PLANNING COMMISSION MEETING
City of Gardner, Kansas
Tuesday, January 26, 2021
7 p.m.

CALL TO ORDER

The meeting of the Gardner Planning Commission was called to order at 7:02 p.m. on Tuesday, January 26, 2021, by Chairman Scott Boden.

ROLL CALL

Commissioners present:
Chairman Boden
Commissioner Deaton
Commissioner Ford
Commissioner Ham
Commissioner Hansen
Commissioner McNeer
Commissioner Meder (via Zoom)

Staff members present:
Robert Case, Chief Planner
Ben Hyde, Planner
Spencer Low, City Attorney
Melissa Krayca, Administrative Assistant

There were 4 members of the public in attendance.

CONSENT AGENDA

1. **Approval of the minutes as written for the meeting on October 27, 2020.**

   Motion made by McNeer to approve the minutes, seconded by Ford.

   Motion passed 7-0.

REGULAR AGENDA

1. **COPPER SPRINGS MEADOWS, 1ST PLAT SUBDIVISION**
   Located at University Drive and 160th Court
   a. **FP-20-14**: Consider a final plat for a 38 lot single family subdivision

Mr. Robert Case, Chief Planner, presented the information found in the staff report for this project located south of W 159th Street at the end of University Park Drive. The property includes 13 acres of land and is undeveloped. The preliminary plat consist of 38 lots and 1 tract on 13 acres. There are multiple points of access into the subdivision and the proposed subdivision is a continuation of the existing Copper Springs development to the north and west. All infrastructure is available to this site, with sanitary sewer service being provided by Johnson County Wastewater. Staff has found that the final plat is in substantial compliance with the preliminary plat and the Land Development Code. The request is consistent with established goals and policies of the city with no deviations. Excise tax will be levied with this plat. Staff recommends approval of the final plat for Copper Springs Meadows with conditions.

Mr. Todd Allenbrand, Payne and Brockway, representing Martens Family Enterprise stated his agreement with the staff report and that he was available to answer any questions.

COMMISSION DISSCUSSION:

Commissioner Hamm asked for clarification on the application checklist if all the submittal requirement were previously addressed.

Mr. Case confirmed that they had been addressed.

Commissioner Hansen inquired if the submittal of Street Tree Plan at a later time was typical.

Mr. Case replied that street tree locations are difficult to include on a plat until the public improvements such as hydrants, streetlight, and driveway locations are known.

Motion was made after review of case FP-20-14, a final plat for Copper Springs Meadows 1st Plat, Tax Ids CF221413-3007 and CF221413-3008, located south of 159th Street at the southern extent of University Park Drive and final plat dated January 4th, and staff reported dated January 20th, 2020, the Planning Commission approves the application as proposed, provided the following conditions are met:

1. **Provide a Street Tree Plan.**
2. **Excise Tax will be paid prior to the release for the plat for recording.**
3. **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.**
4. **Provide a copy of the recorded "Temporary Run-around" easement for 2160th and 161st Courts.**

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

Motion by Deaton and seconded by McNeer.

Motion passed 7-0.

2. **LAKES AT CONESTOGA**
   Located at the southeast corner of E. Santa Fe Street and Conestoga Street
   a. **FDP-20-06**: Consider a final development plan for a 1 lot/95-unit mobile home park
   b. **FP-20-11**: Consider a final plat for a 1 lot/95-unit mobile home park

Mr. Case, presented the information found in the staff report for both the final development plan and the final plat. The project is located at the SE intersection of E Santa Fe Street and Conestoga Drive, is zoned RM-P and undeveloped. FDP-20-06 is one lot on 20 acres. The planned development will consist of 95 individual mobile home sites, open and civic space amenities including a large retention pond surrounded by a walking trail, a pavilion area that includes an outdoor grill area, shelter and picnic facilities, multiple dog parks, and pockets of dedicated green areas throughout the community for residents to gather. The street type is Local-Neighborhood and 5' sidewalks have been proposed on both sides of all internal streets and sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties. While the FDP is not consistent with the Future Land Use Map, staff is supportive of the development request because the site is located directly adjacent to an existing manufactured/mobile home residential community and will be a continuation of the already existing residential development in the immediate area. Additionally, the development will provide affordable and attainable housing options for the people residing and working in the City of Gardner. With the deviation approvals on open and civic space requirements and mobile home setback requirements, this development meets the standards of the Land Development Code.

All infrastructure and utilities are available to the site. However, the applicant is showing public utility easements on the plat, which are to be dedicated to the City, but is proposing a private water system to service the development. The applicant is currently in discussions with the Utility Department regarding water provision and the potential use of private lines to serve the individual mobile home sites.

Staff recommended approval of the Final Development Plan with the conditions outlined below.

- 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.
- Additionally, approval is subject to the execution of a Private Water Distribution System agreement between the City and the developer for the Lakes of Conestoga (notes reflecting the agreement may be added to the final development plan and final plat as necessary).

Mr. Curtis Holland of Polsinelli Law Firm and Attorney for the developer, states he and Judd Claussen of Phelps Engineering are in agreement with both applications presented. He and Mr. Claussen were available for questions from the Commission.

COMMISSION DISSCUSSION:

Several commissioners agreed that this site was the best location for the use and a good project for the City of Gardner.

Motion made after review of application FDP-20-06, a final development plan for the Lakes of Conestoga, dated January 15, 2021 and staff report dated January 26, 2021, the Planning Commission approves the application provided the following conditions are met:

1. **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.**
2. **Approval is subject to the execution of a Private Water Distribution System agreement between the City and the developer for the Lakes of Conestoga (notes reflecting the agreement may be added to the final development plan and final plat as necessary).**

Motion by Ford and seconded by Deaton.

Motion passed 7-0.

Mr. Case briefly presented the staff findings for FP-20-11. The final plat contains block patterns consistent with existing development and is in substantial compliance with the Preliminary Plat and the Land Development Code. No deviations are requested with this plat and the property is subject to excise tax that shall be paid prior to the release of the final plat for recording.

COMMISSION DISSCUSSION:

Commissioner Hansen complimented staff for providing the historical basis of the annexation.

Motion made after review of application FP-20-11 a final plat for the Lakes of Conestoga, dated January 15, 2021 and staff report dated January 26, 2021, the Planning Commission recommends the Governing Body approve the applications subject to the following conditions:

1. **Approval of final development plan.**
2. **A written agreement for use of a private water system is provided on both the final development plan and final plat between the City and the developer for the Lakes of Conestoga.**

Motion by Ford and seconded by Hamm.

Motion passed 7-0.

DISCUSSION ITEMS

1. Discussion regarding Title17 Land Development Code.
   Initial discussion began with Commissioners on possible text amendments to the LDC. Comments and concerns were voiced and will be further discussed at the next meeting. Commissioners were encouraged to review the draft materials provided and send any questions to staff in the next couple of weeks.

ADJOURNMENT

Motion to adjourn made by Hansen and seconded by Ford.

Motion passed 7-0.

Meeting adjourned at 7:47 pm.

PLANNING COMMISSION STAFF REPORT **REGULAR AGENDA NO. 1**
MEETING DATE: JANUARY 26, 2021
PREPARED BY: ROBERT CASE, PRINCIPAL PLANNER

PROJECT NUMBER / TITLE: FP-20-14: Final Plat of Copper Springs Meadows, 1st Plat

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PROCESS INFORMATION

Type of Request: Final Plat
Date Received: December 11, 2020

APPLICATION INFORMATION

Applicant: Todd Allenbrand, Payne & Brockway, P.A.
Owner: Martens Family Enterprises, Inc.
Parcel ID: CF221413-3007 and CF221413-3008
Location: Part of the NE ¼ of Section 13, Township 14 South, Range 22 East south of 159th Street at the southern extent of University Drive.

REQUESTED ACTION

The applicant requests approval of a final plat for a 38 lot, single-family residential project containing 13.0 acres.

EXISTING ZONING AND LAND USE

Currently, the subject property is zoned R-1 (Single-Family Residential) District and current land use is a vacant parcel

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
R-1 (Single-Family Residential) District	Vacant Property
East of subject property	
A (Agricultural Uses) District	Vacant Property
South of subject property	
R-1 (Single-Family Residential) District	Vacant Property
West of subject property	
R-1 (Single-Family Residential) District	Single-family dwellings

EXISTING CONDITIONS

The subject property is a 13 acre site and is part of the Copper Springs Meadows preliminary plat that was approved August, 2020. It will be accessed mainly by the extension of University Drive. All utilities are available to this site and will be serviced by the City of Gardner utilities and Johnson County sanitary sewers.

BACKGROUND / HISTORY

The entire property was zoned in 2003 to single-family residential. This property was originally part of the overall Copper Springs preliminary plat approved in 2003. Phase IV, V, and VI were subject to another preliminary plat approval in 2016 due to the expiration of the original preliminary plat. Phase IV and V final plats were recorded in 2016. The proposed plat is not the entire planned phase VI however the remainder will be incorporated in the new preliminary plat for future phases.

CONSISTENCY WITH COMPREHENSIVE PLAN

The comprehensive plan identifies the property as low-density residential. The property is zoned for low-density residential and the proposed plat is for the same. The plat is consistent with the comprehensive plan.

STAFF ANALYSIS-FINAL PLAT REVIEW CRITERIA

17.03.020 (E1) 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 final plat is in substantial compliance with the approved preliminary plat. The lots meet the minimum dimensional standards as do the streets. Utility easements have been provided along the street side and rear of the properties. Two temporary turn-around easements at the end of both 160th and 161st Courts will need to be provided prior to the release of this plat for recording. This will be a conditional of approval.*

The street tree plan has not been submitted with the plat and will be a conditional of approval.

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 improvements plans shall be submitted and approved prior to the release of the final plat for recording at the County. This plat is located within the Johnson County Sanitary Sewer District and will be served by them. The city will provide water, and electric.*

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

Staff Comment: *Public improvements will be constructed upon final plat approval, the required excise tax being paid and said plat being recorded. The applicant/developer will be required to submit a Performance and Maintenance Bond to the City when they pick up their Public Improvement Permit.*

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 being request on the final 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 any rights-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 the excise tax. This tax is based on the square footage of the plat property, excluding any arterial type right-of-way dedication for streets. The current tax rate is $0.20 per square foot of land area platted. This plat includes 13.0 acres (566,280 square feet) and, therefore, the estimated excise tax will be **$113,256.00**. This tax must be paid prior to the release of the final plat for recording.

ATTACHMENTS

I. Final Plat
II. Application

ACTIONS

Per Section 17.03.010 (G) of the *Gardner Land Development Code*, a review body may take the following actions (or recommend the following actions):

1. Approve the application.
2. Approve the application with conditions or modifications to lessen or mitigate a potential impact from the proposed application.
3. Deny the application.
4. Continue the application to allow further analysis. The continued application shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.

EFFECT OF DECISION

Final Plat – If the Planning Commission approves or conditionally approves the final plat, the plat shall be forwarded to the Governing Body with a recommendation that they accept dedication of land for public purposes such as easements, rights-of-way and public facilities. The approval of the final plat; acceptance of the dedication of land for public purposes; finding that the construction plans for any utilities, infrastructure or public facilities meet all City technical specifications; and payment of the excise tax if applicable, authorizes the filing of the plat with the Johnson County Records and Tax Administration. Any approval with conditions or exceptions to the rules shall be clearly stated on the plat. Any plat not recorded within two years from the date of acceptance of land by the Governing Body shall be null and void. Upon approval of the final plat, dedications, and construction plans and recording of the plat, the applicant may proceed with the construction of required improvements. No building permit shall be authorized until the completion, inspection and acceptance of all required improvements.

RECOMMENDATION

Staff recommends approval of the final plat for Copper Springs Meadows, 1st Plat with the following conditions:

1. Provide a Street Tree Plan.
2. The excise tax shall be paid to the City prior to recording.
3. 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.
4. Provide a copy of the recorded “Temporary Turn-around” easements for 160th and 161st Courts.

and recommends forwarding the plat to the Governing Body with a recommendation to accept the dedication of right-of-way and easements.

Recommended Motion:

After review of Application # FP-20-14, a final plat for Copper Springs Meadows, 1st Plat, and plat dated January 4, 2021, and staff report dated January 20, 2021, the Planning Commission approves the application provided the following conditions are met:

1. Provide a Street Tree Plan.
2. The excise tax in the amount of $113,256.00 shall be paid to the City prior to recording.
3. 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.
4. Provide a copy of the recorded "Temporary Turn-around" easements for 160th and 161st Courts.

