



CITY OF
TOPEKA

A G E N D A

TOPEKA PLANNING COMMISSION

**MONDAY, FEBRUARY 20, 2023
6:00 P.M.**

**620 SE MADISON
HOLLIDAY CONFERENCE ROOM, 1ST FLOOR
CYRUS K HOLLIDAY 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.

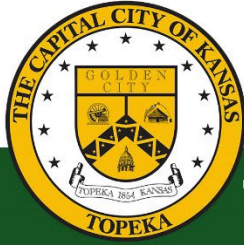
Each item appearing on the agenda represents a potential change in the manner in which land may be used or developed. Significant to this process is public comment. Your cooperation and attention to the above noted hearing procedure will ensure an orderly meeting and afford an opportunity for all to 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

Corey Dehn, 2023 Chairperson
Marc Fried
Del-Metrius Herron
Jim Kaup
William Naeger
Donna Rae Pearson
Jeff Preisner
Jim Tobaben
Matt Werner

Topeka Planning Staff

Rhiannon Friedman, Interim Director, Planning & Development Dept.
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, February 20, 2023

A. Roll call

B. Approval of Minutes – January 23, 2023

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

D. Action Items

1. **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)

[On January 10, 2023, the Governing Body remanded this matter to the Planning Commission to entertain public comment regarding the changes made by OneGas which were presented to the Planning Commission on December 19, 2022. Comment offered at the public hearing will be limited to those changes.]

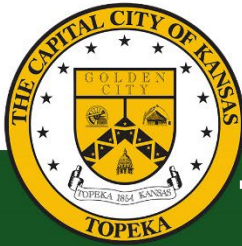
2. **Mission Ridge Subdivision #2**

- a. **P23/01 Mission Ridge Subdivision #2 (Preliminary & Final Plat) by Mission Ranch, LLC**, for approximately 21.7 acres of property located at the southwest corner of SW Wanamaker Road and SW 41st Street, and also along and north of SW 42nd Lane and along and east of SW Southridge Dr. (Sharp)
- b. **Public Hearing of Z23/01 by Mission Ranch, LLC**, requesting to amend the district map on approximately 21.7 acres of property located at the southwest corner of SW Wanamaker Road and SW 41st Street, and also along and north of SW 42nd Lane and along and east of SW Southridge Dr. FROM PUD Planned Unit Development with a M-1 Two-Family Dwelling District use group and PUD with O&I-1 Office and Institutional District and C-2 Commercial District use groups TO M-1 Two-Family Dwelling District to allow for residential duplex buildout. (Trefren)

3. **Public Hearing of Z23/02 by Bear Creek Acres Trust**, requesting to amend the district map on approximately 24 acres of property located at the Northeast corner of SW Huntoon Street & SW Urish Road from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses, and “R-3” Single Family Dwelling District to “RR-1” Residential Reserve District to allow for the property to be used as a single family dwelling and agricultural purposes. (Warner)

E. Communications to the Commission

F. Adjournment



CITY OF
TOPEKA

MINUTES

TOPEKA PLANNING COMMISSION

Monday, January 23, 2023

6:00PM

Members present: Marc Fried (2022 Chair), Corey Dehn (2023 Chair), Del-Metrius Herron, Jeff Preisner, Jim Kaup, William Naeger, Donna Rae Pearson (2023 Vice Chair), Jim Tobaben, Matt Werner (9)

Members Absent: (0)

Staff Present: Rhiannon Friedman, Interim Planning & Development Director, Dan Warner, Planning Director; Ian Trefren, Associate Planner; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call –Chairman Marc Fried called the meeting to order with 6 members present for a quorum.

Approval of Minutes from December 19, 2022

Motion by Mr. Preisner to approve; **second** by Mr. Kaup. **APPROVED** 7-0-2 with Dehn and Herron abstaining.

Election of 2023 Officers

Nomination of Corey Dehn as 2023 Chair (Motion by Fried / second by Kaup)

Nomination of Donna Rae Pearson as 2023 Vice Chair (Motion by Kaup / second by Naeger)

Both motions passed 9-0-0 by completion of print vote cards.

Mr. Dehn took the gavel.

Declaration of conflict of interest/ex parte communications – Mr. Naeger explained that Mr. Burenheide (PUD23/01) is his landlord. He has not spoken with Mr. Burenheide about the case and believes he can make an un-biased decision.

Public Hearing of PUD23/01 Potwin Lofts II PUD by Potwin Lofts, LLC requesting to amend the district map on properties located at 400 & 500 SW Washburn, from R-2 Single Family Dwelling District and X-1 Mixed Use District to PUD Planning Unit Development with M-2 Multiple-Family Dwelling District and X-1 Mixed Use District uses, respectively. The PUD will permit a portion of the church to be used as apartments and the adjacent parcel as associated parking.

Mr. Trefren reviewed the staff report and staff's recommendation of approval with conditions.

With no questions from Commissioners, Mr. Dehn invited the applicant to come forward to speak.

Mark Burenheide came forward. He explained that Potwin Presbyterian Church added the structure under consideration to the original building back in the 1950s. They plan to continue using the original structure but no longer need the additional space of the add-on.

The project is to create 6 residential lofts, 3 per floor. Parking will be available in the parking lot included in the

PUD Master Plan. The apartments will be market-rate and, based on other similar apartments owned by Mr. Burenheide, he has no concerns about being able to lease them. In conclusion, he believes the project will be a nice addition to Potwin and keep the building from decaying and becoming a blight for the neighborhood.

Mr. Kaup asked if all the available space is being used and Mr. Burenheide confirmed that it is.

Mr. Dehn declared the **public hearing open** and with none coming forward to speak, he declared the **public hearing closed**.

Mr. Kaup asked staff if there is a parking variance contained within the PUD and Mr. Warner confirmed that there is.

Motion by Mr. Preisner, **Second** by Mr. Kaup to recommend to the Governing Body approval of the proposed zoning, subject to the conditions listed in the staff report, which are to be included in the ordinance adopted by the Governing Body. **APPROVED 9-0-0**

Communications to the Commission

Mr. Warner informed Commissioners that the Governing Body voted against the re-zoning of 3300 Van Buren. There was a sufficient protest petition filed.

Ms. Feighny informed Commissioners that the Governing Body has remanded Gage Place PUD back to the Planning Commission and it will be considered at the February 2022 meeting. The Governing Body would like the Planning Commission to hear public comment regarding the changes made to the proposed PUD. Following public comment, Commissioners will be asked to vote. Vote options will be to submit their original recommendation or provide an amended recommendation.

Mr. Warner noted that Bill Fiander has retired and he introduced Rhiannon Friedman, the Interim Planning & Development Director.

With no further agenda items, the meeting was adjourned at 6:18PM.

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

PLANNING COMMISSION DATE: February 20, 2023

At its meeting on January 10, 2023, the Governing Body considered the matter and remanded to the Planning Commission to conduct a public hearing to entertain comment on the changes presented by OneGas at the Planning Commission's December 19, 2022 meeting. The Governing Body also voted to allow another 14-day protest period that would commence at the conclusion of the public hearing.

At the conclusion of this second public hearing, the Commission can vote to: (1) resubmit the Commission's original recommendation (i.e. approving the rezoning), giving reasons for doing so; or (2) submit a new or amended recommendation.

Staff Recommendation

- 1.) After consideration of the public comment on the changes submitted by OneGas and based upon the findings and analysis in the staff report Planning Staff recommends resubmission of the Commission's original recommendation of approval of the proposed PUD zoning and master plan, subject to the following:
- 2.) 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.
- 3.) The addition of legal descriptions for the Use Group Areas on the PUD Master Plan.
- 4.) A revision to Landscape Note #2. Add the following language to the end of Note #2: *"Minimum landscape buffer width for the south and west property lines is noted on the PUD Master Plan. Landscaping along the south property line is required to include larger evergreen type trees planted in a continuous manner as noted on the Master Plan."*

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:

After consideration of the public comment on the changes submitted by OneGas, and the findings and analysis in the staff report, I move that the Topeka Planning Commission resubmit its 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 and is no longer needed. 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 main is 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

After consideration of the public comment on the changes submitted by OneGas and based upon the findings and analysis in the staff report Planning Staff recommends resubmission of the Commission's original recommendation of 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.
- 3.) A revision to Landscape Note #2. Add the following language to the end of Note #2: "Minimum landscape buffer width for the south and west property lines is noted on the PUD Master Plan. Landscaping along the south property line is required to include larger evergreen type trees planted in a continuous manner as noted on the Master Plan."

ATTACHMENTS

PUD Revision Cover Sheet
Revised Gage Place PUD Master Plan
Site Lighting Summary
Site Lighting Site Plan
Aerial Map
Zoning Map
Future Land Use Map
NIM report and attendance sheet



Topeka Planning Division
620 SE Madison
Topeka KS 66607

December 8, 2022

Re: PUD 22/05 Gage Place PUD Master PUD Revision No. 1

Dear Commissioners,

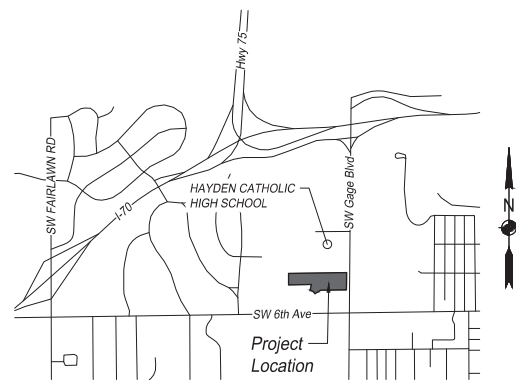
Below is a summary of the revisions to the PUD plan in response to Planning Commission recommendations as a result of the November 21 Public Hearing.

- The CNG building was relocated to the north fence line.
- The CNG fueling stations were relocated to the north fence line.
- West property line buffer was increased to 32' corresponding to the east line of the existing utility easement.
- South property line buffer was increased to 30'.
- South property line landscape now includes larger evergreen type trees to create a visual screen from the south.
- Re-arranged site to accommodate CNG relocation and better circulation.
- Increased vehicle maintenance structure to 50'x140' (7000 s.f.)
- Moved north-south fence line 15' east to accommodate site circulation due to buffer expansion.
- Moved vehicle maintenance building to N-S fence line to accommodate site circulation.
- Moved Use Group Boundary Line 15' east to accommodate site re-arrangement and circulation due to buffer expansion on west and south.
- Included the area formerly occupied by the CNG building to be included within the I-1 Use Group to allow for yard lost due to buffer expansion.
- Included lighting schematic design criteria and location graphic.

