

# Preliminary Plat Application & Process

See Unified Development Ordinance 18.40.150

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Pre-Application  
Meeting



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Meeting



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Commission



## **Step 1 – Pre-Application Process**

The applicant is required to meet with City Planning staff prior to submitting an application. There are two types of pre-application meetings, depending on the scope of the project: (A) a Discovery meeting; and (B) a Project Evaluation meeting. More than one pre-application meeting may be required by staff as needed.

### **A) Discovery Meeting**

*This meeting gives staff the opportunity to identify issues that may be addressed prior to the application being submitted and identify special studies needed in conjunction with the application. In addition, the meeting allows the applicant to explain issues that shaped the initial design of the project and ask questions about the application procedures. This exchange of information can often make the process go more smoothly. It is not necessary to have detailed plans drawn prior to the meeting. However, the more information brought to the meeting (even in sketch form), the more thorough and specific the staff can be in response. Depending on the complexity of the project, this meeting may be waived at the discretion of the Planning representative.*

#### **Purpose**

- Acquaint the applicant with the procedural requirements.
- Provide for an exchange of information regarding the proposed development and the regulations, restrictions and requirements, the *Comprehensive Plan* and other development requirements.
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development.
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing; and
- Provide general assistance by City staff on the overall design of the proposed development.

### **B) Project Evaluation Meeting**

*This meeting allows staff to meet with the applicant and discuss the changes made to the project up to this point, as well as additional concerns both parties may have during the remainder of the process. At the conclusion of this meeting, the applicant should be aware of all materials needed for filing the application and the correct format for all documents. Additional staff comments and revisions may be required as a result of this meeting. Depending on the changes required by City staff, it may be necessary to have a second project evaluation meeting prior to filing the application.*

#### **Purpose**

- Provide a more in-depth review of the plans with the applicant prior to filing the application;
- Review plan corrections based on comments made by the applicant with respect to staff's comments during the discovery meeting;
- Advise the applicant of any additional revisions that are necessary prior to filing the application; and
- Provide general assistance by City staff on the overall design of the plan.

#### **Schedule a Meeting**

Applicants may schedule a meeting by creating an account and submitting a request at: <https://energov.olatheks.org>. For more information contact the Planning Division at 913-971-8750, Monday through Friday, 8 a.m. to 5 p.m.

*Please be aware that the meetings are not intended to cover all issues related to the development process, and decisions/discussions during the pre-application process are subject to change based on information submitted at the time the application is filed.*

## **Step 2 – Project Evaluation Checklist**

*Applications missing any of the following items will be considered incomplete and rejected.*

### **Requirements**

- **Application Form** complete with signatures, names, and addresses of owner, applicant and engineer.
- **Ownership Affidavit form**
- **Filing Fee** (See [Planning Application Fees](#))
- **Legal Description** of the property in print and on disk (Microsoft Word)
- **Digital File** of all documents submitted for review (PDF format).
- **Traffic Impact Study** according to *Access Management Plan*.
- **Preliminary Water Quality** report per *Olathe Municipal Code Title 17*
- **Stormwater Management Report** (detention required) per *Olathe Municipal Code Title 17*
- **Stormwater Drainage Plan** with computations per *Olathe Municipal Code Title 17*
- **Assurances of Adequate Public Facilities** per Section UDO 18.30.040
- **All other documents** required by Section UDO 18.94
- All studies as may reasonably be required by the City Planning Manager or his/her designee per Section UDO 18.94.020. (NOTE: This requirement may be appealed to the Planning Commission)
- For residential subdivisions in Districts R-1, RP-1, R-2, RP-2, and TN a master fence/screening plan as required by Section 18.30.130.H of the *Unified Development Ordinance*.
- **Completed Checklist** (received during pre-application meeting)

## **Step 3 – Submit the Application**

An application for Preliminary Plat must be completed and submitted to City Planning with the proper filing fee, payable to the City of Olathe. See the Schedule of Fees and Charges for the applicable application fee. An application may be withdrawn at any time upon written request; however, no refund will be made after the application has been accepted. A complete application consists of all items identified in the Submittal Requirements checklist. (UDO Section 18.94.040)

### **When Applications Deemed Complete**

- No application is complete until all items required to be submitted in support of the application are submitted (see *UDO Chapter 18.94*).
- The City will not process incomplete applications.

