



## **MINUTES – Opening Remarks**

### **Planning Commission Meeting: January 8, 2024**

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The Planning Commission convened at 7:00 p.m. to meet in regular session with **Chairman 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** made introductory comments. Chair Janner directed commissioners to report if they have had ex parte communication when that item is reached in the agenda.

**Chair Janner** referenced the Planning Commission Consent Agenda, which includes three items. Chair Janner asked if any items need to be removed for separate discussion or additional information. Seeing none, Chair Janner asked for a motion on the consent agenda.

A motion to approve MN23-1211, Planning Commission meeting minutes of December 11, 2023, was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed 9 to 0.



## MINUTES

### Planning Commission Meeting: January 8, 2024

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<b>Application:</b>	<b><u>MP23-0017:</u></b> Request for approval of a minor plat of Olathe Pointe, Third Plat, containing two (2) lots on approximately 12.77 acres, located at 14635 W. 119th Street.
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A motion to approve MP23-0017 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 9 to 0 with no stipulations.



## MINUTES

### Planning Commission Meeting: January 8, 2024

<b>Application:</b>	<b><u>FP23-0032:</u></b> Request for approval of a replat of Millcreek Center II, Fourth Plat, containing one (1) lot and two (2) tracts on approximately 3.32 acres, located at 1875 N. Ridgeview Road.
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A motion to approve FP23-0032 as stipulated by staff was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 9 to 0 with the following stipulation:

1. A Stream Corridor and a Stormwater Treatment Facility Maintenance Agreement must be submitted and approved prior to recording a final plat for this development.



## MINUTES

### Planning Commission Meeting: January 8, 2024

<b>Application:</b>	<b><u>PR23-0022:</u></b> Request for an exception to the NC (Neighborhood Center) District for the maximum tenant size for Arbor Creek Building H, located at 16509 - 16529 W. 159th Terrace.
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**Jessica Schuller, Senior Planner**, for Andrea Fair, Planner II, presented PR23-0022, which is a unique request for an exception to a specific requirement of the Neighborhood District. Arbor Creek Neighborhood, located southeast of 159<sup>th</sup> Street and Mur-Len Road, is a mix of both commercial and residential uses. Tonight's application only applies to one building in Arbor Creek, Building H. Building H is a single-owned property with two tenants: Casa Amigos and Kinsale Wine and Spirits. This application is a request for an exception to the maximum tenant size for these two tenants only.

The NC (Neighborhood Center) District was established in 1998 and then retired from the UDO in 2014. The intent of the NC District was to replicate a small town main street by establishing small-scale, low intensity business, retail, civic uses or offices with mixed residential uses where all basic needs could be met within the neighborhood. The NC District established maximum tenant sizes of 5,000 square feet, with exceptions for food or hardware stores which are allowed up to 15,000 square feet.

When the Arbor Creek public hearing took place in 1999 and as recorded in the meeting minutes, the Commission emphasized the importance of capping tenant sizes to maintain the type and scale of businesses in line with the intended NC District. Since the NC District is a Planned District, any substantial changes to the approved 1999 plan require public hearing and Planning Commission approval.

Ms. Schuller presented the history of Building H specifically: It was zoned to NC District in 1999 and then constructed in 2003 with six tenant spaces. In 2022, Casa Amigos' building permit was approved, to expand their corner tenant space into another tenant space for a total of 6,019 square feet. In 2023, Kinsale applied for a building permit to expand their tenant space to 6,364 square feet. Although the building permit is still pending, Kinsale's expansion has been completed. Thus, the request before the Commission tonight is to allow the two tenants to continue to occupy their expanded tenant spaces.

All public notice requirements have been met. Approximately six (6) residents attended the neighborhood meeting in support of the application, with discussion about expansion

details, building upgrades and repairs, and business operations. One resident provided correspondence with concerns about parking, and staff confirmed the parking numbers will still meet UDO requirements with the expanded tenants.

This application does not require City Council approval, and Planning Commission is the approving body. Because of the unique nature of the Neighborhood District, staff recommends approval of the application with the following stipulations:

1. An exception is granted from UDO 18.31.030 permitting the two existing tenants (Casa Amigos and Kinsale Wine & Spirits) within Building H to expand beyond the maximum tenant size of 5,000 square feet as shown on the floorplans provided as Attachment A.
2. Should either the existing tenants (Casa Amigos or Kinsale Wine & Spirits) cease to exist within Building H, each respective tenant space must be divided into a minimum of two separate tenant spaces of 5,000 square feet or less.

