Planning Commission
City of Basehor, Kansas

March 8, 2016

City Hall Council Chambers

Regular Meeting – 7:00 p.m.

AGENDA
BASEHOR PLANNING COMMISSION
March 8, 2016 7:00 p.m.
Basehor City Hall

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1. **Call to Order**

2. **Roll Call and Pledge of Allegiance**

3. **Approval of Minutes** of the preceding meeting
   a. **Minutes of the February 2, 2016 Planning Commission Meeting**

4. **Unfinished Business**
   a. **None**

New Business

5. **Public Hearing:** Request for approval of short-form final plat of lots 137 and 138 located within the Falcon Lakes 3rd Phase.

6. **By-Law Amendments:** Review and approval of updated Planning Commission By-Laws, reflecting changes presented during the February Planning Commission meeting.

7. **Open Agenda**
   a. **None**

8. **Reports from Special Committees**
   a. **None**

9. **Planning Directors Report**
   a. **None**

10. **Adjournment**

MINUTES
BASEHOR PLANNING COMMISSION
February 2, 2016
BASEHOR CITY HALL

PLANNING COMMISSION MEETING
7:00 P.M.

1. Call to Order

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

Pledge of Allegiance

2. Roll Call

Members Present: Chair Jon Gallion, Commissioners Terry Gall, Dennis Haag, Ed Bush, Cecil Swenson and Jennifer Bizzell

Staff Present: Mark Lee, Planning and Zoning Director; Connie Leggett, Planning Commission Secretary; Shannon Marcano, City Attorney; Chief Lloyd Martley, City Administrator

Absent Members: Commissioner Fred Farris

3. Approval of Minutes

Chair Gallion called for a motion to approve the December 8th, 2015 minutes. Motion was made by Commissioner Haag to approve the minutes with the correction of changing the date on the last page from February 4th to the 2nd. Chair Gallion added that the correction had already been made. Motion was seconded by Commissioner Gall. Chair Gallion called for a vote, Motion passed 6-0.

***4. Unfinished Business* – None**

5. New Business –

Public Hearing: – Request approval of a zoning change from CP-2 General Business District to CP-1 Neighborhood Business District for Lot C-12 & C-13 in the Pinehurst North Subdivision.

Mark Lee explained the property location, requirements for this project, staff recommendations and how they might pertain to what is being requested for rezoning and that the staff approves the request and that the staff recommendations shall be met.

Chair Gallion called for a motion to open the public hearing. Commissioner Haag made the motion and Commissioner Bush seconded. Chair Gallion called for a vote and the motion to open the public hearing was passed 6-0 at 7:02 p.m.

Maggie Seele of 18740 Cedar Niles Road, Gardner, KS spoke on behalf of the childhood academy of which they would like to build in the area. She explained what type of school, how big the school would be, the ages of the children, a brief history on her previous schools

and current schools, the type of licensing, teachers, qualifications and what type of children they could accommodate.

Chair Gallion called for a motion to close the public hearing. Commissioner Bush made the motion and Commissioner Swenson seconded. Chair Gallion called for a vote 6-0 and the public hearing closed at 7:09 p.m.

Chair Gallion called for a motion to approve the request and Commissioner Haag made a motion to approve the request for the rezoning from CP-2 General Business District to CP-1 Neighborhood Business District with the staff recommendation as stated:

1. Building plans shall be submitted and approved by city staff prior to a building permit being issued
2. If Lots C-12 and C-13 are to be combined, a short form plat shall be submitted and approved by the Planning Commission and City Council and recorded.
3. In addition to the stipulations in this report, the developer/property owner agrees to abide by all regulations contained in the Basehor Zoning Ordinance and Subdivision Regulations.

Commissioner Bush seconded the motion. Chair Gallion called for a vote and the motion passed 6-0.

6. ***By-Law Amendments:*** Review and approval of updated Planning Commission By-Laws, reflecting meeting day change, grammatical errors and other miscellaneous items as indicated by the City Attorney.

Mark Lee, Planning Director, explained that after reviewing the Planning Commission By-laws it was noticed that the Planning Commission meetings were not taking place on the nights as set forth by the by-laws as well as other discrepancies. After further review by the City Attorney there were other items that needed to be addressed as well. There were two copies of the by-laws, one with red lines and one clean with the changes. What they state now is that the meetings will take place on the second Tuesday of the month along with the other necessary amendments.

Dennis Haag made comments regarding the "his/her" portion of the chair position, this should be added in as well.

Chair Gallion asked the commission members if there would be a problem with the second Tuesday of the month and the response was that they are fine with the set meeting day.

Chair Gallion called for a motion to approve the request, Commissioner Bush made the motion to approve Agenda Item #6 regarding the updates to the Planning Commission By-Laws as requested. Commissioner Haag seconded the motion. Chair Gallion called for a vote and the motion passed 6-0.

7. ***Open Agenda*** – **None at this time**

8. ***Reports from Special Committees*** – **None at this time**

9. City Engineer's Report

Mark Lee reported that last year ended with about 92 building permits and so far this year there are 7 permits. Someone purchased the rest of the open space at Falcon Lakes to build. The future senior housing was to be downsized in an effort to cut costs, this would be done by removing the single bedroom units, thus reducing the total units from 48 to 42..

10. Adjournment -

Chair Gallion called for a motion to adjourn and Commissioner Gall made the motion and Commissioner Haag seconded. Chair Gallion called for a vote. Motion passed 6-0. There being no further discussion, the meeting was adjourned at 7:25 p.m. from Chair Gallion.

Submitted for approval without additions or corrections this 8th day of March, 2016.

Jon Gallion, Chair	Connie Leggett, Planning Commission Secretary

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 5

Topic: **Public Hearing:** Request for approval of a short-form final plat of lots 137 and 138 located within the Falcon Lakes 3rd Phase.

Action Requested: Approval of the short-form final plat with staff recommendations.

Narrative: Mr. Mark Johnson is in the final stages of purchasing lot 138 in the Falcon Lakes subdivision. One of the stipulations in the deeds and restrictions of the Falcon Lakes Home Owners Association is that an individual purchasing a lot must construct a residence within a specified timeframe. In order for Mr. Johnson to alleviate himself from this requirement he is required to replat the two individual lots into one single lot. The replatting process is being required by the Falcon Lakes HOA as part of Mr. Johnsons' lot purchase.

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:
Approval of the short-form final plat with the stipulations indicated in the staff report.

Committee Recommendation: **N/A**

Attachments:
Public Hearing Notice (1 page)
Application and Receipt (2 pages)
Staff report (2 pages)
Copy of Final Plat of Falcon Lakes Phase 3 (11 x 17 page)
Reduced copy of short-form plat (11 x 17 page)
Aerial satellite image indicating of area (11 x 17 page)

Projector needed for this item?
Yes

The City of Basehor

PUBLIC HEARING NOTICE
CITY OF BASEHOR
PLANNING COMMISSION

Notice is hereby given that the Planning Commission of the City of Basehor, Kansas will hold the following public hearings on March 8, 2016 at 7:00 PM, in the meeting room of City Hall, located at 2620 N. 155th Street, Basehor, Kansas for the following items.

1. Consider a replat of Lots 137 & 138 in the Falcon Lakes 3rd Plat, in the City of Basehor, Leavenworth County, Kansas. Submitted by Mark Johnson. The proposed plat is located on the north corner of Independence Street and 142nd Street.

All persons who desire to comment for or against said applications are invited to appear at the time and place mentioned above. Copies of the applications and full legal descriptions are available for review during normal business hours at Basehor City Hall. Questions about the applications may be directed to Mark Lee, Planning & Zoning Director at 913-724-1370.

