

STAFF REPORT

Planning Commission Meeting: April 26, 2021

Application:	FP21-0010: Olathe Downtown Library		
Location:	NE corner of N. Chestnut St & E. Santa Fe Street		
Applicant:	Jeff Blakeman, City of Olathe		
Owner:	City of Olathe, Kansas		
Engineer:	Brad Sonner, Olsson & Associates		
Staff Contact:	Emily Carrillo, Senior Planner		
Site Area:	<u>3.05 acres</u>	Proposed Use:	<u>Library/Office Building</u>
Lots:	<u>1</u>	Current Zoning:	<u>C-2 (Community Center)</u>
Tracts:	<u>2</u>	Plat:	<u>Original Town of Olathe</u>

1. Introduction:

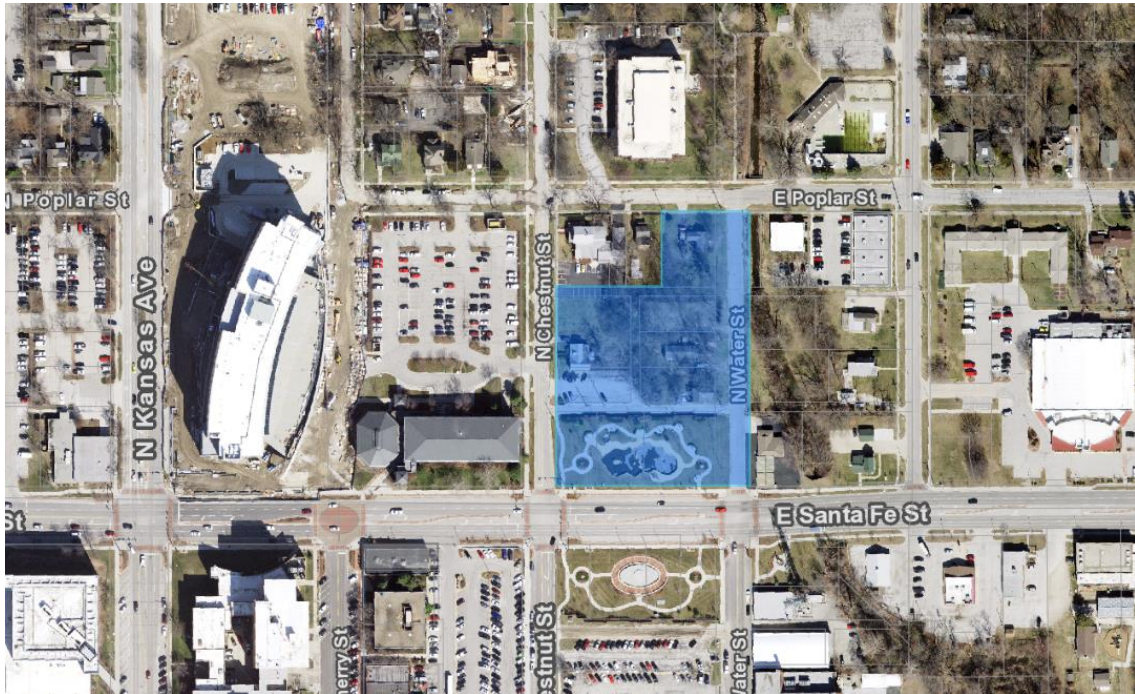
The following item is a request for a final plat the Olathe Downtown Library. This replat will establish lot lines, dedicate public easements, and vacate existing right-of-way.

The applicant is replatting Lots 1-3 and 10-30 and vacating alleys within Lot 34 and right-of-way for N. Water Street to allow for the construction of a 46,000 square foot civic library and office facility.

The subject property was zoned C-2 (Community Center) in 1970 (Ord. 346-C) and was included in the Original Town of Olathe Plat in 1866. A corresponding application (RZ21-0007) for rezoning and preliminary site development plans was recently recommended for approval by the Planning Commission and will be considered by City Council on their May 4 agenda.

