

EDGERTON PLANNING COMMISSION
REGULAR SESSION AGENDA
Edgerton City Hall
August 11, 2020
7:00 P.M.

Executive Order 20-52 issued by Governor Kelly requires any person in Kansas to cover their mouth and nose with a mask or other face covering when they are in inside any public space such as City Hall. Executive Order 20-52 includes a number of exemptions, including children 5 and younger and those with medical conditions that prevent mask use. The entire executive order may be found here: <https://governor.kansas.gov/executive-order-no-20-52/>

1. Call Meeting to Order

2. Pledge of Allegiance

3. Roll Call

4. **CONSENT AGENDA**

(Consent Agenda items will be acted upon by one motion unless a Planning Commissioner requests an item be removed for discussion and separate action.)

A. MINUTES

Consideration of the Planning Commission meeting minutes for July 14, 2020.

5. **NEW BUSINESS**

A. PUBLIC HEARING – PRELIMINARY PLAT FOR 321 E. MARTIN ST – APPLICATION PP2020-02

Hold a public hearing in consideration of Application PP2020-02 for a Preliminary Plat located at 321 E. Martin Street.

Applicant: Shirley Hill

Agent: Lee Hermreck, McClure Engineering Co.

B. FINAL PLAT FOR 321 E. MARTIN ST – APPLICATION FP2020-02

Consideration of Application FP2020-02 for a Final Plat located at 321 E. Martin Street.

Applicant: Shirley Hill

Agent: Lee Hermreck, McClure Engineering Co.

6. Future Meetings

- Regular Session – September 8, 2020 at 7:00 PM

7. Adjourn

EDGERTON CITY HALL
PLANNING COMMISSION MEETING
REGULAR SESSION
July 14, 2020

The Edgerton Planning Commission met in regular session with Chair John Daley calling the meeting to order at 7:13 PM.

All present participated in the Pledge of Allegiance.

The Roll Call was answered, indicating those present were Commissioner Jeremy Little, Commissioner Deb Lebakken, Commissioner Charlie Crooks, Commissioner Tim Berger, and Chair John Daley. Also present were Development Services Director Katy Crow and Planning and Zoning Coordinator/City Clerk Chris Clinton.

The Planning and Zoning Coordinator/City Clerk announced a quorum was present.

CONSENT AGENDA

MINUTES

The approval of the minutes from the Regular Session held on June 9, 2020 were considered.

REVISED FINAL SITE PLAN FOR KUBOTA – APPLICATION FS2020-05

Application FS2020-05 for a Revised Final Site Plan of Final Site Plan FS2018-08, Kubota located at 31600 W 207th Street was considered.

REVISED FINAL SITE PLAN FOR INLAND PORT XXI – APPLICATION FS2020-06

Application FS2020-05 for a Revised Final Site Plan of Final Site Plan FS2018-05, Inland Port XXI (UPS Fueling Station) located at 19400 Essex Street was considered.

Chairman Daley asked what the revisions were to each Final Site Plan. Ms. Katy Crow, Development Services Director, answered Kubota is adding a fuel tank and UPS is adding one quick fill Compressed Natural Gas pump. Commissioner Crooks inquired what kind of tank Kubota was installing. Ms. Crow replied it is an above ground diesel tank. Chairperson Daley asked if there was already a tank on site. Ms. Crow stated there is not and reminded the Planning Commission that to discuss a Consent Agenda item, it must be removed from the Consent Agenda and considered as a stand alone item.

Commissioner Berger motioned to approve the consent agenda; Commissioner Lebakken seconded the motion. The consent agenda was approved, 5-0.

FUTURE MEETING

The next Planning Commission meeting is scheduled for August 11, 2020 at 7:00 PM. Ms. Crow explained there is a Preliminary and Final Plat application to combine four small parcels into one larger one so a new house can be constructed on the land.

ADJOURNMENT

Edgerton Planning Commission
Regular Session
June 14, 2020
Page 2

Motion by Commissioner Berger to adjourn the meeting, Commissioner Lebakken seconded. Motion was approved, 5-0. The meeting was adjourned at 7:16 PM.

Submitted by Chris Clinton, Planning and Zoning Coordinator/City Clerk

STAFF REPORT

August 11, 2020

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **PP2020-02** Preliminary Plat for *Block 11, Lots 1 - 5* located at 321 E. Martin Street, Edgerton, Kansas.

APPLICATION INFORMATION

Applicant: Shirley Hill
1010 W. 3rd Street
Edgerton, KS 66021

Property Owner: Shirley Hill
1010 W. 3rd Street
Edgerton, KS 66021

Requested Action: Preliminary Plat approval for *Block 11, Lots 1 - 5*

Legal Description: City of Edgerton Lot 1 - 5 Block 11; see attached application for complete legal description.

