



STAFF REPORT

Planning Commission Meeting: January 13, 2025

Application:	FP24-0035: Final Plat of Park 169, Second Plat
Location:	Northeast of W. 167th Street and S. US-169 Highway
Owner:	Grant Harrison; V.T., Inc. (c/o Van Trust Real Estate, LLC)
Applicant/Engineer:	Doug Ubben; Phelps Engineering, Inc.
Staff Contact:	Taylor Vande Velde; Planner II

Site Area:	<u>24.16 ± acres</u>	Proposed Use:	<u>Multifamily Residential</u>
Lots:	<u>0</u>	Existing Zoning:	<u>R-3 (Low-Density Multifamily)</u>
Tracts:	<u>3</u>	Plat:	<u>Unplatted</u>

1. Introduction

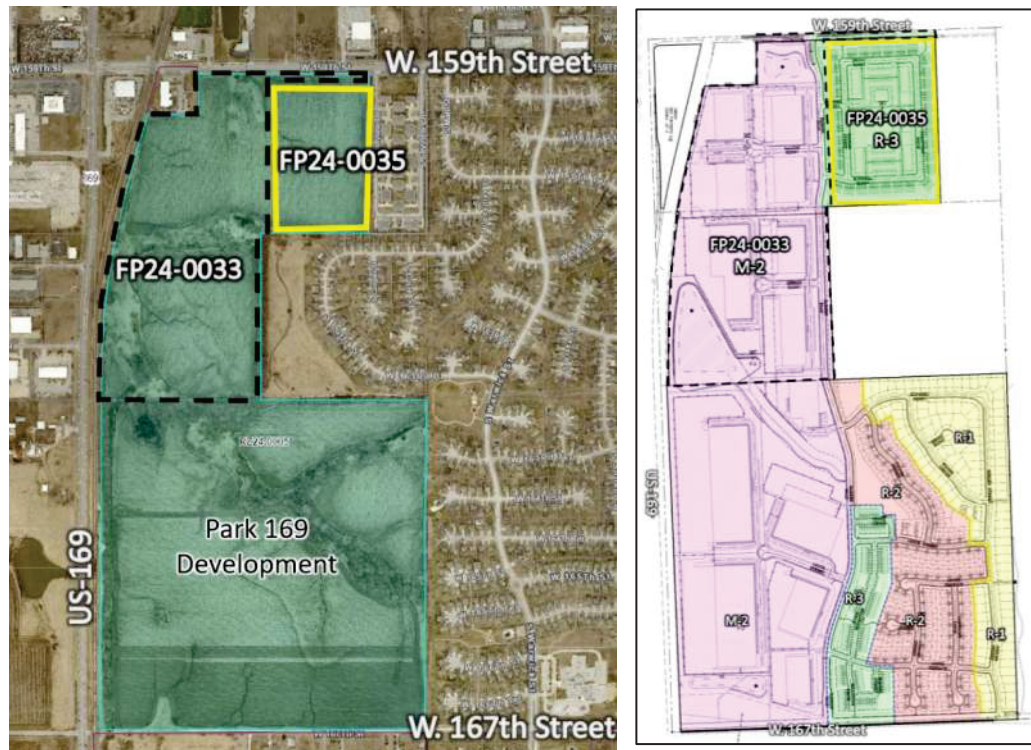
The following application is a request for a final plat of Park 169 Second Plat which will establish lot lines and dedicate public easements and street right of way for three (3) tracts for future residential uses on 24.16± acres, located northeast of W. 167th Street and S. US-169 Highway.

The property was recently rezoned to the R-3 (Low-Density Multifamily) District in July 2024 (RZ24-0005) under Ordinance No. 24-43 within the larger Park 169 project which included residential and industrial development in four (4) phases across 247.15 acres. This plat is consistent with the approved preliminary plan and will plat a portion of phase one (1) of the development. An additional plat (FP24-0033) for phases one (1) and two (2) of the future industrial development, is also on this meeting agenda.

2. Plat Review

- a. **Lots/Tracts** – This plat includes three (3) tracts for future townhomes and apartments which will be developed by separate entities in the future. Tracts 'F', 'G', and 'H' will be owned and maintained by the Park 169 Association and used for, landscaping, open space, amenities, monuments, and trails.
- b. **Streets/Right-of-Way** – The site will have two access points off the future Barker Rd collector including 159th Ter and 160th Ter. All roadways within this plat will be dedicated as public right-of-way.

- c. **Public Utilities** –The property is in the City of Olathe sewer and WaterOne service areas. New public Utility (U/E), Sanitary Sewer (S/E), and Drainage (D/E) easements are dedicated with this plat.
- d. **Landscaping/Tree Preservation** – Tree Preservation easements (TP/E) within Tract ‘G’ will preserve the mature tree line separating this development and subdivisions to the east and south. These areas will preserve the natural vegetation and required supplemental landscaping to buffer the development will be provided with the final site development plans consistent with the approved preliminary plans. The required master landscaping for this property will be provided with the associated plat, FP24-0033.
- e. **Stormwater** – No on-site detention is located on this property and runoff will be accommodated with tracts ‘D’ and ‘E’ associated with FP24-0033 to the west. These tracts will comply with Title 17 and be owned and maintained by the Park 169 Association.



Aerial view of the subject property outlined in yellow, and the adjacent industrial plat outlined in black. The overall Park 169 Preliminary Plan area is shown in teal (left) and broken out by approved zoning districts (right).

3. Staff Recommendation

- A. Staff recommends approval of FP24-0035, the final plat of Park 169, Second Plat, with the following stipulation(s):
 - 1. The supplemental landscaping within the Tree Preservation Easement (TP/E) must be approved at the time of final site development plan.
 - 2. The two (2) pedestrian connections to W. 159th Street approved with RZ24-0005 must be provided with the final site development plan.
 - 3. Prior to issuance of a land disturbance permit, standard orange barricade fencing must be installed around all tree preservation areas in accordance with UDO 18.30.240.

FINAL PLAT OF PARK 169 SECOND PLAT

A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

This description was prepared by Phelps Engineering, Inc. KS DLS-82 on September 23, 2024, for Project No. 240060. All that part of the Northwest Quarter of Section 13, Township 14 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest Quarter of said Section 13, thence N 88°01'38" E, along the North line of the Northwest Quarter of said Section 13 and along the North plat line of PARK 169 FIRST PLAT, a plotted subdivision of land in the City of Olathe, Johnson County, Kansas, a distance of 2180.30 feet to the Northeast corner of said PARK 169 FIRST PLAT, thence S 1°51'49" E, along the Eastern plat line of said PARK 169 FIRST PLAT and the West plat line of CRYSTAL COURT CONDOMINIUM, a plotted subdivision of land in the City of Olathe, Johnson County, Kansas, a distance of 85.00 feet, to an angle point of the East plat line of said PARK 169 FIRST PLAT, said point also being the Point of Beginning, thence continuing S 1°51'49" E, along the West plat line of said CRYSTAL COURT CONDOMINIUM, a distance of 1236.32 feet, to the Southeast plot corner of said CRYSTAL COURT CONDOMINIUM, said point also being the South line of the Northwest Quarter of said Section 13, thence S 87°52'29" W, along the South line of the Northwest Quarter of the Northwest Quarter of said Section 13, a distance of 846.37 feet, to a point on the Eastern plat line of said PARK 169 FIRST PLAT, thence along the Eastern plat line of said PARK 169 FIRST PLAT, for the following seven (7) courses: thence N 1°45'56" W, a distance of 922.85 feet; thence Northerly on a curve to the left, said curve being tangent to the last described course and having a radius of 555.00 feet, an arc distance of 191.11 feet; thence Northerly on a curve to the right, said curve being tangent to the last described course and having a radius of 285.00 feet, an arc distance of 100.30 feet; thence N 1°50'02" W, a distance of 19.25 feet; thence N 88°02'38" E, a distance of 185.21 feet; thence S 69°37'07" E, a distance of 63.31 feet; thence N 88°01'38" E, a distance of 648.60 feet, to the Point of Beginning, containing 24.1588 acres, more or less, unplotted land.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "PARK 169 SECOND PLAT".

The undersigned proprietors of said property shown on this plat do hereby dedicate to public use and public ways and thoroughfares, all parcels and parts of land indicated on this plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby advise and agree to indemnify the City of Olathe, Johnson County, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easements.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer, pipes, poles, wires, surface drainage facilities, ducts, cables, etc., upon, over and under those areas outlined hereon and designated on this plat as "U/E" or "Utility Easement" with subordinate use of the same by other governmental entities and public utilities as may be authorized by statute law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Olathe, Kansas.