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

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	12/07/20	completed	CTA
2	12/28/20	city comments	CTA

FINAL PLAT
COPPER SPRINGS MEADOWS, 1ST PLAT
Part of the NE 1/4, SEC. 13, T14S, R22E
A SUBDIVISION OF LAND IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS

This is a survey and plat of part of the NE 1/4 of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of the NE 1/4 of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence S 01°53'36" E, along the West line of said NE 1/4 and also along the West line COPPER SPRINGS, a subdivision in the City of Gardner, Johnson County, Kansas and its extension thereof, a distance of 1,423.83 feet to the Southwest corner of Lot 43, COPPER SPRINGS; thence N 88°06'24" E, along the South line of Lots 43 and 44, COPPER SPRINGS, a distance of 318.86 feet to the Southeast corner of said Lot 44; thence N 01°53'36" W, along the East line of said Lot 44, a distance of 38.62 feet to the Southwest corner of Lot 46, COPPER SPRINGS; thence S 84°47'23" E, along the South line of said Lot 46, a distance of 65.95 feet to the Southeast corner of said Lot 46, said corner also being the TRUE POINT OF BEGINNING; thence N 03°39'40" E, along the East line of said Lot 46 and its extension thereof, a distance of 170.76 feet to a point on the North right-of-way line of 161st Street, as platted; thence Westerly, along the North right-of-way line of said 161st Street, on a curve to the left having an initial tangent bearing of N 86°20'20" W and a radius of 975.00 feet, for a distance of 43.68 feet to the Southeast corner of Lot 47, COPPER SPRINGS; thence N 01°05'39" E, along the East line of said Lot 47 a distance of 115.00 feet to the Northeast corner of said Lot 47, said corner also being on the South line of Lot 50, COPPER SPRINGS; thence N 89°43'01" E, along the South line of said Lot 50, a distance of 6.54 feet to the Southeast corner of said Lot 50; thence S 86°53'04" E, along the Southerly line of Lot 51, COPPER SPRINGS, a distance of 66.36 feet to the Southeast corner of said Lot 51; thence S 83°23'36" E, along the Southerly line of Lots 52 through 56, COPPER SPRINGS, a distance of 359.54 feet; thence N 67°57'49" E, along the Southeasterly line of said Lot 56, a distance of 93.98 feet to the East corner of said Lot 56, said corner also being on the Westerly right-of-way line of University Drive, as platted; thence N 54°18'17" E a distance of 60.00 feet to a point on the Easterly right-of-way line of said University Drive; thence N 35°41'43" W, along the Easterly right-of-way line of said University Drive, a distance of 115.00 feet; thence N 52°15'36" E a distance of 50.68 feet; thence N 80°17'00" E a distance of 73.11 feet; thence N 85°25'54" E a distance of 72.26 feet; thence N 85°51'00" E a distance of 108.81 feet; thence N 89°42'00" E a distance of 122.84 feet; thence N 58°47'55" E a distance of 125.15 feet; thence S 56°16'00" E a distance of 212.35 feet; thence S 27°42'21" E a distance of 4.37 feet; thence S 23°05'44" W a distance of 248.07 feet; thence Southeasterly, on a curve to the left having an initial tangent bearing of S 66°54'16" E and a radius of 525.00 feet, for a distance of 27.50 feet; thence S 20°05'41" W a distance of 170.27 feet; thence S 64°05'00" E a distance of 38.40 feet; thence S 75°15'00" E a distance of 66.47 feet; thence S 82°00'00" E a distance of 66.38 feet; thence S 00°48'18" W a distance of 173.26 feet; thence Westerly, on a curve to the right having an initial tangent bearing of N 89°11'42" W and a radius of 525.00 feet, for a distance of 41.51 feet; thence S 05°20'06" W a distance of 121.98 feet; thence N 87°05'00" W a distance of 73.52 feet; thence N 72°46'48" W a distance of 60.31 feet; thence N 65°58'00" W a distance of 66.37 feet; thence N 60°54'00" W a distance of 129.82 feet; thence N 69°48'00" W a distance of 66.86 feet to a point on the Easterly right-of-way line of said University Drive; thence Northerly, along the Easterly right-of-way line of said University Drive, on a curve to the left having an initial tangent bearing of N 00°40'43" W and a radius of 530.00 feet, for a distance of 117.77 feet; thence S 76°35'23" W a distance of 60.00 feet to a corner on the Westerly right-of-way line of said University Drive, said corner also being the Northeast corner of Lot 106, COPPER SPRINGS VI, a subdivision in the City of Gardner, Johnson County, Kansas; thence N 86°27'00" W, along the Northerly line of Lots 106, 105 & 104, COPPER SPRINGS VI, a distance of 191.28 feet to the Northwest corner of said Lot 104; thence N 79°54'00" W, along the Northerly line of Lots 103 through 100, COPPER SPRINGS VI, a distance of 243.54 feet; thence N 80°48'00" W, along the Northerly line of Lots 100 through 97, COPPER SPRINGS VI, a distance of 208.74 feet; thence N 88°09'46" W, along the Northerly line of said Lot 97, a distance of 62.14 feet to the Northwest corner of said Lot 97; thence N 84°47'23" W, along the Northerly line of Lot 96, COPPER SPRINGS VI, a distance of 9.07 feet to the TRUE POINT OF BEGINNING, containing 13.00077 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 "COPPER SPRINGS MEADOWS, 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, 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 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. 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 to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "SS/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns. Alteration of land contours will be permitted only with the express written approval of JCW. Any placing of improvements or planting of trees on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation thereof.

Tract A shall be owned and maintained by the Copper Springs Homes Association. The tract is intended to be used for landscaping, monuments, fencing, private open space, and/or Homes Association Amenities.

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_____, 2021.

MARTENS FAMILY ENTERPRISES, INC.

_____
PHILIP W. MARTENS, President

STATE OF_____KANSAS)
) SS
COUNTY OF_____JOHNSON)

BE IT REMEMBERED, that on on this_____day of_____, 2021, before me a Notary Public in and for said County and State, came PHILIP W. MARTENS, President of MARTENS FAMILY ENTERPRISES, INC., 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_____, 2021.

By_____
SCOTT BODEN, Chair

APPROVED by the Governing Body of the City of Gardner, Kansas, on this_____day of_____, 2021.

By_____ ATTEST_____
STEVE SHUTE, Mayor SHARON ROSE, City Clerk

I hereby certify that on ??? ??, 2021, 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_____, 2021.

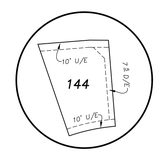
_____
Gerald L. Conn
Kansas P.S. No. 1128

LOT AREAS

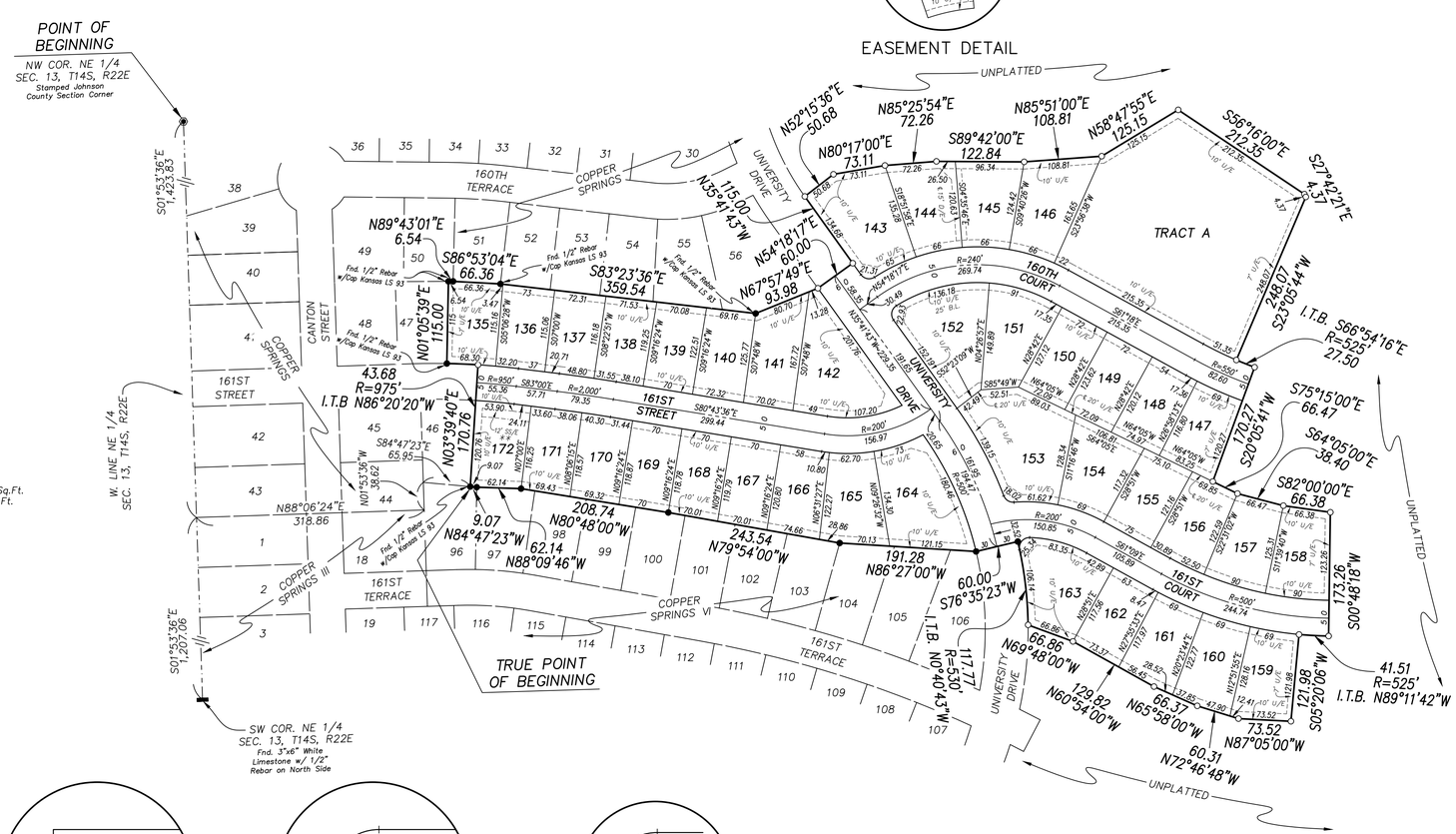
LOT 135	8,311 Sq.Ft.
LOT 136	8,170 Sq.Ft.
LOT 137	8,187 Sq.Ft.
LOT 138	8,300 Sq.Ft.
LOT 139	8,462 Sq.Ft.
LOT 140	8,778 Sq.Ft.
LOT 141	10,272 Sq.Ft.
LOT 142	15,269 Sq.Ft.
LOT 143	14,535 Sq.Ft.
LOT 144	10,360 Sq.Ft.
LOT 145	9,763 Sq.Ft.
LOT 146	11,828 Sq.Ft.
LOT 147	8,952 Sq.Ft.
LOT 148	8,655 Sq.Ft.
LOT 149	8,775 Sq.Ft.
LOT 150	9,027 Sq.Ft.
LOT 151	11,060 Sq.Ft.
LOT 152	15,214 Sq.Ft.
LOT 153	18,023 Sq.Ft.
LOT 154	10,495 Sq.Ft.
LOT 155	8,943 Sq.Ft.
LOT 156	9,389 Sq.Ft.
LOT 157	9,770 Sq.Ft.
LOT 158	9,792 Sq.Ft.
LOT 159	9,690 Sq.Ft.
LOT 160	9,719 Sq.Ft.
LOT 161	9,250 Sq.Ft.
LOT 162	8,525 Sq.Ft.
LOT 163	12,524 Sq.Ft.
LOT 164	15,304 Sq.Ft.
LOT 165	10,223 Sq.Ft.
LOT 166	8,703 Sq.Ft.
LOT 167	8,420 Sq.Ft.
LOT 168	8,350 Sq.Ft.
LOT 169	8,318 Sq.Ft.
LOT 170	8,382 Sq.Ft.
LOT 171	8,289 Sq.Ft.
LOT 172	8,880 Sq.Ft.
TRACT A	71,648 Sq.Ft.
TOTAL	456,552 Sq.Ft.

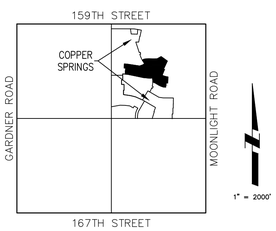
RESIDENTIAL STREET RIGHTS-OF-WAY: 83,093.21 Sq.Ft.
COLLECTOR STREET RIGHT-OF-WAY: 26,668.43 Sq.Ft.

** = including an Existing SS/E to Consolidated Main Sewer District of Johnson County, Kansas Book 200406, Page 012592

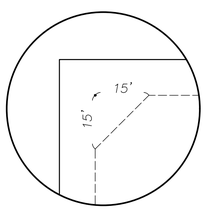


EASEMENT DETAIL

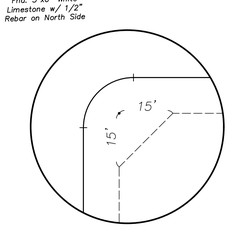




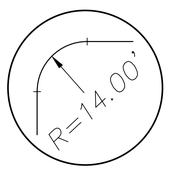
LOCATION MAP
SEC. 13, T14S, R22E



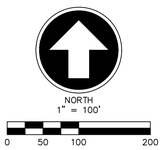
TYPICAL CORNER LOT EASEMENT DETAIL WEST OF UNIVERSITY DRIVE



TYPICAL CORNER LOT EASEMENT DETAIL EAST OF UNIVERSITY DRIVE



TYPICAL CORNER LOT PROPERTY LINE DETAIL EAST OF UNIVERSITY DRIVE



LEGEND:

▬	DENOTES EXISTING STONE
◉	DENOTES 2" ALUMINUM CAP
○	DENOTES 1/2" REBAR SET w/P&B PLASTIC CAP CLS-49
●	DENOTES 1/2" REBAR FOUND w/PLASTIC CAP CLS-49 (UNLESS NOTED)
B.L.	DENOTES BUILDING LINE
S.B.L.	DENOTES SIDE BUILDING LINE
U/E	DENOTES UTILITY EASEMENT
SS/E	DENOTES SANITARY SEWER EASEMENT
D/E	DENOTES DRAINAGE EASEMENT

NOTES:

The basis for bearings on this plat is the West line of the NE 1/4 as established by a previous plat, COPPER SPRINGS, Book 200505, Page 010931.

