

HAYS AREA PLANNING COMMISSION MEETING AGENDA  
CITY COMMISSION CHAMBERS  
1507 MAIN, HAYS, KS  
NOVEMBER 21, 2016  
6:30 PM

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

2. **CONSENT AGENDA.**

A. Minutes of the meeting of August 15, 2016

*Action: Consider approving the minutes of the August 15, 2016 meeting.*

3. **PUBLIC HEARING ITEMS.** None

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

A. Preliminary plat for Creekside Estates (Former Arbor Valley Estates Addition located west of Augusta Lane between West 26<sup>th</sup> and 27<sup>th</sup> Streets)

*Action: Consider approval of the Creekside Estates preliminary plat (Former Arbor Valley Estates Addition located west of Augusta Lane between West 26<sup>th</sup> and 27<sup>th</sup> Streets)*

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

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

6. **ADJOURNMENT.**

**DRAFT  
HAYS AREA PLANNING COMMISSION  
CITY HALL COMMISSION CHAMBERS  
AUGUST 15, 2016  
6:30 P.M.**

**1. CALL TO ORDER BY CHAIRMAN:** The Hays Area Planning Commission met on Monday, August 15, 2016 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  
Matthew Wheeler  
Darrell Hamlin  
Robert Readle  
Larry Gould  
Kevin Coomes

**Absent**

Kris Munsch

City staff in attendance: Toby Dougherty, City Manager, Greg Sund, Director of Public Works, Jesse Rohr, Superintendent of Planning, Inspection and Enforcement.

There were no changes to the agenda.

**2. CONSENT AGENDA:** This agenda item was done after the public hearing.

**A. Minutes:** Darrell Hamlin moved, Lou Caplan seconded the motion to approve the minutes from the July 18, 2016 meeting. There were no additions or corrections to those minutes.

**AYES:**

Paul Phillips  
Lou Caplan  
Matthew Wheeler  
Darrell Hamlin  
Robert Readle  
Larry Gould  
Kevin Coomes

### 3. PUBLIC HEARING ITEMS:

**A. Public Hearing on the revised zoning map to be adopted in conjunction with the Unified Development Code (UDC):** Paul Phillips opened the public hearing. Jesse Rohr explained that the public hearing is to review the zoning map that must be revised to coincide with the changes made per the Unified Development Code. State Statute requires the governing body to adopt an "official" zoning map as part of the zoning regulations.

City Staff and Bret Keast of Kendig Keast Collaborative, consultant, have worked on the revised zoning map to coincide with the changes made in the Unified Development Code.

He provided the current zoning map and the revised zoning map on the overhead visual. He had extra large paper copies for the commission if they would like one. He pointed out the notable changes associated from one map to the other.

He explained the inclusion of the new Neighborhood Conservation zones that incorporates all existing residential zoned districts. He explained the new Residential General Zoning district designation would carry the former zoning districts of "R-1" and R-2" (Residential Single Family) and "R-3" (Two-Family). Only undeveloped areas that are zoned residential carry the General Residential Zoning District designation.

He explained the reasoning for the reversion of some undeveloped areas zoned industrial back to agriculture zoning classification and the general clean-up and realignment of the districts with their respective boundaries. He has found that based on the comprehensive plan in 1988, a recommendation was made from BWR, the city's planning consultant at that time, to rezone certain agriculture properties to "industrial". It was not based on a specific request or individual application; it was more of a vision.

The future land use map reflects potential zoning districts for all areas; although there is not an official change of zoning classification.

He explained the three options to consider:

1. Recommend approval of the revised zoning map as submitted to be effective upon adoption of the UDC.
2. Request further changes or considerations to the zoning map
3. Provide staff further direction

Staff recommends approval of the revised zoning map as submitted which will become the new "official" zoning map for the City of Hays and extraterritorial jurisdiction area to be effective upon adoption of the UDC by the governing body.

It is scheduled to go to the work session on August 18<sup>th</sup> 2016 and the governing body on August 25, 2016 to be considered for adoption simultaneous with UDC.

Paul Phillips asked if there were any comments from the audience. There were none.

Paul Phillips closed the public hearing for commission members to discuss the issues relative to this case.

Lou Caplan asked if there had been any notable changes from the draft presented to the commission last month. Jesse Rohr answered that the Hays Medical Center property was changed from "Public and Institutional" zoning classification to "C-2" General Commercial and Service District because it would be more conforming to that area and land use; it could be zoned either way.

