



City of Olathe
Planning Division

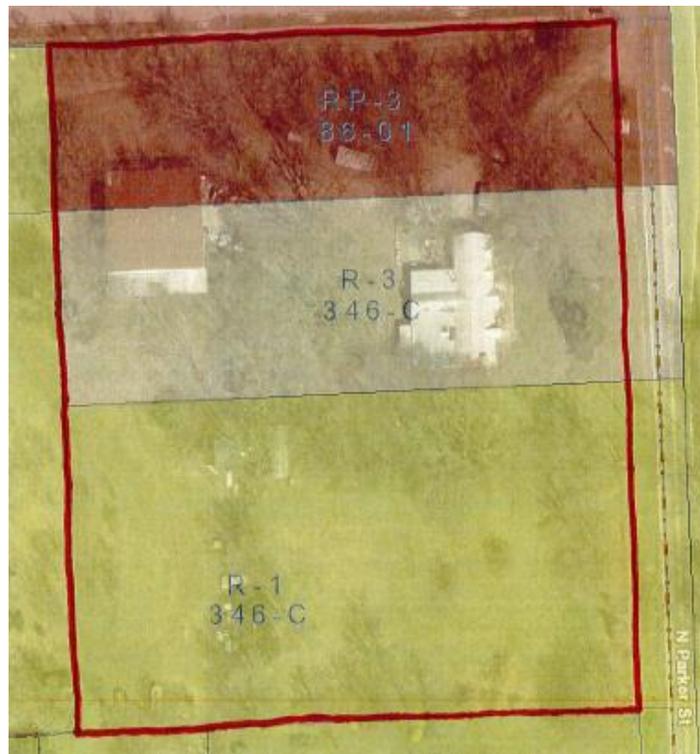
STAFF REPORT

Planning Commission Meeting: April 8, 2019

Application:	FP19-0003, Final Plat for Hickman Farms Estate		
Location:	Southwest corner of the intersection of Parker Street and W. 124 th Street		
Owner/Applicant:	Tom Symons; Mert Properties		
Engineer:	Harold Phelps, P.E.; Phelps Engineering, Inc.		
Staff Contact:	Zachary Moore, Planner II		
Site Area:	<u>3.59± acres</u>	Use:	<u>Single-family home</u>
Lots:	<u>1</u>		
Tracts:	<u>0</u>	Current Zoning:	<u>R-1, RP-3, R-3</u>

1. Comments:

The following application is a final plat for Hickman Farms Estate, containing one single family residential lot, which has a house currently under construction. A building permit for the house was approved in February 2019. While this final plat will establish one residential lot, the lot has three different zoning districts on it. The northernmost portion of the lot was zoned RP-3 in 1986 (Ordinance 86-01) as part of a then proposed multi-family development. The southern two-thirds of the lot are zoned R-3 and R-1, and have been zoned that way since 1970, when conventional zoning was first established in the City. While it is not common, a single property may have multiple zoning districts located on it, as zoning is not required to follow property lines. The image on the next page shows the three zoning districts that are located on the subject property, which is outlined in red. This final plat application will establish the subject property as a lot, dedicate right-of-way for Parker Street, and dedicate easements for public use, as further detailed in Section 2.b, on the next page of this report. There are no changes to any zoning district boundaries with this final plat application. The structure will be fully located within the portion of the site that is zoned R-3, and single-family homes are an allowed use in the R-3 District.



Zoning map of the subject property

2. Plat Review:

- a. **Lots/Tracts** – The plat includes a total of one residential lot and no common tracts. Lot 1 has a total area of approximately 2.97± acres, and approximately 0.63± acres of arterial street right-of-way for Parker Street will be dedicated with this final plat.
- b. **Public Utilities** – The subject property is located within the City of Olathe water and sewer service areas. Utility Easements (U/E), Sanitary Sewer Easements (SS/E), Public Utility Easements (PUB/E), and Drainage Easements (D/E) will be dedicated with this final plat. Acceptance of the sewers by the City is required prior to the issuance of a certificate of occupancy for the house on the subject property. A stipulation to this effect has been added to the final plat application.
- c. **Streets/Right-of-Way** – The subject property has a newly constructed driveway that provides access to W. 124th Street to the north. The image on the next page shows an existing driveway that connects to Parker Street and W. 124th Street at the northeast corner of the property. This driveway will be removed prior to issuance of a certificate of occupancy, and no vehicular access will be provided to Parker Street. The changes to the driveways and the location of access provided to the lot improve the access in the area by eliminating a driveway on an arterial roadway (Parker Street), and by locating the driveway further away from the intersection. The required right-of-way for Parker Street is also being dedicated with this final plat.

3. Excise Taxes:

Typically, final plats are subject to paying street and traffic signal excise taxes based on the square footage of land and the zoning district(s) of the property. However, UDO, Section 18.40.200.A allows a property owner to obtain a building permit for a single-family structure on unplatted land one-time without paying street or traffic signal

excise taxes. Therefore, this final plat application does not require street or traffic signal excise taxes.



Aerial view of site



View of home from Parker Street prior to remodeling

4. Staff Recommendation:

Staff recommends approval of FP19-0003, final plat for Hickman Farms Estate with the following stipulations:

- a) City acceptance of the sewers on the subject property shall occur prior to issuance of a certificate of occupancy for the single-family home on the subject property.
- b) The driveway located at the corner of Parker Street and W. 124th Terrace shall be removed prior to issuance of a certificate of occupancy.
- c) The final plat shall be recorded prior to issuance of a certificate of occupancy.