

HAYS AREA PLANNING COMMISSION MEETING AGENDA  
CITY COMMISSION CHAMBERS  
1507 MAIN, HAYS, KS  
OCTOBER 20, 2014  
6:30 P.M.

1. **CALL TO ORDER BY CHAIRMAN.**

2. **CONSENT AGENDA.**

A. Minutes of the regular meeting of September 22, 2014

*Action: Consider approving the minutes of the September 22, 2014 meeting*

3. **PUBLIC HEARING ITEMS.**

A. Public Hearing for request of change of zoning classification from “A-L” Agriculture to “C-2” General Commercial & Service District by Carrico Colorado LLC on the property of Lots 5 and 6, Block 3, North Hays Addition (E 48<sup>th</sup> St, General Hays Road) (Case # 14-02Z).

*Action: Consider a request of change of zoning classification from “A-L” to “C-2” on the property of Lots 5 and 6, Block 3, North Hays Addition*

4. **NON-PUBLIC HEARING ITEMS.**

A. Zoning and Subdivision Regulations Rewrite

*Action: Update on the Zoning and Subdivision Regulations Rewrite – Review Revised Schedule*

5. **OFF AGENDA ITEMS/COMMUNICATIONS.**

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

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  
SEPTEMBER 22, 2014  
MINUTES  
6:30 P.M.**

**1. CALL TO ORDER BY CHAIRMAN:** The Hays Area Planning Commission met on Monday, September 22, 2014 at 6:30 p.m. (a week later than the regularly scheduled meeting date) in Commission Chambers at City Hall. Chairman Paul Phillips declared that a quorum was present and called the meeting to order.

**Roll Call:**

<b>Present:</b>	Paul Phillips	Lou Caplan	Tom Denning
	Pam Rein	Jake Glover	Travis Rickford
	Justin McClung	Kris Munsch	

**Absent:** Matthew Wheeler

City Staff in attendance: Toby Dougherty, City Manager, Paul Briseno, Assistant City Manager, I.D. Creech, Director of Public Works, John Braun, Assistant Director of Public Works, Jesse Rohr, Superintendent of Planning, Inspection and Enforcement, and Linda Bixenman, Administrative Assistant of Planning, Inspection and Enforcement.

**2. CONSENT AGENDA:**

**A. Minutes:** Jake Glover moved, Lou Caplan seconded the motion to approve the minutes from the July 28, 2014 meeting. There were no corrections or additions to those minutes.

<b>Vote: AYES</b>	Paul Phillips	Lou Caplan	Tom Denning
	Pam Rein	Jake Glover	Travis Rickford
	Justin McClung	Kris Munsch	

**3. PUBLIC HEARING ITEMS:**

A. None.

**4. NON-PUBLIC HEARING ITEMS:**

**A. Set the Public Hearing for request of change of zoning classification from "A-L" Agriculture to "C-2" General Commercial & Service District by Carrico Colorado LLC on the property of Lots 5 and 6, Block 3, North Hays Addition (NE**

**Corner of E 48<sup>th</sup> St and General Hays Road) (Case # 14-02Z):** Jesse Rohr presented the above property on the overhead visual.

He explained that the applicant requested that a public hearing be set to change the zoning classification from "A-L" Agriculture to "C-2" General Commercial & Service District on the above property. The property is located at the intersection of E 48<sup>th</sup> Street and General Hays Road on the reverse access road east of Highway 183 (Vine). It was platted several years ago. There are similar zoning classifications on the abutting property. There are some industrial zoning classifications. The comprehensive plan reflects mixed uses.

The property is not in the City Limits. A consent to annex has been submitted and will be sent to the City Commission simultaneous with the rezoning request recommendation. The commission is welcome to visit the site.

Lou Caplan asked if the property needed to be annexed before the rezoning request.

Jesse Rohr explained that there is a potential contract contingent on the successful rezoning and annexation.

Chairman Paul Phillips entertained a motion to set the public hearing.

Lou Caplan moved, Kris Munsch seconded the motion to set the public hearing for the request by Carrico Colorado LLC to change the zoning classification from "A-L" Agriculture to "C-2" General Commercial & Service District for Lots 5 and 6, Block 3, North Hays Addition (NE corner of E 48<sup>th</sup> St and General Hays Road) (Case #14-02Z)

<b>Vote: AYES</b>	Paul Phillips	Lou Caplan	Tom Denning
	Pam Rein	Jake Glover	Travis Rickford
	Justin McClung	Kris Munsch	

**B. Zoning & Subdivision Regulations Rewrite – Presentation by Kendig Keast Collaborative on Discussion of Module 1 – Highlight Key issues and consensus points (Site Visit #3):** Matt Bucchin, Senior Associate of Kendig Keast Collaborative and Project Manager, provided the presentation and discussion of the first module of 3 of the rewrite of the zoning and subdivision regulations. He explained the procedure that includes a public hearing and the timeline of the project.

The following is an outline of the brief overview of the presentation.

- Chapter 1 - Article 1.1 Title, Purpose, Authority and Jurisdiction & Transitional Provisions

- Chapter 11 Administration
  - Article 11.1 Development Review Bodies
    - ❖ City Commission
    - ❖ Planning Commission
    - ❖ Board of Zoning Appeals
    - ❖ Superintendent
    - ❖ Director of Public Works
    - ❖ Chief Building Official
    - ❖ Floodplain Administrator
    - ❖ Development Review committee
  - Article 11.2 Permits and Procedures
    - ❖ Table of Administrative Approvals
    - ❖ Table of Public meeting and hearing approvals
    - ❖ Table of Subdivision approvals
  - Division 11.2.200 Standardized Development Approval Procedures
    - ❖ Pre-application conference
    - ❖ Filing of Application
    - ❖ Fees
    - ❖ Application completeness review
    - ❖ Termination of Stale Applications
    - ❖ Staff review and referral; decision
    - ❖ Public Notice
      - Table listing different types of public hearings
      - Technical requirements for notification
    - ❖ Public meeting and public hearing approvals – state spells out this function
    - ❖ Appeals to City Commission
- Chapter 12 Nonconformities
- Chapter 13 Interpretation, Enforcement and Legal Status
- Chapter 14 Measurements and Words (Definitions)

The Kansas State Law provides a specific grant of authority to cities to enact planning and zoning regulations for the protection of the public health, safety and welfare. He pointed out the importance to spell out in the new regulations that anything on the books will apply to the new regulations.

