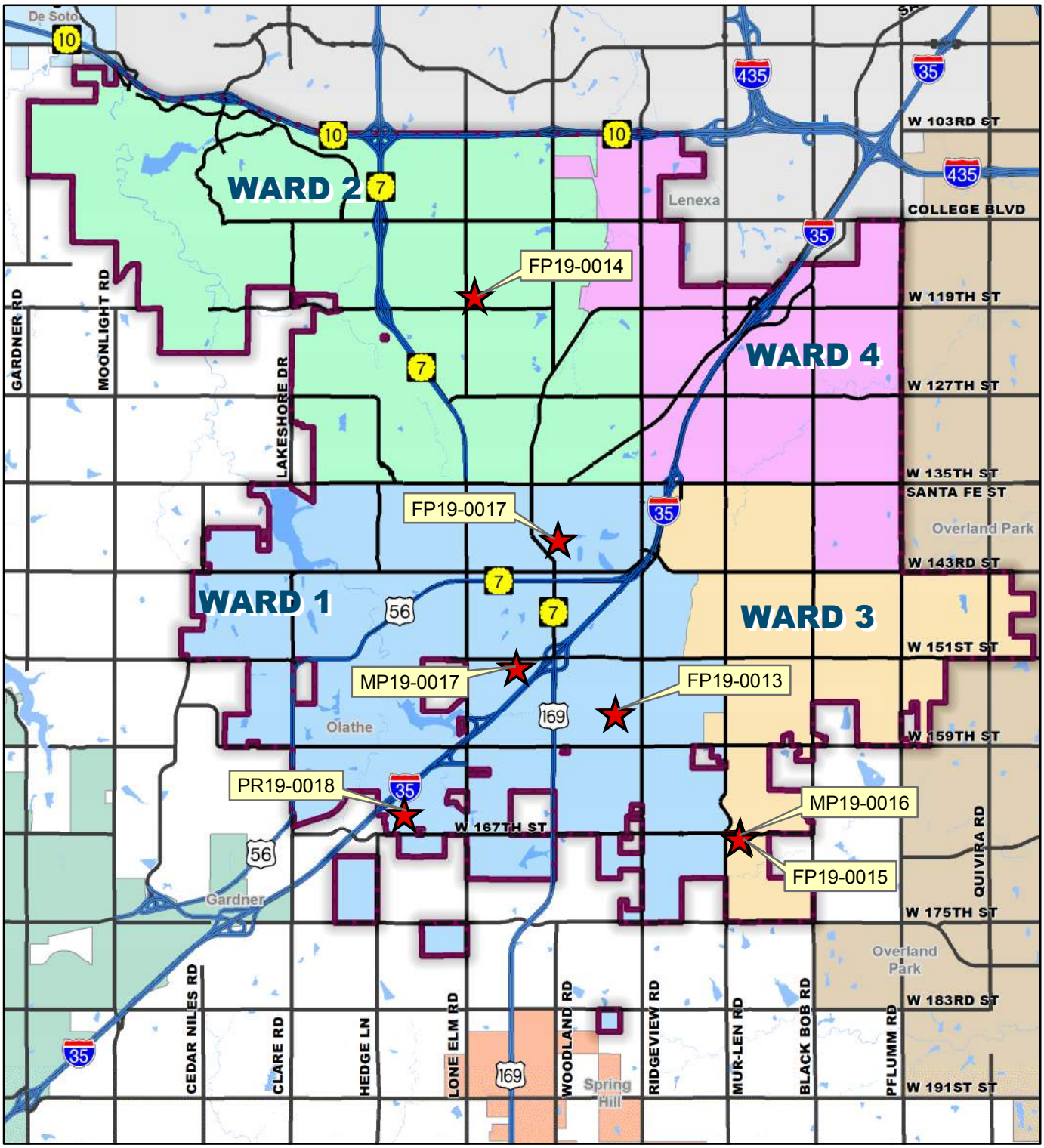
SEPTEMBER 23, 2019
OLATHE PLANNING COMMISSION
CASE LOCATIONS



User: gradyrm
Date: 09/18/2019

Highway
Arterial Street
City of Olathe
Lakes

OLATHE KANSAS

City of Olathe Planning Commission
100 E. Santa Fe | Council Chamber
Monday | September 23, 2019 | 7:00 PM
Final Agenda

CALL TO ORDER

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

A. **MN19-0909:** Standing approval of the minutes as written from the September 9, 2019 Planning Commission meeting.

B. **PR19-0018:** Request approval for a revised preliminary site development plan for **Lone Elm Commerce Center Storage** on 122.53± acres; located in the Vicinity of W. 167th Street and Hedge Lane.
Owner: Dale George
Applicant: Rob Heise, LE Commerce Center, LLC
Engineer: Judd Claussen, Phelps Engineering

C. **FP19-0013**: Request approval for a final plat for **Mahaffie Business Park VI** containing one (1) lot on 3.32± acres; located at 15571 S. Mahaffie Street.
Owner / Applicant: Scott O'Neill
Architect: Jim Sullivan, Sullivan Palmer Architects
Engineer: Bob Layton, Allenbrand-Drews & Associates

D. **FP19-0014:** Request approval for a final plat for **The Townhomes at Foxfield Village, Eighth Plat** containing six (6) lots and one (1) common tract on 1.16± acres; located at the southeast corner of 117th Street and South Deer Run Street.
Owner / Applicant: Jib Felter, AAG Investments
Engineer: Doug Ubben Jr., Phelps Engineering, Inc

E. **FP19-0015:** Request approval for a final plat for **Townhomes at Fairfield Village, Forty-Eighth Plat** containing six (6) lots and one (1) common tract on 0.66± acres; located in the vicinity of 167th Terrace and Kimble Street.
Owner / Applicant: Gary Jones, Fairfield Courts, LLC
Engineer: Timothy Tucker, Phelps Engineering, Inc.

F. **FP19-0017:** Request approval for a final plat for **Center of Grace Church** containing one (1) lot on 7.04± acres; located at 520 S Harrison Street.
Owner / Applicant: Sylvia Romero, Center of Grace
Engineer: Brad Sonner, Olsson & Associates

G. **MP19-0016**: Request approval for a minor plat for **Townhomes at Fairfield Village Forty-Ninth Plat** containing two (2) lots and one (1) common tract on 0.37± acres; located in the vicinity of 167th Terrace and Kimble Street.

Owner / Applicant: Gary Jones, Fairfield Courts, LLC
Engineer: Timothy Tucker, Phelps Engineering Inc.

H. **MP19-0017:** Request approval for a minor plat for **OMC Doctor's Building Condominium 23rd Plat** containing two (2) lots and two (2) common tracts on 0.46± acres; located at 20375 W 151st Street.

Owner: Tierney Grasser, Olathe Medical Center Inc.
Applicant: Pat Stowe, Olathe Medical Center Inc.
Engineer: Todd Allenbrand, Payne & Brockway

REGULAR AGENDA-NEW BUSINESS

ANNOUNCEMENTS

ADJOURNMENT

The City of Olathe offers public meeting accommodations. Olathe City Hall is wheelchair accessible. Assistive listening devices are available at each meeting. To request an ASL interpreter, or other accommodations, please contact the City Clerk's office at 913-971-8521. Two (2) business days notice is required to ensure availability.

Planning Division

MINUTES – Opening Remarks

Planning Commission Meeting: September 9, 2019

The Planning Commission convened at 7:00 p.m. to meet in regular session with Chairman Dean Vakas presiding. Commissioners Jeremy Fry, Ryan Nelson, Jose Munoz, Chip Corcoran and Barry Sutherland were present. Commissioners Ryan Freeman and Shirley Allenbrand were absent.

Recited Pledge of Allegiance.

The Chair made introductory comments. Regarding *ex parte* communication, the Chair requested that if a commissioner had something to report, they specify the nature of the *ex parte* communication when item is reached in the agenda.

A motion to approve MN19-0826, the meeting minutes from August 26, 2019, was made by Comm. Sutherland and seconded by Comm. Corcoran and passed with a vote of 6-0.

Planning Division

MINUTES

Planning Commission Meeting: September 9, 2019

Application:	**RZ19-0012: Rezoning from R-1, RP-1, RP-4, and CTY A to R-1 District and preliminary plat for Prairie Canyon**

Sean Pendley, Senior Planner presented a request for rezoning to R-1 Single-Family Residential District and a preliminary plat for Prairie Canyon, located southwest of College Boulevard and K-7 Highway, approximately one-quarter mile south of College Boulevard and adjacent to the Southglen of Cedar Creek subdivision. Surrounding properties include single-family residential and undeveloped properties to the north and east.

Mr. Pendley presented a site location map, noting that the single-family zoning is adjacent to Southglen of Cedar Creek and The Woods of Southglen subdivisions. There will be connecting streets between developments. He noted that the site is undeveloped and existing street connections are stubbed. The subject property consists of four zoning districts: R-1, RP-1, CTY-A and RP-4. This proposed rezoning will consolidate the different zoning districts into one to R-1 district and preliminary plat, and is related to the proposed R-2 zoning on the adjacent property to the east.

Mr. Pendley stated that the future land use plan in this area includes a combination of mixed-use residential, urban mixed-use center, and primary greenway. There are plans for future parks and trails along the Cedar Creek stream corridor. He said areas adjacent to the existing single-family districts are more suited to the proposed R-1 zoning that is being requested.

Mr. Pendley presented an approved preliminary plat for Southglen, noting that preliminary plans were included with previous zonings. This proposed development is generally consistent with the previous plat in terms of use and street connectivity but there are some changes in the number of lots which reduces overall density. The proposed preliminary plat consists of 142 single-family lots on 73 acres, for a net density of 1.9 units per acre. All single-family lots in the R-1 exceed minimum standards of 7,200 square feet. He added that the subdivision has three street connections to existing subdivisions, and a new collector road is proposed from College Boulevard, which will align with the existing street on the north side of College Boulevard. This meets UDO standards for street connectivity and access.

Mr. Pendley stated that open space buffers are proposed throughout and there are tree preservation areas within open space areas and the stream corridor. Street trees will be provided along all proposed streets and landscape tracts will occur within the single-family and R-2 subdivision. The applicant has also agreed to a public recreation easement within the common tracts but the specific location that has not yet been identified. The applicant has identified tree preservation areas and private trail connections throughout the development. Once the public trail is built, staff will recommend a trail connection from the private trails leading to the public trail.

Mr. Pendley said the applicant held a neighborhood meeting on July 30th, attended by 27 residents. There were questions regarding green space, trails and street connections. Staff received one letter expressing concerns about tree preservation and street connectivity and expressing opposition to the proposed zoning. Mr. Pendley said the proposed development is

consistent with the Comprehensive Plan. Single-family residential uses are appropriate in this area because they serve as a buffer between existing R-1 to the west and future multi-family residential and commercial zoning to the east.

Mr. Pendley concluded by staying staff recommends approval of rezoning to R-1 with stipulations because it complies with the Comprehensive Plan goals for environmental sustainability and land use, and the requested R-1 District meets UDO requirements for single-family development. The applicant is requesting a waiver from minimum front yard setbacks, requesting 20 feet instead of 30 feet, in order to provide additional tree preservation areas in the rear yards. Mr. Pendley said this request is consistent with other single-family developments in the Cedar Creek area and they support the wavier request.

Comm. Nelson asked if the map is parcel specific; Mr. Pendley said it is. Comm. Nelson asked what RP-4 is equivalent to under current standards. Mr. Pendley said it is a Planned Medium Density Multifamily District. Comm. Nelson asked about potential development of the site to the east/northeast and if it would be limited by moving R-1 and R-2 into the site. **Mr. Pendley** doesn't believe buffers will be a problem because a majority of the east plat boundary consists of a new collector road, Valley Parkway, coming in from the north, and a future collector road planned to the east. These will serve as natural buffers between the different land uses. Comm. Nelson asked if the overall density of the region would be restricted.

Aimee Nassif, Aimee Nassif, Chief Planning and Development Officer, responded to the question about impact of zoning on the site. She said RP-4 is in the current code as an R-4. Zoning entitlements do not go away, but the density established is a maximum. Because there is no approved final plan for the R-4, they would have to meet today's requirements. Comm. Nelson notes that the R-1 is being replatted knowing that there is R-4 adjoining it. He believes that is an important distinction to make. **Mr. Pendley** said the future development on the adjacent property will have to include a buffer, as well.

Mr. Corcoran asked if there is a concern with locating utilities in a reduced setback. **Mr. Pendley** does not believe there will be an impact because the preliminary plat provides area for the required utility easements and setbacks. Mr. Corcoran noted that sanitary sewer needs to be separated from water by 10 feet and some lots may not provide separation. **Chet Belcher, Transportation Manager**, responded that sometimes 20 feet simply cannot be accommodated and the existing easements simply have to be pushed back further. There is a dedicated public easement adjacent to the right-of-way for water and sewer.

Comm. Fry asked Mr. Belcher how the City could address the concerns of neighbors regarding connectivity with adjacent neighborhoods. **Mr. Belcher** responded that the stubbed roads have always intended to connect at some point. It's important to provide internal connectivity so people do not have to go out on arterial roadways to make local trips. Also, given the distance from College Boulevard, fire and life safety issues could not be met without the new connections.

Chair Vakas asked Mr. Pendley to talk about how a transitional lot policy comes about. **Mr. Pendley** said the preliminary plat and all lots adjacent to the existing R-1 zoning do meet the transitional lot standards in the UDO by either providing open space tracts or yard matching sizes. Lots in the northeast area of the development that are adjacent to existing R-1 lots all meet the transitional lot policy. The rest of the development adjacent to R-1 has open space buffers that exceed the transitional lot policy. Chair Vakas asked if there is space provided at the three entry points for signage. Mr. Pendley said there are open space areas on 113th Terrace and 115th Terrace. There is no area between the 112th Street connection. A monument sign would be the responsibility of the developer and/or HOA. Chair Vakas questioned if Cedar Creek management might want to place a monument sign or pillar of some kind at those entry points, indicating when a person is transitioning into Cedar Creek, which is a separate

subdivision. Mr. Pendley agreed that there was room for future signs, although 112th Terrace may require some type of easement.

Chair Vakas opened the public hearing and asked the applicant to come forward. **Frank Dean with Clay Blair Services Corporation, 13626 West 87th Street Parkway, Lenexa,** approached the podium, representing the developer. Mr. Dean noted heavily treed areas and additional stream corridors between the subject property and Cedar Creek and east of the R-2 section. He further noted two defined ridges with steep topography, which created a challenge when putting together a plan for the site. Other challenges relate to the high-end single-family neighborhood with relatively large R-1 lots on the west and high-density apartments on the east. They are contemplating this as a maintenance-provided neighborhood, as well as the area of R-2 to the east. He said the inconsistency between the boundaries and current zoning resulted from a land exchange between the applicant and Rick Oddo. The exchange was intended to help the two projects come together for both sides. Mr. Dean was available for questions.

Chair Vakas asked Mr. Dean to talk about the trail system. **Mr. Dean** said they plan to install asphalt trails, five to six feet wide. Chair Vakas as Mr. Pendley if the trail has to be paved in order to connect to the City's trail system. **Mr. Pendley** said an asphalt trail would meet the UDO requirements for private trails.

There were no other questions of the applicant and no one else wished to speak. **Chair Vakas** called for a motion to close the public hearing.

Motion by Comm. Sutherland, seconded by Comm. Nelson, to close the public hearing.

Motion passed 6-0.

There was no further discussion. **Chair Vakas** called for a motion.

Motion to approve RZ19-0012 as stipulated was made by Comm. Nelson and seconded by Comm. Fry, for the following reasons:

1. The proposed development complies with the policies and goals of the *Comprehensive Plan* for Environmental Sustainability and Land Use (Principles ESR-1 and LUCC-6).

2. The requested rezoning to R-1 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.

Comm. Nelson's motion included recommending that the following stipulations be included in the ordinance:

1. A waiver is granted to permit minimum twenty (20) foot front yard setbacks.

Comm. Nelson's motion included recommending that the following stipulations apply to the preliminary plat for the R-1 District:

1. A final plat must be approved and recorded prior to issuance of building permits.

2. The final plat with Tract C will include the following language: "A Public Recreation Easement (PR/E) will be dedicated in Tract C to allow a future public trail. The exact location of the public trail and PR/E will be determined at the time of the trail construction by the City of Olathe".

3. A minimum of two (2) interior lot trees will be provided in the rear yards of Lots 1-5, 79 and 80.

4. Final plats shall include Tree Preservation Easements (TP/E) in Tract C as identified on the preliminary plat.

5. As required by the *UDO,* all exterior mechanical equipment or utility cabinets located within front yards or corner lots shall be screened from public view with landscaping.