PLANNING COMMISSION
CITY OF BASEHOR, KANSAS

2620 N. 155th Street
P.O. Box 406
Basehor, KS 66007-0406

913.724.1370
FAX 913.724.3388
www.cityofbasehor.org

AFFP
PUBLIC HEARING NOTICECITY OF B

Affidavit of Publication

STATE OF KANSAS } SS
COUNTY OF
LEAVENWORTH }

Tammy Lawson, being duly sworn, says:

That she is Tammy Lawson of the Leavenworth Times, a daily newspaper of general circulation, printed and published in Leavenworth, Leavenworth County, Kansas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
February 03, 2016

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PLANNING
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PLANNING COMMISSION
CITY OF BASEHOR, KANSAS
Published in the Leavenworth Times, February 3, 2016.

That said newspaper was regularly issued and circulated on those dates.
SIGNED:

Tammy Lawson

Tammy Lawson

Subscribed to and sworn to me this 3rd day of February 2016.

Rebecca A. Mitchell

Rebecca A. Mitchell, , Leavenworth County, Kansas

My commission expires: June 07, 2019

00000335 00021322

REBECCA A. MITCHELL
Notary Public - State of Kansas
My Appt. Expires 6/7/19

City of Basehor
PO Box 406
BASEHOR, KS 66007

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

FILE COPY

Project Name & Description: JOHNSON SUBDIVISION	Total Site Acreage: 0.76	Present Zoning: R-2
Legal Description (May be attached as separate sheet): LOTS 137 & 138 FALCON LAKES 3RD PLAT		Proposed Zoning: SAME
Project Address / General Location: 4413 N 142ND STREET		Presubmittal Date:
Parcel ID Number (CAMA Number): LT138-156-24-0-00-10-047.00-0 / LT137-156-24-0-00-10-046.000		Floor Area Classification:
Property Owner Name: MARK JOHNSON	Phone:	Fax:
Property Owner Address: 4413 N 142ND STREET	City: BASEHOR	State: KS Zip: 66007
Applicant's Name (if different from above):	Phone:	Fax:
Applicant's Address:	City:	State: Zip:
Applicant's mobile phone: 913-240-4042	Property Owner and/or Applicant's E-mail address:	

APPLICATION TYPE

[ ] **Annexation**	[ ] **Preliminary Development Plan** (Submit Sheet A)
[ ] **Rezoning** (Submit Sheet A)	[ ] **Final Development Plan** (Submit Sheet A)
[ ] **Conditional Use Permit** (Submit Sheet A)	[ ] **Lot Split**
[ ] **Site Plan**	[ ] **Preliminary Plat**
[ ] **Variance** (Submit Sheet B)	[X] **Final Plat / Replat**

PROJECT INFORMATION

Existing Use
[X] Residential [ ] Commercial [ ] Industrial [ ] Office [ ] Agriculture [ ] Vacant [ ] Other _____

Proposed Use
[X] Residential [ ] Commercial [ ] Industrial [ ] Office [ ] Agriculture [ ] Other _____

COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)

Total Site Area	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: 33,808.42 SQ FT	Minimum Lot Size: 33,808.42 SQ FT	Average Lot Size:

Property Owner/Agent Consent – I am the legal owner of record of the land specified in this application or am 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 _____ 1/21/16
Signature Date

Office Use Only
[✓] Filing Fee $ 255.00 [ ] Received by _____ [✓] # of Plans 10
[✓] Attached Legal Description [ ] Property Ownership List

City of Basehor

2620 N 155th St
Basehor, KS 66007
Ph: (913) 724-1370
Fax: (913) 724-3388

Pay by Account In Full

TOTAL AMOUNT DUE

$ 255.00

Mark Johnson
4413 N. 142nd Street
Basehor, KS 66007

Pay by Invoice Code	Type	Record No.	Invoice No.	Address	Amount Due
	PZE Process	PFP-001-16	00000537	142ND ST	**$ 255.00**
	Effective Date:	**01/28/2016**	**Amount Cost:**	$255.00	

Total Amount Due $ 255.00

FALCON LAKES PHASE 3 REPLAT – REQUEST FOR APPROVAL OF A SHORT-FORM FINAL PLAT – A replat of lots 137 and 138 within Falcon Lakes Phase 3 with an approximate location along the north curve of 142nd Street and Independence Street.

MEETING DATE: **March 8, 2016**
REPORT WRITTEN: **February 9, 2016**

STAFF RECOMMENDATION:
Staff recommends approval by the Planning Commission of the replat of lots 137 and 138 of Falcon Lakes 3rd Phase via the short-form plat process, with the stipulations stated in the staff report.

APPLICANT:
- The applicant is Mark Johnson.
- The surveyor is Larry Hahn, Jr.

REQUEST:
- The applicant is requesting approval of a short-form plat in an effort to combine lots 137 and 138 to create a single lot, Mr. Johnson is the current owner of lot 137 (4413 N. 142nd Street). The lot will consist of approximately 33,808 square feet.

ZONING:
- The property is currently zoned "R-1" Single Family Residential District.

SURROUNDING ZONING:
- All surrounding properties are zoned as R-1-Single Family Residential

BACKGROUND:
Falcon Lakes 3rd Phase was initially platted in 2006. Lot 137 currently has the Johnson residence constructed upon it, lot 138 is currently vacant. Mr. Johnson is in the final stages of purchasing lot 138. One of the conditions placed upon Mr. Johnson, by the Falcon Lakes Home Owners Association, is that the two lots must be replatted into one single lot. The deeds and covenants of Falcon Lakes require that if an individual purchases a lot they have a set timeframe in which they must construct a residence upon said lot. With the replatting of the two lots into one single lot, this alleviates Mr. Johnsons' requirement to construct a residence upon lot 138.

A short-form plat procedure is being utilized for this application. The purpose for a short-form plat is to provide a means of approving a subdivision of land that contains four (4) lots or less. The 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.

Traffic Impact
No additional traffic will be created by the proposed plat.

Stormwater Management
Stormwater Management facilities will not be changed with the approval of the subject plat.

Utilities
No new utilities will be proposed with the subject plat. As part of the replat, all existing utility easements shall remain intact as platted. Staff has requested reviews from all utility companies of the application for the proposed final plat.

Subdivision Regulations Requirements
The items to be included on the final plat per the Subdivision Regulations requirements are indicated on the included checklist.

STAFF RECOMMENDATION:
Staff recommends approval of the Replat of lots 137 & 138 located within the Falcon Lakes 3rd Phase application, with the following stipulations:

1. **The Mylar signature copies of the final plat shall contain the name of the appropriate representative from the owners of lot 138.**
2. **The applicant shall complete the installation of approved sidewalk along the frontage of lot 138, per city standards within sixty (60) days.**
3. **The final plat shall be recorded with the Register of Deeds of Leavenworth County, one registered copy shall be returned to city staff for record keeping purposes.**

FINAL PLAT CHECKLIST

FILE COPY

A final plat application submitted for approval by the Planning Commision must include the following required submittal items. Failure to provide this information by the application deadline **may result in the application not being accepted until all required information is submitted.**

This document shall be submitted with the final plat application and shall be signed by the applicant or an autorized agent. Any item not checked or checked "N/A" or "NO" requires a written explanation accompanying this checklist.

