

HAYS AREA PLANNING COMMISSION MEETING AGENDA
CITY COMMISSION CHAMBERS
1507 MAIN, HAYS, KS
DECEMBER 19, 2016
6:30 PM

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

2. **CONSENT AGENDA.**

A. Minutes of the meeting of November 21, 2016

Action: Consider approving the minutes of the November 21, 2016 meeting.

3. **PUBLIC HEARING ITEMS.** None

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

A. Final Plat of Creekside Estates:

Action: Present the final plat of Creekside Estates for approval and recommendation to move forward to the City Commission

B. Review of the Street Classification System

Action: Present an update of the street classification system

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
NOVEMBER 21, 2016
6:30 P.M.**

1. CALL TO ORDER BY CHAIRMAN: The Hays Area Planning Commission met on Monday, November 21, 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
Robert Readle
Larry Gould
Kevin Coomes

Absent Kris Munsch
Darrell Hamlin

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

There were no changes to the agenda.

2. CONSENT AGENDA:

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

AYES: Paul Phillips
Lou Caplan
Matthew Wheeler
Robert Readle
Larry Gould
Kevin Coomes

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 26th and 27th Streets): Jesse Rohr presented a power point presentation on the overhead visual of the site, location and information associated with the above preliminary plat that consists of 12.62 acres. The property is located west of the intersection of 27th and Hall Street on the south side of 27th behind the Bank of Hays and Eagle Communications. The property is annexed into the city and zoned for residential development.

This is the undeveloped part of the originally platted Arbor Valley Estates Addition that will be vacated through this process to be a stand alone plat for legal and title reasons. It will abut the developed part of the Arbor Valley Estates Addition that was platted in 1996. The plat includes 12 lots ranging from .6 acres to over an acre as well as right-of-way dedication for the extension of Englewood Street.

The streets Engelwood and Arbor Drive reflected on the original plat were never developed. Twenty-sixth Street will no longer be a dead end; it will be developed as part of a horseshoe pattern to connect Augusta Lane to Englewood Lane that has a connection across 27th Street. The reserved open space is part of lot five of block one that is in part within the 100 year flood plain. The lot has enough buildable area to go through FEMA for a letter of map amendment for a potential home to be brought out of the flood plain.

He noted that this was the 6th rendering of this particular development in order that all is satisfied for street alignment, flood plain, homeowners association, open space reserve, etc. There is a 37 ½ foot easement along the west side that includes a 25 foot sanitary sewer easement and a 12 ½ foot access easement for an extension of a walking trail as per the Parks Master plan. Sewer would be developed in front for connection of the lots.

The original plat had 1 ½ times as many lots (17 lots) and it also had twice the linear feet of streets and utilities; 1750 linear feet versus 800 linear feet.

He read the three options for their decision as follows:

- Approve the Preliminary Plat as submitted
- Request further changes to the plat
- Do not approve the plat

Staff recommends approving the preliminary plat as submitted and further requests that a final plat be presented to the Planning Commission for consideration.

He asked if there were any questions of himself or the property owner, Zach Patterson.

Lou Caplan asked if the structures would have to be elevated if built on the lot in the floodplain. Jesse Rohr answered that through the permit process, it would have to meet the FEMA requirements before building a structure.

Gary Blair, one of the four members of the Board of Directors for the Arbor Valley Homeowner's Association, answered that 28 of the 29 homeowners in the development had come to a mutual agreement with Zach Patterson's proposed development for single family homes that would be built with at least 2,000 sq foot on the ground floor and adhere to the homeowners association restrictions. Mr. Patterson plans to construct something as good as what is already there in the developed areas.

There was a discussion of a misunderstanding that the Homeowner's Association had determined the type of development of single family homes and number of lots for this plat when the developed area was duplexes and triplexes. Matthew Wheeler asked for clarification if the Homeowner's Association determined the type of development for this plat. Paul Phillips asked if the Homeowner's Association determined the number of lots. Laura Sadeghi, Homeowner's Association Board member, answered that the number of lots and the type of development was determined by Zach Patterson and not the Homeowner's Association. When Zach Patterson purchased the land from Kenneth Herrman, former developer, he is now the developer and under the covenants. He does not want to be part of the existing Homeowner's Association and will have to be released from it and the covenants. He wants a different type of development.

Gary Blair explained that Zach Patterson takes the place of what Kenneth Herrman started in 1996. Mr. Patterson does not want to be part of the Homeowner's Association; the vacate will make this property a separate entity. He has agreed to no deviation from the covenants.

Jesse Rohr answered that attorneys and abstract companies worked hand in hand to accomplish what both parties want.

Larry Gould pointed out about that there were flooding issues in the developed area because of no curbing. He also explained that the city does not enforce the covenants; it would have to be challenged in court. Jesse Rohr explained that the city accepts the covenants but they are not part of the planning process.

Robert Readle asked what would be the homeowner restrictions that would apply to the new plat. Gary Blair read the building restrictions. He stated that they were the standard building restrictions.

Laura Sadeghi asked about the setbacks from the street. Jesse Rohr answered that it was a twenty-five foot front yard building setback.

Paul Phillips asked if the Homeowner's Association could force something on the City of Hays. Jesse Rohr answered that the city does not enforce the regulations of the Homeowner's Association; it would have to be enforced through the court of law.

Paul Phillips pointed out that the job of the Planning Commission is only approval of the plat.

Larry Gould explained that the Planning Commission perspective is much broader; they are to serve the larger collective interest. He asked Zach Patterson about his rationale with the larger lots. If you look at the market in Hays now with the downturn of the oil industry and agriculture and number of issues, larger lot sizes are not attracting development as based on a nearby development with larger lots that had not developed at this time (DK Ranch). He asked if there would be a special assessment to those lots. Zach Patterson answered that the larger lots were more cost effective and more area to distribute the rainwater to prevent flooding. He plans to pay the development improvement costs up front. The lots will range in price from \$50,000, 60,000, and the larger lots would be \$70,000.00 and \$80,000.00. There is not a plan for a special assessment.

Jesse Rohr explained that the other development issue (DK Ranch) was not the size of lots but the excessive cost of the specials.

Mathew Wheeler asked Mr. Patterson if he planned to build any townhomes. He asked if a buyer could build a triplex exactly like is in the developed area. Zach Patterson answered that he prefers single family homes.

Larry Gould pointed out that there is a difference between his plans and residential zoning that allows for duplexes and triplexes. He explained that is the plan for single family homes although the zoning would allow duplexes and triplexes. With a change of ownership, the owner would be allowed to construct the type of structure allowed per the respective zoning regulations, unless the covenants were enforced.

Matthew Wheeler stated that he is not against the plan; he believed there was an issue the way it was presented because there is a difference between his plans and residential zoning.

Kevin Coomes asked Mr. Blair about the one occupant that was not included in the 28 of 29 occupants in favor of the plat. Mr. Blair explained that one family was not able to be present since they were moving.

Larry Gould asked if they had a legal agreement with Mr. Patterson. Laura Sadeghi answered that they have a legal agreement pending the approval of the plat.

Jesse Rohr explained that the Plat and Dedication papers would come before the Planning Commission with the final plat for a recommendation of approval to the City Commission.

Larry Gould pointed out that that the City may accept the covenants although they are not part of the planning process; any challenges would have to go before the court so "Beware".

Paul Phillips explained the plat process and pointed out that the plat process has nothing to do with the type of plans Zach Patterson has for his development.

There was a motion by Larry Gould with a second by Lou Caplan to approve the preliminary plat for Creekside Estates (Former Arbor Valley Estates Addition located west of Augusta Lane between 26th and 27th Street) and it was implied for a request of the final plat to come before the Commission.

AYES:

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

4. NON-PUBLIC HEARING ITEMS: None

5. OFF AGENDA ITEMS/COMMUNICATIONS:

A. Booklet "On Common Ground – Walkable Neighborhoods": Jesse Rohr stated that the booklets handed out with the title "On Common Ground – Walkable Neighborhoods" was provided by the Hays Board of Realtors. They provide informational booklets to the Commission throughout the year.

Larry Gould asked if there was anything in the strategic plan in regard to walkable neighborhoods. Jesse Rohr stated that there is some in the Comprehensive Plan. With the adoption of the Unified Development Code, the Comprehensive Plan will need to be updated and this would be a good time to add plans for walkable neighborhoods; most is for biking.

B. Unified Development Code: Jesse Rohr stated that there are some revisions to be considered to the Unified Development code that will come before the Planning Commission at some point in the near future. It is more in the wording

then the intent. The process would be to set a public hearing before going forward to the City Commission.

