Planning Commission
City of Basehor, Kansas

September 13, 2016

City Hall Council Chambers

Regular Meeting – 7:00 p.m.

AGENDA
BASEHOR PLANNING COMMISSION
September 13, 2016 7:00 p.m.
Basehor City Hall

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1. **Call to Order**

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

3. **Approval of Minutes** of the preceding meeting.

    a. **Minutes of the August 9, 2016 Planning Commission Meeting**

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

New Business

5. **Election of Officers of the Planning Commission-** Per the Planning Commission By-Laws, we must elect a Chair and Vice-Chair to preside over the Planning Commission meetings, these positions shall take effect the following month.

6. **Final Plat of Boulders at Falcon Lakes, First Plat-** Consider a Final Plat for the 1st phase of the Boulders at Falcon Lakes.

7. **Review of Appendix A, Permitted and Conditionally Permitted Uses-** At this time staff is recommending that we continue review of the newly completed use table. We ended our last session by reviewing all of the 'A' alphabetical listings. This evening we shall pick up at the 'B' listings and continuing review as time allows and discuss conditions that shall be associated with specific uses.

8. **Open Agenda**
    a. **None**

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

10. **Planning Directors Report**
    a. **New Commissioner-** A new Planning Commissioner is to be appointed at the September 21st Council meeting- Benjamin Sims.

11. **Adjournment**

MINUTES
BASEHOR PLANNING COMMISSION
August 9, 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 Jennifer Bizzell, Cecil Swenson, Ed Bush, and Dennis Haag

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

   Absent Members: Commissioner Terry Gall

3. ***Approval of Minutes***
   Chair Gallion called for a motion on the July 12th, 2016 minutes. Motion was made by Commissioner Bush to approve the minutes with Commissioner Bizzell seconding. Chair Gallion called for a vote, Motion passed 4-0 with Commissioner Dennis Haag abstaining as he was not in attendance at the July 12, 2016 meeting.

4. ***Unfinished Business - None***

5. ***Public Hearing:*** Amend the Zoning Regulations of the City of Basehor, Appendix A-Permitted and Conditionally Permitted Uses- Request for approval to amend the zoning regulations to allow for new uses within given zoning districts, in particular to allow for pet boarding facilities within the I-1, Light Industrial Zoning Districts. This use if allowed with be required to adhere to all other Zoning Regulations and Codes as adopted by the City of Basehor.

   Chair Gallion called for a motion to open the public hearing. Commissioner Bush made the motion to open the public hearing and Commissioner Swenson seconded. Chair Gallion called for a vote on the motion to open the public hearing, motion was passed 5-0 at 7:02 p.m.

   Mark Lee explained the requirements that would pertain to this amendment, staff recommendations and the impacts of what is being requested. Staff recommends approval of the request to amend the zoning regulations to allow for Kennel and Boarding Facilities to be located within the I-1 Zoning District.

   Shannon Marcano spoke and said that it would be ideal to have the R-O and the I-1 zoning requirements to be equal and the reasoning behind that. She recommended to amend the zoning code to appendix A as to allow for kennel boarding and breeding facilities in a I-1 district as a conditional use permit as in existing zoning code.

With no persons speaking in favor, nor against, Chair Gallion called for a motion to close the public hearing. Commissioner Swenson made the motion and Commissioner Bush seconded. Chair Gallion called for a vote on the motion to close the public hearing passed 5-0 at 7:12 p.m.

Chair Gallion called for a motion on the request. Commissioner Bizzell made a motion to approve the staff recommendation for zoning regulations in I-1 with the conditional use permit for all kennels, boarding and breeding facilities. Commissioner Bush seconded. Chair Gallion called for a vote and the motion passed 5-0.

6. ***Review of Appendix A, Permitted and Conditionally Permitted Uses-*** At this time staff recommended that we begin review of the newly completed use table. We shall review pages 1-15 tonight if time allows and discuss conditions that shall be associated with specific uses.

   Discussion began for the review of the Appendix A, of Permitted and Conditionally Permitted Uses. It was agreed upon that they would complete 15 pages and spend about 30 minutes discussing this. As time went on the A's were completed and the time allotted went over the 30 minutes. It was agreed upon that at the next Planning Commission meeting they would continue to move forward with the reviewing of the Appendix A.

7. ***Open Agenda - None***

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

9. **Planning Directors Report**
   - **a.** Mayor David Breuer has requested a joint meeting between City Council and Planning Commission, a date of September 14th, 2016 at 6:30pm has been chosen.
   - **b.** As of the date of the agenda, Leavenworth Road project is on schedule and should be in the wrap up stages
   - **c.** Permits issued to date are as follows:
     1. 58 single family
     2. 3 multi-family

   These permits total 63 residential units.

   Chair Jon Gallion mentioned that he has been attending more MARC meetings and that there are things to look into where the city can be allowed to receive grants.

   It was also brought to attention that there needs to be an election for a Vice-Chair.

10. **Adjournment**

    Chair Gallion called for a motion to adjourn, Commissioner Bush made the motion and Commissioner Bizzell seconded. Chair Gallion called for a vote. Motion passed 5-0. There being no further discussion, the meeting was adjourned at 8:42 p.m. by Chair Gallion.

