

Chapter 4 - Final Development Plans

Purpose of this Step

After land use decisions have been made and preliminary plans approved (see Chapter 3), the Planning Commission considers final development plans for each phase of a development. Final development plans are required before developing property in a planned zoning district, or where a non-residential use is proposed in a residential district; i.e., churches, schools, subdivision pools. At this stage of the process, the Planning Commission reviews details of the development including architecture, landscaping, lighting, grading, drainage, traffic circulation within and adjacent to the site and the screening of items such as loading docks, trash dumpsters and rooftop mechanical units. All elements of the site plan and exterior appearance of the project are finalized at this stage. All appropriate Design Guidelines, including Infill and Redevelopment Design Guidelines, Multifamily Design Guidelines and Commercial Design Guidelines, must be followed. No changes can be made without returning to the Planning Commission.

While preliminary plans include the general concept for the entire development, final development plans include refined drawings focused on one phase of the development. The final development plans must be substantially consistent with the preliminary plans and must be

approved by the Planning Commission before construction drawings can be submitted for a building permit. The plans submitted with the application should be of construction plan quality and must include detailed site information, building elevations and landscaping (see the Final Development Plan Checklist in the Appendix).

Public notice is not required and a public hearing will not be held before the Planning Commission. However, if revisions are proposed that are significantly different from the approved preliminary plan, it may be necessary to revise the preliminary plan through the notification and public hearing process outlined in Chapter 3.

This chapter describes the final development plan approval process. If you need additional information about any step in the process, please contact the Planner-of-the-Day at 913/895-6217.

Step 1 - Pre-application Meeting

If approved preliminary plans are changed, or if the developer has questions about prior zoning stipulations, the approval process, or the submittal requirements, a pre-application meeting is encouraged. A pre-application meeting may not be necessary if the final development plans closely match the preliminary plan, and all prior zoning stipulations have been met.

At a pre-application meeting, the staff can provide an initial reaction to the site plan and building architecture. The staff can also alert the applicant to any additional studies that must be performed prior to an application being submitted. For assistance in determining whether a pre-application meeting would be beneficial for your project, contact the Planner-of-the-Day at 913/895-6217.

Step 2 - Filing the Application

Applications for final development plans can be filed at City Hall on any business day between 8 a.m. and 5 p.m. The process typically takes 15 to 30 minutes to complete, except that on application deadline dates there is often a waiting line in the afternoon.

A complete submittal consists of:

- an application form
- an application fee
- five complete sets of drawings, collated and stapled (seals not required)
- a digital copy of the plans in PDF format with a minimum resolution of 300 dpi
- any special studies required for the project (such as traffic, storm water management, etc.)
- preliminary storm water management plan

The application forms, fee schedules and a checklist are included in the Appendix and are also available at www.opkansas.org.

Process Improvement Points

It is essential to first determine if the proposed use is appropriate under the current zoning designation, and if the development is consistent with the approved preliminary plans.

Be aware of previous zoning stipulations, which may limit the building size, or require additional studies to be performed prior to an application being submitted.

Applicants need to be familiar with and follow the Commercial Design Guidelines and Standards, Multifamily Residential Design Guidelines and Standards, Infill and Redevelopment Design Guidelines and Standards and K-150 Corridor Design Guidelines.

Double-check to make sure your drawings meet all submittal requirements for final development plans. Ensure that any required studies are submitted with the application. Incomplete applications are likely to be rescheduled for a later Planning Commission hearing to allow sufficient time for a complete application to be submitted.

Application fees can be paid in cash, with a check, or with a credit card (for transactions under \$1,000). Once the application has been entered into the city's computer system and the fee has been paid, the applicant is given a receipt that includes the case number and the date of the hearing before the Planning Commission.

Once the application is taken, it is possible to submit additional information or drawings. However, significant changes to the project or late submission of required information can result in the delay of the Planning Commission hearing.

Step 3 - Plan Review Committee

Every final development plan application goes through a detailed staff review. Although a Current Planner is assigned to coordinate the review of each application, the focal point of the process is the meeting of the Plan Review Committee. This is a staff-only committee consisting of 8 to 10 representatives of various city departments and divisions that reviews each item on the Planning Commission agenda, identifies relevant issues and develops a staff recommendation. Thus, the staff recommendation reflects the consensus of several opinions.

Typically, the following issues are explored for each application:

- Is the property zoned appropriately for the intended use and have all zoning stipulations been met?
- Is the application consistent with the city's Master Plan and related development policies?
- Does the landscaping plan include a variety of materials of sufficient quality and quantity for the proposed development? Are all unsightly views screened from public view?

Process Improvement Points

To save time, it is usually possible to schedule your final development plan approval simultaneously with the platting process (Chapter 5). Talk to the staff early to find out if this type of parallel processing is applicable in your case.

Landscape plans must be prepared and signed by a registered landscape architect.

All rooftop mechanical units must be screened from view with an architectural treatment that is compatible with the building architecture.