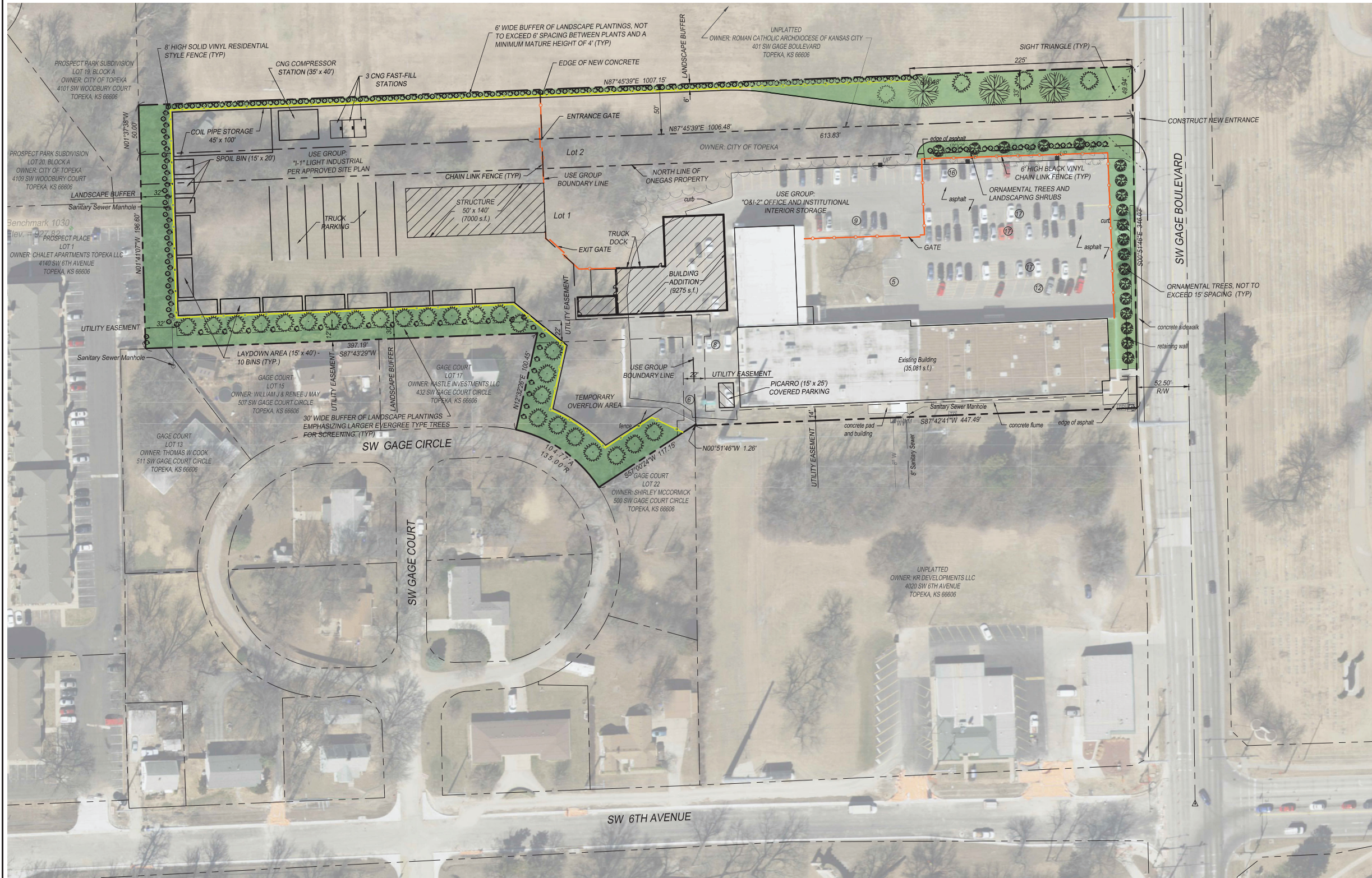
SBB Engineering, LLC

785.215.8630 | 785.215.8634 (F) | www.sbbeng.com | 101 South Kansas Avenue | Topeka, Kansas 66603
785.260.2805 | 3705 Clinton Parkway Ste. 202 | Lawrence, Kansas 66047

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 BLOCK A, THENCE S88°38'11"W, 1006.47 FEET, N88°38'11"E, 1006.47 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SW GAGE BOULEVARD, THENCE S00°04'46"W, 50.01 FEET TO THE POINT OF BEGINNING.

PUD 22 / 05

Rev.	By	Date	Description
1	JEM	10/27/22	Planning comments and boundary adjustment
2	JEM	11/9/22	Additional Planning comments
3	M49	12/2/22	Planning Commission comments

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



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SHEET TITLE: MASTER	PROJECT LOCATION:
	SBB Proj. No.: 22-136
	Drawn by: RK
	Checked by: JWL
	Date: 09/23/2022
Drawing No.:	

1 OF 2

GAGE PLACE PUD - MASTER PLANNED UNIT DEVELOPMENT PLAN

Revision No. 1

BOOK _____ PAGE _____

DATE _____ TIME _____

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 SUBMITAL 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 1 (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 7,000 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:	102 SPACES
PARKING PROVIDED:	102 SPACES
ADA STALLS:	6 ADA SPACES

TOTAL LAND AREA: 6.07 ACRES

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS:

REBECCA J. NIOCE, REGISTER OF DEEDS

OWNER CERTIFICATE:

THE OWNER, 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 NAME, 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 ABOVE.

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

Rev.	By	Date	Description
1	JEH	10/27/22	Planning comments and boundary adjustment
2	JEH	11/9/22	Additional Planning comments
3	JAB	12/22/22	Planning Commission 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
SBB ENGINEERING

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:	RK
Checked by:	JWL
Date:	09/23/2022
Drawing No.:	

PUD 22 / 05

2 OF 2

ONE Gas

501 SW Gage Boulevard

SITE LIGHTING

SCHEMATIC DESIGN

December 07, 2022

H T K ARCHITECTS, INC.
900 S. Kansas Ave., Suite 200
Topeka, KS 66612

SBB Engineering LLC
101 S Kansas Ave
Topeka, KS 66603

BRACK & ASSOCIATES CONSULTING ENGINEERS, P.A.
3501 SW Gage Blvd.
Topeka, Kansas 66614
(785) 271-6644

I. DESIGN CRITERIA FOR THE SITE LIGHTING

- A. The following provides the design requirements for the illumination of the site west of the existing structures and parking lot included within the scope of this project. The illumination of the exterior of the existing structures, and associated site and parking lots will remain as is.
 - 1. PUD Restrictions.
 - a. A maximum of 3 footcandles at the property line.
 - b. There are no restrictions with respect to light pole height.
 - 2. The Illuminating Engineering Society (IES) of North America provides the following recommendations for the safest and most effective parking lot lights:
 - a. For parking lots in typical conditions (basic), the IES recommends minimum horizontal illuminance of 0.2 foot-candles, minimum vertical illuminance of 0.1 foot-candles and a uniformity ratio of 20:1 maximum to minimum.
 - b. For enhanced security conditions, IES recommends minimum horizontal illuminance of 0.5 foot-candles, minimum vertical illuminance of 0.25 foot-candles and a uniformity ratio of 15:1 maximum to minimum.
 - 3. This design will include IES recommendations for basic parking lots of light activity. In addition, for preliminary design RP-20-14 recommends an average horizontal illuminance value of 1 fc (basic) and a 5:1 average-to-minimum ratio.

II. SYSTEMS DESCRIPTION

A. LIGHTING FIXTURES:

- 1. The main light source will be fixtures with LED light sources served by the building power distribution system.
- 2. Site, parking lot and building perimeter lighting will be designed in accordance with IESNA RP-33 with respect to energy efficiency and light pollution.

B. SITE ILLUMINATION CONFIGURATION.

1. Multiple pole mounted lights will be located along the north and west property lines for illumination of the parking, storage area, and entrances from the public street. The LED fixtures will be located on 30' tall, steel light poles anchored to a concrete base which will extend 36" above finished grade.
 - a The pole shape, round or square, and the color will be selected to best match existing fixtures on the site.
2. Multiple light fixtures will be installed on each new building's perimeter for general illumination at each entrance, as well as the east and west sides of the building.
 - a Commercial "wall packs" will be utilized with cutoff characteristics to reduce the glare.
3. The storage areas noted as Laydown Bins on the PUD documents will be illuminated with light fixtures mounted to the interior surface of the 8' high, solid privacy fence. There is approximately 310' of Laydown Bins located along the south property line shared with the properties along SW Gage Circle, as well as along the west property line shared with Chalet Apartments extending from the SW corner of the site to approximately 100'

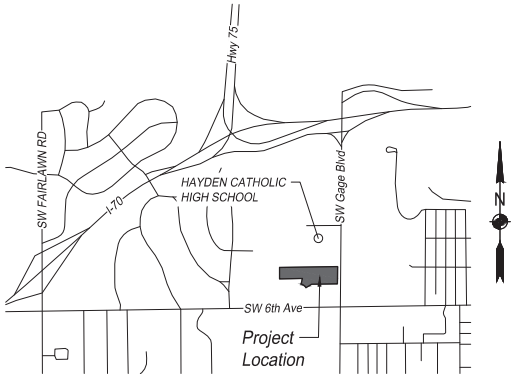
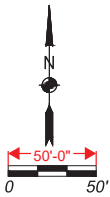
GAGE PLACE PUD - MASTER PLANNED UNIT DEVELOPMENT PLAN
Revision No. 1

BOOK _____ PAGE _____
DATE _____ TIME _____

DESIGN CRITERIA

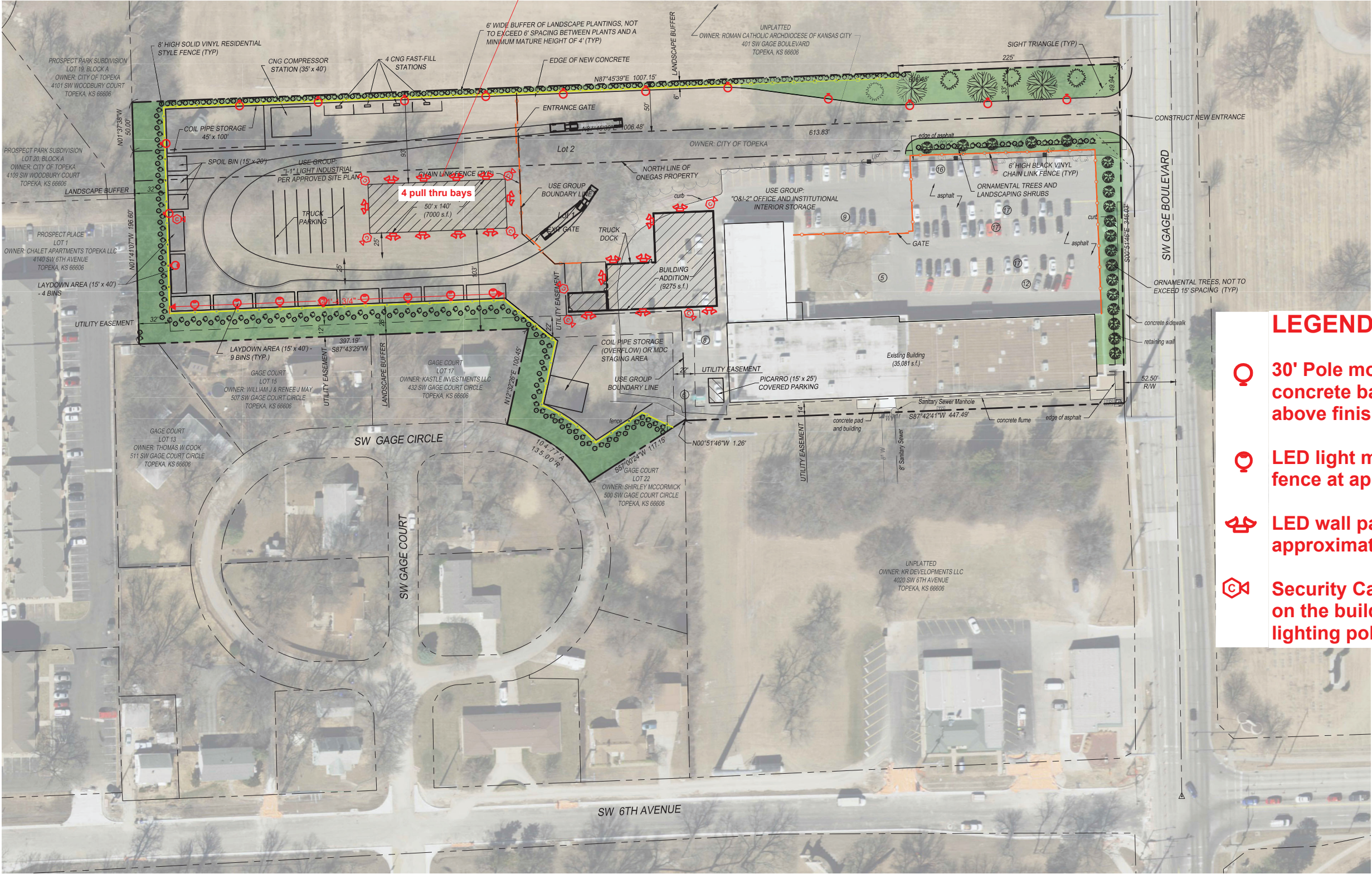
PUD limits:
maximum of 3 fc at property line, no
maximum pole height

ONE Gas requirements:
General illumination for traffic and
security.



PROJECT LOCATION MAP

LED Wall packs above
each bay door and on
the east and west sides
of the building



LEGEND

- 30' Pole mounted LED with concrete base extending 36" above finished grade.
- LED light mounted on 8'-0" high fence at approximately 7'-0" AFG
- LED wall pack light fixture at approximately 15'-0" AFG
- Security Camera: either mounted on the building or on the site lighting pole

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.

