

**MINUTES – Opening Remarks**

**Planning Commission Meeting: April 22, 2019**

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The Planning Commission convened at 7:00 p.m. to meet in regular session with Chairman Dean Vakas presiding. Commissioners Jose Munoz, Barry Sutherland, Ryan Freeman, Mike Rinke, Jeremy Fry and Ryan Nelson were present. Commissioner Chip Corcoran was absent.

*Recited Pledge of Allegiance.*

The Chair made introductory comments. Regarding *ex parte* communication, the Chair requested that if a commissioner had something to report, they specify the nature of the *ex parte* communication when item is reached in the agenda.

A motion to approve MN19-0408, the meeting minutes from April 8, 2019, was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 7-0.



City of Olathe  
City Planning Division

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<b>Application:</b>	<b><u>MP19-0005</u></b> Request approval for a minor plat for <b>Ranch Villas at Prairie Haven, Lot 23</b> containing 4 lots on 0.28± acres; located in the vicinity of 119th Street and Lone Elm Road.
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*A motion to approve MP19-0005 on the Consent Agenda was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 7-0, with the following staff stipulations:*

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.
- b. Sidewalks shall be constructed on both sides of all public and private streets and drives as required by the RP-3 zoning ordinance.
- c. The developer is responsible for planting street trees, subject to UDO 18.30.130. Such trees shall be planted at the completion of each phase of development.
- d. All above ground electrical and/or telephone cabinets shall 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.
- e. A note shall be included on the building permit stating that all above ground mechanical equipment shall be screened according to UDO 18.30.130.



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<b>Application:</b>	<b><u>FP19-0005</u></b> Request approval for a final plat for <b>Townhomes of Fairfield Village, Forty-Sixth Plat</b> containing 6 lots and 1 common tract on 0.75± acres; located in the vicinity of 168th Place and Kimble Street.
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*A motion to approve FP19-0005 on the Consent Agenda was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 7-0, with the following staff stipulations:*

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.
- b. Sidewalks shall be constructed on both sides of all public and private streets and drives as required by the RP-3 zoning ordinance.
- c. The developer is responsible for planting street trees, subject to UDO 18.30.130 G. Such trees shall be planted at the completion of each phase of development.
- d. All above ground electrical and/or telephone cabinets shall 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.
- e. A note shall be included on the building permit stating that all above ground mechanical equipment shall be screened according to UDO 18.30.130.



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<b>Application:</b>	<b><u>FP19-0006</u></b> Request approval for a final plat for <b>Black Bob 151 Shops Lot 8 Replat</b> containing 2 lots and 1 common tract on 0.89± acres; located at 15205 S. Black Bob Road.
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*A motion to approve FP19-0006 on the Consent Agenda was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 7-0, with the following staff 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.



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<b>Application:</b>	<b><u>FP19-0008</u></b> Request approval for a final plat for <b>Shield Storage W. 151<sup>st</sup> Terrace</b> containing 1 lot and no common tracts on 3.06± acres; located southeast of the intersection of W. 151 <sup>st</sup> Street and US 169 Highway.
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*A motion to approve FP19-0008 on the Consent Agenda was made by Comm. Nelson and seconded by Comm. Sutherland and passed with a vote of 7-0, with the following staff 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.



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<b>Application</b>	<b><u>FP19-0001:</u></b> Request approval for a final plat and vacation of existing public utility easements for <b>Mentum</b> containing 16 commercial lots, 2 lots for apartments, and 1 common tract on 105.5± acres; located west of Harrison Street, between 151 <sup>st</sup> Street and Southpark Boulevard.
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**Sean Pendley, Senior Planner**, appeared before the Planning Commission, summarizing this request for a final plat and vacation of public utility easements for Mentum, located at the former Great Mall site. A rezoning and preliminary development plan was approved for the site in February 2019. The plan includes a mixed-use development with commercial and multifamily residential development. The final plat will include the entire 105-acre site.

**Mr. Pendley** noted that there are several existing public easements that need to be revised. Some will be vacated with the final plat; some will be vacated by separate document after the plat is approved. However, the plat itself includes 16 commercial lots and two multifamily residential lots. He pointed out some access easements and existing sanitary sewer and water easements will be vacated with this plat. Mr. Pendley said other private access easements and utility easements will be vacated by separate document as the development progresses.

**Mr. Pendley** stated that the applicant mailed notices for the easement vacations per Unified Development Ordinance requirements. Staff has not received any comments, concerns or conflicts. He added that Public Works has reviewed the easement vacations and recommends approval as submitted.

**Mr. Pendley** concluded by saying that staff recommends approval of the final plat, including vacation of public easements, as stipulated in the report.

**Chair Vakas** opened the public hearing and asked the applicant to come forward. **Doug Ubben, Phelps Engineering**, 1270 North Winchester, Olathe, approached the podium. He does not have a formal presentation and believes staff covered everything sufficiently. There were no questions for the applicant. Nobody else was wishing to speak and Chair Vakas called for a motion to close the public hearing.

*Motion by Comm. Rinke, seconded by Comm. Munoz, to close the public hearing.*

*Motion passed 7-0.*

*Motion by Comm. Rinke, seconded by Comm. Sutherland, to recommend approval of FP19-0001, with the following stipulations:*

- a. Final site development plans for the respective lots shall be approved prior to review of building permit applications.

- b. The final plat shall include all required utility easements and Book and Page numbers for Access Easements (A/E) at the time of recording.
- c. The existing Access Easement (A/E) in Lot 7 shall be vacated and a new A/E shall be dedicated between Lots 7 and 8 to maintain access to Lot 2.
- d. An agreement for ownership and maintenance of the private streets and Access Easements shall be recorded with the final plat.
- e. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.

*Aye: Sutherland, Freeman, Nelson, Rinke, Fry, Munoz, Vakas (7)*

*No: (0)*

*Motion was approved 7-0.*



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**MINUTES – Other Matters**

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**Chairman Vakas** noted that there were no other announcements.

*Meeting adjourned.*