

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

1. CALL TO ORDER BY CHAIRMAN.

2. CONSENT AGENDA.

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

Action: Consider approving the minutes of the October 20, 2014 meeting

3. PUBLIC HEARING ITEMS.

A. None

Action: None

4. NON-PUBLIC HEARING ITEMS.

A. Urban Boundaries and Functional Classification of Roadways

Action: Consider a recommendation to the City Commission for the proposed change of roadway classifications from the list of respective roads proposed for the change

B. Preliminary Plat of Z M M Development Addition (Replat of Block 4, Seven Hills Addition)

Action: Consider approval of the Preliminary Plat of Z M M Development Addition (Replat of Block 4, Seven Hills Addition)

C. Final Plat of Z M M Development Addition (Replat of Block 4, Seven Hills Addition)

Action: Consider a recommendation to the City Commission on the final plat of Z M M Development Addition (Replat of Block 4, Seven Hills Addition)

D. Final Plat of Clubhouse Gardens II

Action: Consider a recommendation to the City Commission on the final plat of Clubhouse Gardens II Addition

E. Update on the Zoning & Subdivision Regulations Rewrite

Action: None

5. OFF AGENDA ITEMS/COMMUNICATIONS.

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

B. Other

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
OCTOBER 20, 2014
MINUTES
6:30 P.M.**

1. CALL TO ORDER BY CHAIRMAN: The Hays Area Planning Commission met on their regularly scheduled meeting on Monday, October 20, 2014 at 6:30 p.m. in Commission Chambers at City Hall. Chairman Paul Phillips declared that a quorum was present and called the meeting to order.

Roll Call:

Present: Paul Phillips Lou Caplan Tom Denning
 Travis Rickford Matthew Wheeler

Absent: Justin McClung Kris Munsch Pam Rein Jake Glover

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

Chairman Paul Phillips stated that there would be two subjects added to the agenda: Urban Area Boundaries and Functional Classification of Roads and a brief overview from the Kansas Annual Planning Conference.

2. CONSENT AGENDA:

A. Minutes: The September 22, 2014 meeting was approved by consensus. There were no corrections or additions to those minutes.

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

He explained that this is a public hearing for the request by the applicant (Carrico Colorado LLC) for a change of zoning classification from "A-L" Agriculture to "C-2" General Commercial & Service District on the above property. The property is located outside the city limits at the intersection of E 48th Street and General Hays Road on the reverse access road east of Highway 183 (Vine). Annexation would be required for connection to the city utilities. The consent to annex has been submitted and will be sent simultaneous with the rezoning recommendation to the

City Commission. The city streets and utilities are existing and available for connection. The property was platted several years ago. The property is contiguous with current city limits and abuts an existing "C-2" zoning district.

He read the zoning uses and exceptions allowed in the "C-2" zoning district.

The Staff Findings of Fact are as follows:

Staff believes the land uses for the proposed zoning district is a good fit for the property as this is an area of anticipated commercial growth and the surrounding properties are zoned "C-2".

The proposed zoning is in conformance with the Comprehensive Plan with it identified as "Commercial Mixed Uses".

All public utilities are in place for development.

Access to the lots will be controlled as per the development policy. Access will be reviewed as proposals for development are submitted for the lots.

Annexation will force upon the property the Ordinances of the City of Hays. A "Consent to Annex" has been submitted.

Based on 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" Agriculture and "C-2" General Commercial and Service District on the subject property.

Paul Phillips explained that per the Kansas Open Meetings Act, that the first part of the hearing would be a public hearing for the rezoning request. Then the public hearing would be closed for the commission members to discuss the issues of this request among themselves to approve or disapprove Staff Finding of Fact and a substantive motion of their recommendation to the governing body.

He asked for comments from the audience. There were none.

He closed the public hearing for the Planning Commission to discuss this request.

Travis Rickford asked about what is proposed. Because it is within mixed commercial uses per the comprehensive plan, he asked if there would be any issues with potential land uses that would negatively impact this potential use. Jesse Rohr explained that per the rezoning application that the commission would have to consider if all allowed uses are fitting within the requested zoning classification.

Paul Phillips asked if there are any plans about extended access. Jesse Rohr explained that they have submitted "Consent to Annex". City Staff have discussed

several options for extended access. One of the options was a consideration of an agreement for petition signed by the owners to participate in the cost for a future benefit district for the improvements for 48th Street.

Lou Caplan moved, Matthew Wheeler seconded the motion to approve Staff Findings of Fact.

Vote: AYES	Paul Phillips	Lou Caplan	Tom Denning
	Travis Rickford	Matthew Wheeler	

Paul Phillips entertained a substantive motion. He read the 8 factors recommended by the Supreme Court to be reviewed for their determination of the change of the zoning classification request.

Case #14-02Z

Matthew Wheeler moved, Lou Caplan seconded the motion for the recommendation to the City Commission to approve the rezoning request from "A-L" Agriculture to "C-2" General Commercial & Service District on the property owned by Carrico Colorado LLC of Lots 5 and 6, Block 3, North Hays Addition based on the following factors :

The character of the Neighborhood
The suitability of the subject property for the uses to which it has been restricted

Vote: AYES	Paul Phillips	Lou Caplan	Tom Denning
	Travis Rickford	Matthew Wheeler	

4. NON-PUBLIC HEARING ITEMS:

A. Zoning & Subdivision Regulations Rewrite: Jesse Rohr presented an update on the project and changes to the schedule that were bumped back on the Zoning & Subdivision Regulations rewrite. The schedule and Module 1 is posted on the city web page. He asked the commission to bring any questions or concerns.

Travis Rickford inquired if they would be provided a password to access the site for comments. Jesse Rohr explained that the city attorney is checking on the legal process associated with this.

B. Urban Area Boundaries and Functional Classification of Roadways:
John Braun presented visuals listed below on the overhead in his presentation.

John Braun explained the federal requirements for non-state system roads on the National Highway System. KDOT initiated the review process for updating Federal Highway Administration Urban Area Boundaries and functional classification of

roadways within the Federal-Aid highway system to functionally classify roads for federal funding based on the recent census in 2010.

The preliminary boundaries are tied to the census data to define the urban and rural roadways. The only change has been that the airport area has been included within the preliminary boundaries.

He handed out the following visuals for reference for the change of three roadway classifications for the certain respective streets; Principal Arterial to Minor Arterial, Minor Arterial to Major Collector, Minor Arterial to Minor Collector:

1st map reflected the current functional classification of respective roads

2nd map reflected the proposed changes by KDOT for the functional classification for respective roads

3rd map reflected the changes for the respective roads

4th spreadsheet that listed the streets proposed for the change of classification

He explained that the classification of "minor collector" or above is eligible for federal funding for urban roadways; although the caveat to that in rural areas, "minor collectors" are not eligible for federal funding. The classification of principal arterial for Highway 183 and 183 By-pass would not change.

The main reason for the recommended change by KDOT to lower the classification of roadways is so they would not be under the requirements of the National Highway system that requires a higher level of unfunded bridge inspections and government oversight. KDOT does not know how to handle the numbers of unfunded bridge inspections if the municipalities do not lower the roadway classifications. The classification of principal arterial for Highway 183 and 183 By-pass would not change. City Staff supports the recommended change.

He read the street names that would be affected by this change. He explained that the low traffic volume warrants the lower classification of the listed roadways.

Paul Phillips asked about the classification of the dissected roadway off of highway 40 coming in from the east of Vine Street. John Braun explained that the extension of Old 40 Bypass would be minor arterial.

Tom Denning asked why the classification of the roadway at 230th Avenue where it ties to Golf Course Road has not been upgraded since it is a paved roadway. John Braun answered they he would discuss this with KDOT and the county.

Matthew Wheeler asked if lowering the street classification would change the snow routes. John Braun answered that there will be little if any impact on the snow routes.

He asked if there would be Federal funding for the bridges if they leave the roadway classification as "Principal Arterial". John Braun read from the KDOT Guidance letter of the funding impact. The local jurisdictions would be responsible for additional costs on the National Highway System of any government oversight improvement procedures, design standards, and National Bridge Inspection reporting.

Travis Rickford asked what they would gain by changing some of the road classifications. He asked that a list of advantages and disadvantages of the changes be provided to the commission. John Braun answered that he would provide a list before the next meeting.

John Braun added that federal regulations deal with outdoor advertising and junk yard control along the roadways within the National Highway Systems. Jesse Rohr stated that in 2012 a program called "Map 21" was implemented to regulate off-premise signs in the right of way next to principal arterials. It is also part of the city's sign regulations. There would be no negative impact associated with signing regulations with the recommended change of the respective roadway classifications.

John Braun explained that this change of street classification for those listed would need to go before the county and city. He asked the Planning Commission to review this information and consider a recommendation to the City Commission at the next meeting (November 17, 2014). It would go before the County Commission on November 24, 2014 and then the City Commission on November 25, 2014.

Future Projects - Northwest Intersection 230th and 55th Street Improvement

There is a future project proposed by KDOT and the county for the improvement of the intersection of 230th and 55th Street just north of I-70 and Doonan Truck Sales and Services. It will provide a bypass around the city for those oversized loads and spur economic development.

C. Overview of the Kansas Annual Planning Conference in Wichita:

Discuss upcoming Planning Commissioner training in Wichita (KSAPA Conference October 2-3). Travis Rickford gave a brief overview of his educational experience at the Kansas Annual Planning Conference in Wichita. The conference was interesting and educational.

Based on the information provided at the conference, he felt the commission would benefit from having some training sessions particularly for new commission members to include the legal aspects of their duties. He also suggested having a social gathering after the meeting to get to know the members. He also suggested that the Hays Area Board of Zoning members be included in the training sessions.

He suggested having guest speakers and other sessions to keep the commission informed.

