

STAFF REPORT

Planning Commission Meeting: March 8, 2021

Application:	FP21-0002: Final Plat of The Highlands at Cedar Creek		
Location:	Vicinity of W. Valley Parkway and 100 th Terrace		
Applicant/Owner:	John Duggan, CCV (Tract 2A), LLC & CCV (Tract 2C), LLC		
Engineer:	David A. Rinne, P.S., Schlagel & Associates		
Staff Contact:	Kim Hollingsworth, AICP, Senior Planner		

Site Area:	<u>16.14 acres</u>	Proposed Use:	<u>Residential, Attached Villas</u>
Lots:	<u>14</u>	Current Zoning:	<u>CC (Cedar Creek) District</u>
Tracts:	<u>9</u>		

1. Introduction:

The following item is a request for a final plat of The Highlands at Cedar Creek, located north of West Valley Parkway and west of Cedar Creek Parkway. The applicant is seeking approval of the final plat to establish 14 lots and 9 common tracts. The property was rezoned to the CC (Cedar Creek) District in August 2019 (RZ20-0005) and is categorized under the residential subdistrict of the Cedar Creek Area Plan. A preliminary site development plan (PR20-0021) and a preliminary plat (PP20-0004) were approved by the Planning Commission in December 2020.

2. Plat Review:

- a. **Lots/Tracts** – The proposed layout and lot sizes are consistent with the approved preliminary plat. Each of the proposed 14 lots will be split after the construction of the attached villas, to establish separate ownership for each dwelling unit, for a total of 28 future lots. Tracts A-G are designated in their entirety for tree preservation and will be maintained by the Homes Association. The remaining Tracts H and I are dedicated for the landscape islands in the center of each cul-de-sac.
- b. **Public Utilities** -- The property is located within the City of Olathe water and sewer service areas. Utility Easements (U/E), Public Utility Easements (PUB/E), Drainage Easements (D/E), and Landscape Easements (L/E) are being dedicated with this final plat.
- c. **Streets/Right-of-Way** -- Two access points are provided from West Valley Parkway to serve the development. The proposed cul-de-sacs with landscape islands are a sufficient diameter to accommodate the necessary fire truck turning radius area for the Fire Department. Sidewalks will be provided on one side of the local streets and along the north side of West Valley Parkway.



Subject property outlined in blue

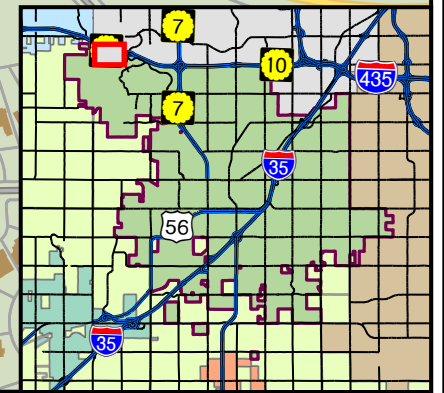
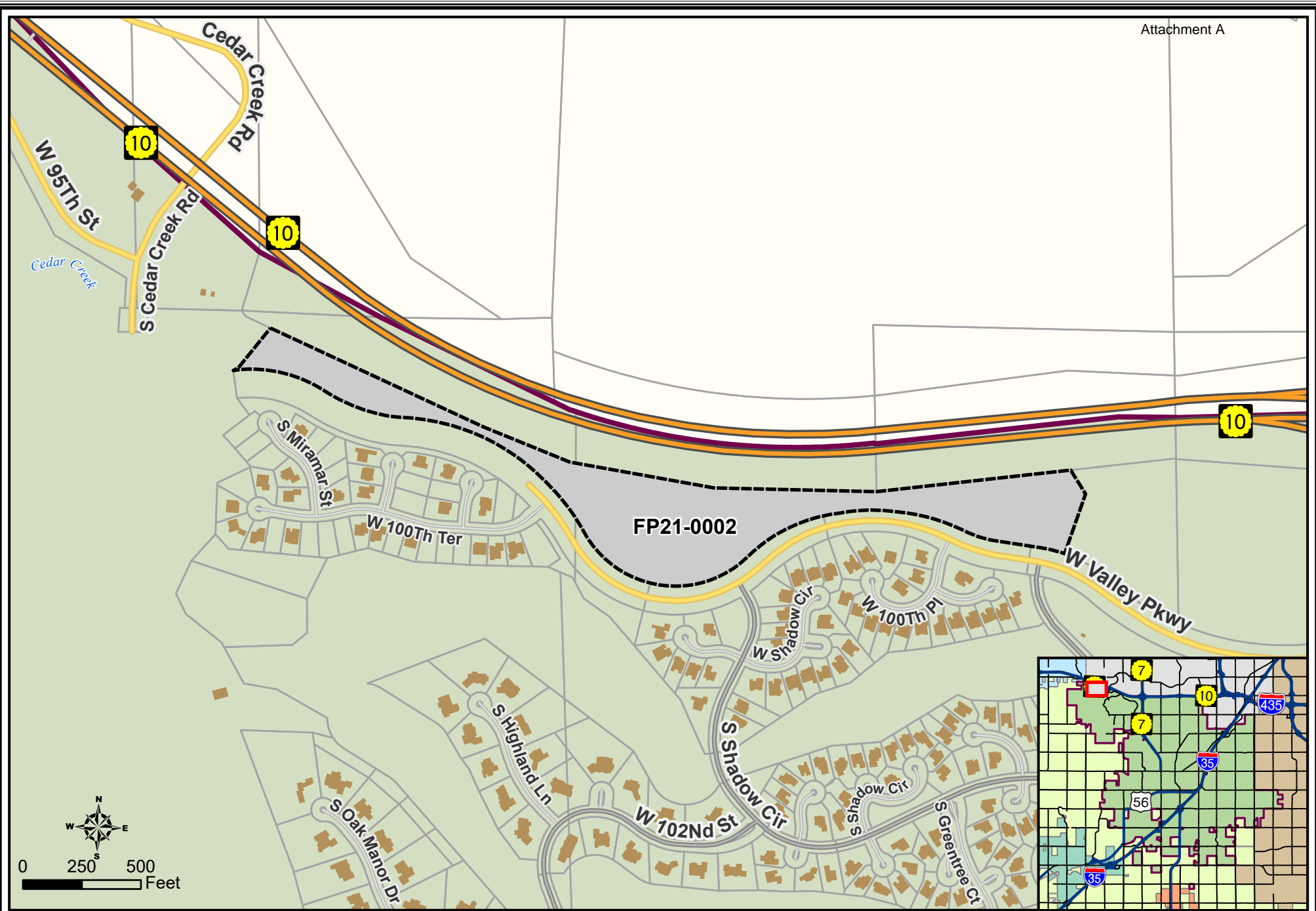


View north from W. Valley Parkway

3. Staff Recommendation:

Staff recommends approval of FP21-0002 with the following stipulations:

1. All new on-site wiring and cables must be placed underground.
2. 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, subject to UDO 18.30.130.
3. Tree protection fencing per UDO Section 18.30.240.E must be installed around all areas of tree preservation.
4. Prior to issuance of any permit, a copy of the Homeowners Association agreement describing maintenance and repair of stormwater treatment facilities is required per Title 17, Section 17.16.080.A and B.

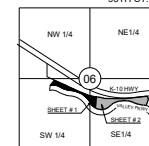


THE HIGHLANDS AT CEDAR CREEK

FP21-0002

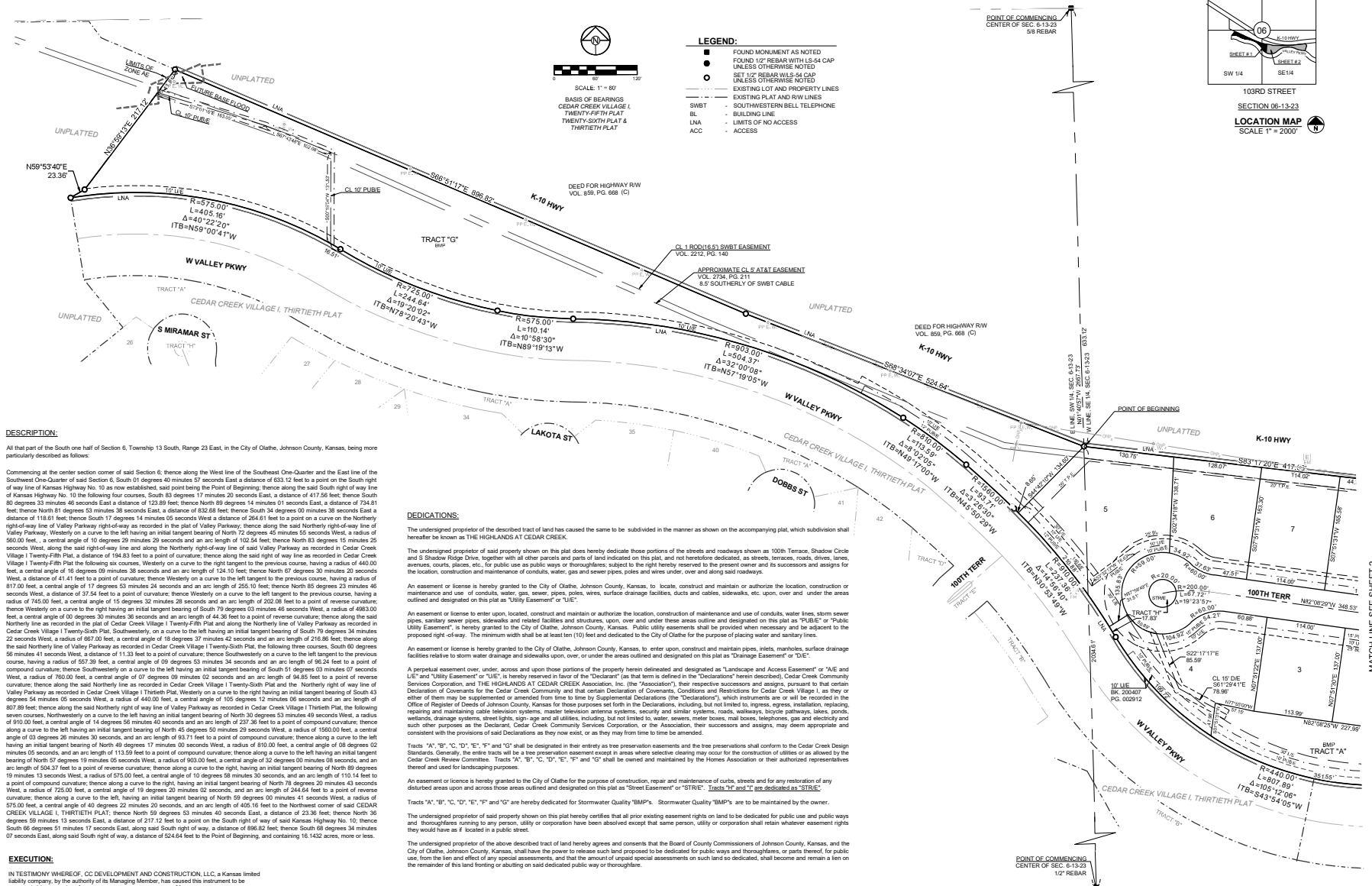
FINAL PLAT OF
THE HIGHLANDS AT CEDAR CREEK
PART OF THE SOUTH 1/2 OF SEC. 6-13-23
IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

Attachment A



103RD STREET
SECTION 06-13-23

LOCATION MAP
SCALE 1" = 2000'



DESCRIPTION:

All that part of the South one half of Section 6, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Commencing at the center section corner of said Section 6, thence along the West line of the Southwest One-Quarter and the East line of the Southwest One-Quarter of said Section 6, South 01 degrees 40 minutes 57 seconds of a distance of 633.12 feet to a point on the South right of way line of Kansas Highway No. 10 as now established, said point being the Point of Beginning; thence along the said South right of way line of Kansas Highway No. 10 the following four courses, South 03 degrees 17 minutes 20 seconds East, a distance of 417.56 feet, thence South 80 degrees 53 minutes 48 seconds East a distance of 123.89 feet, thence North 88 degrees 14 minutes 01 seconds East, a distance of 734.81 feet, thence North 81 degrees 53 minutes 38 seconds East, a distance of 832.88 feet, thence South 34 degrees 00 minutes 38 seconds East a distance of 118.61 feet, thence South 17 degrees 00 minutes 00 seconds West a distance of 254.81 feet to a point on a curve on the North right-of-way line of Valley Parkway right-of-way as recorded in the plat of Valley Parkway, thence along the said North right-of-way line of Valley Parkway, West along a curve to the left having an initial tangent bearing of North 72 degrees 45 minutes 35 seconds West, a radius of 580.00 feet, a central angle of 10 degrees 20 minutes 20 seconds and an arc length of 102.54 feet; thence North 83 degrees 15 minutes 25 seconds West, along the said right-of-way line and along the North right-of-way line of said Valley Parkway as recorded in Cedar Creek Village I, Twenty-Fifth Plat, a distance of 194.83 feet to a point of curvature; thence along the said right of way line as recorded in Cedar Creek Village I, Twenty-Fifth Plat the following six courses, West along a curve to the right tangent to the previous course, having a radius of 440.00 feet, a central angle of 16 degrees 09 minutes 38 seconds and an arc length of 124.10 feet; thence North 30 degrees 30 minutes 20 seconds West, a distance of 41.41 feet to a point of curvature; thence West along a curve to the left tangent to the previous course, having a radius of 817.00 feet, a central angle of 17 degrees 53 minutes 24 seconds and an arc length of 255.10 feet; thence North 85 degrees 23 minutes 46 seconds West, a distance of 37.54 feet to a point of curvature; thence West along a curve to the left tangent to the previous course, having a radius of 745.00 feet, a central angle of 15 degrees 30 minutes 28 seconds and an arc length of 202.08 feet to a point of reverse curvature; thence West along a curve to the right having an initial tangent bearing of South 79 degrees 03 minutes 44 seconds West, a radius of 4983.00 feet, a central angle of 00 degrees 30 minutes 36 seconds and an arc length of 44.36 feet to a point of reverse curvature; thence along the said North right line as recorded in the plat of Cedar Creek Village I, Twenty-Fifth Plat and along the North right line of Valley Parkway as recorded in Cedar Creek Village I, Twenty-Sixth Plat, Southwesterly, on a curve to the left having an initial tangent bearing of South 79 degrees 03 minutes 44 seconds West, a radius of 4983.00 feet, a central angle of 18 degrees 37 minutes 42 seconds and an arc length of 214.88 feet; thence along the said North right line of Valley Parkway as recorded in Cedar Creek Village I, Twenty-Sixth Plat, the following three courses, South 60 degrees 56 minutes 41 seconds West, a distance of 11.33 feet to a point of curvature; thence Southwesterly on a curve to the left tangent to the previous course, having a radius of 507.39 feet, a central angle of 09 degrees 03 minutes 34 seconds and an arc length of 86.24 feet to a point of compound curvature; thence Southwesterly on a curve to the left having an initial tangent bearing of South 51 degrees 03 minutes 07 seconds West, a radius of 780.00 feet, a central angle of 07 degrees 08 minutes 02 seconds and an arc length of 94.85 feet to a point of reverse curvature; thence along the said North right line as recorded in Cedar Creek Village I, Twenty-Sixth Plat and the North right right of way line of Valley Parkway as recorded in Cedar Creek Village I, Thirtieth Plat, West along a curve to the right having an initial tangent bearing of North 30 degrees 53 minutes 48 seconds West, a radius of 810.00 feet, a central angle of 14 degrees 56 minutes 40 seconds and an arc length of 227.36 feet to a point of compound curvature; thence along a curve to the left having an initial tangent bearing of North 45 degrees 50 minutes 29 seconds West, a radius of 1560.00 feet, a central angle of 03 degrees 20 minutes 30 seconds and an arc length of 93.71 feet to a point of compound curvature; thence along a curve to the left having an initial tangent bearing of North 49 degrees 17 minutes 00 seconds West, a radius of 810.00 feet, a central angle of 08 degrees 02 minutes 05 seconds, and an arc length of 113.59 feet to a point of compound curvature; thence along a curve to the left having an initial tangent bearing of North 07 degrees 19 minutes 02 seconds West, a radius of 803.00 feet, a central angle of 52 degrees 00 minutes 08 seconds, and an arc length of 504.37 feet to a point of reverse curvature; thence along a curve to the right, having an initial tangent bearing of North 89 degrees 19 minutes 13 seconds West, a radius of 575.00 feet, a central angle of 10 degrees 59 minutes 30 seconds, and an arc length of 115.14 feet to a point of compound curvature; thence along a curve to the right, having an initial tangent bearing of North 78 degrees 20 minutes 43 seconds West, a radius of 720.00 feet, a central angle of 19 degrees 20 minutes 02 seconds, and an arc length of 244.64 feet to a point of reverse curvature; thence along a curve to the left, having an initial tangent bearing of North 59 degrees 00 minutes 41 seconds West, a radius of 575.00 feet, a central angle of 40 degrees 22 minutes 20 seconds, and an arc length of 405.16 feet to the Northwest corner of said CEDAR CREEK VILLAGE I, THIRTIETH PLAT; thence North 59 degrees 53 minutes 40 seconds East, a distance of 23.36 feet; thence North 36 degrees 59 minutes 13 seconds East, a distance of 217.12 feet to a point on the South right of way of said Kansas Highway No. 10, thence South 68 degrees 51 minutes 17 seconds East, along said South right of way, a distance of 896.82 feet; thence South 08 degrees 34 minutes 07 seconds East, along said South right of way, a distance of 524.84 feet to the Point of Beginning, and containing 16,1432 acres, more or less.