Site Address/Location: 321 E. Martin Street, Edgerton, KS 66021

Existing Zoning and Land Uses: Parcels contain R-1 (Single Family) District Zoning Designation.

Existing Improvements: Single family home with two free standing garages

Site Size: Approximately 0.373 acres

DESCRIPTION

Application **PP2020-02** requests approval of a Preliminary Plat to replat Lots one (1) through five (5) in Block eleven (11) in the City of Edgerton located at 321 E. Martin Street, into one lot. These parcels were originally platted in 1870. The current lot sizing is too narrow to build a single-family home on per the current Unified Development Code (UDC) for R-1 zoning. The applicant wishes to replat the smaller lots into one lot, so that the lot width will meet the UDC requirements for constructing a new single-family dwelling.

INFRASTRUCTURE AND SERVICES

1. There has not been an established drive entrance onto the property in quite some time. Per Johnson County AIMS aerial mapping, it appears that back in 2012 there was an access

drive from E. 4th Street to one of the garages. The house faces E. Martin Street and is addressed as such.

2. Utilities and service providers.
 - a. Water Service – City of Edgerton
 - b. Sanitary Sewer – City of Edgerton
 - c. Electrical Service – Evergy
 - d. Gas Service – Kansas Gas Service
 - e. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Parcel is located within the Bull Creek watershed.

PRELIMINARY PLAT REVIEW

Staff has reviewed the Final Plat submittal for compliance with the Approved Final Plat requirements in Article 13, Section 13.3 of the Edgerton Unified Development Code. Review comments are listed below.

Content of Preliminary Plat

1. Complete outline drawing of all boundaries, lots, and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines. *Found monuments supporting the set monuments are not shown. The survey must show how the lines were established. Update Preliminary Plat.*
2. A copy of the proposed restrictive covenants. ***None provided.***

RECOMMENDATION

City staff recommends **approval** of Application **PP2020-02** Preliminary Plat for *Block 11, Lots 1-5*, subject to compliance with the following stipulations:

1. All Preliminary Plat requirements of the City listed above shall be met or addressed.
2. Preliminary plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

ATTACHMENTS

- Application PP2020-02
- Preliminary Plat for 321 E. Martin Street

☐ INITIAL SUBMISSION☐ RE-REVIEW

NAME OF PROPOSED SUBDIVISION: _____

LOCATION OR ADDRESS OF SUBJECT PROPERTY: _____

LEGAL DESCRIPTION: _____

CURRENT ZONING ON SUBJECT PROPERTY: _____ CURRENT LAND USE: _____

TOTAL AREA: _____ Acres NUMBER OF LOTS: _____ AVG. LOT SIZE: _____ Sq. Ft.

DEVELOPER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____

Street

City

State

Zip

PROPERTY OWNER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____

Street

City

State

Zip

ENGINEER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____

Street

City

State

Zip

SIGNATURE OF OWNER OR AGENT: _____

If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Application No.: _____ Application Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Publication Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Received By: _____

PRELIMINARY PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting.

NOTICE REQUIREMENTS: The City shall publish notice of the public hearing at least twenty (20) days prior to the hearing in the official City newspaper.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the preliminary plat and other material submitted with it to determine conformity with the comprehensive plan and these regulations. The Planning Commission shall act upon the plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period. If the subdivider submits the preliminary and final plats concurrently, the time period shall be ninety (90) days.

APPROVAL LIMITATIONS: The Planning Commission shall approve or deny the preliminary plat as submitted or may approve the plat as submitted subject to specified changes. Upon denial, the Planning Commission must give reason for the denial. If a preliminary plat is denied the applicant shall not submit the same proposal again for a period of one year without written approval of the Planning Commission. Tentative approval shall not constitute a final acceptance of the plat, but authorizes preparation of the final plat. No grading for streets or construction of improvements shall take place in the subdivision prior to approval and endorsement of the final plat and the submittal to and approval of construction plans and drainage plans by the Governing Body. The preliminary plat shall be approved for a one-year period and shall be extended for an additional year upon the approval of a final plat for the same parcel of land or any part thereof. If a final plat is not approved for a portion or all of the land covered under the preliminary plat within one year, the preliminary plat shall be ruled null and void. The Planning Commission upon submittal and approval of a written request may grant a one-year extension on the approval of the preliminary plat.

