



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	FP19-0009, Final Plat for Willow Crossing East Replat		
Location:	Along the south side of W. 143 rd Street at its intersection with Parkhill Street		
Owner:	Brian Rodrock; Willows 143, LLC		
Applicant/ Engineer:	Tim Tucker; Phelps Engineering, Inc.		
Staff Contact:	Zachary Moore, Planner II		
Site Area:	<u>0.40 ± acres</u>	Use:	<u>Right-of-way and common tract</u>
Lots:	<u>0</u>		
Tracts:	<u>1</u>	Current Zoning:	<u>R-1</u>

1. Comments:

The following application is a final plat to replat a portion of Willow Crossing East, First Plat. This replat will dedicate public right-of-way, and establish one common tract, which is intended to be used for monument signage for the subdivision. The Willow Crossing East subdivision was rezoned from AG (Agricultural) to R-1 (Residential Single-Family) and had a preliminary plat approved in 2016. The subdivision was platted in October 2018 as Willow Crossing East, First Plat (FP18-0006).

2. Plat Review:

- Lots/Tracts** – The plat includes one common tract and approximately 0.36± acres of public street right-of-way. There are no lots within this plat. The common tract will be owned and maintained by the Willows Crossing Homes Association and the tract will be used for landscaping and monument signage. A sign permit will be required for the proposed monument sign in the tract and the sign shall comply with Unified Development Ordinance (UDO) requirements.
- Public Utilities** – The subject property is located within the City of Olathe Water and the Johnson County Wastewater service areas. A Utility Easement (U/E) and a Drainage Easement (D/E) are dedicated on Tract A with this plat.
- Streets/Right-of-Way** – Public street right-of-way was dedicated for Parkhill Street with the approval of Willow Crossing East, First Plat (FP18-0006) in 2018. All streets included with this plat are public streets. A street easement is dedicated over Tract A to grant the City rights to construct, repair, and maintain curbs and streets adjacent to the tract.

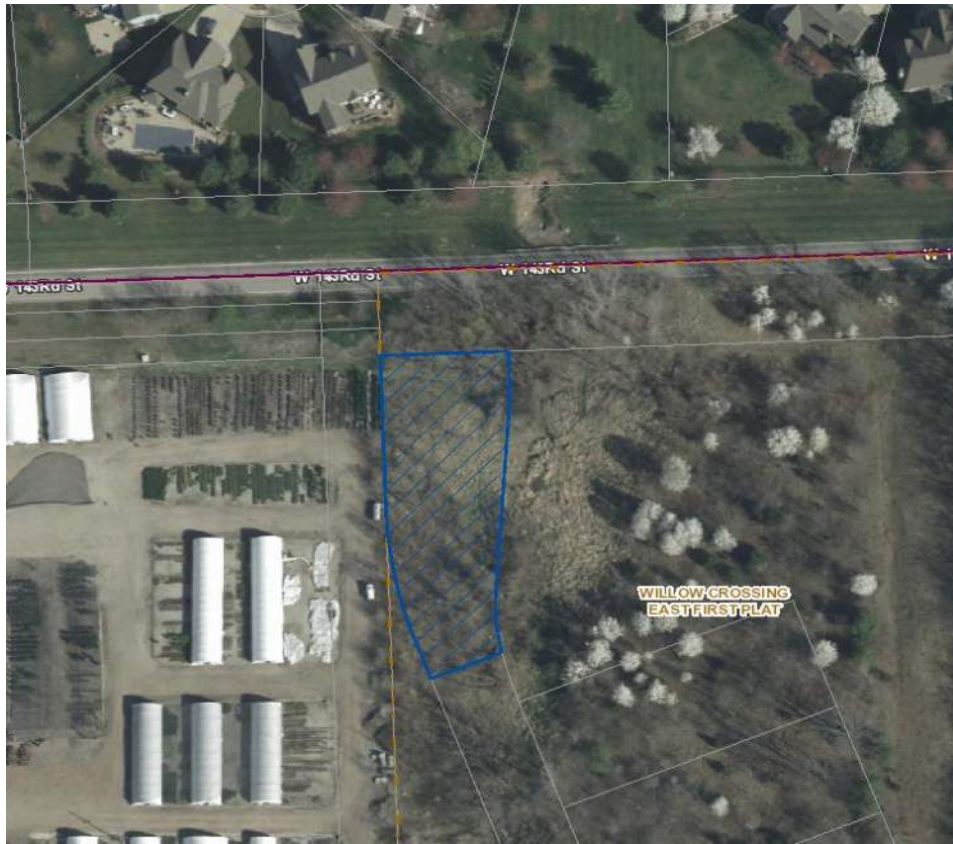
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3. Excise Taxes

Chapter 3.35.050(B) of the Olathe Municipal Code states that any replat of previously platted land that was approved by the City is exempt from paying street and traffic signal excise taxes. Since this application is for a replat of previously platted property, no street or traffic signal excise taxes are required.



View of subject property, looking south from 143rd Street at Parkhill Street



Aerial view of site outlined in navy

4. Staff Recommendation:

Staff recommends approval of FP19-0009, final plat for Willow Crossing East Replat with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (.pdf format) shall be submitted to the Planning Division.
- b. A sign permit is required for any signage within Tract A and the sign shall comply with Unified Development Ordinance (UDO), Section 18.50.190.

W 143RD ST

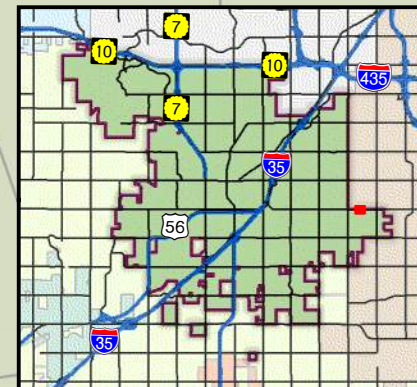
W 143RD ST

FP19-0009

S Parkhill St



0 250 500 Feet



User: jaredmd
Date: 06/18/2019

WILLOW CROSSING EAST, REPLAT FP19-0009



FINAL PLAT OF WILLOW CROSSING EAST REPLAT

RESURVEY AND REPLAT OF PLATTED RIGHT-OF-WAY OF PARKHILL STREET, WILLOW CROSSING EAST, FIRST PLAT, A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 24 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

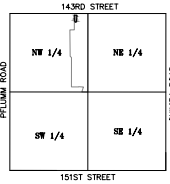
Attachment A



SCALE: 1"=30'
0' 30' 60'
BEARING BASED: RECORDED PLAT OF
"WILLOW CROSSING EAST, FIRST PLAT"

LEGEND

- DENOTES FOUND 1/2" REBAR W/HELPS CORP.
- DENOTES PLASTIC CAP
- U/E DENOTES UTILITY EASEMENT
- D/E DENOTES DRAINAGE EASEMENT

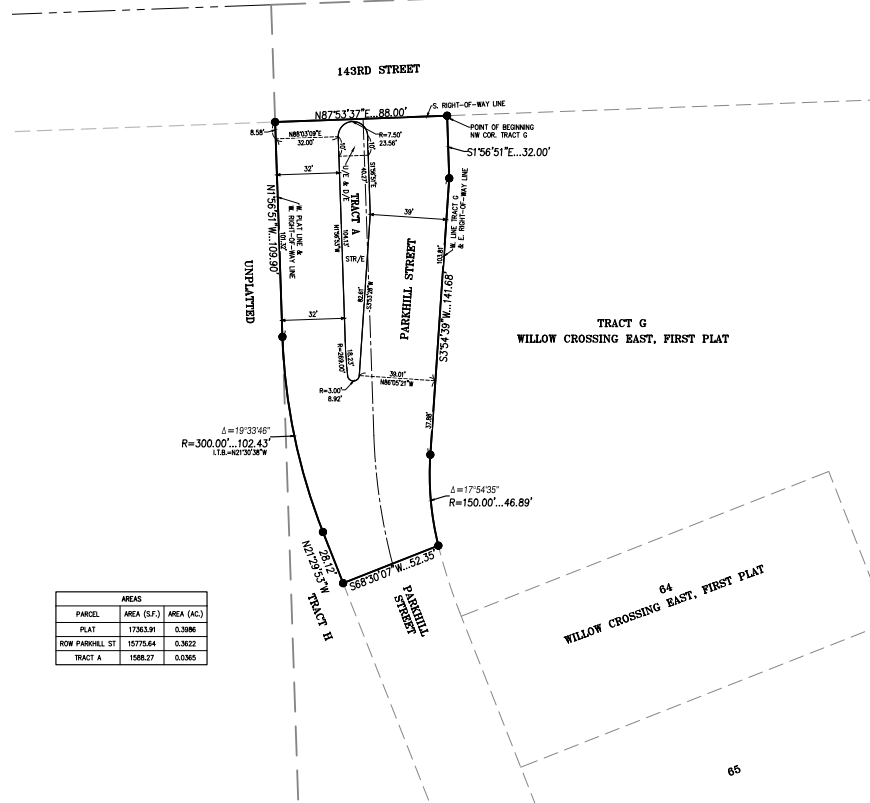


LOCATION MAP
SECTION 3-14-24



SCALE: 1"=3000'
0' 1000' 2000'