One of the examples used by the City of Lawrence is a "Staff Suggestion Box" to the Planning Commissioners. He passed out an example of a "Staff Suggestion Box" they had provided at the meeting.

Jesse Rohr added that there are monies budgeted for educational training. They would get a census from the Planning Commission what times would work best for the educational training.

5. OFF AGENDA ITEMS/COMMUNICATIONS:

A. City Commission action and planning and development updates on Planning Commission issues. Jesse Rohr presented the above updates:

The Hays Mall LLC filed a petition asking for the creation of a Community Improvement District to make improvements to the Mall property. There will be a public hearing October 23, 2014 in Commission Chambers at City Hall.

33rd Street and Vine – Mathew Wheeler asked if 33rd Street would be any part of this proposed improvement. Jesse Rohr answered that it would not be part of this improvement.

6. ADJOURNMENT: Travis Rickford moved, Mathew Wheeler seconded the motion to adjourn the meeting. The meeting was adjourned at 7:28 p.m.

Vote: AYES	Paul Phillips	Lou Caplan	Tom Denning
	Travis Rickford	Matthew Wheeler	

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

Planning Commission Action Report

AGENDA ITEM: Functional Classification and Urban Area Boundary

OWNER: N/A

TYPE OF REVIEW: Recommendation to City Commission for Change

PRESENTED BY: John Braun, Assistant Director of Public Works

AGENDA DATE: November 17, 2014

SUMMARY AND RECOMMENDED ACTION:

KDOT has requested the City consider updating the Urban Area Boundary and Functional Classification Map for the City of Hays. The proposed changes have no impact on the eligibility of State or Federal transportation project funding.

City Staff recommends reviewing the proposed changes and recommending that the City Commission adopt resolutions updating the Urban Area Boundary and Functional Classification as recommended by KDOT.

BACKGROUND:

This memo includes many Acronyms and technical terms, so for the convenience of the reader, a list of abbreviations and definitions is below:

TERMINOLOGY	ABBR	DEFINITION
Federal Highway Administration	FHWA	
Functional Classification		FHWA method of categorizing roadways based on function
Kansas Department of Transportation	KDOT	
Moving Ahead for Progress in the 21st Century Act	MAP-21	Current Federal Transportation Program
National Highway System	NHS	
Urban Area Boundary	UAB	FHWA boundary separating urban and rural areas. Typically defined by the latest census urban cluster

KDOT has initiated the review process for updating the Federal Highway Administration (FHWA) Urban Area Boundary (UAB) and Functional Classification of roads within the Federal-Aid highway system. These classifications are updated every 5-10 years in response to a new census or changes initiated by the City from Capital Improvements or reclassification requests.

The 2010 U.S. Census Urban Cluster Boundary is based on population density. KDOT has suggested an increase in size to the previous FHWA UAB as a result of the 2010 Census as shown on the attached map. The FHWA UAB must completely contain the 2010 Census Urban Cluster Boundary. The only significant change is adding the Hays Regional Airport Property to the UAB.

Functional Classification is the process by which streets and highways are grouped into hierarchical classes according to the character of service they are designed to provide. The Functional Classification of roads within the Federal-Aid highway system is the determining factor for eligibility to receive Federal Aid Funds. Federal Aid funds typically include distribution of motor fuels tax revenue, and federal aid for road improvements. FHWA establishes guidelines for percentages of roadway which may be classified into various categories. More details about that are in the attached document "Highway Functional Classification, Summary – January 2013".

More importantly, the latest federal Transportation Program, Moving Ahead for Progress in the 21st Century (MAP-21), added to the National Highway System all roads functionally classified as principal arterials. Several City streets are currently classified as principal arterials, and having these urban streets as part of the National Highway System causes some concerns for both City and KDOT staff. The results of having Principal Arterials on the NHS include:

- Design Standards – regardless of funding source, all construction and reconstruction projects on NHS roads must be designed to FHWA standards.
- Contracting Oversight – projects on NHS must follow State and FHWA oversight procedures, which mean all specifications and contracting procedures must be pre-approved by FHWA resulting in longer lead times and increased interaction with state and federal agencies.
- Highway Performance Monitoring System Reporting – local authorities are responsible to meet data collecting and reporting requirements.
- National Bridge Inventory Reporting – Bridges on the NHS must be inspected using a higher standard called element-level bridge inspection. Hays currently has 3-bridges on principal arterials that will require this higher level of inspection.
- National Performance Measures Data Collection – Local authority will be responsible for providing additional traffic data to assess accident rate, mobility and freight movement, pavement condition rating, and inventory of roadway assets.
- Outdoor Advertising/Junkyard Control – this one is not of significant concern since we already do this.
- More detail is included in the attached document "Kansas Department of Transportation, Guidance on Additional Federal Requirements for Non-State System Roads on the National Highway System – 11/1/2013".

The most significant of these, and which prompted KDOT to encourage Hays to change the Functional Classification is the Element Level Bridge inspection that would be required for the three bridges on Principal Arterials – 8th, 13th, and 27th Streets. Most peer City's across the State have already or are in the process of reducing or eliminating Principal Arterials within their UAB.

The attached map shows the suggested changes that KDOT made to our Functional Classification based on review and recommendations by City Staff and the Planning Commission.

Basically, the proposed changes would be:

- The only Principle Arterials would be Vine Street and the US-183 By-pass

- 8th, 13th, 27th, Hall, and Canterbury would be reduced from Principle Arterials to Minor Arterials
- Several Minor Arterials would be reduced to Major Collectors
- A few Major Collectors would be reduced to Minor Collectors - (The trickle-down effect is to keep the proper ratio of street types as determined by KDOT.)
- The UAB would be adjusted to match the 2010 census tracts for urban cluster, which simple involves adding the airport property into the UAB.

The attached table lists the streets affected.

POINTS TO CONSIDER:

Pros:

- City can continue with the reconstruction of 13th Street from Main to Milner without FHWA oversight and review delays.
- City will not be burdened with the additional cost of Element Level bridge inspection on 8th Street, 13th Street, and 27th Street.
- City will not have to spend resources on reporting Highway Performance Monitoring, which is not applicable to our urban streets.
- City is still eligible for the same level of State and Federal Transportation Program and grant funding when available.

Cons:

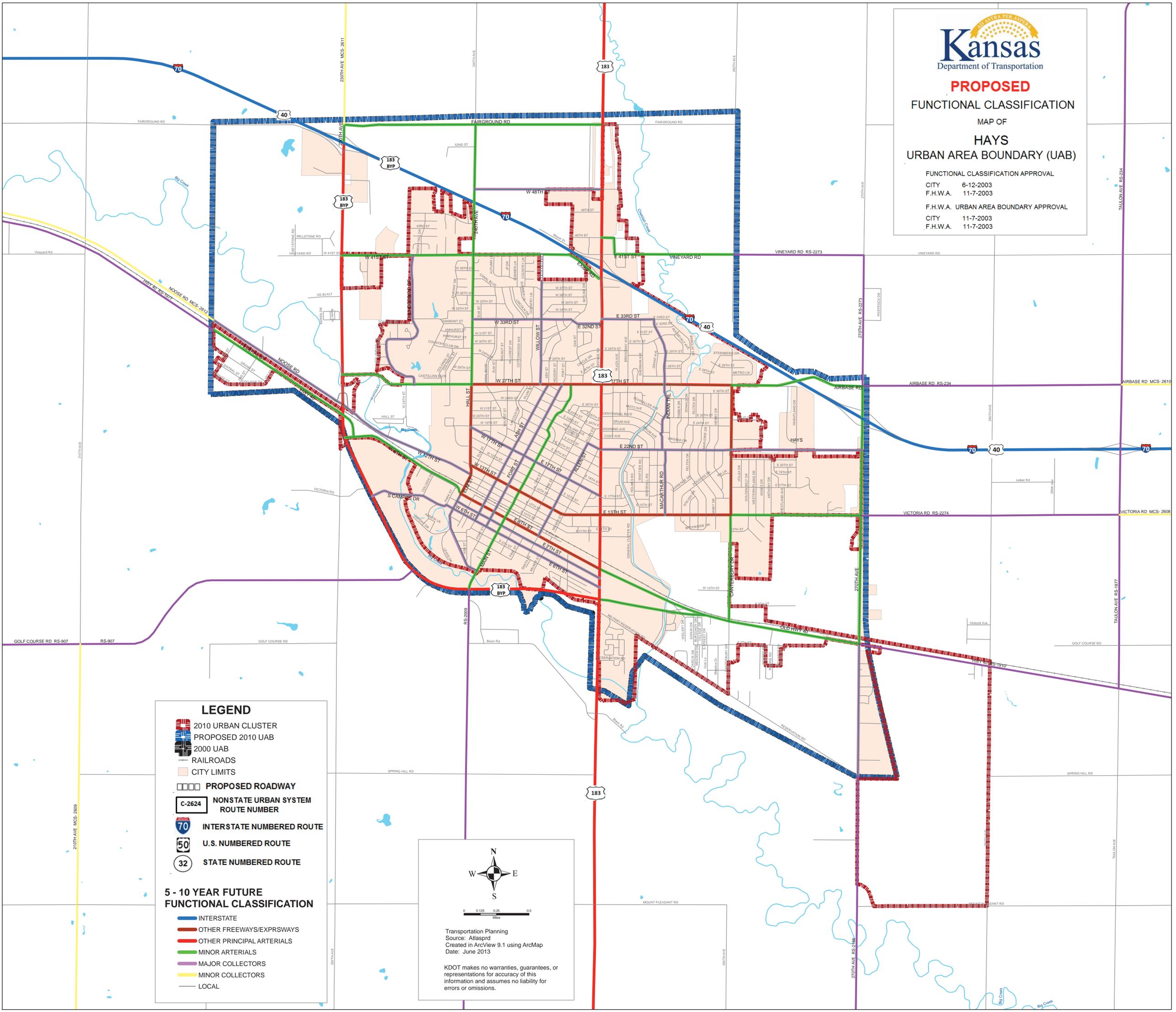
- none

RECOMMENDATION:

Staff recommends that the Planning Commission support KDOT's proposed revisions to the Urban Area Boundary and Functional Classification map.