GENERAL DESIGN STANDARDS

1. Rights-of-way must conform to the current standards of the American Public Works Association, and greater widths may be required by the Zoning Administrator after preliminary review; utility easements must be a minimum of fifteen (15) feet wide or seven and one-half (7.5) feet for appurtenant utility easements on interior lots. Street lighting and fire hydrants must be indicated in areas planned for residential use. Cul-de-sacs are limited to eight hundred (800) feet in length.
2. All portions of the tract being subdivided shall be taken up in lots (or phases), streets, planned open areas or other uses so that remnants and landlocked areas are not created.
3. All lots must front on a public right-of-way. The Zoning Administrator may grant a waiver from this requirement and allow permanent travel easements when appropriate. When a subdivision is located along arterial roads, adequate buffers must be maintained between the right-of-way and the building line. Residential structures shall have their front on interior roads.
4. Corner lots shall have minimum side-yard setbacks of twenty (20) feet to the street right-of-way and nine (9) feet to the property line of the adjacent interior lot unless approved by the Zoning Administrator.
5. Side lot lines shall be substantially at right angles to street lines.
6. Drainage and watercourse easements are required. Building setbacks from watercourses should be measured from the thread of the stream. Flowage easements may be used to calculate required minimum lot sizes.
7. The lot depth to front lot width ratio shall be no more than 3 to 1.
8. If the development is to be served with public water or sewer, the plat must bear a notation that the subdivision is to be served by these facilities. The Zoning Administrator may not issue a building permit for a lot notated "SERVICED BY PUBLIC WATER/SEWER" without written verification from the public water or sewer district that all distribution or collection lines have been installed and that all lots are either connected or are capable of being connected to central utilities.

CHECKLIST

The following items shall be included on the preliminary plat.

- ☐ A North point and scale which is appropriate to the size of the development: one inch equals 50, 100, 150 or 200 feet is typical.
- ☐ A legal description and current zoning.
- ☐ Names of: Applicant, Subdivision & Streets.
- ☐ Name and seal of surveyor/engineer.
- ☐ Date surveyed.
- ☐ Adequate legend and vicinity map.
- ☐ Signature blocks and date of review of Zoning Administrator, City Engineer, Chair of Planning Commission and Mayor.
- ☐ Complete outline drawing of all boundaries, lots and streets, together with courses, distances and areas. Boundaries must be shown as solid lines and all easements as dashed lines.
- ☐ Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, walkways, access and other purposes.
- ☐ Proposed location of streets, sidewalks, sanitary sewers, storm water sewers, water mains and fire hydrants. Plat must show that the water distribution system and the sanitary sewer collection system touch upon each lot, or in an easement appurtenant to each lot.
- ☐ Total acreage and size of each lot.
- ☐ Contours at vertical intervals of 4 feet or less.
- ☐ Setbacks, yards and any entrance restrictions. Setbacks shall be shown as a building envelope representing that portion of the lot within the yards and setbacks that can reasonably contain, depending upon watercourses, topography or geology, the principal structure and the lateral field (if a lateral field is used).
- ☐ A copy of the proposed restrictive covenants.

**PROPERTY OWNER NOTIFICATION LETTER**Case No.: PP2020-02Dear Sir or Madam: 307 E. Nelson, 312 E. Martin, 313 E. Nelson,
319 E. Nelson, 321 E. Nelson,
This letter is to notify you that a public hearing will be held at the Edgerton City Hall, 404 E. Nelson St., Edgerton, Kansas, to consider a Preliminary Plat

on the following described tract of land:

Legal Description: Beginning at the Northeast corner of aforesaid Lot 1, being the intersection of the West right-of-way line of Fourth Street and the South right-of-way line of Martin
Street, as both streets are now established; thence S01°31'38"E along the West right-of-way line of said Fourth Street, being also along the East
line of said Lot 1, a distance of 130.00 feet to the Southeast corner of said Lot 1; thence S88°28'22"W along the South line of said Lots 1-5, being also along the North line of a 10 feet wide alley,
as now established, a distance of 125.00 feet to the Southwest corner of said Lot 5, being also the Southeast corner of Lot 6, of said Block 11; thence N01°31'38"W along the West line of said Lot 5,
being also the East line of said Lot 6, a distance of 130.00 feet to the Northwest corner of said Lot 5, being also a point on the South right-of-way line of said Martin Street; thence N88°28'22"E
along the North line of said Lots 1-5, being also the South right-of-way line of said Martin Street, a distance of 125.00 feet to the Point of Beginning.

General Location: _____
Lots 1-5, Block 11, in Town of Martin, commonly called Edgerton, in Johnson County, Kansas

A public hearing will be held to consider the request on the above-described tract at 7:00 p.m. on August 11, 2020. Any interested persons or property owners are invited to attend. Information regarding this application is available in the office of the City Clerk at City Hall or by phone at (913) 893-6231. You may also contact the undersigned for additional information regarding this request.