He asked that if the Commission is aware of any changes that should be considered to let him know.

C. Changes to Neighborhood Revitalization Tax Rebate Plan: Jesse Rohr stated that there are proposed changes to the above such as increasing the boundary and simplification of the plan and application process. This is a program where they can apply to receive a tax rebate for improvements if they meet the criteria. It has been offered since 2001. The changes to that plan would have to be approved by the City Commission, County Commission and USD 489 School District. These are all taxing entities affected by the rebate.

It does not require action from the Planning Commission; although it will be presented for input and feedback.

Larry Gould asked if the numbers would be presented at the meeting. Jesse Rohr answered that they would be presented and proposed at the meeting.

D. Kansas American Planning Association (KSAPA) Conference: Jesse Rohr stated that he and Larry Gould attended the above conference in Lawrence, Kansas. It was a great conference.

Larry Gould talked about the conference. He encouraged the members of the commission to attend the next conference.

E. Street Classification: Larry Gould requested a review of the street classification. John Braun stated that there were some changes in street classification over the past couple of years. John Braun stated that they could revisit the street classifications at a future meeting.

F. Blue Sky Acres Final Plat: Jesse Rohr stated that the final plat for the above was to go before the County Commission this evening. The Planning Commission and City Staff recommended approval of the plat. This would be the second time before the County Commission. The first time it died for lack of second to the motion. State statute requires action on a plat; thus it came before the County Commission this evening.

G. Extraterritorial Jurisdiction: Robert Readle asked if there had been any talk on the extraterritorial jurisdiction. Jesse Rohr answered that he thought that it was on the County Commission agenda for a future meeting.

H. Other: Matthew Wheeler asked if anything transpired regarding the executive session from the last meeting of some ideas for redevelopment or changes. John Braun explained that information will be forthcoming at a future meeting.

6. ADJOURNMENT:

Paul Phillips adjourned the meeting at 7:27 p.m.

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

DRAFT

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Planning Commission Action Report

AGENDA ITEM: Consider the Preliminary Plat of Creekside Estates Addition

OWNER: Zachary Patterson

TYPE OF REVIEW: Final Plat – Creekside Estates Addition

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

DATE PREPARED: December 14, 2016

AGENDA DATE: December 19, 2016

SUMMARY AND RECOMMENDED ACTION:

The subject property, known as the Creekside Estates Addition, is under consideration for approval of the final 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 12.17 acres. **Staff recommends approving the final 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. 26th St.
- 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. located north of 27th 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. There are also some areas that lie within the 100-yr flood plain that will require increased elevation or Letters of Map Amendment (LOMA) prior to building of homes.

OPTIONS:

The following options are available for consideration:

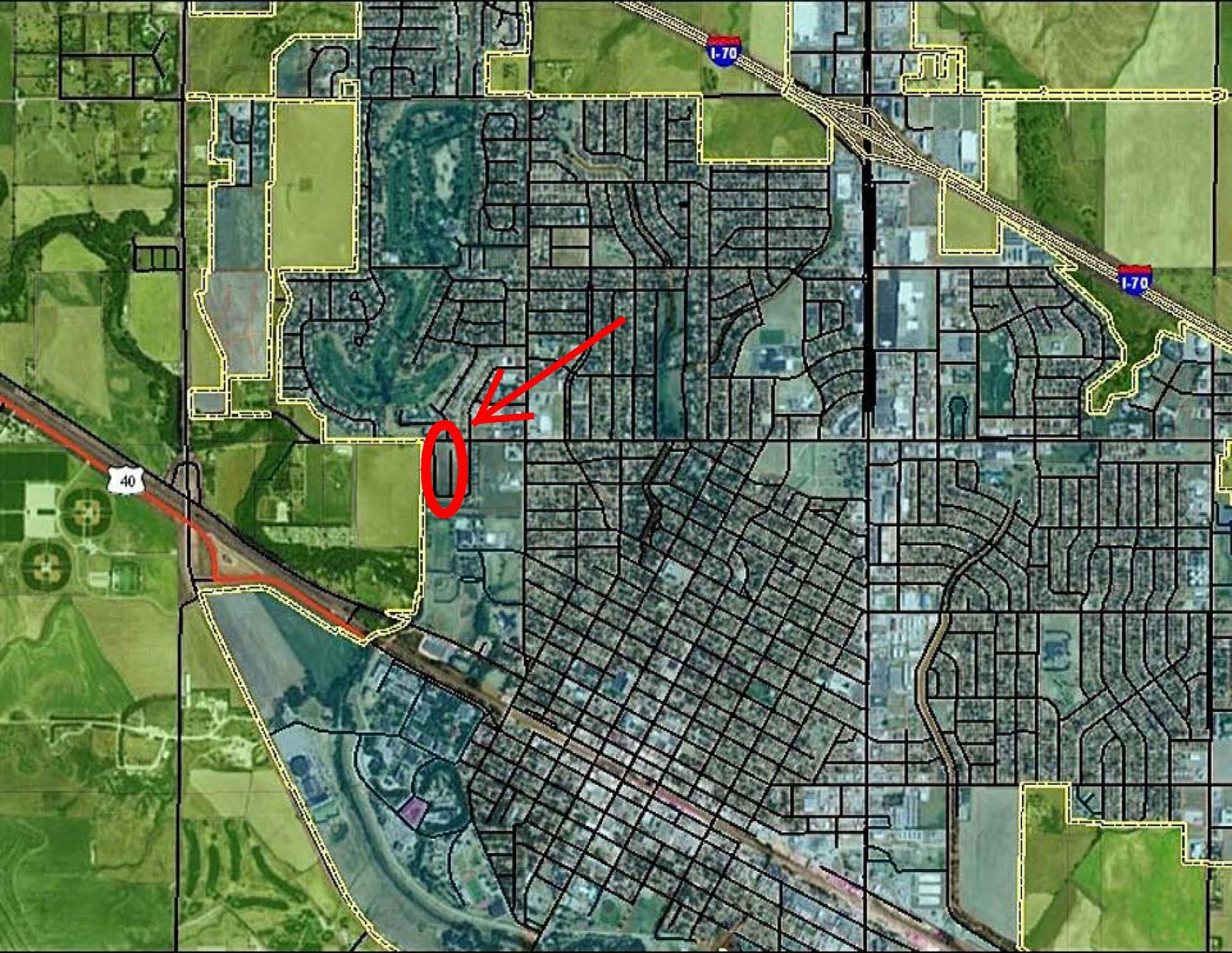
- Approve the final plat as submitted
- Request further changes or considerations to the plat
- Do not approve the plat

