

HAYS AREA PLANNING COMMISSION MEETING AGENDA
CITY COMMISSION CHAMBERS
1507 MAIN, HAYS, KS
APRIL 18, 2016
6:30 PM

1. CALL TO ORDER BY CHAIRMAN.

2. CONSENT AGENDA.

A. Minutes of the meeting of March 21, 2016

Action: Consider approving the minutes of the March 21, 2016 meeting

3. PUBLIC HEARING ITEMS-NONE

4. NON-PUBLIC HEARING ITEMS:

A. Consider a final plat for the proposed Blue Sky Acres Addition located on a tract in the SE/4 of Section 16, Township 14 South, Range 18 West of the 6th p.m. (250th Avenue west of VonFeldt's Addition south on U.S. Highway 183) (Case # 16-01F)

Action: Consider a recommendation to the City Commission for the final plat of the proposed Blue Sky Acres Addition located at 250th Avenue West of VonFeldt's Addition.

B. Consider a final plat for the Heart of America Second Addition located on a tract in the SW/4 of Section 1, Township 14 South, Range 18 West of the 6th p.m. (900 Block of Commerce Parkway) (Case # 16-02F)

Action: Consider a recommendation to the City Commission for the final plat of the proposed Heart of America Second Addition located in the 900 Block of Commerce Parkway.

C. Discussion on the draft of the Unified Development Code with changes to date.
(Available at the following link):

http://www.haysusa.com/16-01-25_UDC_Public_Hearing_Draft_01.24.16_.pdf

Action: Consider setting a public hearing for the May 16 PC Meeting.

5. OFF AGENDA ITEMS/COMMUNICATIONS.

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

6. ADJOURNMENT

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
MARCH 21, 2016
6:00 P.M.**

1. CALL TO ORDER BY CHAIRMAN: The Hays Area Planning Commission met on Monday, March 21, 2016 at 6:00 p.m. in Commission Chambers at City Hall. They were provided with a light luncheon. Chairman Paul Phillips declared that a quorum was present and called the meeting to order.

Roll Call:

Present

Paul Phillips
Lou Caplan
Matthew Wheeler
Darrell Hamlin (arrived at 6:30 p.m.)
Chris Crawford
Robert Readle

Absent

Tom Denning
Kris Munsch

City Staff in attendance: Toby Dougherty, City Manager, Greg Sund, Director of Public Works, John Braun, Assistant Director of Public Works, Jesse Rohr, Superintendent and Linda Bixenman, Administrative Assistant of Planning, Inspection and Enforcement.

No Changes to the Agenda

2. CONSENT AGENDA:

A. Minutes: Lou Caplan moved, Matthew Wheeler seconded the motion to approve the minutes from the February 15, 2016 meeting. There were no additions or corrections to those minutes.

AYES:

Paul Phillips
Lou Caplan
Chris Crawford
Matthew Wheeler
Robert Readle

3. PUBLIC HEARING ITEMS: - NONE

4. NON-PUBLIC HEARING ITEMS:

A. Presentation of the draft of the Unified Development Code by Bret Keast of Kendig Keast Collaborative: Jesse Rohr handed out a copy of the slide presentation to the Commission and audience so they could write down comments or questions to address at the end.

He started off with the preliminary information as to why the rewrite of the zoning and subdivision regulations. They are first generation and suburban in nature. Many sections are in conflict with the stated goals and desired outcomes of the Comprehensive Plan. The new regulations are to ensure the City remains as a strong economic presence into the future.

He addressed a list of concerns that were brought up about the rewrite from their open door and focus group meetings.

One of the questions brought up from their public meetings was if they could see a comparison from the current regulations to the proposed regulations. He explained that the new regulations are their own set. The existing code did not provide the adequate foundation for a rewrite of the regulations. The rewrite was a recommendation of the 2012 Comprehensive Plan.

The following is a list of a few of the significant changes from current code:

- Simplifying and reducing the number of zoning districts from 21 to 12
- There are 486 necessary definitions versus 110 definitions in current regulations
- Mixed Use Developments
- Includes flood management and stormwater ordinances
- Provision for live/work units and accessory dwelling units
- Reducing the requirement of BZA action in many instances
- Building setbacks have been reduced in some instances

He listed some concerns and several of them are listed as follows:

- Concern about property rights being taken. Property Rights will not be taken from property owners
- Concern for reducing safety by narrower streets. There will be fewer and shorter cul-de-sacs than currently allowed for greater emergency response access
- Process not being transparent – There have been public meetings, drafts website and open door meetings for welcomed input. They have received some tremendous input.

He listed some proposed changes to the draft and several are listed below:

- Add language to green/open space regulations
- Removal of temporary use regulations
- Various changes to sign regulations

He introduced Bret Keast of Kendig Keast Collaborative, the consultant that drafted the proposed new Uniform Development Code. He explained they consolidated four chapters from the current municipal code to be identified as the Uniform Development Code. It consists of districts and uses, development standards, and permits and procedures. They have made about 500 changes during the drafting process. They drafted the code in 3 different modules.

He explained the timeframe and described the work as the project unfolded beginning in March, 2014.

The changes will facilitate and encourage reinvestment in existing neighborhoods. There are grandfathering provisions for existing properties not conforming to the new code that will now be considered conforming. There will be more streamlined administrative approvals with good standards that would simplify the process and save time and cost.

This code includes a mixture of many different housing types and lot averaging of mixture of lot sizes.

Within the parking requirements, there is the opportunity for parking credits and reductions and shared parking and design. Private streets must meet city standards. There was a rewrite of the sign standards for legality to state law.

He complemented city staff, particularly Jesse Rohr, who has become very fluent with this new code and conscientious to address the concerns and comments. He has been great to work with.

Mr. Keast asked for questions and comments.

Jesse Rohr informed the Commission that there would be an opportunity to come to an open door discussion with the consultant and city staff the next day March 22, 2016 from 10:00 a.m. to 11:00 a.m. at the Public Works Conference Room at 1002 Vine Street to address any questions or comments or get clarification on the Uniform Development Code.

Jesse Rohr handed it off to Chairman Paul Phillips to open up for questions. Paul Phillips stated that the Commission would ask their questions, and then he would open it up to the audience to ask questions.

Paul Phillips started off with the first question using an article that he read in the Wall Street Journal March 15, 2016 "Zoned for One Generation". It was about multi-generational living under one structure. He asked if the code would allow two kitchens, one for each generation.

Bret Keast explained that would be a building code question if there can be two kitchens in a home. He agreed that multi-generational homes are increasing and

will increase because of the baby boomers. There are different housing types in the new code and accessory dwelling units that could meet those needs. Parking may be the most obvious thing to deal with.

Jesse Rohr explained the building code in relation with that question. There is nothing in the building code that would prohibit two kitchens. On the utility side of things, it may be that it would be two units and would pay for two services. Under proposed regulations it would be allowed to have multi-generational family living in the same structure.