Larry Gould asked if the broader "M-U" mixed use district designation would be better than the "C-3" Central Business District for the downtown area based on "Strong Towns" and other principles and values. He asked for some examples of each. Jesse Rohr answered that he had attached a memo in the e-mail with the agenda packet on the topic of "M-U" mixed use versus "C-3" Central Business Zoning District for the downtown area. The "C-3" Central Business District emphasizes downtown commercial development with some limited residential uses and enforces the historical significance and maintains design standards. There is no parking within this district. The "M-U" zoning classification emphasizes high density residential development with a mix of commercial land uses that is strongly encouraged for the potential new developments. He provided an area of an example of mixed use at north of the intersection at 27<sup>th</sup> and Hall.

Larry Gould asked if the area at 27<sup>th</sup> and Hall should be designated with the mixed use zoning classification.

Jesse Rohr and John Braun answered that this area will remain the same zoning classification because this originally was a requested zoning change; although the owner can request the process for a rezoning request. The zoning reversions to the undeveloped properties were non-requested zoning changes. Greg Sund noted some examples of mixed use land uses.

Larry Gould voiced the importance that the respective property owners affected by the zoning reversions be aware of it.

Paul Phillips pointed out the options for a motion listed by the City Staff.

There was a motion by Matthew Wheeler with a second to the motion by Lou Caplan to recommend to the governing body approval of the revised zoning map that would coincide with the Unified Development Code.

**AYES:**

Paul Phillips  
Lou Caplan  
Matthew Wheeler  
Darrell Hamlin  
Robert Readle  
Larry Gould  
Kevin Coomes

**4. NON-PUBLIC HEARING ITEMS: None**

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

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

**1. Revised Zoning Map and Unified Development Code:** Jesse Rohr invited the commission to attend the city commission work session on August 18, 2016 for review and the meeting on August 25, 2016 for the potential adoption of the revised zoning map and the Unified Development Code.

Bret Keast of Kendig Keast Collaborative, consultant, will present the revised zoning map and the Unified Development Code to the City Commission

**6. Other:**

**1. Executive Session:** Paul Phillips explained that it has been asked by city staff for the Planning Commission to hold an executive session for a time not to exceed 20 minutes for the purpose of preliminary discussion of possible acquisition of land by the city.

Larry Gould moved, Lou Caplan seconded the motion that the Planning Commission recess to executive session for a time limit not to exceed 20 minutes to begin at 6:52 p.m. to 7:12 p.m. for a preliminary discussion of possible land acquisition by the city. The executive session included the Planning Commissioners that were in attendance, Toby Dougherty, City Manager, Greg Sund, Public Works Director, John Braun Assistant Director of Public Works, Jesse Rohr, Planning, Inspection and Enforcement Superintendent.

**AYES:**

Paul Phillips  
Lou Caplan  
Matthew Wheeler  
Darrell Hamlin  
Robert Readle  
Larry Gould  
Kevin Coomes

**2. American Planning Association Conference:** Jesse Rohr and Toby Dougherty invited the Planning Commission to register to attend an all expense paid American Planning Commission Conference in Lawrence Kansas on October 14, 2016 if they would be interested in attending.

Darrell Hamlin asked if they could e-mail the schedule and registration information to the Planning Commission. Jesse Rohr answered that he would e-mail that to the commission.

**3. Thank you to the City Employees that cleaned up after the storm:** Lou Caplan commended the City Employees responsible for cleaning up the tree limbs after the July 13, 2016 storm. Larry Gould added that it was great customer service and the employees responsible for the clean up did a great job. Darrell Hamlin also expressed appreciation for the great job to those city employees.

Toby Dougherty stated that he would pass that on.

**6. ADJOURNMENT:**

Paul Phillips adjourned the meeting at 7:15 p.m.

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

## Planning Commission Action Report

AGENDA ITEM:	Consider the Preliminary Plat of Creekside Estates Addition
OWNER:	Zachary Patterson
TYPE OF REVIEW:	Preliminary Plat – Creekside Estates Addition
PRESENTED BY:	Jesse Rohr, P.I.E. Superintendent
DATE PREPARED:	November 14, 2016
AGENDA DATE:	November 21, 2016

---

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

The subject property, known as the Creekside Estates Addition, is under consideration for approval of the preliminary plat. This property is annexed into the City and is zoned for residential development. The property was originally platted as Arbor Valley Estates Addition which is being vacated through this process. The plat includes 12 lots ranging from .6 acres to just over 1 acre as well as right-of-way dedication for the extension of Englewood St. Total area of the plat is 12.62 acres. **Staff recommends approving the preliminary plat as submitted.**