Staff will review the application on the day of submittal to insure completion. Acceptance of an application by the City of Basehor does not constitute completion of requirements and/or compliance with all Planning & Zoning requirements or approval of a final plat. **Additional information may be required due to the location, size, or complexity of the plat.**

REQUIRED SUBMITTAL ITEMS

YES	N/A	NO	
X			**1) Application form, fee and checklist** filled out accurately and completely, with all required signatures.
X			**2) Ten (10) copies of the final plat,** drawn to an appropriate standard engineering scale. Plans shall be on 24" X 36" sheets, folded to 9"X12" for submittal.
X			**3) One (1) 8.5" X 11" reduction of the plat.** Rec. 2/16
X			**4) Digital files** including a PDF of the plat and a MS Word document of the legal description. Rec. 2/16
			5) Ownership affidavit with all required signatures.
		X	**6) One (1) copy of existing covenants and restrictions** applicable to the development, if any (reference book and page).
		X	**7) Letter of Intent** as to whether a Homeowners Association will be created and if any covenants and restrictions are proposed by the subdivider if not submitted with the Prelimanry Plat. Covenants and restrictions, as well as evidence of the establishment of the agency for the ownership and maintenance of any common space, shall be submitted to the City for review and approval prior to recording of the plat.
		X	**8) Floodplain modeling** using HEC-RAS model provided by the City if encroachment is proposed within a FEMA or Shaded Zone X 100-year floodplain. (Contact City Engineer to obtain model and requirements).

REQUIRED SUBMITTAL ITEMS (CONT.)

YES	N/A	NO	
		X	**9) Final Stormwater Management Plan** (2 copies). (See separate handout for requirements)
		X	**10) Traffic Study (2 copies)** as required by the City Engineer, if not submitted with the Preliminary Plat.
		X	**11) Development Agreement,** if required.

REQUIRED PLAT INFORMATION

X			**12) Name of subdivision** (unique and numerically consistent) and the words "FINAL PLAT," prominently displayed as the title.
X			**13) Names, addresses, and phone numbers** of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.).
X			14) Dates of preparation of Final plat and/or revisions.
X			**15) Scale, legend, and north arrow** clearly shown, with orientation at top or left as north(not less than 1"=100' scale).
X			**16) Vicinity map**, drawn at a scale of 1"=2000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.
X			**17) A legal boundary description** with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres.
X			**18) Plat boundary calculation sheet (2 copies)** indicating coordinates of the plat boundary, square feet of each lot and right-of-way, and the unadjusted error of closure of the field traverse that established the plat.
X			**19) Location of monuments,** shown in reference to existing official monuments or the nearest established ¼ section corner, including the bearings and distances to such reference points or monuments.
X			**20) Boundary lines** of the subdivision shall be enclosed with one continuous bold line, showing dimensions (bearings and distances).
X			**21) Lots and tracts identified clearly**, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet.

REQUIRED PLAT INFORMATION (CONT.)

YES	N/A	NO	
		X	**22) Note on plat** indicating ownership, purpose, and maintenance responsibilities for for any parcels labeled as tracts.
X			**23)Building setback lines** along public and private streets with dimensions in feet.
X			**24) Proposed street network,** including street names, right-of-way, bearings, tangents, and horizontal curvature data along the centerline of each street.
		X	**25) Stream Corridor Boundary** and dimensions.
		X	**26) Stream Corridor Notice on Plat as follows:** "Notice: This site lies within a protected Stream Corridor, as defined and regulated in the City of Basehor Municipal Code. Restrictions on the use or alteration of the Stream Corridor may apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement approved by the City".
		X	**27) Stream Corridor Maintenance Agreement.** (Contact City Engineer for form).
X			**28) Existing and proposed easements** with dimensions and statement of dedication. Existing easements shall be labeled with book and page.
X			**29) Dedication of streets,** alleys, drives, and other parcels not previously dedicated, for public or private use. Dedication language to be provided by Public Works Staff.
X			**30) Certification and seal** by a registered land surveyor.
X			**31) Certification** that all prior existing easements have been absolved on parcels to be dedicated for public use.
X			**32) Certification** of execution for the owner's signature(s), and all parties having a mortgage or lien interest on the property.
X			**34) Signature block** for endorsement by the Planning Commission Chairman, Secretary of the Planning Commission & City Engineer with name printed underneath.
X			**35) Signature block** for endorsement by the Mayor & City Clerk, with name printed underneath.

SUPPLEMENTAL INFORMATION(SEPARATE DOCUMENT[S]) IF NOT PREVIOUSLY SUBMITTED WITH A PRELIMINARY PLAT)

YES	N/A	NO	
X			**37) Platted and unplatted land** adjacent to the plat boundary. Include identification of adjacent platted subdivisions and unplatted tracts with external bearings and distances of adjacent plats and property owners for a distance of not less than 400 feet. Include original plat names if replatted. Exterior dimensions shall coincide with adjoining plats unless differences are noted.
X			**38) Existing streets and driveways** which abut, touch upon or extend through the subdivision and/or streets located within 400 feet of the plat. The description shall include types and widths of existing surfaces, right-of-way widths, and dimensions of any bridges and culverts.
X			**39) Location of existing open space,** alleys, parks, streams, ponds, or other similar features within plat, and whether they are to be retained or removed.
		X	**40) Location of existing buildings** and structures within 200 feet of the plat.
		X	**41) Existing utilities,** including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
		X	**42) Topography** of the area contained in the plat and within 20 feet of the plat boundary shown by 2-foot contour intervals and proposed preliminary grading. Contour lines shall be legible but not overpowering.
		X	**43) Proposed sidewalks** and/or trail locations including proposed widths.
		X	**44) Proposed utilities,** including approximate location of sanitary sewer, water main, street lights, and storm sewer.
		X	**45) Intersection site distance analysis.**
		X	**46) Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.
		X	**47) Any area within a federally designated floodplain.** Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #2015XXXXXXX, July 16, 2015).

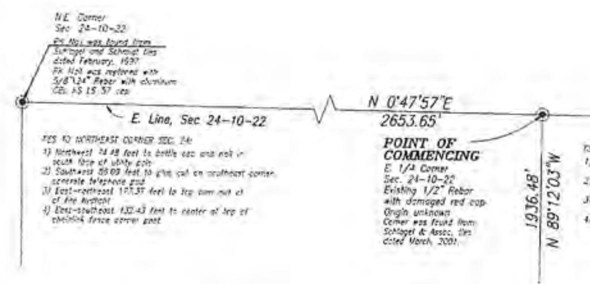
Written explanations for any items not checked or checked "N/A" or "NO" (attach additional sheets, if necessary):

I hereby submit all information required for final plat review. I understand that failure to providethe required information may result in a postponement of my request for review until all information has been submitted. By signing this application, I acknowledge that all public streets and public infrastructure within the plat shall conform to the applicable minimum design standards set forth in the City of Basehor Municipal Code and the Technical Specifications.

