

STAFF REPORT

Planning Commission Meeting: June 10, 2024

Application	FP24-0007: Sunnybrook 119, 1st Plat
Location	Northwest of W. 119 th St. and S. Lone Elm Rd.
Owner	McKinzie Asset Management Company, LLC
Applicant/Engineer	Todd Allenbrand, Payne & Brockway
Staff Contact	Taylor Vande Velde, Planner II

Site Area:	<u>15.22 ± acres</u>	Proposed Use:	<u>Retail Sales, Generally</u>
Lots:	<u>2</u>	Existing Zoning:	<u>C-2 (Community Center)</u>
Tracts:	<u>1</u>	Plat:	<u>Sunnybrook / Unplatted</u>

1. Introduction

The following application is a request for a final plat of Sunnybrook 119, 1st Plat located in the northwest corner of W. 119th St. and S. Lone Elm Rd. This replat will establish new lot lines for two (2) lots and one (1) tract, dedicate public easements and right-of-way, and vacate an existing 10-foot Utility Easement (U/E).

The subject property was part of the larger Sunnybrook plat established in 1999 but was later rezoned to the C-2 District in January 2021 (Ord. 21-02) with the Sunnybrook Commercial development. A portion of the Sunnybrook Commercial property was platted with FP21-0014 to provide stormwater detention for the senior housing to the west, establishing one of the future commercial lots along W. 119th Street. This proposal will plat the remaining commercial lots and is consistent with the proposed revised preliminary site development plan.

2. Plat Review

- a. **Lots/Tracts** – The plat will reestablish lot lines for two (2) lots and one (1) tract for the development of future commercial buildings. A 15-foot building setback is platted along S. Lone Elm Rd. and a portion of W. 119th St., and a 50-foot building setback is platted on the northern portion of the property line adjacent to an existing gas line easement.
- A. **Public Utilities** – The project is within WaterOne and City of Olathe sanitary sewer service areas and will connect to the existing water and sewer lines. Several existing utilities platted with the Sunnybrook lot include water, sewer, and drainage easements. New utility easements (U/E) are also being dedicated with this plat.

A portion of a 10-foot Utility Easement (Exhibit A) was previously dedicated with the original Sunnybrook plat in 1999, but it is no longer needed and must be vacated to

accommodate development at the corner of W. 119th St. and S. Lone Elm Rd. City Engineering staff reviewed this request and provided consent to vacate the existing utility easement.

- b. **Streets/Right-of-Way** – Existing access to the site is located from Millridge Street to the west, a private drive. Tract A is a continuation of this private Access Easement (A/E) which will be 28 feet wide, and widen to 46 feet wide at the new access point along S. Lone Elm Rd. An existing Business Association Agreement between the property owners for the shared access to private streets will be amended and recorded with this final plat, as stipulated by staff. Additional right-of-way along the eastern side of the plat is being dedicated for S. Lone Elm Rd.
- c. **Stormwater/Detention** – This property is served by an off-site regional wet bottom detention basin in Tract D of the adjacent Crestone Plat. The Business Association Agreement must include shared stormwater detention and maintenance for Tract D, as stipulated by staff, which will be shared with the property owners to the west, Olathe Senior Community, LLC.



Aerial view of the subject property in yellow.

3. Public Notification:

Unified Development Ordinance (UDO) 18.40.190 requires the vacation of a public reservation in association with a final plat be approved by the Planning Commission following mailed notification and a public hearing. The applicant mailed the required public notifications by certified mail to property owners within 200 feet of the project site. No correspondence from surrounding property owners has been received by the applicant or Staff.

4. Staff Recommendation

Staff recommends approval of the final plat, FP24-0007, as stipulated:

1. The Business Association Agreement must be amended and recorded with this plat to include the Access Easement (A/E) in Tract A and the detention basin in Tract D.