

TOPEKA PLANNING COMMISSION

A G E N D A

Monday, May 15, 2017
6:00 P.M.

214 East 8th Street
City Council Chambers, 2nd Floor
Municipal Building
Topeka, Kansas 66603

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 Department 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

Brian Armstrong
Ariane Messina
Rosa Cavazos, Co-Vice Chair
Scott Gales
Dennis Haugh
Carole Jordan
Wiley Kannarr, Chair
Katrina Ringler, Co-Vice Chair
Patrick Woods

Topeka Planning Staff

Bill Fiander, AICP, Planning Director
Carlton O. Scroggins, AICP, Planner III
Dan Warner, AICP, Planner III
Mike Hall, AICP, Planner III
Tim Paris, Planner II
Annie Driver, AICP, Planner II
John Neunuebel, Planner II
Taylor Ricketts, Planner I
Tim Esparza, Planner I
Kris Wagers, Administrative Officer

AGENDA

Topeka Planning Commission

Monday, May 15, 2017 at 6:00 P.M.

- A. Roll call**
- B. Approval of minutes – April 17, 2017**
- C. Communications to the Commission**
- D. Declaration of conflict of interest/exparte communications by members of the commission or staff**
- E. Action Items**
 - 1. Public Hearings**
 - a. Z17/01 101 N Kansas Avenue, by 101 N Kansas Avenue, LLC**, requesting to amend the Zoning District for the subject property (16,500 sq.ft.) located at 101 N Kansas Avenue from “I-1” Light Industrial to “D-3” Downtown District to provide for use of an existing vacant building as residential apartments. (Hall)
 - b. Z69/44H Woodland Park at Soldier Creek, by Brick & Mortar Phase I Construction, LLC**, requesting to amend the Planned Unit Development (PUD) land use group FROM PUD (M-2) Multiple Family dwellings TO PUD (M-1) Two-Family Dwelling District on Lot(s) 1 and 2 comprising 6.14 acres generally located at the southeast corner of NW Topeka Blvd. & NW Menninger Rd. (Neunuebel)
 - 2. Subdivisions**
 - a. P17/05 Woodland Park at Soldier Creek Subdivision No. 3 (Preliminary and Final Plat) by Brick & Mortar Phase I Construction, LLC** on property located at NW Topeka Blvd & NW Menninger Rd (Neunuebel)
 - b. P17/06 McFarland Farm Subdivision No. 5 (Preliminary and Final Plat) by McFarland Farm, LLC** on property located East of SW Prairie Rd, South of SW 10th Ave, West of SW Steeplechase Ln (Driver)
- F. Adjournment**



CITY OF TOPEKA
TOPEKA PLANNING COMMISSION

MINUTES

Monday, April 17, 2017

6:00PM – Municipal Building, 214 SE 8th Street, 2nd floor Council Chambers

Members present: Katrina Ringler, Wiley Kannarr, Scott Gales, Brian Armstrong, Ariane Burson, Dennis Haugh, Patrick Woods, Carole Jordan (8)

Members Absent: Rosa Cavazos (1)

Staff Present: Bill Fiander, Planning Director; Dan Warner, Planner III; Mike Hall, Planner III; Annie Driver, Planner II; Kris Wagers, Administrative Officer; Mary Feighny, Legal

Roll Call – Eight members present for a quorum.

Approval of Minutes from February 20, 2017

Motion to approve as typed; moved by Ms. Burson, **second** by Mr. Armstrong. **APPROVED** (8-0-0)

MTPO Policy Board Representative

Mr. Fiander explained that a member of the Planning Commission routinely serves as a representative to the MTPO Policy Board as a voting member. He stated that one person has expressed interest in being that representative for 2017 and asked anyone else interested contact to him as soon as possible.

Communications to the Commission

Mr. Fiander invited Commissioners and all in attendance to the May 3, 5:30PM Futures 2040 meeting at the library.

Mr. Fiander invited Commissioners and all in attendance to participate in the Bike with the Mayor & City Manager event on May 17.

Declaration of conflict of interest/exparte communications by members of the commission or staff

Mr. Armstrong stated he will be stepping out during the Forest Park Retreat and Conference Center, Inc. case (Item F1 / Case number CU04/03B) as he is involved with the project.

Public Hearings

CU04/3B by: Forest Park Retreat and Conference Center, Inc. requesting a major amendment to the Conditional Use Permit for a youth camp and retreat center in order to expand the boundary of the existing 34.8 acre site located at 3158 SE 10th Street to include a 5.2 acre parcel to the east along SE 10th Street on property zoned "R-1" Single Family Dwelling District. **(Driver)**

Mr. Armstrong left the room.

Ms. Driver reviewed the staff report, concluding with staff's recommendation to approve the CUP amendment, subject to the conditions stated in the staff report.

Ms. Sharp came forward representing the applicant. Mr. Gales asked Ms. Sharp if the staff recommendations were agreeable to her clients and she stated that she and her clients are agreeable to the recommendations.

DRAFT

Mr. Kannarr declared the **public hearing open**, and with none coming forward, declared the **public meeting closed**.

Mr. Gales asked Ms. Driver for clarification related to required parking, which she provided.

Motion by Mr. Gales to approve the CUP amendment, subject to the conditions stated in the staff report; **second by Mr. Woods**.

Mr. Kannarr noted that the additional five acres have been vacant for several years and this seems an appropriate use for them.

APPROVAL (7-0-1 with Mr. Armstrong abstaining)

Mr. Armstrong returned to his seat.

A17/02 by Reser's Fine Foods, Inc. requesting to annex into the City the property located at 3636 SE 6th. **(Warner)**

Mr. Warner reviewed the request and the staff report, concluding with staff's recommendation that the proposed annexation is consistent with the Land Use and Growth Management Plan 2040. It was also explained that the City's Governing Body will be responsible for approving or disapproving the annexation. Planning Commission review is not specifically required by state statute, however, our Land Use and Growth Management Plan has established a policy that the Planning Commission should review annexations greater than 10 acres for consideration and recommendation based on Land Use and Growth Management principles of the Comprehensive Plan.

Mr. Gales asked why this was coming to Planning Commission so soon after the last annexation request. Mr. Warner explained that at that time, Reser's had not yet completed the purchase of the property.

Mr. Mike Morse of Kansas Commercial Real Estate came forward representing the applicant. Mr. Morse explained that due to the death of the property owner, Reser's was unable to secure the additional property in time for the previous meeting. He explained that at the initial neighborhood meeting, neighbors had expressed some concerns that the added property is able to address.

Mr. Kannarr noted that he too was surprised at the annexation request coming so quickly after the initial annexation. Mr. Morse explained that they desire always to be forthright but negotiations and the process negated their ability to publicly speak about the purchase attempt.

Mr. Haugh asked Mr. Morse if he foresaw this particular site enlarging even more. Mr. Morse explained that the current land meets the company's needs. He added that neighbors have reached out to see if Reser's might be willing to purchase their properties and those opportunities would be considered by Reser's.

Mr. Kannarr declared the **public hearing open**, and with none coming forward, declared the **public meeting closed**.

Mr. Kannarr noted that the conditions on the current property are significantly the same as the conditions of the last annexation proposal that the Planning Commission noted to approve, so it would seem inconsistent to approve the last one and not this one.

Motion by Mr. Gales that upon consideration of the proposed annexation request, it is the Commission's determination that the annexation is consistent with the Land Use & Growth Management Plan; **second by Mr. Haugh. APPROVAL (8-0-0)**

PUD16/05A by: Reser's Fine Foods requesting a major amendment to the Master Planned Unit Development Plan (I-1 Light Industrial uses) on property at the northwest intersection of SE Croco Road and SE 6th Street to expand the boundary of the existing Planned Unit Development by adding the property to the west located at 3636 SE 6th and adding the property to the north at 347/349 SE Croco Road, all currently zoned "RR-1" (Residential Reserve District) and located in unincorporated Shawnee County, Kansas. An annexation is being processed concurrently with the application. **(Driver)**

Ms. Driver presented the staff report, concluding with the staff recommendation for approval of this PUD amendment, subject to the Governing Body approving the annexation associated with the property at 3636 SE 6th Street.

Mr. Gales asked what the change in building height (elevation) of the building would be and Mr. Craig Harris of AAI Engineering came forward to address the question. Mr. Harris stated the building would be 3-4' lower than originally planned, plus there are larger trees along 6th Street that will help hide the building.

Mr. Harris stated that the stormwater detention pond is also being moved closer to the creek to allow for further expansion of the truck maneuvering area, and he noted a new easement for a trail.

Mr. Kannar inquired about the added truck maneuverability and Mr. Harris explained that an additional 20-30' feet will be available for trucks to turn around. Most truck traffic will be on 6th as they will be going to/from the Reser's facility on 6th Street.

Mr. Gales asked Mr. Harris to confirm that the stream buffer details were already in place with the original PUD and there were no modifications with this amendment. Mr. Harris did confirm that the stream buffer is a known factor that they worked around.

Mr. Armstrong asked for details about the moving of the detention pond. Mr. Harris stated that they had worked with City engineers on this and all were in agreement that the move is a positive thing and should prove helpful to neighbors with pre-existing stormwater issues.

Mr. Armstrong asked if the originally planned berms remain in the plan and Mr. Harris confirmed they are.

With no additional questions from Commissioners, Mr. Kannar declared the **public meeting open**.

Ms. Janice Spiker of 526 SE Croco Rd came forward to speak. She asked questions about fencing, how many driveway entrances there will be from Croco into Reser's, when the shift changes will be, and where the bus stop will be. She wondered if the bus stop could be moved to the opposite corner of 6th Street.

Mr. Gales stated that the only real changes the applicant was requesting were on the western most side and aren't likely to affect the things she's concerned with.

Mr. Kevin Holland of Cook, Flatt & Strobel came forward to assist in answering some of Ms. Spiker's questions. He stated that there are 3 entrances off Croco and they're unchanged from what was previously planned. It is anticipated that trucks will use the 6th Street accesses.

Mr. Holland explained that Reser's has 9 shift changes that cover the hours of 5AM and 1AM (20 hours), each of which accommodate 40-50 people.

Mr. Holland reported that they are working with Topeka Metro Transit Authority (TMTA) regarding where the bus stop will be. Ms. Driver stated that currently there is conversation about placing a bus stop on the north side of 6th Street but it depends on the bus route. It's not shown on the PUD because the location is not finalized, but the PUD does include a note stating that Reser's is willing to provide a pad for a bus stop.

Mr. Gales asked Mr. Holland to expand on how the locations of the entrances were chosen, and Mr. Holland explained that since the site is sunken, grade dictated the first entrance, as well as the need to keep it as far away from the intersection as possible. He added that Reser's had originally planned for 2 entrances but City staff had asked for 3 to allow more options.

Regarding Ms. Spiker's question about fencing, Mr. Holland explained there is no fencing to the north but there is a 5' tall (approximate) landscaping berm. Mr. Gales added that the 5' tall berm would match the height of a standard fence, plus there will be plantings on the berm.

Mr. Gales asked if there is a substantial change in surface area (paving). Mr. Harris stated there's about a 10% increase and the detention pond was increased to accommodate.

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

Mr. Kannarr summarized some of the positives of the changes, including improvements to sitelines, reducing the flow of water down Croco Road, and the fact that it seems to work better for Reser's truck operations. He stated he has heard no reason not to support the request.

Mr. Armstrong stated that the stormwater plan seems to be an upgrade from the original and the addition of the trail easement to provide walkability on the west side is an added bonus.

Mr. Gales stated that everything he's heard seems to be the right attitude about forward thinking projects and noted work opportunities are being added utilizing infrastructure improvements already in place. He also noted that Reser's appears to be using only the land they need and leaving the rest as green space.

Mr. Haugh noted that he agrees with Mr. Gales but added that if Reser's at some point wants to expand west and cross over the to the other side of the creek, there should be careful analysis before this is allowed. Mr. Gales concurred.

Motion by Ms. Ringler to approve the PUD amendment, subject to conditions in the staff report and subject to the Governing Body approving the annexation associated with the property at 3636 SE 6th Street; **second by Mr. Armstrong. APPROVAL** (8-0-0)

Adjourned at 7:13PM

Z17/01

101 N Kansas Avenue

**STAFF REPORT – ZONING CASE
TOPEKA PLANNING DEPARTMENT**

PLANNING COMMISSION DATE: MAY 15, 2017

APPLICATION CASE NUMBER / NAME:	Z17/01 - 101 N. Kansas Ave., LLC
REQUESTED ACTION / CURRENT ZONING:	Zoning reclassification from "I-2" Heavy Industrial District TO "D-3" Downtown District
APPLICANT / PROPERTY OWNER:	101 N. Kansas Ave., LLC
APPLICANT REPRESENTATIVE:	Michael T. Wilson, Architect One
PROPERTY LOCATION / PARCEL ID:	101 N. Kansas Avenue / 1093004009005000
PARCEL SIZE:	16,995 square feet (.39 acre)
CASE PLANNER:	Michael Hall, AICP, Current Planning Manager
RECOMMENDATION:	Approval
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 I-2 Heavy Industrial District TO D-3 Downtown District.

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY: The change in zoning to D-3 will accommodate the renovation and reuse of the existing building for 33 residential apartments and 30 parking spaces at basement and first floor levels. The owner intends to secure 20 additional spaces in the parking lot across the street and to the south to serve the residents. Multifamily residential uses are not permitted under the current I-2 zoning.

DEVELOPMENT / CASE HISTORY: The existing building (which covers nearly all of the property) was built in 1909 for the Parkhurst-Davis Mercantile Company as a wholesale grocery warehouse. Its predominant use has been as a storage warehouse. The property is also the site of the first cabin in Topeka where the town company was organized.

In August 2011 the Governing Body approved the zoning change from I-2 to D-3 for the two parcels immediately north of the subject property (Z11/10 for 109 and 115 N. Kansas Ave.).

The subject property is one of five buildings in the Mill Block

Historic District established in May 2015 by the US Department of the Interior. On April 13, 2017 the Topeka Landmarks Commission found that the proposed zoning change from I-2 to D-3 "will not damage or destroy the historical integrity of the property located at 101 N. Kansas Avenue nor the surrounding Mill Block Historic District." (CLGR17-15)

There is no history of other zoning changes, conditional or special use permits on the property.

ZONING AND CHARACTER OF SURROUNDING PROPERTIES:

Adjacent and north: D-3; current use is retail of second-hand and antique items.

Adjacent and west: I-2; current use is a storage warehouse.

Adjacent and across SW 1st Ave, South: I-2; current use is paratransit services for people with special needs.

Diagonally across SW 1st Ave, Southeast: D-3; current use is retail space and storage.

Adjacent and across N Kansas Ave, East: I-1 (Light Industrial); current use is office for Kansas Lottery.

The building adjacent to - and north of - the second-hand store is zoned D-3 and contains two residential units. The surrounding area contains mostly multiple story buildings built between 1900 and 1940 containing storage warehouses, classic auto repair and storage, a gym, offices, at least two residential apartments, and miscellaneous services. Most buildings have been adapted to a use different from their original use. Most of the buildings have no or very little parking dedicated for their use.



View of Property from East (Google Maps, 2012)



View of Property from the South (Google Maps, 2016)

DEVELOPMENT STANDARDS AND POLICIES

PROPOSED ZONING COMPARED TO EXISTING ZONING

PURPOSE, USE STANDARDS:

The purpose of the I-2 district is to provide for the most intensive land uses including the full range of industrial uses." (TMC 18.170.010)

"The D downtown districts serve to implement the downtown Topeka redevelopment plan, which is part of the City of Topeka's comprehensive metropolitan plan." (TMC 18.200.010)

The purpose of the D-3 district is "to reestablish the linkage between downtown and the Kansas River through intensive redevelopment of the area north of Crane Street to the Kansas River. The district includes housing, commercial and office uses . . ." (TMC 18.200.020) Because Crane Street is so close to the Kansas River, and because of the industrial nature of the built environment north of 3rd Street, staff considers most of the area north of 3rd Street and east of Van Buren to be potentially suitable for D-3 zoning.

A wide variety of light and heavy industrial uses are permitted in the I-2 district. Some of the most intense uses permitted by right in the I-2 district include outdoor storage, beverage manufacturing and bottling, transportation and large equipment manufacturing, and other manufacturing of previously prepared materials. Multi-family residential uses are not permitted in the I-2 district. (TMC 18.60 Land Use Matrix)

Industrial uses are generally not permitted in the D-3 district with some minor exceptions (*contractor yards, manufacturing-processing type I, and artisan manufacturing* are permitted in D-3.). Multifamily residential uses are permitted in the D-3.

The differences between I-2 and D-3 zoning are not substantial for commercial, civic, cultural and recreational uses.

DIMENSIONAL STANDARDS:

I-2 district: Building setbacks are not required except where development is adjacent to a residential zoning district. The building

coverage limit is 85% (maximum percentage of the land area of which the building may cover). There is no height restriction.

D-3 district: Building setbacks are not required. There is no building coverage restriction. The maximum building height is 60 feet.

OFF-STREET PARKING:

In the I-2 district off-street parking is required per the standards in TMC 18.240.030. The off-street parking requirement for multi-family residential use is as much as 2 spaces per dwelling depending on the quantity and size of dwellings. The off-street parking requirement is 1 space per 200 square feet for retail commercial uses.

No off-street parking is required for use and development in the D-3 district (TMC 18.200.070). Requiring off-street parking is an obstacle to the reuse and renovation of existing buildings and can hinder the density and diverse use mix that is key to revitalization.

LANDSCAPING:

Landscaping is required for new construction in the I-2 district. Landscaping is required for multifamily residential development in the D-3 district. However, the landscaping regulations give the Planning Director the discretion to not require landscaping when the building covers the entire property.

OTHER DESIGN GUIDELINES AND CONSIDERATIONS:

There are no explicit design standards applicable to the I-2 district, although development in the I-2 district is subject to site plan and landscape regulations.

Development in the D-3 district is subject to the Downtown Topeka Urban Design Guidelines. (TMC 18.200.090)

COMPREHENSIVE PLANS:

Land Use and Growth Management Plan 2040 (LUGMP):

- Located in the "Downtown" area on the Future Land Use Map.
- "This area is classified as Topeka's Central Business District and should continue to encourage the development of Downtown as an office, regional employment, and commercial center. However, Downtown should also be redeveloped for a mix of uses that include retail, high density residential, and loft conversions. . . . A residential component is critical to the redevelopment of Downtown." (page 52)
- "Mixed use is a priority in Downtown, including commercial, office, and higher density residential land uses." (page 55)

Downtown Topeka Redevelopment Plan (2000):

- Objectives and strategies include encouraging mixed income urban housing; encouraging the development of loft apartments; and rehabilitation and reuse of historic buildings. (pages 4-5)
- Located in the Downtown Waterfront mixed use area. Development of high-density office and residential uses along the river, and development of warehouse space as condominiums and office space are encouraged. (page 18)

TRANSPORTATION/MTPO PLANS:

The Polk-Quincy Viaduct Study addresses a rebuilt segment of the elevated I-70 freeway. The project does not directly affect the subject property, although the recommended changes in exit and entrance ramps could have some positive effect on access to the riverfront area.

The Topeka Pedestrian Master Plan:

- Actions 1B and 1D require sidewalks to be part of new developments (pages 19 and 24). These policies will be implemented with the Site Plan Review and building permit processes.
- Action 4C: "Promote walking in neighborhoods through mixed use development and redevelopment along neighborhood corridors." (page 53)

The Topeka Bikeways Master Plan:

- This segment of Kansas Avenue is on the "North Topeka Bikeway". The roadway will incorporate sharrows with associated use of walks on southbound side of the bridge. (pages 168-169)

OTHER FACTORS

SUBDIVISION PLAT:

Mill Block

FLOOD HAZARDS, STREAM BUFFERS:

"Protected by Levee"

UTILITIES:

The site is served by the full range of utilities and services.

