

**AGENDA**  
CITY OF AUGUSTA  
Planning Commission  
December 12, 2016  
8:00am

*“Augusta – Where the metro’s edge meets the prairie’s serenity offering the perfect blend of opportunity and proximity for living, commerce and culture.”*

**A. CALL TO ORDER**

**B. MINUTES**

**1. NOVEMBER 28, 2016 MINUTES**

Approval of minutes for November 28, 2016 Planning Commission meeting.

**a) Commission Motion/Vote**

**C. BUSINESS**

**1. Z2016-23: FINAL PLAT FOR THE POINT ADDITION**

Review the Final Plat submitted by Goedecke Surveying, LLC for The Point Addition to the City of Augusta Butler County, Kansas; Consider recommending approval of the Final Plat to the Governing Body of the City of Augusta.

a) Staff Report

**b) Commission Motion/Vote**

**2. Z2016-18: ZONING DISTRICT RECLASSIFICATION FOR THE POINT ADDITION TO THE CITY OF AUGUSTA, BUTLER COUNTY, KANSAS**

Conduct a Public Hearing to consider a zoning district reclassification for Lot 1, Block 1 of The Point Addition to the City of Augusta, Butler County, Kansas from “C” Commercial to “R3” Multiple-Family Dwelling.

a) Staff Report

b) Open Public Hearing

c) Close Public Hearing

d) Review Golden Factors

**e) Commission Motion/Vote**

**3. Z2016-24: PRELIMINARY MASTER DRAINAGE PLAN FOR THE POINT ADDITION**

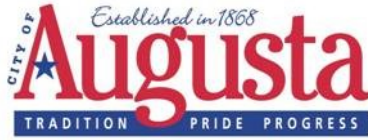
Consider approval of the Preliminary Master Drainage Plan produced by Martin Goedecke, PE for The Point Addition to the City of Augusta, Butler County, Kansas.

- a) Staff Report
- b) Commission Motion/Vote**

**D. MATTERS FROM/FOR COMMISSION**

- 1. Upcoming Planning Commission Activity
- 2. Planning Commission Questions/Comments

**E. ADJOURN**



**Planning Commission Minutes**  
November 28, 2016  
8:00am

**Members Present:** David Bisagno; Joe Luinstra; Elmer Simon; Connie Thurman; H.V. Chapin

**Members Absent:** Rick Blue; David Berndsen

**Staff Present:** Cody Sims, Assistant City Manager;  
Susan Smith, Community Development Administrative Assistant

**Visitors Present:** Kevin Unrein; Brandon Unrein

**Minutes:** Luinstra made a motion to approve the minutes from the November 14, 2016 meeting; H.V. Chapin seconded the motion. Motion carried without opposition.

**Business:** Bisagno introduced the first item of business: *Case No. Z2016-17: Conditional Use Permit for Proposed Storage Units at 140 North Walnut*. Sims gave the staff report and recommended approval of the Conditional Use Permit with the following conditions:

1. Property shall be maintained in compliance of the City Code of the City of Augusta at all times, including the zoning regulations and the property maintenance code which may be adopted and/or amended from time to time;
2. All proposed buildings on site shall be constructed to standards as defined by building and trade codes of the City of Augusta that may be adopted and/or amended from time to time, and shall conform to requirements for new construction as defined in Section 704B of the Zoning Regulations of the City of Augusta.
3. All pertinent construction activities shall be duly permitted by the City of Augusta through the Community Development Department – Inspection Division.
4. All designated parking areas shall be of hard surface (concrete or asphalt) and shall conform to Section 1201 of the Zoning Regulations of the City of Augusta.
5. All signage shall be permitted by the Community Development Department – Inspection Division and shall conform to Chapter 14 of the Zoning Regulations of the City of Augusta.

Bisagno opened the Public Hearing. Unrein stated he will be using the existing sign, and will light the area around the units as they construct the units. There will be 12-15 large units and they will not be heated or have air conditioning. Bisagno closed the Public Hearing.

Thurman made a motion to approve the Conditional Use Permit for Storage Units at 140 North Walnut; Simon seconded the motion. Motion carried without opposition.

Bisagno introduced the second item of business: *Case No. Z2016-18: Zoning District Reclassification for The Point Addition to the City of Augusta, Butler County, Kansas.* Sims gave the staff report and stated the Final Plat had not yet been submitted to the Community Development Department for review. As a result, Sims advised the Planning Commission to continue the Public Hearing to Monday, December 12, 2016 to provide the surveyor more time to complete the Final Plat.

Bisagno opened and closed the Public Hearing. There was some question as to whether or not the Public Hearing should be opened. Sims advised the appropriate action to take would be to make a motion to continue the Public Hearing to the next meeting.