Signature of Applicant

1/29/16
Date

FINAL PLAT
FALCON LAKES THIRD PLAT
A SUBDIVISION OF LAND IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS



MINIMUM LOW OPENING ELEVATIONS	
LOT	ELEVATION
103	924.5
104	924.5
106	924.5
112	924.5
113	924.5
114	924.5
115	924.5
117	924.5
118	924.5
119	924.5
120	924.5
121	924.5
122	924.5
123	924.5
124	924.5
131	924.5
132	924.5

LOCATION MAP
SECTION 24-10-22
Scale 1"=2000'

STATE OF KANSAS
LEAVENWORTH-SS
FOR RECORD
5 P 3:53 8
STACY R. DRISCOLL
REGISTER OF DEEDS

Legal Description:
Part of the Northeast ¼ and the Northwest ¼, and the Southeast ¼ of Section 24, Township 10 South, Range 22 East of the 6th Principal Meridian, in the City of Basehor, Leavenworth County, Kansas, more particularly described as follows: Commencing at the East ¼ corner of said Section 24; thence North 89°12'03" West, perpendicular to the East line of the Northeast ¼ of said Section 24, 1936.48 feet to the POINT OF BEGINNING; thence South 12°06'31" East, 573.52 feet; thence South 38°26'58" East, 33.82 feet; thence South 00°07'46" East, 129.97 feet; thence North 89°52'14" East, 131.28 feet to the Southwest corner of Lot 44, FALCON LAKES SECOND PLAT, a subdivision in the City of Basehor, Leavenworth County, Kansas, said point being a point on the Northerly right of way line of Independence Street as established by said plat of FALCON LAKES SECOND PLAT; thence South 00°07'46" East, 50.00 feet to a point on the Southerly right of way line of said Independence Street; thence South 89°52'14" West, 58.81 feet; thence South 07°29'09" West, 143.17 feet; thence South 25°45'51" East, 160.07 feet; thence South 27°57'08" West, 184.09 feet; thence South 87°59'28" West, 176.48 feet; thence North 66°11'25" West, 111.63 feet; thence Southerly and Southwesterly along a curve to the right, having a radius of 50.00 feet and an initial tangent bearing of South 26°22'00" West, an arc length of 58.77 feet; thence South 54°26'10" West, 86.30 feet; thence South 02°19'52" West, 136.50 feet; thence South 87°40'08" East, 111.23 feet; thence South 20°30'27" West, 265.41 feet; thence North 69°29'33" West, 82.56 feet; thence North 02°19'52" East, 362.92 feet; thence North 25°29'58" East, 91.54 feet; thence North 54°26'10" East, 42.91 feet; thence Northerly and Northeasterly along a curve to the right, having a radius of 50.00 feet and an initial tangent bearing of North 10°58'47" East, an arc length of 63.12 feet; thence Northeasterly along a curve to the left, having a radius of 60.00 feet and being tangent to the last described course, an arc length of 20.85 feet; thence North 63°38'00" West, 136.36 feet; thence North 34°50'39" East, 91.08 feet; thence North 75°58'04" West, 211.97 feet; thence North 11°35'28" West, 222.29 feet; thence North 34°35'20" East, 150.94 feet; thence North 50°42'23" West, 15.00 feet; thence North 08°49'27" West, 248.21 feet; thence North 24°29'51" East, 50.00 feet; thence North 69°30'33" East, 77.81 feet; thence North 18°57'56" East, 64.90 feet; thence North 78°30'40" East, 53.82 feet; thence North 14°10'36" West, 59.56 feet to a point of curvature; thence Northwesterly along a curve to the left, having a radius of 825.00 feet and being tangent to the last described course, an arc length of 161.57 feet; thence South 65°24'44" West, 130.57 feet; thence North 28°43'08" West, 148.58 feet; thence North 21°51'51" West, 94.17 feet; thence North 20°09'04" West, 57.38 feet; thence North 49°20'12" West, 54.09 feet; thence North 60°30'45" West, 77.92 feet; thence North 74°10'22" West, 97.08 feet; thence North 01°42'32" East, 214.65 feet to a point on the Southerly right of way line of Falcon Lakes Parkway as established by the document recorded in Book 818, Page 501, at the office of the Leavenworth County Register of Deeds; thence South 88°17'28" East, along said Southerly right of way line, 225.13 feet to a point of curvature; thence Easterly continuing along said Southerly right of way line, along a curve to the left, having a radius of 997.20 feet and being tangent to the last described course, an arc length of 257.59 feet to a point of reverse curvature; thence Easterly continuing along said Southerly right of way line, along a curve to the right, having a radius of 1153.00 feet and being tangent to the last described course, an arc length of 60.01 feet; thence South 10°06'33" East, 30.00 feet; thence South 30°08'46" East, 95.56 feet; thence South 01°34'35" East, 229.41 feet; thence South 31°21'26" East, 304.46 feet to the Point of Beginning. Containing 897,079 square feet or 20.594 acres of land, more or less.

DEDICATION:
The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which hereafter shall be known as "FALCON LAKES THIRD PLAT"

The streets ... shown on this plat and not heretofore dedicated as thoroughfares are hereby dedicated to the City of Basehor, Leavenworth County, Kansas.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, inlets, manholes, surface drainage facilities and other similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Basehor, Leavenworth County, Kansas.

A 15 foot wide utility Easement or "U/E" is hereby dedicated to the City of Basehor, Leavenworth County, Kansas, or its designees, off of lots adjacent to and parallel with all platted Street Right-of-Way lines, unless otherwise shown hereon.

A Landscape Easement or "L/E" is hereby dedicated to the City of Basehor, Leavenworth County, Kansas, maintenance of which shall be the responsibility of the Falcon Lakes Homes Association.

A 10 foot wide ... Easement is hereby dedicated to the Falcon Lakes Homes Association at the locations shown hereon.

Tract "E" is reserved for recreational use and shall be owned and maintained by the Falcon Lakes Homes Association. Tract "F" and "G" are hereby dedicated as D/E and shall be owned and maintained by the Falcon Lakes Homes Association.

Tracts "H" and ... hereby dedicated as "U/E" and "L/E" and shall be owned and maintained by the Falcon Lakes Homes Association.

RESTRICTIONS

The use of all Lots and Tracts of land in this subdivision shall hereafter be subject to the covenants and restrictions which will be filed at the office of the Register of Deeds of Leavenworth County, Kansas, subsequent to the filing of this plat and shall hereby become a part of the dedication of this plat as though fully set hereon.

All previous taxes have been paid prior to the execution of this plat.

All islands constructed within the public right-of-ways shall be maintained by the Falcon Lakes Homes Association.

The Ground Floor Area Classification for all lots in this subdivision shall be Class "D".

The minimum dwelling size shall be 1,250 square feet of living floor area, or as required by Section 4-104.10 of the City of Basehor Subdivision Regulations, whichever square footage is greater.

Accessory buildings shall not occupy more than a maximum of 2.5 % of the total square footage of the lot with minimum side and rear yard setbacks of 10 feet.

The minimum side yard setback for all lots in this subdivision shall be 7 feet. Minimum Front yard setback shall be 25'. Minimum rear yard setback shall be 30'.

The maximum building height shall be 2 1/2 stories, or 35 feet, as stated in the City of Basehor Zoning Regulations.

EXECUTION

IN TESTIMONY WHEREOF, Rustom K. Ferzandi, Member of Falcon Lakes, L.L.C., a Kansas Limited Liability Company, has caused this instrument to be executed on this 17 day of April, 2006.

Falcon Lakes, L.L.C.
a Kansas Limited Liability Company
Rustom K. Ferzandi, Member

8-13-06

ACKNOWLEDGEMENT

STATE OF KANSAS)
)ss
COUNTY OF Johnson)

BE IT REMEMBERED, that on this 17th day of April, 2006 before me, the undersigned, a Notary Public in and for said County and State came Rustom K. Ferzandi, Member of Falcon Lakes, L.L.C., a Kansas Limited Liability Company, duly organized under the laws of the State of Kansas, with its principal place of business in the County of Johnson, State of Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Company, and such persons duly acknowledged the execution of the same to be the act and deed of said Company.

IN WITNESS WHEREFORE, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public — My Commission Expires: 8-13-06

APPROVALS

COUNTY SURVEYOR:

I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.

County Surveyor — Date 06/15/2006

CITY ENGINEER:

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 Engineer — Date 5/15/06

We the Planning Commission of the City of Basehor, Leavenworth County, Kansas, do hereby approve the foregoing Plat this 3 day of ..., 2005.

