

## STAFF REPORT

Planning Commission Meeting: December 11, 2023

<b>Application</b>	<b>FP23-0030: Final Plat for Asbury Centre 2<sup>nd</sup> Plat</b>
<b>Location</b>	15892 S. Ridgeview Road
<b>Owner</b>	Vicky Zurliene, Metcalf Bank
<b>Applicant/Engineer</b>	Ian Jones, BHC
<b>Staff Contact</b>	Emily Carrillo, Senior Planner

<b>Site Area:</b>	<u>2.84± acres</u>	<b>Proposed Use:</b>	<u>Financial Institution &amp; General Commercial</u>
<b>Lots:</b>	<u>2</u>	<b>Existing Zoning:</b>	<u>C-1 (Neighborhood Center)</u>
<b>Tracts:</b>	<u>2</u>	<b>Existing Plat:</b>	<u>Asbury Centre, Lot 4</u>

### 1. Introduction

The following application is a request for a final plat of Asbury Centre, 2<sup>nd</sup> Plat. This final plat will establish lot lines and dedicate public easements for two (2) lots and two (2) tracts and vacate a portion of the existing Limits of No Access (LNA) access control.

Lot 4A is proposed for the construction of a 3,325 sq. ft. building for Central Bank, as permitted in the C-1 (Neighborhood Center) District. Lot 4B is proposed for the construction of an 8,000 sq. ft. multi-tenant general commercial building. The property was zoned to the C-1 (Neighborhood Center) District (RZ23-0006) on October 17, 2023, and is consistent with the approved preliminary site development plan and preliminary plat associated with this rezoning.

### 2. Plat Review

- a. **Lots/Tracts** – The plat will reestablish lot lines for two (2) lots and two (2) tracts for the development of a bank and a multitenant commercial building.
- A. **Public Utilities** – The property is in City of Olathe sewer and WaterOne service areas. Existing sanitary sewer and water mains are in the northwest corner of the site. A new 30-ft utility (U/E) easement adjacent to Hunter Street is being dedicated by this plat and will connect to existing main lines. All other easements are previously platted.

- b. **Streets/Right-of-Way** – The proposal takes full access from Hunter Street, right-in-right-out on Ridgeview Road, and right-in-only on 159th Street. A 25-ft segment of the existing Limits of No Access (LNA) along 159th Street, and a 45-ft segment of the existing LNA along Ridgeview Road are being vacated with this plat in accordance with UDO Section 18.40.190. Access was approved in these locations through the approved preliminary plat.
- c. **Stormwater/Detention** – The proposed development will be served by two (2) on-site bioretention areas located within Lot 4A. Additional on-site detention is required with the future development of Lot 4B. The site will comply with Title 17 requirements for stormwater detention and water quality.



*Aerial view of subject property in yellow.*

### 3. Staff Recommendation

Staff recommends approval of final plat (FP23-0030) with no stipulations.

# FINAL PLAT

## ASBURY CENTRE - 2ND PLAT

A REPLAT OF LOT 4, ASBURY CENTRE A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

### NOTES:

1. Basis of Bearings: Final Plat ASBURY CENTRE.
2. Error of Closure: 1 part in 134769.32
3. All bearings and distances shown on this plat are plotted and measured unless otherwise noted.
4. Flood Plain Note: According to the F.E.M.A. Flood Insurance Rate Map Number 20091C0106G, revised August 3, 2009, this tract graphically lies in OTHER AREAS, ZONE X, defined as areas determined to be outside the 0.2% annual chance floodplain.
5. Easement locations are subject to change prior to plat recording.
6. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.

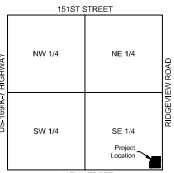
I hereby certify that during September, 2023, this field survey was completed on the ground by me or under my direct supervision, and that said survey meets or exceeds the current "Kansas Minimum Standards For Boundary Surveys" as established by the Kansas Board of Technical Professionals.

