



City of Olathe

Legislation Details (With Text)

File #: G19-537

Type: New Business-Public Works **Status:** Agenda Ready

File created: 1/15/2019 **In control:** City Council

On agenda: 2/5/2019 **Final action:** 2/5/2019

Title: Consideration of Ordinance No. 19-04 (VAC18-0005), requesting vacation of public utility easements; located on the property at 1234 E. Santa Fe Street. Planning Commission recommends approval 5-0.

Sponsors: Aimee Nassif, Sean Pendley

Indexes:

Code sections:

Attachments: 1. A Planning Commission Packet, 2. B Planning Commission Minutes, 3. C Ordinance No. 19-04 for Vacation of Public Utility Easements

Date	Ver.	Action By	Action	Result
2/5/2019	1	City Council	approved	Pass

DEPARTMENT: Public Works, City Planning Division
STAFF CONTACT: Sean Pendley, Senior Planner
APPLICANT: Jessica Glavas, QuikTrip Corporation
SUBJECT: Consideration of Ordinance No. 19-04 (VAC18-0005), requesting vacation of public utility easements; located on the property at 1234 E. Santa Fe Street.

ITEM DESCRIPTION:
 Consideration of Ordinance No. 19-04 (VAC18-0005), requesting vacation of public utility easements; located on the property at 1234 E. Santa Fe Street. Planning Commission recommends approval 5-0

SUMMARY:
 The following is a request to vacate public utility easements for the new QuikTrip site at 1234 E. Santa Fe. The site was developed with a new QuikTrip store in 2018 and some of the easements for the previous development were not vacated following construction of the new building and utilities.

There are three easements that need to be vacated; a utility easement and two stormwater drainage easements. The final plat (P-16-012) for QuikTrip Store No. 0182R dedicated the required easements for all new utilities and stormwater drainage. Therefore, the subject easements are no longer required.

The site is located within the City of Olathe water and sewer service area. The Public Works Department has reviewed the exhibits for the easement vacations and recommends approval as shown.

Public notification letters were mailed to surrounding properties within 200 feet per *Unified Development Ordinance (UDO)* requirements. Staff has not received any concerns regarding the

proposed vacation of the public easements.

The Planning Commission held a public hearing on January 14, 2019. The Commission recommended approval of the vacation of utility easements with a vote of 5-0 as shown in the minutes.

Nobody spoke in opposition at the public hearing and no protest petitions have been submitted for the vacation.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 19-04 for vacation of public utility easements as recommended by the Planning Commission.
2. Deny Ordinance No. 19-04 for vacation of public utility easements.
3. Return the vacation application (VAC18-0005) to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove.

ATTACHMENT(S):

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Ordinance No. 19-04 for Vacation of Public Utility Easements