All rear corners will be monumented with capped rebar.

According to F.I.R.M. Map No. 20091C0105G Johnson County, Kansas, dated August 3, 2009 this entire site is determined to be outside the 100-year floodplain.

4,043.68' (plat boundary distance) / .024' (closing distance) = unadjusted error of closure 1 in 169,902.94

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

Developed By: Martens Family Enterprises, Inc.
c/o Philip W. Martens
7362 W. 162nd Terrace
Stilwell, Kansas
913-851-2772

Date Prepared: December 7, 2020

COPPER SPRINGS MEADOWS
1ST PLAT
SEC. 13, 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

19-0020-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) Martens Family Enterprises, Inc.
Contact Philip Martens
Address 19000 W 158th Street, Suite C
City Olathe State KS Zip 66062
Phone 913-732-2276 Email mfeikc1@gmail.com

APPLICANT/AGENT INFORMATION

Name(s) Payne & Brockway, PA
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 61st Street and Canton Street
Legal Description (Attach If Necessary) Part of the NE¼, Section 13, 24E, 22S, see attached
Number of Existing Lots 0 Number of Proposed Lots 38
Total Site Area 13.00077 Present Zoning R-1
Number of Existing Structures 0 Present Land Use Single Family Residential
Proposed Street Design Type(s) & Class Collector Neighborhood & Local Neighborhood
Proposed Type(s) Open & Civic Space Trail/Greenway
Proposed Frontage Type(s) Suburban
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): C. Todd Allenbrand Date 12/09/20
_____ Date _____

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OWNER AFFIDAVIT

I/WE Philip W Martens, President of Martens Family Enterprises, Inc., hereby referred to as the "Undersigned", being of lawful age, do hereby on this 7th day of December, 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 Todd Allenbrand, Payne & Brockway, P.A. (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the City of Gardner, regarding Final Plat Application (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 Pres.

Owner

STATE OF KANSAS
COUNTY OF JOHNSON

The foregoing instrument was acknowledged before me on this 7th day of December, 2020, by Philip W. Martens, President of Martens Family Enterprises, Inc.

My Commission Expires:
9/20/2022

Notary Public

NOTARY PUBLIC - State of Kansas
HANNAH FISHER
My Appt. Expires 9/20/22

19-0020

Business & Economic Development
Planning Division
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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**
☑	☐	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.

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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) Initial covenants and restrictions are established, see PDF on disc. 6) The developer will be adding this plat to the HOA, see PDF on disc of examples of previous plats that were added.

7) Not applicable. 8) Final stormwater was addressed at preliminary platting. 9) TIS was addressed at preliminary platting. 10) Not applicable.

11) Street tree plan will be submitted once the improvements plans have been approved and prior to submitting the plat for recording.

DOC. REQ. 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

12/09/20
Date

19-0020

LEGAL DESCRIPTION
FOR
COPPER SPRINGS MEADOWS, 1ST PLAT

This is a survey and plat of part of the NE¼ of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of the NE¼ of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence S 01°53'36" E, along the West line of said NE¼ and also along the West line COPPER SPRINGS, a subdivision in the City of Gardner, Johnson County, Kansas and its extension thereof, a distance of 1,423.83 feet to the Southwest corner of Lot 43, COPPER SPRINGS; thence N 88°06'24" E, along the South line of Lots 43 and 44, COPPER SPRINGS, a distance of 318.86 feet to the Southeast corner of said Lot 44; thence N 01°53'36" W, along the East line of said Lot 44, a distance of 38.62 feet to the Southwest corner of Lot 46, COPPER SPRINGS; thence S 84°47'23" E, along the South line of said Lot 46, a distance of 65.95 feet to the Southeast corner of said Lot 46, said corner also being the TRUE POINT OF BEGINNING; thence N 03°39'40" E, along the East line of said Lot 46 and its extension thereof, a distance of 170.76 feet to a point on the North right-of-way line of 161st Street, as platted; thence Westerly, along the North right-of-way line of said 161st Street, on a curve to the left having an initial tangent bearing of N 86°20'20" W and a radius of 975.00 feet, for a distance of 43.68 feet to the Southeast corner of Lot 47, COPPER SPRINGS; thence N 01°05'39" E, along the East line of said Lot 47 a distance of 115.00 feet to the Northeast corner of said Lot 47, said corner also being on the South line of Lot 50, COPPER SPRINGS; thence N 89°43'01" E, along the South line of said Lot 50, a distance of 6.54 feet to the Southeast corner of said Lot 50; thence S 86°53'04" E, along the Southerly line of Lot 51, COPPER SPRINGS, a distance of 66.36 feet to the Southeast corner of said Lot 51; thence S 83°23'36" E, along the Southerly line of Lots 52 through 56, COPPER SPRINGS, a distance of 359.54 feet; thence N 67°57'49" E, along the Southeasterly line of said Lot 56, a distance of 93.98 feet to the East corner of said Lot 56, said corner also being on the Westerly right-of-way line of University Drive, as platted; thence N 54°18'17" E a distance of 60.00 feet to a point on the Easterly right-of-way line of said University Drive; thence N 35°41'43" W, along the Easterly right-of-way line of said University Drive, a distance of 115.00 feet; thence N 52°15'36" E a distance of 50.68 feet; thence N 80°17'00" E a distance of 73.11 feet; thence N 85°25'54" E a distance of 72.26 feet; thence S 89°42'00" E a distance of 122.84 feet; thence N 85°51'00" E a distance of 108.81 feet; thence N 58°47'55" E a distance of 125.15 feet; thence S 56°16'00" E a distance of 212.35 feet; thence S 27°42'21" E a distance of 4.37 feet; thence S 23°05'44" W a distance of 248.07 feet; thence Southeasterly, on a curve to the left having an initial tangent bearing of S 66°54'16" E and a radius of 525.00 feet, for a distance of 27.50 feet; thence S 20°05'41" W a distance of 170.27 feet; thence S 64°05'00" E a distance of 38.40 feet; thence S 75°15'00" E a distance of 66.47 feet; thence S 82°00'00" E a distance of 66.38 feet; thence S 00°48'18" W a distance of 173.26 feet; thence Westerly, on a curve to the right having an initial tangent bearing of N 89°11'42" W and a radius of 525.00 feet, for a distance of 41.51 feet; thence S 05°20'06" W a distance of 121.98 feet; thence

N 87°05'00" W a distance of 73.52 feet; thence N 72°46'48" W a distance of 60.31 feet; thence N 65°58'00" W a distance of 66.37 feet; thence N 60°54'00" W a distance of 129.82 feet; thence N 69°48'00" W a distance of 66.86 feet to a point on the Easterly right-of-way line of said University Drive; thence Northerly, along the Easterly right-of-way line of said University Drive, on a curve to the left having an initial tangent bearing of N 00°40'43" W and a radius of 530.00 feet, for a distance of 117.77 feet; thence S 76°35'23" W a distance of 60.00 feet to a corner on the Westerly right-of-way line of said University Drive, said corner also being the Northeast corner of Lot 106, COPPER SPRINGS VI, a subdivision in the City of Gardner, Johnson County, Kansas; thence N 86°27'00" W, along the Northerly line of Lots 106, 105 & 104, COPPER SPRINGS VI, a distance of 191.28 feet to the Northwest corner of said Lot 104; thence N 79°54'00" W, along the Northerly line of Lots 103 through 100, COPPER SPRINGS VI, a distance of 243.54 feet; thence N 80°48'00" W, along the Northerly line of Lots 100 through 97, COPPER SPRINGS VI, a distance of 208.74 feet; thence N 88°09'46" W, along the Northerly line of said Lot 97, a distance of 62.14 feet to the Northwest corner of said Lot 97; thence N 84°47'23" W, along the Northerly line of Lot 96, COPPER SPRINGS VI, a distance of 9.07 feet to the TRUE POINT OF BEGINNING, containing 13.00077 acres, more or less.

REVISIONS			
NO.	DATE	DESCRIPTION	BY
1	10/15/2020	Comments	CTA

FINAL PLAT
COPPER SPRINGS MEADOWS, 1ST PLAT
Part of the NE 1/4, SEC. 13, T14S, R22E
A SUBDIVISION OF LAND IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS

This is a survey and plat of part of the NE 1/4 of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas, more particularly described as follows:

Beginning at the Northwest corner of the NE 1/4 of Section 13, T14S, R22E of the Sixth Principal Meridian, in the City of Gardner, Johnson County, Kansas; thence S 01°50'00" E, along the West line of said NE 1/4 and also along the West line COPPER SPRINGS, a subdivision in the City of Gardner, Johnson County, Kansas, and an extension thereof, a distance of 1,323.57 feet to the Southwest corner of Lot 43, COPPER SPRINGS; thence N 88°08'24" E, along the South line of Lots 43 and 44, COPPER SPRINGS, a distance of 219.84 feet to the Southeast corner of said Lot 44; thence N 01°51'00" W along the East line of said Lot 44, a distance of 10.00 feet to the Southeast corner of Lot 45, COPPER SPRINGS; thence S 88°08'24" E, along the South line of said Lot 45, a distance of 65.93 feet to the Southeast corner of said Lot 45; said corner also being the TRUE POINT OF BEGINNING; thence N 02°28'44" E, along the East line of said Lot 45 and its extension thereof, a distance of 170.76 feet to a point on the North right-of-way line of 175th Street; also platted Moonlight, along the North right-of-way line of said 175th Street, on a curve to the left having an initial tangent bearing of N 86°20'20" W and a radius of 975.00 feet, for a distance of 43.58 feet to the Southeast corner of Lot 47, COPPER SPRINGS; thence N 01°39'40" E, along the East line of said Lot 47 a distance of 115.00 feet to the Northeast corner of said Lot 47; said corner also being on the South line of Lot 50, COPPER SPRINGS; thence N 88°20'20" E, along the South line of said Lot 50, a distance of 0.54 feet to the Southeast corner of said Lot 50; thence N 88°18'24" E, along the Southerly line of Lot 51, COPPER SPRINGS, a distance of 19.28 feet to the Southeast corner of said Lot 51; thence S 87°21'36" E, along the Southerly line of Lot 52, COPPER SPRINGS, a distance of 139.54 feet; thence N 47°54'42" E, along the Southeasterly line of said Lot 52, a distance of 51.98 feet to the East corner of said Lot 52; said corner also being on the Westerly right-of-way line of University Drive; as platted; thence N 84°14'17" E, a distance of 60.00 feet to a point on the Easterly right-of-way line of said University Drive; thence N 05°45'43" W, along the Easterly right-of-way line of said University Drive, a distance of 115.00 feet; thence N 02°15'24" E a distance of 50.68 feet; thence N 80°17'00" E a distance of 73.11 feet; thence N 85°25'54" E a distance of 72.26 feet; thence N 85°51'00" E a distance of 108.61 feet; thence N 89°47'45" E a distance of 129.15 feet; thence S 89°42'00" E a distance of 122.84 feet; thence S 56°18'00" E a distance of 112.26 feet; thence S 03°42'21" E a distance of 5.37 feet; thence S 86°54'16" E a distance of 27.20 feet; thence S 75°15'00" E a distance of 66.47 feet; thence S 64°05'00" E a distance of 38.40 feet; thence S 80°00'00" E a distance of 68.38 feet; thence S 87°48'00" E a distance of 173.35 feet; thence S 00°20'05" W a distance of 121.68 feet; thence S 87°05'00" W a distance of 33.52 feet; thence N 72°45'48" W a distance of 60.31 feet; thence S 87°48'00" W a distance of 66.86 feet; thence N 60°04'00" W a distance of 229.82 feet; thence N 65°58'00" W a distance of 66.37 feet; thence N 87°05'00" W a distance of 33.52 feet; thence N 00°10'43" W a distance of 117.77 feet; thence N 89°48'00" W a distance of 191.28 feet; thence N 88°27'00" W a distance of 60.00 feet; thence S 76°35'23" W a distance of 243.54 feet; thence N 79°54'00" W a distance of 208.74 feet; thence N 80°48'00" W a distance of 62.14 feet; thence N 88°09'46" W a distance of 9.07 feet; thence N 84°47'23" W a distance of 170.76 feet; thence N 01°39'40" E a distance of 115.00 feet; thence N 88°20'20" W a distance of 0.54 feet; thence N 01°39'40" E a distance of 170.76 feet; thence N 84°47'23" W a distance of 9.07 feet; thence N 88°09'46" W a distance of 62.14 feet; thence N 80°48'00" W a distance of 208.74 feet; thence N 79°54'00" W a distance of 243.54 feet; thence N 88°27'00" W a distance of 191.28 feet; thence N 89