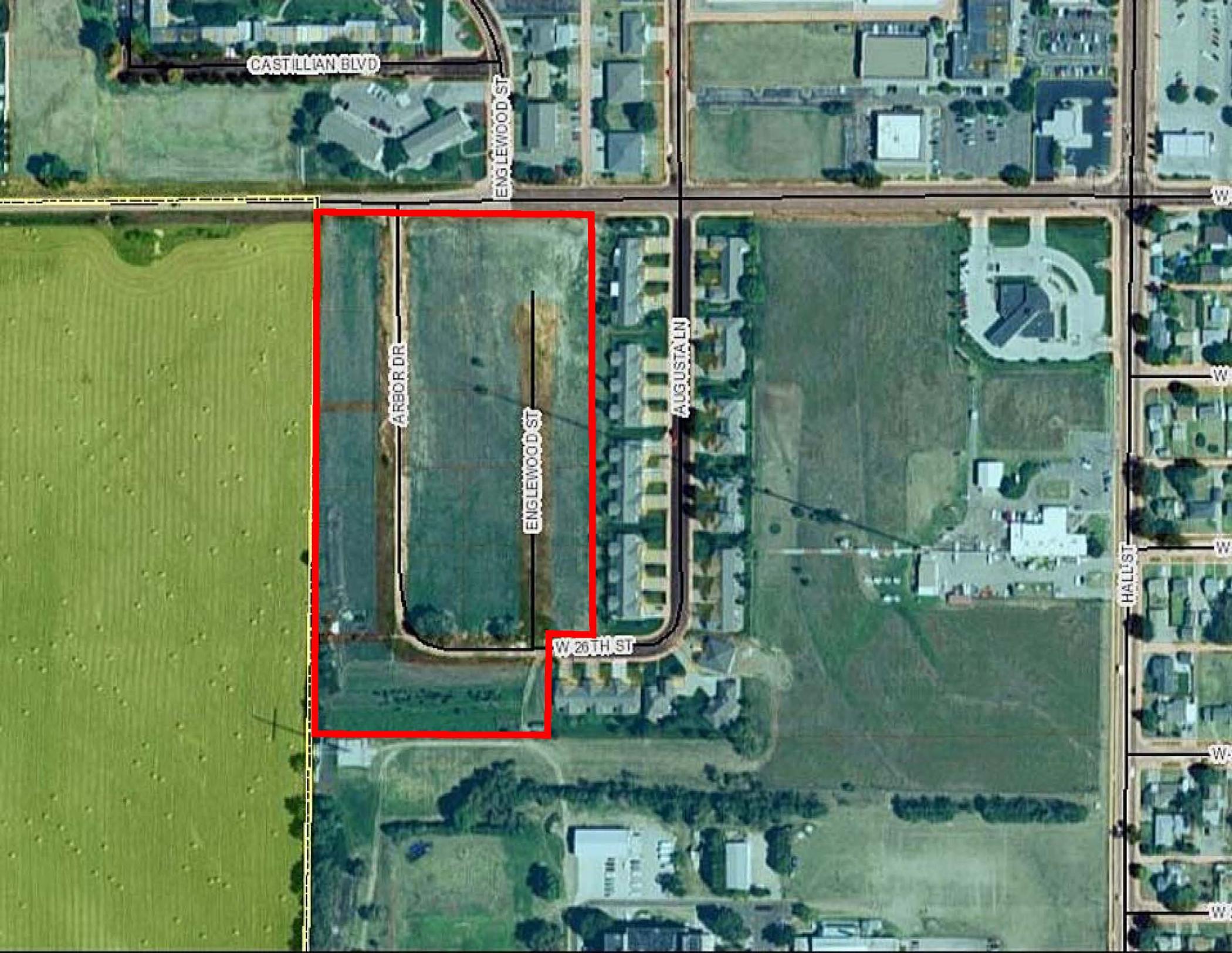
RECOMMENDATION:

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

ATTACHMENTS:

- Final Plat Map
- Plat and Dedication
- Original Plat
- Area Maps
- Plat Application and Checklist





CASTILLIAN BLVD

ENGLEWOOD ST

ARBOR DR

ENGLEWOOD ST

AUGUSTA LN

W 26TH ST

HALL ST

PLAT OF
CREEKSIDE ESTATES ADDITION
to the City of Hays, Ellis County, Kansas

APPROVALS:
This plat, Creekside Estate Addition, 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

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, Blocks, Streets, Drives, and Easements, the same to be known as "CREEKSIDE ESTATES ADDITION", in Hays, Kansas. The Streets are hereby dedicated to and for the use of the public, and the easements as indicated on the accompanying plat are hereby granted to the public for the purpose of constructing, operation, maintaining, and repairing all public utilities.

By
Zachary Patterson

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 Zachary Patterson, a single person, to me personally known to be the same person who executed the foregoing instrument of writing, and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public _____

My Commission Expires: _____

RECORDED:
State of Kansas, County of Ellis, ss:

This is to certify that this instrument was filed for record in the Register of Deeds Office on the ____ day of ____, 20__ in Book ____ Page ____.

REGISTER OF DEEDS _____ DEPUTY _____

REVIEW SURVEYOR'S CERTIFICATE:

State of Kansas, County of Ellis, ss:
I hereby certify that the review of this plat was found to be in compliance with the requirements of K.S.A. 58-2005.

Approved this ____ day of ____, 20__.

SURVEYOR'S CERTIFICATE:

I, Christopher R. Byer, Registered Land Surveyor #1574 in the State of Kansas, do hereby certify that this plat is true and correct to the best of my knowledge and belief.

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 100.3 feet West and 40 feet South of the Northeast Corner of said Section; thence on an assumed bearing of S0°54'34"W a distance of 790.70 feet; thence N89°59'44"W a distance of 108.00 feet; thence S0°54'34"W a distance of 200.00 feet; thence N89°59'44"W a distance of 448.00 feet; thence N0°54'34"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.

STREETS:

Streets as shown on this plat and not heretofore dedicated to and for public use are hereby dedicated.

UTILITY EASEMENTS:

Utility easements are hereby dedicated for public use, as utility easements 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 water lines, sanitary sewer lines, gas lines, electric lines, telephone lines, and all other forms and type of public utilities, now or hereafter used by the public over, under, and along the strips marked "Utility Easement".

PUBLIC TRAIL ACCESS EASEMENT:

The West 37.5 feet of Lots 1-5, is hereby dedicated for public use, as a public trail access easement, for the purpose of all forms of non-motorized transportation together with motorized emergency, law enforcement, and service vehicles, and for construction, operation, use, maintenance, repair, modification, and replacement from time to time of improvements related thereto.

PRIVATE LANDSCAPE AND OPEN SPACE RESERVE:

The South 185 feet of Lot 5, is hereby reserved as a Private Landscape and Open Space Reserve for the preservation of Open Space. The Grantee of Lot 5 shall not use the property in any way inconsistent with the preservation of the Open Space Reserve.



Vicinity Map

LEGEND

- Found 5/8" Uncapped Rebar - ○
- Set 3/4" Rebar w/pink plastic cap stamped "PENCO CLS-42" - ●
- Section Line - _____
- Subdivision Boundary Line - _____
- Lot Line - _____
- Utility Easement Line - _____
- Building Setback Line - _____

Christopher R. Byer
Kansas Reg. No. 1574

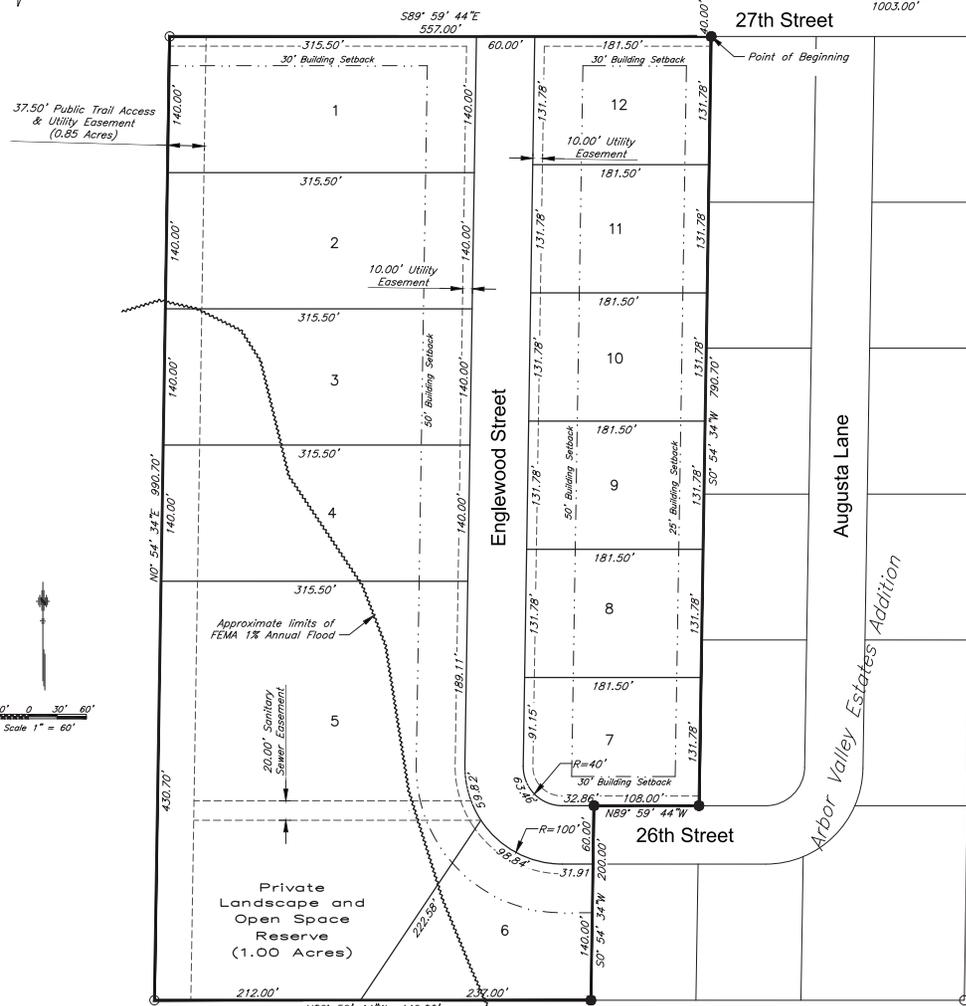
PENCO ENGINEERING, P.A.