Paul Phillips asked if under the definition of "Single Family" if it needed to be revised to include multi-generational. Bret Keast stated that family is defined as related persons that live together. It is difficult to enforce if there are many unrelated persons living together.

Robert Readle stated that his main concern associated with the permit procedure of speeding up the process is leaving it to one authority. Bret Keast answered that if the authority (staff) was uncomfortable with a request, they could bring it before the Commission, or if the applicant was not in agreement with the authority, they could appeal it to the Commission. There are checks and balances. Everything is spelled out in the code for easy interpretation.

Errol Wuertz came before the commission to point out that in the current single family zoning district an existing duplex in that district could not be rebuilt on that lot if was destroyed. He asked how this would apply to the new code.

Bret Keast answered that the duplex could be rebuilt under the Neighborhood Conservation District; although lots with single family homes could not be torn down to build a duplex. He would include language for clarification.

Jesse Rohr explained that the proposed changes would be made and they will be sending and posting the new draft. He explained the schedule going forward. It would be review and setting the public hearing at the April meeting for the May meeting.

Robert Readle asked if the changes could be reflected on a redline copy. Jesse Rohr answered that there would be a redline copy.

5. OFF AGENDA ITEMS/COMMUNICATIONS:

Planning Commissioner

Jesse Rohr explained that Planning Commissioner Justin McClung resigned his position as a member of the Planning Commission because he does not have the time to devote to the Commission due to his job duties. The City Commission will be appointing a Commissioner to take his place.

6. **ADJOURNMENT: Paul Phillips adjourned the meeting at 7:33 P.M.**

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

DRAFT

Planning Commission Action Report

AGENDA ITEM: Consider the Final Plat of Blue Sky Acres Addition
OWNER: Mary Alice Unrein
TYPE OF REVIEW: Final Plat – Blue Sky Acres Addition
PRESENTED BY: Jesse Rohr, P.I.E. Superintendent
DATE PREPARED: April 12, 2016
AGENDA DATE: April 18, 2016

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the proposed Blue Sky Acres Addition, is under consideration for final plat approval. This is for the property located approximately 2 miles south of Hays along US Highway 183. The plat includes 6 lots ranging from 2.5 to 3 acres per lot and right-of-way dedication. **Staff recommends approving the final plat as submitted therefore sending the plat to both the County and City Commissions for final approval.**

BACKGROUND:

- The zoning of this property from A-L (Agricultural) to R-S (Residential Suburban) was approved by the City Commission on January 14, 2016.
- The preliminary plat was approved by the Planning Commission on February 15, 2016.
- The property abuts 7 lots of existing Residential Suburban (R-S) zoning (*Vonfeldt Addition - zoned and platted in 1977*)
- The remainder of the surrounding property (exclusive of the Vonfeldt Addition) remains agriculture.

POINTS TO CONSIDER:

- Water service for individual lots will be provided by private well or through rural water service.

- Sewer service will be provided through private septic systems, approved and permitted by Ellis Co.
- The developer has stated that the roads would be constructed to Ellis County road standards but would remain private with an HOA required to provide for maintenance. The roads are indicated as private on the final plat.
- This plat was taken before the Utility Advisory Committee (UAC) when first submitted in 2015. The issues noted at that time, which were primarily related to the roads and utilities, have since been addressed by the developer. No known further issues remain with the UAC. All easements as required are in place for future placement of any required utilities.
- Temporary turnaround access easements have been provided at the end of each dead-end road section.
- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements.

OPTIONS:

The following options are available for consideration:

- Approve the final plat as submitted
- Request further changes or considerations to the plat
- Do not approve the plat

RECOMMENDATION:

The plat seems to meet the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements. The property is already zoned for this type of development. **Staff recommends approving the final plat as submitted therefore sending the plat to both the County and City Commissions for final approval.**

ATTACHMENTS:

- Final Plat Map
- Area Maps
- Plat Checklist

Proposed New Area

Existing
Development

1039

1037

1035

1033

1031

1029

1027

250TH AVE

HWY 183

1653B



Approved/Denied by Planning Commission _____

Case No. 16-01

Approved/Denied by City/County Commission _____

Date Filed 03-30-2016

APPLICATION FOR FINAL PLAT APPROVAL

Name of Subdivision Blue Sky Acres

General Location 2 miles south of Hwy 183 & Bypass on west side.

