



**AGENDA**  
CITY OF AUGUSTA  
SPECIAL PLANNING COMMISSION  
June 1, 2018  
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. BUSINESS**

**1. Z2018-8: PUBLIC HEARING FOR ZONING DISTRICT RECLASSIFICATION FOR PROPERTY LOCATED ADJACENT TO 610 STATE STREET**

Consider approval of a zoning district reclassification request submitted by the City of Augusta to rezone land located adjacent to 610 North State Street from M – Main Street District to PR-1 Public/Private Recreational District – Division 1 for the development of a new downtown park.

- a) Staff Report
- b) Open Public Hearing
- c) Close Public Hearing
- d) Review Golden Factors
- e) **Commission Motion / Vote**

**C. MATTERS FROM / FOR COMMISSION**

1. Planning Commission Meeting – June 11, 2018

Site Plan / Conditional Use Permit	
Grading Plan	
Preliminary Master Drainage Plan	
Civil – Storm Sewer Plans	Dollar General
Civil – Utility Plan	
Civil – Erosion Control Plan	
Exterior Elevations	
Electrical – Site Lighting Plan	
<hr/>	
Site Plan	
Utility Plan	
Grading Plan	Wendy’s
Erosion Control Plan	
Survey	

**D. ADJOURN**



**CITY OF AUGUSTA  
PLANNING COMMISSION  
AGENDA REPORT**

Meeting Date: June 1, 2018  
 Department: Community Development  
 Submitted By: Cody Sims, Assistant City Manager  
 Prepared By: Cody Sims, Assistant City Manager  
 Agenda Title: **Z2018-8: Public Hearing for Zoning District Reclassification for Property Located Adjacent to 610 North State Street**

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**RECOMMENDED ACTION:**

Approval of a zoning district reclassification request submitted by the City of Augusta to rezone land located adjacent to 610 North State Street from M – Main Street District to PR-1 Public/Private Recreational District – Division 1 for the development of a new downtown park.

**BACKGROUND:**

The development of a downtown park is a project the City Council has approved as a part of Phase II of the Pride and Progress Quality of Life Initiative. Staff has been working for the past few months with the property owner and the City Engineer to split the property (see attached), and with the playground equipment company – Miracle Recreation – to identify a playground concept that fits within the project budget (see attached).

On March 30, 2018, the Planning Commission conducted a public hearing to review a proposed amendment to the zoning regulations that would allow downtown park space in the PR-1 zone. The zoning amendment was approved by the City Council on April 2, 2018, published in the Butler County Times Gazette on April 7, 2018 and went into effect on May 7, 2018. The existing overhang of the old Magic Focus building will be removed in the coming weeks by McCollom Construction.

**ANALYSIS:**

This is a procedural matter to make sure the project is aligned with the zoning regulations. The downtown park will add a recreational amenity to the area of town south of the 7<sup>th</sup> Avenue corridor. In addition, because of the location relative to US-54 and the magnitude of the project, we anticipate the project may help serve as an attraction to the downtown area. Please refer to the attached Golden Factors for a complete analysis regarding the reasonableness of the zoning district reclassification

request. The only remaining planning and zoning action for this project will be the review of a site plan that will be produced by the City Engineer.

**FISCAL IMPACT/FUNDING SOURCE:**

The Extreme Playground and the Gravity Rail has been ordered by the vendor at a cost of \$208,945.00. It is expected to arrive in Augusta in July, at which time the vendor will begin construction of the features. The cost of the zoning district reclassification will be limited to publication costs and staff time spent working on the request.