Respectfully,

Shirley Hill

Applicant (or Owner or Agent)

ADDRESS: <u>1010 W. 3rd Street</u>	<u>Edgerton</u>	<u>KS</u>	<u>66021</u>
Street	City	State	Zip

PROPERTY OWNER NOTIFICATION AFFIDAVIT

Case No.: PP2020-02

I, Shirley Hill, of lawful age being first duly sworn upon oath, state:

That I am the owner (agent, owner, attorney) for the property for which the application was filed and did, not later than twenty (20) days prior to the date of the public hearing scheduled before the Edgerton Planning Commission, mail certified notice to all persons owning property within the notification area (two hundred (200) feet in the City of Edgerton, one thousand (1,000) feet in the unincorporated area of the subject property) in compliance with the Unified Development Code.

These notices were mailed on the 17th day of July, 2020.

Shirley M Hill
Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 17th day of July, 2020.

Christopher Clinton
Notary Public

My Commission Expires: 3-2-2024 (SEAL)
Date



PRELIMINARY PLAT
A REPLAT OF BLOCK 11, LOTS 1-5,
TOWN OF MARTIN (EDGERTON)
EDGERTON, JOHNSON COUNTY, KANSAS
NE ¼, SEC. 7-T15S-R22E

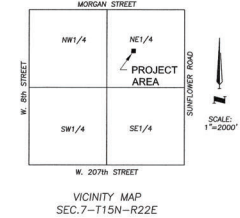
OWNERS:
SHIRLEY HILL
1010 W. 3rd STREET
EDGERTON, KS 66021
785-969-5815
SHIRLEY@HRSOLUTIONSKC.COM
ATTN: SHIRLEY HILL

ENGINEER:
MCCLURE
1700 SWIFT AVE. SUITE 100
NORTH KANSAS CITY, MO. 64116
816-756-0444
LHERMRECK@MCCRESULTS.COM
ATTN: TUFF HERMRECK

MCCLURE™
making lives better.

1700 Swift Street, STE 100
North Kansas City, Missouri 64116
816-756-0444
fax 816-756-1763

GENERAL LEGEND	
---	SURVEY BOUNDARY
---	EXIST PROPERTY LINE
---	SECTION LINE
---	SETBACK LINE
---	EXIST EASEMENT
---	SIDEWALK
---	CONCRETE
---	ASPHALT
XX	FIRE HYDRANT
▼	FLOOD LIGHT
⊕	GAS METER
⊕	METAL LID
⊕	SANITARY SEWER CLEANOUT
+	SIGN- SINGLE POST
+	WATER METER
+	WATER VALVE
+	UTILITY POLE
+	CONIFEROUS TREE
+	DECIDUOUS TREE
IR	IRON ROD
FL	FLOW LINE



LEGAL DESCRIPTION:

TRACT 1:
LOTS 1 AND 2, BLOCK 11 IN TOWN OF MARTIN, COMMONLY CALLED EDGERTON, IN JOHNSON COUNTY, KANSAS.

TRACT 2:
LOTS 3, 4 AND 5, BLOCK 11 IN TOWN OF MARTIN, COMMONLY CALLED EDGERTON, IN JOHNSON COUNTY, KANSAS.

SETBACK SUMMARY: ACCORDING TO THE EDGERTON UDC SET BACKS ARE AS FOLLOWS:

	FRONT SETBACK:	SIDE SETBACK:	REAR SETBACK:
PRINCIPAL BUILDING:	35'	9'	20% OF LOT DEPTH UP TO 40'
CORNER LOTS:	35'	9' & 20'	20% OF LOT DEPTH UP TO 40'
ACCESSORY BUILDING:	35'	9'	35'

DETACHED ACCESSORY BUILDINGS IN DISTRICT R-1 SHALL NOT EXCEED TEN (10) PERCENT OF THE TOTAL LOT SIZE OR ONE THOUSAND FIVE HUNDRED (1500) SQUARE FEET. REGARDLESS OF SIDE OR REAR YARD RESTRICTIONS, NO STRUCTURE MAY BE PLACED CLOSER THAN TWO (2) FEET TO A DEDICATED EASEMENT. PRINCIPAL BUILDINGS SHALL HAVE AN AREA OF NO LESS THAN ONE THOUSAND (1000) SQUARE FEET.

ZONING: ACCORDING TO JOHNSON COUNTY AIMS, THE SUBJECT PROPERTY IS ZONED R-1

FLOOD ZONE: WE HAVE REVIEWED THE "FLOOD INSURANCE RATE MAP", COMMUNITY PANEL NO. 20091C0132G, EFFECTIVE AUGUST 3, 2009 AS PUBLISHED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. OUR REVIEW OF THIS MAP INDICATES THAT THIS PARCEL OF LAND LIES WITHIN ZONE X, WHICH IS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN."