### **BACKGROUND:**

- The property is zoned for residential development
- The property abuts the Arbor Valley Estates Addition, platted and developed approximately 16 years ago

### **POINTS TO CONSIDER:**

- The street will be extended and constructed to City standards, therefore eliminating the existing dead-end on W. 26<sup>th</sup> St. It is likely that a petition for special assessment will be presented at a future date.
- This plat was taken before the Utility Advisory Committee (UAC). No known issues were presented by the UAC. All easements as required are in place for future placement of any required utilities.

- The plat meets the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements for the residential zoning designation.
- The proposed plat will result in the new street aligning with the existing Englewood St.
- Staff discussed the lot sizes on several occasions and took note of the seemingly excessive lot size. While the original plat had nearly 1 1/2 times as many lots, it also had twice the linear foot of streets and utilities. The existing homeowner's association prohibits there from being more than 12 lots in the proposed plat, therefore forcing larger lots than are typical to more recent developments. A further discussion of lot size for future developments may be warranted.

#### **OPTIONS:**

The following options are available for consideration:

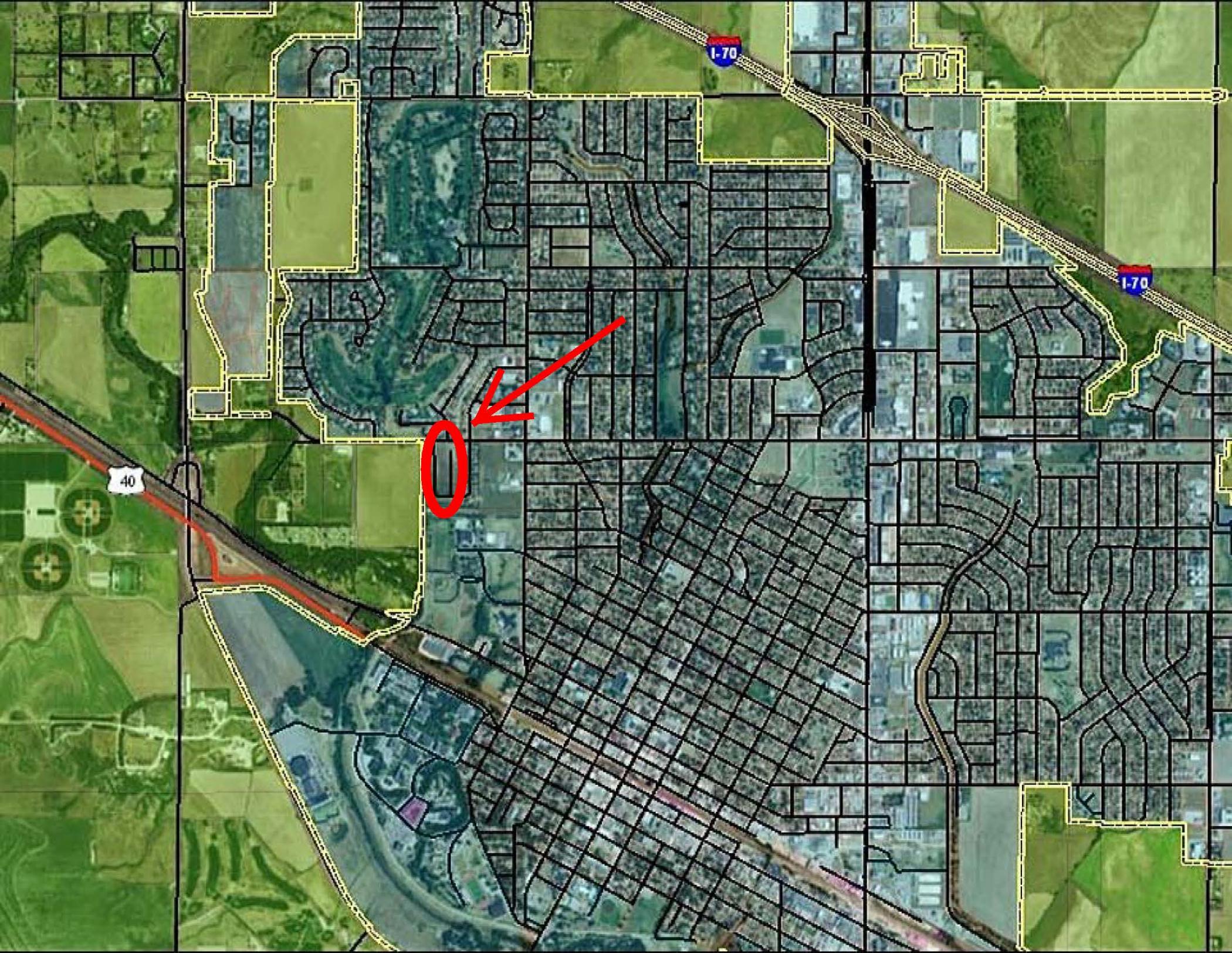
- Approve the preliminary plat as submitted
- Request further changes or considerations to the plat
- Do not approve the plat

