



# Final Plat Application

Community Development/Planning Dept.  
401 N. Madison St., Spring Hill, KS 66083  
(913) 592-3657 • (913) 592-5040 FAX  
planning@springhillks.gov • www.springhillks.gov

ADDRESS OR VICINITY \_\_\_\_\_

PURPOSE OF FINAL PLAT \_\_\_\_\_

SUBDIVISION NAME \_\_\_\_\_

CURRENT ZONING \_\_\_\_\_

LEGAL DESCRIPTION \_\_\_\_\_

\_\_\_\_\_

REAL ESTATE PARCEL NUMBER \_\_\_\_\_

PROPERTY SIZE \_\_\_\_\_ NUMBER OF LOTS \_\_\_\_\_

APPLICATION FEE (see schedule on back)

### APPLICANT

NAME \_\_\_\_\_ CONTACT \_\_\_\_\_

ADDRESS \_\_\_\_\_

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

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

### OWNER

NAME \_\_\_\_\_ CONTACT \_\_\_\_\_

ADDRESS \_\_\_\_\_

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

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

### ARCHITECT/ENGINEER

NAME \_\_\_\_\_ CONTACT \_\_\_\_\_

ADDRESS \_\_\_\_\_

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

PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

APPLICANT SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

APPLICANT (printed name) \_\_\_\_\_

<b>OFFICE USE ONLY</b>		
FILE CODE _____	FEE RECEIVED BY _____	DATE _____
PLANNING COMMISSION MEETING DATE _____	DECISION (circle) Approve or Deny	
CITY COUNCIL MEETING DATE _____	DECISION (circle) Approve or Deny	



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***Please refer to the attached documentation for details regarding the application submittal process.***

### **SPRING HILL DEVELOPMENT APPLICATION FEES**

#### **Rezoning:**

##### Residential

0 to 5 acres	\$ 350.00
5.1 to 10 acres	\$ 500.00
10.1 to 20 acres	\$ 600.00
20.1 or more acres	\$ 750.00

##### Commercial/Industrial

0 to 5 acres	\$ 700.00
5.1 to 15 acres	\$ 800.00
15.1 to 25 acres	\$ 950.00
25.1 or more acres	\$ 1,100.00

#### **Planned Zoning District:**

Base Cost:	\$ 500.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

#### **Preliminary Plat:**

Base Cost:	\$ 300.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

#### **Final Plat:**

Base Cost:	\$ 300.00
1 to 10 lots	\$ 8.00 per lot
11 to 50 lots	\$ 6.00 per lot
51 to 150 lots	\$ 4.00 per lot
151 lots to 500 lots	\$ 2.00 per lot
501 lots or more	\$ 1.00 per lot

#### **Site Plan Review:**

0 to 10,000 Sq. Ft.	\$ 600.00
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10,001 to 25,000 Sq. Ft.	\$ 700.00
25,001 or more Sq. Ft.	\$ 800.00

**Conditional Use Permit Fee:** \$ 600.00

### FINAL PLAT SUBMITTAL INFORMATION

**A. Application.** The final platting process is intended to provide a complete surveyed drawing of the subdivision for the purpose of providing a legal record of lots, streets, and areas for dedication and easements for future reference and transactions. The final plat submitted may be for all of the property approved in the preliminary plat or may be for only a portion or "phase" thereof.

The applicant shall file a final plat application with the Zoning Administrator including **3 copies of the final plat and PDF digital format on a flash drive** approved by the Zoning Administrator, along with the additional information required herein.

*(Ord. 2005-29; 2006-48; Ord 2016-04)*

**B. Final Plat Contents. The following information shall be shown on the final plat and attached thereto:**

**a. Items to be Included on the Final Plat:**

- i.** Three copies of separate drawings showing a profile and cross section of all streets, alleys or public use areas. The profiles and cross sections shall be drawn to specifications as on file, and acceptable to the City Engineer. *(Ord 2016-04)*
- ii.** A certificate which states that the person or persons whose names are signed to this document and/or appear on the final plat are the sole and lawful owners or agents of the property, that the plat is made with their desires, and that they dedicate the areas shown on the plat or as set forth in the document to the perpetual use by the public for the specific purpose stated herein. The City Clerk shall verify ownership.
- iii.** Certification by the County Clerk in Johnson County or the County Treasure in Miami County showing that all due or unpaid taxes have been paid in full.
- iv.** Deleted "restrictive covenants". *Ord 2016-04*
- v.** Where natural drainage ways are part of the drainage dedication easement, note that the drainage way will be maintained by the abutting property owners.
- vi.** Proof of adequate public facilities as set forth by Section 17.370.F. *(Ord. 2006-48)*