PUD 22 / 05

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
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Revision No. 1**

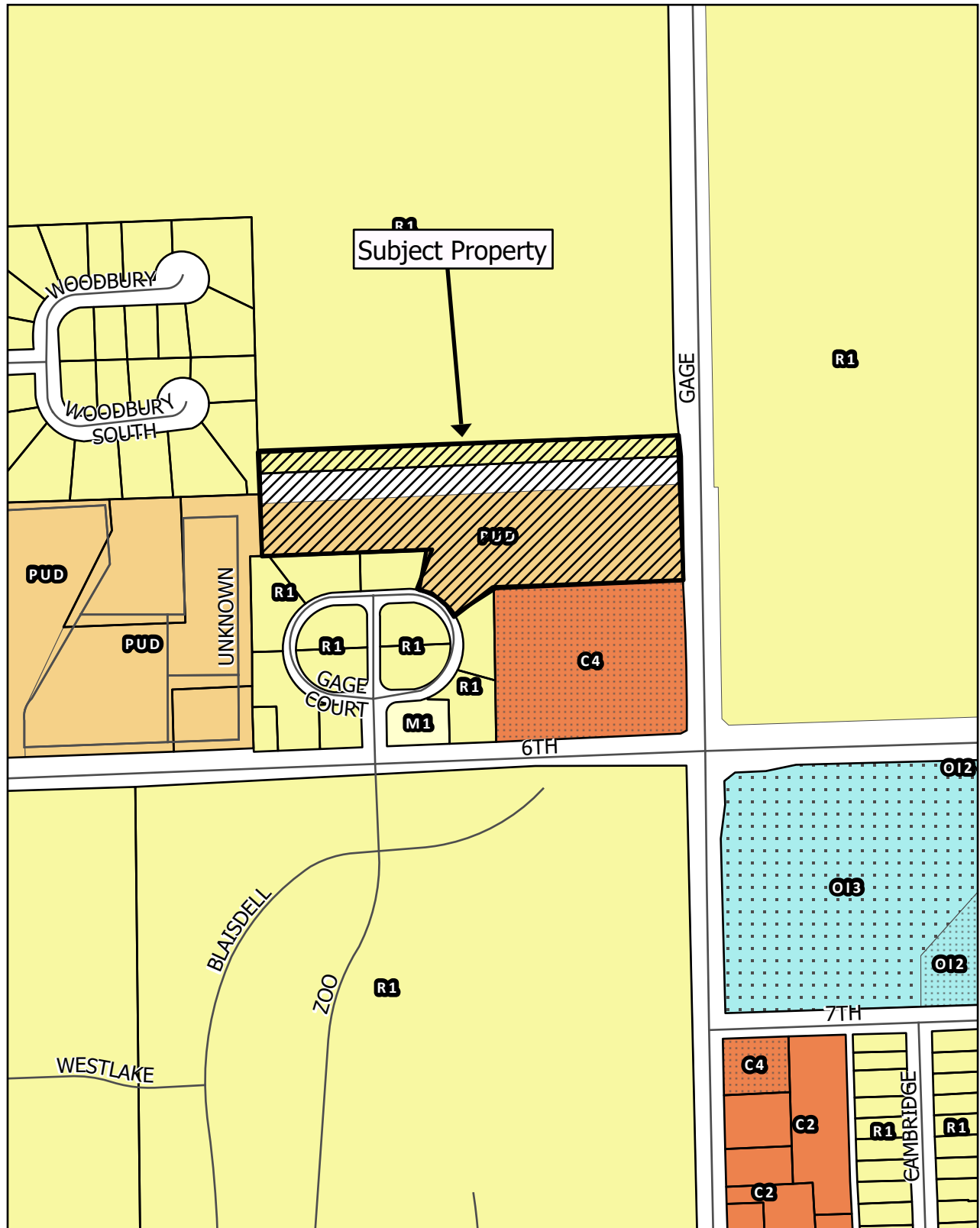
PROJECT LOCATION:
**501 SW GAGE BOULEVARD
TOPEKA, KANSAS 66606**

SBB Proj. No.: 22-136
Drawn by: RK
Checked by: JWL
Date: 09/23/2022
Drawing No.: 1 OF 2



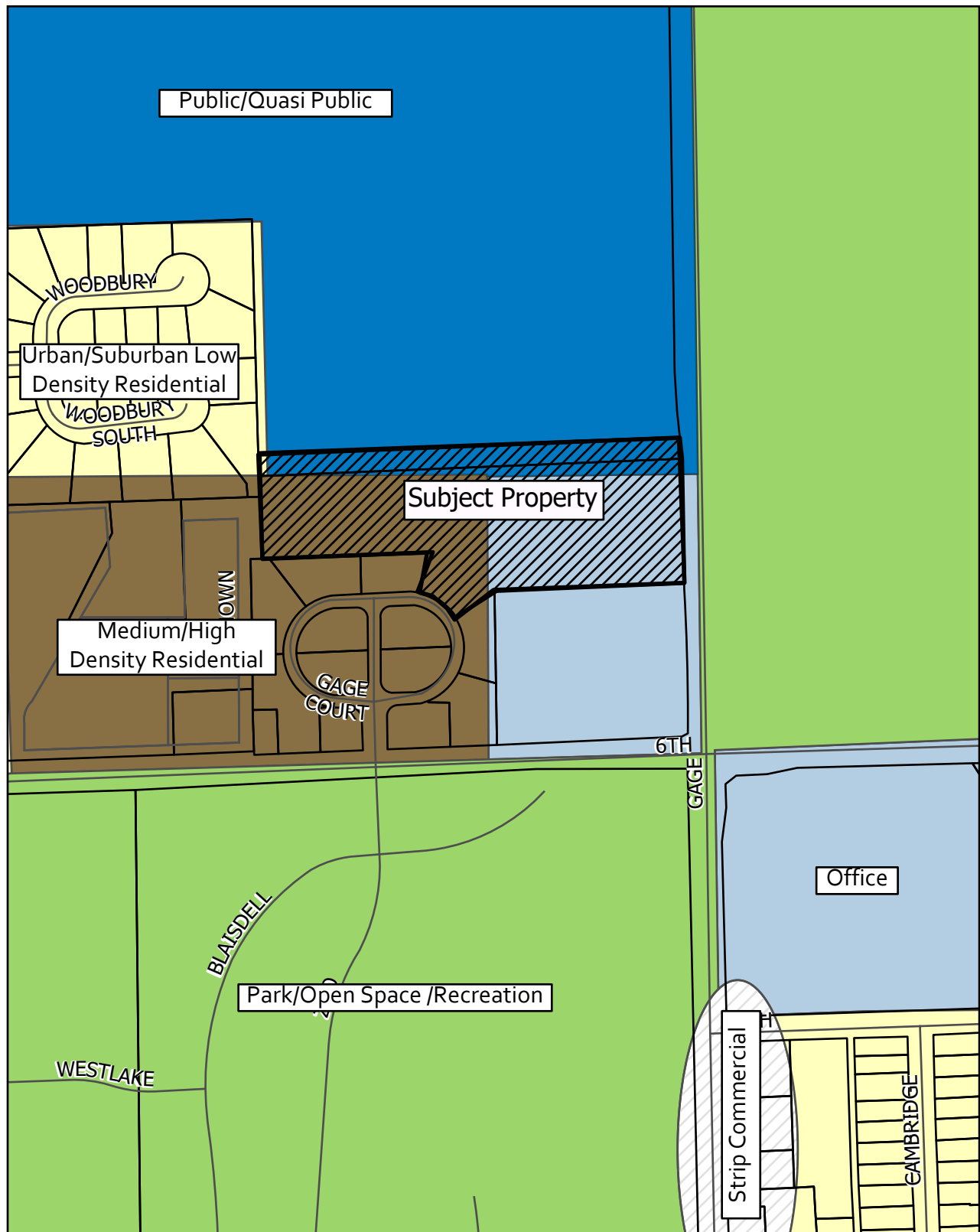
Topeka Planning Division

Aerial Map



Topeka Planning Division

Zoning Map



Topeka Planning Division

Future Land Use Map



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', is positioned above the printed name.

Jeff Laubach, PE
SBB Engineering, LLC

SBB Engineering, LLC

785.215.8630 | 785.215.8634 (F) | www.sbbeng.com | 101 South Kansas Avenue | Topeka, Kansas 66603
785.260.2805 | 3705 Clinton Parkway Ste. 202 | Lawrence, Kansas 66047

STAFF REPORT - SUBDIVISION

CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase

Preliminary and Final Plat

Final Plat Phase

RECOMMENDATION: Based upon the findings and staff analysis below, the Planning & Development Department recommends the final plat phase of Mission Ridge Subdivision No. 2 be **APPROVED** and forwarded to the City Council for its acceptance of land to be dedicated for public purposes, subject to the conditions in the staff report below.

RECOMMENDED MOTION: I move to forward approval of the final plat for Mission Ridge Subdivision No. 2 to the Governing Body for acceptance of land to be dedicated for public purposes subject to the conditions in the staff report below.

NAME: Mission Ridge Subdivision No. 2 [P23/01]

OWNER/DEVELOPER: Mission Ranch LLC

ENGINEER/SURVEYOR: CFS Engineers/ Michael A. Adams

STAFF: William Sharp, Planner I

GENERAL LOCATION: Southwest corner of intersection SW 41st St & SW Wanamaker Rd.

PARCEL ID NUMBERS: 1442004001001000, 1442004008001000, 1442004009001000, 1442004007001000

JURISDICTION: Class "A" Subdivision – within the corporate limits of the City of Topeka

ANNEXATION: Annexed in 2004. (A04/05)

Area	# of Lots	Residential Density	Proposed Land Use	Proposed Zoning
21.6 acres	48 lots	4.4 DUs/acre	Duplexes	"M-1" Two-Family Dwelling District

Zoning Case: Z23/01 by Mission Ranch LLC (Mission Ridge Subdivision) requesting a zoning change from "PUD" Planned Unit Development with an M-1 Two-Family Dwelling District use group and PUD with O&I-1 Office and Institutional and C-2 Commercial District use groups **TO** M-1 Two-Family Dwelling District to allow for residential duplex buildout.

Design: The plat is on the southwest corner lot of SW 41st St & SW Wanamaker Ave comprising a total area of 21.6 acres. The final plat represents a revision to the original Mission Ridge Subdivision, which was initiated in 2004. The plat will connect to SW 41st St from SW Southbridge Dr to the north and SW Wanamaker Rd will be connected to the east by SW 42nd Ln. The final plat will also be removing green space easements that currently surround Block B and Block A of the plat map but will be keeping 40 ft drainage detention facility easements that were a part of the original plat. Block A will have 11 additional residential lots added while Block B will have six additional residential lots added for a total of 17 new residential lots able to contain 34 new dwelling units.

BACKGROUND: This is a replat of Mission Ridge Subdivision. The original plat also went along with a new planned unit development from that same time (Z03/25) that intended the use of the land to be for residential with office and commercial included. This plat and zoning case will be removing the office and commercial use and replacing it with multifamily use intended for the development of duplexes.

NEIGHBORHOOD INFORMATION MEETING:

A digital neighborhood information meeting was held on January 26, 2023 at 5:30 PM via Zoom. 21 people that attended the meeting as well as developer personnel and City staff. Concerns from neighbors were raised regarding street connections, stormwater drainage, construction activities, and density.

SERVICES AND FACILITIES:

1. WATER SERVICE: The development is serviced by City of Topeka public water supply via an 8" water main.
2. SEWAGE DISPOSAL: The subdivision will be served via an 8" City of Topeka sanitary sewer main.
3. WASTEWATER PLAN SERVICE AREA: The property is located within the Urban Service Area (city limits) of the Land Use and Growth Management Plan -2040, which requires service by a sanitary sewer system. In this respect, the proposal and is in full compliance with said Plan.
4. DRAINAGE CONDITIONS: The original plat was filed in 2004 and grading was performed to provide detention along the rears of the lots. The replat will not change the detention areas and the replat's primary use is to modify lot lines throughout the subdivision. Proposed drainage patterns will follow drainage from the original plat. Since drainage patterns are not changing, the existing drainage report is sufficient for the proposed lot line changes.
5. STREET PLAN/ACCESS: Streets and access area already existing. Access to the subdivision is provided on SW 41st St and SW Wanamaker Rd. SW Southbridge Dr and SW Mission Ridge Rd already are developed streets.
6. FIRE DISTRICT: City of Topeka Fire Department.
7. STREAM BUFFER: N/A.
8. SCHOOL DISTRICT: USD No. 437 – Auburn- Washburn Rural
9. PARKS/OPEN SPACE: Mission Ridge Subdivision No. 2 is located within the southwest parkland fee area, which has a dedication fee of \$300 per dwelling unit and is collected at the time of building permits for each new residential lot.

WAIVER/VARIANCE TO STANDARDS: N/A

CAPITAL IMPROVEMENT PLAN (CIP): No pending City projects for the proposed area.

CONFORMANCE TO COMPREHENSIVE PLAN: The proposed subdivision is located inside the corporate limits of the City of Topeka. The future land use map designates this area as "Mixed Use". Mixed Use allows for residential, commercial, and office in the area. The comprehensive plan also calls for compact growth where the city has already made infrastructure and service investments which this new residential development will satisfy. The future land use map provides broad brush guidelines for development patterns. The original PUD and final plat are from 2003 and this land has been sitting empty since then. While this replat and zoning case will be removing the commercial and office lots and replacing them with residential lots, this new replat will still be following the compact growth and infill that the Land Use and Growth Management Plan calls for and that is needed inside the City.