TRANSPORTATION/TRAFFIC:

Kansas Avenue is classified as a minor arterial. SW 1st Avenue is classified as a major collector.

HISTORIC PROPERTIES:

101 N. Kansas Avenue is a contributing property to the Mill Block Historic District. In 2015, the Mill Block Historic District was added to the National Register of Historic Places. The owner/applicant is using state historic tax credits to help finance the building renovation.

NEIGHBORHOOD INFORMATION MEETING / STAKEHOLDER FEEDBACK:

The owner/applicant conducted a neighborhood information meeting on April 25, 2016. Approximately 15 people attended the meeting and expressed concerns including:

- The poor condition of the alley and intensified use of the alley.
- Additional traffic and potential congestion mainly where the alley intersects with 1st Avenue.
- Insufficient parking and potential for more parking congestion in the alley.

It is staff's observation that some of the people concerned about additional congestion on the alley are using the alley for parking.

The alley is 30' wide to the north, but only 15' wide along the subject parcel.

At the time of this staff report, staff have received letters of support (attached) from the owner and business located across the street to the south. No other correspondence or phone calls have been received.

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

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

KEY DATES

SUBMITTAL:	March 31, 2017
NEIGHBORHOOD INFORMATION MEETING:	April 25, 2017
LEGAL NOTICE PUBLICATION:	April 24, 2017
PROPERTY OWNER NOTICE MAILED:	April 20, 2017

STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: The proposed D-3 zoning is compatible with the existing and desired future character of the neighborhood. The area is characterized by a mix of uses, including residential, retail, and office uses, which are allowed in the D-3 district and encouraged by long range plans for Downtown. Some uses allowed under the current I-2 zoning are incompatible with the existing and desired future character of the neighborhood.

LENGTH OF TIME PROPERTY HAS REMAINED VACANT AS ZONED OR USED FOR ITS CURRENT USE UNDER PRESENT CLASSIFICATION: The building is currently vacant. Like similar warehouse buildings built prior to the 1950s, the property has been generally underutilized in recent decades. The building has been used as a warehouse since its inception with limited, related office space on the first floor for at least 20 years. A loading dock was constructed approximately ten years ago.

CONFORMANCE TO COMPREHENSIVE PLAN: The proposed zoning change to D-3 Downtown District conforms to Topeka's comprehensive plan. Zoning changes and building reuse and renovation are important to the implementation of the comprehensive plan, which is the Land Use & Growth Management Plan. The subject property is designated

Downtown on the Future Land Use Map in the Land Use and Growth Management Plan – 2040 (LUGMP). In accordance with the Downtown designation, the LUGMP envisions redevelopment for a mix of uses that include retail, high density residential, and loft conversions.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES OF WHICH IT HAS BEEN RESTRICTED: The property and especially the building are not suitable for many of the uses to which it is restricted under the current I-2 zoning. The building was designed for a warehouse of the type used in the early part of the last century and not easily converted to other industrial or commercial uses of the type permitted in the I-2 district. The D-3 classification would allow the existing building to be adapted for a broader range of uses, including multifamily, retail, and office compatible with surrounding land uses.

THE EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTIES: The change in zoning and the planned renovation of the building, which is possible only by the change in zoning, will have a net positive effect on nearby properties. The zoning change facilitates a dramatic exterior improvement to the building with the addition of new windows, paint, and other improvements consistent with the US Secretary of the Interior's Standards for Rehabilitation and the Downtown Topeka Historic Design Guidelines. The addition of residents will help to support retail services and other downtown businesses and contribute to the vitality of the neighborhood. And while the residential uses will increase vehicular traffic and demand for off-site parking at certain times during the day, the intensity and negative impacts would pale in comparison to those for uses allowed in the current I-2 district.

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: Approval of the proposed zoning change will allow the building to be used for purposes that are economically feasible, allowing for investment in the property and long term maintenance. Denial of the zoning change might protect neighboring owners and tenants in the short term by preventing additional traffic. However, denial of the zoning change likely creates a situation where the building will continue to deteriorate, remain vacant, or the use of the property changes to a more intensive industrial use that will have even greater negative effects on surrounding properties.

AVAILABILITY OF PUBLIC SERVICES: Adjacent public streets are adequate to serve the development. All essential public utilities, services and facilities are presently available to this area or will be extended at developer expense upon construction.

STAFF RECOMMENDATION:

RECOMMENDATION: Based on the above findings and analysis Planning Staff recommends approval of the zoning reclassification from "I-2" Heavy Industrial District TO "D-3" Downtown District as proposed.

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 I-2 Heavy Industrial District TO D-3 Downtown District.

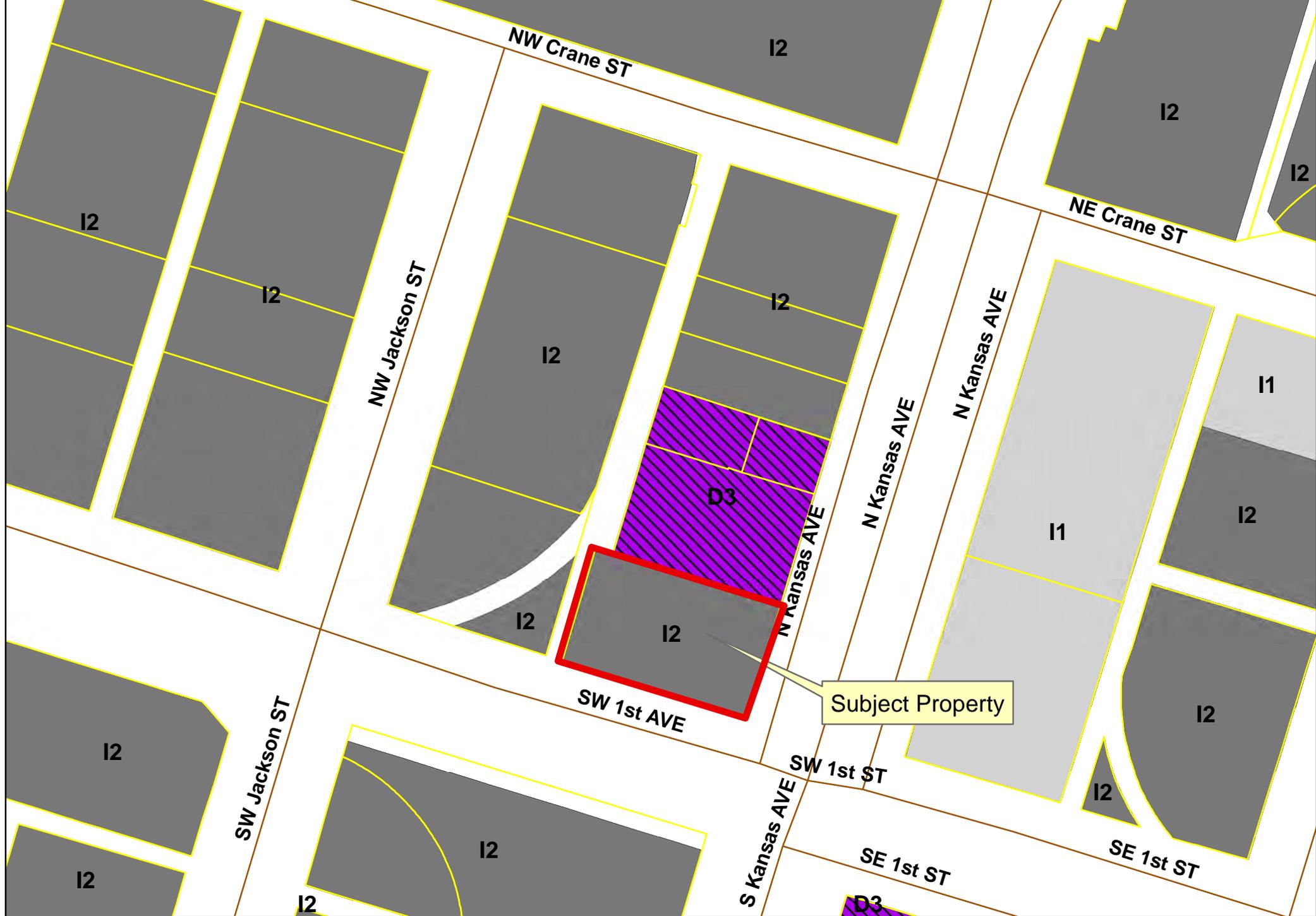
Attachments:

- Aerial Map
- Zoning Map
- Mill Block National Register Historic District Map
- Description of Mill Block Historic District and 101 N Kansas Avenue
- Neighborhood Information Meeting Notes & Attendance
- Written Comments from Neighboring Owners and Tenants



Z17/01 101 N Kansas LLC





Z17/01 101 N Kansas LLC





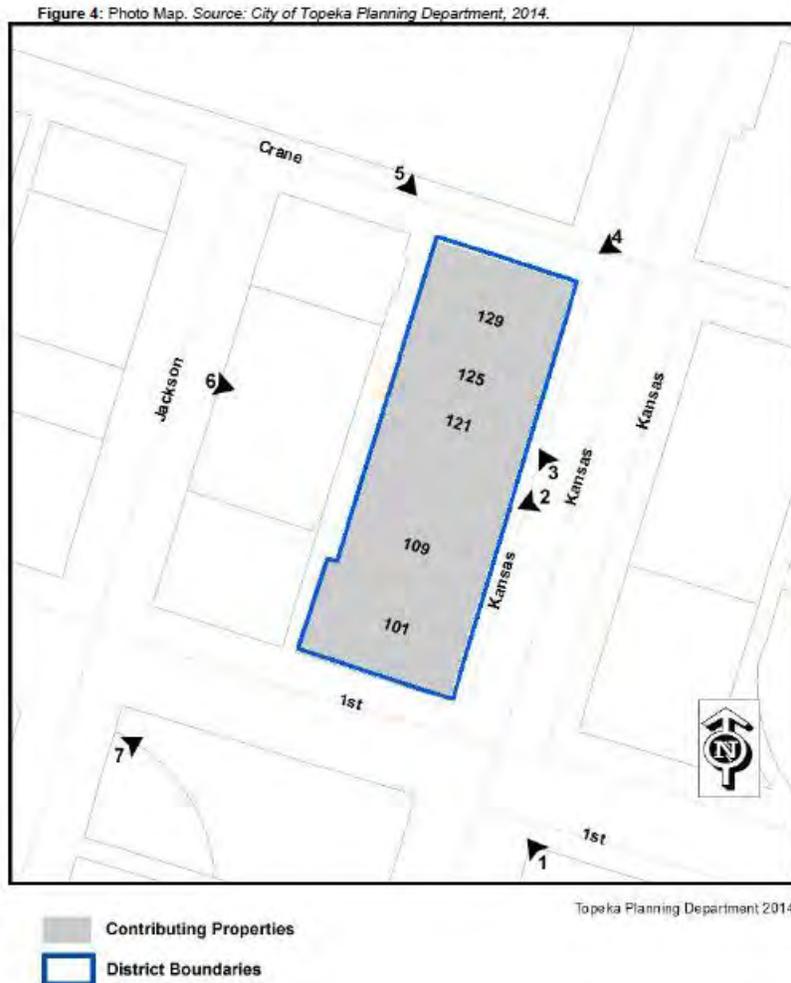
Mill Block National Register Historic District

Description of Mill Block Historic District and 101 N Kansas Avenue

(Source: 2015 District Nomination to National Register of Historic Places)

District

The Mill Block Historic District is a compact district along Topeka's main commercial street, Kansas Avenue, just north of the central business district. The district occupies a three-acre area on the west side of N Kansas Avenue between W 1st Avenue and NW Crane Street. The alley forms the west boundary while N Kansas Avenue forms the east boundary. Buildings within the Mill Block Historic District date from the late nineteenth century to the first quarter of the twentieth century. The warehouses range in height from one to four stories. Located adjacent to rail lines and the site of the founding of the City of Topeka, North Kansas Avenue warehouse buildings saw continued usage throughout the period of significance. The five buildings within the district have good integrity as intact examples of early-twentieth century warehouse and light industrial buildings commonly located near rail lines. All five buildings contribute to the Mill Block Historic District.



The largest of the five buildings (101 N Kansas Avenue) anchors the south end of the district. The buildings get progressively smaller as the district moves north. The adjacent building to the north (109 N Kansas Avenue) is three stories. The two center buildings and a recessed addition are two stories. The building at the north end of the district is one story. The buildings share common characteristics, including masonry construction and simple facades with restrained ornament. The minimal architectural features, including the restrained classical entry at 101 N Kansas Avenue or the stepped parapets at 125 and 129 N Kansas Avenue, clearly convey the era of construction for each of the buildings in the district. Older buildings have limestone secondary walls while relatively newer buildings have brick or concrete walls. Early-twentieth century buildings have loading docks adjacent to the areas where railroad sidings were once located. Later buildings incorporate features related to truck transport rather than rail, including loading docks that abut the roadway or provide vehicular entrances or space for parking.



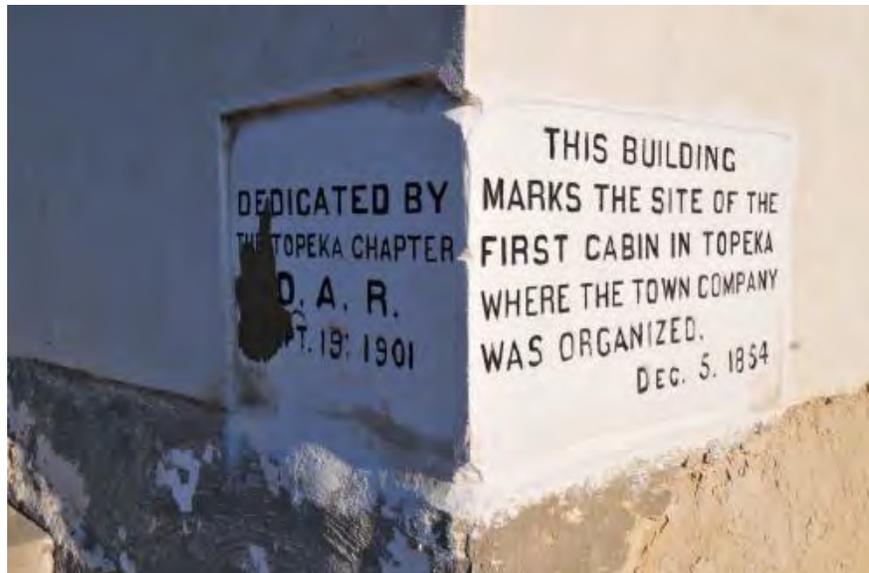
101 N Kansas Avenue

Parkhurst Davis Mercantile Building 1909

This four-story corner warehouse building is clad in stucco on the east and south elevations. The symmetrical front (east) façade contains two sets of tall paired window openings set in two recessed bays flanking a center bay. The center bay contains the main entry on the first story and paired windows on the upper stories. Evoking references to the Classical Revival style, the stone entry consists of a round arched opening with flanking ionic pilasters supporting an entablature. A stone cornice runs the length of the primary facades above the first story. Brick corbelling and a stone cornice cap the building. The red brick façade is visible in locations where the stucco is cracked. Most of the historic window openings containing one-over-one wood sashes were infilled with smaller non-historic windows or concrete block, but their outlines remain visible beneath the stucco. The north and west elevations are field stone. Standing-seam metal panels clad the north elevation. The seven irregular bays on the west elevation each contain a single window opening with a cut stone sill and brick quoins. Most of the openings on this elevation are infilled with cinder blocks. This elevation has a brick parapet concealing a flat roof. Warehouse buildings have always stood on this site. The five-story building constructed on this site in 1901 was destroyed in a fire in 1904. The four-story building constructed on this site in 1904 was destroyed in a fire in 1909. The current four-story building was constructed after the 1909 fire.



The building stands on the site of Topeka's first cabin constructed in December 1854, as indicated on a cornerstone dedicated by the Topeka chapter of the D.A.R. and inscribed "This building marks the site of the first cabin in Topeka where the town company was organized. The brick façade is visible in historic photographs from the 1960s. The stucco cladding was added after 1965, making it a non-historic alteration. Covering the historic window openings and some of the ornament on this highly utilitarian building does not compromise its integrity as it continues to convey its historic warehouse function and the period in which it was constructed.



101 N Kansas Rezoning Case

Public Meeting Minutes

April 25, 2017

Meeting was held at 5:30 PM at 100 S. Kansas Ave on 4/25/2017.
Approximately 15 persons attended – ref. the attached sign in sheet.

Mike Hall and Dan Werner from City of Topeka Planning office were in attendance.

Mike Hall made some opening procedural remarks.

Building owner Michael T. Wilson then presented key points of the project including proposed building renderings and floor plans which are attached for reference.

Key points presented on the project:

1. Plan is for 33 one and two bedroom apartment units on the upper three floors of the building.
2. 29 parking spaces will be provided on the building interior lower two floors.
3. Access will be via four overhead doors off of the alley.
4. Alley will be improved behind the 101 building.
5. Building will be renovated to National Park Service historic standards.
6. Twenty additional parking spaces will be provided across First Street in the 100 S. Kansas parking area.

Several neighbors commented about concerns regarding:

- a. The alley is in very bad shape and will not support additional use – people cut through the alley all the time and it is not paved. City needs to improve and pave the alley.
- b. Additional vehicles will create too much congestion and dangerous conditions as they enter and exit the building or access onto First Street.
- c. All building owners on the block use the alley for building access and parking.
- d. 33 apartment units will require more than 49 parking spaces for tenants and visitors and some people will park in the alley creating problems.
- e. There is not enough parking now in the area and people are being ticketed or towed on occasion. There is no other parking available.

Contact Michael T. Wilson with any questions.
785.224.5262

Steve Fox 115 N. Kansas

Jerry Thomas 121 N. KANSAS

Tim Coulter 121 N. KANSAS

Trisha Wehr }
Jeff Hisey } 109 N. KS.

MIKE HALL, CITY 620 SE MADISON 368-3007

Roger Laubengayer 125 N Kansas } Sunflower Strength
Rebecca Svaty 125 W. Kansas } and Conditioning

Mark H J & Brenda 115 N. Kansas

Karen Hiller City Council

MICHAEL T. } MARIA WIGSON OWNERS



Michael Hall

From: John Neunuebel
Sent: Tuesday, April 11, 2017 3:51 PM
To: Michael Hall
Subject: FW: For Review - Z17/01 101 N Kansas Ave, LLC

From: Adam Weigel [<mailto:AWeigel@topekametro.org>]
Sent: Monday, April 10, 2017 1:29 PM
To: Kris Wagers; John Neunuebel
Subject: RE: For Review - Z17/01 101 N Kansas Ave, LLC

Hello,

This site is adjacent to Topeka Metro's Route 2. If this project moves forward, TMTA would like to see crosswalk improvements across 1st St. on the west side of Kansas Ave. This would provide greater safety for residents of the proposed apartments to walk to the existing bus shelter on the west side of Kansas Ave. between 1st and 2nd St. TMTA data indicates that 132 people board the bus at this shelter each week. This number may increase with the addition of the proposed residences.