BENCHMARK 1: **ELEVATION: 989.74**
SET 5 PUNCH MARKS ON THE EAST FLANGE BOLT OF A FIRE HYDRANT IN THE NORTHWEST QUADRANT OF 4th & MARTIN STREET.

NOTES:
1. BASIS OF BEARINGS: KANSAS STATE PLANE, NORTH ZONE.

CERTIFICATE:

REVIEWED BY THE EDGERTON CITY ENGINEER THIS _____ DAY OF _____, 2020 BY

DAVID HAMBY, CITY ENGINEER

RECEIVED AND PLACED ON RECORD THIS _____ DAY OF _____, 2020 BY

KATY CROW, ZONING ADMINISTRATOR

REVIEWED AND AUTHORIZED PREPARATION OF FINAL PLAT BY THE CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2020 BY
JOHN DALEY, CHAIR OF PLANNING COMMISSION

APPROVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS ON THE _____ DAY OF _____, 2020 BY

ATTEST:
DONALD ROBERTS, MAYOR
CHRIS CLINTON, CITY CLERK



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF KANSAS.



LEE A. HERMRECK, KS-LS-12524
THE SURVEY WAS COMPLETED ON
MAY 14, 2020



EDGERTON, JOHNSON COUNTY, KANSAS

201006-000

REVISIONS:

1.
2.
3.
4.

ENGINEER: J. BURNETTE
SURVEYOR: L. HERMRECK
DRAWING NO.: SHEET NO.:
01/01

STAFF REPORT

August 11, 2020

To: Edgerton Planning Commission
Fr: Chris Clinton, Planning and Zoning Coordinator
Re: **FP2020-02** Final Plat for *Block 11, Lots 1 - 5* located at 321 E. Martin Street, Edgerton, Kansas.

APPLICATION INFORMATION

Applicant: Shirley Hill
1010 W 3rd Street
Edgerton, KS 66021

Property Owner: Shirley Hill
1010 W 3rd Street
Edgerton, KS 66021

Requested Action: Final Plat approval for *Block 11, Lots 1 - 5*

Legal Description: City of Edgerton Lot 1-5 Block 11; see attached application for complete legal description.

Site Address/Location: 321 E. Martin Street, Edgerton, KS 66021

Existing Zoning and Land Uses: Existing zoning – R-1 (Single Family) District; residential

Existing Improvements: Single family dwelling and two free standing garages

Site Size: Approximately 0.373 Acres

PROJECT DESCRIPTION

Application **FP2020-02**, Final Plat for *Block 11, Lots 1-5*, requests approval for platting five (5) lots into one (1) lot. The new lot would have frontage along the south side of East Martin Street right-of-way and the west side of East Fourth Street. This Final Plat request is being made in preparation of construction of a new single-family dwelling. This Final Plat request aligns with the request made with Preliminary Plat Application PP2020-02, also presented to the Planning Commission on August 11, 2020. This Final Plat application joins four (4) existing parcels into one. These lots were previously platted in 1870. The existing lot sizes are too narrow to meet the lot size requirement in existence today for single family homes. The applicant wishes to bring the parcels into compliance of the Unified Development Code (UDC) in order to build a new single-family dwelling. The new lot size will be 125' wide by 130' deep.

Subject Property



INFRASTRUCTURE AND SERVICES

1. There has not been an established drive entrance onto the property in quite some time. Per Johnson County AIMS aerial mapping, it appears that back in 2012 there was an access drive from E. 4th Street to one of the garages. The house faces E. Martin Street and is addressed as such.
2. Utilities and service providers.
 - a. Water Service – City of Edgerton
 - b. Sanitary Sewer – City of Edgerton
 - c. Electrical Service – Evergy
 - d. Gas Service – Kansas Gas Service
 - e. Police protection is provided by the City of Edgerton through the Johnson County Sheriff's Office.
 - f. Fire protection is provided by Johnson County Fire District #1.
3. Parcel is located within the Bull Creek watershed.

FINAL PLAT REVIEW

Staff has reviewed the Final Plat submittal for compliance with the Approved Final Plat requirements in Article 13, Section 13.3 of the Edgerton Unified Development Code. Review comments are listed below.

