



Planning Division

STAFF REPORT**Planning Commission Meeting: April 26, 2021**

Application:	FP21-0006, Final Plat for Van Duss Industrial Park, Second Plat		
Location:	Along the south side of W. 167 th Street just east of Hedge Lane		
Owner/Applicant:	Clay Vanice; Jones Development Company		
Engineer:	Mick Slutter; Renaissance Infrastructure Consulting		
Staff Contact:	Zachary Moore, Planner II		

Site Area:	<u>57.17± acres</u>	Use:	<u>Warehousing, Storage, Wholesale and Distribution Facilities</u>
Lots:	<u>1</u>	Current Zoning:	<u>M-2</u>
Tracts:	<u>3</u>		

1. Comments:

The following application is a final plat for Van Duss Industrial Park, Second Plat which will establish lot lines and dedicate public easements for one (1) industrial lot and three (3) tracts. This final plat includes a replat of Lot 1 and Tract A of the Van Duss Industrial Park plat which was recorded in 2015, and contains approximately 40 acres. Approximately 17.17 acres of the subject property have never been platted.

The forty (40) acres of the property that are being replatted were annexed and rezoned to the M-2 (General Industrial) District in 2014. The previously unplatted 17.17 acres of the subject property were annexed in March 2021 and were rezoned to the M-2 (General Industrial) District in April 2021 (RZ21-0004 & RZ21-0005).

2. Plat Review:

- a. **Lots/Tracts** – The plat includes one (1) industrial lot and three (3) tracts. Lot 1 will be 43.36± acres in size and will accommodate the existing distribution warehouse facility and two future parking lots for truck trailers. Tracts A, B, and C will be owned by the owner of Lot 1 and will be used for drainage easements, detention, and BMP facilities.
- b. **Public Utilities** – The subject property is located within the City of Olathe Sewer and WaterOne service areas. New Utility Easements (U/E) will be dedicated with this final plat.
- c. **Streets/Right-of-Way** – Approximately 1.36± acres of public right-of-way will be dedicated with this plat, including 1.02± acres for 167th Street and 0.33± acres for Monticello Road.



View of the subject property, looking south

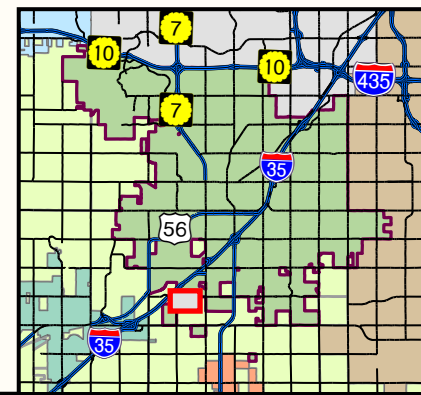
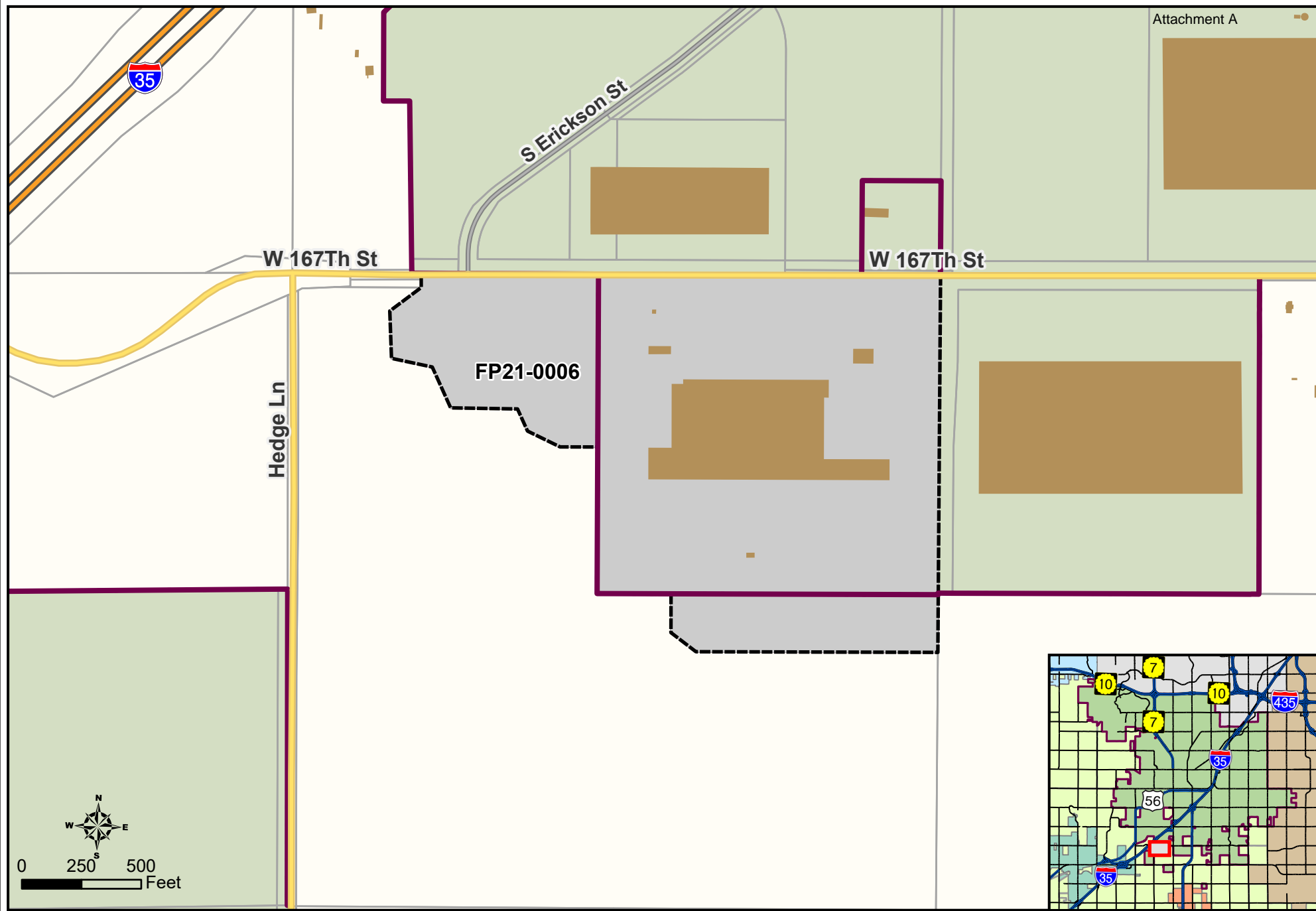


Aerial view of subject property outlined in red

3. Staff Recommendation:

Staff recommends approval of FP21-0006, final plat for Van Duss Industrial Park, Second Plat with the following stipulation:

1. The stream corridor must be labeled on the plat prior to recording.
2. Prior to plat recording, both a stormwater treatment facility maintenance agreement and stream corridor maintenance agreement must be provided.



User: jaredmd
Date: 4/5/2021

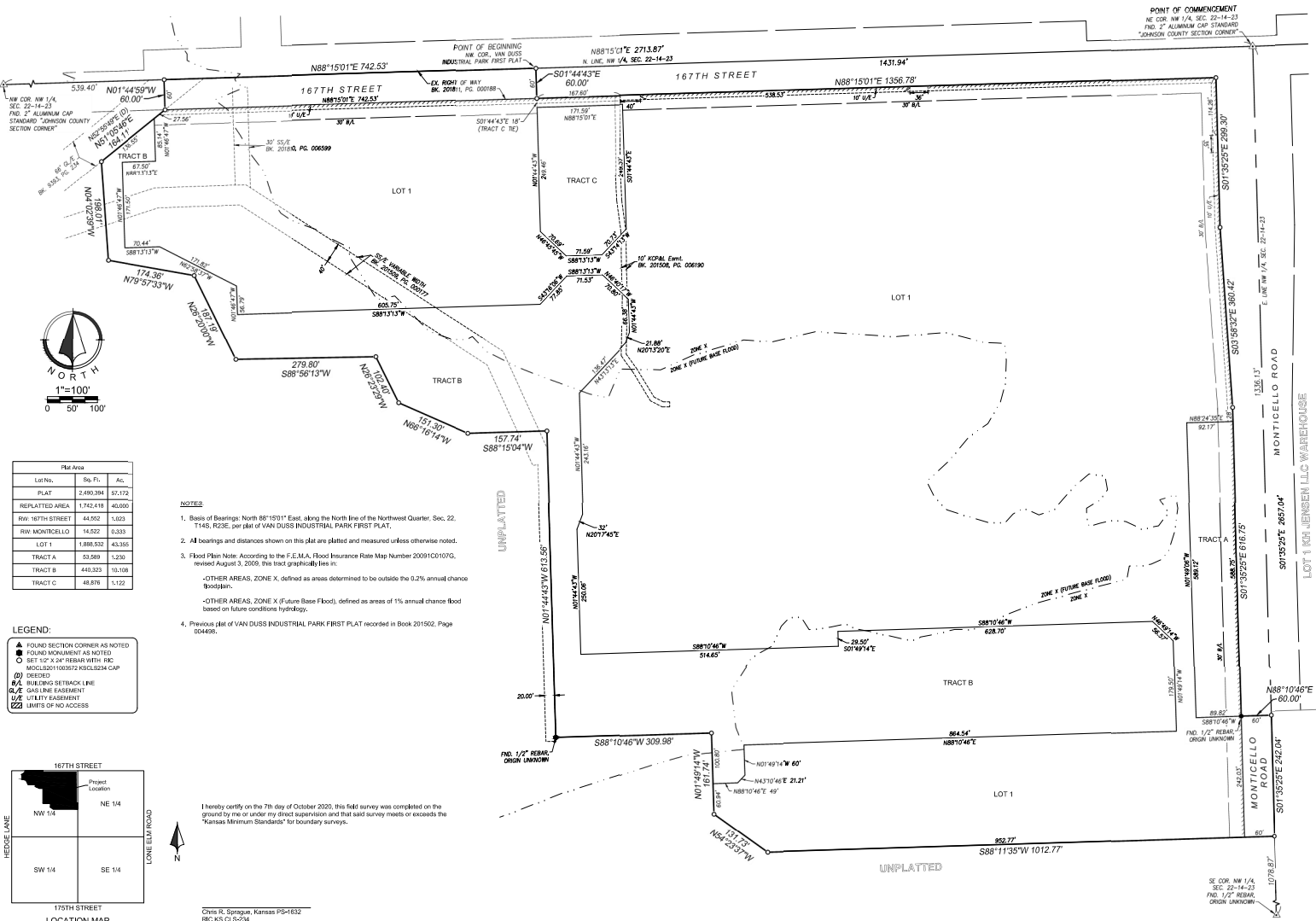
VAN DUSS INDUSTRIAL PARK SECOND PLAT FP21-0006



FINAL PLAT

VAN DUSS INDUSTRIAL PARK SECOND PLAT

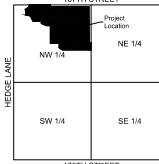
A REPLAT OF LOT 1 AND TRACT A, VAN DUSS INDUSTRIAL PARK FIRST PLAT, TOGETHER WITH PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.



Plat Area	Lot No.	Sq. Ft.	A.C.
PLAT	2,490,394	57,172	
REPLATTED AREA	1,742,418	40,000	
R/W MONTICELLO	44,502	1,023	
R/W LOT 1	1,986,535	45,365	
TRACT A	33,589	1,238	
TRACT B	440,323	10,108	
TRACT C	48,878	1,122	

LEGEND:

- ▲ FOUND SECTION CORNER AS NOTED
- FOUND MONUMENT AS NOTED
- SET 1/2" X 24" REBAR WITH "HC" MCGILL 100/3072 K9CLS234 CAP
- (D) DEED
- R/L BUILDING SETBACK LINE
- E/C GAS LINE EASEMENT
- U/E UTILITY EASEMENT
- ZZZ LIMITS OF NO ACCESS



- NOTES:**
1. Basis of Bearings: North 89°10'01" East, along the North line of the Northwest Quarter, Sec. 22, T14S, R23E, per plat of VAN DUSS INDUSTRIAL PARK FIRST PLAT.
 2. All bearings and distances shown on this plat are plotted and measured unless otherwise noted.
 3. Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 20091C0107G, revised August 3, 2009, this tract graphically lies in:
 - OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.
 - OTHER AREAS, ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology.
 4. Previous plat of VAN DUSS INDUSTRIAL PARK FIRST PLAT recorded in Book 201502, Page 004496.

I hereby certify on the 7th day of October, 2021, this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for boundary surveys.

Chris R. Sprague, Kansas PG-1632
R/C KS CLS-234
csprague@rc-consult.com

DESCRIPTION

Commencing at the Northwest Corner of said Northwest Quarter; thence South 88°15'01" West, along the North line of said Northwest Quarter, a distance of 1431.94 feet to the Northwest Corner of said VAN DUSS INDUSTRIAL PARK FIRST PLAT, said point being the Point of Beginning; thence South 01°44'43" East, along the West line of said VAN DUSS INDUSTRIAL PARK FIRST PLAT, a distance of 60.00 feet to a point on the South right-of-way line of 167th Street as it now exists; thence North 85°15'01" East, along said South right-of-way line, a distance of 1356.79 feet to a point of intersection with the West right-of-way line of Monticello Road, as it now exists; thence along said West right-of-way line for the following three courses: thence South 17°35'22" East a distance of 299.30 feet; thence South 03°58'32" East a distance of 390.42 feet; thence South 01°35'22" East a distance of 616.75 feet; thence departing said West right-of-way line, North 88°10'00" East a distance of 60.00 feet to a point on the East line of said Northwest Quarter; thence South 01°35'22" East, along said East line, a distance of 242.04 feet; thence departing said East line, South 88°11'35" West a distance of 1912.77 feet; thence North 88°23'37" West a distance of 151.73 feet; thence North 01°48'14" West a distance of 613.58 feet; thence South 88°10'48" West a distance of 309.98 feet; thence North 01°44'43" West a distance of 613.58 feet; thence South 88°15'04" West a distance of 151.74 feet; thence North 88°18'14" West a distance of 151.30 feet; thence North 26°23'29" West a distance of 102.40 feet; thence South 88°59'12" West a distance of 275.80 feet; thence North 26°20'07" West a distance of 137.18 feet; thence North 79°57'33" West a distance of 174.36 feet; thence North 04°02'38" West a distance of 168.01 feet to a point on the Southeastly line of a 168 foot wide easement to Southern Star Central Pipeline, Inc. recorded in Book 0303, Page 224, in the Office of the Registrar of Deeds, Johnson County, Kansas; thence North 91°05'48" East, along said Southeastly line, a distance of 164.11 feet to a point on the South right-of-way line of said 167th Street; thence North 01°44'43" West a distance of 60.00 feet to a point on the North line of said Northwest Quarter; thence North 88°10'01" East, along said North line, a distance of 742.53 feet to the Point of Beginning, containing 2,490,394 square feet, or 57.172 acres, more or less.

DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as:

"VAN DUSS INDUSTRIAL PARK SECOND PLAT"

The proprietors, successors, and assigns, of property described on this plat hereby dedicate for public use all land described on this plat as shown or public ways not heretofore dedicated. Acceptance of the dedication of land for public right-of-way purposes described on this plat is for the sole purpose of maintaining right-of-way, and does not constitute acceptance of any terms or conditions set forth in any agreement not shown on this plat.

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities, upon, over, and under these areas outlined and designated on this plat as "Utility Easement" or "U/E," is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code (Section 17.16.000). 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.

Notice: This site lies within a protected Stream Corridor, as defined and regulated in city of Olathe, Kansas, Municipal Code. Restrictions on the use or alteration of the Stream Corridor may apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement approved by the City.

RESTRICTIONS

Tracts A, B, & C are intended to be used for drainage easements, detention and BMP facilities. The owner of Lot 1 is responsible for all maintenance requirements of detention and BMP facilities.

CONSENT TO LEASE

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated to public use from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall become and remain a lien on this land for the term and during such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this ____ day of _____, 2021.

MREC Olathe KS LLC

Michael Prishard, Managing Member

STATE OF KANSAS }
COUNTY OF JOHNSON }
BE IT REMEMBERED, that on this ____ day of _____, 2021, before me a Notary Public in and for said County and State, came Michael Prishard, Managing Member of MREC Olathe KS LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing, and he duly acknowledged the execution of the same.

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

Notary Public: _____ My Appointment Expires: _____

APPROVALS

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, on the ____ day of _____, 2021.

Dean Valdes, Chairman

APPROVED by the Governing Body of the City of Olathe, Johnson County, Kansas, on the ____ day of _____, 2021.

John Bacon, Mayor ATTEST: Brenda D. Long, City Clerk

VAN DUSS INDUSTRIAL PARK SECOND PLAT

Prepared For:
JOC Projects, LLC
Clay Vanice, CCIM
4520 Madison Ave #100
Kansas City, MO 64111

Date of Preparation: January 6, 2021
Revised: February 19, 2021

Renaissance Infrastructure Consulting

132 Abbie Avenue
Kansas City, Kansas 66103
913.317.9500
www.ri-consult.com