

HAYS AREA PLANNING COMMISSION MEETING AGENDA
CITY COMMISSION CHAMBERS 1507 MAIN, HAYS, KS
FEBRUARY 17, 2014
6:30 P.M.

1. CALL TO ORDER BY CHAIRMAN.

2. CONSENT AGENDA.

A. Minutes of the regular meeting of January 20, 2014.

Action: Consider approving the minutes of the 1/20/14 meeting.

3. PUBLIC HEARING ITEMS.

A. A public hearing to consider an owner-initiated zoning of 4 lots within the proposed Geist Addition from A-L (Agriculture) to C-O (Office and Institution District).

Action: Consider a recommendation to the City Commission on zoning for property of the proposed Geist Addition.

B. A public hearing to consider changes to the landscaping and irrigation regulations within City Ordinance Chapter 71, Article VI.

Action: Consider a recommendation to the City Commission on changes to the landscape and irrigation regulations within City Ordinance Chapter 71, Article VI.

4. NON-PUBLIC HEARING ITEMS.

A. Consider final plat of the Geist Addition

Action: Consider a recommendation to the City Commission on changes to the landscape and irrigation regulations within City Ordinance Chapter 71, Article VI.

5. OFF AGENDA ITEMS/COMMUNICATIONS.

A. City Commission action and planning and development updates on Planning Commission related issue.

B. Other

6. ADJOURNMENT

If you will be unable to attend please contact the Planning, Inspection and Enforcement office at 785- 628-7310. Thank you. Any person with a disability and needing special accommodations to attend this meeting should contact the Planning, Inspection and Enforcement office (785-628-7310) 48 hours prior to the scheduled meeting time. Every attempt will be made to accommodate any requests for assistance.

**DRAFT
HAYS AREA PLANNING COMMISSION
CITY HALL IN COMMISSION CHAMBERS
JANUARY 20, 2014
MINUTES
6:30 P.M.**

1. CALL TO ORDER: The Hays Area Planning Commission met in regular session Monday, January 20, 2014 at 6:30 p.m. in Commission Chambers at City Hall. Chairman Larry Gould declared that a quorum was present and called the meeting to order.

Roll Call:

Present:	Larry Gould	Pam Rein	Travis Rickford
	Tom Denning	Lou Caplan	Matthew Wheeler
	Jake Glover	Jim Fouts	Paul Phillips

City Staff in attendance: John Bird, City Attorney, I.D. Creech, Director of Public Works, Jesse Rohr, Superintendent of Planning, Inspection and Enforcement, Nicholas Willis, Stormwater/Water Conservation Superintendent, and Linda Bixenman, Administrative Assistant.

Ron Mellick, City Commissioner, was in attendance.

2. MINUTES: The minutes from the November 16, 2013 meeting were approved by consensus with one correction noted by Jim Fouts on page 6 regarding the double negative sentence to correct as follows: "that no landscaping tree or shrub shall be placed in a way that would create traffic obstruction visibility".

3. CITIZEN COMMENTS: - None.

4. CITY/COUNTY COMMISSION ACTION & PLANNING & DEVELOPMENT ISSUE UPDATES: Jesse Rohr presented the City Commission Action.

On January 9, 2014, the City Commission approved the amendment to the parking regulations as recommended by the Planning Commission. It is now an adopted ordinance.

Larry Gould asked what Henry Schwaller has objected to about the appeal process. I.D. Creech, Director of Public Works came before the commission to answer that Henry Schwaller had feared someone would count the neighbor's spaces to comply. He explained that the original ordinance still stands; although someone can apply for lesser parking spaces based upon their occupancy. He

stated that city staff feels confident they can deal with these issues if they come up.

5. CONSIDER PRELIMINARY PLAT OF GEIST ADDITION – Location south on 22nd Street between Canterbury and Wheatland: Jesse Rohr presented a power point presentation of the proposed development of the Geist Addition. The property is an island of un-annexed territory with development around it located south of 22nd Street between Canterbury and Wheatland. Hays Medical Center is located to the North and residential and multi-family housing is located to the south. Applications for the preliminary plat, rezoning and annexation were submitted for this property.

The preliminary plat reflects four proposed commercial lots.

The property is proposed to be annexed to the city that would force upon it the Code of Ordinances by the City of Hays, Kansas. The public utilities are in place including public water and sewer. Utilities staff has reviewed and agreed with the proposal as submitted.

It was taken into consideration by staff for the streets of Golden Belt Drive and Agnes Drive to be extended to 22nd Street; although it was determined that it was not in the best interest of the City or surrounding neighborhoods. It would create unwanted access of non-local traffic through the existing neighborhoods and it is best to keep intersections on an arterial street to a minimum.

The necessary right-of-way dedication is reflected on the plat; particularly the 20' needed adjacent to Canterbury Drive.

There is a drainage way within the 100 year flood plain that has been dedicated and will be preserved through the platting process. The drainage area would be maintained by the City Parks Department along with the remainder of drainage area already maintained by them. City Parks Department has reviewed and agreed with the proposal as submitted.

The access requirements and restrictions per the current development policy will apply to the platted lots as the lots are presented for development.

The Utility Advisory Committee has reviewed and agreed with the proposed plat. The proposed plat includes all required easements.

The zoning classifications for the surrounding properties are "C-O" (Hays Medical Center) to the north and "R-2" Single Family Dwelling District and "R-4" Multi-family Dwelling District to the south. Per 71-434 of the Zoning regulations it states "Uses in this district are intended to be compatible with adjoining residential districts".

The adopted comprehensive plan future land use map reflects the area as medium density residential; the proposed zoning classification would be compatible with the surrounding areas.

Jesse Rohr presented the options the commission could consider. Staff's recommendation is to approve the preliminary plat as submitted. The required easements and setback lines are in place and it captures the drainage easement that is within the 100 year flood plain. The final plat would come forward at the next meeting.

Tom Denning asked if the existing home would remain on Lot 1. He voiced concern if there was enough allowance for access restrictions at the two intersections of Canterbury Dr/22nd Street and Wheatland/22nd Street. Jesse Rohr stated that the home would remain and would be considered an existing non-conforming property. Upon redevelopment, the property would have to meet access restrictions at the major intersection. Currently there is access to Canterbury Dr and access to a pasture-like ground from 22nd Street. The lot line for lot 1 may shift to the east so access to 22nd stays with lot 1.

Jake Glover asked if the alley would be developed. Jesse Rohr answered that it would be designed not to allow cross access to or from the existing alley by using a buffer or curbing adjacent to the property. Jim Fouts asked if there is currently alley parking being used on a regular basis. Jesse Rohr answered that there is alley parking for the multi-family units to the south that use the alley on a regular basis.

Tom Denning asked about the outlets from the alley for alley traffic. Jesse Rohr answered the traffic can enter from 21st Street. They want to restrict it from being a thoroughfare creating a situation like Dollar General using the parking lot as a short cut from 27th to Sherman.

Travis Rickford asked if sidewalk was required along the development. Jesse Rohr answered that as the lots develop, sidewalk would be required.

Larry Gould asked if they should rethink if Golden Belt Drive and Agnes Drive should be through streets using the example of General Hays Road was not extended at the time of development and later was extended to 22nd Street. Jesse Rohr stated that in the planning theory the primary reason they were not considered for a through street was 22nd Street was designed to handle traffic not push it down a residential street to be used as a short cut.

Travis Rickford asked what entities have an interest in the property.

Galen Romme, Real Estate Agent from Romme Real Estate, representing the owner and potential developer of lot 2, stated that the developer plans to build an 18,000 square foot government office building like the social security office building on Vine Street with a concrete parking lot. It would be pushed up to the

drainage area where the parking lot would be located with the building setting to the west. They feel it is the best fit for the area.

There is nothing in concrete for the other three lots. He stated some of the uses allowed in the "C-O" zoning District. He pointed out that multi-family housing is also allowed if they are granted a Special Use Permit.

Larry Gould also pointed out that there is the opportunity for housing within the proposed zoning district ("C-O") with a special use permit. He entertained a motion.

Lou Caplan moved, Pam Rein seconded the motion to approve the preliminary plat of the Geist Addition (Location south on 22nd Street between Canterbury and Wheatland) with the implied research for access control at the intersections of both Wheatland/22nd Street and Canterbury/22nd Street.

Vote:

AYES:	Larry Gould	Pam Rein	Travis Rickford
	Tom Denning	Lou Caplan	Matthew Wheeler
	Jake Glover	Jim Fouts	Paul Phillips

6. SET THE PUBLIC HEARING FOR REZONING OF THE PROPOSED GEIST ADDTION FROM "A-L" AGRICULTURE TO "C-O" OFFICE & INSTITUTION DISTRICT: The information for the Geist Addition was presented in agenda item number 5. The developer has submitted an application to change the zoning classification from "A-L" Agriculture to "C-O" Office and Institution District. Per Section 71-434 of the Zoning regulations it states "Uses in this district are intended to be compatible with adjoining residential districts".

Jim Fouts moved, Lou Caplan seconded the motion to set the public hearing for change of zoning classification of the proposed Geist Addition (parcel on portion of SW/4 of Section 35-T13S-R18W – located on 22nd Street between Canterbury Drive and Wheatland Ave) from "A-G" Agriculture to "C-O" Office & Institution District.

Vote:

AYES:	Larry Gould	Pam Rein	Travis Rickford
	Tom Denning	Lou Caplan	Matthew Wheeler
	Jake Glover	Jim Fouts	Paul Phillips

7. CONTINUE TO DISCUSS CHANGES TO THE LANDSCAPING & IRRIGATION REGULATIONS WITHIN THE ZONING REGULATIONS AND SET A PUBLIC HEARING: Larry Gould explained this was a continuation of the discussion of changes to the landscaping and irrigation regulations within the zoning regulations that

incorporates the edits requested by the Planning Commission to ultimately set a public hearing.