P.O. BOX 392
FLANVILLE, KS 67663
(785) 434-4611

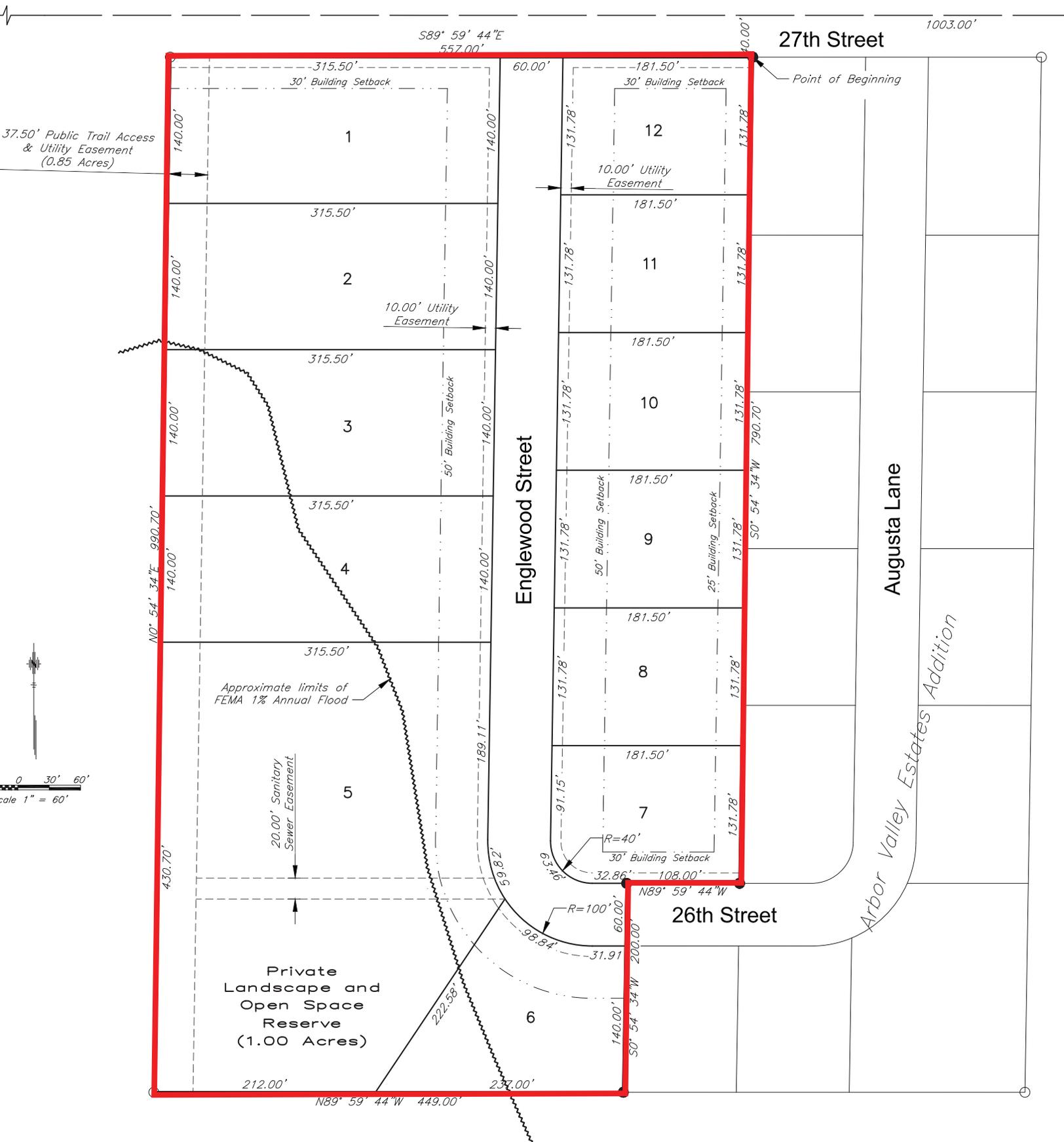
DESIGNED BY: CRB	SCALE: As Shown
DRAWN BY: CRB	JOB NO.: S0140
CHECKED BY: LJO	DATE: 2016

N 1/4 Corner
Section 32, T13S, R18W

NE Corner
Section 32, T13S, R18W



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FINAL PLAT CHECK-LIST

NAME OF SUBDIVISION: **CREEKSIDE ESTATES** DATE: **11/9/2016**

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 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?		N/A
C. Signatures?		
1. Owner or owners and all mortgagers.		N/A
a. Notarization or notarizations.		N/A
2. Engineer, surveyor or person preparing plat.		N/A
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?	X	
2. If so, has a copy been submitted?	X	

Comments:

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

Case No. 110-04 F
Date Filed 12/9/2016

APPLICATION FOR FINAL PLAT APPROVAL

Name of Subdivision Creekside Estates

General Location 27th & Englewood Street

Name of Applicant Zach Patterson

Address 2094 260th Ave. Hays, KS Phone 785-259-3717

Name of Agent _____

Address _____ Phone _____

Name of Surveyor or Engineer Chris Byer

Address 711 NW 3rd Plainville, KS Phone 785-434-4611

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 12.17 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: 130.75 feet

4. Minimum Lot Area: _____ feet

5. Existing Zoning R3a

6. Proposed Zoning R3a

- 7. Public Water Supply (Yes, No) Name _____
- 8. Public Sanitary Sewers (Yes, No) Name _____
- 9. Health Department Approval (where applicable) (Yes, No)
- 10. Lineal Feet of New Street:
 - a. _____ R/W 850 _____ Ft.
 - b. _____ R/W _____ Ft.
 - c. _____ R/W _____ Ft.
 - d. _____ R/W _____ Ft.
 - e. _____ R/W _____ Ft.
- 11. Provision for Open Space:
 - Reservation _____ Acres
 - Dedication _____ Acres
 - Cash \$ _____

Comments _____

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

 _____ APPLICANT
 _____ AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY:
 RECEIVED IN THE PLANNING, INSPECTION, ENFORCEMENT DIVISION,
December 9, 2016, TOGETHER WITH THE APPROPRIATE FEE OF
 \$ 50.00. Receipt # 612085
Suzda Bijemman, Administrative Assnt
 NAME AND TITLE

PLAT AND DEDICATION
OF
CREEKSIDE ESTATES ADDITION
TO THE CITY OF HAYS, KANSAS

Zachary R. Patterson, a single person to the Public:

A. DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, is the owner of the following described real estate situated in Ellis County, Kansas, to-wit:

A tract of land being a portion of the Northeast Quarter (NE/4) 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, to-wit:

Beginning at a point 1003 feet West and 40 feet South of the Northeast corner of said Section; thence on an assumed bearing of S0°54'34"W a distance of 790.70 feet; thence N89°59'44"W a distance of 108.00 feet; thence S0°54'34"W a distance of 200.00 feet; thence N89°59'44"W a distance of 449.00 feet; thence N 0°54'34"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

B. RESERVATIONS, RESTRICTIONS AND COVENANTS

The owner declares that the aforesaid land, shown on the plat above referred to, is held and shall be conveyed subject to the reservations, restrictions and covenants herein set forth, and also any reservations, restrictions and covenants now of record.

C. AREA OF APPLICATION

FULLY PROTECTED RESIDENTIAL AREA. The residential area covenants in Part D and E shall apply to their entirety to all lots herein.

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, CREEKSIDE ESTATES ADDITION to the City of Hays, Ellis County, Kansas

D. RESIDENTIAL AREA COVENANTS

D-1. LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one single-family dwelling not to exceed two stories in height and an attached private garage. No rooms may be rented or occupancy of said premises permitted except by a single family unit; provided, however, this shall not be construed to prohibit the occupancy of rooms by relatives, in-laws, or domestic servants.

D-2. GARAGES. All single family dwellings shall provide an attached garage of sufficient size to provide parking and shelter for a least two vehicles but no more than four vehicles; provided, however, the requirement to be attached may be waived by the Architectural Control Committee established herein.

D-3. EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

D-4. NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

D-5. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

D-6. CONSTRUCTION.

(a) BUILDING MATERIALS. No structure or building shall be moved onto any lot at any time and all structures which are permitted to be built shall be of new construction and new material, except for exterior or interior finish materials used for decorative purposes. Old brick is permitted for structural or decorative purposes.

