

STAFF REPORT

Planning Commission Meeting: March 22, 2021

Application:	FP21-0005: Enclave at Boulder Hills Villas Third Plat		
Location:	In the vicinity of Lackman Road, north of 175 th Street		
Applicant/Owner:	Travis Schram, Grata Development		
Engineer:	Mark Breuer, P.E.; Schlagel & Associates		
Staff Contact:	Emily Carrillo, Senior Planner		
Site Area:	<u>5.23 acres</u>	Proposed Use:	<u>Residential Single Family</u>
Lots:	<u>18</u>	Current Zoning:	<u>R-1 (Residential Single-Family)</u>
Tracts:	<u>2</u>		

1. Introduction:

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

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 eighteen (18) single-family lots and two (2) common tracts. All common tracts are intended to be owned and maintained by the Homes Association or their authorized representatives and are intended to be used for landscaping 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 7,564 square feet. All lots exceed the minimum lot size of 5,000 square feet, with the smallest lot being 6,500 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.
- c. **Streets/Right-of-Way** – Roadways within the subdivision are being dedicated with this plat. The lots within this development will have roadway access from 173rd Terrace.



Aerial view of subject property (FP21-0005) in blue.

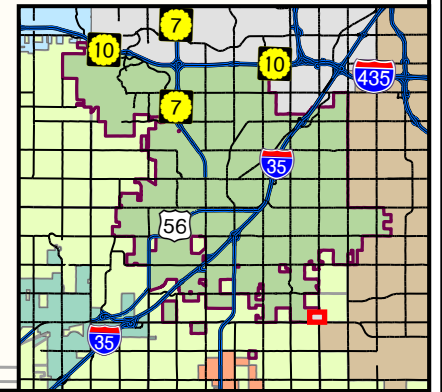
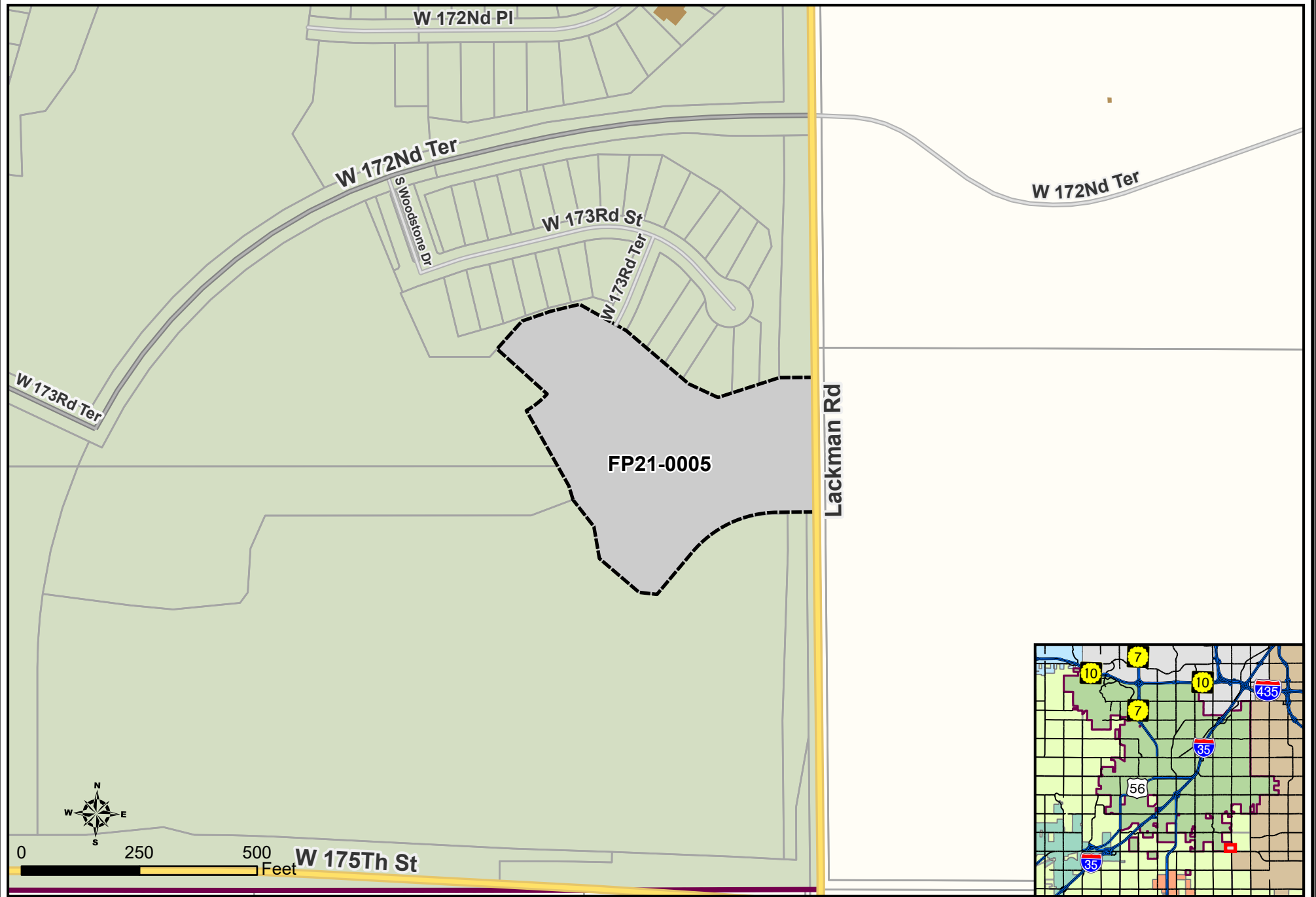


View of subject property looking west from S. Lackman Road.

3. Staff Recommendation:

Staff recommends approval of FP21-0005 with the following stipulations:

1. All new on-site wiring and cables must be placed underground.
2. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.
3. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.
4. Prior to recording the final plat, the Homeowners' Association agreement must be submitted to the Planning Division for review and approval.



ENCLAVE AT BOULDER HILLS VILLAS, 3RD PLAT
FP21-0005



User: jaredmd
Date: 3/16/2021



FINAL PLAT OF
ENCLAVE AT BOULDER HILLS VILLAS, THIRD PLAT

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

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 Southeast corner of the said Southeast One-Quarter; thence along the East line of the said Southeast One-Quarter, North 02 degrees 33 minutes 10 seconds West, a distance of 801.80 feet to the Point of Beginning; thence South 87 degrees 26 minutes 50 seconds West, a distance of 82.50 feet to a point of curvature; thence along a curve to the left, tangent to the previous course and having a radius of 238.00 feet, a central angle of 49 degrees 33 minutes 20 seconds and an arc length of 205.85 feet; thence South 37 degrees 53 minutes 30 seconds West, a distance of 115.98 feet; thence North 85 degrees 13 minutes 11 seconds West, a distance of 38.10 feet; thence North 51 degrees 39 minutes 12 seconds West, a distance of 110.84 feet; thence North 11 degrees 34 minutes 29 seconds West, a distance of 68.69 feet; thence North 40 degrees 00 minutes 57 seconds West, a distance of 72.44 feet; thence North 18 degrees 10 minutes 46 seconds West, a distance of 30.09 feet; thence North 31 degrees 26 minutes 34 seconds West, a distance of 183.91 feet to a point of curvature; thence along a curve to the left having an initial tangent bearing of North 58 degrees 33 minutes 26 seconds East, a radius of 175.00 feet, a central angle of 18 degrees 32 minutes 12 seconds and an arc length of 56.62 feet; thence North 49 degrees 58 minutes 45 seconds West, a distance of 143.14 feet to a point on the South line of Tract "D", ENCLAVE AT BOULDER HILLS, FIRST PLAT, a subdivision of land in the said City of Olathe; thence along the South line of said ENCLAVE AT BOULDER HILLS, FIRST PLAT for the following eight (8) courses, North 40 degrees 01 minutes 15 seconds East, a distance of 79.57 feet; thence North 68 degrees 48 minutes 20 seconds East, a distance of 61.12 feet; thence North 74 degrees 22 minutes 15 seconds East, a distance of 66.23 feet; thence South 62 degrees 26 minutes 26 seconds East, a distance of 113.62 feet; thence South 51 degrees 39 minutes 22 seconds East, a distance of 174.57 feet; thence South 67 degrees 03 minutes 28 seconds East, a distance of 68.04 feet; thence North 70 degrees 04 minutes 14 seconds East, a distance of 138.72 feet; thence North 87 degrees 26 minutes 50 seconds East, a distance of 75.00 feet to a point on the East line of the said Southeast One-Quarter; thence along the East line of the said Southeast One-Quarter, South 02 degrees 33 minutes 10 seconds East, a distance of 286.00 feet to the Point of Beginning, and containing 5.2286 acres, more or less.

RESTRICTIONS:

Tracts "H" and "I" shall be owned and maintained by the Homes Association or their authorized representatives thereof and used for landscaping purposes and open space.

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 new on-site wiring and cables must be placed underground.
Above ground electrical equipment and telephone cabinets must be placed in the rear yard.
All mechanical equipment shall be screened per UDO requirements.
Sidewalks will be included on both sides of streets.
Sidewalks in cul-de-sacs will terminate at a driveway.
Side yard setbacks may be reduced to minimum of 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.