Pam Rein asked for clarification about the section on annexed property of the three-mile extension. (Page 6 Section 1.2.104 B.) Matt Bucchin explained the definition of ordinance (city law) and how the proposed regulations would become an ordinance if they are approved by the City Commission.

John Bird and Matt Buchhin explained that the rezoning procedure would be the same as before because they are guided by the state laws.

Pam Rein asked what the symbols @@ in the cross-referenced section on the tables. Matt Bucchin answered that it references back to the annotated outline (in house project reference).

Pam Rein asked about the provisions for open space and maintenance under the Planned Unit Developments. (Page 38 – Sec 11.2.404 (I)). Matt Bucchin answered that, per the application of Planned Unit Development, if the open space is not owned by a public entity; the developer is to submit articles of incorporation for the entity that will perpetually maintain that property.

Pam Rein asked about the “Tree Removal Permit” if the public would approve of it and if this is a permit already on the books. Matt Bucchin explained that this is a new permit for tree protection and preservation.

John Bird explained that this permit is in anticipation of what might take place. He asked Mr. Bucchin to highlight or provide a laundry list of permits etc that would be new to the regulations.

Travis Rickford asked if there would be provisions for protection against technical glitches for applications submitted on-line. Jesse Rohr stated that they currently do not provide applications on line. They require the original applications for a permanent record. Matt Bucchin stated that most jurisdictions move to a permitting software for digital submissions on-line because of the time stance.

Travis Rickford asked if it would be possible to provide a hyper link for a pop up visual representation of certain areas where a visual would be beneficial. Matt Bucchin answered that he would look into that.

Lou Caplan asked what could be appealed from a Planning Commission recommendation. Matt Bucchin explained the Planning Commission makes recommendation except there are three decision-making authorities done by the Planning Commission; two of which are new. They are the Preliminary Plat, Master Sign Plan and Deferred Parking.

John Bird explained that the City Commission enacts through an ordinance what is recommended.

John Bird stated that this is a more educational document and user friendly.

Paul Phillips asked about the outcome of attendance and comments at the 4:30 p.m. open door question and answer session. Travis Rickford asked if there was good representation of the community and the content of the comments. Toby Dougherty stated that it was a good representative of the people that will take

interest in this document (realtors, brokers, business owners, developers). Matt Bucchin added that most of the comments were general concepts of the zoning regulations.

Travis Rickford asked for direction to post comments on the live document. He asked for the timeline for changes. Jesse Rohr answered that he would send instructions to help facilitate posting the comments that would be available through the project on the city web page. I.D. Creech pointed out that they can bring comments to city staff (Jesse Rohr) too.

Matt Buchhin explained that they would have until it is adopted by the City Commission to recommend changes; although it is best to bring them forward as they review the modules.

Jesse Rohr pointed out the importance to review the documents as soon as possible after they are brought forward. I.D. Creech explained that it is open to the end, but please keep up.

John Bird pointed out to bring to their attention of any typical graphical or grammatical errors.

Chairman Phillips thanked Matt Buchhin for his presentation.

## **5. OFF AGENDA ITEMS/COMMUNICATIONS:**

**A. City Commission action and planning and development updates on Planning Commission issues.** None.

**B. Discuss upcoming Planning Commissioner training in Wichita (KSAPA Conference October 2-3).** Jesse Rohr invited the commission to register to attend the Kansas Annual Planning Conference. Several Planning Commissioners have sent in their registration to attend.

### **C. Other.**

**1. 41<sup>st</sup> Street Reconstruction:** Pam Rein asked about the status of the reconstruction of 41<sup>st</sup> Street and approximate completion date. John Braun explained that the project is half done and expected to be completed in the spring.

**2. Master Plan - Realign 33<sup>rd</sup> Street (Mall Intersection):** Paul Phillips asked if there had been any plans to realign 33<sup>rd</sup> Street at the Mall Intersection per the recommendation through the Comprehensive Plan. Toby Dougherty, City Manager, explained that the owner of the Mall had been approached about giving up some land and they were very interested at the time. Per the cost estimates, it was found the project would be very expensive. The City Commission

determined that even though the intersection is an impediment, it is not a barrier, and the capital money could be better spent on streets in need of repair.

**3. Comprehensive Plan Review:** Travis Rickford asked of the process to review the Comprehensive Plan. Jesse Rohr answered that the review of the comprehensive plan to the capital improvement plan is done in the spring prior to the submission of a proposed budget. There may be areas for changes based on the potential new zoning and subdivision regulations.

**6. ADJOURNMENT:** Pam Rein moved, Travis Rickford seconded the motion to adjourn the meeting. The meeting was adjourned at 8:05 p.m.

