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**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**QUORUM ACKNOWLEDGEMENT**

**CONSENT AGENDA**

- A.**     **MN24-0429:** Approval of the minutes as written from the April 29, 2024 Planning Commission meetings.
- B.**     **FP24-0008:** Request for approval of a final plat for Lakeview Ridge, 2nd Plat, containing 42 lots and two (2) tracts on approximately 17.67 acres, located northwest of W. 143rd Street and S. Houston Street.  
Owner: Travis Jones, Cherry Park Properties  
Applicant/Engineer: Matt Henderson, Benesch  
**Staff Contact:**     Taylor Vande Velde and Kim Hollingsworth
- C.**     **FP24-0009:** Request for approval of a final plat for Mur-Len Commercial Park, 5th Plat, containing three (3) lots and one (1) tract on approximately 11.67 acres, located northeast of W. 135th Street and N. Mur-Len Road.  
Owner/Applicant: David Christie, Rosebud Partners, LLC  
Engineer: Jeffrey T. Skidmore, Schlagel and Associates  
**Staff Contact:**     Jessica Schuller and Kim Hollingsworth
- D.**     **FP24-0010:** Request for approval of a final plat for Abbey Valley, containing 51 lots and six (6) tracts on approximately 20 acres, located northeast of W. 167th Street and S. Ridgeview Road.  
Owner: Jib Felter, Abbey Valley Development Company, LLC  
Applicant/Engineer: Doug Ubben, Jr., Phelps Engineering, Inc.  
**Staff Contact:**     Andrea Fair and Kim Hollingsworth

**REGULAR BUSINESS**

**REGULAR AGENDA-PUBLIC HEARING**

**A. PUBLIC HEARING**

**RZ24-0007:** Request for approval of a rezoning from the RP-1 (Planned Single-Family) District, CP-1 (Planned Retail Business) District, and the CP-O (Planned Office) District to the C-1 (Neighborhood Center) District and a preliminary site development plan for Primrose School of Olathe on approximately 3.74 acres; located southwest of W. 158th Street and S. Hunter Road.

Owner: Timothy Anschutz, Spark Properties Group, LLC

Applicant/Engineer: Luke Moore, Olsson

**Staff Contact:** Andrea Fair and Kim Hollingsworth

**B. PUBLIC HEARING**

**RZ24-0009:** Request for approval of a rezoning from the R-1 (Single-Family) District and the CP-3 (Planned Community/Corridor Business) District to the C-1 (Neighborhood Center) District and a preliminary site development plan for Olathe Family Dental on approximately 0.74 acres; located at 355 S. Parker Street.

Owner: Ahmad Almarbu, Olive LLC

Applicant: Joshua Kiene, Kiene Dental Group

Engineer: Daniel Finn, Phelps Engineering, Inc.

**Staff Contact:** Andrea Fair and Kim Hollingsworth

**ANNOUNCEMENTS**

**ADJOURNMENT**

The City of Olathe offers public meeting accommodations. Olathe City Hall is wheelchair accessible. Assistive listening devices as well as iPads with closed captioning are available at each meeting. To request an ASL interpreter, or other accommodations, please contact the City Clerk’s office at 913-971-8521. Two (2) business days notice is required to ensure availability.



## **MINUTES – Opening Remarks**

### **Planning Commission Meeting: April 29, 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, Keith Brown, Ken Chapman, Jeffrey Creighton, Megan Lynn and Jim Terrones were present. Commissioners Tony Bergida and Chip Corcoran were absent.

*Recited Pledge of Allegiance.*

**Chair Janner** made introductory comments. He stated the televised Planning Commission meetings will come to an end on May 31<sup>st</sup>. After that date, meetings will be available to view via live streaming on the Olathe website.

**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 included two 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 MN24-0408 was made by **Commissioner Breen** and seconded by **Commissioner Terrones**. The motion passed 7 to 0.



## MINUTES

### Planning Commission Meeting: April 29, 2024

<b>Application:</b>	<b><u>MP24-0008:</u></b> Request for approval of a minor plat of Silvercreek Landing, First Plat, containing five (5) lots on approximately 0.31 acres, located northwest of S. Sunnybrook Boulevard and W. 116th Terrace.
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A motion to approve MP24-0008 was made by **Commissioner Breen** and seconded by **Commissioner Terrones**. The motion passed with a vote of 7 to 0 with the following stipulation:

1. Documents for the required Homeowners Association must be recorded with the minor plat. The documents must contemplate the shared maintenance of all common drives, open space, stormwater and utility services.



## MINUTES

### Planning Commission Meeting: April 29, 2024

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<b>Application:</b>	<b><u>SU23-0007:</u></b> Request for approval of a special use permit for the expansion of a compound area for Verizon on approximately 7.42 acres, located at 15201 S. Mur-Len Road.
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A motion to continue SU23-0007 to a future Planning Commission meeting was made by **Commissioner Chapman** and seconded by **Commissioner Creighton**.

The motion passed with a vote of 7 to 0.



## MINUTES

### Planning Commission Meeting: April 29, 2024

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<b>Application:</b>	<b><u>RZ24-0007:</u></b> Request for approval of a rezoning from the RP-1 (Planned Single-Family) District, CP-1 (Planned Retail Business) District, and the CP-O (Planned Office) District to the C-1 (Neighborhood Center) District and a preliminary site development plan for Primrose School of Olathe on approximately 3.74 acres; located southwest of W. 158th Street and S. Hunter Road.
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A motion to continue RZ24-0007 to a future Planning Commission meeting was made by **Commissioner Breen** and seconded by **Commissioner Chapman**.

The motion passed with a vote of 7 to 0.



## MINUTES

### Planning Commission Meeting: April 29, 2024

<b>Application:</b>	<b><u>RZ23-0011</u></b> : Request for approval of a rezoning from the M-2 (General Industrial) District to the C-2 (Community Center) District and a preliminary site development plan for New Creation Community Center on approximately 0.26 acres; located at 504 E. Kansas City Road.
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**Ms. Emily Carrillo, Senior Planner**, presented RZ23-0011, a request to approve a rezoning to the C-2 (Community Center) District and a preliminary site development plan for New Creation Community Center at 504 E. Kansas City Road. The existing building, constructed in the mid-1960s, was previously used as an auction facility. The property was zoned to M-2 in 1970. New Creation, a non-profit organization, purchased the property in 2023 to use as a gathering space and social service support location for those recovering from substance abuse disorders. This use is categorized by the UDO as “Social Services” which is not permitted in the M-2 zoning district. Thus, staff notified the applicant that rezoning to C-2 would be required for their intended use. The applicant did begin utilizing the property for their patrons prior to submitting the application but have since been working closely with staff to bring the site and use into compliance.

Ms. Carrillo continued that the C-2 District permits over 94 uses that include pedestrian-scale commercial uses that draw from multiple neighborhoods as called for by PlanOlathe. While the district is appropriate for this location, zoning restrictions are recommended to ensure compatibility with the area and adjacent residential zoning. The requested zoning aligns with the Future Land Use map which designates the area as a mix of Urban Center/Downtown.. It would create a less intense district adjacent to residential and allow for commercial uses that directly support the neighborhood. This application meets the goals and policies of PlanOlathe regarding consistency with the Comprehensive Plan, encouraging a mix of complimentary uses for Downtown and Original Town Neighborhoods.

Ms. Carrillo presented the elevations of the New Creation Community Center. The applicant has made improvements since acquiring the structure, including painting and repair of the siding and the entry canopy, removal of bars from windows, and new building signage. New metal awnings will be placed in the future over the exterior doors on the east primary façade. Ms. Carrillo presented the preliminary site development plan, which includes an existing non-conforming structure which is permitted to remain in accordance with UDO Section 18.60. Ms. Carrillo continued, stating the applicant will reduce the

existing impervious surface by removing sections of paved areas and gravel (adjacent to Kansas City Road) and replace those areas with sod. Landscaping will be added as space allows, along the entrances and to help screen the parking as well as the trash enclosure. Onsite parking meets code requirements for the proposed use. Ms. Carrillo stated there is an existing 15-foot-wide sanitary sewer easement along the north end of the property; therefore, any new construction, including expansion or accessory structures, would not be permitted within that area as stipulated in the plans.

Ms. Carrillo stated all public notice requirements have been met, and a neighborhood meeting was held with one member of the public in attendance. The applicant addressed all questions. Overall, the resident express general support of the project, use, and New Creation's service in the community. Meeting notes were included in the packet. Staff has not received any correspondence regarding the project.

Ms. Carrillo summarized the application meets the criteria for considering zoning applications. Staff recommends approval of the rezoning to the C-2 district with the one stipulation regarding the land use restrictions. Staff also recommends approval of the preliminary site development plan with stipulations to address a few required details prior to final site development plans.

**Chair Janner** thanked Ms. Carrillo for her presentation. He stated it is his understanding New Creation has other operations in the neighborhood. He asked whether staff has identified those locations.

**Ms. Carrillo** answered there are a few associated residential properties in the vicinity which are all zoned appropriately and permitted by right.

**Chair Janner** asked for a map of those locations. Ms. Carrillo stated she did not have a specific map available, but answered she believed most were generally to the north of the subject property.

**Chair Janner** called for any additional questions for staff.

**Commissioner Creighton** stated the area has a number of different land uses (M-2, R-1, R-3, CP, etc.). While he did not take issue with the proposed use, Commissioner Creighton asked if the organization outgrows their current operation, whether other businesses could move into this building. Commissioner Creighton expressed he was concerned not to limit a future business owner on the property and asked for a few examples of what businesses would still be allowed.

**Ms. Carrillo** answered that uses that would serve the adjacent residential area and slightly beyond that area would be allowed, for example, a daycare.

**Commissioner Creighton** asked whether making this change would put any hardship on the M-2 that are still in the area, limiting what they can do in the future on those sites.



**Ms. Carrillo** answered no. If any M-2 or any of those properties wanted to submit for a zoning amendment or application, staff would align recommendations with the future land use map.

**Commissioner Creighton** asked whether rezoning to C-2 would be the ultimate goal for this area? He noted this area has changed significantly from the primarily industrial and retail area it was when he came to Olathe in 1984.

**Ms. Carrillo** answered, less intense zoning, like C-2 or C-1 would be appropriate for this area.

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

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

A motion was made by **Commissioner Breen** to close the public hearing, seconded by **Commissioner Chapman**. The motion passed by a vote of 7 to 0.

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

**Commissioner Creighton** moved to recommend approval of RZ23-0011, subject to all staff comments and recommendations including the preliminary site development plan, and **Commissioner Breen** seconded.

The motion passed with a vote of 7 to 0 as follows:

- A. Staff recommends approval of RZ23-0011 for the following reasons:
  1. The proposed development complies with the policies and goals of the PlanOlathe Comprehensive Plan.
  2. The requested rezoning to the C-2 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the C-2 District with the following stipulations:
  1. The following uses are prohibited:
    - a. Animal Care – Indoor or Outdoor Kennel
    - b. Bars, Taverns, and Drinking Establishments
    - c. Convenience Stores, with Gas Sales
    - d. Entertainment Establishment
    - e. Gas Station

- f. Leasing/Rental – Consumer or Recreational Goods
- g. Liquor Store
- h. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43

C. Staff recommends approval of the preliminary development plan with the following stipulations:

1. Proposed accessory structures must be removed and relocated outside of the existing sanitary sewer easement with submittal of the final site development plan.
2. Building elevations must be revised to include awnings or canopies over exterior doorways located on the east (primary) façade with submittal of the final site development plan.
3. Approved parking areas will be paved and striped per UDO 18.30.160.
4. All exterior signs require a permit in accordance with UDO 18.50.190.
5. All new on-site wiring and cables must be placed underground.
6. 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.



## MINUTES

### Planning Commission Meeting: April 29, 2024

<b>Application:</b>	<b><u>RZ23-0013:</u></b> Request for approval of a rezoning from the RP-1 (Planned Single-Family Residential) District to the C-1 (Neighborhood Center) District and a preliminary site development plan for Caribou Coffee on approximately 1.10 acres; located northeast of W. 159th Street and S. Brentwood Road.
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**Ms. Emily Carrillo, Senior Planner,** presented RZ23-0013, a request to rezone Tract A of the Asbury Center along with an associated preliminary site development plan for Caribou Coffee, at the northeast corner of W 159th Street and Brentwood Road.

Ms. Carrillo stated this development proposal includes two (2) commercial lots, which are on the southeast corner of the larger Asbury Center commercial development. The overall Asbury Center has begun to develop: There is an existing daycare on the northeast portion of the development. A rezoning application with preliminary plans for Lot 4 was recently approved in October 2023, for Central Bank and a separate multi-tenant commercial building. A rezoning application for Primrose Daycare on Lot 1 was continued tonight, so that application is currently pending as well.

Ms. Carrillo presented that the subject property is currently zoned RP-1 (Planned Single Family Residential) District, and the applicant is requesting to rezone to the C-1 (Neighborhood Center) District to allow for Caribou Coffee and conceptual commercial building. The C-1 District provides for a greater variety of neighborhood-focused commercial uses and services and is also consistent with both pending applications previously mentioned. The PlanOlathe Future Land Use Map designates this area as Conventional Neighborhood, which typically consists of single-family residential homes. PlanOlathe calls for Neighborhood Centers distributed throughout residential areas to provide local access and convenience to goods and services and to promote walkability. The Asbury Center has started to establish as a Low-Intensity Neighborhood Center, which is consistent with other commercial nodes along Mur-Len and Ridgeview Roads.

Ms. Carrillo continued, stating the proposed C-1 District aligns with other policies of PlanOlathe regarding complete neighborhoods, high quality design and providing a mix of complementary land uses. The C-1 District permits over 70 uses that provide convenience of goods and services called for by PlanOlathe. While the rezoning is compatible with the adjacent commercial and office districts already found in the

development, use restrictions are recommended. These restricted uses are consistent with the overall development stipulations, restricting drive-throughs.

Ms. Carrillo showed an image of the UDO's Use Matrix, demonstrating that the proposed coffee shop with drive-through is categorized as "Restaurant, Carryout or Fast Food" as defined in UDO Chapter 18.20.500. This use is not permitted in the existing RP-1 District, which is why the applicant is requesting to rezone to the C-1 District. Ms. Carrillo explained that fast food uses in general typically attract a higher volume of traffic, require increased exterior lighting, contribute to additional noise, and may operate with longer hours of operation, up to 24 hours.

With these potential factors, staff recommends restricting "Restaurant, Carryout or Fast Food" use at this location, due to the direct proximity of residential neighborhoods to the west and the southwest, as well as the need to maintain consistency within the overall Asbury Center development. The applicant is amenable to the proposed land use restrictions with the exception of the fast-food use. Staff advised the applicant of the incompatibility of the requested land use at this location as recommended. However, they still desired to proceed with this application.

Although Staff supports rezoning to the C-1 District, Staff does not support the requested land use at this location. As stated in UDO 18.40, if the land use is prohibited, then the plan application automatically fails. Staff did complete a full review of the site plan and the building design despite the recommendation for denial.

Ms. Carrillo presented the proposed site plan for Caribou Coffee, which includes a 605 square foot fast-food building with the drive-through on Lot 1. A future Phase 2 includes a conceptual 4,500 square foot general commercial building. The details provided for Lot 2 are conceptual only and do not include the typical level of detail. A revised preliminary site development plan will be required for Lot 2 prior to submittal of the final site development plan.

Ms. Carrillo presented the applicant's plans and renderings of the Caribou Coffee shop and outdoor patio area, including pedestrian connections and planned landscaping that would preserve trees and exceed requirements. Ms. Carrillo presented the building's orientation which was designed to meet the zoning district and the site design category intent for proximity to the street and maximum build-out frontage percentages. Per Code, drive-through windows must not face a public street. Instead, the drive through window is located on the north side of the building, which also allows for internal circulation of this site. There is a walk-up order window located on the south side for pedestrians. The proposed outdoor seating and pedestrian connections create a public facing outdoor amenity space within the larger Asbury Center development.

The applicant requests two (2) waivers. The first waiver is to the setback adjacent to 159th Street and the building frontage: The building sits at about 15 feet, and the requirement within the zoning district is 20 feet. The applicant requests their building frontage be reduced from 50% as required by C-1 District, to 30%. Ms. Carrillo noted both waiver

requests (15 feet building setback and 30% frontage) do meet the site design Category 3 requirements.

Ms. Carrillo continued that both Lots 1 and 2 are subject to the commercial and retail building design standards per the UDO. The west, north and south elevations of the coffee shop are considered primary facades. A second waiver is requested in order to reduce the amount of glass required on these primary facades from 25% down to 20% due to the building's compact footprint and the interior functions of the space needed for operations. Ms. Carrillo showed perspectives.

Ms. Carrillo stated all public notice requirements have been met and a neighborhood meeting was held. Eight (8) residents attended the meeting and asked questions regarding access, anticipated traffic, compatibility with adjacent land uses, and clarification regarding staff's recommendation. During the meeting, no one spoke in opposition of the proposal. The applicant addressed all questions, and overall, residents expressed their support of the proposed use.

After the packet was published, staff received one e-mail correspondence, which was then provided to the Commissioners in advance of tonight's meeting. That resident agreed with the proposal when she attended the neighborhood meeting and later changed her opinion, expressing concern about opening the door to fast-food in general and concern about regarding the use in the vicinity of the residential.

Ms. Carrillo concluded that staff recommends approval of a rezoning to the C-1 District with three land use restrictions (Fast-Food or Carryout Restaurants; Animal Care Facilities with Outdoor Kennels; and Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43). However, staff recommends denial of the preliminary site development plan due to the recommendation of the proposed fast food land use associated with the development plan.

Ms. Carrillo further directed that staff needs two separate motions this evening: a motion to consider the zoning district [Motion 1], and a second motion regarding the preliminary site development plan for the coffee shop use [Motion 2].

Ms. Carrillo stated the applicant would like to briefly speak about the project.

**Chair Janner** called the applicant forward.

**Mr. Joe Campbell, 14593 S Twilight Lane, Olathe, KS 66062**, stated he was the original developer for the 73-acre parcel that includes the Village of Asbury, Asbury Estates and Asbury Center. He thanked Emily and staff for their quick responses and collaboration. Mr. Campbell also introduced Mr. Rob Barse, Mint Development, which is the preferred contractor for Caribou Coffee and present at the meeting. Mr. Campbell stated there are others (members of the public) present first who would like to speak and then he'd like to be available for questions afterwards.

**Chair Janner** agreed if there are additional questions, he can bring Applicant back to the podium to address those.

**Chair Janner** called for questions from the Commissioners.

**Commissioner Terrones** asked whether the plan was for a 24- hour coffee drive through or whether there were any time limitations on hours of operation.

**Ms. Carrillo** answered their planned hours of operation typically are about 6:00 am to 6:00 pm, which could vary a few hours based on locations throughout the nation. For example, it's sometimes 5:00 am to 7:00 pm.

**Commissioner Chapman** asked staff to explain the difference between fast food and fast casual.

**Ms. Carrillo** showed the UDO's Use Matrix, which lists three different categories for restaurant uses: Fast Food, Fast Casual and then more traditional Sit Down. There are several factors to consider: Meals that are pre-packaged versus fresh, healthier meals prepared on site. Hours of operation are a factor. Fast Casual has an option to dine in with utensils, real plates and place settings. Those are the main differences between a fast food and a fast casual.

**Commissioner Chapman** referenced one of the presentation slides which listed items typically found with some fast-food restaurants, for example hours of operation and increased exterior lighting. Commissioner Chapman asked whether there is an indication for increased exterior lighting with this particular plan request.

**Ms. Carrillo** stated staff hasn't evaluated that level of detail in the proposed development plan. Those statements are factors for fast food in general.

**Commissioner Creighton** acknowledged he understands the request for two separate motions and that staff is supportive of the rezoning but has concerns about the preliminary site development plan. He further acknowledged concerns in the resident's email about setting precedent for more intense fast-food use and concerns about possible headlights in the early morning or evenings shining into her residence. He asked staff to respond to these two concerns.

**Ms. Carrillo** showed the site plan and referenced landscaping and the drive through pattern. She stated the residence in question was to the west. Ms. Carrillo noted the applicant is exceeding landscape requirements, but staff would work to make sure that there is significant landscaping along Brentwood or perhaps extend small low retaining walls along 159<sup>th</sup> to help screen the lights prior to any final plan approval. Ms. Carrillo continued that regarding the use, if this were to be recommended for approval, Section 13 of the staff report identifies additional stipulations staff recommends. Ms. Carrillo continued if another location or fast food use were proposed in the future, staff would analyze that proposal against the future land use map, considering the adjacent vicinity and what's appropriate.

**Commissioner Creighton** stated he was asking in order to better understand staff's recommendation, because in the recommendation for the zoning district, it said "the following use would be prohibited - fast food."

**Ms. Kim Hollingsworth, Planning and Development Manager** asked to add one additional piece of information regarding precedent-setting. She stated in all the properties around this subject property, that use is restricted currently. If there was a fast food request in the future, it would go through the entire process of neighborhood meeting, public hearing at Planning Commission, and City Council, whether it is a new district or a zoning amendment to an existing district. It would have all those checkpoints in place.

With no further questions, **Chair Janner** opened the public hearing and called the first speaker to the podium.

**Mr. Bill Seiler, 15554 S. Hillside St. Unit 3903, Villas of Asbury, Olathe, KS 66062** stated he is the president of the board for the HOA. He is here individually because the Board and the HOA have not taken a formal position one way or the other. Mr. Seiler stated in the application process last fall for Central Bank they were initially concerned about fast food use, because of longer operating hours and traffic. Mr. Seiler talked to Ms. Mitchell this morning, who sent the e-mail. If the Commission moves forward with the preliminary site approval, Mr. Seiler asked that the Commission accepts conditions to restrict time on the operation of whatever business goes in and any future businesses on the property. Mr. Seiler asked that the Commission address the headlight issue. Mr. Seiler further noted discussion with his community, there are a lot of people that would welcome this particular addition. He believed the major concern of his HOA's residents are at the south end, off W 158th Place with the traffic coming and the hours of operation. Though it's not formally an age-restricted community, most residents there are probably past 60. Mr. Seiler told Mr. Campbell and Rob from Caribou that they would come and make a comment to indicate that the HOA doesn't have strong opposition one way or the other, but the residents do want the restrictions to be part of any approval.

With no further speakers signed up to speak, **Chair Janner** entertained a motion to close the public hearing.

**Commissioner Creighton** moved to close the public hearing and **Commission Terrones** seconded. The motion passed 7 to 0.