Submitted for approval without additions or corrections this 13th day of September, 2016.

Jon Gallion, Chair

Connie Leggett, Planning Commission Secretary

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 5

Topic: Election of Chair and Vice-Chair.

Action Requested: Elect new Chair and Vice-Chair to take position at the next regular monthly meeting, October

Narrative: Per the Planning Commission By-Laws a Chair and Vice-Chair must be elected at the regular monthly meeting in July and shall take office in August. This was overlooked by staff during the July Agenda preparation. With Mr. Farris wishing not to be re-appointed we are short the position of Vice-Chair as is. The appointed Chair and Vice-Chair will assume or retain their respective positions at the next scheduled monthly meeting.

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:
None, this vote is conducted amongst the members, as a group, via a motion and 2nd with a vote taking place after.

Committee Recommendation: **N/A**

Attachments:

Projector needed for this item?
No

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 6

Topic: Approval of the Final Plat of the Boulders at Falcon Lakes, First Plat

Action Requested: Approval of the Final Plat as presented to include staff stipulations.

Narrative:
Schlagel & Associates, on behalf of Day 3, LLC, has come forward with a final plat of the Boulders at Falcon Lakes, First Plat. The preliminary plat was approved by Planning Commission in 2001. The 2001 approved preliminary plat does not expire, as it was acted upon by the filing of several final plats that encompassed different phases of the development. The Planning Commissions objective is to ensure that the submitted final meets the intent of the approved preliminary plat and that all required elements for the final plat have been met. Staff has included several stipulations that shall be addressed prior to the final plat being released for filing with the Leavenworth County Register of Deeds.

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:
Staff recommends approval of the final plat for the Boulders at Falcon Lakes, First Plat, with the included stipulations.

Committee Recommendation: **N/A**

Attachments:
Application and Receipt (1 page, front and back)
Copy of the Final Plat (8.5 X 11 reduced image)
Copy of approved 2001 Preliminary Plat (8.5 X 11, reduced image)
Staff Report (3 pages, front and back)
Final Plat Checklist (3 pages, front and back)
Copy of Final Plat (full size, 24 X 36)

Projector needed for this item?
No

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

RECEIVED
- 1 2016

APPLICATION FORM

Project Name & Description The Boulders (at Falcon Lakes 4th Plat)	Total Site Acreage	Present Zoning R-1
Legal Description (May be attached as separate sheet) See attached legal description		Proposed Zoning R-1
Project Address / General Location		Presubmittal Date
Parcel ID Number (CAMA Number) 156-24-0-00-08-001.00.0		Floor Area Classification
Property Owner Name Day3, LLC	Phone 913-963-1766	Fax
Property Owner Address 17475 Ridgeview Road, Olathe, Kansas 66062	City	State Zip
Applicant's Name (if different from above)	Phone	Fax
Applicant's Address	City	State Zip
Applicant's mobile phone	Property Owner and/or Applicant's E-mail address dan@day3.land	

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)	[✓] **Final Plat / Replat**

PROJECT INFORMATION

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

Proposed Use
[✓] 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 62	Maximum Lot Size	Minimum Lot Size 83'x120'	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 _____ 6/1/16
Signature Date

Office Use Only
[✓] Filing Fee $ 560.00 [✓] Received by SH [✓] # of Plans 10
[✓] Attached Legal Description [ ] Property Ownership List

City of Basehor

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

Invoice For PlanRevi PFP-004-16

Print Date: 06/08/2016

Pay by Account In Full

Pay by Account In Full

Day 3 LLC
17475 Ridgeview Rd
Olathe KS 66062

$ 560.00

	Invoice No	Invoice Date	PlanReview Numbe	Address	Amount Due
	00000665	06/08/16	PFP-004-16	FALCON LAKES DR	$ 560.00

Fee Details:	Quantity	Description	Amount Cost	Balance
	62.000	Final Plat Fee	$560.00	$ 560.00

Total Amount Due $ 560.00

City of Basehor

Received From: Day 3 LLC
Date: 06/08/2016 Time: 3:23:17 PM
Receipt: 58729
Cashier: shernandez

ITEM REFERENCE	AMOUNT
BDINV Building Dept. Invoice 00000665	$560.00
TOTAL	$560.00
Check 1082	$560.00
Total Tendered:	$560.00
Change:	$0.00

FINAL PLAT OF

THE BOULDERS AT FALCON LAKES, FIRST PLAT

PART OF THE NW 1/4 AN SW 1/4 OF SEC. 24-10-22
IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS

Parcel Line Table

Line #	Length	Direction
L1	28.00	N53° 13' 11.25"W
L2	35.16	S30° 48' 34.39"E
L3	43.09	N63° 59' 35.00"E
L4	30.00	N42° 33' 28.19"E
L5	6.29	S86° 17' 27.86"E
L6	29.30	N77° 01' 37.00"E
L7	25.13	S68° 16' 02.15"W
L8	28.05	S33° 40' 57.85"W
L9	21.26	S37° 06' 32.40"W
L10	30.66	N68° 53' 58.07"E
L11	31.27	S9° 43' 18.00"W