EXECUTION:

IN TESTIMONY WHEREOF, CC DEVELOPMENT AND CONSTRUCTION, LLC, a Kansas limited liability company, by the authority of its Managing Member, has caused this plat to be executed, this day of 2021.

CC DEVELOPMENT AND CONSTRUCTION, LLC

By JOHN DUGGAN, Member

ACKNOWLEDGMENT:

STATE OF KANSAS

County of JOHNSON

BE IT REMEMBERED that on this day of 2021, before me, the undersigned, a Notary Public in and for said County and State, came JOHN DUGGAN, Member of CC DEVELOPMENT AND CONSTRUCTION, LLC, 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 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

RESTRICTIONS:

The use of all air, water 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 on-site wiring and cables must be placed underground.

Sidewalks in cut-de-sacs will terminate at a driveway.

NOTICE:

This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code. Restriction 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.

UTILITY NOTE:

All Mechanical Equipment shall be screened in accordance with the UDO.

FLOOD NOTE:

The Northwest corner of Tract "G" is within Flood Zone AE/BA (Base Flood Elevations determined) and Future Base Flood as shown hereon. The remainder of the property lies within ZONE X (Areas determined to be outside the 100 year annual chance floodplain) as shown on FIRM MAP #200910046G, revised August 3, 2009.

AIRPORT NOTE:

THE HIGHLANDS AT CEDAR CREEK subdivision is located in close proximity to the Cedar Air Park Airport and airport, including business jets, operating from the airport should be expected to overfly, be visible from and be heard from the property on a regular basis.

APPROVALS:

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this day of 2021.

Chairman, C.S. VAKAS

APPROVED by the Governing Body of the City of Olathe, Johnson County, Kansas, this day of 2021.

Mayor, JOHN W. BACON

City Clerk, BRENDA D. LONG

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 1-2-2021. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



DATE 01/12/2021
DRAWN BY AR
CHECKED BY JMT
PROJ. NO. 19-211

FINAL PLAT OF
THE HIGHLANDS
AT CEDAR CREEK
SHEET NO. 1 OF 2

