



City of Olathe

City Planning Division

**STAFF REPORT****Planning Commission Meeting: January 14, 2019**

<b>Application:</b>	<b>FP18-0049 Final Plat for St. Paul's Catholic Church</b>		
<b>Location:</b>	NEC of W. 115 <sup>th</sup> Terr. and Lone Elm Road		
<b>Owner/Applicant:</b>	Roman Catholic Archdiocese of Kansas City, KS		
<b>Engineer:</b>	Jeffrey T. Skidmore, Schlagel & Associates		
<b>Staff Contact:</b>	Dan Fernandez, Planner II		

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<b>Acres:</b>	<u>20.85± acres</u>	<b>Proposed Use:</b>	<u>Church/Duplex</u>
<b>Current Zoning:</b>	<u>R-2</u>	<b>Lots:</b>	<u>2</u>
		<b>Tracts:</b>	<u>0</u>

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**1. Comments:**

This is a request for approval of a final plat for St. Paul's Catholic Church Replat on 20.85± acres, located at the northwest corner of 115<sup>th</sup> Terrace and Lone Elm Road. The subject property was rezoned from BP and RP-1 to R-2 (RZ16-0009) in November 2016 and included preliminary site development plan for St. Paul's Catholic Church and School. A final plat (FP17-0021) was approved in July 2017.

*Aerial of Site**View from 115<sup>th</sup> Terrace of newly created R-2 lot***2. Final Plat Review**

- a. **Lots/Tracts** –The replat includes 2 lots on 20.85 acres. Lot 1 is the location of the future St. Paul's Catholic Church and school. A replat has been submitted to create Lot 2 which is located on the west side of the property between the Goddard

School and the Covington Court development. The applicant states that Lot 2 will be the site of a new twin villa but staff has also been contacted about locating a community garden at this site which is also permitted in R-2 Districts. All required applications and permits shall be submitted and approved prior to any development taking place on Lot 2.

No tracts are being dedicated with this replat, however, easements are being dedicated for stormwater quality and detention.

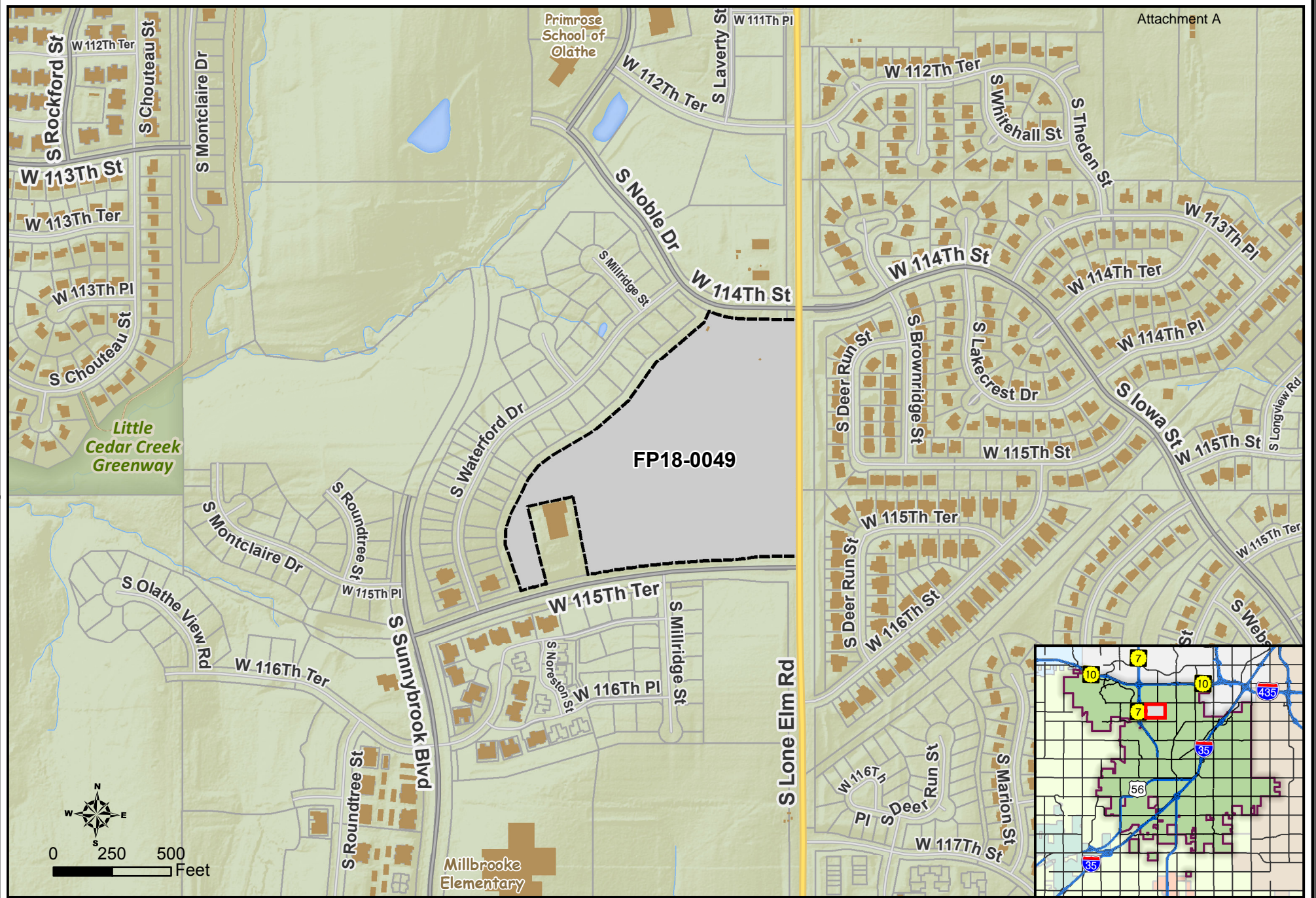
- b. **Utilities/Municipal Services** –The property is located in the Water District #1 and City of Olathe sewer service areas. The applicant will need to coordinate with the respective utility providers for required water and sewer connections.
- c. **Streets** – Lot 1 will have access to 115<sup>th</sup> Terrace and Lone Elm Road. There are no changes to the proposed access points for St. Paul's with this application. Lot 2 will have access to 115<sup>th</sup> Terrace. Future access drives and parking areas will be determined with future applications.
- d. **Street and Signal Excise Taxes** –The property is already platted and therefore exempt from street and signal excise taxes.