(b) CONSTRUCTION WASTE. Material bindings, wrappers, packages, boxes, and material scraps must be removed from Creekside Estates Addition by the contractor. If the contractor allows said materials to blow onto other homeowners' property or if the contractor dumps construction materials into the Creekside Estates Addition dumpsters, the Architectural Control Committee may assess the homeowner a \$200.00 fine per occurrence or per dump. The homeowner shall be responsible for advising the contractor of this provision or including a clean-up provision in the construction contract.

(c) EROSION CONTROL Appropriate erosion control measures shall be taken throughout the construction process. They include but are not necessarily limited to the use of erosion control fences, staked hay bales, wood fiber blankets, seeding, or mulch. Other techniques or combinations of above may be used. The erosion control measures shall be maintained throughout construction and until such time as the property has been either sodded or seeded cover has taken hold.

(d) **COMPLETION OF HOMES.**All building exteriors, including exterior color and landscaping, and the house and garage must be completed within 18 months from the date construction begins. Driveways and other parking areas must be paved with black top, concrete or other dust free and mud free surfaces.

D-7. **SIGNS.** No sign of any kind shall be displayed to the public view on any lots except one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

D-8. **OIL AND MINING OPERATIONS.** No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil of any kind be permitted upon or in any lot, nor shall oil wells, tanks tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring oil or natural gas shall be erected, maintained or permitted upon any Lot.

D-9. **LIVESTOCK AND POULTRY.** No animals, livestock, pigeons, fowl or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.

D-10. **DWELLING SIZE.** The ground floor area of the main structure, exclusive of one-story open porches or garages, shall not be less than 1,500 square feet for a one-story dwelling, nor less than 2000 square feet for a one and one-half or two-story dwelling.

D-11. **VEHICLE PARKING.**No boats, trailers, motorhomes, snowmobiles, heavy equipment, all terrain vehicles or other similar vehicles shall be stored on streets or driveways or in a position as to be visible from the street.

D-12. **OUT BUILDINGS.** No lot shall contain more than one out building and all out buildings must be of similar design construction as the principal residence located on said lot. No out buildings shall be constructed until approved by the Architectural Control Committee.

D-13. **ARCHITECTURAL CONTROL.** No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures, and as to the location with respect to topography and finish grade elevation.

E. ADDITIONAL RESIDENTIAL COVENANTS FOR LOTS

E-1. **FENCES.** Lots shall have no fences constructed on the perimeters or any place thereon so as to obstruct vision across said lots. No chain-link, chicken wire, barbed wire or similar type fence shall be permitted except to enclose swimming pools, dog runs or other similar uses as may be approved by the Architectural Control Committee. No fence shall be constructed on any of said lots unless and until approved by the Architectural Control Committee.

E-2. **SETBACK LIMITATIONS.** No building shall be located on lots nearer than 50 feet to the front lot line, nor nearer than 25 feet from the rear lot line, nor nearer than 15 feet to any other lot line and all dwellings must front to the street.

E-3. RESTRICTIONS ON SUBDIVISION. No dwelling shall be erected or placed on any lot less than the size of the lots as platted herein and there shall be no subdivision of any lots.

F. ARCHITECTURAL CONTROL COMMITTEE

F-1. MEMBERSHIP. The Architectural Control Committee is composed of three (3) members: Zachary Patterson and two individuals to be chosen by Zachary Patterson. If, at any time, the Committee has ceased to function, it may be reconstituted and restored to its powers and duties by majority of the vote of the then-owners of the lots, with membership composition as set forth herein.

F-2. PROCEDURE. The Architectural Control Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to completion thereof, approval will not be required and the record covenants shall be deemed to have been fully complied with.

G. GENERAL PROVISIONS

G-1. ZONING AND PLANNING. The aforesaid real estate shall further be subject to the zoning and planning ordinances of the City of Hays, Kansas, as the same be amended from time to time.

G-2. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the time these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then lot owners has been recorded, agreeing to change said covenants in whole or in part.

G-3. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating, or attempting to violate, any covenant or restriction contained herein either to restrain violation or to recover damages.

G-4. SEVERABILITY. Invalidation of any of these covenants by judgment or court order shall in no wise affect the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

Zachary R. Patterson

STATE OF KANSAS, COUNTY OF ELLIS, ss:

BE IT REMEMBERED, that on this ____ day of _____, 2016 before me, the undersigned, a Notary Public, duly commissioned, in and for the county and state aforesaid, came Zachary R. Patterson, a single person known to me to be the same person who executed the foregoing instrument of writing in behalf of herself and duly acknowledged the execution of the same for herself for the uses and purposed therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year last above written.

My Commission Expires:

Notary Public

STATE OF KANSAS, ELLIS COUNTY, ss:

Penco Engineering, P.A., certifies that the attached plat is a true and correct plat of Creekside Estates Addition to the City of Hays, Kansas, the same being surveyed and platted by me, the undersigned, a qualified and licensed land surveyor.

Chris Byer, L.S.

Dated at Hays, Kansas, this ____ day of _____, 2016.

STATE OF KANSAS, ELLIS COUNTY, ss:

Be it known that the attached plat has been submitted to me and that the same is hereby approved this ____ day of _____, 2016.

John T. Bird
City Attorney, Hays, Kansas

STATE OF KANSAS, ELLIS COUNTY, ss:

I, Shaun Musil, Mayor of the City of Hays, Kansas, hereby certify that the attached plat was approved by the Governing Body of the City of Hays, Kansas on this ____ day of _____, 2016.

Shaun Musil
Mayor, City of Hays, Kansas

ATTEST:

Brenda Kitchen, City Clerk

(SEAL)

CONSENT

I, Marion F. Dreher, Vice-President of Bank of Hays, Hays, Kansas hereby declares that the real estate which constitutes the PLAT AND DEDICATION OF CREEKSIDE ESTATES ADDITION TO THE CITY OF HAYS, KANSAS is subject to mortgages held by Bank of Hays and notwithstanding said liens, Bank of Hays, hereby consents to this plat and dedication.

Marion F. Dreher
President

STATE OF KANSAS, COUNTY OF ELLIS, ss:

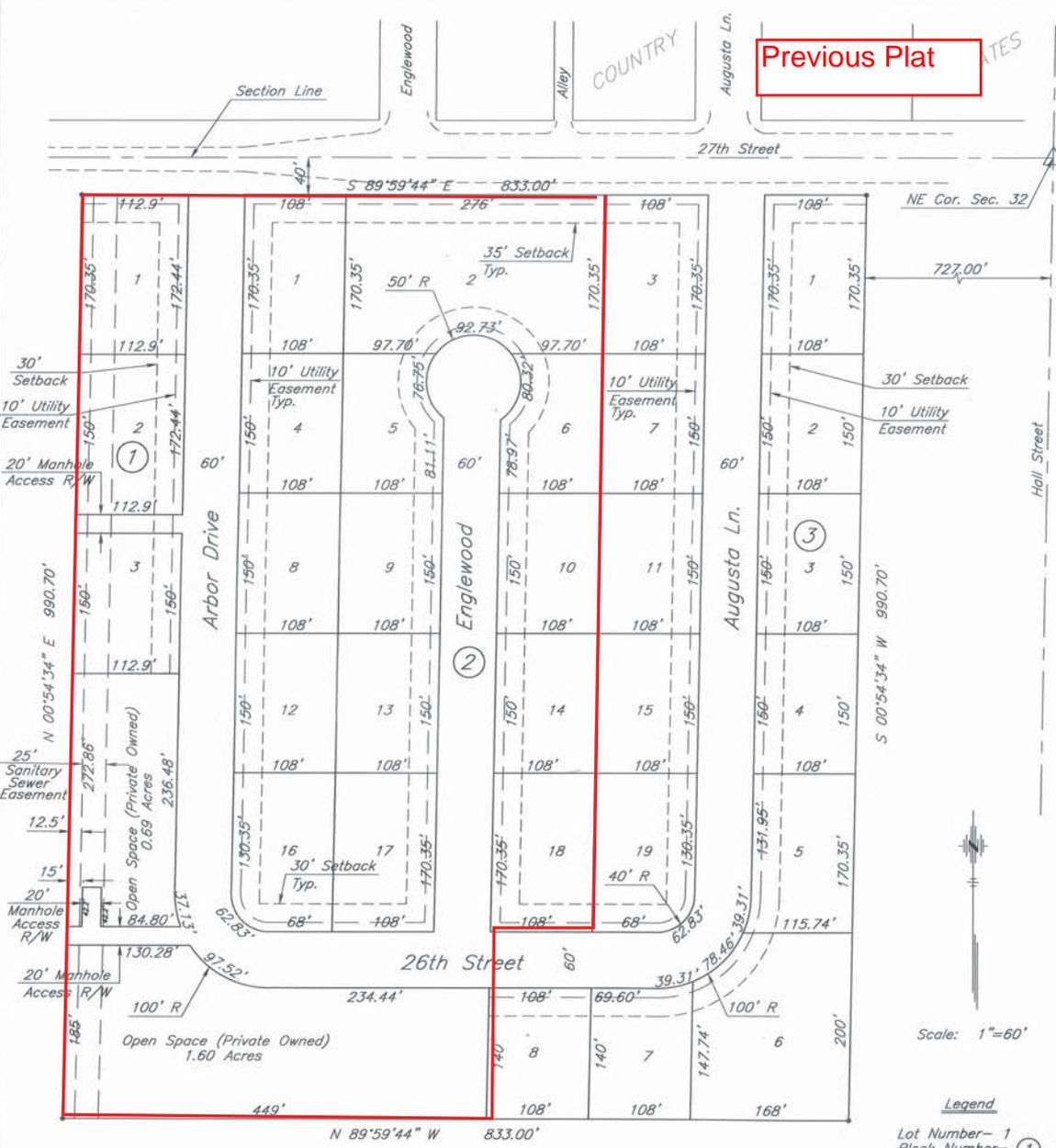
BE IT REMEMBERED, that on this ____ day of _____, 2016 before me, the undersigned, a Notary Public, in and for said County and State, came Marion F. Dreher, Vice-President of Bank of Hays, a resident of the State of Kansas who is personally known to me to be the same person who executed the within instrument of writing and duly acknowledged the execution of same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year last above written.