It is city staff's recommendation for changes to the landscaping ordinance that would initiate regulations on lawn irrigation systems and/or the choice of an alternative option to achieve similar results.

Nicholas Willis, Stormwater/Water Conservation Superintendent, presented a power point presentation to explain that the first part of the presentation would be an update on the water situation. He presented a chart reflecting the measurement of a city well and a well at the Smoky Hill River well fields. The City well is at the lowest water level on record since 1991.

He identified Cedar Bluff Reservoir, water storage reservoir, as the elephant in the room associated with the Smoky Hill River. He provided the status of the December water level reading to show that there is no water available for release. There were 1,186 acre feet released in early 2013 to fill the Smoky Hill Well fields. With the drought, the well fields are again declining.

He presented a chart reflecting the U.S. Seasonal Drought Outlook that reflected continued drought. A chart reflected precipitation averages. Dry Springs pose a great concern of no rain water to replenish the aquifer.

He pointed out that Hays is significantly larger than during prior droughts. The private water wells are in poor shape. There is no state action to protect senior water rights from heavy irrigation use of alluvial aquifers feeding Big Creek, Cedar Bluff and Smoky Hill River.

Nick Willis stated that this information is to affirm the need for water sustainability.

He presented a list of what the city is doing to stretch water supplies.

- Increase water rates for outdoor use
- Replacement of city-owned fixtures
- \$100K for toilet rebates approved
- \$45K for urinal rebates approved
- Propose adoption of Green Building Code
- Distribution system leak detection
- Hiring of Water Conservation Specialist

Nick Willis explained that with these changes by the Planning Commission, city staff is seeking that the Planning Commission set a public hearing on the proposed changes.

Paul Phillips asked if we have asked the state to do their job for regulating water usage to protect the senior rights. John Bird answered that there are two points; the state is continuing to allow more exploration of completion of center pivots

that is over allocated. Administrative water rights are the second issue that is complaint driven that requires senior water right holders to ask the state for restrictions. This has not happened on any large scale.

Paul Phillips asked if they anticipate finding significant leaks in the transmission lines and the cost. Nick Willis answered that they anticipate 3% to 4%. They have budgeted \$50,000.00.

Tom Dreiling asked if there are any plans to replace any old transmission lines north of Smoky River. The line has broken several times. He stated that he thought this would be the best one to check for leakage to save the most water. Nick Willis stated that priorities will shift from the outcome of the leak detection. They plan to hook up the water from the ranch to that line.

John Bird City Attorney, came before the commission to explain the changes requested by the Planning Commission to the draft presented at the first meeting.

- Definition of Xeriscape - method of landscaping with gravel or plants adaptable to drought conditions with little or no need for supplemental irrigation.
- Triggers are based on water use increases
- Distinction between landscaping and irrigation standards for single family and duplexes
- All other Zoning District landscaping & Irrigation Standards
- Shelter Belt language added – Shelterbelts that do not require frequent irrigation will be allowed when necessary to protect the property. A list of acceptable trees is provided.
- Enforcement in the 3 mile is limited to properties that will be part of a new or existing development that will be incorporated into the platting process.

John Bird explained that the landscape plans will only apply to commercial areas, not residential areas whereas the irrigation plans will need to be filed for all zoning classifications with the installation of an irrigation system. They will have to comply with the City's regulations.

He explained that the city would not have jurisdiction of rural water usage for properties within the 3 mile zone unless it is a new or existing developments.

Pam Rein asked of the cool season turf. John Bird answered that you can have cool season turf over the restrictions if you do not use water.

On the discussion of the shelter belt for protection of real property, it was determined to remove the word "real" , based on Tom Denning's concern that a shelterbelt could be grown for protection of horses etc, not just real property.

Tom Denning voiced concern of the verbiage for limitation of water usage for a shelter belt since it would take a significant amount of water to get it started. Travis

Rickford suggested a special watering permit could be issued like is done for new lawns.

Tom Denning asked if the landowner is to submit a landscape plan with the irrigation plan. John Bird answered that with single family and two family units, a landscape plan is not required; although the irrigation plan would be required.

Lou Caplan asked if shelter belts should be listed separate. John Bird agreed they should separate the shelter belt out.

Tom Denning stated that Ellis had applied for regulation for the private wells. John Bird answered that the City of Hays has applied for the same thing.

Larry Gould suggested that the information provided at the meeting should be part of the public hearing to give a brief educated overview to the public.

Pam Rein stated that she remembers when city commission members would talk to club members within the City to keep them informed of potential changes.

Travis Rickford asked where a resident would submit the irrigation plans and to get more information on that process. I.D. Creech answered that the irrigation plans can be submitted to the Planning, Inspection and Enforcement Division at 1002 Vine Street. Questions and more information can be addressed to that department or the Stormwater Superintendent or the Water Conservation Specialist.

Larry Gould entertained a motion.

Lou Caplan moved, Paul Phillips seconded the motion to set the public hearing for a proposed ordinance amending Chapter 71 of the City of Hays, Kansas, Municipal Code, By Modifying Article VI Regarding Landscape and Irrigation Plans with the implied changes

Vote:

AYES:	Larry Gould	Pam Rein	Travis Rickford
	Tom Denning	Lou Caplan	Matthew Wheeler
	Jake Glover	Jim Fouts	Paul Phillips

Rewrite of the Zoning and Subdivision Regulations: Jesse Rohr stated that he appreciated Matthew Wheeler and Travis Rickford for their assistance on the selection committee on the search for a consultant. The three final consultants out of nine will meet with the committee for their selection of one of them to be recommended to the City Commission with the process to begin late February or early March, 2014.

Travis Rickford thanked Jesse Rohr for helping them walk through the process.

Status of Reconstruction of 41st Street: Pam Rein asked about the status of when the 41st Street reconstruction would begin. She inquired about the intersection at Alternate Highway 183 and Hall Street. She also asked if there were plans to widen the bridge on Hall Street over Interstate. John Braun explained the process of the reconstruction as it is set to begin on March 24, 2014 and be completed in 9 months. There will be a public information meeting in the KDOT conference room before the construction begins. He explained that the bridge over the interstate was under the county jurisdiction; although there are no plans to widen it.

Adjournment: Chairman Larry Gould adjourned the meeting at 8:07 p.m.

Submitted by: Linda K. Bixenman, Administrative Secretary,
Planning, Inspection and Enforcement

DRAFT

Planning Commission Action Report

AGENDA ITEM:	Final Plat and Rezoning of the Geist Addition (South of 22 nd St. from Canterbury to Wheatland)
OWNER:	Alfred Geist
TYPE OF REVIEW:	Final Plat and Rezoning from A-L to C-O – Geist Addition
PRESENTED BY:	Jesse Rohr, P.I.E. Superintendent
AGENDA DATE:	February 17, 2014

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the proposed Geist Addition, is under consideration not only for the **platting** of the property, but **rezoning** from A-L (Agricultural) to C-O (Office and Institution District) and **annexation** into the City. The property will be subdivided into 4 lots with an open area remaining as a drainage and utility dedication. (See attached plat) **Staff recommends approval of the FINAL PLAT and a favorable recommendation to the City Commission to change the ZONING from A-L (agricultural district) to C-O (central office district).**

BACKGROUND:

- The subject property is currently outside the City Limits and is considered Ag land. The area is within a highly desirable and developable area for commercial and/or multi-residential development.
- This property has remained undeveloped as the surrounding property has grown and developed through the years. This property is an island of un-annexed territory that should be brought into the City limits in order for orderly development to occur.

POINTS TO CONSIDER:

- Staff feels the proposed layout and use of this property is the highest and best use for this property. It should not be considered for heavier commercial uses or single family dwellings due to its location along 22nd St. (a major collector).

- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific drainage requirements.
- Staff took into consideration the extension of Golden Belt Drive and Agnes Drive and concluded that it is not in the best interest of the City or the surrounding neighborhoods to the south to have either of these streets connect to 22nd St. which could create unwanted access of non-local traffic through the existing neighborhoods. Also, adding a street intersection along this stretch of 22nd St. is not desired and best kept to a minimum.
- The developer has submitted an application for rezoning of the property to **C-O (Office and Institution District)**. This is a good fit for the property as surrounding properties are zoned C-O (HMC property) and R-4 and R-2 (residential area to the south). The C-O District, as described in Section 71-434 of the Zoning Regulations states, ***“Uses in this district are intended to be compatible with adjoining residential districts.”***
- The adopted comprehensive plan future land use map indicates this area to be medium density residential which by definition is compatible with the surrounding areas and the proposed C-O district.
- All public utilities are in place allowing for development of this property including public water and sewer. Staff from the Utilities Department has been apprised of this proposed development and agrees with the proposal.
- The dedication of necessary right-of-way is shown on the plat, particularly the 20’ needed on the west edge of the property adjacent to Canterbury. As a result, the full 50’ of Canterbury right-of-way will be dedicated along with this plat.
- The existing drainage way, which is also 100-year flood plain, has been dedicated as such and will be preserved through the platting process. This drainage area will be maintained by the City along with the remainder of the drainage area already being maintained by the Parks Dept. Staff from the Parks Department has been apprised of this proposed development and agrees with the proposal as submitted.
- Access to the platted lots will be controlled per the access requirements and restrictions of the current Development Policy. Areas of access control have been added to the final plat. Access will be further reviewed as proposals for the development on specific lots are submitted.
- Annexation of this property will force upon the property the Code of Ordinances of the City of Hays. Currently these codes are not enforceable on this property since it is not within the City limits.
- The Utility Advisory Committee has reviewed and agreed to the proposed plat. All easements as required are in place for future placement of any required utilities.

