



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: April 22, 2019

Application:	FP19-0006, Final Plat for Black Bob 151 Shops Lot 8 Replat		
Location:	15205 S. Black Bob Road		
Owners:	Toby Scott & Dave Meats; Adio Ventures LLC & Meats & McDonald, LLC		
Engineer:	Judd Claussen, P.E.; Phelps Engineering, Inc.		
Staff Contact:	Zachary Moore, Planner II		

Site Area:	<u>0.89± acres</u>	Use:	<u>Office building</u>
Lots:	<u>2</u>		
Tracts:	<u>1</u>	Current Zoning:	<u>C-2</u>

1. Comments:

The following application is a final plat for Black Bob 151 Shops Lot 8 Replat, containing two commercial lots and one common tract. This is a replat of the existing Lot 8 of Black Bob 151 Shops which was recorded in March 2011. The subject property and surrounding shopping center were annexed in March 1985 and subsequently rezoned to C-2 in April 1989. A preliminary site development plan was approved for the Black Bob 151 Shops in December 2007 and a final site development plan (PR18-0012) was approved for the subject property in March 2018. A building permit for the existing office building was issued in November 2018. This replat will divide the building into two separate units and will establish a common tract to be used for amenities, landscaping, monuments, access and parking, and private open space.

2. Plat Review:

- a. **Lots/Tracts** – The plat includes a total of two commercial lots and one common tract. Lot 1 is approximately 0.17± acres, Lot 2 is approximately 0.09± acres, and Tract A is approximately 0.63 acres in size.
- b. **Public Utilities** – The subject property is located within the City of Olathe water service area and the Johnson County Wastewater service area. Utility Easements (U/E), Waterline Easements (WL/E), and Sanitary Sewer Easements (S/E) will be dedicated with this final plat.
- c. **Streets/Right-of-Way** – No public street right-of-way is required to be dedicated with this final plat. The subject properties will take access from an internal drive within the shopping center. There is no direct vehicular access from Tract A, where the parking lot is to be located, to Black Bob Road.

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3. Excise Taxes

Chapter 3.35.050(B) of the Olathe Municipal Code states that any replat of previously platted land that was approved by the City is exempt from paying street and traffic signal excise taxes. Since this application is for a replat of previously platted property, no street or traffic signal excise taxes are required.



Aerial view of site outlined in navy



View of existing building from internal access drive

Staff Recommendation:

Staff recommends approval of FP19-0006, final plat for Black Bob 151 Shops Lot 8 Replat with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (.pdf format) shall be submitted to the Planning Division.
- b. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities' meter banks and coolers shall be screened from public view with three-sided landscaping or with an architectural treatment compatible with the building architecture per UDO, Section 18.30.130.I.6.



BLACK BOB 151 SHOPS, LOT 8
FP19-0006



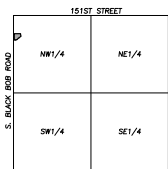
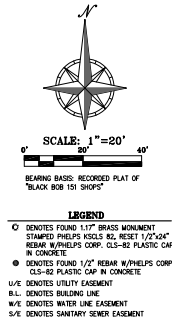
User: jaredmd
Date: 04/17/2019



FINAL PLAT OF BLACK BOB 151 SHOPS LOT 8 REPLAT

RESURVEY AND REPLAT OF LOT 8, BLACK BOB 151 SHOPS, A
PLATTED SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF
SECTION 9, TOWNSHIP 14 SOUTH, RANGE 24 EAST,
IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

Attachment A



LOCATION MAP
SECTION 9-14-24



TITLE NOTE:

TITLE INFORMATION SHOWN HEREON WAS TAKEN FROM CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 20172766 AND WITH AN EFFECTIVE DATE OF JANUARY 22, 2016 AT 8:00 A.M. REVISED 1/24/19

FLOOD NOTE:

THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLATHE, COMMUNITY NO. 200105, JOHNSON COUNTY, KANSAS, MAP NO. 2001050005, AND DATED AUGUST 3, 2009.

NOTE:

LOTS IN THIS PLAT ARE SERVED BY A REGIONAL DETENTION BASIN.

LOT AREAS		
PARCEL	AREA (S.F.)	AREA (A
1	7334.93	0.1684
2	4015.82	0.0922
PLAT	36847.27	0.8391
TRACT A	27496.51	0.6312

RESURVEY AND REPLAT OF LOT 8, BLACK BOB 151 SHOPS, A PLATTED SUBDIVISION OF LAND IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, CONTAINING 0.8918 ACRES, MORE OR LESS, OF REPLATED LAND.

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "BLACK BOB 151 SHOPS LOT 8 REPLAT".

DEDICATION

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables, etc., upon, over and under those areas outlined hereon and designated on this plat as "U/E" or "Utility Easement".

An easement to lay, construct, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, over and through those areas designated as "Sanitary Sewer Easement" or "S/E" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to the Consolidated Main Sewer District of Johnson County, Kansas or their assigns.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, upon, over and under those areas outlined hereon and designated on this plat as "W/L/E" or "Water Line Easement".

Tract "A" shall be owned and maintained by Owners of Lots 1 and 2. Said tracts to be dedicated for amenities, landscaping, monuments, access and parking and private open space.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the Declaration of Restrictions for "Black Bob 151 Shops Lot 8 Replat", which instrument is recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, 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, 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, undersigned proprietors has caused this instrument to be executed on this _____ day of _____, 20____.

ADIO Ventures, LLC, a Kansas Limited Liability Company and Meats & McDonald LLC, a Kansas Limited Liability Company, as tenants in common

By: Taty A. Scott, Member of ADIO Ventures, LLC
By: Warren D. Meats, Jr., Chief Executive Manager of Meats & McDonald LLC

ACKNOWLEDGMENT

STATE OF _____ } SS
COUNTY OF _____

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Taty A. Scott, Member of ADIO Ventures, LLC, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

ACKNOWLEDGMENT

STATE OF _____ } SS
COUNTY OF _____

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Warren D. Meats, Jr., Chief Executive Manager of Meats & McDonald LLC, who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

Approved by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 20____.

Chairman: C.S. Vukas

Approved by the Governing Body of the City of Olathe, Kansas, this _____ day of _____, 20____.

Mayor: Michael E. Copeland

Attest: _____ City Clerk

I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN JANUARY 2019, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.



CERTIFICATE OF AUTHORIZATION
KANSAS ENGINEERING - LS-40
ENGINEERING - 1-37
KANSAS ENGINEERING
10000 N. 100TH STREET
OVERLAND PARK, KS 66213
ENGINEERING-200700018
ENGINEERING-200700018