### **Application and Submission Deadlines**

- The Planning Official or the approving authority may provide submission deadlines for materials required in support of any application provided for in this chapter (see current adopted Planning Commission schedule).
- Compliance with these deadlines is required in order to have the application placed on an agenda to be heard by the approving authority.

- At the discretion of the Planning Official, non-agenda items may be brought before the approving authority for consideration, the approving authority, in its sole discretion, may refuse to hear non-agenda item

*Note: Preliminary Plat applications will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline date. Failure to meet the application submittal requirements checklist will result in the application being rejected.*

## **Step 4 – Development Review Committee (DRC)**

Every application goes through a detailed staff review. Although a member of the Planning staff is assigned to coordinate the review of each application, the focal point of the process is the meeting of the Development Review Committee. This is a staff-only committee consisting of 10 to 15 representatives of various city departments that review each item on the agenda, and identifies relevant issues. From this meeting, the departments will prepare written comments on the proposed application. The staff comments will be sent to all parties listed on the application form (via e-mail) on the Wednesday before the Monday Applicant's Meeting. (See Planning Commission Calendar)

The comments prepared by staff based on this meeting are intended to be a complete list of changes required by the applicant prior to the Planning Commission meeting. However, some circumstances may warrant additional staff comments following the applicant meeting to ensure compliance with city codes and ordinances. For example, if a change is requested by City staff and the solution presented by the applicant creates an unforeseen issue, staff may provide additional comments to correct the problem.

## **Step 5 – Applicant's Meeting**

The applicant may meet with staff (generally; Planning, Public Works, Code Administration, Fire, Utilities, Traffic and Parks) in City Hall. **This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements.**

The applicant's meeting is:

- To allow City staff to present preliminary comments regarding the development plans and discuss revisions with the applicant;
- To give the applicant an opportunity to ask questions; and
- To work out a schedule for submitting revised plans.

If a case involves policy issues or items that may be resolved through a development agreement, City Planning will schedule a separate meeting with appropriate City staff. However, alternative solutions to technical problems that are within the authority of the staff to consider may be discussed. If an applicant has questions, it would be helpful to call ahead of time so the staff can be prepared with answers at the meeting. If extensive changes are being made or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be "continued" (i.e., rescheduled to a later Planning Commission meeting date to allow time for the necessary work to be completed)

## **Step 6 – Planning Commission Meeting**

The Olathe City Planning Commission meets on the 2nd and 4th Monday of each month at 7:00 p.m. in the New City Hall Council Meeting Room at 100 E. Santa Fe. **THE AGENDA AND STAFF REPORTS WILL BE AVAILABLE THE WEDNESDAY PRECEDING THE PLANNING COMMISSION MEETING.** Every Preliminary Plat Application is reviewed by the Planning Commission. For each item on the agenda, the applicant will be given an opportunity to make their own presentation. However, if the Preliminary Plat application is placed on the consent agenda, no presentation by the applicant will be required unless requested by the Planning Commission. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff's report and any additional information which the applicant wishes to bring to the meeting (for example, color renderings, maps, photographs, or petitions). *It is required that all additional information is provided to staff in advance, so it can be included in the Commissioners' packets.* Staff will then give a staff report and recommendation.

The action taken by the Planning Commission on Preliminary Plats is final. There is an opportunity to appeal the Planning Commission's decision to the City Council. The applicant may request that the Preliminary Plat be appealed to the City Council by requesting in writing to the Planning Manager within five (5) business days of the Planning Commission action.

Approval or conditional approval of the Preliminary Plat does not constitute an acceptance of the subdivision but is deemed to be an authorization to proceed with the preparation of the Final Plat.

**The Preliminary Plat must be approved or conditionally approved before the Final Plat can be considered.**

## **Step 7 – City Council**

Preliminary Plats do not normally require City Council action. However, if the Planning Commission decision is appealed in writing; the plat will be scheduled for a City Council agenda. The Olathe City Council meets on the first and third Tuesday of each month at the Council Chambers of City Hall at 100 East Santa Fe at 7:00 p.m. The format of the meeting is similar to that used by the Planning Commission and applicants should be prepared to make a similar type of presentation. If necessary, after the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council can approve the plat, approve with conditions, deny, or remand the application back to the Planning Commission.

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In the event that any section of this document conflicts with the city's *Unified Development Ordinance (UDO)*, the requirements of the *UDO* shall prevail.



