

## STAFF REPORT

Planning Commission Meeting: March 22, 2021

<b>Application:</b>	<b>FP20-0028: Final Plat of Battle Creek Estates</b>		
<b>Location:</b>	In the vicinity of E. 119 <sup>th</sup> Street and S. Nelson Road		
<b>Applicant/Owner:</b>	Jib Felter, Lansera Battle Creek, LLC		
<b>Engineer:</b>	Doug Ubben, Phelps Engineering, Inc.		
<b>Staff Contact:</b>	Jessica Schuller, AICP, Senior Planner		
<b>Site Area:</b>	<u>23.13 ± acres</u>	<b>Proposed Use:</b>	<u>Single Family</u>
<b>Tracts:</b>	<u>3</u>	<b>Current Zoning:</b>	<u>R-1 (Residential Single Family)</u>

### 1. Introduction:

The following item is a request for a final plat of Battle Creek Estates. This plat will establish lot lines for future development of single family homes and tracts of land intended for neighborhood amenities and stormwater treatment and dedicate public easements and right-of-way within the subdivision. New development will include the construction of 31 single family homes. The subject property was rezoned from R-3 (Residential Low-Density Multifamily) in March of 2021 (RZ20-0016), which included a preliminary plat for the property, which this final plat is consistent with.

### 2. Plat Review:

- a. **Lots/Tracts** -- The plat includes three (3) tracts which are intended for use as landscaping, monuments, trails, stormwater treatment facilities, and private open space. These tracts will be owned and maintained by the Homes Association.
- b. **Public Utilities** -- The property is located within the City of Olathe water service area and the Johnson County Wastewater service area. Utility Easements (U/E), Public Utility Easements (PUB/E), Drainage Easements (D/E), Waterline Easements (WL/E) and Sanitary Sewer Easements (S/E) are being dedicated with this final plat.
- c. **Streets/Right-of-Way** -- Right-of-way for roadways within the subdivision will be dedicated with this plat. Each single family lot will have driveway access to 120<sup>th</sup> Street, Oakview Street, Skyview Lane or Keeler Street within the development. The subdivision will have access to both 119<sup>th</sup> Street and Nelson Road.
- d. **Stormwater** -- Area surrounding the stream corridor towards the south of the plat is placed in a Stormwater Quality Easement which will prohibit structures from being placed in this area. A stream corridor maintenance agreement and homeowners association agreement describing maintenance responsibilities will be required to be recorded with Johnson County after review by the City.
- e. **Landscaping** -- A 25-foot landscape tract is shown along 119<sup>th</sup> Street in addition to a 20-foot landscape tract along Nelson Road, a collector street. Street trees will be

provided along internal roadways, as required by the UDO. The applicant is maintaining 46% of existing trees on site, located along the stream corridor.



*Subject property outlined in blue*

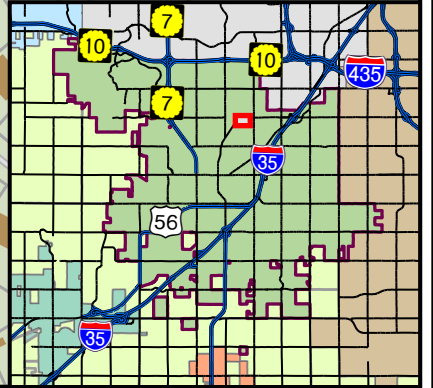
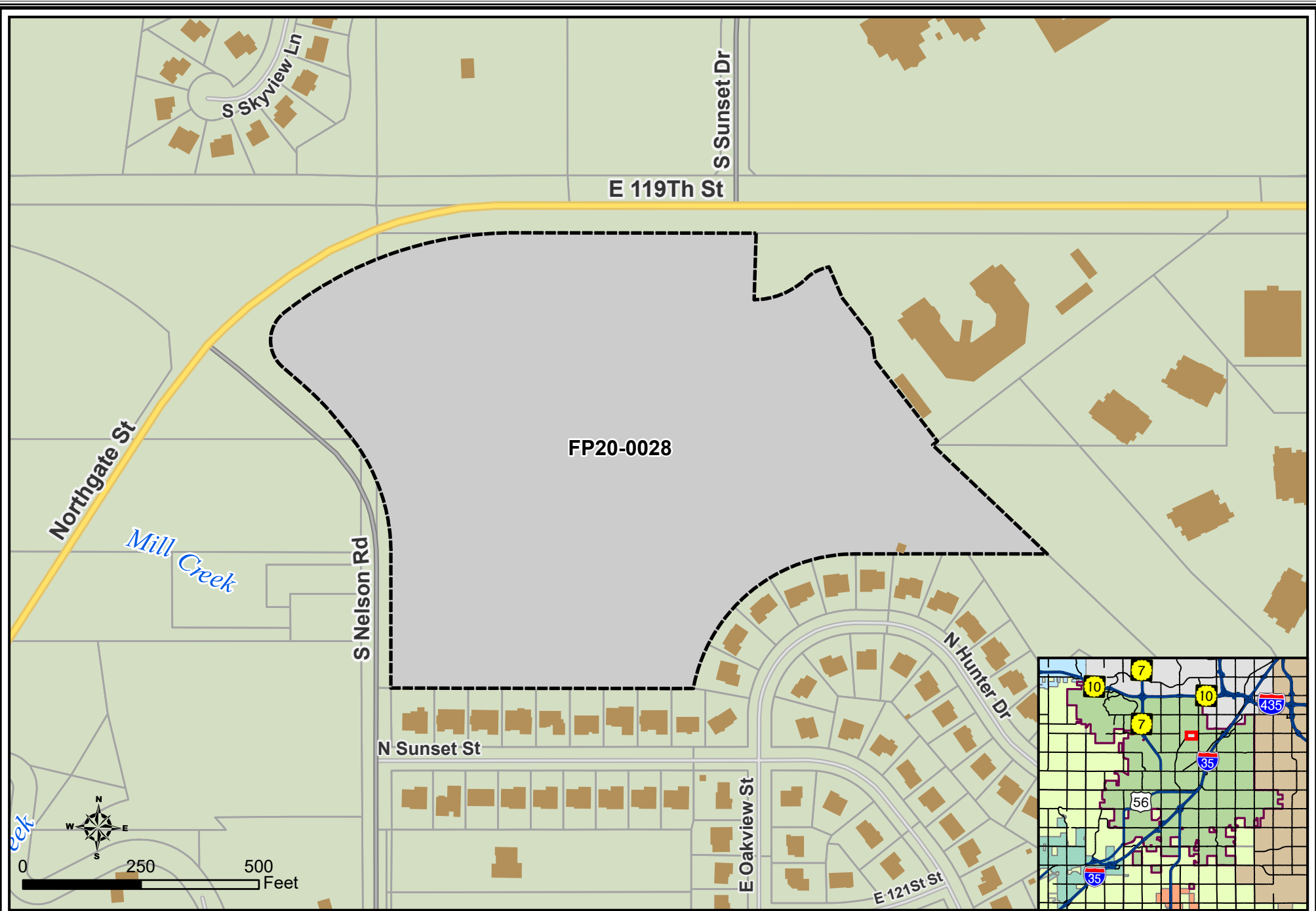


*View looking west from S. Sunset Drive*

**3. Staff Recommendation:**

Staff recommends approval of FP20-0028 with the following stipulations:

1. All new on-site wiring and cables must be placed underground.
2. Prior to recording the final plat, a note must be added to the Final Plat stating that sidewalks must terminate at the driveway.
3. 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.
4. Tree protection fencing per UDO Section 18.30.240.E must be installed around all areas of tree preservation on site.
5. Prior to recording the final plat, a Stream Corridor Maintenance Agreement and Homes Association Agreement describing maintenance requirements and projected costs of the BMP's/Permanent Water Quality/Quantity Drainage Easement must be submitted.



**BATTLE CREEK ESTATES**  
**FP20-0028**



