



## STAFF REPORT

Planning Commission Meeting: October 14, 2024

<b>Application:</b>	<b>FP24-0027: Final Plat of Atmos Service Center at Cedar Creek</b>
<b>Location:</b>	Northeast of College Blvd. and S. Green Rd.
<b>Owner:</b>	John Duggan; Cedar Creek Development Company LLC
<b>Applicant</b>	Rob Heise; Meyer Companies, INC
<b>Engineer/Architect:</b>	Jake Hattock, PE; Schlagel
<b>Staff Contact:</b>	Taylor Vande Velde; Planner II

**Site Area:** 8.57 ± acres    **Proposed Use:** Flex Space (Office & Warehouse Building)

**Lots:** 2    **Existing Zoning:** BP (Business Park)

**Tracts:** 0    **Plat:** Unplatted

### 1. Introduction

The following application is a request for a final plat of Atmos Service Center at Cedar Creek which will establish lot lines and dedicate public easements for two (2) lots for flex space on 8.57± acres, located northeast of College Blvd. and S. Green Rd.

The subject property is located within the larger Cedar Creek Corporate Park development which was rezoned to the BP (Business Park) District in 2000 (RZ-12-00) and is subject to [Ordinance 00-56](#). The approved preliminary plat included 15 lots on approximately 37 acres to serve as a mixed-use business park intended to provide office, retail, and warehouse/assembly facilities. This plat and the associated preliminary site development plan (PR24-0013) are consistent with the approved preliminary plat.

### 2. Plat Review

- a. **Lots/Tracts** – The plat will subdivide the existing property into two (2) lots and construct a 32,307 square foot Flex Space facility on approximately 6.3 acres. Lot 2 will establish a future developable lot within the overall Cedar Creek Corporate Park on approximately 1.7 acres.

- b. **Streets/Right-of-Way** – The site will provide two (2) points of access, one from the east on S. Shady Bend Rd. and one from the west on S. Green Rd. No additional right of way is being dedicated with this plat.
- c. **Public Utilities** – The property is located within the City of Olathe wastewater and water service areas. New utility easements (U/E) are being dedicated with this plat.
- d. **Tree Preservation** – A Tree Preservation Easement (TP/E) is dedicated around Lot 1 to preserve the existing mature trees on site.
- e. **Stormwater** – All stormwater runoff will be treated with BMP structures and routed to and managed by an offsite regional detention system, South Hollis Lake Regional Detention Basin. No additional onsite detention is proposed for the development.

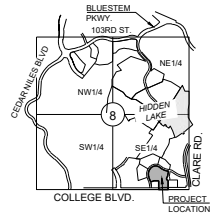


*The subject property is outlined and shaded in yellow.*

### 3. Staff Recommendation

Staff recommends approval of the final plat (FP24-0027) with no stipulations.

# FINAL PLAT OF ATMOS SERVICE CENTER AT CEDAR CREEK PART OF THE SE 1/4 OF SEC. 8-13-23 IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

