

HAYSVILLE PLANNING COMMISSION

Agenda

May 27, 2021

7:00 p.m., Municipal Building, 200 W. Grand

- I. Call to Order
- II. Roll Call
- III. Presentation and Approval of Minutes
 - A. Minutes of March 11, 2021
- IV. Special Order of Business
 - A. Public Hearing to Consider a Zone Change Request from D to E, 7141 S. Broadway
 - B. Public Hearing to Consider a Vacation of Easement, Timber Creek Estates Addition
 - C. Public Hearing to Consider a Zoning Code Amendment to Article 9 and Article 10
- V. New Business
 - A. Bicycle/Pedestrian Plan Review
- VI. Old Business
- VII. Correspondence and Informational Reading
- VIII. Committee Updates
- IX. Off Agenda
- X. Adjournment

HAYSVILLE PLANNING COMMISSION

Minutes

March 11, 2021

The regular Planning Commission Meeting was called to order by Chairperson Tim Aziere at 7:00 p.m. in the Council Chambers at the Haysville Municipal Building, 200 W. Grand.

These members were present: Tim Aziere, Pat Hatcher, Mark Williams, Debbie Coleman, Bob Wethington, Nicole Franken, and Fred Plummer. Also present was City Clerk/Treasurer Angela Millsbaugh and Deputy Administrative Officer Georgie Carter.

The first item of business were the Minutes of February 25, 2021.

Motion by Coleman

Second by Williams

To approve the minutes as presented.

Aziere yea, Hatcher abstain, Williams yea, Coleman yea, Wethington abstain, Franken abstain, Plummer yea

Hatcher and Wethington abstain.

Motion carried.

Under Special Order of Business was a public hearing to consider a Vacation Request on 8639 S. Water.

Aziere stated the Kansas Supreme Court has defined the role of the Planning Commission as a quasi-judicial function to protect the rights of all parties involved. It also helps create an opportunity for everyone to speak their opinions and present information to assist the Planning Commission in reaching a decision. The fact-finding procedure the Haysville Commission currently uses is on paper by the door.

Motion by Coleman

Second by Franken

To open the hearing.

Aziere yea, Hatcher yea, Williams yea, Coleman yea, Wethington yea, Franken yea, Plummer yea,

Public hearing was opened.

Aziere stated the right-of-way is an unconstructed portion of 86th Street South. It is located ¼ mile west of South Broadway and ¼ mile north of West 87th Street in Haysville, KS of Sedgwick County. He asked if any Planning Commissioners have received outside contact regarding this case. All members present said no. Aziere asked if any Planning Commissioners have a conflict of interest. All members present said no. Aziere asked if the planning commission secretary received any electronic or handwritten communication for this case. Carter said no.

Carter presented the staff report. She stated the property owner of 8639 S Water is requesting the vacation of the right-of-way, an unconstructed portion of 86th Street. The property owner to the south has also signed the vacation petition. She stated the area was platted as part of the W.L. Branch addition in 1977. The recommended action is to approve the vacation request. Carter stated staff does not see any impact to the residents in the area. The area to the west is agriculture, and there are no plans to extend 86th Street through. She also stated they do not see any significant growth in the area within the next five years, and it will not require utility services. Aziere asked if there are any utilities present. Carter responded not in the right-of-way. Aziere asked if that was verified, and Carter said yes.

Aziere called for the Applicant or their Agent to step forward.

Judy Chandler, 8639 South Water, stated she has maintained the property for 30 years, along with the property owners to the south. The property owners west of 8639 South Water do not plan on selling the property.

Aziere called for questions from the Commission. Williams asked for the width of the strip of land. One of the property owners stated 60 feet.

Aziere called for any other members of the public to speak. There was none.

Aziere declared the comment section of the public hearing closed and opened the floor to Commissioner's comments. He stated the acceptance of a vacation of road right-of-way must be based on the following considerations:

- The proposed uses must not be contrary to public interest
- The spirit of the article is observed
- The public safety and welfare is secured
- Substantially equal treatment under the law is preserved

Aziere stated the following criteria shall be observed as relating to this specific case:

- Plats or city limit lines
- Streets, alleys, or any public rights-of-way
- Easements, access and setbacks

Aziere called for discussion. He stated his belief for the original intent of the plat: a road would go through and connect the properties. Aziere said this has remained unplatted for a significant amount of time, and platting this land is currently unnecessary. If the lot was to be platted within ten years, then the City could function without the connection of the properties. He stated there are possible connections to the north if needed. The plat will be reverted to both adjacent property owners equally 30/30 feet.

Motion by Coleman

Second by Franken

To approve the vacation of this portion of 86th Street South right-of-way

Aziere yea, Hatcher yea, Williams yea, Coleman yea, Wethington yea, Franken yea, Plummer yea.

Motion carried.

Under New Business, Aziere presented the Closing Calendar. Carter stated the plan is to meet monthly. Aziere said he may not be present for the meeting on June 24. Williams said he will not be present for the meeting on May 27.

Motion by Wethington

Second by Williams

To approve the Closing Calendar as presented

Aziere yea, Hatcher yea, Williams yea, Coleman yea, Wethington yea, Franken yea, Plummer yea.

Motion carried.

Under New Business, Aziere presented the Plan Review Calendar. He stated the intent is to review these every year. Aziere stated if there is no other business on the agenda the Planning Commission can review several topics at once and not meet every month. He asked what items are high priority. Millspaugh stated the BPAC and Park board are submitting recommendations they have recently made. The Historic committee has changes but haven't finalized due to not meeting. The Comprehensive Plan, Zoning Regulations and Land Use Map need to be reviewed and are top priority. Aziere stated he reviewed the Land Use Map with Wethington. Millspaugh said the last recorded document was dated 2014. Aziere asked Millspaugh if she recommends hiring an outside consultant, and she said that is her recommendation for the Comprehensive Plan. Aziere stated the Commission could have public meetings to get input for the Land Use Map.

Motion by Wethington

Second by Coleman

To approve the Plan Review Calendar for the year

Aziere yea, Hatcher yea, Williams yea, Coleman yea, Wethington yea, Franken yea, Plummer yea.

Motion carried.

There was no Old Business.

There was no Correspondence and Informational Reading.

There were no Committee Updates.

There was nothing for Off Agenda.

Motion by Wethington

Second by Coleman

To adjourn. Aziere yea, Hatcher yea, Williams yea, Coleman yea, Wethington yea, Franken yea, Plummer yea.

Motion carried.

The meeting adjourned at 7:13 p.m.



Haysville Planning Commission Staff Report

AGENDA ITEM: V-A

Subject: Zone Change Request from “D” to “E”
Case Number: ZON2021-02
Meeting Date: May 27, 2021
Presented By: Jonathan Tardiff, Planning and Zoning Administrator
Public Hearing: Required, to be held by Planning Commission

ANTICIPATED MEETING SCHEDULE

<i>Body</i>	<i>Meeting Date</i>	<i>Action</i>
Planning Commission	5/27/2021	Hold required public hearing. Recommendation for approval, approval with modifications, or denial of the proposal. This recommendation is forwarded to the City Council.
City Council	6/14/2021	Adopt the recommendation of the Planning Commission as presented, override the recommendation, or return the recommendation to the Planning Commission (1 st reading of ordinance).

AREA MAP

Area of application is marked with a black arrow below:



RECOMMENDED ACTION

Staff recommends approval of the zone change request with the provision that a protective overlay be added per Chapter 16, Section 417 B5, of Haysville Municipal Zoning and Planning Code. The protective overlay should include a requirement for screening of any items stored outside. An opaque screening should be installed along the west and south property lines. The following materials would be allowed:

1. Wood fence boards.
2. Plastic or PVC material, provided such materials are designed for use as fencing.
3. Masonry materials or concrete poured or placed in such fashion as to meet fence design requirements.

BACKGROUND INFORMATION

The applicant has submitted an application for a Zone Change from “D” Light Commercial to “E” Heavy Commercial in order to have a welding business put in.

Public hearing notices were mailed on May 5, 2021 to all owners of property located within 200 feet of the subject property. On May 6, 2021, notice of a public hearing was published in the official newspaper of the City, The Times Sentinel.

Legal Considerations

Findings of Fact: Section 700B of the Zoning Regulations provides specific matters for the consideration by the Planning Commission when approving or not approving a rezoning request for a specific property. The Planning Commission may find that not all factors are relevant to this zone change request. Matters that are determined by the Planning Commission to be important will be the basis for the Planning Commission’s recommendation. In order to properly make a recommendation to the City Council, the Planning Commission must make specific and substantiated findings supporting its recommendation.

1. **ZONING USES AND CHARACTER OF THE NEIGHBORHOOD:** *(Factual description of the application area and surrounding property as to existing zoning, land uses, general condition, age of structures, etc.).*
 - The subject property is vacant and not being used.
 - Adjacent properties are zoned for ‘E’ Heavy Commercial to the North. ‘D’ Light Commercial to the South. ‘F’ Light Industrial to the East. ‘A’ Single-Family to the West.
 - It is not uncommon for this area to have ‘E’ Heavy Commercial as indicated on the map below in orange.



Legend ⤴ ✕

ZoningbyParcels_Final

- A: Single Family Dwelling District
- AA: Single Family Dwelling District
- AAA: Large Lot Single Family Dwelling District
- B: Two, Three & Four Family Dwelling District
- BB: One & Two Family Dwelling District
- C: Manufactured Home Parks or Manufactured Home Subdivision
- CC: Apartment District
- D: Light Commercial District
- DD: Hotel & Motel District
- E: Heavy Commercial District
- F: Light Industrial District
- NA

2. SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED: *(How is the property currently zoned and what uses are allowed on the property? Are these uses suitable given surrounding zoning and site criteria? Are the current allowed uses the only ones that might be appropriate for this property?)*
- The property is currently zoned “D” Light Commercial and a welding shop is not allowed in current zoning.
 - The uses permitted in the “E” Heavy Commercial District, including a welding shop are suitable for the site and are compatible with surrounding zoning and land uses.
3. EXTENT TO WHICH REMOVAL OF THE RESTRICTIONS WILL DETRIMENTALLY AFFECT NEARBY PROPERTY: *(Can the uses allowed in the requested district be good neighbors to existing development? This is a subjective question. The focus should be on facts, not fears, and should be based on issues that zoning can address (e.g. allowed uses, minimum lot size, height, setbacks, traffic generation, landscaping and screening, use limitations, etc.))*
- The property is currently surrounded by Light Commercial and Heavy Commercial lots and adjacent to a Light Industrial lot and a Single Family lot.
 - Staff does not foresee any detrimental impacts to nearby property if the request is granted. The property will be heavy commercial, and has the same size, height, and setback regulations as the existing zoning.
 - Staff does not see any detrimental effect but is recommending requiring screening if there will be any items stored outside.
4. LENGTH OF TIME SUBJECT PROPERTY HAS REMAINED VACANT AS ZONED: *(Factual information, but its importance may be somewhat subjective. A property may be vacant because the current zoning is unsuitable, but there may be other reasons not related to zoning. Some examples might be a large availability of property of the same zoning district, financing problems, land speculation, fragmented ownership, lack of available public services, or other development problems.)*
- The property is currently unplatted.
 - The property was last sold in 2020.
5. RELATIVE GAIN TO THE PUBLIC HEALTH, SAFETY AND WELFARE AS COMPARED TO THE LOSS IN VALUE OR THE HARDSHIP IMPOSED UPON THE APPLICANT: *(The protection of public health, safety and welfare is the basis for zoning. The relationship between the property owner’s right to use and obtain value from their property and the City’s responsibility to its citizens should be weighed.)*
- The health, safety and welfare matters associated with the proposed “E” Heavy Commercial zoning should not be significantly different than those associated with the existing “D” Light Commercial Zoning.

6. CONFORMANCE OF THE REQUESTED CHANGE TO THE ADOPTED OR RECOGNIZED COMPREHENSIVE PLAN: *(Does the request agree with the adopted plan recommendations? If not, is the plan out-of-date or are there mitigating circumstances which speak to the nonconformity?)*

- Haysville’s Land Use Plan identifies the property as commercial and does not differentiate between heavy or light commercial.
- The Comprehensive Plan provides the following goal for Commercial.
 - Provide opportunities for the continuation and expansion of retail activities in the Haysville area.

7. IMPACT OF THE PROPOSED DEVELOPMENT ON COMMUNITY FACILITIES: *(Are water and sewer available for extension? How are roads impacted? Can other community facilities (e.g. police, fire, parks, libraries, schools) handle the increased development? Should be based on factual information referencing standards used to make the determination.)*

- Municipal water and sewer is available to the property.
- Municipal services such as police and fire protection are already provided to the area, and no additional burden is anticipated that cannot be accommodated with existing resources.
- This lot is located along Broadway, a five-lane highway.

8. OPPOSITION OR SUPPORT OF NEIGHBORHOOD RESIDENTS: *(This is just one of the factors to be considered and by itself is not sufficient reason to approve or deny a request.)*

- No one has indicated their opposition to this zone change. (See attached comments).

9. RECOMMENDATION OF STAFF: *(Should be based on the proceeding eight factors, adopted plans and policies, other technical reports (e.g. Capital Improvement Program, facility master plans, etc.) which speak to the topic, and staff’s best professional judgement.)*

Staff recommends approval of the zone change request with the provision that a protective overlay be added per Chapter 16, Section 417 B5, of Haysville Municipal Zoning and Planning Code. The protective overlay should include a requirement for screening of any items stored outside. An opaque screening should be installed along the west and south property lines. The following materials would be allowed:

- Wood fence boards.
- Plastic or PVC material, provided such materials are designed for use as fencing.
- Masonry materials or concrete poured or placed in such fashion as to meet fence design requirements.

Recommended Motion:

Approve the request to change the zoning classification of 7141 S. Broadway Ave from “D” Light Commercial to “E” Heavy Commercial with a protective overlay added based on the findings of fact and forward a recommendation of approval to the City Council.

PUBLIC REVIEW

The public hearing notice was published on May 6, 2021. Any written record of the comments received as of May 26, 2021 are attached. Comments received after this date will be distributed at the meeting.

ATTACHMENTS

Application
Copy of the Public Hearing Notice
Public Comments

COMMENTS

- On May 10, 2021 at approximately 9:45 a.m., Phil Near owner of Jump Start Stores Inc. located at 7200 S Broadway Ave., called and asked what business would be located at the property:
 - I informed him it was a welding business.
 - He said he was ok with the zone change and that it made sense for a change in zoning.

- On May 19, 2021 at approximately noon, Mrs. Sherilyn Hurst and Mr. John Hurst owners of Liquor Zone located at 7127 S. Broadway Ave., called and asked what business would be located at the property:
 - I informed them it was a welding business.
 - They said they had no opposition with the zone change and that it made sense for a change in zoning.



