

REGULAR MEETING NOTICE ROSE HILL CITY PLANNING COMMISSION AGENDA

Eric Bollig—Chairperson, Presiding

— Vice Chairperson

Mike Sullivan — Member

James Keller — Member

Marion Futhey -- Member

TIME: 6:00 P.M.

DATE: TUESDAY, October 14, 2025

PLACE: CITY HALL COUNCIL CHAMBERS

125 W. Rosewood

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes — June 10, 2025 Minutes
4. Committee and Staff Reports – none
5. Communications — none
6. Other Business.

7. Consider Case No. LS-2025-01, Proposed Lot Split for Lot 2, Block A, Cedar Crest 2nd Addition, to Rose Hill, a Replat of Part of Block F Cedar Crest Addition for Rise and Grind Real Estate, LLC.

- 8.. Adjournment.

**MINUTES OF
THE REGULAR MEETING OF THE ROSE HILL PLANNING
COMMISSION
TUESDAY, JUNE 10, 2025**

Call To Order

The Regular Meeting of the Rose Hill Planning Commission was called to order at 6:00 p.m. by Chair Eric Bollig and held in City Hall Council Chambers. Members present Mike Sullivan, James Keller and Marion Futhey. Absent Matt Gouldsmith. Staff present: Warren Porter-City Administrator/Planning Commission Secretary.

Approval of Agenda

With copies of the June 10, 2025, agenda previously distributed and before each member.

Motion by Commission Member Sullivan to approve the agenda. Second by Commission Member Futhey with motion passing 4-0.

Approval of Minutes

With copies of March 11, 2025, Regular Planning Commission/Board of Zoning Appeals meeting minutes previously distributed and before each member.

Motion by Commission Member Keller to approve copies of the March 11, 2025, Regular Planning Commission/Board of Zoning Appeals minutes. Second by Commission Member Sullivan with motion passing 4-0.

Close Regular Meeting and Open Board of Zoning Appeals Meeting at 6:07 p.m.

Public Hearing on Case No. Z-2025-02, Proposed Variance to allow up to 10' front yard setback on the north side of the property from the generally required 30' setback and a variance with an agreement for parking use from an adjoining property in a R-1 zoning district.

Chair Bollig opened the public hearing at 6:07 p.m. concerning Case No. Z-2025-02, a variance from the 30' front yard setback and a variance for parking requirements with an agreement from an adjoining property for parking use.

Secretary Porter discussed the application and that the property had two "front" yards which caused a hardship due to an excessive amount of the property was taken up with setbacks and a drainage easement, making a proposed expansion of Rose Hill Victory Fellowship Church impractical. Also, the church had an existing agreement with USD #394 for additional parking spaces on an adjoining lot in excess of what would be required for the proposed expansion.

Chair recognized Pastor Joe Cowell, representing the church and discussed the proposed expansion and the need for the variances for the setback and the parking requirements.

Chair Bollig asked for additional comments from the public and there were none.

Chair Bollig closed the public hearing at 6:12 p.m.

Consider Case No. Z-2025-02, Proposed Variance to allow up to 10' front yard setback on the north side of the property from the generally required 30' setback and a variance with an agreement for parking use from an adjoining property in a R-1 zoning district.

Secretary Porter reviewed the Golden Rules for the property and expressed support for the application due to excessive setbacks on the property, limited traffic on the street north of the property, and other properties in the area had similar issue and were closer to the north property lines than allowed. The parking variance was resolved by agreement with the school which appeared to be a good, shared use for both parties. After additional comments and questions from the board, the Chair called for consideration on the application.

Motion by Commission Member Keller to approve the request for setback variances as requested by the applicant in Case No. Z-2025-02 and approval of parking regulations variance due to shared use agreement with USD #394. Second by Commission Member Futhey with motion passing 4-0.

Adjournment

Member Futhey made a motion to adjourn at 6:14 p.m. Second by Commission Member Keller, with motion passing 4-0.

Respectfully submitted,

Warren Porter, Planning Commission Secretary

To: Planning Commission

From: Warren Porter

Subject: Lot Split for 906 Rose Hill Road
Case LS 2025-001

October 1, 2026

The City of Rose Hill has received the attached application for a lot split for 906 Rose Hill Road. The drawing is enclosed.

Adam Frey/Blake Yakel dba Rise & Grind Real Estate, LLC, has submitted the application to divide the parcel they recently purchased in the 900 block of N. Rose Hill Road. The applicant has started construction of Ziggi's Coffee on proposed Parcel A and Parcel B would be created and available for development in the future.