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 and/or taxes 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 duty 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:

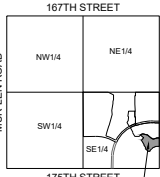
My Commission Expires:

Print Name

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 8-29-2020. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



Aaron T. Reuter - Land Surveyor
K38 LS-1429



SECTION 20-14-24
LOCATION MAP
SCALE 1" = 2000'



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, THIRD PLAT".

The undersigned proprietor of said property shown on this plat does hereby dedicate those portions of the streets and roadways shown herein, together with all other parcels and parts of land indicated on this plat, and not hereafter 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 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 "ULE".

A 10' foot wide "Utility Easement" or "ULE" is hereby dedicated to the City of Olathe, Johnson County, Kansas, adjacent to and parallel with the Right-of-Way of all 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 adjacent lands 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 piling of structures, landscaping and related materials or planting of trees on islands within the street right-of-way will be done at the risk of subsequent damage thereto without compensation therefore.

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".

A perpetual easement over, under, across and upon those portions of the property herein delineated and designated as "Landscaping and Access Easement" or "L/AE" is hereby reserved in favor of the Boulder Hills Homes Association, their respective successors and assigns, for, but not limited to, ingress, egress, 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, signage and all utilities, but not limited to, water, sewer, meter boxes, mail boxes, telephones, gas and electric and such other purposes as the Association, their successors and assigns, may deem appropriate. Tracts "H" and "I" are dedicated as "Landscaping and Access Easement" or "L/AE".

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 "ULE" that crosses or intersects with a "SWE".

A perpetual easement for pedestrian access over, under, across and upon the areas designated as "Pedestrian Access Easement" or "PAE" is hereby reserved by the undersigned proprietor, its heirs, assigns, or successors for ingress and egress of all owners and occupants of lots and parcels depicted on this plat, their guests and invitees. No obstructions that would prohibit the free flow of pedestrian traffic shall be allowed to be constructed or maintained within said easement. The Homes Association or their authorized representatives thereof are to be responsible for the maintenance, repair, and/or replacement of the sidewalk and other amenities contained within said easement.

Tracts "H" and "I" are hereby dedicated for Stormwater Quality "BMP's". Stormwater Quality "BMP's" are to be maintained by the owner.

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 abtained except that same person, utility or corporation shall retain whatever easement rights they would have as if located in a public street.

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, JOHN BACON

City Clerk, BRENDA L. LONG



1402 West 107th Street • Lenexa, Kansas 66151
Ph: (913) 492-5158 • Fax: (913) 492-4401 • WWW.SCHLAGELASSOCIATES.COM
Kansas State Certified Public Accountant
KS-CSP-029-03-04

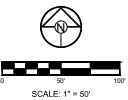
DATE: 1-20-2021
DRAWN BY: JMT
CHECKED BY: AR
PROJ. NO.: 20-300
FINAL PLAT OF
ENCLAVE AT BOULDER HILLS
VILLAS, THIRD PLAT
SHEET NO. 1

LOT #	AREA (SF)
58	8,791.51
59	6,500.00
60	6,500.00
61	7,760.39
62	8,091.77
63	7,422.23
64	8,140.51
65	7,211.70
66	6,510.54
67	7,294.44
68	8,208.55
69	7,356.19
70	6,901.58
71	8,594.06
72	7,619.16
73	7,221.28
74	6,948.29
75	9,089.81
TRACT "H"	16,054.40
TRACT "I"	17,772.63
R/W	57,769.72

THIRD PLAT	AREA (SF)
NET AREA	227,758.62
COMMON OPEN SPACE	33,827.03 (14.58 % of Net)
ACTIVE OPEN SPACE	0.00 (0.0% of Common)
EXEMPT FROM EXCISE FEES	21,450.00 LACKMAN, R/W
SUBDIVISION	
PROVIDED OPEN SPACE FROM PRELIMINARY PLAT	24.1 ACRES
COMMON OPEN SPACE REQUIRED	194.63 ACRES
COMMON OPEN SPACE PROVIDED	3.62 ACRES
ACTIVE OPEN SPACE REQUIRED	0.00 ACRES
ACTIVE OPEN SPACE PROVIDED	1.81 ACRES

LEGEND:

- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR WITH KSL'S S4 CAP UNLESS OTHERWISE NOTED
- SET 1/2" REBAR W/LS-S4 CAP
- EXISTING PLAT AND R/W LINES
- EXISTING LOT AND PROPERTY LINES
- B/L
- BUILDING LINE
- R/W
- RIGHT-OF-WAY
- LNA
- LIMITS OF NO ACCESS



0 50' 100'
SCALE: 1" = 50'
BASIS OF BEARINGS:
ENCLAVE AT BOULDER HILLS
VILLAS, FIRST PLAT
GRID NORTH
NAD 83 KANSAS NORTH ZONE
E LINE, SE 1/4, SEC. 20-14-24
N02°33'10"W

