AGENDA

Planning Commission Meeting
Tuesday, July 28, 2020
7:00 pm
Gardner City Hall
120 E. Main Street

If you wish to provide a written public comment regarding any items below by email, please provide them by noon on July 28, 2020 to rcase@gardnerkansas.gov The meeting will be open to the public

*Watch this meeting live on the City's YouTube channel at https://www.youtube.com/user/CityofGardnerKS *

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Planning Commission for study. These items are considered to be routine and will be enacted upon by one motion with no separate discussion. If separate discussion is desired on an item, from either the Planning Commission or from the floor, that item may be removed from the Consent Agenda and placed on the Regular Agenda.

1. Standing approval of the minutes as written for the meeting on June 23, 2020.

REGULAR AGENDA

1. **PRAIRIEBROOKE VILLAS**
   Located north of intersection of Pratt Street and 174th Street, along the east side of Kill Creek Road
   a. **FDP-20-04:** Consider a final development plan for a 20 multi-family lot development.

2. **BRECKENWOOD CREEK, 1st Plat**
   Located at the northern terminus of both Kill Creek Road and 172nd Street and north of 171st Street.
   a. **FP-20-07:** Consider a final plat for a 33 lot single family subdivision.

In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's office at 856-0945 a minimum of 48 hours prior to the meeting.

DISCUSSION ITEMS

NONE

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Gardner will provide reasonable accommodations for all public meetings. Persons requiring accommodations in attending any of our public meetings should contact the City Clerk's office at 856-0945 a minimum of 48 hours prior to the meeting.

PLANNING COMMISSION STAFF REPORT REGULAR AGENDA ITEM NO. 1
MEETING DATE: JULY 28, 2020
PREPARED BY: LAURA BERGEY, AICP, PLANNER

PROJECT NUMBER / TITLE: FDP-20-04 FINAL DEVELOPMENT PLAN FOR PRAIRIEBROOKE VILLAS

PROCESS INFORMATION

Type of Request: Final Development Plan
Date Received: June 12, 2020

APPLICATION INFORMATION

Applicant: OIKOS Development Corporation (Michael Snodgrass)
Owner: Owner Finance LLC (Tim Gates)
Parcel ID: CF221422-4007
Location: North of W 174th Street along the east side of Kill Creek Rd.

REQUESTED ACTION

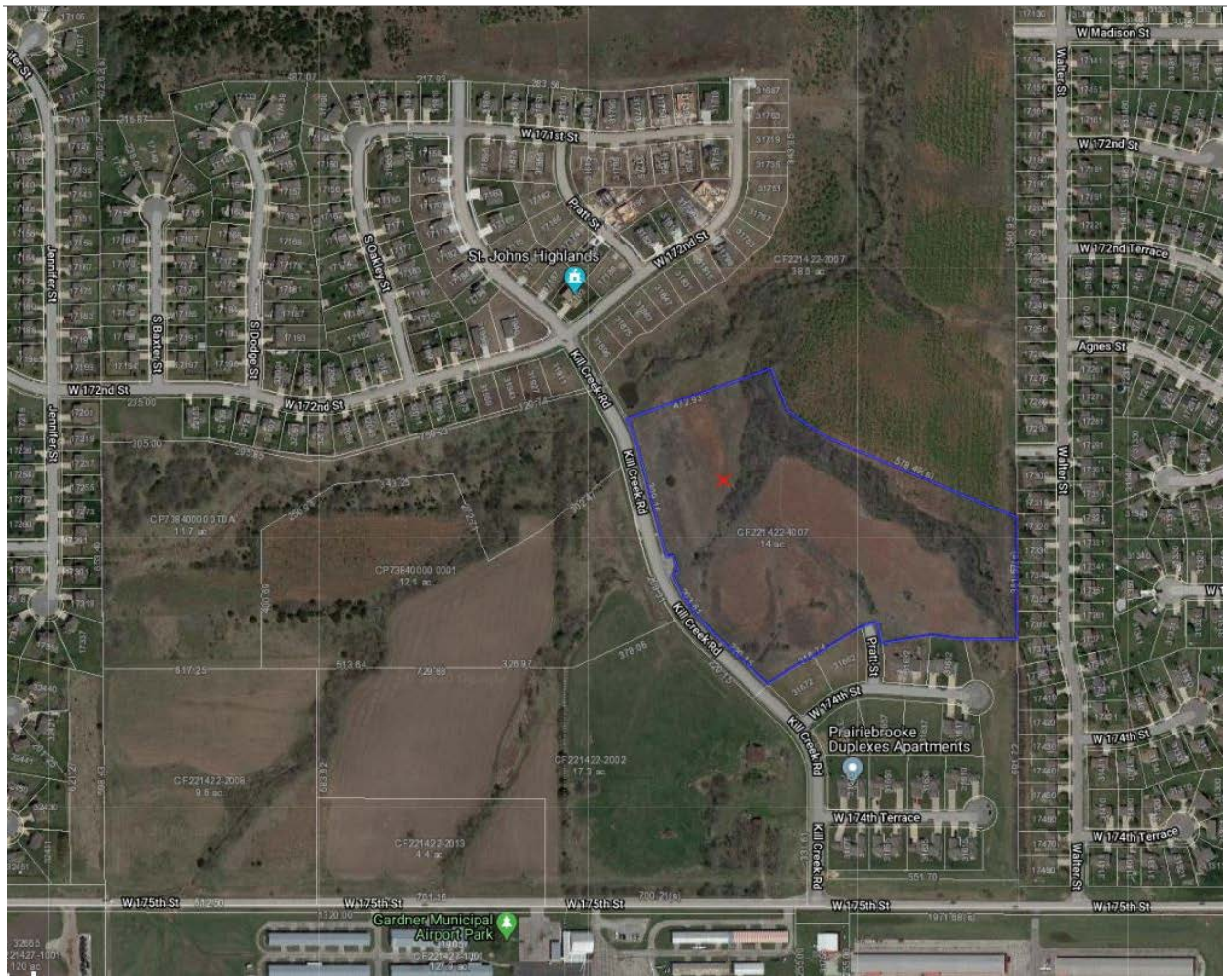
Hold a public hearing on and consider a request to approve FDP-20-04 Final Development Plan for Prairiebrook Villas, containing 76 total dwelling units, including eighteen 4-unit Row Houses and two ADA accessible Duplexes.

EXISTING ZONING AND LAND USE

The site is currently zoned RP-2 (Planned Two-Family Residential) District and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
RP-2 (Planned Two-Family Residential)	Single-family homes in future Breckenwood Creek subdivision
East of subject property	
R-1 (Single-Family Residential) District	Single family homes in Double Gate IV subdivision
South of subject property	
RP-2 (Planned Two-Family Residential)	Duplexes in Prairiebrooke subdivision
West of subject property	
RP-3 (Planned Garden Apartment) District	Undeveloped farming/ranch land
C-O (Office) District	Undeveloped farming/ranch land



EXISTING CONDITIONS

The property is currently unplatted and is unimproved. The development will be accessed from an existing collector street (Kill Creek Road), and extension of a local street (Pratt St). An existing 8" sanitary sewer main bisects the subject parcel. Underground electric exists near the south and east boundaries. Eight inch water mains exist along 173rd St, Pratt St, and Kill Creek Rd. There is an existing fire hydrant at the intersection of the subject parcel with Kill Creek Rd. Stormwater infrastructure exists along Kill Creek Rd. The subject parcel contains an existing stream and floodplain.

BACKGROUND / HISTORY

The rezoning and associated preliminary development plan (Z-20-06 and PDP-20-02) were recommended for approval by the Planning Commission at their April 28, 2020 meeting. The City Council considered the rezoning and preliminary development plan at their May 18, 2020 meeting, and approved Ordinance No. 2664 rezoning the property from RP-2 (Planned Two-Family Residential District) to RP-3 (Planned Garden Apartment District) and the associated preliminary development plan with the following conditions:

1. The stormwater plan and traffic study shall be approved prior to approval of any final development plan/final plat.
2. Because of the unique context and access configuration of this development which limits the provision of contiguous green space in the frontage area, the Buffer Edge frontage

type will be implemented along Kill Creek Road and Pratt Street rather than on the cul-de-sacs to better meet Code intent.

3. Revise the deviation requests on Sheet 2 of the plan to reflect what has been approved, including the addition of Deviation #12 regarding the Front Entry Feature for the Duplex building type.

   These conditions have all been met.

The Preliminary Plat (PP-20-05) was approved by the Planning Commission on April 28, 2020, subject to the following conditions:

1. Approval of the final Traffic Impact Study and Stormwater Management Plan.

   This condition has been met.

DEVELOPMENT PLAN HIGHLIGHTS

The development plan includes 20 lots totaling 7.34 acres, 2.22 acres of right-of-way, and 4.46 acres of open space for a total of 14.02 acres. There are a total of 76 dwelling units (18, 4-unit townhomes and 2, 2-unit ADA accessible duplexes). Lots 8 and 10 are designed for the Duplex building type, and all other lots are designed for the Row House building type. The street type is Local – Neighborhood, and the Open and Civic Space type is Trail/Greenway. The proposed frontage type is Buffer Edge.

CONSISTENCY WITH COMPREHENSIVE PLAN

The parcel is indicated for Low Density Residential future land use on the Future Land Use Plan of the Comprehensive Plan.

The Low-Density Residential category is described to "primarily consists of detached single family homes, but may also include duplexes or triplexes arranged in a low density format on larger lots, with buildings in character with typical single family homes. Housing is typically arranged on a local street grid, or as part of a subdivision, and may include local amenities such as small community or civic buildings, playgrounds or gardens that serve residents." Table 5-1 of the *Gardner Land Development Code* (LDC) translates Low Density Residential future land use into the RE (Residential Estates), R-1 (Single-Family Residential) and R-2 (Two-Family Residential) Districts or application of planned districts to these and other residential districts to promote open space and rural preservation; OR to develop more walkable neighborhoods with a mix of housing types and connection to walkable neighborhood centers.

Although the proposed Row House buildings contain more dwelling units, the building footprint, at 2,568 sf, is comparable to a duplex or triplex. The existing duplexes in the Prairiebrooke subdivision to the south have a comparable building footprint and scale, and comparable lot size. The average lot size in the proposed development is 15,984 sf; six of the Row House lots exceed the upper range for lot area, contributing to a lower density format.

Although the proposed zoning district is not consistent with the Low Density Residential future land use description, this planned development meets other Comprehensive Plan goals, and is supported by data in other plans, as follows:

1. One of the core themes of the Comprehensive Plan is Housing Variety to support on-going investment in housing and attract new residents. The Housing Variety goal is intended to ensure that the housing stock responds to a variety of users, including young professionals, new families, empty-nesters and seniors in need of assistance. Providing

a range of options allows support for all income levels to move toward home ownership. Specifically the housing objectives that are addressed by this development include:

- Encourage the development of housing and support services to allow seniors to age in place;
- Promote infill residential development within incomplete subdivisions;
- Ensure new residential developments are sited within close proximity and access to schools and parks.

2. This parcel is located in the New Growth Area of the Residential Areas Plan of the Comprehensive Plan, which is intended to provide the opportunity to:
   - Ensure new development meets the requirements in the *Gardner Land Development Code*, providing flexibility where necessary to accommodate a variety of housing types and intensities;
   - Work closely with residential developers to encourage local development patterns that provide a variety of housing types and allow aging residents to "downsize" and stay in the neighborhood or subdivision.

3. The *Gardner Main Street Corridor Plan Market Analysis* includes the following information that shows how the proposed development can meet identified needs:
   - Much of Gardner's growth since 2000 has been driven by young families looking for more affordable housing options.
   - Since the Great Recession of 2008, a higher percentage of households and families are renting rather than purchasing their homes. From 2010 to 2015, the number of owner-occupied housing units dropped from a high of 72 percent to 64 percent and, as a corollary, the number of renter-occupied units increased from 21 percent to 30 percent.
   - Demand for renter-occupied housing has overwhelmingly been driven by households with an income range between $35,000 and $50,000. This housing demand could continue into the foreseeable future as this income range corresponds with estimates of the income earning potential of workers at LPKC and the New Century AirCenter. Moreover, households with this income range are largely priced-out of the homeownership market in Gardner.
   - Low Income Housing Tax Credits (LIHTC) financing is one promising potential source of gap financing for housing. Importantly, the income ranges of households showing the highest demand for renter-occupied housing fall between 50 percent and 80 percent of the U.S. Housing and Urban Development (HUD) defined area median income, and thus, these households would qualify for the program.
   - At a rent level of $1,150 per month, a household would need to earn approximately $3,800 per month or $45,600 a year in order to only pay 30 percent of their income in housing costs – a number that most housing advocates generally consider as affordable for most households.

The associated final development plan includes dedication of land for a trail as consistent with the future trails shown on the Bike & Pedestrian Plan of the Comprehensive Plan, which indicates the requirement for trail connections through residential areas and floodplains as a component of new neighborhood development. It also preserves the greenway corridor that follows Kill Creek and serves as natural flood mitigation infrastructure and ecological corridors as provided in the Environmental Features Plan of the Comprehensive Plan.

STAFF ANALYSIS – FINAL DEVELOPMENT PLAN

This section highlights contents of the application which may merit particular consideration in regard to zoning intent and standards. A full analysis to all applicable regulations is available on request.

This application is being reviewed per the Planned Development process of Section 17.03.040 of the LDC.

17.03.040 (F) Review Criteria:

1. In general, any final development plan in compliance with all requirements of this Code shall be approved.

   Staff Comment: *The final development plan is generally in compliance to the Code with the exception of the approved deviations from the preliminary development plan.*

2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
   a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.

      Staff Comment: *The sites are capable of accommodating the buildings and other design elements required without negatively impacting adjacent property.*

   b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

      Staff Comment: *The design and arrangement of the buildings and open space is consistent with good design, principles, and practices. The site includes features and amenities that establish a built relationship with adjacent sites and the public realm.*

   c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.

      Staff Comment: *The applicant is proposing architecture and building design using quality materials such as smart paneling, stone veneer, and varying color schemes throughout the development.*

   d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.

      Staff Comment: *The overall design of the buildings are compatible to the context of the surrounding properties.*

   e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.

      Staff Comment: *No additional site-specific conditions are necessary to meet the intent and design objectives of the applicable development standards*

3. The application meets the criteria for all other reviews needed to build the project as proposed.

   Staff Comment: *The applicant is required to submit and receive approval of a final plat and public improvement plans prior to construction.*

4. The recommendations of professional staff.

   Staff Comment: *Staff recommends approval of the final development plan for Prairiebrook Villas.*

5. The final development plan is in substantial compliance with the approved preliminary development plan.

   Staff Comment: *The final development plan is in substantial compliance with the approved preliminary development plan.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

VEHICULAR AND PEDESTRIAN ACCESS

Roadway network – The applicant is planning to extend Pratt Street (local street) to connect Kill Creek Rd (collector street) with W. 174th Street (local street), and will construct three cul-de-sacs. These cul-de-sacs are consistent with the new requirements of the Johnson County Fire District to accommodate their equipment, with 48' radius indicated (diameter of cul-de-sac is 96'). The traffic study is still under review and will be a condition of approval.

Sidewalks and Trail – The Local – Neighborhood street requires a 5' sidewalk on both sides of all streets while maintaining a 6' planting bed between the curb and sidewalk for street trees. These requirements are met with the sidewalk to be installed adjacent to the front property/ROW line. The applicant proposes to meet the Open and Civic Space requirement by dedicating Tracts A & B to the City, containing a 10' concrete trail built to City specifications, which will connect to the trail system to the future development to the north Breckenwood Creek Subdivision.

UTILITIES

Electric – Electric is currently installed in the subdivisions to the east and the south and is to be extended into the project. Electric easements have been provided as requested.

Water – City water will be provided from extensions of existing lines along Kill Creek Rd and Pratt Street. Water lines will be provided within front yard utility easements.

Sanitary Sewer – There are existing sanitary sewer lines on the property which will be modified to be located in front yard utility easements.

Storm Sewer – The stormwater management plan indicates underground infrastructure and overland routing with drainage into three outfall locations. This plan has been reviewed and approved by Engineering.

Environmental – The subject parcel contains an existing stream and floodplain and is in the Kill Creek watershed of the Kansas River basin. The applicant has submitted a permit to the U.S. Army Corp of Engineers requesting relocation of the existing streambed. This permit is still in the review process, and the development, as submitted, is contingent on approval of the permit.

Utilities are adequately provided for with this project. Public improvement plans will need to be approved before building permits are issued. *This is a condition of approval.*

ATTACHMENTS

I. Final Development Plan FDP-20-04
II. Duplex building elevations and example photo
III. Row House building elevations (3 different)
IV. Application

RECOMMENDATION

Staff recommends approval of the final development plan subject to the following conditions:

1. A final plat shall be reviewed, receive approval, and be recorded with the Johnson County Records and Tax Administration prior to the issuance of a building permit;
2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to issuance of a building permit; and

Recommended Motion:

After review of application FDP-20-04, a final development plan for Prairiebrook Villas, and final development plans dated July 17, 2020, and staff report dated July 28, 2020, the Planning Commission approved the application provided the following conditions are met:

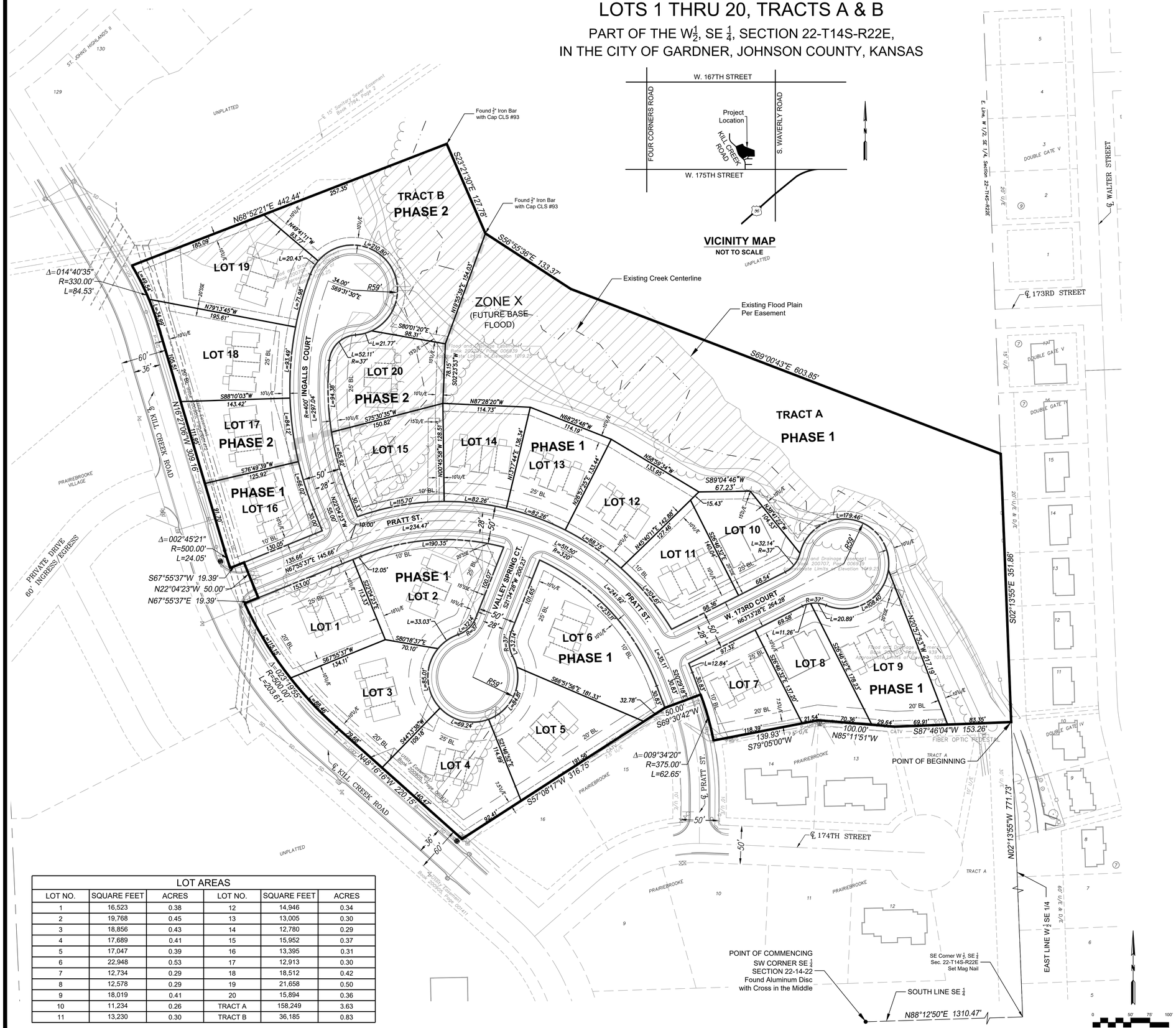
1. A final plat shall be reviewed, receive approval, and be recorded with the Johnson County Records and Tax Administration prior to the issuance of a building permit;
2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to issuance of a building permit; and

FINAL DEVELOPMENT PLAN FDP-20-04

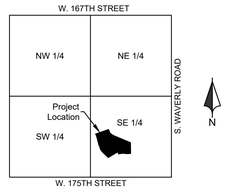
"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



VICINITY MAP
NOT TO SCALE



LOCATION MAP
SECTION 22-T14S-R22E
Scale 1" = 2000'

LEGAL DESCRIPTION:

All that part of the West Half of the Southeast Quarter of Section 22, Township 14 South, Range 22 East of the 6th Principal Meridian now in the City of Gardner, Johnson County, Kansas and being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 22; thence North 88°12'50" East along the South line of said Southeast Quarter a distance of 1310.47 feet to the Southeast corner of the West Half of the Southeast Quarter of said Section 22; thence along the East line of said West Half, said East line also being the East line of PRAIRIEBROOKE and the West line of DOUBLE GATE IV both being subdivisions of land in said City, County and State, North 02°13'55" West a distance of 771.73 feet to the Northeast corner of said PRAIRIEBROOKE and the POINT OF BEGINNING of the herein described tract of land; thence along the North line of said PRAIRIEBROOKE the following six (6) courses; thence South 87°46'04" West a distance of 153.26 feet; thence North 85°11'51" West a distance of 100.00 feet; thence South 79°05'00" West a distance of 139.93 feet; thence Northwesterly along a curve to the left whose initial tangent bears North 10°55'00" West with a central angle of 09°34'20" a radius of 375.00 feet and an arc length of 62.65 feet; thence South 69°30'42" West a distance of 50.00 feet; thence South 57°08'17" West a distance of 316.75 feet to the Northwest corner of Lot 16 of said PRAIRIEBROOKE and the Easterly right-of-way line of Kill Creek Road as now established by PRAIRIEBROOKE VILLAGE a subdivision of land in said City, County and State; thence along the Easterly right-of-way line of said Kill Creek Road the following eight (8) courses; thence North 48°16'16" West a distance of 220.15 feet; thence along a curve to the right with a central angle of 23°19'55" a radius of 500.00 feet and an arc length of 203.61 feet; thence North 67°55'37" East a distance of 19.39 feet; thence North 22°04'23" West a distance of 50.00 feet; thence South 67°55'37" West a distance of 19.39 feet; thence along a curve to the right whose initial tangent bears North 19°12'25" West with a central of 02°45'21" a radius of 500.00 feet and an arc length of 24.05 feet; thence North 16°27'06" West a distance of 309.16 feet; thence along a curve to the left with a central angle of 14°40'35" a radius of 330.00 feet and an arc length of 84.53 feet; thence departing said right-of-way line North 68°52'21" East a distance of 442.44 feet; thence South 23°21'30" East a distance of 127.78 feet; thence South 56°55'36" East a distance of 133.37 feet; thence South 69°00'43" East a distance of 603.85 feet to the East line of the West Half of said Southeast Quarter and the West line of said DOUBLE GATE IV; thence South 02°13'55" East along said lines a distance of 351.86 feet to the POINT OF BEGINNING.

Containing 610,857 square feet or 14.0233 acres, more or less.

NOTES:

1. Property currently zoned "RP-3" Planned Garden Apartment District.
2. A sidewalk is required along both sides local street and both sides of arterial and collector streets. Sidewalk shall extend fully around the perimeter of all cul-de-sacs and eyebrow cul-de-sacs.
3. According to the F.E.MA. Flood Insurance Rate Map Number 20091C0104G, 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 and ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology. No base flood elevations determined.
4. Tracts "A" and "B" are intended for open space and shall dedicated to the City of Gardner. The City of Gardner shall be responsible for all maintenence.
5. All common area in lots is open space and shall be owned and maintained by Prairiebrooke Villas Owners' Association, its successors and assigns, and will be responsible for maintenance on said lots.

PROJECT SUMMARY:

STREET TYPE: LOCAL - NEIGHBORHOOD STREET
BUILDING TYPES: DUPLEX AND ROW HOUSE
FRONTAGE TYPE: BUFFER EDGE
OPEN & CIVIC SPACE : TRAIL / GREENWAY
AREA - LOTS: 20 (319,662 S.F. / 7.34 ACRES)
AREA - OPEN & CIVIC SPACE: 2 TRACTS (194,434 S.F. / 4.46 ACRES)
AREA - RIGHT-OF-WAY: 4 STREETS (96,761 S.F. / 2.22 ACRES)
TOTAL AREA - SUBDIVISION: 610,857 S.F. / 14.02 ACRES

LOT AREAS

LOT NO.	SQUARE FEET	ACRES	LOT NO.	SQUARE FEET	ACRES
1	16,523	0.38	12	14,946	0.34
2	19,768	0.45	13	13,005	0.30
3	18,856	0.43	14	12,780	0.29
4	17,689	0.41	15	15,952	0.37
5	17,047	0.39	16	13,395	0.31
6	22,948	0.53	17	12,913	0.30
7	12,734	0.29	18	18,512	0.42
8	12,578	0.29	19	21,658	0.50
9	18,019	0.41	20	15,894	0.36
10	11,234	0.26	TRACT A	158,249	3.63
11	13,230	0.30	TRACT B	36,185	0.83

DEVELOPER
OIKOS DEVELOPMENT CORP.
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ENGINEER
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LEE'S SUMMIT, MISSOURI 64063
(816) 347-9997
CONTACT - JEFF LOVELACE

Prepared: June 12, 2020

DATE	REVISION	NO.	BY	CK/APP
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/22/20	SUBMITTAL TO CITY		SPW	RKS

IF THIS IS NOT A BLUE INK SEAL AND THE SIGNATURE IN BLUE INK, THE PLAN IS A COPY AND MAY CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO ANY COPIES.

R. KEVIN STERRETT, KS E-21889
July 17, 2020

Hg Consult inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E2010000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
BOUNDARY, LOTS & EASEMENTS
PRAIRIEBROOKE VILLAS
CITY OF GARDNER - JOHNSON COUNTY - KANSAS

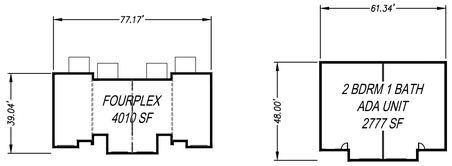
X-REF NO. 20-004 BASE
DRAWING NO. 20-004 FDPs
DATE July 17, 2020
JOB NO. 20-004
SHEET 1 OF 3

FINAL DEVELOPMENT PLAN FDP-20-04

"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



PROPOSED BUILDING FLOOR PLAN
Scale: 1" = 30'

Deviation No.	Section and Item	Requirement	Proposed	Approved PDP-20-02
1	Section 17.04.010 Street Networks and Street Design, Table 4-1: Block Sizes and Connectivity, Suburban Planning Context	Block Length 500 feet Minimum	Blocks Less than 500 feet in length	Approved as proposed
2	Section 17.04.010 Street Networks and Street Design, Table 4-1: Block Sizes and Connectivity, Suburban Planning Context	Block area minimum 5 acres	Block areas are less than 5 acres	Approved as proposed
3	Section 17.07.030 Building Design Standards, (B.2.a) Primary Entry Features, Residential buildings, design.	Front Entry Feature 8' x 8' Stoop - Unenclosed	Interior 2-Bedroom units will have a 7' wide X 3' unenclosed covered walk space (7' X 4'6" walk space including uncovered space) separated from the 3-Bedroom units; the 3-Bedroom units will have a 7' X 1'6" unenclosed walk space separated from the 2-Bedroom units	Approved as proposed
4	Section 17.07.040 Specific Building Type Standards, Duplex building type, Garage Limits Exceeded	25% of Façade for front loaded garage	63%	Approved as proposed
5	Section 17.07.050 Frontage Design, Access Width Limits exceeded	25% of Lot Width up to 36' Max per access point	32%- 26' Lot 8, 28%-26' Lot 10	Approved as proposed
6	Section 17.07.40 Specific Building Type Standards, Frontage type for the Duplex building type	Approved Buffer Edge with Condition	Buffer Edge	Approved as proposed
7	Section 17.07.040 Specific Building Type Standards, Row House Lot Width	Lot width for Row Houses Range width of 72'-144'	Lots 1 and 2 exceed the 144'	Approved as proposed
8	Section 17.07.040 Specific Building Type Standards, Row House Lot Area	Lot area range for Row Houses 8000 sf- 18000 sf	Lots 2,3,6,9,18 and 19 exceed 18,000 sf	Approved as proposed
9	Section 17.07.040 Specific Building Type Standards, Row House Front Setback	Front setback 10'-25'	Several lots exceed the 25' maximum setback	Approved as proposed
10	Section 17.07050 Frontage Design, Buffer Edge Frontage type, Access Width Limits	Access Width Limits - 25% of Lot Width up to 36' Max per access point	Several lots exceed the 25% maximum of Lot width for access with smaller width drives (29-48%)	Approved as proposed
11	Section 17.09.030 Required Parking, E. Bicycle Parking, Residential	One bike space per unit	None	Approved as proposed
12	Section 17.07.030 Building Design Standards, (B.2.a) Primary Entry Features, Residential buildings, design.	Front Entry Feature 8' x 8' Stoop - Unenclosed	5' x 4' Stoop - Unenclosed	Approved as proposed

PRAIRIEBROOKE VILLAS, GARDNER, KS

BUILDING TYPES, ROOF TYPES, AND COLOR SCHEMES

Lot Number	Building Type	Roof Type	Front Siding	Rear&SideSiding	Body Color	Accent Color (Front Door)	Trim Color	Front Wainscot	Wainscot Color
1	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
2	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Greens SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
3	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
4	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
5	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
6	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
7	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
8	Duplex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
9	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
10	Duplex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
11	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
12	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
13	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
14	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
15	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
16	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
17	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
18	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
19	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
20	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun

NOTES:

1. Tracts "A" and "B" are intended for open space and shall be dedicated to the City of Gardner, Kansas. The City of Gardner shall be responsible for all maintenance.
2. All utility easements will be dedicated to the City of Gardner with the Final Plat. The City of Gardner shall be responsible for all utility repair and maintenance.
3. All streets shall be paved per City of Gardner, Kansas city standards.
4. All sidewalks shall be constructed with Portland cement concrete.
5. All trees in Lot areas to be removed.