Chairman — Attest, Secretary

APPROVED by the Governing Body of the City of Basehor, Leavenworth County, Kansas, this 16th day of May, 2006

Mayor — Attest, City Clerk

SEAL OF THE CITY OF BASEHOR, KANSAS — CORPORATE SEAL

I HEREBY CERTIFY THAT THIS SUBDIVISION AND THE CORRECT LOCATION OF ALL MONUMENTS SHOWN WERE SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION IN NOVEMBER, 2005, AND THAT ALL LOTS, BLOCKS, HIGHWAYS, STREETS, AVENUES, ALLEYS, PUBLIC WAYS AND GROUNDS, AND OTHER GROUNDS ARE WELL AND ACCURATELY STAKED AND MARKED TO THE BEST OF MY KNOWLEDGE AND BELIEF.
JAMES M. LAMBETH LS. 1039

4-25-06

BASIS OF BEARINGS
The bearings are based on the Falcon Lakes Second Plat subdivision plat filed in Book 14, Page 97, at the Leavenworth County Register of Deeds.

ERROR OF CLOSURE— 1: 365,479.20

BENCHMARK:
TBM: USGS Benchmark supplied by KDOT. Located 2212' North and 98' West of SE Cor of Section 24-10-22 " " cut on SW Cor W. West Hub Guard
K-7 STA 265+12 Elev.= 928.96

TBM: WY09 1988 Aluminum Monument set in concrete Located in the South center median at the intersection of K-7 highway and Donahoo Road
Elev.= 969.83

Mapcheck Closure — (Uses listing courses, radii, and deltas)
Error Closure: 0.0036 — Course: N 85-32-58 E
Error North: 0.00028 — East - 0.00358
Precision 1: 1,877,811.11

LEGEND:
- △ Indicates location of Section Corner.
- ⊡ Indicates 1/2" x 24" Rebar w/CBL KS LS 57 cap set in concrete.
- ◉ Indicates existing 1/2" Rebar (origin as noted)
- B.L. Indicates Building Line
- U/E Indicates Utility Easement
- D/E Indicates Drainage Easement
- S/E Indicates Sanitary Sewer Easement
- L/E Indicates Landscape Easement
- R/W Indicates Right-of-way

100 Year flood elevation is based on the report Prepared by Campbell, Barber, Lambeth & Assoc., P.A. on December 16, 2005, titled "FALCON LAKES THIRD PLAT (LAKE HOPE-100 YEAR DESIGN ANALYSIS)".

Filed for record in Book 16, Page 76, on this 16th day of June, 2006, at 4:53 o'clock PM in the Office of the Register of Deeds of Leavenworth County, Kansas

Leavenworth County Register of Deeds: Stacy R. Driscoll

Revised 12/14/05
Falcon Lakes Third Plat Final Plat.dwg

Scale 1"= 100'
100 50 0 100 200
SCALE IN FEET

PREPARED FOR:
Rustom K. Ferzandi
FALCON LAKES, L.L.C.
9050 PARKHILL
LENEXA, KANSAS 66215
PH (913) 438-9009
FAX (913) 438-9011

PREPARED BY:
Campbell, Barber, Lambeth & Assoc., P.A.
6223 Slater Rd.
Merriam, KS 66206
Ph (913) 722-1220
Fax (913) 722-1223

CIVIL ENGINEERS AND LAND SURVEYORS

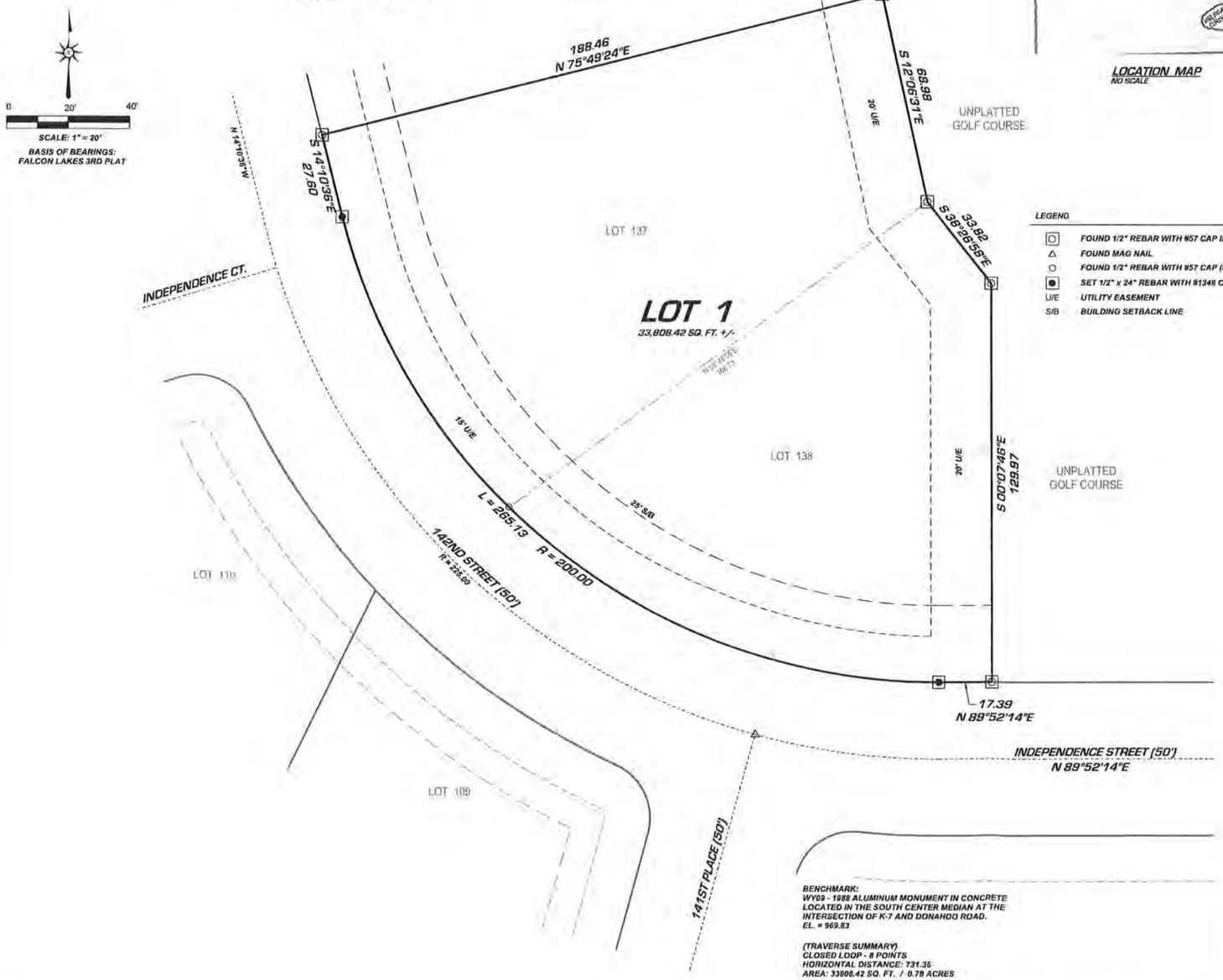
FINAL PLAT
FALCON LAKES THIRD PLAT

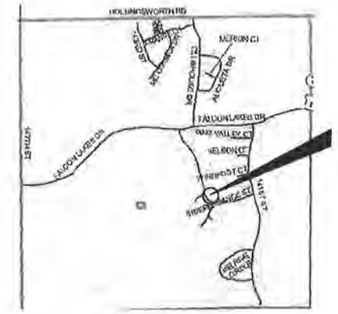
JOHNSON SUBDIVISION

A REPLAT OF LOTS 137 AND 138
FALCON LAKES THIRD PLAT

CITY OF BASEHOR
COUNTY OF LEAVENWORTH, KANSAS

FINAL PLAT





LOCATION MAP
NO SCALE

LEGEND

⊡	FOUND 1/2" REBAR WITH #57 CAP IN CONCRETE (REF. #1)
△	FOUND MAG NAIL
○	FOUND 1/2" REBAR WITH #57 CAP (REF. #1)
●	SET 1/2" x 24" REBAR WITH #1349 CAP IN CONCRETE
U/E	UTILITY EASEMENT
S/B	BUILDING SETBACK LINE