Thanks,

Adam Weigel | *Transit Planner I*
Topeka Metro | 201 N. Kansas Ave. Topeka, KS 66603
P (785) 730-8625 | F (785) 233-3063



From: Kris Wagers [<mailto:kwagers@topeka.org>]
Sent: Tuesday, April 4, 2017 12:32 PM
To: Sylvia (Michaelis) Davis <sdavis@topeka.org>; Terry Coder <tcoder@topeka.org>; Michael G Martin <mgmartin@Topeka.org>; Gregg Schell <gshell@Topeka.org>; Jeffrey Coen <jcoen@topeka.org>; Sabrena Gonzalez <sabrena.gonzalez@westarenergy.com>; Daniel Wilson <DWilson@Topeka.org>; andrea@abajillion.com; Beagle, Barry <Barry.Beagle@snco.us>; Bill Riphahn <bill.riphahn@snco.us>; Adam Weigel <AWeigel@topekametro.org>
Cc: John Neunuebel <jneunuebel@topeka.org>
Subject: For Review - Z17/01 101 N Kansas Ave, LLC

Z17/01 by 101 N Kansas Ave, LLC

Plan Reviewer -

The attached application and supporting data is hereby forwarded to you and your department for the opportunity of review and comment, as well as for your records.

Written comments should be returned to our office no later than **April 19, 2017.**



April 18, 2017

City of Topeka, Planning Department
Attn: Mike Hall, Current Planning Manager
620 SE Madison, Unit 11
Topeka, KS 66607

Dear Planning & Zoning Commission,

This letter is in regards to the proposed rezoning of the property at 101 N. Kansas Avenue from I-2 Light Industrial to D-3 Downtown District. March Properties, LLC owns the building at 101 S. Kansas Avenue, across the street from 101 N. Kansas Avenue.

As an adjacent property owner, we want to express our full support in the rezoning request. This rezoning will allow more flexibility in development of downtown Topeka properties and will continue to revitalize the downtown area. We think it is important to encourage development in the urban core, which is the primary reason we purchased and developed this property 15-years ago.

March Properties believes a zoning change to Downtown District will positively impact the character of the community and the City of Topeka. We hope you take our position into consideration. Thank you.

Sincerely,

Gretchen Hembree
March Properties
3519 W 101st Street
Leawood, KS 66206
gretchen@marchcompanies.com
913-449-7640



1625 S. 45th Street
Kansas City, KS 66106

P 913.262.5190

F 913.262.3198

101 S. Kansas Ave.
Topeka, KS 66603

P 785.291.2910

F 785.291.2905

520 Commerce Dr.
Ashland, MO 65010

P 573.6570585

F 573.6570586

9644 Pentecost Road
Marion, IL 62959

P 618.751.1428

F 618.993.9735

April 18, 2017

City of Topeka, Planning Department
Attn: Mike Hall, Current Planning Manager
620 SE Madison, Unit 11
Topeka, KS 66607

Dear Planning & Zoning Commission,

This letter is in regards to the proposed rezoning for 101 N. Kansas Avenue at the northwest corner of Kansas Avenue and 1st Street from I-2 Light Industrial to D-3 Downtown District. Assisted Transportation has occupied the building directly across the street at 101 S. Kansas Ave for the past 15-years.

As an adjacent business, we want to express our full support in this rezoning request. This rezoning will allow more flexibility in development of downtown Topeka properties and will continue to revitalize the downtown area. We think it is important to encourage development in the urban area, which is one of the reasons we relocated to downtown in 2001. We are proud to be part of this community and are excited for the planned growth and development.

Assisted Transportation feels that a zoning change to Downtown District will positively impact the character of the community and the City of Topeka. We hope you take our position into consideration. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Hane".

Chris Hane, President
Assisted Transportation Services, Inc.

Z69/44H

Woodland Park at Soldier Creek

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

PLANNING COMMISSION DATE: May 15, 2017

CASE NUMBER & NAME: Z69/44H / Woodland Park PUD Master Plan Amendment

**REQUESTED ACTION /
CURRENT ZONING:** Amendment related to Lot(s) 1, 2, and 3, Block 1, of Woodland Park at Soldier Creek PUD Master Plan *from* "PUD (M-2)" Planned Unit Development with use group of M-2 Multiple Multiple Family Dwellings *to* "PUD (M-1)" Planned Unit Development with use group of M-1 Limited Multiple Family Dwellings

APPLICANT / PROPERTY OWNER: Brick & Mortar Phase I Construction, LLC

APPLICANT REPRESENTATIVE: Mr. Mark Boyd, SBB Engineering, LLC

**PROPERTY ADDRESS & PARCEL
ID:** Southeast Corner of NW Topeka Boulevard and NW Menninger Road
Parcel ID(s): 1041702001005050 & 1041702001005060

PARCEL SIZE: 6.14 acres

CASE PLANNER: John Neunuebel, Planner II

**STAFF
RECOMMENDATION:** Approval of PUD Master Plan Amendment subject to conditions included on Page 8.

**RECOMMENDED
MOTION:** Based on the findings and analysis in the staff report, I move that the Topeka Planning Commission forward to the Governing Body a recommendation of approval of the proposed amendment to Woodland Park at Soldier Creek PUD Master Plan along with conditions.

PROJECT AND SITE INFORMATION

PROPOSED USE / SUMMARY:

Amend the PUD Master Plan for nineteen (19) new lots for detached single-family homes and/or two-family dwellings. (The previously approved PUD provides for assisted and "independent living" seniors within approximately 115 apartments.)

DEVELOPMENT / CASE HISTORY:

The requested zoning amendment affects designated Lot(s) 1, 2, and 3, Block 1 (currently vacant) within the northern portion of the Woodland Park at Soldier Creek PUD Master Plan area. The Governing Body approved the current PUD Master Plan in January 2005 (Case Z69/44D), thus amending and replacing the previous "Master PUD Plan of Northland Shopping Center." The most recent amendment to the PUD Master Plan was Amendment 'G' wherein a pool and monument signs were approved for within the multi-family apartments.

The Master Plan area presently includes older commercial buildings within the central portion of the plan area, as well as newer, multi-family apartment buildings located in the southern portion of the Master Plan area.

PHOTOS:



South side of property looking east along proposed drainage easement area including significant slope that also serves as buffer to commercial area to the south



West side of property along Topeka Blvd with Northland Christian Church located on north side of Menninger Road in background



North side of property looking south along Magnolia Avenue with commercial and multi-Family Apartments in background

ZONING AND CHARACTER OF SURROUNDING AREA:

The subject area is immediately within the City's corporate limits with the current city limit line being at Menninger Road. Surrounding development is generally semi-rural but increasingly urban as exemplified by the newer, multi-family apartment buildings to the south.

A 1.5-acre parcel immediately east of the subject site contains a single-family residence and is zoned M-2 (Multiple-family Dwellings) while other adjacent areas within city limits are zoned R-1 (Single-Family Dwellings), with commercial and industrial zone properties located to the south of Soldier Creek along Topeka Blvd. The unincorporated Shawnee County

area north of Menninger Road is zoned entirely RR-1 (Rural Residential) with existing development comprising primarily single-family homes, with the Northland Christian Church being located across Menninger Road from the subject site.

OVERVIEW OF PROPOSED PUD ELEMENTS

UTILITIES: All utilities to be underground, with sanitary sewer and water service to be provided by City of Topeka.

CIRCULATION & ACCESS: Menninger Road at the north boundary of the project area is classified by City of Topeka as a 'major collector,' while Topeka Boulevard along the west boundary is classified as a 'minor arterial.' Internal circulation and access within the project site will be provided by the existing private street of NW Magnolia Avenue and an additional cul-de-sac roadway as proposed will extend southward from Menninger Road and will also be a private street constructed to urban street design standards. Sidewalks will be provided along private streets, as well as within public rights-of-way along Menninger Road and Topeka Boulevard adjacent to the project area. Although a Traffic Impact Analysis was completed for the Woodland Park at Soldier Creek PUD Master Plan, a revised analysis is not required since the proposed development is less intensive than development allowed in the *existing* PUD Master Plan.

As a major collector Menninger Road is presently substandard in width and lacks sidewalks, and is thus in need of improvement. While the City has no plans in the near term to improve Menninger Road, the PUD Master Plan (and associated subdivision plat) are noted to indicate that property owner(s) agree to irrevocable waiver of objection to participate in a Street Benefit District for future improvements to the roadway.

The applicant is not anticipating the formation of a Homeowners' Association (HOA), although all project improvements including private streets and sidewalks, landscaping, signage, privacy fences and walls, and drainage facilities within the project area are to be maintained by the property owner(s), and the proposed PUD Master Plan includes notation regarding the maintenance responsibility of property owner(s). In order to provide for increased certainty as to ongoing maintenance of all improvements, a revision to Note 5 (within 'Circulation, Parking, Traffic, and Maintenance of Project Improvement Notes) requires the formation of a Homeowners Association (HOA) or equivalent legal structure.

PARKING: Each dwelling unit shall have a minimum of 2 parking spaces in accordance with the City's off-street parking requirements (TMC

18.240.030) Use of on-street parking is subject to approval of the Fire Department at subsequent stages in the development process and in consideration of design standards.

BUILDINGS:

The proposed PUD Master Plan use group is M-1 (Two-Family Dwellings) and pursuant to City of Topeka Zoning Code provides for the use of two-family and attached single-family dwellings with specified accessory uses. The proposed density within the PUD Master Plan area is 6-7 units per acre which approximates the maximum density of 6 units per acre per the City's Zoning Code for M-1 districts.

Pursuant to the M-1 user group designation for the subject portion of the PUD, each of the nineteen (19) residential building lots may contain either a single-family dwelling; or 2-family duplex; or one-half of a 2-family duplex with a common wall between adjoining units placed on the property line. It is anticipated that the property owner-builder may be required to submit applications for lot line adjustments as may be considered and approved administratively by City of Topeka Planning Department in accommodating varied dwelling types.

Allowing an indeterminate mix of single-family and two-family homes potentially results in an unpredictable development pattern affecting mainly the residents and owners within the development. In order to provide increased certainty to future residents and owners as to the placement of particular types of units, staff recommend the addition of the following note:

Note: "Two-family dwellings may be placed on all lots. If one or more detached single-family dwellings are proposed on any lot or lot(s) located along private street segment Tract A or private street segment Tract C, a 'residential unit plan' showing the placement of all detached single-family dwellings and two-family dwellings along that Tract street segment must be submitted to the City of Topeka Planning Department for review and approval prior to issuance of a building permit for the single-family dwelling(s). The performance objective by which the residential unit plan shall be reviewed will be to ensure that the detached single-family dwellings and two-family dwellings are arranged and distributed in a manner that ensures predictability and compatibility."

Due to the width of the proposed lots, and the possible inclusion of two-family dwellings, there are potential negative aesthetic impacts of garage-dominated facades and driveway-dominated front yards. To reduce these potential negative impacts, staff recommend the addition of the following notes:

Note: "For any façade enclosing two garage entries, each entry shall be modulated a minimum of one (1) foot from each other for the purpose of providing relief to the façade plane."

Note: "For each single-family or two-family dwelling, the maximum cumulative width of driveways, as measured at the front property line, shall not exceed thirty (30) feet."

In regard to building setbacks, the following apply as noted on the proposed PUD Master Plan: 1.) no building except for bus shelters shall be built within 25 feet of the planned unit development boundary or a public street right-of-way; 2.) The minimum distance between any two principal buildings shall be 10 feet (5 feet from side property line); 3.) front yard setback a minimum of 20 feet as measured from the edge of sidewalk. Maximum building height is 40 feet.

SIGNAGE:

One monument sign to be located near one of the entrances will not exceed a maximum size of 15 square feet per sign face and 4 feet in height above natural grade and may be illuminated by ground level spot light.

LANDSCAPING AND FENCING:

The PUD is noted to indicate that a Landscape Plan shall be submitted and approved prior to issuance of a building permit. Landscaping shall include a mix of large trees and understory trees, coniferous trees, and shrubs along Topeka Boulevard and Menninger Road, and shall also identify landscaping along the south side of the project boundary.

A plan for fencing along Topeka Boulevard and Menninger Road shall be submitted for approval prior to recordation of the PUD Master Plan as amended, and shall identify and address fence height (4 to 6 feet); and type of fencing materials. In order to minimize maintenance requirements for project fencing, it is recommended that Landscaping and Fencing Note #2 be revised to not allow the use of wood as a fencing material unless it is vinyl-clad.

OTHER:

A Stormwater Management Plan has been submitted and must be approved by City of Topeka Public Works Department prior to the subject PUD Master Plan being considered by City Council.

The PUD Master Plan also includes notation that all requirements and stipulations pertaining to the Planned Unit Development Master Plan Revision 'G' (previous revision to the PUD Master Plan completed in 2009) shall remain in full force and effect for Lot(s) 4, 5, 6, 7, and 8 within the southerly portion of PUD Master Plan area.

VARIANCES REQUESTED:

None

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: A major plat of the subject area comprising Lots 1, 2, & 3, Block 1, is being processed concurrently with this proposed amendment of PUD Master Plan.

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 currently under review.)

HISTORIC PROPERTIES: None

NEIGHBORHOOD MEETING: The project applicant held a Neighborhood Information Meeting on Thursday, April 27, 2017. Questions/comments from attendees were concerned with: traffic impacts; number of owner occupied versus renter occupied units; building heights; purchase prices; open space/ play areas for children; existing berm on east property line; and project construction impacts on Menninger Road.

(Applicant's meeting summary and sign-in sheet as attachment.)

OTHER: None

REVIEW COMMENTS BY CITY DEPARTMENTS AND EXTERNAL AGENCIES

PUBLIC WORKS/ ENGINEERING: The proposed amendment of the PUD Master Plan proposes less intensive development than currently provided for in the existing Master Plan; therefore, a Traffic Impact Analysis is not required.

The proposed PUD Master Plan amendment requires notation that property owner(s) agree to irrevocable waiver of objection to participation in a Street Benefit District for future improvements to NW Menninger Road.

WATER POLLUTION CONTROL: No Comments Received

FIRE: Fire Hydrants are to be approved by Traffic Engineering and the Fire Department. Hydrants are to be placed no more than 500 feet travel distance and are to be in place

prior to start of construction.

DEVELOPMENT SERVICES: A Building Permit is required for construction of each single-family dwelling unit or multi-family duplex.

OTHER: None

KEY DATES

SUBMITTAL March 31, 2017

NEIGHBORHOOD INFORMATION MEETING April 27, 2017

LEGAL NOTICE PUBLICATION April 24, 2017

PROPERTY OWNER NOTICE MAILED April 20, 2017

STAFF ANALYSIS

CHARACTER OF NEIGHBORHOOD: The proposed amendment provides for development compatible with the existing neighborhood. The character of the neighborhood to the north of the project area is predominantly residential, semi-rural, and within unincorporated Shawnee County. To the south, there are commercial uses and higher density multi-family apartments. The proposed amendment to the Woodland Park at Soldier Creek PUD Master Plan will provide for construction of single-family homes and 2-family dwelling units which will comprise less intensive development than the multi-family apartment buildings for active and assisted seniors as anticipated in the current PUD Master Plan, and will provide for a more gradual transition between more intensive land use to the south and less intensive land use to the north.

Length of time property has remained vacant as zoned or used for its current use under present classification: An amendment to the PUD Master Plan is justified based on the length of time the property has been vacant. The property has remained vacant and undeveloped except for construction of Magnolia Avenue providing secondary access for development to the south. Inasmuch as the intent to provide senior housing has not been realized in the twelve years since the PUD Master Plan was approved, perhaps the particular location being somewhat removed from essential services required by seniors is not conducive to such development.

Conformance to Comprehensive Plan: The amended PUD as proposed is consistent with the Land Use and Growth Management Plan. The subject property is designated Medium/High Density Residential in the Land Use and Growth Management Plan – 2040 (LUGMP) and the proposed PUD Master Plan amendment is in conformance with stated density ranges and development intent. For example, the LUGMP states that within Medium/High Density Residential, residential density should transition from higher to lower as the development progress farther from the commercial corridor and into lower density single-family neighborhoods and this conforms to existing development and intended development proposed in the subject PUD Master Plan Amendment.

The extent to which removal of the restrictions will detrimentally affect nearby properties: The proposed amendment to the PUD Master Plan results in more restrictive zoning. Furthermore, the proposed notes and restrictions included on the Master Plan, along with the recommended conditions, will provide more protections for nearby properties than that contained in the existing PUD Master Plan.

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 proposed PUD amendment allows the property owner to construct single-family and two-family residences pursuant to market-driven demand, thus removing apparent obstacles in developing the property as anticipated in the existing PUD. Proposed development will have no negative impact on neighboring property owners as compared to the existing entitlement.

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: The proposed PUD Master Plan establishes development standards and guidelines as indicated. The standards established by this Master Plan exceed standards normally applicable to the M-1 use group under zoning not subject to a PUD Master Plan. An associated subdivision plat is being processed concurrently and has been found to adhere to the City's subdivision regulations.

STAFF RECOMMENDATION

Based upon the above findings and analysis Planning Staff recommends approval of the PUD Amendment, subject to the following:

- 1.) Use and development of the site in accordance with the PUD Master Plan for Brick & Mortar Phase I Construction as recorded with the Office of the Shawnee County Register of Deeds.
- 2.) Revise Note 5 within Circulation, Parking, Traffic, and Maintenance of Project Improvement Notes to indicate: "All project improvements including streets, sidewalks, landscaping, signage, privacy fences, walls, and drainage facilities shall be maintained at all times in good condition with the maintenance of said improvements being the responsibility of the owner(s) through the formation of a Homeowners Association (HOA) or equivalent legal structure."
- 3.) Revise the 2nd sentence in Note 2 within Landscaping and Fencing Notes to indicate: "The fence shall be constructed of materials that are both attractive and durable, such as vinyl-clad wood, wrought iron, or masonry."
- 4.) Add new note to Building and Structure Notes to indicate: "Two-family dwellings may be placed on all lots. If one or more detached single-family dwellings are proposed on any lot or lot(s) located along private street segment Tract A or private street segment Tract C, a 'residential unit plan' showing the placement of all detached single-family dwellings and two-family dwellings along that Tract street segment must be submitted to the City of Topeka Planning Department for review and approval prior to issuance of a building permit for the single-family dwelling(s). The performance objective by which the residential unit plan shall be reviewed will be to ensure that the detached single-family dwellings and two-family dwellings are arranged and distributed in a manner that ensures predictability and compatibility."
- 5.) Add new note to Building and Structure Notes to indicate: "For any façade enclosing two garage entries, each entry shall be modulated a minimum of one (1) foot from each other for the purpose of providing relief to the façade plane."

- 6.) Add new note to Building and Structure Notes to indicate: "For each single-family or two-family dwelling, the maximum cumulative width of driveways, as measured at the front property line, shall not exceed thirty (30) feet."
- 7.) Revise Note 2 within Building and Structure Notes to indicate: "The minimum distance between any two buildings shall be 10 feet (5 feet from side property line.)"