# PRELIMINARY PLAT APPLICATION

PLEASE PRINT OR TYPE

FEE \_\_\_\_\_ CASE NO: PP \_\_\_\_\_

REC'D BY \_\_\_\_\_ PC DATE \_\_\_\_\_

DATE \_\_\_\_\_ PLANNER \_\_\_\_\_

**STAFF USE ONLY**

**NAME OF PROPOSED SUBDIVISION:** \_\_\_\_\_

LOCATION OR ADDRESS OF PROPERTY \_\_\_\_\_

ZONING OF PROPERTY \_\_\_\_\_ CURRENT LAND USE \_\_\_\_\_

TOTAL AREA (SQFT) \_\_\_\_\_ NUMBER OF LOTS \_\_\_\_\_ NUMBER OF TRACT \_\_\_\_\_

AVERAGE LOT SIZE \_\_\_\_\_ AVERAGE LOT WIDTH \_\_\_\_\_ AVERAGE LOT DEPTH \_\_\_\_\_

### DEVELOPER

NAME \_\_\_\_\_ COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_ SUITE \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

### PROPERTY OWNER

NAME \_\_\_\_\_ COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_ SUITE \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

### ENGINEER/ARCHITECT

NAME \_\_\_\_\_ COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_ SUITE \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ FAX \_\_\_\_\_ EMAIL ADDRESS \_\_\_\_\_

NOTE: PLEASE SUBMIT ALL DOCUMENTS DIGITALLY INCLUDING, BUT NOT LIMITED TO: LEGAL DESCRIPTION OF THE PROPERTY (WORD), THE SITE PLAN OR PLAT (PDF), AND ALL REQUIRED STUDIES OR REPORTS (PDF).

**SIGNATURE OF OWNER OR AGENT:** \_\_\_\_\_

NOTE: IF NOT SIGNED BY OWNER, AUTHORIZATION OF AGENT MUST ACCOMPANY APPLICATION

# CITY OF OLATHE

## Ownership Affidavit

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STATE OF KANSAS            )

ss.

COUNTY OF JOHNSON        )

Comes now \_\_\_\_\_ (owner) who being duly sworn upon his/her  
oath, does state that he/she is the owner of the property legally described as

\_\_\_\_\_  
\_\_\_\_\_.

In the application for \_\_\_\_\_.

(description of application)

Acknowledge the submission of said application and agree to bind the subject property in  
accordance with the plan submitted as part of the above application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Printed Name

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires



**CITY OF OLATHE**

**Assurance of Adequate Public Facilities  
Unified Development Ordinance 18.30.040**

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**Project Name:** \_\_\_\_\_

**Location of Project:** \_\_\_\_\_

**Developer:** \_\_\_\_\_

**Engineer:** \_\_\_\_\_

**Architect:** \_\_\_\_\_

*All applications subject to UDO 18.30.040 must not be approved unless public facilities and services are available, or will be provided as a condition of the application, which are adequate to serve the development. **Infrastructure will be financed by the developer or through a City approved economic incentive program.***

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***The proposed development is served by the following existing public facilities, or if not on-site, then the facilities will be extended (applicant to include narrative statement for any infrastructure to be added with development):***

**Roads:** (Must include, but not be limited to, road network to serve the development, traffic features to accommodate the demand and roadway safety, pedestrian/cyclist systems and dedication of right-of-way.)

**Wastewater:** (Must include, but not be limited to, service by an adequate public sanitary sewer system or private sewage disposal system.)

City of Olathe       Johnson County Wastewater (JCW)       Other, specify: \_\_\_\_\_

**Water:** *(Must include access to a public water supply. Fire flows from water lines must comply with Title 16 of the Municipal Code.)*

City of Olathe                       WaterOne                       Other, specify: \_\_\_\_\_

**Stormwater:** *(Must include adequate Stormwater management system consistent with Title 17 of the Olathe Municipal Code.)*

**Fire:** *(Fire protection services must comply with Title 16 of the Olathe Municipal Code.)*

**Public Amenities:** *(Including the donation or dedication of land for public recreational facilities, parks and open space, etc.)*

**Public / Private Utilities:** *(Including gas, electric, communications, etc.)*

***It will be the responsibility of the applicant to provide any necessary plans, studies, or models confirming adequate public facilities prior to final approvals per City requirements.***

***All mentioned public facilities must be in accordance with Olathe Municipal Code, Design Criteria and Technical Specifications.***