Name: Copper Springs Meadows 1st Plat
North: 2249.5475' East: 1343.2074'

Segment #1 : Line
Course: N03° 39' 40"E Length: 170.76'
North: 2419.9591' East: 1354.1112'

Segment #2 : Curve
Length: 43.68' Radius: 975.00'
Delta: 002.5670 (d) Tangent: 21.84'
Chord: 43.68' Course: N87° 37' 20"W
Course In: S03° 39' 40"W Course Out: N01° 05' 39"E
RP North: 1446.9488' East: 1291.8527'
End North: 2421.7711' East: 1310.4709'

Segment #3 : Line
Course: N01° 05' 39"E Length: 115.00'
North: 2536.7501' East: 1312.6669'

Segment #4 : Line
Course: N89° 43' 01"E Length: 6.54'
North: 2536.7824' East: 1319.2068'

Segment #5 : Line
Course: S86° 53' 04"E Length: 66.36'
North: 2533.1757' East: 1385.4687'

Segment #6 : Line
Course: S83° 23' 36"E Length: 359.54'
North: 2491.8097' East: 1742.6212'

Segment #7 : Line
Course: N67° 57' 49"E Length: 93.98'
North: 2527.0705' East: 1829.7355'

Segment #8 : Line
Course: N54° 18' 17"E Length: 30.00'
North: 2544.5748' East: 1854.0995'

Segment #9 : Line
Course: N54° 18' 17"E Length: 30.00'
North: 2562.0790' East: 1878.4634'

Segment #10 : Line
Course: N35° 41' 43"W Length: 115.00'
North: 2655.4741' East: 1811.3639'

Segment #11 : Line
Course: N52° 15' 36"E Length: 50.68'
North: 2686.4943' East: 1851.4415'

Segment #12 : Line
Course: N80° 17' 00"E Length: 73.11'
North: 2698.8335' East: 1923.5027'

Segment #13 : Line
Course: N85° 25' 54"E Length: 72.26'
North: 2704.5889' East: 1995.5331'

Segment #14 : Line
Course: S89° 42' 00"E Length: 122.84'
North: 2703.9457' East: 2118.3714'

Segment #15 : Line
Course: N85° 51' 00"E Length: 108.81'
North: 2711.8201' East: 2226.8961'

Segment #16 : Line
Course: N58° 47' 55"E Length: 125.15'
North: 2776.6537' East: 2333.9434'

Segment #17 : Line
Course: S56° 16' 00"E Length: 212.35'
North: 2658.7298' East: 2510.5403'

Segment #18 : Line
Course: S27° 42' 21"E Length: 4.37'
North: 2654.8608' East: 2512.5720'

Segment #19 : Line
Course: S23° 05' 44"W Length: 248.07'
North: 2426.6731' East: 2415.2626'

Segment #20 : Curve
Length: 27.50' Radius: 525.00'
Delta: 003.0009 (d) Tangent: 13.75'
Chord: 27.49' Course: S68° 24' 17"E
Course In: N23° 05' 44"E Course Out: S20° 05' 41"W
RP North: 2909.5954' East: 2621.2022'
End North: 2416.5543' East: 2440.8262'

Segment #21 : Line
Course: S20° 05' 41"W Length: 170.27'
North: 2256.6493' East: 2382.3260'

Segment #22 : Line
Course: S64° 05' 00"E Length: 38.40'
North: 2239.8661' East: 2416.8642'

Segment #23 : Line
Course: S75° 15' 00"E Length: 66.47'
North: 2222.9427' East: 2481.1437'

Segment #24 : Line
Course: S82° 00' 00"E Length: 66.38'
North: 2213.7044' East: 2546.8777'

Segment #25 : Line
Course: S00° 48' 18"W Length: 173.26'
North: 2040.4615' East: 2544.4435'

Segment #26 : Curve
Length: 41.51' Radius: 525.00'
Delta: 004.5298 (d) Tangent: 20.76'
Chord: 41.50' Course: N86° 55' 48"W
Course In: N00° 48' 18"E Course Out: S05° 20' 06"W
RP North: 2565.4097' East: 2551.8195'
End North: 2042.6839' East: 2503.0056'

Segment #27 : Line
Course: S05° 20' 06"W Length: 121.98'
North: 1921.2323' East: 2491.6640'

Segment #28 : Line
Course: N87° 05' 00"W Length: 73.52'
North: 1924.9733' East: 2418.2393'

Segment #29 : Line
Course: N72° 46' 48"W Length: 60.31'
North: 1942.8275' East: 2360.6327'

Segment #30 : Line
Course: N65° 58' 00"W Length: 66.37'
North: 1969.8579' East: 2300.0164'

Segment #31 : Line
Course: N60° 54' 00"W Length: 129.82'
North: 2032.9940' East: 2186.5832'

Segment #32 : Line
Course: N69° 48' 00"W Length: 66.86'
North: 2056.0806' East: 2123.8356'

Segment #33 : Curve
Length: 117.77' Radius: 530.00'
Delta: 012.7315 (d) Tangent: 59.13'
Chord: 117.53' Course: N07° 02' 40"W
Course In: S89° 19' 17"W Course Out: N76° 35' 23"E
RP North: 2049.8035' East: 1593.8728'
End North: 2172.7223' East: 2109.4219'

Segment #34 : Line
Course: S76° 35' 23"W Length: 60.00'
North: 2158.8070' East: 2051.0579'

Segment #35 : Line

Course: N86° 27' 00"W Length: 191.28'
North: 2170.6510' East: 1860.1449'

Segment #36 : Line
Course: N79° 54' 00"W Length: 243.54'
North: 2213.3598' East: 1620.3790'

Segment #37 : Line
Course: N80° 48' 00"W Length: 208.74'
North: 2246.7334' East: 1414.3242'

Segment #38 : Line
Course: N88° 09' 46"W Length: 62.14'
North: 2248.7256' East: 1352.2161'

Segment #39 : Line
Course: N84° 47' 23"W Length: 9.07'
North: 2249.5492' East: 1343.1836'

Perimeter: 4043.68' Area: 566313.71 Sq. Ft.
Error Closure: 0.0238 Course: N85° 55' 33"W
Error North: 0.00169 East: -0.02375

Precision 1: 169902.94

PLANNING COMMISSION STAFF REPORT **NEW BUSINESS ITEM NO. 2A**
MEETING DATE: JANUARY 26, 2021
PREPARED BY: LAURA BERGEY, AICP

PROJECT NUMBER / TITLE: FDP-20-06 Final Development Plan for the Lakes of Conestoga

PROCESS INFORMATION

Type of Request: Final Development Plan
Date Received: December 11, 2020

APPLICATION INFORMATION

Applicant: Curtis Holland
Owner: Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis
Parcel ID: CF231430-1012
Location: The southeast corner of E. Santa Fe Street and Conestoga Drive.

REQUESTED ACTION

Hold a public hearing on and consider a request to approve the Final Development Plan for the Lakes of Conestoga, a 1 lot, 95 unit manufactured/mobile home community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive.

EXISTING ZONING AND LAND USE

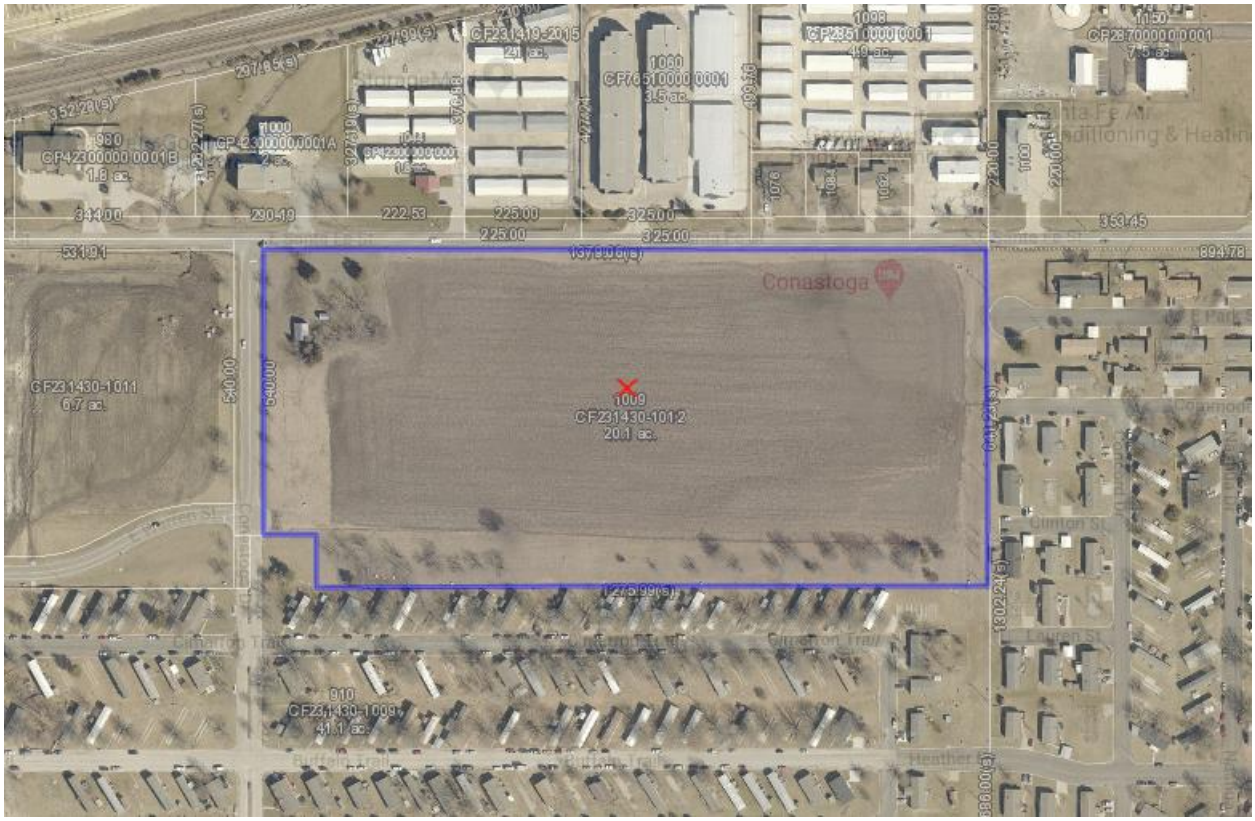
The site is currently zoned RM-P (Residential Manufactured and Mobile Home Planned District) and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
M-1 (Restricted Industrial) District	Pet Supply Store (Pets Go Here)
M-2 (General Industrial) District	Outdoor Self Storage (StorageMart)
C-3 (Heavy Commercial) District	Outdoor Self Storage (StorageMart and Attic Storage of Gardner) Single-Family Residential (3 unplatted homes)
MP-1 (Planned Restricted Industrial) District	Outdoor Self Storage (Gardner Auto Body & Towing and Outback Storage
East of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
South of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
West of subject property	
CP-3 (Planned Commercial) District	Undeveloped land
R-2 (Two-Family Residential) District	Undeveloped land

EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.



BACKGROUND / HISTORY

The property was annexed on March 6, 1978 per Ordinance 1337. Currently, the property is not in use. At the time the property was annexed into the City, the property was zoned for retail business uses in 1971 and 1973, and a mobile home park in 1973 by the Gardner Township Zoning Board as part of Johnson County Government. In approximately 1982, a portion of the property was rezoned to R-2 (Two-Family Residential district) but was not developed and has remained undeveloped since.

CONSISTENCY WITH COMPREHENSIVE PLAN

The *Future Land Use Map* identifies this parcel for “Light Industrial & Office Park” future land use, which is described as areas with uses primarily consisting of light manufacturing, general office, and distribution. The Industrial Areas Plan, located in the Land Use and Development chapter of the Comprehensive Plan, further defines this parcel as “Local Industrial,” which is defined as “smaller pockets of manufacturing and light industrial operations that have a close relationship to adjacent residential or commercial areas and require unique strategies to ensure that they remain vital, and do not negatively impact nearby uses.” Although the parcel subject to this project is not in conformance with the *Future Land Use Map*, staff is supportive of the development request for the following reasons:

- The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. The proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.
- The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.

STAFF ANALYSIS – FINAL DEVELOPMENT PLAN

This application is being reviewed per the site plan and design review process of Section 17.03.060 of the Gardner LDC.

17.03.060 (B) 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 with the Gardner LDC, 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 properties 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 with styles appropriate for the context of the development. Example home images have been attached at the end of the document.*

   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 the Lakes of Conestoga, with conditions outlined below.*

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

ELECTRIC

Underground electric lines are currently installed along all property lines and is to be extended into the property to serve the future development. Appropriate electric easements have been provided as requested.

SANITARY SEWER

The subject property is within the City of Gardner sanitary sewer service area. Sanitary sewer service will be extended into the property through 8" sanitary sewer lines to serve the future development. Appropriate sanitary sewer easements have been provided as requested.