STAFF ANALYSIS: The subdivision design and density comply with Topeka subdivision regulations (TMC 18.30). Based upon the above findings and analysis, staff recommends Mission Ridge Subdivision No. 2 be **APPROVED** and forwarded to the City Council for its acceptance of land to be dedicated for public purposes, subject to the following conditions:

1. On preliminary and final plat change street name from SW Stonybrook Dr to SW 42nd Ln.
2. Under Certificate of Approvals remove Topeka Planning Director and Public Works Director signature blocks and replace with:

APPROVED BY THE TOPEKA PLANNING COMMISSION THIS ____ DAY OF _____, 20__.

Name, Planning Commission Chairman

Name, Planning Commission Secretary

THIS SUBDIVISION HAS BEEN PRESENTED TO THE CITY COUNCIL, CITY OF TOPEKA, KANSAS, ON THE _____ DAY OF _____, 20__, FOR ACCEPTANCE OF LAND TO BE DEDICATED FOR PUBLIC PURPOSES. THE CITY COUNCIL HEREBY ACCEPTS THE LAND FOR PUBLIC PURPOSES.

By the City Council
City of Topeka, Kansas

Michael Padilla, Mayor

Brenda Younger, City Clerk

Attachments:

Aerial Map
Preliminary Plat –Mission Ridge Subdivision No. 2
Final Plat- Mission Ridge Subdivision No. 2
Neighborhood Information Meeting Summary

P23/01 Mission Ridge Subdivision No. 2



Topeka Planning Division

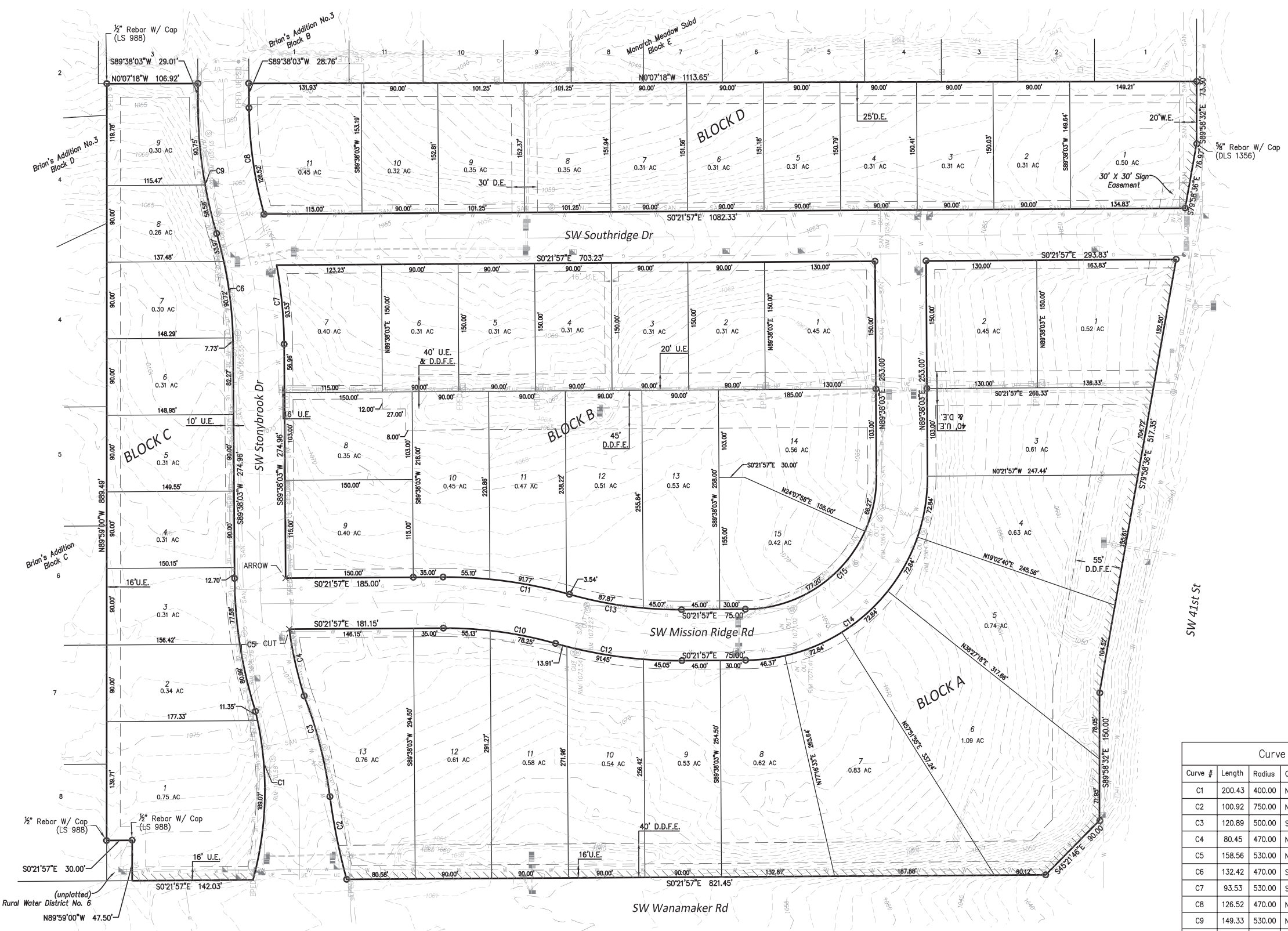
Aerial Map



Subject Property

Mission Ridge Subdivision No. 2

A replat of Block A, B, C, and Block D Mission Ridge Subdivision in the City of Topeka, Shawnee County, Kansas.

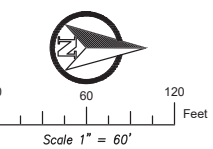
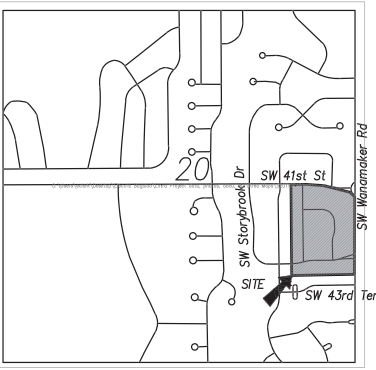


- LEGEND**
- = FOUND 5/8" REBAR WITH CAP (CLS 14) UNLESS OTHERWISE NOTED
 - ⊙ = SET 1/2" BY 24" REBAR WITH CAP CFS CLS 80
 - × = CHISELED MARK AS NOTED
 - = BOUNDARY LINE
 - = LOT LINE
 - /// = RESTRICTED ACCESS
 - - - = UTILITY EASEMENT
 - SAN = SANITARY SEWER
 - ⊙ = SANITARY SEWER MANHOLE
 - W = WATER LINE
 - = WATER VALVE
 - ⊙ = FIRE HYDRANT
 - - - = STORM SEWER
 - ||||| = STORM INLET
 - UE = UNDERGROUND ELECTRIC
 - ⊙ = UNDERGROUND ELECTRIC PEDESTAL
 - OHP = OVERHEAD ELECTRIC
 - G = GAS LINE
 - UT = UNDERGROUND TELEPHONE
 - ⊙ = TELEPHONE PEDESTAL
 - UTV = UNDERGROUND TV
 - ⊙ = TV PEDESTAL

DESCRIPTION:
All of Blocks A, B, C, and D of Mission Ridge Subdivision No. 2 located in the Southeast Quarter of Section 20, Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas.

Owner/Developer:
MISSION RANCH, LLC
3024 SW WANAMAKER ROAD, TOPEKA, KS 66614
Date of Preparation: 12/13/22

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	200.43	400.00	N89° 10' 36"W	198.34
C2	100.92	750.00	N78° 38' 19"E	100.85
C3	120.89	500.00	S75° 34' 02"W	120.60
C4	80.45	470.00	N77° 23' 47"E	80.35
C5	158.56	530.00	N81° 03' 48"E	157.97
C6	132.42	470.00	S81° 33' 45"W	131.98
C7	93.53	530.00	S84° 34' 44"W	93.41
C8	126.52	470.00	N81° 55' 21"E	126.14
C9	149.33	530.00	N81° 33' 45"E	148.83
C10	133.38	470.00	S7° 45' 51"W	132.94
C11	150.41	530.00	S7° 45' 51"W	149.91
C12	150.41	530.00	N7° 45' 51"E	149.91
C13	133.38	470.00	N7° 45' 51"E	132.94
C14	337.72	215.00	N45° 21' 57"W	304.06
C15	243.47	155.00	N45° 21' 57"W	219.20



Mission Ridge Subdivision No. 2

A replat of Lots 1-3 of Block A, Lots 1-10 of Block B, Lots 1-9 of Block C, and Lots 1-11 of Block D Mission Ridge Subdivision in the City of Topeka, Shawnee County, Kansas.

GENERAL NOTES:

- Property owners shall be admonished from placing any permanent or semi-permanent obstruction in permanent sewer, 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 semi-permanent obstruction located in the permanent sewer or utility easement may be removed by City of Topeka, it's employees or agents 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.
- According to FEMA Flood Map No. 20177C0282E, effective September 29, 2011, the subject property lies in Zone "X"; Areas of Minimal Flood Hazard.
- Water service shall be by City of Topeka.
- Wastewater disposal is by City of Topeka.
- All new utilities shall be placed underground pursuant to the City's right-of-way management standards.
- No building permit(s) shall be issued until all Stormwater Management requirements set forth in the Topeka Municipal Code (TMC) are met: including approval of Stormwater Management Plan, granting of any necessary stormwater management, drainage or stream buffer easements, and construction and inspection of all stormwater management facilities contained in the approved Stormwater Management Plan for each phase as applicable
- No building permits shall be issued until arrangement for the installation of water mains and/or connection charges have been made with the City of Topeka Water Department.
- Restricted access line defines portions of the subdivision boundary in which the public is not allowed to cross in order to gain access to the subdivision other than in an emergency situation or for temporary access during construction activities. Temporary access requires prior approval from the Director of Public Works. All access openings shall be reviewed and approved by the City Traffic Engineer at the time of site plan review for consistency with the City's street design criteria.
- Minimum openings shall be 1ft. above the highest adjacent 100-year water surface elevation.

DEDICATION: Know all men by these presents that the undersigned owners to the above described tract of land have caused the same to be subdivided into lots, blocks and public ways which shall be known as **Mission Ridge Subdivision No. 2.**

NOTICE: In the event there are others owners or those holding any proprietary interest in any land contained in this subdivision who do not appear and duly acknowledge this plat prior to the time of recording in the Office of the Register of Deeds, the plat shall be null and void.

EASEMENTS: Easements are hereby granted to the public as follows:

"Utility Easements" to allow public utility providers, contractors, and authorized agents to locate, construct and maintain facilities to provide utility service to the public. All public utilities specifically including but not limited to water, gas, sewer, stormwater, and telecommunications may place or locate their facilities over, under and along the strips marked "utility easements". A temporary construction easement of 12 feet adjacent to the side of utility easement is dedicated for the use of the public utilities while initial construction of the public utility's facilities are in progress.

STREETS: The public ways (streets and roads) not heretofore dedicated, are hereby dedicated to the public. Temporary turn-around easements are hereby established as shown on the accompanying plat and shall be automatically vacated when streets are extended.

SURVEYOR: CFS ENGINEERS
2930 SW WOODSIDE DR
TOPEKA KS 66614

OWNER/DEVELOPER: Mission Ranch LLC
3024 SW Wanamaker Rd
Suite 300
Topeka, KS 66614

DATE: 12/21/2022

PLAT BOUNDARY DESCRIPTION:

All of Lots 1-3 of Block A, Lots 1-10 of Block B, Lots 1-9 of Block C and Lots 1-11 of Block D in the Mission Ridge Subdivision, In the City of Topeka, Shawnee County, Kansas.

CERTIFICATE OF APPROVALS:

APPROVED by the Topeka Planning Director this _____ day of _____, 20 ____.

Bill Fiander, AICP, Planning & Development Director

APPROVED by the Topeka Public Works Director this _____ day of _____, 20 ____.

Braxton Copley, Public Works Director

ENTERED on the transfer record of Shawnee County, Kansas, this _____ day of _____, 20 ____.

Cynthia A. Beck, County Clerk

REVIEWED by the County Surveyor, this _____ day of _____, 20 ____.

Deborah J. Thomas, P.S. 1461, County Surveyor

BOOK _____ PAGE _____

FILED FOR RECORD in the Office of the Shawnee County Register of Deeds this _____ day of _____, 20 ____ at _____ o'clock.