- Is the building architecture compatible with other buildings within the development? Has the building been tastefully designed and are quality building materials proposed?
- Does the architecture comply with requirements outlined in the applicable design guidelines?
- Do all building and parking lot lights contain shielded fixtures? Are the lighting levels uniform and of the appropriate intensity for the proposed use?
- Are the spacing and design of proposed driveways and intersection locations consistent with good traffic engineering design and public safety considerations? Does the parking lot layout and internal circulation pattern comply with the applicable design guidelines?
- Have submission requirements been satisfied and have all required studies been submitted?
- Are the adjacent streets improved to normal city standards? If not, does additional land need to be dedicated to meet right-of-way standards or does a vertical profile need to be engineered to show how adjacent streets will be graded when they are improved? Are specific street or traffic signal improvements needed concurrent with development to accommodate increased traffic?
- Is the property in a 100-year floodplain or in a drainage basin in which stormwater detention is required? Are there streams that are regulated by stream corridor ordinance? Are there drainage problems on-site or at site boundaries, or are there deficient drainage structures downstream?
- Are there existing or likely future bank stabilization problems within or adjacent to the proposed project? If so, do the plans and associated studies address these issues?

Within one or two days following the Plan Review Committee meeting, a staff member will contact the applicant to discuss the staff's recommendation. In

Process Improvement Points

At this stage, the applicant should be familiar with the following policies:

- Commercial Design Guidelines and Standards
- Multifamily Residential Design Guidelines and Standards
- Infill and Redevelopment Design Guidelines and Standards
- K-150 Corridor Design Guidelines
- Engineering Services (ES) Policy #3-02 - U.S. Army Corps of Engineers 404 Permitting Requirements
- ES Policy #3-01 - Storm Water Management Studies

The detention requirement will be identified at this stage of the process if not previously identified. Stormwater management studies, if not previously submitted may also identify a detention requirement.

many cases, the staff will offer suggestions for modifying the application in such a way that would increase the level of staff support. Any changes that are agreed to by the applicant need to be made as soon as possible to avoid delays in the approval process. If extensive changes are being made or if additional traffic or engineering studies are required, the staff will request the application be “continued;” i.e., rescheduled, to a later Planning Commission meeting date.

Step 4 - Planning Commission Hearing

The Planning Commission consists of 11 appointed citizens who meet on the second and fourth Mondays of each month beginning at 1:30 p.m. in the City Council Chamber. For each item on the agenda, the staff will make a presentation of the staff report and the applicant will be given an opportunity to make their own presentation.

Staff and applicants making presentations in the City Council Chamber will have access to a number of features designed to enhance presentations, which are described below.

The podium is equipped with a touch panel display for the control of presentation devices and lights. The display allows the direct viewing of the presentation images or video and includes telestrator technology to allow the presenter to draw or highlight items on the images that are projected. The podium also includes a camera based overhead projector for letter size or smaller documents. It also has DVD, CD or VHS video playback capabilities and includes network and device connectivity for a wide range of storage formats (compact flash, USB jump drives, memory sticks, etc.).

Process Improvement Points

Keep in mind that other State and Federal permits may be required when developing property, particularly when development occurs along Waters of the U.S., within the floodplain, or on property containing wetlands. It is critical to contact State and Federal agencies early in the process so their requirements can be incorporated into your site plan. While the staff will attempt to inform you which permits may be required, it is your responsibility to comply with all State and Federal regulations.

Final development plans receiving staff support may be placed on the Planning Commission “consent agenda” if the applicant agrees to all associated stipulations. Unless a Commissioner wishes to remove an item from the consent agenda for discussion, the entire consent agenda will be approved by the Commission with one vote at the beginning of the hearing without discussion. The applicant can avoid sitting through lengthy Planning Commission meetings this way.

The podium also includes a cabinet/table for the projection of large format plans. Plans will be positioned on the cabinet top. A camera mounted in the ceiling will display the image.

Additionally, two large format flat panels are mounted on both sides of the chamber for public viewing of presentations. Several monitors are also located in the ceiling to provide viewing for those at the rear of the room.

During the meeting, there will be staff available to assist with the presentation equipment.

Presentations should be concise and to-the-point and need not be elaborate. At the end of both presentations, the Commission members may ask questions.

Finally, the Planning Commission discusses the action that should be taken and the reasons for that action. The Planning Commission may approve, approve with conditions (known as “stipulations”) or deny the application. The Planning Commission may also vote to continue the application to a later meeting to allow further study or revisions to be made to the plan.

Normally, final development plans are not considered by the City Council unless a prior zoning stipulation carries that requirement. However, the applicant may appeal any action taken by the Planning Commission to the City Council.

Following approval by the Planning Commission, the plans are stamped and filed in the Planning and Development Services Department. The plans are referred to during the construction plan review process.

Process Improvement Points

Occasionally, the Planning Commission will continue an application so it can be reviewed in greater detail with the members of the “Site Plan Review Committee” (described in Chapter 3).

Final development plans “expire” after 18 months.

Contact the inspections staff about picking up a Special Inspections Packet. This will allow you to plan ahead and budget for these requirements.