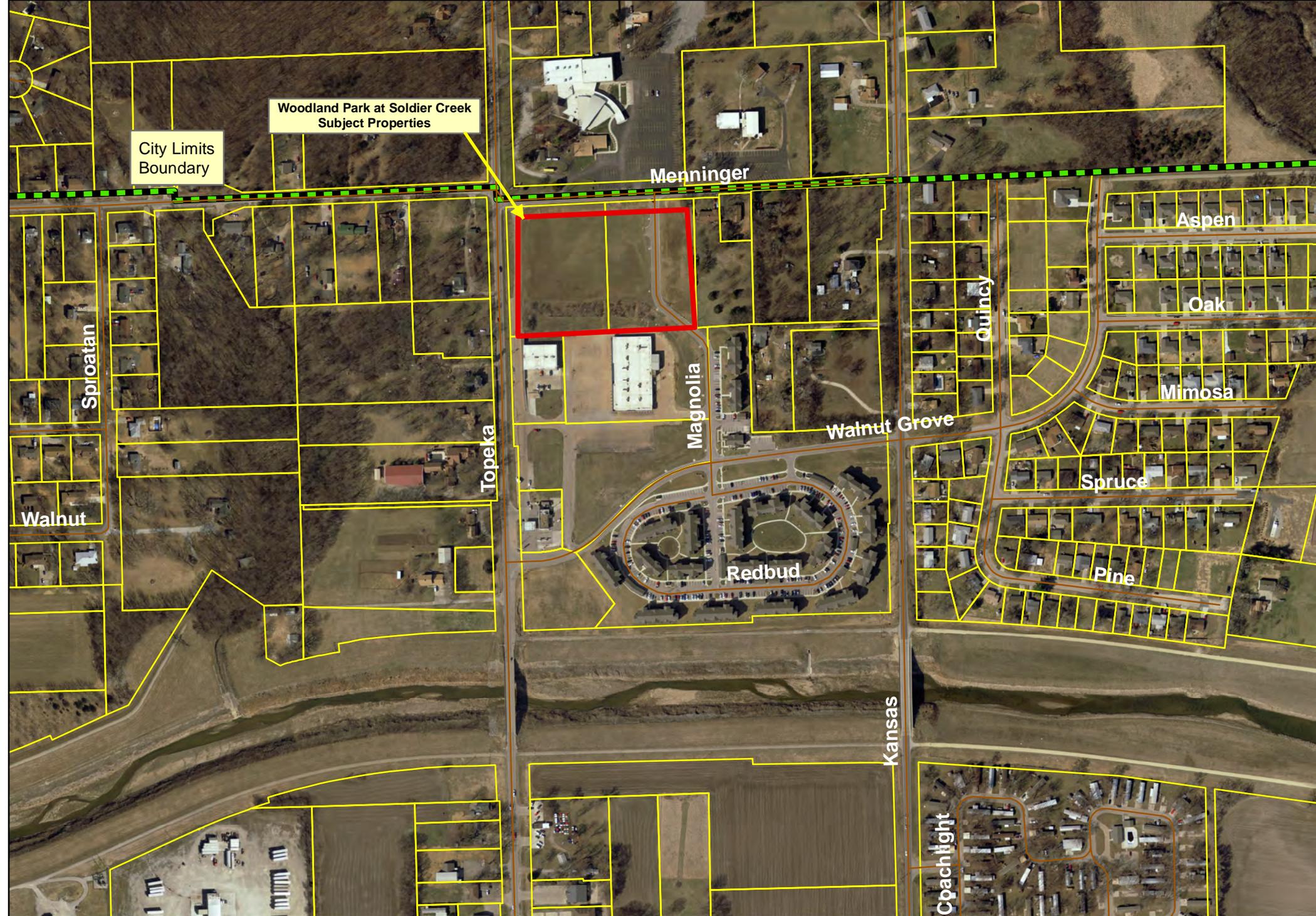
ATTACHMENTS

Aerial Map

Zoning Map

Woodland Park at Soldier Creek PUD Master Plan (Revision "H")

NIM report and attendance sheet



City Limits Boundary

Woodland Park at Soldier Creek Subject Properties

Menninger

Sproatan

Walnut

Topeka

Magnolia

Walnut Grove

Kansas

Quincy

Aspen

Oak

Mimosa

Spruce

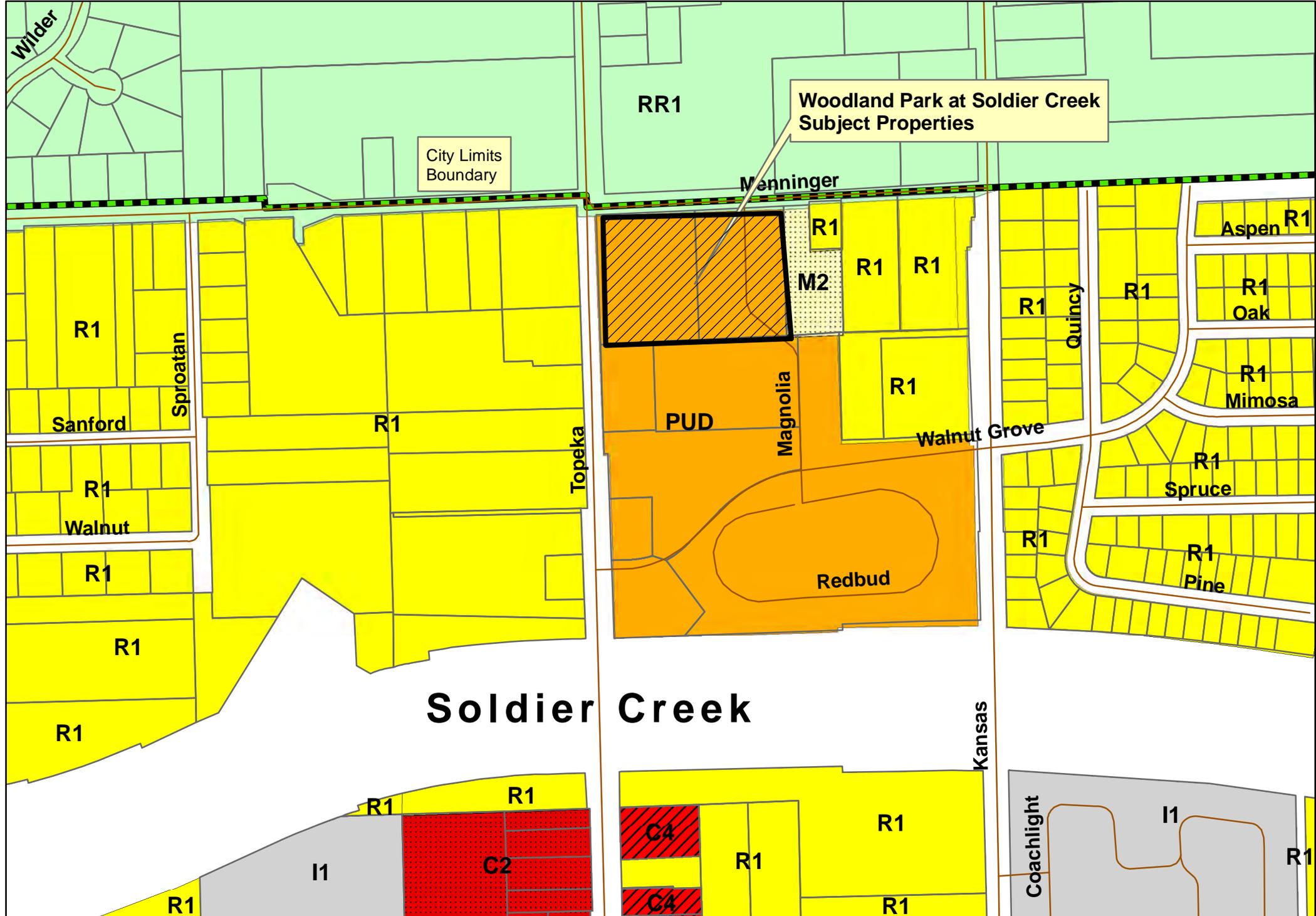
Pine

Redbud

Cpachlight



Z69/44H Proposed Amendment of Woodland Park at Soldier Creek PUD Master Plan

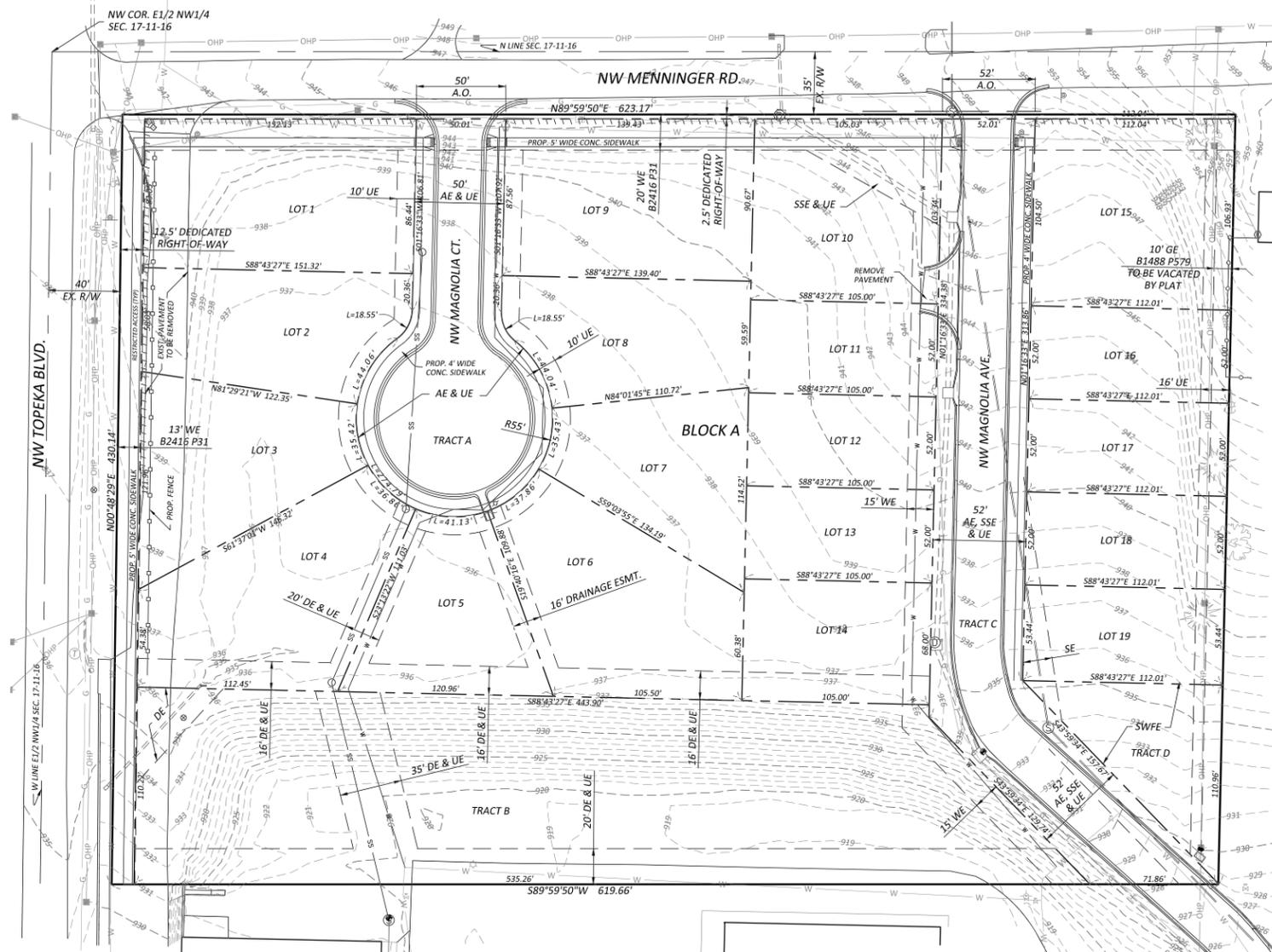


Z69/44H Proposed Amendment of Woodland Park at Soldier Creek PUD Master Plan

WOODLAND PARK AT SOLDIER CREEK PLANNED UNIT DEVELOPMENT MASTER PLAN REVISION "H"

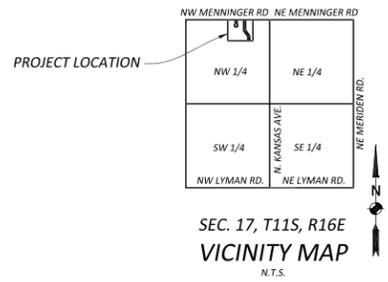
BOOK _____ PAGE _____

DATE _____ TIME _____



LEGEND

△	SECTION CORNER
(D)	DESCRIBED
(M)	MEASURED
U.E.	UTILITY EASEMENT
G.E.	GAS LINE EASEMENT
D.E.	DRAINAGE EASEMENT
A.E.	ACCESS EASEMENT
A.O.	ACCESS OPENING
W.E.	WATER LINE EASEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	STORM SEWER EASEMENT
S.E.	SANITARY SEWER EASEMENT
S.W.F.E.	STORMWATER FACILITIES EASEMENT
◇	FIRE HYDRANT
■	POWER POLE
G	GAS LINE
W	EXISTING WATER LINE
W	PROPOSED WATER LINE
SS	EXISTING SANITARY SEWER GRAVITY LINE
SS	PROPOSED SANITARY SEWER GRAVITY LINE
SS	STORM SEWER LINE
T	UNDERGROUND COMMUNICATION LINE
OHP	OVERHEAD POWER LINE



LEGAL DESCRIPTION:
LOTS 1, 2 AND 3, BLOCK 1, WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 2, CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

PROJECT PERFORMANCE OBJECTIVES:
TO CREATE A LOW DENSITY SINGLE AND TWO-FAMILY RESIDENTIAL DEVELOPMENT ORIENTED TOWARDS ENTRY LEVEL RESIDENTIAL HOMES.

GENERAL NOTES:

- PURSUANT TO TMC 18.190.060(b), THE APPLICANT MUST RECORD THE MASTER PUD PLAN WITH THE SHAWNEE COUNTY REGISTER OF DEEDS WITHIN 60 DAYS UPON APPROVAL OF CITY COUNCIL. FAILURE BY THE APPLICANT TO RECORD THE PLAN WITHIN THE PRESCRIBED TIME PERIOD OR PROVIDE THE PLANNING DEPARTMENT FIFTEEN (15) COPIES OF THE RECORDED PLAN WITHIN NINETY (90) DAYS OF THE DATE OF ACTION BY CITY COUNCIL SHALL DEEM THE ZONING PETITION NULL AND VOID.
- ALL APPLICABLE BASE ZONING USE GROUPS SHALL APPLY UNLESS STATED OTHERWISE HEREIN.
- NO BUILDING PERMITS SHALL BE ISSUED UNTIL INDIVIDUAL SITE DEVELOPMENT PLANS HAVE BEEN REVIEWED BY CITY STAFF AND APPROVED BY THE PLANNING DIRECTOR. THE SITE PLANS SHALL ADDRESS BUILDING SITE LOCATIONS AND FOOTPRINT, LANDSCAPING, PULL-OFF PARKING, INTERNAL CIRCULATION AND STREET CONNECTIVITY, DRIVEWAYS, PEDESTRIAN PATHWAYS, STORMWATER, EXTERNAL LIGHTING, FENCING, SIGNAGE, ARCHITECTURAL FEATURES, AND RELATIONSHIP TO ADJACENT LOTS.
- NO BUILDING PERMIT(S) SHALL BE ISSUED UNTIL ALL STORMWATER MANAGEMENT REQUIREMENTS SET FORTH IN TOPEKA MUNICIPAL CODE (TMC) CHAPTER 13.35 ARE MET INCLUDING: APPROVAL OF STORMWATER MANAGEMENT PLAN AND GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
- ALL UTILITIES AND PUBLIC STREET IMPROVEMENTS SHALL BE CONSTRUCTED TO CITY OF TOPEKA STANDARDS.
- PROPERTY OWNER(S) SHALL AGREE TO A FAIR AND EQUITABLE IRREVOCABLE WAIVER OF OBJECTION TO PARTICIPATION IN A STREET BENEFIT DISTRICT FOR FUTURE IMPROVEMENTS TO NW MENNINGER ROAD.
- ALL REQUIREMENTS AND STIPULATIONS PERTAINING TO THE PLANNED UNIT DEVELOPMENT MASTER PLAN REVISION "G", AS DATED 08/17/2009 SHALL REMAIN IN FULL FORCE AND EFFECT FOR LOT(S) 4, 5, 6, 7, AND 8 WITHIN THE SOUTHERN PORTION OF THE WOODLAND PARK AT SOLDIER CREEK MASTER PLAN AREA.

- UTILITY NOTES:**
- ALL UTILITIES SHALL BE UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
 - SANITARY SEWER SERVICE IS PROVIDED BY THE CITY OF TOPEKA.
 - WATER SERVICE IS PROVIDED BY THE CITY OF TOPEKA.
 - ALL FIRE HYDRANT LOCATIONS TO BE APPROVED BY THE CITY FIRE DEPARTMENT AS PART OF THE IMPROVEMENT PLANS PRIOR TO THE START OF CONSTRUCTION.
 - NO BUILDING PERMITS SHALL BE ISSUED FOR THIS SUBDIVISION UNTIL SUCH TIME AS UTILITY EXTENSION PLANS FOR SANITARY SEWER AND WATER, INCLUDING SIZING AND ROUTING, ARE APPROVED BY THE CITY OF TOPEKA DEPARTMENT OF PUBLIC WORKS AND THE PROJECT IS UNDER CONTRACT FOR CONSTRUCTION.
- CIRCULATION, PARKING, TRAFFIC, AND MAINTENANCE OF PROJECT IMPROVEMENT NOTES:**
- PRIVATE STREETS: STREETS SHALL BE PRIVATE AND CONSTRUCTED TO URBAN STREET DESIGN STANDARDS WITH 4' WIDE SIDEWALKS ALONG BOTH SIDES OF THE STREET. STREETS WILL BE POSTED WITH SIGN NAMES, WHICH SHALL HAVE THE APPROVAL OF THE CITY OF TOPEKA ENGINEER. PRIVATE STREETS WILL BE CONSTRUCTED AT THE MINIMUM ACCORDING TO CITY OF TOPEKA PRIVATE STREET DESIGN STANDARDS AND BE APPROVED BY THE FIRE DEPARTMENT FOR ACCESS WITH "NO PARKING" SIGNAGE POSTED, AS NECESSARY, TO BE DETERMINED AT THE SITE DEVELOPMENT PLAN REVIEW STAGE.
 - 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, 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).
 - ACCESS OPENINGS ALONG NW MENNINGER RD. SHALL BE APPROVED AT THE SITE DEVELOPMENT STAGE DEMONSTRATING THEY ARE CONSISTENT WITH CITY OF TOPEKA STREET DESIGN AND LOCATION CRITERIA.
 - PEDESTRIAN CONNECTIONS WILL BE PROVIDED THROUGHOUT THE RESIDENTIAL COMMUNITY WITH THE EXACT LOCATIONS OF SIDEWALKS TO BE DETERMINED PRIOR TO THE ISSUANCE OF BUILDING PERMITS.
 - ALL PROJECT IMPROVEMENTS INCLUDING SIDEWALKS, LANDSCAPING, SIGNAGE, PRIVACY FENCES, WALLS, AND DRAINAGE FACILITIES SHALL BE MAINTAINED AT ALL TIMES IN GOOD CONDITION WITH THE MAINTENANCE OF SAID IMPROVEMENTS BEING THE RESPONSIBILITY OF THE OWNER(S).
 - SIDEWALKS SHALL BE CONSTRUCTED ADJACENT TO NW MENNINGER ROAD AND NW TOPEKA BLVD. CONTIGUOUS WITH THE PROJECT AREA AND PURSUANT TO CITY OF TOPEKA PUBLIC SIDEWALK STANDARDS PRIOR TO THE ISSUANCE OF FINAL OCCUPANCY.
 - A SIDEWALK SHALL BE REQUIRED ALONG THE PRIVATE WAYS OF NW MAGNOLIA AVE. AND NW _____