PROPOSED
FUNCTIONAL CLASSIFICATION
MAP OF
HAYS
URBAN AREA BOUNDARY (UAB)

FUNCTIONAL CLASSIFICATION APPROVAL
CITY 6-12-2003
F.H.W.A. 11-7-2003
F.H.W.A. URBAN AREA BOUNDARY APPROVAL
CITY 11-7-2003
F.H.W.A. 11-7-2003



LEGEND

- 2010 URBAN CLUSTER
- PROPOSED 2010 UAB
- 2000 UAB
- RAILROADS
- CITY LIMITS
- PROPOSED ROADWAY
- NON STATE URBAN SYSTEM ROUTE NUMBER
- INTERSTATE NUMBERED ROUTE
- U.S. NUMBERED ROUTE
- STATE NUMBERED ROUTE

5 - 10 YEAR FUTURE FUNCTIONAL CLASSIFICATION

- INTERSTATE
- OTHER FREEWAYS/EXPRSWAYS
- OTHER PRINCIPAL ARTERIALS
- MINOR ARTERIALS
- MAJOR COLLECTORS
- MINOR COLLECTORS
- LOCAL

N
E
S
W

0 0.125 0.25 0.5
 Miles

Transportation Planning
 Source: Atlasprd
 Created in ArcView 9.1 using ArcMap
 Date: June 2013

KDOT makes no warranties, guarantees, or representations for accuracy of this information and assumes no liability for errors or omissions.

PROPOSED

FUNCTIONAL CLASSIFICATION

 MAP OF

HAYS

URBAN AREA BOUNDARY (UAB)

 FUNCTIONAL CLASSIFICATION APPROVAL

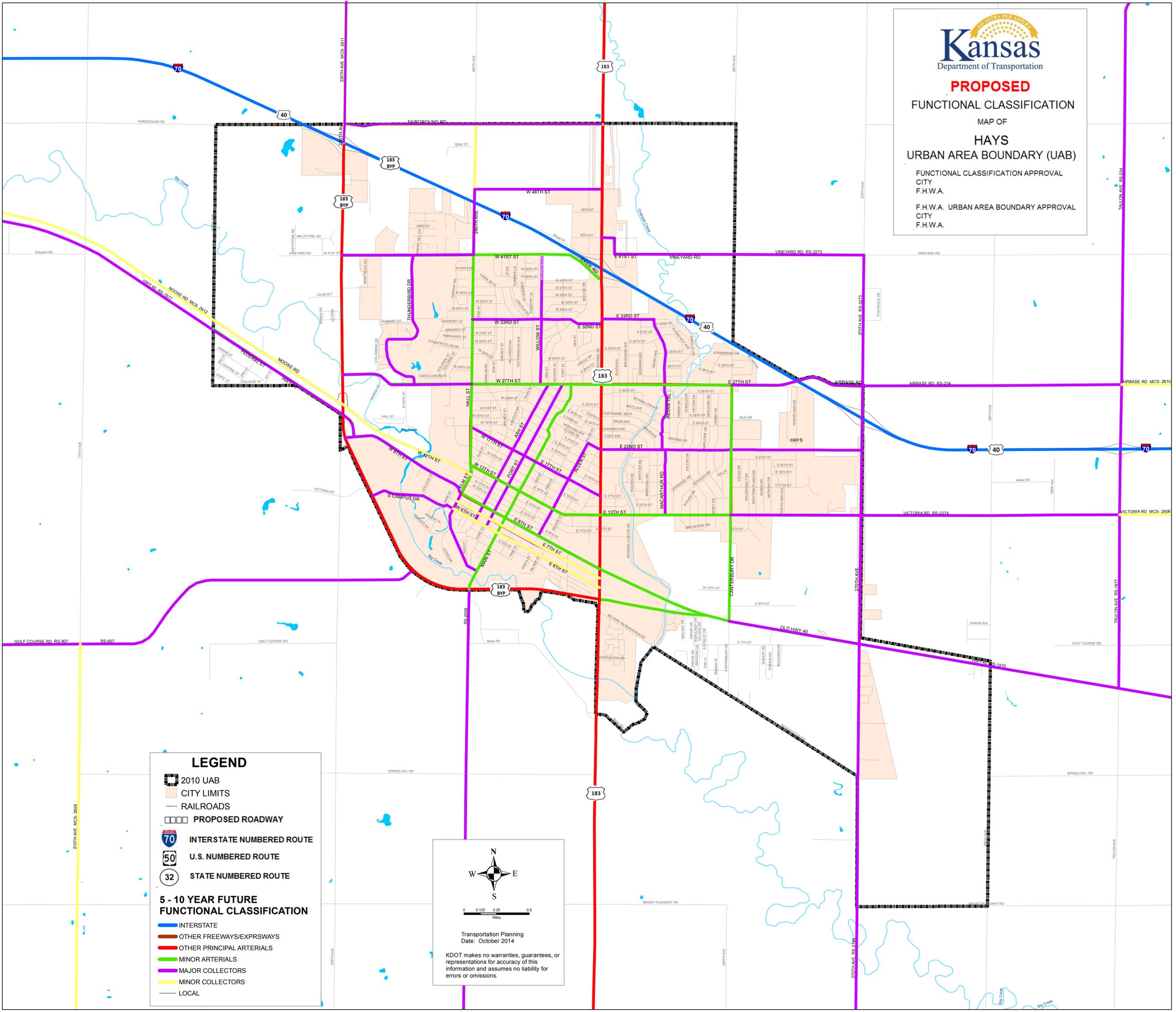
 CITY

 F.H.W.A.

 F.H.W.A. URBAN AREA BOUNDARY APPROVAL

 CITY

 F.H.W.A.



LEGEND

-  2010 UAB
-  CITY LIMITS
-  RAILROADS
-  PROPOSED ROADWAY
-  INTERSTATE NUMBERED ROUTE
-  U.S. NUMBERED ROUTE
-  STATE NUMBERED ROUTE

5 - 10 YEAR FUTURE FUNCTIONAL CLASSIFICATION

-  INTERSTATE
-  OTHER FREEWAYS/EXPRSWSYS
-  OTHER PRINCIPAL ARTERIALS
-  MINOR ARTERIALS
-  MAJOR COLLECTORS
-  MINOR COLLECTORS
-  LOCAL



 Transportation Planning

 Date: October 2014

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MAP ID	Street Name	BeginPoint	EndPoint	FunCls_Current	funcls_Proposed
1	Elm St/Hall St	8th Street	27th Street	Principal Arterial	Minor Arterial
2	27th St	Hall	Canterbury	Principal Arterial	Minor Arterial
3	Canterbury Dr	13th Street	27th Street	Principal Arterial	Minor Arterial
4	13th St	Hall	Canterbury	Principal Arterial	Minor Arterial
5	W 8th St	Elm	Vine Street (US-183)	Principal Arterial	Minor Arterial
6	Hall St	41st Street	48th Street	Minor Arterial	Major Collector
7	W 27th St	US-183 Bypass	Hall Street	Minor Arterial	Major Collector
8	E 27th St	Canterbury	Commerce Pkwy (270th Ave)	Minor Arterial	Major Collector
9	Commerce Pkwy	Old Highway 40	27th Street	Minor Arterial	Major Collector
10	E 13th St	Canterbury	Commerce Pkwy (270th Ave)	Minor Arterial	Major Collector
11	Old Highway 40	Canterbury	Commerce Pkwy (270th Ave)	Minor Arterial	Major Collector
12	W 8th St	US-183 Bypass	Elm Street	Minor Arterial	Major Collector
13	Old Hwy 40	West UAB	8th Street	Minor Arterial	Major Collector
14	Vineyard Rd	US-183	East UAB	Minor Arterial	Major Collector
15	W 41st St	US-183 Bypass	Hall Street	Minor Arterial	Major Collector
16	Fairground Rd	230th Ave	US-183	Minor Arterial	Major Collector
17	230th Ave	I-70	Fairground Rd	Minor Arterial	Major Collector
18	240th Ave	W 48th St	Fairground Rd	Minor Arterial	Minor Collector
19	W 12th St	West UAB	Elm Street	Major Collector	Minor Collector
20	W 6th St	Elm Street	US-183	Major Collector	Minor Collector
21	W 7th St	Elm Street	US-183	Major Collector	Minor Collector

RESOLUTION # _____
Resolution to Establish Urban Area Boundary Lines

City: Hays

WHEREAS: The above stated city is required to determine and submit for approval the location of the urban area boundary lines for said city.

BE IT THEREFORE RESOLVED THAT: In compliance with this requirement and in cooperation with the local county officials, this signed document accompanied by a signed copy of the map of said city indicating the proposed location of the urban area boundary lines is hereby submitted for review and approval.

Adopted this _____ day of _____, 20____, in _____, Kansas.

County Concurrence:

Appropriate City Officials:

Appropriate County Official

Attest:

Seal

City Clerk

RESOLUTION # _____
Resolution to Approve Urban Functional Classification Systems

City: Hays

WHEREAS: The above stated city has reviewed the functional classification of streets located within the urban boundary, and

WHEREAS: Said city is aware that those streets classified as Minor Collectors and above are eligible for federal STP funding,

NOW THEREFORE BE IT RESOLVED: That the functional classification of streets inside the urban boundary is approved as indicated on the attached, signed map.

