



CITY OF
TOPEKA

A G E N D A

TOPEKA PLANNING COMMISSION

**MONDAY, NOVEMBER 21, 2022
6:00 P.M.**

**214 EAST 8TH STREET
CITY COUNCIL CHAMBERS, 2ND FLOOR
MUNICIPAL BUILDING
TOPEKA, KANSAS 66603**

MEETINGS ARE LIVESTREAMED AT WWW.TOPEKASPEAKS.ORG

Persons addressing the Planning Commission will be limited to four minutes of public address on a particular agenda item. Debate, questions/answer dialogue or discussion between Planning Commission members will not be counted towards the four minute time limitation. The Commission by affirmative vote of at least five members may extend the limitation an additional two minutes. The time limitation does not apply to the applicant's initial presentation.

Items on this agenda will be forwarded to the City Council for final consideration.

All information forwarded to the City Council can be accessed via the internet on Thursday prior to the City Council meeting at: <https://www.topeka.org/calendar>



ADA Notice: For special accommodations for this event, please contact the Planning Division at 785-368-3728 at least three working days in advance.

HEARING PROCEDURES

Welcome! Your attendance and participation in tonight's hearing is important and ensures a comprehensive scope of review. Each item appearing on the agenda will be considered by the City of Topeka Planning Commission in the following manner:

1. The Topeka Planning Staff will introduce each agenda item and present the staff report and recommendation. Commission members will then have an opportunity to ask questions of staff.
2. Chairperson will call for a presentation by the applicant followed by questions from the Commission.
3. Chairperson will then call for public comments. Each speaker must come to the podium and state his/her name. At the conclusion of each speaker's comments, the Commission will have the opportunity to ask questions.
4. The applicant will be given an opportunity to respond to the public comments.
5. Chairperson will close the public hearing at which time no further public comments will be received, unless Planning Commission members have specific questions about evidence already presented. Commission members will then discuss the proposal.
6. Chairperson will then call for a motion on the item, which may be cast in the affirmative or negative. Upon a second to the motion, the Chairperson will call for a role call vote. Commission members will vote yes, no or abstain.

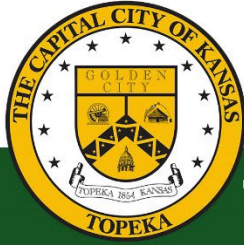
Each item appearing on the agenda represents a potential change in the manner in which land may be used or developed. Significant to this process is public comment. Your cooperation and attention to the above noted hearing procedure will ensure an orderly meeting and afford an opportunity for all to participate. Please Be Respectful! Each person's testimony is important regardless of his or her position. **All questions and comments shall be directed to the Chairperson from the podium and not to the applicant, staff or audience.**

Members of the Topeka Planning Commission

Marc Fried, 2022 Chairperson
Corey Dehn
Del-Metrius Herron
Jim Kaup
William Naeger
Donna Rae Pearson
Jeff Preisner
Jim Tobaben
Matt Werner

Topeka Planning Staff

Bill Fiander, AICP, Director, Planning & Development Dept.
Rhiannon Friedman, Director, Development & Economic Growth
Dan Warner, AICP, Director, Planning Division
Carlton Scroggins, AICP, Transportation Planning Manager
Taylor Ricketts, Planner
Bryson Risley, Planner
William Sharp, Planner
Ian Trefren, Associate Planner
Megan Rodecap, Zoning Inspector
Kris Wagers, Administrative Officer



CITY OF
TOPEKA

TOPEKA PLANNING COMMISSION

Agenda for Monday, November 21, 2022

A. Roll call

B. Approval of Minutes – October 17, 2022

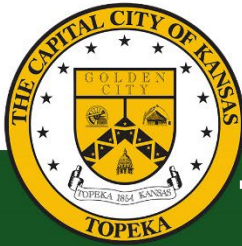
**C. Declaration of Conflict of Interest/Ex Parte Communications
by members of the commission or staff**

D. Action Items

Public Hearing of PUD22/05 by OneGas, Inc., City of Topeka, and Roman Catholic Archdiocese of Kansas City in Kansas, requesting to amend the District Zoning Map for property located at 401 SW Gage Blvd. and 501 SW Gage Blvd. from “R-1” Single Family District and “PUD” Planned Unit Development with “R-1” Single Family District and “O&I-2” Office and Institutional District **TO** “PUD” Planned Unit Development with “O&I-2” Office and Institutional District (plus interior storage) and “I-1” Light Industrial District (per approved site plan), to allow for an addition to the existing building plus exterior storage of materials and vehicle parking.(Warner)

E. Communications to the Commission

F. Adjournment



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, October 17, 2022

6:00PM

Members present: Marc Fried (Chair), Corey Dehn, Jeff Preisner, Jim Kaup, William Naeger, Donna Rae Pearson, Jim Tobaben, Matt Werner (8)

Members Absent: Del-Metrius Herron (1)

Staff Present: Bill Fiander, Planning & Development Director, Dan Warner, Planning Director; Bryson Risley, Planner; William Sharp, Planner; Ian Trefren, Associate Planner; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call –Chairman Marc Fried called the meeting to order with 8 members present for a quorum.

Recognition of Incoming & Outgoing Members – Mr. Fiander welcomed Jeff Preisner and William Naeger to the Planning Commission. Former Commissioner Ariane Messina was present in the audience and Mr. Fiander presented her with a framed certificate of appreciation for her 2 terms on the Topeka Planning Commission.

Declaration of conflict of interest/ex parte communications – None

Approval of Minutes from August 15, 2022

Motion by Mr. Kaup to approve; **second** by Mr. Dehn. **APPROVED** (4-0-3 with Fried, Preisner & Naeger abstaining)

A22/01 by Dultmeier-Rollenhagen, LLC, requesting annexation of approximately 14.7 acres located to the southwest of SW 21st Street and SW Indian Hills Road, approximately 1,175 feet south of SW 21st Street and 460 feet west of SW Indian Hills Road.

Mr. Risley presented the staff report and staff's recommendation.

Mr. Kaup inquired as to what areas are being served by the Sherwood Sewer District vs. the City of Topeka. Mr. Warner explained that the entire area under consideration will be served by the Sherwood Sewer District.

Mr. Fried invited the public to speak.

Motion by Mr. Kaup to adopt a finding that annexing the subject property is consistent with the Comprehensive Plan; **second** by Mr. Dehn. **APPROVED** 8-0-0

P22/01 Miller's Reserve Subdivision #2 (Preliminary & Final Plat) by Dultmeier-Rollenhagen LLC, for 22 single-family lots located on 14.7 acres located 2,000 feet south of SW 21st Street and 400 feet west of SW Indian Hills Road.

Mr. Risley presented the staff report and staff's recommendation for approval. He highlighted the fact that SW Lowell Lane is a single access point into the subdivision. The Board of Building and Fire Appeals (BBFA) has approved a variance to the required number of access points, thus allowing for only one access point to the subdivision.

Mr. Naeger expressed concern about the single access point. He stated that his hope is to avoid this situation in the future especially in order to continue having connected neighborhoods. He wanted to make it is clear that allowing this single access point is something very specific to this particular plot of land.