ATTACHMENTS:

- Final Plat Map
- Plat Checklist
- Final Plat Application

Geist Development



Approved/Denied by Planning Commission _____
Approved/Denied by City/County Commission _____

Case No. 14-01Z
Date Filed 01-13-2014

APPLICATION FOR CHANGE OF ZONING CLASSIFICATION

This is an application for change of zoning classification. The form must be completed and filed at the Planning, Inspection, Enforcement Division, in accordance with directions on the accompanying instruction sheet.

AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants (owner(s) and/or their agent or agents). All owners of all property requested to be rezoned must be listed in this form.

- A. Applicant/Owner Alfred Geist
Address 2114 Canterbury Dr. Hays, KS 67601 Phone 785-628-8076
Agent Galen Romme - Romme Real Estate
Address 1008 E 17th St., Hays, KS 67601 Phone 785-625-6768
- B. Applicant/Owner _____
Address _____ Phone _____
Agent _____
Address _____ Phone _____

(Use separate sheet if necessary for names of additional owners/ applicants.)

II. The applicant hereby requests a change of zoning from Ag zoning district to C-O zoning district for property legally described as Lot(s) _____ Block(s) _____ of the _____ Addition.

(Metes and bounds descriptions shall be provided in the space below or on an attached sheet.) See Attached.

III. This property is located at (address) 22nd Street.
The general location is (use appropriate section):
A. At the SE (NW, NE, SW or SE) corner of 22nd
(Street) and Canterbury (Street) or,

B. On the South (N, S, E, or W) side of 22nd Street (Ave. or Street) between Canterbury & (Ave. or Street).
Wheatland Ave

IV. I request this change in zoning for the following reasons:

*Do not include reference to proposed uses.

To bring more properties into the city to allow for a new development.

V. I (We), the applicant(s), acknowledge receipt of the instruction sheet explaining the method of submitting this application. I (We) realize that this application cannot be processed unless it is completely filled in and is accompanied by the appropriate fee.

Alfred Geist by
APPLICANT

[Signature]
AUTHORIZED AGENT (IF ANY)

APPLICANT

AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION,

Jan 13, 2014, TOGETHER WITH THE APPROPRIATE FEE OF

\$ 140.00

Receipt # 685769

Sinda Bjornman, Administrative Assistant
NAME AND TITLE

A13_6718
Geist Addition – Hays, KS
January 13, 2014

REZONING DESCRIPTION (SAME AS PROPERTY DESCRIPTION):

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER;
THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS.

END OF DESCRIPTION

CANTERBURY DR

ACCESS F

E 25TH ST

WHEATLAN

WHEATLAND AVE

E 22ND ST

E 21ST ST

E 20TH ST

E 19TH ST

JUDITH DR

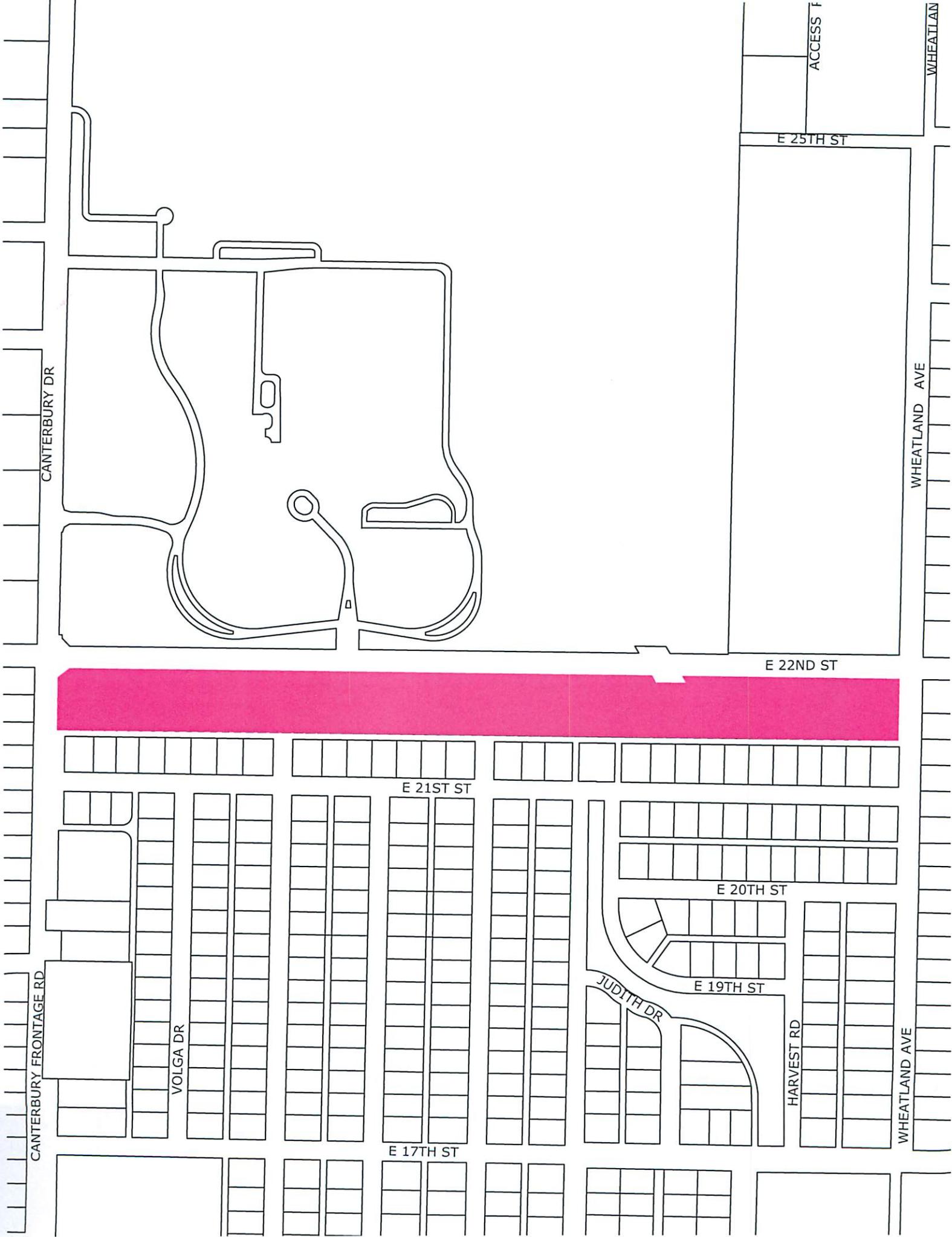
HARVEST RD

WHEATLAND AVE

E 17TH ST

CANTERBURY FRONTAGE RD

VOLGA DR



(Published in The Hays Daily News January 24, 2013)
 BEFORE THE HAYS AREA PLANNING COMMISSION
 THE CITY OF HAYS, KANSAS
 OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:
 NOTICE IS HEREBY GIVEN that on February 17, 2014, the Hays Area Planning Commission, in City Hall at 1507 Main Street, Hays, Kansas, at 6:30 p.m., will consider the following zoning change from "A-L" Agriculture to "C-O" Office & Institution District on the following real estate:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS.

As provided in the Zoning Regulations of the City of Hays, the above application will be discussed and considered by the Hays Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Zoning Regulations will be considered by the Commission.



**Authorization To Sign
City of Hays Annexation, Zoning, Platting
and other related documents**

We (I), **Alfred Geist**, hereby authorize **Galen J. Romme of Romme Real Estate**, to, on our(my) behalf, execute any documents related to the annexation, zoning and platting required for application in conjunction with the following described property:

All property located along the south side of 22nd Street from Canterbury Drive to Wheatland Avenue and located in Hays, KS. and which is owned by me. The plat will include 4 lots and a drainage/utility easement in the proposed Geist Addition to Ellis County, Kansas.

Date: January 10, 2014

Alfred Geist

By 
Alfred Geist

STATE OF KANSAS)
)ss
COUNTY OF ELLIS)

ACKNOWLEDGMENT FOR INDIVIDUAL

The foregoing instrument was acknowledged before me this 10th day of January, 2014 by Alfred Geist

My commission expires



By 
Notary Public

**The Parcel Number for this Property is 026-137-35-0-30-01-002.00-0
Quick Ref ID: 2785**

Owner(s) Name and Mailing Address

Owner Name	Geist, Alfred
Address	2114 Canterbury DR Hays, KS 67601-2749

Property Situs Address

Address	2114 CANTERBURY DR, Hays, KS 67601
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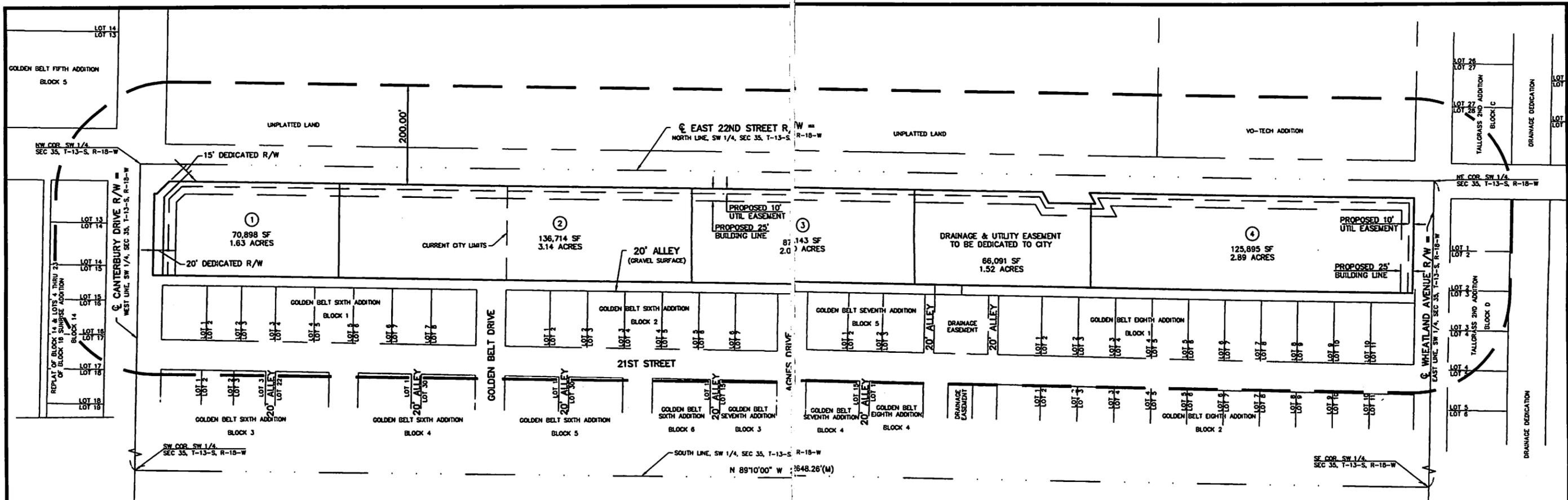
Land Based Classification System