**Commissioner Breen** asked for clarification on what would happen if either tenant ceased operating.

**Ms. Schuller** answered the Commission's action this evening is whether to allow the current tenants to continue operating in their already expanded spaces. If the current tenants leave the spaces, new tenants would be required to erect new dividing walls, so the tenant spaces revert back to the original square footage. Tonight's action is intended to rectify the current situation while still keeping in mind the overall intention of the Neighborhood District requirements.

**Commissioner Corcoran** asked how long Arbor Creek has been developed, whether there are any remaining vacancies, and how long Casa Amigos and Kinsale Wine have been tenants. **Ms. Schuller** answered the property was zoned in 1999, Building H was constructed in 2003, and one pad site remains undeveloped. Ms. Schuller answered generally, Casa Amigos has been a tenant for a few years and Kinsale for longer, but the applicant will need to answer more specifically.

**Commissioner Corcoran** expressed concern about the second stipulation that staff recommended, because he believes Arbor Creek has generally struggled and fallen short of the NC District ideal. Since there is resident support, he wants to encourage businesses to be able to operate in Arbor Creek without returning back to the Commission.

**Commissioner Breen** agreed that he would support eliminating the second stipulation.

**Ms. Schuller** stated that this application is limited to Building H, to rectify a tenant that is currently not in compliance with the District's requirements. She expressed concern about setting precedent for individual tenant spaces. If there is a larger conversation about the overall development's tenant size caps, that is a different process that would affect multiple property owners and could involve a zoning amendment.

**Commissioner Corcoran** asked if another Arbor Creek tenant (not in Building H) wanted to expand beyond the allotted maximum size, whether that tenant would have to follow this same process.

**Ms. Kim Hollingsworth, Planning & Development Manager**, answered that tonight's application is intended to address a situation that already happened. To re-evaluate Arbor Creek overall, that would be a zoning amendment process which would involve all the property owners. There are too many different scenarios to answer definitively whether staff would support a zoning amendment without having a specific application request.

**Commissioner Corcoran** asked if Stipulation #2 is absolutely necessary, and **Ms. Hollingsworth** answered the stipulations were recommended intentionally to return the site to the original NC District Arbor Creek requirements and vision.

**Chair Janner** summarized the Commission needs to follow the current NC District requirements, but he asked about the procedure for initiating a zoning amendment. **Ms. Hollingsworth** answered that the applicant would have to initiate a zoning amendment. Since this District has been retired from the Code, staff cannot amend a zoning district that is currently retired.

**Commissioner Creighton** asked how staff will flag and prevent a similar situation from happening in the future. **Ms. Schuller** confirmed staff is utilizing software in a new and better manner and infilling information in these unique properties to better catch this going forward.

**Commissioner Brown** asked for clarification about the meaning in Stipulation #2 of "cease to exist," and **Ms. Schuller** confirmed that a change in ownership would meet that criteria, even if it remained a restaurant or liquor store. A new tenant would have to revert to the original tenant size. For any situations going forward, a different process would be required for Arbor Creek, i.e. zoning amendment. **Ms. Hollingsworth** added that a zoning amendment process also requires City Council approval.

**Commissioners Brown and Breen** asked for further clarification if a new Building H tenant came in, whether the new tenant could go through a similar process as tonight, to keep the larger tenant space. **Ms. Schuller** clarified that tonight's action is solely to rectify an existing situation, and the option is not on the table to change the UDO requirement.

**Commissioner Bergida** asked whether the applicant is amenable to Stipulation #2. **Ms. Schuller** stated that the Applicant's counsel could make further statements during the public hearing portion. **Ms. Hollingsworth** further clarified that, from a phone conversation, staff had understood that the applicant was amenable to Stipulation #2.

**Commissioner Bergida** said although he sympathizes with the other Commissioners' concerns regarding the Stipulation #2 issues, he agrees with staff that this is a clean-up

request and doesn't want to set a precedent. Instead, could we broaden the wording of the second stipulation to reach an agreement?