**Vote: AYES**

<b>Vote: AYES</b>	Paul Phillips	Lou Caplan	Tom Denning
	Pam Rein	Jake Glover	Travis Rickford
	Justin McClung	Kris Munsch	

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

## Planning Commission Action Report

AGENDA ITEM: Rezoning Request - Lots 5 and 6, Block 3, North Hays Addition

OWNER: Carrico Colorado LLC

TYPE OF REVIEW: Rezoning from A-L to C-2 (General Commercial District)

PRESENTED BY: Jesse Rohr, P.I.E. Superintendent

AGENDA DATE: October 20, 2014

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### **SUMMARY AND RECOMMENDED ACTION:**

An application has been submitted to request a change of zoning from A-L to C-2 for lots 5 and 6, Block 3, North Hays Addition (See attached visuals). Based on the considerations of Staff Findings of Fact, staff recommends **approval** of the rezoning request and a **favorable recommendation** to the City Commission to change the zoning from A-L (agricultural district) to C-2 (general commercial and service district).

### **BACKGROUND:**

- The property is contiguous with current city limits
- The property abuts existing C-2 zoning
- City streets and utilities are existing and available for connection
- Future build-out of 48<sup>th</sup> St. and associated utilities will be considered as part of this development

### **POINTS TO CONSIDER:**

- Staff feels the proposed layout and use of this property is the highest and best use for this property.

- The proposed rezoning request is a good fit for the property as surrounding properties are zoned C-2 and this is an area of anticipated commercial growth.
- The Comprehensive Plan identifies this area as “Commercial Mixed Use” which rates a 4 out of 5 on the compatibility matrix scale in the Comprehensive Plan, with 5 being the most compatible.
- All public utilities are in place allowing for development of this property including public water and sewer.
- Access to the lots will be controlled per the access requirements and restrictions of the current Development Policy. 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.

#### **RECOMMENDATION:**

Based on the considerations of Staff Findings of Fact, staff recommends **approval** of the rezoning request and a **favorable recommendation** to the City Commission to change the zoning from A-L (agricultural district) to C-2 (general commercial and service district).

**STAFF FINDING OF FACT**

1. CASE NO.: **14-02Z** FILING FEE PAID: **\$200.00**
  2. DATE FILED: **08-15-2014**
  3. DATE ADVERTISED FOR HEARING: **09-26-2014 and 09-28-2014**
  4. PUBLIC HEARING DATE: **10/20/2014**
  5. APPLICANT'S NAME: **Carrico Colorado LLC**
  6. LOCATION OF PROPERTY: **NE corner of 48<sup>th</sup> St & General Hays Rd**
  7. DESCRIPTION OF PROPERTY: **Lot 5 and Lot 6, Block 3, North Hays Addition, Ellis County, Kansas.**
  8. PRESENT USE OF PROPERTY: **Agriculture**
  9. PRESENT ZONING: **"A-L"** REQUESTED ZONING: **"C-2"**
- 

1. CHARACTER OF THE NEIGHBORHOOD:  
DIRECTION

NORTH: **Vacant - Grassland**

SOUTH: **Farmland - Cultivation**

EAST: **Farmland - Cultivation**

WEST: **Commercial Use (Currently vacant)**

2. THE ZONING OF SURROUNDING PROPERTY:  
DIRECTION

NORTH: **"I-2" Heavy Industrial**

SOUTH: **"C-2" General Commercial & Service District**

EAST: **"A-L" Agriculture**

WEST: **"C-2" General Commercial & Service District**

3. CONSIDERATION OF THE RECOMMENDATIONS OF PERMANENT PROFESSIONAL STAFF: **The Area is identified for a mix of commercial uses on the current adopted Comprehensive Plan. It would be well suited for commercial land uses. Staff recommends approval of the rezoning request.**

A. DEDICATION OR RESERVATION NEEDED FOR:

1. DRAINAGE: **Yes**
2. STREETS: **Yes**
3. UTILITY EASEMENTS:
  - a. ELECTRICITY: **Yes**
  - b. GAS: **Yes**
  - c. SEWERS: **Yes**
  - d. WATER: **Yes**
4. SHOULD PLATTING BE REQUIRED: **Already Platted**

B. TRAFFIC CONDITIONS:

1. CLASSIFICATION OF STREET ON WHICH PROPERTY FRONTS: **Reverse Access/Local 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 within un-annexed territory; although the owner has submitted a "Consent to Annex" that will be go before the City Commission simultaneous with the rezoning recommendation. With the area being located adjacent to a collector/reverse access 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 mixed commercial land use. The zoning request makes it fitting for the development. The proposed "C-2" zoning classification district is defined as being compatible with the adjacent districts.**

The request for the General Commercial Service District Zoning Classification as presented does fit the overall scheme of the adopted Comprehensive Plan and staff does recommend approval of the rezoning request.

Approved/Denied by Planning Commission \_\_\_\_\_

Case No. 14-02Z

Approved/Denied by City/County Commission \_\_\_\_\_

Date Filed 08-15-2014

Set public hearing 9-22-2014

Mailings 09-30-2014

Publication 09-26-2014

09-28-2014

**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 Carrico Colorado, LLC

Address 3160 US 24 Hwy Beloit, KS Phone 785-738-5744

Agent Patty Stull / Adam Pray Coldwell Banker

Address 1001 Main st Hays KS Phone 625-7313

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 A-L zoning district to C-2 zoning district for property legally described as Lot(s) 5+6 Block(s) 3 of the N. Hays Addition Addition.

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

III. This property is located at (address) E 48th St, General Hays Rd

The general location is (use appropriate section):

A. At the NE (NW, NE, SW or SE) corner of 48<sup>th</sup>

(Street) and General Hays (Street) or,

B. On the \_\_\_\_\_ (N, S, E, or W) side of \_\_\_\_\_ (Ave. or Street) between \_\_\_\_\_ (Ave. or Street).

IV. I request this change in zoning for the following reasons: *For development For Commercial Purposes*  
\*Do not include reference to proposed uses.