IN TESTIMONY WHEREOF, The owners, Mission Ranch LLC, have caused these presents to be signed this _____ day of _____, 20 ____.

James A. Klausman, Managing Member
Mission Ranch LLC

State of Kansas, ss
County of Shawnee, ss

BE IT REMEMBERED that on this _____ day of _____, 20 ____, before me a notary public, in and for the County and State aforesaid, came James A. Klausman, Managing Member of Mission Ranch LLC, who is personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledge the execution of the same.

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

Name of Notary

My Commission Expires

CERTIFICATE OF SURVEYOR:

I hereby certify the details of this plat to be correct to the best of my knowledge and belief; that all boundary corners of the subdivision have been monumented; that iron pins are set as shown on the attached plat this

_____ day of _____, 20 ____.

Michael A. Adams
CFS Engineers

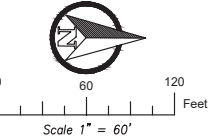
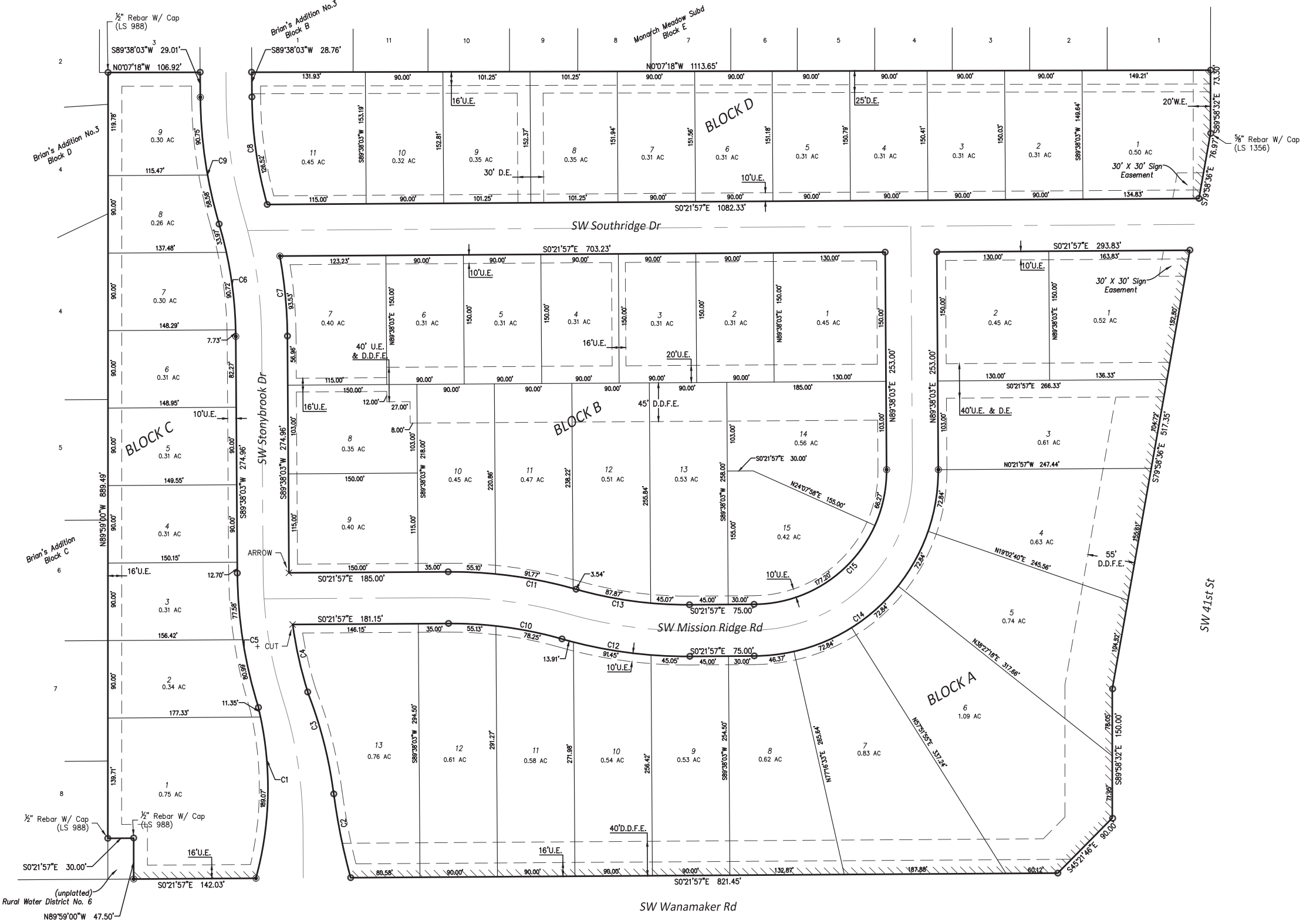
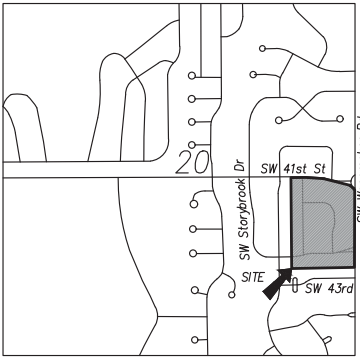
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Mission Ridge Subdivision No. 2

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- Wastewater disposal is by City of Topeka.
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- Minimum openings shall be 1ft. above the highest adjacent 100-year water surface elevation.

DEDICATION: Know all men by these presents that the undersigned owners to the above described tract of land have caused the same to be subdivided into lots, blocks and public ways which shall be known as **Mission Ridge Subdivision No. 2.**

NOTICE: In the event there are others owners or those holding any proprietary interest in any land contained in this subdivision who do not appear and duly acknowledge this plat prior to the time of recording in the Office of the Register of Deeds, the plat shall be null and void.

EASEMENTS: Easements are hereby granted to the public as follows:

"Utility Easements" to allow public utility providers, contractors, and authorized agents to locate, construct and maintain facilities to provide utility service to the public. All public utilities specifically including but not limited to water, gas, sewer, stormwater, and telecommunications may place or locate their facilities over, under and along the strips marked "utility easements". A temporary construction easement of 12 feet adjacent to the side of utility easement is dedicated for the use of the public utilities while initial construction of the public utility's facilities are in progress.

STREETS: The public ways (streets and roads) not heretofore dedicated, are hereby dedicated to the public. Temporary turn-around easements are hereby established as shown on the accompanying plat and shall be automatically vacated when streets are extended.

DESCRIPTION:

All of Blocks A,B,C,and D of Mission Ridge Subdivision located in the Southeast Quarter of Section 20, Township 12 South, Range 15 East of the 6th P.M., in the City of Topeka, Shawnee County, Kansas.

CERTIFICATE OF APPROVALS:

APPROVED by the Topeka Planning Director this _____ day of _____, 2023.

Bill Fiander, AICP, Planning & Development Director

APPROVED by the Topeka Public Works Director this _____ day of _____, 2023.

Braxton Copley, Public Works Director

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Cynthia A. Beck, County Clerk

REVIEWED by the County Surveyor, this _____ day of _____, 2023.

Deborah J. Thomas, P.S. 1461, County Surveyor

BOOK _____

PAGE _____

FILED FOR RECORD in the Office of the Shawnee County Register of Deeds this _____ day of

_____, 2023 at _____ o'clock.

IN TESTIMONY WHEREOF, The owners, Mission Ranch LLC, have caused these presents to be signed this _____ day of _____, 2023.

James A. Klausman, Managing Member
Mission Ranch LLC

State of Kansas, ss
County of Shawnee, ss

BE IT REMEMBERED that on this _____ day of _____, 2023, before me a notary public, in and for the County and State aforesaid, came James A. Klausman, Managing Member of Mission Ranch LLC, who is personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledge the execution of the same.

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

Name of Notary

My Commission Expires

CERTIFICATE OF SURVEYOR:

I hereby certify the details of this plat to be correct to the best of my knowledge and belief; that all boundary corners of the subdivision have been monumented; that iron pins are set as shown on the attached plat this

_____ day of _____, 2023.

Michael A. Adams
CFS Engineers



Mission Ridge Subdivision No. 2 Community Meeting

Thursday 1/26/2023 at 5:30 PM

Online Meeting Attendees: (names as shown on Zoom Mtg screen)

Nick Krier - Developer's Rep.
Travis Haizlip - CFS Engineers
Kevin Holland -CFS Engineers
Will Sharp - City of Topeka
Ian Trefren – City of Topeka
Susan
Celeste
K. Funnell
Mike Pierson
Dave Cobler
Dan Warner
Judy Warkentine
Art Varella
Bond
Aaron Dale
Jim Klausman – Property Owner
Susan
Teresa Crow
Wempe
Karl
Tanner
Brent Crow
Ben Carver

CFS Engineers provided overview of existing plat and zoning prior to explanation of proposed plat changes and rezoning.

Nick Krier provided information on the proposed housing product which included: overview of high-quality for sale housing product, estimated pricing, house plans, universal design details, HOA provided services/maintenance, and photos of similar product/community.

Questions from attendees:

- Will the units be for sale or rental units?
- What will the sales price be for these homes?
- What services will the HOA provide?
- Was the idea of building single-family homes ever a possibility within the project?
- What can be done to for this project not turn into Shenandoah Street?
- How will rainwater be addressed during home construction
- Timeline of project beginning?

Concerns raised by attendees:

- Additional housing units could overcrowd Wanamaker Road
- Neighbors to the South of project want to keep as many of the existing trees as possible
- Concerns of proposed project becoming “another Shenandoah” (mostly tenant occupied Monarch Meadows duplex's to the West of proposed project)
- That this project might accelerate the parkway construction.

STAFF REPORT – ZONING CASE
TOPEKA PLANNING & DEVELOPMENT DEPARTMENT

PLANNING COMMISSION DATE:
February 20, 2023

APPLICATION
INFORMATION

APPLICATION CASE NO:	Z23/01 By: Mission Ranch, LLC <i>(Mission Ridge Subdivision Rezoning)</i>
REQUESTED ACTION / CURRENT ZONING:	Zoning change from “PUD” Planned Unit Development with an “M-1” Two-Family Dwelling District use group and PUD with “O&I-1” Office and Institutional and “C-2” Commercial District use groups TO “M-1” Two-Family Dwelling District to allow for residential duplex buildout.
APPLICANT:	Mission Ranch, LLC.
PROPERTY LOCATION / PARCEL ID:	On property located at the southwest corner of SW Wanamaker Road and SW 41 st street, and also along and north of SW 42 nd Lane and along and east of SW Southridge Dr. PIDs: 1442004001001000, 1442004008001000, 1442004009001000, 1442004007001000
PARCEL SIZE:	21.7 acres
STAFF PLANNER:	Ian Trefren <i>Associate Planner</i>
RECOMMENDATION:	Based upon the above finding and analysis, Planning Division staff recommends APPROVAL of the proposed zoning change from “PUD” Planned Unit Development with an “M-1” Two-Family Dwelling District use group and PUD with “O&I-1” Office and Institutional District and “C-2” Commercial District use groups TO “M-1” Two-Family Dwelling District to allow for residential duplex buildout.
RECOMMENDED MOTION:	Based on the findings and analysis in the staff report I move to recommend to the Governing Body approval of the reclassification of the property from “PUD” Planned Unit Development with an “M-1” Two-Family Dwelling District use group and PUD with “O&I-1” Office and Institutional District and “C-2” Commercial District use groups TO “M-1” Two-Family Dwelling District.

PHOTOS:

View of property from SW 41st Street looking south:



View of property from SW Wanamaker Road looking west:



PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:

Residential duplex units on 21.7 acres of property.

DEVELOPMENT / CASE HISTORY:

The properties gained their current zoning designation through a series of three zoning actions in 2003.

Z03/20 involved the proposed rezoning of the properties along what is now Southridge Drive and 42nd Lane from “RR-1” Residential Reserve to “M-1” Two-Family Dwelling District. The Planning Commission recommended approval on the condition that it was a part of a PUD.

Z03/25 rezoned the property located at the corner of SW Wanamaker and SW 41st St from “RR-1” to “PUD” with C-2 and O&I-1 use groups to provide for the development of offices and commercial buildings

Z03/51 rezoned the subject properties of Z03/20 from “RR-1” to “PUD” with an “M-1” use group to allow for the development of duplex units.