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**Department Head Approval Date:** 05-31-2018

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

1. *Golden Factors*
2. *Playground Illustration (Reference Only)*
3. *Lot Split Survey (Reference Only)*



# The Golden Factors

Meeting Date: 6/1/2018

Applicant Name: City of Augusta      Property Address: 618 North State

Current Zoning Classification: M - Main Street

Proposed Zoning Classification: PR - Public and Private Recreational

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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 Commercial in the Main Street District, with some surrounding residential. The City of Augusta Welcome Center is immediately north of the site, which houses the Augusta Chamber of Commerce and Downtown Augusta, Inc.*

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

*Nearby property are zoned: M – Main Street District; CC – Central Commercial; R - Residential*

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

*In order for the downtown park project to move forward, the subject property must be rezoned to PR-1, as defined by Section 504.3 of the Zoning Regulations. Prior to the recent lot split the subject property was part of the former Magic Focus business located at 610 North State Street, which concluded business operations a couple of years ago.*



## The Golden Factors

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

*Staff does not anticipate any detrimental effect to nearby property. The size and magnitude of the playground project is expected to help draw visitors into the downtown district. Parking will be on State Street, which may have some impact on surrounding businesses.*

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

*The subject property and adjoining property has been vacant for approximately 1 ½ to 2 years. The building at 610 North State Street has been purchased and remodeled; however, no further business action has taken place.*

**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:**

*The addition of a new park is expected to have a positive impact on the public health, safety and welfare with minimal impact resulting from hardship on other individual landowners. Park space is a compatible use for other land uses such as commercial and/or residential.*

**7. Recommendation of professional staff:**

*Professional staff recommends approval of the zoning district reclassification request from M to PR-1.*

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

*At the present time, significant play desserts exist south of 7<sup>th</sup> Avenue, with the nearest parks located towards the middle of the community. As a result, the addition of park space is expected to have a positive impact on livability and quality of life, both of which are important dynamics of the Comprehensive Plan.*

