

**Planning Commission
City of Basehor, Kansas**

Tuesday, April 8, 2014



City Hall Council Chambers

Regular Meeting – 7:00 p.m.

AGENDA
BASEHOR PLANNING COMMISSION
April 8, 2014
7:00 P.M.
Basehor City Hall

- A. Call to Order
- B. Roll Call
- C. Approval of Minutes of the Preceding Meeting
 - 1. **Minutes of the January 7, 2014 Planning Commission meeting.**
- D. Unfinished Business
- E. New Business
 - 1. **Public Hearing: Consider a short-form plat for the replat of Lot 5 and 6 of Parallel Park Subdivision, submitted by Charles Breuer.**
- F. Open Agenda
- G. Reports from Special Committees
- H. City Engineer's Report
- I. Adjournment

**Minutes of the January 7, 2014
Planning Commission Meeting**

MINUTES
BASEHOR PLANNING COMMISSION
January 7, 2014
BASEHOR CITY HALL

PLANNING COMMISSION MEETING
7:00 P.M.

A. Call to Order

Chair Jon Gallion, called the meeting to order at 7:00 p.m.

Pledge of Allegiance

B. Roll Call

Members Present: Commissioners Jon Gallion, Ed Bush, John Matthews, John Flower, Terry Gall, Fred Farris and Tracey Hannah.

Staff Present: Mitch Pleak, City Engineer and Connie Leggett, Utility Billing Clerk

C. Approval of Minutes

A motion was made by Commissioner Matthews and seconded by Commissioner Matthews to approve the December 3, 2013 minutes. Chair Gallion asked for a vote. Motion passed 7-0.

D. Unfinished Business – None

E. New Business –

1. Consider a Special Use Sign Permit for Holy Angels Catholic Church

Bill Loechler spoke on behalf of Holy Angels Catholic Church. Commissioner Farris made a motion that the applicant's purposed sign be amended for a 4'x4' sign, both sides to sit East to West, for the signs to be placed back to back, and a temporary sign for 60 days. Commissioner Flower seconded the motion. Motion did not pass with 4-3 vote, 4 against and 3 in favor.

2. Consider a Special Use Sign Permit for Bohannon's Liquor

Amy from Young Sign Company spoke on behalf of Bohannon's Liquor. Motion was made by Commissioner Flower to approve the permit as it is written and seconded by Commissioner Matthews. Motion passed 5-2.

F. Open Agenda –

Mitch stated that in the Work Session it was agreed upon to have a series of Work Sessions to discuss the Comprehensive Plan so it can be presented to the City Council. The Work Sessions

would take place either at 6:00 before the Regular Planning Commission Meeting or at 6 or 7:00 if there is no Planning Commission Meeting being held.

G. Reports from Special Committees – John Matthews stated that the Special Use Permit for Miller Sign Company had been reapproved for another 5 years.

H. City Engineer's Report – Mitch gave the Commissioners an update on the status of building permits; and to date over 80 have been filed for the 2013 year.

I. Adjournment -

Chair Gallion made the motion to adjourn and Commissioner Matthews seconded. Chair Gallion called for vote. Motion passed 7-0. There being no further discussion, the meeting was adjourned at 8:18 p.m. from Chair Gallion.

Submitted for approval with/**without** additions or corrections this 7th day of January, 2014.

Jon Gallion, Chairperson

Connie Leggett, Planning Secretary

Unfinished Business

New Business

Agenda Item No. E1
Planning Commission – April 8, 2014

Public Hearing: Consider a short-form plat for the replat of Lot 5 and 6 of Parallel Park Subdivision, submitted by Charles Breuer on the following described property:

A replat of LOT 5 and LOT 6 of “PARALLEL PARK SUBDIVISION”, a platted subdivision in the City of Basehor, Leavenworth County, Kansas as recorded in Book 13, Page 30, document number 00130030 and containing 3.7706 acres, more or less.

Narrative

A staff report and other supporting information is provided in the agenda packet.

Staff will be available for discussion at the meeting

The City Council may consider this item of May 5, 2014.

