



MINUTES – Opening Remarks

Planning Commission Meeting: April 14, 2025

The Planning Commission convened at 7:00 p.m. to meet in regular session with **Chair Wayne Janner** presiding. Commissioners Taylor Breen, Tony Bergida, Keith Brown, Ken Chapman, Chip Corcoran, Jeffrey Creighton, Megan Lynn, and Jim Terrones were present.

Recited Pledge of Allegiance.

Chair Janner welcomed attendees and noted this Commission meeting was occurring in the temporary location of the Downtown Library Flexbox Theater. He noted that City Council and Planning Commission would meet in the temporary location through May while construction was taking place in City Hall.

Chair Janner continued with introductory comments. Regarding ex parte communication, the Chair requested that if a commissioner has something to report, they specify the nature of the ex parte communication when that item is reached in the agenda.

Chair Janner referenced the Planning Commission Consent Agenda, which included five items. Chair Janner asked if any items needed to be removed for separate discussion or additional information.

Seeing none, Chair Janner entertained a motion on the consent agenda.

A motion to approve MN25-0324, Planning Commission meeting minutes of March 24, 2025, was made by **Commissioner Breen** and seconded by **Commissioner Chapman**. The motion passed 9 to 0.



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Application:	<u>FP25-0003:</u> Request for approval of a final plat for Red Hawk Run V, containing 29 lots and two (2) tracts on approximately 10.86 acres, located southeast of S. Woodland Road and W. 121 st Lane.
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A motion to approve FP25-0003 was made by **Commissioner Breen** and seconded by **Commissioner Chapman**. The motion passed with a vote of 9 to 0 with the following stipulations:

1. A modification to the transitional lot policy of the Woodland Road Corridor Plan was approved by City Council on March 18, 2025 to allow a maximum of nine (9) lots along Woodland Road with additional master landscaping provided along Woodland Road as illustrated in the Landscape Plan included in this packet.
2. A landscape tract must be provided along Woodland Road as required by UDO 18.30.130.H prior to recording of the final plat.



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Application:	<u>FP25-0010:</u> Request for approval of a final plat for The Greens at Prairie Highlands, Eighth Plat containing 22 lots and one (1) tract on approximately 7.97 acres, located southeast of W. 143rd Street and S. Saint Andrews Avenue.
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A motion to approve FP25-0010 was made by **Commissioner Breen** and seconded by **Commissioner Chapman**. The motion passed with a vote of 9 to 0 with no stipulations.



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Planning Commission Meeting: April 14, 2025

Application:	<u>PR25-0005:</u> Request for approval of a revised preliminary site development plan for Sunnybrook Townhomes on approximately 1.10 acres, located southwest of W. 116th Terrace and S. Roundtree Street.
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A motion to approve PR25-0005 was made by **Commissioner Breen** and seconded by **Commissioner Chapman**. The motion passed with a vote of 9 to 0 with no stipulations.



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Planning Commission Meeting: April 14, 2025

Application:	<u>PR25-0003:</u> Request for approval of a revised preliminary site development plan for County Square Commons on approximately 0.36 acres, located at 114 - 124 N. Cherry Street.
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A motion to approve PR25-0003 was made by **Commissioner Breen** and seconded by **Commissioner Chapman**. The motion passed with a vote of 9 to 0 with the following stipulation:

1. A 'Right-Of-Way Use Agreement' is required for the south alley patio which will remain public alley right-of-way owned by the City of Olathe prior to Certificate of Occupancy.



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Planning Commission Meeting: April 14, 2025

Application:	<u>SU25-0001:</u> Request for approval of a special use permit for Motor Vehicle Rental for Avis Car Rental, on approximately 0.70 acres, located at 1529 E. Spruce Street.
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Ms. Andrea Morgan, Planner II, presented SU25-0001, a request for approval of a special use permit for Avis Car Rental at 1529 E. Spruce Street. She noted the existing building is vacant but was previously used for flex/office space. Avis is relocating due to I-35/Santa Fe Interchange project. Ms. Morgan explained the property is zoned M-1 (Light Industrial), where motor vehicle rentals are allowed with a special use permit. Ms. Morgan continued that the Future Land Use map identified this area as Commercial Corridor and that the surrounding uses are compatible with the proposed use. Ms. Morgan said Avis will occupy the northern tenant space. No exterior building changes are planned. She continued that there are seven (7) existing striped parking spaces for Avis, rental vehicles will be stored inside the building, and additional parking will be added for other tenants.