CITY OF HAYSVILLE

PO Box 404
200 W. Grand
Haysville, KS 67060
Phone: 316/529-5900 | Fax: 316/529-5925
www.haysville-ks.com

Zoning Application

THE RECEIPT OF MONIES DOES NOT CONSTITUTE APPROVAL OF APPLICATION

APPLICANT INFORMATION

Name of Applicant:	Gerald L. Dannegan	Phone:	316-686-3538
Mailing Address:	3330 E. McArthur	Email:	Ks+wisstr99@aol.com
City, State, ZIP	Wichita, KS 67216		
Name of Authorized Agent or Additional Applicant:	Robin Gilman	Phone:	(316) 207-3990
Mailing Address:	2555 Yellowstone Ct	Email:	flwrgirl67@aol.com
City, State, ZIP	Wichita KS 67215		

ZONING INFORMATION

The applicant(s) hereby request(s) rezoning of:	7141 So. Broadway.
Legally Described as Follows:	
From Zone:	Light Commercial
To Zone:	Heavy Commercial

SIGNATURE

Applicant:	<i>Gerald L. Dannegan</i>	Date:	3-9-21
Agent or Additional Applicant:	<i>Robin Gilman</i>	Date:	

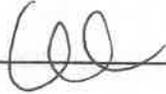
The Haysville Planning Commission may, in certain instances, recommend zoning or rezoning of property located within the city limits. The following items should accompany all requests:

1. Legal description
2. Proof of ownership
3. Sketch of property
4. Certified (prepared by an abstract company) ownership list for all properties within 200 feet of subject property if all property is within the city limits or 1000 feet of subject property if all property is outside the city limits or a combination
5. Copy of restrictive covenants (if any)
6. Filing fee of \$200.00 and publication fee of \$75.00 paid to the City Clerk as set out in Article 7 of the Zoning Regulations of the City of Haysville

OFFICE USE ONLY

This application was received at the office of the Planning Commission at 2pm (am/pm) on 3/10/21
2021. It has been checked and found to be correct and accompanied by required documents and the appropriate fee of
\$275.00.

Authorized Signature: _____



Title: _____

DAC

PUBLIC NOTICE

First Published in The TSnews May 6, 2021 (11)

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: At 7 p.m., Thursday, May 27, 2021, in the Council Chambers at City Hall, 200 West Grand, Haysville, Kansas, the Haysville Planning Commission will hold a public hearing to consider a zone change request from "D" Light Commercial to "E" Heavy Commercial for property generally described as 7141 S. Broadway Ave, and legally described as: Beg. 266.62' N SE Corner SE 1/4 Sec. 32, Twp. 28S, Range 1E, W 297' N 98.5' E 297' S to beg. Exc. E 95.7' for HWY CC 82C1369, Haysville, Sedgwick County, Kansas.

All interested citizens and property owners of the City as well as other persons of interest, are invited to attend the public hearing and participate in the same. Also, any such interested persons may express his or her opinion concerning the proposed case by delivering, either in person or by mail, a letter addressed to the City of Haysville, Attn. Planning Department, 200 W. Grand Ave, P.O. Box 404, Haysville, Kansas 67060 or email them to jtardiff@haysville-ks.com.

Written comments will be accepted up to 4 pm on the day of the meeting.

For additional information call 529-5900 or visit www.haysville-ks.com.

Affidavit of Publication

Michelle R. Leidy-Franklin
Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC
State of Kansas**

A weekly newspaper printed in the state of Kansas, And published in and of general circulation in Sedgwick County, with a general paid circulation on a yearly Basis in Sedgwick County of Kansas, and that said Newspaper is not a trade, religious, or fraternal Publication. That said newspaper has been published At least weekly 50 times 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 has been admitted to the Post Office of Cheney, Kansas, in Sedgwick County as Second class matter. That the attached is a true copy Thereof and was published on the following dates in the Regular and entire Issue of said newspaper.

First Publication was made
On the 6 Day of May, 2021
Second Publication was made
On the _____ Day of _____, 2021
Third Publication was made
On the _____ Day of _____, 2021

Total Publication Fee \$ 67.50

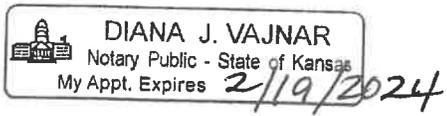
Michelle R. Leidy-Franklin

Subscribed and sworn to before me this
5 Day of May, 2021

Diana Vajnar

Notary Public

My Commission expires on 2/19/2024



TO WHOM IT MAY CONCERN:

NOTICE OF PUBLIC HEARING

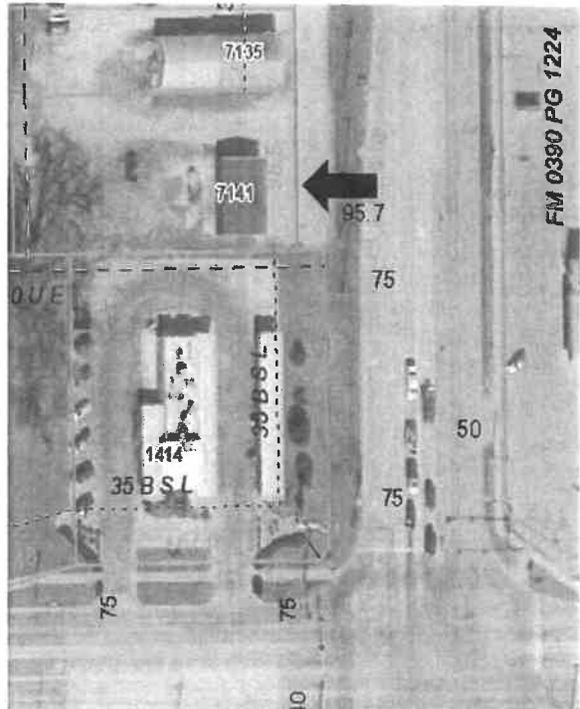
At 7 p.m., Thursday, May 27, 2021, in the Council Chambers at City Hall, 200 West Grand, Haysville, Kansas, the Haysville Planning Commission will hold a public hearing to consider a zone change request from **“D” Light Commercial to “E” Heavy Commercial** for property generally described as the lot located at 7141 S. Broadway Ave., legally described as: **Beg. 266.62’ N SE Corner SE 1/4 Sec. 32, Twp. 28S, Range 1E, W 297’ N 98.5’ E 297’ S to beg. Exc. E 95.7’ for HWY CC 82C1369, Haysville, Sedgwick County, Kansas.**

The Commission will hear comments, both written and oral, at the time of the hearing. For additional information call 529-5900.

Sincerely,

Jonathan Tardiff
Planning and Zoning Administrator

Area of Application



Public Comments

5/10/21: Approximately around 9:45 a.m. Mr. Phil Near owner of Jump Start Stores, Inc. located at 7200 S. Broadway Ave. called wondering what business was going into the property located at 7141 S. Broadway Ave requiring a zone change. I informed him it was a welding business. He was ok with the zone change and it made sense for a change in zoning.

5/19/21: Around Noon Mr. John Hurst and Mrs. Sherilyn Hurst owners of Liquor Zone located at 7127 S. Broadway Ave. called asking about what business was going into the property located at 7141 S. Broadway Ave requiring a zone change. I informed them it was a welding business. They said they had no opposition of the zone change.



Haysville Planning Commission Staff Report

AGENDA ITEM: V-B

Subject: Vacation of Utility Easement in Timber Creek Estates.

Location: Timber Creek Estates is east of Seneca St, west of the Drainage Floodway LOTS 21-41 BLOCK A TIMBER CREEK ESTATES more commonly known as 437 E River Birch St. to 107 E River Birch Circle, north of two unplatted sections, the Burden Addition, and the Batson Addition, and south of Lots 24-38 BLOCK B TIMBER CREEK ESTATES and south of Lot 17 BLOCK A.

Meeting Date: May 27, 2021

Presented By: Jonathan Tardiff, Planning and Zoning Administrator

Public Hearing: Required to be held by Planning Commission

ANTICIPATED MEETING SCHEDULE

<i>Body</i>	<i>Meeting Date</i>	<i>Action</i>
Planning Commission	5/27/2021	Hold required public hearing. Recommendation for approval, approval with modifications, or denial of the proposal. This recommendation is forwarded to the Haysville City Council.
City Council Meeting	6/14/2021	Adopt the recommendation of the Planning Commission as presented, or deny the recommendation.

LOCATION

Area of application is highlighted in yellow: Please See attached Plat.

REQUEST

Vacation of 10' easement located on Lots 22 to 41 BLOCK A TIMBER CREEK ESTATES ADDITION, more commonly known as 437 E River Birch St. to 107 E River Birch Circle, and the 10' easement located on LOTS 21 to 22 BLOCK A TIMBER CREEK ESTATES ADDITION, more commonly known as 430 E River Circle and 437 E River Circle.

The City and property owners have submitted the request. All but one property owner has signed the application, we have been unable to contact this owner.

BACKGROUND INFORMATION

The Timber Creek Estates Addition was first platted in February 2006.

RECOMMENDED ACTION

Approve the vacation request.

Staff does not see any negative impact on the residents in the area. This portion of E River Birch St. to E River Birch Circle road is utilized for residences in the Timber Creek Estates and vacating this rear easement will only affect those living in the addition. Utility companies have been contacted, utilities are ran on the north side of the properties. No utilities companies requested a future need for use of the rear easement.

PUBLIC REVIEW

The public hearing notice was published on May 6, 2021. Any comments received as of May 26, 2021 are attached. Comments received after this date will be distributed at the meeting.

ATTACHMENTS

Application for Vacation
Vacation Petition
Utility company comments
Plat of the area
Copy of the Public Hearing Notice



Application Form
Vacation of Streets, Alleys, Easements, and Other
Public Dedications

CITY OF HAYSVILLE, KANSAS
PLANNING COMMISSION - 200 W. GRAND AVE., P.O. BOX 404
HAYSVILLE, KANSAS 67060 - (316) 529-5900 (316) 529-5925 - FAX
www.haysville-ks.com

Applicant Information

This application is for a VACATION REQUEST. The form must be completed and filed with the Department of the Planning Commission. All spaces must be completed or marked as "not applicable", (i.e. N/A). An incomplete application will not be accepted.

***If more than one property owner is contiguous to the proposed vacation, all owners must sign the authorization below OR submit an acknowledgement indicating they do not object to the vacation.**

*Applicant(s): _____ *City of Haysville Land Bank* _____

Street Address: _____ *200 West Grand* _____

City: Haysville State: KS Zip: 67060 E-mail: _____

Business Phone: 316-529-5900 Home Phone: _____

Authorized Professional Agent (e.g. Engineer) or Owner Representative:

Street Address: _____

City: _____ State: _____ Zip: _____ E-mail: _____

Business Phone: _____ Home Phone: _____ Fax: _____

Requested Action

You must attach a survey, map, or diagram of the area sought to be vacated.

Type of vacation: Street: _____ Alley: _____ Easement: X Platted Setback: _____ Other: _____

Address of property for requested vacation: 107 E River Birch St, to 460 E River Birch Circle (south side of street), and 454 E River Birch Circle (east side of street)

Name of Plat or Subdivision: Timber Creek Estates

Lot # 21-41 Block # A

Legal description of property requested for vacation: south utility easement located on Lots 22-41, and the northeast utility easement on Lot 21 and 22, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas,

Purpose of vacation request: *Utilities were ran on the front side of the properties, easement is not needed.*

Authorization

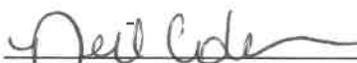
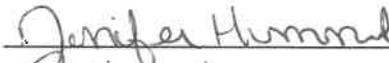
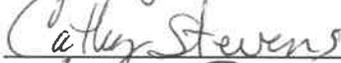
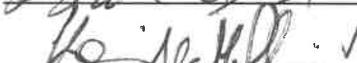
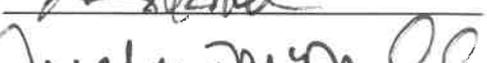
In making this request for vacation of the above described property now in public ownership, I understand that:

1. That the title of this property, if involved, can be vacated only through legal proceedings before the governing body. I further understand and agree that if approved, the vacation proceeding shall be at no cost to the City, or any utility; and I agree to pay all costs of the removal and relocation of all underground surface utilities presently located in the public way or easement for which vacation is request; or to make such other arrangements as may be agreeable to the utilities concerned.
2. Any order approving a vacation of plat, street, alleys, easements or a public reservation shall provide for the reservation to the City and the owners of any lesser property rights for the public utilities, rights-of-ways and easements for public service facilities originally held in such plat, street, alley, easement or public reservation then in existence and use.

The Applicant herein, or authorized agent, acknowledges:

1. Receipt for an instruction sheet concerning the filing and hearing of this matter.
2. Advisement of the fee requirements established by Section 17-378, code of the City of Haysville, KS, and that the appropriate fee is herewith tendered.
3. Advisement of the right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.
4. That all documents are attached hereto as noted in the instructions.

I (We) am (are) the owner(s) of record of property adjoining the requested area sought to be vacated and hereby authorize filing of this application. I (We) declare that all information provided with this application is complete and accurate. I (We) acknowledge the instructions and regulations have been reviewed and understood, and authorize any agent or representative listed in this application to represent me (us).

Owner(s) Name:	Owner(s) Signature:	Date:
Neil Coleman		4-29-2021
Jennifer Hummel		4-29-21
Cathy Stevens		4-29-21
Kimi Roberson		4-30-21
KENNETH J. ROBERSON		4-30-21
Haysville Land Bank		4-30-21
Kevin McMullin		4/30/21
NICKI McMULLIN		4/30/21
Jimmie Atkinson		5/6/21
Georgette Atkinson		5/6/21
Andrew Dunbar		5/13/21

Planning Office Use Only:

Date Submitted: 4/28/21 Filing Fee: Council District:
 Date Advertised: 5/6/21 Date of Hearing: 5/27/21
 Authorized Signature: Jonathan Turdiffe Title: Planning & Zoning Administrator

RE: Easement of Vacation

Taylor, Travis (CCI-Central Region) <travis.taylor@cox.com>

Tue 5/4/2021 10:21 AM

To: Jonathan Tardiff <jtardiff@haysville-ks.com>

Jon,

Cox Communications is clear of the highlighted area.

Thank you,

Travis Taylor

Supervisor – Construction and Planning

Outside Plant Construction & Engineering

901 S. George Washington Blvd. Wichita, KS 67211

O: 316.260.7468 | C: 316.833.1756



[Access OSP Resources and Support Requests Here](#)

From: Jonathan Tardiff <jtardiff@haysville-ks.com>

Sent: Monday, May 3, 2021 3:12 PM

To: Cindy.Littlejohn@onegas.com; Heide.Bryan@evergy.com; sl5453@att.com; Taylor, Travis (CCI-Central Region) <travis.taylor@cox.com>

Cc: Georgie Carter <gcarter@haysville-ks.com>; Angie Millsbaugh <amillsbaugh@haysville-ks.com>

Subject: [EXTERNAL] Easement of Vacation

To whom it may concern:

Enclosed for your review and comment is a request for the vacation of an easement located in the Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The utility easement is located on: Lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The general location of the request is 107 E River Birch St, to 437 E River Birch Circle (south side of street) rear yard 10 ft. utility easement, and 437 E River Birch Circle - 430 E River Birch Circle (east side of street) rear 10 ft.

The attached plat shows the utility easements highlighted in yellow. This easement vacation will be discussed at the Haysville Planning Commission meeting on May 27, 2021.

Please comment on this easement vacation before 4 p.m., May 26, 2021. Send your comments to the Haysville Planning Department, P.O. Box 404, Haysville, Kansas or email them to jtardiff@haysville-ks.com.

Sincerely,

RE: Easement of Vacation

LEBRUN, STEPHEN S <sl5453@att.com>

Mon 5/3/2021 3:19 PM

To: Jonathan Tardiff <jtardiff@haysville-ks.com>

AT&T is front easement in this area. I see no issues with this vacation.

Stephen LeBrun

AT&T-Manager-OSP Planning and Engineering Design

154 N Broadway Rm 210

Wichita, KS 67202

316-268-2192 Office

316-708-9438 Mobile

sl5453@att.com Email

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you receive this in error, please contact the sender and delete material from all computers

From: Jonathan Tardiff <jtardiff@haysville-ks.com>**Sent:** Monday, May 3, 2021 3:12 PM**To:** Cindy.Littlejohn@onegas.com; Heide.Bryan@evergy.com; LEBRUN, STEPHEN S <sl5453@att.com>; travis.taylor@cox.com**Cc:** Georgie Carter <gcarter@haysville-ks.com>; Angie Millspaugh <amillspaugh@haysville-ks.com>**Subject:** Easement of Vacation

To whom it may concern:

Enclosed for your review and comment is a request for the vacation of an easement located in the Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The utility easement is located on: Lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The general location of the request is 107 E River Birch St, to 437 E River Birch Circle (south side of street) rear yard 10 ft. utility easement, and 437 E River Birch Circle - 430 E River Birch Circle (east side of street) rear 10 ft.

The attached plat shows the utility easements highlighted in yellow. This easement vacation will be discussed at the Haysville Planning Commission meeting on May 27, 2021.

Please comment on this easement vacation before 4 p.m., May 26, 2021. Send your comments to the Haysville Planning Department, P.O. Box 404, Haysville, Kansas or email them to jtardiff@haysville-ks.com.

Sincerely,

Jonathan Tardiff

RE: Easement of Vacation**Proctor, Sara A.** <Sara.Proctor@onegas.com>

Mon 5/3/2021 3:59 PM

To: Jonathan Tardiff <jtardiff@haysville-ks.com> 1 attachments (1 MB)

Timber Creek Estates Add- Haysville Utility Map.pdf;

Good afternoon Jonathan,

The request for vacation of easement in the Timber Creek Estates Addition has been reviewed. There are no KGS lines or equipment that will be impacted by this vacation. Please see the attached utility map of the area and if anything else is needed let me know.

Please send any future requests directly to me for an immediate response.

Thank you!

Sara Proctor

Project Designer II

P: 316.832.3178, F: 316.831-5696

Sara.Proctor@onegas.com1021 E 26th St. Wichita, KS 67219 | kansasgasservice.com**From:** Jonathan Tardiff <jtardiff@haysville-ks.com>**Sent:** Monday, May 3, 2021 3:12 PM**To:** Littlejohn, Cindy <Cindy.Littlejohn@onegas.com>; Heide.Bryan@evergy.com; sl5453@att.com; travis.taylor@cox.com**Cc:** Georgie Carter <gcarter@haysville-ks.com>; Angie Millsbaugh <amillsbaugh@haysville-ks.com>**Subject:** [External] Easement of Vacation

WARNING: This email was sent from an EXTERNAL source. Use extreme caution when clicking links or opening attachments. Please forward suspicious email to phishingreport@onegas.com.

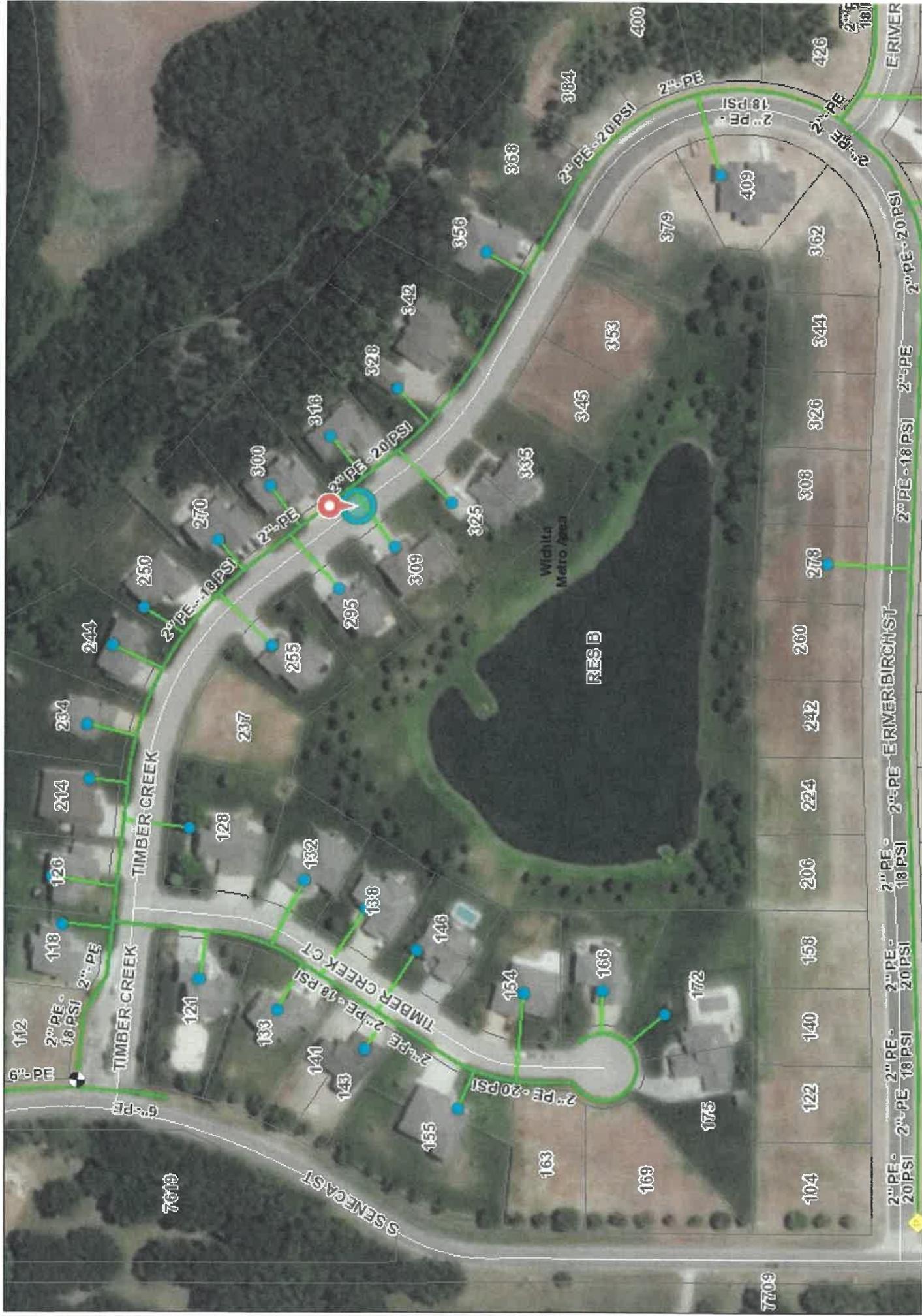
To whom it may concern:

Enclosed for your review and comment is a request for the vacation of an easement located in the Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The utility easement is located on: Lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The general location of the request is 107 E River Birch St, to 437 E River Birch Circle (south side of street) rear yard 10 ft. utility easement, and 437 E River Birch Circle - 430 E River Birch Circle (east side of street) rear 10 ft.

The attached plat shows the utility easements highlighted in yellow. This easement vacation will be discussed at the Haysville Planning Commission meeting on May 27, 2021.



Timber Creek Estates Add - Haysville Utility Map





Jonathan Tardiff
City of Haysville
200 W. Grand Ave
PO Box 404
Haysville KS 67060

May 7, 2021

RE: request to vacate a 10' utility easement along Lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas.

Dear Mr. Tardiff

Westar Energy has reviewed the request to vacate a portion of the 10' U.E along lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. We have no objection but there are lines located near lots 37-41 and standard language for vacation requests will apply; **Any relocation or removal of existing equipment will be at the applicant's expense.**

Heide Bryan is the Design Subdivision Representative for this area and can be contacted at 316-261-6354, please feel free to contact her if you have any questions.

Thank you for sending us a copy of this request for review It is appreciated.

Sincerely,
Rondee Sutton
SR Administrative Assistant.

CC: Heide Bryan
Dorian Soto

RE: Vacation of Easement

Heide Bryan <Heide.Bryan@evergy.com>

Fri 5/7/2021 4:01 PM

To: Jonathan Tardiff <jtardiff@haysville-ks.com>

Cc: Dorian Soto <Dorian.Soto@evergy.com>; Rondee Sutton <Rondee.Sutton@evergy.com>

Internal Use Only

Hi Jonathan –

Per our conversation, please find a screen shot from our mapping system of the area. The overhead line we referenced is identified. Give me a call if you have any questions...my contact information is at the bottom of the email. Thanks!



Heide Bryan
 Evergy
 Technical Specialist Design
heide.bryan@evergy.com
 O (316) 261-6354 C (316) 648-3353

From: Rondee Sutton <Rondee.Sutton@evergy.com>
Sent: Friday, May 7, 2021 9:41 AM
To: jtardiff@haysville-ks.com
Cc: Dorian Soto <Dorian.Soto@evergy.com>; Heide Bryan <Heide.Bryan@evergy.com>
Subject: RE: Vacation of Easement

Internal Use Only

Hello Mr Tardiff!

Attached is Evergy's letter of review for this vacation request

Thank you for sending and have a nice weekend.

Rondee Sutton

 Sr. Administrative Assistant
 Design Services
 O:316-261-6276
 F: 785-580-2272
Rondee.Sutton@evergy.com

If you've received this message in error, I apologize for the inconvenience. Please don't distribute it. Instead, please just delete it and respond to let me know of my error.

Re: Easement of Vacation

Tony Martinez <tmartinez@haysville-ks.com>

Thu 5/6/2021 10:25 AM

To: Jonathan Tardiff <jtardiff@haysville-ks.com>; Levi Brewer <lbrewer@haysville-ks.com>; Jose Aguilar <jaguilar@haysville-ks.com>**Cc:** Georgie Carter <gcarter@haysville-ks.com>; Angie Millspaugh <amillspaugh@haysville-ks.com>

Jonathan-

Water and Wastewater do not have any conflicts with this.

Thank you,

Tony Martinez
City of Haysville
Director of Public Works
316-529-5940

From: Jonathan Tardiff <jtardiff@haysville-ks.com>**Sent:** Monday, May 3, 2021 3:16 PM**To:** Levi Brewer <lbrewer@haysville-ks.com>; Jose Aguilar <jaguilar@haysville-ks.com>**Cc:** Tony Martinez <tmartinez@haysville-ks.com>; Georgie Carter <gcarter@haysville-ks.com>; Angie Millspaugh <amillspaugh@haysville-ks.com>**Subject:** Easement of Vacation

Levi Brewer and Jose Aguilar:

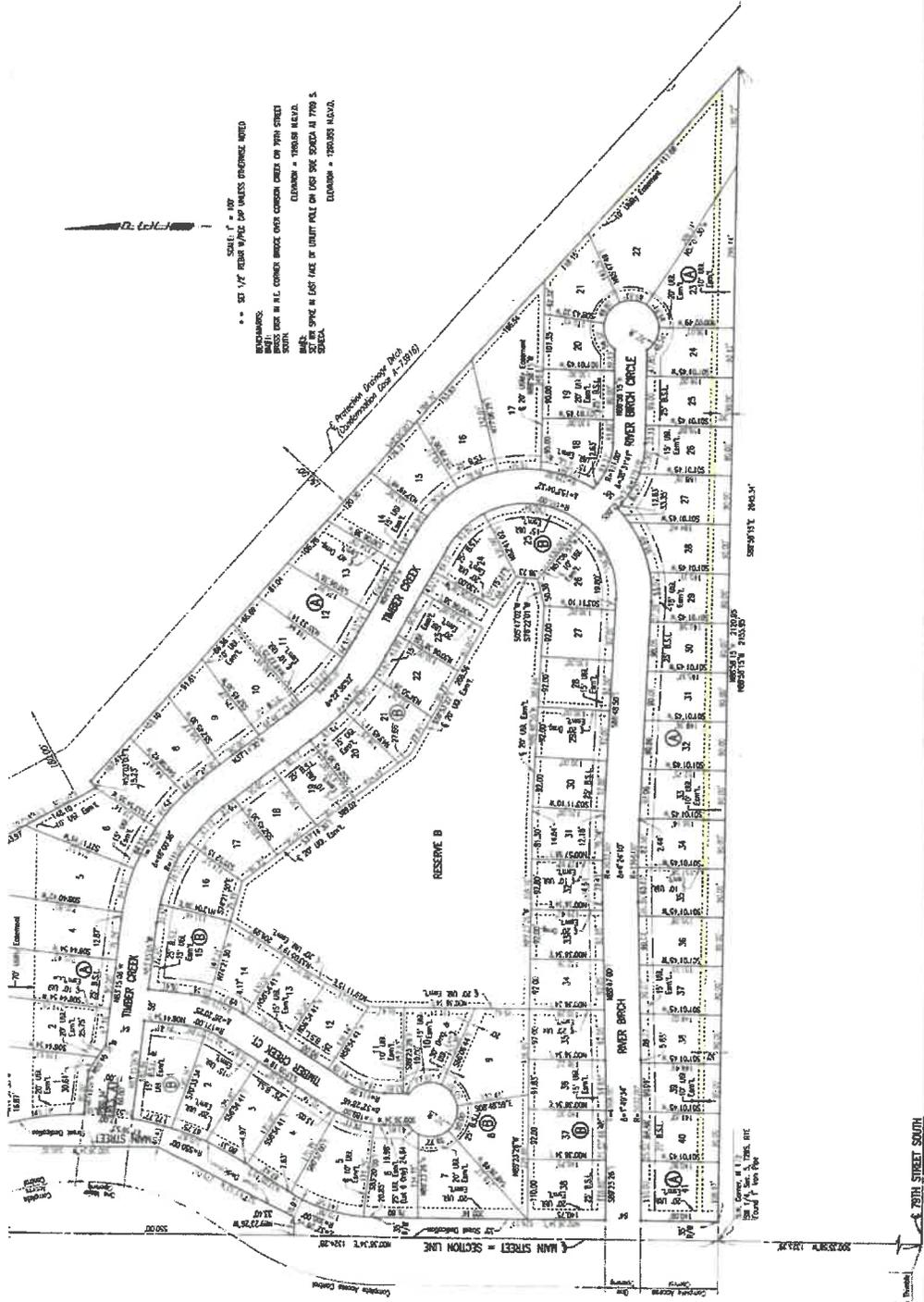
Enclosed for your review and comment is a request for the vacation of an easement located in the Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The utility easement is located on: Lots 21-41, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas. The general location of the request is 107 E River Birch St, to 437 E River Birch Circle (south side of street) rear yard 10 ft. utility easement, and 437 E River Birch Circle - 430 E River Birch Circle (east side of street) rear 10 ft.

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Please comment on this easement vacation before 4 p.m., May 26, 2021. Send your comments to the Haysville Planning Department, P.O. Box 404, Haysville, Kansas or email them to jtardiff@haysville-ks.com.

Sincerely,

Jonathan Tardiff
Planning and Zoning Administrator

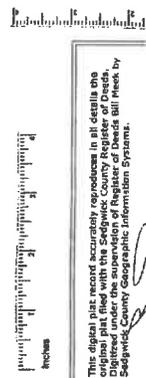


SCALE: 1" = 100'

••• 50' W/4' REAR 50' W/4' DIMENSIONS SHOWN

BOUNDARIES:
 BRUSH BRUSH IN N.E. CORNER BRUSH BRUSH CORNER CORNER OF 7TH STREET
 SOUTH
 CLAYTON - 7TH STREET
 50' W/4' OF EAST FACE OF EXISTING WALL ON WEST SIDE OF LOT 1770 S. 7TH STREET
 EXISTING - 7TH STREET

PC 182-88



This digital plat record accurately reproduces in all details the original plat record on which this plat is based. It is hereby certified that this digital plat record is a true and correct copy of the original plat record as filed with the Register of Deeds of Sedgewick County Geographic Information Systems.



Affidavit of Publication

Michelle R. Leidy-Franklin
Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC
State of Kansas**

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in Sedgwick
County, with a general paid circulation on a yearly
Basis in Sedgwick County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times 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 has been admitted to the
Post Office of Cheney, Kansas, in Sedgwick County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
Regular and entire Issue of said newspaper.

First Publication was made
On the 6 Day of May 2021
Second Publication was made
On the _____ Day of _____, 2021
Third Publication was made
On the _____ Day of _____, 2021

Total Publication Fee \$ 67.50

Michelle R. Leidy-Franklin

Subscribed and sworn to before me this

5 Day of May, 2021

Diana Vajnar

Notary Public

My Commission expires on 2/19/2024

DIANA J VAJNAR
Notary Public - State of Kansas
My Appt. Expires 2/19/2024

PUBLIC NOTICE

First Published In The TSnews May 6, 2021 (1)

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: At 7 p.m., Thursday, May 27, 2021, in the Council Chambers at City Hall, 200 West Grand, Haysville, Kansas, the Haysville Planning Commission will hold a public hearing to consider the vacation of south utility easement located on Lots 22-41, and the northeast utility easement on Lot 21 and 22, Block A, Timber Creek Estates Addition to Haysville, Sedgwick County, Kansas, commonly described as: 107 E River Birch St, to 460 E River Birch Circle (south side of street), and 454 E River Birch Circle (east side of street).

All interested citizens and property owners of the City as well as other persons of interest, are invited to attend the public hearing and participate in the same. Also, any such interested persons may express his or her opinion concerning the proposed case by delivering, either in person or by mail, a letter addressed to the City of Haysville, Attn. Planning Department, 200 W. Grand Ave, P.O. Box 404, Haysville, Kansas 67060 or email them to jtardiff@haysville-ks.com.

Written comments will be accepted up to 4 pm on the day of the meeting.

For additional information call 529-5900 or visit www.haysville-ks.com.



Haysville Planning Commission Staff Report

AGENDA ITEM: V-C

Subject: Zoning Code Amendment 2021-01
Meeting Date: May 27, 2021
Presented By: Jonathan Tardiff, Planning & Zoning Administrator
Public Hearing: Required, to be held by Planning Commission

ANTICIPATED MEETING SCHEDULE

<i>Body</i>	<i>Meeting Date</i>	<i>Action</i>
Planning Commission	5/27/2021	Hold required public hearing. Recommendation for approval, approval with modifications, or denial of the proposal. This recommendation is forwarded to the City Council.
City Council	6/14/2021	Adopt the recommendation of the Planning Commission as presented, override the recommendation, or return the recommendation to the Planning Commission (1 st reading of ordinance). Approval, approval with modifications, or denial of final reading of text amendment ordinance if approved.

RELEVANT ZONING CODE SECTIONS

900	Planning Commission Created
901	Members
902	Appointment
903	Same; Term of Office
1000	Board of Zoning Appeals Created
1001	Members
1002	Appointment
1003	Same; Term of Office
1004	Organization and Responsibilities
	<i>In addition to the proposed amendments, City staff will need to make general corrections to the spacing, numbering, and formatting of the regulations</i>

RECOMMENDED ACTION

Adopt the recommended amendments to the Zoning Code and forward a recommendation of approval to City Council

BACKGROUND INFORMATION

After Covid-19 staff began reviewing City committees. Staff is proposing combining the Planning Commission and Board of Zoning Appeals into one "Commission" and reducing the number of members down to 7 from 11. The Planning Commission information would be moved to chapter one of the City Code where other City board information is detailed.

Proposal & Analysis

ARTICLE 9 CREATION OF A PLANNING COMMISSION

Remove Section 900 Planning Commission Created.

Remove Section 901 Members.

Remove Section 902 Appointment.

Remove Section 903 Same; Term of Office.

Summary of Major Changes:

- Change Article 900 to Planning Commission.
- Keep Section 904 Jurisdiction.

Article 10 CREATION OF A BOARD OF ZONING APPEALS

Remove Section 1000 Board of Zoning Appeals Created.

Remove Section 1001 Members.

Remove Section 1002 Appointment.

Remove Section 1003 Same; Term of Office.

Remove Section 1004 Organization and Responsibilities.

Summary of Major Changes:

- Change Article 10 to Board of Zoning Appeals.
- Keep Sections 1005 to 1012.

Attached is a draft of the proposed changes to the Zoning Code.

NOTE: *Staff researched 14 other cities and their planning commissions in the Sedgwick County area noting planning commission members, term limits, and the population of the city.*

PUBLIC REVIEW

The public hearing notice was published on May 6, 2021. Any written record of the comments received as of May 26, 2021 are attached. Comments received after this date will be distributed at the meeting.

ATTACHMENTS

Recommended text amendment redlines

Proposed additions to Chapter 1

Number of Planning commissions members in the area

Copy of the Public Hearing Notice

ARTICLE 9. CREATION OF A PLANNING COMMISSION

900 PLANNING COMMISSION CREATED

~~A planning commission for the City of Haysville is hereby created and shall hereinafter be referred to as the commission.~~

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901 MEMBERS

~~The number of members of the planning commission is hereby fixed at 11 members of which number two members shall reside outside of but within three miles of the corporate limits of the city, and the remaining members shall be residents of the city.~~

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902 APPOINTMENT

~~The members of the planning commission shall be appointed by the mayor, by and with the consent of the city council, in all respects as required by law.~~

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903 SAME; TERM OF OFFICE

~~The term of office of the members of the Planning Commission shall be for three years. At the end of the three year term, the member may be reappointed with the approval of the city council. Vacancies shall be filled for unexpired terms only.~~

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904 JURISDICTION

Jurisdictional boundaries of planning commission are hereby established as shown on the map designated as the "Zoning Jurisdiction Map," which such map shall include:

- A. Total jurisdiction within city limits;
- B. Primary recommendation within zone of influence, three mile ring, where overlap occurs within the city's zone of influence.
- C. Secondary recommendation within zone influence, three mile ring, where overlap occurs within the city's zone of influence.

Such map and all notations, references and the information shown thereon are hereby made a part of this chapter as if the same were set forth in full herein. It shall be the duty of the Planning Commission Secretary to keep on file in his or her office an authentic copy of the map, all changes, amendments or additions thereto and duplicate copies thereof shall be kept on file in the office of the commission and building inspector.

ARTICLE 10. ~~CREATION OF A~~ BOARD OF ZONING APPEALS

1000—~~BOARD OF ZONING APPEALS CREATED~~

~~A board of zoning appeals for the City of Haysville is hereby created under the authority of K.S.A. 12-713 and shall hereinafter be referred to as the board.~~

1001—~~MEMBERS~~

~~The membership of the board is hereby fixed at five members, all of whom shall be residents of the city. None of the members shall hold any other office of the city, except one member may be a member of the commission.~~

1002—~~APPOINTMENT~~

~~The members of the board shall be appointed by the mayor by and with the consent of the city council in all respects as required by law.~~

1003—~~SAME; TERM OF OFFICE~~

~~The term of office of the members of the Board shall be for three years. At the end of the three year term, the member may be reappointed with the approval of the city council. Vacancies shall be filled for unexpired terms only.~~

1004 ~~ORGANIZATION AND RESPONSIBILITIES~~

~~The board shall adopt rules and/or regulations for the conduct of its business in accordance with the provisions of the Zoning Regulations of the City of Haysville, Kansas. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing evidence presented, findings of fact by the board, decision of the board and the vote of each member upon each question or if absent or failing to vote, indicating such fact. Records of all official actions of the board shall be filed in its office and shall be public record. The board shall annually elect one of its members as chairperson and shall appoint a secretary who shall not be a member of the board but may be an employee of the city. The secretary shall have no vote in the matters before the board.~~

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1005 APPEALS

Appeals to the board may be taken by any person aggrieved by any officer, department, board or bureau of the municipality during the enforcement of the Zoning Regulations, or affected by any decision of the administrative officer regarding the applicability of such restrictions and/or requirements imposed by the Zoning Regulations. Such grievance shall be taken within a reasonable amount of time to the board for consideration and/or action, by filing an appeal specifying the grounds thereof and paying the fee required. The officer from whom the appeal is taken shall forthwith transmit to the board, all papers constituting the record upon which the action appealed was taken. The board shall have the power to hear appeals (of, where, or when) it is alleged there is an error in any order, requirement, decision or determination made by an administrative officer in the enforcement of the Zoning Regulations.

- A. Appeal: An appeal in writing shall be filed with the board accompanied by such data and information as may be prescribed by the board as to assure the fullest possible presentation of facts for the permanent record.
- B. On the appeal, the property for which review and consideration is sought shall be designated by legal description and general street location.
- C. Accompanying the appeal, a certified list of the names and addresses of all property owners within 200 feet of the designated property (excepting public streets and ways) shall be provided by the petitioner. If a proposed appeal to property for which review and consideration is sought is located adjacent to the city's limits, the area of notification of the action shall be extended to at least 1,000 feet in the unincorporated area.
- D. A filing fee of \$100 and a publication fee of \$50 shall be paid to the city clerk upon the filing of each appeal, for the purpose of defraying the costs of the proceedings prescribed herein. A written receipt shall be issued to the persons making such payment and records thereof shall be kept in such a manner as prescribed by law.

1006 STAY PROCEEDINGS

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board after the notice of appeal shall have been filed with him or her that by reason of facts stated in the certificate a stay would, in his or her opinion, cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board or by a court of record on application or notice to the officer from the appeal of which is taken and on due cause shown.

1007 HEARING

The board shall fix a reasonable time for the hearing of any appeal, variance or exception, give public notice thereof as well as due notice to the parties of interest, and decide same within a reasonable time. Upon the hearing any party may appear in person or by agent or attorney.

- A. Hearing: The board shall establish the time and place of the public hearing.
- B. At least 20 days notice of the time and place of the public hearing shall be published in the official paper of the City of Haysville.
- C. In addition to such public notice, written notice of such appeal shall be mailed to all property owners and applicable addresses, within 200 feet of the property (excepting public streets and ways), each party to the appeal and the appropriate planning commission and an opportunity granted to interested parties to be heard at the public hearing. If the proposed property for which appeal, variance, or exception is located adjacent to the city's limits, the area of notification of the action shall be extended to at least 1,000 feet in the unincorporated area.

1008 VARIANCES

The board is empowered to authorize in specific cases a variance from the specific terms of the zoning ordinance which will not be contrary to the public interest and where owing to special conditions, a literal enforcement of the provisions of the zoning ordinance will in an individual case result in unnecessary hardship (total deprivation of use), and provided that the spirit of the zoning ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the zoning ordinance in such district. A request for variance may be granted in such case upon finding by the board that all of the following conditions have been met:

- A. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and that it is not created by an action or actions of the property owner represented in the application;
- B. That the granting of the permit for the variance will not adversely affect the rights of adjacent property owner represented in the application;
- D. That the strict application of the provisions of the zoning ordinance of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application;

- D. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
- E. That granting of the variance desired will not be opposed to the general spirit and intent of the zoning ordinances.

1009 EXCEPTIONS

The board is authorized to grant exceptions to the provisions of the zoning ordinance in those instances where the board is specifically authorized to grant such exceptions and only under the terms of the zoning ordinance. In no event shall exceptions to the provisions of the zoning ordinance be granted where the use or exception contemplated is not specifically listed as an exception in the zoning ordinance. Further, under no conditions shall the board have the power to grant exceptions when conditions of this exception, as established in the zoning ordinance, are not found to be present.

1010 SPECIAL EXCEPTIONS

The board is authorized:

- A. To grant a permit for a temporary building for commerce or industry in a dwelling district which is incidental to the dwelling development, which temporary building shall be located in the platted development area. No such permit shall be issued for more than 24 months or beyond completion of the project, whichever is shorter.
- B. To grant a permit for the extension of a use or area regulation into an adjoining district, where the boundary line of the district divides a lot in a single ownership at the time of the adoption of the zoning ordinance, or at the time of annexation, whichever is later.
- C. To determine in cases of uncertainty, the classification of any use not specifically enumerated in the zoning regulations.

1011 FURTHER POWERS OF THE BOARD

In exercising the powers set out in this article, such board may reverse or affirm wholly or partially, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision or determination as ought to be made and that end shall have all powers of the officer from whom the appeal is taken.

1012 VOTE REQUIRED

The concurring vote of a majority of the members appointed to the board shall be required to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required, or to affect any variation of the zoning regulations.

Other Planning Commissions

1. Haysville: 11 members, 3 year terms, population: 11,482.
2. Derby: 10 members, 3 year terms, population: 25,413.
3. Andover: 7 members, 3 year terms, population: 13,639.
4. Maize: 7 members, 3 year terms, population: 5,509.
5. Augusta: 7 members, 3 year terms, population: 9,321.
6. Mulvane: 7 members, 3 year terms, population: 6,611.
7. Valley Center: 7 members, 3 year terms, population: 7,369.
8. Cheney: 7 members, 3 year terms, population: 2,161.
9. Goddard: 7 members, 4 year term, population: 4,934.
10. Clearwater: 7 members, 3 year terms, population: 2,570.
11. Hutchinson: 10 members, 3 year terms, population: 39,925.
12. El Dorado: 9 members, 3 year terms, population: 12,948.
13. Garden Plain: 7 members, population: 2,000.

1-606 **PLANNING COMMISSION** (a) The Haysville City Planning Commission is hereby ratified and continued as set forth herein (the "Planning Commission"). The Board shall adopt Bylaws for the transaction of business and hearing procedures.

(b) **Members.** The Planning Commission will be composed of (7) seven members of which five (5) members shall be residents of the City and two (2) members shall reside outside the City but within the City's Zoning area of influence.

(c) **Appointment.** The members of the Planning Commission shall be appointed by the mayor, by and with the consent of the city council, in all respects as required by law. Appointment to a vacancy caused by the death, incapacity, resignation or disqualification of any Member of the Planning Commission shall be made for that Member's unexpired term. Planning Commissioners may be removed by the Mayor for failure to attend meetings, training and workshops, neglect of duty, or malfeasance in office.

(d) **Same; Term of Office.** The term of office of the members of the Planning Commission shall be for three years. At the end of the three year term, the member may be reappointed with the approval of the city council. Vacancies shall be filled for unexpired terms only. Terms are to be staggered such that two members are appointed in one year, two members in the next, and three members in the next. The terms of the two members residing outside of the City's corporate limits must not expire within the same year. Members shall take office on the first meeting of the Planning Commission in July. After this ordinance takes effect, a new slate of members of the Planning Commission shall be appointed as provided for herein, and upon such appointments, the term of all previously serving members of the Planning Commission shall terminate.

1-607 **BOARD OF ZONING APPEALS** (a) The Planning Commission is hereby designated to also serve as the City's Board of Zoning Appeals, with all the powers and duties as provided for in K.S.A. 12-759

(b) Public records shall be kept of all official actions of the Board, which must be maintained separately from those of the Planning Commission. The Board shall keep minutes of its proceedings showing evidence presented, findings of fact, decisions and the vote on each question or appeal.

(c) Unless otherwise required by law, all actions by the Board of Zoning Appeals shall be taken by a majority vote of the members present and voting.

(d) **Organization and responsibilities.** The board shall adopt rules and/or regulations for the conduct of its business in accordance with the provisions of the Zoning Regulations of the City of Haysville, Kansas. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing evidence presented, findings of fact by the board, decision of the board and the vote of each member upon each question or if absent or failing to vote, indicating such fact. Records of all

official actions of the board shall be filed in its office and shall be public record. The board shall annually elect one of its members as chairperson and shall appoint a secretary who shall not be a member of the board but may be an employee of the city. The secretary shall have no vote in the matters before the board.

PUBLIC NOTICE

First Published in The TSnews May 6, 2021 (10)

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN: At 7 p.m., Thursday, May 27, 2021, in the Council Chambers at City Hall, 200 West Grand, Haysville, Kansas, the Haysville Planning Commission will hold a public hearing to consider testimony and take action regarding various amendments to Haysville's Municipal Code, Chapter 16 "Zoning and Planning," which includes but is not limited to remove, or change parts of Article 9 "Creation of a Planning Commission", Sections: 900 "Planning Commission Created;" 901 "Members;" 902 "Appointments;" 903 "Same; Term of Office;" and removing parts of Article 10 "Board of Zoning Appeals;" Sections: 1000 "Board of Zoning Appeals Created;" 1001 "Members;" 1002 "Appointment;" 1003 "Same; Term of Office;" and 1004 "Organization and Responsibilities." A copy of the proposed changes is available at the Haysville Municipal Building.

All interested citizens and property owners of the City as well as other persons of interest, are invited to attend the public hearing and participate in the same. Also, any such interested persons may express his or her opinion concerning the proposed case by delivering, either in person or by mail, a letter addressed to the City of Haysville, Attn. Planning Department, 200 W. Grand Ave, P.O. Box 404, Haysville, Kansas 67060 or email them to jtardiff@haysville-ks.com.

Written comments will be accepted up to 4 pm on the day of the meeting time.

For additional information call 529-5900 or visit www.haysville-ks.com.

Affidavit of Publication

Michelle R. Leidy-Franklin
Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk at

Times-Sentinel Newspapers, LLC
State of Kansas

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in Sedgwick
County, with a general paid circulation on a yearly
Basis in Sedgwick County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times 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 has been admitted to the
Post Office of Cheney, Kansas, in Sedgwick County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
Regular and entire Issue of said newspaper.

First Publication was made
On the 6 Day of May, 2021
Second Publication was made
On the _____ Day of _____, 2021
Third Publication was made
On the _____ Day of _____, 2021

Total Publication Fee \$ 81.00

Michelle R. Leidy-Franklin

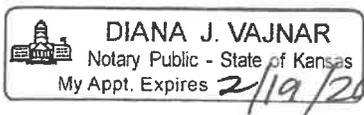
Subscribed and sworn to before me this

5 Day of May, 2021

Diana Vajnar

Notary Public

My Commission expires on 2/19/2024

 **DIANA J. VAJNAR**
Notary Public - State of Kansas
My Appt. Expires 2/19/2024



HAYSVILLE BICYCLE & PEDESTRIAN MASTER PLAN

2020

City of Haysville
200 W. Grand Ave.
Haysville, KS 67060

(316) 529-5900
www.Haysville-Ks.com



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GOALS

The City of Haysville has prepared this Bicycle and Pedestrian Master Plan to develop sound strategies aimed at improving bicycle and pedestrian mobility and safety throughout the community. The primary goals of this Bicycle and Pedestrian Advisory Committee (BPAC) Master Plan is to connect people to the places they want to go; create safe routes, especially for students; and create a tangible and achievable list of priority projects.

MISSION

The mission of the City of Haysville should be to continue developing safe access to the multimodal transportation facilities and programs throughout the community; increase community wellness; reduce the carbon footprint; expand education, increase community outreach, raise awareness, and serve as a guide for ambassadors of bicyclists and pedestrians within the community; and serve as a forum of information, resources, and agencies for the community to utilize and better serve the multimodal citizens of Haysville.

OBJECTIVES

ASSESSMENT

Provide an informational baseline of existing facilities, user data, and establish a public reporting system to track progress and resolve issues. Vital to any plan, baseline comparisons reveal strengths and weaknesses, and help guide resource allocation.

BICYCLE/PEDESTRIAN COUNTS

Current counts are provided by the Wichita Area Metropolitan Planning Organization (WAMPO), and are recorded semiannually. This serves as an excellent method to record data on a regional level. However, to improve the quality of data for the Haysville community, the city should record data by utilizing the city's street counters in combination with volunteer manual counts. This will establish a baseline of both quality and quantity. To ensure effective results, the BPAC will determine count locations and dates to be monitored on an annual basis. The data will aid in resource allocation, and provide valuable insight on how the bicycle and pedestrian network is utilized.

SURVEY

Develop and issue surveys biannually to record data from the public. Survey results will assist BPAC and the Planning Department with future planning of the bicycle and pedestrian pathways as well as provide current feedback on the existing system.

CONNECTIVITY

- Project Development:

Continue to design bicycle and pedestrian facilities that connect all parts of the community.

- Project Ranking:

After developing a project list, a collaborative recommendation from BPAC, the Planning Department, and Public Works will rank the projects in order of importance. The rankings will serve as a guide for the Governing Body when determining a projects importance to the community.

AMENITIES

- Bicycle Parking:

Bicycle racks should continue to be provided in various locations throughout the city.

- Destinations:

Provide an assessment on all destinations to ensure they are accessible via the bicycle and pedestrian network. If any destination is found to be inaccessible, a plan should be developed to incorporate it into the bicycle and pedestrian facility network.

- Repair Station:

Bicycle repair stations allow cyclists to make minor repairs to their bicycles using a free air pump and tools that are connected to heavy duty cables. The repair stand improves the convenience for cyclists making minor and routine repairs. Currently, plans are underway to install an air pump/repair station near the Vickers building.

WAYFINDING

An adequate wayfinding system for bicyclists should include signs and pavement markings that are placed at decision points along preferred bicycle routes. Wayfinding signs direct bicyclists to the best routes connecting destinations or circumventing barriers, while indicating to motorists that bicyclists may be present. There are three main types of signs:

- Confirmation signs inform bicyclists and motorists that they are on a bicycle route.
- Turn signs/markings indicate where a bikeway turns from one street to another.
- Decision signs mark the junction of two or more bikeways. Information may include destinations, arrows, distances, or travel times.

A system of signed routes should balance the need for good bicycling conditions with the need for direct access to destinations.

SAFETY AND EDUCATION

Haysville's goal of increasing safety, education, and awareness can be accomplished through the judicious use of multimedia resources. Outlets such as Channel 7 and social media, in conjunction with wayfaring signage and school-based education programs will ensure a broad audience is reached.

- Monitor school programs
- Utilize city media
- Wayfinding signage
- GIS mapping

ENCOURAGEMENT

A high level of participation and commitment should be exercised by the business community, school district, and City Administration to inspire an atmosphere of encouragement within the community.

- Local business promotion
- School District
- City promotion
- Host Wicked wind and Bike Across America
- Create a local ride in Haysville in addition to the annual Mayoral Bike Ride

EVALUATION

Haysville has been gathering data for several years through a series of bicycle and pedestrian path counts and surveys. As we move forward this data will continue to play a vital role in the implementation of future projects.

- Continue bicycle and pedestrian counts
- Keep record of all improvements
- Perform biannual survey(s)
- Compare new data to baseline

BICYCLE PARKING

There has been an increasing demand for cyclists to safely secure their bicycles throughout the city. New bicycle racks should be created to meet these demands.

- Existing Parking

City Hall, Police Station, Vickers/Fountain, Volleyball Court, Riggs park main shelter, Library, Senior Center, Haysville Activity Center, Municipal Pool, Campus High School, Haysville Middle School, Rex Elementary, and Nelson Elementary.

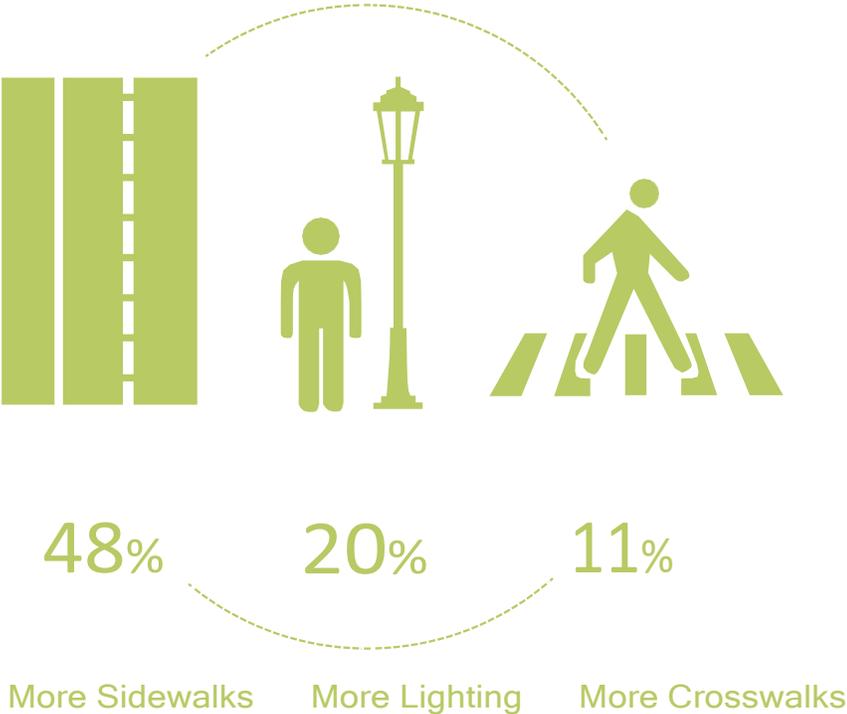
- Future Parking

Splash Pad, Blacksmith Shop, Farmers Market, Skate Park, Old Oak Disc Golf, Public Works, Riggs Park- East Side/Timberlane Shelter, Dorner Park, Plagens-Carpenter Park, Community Building, Post Office/Castle, Rex Practice Fields.

COMMUNITY ENGAGEMENT

Community engagement is a necessary companion to technical analysis in bicycle and pedestrian planning. While technical analysis is the appropriate means of determining availability and condition of facilities, as well as propensity for potential use, it is feedback from the community engagement that identifies the community’s interest in bicycle and pedestrian investment, willingness to pay for those investments and the prioritization of goals and/or specific projects.

Community Feedback Results Common Themes



When asked what the most important themes were to be considered for this plan, the community voted “more sidewalks, lighting, and crosswalks” as their top three with nearly 80 percent of the votes.

Other important themes include:

-  Connectivity 6%
-  Enforce Laws 2%
-  Safety 3%
-  Floodway Crossing 2%
-  Connect to New Park 3%
-  Accessibility 1
-  School Zones 1%
-  Obey Bike Laws 2
-  More Bike Facilities 1%

COMMUNITY FEEDBACK

Do you walk or bike in home as an exercise routine?

23 Yes 157 No

Would you consider walking or biking if better facilities were provided?

80% Yes 26% No

Do you currently walk or ride a bike as part of your commute?

38% Yes 22% No

COMMUNITY CONNECTIVITY - GAP ANALYSIS

Gap analysis was performed by overlaying the existing sidewalks, bicycle and pedestrian infrastructure and off-street greenways in Haysville with our conceptual routes for proposed improvements. The difference between the existing and proposed illustrated a number of gaps in the existing infrastructure. Several of these gaps represented links to residential areas on the perimeter of the City.

A few notable gaps identified:

- East Grand Ave [S. Plaza to Kansas] - Complete lack of bicycle and pedestrian infrastructure on both sides of road.
- South Seneca St. [Bridge to W. 63rd St. S.] - Complete lack of bicycle and pedestrian infrastructure on both sides of road.
- W. 63rd St. S. [S. Seneca St. to Broadway]- Complete lack of bicycle and pedestrian infrastructure on both sides of road.
- South Main St. [Past Spencer Dr. to W. 79th St. S.] - Complete lack of bicycle and pedestrian infrastructure on both sides of road.
- Broadway/US 81 [W. 63rd St. S. to W. 79th St. S.] - Complete lack of bicycle and pedestrian infrastructure on both sides of road. It should be noted that US 81 is managed by KDOT and falls outside of the jurisdiction of the City of Haysville.
- South Meridian Ave. [Saddlebrooke St. to W. 79th St. S.] - Complete lack of bicycle and pedestrian infrastructure on both sides of road.
- W. 79th St. S. [S. Meridian St. to Cattail St.] - Complete lack of bicycle and pedestrian infrastructure on both sides of road.



LEGEND

- █ Existing Sidewalk Infrastructure
- █ Existing Multi-Modal Infrastructure
- █ Existing Greenways

- Existing Signalized Intersection/Crossing
- Existing Non-Signalized Intersection/Crossing
- Existing Pedestrian Gaps

COMMUNITY ACTIVITY- RECREATION & GREENWAYS

Recreation destinations were identified during the community feedback process and it is important to address not only connections to existing parks but also expanding recreation opportunities in Haysville through the expansion of the greenway trail network. The existing greenway network in Haysville does a good job of connecting parks and neighborhoods within isolated regions of the community. However, existing trails do not interconnect nor create loops favored for recreation. Analysis suggests the need for infill to connect existing parks and trails as well as the exploration of trails that embrace the floodway and create a loop trail opportunity on the north end of town. The floodway is the largest undisturbed piece of land in the community and has potential to be embraced for recreational purposes.

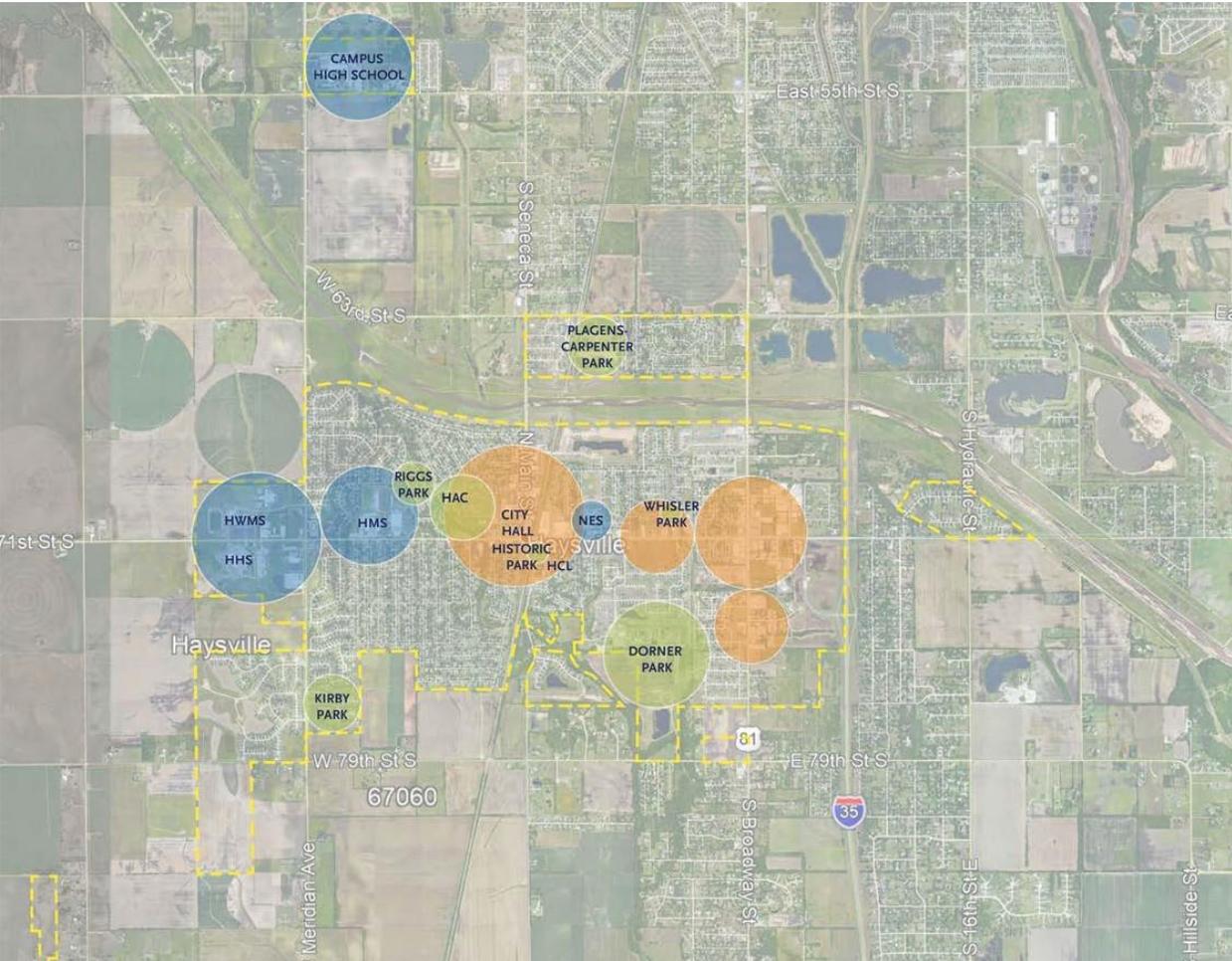


LEGEND

- Existing Greenways
- 1/4 Mile Buffer (1/2 mile across)
- 1/2 Mile Buffer (1 mile across)

EXISTING CONDITIONS

Existing conditions review identified four distinct development types in regards to pedestrian and bicycle infrastructure.



LEGEND

Existing Conditions Diagram

- Parks + Recreation Destinations
- Education Destinations
- Civic + Commercial Destinations

COMMERCIAL + CIVIC CORE

The Commercial and Civic Core of Haysville contains a large percentage of the businesses and governmental facilities that were identified as potential bicycle and pedestrian destinations by surveyed residents. This area will benefit from a completion and/or extension of the existing bicycle and pedestrian infrastructure as well as a comprehensive pedestrian friendly wayfinding strategy to help instill a sense of place.



Civic + Commercial Destinations

Civic + Commercial destinations include:

- City Hall (Police Dept. + Court)
- Post Office
- Banks
- Shopping
- Manufacturing
- Restaurants
- Haysville Community Library
- Senior Center
- Chamber of Commerce

LEGEND

-  1/4 Mile Buffer (1/2 mile across)
-  1/2 Mile Buffer (1 mile across)

EDUCATION & ENFORCEMENT

EDUCATION

Public education is essential to reduce pedestrian crashes. It also builds public support for programs, projects and policies to reduce pedestrian crashes. To be effective, it should target those behaviors within selected age groups that could result in fewer pedestrian crashes.

The City of Haysville Police Department should continue:

- To enforce proper crosswalk use the first week of school.
- Proactively update the informational bicycle and pedestrian map with safety guidelines on flyers and social media.
- Creating a bicycle and pedestrian safety program at the grade school level.
- Review numbers and types of signs in areas that are prone to pedestrian traffic.
- Increase outreach to seniors.
- Promote bicycle and pedestrian programs during bicycle month and create a culture of awareness.
- Partner with *Safe Kids* to continue educating school children utilizing their *Bike to School* and *Walk to School* programs and encourage classroom projects focusing on safety while walking and bicycling.

PARTNERSHIPS

Partnerships with nonprofit groups, the private sector, and other local governmental agencies are an excellent way to get the community at large involved in safety education projects and programs. This includes schools, neighborhood groups, advocacy organizations, local businesses, local health departments, hospitals, and public safety officials such as firefighters and other first responders.

The City of Haysville should continue to cultivate relationships with the school district and other municipalities, businesses, USD 261 School Board, Park Board, BPAC, Senior Advisory Board, and the Recreation Department.

ENFORCEMENT

Enforcement is an essential element of an overall program to reduce pedestrian crashes. To be effective, it should be done in partnership with the community and law enforcement agencies. Monitoring motorist and pedestrian behaviors will help to ensure fewer pedestrian crashes and provide a valuable tool for improvements to the bicycle and

pedestrian program. Partnering will also create a sense of community around pedestrian and bicycle safety.

COLLABORATION

Collaboration with local law enforcement is an essential element of an enforcement program to reduce pedestrian and bicycle crashes. To be effective, it should be done in partnership with schools and other community leaders.

DATA COLLECTION, ANALYSIS AND PRIORATIZATION

Identifying where crashes occur can be an inexpensive easy way to identify high crash locations, corridors, and neighborhoods. It can be done using technologies such as GIS or on a simple handmade pin map. Typically, five years of crash data should be displayed. In rapidly changing areas that are not changing, seven years may be appropriate. Once completed, it should be used as a baseline to focus resources and select counter measures.

Currently, the City of Haysville funnels data through the Police Department and state agencies. Beginning an annual assessment of crash data and mapping the data is needed as the number of bicyclists and pedestrians increase.

COMPUTERIZED, TIMELY, GEO-CODED PEDESTRIAN CRASH DATA

Data is extremely useful to determine whether pedestrian crashes are occurring at spot locations, long corridors, in a residential area, throughout and entire jurisdiction or among certain populations. In addition to crash reports, agencies should look at other sources of data such as hospitals.

Once categorized, this information can be used to select best practice counter measures, focus resources, and set priorities for engineering, education, and enforcement programs.

The data can also be used in crash typing. Crash typing categorizes all crashes based on situational and behavioral circumstances and is a way to target countermeasures in engineering, education, and enforcement programs at specific types of crashes.

The City of Haysville currently partners with Sedgwick County Geographic Information Services (GIS). As local platforms develop, Haysville should continue utilizing current data using the latest platforms.

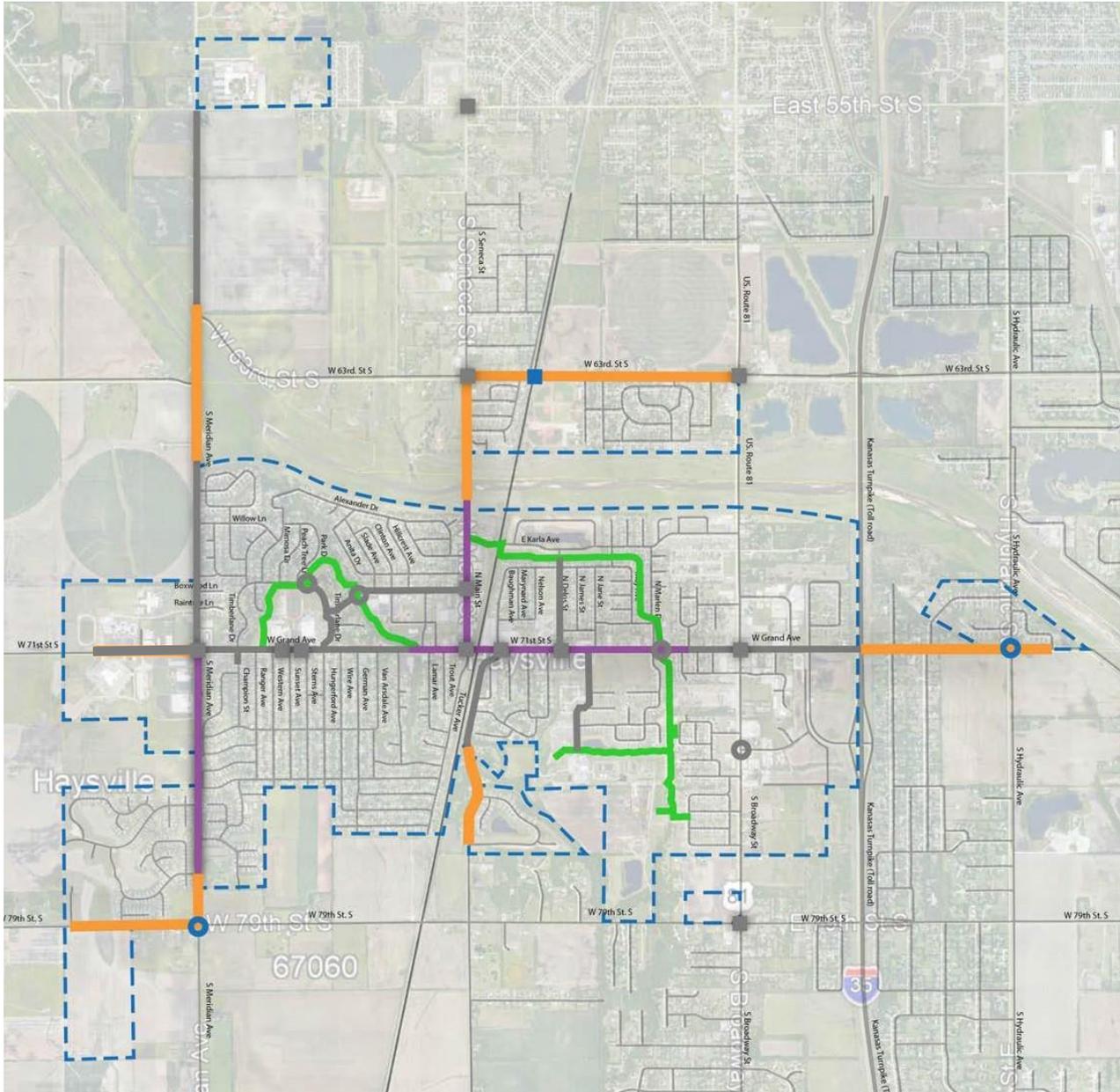
PEDESTRIAN COUNTS

Pedestrian counts along with field observations can be very useful in understanding pedestrian behavior and in considering the need for facilities. Counts and behavior studies, when combined with crash data, can also provide insights into specific crash causes and potential countermeasures. On-site observations will often reveal behavior patterns that lead to design changes. Before and after counts can be used to help secure funding. Pedestrian counts are also important to assess when and where signals, stop signs, and marked crosswalks should be installed.

The City of Haysville currently conducts counts of cyclists and pedestrians at 16 predetermined locations. The use of volunteers to aid in counts is a viable solution so long as a consistent approach is developed and remote counts are avoided. All data will be made public to ensure compliance with the Kansas Open Records Act.

FUTURE PATHWAYS

PRIORITY IMPROVEMENT PROJECTS MAP



LEGEND

- Existing Multi-Modal Infrastructure
- Existing Pedestrian Infrastructure
- Existing Greenway Infrastructure
- Proposed Sidewalk Extensions
- City Limits
- Existing Signalized Intersection/Crossing
- Existing Non-Signalized Intersection/Crossing
- Proposed Signalized Intersection/Crossing
- Proposed Non-Signalized Intersection/Crossing

Description

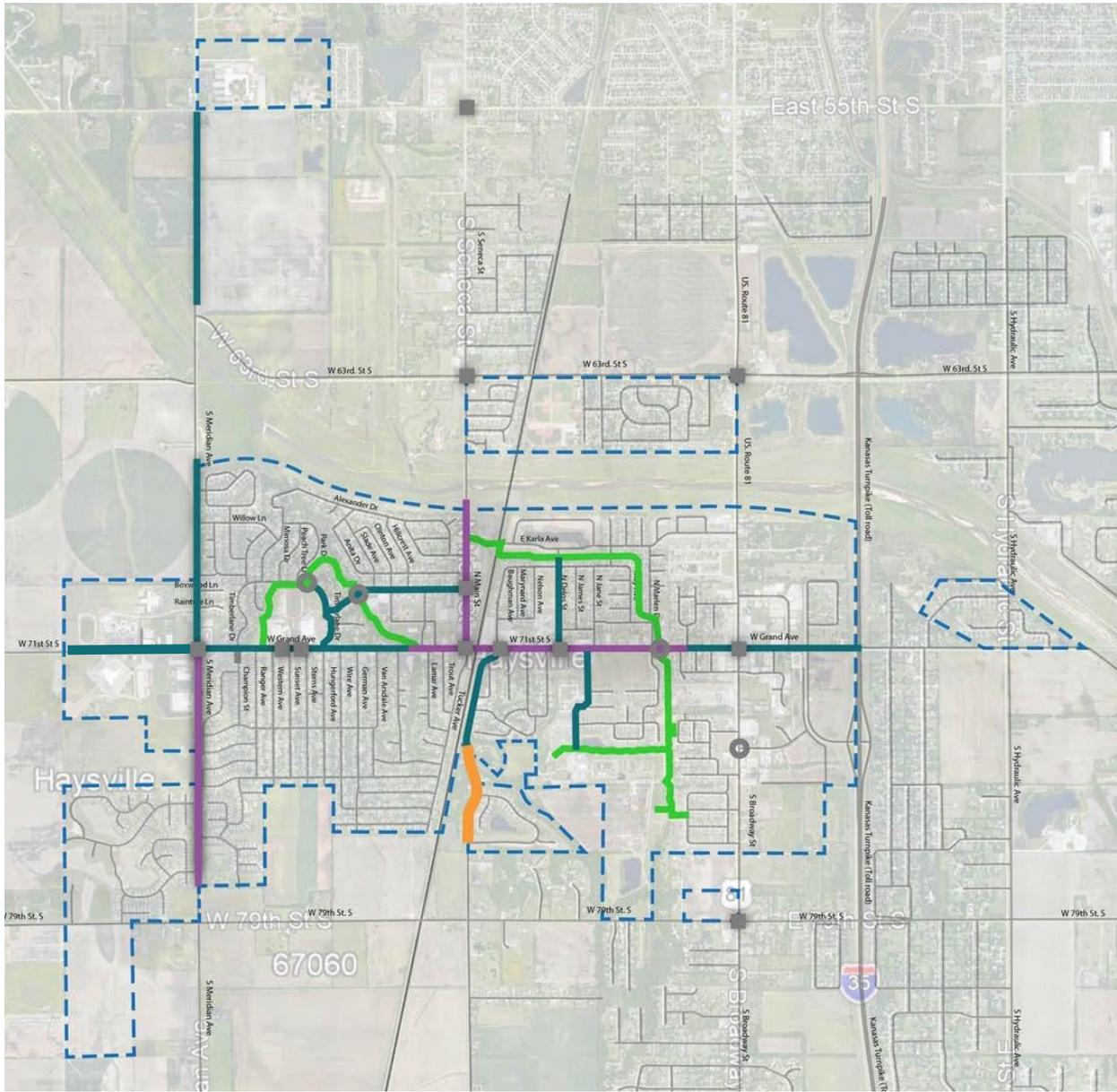
A pedestrian connection to the Ward's 4th Addition is an impactful approach to improve pedestrian connectivity within the City of Haysville. Based on community feedback and on-site observations, it is apparent that a connection to this area of the community is both needed and desired. Currently, the Seneca Street bridge crossing is equipped with sidewalks that end immediately north of the bridge. A desire line is evident into the Ward's 4th Addition from the eastern side of the Seneca Bridge.

Providing a pedestrian connection along Seneca Street from the east side of the Seneca Street Bridge, north to the intersection of West 63rd Street and continuing east along the south side of West 63rd St. to the intersection of South Broadway is a priority improvement project. This improvement consists of a 6 foot wide pedestrian sidewalk, an at-grade pedestrian train crossing and requisite safety and wayfinding signage. For safety reasons, sidewalk improvements should include a minimum of 3 feet of tree lawn between the roadway and the proposed sidewalk; 4-6 feet is preferred. Preliminary ROW review based on available GIS data indicates that sufficient ROW is available on this route to implement these improvements within existing ROW. ROW will need to be confirmed by survey at the time of implementation to confirm these findings. Additional coordination between the city and the railroad will need to occur in regards to the crossing on West 63rd St. While it appears that enough crossing width is in place to accommodate a sidewalk crossing at this location, this must be confirmed by regulatory parties prior to implementation. The rail crossing is currently signalized for vehicular traffic but will need to be signalized appropriately for pedestrian use. The rail crossing will require coordination with railroad officials to ensure the proposed improvements meet all railroad requirements. An extension of the concrete crossing panels may be required. MUTCD approved pedestrian crossing signage should be included where sidewalk crosses street intersections on this route. NACTO wayfinding signage should be along this route to direct visitors to regional amenities. Wayfinding signs should include turn signs with amenities at the intersection of 63rd St. and Seneca St. Turn signs should be located at the entrance to Plagens-Carpenter Park. Confirmation signage should be included near the floodway crossing.

Secondary projects for this improvement area include:

- A connection east on 63rd St. towards Hydraulic Ave. and ultimately connecting regionally with the cities of Wichita and Derby.
- A connection north on South Seneca to the intersection of S. Seneca and W. 55th St. S. to connect to the City of Wichita.

SOUTH MAIN- SIDEWALK EXTENSION



LEGEND

- Existing Multi-Modal Infrastructure
- Existing Pedestrian Infrastructure
- Existing Greenway Infrastructure
- Proposed Sidewalk Extensions
- Existing Signaled Intersection/Crossing
- Existing Non-Signaled Intersection/Crossing
- Proposed Signaled Intersection/Crossing

Description

A pedestrian connection on South Main extending south to the south entrance to Timber Creek will connect the residents of Timber Creek to the heart of Haysville. Currently there

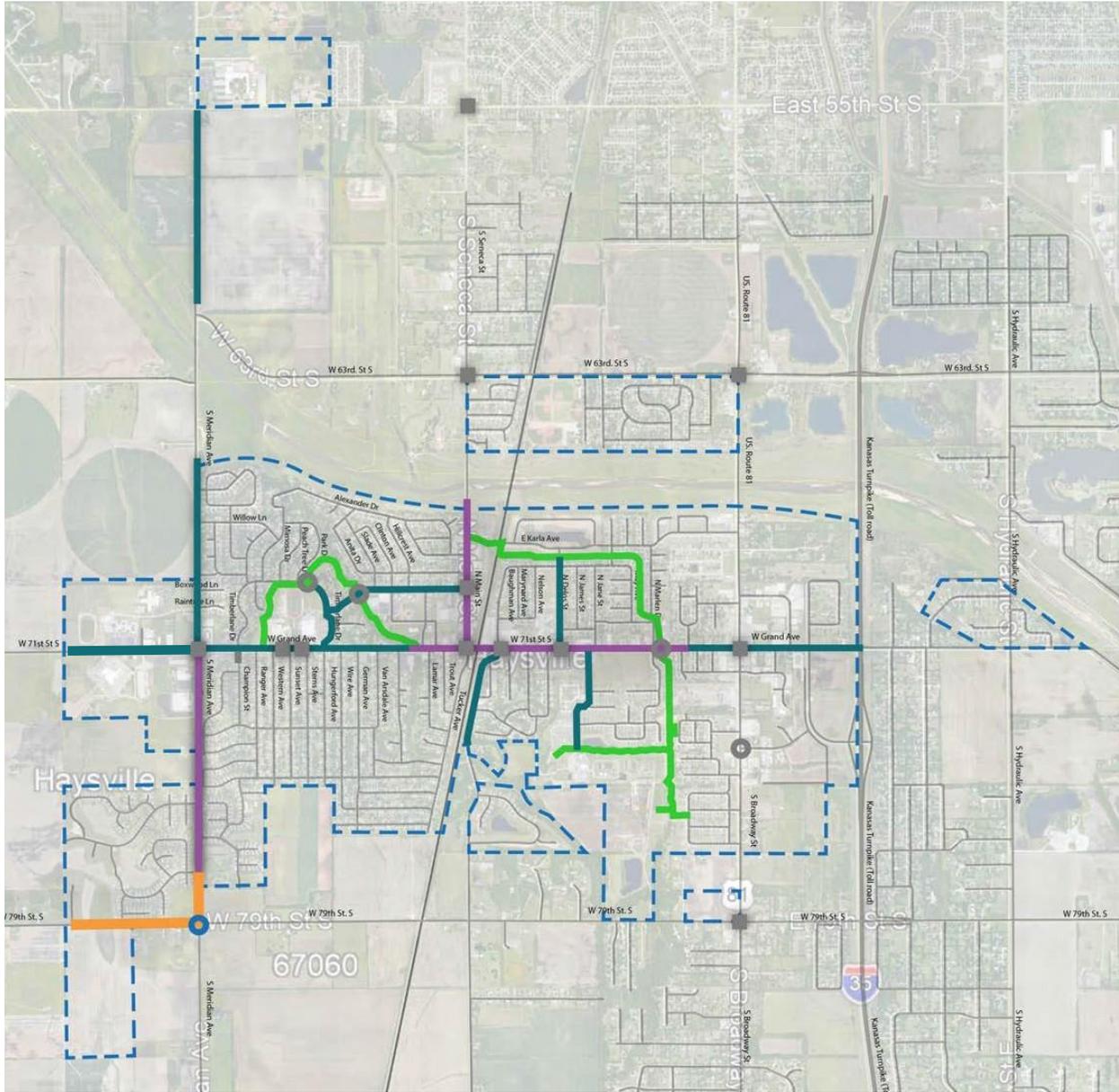
is a sidewalk extending mid-block between Spencer Dr. and Timber Creek St. on the east side of Seneca/South Main St.

This plan proposes extending the existing walk on the east side of S. Main/ S. Seneca St. south to the intersection with W. 79th St. S. The creek crossing between Spencer Dr. and Timber Creek St. poses a potential challenge for the sidewalk extension. At the time of construction documentation, a survey and geotechnical report will be necessary to determine the best option for crossing the creek with a pedestrian walk. It is possible that a small retaining wall will be necessary in order to widen the shoulder and accommodate the proposed walk. The infrastructure proposed for this sidewalk extension is a 4 inch thick 6 foot wide fiber reinforced concrete walk on a compacted aggregate base. For safety reasons the sidewalk improvements should include a minimum of 3 feet of tree lawn between the roadway and the proposed sidewalk; 4-6 feet is preferred. Preliminary right-of-way (ROW) review based on available GIS data indicates that sufficient ROW is available on this route to implement these improvements within existing ROW. ROW will need to be confirmed by survey at the time of implementation to confirm these findings. MUTCD approved pedestrian crossing signage should be included where sidewalk crosses street intersections on this route. NACTO wayfinding signage is recommended along this route for northerly travel to indicate the amenities that lie ahead. If NACTO signage is used along this route, decision signs should be placed at the intersection of S. Main and E. Grand.

Secondary projects for this improvement area include:

- A connection south to W. 79th St. S.
- A connection west on W. 79th St. S. to S. Meridian St.
- A connection east on W. 79th St. S. to the south entrance of Dorner Park.

COUNTRY LAKES- SIDEWALK EXTENSION



LEGEND

- Existing Multi-Modal Infrastructure
- Existing Pedestrian Infrastructure
- Existing Greenway Infrastructure
- Proposed Sidewalk Extensions
- Existing Signalized Intersection/Crossing
- Existing Non-Signalized Intersection/Crossing
- Proposed Signalized Intersection/Crossing

Description

A pedestrian connection on South Meridian and W. 79th St. S. to Cattail St. will connect the southwest edge of the city to the broader pedestrian infrastructure system. This allows residents on the expanding southwest edge of the city to utilize the pedestrian connectivity of Haysville.

This plan proposes extending the existing walk on the west side of S. Meridian St. south the intersection with W. 79th St. S. At the intersection of S. Meridian St. and W. 79th St. S. a sidewalk will extend west on the north side of W. 79th St. S. to connect to the new development on Cattail St.

The infrastructure proposed for this sidewalk extension is 4 inch thick and 6 foot wide fiber reinforced concrete walk on a compacted aggregate base. For safety reasons, the sidewalk improvements should include a minimum of 3 foot of tree lawn between the roadway and the proposed sidewalk; 4-6 feet is preferred. Existing open ditch drainage will dictate that this sidewalk be pushed to the west side of the swale, and grading revisions may be required based on survey data at the time of implementation. The recently constructed sidewalk north of these proposed improvements should be used as an example of development along this corridor. Preliminary right-of-way (ROW) review based on available GIS data indicates that sufficient ROW is available on this route to implement these improvements within existing ROW. ROW will need to be confirmed by survey at the time of implementation to confirm these findings. MUTCD approved pedestrian crossing signage should be included where sidewalk crosses street intersections on this route. NACTO wayfinding signage is recommended along this route to direct northerly traffic to destinations in the area. Decision signage should be placed to accommodate Kirby Park and direction signage should be included at the intersection of W. Grand and S. Meridian to further assist travelers.

Secondary projects for this improvement area include:

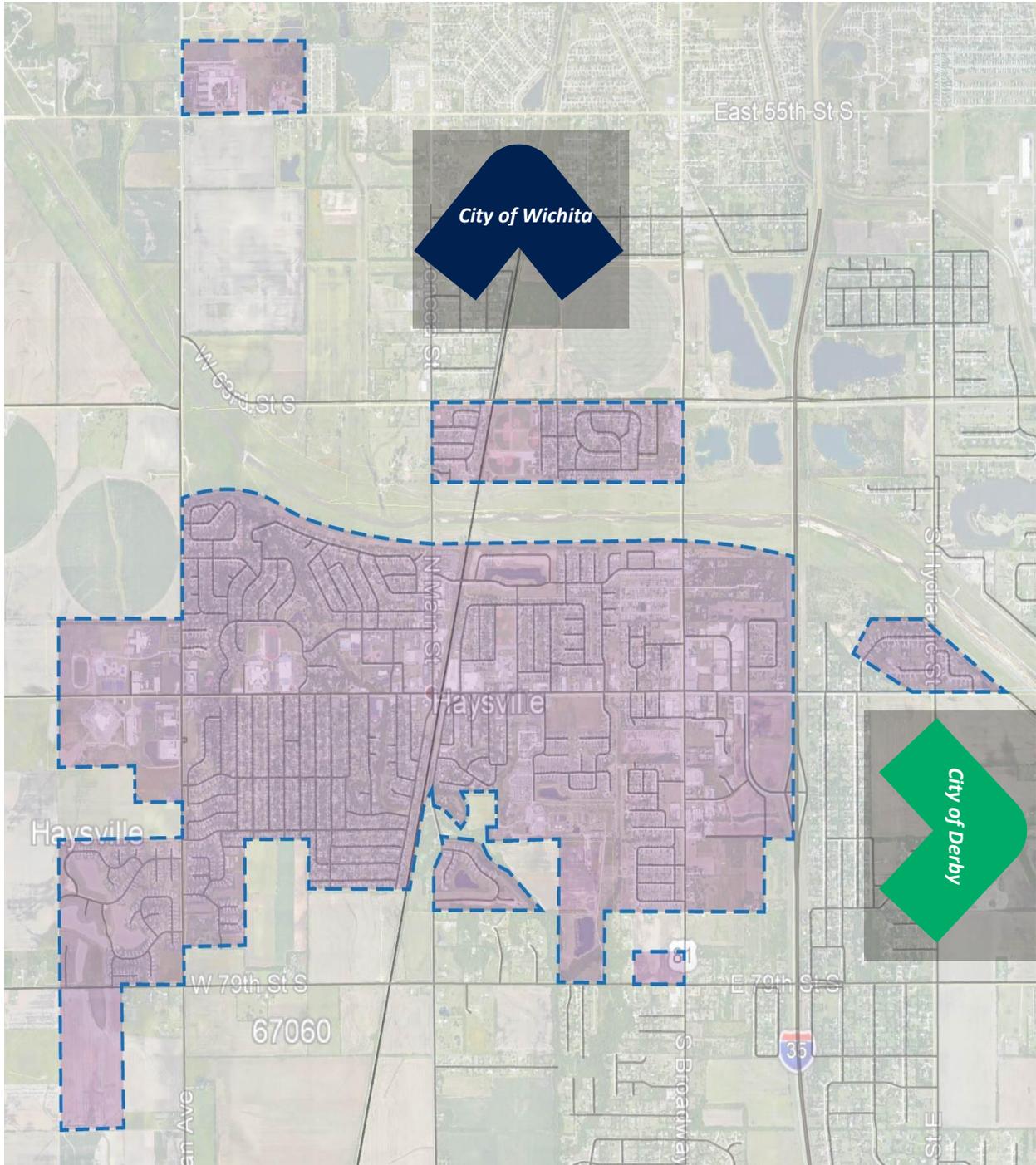
- A connection east on W. 79th St. S. to S. Main / S Seneca St.

Description

A pedestrian connection on East Grand Avenue extending east to the intersection of East Grand Ave. and Kansas St. will connect residents of the easternmost portion of Haysville back into the core of town. Currently, there is a sidewalk on the south side of Grand Ave. extending to the east side of Interstate 35. Extending this route to the outer extents of Haysville will add an additional 3,928 ft. of sidewalk on the south side of East Grand Ave.

The sidewalk extension improvement will require coordination with Sedgwick County as a portion of the roadway falls outside of Haysville city limits. The infrastructure proposed for this sidewalk extension is a 4-inch-thick 6-foot-wide fiber reinforced concrete walk on a compacted aggregate base. For safety reasons, the sidewalk improvements should include a minimum of 3 feet of tree lawn between the roadway and the proposed sidewalk; 4-6 feet is preferred. A crosswalk at the intersection of Grand and Winesap St. will transition the proposed sidewalk back to the north side of Grand and allow access to the neighborhoods in this area. Preliminary right-of-way (ROW) review based on available GIS data indicates that sufficient ROW is available on this route to implement these improvements within existing ROW. ROW will need to be confirmed by survey at the time of implementation to confirm these findings. MUTCD approved pedestrian crossing signage should be included where sidewalk crosses street intersections on this route. NACTO wayfinding signage is recommended along this route for westward traveling pedestrians to indicate destinations ahead. Additional turn signs should be included to reference amenities that do not directly front Grand Ave.

ADDITIONAL IMPROVEMENTS



LEGEND

 City Limits - Code Overlay

REGIONAL CONNECTIVITY

The City of Haysville is located in close proximity to several municipalities. The successful coordination between these municipalities to connect bicycle and pedestrian infrastructure in a meaningful way will have a dramatic impact on regional connectivity. The City of Haysville should work in coordination with the City of Wichita, the City of Derby, and Sedgwick County to implement bicycle and pedestrian infrastructure in a strategic way. This coordination is critical when considering connections to Campus High School. Due to its location, a bicycle and pedestrian connection to Campus High will pass through the jurisdiction of the City of Haysville, Sedgwick County, and the City of Wichita. Due to the adjacency of multiple agencies, each with their own infrastructure standards, it will be critical for each of these governing bodies to work closely to the development of a unified development standard for use in these perimeter locations. This will help to maintain safety standards while creating a sense of place respectful of each municipal identity.

NEXT STEPS

IMPLEMENTATION

Implementation is the most rewarding next step for the city and its residents once the Haysville Bicycle and Pedestrian Implementation Plan is adopted. Implementation of the planned improvements will happen in multiple forms. First, integration of proposed improvements into annual capital improvement budgets will allow short-term implementation of priority projects. While this is the most rapid and tangible implementation process, it is limited by available funding. The second implementation strategy to be explored is grant funding. Grants are available for a myriad of different project types and scales. Donor engagement is a good way to instill community pride in the improvement and a sense of individual involvement. For improvements that are important to the community beyond the abilities of current funding streams, the evaluation of additional community infrastructure taxes should be considered.

FUTURE STUDY

A critical component of any plan is the refreshment of the ideas proposed once the realities of the community evolve. While the proposals in this document span the coming decade, it is important to note that these proposals have a shelf life. Each plan is different, and it is hard to accurately predict the lifespan of a planning document. This plan should be reviewed annually and revised as needed to address any future developments that may impact the overall plan.

MAINTENANCE

Bicycle and Pedestrian networks require ongoing maintenance of the infrastructure in place. The city should conduct annual or biannual infrastructure reviews which can be used to strategically plan for maintenance and replacement as needed. The following scale should be used when considering maintenance and replacement.



Rating - Zero

'0' ratings indicate areas with no sidewalk or trail present. '0' ratings may indicate a need for walks or simply an area that does not have a walk and does not have a specific need for a walk. These areas will be distinguished in the recommendations based on whether priority projects are identified for these areas.

Rating - One

Inaccessible walks or trails:



Ratings of '1' indicate severe degradation of the walk or trail. These walks are in need of replacement in order to be functional for pedestrian circulation. Walks and trails with a rating of '1' are not accessible and pose a public safety risk. These walks and trails should be prioritized when planning capital improvement projects. '1' ratings are indicative of crumbling pavement, large cracks, overgrown vegetation, vertical heaving.

Rating - Two

Occasional accessibility challenges:



Walks and trails with a '2' rating are a mix of serviceable pavement and inaccessible pavement. These walks and trails present accessibility issues for children, wheelchairs, and strollers. Moderate public safety risk exists on these walks and trails. '2' rated walks and trails should be considered priority repair projects. Examples of this category include root heaved pavement, lack of accessible ramps, and pavement cracks.

Rating - Three

'3' ratings are indicative of aging infrastructure that will fall into a '1' or '2' rating in the near future. This infrastructure has met or exceeded its material lifecycle and is still performing as an acceptable pavement surface. '3' ratings should be considered for replacement if located within priority project areas. '3' rated pavement outside of priority improvement areas should be monitored and planned for replacement in near term budgeting.



Rating - Four

'4' ratings are pavements that fall into the designed lifecycle of the material and are still fully accessible. Examples of these pavements would be 1-10 year old concrete sidewalks with accessible curb ramps and no accessibility barriers. There is no need for improvement to '4' rated walks and trails. Once these areas fall into a '3' rating they should be identified as improvement projects.



Rating - Five

'5' Ratings are given to newly installed pavement that meets all



FUNDING

The development of this plan provides Haysville with a list of projects to implement in the near future. There are funding sources, both regionally and statewide, that support active transportation in communities.

WAMPO

The Wichita Area Metropolitan Planning Organization coordinates planning activities in the Wichita region and passes federal funding to communities within the region. There are two federal funding programs that can be used for active transportation projects in Haysville:

SURFACE TRANSPORTATION PROGRAM

STP funding is the most flexible funding program within the Federal Highway Administration (FHWA) and can be used for highway and bridge projects, transit, bicycle and pedestrian projects and safety initiatives. It is also the largest funding program offered through FHWA. In the Wichita Metropolitan Area, this program has generally been allocated to roadway, highway and bridge projects.

TRANSPORTATION ALTERNATIVES PROGRAM

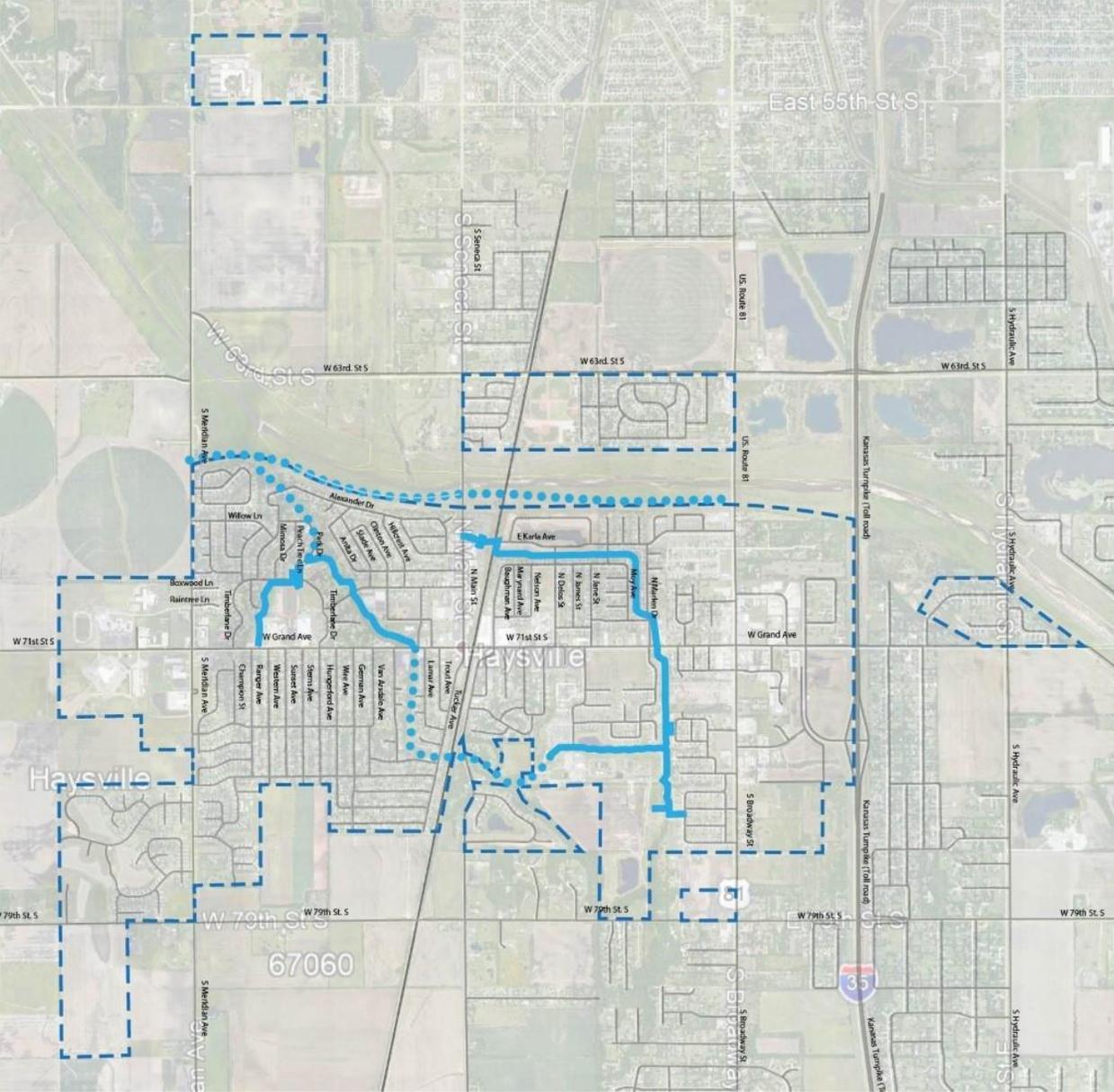
TA funding is intended to be used for small scale community improvement projects with eligibility including bicycle and pedestrian facilities, recreational trails, safe routes to school projects, historic preservation and vegetation management. In order to be most successful, the projects should show regional significance and provide a transportation option and not only an output for recreation.

COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

In addition to FHWA passthrough funding through WAMPO, the City of Haysville has the opportunity to use Community Development Block Grant funding for community improvements such as sidewalks. This funding is provided from the US Department of Housing and Urban Development through the Kansas Department of Commerce.

FUTURE VISION PROJECTS

GREENWAY TRAILS



- LEGEND**
- Existing Greenways
 - Proposed Greenway Planning Study

DEFINITION

A greenway trail is a place where residents can walk or bike for recreational purposes with limited interactions with cars. These are situated in areas with natural features and serve to connect regional destinations, like parks. The greenway trail will typically be a 10' concrete trail with trailside amenities but may include other elements or materials. These amenities may include:

- Seating areas at approximately every 800' interval
- A trailhead at each end of a major segment, which may include parking, drinking fountains, litter receptacles, and bike racks.
- Scenic overlooks and pavilions at points of interest.

At roadway crossings, wide high-visibility cross walks should be used. It is recommended that greenway trail improvements be considered as priority planning. A large amount of coordination and potential grant opportunities make these studies important yet often lengthy processes.

WICHITA VALLEY CENTER FLOODWAY GREENWAY

The crown jewel of the Haysville greenway trail system, the 2+ mile long Floodway Greenway embraces the largest unprogrammed expanse of open greenspace in the city. Currently, access to the floodway is restricted, however, the floodway represents a great potential for passive recreation. Preliminary discussions with the City of Wichita and Sedgwick county have revealed the potential for greenway development in this corridor given to coordination of permitting agencies and design parameters. Levee construction in the floodway is such that governing agencies prefer to limit public access to levees. Two potentially viable alternatives to levee top trails should be evaluated through further study. First, Corps of Engineers land that exists to the south of the southern levee could be condemned for recreational use and utilization for greenway trail development. Second, an in-channel trail developed with low maintenance materials and no vertical elements could be explored as an alternative. A trail system outside of the existing levees is preferred from a permitting perspective due to the reduction of flood study requirements and potential risk factors involved with access to the floodway itself. However, development within the confines of the existing levee is a more scenically attractive solution as it would allow users to view the channel and adjacent vegetation. Furthermore, the greenway trail in this area should examine the use of low maintenance and flood tolerant materials. For example, the use of decomposed granite (chat) pathways as opposed to traditional hard surfacing will allow for ease of flood cleanup and reduce the need for future cost heavy maintenance. A further study of the potential greenway connection along the Wichita Valley Center Floodway between South Meridian St. and South Broadway should be considered. This connection would provide tremendous quality of life and amenity to residents of the community.

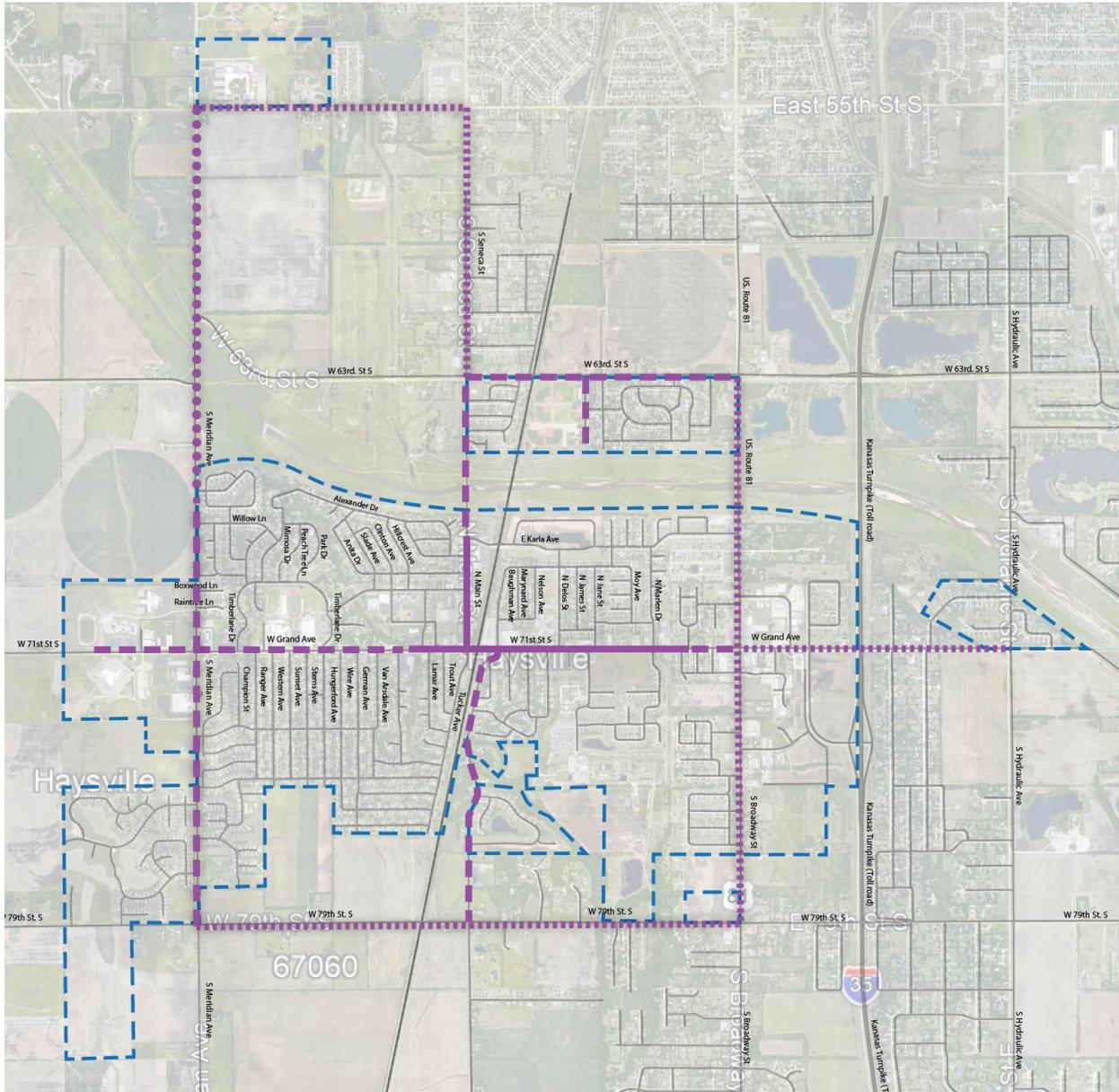
RIGGS PARK EXTENSION GREENWAY

Riggs Park Extension Greenway is proposed from the existing trail within Riggs Park, through the Cowskin Creek riparian corridor and connecting to the proposed Wichita Valley Center Floodway Greenway. If this greenway were to be completed prior to the Floodway Greenway, it should connect Riggs Park to the proposed multi-modal path on South Meridian Ave. A detailed study of the alignment of this greenway will be required prior to the implementation to determine easement requirements and any stream stabilization efforts that may be required. This section of the greenway will serve to connect a large stretch of existing trail through Riggs Park and Fred Cohlmlia Park to the floodway and pedestrian infrastructure on South Meridian Ave. Offering a very different ecotype, this riparian trail corridor will offer a great juxtaposition to the open grassland of the floodway greenway.

CENTRAL GREENWAY

Connecting to Fred Cohlmlia Park trail to the Chris Elsen Memorial Skate Park via a stream corridor trail, the Central Trail is approximately one mile in length. The Central Greenway is so aptly named due to its central location within Haysville. The crossing occurs between Turkle Ave. and S. Seneca St. This will require an engineering study and likely result in a pedestrian tunnel below the rail bed. The Central Greenway is the single most impactful piece of greenway planned from the community connectivity perspective. Completion of this section of greenway will allow users to travel via off-street trail from Riggs Park, through the following parks; Chris Elsen Skate Park, Old Oaks Disc Golf Course, Randal Dorner Park, Orchard Acres Park, Whisler Park, and Pear Tree Park before ending at the multi-modal path on North Main St. at East Karla Ave. Central Greenways one mile connection will result in over 3 miles of interconnected greenway. Advanced study of the creek corridor in order to determine the best routing and any requisite stabilization will be required.

BICYCLE AND PEDESTRIAN ROUTES



LEGEND

- Existing Multi Modal Infrastructure
- Priority Multi-Modal Infrastructure
- Future Multi-Modal Infrastructure
- Multi-Modal Infrastructure Planning Study

PEDESTRIAN IMPROVEMENTS

All bicycle and pedestrian routes should include sidewalk infrastructure for pedestrian circulation in addition to the bicycle infrastructure described below. Pedestrian sidewalks shall consist of 6' wide concrete walks with all required ADA infrastructure at street crossings (ramps, truncated panel, signal where necessary).

MULTI-MODAL PATH

A complete network of 10' multi-modal concrete pathways to accommodate bicycle and pedestrian circulation is the vision of the City of Haysville. This infrastructure has been implemented on North Main St. and Grand Ave. This infrastructure should be expanded to encompass the primary arterial circulation of the city. Proposed routes are shown on the accompanying plan graphic. Multi-modal paths work in conjunction with standard pedestrian infrastructure and crossing interventions where street crossings are required. Multi-modal paths should consist of a 10' wide concrete walk set back from adjacent roadways 6' (minimum of 3') and buffered by a planted strip. Where possible for distances of at least one block; multi-modal paths should meander with broad sweeping curves suitable to accommodate the riding speeds of cyclists. All multi-modal paths should be built to current ADA requirements as defined by the U.S. Department of Justice.