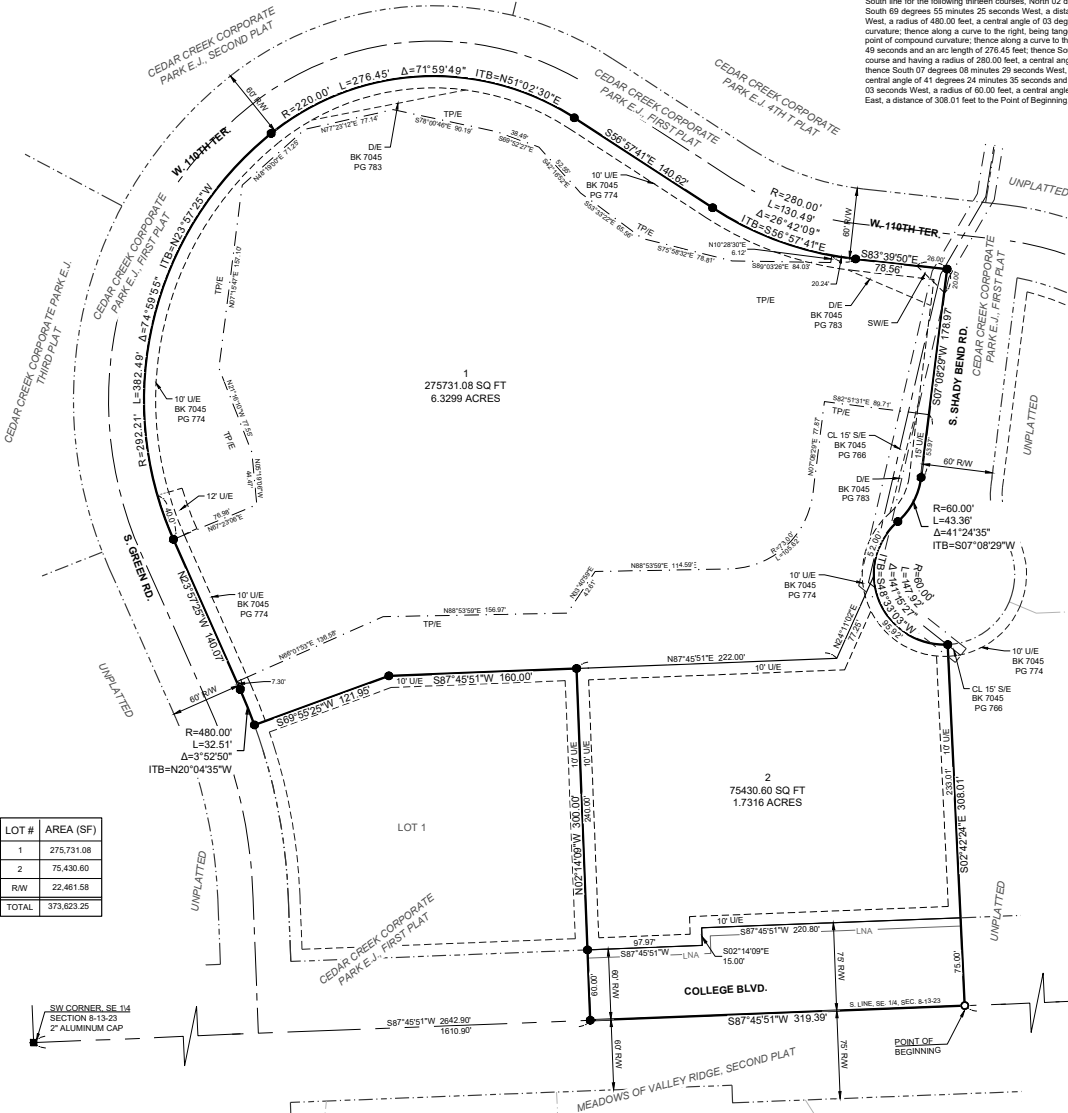


SECTION 8-13-23  
LOCATION MAP  
SCALE 1" = 200'

**DESCRIPTION:**

Part of the Southeast One-Quarter of Section 8, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Southeast corner of said Southeast One-Quarter, thence along the South line of the said Northeast One-Quarter, and the North line of MEADOWS OF VALLEY RIDGE, SECOND PLAT, a subdivision in the said City of Olathe and its Eastern extension, South 87 degrees 51 minutes 25 seconds West, a distance of 712.61 feet to the Point of Beginning, thence containing South 87 degrees 45 minutes 51 seconds West, a distance of 319.39 feet to a corner point on the South line of CEDAR CREEK CORPORATE PARK E.J., FIRST PLAT, a subdivision in the said City of Olathe; thence along said South line for the following thirteen courses, North 02 degrees 14 minutes 09 seconds West, a distance of 300.00 feet; thence South 87 degrees 45 minutes 51 seconds West, a distance of 160.00 feet; thence South 89 degrees 52 minutes 25 seconds West, a distance of 121.95 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of North 20 degrees 54 minutes 35 seconds West, a radius of 480.00 feet, a central angle of 03 degrees 52 minutes 50 seconds and an arc length of 32.51 feet; thence North 23 degrees 57 minutes 25 seconds West, a distance of 140.07 feet to a point of compound curvature; thence along a curve to the right, having an initial tangent bearing of North 51 degrees 02 minutes 30 seconds East, a radius of 220.00 feet, a central angle of 71 degrees 59 minutes 49 seconds and an arc length of 276.45 feet; thence South 56 degrees 57 minutes 41 seconds East, a distance of 140.62 feet to a point of curvature; thence along a curve to the left, being tangent to the previous course and having a radius of 260.00 feet, a central angle of 26 degrees 42 minutes 09 seconds and an arc length of 130.49 feet; thence South 83 degrees 39 minutes 50 seconds East, a distance of 78.56 feet; thence South 07 degrees 08 minutes 29 seconds West, a distance of 178.97 feet to a point of curvature; thence along a curve to the right, being tangent to the previous course and having a radius of 60.00 feet, a central angle of 41 degrees 24 minutes 35 seconds and an arc length of 43.36 feet to a point of reverse curvature; thence along a curve to the left, having an initial tangent bearing of South 48 degrees 33 minutes 03 seconds West, a radius of 60.00 feet, a central angle of 141 degrees 15 minutes 27 seconds and an arc length of 147.92 feet; thence deviating from said South line, South 02 degrees 42 minutes 24 seconds East, a distance of 308.01 feet to the Point of Beginning, and containing 8.5772 acres, more or less.



LOT #	AREA (SF)
1	275,731.08
2	75,430.60
RW	22,461.58
TOTAL	373,623.25

**DEDICATIONS:**

The undersigned proprietor of the described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "ATMOS SERVICE CENTER AT CEDAR CREEK".

The undersigned proprietor of said property shown on this plat does hereby dedicate those portions of the streets and roadways shown as "COLLEGE BOULEVARD" together with all other parcels and parts of land indicated on the plat, and not heretofore dedicated, as streets, terraces, roads, drives, lanes, avenues, courts, places, etc., for public use as public ways or thoroughfares, subject to the right hereby reserved to the present owner and its successors and assigns for the location, construction and maintenance of conduits, water, gas and sewer pipes, poles and wires under, over and along said roadways.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drains, ditches, gutters, ducts and cables, and similar utility facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E," is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of sidewalks, upon and over those areas outlined and designated on this plat as "Sidewalk Easement" or "SW/E" is hereby granted to the City of Olathe, Johnson County, Kansas. No above ground facilities associated with the uses herein permitted shall be constructed, located, or maintained in any area of the "U/E" that crosses or intersects with a "SW/E".

An easement or license is hereby dedicated to the developer/owner, to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TPE". All areas within said easement are intended to be kept in a near natural state. No man made structure, including fences, may be constructed or placed within this area without approval of the developer/owner. No living trees, regardless of size, may be removed without written approval of the City of Olathe and the developer/owner. Trees that are dead, diseased or pose a threat to the public or adjacent property are allowed to be removed. Utility installation and appurtenant construction is allowed within these areas, subject to developer/owner approval.

The undersigned proprietor of said property shown on this plat hereby certifies that all prior existing easement rights on land to be dedicated for public use and public ways and thoroughfares running to any person, utility or corporation have been absolved except that same person, utility or corporation shall retain whatever easement rights they would have as if located in a public street.

**CONSENT TO LEVY:**

The undersigned proprietor of the described tract of land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and the special assessment on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public ways or thoroughfares.

**EXECUTION:**

IN TESTIMONY WHEREOF, Rob Heise, \_\_\_\_\_ of NATIONAL REGISTERED AGENTS, INC., which is the \_\_\_\_\_ of NATIONAL REGISTERED AGENTS, INC., has caused this instrument to be executed, this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_.

NATIONAL REGISTERED AGENTS, INC.

By: Rob Heise, Manager

ACKNOWLEDGMENT:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_ before me, the undersigned, a Notary Public in and for said County and State, came Rob Heise, \_\_\_\_\_ of NATIONAL REGISTERED AGENTS, INC., which is the \_\_\_\_\_ of NATIONAL REGISTERED AGENTS, INC., who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said company, and that such duly acknowledged the execution of the same to be the act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

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

Print Name \_\_\_\_\_

**LEGEND:**

- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
- FOUND 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
- EXISTING PLAT AND ROW LINES
- EXISTING LOT AND PROPERTY LINES
- BL - BUILDING LINE
- LNA - LIMITS OF NO ACCESS
- DRAINAGE EASEMENT
- SANITARY SEWER EASEMENT

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN AUGUST 2024. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Aaron T. Reuler - Land Surveyor  
KSI# LS-1429

**SCHLAGEL**  
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS  
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Kansas State Certified Public Accountant  
REC-2018-0029

DATE 8/22/2024  
DRAWN BY JMT  
CHECKED BY SCH  
PROJ. NO. 24-083

FINAL PLAT OF  
ATMOS SERVICE CENTER  
AT CEDAR CREEK  
SHEET NO. 1