



AGENDA
CITY OF AUGUSTA
PLANNING COMMISSION

November 13, 2023
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. OCTOBER 23, 2023, PLANNING COMMISSION MEETING MINUTES.

Approval of minutes for the October 23, 2023, Planning Commission meeting.

- Planning Commission Motion / Vote

C. BUSINESS / PLANNING COMMISSION

1. Z2023-21 / Proposed Amendment to Article 6.4(D)(1), of the adopted Zoning Regulations regarding the Front Yard Setback Requirement, specifically on corner lots in the R-1 (Single-Family Residential) District.

Conduct a public hearing pursuant to K.S.A. 12-756 et seq to take comments. Consider recommending approval to the Augusta City Council, amendments to the City of Augusta Zoning Regulations.

- Staff Report
- Open Public Hearing
- Close Public Hearing
- Planning Commission Motion / Vote**

D. MATTERS FROM / FOR COMMISSION

- Next regularly scheduled Planning Commission meeting, Monday, November 27th

E. ADJOURN



Planning Commission Minutes

October 23, 2023

8:00 am

Members Present: David Bisagno; Jim Keller; Nick Hoefgen; Diana Burress; David Chappell; Connie Thurman

Members Absent: Jake McClure

Staff Present: Kamme Sroufe, Assistant City Manager
Rob Cooper, City Planner
Susan Smith, Community Development Administrative Assistant

Visitors Present: Josie Huffman; Eric Grooms; Roger Cutsinger

Minutes: Burress made a motion to approve the minutes from October 9, 2023; Keller seconded the motion. Motion carried without opposition.

Business: **1. Z2023-16 / Preliminary Plat of the Rockies Addition, a multi-family residential development on property located at East Williams Ave and N Custer Lane.**
Cooper presented the staff report.

Bisagno asked about Lots 1, 2, 3, and 4 along Williams Ave, if their driveway will be off of Williams Street. Cooper answered yes, the driveways would be off of Williams St.

Hoefgen asks who maintains Williams Ave. Cooper said this portion of the road the city maintains and will be developed up to the City Standards, as will the roads in the development.

Hoefgen also asked about the 25ft setback if a variance was needed. Cooper stated he is leaving this open pending the amendment to the subdivision regulations.

Bisagno closed the public meeting.

Burress made a motion to approve the Preliminary Plat of the Rockies addition, a multi-family residential development on property located at E. Williams Avenue and N Custer Lane; Bisagno seconded the motion. Motion carried without opposition.

2. Discussion – Amendments to Subdivision Regulations

Cooper presented the staff report on the front yard corner lot setbacks.

Thurman made a recommendation to amend Article 6.4(D)(1) to approve the front yard setback at 30 ft and the side street setback would be 15ft.

Eric Grooms had concerns about the plating process and requested that it be streamed lined.

Adjourn: Keller made a motion to adjourn at 8:50 AM; Burress seconded the motion. Motion carried without opposition.

/s/Susan Smith, Secretary



**CITY OF AUGUSTA
PLANNING COMMISSION
AGENDA REPORT**

Meeting Date: November 13, 2023

Department: Community Development – Planning & Zoning

Submitted By: Rob Cooper, City Planner

Prepared By: Rob Cooper, City Planner

Agenda Title: Z2023-21 / Proposed Amendment to Article 6.4(D)(1), of the adopted Zoning Regulations regarding the front yard setback requirement, specifically on corner lots in the R-1 (Single-Family Residential) District.

RECOMMENDED ACTION:

Recommend approval to the Augusta Governing Authority, the proposed amendment to Article 6.4(D)(1) of the adopted Zoning Regulations of the City of Augusta.

BACKGROUND:

The existing Zoning Regulations were prepared by the Augusta Planning Commission and adopted via Ordinance.

During the past several months, the Planning Commission and staff have seen a several instances where a property owner had to apply for a variance due to a regulation or code requirement that placed undue hardships on them.

The Planning Commission has since directed staff to reexamine the process and provide some options that would improve the overall allowance and processing of new development.

For example, the Zoning Regulations regarding R-1 (Single-Family Residential) District, in particular the Bulk Regulations regarding setbacks, as there is no distinction from a front yard setback for a house on a corner lot with a front yard setback at 30' for street side and front yards. Having a regulation or code requirement that provides no alternative option for other situations can become problematic, in this case causing a reduction in the available buildable area and possibly reducing the maximum size of a building footprint.

ANALYSIS

After reviewing the Zoning Regulations, staff has provided a list of surrounding cities of comparable size and making note of their bulk regulations regarding front yard setback, specifically corner lots.