Adopted this _____ day of _____, 20____, in _____, Kansas.

Recommended for Approval:

Appropriate City Officials:

City Engineer

Attest:

Seal

City Clerk

HIGHWAY FUNCTIONAL CLASSIFICATION

Summary – January 2013

The Federal-Aid Highway Act of 1973 required that roads in the Federal-aid highway system must be functionally classified. Despite changes in the definitions of ‘Federal-aid’ and ‘functional classification’, the legislative requirement to maintain a Functional Classification System of roadways is still in effect today. After each census, KDOT has asked all the counties and urban areas to review and update their functionally classified roads.

The functional classification of the nation’s highway, roads, and streets provides important input into the apportionment of federal funds. With the passage of the most recent federal transportation authorization bill, MAP-21, all roads and streets classified as Principal Arterial routes, regardless of jurisdiction, were automatically added to the National Highway System (NHS) on October 1, 2012. Functional classification is also used for many other transportation planning and public policy purposes within States, MPOs and local communities.

Functional classification is the process by which streets and highways are grouped into hierarchical classes according to the character of service they are designed to provide. It is important to understand that individual roads and streets do not work independently, but as a network of roads. Functional classification defines the part that any particular road or street should play in serving the flow of trips through a highway network.

An illustration of a functionally classified rural network is shown in Figure 1. Because cities and larger towns generate and attract a large proportion of longer trips, the Arterial highways provide direct service for such travel. The Collectors serve small towns directly, connecting them to the Arterial network, and collecting traffic from the Local roads. The Local roads serve individual farms or country homes / country housing developments and other rural land uses. The same basic concepts apply to urban areas.

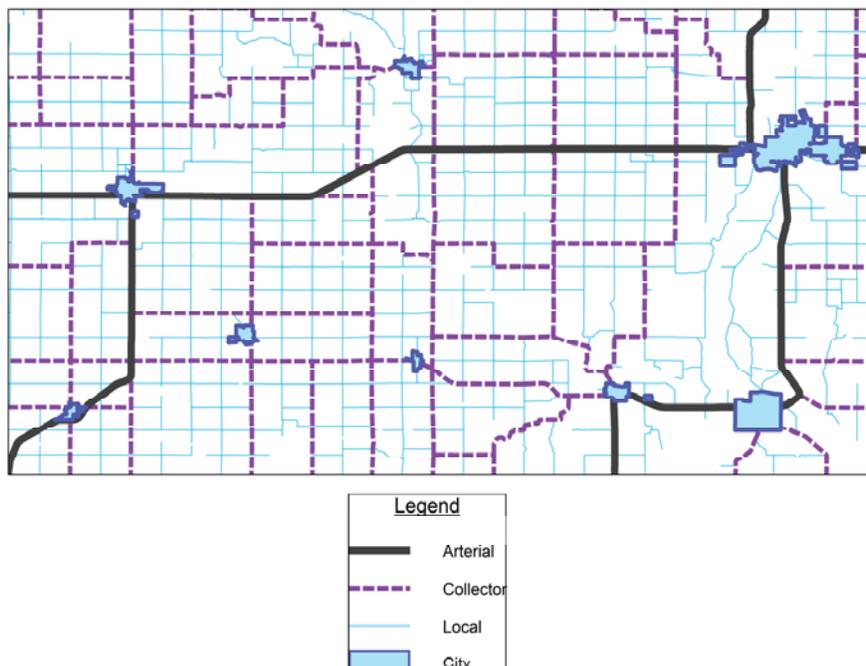


Figure 1: Illustration of a functionally classified rural highway network.

The highway network is a critical medium for the movements of goods and services. The highway network also provides individual travel mobility and access to property. Local facilities reflect land use. Arterials emphasize a high level of mobility for through movement. Collectors offer a compromise between both functions (see Figure 2).

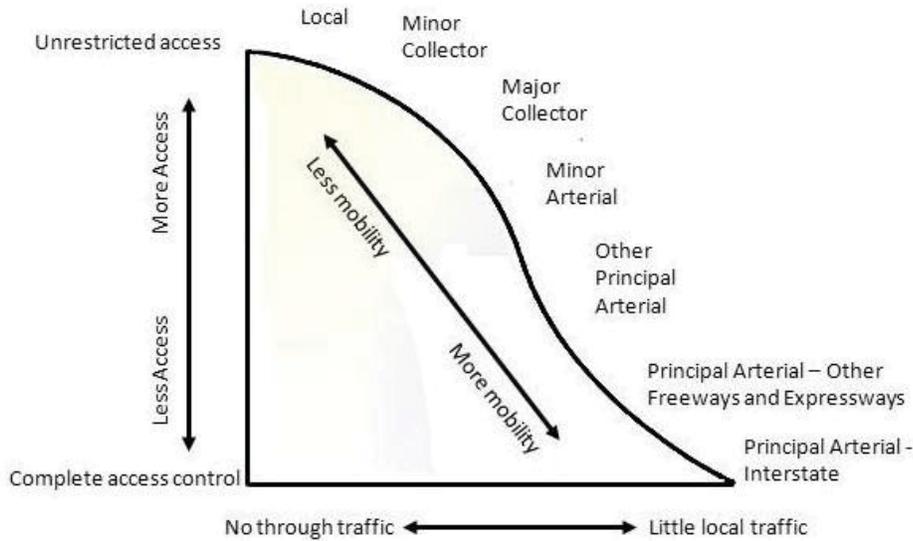


Figure 2: Relationship of Functionally Classified Systems in Serving Traffic Mobility and Land Access

The broad definition of functional classification has not changed since the origin in 1973, but each new highway program and data collection requirement makes minor changes in the details. One of the recent changes from the 2010 HPMS review is the elimination of the separate codes for Rural and Urban Functional Classification. The new functional classification codes are:

Code	Functional Classification	Fund Eligibility – Rural	Fund Eligibility - Urban
1	Interstate	FHWA	FHWA
2	Other Freeways and Expressways	FHWA	FHWA
3	Other Principal Arterials	FHWA	FHWA
4	Minor Arterials	FHWA	FHWA
5	Major Collectors	FHWA	FHWA
6	Minor Collectors	(FEMA)	FHWA
7	Local	(FEMA)	(FEMA)

Table 1: Current Functional Classification codes and fund eligibility

One of the outcomes of functional classification is eligibility for Federal funds. Roads that are classified Major Collector or higher are eligible for Federal funding through the Federal Highway Administration (FHWA). Minor Collectors in the Urban Areas are still eligible for FHWA funding. The other road classifications are not eligible for FHWA funds, which can leave them eligible for funding from other federal programs. Only those roads classified as Minor Collectors in Rural Areas and Local Roads are eligible for Federal Emergency Management Agency (FEMA) funds

after a declared emergency.

In general, the following measures or attributes related to the development of the basic framework of a roadway network can aid in identifying and assigning facilities to predefined functional classes. Even though the distinction between rural and urban codes has been eliminated, the characteristics which define the classification of the roadways still reflect differences between Rural and Urban road usage. Some of these measures are more applicable to the urban areas than to rural areas.

- Service to Activity Centers
- System Continuity
- Land Use Considerations
- Spacing between Routes
- Average Trip Length
- Traffic volume
- Access control

Some other attributes are commonly mis-used to make Functional Classification determinations. Road naming is not important; the functional classification follows from trip characteristics rather than the road name of adjacent network links. Economic importance of the surrounding businesses should not inflate the network importance of high-access/low-speed roads through a Central Business District. Funding eligibility may be a consideration, but it cannot be used to distinguish identical network links. Development can get away from design, current and future trip character should take precedence over historical intent for deciding functional classification of a route.

When reviewing your county's Functional Classification network, keep in mind the following:

- If you want to add a Major or Minor Collector, review the existing system to see if there is mileage that should be designated at a lower functional classification. Historically, roads have been promoted when usage increases but never demoted for reduced usage or when compared against similarly-classified roads; this leads to the current situation where most counties have much more Major Collector mileage than Minor and an unbalanced functional classification network.
- Please provide justification for any proposed change, ideally related to the measures listed above.
- Functionally classified routes should terminate at a roadway with an equal or higher functional classification. Stubs are only acceptable where the termination is at a traffic generator or attractor.
- Unless a maintenance agreement exists, roads along the North and West county lines belong to your county and roads along the South and East county lines belong to the neighboring county.
- Roadway classifications may cross city, county, tribal or state lines. In these situations, changes require the agreement of all involved governments.
- FHWA has the final approval authority for all changes.

Functional Classification Characteristics for Rural Areas

In rural areas (outside of areas with a population of over 5,000) only the classifications of Major Collector, Minor Collector and Local Roads are used for roads off the State Highway System. In rare cases, a Minor Arterial classification may be used if justified by traffic and truck travel.

The **Principal Arterial System** contains Interstate, Other Freeways and Expressways and Other Principal Arterial sub-categories and consists of rural routes which:

- serve corridor movements having long trip lengths and high travel density characteristics, typical of statewide or interstate travel; and
- provide an integrated network without stub connections.

The **Minor Arterial System** consists of rural routes which:

- connect cities, larger towns, and other long-distance trip generators and form an integrated network providing **intercounty** and **intrastate** service;
- provide access to the Principal Arterial system; and
- permit relatively high overall travel speeds, with minimum impedance to through movement.

The **Collector Road System** is subdivided into Major and Minor Collectors which are rural routes serving intracounty travel purposes.

Major Collector Roads

- provide service to:
 - any county seat not on an arterial route;
 - larger population centers not directly served by the higher functional classification categories; and
 - other major traffic generators.
- connect with nearby larger population centers, cities, and routes of higher classification; and
- serve intracounty travel corridors.