BENCHMARK:
WY09 - 1988 ALUMINUM MONUMENT IN CONCRETE
LOCATED IN THE SOUTH CENTER MEDIAN AT THE
INTERSECTION OF K-7 AND DONAHOO ROAD.
EL. = 969.83

(TRAVERSE SUMMARY)
CLOSED LOOP - 8 POINTS
HORIZONTAL DISTANCE: 731.35
AREA: 33808.42 SQ. FT. / 0.78 ACRES

(ERROR SUMMARY)
RELATIVE: 1:1206705 (CLOSED LOOP) LINEAR: 0.001 FEET DIRECTION: S 64°12'35"W
NORTHING: 0.000 FEET EASTING: 0.001 FEET

REFERENCE:
1. FALCON LAKES 3RD PLAT (2006)

LEGAL DESCRIPTION

LOTS 137 AND 138, FALCON LAKES THIRD PLAT, A SUBDIVISION IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS.

CERTIFICATE AND DEDICATION

THE UNDERSIGNED PROPRIETORS STATE THAT ALL TAXES ON THE ABOVE DESCRIBED TRACT OF LAND HAVE BEEN PAID AND THAT THEY HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE ACCOMPANYING PLAT, WHICH SHALL BE KNOWN AS "JOHNSON SUBDIVISION".

EASEMENTS SHOWN ON THIS PLAT ARE HEREBY DEDICATED FOR PUBLIC USE, THE RIGHTS OF WAY ARE SHOWN WITH DASHED LINES ON THE ACCOMPANYING PLAT AND SAID EASEMENTS MAY BE EMPLOYED TO LOCATE AND MAINTAIN SEWERS, WATER LINES, GAS LINES, POLES AND WIRES AND ANY OTHER FORM OF PUBLIC UTILITY NOW AND HEREAFTER USED BY THE PUBLIC OVER, UNDER AND ALONG THE STRIPS MARKED "UTILITY EASEMENT", U/E OR D/E, DRAINAGE EASEMENT.

STREETS SHOWN ON THE ACCOMPANYING PLAT AND NOT HERETOFORE DEDICATED FOR PUBLIC USE ARE HEREBY SO DEDICATED.

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT OR CONSTRUCTED BETWEEN THIS LINE AND THE ROAD RIGHT OF WAY.

IN TESTIMONY WHEREOF:

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND HAVE HEREUNTO SUBSCRIBED THEIR HANDS THIS_____DAY OF_____, 2016.

MARK A. JOHNSON

JOHN PRICE
VALLEY VIEW BANK

ACKNOWLEDGMENT

STATE OF KANSAS
COUNTY OF LEAVENWORTH

BE IT REMEMBERED THAT ON THIS_____DAY OF_____, 2016, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, CAME MARK A. JOHNSON AND JOHN PRICE OF VALLEY VIEW BANK, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR OWN FREE ACT AND DEED. IN WITNESS THEREOF, I HEREUNTO SET MY HAND AND AFFIX MY NOTARIAL SEAL ON THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

PLANNING COMMISSION APPROVAL

APPROVED THIS_____DAY OF_____, 2016 BY THE CITY OF BASEHOR PLANNING COMMISSION.

JON GALLION
CHAIRMAN

CONNIE LEGGETT
SECRETARY

CITY COUNCIL APPROVAL

APPROVED THIS_____DAY OF_____, 2016 BY THE CITY COUNCIL, CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS.

DAVID K. BREUER
MAYOR

KATHERINE REEN
CITY CLERK (ATTEST)

CITY ENGINEER APPROVAL

THE CITY ENGINEERS 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 OR ADEQUACY OF THE DESIGN, DIMENSIONS, ELEVATIONS AND QUANTITIES.

CITY ENGINEER

COUNTY SURVEYOR CERTIFICATION

I HEREBY CERTIFY THIS PLAT MEETS THE REQUIREMENTS OF K.S.A. 58-2005. THE FACE OF THIS PLAT WAS REVIEWED FOR COMPLIANCE WITH KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS. NO FIELD VERIFICATION IS IMPLIED. THIS REVIEW IS FOR SURVEY INFORMATION ONLY.

WAYNE MALNICOF, PLS
COUNTY SURVEYOR

LARRY T. HAHN, JR. LICENSED LS-1349 KANSAS LAND SURVEYOR

LARRY T. HAHN, LS #1349

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE LEAVENWORTH COUNTY REGISTER OF DEEDS ON THIS_____DAY OF_____, 2016, AND IS DULY RECORDED AT_____A.M., P.M., IN DOCUMENT #_____

