

*The City of Roeland Park,
Kansas*



***APPLICATION FOR
SITE PLAN APPLICATION***

**Ordinance
and
Application Form**



The City of Roeland Park, Kansas

City Hall (913) 722-2600 – Fax (913) 722-3713

Date filed: _____
Case no.: _____

SITE PLAN APPLICATION FOR NON-RESIDENTIAL DEVELOPMENT IN RESIDENTIAL DISTRICT 16-263

FEE: \$150.00

Applicant _____ Phone _____

Address _____

Property owner _____ Phone _____

Property Owner's Address _____

Range _____ Township _____ Section _____ Quadrant _____

Legal description – (Attach - legal description must be typed).

Zoning classification of property _____

Present use of property _____

Reasons for request _____

Applicant signature _____ Date _____

_____ A letter from the property owner or manager, if different from the applicant

Applicant signature _____ Date _____

Approved By: _____	Date: _____
If declined, reason why: _____	

PROOF OF OWNERSHIP AFFIDAVIT

STATE OF _____)
) SS
COUNTY OF _____)

_____, being first duly sworn upon his/her oath
deposes and states as follows:

(1) [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF THE LEGAL OWNER]

(Name of owner signing Affidavit; if owner is a corporation or business, name
of individual signing Affidavit, capacity and exact name and legal status of
said corporation or business)

is/are the legal owner/authorized official of the legal owner of the property that is the
subject of Rezoning No. _____/Special Use Permit No._____/ (Other)_____
_____. (ALL OWNERS OF RECORD MUST FILE AN AFFIDAVIT).

(2) [FILL IN ONLY IF APPLICATION SUBMITTED ON BEHALF OF A CONTRACT
PURCHASER]

That _____
(Name of contract purchaser signing Affidavit; if a corporation or business,
exact name and legal status of said corporation or business)

is the holder of a contract to purchase the property that is the subject of Rezoning No. _
_____/Special Use Permit No._____/ (Other)_____
from the owner(s) and is therefore a "landowner" within the meaning of the Zoning
Regulations.

Signature

Subscribed and sworn to before me this _____ day of _____
_____, 200__.

Notary Public

My commission expires:

16-263. SITE PLANS FOR NON-RESIDENTIAL DEVELOPMENT IN RESIDENTIAL DISTRICTS.

- (a) No permit for any construction or use of property for non-residential uses (parks, playgrounds, churches or schools) in a residential district shall be issued until a site plan for the development has been reviewed by the planning commission and approved by the governing body.
- (b) All site plans shall contain the following information:
 - (1) North arrow and scale.
 - (2) Location of existing rights-of-way, easements and infrastructure (streets, sewers, water lines, utilities, etc.).
 - (3) Size and location of existing and proposed structures and drives on the subject property, and existing structures and drives on surrounding properties.
 - (4) Location of flood plain.
 - (5) Location of proposed drives and parking areas.
 - (6) Platted setback lines.
 - (7) Elevations of proposed buildings.
 - (8) Final grades.
 - (9) Landscaping.
 - (10) Name and address of landowner.
 - (11) Name and address of architect, landscape architect, planner, engineer, surveyor or other person involved in the preparation of the plan.
 - (12) Date of preparation of the plan.
- (c) Prior to consideration of site plans by the planning commission, all site plans, and assurances of adequate public facilities as set forth in section 16-240.A, shall be submitted to the city engineer for review and determination that all submittal requirements are complete. The city engineer may also require the submission of technical studies, and the provisions relating thereto set forth in section 16-246 shall be applicable, except that appeals of the determination of the city engineer shall go directly to the planning commission.
- (d) Following the determination of the city engineer that all submittal are complete, a public hearing on the site plan shall be scheduled before the planning commission, with publication notice and notice to surrounding property owners as required by sections 16-249 and 16-250.
- (e) Following the close of the public hearing, the planning commission shall determine the appropriateness of the proposed site plan according to the following criteria:
 - (1) The capability of the site to accommodate the building(s), parking and drives, with appropriate open space and safe and easy ingress and egress.
 - (2) The degree of harmony between the architectural quality of the proposed building(s) and the surrounding neighborhood.
 - (3) The appropriateness of the minimum dimensions and areas of lots and yards contained in the applicable zoning district regulations may be considered and increased; in the case of a church, the site shall be of not less than 4 acres in area, and shall have direct access to a thoroughfare or collector street.
 - (4) The consistency of the plan with good land planning and site engineering design principles.
 - (5) The extent to which the proposed use and associated site improvements ensure that on-site storm water is appropriately managed, control the discharge of pollutants into storm water runoff, create air pollution, noise pollution, other types of water pollution, or involves excessive removal of existing on-site vegetation or other environmental harm.
- (f) The decision of the governing body to approve or deny the site plan shall be final.