Wayne E. Mallico, Kansas PS-1239  
RICS-CLS-204  
www.mallicofirm.com

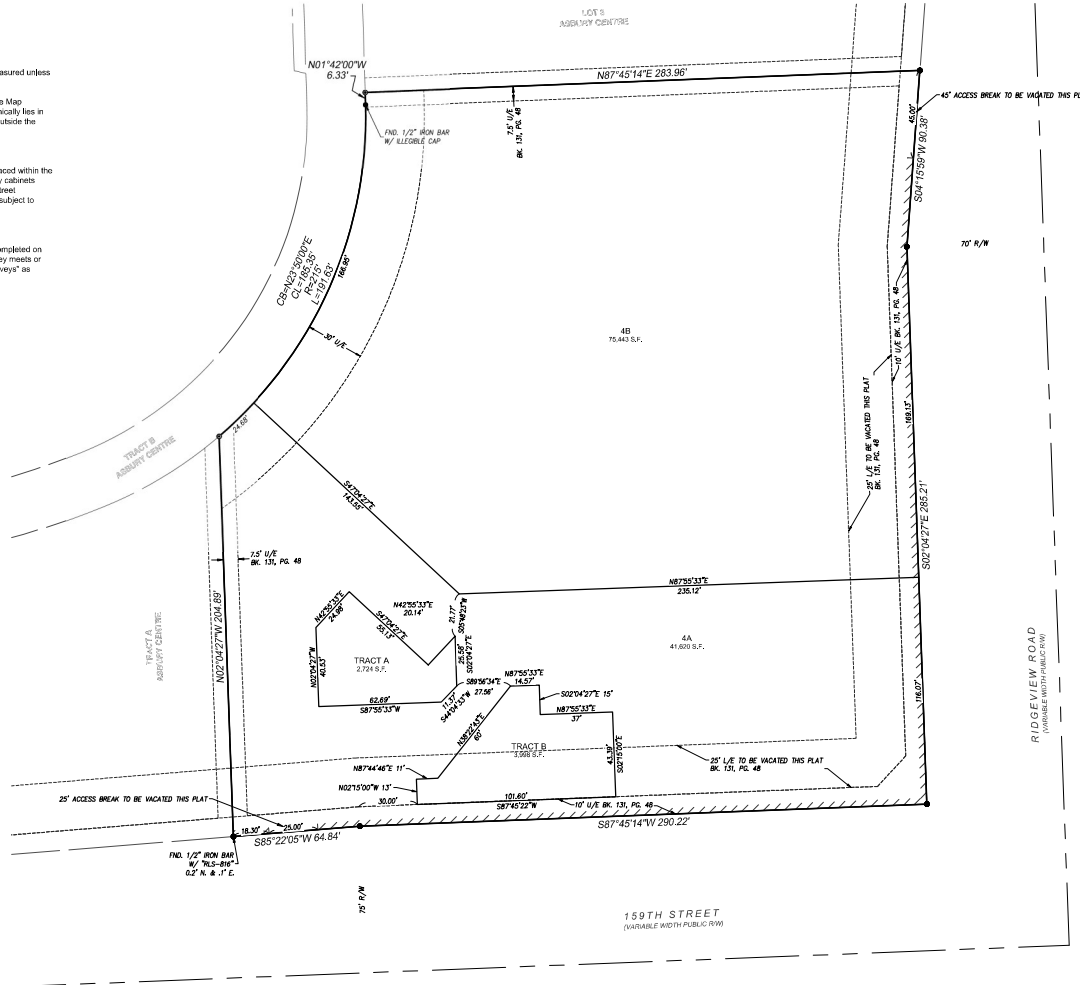
LOT TABLE	
LOT	SQ. FT.
4A	41,620
4B	75,443
TR. A	2,724
TR. B	3,998

### LEGEND:

- FOUND IRON BAR W/ CAP "RLS-819"
- FOUND IRON BAR W/ CAP "CLS-307"
- L- LENGTH OF CURVE
- R- RADIUS OF CURVE
- CL- CHORD LENGTH
- CH- CHORD BEARING
- BL- BUILDING SETBACK LINE
- DE- DRAINAGE EASEMENT
- LE- LANDSCAPE EASEMENT
- SE- SIDEWALK EASEMENT
- UE- UTILITY EASEMENT
- RE- RESTRICTED ACCESS



SECTION 12-14-23  
Scale 1" = 200'



### DESCRIPTION

A replat of all of Lot 4, ASBURY CENTRE a subdivision in the City of Olathe, Johnson County, Kansas.