Aye: *Sutherland, Nelson, Fry, Munoz, Corcoran, Vakas (6)*

No: *(0)*

Motion was approved 6-0.

Planning Division

MINUTES

Planning Commission Meeting: September 9, 2019

Application:	**<u>RZ19-0014:</u> Rezoning from R-1, RP-4, and CTY A to R-2 District and preliminary site development plan for Prairie Canyon**

Sean Pendley, Senior Planner, presented a request for a rezoning to R-2, Residential Two-Family District, and a preliminary development plan for Prairie Canyon. The rezoning covers 18.2 acres and will consist of a total of 56 attached two-family homes and detached single-family homes, for a net density of 3.1 units per acre. This site is east of the related R-1 zoning and extends east to K-7. This parcel will include a future collector roadway on the east end of the proposed development, connecting from College Boulevard south to 119th Street. The villas area consists of local streets with landscaping throughout. Single-family homes will be situated on lots between 6,700 to 8,500 square feet, and some of these lots are smaller than the minimum R-1 sizes which is why R-2 zoning is requested. All units will be subject to Building Design Standard A and Site Design Category 2 per UDO requirements. The proposed R-2 District meets all minimum lot area and setback requirements and no waivers are requested for the R-2 zoning.

Mr. Pendley stated that the landscape plan consists of open space areas provided along the common tract and landscape screening will be provided along the collector road to the east. Also, a future trail connection may be built in the R-2 area.

Mr. Pendley reported that the applicant provided renderings and building elevations for the development. All proposed designs and materials meet or exceed Building A design standards, including 95 percent of Category 1 materials and 5 percent of Category 2 materials. He notes that a variety of designs include front- and side-loaded garages, which also meet the standard of minimizing garage exposure facing public streets. All primary facades exceed UDO requirements for stone, stucco and glass.

Mr. Pendley said staff recommends approval of this application, noting that the R-2 use is a good transitional use from R-1 to future RP-4 and commercial zoning to the north. The proposed development also complies with Comprehensive Plan goals for land use and housing, and the requested zoning meets UDO requirements for zoning. Also, the proposed development meets all Building Design Category A requirements.

Mr. Pendley noted two stipulations to be included in the ordinance. The applicant has agreed to a street construction agreement for the future collector road to the east which will need to be signed prior to issuance of building permits in the phase adjacent to the future road. Also, all single-family homes on lots less than 7,200 square feet and all two-family homes are subject to building design standards per the UDO. A final site development plan will be required for this development. No comments or concerns have been submitted to staff regarding the proposed development.

Comm. Nelson asked if the road needs to built upon completion of the development. He is concerned about emergency access. **Mr. Pendley** responded that the development will be constructed in phases and access on the far east end must be built before the final phase. **Aimee Nassif, Aimee Nassif, Chief Planning and Development Officer,** added that reviews

of numbers of homes and access are done in collaboration with the Fire Department and Public Works. **Chad Belcher, Transportation Manager,** further noted that there is a four-party agreement between the City, Mr. Oddo, the Bleakelys to the south, and the applicant, which has not been finalized. However, there will be thresholds included in that agreement as to when the road must be built for emergency purposes.

Chair Vakas opened the public hearing and asked the applicant to come forward. **Frank Dean** approached the podium. He said it has been their understanding that they would be limited to developing 30 houses until the new street connection is completed. Chair Vakas asked when construction is expected to begin; Mr. Dean replied they hope to get started in Spring 2020. Chair Vakas asked how the project will be phased. Mr. Dean stated that the plan is to open a phase on each side, on the north end.

There were no further questions of the applicant. **Chair Vakas** called for a motion to close the public hearing.

Motion by Comm. Nelson, seconded by Comm. Sutherland, to close the public hearing.

Motion passed 6-0.

Motion to approve RZ19-0014 as stipulated was made by Comm. Fry and seconded by Comm. Munoz, for the following reasons:

1. The proposed development complies with the policies and goals of the *Comprehensive Plan* for Land Use and Housing (Principle LUCC-3 and HN-2.1).

2. The requested rezoning to the R-2 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.

3. The proposed development, as stipulated, meets composite design standards for **Building Design Category A** (*UDO 18.15.025).*

Comm. Fry's motion included recommending that the following stipulations be included in the ordinance:

1. A street construction agreement for the future collector roadway to the east of the subdivision shall be signed and executed prior to issuance of building permits for phases adjacent to the collector roadway.

2. The single-family homes on lots less than 7,200 square feet and two-family homes are subject to building design standards per UDO requirements.

Comm. Fry's motion included recommending that the following stipulations be included in the preliminary site development plan:

1. A final site development plan and final plats will be approved prior to issuance of building permits.

2. The final plat(s) will include a note stating that single family homes on lots less than 7,200 square feet and two-family homes are subject to building design standards per UDO requirements.

3. The final plat must include a Limits of No Access on the rear yards of lots 163-177 and lots 179-190.

4. Sidewalks are required on both sides of streets with front yards, including 113th Street, 114th Street and 114th Place, per *Unified Development Ordinance (UDO 18.30.180).*

5. The final plat with Tract M will include the following language: "A Public Recreation Easement (PR/E) will be dedicated in Tract M to allow a future public trail. The exact location of the public trail and PR/E will be determined at the time of the trail construction by the City of Olathe".

6. As required by the UDO, all exterior mechanical equipment or utility cabinets located within front yards or corner lots shall be screened from public view with landscaping.

Aye: *Sutherland, Nelson, Fry, Munoz, Corcoran, Vakas (6)*

No: *(0)*

Motion was approved 6-0.

Planning Division

MINUTES – Other Matters

Planning Commission Meeting: September 9, 2019

Aimee Nassif, Aimee Nassif, Chief Planning and Development Officer, announced that Sean Pendley has accepted a position as Deputy Director of Planning for Johnson County. She and the Planning Commission thanked him for his contributions and wished him well.

Chair Vakas noted the next Planning Commission is set for Monday, September 23, 2019.

There were no other announcements.

Meeting adjourned.

City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**PR19-0018** **Revised preliminary site development plan for Lone Elm Commerce Center Storage Yard**
Location:	In the vicinity of 167th Street and Lone Elm Road
Owner:	Dale George
Applicant:	Rob Heise, LE Commerce Center, L.L.C.
Engineer:	Judd Claussen, Phelps Engineering
Staff Contact:	Dan Fernandez, Planner II

Site Area:	44.04± acres	**Current Use:**	Vacant
Zoning:	M-2	**Plat:**	Lone Elm Commercial Center, Tract B
Storage Area:	2.9 acres	**Lots:**	1

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	**Employment Area**	**Vacant**	**M-2**	**-**	**-**
North	Employment Area	Vacant	M-2	-	-
South	Employment Area	Distribution Center	M-2	-	-
East	Employment Area	Vacant	M-2	-	-
West	Employment Area	Vacant	M-2	-	-

1. Comments:

The application is for a revised preliminary site development plan for an outdoor storage yard for Building 1 of Lone Elm Commerce Center located in the vicinity of 167th Street and Lone Elm Road. The rezoning and preliminary site development plan (RZ17-0006) included nearly 2,000,000 square feet of large office and warehouse buildings for the overall development. The approved plans showed areas for future storage areas within

the complex. A stipulation was included with the rezoning approval that required any outdoor storage yard to be reviewed and approved by the Planning Commission to verify that any proposed outdoor storage would not be visible from 167th Street or I-35.

The proposed storage area is approximately 2.9 acres and will be located behind Building 1. With the existing building, proposed landscaping, distance from I-35 and future buildings planned to the east and north of the site, the storage yard will not be visible from either 167th Street or I-35.

Site Aerial

View from 167th St., storage yard to be located behind building

2. Zoning Requirements:

a. **Land Use** – Outdoor storage is permitted in M-2 Districts if completely screened per Section 18.30.130 of the UDO. However, a stipulation with the rezoning approval (RZ17-0006) was included that required any outdoor storage be reviewed and approved by the Planning Commission to verify that the storage area would not be visible from 167th Street or I-35.

The applicant is providing an 8-foot tall vinyl coated chain link fence with slats and landscaping which will screen the area per UDO requirements. Also, the outdoor storage will be located behind Building 1 of the development for screening from 167th Street. And finally, the area is located approximately 1,400 feet from I-35 and future buildings will block any view from the highway.

b. **Setbacks** – Per UDO requirements, parking/paving areas are required to be located 30 feet from street right-of-way and 10 feet from property lines. The paved storage area is over 30 feet from the future collector road right-of-way to the north and 10 from the property line to the east.

3. Development Requirements:

a. **Access/Streets** – Access to the storage yard will be through 2 internal access drives that connect to the parking/drive area for Building 1 of the Lone Elm Commerce Center. There will be no access to the storage area from public streets.

b. **Parking** – Parking for the industrial development was provided with the preliminary site development plan. The proposed storage area will remove some truck trailer parking spaces but does not remove any required parking areas for the existing building.

c. **Landscaping** – Landscaping is being provided along the north side of the storage yard which is adjacent to a future public collector street. Additional landscaping is also being provided on the east side of the storage area which is a side property line adjacent to an undeveloped M-2 lot. The south side of the storage yard connects to a parking lot, so no landscaping is required.

The proposed landscaping combined with the vinyl coated chain link fence and slats will completely screen the storage yard as required by Section 18.30.130 of the UDO. Also, the yard will be located behind Building 1 which will screen the storage area from 167th Street. Future buildings will screen the outdoor storage from I-35 and the storage area is located approximately 1,400 feet from the highway.

d. **Public Utilities** – The property is in the City of Olathe wastewater and WaterOne service areas and there are no changes to public utilities with this application.

e. **Stormwater/Detention** – Stormwater detention and water quality have been provided for the entire development per Title 17 requirements. As the subject site was proposed as a storage/parking area with the approved preliminary site development plan, there are no changes to the stormwater detention and water quality with this proposed plan.

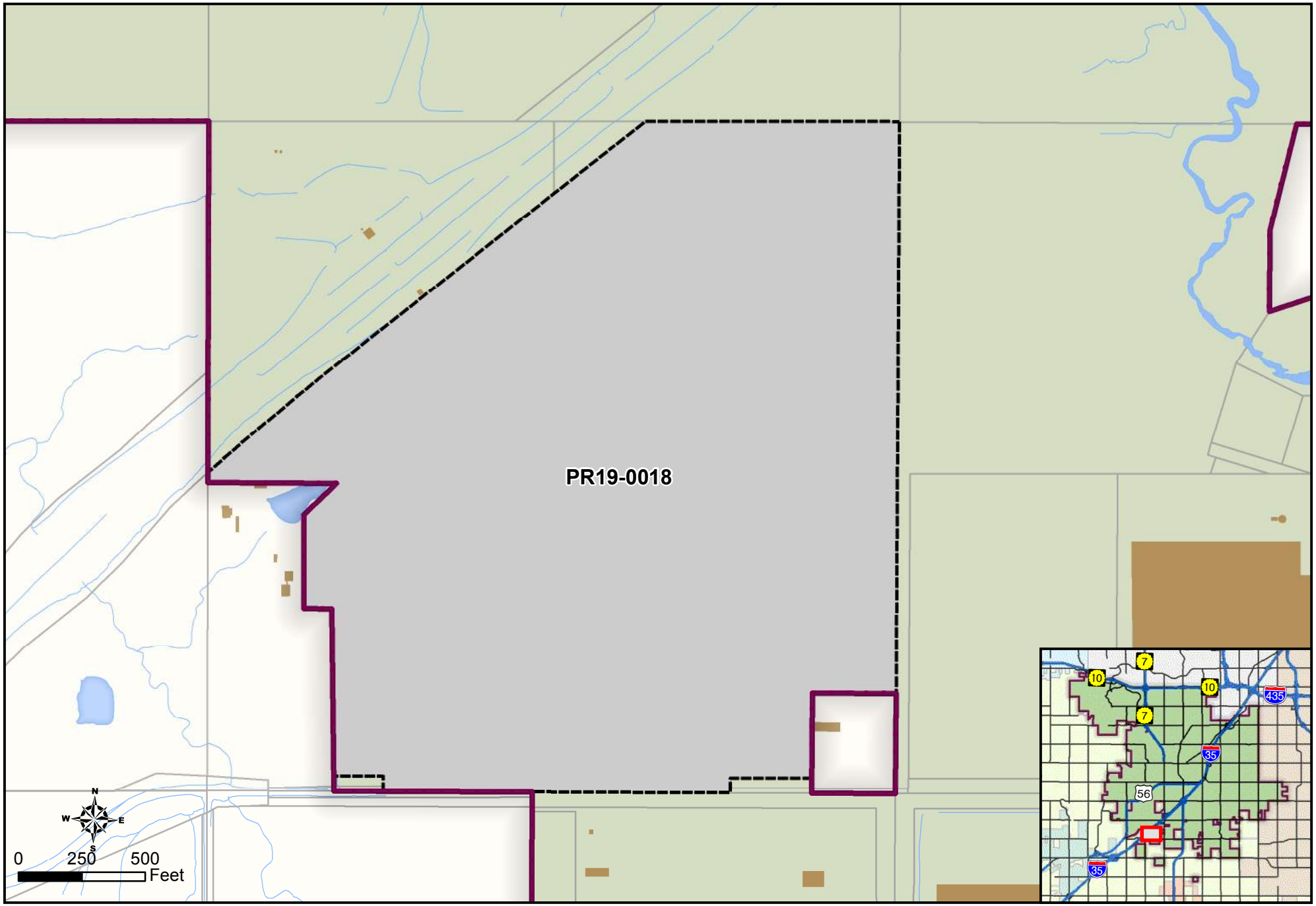
4. Outdoor Storage Yard Details:

The storage yard is approximately 2.9 acres in area and the surface will be paved. The yard will be surrounded by an 8-foot vinyl coated chain link fence to screen the storage area. Per Section 18.50.050 of the UDO, fences in industrial areas are permitted to be up to 8 feet in height.

5. Staff Recommendation:

Staff recommends approval of the revised preliminary site development plan (PR19-0018) with the following stipulations:

a. A parking lot permit shall be approved prior to construction of the storage yard.