An easement to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to Johnson County Wastewater of Johnson County, Kansas or their assigns. Alteration of land contours will be permitted only with the express written approval of JCW. Any piling of improvements or planting of trees on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation therefor.

An easement or license is hereby dedicated to the City of Olathe to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "T/P/E". Trees shall not be removed from a tree preservation easement without the City of Olathe's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The developer and/or the home association shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead or diseased trees or trees posing a threat to the public or adjacent property. No structure will encroach within/over a tree preservation easement.

Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code. Restrictions on the use or alteration of the said facilities may apply. This property is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City.

Tracts "T", "G" and "H" shall be owned and maintained by Park 169 Association. Said tract is intended to be used for future development of townhomes and open/semi open space, townhome amenities, landscaping, mountains, hills and private open space.

CONSENT TO LEASE
The undersigned proprietors of the above described land hereby agree and consent 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 assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION
IN TESTIMONY WHEREOF, Blue Springs Safety Storage South, LLC, has caused this instrument to be executed on this _____ day of _____, 20____.

By: _____
Anthony Ward, Member

STATE OF MISSOURI)
COUNTY OF JACKSON) SS

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Anthony Ward, Member of Blue Springs Safety Storage South, LLC, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said partnership, and such person duly acknowledged the execution of the same to be the act and deed of the same.

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

Notary Public: _____ My Appointment Expires: _____
Print Name: _____

APPROVALS
Approved by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 20____.
Chairman: Wayne Janner

Approved by the Governing Body of the City of Olathe, Kansas, this _____ day of _____, 20____.

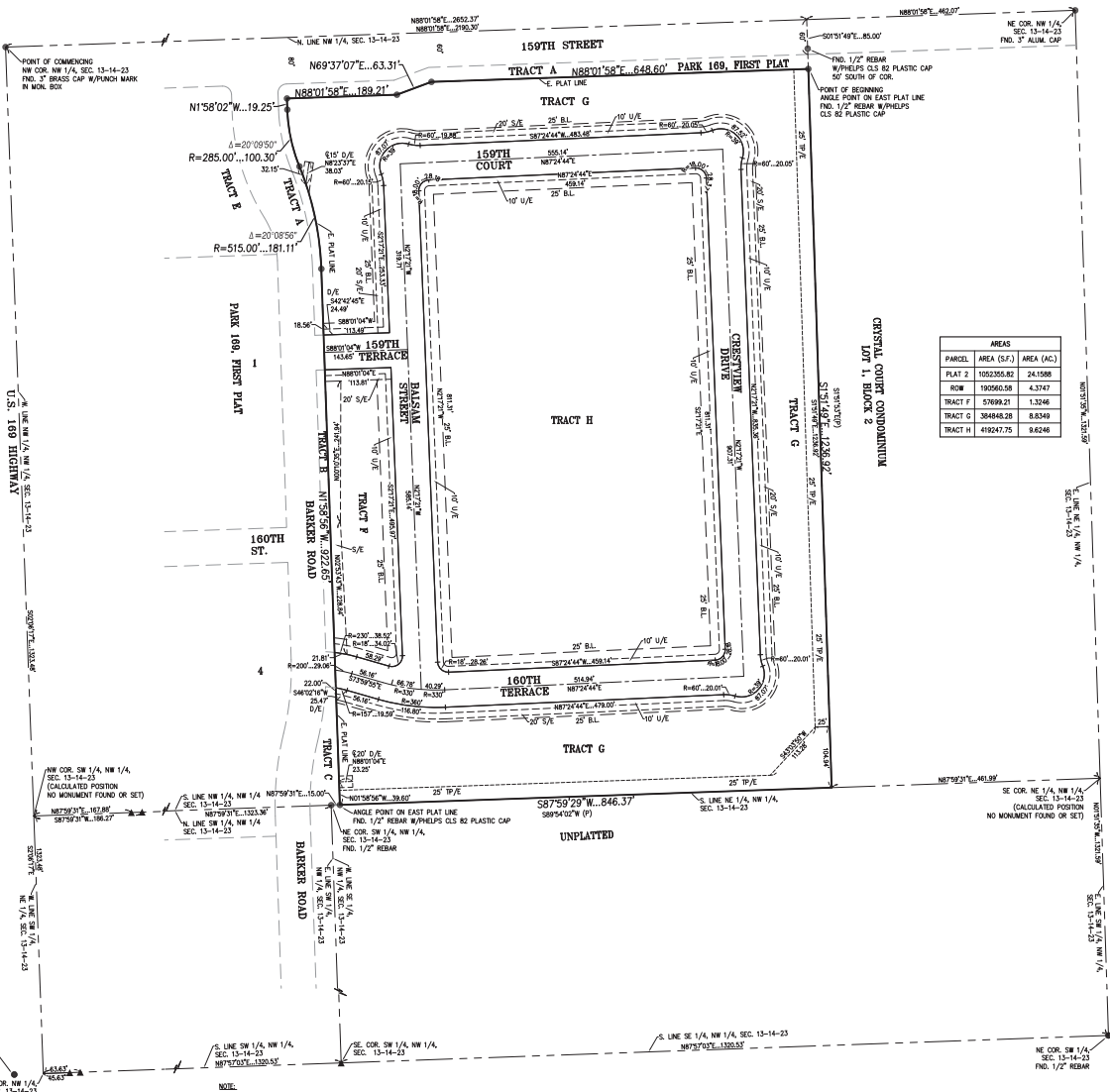
Mayer: John W. Bacon Attest: _____
City Clerk: Brenda Seewaring

AREAS		
PARCEL	AREA (SF)	AREA (AC)
PLAT 2	102230.82	24.1588
ROW	190260.08	4.347
TRACT F	57692.27	1.3146
TRACT C	324648.28	8.2349
TRACT H	49247.75	0.8246

I, SCOTT G. CHRISMAN, HEREBY CERTIFY THAT IN JANUARY 2023, I OR SOMEONE UNDER MY RESPONSIBLE CHARGE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

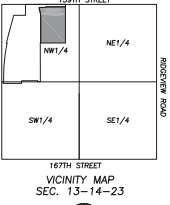


BY: SCOTT G. CHRISMAN, K.S. LS-1306



SCALE: 1"=100'
BEARING BASE: U.S. CIVIL PLANE
1983 KANSAS NORTH ZONE (FS0)

- LEGEND**
- DENOTES SET 1/2"x24" REBAR W/HELPS CORP. CLS-R2 PLASTIC CAP
 - DENOTES FOUND 1/2" REBAR W/HELPS CORP. CLS-R2 PLASTIC CAP, FROM PREVIOUS ALTA SURVEY BY PHELPS ENGINEERING, INC. MARCH 16, 2022 & DECEMBER 14, 2012, UNLESS OTHERWISE NOTED
 - (S) DENOTES SEEDED
 - (P) DENOTES PLANTED
 - U/E DENOTES UTILITY EASEMENT
 - BL DENOTES BUILDING LINE
 - T/P/E DENOTES TREE PRESERVATION EASEMENT
 - S/E DENOTES SANITARY SEWER EASEMENT
 - D/E DENOTES DRAINAGE EASEMENT



VICINITY MAP
SEC. 13-14-23
SCALE: 1"=2000'

- NOTES:**
- EXTERIOR GROUND-MOUNTED OR BUILDING MOUNTED EQUIPMENT INCLUDING, BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITY METER BANKS AND COILERS MUST BE SCREENED FROM PUBLIC VIEW WITH 3-SPEED LANDSCAPING OR WITH AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING ARCHITECTURE.
 - ALL NEW WIRING AND CABLES MUST BE PLACED UNDERGROUND.
 - ALL ABOVE GROUND ELECTRICAL AND/OR TELEPHONE CABINETS MUST BE PLACED WITHIN THE INTERIOR SIDE OF REAR BUILDING SERVICE YARDS.
 - BASED ON FIELDWORK AND FINAL ENGINEERING DESIGN, THE EXACT LOCATION OF EASEMENTS ARE SUBJECT TO CHANGE PRIOR TO PLAT RECORDING.

FLOOD NOTE:
THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOODING PROBABILITY AS SHOWN ON THE FLOOD HAZARD RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLATHE, COMMUNITY NO. 200773, JOHNSON COUNTY, KANSAS, PANEL NO. 200901080, AND DATED AUGUST 3, 2009.