- SIGNAGE:**
- LOT 1, BLOCK A SHALL BE PERMITTED ONE (1) MONUMENT SIGN FOR DEVELOPMENT IDENTIFICATION NOT TO EXCEED A MAXIMUM SIZE OF 15 SQ. FT. PER SIGN FACE AND 4 FT. IN HEIGHT ABOVE NATURAL GRADE AND LOCATED NEAR EACH ENTRANCE. THE BASE OF THE MONUMENT SIGNS SHALL BE PLANTED AND MAINTAINED WITH LANDSCAPING AND MAY BE ILLUMINATED ONLY BY GROUND LEVEL SPOT LIGHT.
- LANDSCAPING AND FENCING NOTES:**
- A LANDSCAPE PLAN SHALL BE SUBMITTED AND APPROVED PRIOR TO ISSUANCE OF BUILDING PERMIT. LANDSCAPING SHALL INCLUDE A MIX OF LARGE TREES AND UNDERSTORY TREES, CONIFEROUS TREES, AND SHRUBS ALONG NW TOPEKA BLVD. AND NW MENNINGER ROAD AND SHALL IDENTIFY LANDSCAPING ALONG THE SOUTH SIDE OF THE PROJECT BOUNDARY. LANDSCAPING WITHIN REQUIRED UTILITY EASEMENTS WILL BE MINIMIZED.
 - A PLAN FOR FENCING ALONG NW TOPEKA BLVD. SHALL BE SUBMITTED FOR APPROVAL PRIOR TO RECORDING OF THE PUD MASTER PLAN AND SHALL IDENTIFY THE FENCE HEIGHT, TYPE OF MATERIAL, AND TIMING OF INSTALLATION. THE FENCE SHALL BE CONSTRUCTED OF MATERIALS THAT ARE BOTH ATTRACTIVE AND DURABLE, SUCH AS WOOD, WROUGHT IRON, VINYL-CLAD, OR MASONRY.
- BUILDING AND STRUCTURE NOTES:**
- NO BUILDING EXCEPT FOR BUS SHELTERS AS OUTLINED BELOW SHALL BE BUILT WITHIN 25 FEET OF THE PLANNED UNIT DEVELOPMENT BOUNDARY OR THE PUBLIC STREET RIGHTS OF WAY.
 - THE MINIMUM DISTANCE BETWEEN ANY TWO PRINCIPAL BUILDINGS SHALL BE 10 FEET.
 - FRONT YARD SETBACK FOR THE "M-1" USE GROUP SHALL BE 20 FEET MINIMUM AS MEASURED FROM THE EDGE OF THE SIDEWALK.
 - BUS SHELTERS TO SERVE PATRONS OF MASS TRANSIT SHALL BE ALLOWED WITHIN THE PUBLIC RIGHTS OF WAY AND LANDSCAPE BUFFERS. BUS SHELTERS SHALL BE COORDINATED IN DESIGN AND LOCATION WITH THE TOPEKA METROPOLITAN TRANSIT AUTHORITY.
- FLOODPLAIN NOTE:**
- ACCORDING TO THE FLOOD INSURANCE RATE MAP "FIRM" COMMUNITY PANEL 2017C0206E, EFFECTIVE DATE SEPTEMBER 29, 2011, THE PROPERTY IS IN FLOOD ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

PROJECT DATA:

USE GROUP CATEGORIES:

"M-1" MULTI-FAMILY DWELLING DISTRICT PERMITTED USES: ALL PERMITTED USES WITHIN "M-1" DISTRICT.
TOTAL LAND AREA: 6.14 ACRES
UNIT DENSITY (MAXIMUM): 7 UNITS PER ACRE
MAXIMUM BUILDING HEIGHT = 40 FEET
PARKING REQUIREMENTS:
RESIDENTIAL UNITS SHALL HAVE A MINIMUM OF 2 SPACES PER UNIT

RECORDED WITH THE SHAWNEE COUNTY REGISTER OF DEEDS:

REBECCA J. NIOCE, REGISTER OF DEEDS

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 OF SAID CHAPTER AND AS SET FORTH ON THIS DOCUMENT OR AS MAY SUBSEQUENTLY BE APPROVED AND RECORDED.

CERTIFICATION OF MASTER PUD PLAN APPROVAL:

DATE: _____

BILL FIANDER, PLANNING DIRECTOR
SECRETARY TO THE PLANNING COMMISSION

STATE OF KANSAS)
COUNTY OF SHAWNEE)

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2014, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE CAME BILL FIANDER, PLANNING DIRECTOR, WHO IS PERSONALLY KNOWN 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: _____

OWNER'S CERTIFICATE:

BRICK & MORTAR PHASE I CONSTRUCTION, L.L.C., AGREES TO COMPLY WITH THE CONDITIONS AND RESTRICTIONS AS SET FORTH ON THE MASTER PUD PLAN.

IN TESTIMONY WHEREOF, THE OWNER, BRICK & MORTAR PHASE I CONSTRUCTION, L.L.C., HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 2016.

MEMBER
STATE OF KANSAS
COUNTY OF SHAWNEE, SS:

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2016, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID CAME _____ MEMBER OF BRICK & MORTAR PHASE I CONSTRUCTION, L.L.C., WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME PERSON WHO EXECUTED, THE WITHIN INSTRUMENT OF WRITING.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____
MY COMMISSION EXPIRES: _____

<p>Rev. By: _____ Date: _____ Description: _____</p> <p>1. MAB 4/27/17 REVISED PER STAFF COMMENTS</p> <p>2. MAB 5/7/17 REVISED PER STAFF COMMENTS</p>	<p>PROJECT TITLE:</p> <p style="text-align: center;">WIM INVESTMENTS PLANNED UNIT DEVELOPMENT MASTER PLAN</p> <p style="text-align: center;">NW TOPEKA BLVD. & NW MENNINGER RD. TOPEKA, KANSAS</p>
<p>Prepared for:</p> <p style="text-align: center;">Brick & Mortar Phase I Construction, LLC 1208 SW TYLER ST. TOPEKA, KS 66612</p>	<p>Prepared by:</p> <p style="text-align: center;">Schmidt, Beck & Boyd Engineering, LLC 1415 SW Topeka Blvd Topeka, KS 66612 Ph: (785) 215-8630</p>
<p>SBB Proj. No.: 17-010</p> <p>Drawn by: AMB</p> <p>Checked by: JIL</p> <p>Date: 3/31/2017</p> <p>Scale: 1"=40'</p> <p>Drawing No.:</p>	<p>DATE:</p> <p style="text-align: center;">MARCH 31, 2017</p> <p style="text-align: right;">269/44H</p> <p style="text-align: right;">Sh. 1 of 1</p>



Neighborhood Information Meeting

Woodland Park at Soldier Creek

April 27, 2017

Attendance: 12 Neighbors
2 Representatives from SBB Engineering, LLC
2 Representatives from the City of Topeka Planning Department

Meeting started at 5:35 pm.

Mr. John Neunuebel, representative of the City of Topeka Planning Department, started with the purpose of the Neighborhood Information Meeting. And stated that this project will be discussed May 15th and the Planning Commission meeting.

Mr. Mark Boyd, representative of SBB Engineering, LLC, makes the introductions to the audience of the representatives in attendance. He then explains the reason why this project needed a meeting and why it the plan was changing. He covered the reduction of the traffic impact to the streets from the previously proposed development. Also covered the sewer main and water main extensions and sidewalks along NW Menninger Road. Also the removal of the frontage road along NW Topeka Boulevard.

Mr. Mike Hall, representative of the City of Topeka Planning Department, spoke on how this proposed development is a reduction from what is approved now for the site.

The floor was then opened for a Q & A session.

Several questions from the community was concerning how the development will impact the existing community. They wanted to know about the extra traffic, what type of houses, rentals or private owned, heights of structures and price

Schmidt, Beck & Boyd Engineering, LLC

785.215.8630 | 785.215.8634 (F) | Pomeroy Building, 1415 SW Topeka Blvd. | Topeka, Kansas 66612

range. Mr. Boyd empathized with the residence and empathized with the neighbors, explaining he doesn't live too far from this development. He answered the rest of the questions to the best of his knowledge with the information he had.

A few questions on open areas and the impact of children playing in the street. Mr. Boyd pointed out the greenspace areas that will be designated with the development. Other related question to this concerned a berm on the East property line and how the extra kids will impact USD 345. Mr. Boyd answered these questions clarified that the berm would not be removed and the school district already has plans to handle additional kids in the district.

One neighbor was concerned that NW Menninger Road would be blocked off during the construction of this development. Mr. Boyd assured him that it wouldn't, that only a partial lane closure would occur at the time of the cul-de-sac connection.

Mr. Boyd closed the meeting at 6:23 pm.



Mark Boyd
SBB Engineering, LLC

Schmidt, Beck & Boyd Engineering, LLC

785.215.8630 | 785.215.8634 (F) | Pomeroy Building, 1415 SW Topeka Blvd. | Topeka, Kansas 66612

Neighborhood Information Meeting

Sign in Sheet

Proposed Amendment of Woodland Park at Soldier Creek PUD Master Plan

Date: April 27, 2017 at 5:30 PM

Northland Christian Church, 3102 NW Topeka Blvd.

Name	Address	Email (preferred)/Phone
Michael W Scott	117 NW MENNINGER RD	m.scot6@cox.net
JIM ANDREWS	2145 NW 39 th	
Doug Brown	3003 NW Topeka Blvd	doug.brown@wibw.com
COLTON SNAVELY	225 NW MENNINGER	chsnavely@cox.net
Jeanne Neely	316 NW Raleigh Rd	
MARY Presley	205 NW MENNINGER RD	
Rebecca Presley	205 NW Menninger Rd	
Doris Brown	3108 North Kansas Ave	
KENNETH BROWN	3108 NORTH KANSAS AVE	
Doug Mings	3102 NW Topeka Blvd	admin@northland.cc
AL RIDOLE	3102 NW TOPEKA BLVD	ariddle507@aol.com
MIKE HALL	3102 NW Topeka Blvd	HALL1105@cox.net
Mark Boyd, SBB Engineering		mark.boyd@sbbeng.com
Joe Mauk, SBB Engineering		joseph.mauk@sbbeng.com
John Neunuebel, City of Topeka Planning		
Michael Hall, City of Topeka Planning		

P17/05

Woodland Park at Soldier Creek Subdivision No. 3

SUBDIVISION REPORT
 (Major Plat)
 CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase

Preliminary and Final Plat Phase

Final Plat Phase

RECOMMENDATION: Based upon findings and analysis, the Planning Department recommends the preliminary and final plat for Woodland Park at Soldier Creek Subdivision No.3 be APPROVED, subject to conditions. (See Page 3.)

RECOMMENDED MOTION: I move to approve the preliminary plat and to forward a recommendation of approval to the Governing Body of the proposed final plat for Woodland Park at Soldier Creek Subdivision No. 3 including the conditions in the staff report.

NAME: Woodland Park At Soldier Creek Subdivision No. 3 – (Case # P17/05)
 A Replat of Lots 1, 2 & 3, Block 1, Woodland Park at Soldier Creek Subdivision No.2

OWNER/DEVELOPER: Brick & Mortar Phase I Construction, LLC

ENGINEER/SURVEYOR: Schmidt, Beck & Boyd Engineering, LLC / Mr. Mark Boyd

GENERAL LOCATION: Southeast of the Intersection of NW Topeka Boulevard and NW Menninger Road

JURISDICTION: Class "A" subdivision within the City of Topeka

ANNEXATION: N/A (Property is presently within City of Topeka corporate limits.)

Area	# of Lots	Density	Existing Land Use	Proposed Land Use	Zoning
6.15 acres	19	7 units/ acre	Vacant/ Undeveloped	Residential (Single-family and/or 2-family dwellings)	PUD (M-2) --Amendment in process proposing PUD (M-1)

Pending Zoning Case: Z69/44H (Proposed amendment of Woodland Park at Soldier Creek PUD Master Plan)

Design: The subject plat contains 6.15 acres, more or less, and is rectangular in shape, measuring approximately 430.21' x 623.17' with its greatest length running parallel to NW Menninger Road. The proposal, a replat of Lots 1, 2, and 3, Block 1, consists of a 19-lot single Block subdivision including 3 tracts A, B, and C, with tracts A and C comprising areas for two private street segments and Tract B comprising a drainage easement. The primary purpose of the plat is to subdivide the property into nineteen (19) residential building lots.

BACKGROUND: A pre-application meeting was held on March 22, 2017 with a preliminary and final plat(s) being submitted April 14, 2017. This is the second platting action taken regarding the property. This plat cannot be processed as a minor plat (administrative approval) because it proposes more than five (5) lots. The property is presently vacant but

includes existing private street segment of NW Magnolia Avenue.

SERVICES AND FACILITIES:

1. WATER SERVICE: All properties to be included in this platting action are to be serviced by City of Topeka water service with all extensions and connections being at developer expense.
2. SEWAGE DISPOSAL: Proposed residential lots will be served by City of Topeka sanitary sewer system with all extensions and connections being at developer expense.
3. WASTEWATER PLAN SERVICE AREA: The property is located within the Primary Urban Service Area as reflected by the Shawnee County Wastewater Management Plan. All sewer main installation will be at developer expense.
4. STORMWATER MANAGEMENT REPORT: The Stormwater Management Report as submitted to the City of Topeka Department of Public Works has not yet been approved by the City of Topeka Engineering Division. A drainage easement identified on the plat along the south property boundary is proposed within the draft Stormwater Management Report for location of 'native vegetative swales and a rain garden' in accommodating stormwater drainage.
5. STREET PLAN/ACCESS: NW Menninger Road is classified as a 'major collector,' while Topeka Boulevard is classified as a 'minor arterial'. There is currently an existing 40' public right-of-way for NE Topeka Boulevard but with this platting action a 52.5' right-of-way as measured from the centerline of Topeka Boulevard is to be dedicated. So, too, an existing 35' right-of-way for NW Menninger Road will be replaced by a 37.5' right-of-way as a result of this proposed plat. Existing private street segment of NW Magnolia Ave and new private cul-de-sac street to be constructed southward from Menninger Road will provide access to each residential building lot.
6. FIRE DISTRICT: City of Topeka Fire District.
7. STREAM BUFFER: N/A
8. SCHOOL DISTRICT: USD No. 345 – Seaman.

WAIVER/VARIANCE TO STANDARDS: N/A

CAPITAL IMPROVEMENT PLAN (CIP): There are currently no transportation projects in the City's or County's CIP's affecting this area. The plat includes notation (Note 10) that property owner(s) agree to irrevocable waiver of objection to participation in a street benefit district for future improvements to NW Menninger Road.

CONFORMANCE TO COMPREHENSIVE PLAN: The Land Use & Growth Management Plan 2040 (LUGMP) identifies the property as Tier 1 (within city limits) and thus supports development and the extension of services. The LUGMP also designates the property as *Medium/High Density Residential* which is consistent with the proposed subdivision plat inclusive of nineteen residential building lots.

STAFF ANALYSIS: As proposed the overall subdivision design conforms to the established standards and provisions of

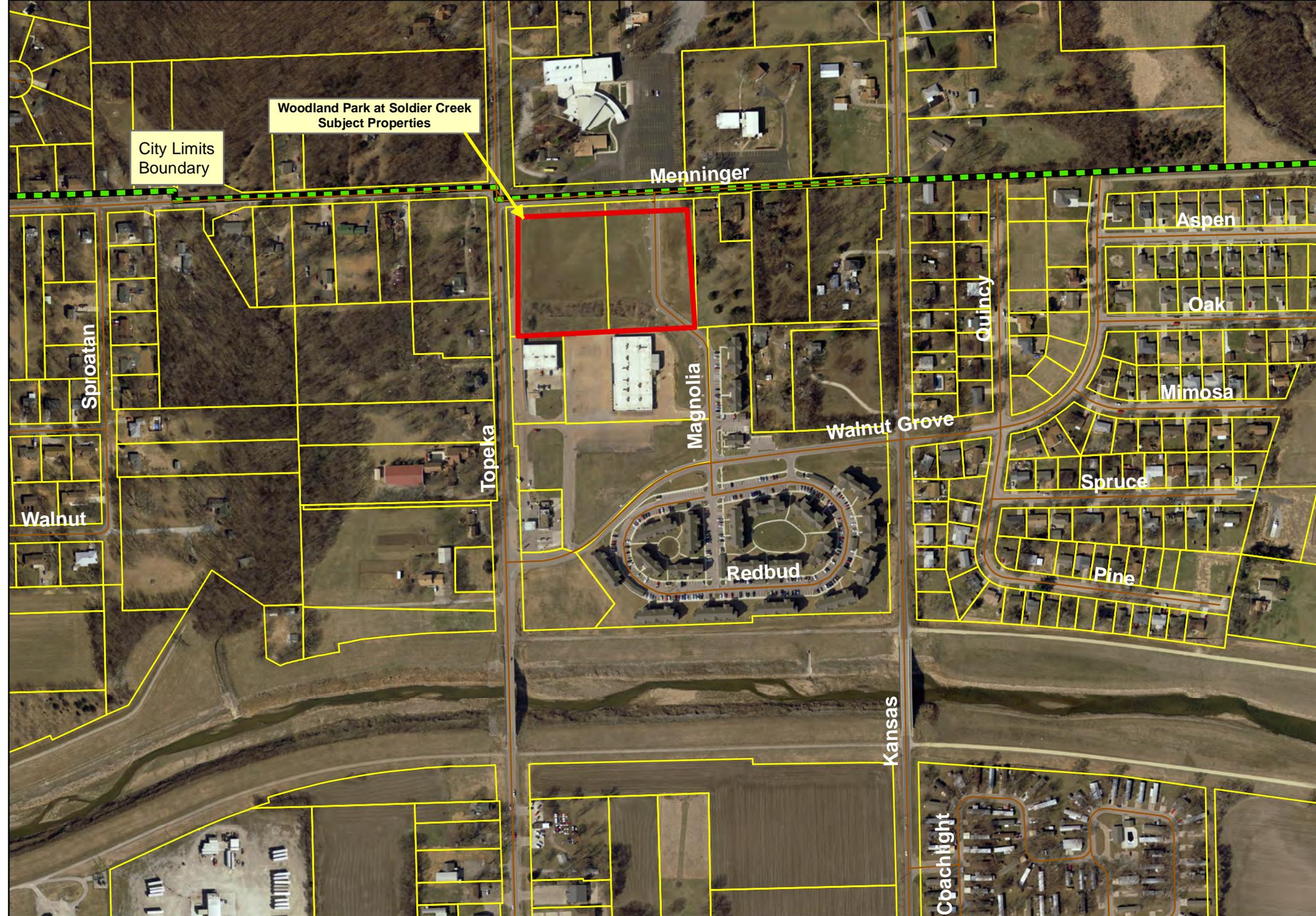
the subdivision regulations relative to design criteria; and the design is compatible with existing and planned conditions. Regulations require all lots to front on a public street; however, frontage and access may be provided via private streets for subdivision plats associated with a Planned Unit Development (PUD). This plat is associated with the Woodland Park at Soldier Creek PUD Master Plan currently in process.

Based upon the above findings and staff analysis, the Planning Department recommends the final plat of Woodland Park at Soldier Creek Subdivision No. 3, final plat received April 14, 2017, be **APPROVED** subject to the following conditions:

1. Approval and acceptance of the final plat by the Governing Body and recordation prior to development.
2. Approval and acceptance of the Stormwater Management Report by the City of Topeka Department of Public Works prior to Governing Body acceptance of the final plat.
3. Approval and acceptance of the proposed amendment to Woodland Park at Soldier Creek PUD Master Plan (Case Z69/44H).
4. As requested by the applicant the proposed streets are to be private; therefore, a note on the Final Plat stating that the streets are to be dedicated as public streets shall be deleted.