2. Plat Review:

- a. **Lots/Tracts** -- The final plat includes 1 lot and 2 tracts on 3.05± acres intended for future development of a library/office facility and existing park space. Tracts A and B are proposed to be utilized as BMP areas and will be owned and maintained by the City of Olathe.
- b. **Public Utilities** -- The property is in the City of Olathe water and sewer service areas. Public Utility Easements (U/E) are being dedicated with this final plat.
- c. **Streets/Right-of-Way** -- No new right-of-way is being dedicated with this plat. The development will have roadway access from E. Santa Fe, N. Chestnut and E. Poplar streets. Existing alleys and right-of-way included in Lot 1 are being vacated with this plat consistent with UDO 18.40.190-D.1.



Subject property highlighted in blue.

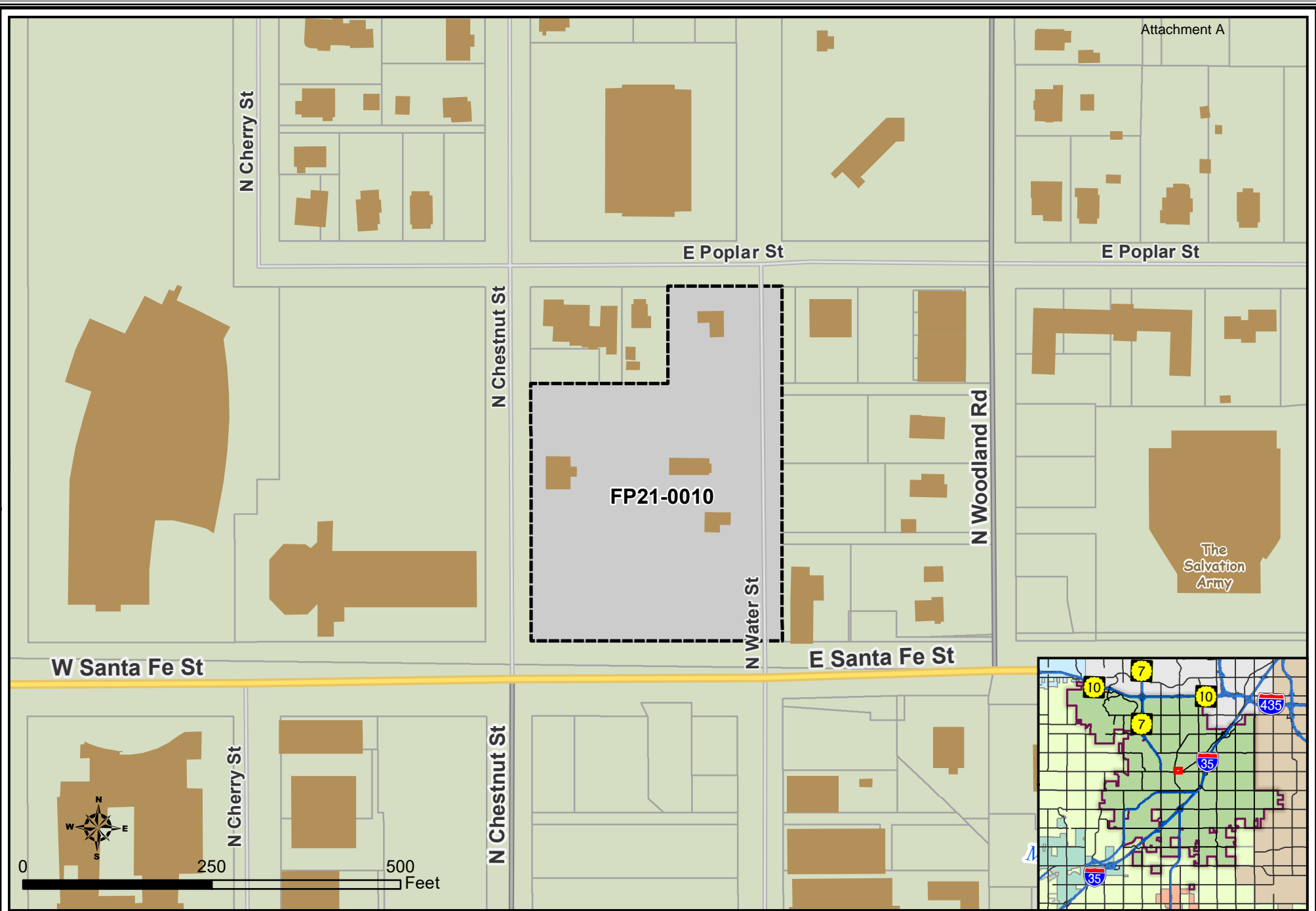


View looking east from N Chestnut and alley at Civic Center Park.