Staff Recommendation

Staff recommends approval of the final plat with the following conditions:

1. Certification by the County Treasurer showing that all due or unpaid taxes have been paid in full.
2. Revise the City Engineer’s Approval block to: The City Engineer’s plat review is only for general conformance with the subdivision regulations as adopted by the City of Basehor. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

Staff Report

Date: March 24, 2014

Subject: Consider a short-form plat for the replat of Lot 5 and 6 of Parallel Park Subdivision, submitted by Charles Breuer on the following described property:

A replat of LOT 5 and LOT 6 of "PARALLEL PARK SUBDIVISION", a platted subdivision in the City of Baschor, Leavenworth County, Kansas as recorded in Book 13, Page 30, document number 00130030 and containing 3.7706 acres, more or less.

GENERAL INFORMATION

Applicant: Charles Breuer

Owner: Charles Breuer

Address: 20510 163rd Street
Baschor, KS 66007

SITE INFORMATION

Location: South of Parallel Lane and East of 147th Street.

Current Zoning: "I-1" Light Industrial District.

STAFF ANALYSIS

Background

The proposed plat joins Lot 5 and 6 of Parallel Park Subdivision to 1 lot consisting of 3.77 acres. Parallel Park Subdivision is part of the City's Industrial Park. The original plat was approved in July of 1997 and contains 6 lots. 2 of the 6 lots are developed. The purpose of the application is to relocate Westland Construction, Inc. to the City's industrial park.

A short-form plat procedure is within the subdivision regulations for the purpose and intent of providing a means of approving a subdivision of land that contains four (4) lots or less. Short-form plat shall serve as the final plat of the subdivision. The submission and approval of a preliminary plat is not required as a prerequisite for a short-form plat approval; provided, that the public hearing requirements outlined in preliminary plats are met.

Surrounding Property

The proposed replat abuts 147th Street and Parallel Lane. The current zoning is light industrial. An established "R-O" Suburban Residential District is located towards the west. An established "I-1" Light Industrial District is located towards the north, south, and east. The subject property is vacant.

Adjacent Property

| | <u>Zoning</u> | <u>Use</u> |
|--------|---------------|-------------------------------|
| North: | "I-1" | Light Industrial District |
| South: | "I-1" | Light Industrial District |
| East: | "I-1" | Light Industrial District |
| West: | "R-O" | Suburban Residential District |

Traffic Impact

Access to the replat is along 147th Street and Parallel Lane. Westland Construction maintains 15 employees and averages 1 delivery to the site per week. Parallel Lane and 147th Street are existing improved city streets. The impact to 147th Street and Parallel Lane will be minimal.

Stormwater Management

The property slopes to the southeast. The replat adjusts an existing drainage easement thru the property to correctly align the existing stormwater crossing at Parallel Lane. A drainage easement is also proposed at the southeast corner of the replat for detention purposes.

Utilities

No new utilities will be proposed with the subject plat. As part of the replat, a 30' utility easement will be vacated. The 30' utility easement is between Lot 5 and 6 of the original plat. Staff has informed all utility companies with the proposal. All utility companies have reported that no utilities will have to be relocated with the proposed easement vacations and adjustments.

Transportation Excise Tax

Per the excise tax (Ord. 387), any replat of platted land, which does not increase the gross area of the property platted provided the original platting of the property was recorded prior to the effective date of this ordinance shall be exempt. Ord. 387 became effective on June of 2002. The original plat was approved on July of 1997. Transportation excise tax is exempt from this application.

Park Fees

Per the City's fee schedule, the park fee for non-residential lot is \$200 and is collected with the building permit.

Subdivision Regulation Requirements:

The items to be included on the final plat per the Subdivision Regulations requirements:

- 1. The lines and names of all proposed streets or other ways or easements, and other open spaces intended to be dedicated for public use or granted for use of inhabitants of the subdivision.** Provided within the submitted plat.
- 2. Lines and names of all adjoining streets within 200 feet.** This is shown within the submitted plat.
- 3. Metes and bounds describing the plat and the contents within the plat associated with any lots, easements, and tracts of lands. This information shall be represented in a way that any lot line can be located in the field.** This is provided within the submitted plat.

4. **The location of all building setback lines.** Per the zoning regulations, the required setbacks are:

- Front (Arterial Street) – 80’.
- Front (Local Street) – 60’.
- Side – 15’.
- Rear – 25’.