Mr. Kaup expressed concern about the single access point, stating that his questions are largely about the significance of the BBFA variance. Mr. Fiander explained that this is a recommendation; the commission ultimately has final plat authority. Mr. Fiander continued to explain that, based on the criteria they are tasked with considering, the BBFA's recommendation is to allow a variance to the number of points of access. He spoke about the uniqueness of the property and how the surrounding properties have been developed in such a way that there aren't good alternatives. The subdivision to the southeast was approved with a public street and there are issues created when a public street feeds into a private street. It is difficult for the people maintaining the private street to allow public access onto the private streets and planning staff doesn't recommend it. The next question is, is it safe, and that was addressed by Fire. There was an option to provide an entrance just for Fire; in their variance, BBFA did not require that and Mr. Fiander is unaware of any objections from the Fire Department.

Mr. Kaup asked about sidewalks and was told there would be sidewalks on both sides of the street.

Ms. Pearson asked if the single access point is a safety issue. Mr. Fiander explained that there is a standard set by fire code and that standard is what the BBFA allowed the variance to.

Ms. Pearson asked how this situation came about and Mr. Fiander provided some historic information about the property. He explained that it was originally part of a larger development intended to have all private streets. It was rather recent that a major plat with a public street was approved.

Jeff Laubach with SBB Engineering came forward to speak representing the owners. Mr. Laubach explained that the limit is 30 lots for a single access area. There are certain exceptions that allow this number to increase and based on that, the BBFA allowed the variance. The owners have agreed to provide additional fire hydrants in the cul de sac and a 29' wide street is being installed rather than the standard 20'. SW Lowell Lane is also 29' wide.

Mr. Naeger spoke about the low density that comes with single-family residential. Mr. Laubach spoke about the higher density areas near this project and explained that the developer has designed the lots based on what he believes he can sell. Mr. Fiander added the vision for this property has changed over time.

Mr. Fried declared the **public hearing open**.

Doug Wells came forward to speak representing the Board of Directors of Miller's Glen, the subdivision north of the proposed plat. They support the proposal as it has been amended. Based on the fact that their roads are private / privately maintained, they do not want a connection between Lowell Lane to the north and the new development as this would create a hardship for the owners to continue to maintain private streets feeding into a public street.

With nobody else coming forward to speak, Mr. Fried declared the **public hearing closed**.

Motion by Mr. Preisner to approve the final plat for Miller's Reserve No.2. The governing body will determine whether to accept land dedicated for public purposes subject to the conditions in the staff report. **Second** by Mr. Dehn.

Mr. Kaup spoke about the complications which can be caused by allowing private streets. He asked if staff could create a map which highlights the private streets in Topeka. He also asked if planning staff is comfortable with the single point of access, and Mr. Fiander stated they are. The issue, Mr. Fiander

explained, is regarding safety. Planning defers to the safety experts which, in this instance, is Fire and the BBFA.

Mr. Fried stated that while he too shares some concerns about a single-access point, he has seen first-hand issues that can come about when you have private streets feeding into public streets.

Upon roll call vote: **APPROVED** 8-0-0

Z22/04 by Dultmeier-Rollenhagen, LLC, requesting to amend the district zoning map on 14.7 acres located 2,000 feet south of SW 21st Street and 400 feet west of SW Indian Hills Road, from "PUD" with "M-1" Two-Family Dwelling District and "C-1" Commercial District Uses to "R-1" Single Family Dwelling District to allow for single family homes.

Mr. Trefren presented the staff report and recommendation of approval.

With no questions for Mr. Trefren, **Jeff Laubach** of SBB Engineering came forward representing the applicants. He stated that he would stand for questions but with none posed by commissioners, Mr. Laubach took his seat.

Mr. Fried asked if anyone from the public would like to speak and none came forward.

Mr. Kaup recalled discussions about the need for increasing the diversity in housing stock and getting away from dependence on single-family residential. He stated that this looks like a step backwards. He wished to state for the record that this situation is one of the remaining pieces of a larger parcel which likely never should have been zoned the way it was. Circumstances have changed and in light of that, the build-out of single-family units is justified in this instance.

Mr. Fried noted that if there are concerns about the single-point of access, the reduced density makes sense in this rare exception.

Motion by Mr. Dehn to recommend APPROVAL of the zone change from "PUD" Planned Unit Development ("M-1" Two-Family Dwelling District and "C-1" Commercial District Use Groups) to "R-1" Single Family Dwelling District zoning. **Second** by Mr. Tobaben. **APPROVED** 7-0-1 with Pearson voting no.

2nd Quarter Development & Growth Management (DGM) Report

Mr. Fiander presented the 2nd quarter DGM Report and took questions.

Missing Middle Code Amendments

Mr. Sharp presented the ADU Survey Results and stood for questions.

Mr. Naeger stated he sees the ADU option as a way to compliment our efforts to fill vacant lots. Mr. Sharp and Mr. Fiander agreed – it is "another tool in the toolbox" and perhaps an incentive to fill vacant houses and lots. If the houses or lots are vacant for economic reasons, then being able to add a "half" unit is an economic incentive. It also allows for diversity in housing.

Ms. Pearson spoke to the need for public education on the subject.

Mr. Kaup encouraged staff to keep moving forward. He later added that he still feels that while ADUs might be a permitted use in some zoning districts, requiring a CUP might be a better approach in other zoning districts.

Next Steps

Mr. Fiander spoke about the possibility of a "task force", public education, and a draft amendment.

Mr. Fried expressed support.

It was agreed that early in 2023 might be a good time to review a draft and take public comment at a Planning Commission meeting. Mr. Naeger encouraged educating people beforehand so comments and opinions are based on what is actually being suggested.

Communications to the Commission

None

With no further agenda items, the meeting was adjourned at 7:30PM.

**STAFF REPORT – PLANNED UNIT DEVELOPMENT
TOPEKA PLANNING & DEVELOPMENT DEPARTMENT**

PLANNING COMMISSION DATE: November 21, 2022

CASE NUMBER & NAME:

PUD22/05 / Gage Place PUD Master Plan

**REQUESTED ACTION /
CURRENT ZONING:**

Rezoning **from** “R-1” Single Family Dwelling District and “PUD” Planned Unit Development with “R-1” Single Family Dwelling District and “O&I-2” Office and Institutional District **to** “PUD” Planned Unit Development with “O&I-2” Office and Institutional District (plus interior storage) and “I-1” Light Industrial District (per approved site plan), to allow for an addition to the existing building plus exterior storage of materials and vehicle parking.

APPLICANT / PROPERTY OWNER:

One Gas, Inc., Roman Catholic Archdiocese of Kansas City in Kansas, and City of Topeka

APPLICANT REPRESENTATIVE:

Mark Boyd, SBB Engineering

**PROPERTY ADDRESS & PARCEL
ID:**

401 SW Gage and 501 SW Gage Blvd / PID: 0982704001060000 and 0982704001063000

PARCEL SIZE:

Approximately 6.1 acres

CASE PLANNER:

Dan Warner, AICP, Planning Division Director

**STAFF
RECOMMENDATION:**

APPROVAL

**RECOMMENDED
MOTION:**

Based on the findings and analysis in the staff report, I move that the Topeka Planning Commission forward to the Governing Body a recommendation of **APPROVAL** of the proposed rezoning **from** “R-1” Single Family Dwelling District and “PUD” Planned Unit Development with “R-1” Single Family Dwelling District and “O&I-2” Office and Institutional District **to** “PUD” Planned Unit Development with “O&I-2” Office and Institutional District (plus interior storage) and “I-1” Light Industrial District (per approved site plan).