Name of Applicant Mary Alice Anrein

Address 414 E. 21st, Hays Phone 785-625-4522

Name of Agent _____

Address _____ Phone _____

Name of Surveyor or Engineer Ruder Engineering & Surveying, LLC

Address 1376 Butterfield Trail Road Phone 785-259-1382
Hays, KS 67601

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 20.282

2. Number of Lots:

a. Residential 6

b. Commercial _____

c. Industrial _____

d. Other _____

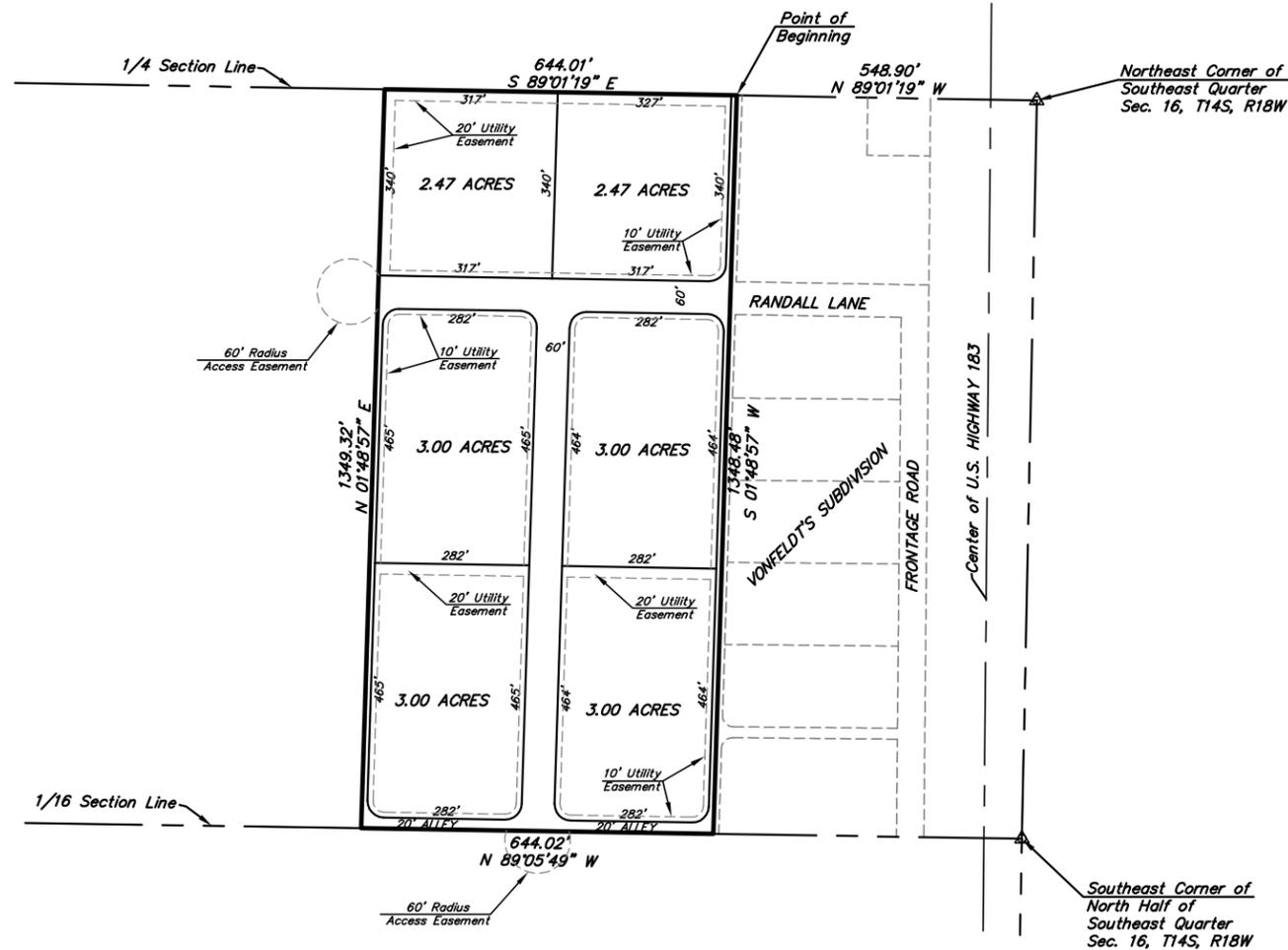
Total Number of Lots 6

3. Minimum Lot Frontage: 312.5 Ft. feet

4. Minimum Lot Area: 2.43 Acres feet

5. Existing Zoning R-5

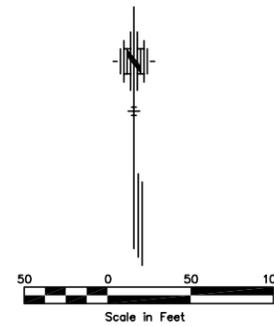
PRELIMINARY PLAT OF BLUE SKY ACRES ADDITION TO ELLIS COUNTY, KANSAS



DESCRIPTION

That part of the North Half of the Southeast Quarter of Section 16, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the northeast corner of said North Half of the Southeast Quarter; thence on an assumed bearing of North 89 degrees 01 minutes 19 seconds West, along the north line of said North Half of the Southeast Quarter, a distance of 548.90 feet to the point of beginning of the land to be described, said point also being the northwest corner of Vonfeldt's Subdivision to Ellis County, Kansas; thence South 01 degrees 48 minutes 57 seconds West, along the west line of said Vonfeldt's Subdivision, a distance of 1,348.48 feet to the southwest corner of said Vonfeldt's Subdivision, said point being on the south line of said North Half of the Southeast Quarter; thence North 89 degrees 05 minutes 49 seconds West, along said south line, a distance of 644.02 feet; thence North 01 degrees 48 minutes 57 seconds East a distance of 1,349.32 feet to a point on the north line of said North Half of the Southeast Quarter; thence South 89 degrees 01 minutes 19 seconds West, along said north line, a distance of 644.01 feet to the point of beginning.



OWNER and SUBDIVIDER:

Mary Alice Unrein

APPROVALS:

This plat has been submitted to and approved by the Hays Area Planning Commission this _____ day of _____, 2015.

CHAIRMAN

SECRETARY

LEGEND

△ Section Corner

SURVEYOR'S CERTIFICATE:

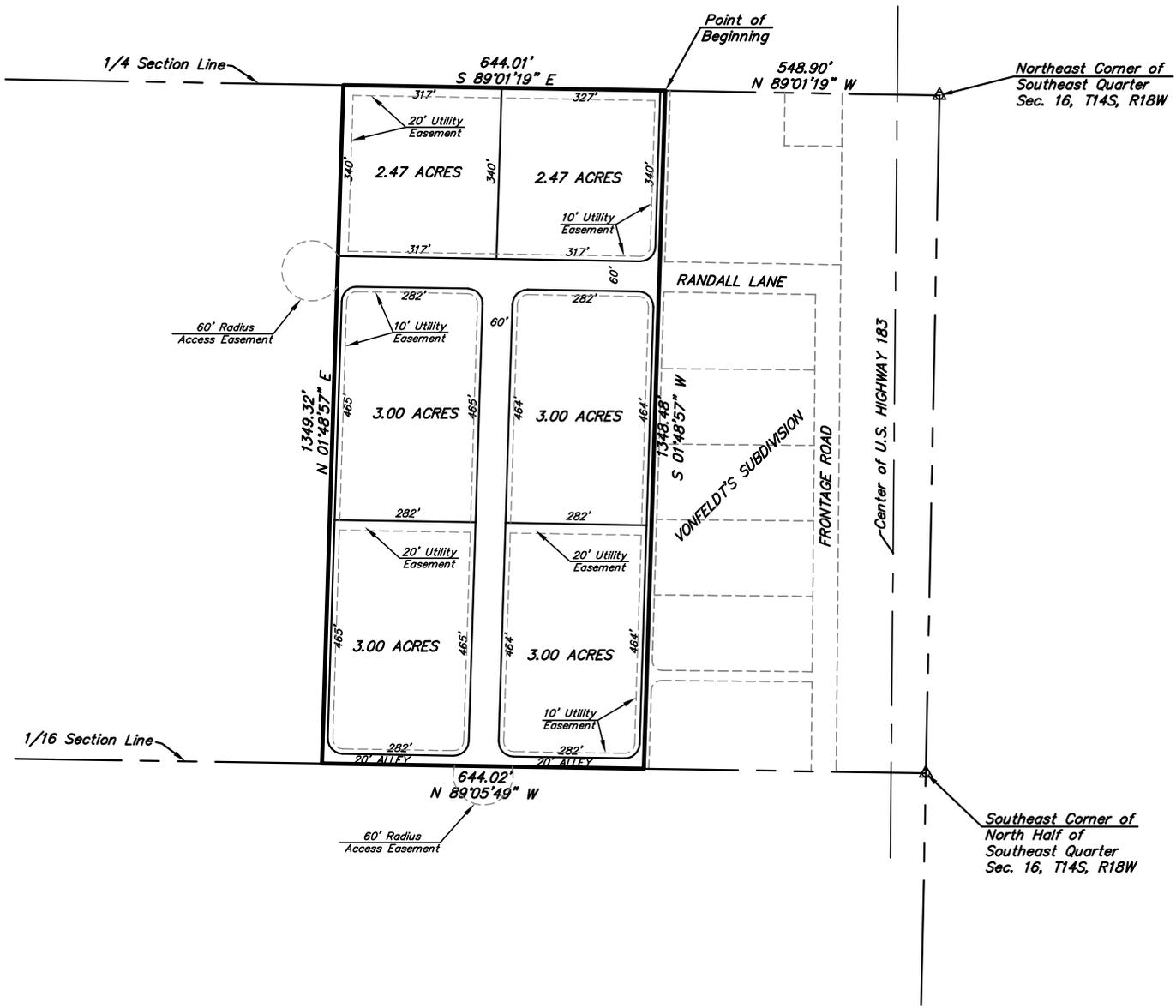
I, Harvey Ruder, a Registered Land Surveyor in the State of Kansas, do hereby certify this Plat to be true and correct to the best of my knowledge.

