



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 11/19/2019

DEPARTMENT: Public Works, Planning Division

STAFF CONTACT: Andrea Fair, Planning Intern and Zach Moore, Planner II

SUBJECT: VAC19-0004: Vacation of an Existing Utility Easement at Central Elementary School, Applicant: Olathe Unified School District #233

ITEM DESCRIPTION:

Consideration of Ordinance No. 19-73 (VAC19-0004), requesting vacation of an existing utility easement at Central Elementary School; located at 407 E Cedar Street. Planning Commission recommends approval 9-0.

SUMMARY:

This is a request to vacate and existing, 12-foot-wide, utility easement at 407 E Cedar Street. The Olathe School District is working to relocate surface utilities in order to provide additional green space for students at Central Elementary.

The site is located within the City of Olathe water and sewer service area. The Public Works Department has reviewed the vacation request and recommends approval as proposed. The applicant has also provided the required utility sign-off letters to verify there are no conflicts with private utility providers.

Public notification letters to surrounding properties within 200 feet per *Unified Development Ordinance (UDO)* requirements. Staff has not received any concerns regarding the proposed vacation of public easements.

The Planning Commission held a public hearing on October 28, 2019. The Planning Commission recommended approval of the vacation of an existing utility easement with a vote of 9-0 as reflected in the minutes. No individuals spoke in opposition of the vacation request at the public hearing.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 19-73 for vacation of an existing utility easement as recommended by Planning Commission.
 2. Reject the vacation of an existing utility easement and return to the Planning Commission for further consideration, advising the Commission of the reasons for the rejection.
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ATTACHMENT(S):

- A. Planning Commission Packet
 - B. Planning Commission Minutes
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C. Ordinance No. 19-73
D. Vacation "Exhibit A"