The lot is zoned B-1, Local Business District and would be such upon successful completion of a lot split. Both lots conform to the Lot Split requirements as found in the Subdivision Regulations.

The lot split process does not require a public hearing, but local regulations require notification to neighboring property owners. The City has mailed notices to adjacent/adjoining property owners.

A lot split shall NOT be approved unless all of the following requirements have or can be satisfied.

- A. If a new street or alley or extension of an existing street is required or proposed. *Not applicable with this proposal.*
- B. A vacation of streets, alleys, setback lines, access control or easements is required and has not been satisfied. *Not applicable with this proposal.*
- C. Such action will result in significant increases in service requirements, e.g., utilities, drainage, sidewalks, traffic control, streets, etc. or will interfere with maintaining existing service levels, e.g. additional curb cuts, repaving, etc.
The City has existing water and sewer lines adequate to support the proposed additional lot. Drainage is provided to the south and the opening under Rose Hill Road was enlarged by Butler County in 2023. There is an existing sidewalk that will remain in the front of the property. A drive way will be required, but no additional paving. As the only thru N/S Arterial Street in Rose Hill, peak traffic is always a concern. The SW Butler Road calls for the eventual widening of this location, whether we have additional development at this location.
- D. There is less street right of way than required by these regulations or the Comprehensive Plan unless such dedication can be made by separate instrument. *Not applicable, as required ROW is present.*
- E. All easement requirements have not been satisfied. *No additional easements required.*
- F. Such split will result in a lot without direct access from its frontage to an opened public street. *Access is available on N. Rose Hill Road.*
- G. A substandard sized lot will be created or an existing structure will not be able to meet all yard requirements according to applicable zoning regulations or sanitary code. *Lots created meet the applicable zoning requirements.*

- H. The lot is subject to periodic flooding which cannot be feasible corrected in order to properly develop the lot. *While not in the flood plain, the property is relatively low on the south side. Further development will necessitate the raising of the south portion of the lot for usability.*
- I. The lot has been previously split without replatting. *Cedar Crest 2nd Addition was replatted in 1994.*

To the best of our knowledge, this property is eligible to be split, per the application and supporting materials.

The Planning Commission is the final determinant of the application. It does not go before the City Council. This is an application only for splitting of a legal lot into two legal and conforming lots. It should be considered more administrative in nature.

No public hearing is held but interested parties should be recognized to allow comments and/or questions.

LOT SPLIT

Lot 2, Block A, Cedar Crest 2nd Addition, to Rose Hill
A Replat of Part of Block F Cedar Crest Addition
For Rise and Grind Real Estate, LLC

State of Kansas)
) SS
Butler County)

We, Schwab Eaton, Land Surveyors in aforesaid county and state, do hereby certify that, under the supervision of the undersigned, we did on this 1st day of April 2024, perform a survey of the following described property:

Parcel A

A tract of land in Lot Two (2), Block A, Cedar Crest Second Addition to Rose Hill, a replat of part of Block F, Cedar Crest Addition to Rose Hill, Butler County, Kansas, as prepared by Randy Stroede, Professional Surveyor #1276, on April 25, 2024, and being more particularly described as follows;
Commencing at the Northwest corner of Lot Two (2), Block A, Cedar Crest Second Addition to Rose Hill; thence along the West line of said Lot Two (2) on a bearing of S 00°00'00" W, a distance of 100 feet to the Northwest corner of a tract on page 296, Butler County Register of Deeds Book 802, said point being the POINT OF BEGINNING; thence continuing along said West line of lot Two (2) a distance of 124.03 feet; thence S 89°04'32" E, a distance of 168.00 feet to the East line of said Lot Two (2); thence along the East line of said Lot Two (2) on a bearing of N 00°00'00" E, a distance of 124.03 feet; thence N 89°04'32" W, a distance of 168.00' to the POINT OF BEGINNING, containing 0.48 acres, more or less.

Parcel B

A tract of land in Lot Two (2), Block A, Cedar Crest Second Addition to Rose Hill, a replat of part of Block F, Cedar Crest Addition to Rose Hill, Butler County, Kansas, as prepared by Randy Stroede, Professional Surveyor #1276, on April 25, 2024, and being more particularly described as follows;
Commencing at the Northwest corner of Lot Two (2), Block A, Cedar Crest Second Addition to Rose Hill; thence along the West line of said Lot Two (2) on a bearing of S 00°00'00" W, a distance of 224.03 feet to the POINT OF BEGINNING; thence continuing along said West line of lot Two (2) a distance of 141.11 feet, to the Southwest corner of said Lot Two (2); thence S 89°18'56" E, a distance of 168.00 feet, to the Southeast corner of said Lot Two (2); thence along the East line of said Lot Two (2) on a bearing of N 00°00'00" E, a distance of 140.40 feet; thence N 89°04' 32" W, a distance of 168.00' to the POINT OF BEGINNING, containing 0.54 acres, more or less.

