



## STAFF REPORT

Planning Commission Meeting: June 23, 2025

<b>Application:</b>	<b>MP25-0004: Minor Plat of Char Bar and Vacation of a Utility Easement</b>
<b>Location:</b>	200 W. Santa Fe Street
<b>Owner:</b>	City of Olathe and Sunflower Olathe 1 LLC
<b>Applicant/Engineer:</b>	Andrea Lemken, Renaissance Infrastructure Consulting
<b>Staff Contact:</b>	Nathan Jurey, AICP, Senior Planner

<b>Site Area:</b>	<u>2.93 ± acres</u>	<b>Proposed Use:</b>	<u>Sit-Down Restaurant</u>
<b>Lots:</b>	<u>1</u>	<b>Zoning:</b>	<u>D (Downtown Core) District</u>
<b>Tracts:</b>	<u>0</u>	<b>Existing Plat:</b>	<u>Chamber District</u>

### 1. Introduction

This is a request to approve the minor plat of Char Bar for one (1) lot on approximately 2.93 acres located northwest of Santa Fe Street and Kansas Avenue and to vacate an existing utility easement. This application will consolidate Lots 1 and 2 of the Chamber District plat into one (1) lot to allow for single ownership and the construction of the Char Bar development.

The subject property is part of the Town of Olathe plat recorded in 1866 and replatted as the Chamber District in 2022 (FP22-0032). The property was rezoned to the D (Downtown Core) District in 2017 (RZ17-0016) and Char Bar obtained preliminary development plan approval (PR25-0007) in May 2025. This minor plat is consistent with the approved preliminary plan.

No public easements or right-of-way are dedicated with this replat, and therefore the plat does not require City Council acceptance.

### 2. Plat Review

- Lots/Tracts** – This replat consolidates two (2) existing lots into one (1) proposed lot to allow for single ownership and the development of the Char Bar restaurant. Lot 1 complies with the minimum lot width required in the D (Downtown Core) District.
- Streets/Right-of-Way** – Street right-of-way for Santa Fe Street, Kansas Avenue, and Poplar Street were previously dedicated to the City of Olathe and no additional right-of-way is required. The site has existing access drives along the abutting streets and no road improvements are required to accommodate the approved development.

The private access and maintenance easement for the existing Lots 1 & 2 is also being removed as the property will be consolidated into one lot and shared access is no longer required.

- c. **Public Utilities** – The site is located within the City of Olathe water and sewer service areas. No new easements are dedicated with this replat. The minor plat includes a request to vacate an existing utility easement located on the property.

## 2. Public Notification

The Unified Development Ordinance (UDO) 18.40.190 requires the vacation of public dedications is approved by the Planning Commission following mailed notification and a public hearing. The applicant mailed the required public notification by certified mail to property owners within 200 feet of the project site. Staff received no public correspondence regarding the requested utility easement vacation.

Evergy, Atmos Energy, and Google Fiber all have utilities in the subject easement. Evergy provided their consent to vacate the easement and is working with the applicant to relocate their utilities. Atmos Energy and Google Fiber have not yet provided their consent as they are actively working with the applicant on relocation agreements. A stipulation requiring both Atmos' and Google Fiber's consent is included in staff's recommendation.

The applicant provided letters of consent from all other private utility companies and City of Olathe Engineering staff also consents as no City utility lines are located or planned within the easement.



*Aerial map of the subject site outlined in yellow and easement to be vacated in red.*

## 3. Staff Recommendation

- A. Staff recommends approval of MP25-0004 with the following stipulation.
1. Prior to plat recording, letters from Atmos Energy and Google Fiber consenting to the requested vacation must be provided to the City.