WATER

Existing public water lines are located adjacent to the site and easements have been provided as requested. However, the applicant is showing public utility easements on the plat, which are to be dedicated to the City, but is proposing a private water system to service the development. The applicant is currently in discussions with the Utility Department regarding water provision and the potential use of private lines to serve the individual mobile home sites.

STORM WATER

Public Works has reviewed and approved the submitted Stormwater Management Plan, dated August 28, 2020. A stormwater retention pond has been integrated into this project to capture the development's onsite runoff. The applicant has increased the size of the basin in order to be able to have a larger wet feature designed to be an amenity for the entire neighborhood.

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

The applicant is planning to extend Park Street (adjacent existing private street with temporary cul-de-sac) west throughout the development to connect with Conestoga Drive (collector street) and will construct five (5) internal private street networks within the subject property, Private Streets B, C, D, E, and F, that extend south and provide individual home site access. It is important

to note that these internal private streets do not connect to adjacent street networks, and are dead-end streets with hammerhead style turnarounds.

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 have been met and the applicant has proposed a 5' sidewalks to be installed on both sides of all internal streets. Additionally, the applicant has provided sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1

ATTACHMENTS

I. Final Development Plan FDP-20-06
II. Example Home Images
III. Community Pavilion and Storm Shelter Renderings
IV. Application

RECOMMENDATION

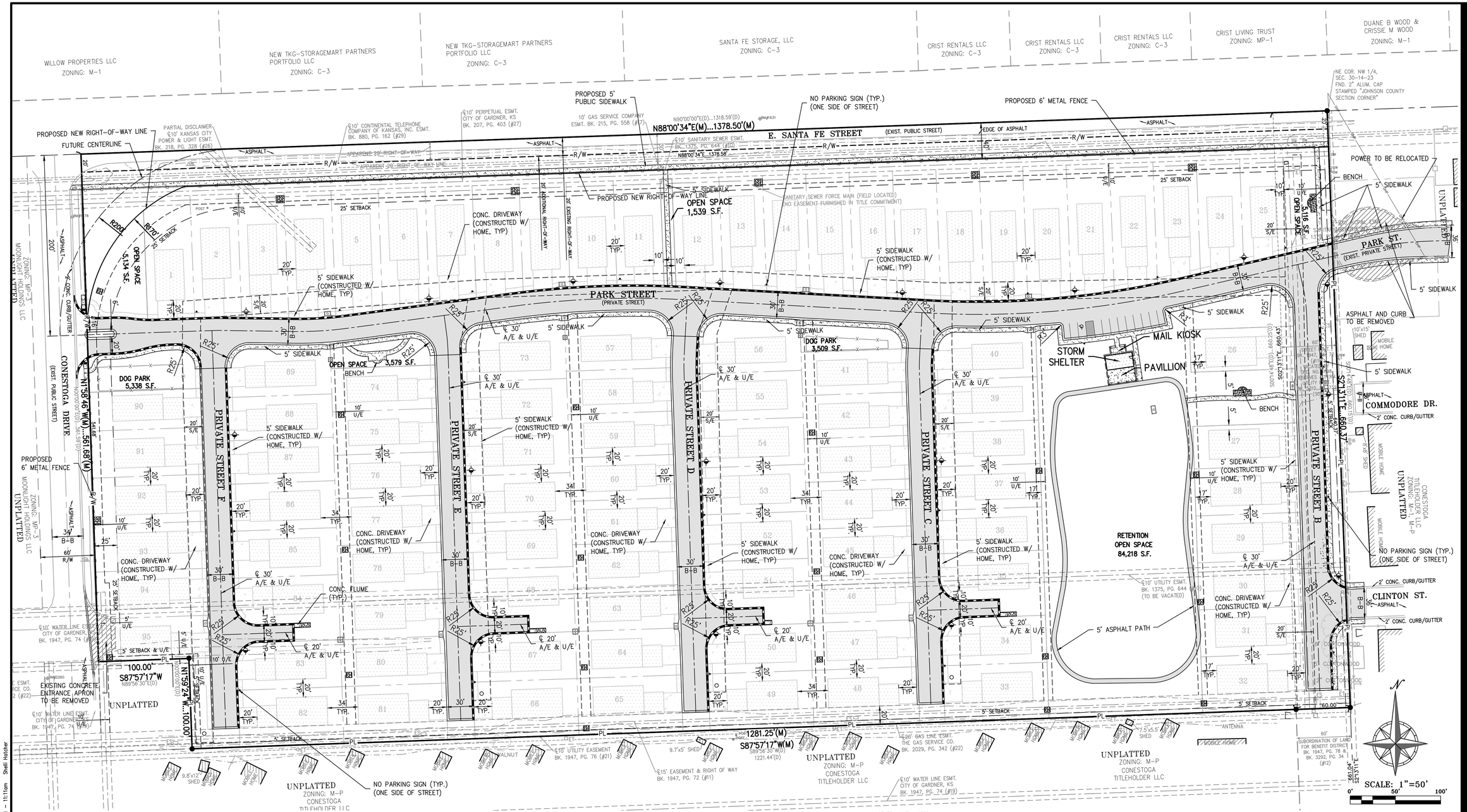
Staff recommends approval of the final development plan for the Lakes of Conestoga subject to the following conditions:

1. 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.

Recommended Motion:

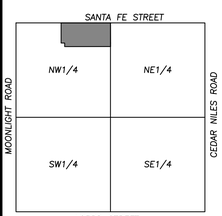
After review of application FDP-20-06, a final development plan for the Lakes of Conestoga, dated January 15, 2021 and staff report dated January 26, 2021, the Planning Commission approves the application provided the following conditions are met:

1. 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.



NOTES:

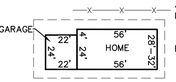
1. ALL PRIVATE STREETS DESIGNED TO CRITERIA FOR LOCAL-NEIGHBORHOOD.
2. ALL STREET AND SITE MAINTENANCE FOR LOT 1, TO BE PROVIDED BY OWNER.



VICINITY MAP
SEC. 30-14-23

LEGEND

- PL — PROPERTY LINE
- LL — LOT LINE
- R/W — RIGHT-OF-WAY
- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- ASPHALT TO BE REMOVED
- NO PARKING/FIRE LANE STRIPING
- FIRE LANE SIGN
- STREET LIGHT
- 6' WROUGHT IRON FENCE
- 4' BLACK VINYL COATED CHAIN LINK FENCE
- EXAMPLE TWIN FOOTPRINT



OWNER/DEVELOPER:

GREEN COURTE ACQUISTION IV, LLC
303 WEST MADISON STREET, SUITE 1500
CHICAGO, IL 60606
(312) 966-3824
CONTACT: JIM MURRAY

CIVIL ENGINEER:

PHELPS ENGINEERING, INC.
1270 N. WINCHESTER
OLATHE, KS 66061
913-393-1155 OFFICE
913-393-1166 FAX
CONTACT: JUDD CLAUSSEN, P.E.
EMAIL: jclaussen@phelpsengineering.com

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091C0121G, AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION:

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 2°13'11" E (S 0°14'48"E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17" W (S 89°56'30" W deeded), a distance of 1281.25 feet; thence N 1°59'24" W (N 00°00'00" E deeded), a distance of 100.00 feet; thence S 87°57'17" W (N 89°56'30" E deeded), a distance of 100.00 feet; thence N 1°58'46" W (N 00°00'00" E deeded), a distance of 561.68 feet (561.59 feet deeded) to a point on the North line of the Northwest Quarter of said Section 30; thence N 88°00'34" E (N 90°00'00" E deeded), along the North line of the Northwest Quarter of said Section 30, a distance of 1378.50 feet to the point of beginning, containing 20.7102 acres, more or less, unplatted land, subject to that part in streets and roads.

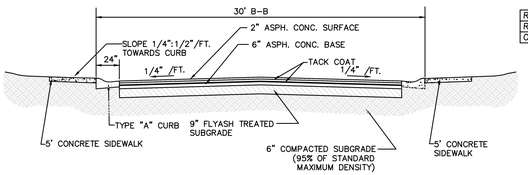
GROSS AREA = ±20.7102 ACRES / ±902,136 SQ.FT.
NET AREA = ±20.0772 ACRES / ±874,563 SQ.FT.

GENERAL PAVING NOTES:

1. PRIOR TO PLACEMENT OF GRANULAR BASE OR ASPHALT, PROOF ROLL AND RE-COMPACT THE EXPOSED SURFACES UP TO A MINIMUM LATERAL DISTANCE OF TWO (2) FEET OUTSIDE THE PAVEMENT. ANY LOCALIZED SOFT, WET, OR LOOSE AREAS IDENTIFIED DURING THE PROOF ROLLING SHOULD BE REPAIRED PRIOR TO PAVING. FILL MATERIAL SHOULD BE PLACED IN LOOSE LIFTS UP TO A MAXIMUM OF EIGHT (8) INCHES IN THICKNESS AND COMPACTED TO AT LEAST 95% OF THE MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D698 AT MOISTURE CONTENTS WITHIN 0% AND +4% OF THE OPTIMUM FOR SOILS WITH A LIQUID LIMIT OF GREATER THAN 40, AND -- +/-- 3% OF THE OPTIMUM FOR SOILS WITH A LIQUID LIMIT OF LESS THAN 40. MAXIMUM DRY DENSITY AND OPTIMUM MOISTURE CONTENT SHOULD BE DETERMINED BY THE STANDARD PROCTOR TEST (ASTM D 698).
2. PROOFROLL WITH A 25 TON RUBBER TIRE VEHICLE AND REPAIR SUBGRADE DEFICIENCIES. IF ANY SIGNIFICANT EVENT, SUCH AS PRECIPITATION, OCCURS AFTER PROOFROLLING, THE SUBGRADE SHOULD BE REVIEWED BY QUALIFIED PERSONNEL IMMEDIATELY PRIOR TO PLACING THE PAVEMENT.
3. CRUSHED STONE BASE COURSE USED BENEATH CONCRETE PAVING SHALL BE COMPACTED AB-3 OR EQUIVALENT.
4. ASPHALTIC SURFACE COURSE SHALL BE APWA TYPE 3. THE SURFACE COURSE SHOULD BE COMPACTED TO A MINIMUM OF 97% MARSHALL DENSITY (ASTM SPECIFICATION D 1559). 30% RAP IS ALLOWED.
5. ASPHALTIC BASE COURSE SHALL BE APWA TYPE 1. THE BASE COURSE SHOULD BE COMPACTED TO A MINIMUM OF 95% MARSHALL DENSITY (ASTM SPECIFICATION D 1559). 30% RAP IS ALLOWED.
6. THE CONTRACTOR SHALL PROVIDE A TACK COAT BETWEEN LIFTS OF ASPHALT.
7. IN NEW PAVEMENT AREAS, CONTRACTOR SHALL OVER EXCAVATE AS REQUIRED TO ESTABLISH NEW COMPACTED SUBGRADE ELEVATIONS.
8. CONTRACTOR IS RESPONSIBLE FOR ALL PAVEMENT AND SUBGRADE MATERIALS TESTING.

GENERAL CITY NOTES:

1. Per Section 17.06.020 (E.3.a) Any MH dwelling shall be secured to the ground by tie downs and ground anchors in accordance with the Mobile Home and Recreational Vehicle Code, K.S.A. 75-1211 to 75-1234.
2. Per Section 17.06.020 (E.3.b) Any MH dwelling shall be skirted within 30 days after placement in the community by enclosing the open area under the unit with a material that is compatible with the exterior finish of the mobile home and consistent with the quality of development in the community.
3. Per Section 17.06.020 (E.3.c) Any MH dwelling shall be blocked at a maximum of 10-foot centers around the perimeter, and this blocking shall provide 16 inches bearing upon the stand.
4. Per Section 17.06.020 (E.3.d) Any MH dwelling shall be located on a hard surface pad, a minimum of 18-inch concrete ribbons or slabs capable of carrying the weight and of sufficient length to support all blocking points, with a proper surface between to control weeds.
5. Street Lights shall meet the specifications of City UDO 17.08.050.



PRIVATE STREET SECTION NTS

Parking Summary

Mobile Homes	
Driveway Parking Provided (2 per Unit)	190 Spaces
Surface Parking Provided	12 Spaces
Garage Parking Provided (50%)	100 Spaces
Total Parking Provided	302 Spaces
Number of Parking Spaces per Unit Provided	3.18
Handicap Parking Spaces Provided	1 Spaces
Total Parking Required	190 Spaces
Number of Parking Spaces per Unit Required	2.00
Handicap Parking Spaces Required	1 Spaces

Open Space Calculations

Requirement of Open Space	200 Sq. Ft. x 95 Units = 19,000 Sq. Ft./0.44 Ac.
Requirement of Open Space	15%-135,320 Sq. Ft./3.11 Ac.*
Open Space Provided	12%-107,785 Sq. Ft./2.47 Ac.