Center Line Curve Table

Curve #	Length	Radius	Delta
C1	68.21	300.00	12.85

Parcel Curve Table

Curve #	Length	Radius	Delta
C2	51.94	55.00	59.41

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
1	10,576.32	28	14,457.39	55	10,597.03
2	14,745.77	29	13,618.50	56	11,315.70
3	12,087.12	30	13,180.31	57	12,136.20
4	12,264.59	31	12,475.95	58	11,200.69
5	13,192.10	32	12,217.26	59	10,702.78
6	12,666.50	33	13,209.86	60	10,762.28
7	12,872.28	34	13,754.87	61	11,194.04
8	18,217.33	35	15,479.42	TRACT "A"	5,395.03
9	17,228.68	36	14,249.09	TRACT "B"	32,109.07
10	14,557.59	37	17,299.60	TRACT "C"	7,163.67
11	13,778.86	38	18,107.33	TRACT "D"	15,080.64
12	17,400.89	39	15,289.85	TRACT "E"	4,272.05
13	18,342.25	40	15,190.39	TRACT "F"	7,209.56
14	18,435.89	41	14,463.12	Tract 52	5,416.81
15	14,970.05	42	13,761.46	Tract 53	6,997.00
16	13,898.62	43	14,344.51	Tract 54	5,227.64
17	14,500.85	44	14,431.10	Tract 55	5,187.97
18	20,395.43	45	17,861.29	Tract 56	3,233.22
19	15,358.39	46	21,698.04	Tract 57	2,409.82
20	12,098.45	47	15,683.16	Tract 58	2,307.84
21	13,471.54	48	15,939.19	Tract 59	3,411.52
22	11,541.82	49	18,384.22	Tract 60	4,337.84
23	11,294.88	50	17,691.74	Tract 61	5,328.50
24	11,542.49	51	43,002.86		
25	12,293.80	52	17,618.41		
26	13,414.25	53	13,089.65		
27	14,047.50	54	11,585.82		

LEGEND:

- BL - BUILDING LINE
- R/W - RIGHT-OF-WAY
- EXISTING LOT AND PROPERTY LINES
- EXISTING PLAT AND R/W LINES
- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR W/LS-54 UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED

DESCRIPTION:

Part of the Northwest One-Quarter and Southwest One-Quarter of Section 24, Township 10 South, Range 22 East in the city of Basehor, Leavenworth County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of the Southwest One-Quarter of Section 24, Township 10 South, Range 22 East; thence South 89 degrees 33 minutes 13 seconds East a distance of 1,112.64 feet to a point on the South right of way line of Falcon Lakes Parkway as now established; thence North 44 degrees 44 minutes 43 seconds East, along the said South right of way for this and the following two (2) courses, a distance of 459.24 feet, to a point of curvature; thence Northeasterly along a curve to the right tangent to the previous course, having a radius of 960.00 feet, a central angle of 46 degrees 57 minutes 49 seconds and an arc length of 786.85 feet to a point; thence South 85 degrees 17 minutes 28 seconds East a distance of 3.43 feet to a point; thence South 07 degrees 49 minutes 48 seconds East a distance of 445.62 feet to a point; thence South 10 degrees 45 minutes 03 seconds West a distance of 162.58 feet to a point; thence South 33 degrees 26 minutes 21 seconds West a distance of 203.54 feet to a point; thence South 44 degrees 51 minutes 56 seconds West a distance of 265.70 feet to a point; thence South 16 degrees 31 minutes 57 seconds East a distance of 150.24 feet to a point; thence South 39 degrees 00 minutes 10 seconds East a distance of 99.11 feet to a point; thence North 77 degrees 01 minutes 37 seconds East a distance of 104.04 feet to a point; thence North 10 degrees 01 minutes 03 seconds East a distance of 80.89 feet to a point; thence North 57 degrees 58 minutes 37 seconds East a distance of 115.94 feet to a point; thence North 84 degrees 13 minutes 33 seconds East a distance of 91.93 feet to a point; thence North 37 degrees 06 minutes 32 seconds East a distance of 117.50 feet to a point; thence North 08 degrees 51 minutes 24 seconds West a distance of 28.29 feet to a point; thence North 38 degrees 41 minutes 43 seconds East a distance of 128.92 feet to a point; thence North 13 degrees 38 minutes 21 seconds East a distance of 289.82 feet to a point; thence South 07 degrees 54 minutes 27 seconds East a distance of 127.80 feet to a point; thence South 02 degrees 39 minutes 52 seconds West a distance of 75.68 feet to a point; thence South 28 degrees 01 minutes 12 seconds West a distance of 145.72 feet to a point; thence South 64 degrees 27 minutes 18 seconds West a distance of 128.42 feet to a point; thence South 37 degrees 14 minutes 30 seconds West a distance of 22.03 feet to a point; thence South 39 degrees 18 minutes 28 seconds West a distance of 54.41 feet to a point; thence South 08 degrees 51 minutes 09 seconds East a distance of 29.07 feet to a point; thence South 46 degrees 39 minutes 20 seconds East a distance of 75.84 feet to a point; thence South 04 degrees 52 minutes 38 seconds East a distance of 65.11 feet to a point; thence South 37 degrees 42 minutes 45 seconds East a distance of 106.44 feet to a point; thence South 03 degrees 59 minutes 08 seconds West a distance of 77.90 feet to a point; thence South 06 degrees 42 minutes 51 seconds East a distance of 104.83 feet to a point; thence South 42 degrees 48 minutes 58 seconds West a distance of 55.35 feet to a point; thence South 33 degrees 04 minutes 57 seconds West a distance of 32.32 feet to a point; thence South 09 degrees 43 minutes 18 seconds West a distance of 190.77 feet to a point; thence South 23 degrees 19 minutes 07 seconds East a distance of 54.16 feet to a point; thence South 10 degrees 17 minutes 11 seconds East a distance of 205.84 feet to a point; thence South 14 degrees 27 minutes 42 seconds West a distance of 76.68 feet to a point; thence North 83 degrees 30 minutes 06 seconds West a distance of 218.55 feet to a point of curvature; thence Northerly along a curve to the left having an initial tangent bearing of North 06 degrees 29 minutes 54 seconds East, a radius of 475.00 feet, a central angle of 03 degrees 19 minutes 25 seconds and an arc length of 27.58 feet to a point; thence North 86 degrees 55 minutes 52 seconds West a distance of 108.74 feet to a point; thence North 69 degrees 01 minutes 00 seconds West a distance of 85.00 feet to a point; thence North 55 degrees 21 minutes 48 seconds West a distance of 184.00 feet to a point; thence North 30 degrees 51 minutes 38 seconds West a distance of 326.64 feet to a point; thence North 15 degrees 50 minutes 35 seconds West a distance of 202.59 feet to a point; thence North 16 degrees 46 minutes 20 seconds West a distance of 221.26 feet to a point; thence North 03 degrees 57 minutes 44 seconds West a distance of 109.57 feet to a point; thence North 65 degrees 15 minutes 13 seconds East a distance of 124.59 feet to a point; thence North 76 degrees 58 minutes 56 seconds West a distance of 244.44 feet to a point; thence North 88 degrees 59 minutes 38 seconds West a distance of 224.61 feet to a point; thence North 49 degrees 19 minutes 45 seconds West a distance of 137.82 feet to the Point of Beginning, and containing 28.5462 acres, more or less.