1. The instrument of survey which shows the point of beginning, corners, bearing, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumented with a 2" x 24" metal bar. *Plat does not appear to meet the Kansas Minimum Standards for Boundary Surveys. The found monuments supporting the set monuments are not shown on the document to indicate how the lines were established. Update Final Plat to meet Kansas Minimum Standards for Boundary Surveys.*
2. Certificate of the Governing Body with City Clerk's attest and Seal. *The signature line is missing for the City Clerk (Chris Clinton). Update Final Plat.*
3. Certificate of the Register of Deeds. *Certificate needs to be added to plat. Upon filing Final Plat with Johnson County Records and Tax Administration the Book/Page information will be added.*

RECOMMENDATION

City staff recommends **approval** of Application **FP2020-02** Final Plat for *Block 11, Lots 1-5*, subject to compliance with the following stipulations:

1. The commencement of any improvements shall not occur prior to the approval and endorsement of the Final Plat and the submittal to and approval of construction plans for all streets, sidewalks, storm water sewers, sanitary sewers, and water mains contained within the Final Plat by the Governing Body. The property owner and/or developer shall work with City staff to determine the best possible placement for a storm water easement and shall dedicate said storm water easement on the Final Plat.
2. The applicant shall meet all requirements of Recording a Final Plat as defined in Section 13.5 of the Edgerton Unified Development Code, including payment of excise tax.
3. The applicant shall meet all requirements of Financial Assurances as defined in Section 13.7 of the Edgerton Unified Development Code.

4. All City Engineer comments related to the Stormwater Management Plan must be addressed.
5. All Final Plat requirements of the City listed above shall be met or addressed prior to recording of the Plat.
6. If the Final Plat is not recorded with the Johnson County Register of Deeds within one year after acceptance by the Governing Body, the plat will expire. Planning Commission re-approval and Governing Body re-acceptance is required for expired Final Plats.

ATTACHMENTS

- Application FP2020-02
- Final Plat, *Block 11, Lots 1-5*

☐ INITIAL SUBMISSION☐ RE-REVIEW

NAME OF PROPOSED SUBDIVISION: _____

LOCATION OR ADDRESS OF SUBJECT PROPERTY: _____

LEGAL DESCRIPTION: _____

CURRENT ZONING ON SUBJECT PROPERTY: _____ CURRENT LAND USE: _____

TOTAL AREA: _____ Acres NUMBER OF LOTS: _____ AVG. LOT SIZE: _____ Sq. Ft.

DEVELOPER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State Zip

PROPERTY OWNER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State Zip

ENGINEER'S NAME(S): _____ PHONE: _____

COMPANY: _____ FAX: _____

MAILING ADDRESS: _____
Street City State ZipSIGNATURE OF OWNER OR AGENT: _____
If not signed by owner, authorization of agent must accompany this application.

NOTE: Ten (10) copies of the proposed preliminary plat must accompany this application for staff review. One (1) reduced copy (8 ½ x 11) must also be submitted with the application.

FOR OFFICE USE ONLY

Application No.: _____ Application Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Publication Fee Paid: \$ _____ Date Fee Paid: _____ Receipt # _____

Received By: _____

FINAL PLAT INSTRUCTIONS

SUBMITTAL DEADLINE: The applicant shall submit an application at least forty-five (45) days prior to a scheduled meeting. If the final plat complies with the preliminary plat, Planning Commission and Governing Body may consider approval without notice or public hearing.

PLANNING COMMISSION REVIEW AND DECISION: The Edgerton Planning Commission meets in the City Hall on the second Tuesday of every month. The Planning Commission shall review the final plat and other material submitted with it to determine conformity preliminary plat. The Planning Commission shall act upon the final plat within ninety (90) days after submission, unless the subdivider shall waive or consent to an extension of the ninety (90) day period.

GOVERNING BODY APPROVAL: Following the approval of a final plat by the Planning Commission, the Governing Body shall review the instrument for dedications and reservations and assure that the final plat and construction plans for all proposed streets, sidewalks, storm water sewers, sanitary sewers and water mains meet the standards of the City of Edgerton. The Governing Body may either approve the final plat, return the final plat and/or construction plans to the applicant with instructions and specifications to conform to City standards, or deny the final plat and/or construction plans with a refusal to accept dedication. If the Governing Body denies the final plat and/or construction plans, a set of written findings must be given to the applicant within 30 (thirty) days.

RECORDING OF FINAL PLAT: Upon approval of a final plat by the Governing Body, the applicant shall record the plat with the Register of Deeds within a period of one year. If the final plat is not recorded within one year from the date of approval by the Governing Body, it shall be considered null and void. Before any final plat shall be signed by the Zoning Administrator and filed by the Register of Deeds, the applicant shall submit a certificate of title indicating the ownership of all property within the bounds of the subdivision.

The applicant shall provide the Zoning Administrator with one copy of the final plat that was approved by the Governing Body on Mylar[®]. The applicant shall also return one copy of the final plat that was recorded by the Register of Deeds.

