

# AGENDA

## RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, October 12, 2015  
7:30 p.m.

Commission Meeting Room  
Courthouse Plaza East

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*(Procedure: Open joint meeting of the Riley County Planning Board/Board of Zoning Appeals.)*

### **I. OPEN PUBLIC COMMENTS**

### **II. CONSENT AGENDA**

1. Consider the minutes of the September 14, 2015 meeting.
2. Consider the Report of Fees for the month of September 2015.

*(Procedure: Adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and due to no agenda items for the Board of Zoning Appeals, convene as the Riley County Planning Board.)*

### **III. GENERAL AGENDA - RILEY COUNTY BOARD OF ZONING APPEALS**

1. No agenda items.

### **IV. GENERAL AGENDA - RILEY COUNTY PLANNING BOARD**

1. Public Hearing at the request of Dave Suhling, petitioner, Keats-Riley United Methodist Church, Jesse and Melinda Campbell, owners, to rezone Lots 1-11 and 24-32, Block 4 of Amended Plat of Keats, together with an unplatted tract, from "AG" (Agricultural District) to "SF-1" (Single Family Residential) and plat said lots and tract into two (2) lots, all in Wildcat Township, Section 36, Township 9 South, Range 6 East, in Riley County, Kansas. **ACTION NEEDED: Recommend approval/denial of the rezoning to the Board of County Commissioners and approve/deny Concurrent Plat of Keats-Riley United Methodist Church Addition.**
2. Public Hearing at the request of Ronald L. Schwab, petitioner and Ronald L. Schwab and Beverly A. Schwab, Cotrustees of the R & B Schwab Trust dated August 22, 2002, owners, to **replat** all of Lots three (3) through ten (10) and all of Barbara Court lying in Block 1, Lakeside Heights Subdivision, into two (2) lots, all Sherman Township, Section 12, Township 8 South, Range 6 East, in Riley County Kansas. **ACTION NEEDED: approve/deny Final Plat of Lakeside Heights Subdivision Unit Three.**
3. **Table** a public hearing at the request of D&T Investments, LLC - Tom Abbott Member, and petitioner, and D&T Investments, LLC, owner, to **rezone** a tract of land from "AG" (Agricultural District) & "SF-4" (Single Family Residential) to "R-PUD" (Residential Planned Unit Development) **and plat** the aforementioned tract of land into three (3) lots, all in Wildcat Township, Section 36, Township 9 South, Range 6 East, in Riley County, Kansas. **ACTION NEEDED: Continue to table item to the November 9, 2015 Riley County Planning Board meeting.**
4. Update on Big Blue Floodplain Management Plan.

*(Procedure: Adjourn the Riley County Planning Board meeting.)*

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, September 14, 2015  
7:30 pm

Courthouse Plaza East  
Commission Meeting Room  
115 North 4<sup>th</sup> Street

Members Present: Lorn Clement, Chairman  
Dr. Tom Taul, Vice-Chair  
Diane Hoobler  
Julie Henton  
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner and Lisa Daily -  
Administrative Assistant

Others Present: None

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#### **OPEN PUBLIC COMMENTS**

None.

#### **CONSENT AGENDA**

The minutes of the August 10, 2015 meeting were presented and approved. The Report of Fees for the month of August (\$5,562.25) were presented and approved.

Julie Henton moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board.

Diane Hoobler seconded. Carried 5-0

#### **RILEY COUNTY PLANNING BOARD**

##### **Amend Sections 2, 4, 5, 6, 7, 9A and 20 of the Riley County Zoning Regulations**

Lorn Clement opened the public hearing to amend Sections 2, 4, 5, 6, 7, 9A, 13 and 20 of the Riley County Zoning Regulations.

Monty Wedel said several property owners from the University Park subdivision brought to staff's attention that the proposed amendments would make it more restrictive to build accessory buildings than the current regulations. He explained the amendments were to make it less restrictive for larger tracts and to correct this, staff is proposing to either use Table 1. Maximum Floor Area for Accessory Buildings or the maximum square footage of the footprint of the principal structure; whichever is greater. Mr. Wedel said another modification was made to 3.d. for smaller lots such as in the Keats area that space is available for a new septic system if needed.

Diane Hoobler moved to close the public hearing.

John Wienck seconded. Motion carried 5-0.

Diane Hoobler moved to forward a recommendation of approval of the amendments to Sections 2, 4, 5, 6, 7, 9A, 13 and 20 of the Riley County Zoning Regulations, to also include the changes shown to the Riley County Planning Board at the public hearing, to the Board of County Commissioners.

John Wienck seconded. Motion carried 5-0.

**Amend the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the proposed Hartford Hill Master Plan**

Lorn Clement opened the public hearing to amend the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the proposed Hartford Hill Master Plan as a part of the Manhattan Urban Area Comprehensive Plan.

Monty Wedel explained that the entire development will eventually be annexed into the City of Manhattan. Currently our jurisdictional boundary runs through the middle of the development. He said the only concern Riley County staff had was the connection with Marlatt Avenue which has been shown in the Grand Mere Master Plan for some time, due to it being a township road. Staff took this concern to the Board of County Commissioners and they gave approval to proceed.

Lorn Clement asked if the Commissioners were aware of the “S” curve in the road.

Monty Wedel replied yes.

Diane Hoobler said she is concerned with the 20% slopes.

Monty Wedel replied that those are County standards and the area will be developed by City standards. He said the plan is very schematic and doesn’t provide a lot of detail.

Diane Hoobler moved to close the public hearing.

John Wienck seconded. Motion carried 5-0.

Tom Taul moved to forward a recommendation of approval to amend the Manhattan Urban Area Comprehensive Plan by adopting and incorporating the proposed Hartford Hill Master Plan as a part of the Manhattan Urban Area Comprehensive Plan.

Diane Hoobler seconded. Motion carried 5-0.

**Amend Section 6 – Procedure of Plat Approval of the Riley County Subdivision Regulations**

Lorn Clement opened the public hearing to amend Section 6 – Procedure of Plat Approval of the Riley County Subdivision Regulations.

Bob Isaac explained that the proposed amendments would allow for the vacation of utility easements, streets, lots, etc. through the replatting process, as opposed to forcing citizens to go through an expensive and time consuming multiple petition process. He said that the amendment is consistent with language found in the statutes, which allows for the vacating of easements, rights-of-way, etc. through a replat, provided that the regulations require all possible interested

parties that may be impacted by such vacation to be notified. Mr. Isaac stated that such language is currently provided in the Manhattan Urban Area Subdivision Regulations.

Diane Hoobler moved to close the public hearing.

Julie Wienck seconded. Motion carried 5-0

Tom Taul moved to forward a recommendation of approval of the amendments to Section 6 of the Riley County Subdivision Regulations to the Board of County Commissioners.

John Wienck seconded. Motion carried 5-0.

### **Big Blue Floodplain Management Plan**

Monty Wedel stated there were no updates.

### **Wildcat Creek Floodplain Management Plan**

Monty Wedel asked the Board for approval to have Chairperson Clement sign a letter of support for funding from the Department of Housing and Urban Development to implement the Wildcat Creek Floodplain Management Plan.

John Wienck moved to adjourned.

Julie Henton seconded. Carried 5-0.

The meeting was adjourned at 8:01 P.M.



RILEY COUNTY  
PLANNING & DEVELOPMENT

REPORT OF FEES

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September 2015

| <u>DATE</u> | <u>NAME</u>  | <u>AMOUNT</u> |
|-------------|--|---------------|
| 09-01-2015  | Melvin, Environmental Site Evaluation                  | \$ 100.00     |
| 09-01-2015  | Thomas, Water Screening Report                         | 4.00          |
| 09-01-2015  | Moreland, Water Screening Report                       | 14.00         |
| 09-01-2015  | Pottorff, Building Permit #15-0065                     | 150.00        |
| 09-02-2015  | Slaymaker, Building Permit #15-0066                    | 150.00        |
| 09-02-2015  | Simmons, Building Permit #15-0067                      | 150.00        |
| 09-03-2015  | Schock, Copy fee                                       | .75           |
| 09-09-2015  | Whitney, Well Permit                                   | 75.00         |
| 09-09-2015  | Altwegg, Water Screening Report                        | 8.00          |
| 09-10-2015  | Eichman, Copy fee                                      | .25           |
| 09-10-2015  | S&J Daycare, Water Screening Report                    | 8.00          |
| 09-11-2015  | Huff, Building Permit #15-0069                         | 150.00        |
| 09-11-2015  | Cline, Environmental Site Evaluation                   | 100.00        |
| 09-14-2015  | Rohleder, Water Screening Report                       | 10.00         |
| 09-14-2015  | Haefke, Water Screening Report                         | 12.00         |
| 09-16-2015  | Keck, Building Permits #15-0070 & 15-0071              | 200.00        |
| 09-16-2015  | Peterson, Well Permit                                  | 75.00         |
| 09-17-2015  | Bartell, Environmental Site Evaluation                 | 100.00        |
| 09-21-2015  | Berstler, Repair Permit                                | 75.00         |
| 09-22-2015  | Hollenbeck, Environmental Site Evaluation              | 100.00        |
| 09-23-2015  | Ogden, Environmental Site Evaluation                   | 100.00        |
| 09-25-2015  | Pursley, Plat/Residential Use Designator & Utility fee | 410.00        |
| 09-28-2015  | Behnke, Building Permit #15-0072                       | 150.00        |
| 09-28-2015  | Wilson, Sign Permit #15-0010                           | 50.00         |
| 09-29-2015  | Donaldson, Environmental Site Evaluation               | 100.00        |
| 09-30-2015  | Hood, Environmental Site Evaluation                    | 100.00        |

**TOTAL** **\$2,392.00**

**DEPOSITS MADE:**

|            |           |
|------------|-----------|
| 09-04-2015 | \$ 568.75 |
| 09-10-2015 | 8.00      |
| 09-11-2015 | 333.25    |
| 09-18-2015 | 397.00    |
| 09-22-2015 | 100.00    |
| 09-25-2015 | 175.00    |
| 09-30-2015 | 810.00    |

**TOTAL** **\$2,392.00**

| Permit # | App Date   | Ownr                       | Type of Bldg               | Use of Bldg                        | Const Cost  | Amnt Paid | Property Address       | City & Zp            |
|----------|------------|----------------------------|----------------------------|------------------------------------|-------------|-----------|------------------------|----------------------|
| 15-0065  | 09/01/2015 | Charly & Sandra Pottorff   | Miscellaneous              | Outdoor elevated platform          | \$10,000.00 | \$150.00  | 3761 Cumberland Rd     | Manhattan (66503)    |
| 15-0066  | 09/02/2015 | James & Karla Slaymaker    | Storage (residential)      | Workshop                           | \$20,000.00 | \$150.00  | 11126 Lakeview Dr      | Manhattan (66503)    |
| 15-0067  | 09/02/2015 | Bradley Simmons            | Storage (ag related)       | Tractor, mower & generator storage | \$13,000.00 | \$150.00  | 16090 Sherman Rd       | Leonardville (66449) |
| 15-0068  | 09/09/2015 | John and Bonnie Slocombe   | Barn                       | Chute facility to work cows        | \$20,040.00 | \$0.00    | 4291 McDowell Creek Rd | Manhattan (66502)    |
| 15-0069  | 09/11/2015 | Jason Huff                 | Garage (detached)          | Residential storage                | \$15,000.00 | \$150.00  | 698 Marlatt Ave        | Manhattan (66502)    |
| 15-0070  | 09/16/2015 | Ryan Keck                  | House (residential design) | Residential Home                   | \$95,000.00 | \$150.00  | 7220 Mound Ridge Rd    | Manhattan (66503)    |
| 15-0071  | 09/16/2015 | Ryan Keck                  | Garage (detached)          | Vehicle storage & maintenance      | \$18,500.00 | \$50.00   | 7220 Mound Ridge Rd    | Manhattan (66503)    |
| 15-0072  | 09/28/2015 | Edward & Jacqueline Behnke | Garage (detached)          | Storage & Shop                     | \$20,000.00 | \$150.00  | 2793 Purcell Rd        | Manhattan (66502)    |



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Platting and Rezoning

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**PETITION:** (#15-16) Rezone from "AG" (Agricultural District) to "SF-1" (Single Family Residential)  
(#15-17) Plat

**APPLICANT:** Dave Suhling  
7606 Saddle Dr  
Manhattan, KS 66503

**PROPERTY OWNERS:** Keats-Riley United Methodist Church  
P O Box 57  
Riley, KS 66531

Jesse Campbell and Melinda Campbell  
3199 Keats Ave  
Manhattan, KS 66503

**TYPE OF REQUEST:** Rezone Lots 1-11 and 24-32, Block 4 of Amended Plat of Keats, together with an unplatted tract, from "AG" (Agricultural District) to "SF-1" (Single Family Residential) and plat/replat said lots and tract into two (2) lots.

**SIZE OF TRACT:** The subject site is approximately 2.27 acres.

**LOCATION:** Generally located at the southwest corner of the intersection of Anderson Avenue and Keats Avenue (in Keats); Section 36, Township 9 South, Range 6 East; Wildcat Township.

**JURISDICTION:** This application is subject to the requirements of the Riley County Subdivision Regulations.

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**BACKGROUND:** In an effort to upgrade their facilities, the Keats-Riley United Methodist Church purchased a new building to replace the existing add-on (former military barracks) which was falling into disrepair. In addition, to provide more room for the structure and to increase the lot area for vehicular access, the church purchased the southern half of Lots 6 and 29, Block 4, of Amended Plat of Keats. This action created a subdivision violation. The applicant wishes to replat several platted lots and an unplatted tract into two (2) lots. However, due to the inability to plat lots together separated by a street or other right-of-way (alley), the platted alley will need to be vacated by the replat and a utility easement be established in its place. It was recommended that the property be rezoned to “SF-1” (Single Family Residential) to accommodate both the existing church and single family residence.

**DESCRIPTION:**

Physical site characteristics: Proposed Lot 1 is currently developed with a former schoolhouse that was converted into a single family residence. Proposed Lot 2 is currently developed with a church and associated parking area.

General character of the area: The general character of the area is a mix of mature urban density residential development and vacant lots.

**SUITABILITY OF ZONING:**

Zoning History: The current zoning of the subject property is “AG” (Agricultural District), and has been zoned as such since at least 1974. There are no variances, conditional uses or special uses associated with the site.

Proposed zoning: As stated previously, in order to accommodate both single family residential and church uses, it was recommended that the property be rezoned to “SF-1” (Single Family Residential).

| <b>SURROUNDING ZONING/LAND USE</b> |   |                   |
|------------------------------------|---|-------------------|
|                                    | <b>ADJACENT ZONING</b>  | <b>LAND USE</b>   |
| <b>NORTH</b>                       | “AG” (Agricultural District) and “SF-5” (Single Family Residential) | Residential       |
| <b>SOUTH</b>                       | “AG” (Agricultural District)  | Residential       |
| <b>EAST</b>                        | “AG” (Agricultural District)  | Residential       |
| <b>WEST</b>                        | “AG” (Agricultural District)  | Riley County Park |

**POTENTIAL IMPACT:**

**Public facilities and services:**

Streets and bridges: Each proposed lot currently has direct access to Keats Avenue, but can also be served by Reservation Drive. Both streets are paved, north-south roadways, owned and maintained by Riley County.

Water and sewer: Both proposed lots are served by on-site septic systems/lateral fields and are connected to Rural Water District #1.

Fire: Riley County Fire District #1 will serve the site. The nearest County fire station is the Keats Fire Station, located at 3141 W. 69<sup>th</sup> Avenue.

Effect on public facilities and services: It is not anticipated that the replatting of the subject site will have a detrimental impact on public facilities or services.

**CONFORMANCE TO THE LAND USE PLAN:**

**Goals, Objectives and Policies**

Goal for residential:

*To allow for the development of a diversity of housing types, sizes and price levels to meet the changing needs of all county residents.*

Objective R4: Allow for adequate amounts of single family housing in suitable locations throughout the county.

Policies:

R4.2 Roads serving residential developments should safely accommodate anticipated traffic.

**Future Land Use Map**

According to the Future Land Use Map North (Figure 11.2) found in the Plan, the subject property is located outside of a designated growth area.

**The Land Evaluation/Site Assessment (LESA) Score**

Due to the nature of the request, a LESA was not generated for this request.

**Hardship on the landowner**

The Applicant did not indicate a hardship as a reason for this request.

Staff analysis: Due to the character of the existing development and the criteria set forth in the proposed zoning of the subject property, it is not anticipated that the request will cause conflicts; thus, the request is consistent with the Plan.

**Portions of Plat to be Vacated:**

According to information provided by 1-800-DIG-SAFE (Kansas One Call) and Riley County records, the following utilities were identified as possibly being located in the general vicinity of the subject area:

- AT&T
- Riley County Public Works
- Rural Water District #1
- Westar Energy
- Kansas Gas Service

Signed Utility Release forms provided by Schwab Eaton, were obtained by all persons, entities and/or utility companies, having property rights or interests in those portions of utility easements and/or rights-of-way, as shown on the Amended Plat of Keats, to be vacated by this replat. The Utility Release forms affirmed that there are existing utilities using that portion of the alleyway proposed to be vacated, however, there were no objections to vacating said alleyway, as long as there is assurance through the replat process that a 20 ft.-wide easement be established in the

same location of that portion of alleyway to be vacated, and grant such easement to the public. Riley County Planning and Development has confirmed these utility releases.

**COMMENTS AND CONCERNS:**

ENVIRONMENTAL HEALTH: The Environmental Health staff has reviewed this plat and found it is in compliance with the Riley County Sanitary Code.

FORT RILEY: The Directorate of Public Works – Environmental Division has reviewed the request and reported that the subject site is within Fort Riley Noise Zone II, as per the 2005 Flint Hills Joint Land Use Study. Zone II encompasses areas where the average level of noise due to operations of Fort Riley may be severe enough to affect certain noise-sensitive uses, including housing, churches, schools, places of assembly and medical facilities.

TOWNSHIP TRUSTEE: The Wildcat Township Trustee has reviewed the request and had no objections.

COUNTY ENGINEER: The County Engineer has reviewed the request and had no concerns with the request.

**STAFF RECOMMENDATIONS:**

Staff recommends that the Planning Board forward a recommendation of approval to the Board of County Commissioners of the request to rezone the subject property from “AG” (Agricultural District) to “SF-1” (Single Family Residential) for the following reasons:

- The proposed development is generally in conformance with Vision 2025: A Comprehensive Plan for Riley County, Kansas.
- This action is to accommodate existing development. No new homes are being proposed.

Staff also recommends that the Board approve the Final Plat of Keats-Riley United Methodist Church Addition, as it has been determined to meet the minimum requirements of the Riley County Subdivision and Zoning Regulations and Sanitary Code.

**POSSIBLE MOTION(S)**

**ACTION NEEDED FOR REZONING:**

A. Move to approve the request to rezone the subject property from “AG” (Agricultural District) to “SF-1” (Single Family Residential) for the following reasons:

- The rezoning is compatible with the character of the neighborhood.
- The rezoning is compatible with the zoning and uses of properties nearby.
- The subject property is not suitable for the uses allowed by the current zoning.
- Removal of the current restrictions by rezoning will not detrimentally affect nearby property.
- The subject property has remained vacant as zoned for a substantial time period.
- The gain to the public health, safety and welfare by denying rezoning is not as great as the hardship imposed upon the individual landowner.
- The rezoning is consistent with the recommendations of permanent or professional staff.

- ❑ The rezoning conforms to the adopted comprehensive plan.
- ❑ The rezoning will not detrimentally affect the conservation of the natural resources of the County.
- ❑ The rezoning will result in the efficient expenditure of public funds.
- ❑ The rezoning will promote the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

**Or**

B. Move to deny the request to rezone the subject property for the following reasons:

- ❑ The rezoning is incompatible with the character of the neighborhood.
- ❑ The rezoning is incompatible with the zoning and uses of properties nearby.
- ❑ The subject property is not suitable for the uses allowed by the proposed zoning.
- ❑ Removal of the current restrictions by rezoning will detrimentally affect nearby property.
- ❑ The subject property is developed or utilized as zoned for a substantial time period.
- ❑ The gain to the public health, safety and welfare by denying rezoning is greater than the hardship imposed upon the individual landowner.
- ❑ The rezoning is inconsistent with the recommendations of permanent or professional staff.
- ❑ The rezoning does not conform to the adopted comprehensive plan.
- ❑ The rezoning may detrimentally affect the conservation of the natural resources of the County.
- ❑ The rezoning will result in the inefficient expenditure of public funds.
- ❑ The rezoning will diminish the health, safety, convenience, prosperity and general welfare of the inhabitants of the County.

**ACTION NEEDED FOR PLAT:**

A. Motion to approve the request to plat the subject property into two (2) lots, as it has been determined that it meets the requirements of the Riley County Subdivision Regulations.

**Or**

B. Motion to deny the request to plat the subject property into two (2) lots, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

**ATTACHMENTS:**

- Vicinity/site map
- Surrounding zoning map
- Fort Riley Noise map
- Fire Stations map
- Final Plat map

Prepared by: Bob Isaac, Planner  
October 2, 2015



## VICINITY AND SITE

Suhling

Rezone AG to SF-1

Plat - Keats-Riley United Methodist Church

36-9-6

### Legend

-  1000' Buffer
-  Site



VICINITY

FORT RILEY



Fort Riley



# SURROUNDING ZONING

Suhling

Rezone AG to SF-1

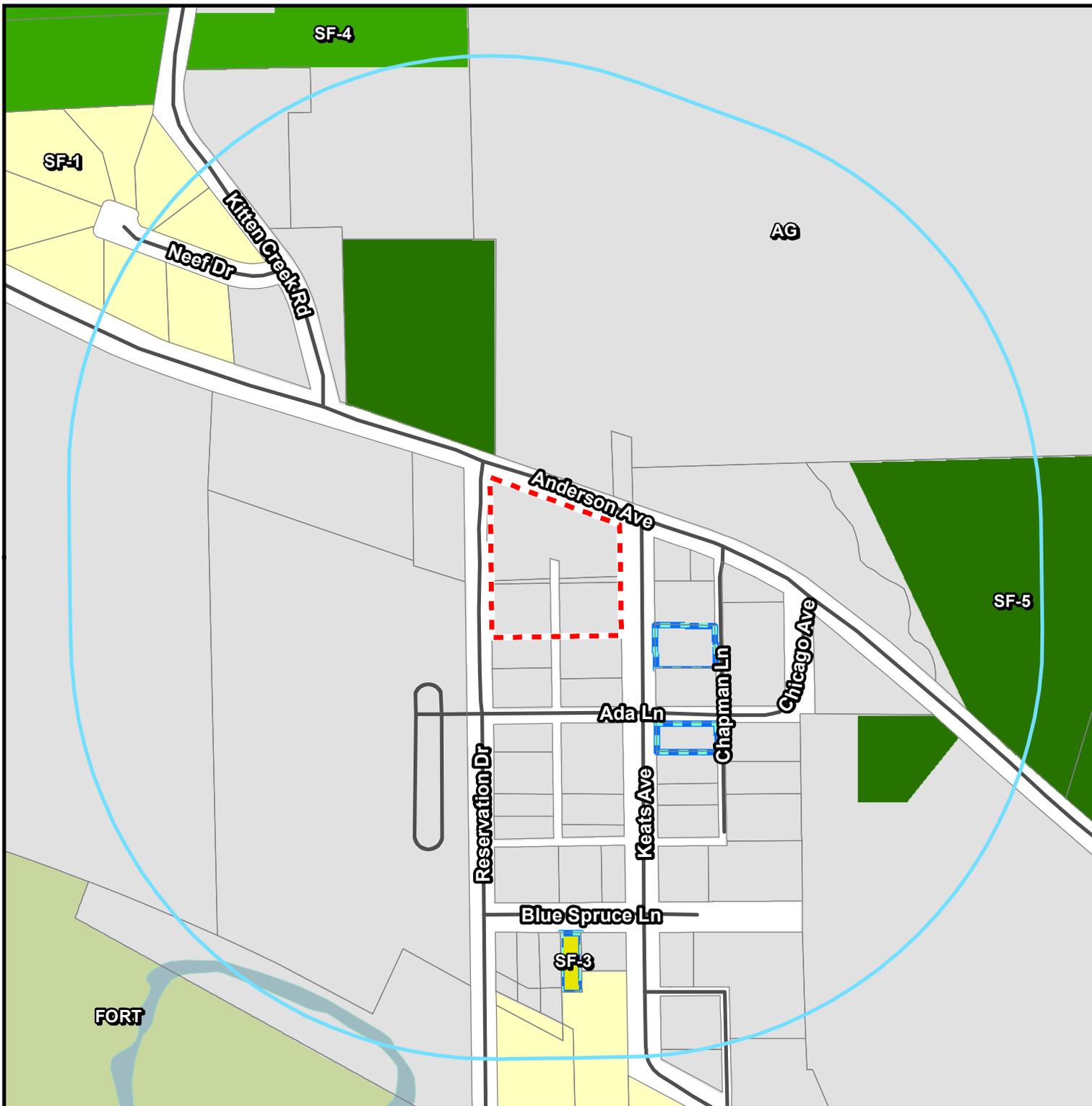
Plat - Keats-Riley United Methodist Church

36-9-6

## Legend

- 1000' Buffer
- Site

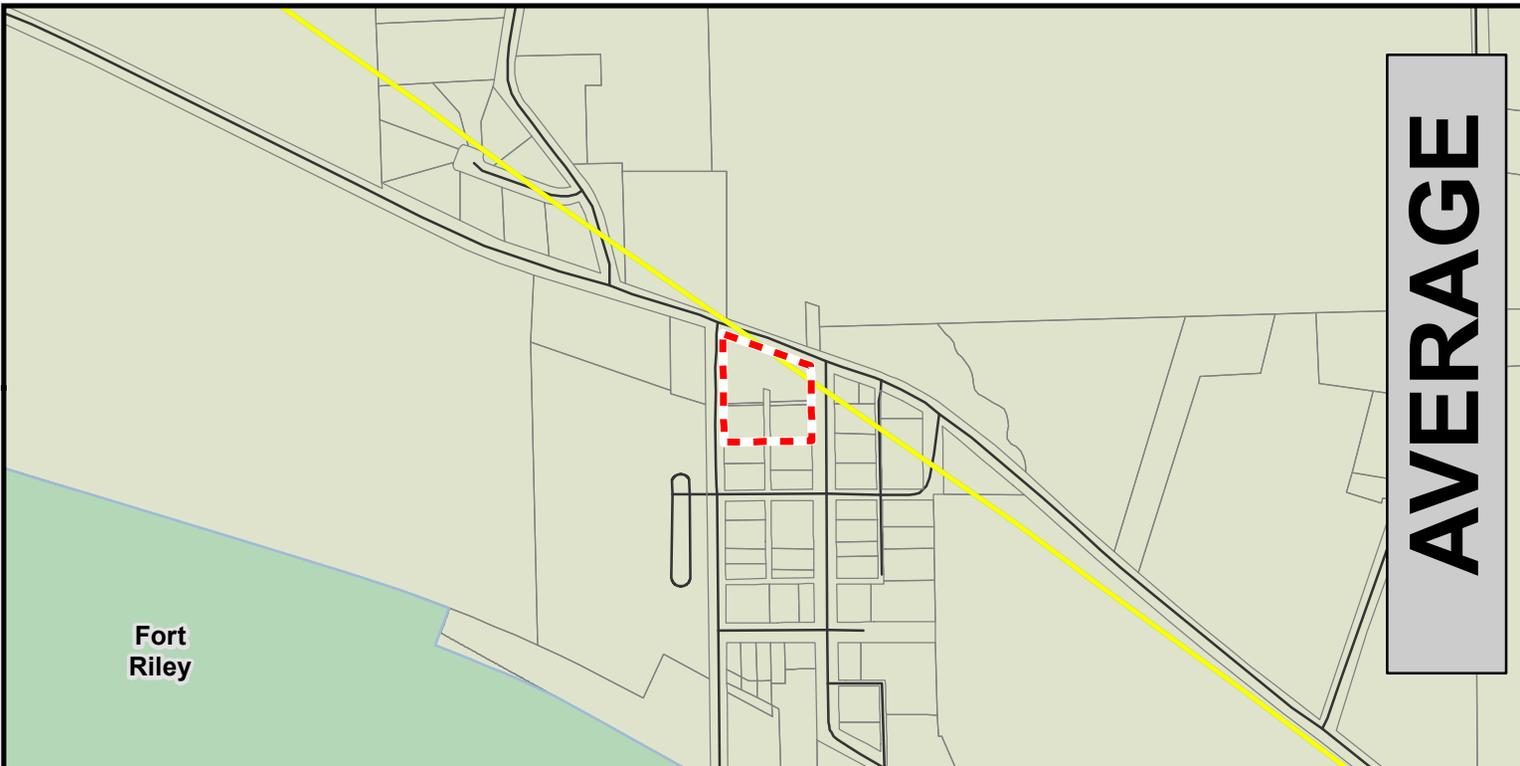
- |                      |   |
|----------------------|---|
| SF-1 Single Family   | AG Agricultural   |
| SF-2 Single Family   | N-1 Noise Hazard  |
| SF-3 Single Family   | PUD Planned Unit Dev  |
| SF-4 Single Family   | U University  |
| SF-5 Single Family   | City Boundaries   |
| B-1 Two Family       | Fort Riley  |
| B-2 Multiple Family  |   |
| B-3 Mobile Home Park |   |
| C-1 Neighborhood Bus |   |
| C-2 Shopping Dist    |   |
| C-3 General Business |   |
| C-4 Highway Business |   |
| D-1 Industrial Park  | Special Zoning:<br>Conditional Use<br>Designator Lot<br>Special Use<br>Variance |
| D-2 Light Industrial |   |
| D-3 Heavy Industrial |   |
| D-4 Business Park    |   |



FORT



# AVERAGE



## FORT RILEY NOISE CONTOURS AVERAGE AND PEAK

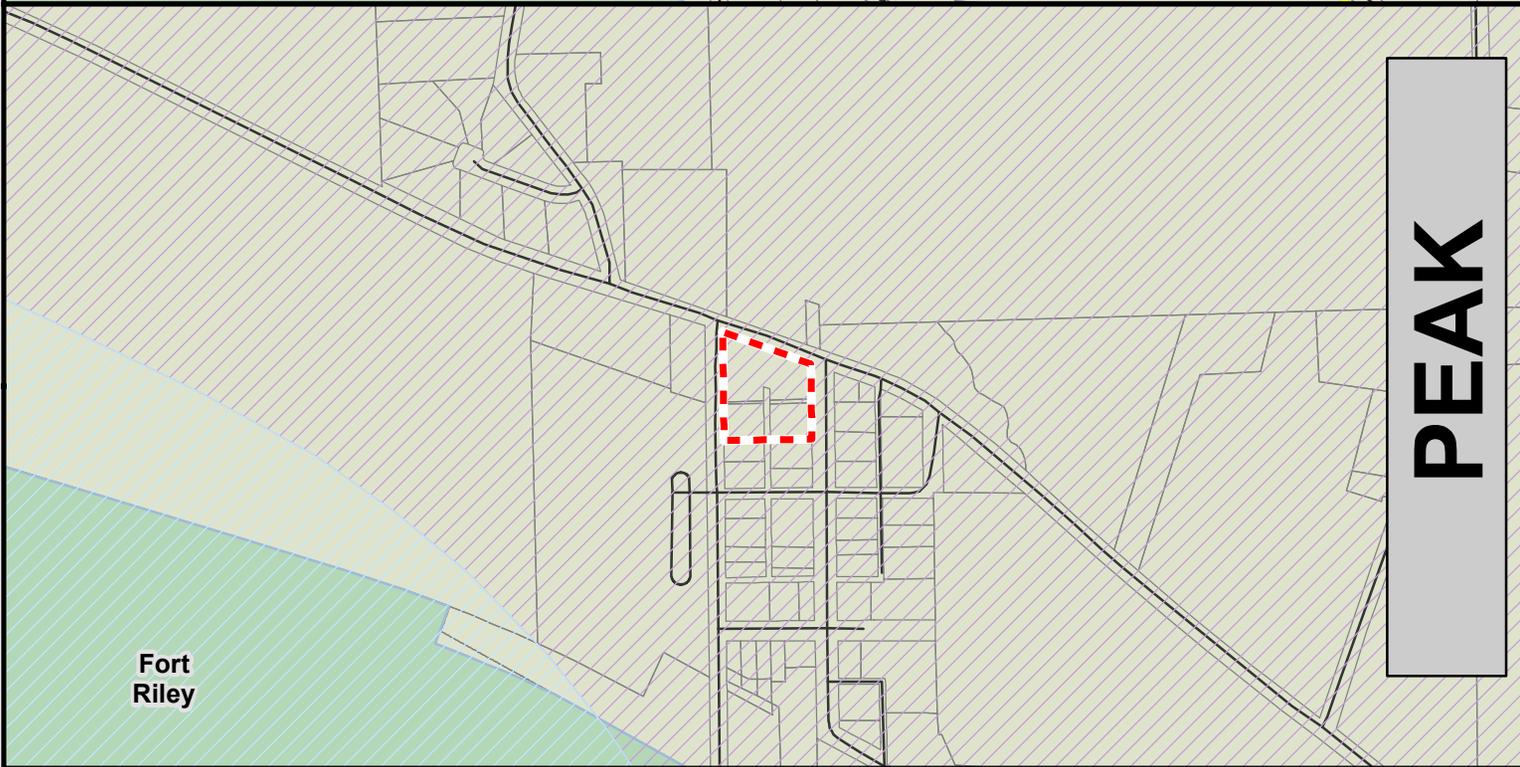
Suhling

Rezone AG to SF-1

Plat - Keats-Riley United Methodist  
Church

36-9-6

# PEAK



### Legend

#### Average Noise Levels

- CDNL 57 (LUPZ)
- CDNL 62 (ZONE II)
- CDNL 70 (ZONE III)

#### Peak Noise Levels Large Caliber

- Large Caliber 115
- Large Caliber 130



## FIRE STATIONS

Suhling

Rezone AG to SF-1

Plat - Keats-Riley United Methodist Church

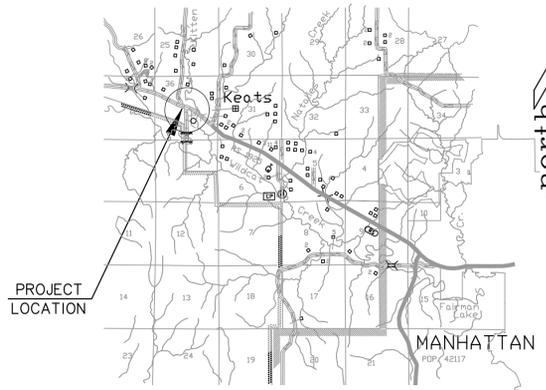
36-9-6



 Fire Station

 Within 5 Miles of a Fire Station

 Not within 5 Miles of a Fire Station



SITE MAP

**OWNER'S CERTIFICATE**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)

This is to certify that the undersigned is/are the owner(s) of the land hereon described on this plat, and that said owners has/have caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes herein set forth, and does hereby acknowledge and adopt the same under style and title indicated.

All street rights-of-way as shown on this plat are hereby dedicated to the public. Any easements or licenses as shown on this plat, to locate, construct and maintain or authorize the location, construction and maintenance of poles, wires, conduits, water, gas and sewer pipes or required drainage channels or structures upon the area marked for easements on this plat, are hereby granted to the public.

Given under my hand at \_\_\_\_\_, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

Board of Trustees of Keats-Riley United Methodist Church, Inc., a Kansas Not for Profit Corporation

Jesse Campbell

By: David Shuling, Chairperson

Melinda Campbell

**NOTARY CERTIFICATE**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)

I, \_\_\_\_\_, a Notary Public in and for said county, in the state aforesaid, do hereby certify that David Shuling, Chairperson of the Board of Trustees for the Keats-Riley United Methodist Church, Inc., a Kansas Not for Profit Corporation and Jesse Campbell and Melinda Campbell, husband and wife

known to me to be the same person(s) whose name(s) is (are) subscribed to the foregoing instrument as such owner(s), appeared before me this day in person and acknowledged the execution and delivery of this plat as a free and voluntary act for the uses and purposes herein set forth.

Given under my hand and Notary Seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2015.

My commission expires \_\_\_\_\_.

Notary Public

Print Name

**CERTIFICATE OF THE REGISTER OF DEEDS**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)

This instrument was filed for record on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and duly recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_.

By \_\_\_\_\_ Register of Deeds

By \_\_\_\_\_ Deputy

**CERTIFICATE OF COUNTY COMMISSION**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)

Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

BOARD OF COUNTY COMMISSIONERS  
RILEY COUNTY

Commissioner, Chairman

Commissioner

Commissioner

Attest: County Clerk

**OWNER:**

David Shuling  
7606 Saddle Drive  
Manhattan, KS 66503  
(785)539-6360

**SURVEYOR/ENGINEER:**

Schwab-Eaton, P.A.  
1125 Garden Way  
Manhattan, KS 66502  
(785) 539-4687

**ZONING**

CURRENT: AG = Agricultural

PROPOSED: SF-1 = Single Family Residential

**APPROVAL OF COUNTY OFFICERS**

County Engineer

Environmental Health Specialist

County Counselor

**CERTIFICATE OF RILEY COUNTY PLANNING BOARD**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)

Approved this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

RILEY COUNTY PLANNING BOARD

Chairman

Member

Member

Member

Member

**SURVEYOR'S CERTIFICATE**

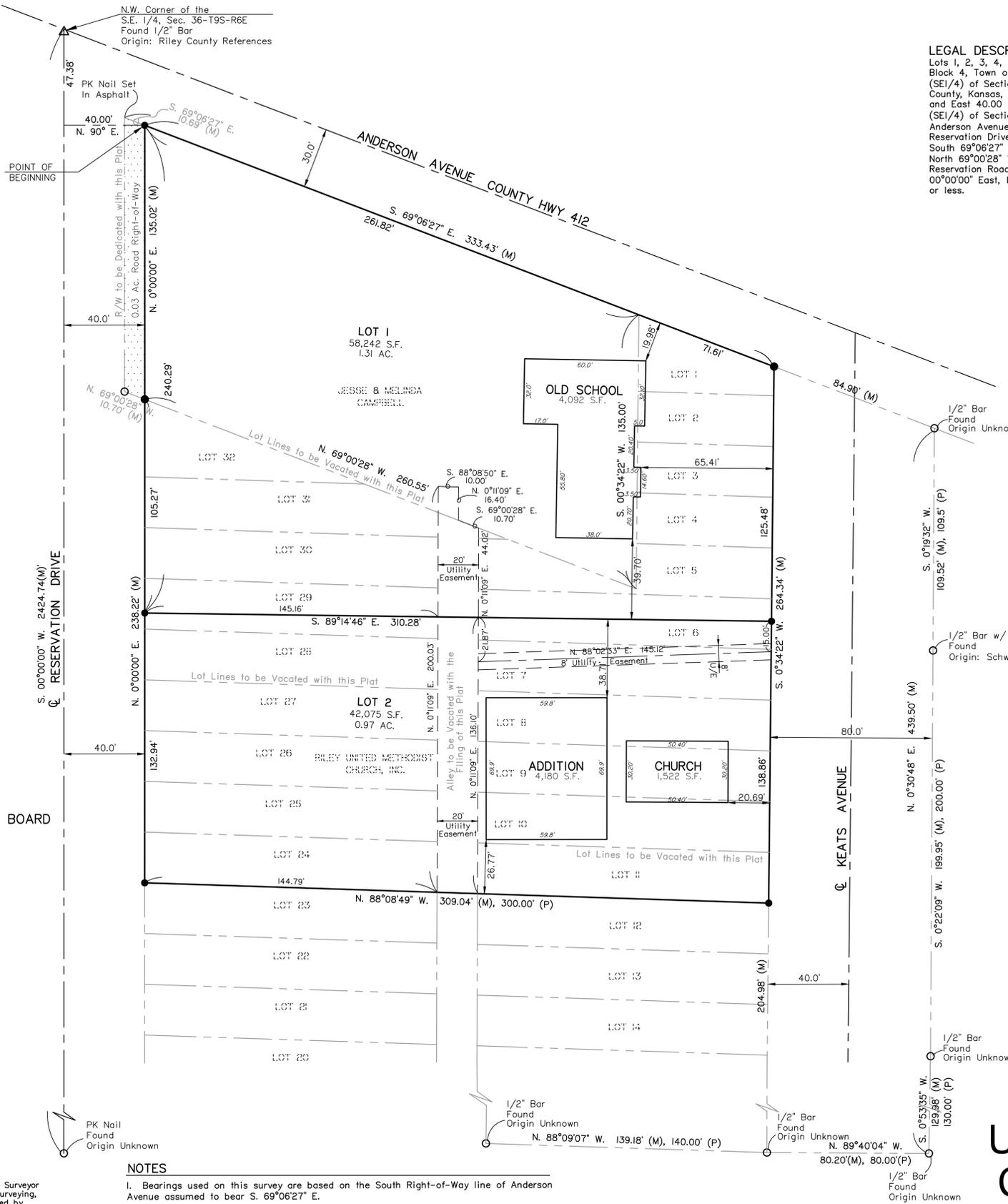
STATE OF KANSAS) SS:  
COUNTY OF RILEY)

I, the undersigned do hereby certify that I am a Registered Land Surveyor in the State of Kansas with experience and proficiency in land surveying, that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of Riley County, Kansas, have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_\_\_.

Schwab-Eaton, P.A.

Richard Carl Scott, R.L.S. 1430



**NOTES**

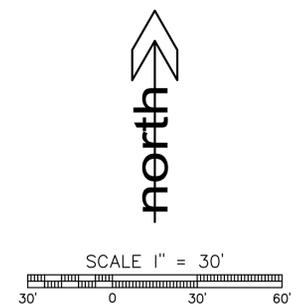
- Bearings used on this survey are based on the South Right-of-Way line of Anderson Avenue assumed to bear S. 69°06'27" E.
- No Gaps or overlaps were found on the property.
- Easements, setbacks, restrictions or encumbrances of record if any, affecting the title to this tract are shown.
- All of the area being platted is in Flood Zone X, an area outside of the 1% annual chance flood and 0.2% annual chance flood. Found on Flood Insurance Rate Map, Community-Panel Number 2016IC03276, Revised March 16, 2015.
- Buildings exist on this property as shown herein.
- There is currently no entrance pipes serving the properties. If this is deemed unsatisfactory a pipe will be sized in accordance with Riley County Standards and Specifications. In no case shall the pipe be less than 15 inches.

**EASEMENT AND RIGHTS-OF WAY NOTE:**

- All persons, entities and/or utility companies, having property rights or interests in any alley, road/street, easement, access control or other public reservation proposed to be vacated by this plat, have affirmed no existing use or future interest in such alley, road/street, easement, access control or other public reservation, and expressed no objections to such vacation.
- Property owner is required to maintain all publicly granted drainage easements. Natural or non-natural structures or vegetative barriers (including but not limited to trees, shrubbery, berms, fences and walls) are prohibited within publicly dedicated drainage easements.

**LEGAL DESCRIPTION**

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and Lots 24, 25, 26, 27, 28, 29, 30, 31, 32 in Block 4, Town of Keats, Riley County, Kansas AND a part of the Southeast Quarter (SE1/4) of Section 36, in Township 9 South, Range 6 East of the 6th P.M., Riley County, Kansas, described as follows: Beginning at a point that is South 47.38 feet and East 40.00 feet from the Northwest corner of the said Southeast Quarter (SE1/4) of Section 36, said point being on the Southwesterly right of way line of Anderson Avenue (County Highway 412) and the East right of way line of Reservation Drive; Thence along the South right of way line of Anderson Avenue, South 69°06'27" East, 261.82 feet; Thence South 00°34'22" West, 135.00 feet; Thence North 69°00'28" West, 260.55 feet to a point on the said East right of way line of Reservation Road; Thence along the said East line of Reservation Road, North 00°00'00" East, 135.02 feet to the Point of Beginning, containing 2.27 acres, more or less.



**RILEY COUNTY PLAT REVIEW SURVEYORS SIGNATURE BLOCK**

STATE OF KANSAS) SS:  
COUNTY OF RILEY)  
This Plat has been reviewed and approved for filing pursuant to and in compliance with K.S.A. 58-2005 and with the requirements of Riley County Resolution No. 0822913-58. No other warranties are extended or implied.  
Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
License: \_\_\_\_\_

A REPLAT OF LOTS I-II AND 24-32, BLOCK 4, TOWN OF KEATS, RILEY COUNTY, KANSAS AND A TRACT OF LAND IN SEC. 36-9-6  
**FINAL PLAT**  
**KEATS-RILEY UNITED METHODIST CHURCH ADDITION**

A SUBDIVISION IN  
RILEY COUNTY, KANSAS  
PREPARED BY



CONSULTING ENGINEERS - LAND SURVEYORS - LANDSCAPE ARCHITECTS  
1125 GARDEN WAY  
MANHATTAN, KANSAS PH 785-539-4687  
OCTOBER 2015



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Platting

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**PETITION:** (#15-18) Replat

**APPLICANT:** Ronald L. Schwab  
P O Box 387  
Fairbury, NE 68352

**PROPERTY OWNER:** Ronald L. Schwab & Beverly A. Schwab, Cotrustees of the  
R & B Schwab Trust dated August 22, 2002  
P O Box 387  
Fairbury, NE 68352

**REPRESENTATIVE:** Schwab-Eaton P.A.  
Attn: Caleb Rubash  
1125 Garden Way  
Manhattan, KS 66502

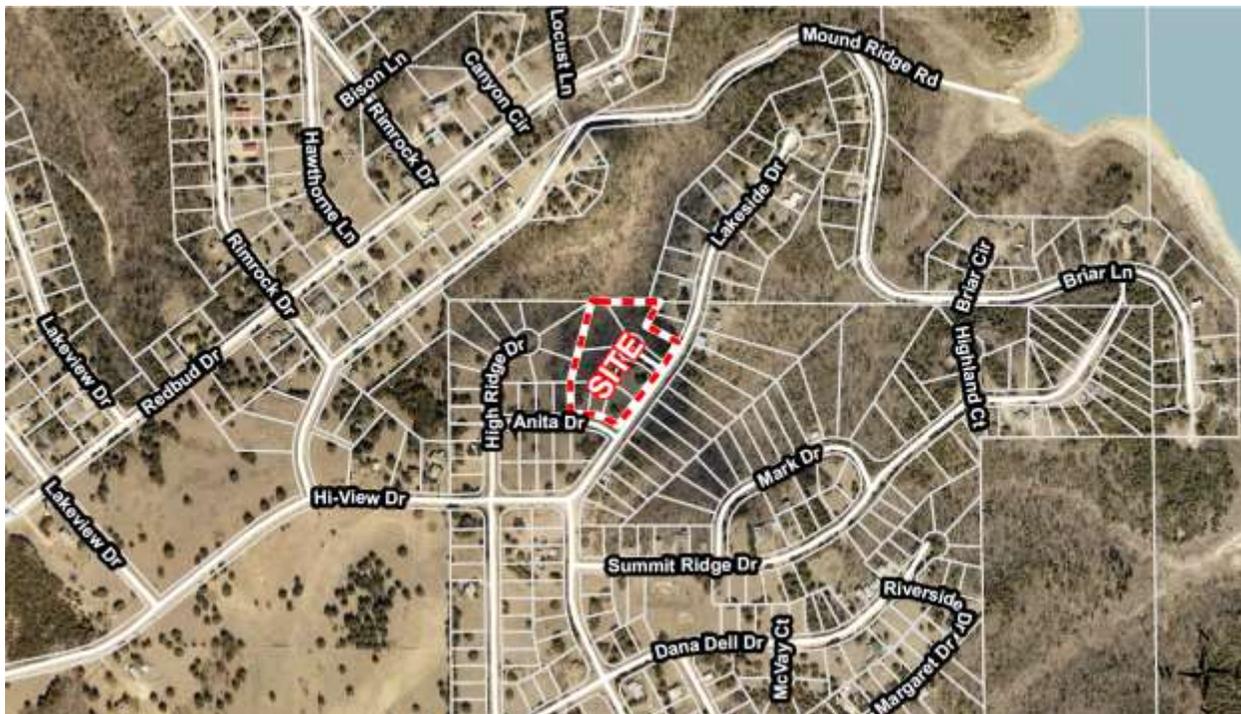
**TYPE OF REQUEST:** Replat all of Lots three (3) through ten (10) and all of Barbara Court  
lying in Block 1, Lakeside Heights Subdivision, into two (2) lots.

**SIZE OF TRACT:** The subject site is approximately 2.90 acres.

**LOCATION:** The request is generally located at the northwest corner of the  
intersection of Anita Drive and Lakeside Drive; Section 12, Township  
8 South, Range 6 East; Sherman Township.

**JURISDICTION:** This application is subject to the requirements of the Riley County  
Subdivision Regulations.

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**BACKGROUND:** The subject property was platted June 1962 as Lakeside Heights. The property was later zoned to “A-3” (Single Family Residential) during the 1974 Riley County Zoning Conversion process (Pet. #12). The A-3 Single Family Residential zoning classification was renamed SF-3 Single Family Residential in May 2012. The applicant wishes to construct a garage as an accessory to the home occupying Lot 6. However, due to topographical constraints and unused utility easements, locating the structure on the same lot as the principal structure is nearly impossible. The applicant wishes to replat Lots 3 through 10, all under single ownership, into two lots and vacate Barbara Court in the process.

**DESCRIPTION:**

Physical site characteristics: With the exception of Lot 6 six, the subject site is vacant, with a mix of heavily wooded ravines and sloping grasslands.

General character of the area: The general character of the area is a mix of suburban density developed and undeveloped lots.

**SUITABILITY OF ZONING:**

Zoning History: (see background)

Current Zoning: The subject property is zoned “SF-3” (Single Family Residential).

| SURROUNDING ZONING/LAND USE |                                    |          |
|-----------------------------|------------------------------------|----------|
|                             | ADJACENT ZONING                    | LAND USE |
| <b>NORTH</b>                | “SF-3” (Single Family Residential) | Vacant   |
| <b>SOUTH</b>                | “SF-3” (Single Family Residential) | Vacant   |
| <b>EAST</b>                 | “SF-3” (Single Family Residential) | Vacant   |
| <b>WEST</b>                 | “SF-3” (Single Family Residential) | Vacant   |

**POTENTIAL IMPACT:**

**Public Facilities and Services:**

Streets and bridges: The subject property has direct access to Lakeside Drive, a two lane local road maintained by the township.

Water and sewer: Although neither district has officially been expanded, proposed Lot 1 (existing Lot #6) is currently served by University Park Water District and Lakeside Heights Sewer District. It is proposed that Lot 2 will be served by the same districts.

Fire: Riley County Fire District #1 will serve the site. The nearest County fire station is the University Park station, located at 7412 Redbud Drive. The subject site is located within five road miles of a fire station.

Effect on public facilities and services: It is not anticipated that the proposed replat will have an adverse impact on public facilities and/or services.

**Portions of Plat to be Vacated:**

According to information provided by 1-800-DIG-SAFE (Kansas One Call) and Riley County records, the following utilities were identified as possibly being located in the general vicinity of the subject area:

- Twin Valley Telephone
- Riley County Public Works (water & sewer benefit district)
- Westar Energy
- Kansas Gas Service

Signed Utility Release forms provided by Schwab Eaton, were obtained by all persons, entities and/or utility companies, having property rights or interests in those portions of certain utility easements, as shown on the original plat of Lakeside Heights, to be vacated by this replat. The Utility Release form affirms that there is no existing use of or future interest in those easements, with the caveat that if the establishment of new easements is necessary, such easements will be shown on the proposed replat. Riley County Public Works and Sherman Township were notified that the applicant wishes to vacate all of Barbara Court (right-of-way), through this replat. There were no objections to vacating Barbara Court or the aforementioned portions of utility easements. Riley County Planning and Development has confirmed these utility releases.

**COMMENTS AND CONCERNS:**

ENVIRONMENTAL HEALTH: The Environmental Health staff has reviewed this plat and found it is in compliance with the Riley County Sanitary Code.

TOWNSHIP TRUSTEE: The Sherman Township Trustee has reviewed the plat and had no objections.

COUNTY ENGINEER: The County Engineer has reviewed the request and had no concerns with the request.

EMERGENCY MANAGEMENT: The Riley County Emergency Management Director reviewed the request and he stated that his only concern was that the subject area is without adequate fire flow and anyone building on these lots should be aware of that fact.

**STAFF RECOMMENDATIONS:**

Staff also recommends that the Board approve the Final Plat of Lakeside Heights Subdivision Unit Three, as it has been determined to meet the minimum requirements of the Riley County Subdivision and Zoning Regulations and Sanitary Code.

**ACTION NEEDED FOR PLAT:**

A. Motion to approve the request to plat (or replat) the subject property into two (2) lots, as it has been determined that it meets the requirements of the Riley County Subdivision Regulations.

OR

B. Motion to deny the request to plat (or replat) the subject property into two (2) lots, as it has been determined that it does not meet the requirements of the Riley County Subdivision Regulations.

**ATTACHMENTS:**

- Vicinity/site map
- Surrounding zoning map
- Final Plat map

**Prepared by:** Bob Isaac, Planner  
October 5, 2015



## VICINITY AND SITE

Schwab

Replat #15-18 Lakeside Heights  
Subdivision Unit Three

12-8-6

### Legend

-  1000' Buffer
-  Site



VICINITY

FORT RILEY



## SURROUNDING ZONING

Schwab

Replat #15-18 Lakeside Heights  
Subdivision Unit Three

12-8-6

### Legend

-  1000' Buffer
-  Site

- |  |   |
|--|---|
|  SF-1 Single Family   |  AG Agricultural   |
|  SF-2 Single Family   |  N-1 Noise Hazard  |
|  SF-3 Single Family   |  PUD Planned Unit Dev  |
|  SF-4 Single Family   |  U University  |
|  SF-5 Single Family   |  City Boundaries   |
|  B-1 Two Family       |  Fort Riley  |
|  B-2 Multiple Family  |   |
|  B-3 Mobile Home Park |   |
|  C-1 Neighborhood Bus |   |
|  C-2 Shopping Dist    |   |
|  C-3 General Business |   |
|  C-4 Highway Business |   |
|  D-1 Industrial Park  |  Special Zoning:<br>Conditional Use<br>Designator Lot<br>Special Use<br>Variance |
|  D-2 Light Industrial |   |
|  D-3 Heavy Industrial |   |
|  D-4 Business Park    |   |