Function	Farming / ranch operation (with improvements)
Activity	Farming, plowing, tilling, harvesting, or related activities
Ownership	Private-fee simple
Site	Dev Site - crops, grazing etc - with structures

THIS IS A LIST OF PROPERTY OWNERS WITHIN 200 FEET OF THE SUBJECT PROPERTY THAT WERE NOTIFIED BY MAIL OF THE PUBLIC HEARING.

Parcel	Parcel Address	First Name	Last Name	Address	City	State	Zip
026-137-35-0-30-01-008.00-0	2011 E 21st St	Gottschalk Family Trust		P O Box 661	Hays	KS	67601
026-137-35-0-30-01-007.00-0	2009 E 21st St	Gottschalk Family Trust		P O Box 661	Hays	KS	67601
026-137-35-0-30-01-012.00-0	2103 E 21st St	Hays Housing Partnshp LTD		P O Drawer H	Great Bend	KS	67530
026-137-35-0-20-01-018.00-0	2220 Canterbury Dr	Hays Medical Center Inc		2220 Canterbury Dr	Hays	KS	67601
026-137-35-0-20-01-016.00-0	2500 Canterbury Dr	Hays Medical Center Inc		2220 Canterbury Dr	Hays	KS	67601
026-137-35-0-20-01-016.01-0	2220 Canterbury Dr	HMC Condominium Inc		2220 Canterbury Dr	Hays	KS	67601
026-138-34-0-10-22-015.00-0	2203 Canterbury Dr	Krug-Hess LLC		2203 Canterbury Dr	Hays	KS	67601
026-137-35-0-30-11-001.00-0	1723 Volga Dr	L & A Enterprises LLC		1710 Volga Dr Apt A	Hays	KS	67601
026-137-35-0-30-01-004.00-0	2003 E 21st St	L & A Enterprises LLC		1710 Volga Apt A	Hays	KS	67601
026-137-35-0-30-01-003.00-0	2001 E 21st St	L & A Enterprises LLC		1710 Volga Apt A	Hays	KS	67601
026-137-35-0-30-02-004.00-0	2514 E 21st St	Laverne W Schumacher Rev Liv Tr		2706 T-Bird Dr	Hays	KS	67601
026-137-35-0-10-04-012.00-0	Wheatland	Lusk Land Company Inc		1608 E Lewis St	Wichita	KS	67211
026-137-35-0-10-04-011.00-0	Wheatland	Lusk Land Company Inc		1608 E Lewis St	Wichita	KS	67211
026-137-35-0-20-01-017.03-0	Wheatland	North Central Kansas Technical College		P O Box 507	Beloit	KS	67420
026-137-35-0-20-01-017.00-0	2205 Wheatland	North Central Kansas Technical College		P O Box 507	Beloit	KS	67420
026-137-35-0-30-10-002.00-0	1728 Volga Dr	Volga-Canal Housing Inc		P O Box 1016	Hays	KS	67601
026-137-35-0-30-01-021.00-0	2509 E 21st St	Brett L & Genell A	Albert	2509 E 21st St	Hays	KS	67601
026-137-35-0-30-02-011.00-0	2500 E 21st	Gary S & Karen A	Aufdemberge	2500 E 21st St	Hays	KS	67601
026-137-35-0-30-01-018.00-0	2503 E 21st St	Dean & Linda	Banker	2503 E 21st St	Hays	KS	67601
026-137-35-0-30-01-023.00-0	2513 E 21st St	Bruce D	Basye	2513 E 21st St	Hays	KS	67601
026-137-35-0-30-01-005.00-0	2005 E 21st St	Andrea R & Doug	Carmichael	1740 Saline River Rd	Plainville	KS	67663
026-137-35-0-30-01-016.00-0	2405 E 21st	Brandon M	Decker	2405 E 21st St	Hays	KS	67601
026-137-35-0-30-01-010.00-0	2015 E 21st St	James & Paula	Desbien	884 Riverview Road	Plainville	KS	67663
026-137-35-0-30-02-010.00-0	2502 E 21st St	Mark D & Vivian L	Dietz	2502 E 21st St	Hays	KS	67601
026-137-35-0-30-01-011.00-0	2101 E 21st St	Curtis J & Donna J	Dinkel	311 W 32nd St	Hays	KS	67601
026-138-34-0-40-01-026.00-0	1621 Canterbury Dr	Roxanne	Dorzweiler	P O Box 29	Catherine	KS	67627
026-137-35-0-40-01-001.15-0	Wheatland	Darrell	Dreher	2200 Henry Dr	Hays	KS	67601
026-137-35-0-40-01-001.12-0	Wheatland	Darrell	Dreher	2200 Henry Dr	Hays	KS	67601
026-137-35-0-40-01-001.11-0	Wheatland	Darrell	Dreher	2200 Henry Dr	Hays	KS	67601
026-137-35-0-40-01-001.14-0	Wheatland	Darrell	Dreher	2200 Henry Dr	Hays	KS	67601
026-137-35-0-40-01-001.13-0	Wheatland	Darrell	Dreher	2200 Henry Dr	Hays	KS	67601
026-137-35-0-30-09-001.00-0	1729 Western Plains	Randy L & Marilyn A	Dreher	1729 Western Plains	Hays	KS	67601
026-137-35-0-30-09-002.00-0	1728 Golden Belt Dr	Joel B & Melinda J	Dreiling	1728 Golden Belt Dr	Hays	KS	67601
026-173-35-0-30-01-024.00-0	2515 E 21st St	Brian J & Amanda K	Drennon	2515 E 21st St	Hays	KS	67601
026-137-35-0-30-01-024.00-0	2515 E 21st St	Brian J & Amanda K	Drennon	2515 E 21st St	Hays	KS	67601
026-137-35-0-30-01-006.00-0	2007 E 21st St	Jayant K & Kalpana	Gala	8071 7th St Apt 1	Buena Park	CA	90621
026-137-35-0-30-01-002.00-0	2114 Canterbury Dr	Alfred	Geist	2114 Canterbury Dr	Hays	KS	67601
026-137-35-0-30-11-002.00-0	2002 E 21st	Ronald	Geist	P O Box 961	Hays	KS	67601
026-137-35-0-30-01-017.00-0	2501 E 21st	Randall D Pfannenstiel & Debra Ann	Gross	2501 E 21st St	Hays	KS	67601
026-137-35-0-30-02-002.00-0	2518 E 21st St	Waunita	Henderson	P O Box 765	Hays	KS	67601
026-137-35-0-30-01-022.00-0	2511 E 21st St	Brett R & Sarah N	Henry	2511 E 21st St	Hays	KS	67601
026-137-35-0-30-02-008.00-0	2506 E 21st St	Brett A & Melissa D	Johnson	2506 E 21st St	Hays	KS	67601