A circular professional seal for Randy S. Stroede, a Professional Surveyor in Kansas. The seal features the text "RANDY S. STROEDE" at the top, "LICENSED" below it, the commission expiration date "5-15-2024" in the center, and the license number "1276" below the date. The name "Randy Stroede" is written in cursive across the seal, and "KANSAS" is at the bottom. The outer ring of the seal contains the words "PROFESSIONAL SURVEYOR".

Randy S. Stroede

I hereby certify that this lot split has been examined by the Rose Hill City Planning Commission And found to comply with the Subdivision Regulations of the City of Rose Hill, Kansas, and is therefore, approved for recording.

My appointment expires _____.

County Surveyor
Butler County, Kansas

Michael Work

SURVEY LEGEND

- MONUMENT SET 1/2"x24" REBAR WITH "S-E CLS 59" CAP
- MONUMENT FOUND AS NOTED
ORIGIN: UNCERTAIN UNLESS NOTED
- BOUNDARY LINE
- - - 30' BUILDING SETBACK LINE
- (M) MEASURED BEARING AND DISTANCE
- (P) PLATTED BEARING AND DISTANCE
- (D) DEEDED BEARING AND DISTANCE

SE PROJECT NO. 24.2.0023
CLIENT: ZIGGY'S COFFEE
PAGE 3 OF 3

ROSE HILL RD

POINT OF BEGINNING
PARCEL A

POINT OF BEGINNING
PARCEL B

Northwest Corner
Lot 2, Block A
CEDAR CREST 2ND

PARCEL A

PARCEL B

LOT 19, BLOCK 1
CEDAR CREST 4TH

LOT 14, BLOCK 1
CEDAR CREST 4TH

LOT 13, BLOCK 1
CEDAR CREST 4TH

LOT 12, BLOCK 1
CEDAR CREST 4TH

LOT 2, BLOCK A
CEDAR CREST 2nd ADDITION
TO ROSE HILL
A REPLAT OF PART OF BLOCK F
CEDAR CREST ADDITION

60' DRAINAGE EASEMENT

60.00' (P)



**Schwab
Eaton**

800 East 1st Street, Suite 240 • Wichita, KS. 67202
Phone (316) 722-4472 • Fax (316) 380-5007



Case No. LS 2025-001

125 W. Rosewood - P.O. Box 185
Rose Hill, KS 67133
Phone: (316) 776-2712
Fax: (316) 776-2769

City of Rose Hill, Kansas Lot Split Application

This form must be completed in accordance with directions on the accompanying instructions and filed with the City of Rose Hill at 125 W Rosewood Rose Hill, KS 67133.

AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED

Date: 8/25/2025

CONTACT INFORMATION

Owner(s) of the property requesting the Appeal:

Name: Adam Frey and Blake Yakei dba Rose and Grind Real Estate, LLC

Address: 906 N. Rose Hill Road, Rose Hill, KS 67133

Phone: 316-393-4162 Email: adam.frey@ziggycoffee.com

AGENT REPRESENTING THE APPLICANT (IF APPLICABLE)

Name: Mike Stump

Address: 800 East 1st Street, Suite 240, Wichita, KS 67202

Phone: 316 722 4472 Email: mstump@schwab-eaton.com

CONTRACT PURCHASER (IF APPLICABLE)

Name: _____

Address: _____

Phone: _____ Email: _____

REQUEST INFORMATION:

1. Location:

a. Address (if assigned): 906 Rose Hill Road Rose Hill, KS 67133

b. Legal Description: Lot 2, Block A, Cedar Crest 2nd Addition to Rose Hill

2. Zoning District of Property: B-1 Local Business

3. General Information:

a. Size of Lot Being Split: 44,538 Square Feet

b. Number of Proposed Building Sites: Old: 1 New: 1

c. Proposed Minimum Frontage of New Building Sites: 124.03 Feet

d. Proposed Minimum Area of New Building Sites: 20,850.1 Square Feet

e. A lot split exhibit is required with this application, identifying the proposed boundaries, dimensions, and size (see attached instructions).

4. Existing Facilities (check all that apply):



Case No.

LS 2025-001

125 W. Rosewood - P.O. Box 185

Rose Hill, KS 67133

Phone: (316) 776-2712

Fax: (316) 776-2769

☐ Paved Street(s) ☒ Sidewalks ☒ Public Sanitary Sewer ☒ Public Water Supply

a. A utility plan is required with this application, identifying the location and size of utility lines which serve the lot being split (see attached instructions).

b. A grading plan is required with this application if the lot proposed to be split is zoned R-3, I-1, B-1 (see attached instructions).

5. Existing Special Assessments: Are there existing special assessments spread to this property?

☐ Yes ☒ No

a. If Yes, indicate what specials are currently assessed: _____

b. If Yes, a Respread Agreement is required with this Lot Split Application

CERTIFICATION

The undersigned acknowledges and certifies the following

1. They certify that the information given herein is correct.
2. They have received and read the instruction material concerning the filing and hearing of this matter.
3. They have been advised of the fee requirements established and that the appropriate fee is herewith tendered.
4. This application is accompanied by a current ownership list certified by an abstractor for the notification area.
5. That all documents are attached hereto as noted in the instructions.
6. This application cannot be processed unless it is complete and accompanied by the appropriate fee.

Property Owner(s)

8/25/2025

Date

Agent (if applicable)

Date

Contract Purchaser (if applicable)

Date

OFFICIAL USE ONLY

☒ Fee OR ☐ Fee Waived

☒ Certified Ownership List

This application has been checked and found to be complete and accompanied by the required documents and the appropriate fee.

Approved by: _____



Case No. LS 2025-001

125 W. Rosewood - P.O. Box 185
Rose Hill, KS 67133
Phone: (316) 776-2712
Fax: (316) 776-2769

LOT SPLIT INSTRUCTIONS

Within the Subdivision Jurisdiction of The City of Rose Hill, Kansas

1. **Application:** The lot split application must be completed and signed by all the property owners, their authorized agent(s) (if applicable), and/or contract purchasers/lessees (if applicable) and filed with the City of Rose Hill. If spaces on the application ask for information that is not applicable to the request, then such spaces shall be marked "N/A."

All lot split applicants are encouraged to meet with applicable City staff prior to filing a lot split application. The purpose of the pre-application conference is to provide staff and the applicant an opportunity to discuss all forthcoming steps and any other applications or steps that may be necessary prior to commencement of a specific building project.

2. **Fee:** The application must be accompanied by a filing fee of \$250.00. A project may qualify for a fee waiver, contact Warren Porter at 316-776-2712.
3. **Lot Split Exhibit:** The application shall be accompanied by four copies of a lot split exhibit. The scaled drawing or survey shall depict or provide the following:
 - a. The location of any structures on the lot and the location of any curb cuts or driveway openings that serve the lot;
 - b. The precise nature, location, dimensions, and legal description of the lot which is proposed to be split;
 - c. Legal description(s) for the proposed new building sites (portions of the original lot);
 - d. The amount of square footage contained in each portion of the original lot;
 - e. All existing easements and, if any, access control. If the easements or access control were granted by separate instrument, the recording information shall be indicated;
 - f. All platted building setbacks;
 - g. The recording information for all vacation orders for previously vacated easements, building setback lines, access control or public rights-of-way;
 - h. A certificate of approval as worded in Section 902(C).

4. **Utility Plan:** Two copies of a drawing which indicates the location of existing municipal water mains, water meters and sanitary sewer laterals which serve the lot being split.

5. **Grading Plan:** Two copies of a lot grading plan are required for any lot zoned "R-3", "I-1", "B-1".

6. **Special Assessments:** If existing Special Assessments are spread to the property, a Respread Agreement detailing how special assessments will be respread is required to accompany this application.