16-249. PUBLICATION NOTICES. Unless otherwise specifically provided for in this Chapter, all publication notices for public hearings required by this Chapter shall be published in one issue of the official City newspaper, and at least 20 clear days shall elapse between the date of such publication and the date set for hearing. For purposes of this section, in computing the time both the day of publication and the day of the public hearing shall be excluded. The publication notice shall fix the time and place for the public hearing. Where the hearing is for consideration of changes in the text of the ordinance, or a general revision of the boundaries of zoning districts, the notice shall contain a statement regarding the proposed changes in the ordinance or in the boundaries of the zone or district. If the hearing is on an application which concerns specific property, the property shall be designated by legal description and general street location, and the notice shall contain a general statement regarding the purpose of the application.

16-250. NOTICES TO SURROUNDING PROPERTY OWNERS.

(a) Unless otherwise specifically provided in this chapter, whenever notice to surrounding property owners is required for consideration of an application, such notice shall be given as follows. The applicant shall mail notices at least 20 days prior to the hearing to all owners of record of lands located within at least 200 feet of the property which is the subject of the application, thus notifying such property owner of the opportunity to be heard. Such mailed notice shall be given by certified mail, return receipt requested, and shall be in letter form stating the time and place of the hearing, a general description of the proposal, the general street location of the property subject to the proposed change, a statement that a complete legal description of the property is available for public inspection at City Hall, and a statement explaining that the public may be heard at the public hearing. Newspaper clippings of the publication notices shall not be used for the mailed notice. Mailed notices shall be addressed to the owners of record of the property.

When such notice has been properly addressed and deposited in the mail, failure of any party to receive mailed notice shall not invalidate any action taken on the application. Mailed notice may be waived provided that a verified statement specifically indicating such waiver is signed by all property owners within the notification area and filed with the Secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, at least two business days prior to the hearing. Prior to the public hearing, the applicant shall file with the Secretary of the Planning Commission, or the Board of Zoning Appeals, as the case may be, the returned receipts from the certified mailings and an affidavit stating the names and addresses of the persons to whom notice was sent; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing.

(b) In the case of rezonings and special use permits, the applicant shall place a sign on the property informing the general public that a public hearing will be held at a specific time and place concerning proposed changes in use. The sign shall be furnished by the City to the applicant, and the applicant shall maintain the sign for at least 20 clear days between the date of posting and the date set for the public hearing. The sign shall be firmly affixed and attached to a wood or metal backing or frame and placed within 5 feet of the street right-of-way line in a central position on the lot, tract or parcel of land so that the sign is free of any visual obstructions surrounding the sign. If a lot, tract or parcel of land is larger than 5 acres, a sign as required herein shall be placed so as to face each of the streets abutting thereto. The size, style, coloring and wording of signs for rezonings and special use permits shall be determined by the Governing Body by resolution. The applicant shall file an affidavit with the Planning Commission at the time of the public hearing verifying that the sign has been maintained and posted as required by this ordinance and applicable resolutions; failure to submit the affidavit prior to the hearing may result in a continuance of the hearing. The sign may be removed at the conclusion of the public hearing and must be removed at the end of all proceedings on the application or upon withdrawal of the application. It shall be a public offense for any person to remove, deface or destroy any sign provided for in this subsection, except in compliance with this subsection.