3. Staff Recommendation:

Staff recommends approval of FP21-0010 with the following stipulations:

1. All new on-site wiring and cables must be placed underground.
2. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.



OLATHE DOWNTOWN LIBRARY
FP21-0010

Final Plat
Olathe Downtown Library

Attachment A

A replat of Lots 1-3 and 10-30, Block 34, together with adjacent Vacated Alleys, Block 34, together with N. Water Street R/W, all of Olathe, a subdivision in the City of Olathe, Johnson County, Kansas, lying in the Southeast Quarter of Section 26, Township 13 South, Range 23 East

Property Description

All of Lots 1 through 3, together with all of Lots 10 through 30, Block 34, together with all of the Vacated Alleys lying within Block 34, Town of Olathe, a subdivision in the City of Olathe, Johnson County, Kansas, and part of North Water Street, as now established, all lying in the Southeast Quarter of Section 26, Township 13 South, Range 23 East, in the City of Olathe, Johnson County, Kansas, described as follows:

BEGINNING at the intersection of the South right-of-way line of East Poplar Street and the East right-of-way line of North Water Street, both as established in Town of Olathe, a subdivision in the City of Olathe, Johnson County, Kansas; thence South 02 degrees 06 minutes 51 seconds East, on said East line and on the West line of Block 33 of said Town of Olathe, a distance of 469.65 feet to the Southwest corner of said Block 33, said point also lying on the Easterly extension of the South line of Block 34 of said Town of Olathe; thence South 87 degrees 41 minutes 15 seconds West, departing said East line, on said Easterly extension and on said South line, a distance of 333.48 feet to the Southwest corner of said Block 34; thence North 02 degrees 09 minutes 17 seconds West, on the West line of said Block 34, a distance of 341.59 feet to the Southwest corner of Lot 9 of said Block 34; thence North 08 seconds East, departing said West line, on the South line of said Lot 9 and on the South line of Lots 6, 7, 8, 5 and 4 of said Block 34, a distance of 183.23 feet to the Southeast corner of said Lot 4; thence North 02 degrees 20 minutes 40 seconds West, on the East line of said Lot 4, a distance of 128.24 feet to the Northeast corner of said Lot 4, said corner also lying on the North line of said Block 34; thence North 87 degrees 41 minutes 08 seconds East, departing said East line, on said North line, a distance of 91.01 feet to the Northeast corner of said Block 34; thence North 87 degrees 51 minutes 45 seconds East, departing said North line, a distance of 60.00 feet to the POINT OF BEGINNING, containing 133,283 Square Feet or 3.0598 Acres, more or less, including 3.0598 Acres of Replatted Area.

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 shall hereafter be known as "Olathe Downtown Library".

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, electrical, poles, wires, drainage facilities, ducts and cables, and similar utility facilities, upon, over and under these areas outlines and designated on this plat as "Utility Easement" or "U/E", is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes.

In accordance with KSA 12-512b, all rights, obligations, reservations, easements, or interest not shown on this plat shall be vacated as to use and as to title, upon filing and recording of this plat. The proprietors, successors, and assigns of property shown on this plat hereby observe and agree, jointly and severally, to indemnify the City of Olathe, Kansas, of any expense incident to the relocation of any existing utility improvements heretofore installed and required to be relocated in accordance with proposed improvements described in this plat.

The undersigned proprietor of said property shown on this plat does hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues and alleys not heretofore dedicated. Where prior easement rights have been granted to any person, utility, or corporation on said parts of the plat as streets, lines, poles and wires, conduits, ducts or cables heretofore installed thereon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietor hereby absolves 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.