EXCEPT 0.259 acre tract and as recorded in Book 748, Page 1362 described as follows: "Commencing at the Southwest corner of the Southwest One-Quarter of Section 24, Township 10 South, Range 22 East; thence South 89 degrees 52 minutes 27 seconds East (Deeded North 89 degrees 54 minutes 38 seconds East), along the South line of the said Southwest One-Quarter, a distance of 2138.76 feet to a point; thence North 00 degrees 07 minutes 33 seconds East (Deeded North 00 degrees 05 minutes 22 seconds West) a distance of 1851.62 feet to a point, said point being the POINT OF BEGINNING; thence North 03 degrees 05 minutes 01 seconds West (Deeded North 03 degrees 17 minutes 56 seconds West) a distance of 89.52 feet to a point; thence North 86 degrees 54 minutes 59 seconds East (Deeded North 86 degrees 42 minutes 04 seconds East) a distance of 124.59 feet to a point; thence South 04 degrees 50 minutes 20 seconds East (Deeded South 05 degrees 03 minutes 24 seconds East) a distance of 89.57 feet to a point; thence South 86 degrees 54 minutes 59 seconds West (Deeded South 86 degrees 42 minutes 04 seconds West) a distance of 127.42 feet to the POINT OF BEGINNING. Tract is commonly known as Lot 127, Block 4 of PRAIRIE NATIONAL ESTATES (Not Platted) as shown on the approved master plan."

APPROVALS:

COUNTY SURVEYOR:
I hereby certify this plat meets the requirements of K.S.A.-58-2005. The face of this plat was reviewed based on Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for surveying information only.

____
Leavenworth County Surveyor, Wayne Malnicof, P.L.S. Date

Disclaimer: Leavenworth County, Kansas, does not represent, warrant or guarantee that the details shown on this document and provided by the Applicant, or any agent of the applicant, including any survey information, should be relied upon by any third party as being wholly or partially accurate and complete.

PLANNING COMMISSION:
We, the Planning Commission of the City of Basehor, Leavenworth County, Kansas do hereby approve the foregoing plat of "THE BOULDERS AT FALCON LAKES, FIRST PLAT" this _____ day of __________, 2016.

____________________ ____________________
John Dallas, Chairman Attest, Secretary

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

MAYOR:
Approved by the Governing Body of the City of Basehor, Leavenworth County, Kansas this _____ day of __________, 2016.

____________________ Attest: ____________________
David K. Breuer, Mayor Katherine Renn, County Clerk

REGISTER OF DEED CERTIFICATE:
Filed for Record in Document # ____________________ this _____ day of __________, 2016 at _____ o'clock __ M. in the Office of the Register of Deeds of Leavenworth County, Kansas.

____
Register of Deeds, Stacy R. Driscoll

DEDICATION:

The undersigned proprietors 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 "THE BOULDERS AT FALCON LAKES, FIRST PLAT".