LONE ELM COMMERCE CENTER STORAGE

PR19-0018

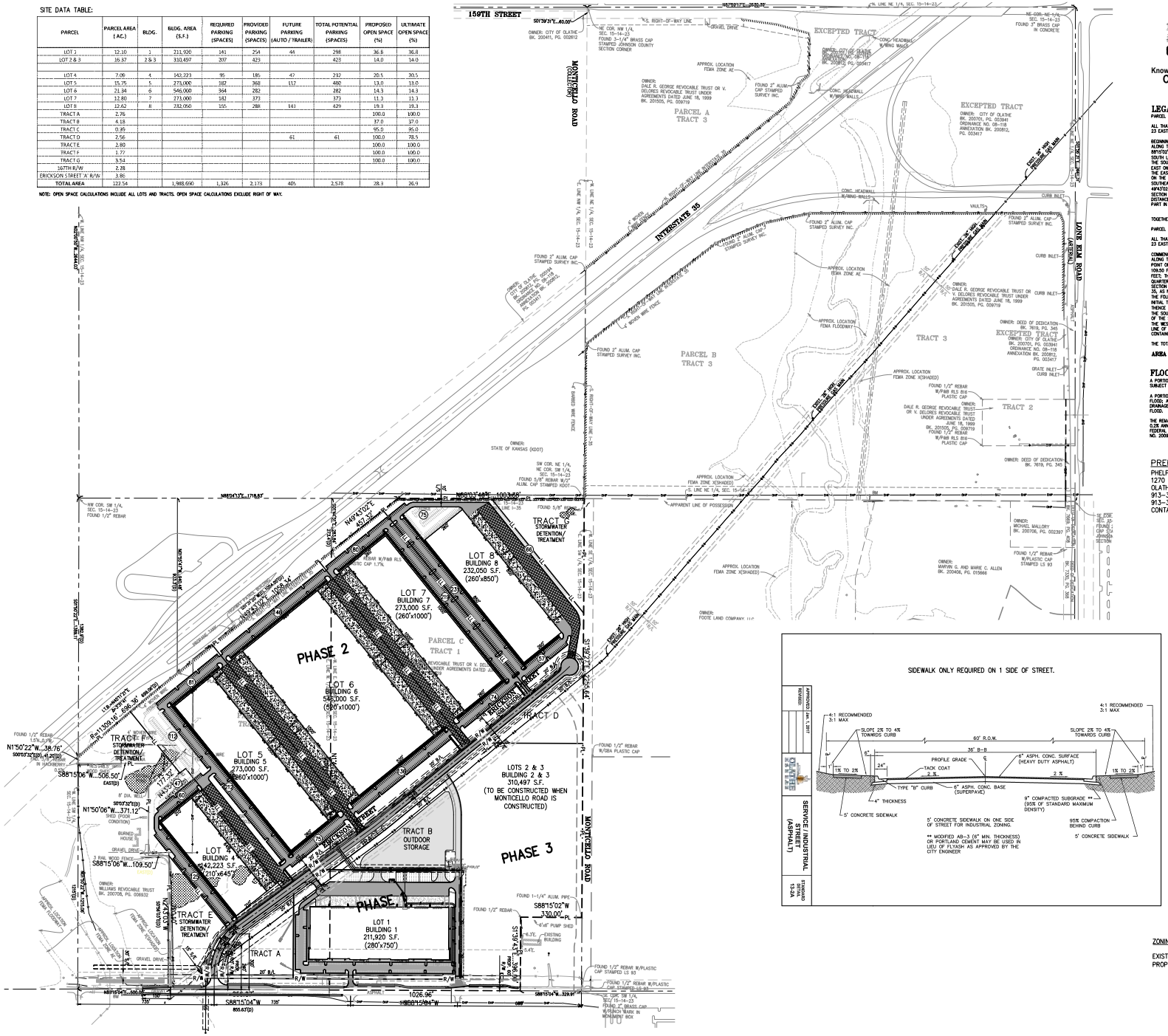
User: gradyrm
Date: 09/18/2019

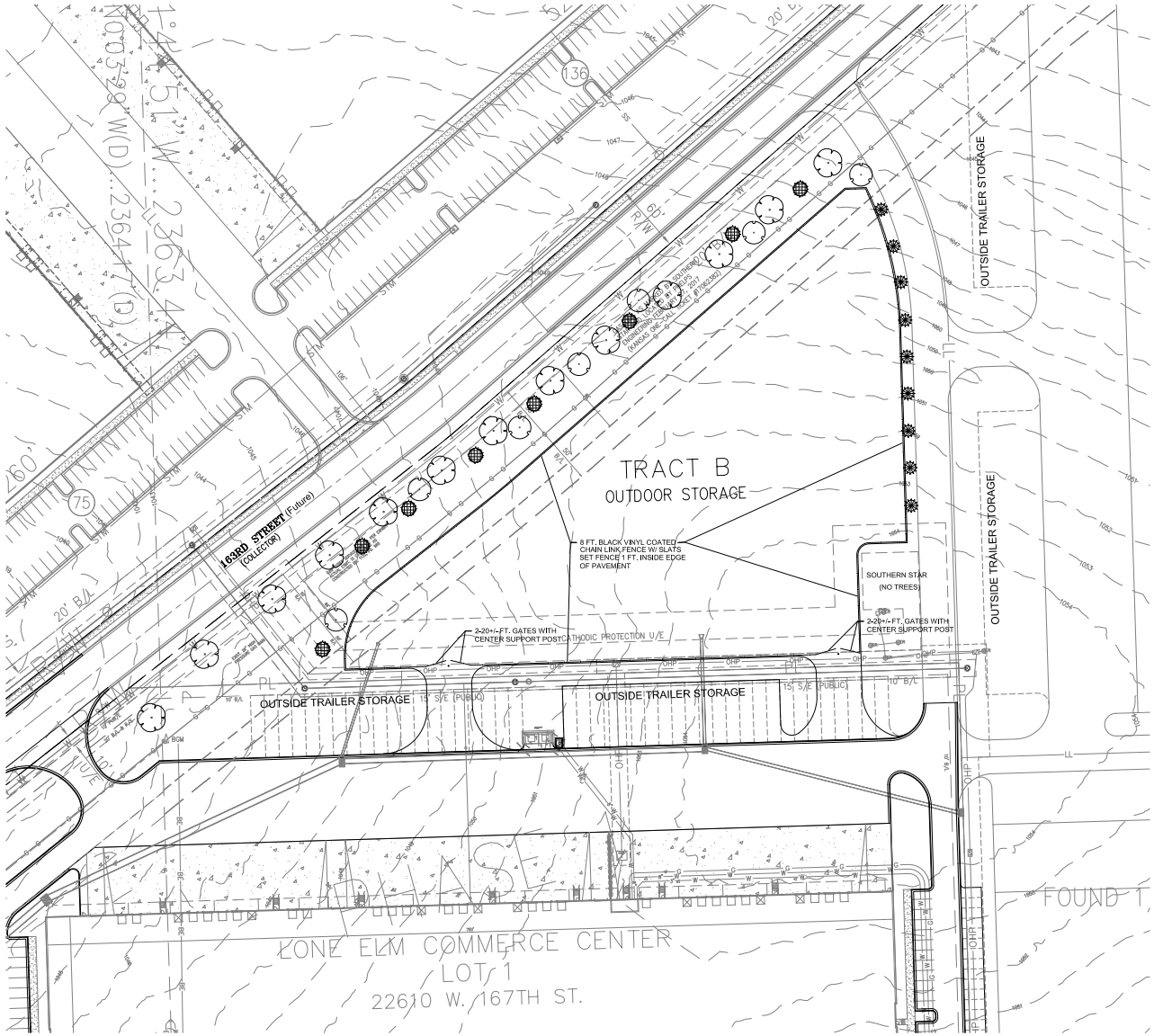
OLATHE
KANSAS

SITE DATA TABLE:

PARCEL	PARCEL AREA (AC.)	BLDG.	BLDG. AREA (S.F.)	REQUIRED PARKING (SPACES)	PROVIDED PARKING (SPACES)	FUTURE PARKING (AUTO / TRAILER)	TOTAL POTENTIAL PARKING (SPACES)	PROPOSED OPEN SPACE (%)	ULTIMATE OPEN SPACE (%)
LOT 1	12.10	1	211,920	141	254	44	298	36.8	36.8
LOT 2 & 3	16.37	2 & 3	310,497	207	423		423	14.0	14.0
LOT 4	7.09	4	142,223	95	185	47	232	20.5	30.5
LOT 5	15.75	5	273,000	182	368	112	480	13.0	13.0
LOT 6	21.34	6	546,000	364	282		282	14.3	14.3
LOT 7	12.80	7	273,000	182	373		373	11.3	11.3
LOT 8	12.62	8	232,050	155	288	141	429	19.3	19.3
TRACT A	2.76							100.0	100.0
TRACT B	4.18							37.0	37.0
TRACT C	0.95							95.0	95.0
TRACT D	2.56					61	61	100.0	78.5
TRACT E	2.80							100.0	100.0
TRACT F	1.77							100.0	100.0
TRACT G	3.54							100.0	100.0
167TH R/W	2.28								
ERICKSON STREET 'A' R/W	3.86								
TOTAL AREA	122.54		1,988,690	1,326	2,173	405	2,578	28.3	26.9

NOTE: OPEN SPACE CALCULATIONS INCLUDE ALL LOTS AND TRACTS. OPEN SPACE CALCULATIONS EXCLUDE RIGHT OF WAY.


159TH STREET
MONTICELLO ROAD
INTERSTATE 35
LONE ELM ROAD
PHASE 1
PHASE 2
PHASE 3
LOT 1 BUILDING 1 211,920 S.F. (260'x750')
LOT 4 BUILDING 4 142,223 S.F. (210'x645')
LOT 5 BUILDING 5 273,000 S.F. (260'x1000')
LOT 6 BUILDING 6 546,000 S.F. (560'x1000')
LOT 7 BUILDING 7 273,000 S.F. (260'x1000')
LOT 8 BUILDING 8 232,050 S.F. (260'x850')
LOTS 2 & 3 BUILDING 2 & 3 310,497 S.F. (TO BE CONSTRUCTED WHEN MONTICELLO ROAD IS CONSTRUCTED)
TRACT A
TRACT B OUTDOOR STORAGE
TRACT C STORMWATER DETENTION/ TREATMENT
TRACT D
TRACT E STORMWATER DETENTION/ TREATMENT
TRACT F STORMWATER DETENTION/ TREATMENT
PARCEL A TRACT 3
PARCEL B TRACT 3
PARCEL C TRACT 1
EXCEPTED TRACT
TRACT 2
TRACT 3
S88°15'06"W...506.50'
N1°50'06"W...371.12'
S88°15'06"W...109.50'
S88°15'02"W 330.00'
S88°15'04"W 1026.96'
S88°15'04"W 855.63'(D)
N88°15'04"E 500.00'
N1°50'22"W...38.76'
N88°15'04"E 1703.84'
N49°43'02"E 451.32'
S88°15'02"W 1003.26'
S1°39'04"E 1364.64'
N1°39'04"W 1364.64'
S1°39'04"E 1364.64'
S1°39'04"E 1364.64'
S1°39'04"E



FENCE SPECIFICATIONS:
-FENCE SHALL BE 8 FT. BLACK VINYL COATED CHAIN LINK FENCE WITH 2"X9 GA. MESH, 1-3/8" TOP RAIL, 1-4/8" LINE POSTS (EVERY 10 FT.) AND ALL HARDWARE.
-FENCE SHALL ALSO RECEIVE BLACK VINYL COATED SLATS IN ENTIRE FENCE.
-FENCE AND ALL MATERIALS AVAILABLE AT FENCE-MATERIAL.COM.
-ALL POSTS SHALL BE IN MINIMUM 8" WIDE 30" DEEP CONCRETE FOOTING.
-APPROXIMATE LENGTH OF FENCE SHOWN IS 1470', NOT INCLUDING GATES.

General Notes:

1. Contractor shall verify the existence and location of all utilities before starting any work.
2. Contractor shall make no substitutions without the approval of the owner.
3. Contractor shall stake layout plan in the field and shall have the layout approved by the Owner's representative before proceeding with the installation.
4. All lawn areas as noted shall be fertilized, drill seeded with a Turf-Type Tall Fescue grass seed blend at a rate of 9#/1000 s.f. see notes #9 & 10.
5. Fertilizer for seeded areas shall be a balanced fertilizer applied at rates per manufacturers recommendations and soil test results.
6. Any areas of seeding needing to be redone due to erosion or lack of turf shall be redone by the Contractor during normal planting seasons.
7. Contractor shall be responsible for maintenance of the the property until completion of the job and acceptance by the Owner. After initial acceptance, maintenance shall be by the owner.
8. Contractor shall be responsible for weed control on the project during and after construction until the project is turned over to the owner.
9. Any areas over 4:1 slope shall receive S150BN by erosion control blanket by North American Green or approved equal. Blankets shall be installed per manufacturers specifications. Blanket staples shall be bio degradable.
10. All non blanketed and seeded areas shall be hydro mulched at a rate of 2500 lbs. per acre including a dyed blue tackifier.

FUTURE PLANT SCHEDULE (FROM APPROVED PRELIMINARY PLAN)

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SIZE
	9	Juniperus virginiana `Canaertii` / Canaertii Juniper	B & B		6` hgt.
	8	Juniperus virginiana `Hillspire` / Hillspire Juniper	B & B		6` hgt.
	7	Koelreuteria paniculata / Golden Rain Tree	B & B	1.5"Cal	
	13	Ulmus parvifolia `Lacebark Elm` / Chinese Elm Tree	B & B	2"Cal	

0 40 80
SCALE 1" = 40'

Screening Plan
Lone Elm Commerce Center Tract B
Olathe, Kansas

LS-1

08/29/2019

Oppermann LandDesign, LLC
Land Planning • Landscape Architecture
18990 West 117th Street
Olathe, Kansas 66061
oppermannlandesign.com
pete@oppermannld.com
913.894.9407

Utility Note:
Utilities shown on plan are diagramatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-SAFE (344-7233) to have utilities located.

OLATHE
KANSAS
Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**FP19-0013: Final plat for Mahaffie Business Park VI**
Location:	15571 S Mahaffie Street
Owner/Applicant:	Scott O'Neill
Architect:	Jim Sullivan, Sullivan Palmer Architects
Engineer:	Bob Layton, Allenbrand-Drews & Associates
Staff Contact:	Shelby Ferguson, Planning Consultant

Acres:	3.32 ± acres	**Proposed Use:**	Office/ Flex-Space
Zoning:	M-2	**Lots:**	1
		Tracts:	0

1. Comments:

This is a request for approval of a final plat for Mahaffie Business Park VI, a replat of 3.32± acres, located at 15571 S Mahaffie Street. This is a replat of Lots 3, 4, and 6 of Mahaffie Business Park II and a replat of Lots 1, 2, and 3 of Mahaffie Business Park IV. The plat is required for the development of three new office flex-space buildings totaling 55,600 square feet. The associated revised preliminary site development plan (PR19-0017) is currently under review and will be before you for discussion at a later date. Extra time is needed for the applicant to revise the proposed architecture and materials.

Aerial view of the subject property (outlined in red)

View of subject property facing east from S Mahaffie

2. Final Plat Review:

a. **Lots/Tracts** – The plat includes one (1) lot and no tracts for the development of three office flex-space buildings. An existing 40' Tree Preservation Easement (TP/E) exists along the east plat boundary. The plat as submitted is in compliance with the Unified Development Ordinance (UDO).

b. **Utilities/Municipal Services** – The subject property is located in the WaterOne service area and the City of Olathe sewer area. The required utility and sanitary sewer easements are being dedicated with this replat.

c. **Streets** – The subject property will have access from S. Mahaffie along the west property line. The proposed flex-space development will adjoin the existing parking lot to the south (Mahaffie Business Park II), which also has access on the west property line to S. Mahaffie Street. There is an existing cross access easement between the subject property and existing lots to the south.

d. **Street and Signal Excise Taxes** – The final plat is not subject to street and traffic signal excise fees since the property has already been platted.

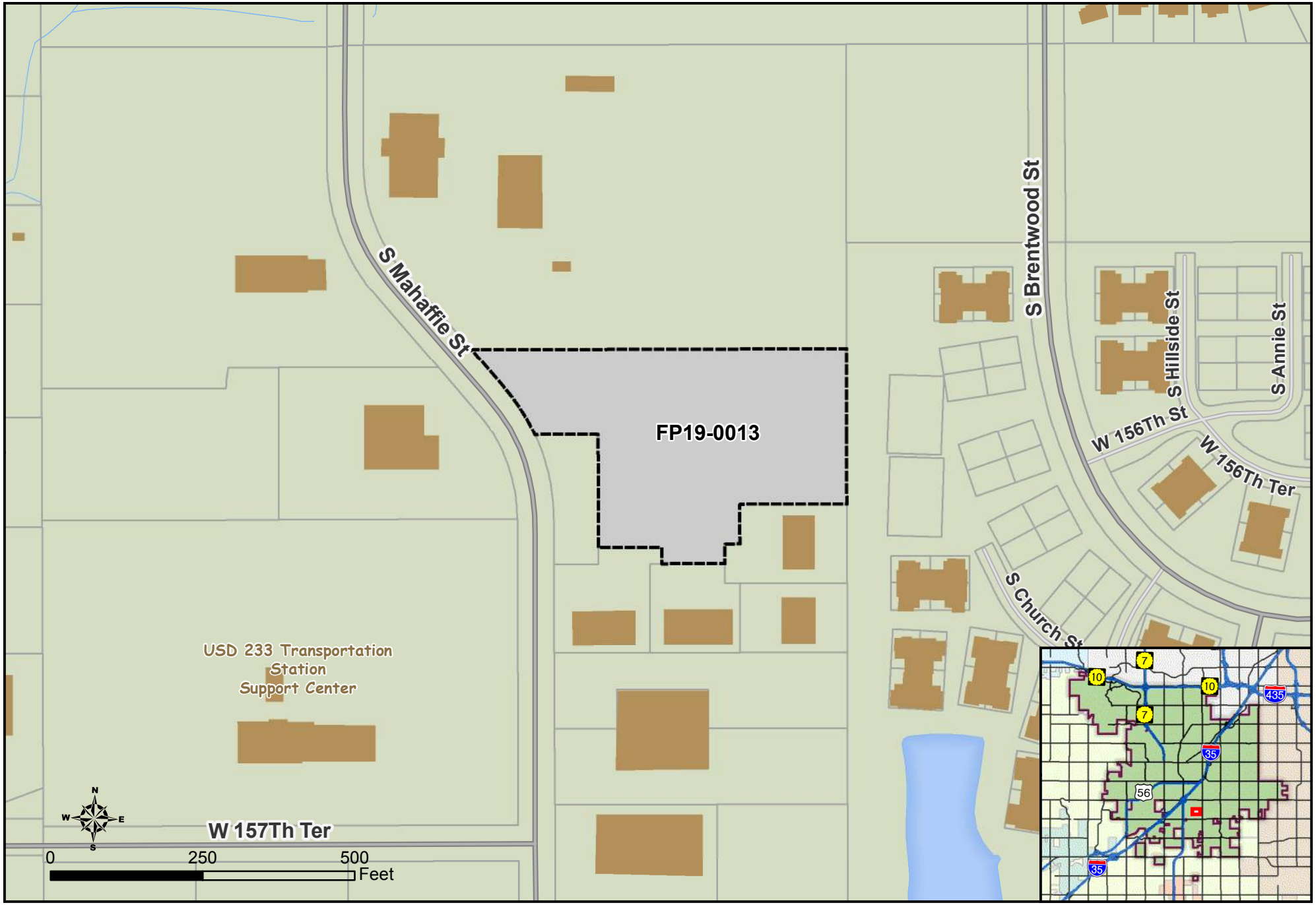
3. Staff Recommendation:

Staff recommends approval of FP19-0013 with the following stipulations:

a. Prior to recording the plat, a digital file of the final plat (pdf format) will be submitted to the City Planning Division.

b. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials per Unified Development Ordinance (UDO) requirements.

c. Prior to recording the final plat, all required utility easements shall be identified and appropriate language included in the dedication section.



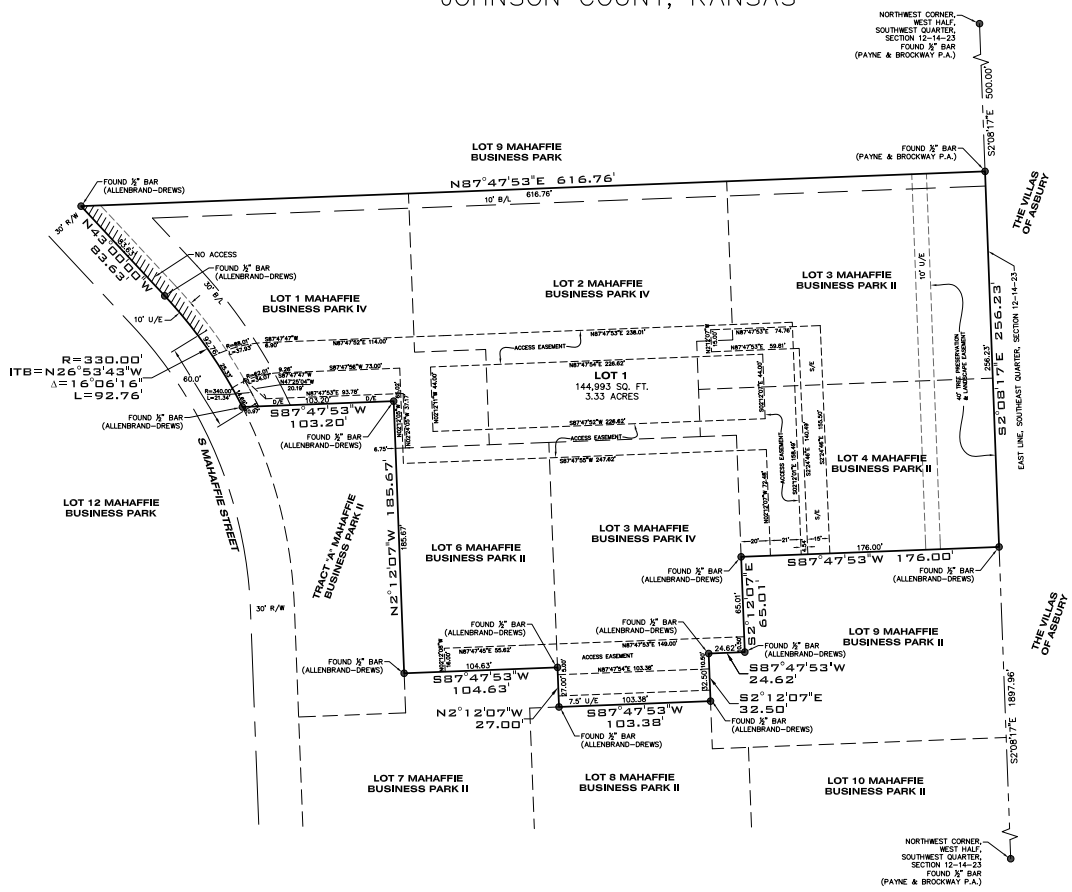
User: gradyrm
Date: 09/18/2019

MAHAFFIE BUSINESS PARK VI

FP19-0013

OLATHE
KANSAS

FINAL PLAT
OF
MAHAFFIE BUSINESS PARK VI
A REPLAT OF
LOTS 3, 4 & 6 MAHAFFIE BUSINESS PARK II AND
LOTS 1, 2 & 3 MAHAFFIE BUSINESS PARK IV
CITY OF OLATHE
JOHNSON COUNT, KANSAS



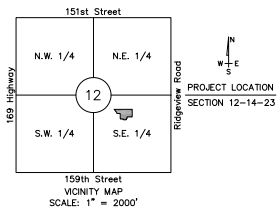
LOT NUMBER	LOT AREA
1	144,993

ERROR OF CLOSURE:
LOT 1
Perimeter: 1871.38' Area: 144992.64 Sq. Ft.
Error Closure: 0.0035 Course: S60°46'38"W
Error North: −0.00170 East: −0.00304

Precision 1: 534594.29

LEGEND

- ▲ MONUMENT FOUND AS DESCRIBED
- ● BAR FOUND AS DESCRIBED
- ◎ SET ½" X 24" REBAR WITH PLASTIC KS CLS 93 CAP
- B/L BUILDING LINE
- U/E UTILITY EASEMENT
- //// LIMITS OF NO ACCESS (L.N.A.)



VICINITY MAP
SCALE: 1" = 2000'

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

THIS IS TO CERTIFY THAT ON THE 18TH DAY OF JULY 2019, 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.

BASIS OF BEARINGS: MAHAFFIE BUSINESS PARK IV RECORDED IN PLAT BOOK 200802, PAGE 003554

DATE OF PREPARATION: 07/19/2019

ROBERT M. LAYTON LICENSED P.S. - 1266 KANSAS PROFESSIONAL SURVEYOR

PREPARED FOR:
SCOTT A. O'NEILL, PRESIDENT
13003 WALMER STREET
OVERLAND PARK, KANSAS 6209
PHONE: (913) 915-9885

PREPARED BY:
ALLENBRAND-DREWS & ASSOCIATES, INC.
122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076
FAX: (913) 764-8635

This is a resurvey and replat of Lots 3, 4 & 6 Mahaffie Business Park II and Lots 1, 2 & 3 Mahaffie Business Park IV, subdivisions in the Southeast Quarter of Section 12, Township 14, Range 23, now in the City of Olathe, Johnson County, Kansas.

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

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 said plat as streets, terraces, places, roads, avenues, lanes, and alleys.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas to enter upon, locate, construct, and maintain or authorize the location, construction, maintenance and use of conduits, water, gas, sewer, pipes, poles, wires, surface drainage facilities, ducts, cables, etc., upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E", and "Drainage Easement" or "D/E".

An easement or license to enter upon, locate, construct, and maintain or authorize the location, construction, maintenance and use of conduits, water lines, storm pipes, sewer pipes, and related facilities and structures, and street trees upon, over and under these areas outlined and designated Kansas and other governmental entities as may be authorized by state law to use such easement for on this plat as "PUB/E" or "Public Utility Easement", or "D/E or "Drainage Easement" is hereby granted to the City of Olathe, said purpose.

An easement is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the developer and/or homes association to enter upon, plant, replace, replant, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain, and to authorize any such maintenance of any and all grass, trees, shrubs, plants, and other landscaping and all fences and monuments installed by the undersigned proprietor and the developer and/or homes association upon, over, or under those areas outlined and designed on this plat as "Landscape Easement" or "L/E".

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 "TP/E". Trees shall not be removed from a tree preservation easement without permission from the City of Olathe, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The property owners, or their designees, shall be responsible for the maintenance of the tree preservation easement, including, but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property.

A perpetual easement of access over, across and upon every portion of all lots and parcels within the development that is improved from time to time for driveway or accessway, is hereby reserved to the undersigned proprietors, their respective successors, it's heirs and assigns, for ingress and egress of all owners and occupants of lots and parcels as depicted on this plat, their guests and invitees.

Right of Entrance: The right of entrance and egress in travel along any street or drive within the boundaries of the property is hereby granted to the City of Olathe, Kansas, for the purpose of fire and police protection, maintenance of water mains, sanitary and storm sewer lines, collection of garbage and refuse and to the United States Postal Service for the delivery of mail; provided however, such right of ingress and egress does not include any obligation to contribute for any damage to any private street or drive by virtue of the exercise of the rights stated herein and specifically, neither the City of Olathe, Kansas nor the U.S. Postal Service shall incur any liability by virtue of the exercise of such rights.

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of Johnson County, Kansas and City of Olathe, 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 that the amount of the unpaid special assessments 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.

All common drives and onsite storm sewer will be maintained by Business Garage Authority, Inc. and its assigns or successors.

IN TESTIMONY WHEREOF, Business Garage Authority, Inc., has caused this instrument to be executed this _____ day of _____ 20_____.

Business Garage Authority, Inc.

By:_____
SCOTT A. O'NEILL, PRESIDENT

STATE OF)
) SS:
COUNTY OF)

BE IT REMEMBERED, that on this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Scott A. O'Neill, President of Business Garage Authority, Inc., who is personally known to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same for himself and for the uses and purposes herein setforth.

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

My Commission Expires:_____ _____
Notary Public

APPROVED BY, the Planning Commission of the City of Olathe, Johnson County, Kansas, this_____ day of _____ 20_____.

_____
C.S. VAKAS, CHAIRMAN

APPROVED BY, the Governing Body of the City of Olathe, Johnson County, Kansas, this_____ day of _____, 20_____.

_____ Attest_____
MICHAEL COPELAND, MAYOR DAVID BRYANT, DEPUTY CITY CLERK

MAHAFFIE BUSINESS PARK VI

CIVIL ENGINEERS
LAND SURVEYORS – LAND PLANNERS

122 N. WATER STREET
OLATHE, KANSAS 66061
PHONE: (913) 764-1076
FAX: (913) 764-8635

14 W. PEORIA
PAOLA, KANSAS 66071
PHONE: (913) 557-1076
FAX: (913) 557-6904

AD PROJECT #3439 **12-14-23** **FINAL PLAT**

OLATHE
KANSAS

Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**FP19-0014: The Townhomes at Foxfield Village, Eighth Plat**
Location:	Southeast corner of 117th Terrace and South Deer Run Street
Owner/Applicant:	Jib Felter, AAG Investments, Inc.
Engineer:	Doug Ubben, Jr., P.E., Phelps Engineering, Inc.
Staff Contact:	Shelby Ferguson, Planning Consultant

Acres:	1.16 ± acres	**Proposed Use:**	Townhomes
Zoning:	RP-3	**Lots:**	6
		Tracts:	1

1. Comments:

This is a request for approval of a final plat for The Townhomes at Foxfield Village, 8th Plat, a replat of 1.16± acres, located at the southeast corner of 117th Terrace and South Deer Run Street.

The property was previously platted as The Townhomes at Foxfield Village, Sixth Plat (FP17-0104). The proposed replat includes six lots for two new townhome buildings on the subject property. There are no proposed changes in density or ownership associated with this replat. The location of utilities and access easements are also unchanged, and no new easements or street right-of-way will be dedicated with the plat. Therefore, the replat requires Planning Commission approval only.

Aerial view of the subject property (outlined in blue)

View of subject property facing east from S. Deer Run Street

2. Final Plat Review:

a. **Lots/Tracts** – The plat includes a total of six (6) multi-family units and 1 common tract for access, neighborhood amenities, and private open space. The layout of the units is consistent with the approved preliminary plat.

b. **Utilities/Municipal Services** – The subject property is located in the WaterOne service area and the City of Olathe sewer area. The required utility and sanitary sewer easements were previously dedicated.

c. **Streets** – The subject property will have access from a common drive extending from 117th Terrace. Each individual unit will take access from "Tract D," which will be owned and maintained by the Foxfield Village Homeowner's Association and is intended to be used for a common drive in addition to homeowner amenities, landscaping and private open space.

d. **Landscaping**– The developer is responsible for planting street trees, subject to the *Unified Development Ordinance (UDO),* Section 18.30.130.G. Such trees will be planted at the completion of each phase of development.

e. **Street and Signal Excise Taxes** – No excise fees are due with the application since the property has already been platted.

3. Staff Recommendation:

Staff recommends approval of FP19-0014 with the following stipulations:

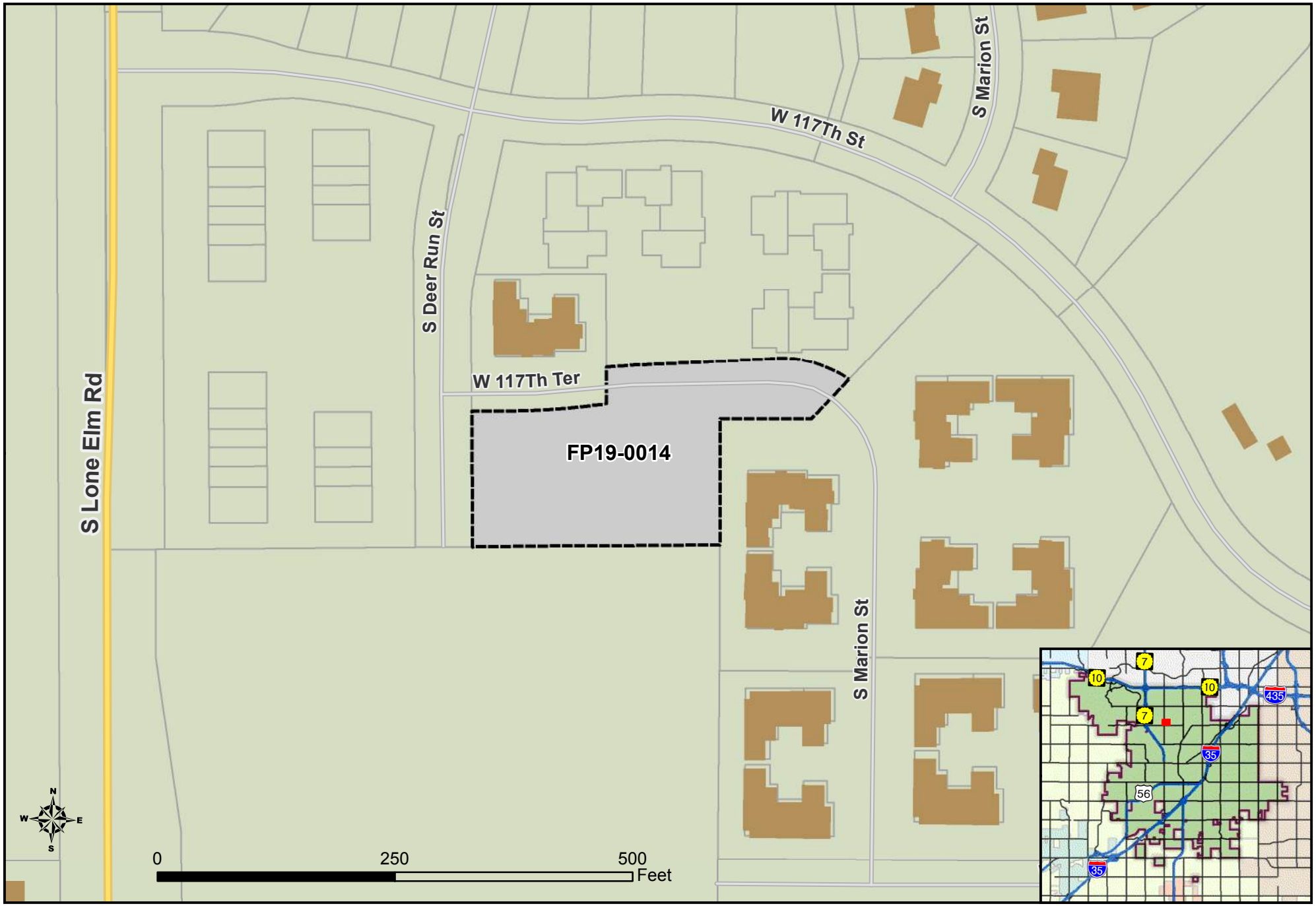
a. Prior to recording the final the developer will provide a copy of the home ownership declaration of conditions, covenants, and restrictions showing "The Retreat at Foxfield Village Homeowner's Association" is responsible for the maintenance of Tract D.

b. Prior to recording the final plat, include the book and page number for all easements previously dedicated on the subject property.

c. A street tree plan must be submitted for the subject property prior to recording the final plat. The developer is responsible for planting street trees, subject to the *Unified Development Ordinance*, Section 18.30.130.G.

d. Prior to recording the plat, a digital file of the final plat (pdf format) must be submitted to the City Planning Division.

e. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials per UDO requirements.



User: gradyrm
Date: 09/18/2019

THE TOWNHOMES AT FOXFIELD VILLAGE 8TH PLAT

FP19-0014

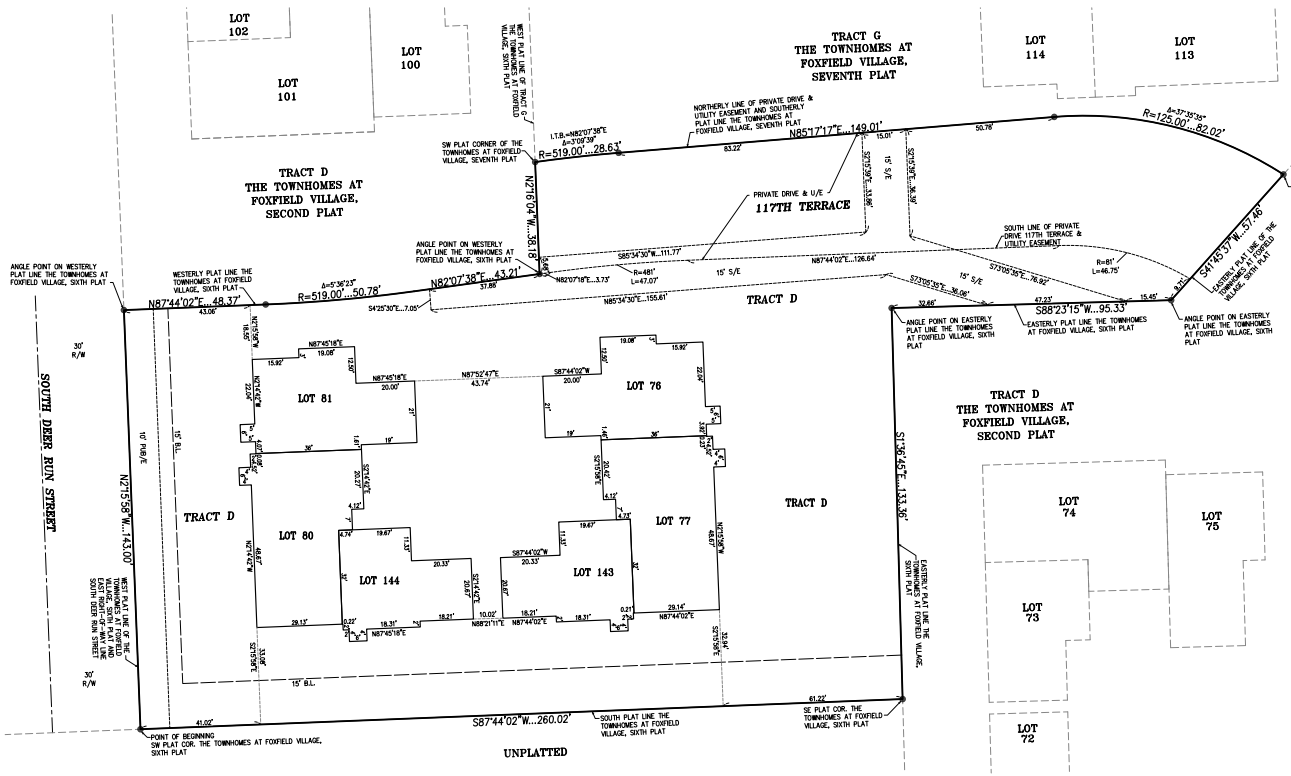
OLATHE
KANSAS

PLAT OF

THE TOWNHOMES AT FOXFIELD VILLAGE, EIGHTH PLAT

(LOTS 76, 77, 80, 81, 143 & 144)

A RESURVEY AND REPLAT OF PART OF TRACT D, THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT,
A SUBDIVISION OF LAND IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 13 SOUTH, RANGE 23
EAST IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS



LEGAL DESCRIPTION

Resurvey and replat of Part of Tract D, THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest plat corner of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT, said point also being on the East right-of-way line of South Deer Run Street, as now established; thence N 2°15'58" W, along the West plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT and along the East right-of-way line of said South Deer Run Street, a distance of 143.00 feet to an angle point on the Westerly plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT; thence along the Westerly plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT, for the following four (4) courses; thence N 87°44'02" E, a distance of 48.37 feet; thence Easterly on a curve to the left, said curve being tangent to the last described course and having a radius of 519.00 feet, an arc distance of 50.78 feet; thence N 82°07'38" E, a distance of 43.21 feet; thence N 2°16'04" W, a distance of 38.18 feet to the Southwest plat corner of THE TOWNHOMES AT FOXFIELD VILLAGE, SEVENTH PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence along the Southerly plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SEVENTH PLAT and the Northerly line of a platted private drive and Utility Easement, for the following three (3) courses; thence Easterly on a curve to the right, said curve having an initial tangent bearing of N 82°07'38" E and a radius of 519.00 feet, an arc distance of 28.63 feet; thence N 85°17'17" E, a distance of 149.01 feet; thence Easterly on a curve to the right, said curve being tangent to the last described course and having a radius of 125.00 feet, an arc distance of 82.02 feet to the Southeast plat corner of said THE TOWNHOMES AT FOXFIELD VILLAGE, SEVENTH PLAT, said point also being on the Easterly plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT; thence along the Easterly plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT, for the following three (3) courses; thence S 41°45'37" W, a distance of 57.46 feet; thence S 88°23'15" W, a distance of 95.33 feet; thence S 1°36'45" E, a distance of 133.36 feet to the Southeast plat corner of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT; thence S 87°44'02" W, along the South plat line of said THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT, a distance of 260.02 feet to the point of beginning, containing 1.1589 acres, more or less, replatted land.

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 subdivision and plat shall hereafter be known as "THE TOWNHOMES AT FOXFIELD VILLAGE, EIGHTH PLAT".

DEDICATION

The undersigned proprietors of the property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues, and alleys, not heretofore dedicated.

The undersigned proprietors of said property shown on this plat do hereby certify 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 rights they would have as if located in a public street.

Tract "D" shall be owned and maintained by The Retreat at Foxfield Village Homeowners Association, Inc. Said tract is intended to be used for homeowner amenities, landscaping, monuments, common drives and private open space.

CONSENT TO LEVY

The undersigned proprietors of the above described tract of 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 assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the Declaration of Restrictions for "The Townhomes at Foxfield Village", which instrument is recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

EXECUTION

IN TESTIMONY WHEREOF, AAG INVESTMENTS INC., a Kansas Corporation, has caused this instrument to be executed by its Member this _____ day of _____, 20_____.

_____
Jb Felter, Managing Member

ACKNOWLEDGEMENT

STATE OF KANSAS)
) SS
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for said County and State, came Jb Felter, Managing Member of AAG Investments, Inc., a Kansas Corporation, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Company, and said person duly acknowledged the execution of same to be the act and deed of said company. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

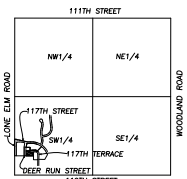
NOTARY PUBLIC: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 20_____.

_____
Chairman: C.S. Vakas



VICINITY MAP
SEC. 14-13-23

N
0' 1000' 2000'
SCALE : 1 " = 2000'

LEGEND

- ○ DENOTES SET 1/2" X 24" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE
- ● DENOTES FOUND 1/2" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE (UNLESS NOTED OTHERWISE)
- S/E DENOTES SANITARY SEWER EASEMENT
- PUB/E DENOTES PUBLIC UTILITY EASEMENT
- B.L. DENOTES BUILDING LINE

NOTE: ALL EXTERIOR FOUNDATION WALLS LAY WITHIN LOT LINES

LOT AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
LOT 76	1627.25	0.0374
LOT 77	1969.04	0.0452
LOT 80	1963.23	0.0451
LOT 81	1632.60	0.0375
LOT 143	1277.65	0.0293
LOT 144	1277.92	0.0293
TRACT D	40735.11	0.9351
PLAT BOUNDRY	50482.80	1.1589

N

0 30 60
SCALE: 1"=30'

BEARING BASIS="THE TOWNHOMES AT FOXFIELD VILLAGE, SIXTH PLAT".

NOTE:

RESIDENTS WITHIN THE TOWNHOMES AT FOXFIELD VILLAGE ARE REQUIRED TO PLACE THEIR "SMART-CART" TRASH CONTAINERS AT THE CURB OF PUBLIC STREETS FOR COLLECTION. WITHIN THIS DEVELOPMENT, THE RESIDENTIAL UNITS ARE ACCESSIBLE BY PRIVATE, DEAD-END DRIVES OFF OF PUBLIC STREETS AND CUL-DE-SACS. "SMART-CART" TRASH CONTAINERS WILL BE COLLECTED ALONG THE PUBLIC STREETS AND CUL-DE-SACS AND WILL NOT BE COLLECTED ALONG THE PRIVATE OR DEAD-END DRIVES.

I, Thomas Dwayne Phelps, hereby certify that in April 2018, I or someone under my direct supervision have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.

THOMAS DWAYNE PHELPS LICENSED LS-1075 KANSAS LAND SURVEYOR

Thomas Dwayne Phelps, Kansas R.L.S. # 1075

PLANNING ENGINEERING IMPLEMENTATION
PHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166

City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**FP19-0015, Final Plat, Townhomes at Fairfield Village, 48th Plat**
Location:	In the vicinity of 167th Terrace and Kimble Street
Owner/Applicant:	Gary Jones, Fairfield Courts, LLC
Engineer:	Tim Tucker, P.E., Phelps Engineering, Inc.
Staff Contact:	Andrea Fair, Planning Intern

Site Area:	0.66± acres	**Proposed Use:**	Multi-Family Residential
Lots:	6		
Tracts:	1	**Current Zoning:**	RP-3

1. **Comments:**
   This is a request for approval of a final plat for Townhomes at Fairfield Village, Forty-Eighth Plat, on 0.66± acres, located in the vicinity of 167th Terrace and Kimble Street. This is a resurvey and replat of part of Tract H, the Courts at Fairfield Village, Sixth Plat.

   The rezoning and preliminary site development plan (RZ07-0008) for the Courts at Fairfield Village and final plat (FP17-0048) were approved in 2007 and 2017.

   As the townhomes are complete, the existing lots are replatted for the sale of individual units.

   No public easement or right-of-way will be dedicated with this replat and therefore the plat will not require City Council acceptance.

Site aerial (outlined in dark blue)

SE view from Kimble Street

2. Plat Review:

a. **Lots/Tracts** – The plat includes six (6) lots for two (2) buildings with three (3) individual but attached villa units and one (1) common tract. Tract A will provide access to 167th Terrace via a common drive.
The layout of the units is consistent with the approved final plat.

b. **Public Utilities** – The property is located in the WaterOne service area and the Johnson County Wastewater service area. There is an existing 10-foot Utility Easement (U/E) along the northside of 167th Terrace.

c. **Streets/Right-of-Way** – All units will have access to 167th Terrace, which is part of the public street, network, via the common drive in Tract A.

d. **Landscaping/Tree Preservation** – Per stipulations e of FP17-0048, "Prior to recording the final plat, a street and master landscape plan shall be submitted in accordance with United Development Ordinance (UDO) 18.30.130 G. Such Trees shall be planted at the completion of each phase of development."

e. **Amenities** – An asphalt trail is located to the east of the plat.

3. Excise Taxes:
No excise fees are due with this application since the property has already been platted.

4. Staff Recommendation:

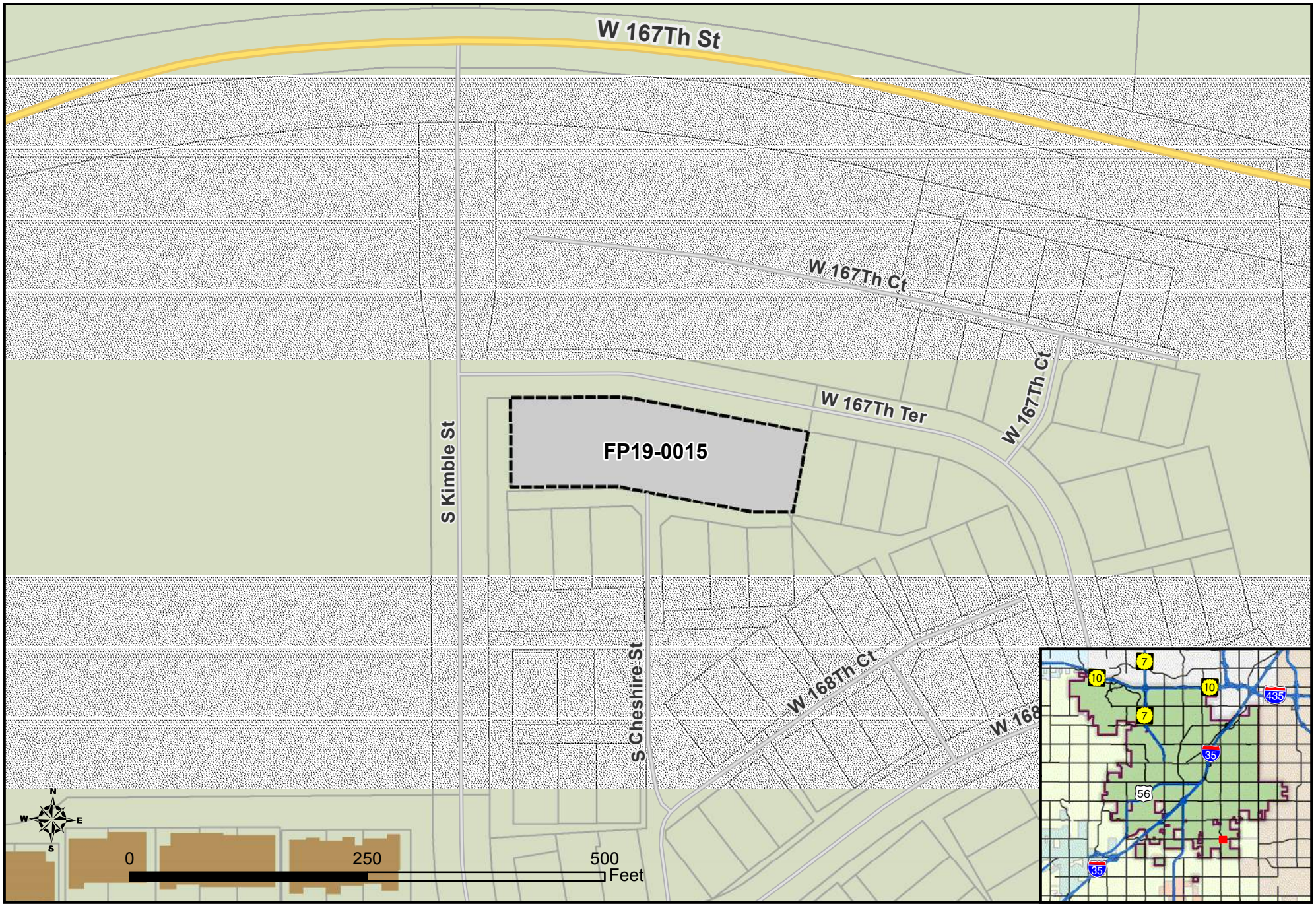
Staff recommends approval of FP19-0015 with the following stipulations:

a. Sidewalks shall be constructed on both sides of all public and private streets and drives as required by the RP-3 zoning ordinance.

b. The developer is responsible for planting street trees, subject to *UDO 18.30.130 G*. Such trees shall be planted at the completion of each phase of development.

c. All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials.

d. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.



User: gradyrm
Date: 09/18/2019

TOWNHOMES AT FAIRFIELD VILLAGE, 48TH PLAT

FP19-0015

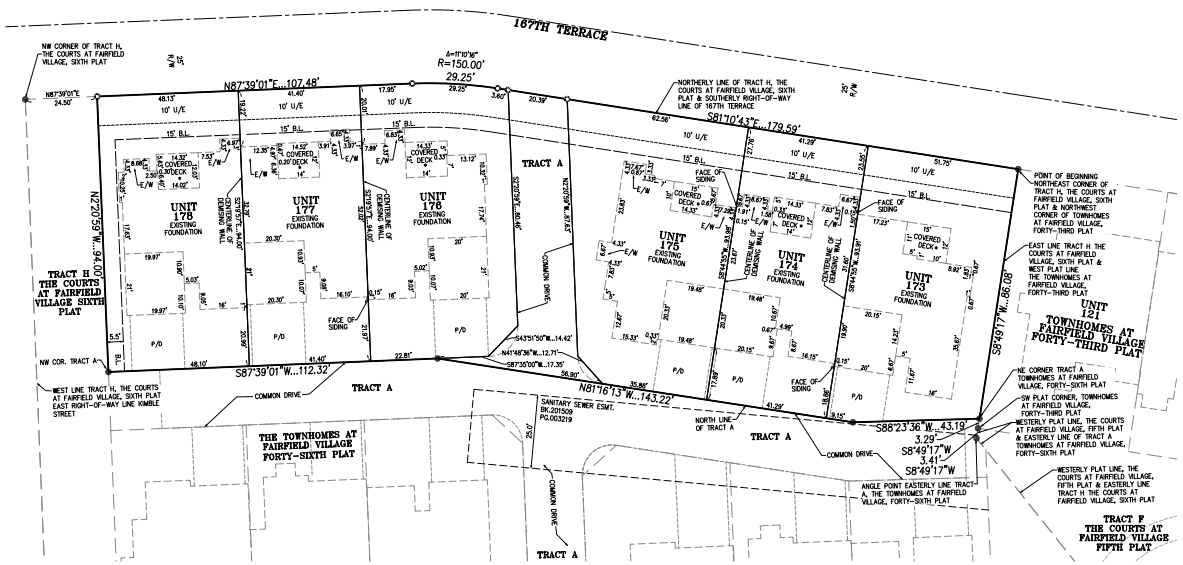
OLATHE
KANSAS

FINAL PLAT OF

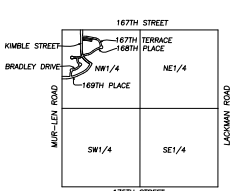
TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-EIGHTH PLAT

(UNITS 173, 174, 175, 176, 177 & 178)

A RESURVEY AND REPLAT OF PART OF TRACT H, THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT,
A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS



LOT AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
UNIT 173	4687.07	0.1076
UNIT 174	3878.81	0.0890
UNIT 175	4981.72	0.1144
UNIT 176	4661.60	0.1070
UNIT 177	3891.73	0.0893
UNIT 178	4522.96	0.1038
TRACT A	2078.63	0.0478
PLAT 48	28702.52	0.6589



VICINITY MAP
SEC. 20-14-24

SCALE : 1" = 2000'

LEGAL DESCRIPTION

A resurvey and replat of part of Tract H, THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT, a subdivision of land in the Southwest Quarter of Section 17, Township 14 South, Range 24 East and the Northwest Quarter of Section 20, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of Tract H, THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT, said point also being the Northwest corner of TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-THIRD PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas, thence S 8°49'17" W, along the East line of said Tract H and also along the West line of said TOWNHOMES AT FAIRFIELD VILLAGE FORTY-THIRD PLAT, a distance of 86.08 feet to the Northeast corner of Tract A, TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-SIXTH PLAT, a platted subdivision of land in the City of Olathe, Johnson County, Kansas; thence along the Northerly line of said Tract A, for the following three (3) courses; thence S 88°23'36" W, a distance of 43.19 feet; thence N 81°16'13" W, a distance of 143.22 feet; thence S 87°39'01" W, a distance of 112.32 feet to the Northwest corner of said Tract A; thence N 2°20'59" W, a distance of 94.00 feet to a point on the North line of said Tract H, said point also being on the South right-of-way line of 167th Terrace, as now established; thence Easterly along the North line of said Tract H and the South right-of-way line of said 167th Terrace, for the following three (3) courses; thence N 87°39'01" E, a distance of 107.48 feet; thence Southeasterly, on a curve to the right, said curve being tangent to the last described course and having a radius of 150.00 feet, and an arc distance of 29.25 feet; thence S 81°10'43" E, a distance of 179.59 feet to the point of beginning, containing 0.6589 acres, more or less, of replatted land.

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 subdivision and plat shall hereafter be known as "TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-EIGHTH PLAT".

DEDICATION

The undersigned proprietors of the property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues, and alleys, not heretofore dedicated.

The undersigned proprietors of said property shown on this plat do hereby certify 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 abolished except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

Tract "A" shall be owned and maintained by the Fairfield Courts Homes Association. Said tract is intended to be used for homeowner amenities, landscaping, monuments, common drives and private open space.

CONSENT TO LEVY

The undersigned proprietors of the above described tract of 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 assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the Declaration of Restrictions for "The Courts at Fairfield Village", which instrument is recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

EXECUTION

IN TESTIMONY WHEREOF, FAIRFIELD COURTS, L.L.C., a Kansas Limited Liability Company, has caused this instrument to be executed by its Member this _____ day of _____, 20_____ .

_____
Gary Jones, Managing Member

ACKNOWLEDGEMENT

STATE OF KANSAS)
)SS
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this _____ day of _____, 20_____ , before me, the undersigned, a Notary Public in and for said County and State, came Gary Jones, Managing Member of Fairfield Courts, L.L.C., a Kansas Limited Liability Company, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Company, and said person duly acknowledged the execution of same to be the act and deed of said company. 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: C.S. Vakas

I, Thomas Dwayne Phelps, hereby certify that in January 2019, I or someone under my direct supervision have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.

THOMAS DWAYNE PHELPS LICENSED LS-1075 KANSAS LAND SURVEYOR

_____
Thomas Dwayne Phelps, Kansas R.L.S. # 1075

LEGEND

- ⊗ DENOTES SET 1/2" X 24" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE
- ● DENOTES FOUND 1/2" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE (UNLESS NOTED OTHERWISE)
- B.L. DENOTES BUILDING LINE
- S/E DENOTES SANITARY SEWER EASEMENT
- W/E DENOTES WATER LINE EASEMENT
- E/W DENOTES EGRESS WELL
- P/D DENOTES PROPOSED DRIVE PER APPROVED SITE PLAN
- *DECK DENOTES PROPOSED DECK PER APPROVED SITE PLAN

NOTE:

RESIDENTS WITHIN THE COURTS AT FAIRFIELD VILLAGE ARE REQUIRED TO PLACE THEIR "SMART-CART" TRASH CONTAINERS AT THE CURB OF PUBLIC STREETS FOR COLLECTION. WITHIN THIS DEVELOPMENT, THE RESIDENTIAL UNITS ARE ACCESSIBLE BY PRIVATE, DEAD-END DRIVES OFF OF PUBLIC STREETS AND CUL-DE-SACS. "SMART-CART" TRASH CONTAINERS WILL BE COLLECTED ALONG THE PUBLIC STREETS AND CUL-DE-SACS AND WILL NOT BE COLLECTED ALONG THE PRIVATE OR DEAD-END DRIVES.

PHELPS ENGINEERING, INC
PLANNING ENGINEERING IMPLEMENTATION
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax: (913) 393-1166

PE1# 190273 DATE 7-09-19 Error Closure: 0.0058607 North: 0.0023928' East: 0.0053487' Perimeter: 795.13' Precision 1:135679

OLATHE
KANSAS
Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**FP19-0017, Final Plat for Center of Grace Church**
Location:	520 S. Harrison Street
Owner/Applicant:	Sylvia Romero; Center of Grace Inc.
Engineer:	Brad Sonner; Olsson & Associates
Staff Contact:	Emily Carrillo, Senior Planner

Plat Area:	7.0433± acres		
Lots:	1	**Land Use:**	Church/Religious Assembly
Tracts:	0		

1. Comments:

The following application is a final plat for Center of Grace Church containing one lot for an existing church. An associated preliminary site development plan application (PR19-0014) for the Center of Grace remodel and building addition was approved in August 2019. A final site development plan has not yet been submitted. The final plat complies with *Unified Development Ordinance (UDO)* requirements.

(Aerial view of the subject property outlined in blue)

(View of subject property looking east from S. Harrison Street -- Existing primary facade.)

2. Plat Review:

a. **Lots/Tracts** – The plat includes one lot and no common tracts. Lot 1 has a total area of approximately 6.77± acres and approximately 0.28± acres of arterial street right-of-way will be dedicated with this final plat.

b. **Public Utilities** – The subject property is located within the City of Olathe water and sanitary sewer service areas. Utility Easements (U/E), Sanitary Sewer Easements (S/E), and Storm Drainage Easements (D/E) will be dedicated with this final plat.

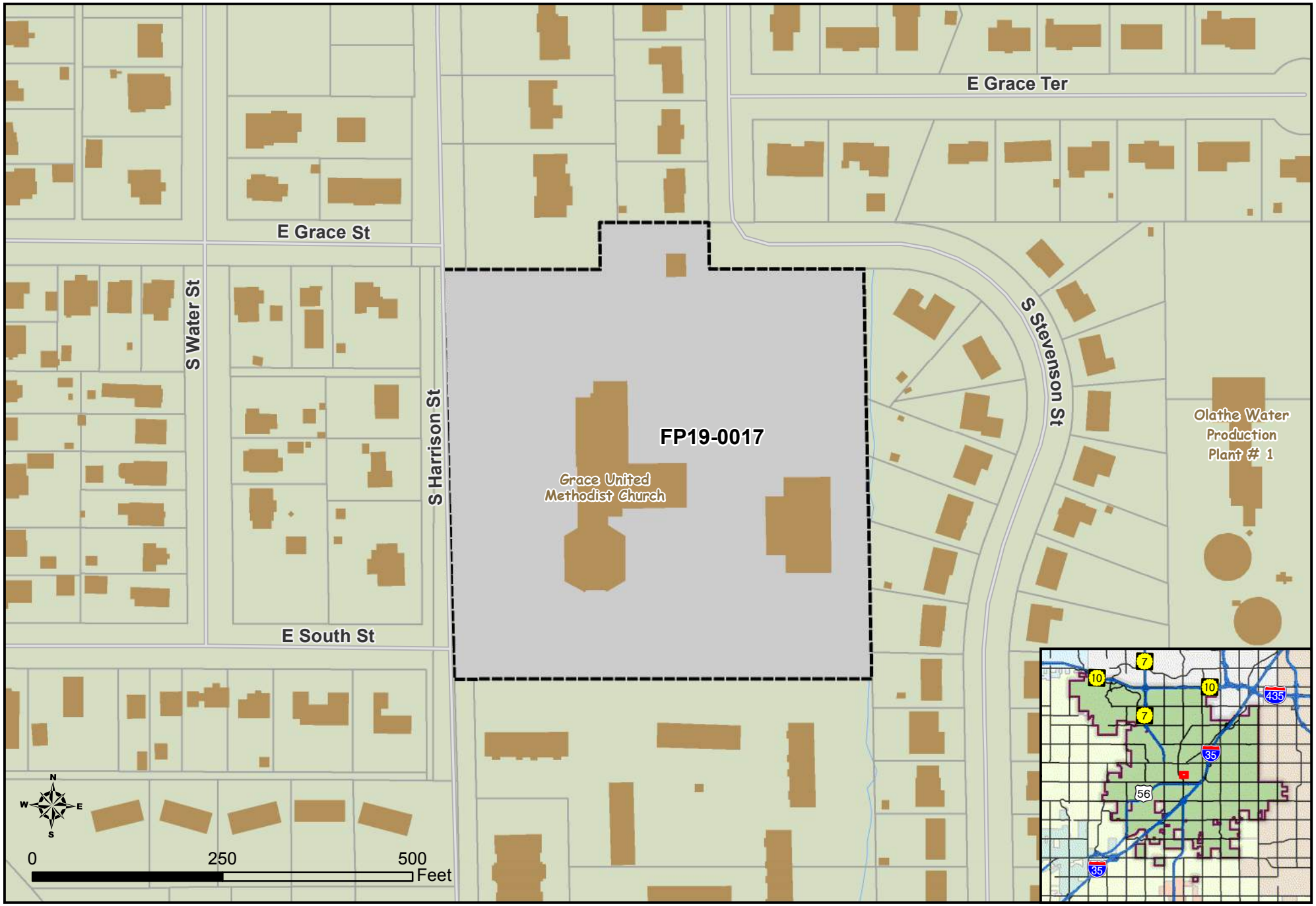
c. **Streets/Right-of-Way** – The subject property is currently accessed from S. Harrison Street. A 22-foot wide public street right of way will be dedicated for Harrison Street along the western plat boundary to meet UDO requirements for street right-of-way.

3. Staff Recommendation:

Staff recommends approval of FP19-0017, Final Plat for Center of Grace, with the following stipulations:

a) This final plat must be approved and submitted for recording prior to issuance of building permit.

b) Any required easements must be identified on the final plat prior to recording.



User: gradyrm
Date: 09/18/2019

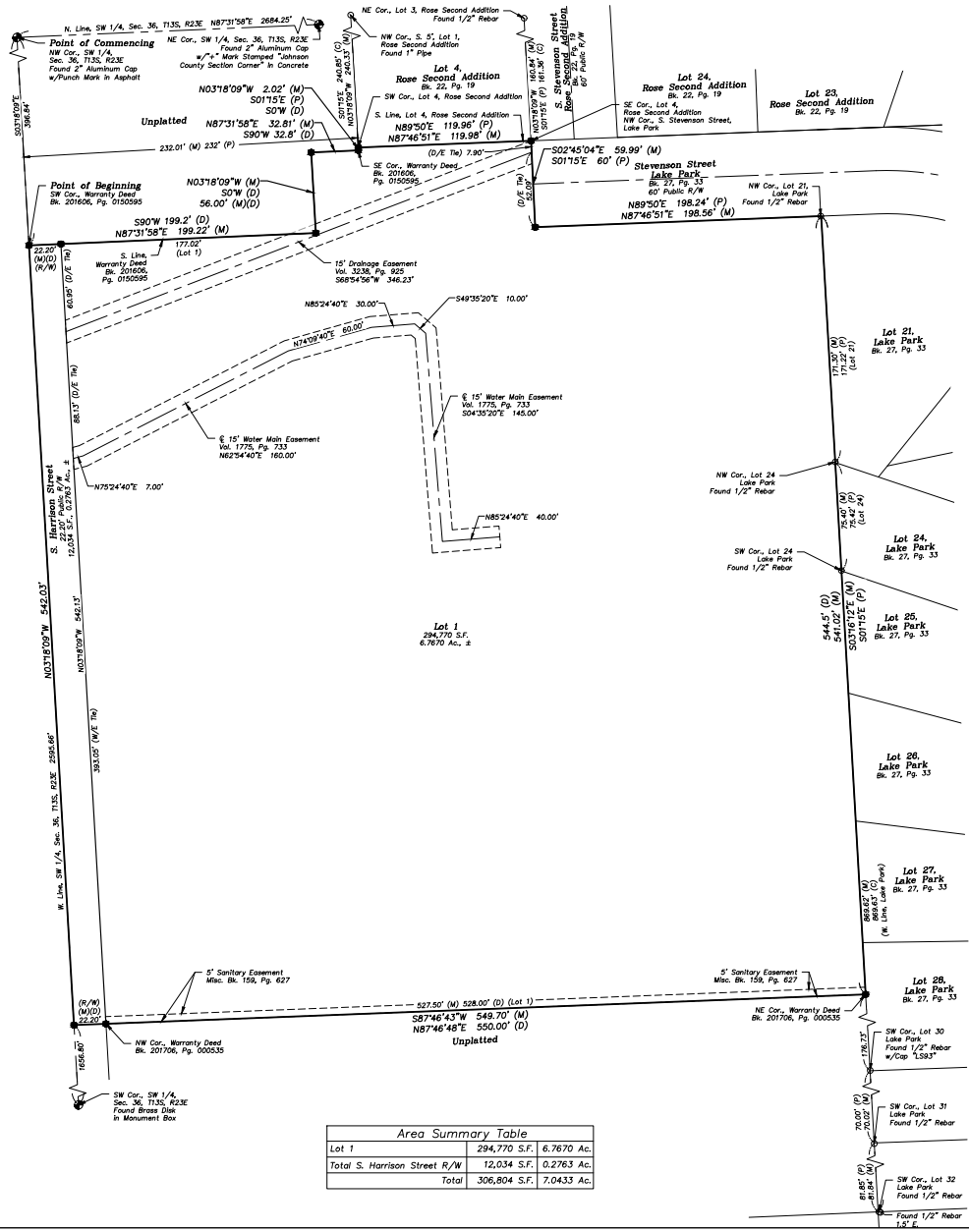
CENTER OF GRACE CHURCH

FP19-0017

OLATHE KANSAS

Final Plat
Center of Grace Church

An unplatted tract of land lying in Southwest Quarter of Section 36, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas



Area Summary Table		
Lot 1	294,770 S.F.	6.7670 Ac.
Total S. Harrison Street R/W	12,034 S.F.	0.2763 Ac.
Total	306,804 S.F.	7.0433 Ac.

Property Description

All that part of the Southwest Quarter of Section 36, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of Section 36, Township 13 South, Range 23 East; thence South 03 degrees 18 minutes 09 seconds East, on the West line of said Southwest corner, a distance of 396.84 feet to the Southwest corner of a Warranty Deed recorded in Book 201606, Page 0150595, the POINT OF BEGINNING; thence North 87 degrees 31 minutes 58 seconds East, departing said West line, on the South line of said Warranty Deed, a distance of 199.22 feet to a point; thence North 03 degrees 18 minutes 09 seconds West, continuing on said South line, a distance of 56.00 feet to a point; thence North 87 degrees 31 minutes 58 seconds East, continuing on said South line, a distance of 32.81 feet to the Southeast corner of said Warranty Deed; thence North 03 degrees 18 minutes 09 seconds West, on the East line of said Warranty Deed, a distance of 2.02 feet to the Southeast corner of Lot 4, Rose Section Addition, a subdivision in the City of Olathe, Johnson County, Kansas; thence North 87 degrees 46 minutes 51 seconds East, departing said East line, on the South line of said Lot 4, a distance of 119.98 feet to the Southeast corner of said Lot 4, said corner also being the Northwest corner of Stevenson Street right of way, as established in Lake Park, a subdivision in the City of Olathe, Johnson County, Kansas; thence South 02 degrees 45 minutes 04 seconds East, departing said South line, on the West line of said Stevenson Street right of way, a distance of 59.99 feet to the Southwest corner of said Stevenson Street right of way; thence North 87 degrees 46 minutes 51 seconds East, on the South line of said Stevenson Street right of way, a distance of 198.56 feet to the Northwest corner of Lot 21 of said Lake Park; thence South 03 degrees 16 minutes 12 seconds East, on the West line of said Lot 21, and on the West line of Lots 24, 25, 26, 27 and 28, all of said Lake Park, a distance of 541.02 feet to a point on the North line of a Warranty Deed recorded in Book 201706, Page 000535; thence South 87 degrees 46 minutes 43 seconds West, on the North line of said Warranty Deed, and its Westerly extension, a distance of 549.70 feet to a point on the West line of said Southwest Quarter; thence North 03 degrees 18 minutes 09 seconds West, departing said Westerly extension, on said East line, a distance of 542.03 feet to the POINT OF BEGINNING, containing 306,804 Square Feet or 7.0433 Acres, more or less.

Dedication

The undersigned proprietor of the above 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 **"Center of Grace Church."**

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, poles, wires, drainage facilities, ducts and cables, and similar utility facilities, upon, over and under these areas outlines and designated on this plat as "Utility Easement" or "U/E", "Storm Drainage Easement" or "D/E", "Water Main Easement" or "W/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 to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, 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 the Consolidated Main Sewer District of Johnson County, Kansas or their assigns.

In accordance with KSA 12–512b, all rights, obligations, reservations, easements, or interest not shown on this plat shall be vacated as to use and as to title, upon filing and recording of this plat. The proprietors, successors, and assigns, of property shown on this plat hereby absolve and agree, jointly and severally, to indemnify the City of Olathe, Kansas, of any expense incident to the relocation of any existing utility improvements heretofore installed and required to be relocated in accordance with proposed improvements described in this plat.

The undersigned proprietor of said property shown on this plat does hereby dedicate those portions of the streets and roadways shown, together with all other parcels and parts of land indicated on this plot, 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.

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 above 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 that the amount of the unpaid 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, the undersigned proprietors have hereunto subscribed their names.

OWNER – Center of Grace, Inc., a Kansas corporation

_____
Sylvia Romero, President

STATE OF _____)
) SS
COUNTY OF _____)

BE IT REMEMBERED, that on this _____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Sylvia Romero, President of Center of Grace, Inc., a Kansas corporation, who is personally known to me to be the same person who executed as such officer the foregoing Instrument of writing on behalf of said entity and said person duly acknowledged the execution of the same to be the act and deed of said entity.

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

Notary: _____ My appointment expires: _____

Certification

This is to certify that on August 6, 2019 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.

TIMOTHY BLAIR WISWELL LICENSED 1136 KANSAS PROFESSIONAL SURVEYOR

Timothy Blair Wiswell, PS–1136
Olsson, LS–114
twiswell@olsson.com

Approvals

APPROVED BY, the Planning Commission of the City of Olathe, Johnson County, Kansas, this 23rd day of September, 2019.

_____
Chairman C.S. Vakas

APPROVED BY, the Governing Body of the City of Olathe, Johnson County, Kansas, this 15th day of October, 2019.

_____
Michael E. Copeland, Mayor

ATTEST: _____
David F. Bryant III, City Clerk

Surveyor's Notes

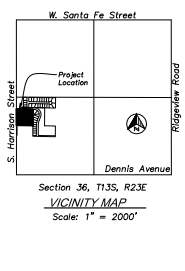
1. Basis of Bearings: Held the North Line of the Southwest Quarter, Section 36, Township 13 South, Range 23 East = N87°31'58"E, Kansas Coordinate System 1983, North Zone. Distances shown hereon are ground distances in US Survey Feet. All dimensions match previously platted or deeded values unless otherwise noted.
2. Subject Property lies within "Zone X – Areas determined to be outside the 0.2% floodplain," according to the FEMA Flood Insurance Rate Map Number 20091C0093G, Map Revised August 3, 2009.
3. Subject Property contains 306,804 Square Feet or 7.0433 Acres, more or less.
4. This Survey lies within the required minimum error of closure of 1:10,000.
5. 12,034 Square Feet or 0.2763 Acres, more or less of Total Right of Way for S. Harrison Street is hereby dedicated with this Plat.

LEGEND

- SECTION CORNER
- SET 1/2"x24" REBAR W/LC 114 CAP
- FOUND MONUMENT – ORIGIN UNKNOWN UNLESS OTHERWISE NOTED
- (M) MEASURED DIMENSION – THIS PLAT
- (P) PREVOUSLY PLATTED DIMENSION
- (C) CALCULATED DIMENSION FROM RECORD
- (D) PREVOUSLY DEEDED DIMENSION
- ℄ BUILDING SETBACK LINE
- D/E DRAINAGE EASEMENT
- R/W RIGHT OF WAY
- S/E SANITARY SEWER EASEMENT
- U/E UTILITY EASEMENT
- W/E WATER MAIN EASEMENT

N

1" = 40'
0' 20' 40' 80'
SCALE IN FEET



Section 36, T13S, R23E
VICINITY MAP
Scale: 1" = 2000'

Property Owner:
Center of Grace
520 S. Harrison Street
Olathe, Kansas 66061

Prepared By:
Olsson
7301 W. 133rd Street, Suite 200
Overland Park, Kansas 66213
Telephone (913) 381–1170

olsson
7301 West 133rd Street, Suite 200
Overland Park, KS 66213-4750
TEL 913.381.1170 www.olsson.com

REV. NO.	DATE	REVISIONS DESCRIPTION	BY

REVISIONS

Final Plat
Center of Grace Church
An unplatted tract of land lying in the Southwest Quarter of Section 36, Township 13 South, Range 23 East
Olathe, Johnson County, Kansas
2019

drawn by:	MJB
checked by:	TBW
approved by:	TBW
QA/QC by:	TBW
project no.:	015-2064
drawing no.:	V_FP_82064
date:	2019.08.06

SHEET 1 of 1

DWG: F:\2015\2001-2500\015-2064\40-Design\Survey\SRVY\Sheets\V_FP_82064.dwg USER: mjbogina
DATE: Aug 22, 2019 3:29pm AREC'S:

City of Olathe

Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**MP19-0016: Townhomes at Fairfield Village, Forty-Ninth Plat**
Location:	In the vicinity of 167th Terrace and Kimble Street
Owner/Applicant:	Gary Jones, Fairfield Courts, LLC
Engineer:	Tim Tucker, P.E., Phelps Engineering, Inc.
Staff Contact:	Brenna Kiu, Planning Intern

Total Area:	0.37 Acres	**Proposed Use:**	Multi-family Residential
Current Zoning:	RP-3	**Units/Lots:**	2
		Tracts:	1

1. Comments:

This is a request for approval of a minor plat for Townhome at Fairfield Village, Forty-Ninth Plat (a resurvey and replat of part of Tract I, The Courts at Fairfield Village, Sixth Plat), on 0.37± acres, located in the vicinity of 167th Terrance and Kimble Street.

A rezoning and site development plan (RZ07-0008) and a final plat (FP17-0048) for The Courts of Fairfield Village, Sixth Plat were approved by the Planning Commission in 2007 and 2017, respectively. As the townhomes are completed, the existing lots are replatted for the sale of the individual units.

No public easement or right-of-way will be dedicated with this replat and therefore the plat will not require City Council acceptance.

Aerial of Site (site outlined in blue)

Photo of Site from Kimble Street

.

2. Minor Plat Review

a. **Lots/Tracts** – The replat includes two (2) lots for two (2) individual but attached villa units and one (1) common tract used for access to 167th Terrace.

   The layout of the units and common tract is consistent with the approved preliminary plat. This phase of Townhomes at Fairfield Village follows he general trend of development for the entire Townhomes at Fairfield Village Community.

b. **Utilities/Municipal Services** – The property is located in the WaterOne service area and the Johnson County Wastewater service area. There is an existing 10-foot Utility Easement (U/E) along the north side of 167th Terrace.

c. **Streets** – All units will have access to 167th Terrace, which is part of the public street, network, via the common drive in Tract A.

d. **Street and Signal Excise Taxes** – No excise fees are due with this application since the property has already been platted.

e. **Landscaping/Tree Preservation** – Per stipulation f of P-16-060, "The developer is responsible for planting street trees, subject to UDO, Section 18.30.130.G Such trees shall be planted at the completion of each phase of development.

f. **Amenities** – An asphalt trail is located to the east of the plat.

3. Staff Recommendation:

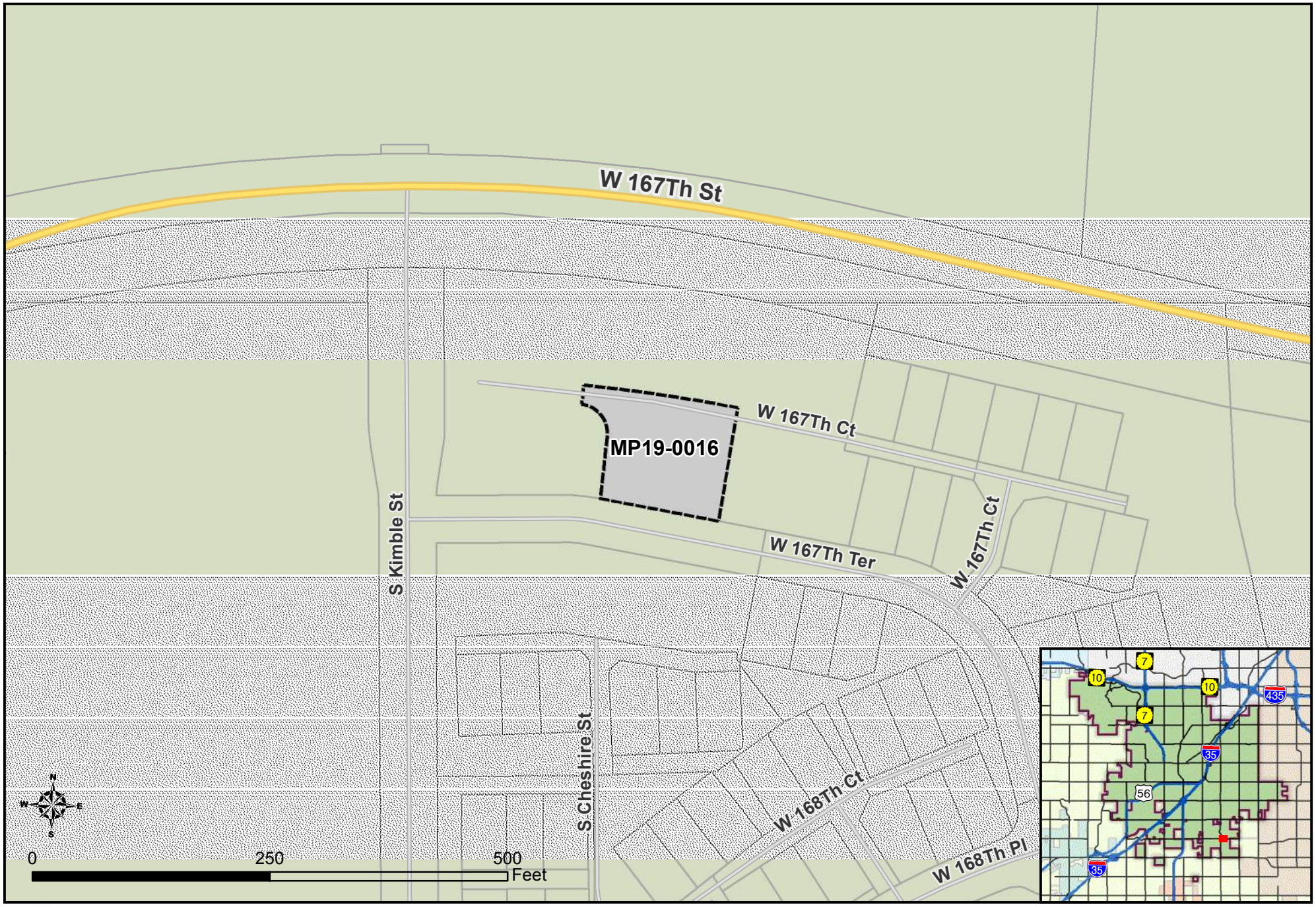
Staff recommends approval of MP19-0016 with the following stipulations:

a. Sidewalks shall be constructed on both sides of all public and private streets and drives as required by the RP-3 zoning ordinance.

b. The developer is responsible for planting street trees, subject to *UDO 18.30.130 G*. Such trees shall be planted at the completion of each phase of development.

c. All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials.

d. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.



User: gradyrm
Date: 09/18/2019

TOWNHOMES AT FAIRFIELD VILLAGE 49TH PLAT

MP19-0016

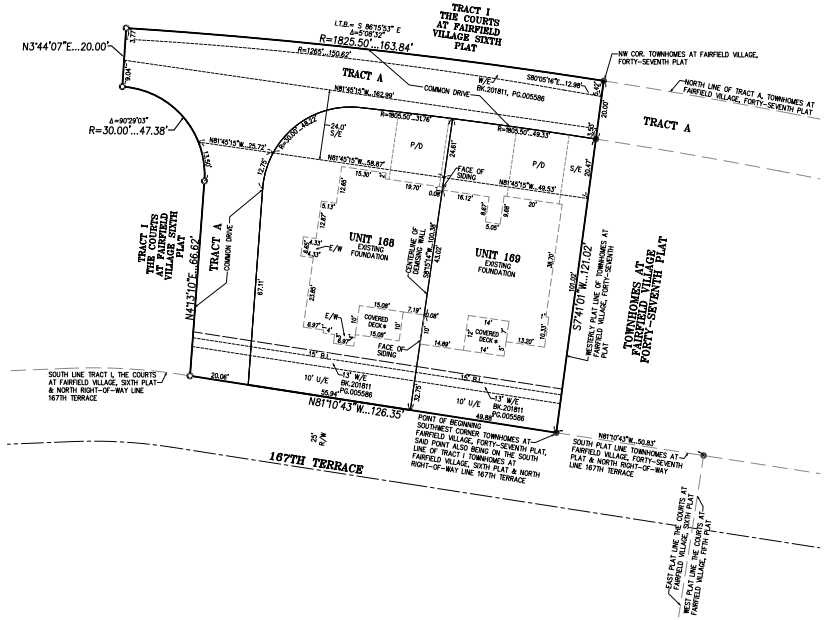
OLATHE
KANSAS

FINAL PLAT OF

TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-NINTH PLAT

(UNITS 168 & 169)

A RESURVEY AND REPLAT OF PART OF TRACT I, THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT,
A SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS



BEARING BASIS="THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT".