Harvey Ruder

Date



**RUDER ENGINEERING
& SURVEYING, LLC**
1376 Butterfield Trail Rd.
Hays, Kansas 67601
785-259-1382



1/4 Section Line

644.01'
S 89°01'19" E

548.90'
N 89°01'19" W

Northeast Corner of
Southeast Quarter
Sec. 16, T14S, R18W

Point of
Beginning

20' Utility
Easement
2.47 ACRES

10' Utility
Easement
2.47 ACRES

60' Radius
Access Easement

1,349.32'
N 01°48'57" E

10' Utility
Easement
3.00 ACRES

3.00 ACRES

RANDALL LANE

1,348.48'
S 01°48'57" W

VONFELDT'S SUBDIVISION

FRONTAGE ROAD

Center of U.S. HIGHWAY 183

20' Utility
Easement
3.00 ACRES

3.00 ACRES

10' Utility
Easement

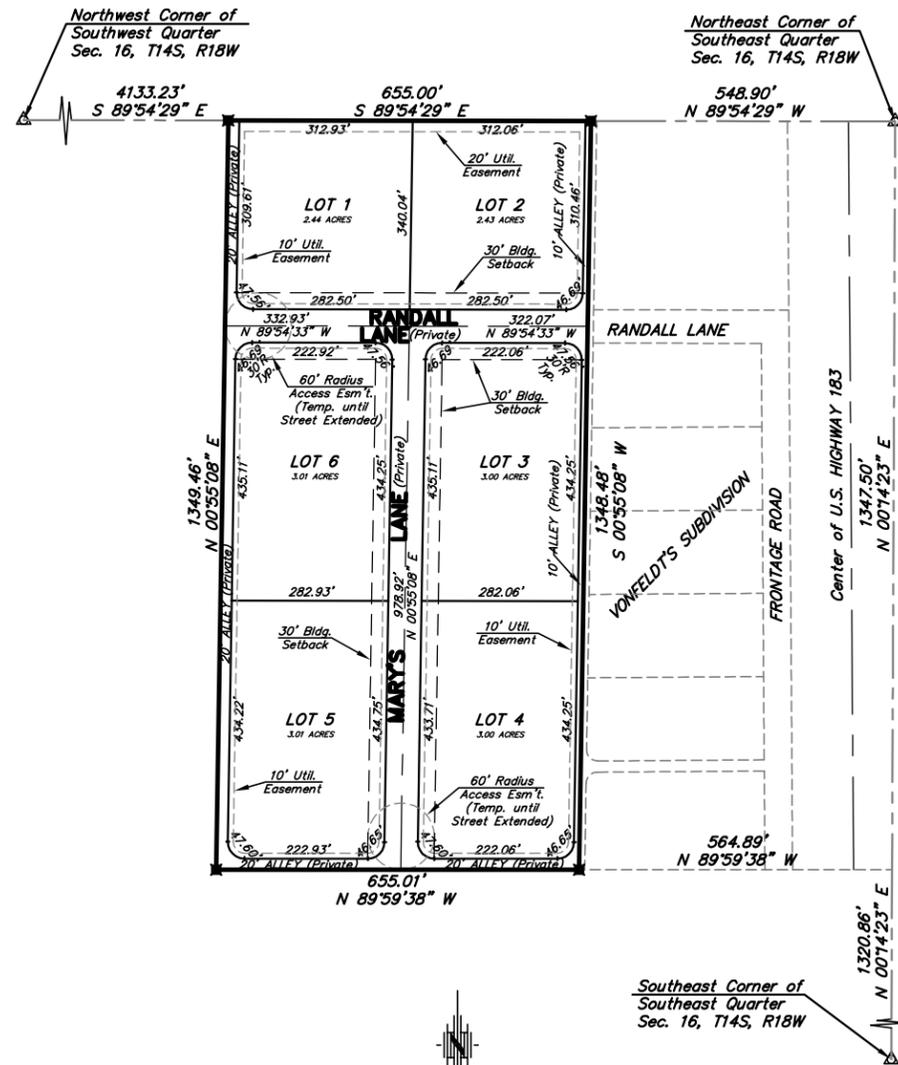
1/16 Section Line

644.02'
N 89°05'49" W

60' Radius
Access Easement

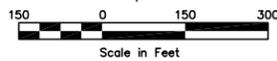
Southeast Corner of
North Half of
Southeast Quarter
Sec. 16, T14S, R18W

FINAL PLAT OF BLUE SKY ACRES ADDITION TO ELLIS COUNTY, KANSAS



LEGEND

■ Set 1/2" Bar w/ Cap
Stamped "RUDER RLS-918"



DESCRIPTION

That part of the Southeast Quarter of Section 16, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the northeast corner of said Southeast Quarter; thence on an assumed bearing of North 89 degrees 54 minutes 29 seconds West, along the north line of said Southeast Quarter, a distance of 548.90 feet to the point of beginning of the land to be described, said point also being the northwest corner of Vonfeldt's Subdivision to Ellis County, Kansas; thence South 00 degrees 55 minutes 08 seconds West, along the west line of said Vonfeldt's Subdivision, a distance of 1,348.48 feet to the southwest corner of said Vonfeldt's Subdivision; thence North 89 degrees 59 minutes 38 seconds West a distance of 655.01 feet; thence North 00 degrees 55 minutes 08 seconds East a distance of 1,349.46 feet to a point on the north line of said Southeast Quarter; thence South 89 degrees 54 minutes 29 seconds East, along said north line, a distance of 655.00 feet to the point of beginning.

This tract contains 20.282 acres.

EASEMENTS:

Easements are hereby dedicated for public use, as utility easement right-of-way, which are shown as lying between the dashed lines in widths indicated and as set forth on this plat, and said easements may be employed for the purpose of installing, repairing and maintaining gas lines, electric lines, telephone lines, and all other forms and types of public utilities, now or hereafter used, by the public over, under and along the strips marked "Utility Esm't."

APPROVALS:

This Blue Sky Acres Addition, has been submitted to and approved by the Hays Planning Commission this _____ day of _____, 2016.

CHAIRMAN

SECRETARY

The dedications shown on this plat accepted by the City Commission of the City of Hays, Kansas, this _____ day of _____, 20____.

MAYOR

ATTEST: _____, City Clerk

John T. Bird, Attorney for the City of Hays

The dedications shown on this plat accepted by the County Commission of Ellis County, Kansas, this _____ day of _____, 20____.

