

Agenda
City of Baldwin City, Kansas Planning Commission
Tuesday, August 13, 2019 – 7:00 p.m.

I. Call to Order

II. Approve the minutes of the regular Planning Commission meeting held on July 9, 2019

III. Unfinished Business

None

III. New Business

1. To consider a final plat for the Firetree Estates Phase 6A subdivision consisting of 13-lots and 2-Tracts situated north of Ridge Lane and westerly of N400 Road. The property is +/- 5.2 acres. (*Action Item – The Commission shall forward a recommendation of approval, denial or modify the petition request to the City Council*)
2. To consider petition request to vacate an alley between Summit and Miami Streets and south of College Street. (*Action Item – The Commission shall forward a recommendation of approval, denial or modify the petition request to the City Council*)

IV. Adjourn

Public comments will be limited to four (4) minutes



TO: Planning Commission
FROM: Ed Courton, Community Development Director
DATE: August 13, 2019
PROJECT: Firetree Estates Phase 6A, Final Plat

OWNER/APPLICANT:
Baldwin Land Company, Inc
700 Firetree Avenue
Baldwin City, Kansas 66049

Public Meetings: August 13, 2019 September 3, 2019	Planning Commission City Council
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PROJECT SUMMARY

On July 9, 2019, the Commission reviewed and approved the preliminary plat. The developer is requesting final plat approval for thirteen (13) single-family residential lots and construction of stormwater facility on Tracts A and B on a property consisting of +/- 5.2 acres. The plat layout is consistent with the preliminary plat.

The subdivision site is situated north of Ridge Lane and westerly of N400 Road. The subdivision will be developed in one phase. The Commission approved three rule exemptions for this subdivision: 1) Increased the maximum cul-de-sac length from 600-feet to 603-feet; 2) Reduced the cul-de-sac turnaround width from 60-foot to 50-foot; and 3) Reduced the lot depths from 120-feet to no less than 106-feet, as shown on the plat.

City staff is recommending final plat approval contingent on two (2) conditions to be satisfied prior to recordation of the plat.

ANALYSIS

Section 2-104 (5) states that the Baldwin City Planning Commission shall review the final plat for compliance with the approved preliminary plat and for completion of all final platting requirements and subdivision regulations in accordance with the provisions of K.S.A. 12-752, and amendments thereto. After consideration, the Baldwin City Planning Commission shall either recommend to the governing body to approve or deny the final plat or table for additional information.

The final plat is consistent with the review criteria for final plats, as described in Articles 2, 4 and 5. Staff is recommending two (2) conditions to be attached to the approving resolution to ensure all unresolved infrastructure-related issues are satisfactorily addressed prior to recording of the subdivision plat.

Roads – Ridge Road will be constructed to provide access to all lots, and will extend northerly and terminate at a turnaround roughly 600-feet from the centerline of Ridge Lane to the radius of Ridge Road.

Utilities/Infrastructure/Drainage – The developer has submitted civil plans and the plans are currently under review by city staff. Infrastructure is readily available to the site. Said plans are considered complete for establishing conditions of approval. In addition, a site grading plan is under review and conceptually approved. All plans must be approved prior to recording of the plat.

Subdivision Improvement Agreement –Prior to Recordation of the Final Plat, this Agreement must be finalized to the satisfaction of both parties and to be approved by the City Council. This Agreement specifies the timing and responsibility of installing the required infrastructure.

STAFF RECOMMENDATIONS

Staff recommends approval of the Firetree Estates Phase 6A Final Plat request and recommends the following two (2) conditions be attached to the approval motion:

1. Prior to recordation of the final plat, the City Council shall approve the Subdivision Improvement Agreement.
2. Prior to recordation of the final plat, the Public Works Director shall approve all street, sanitary sewer and water, and drainage plans.

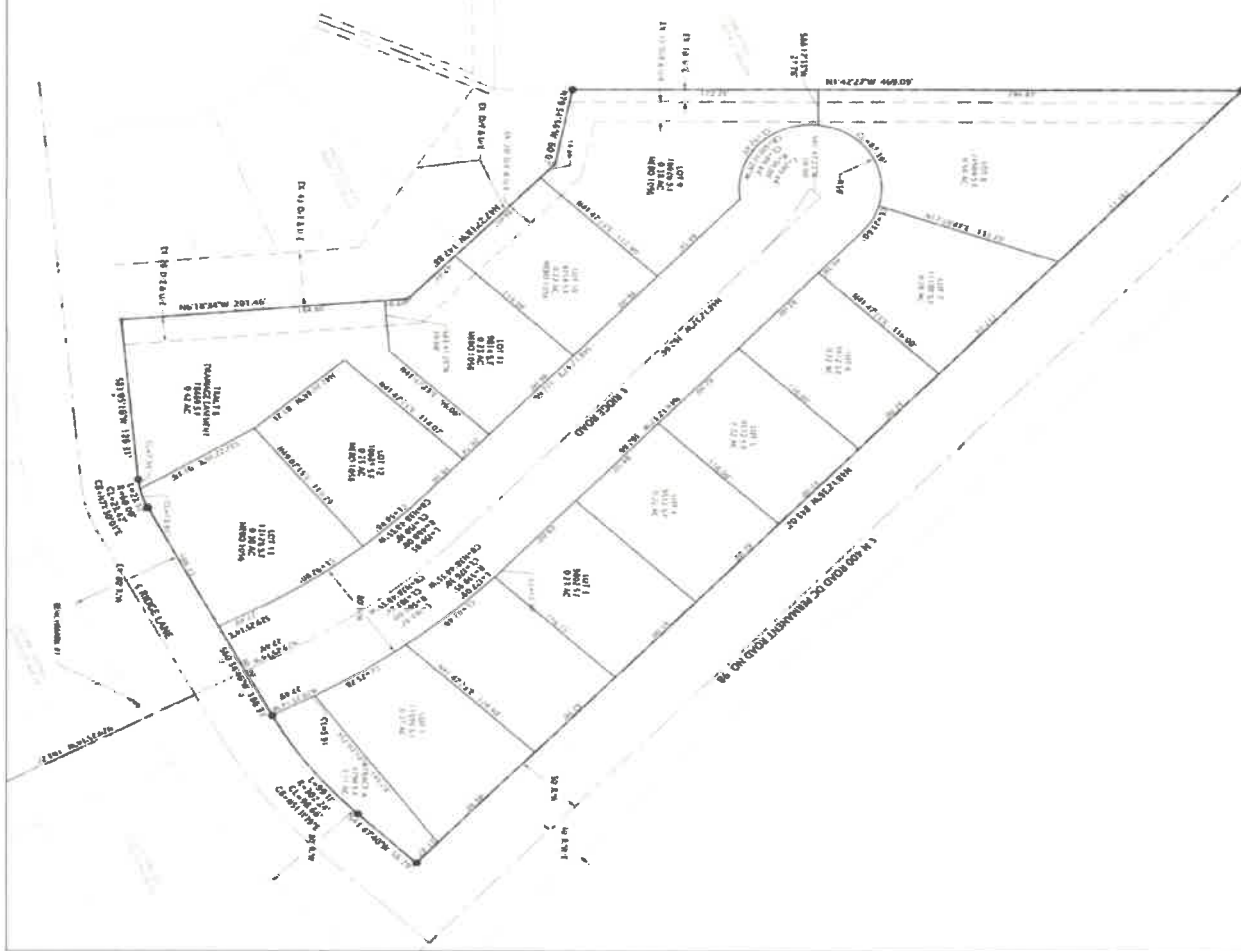
MOTIONS:

*****Approval with Conditions *****

I move the Baldwin City Planning Commission recommend Approval of the Firetree Estates Phase 6A Final Plat, including staff's condition of approval, as meeting all the requirements of the City of Baldwin City's Subdivision Regulations and also being in the interest of the public health, safety and welfare.

***** Denial *****

I move the Baldwin City Planning Commission recommend Denial of Firetree Estates Phase 6A Final Plat, as NOT meeting all the requirements of the City of Baldwin City's Subdivision Regulations and being contrary to interest of the public health, safety and welfare.



SCALE: 1" = 40'

LEGAL DESCRIPTION
A certain section of land...
[Detailed legal description text]

ACKNOWLEDGEMENT
I, the undersigned...
[Acknowledgment text]

NOTES
1. All dimensions...
2. The boundary...
3. The project...
4. The project...
5. The project...
6. The project...
7. The project...
8. The project...
9. The project...
10. The project...

PROJECT BENCH MARKS
A certain point...
[Bench mark information]

ENGINEER'S CERTIFICATION
I, the undersigned...
[Engineer's certification text]

PLANNING RECORD
This plat...
[Planning record text]

AMUNSON'S CERTIFICATION
I, the undersigned...
[Amunson's certification text]

LEGEND
[Legend table]

LOCATION MAP
[Location map showing the project area relative to surrounding roads]

REQUIREMENTS
[Requirements table]

APPROVALS
[Approval signatures and dates]

DATE OF RECORDING
[Recording date]

PLANNING RECORD
[Planning record details]

AMUNSON'S CERTIFICATION
[Amunson's certification details]

ENGINEER'S CERTIFICATION
[Engineer's certification details]

LEGEND
[Legend details]

LOCATION MAP
[Location map details]

a final plat of FIRETREE ESTATES PHASE 6A
[Title block information]

Section No. NE Quarter Section 33
Township No. 14 South
Range 20 East

Firetree Estates
Subdivision No. Phase 6A
Date Filed 7-16-19

APPLICATION FOR FINAL PLAT APPROVAL

Name of Subdivision Firetree Estates Phase 6A

General Location Northeast of Firetree Estates Phase 4 - Ridge Road west of Ridge Lane

Name of Property Owner Baldwin Land Company, Inc.

Address 300 Flame Way, Baldwin City, Kansas 66006 Phone 785 766-7500

Name of Agent J. Dean Grob, Grob Engineering Services, LLC

Address 3210 Mesa Way, Suite A Phone 785 856-1900

Name of Surveyor or Engineer All Points Surveying, LLC

Address P.O. Box 4444, Lawrence, KS 66046 Phone 785 832-2121

SUBDIVISION INFORMATION:

1. Gross Acreage of Plat: 5.23 Acres

2. Number of Lots:

- a. Residential 13
- b. Commercial _____
- c. Industrial _____
- d. Other 2 Tracts

Total Number of Lots 13

3. Minimum Lot Frontage: 82.0 straight 68.16' on curve Ft.

4. Minimum Lot Area: 9,512 Sq. Ft.

5. Existing Zoning R-2

6. Proposed Zoning R-2

7. Public Water Supply Yes (Yes, No) Name Baldwin City, Kansas

8. Public Sanitary Sewers Yes (Yes, No) Name Baldwin City, Kansas

9. Health Department Approval (where applicable) N/A (Yes, No)

10. Lineal Feet of New Street:

a. Ridge Road -	80'	R/W	554	Ft.
b.		R/W		Ft.
c.		R/W		Ft.
d.		R/W		Ft.
e.		R/W		Ft.

TOTAL 554 Ft.

11. Sidewalk adjacent to all streets? Yes Yes No

12. Surety Bond submitted with Final Plat _____; to be submitted later ; Amount \$ _____.

13. All required improvements installed prior to submittal of Final Plat _____ Yes No.

The Owner herein agrees to comply with the requirements of the Subdivision Regulations for Baldwin City, as amended, and all other pertinent regulations of Baldwin City, and Statutes of the State of Kansas. It is agreed that all costs of recording the plat and supplemental documents thereto with the Register of Deeds shall be assumed and paid by the owner when billed. The undersigned further states that he is the owner of the property proposed for platting.

Owner's Signature _____

J. Dean Grob, Grob Engineering Services, LLC

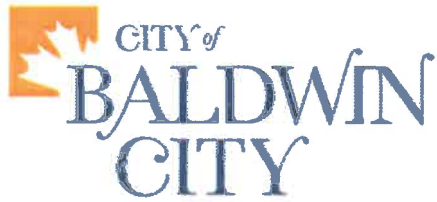
Agent (if any) _____

FOR OFFICE USE ONLY:

Received By _____

Date _____

Fee Submitted _____



To: Planning Commission
From: Ed Courton, Community Development Director
Date: August 9, 2019
Re: Harding Alley Vacate

Petition Request:

The applicant, Russell Harding, is seeking to vacate the entire existing 20-foot wide alley situated north of South Street and south of College Street in between Summit and Miami Streets. The alley is situated between Lots 45-50 and 68-73 in Media Township, now part of West Baldwin, an addition to the City of Baldwin City, Douglas County, Kansas.

Analysis:

K.S.A 12-505 (a) describes the approval criteria to vacate an alley. The vacation of an alley requires a public notice of hearing upon such request and a minimum of 20-days from the date of publication until the hearing. A public hearing is conducted by the Planning Commission and a recommendation is forwarded to the City Council for either approval or denial. An alley vacate may only be approved where the result of the public hearing concludes that there will be no injury to private property rights or to the public, as a result of the vacation. See subject alley location shown below.



After review by City staff, the requested alley vacation will not adversely impact the adjoining properties nor the general public. The alley is currently unimproved and is not proposed to be improved. There are no public utilities situated within the alley. By state statute, adjoining property owner(s) are granted all vacated land.

Staff Recommendation:

City staff is recommending approval to vacate the subject alley.

Decision: The Commission shall review the alley vacate request and shall provide a recommendation to the City Council. An alley vacate may be approved where the result from the public hearing concludes that there will be no injury to private property rights or to the public, as a result of the alley vacate.

BEFORE THE BALDWIN CITY PLANNING COMMISSION

IN THE MATTER OF THE VACATION OF

GENERALLY LOCATED AT

)
)
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CASE NO. _____

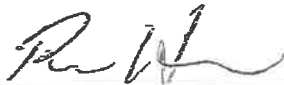
VACATION PETITION

COMES NOW your petitioner(s), Russell Harding, and pray(s) for the vacation of the following described alley to wit: a 20-foot wide alley westerly of Miami Street between Lots 45, 46, 47, 48, 49, 50 of West Baldwin and Lots 68, 69, 70, 71, 72, 73 of West Baldwin.

1. That the petitioner(s) is/are owner(s) of real property adjacent to and abutting the herein described alley.
2. That no private rights will be injured or endangered by the vacation of the alley described herein, and that the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s) hereof, the prayer(s) of the petitioner(s) for the vacation of the alley should be granted.

WHEREFORE, petitioner(s) pray(s) that this petition be set for hearing before the Baldwin City Planning Commission, that notice of said hearing be given as provided by law, and that at such time and place and at such hearing, the Baldwin City Planning Commission recommends the governing body having jurisdiction orders the vacation of the above described alley.

(Owner) Russell Harding



(Owner Name)

Petitioner(s) or
Agent of Petitioner(s)

6/20/2019

Date

June 20, 2019

Members of the Baldwin City Planning Commission

I (Russell Harding) am petitioning to vacate the portion of the alley West of Miami Street and East of Summit Street that runs through my property. The legal description is as follows:

A 20-foot wide alley westerly of Miami Street between Lots 45, 46, 47, 48, 49, 50 of West Baldwin and Lots 68, 69, 70, 71, 72, 73 of West Baldwin.

The alley is unimproved and there are no utilities located in the alley. All property owners affected are in favor of the petition.

Thank You for your consideration of this petition.

A handwritten signature in black ink, appearing to read 'R. W.' followed by a long horizontal flourish.

Russell Harding

Affidavit in Proof of Publication

STATE OF KANSAS
Douglas County

(Published in the Lawrence
Daily Journal-World on the
23rd Day of July 23, 2019)

Steven F. Carlson of the Legal Dept. of the Lawrence Daily Journal-World being first duly sworn, deposes and says:

That this daily newspaper printed in the State of Kansas, and published in and of general circulation in Douglas County, Kansas, with a general paid circulation on a daily basis in Douglas County, Kansas, and that said newspaper is not a trade, religious or fraternal publication, and which newspaper has been admitted to the mails as periodicals class matter in said County, and that a notice of which is hereto attached, was published in the regular and entire issue of the Lawrence Daily Journal-World

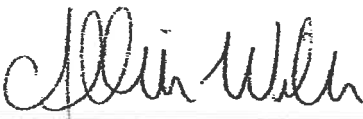
Said newspaper is published daily 365 days a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice and been admitted at the post office of Lawrence in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive days/weeks the first publication thereof being made as aforesaid on 07/23/2019 with publications being made on the following dates:

07/23/2019



Subscribed and sworn to before me this 24th day of July, 2019.



Notary Public

My Appointment expires: 8/19/2020

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$73.20
	<u> </u>
	\$73.20

**NOTICE OF
PUBLIC HEARING**

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on August 13, 2019, the Baldwin City Planning Commission will hold a public hearing at the Public Library meeting room, 800 7th Street, Baldwin City, Kansas, at 7:00 P.M., to consider the following applications:

1. To consider a final plat for the Firetree Estates Phase 6A subdivision consisting of 13-lots and 2-Tracts situated north of Ridge Lane and westerly of N400 Road. The property is +/- 5.2 acres.
2. To consider a request to vacate a 20-foot wide alley between Lots 45-50 and 68-73, in Media Townsite, now part of West Baldwin, an addition to the City of Baldwin, Douglas County, Kansas.

As provided in the Baldwin City Zoning Regulations, the above applications will be discussed and considered by the Baldwin City Planning Commission, and all person interested in said matter will be heard at this time concerning their views and wishes; and all matters concerning the request and presented at the hearing will be considered. The Planning Commission may continue this matter to a later date without additional notice.

Certified, this 18th, day of July, 2019