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.

Karen A. Pestinger, mgr  
APPLICANT

  
AUTHORIZED AGENT (IF ANY)

\_\_\_\_\_  
APPLICANT

\_\_\_\_\_  
AUTHORIZED AGENT (IF ANY)

**OFFICE USE ONLY:**

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION,

August 20, 2014, TOGETHER WITH THE APPROPRIATE FEE OF  
\$ 200.00 Receipt # 61 0632

Linda Biggsman, Administrative Assistant  
NAME AND TITLE

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

We (I), **Carrico Colorado, LLC**, hereby authorize **Patricia M. Stull and Adam Pray of Coldwell Banker Executive Realty**, 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:

Property located at E. 48<sup>th</sup> St, General Hays Rd, Hays, KS 67601, consisting of the following legal description:

Lot 5, Block 3, North Hays Add and Lot 6, Block 3, North Hays Add, City of Hays, KS 67601

Date: 8-14-14

Carrico Colorado, LLC

By Karen Pestinger

Karen Pestinger

STATE OF KANSAS )

)ss ACKNOWLEDGMENT FOR INDIVIDUAL

COUNTY OF ELLIS )

The foregoing instrument was acknowledged before me this 14<sup>th</sup> day of August, 2014 by **Karen Pestinger**.

My commission expires 3-10-16

By Cherie L Eck

Notary Public



This is a list of property owners within the county that own property within 1,000 feet from the subject property and a list of property owners within the City that own property within 200 feet of the subject property that were sent notification of the subject hearing.

Parcel ID	Property Address	Business Name	First Name	Last Name	Mailing Address	City	State	Zip
026-135-22-0-00-01-001.32-0	E 48th	City Of Hays			P O Box 490	Hays	KS	67601
026-135-22-0-00-01-001.33-0	E 48th	City of Hays			P O Box 490	Hays	KS	67601
026-135-22-0-00-01-001.06-0	General Hays Rd		Stephen D & Bradley S	Tebbo	303 2nd St Terrace	Ellis	KS	67637
026-135-22-0-00-01-001.31-0	Vine St		Stephen D & Bradley S	Tebbo	303 2nd St Terrace	Ellis	KS	67637
026-135-22-0-00-01-001.30-0	E 48th	City of Hays			P O Box 490	Hays	KS	67601
026-135-22-0-00-01-004.00-0	4820 Vine St	Tebo Investments			303 2nd St Terrace	Ellis	KS	67637
026-135-22-0-00-01-020.01-0	E 41st		Cathy	Braun	750 E 55th St	Hays	KS	67601
026-135-22-0-00-01-004.01-0	E 48th	Carrico Colorado LLC	Marvin F & Mary Jo	Braun	500 E 55th	Hays	KS	67601
026-135-22-0-00-01-004.02-0	E 48th	Carrico Colorado LLC			520 S Highway 24	Beloit	KS	67420
026-135-21-0-00-01-005.00-0	Vine St	Tebo Investments			520 S Highway 24	Beloit	KS	67420
026-135-22-0-00-01-002.06-0	4890 General Hays Rd	Hays Livestock Market Center Inc			303 2nd St Terrace	Ellis	KS	67637
026-135-22-0-00-01-002.07-0	4884 General Hays Rd	Hays Livestock Market Center Inc			P O Box 832	Hays	KS	67601
026-135-22-0-00-01-003.00-0	4895 General Hays Rd	Tebo Investments			P O Box 832	Hays	KS	67601
026-135-22-0-00-01-002.05-0	4940 General Hays Rd	Hays Livestock Market Center Inc			303 2nd St Terrace	Ellis	KS	67637
026-135-21-0-00-01-001.12-0	Roth Ave	Pfannenstiel Family Trust			P O Box 832	Hays	KS	67601
026-135-21-0-00-01-004.00-0	Vine St	Firma Herl Trust #1			395 W 48th St	Hays	KS	67601
026-135-22-0-00-01-002.04-0	4980 General Hays Rd	Hays Livestock Market Center Inc			1809 E 26th St	Quinter	KS	67752
026-135-22-0-00-01-002.00-0	4945 General Hays Rd	Hays Livestock Market Center Inc			P O Box 832	Hays	KS	67601
026-135-22-0-00-01-002.02-0	5025 General Hays Rd	Hays Livestock Market Center Inc			P O Box 832	Hays	KS	67601
026-135-22-0-00-01-002.03-0	5040 General Hays Rd	Hays Livestock Market Center Inc			P O Box 832	Hays	KS	67601
026-135-21-0-00-01-001.10-0	Roth Ave	Pfannenstiel Family Trust			395 W 48th	Hays	KS	67601
026-135-21-0-00-01-003.00-0	Vine St		Richard	Grabbe	451 240th Ave	Hays	KS	67601
026-135-22-0-00-01-001.34-0	General Hays Rd		Marvin F	Braun	500 E 55th St	Hays	KS	67601
026-135-22-0-00-01-001.35-0	General Hays Rd		Marvin F	Braun	500 E 55th St	Hays	KS	67601
026-135-22-0-00-01-001.03-0	E 55th St		Marvin F	Braun	500 E 55th St	HAYS	KS	67601
026-135-22-0-00-01-001.01-0	E 55th St		Cathy	Braun	750 E 55th St	Hays	KS	67601
026-135-22-0-00-01-001.04-0	E 55th St		Marvin F & Mary Jo	Braun	500 E 55th St	HAYS	KS	67601

(First published in The Hays Daily News September 26, 2014)  
 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 October 20, 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-2" General Commercial and Service District on the following real estate:

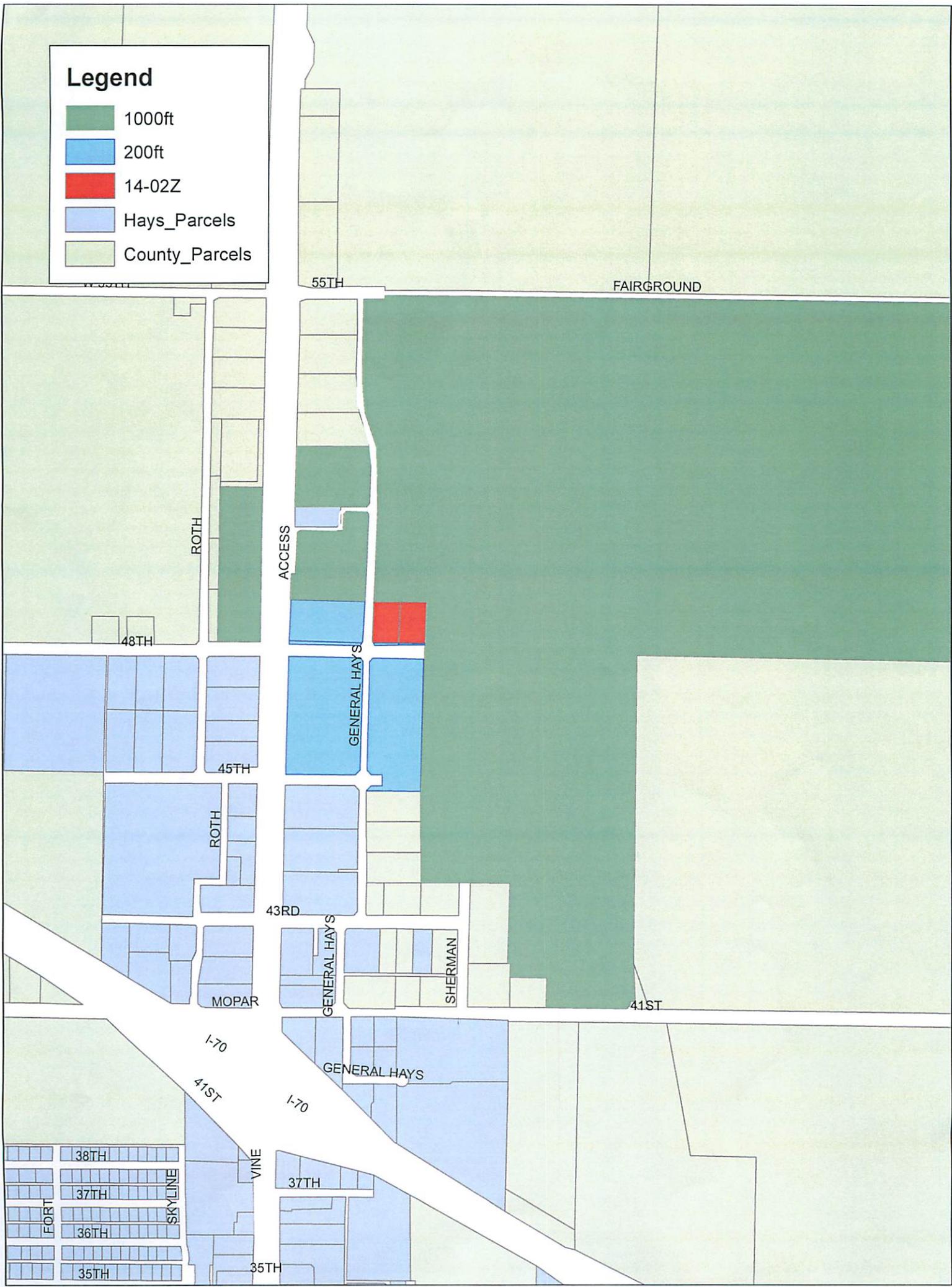
Lots 5 and 8, Block 3, North Hays Addition, City of Hays, Ellis County, Kansas. More generally located at the NE corner of the intersection of East 48th St. and General Hays Rd.  
 As provided in the Zoning Regulations of the City of Hays, the above application will be discussed and considered by the 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.



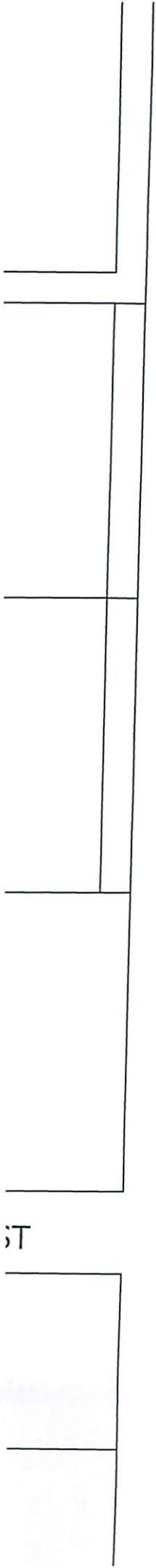
(Last published in The Hays Daily News September 26, 2014)