Luinstra made the motion to continue the Public Hearing to consider a change of zoning district reclassification for The Point Addition to Monday, December, 12, 2016. Simon seconded the motion. Motion carried without opposition.

**Adjourn:** Thurman made a motion to adjourn at 8:40am. Luinstra seconded the motion. Motion carried without opposition.

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Susan Smith, Secretary



**CITY OF AUGUSTA  
PLANNING COMMISSION  
AGENDA REPORT**

Meeting Date: December 12, 2016  
 Department: Community Development  
 Submitted By: Cody Sims, Assistant City Manager  
 Prepared By: Cody Sims, Assistant City Manager  
 Agenda Title: **Z2016-23: Final Plat for The Point Addition**

**RECOMMENDED ACTION:**

Consider recommending approval of the Final Plat submitted by Goedecke Surveying, LLC for The Point Addition to the City of Augusta, Butler County, Kansas to the Governing Body of the City of Augusta.

**BACKGROUND:**

On October 24, 2016 the Planning Commission reviewed and approved the Preliminary Plat for The Point Addition to the City of Augusta, Butler County, Kansas, thereby authorizing the design profession to proceed with the Final Plat. The platting process is required for the redevelopment of the former hospital, which the developer proposes to redevelop into single- and two-story apartments overlooking Augusta City Lake.

**ANALYSIS:**

The Final Plat for The Point Addition has been submitted to the City of Augusta for review by the Planning Commission and approval by the Governing Body. In order to support the redevelopment of the existing vacant hospital building, some deviation from the established zoning code will be required, namely building setbacks between Lot 1 and Lot 2. Originally one connected building, the redevelopment proposal for the existing hospital structure plans single- and two-story apartment buildings, with some demolition of existing structures required to enhance the desired project. The apartment project will be located on Lot 1 of the proposed subdivision. The existing Point Event Center will be located on Lot 2 of the subdivision. Action taken by the Planning Commission and the Governing Body does not affect the event center. The Final Plat was distributed to all city departments and private sector utility providers. The only comments received were from AT&T; however, no changes were required.

**Zoning Administrator Approval Date:** 12-08-16  
**Attachments** (*list in packet assembly order*):

1. *Final Plat*



**CITY OF AUGUSTA  
PLANNING COMMISSION  
AGENDA REPORT**

Meeting Date: December 12, 2016  
 Department: Community Development  
 Submitted By: Cody Sims, Assistant City Manager  
 Prepared By: Cody Sims, Assistant City Manager  
 Agenda Title: **Z2016-18: Zoning District Reclassification for The Point Addition to the City of Augusta, Butler County, Kansas**

**RECOMMENDED ACTION:**

Conduct a Public hearing to receive public input regarding a zoning district reclassification for Lot 1, Block 1 of The Point Addition to the City of Augusta, Butler County, Kansas from “C” Commercial to “R-3” Multiple-Family Dwelling.

**BACKGROUND:**

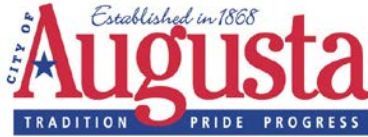
On Monday, November 28, 2016 the Planning Commission was scheduled to conduct a public hearing concerning the change of zoning district classification for Lot 1 Block 1 of The Point Addition to the City of Augusta, Butler County, Kansas. The Public Hearing was published pursuant to Kansas law in the Butler County Times-Gazette. The Final Plat was not completed in time to conduct the Public Hearing and, as a result, the Planning Commission voted in favor of continuing the Public Hearing at the December 12, 2016 Planning Commission meeting.

**ANALYSIS:**

Pending approval of the Final Plat, this action will set in motion the change of zoning district classification for Lot 1, Block 1 of The Point Addition to accommodate a proposed redevelopment of the vacant hospital structure on site. Previously, the owner has redeveloped a portion of the property into the existing Point Event Center. The current zoning is “C” Commercial; however, the property owner is requesting a change to “R-3” Multiple-Family Dwelling. Attached are the Golden Factors for the Planning Commission to consider. Approval by the Planning Commission will result in fourteen (14) day protest period beginning Tuesday, December 13, 2016. Final action on the change of zoning district classification will be considered by the Governing Body of the City of Augusta on Tuesday, January 3, 2017.

**Zoning Administrator Approval Date:** 12-08-16  
**Attachments** (*list in packet assembly order*):

1. *Golden Factors*



# The Golden Factors

Meeting Date: 12/12/2016

Applicant Name: Kevin Unrein Property Address: 2101 Dearborn

Current Zoning Classification: C - Commercial

Proposed Zoning Classification: R3 - Multiple-Family Dwellings

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In 1978, the Supreme Court of Kansas handed down a decision in *Golden v. City of Overland Park* that established the basis for considering and reaching a decision on zoning changes. The decision should be made based on the evidence submitted and the factors considered. The eight *Golden Factors* emerged from this case and have become institutionalized in the consideration of zoning changes in Kansas.

