

AGENDA
CITY OF AUGUSTA
PLANNING COMMISSION
March 14, 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. Approve Minutes from the February 22, 2016 Planning Commission Meeting

- i. Commission Motion/Vote**

C. BUSINESS

- 1. Z2016-09: PRELIMINARY PLAT FOR BROKEN BRANCH RANCH**

- Consider approval of a Preliminary Plat prepared by Goedecke Surveying, LLC for the Broken Branch Ranch located at 9150 SW Tawakoni Road.

- a) Staff Report
 - b) Board of Zoning Appeals Motion/Vote**

- 2. Z2016-11: FINAL MASTER DRAINAGE PLAN FOR APPCON ADDITION**

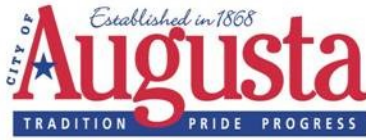
- Consider approval of the Final Master Drainage Plan for the AppCon Addition located at 525 and 603 West 7th Avenue.

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

D. MATTERS FROM/FOR COMMISSION

1. Upcoming Planning Commission Activity
 - i. Zoning District Re-classification request – 120 W. Josephine (3/28/16)
2. Planning Commission Questions/Comments

E. ADJOURN



Planning Commission Minutes
February 22, 2016
8:00am

Members Present: David Bisagno, Joe Luinstra, Connie Thurman, H.V. Chapin, Rick Blue, David Berndsen

Members Absent: Elmer Simon

Guests Present: William Fuller, Earl Ward, Mark McCluggage, Zac Blue, Kim Braungardt

Staff Present: Cody Sims, Assistant City Manager
Dan Allen, Building Inspector
Susan Smith, Community Development Administrative Assistant

David Bisagno called the meeting to order at 8:00 a.m.

The first item of business was to review the Minutes from the February 8, 2016 meeting. Rick Blue made a motion to accept the Minutes, seconded by H.V. Chapin; Motion carried without opposition.

David Bisagno introduced the first item of new business: *Case No. Z2016-02 and Z2016-07: Variance Request For a Private Garage Located at 134 East Clark Street and 146 East Clark Street.* Cody Sims stated that during the public hearing on February 8, 2016 for 134 E Clark Street was requested to move to the February 22, 2016 Planning Commission meeting where it could be heard with the 146 E Clark Street variance request. Mr. Sims wanted to clarify that in order to grant a variance, the five (5) conditions of K.S.A 12-759(e) must be met.

David Bisagno opened the public hearing.

Mr. William Fuller owner of 134 E Clark, would like to rebuild the garage to its prior location before the fire. He has no problem joining the garages. Mr. Ward, owner of 146 E Clark handed out maps of the properties. Connie Thurman asked if cars could park in this garage prior to the fire. Mr. Fuller replied that yes he did park two cars in the garage at times. If rebuilt he would like to build it so two cars can fit in it again. Rick Blue asked if he access the garage through the alley. Mr. Fuller said yes he uses the alley. He mentioned the neighbors help maintain the alley, and that the City trucks had no problems using the alley with the garage where it is. H.V. Chapin asked if he would put a fire wall between the two garages if they were to rebuild them. Mr. Fuller said he would do whatever he needed to meet the building codes. Mr. Chapin also asked if the building was heated. Mr. Fuller replied no, but he did have a portable heater he used in the garage.

David Bisagno closed the public hearing.

David Bisagno read the required criteria to the public in order to grant a variance:

1. *That the variance requested arises from such conditions which is unique to the property in question and which is not ordinarily found in the same zone or district, and is not created by an action or actions of the property owner or the applicant;*
2. *That the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents;*
3. *That the strict application of the provisions of the zoning regulations of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;*
4. *That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and*
5. *That granting the variance desired will not be opposed to the general spirit and intent of the zoning regulations.*

David Berndsen made a motion to approve the variance request for a private garage located at 134 East Clark Street as long as there is a fire wall between the two buildings. The Motion was seconded by Joe Luinstra; and opposed by Connie Thurman and Rick Blue. Motion Carried.

David Bisagno opened the public hearing for 146 East Clark Street.

Earl Ward, owner of 146 East Clark Street, would like to rebuild the garages as they were prior to the fire. He will make sure they are built to code, and “rebuilt as our founding fathers built them.” The carriage houses were the soul of our town,” Mr. Ward said. He also wanted the commissioners to know that other property owners have built garages on property lines in the neighborhood. Joe Luinstra asked if the fire wall is built who will maintain the wall. Mr. Ward said he would maintain the wall, and when he sold the property he would put it into a sales contract.