**Chair Janner** then called for any discussion amongst the Commission.

**Commissioner Chapman** stated in September, the Commission approved and passed on to City Council, the development which initially was to be a restaurant, which the Commission characterized as fast casual, but with two drive through lanes. This one here is going to be providing food as well. It will have different types of food, but through one single drive through lane. He continued he was in favor of the rezoning, but also in favor of allowing Item Number 13 [referencing the staff report], regarding the zoning district,

with items one and two, prohibiting the fast food or carry out restaurants only on Lot 2 and then the hours of operation.

**Commissioner Breen** acknowledged Commissioner Chapman's reference to the September application and asked staff to articulate or remind the Commission about the few past cases that dealt with the fast food. Commissioner Breen stated he was under the impression that the Commission had rejected fast food on a neighboring property before, but indicated perhaps he was incorrectly recalling that outcome.

**Ms. Hollingsworth** asking Commissioner Breen whether he was talking about the adjacent property to the east, and **Commissioner Breen** confirmed. **Ms. Hollingsworth** then stated that property was approved as fast casual or sit down restaurant - not fast food. Ms. Hollingsworth further clarified a business has to check all of the boxes on fast casual: healthier menu, more expensive items, items made to order, and also the silverware piece. A restaurant has to do all those items, not just a few, in order to be in the fast casual category.

**Commissioner Breen** restated the adjacent property was a 'fast casual' designation and thanked Ms. Hollingsworth for the reminder.

**Commissioner Brown** requested that Ms. Carrillo put one of the presentation slides back on the screen with the options on the two motions. He requested Ms. Carrillo re-explain the options.

**Ms. Carrillo** pulled up the slide and stated two motions would be needed: One on the zoning district and the second to consider the preliminary site development plan.

**Chair Janner** asked **Commissioner Brown** if he needed any further information on that, and Commissioner Brown declined.

**Commissioner Creighton** asked staff to confirm the question that Mr. Seiler posed: If the Commission were to approve the restricted hours of operation, and down the road the business changed from Caribou to whatever else it could be, would those hours stay with it and any change would have to be come back through for consideration.

**Ms. Carrillo** confirmed that is correct and stated any of those stipulations run with the zoning and with the land. If there's any delineating from that, that would require a zoning action and a public hearing.

**Chair Janner** stated if there were no other questions or discussion, he would entertain a motion on Item One, the rezoning, to the C-1 District.

**Commissioner Creighton** moved for the approval of the rezoning to the C1 District for RZ23-0013, and **Commissioner Brown** seconded.

**Commissioner Creighton** asked if he may clarify his motion.



**Ms. Hollingsworth** agreed, stating she was going to ask for clarification on whether or not that included staff's recommended stipulation regarding the land use restrictions.

**Chair Janner** added, this would be "sub .1" [referencing Staff Report].

**Commissioner Creighton** asked to clarify. He asked, if the Commission wanted to move forward with Item Number 2 and approval - which is opposite of what staff is recommending – whether the Commission would need to strike [stipulation] 1(a.) from the rezoning or take some other action.

**Chair Janner** and **Commissioner Breen** also asked what the appropriate step would be, whether modifying the original item, or overriding it.

**Ms. Hollingsworth** answered Commissioner Creighton could modify Item 1.a [Fast-food or Carryout restaurants] if that is the recommendation. Alternatively, the Commissioner could go back and clarify, that is also procedurally allowed. There is a second on the original motion. Ms. Hollingsworth suggested Commissioner Creighton could clarify so it's more clear what the Commissioners are voting on.

**Mr. Chris Grunewald, Deputy City Attorney** added, for the sake of clarity for the Commissioners, it was important in his view for the Commissioners to have a sense of where they want to land on whether Caribou should be there because the stipulations that go into the rezoning approval will matter for whether or not the preliminary plan is acceptable. To the extent that the Commissioners are looking for understanding your consensus on the ultimate end product here, which is whether or not the combination of the two motions recommends Caribou or does not, the Commissioners will need to make that decision on both motions together, because the stipulations that staff is recommending on the rezoning would prohibit fast food on Lot 1, and if you did that, it would be mean that the preliminary plan to put a Caribou there as fast food would fail. The two motions are linked, though staff does ask that the Commission votes separately on the rezoning and the plan, so staff can have some real clarity on those two separate actions.

**Commissioner Brown** asked Mr. Grunewald for clarification on if Motion 1 passes, whether than then makes Motion 2 fail, or instead makes it moot. Further, would the Commission still vote on Motion 2 if Motion 1 passes?

**Mr. Grunewald** answered, if the Commission voted on Motion 1 which is Staff's recommendation, it does seem that the only vote on Motion 2 is to deny their plan. The Commission would really be making the decision on that first motion.

**Commissioner Brown** asked if a second vote would be required, because the motion would be moot.

**Mr. Grunewald** answered it was his opinion the Commission could skip the second vote, but he would defer to Kim Hollingsworth if she has a preference on that for the record.

**Ms. Hollingsworth** answered that she felt a vote on Motion 2 would help clarify the record, but acknowledged it was contingent upon Motion 1 passing. Ms. Hollingsworth asked if Commissioner Creighton could clarify his motion on the floor.

**Chair Janner** requested to ask further clarifying questions. Chair Janner provided an example that if the Commission recommended approval as a C-1 District, any plan that came forward to the Planning Commission later, the Commission may choose to override a stipulation on a zoning. He asked if that was correct. For example, if this site is approved as C-1 and then McDonald's wanted to come in five years, the Commission could override the stipulation that's in place. Chair Janner asked whether it was accurate to state the Commission was not tied to that outcome because the Commission has the ability to vary on a stipulation at any time.

**Ms. Hollingsworth** stated if she correctly understood the question, right now the current motion is to consider the district plus land uses. If a fast food restaurant was recommended for approval and City Council made that decision ultimately, it could be any fast food restaurant. The Commission could now add stipulations about hours of operation, etcetera, but it could be anything that falls into that category.

**Commissioner Breen** said, to that point, and he asked for input from the Commissioners - it seems the Commission feels ok about a coffee shop going there, but there's concern about the McDonald's going there so.

**Chair Janner** added it appears the residents are in lockstep with that as well.

**Commissioner Breen** asked as it pertained to Commissioner Creighton's motion, whether the Commission could modify the prohibited use with the rezoning to say, "fast food or carry out restaurants with the exception of a coffee shop." He asked whether that would be an acceptable use because it still restricts the fast food as a broad category but carves out approval for this specific business. Commissioner Breen asked for input from planning or legal staff.

**Commissioner Brown** asked if he needed to withdraw his second on the motion.

**Chair Janner** added that brought up the next question if for example, the Commission were going to create a stipulation on the hours, whether that would be part of Motion 1 or Motion 2.

**Mr. Grunewald** answered that procedurally, nothing needed to be withdrawn. There is a motion. There was still going to be a discussion for Commissioner Creighton to clarify the motion. It was seconded, and it's on the table. It's completely acceptable for the Commission to be discussing that motion, getting advice from staff on how to go forward. The motion could remain there. Once all have finished that discussion, as they're talking with Staff, the Commission can figure out what they want to do with that one motion. There are opportunities to amend the motion, or the motion maker to withdraw it. Those are all things that can get sorted out after the Commissioners have gotten square on all of the options that are on the table. The second thing Mr. Grunewald said the Commission

would be doing, is clarifying. Commissioner Creighton would get the chance to clarify that motion.

Mr. Grunewald continued that he also wanted to provide feedback on the question of fast food in the future or not. He stated staff has presented, and what the Commission needs to take up, is the rezoning. Rezoning is where you're controlling that land use, and that decision needs to be clear here today as to what the Commission is recommending. Mr. Grunewald stated he was unclear what Chairman Janner was intending with his questions, but the Commission wouldn't use a vote on a preliminary plan to override zoning. The Commission needs to make the land use decision separately. Right here with the zoning, the Commission can do things with the zoning use with stipulations, as staff has recommended, or can prohibit uses, or can impose hour restrictions, etc. Those are all things that can be put in. The Commission needs to deal with it in the rezoning. It's appropriate to have land use restrictions in a rezoning ordinance. Those can always be reconsidered later with a rezoning application in the future by an applicant and Planning Commission and City Council will take it up as it's presented. However, right here, the Commission needs to make a decision on these prohibited uses.

**Chair Janner** asked then whether the hours restriction would be part of Motion 1.

**Mr. Grunewald** answered that's correct. If that's the direction that the Commission goes, then it would be appropriate (that is presented as an alternative in the staff report) that you would have a modification to the prohibited uses and include in the zoning ordinance hours restrictions, because that's goes to the use and it is appropriate for it to be in the zoning portion of the discussion. Mr. Grunewald stated he also believed Ms. Hollingsworth needed a chance to address the idea of whether the Commission could limit the uses down to just fast food or to coffee shop.

**Ms. Hollingsworth** referenced the staff report on the screen. Staff's recommendation is in Section 12, and then Section 13 is an alternative if that's the direction the Planning Commission would want to go. There's an alternative option. That alternative would allow fast food only on Lot 1 and includes a hours of operation restriction.

Ms. Hollingsworth further stated she wanted to touch on the idea of having fast food with the exception of coffee or coffee shop. The UDO does not have that distinction clearly defined. Ms. Hollingsworth suggested the caveat would be that the business primarily serves coffee, though that nuance could be a challenge in the future. Since it's not clearly defined in the UDO, perhaps the Commission could use language like, "primarily serves coffee" but that would be hard to quantify and regulate over time.

**Commissioner Creighton** requested to clarify his motion. When he made that motion for recommending approval, he stated he was doing so from Section 13 [referencing the staff report]. He wanted to prohibit fast food use only on the other lot, to allow Caribou to go forward.

**Ms. Hollingsworth** restated and asked if he was clarifying that as written in Section 13 of the staff report, it would allow C-1 District fast food only on Lot 1 and then a prohibition on the hours of operation.

**Commissioner Creighton** confirmed and stated he wanted everyone to be clear what he was trying to do.

**Chair Janner** asked to confirm Commissioner Creighton was trying to do Section 13.

**Commissioner Creighton** confirmed yes, [Staff Report Section] #13. A1 and 2.

**Chair Janner** stated he would accept that as an amendment to Commissioner Creighton's original motion. Chair Janner asked whether Commissioner Brown, who had previously seconded the motion, was agreeable to that modification.

**Commissioner Brown** agreed.

**Commissioner Creighton** stated, if wasn't technically an amendment, but rather a clarification.

**Commissioner Chapman** asked whether the Commission was voting on the second motion and not the first motion.

**Chair Janner** answered, no. The staff report shows two different versions of what Motion 1 could be. The Commission is still voting on Motion 1, which is the change in the zone to C-1.

**Commissioner Chapman** stated Motion 1 isn't just the change in the zoning.

**Chair Janner** answered, it is with restrictions on the land use.

**Mr. Grunewald** confirmed the Chair was correct. Motion 1 is on the zoning. Motion 2 refers to the preliminary plan, which the Commission shouldn't address until they get through Motion 1.

**Commissioner Chapman** asked to confirm that is the motion that was on the floor, which was confirmed.

**Ms. Hollingsworth** asked Commissioner Creighton if he could restate his motion so it's very clear for the record with his intended details as to district land use and hours if he could.

**Commissioner Creighton** agreed and restated he was recommending approval of RZ23-0013 subject to the staff recommendations under Item 13, A1 and 2., as in the report.

**Chair Janner** asked Commissioner Brown whether he was amenable to that clarification.

**Commissioner Brown** stated he thought the Commission was voting on 13 after 12.

**Chair Janner** answered, the Commission was voting on 13 as Motion 1.

**Commissioner Brown** confirmed he was agreeable to it.

**Chair Janner** asked if the Commissioners needed any further clarification. Chair Janner stated there was a motion and a second. Chair Janner called for a roll call vote on Motion 1.

Motion 1 passed 7 to 0 as follows:

A. Approval of the C-1 District with the following stipulations:

1. The following uses are prohibited:

a. Fast-Food or Carryout Restaurants (Prohibited on Lot 2 only)

b. Animal Care Facilities with Outdoor Kennels

c. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.

2. Hours of operation for the 'Restaurant, Carryout, or Fast Food' use on Lot 1 are limited to 5:00 am to 8:00 pm. daily.

**Chair Janner** stated he would now move forward on Motion 2 and requested staff put that screen back up for the Commissioners to view.

Chair Janner asked whether there was any discussion among Commissioners for Motion 2.

**Commissioner Breen** requested clarification for staff under Section 13(B)(4) where staff discussed the revised access and traffic circulation. Commissioner Breen noted the plan seemed very tight and very conducive to traffic jams coming in off of 159th Street trying to turn in. He asked staff to articulate how staff might envision traffic looking there and what staff would be looking for in line with a revised circulation plan.

**Ms. Carrillo** answered, regarding that stipulation, Lot 1 takes full access from Hunter Street which is an internal private street. City staff still has questions how this circulation will work and more particularly the exit only on to Hunter, as traffic would be entering in this shared drive and continuing out. Some issues they would like to still further explore would potentially be with the western exit only access to avoid any potential conflicts with turning in and out and navigating through that access point. An example might be perhaps to reduce the width of that exit point.

**Mr. Chet Belcher, Chief Community Development Officer**, added when Ms. Carrillo was demonstrating the path, it showed an opportunity for a left turning movement crossing entrance movement. The City would work with the engineer on this project. It could be just a “right out” at that first entrance to keep those crossing or conflicting movements in front of each other.

With no further questions. Chair Janner entertained a motion on Item #2.

**Commissioner Creighton** recommended under RZ23-0013 that the Commission approve the preliminary site development plan, under [Staff Report, Section 13] Letter B, including all items 1 through 5 as stipulated.

**Commissioner Breen** asked, for clarity, whether that was under bullet 13 and Commissioner Creighton confirmed.

**Commissioner Chapman** seconded the motion.

Motion 2 passed with a vote of 7 to 0 as follows:

B. Approval of the Preliminary Site Development Plan with the following stipulations:

1. A waiver is granted from UDO 18.20.130.B to decrease the minimum front yard setback from 20-feet to 15-feet and to reduce the minimum frontage buildout from 50% to 30% along 159th Street as shown on the preliminary site development plan dated April 1, 2024.
2. A waiver is granted from UDO 18.15.020.G.8.b to decrease the minimum glass requirement from 25% to 20% on the primary facades for Lot 1 as shown on the elevations dated April 1, 2024.
3. A revised preliminary site development plan is required for Lot 2 prior to submittal of a final site development plan.
4. Revised access and traffic circulation for Lot 1 will be provided with final site development plans as required by the City Engineer.
5. 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.



## **MINUTES – Closing Remarks**

### **Planning Commission Meeting: April 29, 2024**

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**Chet Belcher, Chief Community Development Officer**, congratulated Commissioner Breen on being named in *Ingram's* "40 Under Forty".

*Meeting adjourned.*



## STAFF REPORT

Planning Commission Meeting: May 13, 2024

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<b>Application:</b>	<b>FP24-0008: Final Plat of Lakeview Ridge, 2<sup>nd</sup> Plat</b>
<b>Location:</b>	Northwest of W. 143 <sup>rd</sup> Street and S. Houston Street
<b>Owner:</b>	Travis Jones; Cherry Park Properties
<b>Engineer/Applicant:</b>	Matthew Henderson; Benesch
<b>Staff Contact:</b>	Taylor Vande Velde; Planner II

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<b>Site Area:</b>	<u>17.67 ± acres</u>	<b>Proposed Use:</b>	<u>Detached Single-Family Residence</u>
<b>Lots:</b>	<u>42</u>	<b>Existing Zoning:</b>	<u>R-1 (Single-Family Residential)</u>
<b>Tracts:</b>	<u>2</u>	<b>Plat:</b>	<u>Unplatted / Lakeshore Ridge 1<sup>st</sup> Plat Replat</u>

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### 1. Introduction

The following application is a final plat of Lakeview Ridge, 2<sup>nd</sup> Plat which will establish lot lines and dedicate public easements and public right-of-way in the single-family subdivision. This plat is the fourth phase of the overall Lakeshore Meadows subdivision and the final phase of the Lakeview Ridge Subdivision, which is located north of W. 143<sup>rd</sup> Street just west of Lake Olathe.

The subject property was rezoned to the R-1 District and a preliminary plat was approved for Lakeshore Meadows in 2005 (RZ-05-038 & P-05-122). This final plat is consistent with the approved preliminary plat.

### 2. Plat Review

- a. **Lots/Tracts** – The plat includes 42 single-family residential lots, all of which exceed the R-1 District standards for a minimum lot size of 7,200 square feet and minimum lot width of 60 feet. Lot sizes in this phase of the development range between 8,445 square feet and 16,184 square feet, with an average of 9,853 square feet.

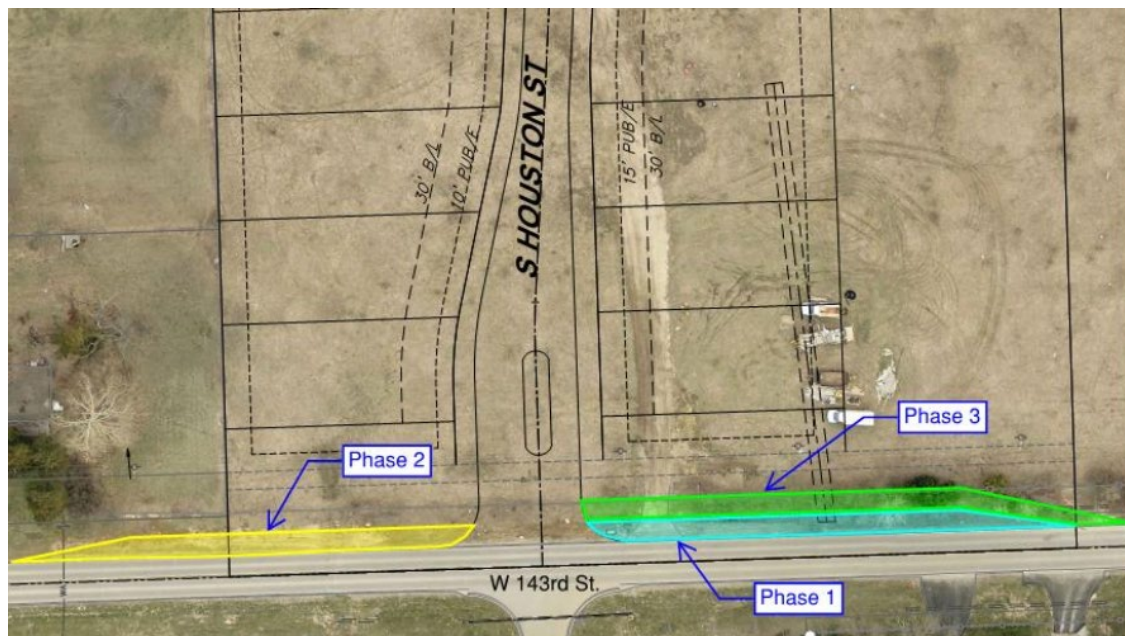
The plat also includes two (2) tracts which will all be owned and maintained by the Lakeview Ridge Homes Association. Tracts A and B are intended to be used for open space and natural drainage which will be maintained in their natural state to serve as a stormwater quality treatment facility. Tracts A and B will also include a permanent bike trail and recreational easement.



- b. **Streets/Right-of-Way** – The plat will extend public streets to connect to existing local streets including S. Red Bud Street, W. 141<sup>st</sup> St. Terrace, W. 141<sup>st</sup> Street, and S. Houston St. A street stub along S. Red Bud Street will allow for connections to future development to the north. All roadways within the development will be dedicated as public right-of-way.

A Traffic Impact Study included three turn lane improvements in conjunction with the subdivision plats. The right turn lane constructed during Phase 1, highlighted in blue, was constructed with the Lakeshore Ridge, 1<sup>st</sup> Plat for westbound traffic.

This final plat will construct street improvements for Phases 2, highlighted in yellow, and 3, highlighted in green. The existing westbound lane will be striped to become the protected left turn lanes for eastbound and westbound traffic through the intersection, and the third additional auxiliary lane will serve as the right turn lane into the development for westbound traffic.



- c. **Public Utilities** – The subject property is located within the City of Olathe water and sewer service areas. Utility Easements (U/E), Public Utility Easements (PUB/E), and Drainage Easements (D/E) will be dedicated with this plat. Sanitary Sewers (S/E) were dedicated and constructed with the previous plat, Lakeshore Ridge 1<sup>st</sup> Plat Replat.
- d. **Landscaping** – Street trees and a 5-foot sidewalk will be provided along all local streets. The plat is not subject to master landscaping UDO requirements as it is not adjacent to an arterial or collector roadway.
- e. **Stormwater** – Natural Drainage in Tract B will be used as a stormwater quality treatment facility under the Lake Olathe Watershed Ordinance (Res No. 04-1150) which protects Lake Olathe from runoff and pollution.
- f. **Tree Preservation** – The subdivision will dedicate a Tree Preservation Easement (TP/E) and preserve 3.31 acres (74%) of the existing tree canopy in Tract B which will be kept in its natural state, exceeding UDO requirements for preservation area.

- g. **Public Amenities** – A permanent bike trail and recreational easement is dedicated to the City in Tracts A and B. Tract A serves as an accessway from the subdivision to Tract B which allows a future City trail connection to Lake Olathe.



*Aerial view of subject property outlined in blue.*

### 3. Staff Recommendation

Staff recommends approval of the final plat (FP24-0008) with the following stipulations:

1. The eastbound and westbound left turn lanes on W. 143rd Street at S. Houston Street are required to be constructed prior to the next phase of development according to the Traffic Impact Study dated December 28th, 2021.
2. The private 10' wide electric easement (Book 64, Page 626) must be vacated prior to recording the final plat.
3. Prior to issuance of a land disturbance permit or building permit, standard orange barricade fencing must be installed around all tree preservation areas in accordance with UDO 18.30.