Ms. Morgan noted public notice requirements were met. There was one neighborhood inquiry about parking along E. Spruce Street, which staff addressed with the proposed stipulations.

Staff recommended approval with stipulations. The applicant is amenable to all stipulations.

Chair Janner opened the floor to Commissioner questions.

Commissioner Terrones sought clarification regarding proposed Stipulations #3 and #4, specifically about the parking striping requirements in lieu of indoor vehicle parking. He asked how many total striped parking spaces would be available.

Ms. Morgan responded there were seven existing spaces, and four additional spaces would be required for the other two tenant spaces based on zoning code requirements.

Commissioner Terrones noted there was no on-street parking allowed along the north side of E. Spruce Street, which **Ms. Morgan** confirmed. **Commissioner Terrones** referenced neighboring property owner concerns and asked whether the south side of the street would be designated as “no parking,” like the north side.

Ms. Morgan answered there are no current plans to designate the south side of the street as “no parking,” though it could be implemented if needed.

Chair Janner opened the public hearing, but no one was signed up to speak. Chair Janner entertained a motion to close the public hearing.

A motion to close the public hearing was made by **Commissioner Corcoran** and seconded by **Commissioner Bergida**. The motion passed with a vote of 9 to 0.

With no further questions, **Chair Janner** entertained a motion on the item.

A motion to approve SU25-0001 as stipulated by staff was made by **Commissioner Creighton** and seconded by **Commissioner Chapman**. The motion passed with a vote of 9 to 0 with the following stipulations:

1. The special use permit to allow motor vehicle rentals is valid for a period of five (5) years following the date of the approved Resolution.
2. One (1) ADA parking space will be designated prior to the issuance of a Certificate of Occupancy (C/O) for Avis Car Rental.
3. Additional parking spaces will be striped to accommodate additional tenant space prior to the issuance of a Certificate of Occupancy (C/O) for Avis Car Rental in accordance with UDO 18.30.160.
4. Vehicles for rental, inventory or display must be located inside the building or in designated, striped parking stalls and must not be located on the public street, in driveways or lawn areas.
5. Wind signs, including pennants, streamers, balloons, whirligigs, feather flag banners or similar devices, are not permitted.



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Planning Commission Meeting: April 14, 2025

Application:	<u>RZ25-0002:</u> Request for approval of a rezoning from the CTY AG (County Agricultural) District to the AG (Agricultural) District and a preliminary site development plan for the Olathe Range on approximately 95.6 acres, located northwest of W. 167 th Street and Interstate 35.
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Mr. Nathan Jurey, Senior Planner, presented the proposal to rezone a 96-acre property from County AG (County Agricultural) to City AG (Agricultural), and to approve a preliminary development plan for the public safety training facility, Olathe Range Project. The land, now owned by the City and annexed in 2023, is heavily wooded and includes Cedar Creek, with surrounding quarries and agricultural land.

Mr. Jurey explained the uses allowed in the AG zoning are compatible with surrounding land uses. He stated the land is designated as an Employment Area and Primary and Secondary Greenways by the City's Comprehensive Plan. He continued the development will preserve natural features, including preserving 98% of woodland and all stream corridors, except for a small access crossing. The project will meet Comprehensive Plan Policies LUCC-6.3 and CF-3.1.

Mr. Jurey summarized the development plans, which would be developed in three phases with Phases 2 and 3 to be reviewed with subsequent applications:

Phase 1: Two training buildings and a 50-lane outdoor shooting range

Phase 2: 21,000 sq ft expansion of training facilities

Phase 3: Emergency vehicle driver training course in the northeast section

Mr. Jurey stated the noise study conducted by a third-party firm found the range would comply with city noise ordinances. Existing ambient noise on site was measured at 66 decibels, and the range noise was expected to be quieter (55–65 dB) at the property lines. Mr. Jurey outlined the proposed noise mitigation measures, including a 30-foot berm, walls, and sound-absorbing materials, tree preservation, and added landscaping.