FEES DUE BEFORE ENDORSEMENT OF FINAL PLAT: Article 10 of Chapter IV of the Edgerton City Code imposes an excise tax \$0.10 per square foot of Final Plat. Prior to endorsement of any final plat, all excise taxes must be paid or City staff must determine that an exemption from payment prior to platting is applicable, all in accordance with Article 10 of Chapter IV of the City Code. In addition, a New Street Light Fee of \$250 each shall be submitted prior to the endorsement of any final plat.

VESTING AND CONFLICTING REQUIREMENTS: Initial rights for a final plat shall vest for a period of three (3) years. If all streets, sidewalks, storm water sewers, sanitary sewers and water mains have not been installed and the development of structures commenced after three (3) years, the final plat shall be considered null and void.

The requirements and standards in force at the time of the adoption of a final plat shall remain and shall continue to govern and not be set aside by the adoption of subsequent standards. Standards (such as setbacks) appearing on a plat which are greater than those imposed by this ordinance are valid, and shall be duly noted and enforced by building permits. Restrictive covenants are private instruments between buyer and seller. The Zoning Administrator does not enforce restrictive covenants unless such restrictions are part of a Planned Unit Development, or unless the City itself, as a condition of platting, is a party to such agreements. Nothing contained in these regulations is intended to void the obligation of any party to adhere to the terms of all contracts, conditions, and covenants of record.

ASSURANCES: Developers are required to install all streets, storm water sewers, sanitary sewers and water mains and other services to all lots (in a designated phase) as they appear on the final plat and/or construction plans prior to receiving a building permit from the Zoning Administrator. Developers are required to install all sidewalks on a lot as they appear on the final plat and/or construction plans prior to receiving a certificate of occupancy from the Zoning Administrator. Developers are also required to reimburse the City of Edgerton for the cost of all street signs, stop signs and speed limit signs.

Exceptions: The Zoning Administrator may issue building permits for lots in an approved subdivision when such lots have direct access to an existing public right-of-way and when, in his/her opinion, building construction would not interfere with the orderly process of the installation of facilities and utilities.

Financial Assurance: Prior to the commencement of any improvements, all required infrastructure (streets, sidewalks, storm water sewers, sanitary sewers, and water mains) must be assured by a financial instrument (performance and maintenance bond

or special benefit district). Financial assurances must be made in a form and amount acceptable and approved by the City Attorney. Unless otherwise indicated by special resolution of the Governing Body, financial assurances shall be equal to the contract cost of purchase and installation of all facilities and utilities and valid for a period ending no less than two years after acceptance by the City of Edgerton. If substantial progress in installing the infrastructure is not evident within two hundred eighty (280) days after the approval of the final plat by the Governing Body, the City of Edgerton shall take appropriate action to exercise the financial assurance.

Public Improvement Inspection Fee: If a Developer is required to construct any public improvements, including streets, sidewalks, storm water sewers, sanitary sewers and water mains, that construction must be inspected by city staff or their designee. Developers are required to pay 3% of construction costs to the City for those inspections.

As Builts: Prior to acceptance of public improvements by the City, the developer shall provide two (2) sets of prints for all public improvement projects, excluding sidewalks, corrected to show the project as constructed and shall accurately and completely denote all changes made during the construction. Each sheet within the prints shall be clearly marked as "Conforming to Construction Records" and shall include the date of revision and certifications by a Kansas licensed engineer. This set of plans shall be substantially similar to the set of construction plans that was approved by the Governing Body.

CHECKLIST

The following items shall be included on the final plat.

- ☐ Scale, the same used for the preliminary plat; North point; vicinity map.
- ☐ The words "FINAL PLAT" followed by the name of the subdivision at the top of the sheet, and then followed by a metes and bounds description of the tract.
- ☐ The instrument of survey which shows the point of beginning, corners, bearings, courses, distances, exterior boundaries, interior lot boundaries, abandoned lot lines, pins, monuments found or set. All P.I.'s corners, boundaries must be monumental with a 2" x 24" metal bar.
- ☐ A boundary survey of third order surveying accuracy (maximum closure error one in five thousand (1 in 5,000), with bearings and distances referenced to section or fractional section corners or other base line shown on the plat and readily reproducible on the ground.
- ☐ Individual notations and a TABLE showing: lot area, setbacks, and building envelopes.
- ☐ A number for each lot, starting (if practical) in the northwest corner.
- ☐ All easements with widths, and roads with curve data.
- ☐ Ingress/egress limitations, if required.
- ☐ The location of existing utility easements.
- ☐ A written legal description from the survey.
- ☐ An instrument of dedication for all roads and easements.
- ☐ Special notations required as a condition of platting by the Planning Commission.
- ☐ Approved phases – clearly delineated.
- ☐ Private travel easements.
- ☐ The Owner's Certificate with Notary Seal.
- ☐ Certificate of the Governing Body with City Clerk's attest and Seal.
- ☐ Edgerton City Planning Commission chair and secretary approval.
- ☐ Certificate of the Register of Deeds.
- ☐ Surveyor's Certificate and Seal and certificate for survey review by the County Surveyor or designated Land Surveyor.
- ☐ Certificate of the Zoning Administrator.