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- vii. Provide for adequate control of storm water runoff to prevent soil erosion, such as silt fences. This includes applying for a Notice of Intent (NOI) for storm water discharges associated with construction activity under the National Discharge Elimination System. A copy of the NOI along with the Storm water Pollution Prevention Plan must be filed with the Zoning Administrator.
- viii. Provide for adequate disposal of construction refuse. No construction refuse will be allowed to be stored, maintained or kept in the open on any lot, tract or parcel.
- ix. Three copies of a properly executed written agreement by the developer to undertake and complete, to the satisfaction of the City, all public improvements required as a condition for approval of the plat. The agreement shall also set out the time limit for the completion of the specified work, the amount of surety bond to be posted as security for satisfactory completion of the work, and the right of the City, in the event the required work is not completed in a proper or timely manner, to perform or complete the work and recover the actual cost thereof from the developer or the developer's sureties. (*Ord. 2002-31*)

The developer's agreement for public improvements will set out the public improvements required and also set out or incorporate by appropriate references, the plans and specifications for said improvements. The developer's agreement and bond for required public improvements shall be reviewed and approved as to the form and content by the City Engineer and the City Attorney.

- x. Assurance of construction of public improvements to be dedicated to the City shall be made in the form of performance and maintenance bonds or by the creation of a benefit district.

Prior to the issuance of the building permit for the first lot in the subdivision, the developer shall submit a performance and maintenance bond, in an amount to be determined by the Public Works Director, to ensure that public improvements, streetlights, sidewalks and trails, street trees, neighborhood amenities, and landscaping identified within the master landscape fence / screening plan will be installed, approved, and maintained after completion of the development. The developer may submit separate bonds from contractors for applicable public improvements, including streets, storm sewers and drainage systems, sanitary sewers, water distribution systems and landscaping. Said bond(s) shall be to the favor of the City and shall be furnished at the time construction plans are submitted for approval. The amount of the bond(s) shall be for the full cost of the improvements and shall remain in effect for two (2) years from the date of completion and acceptance by the Governing Body of the City. Separate bonds may be presented for separate improvements as defined by the Public Works Director. Said bonds shall be properly executed prior to any grading or construction and shall be released upon written approval of the Public Works Director. No building permit shall be issued for a lot or tract in a subdivision which abuts a public improvement for which a bond has not been furnished. No occupancy permit shall be issued for any such building in a subdivision until a project completion certificate is issued by the Public Works Director.

As an alternative to providing performance and maintenance bonds to assure the construction of public improvements, the developer may present a petition to the Governing Body for creation of a benefit district as a means of guaranteeing the installation of public improvements. This alternative may be utilized only if the following conditions are met:

- The petition is presented on forms secured from the City Benefit District Coordinator or on

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forms otherwise acceptable to the Public Works Director.

- The petition must be valid under the applicable Kansas Statutes.
- The petition must be approved by the Governing Body.
- The initiating resolution for such improvement must be adopted by the Governing Body concurrent with the petition approval or as soon thereafter, as may be provided by law. The cost of the publication of said resolution shall be borne by the subdivider.
- The City Clerk shall record the resolution with the Register of Deeds.

The developer shall provide a performance and maintenance bond, a letter of credit, or other surety acceptable to the City Attorney to ensure that all erosion control measures are installed and maintained and that all of the development's streets and sidewalks remain free of debris (e.g. dirt, mud, gravel, etc.) during all phases of construction. If the Public Works Director determines an area of the development not to be adequately maintained or free of said debris, the developer shall be notified. From the time of notification, the developer shall have six hours to complete the removal of all said debris. If, after six hours, the developer has not acted, or if such action has failed to adequately remove all debris, the Public Works Director may direct the City to remove the debris and assess all cleanup charges against the developer and the performance and maintenance bond, letter of credit, or other surety.