Comm. expires:

Notary Public

© 1997 SURVEY CORPORATION PLAZING



Previous Plat

DESCRIPTION:
 Plat of a tract of land situated in the Northeast Quarter of Section 32, Township 13 South, Range 18 West of the Sixth Principal Meridian in Ellis County, Kansas, and further described as follows:
 A tract of land beginning at a point 727 feet West and 40 feet South of the Northeast corner of Section 32, Township 13 South, Range 18 West; thence on an assumed bearing of South 00°54'34" East a distance of 990.70 feet; thence on a bearing of North 09°59'44" West a distance of 833.00 feet; thence on a bearing of North 00°54'34" East a distance of 990.70 feet to the South Right of Way line of 27th Street; thence on a bearing of South 89°59'44" East along said Right of Way line a distance of 833.00 feet to the Point of Beginning. Said described tract contains 18.943 acres more or less.

EASEMENTS:
 Easements are hereby dedicated for public use, as utility easement right-of-way which are shown as lying between the dashed lines in widths indicated and as set forth on this plat unless otherwise noted, 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 "easement".

STREETS:
 Streets, avenues, and drives shown on this plat and not heretofore dedicated to and for public use are hereby so dedicated.

SURVEYOR'S CERTIFICATION:
 I, Dale K. Owings, Land Surveyor in the State of Kansas, do hereby certify that I have accurately surveyed and platted this subdivision and have located located all monuments as shown. Said described survey was completed on July 31, 1996.

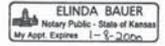
Dale K. Owings
 Dale K. Owings, P.E.

STATE OF KANSAS
COUNTY OF ELLIS
 Know all men by these presents, that I, the undersigned property owner of the land as above set forth in the Surveyor's Certification, have caused the same to be surveyed and platted into Lots, Blocks, Easements, Drives, a Street and an Avenue, the same to be known as ARBOR VALLEY ESTATES; the Drives, Streets, an Avenues are hereby dedicated to and for the use of the public, and easements as indicated on the accompanying plat are hereby granted to the public for the purpose of construction, operating, maintaining, and repairing all public utilities.

Kenneth J. Hermon
Spencer J. Hermon
Reggie J. Hermon
Reggie J. Hermon

Be it remembered on this 12th day of September, 1996, before me, a Notary Public in and for said County and State, came _____ Kenneth and Reggie Hermon to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same, in testimony whereof, I have hereunto set my hand and affixed my notarial seal, the day and year above written.

Elinda Bauer
 Notary Public



My Commission Expires 1-9-2000

This plat of Arbor Valley Estates has been submitted to and approved by the Hays-Ellis County Planning Commission this 19th day of August, 1996.

Larry Stull
 Chairman
Steve Baldwin
 Secretary

The plat of Arbor Valley Estates shown on this plat accepted by the City Commission of the City of Hays, Kansas, this 12 day of Sept., 1996.



Daniel S. Rupp
 Mayor
Carol Ann Strahle
 City Clerk



The above and foregoing plat is approved by the City Attorney of the City of Hays, Kansas this 12 day of Sept., 1996.

Bill
 City Attorney

FINAL PLAT
ARBOR VALLEY ESTATES
ADDITION TO THE
CITY OF HAYS, KANSAS

PENCO ENGINEERING P.A.
PLAINVILLE, KANSAS

DESIGN BY: DKO DRAWN BY: BDM SHEET 1 OF 1
 CHECKED BY: JUD Proj: #S096048
 REGISTER OF DEEDS
 DEPUTY
 Entered on transfer of record this _____ day of _____, 19____

Legend
 Lot Number— 1
 Block Number— 1

Realt #18-557
 Plat No. 48-558
 Sub. Groundwater
 Deputy



Dale K. Owings
 Register of Deeds

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Planning Commission Action Report

AGENDA ITEM: City Street Classification by Function

OWNER: By Request of Planning Commission

TYPE OF REVIEW: General Information

PRESENTED BY: John Braun, Assistant Director of Public Works

AGENDA DATE: December 19, 2016

SUMMARY AND RECOMMENDED ACTION:

NO ACTION REQUIRED

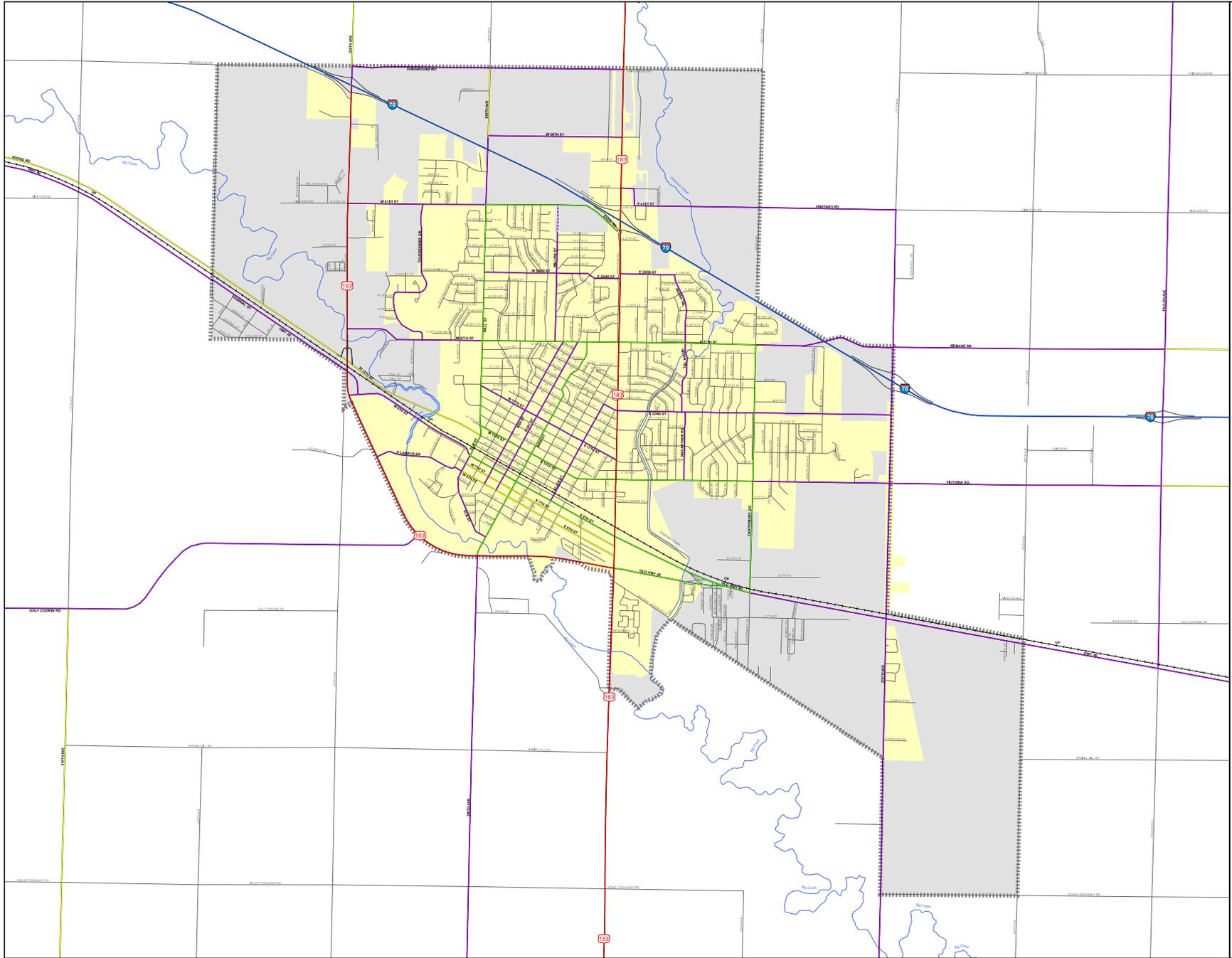
At the November Planning Commission Meeting, Commissioner Gould requested staff provide an update to the Planning Commission on Functional Classification of Roads within the City. The Federal Highway Administration (FHWA) Functional Classification was last updated in December 2014. This memo and attachments will provide background information and a summary of the current City street classification by function.