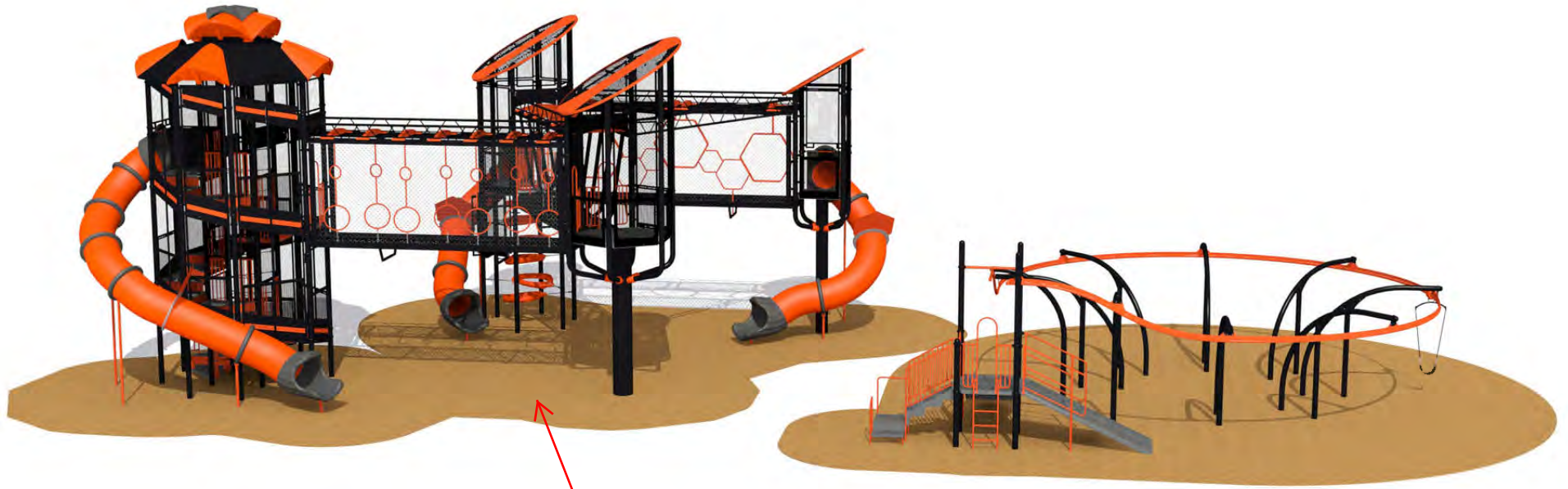
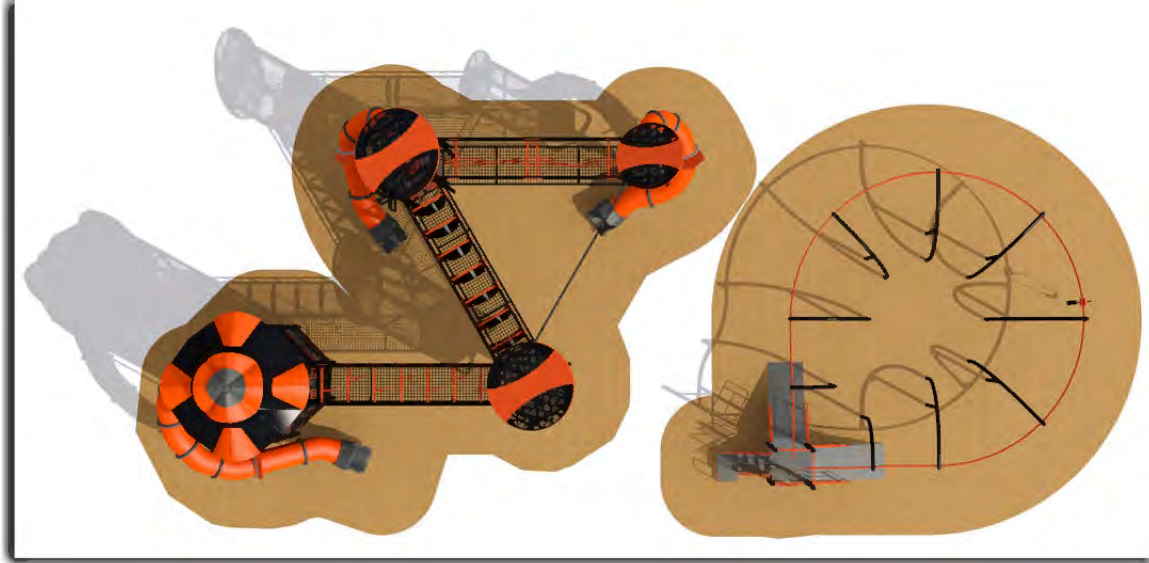
**Resources**

City of Augusta	\$250,000
API (staff inquiring)	\$20,000
Andover Rotary	\$1,500
Downtown Augusta Inc.	\$500 TBD
Troy Palmer - land/demolition	Donated In-Kind
Alan's/Jake Jackson Earthwork	Donated In-Kind
<b>Total</b>	<b>\$272,000</b>

**Expenditure Budget**

	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>	<b>Option 5</b>
X-Gen Structure	\$ 188,875	\$ 188,875	\$ 188,875	\$ 188,875	\$ 188,875
Gravtiy Rail	\$ 16,382	\$ 16,382	\$ 16,382	\$ 16,382	\$ -
Other Play Equip/Site Amenities	\$ -	\$ -	\$ 17,600	\$ 17,600	\$ -
Wood Fiber Surfacing/border	\$ 17,357	\$ -	\$ 17,357	\$ -	\$ 17,357
Rubber Tile/Pour Surfacing	\$ -	\$ 200,000	\$ -	\$ 200,000	\$ -
Installation	\$ 82,000	\$ 82,000	\$ 89,500	\$ 89,500	\$ 75,260
5' Fence w/ Signage Gates	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000	\$ 24,000
<b>Total Costs</b>	<b>\$ 328,614</b>	<b>\$ 511,257</b>	<b>\$ 353,714</b>	<b>\$ 536,357</b>	<b>\$ 305,492</b>
<b>Fundraising Goal</b>	<b>\$ 56,614</b>	<b>\$ 239,257</b>	<b>\$ 81,714</b>	<b>\$ 264,357</b>	<b>\$ 33,492</b>

