



City of Olathe

Legislation Details (With Text)

File #: G21-2202

Type: Council Consent **Status:** Agenda Ready

File created: 2/16/2021 **In control:** City Council

On agenda: 4/6/2021 **Final action:**

Title: Request for the acceptance of the dedication of land for public easements and right-of-way for a final plat of Battle Creek Estates containing thirty-one (31) lots and three (3) common tracts on approximately 23.13 acres; located in the vicinity of E. 119th Street and S. Nelson Road. Planning Commission approved this plat 6-0.

Sponsors: Aimee Nassif, Jessica Schuller

Indexes:

Code sections:

Attachments: 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes

Date	Ver.	Action By	Action	Result
4/6/2021	1	City Council		

FOCUS AREA: Economy, Planning Division
STAFF CONTACT: Jessica Schuller, Senior Planner
SUBJECT: FP20-0028: Final Plat of Battle Creek Estates **APPLICANT:** Jib Felter; AAG Investments

ITEM DESCRIPTION:
 Request for the acceptance of the dedication of land for public easements and right-of-way for a final plat of Battle Creek Estates containing thirty-one (31) lots and three (3) common tracts on approximately 23.13 acres; located in the vicinity of E. 119th Street and S. Nelson Road. Planning Commission approved this plat 6-0.

SUMMARY:
 This final plat application is to establish lot lines and dedicate public easements and right-of-way for thirty-one (31) residential lots and one (3) common tracts for Battle Creek Estates.

The 23.13 acre property was rezoned from R-3 (Residential Low-Density Multifamily) to R-1 (Single Family Residential) in March of 2021 with application RZ20-0016. The property was previously platted as part of Battle Creek in 1999. Chapter 3.35.050(B) of the Olathe Municipal Code states that any replat of previously platted land that was approved by the City is exempt from paying street and traffic signal excise taxes. Since this application is for a replat of previously platted property, no street or traffic signal excise taxes are required.

Several easements, including 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. In addition, a Stormwater Quality Easement is located on the southern lots, surrounding the stream corridor.

FINANCIAL IMPACT:

None.

ACTION NEEDED:

1. Accept the dedication of land for public easements and public street right-of-way for Battle Creek Estates (FP20-0028).
 2. Reject the dedication of land for public easements and public street right-of-way for Battle Creek Estates and return the plat to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to accept the dedication.
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ATTACHMENT(S):

- A. Planning Commission Packet
- B. Planning Commission Minutes