



Planning Division

STAFF REPORT**Planning Commission Meeting: January 13, 2020**

Application:	FP19-0034, Final Plat for Enclave at Boulder Hills Villas, First Plat		
Location:	Southeast corner of Lone Elm Road and W. 117 th Street intersection		
Owner/Applicant:	Travis Schram; Grata Development, LLC		
Engineer:	Mark Breuer, PE; Schlagel & Associates		
Staff Contact:	Zachary Moore, Planner II		

Site Area:	<u>8.82± acres</u>	Use:	<u>Single-Family Residential</u>
Lots:	<u>26</u>	Density:	<u>2.95 units per acre</u>
Tracts:	<u>4</u>	Current Zoning:	<u>R-1</u>

1. Comments:

The following application is a final plat for Enclave at Boulder Hills Villas, First Plat. This plat will establish lot lines, dedicate public easements, and common tracts in the subdivision. This plat is the first phase of Enclave at Boulder Hills Villas, a small-lot single-family home subdivision located at the southwest corner of the intersection of W. 172nd Terrace and Lackman Road.

The subject property was rezoned to the R-1 District in September 2019 (RZ19-0013) with an associated preliminary plat. This final plat is consistent with the preliminary plat that accompanied the rezoning.

2. Plat Review:

- a. **Lots/Tracts** – This plat includes 26 single-family lots and 4 common tracts. All 4 common tracts are intended to be owned and maintained by the Homes Association or their authorized representatives. Tracts A, B, and C are intended to be used for landscaping and open space, and Tract D is intended to be used for a pool, landscaping, amenities, and open space.

The Unified Development Ordinance (UDO) allows single-family lots in the R-1 District to have reduced lot sizes and setbacks if certain architectural design features are provided to comply with Building Design Category A standards. A note has been added on this final plat stating that all homes constructed within this plat are subject to Category A building design standards. The average lot size in this first phase is 7,467 square feet. All lots exceed the minimum lot size of 5,000 square feet, with the smallest lot being 5,999 square feet.

- b. **Public Utilities** – The subject property is located within the Johnson County Wastewater and WaterOne service areas. Drainage Easements (D/E), Sanitary Sewer

Easements (S/E), Utility Easements (U/E), Stormwater Quality/Quantity Easements (BMP/E), Street Easements (STR/E), Landscape and Access Easements (L/E and A/E), Pedestrian Access Easements (P/A), and Sidewalk Easements (SW/E) will be dedicated with this final plat.

3. Excise Taxes:

Final plats are subject to a street excise tax of \$0.215 per square foot of land (less arterial street right-of-way) and a traffic signal excise tax of \$0.0037 per square foot of land in single-family zoning. The required excise taxes must be submitted to the Planning Division prior to recording the final plat.



View of the subject property, looking southwest



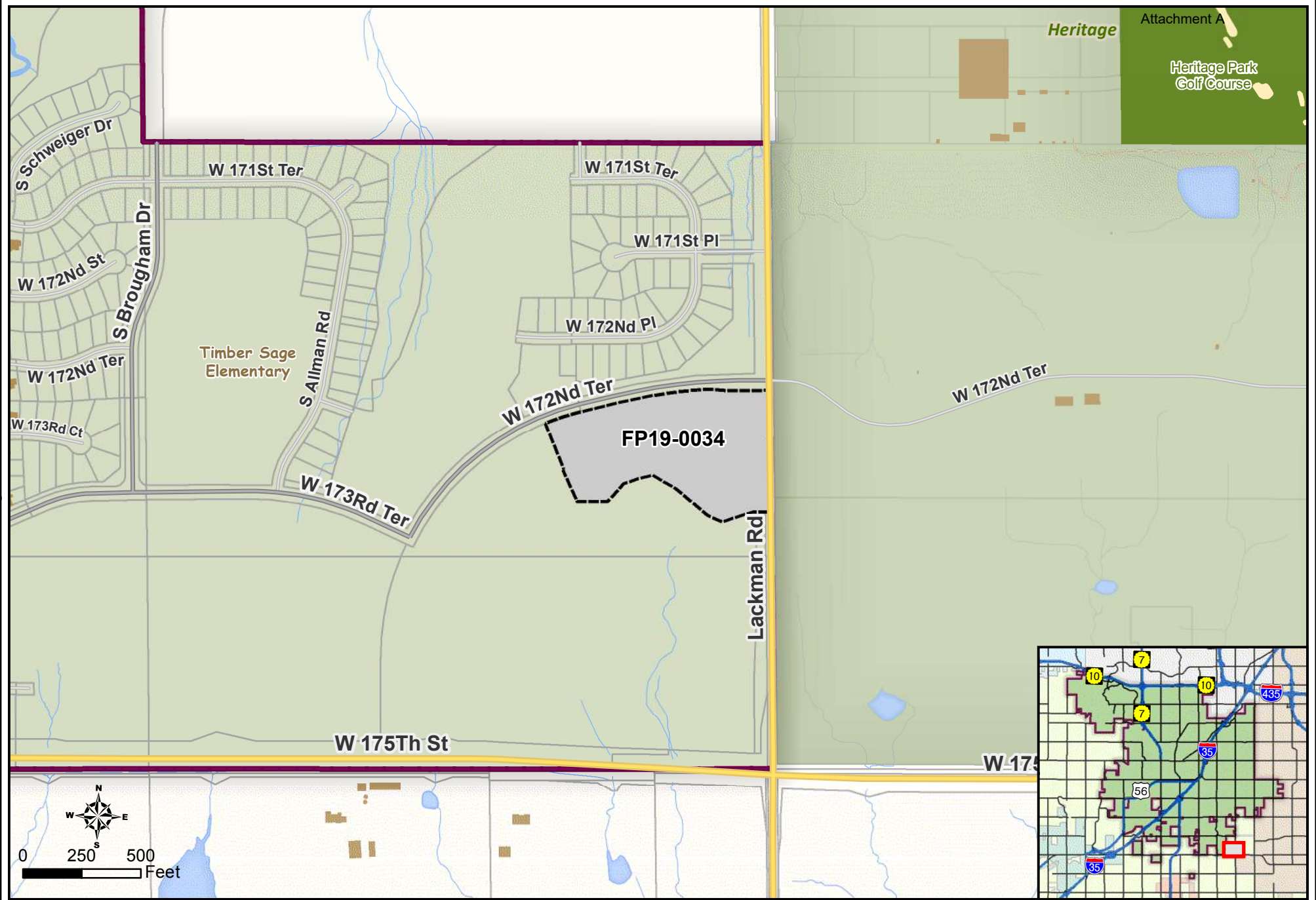
Aerial view of subject property

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Staff Recommendation:

Staff recommends approval of FP19-0034, final plat for Enclave at Boulder Hills Villas, First Plat, with the following stipulations:

1. Prior to recording the plat, a digital file of the final plat (.pdf format) must be submitted to the Planning Division.
2. Prior to recording the final plat, the Homeowners' Association agreement must be provided to the City and approved.



ENCLAVE AT BOULDER HILLS VILLAS FIRST PLAT
FP19-0034



User: jaredmd
Date: 01/09/2020



FINAL PLAT OF ENCLAVE AT BOULDER HILLS VILLAS, FIRST PLAT

PART OF THE SE 1/4 OF SEC. 20-14-24
IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

Attachment A

SECTION 20-14-24
LOCATION MAP
SCALE 1" = 200'



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 "ENCLAVE AT BOULDER HILLS VILLAS, FIRST PLAT".

The undersigned proprietor of said property shown on this plat does hereby dedicate those portions of the streets and roadways shown hereon, 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 owning 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 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, ditches and cables, sidewalks, etc., upon, over and under the areas outlined and designated on this plat as "Utility Easement" or "U/E".

A 10' foot wide "Utility Easement" or "U/E" is hereby dedicated to the City of Olathe, Johnson County, Kansas, adjacent to and parallel with the Right-of-Way of all interior Streets unless otherwise shown.

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 "SSE" 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, any planning of structures, landscaping and related materials or planting of trees or islands within the street right-of-way will be done at the risk of subsequent damage thereto without compensation therefor.

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 library connections and appurtenant work relative to storm water drainage upon, over or under the areas outlined and designated on this plat as "Stormwater Utility / Quantity Easement" or "BMPE".

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".

Tract "C" is dedicated as "D/E".

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 on and across those areas outlined and designated on this plat as "Street Easement" or "STRE".

Tract "D" is dedicated as "STRE".

A perpetual easement over, under, across and upon those portions of the property herein delineated and designated as "Landscape and Access Easement" or "L/E and A/E" is hereby reserved in favor of the Boulder Hills Homes Association, their respective successors and assigns, for but not limited to, irrigation, egges, installation, replacing, repairing and maintaining cable television systems, master television antenna systems, security and similar systems, roads, walkways, bicycle pathways, lakes, ponds, wetlands, drainage systems, street lights, signs and all utilities, including, but not limited to, water, sewer, meter boxes, mail boxes, telephones, gas and electricity and such other purposes as the Association, their successors and assigns, may deem appropriate. Tracts "A", "B" and "C" are dedicated as "Landscape and Access Easement" or "L/E and A/E".

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

The undersigned proprietor of said property shown on this plat hereby certifies that all prior existing easements 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 easement rights they would have as if located in a public street.

POINT OF COMMENCING
NE COR. SE 1/4, SEC. 20-14-24
FOUND 2" ALUMINUM CAP

DESCRIPTION:

Part of the Southeast One-Quarter of Section 20, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the Northeast corner of the said Southeast One-Quarter, thence South 02 degrees 33 minutes 10 seconds East, along the East line of the said Southeast One-Quarter, a distance of 1048.27 feet to the Point of Beginning, said point being the Southeast corner of BOULDER HILLS, FIRST PLAT, a subdivision of land in the said City of Olathe; thence continuing South 02 degrees 33 minutes 10 seconds East, along the East line of the said Southeast One-Quarter a distance of 513.90 feet; thence South 07 degrees 26 minutes 50 seconds West, a distance of 75.00 feet; thence South 70 degrees 04 minutes 14 seconds West, a distance of 136.72 feet; thence North 67 degrees 03 minutes 28 seconds West, a distance of 80.04 feet; thence North 51 degrees 39 minutes 22 seconds East, a distance of 174.57 feet; thence North 52 degrees 20 minutes 29 seconds West, a distance of 113.62 feet; thence North 74 degrees 22 minutes 15 seconds West, a distance of 68.23 feet; thence North 68 degrees 48 minutes 20 seconds West, a distance of 61.12 feet; thence South 40 degrees 01 minutes 15 seconds West, a distance of 102.36 feet; thence South 87 degrees 59 minutes 12 seconds West, a distance of 127.91 feet; thence North 25 degrees 21 minutes 56 seconds West, a distance of 148.85 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of North 65 degrees 16 minutes 20 seconds East, a radius of 860.00 feet, a central angle of 07 degrees 18 minutes 36 seconds and an arc length of 4.65 feet; thence North 24 degrees 12 minutes 04 seconds West, a distance of 210.00 feet to a point of curvature on the South right-of-way line of 172nd Terrace as platted in BOULDER HILLS, SECOND PLAT, a subdivision of land in the said City of Olathe; thence along the said South right-of-way line as platted in said BOULDER HILLS, SECOND PLAT and said BOULDER HILLS, FIRST PLAT for the remaining six (6) courses, along a curve to the right having an initial tangent bearing of North 65 degrees 47 minutes 59 seconds East, a radius of 1070.00 feet, a central angle of 08 degrees 36 minutes 15 seconds and an arc length of 160.68 feet; thence North 74 degrees 24 minutes 11 seconds East, a distance of 156.04 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 2270.00 feet, a central angle of 08 degrees 44 minutes 00 seconds and an arc length of 346.01 feet to a point of compound curvature; thence along a curve to the right having an initial tangent bearing of North 83 degrees 08 minutes 12 seconds East, a radius of 458.00 feet, a central angle of 11 degrees 10 minutes 39 seconds and an arc length of 89.35 feet to a point of reverse curvature; thence along a curve to the left having an initial tangent bearing of South 85 degrees 41 minutes 09 seconds East, a radius of 500.00 feet, a central angle of 06 degrees 52 minutes 00 seconds and an arc length of 52.92 feet; thence North 87 degrees 26 minutes 50 seconds East, a distance of 154.04 feet, to the Point of Beginning, and containing 8,821 acres, more or less.