Attachments: Vicinity Map
Preliminary Plat
Final Plat

Prepared by: John Neunuebel, Case Planner/ Planner II



City Limits Boundary

Woodland Park at Soldier Creek Subject Properties

Menninger

Sproatan

Walnut

Topeka

Magnolia

Walnut Grove

Kansas

Quincy

Aspen

Oak

Mimosa

Spruce

Pine

Redbud

Cpachlight

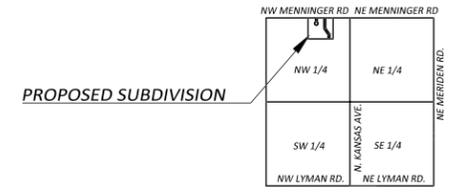
P17/05 - Woodland Park at Soldier Creek Subdivision No. 3 (Preliminary and Final Plat Phase)



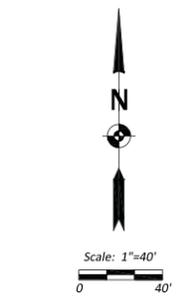
PRELIMINARY PLAT

WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 3

A REPLAT OF LOTS 1, 2 & 3, BLOCK 1, WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 2

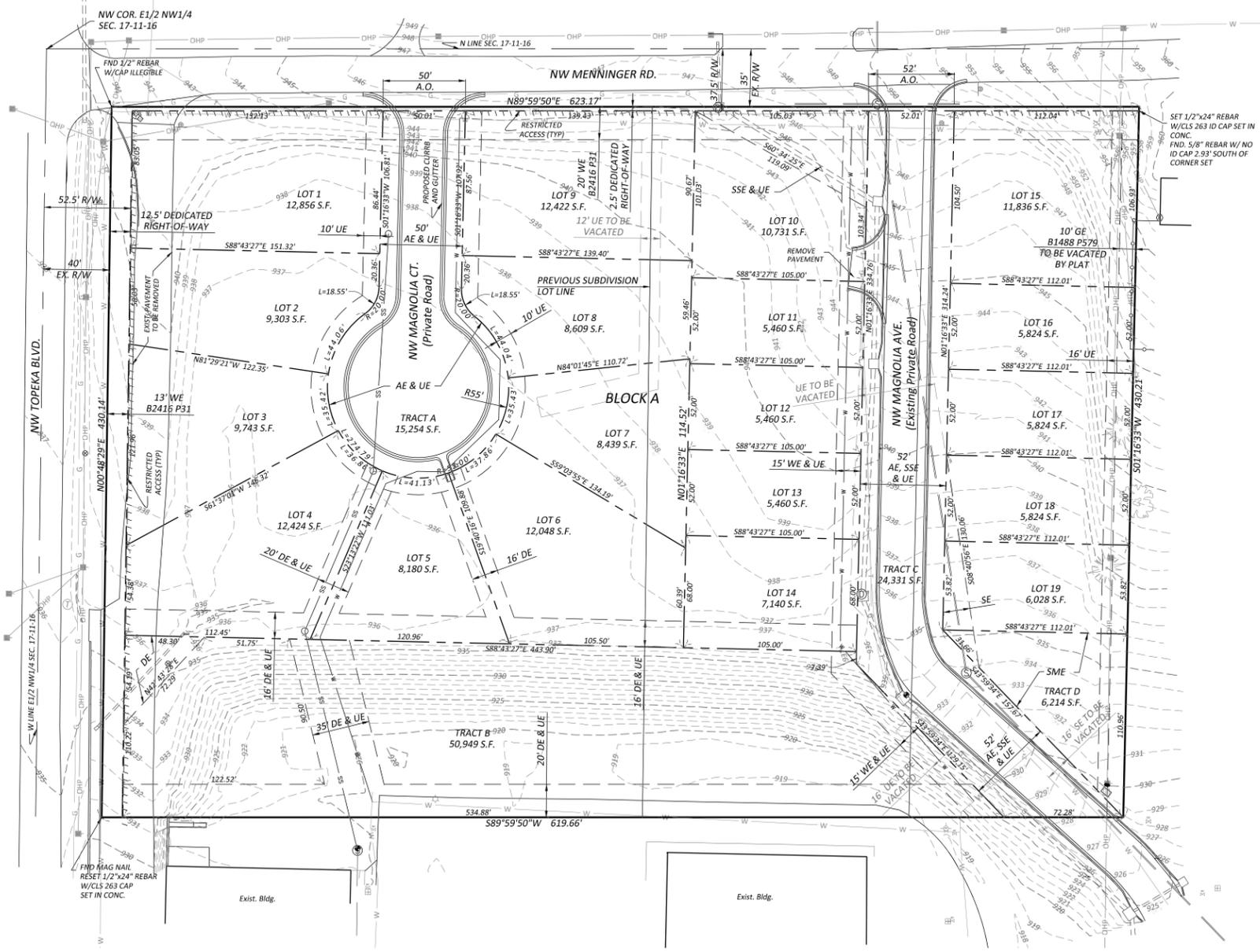


SEC. 17, T11S, R16E
VICINITY MAP
N.T.S.



LEGEND

△	SECTION CORNER
(D)	DESCRIBED
(M)	MEASURED
U.E.	UTILITY EASEMENT
G.E.	GAS LINE EASEMENT
D.E.	DRAINAGE EASEMENT
A.E.	ACCESS EASEMENT
A.O.	ACCESS OPENING
W.E.	WATER LINE EASEMENT
D.E.	DRAINAGE EASEMENT
S.S.E.	STORM SEWER EASEMENT
S.E.	SANITARY SEWER EASEMENT
S.M.E.	STORMWATER MANAGEMENT EASEMENT
⊕	FIRE HYDRANT
■	POWER POLE
— G —	GAS LINE
— W —	EXISTING WATER LINE
— W —	PROPOSED WATER LINE
— SS —	EXISTING SANITARY SEWER GRAVITY LINE
— SS —	PROPOSED SANITARY SEWER GRAVITY LINE
— S —	STORM SEWER LINE
— T —	UNDERGROUND COMMUNICATION LINE
— OHP —	OVERHEAD POWER LINE



LEGAL DESCRIPTION:
A replat of Lots 1, 2 & 3, Block 1, Woodland Park at Soldier Creek Subdivision No. 2, City of Topeka, Shawnee County, Kansas. Said tract contains 6.15 acres, more or less.

- GENERAL 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.
 - Minimum opening elevations shall be 1 ft above the highest adjacent 100-year water surface elevation.
 - All utilities shall be placed underground pursuant to the City's right-of-way management standards.
 - 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.
 - 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 and granting of any necessary Stormwater Management Easements.
 - Any new access openings shall be consistent with the City's street design criteria and approved by the City Traffic Engineer at the site development plan review stage.
 - Property owner(s) shall agree to a fair and equitable irrevocable waiver of objection to participation in a street benefit district for future improvements to NW Menninger Road.
 - Tracts A, B, C & D are reserved for common ownership among the nineteen (19) Lots, each having a one-nineteenth (1/19) share of ownership and maintenance responsibility.
 - The Topeka Planning Commission has granted a variance to TMC 18.40.110(g) regarding street frontage requirements to all access for Lots 1-19 and Tracts A-D, Block A to be taken through and across the Public Ingress-Egress Easements as depicted due to these lots not having street frontage.

Rev.	By	Date	Description

Prepared for:
Brick & Mortar Phase I Construction, LLC
1208 SW Tyler St.
Topeka, Kansas 66612

Schmidt, Beck & Boyd
Engineering, LLC
1415 SW Topeka Blvd.
Topeka, KS 66612
PH: (785) 215-8630

SHEET TITLE:
Preliminary Plat
Woodland Park at Soldier Creek Subdivision No. 3
PROJECT LOCATION:
NW Topeka Blvd. & NW Menninger Rd.
Topeka, Kansas

SBB Proj. No.:	17-010
Drawn by:	MB
Checked by:	RS
Date:	4/14/2017
Scale:	1" = 40'
Drawing No.:	

FINAL PLAT

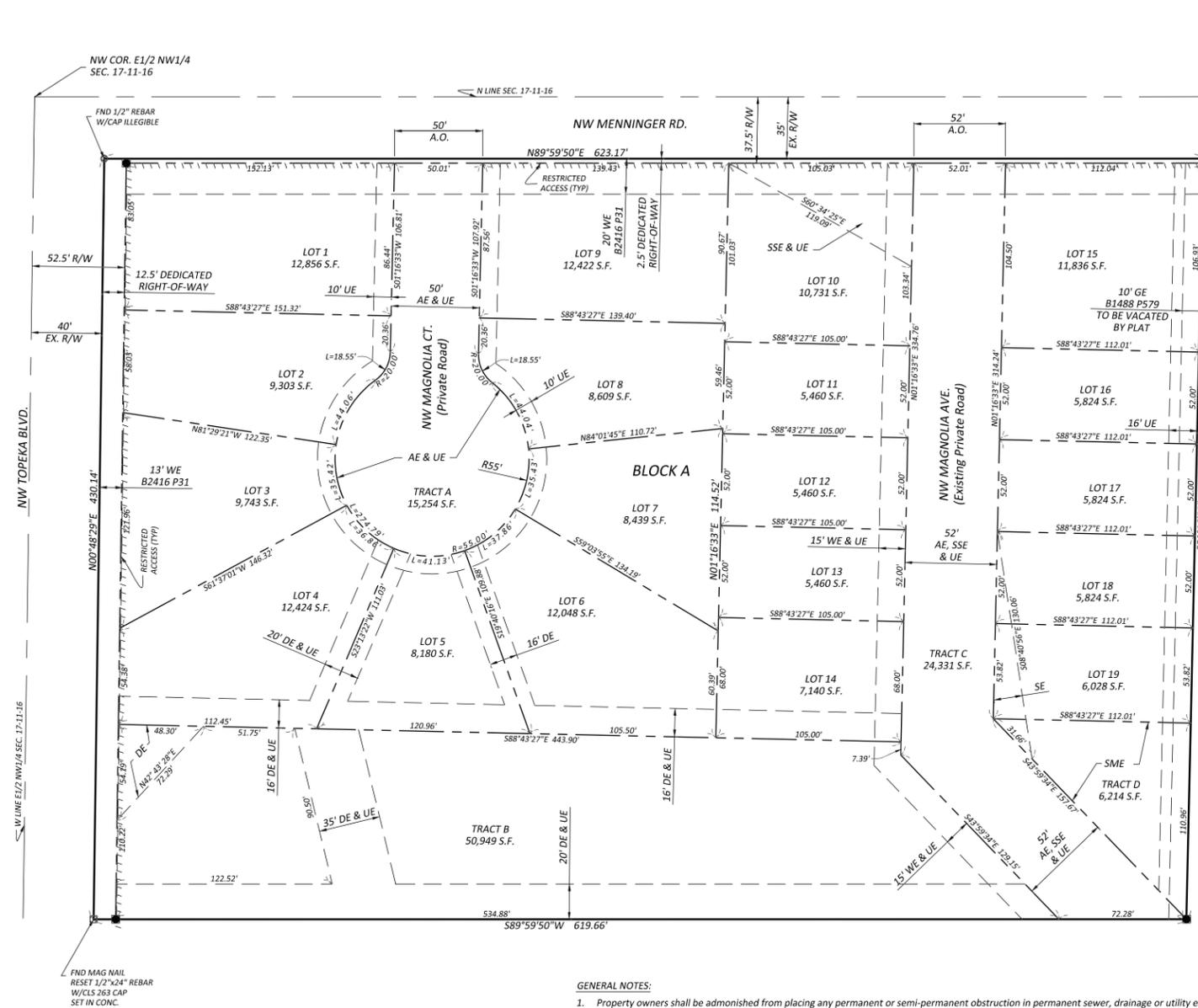
WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 3

A REPLAT OF LOTS 1, 2 & 3, BLOCK 1, WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 2

FOUND CORNER AS NOTED
(REMONUMENTED IN CONCRETE)

BOOK _____ PAGE _____

DATE _____ TIME _____



- LEGEND**
- FOUND CORNER AS NOTED (SET IN CONCRETE)
 - SET 1/2"x24" REBAR W/CLS 263 ID CAP IN CONCRETE
 - FOUND CORNER AS NOTED
 - R/W RIGHT-OF-WAY
 - (M) MEASURED
 - (P) PLAT
 - (D) DESCRIBED
 - U.E. UTILITY EASEMENT
 - G.E. GAS LINE EASEMENT
 - D.E. DRAINAGE EASEMENT
 - A.E. ACCESS EASEMENT
 - A.O. ACCESS OPENING
 - W.E. WATER LINE EASEMENT
 - D.E. DRAINAGE EASEMENT
 - S.S.E. STORM SEWER EASEMENT
 - S.E. SANITARY SEWER EASEMENT
 - S.M.E. STORMWATER MANAGEMENT EASEMENT
 - LLLLL RESTRICTED ACCESS

Basis of Bearing is on subdivision plat of Woodland Park at Soldier Creek Subdivision No. 2

OWNER'S CERTIFICATE:

Brick & Mortar Phase I Construction, L.L.C., agrees to comply with the conditions and restrictions as set forth on the Master PUD Plan.

In testimony whereof, the owner, Brick & Mortar Phase I Construction, L.L.C., has caused these presents to be signed this _____ day of _____, 2017.

David Watson, Member

State of Kansas
County of Shawnee, ss:

Be it remembered that on this _____ day of _____, 2017, before me, the undersigned, a notary public in and for the county and state aforesaid came David Watson, member of Brick & Mortar Phase I Construction, L.L.C., who is personally known to me to be the same person who executed, the within instrument of writing.

In witness whereof: I have hereunto set my hand and affixed my notarial seal the day and year last written above.

Notary Public

My commission expires: _____

APPROVED BY THE CITY OF TOPEKA PLANNING DIRECTOR, THIS _____ DAY OF _____, 2017.

Bill Fiander, Planning Director

APPROVED BY THE CITY OF TOPEKA PUBLIC WORKS DIRECTOR, THIS _____ DAY OF _____, 2017.

Jason M. Peek, Public Works Director

REVIEWED BY SHAWNEE COUNTY SURVEYOR, THIS _____ DAY OF _____, 2017 for compliance with KSA Chapter 58 Article 20.

Deborah J. Thomas, County Surveyor, LS# 1461

ENTERED ON THE TRANSFER RECORD OF SHAWNEE COUNTY, KANSAS, THIS _____ DAY OF _____, 2017.

Cynthia A. Beck, County Clerk

FILED FOR RECORD IN THE OFFICE OF THE SHAWNEE COUNTY REGISTER OF DEEDS THIS _____ DAY OF _____, 2017, AT _____ O'CLOCK _____ M.

Rebecca J. Nioce, Register of Deeds

GENERAL NOTES:

1. 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 semi-permanent 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.
2. Water service will be provided by City of Topeka Water Department.
3. Sanitary sewer service shall be provided by City of Topeka's public sanitary sewer system.
4. Minimum opening elevations shall be 1 ft above the highest adjacent 100-year water surface elevation.
5. All utilities shall be placed underground pursuant to the City's right-of-way management standards.
6. 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.
7. 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 and granting of any necessary Stormwater Management Easements.
8. According to the Flood Insurance Rate Map "FIRM" Community Panel No. 20177C0206E, effective date September 29, 2011, subject Tract is in Zone X, an area determined to be outside the 0.2% annual chance floodplain.
9. Any new access openings shall be consistent with the City's street design criteria and approved by the City Traffic Engineer at the site development plan review stage.
10. Property owner(s) shall agree to a fair and equitable irrevocable waiver of objection to participation in a street benefit district for future improvements to NW Menninger Road.
11. Tracts A, B, C & D are reserved for common ownership among the nineteen (19) Lots, each having a one-nineteenth (1/19) share of ownership and maintenance responsibility.
12. The Topeka Planning Commission has granted a variance to TMC 18.40.110(g) regarding street frontage requirements to all access for Lots 1-19 and Tracts A-D, Block A to be taken through and across the Public Ingress-Egress Easements as depicted due to these lots not having street frontage.

LEGAL DESCRIPTION:

A replat of Lots 1, 2 & 3, Block 1, Woodland Park at Soldier Creek Subdivision No. 2, City of Topeka, Shawnee County, Kansas. Said tract contains 6.15 acres, more or less.

DEDICATION: The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which subdivision shall be known as "WOODLAND PARK AT SOLDIER CREEK SUBDIVISION NO. 3".

NOTICE: In the event there are other owners or those holding any proprietary interest in any land contained in this subdivision whom 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" or "U.E.", 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 as "Utility Easements", or "U.E.". A temporary construction easement of 12 feet adjacent to the side of the 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.

STORMWATER MANAGEMENT EASEMENT: Stormwater Management Easements (SME) are hereby established as shown or described to provide for the management of storm water including, but not limited to, detention, retention, storage and treatment of storm water. Property Owners and their assigns and successors (Property Owners) agree to install, construct, reconstruct, replace, enlarge, repair, operate and provide perpetual maintenance of pipe, flume, ditch, swale, vegetative areas or mechanical devices for storm water conveyance and/or treatment, or any improvements in the SME for the drainage and/or treatment of said storm water. No change to the grade, topography or storm water management structures and improvements in the SME shall be made without the prior written approval of the applicable public works director or designee.

Property Owners shall not place or permit any permanent, semi-permanent or temporary obstruction in said SME including, but not limited to, trees, shrubs, vegetation, rocks, fences, retaining walls, landscaping, structures, buildings or other obstructions that interfere with or obstruct designed water flow and/or treatment process in an engineered channel, conduit, structure or area, nor shall Property Owners obstruct, prevent or otherwise hinder ingress, egress or operation of maintenance vehicles, equipment and personnel. Upon receiving written permission from the applicable public works director or designee, Property Owners may construct at their own peril other limited improvements and/or landscaping within the SME which do not and will not interfere with the function of the storm water management system. Any obstructions or improvements in the SME, permitted or not permitted, may be removed by the applicable public works department or its contractor to provide for designed water flow and/or treatment process of the storm water management system. Cost of removal, damage and any repair or replacement shall be the responsibility of the Property Owner.

All maintenance and repairs within the SME shall be the right, duty and responsibility of the Property Owners of the property on which the SME is located. However, if designed water flow and/or treatment process are impeded by neglected maintenance, system failure or are subject to other unusual circumstances causing a hazard or threat to public safety, as determined by the applicable public works director or designee, emergency or corrective maintenance may be performed by the applicable public works department or its contractor with costs charged to said Property Owners. Unpaid costs shall be assessed to and imposed as a lien on the land. The applicable public works department and its contractors shall have the right to enter upon the SME for purposes of periodic or special inspection and/or corrective maintenance.

FLOOD PLAIN NOTE: According to the Flood Insurance Rate Map "FIRM" Community Panel No. 20177C0206E, effective date September 29, 2011, subject Tract is in Zone X, an area determined to be outside the 0.2% annual chance floodplain.

CERTIFICATE OF SURVEYOR:

I hereby certify that the details of this plat to be correct to the best of my knowledge and belief, that all boundary corners of this subdivision of land have been monumented and that iron pins are set as shown on the attached plat this _____ day of _____, 2017.



RICHARD T. SCHMIDT, P.S. 919
SCHMIDT, BECK & BOYD ENGINEERING, LLC
1415 SW TOPEKA BLVD.
TOPEKA, KS 66612



Schmidt, Beck & Boyd Engineering, LLC
1415 SW Topeka Blvd.
Topeka, KS 66612
Ph: (785) 215-8630

SBB Proj. No.:	17-010
Drawn by:	MB
Checked by:	RS
Date:	4/14/2017
Scale:	1" = 40'
Drawing No.:	Sh. 1 of 1

P17/06

McFarland Farm Subdivision No. 5

SUBDIVISION REPORT

CITY OF TOPEKA PLANNING DEPARTMENT

Preliminary Plat Phase

Preliminary and Final Plat Phase

Final Plat Phase

RECOMMENDATION: Based upon the below findings and analysis, the Planning Department recommends the preliminary and final plat for McFarland Farm Subdivision #5 be **APPROVED**, subject to the conditions on pages 3 and 4.