ZONING AND SURROUNDING PROPERTIES:

-North: “RR-1” & “R-1” Single Family Residential – Single family homes

-East: “R-1” - Single family homes

-South: “RR-1” & “R-1” – Single family homes

-West: “M-1” & “R-1” – Duplex units and single-family homes

DEVELOPMENT STANDARDS AND POLICIES

USE STANDARDS OF PROPOSED ZONING COMPARED TO EXISTING ZONING:

“O&I-1” is intended for non-residential and non-commercial uses such as general-purpose office, professional, or administrative operations.

“C-2” supports commercial activities that serve a major segment of the total community population as well as feature large traffic generators that require access from major thoroughfares.

“M-1” permits the development of two-family and attached single-family dwellings together in order to provide for a transitional use between single-family detached dwelling districts and other, more intensive districts.

OFF – STREET PARKING:

Two-family dwellings:

1 parking space/dwelling unit <= 950sf

2 parking spaces/dwelling unit >950 sf

COMPREHENSIVE PLANS:	<u>LUGMP – 2040</u> : Mixed Use & Urban/Suburban Low Density Residential
TRANSPORTATION/CIP:	N/A

OTHER FACTORS

SUBDIVISION PLAT:	Mission Ridge Subdivision #2 Plat (P23/01) is being submitted concurrently with the rezoning application.
FLOOD HAZARDS, STREAM BUFFERS:	N/A
UTILITIES:	All utilities are readily available for connection by the developer.
TRANSPORTATION/TRAFFIC:	Properties have direct access onto SW Wanamaker Rd to the east and SW 41 st to the north. The properties also have access to the neighborhoods to the west and south via SW 42 nd Lane.
HISTORIC PROPERTIES	Not applicable
NEIGHBORHOOD INFORMATION MEETING:	A digital neighborhood information meeting was held on January 26, 2023 at 5:30 PM via Zoom. 21 people that attended the meeting as well as developer personnel and City staff. Concerns from neighbors were raised regarding street connections, stormwater drainage, construction activities, and density.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

PUBLIC WORKS/ENGINEERING:	None
WATER POLLUTION CONTROL:	None
FIRE:	None
DEVELOPMENT SERVICES:	None

KEY DATES

SUBMITTAL:	December 28, 2022 (initiated)
NEIGHBORHOOD INFORMATION MEETING:	January 26, 2023

STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: Nearby properties are characterized by detached single-family dwelling units to the north, east, and south as well as duplexes to the immediate west. To the southwest are properties of a rural residential character. The subject property is flanked by SW Wanamaker Rd and SW 41st St., two minor arterial thoroughfares, to the east and north respectively.

ZONING AND USES OF SURROUNDING PROPERTIES: Surrounding properties are almost exclusively zoned “R-1” Single Family Dwelling District and “RR-1” Residential Reserve District except for a strip of land along Shenandoah Drive to the west zoned “M-1” Two-Family Dwelling District. All of these designations are occupied by residential land uses of varying intensity.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject properties are undeveloped and have always been undeveloped. In 2003 they were designated as two different “PUD” Planned Unit Developments – one with an “M-1” Two-Family Dwelling District use group along Southridge Drive and 42nd Lane and the other with “O&I-1” Office and Institutional and “C-2” Commercial District use groups along Mission Ridge Road.

SUITABILITY OF PROPERTY FOR USES TO WHICH IT HAS BEEN RESTRICTED: The subject properties are zoned “PUD” Planned Unit Development with an “M-1” use group and “PUD” with “O&I-1” and “C-2” use groups. While these designations are appropriate for their respective LUGMP-2040 Urban Growth Area designations, the evolving character of the surrounding properties has rendered the site less and less suitable for commercial and office development as time has gone on. If this property were to be developed into office units and commercial businesses today, it would be entirely incongruent with existing surrounding land uses. Because of that, the property would be better suited for low density residential development such as the proposed duplexes which are consistent with existing land use patterns.

CONFORMANCE TO COMPREHENSIVE PLAN: The subject property is designated as “Mixed Use” and “Urban/Suburban Low Density Residential” in the 2040 Land Use and Growth Management Plan. While the “Mixed Use” designation is intended for a blend of housing, commercial, and job sites in the same area, the overall intent is to promote “development in a compact manner” in order to reduce infrastructure costs. The proposed zoning will permit densification which would support this goal of more compact development in areas with existing infrastructure.

The “Urban/Suburban Low Density Residential” designation is entirely consistent with the proposed zoning as it is characterized by “(...) two-family residential development, up to a maximum of 6 dwelling units per acre” – the proposed land use and the maximum density of the “M-1” Two-Family Dwelling District.

Lastly, the property is located in the primary service area of the City. Properties designated as Service Tier 1 are considered first priority for future growth and development as no new or limited City investment in infrastructure is needed to support development.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: There will not be a detrimental effect upon adjacent properties by rezoning to “M-1” Two-Family Dwelling District. The existing zoning designation would permit the development of commercial and office uses whereas the surrounding properties are predominantly characterized by detached single family dwelling units and some duplexes. Rezoning will bring the property more in line with the residential character of the surrounding neighborhoods.

In particular the duplex subdivision to the immediate west of the subject property is already zoned “M-1”, so this rezoning would be a continuation of existing land use patterns.

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:

The gain to the public health, safety, and welfare is the City’s ability to support the creation of additional housing for this urbanizing area while maintaining compatibility of land uses. The proposed “M-1” zoning supports less intensive land uses than the existing “C-2” and “O&I-1” designations. Because of this, the option to rezone the property is more desirable than maintaining the existing zoning from the perspective of the individual landowner as it is more consistent and compatible with the surrounding properties.

AVAILABILITY OF PUBLIC SERVICES: All essential public utilities, services and facilities are presently available to this area or will be extended at developer expense, including sanitary main, storm sewer and water main improvements.

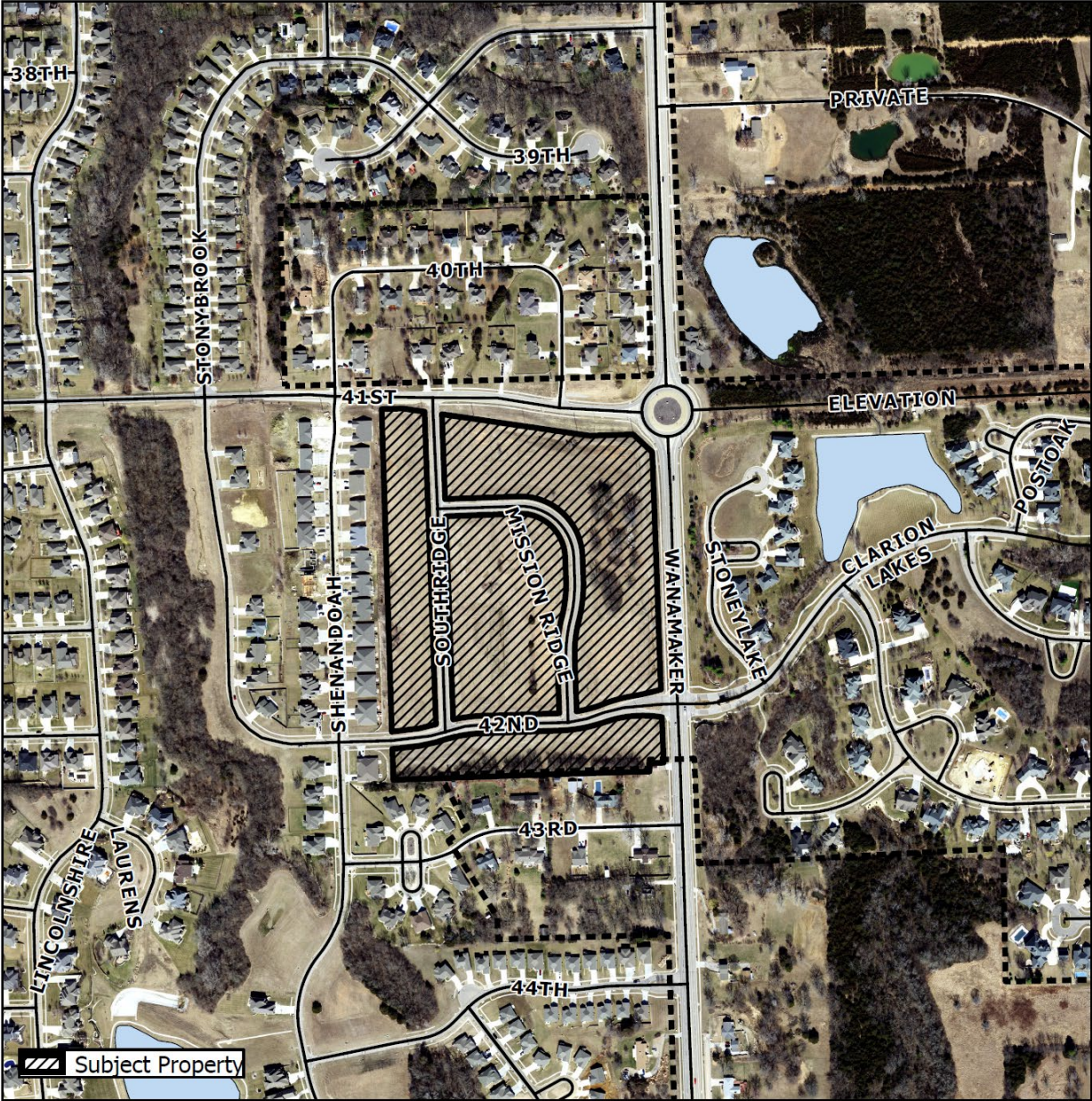
STAFF RECOMMENDATION:

Based upon the above finding and analysis, Planning Division staff recommends **APPROVAL** of the proposed zoning change from “PUD” Planned Unit Development with a “M-1” Two-Family Dwelling District use group and “PUD” with “O&I-1” Office and Institutional Use and “C-2” Commercial District use groups **TO** “M-1” Two-Family Dwelling District.

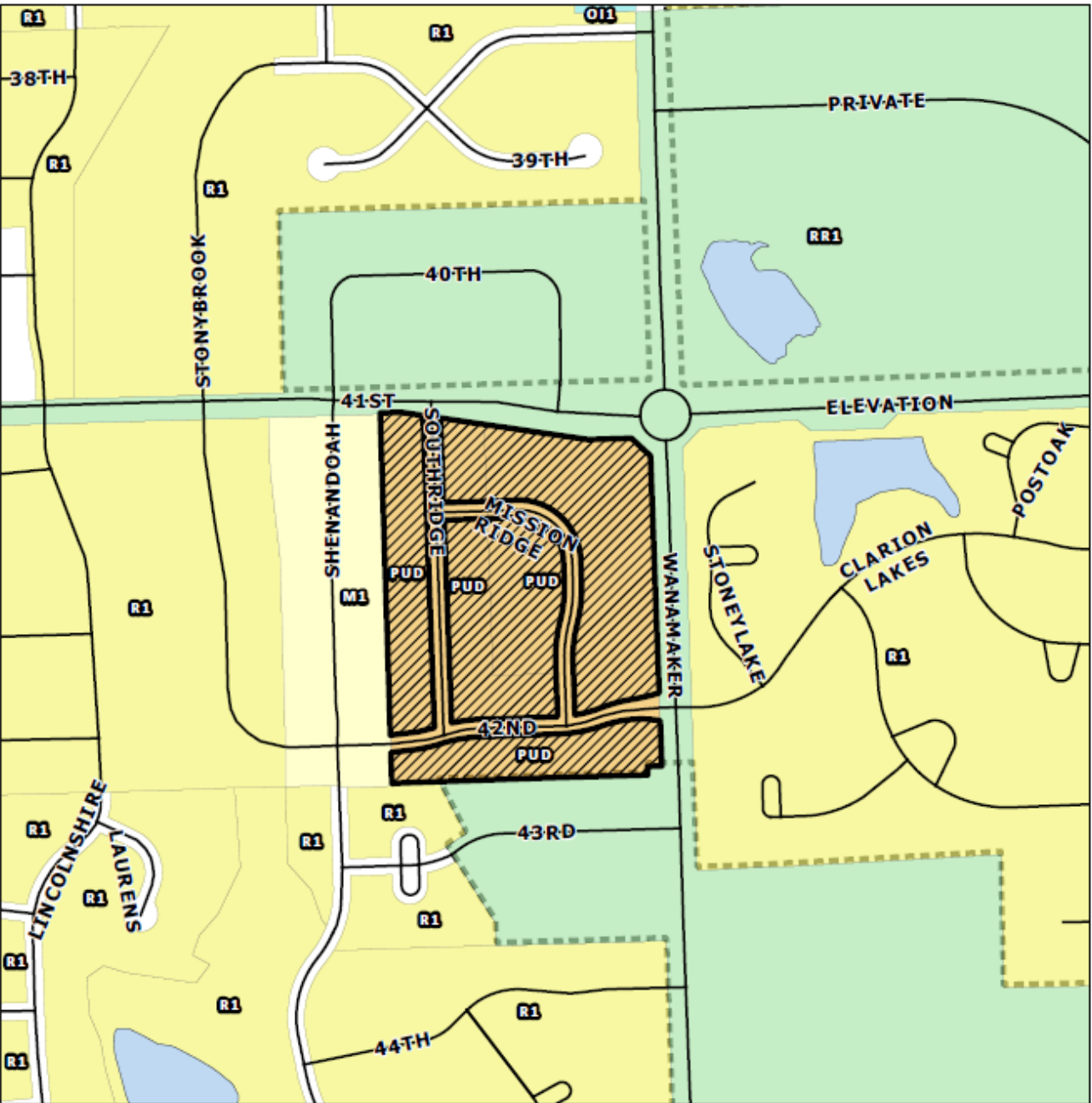
RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body approval of the reclassification of the property from “PUD” Planned Unit Development with an “M-1” Two-Family Dwelling District use group and “PUD” with “O&I-1” Office and Institutional District and “C-2” Commercial District use groups **TO** “M-1” Two-Family Dwelling District.