Minor Collector Roads

- provide service to the remaining smaller communities;
- connect the locally important traffic generators with their rural areas; and
- collect traffic from local roads and bring traffic from all developed areas (within reasonable distances) to Major Collectors.

The **Local Road System** consists of rural routes which:

- provide access to adjacent land; and
- serve relatively short travel distances.

Functional Classification Characteristics for Urban Areas

The **Principal Arterial System** is subdivided into Interstate, Other Freeways and Expressways, and Other Principal Arterials and consists of urban routes which:

- serve the major portion of trips entering and leaving the urban area, longer intra-city trips, as well as the majority of trips bypassing the central city;
- provide continuity for Arterials which intercept the urban area boundary.

The spacing of routes contained by the Principal Arterial System is related to the travel density of particular sections within the urban area. Almost all routes in this system have full or partial access control, but access control is not a criterion for designating routes as Other Principal Arterial.

With the passage of the most recent federal transportation authorization bill, MAP-21, all roads and streets classified as Principal Arterial routes, regardless of jurisdiction, were automatically added to the National Highway System (NHS) on October 1, 2012.

With the NHS designation on Principal Arterial come some data reporting and financial requirements for the cities:

- Data Reporting Requirements for both pavement (HPMS) and bridges (NBI); example: more expensive element-level inspection and reporting will be required for all NHS bridges instead of the less expensive routine inspections required for bridges on non-NHS routes.
- Asset Management Requirements. Minimum condition or performance targets for pavement and bridge condition will be established that will need to be met on all NHS facilities. Development of a management plan is required.
- Outdoor Advertising Regulations will now apply to the newly added NHS routes.
- Requirement to use AASHTO Design Criteria and Standards for projects on these routes. This requirement applies to all major projects on NHS routes, regardless of funding source.

The **Minor Arterial System** consists of routes which:

- interconnect and augment with the higher-level Arterial system; and
- serve intracity trips of moderate length;

Spacing of Minor Arterial streets may vary from 0.125 - 0.5 mile in the central business district to 2 - 3 miles in the suburban fringes, but should normally be not more than 1 mile in fully developed areas.

The **Collector Road System** is subdivided into Major and Minor Collectors which are urban routes serving area travel purposes.

Major Collector Street System consists of routes which:

- Serve both land access and traffic circulation in higher density residential and commercial/industrial areas;
- Distributes and channel trips between Local Roads and Arterials, usually over a distance of greater than three-quarters of a mile

Minor Collector Street System consists of routes which:

- Serve both land access and traffic circulation in lower density residential and commercial/industrial areas;
- Distributes and channel trips between Local Roads and Arterials, usually over a distance of less than three-quarters of a mile

Urban Local Street System consists of routes which:

- provide direct access to adjacent land;
- connect to higher functional classes;
- serve short travel; and
- carries no through travel.

Kansas Department of Transportation

Guidance on Additional Federal Requirements for Non-State System Roads on the National Highway System - 11/1/2013

On October 1, 2012 Section 1104 of MAP-21 added to the National Highway System (NHS) those roads that at that time were functionally classified as principal arterial but not yet part of the system. This increased Kansas' NHS system mileage by over 250 miles on the State Highway System (SHS) and over 450 miles on the local systems. All roadways on the NHS, including those added by MAP-21, must comply with applicable Federal regulations. These regulations include design standards, State-FHWA contracting oversight procedures, Highway Performance Monitoring System reporting, National Bridge Inventory inspections and reporting, national performance measures data collection, and outdoor advertisement/junkyard control.

Funding Impacts

Currently, KDOT shares approximately 20% of our Federal funds with local jurisdictions. We expect to continue this practice, and do not plan to increase the local share. We will continue to share Surface Transportation Program (STP) funds, as they are the most flexible. Although MAP-21 increased the mileage of the NHS, there was no additional funding provided. There will be no additional sub-allocated funds for Transportation Management Areas.

Design Standards

MAP-21 specifies that the design requirements of 23 CFR Part 625 apply to all projects on the NHS, **regardless of funding source**. This requirement applies to projects on the NHS, regardless of whether they are funded by the federal government or by State or local resources. The NHS standards adopted by FHWA (currently the 2004 AASHTO Green Book, 2004 ADA Accessibility Guidelines and PROWAG, etc.) apply to new and reconstruction projects. Design standards for resurfacing, restoration, and rehabilitation (3R) projects that have been agreed to by the State DOT and FHWA Division Administrator will apply to 3R projects on these routes. The applicable 3R standards are available via the KART service at <http://kart.ksdot.org>. **Exceptions to any design requirements or standards must be documented and maintained as part of the project file.**

Local jurisdictions are responsible for additional costs associated with design requirements for a project on the NHS.

State-FHWA Contracting Oversight Procedures

Projects on the NHS must follow State-FHWA oversight procedures. MAP-21 defines a level of oversight called 'focused' (was 'full oversight'.) The Kansas FHWA Division determines these 'Projects of Division Interest' and requires that all contracting procedures and specifications be pre-approved by FHWA. Projects are selected for this higher level of scrutiny based on risk analysis strategies. Localities with administration authority will be responsible to fulfill

requirements of the State/FHWA Stewardship/Oversight agreement. Even where KDOT is the administrator, this additional oversight will require longer lead times and increased interaction with the local agency(s).

Local jurisdictions are responsible for additional costs associated with oversight procedures for a project on the NHS.

Highway Performance Monitoring System (HPMS) Reporting

Data for many assets and conditions are collected for the annual HPMS reporting, including traffic and truck counts, International Roughness Index (IRI), paving type and width, shoulder and median types, passing zones and many others. Much of this is collected for selected sample sections, and KDOT expects to continue existing collection and reporting on the sample data. Each local authority is responsible to meet data collecting and reporting requirements for all non-SHS NHS segments within its area of authority. At this time only the IRI pavement data collection must be expanded, but traffic data may also be insufficient as it is currently collected. The HPMS Field Manual at <http://www.fhwa.dot.gov/ohim/hpmsmanl/hpms.cfm> provides the requirements for HPMS data collection.

Local jurisdictions are responsible for additional costs associated with data requirements for NHS roadways.

National Bridge Inventory Reporting

Bridges on the NHS must be inspected using a method called element-level bridge inspection. Element-level inspection is more complex than standard inspection, and requires inspectors trained in this technique. The element-level inspection requirements are established in the AASHTO Guide Manual for Bridge Element Inspections (February 2011, superseding the CoRe Guide) and will be reflected in the upcoming NBI coding guide. (Please see <http://www.fhwa.dot.gov/bridge/inspection/> for more information.) The cost of the initial inspection will be about twice the cost of a standard inspection, but subsequent inspection is not likely to be significantly more costly.

The local jurisdictions are responsible for costs associated with element level bridge inspection for NHS bridges on roads under their jurisdiction. Currently, we are working under an extension of the original 2012 deadline for reporting element-level inspections; any bridges that are on the NHS as of December 31, 2013 will have to report element-level inspection results for the 2013 NBI in the Spring of 2014.

National Performance Measures Data Collection

We anticipate that in the Spring of 2014 that the Federal Highway Administration will release the required performance measures that must be reported on NHS routes. These measures will be established under the authority of 23 USC 150(c), the National Highway Performance Program, and the Highway Safety Improvement Program. We expect that data requirements will include additional traffic data to assess accident rate, mobility and freight movement; pavement rating or

condition surveys, and inventory of roadside and roadway assets. Each local authority is responsible to meet data collecting and reporting requirements for non-SHS NHS segments within its area of responsibility.

The local jurisdictions are responsible for any costs to collect data for national performance measures and to submit it in a timely manner. Specific data collection requirements are not known at this time.

Outdoor Advertisement/Junkyard Control

U.S.C. 136, as amended by MAP-21 Section 1404(b), results in the State being responsible for effective Outdoor Advertising and junkyard control along roadways classified as part of the NHS. In Kansas, junkyards are already controlled on these additional roadways according to K.S.A. 68-2201 et seq. However, Outdoor Advertising regulations now apply to these additional roadways.

The penalty for not providing effective control of outdoor advertising is 10 percent of the funds that would otherwise be apportioned to the State under section 104. Penalties against KDOT from violations on non-SHS NHS will be assessed against all Federal transportation funds apportioned to the local jurisdiction with authority on those roads.

The local jurisdictions are responsible for providing control of outdoor advertising.

Planning Commission Action Report

AGENDA ITEM:	Preliminary and Final Plat of Z M M Development Addition (33 rd and Canal)
OWNER:	ZMM, LLC
TYPE OF REVIEW:	Preliminary and Final Plat – Z M M Development Addition
PRESENTED BY:	Jesse Rohr, P.I.E. Superintendent
AGENDA DATE:	November 17, 2014

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the proposed Z M M Development Addition, is under consideration for the platting of the property. The property will be subdivided into 26 lots with rear alleys and one new street (34th St.) **Staff recommends approval of the final plat and a favorable recommendation to the City Commission.**

BACKGROUND:

- The area of this development is within a highly desirable and developable area for residential development.
- This property has remained undeveloped as the surrounding property has grown and developed through the years. The property was formerly owned by the USD 489 school district and was recently sold to the current owner.

POINTS TO CONSIDER:

- Staff feels the proposed layout and use of this property is the highest and best use for this property. The surrounding property consists of single-family homes, multi-family residences, and a City park.
- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements.
- The adopted comprehensive plan future land use map indicates this area to be Public Use, due to the fact that it was owned by the school district when the Comprehensive Plan was adopted. Therefore, one would look at

surrounding areas on the future land use map and notice that there are areas of both low density and medium density residential identified.

- Staff from the Utilities Department has been apprised of this proposed development and agrees with the proposal. This plat was also taken before the Utility Advisory Committee with no issues noted. All easements as required are in place for future placement of any required utilities.
- One new street, 34th St., along with two public alleys, are proposed within this development and will be dedicated to the City
- Access to the platted 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.