CHAIRMAN

ATTEST: _____, County Clerk

Thomas Drees, Attorney for Ellis County

OWNER'S CERTIFICATE:

Know all men by these presents, that I, the undersigned property owner of the land above described have caused the same to be surveyed and platted into Lots, Streets, Alleys and Easements, the same to be known as "Blue Sky Acres Addition", in Ellis County, Kansas. The Streets and Alleys are private, and the easements as indicated on the accompanying plat are hereby granted to the public for the purpose of constructing, operating, maintaining, and repairing all public utilities.

By _____
Mary Alice Unrein

NOTARY CERTIFICATE:

State of Kansas, County of Ellis, ss:
Be it remembered that on this _____ day of _____, 20____, before me, a Notary Public in and for said County and State, came Mary Alice Unrein, a single person, 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 notarial seal, the day and year above written.

Notary Public

My Commission Expires:

RECORDED:

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 _____, 20____ in Book _____, Page _____.

REGISTER OF DEEDS

DEPUTY

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 _____, 20____.

SURVEYOR'S CERTIFICATE:

I, Harvey Ruder, a Registered Land Surveyor in the State of Kansas, do hereby certify this Plat to be true and correct to the best of my knowledge.

Harvey Ruder

Date



**RUDER ENGINEERING
& SURVEYING, LLC**
1376 Butterfield Trail Rd.
Hays, Kansas 67601
785-628-8134

S 89°54'29" E

N 89°54'29" W

312.93'

312.06'

LOT 1
2.44 ACRES

LOT 2
2.43 ACRES

10' Util.
Easement

30' Bldg.
Setback

20' Util.
Easement

10' ALLEY (Private)

340.04'

20' ALLEY (Private)

309.61'

17.50'

N 89°54'33" W

RANDALL LANE (Private)

N 89°54'33" W

RANDALL LANE

17.50'

N 89°54'33" W

60' Radius
Access Esm't.
(Temp. until
Street Extended)

30' Bldg.
Setback

LOT 6
3.01 ACRES

LOT 3
3.00 ACRES

435.11'

20' ALLEY (Private)

435.11'

N 00°55'08" E

434.22'

17.60'

N 00°55'08" E

20' ALLEY (Private)

17.60'

MARYS LANE (Private)

978.92'

N 00°55'08" E

434.25'

434.75'

433.71'

17.60'

20' ALLEY (Private)

10' ALLEY (Private)

434.25'

1348.48'

S 00°55'08" W

VONFELDT'S SUBDIVISION

FRONTAGE ROAD

Center of U.S. HIGHWAY 183

1347.50'

N 00°14'23" E

282.93'

30' Bldg.
Setback

LOT 5
3.01 ACRES

10' Util.
Easement

282.06'

10' Util.
Easement

LOT 4
3.00 ACRES

60' Radius
Access Esm't.
(Temp. until
Street Extended)

434.25'

17.60'

N 00°55'08" E

20' ALLEY (Private)

222.93'

222.06'

655.01'

564.89'
N 89°59'38" W

FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **BLUE SKY ACRES ADDITION** DATE: **04-11-2016**

NAME OF OWNER: **MARY ALICE UNREIN**

NAME OF SUBDIVIDER: **MARY ALICE UNREIN**

NAME OF PERSON WHO PREPARED THE PLAT: **RUDER ENGINEERING & SURVEYING LLC**

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		X
2. If so, has a copy been submitted? N/A		

Comments:

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Planning Commission Action Report

AGENDA ITEM:	Consider the Final Plat of Heart of America Second Addition
OWNER:	Heart of America Development Corporation
TYPE OF REVIEW:	Final Plat – Heart of America Second Addition
PRESENTED BY:	Jesse Rohr, P.I.E. Superintendent
DATE PREPARED:	April 12, 2016
AGENDA DATE:	April 18, 2016

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the proposed Heart of America Second Addition, is under consideration for final plat approval. This is for the property located adjacent to Commerce Parkway north of Highway 40. The plat includes 3 lots ranging from 2.5 to just over 6 acres per lot as well as right-of-way dedication for the extension of 9th St. Total area of the plat is 15.90 acres. **Staff recommends approving the final plat as submitted and sending the plat to the City Commission for final approval.**

BACKGROUND:

- The property is zoned into a mixture of light-industrial and heavy-industrial districts
- The preliminary plat was approved by the Planning Commission in 2008
- The property abuts two other platted developments – Heart of America First Addition and the Army Reserve Addition
- A consent to annex has also been submitted for future approval by the City Commission. The property does abut current annexed property.

POINTS TO CONSIDER:

- The property is slated for industrial types of development

- The street will be extended and constructed to City standards. It is likely that a petition for special assessment will be presented at a future date.
- This plat was taken before the Utility Advisory Committee (UAC) in April, 2016. No known issues remain with the UAC. All easements as required are in place for future placement of any required utilities.
- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements for the Industrial zoning designation.

OPTIONS:

The following options are available for consideration:

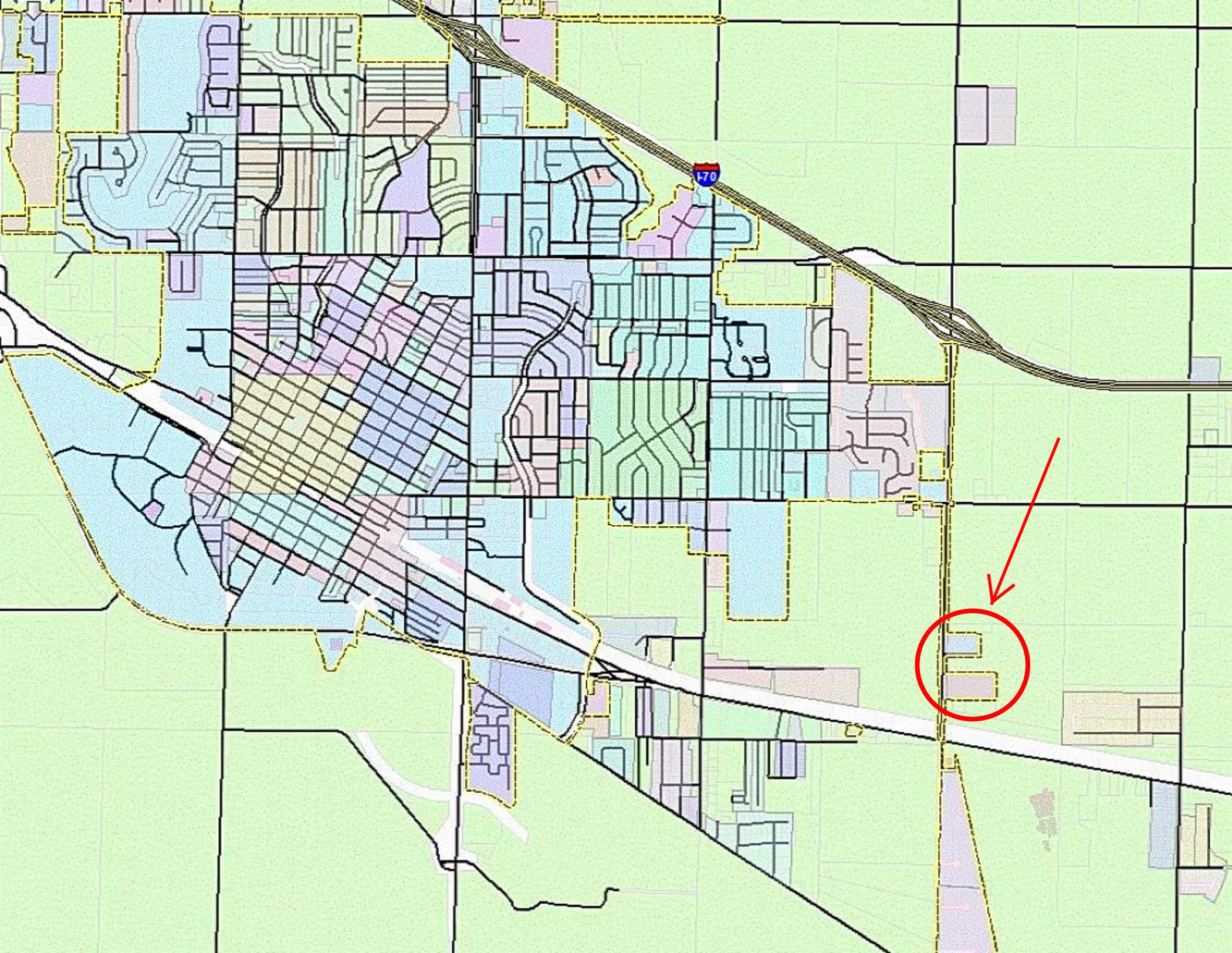
- Approve the final plat as submitted
- Request further changes or considerations to the plat
- Do not approve the plat