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:

Rezoning to a new PUD to allow the continued use of an office on the property, an addition to the existing building, and exterior storage of materials and vehicle parking.

One Gas, Inc. in the process of purchasing a strip of land from Roman Catholic Archdiocese of Kansas City in Kansas along the north property line that is 50' wide by 1,105' long. The additional land is included as part of the PUD application.

Further, it was learned that the City of Topeka owns a portion of the property at 501 SW Gage Blvd. Lot 2, Block A, Gage Place Subdivision. That property was acquired for right-of-way for SW 5th Street in the past. That right-of-way is not needed and has affectively been vacated. The property doesn't appear to be zoned. This lot is included within the rezoning PUD application.

DEVELOPMENT / CASE HISTORY:

In 1961 the site was a collection of five parcels zoned "A" Single Family Dwelling District – one of which was home to a yearbooks printing plant. Z61/13 and Z61/87 rezoned the three eastern parcels to "I" Light Industrial District to accommodate an addition to the plant. In 1969 the two westernmost parcels were rezoned to "E" Multiple Family Dwelling District. Between 1970 and 1981, the property was the site of a medical supply company before standing vacant until 1997 when it was rezoned to its current PUD designation. A portion of the property was designated as right-of-way the last time it was rezoned. The right of way is no longer needed, an in effect, has been vacated. This rezoning will encompass that area.

PHOTOS:



View from SW Gage

**ZONING, LAND USE, AND
CHARACTER OF SURROUNDING
AREA:**

North: "R-1" Single Family District / Hayden High School

South: "C-4" Commercial District and "R-1" Single Family District / Office and single family homes

West: "PUD" with "M-2" use and "R-1" Single Family District / Apartment buildings and vacant land

East: "R-1" Single Family District / Cemetery

Character: The subject area is characterized by office, residential and large institutional uses along SW Gage Blvd.

OVERVIEW OF PROPOSED PUD ELEMENTS

UTILITIES:

There are existing sewer and water service lines that are on the south side of the property that connect perpendicularly to sewer and water mains along SW 6th Avenue. There is an 8" water main and an 8" sanitary sewer serving the site.

CIRCULATION & ACCESS:

SW Gage Blvd. is along the east boundary of the property and is classified by City of Topeka as a 'minor arterial. Access to the property is from a relocated drive along SW Gage Blvd.

There is a public transit route along SW 6th Avenue and an existing bus stop approximately 450' from the subject property. There is existing sidewalk along the west side of SW Gage Blvd.

PARKING:

TMC 18.240 off-street parking standards detail the required parking for each of the "O&I-2" and "I-2" uses. Parking information is provided on the PUD Plan and overall, 106 spaces are required with the parking provided being 102 spaces with 6 ADA spaces.

BUILDINGS:

There is an existing office building on the site. The PUD master plan proposes a 9,275 square foot addition to the building for warehouse storage. There is a future 4,800 square foot building noted within the exterior storage area.

Exterior building elevations will be reviewed per TMC 18.275.

SIGNAGE:

Signage is regulated by TMC Title 18, Division 2, Sign Code and sign permits may be required.

LANDSCAPING AND FENCING:

Landscaping and fencing shall be provided in compliance with TMC 18.235 landscape requirements. Specifically, the PUD site plan includes the required residential buffer along north, west and south property lines – an 8' residential-type vinyl fence with a 6' wide landscape buffer planted along the outside of the fence. Additional notes are provided regarding maintenance and care of the landscaping and expected initial planting height of the plants. The applicant has noted they intend to preserve as many existing mature trees as possible along the southern property line adjacent to the residential homes.

A 6' high black chain-link fence is noted along the front of the property. Landscaping is noted on the PUD Master Plan between this fence and the sidewalk along SW Gage and along the southern portion of the new driveway.

OTHER:

An approved and recorded minor subdivision plat and site plan review will be required prior to issuance of building permits. Also, a lighting plan will be submitted at the time of site plan review to ensure compliance with City codes and that light will not spill over onto adjacent properties.

VARIANCES REQUESTED:

N/A

COMPLIANCE WITH DEVELOPMENT STANDARDS AND GUIDELINES

(The PUD Master Plan establishes development standards and guidelines as described in the previous section of this report.)

OTHER FACTORS

SUBDIVISION PLAT: The property is currently platted as Gage Place Subdivision. A minor subdivision plat is required to accommodate the un-platted property that is being acquired from the Roman Catholic Archdiocese of Kansas City in Kansas.

**FLOOD
HAZARDS,
STREAM
BUFFERS:** The subject area is not located in or near a FEMA designated floodplain, and there are no streams or ditches requiring stream buffer easements. A Stormwater Management Plan for the site is required at the time of a site development plan application.

**HISTORIC
PROPERTIES:** None

**NEIGHBORHOOD
MEETING:** The project applicant held a virtual Neighborhood Information Meeting on Thursday, November 2, 2022 using the Zoom on-line platform. In addition to the development team and Planning staff, three persons from the public attended the meeting. One person asked questions about the fence and the storage along along the north property line and site lighting.

OTHER: N/A

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

**PUBLIC WORKS/
ENGINEERING:** No comments received

**WATER POLLUTION
CONTROL:** Stormwater Management Plan will be needed at site plan review.. Applicant should provide information to Utilities Dept to clarify if new hydrant is public or private? A main extension for the public hydrant may be needed. Contact Duncan Theuri - 368-0152.

FIRE: Standard comments received regarding access for emergency response, hydrant spacing. Comments do not require changes to the proposed PUD master plan.

**DEVELOPMENT
SERVICES:** None

OTHER: None

KEY DATES

SUBMITTAL	September 22, 2022
NEIGHBORHOOD INFORMATION MEETING	November 2, 2022
LEGAL NOTICE PUBLICATION	October 31, 2022
PROPERTY OWNER NOTICE MAILED	October 28, 2022

STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: The surrounding area is characterized by residential, office, and institutional uses along Gage Blvd. The site is located north of the intersection of SW Gage and SW 6th (minor arterials). The uses surrounding the property include Hayden High School to the north, office and single family residential uses to the south, vacant single family residential and multi-family to the west, and a cemetery located to the east. Gage Park is located south of 6th Street along SW Gage. The proposed zoning will not substantially alter the physical character of the neighborhood. The office use remains on the property while the outdoor storage yard will be screened from adjacent residential uses by an 8' vinyl fence and a 6' wide landscape buffer on the outside of the fence.

THE ZONING AND USE OF PROPERTIES NEARBY: The property to the west is zoned "R-1" Single Family and PUD with "M-2" uses and contains vacant single family properties and an apartment complex. The properties directly south are zoned "R-1" District and "C-4" District. There are single family uses to the south, as well as professional offices. Hayden High School is zoned "R-1" District and is located to the north of the subject property. A cemetery lies to the east of the subject property and is zoned "R-1" District. Based on the pattern of surrounding uses, the proposed uses as mitigated by the PUD Master Plan with landscaping, fencing, and use restrictions are compatible with the zoning and land uses of property nearby.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject property has remained zoned for single family and office uses since 1997. The existing building was constructed in 1950 with an addition constructed in 1970. The building has been occupied since 1997.