PROJECT SUMMARY:

EXISTING ZONING: "RP-3" PLANNED GARDEN APARTMENT DISTRICT
STREET TYPE: LOCAL - NEIGHBORHOOD STREET
BUILDING TYPES: DUPLEX AND ROW HOUSE
FRONTAGE TYPE: BUFFER EDGE
OPEN & CIVIC SPACE : TRAIL / GREENWAY
AREA - LOTS: 20 (319,662 S.F. / 7.34 ACRES)
AREA - OPEN & CIVIC SPACE: 2 TRACTS (194,434 S.F. / 4.46 ACRES)
AREA - RIGHT-OF-WAY: 4 STREETS (96,761 S.F. / 2.22 ACRES)
TOTAL AREA - SUBDIVISION: 610,857 S.F. / 14.02 ACRES
OVERALL PROJECT DENSITY: 5.4 UNITS PER ACRE
BUILDING SUMMARY: 18 - 4PLEX 2 - DUPLEX
UNIT SUMMARY: DUPLEX - 2 UNITS PER 2 LOTS = 4 UNITS
4PLEX - 4 UNITS PER 18 LOTS = 72 UNITS
TOTAL = 76 UNITS
REQUIRED SIDEWALK: 5' WIDE SIDEWALK BOTH SIDES OF STREET

LEGEND

Existing Section Line	Proposed Right-of-Way
Existing Right-of-Way Line	Proposed Property Line
Existing Lot Line	Proposed Lot Line
Existing Easement Line	Proposed Easement
Existing Curb & Gutter	Proposed Curb & Gutter
Existing Sidewalk	Proposed Sidewalk
Existing Storm Sewer	Proposed Storm Sewer
Existing Storm Structure	Proposed Storm Structure
Existing Waterline	Proposed Fire Hydrant
Existing Gas Main	Proposed Waterline
Existing Sanitary Sewer	Proposed Sanitary Sewer
Existing Sanitary Manhole	Proposed Sanitary Manhole
Existing Street Light	Proposed Street Light
Existing Contour Major	Proposed Contour Major
Existing Contour Minor	Proposed Contour Minor
	Future Curb & Gutter

LOT AREAS

LOT NO.	SQUARE FEET	ACRES	BUILDING COVERAGE %	LOT NO.	SQUARE FEET	ACRES	BUILDING COVERAGE %
1	16,523	0.38	21	12	14,946	0.34	23
2	19,768	0.45	17	13	13,005	0.30	26
3	18,856	0.43	18	14	12,780	0.29	27
4	17,689	0.41	19	15	15,952	0.37	21
5	17,047	0.39	20	16	13,395	0.31	26
6	22,948	0.53	15	17	12,913	0.30	26
7	12,734	0.29	27	18	18,512	0.42	18
8	12,578	0.29	22	19	21,658	0.50	16
9	18,019	0.41	19	20	15,894	0.36	22
10	11,234	0.26	25	TRACT A	158,249	3.63	N/A
11	13,230	0.30	26	TRACT B	36,185	0.83	N/A

0 50' 75' 100'
SCALE IN FEET

DATE	REVISION	NO.	BY	CK'D BY
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/12/20	SUBMITTAL TO CITY		SPW	RKS

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R. KEVIN STERRETT, KS E-21889
July 17, 2020

Consult Inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E201000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
BUILDING FLOORPLANS & UTILITIES
PRAIRIEBROOKE VILLAS
CITY OF GARDNER - JOHNSON COUNTY - KANSAS

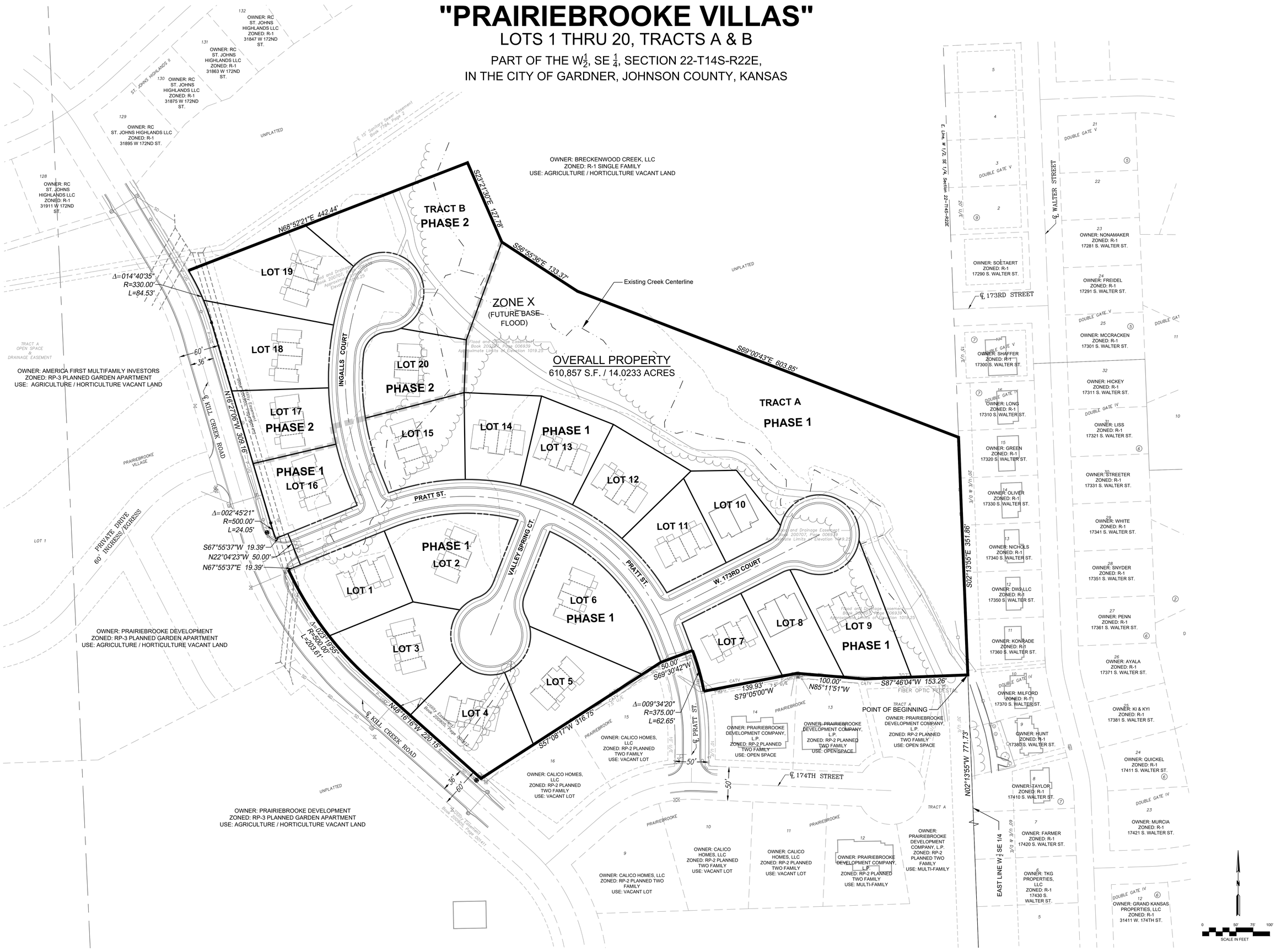
X-REF NO. 20–004 BASE
DRAWING NO. 20–004 FDPa
DATE July 17, 2020
JOB NO. 20–004

FINAL DEVELOPMENT PLAN FDP-20-04

"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



DATE	REVISION	NO.	BY	CK'D APP.
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/12/20	SUBMITTAL TO CITY		SPW	RKS

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R. KEVIN STEERETT, KS E-21869
July 17, 2020

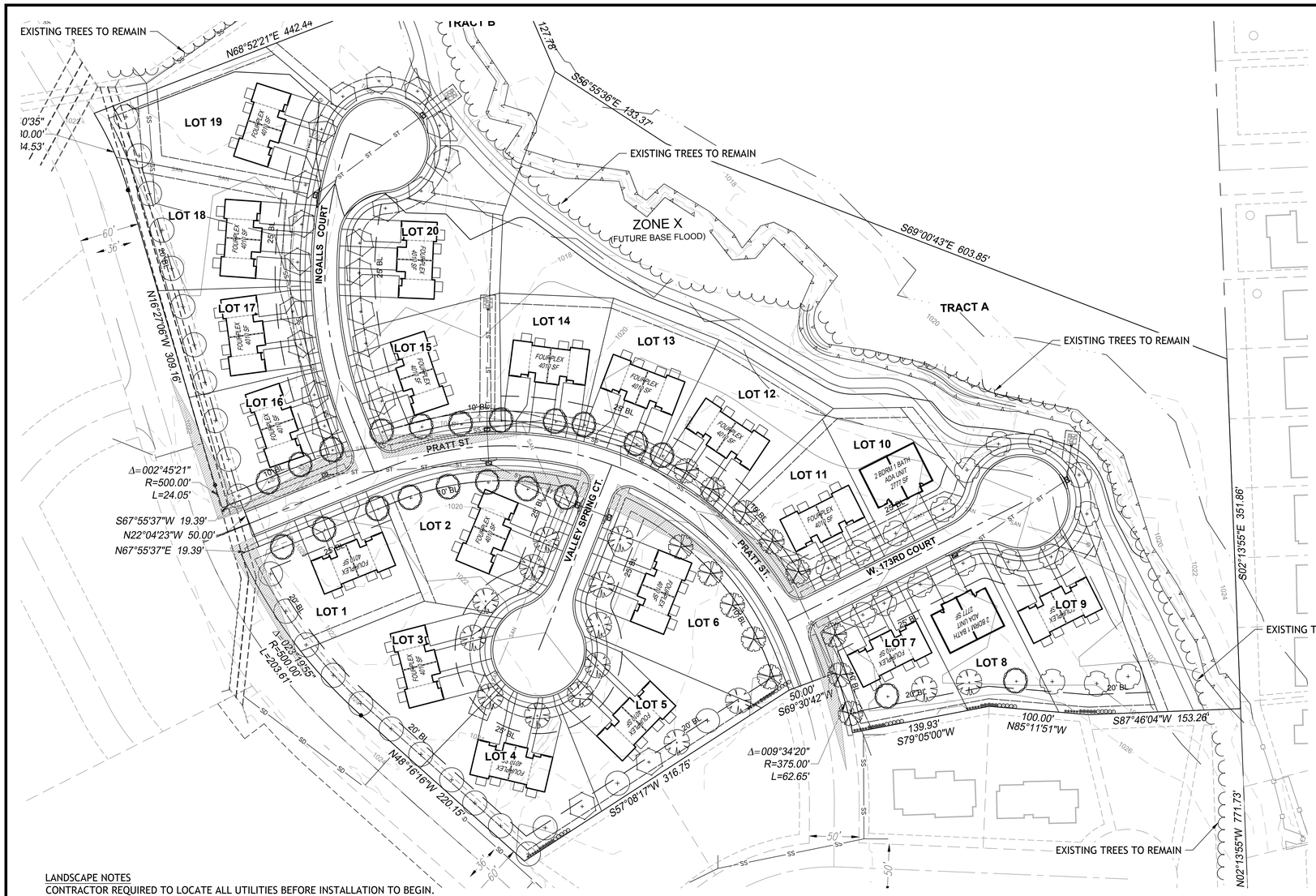
Consult Inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E2010000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
OWNERSHIP, ZONING AND LAND USE FOR
SURROUNDING PROPERTIES

PRAIRIEBROOKE VILLAS

CITY OF GARDNER - JOHNSON COUNTY - KANSAS

X-REF NO. 20-004 BASE
DRAWING NO. 20-004 FDPs
DATE July 17, 2020
JOB NO. 20-004
SHEET 3 OF 3



LANDSCAPE DATA:

	REQUIRED	PROVIDED
KILL CREEK RD 867.45'		
STREET TREES 1 PER 40'	22	22
173rd COURT		
STREET TREES 1 PER 40'	14	15
VALLEY SPRINGS COURT 200.32'		
STREET TREES 1 PER 40'	5	11
PRATT STREET 688.83'		
STREET TREES 1 PER 40'	17	33
INGALLS COURT 352.04'		
STREET TREES 1 PER 40'	9	20
SOUTH PROPERTY LINE 709.94'		
INTENSITY LEVEL 2		
SHADE TREE 1 PER 50'	14	14
SHRUB 1 PER 10'	71	75

Tree List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	25	Red Oak	Quercus Rubra	2" cal	BB	As Shown
	18	Autumn Gold	Ginkgo biloba	2" cal	BB	As Shown
	21	October Glory Maple	Acer Rubrum 'October Glory'	2" cal	BB	As Shown
	15	Green Vase Zelkova	Zelkova Serrata 'Green Vase'	2" cal	BB	As Shown
	22	Skyline Honeylocust	Gleditsia Triacanthos 'Skyline'	2" cal	BB	As Shown
	14	Sterling	Tilia tomentosa	6' hgt	BB	As Shown

Shrub List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	8	Seagreen Juniper	Juniperus Chinensis 'Seagreen'	18"-24"sp.	Cont.	4'o.c.
	10	Dwarf Winged Euonymus	Euonymus Alatus 'Compactus'	18"-24"sp.	Cont.	3 1/2'o.c
	10	Morning Light Maiden Grass	Miscanthos Sinensis 'Morning Light'	3 gal.	Cont.	3'o.c.

LANDSCAPE NOTES

CONTRACTOR REQUIRED TO LOCATE ALL UTILITIES BEFORE INSTALLATION TO BEGIN.

Contractor shall verify all landscape material quantities and shall report any discrepancies to the Landscape Architect prior to installation.

No plant material substitutions are allowed without Landscape Architect or Owners approval.

Contractor shall guarantee all landscape work and plant material for a period of one year from date of acceptance of the work by the Owner. Any plant material which dies during the one year guarantee period shall be replaced by the contractor during normal planting seasons.

Contractor shall be responsible for maintenance of the plants until completion of the job and acceptance by the Owner.

Successful landscape contractor shall be responsible for design that complies with minimum irrigation requirements, and installation of an irrigation system. Irrigation system to be approved by the owner before starting any installation.

All plant material shall be specimen quality stock as determined in the "American Standards For Nursery Stock" published by The American Association of Nurseryman, free of plant diseases and pest, of typical growth of the species and having a healthy, normal root system.

Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than specified be accepted.

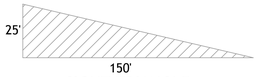
All shrub beds within lawn areas to receive a manicured edge.

All shrub beds shall be mulched with 3" of shredded cedar mulch.

All sod areas to be fertilized & sodded with a Turf-Type-Tall Fescue seed blend.

All seed areas shall be hydro-seeded with a Turf-Type-Tall Fescue seed blend.

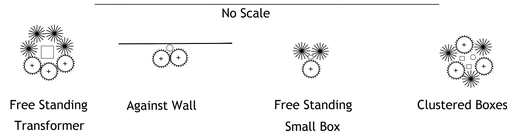
Plant specification requirements of Section 17.08.030 shall be met



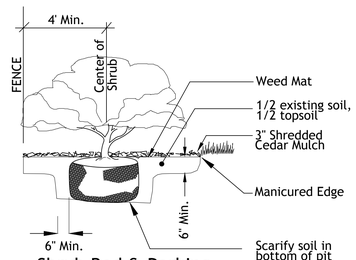
SIGHT TRIANGLE

Typical Utility Box Screening Details

No Scale

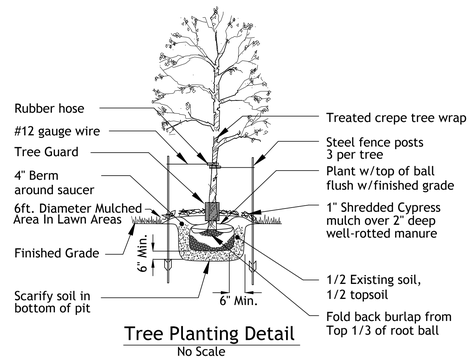


UTILITY BOXES SHALL BE CLUSTERED AS MUCH AS POSSIBLE



Shrub Bed & Parking Setback Detail

No Scale



Tree Planting Detail

No Scale

1"=50'

0 25' 50'

NO.	BY	CK/APP
1	GO	GO

DATE	REVISION
7-14-20	CITY COMMENTS

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Garrett Ochs, Landscape Architect
KS Licence 712

PRAIRIEBROOKE

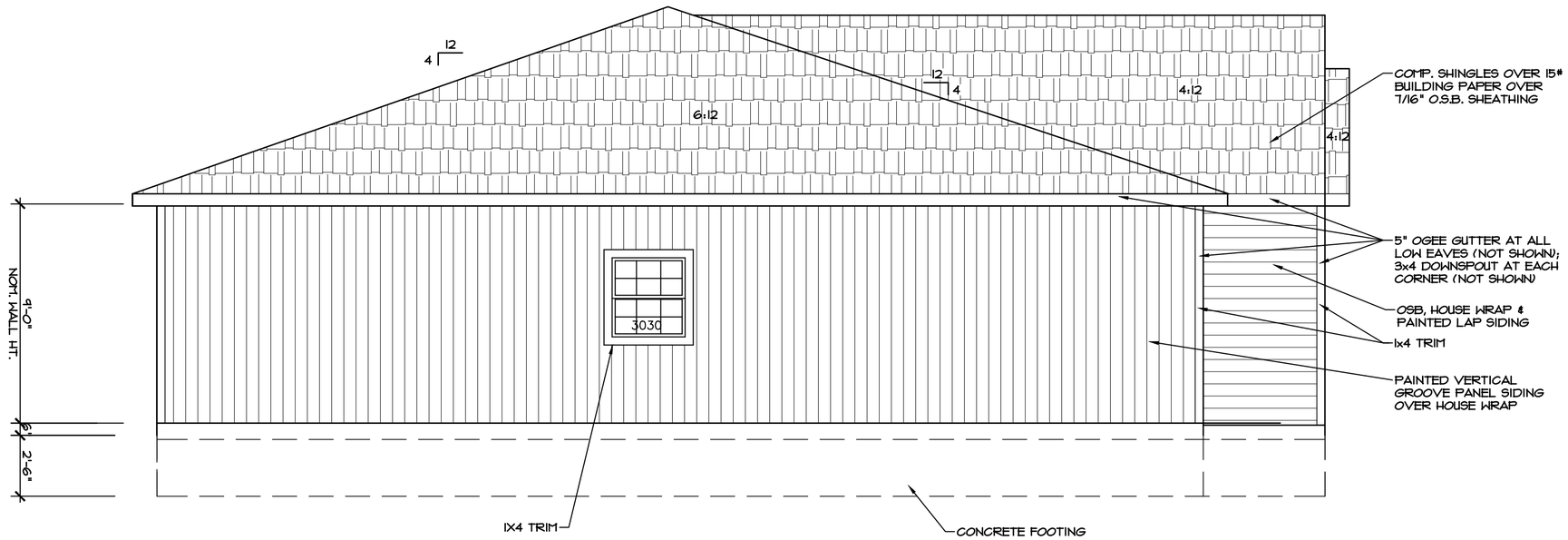
GARDNER KS - JACKSON COUNTY - KANSAS

LANDSCAPE PLAN

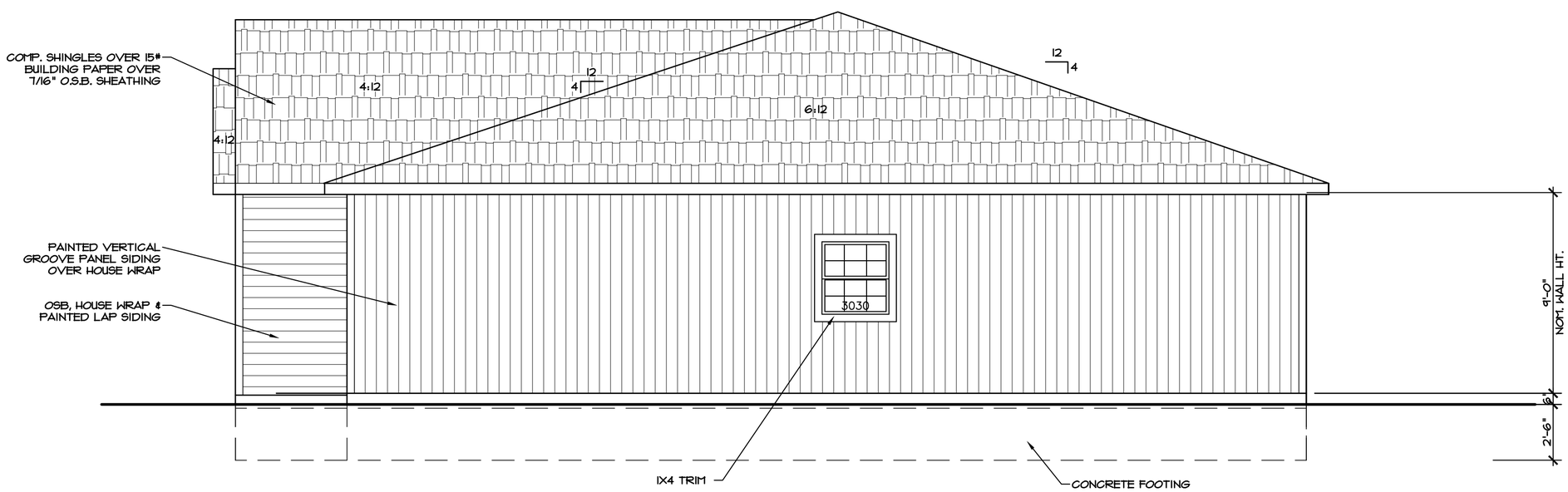
DATE
6-12-20

L1

NOTES:
1. REFER TO PHOTO VOLTAIC DESIGN PLANS AND SPECIFICATIONS FOR PV PANEL LAYOUT AND DESIGN LOADS. TRUSS DESIGN TO ACCOMMODATE PV PANEL DEAD AND LIVE LOADS.



1 LEFT ELEVATION
1/4" = 1'-0"



2 RIGHT ELEVATION
1/4" = 1'-0"

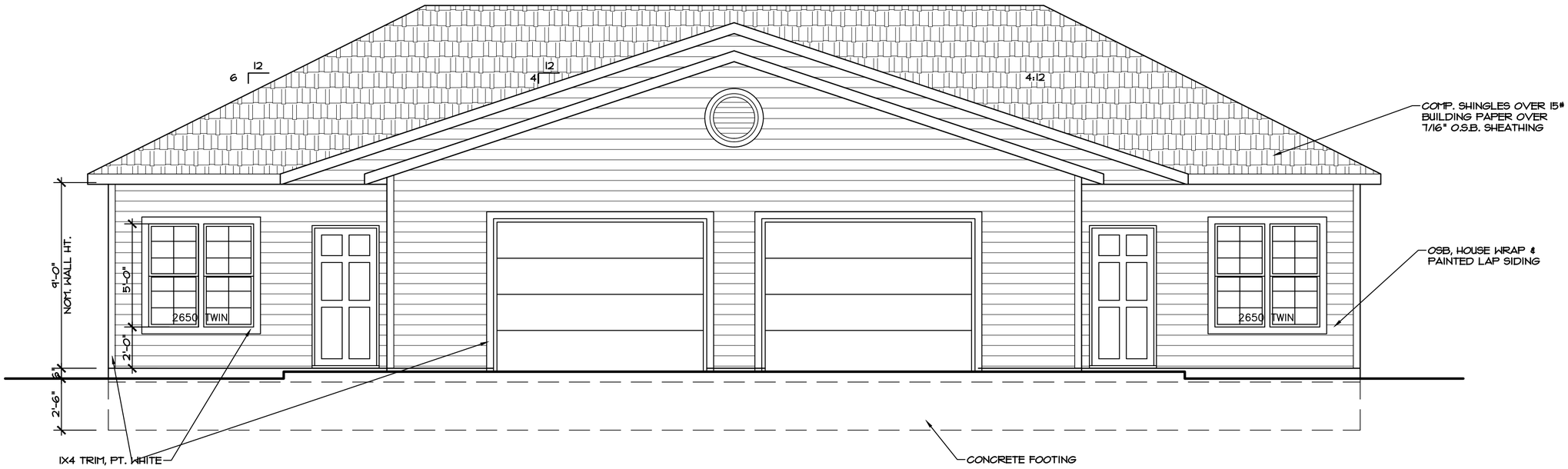
GARDEN CITY DUPLEXES
2 BDRM 1 BATH - ACCESSIBLE UNIT 1,037 S.F.
GARDEN CITY, KANSAS

Hernly
ARCHITECTS
1100 Rhode Island St.
Lawrence, Kansas
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

REAR ELEVATION
FRONT ELEVATION

Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

A2.0

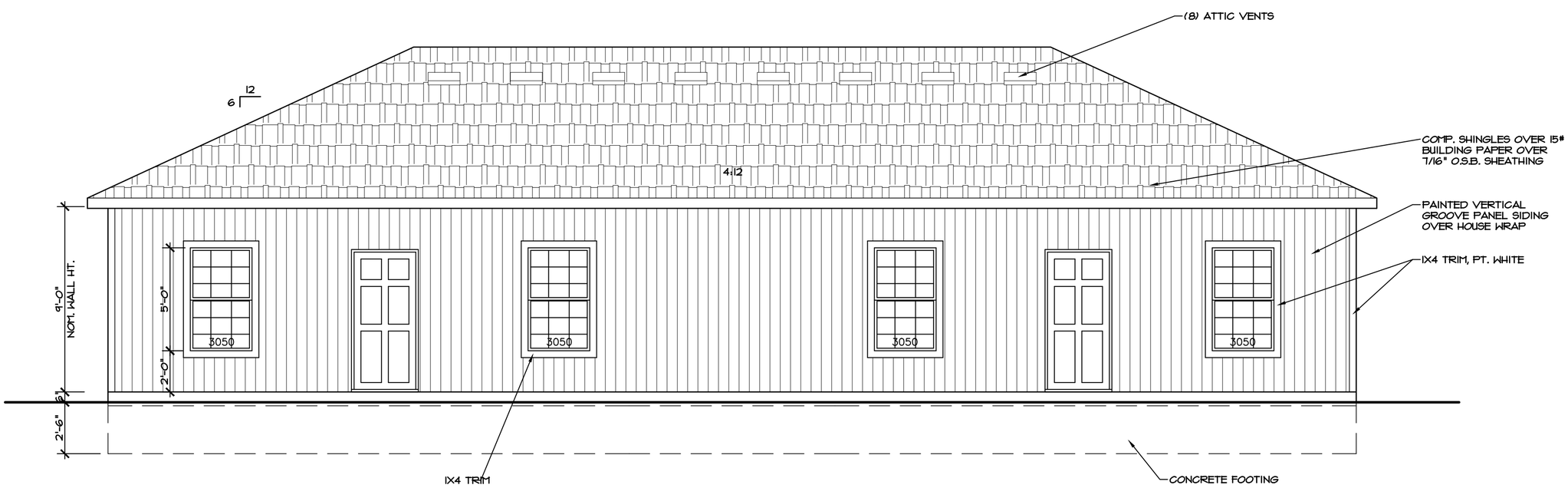


1 FRONT ELEVATION

1/4" = 1'-0"

NOTES:

1. REFER TO PHOTO VOLTAIC DESIGN PLANS AND SPECIFICATIONS FOR PV PANEL LAYOUT AND DESIGN LOADS. TRUSS DESIGN TO ACCOMMODATE PV PANEL DEAD AND LIVE LOADS.



2 REAR ELEVATION

1/4" = 1'-0"

GARDEN CITY DUPLEXES

2 BDRM 1 BATH - ACCESSIBLE UNIT 1,037 S.F.

GARDEN CITY, KANSAS

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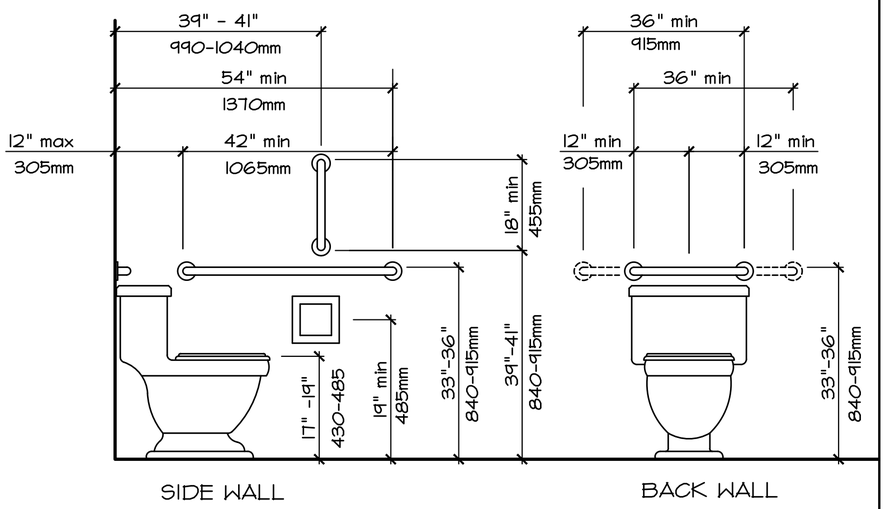
FAX 785 - 749 - 1515

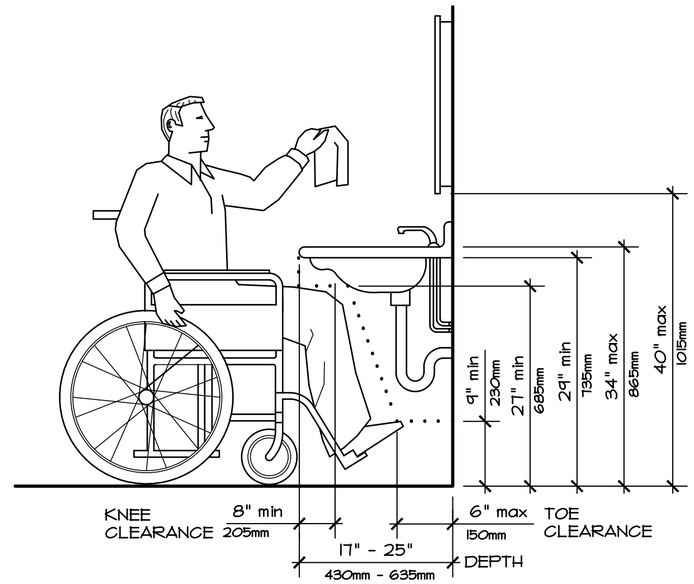
RIGHT ELEVATION
LEFT ELEVATION

Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

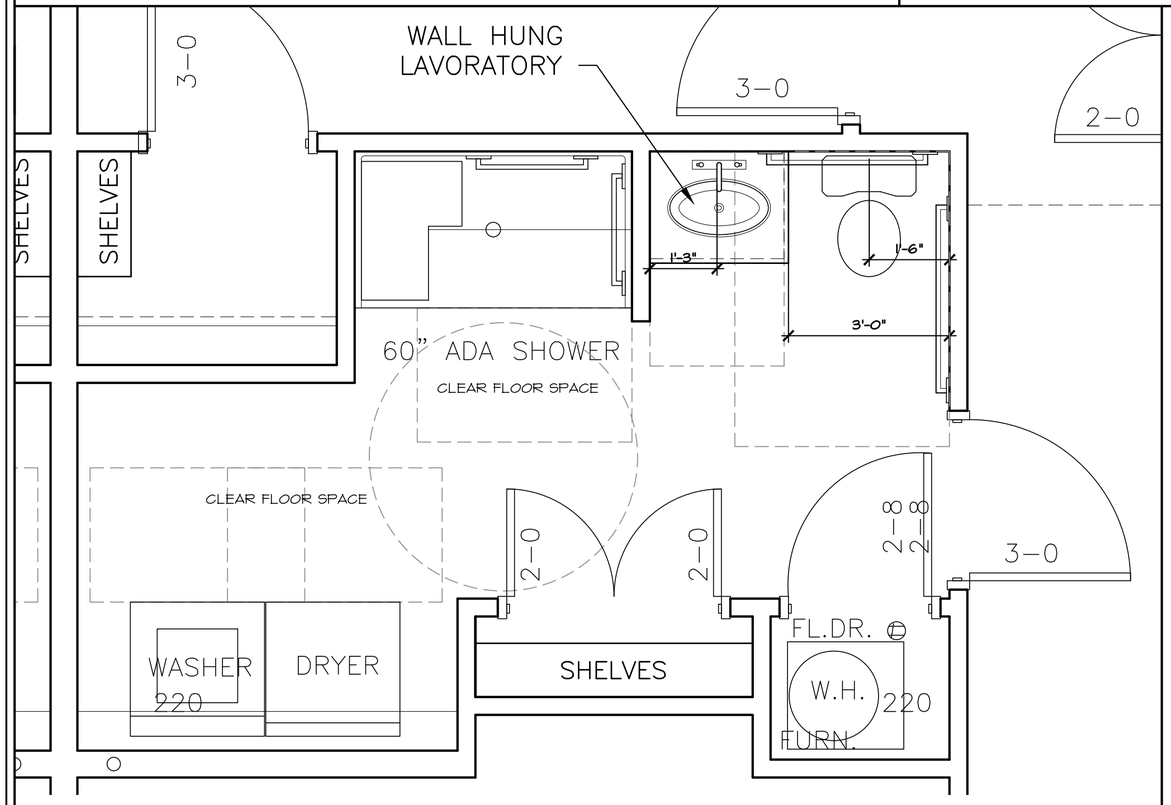
A2.1

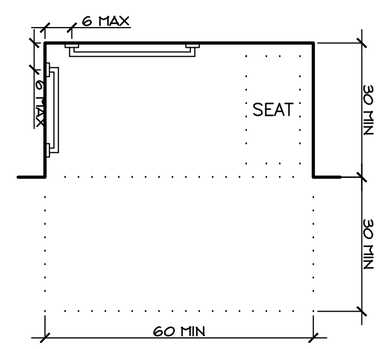


TYP. GRAB BARS

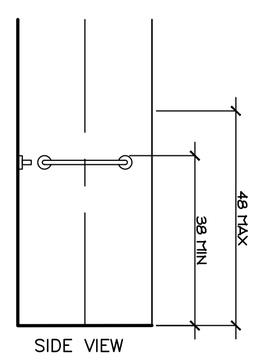


TYP. LAV. CLEARANCE

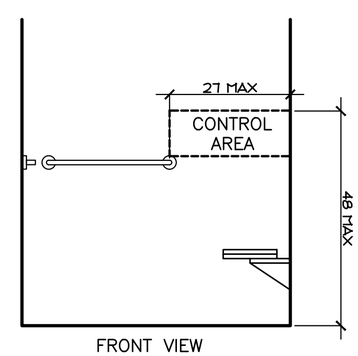




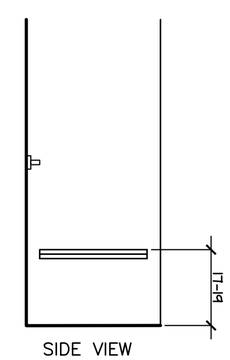
TOP VIEW



SIDE VIEW



FRONT VIEW



SIDE VIEW

1 ADA DETAILS
1/2" = 1'-0"

GARDEN CITY DUPLEXES
2 BDRM 1 BATH - ACCESSIBLE UNIT 1,037 S.F.
GARDEN CITY, KANSAS

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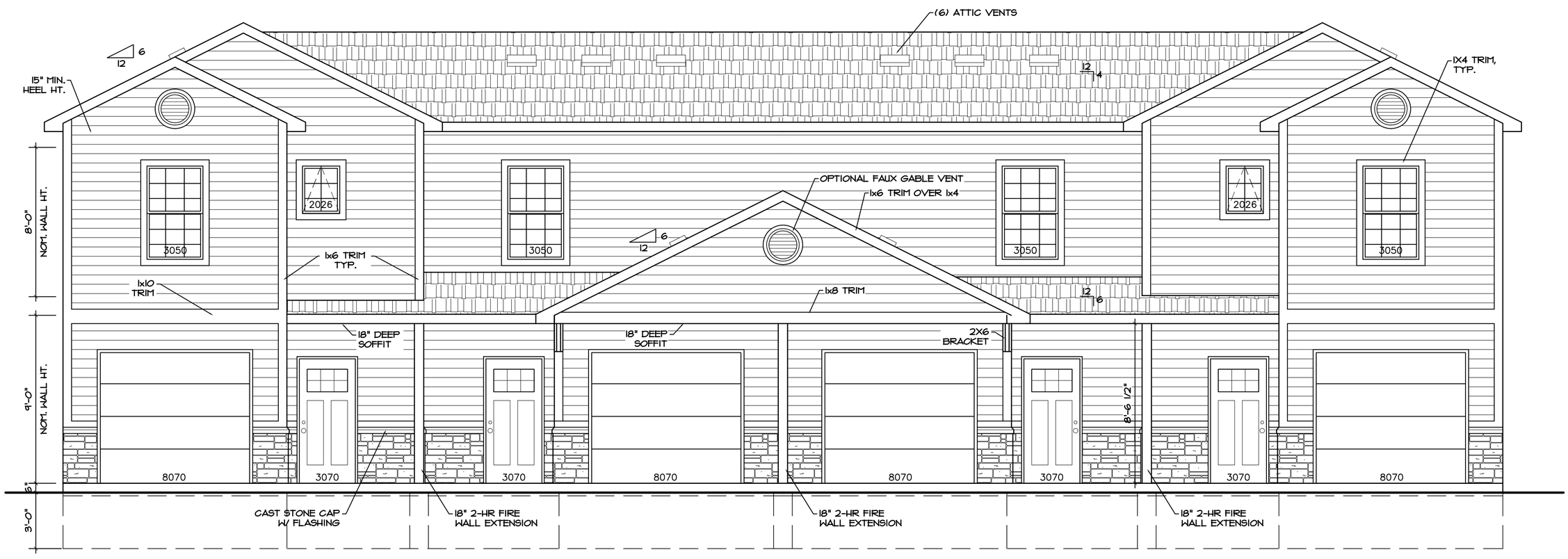
Lawrence, Kansas
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

ADA DETAILS

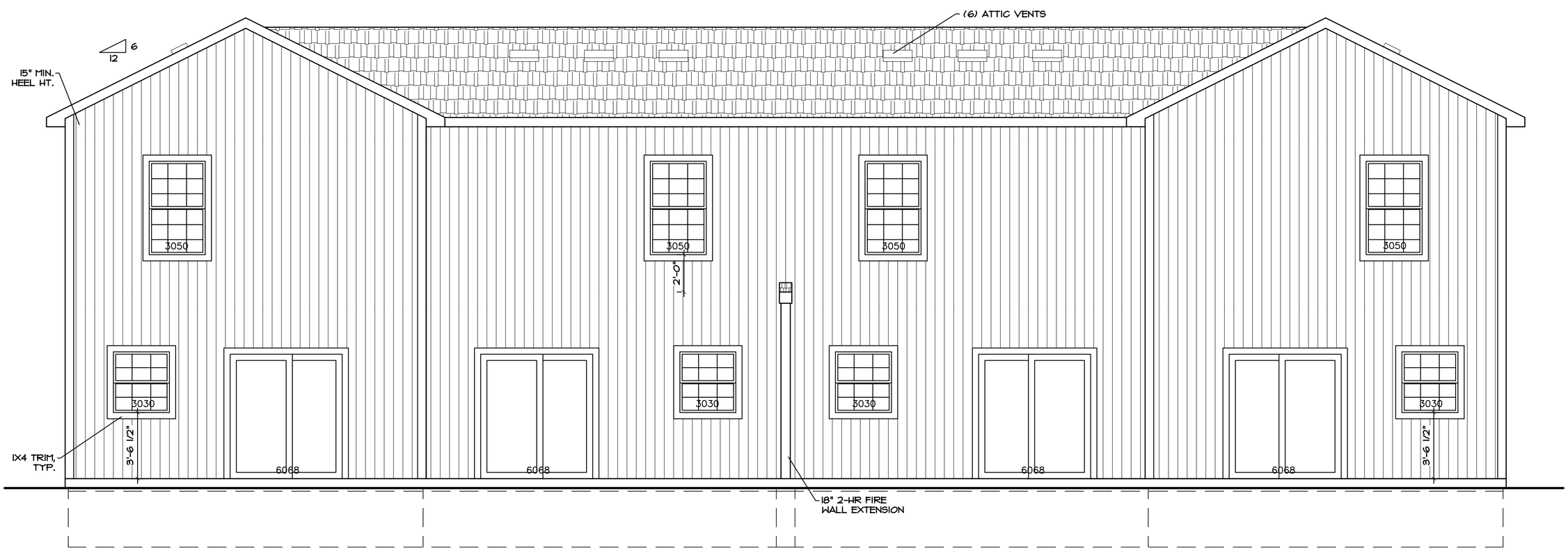
Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

A3.0

310
312



1 FRONT ELEVATION - GABLE
1/4" = 1'-0"



2 REAR ELEVATION - GABLE
1/4" = 1'-0"

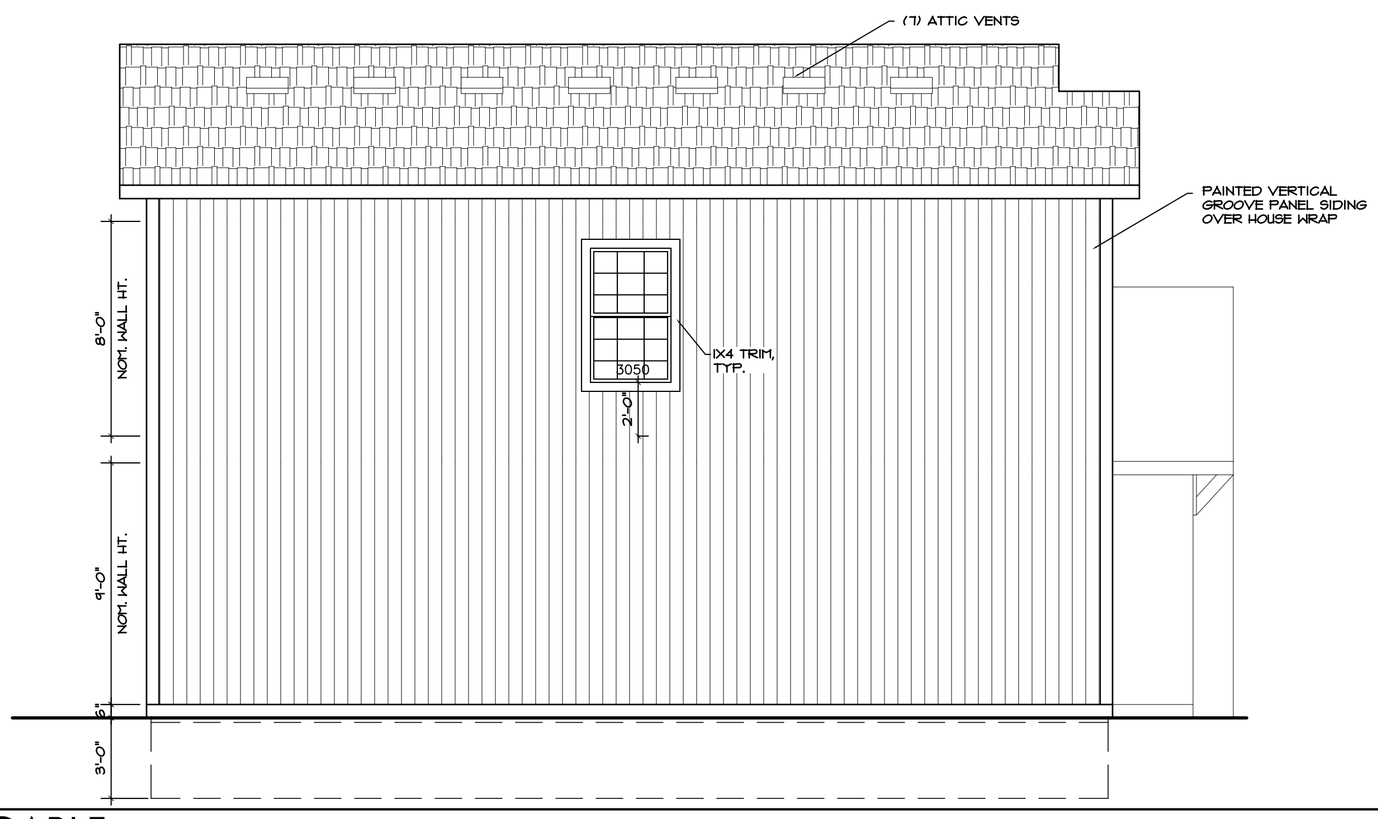
PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

Hernly
ARCHITECTS
1100 Rhode Island St.
Lawrence, Kansas
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

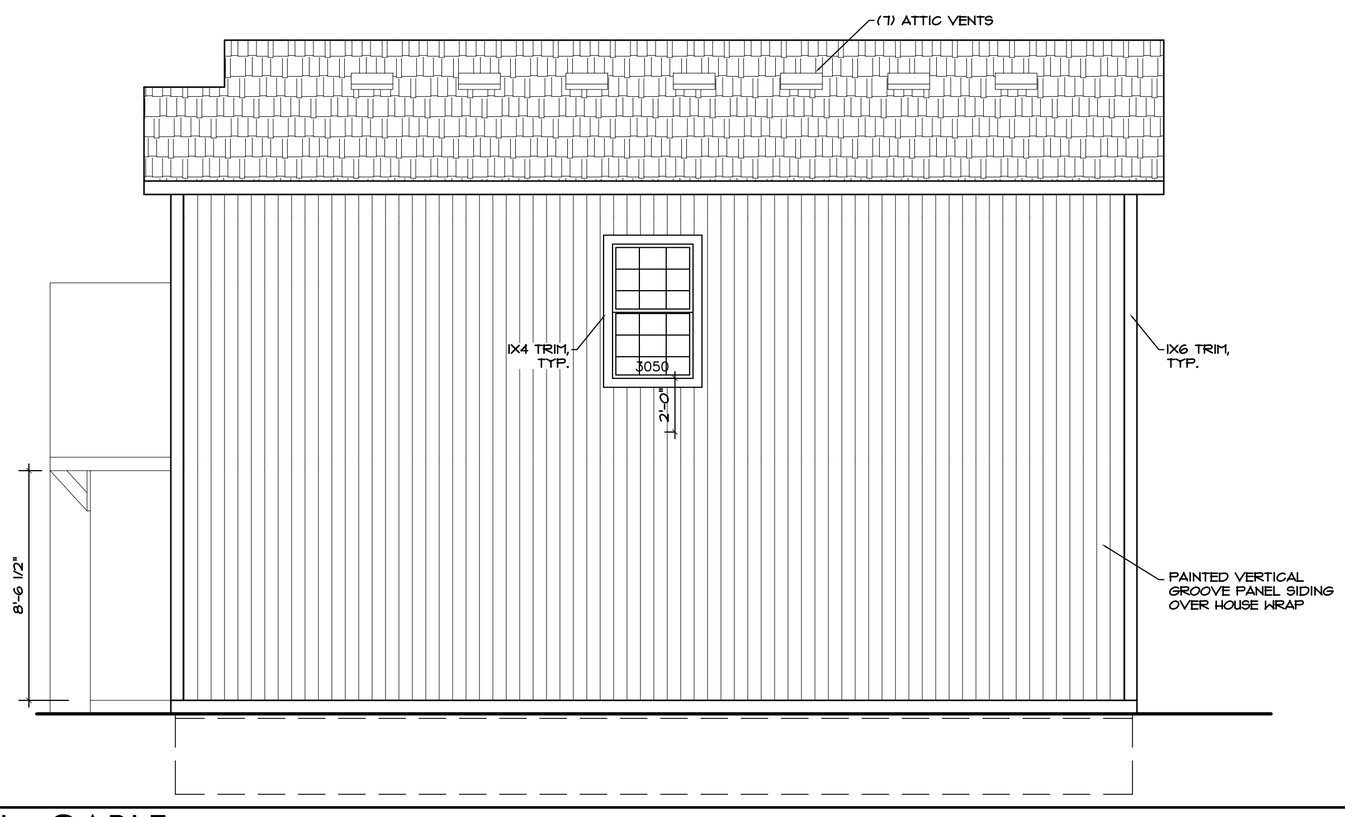
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.0



1 LEFT ELEVATION - GABLE
1/4" = 1'-0"



2 RIGHT ELEVATION - GABLE
1/4" = 1'-0"

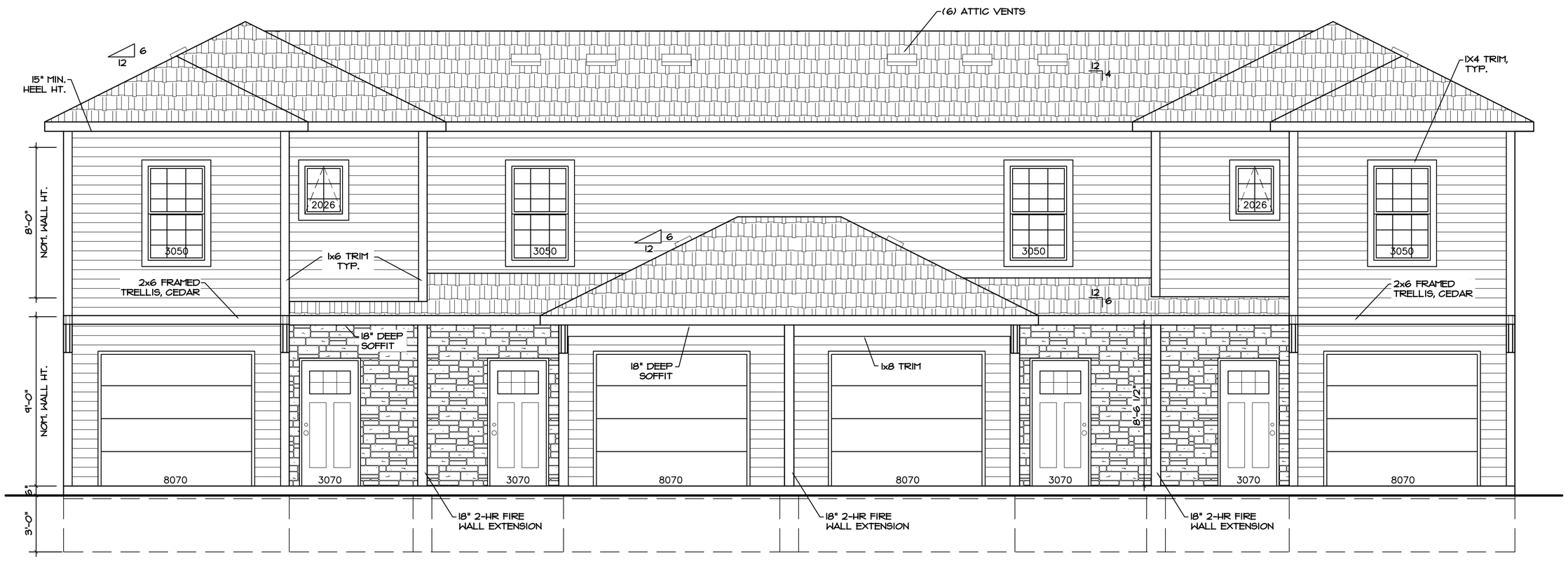
PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

Hernly
ARCHITECTS
1100 Rhode Island St.
Lawrence, Kansas
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

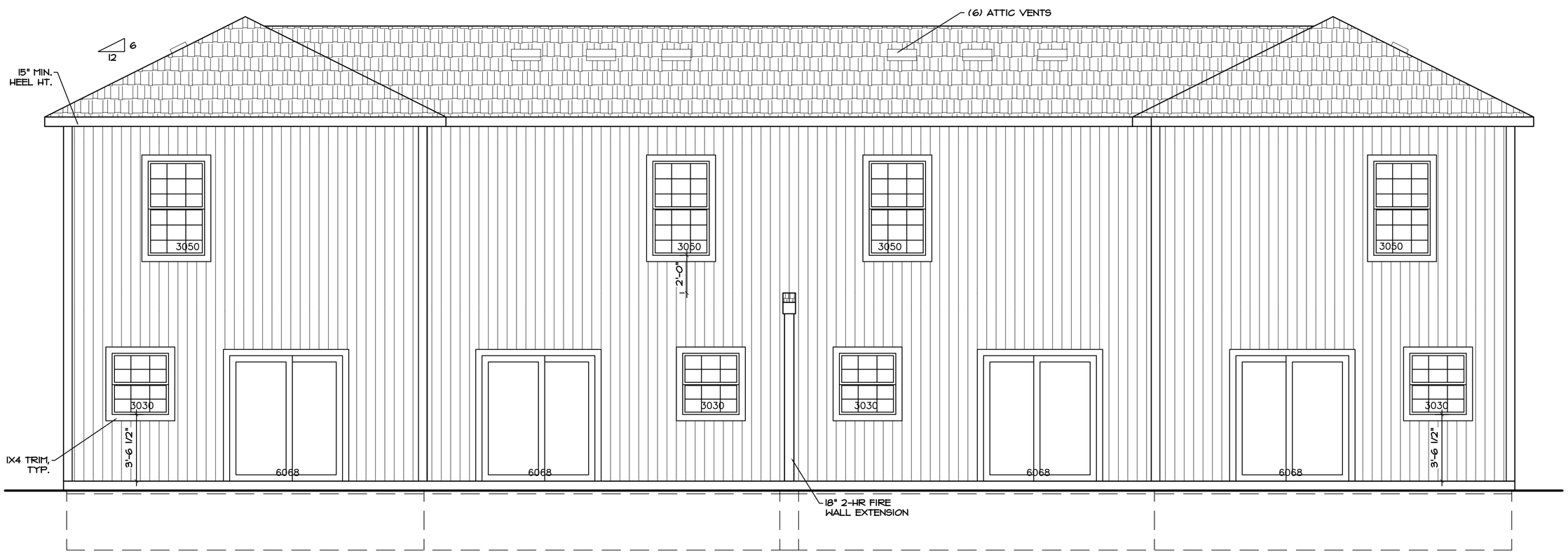
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.1



1 FRONT ELEVATION - HIP
1/4" = 1'-0"



2 REAR ELEVATION - HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

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66044
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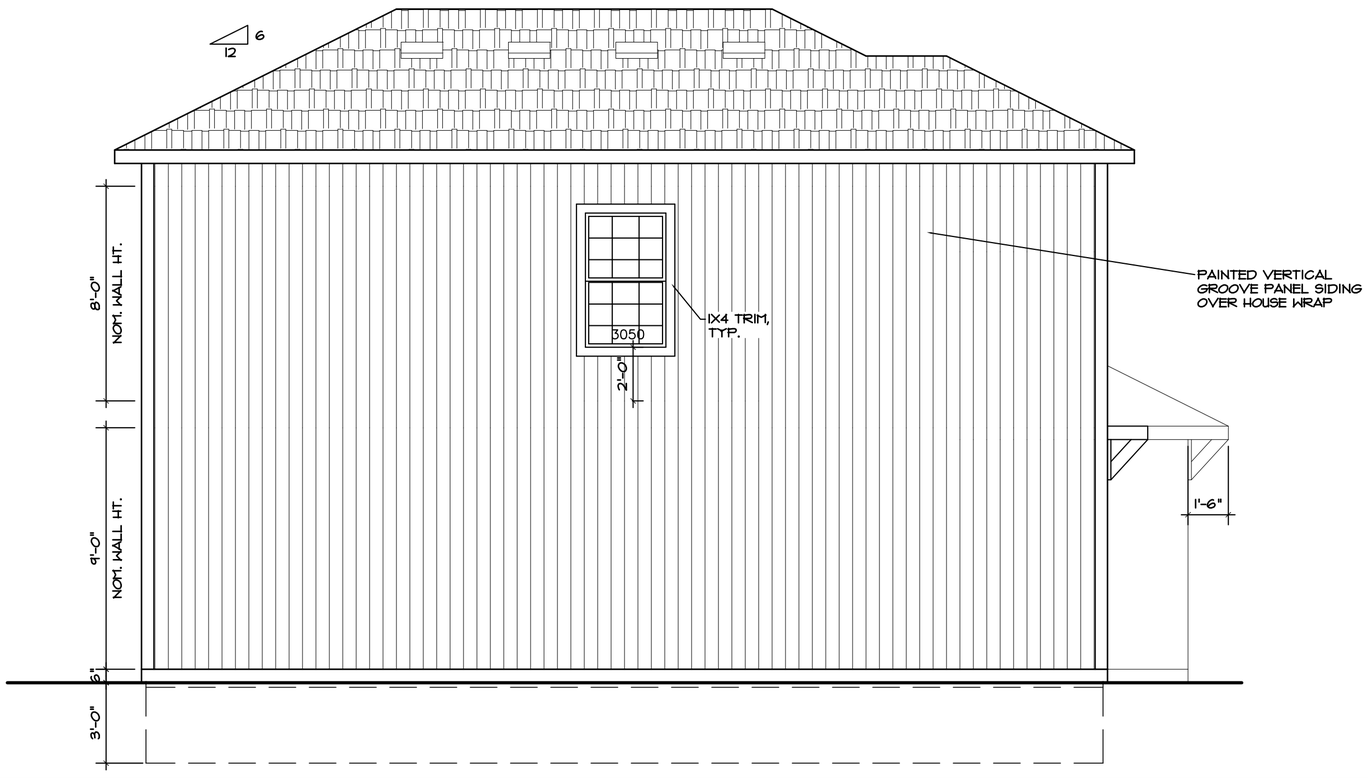
FAX 785 - 749 - 1515

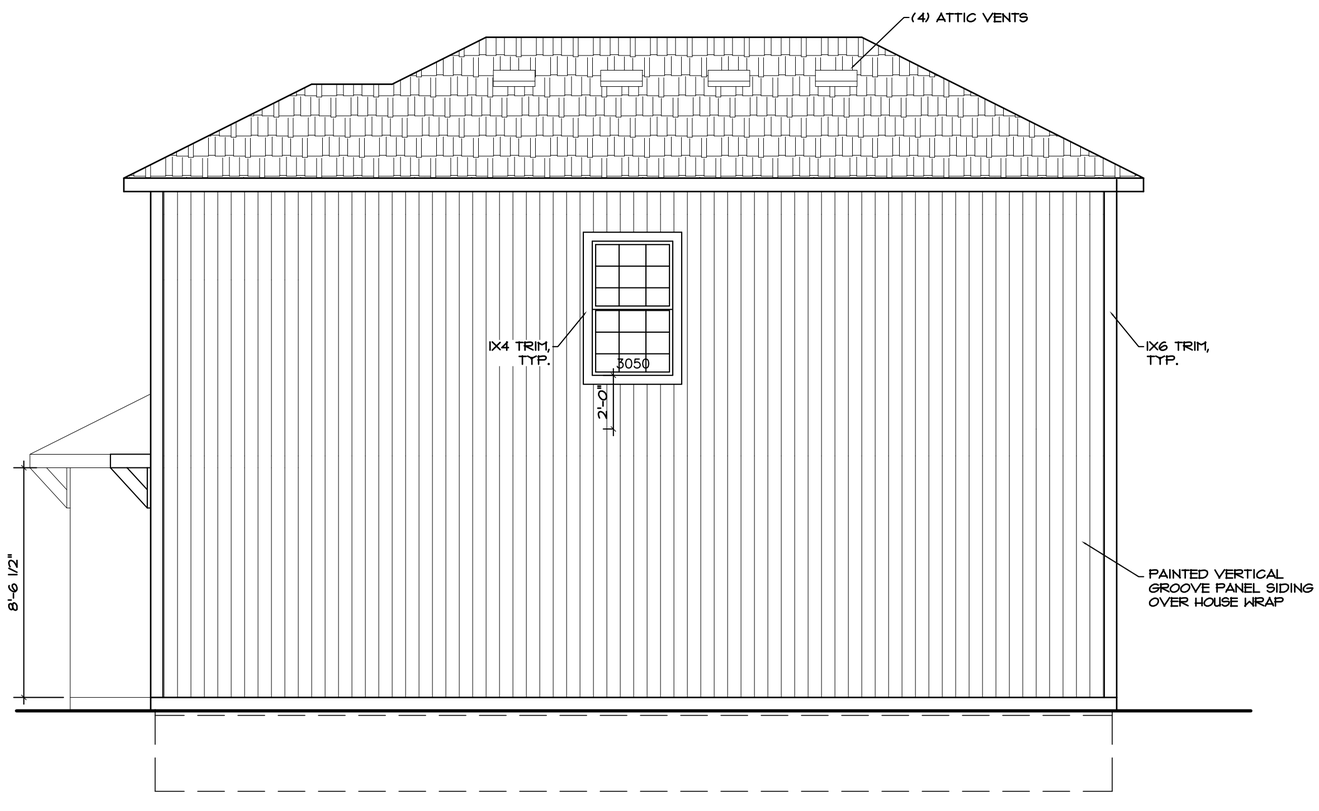
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.2



1 LEFT ELEVATION - HIP
1/4" = 1'-0"



2 RIGHT ELEVATION - HIP
1/4" = 1'-0"

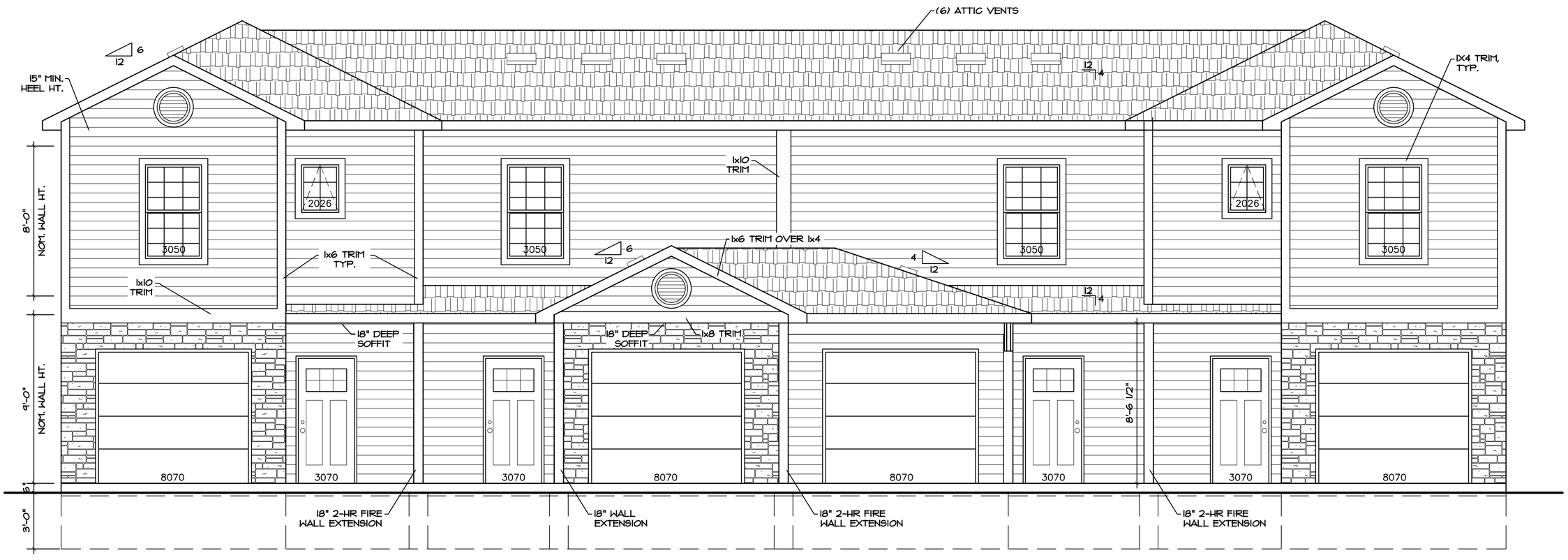
PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

Hernly
ARCHITECTS
1100 Rhode Island St.
Lawrence, Kansas
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

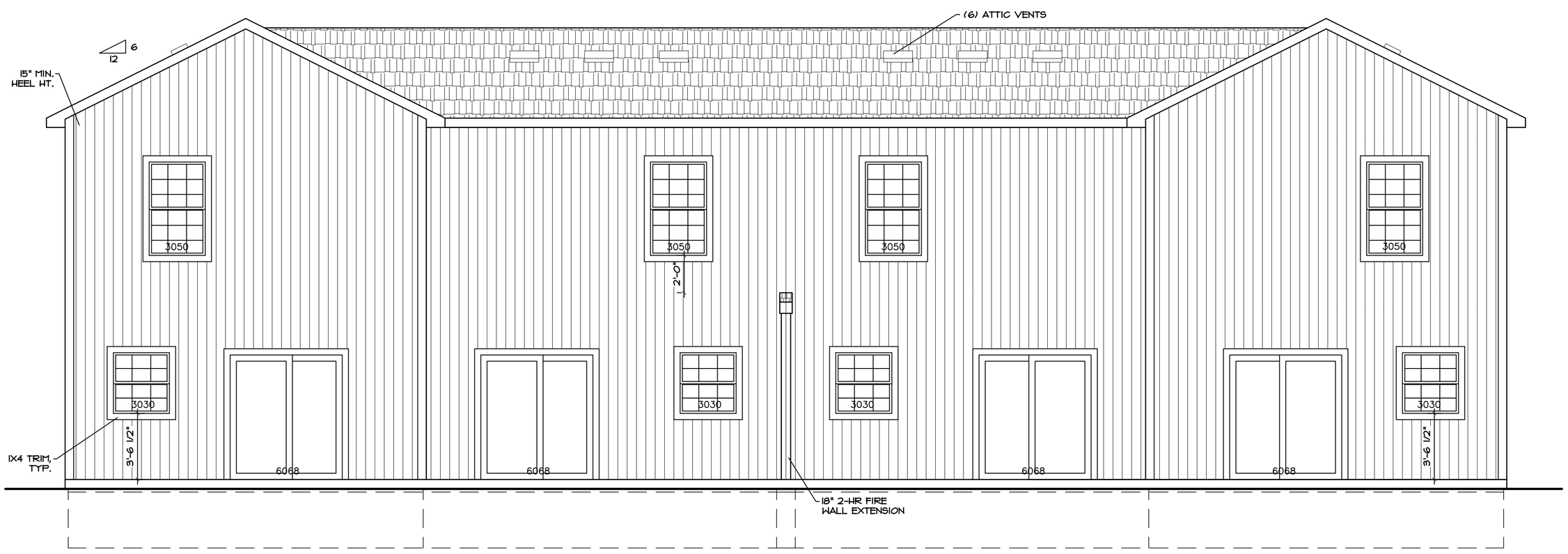
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.3



1 FRONT ELEVATION - GABLE ON HIP
1/4" = 1'-0"



2 REAR ELEVATION - GABLE ON HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

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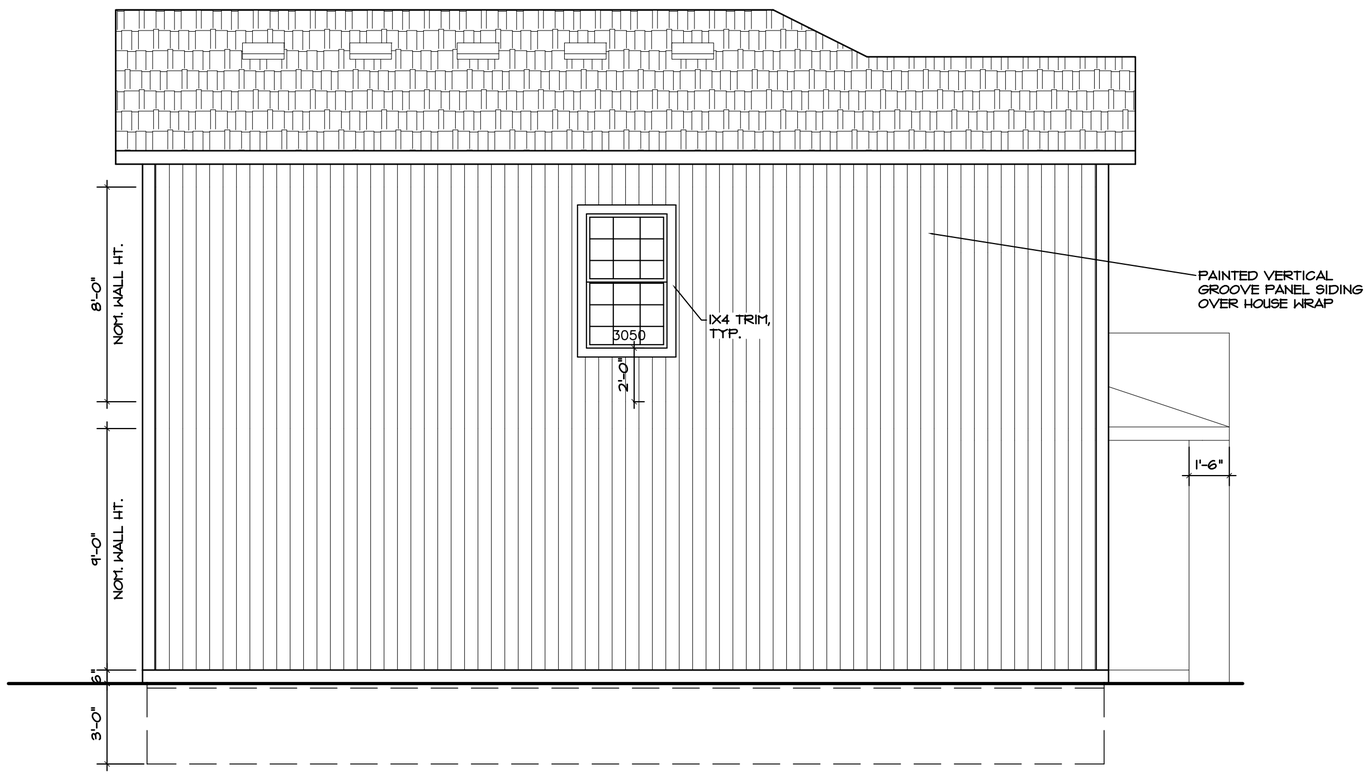
66044
785 - 749 - 5806
FAX 785 - 749 - 1515

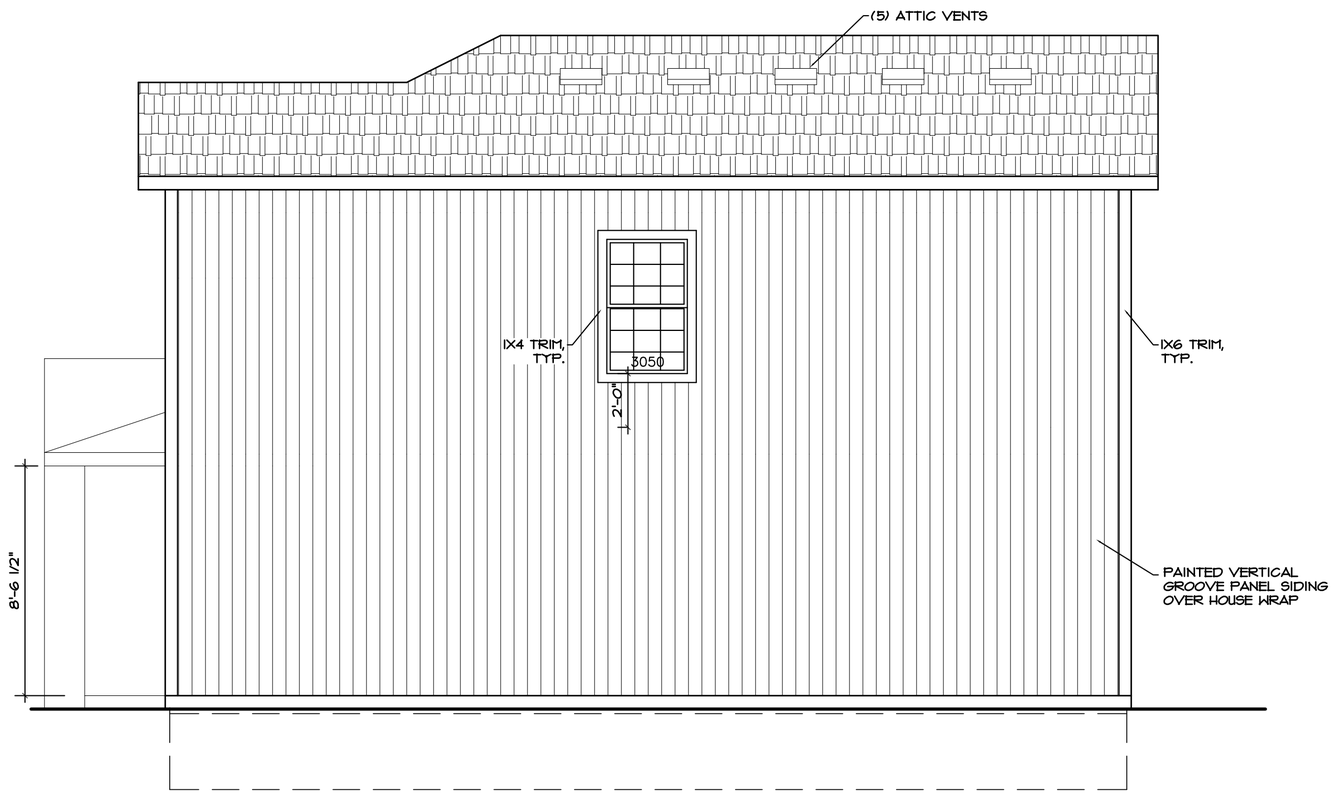
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.4



1 LEFT ELEVATION - GABLE ON HIP
1/4" = 1'-0"



2 RIGHT ELEVATION - GABLE ON HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

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1100 Rhode Island St.
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66044
785 - 749 - 5806
FAX 785 - 749 - 1515

ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.5

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SITE PLAN AND DESIGN REVIEW FINAL DEVELOPMENT PLAN APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) Owner Finance, LLC
Contact Tim Gates
Address P.O. Box 4057
City Overland Park State KS Zip 66204
Phone 913-645-3579 Email timothygates@yahoo.com

APPLICANT/AGENT INFORMATION

Name(s) OIKOS Development Corporation
Contact Mike Snodgrass
Address 1712 Main Street, Suite 206
City Kansas City State MO Zip 64109
Phone 816-352-4258 Email msnodgrass.odc@gmail.com

SITE INFORMATION

Property Address/Location: North of 147th Street and East of Kill Creek Drive
Legal Description (Attach If Necessary) Attached "Exhibit A"
Number of Existing Lots 1 Number of Proposed Lots 20 lots and 2 tracts
Total Site Area 14,023 acres Present Zoning RP-3
Proposed Use Multi-Family Residential Present Land Use Vacant Lot
Proposed Street Design Type(s) & Class Residential Local (28' BC to BC)
Proposed Type(s) Open & Civic Space Trail/Greenway
Proposed Frontage Type(s) Buffer Edge
Proposed Building Types(s) Duplex and Fourplex

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a site plan and design review or final development plan as indicated above.

Signature(s): _____ Date 6/12/20

_____ Date _____

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SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
X		1. **Complete application packet**
X		2. **Application fee**
X		3. **10 complete sets of full sized plans printed including color elevations, folded**
X		4. **Digital copies (PDF) of the completed application, plans, and legal description**
X		5. **Copy of all covenants and restrictions applicable to the development**, if applicable.
X		6. **Sign posting affidavit.**
X		7. **Evidence of the establishment of the agency for the ownership and maintenance of any common** open space and all assurances of the financial and administrative ability of such agency or document dedicating the facilities to the city.
	X	8. **Deeds of dedication for all rights-of-way or easements** required as a result of preliminary development plan approval if conveyance thereof is not to be made by plat or by the filing of the final development plan.
X		9. **Evidence of satisfaction of any conditions of the preliminary development plan approval** which were conditions precedent to consideration of the final development plan.
X		10. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
X		11. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)

PLAN REQUIREMENTS

X		1. **Vicinity map** to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.)
X		2. **Boundary lines of the subdivision** shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
X		3. **Scale, legend, and north arrow** clearly shown, with orientation at top or left as north (not less than 1"=100' scale).
X		4. **Dates of plan preparation** and/or plan revisions.
X		5. **Ownership, zoning, and land use of the site and surrounding properties** within 200 feet; both existing and proposed.
X		6. **Names, addresses, and phone numbers of all companies, firms, or individuals involved** in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.)
X		7. **Setback lines:** building and parking with dimensions in feet.

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Yes	No	
X		8. **Setback lines:** building and parking with dimensions in feet.
X		9. **Lots and tracts identified clearly**, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres.
X		10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.
X		11. **Setback lines:** building and parking with dimensions in feet.
X		12. **Location of existing open space, alleys, parks, streams, ponds, vegetation** or other similar features within plan area, and whether they are to be retained or removed.
X		13. **Existing utilities**, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
X		14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
X		15. **All public streets within the plan conform** to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions.
X		16. **Intersection site distance analysis**.
X		17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
X		18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed.
X		19. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.
X		20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
X		21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
X		22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
X		23. **Any area within a federally designated floodplain**. Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).
X		24. **Stream corridor boundary** and dimensions.
X		25. **Phasing Plan**, if applicable.

Yes	No	
X		26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		27. **Any buildings within the plan area** which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.).
X		28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.
X		29. **Existing Topography and Proposed Grading** of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering.
X		30. **Building elevations** depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations.
X		31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
X		32. **Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative** to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type.
	X	33. **Table indicating required and proposed parking spaces**.
X		34. **Landscaping plan and table** indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded.
	X	35. **All exterior sign locations**. Include elevations and details.
	X	36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
	X	37. **Outdoor storage areas**, including location, dimensions and design.
X		38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		39. **Preliminary design and location of all proposed storm drainage** conveyance, detention and treatment facilities and locations of existing drainage facilities.

I hereby submit all information required for a site plan and design review, or final development plan application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

Adrienne Foster (Director of Planning, ODC) — Signature of Applicant

06/12/2020 — Date

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OWNER AFFIDAVIT

I/WE Timothy S. Gates, Manager Owner Finance LLC, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 12 day of June, 2020, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

   See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation of partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

_____ _____

Owner Manager, Owner Finance LLC Owner

STATE OF Kansas
COUNTY OF Johnson

The foregoing instrument was acknowledged before me on this 12 day of June, 2020 by Timothy S. Gates, member of Owner Finance LLC

My Commission Expires:
4/21/24

_____
Notary Public

NOTARY PUBLIC - State of Kansas
HEATHER D. SHIPPY
My Appt. Expires 4/21/24

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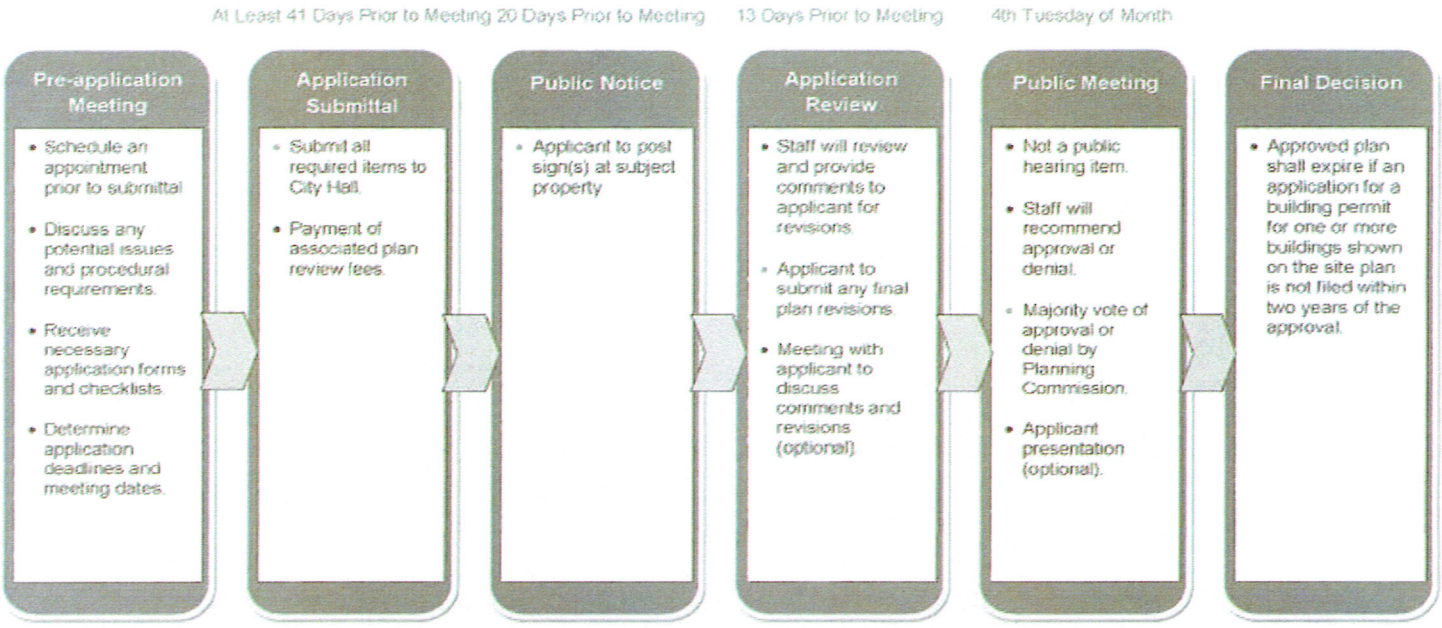
SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION PROCESS



* Please refer to the Planning Commission "Schedule and Submittal Deadline" calendar for upcoming submission deadlines and meeting dates.

REVIEW CRITERIA

The review of a site plan and design review, and final development plan is based on the regulations of the Land Development Code, Title 17 of the Gardner Municipal Code at www.gardnerkansas.gov/documents/city-code.

The site plan and design review, and final development shall be reviewed according to the following criteria:

1. In general, any site plan in compliance with all requirements of this Code shall be approved.
2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
    a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.
    b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.
    c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.
    d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.
    e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.
3. The application meets the criteria for all other reviews needed to build the project as proposed.
4. The recommendations of professional staff.

PLANNING COMMISSION STAFF REPORT REGULAR AGENDA ITEM NO. 1
MEETING DATE: JULY 28, 2020
PREPARED BY: LAURA BERGEY, AICP, PLANNER

PROJECT NUMBER / TITLE: FDP-20-04 FINAL DEVELOPMENT PLAN FOR PRAIRIEBROOKE VILLAS

PROCESS INFORMATION

Type of Request: Final Development Plan
Date Received: June 12, 2020

APPLICATION INFORMATION

Applicant: OIKOS Development Corporation (Michael Snodgrass)
Owner: Owner Finance LLC (Tim Gates)
Parcel ID: CF221422-4007
Location: North of W 174th Street along the east side of Kill Creek Rd.

REQUESTED ACTION

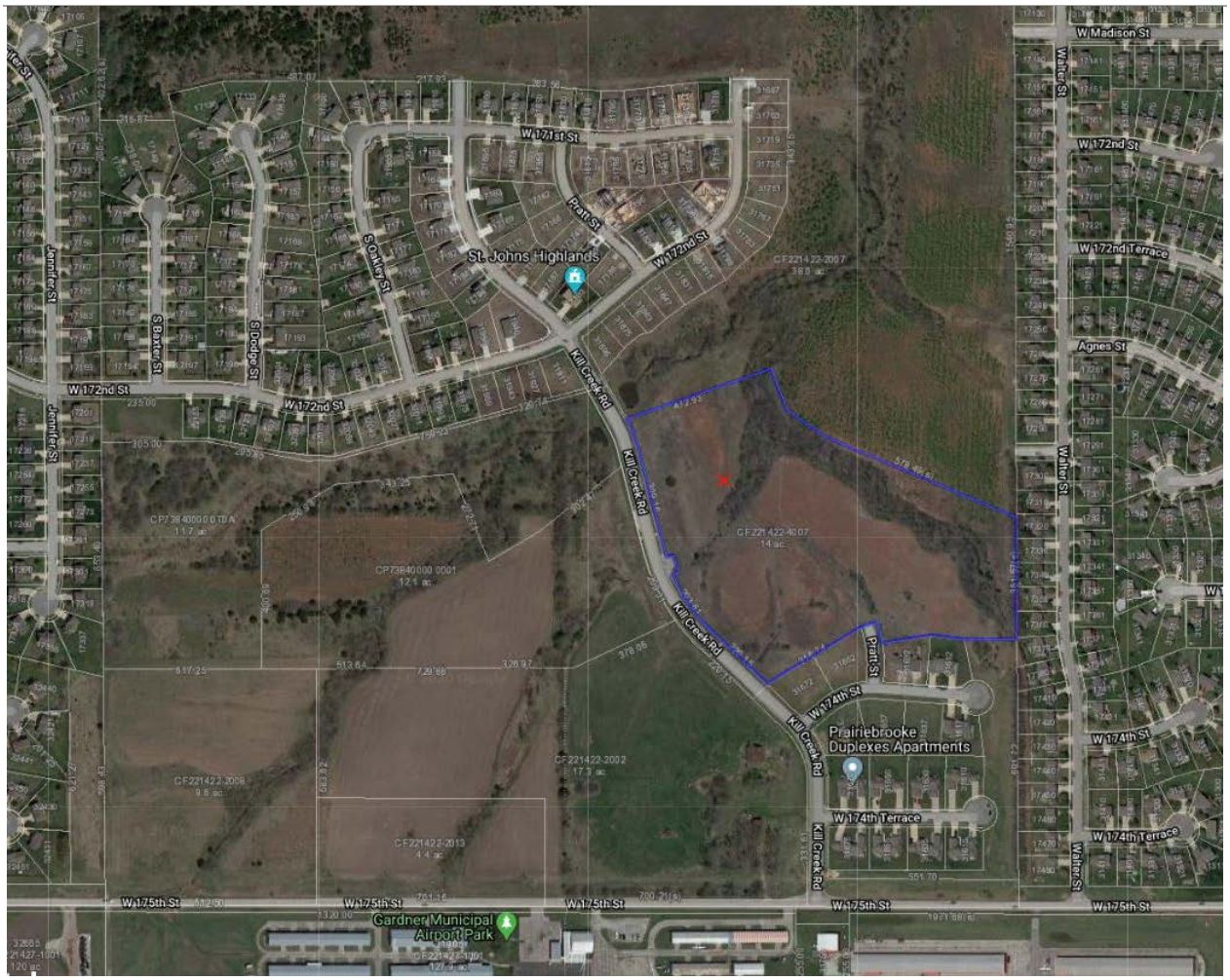
Hold a public hearing on and consider a request to approve FDP-20-04 Final Development Plan for Prairiebrook Villas, containing 76 total dwelling units, including eighteen 4-unit Row Houses and two ADA accessible Duplexes.

EXISTING ZONING AND LAND USE

The site is currently zoned RP-2 (Planned Two-Family Residential) District and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
RP-2 (Planned Two-Family Residential)	Single-family homes in future Breckenwood Creek subdivision
East of subject property	
R-1 (Single-Family Residential) District	Single family homes in Double Gate IV subdivision
South of subject property	
RP-2 (Planned Two-Family Residential)	Duplexes in Prairiebrooke subdivision
West of subject property	
RP-3 (Planned Garden Apartment) District	Undeveloped farming/ranch land
C-O (Office) District	Undeveloped farming/ranch land



EXISTING CONDITIONS

The property is currently unplatted and is unimproved. The development will be accessed from an existing collector street (Kill Creek Road), and extension of a local street (Pratt St). An existing 8" sanitary sewer main bisects the subject parcel. Underground electric exists near the south and east boundaries. Eight inch water mains exist along 173rd St, Pratt St, and Kill Creek Rd. There is an existing fire hydrant at the intersection of the subject parcel with Kill Creek Rd. Stormwater infrastructure exists along Kill Creek Rd. The subject parcel contains an existing stream and floodplain.

BACKGROUND / HISTORY

The rezoning and associated preliminary development plan (Z-20-06 and PDP-20-02) were recommended for approval by the Planning Commission at their April 28, 2020 meeting. The City Council considered the rezoning and preliminary development plan at their May 18, 2020 meeting, and approved Ordinance No. 2664 rezoning the property from RP-2 (Planned Two-Family Residential District) to RP-3 (Planned Garden Apartment District) and the associated preliminary development plan with the following conditions:

1. The stormwater plan and traffic study shall be approved prior to approval of any final development plan/final plat.
2. Because of the unique context and access configuration of this development which limits the provision of contiguous green space in the frontage area, the Buffer Edge frontage

type will be implemented along Kill Creek Road and Pratt Street rather than on the cul-de-sacs to better meet Code intent.

3. Revise the deviation requests on Sheet 2 of the plan to reflect what has been approved, including the addition of Deviation #12 regarding the Front Entry Feature for the Duplex building type.

   These conditions have all been met.

The Preliminary Plat (PP-20-05) was approved by the Planning Commission on April 28, 2020, subject to the following conditions:

1. Approval of the final Traffic Impact Study and Stormwater Management Plan.

   This condition has been met.

DEVELOPMENT PLAN HIGHLIGHTS

The development plan includes 20 lots totaling 7.34 acres, 2.22 acres of right-of-way, and 4.46 acres of open space for a total of 14.02 acres. There are a total of 76 dwelling units (18, 4-unit townhomes and 2, 2-unit ADA accessible duplexes). Lots 8 and 10 are designed for the Duplex building type, and all other lots are designed for the Row House building type. The street type is Local – Neighborhood, and the Open and Civic Space type is Trail/Greenway. The proposed frontage type is Buffer Edge.

CONSISTENCY WITH COMPREHENSIVE PLAN

The parcel is indicated for Low Density Residential future land use on the Future Land Use Plan of the Comprehensive Plan.

The Low-Density Residential category is described to "primarily consists of detached single family homes, but may also include duplexes or triplexes arranged in a low density format on larger lots, with buildings in character with typical single family homes. Housing is typically arranged on a local street grid, or as part of a subdivision, and may include local amenities such as small community or civic buildings, playgrounds or gardens that serve residents." Table 5-1 of the *Gardner Land Development Code* (LDC) translates Low Density Residential future land use into the RE (Residential Estates), R-1 (Single-Family Residential) and R-2 (Two-Family Residential) Districts or application of planned districts to these and other residential districts to promote open space and rural preservation; OR to develop more walkable neighborhoods with a mix of housing types and connection to walkable neighborhood centers.

Although the proposed Row House buildings contain more dwelling units, the building footprint, at 2,568 sf, is comparable to a duplex or triplex. The existing duplexes in the Prairiebrooke subdivision to the south have a comparable building footprint and scale, and comparable lot size. The average lot size in the proposed development is 15,984 sf; six of the Row House lots exceed the upper range for lot area, contributing to a lower density format.

Although the proposed zoning district is not consistent with the Low Density Residential future land use description, this planned development meets other Comprehensive Plan goals, and is supported by data in other plans, as follows:

1. One of the core themes of the Comprehensive Plan is Housing Variety to support on-going investment in housing and attract new residents. The Housing Variety goal is intended to ensure that the housing stock responds to a variety of users, including young professionals, new families, empty-nesters and seniors in need of assistance. Providing

a range of options allows support for all income levels to move toward home ownership. Specifically the housing objectives that are addressed by this development include:

- Encourage the development of housing and support services to allow seniors to age in place;
- Promote infill residential development within incomplete subdivisions;
- Ensure new residential developments are sited within close proximity and access to schools and parks.

2. This parcel is located in the New Growth Area of the Residential Areas Plan of the Comprehensive Plan, which is intended to provide the opportunity to:
   - Ensure new development meets the requirements in the *Gardner Land Development Code*, providing flexibility where necessary to accommodate a variety of housing types and intensities;
   - Work closely with residential developers to encourage local development patterns that provide a variety of housing types and allow aging residents to "downsize" and stay in the neighborhood or subdivision.

3. The *Gardner Main Street Corridor Plan Market Analysis* includes the following information that shows how the proposed development can meet identified needs:
   - Much of Gardner's growth since 2000 has been driven by young families looking for more affordable housing options.
   - Since the Great Recession of 2008, a higher percentage of households and families are renting rather than purchasing their homes. From 2010 to 2015, the number of owner-occupied housing units dropped from a high of 72 percent to 64 percent and, as a corollary, the number of renter-occupied units increased from 21 percent to 30 percent.
   - Demand for renter-occupied housing has overwhelmingly been driven by households with an income range between $35,000 and $50,000. This housing demand could continue into the foreseeable future as this income range corresponds with estimates of the income earning potential of workers at LPKC and the New Century AirCenter. Moreover, households with this income range are largely priced-out of the homeownership market in Gardner.
   - Low Income Housing Tax Credits (LIHTC) financing is one promising potential source of gap financing for housing. Importantly, the income ranges of households showing the highest demand for renter-occupied housing fall between 50 percent and 80 percent of the U.S. Housing and Urban Development (HUD) defined area median income, and thus, these households would qualify for the program.
   - At a rent level of $1,150 per month, a household would need to earn approximately $3,800 per month or $45,600 a year in order to only pay 30 percent of their income in housing costs – a number that most housing advocates generally consider as affordable for most households.

The associated final development plan includes dedication of land for a trail as consistent with the future trails shown on the Bike & Pedestrian Plan of the Comprehensive Plan, which indicates the requirement for trail connections through residential areas and floodplains as a component of new neighborhood development. It also preserves the greenway corridor that follows Kill Creek and serves as natural flood mitigation infrastructure and ecological corridors as provided in the Environmental Features Plan of the Comprehensive Plan.

STAFF ANALYSIS – FINAL DEVELOPMENT PLAN

This section highlights contents of the application which may merit particular consideration in regard to zoning intent and standards. A full analysis to all applicable regulations is available on request.

This application is being reviewed per the Planned Development process of Section 17.03.040 of the LDC.

17.03.040 (F) Review Criteria:

1. In general, any final development plan in compliance with all requirements of this Code shall be approved.

   Staff Comment: *The final development plan is generally in compliance to the Code with the exception of the approved deviations from the preliminary development plan.*

2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
   a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.

      Staff Comment: *The sites are capable of accommodating the buildings and other design elements required without negatively impacting adjacent property.*

   b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.

      Staff Comment: *The design and arrangement of the buildings and open space is consistent with good design, principles, and practices. The site includes features and amenities that establish a built relationship with adjacent sites and the public realm.*

   c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.

      Staff Comment: *The applicant is proposing architecture and building design using quality materials such as smart paneling, stone veneer, and varying color schemes throughout the development.*

   d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.

      Staff Comment: *The overall design of the buildings are compatible to the context of the surrounding properties.*

   e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.

      Staff Comment: *No additional site-specific conditions are necessary to meet the intent and design objectives of the applicable development standards*

3. The application meets the criteria for all other reviews needed to build the project as proposed.

   Staff Comment: *The applicant is required to submit and receive approval of a final plat and public improvement plans prior to construction.*

4. The recommendations of professional staff.

   Staff Comment: *Staff recommends approval of the final development plan for Prairiebrook Villas.*

5. The final development plan is in substantial compliance with the approved preliminary development plan.

   Staff Comment: *The final development plan is in substantial compliance with the approved preliminary development plan.*

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

VEHICULAR AND PEDESTRIAN ACCESS

Roadway network – The applicant is planning to extend Pratt Street (local street) to connect Kill Creek Rd (collector street) with W. 174th Street (local street), and will construct three cul-de-sacs. These cul-de-sacs are consistent with the new requirements of the Johnson County Fire District to accommodate their equipment, with 48' radius indicated (diameter of cul-de-sac is 96'). The traffic study is still under review and will be a condition of approval.

Sidewalks and Trail – The Local – Neighborhood street requires a 5' sidewalk on both sides of all streets while maintaining a 6' planting bed between the curb and sidewalk for street trees. These requirements are met with the sidewalk to be installed adjacent to the front property/ROW line. The applicant proposes to meet the Open and Civic Space requirement by dedicating Tracts A & B to the City, containing a 10' concrete trail built to City specifications, which will connect to the trail system to the future development to the north Breckenwood Creek Subdivision.

UTILITIES

Electric – Electric is currently installed in the subdivisions to the east and the south and is to be extended into the project. Electric easements have been provided as requested.

Water – City water will be provided from extensions of existing lines along Kill Creek Rd and Pratt Street. Water lines will be provided within front yard utility easements.

Sanitary Sewer – There are existing sanitary sewer lines on the property which will be modified to be located in front yard utility easements.

Storm Sewer – The stormwater management plan indicates underground infrastructure and overland routing with drainage into three outfall locations. This plan has been reviewed and approved by Engineering.

Environmental – The subject parcel contains an existing stream and floodplain and is in the Kill Creek watershed of the Kansas River basin. The applicant has submitted a permit to the U.S. Army Corp of Engineers requesting relocation of the existing streambed. This permit is still in the review process, and approval of the FDP, as submitted, is contingent on approval of the permit. Therefore, this is listed as a condition of FDP approval.

Utilities are adequately provided for with this project. Public improvement plans will need to be approved before building permits are issued. *This is a condition of approval.*

ATTACHMENTS

I. Final Development Plan FDP-20-04
II. Duplex building elevations and example photo
III. Row House building elevations (3 different)
IV. Application

RECOMMENDATION

Staff recommends approval of the final development plan subject to the following conditions:

1. A final plat shall be reviewed, receive approval, and be recorded with the Johnson County Records and Tax Administration prior to the issuance of a building permit;
2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to issuance of a building permit; and
3. Approval of streambed relocation permit from the U.S Army Corps of Engineers.

Recommended Motion:

After review of application FDP-20-04, a final development plan for Prairiebrook Villas, and final development plans dated July 17, 2020, and staff report dated July 28, 2020, the Planning Commission approved the application provided the following conditions are met:

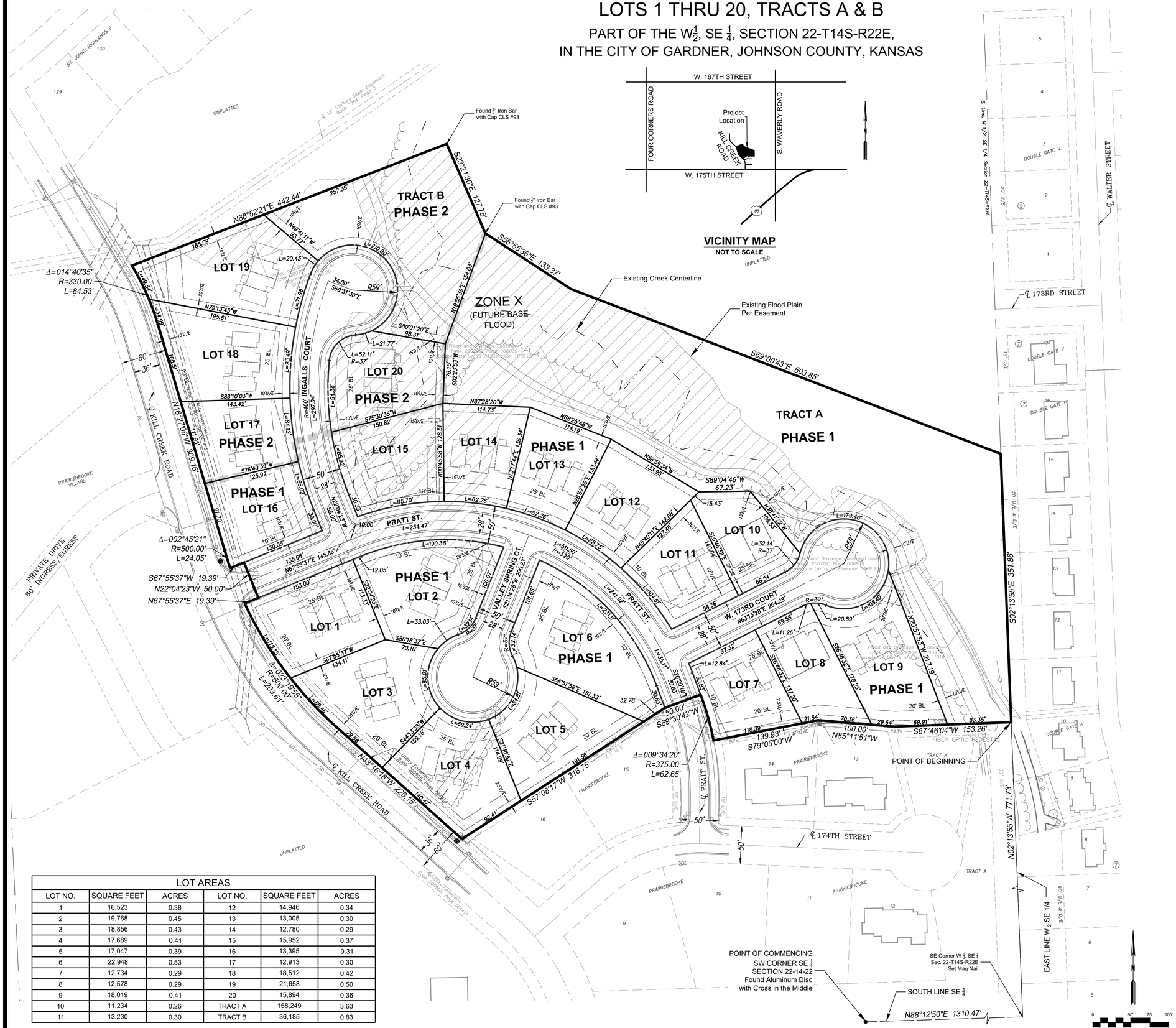
1. A final plat shall be reviewed, receive approval, and be recorded with the Johnson County Records and Tax Administration prior to the issuance of a building permit;
2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to issuance of a building permit; and
3. Approval of streambed relocation permit from the U.S Army Corps of Engineers.

FINAL DEVELOPMENT PLAN FDP-20-04

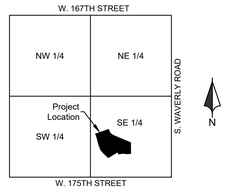
"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



VICINITY MAP
NOT TO SCALE



LOCATION MAP
SECTION 22-T14S-R22E
Scale 1" = 2000'

LEGAL DESCRIPTION:

All that part of the West Half of the Southeast Quarter of Section 22, Township 14 South, Range 22 East of the 6th Principal Meridian now in the City of Gardner, Johnson County, Kansas and being more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 22; thence North 88°12'50" East along the South line of said Southeast Quarter a distance of 1310.47 feet to the Southeast corner of the West Half of the Southeast Quarter of said Section 22; thence along the East line of said West Half, said East line also being the East line of PRAIRIEBROOKE and the West line of DOUBLE GATE IV both being subdivisions of land in said City, County and State, North 02°13'55" West a distance of 771.73 feet to the Northeast corner of said PRAIRIEBROOKE and the POINT OF BEGINNING of the herein described tract of land; thence along the North line of said PRAIRIEBROOKE the following six (6) courses; thence South 87°46'04" West a distance of 153.26 feet; thence North 85°11'51" West a distance of 100.00 feet; thence South 79°05'00" West a distance of 139.93 feet; thence Northwesterly along a curve to the left whose initial tangent bears North 10°55'00" West with a central angle of 09°34'20" a radius of 375.00 feet and an arc length of 62.65 feet; thence South 69°30'42" West a distance of 50.00 feet; thence South 57°08'17" West a distance of 316.75 feet to the Northwest corner of Lot 16 of said PRAIRIEBROOKE and the Easterly right-of-way line of Kill Creek Road as now established by PRAIRIEBROOKE VILLAGE a subdivision of land in said City, County and State; thence along the Easterly right-of-way line of said Kill Creek Road the following eight (8) courses; thence North 48°16'16" West a distance of 220.15 feet; thence along a curve to the right with a central angle of 23°19'55" a radius of 500.00 feet and an arc length of 203.61 feet; thence North 67°55'37" East a distance of 19.39 feet; thence North 22°04'23" West a distance of 50.00 feet; thence South 67°55'37" West a distance of 19.39 feet; thence along a curve to the right whose initial tangent bears North 19°12'25" West with a central of 02°45'21" a radius of 500.00 feet and an arc length of 24.05 feet; thence North 16°27'06" West a distance of 309.16 feet; thence along a curve to the left with a central angle of 14°40'35" a radius of 330.00 feet and an arc length of 84.53 feet; thence departing said right-of-way line North 68°52'21" East a distance of 442.44 feet; thence South 23°21'30" East a distance of 127.78 feet; thence South 56°55'36" East a distance of 133.37 feet; thence South 69°00'43" East a distance of 603.85 feet to the East line of the West Half of said Southeast Quarter and the West line of said DOUBLE GATE IV; thence South 02°13'55" East along said lines a distance of 351.86 feet to the POINT OF BEGINNING.

Containing 610,857 square feet or 14.0233 acres, more or less.

NOTES:

1. Property currently zoned "RP-3" Planned Garden Apartment District.
2. A sidewalk is required along both sides local street and both sides of arterial and collector streets. Sidewalk shall extend fully around the perimeter of all cul-de-sacs and eyebrow cul-de-sacs.
3. According to the F.E.MA. Flood Insurance Rate Map Number 20091C0104G, 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 and ZONE X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology. No base flood elevations determined.
4. Tracts "A" and "B" are intended for open space and shall dedicated to the City of Gardner. The City of Gardner shall be responsible for all maintenence.
5. All common area in lots is open space and shall be owned and maintained by Prairiebrooke Villas Owners' Association, its successors and assigns, and will be responsible for maintenance on said lots.

PROJECT SUMMARY:

STREET TYPE: LOCAL - NEIGHBORHOOD STREET
BUILDING TYPES: DUPLEX AND ROW HOUSE
FRONTAGE TYPE: BUFFER EDGE
OPEN & CIVIC SPACE : TRAIL / GREENWAY
AREA - LOTS: 20 (319,662 S.F. / 7.34 ACRES)
AREA - OPEN & CIVIC SPACE: 2 TRACTS (194,434 S.F. / 4.46 ACRES)
AREA - RIGHT-OF-WAY: 4 STREETS (96,761 S.F. / 2.22 ACRES)
TOTAL AREA - SUBDIVISION: 610,857 S.F. / 14.02 ACRES

LOT AREAS

LOT NO.	SQUARE FEET	ACRES	LOT NO.	SQUARE FEET	ACRES
1	16,523	0.38	12	14,946	0.34
2	19,768	0.45	13	13,005	0.30
3	18,856	0.43	14	12,780	0.29
4	17,689	0.41	15	15,952	0.37
5	17,047	0.39	16	13,395	0.31
6	22,948	0.53	17	12,913	0.30
7	12,734	0.29	18	18,512	0.42
8	12,578	0.29	19	21,658	0.50
9	18,019	0.41	20	15,894	0.36
10	11,234	0.26	TRACT A	158,249	3.63
11	13,230	0.30	TRACT B	36,185	0.83

DEVELOPER
OIKOS DEVELOPMENT CORP.
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CONTACT - MICHAEL SNODGRASS

ENGINEER
Hg CONSULT, INC.
CONTACT - KEVIN STERRETT
(816) 703-7098

ARCHITECT
HERNLY ARCHITECTS
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LAWRENCE, KANSAS 66044
(785) 749-5806
CONTACT - STAN HERNLY

SURVEYOR
LOVELACE & ASSOC.
929 S.E. THIRD STREET
LEE'S SUMMIT, MISSOURI 64063
(816) 347-9997
CONTACT - JEFF LOVELACE

Prepared: June 12, 2020

DATE	REVISION	NO.	BY	CK/APP
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/22/20	SUBMITTAL TO CITY		SPW	RKS

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R. KEVIN STERRETT, KS E-21889
July 17, 2020

Hg Consult inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E2010000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
BOUNDARY, LOTS & EASEMENTS
PRAIRIEBROOKE VILLAS
CITY OF GARDNER - JOHNSON COUNTY - KANSAS

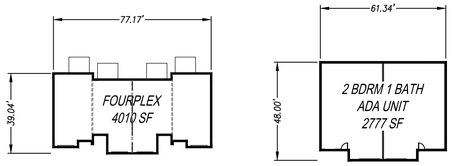
X-REF NO. 20-004 BASE
DRAWING NO. 20-004 FDPs
DATE July 17, 2020
JOB NO. 20-004
SHEET 1 OF 3

FINAL DEVELOPMENT PLAN FDP-20-04

"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



PROPOSED BUILDING FLOOR PLAN
Scale: 1" = 30'

Deviation No.	Section and Item	Requirement	Proposed	Approved PDP-20-02
1	Section 17.04.010 Street Networks and Street Design, Table 4-1: Block Sizes and Connectivity, Suburban Planning Context	Block Length 500 feet Minimum	Blocks Less than 500 feet in length	Approved as proposed
2	Section 17.04.010 Street Networks and Street Design, Table 4-1: Block Sizes and Connectivity, Suburban Planning Context	Block area minimum 5 acres	Block areas are less than 5 acres	Approved as proposed
3	Section 17.07.030 Building Design Standards, (B.2.a) Primary Entry Features, Residential buildings, design.	Front Entry Feature 8' x 8' Stoop - Unenclosed	Interior 2-Bedroom units will have a 7' wide X 3' unenclosed covered walk space (7' X 4'6" walk space including uncovered space) separated from the 3-Bedroom units; the 3-Bedroom units will have a 7' X 1'6" unenclosed walk space separated from the 2-Bedroom units	Approved as proposed
4	Section 17.07.040 Specific Building Type Standards, Duplex building type, Garage Limits Exceeded	25% of Façade for front loaded garage	63%	Approved as proposed
5	Section 17.07.050 Frontage Design, Access Width Limits exceeded	25% of Lot Width up to 36' Max per access point	32%- 26' Lot 8, 28%-26' Lot 10	Approved as proposed
6	Section 17.07.40 Specific Building Type Standards, Frontage type for the Duplex building type	Approved Buffer Edge with Condition	Buffer Edge	Approved as proposed
7	Section 17.07.040 Specific Building Type Standards, Row House Lot Width	Lot width for Row Houses Range width of 72'-144'	Lots 1 and 2 exceed the 144'	Approved as proposed
8	Section 17.07.040 Specific Building Type Standards, Row House Lot Area	Lot area range for Row Houses 8000 sf- 18000 sf	Lots 2,3,6,9,18 and 19 exceed 18,000 sf	Approved as proposed
9	Section 17.07.040 Specific Building Type Standards, Row House Front Setback	Front setback 10'-25'	Several lots exceed the 25' maximum setback	Approved as proposed
10	Section 17.07050 Frontage Design, Buffer Edge Frontage type, Access Width Limits	Access Width Limits - 25% of Lot Width up to 36' Max per access point	Several lots exceed the 25% maximum of Lot width for access with smaller width drives (29-48%)	Approved as proposed
11	Section 17.09.030 Required Parking, E. Bicycle Parking, Residential	One bike space per unit	None	Approved as proposed
12	Section 17.07.030 Building Design Standards, (B.2.a) Primary Entry Features, Residential buildings, design.	Front Entry Feature 8' x 8' Stoop - Unenclosed	5' x 4' Stoop - Unenclosed	Approved as proposed

PRAIRIEBROOKE VILLAS, GARDNER, KS

BUILDING TYPES, ROOF TYPES, AND COLOR SCHEMES

Lot Number	Building Type	Roof Type	Front Siding	Rear&SideSiding	Body Color	Accent Color (Front Door)	Trim Color	Front Wainscot	Wainscot Color
1	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
2	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Greens SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
3	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
4	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
5	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
6	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
7	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
8	Duplex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
9	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
10	Duplex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
11	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
12	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
13	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
14	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
15	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
16	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun
17	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
18	4-plex	Gable	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grayish SW6001	Indigo SW6531	High Reflective White SW7757	Canyon Stone Canyon Ledge	Midnight Slate
19	4-plex	GableOnHip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Touch of Sand SW9085	Positive Red SW6871	High Reflective White SW7757	Canyon Stone Canyon Ledge	Bucks County
20	4-plex	Hip	LP Smart 8" Lap Siding	LP Smart vertical groove panel siding	Grecian Ivory SW7541	Greens SW6748	High Reflective White SW7757	Canyon Stone Classic	Prairie Sun

NOTES:

1. Tracts "A" and "B" are intended for open space and shall be dedicated to the City of Gardner, Kansas. The City of Gardner shall be responsible for all maintenance.
2. All utility easements will be dedicated to the City of Gardner with the Final Plat. The City of Gardner shall be responsible for all utility repair and maintenance.
3. All streets shall be paved per City of Gardner, Kansas city standards.
4. All sidewalks shall be constructed with Portland cement concrete.
5. All trees in Lot areas to be removed.

PROJECT SUMMARY:

EXISTING ZONING: "RP-3" PLANNED GARDEN APARTMENT DISTRICT
STREET TYPE: LOCAL - NEIGHBORHOOD STREET
BUILDING TYPES: DUPLEX AND ROW HOUSE
FRONTAGE TYPE: BUFFER EDGE
OPEN & CIVIC SPACE : TRAIL / GREENWAY
AREA - LOTS: 20 (319,662 S.F. / 7.34 ACRES)
AREA - OPEN & CIVIC SPACE: 2 TRACTS (194,434 S.F. / 4.46 ACRES)
AREA - RIGHT-OF-WAY: 4 STREETS (96,761 S.F. / 2.22 ACRES)
TOTAL AREA - SUBDIVISION: 610,857 S.F. / 14.02 ACRES
OVERALL PROJECT DENSITY: 5.4 UNITS PER ACRE
BUILDING SUMMARY: 18 - 4PLEX 2 - DUPLEX
UNIT SUMMARY: DUPLEX - 2 UNITS PER 2 LOTS = 4 UNITS
4PLEX - 4 UNITS PER 18 LOTS = 72 UNITS
TOTAL = 76 UNITS
REQUIRED SIDEWALK: 5' WIDE SIDEWALK BOTH SIDES OF STREET

LEGEND

Existing Section Line	Proposed Right-of-Way
Existing Right-of-Way Line	Proposed Property Line
Existing Lot Line	Proposed Lot Line
Existing Easement Line	Proposed Easement
Existing Curb & Gutter	Proposed Curb & Gutter
Existing Sidewalk	Proposed Sidewalk
Existing Storm Sewer	Proposed Storm Sewer
Existing Storm Structure	Proposed Storm Structure
Existing Waterline	Proposed Fire Hydrant
Existing Gas Main	Proposed Waterline
Existing Sanitary Sewer	Proposed Sanitary Sewer
Existing Sanitary Manhole	Proposed Sanitary Manhole
Existing Street Light	Proposed Street Light
Existing Contour Major	Proposed Contour Major
Existing Contour Minor	Proposed Contour Minor
	Future Curb & Gutter

LOT AREAS

LOT NO.	SQUARE FEET	ACRES	BUILDING COVERAGE %	LOT NO.	SQUARE FEET	ACRES	BUILDING COVERAGE %
1	16,523	0.38	21	12	14,946	0.34	23
2	19,768	0.45	17	13	13,005	0.30	26
3	18,856	0.43	18	14	12,780	0.29	27
4	17,689	0.41	19	15	15,952	0.37	21
5	17,047	0.39	20	16	13,395	0.31	26
6	22,948	0.53	15	17	12,913	0.30	26
7	12,734	0.29	27	18	18,512	0.42	18
8	12,578	0.29	22	19	21,658	0.50	16
9	18,019	0.41	19	20	15,894	0.36	22
10	11,234	0.26	25	TRACT A	158,249	3.63	N/A
11	13,230	0.30	26	TRACT B	36,185	0.83	N/A

0 50' 75' 100'
SCALE IN FEET

DATE	REVISION	NO.	BY	CK'D BY
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/12/20	SUBMITTAL TO CITY		SPW	RKS

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R. KEVIN STERRETT, KS E-21889
July 17, 2020

Consult Inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E201000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
BUILDING FLOORPLANS & UTILITIES
PRAIRIEBROOKE VILLAS
CITY OF GARDNER - JOHNSON COUNTY - KANSAS

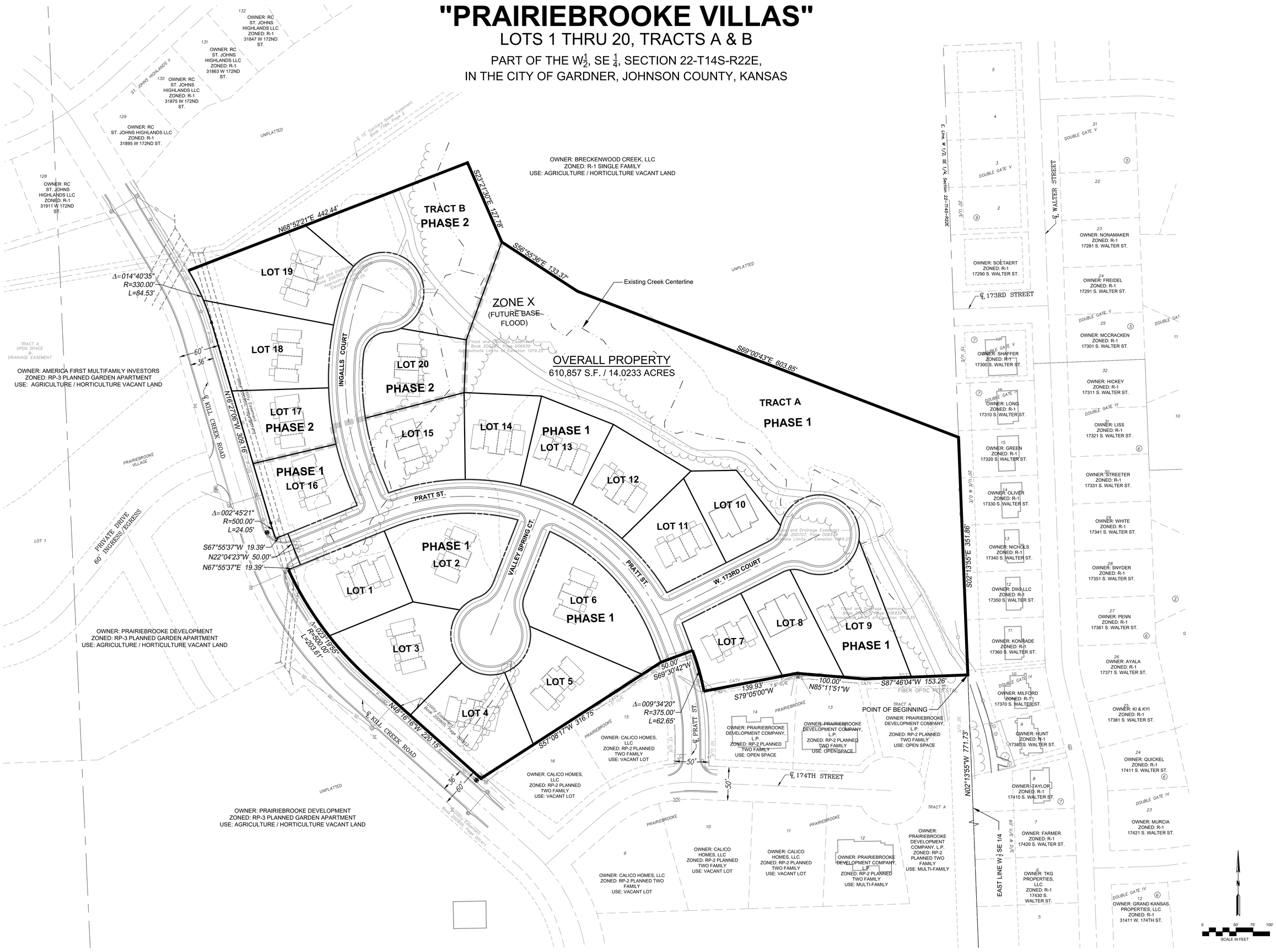
X-REF NO. 20–004 BASE
DRAWING NO. 20–004 FDPa
DATE July 17, 2020
JOB NO. 20–004

FINAL DEVELOPMENT PLAN FDP-20-04

"PRAIRIEBROOKE VILLAS"

LOTS 1 THRU 20, TRACTS A & B

PART OF THE W½, SE ¼, SECTION 22-T14S-R22E,
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



DATE	REVISION	NO.	BY	CK'D APP.
07/17/20	REVISED PER CITY'S SECOND COMMENTS	2	SPW	RKS
07/03/20	REVISED PER CITY'S FIRST COMMENTS	1	SPW	RKS
06/12/20	SUBMITTAL TO CITY		SPW	RKS

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R. KEVIN STEERETT, KS E-21869
July 17, 2020

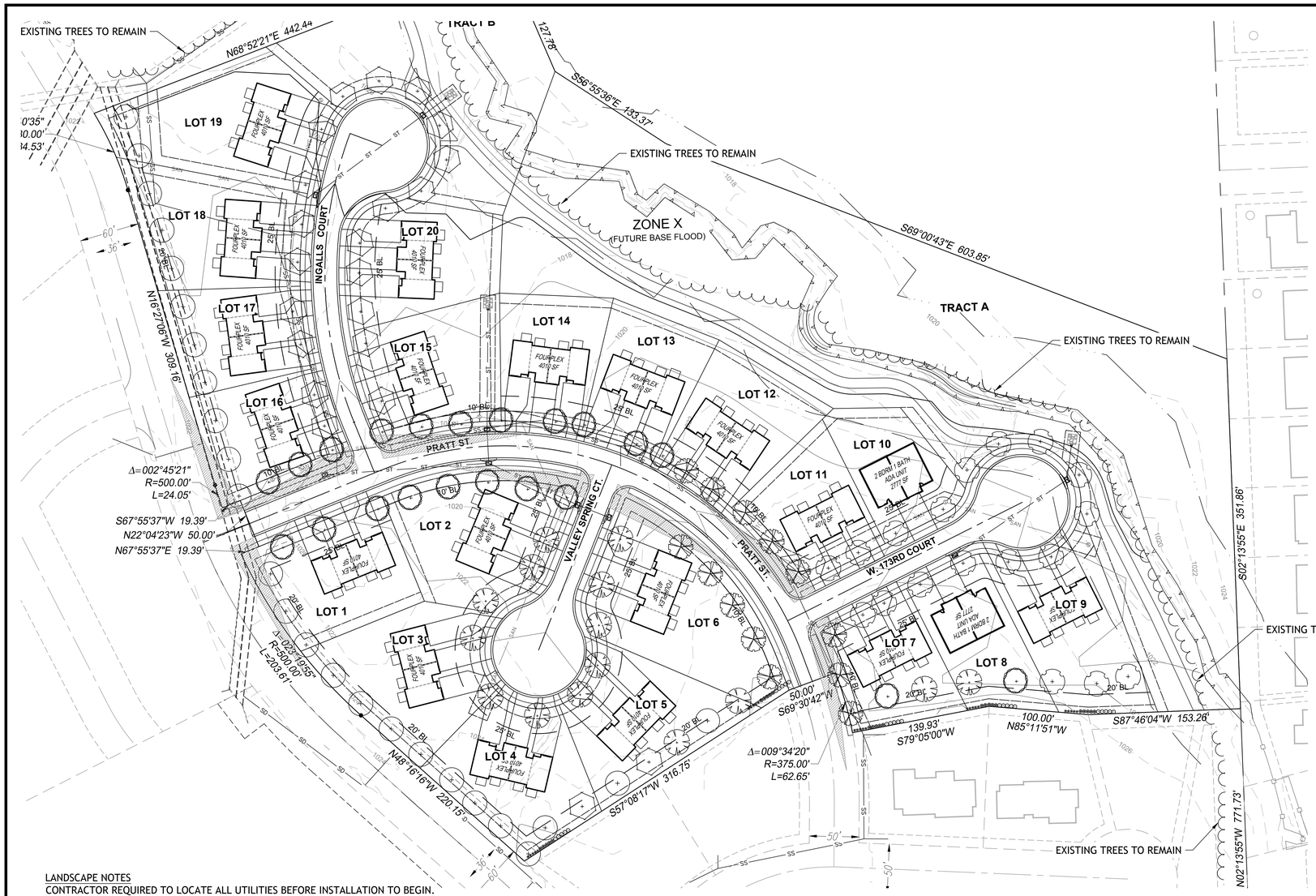
Consult Inc engineers planners
11010 Haskell Street, Suite 210, Kansas City, Kansas 66109
CORPORATE LICENSE No. E2010000573 (MO.) / E-1736 (KS.)

FINAL DEVELOPMENT PLAN FDP-20-02
OWNERSHIP, ZONING AND LAND USE FOR
SURROUNDING PROPERTIES

PRAIRIEBROOKE VILLAS

CITY OF GARDNER - JOHNSON COUNTY - KANSAS

X-REF NO. 20-004 BASE
DRAWING NO. 20-004 FDPs
DATE July 17, 2020
JOB NO. 20-004
SHEET 3 OF 3



LANDSCAPE DATA:

	REQUIRED	PROVIDED
KILL CREEK RD 867.45'		
STREET TREES 1 PER 40'	22	22
173rd COURT		
STREET TREES 1 PER 40'	14	15
VALLEY SPRINGS COURT 200.32'		
STREET TREES 1 PER 40'	5	11
PRATT STREET 688.83'		
STREET TREES 1 PER 40'	17	33
INGALLS COURT 352.04'		
STREET TREES 1 PER 40'	9	20
SOUTH PROPERTY LINE 709.94'		
INTENSITY LEVEL 2		
SHADE TREE 1 PER 50'	14	14
SHRUB 1 PER 10'	71	75

Tree List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	25	Red Oak	Quercus Rubra	2" cal	BB	As Shown
	18	Autumn Gold	Ginkgo biloba	2" cal	BB	As Shown
	21	October Glory Maple	Acer Rubrum 'October Glory'	2" cal	BB	As Shown
	15	Green Vase Zelkova	Zelkova Serrata 'Green Vase'	2" cal	BB	As Shown
	22	Skyline Honeylocust	Gleditsia Triacanthos 'Skyline'	2" cal	BB	As Shown
	14	Sterling	Tilia tomentosa	6' hgt	BB	As Shown

Shrub List

Symbol	Quantity	Common Name	Botanical Name	Size	Condition	Spacing
	8	Seagreen Juniper	Juniperus Chinensis 'Seagreen'	18"-24"sp.	Cont.	4'o.c.
	10	Dwarf Winged Euonymus	Euonymus Alatus 'Compactus'	18"-24"sp.	Cont.	3 1/2'o.c
	10	Morning Light Maiden Grass	Miscanthos Sinensis 'Morning Light'	3 gal.	Cont.	3'o.c.

LANDSCAPE NOTES

CONTRACTOR REQUIRED TO LOCATE ALL UTILITIES BEFORE INSTALLATION TO BEGIN.

Contractor shall verify all landscape material quantities and shall report any discrepancies to the Landscape Architect prior to installation.

No plant material substitutions are allowed without Landscape Architect or Owners approval.

Contractor shall guarantee all landscape work and plant material for a period of one year from date of acceptance of the work by the Owner. Any plant material which dies during the one year guarantee period shall be replaced by the contractor during normal planting seasons.

Contractor shall be responsible for maintenance of the plants until completion of the job and acceptance by the Owner.

Successful landscape contractor shall be responsible for design that complies with minimum irrigation requirements, and installation of an irrigation system. Irrigation system to be approved by the owner before starting any installation.

All plant material shall be specimen quality stock as determined in the "American Standards For Nursery Stock" published by The American Association of Nurseryman, free of plant diseases and pest, of typical growth of the species and having a healthy, normal root system.

Sizes indicated on the plant list are the minimum, acceptable size. In no case will sizes less than specified be accepted.

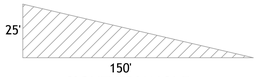
All shrub beds within lawn areas to receive a manicured edge.

All shrub beds shall be mulched with 3" of shredded cedar mulch.

All sod areas to be fertilized & sodded with a Turf-Type-Tall Fescue seed blend.

All seed areas shall be hydro-seeded with a Turf-Type-Tall Fescue seed blend.

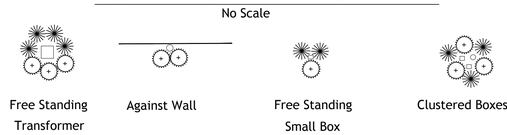
Plant specification requirements of Section 17.08.030 shall be met



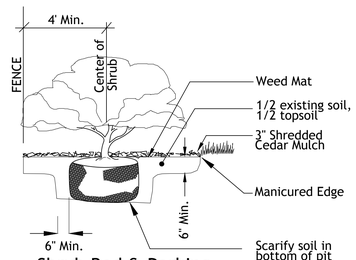
SIGHT TRIANGLE

Typical Utility Box Screening Details

No Scale

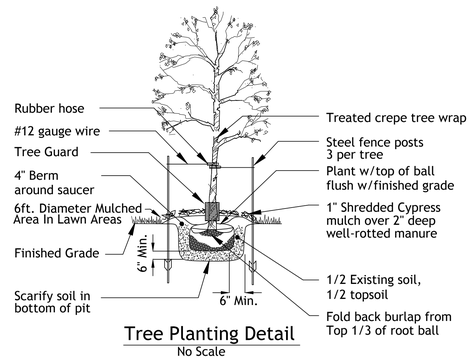


UTILITY BOXES SHALL BE CLUSTERED AS MUCH AS POSSIBLE



Shrub Bed & Parking Setback Detail

No Scale



Tree Planting Detail

No Scale

1"=50'

0 25' 50'

NO.	BY	CK/APP
1	GO	GO

DATE	REVISION
7-14-20	CITY COMMENTS

IF THIS IS NOT A BLUE INK SEAL AND THE SIGNATURE IN BLUE INK, THE PLAN IS A COPY AND MAY CONTAIN UNAUTHORIZED ALTERATIONS. THE CERTIFICATION CONTAINED ON THIS DOCUMENT SHALL NOT APPLY TO ANY COPIES

Garrett Ochs, Landscape Architect
KS Licence 712

PRAIRIEBROOKE

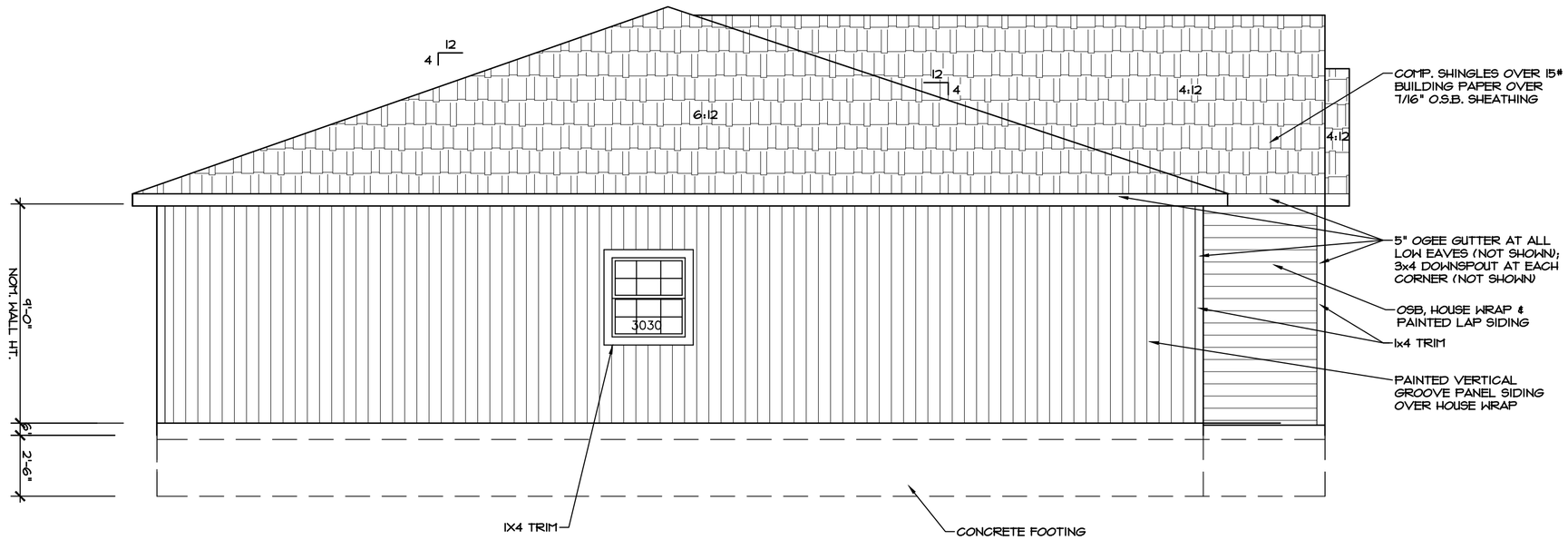
GARDNER KS - JACKSON COUNTY - KANSAS

LANDSCAPE PLAN

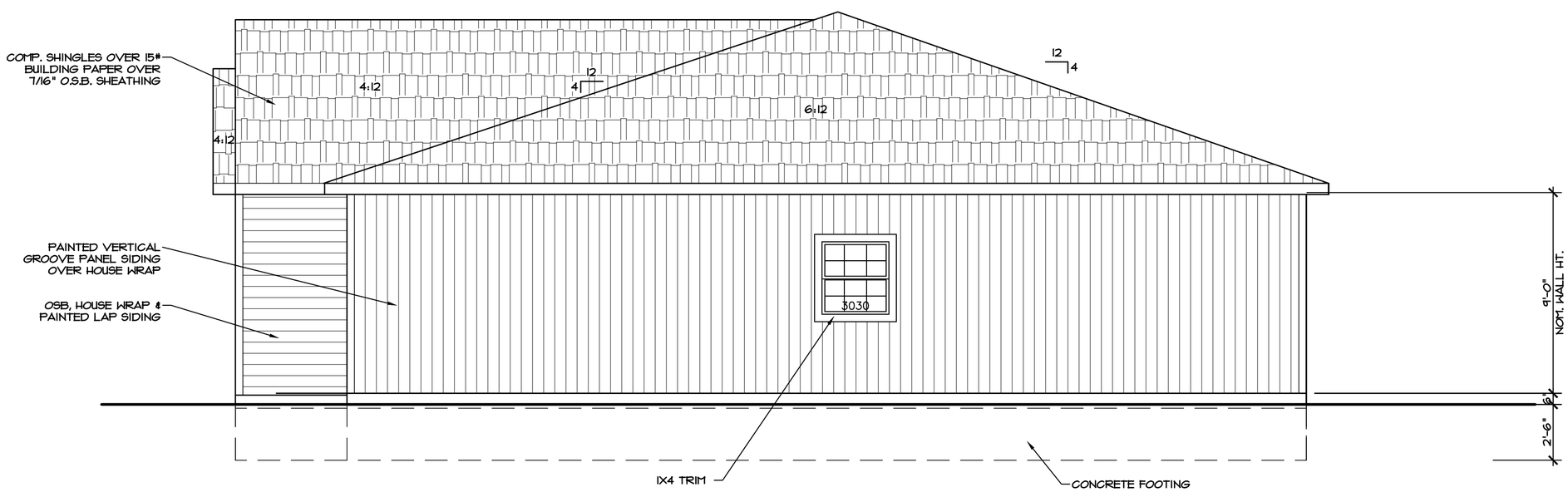
DATE
6-12-20

L1

NOTES:
1. REFER TO PHOTO VOLTAIC DESIGN PLANS AND SPECIFICATIONS FOR PV PANEL LAYOUT AND DESIGN LOADS. TRUSS DESIGN TO ACCOMMODATE PV PANEL DEAD AND LIVE LOADS.



1 LEFT ELEVATION
1/4" = 1'-0"



2 RIGHT ELEVATION
1/4" = 1'-0"

GARDEN CITY DUPLEXES
2 BDRM 1 BATH - ACCESSIBLE UNIT 1,037 S.F.
GARDEN CITY, KANSAS

Hernly
ARCHITECTS
1100 Rhode Island St.
Lawrence, Kansas
66044
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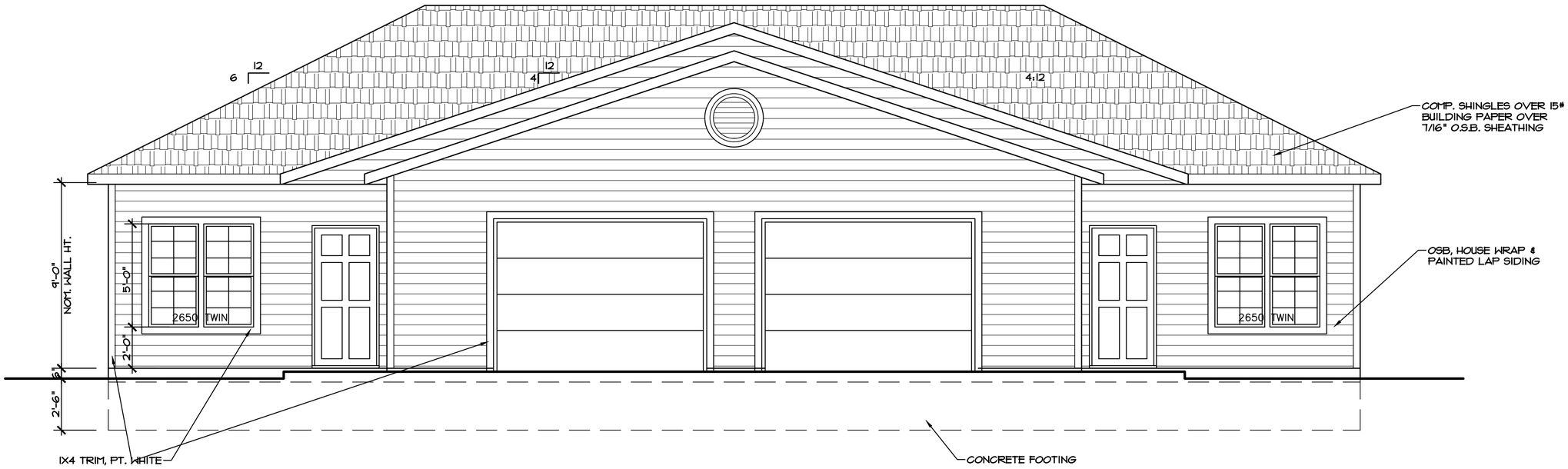
FAX 785 - 749 - 1515

REAR ELEVATION
FRONT ELEVATION

Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

A2.0

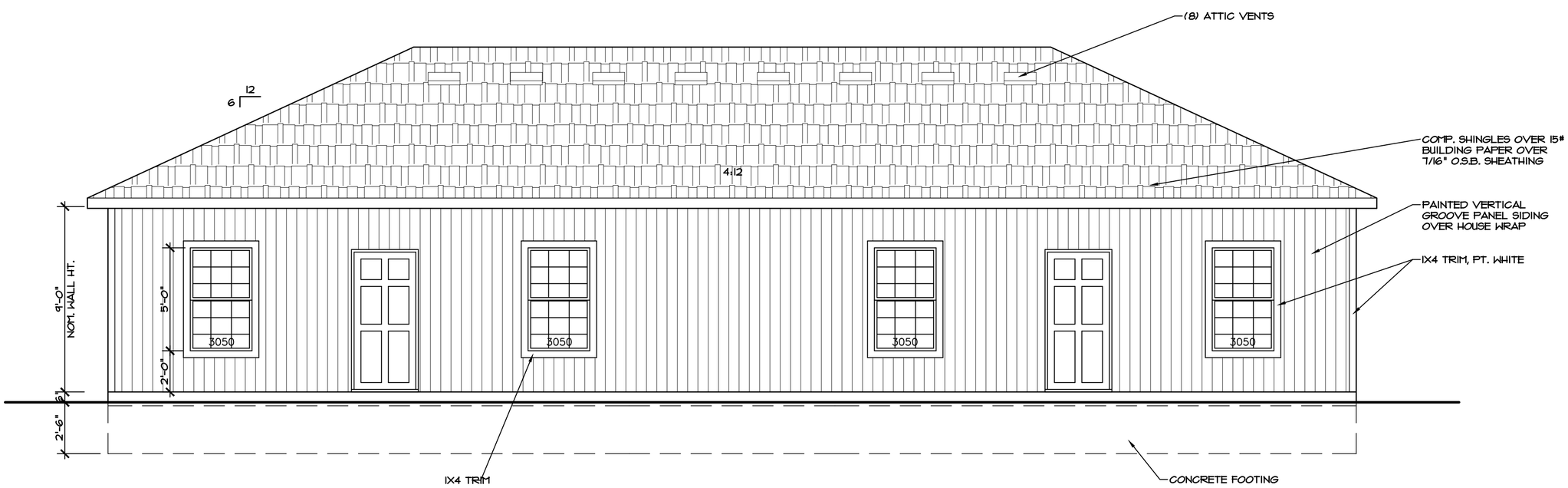


1 FRONT ELEVATION

1/4" = 1'-0"

NOTES:

1. REFER TO PHOTO VOLTAIC DESIGN PLANS AND SPECIFICATIONS FOR PV PANEL LAYOUT AND DESIGN LOADS. TRUSS DESIGN TO ACCOMMODATE PV PANEL DEAD AND LIVE LOADS.



2 REAR ELEVATION

1/4" = 1'-0"

GARDEN CITY DUPLEXES

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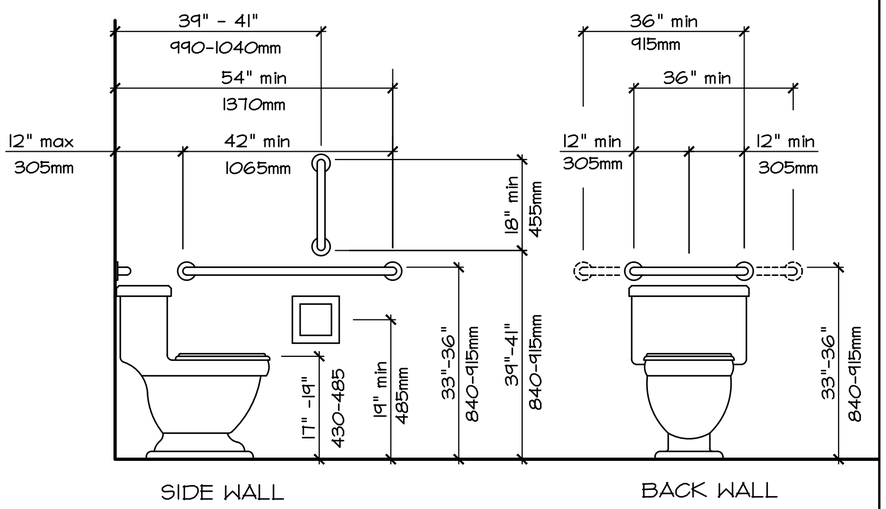
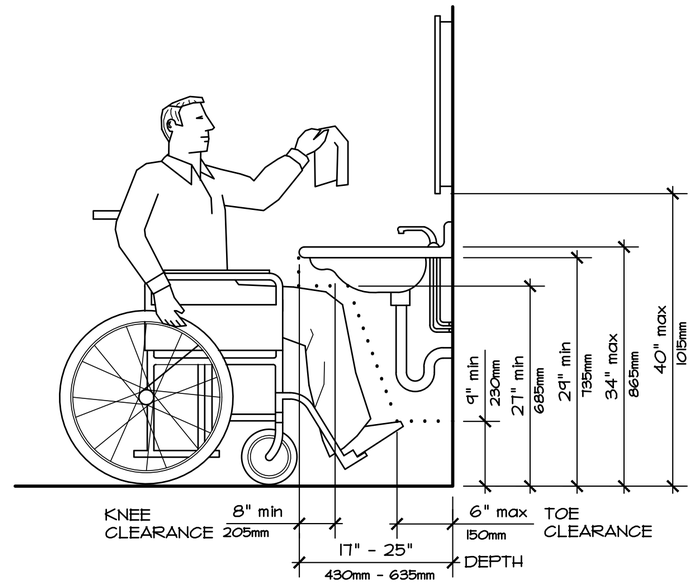
RIGHT ELEVATION
LEFT ELEVATION

Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

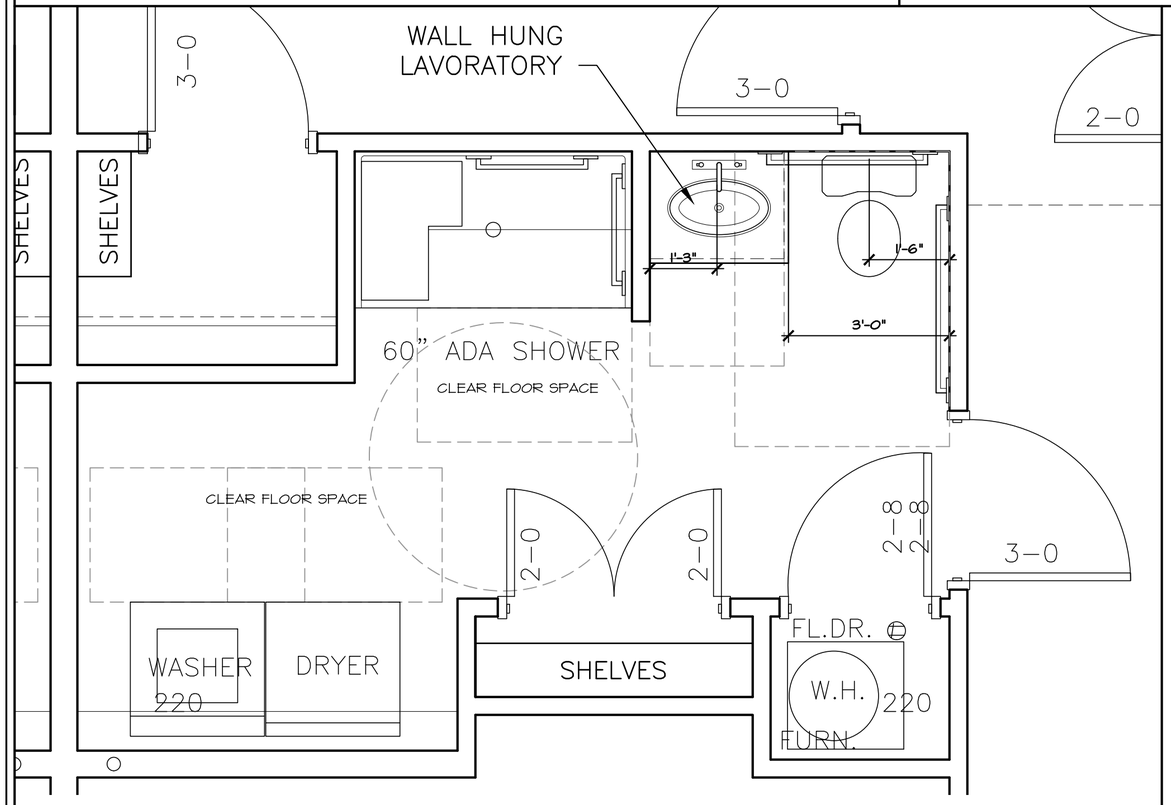
A2.1

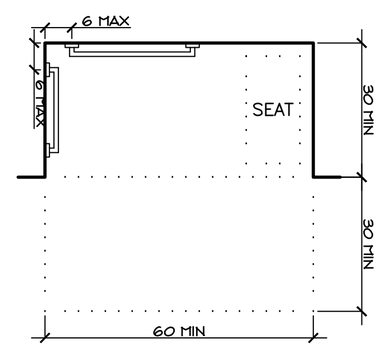


TYP. GRAB BARS

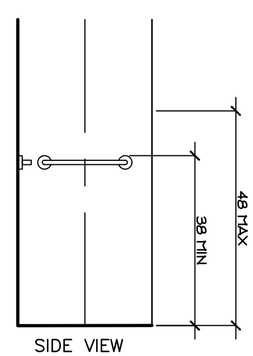


TYP. LAV. CLEARANCE

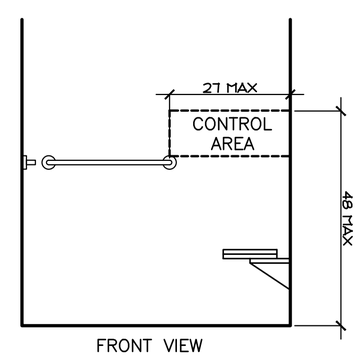




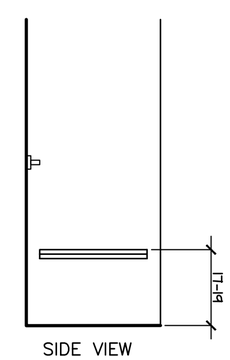
TOP VIEW



SIDE VIEW



FRONT VIEW



SIDE VIEW

1 ADA DETAILS
1/2" = 1'-0"

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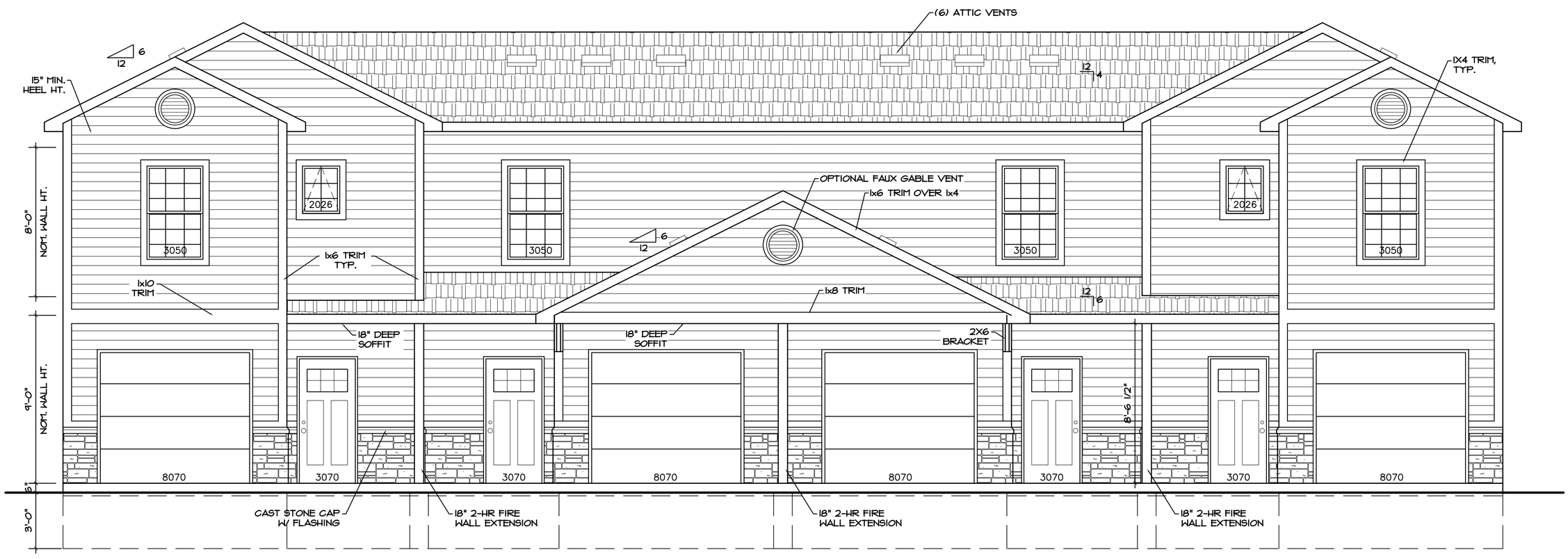
ADA DETAILS

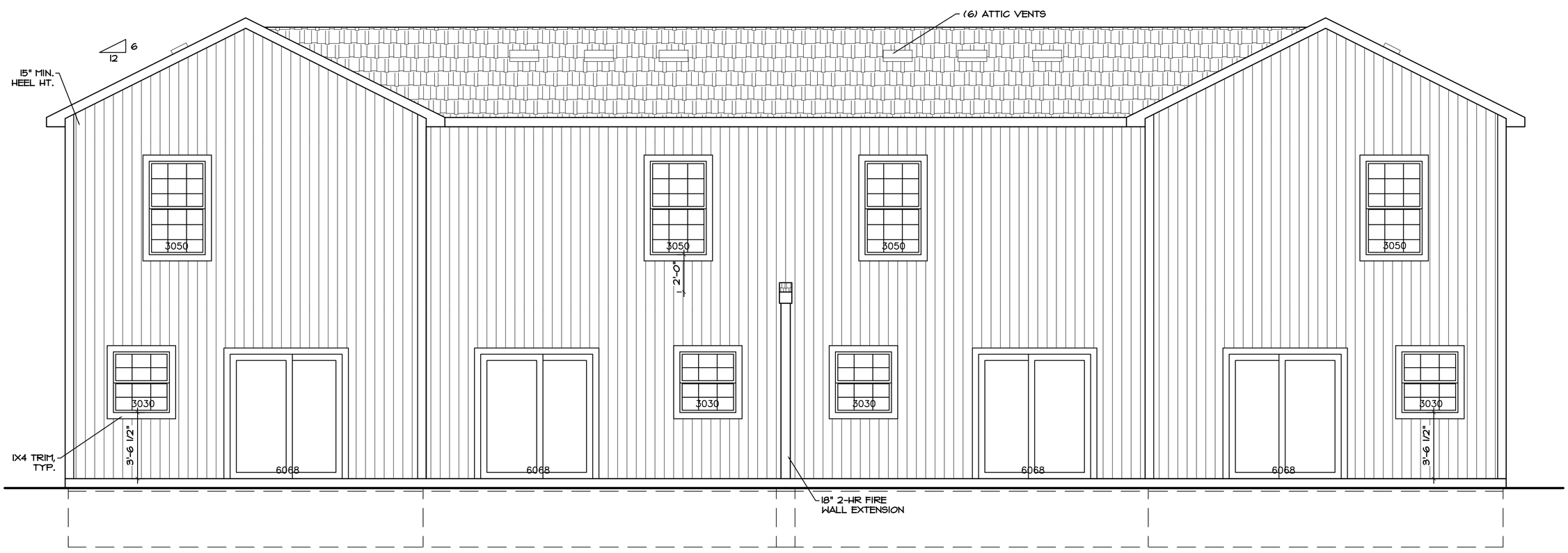
Date: 2019/06/07
Drawn by : LCF
Checked by : SCH
Revisions :

A3.0

310
312



1 FRONT ELEVATION - GABLE
1/4" = 1'-0"



2 REAR ELEVATION - GABLE
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

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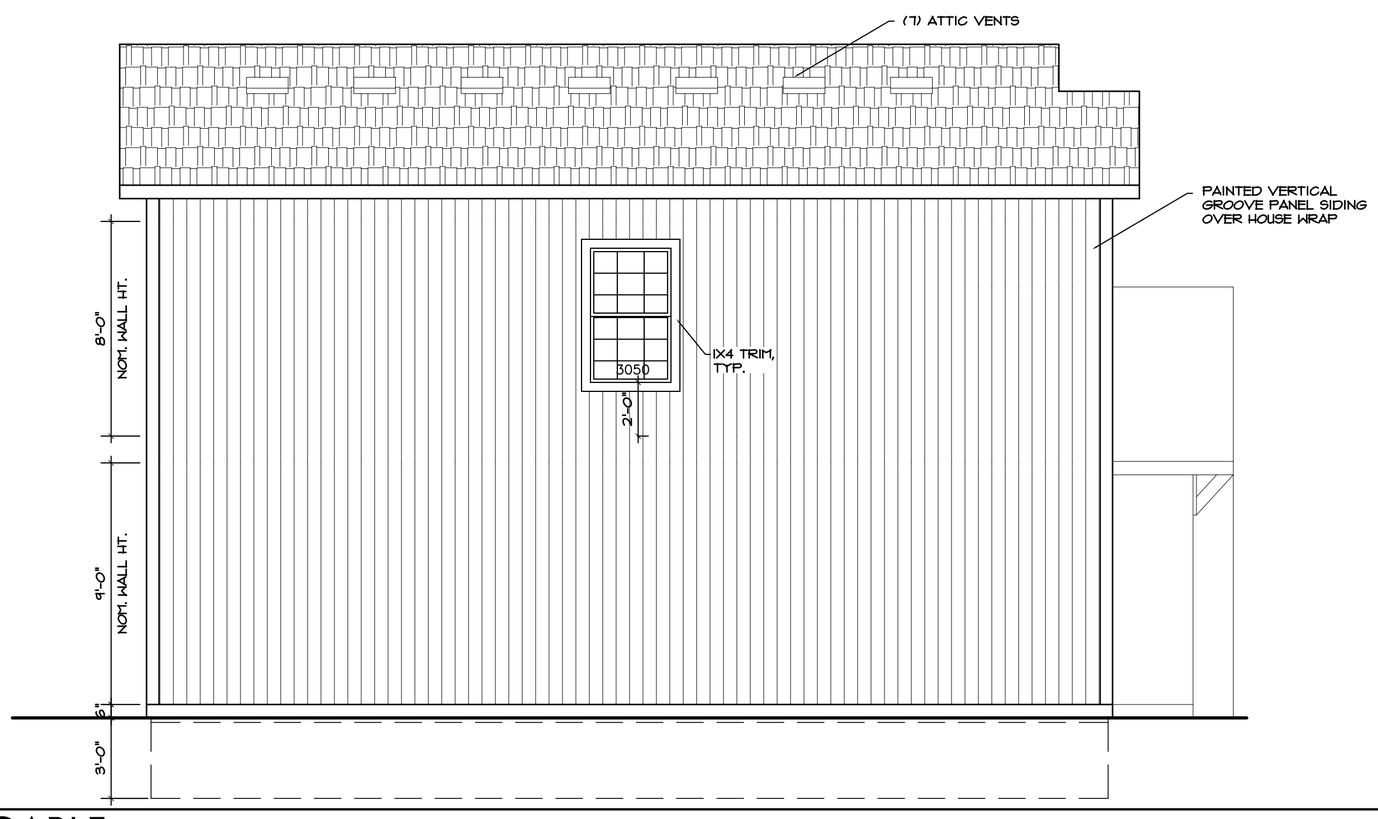
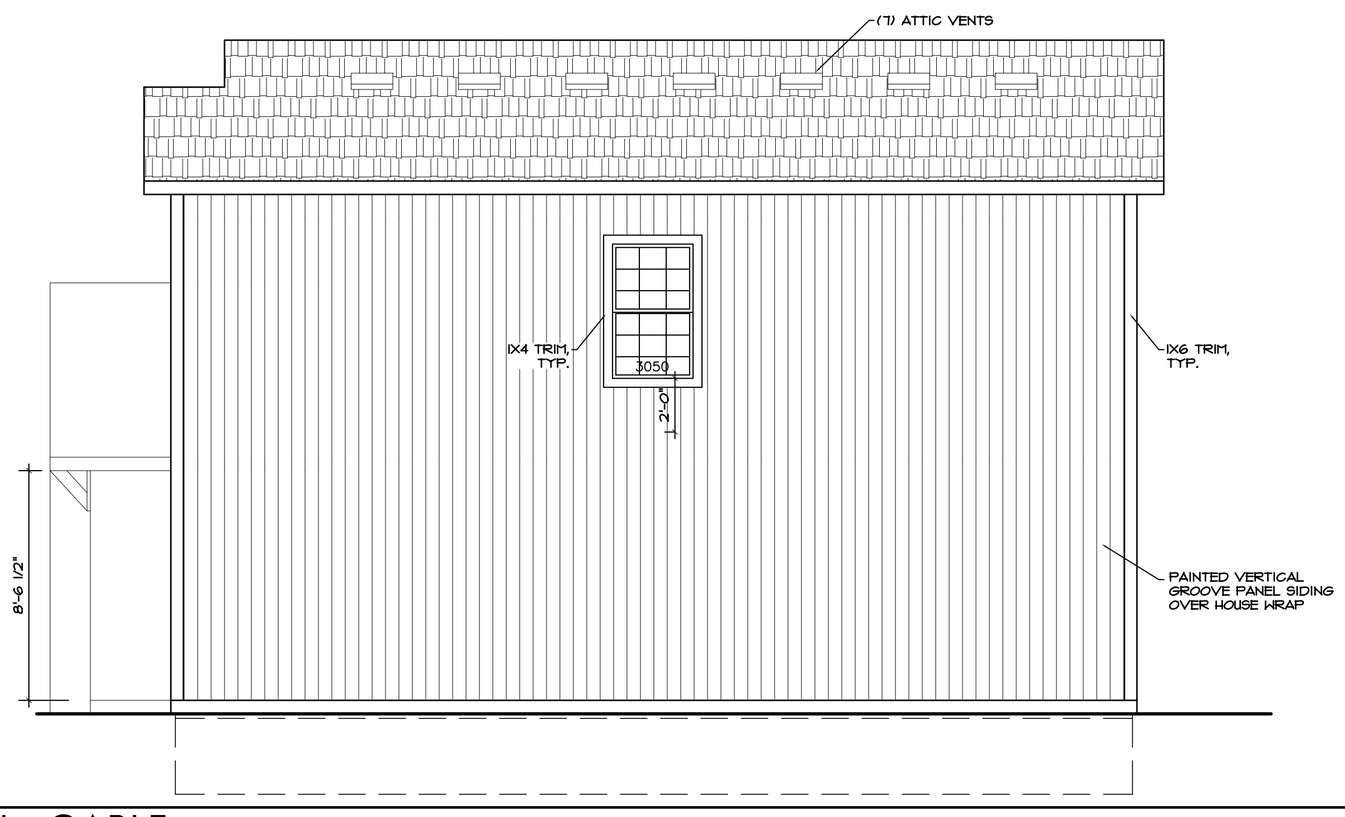
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.0



1 LEFT ELEVATION - GABLE
1/4" = 1'-0"



2 RIGHT ELEVATION - GABLE
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
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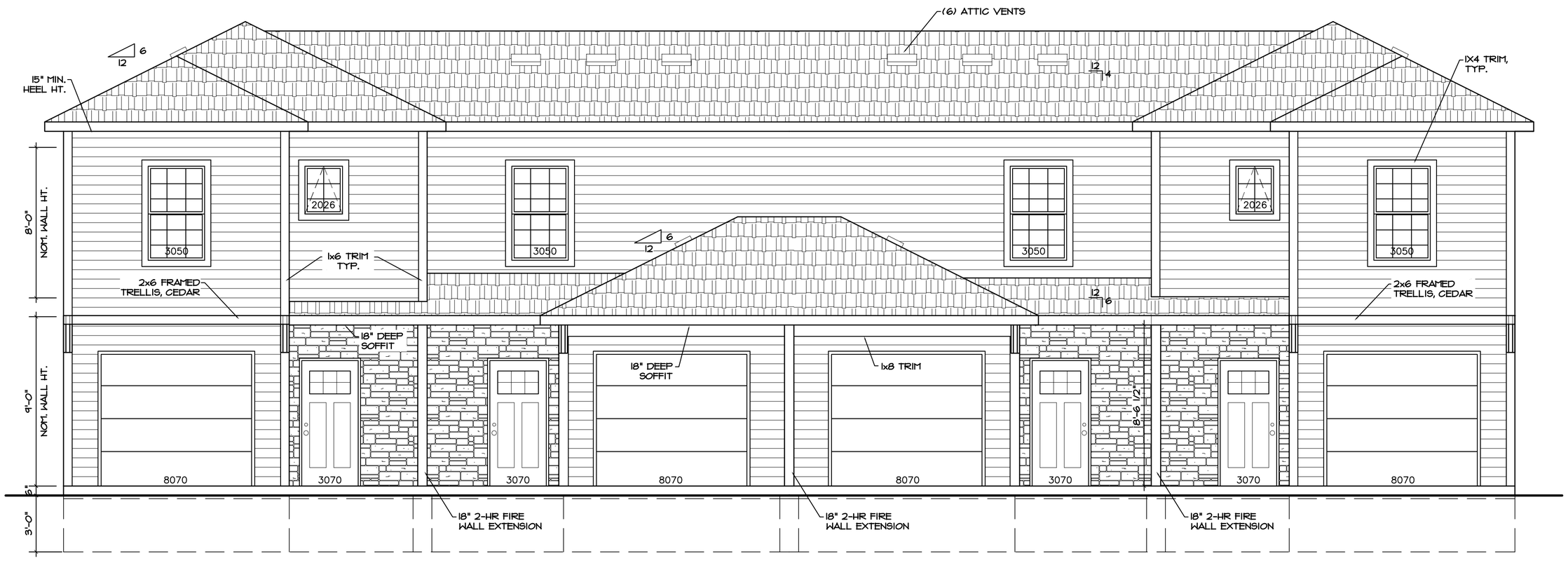
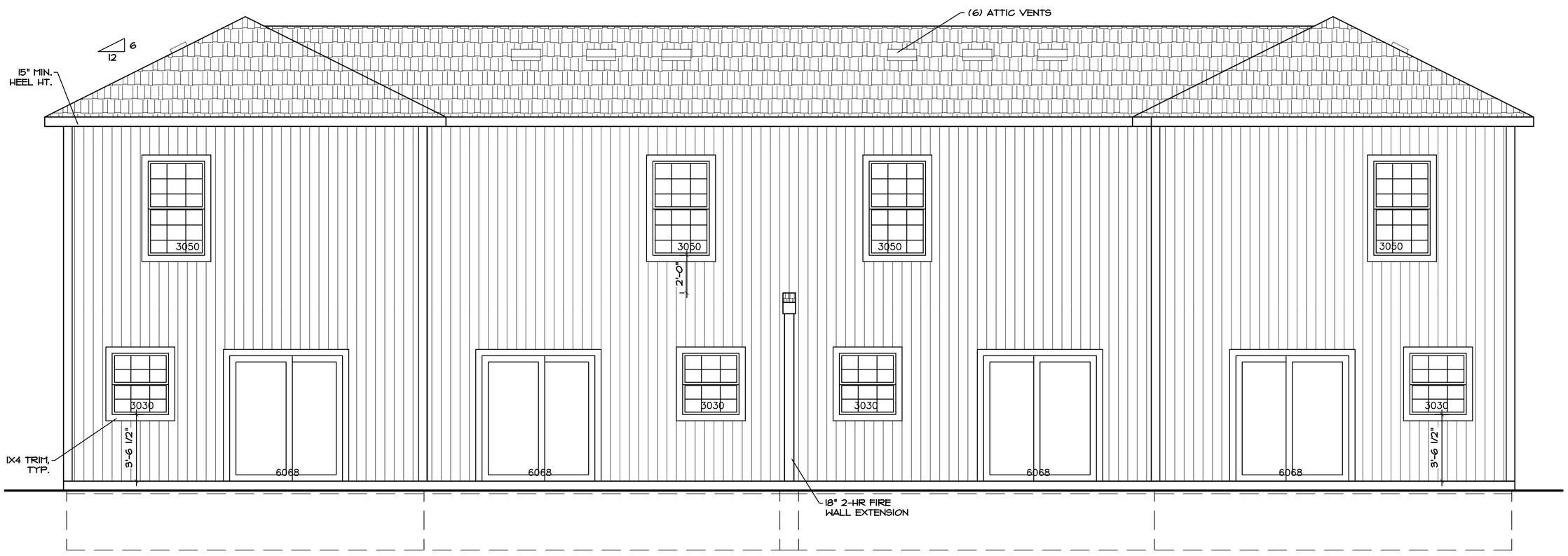
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.1



1 FRONT ELEVATION - HIP
1/4" = 1'-0"



2 REAR ELEVATION - HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
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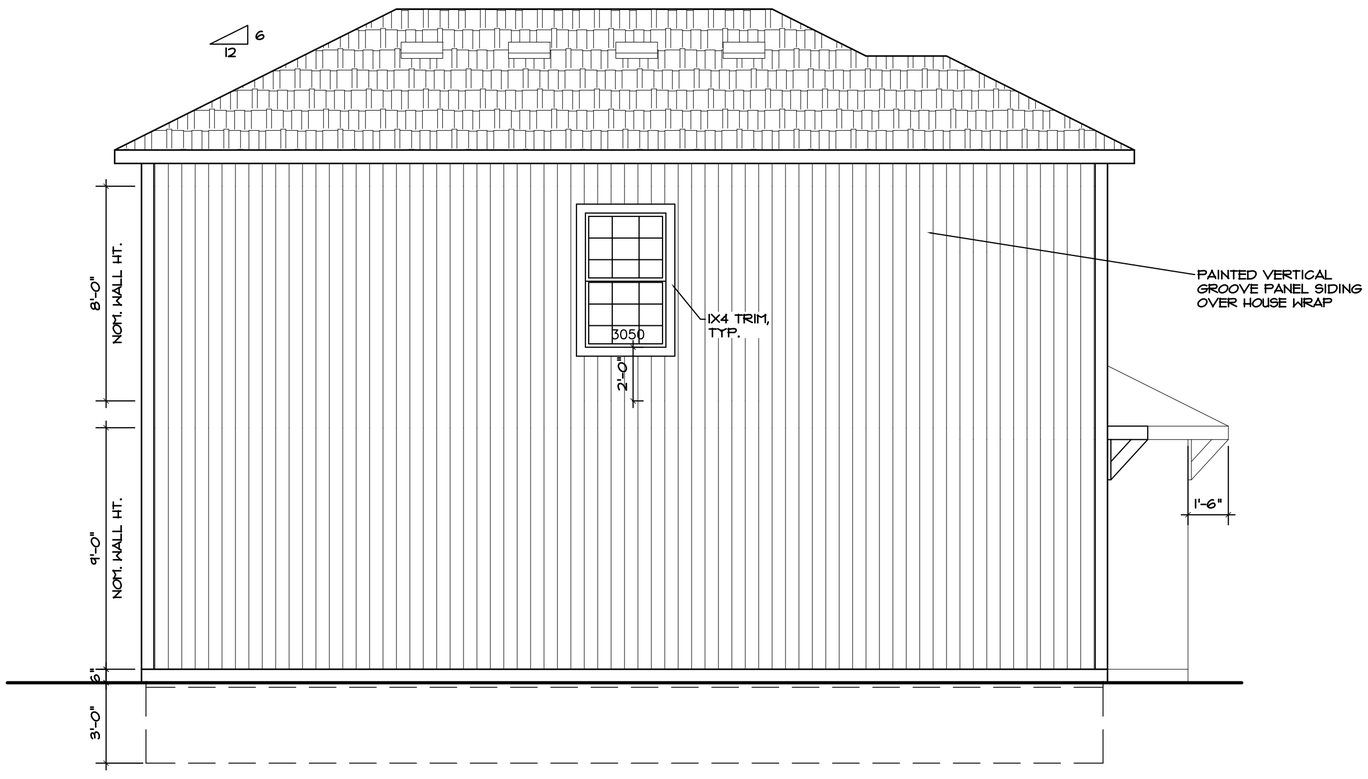
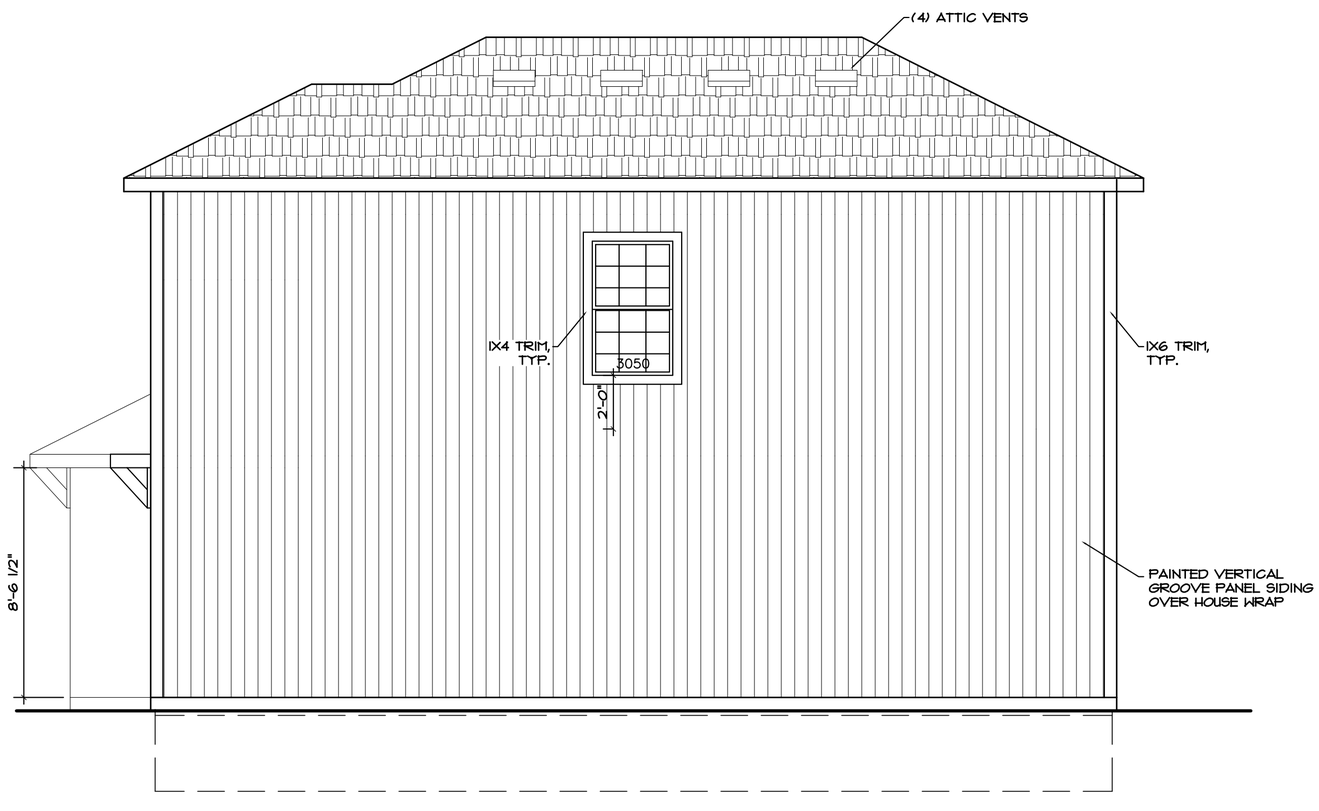
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.2



1 LEFT ELEVATION - HIP
1/4" = 1'-0"



2 RIGHT ELEVATION - HIP
1/4" = 1'-0"

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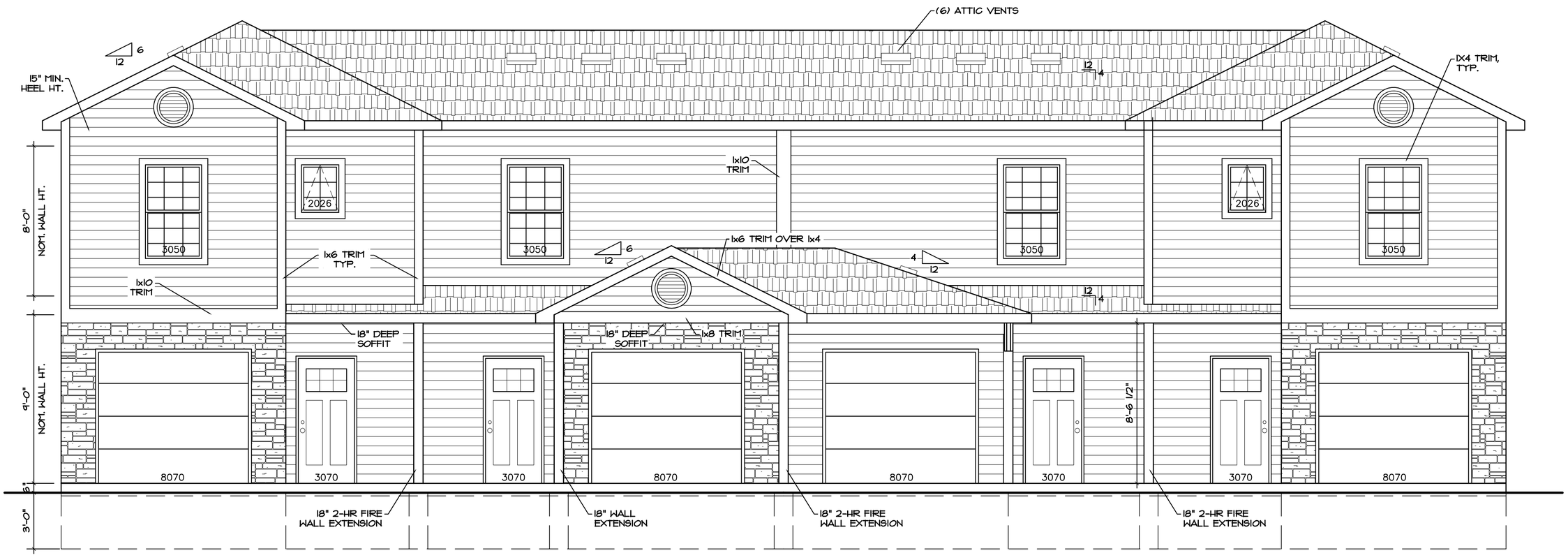
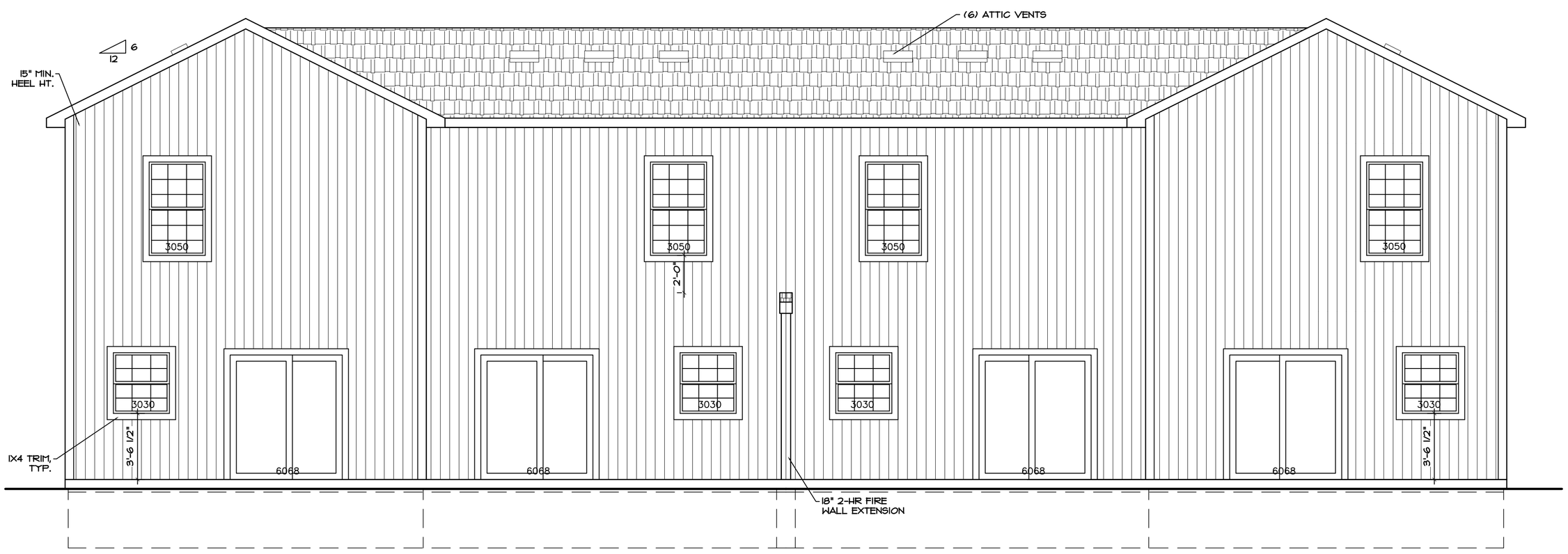
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.3



1 FRONT ELEVATION - GABLE ON HIP
1/4" = 1'-0"



2 REAR ELEVATION - GABLE ON HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
(2) 3-BEDROOM 2.5-BATH & (2) 2-BEDROOM 1.5-BATH - STANDARD UNITS
GARDNER, KANSAS

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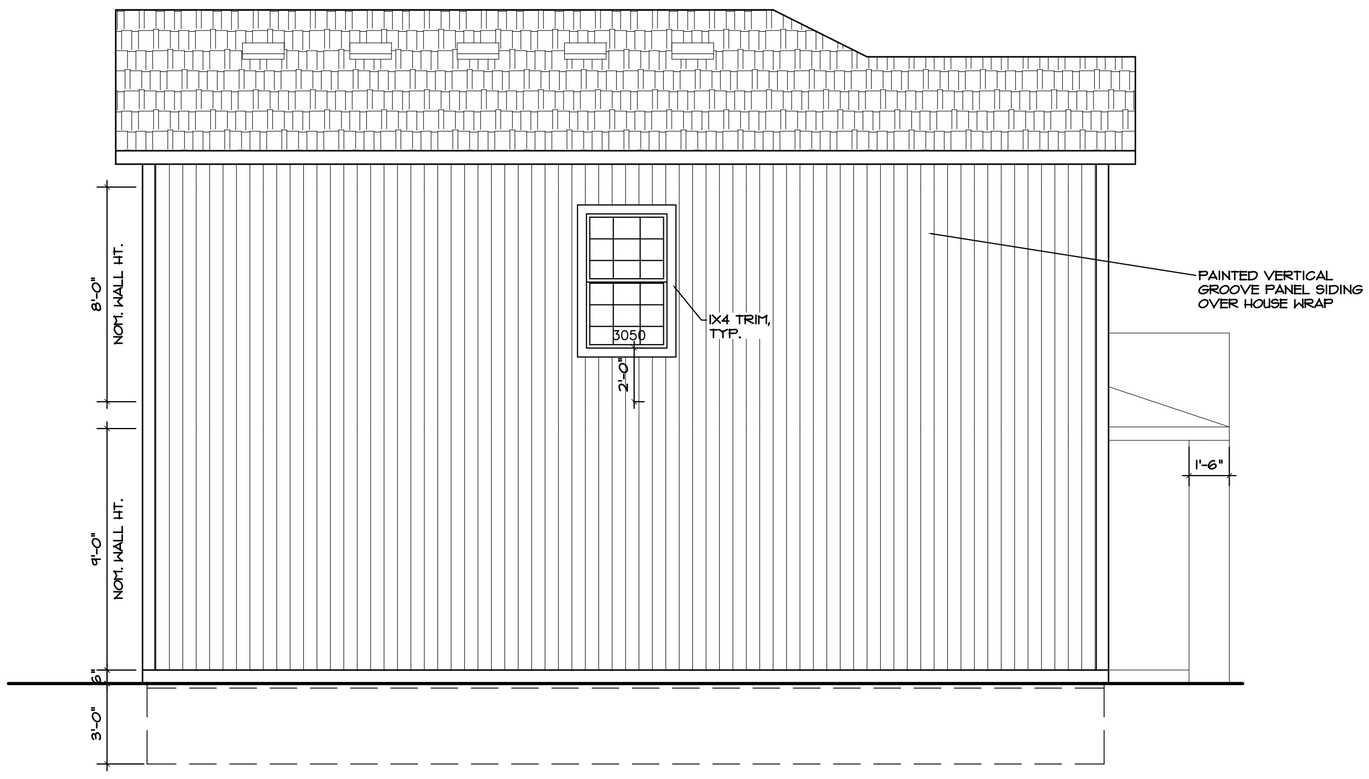
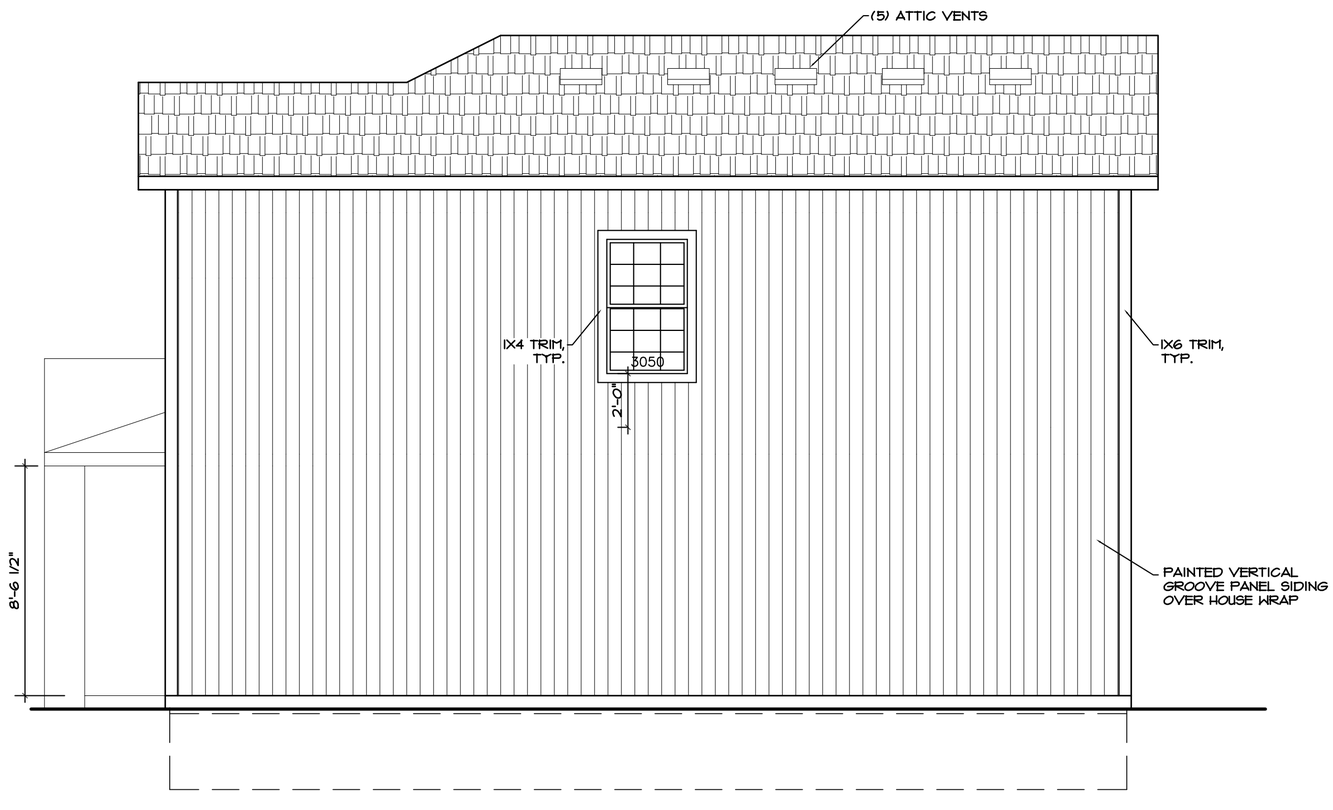
ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.4



1 LEFT ELEVATION - GABLE ON HIP
1/4" = 1'-0"



2 RIGHT ELEVATION - GABLE ON HIP
1/4" = 1'-0"

PRAIRIEBROOKE FOUR-PLEX
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ELEVATIONS

Date: 2020/04/22
Drawn by : SCH SJB
Checked by :
Revisions :

A2.5

GARDNER

Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

SITE PLAN AND DESIGN REVIEW FINAL DEVELOPMENT PLAN APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) Owner Finance, LLC
Contact Tim Gates
Address P.O. Box 4057
City Overland Park State KS Zip 66204
Phone 913-645-3579 Email timothygates@yahoo.com

APPLICANT/AGENT INFORMATION

Name(s) OIKOS Development Corporation
Contact Mike Snodgrass
Address 1712 Main Street, Suite 206
City Kansas City State MO Zip 64109
Phone 816-352-4258 Email msnodgrass.odc@gmail.com

SITE INFORMATION

Property Address/Location: North of 147th Street and East of Kill Creek Drive
Legal Description (Attach If Necessary) Attached "Exhibit A"
Number of Existing Lots 1 Number of Proposed Lots 20 lots and 2 tracts
Total Site Area 14,023 acres Present Zoning RP-3
Proposed Use Multi-Family Residential Present Land Use Vacant Lot
Proposed Street Design Type(s) & Class Residential Local (28' BC to BC)
Proposed Type(s) Open & Civic Space Trail/Greenway
Proposed Frontage Type(s) Buffer Edge
Proposed Building Types(s) Duplex and Fourplex

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a site plan and design review or final development plan as indicated above.

Signature(s): _____ Date 6/12/20

_____ Date _____

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SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
X		1. **Complete application packet**
X		2. **Application fee**
X		3. **10 complete sets of full sized plans printed including color elevations, folded**
X		4. **Digital copies (PDF) of the completed application, plans, and legal description**
X		5. **Copy of all covenants and restrictions applicable to the development**, if applicable.
X		6. **Sign posting affidavit.**
X		7. **Evidence of the establishment of the agency for the ownership and maintenance of any common** open space and all assurances of the financial and administrative ability of such agency or document dedicating the facilities to the city.
	X	8. **Deeds of dedication for all rights-of-way or easements** required as a result of preliminary development plan approval if conveyance thereof is not to be made by plat or by the filing of the final development plan.
X		9. **Evidence of satisfaction of any conditions of the preliminary development plan approval** which were conditions precedent to consideration of the final development plan.
X		10. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
X		11. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)

PLAN REQUIREMENTS

X		1. **Vicinity map** to scale with north point showing railroads, major streams or rivers, and public streets in the vicinity of the site. (Suggested scale of 1" = 1000'.)
X		2. **Boundary lines of the subdivision** shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
X		3. **Scale, legend, and north arrow** clearly shown, with orientation at top or left as north (not less than 1"=100' scale).
X		4. **Dates of plan preparation** and/or plan revisions.
X		5. **Ownership, zoning, and land use of the site and surrounding properties** within 200 feet; both existing and proposed.
X		6. **Names, addresses, and phone numbers of all companies, firms, or individuals involved** in the preparation of the plan (i.e. developer, property owner, architect, landscape architect, planner, engineer, surveyor, etc.)
X		7. **Setback lines:** building and parking with dimensions in feet.

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Yes	No	
X		8. **Setback lines:** building and parking with dimensions in feet.
X		9. **Lots and tracts identified clearly**, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet and acres.
X		10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.
X		11. **Setback lines:** building and parking with dimensions in feet.
X		12. **Location of existing open space, alleys, parks, streams, ponds, vegetation** or other similar features within plan area, and whether they are to be retained or removed.
X		13. **Existing utilities**, including sanitary sewer, force main, water main, gas mains, culverts and storm sewer pipe, street lights, electric conduits, and invert elevations of sewers at points of proposed connection.
X		14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
X		15. **All public streets within the plan conform** to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications. Design of crosswalks, on street parking, shoulder, pavement and lane dimensions.
X		16. **Intersection site distance analysis**.
X		17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
X		18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed.
X		19. **Vehicle maneuvering/turning templates** reflecting the site can accommodate a minimum SU-30 class vehicles (for emergency access to all areas of the site), and the appropriate site-design vehicle for any other special areas of the site (such as delivery or dock areas, etc.), as necessary.
X		20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
X		21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
X		22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
X		23. **Any area within a federally designated floodplain**. Location, stations, and elevations of the 100-year floodplain within the plan area and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).
X		24. **Stream corridor boundary** and dimensions.
X		25. **Phasing Plan**, if applicable.

Yes	No	
X		26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		27. **Any buildings within the plan area** which are existing or proposed, with status indicated including dimensions (i.e. to remain, remodel, new, to be demolished as part of Phase 2, etc.).
X		28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.
X		29. **Existing Topography and Proposed Grading** of the area contained in the plan area and within 20 feet of the boundary shown by 2-foot contour intervals. Contour lines shall be legible but not overpowering.
X		30. **Building elevations** depicting the architectural style, size, exterior construction materials, and colors for each type of building proposed, and dimensions. If an architectural theme is planned, elaboration on the intent and extent of the scheme and details shall be provided. Elevations shall provide sufficient information to determine relationships between various elements, building height, proportion, bedroom counts, approximate square footage, etc. Rooftop and ground-mounted mechanical equipment shall be shown on elevations.
X		31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
X		32. **Table indicating lots, land areas, buildings, number of stories, building coverage, and all other quantities relative** to the submitted plan that are required to determine compliance with City codes. For commercial buildings, indicate service floor areas and number of tenant spaces, if applicable. For residential buildings, indicate dwelling units; if multiple building types, provide an additional table indicating dwelling units by building type.
	X	33. **Table indicating required and proposed parking spaces**.
X		34. **Landscaping plan and table** indicating all proposed landscaping, noting common and botanical names, numbers, and planting sizes. Note all other areas to be sodded.
	X	35. **All exterior sign locations**. Include elevations and details.
	X	36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
	X	37. **Outdoor storage areas**, including location, dimensions and design.
X		38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
X		39. **Preliminary design and location of all proposed storm drainage** conveyance, detention and treatment facilities and locations of existing drainage facilities.

I hereby submit all information required for a site plan and design review, or final development plan application review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted.

Adrienne Foster (Director of Planning, ODC) — Signature of Applicant

06/12/2020 — Date

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OWNER AFFIDAVIT

I/WE Timothy S. Gates, Manager Owner Finance LLC, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 12 day of June, 2020, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

   See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation of partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

_____ _____

Owner Manager, Owner Finance LLC Owner

STATE OF Kansas
COUNTY OF Johnson

The foregoing instrument was acknowledged before me on this 12 day of June, 2020 by Timothy S. Gates, member of Owner Finance LLC

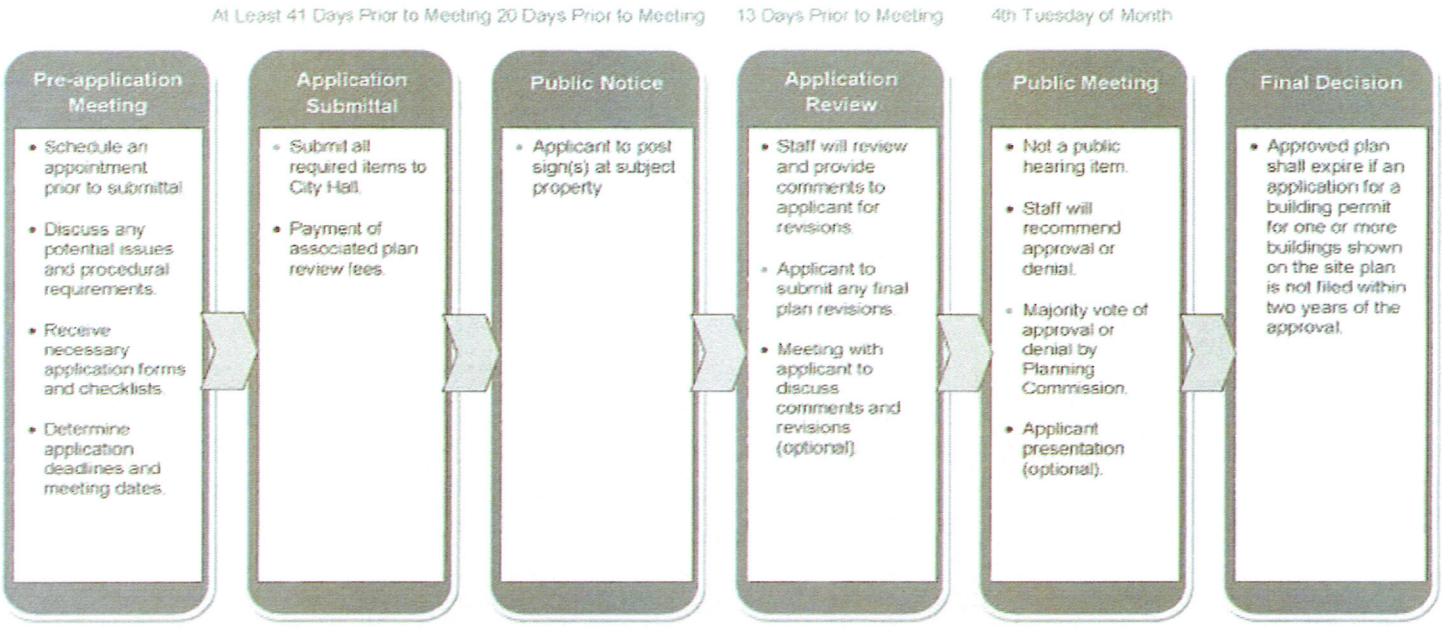
My Commission Expires:
4/21/24

_____
Notary Public

NOTARY PUBLIC - State of Kansas
HEATHER D. SHIPPY
My Appt. Expires 4/21/24

Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

SITE PLAN AND DESIGN REVIEW, AND FINAL DEVELOPMENT PLAN APPLICATION PROCESS



* Please refer to the Planning Commission "Schedule and Submittal Deadline" calendar for upcoming submission deadlines and meeting dates.

REVIEW CRITERIA

The review of a site plan and design review, and final development plan is based on the regulations of the Land Development Code, Title 17 of the Gardner Municipal Code at www.gardnerkansas.gov/documents/city-code.

The site plan and design review, and final development shall be reviewed according to the following criteria:

1. In general, any site plan in compliance with all requirements of this Code shall be approved.
2. In making a determination of compliance, or for site plans accompanying any discretionary review or administrative relief, the review body shall consider whether:
    a. The site is capable of accommodating the buildings, proposed use, access and other site design elements required by the Code and will not negatively impact the function and design of rights-of-way or adjacent property.
    b. The design and arrangement of buildings and open spaces is consistent with good planning, landscape design and site engineering principles and practices.
    c. The architecture and building design uses quality materials and the style is appropriate for the context considering the proportion, massing, and scale of different elements of the building.
    d. The overall design is compatible to the context considering the location and relationships of other buildings, open spaces, natural features or site design elements.
    e. Whether any additional site-specific conditions are necessary to meet the intent and design objectives of any of the applicable development standards.
3. The application meets the criteria for all other reviews needed to build the project as proposed.
4. The recommendations of professional staff.

PLANNING COMMISSION STAFF REPORT **AGENDA ITEM NO. 1**
MEETING DATE: JULY 28, 2020
PREPARED BY: ROBERT CASE - PLANNER

PROJECT NUMBER / TITLE: FP-20-07 / Breckenwood Creek, 1st Plat

PROCESS INFORMATION

Type of Request: Final Plat
Date Received: June 12, 2020

APPLICATION INFORMATION

Applicant: Payne & Brockway, P.A.
Owner: Breckwood Creek, LLC
Parcel ID: CF221422-2007
Location: The northern terminus of both Kill Creek Road and 172nd Street and north of 171st Street.

REQUESTED ACTION

The applicant is requesting approval of a final plat for Breckenwood Creek Phase 1 for 33 single-family residential lots, on 6 acres.

EXISTING ZONING AND LAND USE

The parcel is zoned R-1 (Single-Family Residential) District, and is currently undeveloped, with developed properties to the south.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
County RUR (Rural) District	Undeveloped, agricultural
East of subject property	
R-1 (Single-Family Residential) District	Undeveloped and part of the preliminary plat for Breckenwood Creek Subdivision
South of subject property	
R-1 (Single-Family Residential) District	St.John's Highlands II – single-family housing
West of subject property	
R-1 (Single-Family Residential) District	St. John's Highlands II – single-family housing

EXISTING CONDITIONS

Currently, the property is not platted and is unimproved. This infill development provides for the extension of an existing roadway network with Kill Creek Road and will eventually allow for the extension of Madison Street with future phases.

The subject parcel is outlined in red below:

BACKGROUND / HISTORY

The property was annexed on September 5, 2000 per Ordinance 1961. The property was rezoned (Z-01-03) (Ord. 1990) from A (Agriculture) District to PUD (Planned Urban Development) District on June 18, 2001, along with an approved preliminary development plan (PUD-01-02) and preliminary plat for Prairie Brooke (PP-01-02). This included 140.9 acres of residential single-family detached homes, row houses, and multi-family homes along with other non-residential uses (by separate application for nearby parcels). The preliminary plat was subsequently revised (PP-03-09) in a layout substantially similar to what is proposed by the applicant for single-family, duplex, and garden apartment uses. There were several conditions of approval for the revised preliminary plat, including approval of rezonings Z-03-24 (R-1 Single Family Residential District), Z-04-03 (C-O Office Building District), Z-04-04 (RP-3 Planned Garden Apartment District) and Z-04-05 (RP-2 Planned Two Family Residential District) for the entire planned development property; floodplain and riparian protection, and dedication of ROW for W. 175th Street. This property was rezoned (Z-03-24) from PUD to R-1 (Single Family Residential) District by Ordinance No. 2099 on April 19, 2004 and has remained vacant.

In March of this year, the applicant was approved for a rezoning from R-1 (Single-family Residential) District to R-2 (Two-Family Residential) District along with the associated preliminary plat.

CONSISTENCY WITH COMPREHENSIVE PLAN

The *City of Gardner 2014 Comprehensive Plan* identifies this parcel for low-density residential future land use, described as "areas primarily consist of detached single family homes, but may also include duplexes or triplexes arranged in a low density format on larger lots, with buildings in character with typical single family homes. These "New Residential Growth Areas" include undeveloped land that provides a "clean slate" for future residential development. The Comprehensive Plan addresses these growth areas as having three major components that help to ensure the community's goals of providing high quality neighborhoods that satisfy demand for a broad type of housing. These goals are; neighborhood character, connectivity, and open space preservation & conservation design. The design and layout the applicant is proposing is consistent with the goals of the Comprehensive Plan.

STAFF ANALYSIS – FINAL PLAT

17.03.020(E)(1) Review Criteria:

a. The layout and design of the final plat is in substantial compliance with the approved preliminary plat considering the number of lots or parcels; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments.

   Staff Comment: *The layout and design of the final plat is in substantial compliance with the approved preliminary plat regarding lot and street layout. Staff finds this application to be consistent with many goals and objectives of the Comprehensive Plan, in particular the goals of housing diversity, infill development, infrastructure and recreational infrastructure connections, environmental protection and the reflection of intended residential character. It meets the intent for street networks to provide for efficient and safe movement of all potential users of the streets, to use streetscape design to call attention to differing contexts and better support development patterns and uses abutting the streets, and to increase connectivity and improve options for access in the community.*

b. The construction plans for any utilities, infrastructure or public facilities shall have been found to meet all technical specifications, or final plat approval shall be conditioned on such plans meeting all technical specifications, before the recording of the final plat.

   Staff Comment: *Public improvement plans shall be submitted and approved prior to the release of the final plat for recording at the County. The city is the provider for sanitary sewer, water, stormwater, and electric facilities in the area.*

c. The phasing and timing of public improvements ensures construction and performance guarantees.

   Staff Comment: *This is the first of five phases for the Breckenwood Creek Subdivision. The Traffic Impact Study, Stormwater Management Plan and Public Improvement Plans have been submitted but not approved. All Public Improvement Plans shall be submitted and approved prior to the release of the final plat for recording and issuance of building permits to ensure all improvements are in place.*

d. Any deviations in the final plat from the preliminary plat brings the application in further compliance with the Comprehensive Plan and the purposes and intent of this Code.

   Staff Comment: *There are no deviations requested from the preliminary plat.*

e. The recommendations of professional staff, or any other public entity asked to officially review the plat.

   Staff Comment: *Staff recommends the Planning Commission approve the final plat with the conditions outlined below and forward a recommendation to the Governing Body to accept the dedication of right-of-way and easements.*

EXCISE TAX

Excise tax is levied with the act of platting the portion of the property in the city. The subject property has never been a part of a final plat and is therefore subject to paying excise tax. This tax is based on the square footage of the plat property, excluding any arterial type right-of-way dedication for streets and parkland dedication. This phase of the Breckenwood Creek Subdivision does not have any special dedications and is required to pay excise tax.

The current tax rate is $0.20 per square foot of land area platted. This plat includes 6.60534 acres (287,729 sq.ft.) eligible for excise tax collection. Therefore, the excise tax shall be **$57,545.80**, and shall be paid prior to the release of the final plat for recording.

STAFF ANALYSIS - INFRASTRUCTURE / OTHER

WATER, SANITARY SEWER, STORMWATER, ELECTRIC, GAS –

A sanitary sewer line traverses the site just south of the waterway on the eastern portion of the site. Existing stormwater infrastructure also extends from the existing subdivision to the edge of the waterway. Electric service runs along all but the northern boundary. Water service is available throughout the adjacent subdivisions and along Kill Creek Road. Customary utility easements are being provided with this plat, except that the utility easement will be in front of lots. This allows the preservation of the natural tree line and creates a natural buffer from the rear of the lots to the proposed continuation of the east-west collector Madison Street.

REQUIRED STREET LANDSCAPING

A street tree plan has been provided for review, showing street trees only at 40' – 60' on center along S. Hemlock Street, Dogwood Street, and S. Moonlight Road.

Staff Comment: *Staff has advised the applicant to meet the requirements for street trees per the LDC, which includes trees spaced 40' - 60' on center on Moonlight Road., Hemlock Street, and Dogwood Street. The proposed plan meets this requirement.*

ATTACHMENTS

I. Final Plat
II. Application

RECOMMENDATION

Staff recommends the Planning Commission approve application number FP-20-07, a final plat for Breckenwood Creek, 1st Plat, Parcel ID CF221422-2007, located at the northern terminus of both Kill Creek Road and 172nd Street and north of 171st Street, based on review of a staff report date July 28, 2020 and a final plat dated June 12, 2020, and recommend to the Governing Body to accept any rights-of-way and easements, with the conditions outlined below.

Recommended Motion:

After review of application number FP-20-03, a final plat for Breckenwood Creek, 1st Plat, located at the northern terminus of both Kill Creek Road and 172nd Street and north of 171st Street, Parcel ID CF221422-2007, based on review of a staff report date June 26, 2020 and a final plat dated June 11, 2020, the Planning Commission approves the application with the following conditions:

1. Prior to the recording of the final plat, excise tax shall be paid to the City; and
2. The construction plans for any utilities, infrastructure, or public facilities shall meet all technical specifications and public improvement plans shall be submitted and approved prior to the release of the plat for recording.

and recommends the Governing Body accept dedication of right-of-way and easements.