The zoning regulations states in areas with existing principle structures, the setback line need not be greater than that already existing by adjacent structures. 147th Street is considered to be an Arterial Street. The setback provided along 147th Street is 80’. Parallel Lane is considered to be a Local Street. The setback provided along Parallel Lane is 30’. Existing principle structures do exist along Parallel Lane with a distance of 30’ from the building to the right-of-way. Provided setbacks meet the zoning regulations for “I-1” Light Industrial District zoning.

5. **Suitable primary control points.** This is provided within the submitted plat.
6. **Location and elevation of a permanent benchmark.** This is provided within the submitted plat.
7. **The location of all permanent monuments with the distances and bearings plainly marked.** This is provided within the submitted plat.
8. **Date of preparation, title, north point, and scale shall be included with the plat.** This is provided within the submitted plat.
9. **Error of Closure.** The perimeter of the plat is under 10,000 feet. Per the subdivision regulations the error allowed is 1 ft in 10,000 ft. The error of closure for the plat is 1 ft in 2,123,813 ft, which is adequate.
10. **Identification system for all lots and blocks, and the area in square feet of each lot.** This is provided within the submitted plat.
11. **Certification of the land surveyor preparing the plat, seal, and signature.** This is provided within the submitted plat.
12. **Acknowledgement of a notary.** This is provided within the submitted plat.
13. **A certification of the Planning Commission showing its approval of the plat.** This is provided within the submitted plat.
14. **The approval of the City Council.** Action has not been taken.
15. **The certificate of the Register of Deeds.** This is provided within the submitted plat.
16. **The title insurance certification showing that the proposed sub divider owns all the property within the plat and that it is free from encumbrances and liens.** Ownership and encumbrance certificate has been provided. The applicant owns all the property within the plat. The property is free from encumbrances and liens.
17. **Statement by the owner dedicating streets, rights-of-way, and sites for public use.** This is provided within the submitted plat.
18. **Such other certificates, affidavits, endorsements, or dedication as may be required by the Planning Commission in the enforcement of these Regulations.** Action has not been taken by the Planning Commission.
19. **Purpose for which sites, other than residential lots, are dedicated or reserved.** This is provided within the submitted plat.
20. **Proper margins and lettering on the sheet that contains the plat.** Margins and lettering are properly shown within the submitted plat.

21. **Legal description of the subdivision.** The legal description was submitted with the plat.
22. **Public improvement plans associated with the final plat.** Not applicable.
23. **Certification of the person or person whose names are signed to this document and/or appear on the plat are the sole lawful owners of the property, that the plat is made with their desires, and that they dedicate the areas shown on the plat or as set forth in the document to the perpetual use and ownership of the public for the specific purposes stated therein or thereon. Ownership shall be verified by the City Clerk.** Ownership has been verified with an ownership certificate provided by the applicant.
24. **Certification by the County Treasurer showing that all due or unpaid taxes have been paid in full.** Applicant has yet to submit certification by the County showing that all due or unpaid taxes have been paid in full.
25. **Subdivision Improvements Agreement.** Not applicable.

Recommendation by Planning Staff

Staff recommends approval of the final plat with the following conditions:

1. Certification by the County Treasurer showing that all due or unpaid taxes have been paid in full.
2. Revise the City Engineer's Approval block to: The City Engineer's plat review is only for general conformance with the subdivision regulations as adopted by the City of Basehor. The City is not responsible for the accuracy and adequacy of the design, dimensions, elevations, and quantities.

CITY OF BASEHOR

Planning & Zoning Department
 2620 N. 155th Street, PO Box 406, Basehor, KS 66007
 Phone: 913-724-1370 Fax: 913-724-3388
 www.basehor.org



APPLICATION FORM

| | | | |
|--|--|-----------------------------|----------------------------------|
| Project Name & Description PARALLEL PARK SUBDIVISION, SECOND PLAT | | Total Site Acreage 3.776 | Present Zoning I-1 |
| Legal Description (May be attached as separate sheet) see attached plat | | | Proposed Zoning I-1 |
| Project Address / General Location Parallel Road and 147th Street | | | Presubmittal Date 9/20/2013 |
| Parcel ID Number (GAMA Number) 1573600000012110 | | | Floor Area Classification N/A |
| Property Owner Name Charles L. Breuer | Phone 913-915-4365 | Fax | |
| Property Owner Address 20510 163rd Street, | City Basehor | State | Zip KS |
| Applicant's Name (if different from above) Charles L. Breuer | Phone 913-915-4365 | Fax | |
| Applicant's Address 20510 163rd Street | City Basehor | State | Zip KS |
| Applicant's mobile phone 913-915-4365 | Property Owner and/or Applicant's E-mail address chuck@westlandks.com | | |