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is located within an area designated as "Office" on the east side the property and "Medium-High Density Residential" on the west side as described by the Land Use and Growth Management Plan - 2040. The PUD Master Plan limits uses on the eastern portion of the property to "O&I-2" Office and Institutional District (plus interior storage) and allows an "I-1" light industrial district use (per the approved site plan) on the western portion of the property. The office use will be maintained on the eastern portion of the site. For the outside storage area, the master plan include an 8' vinyl fence with a 6' landscape buffer on the outside of the fence along the south, west and north property lines adjacent to the residential zoned properties. The screening and landscape buffer required by the PUD Master Plan help mitigate the exterior storage yard from the adjacent residential uses. The office use is maintained along SW Gage and is still the primary use transitioning from C-4 to R-1 zoning. For these stated reasons, the proposed development of the property is in conformance with the policies of the Comprehensive Plan.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY

PROPERTIES: Use and development allowed under the proposed zoning is anticipated to generate few if any detrimental effects on nearby properties. The proposed office use is carrying over from the existing use of the property. Additional storage for the office use will be contained within a building addition. Industrial zoning is requested as part of this application, but the PUD limits the industrial use only to the outside storage and parking area on the west side of the property as noted on the master plan. The primary concern of the proposed zoning is the potential impact from the outside storage and parking area. The PUD Master Plan mandates an 8' vinyl fence with a 6'-wide landscape buffer along the south, west and north residential properties lines. The property owner has also indicated the intention to keep as many existing mature trees along the south property adjacent to the single-family homes. This, along with the landscape buffer and fence, should help to mitigate potential effects on nearby residential properties.

THE RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE BY THE DESTRUCTION OF THE VALUE OF THE OWNER'S PROPERTY AS COMPARED TO THE HARDSHIP IMPOSED UPON THE INDIVIDUAL LANDOWNER:

There is a hardship on the individual landowner since the current zoning limits allowed uses on the property, which is extremely challenging for single-family residential use. There would appear to be minimal harm to the public health, safety and welfare as the PUD Master Plan limits the uses and establishes standards for new development.

Availability of Public Services: All essential public services and utilities are presently available or will be extended at property owner expense.

Compliance with zoning and subdivision regulations: A minor subdivision plat is required to encompass the un-platted property being acquired from the Roman Catholic Archdiocese of Kansas City in Kansas. The plat must be approved and recorded prior to issuance of building permits.

STAFF RECOMMENDATION

Based upon the above findings and analysis Planning Staff recommends approval of the proposed PUD zoning and master plan, subject to the following:

- 1.) Use and development of the site in accordance with the PUD Master Plan for Gage Place as recorded with the Office of the Shawnee County Register of Deeds.
- 2.) The addition of legal descriptions for the Use Group Areas on the PUD Master Plan.