* Deviation Requested and Approved by Gardner City Council on October 19, 2020

Building and Lot Data

	PROPOSED	REQUIRED	CITY ORDINANCE NO.
Site Area (Gross)	20.7 Ac.	15.0 Ac. (Min.)	18.55.040.A
Existing Zoning	R-2, C-3, M-P		
Proposed Zoning	M-P		
Number of Units	95 units		
Density (Units / Acre)	4.6	6.0 (Max.)	18.55.070.B
Average Lot Area per Unit	9,496 SF/Unit	4,000 SF/Unit	18.55.070.B
Exterior Lot Setback	25 feet	25 feet	
Front Setback	25 feet	25 feet	18.30.060.A
Side Setback	20 feet	5 feet	18.30.060.B
Rear Setback	25 feet	25 feet	18.30.060.C
Building Seperation	20 feet	20 feet	18.55.070.E
Building Height		35 feet(Max.)	

PHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166
www.phelpsengineering.com

PLANNING
ENGINEERING
IMPLEMENTATION

OVERALL SITE PLAN

FINAL DEVELOPMENT PLAN FDP-20-06 FOR
LAKES OF CONESTOGA
1009 E SANTA FE STREET, GARDNER, KS

No.	Date	Revisions:	By	App.
1.	12-31-20	REVISED PER CITY COMMENTS	JMG	DEJ
2.	1-15-21	REVISED PER CITY COMMENTS	SNH	DAF

PROJECT NO. 200536
DATE:12-17-20 DRAWN:MAFR
CHECKED: ALN APPROVED: DEJ

CERTIFICATE OF AUTHORIZATION KANSAS ENGINEERING - L-82
CERTIFICATE OF AUTHORIZATION LAND SURVEYING-200700128
ENGINEERING-200700258

SHEET
C1

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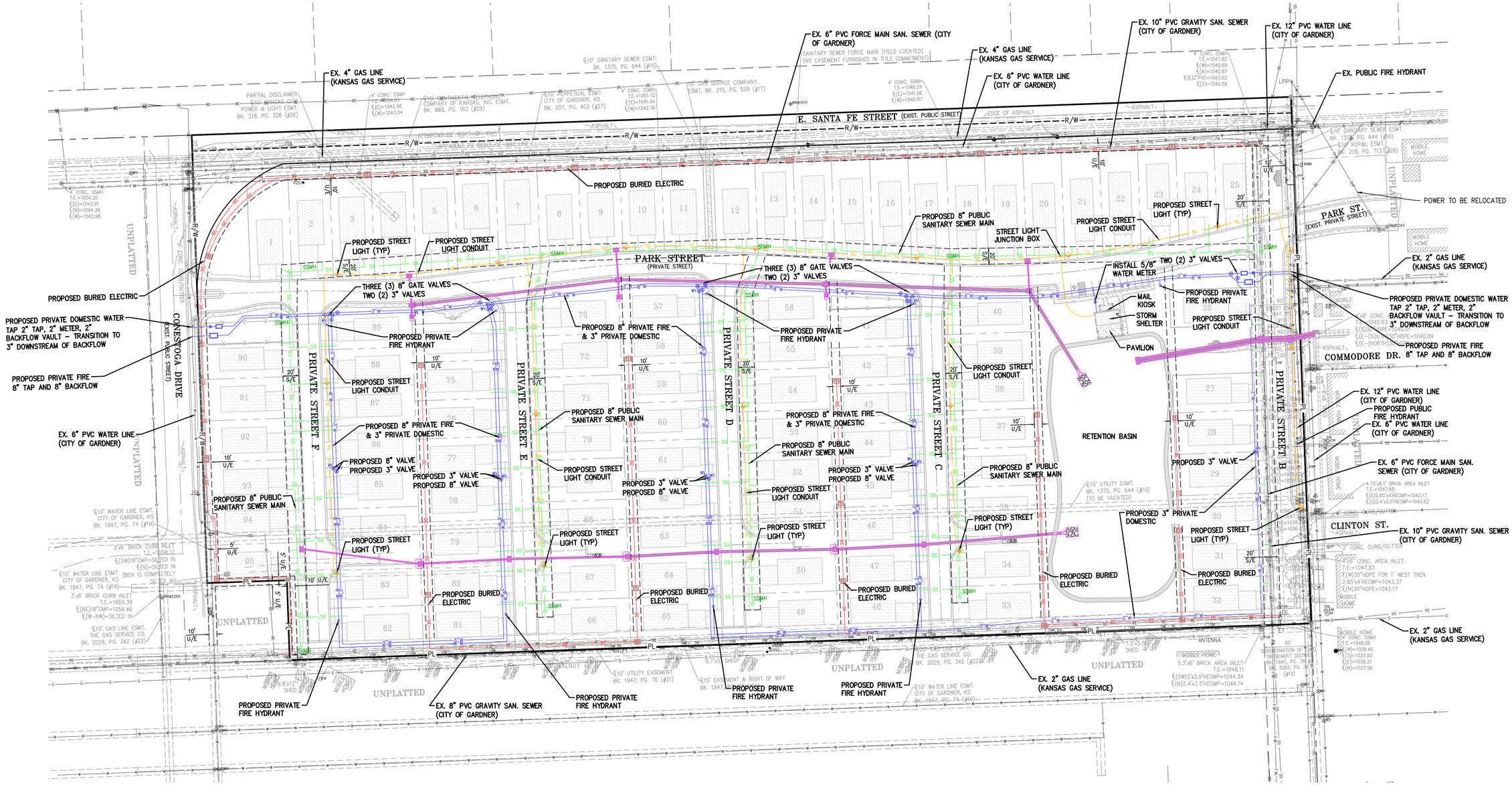
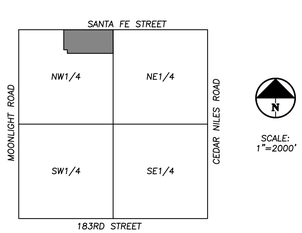


LEGEND

PL	PROPERTY LINE
	LOT LINE
R/W	RIGHT-OF-WAY
G	EXISTING GAS LINE
BE	EXISTING BURIED ELECTRIC LINE
OHP	EXISTING OVERHEAD POWER LINE
SS	EXISTING SANITARY SEWER LINE
	EXISTING STORM SEWER LINE
BT	EXISTING BURIED TELEPHONE LINE
W	EXISTING WATER LINE
BE	PROPOSED BURIED ELECTRIC LINE
SS	PROPOSED SANITARY SEWER LINE
STM	PROPOSED STORM SEWER LINE
W	PROPOSED WATER LINE
G	PROPOSED GAS LINE
	PROPOSED FIRE HYDRANT
WV	WATER VALVE
SSMH	PROPOSED SANITARY SEWER MANHOLE
	STREET LIGHT



VICINITY MAP
SEC. 30-14-23

SCALE: 1"=2000'

UTILITY NOTES:
VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN. UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.

811 Know what's below. Call before you dig.

SCALE: 1"=60'
0' 60' 120'

PHELPS ENGINEERING, INC.
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax: (913) 393-1164
www.phelpsengineering.com
PLANNING ENGINEERING IMPLEMENTATION

UTILITY PLAN
FINAL DEVELOPMENT PLAN FDP-20-06 FOR
LAKES OF CONESTOGA
1009 E SANTA FE STREET, GARDNER, KS

No.	Date	Revisions:	By	App.
1.	12-31-20	REVISED PER CITY COMMENTS	JMO	DEJ
2.	1-15-21	REVISED PER CITY COMMENTS	SNH	DAF

PROJECT NO. 200536 | DATE: 12-17-20 | DRAWN: MFR | CHECKED: ALN | APPROVED: DEJ
CERTIFICATE OF AUTHORIZATION
KANSAS LANDSCAPE ARCHITECTURE - LS-82
ENGINEERING - E-391
CERTIFICATE OF AUTHORIZATION
LAND SURVEYING-200703128
ENGINEERING-200705528

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C3

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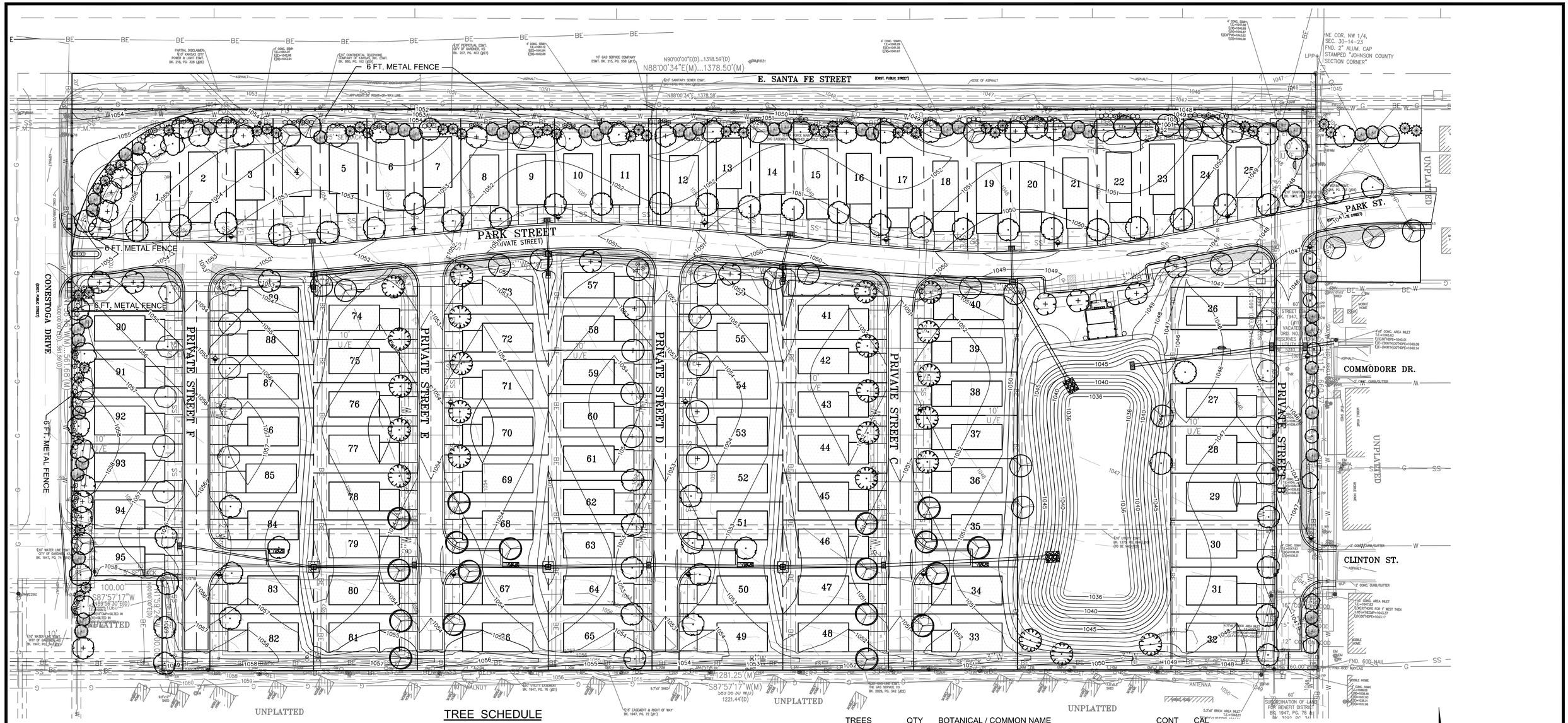
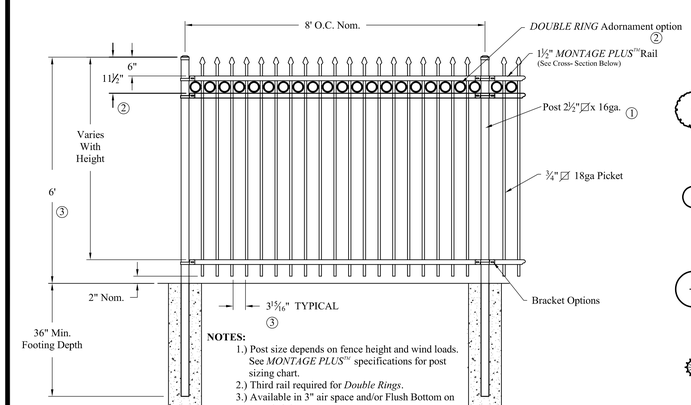


TREE SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	16	Acer campestre / Hedge Maple	B & B	2"Cal
	15	Acer rubrum `October Glory` TM / October Glory Maple	B & B	2"Cal
	10	Celtis occidentalis `Prairie Pride` / Prairie Pride Hackberry	B & B	2"Cal
	5	Cercis canadensis / Oklahoma Redbud	B & B	1.5"Cal
	3	Chionanthus virginicus / White Fringetree	B & B	1.5"Cal
	10	Gleditsia triacanthos `Skyline` / `Skyline` Honey Locust	B & B	2"Cal
	15	Gymnocladus dioicus / Kentucky Coffee Tree	B & B	2"Cal
	46	Juniperus virginiana `Canaertii` / Canaerti Juniper	B & B	6` hgt.
	48	Pinus flexilis `Vanderwolf`s Pyramid` / Vanderwolf`s Pyramid Pine	B & B	6` hgt.

