

SPECIAL USE PERMIT

GENERAL PROCEDURE

- Special Use Permit applications are subject to Article 10 of the Zoning Regulations and Article 10 of the Procedures Manual available on the City website.
- Schedule a pre-application meeting with staff
- Submit completed application, fee & documentation by deadline
- Staff notifies applicant within one week if application is incomplete
- Staff will notify surrounding property owners within 200' by letter at least 20 days prior to the Planning Commission meeting and post notice sign on property
- If Site Plan required, staff review comments will be sent to the applicant within two weeks following application submittal. If corrections are needed, the revised drawings should be submitted according to the application calendar.
- Staff comments sent to Planning Commission and applicant 5 days before the meeting
- Applicant makes any revisions or changes and resubmits for City Council.
- Staff comments sent to City Council and applicant 5 days before their meeting
- If approved, permit takes affect upon publication in official newspaper.

REQUIRED SUBMITTALS

Pre-application meeting: Sketch plan & available information to fully detail proposed use—
reduced size is acceptable.

Application Submittal:

- Completed application forms with affidavits; a copy of the property deed showing owners and legal description; a letter to the Commissioners (see format attached) regarding details of the request; site plan if required; and any needed support documentation per staff.
- Provide a buffer list & map of surrounding owners within 200 feet (or 1,000 feet if property is outside of city limits) available from the Johnson County Dept. of Records and Tax Administration, 111 S. Cherry St., Olathe, KS.
- Full size copies (minimum 24" x 36") of site plan (if required) as recommended by staff.

Planning Commission: Copies of revised site plan as recommended.

City Council: Copies of site plan as recommended by staff, 1 reduced copy and 1 digital copy, revised according to PC recommendations.

**Failure to submit all of the required documentation may result in tabling the permit.

APPLICATION REVIEW SCHEDULE

All meetings are at 7:00 p.m. at City Hall.

Check Planning Review Calendar on the City website for specific dates.

<http://www.desotoks.us/PDF%20Files/planningcal.pdf>

Application Submittal Deadline	Publication / Notification Date	Site Plan Review Committee	Revise Submittal Deadline	Planning Commission Meeting	City Council Meeting
<u>4 weeks prior to Planning Commission Meeting</u>	<u>20 Days prior to Planning Commission Meeting</u>	<u>2nd Tuesday of the month</u>	<u>2nd Monday prior to Planning Commission Meeting</u>	<u>4th Tuesday of the month</u>	<u>3rd Thursday of the month</u>

**State Statute requires a minimum 14-day waiting period between the PC meeting and the Council meeting.

SPECIAL USE PERMIT APPLICATION FEES

0 – 1 acres	\$400.00
1.1 – 3 acres	\$450.00
More than 3 acres	\$500.00
SUP Amendment	\$250.00

Please keep these first two pages for future reference.

IMPORTANT: Review Zoning Regulations, Articles 10 & 11 and Procedures Manual, Articles 12 & 14 available at www.desotoks.us, Online Documents and Regulations

SAMPLE MEMO FROM APPLICANT TO THE PLANNING COMMISSION

Date: _____

(Please print)

Business Name: _____

Address: _____

Applicant _____

To: City of De Soto Planning Commission

Re: Special Use Permit

Listed below is the information requested by City staff in connection with my/our Special Use Permit application for _____.

(This is a generic list and all questions may not apply to your application/business. Conversely, there may be aspects of the proposed use that are not covered that should be brought to the attention of staff and the Planning Commission. When answering the questions, please provide full, complete, descriptive answers. Keep in mind that some of the Commissioners may not be familiar with your type of activity or business and may need additional information. Bear in mind that it is the purpose of the Planning Commission to investigate completely any proposed use to be sure that it has a minimal negative impact on the surrounding property owners and property values.)