## STAFF REPORT

Planning Commission Meeting: May 13, 2024

<b>Application:</b>	<b>FP24-0009: Final Plat of Mur-Len Commercial Park, 5<sup>th</sup> Plat</b>
<b>Location:</b>	Northeast of W. 135 <sup>th</sup> Street and N. Mur-Len Road
<b>Owner:</b>	Rosebud Partners, LLC
<b>Applicant:</b>	David Christie, Rosebud Partners, LLC
<b>Engineer/Architect:</b>	Jeffrey T. Skidmore, Schlagel & Associates
<b>Staff Contact:</b>	Jessica Schuller, AICP, Senior Planner

<b>Site Area:</b>	<u>11.67 ± acres</u>	<b>Proposed Use:</b>	<u>Hardware Store/Indoor Athletic Facility</u>
<b>Lots:</b>	<u>3</u>	<b>Existing Zoning:</b>	<u>CP-2 (Planned General Business)</u>
<b>Tracts:</b>	<u>1</u>	<b>Plat:</b>	<u>Mur-Len Commercial Park, Second Plat</u>

### 1. Introduction

The following application is for the final plat of Mur-Len Commercial Park, 5<sup>th</sup> Plat, which will establish lot lines and dedicate public easements for two (2) lots and one (1) tract for future redevelopment of the existing commercial center located at the northeast corner of W. 135<sup>th</sup> Street and N. Mur-Len Road. A final plan application (PAR24-0010) is currently under review for façade updates, parking lot and site improvements on this property. The plat will subdivide the existing building and parking field into three separate lots.

The site is currently developed and was originally zoned to the CP-2 District (RZ-05-80) in April of 1980. The existing building was constructed in 1984, and was the previous location of Hobby Lobby and Goodwill Industries. Future tenants may include fitness center and hardware store users.

### 2. Plat Review

- a. **Lots/Tracts** – The final plat includes three (3) lots for the purpose of separating the existing building and parking lot into separate future ownership. Lot 3 at the northwest corner is intended to be deeded to the City for the future expansion of Fire Station No. 4.
- b. **Streets/Right-of-Way** – Existing site access is provided from N. Mur-Len Road and from W. 135<sup>th</sup> Street. No changes to access are proposed with this application.

- c. **Public Utilities** – The property is in the City of Olathe Water and Sewer service areas. A new utility easement (U/E) and drainage easement (D/E) is being dedicated with this plat.
- d. **Tree Preservation** – A tree preservation easement (TP/E) is being dedicated along the northern property line, within and west of Tract A, to preserve natural vegetation within the stream corridor.



*Aerial view of subject property outline in yellow.*

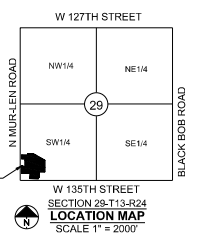
### 3. Staff Recommendation

- A. Staff recommends approval of FP24-0009, the final plat of Mur-Len Commercial Park, 5<sup>th</sup> Plat with the following stipulation:
  - 1. Lot 3 must be deeded to the City of Olathe with the recording of the final plat.

**FINAL PLAT OF  
MUR-LEN COMMERCIAL PARK, FIFTH PLAT**  
A replat of all of Lot 15, Lot 16, Lot 17, Tract C, and Tract E, MUR-LEN COMMERCIAL PARK, SECOND PLAT  
IN THE SW 1/4 OF SEC. 29-13-24  
IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS

**LEGEND:**

- FOUND 1/2" REBAR WITH KLSL S 54 CAP UNLESS OTHERWISE NOTED
- FOUND MONUMENT AS NOTED
- FOUND 1/2" REBAR WITH S-54 CAP UNLESS OTHERWISE NOTED
- - - EXISTING LOT AND PROPERTY LINES
- - - EXISTING PLAT AND R/W LINES
- R/W - RIGHT-OF-WAY
- SE - SANITARY SEWER EASEMENT
- SW/E - SIDEWALK EASEMENT
- UE - UTILITY EASEMENT
- D/E - DRAINAGE EASEMENT
- W/E - WATERLINE EASEMENT
- (MCP) - AS PLATTED IN MUR-LEN COMMERCIAL PARK



SCALE: 1" = 60'  
BASIS OF BEARINGS:  
KANSAS STATE PLANE COORDINATE SYSTEM (NAD83); KANSAS, NORTH ZONE

**CONSENT TO LEVY:**  
The undersigned proprietor of the above described tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of the land fronting or abutting on said dedicated public way or thoroughfare.

**EXECUTION:**  
IN TESTIMONY WHEREOF, \_\_\_\_\_ of Rosebud Realty, LLC, a Kansas limited liability company, by the authority of its Member, has caused this instrument to be executed, this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_.

Rosebud Realty, LLC, a Kansas limited liability company.

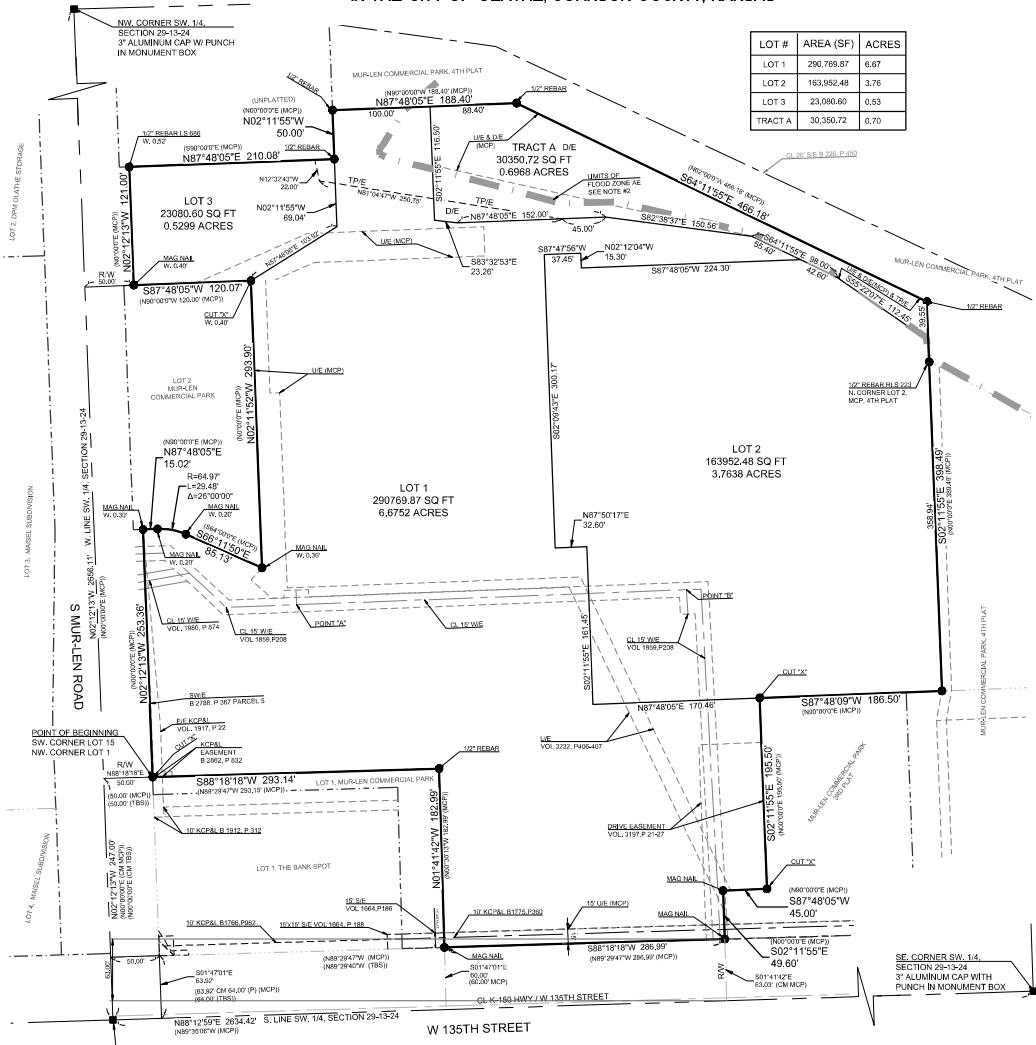
By \_\_\_\_\_

**ACKNOWLEDGMENT:**  
STATE OF KANSAS )  
) ss. )  
COUNTY OF JOHNSON )

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_ 202\_\_ before me, the undersigned, a Notary Public in and for said County and State aforesaid, \_\_\_\_\_ Manager of Rosebud Realty, LLC, a Kansas limited liability company, organized under the laws of the State of Kansas, with its principal place of business in the County of Johnson, State of Kansas, who is personally known to me to be the same person who executed the foregoing instrument of writing on behalf of said company, and such person duly acknowledged the execution of same to be the act and deed of said company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Notary Public \_\_\_\_\_ My Commission \_\_\_\_\_  
Expire: \_\_\_\_\_  
Print Name \_\_\_\_\_



LOT #	AREA (SF)	ACRES
LOT 1	290,769.87	6.67
LOT 2	163,952.48	3.76
LOT 3	230,860.50	5.53
TRACT A	30,350.72	0.70

**DESCRIPTION:**  
A replat of all of Lot 15, Lot 16, Lot 17, Tract "C", Tract "D" and Tract "E", MUR-LEN COMMERCIAL PARK, SECOND PLAT, a subdivision in the City of Olathe as recorded in book 79 at page 1, Johnson County, Kansas being described as follows:  
Commencing at the Southwest corner of the Southwest One-Quarter of Section 19, Township 13 South, Range 24 East; thence along the West line of the said Southwest One-Quarter, North 02 degrees 12 minutes 13 seconds West (North 02 degrees 00 minutes 00 seconds East platted), a distance of 247.00 feet; thence North 88 degrees 18 minutes 18 seconds East a distance of 50.00 feet to a point on the East right of way line of North Mur-Len Road as now established said point being the Northwest corner of Lot 1, of said MUR-LEN COMMERCIAL PARK SECOND PLAT; thence along the said East right of way line, North 02 degrees 12 minutes 13 seconds West (North 02 degrees 00 minutes 00 seconds East platted), a distance of 253.26 feet to a point on the South line of Lot 2, MUR-LEN COMMERCIAL PARK, FIRST PLAT a subdivision in the City of Olathe as recorded in book 52 at page 47; thence along the Southerly, Easterly and Northerly lines of said Lot 2 the following five courses, North 87 degrees 48 minutes 05 seconds East, (North 90 degrees 00 minutes 00 seconds East platted), a distance of 15.02 feet to a point of curvature; thence Southeasterly on a curve to the right being tangent to the previous course, having a radius of 64.97 feet, a central angle of 26 degrees 00 minutes 00 seconds and an arc length of 29.48 feet; thence South 66 degrees 11 minutes 50 seconds East, (South 66 degrees 00 minutes 00 seconds East platted), a distance of 85.13 feet; thence North 02 degrees 11 minutes 52 seconds West, (North 02 degrees 00 minutes 00 seconds East platted), a distance of 253.26 feet; thence South 02 degrees 48 minutes 05 seconds West, (North 02 degrees 00 minutes 00 seconds West platted), a distance of 120.00 feet; thence North 87 degrees 48 minutes 05 seconds East, (South 90 degrees 00 minutes 00 seconds East platted), a distance of 120.00 feet; thence North 02 degrees 11 minutes 55 seconds East, (North 02 degrees 00 minutes 00 seconds West platted), a distance of 468.18 feet to a corner point of said Tract "A"; thence along the Westerly line of said Tract "A" and the Northerly extension of West line of Lot 2, of said MUR-LEN COMMERCIAL PARK, FOURTH PLAT, South 02 degrees 11 minutes 55 seconds East, (North 00 degrees 00 minutes 00 seconds East platted), a distance of 398.48 feet to a point on the North line of Lot 1, of said MUR-LEN COMMERCIAL PARK, FOURTH PLAT; thence along the North line of said Lot 1 and the Easterly extension of the North line of Lot 3, MUR-LEN COMMERCIAL PARK, THIRD PLAT a subdivision in the City of Olathe as recorded in book 77 at page 35, South 87 degrees 48 minutes 05 seconds East, (North 90 degrees 00 minutes 00 seconds East platted), a distance of 186.50 feet to the Northwest corner of said Lot 3; thence along the West line of said Lot 3 the following three courses, South 02 degrees 11 minutes 55 seconds East, (North 00 degrees 00 minutes 00 seconds East platted), a distance of 195.50 feet; thence South 87 degrees 48 minutes 05 seconds West, (North 00 degrees 00 minutes 00 seconds East platted), a distance of 45.00 feet; thence South 02 degrees 11 minutes 55 seconds East, (North 00 degrees 00 minutes 00 seconds East platted), a distance of 49.60 feet to a point on the North right of way line of W 135th Street as now established; thence along said North right of way line, South 88 degrees 18 minutes 18 seconds West, (North 89 degrees 29 minutes 47 seconds West platted), a distance of 296.00 feet to the Southeast corner of said Lot 1, MUR-LEN COMMERCIAL PARK SECOND PLAT; thence along the East line of said Lot 1, North 01 degrees 41 minutes 42 seconds West, (North 00 degrees 00 minutes 00 seconds West platted), a distance of 182.89 feet to the Northeast corner thereof; thence along the North line of said Lot 1, South 88 degrees 18 minutes 18 seconds West a distance of 293.14 feet, (North 89 degrees 29 minutes 47 seconds East, 293.15 feet platted), to the Point of Beginning and containing 11,665 acres more or less.

**DEDICATIONS:**  
The undersigned proprietor of the described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereinafter be known as "MUR-LEN COMMERCIAL PARK, FIFTH PLAT".

An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ditches and ditches, and similar utility facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "UE", is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law to use such easements for said purposes.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to enter upon, construct and maintain pipes, inlets, manholes, surface drainage facilities relative to storm water drainage and sidewalks upon, over, or under the areas outlined and designated on this plat as "Drainage Easement" or "DE".

Tract A is hereby dedicated as a Drainage Easement.

An easement or license is hereby dedicated to the developer/owner, to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TPE". All areas within said easement are intended to be kept in a near natural state, No man made structure, including fences, may be constructed or placed within the area without approval of the developer/owner. No living trees, regardless of size, may be removed without written approval of the City of Olathe and the developer/owner. Trees that are dead, diseased or pose a threat to the public or adjacent property are allowed to be removed. Utility installation and appurtenant construction is allowed within these areas, subject to developer/owner approval.

The undersigned proprietor of said property shown on this plat hereby certifies that all prior existing easement rights on land to be dedicated for public use and public ways and thoroughfares running to any person, utility or corporation have been absolved except that same person, utility or corporation shall retain whatever easement rights they would have as if located in a public street.

**EASEMENT NOTE:**  
EASEMENT NOTE:  
The exact location of easements are subject to change prior to recording based on fieldwork and final design.

**RESTRICTIONS:**  
The undersigned proprietor of the described tract of land hereby consents and agrees that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated shall become and remain a lien on the remainder of the land fronting or abutting on such dedicated public way or thoroughfare.

The use of all lots, units and properties in this subdivision shall hereinafter be subject to the Dedications, which instruments are to be recorded in the Office of the Register of Deeds of Johnson County, Kansas, as provided above, and which shall hereby be a part of the dedication of this plat as though set forth herein.

Tract "A" shall be maintained by the Commercial Association or their authorized representatives thereto. It is the Commercial Association or their authorized representatives' permanent responsibility and authority to enter upon the said tracts to maintain, Deed restrictions shall be recorded with the Register of Deeds of Johnson County concurrently with the recording of the final plat.

**APPROVALS:**  
APPROVED BY the Planning Commission of the City of Olathe, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Charman, WAYNE JANNER

APPROVED BY the Governing Body of the City of Olathe, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

Mayor, JOHN W. BACON Deputy City Clerk, BRENDA D. SWEARINGAN

Notes:  
1. Property information shown hereon (recorded descriptions, assessments, etc.) was provided by Chicago Title Insurance Company, Commitment No. KCC252320, Dated November 3, 2023 at 8:00 A.M.  
2. FLOOD NOTE: A portion of this Property lies within Flood Zone AE (Base Flood Elevation determined).  
Shown hereon, scaled in from FRM Map # 200910280G, Revised August 3, 2009. The remainder of this Property lies within Flood Zone X, (areas determined to be outside the 0.2% annual chance floodplain)



I HEREBY CERTIFY THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION BASED ON A FIELD SURVEY PERFORMED IN MARCH 2024. THE DETAILS SHOWN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

REV: 4-10-2024 - CITY COMMENTS DATED 6-9-2023

**SCHLAGEL**  
ENGINEERS PLANNERS SURVEYORS LANDSCAPE ARCHITECTS  
1840 West 107th Street • Olathe, Kansas 66150  
Ph: (913) 682-1154 • Fax: (913) 682-6000 • WWW.SCHLAGELASSOCIATES.COM  
Kansas State Certificate of Authority #C020918028-0524

DATE 3-18-2024  
DRAWN BY SCH  
CHECKED BY AR  
PROJ. NO. 24-022 SHEET NO. 1

REV 1: 2024.05.01



## STAFF REPORT

Planning Commission Meeting: May 13, 2024

<b>Application:</b>	<b>FP24-0010: Final Plat of Abbey Valley</b>
<b>Location:</b>	Northeast of W. 167 <sup>th</sup> Street and S. Ridgeview Road
<b>Owner:</b>	Jib Felter, Abbey Valley Development Company, LLC
<b>Engineer/Applicant:</b>	Doug Ubben, Jr.; Phelps Engineering, Inc
<b>Staff Contact:</b>	Andrea Fair, AICP; Planner II

**Site Area:** 20 ± acres                      **Proposed Use:** Detached Single-Family Residence

**Lots:** 51                                      **Existing Zoning:** R-1 (Single-Family Residential)

**Tracts:** 6                                      **Plat:** Unplatted

### 1. Introduction

The following application is a request for a final plat of Abbey Valley which will establish lot lines and dedicate public easements for 51 single-family lots and six (6) tracts in the Abbey Valley Subdivision.

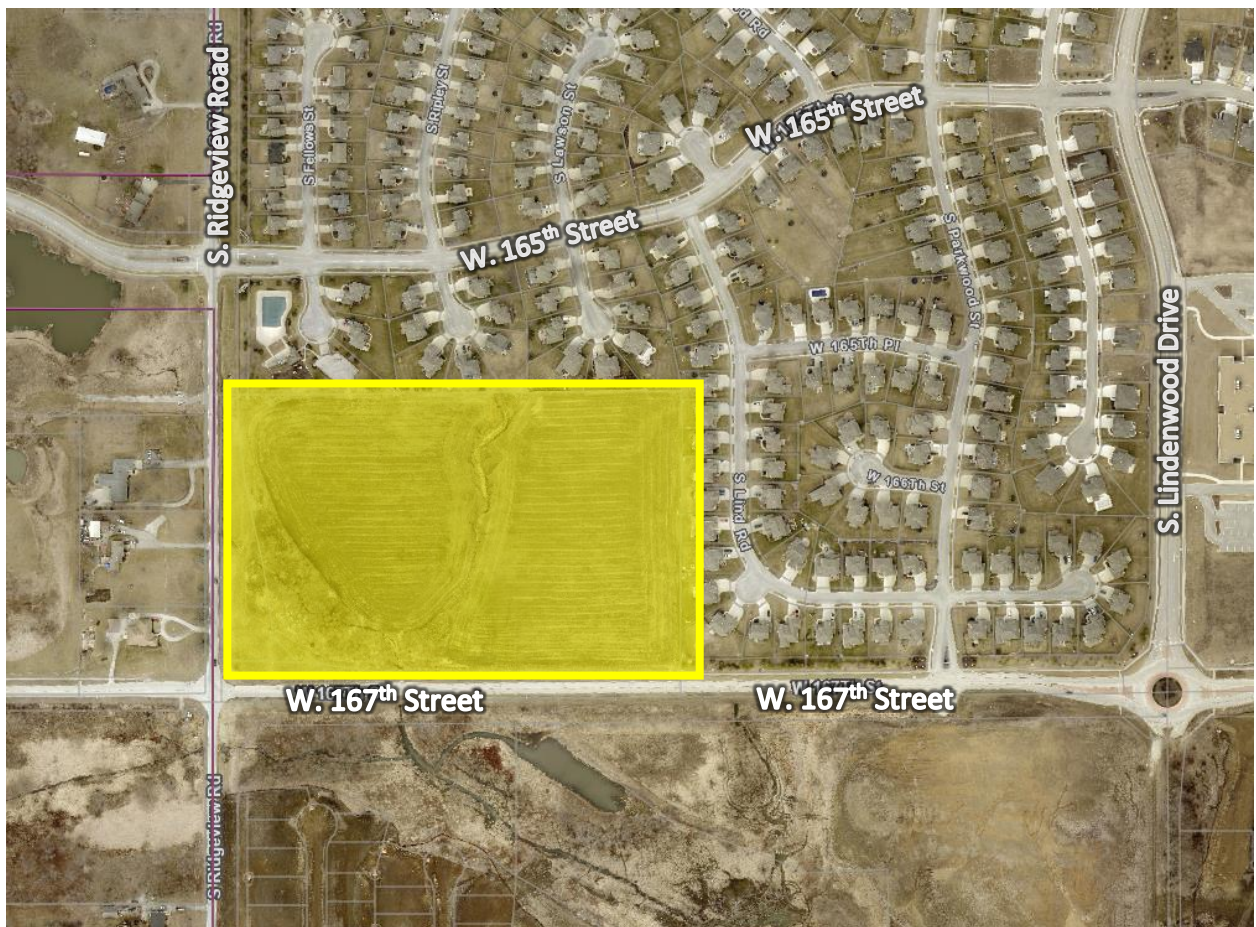
The subject property was annexed into the City of Olathe in March 2002 (ANX-01-02) with the Coffee Creek Annexation and has historically been used for agriculture. In February of 2023, the subject property was rezoned from County Rural Residential (CTY-RUR) to the R-1 (Single-Family Residential) District with an approved preliminary plat (RZ23-0015). This development will be constructed in one (1) phase.

### 2. Plat Review

- a. **Lots/Tracts** – The final plat will establish lot lines for 51 single-family residential lots and six (6) tracts. Common tracts are intended to be used for open space, homeowner amenities, and landscaping. All tracts will be owned and maintained by the Abbey Valley. Lots range in size between 7,800 square feet and 17,800 square feet, with an average lot size of 15,000 square feet. Each lot exceeds the 7,200 square foot minimum lot area and the 60-foot minimum lot width requirements of the R-1 District.
- b. **Streets/Right-of-Way** – Roadways within the development are being dedicated with this plat. Access to the site will be provided by one (1) new street connection to 167th Street to the south, which will have separated entrance and exit lanes with a landscaped median. No residential lot will have direct access to an arterial street. The public right-of-way for W. 167<sup>th</sup> Street and W. Ridgeview Road shown on the plat was previously deeded.