The streets and roads 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 "Drainage Easement" or "D/E", is hereby granted to the City of Basehor, Leavenworth County, Kansas, to its designees.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, poles, wires, drainage facilities, ducts and cables, sewers, manholes, and 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, or its designees.

A 10 foot wide Utility Easement or "U/E" is hereby dedicated to the City of Basehor, Leavenworth County, Kansas, or its designees, all of which adjacent to and parallel with all platted street right-of-way lines, unless otherwise shown hereon.

An easement or license to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated "Sanitary Sewer Easement" or "S/E" on this plat is hereby granted to the City of Basehor, Leavenworth County, Kansas or its designees.

Tracts "A", "B", "C" and "D" are hereby dedicated as Private Landscape and Access Easements.

Tracts "D", "E" and "F" are hereby deeded to the golf course.

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 forth.

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

Tracts "A", "B", "C" and "D" are to be owned and maintained by the Homeowners Association that serve this plat and are to be used for landscaping purposes.

Lots or Lots shall mean the platted Lots or other Lots within the Property including Lots which may be added at Declarant's sole discretion in the future, as well as any replat of the Property, except for dedicated public streets or other parcels owned by the City. Tracts 52 thru 61 shall be considered as part of the adjoining numeric designated Lot. For example, Lot 52 and Tract 52 shall be considered as one consolidated Lot for voting assessment purposes. Furthermore, the Tracts may not be conveyed separately but must be conveyed together with the adjoining Lot.

EXECUTION:

IN TESTIMONY WHEREOF, DANIEL M. KNIGHT, Member of DAY3 DEVELOPMENT, LLC, a Missouri limited liability company, by the authority of its Member, has caused this instrument to be executed, this _____ day of __________, 2016.

DAY3 DEVELOPMENT, LLC.

____
By: DANIEL M. KNIGHT, Member

ACKNOWLEDGMENT:

STATE OF __________)
) ss.
COUNTY OF __________)

BE IT REMEMBERED that on this _____ day of __________ 2016, before me, the undersigned, a Notary Public in and for said County and State, came DANIEL M. KNIGHT, Member of DAY3 DEVELOPMENT, LLC, a Missouri Limited Liability Company, 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 duly acknowledged the execution of the same to be the act and deed of same.

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

____
Notary Public My Commission Expires: __________

____
Print Name

BASIS OF BEARINGS:
PLAT OF "THE FAIRWAYS OF FALCON LAKE VILLAS"
NORTH LINE OF NORTHWEST 1/4, SEC. 24-10-22
BEARING N 90°00'00" E

BENCHMARK:
Leavenworth County Benchmark
LVCO-0625
Elevation = 893.0

SURVEYOR'S NOTES:

1. A portion of this property lies within flood ZONE AE(defined as the 1% annual chance of flood, Base Flood elevations Determined) as shown on the Flood Insurance Rate Map 20103C0241G, Revised July 16, 2015.
2. The Error of Closure noted for the Plat is 1 : 337160.05
3. Bars set for plat corners are to be set in concrete after construction. Existing bars at plat corners are to be set in concrete.

PRELIMINARY

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN FEBRUARY OF 2016. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