- *Provide a complete description of the activities to take place on the site.*
- *What will be the estimated number of employees and/or contract persons working on-site or coming to the site—including deliveries, full/part time employees, customers, etc.*
- *What will be the proposed hours and days of operation, number of shifts, employees per shift.*
- *What is the proposed and maximum occupancy*
- *What will be the approximate vehicular traffic trips per day including employees, deliveries, contract services, customers, etc.*
- *List and describe completely any proposed outdoor uses or special events to be held at the site.*
- *What is the proposed signage? Please attach sketches or drawings.*
- *Provide any other information that is relevant to application.*

Sincerely,

(Applicant's Name)
(Business Name)

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PROOF OF OWNERSHIP AFFIDAVIT

STATE OF _____)
) ss.
COUNTY OF _____)

(1) (FILL IN IF APPLICANT IS THE LEGAL OWNER OR OWNER'S REPRESENTATIVE)

_____ (print name), being first duly sworn upon his/her oath, deposes and states he/she is the legal owner or the authorized official of the legal owner of the property that is the subject of a Special Use Permit application.

Signature of Owner: _____

Name & Title: _____

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

(2) (FILL IN ONLY IF APPLICANT IS A CONTRACT PURCHASER)

That: _____
is/are the holder of a contract to purchase the property that is the subject of a Rezoning or Special Use Permit application from the owner(s) and is therefore a "landowner" within the meaning of the Zoning Code. (IF APPLICATION IS BEING FILED BY AN AGENT, THE AGENT'S PORTION OF THE AFFIDAVIT MUST BE COMPLETED ALSO.)

Signature: _____

Title: _____

(Name of contract purchaser signing Affidavit. If owner is a corporation or business--exact name of individual signing Affidavit, capacity and legal status of said corporation or business)

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

My Appointment Expires:

(EACH OWNER OF RECORD MUST FILE AN AFFIDAVIT)

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SPECIAL USE PERMIT APPLICATION

Return Form to:

City of De Soto Planning Department
P.O. Box C, 32905 W. 84th Street
De Soto, KS 66018
(913) 583-1182 ext. 115
Fax: (913) 583-3123

For Office Use Only

Case No.: _____
Filing Fee: _____
Deposit: _____
Date Advertised: _____
Date Notices Sent _____
Public Hearing Date: _____

APPLICANT: _____ PHONE: _____

E-MAIL: _____ FAX: _____

ADDRESS: _____ ZIP: _____

OWNER(S): _____ PHONE: _____

E-MAIL: _____ FAX: _____

ADDRESS: _____ ZIP: _____

TO BE COMPLETED FOLLOWING CONSULTATION WITH PLANNING STAFF

Location of Property: _____

Legal Description: _____

Proposed Land Use Activity: _____

Adjacent Zoning and Land Use:

	<u>Zoning</u>	<u>Land Use</u>
North	_____	_____
South	_____	_____
East	_____	_____
West	_____	_____

Present Use of Property: _____

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Does the proposed special use meet the following standards?

Yes No

If no, attach a separate sheet explaining why.

- 1. There is a need in the community for the proposed use. _____
- 2. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected, and there will be little or no detrimental impact to nearby property. _____
- 3. Is found to be generally compatible with the character of the neighborhood in which it is proposed to be located. _____
- 4. Will comply with the height and area regulations of the district in which it is located unless specifically granted. _____
- 5. Off-street parking and loading areas and landscape buffering/screening will be provided in accordance with the standards set forth in the regulations. _____
- 6. Adequate utility, drainage, and other such necessary facilities have been or will be provided. _____
- 7. The proposed use will not create any harmful environmental impacts such as excessive stormwater runoff, nighttime lighting, or air/noise/water pollution. _____
- 8. The proposed use will have an overall positive economic impact on the community. _____

Should this special use be valid only for a specific time period? Yes _____ No _____
If Yes, what length of time? _____

Attachments Required: _____ Property deed with owners and legal description
_____ Copies of site plan in accordance with the City's Application and Review Schedule and the requirements of Article 11, Site Plan Review, showing existing and proposed structures on the property in question, and adjacent property, off-street parking, driveways, and other information.

SIGNATURE: _____ DATE: _____

BY: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

BY: _____ TITLE: _____

SIGNATURE: _____ DATE: _____

BY: _____ TITLE: _____

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