RECOMMENDATION:

The plat seems to meet the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements and also is in conformance with the Comprehensive Plan and Future Land use Map. The property is already zoned for this type of development (zoned as light/heavy industrial). **Staff recommends approving the final plat as submitted and sending the plat to the City Commission for final approval.**

ATTACHMENTS:

- Final Plat Map
- Preliminary Plat Map
- Area Maps
- Plat Checklist



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

Case No. 16-02F

Date Filed 04/11/2016

Project 2016-12

Utility Advisory meet 4/5/2016

Final
APPLICATION FOR PLAT APPROVAL

Name of Subdivision Heart of America Second Addition

General Location 9th Street & Commerce Parkway

Name of Applicant Heart of America Development Corp.

Address PO Box 25, Hays, KS 67601 Phone _____

Name of Agent Pat Parke

Address PO Box 25, Hays, KS 67601 Phone _____

Name of Surveyor or Engineer James Meis, PS

Address 203 E. 7th Street, Hays Phone 785 650-9864

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 15.90 Ac.

2. Number of Lots:

a. Residential _____

b. Commercial _____

c. Industrial 3

d. Other _____

Total Number of Lots 3

3. Minimum Lot Frontage: 25' feet

4. Minimum Lot Area: N/A feet

5. Existing Zoning Agricultural

6. Proposed Zoning Industrial

7. Public Water Supply (Yes No) Name City of Hays

8. Public Sanitary Sewers (Yes No) Name City of Hays

9. Health Department Approval (where applicable) (Yes, No)

10. Lineal Feet of New Street:

a. 9th Street (560') R/W 80 Ft.

b. _____ R/W _____ Ft.

c. _____ R/W _____ Ft.

d. _____ R/W _____ Ft.

e. _____ R/W _____ Ft.

11. Provision for Open Space: Reservation _____ Acres

Dedication _____ Acres

Cash \$ _____

Comments _____

The applicant herein agrees to comply with the Subdivision Regulations for the City of Hays, Kansas, as amended, and all other pertinent ordinances or resolutions of the City of Hays, and Statutes of the State of Kansas. It is agreed that all costs of copying and recording the plat and supplemental documents thereto with the Register of Deeds shall be assumed and paid by the owner. The undersigned further states that he is the owner, or agent representing the owner, of the property proposed for platting.

[Signature], Heart of America Development
APPLICANT AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION,
_____, 20____, TOGETHER WITH THE APPROPRIATE FEE OF
\$ _____.

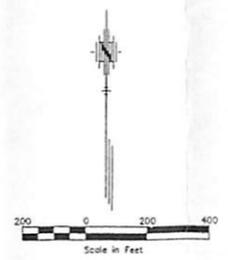
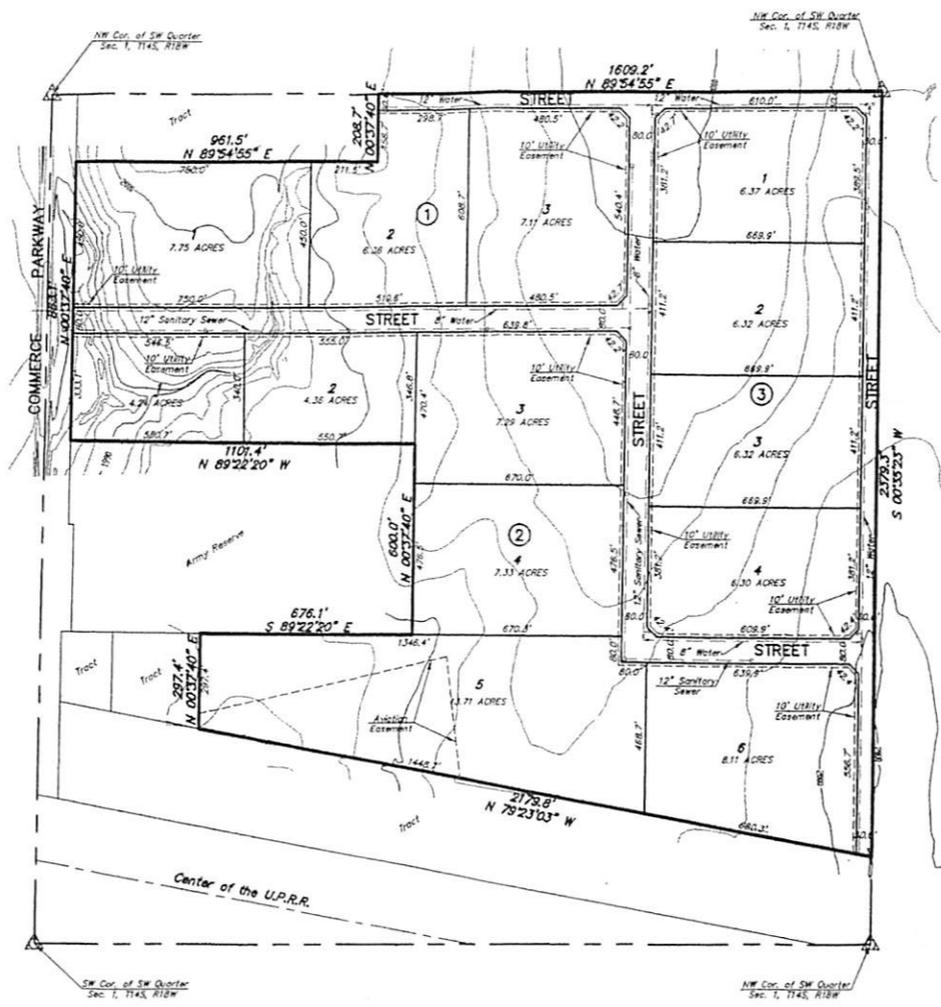
NAME AND TITLE