- c. **Public Utilities** – The subject property is located in the WaterOne and Johnson County Wastewater service areas. New utility and sanitary sewer easements (U/E & S/E) are being dedicated with this plat.
- d. **Landscaping/Open Space** – Tract A, Tract B, Tract D, Tract E are being dedicated as Landscape Easements (L/E) and Street Easements (ST/E). This landscaping fulfills the 25-foot master landscaping requirement of UDO 18.30.130.H along arterial roadways. Street trees will be provided along all local streets per UDO requirements.
- e. **Tree Preservation** – A 100-foot wide Tree Preservation Easement (TP/E) is dedicated in the southwest corner of the property located within Tract C.
- f. **Stormwater** – The plat is subject to all Title 17 requirements. A stormwater BMP will be provided in Tract C and an existing Drainage Easement (D/E) is also located within Tract C. No stormwater detention is required due to the existing stream corridor.



*Site location map – outlined in yellow.*

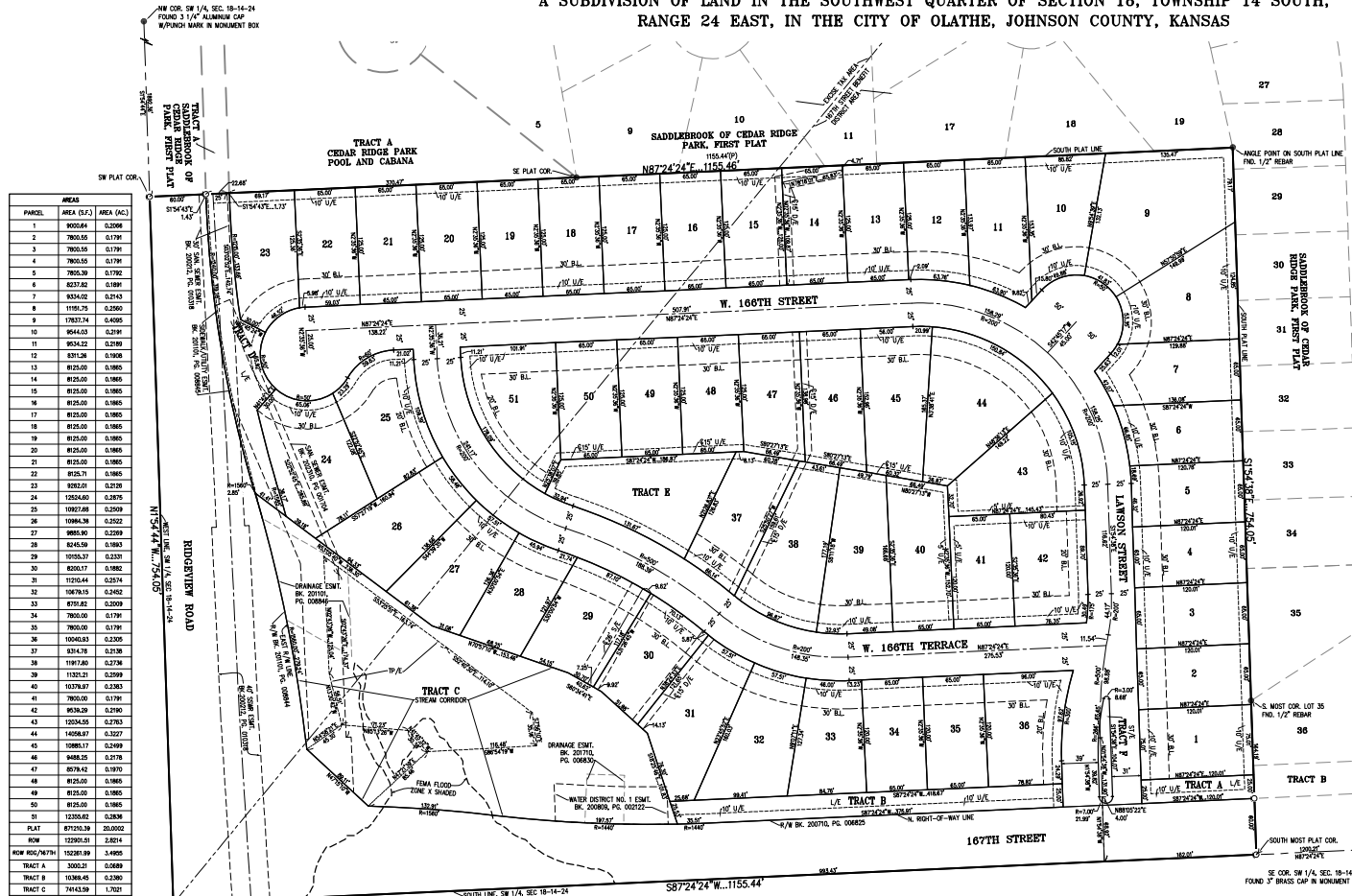
**3. Staff Recommendation**

Staff recommends approval of the final plat (FP24-0010) with the following stipulation:

1. Prior to issuance of a land disturbance permit or building permit, standard orange barricade fencing must be installed around all tree preservation areas in accordance with UDO 18.30.

# FINAL PLAT OF ABBEY VALLEY

**A SUBDIVISION OF LAND IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH,  
RANGE 24 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS**



PARCEL NO.	AREA (SQ. FT.)	AREA (AC.)
1	7005.64	0.2008
2	7005.55	0.2179
3	7005.55	0.1791
4	7005.55	0.1791
5	7805.39	0.2792
6	6237.02	0.1819
7	6324.02	0.2143
8	1191.75	0.2660
9	1787.74	0.4026
10	6043.03	0.2191
11	6524.12	0.2059
12	6311.08	0.2006
13	6125.00	0.1885
14	6125.00	0.1885
15	6125.00	0.1885
16	6125.00	0.1885
17	6125.00	0.1885
18	6125.00	0.1885
19	6125.00	0.1885
20	6125.00	0.1885
21	6125.00	0.1885
22	6125.71	0.1886
23	6292.01	0.2128
24	12524.60	0.2879
25	10927.68	0.2509
26	10866.38	0.3132
27	9885.90	0.2799
28	6424.59	0.1867
29	12025.37	0.3337
30	8203.17	0.2382
31	11250.44	0.2574
32	10470.15	0.2462
33	6736.82	0.2009
34	7800.00	0.2179
35	7800.00	0.2179
36	10404.03	0.2509
37	6374.78	0.2189
38	11971.80	0.3178
39	11321.21	0.3199
40	10376.87	0.2383
41	7600.00	0.2179
42	6038.29	0.2190
43	10204.55	0.2783
44	14598.87	0.3227
45	10895.17	0.2499
46	8488.25	0.2178
47	6874.42	0.2010
48	6125.00	0.1885
49	6125.00	0.1885
50	6125.00	0.1885
51	12305.82	0.2838
PLAT	61120.39	0.2002
ROW	12290.51	0.2814
ROW 40' (40')	10291.89	0.2990
TRACT A	3002.31	0.0688
TRACT B	10368.45	0.2390
TRACT C	74143.59	1.7021
TRACT D	6946.05	0.2083
TRACT E	10388.87	0.2949
TRACT F	1374.42	0.0317

**DESCRIPTION**

This description was prepared by Phelps Engineering, Inc., KS CLS-02 on March 15, 2024, for Project No. 230741. All that part of the Southwest Quarter of Section 18, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Southwest corner of the Southwest Quarter of said Section 18; thence N 1°54'44" W, along the West line of the Southwest Quarter of said Section 18, a distance of 784.05 feet to the Southwest plot corner of SADDLEBROOK OF CEDAR RIDGE PARK, FIRST PLAT, a plat subdivision of land in the City of Olathe, Johnson County, Kansas; thence S 87°24'24" E, along the South east line of said SADDLEBROOK OF CEDAR RIDGE PARK, FIRST PLAT and CEDAR RIDGE PARK POOL AND CABANA, a plat subdivision of land in the City of Olathe, Johnson County, Kansas, a distance of 11554.46 feet to an angle point on the South east line of said SADDLEBROOK OF CEDAR RIDGE PARK, FIRST PLAT; thence S 1°15'30" E, along the South and line of said SADDLEBROOK OF CEDAR RIDGE PARK, FIRST PLAT, a distance of 784.05 feet to the South most corner of said SADDLEBROOK OF CEDAR RIDGE PARK, FIRST PLAT, said plot also being on the South line of the Southwest Quarter of said Section 18; thence S 87°24'24" W, along the South line of the Southwest Quarter of said Section 18, a distance of 11554.46 feet to the Point of Beginning, containing 20.0026 acres, more or less, unpledged land.

**DEDICATION**

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "ABBEY VALLEY".

The undersigned proprietors of said property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on this plat as streets, terraces, alleys, roads, drives, lanes, pathways, openings and strips not heretofore dedicated. Where prior easement rights have been granted to any person, utility or corporation on said parts of the land so dedicated, and all pipes, lines, poles and wires, conduits, ducts or cables heretofore installed thereon and therein are required to be relocated, in accordance with proposed improvements as now set forth, the undersigned proprietors hereby agree and agree to indemnify the City of Olathe, Johnson County, Kansas, from any expense incurred in the relocation of any such existing utility installations within said prior easements.

An easement or license to enter upon, locate, construct, use and maintain or authorize the location, construction or maintenance and use of conduits, surface drainage facilities, subsurface drainage facilities, and similar facilities, upon, over, and under these areas outlined and designated on this plat as "Drainage Easement" or "D/E" is hereby granted to the City of Olathe, Kansas.

An easement to lay, construct, maintain, alter, repair, replace and operate one or more sewer lines and all appurtenances convenient for the collection of sanitary sewage, together with the right of ingress and egress, over and through those areas designated as "Sanitary Sewer Easement" or "SSE" on this plat, together with the right of ingress and egress over and through adjoining land as may be reasonably necessary to access said easement and is hereby dedicated to Johnson County Wastewater of Johnson County, Kansas or their assigns. Alteration of land contours shall be permitted only with the express written approval of JCW. Any piling of improvements or planting of trees on said permanent right-of-way will be done at the risk of subsequent damage thereto without compensation therefor.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction and use of conduits, water, gas, pipes, poles, wires, surface drainage facilities, ducts, cables, etc., upon, over and under those areas outlined hereon and designated on this plat as "Utility Easement".

An easement or license is hereby granted and reserved by the undersigned proprietor of the above described land unto itself and the developer and/or the home association, or "HOA". The easement shall include the right of ingress and egress, over and under those areas outlined and designated on this plat as "Landscaping Easement" or "L/E".

An easement or license is hereby dedicated to the City of Olathe to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement" or "TPE". Trees shall not be removed from a tree preservation easement without the City of Olathe's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. The developer and/or the home association shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead or diseased trees or trees posing a threat to the public or adjacent property.

Tracts "A", "B", "C", "D" and "E" shall be owned and maintained by Abbey Valley Homes Association. Said tract is intended to be used for open space, home amenities, landscaping, monuments, trails and private open space.

Tract "F" shall be owned and maintained by Abbey Valley Homes Association and is hereby reserved to the City of Olathe, Johnson County, Kansas for "Street Easement" or "STE".

**NOTICE:** This site lies within a protected Stream Corridor, as defined and regulated in city of Olathe, Kansas, Municipal Code. Restrictions on the use or alteration of the Stream Corridor may apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement approved by the City.

**COMMENT TO LEVY**

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public use and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, said release and remain in a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

**EXECUTION**

IN TESTIMONY WHEREOF, undersigned proprietors have caused this instrument to be executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Abbey Valley Development, LLC.

By: \_\_\_\_\_  
Job Felzer, Managing Member

**ACKNOWLEDGMENT**

STATE OF KANSAS )  
                                  ) SS  
COUNTY OF JOHNSON )

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned, a Notary Public in and for said County and State, came Job Felzer, Managing Member of Abbey Valley Development, LLC, who is personally known to me to be such person who executed, or such officer, the within instrument on behalf of said partnership, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: \_\_\_\_\_ My Appointment Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_

**APPROVALS**

Approved by the Planning Commission of the City of Olathe, Johnson County, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Chairman: Wayne Jenner

Approved by the Governing Body of the City of Olathe, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

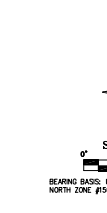
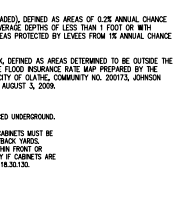
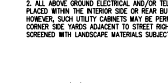
Attest: \_\_\_\_\_  
City Clerk: Brenda Swenhoran

Mayor: John W. Bacon

**FLOOD NOTE:**  
A PORTION OF THIS PROPERTY LIES WITHIN ZONE X (SHADED), DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD. AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY LEVEES FROM THE ANNUAL CHANCE FLOOD.

THE REMAINDER OF THE PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLATHE, COMMUNITY NO. 200715, JOHNSON COUNTY, KANSAS, MAP NO. Z0091020C, AND DATED AUGUST 3, 2009.

NOTE:  
1. ALL NEW ON-SITE WIRING AND CABLES MUST BE PLACED UNDERGROUND.  
2. ALL ABOVE GROUND ELECTRICAL AND/OR TELEPHONE CABINETS MUST BE PLACED WITHIN THE INTERIOR SIDE OF REAR BUILDING SERVICE YARDS. HOWEVER, SUCH UTILITY CABINETS MAY BE PERMITTED WITHIN FRONT OR CORNER SIDE YARDS ADJACENT TO STREET FRONT-OF-YARD IF CABINETS ARE SCREENED WITH LANDSCAPE MATERIALS SUBJECT TO LDD 18.30.13.



**PHILIP BISHOP ENGINEERING, INC.**  
1202 N. Vinewood  
Olathe, Kansas 66461  
Phone: 785-998-1111  
Fax: (785) 998-1148

**PLANNING ENGINEERING IMPLEMENTATION**

OFFICIAL OF AUTHORIZATION  
EXPIRES: 11-30-2024  
ENGINEER - LP-88

OFFICIAL OF AUTHORIZATION  
EXPIRES: 11-30-2024  
INSPECTOR - LP-88

**PEI**



## STAFF REPORT

Planning Commission Meeting: May 13, 2024

<b>Application:</b>	<b><u>RZ24-0007</u>: Request for approval of a rezoning and preliminary site development plan for Primrose School of Olathe.</b>
<b>Location:</b>	Southwest of W. 158 <sup>th</sup> Street and S. Hunter Street
<b>Owner:</b>	Timothy Anschutz, Spark Properties Group, LLC
<b>Engineer/Applicant:</b>	Luke Moore; Olsson
<b>Staff Contact:</b>	Andrea Fair, AICP; Planner II

<b>Site Area:</b>	<u>3.74± acres</u>	<b>Proposed Use:</b>	<u>Day-Care and Child-Care Center</u>
<b>Building Area:</b>	<u>13,545 sq.ft.</u>	<b>Plat:</b>	<u>Asbury Centre</u>
<b>Existing Zoning:</b>	<u>RP-1, CP-1, CP-O</u>	<b>Proposed Zoning:</b>	<u>C-1 (Neighborhood Center)</u>
<b>Lots:</b>	<u>2</u>	<b>Tracts:</b>	<u>0</u>

	<b>Plan Olathe Land Use Category</b>	<b>Existing Use</b>	<b>Existing Zoning</b>
<b>Site</b>	<b>Conventional Neighborhood</b>	<b>Undeveloped</b>	<b>RP-1, CP-1, CP-O</b>
<b>North</b>	Secondary Greenway/Conventional Neighborhood	Single-Family Residential	R-1
<b>South</b>	Conventional Neighborhood	Undeveloped	RP-1
<b>East</b>	Conventional Neighborhood	Day-Care and Child-Care Center	CP-O/C-1
<b>West</b>	Mixed Density Residential Neighborhood	Multi-Family Residential	RP-3

## 1. Introduction

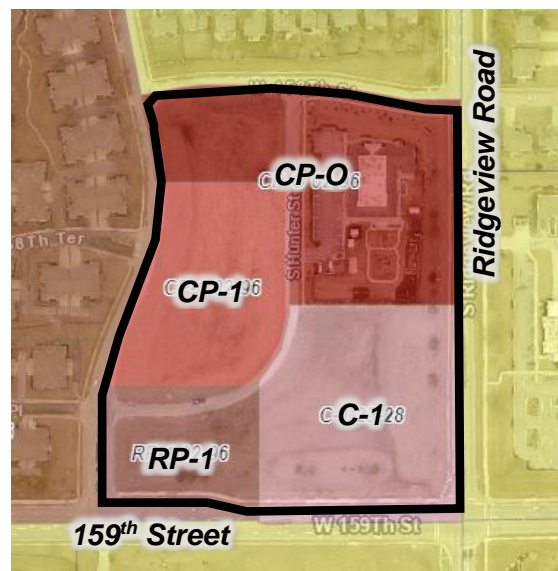
The applicant is requesting to rezone from the RP-1 (Planned Single-Family), CP-1 (Planned Retail Business), and CP-O (Planned Office Building) Districts to the C-1 (Neighborhood Center) District with a preliminary site development plan for two (2) lots on a 3.74± acre property located southwest of W. 158<sup>th</sup> Street and S. Hunter Street. A 13,545 square foot building for Primrose School of Olathe will be located on Lot 1. Primrose School will accommodate approximately 200 students and 28 staff members. A future phase for Lot 2 includes a 10,800 square foot general commercial building. The details provided for this lot are still conceptual in nature and do not include the level of detail typically provided with a preliminary site development plan. A revised preliminary site development plan will be required prior to submittal of a final site development plan for Lot 2.

The Day-Care and Child-Care Center use is permitted in the CP-1 District, but the applicant is requesting to rezone this property to allow for a variety of neighborhood-focused commercial uses on both lots and to align the zoning with the larger Asbury Centre development.

## 2. History

The subject property was annexed (ANX-01-93) into the City of Olathe in 1993 and rezoned (RZ-19-02) to the RP-1, CP-1, and CP-O Districts in 2002 as part of the Asbury Centre commercial development. The subject property was originally approved for a commercial retail and office building. The final plat (FP-24-03) for Asbury Centre was recorded in 2003. Public improvements, including S. Hunter Street, were constructed shortly after platting, but Asbury Centre's commercial area remained undeveloped until 2018, when Country Kids Day Care was constructed just east of the subject property.

In 2023, Asbury Centre, Lot 4 (RZ23-0006) located to the east was rezoned from the CP-O District to the C-1 District and a preliminary site development plan for a bank and multi-tenant building were approved. On April 29, 2024, an application for Asbury Centre, Tract A (RZ23-0013) was recommended for rezoning from the RP-1 to the C-1 District by the Planning Commission and the application proceeds to City Council on May 21, 2024.



Zoning map

### 3. Existing Conditions

The subject property is undeveloped, and the land gently slopes to the northwest. W. 159<sup>th</sup> Street and S. Ridgeview Road are existing arterial roads with sidewalks along both streets. S. Hunter Street is a private street with public water and sanitary sewer connections to the north and east.



*Aerial photo with subject site outlined in yellow and the Asbury Centre commercial development outlined in black.*



*View of subject property looking northeast.*

#### 4. Zoning Standards

- a. **Land Use** – The applicant is requesting to rezone from the RP-1 (Planned Single-Family), CP-1 (Planned Retail Business), and CP-O (Planned Office Building) Districts to the C-1 (Neighborhood Center) District. The PlanOlathe Future Land Use Map designates this site as a Conventional Neighborhood, which typically consists of single-family housing. However, as provided in PlanOlathe, *neighborhood centers are distributed throughout Olathe neighborhoods to provide local access to convenience goods and services, reduce the need for lengthy drives, and promote walkability.* The Asbury Centre is an existing neighborhood center commercial node located at a major intersection, which is consistent with other major intersections in southern Olathe.

The C-1 District permits over 70 land uses that provide the convenience goods and services called for by PlanOlathe, including office, restaurant and retail uses. This rezoning is compatible with the adjacent commercial/office districts already found in the Asbury Centre. However, some use restrictions are recommended to maintain compatibility with the nearby residences and these uses have been restricted on adjacent properties in Asbury Centre. Staff has worked with the applicant and they are amenable to prohibiting the following uses:

1. Fast-Food or Carryout Restaurants
  2. Animal Care Facilities with Outdoor Kennels.
  3. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.
- b. **Building Height** – The daycare building is one-story and no taller than 29 feet at its peak, complying with the maximum building height within the C-1 District of two-stories and 30 feet tall.
- c. **Setbacks** – The C-1 District requires developments to maintain a front yard building setback between 20 and 150 feet. The proposed day care building is setback 60 feet from S. Hunter Street, complying with the 20 foot minimum and 150 foot maximum requirement.

The day care building complies with the minimum street corner side yard setback of 20 feet along S. Hunter Street and the minimum side and rear yard setback of 7.5 to the north and west. All paved areas comply with the minimum paving setback of 15 feet from street right-of-way and 10 feet from property lines.

- d. **Frontage Buildout** – The C-1 District requires a minimum frontage buildout of 50% within the required front setback area. Frontage buildout is calculated as the front building façade width as a percentage of the overall lot width. The frontage buildout is 55% of the proposed Lot 1, meeting this requirement.
- e. **Building Footprint** – The daycare building has a footprint of 13,545 square feet, complying with the maximum building footprint of 15,000 square feet.
- f. **Open Space** – The development includes 28% open space, exceeding the minimum requirement of 20% open space within the C-1 District.

## 5. Development Standards

- a. **Access/Streets** – The proposed development will be accessed from S. Hunter Street and align with the southernmost access point into Country Kids Daycare to the east. S. Hunter Street connects to S. Brentwood Street, which is a collector street, and W. 158<sup>th</sup> Street, which has direct access to W. 159<sup>th</sup> Street and S. Ridgeview Road.

A new sidewalk will be installed along S. Hunter Street and S. Brentwood Street.

- b. **Parking** – Per UDO 18.30.160, minimum parking required for a day care facility is one (1) parking stall per 800 square feet. A minimum of 17 parking stalls are required and 41 parking stalls are proposed.

The C-1 District also requires that parking areas should not exceed 125% of the minimum required off-street parking requirements of the UDO, for a maximum of 21 stalls. The applicant is requesting a waiver to the maximum parking requirement, which is detailed in Waiver Request, Section 9.

- c. **Landscaping/Screening** – The proposed development exceeds all landscape requirements of UDO 18.30.130. Along the perimeter of the site, the required plantings are proposed along all street frontages and 10-foot and 15-foot buffer requirements are being met. Internally, the proposed parking lot and building foundation landscaping exceeds UDO requirements.

All rooftop utilities will be screened by the proposed parapet walls and all ground and wall mounted utilities will be adequately screened.

- d. **Stormwater/Detention** – Improvements to the property will increase impervious surface area. Stormwater runoff created by this development will be captured and diverted into a Stormwater Treatment Facility, a native vegetation swale, in accordance with stormwater quality and quantity requirements of Title 17 before continuing to the City's public stormwater system.
- e. **Public Utilities** – The property is in City of Olathe sewer and WaterOne service areas. Existing sanitary sewer and water mains are in the northeast corner of the site and this development will connect to and extend these main lines along S. Hunter Street.