#### **RECOMMENDATION:**

The plat seems to meet the requirements of the current subdivision regulations in regard to lot size, setbacks, and specific utility requirements and also is in conformance with the Comprehensive Plan and Future Land use Map. The property is already zoned for this type of development (zoned as residential). **Staff recommends approving the preliminary plat as submitted and further request a final plat be presented for consideration.**

#### **ATTACHMENTS:**

- Preliminary Plat Map
- Original Plat (extra-large format due to pdf issues)
- Area Maps
- Plat Application and Checklist

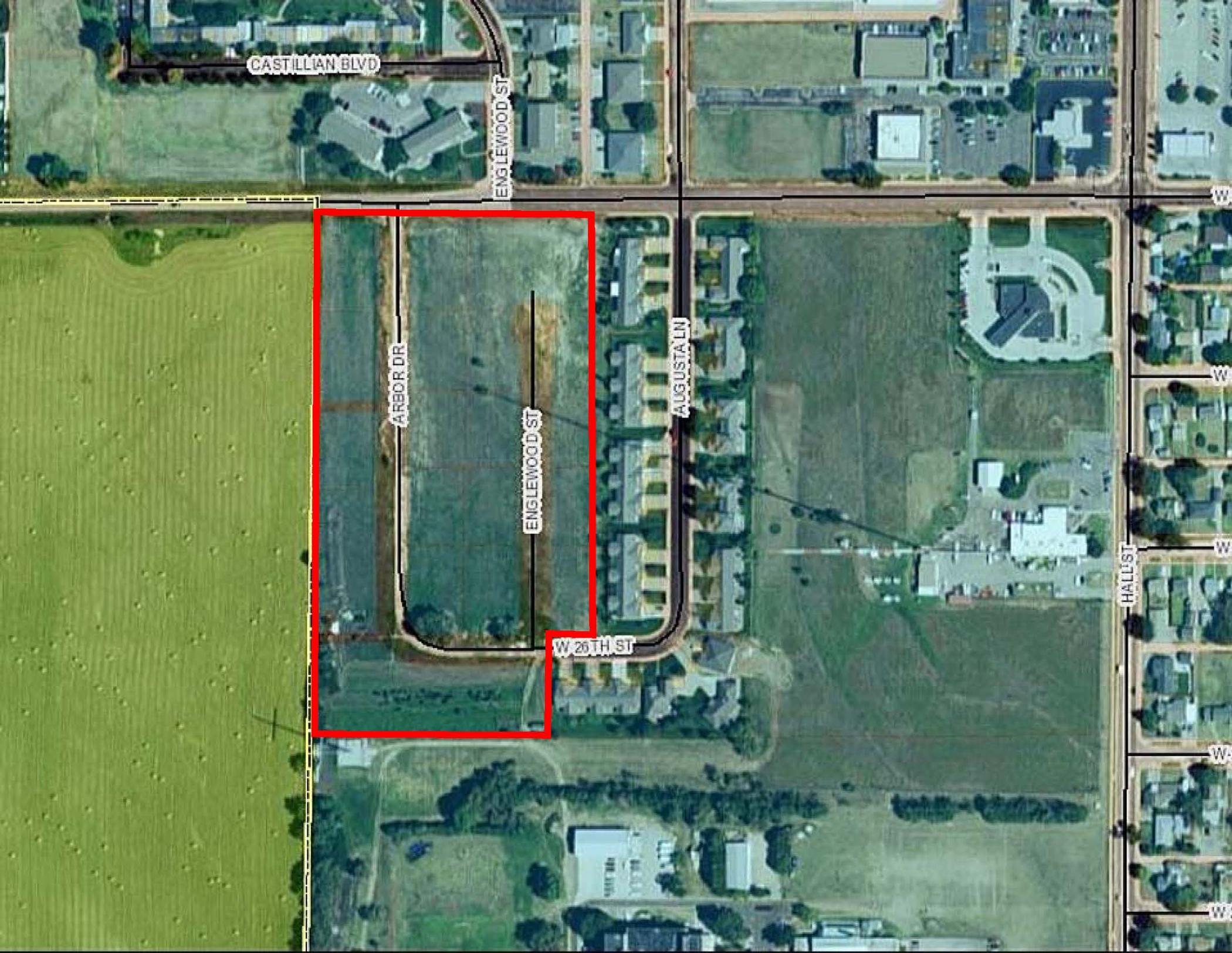


I-70

I-70

40





CASTILLIAN BLVD

ENGLEWOOD ST

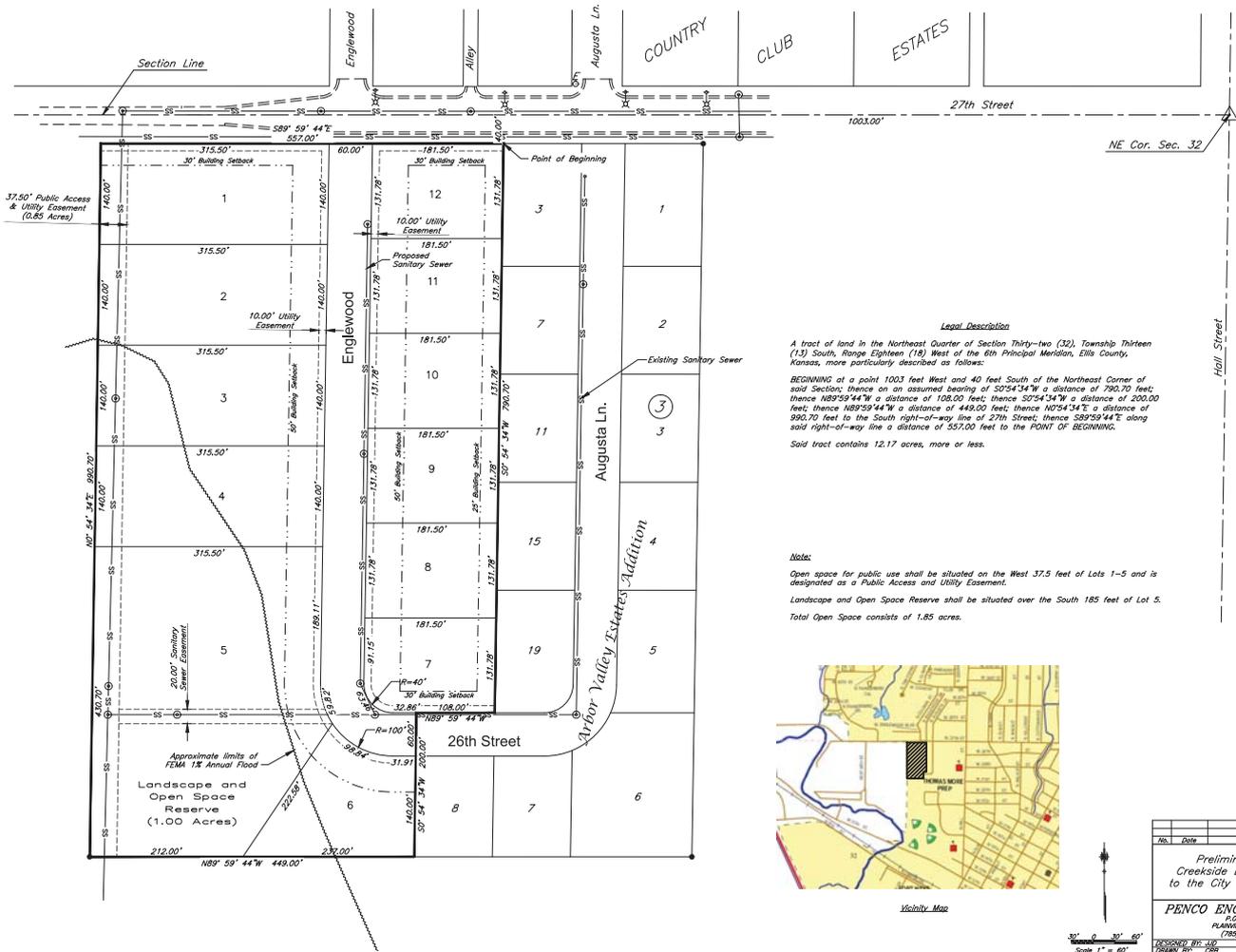
ARBOR DR

ENGLEWOOD ST

AUGUSTA LN

W 26TH ST

HALL ST



37.50' Public Access & Utility Easement (0.85 Acres)