PARCEL	AREA (SQ. FT.)	AREA (AC.)
PLAT	17933.91	0.3986
ROW PARKHILL ST	15775.84	0.3622
TRACT A	1588.27	0.3635



LEGAL DESCRIPTION

Resurvey and replat of platted right-of-way of Parkhill Street, as now established and shown on the recorded plat of WILLOW CROSSING EAST, FIRST PLAT, a platted subdivision of land in the Northwest Quarter of Section 3, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of Tract G of said WILLOW CROSSING EAST, FIRST PLAT, said point also being the intersection of the South right-of-way line of 143rd Street, as now established and the Eastern right-of-way line of said Parkhill Street, thence along the Western line of said Tract G and the Eastern right-of-way line of said Parkhill Street, for the following three (3) courses; thence S 17°56'51" E, a distance of 32.00 feet; thence S 37°54'39" W, a distance of 141.68 feet; thence Southerly on a curve to the left, said curve being tangent to the last described course and having a radius of 150.00 feet, an arc distance of 46.89 feet; thence S 68°30'07" W, a distance of 52.35 feet to a point on the Western right-of-way line of said Parkhill Street; thence along the Western right-of-way line of said Parkhill Street, for the following three (3) courses; thence N 21°29'53" W, a distance of 28.12 feet; thence Northerly on a curve to the right said curve having an initial tangent bearing of N 21°29'53" W and a radius of 300.00 feet, an arc distance of 102.43 feet to a point on the Western right-of-way line of said WILLOW CROSSING EAST, FIRST PLAT; thence N 17°56'51" W, along the Western right-of-way line of said WILLOW CROSSING EAST, FIRST PLAT, a distance of 109.80 feet to a point on the South right-of-way line of said 143rd Street; thence N 87°53'37" E, along the South right-of-way line of said 143rd Street, a distance of 88.00 feet to the point of beginning, containing 0.3986 acres, more or less, of replatted land.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "WILLOW CROSSING EAST REPLAT".

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.

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.

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

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of sanitary sewer lines and surface drainage facilities, including manholes, inlets, pipes, drains, etc., upon, over and under those areas outlined hereon and designated on this plat as "D/E" or "Drainage Easement".

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

An easement or license is hereby granted to the City of Olathe for the purpose of construction, repair and maintenance of curbs, streets and for any restoration of any disturbed areas upon and across those areas outlined and designated on this plat as "Street Easement" or "STR/E". Tract "A" is dedicated as "STR/E".

Tract "A" shall be owned and maintained by the Willow Crossing Homes Association. Said tract is intended to be used for landscaping, and monuments.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter by subject to the Declaration of Restrictions for "Willows Crossing", 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 thought fully set forth herein.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors have caused this instrument to be executed on this _____ day of _____, 20____.

WILLOWS 143, L.L.C.

By: _____
Brian E. Rodack, Member

ACKNOWLEDGEMENT

STATE OF KANSAS }
COUNTY OF JOHNSON } SS

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Brian E. Rodack, Member of WILLOWS 143, L.L.C., who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

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

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

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

Chairman: C.S. Vokes

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

Mayor: Michael E. Copeland

Attest:
City Clerk

NOTE: WILLOWS CROSSING SUBDIVISION IS LOCATED IN CLOSE PROXIMITY OF THE JOHNSON COUNTY EXECUTIVE AIRPORT AND AIRCRAFT INCLUDING BUSINESS JETS. OPERATING FROM THE AIRPORT SHOULD BE EXPECTED TO OVERFLY SE PORTION FROM, AND BE HEARD FROM THE PROPERTY ON A REGULAR BASIS.



CERTIFICATE OF AUTHORIZATION
KANSAS
LAND SURVEYING - LS-42
ENGINEERING - E-36
CERTIFICATE OF AUTHORIZATION
MISSOURI
LAND SURVEYING - 20070128
ENGINEERING - 20070058