## 6. Site Design Standards

The property is designated as a Conventional Neighborhood on the PlanOlathe Future Land Use Map; however, with the proposed C-1 District zoning designation, the site is subject to Site Design Category 3 (UDO 18.15.115). The following is a summary of the applicable site design requirements.

- a. **Landscape Options** – Developments must provide one landscape option where the building façades are not located within the minimum frontage area. The development exceeds the option for a 20-foot planted buffer without a wall along S. Hunter Street and exceeds the option for a 10-foot planted area with fence along S. Brentwood Street. Additional landscaping along the perimeter of the fenced playground area is also being provided to soften fence row and provide signature landscaping at the hard corner of W. 158<sup>th</sup> and Brentwood Streets.



- b. **Street Frontage Area** – Street frontage area for commercial and mixed-use buildings in Site Design Category 3 must be setback a maximum of fifteen (15) feet as measured from the property line. The day care building is setback 60 feet from S. Hunter Street and therefore does not comply with this requirement.

The applicant is requesting a waiver to street frontage requirement, which is detailed in Waiver Request, Section 9.

- c. **Parking Pod Size** – The maximum parking pod side is 40 stalls. The proposed development includes 36 stalls in the largest parking pod, which is in compliance with the UDO requirements.
- d. **Pedestrian Connectivity** – Developments must provide enhanced pedestrian connections to encourage pedestrian use. The site provides a pedestrian gateway at the southwest corner of the property consisting of signature landscaping comprised of ornamental trees, evergreen and decorative grasses. Additionally benches with landscaping in decorative planters are provided at the building entrance to create a more defined pedestrian entry feature.
- e. **Drainage Features** – Open drainage and detention areas visible to the public must be incorporated as an attractive amenity feature or focal point. There is a proposed native vegetation swale along the south side of the property. Additional details regarding exact location and landscape requirements will be reviewed at the time of final site development plan.

## 7. Building Design Standards

The proposed daycare building is subject to building design standards for Commercial and Retail Buildings (UDO 18.15.020.G.7). The following table lists the applicable design requirements and proposed design elements. All elevations are considered primary façades.

<b>Building Design Standard</b>	<b>UDO Design Requirements</b>
<i>Building Entryway</i>	<p>Proposed Design</p> <p><b><i>Each building entry along primary facades must be defined with a covered projection or a recessed area.</i></b></p> <p>The main building entry, located on the east elevation, includes a canopy that projects out six feet from the façade.</p>
<i>Horizontal Articulation</i>	<p><b><i>Each primary façade must provide horizontal articulation every 50 linear feet of the façade.</i></b></p> <p>All primary façades provide horizontal articulation using either wall offsets or wall projections every 40 feet, exceeding UDO requirements for horizontal articulation.</p>
<i>Vertical Articulation</i>	<p><b><i>Each primary façade must provide vertical articulation every 50 linear feet of the façade.</i></b></p> <p>All primary façades include a minimum variation of two feet in parapet height at least once every 40 feet, exceeding UDO requirements for horizontal articulation.</p>

<i>Façade Expression</i>	<b><i>One-story buildings must be a minimum of 17 feet tall and include a tower element or special vertical articulation to anchor the main entry or building corner.</i></b>  The one-story building is 29 feet tall at the peak of the stone tower element on the northeast corner of the building, which anchors the building corner.
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The proposed building is predominately comprised on all four façades with brick veneer, stone veneer, and a base of stone wainscotting. The building is required to include a combination of three (3) materials from Class 1 or Class 2 on 80% of the primary facades. The building uses a minimum of 84% Class 1 and 2 materials on all primary facades, exceeding this minimum requirement. The building also utilizes a standing seam metal awning (Class 1) on all façades.

The building is required to have 25% clear glass on all primary façades. Clear glass windows are used on 7% of the north façade, 10% of the south façade, 11% of the east façade and 12% of the west façade. Opaque glass windows are also incorporated on 12% of the north façade, 12% of the south façade, 12% of the east façade and 13% of the west façade. The applicant is requesting a waiver to the minimum clear glass requirements. See Section 9 below for an analysis of this waiver request.

## **8. 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.

The applicant held a neighborhood meeting on April 8, 2024 in accordance with UDO requirements and the minutes of this meeting are included in the agenda packet. Seven (7) residents attended this meeting and asked several questions regarding traffic, and building and site design, which were responded to. Neither staff nor the applicant has received additional correspondence regarding the project.

## **9. Waiver Request**

Section 18.40.240 of the UDO provides a mechanism for waivers to be considered when unnecessary hardships can be demonstrated or where the exception would result in superior design. The applicant submitted a justification statement for the requested waivers, which is attached to this report. The applicant is requesting waivers from:

1. UDO 18.15.115, which requires street frontage area for commercial buildings be a maximum of 15 feet as measured from the property line and the façade width within the frontage area must be a minimum of 30% of the lot width. The applicant is requesting a setback of 60 feet from the front (east) property line.
2. UDO 18.15.020.G.8.b, which requires that clear glass comprise a minimum of 25% of any primary façade. The applicant is requesting to reduce the clear glass from 25% on all primary façades to 7% on the north façade, 10% on the south façade, 11% on the east façade and 12% on the west façade.

3. UDO 18.20.130.C.1, which requires that no more than 125% of the required parking for a use may be provided on site. The applicant is requesting to increase the parking from the required 17 spaces to 43 spaces.

Staff is supportive of the three (3) requested waivers and worked with the applicant to understand the reason for each request. The first waiver is concerning the requirement for the building to set the street edge by placing buildings closer to the street and requiring buildings to occupy a certain percentage of the lot width at that street edge. The applicant is not meeting the intent of this requirement which is challenging on this property due to the shape of the lot and nature of the proposed business and need for outdoor playground and child drop-off areas. In lieu, the developer is proposing to add additional landscaping around the entire perimeter of the site and an outdoor amenity area. The proposed building placement also allows for the parking to be located interior, furthest from the residential properties to the west.

The second waiver is concerning the 25% clear glass requirement on each primary façade. Each façade of the building is classified as a primary façade, which means all four façades are required to meet the 25% clear glass requirement. Staff worked with the applicant to increase the amount of clear glass on each façade where possible, and the applicant has also provided at least 12% of opaque glass on each façade near the parapet wall to provide the appearance of clear glass, which brings the total amount of glazing to 20% - 25% for each façade. The building also utilizes over 84% Class 1 and 2 building materials on all façades, exceeding the minimum requirement of 80% Class 1 and 2 building materials. The vertical and horizontal articulation of the building also exceeds UDO requirements, and additional façade expression techniques and architectural details were incorporated, including tower elements and awning cornices. The applicant also worked with staff to provide additional high quality building materials and color variations.

The third waiver is concerning the maximum parking requirement. The applicant is requesting to increase the number of parking stalls from 17 to 43. The Primrose School has a staff of 28 including teachers and administration, which exceeds both the number of required stalls and the allowed increase of 125%. The 15 remaining stalls will be utilized for drop off and pick up. The applicant estimates that each drop off and pick up takes approximately six (6) minutes, which allows for each stall to accommodate 10 drop off and/or pick up trips per hour. Staff is supportive of the increase because it allows for the daycare to be adequately staffed and provides adequate parking for parents.

## 10. UDO Rezoning Criteria

The future land use map of the Plan Olathe Comprehensive Plan identifies the subject property as a Conventional Neighborhood. Conventional Neighborhoods typically consist of single-family housing, but *neighborhood centers are distributed throughout Olathe neighborhoods to provide local access to convenience goods and services, reduce the need for lengthy drives, and promote walkability.*

The application was reviewed against the UDO criteria for considering rezoning applications listed in UDO Section 18.40.090.G as detailed below.

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

The requested district does not directly align with the Conventional Neighborhood designation of the Comprehensive Plan. However, the Comprehensive Plan calls for *neighborhood centers to be distributed throughout Olathe neighborhoods to provide local access to convenience goods and services, reduce the need for lengthy drives,*

*and promote walkability.* This is an existing neighborhood center located at a major intersection, which is consistent with the pattern of commercial centers at other major intersections in southern Olathe.

The proposed zoning request meets the following policy elements of the Comprehensive Plan:

**LUC-7.1: High Quality Design.** Encourage economically reasonable efforts toward high quality architecture, urban design, and site design. Use design guidelines as a tool for new development and redevelopment. Consider the desired context and character of existing neighborhoods and commercial centers.

**LUC-8.1: Mixture of Complementary Land Uses.** Encourage and enable a mixture of complementary land uses in major new developments. In existing neighborhoods, a mixture of land use types, housing sizes and lot sizes may be possible if properly planned and respectful of neighborhood character. Whenever land uses are mixed, careful design will be required in order to ensure compatibility, accessibility and appropriate transitions between land uses that vary in intensity and scale.

**HN-2.2: Complete Neighborhoods.** Encourage a “complete” neighborhood concept for new development, which includes a variety of residential densities on appropriately sized parcels, opportunities for shopping, nearby support services and conveniently sited public facilities, including roads, transit, and pedestrian connections, parks, libraries, and schools.

***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).***

This area is a developing commercial node and is surrounded by an existing residential neighborhood to the west. The adjacent non-residential use is Country Kids Day Care. Plans have been approved for a bank and multi-tenant retail building to the southeast. The existing and future buildings are primarily one-story tall and are a mix of residential and modern design.

***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 proposal is in harmony with the surrounding zoning and uses of nearby properties. The adjacent CP-O and C-1 Districts to the south and east are commercial districts, similar to the proposed C-1 District. The property directly to the south is in the RP-1 District but an application was presented to the Planning Commission on April 29, 2024 to rezone the property to the C-1 District. There is an existing daycare to the east, which is a compatible use. The proposed daycare will complement the adjacent commercially zoned properties and serve as a commercial node for nearby residential developments.

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

The property is suitable for the land uses allowed in the existing CP-1 and CP-O Districts; however, the requested C-1 District will allow for a more consistent zoning throughout the entire Asbury Centre and aligning with the existing zoning districts and established businesses. Use restrictions are proposed that are consistent with adjacent C-1 District zoning.

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

The property was zoned to the RP-1, CP-O and CP-1 Districts in 2002 and has remained undeveloped since that time.

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

Approval of this application is not anticipated to detrimentally affect nearby properties. The property is within an existing commercial node (Asbury Centre) and adjacent to an existing daycare facility that has been operation since 2018 date.

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

Approval of this development will not substantially harm the value of the nearby properties, which are zoned for residential and nonresidential uses. The property already has commercial zoning designation, only a small portion of the property retains residential zoning.

***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 use will not adversely affect the capacity or safety of the road network influenced by the use, or present parking problems. The proposed use will not substantially increase traffic and the site is adequately parked for the needs of the daycare use. The development will have access from S. Hunter Street from to W. 159<sup>th</sup> Street and S. Ridgeview Road, which are arterial streets.

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

The development is not anticipated to create pollution or other environmental harm. The development will follow all regulations and requirements pertaining to stormwater, air quality, noise, and other related items.

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

The proposed development will create new jobs and generate additional property taxes to be collected by 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 and welfare due to the denial of the application. The rezoning does not negatively affect public health, safety or welfare as presented. If the application were denied, the applicant would not be able to develop the requested daycare use within the existing zoning district.

**11. Staff Recommendation**

Staff recommends approval of the rezoning and preliminary site development plan (RZ24-0007) with the following stipulations:

- A. Staff recommends approval of RZ24-0007 for the following reasons:
  - 1. The proposed development complies with the policies and goals of the Comprehensive Plan.
  - 2. The requested rezoning to the C-1 District meets the Unified Development (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the C-1 District with the following stipulations:
  - 1. The following uses are prohibited:
    - a. Fast-Food or Carryout Restaurants
    - b. Animal Care Facilities with Outdoor Kennels
    - c. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.
- C. Staff recommends approval of the preliminary development plan with the following stipulations:
  - 1. A revised preliminary site development plan is required for Lot 2 prior to submittal of a final site development plan.
  - 2. A waiver is granted from UDO 18.15.115.C to reduce the street frontage setback and buildout requirement from 15 feet and 30% to a setback of 60 feet with the elimination of the façade width requirement, as shown on the preliminary site development dated April 22, 2024.
  - 3. A waiver is granted from UDO 18.15.020.G.8.b to decrease the minimum glass requirement from 25% on all primary façades to 7% on the north façade, 10% on the south façade, 11% on the east façade and 12% west façade as shown on the elevations dated April 22, 2023.
  - 4. A waiver is granted from UDO 18.020.130.C.1 to exceed the 125% maximum parking requirement and permit a maximum of 43 parking stalls, as shown on the preliminary site development plan dated April 1, 2024.

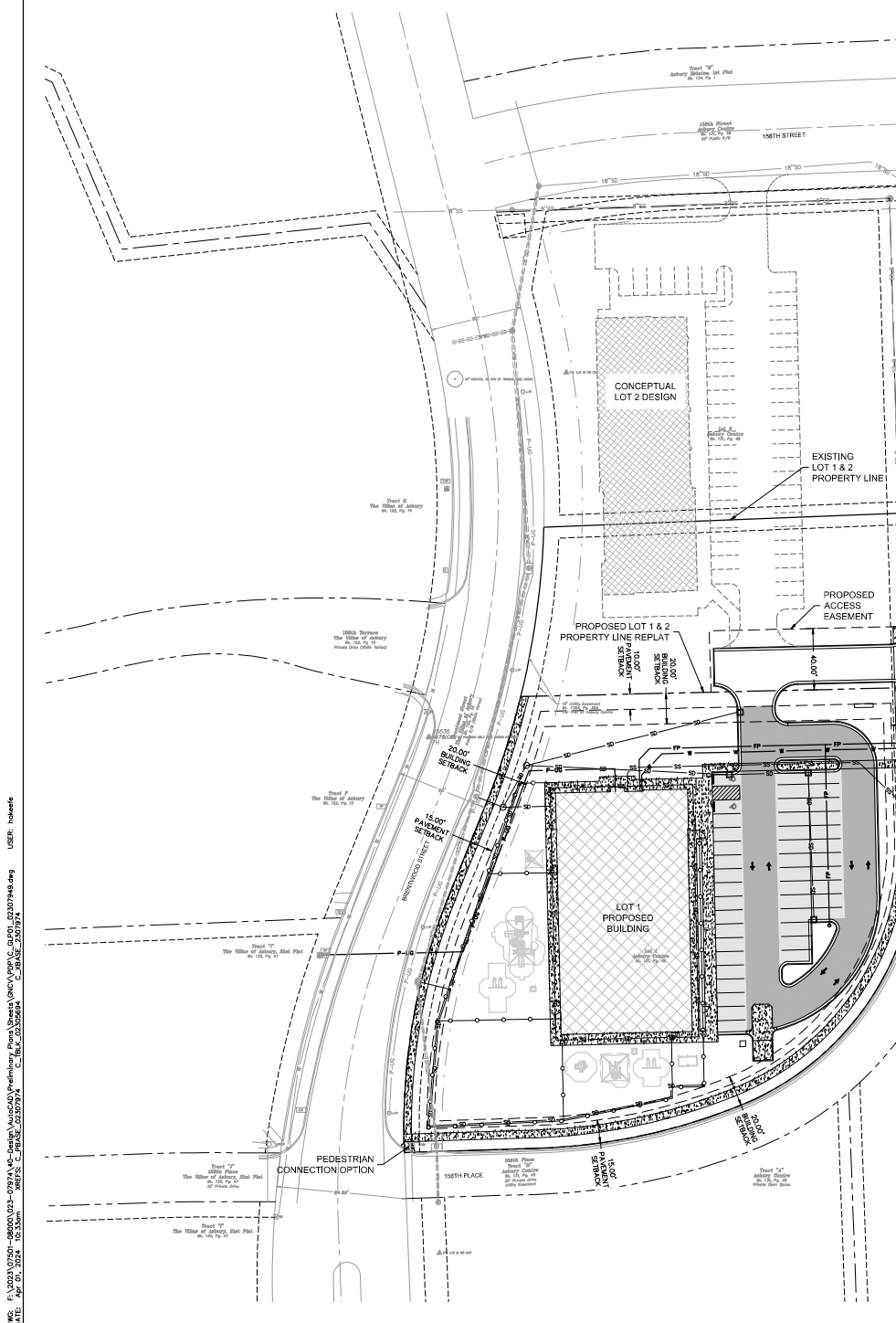
5. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.

## **STATEMENT OF PURPOSE – REZONING**

Rezoning from CP-1 to C-1

The purpose of rezoning this vacant land is to develop it with a use that is compatible with the type of properties already in the area. The land is currently CP-1 zoning with some extensive restrictions, therefore the developer has chosen to rezone the property to C-1 in order to achieve the City of Olathe's latest code requirements. The intent for the property is to develop a new Primrose Daycare Facility. These daycare facilities are very well known not just around the area locally but nationally.

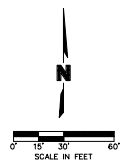




- LEGEND**
- EXISTING PROPERTY LINE
  - - - PROPOSED PROPERTY LINE
  - EASEMENT
  - L L L PROPOSED CONCRETE CURB & GUTTER
  - L L L PROPOSED CONCRETE DRY CURB & GUTTER
  - [Hatched Box] PROPOSED CONCRETE SIDEWALK
  - [Dark Grey Box] PROPOSED HEAVY DUTY ASPHALT PAVEMENT
  - [Light Grey Box] PROPOSED LIGHT DUTY ASPHALT PAVEMENT
  - EXISTING STORM SEWER
  - - - PROPOSED STORM SEWER
  - PROPOSED LANDSCAPE/ROOF DRAIN
  - PROPOSED DOMESTIC WATER
  - SS --- PROPOSED SANITARY SERVICE LINE
  - P-UG --- PROPOSED UNDERGROUND POWER
  - FP --- PROPOSED FIRE PROTECTION LINE
  - COMM --- PROPOSED COMMUNICATIONS SERVICE
  - SS --- EXISTING SANITARY SEWER
  - SD --- EXISTING STORM SEWER
  - P-UG --- EXISTING ELECTRICAL LINE
  - W --- EXISTING DOMESTIC WATER
  - G --- EXISTING GAS SERVICE
  - TEL --- EXISTING COMMUNICATIONS LINE
  - GATV --- EXISTING CABLE TV

PRIMROSE SCHOOL BUILDING & SITE DATA						
NO. OF STORIES	USE	BUILDING SQ. FT.	PARKING REQUIRED	TOTAL STANDARD PARKING PROVIDED	TOTAL ACCESSIBLE PARKING PROVIDED	TOTAL PARKING PROVIDED
1	DAYCARE	13,545 S.F.	1 PER 800 SQUARE FEET = 17	41	2	43
EXISTING LOT 2 ZONING (CP-O, CP-1)						
PROPOSED LOT 2 ZONING (C-1)						
EXISTING LOT 1 ZONING (CP-O)						
PROPOSED LOT 1 ZONING (C-1)						
EXISTING LOT 2 AREA= +/- 1.25 ACRES (54,540 S.F.)						
PROPOSED LOT 2 REPLAT AREA= +/- 1.88 ACRES (82,021 S.F.)= 50.30% INCREASE						
EXISTING LOT 1 AREA= +/- 2.49 ACRES (108,618 S.F.)						
PROPOSED LOT 1 REPLAT AREA= +/- 1.86 ACRES (81,137 S.F.)= 25.30% DECREASE						
25% REQUIRED LANDSCAPING OPEN SPACE= 20,284 S.F.						
LOT 1 LANDSCAPE OPEN SPACE PROVIDED= 22,530 S.F. (27.77%)						
PLAYGROUND REQUIREMENTS: 75 SF PER CHILD X 1/2 OF THE CENTER'S LICENSED CAPACITY= 7,875 SF						
PLAYGROUND AREA PROVIDED= 18,100 SF.						