ATTACHMENTS

Aerial Map

Zoning Map

Future Land Use Map

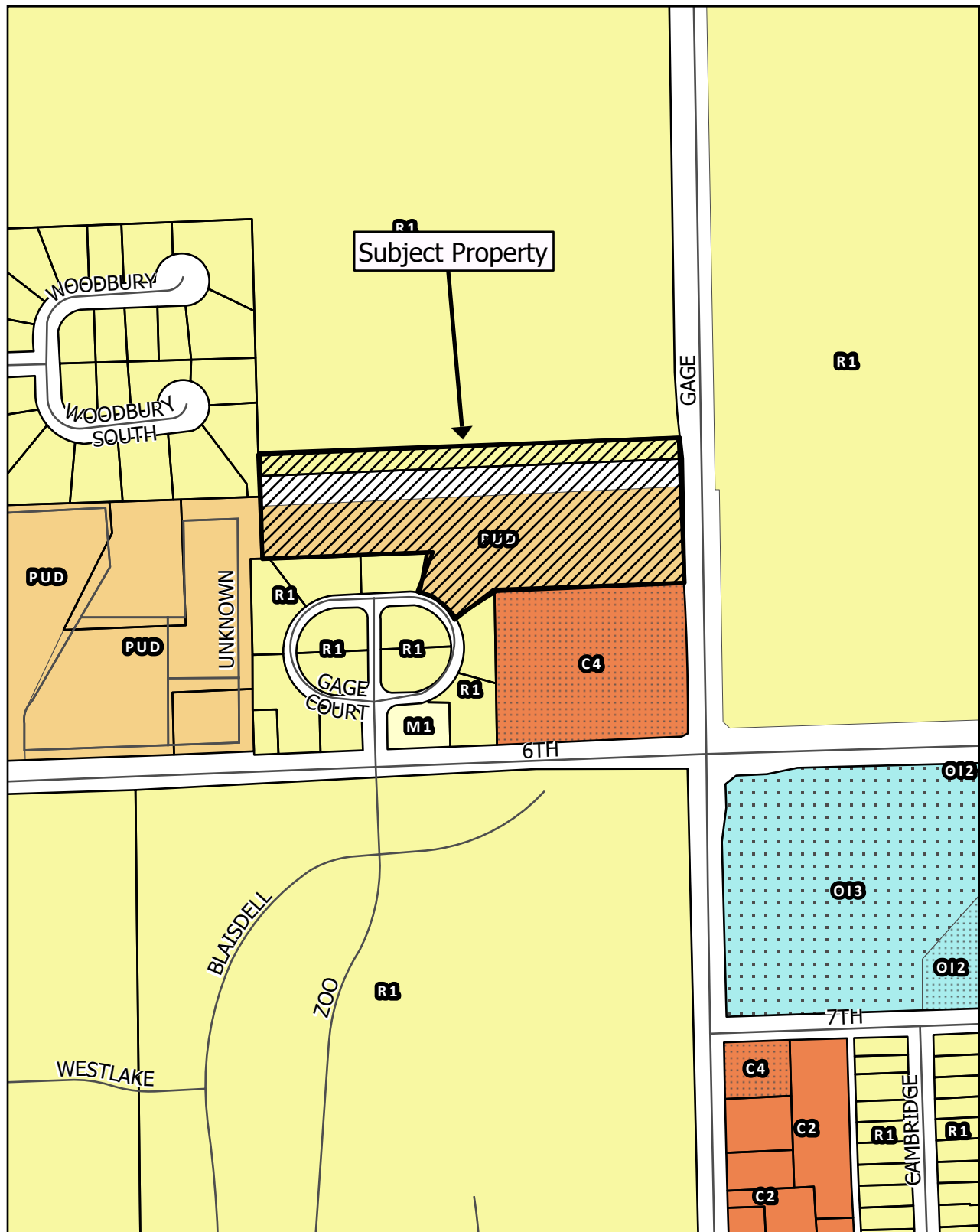
Gage Place PUD Master Plan

NIM report and attendance sheet



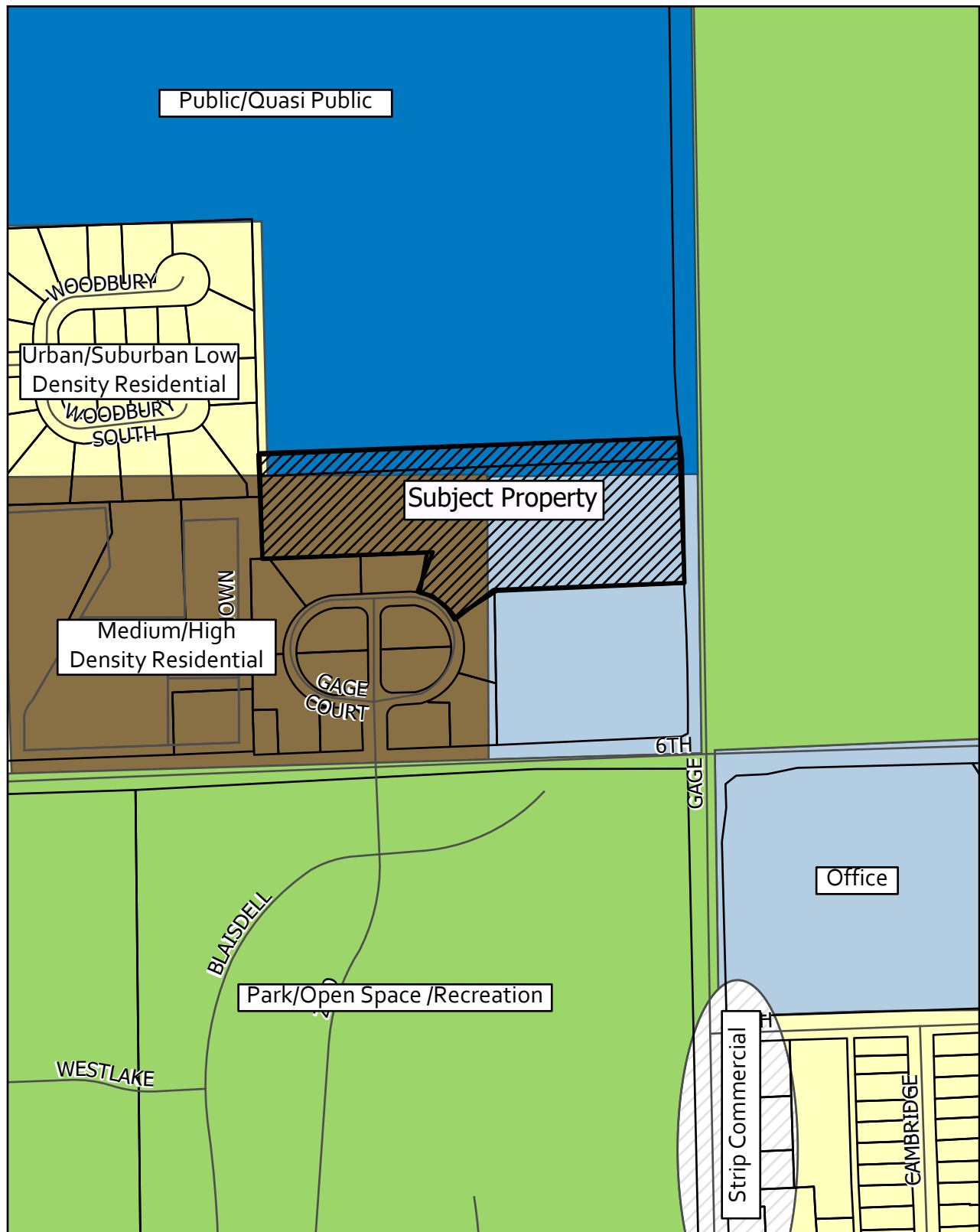
Topeka Planning Division

Aerial Map



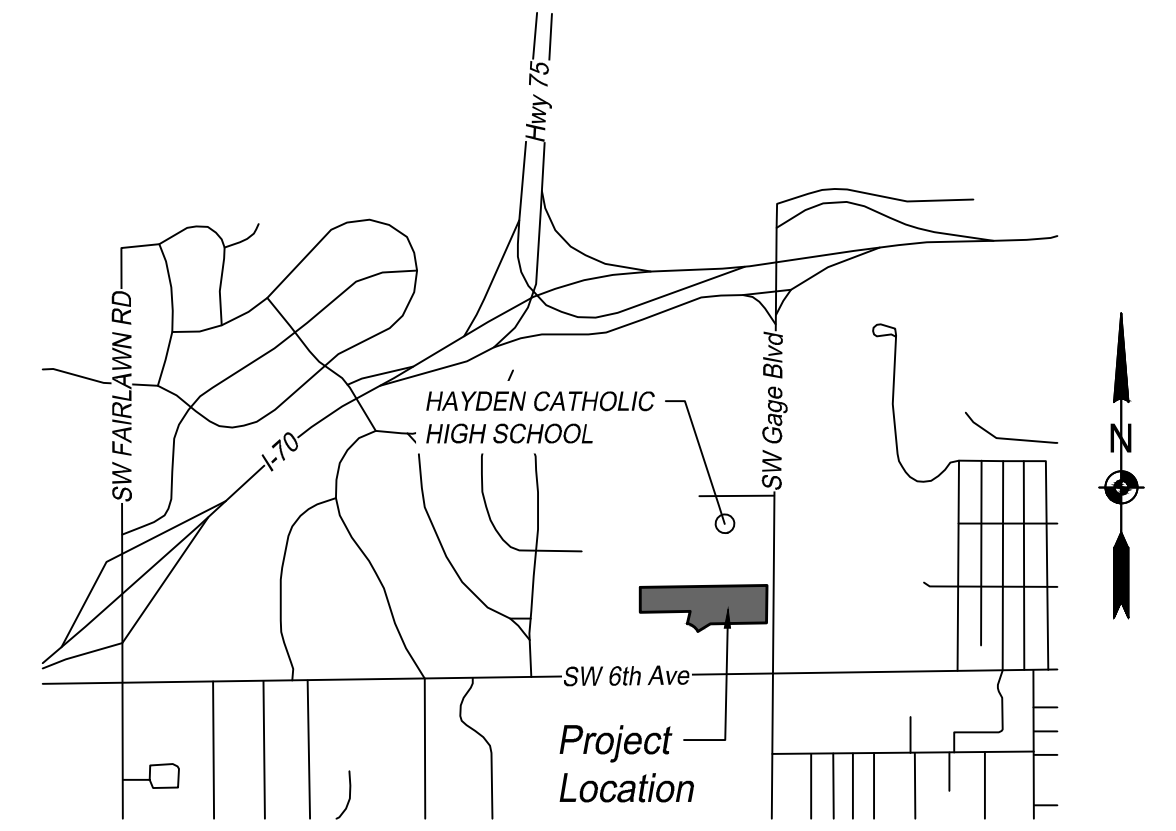
Topeka Planning Division

Zoning Map

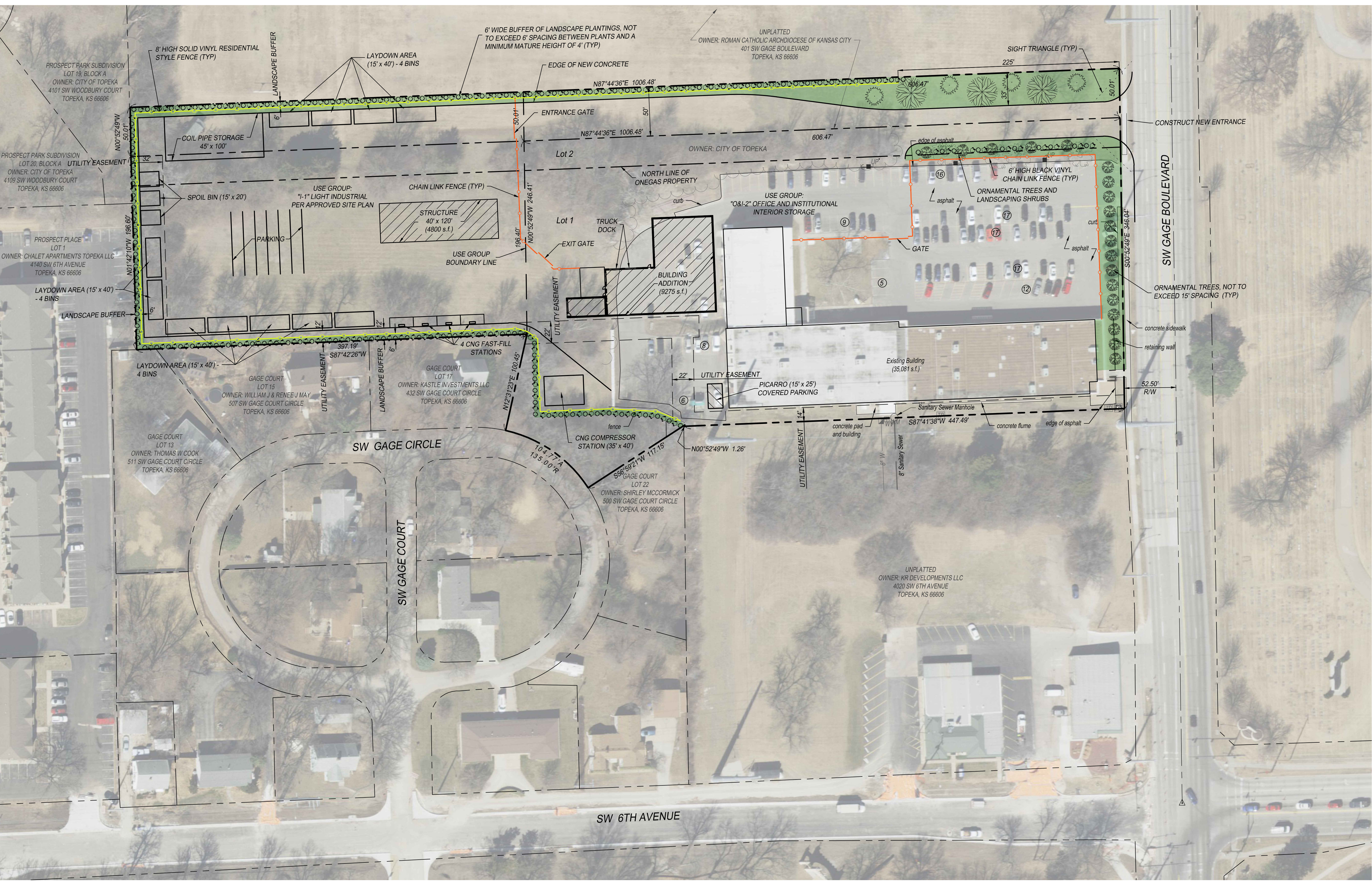
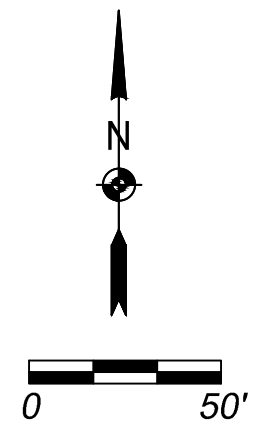


GAGE PLACE PUD - MASTER PLANNED UNIT DEVELOPMENT PLAN
Revision No. 1

BOOK _____ PAGE _____
DATE _____ TIME _____



PROJECT LOCATION MAP



PROPERTY OWNERS:
ONE GAS, INC.
100 W 5TH ST.
TULSA, OK 74103

DATE:
DECEMBER 19, 1997
REVISED: SEPTEMBER 23, 2022

LEGAL DESCRIPTION:
LOTS 1 AND 2, BLOCK A, GAGE PLACE SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.
AND
A TRACT OF LAND IN GOVERNMENT LOT 3, IN SECTION 27, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2, BLOCK A, GAGE PLACE SUBDIVISION; THENCE S88°38'11"W, 1006.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N00°00'46"E, 50.01 FEET; THENCE N88°38'11"E, 1006.47 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SW GAGE BOULEVARD; THENCE S00°00'46"W, 50.01 FEET TO THE POINT OF BEGINNING.

Rev. By Date Description
1 JEM 10/27/22 Planning comments and boundary adjustment
2 JEM 11/9/22 Additional Planning comments

PREPARED FOR:
KANSAS GAS SERVICE

SBB Engineering, LLC
transportation - site development - surveying
101 South Kansas Avenue
Topeka, Kansas 66603
Ph: (785) 215-8630 / www.sbbeng.com

SHEET TITLE:
GAGE PLACE PUD
MASTER PLANNED UNIT DEVELOPMENT PLAN
Revision No. 1

PROJECT LOCATION:
501 SW GAGE BOULEVARD
TOPEKA, KANSAS 66606

SBB Proj. No.: 22-136
Drawn by: JRK
Checked by: JWL
Date: 09/23/2022
Drawing No.:

PUD 22 / 05
1 OF 2

GAGE PLACE PUD - MASTER PLANNED UNIT DEVELOPMENT PLAN

Revision No. 1

BOOK _____ PAGE _____

DATE _____ TIME _____

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS:

REBECCA J. NIOCE, REGISTER OF DEEDS

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS:

REBECCA J. NIOCE, REGISTER OF DEEDS

OWNER CERTIFICATE:
THE OWNE R OF THE ABOVE DESCRIBED PROPERTY, ONE GAS, INC., AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE MASTER PUD PLAN.

IN TESTIMONY WHEREOF:
THE OWNE R OF THE ABOVE DESCRIBED PROPERTY, ONE GAS, INC., HAVE SIGNED THESE PRESENTS THIS _____ DAY OF _____, 20__.

NAME, TITLE

STATE OF KANSAS
COUNTY OF SHAWNEE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, A.D. 20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE CAME _____, TITLE OF THE ABOVE DESCRIBED PROPERTY, WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

N WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVEE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

CERTIFICATION OF MASTER PUD PLAN APPROVAL NOTE BY THE SECRETARY OF THE PLANNING COMMISSION:

_____, DATE: _____
BILL FIANDER, AICP, PLANNING & DEVELOPMENT DIRECTOR
SECRETARY TO THE PLANNING COMMISSION

STATE OF KANSAS)

COUNTY OF SHAWNEE)

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, A.D.20__, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE CAME BILL FIANDER WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT OF WRITING, AND SUCH PERSON DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND AFFIX MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

THIS PLANNED UNIT DEVELOPMENT (PUD) MASTER PLAN HAS BEEN REVIEWED AND APPROVED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 18.190 OF THE COMPREHENSIVE ZONING REGULATIONS OF THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS AND MAY BE AMENDED ONLY AS PRESCRIBED IN TMC 18.190.070 AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED.

PURSUANT TO TMC 18.190, THE APPLICANT MUST RECORD THE MASTER PUD PLAN WITH THE SHAWNEE COUNTY REGISTER OF DEEDS WITHIN SIXTY (60) DAYS UPON APPROVAL OF THE GOVERNING BODY. FAILURE BY THE APPLICANT TO RECORD THE PLAN WITHIN THE PRESCRIBED TIME PERIOD AND PROVIDE THE PLANNING DEPARTMENT WITH THE REQUIRED NUMBER OF COPIES OF THE RECORDED PLAN WITHIN NINETY (90) DAYS OF THE DATE OF ACTION BY THE GOVERNING BODY SHALL RENDER THE ZONING PETITION NULL AND VOID. MINOR AMENDMENTS TO PUD MASTER PLANS SHALL FOLLOW THIS SAME PROCEDURE.