**Options 1 & 2**  
X-Gen Structure &  
Gravity Rail



**Wood Fiber**

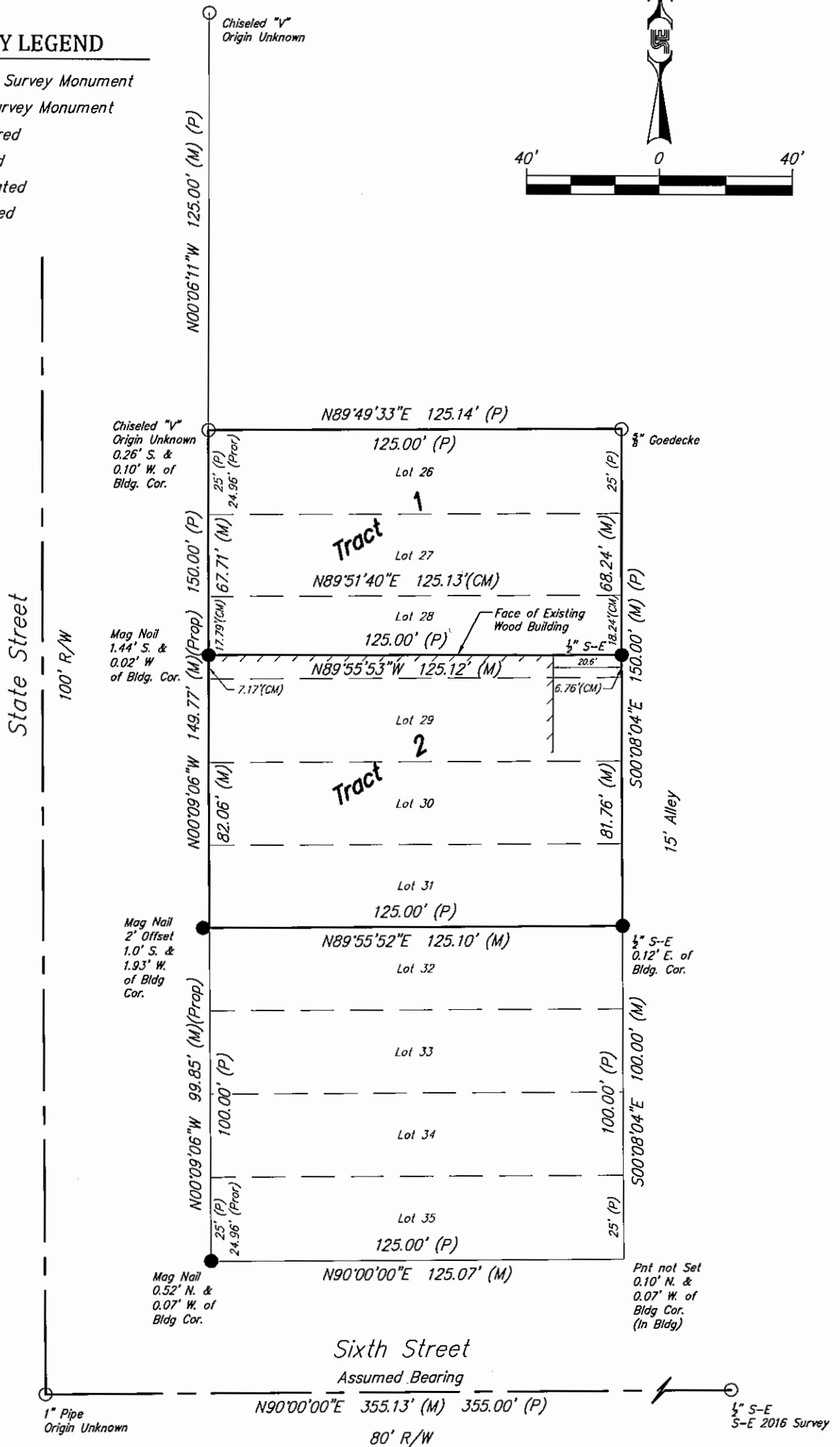
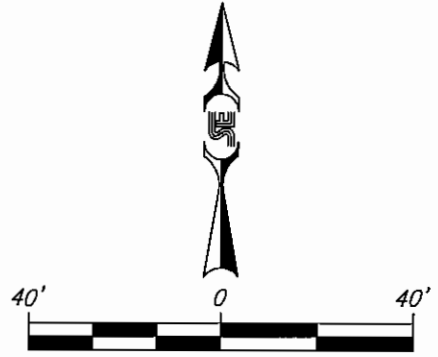