# Legend

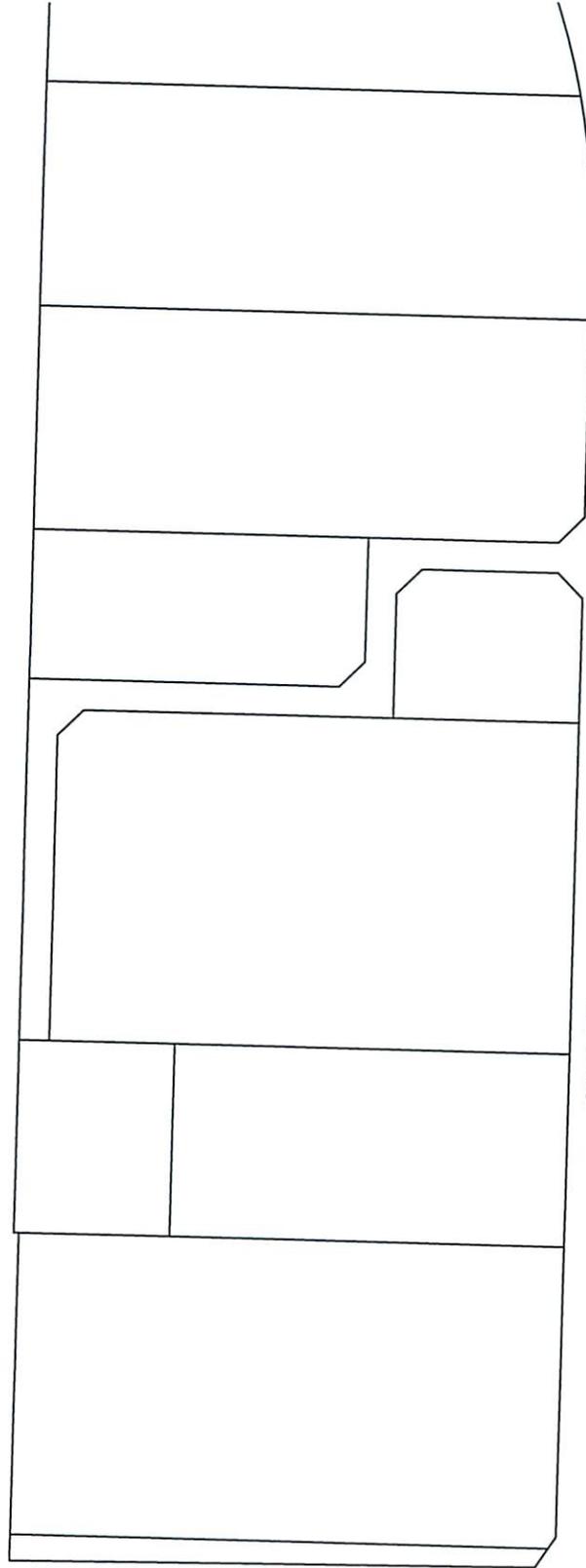
- 1000ft
- 200ft
- 14-02Z
- Hays\_Parcels
- County\_Parcels