**DESCRIPTION:**  
ALL OF LOT 1, ASBURY CENTRE, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS



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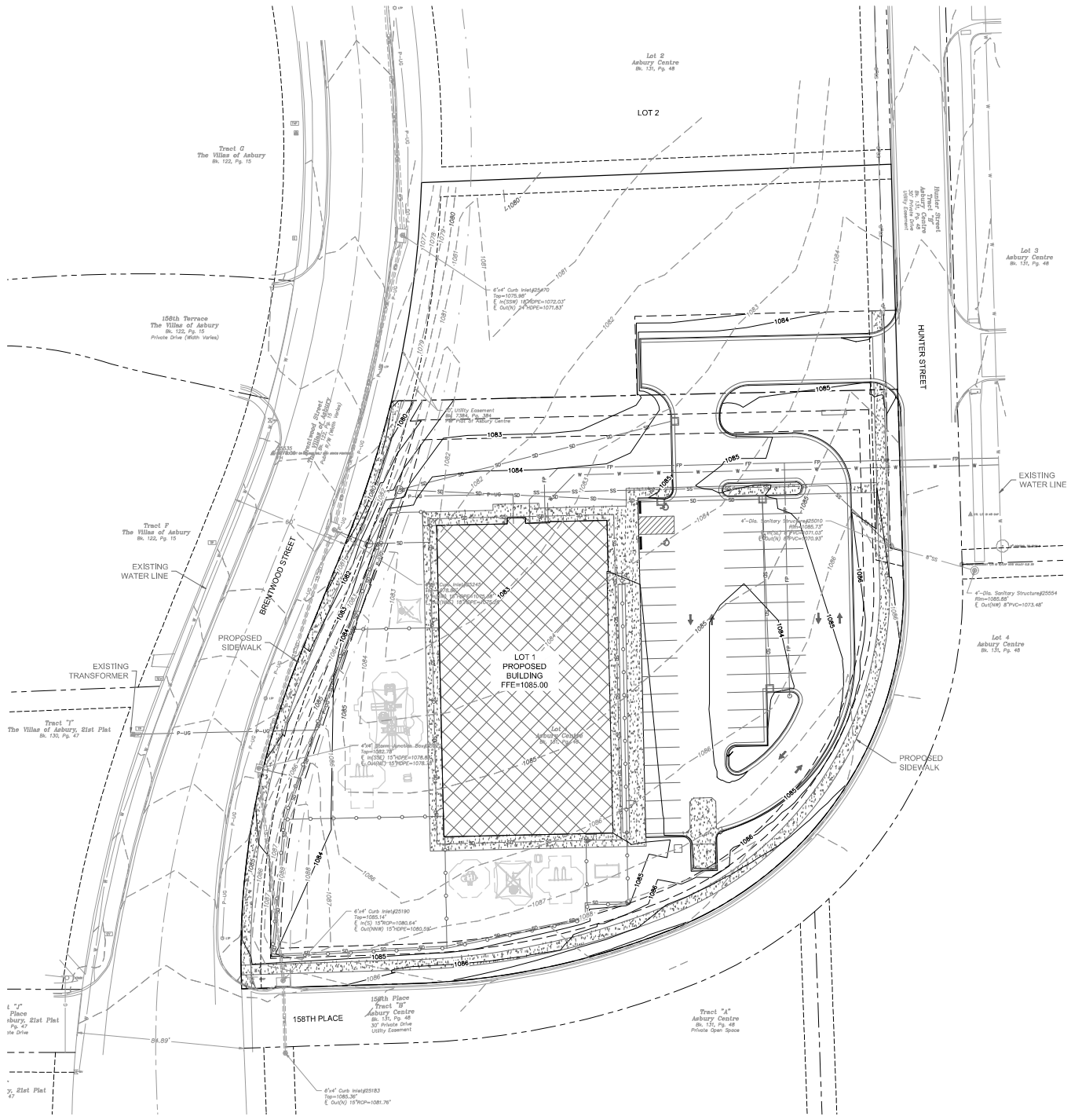
**Olsson**  
 7001 W. 136th Street, Suite 200  
 Overland Park, KS 66204-3425  
 TEL: 913.931.1170 www.olsos.com

NO.	DATE	REVISION DESCRIPTION

GENERAL LAYOUT PLAN  
 PRELIMINARY DEVELOPMENT PLAN  
 PRIMROSE SCHOOL OF OLATHE  
 15TH STREET AND S. RIDGEVIEW ROAD  
 OLATHE, KANSAS  
 SHEET  
 C100

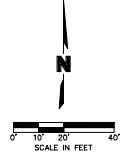


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**LEGEND**

	EXISTING PROPERTY LINE
	PROPOSED PROPERTY LINE
	EASEMENT
	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPOSED CONCRETE CURB & GUTTER
	PROPOSED CONCRETE DRY CURB & GUTTER
	PROPOSED CONCRETE SIDEWALK
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	PROPOSED LANDSCAPE/ROOF DRAIN
	PROPOSED DOMESTIC WATER
	PROPOSED SANITARY SERVICE LINE
	PROPOSED UNDERGROUND POWER
	PROPOSED FIRE PROTECTION LINE
	PROPOSED COMMUNICATIONS SERVICE
	EXISTING SANITARY SEWER
	EXISTING STORM SEWER
	EXISTING ELECTRICAL LINE
	EXISTING DOMESTIC WATER
	EXISTING GAS SERVICE
	EXISTING COMMUNICATIONS LINE
	EXISTING CABLE TV



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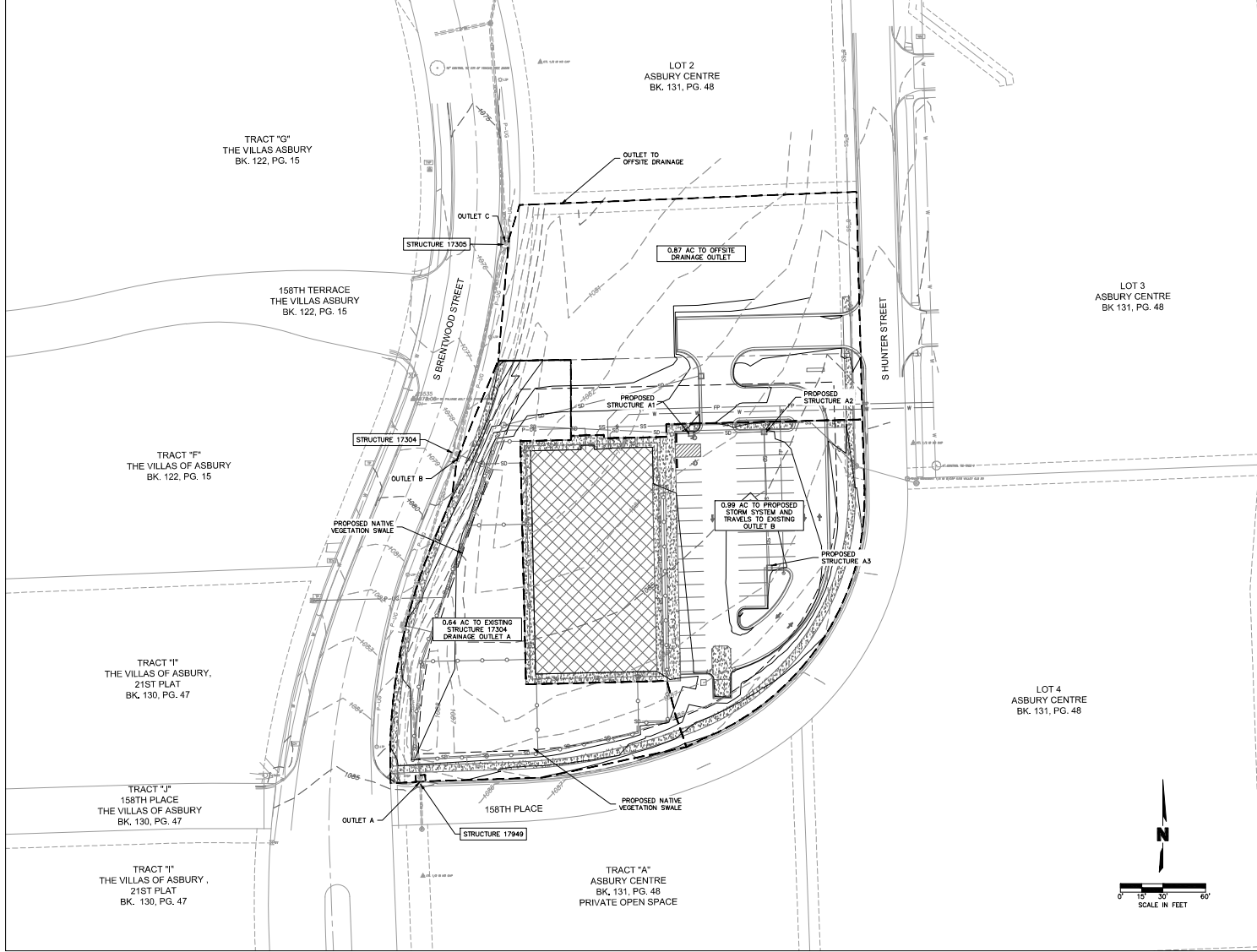
DATE: 07/20/2020  
BY: jwilliams

REVISIONS

NO.	DATE	DESCRIPTION

GRADING AND UTILITY PLAN  
 PRELIMINARY DEVELOPMENT PLAN  
 PRIMROSE SCHOOL OF OLATHE  
 159TH STREET AND S. RIDGEVIEW ROAD  
 OLATHE, KANSAS

SHEET C300

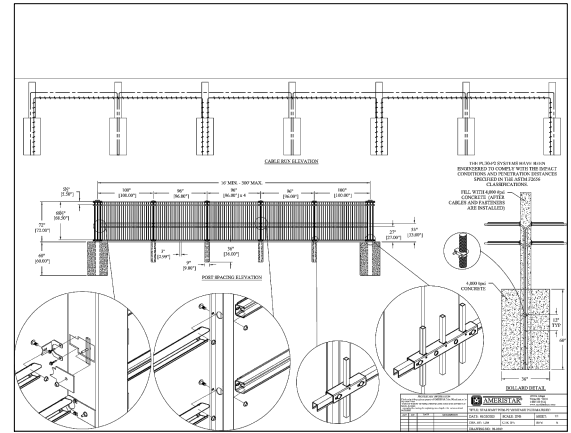
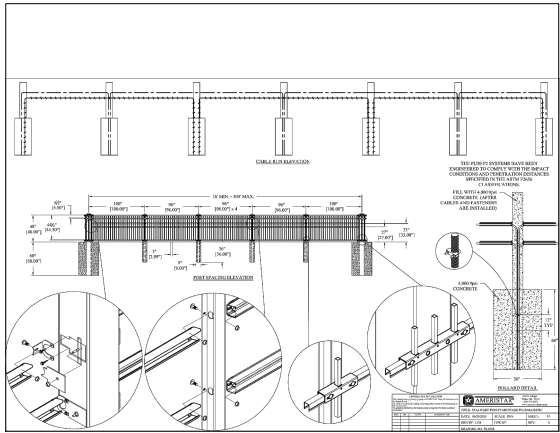
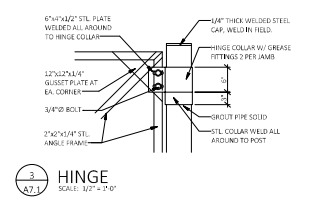
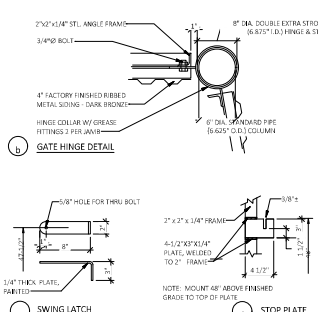
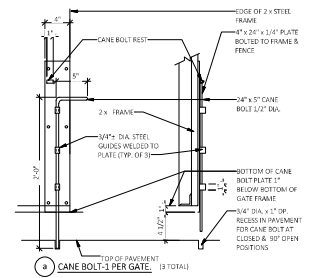
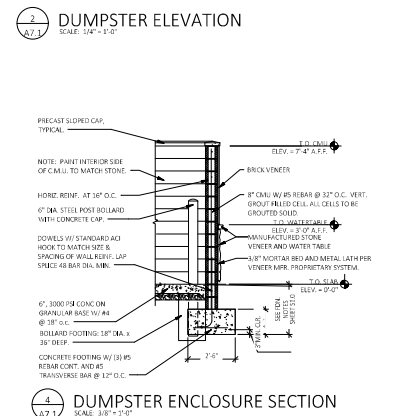
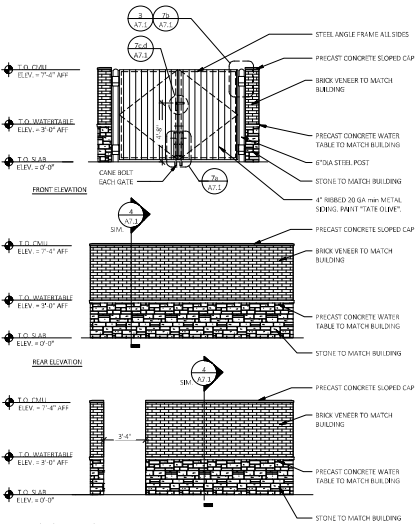
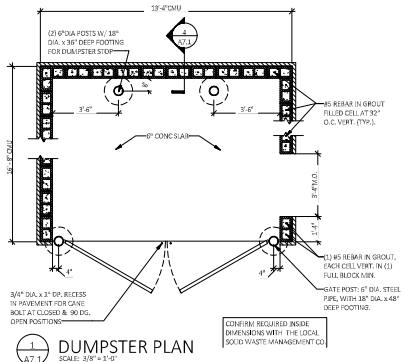


Checked by:	MSK
Drawn by:	MSK
Approved by:	MSK
GWOC by:	MSK
Printed on:	MSK
Drawing no.:	000000
Date:	2024

STORM MANAGEMENT PLAN  
 PRELIMINARY DEVELOPMENT PLAN  
 PRIMROSE SCHOOL OF OLATHE  
 159TH STREET AND S. RIDGEVIEW ROAD  
 OLATHE, KANSAS

REV.	DATE	DESCRIPTION

REVISIONS



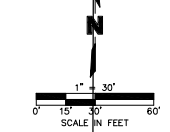
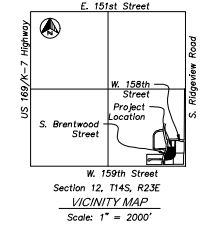
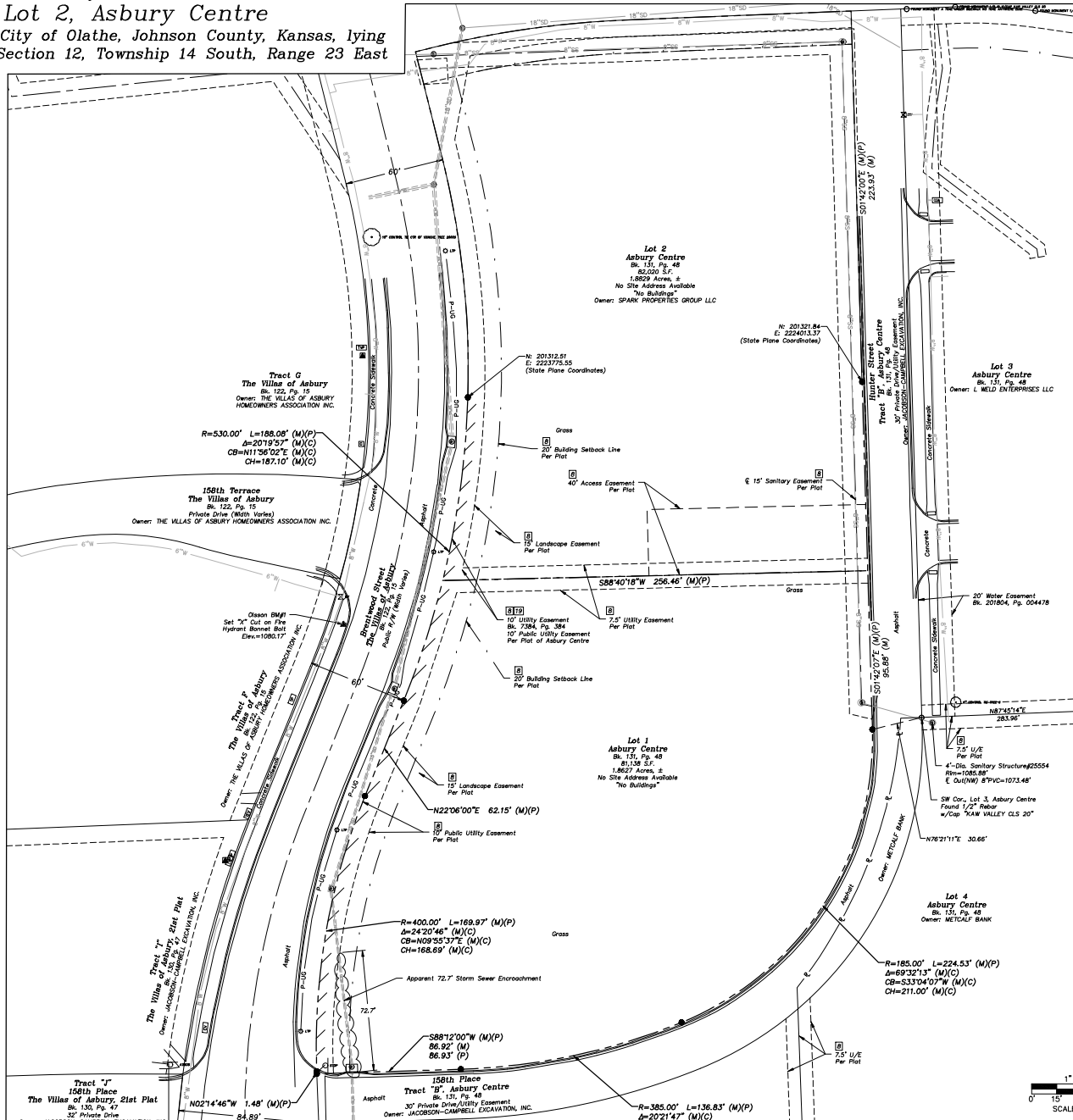
**Type P - Pipe Mount**  
Series: Classic  
Product Number: 150-RT

ITEM	QTY	PART	WEIGHT
1	2	Plastic screw caps	1.8 lbs. ea.
2	2	1" Stainless steel nuts	34 lbs. ea.
3	1	1" Cast Iron rain ballast body	51 lbs.
4	1	1" Cast Iron rain ballast base	31.7 lbs.
5	1	1" Cast Iron round ballast top	13.6 lbs.
6	2	3/8" Stainless steel set screws	2.7 lbs. ea.
7	1	1" Stainless steel washer	36 lbs.
8	1	1" Long 1" dia. stainless steel all thread	1.64 lbs.
9	1	1" diameter sch. 40 steel pipe all thread with threaded plug attached	47.4 lbs.

Install interior pipe according to engineering requirements. Screw threaded rod into threaded plug on top of pipe. Tighten 1" nut onto weather securing ballast in clock. Then use set screws to secure round top on tightly.

Footer detail is for reference only; proper footer construction depends on local soil conditions and engineering requirements.

**Preliminary Plat**  
**Lot 1 and Lot 2, Asbury Centre**  
 Part of a subdivision in the City of Olathe, Johnson County, Kansas, lying  
 in the Southeast Quarter of Section 12, Township 14 South, Range 23 East



Property Owner:  
 Spark Properties Group LLC  
 10 Canyon Alvar  
 Littleton, Colorado 80127  
 Prepared For:  
 Primrose Schools  
 3200 Windy Hill Road, Suite 1200E  
 Atlanta, Georgia 30339-5640  
 Prepared By:  
 Olsson  
 7301 W. 133rd Street, Suite 200  
 Overland Park, Kansas 66213  
 Telephone (913) 381-1170

**olsson**  
 7301 West 133rd Street  
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 TEL: 913.381.1170  
 FAX: 913.381.1174  
 Olsson - Survey  
 Kansas COA #S-114

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PRELIMINARY PLAT  
 PRIMROSE SCHOOL OF OLATHE  
 159TH STREET & S. RIDGEVIEW ROAD  
 OLATHE, KANSAS

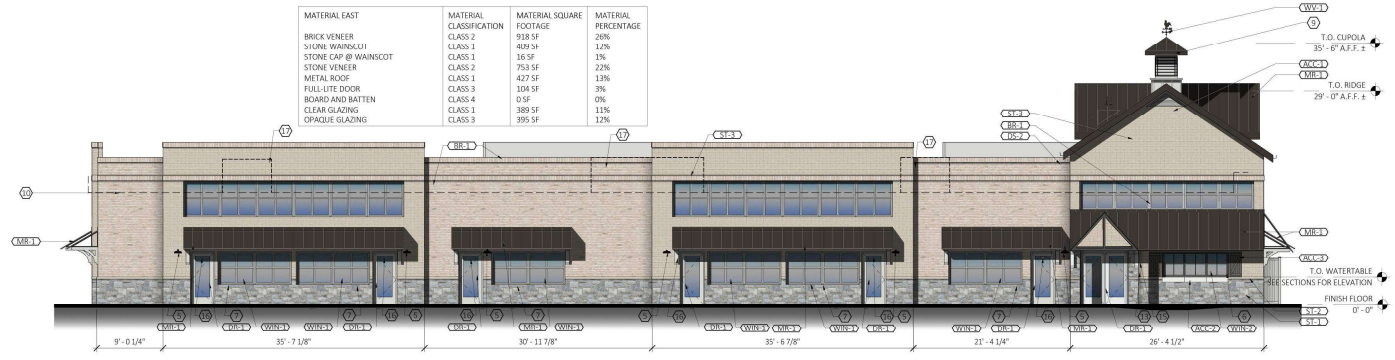
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BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

NO.	DATE	REVISIONS

2024  
**SHEET**  
 1 of 1

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### ELEVATION KEYED NOTES

- NOT USED
- NOT USED
- 5/4 x 4 TRIMBOARD, WD - 2
- LIGHTING, REFER TO ELECTRICAL DRAWINGS.
- TRIMBOARD AT OFFICE & CONF ROOM WINDOWS: HORIZ TO BE 5/4 x 6, VERT TO BE 5/4 x 4, BOTH WD-3
- TRIMBOARD AT ALL EXTERIOR DOORS AND CLASSROOM WINDOWS TO BE 5/4 x 6, WD - 3
- NOT USED
- CUPOLA WITH WEATHERVANE. PAINT ALL SURFACES TO MATCH "ARCTIC WHITE", ROOF TO BE MR - 1 REFER TO 1A/A6.3 FOR CONSTRUCTION.
- ROOF LINE BEHIND PARAPET WALL.
- GLAZING TO RECEIVE WINDOW FILM, TINT - 1. SEE FINISH SCHEDULE SHEET A2.2
- NOT USED
- KNOX BOX OR APPROVED EQUAL. COORDINATE LOCATION WITH LOCAL FIRE OFFICIAL
- 6' - 0" HIGH SOLID VINYL FENCE WITH (2) 3' - 0"W GATES. COLOR TO MATCH DOORS
- BEIGE ALUMINUM PLAQUE W/6" REFLECTIVE BLACK VINYL NUMBERS. PROVIDED BY 1 HOUR SIGN. COORDINATE LOCATION WITH LOCAL FIRE OFFICIAL.
- 4" REFLECTIVE NUMBERS SEE SIGNAGE PACKAGE
- MECHANICAL UNIT BEHIND PARAPET WALL. SCREENING TO BE PROVIDED WHERE NOT FULLY COVERED BY PARAPET WALL.

### GENERAL NOTES

- ALL BUILDING MOUNTED AND ROOFTOP BUILDING HVAC AND MECHANICAL EQUIPMENT, VENTS, PIPING, ROOF ACCESS LADDERS, AND UTILITY METERS MUST BE LOCATED OUT OF VIEW OR OTHERWISE SCREENED FROM PUBLIC VIEW.
- 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-SIDED LANDSCAPING OR WITH AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING ARCHITECTURE.
- ALL SIGNAGE WILL BE APPROVED ADMINISTRATIVELY THROUGH A SEPARATE SIGN PERMIT APPLICATION.