Joe Luinstra made a motion to approve the variance request for a private garage located at 146 East Clark Street as long as an engineer or architect stamps off on the plans of the garage. The Motion was seconded by David Berndsen; and opposed by Connie Thurman and Rick Blue. Motion Carried.

David Bisagno introduced the third item of new business: *Case No. Z2016-08: Site Plan for Scooters Brew Enterprises*. Cody Sims discussed the specifics of the site plan. There will be an entrance to the hotel from Scooters. There will be a 35ft pylon sign, a menu sign and a pole sign along 7th Street. Kim Braungardt said there will be room for 50 seats inside, 21 parking stalls and one (1) ADA parking spot.

David Berndsen made a motion to approve the Site Plan for Scooters Brew Enterprises. The motion was seconded by Joe Luinstra; Motion carried without opposition.

Adjourn: At 8:58 a.m. Connie Thurman made a motion to adjourn. Rick Blue seconded, and the Motion carried without opposition.



CITY OF AUGUSTA PLANNING COMMISSION AGENDA REPORT

Meeting Date: March 14, 2016
 Department: Community Development
 Submitted By: Cody Sims, Assistant City Manager
 Prepared By: Cody Sims, Assistant City Manager
 Agenda Title: **Z2016-09: Preliminary Plat for Broken Branch Ranch**

RECOMMENDED ACTION:

Consider approval of the Preliminary Plat prepared by Goedecke Surveying, LLC for the Broken Branch Ranch located at 9150 SW Tawakoni Road.

BACKGROUND:

Staff has been contacted by the property owner (Ms. Jean Shipley) at 9150 SW Tawakoni Road, regarding subdividing her property into multiple lots. Because the subdivision is in the Growth Area of the City of Augusta, Butler County will also have to approve the Final Plat. As such, all building codes and sanitation codes will be administered through Butler County.

ANALYSIS:

Staff has reviewed the Preliminary Plat and has returned the following comments back to the surveyor:

1. Address of owner should be shown on the face of the plat;
2. Name of adjacent landowners should be shown on the face of the plat;
3. Date of topographic survey needs to be shown on the face of the plat;
4. Flood Zone for this property is *Zone X*;
5. Are there any structures currently on any proposed lot of the subdivision?
6. Please include a vicinity map of the subdivision that shows its location in relation to the City of Augusta;
7. Will water for the three lots be provided initially by the rural water district or private water well (requires approval of County Sanitarian)?
8. Sanitary sewer collection shall be in compliance with the Butler County Sanitation Code. Is sanitary sewer collection proposed as a lagoon on each lot or via a separate septic system for each lot?

The surveyor has provided an updated plat that reflects all of these comments. In addition, staff has requested a statement be added to the face of the plat that reflects the requirement to connect to future public water and/or sanitary sewer systems that may be constructed, as follows:

Within the “Growth Area” of the City of Augusta, where no public water and/or sanitary sewer systems are available, the provisions of the Butler County Sanitation Code shall apply. The sub-divider and/or property owner agrees to connect to public water and public sewer within 180 days after said infrastructure is constructed. Afterwards, all private sewage systems will be disconnected and destroyed according to applicable regulations.

It is also important to note at the time the Final Plat is presented, we will also have to rezone the three lots to R-6B: Rural Residential (5 – 9.99 Acres) to be in compliance with City of Augusta zoning requirements. Staff does have some concern with the proposed subdivision of Lot 2, primarily because of the location of boundary lines in relation to the existing pond. There is concern much of the property will not be usable, as it will be obstructed by the pond. Also, staff has not secured any easements for future utility construction simply because there is no way to know where easements will be needed. The cost of extending public utilities to that location is very expensive and, currently, there are no plans for this extension to happen.

Dave Alfaro, Director of Butler County Community Development, will be at the Augusta Planning Commission meeting on March 14, 2016 to discuss the plat and answer questions from a county perspective.

FISCAL IMPACT/FUNDING SOURCE:

There is no impact to the City budget with this request.

Zoning Administrator Approval Date: 03/10/16

Attachments *(list in packet assembly order):*

1. *Preliminary Plat – Broken Branch Ranch*
2. *Preliminary Plat Checklist*

City of Augusta

Community Development Department

Preliminary Plat Review Checklist



Case No.