| APPLICATION TYPE | |
|--|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Preliminary Development Plan (Submit Sheet A) |
| <input type="checkbox"/> Rezoning (Submit Sheet A) | <input type="checkbox"/> Final Development Plan (Submit Sheet A) |
| <input type="checkbox"/> Conditional Use Permit (Submit Sheet A) | <input type="checkbox"/> Lot Split |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Variance (Submit Sheet B) | <input checked="" type="checkbox"/> Final Plat / Replat |

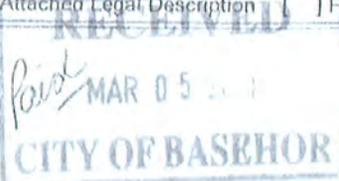
| PROJECT INFORMATION | |
|---|--|
| Existing Use <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Other _____ | |
| Proposed Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____ | |

| COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres) | | | |
|---|---------------------|-----------------------------|-------------------|
| Total Site Area 164,246.54 s.f. | Existing Floor Area | Existing Building Footprint | Open Space Area |
| No. of Buildings | Proposed Floor Area | Proposed Building Footprint | Pavement Coverage |

| COMPLETE THIS AREA IF SUBDIVIDING PROPERTY | | | |
|--|-----------------------------|------------------------------|-----------------------------|
| Proposed Number of Lots 1 | Maximum Lot Size 3.77 Ac | Minimum Lot Size 3.77 Ac. | Average Lot Size 3.77 Ac |

Property Owner/Agent Consent -- I am the legal owner of record of the land specified in this application or an authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

| | | |
|---------------------------------|--|--|
| x Signature _____ Date _____ | Office Use Only | |
| | <input checked="" type="checkbox"/> Filing Fee \$255.00 <input type="checkbox"/> Attached Legal Description | <input type="checkbox"/> Received by <input type="checkbox"/> Property Ownership List |



CITY OF BASEHOR PARALLEL PARK SUBDIVISION LEAVENWORTH COUNTY FINAL PLAT

LEGAL DESCRIPTION

A TRACT OF LAND IN THE SW 1/4 OF SECTION 24-10-22 OF THE CITY PLAN, DESCRIBED AS FOLLOWS: COMMENSING AT THE SW CORNER OF 24-10-22 AND BEING ALIGNED WITH THE WEST LINE OF THE TRACT; THENCE S 84°55'00"E, 207.97 FEET; THENCE S 00°00'00"W, 887.30 FEET; THENCE S 84°55'00"E, 207.97 FEET; THENCE S 00°00'00"W, 887.30 FEET; CONTAINS 13.83 ACRES, MORE OR LESS.

DEDICATION

THE STREETS AND ROADS SHOWN ON THIS PLAT AND ANY UTILITIES LOCATED TO THE PUBLIC USE AS INDICATED HEREIN ARE HEREBY DEDICATED SUBJECT TO THE RIGHT HEREBY RECEIVED TO THE RESPECTIVE OWNER AND ITS SUCCESSORS AND ASSIGNS FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE OF CONDUITS, WATER, GAS SERVICE POLES AND WIRES OVER AND UNDER SAID ROADS AND UTILITIES. IN WITNESS WHEREOF, THE CITY OF LEAVENWORTH HAS CAUSED THIS INSTRUMENT TO BE EXECUTED ON THIS 20th DAY OF JULY, 1987.

EXECUTION

THE UNDERSIGNED, COUNTY CLERK OF LEAVENWORTH COUNTY, KANSAS, HEREBY CERTIFIES THAT ALL TAXES OF THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THEY HAVE CAUSED THE SAME TO BE SHOWN IN THE MAPS AND RECORDS OF THE ACCOMPANYING PLAT, WHICH SUBDIVISION SHALL BE KNOWN AS "PARALLEL PARK SUBDIVISION" IN TESTAMENT WHEREOF, ALLEN K. HANLEY, CLERK OF LEAVENWORTH COUNTY, KANSAS, HAS CAUSED THIS INSTRUMENT TO BE EXECUTED ON THIS 20th DAY OF JULY, 1987.