Parcel	Parcel Address	First Name	Last Name	Address	City	State	Zip
026-137-35-0-30-01-025.00-0	2517 E 21st St	Robert J & Tamara S	Klaus	2517 E 21st St	Hays	KS	67601
026-137-35-0-30-11-003.00-0	2000 E 21st St	Steven J & Dawn N	Knapp	2000 E 21st	Hays	KS	67601
026-137-35-0-30-01-020.00-0	2507 E 21st St	Brandon	Kuhn	2507 E 21st St	Hays	KS	67601
026-137-35-0-30-01-014.00-0	2401 E 21st	Ruth R	Kuhn	2401 E 21st St	Hays	KS	67601
026-137-35-0-30-07-002.00-0	1728 Agnes Dr	Shawn	Landers	1728 Agnes Dr	Hays	KS	67601
026-137-35-0-30-01-015.00-0	2403 E 21st	Donald L & Martha G	Lang	2403 E 21st St	Hays	KS	67601
026-138-34-0-40-01-001.00-0	1623 Canterbury Dr	Marjorie Ann & Daniel Lee	Legleiter	1623 Canterbury Dr	Hays	KS	67601
026-138-34-0-40-01-025.00-0	1619 Canterbury Dr	Milton J & Mathilda	Leiker	1619 Canterbury Dr	Hays	KS	67601
026-138-34-0-40-01-024.00-0	1617 Canterbury Dr	Kirk A & N Lynn	Maska	1400 W 43rd St	Hays	KS	67601
026-138-34-0-40-01-026.00-0	1621 Canterbury Dr	Janel	Molleker	2411 Indian Trail	Hays	KS	67601
026-137-35-0-30-10-001.00-0	1729 Golden Belt Dr	Robert C	Pfaff	1729 Golden Belt Dr	Hays	KS	67601
026-137-35-0-30-01-027.00-0	2521 E 21st St	Eidon & Anita	Pfannenstiel	2521 E 21st St	Hays	KS	67601
026-138-34-0-40-01-023.00-0	1615 Canterbury Dr	Floyd I & Sheila M	Pfannenstiel	1615 Canterbury Dr	Hays	KS	67601
026-137-35-0-30-01-009.00-0	2013 E 21st St	Gail Frances	Pratt	2915 Hillcrest Dr	Hays	KS	67601
026-137-35-0-20-01-019.00-0	2202 Canterbury Dr	Jude A	Scheck	2202 Canterbury Dr	Hays	KS	67601
026-137-35-0-30-01-013.00-0	2113 E 21st St	Kenneth F & Betty	Schmeidler	2701 Walnut	Hays	KS	67601
026-138-34-0-40-01-026.00-0	1621 Canterbury Dr	Jean	Schmidt	2411 Indian Trail	Hays	KS	67601
026-138-34-0-40-01-026.00-0	1621 Canterbury Dr	Randolph	Schmidt	2411 Indian Trail	Hays	KS	67601
026-137-35-0-30-02-009.00-0	2504 E 21st St	Douglas F & Stacy D	Schulte	2504 E 21st St	Hays	KS	67601
026-137-35-0-30-07-001.00-0	1729 Anthony Dr	Mary Beth & Kurt W	Sell	1729 Anthony Dr	Hays	KS	67601
026-137-35-0-30-02-001.00-0	2520 E 21st St	John J & Karen G	Smith	2520 E 21st St	Hays	KS	67601
026-137-35-0-30-01-026.00-0	2519 E 21st St	Troy L & Sue Ellen	Stimbert	2519 E 21st St	Hays	KS	67601
026-137-35-0-30-08-002.00-0	1728 Western Plains	Sharon K	Suttle	1728 Western Plains	Hays	KS	67601
026-137-35-0-30-02-007.00-0	2508 E 21st St	Steven J & Brenda M	Urban	2508 E 21st St	Hays	KS	67601
026-137-35-0-30-02-006.00-0	2510 E 21st St	David G & Karen K	Wasinger	2510 E 21st St	Hays	KS	67601
026-137-35-0-30-08-001.00-0	1729 Agnes Dr	Brenda L & Brandon M	Weigel	1729 Agnes Dr	Hays	KS	67601
026-137-35-0-30-01-019.00-0	2505 E 21st St	Terry L	Wilson	2505 E 21st St	Hays	KS	67601
026-137-35-0-30-02-003.00-0	2516 E 21st St	Danny & Melissa	Windholz	2516 E 21st St	Hays	KS	67601



N 89°10'00" W : 648.26'(M)



SCALE: 1" = 200'



KAW VALLEY ENGINEERING, INC.
 CONSULTING ENGINEERS - LAND SURVEYORS
 2319 NORTH JACKSON | P.O. BOX 1304
 JUNCTION CITY, KANSAS 66441
 PH. (785) 762-5040 | FAX (785) 762-7744
 jc@kveng.com | www.kveng.com

JANUARY 13, 2014
 6718EXBA_ADJ_PROPERTY

STAFF FINDING OF FACT

1. CASE NO.: **14-01Z** FILING FEE PAID: **Publication Fee of \$140.00**
 2. DATE FILED: **01-13-2014**
 3. DATE ADVERTISED FOR HEARING: **01-24-2014**
 4. PUBLIC HEARING DATE: **02/17/2014**
 5. APPLICANT'S NAME: **Alfred Geist**
 6. LOCATION OF PROPERTY: **South of 22nd between Canterbury Drive and Wheatland Avenue**
 7. DESCRIPTION OF PROPERTY: **Tract in the Southwest Quarter of Section 35-T13S-R18W, Ellis County, Kansas.**
 8. PRESENT USE OF PROPERTY: **Agriculture**
 9. PRESENT ZONING: **"A-L"** REQUESTED ZONING: **"C-O"**
-

1. CHARACTER OF THE NEIGHBORHOOD:
DIRECTION

NORTH: **Office & Institution District (Hays Medical Center)**

SOUTH: **Multi-family & Single Family**

EAST: **Two-Family & Single-Family**

WEST: **Single Family**

2. THE ZONING OF SURROUNDING PROPERTY:
DIRECTION

NORTH: **"C-O"**

SOUTH: **"R-4" & "R-2"**

EAST: **"R-3"**

WEST: **"R-1"**

3. CONSIDERATION OF THE RECOMMENDATIONS OF PERMANENT PROFESSIONAL STAFF: **The Area is identified as medium density residential in the current adopted Comprehensive Plan; although with Office and Institution Zoning classification to the north, the property would be well suited for Office and Institution Zoning Land Uses. It is surrounded on the other three sides with residential zoning classifications ranging from single-family to multi-family uses. Staff recommends approval of the rezoning request.**

A. DEDICATION OR RESERVATION NEEDED FOR:

1. DRAINAGE: **Provided**

2. STREETS: **Yes**

3. UTILITY EASEMENTS:

a. ELECTRICITY: **Yes**

b. GAS: **Yes**

c. SEWERS: **Yes**

d. WATER: **Yes**

4. SHOULD PLATTING BE REQUIRED: **In the Platting Process**

B. TRAFFIC CONDITIONS:

1. CLASSIFICATION OF STREET ON WHICH PROPERTY FRONTS:
Collector/Commercial

2. RIGHT-OF-WAY WIDTH: **70'**

3. SIGHT DISTANCE: **OK**

4. TURNING MOVEMENTS: **OK**

5. COMMENTS ON TRAFFIC: **Local/Commercial**

4. THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED: **The property is an island of un-annexed territory that should be brought into the City Limits for orderly development to occur. With the area being located adjacent to a collector street, this is an area of projected/anticipated commercial growth.**

5. THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY: **Removal of the agricultural designation should not have a negative affect on nearby properties.**

6. THE LENGTH OF TIME THE SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED: **With the exception of agricultural uses, the property has been in its current state since the adoption of 3-mile zoning regulations – 40 plus years.**

7. THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY, AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE NEIGHBORING PROPERTY, AS

COMPARED TO THE HARDSHIP IMPOSED ON THE INDIVIDUAL LANDOWNER:
Neighboring property values should tend to increase as development takes place. The impact of the rezoning, if approved, should not be destructive to neighboring property and should actually enhance the surrounding area as development occurs

8. THE CONFORMANCE OF THE REQUESTED CHANGE TO THE ADOPTED OR RECOGNIZED MASTER PLAN BEING UTILIZED BY THE CITY: **The property in question has been identified on the adopted Comprehensive Plan as medium density residential; although with the Commercial and Office Institution zoning classification to the north, the zoning makes it fitting for the development. The proposed C-O district is defined as being compatible with adjacent residential districts.**

The request for the Commercial and Office district zoning classification as presented does fit the overall scheme of the adopted Comprehensive Plan and staff does recommend approval of the zoning request.

Memo

To: Hays Area Planning Commissioners
From: Nicholas Willis, Stormwater/Water Conservation Superintendent
Jesse Rohr, Planning, Inspection & Enforcement Superintendent
CC: City Manager's Office
Date: February 12, 2014
Re: Public Hearing for changes to Chapter 71 regarding landscape irrigation

Attached to this memorandum are clean and redlined versions of the changes proposed for the January 17, 2014 public hearing. The recommendation of city staff is that the Planning Commissioners vote to recommend these changes to the City Commissioners.

As previously noted, this is part of a multi-pronged approach the City of Hays is taking to deal with water use in both the short and long-term. We appreciate your input and work with us in this process. A presentation similar to the January meeting will be given at the public hearing.

We look forward to the meeting.

THIS IS THE PUBLICATION NOTICE OF NOTIFICATION OF THE PUBLIC HEARING FOR RECOMMENDED CHANGES TO THE LANDSCAPING & IRRIGATION REGULATIONS WITHIN THE ZONING REGULATIONS.

(Published in The Hays Daily News January 26, 2014)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on February 17, 2013 at 6:30 p.m., in Commission Chambers at City Hall, 1507 Main Street, Hays, Kansas, the Hays Area Planning Commission will consider an ordinance amending Chapter 71 of the City of Hays, Kansas, Municipal Code, by modifying Article VI regarding Landscape and Irrigation Regulations within the City of Hays and the 3 mile exterritorial area of jurisdiction.

As provided in the Zoning and Subdivision Regulations of the City of Hays, the Hays Area Planning Commission will consider an ordinance amending Chapter 71 of the City of Hays, Kansas, Municipal Code, by modifying Article VI regarding the Landscape and Irrigation Regulations, within the City of Hays and the 3 mile exterritorial area of jurisdiction that will be discussed and considered by the Hays Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed updates and additions. A draft copy will be available at the Planning, Inspection and Enforcement Office at 1002 Vine Street, Hays, Kansas or can be viewed on-line at http://www.haysusa.com/html/public_announcements.html or call 785-628-7310.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 71 OF THE CITY OF HAYS, KANSAS, MUNICIPAL CODE, BY MODIFYING ARTICLE VI REGARDING LANDSCAPE AND IRRIGATION PLANS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

Section 1. Chapter 71, Article VI, Section 71-1172 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1172. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a)Cool Season Grass means a grass species that possesses a C3 photosynthetic pathway and favors the cooler weather of spring and autumn, typically going dormant in hot, dry periods without supplemental irrigation. Most cool season grasses perform better in partial to full shade conditions. Common species of cool season grasses grown in the Hays area include varieties of Kentucky Bluegrass, fine fescues, tall fescues, sheep fescues, creeping bentgrasses and ryegrasses. For the purpose of this article, native cool season grasses grown in a turf, such as western wheatgrass, will not be considered cool season grass and can be planted up to the allowable limits of warm season grasses.

