



# City of Olathe

## Legislation Details (With Text)

**File #:** G19-993  
**Type:** New Business-Public Works **Status:** Agenda Ready  
**File created:** 7/29/2019 **In control:** City Council  
**On agenda:** 8/6/2019 **Final action:** 8/6/2019  
**Title:** Consideration of Ordinance No. 19-43 (ANX19-0002) annexing approximately 39.41± acres located approximately ¼ mile east of S. Moonlight Terrace and ½ mile north of W. 119th Street into the corporate boundaries of the City of Olathe.  
**Sponsors:** Aimee Nassif, Zachary Moore

### Indexes:

### Code sections:

**Attachments:** 1. A. Petition for Annexation, 2. B. Map of Subject Property, 3. C. Ordinance 19-43

Date	Ver.	Action By	Action	Result
8/6/2019	1	City Council	approved	Pass

**DEPARTMENT:** Public Works, Planning Division

**STAFF CONTACT:** Zachary Moore, Planner II

**SUBJECT:** ANX19-0002, Annexation of approximately 39.41± acres located approximately ¼ mile east of S. Moonlight Terrace and ½ mile north of W. 119<sup>th</sup> Street. Applicant: BWB Cedar Creek, LLC.

### ITEM DESCRIPTION:

Consideration of Ordinance No. 19-43 (ANX19-0002) annexing approximately 39.41± acres located approximately ¼ mile east of S. Moonlight Terrace and ½ mile north of W. 119th Street into the corporate boundaries of the City of Olathe

### SUMMARY:

In accordance with K.S.A. 12-520(a)(7), BWB Cedar Creek, LLC (the "Applicant") has submitted a petition for annexation of approximately 39.41± acres of land (**Attachments A & B**) which lies contiguous with the corporate boundaries of Olathe to the north. The property is located approximately ¼ of a mile east of S. Moonlight Terrace and ½ mile north of W. 119<sup>th</sup> Street. There is no related annexation agreement.

The property to be annexed upon adoption of the ordinance (**Attachment C**), is within the City of Olathe Growth Area and is designated on the Future Land Use Map as Conservation/Cluster Neighborhood. As described in *PlanOlathe*, Conservation/Cluster Neighborhoods balance the protection of sensitive environmental features with the development rights of property owners. The density of development is clustered within the more buildable portion of the property, leaving increased opportunities for open space and preservation of natural areas. House sites should take advantage of views and access to the preserved land, and streets should be designed to access the house sites in a manner that minimizes disturbance of natural areas. Conservation/Cluster Neighborhoods can provide a transition between existing urban development and rural or open lands.

The Applicant owns several other tracts of land immediately north and east of the property to be annexed, all of which is already within the corporate boundaries of Olathe. There are no current plans for development of this property.

---

**FINANCIAL IMPACT:**

Future development of the property will result in an increase in the city's real property tax collections.

---

**ACTION NEEDED:**

1. Approve Ordinance No. 19-43 (ANX19-0002), annexing approximately 39.41± acres into the corporate boundaries of the City of Olathe.
  2. Deny Ordinance No. 19-43 (ANX19-0002).
- 

**ATTACHMENT(S):**

- A. Petition for Annexation
- B. Map of Subject Property
- C. Ordinance 19-43