ACKNOWLEDGMENT

STATE OF KANSAS - COUNTY OF LEAVENWORTH
BE IT REMEMBERED THAT ON THIS 20th DAY OF JULY, 1987, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME ALLEN K. HANLEY, CLERK OF LEAVENWORTH COUNTY, KANSAS, AND HE PERSONALLY ACKNOWLEDGED TO BE THE SAID PERSON WHO CAUSED THE FOREGOING INSTRUMENT OF WRITING AND ONLY KNOWLEDGE IN WITNESS WHEREOF, I HAVE HEREON SET MY HAND AND AFFIRMED BY MY NOTARIAL SEAL ON THE DAY AND LAST YEAR WRITTEN ABOVE.

APPROVALS

THE PLAT APPROVED AND APPROVED BY THE BOARD OF PUBLIC UTILITIES AND APPROVED BY THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS, HAS BEEN TRANSMITTED TO THE CITY OF LEAVENWORTH, LEAVENWORTH COUNTY, KANSAS WITH THE RECOMMENDATION THAT SUCH PLAT BE APPROVED AS PROPOSED. DATED THIS 20th DAY OF JULY, 1987.

Allen K. Hanley
CLERK OF LEAVENWORTH COUNTY, KANSAS

John J. ...
CITY CLERK

...
CITY ENGINEER

...
DEPUTY

CERTIFICATE OF SURVEY

I HEREBY CERTIFY THAT I HAVE ACCURATELY SURVEYED SAID SUBDIVISION AND THE CORRECT LOCATION OF ALL INSTRUMENTED ROADS AND THAT ALL CITY, STATE, FEDERAL, COUNTY, FEDERAL, PUBLIC RIGHTS AND INTERESTS ARE FULLY AND ACCURATELY STAKED OFF AND MARKED.

...
SURVEYOR

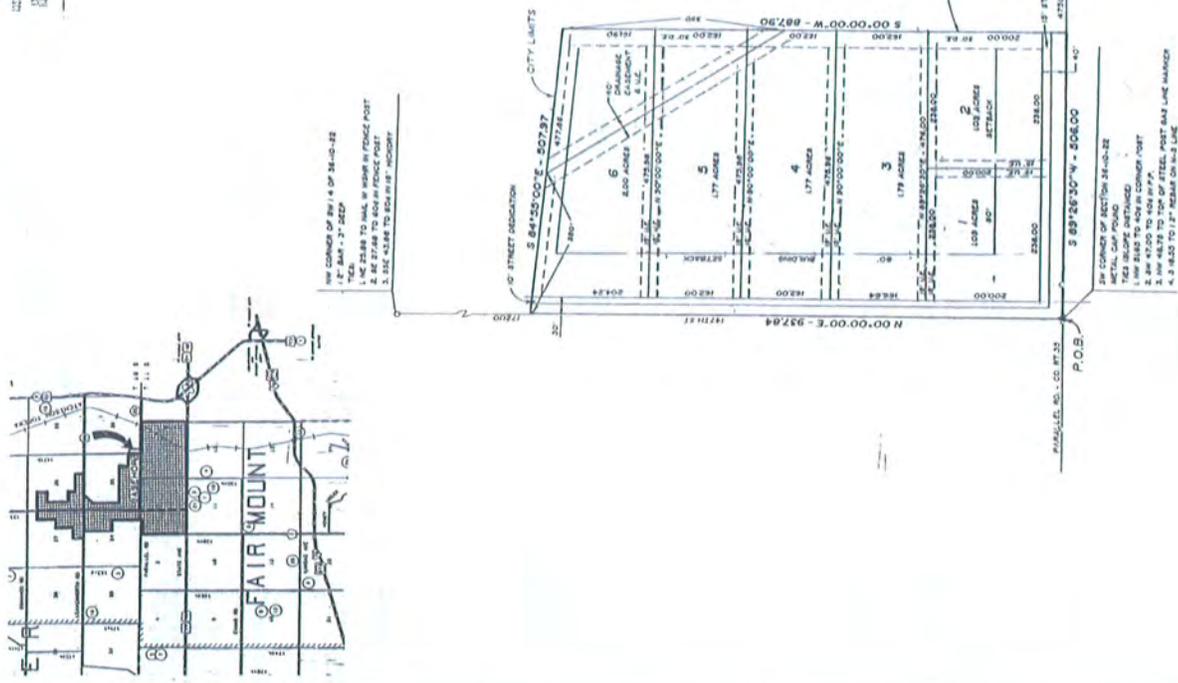


ERROR OF CLOSURE

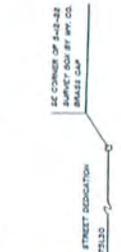
1/10,000

REMARKS

1. 2.421 ACRES SET OFF IN ALL CITY CORNERS.