# CERTIFICATE OF SURVEY

for: City of Augusta  
610 N. State Street  
Augusta, KS

## SURVEY LEGEND

- Found Survey Monument
- Set Survey Monument
- (M) Measured
- (P) Platted
- (C) Calculated
- (Pror) Prorated



8615 W. Frazier, Suite 2 • Wichita, Ks. 67212  
Phone (316) 722-4472 • Fax (316) 722-4479

Field Work: 3/08/18  
SE Project No.: 1B.W004

# CERTIFICATE OF SURVEY

for: City of Augusta  
610 N. State Street  
Augusta, KS

~Certificate of Survey~

I, Charles R. Robinson, a Professional Surveyor in the State of Kansas, do hereby certify that this is a true and correct certificate of survey, to the best of my knowledge and belief, which was made by me or under my responsible charge and described as follows:

*Tract 1*

All of lots 26 and 27, Block 25, in the Original Town, now City of Augusta, Butler County, Kansas  
AND ALSO

That part of lot 28, Block 25, in the Original Town, now City of Augusta, Butler County, Kansas; beginning at the Southwest corner of said lot 28; thence North along the West line of said lot 28 on a bearing of North 00° 09' 06" West, a distance of 7.17 feet, to the point of beginning; thence continuing North along said West line of lot 28, a distance of 17.79 feet to the Northwest corner of said lot 28; thence East along the North line of said lot 28 on a bearing of South 89° 55' 53" East, a distance of 125.12 feet, to the Northeast corner of said lot 28; thence South 00° 08' 04" East along the East line of said lot 28, a distance of 18.24 feet, to a point that is 6.76 feet North of the Southeast corner of said lot 28; thence North 89° 55' 53" West along the North line of a building, a distance of 125.12 feet to the point of beginning.

*Tract 2*

All of lots 29, 30 and 31, Block 25, in the Original Town, now City of Augusta, Butler County, Kansas  
AND ALSO

That part of lot 28, Block 25, in the Original Town, now City of Augusta, Butler County, Kansas;  
EXCEPT beginning at the Southwest corner of said lot 28; thence North along the West line of said lot 28 on a bearing of North 00° 09' 06" West, a distance of 7.17 feet, to the point of beginning; thence continuing North along said West line of lot 28, a distance of 17.79 feet to the Northwest corner of said lot 28; thence East along the North line of said lot 28 on a bearing of South 89° 55' 53" East, a distance of 125.12 feet, to the Northeast corner of said lot 28; thence South 00° 08' 04" East along the East line of said lot 28, a distance of 18.24 feet, to a point that is 6.76 feet North of the Southeast corner of said lot 28; thence North 89° 55' 53" West along the North line of a building, a distance of 125.12 feet to the point of beginning.



~Land Surveyor Review~

Reviewed in accordance with K.S.A. 58-2005 on this \_\_\_\_ day of \_\_\_\_\_, 2018.

Michael A. Work, P.S. 1160  
Appointed Land Surveyor, Butler County, Kansas



Field Work: 3/08/18  
SE Project No.: 18.W004

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