20.00' Sanitary Sewer Easement  
 Approximate limits of FEMA 1% Annual Flood  
 Landscape and Open Space Reserve (1.00 Acres)

**Legal Description**

A tract of land in the Northeast Quarter of Section Thirty-two (32), Township Thirteen (13) South, Range Eighteen (18) West of the 6th Principal Meridian, Ellis County, Kansas, more particularly described as follows:

BEGINNING at a point 1003 feet West and 40 feet South of the Northeast Corner of said Section; thence on an assumed bearing of S2°54'34"W a distance of 200.70 feet; thence N89°59'44"W a distance of 108.00 feet; thence S2°54'34"W a distance of 200.00 feet; thence N89°59'44"W a distance of 448.00 feet; thence N0°24'34"E a distance of 990.70 feet to the South right-of-way line of 27th Street; thence S89°59'44"E along said right-of-way line a distance of 557.00 feet to the POINT OF BEGINNING.

Said tract contains 12.17 acres, more or less.

**Note:**

Open space for public use shall be situated on the West 37.5 feet of Lots 1-5 and is designated as a Public Access and Utility Easement.

Landscape and Open Space Reserve shall be situated over the South 185 feet of Lot 5.

Total Open Space consists of 1.85 acres.



Vicinity Map



No.	Date	Revisions	By

Preliminary Plat of  
 Creekside Estates Addition  
 to the City of Hays, Kansas

**PENCO ENGINEERING, P.A.**  
 P.O. BOX 392  
 PLANKEN, KS 67665  
 (785) 434-4611

DESIGNED BY: LLS      DRAWN BY: AS/STW  
 CHECKED BY: CDB      DATE: 2014

A:\EPL\1012014\HAYES VALLEY HAYES CREEKSIDE Estates.dwg      11/10/2016 8:53 AM



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

Case No. 116-03 P

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

Date Filed 11/2/2016

**APPLICATION FOR PRELIMINARY PLAT APPROVAL**

Name of Subdivision Creekside Estates

General Location West of Augusta Lane, between 26<sup>th</sup> & 27<sup>th</sup> Street

Name of Applicant Zachary Patterson

Address 2094 260th Ave Phone 785-259-3717

Name of Agent NA

Address NA Phone NA

Name of Surveyor or Engineer Chris at Penco Engineering PA,

Address PO Box 392 Plainville, KS Phone 785-434-4611

**SUBDIVISION INFORMATION:**

1. Gross Acreage of Plat: ~~9.36 acres~~ 12.62 acres

2. Number of Lots:

a. Residential 12

b. Commercial 0

c. Industrial 0

d. Other 0

Total Number of Lots 12

3. Minimum Lot Frontage: 131.78 feet

4. Minimum Lot Area: 0.57 acres or 23,918 feet

5. Existing Zoning R3A

6. Proposed Zoning R3A



**PRELIMINARY PLAT CHECK-LIST**

NAME OF SUBDIVISION: **CREEKSIDE ESTATES**

DATE: **11-14-2016**

NAME OF OWNER: **ZACHERY PATTERSON**

NAME OF SUBDIVIDER: **OWNER**

NAME OF PERSON WHO PREPARED THE PLAT: **PENCO ENGINEERING P.A.**

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.	<b>X</b>	
2. Location of boundary lines and reference to section or quarter section lines.	<b>X</b>	
3. Name and address of owner(s).		<b>X</b>
4. Name and address of subdivider(s).		<b>X</b>
5. Name of planner, engineer, landscape architect or surveyor who prepared the Plat.	<b>X</b>	
6. Scale of Plat, 1" = 60', or larger.	<b>X</b>	
7. Date of preparation and north point.	<b>X</b>	
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.	<b>X</b>	
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.	<b>X</b>	
10. Names of adjacent subdivisions together with arrangement of streets and lots and owners of adjacent parcels of unsubdivided land.	<b>X</b>	

	<u>YES</u>	<u>NO</u>
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, etc.	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.	X	
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 <u>\$200.00</u> paid?	X	
E. Comments: <b>None</b>		