PRELIMINARY PLAT OF

HAYS INDUSTRIAL PARK

HAYS, KANSAS

Name Changed to
Heart of America Addition



DESCRIPTION

A part of the Southwest Quarter of Section 1, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, more fully described as follows:

Commencing at the stone marking the Southwest corner of the Southwest Quarter of Section 1, Township 14 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas; thence North along the West line of said Southwest Quarter a distance of 986.13 feet to the point of beginning; thence East at an angle of 90 degrees a distance of 507.33 feet; thence South parallel with the said West line a distance of 284.99 feet; thence Southeast at an angle of 99 degrees, a distance of 2,174.59 feet and parallel with the centerline of the Union Pacific Railroad; thence North along the East line of said Southwest Quarter a distance of 2,356.91 feet to the stone marking the Northeast corner of said Southwest Quarter; thence West along the North line of said Southwest Quarter a distance of 1,812.85 feet; thence South parallel with the West line of said Southwest Quarter a distance of 208.71 feet; thence West parallel with the North line of said Southwest Quarter a distance of 1,043.55 feet to a point on the West line of said Southwest Quarter, 208.71 feet South of the Northwest corner of said Southwest Quarter; thence South along said West line a distance of 1,487.28 feet to the point of beginning, except road right of way and the following described tract:

Commencing at the Southwest Corner of Section 1, Township 14 South, Range 18 West; thence on an assumed bearing of North 01 degrees 25 minutes 28 seconds East along the West line of said Section 1 a distance of 289.655 meters (950.34 feet) to the point of beginning; thence continuing on the last described course a distance of 450.478 meters (1,477.94 feet) to the North line of Country Five Subdivision extended; thence South 89 degrees 17 minutes 15 seconds East along said North line a distance of 25.000 meters (82.02 feet); thence South 01 degree 25 minutes 28 seconds West a distance of 342.868 meters (1,124.89 feet); South 88 degrees 34 minutes 44 seconds East a distance of 5.000 meters (16.40 feet); thence South 01 degree 25 minutes 28 seconds West a distance of 107.923 meters (354.08 feet) to the South line of Angela Drive in Country Five Subdivision; thence North 88 degrees 34 minutes 30 seconds West along the South line of said Angela Drive a distance of 30.000 meters (98.42 feet) to the point of beginning.

and, except the following tract:

Lot 1 in Block 1 of the Army Reserve Addition to the City of Hays, Ellis County, Kansas.

OWNER and SUBDIVIDER

Heart of America Development Corporation & North Fork Investments, Inc.

APPROVALS

This plat has been submitted to and approved by the Hays Planning Commission this ____ day of _____, 2008.

CHAIRMAN
SECRETARY



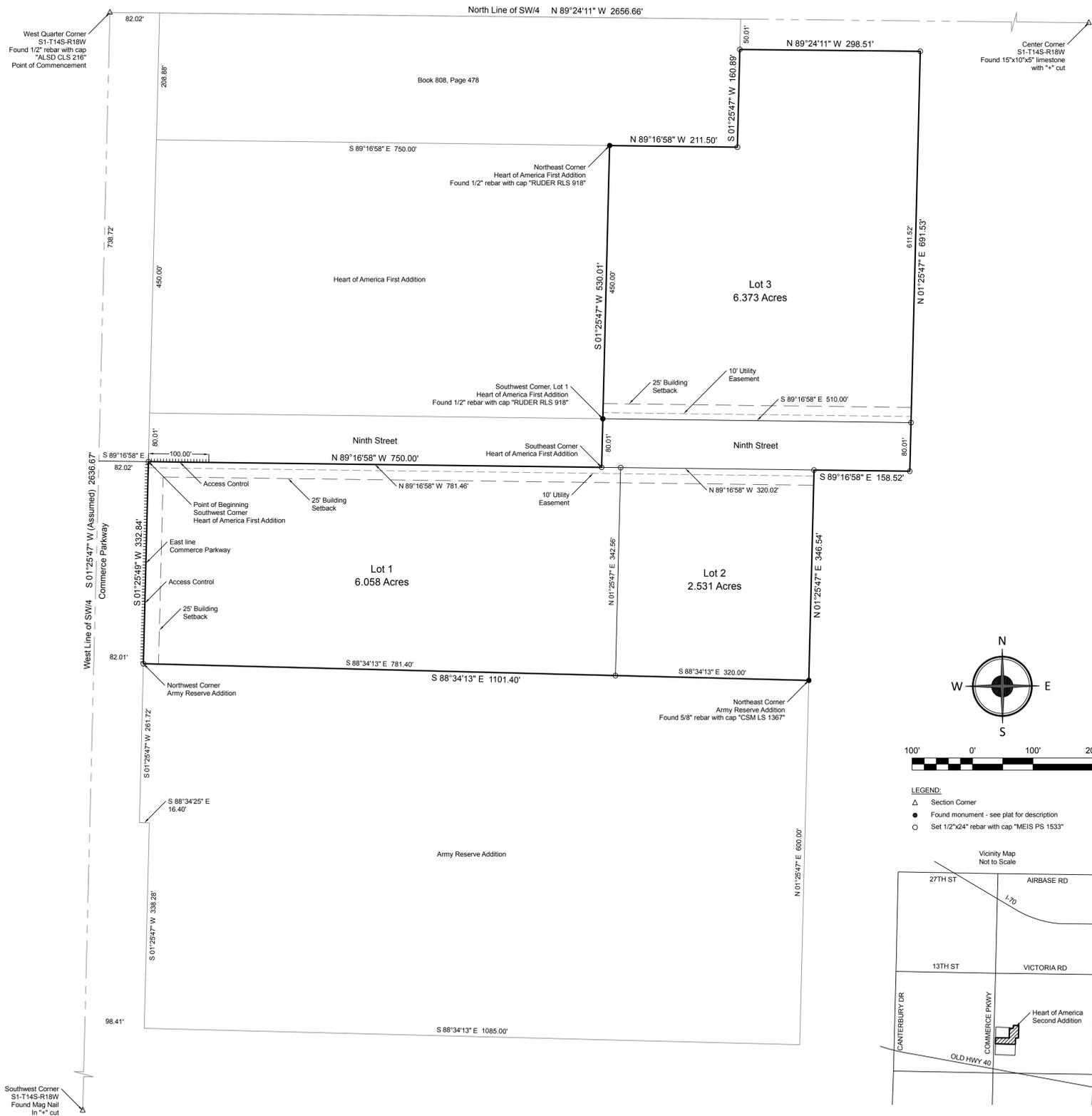
SURVEYOR'S CERTIFICATE:

I, Harvey Ruder, a Registered Land Surveyor in the State of Kansas, do hereby certify this Plat to be true and correct to the best of my knowledge.