FINAL PLAT OF A REPLAT OF BLOCK 11, LOTS 1-5, TOWN OF MARTIN (EDGERTON) CITY OF EDGERTON, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION:

All of Lots 1-5, Block 11, in Town of Martin, commonly called Edgerton, in Johnson County, Kansas being more particularly described as:

Beginning at the Northeast corner of aforesaid Lot 1, being the intersection of the West right-of-way line of Fourth Street and the South right-of-way line of Martin Street, as both streets are now established; thence S01°31'38"E along the West right-of-way line of said Fourth Street, being also along the East line of said Lot 1, a distance of 130.00 feet to the Southeast corner of said Lot 1; thence S88°28'22"W along the South line of said Lots 1-5, being also along the North line of a 10' wide alley, as now established, a distance of 125.00 feet to the Southwest corner of said Lot 5, being also the Southeast corner of Lot 6, of said Block 11; thence N01°31'38"W along the West line of said Lot 5, being also the East line of said Lot 6, a distance of 130.00 feet to the Northwest corner of said Lot 5, being also a point on the South right-of-way line of said Martin Street; thence N88°28'22"E along the North line of said Lots 1-5, being also the South right-of-way line of said Martin Street, a distance of 125.00 feet to the Point of Beginning.

Containing 16,250 square feet or 0.373 acres, more or less.

DEDICATION:

The undersigned proprietor of the described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "A REPLAT OF BLOCK 11, LOTS 1-5, TOWN OF MARTIN (EDGERTON)".

EASEMENT DEDICATION:

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 outline and designated on this plat as "Utility Easement" or "UE" is hereby granted to the City of Edgerton, Kansas 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.

IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPRIETOR HAS HEREUNTO SUBSCRIBED ITS NAME

OWNER: SHIRLEY M. HILL

SHIRLEY M. HILL

STATE OF } SS

COUNTY OF }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE AFORESAID, CAME SHIRLEY M. HILL, OWNER, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE WITHIN INSTRUMENT AND DULY ACKNOWLEDGED THE SAME TO BE THEIR FREE ACT AND DEED.

NOTARY PUBLIC MY APPOINTMENT EXPIRES: _____

PRINTED NAME: _____

APPROVALS:

APPROVED BY THE ZONING ADMINISTRATOR OF THE CITY OF EDGERTON, JOHNSON COUNTY, KANSAS THIS _____ DAY OF _____, 2020

KATY CROW, ZONING ADMINISTRATOR

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF EDGERTON, KANSAS THIS _____ DAY OF _____, 2020

JOHN DALEY, CHAIRMAN

JEREMY LITTLE, SECRETARY

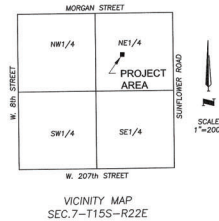
APPROVED BY THE GOVERNING BODY OF THE CITY OF EDGERTON, KANSAS THIS _____ DAY OF _____, 2020

ATTEST: DONALD ROBERTS, MAYOR

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION IN MAY, 2020.



LEE A. HERMRECK, KS-LS-1232



GENERAL LEGEND

— SURVEY BOUNDARY
— EXIST PROPERTY LINE
- - - SETBACK LINE
FND FOUND
RW RIGHT-OF-WAY
P.O.B. POINT OF BEGINNING

AREA

Lot 1A - 416,250 SQ. FT. OR ±0.373 AC.
Building Envelope - 6,624 SQ. FT.



GENERAL NOTE:

Bearing shown hereon are base on the State Plane Coordinate System NAD 1983, Kansas North Zone. CAF=999950355.

Error of boundary closure exceeds 1:50,000.

FLOOD NOTE:

This property lies within Flood 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's National Flood Insurance Program for the City of Edgerton, Johnson County, Kansas, Map number 20091C0132G and dated August 3, 2009.

McCLURE ENGINEERING COMPANY
11031 STRANG LINE ROAD, LENEXA, KANSAS 66215
(913) 888-7800
WWW.MCCRESULTS.COM

DEVELOPER:
SHIRLEY M. HILL
1010 W. 3rd STREET
EDGERTON, KS 66021
785-969-5815

PROJECT NO. 200106-000 [200106-000 FPlat.dwg] June 4, 2020, LB