BACKGROUND:

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".

The attached map shows the current FHWA Functional Classification map last updated in December 2014. Another attachment shows the same data, but in a more discernable format.

Staff will be available at the December 19th Planning Commission to answer questions.



HIGHWAY MARKERS

- Interstate Numbered Highway
- Kansas Turnpike Authority
- U.S. Numbered Highway
- State Numbered Highway

**FUNCTIONAL CLASSIFICATION
5 - 10 YEAR FUTURE**

- Interstate
- Other Freeway/Expressway
- Other Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local Road

BOUNDARIES

- 2010 Urban Cluster
- Proposed Urban Boundary
- Urban Boundary
- Corporate City Limit
- County Boundary
- State Boundary

DRAINAGE

- Major River
- Lake, Reservoir, or Pond
- River or Major Drainage

OTHER

- Proposed Roadway
- Railroad

FUNCTIONAL CLASSIFICATION APPROVAL
CITY APPROVAL: 12/11/2014
F.H.W.A. APPROVAL: 12/17/2014

F.H.W.A. URBAN AREA BOUNDARY APPROVAL
CITY APPROVAL: 12/11/2014
F.H.W.A. APPROVAL: 12/17/2014

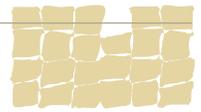
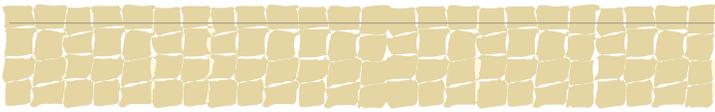
**CITY OF
Hays**
PREPARED BY THE
KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION PLANNING
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

0 1,320 2,640 3,960 5,280
FOOT

7/29/2016

Kansas
Department of Transportation

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



TRANSPORTATION

EXISTING STREET CLASSIFICATION

Hays has approximately 120 miles of streets and roads serving the community that require continued investment and maintenance. Each street is classified based on its function and purpose within the street network. The following classifications were used in analyzing the street system.

- **Principal Arterials.** These roads serve regional needs and connect important activity centers. These include I-70 and Highway US-183. See Map 3.3.
- **Minor Arterials.** These streets connect and complement the principal arterial system by linking activity centers and connecting various parts of the city together. As a general rule, these streets are spaced at 0.5 to 1.0 mile intervals in developed urban areas.
- **Collector.** The collector system links neighborhoods together and connects them to arterials and activity centers. Collectors are designed for relatively low speeds (35 miles

per hour and below).

- **Local Streets.** Local streets serve individual properties within residential or commercial areas. They provide direct, low-speed access for relatively short trips.

TRAFFIC CAPACITY ANALYSIS (LOS)

A capacity analysis compares the traffic volumes on a street segment with the design capacity of that segment. The ratio of volume over capacity (V/C) corresponds to a “level of service” (LOS), which describes the quality of traffic flow.

Measures of Level of Service (LOS)

System performance of a street is evaluated using a criterion called the “level of service” (LOS). LOS is a qualitative measure that generally focuses on speed and smoothness of traffic flow under specific volume conditions. A ratio of volume to capacity (how much traffic the street carries divided by how much traffic the street was designed to carry) provides a short method for determining LOS. LOS categories are described as follows:

- **LOS A: Free-flowing operation.** Vehicles face few impediments to maneuvering. The driver has a high level of physical and psychological comfort. Minor accidents or breakdowns cause little interruption in the traffic stream. LOS A corresponds to a volume-capacity (V/C) score of 0 to 0.60.
- **LOS B: A reasonably free-flowing operation.** Maneuvering ability is slightly restricted, but ease of movement remains high. LOS B corresponds to a V/C score of 0.60 to 0.70.

Figure 3.4: Road Capacity in Vehicles Per Day

Use Type	2-Lane	3-Lane	4-Lane	5-Lane
Minimal Access	12,500	16,500	25,400	46,700
Residential	12,300	16,250	25,300	42,300
Mixed Zoning	11,200	14,850	23,600	39,450
Central Business District	9,400	12,650	20,500	34,250

Source: RDG Planning & Design, 2011

Figure 3.5: Traffic Analysis by Road Segment

Street Name - Segment	Section Description	Capacity (VPD)	2007 Volume	V/C Ratio	2008 Estimate LOS
Arterials					
US-183 Bypass	2 lane	12,500	3,830	0.31	A
US-183 (South)	2 lane	12,500	5,640	0.45	A
US-183 (North)	2 lane	12,500	3,860	0.31	A
Vine Street (US-183)	5 lanes	34,250	18,300	0.53	A
Hall Street - 8th St. to 27th St.	3 lanes	14,850	11,010	0.74	C
Hall Street - 27th St. to 41 St.	4 lanes	23,600	10,480	0.44	A
Hall Street - 41 St. to 48th St.	2 lanes	12,300	3,210	0.26	A
Canterbury Drive - Old US Highway 40 to 12th Street	2 lanes	12,300	4,200	0.34	A
Canterbury Drive - 12th St. to 13th St.	4 lanes	23,600	4,200	0.18	A
Canterbury Drive - 13th St. to 27th St.	4 lanes	23,600	8,480	0.36	A
Commerce Parkway	2 lanes	11,200	2,680	0.24	A

Figure 3.5: Traffic Analysis by Road Segment

Street Name - Segment	Section Description	Capacity (VPD)	2007 Volume	V/C Ratio	2008 Estimate LOS
Arterials					
Main Street	2 lane	9,400	4,565	0.49	A
8th Street - US 183 Bypass to Hall St.	2 lane	11,200	4,945	0.44	A
8th Street - Hall St. to Vine St.	3 lane	12,650	6,775	0.54	A
8th Street - Vine St. to Canterbury Dr.	2 lane	11,200	2,570	0.23	A
Old Highway 40	2 lane	11,200	2,060	0.18	A
13th Street - Hall St. to Milner Street	3 lanes	12,650	8,425	0.67	B
13th Street - Milner Street to Anthony Drive	4 lanes	23,600	11,950	0.51	A
13th Street - Anthony Drive to Commerce Parkway	2 lane	12,300	5,440	0.44	A
27th Street - US 183 Bypass to Englewood Rd.	2 lane	11,200	4,835	0.43	A
27th Street - Englewood St. to Hall St.	4 lanes	20,500	5,415	0.26	A
27th Street - Hall St. to Plum St.	2 lane	11,200	11,040	0.99	E
27th Street - Plum St. to Main St.	3 lanes	14,850	11,040	0.74	C
27th Street - Main St. to Vine St.	4 lanes	23,600	14,525	0.62	B
27th Street - Vine St. to Canterbury Dr.	4 lanes	20,500	12,485	0.61	B
27th Street - Canterbury Dr. to Commerce Pwky	2 lane	12,300	3,400	0.28	A
41st Street/Vineyard Rd.	2 lane	11,200	1,360	0.12	A
Collectors					
Thunderbird Drive	2 lane	12,300	1,155	0.09	A
Highway 274/240th Ave.	2 lane	11,200	1,120	0.10	A
S. Elm Street (South of 8th St.)	2 lane	11,200	2,785	0.25	A
Willow Street	2 lane	12,300	1,450	0.12	A
Ash Street	2 lane - one way	12,300	2,100	0.17	A
Fort Street	2 lane - one way	12,300	2,980	0.24	A
Allen Street	2 lane	11,200	4,045	0.36	A
MacArthur Road	2 lane	11,200	1,180	0.11	A
Indian Trail Street	2 lane	11,200	2,815	0.25	A
South Campus Drive/Gustad Drive	2 lane	11,200	1,155	0.10	A
6th Street (West of Vine St.)	2 lane - one way	12,300	2,070	0.17	A
7th Street (West of Vine St.)	2 lane - one way	12,300	1,745	0.14	A
12th Street (West of Hall St.)	2 lane	11,200	1,985	0.18	A
17th Street (West of Vine St.)	2 lane	11,200	1,735	0.15	A
22nd Street (East of Allen St.) Allen St. to Canterbury Dr.	2 lane	11,200	6,055	0.54	A
22nd Street (East of Allen St.) Canterbury Dr. to Commerce Pkwy.	3 lanes	14,850	4,190	0.28	A
33rd Street - Hall St. to Vine Street	2 lane	11,200	4,650	0.42	A
33rd Street - Vine Street to Barclay Dr.	3 lane	14,850	3,365	0.23	A
48th Street	2 lane	11,200	2,590	0.23	A