The factors must be considered by the Planning Commission and Governing Body in order to determine whether granting or denying a zoning change is reasonable. It is not necessary that findings on all of the factors be favorable to approve or be unfavorable to deny the zoning change. Also, not all the factors carry the same weight and the weight may vary from case to case.

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**1. The character of the neighborhood:**

*The character of the neighborhood is largely single-family residential with limited higher density residential abutting the north property line. The west side of the property is bounded by a Public Recreation zone surrounding Augusta City Lake.*

**2. The zoning and uses of property nearby:**

*Nearby property is zoned R-1: Single-Family Dwelling; R-5: Planned Residential Subdivision; PR-1: Public Recreation Division 1; and A: Assembly*

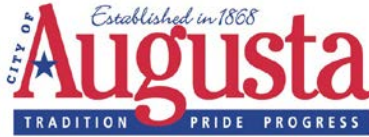
**3. The suitability of the subject property for the uses to which it has been restricted under its existing zoning:**

*The subject property is currently zoned C: Commercial, which is not suitable for the proposed apartment development. With the approval of the Final Plat, Lot 1 must be rezoned to R-3: Multiple-Family Dwelling to support the development of approximately 35 single- and two-story apartments.*

**4. Extent to which removal of the restrictions will detrimentally affect nearby property:**

*Pursuant to the adopted zoning regulations, the zoning district reclassification C: Commercial to R-3: Multiple-Family Dwelling will result in an increase in restrictions on*





## The Golden Factors

*the property (refer to Appendix C in the City of Augusta Zoning Regulations). As a result, detrimental effect on surrounding properties is expected to be limited.*

**5. Length of time the subject property has remained vacant as zoned:**

*The subject property has been vacant since the former hospital closed, which was approximately 17 – 20 years ago.*

**6. Relative gain to the public health, safety and welfare by destruction of value of the applicant's property as compared to the hardship on other individual landowners:**

*If the property retains the C: Commercial zoning district classification, the proposed development of single- and two-story apartments will not be permitted. As a result, the property will continue to have an adverse impact on surrounding properties as a degrading and blighting influence. Approval of the rezone will have a positive impact on the public health, safety and welfare by approving a land use that will eliminate a blighting influence from a largely single-family residential area of the community.*

**7. Recommendation of professional staff:**

*Professional staff recommends approval of the zoning district reclassification request from C: Commercial to R-3: Multiple-Family Dwelling.*

**8. Conformance with the Comprehensive Plan:**

*The Comprehensive Plan is supportive of higher restriction zones in a largely residential area in order to preserve and protect property values and limit the unintended consequences of permitted uses.*



**CITY OF AUGUSTA  
PLANNING COMMISSION  
AGENDA REPORT**

Meeting Date: December 12, 2016  
 Department: Community Development  
 Submitted By: Cody Sims, Assistant City Manager  
 Prepared By: Cody Sims, Assistant City Manager  
 Agenda Title: **Z2016-24: Preliminary Master Drainage Plan for The Point Addition**

**RECOMMENDED ACTION:**

Consider approval of the Preliminary Master Drainage Plan produced by Martin Goedecke, PE for The Point Addition to the City of Augusta, Butler County, Kansas.

**BACKGROUND:**

Pursuant to Kansas law, a Master Drainage Plan is required to be submitted with all plats to ensure storm water runoff from new development or redevelopment does not produce any negative consequences to downstream or surrounding property owners. The City of Augusta requires a two (2) phase drainage planning process, which begins with the Preliminary Master Drainage Plan. If approved, the engineer will be permitted to produce and submit the Final Master Drainage Plan for the Planning Commission's consideration.

**ANALYSIS:**

The Preliminary Master Drainage Plan for The Point Addition outlines the plan for managing drainage from the development. No major issues were discovered; however, it should be noted that any public drainage infrastructure located on site must be contained within an adequately sized drainage easement that will accommodate the necessary equipment to maintain. Since the previous use of the site was for a public hospital, all infrastructure on site may not be adequately contained within easement. If the Planning Commission approves the Preliminary Master Drainage Plan, the engineer will be permitted to produce the final plan which shall be reviewed and approved by the City Engineer and the Planning Commission, most likely in January. Lastly, it has been shared with City staff that elevations of the existing site will likely change during construction. If this is the case, the Master Drainage Plan must show new grades of the final product to ensure final floor elevations and drainage infrastructure accommodate changes and rates of Stormwater flow.

**Zoning Administrator Approval Date:** 12-08-16

**Attachments** (*list in packet assembly order*):

1. *Preliminary Master Drainage Plan*