ATTACHMENTS:

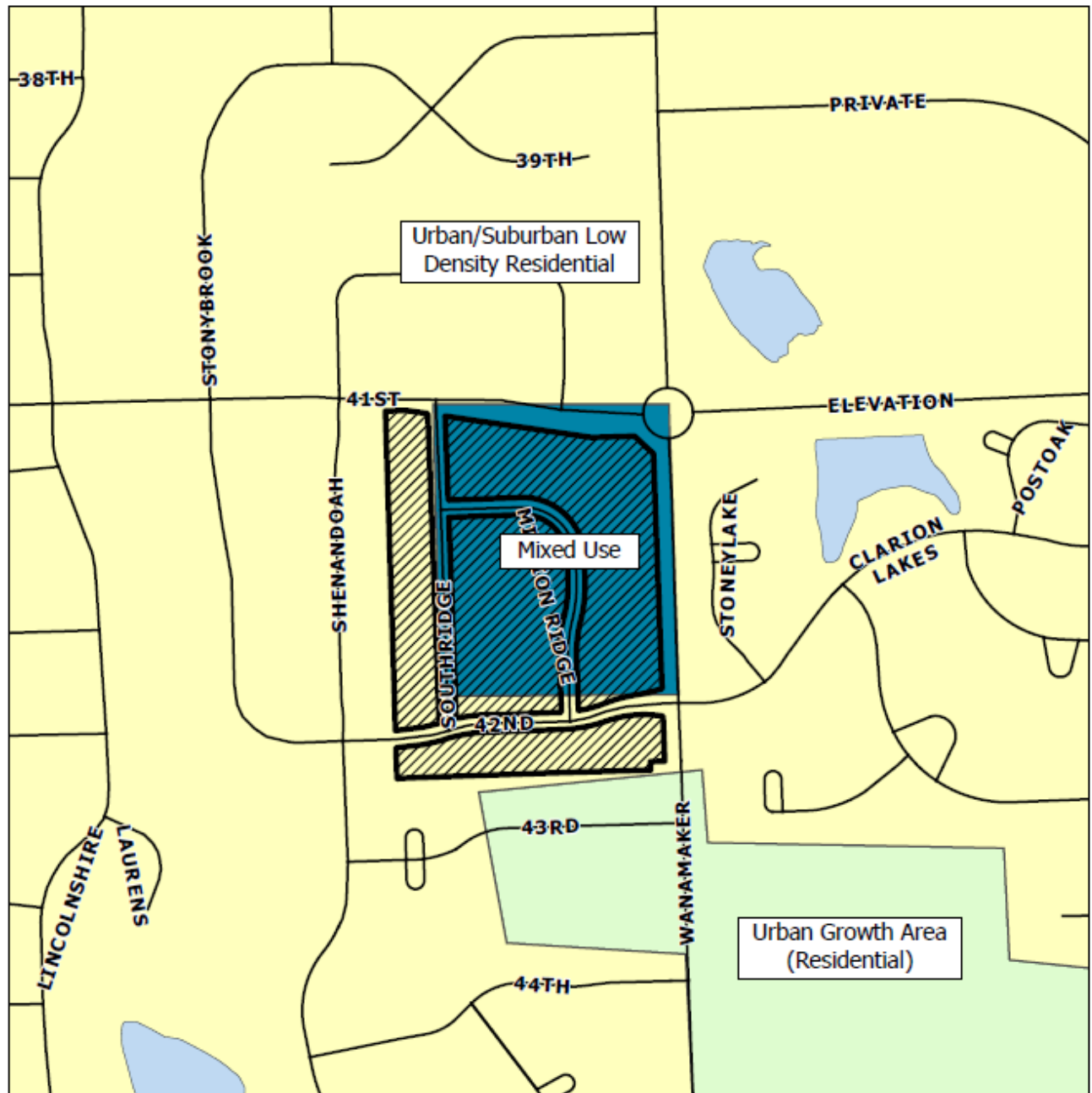
Aerial Map
Adjacent Uses Map
Future Land Use Map
NIM Summary



Z23/01 - Mission Ranch, LLC - Adjacent Zoning Map



Z23/01 - Mission Ranch, LLC - Future Land Use Map



Mission Ridge Subdivision No. 2 Community Meeting
Thursday 1/26/2023 at 5:30 PM

Online Meeting Attendees: (names as shown on Zoom Mtg screen)

Nick Krier - Developer's Rep.
Travis Haizlip - CFS Engineers
Kevin Holland -CFS Engineers
Will Sharp - City of Topeka
Ian Trefren – City of Topeka
Susan
Celeste
K. Funnell
Mike Pierson
Dave Cobler
Dan Warner
Judy Warkentine
Art Varella
Bond
Aaron Dale
Jim Klausman – Property Owner
Susan
Teresa Crow
Wempe
Karl
Tanner
Brent Crow
Ben Carver

CFS Engineers provided overview of existing plat and zoning prior to explanation of proposed plat changes and rezoning.

Nick Krier provided information on the proposed housing product which included: overview of high-quality for sale housing product, estimated pricing, house plans, universal design details, HOA provided services/maintenance, and photos of similar product/community.

Questions from attendees:

- Will the units be for sale or rental units?
- What will the sales price be for these homes?
- What services will the HOA provide?
- Was the idea of building single-family homes ever a possibility within the project?
- What can be done to for this project not turn into Shenandoah Street?
- How will rainwater be addressed during home construction
- Timeline of project beginning?

Concerns raised by attendees:

- Additional housing units could overcrowd Wanamaker Road
- Neighbors to the South of project want to keep as many of the existing trees as possible
- Concerns of proposed project becoming “another Shenandoah” (mostly tenant occupied Monarch Meadows duplex's to the West of proposed project)
- That this project might accelerate the parkway construction.

STAFF REPORT – ZONING CASE

TOPEKA PLANNING DIVISION

PLANNING COMMISSION DATE: Monday, February 20, 2023

APPLICATION CASE: Z23/02 by: Bear Creek Acres Trust

REQUESTED ACTION: Zoning change from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses and “R-3” Single Family Dwelling District to “RR-1” Rural Residential District.

APPLICANT / PROPERTY OWNER: Bear Creek Acres Trust

STAFF: Dan Warner, Planning Division Director

PROPERTY LOCATION / PARCEL ID: NE corner of SW Huntoon Street and SW Urish Road / PID: 0993203007001000, 0993203001004020, 0993203001004000, 0993203006009000, 0993203006001000, 0993203005002000, 0993203004002000

PARCEL SIZE: Approximately 24 acres

STAFF RECOMMENDATION: Based on the following findings and analysis, the Planning Department recommends **APPROVAL** of the request for rezoning from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses and “R-3” Single Family Dwelling District to “RR-1” Rural Residential District.

RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body **APPROVAL** of the request for rezoning from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses and “R-3” Single Family Dwelling District to “RR-1” Rural Residential District.

PHOTOS: View of Property from SW Urish Road looking east:



View of Property from SW Huntoon Street looking north:



PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:

The owner has purchased the Bear Creek property and a portion of the Vineyard property. The owner intends to use the approximate 24-acre property as a single-family home with agriculture uses. The owner intends to submit a subdivision plat at a later date to combine the properties into a single lot and vacate the roads that were dedicated with the previous development proposal.

DEVELOPMENT / CASE HISTORY:

The Bear Lake property was rezoned in 2006 to the existing PUD. It was platted in 2010. There were various amendments to the PUD since then, but the property has remained undeveloped. The Vineyard portion of the property was rezoned to the R-2 District in 2008 also platted in 2008. The properties were annexed in 2006.

ZONING AND USE OF SURROUNDING PROPERTIES:

North – Large lot rural residential use and a golf course.

South – Large vacant properties.

East – Parcels to the east include a single-family home along SW Huntoon St. and property owned by the Kansas Heritage Foundation.

West – A large rural parcel is located on the west side of SW Urish Road.

DEVELOPMENT STANDARDS AND POLICIES

PURPOSE, USE STANDARDS:

The RR-1 district is established to provide for a transitional area between urbanized development with intensive activity areas, and the rural-agricultural areas; and which is expected to become urbanized in subsequent planning periods.

Uses Allowed in RR-1 Zoning District: Includes but is not limited to agriculture, detached single- family dwellings, group homes, residential care facilities, and other quasi-residential uses either allowed by right or through conditional use permit.

USE STANDARDS AND DIMENSIONAL STANDARDS:

RR-1 Zoning has required building setbacks of 30 feet for the front and rear and 7 feet on the side.

The maximum building coverage is 10%. No maximum building size.

Maximum building height: 42'

OFF-STREET PARKING:

A minimum of 2 off-street parking spaces is required for the single-family home.

LANDSCAPING:

N/A

SIGNAGE:

Signage subject to Title18 Division 2 Sign Code for RR-1 zoning. Most signs require a sign permit through Development Services Division.

COMPREHENSIVE PLANS:

Land Use and Growth Management Plan 2040 (LUGMP): The property sits within an area designated "Mixed Use" on the Future Land Use Map.

SUBDIVISION PLAT:

The existing subdivision plat will be re-platted into a single lot later.

FLOOD HAZARDS, STREAM BUFFERS:

A small portion of the property on the eastern edge is contains a stream buffer area.

UTILITIES:

City water is located along SE Huntoon Street and also along SW Urish Road. City sewer is located to east of the subject property.

TRAFFIC:

No issues were identified by the Traffic Engineer regarding the rezoning.

HISTORIC PROPERTIES:

Not applicable

NEIGHBORHOOD MEETING:

The applicant conducted a neighborhood information meeting remotely via Zoom on January 30, 2023. The applicant's representative and Planning staff attended. Three others attended the meeting, including City Council Woman Michele Hoferer. One person expressed support for the rezoning and another subsequently emailed to confirm no new development was proposed and that the current use was continuing.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

PUBLIC WORKS/ENGINEERING:	N/A
DEVELOPMENT SERVICES:	N/A
FIRE DEPARTMENT	No Comment

KEY DATES

SUBMITTAL:	January 9, 2023
NEIGHBORHOOD INFORMATION MEETING:	January 30, 2023
LEGAL NOTICE PUBLICATION:	January 30, 2023
PROPERTY OWNER NOTICE:	January 27, 2023

STAFF ANALYSIS

As a zoning case Planning staff have reviewed the case relative to the required findings and conclusions in Topeka Municipal Code Section 18.245 (Findings and conclusions reflect the "golden factors" per Donald Golden v. City of Overland Park, 1978 Kansas Supreme Court).

CHARACTER OF NEIGHBORHOOD: The immediate surrounding area is primarily characterized by large rural properties that are either undeveloped or have a single residential use. There is also a golf course nearby. Urban residential uses are also within the area on the south side of SW Huntoon Street and north along SW Urish Road. The property lies with an area that is slowly transitioning from large lot rural uses to urban uses.

THE ZONING AND USE OF PROPERTIES NEARBY: The property is surrounded by a mixture of RR-1 zoning and various PUD zonings with multiple family and non-residential uses. West of the subject property is a large rural property and a single-family home. Directly north of the subject property is another large rural property with a single-family home. There is also a golf course to the north. Farther north along SW Urish Road is a duplex development. South of the property is a single-family home, a large vacant parcel, and a duplex development. The property to the east is the Matrot Castle. Further east along SW Huntoon Street is an office development and Interstate 470. The rezoning of the property to the RR-1 would fit with surrounding properties and the transitional nature of the area.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The subject property has remained primarily vacant and undeveloped since it was zoned to its current classification in 2006 and 2008. The residential use on the property has been maintained since at least 1942. The property was annexed in 2006.