Applicant or Agent Name

Date Submitted

Development Name

The proposed name of the subdivision.

Date of preparation, north pointing arrow, and scale of drawing.

Identification as Preliminary Plat.

Location of the subdivision by quarter-section, township and range and by measured distances to a section corner to further define the location and boundaries of the tract.

Names of adjacent subdivisions or, in the case of un-platted land, the name of the owners of adjacent property.

The name and address of the owner, the sub-divider, and the engineer/surveyor who prepared the plat.

The location, width and names of all existing public or private streets within or adjacent to the tract, together with easements, rights-of-way, and other important features such as section lines and corners, city and township boundary lines and monuments.

The horizontal location and elevation within the subdivision and the horizontal location in the adjoining streets and property of existing sanitary and storm water sewers including flow lines, water mains, culverts, underground wiring, pipe lines and gas lines proposed to serve the property to be subdivided.

Contour lines or spot elevations based on Mean Sea Level (MSL) or other datum approved by the Planning Commission having the contour intervals of two foot contours for ground slopes less than 10%, five foot intervals for ground slopes exceeding 10% and spot elevations where the ground is too flat for contours.

The date of the topographic survey(s) shall be shown including the location, elevation and description of the benchmark controlling the vertical survey and the location of existing monuments and survey markers.

The location and direction of all watercourses and areas subject to flooding, including the floodway and flood fringes areas, where available.

Significant natural features such as rock outcroppings, marshes, lakes and wooded areas.

Existing use of the property including the location of all existing structures showing those that will be removed and those that will remain on the property after the Final Plat is recorded.

Boundary line of proposed subdivision clearly indicated and total acreage therein.

Streets, showing the location, width, names and approximate grades thereof. The Preliminary Plat shall show the relationship of all streets to any projected streets shown, or any applicable Comprehensive Plan proposal, or if none proposed, then as suggested by the Planning Commission.

Easements showing width and purpose.

Lots showing approximate dimensions, minimum lot sizes and proposed lot and block numbers.

Location and type of utilities to be installed including provisions for storm water drainage.

Sites, if any, to be dedicated or reserved for park, playground or other public purposes.

Minimum front yard building setback lines as established by applicable zoning or other regulations, or more restrictive setbacks if desired by the sub-divider.

A vicinity map showing existing subdivisions, streets and un-subdivided tracts adjacent to the proposed subdivision and showing the manner in which the proposed streets may be extended to connect with existing streets.

Completed Application for Preliminary Plat

\$175 Application Fee

PDF copy of the Preliminary Plat

Ownership List

Reviewed By

Date



**CITY OF AUGUSTA
PLANNING COMMISSION AGENDA REPORT**

Meeting Date: March 14, 2016
 Department: Community Development
 Submitted By: Cody Sims, Assistant City Manager
 Prepared By: Cody Sims, Assistant City Manager
 Agenda Title: **Z2016-11: Final Master Drainage Plan for AppCon Addition**

RECOMMENDED ACTION:

Consider approval of the Final Master Drainage Plan for the AppCon Addition located at 525 and 603 West 7th Avenue.

BACKGROUND:

For the last several months, staff has been working with design professionals on required planning documents for the development of a Scooters Coffee at 525 West 7th Avenue in the AppCon Addition. The AppCon Addition is a two-lot subdivision zoned Central Commercial that will provide additional commercial space for future development along the West 7th Avenue corridor. This is the last planning document that has to be approved. The Preliminary Plat, Final Plat, Preliminary Master Drainage Plan, and the Site Plan have all been approved by the Planning Commission.

ANALYSIS:

Staff has reviewed the Final Master Drainage Plan, and concurs with what is presented. The AppCon Addition is already serviced by storm water drainage infrastructure, comprised of a 36” reinforced concrete pipe. There are existing storm water inlets that will be utilized to drain the Scooters site. The inlets will likely have to be raised to match the new grade of asphalt during construction. Minimal flow will be directed to 7th Avenue because of the existing infrastructure. The plan shows all required information pursuant to the City of Augusta Subdivision Regulations.

FISCAL IMPACT/FUNDING SOURCE:

There is no impact to the City budget with this request.

Zoning Administrator Approval Date: 03/10/16

Attachments (*list in packet assembly order*):

1. *Final Master Drainage Plan*