RESTRICTIONS:

Tracts "A", "B" and "C" shall be owned and maintained by the Homes Association or their authorized representatives thereof and be used for landscaping purposes and open space.

Tract "D" shall be owned and maintained by the Homes Association or their authorized representatives thereof and be used for a home, landscaping, amenities and open space purposes.

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

The use of all lots, units and properties in this subdivision shall hereafter be subject to the Declarations, which instruments are to be recorded in the Office of the Register of Deeds of Johnson County, Kansas, as provided above, and which shall hereby become a part of the dedication of this plat as though set forth herein.

All homes built within this plat are subject to Category A building requirements.

All mechanical equipment shall be screened per UDO requirements.

Side yard setbacks may be reduced to 5 feet.

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 _____, 20____.

Chairman, C.S. VAKAS

APPROVED by the Governing Body of the City of Olathe, Johnson County, Kansas, this day of _____, 20____.

Mayor, MICHAEL COPELAND

Deputy City Clerk, DAVID F. BRYANT III, MMC

LOT #	AREA (SF)	LOT #	AREA (SF)
1	6,892.31	21	6,331.67
2	6,500.01	22	5,999.25
3	6,500.00	23	6,122.46
4	6,500.00	24	6,367.48
5	6,468.31	25	6,542.32
6	6,509.52	26	6,531.62
7	7,183.03	TRACT "B"	2,516.71
8	7,294.12	TRACT "C"	64,578.68
9	7,790.47	TRACT "D"	21,891.90
10	7,817.93		
11	8,132.77		
12	7,586.79	R/W INTERIOR	64,593.46
13	7,336.94	R/W LACKMAN	34,463.48
14	6,604.82		
15	8,114.12		
16	10,619.42		
17	7,121.93		
18	8,480.65		
19	12,249.24		
20	10,563.46		

CONSENT TO LEVY:

The undersigned proprietor of the above described tract of land hereby agrees and consents 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 said dedicated public way or thoroughfare.

EXECUTION:

IN TESTIMONY WHEREOF, TRAVIS SCHRAM, Manager of K3, L.L.C., a Kansas limited liability company, by the authority of its Member, has caused this instrument to be executed, this day of _____, 20____.

K3, L.L.C.,

By: TRAVIS SCHRAM, Manager

ACKNOWLEDGMENT:

STATE OF _____

COUNTY OF _____

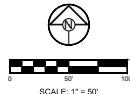
BE IT REMEMBERED that on this day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came TRAVIS SCHRAM, Manager K3, L.L.C., a Kansas Limited Liability Company, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said company, and such duly acknowledged the execution of the same to be the act and deed of said 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



SCALE: 1" = 50'

BASIS OF BEARINGS:

GRID NORTH
NAD 83 KANSAS NORTH ZONE
E LINE SE 1/4, SEC. 20-14-24
S20°32'10"E

LEGEND:

- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR WITH KLS S 54 CAP
- UNLESS OTHERWISE NOTED
- EXISTING PLAT AND R/W LINES
- EXISTING LOT AND PROPERTY LINES
- BL - BUILDING LINE
- R/W - RIGHT-OF-WAY
- LIMITS OF NO ACCESS
- ACC - ACCESS

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 3-29-2018. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PRELIMINARY

Aaron T. Reuter - Land Surveyor
KSR LS-1429



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

DATE 10-18-2019
DRAWN BY JMT
CHECKED BY AR
PROJ. NO. 19-160

FINAL PLAT OF
ENCLAVE AT BOULDER HILLS
VILLAS, FIRST PLAT
SHEET NO. 1