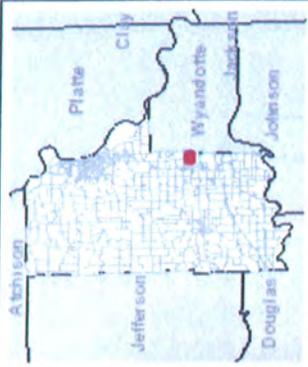
CITY LIMITS



SW CORNER OF SECTION 24-10-22
NE CORNER OF SECTION 24-10-22
1. SW CORNER TO NW CORNER POINT
2. SW CORNER TO SE CORNER POINT
3. SW CORNER TO NE CORNER POINT
4. SW CORNER TO SE CORNER POINT
5. SW CORNER TO SE CORNER POINT



Leavenworth County, KS



Legend

- Parcel
- Subdivisions
- City Limit Line
- Major Road
- <small><all other values></small>
- 70
- Road
- Railroad
- Section
- County Boundary



1: 6,575

Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

Affidavit in Proof of Publication

STATE OF KANSAS
Leavenworth County

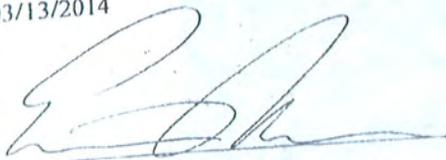
Eric Moore of the Legal Dept. of the Basehor Sentinel being first duly sworn, deposes and says:

That this weekly newspaper printed in the State of Kansas, and published in and of general circulation in Leavenworth County, Kansas, with a general paid circulation on a weekly basis in Leavenworth County, Kansas, and that said newspaper is not a trade, religious or fraternal publication, and which newspaper has been admitted to the mails as periodicals class matter in said County, and that a notice of which is hereto attached, was published in the regular and entire issue of the Basehor Sentinel

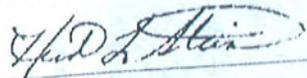
Said newspaper is published weekly 52 weeks a year; has been so published continuously and uninterruptedly in said county and state for a period of more than one year prior to the first publication of said notice and been admitted at the post office of Basehor in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks the first publication thereof being made as aforesaid on 03/13/2014 with publications being made on the following dates:

03/13/2014



Subscribed and sworn to before me this



Notary Public

My Appointment expires: March 15, 2015

| | |
|----------------------|---------|
| Notary And Affidavit | \$0.00 |
| Additional Copies | \$0.00 |
| Publication Charges | \$23.00 |
| | <hr/> |
| | \$23.00 |

(Published in The Chief-tain, March 13, 2014)

PUBLIC HEARING NOTICE CITY OF BASEHOR PLANNING COMMISSION

Notice is hereby given that the Planning Commission of the City of Basehor, Kansas will hold a public hearing on Tuesday, April 8, 2014 at 7:00 PM, in the meeting room of City Hall, located at 2620 N. 155th Street, Basehor, Kansas to consider a replat of Lot 5 and Lot 6 of Parallel Park Subdivision submitted by Charles Breuer. The proposed plat is located south of Parallel Lane and east of 147th Street. The property description is:

A replat of Lot 5 and Lot 6 of "Parallel Park Subdivision", a platted subdivision in the City of Basehor, Leavenworth County as recorded in Book 13, Page 30, document number 00130030 and containing 3.7706 acres, more or less.

All persons who desire to comment for or against said application are invited to appear at the time and place mentioned above. Copies of the application and full legal description are available for review during normal business hours at Basehor City Hall. Questions about the application may be directed to Mitch Pleak, City Engineer at 913-724-1370.

PLANNING COMMISSION
CITY OF BASEHOR, KANSAS



Open Agenda

Reports from Special Committees

City Engineer's Report

Adjournment