Augusta, KS:

R-1, Single-Family Residential District, Minimum Front Setback: 30-feet. (no side street setback reduction)

Newton, KS:

R-1, all permitted uses, Minimum Yard Requirements, Front: 25-feet and 15-feet from street side yard if a corner lot.

Kechi, KS:

R-1, Single-Family Residential District, Bulk Regulations, Minimum Yard Requirement: Front Yards: 25-feet, except corner lots having frontage on streets with right-of-way width of sixty (60)-feet or more may be reduced to twenty (20)-feet in yards with driveways and fifteen (15)-feet where no driveways are present.

Park City, KS:

R-1, Single-Family Residential District, Bulk Regulations, Yard Requirements: Minimum front yard: twenty-five (25)-feet, except one of the yards abutting a street on a corner lot may be fifteen (15)-feet, however, driveways require at least 20-feet to a permanent parking space.

El Dorado, KS:

R-1, Single-Family Residential District, Yard Regulations, Front Yard: Thirty (30)-feet. Structure on corner lots shall provide a side yard on the street side of not less than fifteen (15)-feet.

Emporia, KS:

R-1, Single-Family Residential District, Yard Regulations, Front Yard: thirty (30)-feet. Where a lot is located at the intersection of two or more streets, there shall be a setback from the side street of the lot of one-half of the required front yard setback.

NOTE: During the October 23rd regular meeting, the Planning Commission made a recommendation and had directed staff to propose an amendment to Article 6.4(D)(1) of the adopted Zoning Regulations.

ANALYSIS

After reviewing the adopted Zoning Regulations, staff recommends amending Article 6.4(D)(1) “R-1 Single-Family Residential District” by amending the following language:

- (D) Setback Requirements
1. “Minimum Front Setback: Thirty (30) feet.

a. 15-feet from streetside yard if a corner lot

RECOMMENDATION

Staff finds that as presented, the proposed text amendment provides clarity, reasonableness, and compatibility with the general intent of the city’s adopted Zoning Regulations and recommends the Planning Commission **APPROVE** Zoning Case #Z2023-21 / **Proposed Amendment to the adopted Zoning Regulations, Article 6.4(D)(1), regarding the front yard setback requirement, specifically on corner lots in the R-1 (Single-Family Residential) District.**

Zoning Administrator's Approval Date:

City Planner Approval Date:

November 8, 2023

Attachments (list in packet assembly order):

RESIDENTIAL ZONING TYPES & REQUIRED SETBACKS

	R-1 / FRONT	R-1 / REAR	R-1 / SIDE	R-2 / FRONT	R-2 / REAR	R-2 / SIDE	R-3 / FRONT	R-3 / REAR	R-3 / SIDE	R-4 / FRONT	R-4 / REAR	R-4 / SIDE				
AUGUSTA	30'	20'	6'	25'	15'	5'	25'	15'	5'	25' / 15'	5'	5'				
MULVANE	RS-1 / FRONT	RS-1 / REAR	RS-1 / SIDE	R-1 / FRONT	R-1 / REAR	R-1 / SIDE	R-1A / FRONT	R-1A / REAR	R-1A / SIDE	R-2 / FRONT	R-2 / REAR	R-2 / SIDE	R-3 / FRONT	R-3 / REAR	R-3 / SIDE	
	30'	30'	10'	25'	25'	6'	25'	15'	10'	25'	20'	6'	25'	20'	6'	SFR
																Multi-Family
																All others
NEWTON	R-S / FRONT	R-S / REAR	R-S / SIDE	R-1 / FRONT	R-1 / REAR	R-1 / SIDE	R-2 / FRONT	R-2 / REAR	R-2 / SIDE	R-3 / FRONT	R-3 / REAR	R-3 / SIDE				
	50' / 25'	35'	15'	25'	25'	7'	25'	25'	15'	25'	25'	15'				
						(5' if platted before 7/1/1950)			(5' if platted before 7/1/1950)							
PARK CITY	R-1 / FRONT	R-1 / REAR	R-1 / SIDE	R-2 / FRONT	R-2 / REAR	R-2 / SIDE	R-3 / FRONT	R-3 / REAR	R-3 / SIDE							
	25' / 15'	20'	15'	25' / 15'	20'	6'	25' 15'	15'	5'							
			(not less than 5' on one-side)													
KECHI	R-R / FRONT	R-R / REAR	R-R / SIDE	R-1 / FRONT	R-1 / REAR	R-1 / SIDE	R-1A / FRONT	R-1A / REAR	R-1A / SIDE	R-2 / FRONT	R-2 / REAR	R-2 / SIDE				
	30'	25'	10'	25'	20'	8'	15'	10'	10'	20'	10'	5'				
							(interior lot driveway must be 20' from front lot line)					(6' other than SF)				
							(25' corner lot except 15' adjacent to ZLL lot)									