(b)Substantial redevelopment and/or additions Significant alterations to existing development means ~~a~~ development on improved real estate that is altered or changed in such a manner that one or more of the following is applicable:

(1)The ~~development alteration~~ results in the construction of a building, structure or addition that increases the gross square footage of the existing development by more than 30 percent; provided that separate incremental developments below the 30-percent amount shall not be used to avoid the requirements of this section if, in

the aggregate, the developments over a period of 18 months would meet those requirements;

(2)The estimated construction costs of the ~~development alterations~~ exceeds 50 percent of the most recent appraised fair market value of the existing property as determined by the county appraiser; provided that separate incremental developments below the 50-percent amount shall not be used to avoid the requirements of this section if in the aggregate the development over the period of 18 months would meet those requirements.

(3)The alteration results in the construction of a new, permanent, irrigation system.

(4)The alteration results in changes to an existing permanent irrigation system that have the effect of connecting an existing irrigation system to the City's water system.

(5)The alteration increases the permanently irrigated area of an existing property by more than 400 square feet.

(6)The alteration results in the replacement of existing vegetation or parts of existing vegetation in any proportion which requires additional supplemental irrigation once established.

(7)The alteration results in the replacement of permanent irrigation system components responsible for irrigating greater than 50% of an existing irrigated area on a property.

(c)Significant alterations to existing development do not include the following:

(1)The replacement of permanent irrigation system components responsible for irrigation of 50% or less of an existing irrigation system, so long as the vegetation type does not change to vegetation requiring additional supplemental irrigation, once established.

(2)The replacement and/or movement of sprinkler heads without the expansion of existing irrigation, so long as vegetation type does not change to vegetation requiring additional supplemental irrigation, once established.

(3)Irrigation systems connected to privately owned wells under non-domestic water rights in good standing with the State of Kansas.

(4)Irrigation systems used to serve public properties.

(5)Irrigation systems constructed, altered or repaired in connection with an audit or rebate program.

(d) Warm Season Grass means a grass species which possesses a C4 photosynthetic pathway and favors warmer weather of summer. These grasses typically stay dormant until adequate warmth has reached the soil and air and again go dormant when cold temperatures arrive in autumn. Most warm season grasses perform best in areas with little or no shade. Perennial varieties will typically enter dormancy during drought. Most warm season grasses used for turf in the Hays area require significantly lower amounts of supplemental irrigation to maintain vigor. Common species of warm season grasses grown in the Hays area include varieties of buffalo grass, Bermuda grass and blue grama grass. Zoysia grass varieties are now being grown near Hays and may become more common locally.

(e) Vegetation requiring additional supplemental irrigation once established refers to the removal of existing vegetation when that vegetation is replaced with vegetation types with greater water needs than the existing vegetation. Appropriate horticultural and turf literature will be referenced to determine specific cases, but in general, the following are common examples: replacement of warm season grass species with cool season grass species and replacement of a xeriscape with a cool season grass species.

(f) Xeriscape or xeriscaping means a method of landscaping which requires little to no supplemental irrigation once the vegetation is established. Plants used in xeriscape must be well adapted to the extremes of the local climate, particularly drought, high solar radiation, wind gusts and low winter temperatures. Xeriscape may be constructed with many types of groundcover, including 100% ground coverage with living plants or individual and group plantings surrounded by mulches and the incorporation of decorative rocks and gravels. Weed barriers must be made of water-permeable material. Xeriscape includes traditional hardscapes such as sidewalks, decks, driveways and patios only if they incorporate vegetation.

Section 2. Chapter 71, Article VI, Section 71-1173 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1173. Submission.

Concurrent with the submission of and as part of the approval of a site plan, if required, and prior to the issuance of a building permit for any development on unimproved real estate, excluding structures for agricultural uses, and for significant alterations to existing development on improved real estate, a landscape plan shall be submitted to and approved by the planning/inspection staff. If permanent irrigation will be used, an irrigation plan must also be submitted to and approved by the planning/inspection staff. The proposed ~~landscaping~~ plans may be forwarded to either the planning commission, or the appropriate governing body, or both, for approval, if in the judgment of planning/inspection staff, it is inconsistent with the comprehensive plan, the landscaping process or the zoning and subdivision regulations.

Section 3. Chapter 71, Article VI, Section 71-1174 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1174. Applicability.

(a)The requirement for a landscape plan shall apply to the following zoning districts: R-3A, R-4, M-P, M-S, C-O, C-1, C-2, C-3, B-P, I-1, and I-2.

(1)Single-family dwellings and two-family units are expressly exempted from this requirement.

(2)In the case of conflict between the regulations in this chapter and the regulations of the particular zoning district, the stricter application shall apply.

(b)The requirement for an irrigation plan shall apply to all zoning districts.

Section 4. Chapter 71, Article VI, Section 71-1175 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1175. Approval criteria.

In addition to the criteria contained elsewhere in this chapter, the following criteria shall be considered when reviewing a ~~landscape~~ plan submitted under this article:

- (1)The maintenance of the City's quality, heritage and character by enhancing the visual appearance of the community through the use of landscaping materials and techniques;
- (2)The provision of greenery to visually soften paved areas and buildings;
- (3)The establishment of optimal environmental conditions by providing shade, air purification, oxygen regeneration, groundwater recharge, retardation of stormwater runoff, abatement of noise, glare and heat;
- (4)The replenishment of native trees by utilizing plant materials that are generally native or hearty for the region;
- (5)The screening of certain unsightly equipment or materials from view of persons on public streets or adjoining properties;
- (6)The buffering of ~~uncomplimentary-uncomplementary~~ uses;
- (7)The prevention of light pollution and intrusion;
- (8)The preservation of and protection of existing quality trees and natural landscape from destruction and removal.
- (9)The conservation of the City's water resources.

Section 5. Chapter 71, Article VI, Section 71-1176 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1176. Requirements and contents.

~~Five~~ Two copies of ~~the landscape~~ plan shall be submitted. The ~~landscape~~ plan shall contain the following information:

- (1) A north arrow and scale;
- (2) The location of all proposed landscape materials, including existing trees proposed to be saved;
- (3) A listing of the proposed plant materials indicating the type, number and size at the time of planting;
- (4) The location of proposed structures and parking areas showing the type of surfacing;
- (5) The location, type and size of all aboveground and underground utilities;
- (6) Topography and final grading adequate to specify plantings for sloping areas;
- (7) Proposed plans for provision of water to plant materials including the location of permanent irrigation systems, the scope of irrigation system work proposed, the dimensions of any existing or proposed irrigation system and the name and address of the designer and installer performing the work on the irrigation system;
- (8) The types of materials to be used in any permanent irrigation system, including manufacturer submittals;
- (9) Conformance to the requirements for required landscaping for front yards;
- (~~9~~10) Conformance to the requirements for required buffers;
- (~~10~~11) Conformance to the requirements for parking lot screening;
- (~~11~~12) Conformance to additional other landscape standards;

(~~12~~13)Any other provisions applicable to the project, including measures to be taken during construction to protect existing trees to be saved or plans requiring excavation or construction within street right-of-way or utility easements.

(14)Any other relevant or pertinent information requested by the City.

Section 6. Chapter 71, Article VI, Section 71-1177 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1177. Required landscaping ~~for front yards.~~

(a)The minimum amount of landscaped area ~~in the front yard~~ of covered zoning districts and uses when located adjacent to public streets shall be as follows:

(1)On a zoning lot with an average depth of 150 feet or less, ten square feet of landscaped ~~front~~-yard per lineal foot of street frontage.

(2)On a zoning lot with an average depth of more than 150 feet but less than 250 feet, 15 square feet of landscaped ~~front~~-yard per lineal foot of street frontage.

(3)On a zoning lot with an average depth of more than 250 feet, 20 square feet of landscaped ~~front~~-yard per lineal foot of street frontage.

(b)The applicant for the building permit shall plant a minimum of one shade tree, two evergreen trees, or three ornamental trees for every 500 square feet of landscaped ~~front~~-yard.

(c)The following design standards shall apply to required landscaping and trees in ~~front~~-yards:

(1)Trees shall be selected from the recommended tree list for the City.

(2)The minimum size at the time of planting of required trees shall be as follows: shade trees, 1½-inch caliper measured six inches above the ground; ornamental trees, one-inch caliper measured six inches above the ground; evergreen trees, five feet in height.

(3)Trees shall be located in planter areas of sufficient size to allow for growth, to prevent damage from vehicles, and to avoid unnecessary maintenance to structures, walks and drives. A minimum of 25 square feet of permeable area around each tree is recommended.

(4)Adequate distance between individual trees shall be provided; minimum spacing should be 15 feet for ornamental trees and 30 feet for shade trees.

(5) Shrubbery may be substituted for up to one-third of required trees at the rate of ten shrubs per one required tree. Substitute shrubbery shall attain a mature height of at least two feet and shall be placed in no less than a two-gallon container size at the time of planting.

(6) The required trees and shrubs may be located in adjacent public rights-of-way, if approved by the zoning administrator, if there are no conflicts with utilities and if the plantings are in accordance with Section 68-57. No tree shall be planted between the curb and the sidewalk if the clear space is less than four feet wide.

(7) No landscaping tree or shrub shall be placed in a way that the zoning administrator determines is an obstruction to visibility, extends into a sight distance triangle, as set forth in these regulations, or is otherwise a traffic hazard.