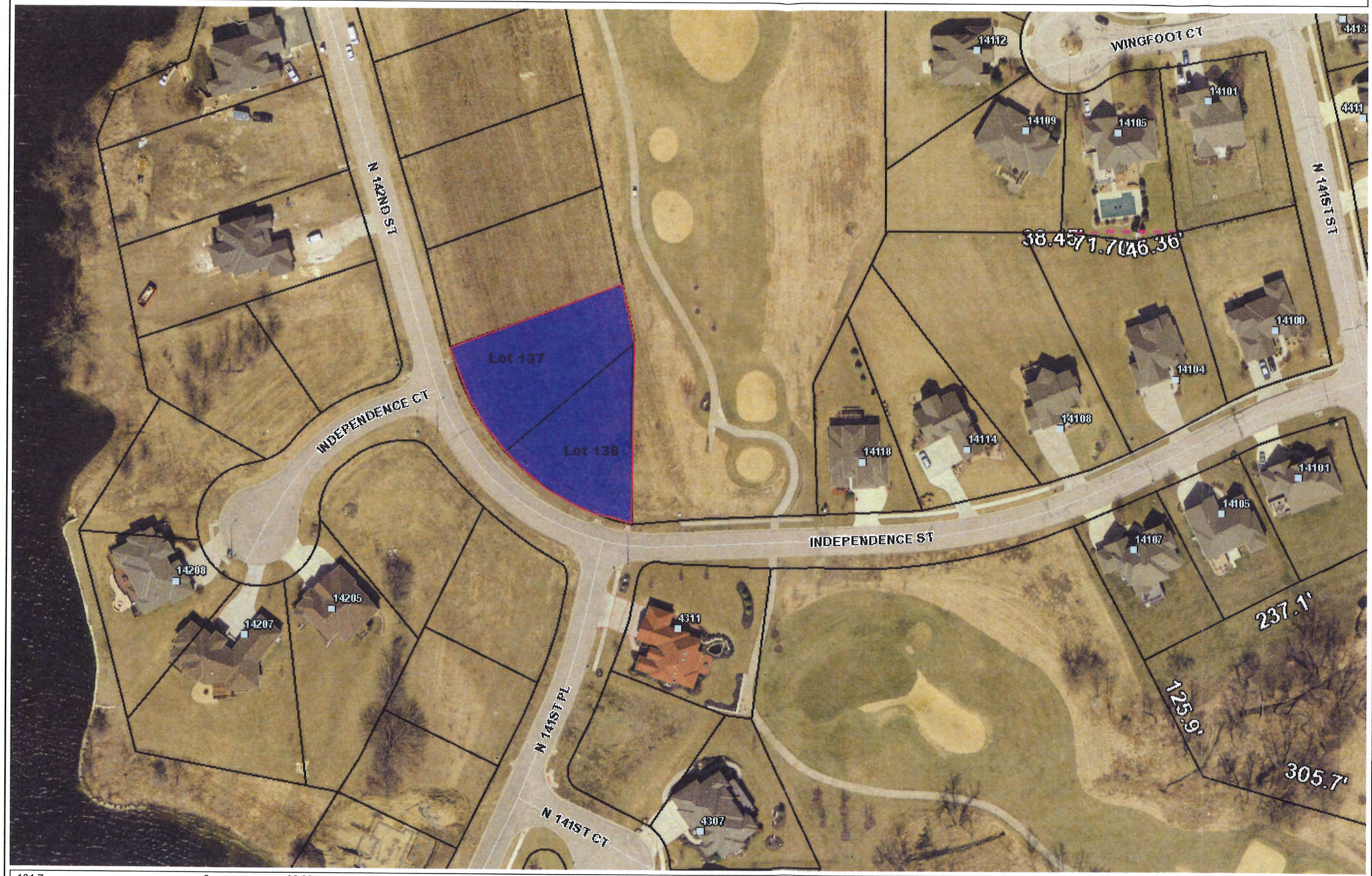
STACY R. DRISCOLL
REGISTER OF DEEDS

THIS IS TO CERTIFY THAT IN THE MONTH OF JANUARY, 2016, THIS SURVEY WAS MADE UNDER MY DIRECT SUPERVISION AND THAT SAID SURVEY MEETS OR EXCEEDS THE "KANSAS MINIMUM STANDARDS" FOR BOUNDARY SURVEYS PURSANT TO K.S.A. 74-7037. FIELD SURVEY COMPLETED JANUARY 20, 2016.

HAHN SURVEYING
PO BOX 41
LANSING, KANSAS 66043
(913) 727-1007 (913) 547-3405
lhahn3@kc.rr.com

Trevino PC

Lots 137 & 138 Falcon lakes Phase 3



Legend

- Address Point
- Address Points Leavenworth
- Parcel
- Subdivisions
- Lot Line
- Major Road
  - <all other values>
  - 70
- Road
- Railroad
- Section
- County Boundary

1: 1,108

Notes

184.7 0 92.36 184.7 Feet

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

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 6

Topic: Review and approval of updated Planning Commission By-Laws, reflecting changes made after previous Planning Commission meeting on February 2, 2016.

Action Requested: Review and approve the appropriate changes to the Planning Commission By-Laws as presented.

Narrative: Planning Commission By-laws are a living document and subject to change in regards to other external items. Over the years the by-laws have been amended three other times, 1993, 2006 and most recently in 2007. It had become apparent that there were some discrepancies in this document; most notably were meeting days. After further review by the City Attorney there were several other areas that either needed removed or changed. You have been provided with the final copy of the by-laws, as amended and reviewed by the Planning Commission at the February 2, 2016 meeting. Please review the included By-Laws. If all members are in agreement then these By-Laws will be adopted and all necessary signatures obtained.

Presented by: Mark Lee-Planning & Zoning Director

Administration Recommendation:
Staff recommends approval of the by-law amendments as presented.

Committee Recommendation: **N/A**

Attachments:
Copy of amended By-Laws, adoption version (4 pages double side printing)

Projector needed for this item?
No

BY-LAWS, RULES AND REGULATIONS

Basehor Planning Commission

Basehor, Kansas

(Adopted July 1993 – Revised July, 2006; October, 2007; February 2016)

MEETINGS

1. ANNUAL MEETING
   a. The election of officers of the Planning Commission shall be held at Basehor City Hall as part of the regular monthly meeting that occurs in July of each year. Elected officers shall take office in August following the elections.
2. REGULAR MONTHLY MEETING
   a. The Planning Commission regular monthly meeting shall be held on the second Tuesday of each month at Basehor City Hall. If the day of the Planning Commission regular monthly meeting is a holiday, the Planning Commission may set a new date for the meeting by a majority vote of the Commission.
   b. Meetings will begin at 7:00 PM and run until such time that the Planning Commission addresses all items of business, or until 10:00 p.m., at which time the Planning Commission, by a majority vote thereof, may adjourn the meeting. In the event the Planning Commission adjourns the meeting at 10:00 p.m. with items needing attention remaining on the agenda, the Planning Commission shall set a location, date and time for a special meeting no more than five (5) working days into the future. If no other location is fixed in the notice of the special meeting, the meeting shall be held at Basehor City Hall.

ITEMS TO BE PLACED ON THE AGENDA

1. Any concerned citizen, City Council member or Planning Commission member shall follow the procedure to place an item on the agenda as follows:
   a. Items to be placed on the Planning Commission agenda shall be submitted to the Planning Department no less than twenty (20) days prior to the date of the meeting or, as may be determined by the regulatory document that would govern the application (i.e. Zoning Ordinance or Subdivision Regulations). However, the

Planning Director shall have the discretion to accept items for placement on the agenda, so long as in doing so, there will be no violation of any necessary public hearing notice requirements.

b. When calling a special meeting, the item to be discussed will be a part of the meeting's call.

c. At each regular meeting, the requested item shall be placed on the agenda as an "Open Agenda" item, and any person present may ask to have a particular item listed under "Open Agenda" discussed. The Planning Commission shall vote on whether the item shall be discussed. Should the motion fail the item will be put on the agenda for the next regular meeting. No item shall be discussed as an "Open Agenda" item which should be published in accordance with Kansas state law, or which necessitates requires notification of affected property owners.

SPECIAL MEETINGS

1. A special meeting of the Planning Commission may be called by the Chair, or in their absence, the Vice-Chair, and held at any the location day and time fixed in the notice. If no other location is fixed in the notice, the meeting shall be held at Basehor City Hall.
2. The Chair, or in their absence, the Vice-Chair, shall call a special meeting of the Planning Commission at the request of a majority of the appointed members of the Planning Commission. If the Chair fails to comply with such a request, said members so requesting may call such meeting if all such members sign the notice.
3. Special meetings may be adjourned at any time during the special meeting by vote of a majority of the appointed members. An adjourned special meeting of the Planning Commission may be held at such location, day and time as is fixed in the notice of adjournment. If no other location is fixed in the notice of adjournment, the meeting shall be held at Basehor City Hall.

NOTICE OF MEETINGS

1. It shall be necessary to give notice of all Annual or Regular monthly meetings in accordance with Kansas state law. The Chair may direct that notice be given by the Secretary at each meeting, but failure to give such notice or to receive the same shall not affect the validity of any election held or done action taken at such meeting, so long as such election or action meets the requirements of Kansas law.
2. Notice of special meetings shall name the location, day and time, and business to be transacted, and shall be mailed to each member of the Planning Commission at his or her address on record with the City of Basehor not less than three (3) days prior to such meeting.
3. All meetings, both regular and special, shall be open to the public.
4. Notice of special meetings shall be published prior to the meeting in accordance with Kansas state law.

EXECUTIVE SESSION

1. The Planning Commission and its sub-committees have the right to meet in Executive Session as set out in the Kansas Open Meetings Act, K.S.A. 75-4317 et seq., as amended from time to time.

QUORUM

1. At least the majority of the members of the Planning Commission shall be necessary to constitute a quorum for the transaction of business.
2. The affirmative vote of a majority of those members present shall be required for the exercise of power or functions conferred or imposed upon the Planning Commission, but less than the majority of the members may meet and adjourn from time to time until a quorum is present.