PROPERTY OWNERS:

ONE GAS, INC.
100 W 5TH ST.
TULSA, OK 74103

DATE:

SEPTEMBER 23, 2022

LEGAL DESCRIPTION:

LOTS 1 AND 2, BLOCK A, GAGE PLACE SUBDIVISION, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS. AND
A TRACT OF LAND IN GOVERNMENT LOT 3, IN SECTION 27, TOWNSHIP 11 SOUTH, RANGE 15 EAST OF THE 6TH P.M., CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2, BLOCK A, GAGE PLACE SUBDIVISION; THENCE S88°38'11"W, 1006.47 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N00°00'46"E, 50.01 FEET; THENCE N88°38'11"E, 1006.47 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SW GAGE BOULEVARD; THENCE S00°00'46"W, 50.01 FEET TO THE POINT OF BEGINNING.

PROJECT PERFORMANCE OBJECTIVES:

THIS PROPERTY IS CURRENTLY OWNED BY THE APPLICANT AND IS UTILIZED AS A CALL CENTER FOR CUSTOMER AND CONSTRUCTION RELATED ACTIVITIES. THE OWNER/APPLICANT PROPOSES TO REPURPOSE THE SITE TO BE USED AS A SERVICE CENTER FOR ENGINEERING, PROJECT MANAGEMENT, AND CONSTRUCTION RELATED ACTIVITY ASSOCIATED WITH ASSET MAINTENANCE AND INSTALLATION.

GENERAL NOTES:

- ALL APPLICABLE BASE ZONING USE GROUPS SHALL APPLY UNLESS STATED OTHERWISE HEREIN.
- NO BUILDING OR PARKING LOT PERMITS SHALL BE ISSUED UNTIL INDIVIDUAL SITE DEVELOPMENT PLANS SUBJECT TO TMC 18.190.060(C) HAVE BEEN REVIEWED AND APPROVED BY THE PLANNING DIRECTOR AND OTHER CITY OFFICIALS PRIOR TO SUBMITTAL FOR BUILDING PERMITS. THESE SITE PLANS SHALL ADDRESS INDIVIDUAL BUILDING SITE LOCATIONS, OFF-STREET PARKING AND INTERNAL CIRCULATION, FIRE HYDRANTS, LANDSCAPING, FENCING, PEDESTRIAN CONNECTIVITY, EXTERNAL LIGHTING, SIGNAGE, BUILDING ELEVATIONS, CPTED, UTILITIES, STORM WATER, RELATIONSHIP TO ADJACENT LOTS, ETC. THE BUILDING AND PARKING LOT CONFIGURATION IS CONCEPTUAL. MINOR ADJUSTMENTS MAY BE NECESSARY UPON FURTHER REVIEW TO COMPLY WITH ALL APPLICABLE CITY CODES.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL THE PROPERTY IS PLATTED.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL STORMWATER MANAGEMENT PLANS AND REQUIREMENTS ARE MET AND APPROVED, INCLUDING GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
- A MAJOR AMENDMENT TO THE PUD IS REQUIRED FOR CHANGES TO THE APPROVED SITE PLAN.

UTILITY NOTES:

- PROPERTY OWNERS SHALL BE ADMONISHED FROM PLACING ANY PERMANENT OR SEMI-PERMANENT OBSTRUCTION IN PERMANENT SEWER, DRAINAGE OR UTILITY EASEMENTS. THIS INCLUDES, BUT IS NOT LIMITED TO, TREES, SHRUBS, FENCES, RETAINING WALLS, BUILDINGS OR OTHER MISCELLANEOUS OBSTRUCTIONS THAT INTERFERE WITH ACCESS OR EGRESS OF MAINTENANCE VEHICLES OR EQUIPMENT FOR THE OPERATION AND MAINTENANCE OF THE UTILITIES OR PIPE LINES LOCATED IN THE EASEMENT. ANY PERMANENT OR SEMIPERMANENT OBSTRUCTION LOCATED IN THE PERMANENT SEWER OR UTILITY EASEMENT MAY BE REMOVED BY PERSONNEL REPRESENTING THE GOVERNING BODY, TO PROVIDE FOR THE PROPER OPERATION AND MAINTENANCE OF THAT UTILITY LINE, WITHOUT COST OR OBLIGATION FOR REPLACEMENT, COST OF REMOVAL, AND/OR REPLACEMENT SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.
- WATER SERVICE WILL BE PROVIDED BY CITY OF TOPEKA WATER DEPARTMENT.
- SANITARY SEWER SERVICE SHALL BE PROVIDED BY CITY OF TOPEKA PUBLIC SANITARY SEWER SYSTEM.
- ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
- LIGHTING SHALL BE SHIELDED AND RECESSED WITH CUT OFF ANGLES TO PREVENT THE CAST OF LIGHTING BEYOND THE PROPERTY AND NOT EXCEED THREE FOOT-CANDLES AS MEASURED AT THE PROPERTY LINE. A SITE LIGHTING PLAN SHALL BE PROVIDED AT SITE PLAN REVIEW.
- ALL FIRE HYDRANT LOCATIONS AND REQUIRED TURNAROUNDS SHALL BE APPROVED BY THE CITY OF TOPEKA FIRE DEPARTMENT AS PART OF THE IMPROVEMENT PLANS PRIOR TO THE START OF CONSTRUCTION.

CIRCULATION, PARKING AND TRAFFIC NOTES:

- OFF-STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH TMC 18.240.020 UNLESS STATED OTHERWISE HEREIN. ALL PROPOSED PARKING SHALL BE CONSTRUCTED IN CONJUNCTION WITH THE PROPOSED BUILDING ADDITIONS PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, IN ACCORDANCE WITH THE APPROVED PLAN. ALL PARKING, DRIVES, APPROACHES, AND WALKS SHALL BE IMPROVED TO CITY OF TOPEKA STANDARDS. ALL BUILDING ADDITIONS SHALL BE SUBJECT TO THE APPLICABLE BUILDING, FIRE AND LIFE SAFETY CODES.
- ALL DRIVES, LANES, AND PRIVATELY OWNED ACCESS WAYS PROVIDING ACCESSIBILITY TO STRUCTURES, BUILDINGS, AND USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE CONSIDERED AND SERVE AS MUTUAL RIGHTS OF ACCESS FOR OWNERS, TENANTS, INVITED GUESTS, CLIENTS, CUSTOMERS, SUPPORTS AND UTILITY SERVICE PERSONNEL AND EMERGENCY SERVICE PROVIDERS, INCLUDING LAW ENFORCEMENT, FIRE PROTECTION, AND AMBULANCE SERVICES. ALL ACCESS WAYS PROVIDING GENERAL ACCESSIBILITY TO, AND CIRCULATION AMONG THE USES WITHIN THE PLANNED UNIT DEVELOPMENT SHALL BE MAINTAINED AT ALL TIMES IN GOOD SERVICEABLE CONDITION WITH THE MAINTENANCE OF SAID ACCESS WAYS BEING THE RESPONSIBILITY OF THE OWNER(S).
- ALL PRIVATE STREETS OR ACCESS WAYS SHALL BE A MINIMUM OF 20 FEET WIDE AND MAINTAINED TO CITY STANDARD WITH SIGNAGE POSTED INDICATING "NO PARKING" ALONG BOTH SIDES OF THE STREET; ALL CITY OF TOPEKA ORDINANCES SHALL BE ENFORCED ON THIS PROPERTY.
- ALL NEW DRIVES, STREETS, PARKING AREAS, APPROACHES AND WALKS SHALL BE CONSTRUCTED TO CITY OF TOPEKA STANDARDS.
- ACCESS SHALL BE PROVIDED TO ANY SECURITY GATES FOR EMERGENCY VEHICLES WHEN IT IS KEPT LOCKED.