Stone Wainscot ST-1



Brick Veneer - BR-1



Board and Batten - WD-1



Stone Wainscot ST-3



Metal Roof - MR-1



Stone Sill - ST-2

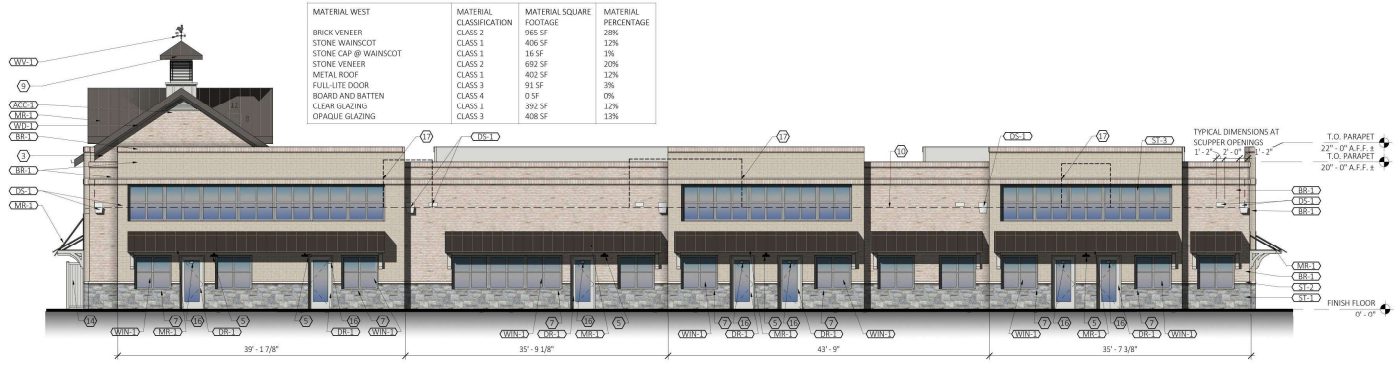
### EXTERIOR FINISH LEGEND

MARK	DESCRIPTION	SPECIFICATION
ACC-1	LOUVERS	EKENA MILLWORK: 65"W X 21 3/4"H X 1 1/4"P, PITCH 8:12 TRIANGLE GABLE VENT, NON-FUNCTIONAL. ITEM NO. GVT65X21D (COLOR TO MATCH "ARCTIC WHITE")
ACC-2	WINDOW BOX	PLOW & HEARTH: LEXINGTON SELF-WATERING WINDOW BOX, 3'-0". COLOR: ANTHRACITE.
ACC-3	SHUTTERS	EKENS MILLWORK: TWO BATTEN W/2-BAR BOARD & BATTEN COMPOSITE SHUTTERS. 3'-6" X 1'-6"W. SHUTTERS TO BE ORDERED PRIMED, PAINT TO MATCH "AGED PEWTER"
BR-1	BRICK VENEER	AUTHENTIC BRICK; THIN BRICK VENEER; STYLE "COTTONWOOD"
DR - 1	FULL LITE DOOR	EXTERIOR INSULATED METAL FULL LITE DOOR : COLOR (INTERIOR & EXTERIOR): WHITE. SEE DOOR SCHEDULE FOR ADDITIONAL INFORMATION.
DS - 1	SCUPPERS, DOWNSPOUTS	BM COLOR REVIEW #0C - 21 WINTER WHITE. (COLOR TO MATCH "ARCTIC WHITE"); 6" GUTTERS AND 6" DOWN SPOUTS U.N.O.
DS - 2	GUTTERS ALONG METAL ROOF	COLOR: TO MATCH "MR - 1"
MR-1	METAL ROOF	BERRIDGE CEE-LOCK SYSTEM. COLOR: DARK BRONZE.
ST-1	STONE WAINSCOT	US STONE - SAINT CLERE, PLAZA GRAY. MACHINE SPLIT RUBBLE VENEER. GROUT: BUFF COLORED MORTAR
ST-2	STONE CAP @ WAINSCOT	CORONADO: CHISELED STONE SILL. COLOR: LIGHT GREY.
ST-3	STONE VENEER	CORONADO: SMOOTH LIMESTONE. COLOR: HARVARD GREY
TRIM	MISC METAL TRIM & FLASHING	ANY MISC METAL FLASHING AND TRIM NOT NOTED AS TRIM-1 SHOULD MATCH COLOR OF ADJACENT SURFACE. CONTACT ARCHITECT FOR DIRECTION AS REQ'D.
TRIM-1	MTL TRIM @ METAL ROOF	BM COLOR REVIEW #0C - 21 WINTER WHITE. (COLOR TO MATCH "ARCTIC WHITE")
WD-1	BOARD AND BATTEN SIDING	HARDIE PANEL (4' X 10') AND HARDIE TRIM BATTEN BOARDS (2 1/2" WIDE @ 16" O.C.) FINISH: SMOOTH. COLOR: ARCTIC WHITE (PRIMED AND FIELD PAINTED)
WIN - 1	VINYL WINDOWS	ANDERSEN: SILVERLINE 2200 SERIES. COLOR: WHITE. SEE WINDOW SCHEDULE.
WIN - 2	VINYL WINDOWS (@ OFFICE)	ANDERSEN: 100 SERIES. COLOR: WHITE. SEE WINDOW SCHEDULE
WV-1	WEATHER VANE	LARGE COPPER ROOSTER WEATHERVANE. SEE 1A/A6.3 FOR ADDITIONAL INFORMATION.

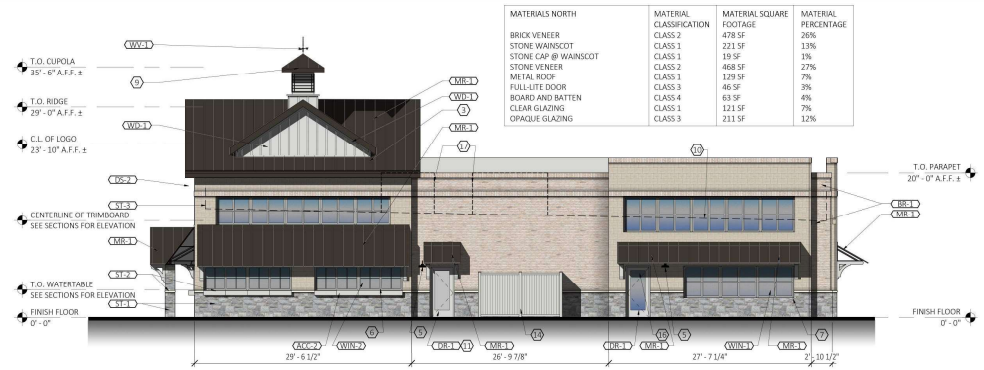


PROPOSED BUILDING FOR:  
**PRIMROSE SCHOOL**  
**FRANCHISING COMPANY**  
 3200 WINDY HILL ROAD, SUITE 1200E  
 ATLANTA, GEORGIA 30339-5640

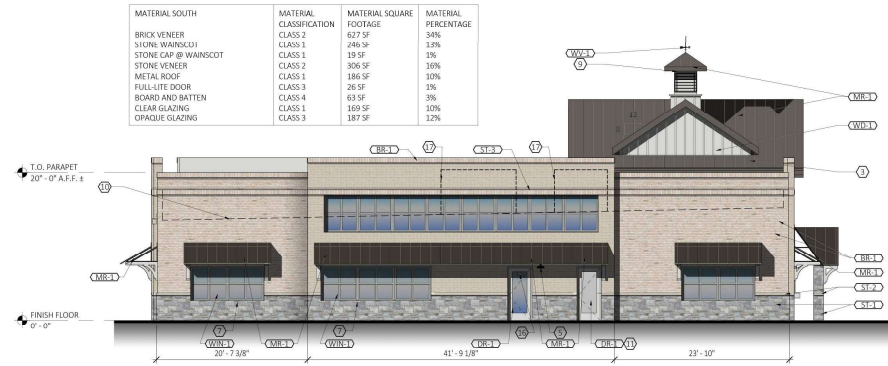
**MATERIAL BOARD AND COLORED ELEVATION**  
**PRIMROSE SCHOOL**  
 Prototype "The Erwin"  
 Olathe, KS 66062  
 04/22/24



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

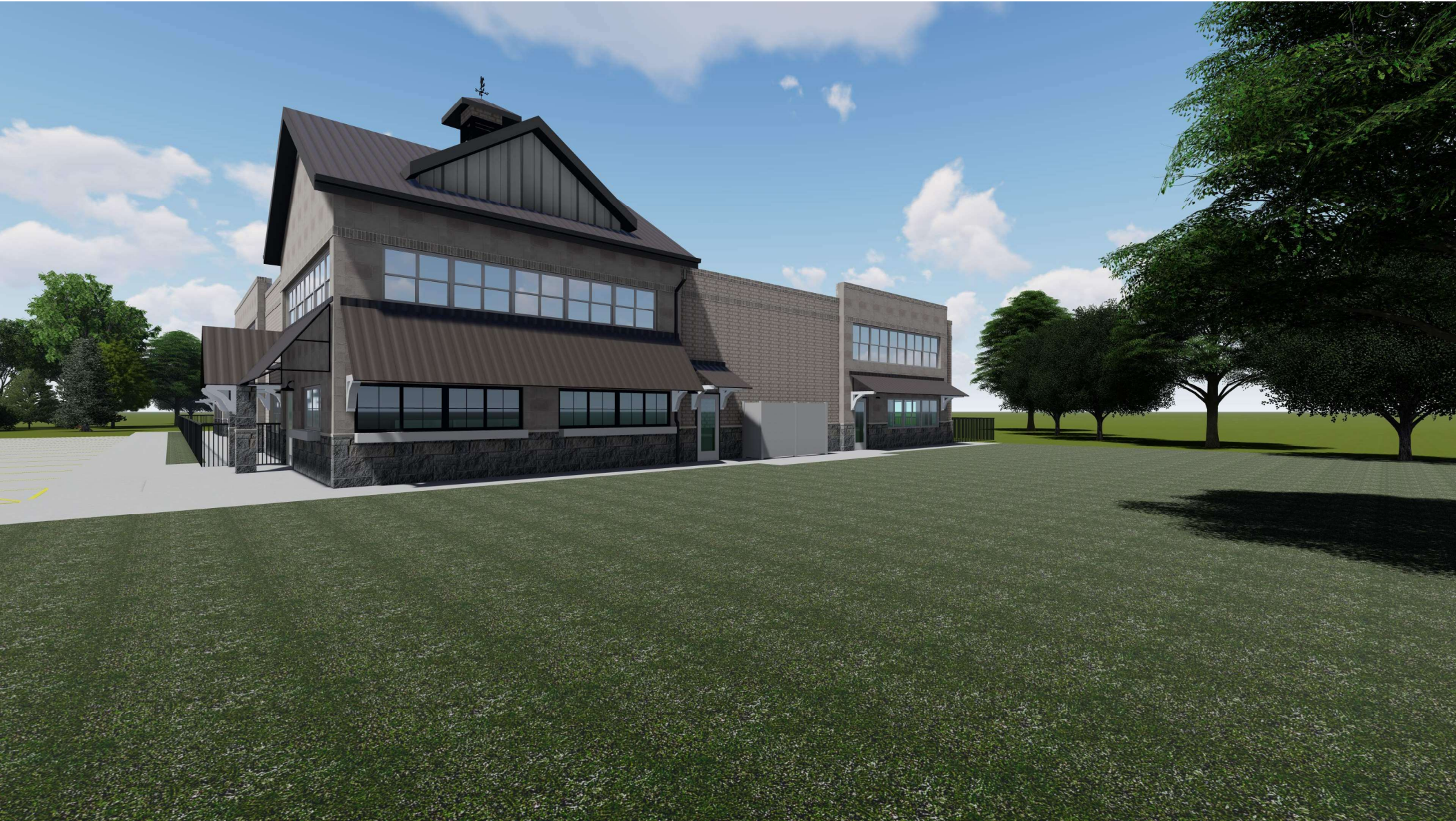


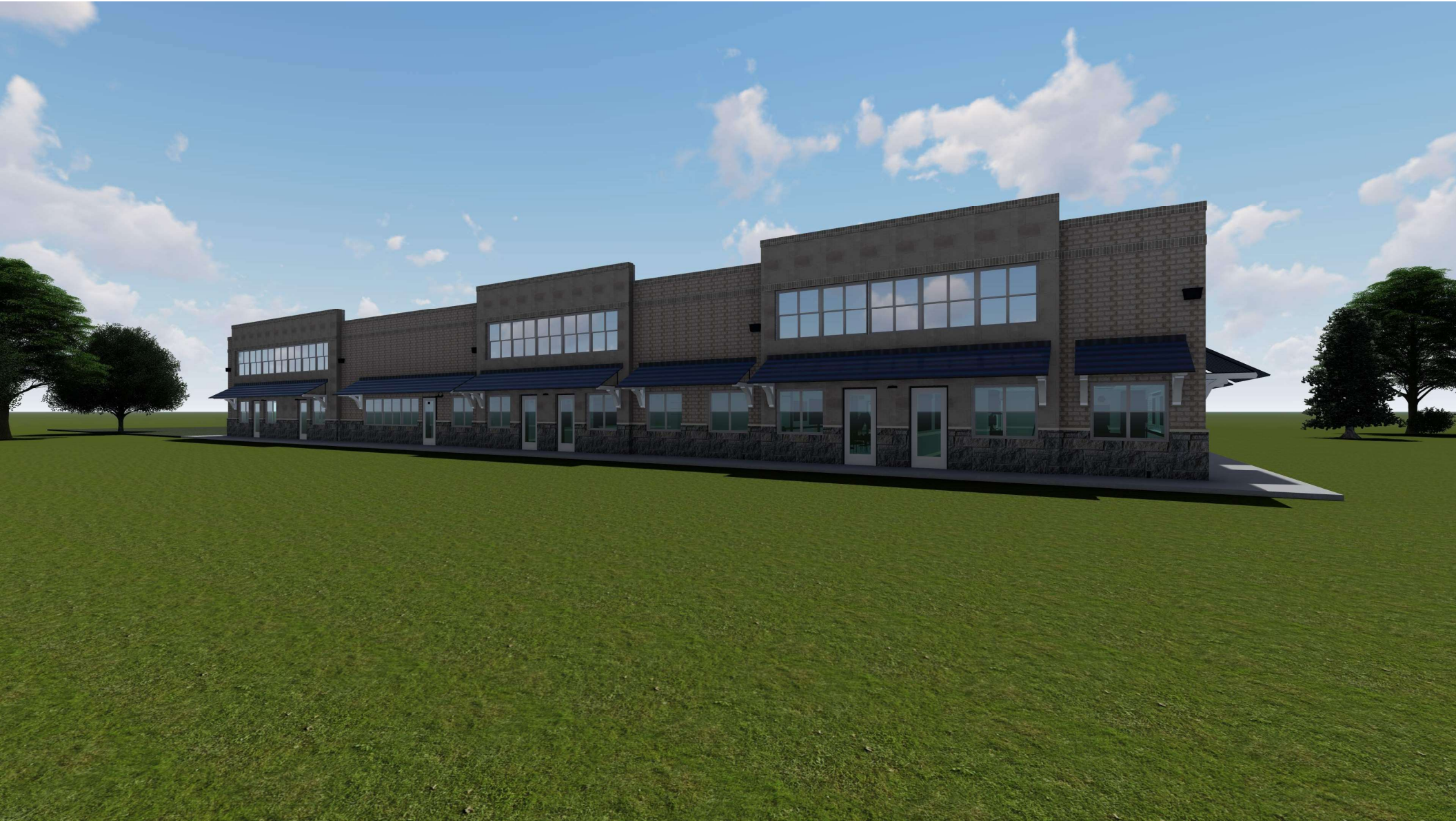
PROPOSED BUILDING FOR:  
**PRIMROSE SCHOOL**  
**FRANCHISING COMPANY**  
 3200 WINDY HILL ROAD, SUITE 1200E  
 ATLANTA, GEORGIA 30339-5640

**COLORED ELEVATIONS**  
**PRIMROSE SCHOOL**  
 Prototype "The Erwin"  
 Olathe, KS 66062  
 04/22/24

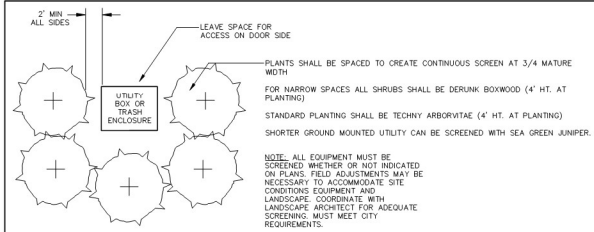






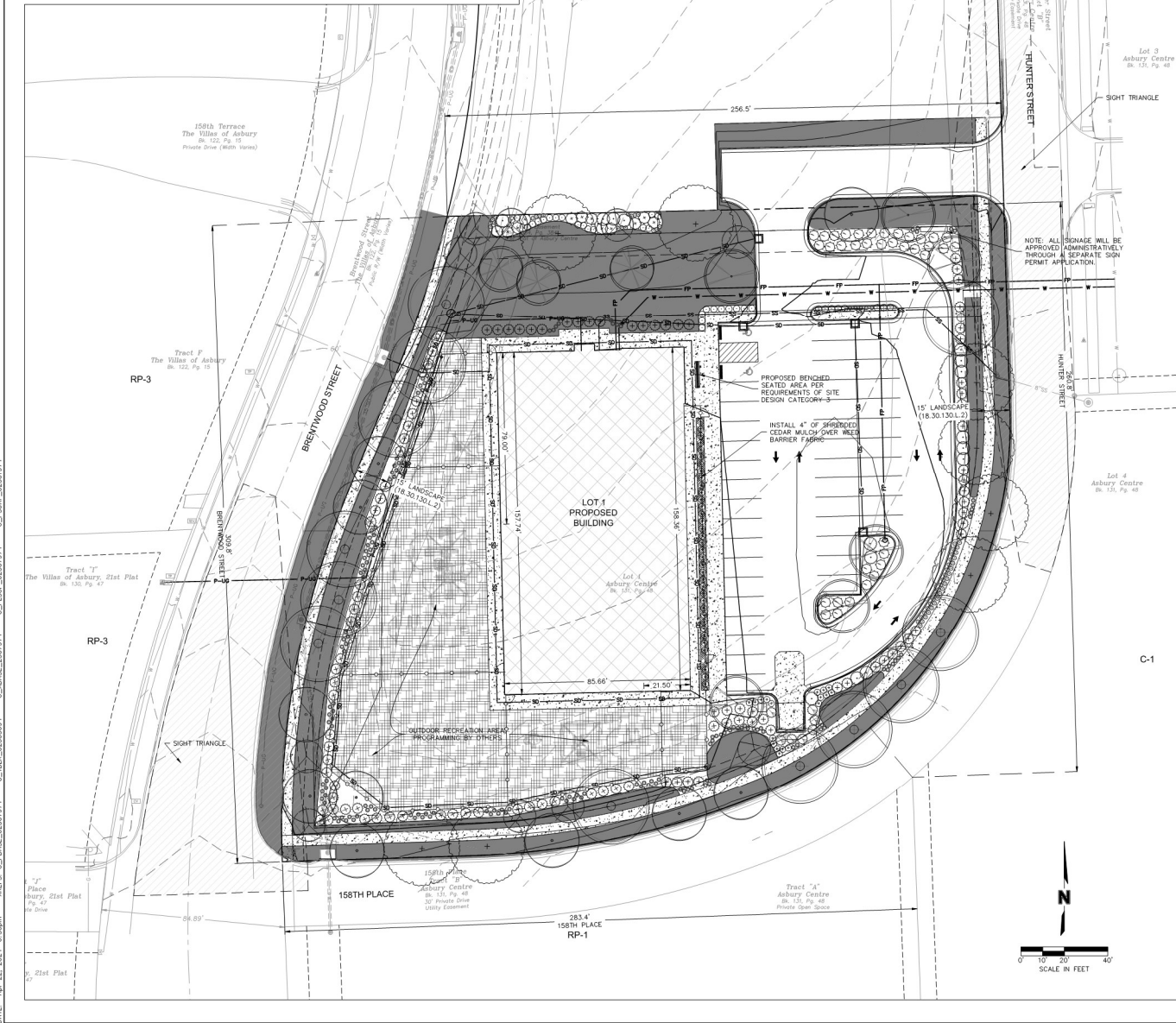






**Ground Mounted Mechanical Equipment Screening Detail**

not to scale



STREET TREES (UDO 18.30.130 G)			
FRONTAGE	LENGTH (LF)	1 TREE/40 LF	PROVIDED
BRENTWOOD STREET	309.8	7.7	14
158TH PLACE / HUNTER STREET	658.2	16.5	21*

\* SEE NONRESIDENTIAL LANDSCAPING.

SCREENING (UDO 18.30.130 J)								
LOCATION	BUFFER TYPE	BUFFER WIDTH (MIN)	BUFFER LENGTH (FT)	PLANT REQUIREMENTS PER 100 LF				
				DECIDUOUS SHRUB TREES (1)	ORNAMENTAL TREES (1)	EVERGREEN TREES (1)	SHRUBS / ORNAMENTAL GRASSES (20)	
NORTH PROPERTY LINE	1	10 FEET	25'	REQUIRED	2.6	2.6	2.6	51.4
				PROVIDED	9	3	3	81

NONRESIDENTIAL LANDSCAPING (18.30.130 L.2)						
STREET	ADJACENT USE	FRONTAGE LENGTH (LF)	LANDSCAPE WIDTH	SHRUBS / EVERGREEN TREES	ORNAMENTAL TREES	
BRENTWOOD STREET	RP-3	309.8	15 FEET	REQUIRED	10.3	3.4
158TH PLACE	RP-1	283.4	15 FEET	REQUIRED	11	3
HUNTER STREET	C-1, CP-Q	269.8 (15 FEET)	10 FEET	REQUIRED	9.4	3.1
				REQUIRED	8	4
				REQUIRED	8.7	2.8
				PROVIDED	9	0

PARKING LOT LANDSCAPING (UDO 18.30.130 M)					
PARKING LOCATION	SPACES	REQUIRED	PROVIDED	REQUIRED	PROVIDED
NA	44	3	4	4	4

ADDITIONAL REQUIREMENTS: (2.g.) RIGHT-OF-WAY SCREENING - SHRUBS FORM CONTINUOUS VISUAL SCREEN AT LEAST 3 FT IN HEIGHT

FOUNDATION LANDSCAPING (UDO 18.30.130 O)					
BUILDING SIDE	LENGTH (LF)	25% MIN.	WIDTH (LF)	PROVIDED (LF)	
WEST	158	39.50	10	79	
SOUTH	86	21.50	10	22	
EAST	158	39.50	10	4*	

\*\* FOUNDATION LANDSCAPING IS DOUBLED ON WEST SIDE TO MAKE UP FOR LANDSCAPING ON EAST.