(d) Shelter belts are permissible when necessary to protect improvements to property from wind and when they are established in a fashion that allows the survival of the trees without excessive irrigation. Shelter belts shall use drip system irrigation, no overhead irrigation, for the subsistence of the trees only.

Section 7. Chapter 71, Article VI, Section 71-1181 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1181. Maintenance.

The maintenance requirements for all landscaped areas shall be as follows:

(1)The landowner is responsible for the maintenance of all landscaped areas and shall keep them in a proper, neat and orderly appearance and free from litter and debris at all times.

(2)Maintenance shall include mowing, trimming, weeding, mulching, restaking, pruning, fertilizing, disease and insect control, irrigation and other necessary operations.

(3)For residential properties of four units or fewer, the maximum area served by the irrigation system shall not exceed 10,000 square feet. Of that 10,000 square feet, no more than 5,000 square feet may be comprised of turf. Of the 5,000 square feet of turf, no more than 2,000 square feet may be comprised of cool season turf, unless the area is not permanently irrigated.

(4)For all other properties, the maximum area served by the irrigation system shall not exceed 10,000 square feet. Of that 10,000 square feet, no more than 5,000 square feet may be comprised of turf. Of the 5,000 square feet of turf, no more than 30% of the property area (less impervious surface area) or 2,000 square feet per zoning lot, whichever is less, may be comprised of cool season turf. A minimum of 30% of the landscaped area must be xeriscaped.

~~(5)All landscaped areas shall be provided with a permanent water supply, except as otherwise shown on the landscape plan as approved.~~ Irrigation systems shall be designed and operated to avoid watering impervious surfaces and streets and shall comply with all applicable codes. Overhead irrigation methods shall not be used within five feet of driveways, sidewalks or other hard surfaces. Landscape designers and property owners are encouraged to utilize xeriscaping and take advantage of its watersaving principles and practices.

~~(6)~~The city shall have the authority to require that all dead trees, shrubs and plants be replaced during the next planting season.

(~~57~~) All landscaping shall be subject to periodic inspection by the zoning administrator or an authorized representative, to determine compliance with the approved ~~landscape~~-plan(s) and the requirements of this section. When the landscaping or permanent irrigation system has not been installed, maintained or replaced to comply with the ~~landscape~~-plan(s) and other requirements, a written corrective order shall be issued to the alleged violator. The order shall specify the parts of this ~~section-article~~ that are alleged to have been violated~~ion~~. Removal of any required landscaping or permanent irrigation system is prohibited at any time unless just cause is demonstrated by the owner and approval given by the zoning administrator or authorized representative.

Section 8. Chapter 71, Article VI, Section 71-1183 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1183. Assurance of performance.

(a)*Performance Agreement; Bonds.* If a site plan performance agreement is not required, the governing body shall require a landscape plan performance agreement to guarantee compliance and completion of the landscape plan requirements for the parcel as provided in the landscape plan as approved. In addition, the governing body may require alternate forms of performance assurance, such as a performance bond, escrow bond, or some other form of surety acceptable to the governing body if the landscape plan is to be developed in phases, allowing temporary occupancy of a portion of the site, or if the governing body determines that other aspects of the landscape plan require alternate performance assurance.

(b)*Certificate of Occupancy.*

(1)Prior to the issuance of a certificate of occupancy, for any structure where landscaping is required or a permanent irrigation system was installed, except as provided in subsection (b)(2) of this section, all work indicated on the approved landscape plan(s) shall be completed, inspected and approved by the zoning administrator. Prior to approval, the quantities, locations, types and sizes of plants and other landscape materials shall be checked for compliance.

(2)A landowner may obtain a temporary certificate of occupancy for a structure prior to completion of required landscaping work if completion is not possible due to seasonal or weather conditions and if acceptable assurances are submitted guaranteeing the completion of such landscaping. The acceptable assurances, such as an irrevocable letter of credit, performance bond, certified check, or escrow account, shall be equal to 125 percent of the cost to complete the landscaping work and shall be accompanied by a written agreement assuring that such landscaping will be completed prior to the expiration date of such assurance. If an inspection reveals that such landscaping work is not completed prior to the expiration date of such assurance, the governing body shall utilize such assurance to pay for the completion of the landscaping work.

Section 9. Chapter 71, Article VI, Section 71-1184 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1184. Recording of landscape plans.

Following the approval of a landscape plan, a statement will be recorded with the register of deeds acknowledging that a landscape plan has been approved for the property. The recorded statement shall contain the following information:

- (1) A legal description of the property;
- (2) A specification of the nature of the plan by identifying the zoning districts which apply to the property;
- (3) A statement that the restrictions on development established by the landscape plan shall be binding upon all successors and assigns unless amended in conformance with this article.

Section 10. Chapter 71, Article VI, Section 71-1185 of the City of Hays, Kansas Municipal Code is hereby amended as follows:

CHAPTER 71

ZONING

ARTICLE VI. LANDSCAPE AND IRRIGATION PLANS

Sec. 71-1185. Period of validity for ~~landscape~~ plan approval.

Final ~~landscape~~ plan approval by the governing body shall not be valid for a period longer than 12 months from the date it is approved, unless within such period a building permit is obtained and all additional building permits necessary to complete the project, as approved in the final ~~landscape~~ plan completion schedule, are obtained in a timely fashion as determined by the zoning administrator. The governing body may grant an extension not exceeding 12 months upon written request of the original applicant and resubmission of the application. However, the governing body has the power in such cases to attach new conditions to its reapproval or to disapprove the reapplication.

Section 11. The ordinance shall take effect and be in force from and after its passage and publication in the Hays Daily News, the official city newspaper.

PASSED by the Commission on _____, 20143.

KENT L. STEWARD
Mayor

ATTEST:

BRENDA KITCHEN
City Clerk
(SEAL)

Approved/Denied by Planning Commission _____

Case No. 14-02 F

Approved/Denied by City/County Commission _____

Date Filed 1-15-2014

APPLICATION FOR PLAT APPROVAL

Name of Subdivision Geist Addition

General Location 22nd Street between Canterbury Drive & Wheatland Ave

Name of Applicant Alfred Geist

Address 2114 Canterbury Drive, Hays, KS 67601 Phone 785-628-8076

Name of Agent Galen Romme - Romme Real Estate

Address 1008 E 17th St., Hays, KS 67601 Phone 785-625-6768

Name of Surveyor or Engineer Leon D. Osbourn - Kaw Valley Engineering, Inc.

Address 2319 N Jackson, Junction City, KS 66441 Phone 785-762-5040

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 11.17 Acres

2. Number of Lots:

a. Residential _____

b. Commercial 4 (C-O)

c. Industrial _____

d. Other _____

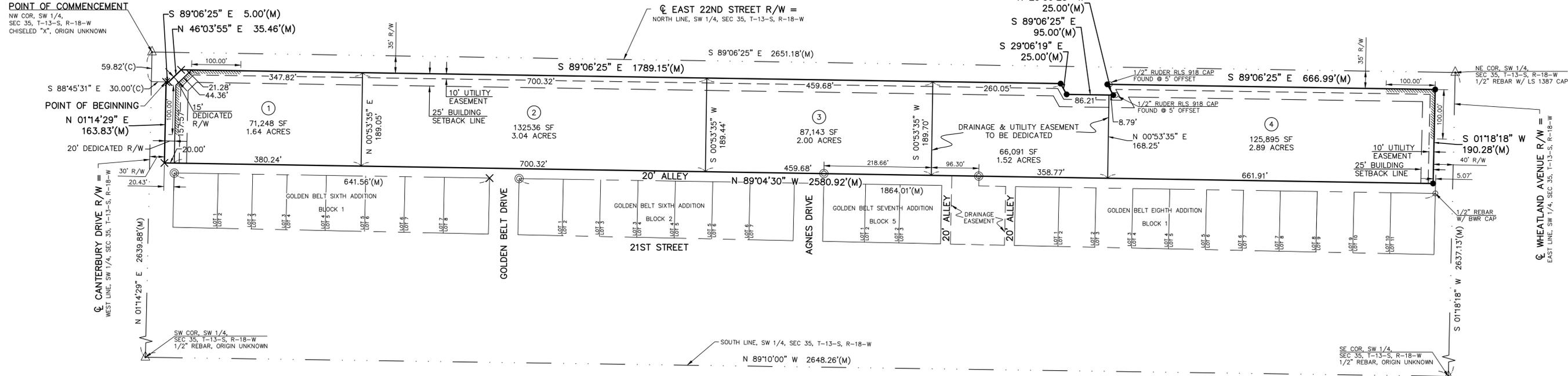
Total Number of Lots 4

3. Minimum Lot Frontage: 346.99 feet

4. Minimum Lot Area: 70,898 square feet

5. Existing Zoning Ag

POINT OF COMMENCEMENT
NW COR, SW 1/4,
SEC 35, T-13-S, R-18-W
CHISELED "X", ORIGIN UNKNOWN



LEGEND

- △ SECTION CORNER FOUND
- MONUMENT FOUND
- ⊙ 1/2" BAR FOUND, ORIGIN UNKNOWN
- 1/2"x24" REBAR W/KVE CLS 20 CAP SET
- ✕ CHISELED "X" SET
- (M) MEASURED
- ▨ ACCESS CONTROL

PROPERTY DESCRIPTION:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

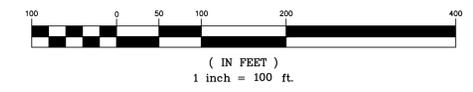
COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET; AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS.

END OF DESCRIPTION

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY WAS AN ASSUMED BEARING OF S 89°06'25" E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, ELLIS COUNTY, KANSAS.