AREAS		
PARCEL	AREA (S.F.)	AREA (AC.)
UNIT 168	5689.00	0.1306
UNIT 169	5023.22	0.1153
TRACT A	5611.04	0.1288
PLAT BOUNDRY	16323.26	0.3747

LEGAL DESCRIPTION

A resurvey and replat of part of Tract I, THE COURTS AT FAIRFIELD VILLAGE, SIXTH PLAT, a subdivision of land in the Southwest Quarter of Section 17 and the Northwest Quarter of Section 20, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-SEVENTH PLAT, a subdivision of land in the city of Olathe, Johnson County, Kansas, said point also on the North right-of-way line of 167th Terrace as now established; thence N 81°10'43" W along the Northerly line of said 167th Terrace and the Southerly line of said Tract I, a distance of 126.35 feet; thence N 4°13'10" E, a distance of 66.62 feet; thence Northwesterly, on a curve to the left, said curve being tangent to the last described course, having a radius of 30.00 feet, and an arc distance of 47.38 feet; thence N 3°44'07" E, a distance of 20.00 feet; thence Southeasterly, on a curve to the right, said curve having an initial tangent bearing of S 86°15'53" E, having a radius of 1825.50 feet, and an arc distance of 163.84 feet to the Northwest plat corner of said TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-SEVENTH PLAT, thence S 7°41'01" W along the Westerly plat line of said TOWNHOMES AT FAIRFIED VILLAGE, FORTY-SEVENTH PLAT, a distance of 121.01 feet to the point of beginning, containing 0.3747 acres, more or less, of replatted land.

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 subdivision and plat shall hereafter be known as "TOWNHOMES AT FAIRFIELD VILLAGE, FORTY-NINTH PLAT".

DEDICATION

The undersigned proprietors of the property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues, and alleys, not heretofore dedicated.

The undersigned proprietors of said property shown on this plat do hereby certify 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 abolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

Tract "A" shall be owned and maintained by the Fairfield Courts Homes Association. Said tract is intended to be used for homeowner amenities, landscaping, monuments, common drives and private open space.

CONSENT TO LEVY

The undersigned proprietors of the above described tract of 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 assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the Declaration of Restrictions for "The Courts at Fairfield Village", which instrument is recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

EXECUTION

IN TESTIMONY WHEREOF, FAIRFIELD COURTS, L.L.C., a Kansas Limited Liability Company, has caused this instrument to be executed by its Member this _____ day of _____, 20_____ .

_____
Gary Jones, Managing Member

ACKNOWLEDGEMENT

STATE OF KANSAS)
)SS
COUNTY OF JOHNSON)

BE IT REMEMBERED that on this _____ day of _____, 20_____ , before me, the undersigned, a Notary Public in and for said County and State, came Gary Jones, Managing Member of Fairfield Courts, L.L.C., a Kansas Limited Liability Company, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Company, and said person duly acknowledged the execution of same to be the act and deed of said company. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

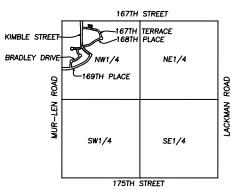
NOTARY PUBLIC: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____ , 20_____ .

_____
Chairman: C.S. Vakas



VICINITY MAP
SEC. 20-14-24

I, Thomas Dwayne Phelps, hereby certify that in August 2019, I or someone under my direct supervision have made a survey of the above described tract of land and the results of said survey are correctly represented on this plat.

THOMAS DWAYNE PHELPS LICENSED LS-1075 KANSAS LAND SURVEYOR

_____
Thomas Dwayne Phelps, Kansas R.L.S. # 1075

LEGEND

- ⊗ DENOTES SET 1/2" X 24" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE
- ● DENOTES FOUND 1/2" REBAR W/PHELPS CORP CLS-82 PLASTIC CAP IN CONCRETE (UNLESS NOTED OTHERWISE)
- B.L. DENOTES BUILDING LINE
- S/E DENOTES SANITARY SEWER EASEMENT
- W/E DENOTES WATER LINE EASEMENT
- E/W DENOTES EGRESS WELL
- P/D DENOTES PROPOSED DRIVE PER APPROVED SITE PLAN
- *DECK DENOTES PROPOSED DECK PER APPROVED SITE PLAN

NOTE:

RESIDENTS WITHIN THE COURTS AT FAIRFIELD VILLAGE ARE REQUIRED TO PLACE THEIR "SMART-CART" TRASH CONTAINERS AT THE CURB OF PUBLIC STREETS FOR COLLECTION. WITHIN THIS DEVELOPMENT, THE RESIDENTIAL UNITS ARE ACCESSIBLE BY PRIVATE, DEAD-END DRIVES OFF OF PUBLIC STREETS AND CUL-DE-SACS. "SMART-CART" TRASH CONTAINERS WILL BE COLLECTED ALONG THE PUBLIC STREETS AND CUL-DE-SACS AND WILL NOT BE COLLECTED ALONG THE PRIVATE OR DEAD-END DRIVES.

PHELPS ENGINEERING, INC
PLANNING
ENGINEERING
IMPLEMENTATION
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax: (913) 393-1166

City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: September 23, 2019

Application:	**MP19-0017, Minor Plat, Olathe Medical Center Doctor's Building Condominium, Twenty-Third Plat (Replat)**
Location:	20375 W 151st Street
Owner:	Tierney L. Grasser, Olathe Medical Center, Inc.
Applicant:	Pat Stowe, Olathe Health Physicians, Inc.
Engineer:	Todd Allenbrand, Payne & Brockway, P.A.
Staff Contact:	Andrea Fair, Planning Intern

Total Area:	0.46± Acres	**Proposed Use:**	Medical Services
Current Zoning:	CP-O	**Units/Lots:**	2
		Tracts:	2

1. Comments:

This is a request for approval of a minor plat for Olathe Medical Doctor's Building Condominium, Twenty-Third Plat, a condominium plat for a medical office within the building. This minor plat serves as a resurvey of units 1-A through I-D, Interior Common Area, and Part of Building Common Area, Doctor's Building No. 2.

Units 1-A and 1-B are being replatted into Unit 1-E. These units were vacated and reconfigured to for use as a physician clinic. Units 1-C and 1-D are being replatted into Unit 1-F. The group that occupied Unit 1-D expanded into the vacated Unit 1-C.

Site aerial (outlined in blue)

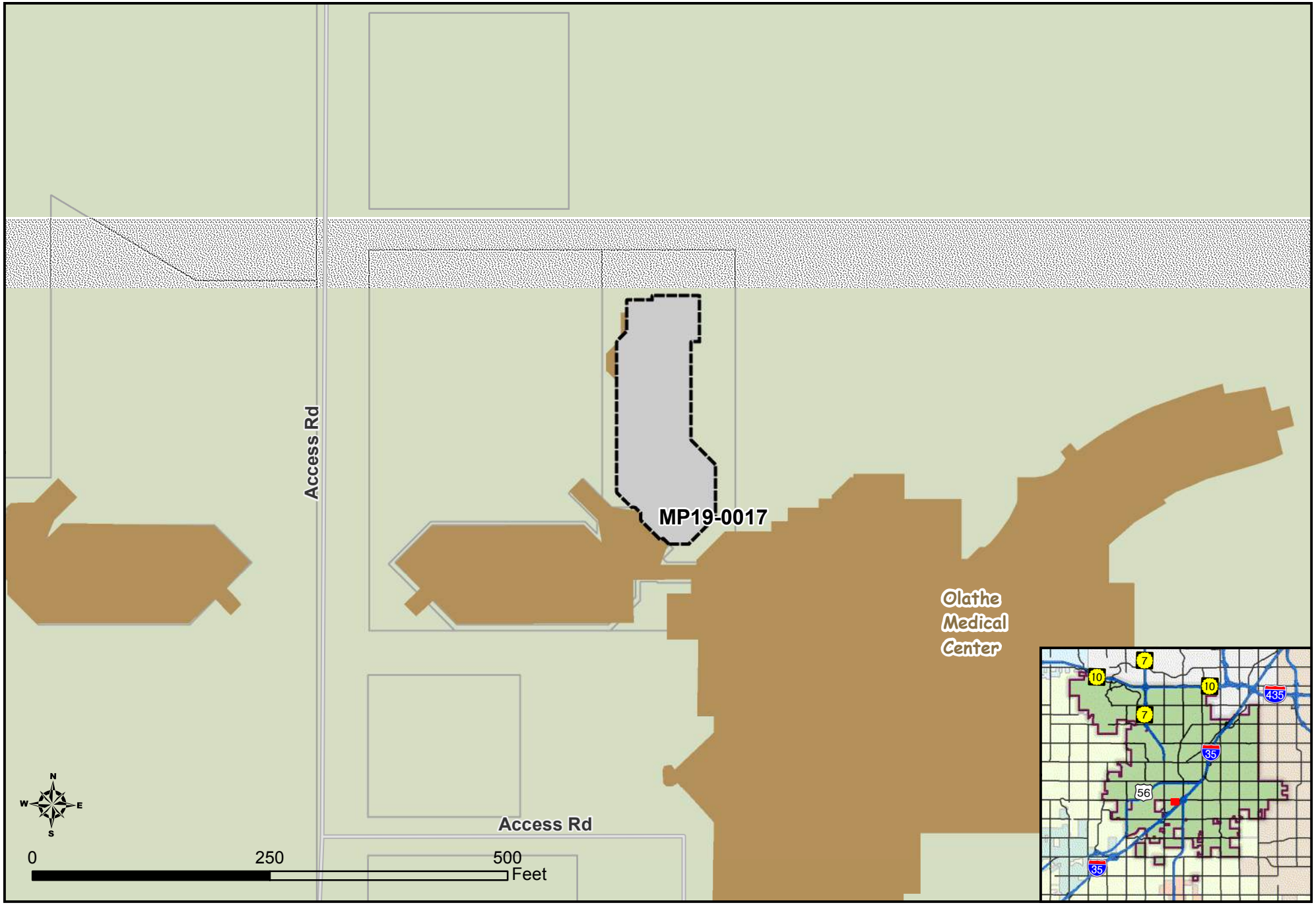
Olathe Medical Center Doctor's Building Condominium (Looking south from 151st St.)

2. Minor Plat Review:

a. **Lots/Tracts** – The plat includes a total of two (2) lots and two (2) tracts.
b. **Public Utilities** – The subject property is served by City of Olathe sewer and Water District #1.
c. **Streets/Right-of-Way** – Access to the Olathe Medical Center Doctor's Building Condominium will remain unchanged with this application. The condominium unit will be accessed internal to the building.
d. **Landscaping/Tree Preservation** – No new landscaping is proposed with this application. All lands to be replatted are internal to a building.

3. Staff Recommendation:

Staff recommends approval of MP19-0017.



OMC DOCTOR'S BUILDING CONDO 23RD PLAT

MP19-0017

User: gradyrm
Date: 09/18/2019

OLATHE
KANSAS

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	8/23/19	completed	CTA

A CONDOMINIUM PLAT

OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM, TWENTY–THIRD PLAT

A Replat of Units 1–A Through 1–D, Interior Common Area and Part of Building Common Area, Doctor's Building No. 2, OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM

This is a resurvey and replat of Units 1–A Through 1–D, Interior Common Area and Part of Building Comman Area, Doctor's Building No. 2, OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM, subdivision in the City of Olathe, Johnson County, Kansas, containing 20,070.6 square feet, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM, TWENTY–THIRD PLAT".

The undersigned proprietor of the above 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 that the amount of the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this_____day of_____, 2019.

OLATHE HEALTH PHYSICIANS, INC.

_____
TIERNEY L. GRASSER, Chief Financial Officer

STATE OF_____KANSAS)
) SS
COUNTY OF____JOHNSON)

BE IT REMEMBERED, that on this_____day of_____, 2019, before me a Notary Public in and for said County and State, came TIERNEY L. GRASSER, Chief Financial Officer of OLATHE HEALTH PHYSICIANS, INC., who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and she duly acknowledged the execution of the same to be the act and deed of said Corporation.

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

_____
Notary Public

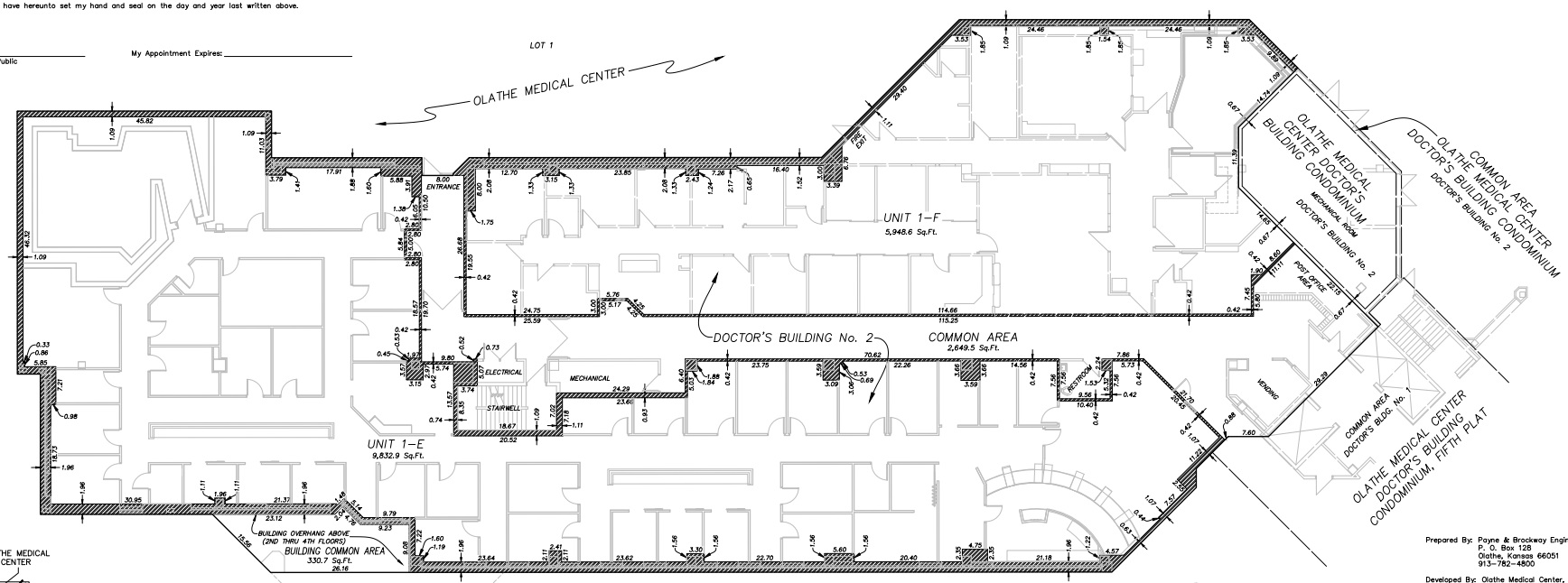
My Appointment Expires: _____

APPROVED by the Planning Commission of the City of Olathe, Kansas, on this_____day of_____, 2019.

By_____
C.S. VAKAS, Chairman

I hereby certify that on July 10, 2019, I or someone under my direct supervision completed a field survey of the above described tract of land and this is an accurate and true plat of said survey on this_____day of_____, 2019.

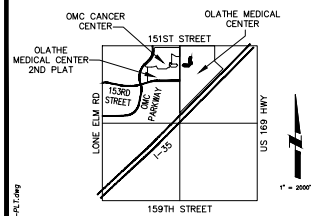
_____
Gerald L. Conn
Kansas P.S. No. 1128



FIRST FLOOR

FINISHED FLOOR ELEVATION = 1054.48
FINISHED CEILING ELEVATION = 1062.38
COMMON WALL AREA = 1,308.9± Sq.Ft.

NORTH
1" = 10'
0 5 10 20



LOCATION MAP
SEC. 11, T14S, R23E

NOTE:

The basis for this plat is the established building lines as depicated on the previous plat OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM, Plat Book 114, Page 45.

All interior unit partition walls are shown for reference only. Interior partition walls were not surveyed or located by this plat.

No bars were set. Plat boundary lines are the actual building walls.

DENOTES COMMON WALL AREA

BENCH MARK:

Elev. = 1047.58 Square Cut on center front face of a curb inlet on the South side 151st Street, ±90 feet West of Hospital entrance between Doctors buildings.
(NGS Datum)

Prepared By: Payne & Brockway Engineers, P.A.
P. O. Box 128
Olathe, Kansas 66051
913–782–4800

Developed By: Olathe Medical Center, Inc
c/o Pat Stowe
20333 W. 151st Street
Olathe, Kansas
913–791–3563

Date Prepared: August 23, 2019

OLATHE MEDICAL CENTER DOCTOR'S BUILDING CONDOMINIUM, TWENTY–THIRD PLAT
SEC. 11, T14S, R23E
JOHNSON COUNTY, KANSAS

Payne & Brockway P.A.
Civil Engineers & Land Surveyors
416 South Kansas Ave. Olathe, Kansas 66061
Ph: 913.782.4800 Fax: 913.782.0907
www.Payne-Brockway.com

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