Harvey Ruder _____ Date _____

RUDER ENGINEERING & SURVEYING, LLC
1376 Butterfield Trail Rd.
Hays, Kansas 67601
785-295-1282

PLAT OF HEART OF AMERICA SECOND ADDITION TO THE CITY OF HAYS, ELLIS COUNTY, KANSAS



APPROVALS:

This plat, Heart of America Second Addition, has been submitted to and approved by the Hays Planning Commission this _____ day of _____, 2016

_____, Chairperson

_____, Secretary

The dedications shown on this plat accepted by the City Commission of the City of Hays, Kansas, this _____ day of _____, 2016

_____, Mayor

ATTEST:

_____, City Clerk

_____, Attorney for the City of Hays

OWNER'S CERTIFICATE:

Know all men by these presents, that we, the undersigned property owners of the land above described have caused the same to be surveyed and platted into Lots, Streets and Easements, the same to be known as "Heart of America Second Addition", in the City of Hays, Ellis County, Kansas. The Streets are hereby dedicated to and for the use of the public, and the easements as indicated on the accompanying plat are hereby granted to the public for the purpose of constructing, operating, maintaining and repairing all public utilities.

Heart of America Development Corporation

_____, Pat Parke, President

_____, Date

NOTARY CERTIFICATE:

State of Kansas, County of Ellis, ss:

Be it remembered that on this _____ day of _____, 2016, before me, a Notary Public in and for said County and State, came Pat Parke, President of Heart of America Development Corporation, 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 notarial seal, the day and year above written.

_____, Notary Public

My Commission Expires: _____

TRANSFER:

Entered on transfer record this _____ day of _____, 2016

_____, County Clerk

RECORDED:

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 _____, 2016 in Book _____, Page _____

_____, Register of Deeds

_____, Deputy

STREETS AND EASEMENTS:

Streets as shown on this plat and not heretofore dedicated to and for public use are hereby dedicated.
Easements are hereby dedicated for public use, as utility easement right-of-way, which are shown as lying between the dashed lines in widths indicated and as set forth on this plat, and said easements may be employed for the purpose of installing, repairing and maintaining gas lines, electric lines, telephone lines, and all other forms and types of public utilities, now or hereafter used, by the public over, under and along the strips marked "Utility Easement".

SURVEY NOTES:

- Bearings based on the West line of the Southwest Quarter of Section 1 being South 01°25'47" West
- When Heart of America First Addition was platted, the surveyor based his North line of the Southwest Quarter on a line from the West Quarter Corner to the East Quarter Corner. I recovered the stone at the center of the section, this is why my North line of the Southwest Quarter differs from the previous subdivision plat.
- Description closure precision = 1:735389, closure error distance = 0.006 feet, closure error bearing = S 05°00'48" W, description acreage = 15.899 acres.

LEGAL DESCRIPTION:

A tract of land in the Southwest Quarter of Section 1, Township 14 South, Range 18 West of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of Section 1, Township 14 South, Range 18 West; Thence on an assumed bearing of South 01 degrees 25 minutes 47 seconds West along the West line of the Southwest Quarter of Section 1 a distance of 738.72 feet; Thence South 89 degrees 16 minutes 58 seconds East a distance of 82.02 feet to the Point of Beginning; said point being on the East line of Commerce Parkway, said point also being the Southwest corner of Heart of America First Addition; Thence South 01 degrees 25 minutes 49 seconds West along the East line of Commerce Parkway a distance of 332.84 feet to the Northwest corner of the Army Reserve Addition; Thence South 88 degrees 34 minutes 13 seconds East along the North line of the Army Reserve Addition a distance of 1101.40 feet to the Northeast corner of the Army Reserve Addition; Thence North 01 degrees 25 minutes 47 seconds East, parallel with the West line of the Southwest Quarter of Section 1, a distance of 346.54 feet; Thence South 89 degrees 16 minutes 58 seconds East a distance of 158.52 feet; Thence North 01 degrees 25 minutes 47 seconds East, parallel with the West line of the Southwest Quarter of Section 1, a distance of 691.53 feet; Thence North 89 degrees 24 minutes 11 seconds West, parallel with the North line of the Southwest Quarter of Section 1, a distance of 298.51 feet to the East line of the tract described in Book 808, Page 478; Thence South 01 degrees 25 minutes 47 seconds West, parallel with the West line of the Southwest Quarter of Section 1 and along the East line of the tract described in Book 808, Page 478, a distance of 160.89 feet to the Southeast corner of the tract described in Book 808, Page 478; Thence North 89 degrees 16 minutes 58 seconds West along the South line of the tract described in Book 808, Page 478, a distance of 211.50 feet to the Northeast corner of Heart of America First Addition; Thence South 01 degrees 25 minutes 47 seconds West, parallel with the West line of the Southwest Quarter of Section and along the East line of Heart of America First Addition, a distance of 530.01 feet to the Southeast corner of Heart of America First Addition; Thence North 89 degrees 16 minutes 58 seconds West along the South line of Heart of America First Addition a distance of 750.00 feet to the Point of Beginning.

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 _____, 2016

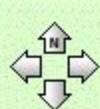
SURVEYOR'S CERTIFICATE:

I, James Meis, Professional Surveyor #1533 in the State of Kansas, certify that the survey shown on this plat was made by me or under my direct supervision. This plat is true and correct to the best of my knowledge and belief.



James Meis, PS 1533 _____ Date

Heart of America Development Corporation PO Box 25 Hays, KS 67601	DRIGGS DESIGN GROUP, PA Surveying Engineering Planning James Meis, PS 1533 203 E 7th, Suite D, Hays, Kansas 67601 jmeis@driggsdesign.com (785) 650-9864	Project No: 2015-090 Date: 12-11-2015 Scale: 1" = 100' Sheet No: 1 of 1 Drawn By: JM
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I-1

A-L

I-1

HEART OF AMERICA

E 9TH ST

GEORGE PHILIP

I-2

ARMY RESERVE

R-S
HAYS CITY SUBURBAN ESTATES

BUFFALO AVE

A-L

E 7TH ST

E 8TH ST

COMMERCE PKWY

HWY 40

AIRPORT INDUSTRIAL PARK

I-1

0 131 262 524 786 1048 Feet

FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **HEART OF AMERICA SECOND ADDITION** DATE: **04-11-2016**

NAME OF OWNER: **HEART OF AMERICA DEVELOPMENT CORPORATION**

NAME OF SUBDIVIDER: **HEART OF AMERICA DEVELOPMENT CORPORATION**

NAME OF PERSON WHO PREPARED THE PLAT: **DRIGGS DESIGN GROUP, PA**

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		X
2. If so, has a copy been submitted? N/A		

Comments: