AGENDA

Planning Commission Meeting
Monday January 24, 2022
7:00 pm
Gardner City Hall
120 E. Main Street

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 October 25, 2021.

REGULAR AGENDA

1. **FP-21-07:** Consider a final plat for 54 lots on 23.77 acres for Symphony Farms VI subdivision

DISCUSSION ITEMS

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 MEETING
City of Gardner, Kansas
Council Chambers
October 25, 2021
7 p.m.

CALL TO ORDER
The meeting of the Gardner Planning Commission was called to order at 7:00 p.m. on Monday, October 25, 2021, by Chairman Scott Boden.

PLEDGE OF ALLEGIANCE
Chairman Boden led the Pledge of Allegiance.

ROLL CALL
Chairman Boden
Commissioner Ham
Commissioner Meder
Commissioner McNeer
Commissioner Jueneman
Commissioner Cooper
Commissioner Hansen-Absent

Staff members present:
David Knopick, Community Development Director
Robert Case, Principal Planner
Melissa Krayca, Administrative Assistant
Spencer Low, City Attorney

DRAFT

CONSENT AGENDA
1. Approval of the minutes as written for the meeting on September 27, 2021.

Motion made by Commissioner McNeer to approve the minutes, seconded by Commissioner Meder.
Motion passed 6-0.

REGULAR AGENDA

1. **Title 17 Gardner Land Development Code amendment- Off-site Signage (Public Hearing)**

STAFF PRESENTATION
Mr. Knopick presented the information in the staff report for the proposed code amendments. The process was initiated by the Governing Body and introduced to the planning commission as well as reviewed by the city attorney. A public hearing was conducted on September 27, 2021, and the planning commission discussed revisions to incorporate into the draft amendments. The chapters impacted are 17.05 Zoning Districts and Use Standards and, 17.10 Sign Standards. Mr. Knopick provided an overview of the same staff presentation provided to the Planning Commission at its September 27, 2021 meeting. It was noted that the City of Gardner can be more restrictive but not less restrictive than state regulations but can be less or more restrictive than Johnson County regulations. Additionally, the following changes were made to the

recommended amendments since the public hearing and Planning Commission discussion in September:

1) Removed references allowing principal use signs in the C-2 zoning district to clean up inconsistent references.
2) Removed limitation of 1 principal use sign per property. Per previous public hearing comments and Planning Commission discussion.
3) Clarified sign face display area of 750 square feet maximum by adding the phrase *"facing the same direction."*
4) Added an allowance to consider overall principal use sign heights greater than 30 feet, up to 50 feet, through the Conditional Use Permit process. Per previous public hearing comments and Planning Commission discussion. Also, specified that vertically stacked signs are subject to the Conditional Use Permit process as well.
5) Reduced the required setback distance from the I-35 right-of-way from 50 feet to 15 feet. Per previous public hearing comments and Planning Commission discussion.

Staff recommends holding a public hearing, discussing the proposed amendments, and making a recommendation to the Governing Body regarding the proposed amendments.

DRAFT

PUBLIC HEARING
Public Hearing opened by Planning Commission.

No one from the public spoke regarding this matter.

Public Hearing closed by Planning Commission.

COMMISSION DISCUSSION
Commissioner Ham thanked Mr. Knopick for including points brought up in the last meeting and appreciated the details provided. After hearing from the public last month and reading letters from business owners she is now in favor of the sign amendment changes.

Commissioner Jueneman asked if the 15ft setback distance would apply to the base or the sign entirety. Mr. Knopick confirmed the setback would start from the edge of the sign to the right of way line. The setback requirement allows for some room for the potential of some future right of way expansion or utility easement provision to occur without moving signs.

Commissioner Cooper asked if the sign separation distance would take into consideration the location of the signs in Johnson County. Mr. Knopick stated that his preference is that the separation distance would apply to any existing signs along I-35 no matter the jurisdiction. But that signs approved by Johnson County in Johnson County would be subject to the manner in which the County applies its regulations. It is anticipated that this matter will likely be looked at on a case-by-case basis with advisement from the City Attorney in the future.

Motion made by Commissioner Meder and seconded by Commissioner McNeer to recommend approval of the proposed amendments to Title 17 Land Development Code as provided in the staff memo.
Motion passed 6-0.

2. **2022 Planning Commission Meeting Schedule**

Mr. Knopick presented the draft 2022 Planning Commission Schedule to the commissioners noting the following: Article Four, Section One of the *By-Laws of The Gardner Planning Commission*, states: *"Regular meeting of the Planning Commission shall be set annually and adopted by Resolution and a current schedule available from the Secretary of the Planning Commission. Unless otherwise provided, the regular meetings shall be on the fourth Monday of each month at 7:00 p.m. at Gardner City Hall."* As part of the presentation, it was noted which dates were impacted by holidays.

Staff recommends that the Planning Commission discuss the draft schedule provided. Upon completion of the discussion, it is recommended that the Planning Commission take action to adopt the appropriate resolution for the 2022 meeting schedule.

COMMISSION DISCUSSION

Motion made by Commissioner Ham and seconded by Commissioner Meder to adopt Resolution PC-21-01 a resolution setting forth the Gardner Planning Commission Meeting Schedule for 2022.
Motion passed 6-0.

DRAFT

DISCUSSION ITEMS

1. **Upcoming schedule and meeting logistics**

Mr. Knopick asked if there are any calendar conflicts with the remainder meeting schedule for 2021 due to holidays. He stated he would be absent for the November 22 meeting.

Commissioner Meder stated she would not be able to attend the meeting on the 22nd as well. Chairman Boden stated that since tonight is his last meeting if Commissioner Meder would be absent Mr. Knopick would be required to chair the next meeting as the secretary.

Mr. Knopick said he would get an update from the City Clerk where the Council is in the process of selecting a replacement member for Commissioner Boden's position on the Planning Commission. Commissioner Meder recommended that the commission vote on moving the meeting.

Attorney Low stated the commissioners could set a special session meeting and make a vote tonight if there was a date agreed upon.

Motion made by Commissioner Meder and seconded by Commissioner Ham to hold a special meeting at 7:00 p.m., November 29, 2021, at City Hall.
Motion passed 4-0.

2. **Development activity review**

Mr. Knopick gave the commissioners an update on building permits for the last month. Approximately 26 single-family residential permits have been submitted in the last few weeks and are in the review process. Treadway apartments first phase within the Grata development has also submitted permit applications for multiple buildings. Mr. Knopick indicated he will try to update the commission each month as to building permit and development activity.

Motion made to adjourn by Commissioner McNeer and seconded by Commissioner Jueneman.
Motion passed 6-0.

Meeting adjourned at 7:50 p.m.

Recording of the meeting can be found at:
https://www.youtube.com/watch?v=CEj9MFcMf9o

DRAFT

PLANNING COMMISSION STAFF REPORT **AGENDA ITEM NO. 1**
MEETING DATE: JANUARY 24, 2022
PREPARED BY: ROBERT CASE - PLANNER

PROJECT NUMBER / TITLE: FP-21-07 / Symphony Farms VI

PROCESS INFORMATION

Type of Request: Final Plat
Date Received: December 6, 2021

APPLICATION INFORMATION

Applicant: Schlagel & Associates, P.A.
Owner: Lifestyle Building & Design, LLC
Parcel ID: A portion of CF221415-2013, CF221415-4004, and CF221415-2017
Location: On the east side of Kill Creek Road north of 167th Street and more specifically, at the northern terminus of Mustang Street and the eastern terminus of 164th Terrace.

REQUESTED ACTION

The applicant is requesting approval of a final plat for Symphony Farms VI for 54 single-family residential lots, on 23.77 acres.

EXISTING ZONING AND LAND USE

The parcel is zoned R-1 (Single-Family Residential) District, and is currently undeveloped.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
R-1 (Single-Family Residential) and County RUR (Rural) District	Undeveloped, agricultural
East of subject property	
A (Agricultural) District	Undeveloped, agricultural
South of subject property	
R-1 (Single-Family Residential) District	Undeveloped
West of subject property	
R-1 (Single-Family Residential) District	Symphony Farms Sections IV & V single-family housing

EXISTING CONDITIONS

Currently, the property is not platted and is unimproved.

The subject parcel is outlined in red below:

BACKGROUND / HISTORY

This parcel was annexed into the City in 2003 (Ordinance No. 2064). Also in 2003, an application to rezone the parcel from A (Agriculture) District to R-1 (Single-Family Residential) District was approved (Ordinance No. 2082). In 2005, a preliminary plat (known at the time as Reserve at Kill Creek) was approved for a large single-family residential subdivision. No final plat was ever approved in the subject location, and the site remained undeveloped.

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. It meets the intent for street networks to provide for efficient and safe movement of all potential users of the streets.*

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 sixth phase for the Symphony Farms 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 Symphony Farms Subdivision does not have any special dedications and is required to pay excise tax.

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.

ATTACHMENTS

I. Final Plat
II. Application

RECOMMENDATION

Staff recommends approval of the final plat for Symphony Farms VI Plat with the conditions outlined in the Recommended Motion below.

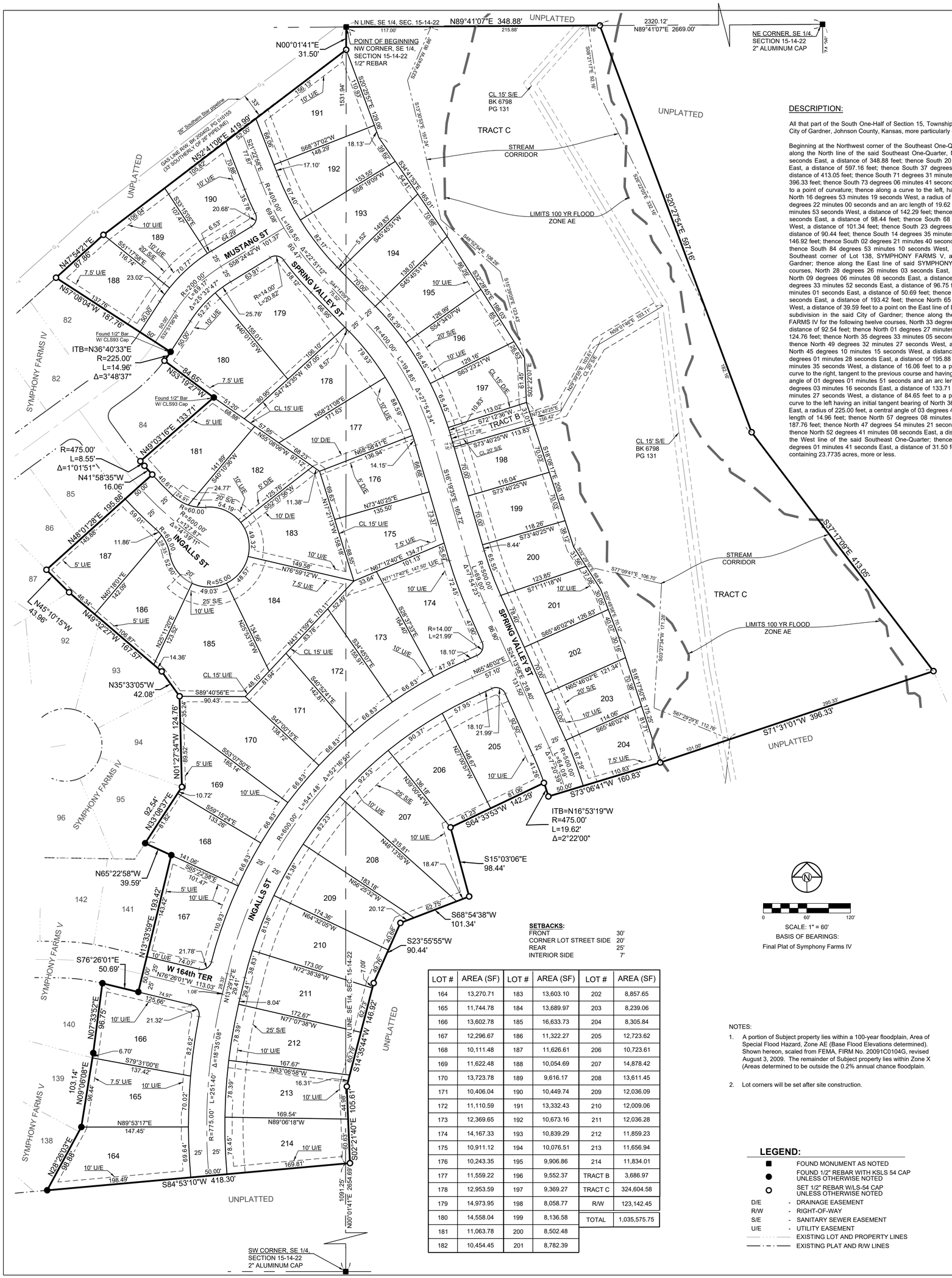
Recommended Motion:

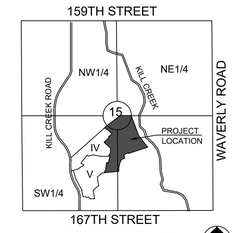
After review of application number FP-21-07, a final plat for Symphony Farms VI, a portion of Parcel IDs CF221415-2013, CF221415-4004, and CF221415-2017, located on the east side of Kill Creek Road north of 167th Street and more specifically, at the northern terminus of Mustang Street and the eastern terminus of 164th Terrace, based on review of a staff report date January 24, 2022 and a final plat dated January 13, 2022, 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.

FINAL PLAT OF
SYMPHONY FARMS VI
PART OF THE SOUTH 1/2 OF SEC. 15-14-22
IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS





SECTION 15-T14-R22
LOCATION MAP
SCALE 1" = 2000'

DESCRIPTION:

All that part of the South One-Half of Section 15, Township 14 South, Range 22 East, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of the Southeast One-Quarter of said Section 15; thence along the North line of the said Southeast One-Quarter, North 89 degrees 41 minutes 07 seconds East, a distance of 348.88 feet; thence South 20 degrees 27 minutes 54 seconds East, a distance of 597.16 feet; thence South 37 degrees 17 minutes 09 seconds East, a distance of 413.05 feet; thence South 71 degrees 31 minutes 01 seconds West, a distance of 396.33 feet; thence South 73 degrees 06 minutes 41 seconds West, a distance of 160.83 feet to a point of curvature; thence along a curve to the left, having an initial tangent bearing of North 16 degrees 53 minutes 19 seconds West, a radius of 475.00 feet, a central angle of 02 degrees 22 minutes 00 seconds and an arc length of 19.62 feet; thence South 64 degrees 33 minutes 53 seconds West, a distance of 142.29 feet; thence South 15 degrees 03 minutes 06 seconds East, a distance of 98.44 feet; thence South 68 degrees 54 minutes 38 seconds West, a distance of 101.34 feet; thence South 23 degrees 55 minutes 55 seconds West, a distance of 90.44 feet; thence South 14 degrees 35 minutes 44 seconds West, a distance of 146.92 feet; thence South 02 degrees 21 minutes 40 seconds East, a distance of 105.61 feet; thence South 84 degrees 53 minutes 10 seconds West, a distance of 418.30 feet to the Southeast corner of Lot 138, SYMPHONY FARMS V, a subdivision in the said City of Gardner; thence along the East line of said SYMPHONY FARMS V for the following six courses, North 28 degrees 26 minutes 03 seconds East, a distance of 98.88 feet; thence North 09 degrees 06 minutes 08 seconds East, a distance of 103.14 feet; thence North 07 degrees 33 minutes 52 seconds East, a distance of 96.75 feet; thence South 76 degrees 26 minutes 01 seconds East, a distance of 50.69 feet; thence North 13 degrees 33 minutes 59 seconds East, a distance of 193.42 feet; thence North 65 degrees 22 minutes 58 seconds West, a distance of 39.59 feet to a point on the East line of Lot 95, SYMPHONY FARMS IV, a subdivision in the said City of Gardner; thence along the East line of said SYMPHONY FARMS IV for the following twelve courses, North 33 degrees 08 minutes 37 seconds East, a distance of 92.54 feet; thence North 01 degrees 27 minutes 34 seconds West, a distance of 124.76 feet; thence North 35 degrees 33 minutes 05 seconds West, a distance of 42.08 feet; thence North 49 degrees 32 minutes 27 seconds West, a distance of 167.57 feet; thence North 45 degrees 10 minutes 15 seconds West, a distance of 43.96 feet; thence North 48 degrees 01 minutes 28 seconds East, a distance of 195.88 feet; thence North 41 degrees 58 minutes 35 seconds West, a distance of 16.06 feet to a point of curvature; thence along a curve to the right, tangent to the previous course and having a radius of 475.00 feet, a central angle of 01 degrees 01 minutes 51 seconds and an arc length of 8.55 feet; thence North 49 degrees 03 minutes 16 seconds East, a distance of 133.71 feet; thence North 53 degrees 19 minutes 27 seconds West, a distance of 84.65 feet to a point of curvature; thence along a curve to the left having an initial tangent bearing of North 36 degrees 40 minutes 33 seconds East, a radius of 225.00 feet, a central angle of 03 degrees 48 minutes 37 seconds and an arc length of 14.96 feet; thence North 57 degrees 08 minutes 04 seconds West, a distance of 187.76 feet; thence North 47 degrees 54 minutes 21 seconds East, a distance of 87.86 feet; thence North 52 degrees 41 minutes 08 seconds East, a distance of 419.99 feet to a point on the West line of the said Southeast One-Quarter; thence along said West line, North 00 degrees 01 minutes 41 seconds East, a distance of 31.50 feet to the Point of Beginning, and containing 23.7735 acres, more or less.

DEDICATIONS:
The undersigned proprietors to 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 "SYMPHONY FARMS VI".

The undersigned proprietors of said property shown on this plat do 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, courts, 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 top 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, 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 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 utility located within the easement.

An easement or license is hereby granted to the City, to locate, construct and maintain or authorize the location, construction or maintenance and use of sanitary sewer pipes and structures upon, over and under the areas outlined and designated on this plat as "Sanitary Easement" or "S/E".

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 granted to the City of Gardner, Kansas, to enter upon, locate, construct and maintain a future public multi-use trail in Tract C. The exact location of the future multi-use trail shall be located in the field at the time of final design and construction of the trail. Maintenance of the trail, once constructed will be the responsibility of the City of Gardner.

RESTRICTIONS:

Tracts B and C are to be owned and maintained by the Homeowners Association that serve this plat.
Tract B is to be used for access to Tract "C", open space, trails, landscaping.
Tract C is to be used for stormwater quality features, open space, trails, landscaping and natural area.
A public sidewalk easement shall be granted to the City of Gardner, Kansas within Tracts B and C for a future public trial.

The use of all lots, units and properties in this subdivision shall hereafter be subject to the Declarations, which instruments are to be recorded in the Office of the Register of Deeds of Johnson County, Kansas, as provided above, and which shall hereby become a part of the dedication of this plat as though set forth herein.

CONSENT TO LEVY:

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

EXECUTION:

IN TESTIMONY WHEREOF, Lifestyle Building & Design, LLC, a Limited Liability Corporation, has caused this instrument to be executed this ___ day of _____, 202__.

Lifestyle Building & Design, LLC

By: _____
James J. Humbert, Managing Member

STATE OF)
) SS:
COUNTY OF)

BE IT REMEMBERED, that on this _____ day of _____, 202__, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came James J. Humbert, Managing Member, of Lifestyle Building & Design, LLC, a Limited Liability Corporation, who is personally known to be the same person who executed the within instrument of writing, and such person duly acknowledged the execution of the same for himself and for the uses and purposes herein setforth.

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

My Commission Expires: _____

APPROVALS:

APPROVED BY, the Planning Commission of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 20___.

By: _____
, Chair

ACCEPTANCE OF DEDICATIONS AND EASEMENTS BY, the Governing Body of the City of Gardner, Johnson County, Kansas, this _____ day of _____, 20___.

By: _____ Attest: _____
, Mayor , City Clerk

SETBACKS:

FRONT	30'
CORNER LOT STREET SIDE	20'
REAR	25'
INTERIOR SIDE	7'

LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
164	13,270.71	183	13,603.10	202	8,857.65
165	11,744.78	184	13,689.97	203	8,239.06
166	13,602.78	185	16,633.73	204	8,305.84
167	12,296.67	186	11,322.27	205	12,723.62
168	10,111.48	187	11,626.61	206	10,723.61
169	11,622.48	188	10,054.69	207	14,878.42
170	13,723.78	189	9,616.17	208	13,611.45
171	10,406.04	190	10,449.74	209	12,036.09
172	11,110.59	191	13,332.43	210	12,009.06
173	12,369.65	192	10,673.16	211	12,036.28
174	14,167.33	193	10,839.29	212	11,859.23
175	10,911.12	194	10,076.51	213	11,656.94
176	10,243.35	195	9,906.86	214	11,834.01
177	11,559.22	196	9,552.37	TRACT B	3,686.97
178	12,953.59	197	9,369.27	TRACT C	324,604.58
179	14,973.95	198	8,058.77	R/W	123,142.45
180	14,558.04	199	8,136.58	TOTAL	1,035,575.75
181	11,063.78	200	8,502.48		
182	10,454.45	201	8,782.39		

SCALE: 1" = 60'
BASIS OF BEARINGS:
Final Plat of Symphony Farms IV

NOTES:
1. A portion of Subject property lies within a 100-year floodplain, Area of Special Flood Hazard, Zone AE (Base Flood Elevations determined). Shown hereon, scaled from FEMA, FIRM No. 20091C0104G, revised August 3, 2009. The remainder of Subject property lies within Zone X (Areas determined to be outside the 0.2% annual chance floodplain.
2. Lot corners will be set after site construction.

LEGEND:

■	FOUND MONUMENT AS NOTED
●	FOUND 1/2" REBAR WITH KSLS 54 CAP UNLESS OTHERWISE NOTED
○	SET 1/2" REBAR W/LS-54 CAP UNLESS OTHERWISE NOTED
D/E	- DRAINAGE EASEMENT
R/W	- RIGHT-OF-WAY
S/E	- SANITARY SEWER EASEMENT
U/E	- UTILITY EASEMENT
	EXISTING LOT AND PROPERTY LINES
	EXISTING PLAT AND R/W LINES

I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED ON 8-11-2020 AND THAT SURVEY MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS. THE DETAILS SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PRELIMINARY

Aaron T. Reuter - Land Surveyor
KS# LS-1429

DEVELOPER:
LIFESTYLE BUILDING & DESIGN, LLC
11237 NALL AVENUE, SUITE 100
LEAWOOD, KANSAS 66211

SCHLAGEL
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS
14920 West 107th Street ● Lenexa, Kansas 66215
Ph: (913) 492-5158 ● Fax: (913) 492-8400 ● WWW.SCHLAGELASSOCIATES.COM
Kansas State Certificates of Authority
#E-296 #LA-29 #LS-54

DATE 11/18/2021	FINAL PLAT OF SYMPHONY FARMS VI
DRAWN BY SCH	
CHECKED BY JWT	
PROJ. NO. 21-191	SHEET NO. 1

GARDNER KANSAS

RECEIVED NOV 24 2021 By

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 Paid v 505.00
File No. FP 21-07

OWNER INFORMATION

Name(s) Lifestyle Building & Design, LLC
Contact James Humbert, Managing Member
Address 11237 Nall Ave, Suite 100
City Leawood State KS Zip 66211
Phone 913-238-6107 Email jim@lifestylesbldgkc.com

APPLICANT/AGENT INFORMATION

Name(s) Schlagel & Associates, PA
Contact Jim Long
Address 14920 W 107th Street
City Lenexa State KS Zip 66215
Phone 913-492-5158 Email JL@schlagelassociates.com

SITE INFORMATION

Property Address/Location Kill Creek Road and 167th Street
Legal Description (Attach If Necessary) See the Attached Legal Description
Number of Existing Lots 0 Number of Proposed Lots 54
Total Site Area 23.77 ac. Present Zoning R-1
Number of Existing Structures 0 Present Land Use Farming
Proposed Street Design Type(s) & Class Local-Neighborhood
Proposed Type(s) Open & Civic Space
Proposed Frontage Type(s) Suburban Yard
Proposed Building Types(s) Detached House - Suburban

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 11-20-21
by James Humbert, Managing Member, Lifestyle Building & Design, LLC Date

CITY OF GARDNER, KANSAS
*** CUSTOMER RECEIPT ***

Batch ID: GAKSCOM 11/24/21 01 Receipt no: 84784

Type	SvcCd	Description	Amount
ZS		FEES-ZONING & SUBDIVISION	
	Qty	1.00	$505.00

SYMPHANY FARMS 6
Trans number: 1803913

Tender detail
CK Ref#: 1088 $505.00
Total tendered: $505.00
Total payment: $505.00

Trans date: 11/24/21 Time: 13:17:49

*** THANK YOU FOR YOUR PAYMENT ***

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	
x		1. **Complete application packet**
x		2. **Application fee**
x		3. **10 full sized plans printed and folded**
x		4. **Digital copies (PDF) of the completed application, plans, and legal description**
x		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).
x		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
x		11. **Street tree plan**

FINAL PLAT DOCUMENT REQUIREMENTS

x		1. **Name of subdivision** (unique and numerically consistent and the words "FINAL PLAT," prominently displayed as the title.)
x		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.).
x		3. **Date of preparation** and/or revisions.
x		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.)
x		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.

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Yes	No	
x		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".
x		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.
x		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.
x		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
x		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.
x		12. **Note on plat** indicating intended ownership, purpose, and maintenance responsibilities for any parcels labeled as tracts.
x		13. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
x		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).
x		15. **Stream corridor boundary** and dimensions.
x		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):

Items not checked are mostly items that will be completed for the recording of the plat.

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.

Signature of Applicant

Date

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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**
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X		19. **Signature of Owner**, properly attested.

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X		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):

_____

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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.

_____ _____

Signature of Applicant Date