TREES	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	23	Quercus bicolor / Swamp White Oak	B & B	2" cal.
	53	Quercus shumardii / Shumard Red Oak	B & B	2"Cal
	20	Taxodium distichum `Shawnee Brave` TM / Bald Cypress	B & B	2"Cal
	10	Ulmus x `Frontier` / American Elm	B & B	2"Cal
	19	Zelkova serrata `Village Green` / Sawleaf Zelkova	B & B	2"Cal

SHRUBS	QTY	BOTANICAL / COMMON NAME	CONT
	3	Juniperus virginiana `Grey Owl` / Grey Owl Juniper 24" hgt. & sp.	3 gal
	61	Rhus copallina latifolia `Prairie Flame` TM / Dwarf Sumac 24"-30" hgt.	3 gal
	86	Rhus typhina `Tiger Eyes` / Tiger Eyes Sumac 24"-30" hgt. & sp.	5 gal



NOTES:

1.) Post size depends on fence height and wind loads. See *MONTAGE PLUS™* specifications for post sizing chart.
2.) Third rail required for *Double Rings*.
3.) Available in 3" air space and/or Flush Bottom on most heights.

6 FT. AMERISTAR METAL FENCE

Utility Note:

Utilities shown on plan are diagramatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-SAFE (344-7233) to have utilities located.

130'-170'
Sight Triangle
20'

0 50 100
SCALE 1" = 50'

Plant Specification Note:

All plantings shall meet Section 17.08.030 Landscape Design item D. Plant Specifications Table 8-4 except turf will be drill seeding and hydro mulching.

Street Tree Planting Note:

Street trees will be planted on individual lots after living units are placed on each lot.

PETER A. OPPERMANN
LICENSED
KANSAS
LANDSCAPE ARCHITECT
1/15/21

1/15/2021

Final Landscape Plan
The Lakes Of Conestoga

Gardner, Kansas

LS-1

Oppermann LandDesign, LLC
Land Planning & Landscape Architecture
18990 West 117th Street
Olathe, Kansas 66061
oppermannlanddesign.com
pete@opperland.com
913.894.9407

1103
004A

996A

BCS Design Inc
architecture

11 December, 2020

SOUTH ELEVATION

THE LAKES OF CONESTOGA

New Storm Shelter / Pavillion
1009 East Santa Fe Street
Gardner, Kansas 66030

BCS Designing architecture

11 December, 2020

NORTH ELEVATION

THE LAKES OF CONESTOGA

New Storm Shelter / Pavillion
1009 East Santa Fe Street
Gardner, Kansas 66030

BCS Design Inc
architecture

11 December, 2020

EAST ELEVATION

THE LAKES OF CONESTOGA
New Storm Shelter / Pavillion
1009 East Santa Fe Street
Gardner, Kansas 66030

BCS Designing architecture

11 December, 2020

WEST ELEVATION

THE LAKES OF CONESTOGA

New Storm Shelter / Pavillion
1009 East Santa Fe Street
Gardner, Kansas 66030

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) Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis

Contact _____

Address 17767 S Laverty Street / 5 Tara Drive

City Olathe / St. Joseph State KS/MO Zip 66062 / 64507

Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) Green Courte Acquisition IV, LLC, by Polsinelli PC, its agent

Contact Curtis Holland

Address 900 W. 48th Place, Suite 900

City Kansas City State MO Zip 64112

Phone 913-234-7411 Email cholland@polsinelli.com

SITE INFORMATION

Property Address/Location: 1009 E Santa Fe Street

Legal Description (Attach If Necessary) See Attached

Number of Existing Lots N/A Number of Proposed Lots 1

Total Site Area 20.7 Acres Present Zoning RM-P

Proposed Use Mobile Home Community Present Land Use Undeveloped

Proposed Street Design Type(s) & Class Private Streets designed to Local Standard Street Type

Proposed Type(s) Open & Civic Space Green

Proposed Frontage Type(s) Suburban Yard

Proposed Building Types(s) N/A

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): Curtis M. Holland Date December 11, 2020

_____ Date _____

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

APPLICATION SUBMITTAL REQUIREMENTS

Yes	No	
☑	☐	1. **Complete application packet**
☑	☐	2. **Application fee**
☑	☐	3. **10 complete sets of full sized plans printed including color elevations, folded**
☑	☐	4. **Digital copies (PDF) of the completed application, plans, and legal description**
☐	☑	5. **Copy of all covenants and restrictions applicable to the development**, if applicable. Not applicable
☐	☑	6. **Sign posting affidavit.** Not applicable - not a public hearing
☐	☑	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. Not applicable
☑	☐	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.
☑	☐	9. **Evidence of satisfaction of any conditions of the preliminary development plan approval** which were conditions precedent to consideration of the final development plan.
☑	☐	10. **Final Stormwater Management Plan** (2 printed and 1 digital copy)
☐	☑	11. **Final Traffic Impact Study** (TIS) as required by the Access Management Code. (2 printed and 1 digital copy) Not applicable

PLAN REQUIREMENTS

☑	☐	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'.)
☑	☐	2. **Boundary lines of the subdivision** shall be enclosed with one continuous bold line, showing approximate dimensions (bearings and distances).
☑	☐	3. **Scale, legend, and north arrow** clearly shown, with orientation at top or left as north (not less than 1"=100' scale).
☑	☐	4. **Dates of plan preparation** and/or plan revisions.
☑	☐	5. **Ownership, zoning, and land use of the site and surrounding properties** within 200 feet; both existing and proposed.
☑	☐	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.)
☑	☐	7. **Setback lines:** building and parking with dimensions in feet.

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Yes	No	
☑	☐	8. **Setback lines:** building and parking with dimensions in feet.
☑	☐	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.
☑	☐	10. **Note on the plan indicating intended ownership, purpose, and maintenance responsibilities** for any parcels labeled as tracts.
☑	☐	11. **Setback lines:** building and parking with dimensions in feet.
☑	☐	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.
☑	☐	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.
☑	☐	14. **Proposed street network**, including right-of-way, bearings, tangents, dimensions, and horizontal and vertical curvature data along the centerline of each street.
☑	☐	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.
☑	☐	16. **Intersection site distance analysis**.
☑	☐	17. **Driveways, parking lots and stalls, aisles, and loading** and service areas and docks and dimensions.
☐	☑	18. **Median breaks and turning lanes**, including sizes and radii; both existing and proposed. Not needed..
☑	☐	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.
☑	☐	20. **Existing and proposed sidewalks** and/or trail locations including proposed widths.
☑	☐	21. **Proposed utilities**, including approximate location of sanitary sewer, water main, and street lights.
☑	☐	22. **Existing and proposed easements** with dimensions. Existing easements shall be labeled with book and page number.
☐	☑	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). Entire property in Zone X and noted on plans. No further action needed.
☐	☑	24. **Stream corridor boundary** and dimensions. Not applicable.
☐	☑	25. **Phasing Plan**, if applicable. Not applicable.

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Yes	No	
☑	☐	26. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
☑	☐	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.).
☑	☐	28. **Distances between all buildings**, between buildings and property lines, and between parking areas and property lines.
		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.
☑	☐	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.
☑	☐	31. **Screen walls, fences, trash enclosures, and mail kiosks** (existing and proposed), including location, height, and materials.
☑	☐	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.
☑	☐	33. **Table indicating required and proposed parking spaces**.
☑	☐	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.
☑	☐	35. **All exterior sign locations**. Include elevations and details.
☑	☐	36. **All outside lighting facilities:** Location, height, wattage, and type including shielding, for buildings, parking lots and outdoor storage areas.
☑	☐	37. **Outdoor storage areas**, including location, dimensions and design.
☑	☐	38. **Planned amenities**, such as fountains, art, outdoor seating, waste receptacles, etc.
☑	☐	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.

Curtis M. Holland

Signature of Applicant

December 11, 2020

Date

PLANNING COMMISSION STAFF REPORT **NEW BUSINESS ITEM NO. 2B**
MEETING DATE: JANUARY 26, 2021
PREPARED BY: LAURA BERGEY, AICP

PROJECT NUMBER / TITLE: FP-20-11 Final Plat for the Lakes of Conestoga

PROCESS INFORMATION

Type of Request: Final Plat
Date Received: December 11, 2020

APPLICATION INFORMATION

Applicant: Curtis Holland
Owner: Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis
Parcel ID: CF231430-1012
Location: The southeast corner of E. Santa Fe Street and Conestoga Drive.

REQUESTED ACTION

Hold a public hearing on and consider a request to approve the Final Plat for the Lakes of Conestoga, a 1 lot, 95 unit manufactured/mobile home community, located at the southeast corner of E. Santa Fe Street and Conestoga Drive.

EXISTING ZONING AND LAND USE

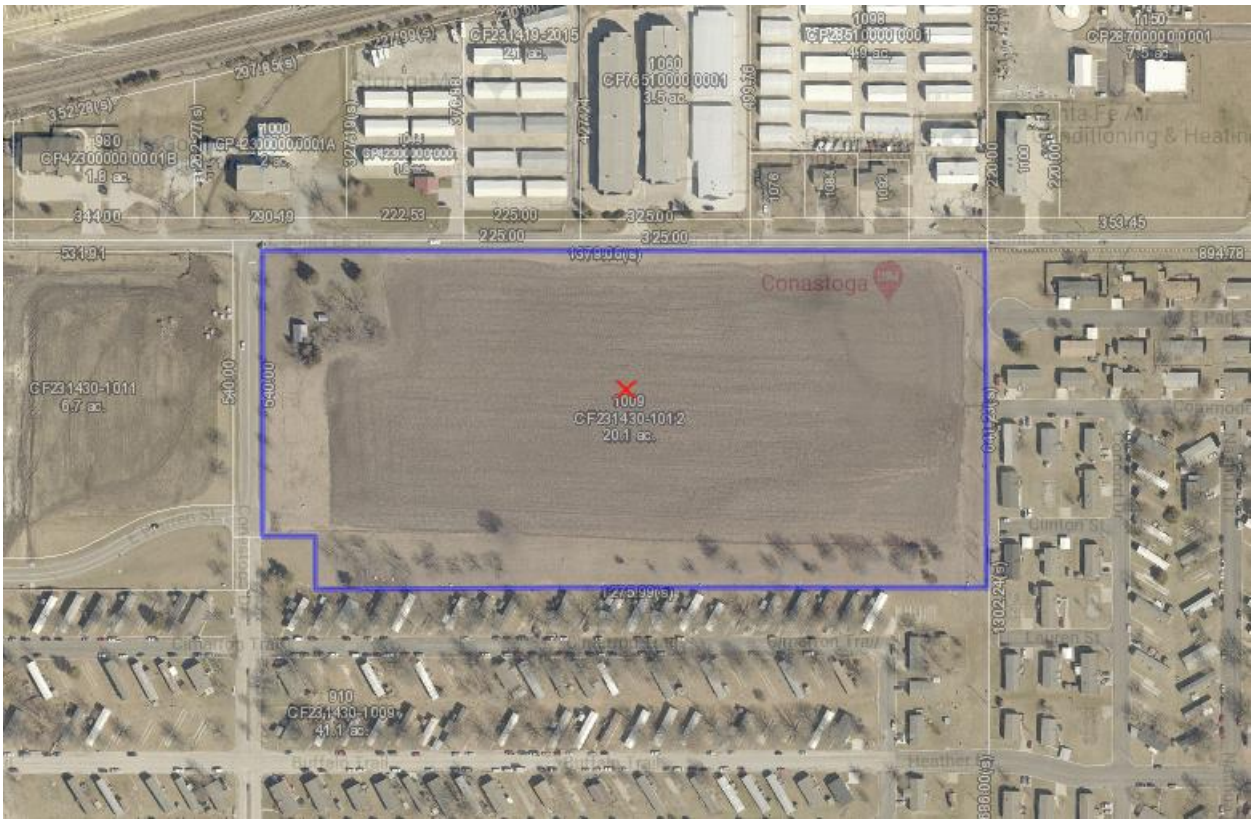
The site is currently zoned RM-P (Residential Manufactured and Mobile Home Planned District) and is undeveloped land in agricultural use.

SURROUNDING ZONING AND LAND USE

Zoning	Use(s)
North of subject property	
M-1 (Restricted Industrial) District	Pet Supply Store (Pets Go Here)
M-2 (General Industrial) District	Outdoor Self Storage (StorageMart)
C-3 (Heavy Commercial) District	Outdoor Self Storage (StorageMart and Attic Storage of Gardner) Single-Family Residential (3 unplatted homes)
MP-1 (Planned Restricted Industrial) District	Outdoor Self Storage (Gardner Auto Body & Towing and Outback Storage
East of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
South of subject property	
M-P (Mobile Home Park) District	Mobile Home Park
West of subject property	
CP-3 (Planned Commercial) District	Undeveloped land
R-2 (Two-Family Residential) District	Undeveloped land

EXISTING CONDITIONS

The property is currently unplatted and undeveloped. The proposed future development will be accessed from an existing collector street (Conestoga Drive) to the west and an existing private neighborhood street (Park Street) to the east. All utilities are available to this site and will be serviced by the City of Gardner. Existing sanitary sewer lines are located to the north along E Santa Fe Street, to the east of the property along proposed Private Street F, and along the southern property line. Underground electric lines exist near all property lines and existing water lines are located along the north, east, and west property lines.