CONFORMANCE TO COMPREHENSIVE PLAN: The property is designated “Mixed Use” by the Future Land Use Map in the Topeka Land Use and Growth Management Plan 2040 (LUGMP). The designation represents a vision for urbanization of the property and those around it. The property lies within an area that is slowly transitioning from rural to urban uses. Rezoning to the “RR-1” district places the approximately 24-acre property back into a transitional state where if, in the future, the current owner or a new owner wants to develop the property to a new urbanized use, it will require a rezoning and consistency with the “Mixed Use” designation. Given this, the subject rezoning is consistent with the Comprehensive Plan.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES OF WHICH IT HAS BEEN RESTRICTED:

Except for the existing single-family use, the approximate 24-acre property has always been undeveloped. Further, since being rezoned to PUD and “R-3” in 2006 and 2008, the property has not developed according to the uses to which it has been restricted. At this time, the subject property is not suitable for the zoning to which it has been restricted.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: There will be few if any detrimental effects upon adjacent properties by rezoning to the RR-1 District. The proposed RR-1 zoning is appropriate given the property’s location within a rural/urban transition area. Additionally, many properties nearby share a similar zoning classification and are used similarly to how the owner intends to utilize the property.

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: Disapproval of the proposed zoning change would likely impose a hardship on the property owner because the site is not currently well suited for development allowed under its current PUD and R-3 residential zoning. As few if any detrimental effects are anticipated by the rezoning, there appears to be no particular gain to the public health, safety, and welfare by maintaining the PUD and R-3 Single Family Dwelling District.

AVAILABILITY OF PUBLIC SERVICES: There are city water mains running parallel to SW Huntoon Street and also SW Urish Road. A sanitary sewer main runs along the east side of the property, but would need to be extended west to serve the remainder of the property when it develops in the future. Existing direct access to the property is provided from SW Huntoon Street, which is classified as a minor arterial. SW Huntoon Street is currently a two-lane rural roadway, as is SW Urish Road north of the intersection with SW Huntoon Street. Overall, public services appear to be adequate to serve the anticipated use under the proposed RR-1 zoning.

STAFF RECOMMENDATION:

RECOMMENDATION: Based on the above findings and analysis Planning Staff recommends **APPROVAL** of the request for rezoning from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses and “R-3” Single Family Dwelling District to “RR-1” Rural Residential District.

RECOMMENDED MOTION: Based on the findings and analysis in the staff report I move to recommend to the Governing Body **APPROVAL** of the request for rezoning from “PUD” Planned Unit Development with “R-1” and “R-3” Single Family Dwelling District uses and “R-3” Single Family Dwelling District to “RR-1” Rural Residential District.

Exhibits:

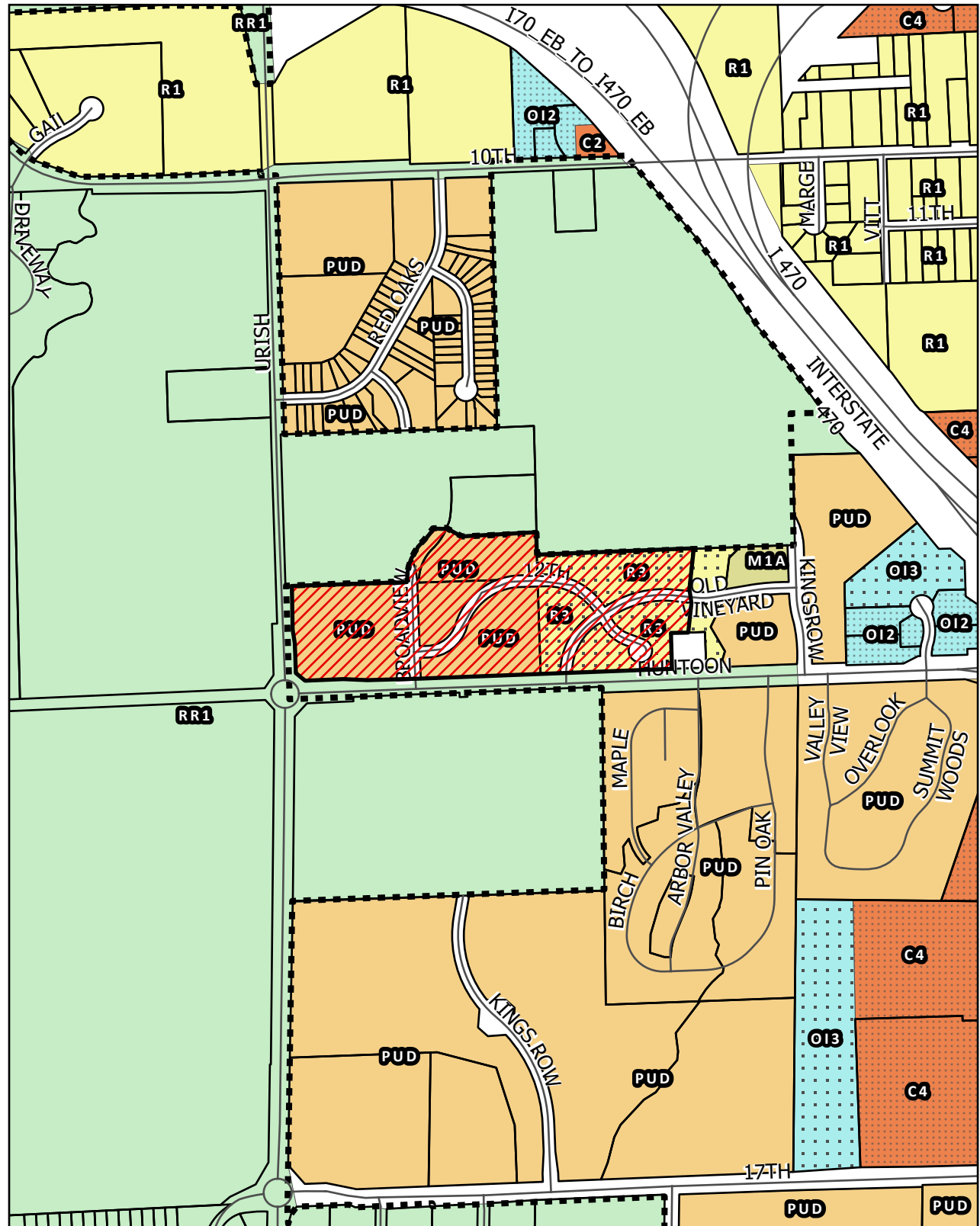
Aerial map
Zoning map
Future land use map
NIM Summary

This aerial map shows a residential development area. A specific site is highlighted with red hatching, located between Broadview and 12th, and between Old Vineyard and Hutton. The site is situated near the intersection of Irish and Kingsrow. Surrounding streets include Kingsrow, Birch, Maple, Arbor Valley, Pin Oak, Valley View, Overlook, Summit Woods, Executive, Marge, Vitti, 11th, 10th, and 17th. Major roads shown are I-470 and I-470 EB TO I-470 EB. A creek is labeled Gail.




City Boundary

Z23/02 Bear Creek Acres Trust



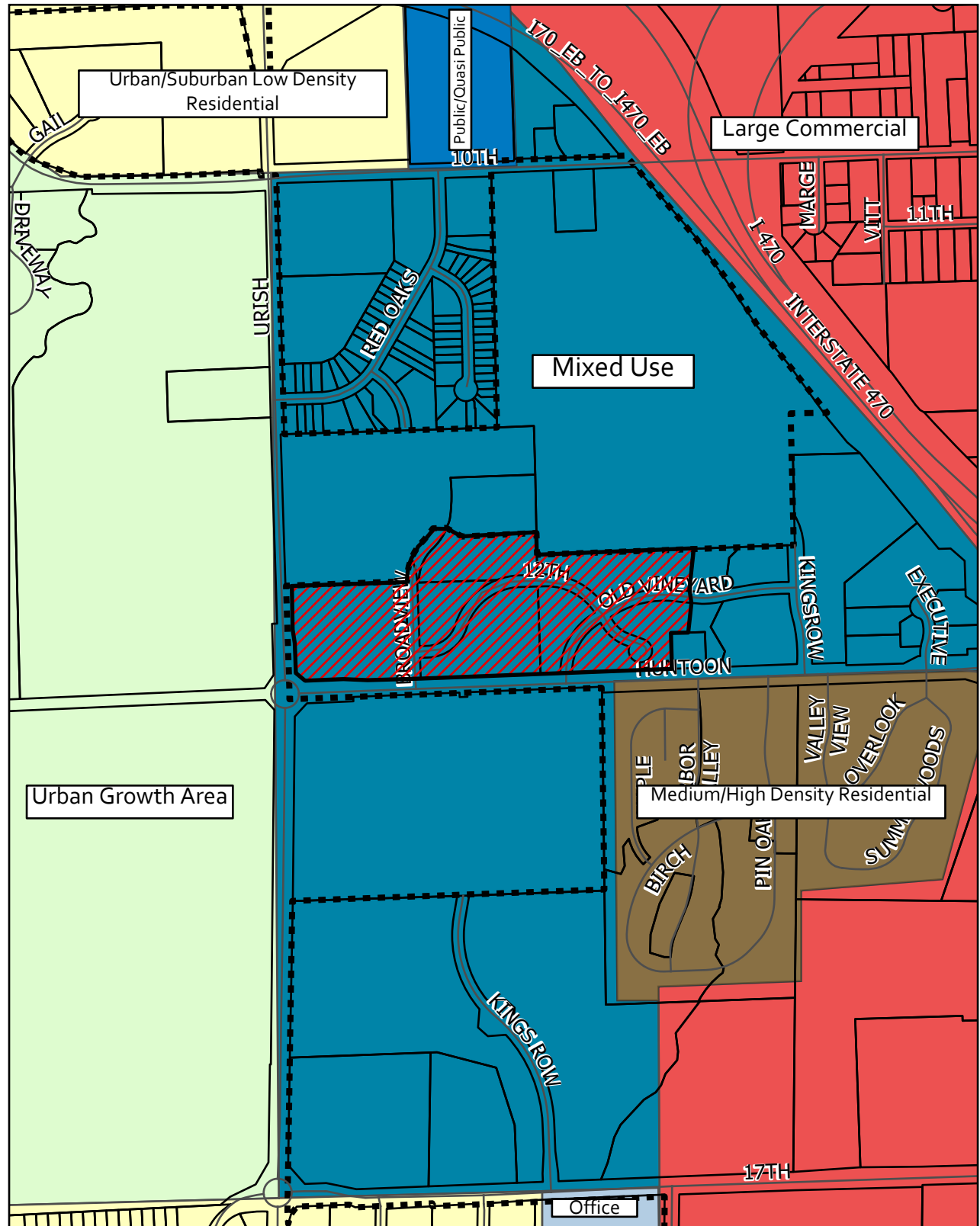
Topeka Planning Division

Zoning Map

 Subject Property


 City Boundary

Z23/02 Bear Creek Acres Trust



Topeka Planning Division

Future Land Use Map

 Subject Property

 City Boundary



MEMORANDUM

Date: January 30, 2023

To: Dan Warner, AICP, Planning Division Director, City of Topeka

From: Angela Sharp, Bartlett & West

Re: Neighborhood Information Meeting: Bear Creek Acres, Z23/02
Location and Time: ZOOM Meeting; Monday, January 30, 2023 at 6:00 PM

Those in attendance are as follows:

Angela Sharp, Bartlett & West
Dan Warner, City of Topeka Planning Department
Becky Leach, Property Owner
Mason Leach, Property Representative
Michelle Hoferer, City Council, District 9
Patricia Rentfro, 1131 SW Red Oaks Ct.
Lou Probasco, 1431 SW Urish Rd.

The meeting began at 6:00 PM with an overview by Angela Sharp of the existing zoning and platting of the subject property into a small lot residential development that has not come to fruition, the subsequent sale of the existing home and surrounding property to the current owner and their desire to use the property for a single-family home surrounded by agricultural uses as they are currently doing. The zoning process and next steps were also presented by Angela Sharp.

Lou Probasco expressed her support of the owner using her property as she wished and said that she was a great neighbor.

Patricia Rentfro had audio difficulties during the meeting, but in a subsequent email to Angela Sharp did indicate that she was able to hear the meeting and asked for verification that her understanding that no new development is planned, just continuation of the current types of uses and this was confirmed via return email.

Additional comments and questions were requested by Angela Sharp and hearing none, the meeting ended at 6:14 PM.