Vacation

It is the intent of this plat to vacate and release all of North Water Street right of way lying between East Poplar Street and East Santa Fe Street, described as follows:

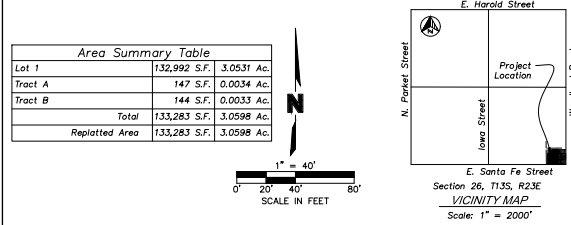
BEGINNING at the intersection of the South right-of-way line of East Poplar Street and the East right-of-way line of North Water Street, both as established in Town of Olathe, a subdivision in the City of Olathe, Johnson County, Kansas; thence South 02 degrees 06 minutes 51 seconds East, on said East line and on the West line of Block 33 of said Town of Olathe, a distance of 469.65 feet to the Southwest corner of said Block 33, said point also lying on the Easterly extension of the South line of Block 34 of said Town of Olathe; thence South 87 degrees 41 minutes 15 seconds West, departing said East line, on said Easterly extension, a distance of 60.00 feet to the Southwest corner of said Block 34; thence North 02 degrees 06 minutes 51 seconds West, on the East line of said Block 34, a distance of 469.84 feet to the Northeast corner of said Block 34; thence North 87 degrees 51 minutes 45 seconds East, departing said East line, a distance of 60.00 feet to the POINT OF BEGINNING, containing 28,185 Square Feet or 0.6470 Acres, more or less.

Consent to Levy

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

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.

Tracts A and B are intended to be used as BMP areas, and are to be owned and maintained by the Owner of Lot 1.



- LEGEND**
- SECTION CORNER
 - SET 1/2" x 24" REBAR W/AC 114 CAP
 - FOUND MONUMENT AS NOTED
 - MEASURED DIMENSION - THIS PLAT
 - PREVIOUSLY PLATTED DIMENSION
 - CALCULATED DIMENSION FROM RECORD
 - PREVIOUSLY DEEDED DIMENSION
 - PERMANENT DRAINAGE EASEMENT
 - R/W RIGHT OF WAY
 - S/E SANITARY SEWER EASEMENT
 - U/E SUBSURFACE UTILITY EASEMENT
 - W/E WATER LINE EASEMENT

Surveyor's Notes:

1. Basis of Bearings: Held South Line of Lots 1-3, Block 34, Town of Olathe @ N88°58'13"E, Kansas Coordinate System 1983, North Zone. Distances shown hereon are ground distances in US Survey Feet. Sectional Information shown hereon is provided only for general location purposes, and is not a part of this Survey's Theory of Location.
2. Subject Property lies within "Zone X - Areas determined to be outside the 0.2% annual chance floodplain," "Zone AE - Base Flood Elevations determined," and "Zone AE Floodway," according to the FEMA Flood Insurance Rate Map Number 20091000780, Revised August 3, 2009.
3. Subject Property contains 133,283 Square Feet or 3.0598 Acres, more or less.
4. This plat lies within the required minimum error of closure of 1:10,000.

Execution

IN TESTIMONY WHEREOF, the undersigned proprietor has hereunto subscribed his name.

OWNER - City of Olathe, a Municipal Corporation

By: J. Michael Wilkes, City Manager

STATE OF KANSAS)

COUNTY OF JOHNSON) SS

Be it remembered, that on this day of 2021, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came J. Michael Wilkes, City Manager of the City of Olathe, Kansas, and Brenda D. Long, City Clerk of said City, who are personally known to me to be the same persons who executed, as such officers, the within instrument on behalf of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

In witness whereof, I have hereunto subscribed my name and affixed my notarial seal this day and year last above written.

Notary: My appointment expires:

Approvals

APPROVED BY, the Planning Commission of the City of Olathe, Johnson County, Kansas, this day of 2021.

Chairman C.S. Vukas

APPROVED BY, the Governing Body of the City of Olathe, Johnson County, Kansas, this day of 2021.

John W. Bacon, Mayor

ATTEST:

Brenda D. Long, City Clerk

Certification:

This is to certify that on March 5, 2021, this field survey was completed on the ground by me or under my direct supervision and that said survey meets or exceeds the "Kansas Minimum Standards" for Boundary Surveys pursuant to K.A.R. 88-12-1.



Michael J. Bogina, PS-1655
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Prepared For/Property Owner:
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Prepared By:
Olason

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Telephone (913) 381-1170



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REV.	DATE	REVISION DESCRIPTION	BY
1	2021/03/05	Initial Survey	MJB
2	2021/03/05	Revised Survey	MJB

Final Plat
Olathe Downtown Library
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1 of 1