MEMBERSHIP

1. The Planning Commission shall consist of seven (7) appointees of which number, two members shall reside outside of but within three (3) miles of the corporate limits of the City, but the remaining members shall be residents of the City. Appointments are to be made by the Mayor with the consent of the City Council. The members of the Planning Commission first

appointed shall serve respectively for terms of one (1) year, two (2) years and three (3) years, divided equally or as nearly equal as possible between these terms. Thereafter, members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term only. Members of the Planning Commission shall serve without compensation for their services. Members of the Planning Commission may be removed for cause as provided by Kansas state law and these by-laws.

2. When any member is absent for three consecutive regular monthly meetings or four regular meetings within any one calendar year, the secretary of the Planning Commission shall notify the Mayor by delivering to the City Clerk, in writing, the name of the individual and the dates of the meetings missed. The City Clerk shall upon receipt of the written notice from the Secretary of the Planning Commission notify the individual of date and time of the meeting at which time the matter shall be considered by the Governing Body. At the time of consideration, the Mayor with the consent of the City Council may declare a vacancy existing and proceed to appoint a successor for the remaining term of the vacant position by majority vote.

<u>OFFICERS</u>

1. CHAIR
    a. The Chair shall preside at all the meetings of the Planning Commission.
    b. The Chair shall, when authorized by the Governing Body, execute in its name all contracts, bonds and other obligations.
    c. The Chair shall appoint committees.
    d. The Chair shall perform such other duties as are usually exercised by the Chair of a Commission or the President or the Chief Officer of such a Commission.
2. VICE-CHAIR
    a. The Vice-Chair's duties shall be to perform the duties of the Chair during the absence or disability of the Chair.
    b. The Vice-Chair may be appointed by the City Council to the Board of Zoning Appeals, in the same manner as other members of the Board of Zoning Appeals. In the event that such Vice- Chair's term as Vice-Chair of the Planning Commission shall expire, the Vice-Chair's position on the Board of Zoning Appeals shall become vacant simultaneously with the expiration thereof.

3. SECRETARY

   a. The Secretary may or may not be a member of the Planning Commission.

   b. The Secretary shall attend all regular and special meetings, keep a recording of and transcribe the same in the minute book of the Planning Commission. Minutes of the meeting shall be prepared within seven (7) days after the meeting. Copies of the minutes shall be furnished to each member of the Planning Commission and the City Council. Any recordings will be kept on file for five (5) years before being destroyed unless litigation requires a permanent copy to be kept. Any recording will be kept in City Hall for anyone to listen to concerning Planning Commission activities.

   c. The Secretary shall send all notices of regular and special meetings required to be sent under these By-Laws or as directed by the Chair.

   d. The Secretary shall, when required, attend meetings of the committees and when directed, transcribe the minutes thereof, furnishing each member of the committee a copy of the minutes.

   e. The Secretary shall have charge of the office of the Planning Commission and all books, papers and records thereof and shall attend to all correspondence of the Planning Commission.

<u>COMMITTEES</u>

1. The Planning Commission may establish such committees as it deems advisable and assign each committee specific duties or functions.
2. Each committee shall consist of two (2) members to be appointed by the Planning Commission Chair.
3. The Planning Commission Chair shall appoint one (l) member as Chair of each committee, and the committee shall meet at such times and places as directed by the Chair of such committee.
4. The members of the committee shall serve for one (l) year or until their successors are appointed, and any vacancy in the committee shall be filled by the Chair of the committee.
5. Whenever necessary, the Planning Commission Chair shall appoint such special committees for such purposes as the chair sees fit, or as may be authorized by the Planning Commission.
6. The Chair shall appoint, upon a motion, second, and vote from any Planning Commission member, two (2) members to a committee. The appointment shall be made at regular or

special meetings and any interested persons are invited to provide input or accompany committee members on any inspections.

7. A committee constitutes a miniature assembly and shall act only when both members are present. When a committee originates a report, it must be complete when presented. All committee reports should close with a definite recommendation and will be in written form. A committee report is presented by the Chair of the committee.

ELECTIONS AND APPOINTMENTS

1. The Chair of the Planning Commission shall be elected at the Annual Meeting thereof and shall hold office for one year or until a successor is appointed and qualified.
2. The Vice-Chair shall be elected at the Annual Meeting of the Board immediately after the election of the Chair and shall hold office for one (l) year or until a successor is appointed and qualified.
3. Any vacancy in the office of the Chair or Vice-Chair of the Planning Commission may be filled at any regular or special meeting after such vacancy.
4. The Secretary shall be elected at the annual meeting of the Board Planning Commission immediately after the election of the Vice-Chair and shall hold office for one (1) year or until a successor is appointed and qualified.
5. In the event that the Chair and the Vice-Chair or the Secretary of the Planning Commission should be absent or unable for any reason to attend to the duties of their office, the members of the Planning Commission may at any regular meeting or at any special meeting called for that purpose, appoint a Chair Pro-Tem or a Secretary Pro-Tem, as the case may be, who shall attend to all the duties of such officer until such officer shall return or be able to attend to their duties.

ORDER OF BUSINESS

1. The order of business at all meetings shall be as follows:
    a. Call to Order
    b. Roll call and Pledge of Allegiance.
    c. Approval of the Minutes of the preceding meeting. (The Minutes need not be read aloud by the Secretary if copies are given to the Planning Commission members prior to the meeting.)

d. Unfinished B usiness.

e. New Business.

f. Open Agenda.

g. Reports from Special Committees.

h. Notices and Communication.

i. Adjournment.

AMENDMENT OF BY-LAWS

1. The foregoing By-Laws, or any part thereof, may be proposed to be amended at any regular meeting of the Planning Commission with notice, or at any special meeting of the Planning Commission where not less than three (3) days notice has been given to all members of the Planning Commission and a copy of the proposed amendment sent with the notice, providing, however, that it shall require the vote of not less than two-thirds (2/3) of the members to make any amendment or change in these By-Laws.

MOTIONS AND VOTING

1. Motions must be seconded and require a majority vote by voice. On a roll call vote an entry must be made in the Minutes of the names of all voting affirmative, negative and answering "present".

   All members, including the Chair, shall have a vote and shall vote when present except that members shall automatically excuse themselves from a hearing and voting on any decisions in which they have a conflict of interest.
2. In deliberative societies no member can vote who is not present when the question is put forth and no vote by proxy is permitted.
3. It is a general rule that no member can vote on a question in which they have a direct personal or pecuniary interest.
4. A member has the right to change their vote until the time that the vote is announced.
5. In announcing a vote, the Chair should state first whether the motion is carried or lost: second what is the effect of the vote; and third what is the immediately pending piece of business, or if none, to ask the pleasure of the assembly.
6. The Chair should restate every motion before it is put to a vote.
7. Motion to dispense with the reading of the minutes and to approve them as mailed to the

members is in order.

8. In order for the Planning Commission Chair to make a motion or to second a motion, he or she must first hand the position of Chair to the Vice-Chair. After the motion has been made, seconded and voted on, he or she may resume as Chair.

PARLIMENTARY PROCEDURE

1. The League of Kansas Municipalities Code of Procedures (latest edition) shall be followed at all meetings of the Planning Commission so long as they are not inconsistent with the Kansas law or the Ordinances of the City of Basehor, Kansas.

Passed and approved this ____ day of _____, 2016.

Attest:

Jon Gallion, Chair City of Basehor, Kansas Planning Commission	Connie Legget. Secretary City of Basehor, Kansas Planning Commission