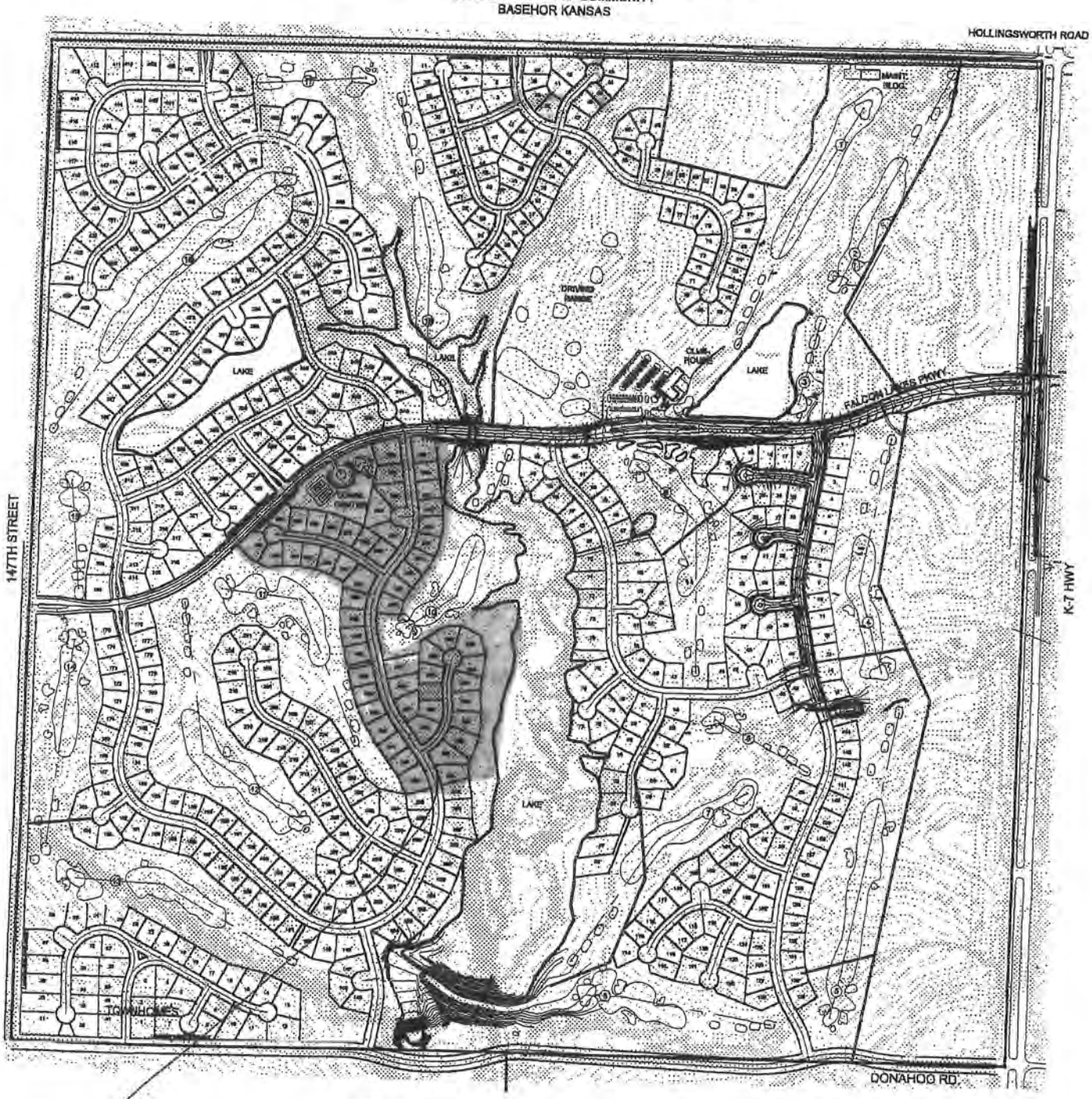
Aaron T. Reuter - Land Surveyor
KS# LS-1429

SCHLAGEL & ASSOCIATES, P. A.
Engineers • Planners • Surveyors • Landscape Architects
14920 West 107th Street • Lenexa, Kansas 66215
(913) 492-5158 • Fax (913) 492-8400

DATE 06-01-2016	FINAL PLAT OF THE BOULDERS AT FALCON LAKES, FIRST PLAT
DRAWN BY JWT	
CHECKED BY DR	
PROJ. NO. 16-074	SHEET NO. 1 OF 1

FALCON LAKES

MASTER PLAN GOLF COMMUNITY
BASEHOR KANSAS



SITE DATA:

SINGLE FAMILY ACRES:	244.26	SINGLE FAMILY	
TOWNHOME ACRES:	20.59	100' x 130'	456
LAKE/OPEN SPACE:	77.32	70' x 120'	78
GOLF	210.83	TOWNHOME	41
TOTAL ACRES	553	TOTAL LOTS:	575

0 200 400
SCALE: 1" = 200'

SCHLAGEL & ASSOCIATES, P.A.
PLANNERS - ENGINEERS - SURVEYORS
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REV. 3-21-01	REV. 2-27-01	DATE 11-20-00	FALCON LAKES
REV.	REV. 3-5-01	DESIGN 00	CONCEPTUAL MASTER PLA.
		DRAWN BY 00	
		PROJ. NO. 00-113	SHEET NO. 1 OF 1

1st phase

FINAL PLAT THE BOULDERS AT FALCON LAKES, FIRST PLAT– REQUEST FOR APPROVAL OF A FINAL PLAT OF THE BOULDERS AT FALCON LAKES, FIRST PLAT.

MEETING DATE: **September 13, 2016**
REPORT WRITTEN: **September 6, 2016**

STAFF RECOMMENDATION:
Staff recommends approval of the Final Plat for The Boulders at Falcon Lakes, First Plat, with the listed stipulations.

APPLICANT:
- The applicant is Day 3, LLC.
- The surveyor is Schlagel & Associates.

REQUEST:
- The applicant is requesting approval of a final plat comprised of 60 lots.

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

SURROUNDING ZONING:
- North "R-1" Single Family Residential District.
- South "R-1" Single Family Residential District.
- East "R-1" Single Family Residential District.
- West "R-1" Single Family Residential District.

BACKGROUND:
The Falcon Lakes subdivision Preliminary Plat was approved by the Planning Commission in May, 2001. Final plats for portions of the Falcon Lakes subdivision have been approved over the years and in general conformance with the Basehor Subdivision Regulations and the preliminary plat approved in 2001. The Boulders at Falcon Lakes is the latest final plat phase of the overall Falcon Lakes subdivision. The proposed final plat area is located directly south of Falcon Lakes Drive and west of the lake, and is vacant. The surrounding area consists mainly of vacant agricultural land with multiple single family residences being previously constructed on the east side of the lake and the north side of the previously platted ground. The Preliminary Plat that was approved in 2001 carries various 'Rule Exceptions" along with it, which are authorized by Section 6-101of the Basehor Subdivision Regulations and are as follows:

STREETS	ROW	PAVEMENT WIDTH	HORIZ. CURVE	LENGTH
Residential:	50' **(from 60')**	28' **(from 31')**	150' **(200')**	
Cul-de-sac:	50' (bulb)	39' (bulb)		

SETBACKS
Front Yard: 25' **(from 35')**
Rear Yard: 25' **(from 30')**
Side Yard: 10' ***** Villa lots shall have a 7' side yard setback**

LOTS

Minimum Width:	70' (Villa's only) **(from 75' minimum)**
Minimum Sq. Ft.:	8400 sq. ft. (Villa's only) **(from 10,000 sq.ft.)**

The proposed plat includes 60 residential lots with an average lot size of 14,579 sq.ft. along with several Tracts. One of the proposed lots is a 'Flag Lot', which is prohibited under the zoning regulations. The flag lot is addressed in the staff stipulations. The total proposed final plat area of this phase consists of approximately 28.54 acres and does not propose to change any lots outside of the proposed final plat area.

The typical final plat procedures are being utilized for this application. The purpose of this procedure is to provide a means of approving a subdivision of land insuring compliance with the previously submitted preliminary plat and the subdivision regulations of the City of Basehor. Any deviation of the final plat from the intent of the approved preliminary plat as determined by the Planning Commission shall cause the re-initiation of the preliminary platting process as described in

Chapter II; Section 102(6). Although the design layout of the submitted final plat does not mirror the approved preliminary plat staff feels as though the intent of the approved preliminary plat is still intact. The lot count is identical, the street layout is similar in nature and the overall purposed final plat differs little from the approved preliminary plat.

Traffic Impact/Transportation Excise Tax

The proposed Boulders at Falcon Lakes, First Plat consists of 60 single-family lots. Falcon Lakes Parkway (to the north) is an interior collector street with direct access to 147th Street and K-7 Highway. Traffic from this development will likely exit Falcon Lakes in a couple of different areas. They can travel north to Hollingsworth (full access to K7)' south to Donahoo (full access to K7); east on Falcon Lakes Parkway to K7 (right in, right out access to K7) or west on Falcon Lakes Parkway to 147th Street. **The traffic generated from this development will have an impact on all of these roads. The intersection of Hollingsworth Rd. and K-7 has minimal geometric improvements at this time, consisting of a north bound left hand turn lane. Donahoo is not improved to City Standards along its entirety and 147th Street is currently a substandard gravel road slated for improvement beginning in 2017.**

The home builder is required to pay $2405.00 per lot at the time of building permit application, for improvements to 147th Street, Hollingsworth Road and Donahoo Road in accordance with an agreement approved with the Falcon Lakes Subdivision Preliminary Plat.

Stormwater Management

The proposed Boulders at Falcon Lakes 28.54-acre phase is located on the west side of Wolf Creek. The Falcon Lakes Subdivision Preliminary Plat identifies 3 lakes in the Falcon Lakes development. Storm water run-off from this phase will be diverted to the largest of these lakes. All three lakes are designed to provide storm water detention on the site. According to **the submitted drainage study, storm water run-off in the development will have no impact on the adjoining properties or flows on Wolf Creek.**

Parkland Fee:

The park fee for each residential lot is $200 and will be collected at the time of building permit application.

Utilities

New utilities will need to be installed in the area of the proposed Boulders at Falcon Lakes plat. These utilities will need to be installed by the developer of the platted lots. As part of the final plat, a 15 foot utility easement is required along all street frontages of lots. A minimum 15 foot utility easement is required at any easement splitting two lots. Staff has informed all utility companies of the application for the proposed final plat.

Subdivision Regulations Requirements

The items to be submitted with and included on the final plat per the Subdivision Regulations requirements and any appropriate comments from the applicant are provided in the included checklist.

STAFF RECOMMENDATION:

Staff recommends approval of the Final Plat of The Boulders at Falcon Lakes, First Plat application, with the following stipulations:

1. **The Final Plat shall utilize the rule exceptions requested and approved with the 2001 Preliminary Plat.**
2. **The location of all building setback lines shall be provided. A note implementing said setback lines shall suffice.**
3. **The certification of the land surveyor preparing the plat, his seal and signature must be present on the Final Plat.**
4. **Name of Planning Commission Chair shall be corrected to read 'Jon Gallion'.**
5. **The City Clerk misidentification as the County Clerk shall be corrected.**
6. **All Tracts of ground must be identified as being used, and/or dedicated to whom and for what purpose.**
7. **Tracts 52 thru 61 must state an identified use.**
8. **Tract G shall be labeled as a non-buildable Tract and shall be more fully describe as to its use.**
9. **Monuments at controlling corners of the subdivision shall be ½" X 3', encased in concrete. Identify controlling monuments on plat.**
10. **All lot corners and control points for horizontal curves to be monumented with ½" X 2' bars. Identify lot corners and control points for horizontal curves.**
11. **Tracts A, B and C shall be listed as Landscape Tracts separately and not include the language "Access Easements"**
12. **Corner lots shall maintain two front yard setbacks which shall be along both street sides of the lot(s).**
13. **Lot 51 is a Flag Lot and shall be removed completely from the final plat.**
14. **Utility easements located along and between side lot lines shall measure at a minimum, fifteen (15') feet wide, and shall be centered on such side lot property lines.**
15. **Tract E is described as a thirty (30') foot cart path easement but the measured dimensions vary on the final plat. Correct the measured dimensions on the final plat to match the description.**
16. **Tract F appears to be a 30' cart path easement and shall be labeled as such.**
17. **The streets listed as 'Street D' and 'Street E' shall carry appropriate names and be assigned by the developer.**
18. **Provide acceptable primary control points.**
19. **Identify north as either 'true north' or 'magnetic north'**
20. **Provide all documentation indicating land swaps between Falcon Lakes Golf Course and the developer have taken place and are filed with the Register of Deeds.**
21. **Benchmark utilized must identify as being based on USGS datum or provide a USGS benchmark.**
22. **All construction documents for storm-water and sanitary sewer and other utilities shall be submitted and reviewed to ensure adequate utility easements are provided.**