RECOMMENDED MOTION: I MOVE TO FORWARD A RECOMMENDATION OF APPROVAL TO THE GOVERNING BODY OF THE PROPOSED PLAT FOR MCFARLAND FARM SUBDIVISION #5.

NAME: McFarland Farm Subdivision #5

OWNER/DEVELOPER: McFarland Farm LLC

ENGINEER/SURVEYOR: Bartlett & West, Inc.

GENERAL LOCATION: On property located halfway between SW Fairlawn and SW Gage Blvd, more specifically lying between SW Steeplechase Lane and SW Prairie Road.

JURISDICTION: Class "A" subdivision- within the City of Topeka

ANNEXATION: N/A

Area	# of Lots	Residential Density	Proposed Land Use	Zoning
17.7 acres	19 lots	1.1 DU/acre	Single-family dwellings	"R-1"

Pending Zoning Case: N/A

Design: The proposed plat accommodates a 19-lot, one block phase of McFarland Farm Subdivision. The proposed design is irregular in shape, measuring 1089' X 674', and accommodates the development of 19 single-family residential lots (ranging in size from 0.63 to 1.32 acres) with frontage along SW Balmoral Lane. SW Balmoral Lane has been constructed up to approximately 440' west of its intersection with SW Steeplechase Lane. This phase of the plat will extend SW Balmoral an additional 400' to the west (840' cul-de-sac length).

BACKGROUND: Pursuant with TMC 18.35.130 of the Subdivision Regulations, the Planning Director has approved submission of the preliminary and final plats to be heard at the May 15th Planning Commission hearing. The original master preliminary plat for McFarland Farm Subdivision (137 acres, 152 lots) was approved in 2000. Per TMC 18.35.160, the approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat. This approval of the preliminary plat shall only be effective for a period of six months, unless an extension is granted by the planning commission. If the final plat has not been submitted for approval within this specified period, a preliminary plat must be resubmitted to the planning commission for approval.

The proposed preliminary and final plat accommodates the third phase of the subdivision and adds five lots to this phase, an increase from 15 to 19 lots from what was first approved by preliminary plat. The only changes to this phase from the

initial preliminary plat are to reduce the lot size from a minimum of 1 acre lots and increase the number of lots from 15 to 19.

CITIZEN PARTICIPATION PROCESS: The applicant held a neighborhood information meeting at 5:30 pm on Thursday, April 27, 2017 at the Kansas Children's Discovery Center after notifying property owners within 500' of the subject property. Nine McFarland Farm residents attended the meeting. Concerns expressed at the meeting included:

- Residential design issues- *Will these homes be of similar construction?* The developer answered yes, the design is tied to McFarland Farms' restrictive covenants.
- *The water pressure is low for some homes on Belmont Lane, south of the proposed plat?* The City Water Department has tested pressure, checked valves, and connections and found pressure more than adequate. Additionally, the proposed loop system should address some of the pressure concerns.
- *Will there be a gate across Balmoral?* Applicant and planning staff answered this will not be the case. The streets on this side are to remain as public streets and a zoning change to a PUD would be needed to allow a gate, similar to the Villa (East) side of McFarland Farm Subdivision. Additionally, providing a gate means the HOA would be responsible for maintenance of a private street.

SERVICES AND FACILITIES:

1. WATER SERVICE: The development shall be serviced by the City of Topeka public water supply via a 6" main located along SW Balmoral Lane upon approval of utility extension plans by the Public Works Department with all extensions and connections being at developer expense. The developer plans to extend the water main on Balmoral Lane and connect to the 6" water main on Prairie Road creating a loop water system.
2. SEWAGE DISPOSAL: The development shall be serviced by the City of Topeka public sewer system via the existing gravity main located along SW Balmoral Lane upon approval of utility extension plans by the Public Works Department with all extensions and connections being at developer expense.
3. WASTEWATER PLAN SERVICE AREA: The property is located within the Urban Service Area as reflected by the Land Use and Growth Management Plan (2040); and the proposal appears to be in full compliance with said Plan since the development extends and connects to public sanitary sewer.
4. DRAINAGE CONDITIONS: The Stormwater Management Report as submitted by the consultant to the City of Topeka Department of Public Works has not yet been approved and is still pending review. Approval is required prior to City Council consideration of the final plat. A 40' wide drainage easement is provided to cover overland swales between lots 15 and 16 and Lots 7 and 8.
5. STREET PLAN/ACCESS: SW Balmoral Lane provides frontage and access to the 19 single family residential lots. The 810' long cul-de-sac street exceeds the 500' maximum length of a cul-de-sac per subdivision design criteria. The preliminary plat approved in 2000 allowed a variance to this design standard. The proposed plat does not alter the street design that was originally approved.
6. FIRE DISTRICT: City of Topeka – The Fire Department has reviewed and approved the proposed final plat. Balmoral Lane has two existing hydrants- one at the intersection and one at the terminus of the existing street- which are sufficient to provide fire protection to the 19 lots.
7. STREAM BUFFER: N/A
8. SCHOOL DISTRICT: USD #501- Topeka School District

9. **PARKS/OPEN SPACE:** The Parkland Development Fee Ordinance #19323 will apply to new single family units. The subdivision is located in the West Topeka Parkland District #3 requiring a fee of \$225 per new unit to be collected at the time of building permit issuance.

WAIVER/VARIANCE TO STANDARDS: Based upon the proposed design and pursuant to TMC 18.30.040, the Topeka Planning Commission will need to grant the following design variances with approval of the final plat: in order to approve the plat:

- Per TMC 18.60.160, the Planning granting it approval to extend the preliminary plat.
- A variance to TMC 18.40.120(a) regarding required utility easements along the entire length of the subdivision boundaries due to the placement of utilities elsewhere on site.
- A variance to TMC 18.40.050(c) regarding the cul-de-sac street in excess of 500 ft. for SW Balmoral Lane. The subject preliminary plat does not alter the original master preliminary plat for the subdivision that was approved in 2000.

CAPITAL IMPROVEMENT PLAN (CIP): The current CIP includes a road widening project on 10th Avenue between Gage and Fairlawn, budgeted at \$5.2 million. In 2016, the road was widened from a two (2) lane rural style roadway to three (3) lanes with curbs and gutters between Fairlawn and the McFarland Farms subdivision entrance. The project restarted on March 6, 2017. In 2017, the five (5) lane roadway, just west of Gage, will be replaced as well as the section between Fleming Place Shopping Center and Civitan Lane which will be widened to five (5) lanes. This project is paid for with federal funds and final completion is scheduled for November 10, 2017 .

CONFORMANCE TO COMPREHENSIVE PLAN: The Topeka Land Use and Growth Management Plan – 2025 (LUGMP) identifies this area for *Urban/Suburban Low Density Residential* land uses. The subject property is located inside the City Limits (Tier 1) where residential development is preferred and infrastructure is already in place. The proposed plat does not alter the original design that was approved as a part of the master preliminary plat for McFarland Farm and increases the residential density from 0.84 DUs per acre to 1.1 DUs per acre making it more feasible to complete the subdivision. The LUGMP supports infill development and residential density of 3 DUs per acre. The increase in density from the previous approved preliminary plat is more supportive of this intention in the plan.

STAFF ANALYSIS: The overall design generally conforms to the established standards and provisions of the Subdivision Regulations relative to design criteria. The overall design is compatible with adjacent and future development and will not overburden existing public infrastructure facilities. A variance to the cul-de-sac length exceeding 500’ was already approved as part of the original preliminary plat for the entire subdivision and staff recommends approval for this re-plat.

Based upon the below findings and analysis, the Planning Department recommends the preliminary and final plat for McFarland Farm Subdivision #5 be **APPROVED**, subject to the following:

1. Approval and acceptance of the Stormwater Management Report by the City of Topeka Department of Public Works prior to City Council acceptance of the final plat.
2. Adding standard General Drainage Easement, Stormwater Management Easements notes to final plat.
3. Indicating sizing of water and sewer mains on the preliminary plat per TMC 18.35.150.
4. Dedicating an additional 5’ right-of-way along SW Prairie Road as consistent with City street design criteria for local streets.
5. Adding “Lane” to Steeplechase and revising “Street” to “Avenue” for 10th.

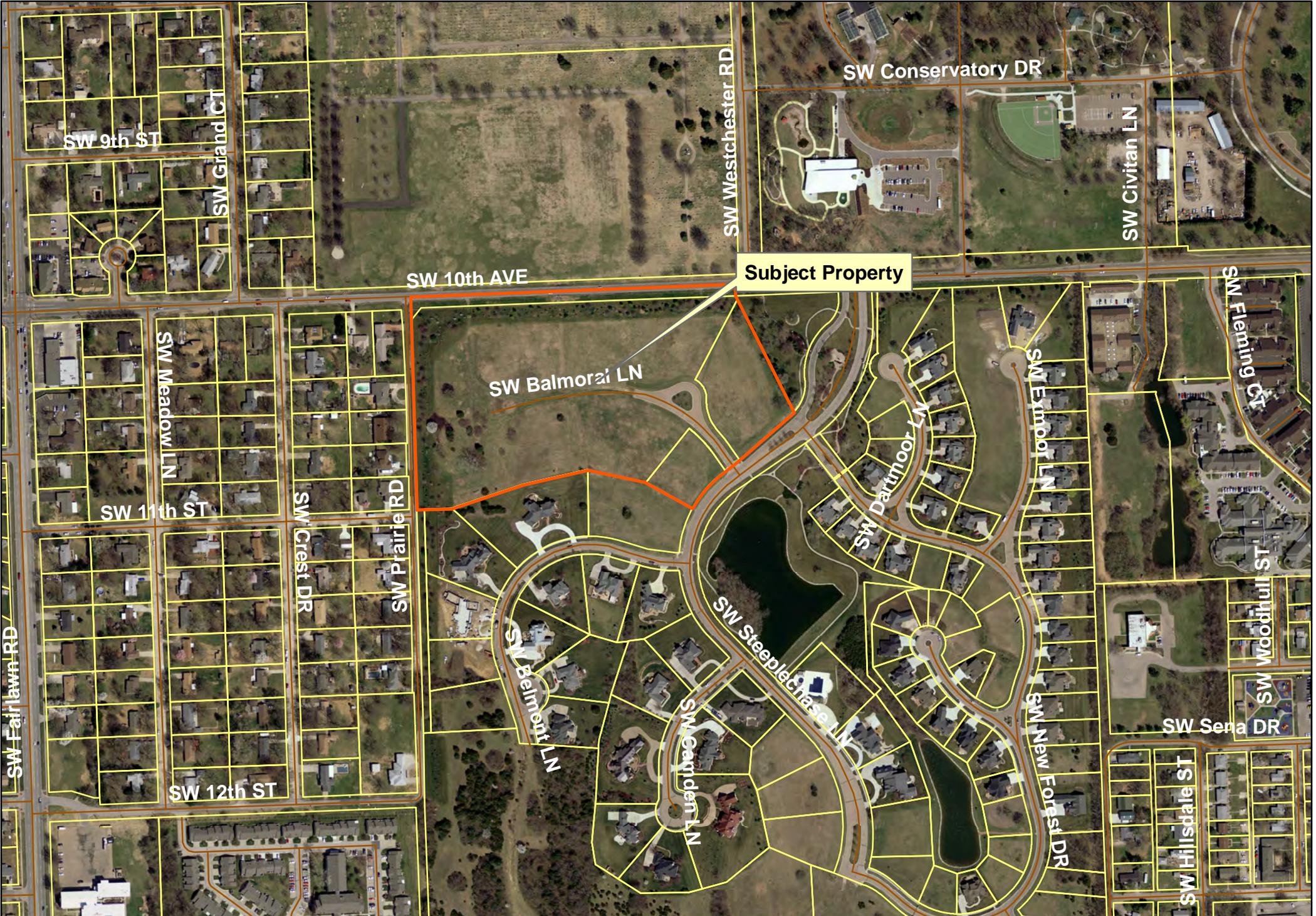
6. Labeling the platted area to the east (owned by McFarland Farm HOA) as part of “*McFarland Farm Subdivision #3 – Tract A*”
7. Depicting (on the preliminary plat) and providing an easement as needed for the Kansas Gas main across Lots 1-4 as indicated in the comment and map from Dawn Hecker, KS Gas Service.
8. Adding a definition for the “L.E” Landscape Easement along the frontages of SW 10th and Prairie to state: “*Areas are non-buildable and reserved for landscaping amenities such as, trees, shrubs, trails, etc. Fencing shall be set back so fences are outside of the easement.*”
9. Correcting “COMMSSION” in Planning Commission Chair signature block.
10. Revising the final plat notes RE: Dedication and Street notes as follows and removing the duplicate Utility Easement note (under Dedication):

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 SUBDIVISION NO. ____.

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

11. Submitting a copy of the revised preliminary plat reflecting these conditions.

Prepared by:
Annie Driver, AICP
Staff Planner



P17/6 McFarland Farm Subdivision #5



OWNERS:
 MCFARLAND LLC
 SW 10TH AVE
 TOPEKA, KS 66604

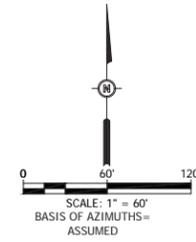
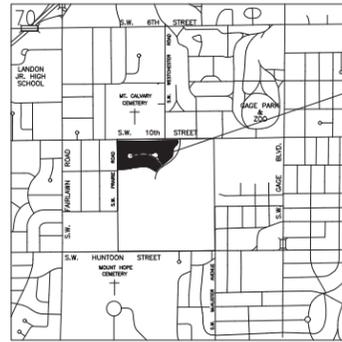
LEGEND
 (M) MEASURED DIRECTION AND DISTANCE
 (R) RECORD DIRECTION AND DISTANCE
 ○ SET 5/8" REBAR & CAP
 (BARTLETT & WEST CLS 14)
 ● FOUND 5/8" REBAR (BARTLETT & WEST CLS 14)
 UNLESS OTHERWISE NOTED
 RESTRICTED ACCESS
 U.E. UTILITY EASEMENT
 S.S.E. SANITARY SEWER EASEMENT
 L.E. LANDSCAPE EASEMENT
 W.E. WATER LINE EASEMENT

A PRELIMINARY MINOR PLAT FOR: MCFARLAND FARM SUBDIVISION NO. 5

A REPLAT OF LOTS 1-3 IN BLOCK 'A', LOTS 1-2 IN BLOCK 'B' OF MCFARLAND FARM SUBDIVISION NO. 3 AND A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

DESCRIPTION:
 A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS; MORE PARTICULARLY DESCRIBED AS:
 COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF FRAC. SEC. 34, T-11-S, THENCE, COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, ON AZIMUTH 178 DEGREES 16 MINUTES 29 SECONDS, 40.00 FEET TO THE POINT OF BEGINNING; THENCE ON AZIMUTH 87 DEGREES 48 MINUTES, 50 SECONDS, 1,089.45 FEET TO A NORTHERLY CORNER OF LOT 3, BLOCK A, MCFARLAND FARM SUBDIVISION NO. 3; THENCE, ON AZIMUTH 153 DEGREES 20 MINUTES 31 SECONDS, 435.68 FEET, TO THE NORTHEAST CORNER OF LOT 1, BLOCK A, MCFARLAND FARM SUBDIVISION NO. 3; THENCE, COINCIDENT WITH THE SOUTHEASTERLY LINE OF MCFARLAND FARM SUBDIVISION NO. 3, ON THE FOLLOWING FOUR (4) COURSES: (1) A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 133.50 FEET, ARC LENGTH 11.00 FEET, AND A CHORD AZIMUTH 226 DEGREES 29 MINUTES 50 SECONDS, 231.54 FEET; (2) ON AZIMUTH 228 DEGREES 51 MINUTES 29 SECONDS, 231.54 FEET; (3) ON AZIMUTH 231 DEGREES 48 MINUTES 11 SECONDS, 60.12 FEET; (4) A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS 370.00 FEET, ARC LENGTH 167.52 FEET, AND A CHORD AZIMUTH 221 DEGREES 38 MINUTES 49 SECONDS, TO THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK B, MCFARLAND FARM SUBDIVISION NO. 3; THENCE, COINCIDENT WITH THE NORTH LINE OF MCFARLANDS FARM SUBDIVISION, ON THE FOLLOWING FIVE (5) COURSES: (1) ON AZIMUTH 298 DEGREES 40 MINUTES 35 SECONDS, 183.18 FEET; (2) ON AZIMUTH 282 DEGREES 02 MINUTES 26 SECONDS, 194.09 FEET; (3) ON AZIMUTH 257 DEGREES 08 MINUTES 08 SECONDS, 224.15 FEET; (4) ON AZIMUTH 251 DEGREES 31 MINUTES 57 SECONDS, 250.94 FEET; (5) AZIMUTH 268 DEGREES 16 MINUTES 29 SECONDS, 116.86 FEET TO THE WEST LINE OF SAID EAST HALF; THENCE, COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, ON AZIMUTH 358 DEGREES 16 MINUTES 29 SECONDS, 673.84 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 16.70 ACRES, MORE OR LESS.

