



## STAFF REPORT

Planning Commission Meeting: February 26, 2024

<b>Application:</b>	<b><u>SU24-0001</u>: Request for approval of a Special Use Permit for a Conference and Retreat Center for Imagine This KC, LLC.</b>
<b>Location:</b>	620 N. Lindenwood Drive
<b>Owner:</b>	Shawn Sedlacek; Lindenwood Properties LLC
<b>Applicant:</b>	Shana Crockett; Imagine This KC, LLC
<b>Staff Contact:</b>	Andrea Fair, AICP; Planner II

**Site Area:** 2.06 acres **Proposed Use:** Conference and Retreat Center

**Building Area:** 22,126 sq.ft. **Plat:** Landmark Business Park, Third Plat

**Existing Zoning:** M-2 (General Industrial)

	<b>Plan Olathe Land Use Category</b>	<b>Existing Use</b>	<b>Existing Zoning</b>
<b>Site</b>	Mixed-Density Residential Neighborhood	<b>Indoor Athletic Facility</b>	<b>M-2 (General Industrial)</b>
<b>North</b>	Mixed-Density Residential Neighborhood	Office	M-2 (General Industrial)
<b>South</b>	Mixed-Density Residential Neighborhood	Distribution Facility	M-2 (General Industrial)
<b>East</b>	Mixed-Density Residential Neighborhood	Multifamily Residential	R-5 (High Density Multifamily)
<b>West</b>	Industrial Area	Indoor Athletic Facility	M-2 (General Industrial)

### 1. Introduction

The applicant is requesting a special use permit for a Conference and Retreat Center for Imagine This KC, LLC located at 620 N. Lindenwood Drive. The event space is proposed to occupy a portion of an existing building with two existing tenant spaces. The event space will occupy the south side of the building formerly utilized for industrial uses, and the existing

indoor athletic business operating on the north side of the building is proposed to remain. The Unified Development Ordinance (UDO) requires a special use permit (SUP) for Conference and Retreat Centers within the M-2 (General Industrial) District.

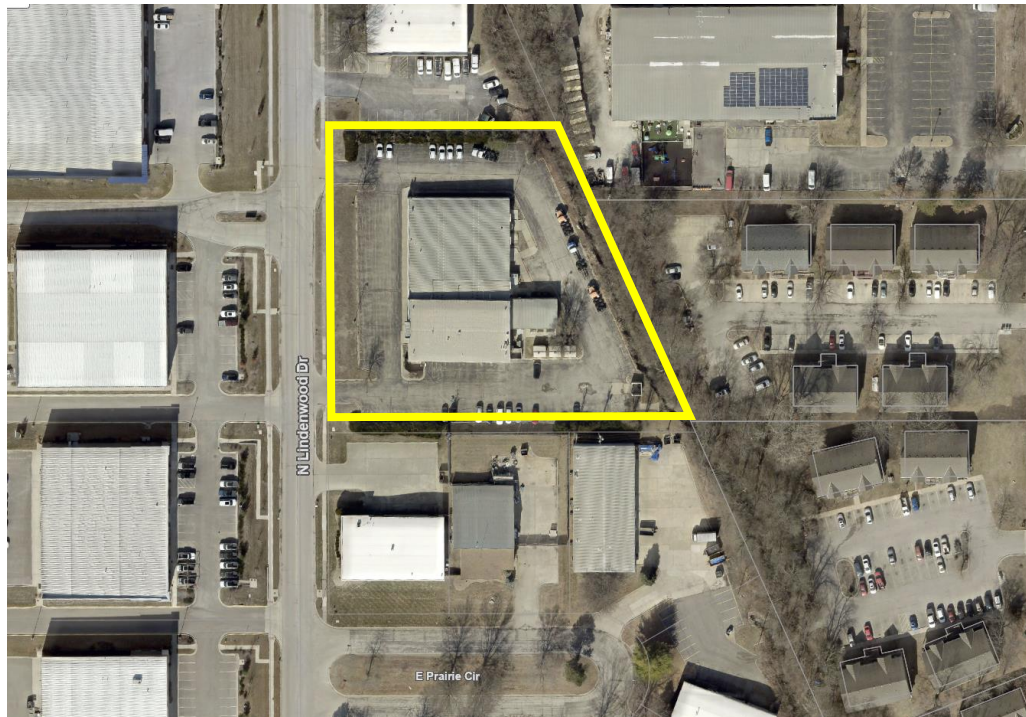
Imagine This KC hosts events including corporate occasions, public engagements, and private gatherings. The event space is proposed to operate Monday – Thursday from 8 AM to 9 PM, Friday – Saturday from 8 AM to 12 AM, and Sunday from 8 AM – 10 PM. The applicant anticipates that the event space will accommodate a maximum of 175 people.