**Ms. Hollingsworth** asked for clarification of what alternative language Commissioner Bergida had in mind.

**Commissioner Bergida** suggested modifying the language to address vacancy instead of occupancy, and he asked City Attorney, Ron Shaver, for input.

**Ron Shaver, City Attorney**, indicated that a "vacancy" can be subjective, as changing owners naturally causes a vacancy of some period. Mr. Shaver stated that staff intentionally made their recommendation, including Stipulation #2. However, if the Commission wants to deviate from that recommendation, the Commission needs to provide a little more guidance, and staff will try to help execute that amendment.

**Chair Janner** acknowledged staff, Mr. Shaver, and the Commissioners' viewpoints, but stated the situation seems rather circular. It seems this issue could resurface in the future without a true resolution. He asked if the upcoming Comprehensive Plan could address this zoning district. **Ms. Hollingsworth** stated the Comprehensive Plan generally is an overall visionary plan, but she was not familiar with that being addressed via the Comprehensive Plan. Staff could further explore if there's a way to address a retired zoning district through other means.

**Mr. Shaver** stated that the applicant could have, but did not submit an application for rezoning. Staff is attempting to resolve an isolated event.

**Chair Janner** stated it would be logical to assume the applicant wasn't aware there was an option to pursue rezoning.

**Ms. Hollingsworth** clarified that staff did present the option to pursue a zoning amendment to the applicant. The applicant chose not to pursue a zoning amendment, because it would involve adjacent landowners, and chose instead to pursue this exception request to correct the situation at hand.

**Commissioner Creighton** asked City Attorney, Ron Shaver, if the wording could be amended to "should the use of the existing tenant space cease to exist, each space would have to revert." The intention is if in the future the owners want to retire, they will still be able to sell the existing businesses.

**Mr. Shaver** answered in the affirmative.

**Commissioner Lynn** asked if the tenant is defined as the business or the owner.

**Mr. Shaver** answered, it would be the business.

**Commissioner Brown** asked for further clarification on the definition of “business.”

**Mr. Shaver** answered that if the Commission is ok with the uses – restaurant and liquor store – continuing in the size of space in this particular building, even if these particular lessees change, then staff understands the Planning Commission’s intent and the Commission could proceed with Commissioner Creighton’s suggestion.

**Commissioner Brown** further asked for clarification, since as presented, if Casa Amigos changed the name of their corporation (i.e. business), then they would “cease to exist.” Mr. Shaver further clarified that is hypothetical, but he believed staff would see that as a continuation of the tenancy.

**Commissioner Chapman** asked Mr. Shaver, whether Stipulation #1 and #2 can be changed independently, or must both be changed. **Mr. Shaver** answered and **Ms. Schuller** agreed that Stipulation #1 and Stipulation #2 can be modified independent of each other. Stipulation #1 is designed to address the present situation; Stipulation #2 is designed to prepare for the prospective situation.

**Chair Janner** introduced the public hearing.

**Speaker #1, Larry Jordan**, 16025 S. Wyandotte Drive, urged the Commission not to grant the request for the exception. Mr. Jordan shared that the applicant’s rationale that they had already done the work, was not a reason to approve an exception to the zoning code. Further, Mr. Jordan communicated that according to the code, in this district businesses are intended to blend with the neighborhood with an emphasis on pedestrian accessibility. Mr. Jordan shared a physical illustration to demonstrate how on Taco Tuesday, Friday or Saturday nights, parking spaces are all filled. He stated he is also concerned that customers will start parking in the narrow residential streets surrounding the neighborhood center. Additionally, truck loading and unloading is a concern. About once a week, semi-trucks park in the middle of Wyandotte Street to load or unload. If the stores are allowed to continue their expansion, conditions will worsen. He feels this will become a shopping center instead of the neighborhood center it was intended to be.

**Speaker #2 Aaron March**, Rouse Frets White Goss law firm [4510 Belleview, Kansas City, Missouri], for the applicant Murlen 159, LLC spoke. Mr. March first thanked City staff, stating they had bent over backwards to find a practical solution to a problem. Mr. March recounted the timeline of the tenant expansions with building permits and certificates of occupancy. All that to say, the businesses have been operating in expanded capacity so any issues are known, not future unknowns. Mr. March’s client had conversations with staff about Stipulation #2 and tried to change staff’s position. However, the most important outcome the applicant wants, is that the expanded businesses could remain. Mr. March stated the applicant would agree to Commissioner Creighton’s proposed amendment to Stipulation #2, to limit the use to a restaurant and liquor store. As long as the use remains, the exception would continue. For example, a barbeque restaurant could continue in the expanded space, but a bird seed store could not.