23. **Two copies of separate drawings, prepared by a professional engineer, showing profile and cross section of all streets, alleys or public ways to be dedicated for public use, as well as any drainage, utility easements or other improvements required by the Planning Commission, City Council and/or Engineer shall be provided. The profiles and cross sections shall be drawn to specifications as on file and acceptable to the city.**
    a. **Drawings shall be submitted to identify and verify sight triangles**
24. **A copy of the restrictive covenants applicable to the subdivision shall be provided.**
25. **Provide a certificate from the County Treasurer stating all taxes are paid and current.**
26. **A traffic impact study must be conducted which takes into account existing traffic flows, existing flows plus any approved projects in the area and existing flows with full development of the subject property. The following intersections shall be included in the study.**
    a. **Hollingsworth Road @ K-7**
    b. **Falcon Lakes Drive @ K-7**
    c. **Donahoo Road @ K-7**
    d. **Donahoo Road @ 147th Street**
    e. **Falcon Lakes Drive @ 147th Street**
    f. **Hollingsworth Road @ 147th Street**
    g. **Proposed Access Drives along Public Streets**
27. **A Subdivision Improvement Agreement shall be prepared and approved by City Council coinciding with the approval of the final plat and shall be recorded with the Leavenworth County Register of Deeds.**
28. **A Transportation Excise Tax in the amount of $2405.00 shall be collected at the issuance of the building permit for each lot.**
29. **A Parkland Fee of $200.00 shall be collected at the issuance of the building permit for each lot.**
30. **With the exception of the Transportation Excise Tax and Parkland Fee which shall be collected at the issuance of the building permit for each lot, all stipulations in this staff report shall be met before the final plat is released for filing.**
31. **The final plat shall be recorded with the Leavenworth County Register of Deeds before building permits will be issued.**

FINAL PLAT CHECKLIST

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.**
X			**4) Digital files** including a PDF of the plat and a MS Word document of the legal description.
		X	**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 PLAT INFORMATION (CONT.)

YES	N/A	NO	
		✓	**22) Setbacks,** all setbacks must be indicated on plat in a notes section on the plat.
✓			**23) Note on plat** indicating ownership, purpose, and maintenance responsibilities for for any parcels labeled as tracts.
✓			**24)Building setback lines** along public and private streets with dimensions in feet.
		✓	**25) Proposed street network,** including street names, right-of-way, bearings, tangents, and horizontal curvature data along the centerline of each street.
	✓		**26) Stream Corridor Boundary** and dimensions.
	✓		**27) 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".
	✓		**28) Stream Corridor Maintenance Agreement.** (Contact City Engineer for form).
		✓	**29) Existing and proposed easements** with dimensions and statement of dedication. Existing easements shall be labeled with book and page.
✓			**30) 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.
		✓	**31) Certification and seal** by a registered land surveyor.
			32) Certification that all prior existing easements have been absolved on parcels to be dedicated for public use.
		✓	**33) Certification** of execution for the owner's signature(s), and all parties having a mortgage or lien interest on the property.
		✓	**34) Signature block** for endorsement by the Planning Commission Chairman, Secretary of the Planning Commission & City Engineer with name printed underneath.
		✓	**35) Signature block** for endorsement by the Mayor & City Clerk, with name printed underneath.

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

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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 Date

City of Basehor

Agenda Item Cover Sheet

Agenda Item No. 7

Topic: Review of Appendix A, of the Zoning Regulations of the City of Basehor. Review of Permitted and Conditionally Permitted Uses within specific zoning districts.

Action Requested:
Review of use table, no official action at this time

Narrative:
For some time now the Planning Commission and staff have been working together to overhaul our appendix of uses as it relates to specific zoning districts throughout the city. At this meeting we will once again begin reviewing the uses to determine what changes to the uses shall be made.

We ended our last session by reviewing all of the 'A' alphabetical listings. This evening we shall pick up at the 'B' listings and continuing review as time allows and discuss conditions that shall be associated with specific uses.

Presented by: Mark Lee-Planning & Zoning Director

Staff Recommendation:
None

Committee Recommendation: **N/A**

Attachments:
None at this time, please remember to bring your Appendix A table and any of the older appendices you may have for reference.

Projector needed for this item?
Yes