### DEDICATION

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as:

"ASBURY CENTRE - 2ND PLAT"

The undersigned proprietor of said property shown on this plat does hereby dedicate over, under and through all parcels and parts of land indicated on said plat as streets, terraces, alleys, roads, drives, lanes, pathways and avenues not heretofore dedicated, a perpetual easement for the purpose of constructing, using, replacing, and maintaining public roadways, public ways and thoroughfares, including storm sewer, street lighting, sidewalks, trails, and appurtenant work in any part of the easement, including the right to clean, repair, maintain and replace the roadway, and for any future expansion of such facilities within the area of the easement together with the right of access to the easement and over the easement for these purposes. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and any pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereupon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby agrees and agrees to indemnify the City of Olathe, Kansas, from any expense incident to the relocation of any such existing utility installations within said prior easement.

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

A perpetual easement over, under and through the areas outlined and designated on this plat as "Drainage Easement" or "DE" for the purpose of constructing, using, replacing and maintaining a culvert, storm sewer, drainage ditch, or other drainage facility or tributary connections, including similar facilities, and appurtenances thereto, including the right to maintain, repair and replace the drainage facility and for any reconstruction and future expansion of such facility, together with the right of access for the same, is hereby granted to the City of Olathe, Kansas. Drainage Easements shall be kept clear of obstructions that impair the strength or interfere with the use and/or maintenance of storm drainage facilities.

### VACATION

The undersigned proprietor of said property shown on this plat does hereby vacate areas outlined and designated on this plat as "Landscape Easement" or "LE" as incident to the relocation of any such existing utility installations within said prior easement.

Limits of No Access shall remain everywhere it is currently shown with the exception of the gaps in existing limits of no access needed for the proposed right-of-way-out access drive on Ridgeview Road and for the right-of-way access drive on 159th Street.

### RESTRICTIONS

Tracts "A" and "B" are intended to be used as Drainage Easement (DE), Stormwater Detention, Stormwater Quality Best Management Practices (BMPs), Landscaping and Open Space and shall be owned and maintained by the owner of Lot 4A.

Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code. Restrictions on the use or alteration of the said Facilities may apply. This property is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City.

### CONSENT TO LEVY

The undersigned proprietor of the above described tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Overland Park, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

### EXECUTION

IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Mallico Bank

Vicky Zuttfene, VP, Director of Facilities

STATE OF \_\_\_\_\_ SS

COUNTY OF \_\_\_\_\_

BE IT REMEMBERED, that on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me a Notary Public in and for said County and State, came Vicky Zuttfene, VP, Director of Facilities and Mallico Bank, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said Company, and she duly acknowledged the execution of the same to be the act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year first written above.

Notary Public: My Appointment Expires: \_\_\_\_\_

### APPROVALS

APPROVED BY the Planning Commission of the City of Olathe, Johnson County, Kansas,

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

Wayne Jenner, Chairman

APPROVED BY the Governing Body of the City of Olathe, Johnson County, Kansas,

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

John Bacon, Mayor

Attest: Branda D. Swearingin, City Clerk



PRELIMINARY  
FINAL PLAT UNDER REVIEW

### ASBURY CENTRE - 2ND PLAT

Prepared For:  
Tim Rupert  
Interlink PSI  
10101 E. 15th Street  
Olathe, KS 66045

Date of Preparation:  
October 11, 2023

Revised:  
December 4, 2023



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Certificates of Authorization:  
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