## 2. History

The property was zoned to the M-2 (General Industrial) District in 1970 with Ordinance 346-C. The existing building was constructed in 1984 for industrial uses (PR-49-83). In 1997, a 10,000 square foot building addition was approved (PR-03-97). The building was used for various industrial uses until 2022, when the north portion of building was converted into an indoor athletic facility. The athletic facility provides training and professional level coaching with small class sizes.

## 3. Existing Conditions

The existing site consists of an approximately 22,126 square foot building and 117 parking spaces including five (5) ADA stalls. Existing landscaping is located along the north, east, and south property lines consisting of shrubs, and evergreen and deciduous trees. Street trees are located along N. Lindenwood Drive.



*Site location map – outlined in yellow.*



*View of the subject property looking northeast*

#### 4. Zoning Standards

- a. **Land Use** – The proposed Conference and Retreat Center use requires approval of a Special Use Permit in the M-2 District per UDO 18.20.500. The proposed use is compatible with the adjacent light industrial and commercial uses in the area which consist of other athletic facilities, graphic design, vehicle service centers and similar uses. Existing setbacks and vegetation provide buffers from residential properties to the east.
- b. **Building Height** – Building heights within the M-2 District are limited to a maximum 55 feet. The existing building is approximately 24 feet tall and therefore complies with this height requirement. No changes to the existing building are proposed.
- c. **Setbacks** – The existing building is proposed to remain as it exists today and no changes to setbacks are proposed. The M-2 District is subject to UDO 18.20.200 and the existing building complies with the dimensional standards of the M-2 District.

#### 5. Development Standards

- a. **Access/Streets** – The site is accessed from two driveway locations off N. Lindenwood Drive and no changes to access are proposed with this development.
- b. **Parking** – Per UDO 18.30.160 the proposed Conference and Retreat Center use requires parking at a rate of 1 stall per 150 square feet of building area and the existing Indoor Athletic Facility use requires parking at a rate of 1 stall per 1,000 square feet of building area. A total of 57 parking spaces are required to accommodate both the athletic facility

and the conference and retreat center. The existing parking lot has 117 spaces, exceeding UDO requirements.

There will be some overlap in business operations since the indoor athletic facility operates Monday – Sunday from 8 AM to 10 PM. The applicant and existing business owner have determined that during times of overlap the athletic facility will utilize the south portion of the parking lot, due to the athletic facility have a basement level entrance on the south façade, and the event space will utilize the north, east and west portions of the parking lot.

- c. **Landscaping** – The existing site is landscaped with deciduous and evergreen trees along the north, south and east property lines, and street trees are located along N. Lindenwood Drive. Additional landscaping is being provided along the roadway frontage to meet UDO requirements for parking lot screening, including a continuous row of shrubs and ornamental trees.
- d. **Screening** – The existing trash enclosure near the southeast corner of the site includes site obscuring gates and meets all UDO requirements.
- e. **Stormwater/Detention** – The applicant is not proposing changes to the impervious surface area on the property, therefore, no changes to stormwater and detention are required.
- f. **Public Utilities** – This site is served by City of Olathe Water and Sewer. No changes to utilities are proposed with this application.

## **6. Building Design Standards**

The existing building materials consist primarily of synthetic stucco on the west façade which also wraps around 24 feet onto the north façade, and metal panels on the remainder of the building. There are no proposed changes to the structure at this time. The building was repainted in 2022.

## **7. Public Notification and Neighborhood Meeting**

The applicant mailed the required public notification letters to surrounding property owners within 200-feet and posted a sign on the subject property per UDO requirements. A neighborhood meeting was also held in accordance with the UDO on February 5th, 2024 and no members of the public attended the meeting.

## **8. Time Limit**

According to UDO 18.40.100.F.4, Special Use Permits are approved for a five (5) year period unless otherwise recommended by the Planning Commission or approved by the City Council. The applicant requests, and staff recommends, a renewal time period of five (5) years. This time limit is consistent with other first-time SUPs for similar development in Olathe and renewals are permitted once the 5-year term has expired.