*(Ord. 2005-29; 2006-48)*

- xi.** The plat shall show the signatures of owners, city officials, notary, certifications by a licensed Engineer or registered land surveyors and shall be dated. If owned by a corporation the plat shall show the name of corporation and the title of the officer signing. Names shall be typed below all signature lines.
  - xii.** The plat shall bear the following seals:
    - City.
    - Notary.
    - Licensed Engineer or registered land surveyor.
    - Seal if a corporation.
  - xiii.** The consent and agreement clause should stipulate in or on instrument that Special Assessments on dedicated land become and remain a lien on the remainder of the land fronting on or abutting such dedicated roads and streets.  
*(See revised statutes 19-1949; and 19-27, 101, 1953).*
  - xiv.** Submit, for the appraiser, the square footage of all areas other than building lots and dedicated streets. Please designate usage for areas.
- b.** Application Complete. Upon receipt of the final plat, engineering drawings and certification documents required in this Section, the Zoning Administrator shall certify the final plat application as complete. Who shall then place the final plat on the agenda for consideration at the next regular meeting of the Planning Commission, which is held no less than then 20 days after said application or no more than 45 days thereafter.

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- c. General City Staff and Utility Review. The Zoning Administrator shall transmit copies of the final plat, along with other documents submitted to the appropriate City departments and agencies and utility companies as the Administrator deems necessary for review and to assure compliance with the approved preliminary plat. The Zoning Administrator shall serve as final plat coordinator and all review comments shall be directed to such person.
- d. Spring Hill Planning Commission Review and Action. The Planning Commission shall determine if the final plat conforms to the provisions of the subdivision regulations, and the recommendations of the *Comprehensive Plan* and associated Planning Principles and Design Guidelines. If such determination is not made within 60 days after the first meeting of such commission following the date of the submission of the plat to the Zoning Administrator thereof, such plat shall be deemed to have been approved and a certificate shall be issued by the Zoning Administrator upon demand. If the Planning Commission finds the final plat does not conform to the requirements of the subdivision regulations, and the recommendations of the *Comprehensive Plan* and associated Planning Principles and Design Guidelines, the Planning Commission shall notify the owner or owners of such fact. If the final plat conforms to the requirements of such regulations, there shall be endorsed thereon the fact that the plat has been submitted to and approved by the Planning Commission. (*Ord. 2006-48*)
- e. Governing Body Review and Action. The Governing Body shall accept or refuse the dedications of land for public purposes within 30 days after the first meeting of the Governing Body following the date of the submission of the plat to the clerk thereof. The Governing Body may defer action for an additional 30 days for the purpose of allowing for modifications to comply with the requirements established by the Governing Body. No additional filing fees shall be assessed during that period. If the Governing Body defers or refuses such dedication, it shall advise the Planning Commission of the reasons therefore.

The Zoning Administrator may approve a minor engineering change to a plat after it has been approved. Both the Planning Commission and the Governing Body shall approve all other changes or amendments to a plat.

- f. Recording of Final Plat. It shall be the City's responsibility to file the final plat with the Records and Tax Administration of Johnson County or the Register of Deeds Miami County, Kansas, after approval of the final plat by the Governing Body, as required by State law. The final plat will not be considered official until a file stamp copy is submitted to the City Clerk. In addition, the applicant will need to record with the county an affidavit concurrently with the recording of the final plat to identify the organization that will be the legal entity having permanent responsibility and authority for the installation, maintenance and repair of the landscape or screen tracts, private greenways, parks or common open space areas as indicated on the final plat, as well as for the payment of the expenses including taxes and special assessments.  
(*2007-24 09/07; Ord 2016-04*)
- g. Excise Tax. The developer shall be required to contribute to an excise tax equal to the platted area times the tax rate to the City before the Mayor signs an approved recordable plat.  
(*Ord. 2002-07; 2002-31*)

## E. Replat.



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- 1. Application.** A replat may be filed for any platted property. If the replat will not change the location of the utility easements or road right-of-way, a preliminary plat will not be required. If a replat does change the location of the easements and right-of-way, then a preliminary plat will be required.