SIGNAGE NOTES:

- SIGNS SHALL BE APPROVED BY SEPARATE SIGN PERMIT APPLICATION.
- TMC 18, DIVISION 2 SIGNS SHALL GOVERN ALL OTHER SIGNS UNLESS SPECIFICALLY STATED HEREIN.

LANDSCAPE NOTES:

- LANDSCAPING SHALL BE CONCENTRATED ALONG PUBLIC STREET FRONTAGES AND WHERE ADJACENT WITH RESIDENTIAL PROPERTIES, INCLUDING A MIX OF CONIFEROUS AND DECIDUOUS TREES. A LANDSCAPE PLAN SHALL BE SUBMITTED INCLUDING POINT VALUES, TYPES, QUANTITIES AS DETERMINED BY THE CITY LANDSCAPE REGULATIONS TMC 18.235 AND AS STATED HEREIN SHALL BE APPROVED BY THE PLANNING DIRECTOR AT THE TIME OF SITE DEVELOPMENT, INCLUDING TMC 18.235.070 REGARDING ADDITIONAL POINTS FOR THE REMOVAL OF EXISTING SIGNIFICANT TREES.
- REQUIRED LANDSCAPE BUFFER: A SOLID OPAQUE FENCE NOT LESS THAN 8 FEET IN HEIGHT, AND A SIX-FOOT-WIDE BUFFER OF LANDSCAPED PLANTINGS LOCATED ALONG THE OUTSIDE OF THE FENCE, NOT TO EXCEED 6-FOOT SPACING BETWEEN PLANTS, A MINIMUM PLANTING HEIGHT OF 2-FEET, AND MINIMUM MATURE HEIGHT OF 4-FEET.
- THE BUFFER FENCE SHALL BE AN 8-FOOT HIGH SOLID VINYL RESIDENTIAL STYLE FENCE.
- THE CARE, MAINTENANCE AND OWNERSHIP OF COMMON OPEN SPACE, PARKING AREAS, UTILITIES, PRIVATE STREETS, ACCESS WAYS, STORMWATER MANAGEMENT EASEMENTS, FENCING, AND LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNERS. ALL LANDSCAPING SHALL BE INSTALLED PURSUANT TO PHASING SCHEDULE AND PROPERLY MAINTAINED. IF ANY PORTION OF THE LANDSCAPED MATERIAL DIES, IT SHALL BE REPLACED BY THE NEXT PLANTING SEASON.

BUILDING AND STRUCTURE NOTES:

- NEW CONSTRUCTION SHALL MAINTAIN A PERIMETER SETBACK OF 25 FEET UNLESS THE SETBACK WAS PREVIOUSLY APPROVED OR THE BUILDING IS EXISTING.
- THE LOCATION OF TRASH AND RECYCLING RECEPTACLES SHALL BE DETERMINED AT THE SITE DEVELOPMENT STAGE TO ENSURE TRASH AREAS ARE NOT OVERLY CONCENTRATED, ARE EFFECTIVELY SCREENED FROM PUBLIC AREAS, AND PROVIDE ADEQUATE CIRCULATION WITHIN THE OVERALL DEVELOPMENT. ALL SAID RECEPTACLES SHALL HAVE ENCLOSURES THAT SCREEN THE RECEPTACLES FROM VIEW AND ARE CONSTRUCTED WITH MATERIALS COMPATIBLE WITH THE ARCHITECTURAL FEATURES OF THE PRINCIPAL BUILDING.

PROJECT PHASING NOTES:

PHASE I (2023): PHASE I CONSTRUCTION OF MATERIAL AND VEHICLE STORAGE YARD, EXPANDED ENTRANCE, WELD SHOP, PICARRO, INTERIOR BUILDING REMODEL, WAREHOUSE ADDITION, COMPRESSED GAS STRUCTURE.

FLOODPLAIN NOTES:

- ACCORDING TO "FIRM" MAP COMMUNITY PANEL NUMBER _____, EFFECTIVE DATE _____, THIS TRACT IS IN FLOOD ZONE X.

PROJECT DATA AND USE GROUP CATEGORIES:

EXISTING STRUCTURES: EXISTING BUILDING 40,498 S.F. (OFFICE)

PROPOSED STRUCTURES: NEW BUILDING ADDITION 9,275 S.F. (WAREHOUSE)
NEW DETACHED BUILDING 4,800 S.F. (VEHICLE MAINTENANCE)

PROPOSED OUTSIDE STORAGE YARD: CONSTRUCTION MATERIALS, CONSTRUCTION VEHICLES,
CONSTRUCTION EQUIPMENT, JOB RELATED CONSTRUCTION DEBRIS
SUITABLE FOR REUSE OR WASTE TO BE HAULED OFF-SITE.

USE GROUP CATEGORIES: "O&I-2" OFFICE AND INSTITUTIONAL, INTERIOR STORAGE (NO EXTERIOR STORAGE ALLOWED WITHIN "O&I-2")
LEGAL DESCRIPTION: ____

"I-1" LIGHT INDUSTRIAL, PER APPROVED SITE PLAN.
LEGAL DESCRIPTION: ____

PARKING:

PARKING REQUIRED: 100 SPACES
PARKING PROVIDED: 102 SPACES
ADA STALLS: 6 ADA SPACES

TOTAL LAND AREA: 6.07 ACRES

KANSAS GAS SERVICE

SBB Engineering, LLC
transportation-site development-surveying

101 South Kansas Avenue
Topeka, Kansas 66603
Ph: (785) 215-8630 / www.sbbeng.com

GAGE PLACE PUD
MASTER PLANNED UNIT DEVELOPMENT PLAN
Revision No. 1

PROJECT LOCATION:
501 SW GAGE BOULEVARD
TOPEKA, KANSAS 66606

SBB Proj. No.: 22-136
Drawn by: RK
Checked by: JWL
Date: 09/23/2022
Drawing No.: 2 OF 2

PUD 22 / 05



Date: November 9, 2022
To: City of Topeka Planning Department
From: SBB Engineering, LLC
Jeff Laubach, PE
Re: Gage Place PUD Development – PUD22/05
Neighborhood Meeting Minutes

To whom it may concern:

On November 2, 2022 at 5:30 pm, we held a publicized meeting for the above referenced case via Zoom video meeting format. There were multiple representatives from City of Topeka Planning, SBB Engineering, HTK Architects, Kansas One Gas and a few members of the public, for a total of 12 people being present.

Questions/concerns raised during the meeting included the following:

- Would there be landscaping planted along the North line of the proposed driveway.
- What type of materials will be in open space storage.
- Concerns of how bright of lighting that will be used for the storage lot.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Jeff Laubach'.

Jeff Laubach, PE
SBB Engineering, LLC

SBB Engineering, LLC

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785.260.2805 | 3705 Clinton Parkway Ste. 202 | Lawrence, Kansas 66047