:00PM	Nap
3:00PM-3:30PM	Snack, Handwashing
3:30PM-5:30PM	Outdoor/Indoor Gross Motor

Gioiosa Montessori Daycare Special Permit



Intermediate walls will be removed and space will be combined to create a larger classroom.



Removing segmented sleeping area

Gioiosa Montessori Daycare Special Permit



Pews will be removed.



Gioiosa Montessori Daycare Special Permit



Room will be expanded and enclosed to provide bathroom access and hallway traffic

Item Number: Action Items- IV.-1.
Committee 1/23/2024
Meeting Date:



City of Roeland Park
Action Item Summary

Date: 1/23/2024
Submitted By: Jennifer Jones-Lacy, Assistant City Administrator/Finance Director
Committee/Department: Admin
Title: **Elect a Chair and Vice Chair of the Planning Commission**
Item Type: Discussion

Recommendation:

Select a Chair and Vice Chair among the membership for the Planning Commission.

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?