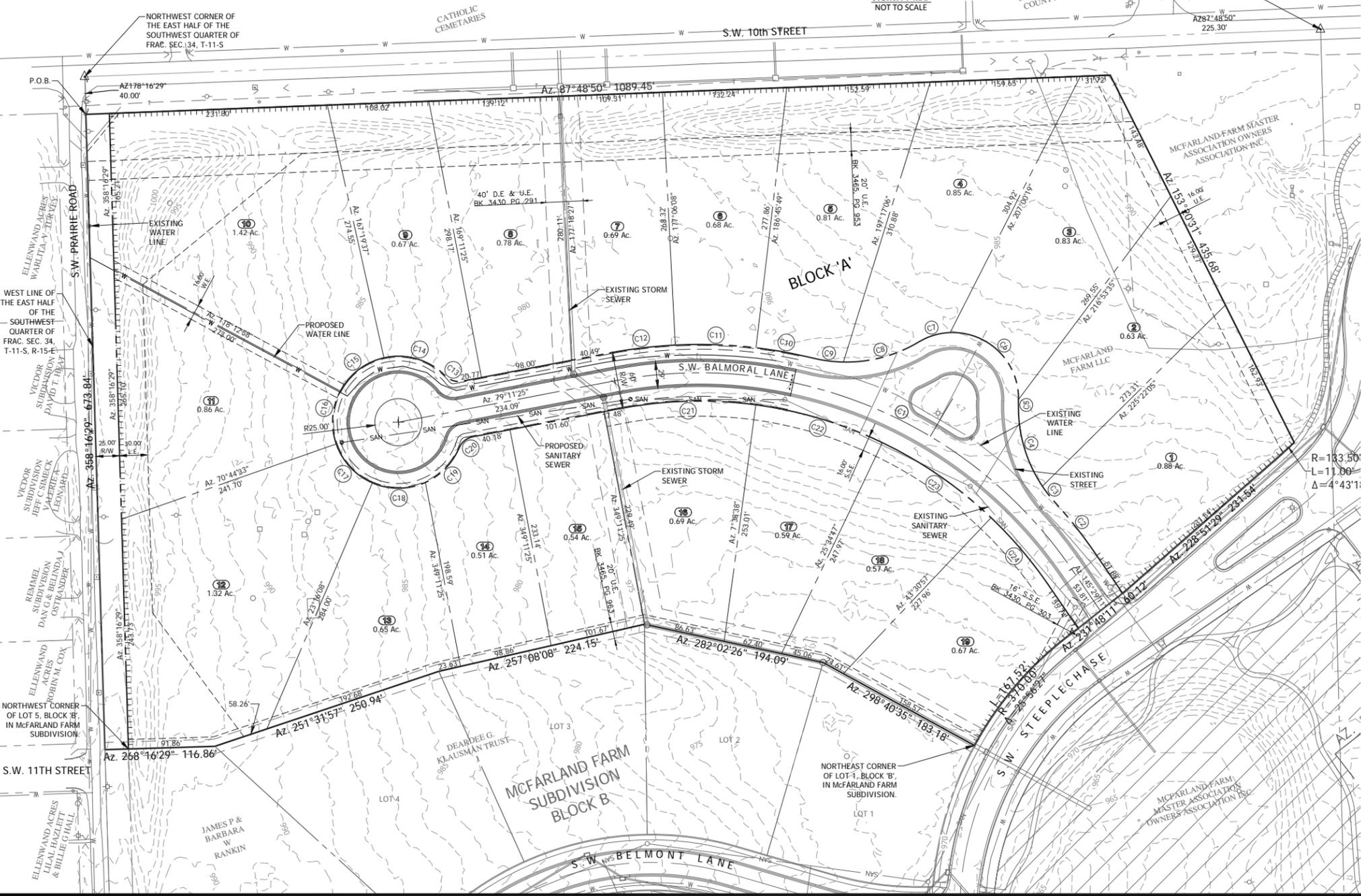


ALIGNMENT CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	555.40	480.00	66°17'47"	SOUTH67.661658EAST	524.93'

Curve Table			
Curve #	Length	Radius	Delta
C2	68.49	510.00	7°41'40"
C3	21.73	150.00	8°18'02"
C4	95.09	150.00	36°19'14"
C5	95.09	150.00	36°19'14"
C6	113.65	70.00	93°01'12"
C7	35.10	70.00	28°43'59"
C8	84.04	150.00	32°06'07"
C9	32.78	150.00	12°31'09"
C10	61.41	510.00	6°53'55"
C11	86.00	510.00	9°39'42"
C12	70.43	510.00	7°54'43"
C13	19.64	20.00	56°15'04"

Curve Table			
Curve #	Length	Radius	Delta
C14	71.00	70.00	58°06'51"
C15	60.00	70.00	49°06'38"
C16	58.00	70.00	47°28'25"
C17	58.00	70.00	47°28'25"
C18	58.00	70.00	47°28'25"
C19	52.36	70.00	42°51'22"
C20	19.64	20.00	56°15'04"
C21	144.93	450.00	18°27'13"
C22	140.87	450.00	17°56'09"
C23	140.87	450.00	17°56'09"
C24	94.02	450.00	11°58'15"

- NOTES:**
- WATER SERVICE IS BY THE CITY OF TOPEKA, PURSUANT TO WATER ENGINEERING, AREAS WHERE LOCAL WATER SUPPLY IS:
 LESS THAN 40 PSI, THE BUILDER IS REQUIRED TO INCREASE WATER PRESSURE TO AT LEAST 40 PSI.
 GREATER THAN THE MAXIMUM WATER PRESSURE ALLOWED, SHALL BE GOVERNED BY THE UPC AND ITS AMENDMENTS.
 - SANITARY SEWER SERVICE SHALL BE BY THE CITY OF TOPEKA.
 - THIS PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN, AS PER FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP (FIRM) NO. 201702015E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.
 - 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 UTILITY EASEMENT MAY BE REMOVED BY CITY OF TOPEKA, ITS 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.
 - 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 THE UTILITY EASEMENT IS DEDICATED FOR THE USE OF THE PUBLIC UTILITIES WHILE INITIAL CONSTRUCTION OF THE PUBLIC UTILITY'S FACILITIES ARE IN PROGRESS.
 - 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.
 - NO BUILDING PERMIT(S) SHALL BE ISSUED UNTIL ALL STORMWATER MANAGEMENT REQUIREMENTS SET FORTH IN TOPEKA MUNICIPAL CODE ARE MET INCLUDING: APPROVAL OF STORMWATER MANAGEMENT PLAN AND GRANTING OF ANY NECESSARY STORMWATER MANAGEMENT EASEMENTS.
 - ALL UTILITIES SHALL BE PLACED UNDERGROUND PURSUANT TO THE CITY'S RIGHT-OF-WAY MANAGEMENT STANDARDS.
 - MINIMUM OPENING ELEVATION SHALL BE 1 FT ABOVE THE HIGHEST ADJACENT 100-YEAR WATER SURFACE ELEVATIONS.
 - NO BUILDING PERMITS SHALL BE ISSUED UNTIL ARRANGEMENTS FOR THE INSTALLATION OF WATER MAINS AND/OR CONNECTION CHARGES HAVE BEEN MADE WITH THE CITY OF TOPEKA WATER DEPARTMENT.



Bartlett & West
 www.bartwest.com

**MINOR PRELIMINARY PLAT FOR:
 MCFARLANDS FARM**
 TOPEKA, SHAWNEE COUNTY, KANSAS

SURVEYED BY:	RJS
DRAWN BY:	RCP
APPROVED BY:	RJS
DESIGN PROJ.:	
CONST PROJ.:	
SCALE:	AS NOTED
DATE:	
DRAWING NO.:	1
SHEET NO.:	1 of 1

Drawing Name: W:\proj\000044\04\04\000\2016\11-2 Concept\Bartlett\Bartlett\Bartlett.dwg
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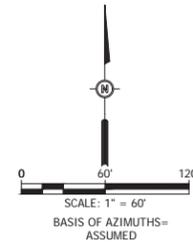
A FINAL PLAT FOR: McFARLAND FARM SUBDIVISION NO. 5

A REPLAT OF LOTS 1-3 IN BLOCK 'A', LOTS 1-2 IN BLOCK 'B' OF McFARLAND FARM SUBDIVISION NO. 3 AND A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS.

BOOK : _____ PAGE : _____

DATE _____ TIME : _____

- LEGEND**
- (M) MEASURED DIRECTION AND DISTANCE
 - (R) RECORD DIRECTION AND DISTANCE
 - SET 5/8" REBAR & CAP (BARTLETT & WEST CLS 14)
 - FOUND 5/8" REBAR (BARTLETT & WEST CLS 14) UNLESS OTHERWISE NOTED
 - ||||| RESTRICTED ACCESS
 - U.E. UTILITY EASEMENT
 - S.S.E. SANITARY SEWER EASEMENT
 - L.E. LANDSCAPE EASEMENT
 - W.E. WATER LINE EASEMENT
 - P.O.B. POINT OF BEGINNING



VICINITY MAP
NOT TO SCALE

PROJECT LOCATION

DESCRIPTION:
A TRACT OF LAND IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 15 EAST, IN THE CITY OF TOPEKA, SHAWNEE COUNTY, KANSAS; MORE PARTICULARLY DESCRIBED AS: COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF FRAC. SEC. 34, T-11-S. THENCE, COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, ON AZIMUTH 178 DEGREES 16 MINUTES 29 SECONDS, 40.00 FEET TO THE POINT OF BEGINNING; THENCE ON AZIMUTH 87 DEGREES 48 MINUTES 50 SECONDS, 1089.45 FEET TO A NORTHERLY CORNER OF LOT 3, BLOCK A, McFARLAND FARM SUBDIVISION NO. 3; THENCE, ON AZIMUTH 153 DEGREES 20 MINUTES 31 SECONDS, 435.68 FEET, TO THE NORTHEAST CORNER OF LOT 1, BLOCK A, McFARLAND FARM SUBDIVISION NO. 3; THENCE, COINCIDENT WITH THE SOUTHEASTERLY LINE OF McFARLAND FARM SUBDIVISION NO. 3, ON THE FOLLOWING FOUR (4) COURSES: (1) A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 133.50 FEET, ARC LENGTH 11.00 FEET, AND A CHORD AZIMUTH 226 DEGREES 29 MINUTES 50 SECONDS; (2) ON AZIMUTH 228 DEGREES 51 MINUTES 29 SECONDS, 231.54 FEET; (3) ON AZIMUTH 231 DEGREES 48 MINUTES 11 SECONDS, 60.12 FEET; (4) A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS 370.00 FEET, ARC LENGTH 167.52 FEET, AND A CHORD AZIMUTH 221 DEGREES 38 MINUTES 49 SECONDS, TO THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK B, McFARLAND FARM SUBDIVISION NO. 3; THENCE, COINCIDENT WITH THE NORTH LINE OF McFARLAND FARM SUBDIVISION, ON THE FOLLOWING FIVE (5) COURSES: (1) ON AZIMUTH 298 DEGREES 40 MINUTES 35 SECONDS, 183.18 FEET; (2) ON AZIMUTH 282 DEGREES 02 MINUTES 26 SECONDS, 194.09 FEET; (3) ON AZIMUTH 257 DEGREES 08 MINUTES 08 SECONDS, 224.15 FEET; (4) ON AZIMUTH 251 DEGREES 31 MINUTES 57 SECONDS, 250.94 FEET; (5) AZIMUTH 268 DEGREES 16 MINUTES 29 SECONDS, 116.86 FEET TO THE WEST LINE OF SAID EAST HALF; THENCE, COINCIDENT WITH THE WEST LINE OF SAID EAST HALF, ON AZIMUTH 358 DEGREES 16 MINUTES 29 SECONDS, 673.84 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 16.70 ACRES, MORE OR LESS.

SURVEYOR CERTIFICATION:

I, RONALD J. SHANKS, A PROFESSIONAL SURVEYOR IN THE STATE OF KANSAS, DO HEREBY CERTIFY THAT I HAVE MADE THE HEREON DESCRIBED SURVEY ON THE GROUND ON APRIL 2017, AND THAT SAID SURVEY MEETS OR EXCEEDS CURRENT KANSAS MINIMUM STANDARDS ADOPTED BY KANSAS STATE BOARD OF TECHNICAL PROFESSIONS.

RONALD J. SHANKS P.S. #1255
BARTLETT & WEST

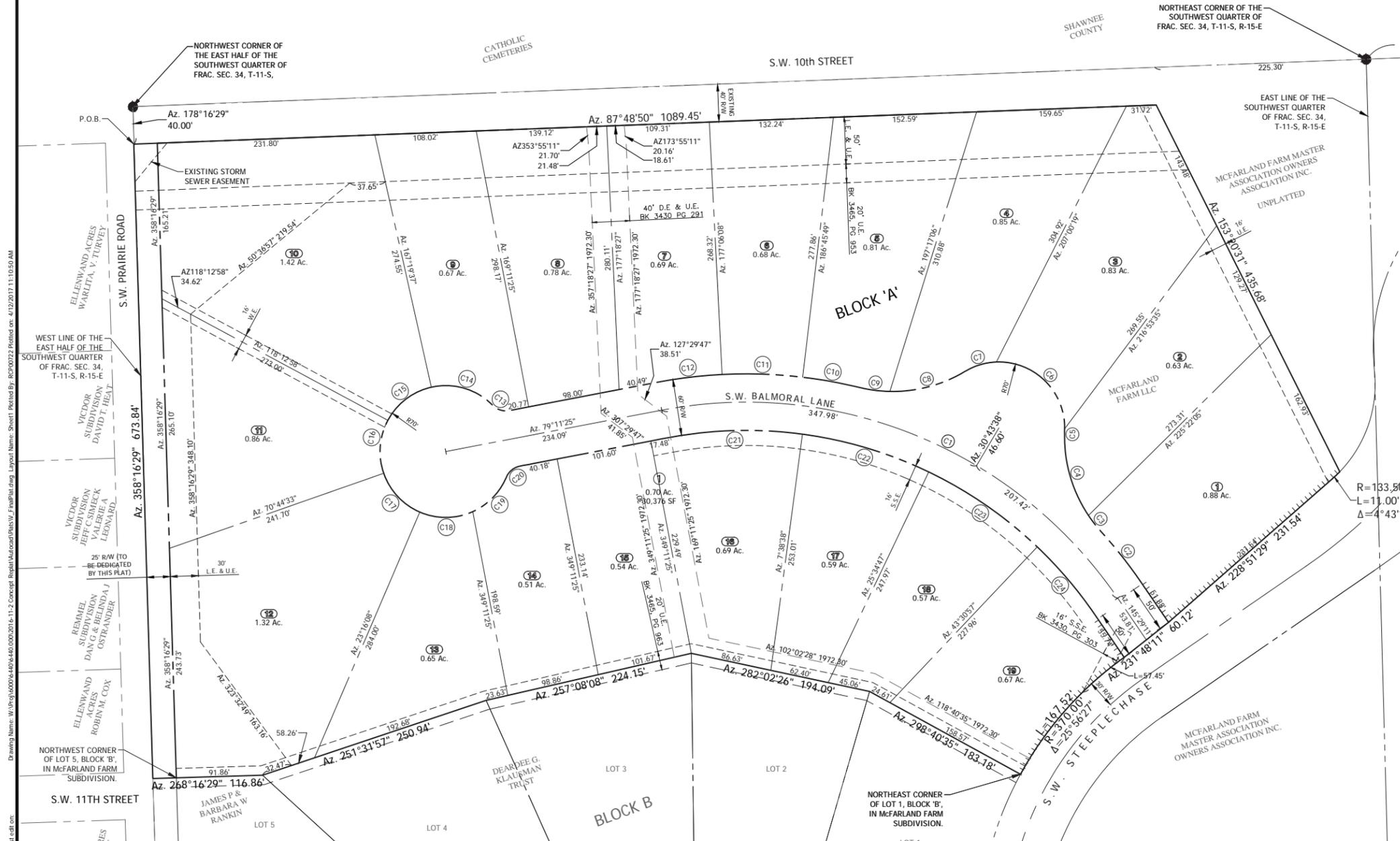
REVIEWED BY THE COUNTY SURVEYOR THIS _____ DAY OF _____ 20____, IN ACCORDANCE WITH KSA CHAPTER 58, ARTICLE 20.

DEBORAH J. THOMAS - PS # 1461
COUNTY SURVEYOR

ALIGNMENT CURVE DATA					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	555.40	480.00	66°17'47"	SOUTH67.661658EAST	524.93'

Curve Table			
Curve #	Length	Radius	Delta
C2	68.49	510.00	7°41'40"
C3	21.73	150.00	8°18'02"
C4	95.09	150.00	36°19'14"
C5	95.09	150.00	36°19'14"
C6	113.65	70.00	93°01'12"
C7	35.10	70.00	28°43'59"
C8	84.04	150.00	32°06'07"
C9	32.78	150.00	12°31'09"
C10	61.41	510.00	6°53'55"
C11	86.00	510.00	9°39'42"
C12	70.43	510.00	7°54'43"
C13	19.64	20.00	56°15'04"

Curve Table			
Curve #	Length	Radius	Delta
C14	71.00	70.00	58°06'51"
C15	60.00	70.00	49°06'38"
C16	58.00	70.00	47°28'25"
C17	58.00	70.00	47°28'25"
C18	58.00	70.00	47°28'25"
C19	52.36	70.00	42°51'22"
C20	19.64	20.00	56°15'04"
C21	144.93	450.00	18°27'13"
C22	140.87	450.00	17°56'09"
C23	140.87	450.00	17°56'09"
C24	94.02	450.00	11°58'15"



Bartlett & West
www.bartwest.com

**A FINAL PLAT FOR:
McFARLAND FARMS SUBDIVISION #4**
A PARTIAL REPLAT OF LOT 1-3, BLOCK A, LOT 1-2, BLOCK B,
McFARLAND FARMS #3, IN THE CITY OF TOPEKA,
SHAWNEE COUNTY, KANSAS

SURVEYED BY: RJS
DRAWN BY: RCP
APPROVED BY: RJS
DESIGN PROJ:
CONST PROJ:
SCALE: AS NOTED
DATE: 2017
DRAWING NO:
SHEET NO: 1 of 2

Drawing Name: W:\Projects\4400440-440-0000\2016-11-2 Concept\Replat\Replat\Replat.dwg Layout Name: Sheet Plotted By: RCP\00722 Plotted on: 4/12/2017 11:10:50 AM
Last edit on:

NEIGHBORHOOD INFORMATION MEETING
McFarland Farm Plat Proposal

5:30 P.M.

April 27

Kansas Children's Discovery Center
4400 SW 10th Avenue
Topeka, Kansas

MEETING NOTES

City Representative: Annie Driver, City of Topeka Planning Department

Developer Representative: Ron Lutz, Ron Andersen, Steve LaCasse (Bartlett & West, Inc.)

Public: Approximately ten residents of McFarland Farm, most actually lived outside the notification area.

- A resident (named Tony?) asked if he had an 'equal say' in the process, even though he lived outside the notification area.

- Annie Driver introduced herself and explained that this meeting was for information and answering questions, and there would be no voting/binding decisions at this meeting. She also announced the date that the plat would go before the Topeka Planning Commission.

- Ron Lutz presented the proposal – to modify the original preliminary plat from 14 lots to 19 lots. He also stated that he planned to concentrate on the lots that already had pavement in front of them, and it may take up to 4 years before he builds the remainder of the cul-de-sac pavement and begins work on the remaining 12 lots. Ron explained that this was a financial decision, due to a trend in housing where fewer people were building large estate homes.

- Tony expressed concern that the houses in the proposed plat would harm his property value. He proposed building a common area buffer on the east side of the plat, and also gating it. Ron Lutz did not agree to this, and Annie Driver explained that under the current zoning it could not be gated.

- Several owners had concerns about home values and appearance. Other portions of McFarland Farm were used as benchmarks for comparison. Ron stated that these homes would be nicer than the 'Reserve' (McFarland Farm Phase 4), and on par with the 'Villas' (northeast corner of McFarland Farm). He also stated that the covenants and restrictions for the homes in the new plat would remain the same as they are for the 'Estates' (west portion of McFarland Farm), as far as outward appearance was concerned. The only change would be a reduction in minimum square footage for the first floor – approximate reduction from 2,200 sf to 2,000 sf. Ron also stated that the design review board would have approval authority over home plans. He also stated that the design review board had the authority to allow front facing garages.

- Tony expressed an interest in becoming a member of the design review board. Ron Lutz and Ron Andersen said they would have to check the covenants and restrictions, but for now the board consisted of the developers.

Deardee Klausman expressed concern over the smaller lots. She also expressed concern over bad water pressure. Steve LaCasse stated that the city water department had done pressure testing in the subdivision, and checked all the valves – the results being pressure around 50 psi. He stated that the water department would need more specific information in order to investigate the problem further.

- A question was asked as to whether or not there would be any more changes to the original preliminary plat in the future. Ron Lutz stated that it was very likely that the developers would attempt to reduce lot size in the southwest corner of the development – but this was around ten years from happening.

There were no more questions and the meeting ended.

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NEIGHBORHOOD INFORMATION MEETING
McFarland Farm Plat Proposal

5:30 P.M.
 April 27
 Kansas Children's Discovery Center
 4400 SW 10th Avenue
 Topeka, Kansas

NAME	ADDRESS
TONY & JUDY PLEVIAK	1134 CAMDEN
Bruce Myers	1128 SW Camden Ln
Bob Smith	1105 SW New Forest Dr.
Michele Falley	1019 SW Dartmoor Ln.
Deborah Hausman	1111 SW Belmont Ln
Ron Andersen	3401 SW MacArthur Ave
Bette Morris	1121 SW Belmont Lane
Annie Driver	COT Planning
Steve LaCasse	Bertlett & West