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	6/12/20	completed	CTA
2	7/01/20	city comments	CTA

FINAL PLAT OF
BRECKENWOOD CREEK, 1ST PLAT
Part of the S. 1/2, SEC. 22, T14S, R22E

This is a survey and plat of part of the SW 1/4 and part of the SE 1/4 of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the SW 1/4 of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence N 00°35'32" W, along the East line of said SW 1/4, a distance of 2,363.12 feet to a point on the Northerly line of Lot 92, ST. JOHN'S HIGHLANDS II, a subdivision in the City of Gardner, Johnson County, Kansas, said point also being the TRUE POINT OF BEGINNING; thence N 85°36'18" W, along the Northerly line of Lots 92, 91 and 90, ST. JOHN'S HIGHLANDS II, a distance of 158.10 feet to the Northwest corner of said Lot 90; thence N 87°02'01" W, along the Northerly line of Lot 89, ST. JOHN'S HIGHLANDS II, a distance of 95.94 feet to the Northwest corner of said Lot 89; thence N 89°45'11" W, along the North line of Lot 88, ST. JOHN'S HIGHLANDS II and its extension thereof, a distance of 115.00 feet; thence N 00°14'49" E a distance of 287.00 feet to a point on the North line of said SW 1/4; thence S 89°45'11" E, along the North line of said SW 1/4, a distance of 364.08 feet to the Northwest corner of the SE 1/4 of said Section 22, T14S, R22E; thence continuing S 89°45'11" E, along the North line of said SE 1/4, a distance of 605.92 feet; thence S 00°14'49" W a distance of 120.00 feet; thence S 89°45'11" E a distance of 13.07 feet; thence S 00°14'49" W a distance of 155.58 feet to a point on the North line of Lot 142, ST. JOHN'S HIGHLANDS II; thence N 89°45'11" W, along the North line of said Lot 142 and its extension thereof, a distance of 112.00 feet to a point on the West right-of-way line of 172nd Street, as platted; thence S 00°14'49" W, along the West right-of-way line of said 172nd Street, a distance of 9.42 feet to the Northeast corner of Lot 98, ST. JOHN'S HIGHLANDS II; thence S 89°50'38" W, along the North line of said Lot 98, a distance of 82.53 feet to a corner on the Northerly line of said Lot 98; thence S 83°59'13" W, along the Northerly line of Lots 98 and 97, ST. JOHN'S HIGHLANDS II, a distance of 70.57 feet to a corner on the Northerly line of said Lot 97; thence S 83°57'16" W, along the Northerly line of Lots 97 through 95, ST. JOHN'S HIGHLANDS II, a distance of 160.22 feet to the Northwest corner of said Lot 95; thence S 89°10'29" W, along the North line of Lot 94, ST. JOHN'S HIGHLANDS II, a distance of 65.51 feet to the Northwest corner of said Lot 94; thence N 85°36'18" W, along the Northerly line of said Lots 93 and 92, ST. JOHN'S HIGHLANDS II, a distance of 125.46 feet to the TRUE POINT OF BEGINNING, containing 6.60534 acres, more or less.

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 "BRECKENWOOD CREEK, 1ST PLAT".

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City of Gardner from any expense incident to the relocation of any such existing utility installations within said prior easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, power lines, drainage facilities, poles, wires, irrigation systems, ducts and cables, and similar 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 Gardner with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Gardner. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement or license is hereby dedicated to the City of Gardner to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, sewer pipes, manholes, etc., upon, over, and across those areas outlined and designated on this plat as "Sanitary Sewer Easement" or "SS/E".

An easement or license is hereby dedicated to the City of Gardner, to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TP/E". Trees shall not be removed from a tree preservation easement without the City of Gardner's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The Breckenwood Creek Homes Association, or their designees, shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Johnson County, Kansas, said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Gardner, 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 the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of this land fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this_____day of_____, 2020.

BRECKENWOOD CREEK, LLC

_____
CRAIG SCHAFFER, Member

STATE OF_____KANSAS)
) SS
COUNTY OF_____JOHNSON)

BE IT REMEMBERED, that on on this_____day of_____, 2020, before me a Notary Public in and for said County and State, came CRAIG SCHAFFER, Member of BRECKENWOOD CREEK, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he duly acknowledged the execution of the same to be the act and deed of said Corporation.

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

_____
Notary Public

My Appointment Expires: _____

APPROVED by the Planning Commission of the City of Gardner, Kansas, on this_____day of_____, 2020.

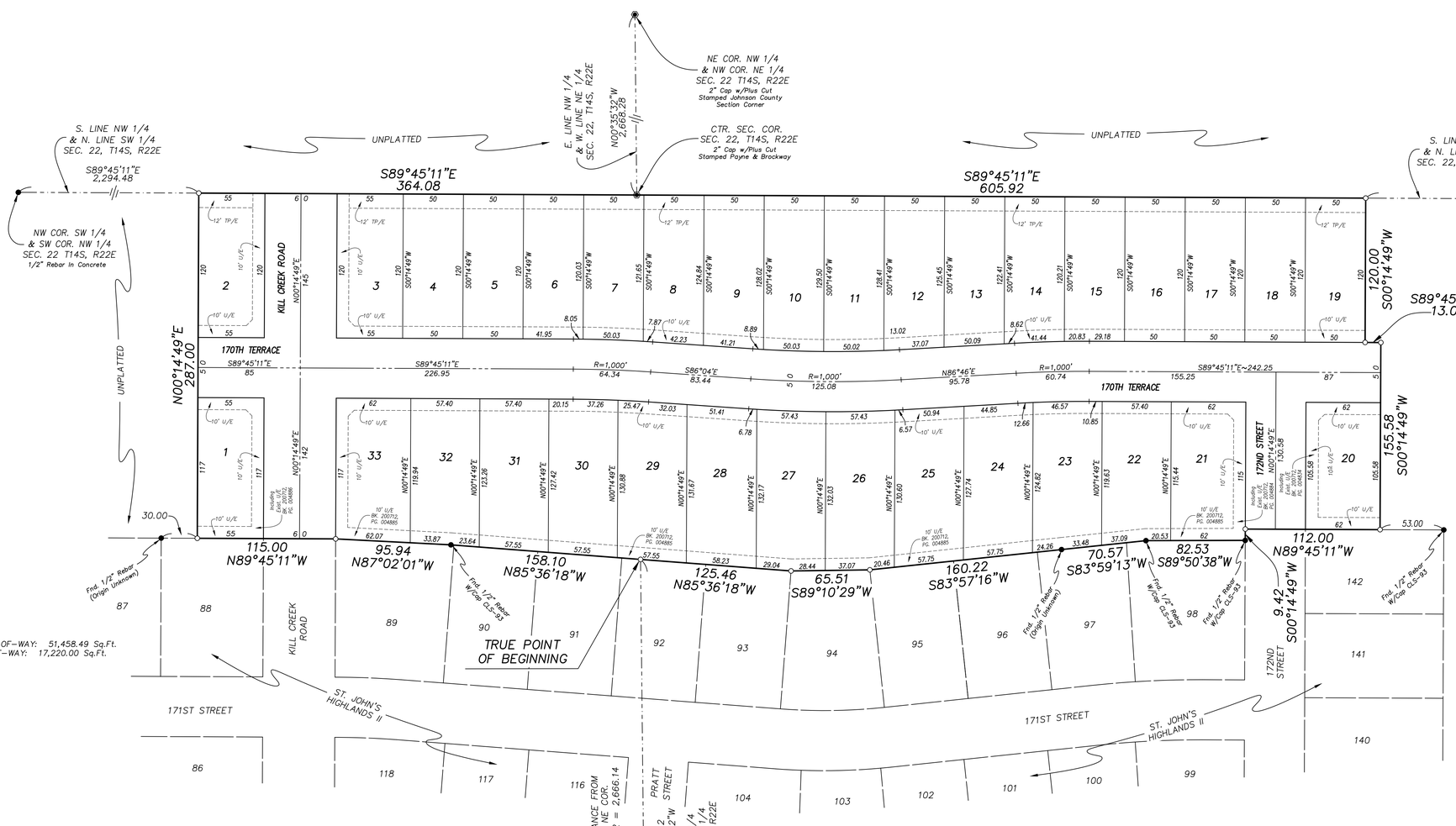
By_____
SCOTT BODEN, Chair

APPROVED by the Governing Body of the City of Gardner, Kansas, on this_____day of_____, 2020.

By_____ ATTEST_____
STEVE SHUTE, Mayor SHARON ROSE, City Clerk

I hereby certify that on May 1, 2020, I or someone under my direct supervision completed a field survey of the above described tract of land and this is an accurate and true plat of said survey. on this_____day of_____, 2020.

_____
Gerald L. Conn
Kansas P.S. No. 1128



LOT AREAS

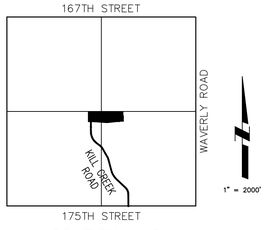
LOT 1	6,435 Sq.Ft.
LOT 2	6,600 Sq.Ft.
LOT 3	6,600 Sq.Ft.
LOT 4	6,000 Sq.Ft.
LOT 5	6,000 Sq.Ft.
LOT 6	6,000 Sq.Ft.
LOT 7	6,032 Sq.Ft.
LOT 8	6,161 Sq.Ft.
LOT 9	6,322 Sq.Ft.
LOT 10	6,449 Sq.Ft.
LOT 11	6,458 Sq.Ft.
LOT 12	6,348 Sq.Ft.
LOT 13	6,197 Sq.Ft.
LOT 14	6,056 Sq.Ft.
LOT 15	6,001 Sq.Ft.
LOT 16	6,000 Sq.Ft.
LOT 17	6,000 Sq.Ft.
LOT 18	6,000 Sq.Ft.
LOT 19	6,000 Sq.Ft.
LOT 20	6,546 Sq.Ft.
LOT 21	7,144 Sq.Ft.
LOT 22	6,707 Sq.Ft.
LOT 23	7,030 Sq.Ft.
LOT 24	7,251 Sq.Ft.
LOT 25	7,414 Sq.Ft.
LOT 26	7,557 Sq.Ft.
LOT 27	7,605 Sq.Ft.
LOT 28	7,661 Sq.Ft.
LOT 29	7,542 Sq.Ft.
LOT 30	7,425 Sq.Ft.
LOT 31	7,195 Sq.Ft.
LOT 32	6,970 Sq.Ft.
LOT 33	7,345 Sq.Ft.
TOTAL	219,050 Sq.Ft.

RESIDENTIAL STREET RIGHTS-OF-WAY: 51,458.49 Sq.Ft.
COLLECTOR STREET RIGHT-OF-WAY: 17,220.00 Sq.Ft.

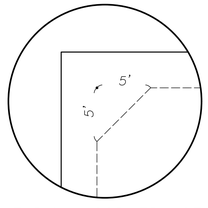
NORTH
1" = 50'
0 25 50 100

LEGEND:

- ◉ DENOTES ALUMINUM CAP OR DISK FOUND (AS NOTED)
- ○ DENOTES 1/2" REBAR SET w/P&B PLASTIC CAP CLS-49
- ● DENOTES 1/2" REBAR FOUND w/P&B PLASTIC CAP CLS-49 (UNLESS NOTED)
- U/E DENOTES UTILITY EASEMENT
- SS/E DENOTES SANITARY SEWER EASEMENT
- D/E DENOTES DRAINAGE EASEMENT
- TP/E DENOTES TREE PRESERVATION EASEMENT



LOCATION MAP
SEC. 22, T14S, R22E



TYPICAL CORNER LOT EASEMENT DETAIL

NOTES:

All Minimum Interior Side Yard Setback shall be 5 feet.

The basis for bearings on this plat is the East line of the SW 1/4 and the West line of the SE 1/4, SEC. 22, T12S, R22E.

There are no stream corridors within this plat. There will be stream corridors within future Breckenwood Creek plats. A stream corridor maintenance agreement will be submitted, when it applies to those future plats. However, all lots within the Breckenwood Creek plats as well as the Breckenwood Creek Homes Association will be responsible for maintaining the stream corridors.

According to F.I.R.M. Map No. 20091C0104G Johnson County, Kansas, dated August 3, 2009 this entire site is determined to be outside the 100-year floodplain.

6,636.13' (plat boundary distance) / 0.0004' (closing distance) = unadjusted error of closure 1 in 6,350,975.00

Prepared By: Payne & Brockway Engineers, P.A.
P. O. Box 128
Olathe, Kansas 66051
913-782-4800

Developed By: Breckenwood Creek LLC
c/o Craig Schaffer
6709 W. 119th Street, #211.
Overland Park, Kansas 66209
913-209-9024

Date Prepared: June 12, 2020

TITLE INFORMATION FURNISHED BY
CONTINENTAL TITLE INSURANCE COMPANY
COMMITMENT No. 17299210
DATED NOVEMBER 26, 2011

BRECKENWOOD CREEK
1ST PLAT
SEC. 22, T14S, R22E
JOHNSON COUNTY, KANSAS

Payne & Brockway P.A.
CIVIL ENGINEERS & LAND SURVEYORS
426 SOUTH KANSAS AVE. OLATHE, KANSAS 66061
PH: 913.782.4800 FAX: 913.782.0907
WWW.PAYNE-BROCKWAY.COM

19-0029-PLT.dwg

Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

FINAL PLAT APPLICATION

Pre-App Date _____
Fee _____
File No. _____

OWNER INFORMATION

Name(s) Breckenwood Creek LLC
Contact Craig J. Schaffer
Address 6709 W 119th Street #211
City Overland Park State KS Zip 66029
Phone 913-209-9024 Email craig@craigbretthome.som

APPLICANT/AGENT INFORMATION

Name(s) Payne & Brockway, P.A.
Contact Todd Allenbrand
Address 426 S Kansas Avenue
City Olathe State KS Zip 66061
Phone 913-782-4800 Email todda@payne-brockway.com

SITE INFORMATION

Property Address/Location 171st Street and Kill Creek Road
Legal Description (Attach If Necessary) Part of the S½ of Section 22-14-22
Number of Existing Lots 0 Number of Proposed Lots 33
Total Site Area 6.60534 acres Present Zoning R-2
Number of Existing Structures 0 Present Land Use Vacant
Proposed Street Design Type(s) & Class Collector-Neighborhood/Local Neighborhood
Proposed Type(s) Open & Civic Space Trail/Greenway
Proposed Frontage Type(s) Terrace
Proposed Building Types(s) Detached House - Neighborhood

SIGNATURE

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for final plat as indicated above.

Signature(s): _____ Date 4/12/20
_____ Date _____

Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

OWNER AFFIDAVIT

I/WE Craig J. Schaffer, Member of Breckenwood Creek, LLC, hereby referred to as the "Undersigned", being of lawful age, do hereby on this 9 day of Jun, 20 20, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

   See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding Breckenwood Creek, 1st Plat, Part of the S½ of Section 22-14-22 (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process. I/We further attest that I/We agree to be legally bound by the application made on our behalf by applicant and the resultant action upon such application by the City of Gardner.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation of partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

_____
Craig J. Schaffer, Member of
Breckenwood Creek, LLC

STATE OF KANSAS
COUNTY OF JOHNSON

The foregoing instrument was acknowledged before me on this 9 day of June, 20 20, by Craig J. Schaffer, Member of Breckenwood Creek, LLC.

My Commission Expires:

LINDA GERBER
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 5/14/23

_____
Notary Public

19-0029

Business & Economic Development
Planning Division
120 E. Main St. Gardner, KS 66030
P: 913.856.0913 | F: 913.856.4562
www.gardnerkansas.gov

FINAL PLAT
APPLICATION CHECKLIST

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
☑	☐	1. **Complete application packet**
☑	☐	2. **Application fee**
☑	☐	3. **10 full sized plans printed and folded**
☑	☐	4. **Digital copies (PDF) of the completed application, plans, and legal description**
☐	☑	5. **1 copy of existing covenants and restrictions** applicable to the development, if any (reference book and page).
☐	☑	6. **Letter of intent** as to whether a Homeowners Association will be created and if any covenants and restrictions are proposed by the subdivider, if not submitted with the Preliminary Plat. Covenants and restrictions, as well as evidence of the establishment of the agency for the ownership and maintenance of any common space, shall be submitted to the City for review and approval prior to recording of the plat.
☐	☑	7. **Final Floodplain modeling** using HEC-RAS model provided by the City if encroachment is proposed within a FEMA or Shaded Zone X 100-year floodplain. (Contact City Engineer to obtain model and requirements).
☐	☑	8. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
☐	☑	9. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy)
☐	☑	10. **Development Agreement,** if required
☐	☑	11. **Street tree plan**

FINAL PLAT DOCUMENT REQUIREMENTS

☑	☐	1. **Name of subdivision** (unique and numerically consistent and the words "FINAL PLAT," prominently displayed as the title.)
☑	☐	2. **Names, addresses, and phone numbers** of all companies, firms, or individuals involved in the preparation of the plat (i.e. property owner, engineer, surveyor, etc.).
☑	☐	3. **Date of preparation** and/or revisions.
☑	☐	4. **Vicinity map** (drawn at a scale of 1"=2,000', locating the proposed subdivision in relation to the section of land, including township and range, section street names, and a north arrow.)
☑	☐	5. **A legal boundary description** with angular bearings and linear distances, referenced to section or quarter-section corners, Point of Commencing and/or Point of Beginning, and the overall area of the plat in acres.

Yes	No	
☑	☐	6. **Provide the following sentence after the Legal Description** "The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the accompanying plat, which subdivision and plat shall hereafter be known as "Plat Name".
☑	☐	7. **Location of monuments,** shown in reference to existing official monuments or the nearest established ¼ section corner, including the bearings and distances to such reference points or monuments.
☑	☐	8. **Boundary lines** of the subdivision shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
☑	☐	9. **Accurate dimensions for all lines, angles, and curves**, used to describe boundaries, streets, easements and areas to be reserved for public use. Data for all curves shall include radius, arc length, chord length, and central angle.
☑	☐	10. **Platted and unplatted land** adjacent to the plat boundary. Include identification of adjacent platted subdivisions and unplatted tracts with external bearings and distances of adjacent plats and property owners for a distance of not less than 400 feet. Include original plat names if replatted. Exterior dimensions shall coincide with adjoining plats unless differences are noted
☑	☐	11. **Blocks, lots and tracts** identified clearly, with blocks numbered or lettered boldly and clearly in the center of the block, and lot dimensions with bearings and distances, and area in square feet.
☐	☑	12. **Note on plat** indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts.
☑	☐	13. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
☐	☑	14. **Any area within a federally designated floodplain.** Location, stations, and elevations of the 100-year floodplain within the plat and 100-year elevations at rear lot corners adjacent to FEMA and Shaded Zone X floodplains. The source of the floodplain information shall be clearly labeled (example: FIRM, Map #20091C0041D, September 27, 1991).
☐	☑	15. **Stream corridor boundary** and dimensions.
☑	☐	16. **Proposed street right-of-way with dimensions** which conform to the applicable minimum design standards set forth in the Land Development Code and Technical Specifications.
☑	☐	17. **Endorsement of the Planning Commission** as evidenced by the signature of its Chairperson. Endorsement line shall contain the printed name of the Chairperson and their title.
☑	☐	18. **Acceptance of Dedication by the Governing Body**, as indicated by the signature of the Mayor and attested by the City Clerk. The Endorsement Line shall contain the printed name and title of the person signing.
☑	☐	19. **Signature of Owner**, properly attested.

Yes	No	
☑	☐	20. **A dated signature and seal of the licensed Land Surveyor responsible for the survey and a note** stating: "This survey conforms to the Kansas Minimum Standards for Boundary Surveys."
☑	☐	21. **Copies of all pertinent exception documents**, or a copy of a current American Land Title Association (ALTA) survey, or both.
☑	☐	22. **Calculation documents** containing the following data: coordinates of the plat boundary and the unadjusted error of closure of the field traverse that established the plat.
☑	☐	23. **A statement on the plat concerning prior easement rights** as follows: The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves and agrees to indemnify the City from any expense incident to the relocation of any such existing utility installations within said prior easement.
☑	☐	24. **A statement on the plat concerning utility easements** as follows: An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar 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 with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law to use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.
☑	☐	25. **A statement on the plat concerning drainage easements** as follows: An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.
☑	☐	26. **Certification of dedication of all streets, highways and other rights-of-way or parcels for public park or other public use**, signed by the owners and all other parties who have a mortgage or lien interest in the property.

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Written explanations for any items not checked or checked "No" (attach additional sheets, if necessary):

SUB. REQ. 5) No covenants and restrictions are established. 6) The developer will be establishing an HOA, if a letter is required it will be submitted with responses.

7) 1st plat doesn't have any floodplain, however floodplain modeling was addressed at preliminary platting. 8) Final stormwater was addressed at preliminary platting. 9) TIS was

addressed at preliminary platting. 10) Not applicable. 10) Not applicable. 11) Please stipulate "street tree plan to be submitted prior to the recording of the final plat".

DOC. REQ. 12) Not applicable. 14) Not applicable. 15) No applicable.

I hereby submit all information required for final plat review. I understand that failure to provide the required information may result in a postponement of my request for review until all information has been submitted. By signing this application, I acknowledge that all public streets and public infrastructure within the plat shall conform to the applicable minimum design standards set forth in the Gardner Municipal Code and the Technical Specifications.

C. [illegible]
Signature of Applicant

4/12/20
Date

LEGAL DESCRIPTION
FOR
BRECKENWOOD CREEK, 1ST PLAT

This is a survey and plat of part of the SW¼ and part of the SE¼ of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southeast corner of the SW¼ of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence N 00°35'32" W, along the East line of said SW¼, a distance of 2,363.12 feet to a point on the Northerly line of Lot 92, ST. JOHN'S HIGHLANDS II, a subdivision in the City of Gardner, Johnson County, Kansas, said point also being the TRUE POINT OF BEGINNING; thence N 85°36'18" W, along the Northerly line of Lots 92, 91 and 90, ST. JOHN'S HIGHLANDS II, a distance of 158.10 feet to the Northwest corner of said Lot 90; thence N 87°02'01" W, along the Northerly line of Lot 89, ST. JOHN'S HIGHLANDS II, a distance of 95.94 feet to the Northwest corner of said Lot 89; thence N 89°45'11" W, along the North line of Lot 88, ST. JOHN'S HIGHLANDS II and its extension thereof, a distance of 115.00 feet; thence N 00°14'49" E a distance of 287.00 feet to a point on the North line of said SW¼; thence S 89°45'11" E, along the North line of said SW¼, a distance of 364.08 feet to the Northwest corner of the SE¼ of said Section 22, T14S, R22E; thence continuing S 89°45'11" E, along the North line of said SE¼, a distance of 605.92 feet; thence S 00°14'49" W a distance of 120.00 feet; thence S 89°45'11" E a distance of 13.07 feet; thence S 00°14'49" W a distance of 155.58 feet to a point on the North line of Lot 142, ST. JOHN'S HIGHLANDS II; thence N 89°45'11" W, along the North line of said Lot 142 and its extension thereof, a distance of 112.00 feet to a point on the West right-of-way line of 172nd Street, as platted; thence S 00°14'49" W, along the West right-of-way line of said 172nd Street, a distance of 9.42 feet to the Northeast corner of Lot 98, ST. JOHN'S HIGHLANDS II; thence S 89°50'38" W, along the North line of said Lot 98, a distance of 82.53 feet to a corner on the Northerly line of said Lot 98; thence S 83°59'13" W, along the Northerly line of Lots 98 and 97, ST. JOHN'S HIGHLANDS II, a distance of 70.57 feet to a corner on the Northerly line of said Lot 97; thence S 83°57'16" W, along the Northerly line of Lots 97 through 95, ST. JOHN'S HIGHLANDS II, a distance of 160.22 feet to the Northwest corner of said Lot 95; thence S 89°10'29" W, along the North line of Lot 94, ST. JOHN'S HIGHLANDS II, a distance of 65.51 feet to the Northwest corner of said Lot 94; thence N 85°36'18" W, along the Northerly line of said Lots 93 and 92, ST. JOHN'S HIGHLANDS II, a distance of 125.46 feet to the TRUE POINT OF BEGINNING, containing 6.60534 acres, more or less.

REVISIONS			
NO.	DATE	DESCRIPTION	BY

FINAL PLAT OF
BRECKENWOOD CREEK, 1ST PLAT
Part of the S. 1/2, SEC. 22, T14S, R22E

This is a survey and plat of part of the SW 1/4 and part of the SE 1/4 of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Southwest corner of the SW 1/4 of Section 22, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence S 00°14'49" E, along the East line of said SW 1/4, a distance of 2,047.30 feet to a point on the Northerly line of Lot 92, ST. JOHN'S HIGHLANDS II, a subdivision in the City of Gardner, Johnson County, Kansas, said point also being the TRUE POINT OF BEGINNING; thence N 89°45'11" W, along the Northerly line of Lots 92, 91 and 90, ST. JOHN'S HIGHLANDS II, a distance of 348.00 feet to the Northeast corner of said Lot 90; thence N 87°02'01" W, along the Northerly line of Lot 90, ST. JOHN'S HIGHLANDS II, a distance of 95.94 feet to the Northeast corner of said Lot 89; thence N 85°36'18" W, along the Northerly line of said Lot 89, a distance of 158.10 feet to a point on the North line of said Lot 89; thence S 89°10'29" W, along the North line of said Lot 89, a distance of 65.51 feet to a point on the North line of said Lot 88; thence N 85°36'18" W, along the Northerly line of said Lots 88 and 87, ST. JOHN'S HIGHLANDS II, a distance of 125.46 feet to the Northwest corner of said Lot 87; thence S 83°57'16" W, along the Northerly line of Lots 87 through 85, ST. JOHN'S HIGHLANDS II, a distance of 160.22 feet to the Northwest corner of said Lot 85; thence S 83°59'13" W, along the Northerly line of Lot 84, ST. JOHN'S HIGHLANDS II, a distance of 70.57 feet to the Northwest corner of said Lot 84; thence N 89°50'38" W, along the Northerly line of said Lots 83 and 82, ST. JOHN'S HIGHLANDS II, a distance of 82.53 feet to the TRUE POINT OF BEGINNING, containing 6.6034 acres, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided as the enclosed as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "BRECKENWOOD CREEK, 1ST PLAT".

The undersigned proprietor of said property does hereby dedicate for public use and public ways and thoroughfares, all streets and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, parkways, commons and alleys not theretofore dedicated. Grant easement rights have been granted to any person, firm or corporation, on said parts of the land as dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and thereon are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby releases and agrees to indemnify the City of Gardner from any expense incident to the relocation of any such facilities within said plat easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, drainage facilities, irrigation systems, ducts and cables, and similar facilities, upon, over and under those areas outlined and designated on this plat as "Utility Easement" or "U/E" is hereby granted to the City of Gardner with subordinate use of the same by other governmental entities and public utilities as may be authorized by state law for use such easement for said purposes. Utility easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of public utilities located within the easement.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction, maintenance or use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over and through those areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Gardner. Drainage easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

An easement or license is hereby dedicated to the City of Gardner to enter upon, locate, construct and maintain or authorize the location, construction, or maintenance and use of conduits, sewer pipes, manholes, etc., upon, over and across those areas outlined and designated on this plat as "Sanitary Sewer Easement" or "SS/E".

An easement or license is hereby dedicated to the City of Gardner, to wind upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TP/E". Trees shall not be removed from a tree preservation easement without the City of Gardner's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The Breckenwood Creek Homes Association, or their designees, shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property.

The use of all lots in this subdivision shall hereafter be subject to the restrictions which will be executed as a separate instrument of writing and will be recorded in the Office of the Register of Deeds of Johnson County, Kansas; said restrictions will thereby be made a part of the dedication of this plat as though fully set forth herein.

The undersigned proprietor of the above described tract of land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Gardner, 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 the unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of the land fronting or abutting on said dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has caused the instrument to be executed this _____ day of _____, 2020.

BRECKENWOOD CREEK, LLC

_____
CHAD SCHAFFER, Member

STATE OF KANSAS)
) ss
COUNTY OF JOHNSON)

BE IT REMEMBERED, that on or the _____ day of _____, 2020, before me a Notary Public in and for said County and State, came CHAD SCHAFFER, Member of BRECKENWOOD CREEK, LLC, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Corporation, and he duly acknowledged the execution of the same to be the act and deed of said Corporation.

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

_____
Notary Public

My Appointment Expires _____

APPROVED by the Planning Commission of the City of Gardner, Kansas on this _____ day of _____, 2020.

by _____
SCOTT BODEN, Chair

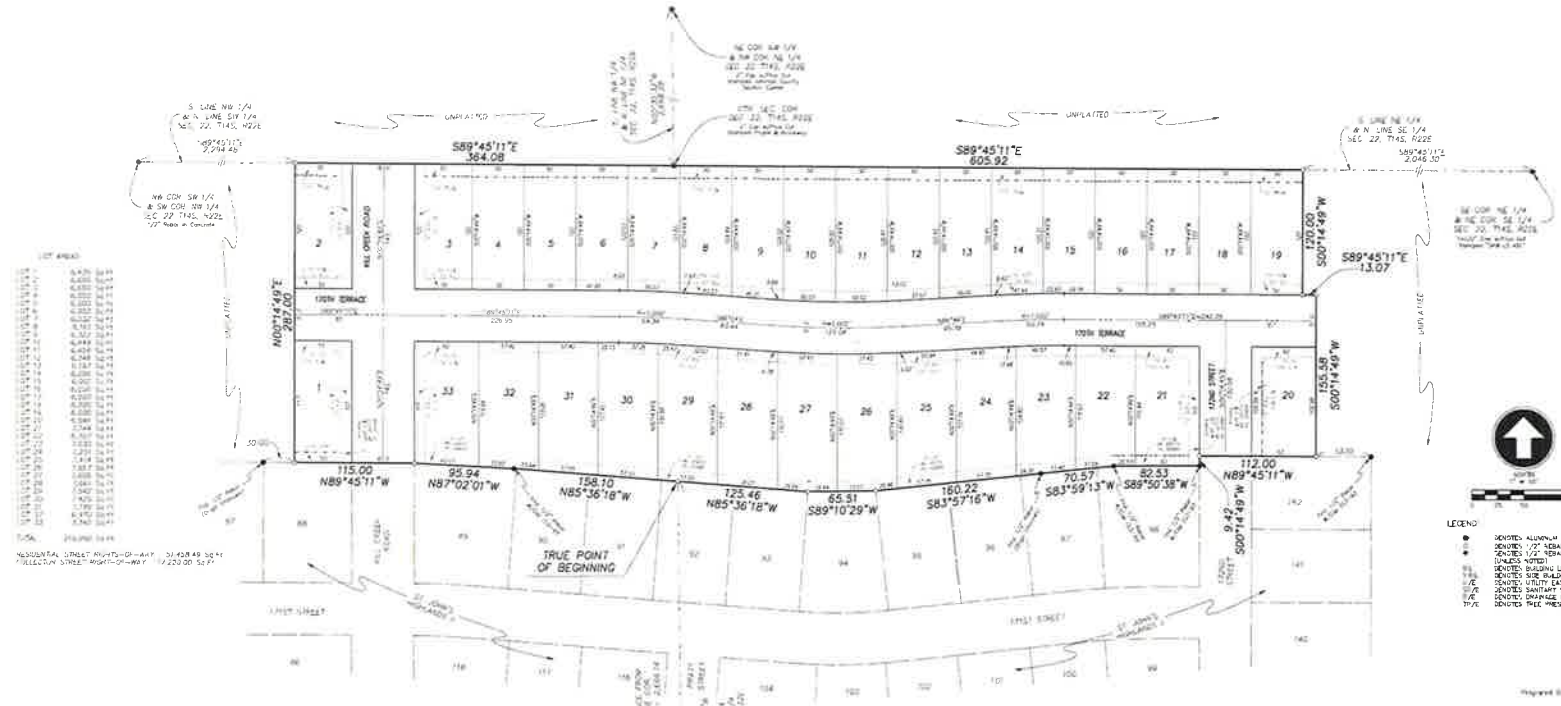
APPROVED by the Governing Body of the City of Gardner, Kansas on this _____ day of _____, 2020.

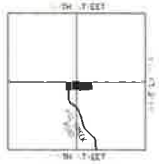
By _____
STEVE SHUTE, Mayor

ATTEST _____
SHARON HOSE, City Clerk

I hereby certify that on May 1, 2020, I or someone under my direct supervision completed a field survey of the above described tract of land and this is an accurate and true plat of said survey, on this _____ day of _____, 2020.

_____
Gerald L. Conn
Kansas P.S. No. 1128




120th STREET
Gardner Rd
Moonlight Rd
Waverly Rd
Lexington Rd
Hillsdale Rd
Lone Elm Rd
Lone Jack Rd
Pleasant Valley Rd
Lone Star Rd
Lone Star Rd
Lone Star

Name: Breckenwood Creek 1st Plat

North: 102353.3808' East: 100100.6552'

Segment #1 : Line
Course: N85° 36' 18"W Length: 125.45'
North: 102362.9943' East: 99975.5741'

Segment #2 : Line
Course: N85° 36' 18"W Length: 158.10'
North: 102375.1098' East: 99817.9390'

Segment #3 : Line
Course: N87° 02' 01"W Length: 95.94'
North: 102380.0747' East: 99722.1276'

Segment #4 : Line
Course: N89° 45' 11"W Length: 115.00'
North: 102380.5704' East: 99607.1287'

Segment #5 : Line
Course: N00° 14' 49"E Length: 287.00'
North: 102667.5677' East: 99608.3656'

Segment #6 : Line
Course: S89° 45' 11"E Length: 364.08'
North: 102665.9985' East: 99972.4422'

Segment #7 : Line
Course: S89° 45' 11"E Length: 605.92'
North: 102663.3870' East: 100578.3566'

Segment #8 : Line
Course: S00° 14' 49"W Length: 120.00'
North: 102543.3881' East: 100577.8394'

Segment #9 : Line
Course: S89° 45' 11"E Length: 13.07'
North: 102543.3318' East: 100590.9093'

Segment #10 : Line
Course: S00° 14' 49"W Length: 155.58'
North: 102387.7532' East: 100590.2387'

Segment #11 : Line
Course: N89° 45' 11"W Length: 112.00'
North: 102388.2360' East: 100478.2398'

Segment #12 : Line
Course: S00° 14' 49"W Length: 9.42'
North: 102378.8160' East: 100478.1992'

Segment #13 : Line
Course: S89° 50' 38"W Length: 82.53'
North: 102378.5912' East: 100395.6695'

Segment #14 : Line
Course: S83° 59' 13"W Length: 70.57'
North: 102371.1986' East: 100325.4878'

Segment #15 : Line
Course: S83° 57' 16"W Length: 160.22'
North: 102354.3244' East: 100166.1588'

Segment #16 : Line
Course: S89° 10' 29"W Length: 65.51'
North: 102353.3808' East: 100100.6556'

Perimeter: 2540.40' Area: 287728.76 Sq. Ft.
Error Closure: 0.0004 Course: N86° 52' 37"E
Error North: 0.00002 East: 0.00039

Precision 1: 6350975.00