BACKGROUND / HISTORY

The property was annexed on March 6, 1978 per Ordinance 1337. Currently, the property is not in use. At the time the property was annexed into the City, the property was zoned for retail business uses in 1971 and 1973, and a mobile home park in 1973 by the Gardner Township Zoning Board as part of Johnson County Government. In approximately 1982, a portion of the property was rezoned to R-2 (Two-Family Residential district) but was not developed and has remained undeveloped since.

CONSISTENCY WITH COMPREHENSIVE PLAN

The *Future Land Use Map* identifies this parcel for “Light Industrial & Office Park” future land use, which is described as areas with uses primarily consisting of light manufacturing, general office, and distribution. The Industrial Areas Plan, located in the Land Use and Development chapter of the Comprehensive Plan, further defines this parcel as “Local Industrial,” which is defined as “smaller pockets of manufacturing and light industrial operations that have a close relationship to adjacent residential or commercial areas and require unique strategies to ensure that they remain

vital, and do not negatively impact nearby uses." Although the parcel subject to this project is not in conformance with the *Future Land Use Map*, staff is supportive of the development request for the following reasons:

- The proposed site is located directly adjacent to existing manufactured/mobile home residential communities, with industrial and commercial type uses located to the north of the property across E Santa Fe Street and to the west of the property across Conestoga Drive, which act as a natural buffer between conflicting uses. The proposed development will be a continuation of the already existing residential development of the immediate surrounding area. Additional landscaping and design features have been provided by the applicant along the public right-of-way to enhance the buffer between uses.
- The development, as proposed, will provide affordable and attainable housing options for the people residing and working in the City of Gardner.

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.*

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.*

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

   Staff Comment: *The Public Improvement Plan has been submitted, reviewed, and approved by Public Works, ensuring the construction of public improvements complies with City of Gardner performance specifications and guarantees.*

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 platted previously 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 public open space / parkland dedication. The Lakes of Conestoga plat does not include separate Tracts designated as public open space or right-of-way dedicated for arterial type streets. Therefore, the entire property is subject to excise tax that shall be paid prior to the release of the final plat for recording.

STAFF ANALYSIS – INFRASTRUCTURE / OTHER

ELECTRIC

Underground electric lines are currently installed along all property lines and is to be extended into the property to serve the future development. Appropriate electric easements have been provided as requested.

SANITARY SEWER

The subject property is within the City of Gardner sanitary sewer service area. Sanitary sewer service will be extended into the property through 8" sanitary sewer lines to serve the future development. Appropriate sanitary sewer easements have been provided as requested.

WATER

Existing public water lines are located adjacent to the site and easements have been provided as requested. However, the applicant is showing public utility easements on the plat, which are to be dedicated to the City, but is proposing a private water system to service the development. The applicant is currently in discussions with the Utility Department regarding water provision and the potential use of private lines to serve the individual mobile home sites.

STORM WATER

Public Works has reviewed and approved the submitted Stormwater Management Plan, dated August 28, 2020. A stormwater retention pond has been integrated into this project to capture the development's onsite runoff. The applicant has increased the size of the basin in order to be able to have a larger wet feature designed to be an amenity for the entire neighborhood

ROADWAY NETWORK; VEHICULAR ACCESS; SIDEWALKS

The applicant is planning to extend Park Street (adjacent existing private street with temporary cul-de-sac) west throughout the development to connect with Conestoga Drive (collector street) and will construct five (5) internal private street networks within the subject property, Private Streets B, C, D, E, and F, that extend south and provide individual home site access. It is important to note that these internal private streets do not connect to adjacent street networks, and are dead-end streets with hammerhead style turnarounds.

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 have been met and the applicant has proposed a 5' sidewalks to be installed on both sides of all internal streets. Additionally, the applicant has provided sidewalk connections along Santa Fe Street that connect to existing sidewalks along Conestoga Drive and to adjacent properties.

FIRE SERVICE

Fire service is provided by Johnson County Fire District 1

ATTACHMENTS

I. Final Plat FP-20-11
II. Application

RECOMMENDATION

Staff recommends approval of the final plat for the Lakes of Conestoga subject to the following conditions:

1. Approval of final development plan

Recommended Motion:

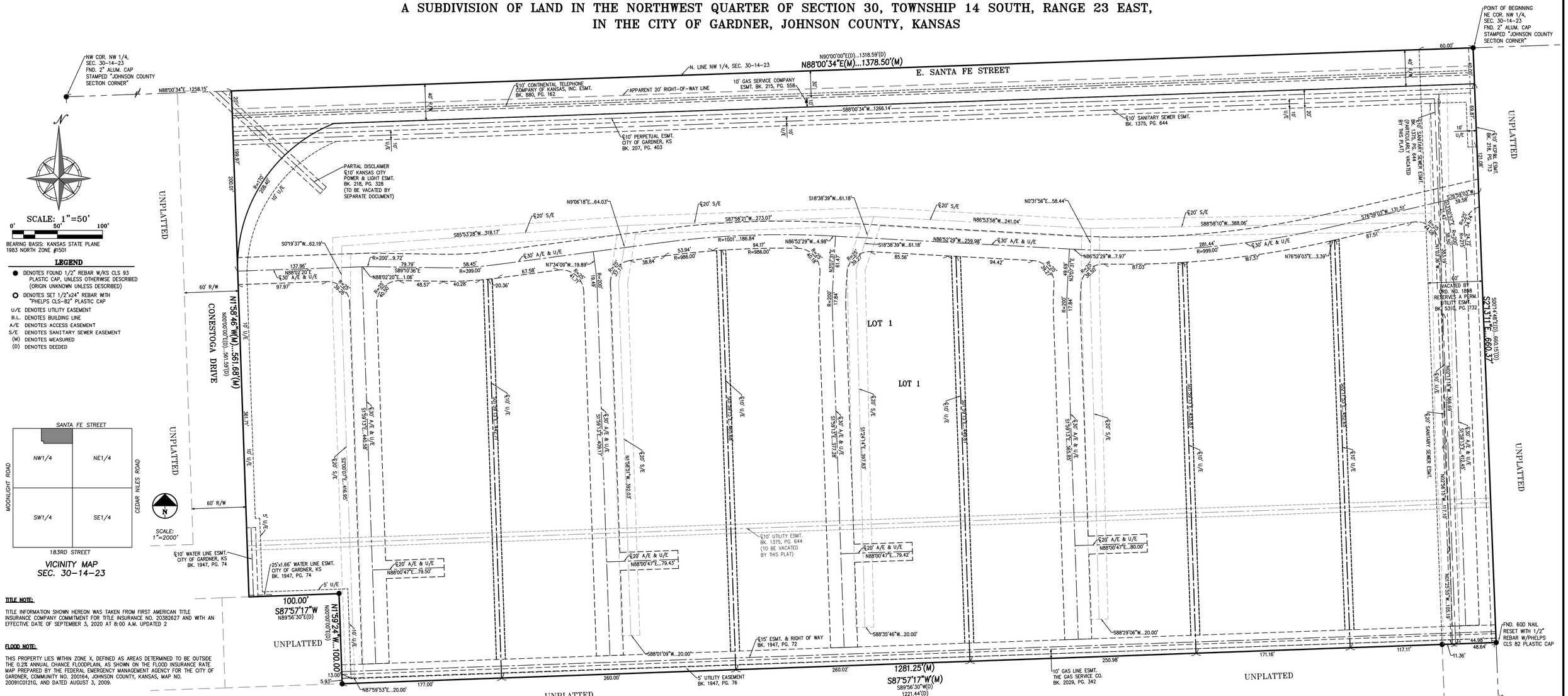
After review of application FP-20-11 a final plat for the Lakes of Conestoga, dated January 15, 2021 and staff report dated January 26, 2021, the Planning Commission recommends the Governing Body approve the applications subject to the following conditions:

1. Approval of final development plan

FINAL PLAT OF

LAKES OF CONESTOGA

A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 14 SOUTH, RANGE 23 EAST, IN THE CITY OF GARDNER, JOHNSON COUNTY, KANSAS



TITLE NOTE:

TITLE INFORMATION SHOWN HEREON WAS TAKEN FROM FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 2038262 7 AND WITH AN EFFECTIVE DATE OF SEPTEMBER 3, 2020 AT 8:00 A.M. UPDATED 2

FLOOD NOTE:

THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF GARDNER, COMMUNITY NO. 200164, JOHNSON COUNTY, KANSAS, MAP NO. 20091C0121G, AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION

All that part of the Northwest Quarter of Section 30, Township 14 South, Range 23 East, in the City of Gardner, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northeast corner of the Northwest Quarter of said Section 30, thence S 2°13'11" E (S 0°14'48"E deeded), along the East line of the Northwest Quarter of said Section 30, a distance of 660.37 feet (660.15 feet deeded); thence S 87°57'17" W (S 89°56'30" W deeded), a distance of 1281.25 feet; thence N 1°59'24" W (N 00°00'00" E deeded), a distance of 100.00 feet; thence S 87°57'17" W (N 89°56'30" E deeded), a distance of 100.00 feet; thence N 1°58'46" W (N 00°00'00" E deeded), a distance of 561.68 feet (561.59 feet deeded) to a point on the North line of the Northwest Quarter of said Section 30; thence N 88°00'34" E (N 90°00'00" E deeded), along the North line of the Northwest Quarter of said Section 30, a distance of 1378.50 feet to the point of beginning, containing 20.7102 acres, more or less, unplatted land.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "THE LAKES OF CONESTOGA".

DEDICATION

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 and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of 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 proprietors hereby absolve and agree 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, gas, poles, wires, ducts and cable, 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 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 lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the City of Gardner, Johnson County, Kansas or their assigns.

Permanent Access Easement rights for vehicular and pedestrian ingress and egress and cross traffic is hereby granted to the owners and occupants and their guests in the areas outlined and designated on this plat as "Access Easement" or "A/E".

All public easements lying within the above described tract of land and are not shown hereon are hereby vacated by virtue of KSA 12-512(b) as amended.

All common areas and open space shall be maintained by the property owner.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby consent and agree that the Board of County Commissioners of 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 such dedicated public ways or thoroughfares.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____

CONESTOGA EXPANSION, L.L.C.

By: _____
John Lyons, Member

ACKNOWLEDGEMENT

STATE OF)
) SS
COUNTY OF)

BE IT REMEMBERED that on this _____ day of _____, 20_____, before me, the undersigned, a Notary Public in and for said County and State, came John Lyons, Member of Conestoga Expansion, L.L.C., who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

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

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

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

_____
Chairman: Scott Boden

APPROVED BY: the Governing Body of the City of Gardner, Johnson County, Kansas, this ____ day of _____, 20____.

_____ _____ Attest_____

Mayor: Steve Shute

City Clerk: Sharon Rose

I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN DECEMBER 2020, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

THOMAS DWAYNE PHELPS LICENSED LS-1075 KANSAS LAND SURVEYOR

BY: _____
THOMAS D. PHELPS, KS LS-1075

CERTIFICATE OF AUTHORIZATION
KANSAS
LAND SURVEYING – LS-82
ENGINEERING – E-391

CERTIFICATE OF AUTHORIZATION
MISSOURI
LAND SURVEYING–2007001128
ENGINEERING–2007005058

PLANNING
ENGINEERING
IMPLEMENTATION

PHELPS ENGINEERING, INC
1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166

Error Closure: 0.003448 North: -0.0028720 East: 0.0019081 Perimeter: 4081.802' Precision 1:1183817

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) Heather A. and Ronald E. Rutler / Karen R. and Mark W. Lewis

Contact _____

Address 17767 S Laverty Street / 5 Tara Drive

City Olathe / St. Joseph State KS/MO Zip 66062 / 64507

Phone _____ Email _____

APPLICANT/AGENT INFORMATION

Name(s) Green Courte Acquisition IV, LLC, by Polsinelli PC, its agent

Contact Curtis Holland

Address 900 W. 48th Place, Suite 900

City Kansas City State MO Zip 64112

Phone 913-234-7411 Email cholland@polsinelli.com

SITE INFORMATION

Property Address/Location 1009 E Santa Fe Street

Legal Description (Attach If Necessary) See Attached

Number of Existing Lots N/A Number of Proposed Lots 1

Total Site Area 20.7 Acres Present Zoning RM-P

Number of Existing Structures 0 Present Land Use Undeveloped

Proposed Street Design Type(s) & Class Private Streets designed to Local Standard Street Type

Proposed Type(s) Open & Civic Space Green

Proposed Frontage Type(s) Suburban Yard

Proposed Building Types(s) N/A

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): Curtis M. Holland Date December 11, 2020

_____ 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**
☑	☐	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). Not applicable.
☑	☐	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) Not required.
☐	☐	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.

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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). Not applicable.
☐	☑	15. **Stream corridor boundary** and dimensions. Not applicable.
☑	☐	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):

_____

_____

_____

_____

_____

_____

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.

Curtis M. Holland

Signature of Applicant

December 11, 2020

Date