## **9. UDO Special Use Criteria**

The Future Land Use Map of the PlanOlathe Comprehensive Plan identifies the subject property as a Mixed-Density Residential Neighborhood. The site is currently zoned M-2 (General Industrial) and the site is surrounded by residential, industrial, and other commercial uses. An SUP is required in the M-2 District to ensure adequate precautions are taken to

ensure compatibility with the surrounding area. The proposed special use meets the following policy elements of the Comprehensive Plan:

**ES-1.4: Support for Local Business.** Support the retention, expansion and entrepreneurial activities of existing local businesses and maintain a positive business climate. Promote local shopping and local lodging as a means to support the community's economy.

**ES-3.1: Reinvestment in Existing Commercial and Industrial Areas.** Cooperate with the private sector to foster revitalization of existing commercial and industrial areas in order to create greater vitality.

Staff reviewed the application against UDO criteria for considering all special use applications, as listed in UDO Section 18.40.100.F. Staff finds the request meets the criteria as detailed below.

***A. The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies.***

The development meets several policies of PlanOlathe including Economic Sustainability goals of providing support for local businesses and reinvestment in existing commercial and industrial areas. Approval of the SUP will allow for an established local business to operate within the community and for reinvestment to an existing business area.

***B. The character of the neighborhood including but not limited to: land use, zoning, density (residential), architectural style, building materials, height, structural mass, siting, open space and floor-to-area ratio (commercial and industrial).***

The surrounding area operates more similarly to business park with consumer-oriented business and lighter intensity industrial uses along N. Lindenwood Drive and residential development to the east. The existing building blends with the architectural style and building materials of the surrounding neighborhood, which consist of one and two-story structures.

***C. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning districts and uses.***

The uses of the surrounding properties include a mix of commercial and light industrial and adjacent properties are largely zoned to the M-2 District. The proposed use is in harmony with the adjacent uses and will primarily operate during offset hours from the uses on surrounding properties.

***D. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.***

The subject property is suitable for the uses it has been restricted to under the existing zoning designation. The property is zoned to the M-2 District which permits a variety of general industrial, commercial and manufacturing uses. The M-2 District also permits Conference and Retreat Centers with approval of a special use permit.



***E. The length of time the property has remained vacant as zoned.***

The property was zoned to the M-2 District in 1970 and the existing building was constructed in 1984. The proposed event space is currently vacant, and an existing indoor athletic facility occupies the north side of the building.

***F. The extent to which approval of the application would detrimentally affect nearby properties.***

The proposed use is not anticipated to detrimentally affect nearby properties. The property is bordered by a residential apartment complex to the east and a mix of commercial and industrial uses to the north, west and south. The use is subject to the noise limitations of the Municipal Code and the proposed activities will occur indoors.

***G. The extent to which development under the proposed district would substantially harm the value of nearby properties.***

Staff has not received any information indicating that the development as proposed will have a detrimental impact on the value of surrounding properties, which are zoned for industrial and residential uses.

***H. The extent to which the proposed use would adversely affect the capacity or safety of that portion of the road network influenced by the use, or present parking problems in the vicinity of the property.***

The proposed Conference and Retreat Center use will not adversely affect the capacity or safety of the road network in the general vicinity. The site is accessible from two drives off of N. Lindenwood Drive and parking is provided in excess of UDO requirements. The site can be easily accessed from E. Santa Fe Street (an arterial roadway) to the south and Rogers Road to the west.

***I. The extent to which the proposed use would create air pollution, water pollution, noise pollution or other environmental harm.***

Staff is not aware of any potential for unlawful levels of air, water, or noise pollution with the proposed use. Landscaping is being added to the site and there is no increase in impervious surface. The use is subject to all local, state, and federal environmental guidelines.

***J. The economic impact of the proposed use on the community.***

The proposed use will generate income for an existing commercial tenant space, which will continue to provide sales tax revenue for the City.

***K. The gain, if any, to the public health, safety and welfare due to denial of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.***

There is no gain or detriment to the public health, safety, or welfare if the application were denied. If the special use permit were denied, the proposed Conference and Retreat Center could not occupy the existing building.

## **10. Staff Recommendation**

Staff recommends approval of the special use permit for a Conference and Retreat Center (SU24-0001) with the following stipulations:

1. The special use permit for the Conference and Retreat Center is valid for a period of five (5) years following the date of the approved Resolution.
2. Event activities may not occur in the parking lot or street right-of-way.
3. The property is subject to the noise control measures of Municipal Code 6.18, and must adhere to sound level limits as measured at the property line.
4. 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.