ATTACHMENTS:

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

Approved/Denied by Planning Commission _____

Case No. 14-03P

Approved/Denied by City/County Commission _____

Date Filed 11-12-2014

APPLICATION FOR PRELIMINARY PLAT APPROVAL

Name of Subdivision ZMM Development Addition
(Replat of Block 4 Seven Hills Add)

General Location 33rd & Canal

Name of Applicant ZMM, LLC

Address P.O. Box 476 Phone 785-650-7595

Name of Agent John Ziegler

Address P.O. Box 476 Phone 785-650-7595

Name of Surveyor or Engineer Ruder Engineering & Surveying, LLC

Address 1376 Butterfield Trail Rd Phone 785-259-1382
Hays, Ks

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 7.293 Acres

- 2. Number of Lots:
 - a. Residential X
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____

Total Number of Lots 26

3. Minimum Lot Frontage: 77 feet

4. Minimum Lot Area: 8,855 SF feet

5. Existing Zoning R-1

6. Proposed Zoning Lots on 33rd & 35th to remain @ R-1
Lots on 34th to be R-3

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. 60' R/W 558 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 Done in Seven Hills Addition

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 when billed. The undersigned further states that he is the owner, or agent representing the owner, of the property proposed for platting.

John V. Zepke _____
 APPLICANT AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY:

RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION,
November 12, 2014, TOGETHER WITH THE APPROPRIATE FEE OF
 \$ 50.00. Receipt # 610646

John V. Zepke Senida Bilemmam, Administrative Assistant
 NAME AND TITLE

PRELIMINARY PLAT CHECK-LIST

NAME OF SUBDIVISION: **Z M M DEVELOPMENT ADDITION**
(Replat of Block 4, Seven Hills Addition

DATE: **11-12-2014**

NAME OF OWNER: **Z M M, LLC**

NAME OF SUBDIVIDER: **OWNER**

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 Preliminary Plat when it is submitted to the Planning Commission. Indicate N/A if not applicable.

A. Does the Preliminary Plat show the following information?

	<u>YES</u>	<u>NO</u>
1. Name of Subdivision.	X	
2. Location of boundary lines and reference to section or quarter section lines.	X	
3. Name and address of owner(s).	X	
4. Name and address of subdivider(s).	X	
5. Name of planner, engineer, landscape architect or surveyor who prepared the Plat.	X	
6. Scale of Plat, 1" = 100', or larger.	X	
7. Date of preparation and north point.	X	
8. Location, width and name of platted streets or other public ways, railroads and utility R/W, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision.	X	
9. Location of existing sewers, water mains, gas mains, culverts or other underground installations, within or adjacent to the proposed subdivision with pipe size, manholes and grades.	X	
10. Names of adjacent subdivisions together with		

arrangement of streets and lots and owners of adjacent parcels of unsubdivided land.

X

YES

NO

11. Topography at contour intervals of not more than one (1) foot referred to U.S.G.S. or municipality datum and location of water courses, bridges, wooded areas, lakes, ravines and other significant physical features.

X

12. Arrangement of lots and their approximate sizes.

X

13. Does plat conform to Master Street Circulation Plan?

X

14. Location and width of proposed streets, alleys, pedestrian ways easements.

X

15. General plan of sewage disposal, water supply and utilities, if public.

X

16. Notation of type of sewage disposal and water supply if non-public.

N/A

17. Location and size of proposed parks, playgrounds, churches, school sites, or other special uses of land to be considered for reservation for public use.