ST

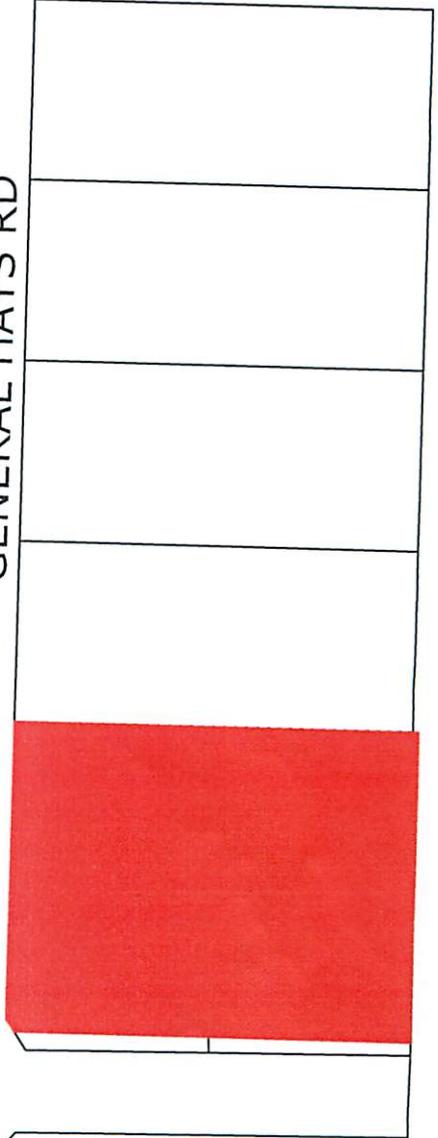


US HIGHWAY 183

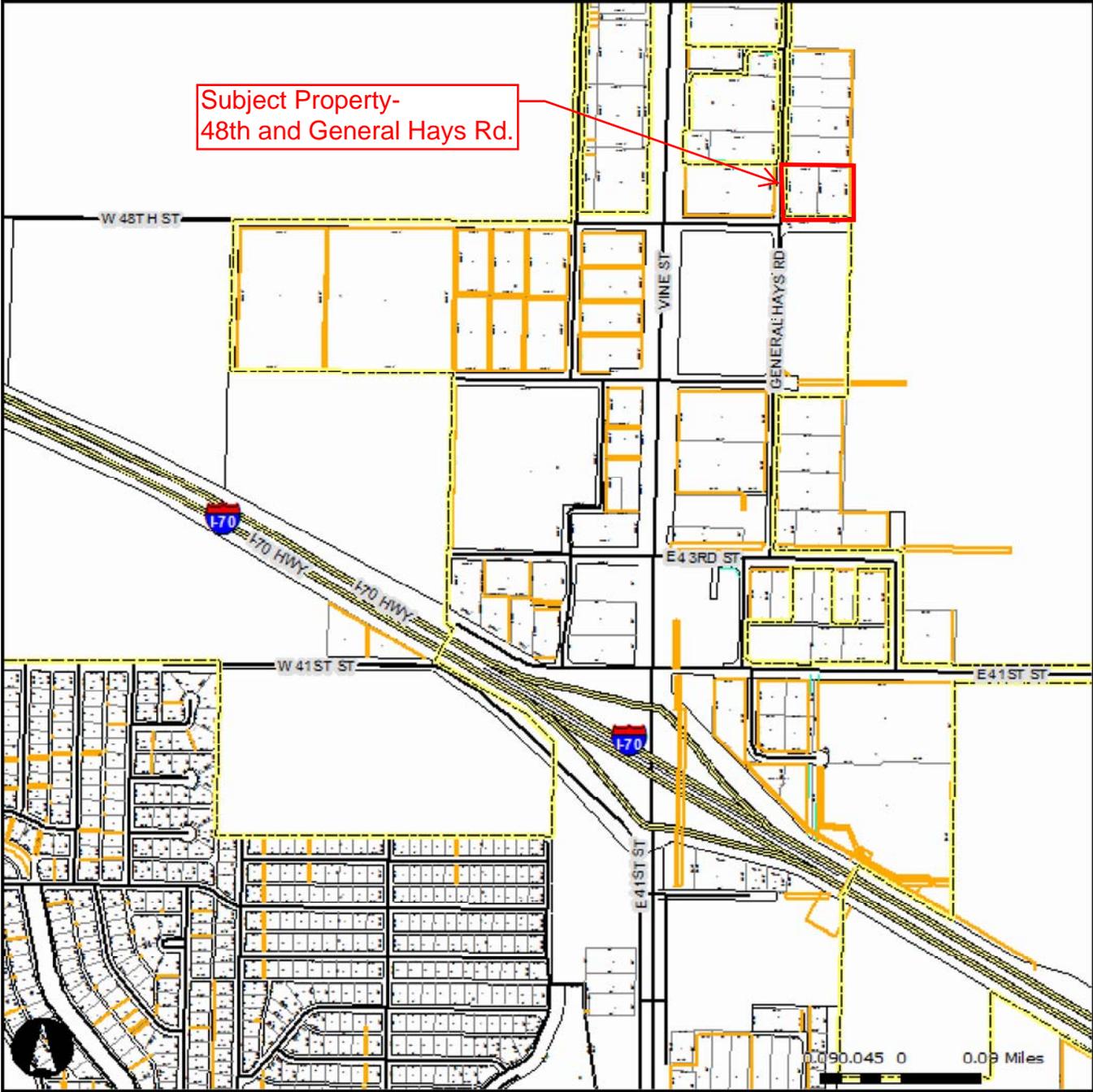


E 48TH ST

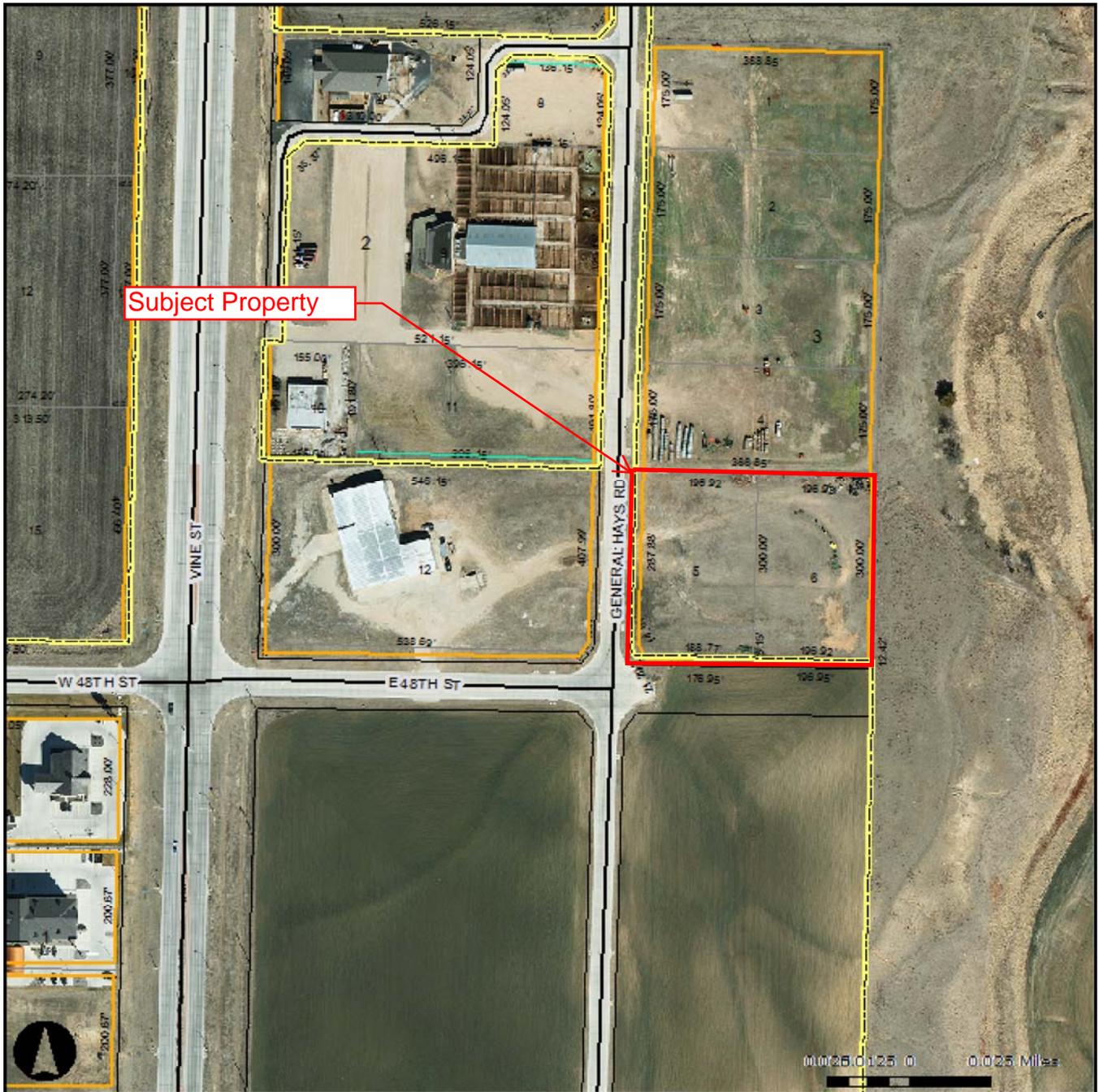
GENERAL HAYS RD



# Map Title

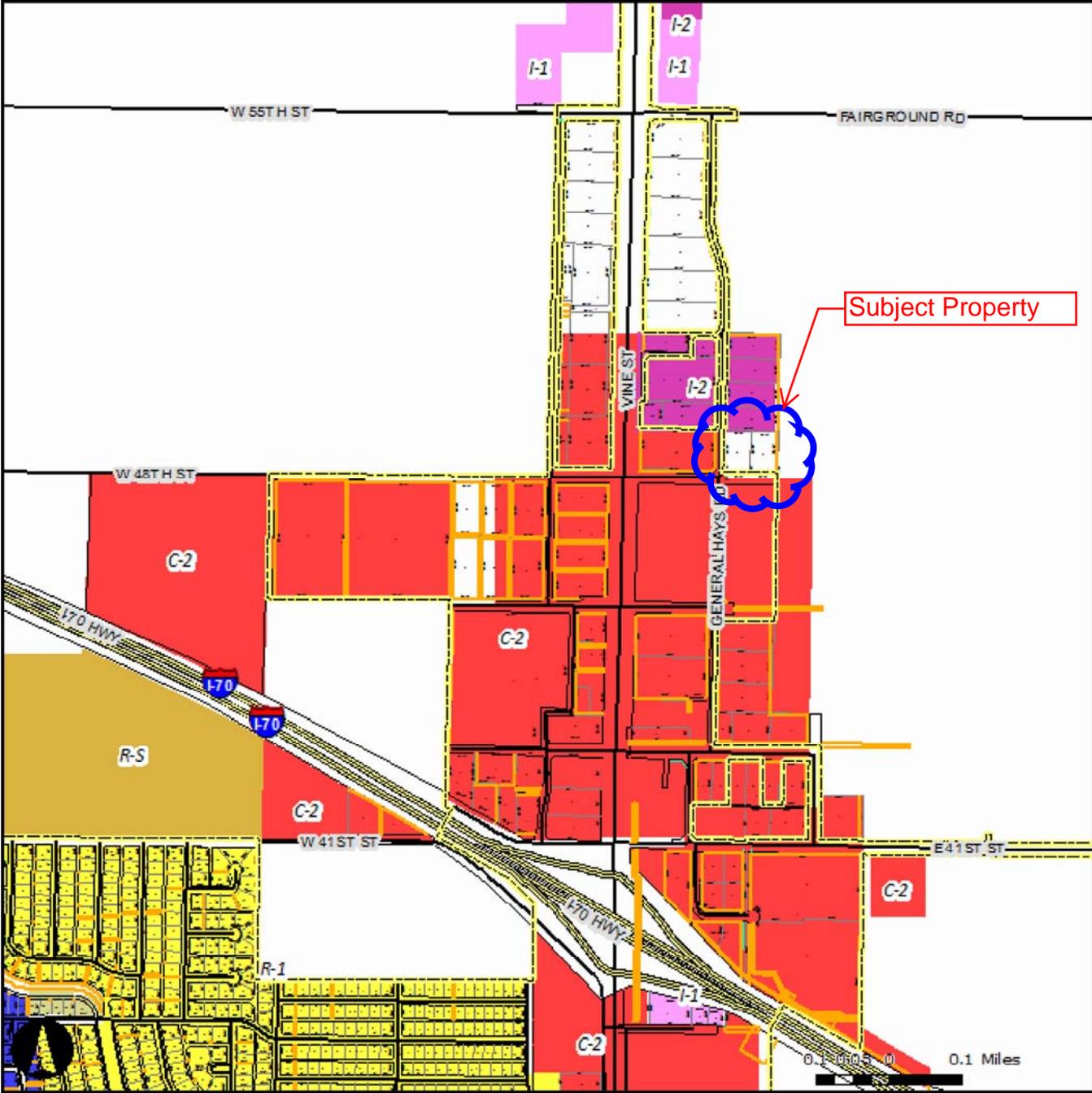


# Map Title



Subject property (Lots 5 and 6) is currently zoned A-L (Agriculture) but is proposed to be C-2 (General Commercial and Service). The area is contiguous with other C-2 zoned areas. The area is identified as Mixed Use/Commercial on the Comprehensive Plan. The property is not currently in the City limits, however a Consent to Annex form has been submitted asking for annexation of this property prior to development.

# Map Title





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## Parcel Details for 026-135-22-0-00-01-004.02-0

### Owner Information



**Owner's Name (Primary):** CARRICO COLORADO LLC

**Mailing Address:** 520 S Highway 24  
Beloit, KS 67420

### Property Address



**Address:** Hays, KS 67601

### General Property Information



**Property Class:** Vacant Lots - V

**Living Units:**

**Zoning:**

**Neighborhood:** 509.1 - Hays

**Taxing Unit:** 051-BIG CREEK TWP

### Neighborhood / Tract Information



**Neighborhood:** 509.1 - Hays Block: 03 Lot: 6

**Tract:** Section: 22 Township: 13 Range: 18

**Legal Description:** NORTH HAYS ADDITION , BLOCK 03 , Lot 6 , ACRES 1.4 , SECTION 22  
TOWNSHIP 13 RANGE 18

**Acres:** 1.4