Source: RDG Planning & Design and CFS Engineers, 2012



- *LOS C: Stable operation.* Traffic flows approach the range in which traffic increases will degrade service. Minor incidents can be absorbed, but a local slowdown will result. LOS C corresponds to a V/C score of 0.70 to 0.80.
- *LOS D: Borders on unstable traffic flow.* Small traffic increases produce substantial service deterioration. Maneuverability is limited and comfort reduced. LOS D represents a V/C score of 0.80 to 0.90. LOS D is the point at which congestion problems begin to occur.
- *LOS E: Typical operation at full design capacity of street.* Operations are extremely unstable because there is little margin of error in the traffic stream. LOS E corresponds to a V/C score of 0.90 to 1.00.
- *LOS F: A breakdown in the system.* Such conditions exist when queues form behind a breakdown or congestion point. This condition occurs when traffic exceeds the design capacity of the street.

Figure 3.4 presents the capacity of various street sections. The capacities in this table are based on street sections with conventional intersection design and standard entrance spacing.

Cautions About the LOS System

The LOS measure is ultimately a measure of traffic speed. Clearly, LOS is an important measure because the fundamental purpose of streets is to move traffic. However, LOS does not measure other important values including:

- Neighborhood preservation
- Environmental quality
- Economic vitality and access
- Energy conservation
- Efficient development patterns

‣ Pedestrian environment

A development pattern that improves LOS can involve driving longer distances. This ultimately increases the amount of traffic and the total number and length of vehicle trips. Thus, while LOS is a useful tool, it should not be used to the exclusion of other values. The transportation system should serve, rather than dominate, the overall environment. Although measures to increase LOS improve the flow of traffic, such as widening roadways and adding lanes, they can also diminish the quality of the pedestrian environment. These measures can also increase traffic speeds, which can in turn decrease pedestrian safety.

OPERATIONAL ANALYSIS

Figure 3.5 illustrates the performance key streets in Hays. Presently, drivers in Hays experience a high level of service on most of the street system. Principal arterials and collector streets are rated at a LOS “A.” The minor arterials also provide a high level of service except for stretches of 27th Street. 27th Street from Hall Street to Plum Street is noteworthy since it is operating at full capacity with little room for error and growth. Also, intersection irregularities (acute angle intersections and off-set intersections) and frequency (close proximity and arbitrary spacing) reduces the LOS and operational efficiency of 27th Street in this area.

Even though the LOS for typical sections of the street network for Hays is high, the intersection irregularities and frequent access points on many of the streets reduce the overall capacity and operational efficiency along a section of street. Hays has the following irregularities embedded in its street system:

- Offset intersections



of service for vehicular operation. These activities continue today and should continue into the future. Opportunities to improve traffic operation through signal coordination, access control, and the alignment of intersecting streets and driveways should continue to be sought out.”

“In the future as arterial streets are developed, an adherence to arterial standards that limit sight distance

- › Cross streets entering at acute angles
- › Frequent access points
- › Erratic spacing of intersections and access points
- › Multiple streets intersecting at the same point

The street system could be improved by looking for opportunities to remedy these issues especially on the following arterials.

- › Vine Street/Hwy US-183
- › 27th Street
- › 13th Street
- › Hall Street

For local streets, there is something of a change in paradigm afoot. Configurations and geometries that provide a high level of service for collector or arterial streets is detrimental to the character and function when applied to local street. In general, the city’s local street system is exceptionally wide. A wide street can encourage higher speeds than are desired in residential areas or increase volumes from cut-through traffic. Traffic calming methods can be used to alert drivers to the intent and nature of the street section and improve safety and livability.

The City-Wide Traffic Study, completed in 2004, provides more detail and in-depth analysis on specific areas of vehicular transportation system in Hays. It also provides the following comments worth noting in planning future growth and resolving existing street irregularities:

“...the main arterial in Hays, Vine Street, has received a great deal of attention over the past several years. Many activities have occurred along this corridor to improve the level

problems and access points is suggested.”

The following points were also expressed in the City-Wide Traffic Study for planning, designing, and improving the on-street transportation system:

- **Be consistent.** It is important to provide a level of consistency throughout the street network in signage, pavement marking, design, and control.
- **Use the appropriate approach.** It is important to define the issue that is to be addressed and prepare strategies that deal with it. Further, a clear message must be sent to the users of the transportation network so that they respond in an appropriate manner. Appropriate design of the streets will help to convey this message.
- **Look for opportunities to make change.** It isn’t logical to expect that everything that needs to be done can be accomplished in a short timeframe. Change in habits and approach should be accomplished incrementally, when the opportunities arise.
- **Learn from experience with the existing transportation network.** These experiences will help to create a vision of what impacts will occur in the future.

Recommendations

- Implement the “Street Maintenance Program” developed in the most recent study. This will improve and protect the integrity of the street surface and structural section
- Implement a bike and pedestrian system providing for modal share. The city lacks pedestrian and bicycle infrastructure, an issue that was identified by residents (Chapter 4). A possible vision for developing an initial system is presented in Chapter 5.



- Implement traffic calming features on local streets to reduce vehicular speed and discourage cut-through traffic.
- Implement elements of the Transportation Plan to improve overall transportation in Hays presently, and as development occurs. A vision of the street network as future development occurs is presented in Chapter 5.
- Control access points and intersection design on arterial and collector streets with appropriate amount, spacing, location, and geometry of accesses and intersections.
- Consider geometric improvements on 27th Street from Hall Street to Plum Street.

AIRPORT

The Hays Regional Airport is located less than 2 miles southeast of the I-70 and Commerce Parkway interchange. The airport property is approximately 545 acres and is owned by the city and operated through the Public Works Department. The airport is included in the FAA's National Plan of Integrated Airport Systems (NPIAS), making it eligible to receive federal loans and grants.

The airport has two runways that can accommodate a variety of aircraft including jet and general aviation aircraft. The primary runway, Runway 16/34, is 6,501 feet long, and the secondary runway, Runway 04/22, is 4,501 feet long. In 2011, the airport enplaned nearly 11,000 passengers and accommodated approximately 36,800 annual operations. The airport houses between 50 to 70 aircrafts in 43 hangars. The airport is the only commercial service airport within the 20 mile NPIAS service area and serves an area of approximately 80,000 people. Great Lakes Airlines provides commercial air service through the FAA's Essential Air Service Program. Currently, the airline operates four daily flights to Denver.



Hertz Rental Car provides passengers rental car services to connect the airport with the community. Fed Ex and UPS use the airport daily for cargo shipments to and from Hays. Additionally, EagleMed has been based at Hays Regional Airport since 1994 and provides air ambulance services to residents of the community and region. Hays Regional Airport also supports activity by RANS Aircraft, a lightsport and kit plane manufacturer whose factory is located in Hays.

The following services are provided at Hays Regional Airport:

- › Pilot Lounge
- › Restrooms
- › Fuel (100LL & Jet-A)
- › Aircraft Parking/Tie-Down
- › Telephone
- › Hangar rental
- › Flight training/ground school
- › Avionics repair/parts facility
- › Aircraft rental
- › Airframe and power plant maintenance
- › Air charter service
- › Pilot flight equipment, planning, communications
- › Aircraft storage
- › Courtesy car
- › Air Ambulance
- › Conference Room
- › Food and drink vending