N/A

B. Does the proposed use of land conform to the Comprehensive Plan?

X

C. Is the proposed subdivision inside the City limits?

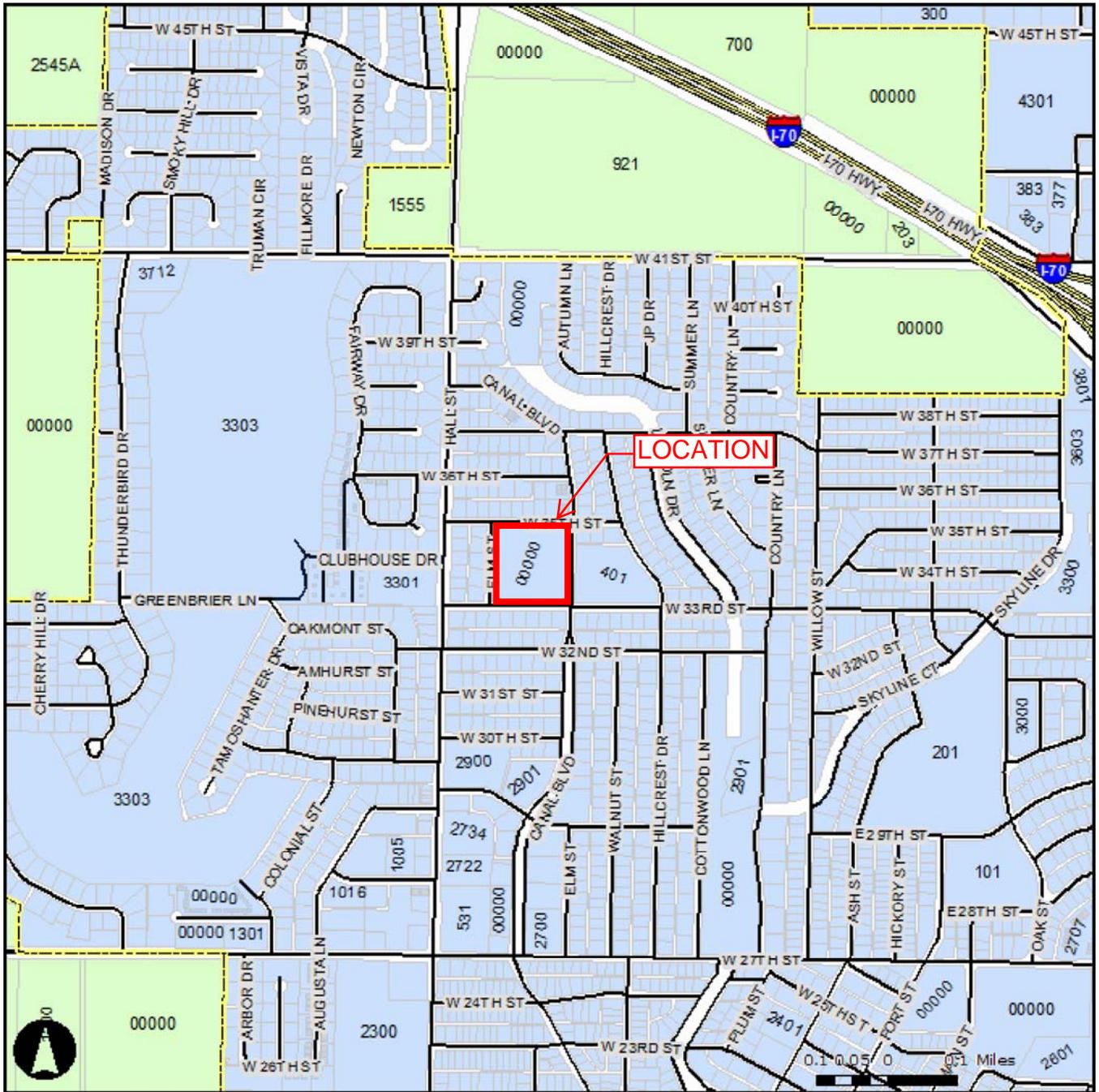
X

D. Preliminary Plat fee of \$200.00 paid?

X

E. Comments:

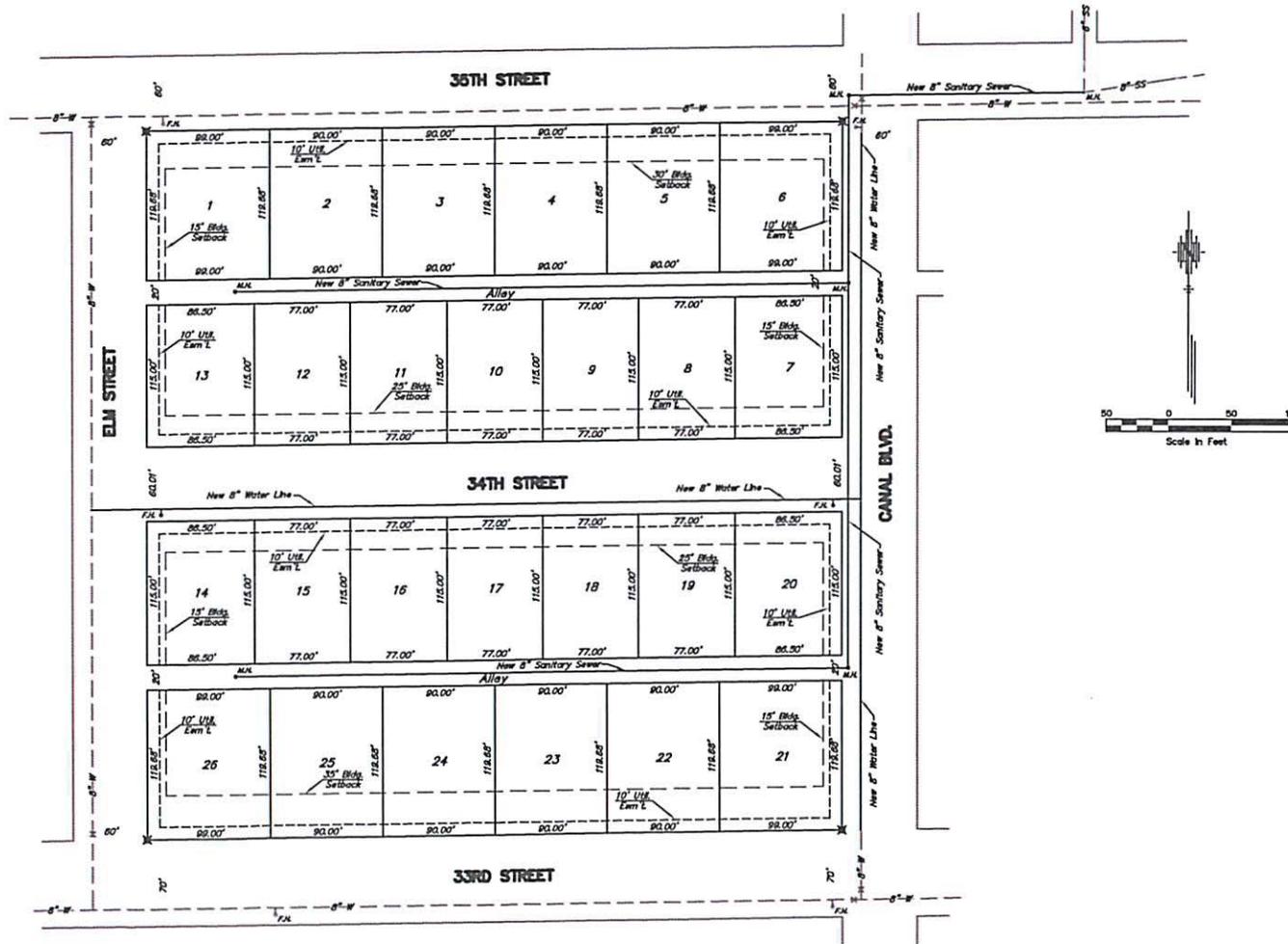
ZMM Development



ZMM Development



**PRELIMINARY PLAT OF
Z M M DEVELOPMENT ADDITION
A REPLAT OF BLOCK 4 SEVEN HILLS ADDITION
HAYS, KANSAS**



DESCRIPTION

Block 4, of the Seven Hills Addition to the City of Hays, Ellis County, Kansas.

OWNER and SUBDIVIDER:

Z M M, LLC

APPROVALS:

This plat has been submitted to and approved by the Hays Area Planning Commission this _____ day of _____, 2014.

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**
1378 Butterfield Trail Rd
Hays, Kansas 67801
785-259-1302

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

Case No. 14-04F
Date Filed 11-12-2014

APPLICATION FOR FINAL PLAT APPROVAL

Name of Subdivision ZMM Development Addition
(Replat of Block 4, Seven Hills Addition)
General Location 33rd & Canal
Name of Applicant ZMM, LLC
Address PO Box 476 Phone 785-650-7595
Name of Agent John Zeigler
Address P.O. Box 476 Phone 785-650-7595
Name of Surveyor or Engineer Ruder Engineering & Surveying, LLC
Address 1376 Butterfield Trail Rd. Phone 785-259-1382
Hayes KS

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 7.293 Acres
2. Number of Lots:
 - a. Residential X
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____Total Number of Lots 26
3. Minimum Lot Frontage: 77 feet
4. Minimum Lot Area: 8,855 SF feet
5. Existing Zoning R-1

FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **Z M M DEVELOPMENT ADDITION** DATE: **11-12-2014**
Replat of Block 4, Seven Hills Addition

NAME OF OWNER: **Z M M LLC**

NAME OF SUBDIVIDER: **OWNER**

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	

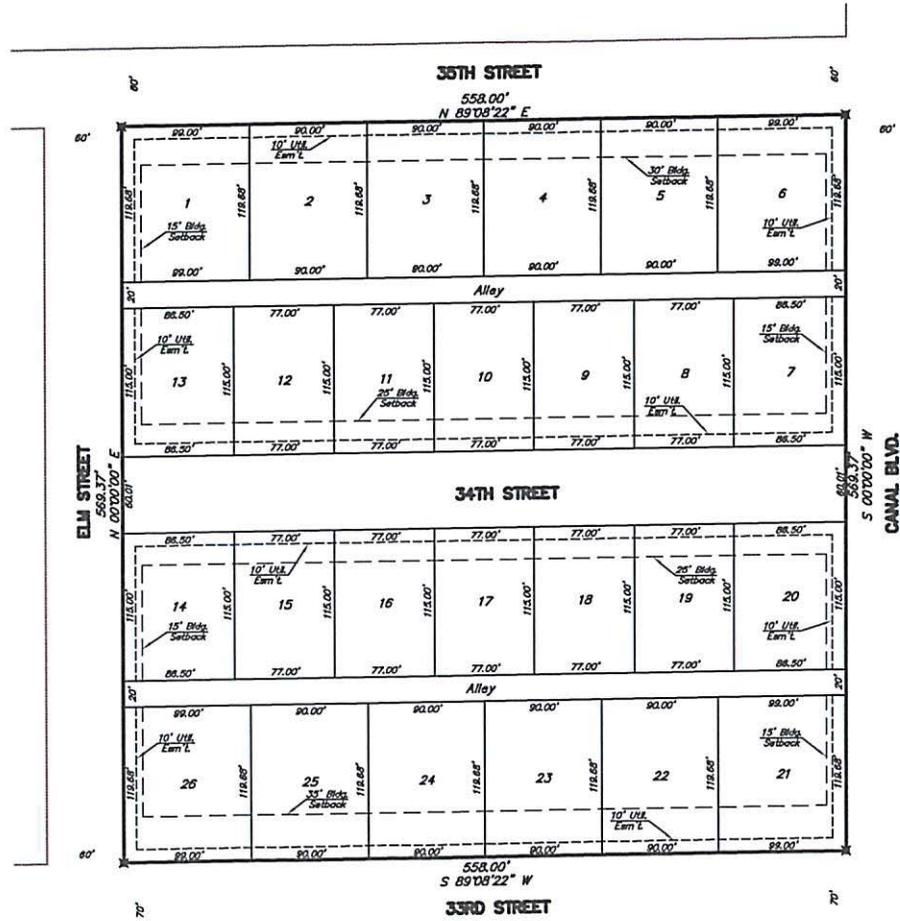
	<u>YES</u>	<u>NO</u>
5. Lots numbered clearly. Blocks numbered or lettered clearly in the center of the block.	X	
6. Exact locations, widths and names of all streets and alleys to be dedicated.	X	
7. Boundary lines and descriptions of the boundary lines of any area other than streets and alleys, which 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		
2. If so, has a copy been submitted? N/A		

Comments:

ZMM Development

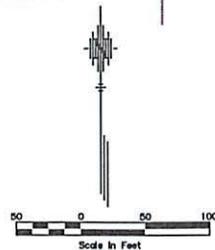


FINAL PLAT OF Z M M DEVELOPMENT ADDITION A REPLAT OF BLOCK 4 SEVEN HILLS ADDITION HAYS, KANSAS



Location Map

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



APPROVALS:

This Z M M Development Addition, has been submitted to and approved by the Hays Planning Commission this _____ day of _____, 20____.

 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

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, Alley and Easements, the same to be known as "Z M M Development Addition", in Hays, Kansas. The Street and Alleys 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.

Z M M, LLC
 Dated July 30, 2014
 By _____
 John V. Zeigler, Resident Agent

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 John V. Zeigler, Resident Agent for Z M M, LLC. Dated July 30, 2014, 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: _____

DESCRIPTION:

Block 4, of the Seven Hills Addition to the City of Hays, Ellis County, Kansas.

STREETS, ALLEY & EASEMENTS:

Streets and alleys, 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 Eas't."

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 Rudar, 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 Rudar

 Date



RUDER ENGINEERING & SURVEYING, LLC
 1378 Butterfield Trail Rd.
 Hays, Kansas 67501
 785-628-8134

Planning Commission Action Report

AGENDA ITEM: Final Plat of Clubhouse Gardens II Addition
OWNER: Paul & Wertenberger Investments
TYPE OF REVIEW: Final Plat – Clubhouse Gardens II Addition
PRESENTED BY: Jesse Rohr, P.I.E. Superintendent
AGENDA DATE: November 17, 2014

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the proposed Clubhouse Gardens II Addition, is under consideration for the platting of the property. The property will be subdivided into 16 lots. This is a continuation of a plat first started in 2009. **Staff recommends approval of the final plat and a favorable recommendation to the City Commission.**

BACKGROUND:

- The plat of Clubhouse Gardens I was approved in 2009 and is nearly built out at this time
- This development contains private streets that will not be dedicated and will not be maintained by the City

POINTS TO CONSIDER:

- Staff feels the proposed layout and use of this property is the highest and best use for this property. The surrounding property primarily consists of single-family homes and a the Country Club golf course.
- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements.
- The adopted comprehensive plan future land use map indicates this area to be low-density residential.
- Staff from the Public Works and Utilities Department has been apprised of this proposed development and agrees with the proposal. This plat was also taken before the Utility Advisory Committee with no issues noted. All

easements as required are in place for future placement of any required utilities.

- This is a continuation of an existing development and will complete the developable area for this property.
- As was done with the development of Clubhouse Gardens I Addition, sewer and water utilities will be constructed to City standards and will be accepted by the City who will then assume ownership and all future maintenance of those utilities.