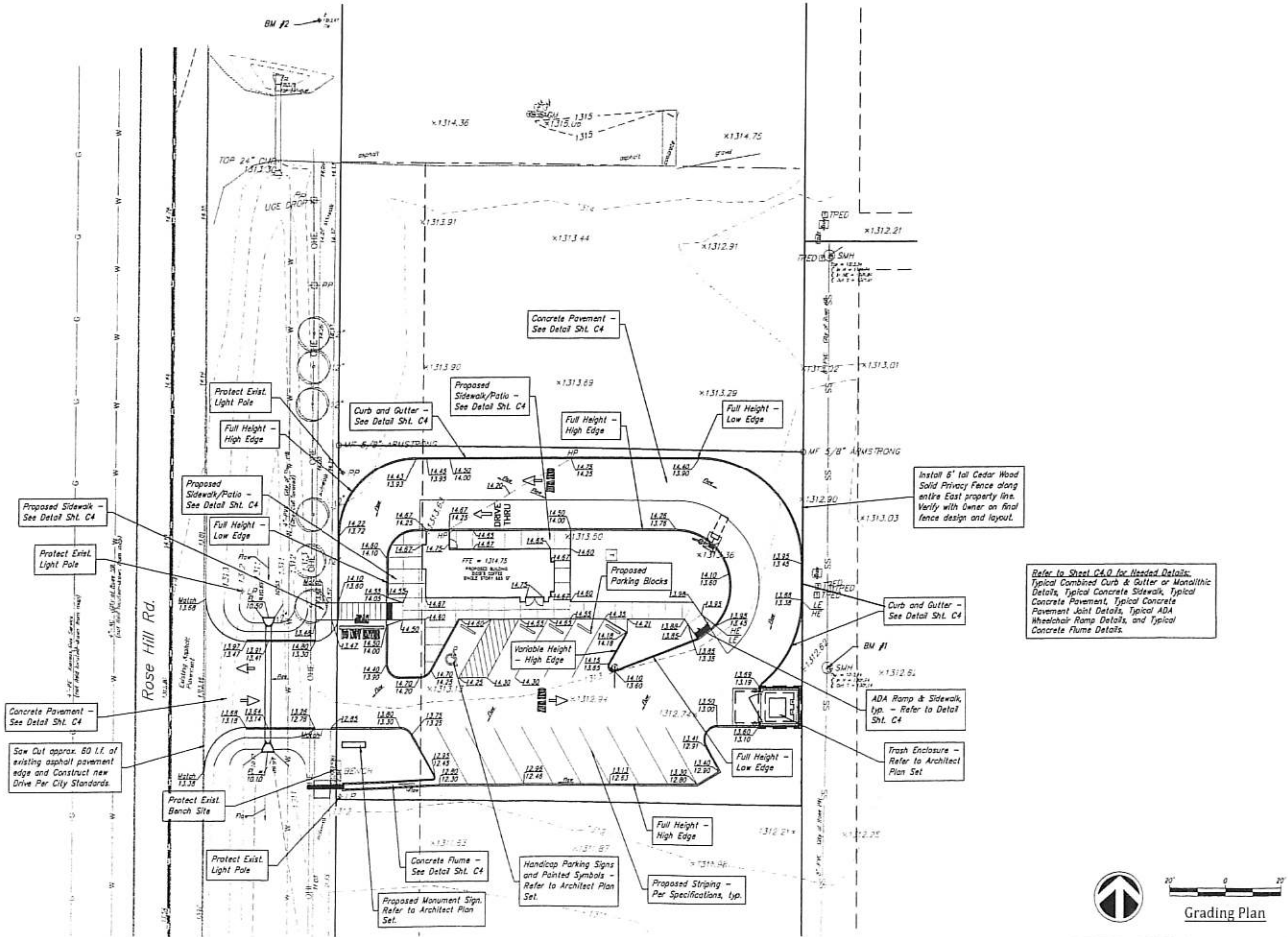
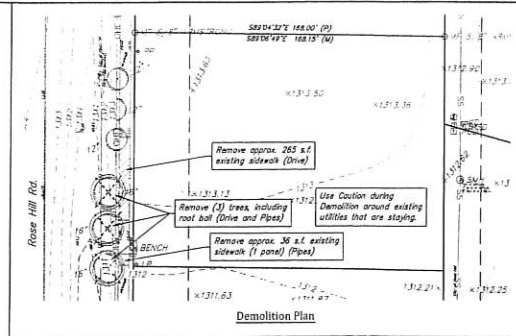
7. **Submittal:** The application, required drawings or survey, and filing fee shall be filed with the City of Rose Hill. The applicant is responsible for paying the fees associated with recording the lot split and associated documents with the County Register of Deeds.

Electric	Energy
Water	Rose Hill Water Department
Sanitary Sewer	Rose Hill Sewer Maintenance
Storm Sewer	Rose Hill Storm Sewer Maint.
Traffic	Rose Hill Traffic Maintenance
Gas	Kansas Gas Service
Communications	AT&T Cox Communications
Emergency	Police Department Fire Department Ambulance

Horizontal Control
 Point of Beginning for this survey is a platbed bearing of
 N00°00'-00"E along the east line of Lot 2, Block A, Cedar
 Crest 2nd Addition to Rose Hill, Butler County, Kansas

Vertical Control
 BM #1: Top Siliary Sewer Manhole
 Elevation: 1313.64 (NAVD 88)
 N:4977.06 E:5105.01

BM #2: Chisled survey "x" on Northwest corner of a
 drainage flume that is 150 feet North of the Northwest
 Corner of Project.
 Elevation: 1313.87 (NAVD 88)
 N:5205.30 E:4918.90



Street No: C1



This map is intended for informational purposes only. It should not be used in lieu of a survey to determine property boundaries.