He added that public notice requirements were met, a neighborhood meeting was held in March. Five residents attended and posed questions about general operations, traffic and stormwater, which were answered. Staff corresponded with two landowners, both of

which had general operation questions but were supportive of rezoning to the City's Agricultural District.

Mr. Jurey concluded the rezoning request met the Golden Criteria for zoning approval.

Staff recommended approval of both the rezoning and development plan, with only one stipulation requiring County Airport approval due to its proximity to New Century Airport.

Commissioner Brown asked where the range noise data came from, and **Mr. Jurey** explained it came from modeling software used by Avant Acoustics.

Commissioner Brown also asked why the range noise wasn't additive to ambient noise.

Mr. Jurey clarified that the decibel readings from two sounds do not simply add together. The louder sound is the perceived one and the softer sound is less noticeable and gave an example.

Commissioner Creighton asked whether the noise levels were measured from the property line or nearest residence, and what that distance was.

Mr. Jurey displayed the mapped noise data and explained the noise was modeled at the property line, and the nearest residence was about 1,200 feet away (a quarter mile) from where the guns would be fired.

Commissioner Chapman asked about the hours of operation and whether there were any plans for outdoor lighting.

Mr. Jurey deferred to the Police Chief for operating hours and clarified that no large-scale lighting was currently planned for the range.

Chief Mike Butaud, Olathe Police, responded that the range would generally operate Monday–Friday, 8 a.m. to 5 p.m., with rare use outside those hours. He emphasized the goal of being good neighbors and mentioned that this site was chosen after eliminating a other less suitable sites that were closer to neighborhoods. He continued that, although there is no perfect place to put a range in Johnson County, they found no better location than this site, which has a rock quarry and railroad to the northwest and the interstate to the south. Chief Butaud continued that the Kansas Highway Patrol (KHP) already had a small range adjacent to the site, but explained that the new facility was necessary due to limited capacity and scheduling issues at existing ranges.

Commissioner Creighton asked whether the Range would be for exclusive use of the Police Department and asked about ability of the City to ensure hours of operation.

Chief Butaud answered that the FBI would partner with the City on the project. Though firing practice may at times be needed outside normal hours, they would let others know.

Commissioner Creighton asked what type of firearms would be used at the Range.

Chief Butaud answered, though not definitive, that most firearms used would be handguns and suppressed rifles, with little use of high-caliber or other devices.

Commissioner Bergida asked why the KHP range couldn't be shared.

Chief Butaud explained the KHP was insufficient, and that most Kansas City metro agencies already competed for limited range time. He said the Olathe PD and the FBI needed dedicated access for training and certification.

Chair Janner asked Mr. Jurey about flooding concerns.

Mr. Jurey replied that there are floodplain areas on site, but the project is outside of it.

Chair Janner then opened the public hearing, but no members of the public had signed up to speak.

A motion to close the public hearing was made by **Commissioner Breen** and seconded by **Commissioner Brown**. The motion passed by a vote of 9 to 0.

With no further discussion needed, **Chair Janner** called for a motion on the item.

Commissioner Breen made a motion to approve the rezoning and preliminary site development plan (RZ25-0002), subject to all staff stipulations. **Commissioner Chapman** seconded the motion to approve the item. The motion passed with a vote of 9 to 0 as follows:

- A. Staff recommended approval of RZ25-0002, Olathe Range, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the Plan Olathe Comprehensive Plan.
 - 2. The requested zoning meets the Unified Development Ordinance criteria for considering zoning applications.
- B. The rezoning request passed with no stipulations.
- C. The preliminary site development plan request passed with the following stipulation:
 - 1. The Johnson County Airport Commission and Board of County Commissioners must approve the development prior to issuance of a building permit.



MINUTES – Closing Remarks

Planning Commission Meeting: April 14, 2025

Chair Wayne Janner announced tonight was Deputy City Attorney Chris Grunewald's last meeting with the Planning Commission as he accepted a position in another jurisdiction. Chair Janner thanked Mr. Grunewald for dedicating 10 years of service to the City and Planning Commission.

Kim Hollingsworth, Planning & Development Manager also added her thanks to Mr. Grunewald for the long hours he had worked to provide legal guidance and training to staff and the Commission.

Meeting adjourned.