RECOMMENDATION:

The continued in-fill of this property, as well as other properties similar to this one, should be encouraged. It allows for additional housing growth without expanding the boundaries of the City and annexing additional territory therefore reducing unwanted sprawl. Other than a few short extensions, City utilities are in place to serve the development. **Staff recommends approval of this plat for the continued development of this property.**

ATTACHMENTS:

- Final Plat Map
- Area Maps
- Plat Checklist
- Plat Application

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

Case No. 14-05 F
Date Filed 11-12-2014

APPLICATION FOR FINAL PLAT APPROVAL

Name of Subdivision Clubhouse Gardens II

General Location 33rd & Hall

Name of Applicant Paul & Wertenberger Investments

Address 1102 E. 8th Phone 625-8220

Name of Agent _____

Address _____ Phone _____

Name of Surveyor or Engineer Ruder Engineering & Surveying, LLC

Address 1376 Butterfield Trail Rd. Phone 785-259-1382
Hays, KS

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 4.331 Acres

2. Number of Lots:

a. Residential 16

b. Commercial _____

c. Industrial _____

d. Other _____

Total Number of Lots 16

3. Minimum Lot Frontage: 70 feet

4. Minimum Lot Area: 9984 feet

5. Existing Zoning AL

FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **CLUBHOUSE GARDENS II** DATE: **11-12-2014**

NAME OF OWNER: **PAUL & WERTENBERGER INVESTMENTS, A PARTNERSHIP**

NAME OF SUBDIVIDER: **OWNER**

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.

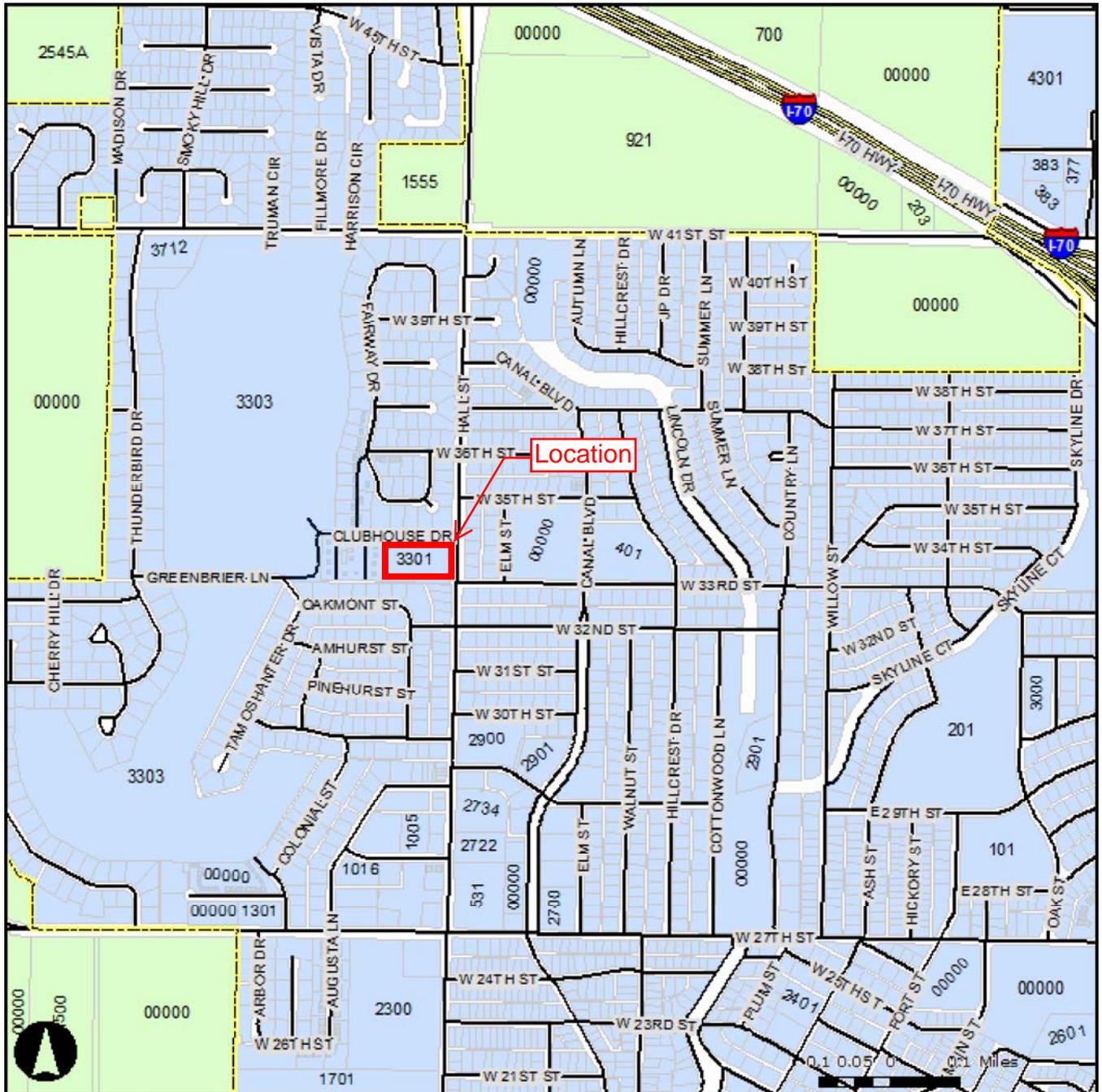
A. Does the Final Plat show the following information?

	<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 sub-division 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:

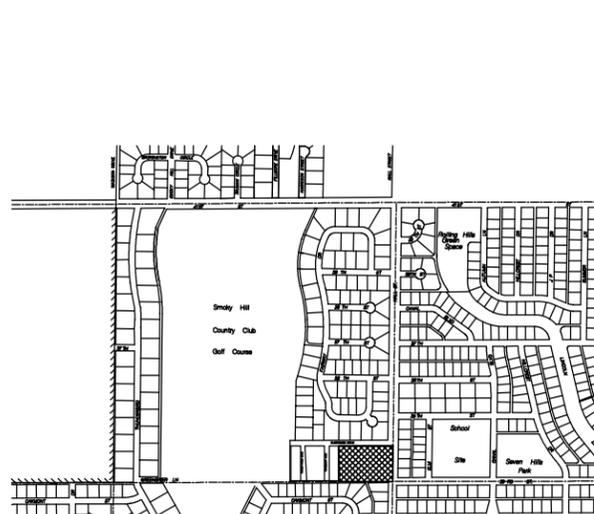
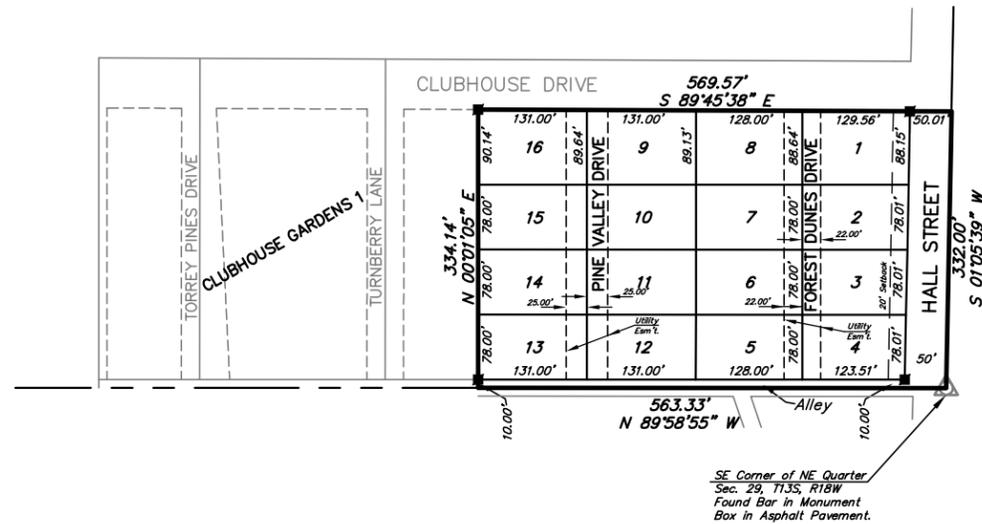
Clubhouse Gardens II



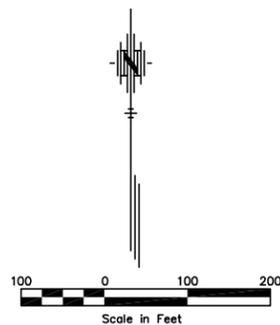
Clubhouse Gardens II



PLAT OF CLUBHOUSE GARDENS II AN ADDITION TO THE CITY OF HAYS, KANSAS



LOCATION MAP



LEGEND

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

APPROVALS:

This plat, Clubhouse Gardens II, has been submitted to and approved by the Hays Area Planning Commission this _____ day of _____, 20____.

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

DESCRIPTION

That part of the Northeast Quarter of Section 29, Township 13 South, Range 18 West, of the 6th Principal Meridian, Ellis County, Kansas, described as follows:

Beginning at the southeast corner of said Northeast Quarter; thence on an assumed bearing of North 89 degrees 58 minutes 55 seconds West, along the south line of said Northeast Quarter, a distance of 563.33 feet; thence North 00 degrees 01 minutes 05 seconds East a distance of 334.14 feet; thence South 89 degrees 45 minutes 38 seconds East a distance of 569.57 feet to a point on the east line of said Northeast Quarter; thence South 01 degrees 05 minutes 39 seconds West, along the east line of said Northeast Quarter, a distance of 332.00 feet to the point of beginning. This tract contains 4.331 acres.

STREETS, ALLEYS & EASEMENTS:

The Hall Street right of way and the alley 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. Said easements may be employed for the purpose of installing, repairing and maintaining water lines, sanitary sewer lines, 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."

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____.

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 Blocks, Streets, Alleys and Easements, the same to be known as "Clubhouse Gardens II", in Hays, Kansas. The Streets and Alleys 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.

Paul & Wertenberger Investments, a Partnership

By Robert L. Wertenberger, Partner Steven L. Paul, Partner

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 Robert L. Wertenberger, Partner, and Steven L. Paul, Partner, of Paul and Wertenberger Investments, a partnership, to me personally known to be the same persons 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 natarial 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

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