### 3. Staff Recommendation:

Staff recommends approval of FP18-0049 with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- b. All required applications and permits shall be submitted and approved prior to any development taking place on Lot 2.
- 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 issuance of a building permit, a performance and maintenance bond or letter of credit in an amount to be determined by the City Engineer, shall be submitted in accordance with UDO 18.30.120C and UDO 18.30.210 E. to ensure that all erosion control measures and water quality features are installed and maintained and that all of the development's streets and sidewalks remain free of debris during all phases of construction.





Attachment A

FP18-0049

# ST. PAUL'S CATHOLIC CHURCH FP18-0049



User: jaredmd  
Date: 01/09/2019





# FINAL PLAT OF ST. PAULS CATHOLIC CHURCH REPLAT

A REPLAT OF ALL OF LOT 1, 'ST. PAULS CATHOLIC CHURCH' IN THE EAST 1/2 OF SEC. 15-13-23  
IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

## EXECUTION:

IN TESTIMONY WHEREOF, CHANCELLOR FATHER JOHN RILEY, of the ROMAN CATHOLIC ARCHDIOCESE OF KANSAS CITY IN KANSAS, a non-profit corporation, has caused this instrument to be executed, this \_\_\_\_ day of \_\_\_\_, 2018.

THE ROMAN CATHOLIC ARCHDIOCESE OF KANSAS CITY IN KANSAS

By: CHANCELLOR FATHER JOHN RILEY

## ACKNOWLEDGMENT:

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

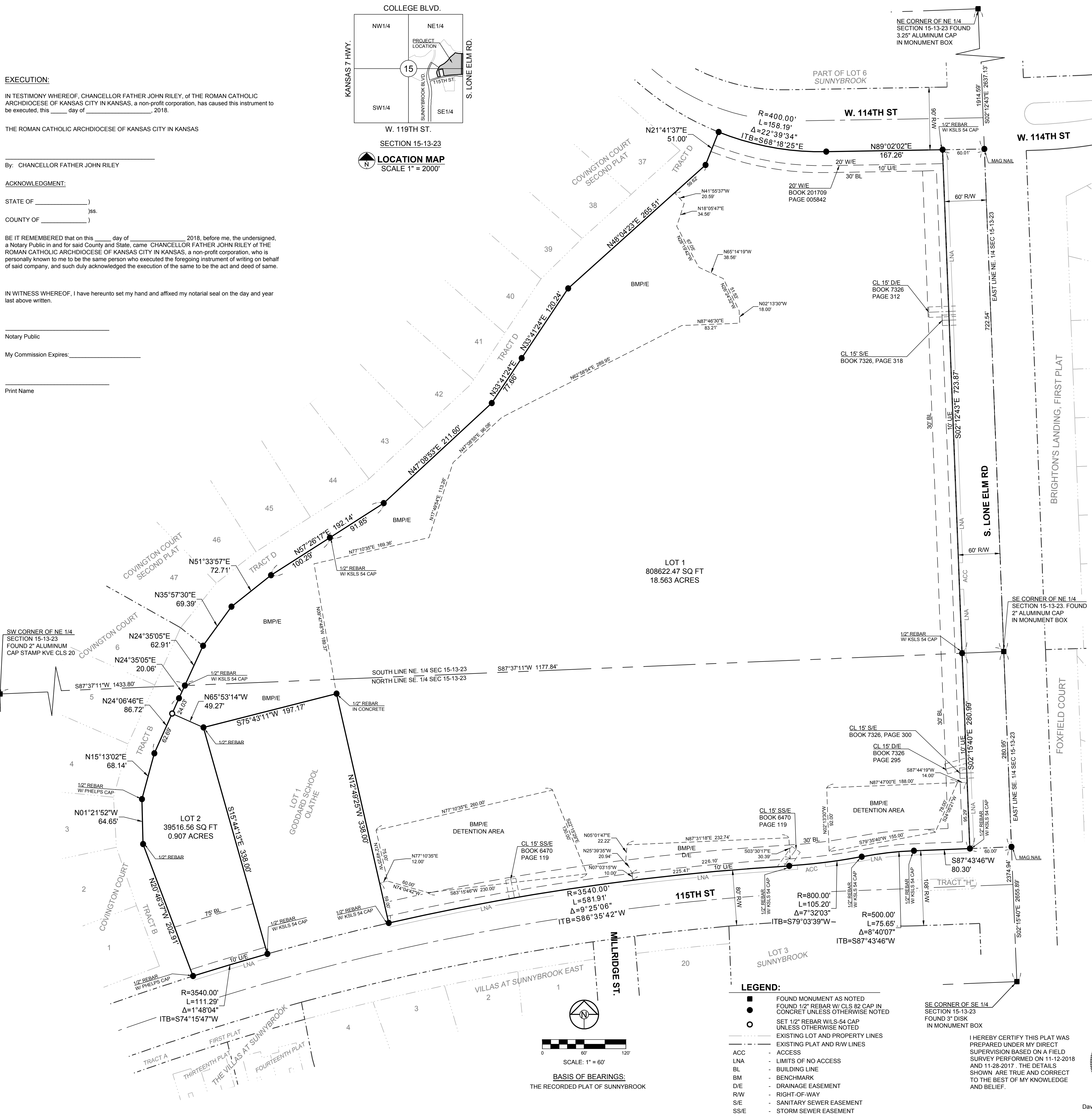
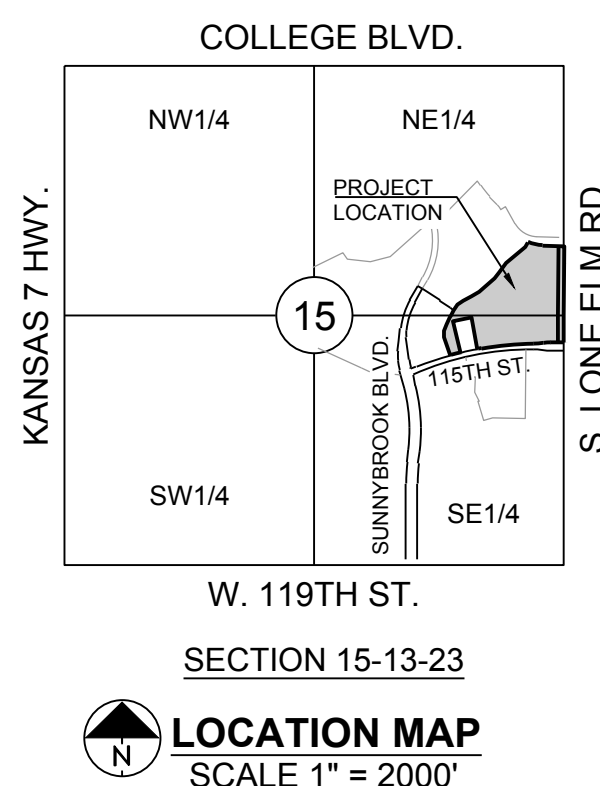
BE IT REMEMBERED that on this \_\_\_\_ day of \_\_\_\_, 2018, before me, the undersigned, a Notary Public in and for said County and State, came CHANCELLOR FATHER JOHN RILEY of the ROMAN CATHOLIC ARCHDIOCESE OF KANSAS CITY IN KANSAS, a non-profit corporation, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said company, and such duly acknowledged the execution of the same to be the act and deed of same.

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

Notary Public

My Commission Expires: \_\_\_\_\_

Print Name



## DESCRIPTION:

A replat of All of Lot 1, ST. PAULS CATHOLIC CHURCH, a subdivision in the City of Olathe, as recorded in book 201801, page 000261, located in the East one half of Section 15, Township 13, Range 23, Johnson County, Kansas.

## DEDICATIONS:

The undersigned proprietor of the described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "ST. PAULS CATHOLIC CHURCH".

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

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

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to enter upon, construct and maintain pipes, inlets, manholes, surface drainage facilities relative to storm water drainage and sidewalks upon, over, or under the areas outlined and designated on this plat as "Drainage Easement" or "D/E".

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to enter upon, construct and maintain pipes, inlets, manholes, surface drainage facilities, drainage ditches, drainage channels or water courses, other drainage facility tributary connections and appurtenant work relative to storm water drainage upon, over, or under the areas outlined and designated on this plat as "Stormwater Quality / Quantity Easement" or "BMP/E".

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.

## RESTRICTIONS:

All landscaping and related materials that are planted or constructed within the adjacent Street right-of-way shall be maintained by the Property Owner, or their authorized representatives thereof.

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

The maintenance of the stormwater detention facilities located within the "BMP/E" and all water quality BMP's within the "BMP/E" are to be maintained by the owner of Lot 1 or their authorized representatives thereof.

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

## APPROVALS:

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this \_\_\_\_ day of \_\_\_\_, 2018.

Chairman, C.S. VAKAS

APPROVED by the Governing Body of the City of Olathe, Johnson County, Kansas, this \_\_\_\_ day of \_\_\_\_, 2018.

Mayor, MICHAEL COPELAND

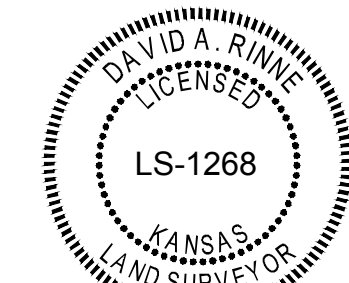
David F. Bryant III, MMC, Deputy City Clerk

## LEGEND:

- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR W/ CLS 82 CAP IN CONCRET UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
- EXISTING LOT AND PROPERTY LINES
- EXISTING PLAT AND R/W LINES
- ACC - ACCESS
- LNA - LIMITS OF NO ACCESS
- BL - BUILDING LINE
- BM - BENCHMARK
- D/E - DRAINAGE EASEMENT
- R/W - RIGHT-OF-WAY
- S/E - SANITARY SEWER EASEMENT
- SS/E - STORM SEWER EASEMENT

SE CORNER OF SE 1/4  
SECTION 15-13-23  
FOUND 3" DISK  
IN MONUMENT BOX

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 11-12-2018 AND 11-28-2017. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



David A. Rinne - Land Surveyor  
KS# LS-1268



**SCHLAGEL & ASSOCIATES, P. A.**  
Engineers • Planners • Surveyors • Landscape Architects  
14920 West 107th Street • Lenexa, Kansas 66215  
(913) 492-5158 • Fax: (913) 492-8400

DATE 11-13-2018  
DRAWN BY AR  
CHECKED BY DR  
PROJ. NO. 16-098

FINAL PLAT  
ST. PAULS CATHOLIC CHURCH  
REPLAT  
SHEET NO. 1 OF 1