With no further comments, **Chair Janner** entertained a motion to close the public hearing.

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

**Chair Janner** asked if the commissioners had any additional comments or discussion.

**Commissioner Creighton** affirmed Mr. Jordan's argument against the applicant being allowed to remain simply because they already completed the expansion work. That is why Commissioner Creighton asked staff how this situation will be avoided in the future, and he feels comfortable with staff's corrective measures.

**Commissioner Creighton** moved to approve PR23-0022 as stipulated by staff with an amendment to Stipulation #2 to state, "Should the use of the existing tenant space cease to exist within Building H, each respective tenant space must be divided into a minimum of two separate tenant spaces of 5,000 square feet or less." Commissioner Creighton asked if Mr. Shaver and Planning Staff would be comfortable with that amendment.

**Mr. Shaver** confirmed this would be within Building H only, and Commissioner Creighton confirmed.

**Ms. Hollingsworth** agreed she understands the amendment and further suggested to include the specific language of "restaurant use or liquor store use" to be clear.

**Commissioner Creighton** confirmed his motion. He further asked if semi-truck parking continues to be an issue, whether residents may call the City.

**Chet Belcher, Chief Community Development Officer**, answered that the City monitors traffic, and work was done on Wyandotte Street to assign "No Parking" on the east side. Loading in the parallel parking is a consequence of the neighborhood commercial with the pedestrian scale; some deliveries try to target off-hours.

**Commissioner Corcoran** seconded the amended motion. The motion passed with a vote of 9 to 0 with the following amended stipulations as further clarified by staff:

1. An exception is granted from UDO 18.31.030 permitting the two existing tenants (Casa Amigos and Kinsale Wine & Spirits) within Building H to expand beyond the maximum tenant size of 5,000 square feet as shown on the floorplans provided as Attachment A.
2. Should the current use of either existing tenant space (restaurant and/or liquor store) cease to exist within Building H, such tenant space must be divided into a minimum of two separate tenant spaces of 5,000 square feet or less prior to issuance of a certificate of occupancy.



## MINUTES

### Planning Commission Meeting: January 8, 2024

<b>Application:</b>	<b><u>RZ23-0012:</u></b> Request for approval of a rezoning from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) District, preliminary plat, and preliminary site development plan for Heritage Ranch on approximately 128.98 acres; located southwest of 159th Street & Black Bob Road (Lackman Road).
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**Taylor Vande Velde, Planner II**, presented RZ23-0012, a request to approve a rezoning to from the County Rural District to the Residential Single-Family District, located southwest of 159<sup>th</sup> Street and Black Bob Road. This property was annexed in October 2023, and is surrounded on the north, south, and west sides by R-1 zoning. PlanOlathe designates this area as Conventional Neighborhood and Secondary Greenway, and rezoning aligns with the goals and policies of PlanOlathe.

Ms. Vande Velde also presented the preliminary plat and preliminary site development plan for a single-family subdivision, Heritage Ranch. One existing home will remain, and an existing barn will be repurposed as the subdivision clubhouse. Ms. Vande Velde also presented the four-phase plan and street access connections. On the west and south sides of Heritage Ranch, there will be five street connections to adjacent subdivisions. The subdivision will also have arterial access on the north to 159<sup>th</sup> Street and on the east to Black Bob Road (Lackman Road). Ms. Vande Velde provided that overall improvements to Black Bob Road and 159<sup>th</sup> Street are planned in 2024 and 2027 as part of CIP projects to expand the roads to 4-lane divided trafficways. Ms. Vande Velde also presented the planned amenities and tree preservation plan.

Ms. Vande Velde noted the applicant is requesting a waiver to side yard setbacks, which staff supports because open space is provided in excess of UDO requirements. Staff review will be required for architectural plans on lots smaller than 7,200 square feet.

Ms. Vande Velde provided that all public notice requirements have been met. A neighborhood meeting was held with approximately 35 attendees. Main topics of discussion included amenities, traffic, existing ponds and detention, housing construction plans, and the impact on existing development. No additional correspondence was received.

Staff recommends approval of the rezoning with no stipulations.

Staff recommends approval of the preliminary plat with stipulations. However, the Applicant has requested to remove Stipulation #4:

4. Prior to building permit issuance for Phase 1, two points of access from arterial roadways must be constructed as shown on the phasing plan dated December 22nd, 2023.

Staff is supportive of removing Stipulation #4 to allow greater flexibility with phasing during housing market fluctuations.

**Commissioner Terrones** stated in the neighborhood meeting minutes, there was a comment about a traffic light signal at 159<sup>th</sup> and Brougham Drive, and he asked if that was still the case for 2027. **Ms. Vande Velde** confirmed those improvements will be part of the 159<sup>th</sup> Street Improvements and added Mr. Belcher may have more information if needed.

**Commissioner Terrones** asked about notification procedures and permitting should blasting become necessary.

**Mr. Chet Belcher, Chief Community Development Officer**, answered a permit from the Fire Department would be required, with notification (estimated within 1,500 feet) and a pre-blasting survey. Seismograph readings are then monitored daily. Mr. Belcher believes the permits must be renewed once per month but couldn't definitely say so.

**Commissioner Creighton** expressed concern that if projected timelines for 159<sup>th</sup> Street CIP improvements change, there could be significant traffic buildup and sight-line difficulty. He inquired if a stipulation could be added to require a left turn lane from westbound 159<sup>th</sup> Street.

**Mr. Belcher** confirmed left turn lanes are required with this project. If the CIP projects are delayed, temporary lights could be utilized.

**Commissioner Breen** asked for clarification on proposed Stipulation #4. **Ms. Vande Velde** reviewed the phasing plan. If Stipulation #4 remained, the applicant would be required to build the north and east arterial access points at the same time. However, the Applicant requests that requirement be removed, so they can construct the arterial access points separately if needed. Access will still follow life and safety requirements of the Olathe Fire Department.

**Ms. Hollingsworth, Planning & Development Manager**, added that the proposed Phase 1 has a higher number of lots than is typical, so removing stipulation #4 provides the applicant with more flexibility to piece this Phase together at different times.

**Commissioner Creighton** asked for clarification regarding a neighbor who lives in County zoning and does not wish to annex into the City. Commissioner Creighton asked

for confirmation that neighbor will be able to continue any activities on their property that the County allows, including brush burning and hunting. Ms. Vande Velde confirmed.

**Chair Janner** opened the public hearing and called the only speaker who had signed up.

**Speaker #1, Stan Adell**, 15712 W 158<sup>th</sup> Terrace, Olathe, Kansas lives in a small cul-de-sac to the north of this development. The traffic on 159<sup>th</sup> Street is dangerous, and improvements are needed. Currently, there are accidents, people drive down into the ditch, and it takes extended time to get out of the cul-de-sac in the morning. The surrounding development growth plus construction traffic in the meantime will add additional burden to 159<sup>th</sup> Street. Mr. Adell asked whether the berm (to the north of 159<sup>th</sup> Street) will be cut into to add the additional lanes and whether a benefit district or special assessment will be utilized. Mr. Adell also expressed concerns about blasting and the water load on the nearby creek.

With no further comments, **Chair Janner** entertained a motion to close the public hearing.

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

**Chair Janner** opened discussion among the commissioners.

**Commissioner Chapman** asked, if Stipulation #4 is removed, will the single arterial access point come off 159<sup>th</sup> or Black Bob. **Mr. Belcher** deferred to the applicant, because he does not know whether applicant's construction will begin from the north or the east.

**Chair Janner** entertained a motion on RZ23-0012.

**Commissioner Bergida** moved to approve RZ23-0012 with all stipulations and recommendations as presented by staff, and **Commissioner Brown** seconded.

The motion passed with a vote of 9 to 0 as follows:

- A. Staff recommends approval of RZ23-0012, Heritage Ranch, for the following reasons:
  1. The proposed development complies with the policies and goals of the Comprehensive Plan.
  2. The requested rezoning to the R-1 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the R-1 District with no stipulations.
- C. Staff recommends approval of the preliminary plat and preliminary site development plan with the following stipulations:

1. A waiver is granted from UDO 18.20.070.b allowing the side yard setback to be reduced from 7 feet to 5 feet and corner side yard from 20 feet to 15 feet for Lots 15-31 and 34-44, as shown on the preliminary plat dated January 2nd, 2024.
2. Homes constructed on lots less than 7,200 square feet in size are subject to the building design standards for single-family homes as outlined in UDO, Section 18.15.020.G.2.
3. Tract L and adjacent right-of-way to the south may be developed as a single-family lot at the time the unplatted ground to the east is sold to an adjacent property owner, or has access to Lackman Road.
4. Prior to building permit issuance for Phase 1, two points of access from arterial roadways must be constructed as shown on the phasing plan dated December 22nd, 2023.
5. The following criteria apply to the Amenity Tract (Tract D):
  - i. Locations of all structures must be shown with the final site development plan.
  - ii. Adequate parking must be provided for amenities.
  - iii. A final site development plan must be approved prior to issuance of building permits for amenities and structures located within the subdivision.
6. All new on-site wiring and cables must be placed underground.
7. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.
8. Tree protection fencing per UDO 18.30.240.E must be installed around all areas of tree preservation and is required to be maintained throughout construction activities. Grading is not permitted within areas designated for tree protection.



## MINUTES

### Planning Commission Meeting: January 8, 2024

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<b>Application:</b>	<b><u>RZ23-0014:</u></b> Request for approval of a rezoning from the C-2 (Community Center) District to the D (Downtown, Mixed-Use) District and a preliminary site development plan for The Olathe Group addition, located at 222 S. Kansas Avenue.
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**Ms. Kim Hollingsworth, Planning & Development Manager**, on behalf of Senior Planner Emily Carrillo, presented RZ23-0014, a request to approve a rezoning from C-2 (Community Center) to the D (Downtown Mixed-Use) District, located at 222 S. Kansas Avenue. The existing building been used as a meeting space for the Olathe Group of Alcoholics Anonymous since 2003, and they have outgrown their building. Since the 2014 UDO update, this use is no longer allowed by right in the C-2 District, and as such, the applicant is requesting to rezone the property to the Downtown Mixed-Use District. Ms. Hollingsworth demonstrated all the neighboring and regional properties that have recently also rezoned to Downtown District. PlanOlathe designates this area as Urban Center/Downtown. The rezoning request also aligns with goals and policies of PlanOlathe and meets all Golden Criteria.

Ms. Hollingsworth presented the preliminary site development plan. The 800 square foot building addition would extend behind the existing building to the east and be designed to blend with the existing and surrounding properties. Parking would be added to the east, and landscaping would enhance the property.

Ms. Hollingsworth provided that all public notice requirements have been met. A neighborhood meeting was held, and the applicant responded to questions.

Staff recommends approval of the rezoning with no stipulations. Staff recommended approval of the preliminary site development plan with one parking stipulation.

**Chair Janner** opened the public hearing, but no one was signed up to speak.

With no further comments, **Chair Janner** moved to close the public hearing and took a voice, which passed 9 to 0.

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

**Commissioner Breen** moved to approve RZ23-0014 as stipulated by staff, and **Commissioner Chapman** seconded.

The motion passed with a vote of 9 to 0 as follows:

- A. Staff recommends approval of RZ23-0014, 222 S. Kansas Avenue, for the following reasons:
  - 1. The proposed development complies with the policies and goals of the Comprehensive Plan for Land Use (LUCC) and Original Town (OT).
  - 2. The requested rezoning to the D (Downtown Mixed Use) District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the D (Downtown Mixed-Use) District as presented with no stipulations.
- C. Staff recommends approval of the preliminary site development plan with the following stipulations:
  - 1. On-site parking must occur in striped and designated parking stalls only and must not block alleyways or access drives.



## **MINUTES – Closing Remarks**

### **Planning Commission Meeting: January 8, 2024**

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**Kim Hollingsworth, Planning and Development Manager**, reminded the Commission there will be a joint meeting with City Council on Thursday, February 15, 2024 from 6:00 pm to 8:00 pm. The location may be changed from City Hall; details will follow.

*Meeting adjourned.*