GRAPHIC SCALE



FINAL PLAT
GEIST ADDITION
TO
CITY OF HAYS, ELLIS COUNTY, KANSAS
KAW VALLEY ENGINEERING, INC.
2319 NORTH JACKSON | PO BOX 1304
JUNCTION CITY, KANSAS 66441
(785) 762-5040 | FAX (785) 762-7744
jc@kveg.com | www.kveg.com
JUNCTION CITY, KS | KANSAS CITY, MO | LENEXA, KS | SALINA, KS

DATE OF PREPARATION: FEBRUARY 3, 2014 PROJECT NO. A13_6718 SHEET 1 OF 2

HAYS AREA PLANNING COMMISSION CERTIFICATE

STATE OF KANSAS }
COUNTY OF ELLIS }SS

THIS PLAT OF _____ GEIST ADDITION
HAS BEEN SUBMITTED TO AND APPROVED BY THE HAYS AREA PLANNING COMMISSION
THIS _____ DAY OF _____, _____.

HAYS AREA PLANNING COMMISSION BY _____ CHAIRMAN, LARRY GOULD

SECRETARY, PAM REIN

CERTIFICATE OF REGISTER OF DEEDS

STATE OF KANSAS }
COUNTY OF ELLIS }SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE ON THE _____ DAY
OF _____, _____, AT _____ IN BOOK _____, PAGE _____.

DEPUTY REGISTER OF DEEDS, PAM PFANNENSTIEL

REGISTER OF DEEDS, REBECCA HERZOG

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, _____.

COUNTY CLERK, DONNA J. MASKUS

REVIEW SURVEYOR'S CERTIFICATE

STATE OF KANSAS }
COUNTY OF ELLIS }SS

I HEREBY CERTIFY THAT THE REVIEW OF THIS PLAT WAS FOUND TO BE IN COMPLIANCE WITH THE REQUIREMENTS OF
K.S.A. 58-2005.
APPROVED THIS _____ DAY OF _____, _____.

REVIEW SURVEYOR

SURVEYOR'S CERTIFICATE

STATE OF KANSAS }
COUNTY OF GEARY }SS

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS, WITH
EXPERIENCE AND PROFICIENCY IN LAND SURVEYING; THAT THE HERETOFORE DESCRIBED PROPERTY WAS SURVEYED
AND SUBDIVIDED BY ME OR UNDER MY DIRECT SUPERVISION; THAT ALL SUBDIVISION REGULATIONS OF THE
CITY OF HAYS, KANSAS, HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT; THAT THIS PLAT AND THE
SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY
SURVEYS, AND THAT ALL THE MONUMENTS SHOWN HEREIN ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY
SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.
GIVEN UNDER MY HAND AND SEAL AT JUNCTION CITY, KANSAS, THIS _____ DAY OF _____, 20____.
DATE OF SURVEY: DECEMBER 17, 2013

LAND SURVEYOR, JASON R. LOADER
REGISTRATION NO. 1462

OWNER'S CERTIFICATE

STATE OF }
COUNTY OF }SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE PLAT HE HAS CAUSED
THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET
FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED.
ALL STREET RIGHTS-OF-WAY AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC. AN EASEMENT OR
LICENSE TO THE PUBLIC TO LOCATE, CONSTRUCT, AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION, AND
MAINTENANCE OF POLES, WIRES, CONDUITS, WATER, GAS AND SEWER PIPES OR REQUIRED DRAINAGE CHANNELS OR
STRUCTURES UPON THE AREA MARKED FOR EASEMENTS ON THIS PLAT IS HEREBY GRANTED. THE DRAINAGE &
UTILITY EASEMENT DEDICATION IS HEREBY DEDICATED TO THE PUBLIC FOR DRAINAGE & UTILITY EASEMENT PURPOSES.

GIVEN UNDER MY HAND AT HAYS, KANSAS THIS _____ DAY OF _____, 20____.

ALFRED GEIST

NOTARY CERTIFICATE

STATE OF }
COUNTY OF }SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, _____, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID
COUNTY AND STATE, CAME _____ ALFRED GEIST
TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND
DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED
MY NOTORIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATE OF CITY COMMISSION

STATE OF KANSAS }
COUNTY OF ELLIS }SS

THE DEDICATIONS SHOWN ON THIS PLAT ARE HEREBY ACCEPTED BY THE CITY COMMISSION OF THE CITY OF HAYS, KANSAS
THIS _____ DAY OF _____, _____.

ATTEST:

CITY CLERK, BRENDA KITCHEN

MAYOR, KENT STEWARD

THE ABOVE AND FORGOING PLAT IS APPROVED BY THE CITY ATTORNEY OF THE CITY OF HAYS, KANSAS
THIS _____ DAY OF _____, _____.

JOHN BIRD

FINAL PLAT
GEIST ADDITION
TO
CITY OF HAYS, ELLIS COUNTY, KANSAS
KAW VALLEY ENGINEERING, INC.

2319 NORTH JACKSON | PO BOX 1304
JUNCTION CITY, KANSAS 66441
(785) 762-5040 | FAX (785) 762-7744

jc@kveng.com | www.kveng.com
JUNCTION CITY, KS | KANSAS CITY, MO | LENEXA, KS | SALINA, KS

DATE OF PREPARATION: FEBRUARY 3, 2014 PROJECT NO. A13_6718 SHEET 2 OF 2

A13_6718
Geist Addition – Hays, KS
January 13, 2014

PROPERTY DESCRIPTION:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 13 SOUTH, RANGE 18 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF HAYS, COUNTY OF ELLIS, STATE OF KANSAS, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST QUARTER OF SAID SOUTHWEST QUARTER;
THENCE ON AN ASSUMED BEARING OF S 01°14'29" W, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 59.82 FEET; THENCE S 88°45'31" E A DISTANCE OF 30.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 22ND STREET AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING 7 COURSES; THENCE S 89°06'25" E A DISTANCE OF 5.00 FEET; THENCE N 46°03'55" E A DISTANCE OF 35.46 FEET; THENCE S 89°06'25" E A DISTANCE OF 1789.15 FEET; THENCE S 29°06'19" E A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 95.00 FEET; THENCE N 29°06'25" W A DISTANCE OF 25.00 FEET; THENCE S 89°06'25" E A DISTANCE OF 666.99 FEET TO THE WEST RIGHT-OF-WAY LINE OF WHEATLAND AVENUE; THENCE S 01°18'18" W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 190.28 FEET TO THE NORTH LINE OF GOLDEN BELT EIGHTH ADDITION, A FINAL PLAT TO SAID CITY OF HAYS; THENCE N 89°04'30" W, ALONG THE NORTH LINES OF GOLDEN BELT EIGHTH ADDITION, GOLDEN BELT SEVENTH ADDITION, AND GOLDEN BELT SIXTH ADDITION, ALL FINAL PLATS TO THE CITY OF HAYS, A DISTANCE OF 2580.92 FEET TO THE EAST RIGHT-OF-WAY LINE OF CANTERBURY DRIVE; THENCE N 01°14'29" E, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 163.83 FEET TO THE POINT OF BEGINNING. CONTAINS 11.17 ACRES, MORE OR LESS.

END OF DESCRIPTION

FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **GEIST ADDITION** DATE: **01/11/2014**

NAME OF OWNER: **ALFRED GEIST**

NAME OF SUBDIVIDER: **OWNER**

NAME OF PERSON WHO PREPARED THE PLAT: **KAW VALLEY ENGINEERING INC**

PERSON WHO COMPLETED THIS CHECKLIST: **JESSE ROHR**

Instructions:

The following checklist is to be completed by the City Staff and shall accompany the Final Plat when it is submitted to the Planning Commission. Indicate N/A if not applicable.

A. Does the Final Plat show the following information?

	<u>YES</u>	<u>NO</u>
1. Name of Subdivision.	X	
2. Location of section, township, range, county and state, including the descriptive boundaries of the subdivision based on an accurate traverse, giving angular and linear dimensions which must be mathematically correct. The allowable error of closing on any portion of the plat shall be 1 foot in 5,000.	X	
3. Location of monuments or bench marks. Location of such monuments shall be shown in reference to existing official monuments of the nearest established street lines, including the true angles and distances to such reference points or monuments.	X	
4. The location of lots, streets, public highways, alleys, parks and other features, with accurate dimensions in feet and decimals of feet with the length of radii on all curves, and other information necessary to reproduce the plat on the ground. Dimensions shall be shown from all curves to lot lines.	X	

	<u>YES</u>	<u>NO</u>
5. Lots numbered clearly. Blocks numbered or lettered clearly in the center of the block.	X	
6. Exact locations, widths and names of all streets and alleys to be dedicated.	X	
7. Boundary lines and descriptions of the boundary lines of any area other than streets and alleys, which are to be dedicated or reserved for public use.	X	
8. Building setback lines on the front and side streets with dimensions.	X	
9. Name and address of the developer, surveyor or the licensed engineer making the plat.	X	
10. Scale of plat, 1" = 100' or larger, date of preparation and north point.	X	
11. Statement dedicating all easements.	X	
12. Statement dedicating all streets, alleys and all other public areas not previously dedicated.	X	
B. Were the original (on mylar, tracing cloth or similar material) and 20 copies submitted?		X
C. Signatures?		
1. Owner or owners and all mortgagers.		X
a. Notarization or notarizations.		X
2. Engineer, surveyor or person preparing plat.		X
D. Has a title opinion been submitted? (CERT OF TITLE)		X
E. Have the plat and dedication papers been submitted?		X
F. Deed restrictions:		
1. Are any deed restrictions planned for subdivision? N/A		
2. If so, has a copy been submitted? N/A		

Comments: