

**CITY OF ABILENE  
PLANNING COMMISSION  
AGENDA**

August 7, 2023 at 4:00 p.m.  
Abilene Public Library  
209 NW 4<sup>th</sup> St. Abilene, KS 67410

| Agenda Item                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Call to Order                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2. Roll Call: ____ Travis Sawyer, Chair ____ Bill Marshall, Vice Chair<br>____ Rod Boyd ____ Matt Mead ____ Helen Rose<br>____ Eric Anderson                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 3. Approval of Agenda                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 4. Approval of the Meeting Minutes – March 7, 2023                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Business</b><br><br>5. Public Hearing for <b>PC 23-8</b> , a conditional use permit request by Trinity Lutheran Church to allow a private elementary school in the C-4 district.<br>*Staff Report and Recommendation<br>*Open Public Hearing<br>*Applicant/Public Comments<br>*Close Public Hearing<br>*Commission Discussion & Action<br><br>6. Public hearing for <b>PC 23-8-2</b> , a concurrent submission of a preliminary and final replat for Golden Belt Heights West housing development.<br>*Staff Report and Recommendation<br>*Open Public Hearing<br>*Applicant/Public Comments<br>*Close Public Hearing<br>*Commission Discussion and Action |
| 7. Planning Commission Comments and Staff Updates                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 8. Adjournment                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**Abilene Planning Commission Minutes**  
**Abilene Public Library**  
**209 NW 4<sup>th</sup> St., Abilene, KS**  
**March 7, 2023 at 4:00 p.m.**



**1. Call to Order by Chair Sawyer at 4:00 p.m.**

**2. Roll Call**

Planning Commissioners Present: Chair Travis Sawyer, Vice Chair Bill Marshall, Rod Boyd, Helen Rose, Matt Mead, Eric Anderson

Absent: Brenda Finn Bowers

Staff Present: Community Development Director Kari Zook, Administrative Assistant Kellie Olson, City Manager Ron Marsh

Public Present: Fred Lewis, David Foster, Debra Foster

**3. Approval of Agenda**

Motion by Marshall to approve the agenda, seconded by Boyd. Motion carried unanimously 6-0.

**4. Minutes**

Motion by Boyd to approve the February 7, 2023 minutes as written, seconded by Marshall. Motion carried unanimously 6-0.

**Business**

**5. Introduction of new Planning Commissioner, Eric Anderson**

**6. Public hearing for PC 23-3, a conditional use permit request from Holt Motors, LLC, to allow a motor vehicle repair and body shop at 209 Texas St.**

The staff report and recommendation were discussed. The zoning regulations state "Motor vehicle repair and body shops, provided all work shall be performed and all materials shall be stored within an enclosed building" as a permitted use in the C-4 district with an approved conditional use permit. Chair Sawyer opened the public hearing at 4:10 p.m. Fred Lewis, owner of Holt Motors, LLC, was present to discuss the business's second location and to answer questions. No public was in attendance; thus, no comments were received. Chair Sawyer closed the public hearing at 4:12 p.m.

Motion by Mead to recommend approval of the conditional use permit request, seconded by Rose.

Motion carried unanimously 6-0. This recommendation will be forwarded to the City Commission for final approval. The study session will be held on March 20, 2023, at 4:00 p.m. The commission meeting will be held on March 27, 2023, at 4:00 p.m.

**7. Comprehensive Plan – Foster Design Associates**

David Foster and Debra Foster were present to discuss the process, timeline, and role of the Planning Commissioners for the 2024-2045 Comprehensive Plan. Items discussed included the extra-territorial jurisdiction, future land use map, quality of life aspects of the community, and community engagement ideas for gaining citizen involvement.

**8. Planning Commission Comments and Staff Updates**

With the addition of Eric Anderson, the Planning Commission now has a full board.

## **9. Adjournment**

Motion by Marshall to adjourn at 5:07 p.m., seconded by Mead. Rose departed the meeting at 4:55 p.m.  
Motion carried unanimously 5-0.

ATTEST:

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Travis Sawyer, Chair

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Kari Zook  
Community Development Director



# DEVELOPMENT APPROVAL APPLICATION

419 N. Broadway PO Box 519 · Abilene, KS 67410  
Tel: (785) 263-2355 · Fax: (785) 263-2552 · www.abilenecityhall.com

**INSTRUCTIONS:** This Application and all required fees and information must be submitted in accordance with the Code of the City of Abilene and the City of Abilene Zoning and Subdivision Regulations. All information requested in this application must be provided and answered completely.

## PART I: TO BE COMPLETED BY APPLICANT

### APPLICATION INFORMATION

#### APPLICATION FOR (CHECK APPROPRIATE BOX):

- |                                                            |                                                            |
|------------------------------------------------------------|------------------------------------------------------------|
| <input type="checkbox"/> ADMINISTRATIVE APPEAL             | <input type="checkbox"/> LOT SPLIT                         |
| <input type="checkbox"/> ANNEXATION                        | <input type="checkbox"/> REPLAT                            |
| <input type="checkbox"/> VARIANCE                          | <input type="checkbox"/> PRELIMINARY PLAT                  |
| <input type="checkbox"/> COMPREHENSIVE PLAN AMENDMENT      | <input type="checkbox"/> FINAL PLAT                        |
| <input checked="" type="checkbox"/> CONDITIONAL USE PERMIT | <input type="checkbox"/> REZONING                          |
| <input type="checkbox"/> DEVELOPMENT CODE AMENDMENT        | <input type="checkbox"/> VACATION (PLAT, STREET, EASEMENT) |

#### FOR OFFICIAL USE ONLY

App Number: PC 23-8  
Date Received: 6/30/23  
Received By: K2

#### BRIEF DESCRIPTION OF APPLICATION PURPOSE:

Foundation Christian Academy wants to open a school at this location.  
Application has been sent to Kansas State Fire Marshall 6-27-23.

### APPLICANT INFORMATION

#### APPLICANT/AGENT (If Not Property Owner):

Name: Trinity Lutheran Church Tel: (785) 263-2555  
Business Name: Dan Reynolds, Council President Fax: (785) 479-0203  
Address: 320 N. Cedar Cell  
City: Abilene State: KS Zip Code: 67410  
E-mail: randr farms1@gmail.com

#### PROPERTY OWNER (If Different from Applicant/Agent):

Name: \_\_\_\_\_ Tel: (\_\_\_\_)  
Business Name: \_\_\_\_\_ Fax: (\_\_\_\_)  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
E-mail: \_\_\_\_\_

#### ENGINEER/ARCHITECT/SURVEYOR:

Name: Earles Engineering & Inspection, Inc. Tel: (785) 263-5523  
Business Name: Thad Reynolds, Surveyor Fax: (\_\_\_\_)  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
E-mail: thadreyn@gmail.com

**PROPERTY INFORMATION**

**PROPERTY ADDRESS:** 320 N. Cedar, Abilene, KS 67410

**PARCEL ID:** \_\_\_\_\_

**ZONING:** Existing: Church Proposed: Educational Building for school.

**LAND USE:** Existing: Church Proposed: Educational Building for Christian School

**GROSS SIZE OF PLAT/LOT:**

Residential: \_\_\_\_\_ Commercial: \_\_\_\_\_ Industrial: \_\_\_\_\_ Other: \_\_\_\_\_ Total: \_\_\_\_\_

**NUMBER OF LOTS:**

Residential: \_\_\_\_\_ Commercial: \_\_\_\_\_ Industrial: \_\_\_\_\_ Other: \_\_\_\_\_ Total: \_\_\_\_\_

**IMPROVEMENT CHARACTERISTICS:**

Number of Buildings or Structures: 1

Total Building Area: 5874 sq. ft.

Maximum Height of Buildings or Structures: 1 story

Total Impervious Area: \_\_\_\_\_

**EXISTING PUBLIC FACILITIES:**

Public Private Other (Describe)

Water Service: ☒ ☐ ☐ \_\_\_\_\_

Wastewater Service: ☒ ☐ ☐ \_\_\_\_\_

Roadway Access: ☒ ☐ ☐ \_\_\_\_\_

**FLOODPLAIN INFORMATION:**

Floodway: ☐ Yes ☐ No

FIRM Map-Panel Number: \_\_\_\_\_

Floodway Fringe: ☐ Yes ☐ No

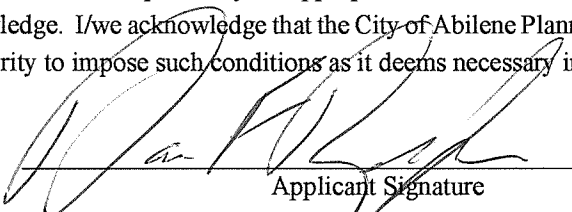
Zone: \_\_\_\_\_

**ARE ANY OTHER PERMITS OR DEVELOPMENT APPROVALS REQUIRED, APPLIED FOR OR RECEIVED FOR THE APPLICATION PROPERTY BY THE CITY OR ANY OTHER JURISDICTION OR AGENCY?**

☒ Yes ☐ No If Yes, Describe Briefly and Attach a Copy of Each Permit, Approval or Application

**APPLICANT/PROPERTY OWNER CERTIFICATION\***

I/we acknowledge receipt of the instruction sheet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. I/we further certify that the foregoing information is true and correct to the best of our knowledge. I/we acknowledge that the City of Abilene Planning Commission, Board of Zoning Appeals or City Commission shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

  
Applicant Signature

6-30-23  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

\* This Application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this Application.

**PART II - TO BE COMPLETED BY STAFF**

**DOCUMENTS TO BE SUBMITTED WITH APPLICATION**

- |                                                  |                                                           |                                                                     |
|--------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Copy of Deed | <input type="checkbox"/> Easements and Covenants          | <input type="checkbox"/> Location Map                               |
| <input checked="" type="checkbox"/> Site Plan    | <input type="checkbox"/> Preliminary Plat                 | <input type="checkbox"/> Final Plat                                 |
| <input type="checkbox"/> Infrastructure Plans    | <input type="checkbox"/> Development Agreement            | <input type="checkbox"/> Grading and Stormwater Plans               |
| <input type="checkbox"/> Elevation Survey        | <input type="checkbox"/> Traffic Impact Study             | <input type="checkbox"/> Construction Plans                         |
| <input type="checkbox"/> Performance Agreement   | <input type="checkbox"/> Proof of Notification            | <input type="checkbox"/> Utility Plans                              |
| <input type="checkbox"/> Text Amendment Language | <input type="checkbox"/> Property Owner List              | <input type="checkbox"/> Comprehensive Plan Amendment Justification |
| <input type="checkbox"/> Annexation Boundary Map | <input type="checkbox"/> Operating Characteristics Report | <input type="checkbox"/> Administrative Appeal Justification        |
| <input type="checkbox"/> Variance Justification  | <input type="checkbox"/> Other _____                      |                                                                     |

Additional document requirements provided to applicant on \_\_\_\_\_. The applicant is advised that the application is not accepted for public review until such time as the above identified documents are submitted and a Determination of Complete Application is certified.

|           |       |
|-----------|-------|
| _____     | _____ |
| Name      | Title |
| _____     | _____ |
| Signature | Date  |

*\*\* Number of copies for submission determined by Zoning Administrator. The Zoning Administrator may request additional information as deemed necessary to properly evaluate the permit application.*

**APPLICATION REVIEW**

**DECISION-MAKING BODY:** ☐ Staff ☒ Planning Commission  
☒ City Commission ☐ Board of Zoning Appeals

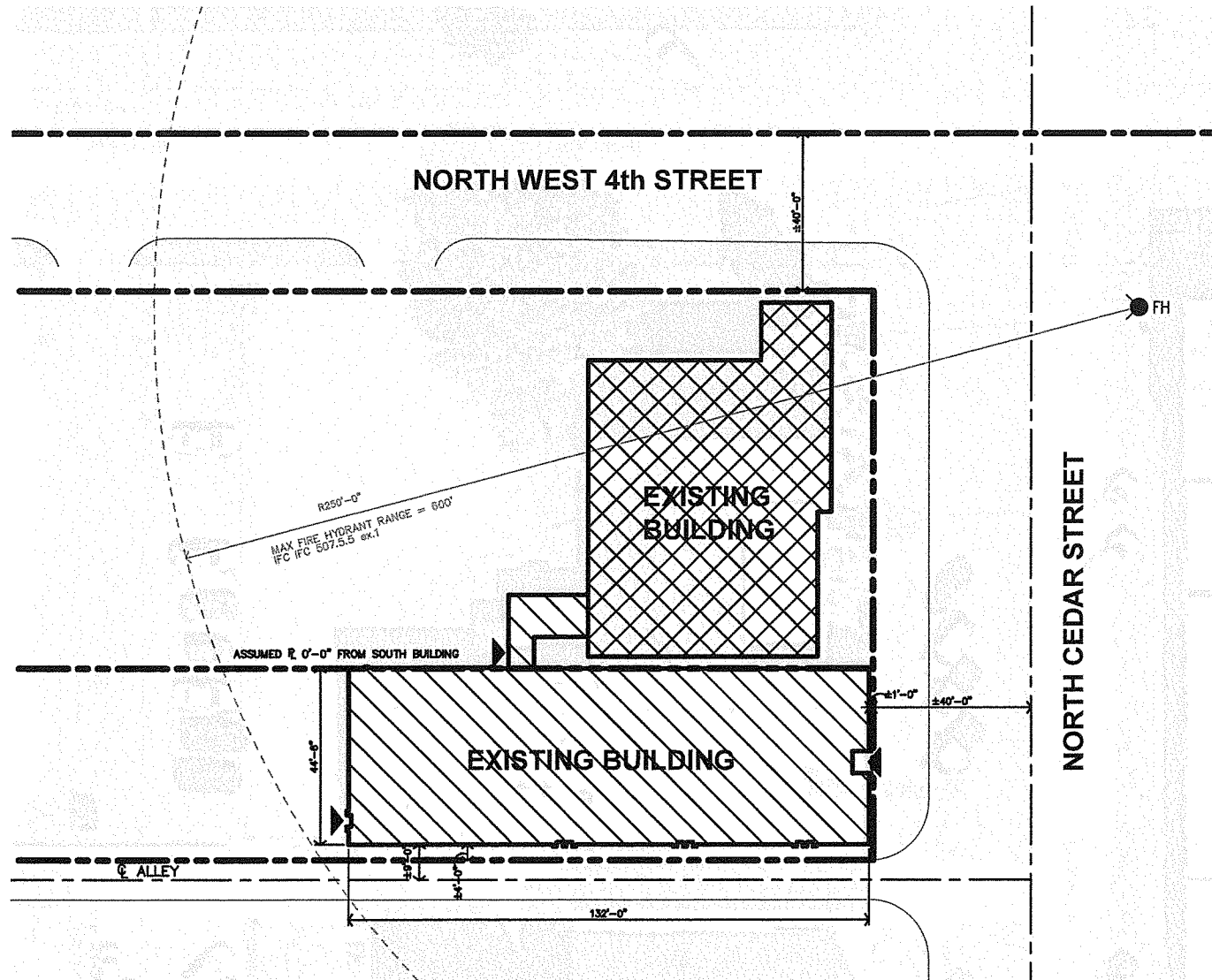
**DATE OF INITIAL HEARING(S):** PC 8/1/23

**FEE AMOUNT:** \$250      **DATE FEE PAID:** 6/30/23

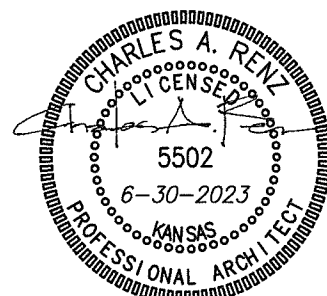
**DETERMINATION OF COMPLETE APPLICATION:**

ck#12600  
I certify that the Development Approval Application and attached documents are sufficient in form and content for review and recommendation by the decision-making bodies of the City of Abilene. As such, all required notifications and hearings may proceed pursuant to City regulations and procedures. This certification does not preclude the review, recommendation and/or decision-making bodies from requesting additional information as deemed necessary to serve the public interest.

|                  |                           |
|------------------|---------------------------|
| <u>Kari Zook</u> | <u>Community Director</u> |
| Name             | Title                     |
| <u>Kari Zook</u> | <u>6/30/23</u>            |
| Signature        | Date                      |



**B SITE PLAN**



### PROJECT INFORMATION

TYPE OF CONSTRUCTION: EXISTING  
FACILITY/OWNER NAME: TRINITY EVANGELICAL LUTHERAN CHURCH  
FACILITY/OWNER ADDRESS: 320 N CEDAR ST ABILENE, KS 67401  
REASON FOR SUBMITTAL: PARTIAL CHANGE OF OCCUPANCY  
COUNTY: DICKINSON  
FIRE DEPARTMENT: CITY OF ABILENE  
WATER SUPPLY: CITY OF ABILENE  
BUILDING INSPECTION DEPT: CITY OF ABILENE  
AUTHORITY HAVING JURISDICTION: CITY OF ABILENE  
ARCHITECT: JONES GILLAM RENZ ARCHITECTS  
730 N. NINTH ST.  
SALINA, KS 67401  
ph: 785-827-0386  
fax: 785-827-0392  
CODES/REGULATIONS: 2009 INTERNATIONAL BUILDING CODE  
2009 INTERNATIONAL MECHANICAL CODE  
2009 INTERNATIONAL PLUMBING CODE  
2007 NATIONAL ELECTRIC CODE  
2009 INTERNATIONAL FIRE CODE  
2010 ADA STANDARDS for ACCESSIBLE DESIGN  
KS FIRE PREVENTION CODE  
NFPA 72 (2010) - FIRE ALARM SYSTEMS

### LEGEND

DESIGNATED EMERGENCY EXIT: 60°/24.4° - EXIT WIDTH (ACTUAL/REQUIRED) 122/240 - OCCUPANT LOAD (ACTUAL/ALLOWED)

0 HOUR CONSTRUCTION: EXISTING 2-HOUR RATED EXTERIOR WALL

EMERGENCY LIGHT: EXIT LIGHT: FIRE EXTINGUISHER: FIRE HYDRANT: SMOKE/HEAT DETECTOR: FIRE ALARM CONTROL PANEL: FIRE ALARM SYSTEMS

| OCCUPANCY GROUP (AU - ACCESSORY USE)     | E         |
|------------------------------------------|-----------|
| OCCUPANCY USE                            | CLASSROOM |
| ROOM SQUARE FOOTAGE/OCCUPANT LOAD FACTOR | 900 20    |
| OCCUPANT LOAD/REQUIRED NUMBER OF EXITS   | 60 2      |

SHADED AREAS INDICATE SPACES TO BE USED AS PART OF E OCCUPANCY SCHOOL.

### CODE INFORMATION

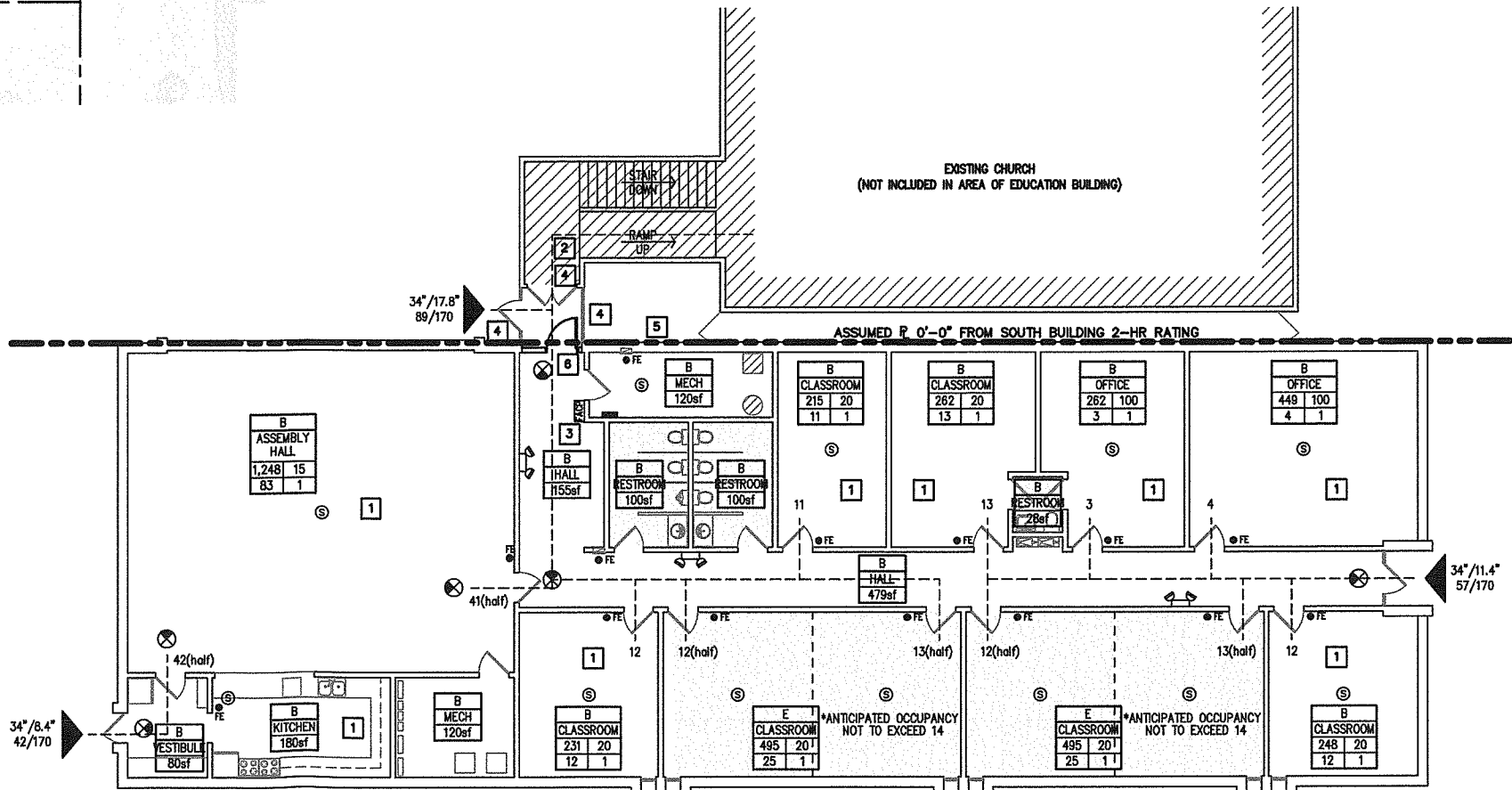
OCCUPANCY OVERALL: EXISTING  
OCCUPANCY GROUPS: B, E\*  
\* E OCCUPANCY FOR LICENSED CHILDCARE AT SPACES INDICATED  
CONSTRUCTION TYPE: II-B  
BASIC ALLOWABLE AREA: E 14,500 SF B 23,000 SF  
(NON-SEPARATED USES PER IBC SEC. 508.3.2)  
ACTUAL BUILDING AREA: 5,858 SF  
BASIC ALLOWABLE STORIES: 2  
ACTUAL STORIES: 1  
BASIC ALLOWABLE HEIGHT: 55'  
ACTUAL HEIGHT: 16'  
FIRE RESISTANCE RATING FOR BUILDING ELEMENTS: II-B  
STRUCTURAL FRAME: 0 HOUR  
INTERIOR BEARING WALLS: 0 HOUR  
INTERIOR NON-BEARING WALLS: 0 HOUR  
EXTERIOR BEARING WALLS: 0 HOUR  
EXTERIOR NON-BEARING WALLS: 0 HOUR  
FLOOR/CEILING: 0 HOUR  
CEILING/ROOF: 0 HOUR  
SHAFT ENCLOSURES: 0 HOUR  
OCCUPANCY SEPARATIONS: (NON-SEPARATED USES PER IBC SEC. 508.3.2)  
ALLOWABLE AREA & HEIGHT CALCULATIONS ARE BASED ON THE MOST RESTRICTIVE USE. DIFFERENT USES ARE NOT SEPARATED BY FIRE BARRIERS.  
INCIDENTAL SEPARATIONS: (PER IBC TABLE 508.2)  
FURNACE ROOM 400,000 BTU N/A PER SPRINKLER  
STORAGE ROOMS OVER 100 SF N/A PER SPRINKLER  
SPECIAL CONDITIONS:  
EXIT & EMERGENCY LIGHTING  
PORTABLE FIRE EXTINGUISHERS  
FIRE ALARM REQUIREMENTS:  
REQUIRED/PROVIDED - EXISTING FIRE ALARM SYSTEM W/ NOTIFICATION TO CITY OF ABILENE DISPATCH.  
AUTOMATIC FIRE SUPPRESSION SYSTEM:  
NOT REQUIRED  
EMERGENCY POWER SOURCE:  
EXIT SIGNS, EXIT ILLUMINATION & EMERGENCY LIGHTING PROVIDED  
HAZARDOUS MATERIALS: (PER IBC TABLE 307.1)  
SMOKE PARTITIONS: SMOKE CONTROL: STANDPIPES:  
NOT REQUIRED NOT REQUIRED NOT REQUIRED  
TOTAL OCCUPANT LOAD: 188  
EXITING: REFERENCE PLAN  
OCCUPANT LOAD FACTORS:  
OCCUPANCY USE LOAD FACTOR MAX. OCC. PER STORY - 1 EXIT  
E CLASSROOM 20 sf/OCCUPANT 49  
S-1 OFFICE 100 sf/OCCUPANT 49  
STORAGE 300 sf/OCCUPANT 29

### PROJECT DESCRIPTION

TRINITY EVANGELICAL CHURCH PROPOSES TO ALLOW TWO EXISTING ROOMS TO BE USED FOR "E" OCCUPANCY SCHOOL USE AS CLASSROOMS FOR SCHOOL AGE CHILDREN MONDAY THRU FRIDAY. THE USE OF THESE CLASSROOMS IS OUTSIDE THE PRIMARY USE AREAS OF THE CHURCH CLASSROOMS AND OFFICES. THIS BUILDING WILL HAVE MINIMAL OVERLAP IN USE AND OCCUPANCY.

### KEY NOTES

- 1 THIS AREA IS FOR CHURCH USE ONLY & NOT PROPOSED FOR USE BY SCHOOL.
- 2 EGRESS PATH FOR CHURCH. CHURCH OCCUPANCY OPERATES OUTSIDE OF SCHOOL HOURS.
- 3 FACP IS AN INTEGRATED SECURITY/FIRE ALARM. NOTIFICATION OF EVENT IS SENT TO CITY OF ABILENE DISPATCH.
- 4 EXISTING NON-RATED DOOR. DOOR IS ALUMINUM/GLASS.
- 5 EXISTING WALL IS MASONRY CONSTRUCTION WITH CMU/ BRICK VENEER, EQUIVALENT TO MINIMUM 2hr RATING.
- 6 REMOVED EXISTING ALUM. FRAME & DOOR. INSTALL NEW 2-HR RATED WALL & 90-MIN RATED DOOR & FRAME.



**A FLOOR PLAN**

# Staff Report

**TO:** Planning Commission  
**FROM:** Kari Zook, Community Development Director  
**SUBJECT:** PC 23-8, Trinity Lutheran Church CUP  
**DATE:** August 7, 2023

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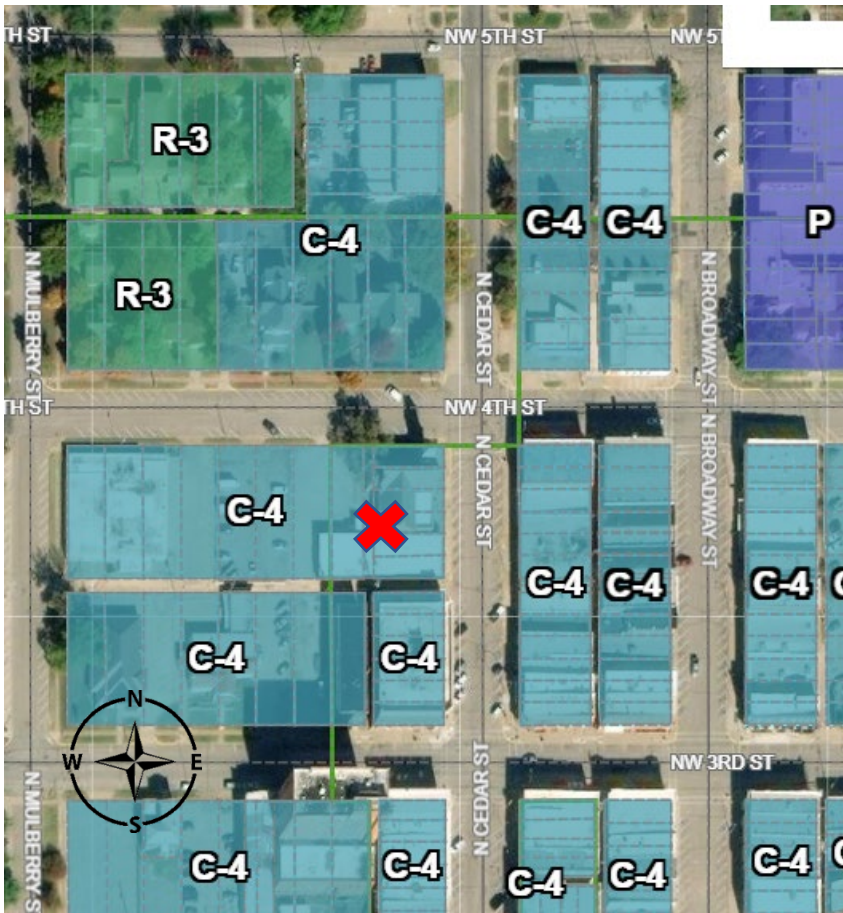


## APPLICANT/OWNER:

Trinity Evangelical Lutheran Church  
320 N Cedar St. Abilene, KS 67410  
Application date received: 6/30/23

## BACKGROUND:

- An application for a conditional use permit was submitted by Trinity Lutheran Church to allow a private elementary school in the C-4 district. Per the City of Abilene Zoning Regulations Article 9, Section 9-3, Table 9-1, line item **44: Schools: a. Public and private elementary schools** require a conditional use permit to operate in the C-4 district.
- Trinity Lutheran Church is listed as a historic property on the local, state, and national registers. It is also a property within the Abilene Downtown Historic District. All permit applications submitted will be reviewed by the Abilene Heritage Commission.



| <b>Direction</b> | <b>Zoning Classification</b> | <b>Land Use(s)</b>                       |
|------------------|------------------------------|------------------------------------------|
| North            | C-4                          | Dawson's Antiques/Residential properties |
| East             | C-4                          | Solid Rock AV                            |
| South            | C-4                          | Paws-N-Claws pet shop                    |
| West             | C-4                          | Parking Lot/Elks Lodge                   |

The notice of public hearing was published in the Abilene Reflector Chronicle on July 7, 2023, and written notices were sent by mail on July 7, 2023, to property owners within 200 feet of the site address as required by Article 26, Section 26-102(b) and (c) of the zoning regulations. The Planning Commission meeting date had to be rescheduled from August 1, 2023 to August 7, 2023 due to not meeting a quorum. The Abilene Reflector Chronicle posted a notice of the meeting update on August 1, 2023. The written notices to property owners with the updated meeting date were sent on July 31, 2023.

#### COMMENTS:

Departmental comments: None

Citizen comments: None

#### STAFF RECOMMENDATION:

Staff recommends approval of this conditional use permit request. The Planning Commission may impose such conditions as they see fit as referenced in Article 26, Section 26-110 (listed on the following page).

#### ACTION:

The Planning Commission may:

1. Recommend approval of the conditional use permit as requested.
2. Recommend approval of the conditional use permit with amendments.
3. Recommend disapproval of the conditional use permit with findings.

#### NOTES:

Upon conclusion of the public hearing, the Planning Commission will render a recommendation to the City Commission for final approval.

Section 26-105. Protest Petition. Regardless of whether or not the Planning Commission recommends approval or disapproval of a proposed zoning amendment, revision, change, or Conditional Use Permit, if a protest petition against such amendment is filed in the office of the City Clerk within fourteen (14) days after the date of the conclusion of the public hearing pursuant to the publication notice, signed by the owners of twenty (20) percent or more of any real property proposed to be rezoned or by the owners of record of twenty (20) percent or more of the total area, excepting public streets and ways, which is located within the notification area described in Section 26-102, the ordinance adopting such amendment shall not be passed except by at least a 3/4 majority vote of all the members of the Governing Body.

City Commission Study Session 8/14/23, City Commission Meeting 8/28/23 (Protest Period ends 8/21/23)

Section 26-202. The Governing Body, when approving a Conditional Use Permit, shall specify the period of time for which the permit is valid or shall state that the term of the permit is not limited in time.

26-110. Factors to be Considered in Permit Applications. The Planning Commission may recommend approval of a conditional use that is expressly authorized to be permitted in a particular zoning district, and the Governing Body may approve such conditional use, using the following factors as guidelines. The explanation of these factors, as set out in Section 26-108 for rezonings, shall also be considered in conditional use permit applications.

- a. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations;
- b. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood;
- c. Whether the proposed use places an undue burden on the existing public infrastructure in the area affected and, if so, whether additional infrastructure can be provided;
- d. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected;
- e. The length of time the subject property has remained vacant or undeveloped as zoned;
- f. Whether the applicant's property is suitable for the proposed conditional use;
- g. The recommendations of professional staff and advisors;
- h. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;
- i. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected;
- j. For such uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with any adopted Solid Waste Management Plan of Dickinson County, and amendments thereto; and
- k. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application.





A Replat of West Highlands to the City of Abilene, Dickinson County, Kansas, being a Parcel of Land in the East Half of the Southeast Quarter of Section 7, Township 13 South, Range 2 East of the 6th Principal Meridian

All of West Highlands, a subdivision in the City of Abilene, Dickinson County, Kansas, lying in the Southeast Quarter of Section 7, Township 13 South, Range 2 East of the 6th Principal Meridian, described by Gregory Chad Weller, Kansas PS-1417, of Olsson, KSLs-114, on July 21, 2023, as follows.:

COMMENCING at the Southeast corner of the Southeast Quarter of said Section 7; thence North 00 degrees 34 minutes 28 seconds West, on the East line of said Southeast Quarter a distance of 668.04 feet to the Southwest corner of the North Half of the Southeast Quarter of said Southeast Quarter, the POINT OF BEGINNING; thence South 89 degrees 05 minutes 29 seconds West, on the West line of said Southeast Quarter a distance of 1,332.72 feet to the Southwest corner of said North Half; said corner also lying on the West line of the East Half of said Southeast Quarter; thence North 00 degrees 38 minutes 37 seconds West, departing said South line, on the West line of said East Half, a distance of 1,930.64 feet to a point on the South line of Interstate 70 right of way, as now established; thence North 87 degrees 14 minutes 15 seconds East, departing said West line, on said South line, a distance of 1,205.36 feet to a point; thence North 75 degrees 45 minutes 00 seconds East, continuing on said South line, a distance of 83.33 feet to a point; thence North 87 degrees 22 minutes 15 seconds East, continuing on said South line, a distance of 1,000.00 feet to Northeast corner of said Southeast Quarter; thence South 89 degrees 05 minutes 29 seconds East, departing said South line, on said East line of said Southeast Quarter, a distance of 1,990.14 feet to the POINT OF BEGINNING, containing 2,585,674 Square Feet or 59.3589 Acres, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which hereafter shall be known as **"Golden Belt Heights West"**.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, pipes, inlets, manholes, surface drainage facilities and other similar facilities, upon, over and under those areas outlined and designated on this plat as "Drainage Easement" or "D/E", is hereby granted to the City of Abilene, Kansas. Drainage easements shall remain free of fences, shrubs, and other obstacles that would restrict the flow of drainage.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Dickinson County, Kansas, said restrictions will thereby be made part of the dedication of this plat as though fully set forth herein.

*The care and maintenance of said Tracts A, B, Lot 4, Block 1 and the portions of Lot 1, Block 6 shall be the sole responsibility of the City of Abilene.*

7. Subject property is currently zoned R-3.

THIS SURVEY WAS REVIEWED FOR COMPLIANCE  
WITH KSA 58-2001 THROUGH 58-2005 ONLY  
AND IS APPROVED FOR FILING.

KANSAS REGISTRATION NUMBER: \_\_\_\_\_

This is to certify that on April 27, 2023 this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 66-12-1.

By: \_\_\_\_\_  
Gregory Chad Weller, KS PLS No. 1417  
Olsson, LC-114  
cweller@olsson.com

*This Final Plat of GOLDEN BELT HEIGHTS WEST, together with it's easements, rights of ways and other dedications for public use, have been submitted to and approved by the Board of City Commissioners this \_\_\_\_\_ day, \_\_\_\_\_, A.D. 2023.*

*This Final Plat of GOLDEN BELT HEIGHTS WEST, has been submitted to and approved by the City Attorney of Abilene, Kansas this \_\_\_\_\_ day, \_\_\_\_\_, A.D. 2023.*

I do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land included in this plat.

Given under my hand and seal at Abilene, Kansas this \_\_\_\_\_ day, \_\_\_\_\_, A.D. 2023.

I do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, no redeemable tax sales against any land included in this plat.

*I further certify that I have received all statutory fees in connection with this plat.*

Given under my hand and seal at Abilene, Kansas this \_\_\_\_\_ day, \_\_\_\_\_, A.D. 2023.

Leah Hern, County Treasurer

Final Plat of GOLDEN BELT HEIGHTS WEST to the City of Abilene, Dickinson County, Kansas, was filed in my office this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2023, at \_\_\_\_\_ o'clock \_\_\_\_ M. and \_\_\_\_\_ duly recorded in Volume \_\_\_\_\_ of Plats, at Page \_\_\_\_\_.

Rose Johns - Register of Deeds

This Final Plat of GOLDEN BELT HEIGHTS WEST has been submitted to and approved by the Abilene City Planning Commission this \_\_\_\_\_ day, \_\_\_\_\_, A.D. 2023.

Be it remembered, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said county and state, came \_\_\_\_\_ who is personally known to me to be the same person who executed the foregoing instrument or writing and duly acknowledged the execution of the same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

Be it remembered, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said county and state, came T. Lee Gruen, who is personally known to me to be the same person who executed as such officer the foregoing instrument of writing, and such persons duly acknowledged the execution of the same to be the free act and deed of said owner.

In witness hereof, I have hereunto subscribed my name and affixed my notorial seal this day and year last above written.

Notary: \_\_\_\_\_ My appointment expires: \_\_\_\_\_

IN TESTIMONY WHEREOF, the undersigned proprietor have hereunto subscribed their names.

Consented to and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

T. Lee Gruer

Be it remembered, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2023, before me, a notary public in and for said county and state, came James M. Webb, who is personally known to me to be the same person who executed as such officer the foregoing instrument of writing, and such person duly acknowledged the execution of the same to be the free act and deed of said owner.

In witness hereof, I have hereunto subscribed my name and affixed my notorial seal this day and year last above written.

Notary: \_\_\_\_\_ My appointment expires: \_\_\_\_\_

IN TESTIMONY WHEREOF, the undersigned proprietor have hereunto subscribed their names.

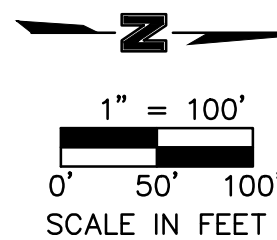
Consented to and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

James M. Webb

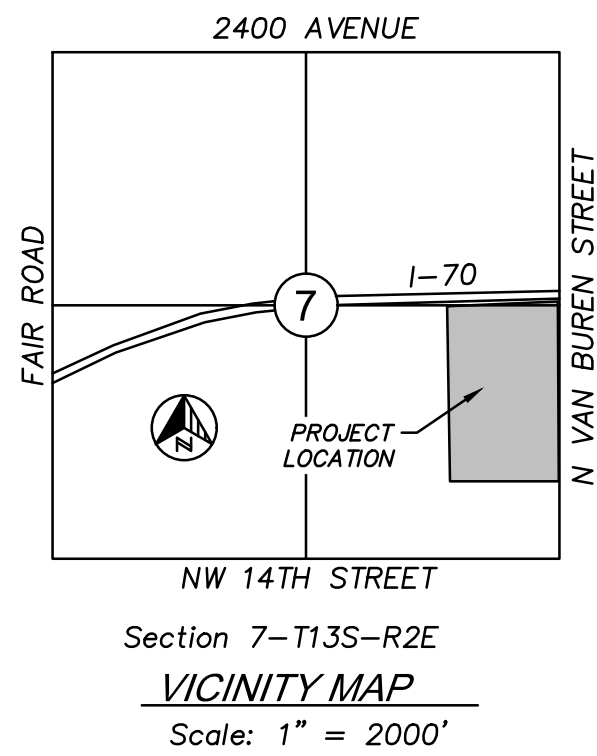
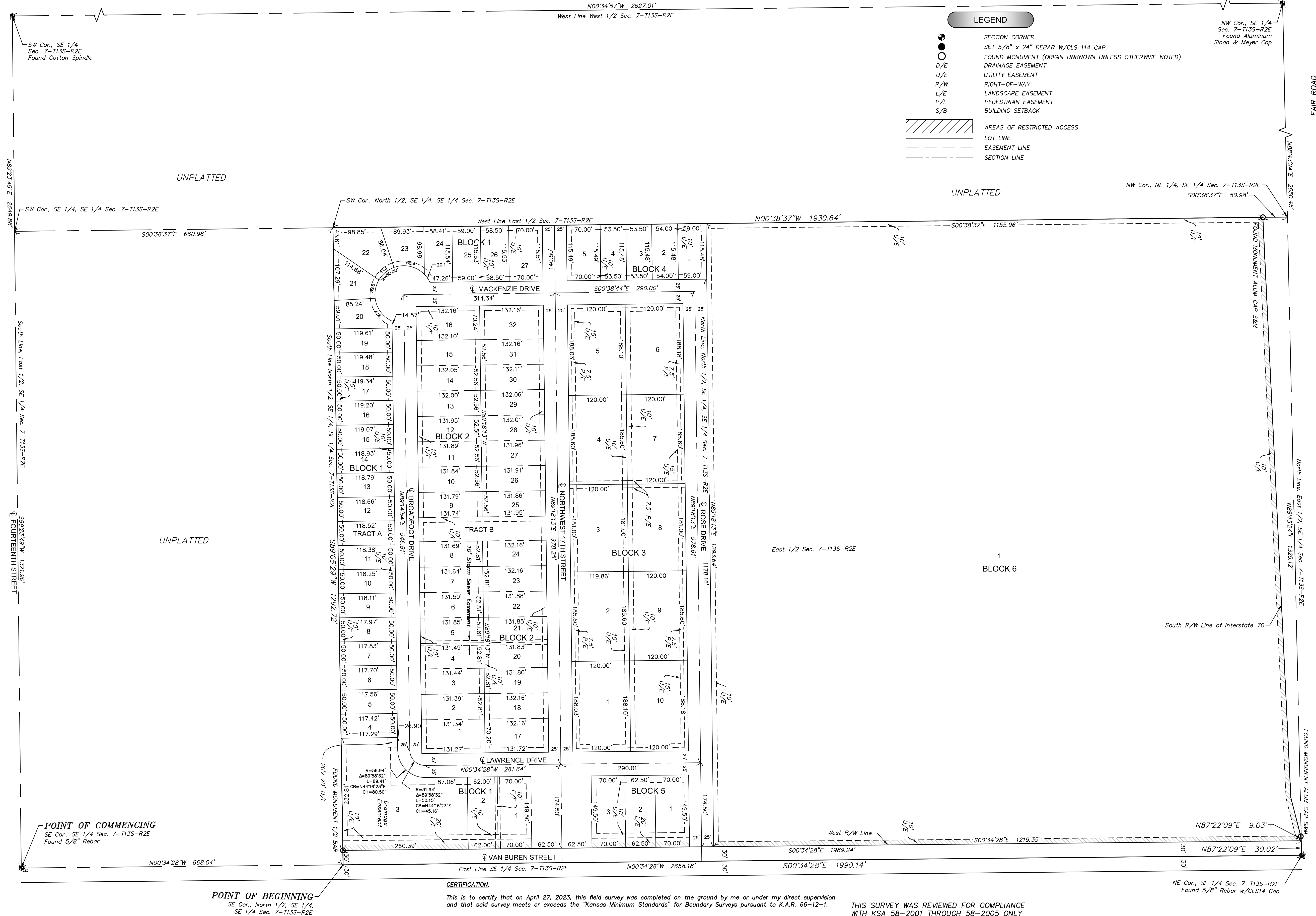
|                                                                              |      |
|------------------------------------------------------------------------------|------|
| FINAL PLAT                                                                   | 2023 |
| GOLDEN BELT HEIGHTS WEST                                                     |      |
| EAST HALF, SOUTHEAST QUARTER<br>SECTION 7 - TOWNSHIP 13 SOUTH - RANGE 2 EAST |      |
| ABILENE, DICKINSON COUNTY, KANSAS                                            |      |

drawn by: \_\_\_\_\_ EDV  
checked by: \_\_\_\_\_ CGW  
approved by: \_\_\_\_\_ CGW  
QA/QC by: \_\_\_\_\_ CGW  
project no.: \_\_\_\_\_ F2200584  
drawing no.: V VPLAT F2200584  
date: \_\_\_\_\_ 2023.07.21

DWG: C:\Temp\Acad\platt\_27368\PLAT\_F2200584.dwg USER: evdvalentine  
DATE: Aug 01, 2023 2:05pm XREFS: V:\TOPO-02304620



Final Plat  
Golden Belt Heights West  
A Replat of West Highlands to the City of Abilene, Dickinson County, Kansas, being a Parcel of Land in the East Half of  
the Southeast Quarter of Section 7, Township 13 South, Range 2 East of the 6th Principal Meridian



| REV. NO. | DATE | REVISIONS DESCRIPTION |
|----------|------|-----------------------|
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| REV. NO. | DATE | REVISIONS DESCRIPTION |
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|---------------|-----------------|------------------|---------------|-----------------------|------------------------------|------------------|
| drawn by: EDV | checked by: CGW | approved by: CGW | QA/QC by: CGW | project no.: F2200584 | drawing no.: V\PLAT_F2200584 | date: 2023.07.21 |
| SHEET 2 of 2  |                 |                  |               |                       |                              |                  |

olsson

302 S. 4th Street, Suite 110  
Manhattan, Kansas 66502  
TEL 785.539.6900  
www.olson.com

CERTIFICATION:  
This is to certify that on April 27, 2023, this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 66-12-1.

By: Gregory Chad Weller, KS PLS No. 1417  
Olsson, LC-114  
cweller@olson.com

SIGNATURE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
KANSAS REGISTRATION NUMBER: \_\_\_\_\_

THIS SURVEY WAS REVIEWED FOR COMPLIANCE WITH KSA 58-2001 THROUGH 58-2005 ONLY AND IS APPROVED FOR FILING.

# Staff Report

**TO:** Planning Commission  
**FROM:** Kari Zook, Community Development Director  
**SUBJECT:** PC 23-8-2 – Golden Belt Heights West Replat  
**DATE:** August 7, 2023



## APPLICANT/OWNER:

City of Abilene Land Bank

## BACKGROUND:

The City of Abilene is requesting approval of a concurrent submission of the preliminary and final replat for the Golden Belt Heights West housing development. The main updates on this replat are:

- An official name change from “West Highlands” to “Golden Belt Heights West”.
- Lots have been combined to create larger lots on the north side of NW 17<sup>th</sup> St.
- Lot numbers have shifted, but the block numbers remain the same in the existing development.
- Retaining parkland in Tract A (Block 1) & B (Block 2), removing Tract C (Block 3).
- The detention pond has been increased to accommodate future development which resulted in the loss of one lot. A copy of the pond expansion memo is attached to the agenda packet for reference.
- The northern portion of the original plat has been cleared for future development determinations and will be replatted when available in the future.

A copy of the final plat of West Highlands is attached to the agenda packet for reference to changes.



| <b>Direction</b> | <b>Zoning Classification</b> | <b>Land Use(s)</b>                           |
|------------------|------------------------------|----------------------------------------------|
| North            | AG40/80                      | I-70/Farmland (outside city limits)          |
| East             | R-1                          | Golden Belt Heights East housing subdivision |
| South            | AG40                         | Farmland/Residential (outside city limits)   |
| West             | C-3                          | Windy Trails RV Park                         |

The written notices of the public hearing were sent by mail on July 21, 2023 to property owners within 1,000 feet of the site address as required by Article 2, Section 2-303 of the Subdivision Regulations. The Planning Commission meeting date had to be rescheduled from August 1, 2023 to August 7, 2023 due to not meeting a quorum. The Abilene Reflector Chronicle posted a notice of the meeting update on August 1, 2023. The written notices to property owners with the updated meeting date were sent on July 31, 2023.

**COMMENTS:**

Departmental comments: None

Citizen comments: None

**STAFF RECOMMENDATION:**

Staff recommends approval of the final replat as presented.

**ACTION:**

The Planning Commission may:

1. Recommend approval of the final replat as presented.
2. Recommend approval of the final replat with suggested amendments.
3. Recommend disapproval of the final replat with findings.

**NOTES:**

Upon conclusion of the public hearing, the Planning Commission's recommendation on the final replat shall be submitted to the City Commission on August 14, 2023 for final approval.



June 19, 2023

**City of Abilene**

Ron Marsh  
PO Box 519  
Abilene, KS 67410

**Re: Golden Belt Heights West Replat  
Storm Sewer Detention Memo**

**Dear Mr. Marsh:**

This memo discusses the proposed detention improvements to account for the proposed construction of the first 5 lots of the Golden Ridge Apartments, located in Lots 1-16 Block 3, and portion of Track C in West Highlands Addition, 1706 NW 17TH ST, Abilene, Kansas.

The proposed improvements will include the construction of five, 12-plex apartments including approximately 110 on-street parking stalls. These improvements have a greater building/impervious density than the previously planned duplex lots which creates additional stormwater runoff that needs to be mitigated per City of Abilene criteria. The subdivision has an existing pond that controls the release rate of the developed stormwater flows from approximately two thirds ( $\frac{2}{3}$ ) of the constructed subdivision. This pond will be enlarged to provide additional detention to match the current release rates for the area that drains to the pond. The western most apartment will need to be considered in the future detention plans for the areas of the property that drain to the north.

**Existing Conditions**

Using Lidar obtained from “*State of Kansas GIS Data Access & Support Center*”, drainage areas, flow paths and time of concentrations were developed for the subdivision (see Exhibit A Drainage Area Map). Additionally, a topographic survey of the pond and the outlet works was performed to determine the pond volume as well as the performance of the outlet (See Exhibit B Topographic Survey). The drainage area to the pond consists of 6 sub-areas that route to existing curb inlets in the subdivision’s storm sewer system. The peak flow rates for each sub-area and the routed release rates and maximum storage for the 100-year and more frequent storms events are listed below. Per the Abilene Design Criteria for Storm Drainage Systems dated July 1995, the 5-year return period and the 25-year design storm for natural floodplains in residential areas shall be limited to the pre-existing flow rates. The 100-year is also reviewed to determine the freeboard for significant events.

**Table 1: Existing Peak Flow Rates (SCS 24 Hr)**

| Basin | Tributary Area (AC) | Weighted Curve Number (CN) | Tc (min) | Q (5-Year Storm) (cfs) | Q (25-Year Storm) (cfs) | Q (100-Year Storm) (cfs) |
|-------|---------------------|----------------------------|----------|------------------------|-------------------------|--------------------------|
| 1     | 2.3462              | 71.1                       | 14.3     | 4.503                  | 9.205                   | 13.65                    |
| 2     | 2.7465              | 71.1                       | 17.9     | 4.699                  | 9.659                   | 14.36                    |
| 3     | 1.3093              | 71.1                       | 16.3     | 2.389                  | 4.900                   | 7.279                    |
| 4     | 3.0148              | 71.1                       | 15.0     | 5.786                  | 11.83                   | 17.54                    |
| 5     | 1.6174              | 71.1                       | 15.8     | 2.952                  | 6.053                   | 8.991                    |
| 6     | 1.0956              | 68.6                       | 9.6      | 2.233                  | 4.704                   | 7.085                    |
| Total | 12.1298             |                            |          | 20.23                  | 43.84                   | 66.08                    |

**Table 2: Existing Detention Release Rates (SCS 24 Hr)**

|                    | 5-Year Storm | 25-Year Storm | 100-Year Storm |
|--------------------|--------------|---------------|----------------|
| Pond Inflow (cfs)  | 20.23        | 43.84         | 66.08          |
| Pond Outflow (cfs) | 9.084        | 13.34         | 16.09          |
| Max Elevation      | 1194.20      | 1195.46       | 1196.58        |
| Storage (ft^3)     | 12,959       | 36,532        | 61,606         |
| Emergency Overflow | 1198.67      | 1198.67       | 1198.67        |

## **Proposed**

With the proposed 12-plex apartment construction, Drainage Basin 1 will change in curve number due to the change in impervious areas (see Exhibit C Impervious Area). The time of concentration is also reduced with additional parking and increase in imperviousness.

**Table 3: Proposed Peak Flow Rates (SCS 24 Hr)**

| Basin | Tributary Area (AC) | Weighted Curve Number (CN) | Tc (min) | Q (5-Year Storm) (cfs) | Q (25-Year Storm) (cfs) | Q (100-Year Storm) (cfs) |
|-------|---------------------|----------------------------|----------|------------------------|-------------------------|--------------------------|
| 1     | 2.3462              | 78.3                       | 12.8     | 6.55                   | 11.90                   | 16.72                    |
| Total | 12.1298             |                            |          | 22.70                  | 46.92                   | 69.43                    |

With these increased flows the unimproved pond would have the following performance as shown in Table 4. These flows and elevations are greater than the existing conditions.

**Table 4: Proposed Detention Release Rates (SCS 24 Hr)**

|                            | <b>5-Year Storm</b> | <b>25-Year Storm</b> | <b>100-Year Storm</b> |
|----------------------------|---------------------|----------------------|-----------------------|
| Pond Inflow (cfs)          | 22.70               | 46.92                | 69.43                 |
| Pond Outflow (cfs)         | 9.499               | 13.64                | 16.33                 |
| Max Elevation              | 1194.30             | 1195.57              | 69.43                 |
| Storage (ft <sup>3</sup> ) | 14,681              | 38,826               | 64,245                |
| Emergency Overflow         | 1198.67             | 1198.67              | 1198.67               |

## **Detention Modification**

The detention is proposed to be expanded to provide the same flow rate as the existing performance with the additional flows from the construction of the 12- plex apartment buildings. The work in the pond will consist of removing approximately 1200 cubic yards of material to expand the pond approximately 45 ft to the north (See Exhibit B Topographic Survey & Pond Grading). The additional volume will provide the following performance as shown in table 5, meeting the design criteria of the City of Abilene.

**Table 5: Detention Release Rates Comparison (SCS 24 Hr)**

|                                          | <b>Q (5-Year Storm)<br/>(cfs)</b> | <b>Q (25-Year Storm)<br/>(cfs)</b> | <b>Q (100-Year Storm)<br/>(cfs)</b> |
|------------------------------------------|-----------------------------------|------------------------------------|-------------------------------------|
| Existing Pond Outflow (cfs)              | 9.084                             | 13.34                              | 16.09                               |
| Modified Pond Outflow (cfs)              | 9.064                             | 12.95                              | 15.54                               |
| Existing Pond Max Elevation              | 1194.20                           | 1195.46                            | 1196.58                             |
| Modified Pond Max Elevation              | 1194.20                           | 1195.33                            | 1196.33                             |
| Existing Pond Storage (ft <sup>3</sup> ) | 12,959                            | 36,532                             | 61,606                              |
| Modified Pond Storage (ft <sup>3</sup> ) | 15,257                            | 39,944                             | 65,725                              |

Considering the information above we recommend approval of this drainage memo and proposed modifications.

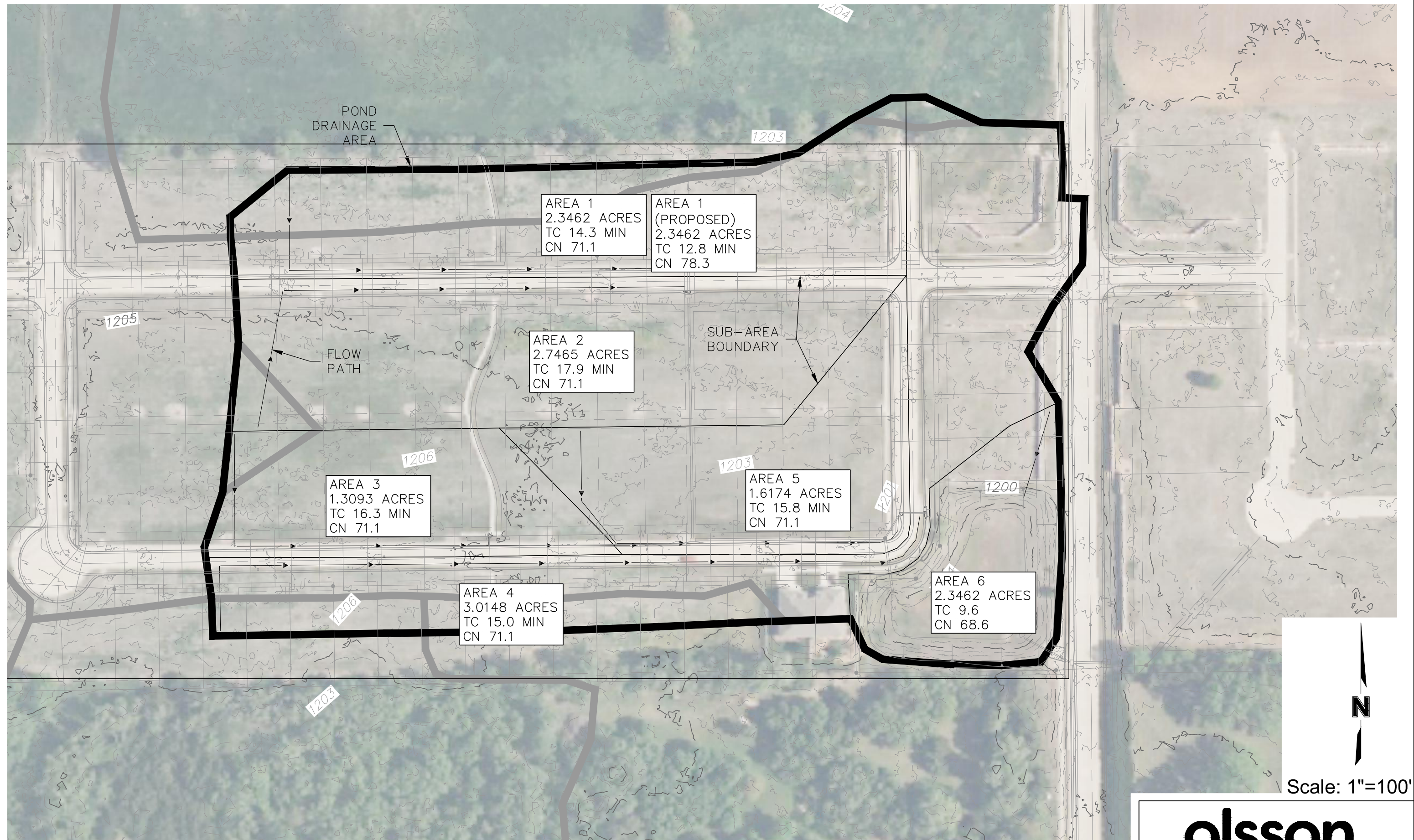
Sincerely,



**Paul Parrish, PE**  
Olsson



Exhibit A – Drainage Area Map  
Exhibit B – Topographic Survey & Pond Grading  
Exhibit C – Impervious Area



# EXHIBIT A

## DRAINAGE AREA MAP

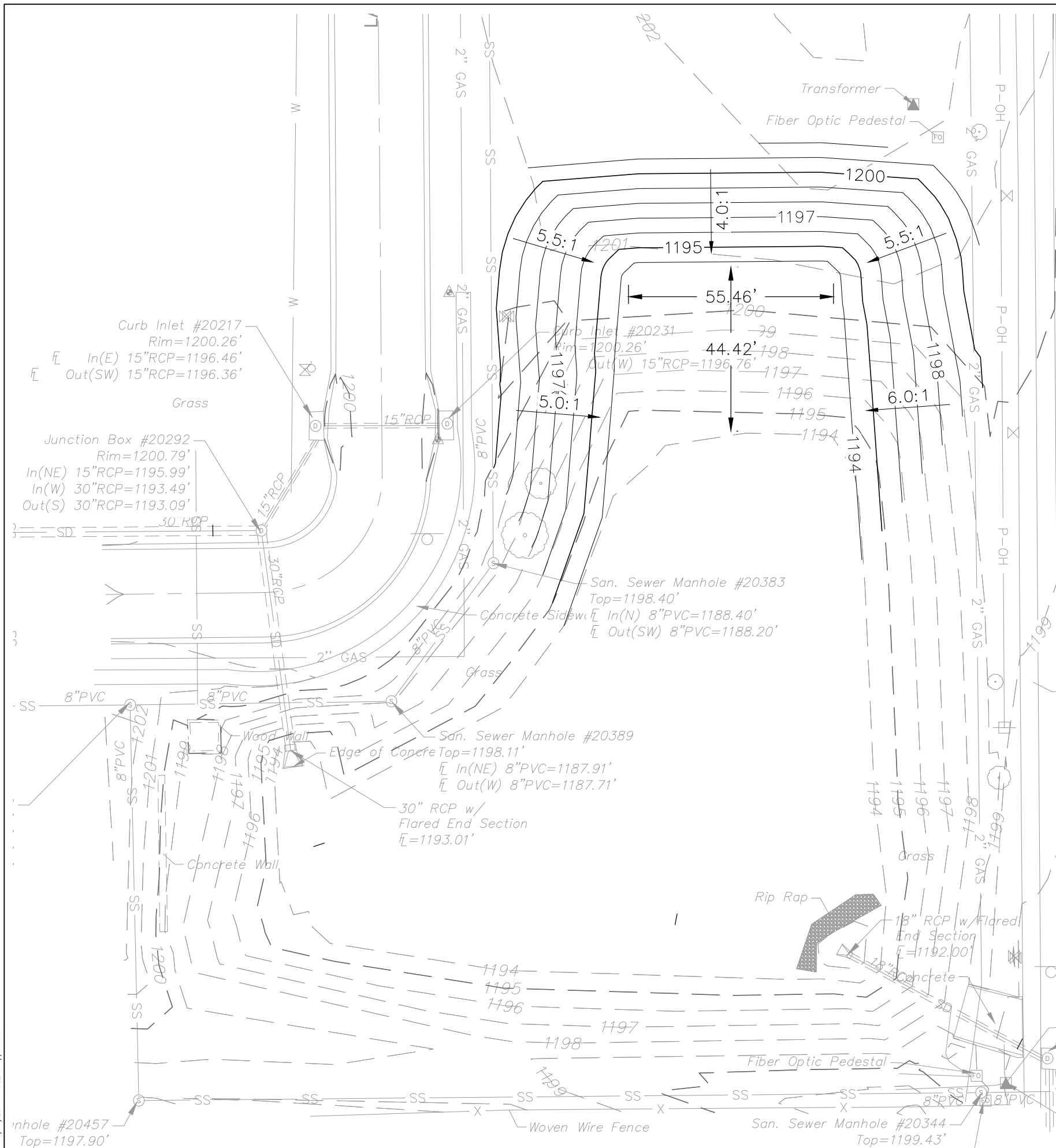
**olsson**

302 S. 4th Street, Suite 110  
Manhattan, Kansas 66502

TEL 785.539.6900

www.olsson.com

DWG: F:\2023\04501-05000\023-04620\40-Design\AutoCAD\Preliminary Plans\Sheets\GNV\EX\_POND\_02304620.dwg  
DATE: 7/19/23 USER: pparish



NORTH VAN BUREN STREET

| EXISTING POND     |                       | MODIFIED POND     |                       |
|-------------------|-----------------------|-------------------|-----------------------|
| Contour Elevation | Contour Area (sq. ft) | Contour Elevation | Contour Area (sq. ft) |
| 1,192.00          | 0.00                  | 1,192.00          | 0.00                  |
| 1,192.50          | 55.05                 | 1,192.50          | 55.05                 |
| 1,193.00          | 126.13                | 1,193.00          | 126.13                |
| 1,193.50          | 12,708.47             | 1,193.50          | 15,006.07             |
| 1,194.00          | 16,073.74             | 1,194.00          | 19,229.82             |
| 1,194.50          | 17,754.59             | 1,194.50          | 20,964.52             |
| 1,195.00          | 19,267.71             | 1,195.00          | 22,668.98             |
| 1,195.50          | 20,812.64             | 1,195.50          | 24,401.45             |
| 1,196.00          | 22,389.44             | 1,196.00          | 26,161.93             |
| 1,196.50          | 23,998.12             | 1,196.50          | 27,950.52             |
| 1,197.00          | 25,638.67             | 1,197.00          | 29,768.57             |
| 1,197.50          | 27,311.10             | 1,197.50          | 31,615.82             |
| 1,198.00          | 29,016.52             | 1,198.00          | 33,489.92             |
| 1,198.50          | 30,812.50             | 1,198.50          | 35,446.98             |
| 1,199.00          | 32,867.56             | 1,199.00          | 37,688.38             |

Curb Inlet #20330  
Rim=1197.21'  
In(E) 15"RCP=1191.71'  
In(NW) 18"RCP=1191.61'  
Out(S) 24"RCP=1191.11'

Scale: 1"=30'

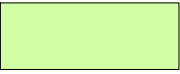
EXHIBIT B  
TOPOGRAPHIC SURVEY  
& POND GRADING



DWG: F:\2023\04501-05000\023-04620\40-Design\AutoCAD\Preliminary Plans\Sheets\NCV\EX\_IMPERVIOUS\_02304620.dwg  
DATE: 6/29/23 USER: pparish



**IMPERVIOUS AREAS**

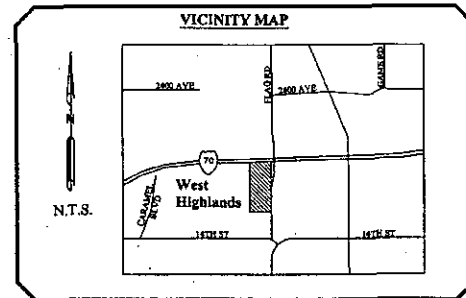
|                |           |        |                                                                                     |
|----------------|-----------|--------|-------------------------------------------------------------------------------------|
| DUPLEX HOUSING | 64,202 SF | 45.26% |  |
| APARTMENT      | 84,940 SF | 59.88% |  |

**EXHIBIT C  
IMPERVIOUS AREA**

Scale: 1"=80'



302 S. 4th Street, Suite 110  
Manhattan, Kansas 66502  
TEL 785.539.6900  
www.olsson.com



# The Final Plat of West Highlands

to City of Abilene, Dickinson County, Kansas  
A parcel of land in the Southeast Quarter, Section 7, Township 13 South,  
Range 2 East of the 6th Principal Meridian

## LEGAL DESCRIPTION

A parcel of land located in the Southeast Quarter of Section 7, Township 13 South, Range 2 East of the 6th Principal Meridian in Dickinson County, Kansas, more particularly described as follows:

Commencing at the Southeast Corner of said Southeast Quarter; thence on an assumed bearing of N 00°00'00" E along the East line of said Southeast Quarter a distance of 663.02 feet to the Southeast Corner of the North Half of the Southeast Quarter of said Southeast Quarter, said point also being the POINT OF BEGINNING of the parcel to be described;  
- thence S 89°39'57" W along the South line of said North Half of the Southeast Quarter of the Southeast Quarter a distance of 1322.73 feet to the Southwest corner of said North Half of the Southeast Quarter of the Southeast Quarter;  
- thence N 00°04'09" W along the West line of said Southeast Quarter of the Southeast Quarter a distance of 663.95 feet to the Southwest corner of the Northeast Quarter of said Southeast Quarter;  
- thence continuing N 00°04'09" W along the West line of said Northeast Quarter of said Southeast Quarter a distance of 1266.69 feet to a point on the South right-of-way line of Interstate 70;  
- thence N 87°48'43" E along said South right-of-way line a distance of 1205.56 feet;  
- thence N 76°18'25" E along said South right-of-way line a distance of 83.57 feet;  
- thence N 87°56'37" E along said South right-of-way line a distance of 39.18 feet to the Northeast corner of said Southeast Quarter;  
- thence S 00°00'00" E along said East line of the Southeast Quarter a distance of 1990.14 feet to the POINT OF BEGINNING;  
Said parcel contains 39.36 acres (112,596 square feet), more or less, and is subject to easements, reservations and restrictions of record.

## SURVEYOR'S CERTIFICATE

State of Kansas )  
County of Dickinson) SS

I, the undersigned, do hereby certify that I am a registered land surveyor in the State of Kansas, with experience and proficiency in land surveying; that the heretofore described property was surveyed and subdivided by me, or under my supervision; that all subdivision regulations of the City of Abilene, Kansas have been complied with in the preparation of this plat; that all of the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.  
Date of Survey: February 13, 2007

Given under my hand and seal at Abilene, Kansas this 22<sup>nd</sup> day of June

A.D. 2007. Thad G. Reynolds L.S. #1354

## REVIEW SURVEYOR CERTIFICATE

State of Kansas )  
County of Dickinson) SS

I hereby certify that the review of this plat was found to be compliance with the requirements of K.S.A. 58-2005. Approved this 22<sup>nd</sup> day of June, A.D. 2007.

Jason P. Johnson L.S. #1410

## CORPORATE OWNER'S CERTIFICATE

State of Kansas )  
County of Dickinson) SS

This is to certify that the undersigned Proprietor, Abilene Highlands, LP, A Nevada Limited Partnership, has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

An easement or license to the public to locate, construct, and maintain or authorize the location, construction, and maintenance of conduit, water, gas, and sewer pipes or required drainage channels or structures upon the areas marked for easements on this plat are hereby granted.

4/28/07  
Abilene Highlands, LP, A Nevada Limited Partnership  
Dan Hopkins Date

## NOTARY CERTIFICATE

State of Kansas )  
County of Dickinson) SS

Be it remembered that on this 28<sup>th</sup> day of June, 2007, before me a notary public in and for said County and State, came Dan Hopkins, Abilene Highlands, LP, A Nevada Limited Partnership, who is personally known to be the same person who executed the foregoing instrument or writing and duly acknowledged the execution of same, in testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission Expires  
Notary Public - State of Kansas  
DARLENE K. PROVANCE  
My Comm. Exp. 6-1-12

## CERTIFICATE OF CITY PLANNING COMMISSION

State of Kansas )  
County of Dickinson) SS

This Final Plat of West Highlands has been submitted to and approved by the Abilene City Planning Commission this 22<sup>nd</sup> day of November, A.D. 2007.

Larry Coulson - Chairman  
 James D. Holland - Secretary

## CERTIFICATE OF THE CITY COMMISSION

State of Kansas )  
County of Dickinson) SS

This Final Plat of West Highlands, together with its easements, rights-of-ways and other dedications for public use, have been submitted to and approved by the Board of City Commissioners this 27<sup>th</sup> day of August, A.D. 2007.

Judy Leysch - Mayor  
 Penny Soukup - City Clerk



## CITY ATTORNEY CERTIFICATE

State of Kansas )  
County of Dickinson) SS

This Final Plat of West Highlands has been submitted to and approved by the City Attorney of Abilene, Kansas this 21<sup>st</sup> day of December, A.D. 2007.

Mark A. Guilfoyle - City Attorney

## CERTIFICATE OF SPECIAL ASSESSMENTS

State of Kansas )  
County of Dickinson) SS

I do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have not been apportioned against the tract of land included in this plat.

Given under my hand and seal at Abilene, Kansas, this 28<sup>th</sup> day of January, A.D. 2008.

Leah Hem - County Treasurer

## CERTIFICATE OF COUNTY TREASURER

State of Kansas )  
County of Dickinson) SS

I do hereby certify that there are no delinquent general taxes, no unpaid current general taxes, no unpaid forfeited taxes, no redeemable tax sales against any land included in this plat.

I further certify that I have received all statutory fees in connection with the plat.

Given under my hand and seal at Abilene, Kansas, this 28<sup>th</sup> day of January, A.D. 2008.

Leah Hem - County Treasurer

## REGISTER OF DEEDS CERTIFICATE

State of Kansas )  
County of Dickinson) SS

Final Plat of West Highlands to the City of Abilene, Dickinson County, Kansas, was filed in my office this 28<sup>th</sup> day of January, A.D. 2008, at 3:25 o'clock P.M. and duly recorded in volume 2 of plats, at page 86.

Linda Jones - Register of Deeds

**Landmark**  
SURVEYING & MAPPING INC.  
Member Kansas Society of Land Surveyors  
Office: (785) 263-2625 Fax: (785) 263-1580  
301 North Broadway, P.O. Box 97  
Abilene, Kansas 67410

|               |         |            |                                    |
|---------------|---------|------------|------------------------------------|
| Date of Plat: | 6/22/07 | Project #: | 07-4889, West Highlands            |
| Drawn By:     | JPJ     | Client:    | Landplan Engineering / Dan Hopkins |
| Checked By:   | TR      |            | Sheet 2 of 2                       |