- LANDSCAPE NOTES**
1. SEEDING MAY BE REQUESTED AND APPROVED IN LIEU OF SOD BY THE PLANNING COMMISSION PER UDO 18.30.130.D. HOWEVER, SOD MUST BE UTILIZED WHERE NECESSARY TO PROVIDE COVERAGE AND STABILIZE SOILS PER UDO 18.30.130.S.
  2. IRRIGATION REQUIRED THROUGHOUT THE SITE, EXCEPT WHERE NATIVE OR DROUGHT RESISTANT PLANTS ARE UTILIZED PER UDO 18.30.130.L.2.
  3. NO TREE, SHRUB, OR WOODY VEGETATION WILL BE PLANTED WITHIN A DISTANCE OF 10 FEET FROM ANY FIRE HYDRANT OR FIRE DEPARTMENT CONNECTION (FDC).
  4. NO TREE WILL BE PLANTED WITHIN 15 FEET OF A STREETLIGHT.
  5. ANY LANDSCAPE MATERIALS TO BE USED FOR SCREENING MUST BE AT LEAST THE HEIGHT OF THE MATERIAL THAT IS INTENDED TO SCREEN.
  6. THE REQUIRED MINIMUM LANDSCAPE AREA MUST NOT BE LOCATED WITHIN A UTILITY EASEMENT.
  7. EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED UTILITIES MUST BE SCREENED ON THREE SIDES WITH PLANTINGS AT LEAST AS TALL AS THE UTILITY BOX AT THE TIME OF PLANTING, OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING.
  8. THE DEVELOPER, ITS SUCCESSOR AND/OR SUBSEQUENT OWNERS AND THEIR AGENTS WILL MAINTAIN LANDSCAPING ON THE PROPERTY ON A CONTINUING BASIS FOR THE LIFE OF THE DEVELOPMENT.
  9. PLANT MATERIALS WHICH EXHIBIT EVIDENCE OF INSECT PESTS, DISEASE AND/OR DAMAGE MUST BE APPROPRIATELY TREATED. DEAD PLANTS MUST BE PROMPTLY REMOVED AND REPLACED.
  10. ALL LANDSCAPING IS SUBJECT TO PERIODIC INSPECTION BY THE PLANNING OFFICIAL OR DESIGNER.
  11. THE PROPERTY OWNER WILL MAINTAIN LANDSCAPE AREAS IN GOOD CONDITION AND IN A WAY THAT PRESENTS A HEALTHY, NEAT AND ORDERLY APPEARANCE. THIS MAINTENANCE MUST INCLUDE WEEDING, WATERING, FERTILIZING, PRUNING, EDGING, MULCHING, OR OTHER MAINTENANCE IN ACCORDANCE WITH ACCEPTABLE HORTICULTURAL PRACTICES.
  12. CITY MAY CAUSE REMOVAL OF WEEDS OR DISEASED TREES, PLANTS AND SHRUBS ON PRIVATE PROPERTY WITHIN THE CITY, WHEN THOSE TREES, PLANTS AND SHRUBS CONSTITUTE A HAZARD TO LIFE AND/OR PROPERTY OR HARBOR INSECTS OR DISEASE WHICH CONSTITUTES A POTENTIAL THREAT TO OTHER TREES, PLANTS OR SHRUBS WITHIN THE CITY.
  13. NO TREE, SHRUB, OR WOODY VEGETATION WILL BE PLANTED WITHIN A DISTANCE OF 10 FEET FROM ANY FIRE HYDRANT OR FIRE DEPARTMENT CONNECTION (FDC).
  14. NO TREES WILL BE PLANTED WITHIN 15 FEET OF A STREETLIGHT.
  15. EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED UTILITIES MUST BE SCREENED ON THREE SIDES WITH PLANTINGS AT LEAST AS TALL AS THE UTILITY BOX AT THE TIME OF PLANTING, OR AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING.

PLANT SCHEDULE			
DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	SIZE
+	8	Acer dasycarpum 'Caddo' 'F3-Caddo' FLASHPINE, CADDO SUGAR MAPLE	B&B 2.5'
+	12	Acer x freemanii 'Jeffersred' AUTUMN BLAZE MAPLE	B&B 2.5'
+	6	Ginkgo biloba 'Autumn Gold' AUTUMN GOLD GINKGO	B&B 2.5'
+	10	Morus 'Spring Snow' (FRUITLESS) SPRING SNOW CRABAPPLE (ORNAMENTAL)	B&B 2.5'
+	10	Ulmus 'Frontier' FRONTIER ELM	B&B 2.5'
EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	SIZE
+	7	Juniperus scopulorum 'Wichita Blue' WICHITA BLUE JUNIPER	B&B or 15'
+	3	Pinus strobus EASTERN WHITE PINE	B&B or 15'
EVERGREEN SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
+	12	Juniperus chinensis 'Monie' MINI JUNIPER	5 GAL 24"
+	36	Juniperus sabinus 'Buffalo' BUFFALO JUNIPER	5 GAL 12"
+	104	Juniperus virginiana 'Grey Owl' GREY OWL JUNIPER	5 GAL 24"
DECIDUOUS SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
+	16	Viburnum nudum 'Balk' BRANDYWINE VIBURNUM	5 GAL 24"
+	35	Viburnum opulus 'Nona' DWARF EUROPEAN CRANBERRY VIBURNUM	5 GAL 18"
+	54	Weigela florida 'Spilled Wine' SPILLED WINE WEIGELA	5 GAL 18"
PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE
+	148	Colymbagostris x scutiflora 'Karl Foerster' KARL FOERSTER'S FEATHER REED GRASS	1 GAL / ESTABLISHED
+	54	Panicum utagatum 'Hot Rod' HOT ROD SWITCH GRASS	1 GAL / ESTABLISHED

SEEDING/SOD		
SOD/SEED	BOTANICAL / COMMON NAME	TYPE
	FESCUE TURF	SOD

7030 West 133rd Street, Suite 200  
Overland Park, KS 66204-5475  
TEL: 913.351.1770  
www.olson.com

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REVISIONS

REV.	DATE	DESCRIPTION

LANDSCAPE PLAN  
PRELIMINARY DEVELOPMENT PLAN

PRIMROSE SCHOOL OF OLATHE  
159TH STREET AND S. RIDGEVIEW ROAD

2024

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DRAWN: F:\2023\0259\0259-0259-0259-A-02-Design\_Landscape\DWG\PLN\_V\_1501\_02590259.dwg  
USER: jhewitt  
DATE: 4/22/24 8:55AM  
PROJECT: 0259-0259-0259  
SHEET: 02590259

CHECKED BY: [Signature]  
DATE: [Date]  
APPROVED BY: [Signature]  
DATE: [Date]

SHEET  
L100



**City of Olathe, Kansas**

April 12, 2024

Attn: Andrea Fair  
100 E Santa Fe Street  
Olathe, Kansas 66061

Re: **RZ24-0007**: Neighborhood Meeting for Primrose Daycare at Asbury

Dear Andrea:

A neighborhood meeting for the Primrose Daycare at Asbury rezoning submittal was held on April 8<sup>th</sup>, 2024 at 6:15pm in Sunnyside Elementary School.

The list of neighbors that attended the meeting included:

- Doris and Bob Fenton
- Jane Koof
- Vernon Steenhand
- Jeff Eaton
- Frances Stuart
- Barbara Yates

Questions that were asked by the neighbors during the meeting included:

- Number of parking stalls and will street parking occur?
  - No concern – we are proposed extra parking than is required to avoid parking on the adjacent streets or excess stacking.
- Type and appearance of perimeter fencing?
  - No concern
- One proposed entrance and exit and if there could be a secondary entrance?
  - Response was that we would consider this suggestion
- Is there a need for an additional daycare next to an existing daycare?
  - No concern
- Which direction do we predict the traffic will be coming from?
  - No concern
- What will their view of the daycare be off of Brentwood Street? What will the playground and adjacent landscaping look like?
  - No concern
- Are there rooftop units for HVAC?
  - No concern
- How many kids will be at the facility?
  - No concern
- When do we anticipate construction starting?
  - No concern
- Who will be responsible for cleaning the retention pond on their property if the situation occurs that trash or debris enters through the storm sewer system?
  - We are designing for any runoff from our site to be treated and water quality to be preserved before it enters into the public storm system. We do not anticipate

and are designing our site to not contribute to any damage or debris to enter the neighborhood's retention pond.

- Who is responsible for maintaining adjacent roads
  - No concern – our site's property owner does not own any of the adjacent streets.
- What would the development of Lot 2 look like?
  - No concern
- What will the traffic flow look like with the proposed Caribou Coffee to the south of our site?
  - No concern

Thank you,

Haidan O'Keefe  
Olsson



**City of Olathe, Kansas**

Attn: Andrea Fair  
100 E Santa Fe Street  
Olathe, Kansas 66061

April 23, 2024

Re: **RZ24-0007**: Rezoning for Primrose Daycare at Asbury

Dear Andrea:

A waiver is being requested for the exterior glazing requirements identified in UDO 18.15.020. The requirement states that we are to have a minimum of 25% glass on at least two exterior facades. We have resubmitted architectural elevations where all four facades have either met the 25% glass requirement or the percentage is very close. This amount of glazing has increased significantly on all four facades from our initial design. The tower element on the north and east facades now has spandrel glazing as well.

The architect and developer requests a lower amount of glazing than required due to the needs and requirements for classrooms associated with the Primrose schools. Within each classroom, it is preferred to have a certain percentage of opaque wall space instead of windows or glass to assist with classroom needs. These needs can include wall space for instructional purposes, space to facilitate lessons led by the teachers and staff, or educational decoration to supplement the classroom teaching. The request for a lower amount of glass is also led by the need for the safety of students and staff. Privacy is a concern for students and staff and an increased number of windows could prohibit some of those desired safety measures. In the event of a lockdown situation, staff will need to be able to conceal and black out any windows or glass in a timely manner to promote their safety and the students' safety. These are a few of the reasons why the 25% required glazing was not originally presented and the continued reason for Primrose's request for a waiver.

We feel that the amount of glazing presented in the most recent architectural elevations will align with the overall appearance of what was originally expected for the ordinance. All four facades have met or are extremely close to meeting the 25% glazing requirement and has been increased significantly from the original submittal. For these reasons, we request that the glazing requirement be waived as we have worked with Staff to add as much glazing as possible while staying aligned with Primrose's standards and preferences.

If you have any questions, please do not hesitate to contact me at [hokeefe@olsson.com](mailto:hokeefe@olsson.com) or by phone at 913-381-1170.

Sincerely,

Haidan O'Keefe





**City of Olathe, Kansas**

Attn: Andrea Fair  
100 E Santa Fe Street  
Olathe, Kansas 66061

April 23, 2024

Re: **RZ24-0007**: Rezoning for Primrose Daycare at Asbury

Dear Andrea,

A waiver is being requested for the street frontage requirements identified in UDO 18.15.115 Site Design Category. The requirement states that the building face be within 15 feet of the property line and the façade width of that frontage area to be more than 30% of the lot width. We are requesting this waiver as we feel that the layout of our site is most conducive to the neighborhood and surrounding properties, and the layout would not lend well to having our building within 15 feet of the property line. Relocating our building further to the west or south property line to be within the 15 feet would reduce the amount of usable playground space and eliminate valuable playground space that Primrose requires. The playground space is unable to move further north or east due to standard gate and classroom door locations.

To combat not meeting this requirement, we have provided high quality alternative designs that include increased landscaping and an additional site design category amenity zone. In our most recent set of plans, we have enhanced the entryway landscaping at the northeast corner of the site near the drive entrance from Hunter Street. We have also reduced our playground area by bringing the fence line in closer to the building by 5' on the west and south side of the site. This allowed us to greatly increase the density of shrubs along the fence line adjacent to Brentwood Street and the south side of Hunter Street, which also increased the planted materials within the south buffer zone. Shrubs have been added to the mulch area on the east side of the building to add even more foundation landscaping. Additionally, a signature landscaped area was added to the corner of Brentwood and Hunter Street to enhance the frontage area where the 15-foot build-to-line requirement could not be met. A seating area was also added near the entrance of the building for an additional Site Design Category 3 amenity zone.

Overall, the amount of landscaping across the site increased significantly to better align with the vision of the ordinance area and to provide a high-quality alternative to the street frontage requirements.

If you have any questions, please do not hesitate to contact me at [hokeefe@olsson.com](mailto:hokeefe@olsson.com) or by phone at 913-381-1170.

Sincerely,

Haidan O'Keefe



**City of Olathe, Kansas**

Attn: Andrea Fair  
100 E Santa Fe Street  
Olathe, Kansas 66061

April 1, 2024

Re: **RZ24-0007**: Rezoning for Primrose Daycare at Asbury

Dear Andrea:

A waiver is being requested for the parking requirements identified in UDO 18.30.160. The requirement states that we are to have 1 parking space per 800 square feet of proposed building and not to exceed 125% of the requirement, or 20 parking stalls. We have designed the site to provide 43 parking stalls, 2 of which will be ADA compliant.

The property owner and developer requests 43 parking stalls to accommodate enough parking for teachers, administration, and parent and drop off and pick up of children. There is a staff of 28 teachers and administration, leaving only 15 stalls for drop off and pick up of 210 children. Primrose Schools' studies have shown that each parent takes 6 minutes to drop off and pick up their child. One stall an hour can accommodate 10 drop off and/or pick up turns. From their studies, 15 stalls multiplied by 10 turns per hour allows for 150 available spaces. Their studies also show that not all parents come at the same time which results in spread out drop off and pick up times in the mornings and afternoons.

We feel that 43 parking spaces are needed in order to support the facility's staff and parents of the children attending this Primrose School. Adjacent properties with the same proposed usage, Country Kids Day Care of Olathe located at 158<sup>th</sup> Street and S Hunter Street, have over 40 parking spaces in their lot with a similar building size as proposed. Additional parking than what is required will also eliminate stacking or pile ups on adjacent streets that may impede the flow of traffic.

If you have any questions, please do not hesitate to contact me at [hokeefe@olsson.com](mailto:hokeefe@olsson.com) or by phone at 913-381-1170.

Sincerely,

Haidan O'Keefe



**STAFF REPORT**

**Planning Commission Meeting: May 13, 2024**

<b>Application:</b>	<b>RZ24-0009: Request for approval of a rezoning from the R-1 (Single-Family) and the CP-3 (Planned Community/Corridor Business) Districts to the C-1 (Neighborhood Center) District and a preliminary site development plan for Olathe Family Dental</b>
<b>Location:</b>	355 S. Parker Street
<b>Owner:</b>	Ahmad Almarbu; Olive LLC
<b>Applicant:</b>	Joshua Kiene; Kiene Dental Group
<b>Engineer/Architect:</b>	Daniel Finn; Phelps Engineering, Inc.
<b>Staff Contact:</b>	Andrea Fair, AICP; Planner II

<b>Site Area:</b>	<u>0.74 acres</u>	<b>Proposed Use:</b>	<u>Medical Office</u>
<b>Building Area:</b>	<u>3,938 sq.ft.</u>	<b>Plat:</b>	<u>Regan Plaza</u>
<b>Existing Zoning:</b>	<u>R-1 (Single-Family) and CP-3 (Community/Corridor Business)</u>	<b>Proposed Zoning:</b>	<u>C-1 (Neighborhood Center)</u>
<b>Lots:</b>	<u>1</u>	<b>Tracts:</b>	<u>0</u>

	<b>Plan Olathe Land Use Category</b>	<b>Existing Use</b>	<b>Existing Zoning</b>
<b>Site</b>	<b>Neighborhood Commercial Center</b>	<b>Car Wash</b>	<b>R-1 / CP-3</b>
<b>North</b>	Neighborhood Commercial Center	Vacant/Undeveloped	PD (Planned District)
<b>South</b>	Neighborhood Commercial Center	Convenience Store, with Gas Sales	C-3 (Regional Center)
<b>East</b>	Neighborhood Commercial Center	Auto Parts Supply Store	CP-2 (Planned General Business)
<b>West</b>	Neighborhood Commercial Center	Vacant/Undeveloped	PD (Planned District)

## 1. Introduction

The applicant is requesting to rezone from the CP-3 (Community/Corridor Business) District and the R-1 (Single-Family) District to the C-1 (Neighborhood Center) District with a preliminary site development plan for a 3,938 square foot dental office on 0.74 ± acres, located at 355 S. Parker Street. The property is developed with a car wash facility and is currently zoned to the R-1 District on the south half of the lot and the CP-3 on the north half of the lot. Olathe Family Dental will be converting the existing car wash into a dental office and relocating from their current location at 450 S. Parker Street.

## 2. History

The property was zoned to the R-1 District in June of 1970 and the northern portion was later rezoned to the CP-3 District in April of 2004 (RZ04-0005) to allow for the construction of a car wash. The car wash was constructed in 2005 and was operational until 2023, since then the site has remained unoccupied.



*Aerial of the subject property outlined in yellow.*

### 3. Existing Conditions

The subject property is currently developed with a car wash facility and accessory vacuums with canopy structures. The majority of the property is paved, and the property lines are lined with mature trees and natural vegetation on the north and west.



*View of the subject property looking north.*

### 4. Zoning Standards

- a. **Land Use** – The applicant is requesting to rezone from the R-1 and CP-3 Districts to the C-1 District. The future land use map of the PlanOlathe Comprehensive Plan designates the property as Neighborhood Commercial Center. Neighborhood Centers are distributed throughout Olathe neighborhoods to provide local access to convenience goods and services, reduce the need for lengthy drives, and promote walkability. The proposed land use of the Medical (Dental) Office is permitted in the C-1 District, which is consistent with surrounding zoning and land uses.

The C-1 District permits over 70 land uses that provide the convenience goods and services called for by PlanOlathe, including office, restaurant and retail uses. This rezoning is compatible with the adjacent commercial districts already found along the Parker Corridor. However, some use restrictions are recommended to maintain compatibility with the nearby residences and alignment with the Neighborhood Center designation of the PlanOlathe Comprehensive Plan. The uses provided below can generate increased noise, higher volumes of traffic, increased exterior lighting and/or longer hours of operation. Staff has worked with the applicant and they are amenable to prohibiting the following uses:

1. Fast-Food or Carryout Restaurants
2. Animal Care Facilities with Outdoor Kennels.
3. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.

- b. **Building Height** – The existing building is one story and 20 feet in height, complying with the maximum building height requirement in the C-1 District of two stories and 30 feet tall. No changes to building height are proposed with this application.
- c. **Setbacks** – The existing building maintains a front yard setback of 32 feet, a rear yard setback of 43 feet, and side yard setbacks of 41 feet and 83 feet meeting C-1 District requirements. Parking and paving setbacks are required to be 15 feet from street right-of-way and 10 feet from property lines. Existing paved areas meet these setback requirements with the exception of the northern driveway entrance, which is an existing nonconforming condition that is proposed to remain.
- d. **Frontage Buildout** – The existing site has 31% frontage buildout, which is less than the minimum frontage buildout requirement of 50% in the C-1 District. However, this is an existing nonconforming condition due to the adaptive reuse of an existing building that is not being expanded and is permitted to remain.
- e. **Open Space** – The existing site meets the minimum open space requirement of 20% in the C-1 District. The applicant is also adding green space on the south side of the property which increases the open space from 24% to 27%.

## 5. Development Standards

- a. **Access/Streets** – The site has an existing access point off of S. Parker Street at the north end of the site, and a second driveway off of S. Parker Street is shared with the existing property directly to the south of the site. No changes to access are proposed.
- b. **Parking** – The minimum required parking for the medical/dental office use is one (1) space per 500 square feet of building area. The existing building has 3,938 square feet; therefore, the minimum number of required parking spaces is eight (8). The applicant is striping existing pavement areas on the north and south sides of the building and is proposing a total of 24 standard parking spaces and two (2) ADA parking spaces.

The C-1 District states that no more than 125% of the required parking for a use be provided on site. However, all pavement being utilized for future parking areas is existing and the applicant is decreasing overall impervious surface area.

- c. **Landscaping/Screening** – The perimeter of the north and west property lines have existing mature trees to partially buffer adjacent properties. The applicant is proposing additional landscaping along the north and south property lines, exceeding UDO buffer landscaping requirements. An existing 6-foot privacy fence along the western property line is proposed to remain. Landscaping along Parker Street is being enhanced to meet UDO requirements with parking lot screening through a variety of shrubs, the preservation of four existing street trees, and the removal and replacement of one street tree.

Internally, landscaped parking lot islands are being added to the site and raised planters will be incorporated on the north side of the building in lieu of foundation landscaping which does not currently exist.

All building mounted utilities, and all ground- and wall- mounted utilities will be adequately screened by the proposed landscaping. No trash enclosure is proposed on site as the applicant hires a private service due to the nature of the business operations. Existing vacuums and canopies associated with the car wash will be removed from the east and west property lines.

- d. **Stormwater/Detention** – The property is currently served by an underground detention basin and the site improvements will decrease the impervious surface area. Therefore, no stormwater improvements are required.
- e. **Public Utilities** – The property is located within the City of Olathe water and sewer service areas. Utilities are available on the site and no changes are proposed.

## 6. Site Design Standards

The property is subject to Site Design Category 3 (UDO 18.15.115) standards based on the Neighborhood Commercial Center designation on the PlanOlathe Future Land Use Map. The following is a summary of the applicable site design requirements:

- a. **Landscape Options** – The site must provide a landscaped area at the sidewalk edge with a minimum of 70% permeable surfaces and 50% planted material. Due to existing site conditions, the development provides an approximately 10 foot planted buffer without a wall along S. Parker Street in lieu of the 20 foot width requirement. The proposed plan reduces the existing nonconformity by significantly increasing the amount of existing plant material.
- b. **Street Frontage Area** – The existing building is setback 32 feet from S. Parker Street and occupies 32% of the street frontage length, which does not comply with the street frontage requirements of 50% frontage buildout. However, this is an existing nonconforming condition which is permitted to remain, as changes to the site layout and building configuration are not being made.
- c. **Parking Pod Size** – The proposal includes 11 stalls in the largest parking pod, which complies with the maximum of 40 stalls per parking pod.
- d. **Pedestrian Connectivity** – A pedestrian gateway is provided with a well-landscaped and hardscaped seating area located at the pedestrian connection from S. Parker Street.

## 7. Building Design Standards

The proposed medical/dental office is subject to the Commercial and Retail Building Design Standards per UDO 18.15.020.G.7. The following table lists the applicable design requirements and proposed design elements. The east and south elevations are considered primary façades, and the west and north elevations are considered secondary façades.

<b>Building Design Standard</b>	<b>UDO Design Requirements</b>
<i>Building Entryway</i>	<p>Proposed Design</p> <p><b><i>Each building entry along primary facades must be defined with a covered projection or a recessed area.</i></b></p> <p>The main entrance on the south primary façade will be defined by a recessed area and raised parapet, meeting UDO requirements.</p>
<i>Horizontal Articulation</i>	<p><b><i>Each primary façade must provide horizontal articulation every 50 linear feet of the façade.</i></b></p>

	Horizontal articulation is provided on the east and south primary façades through wall projections, a colonnade and canopies. The south primary façade and entrance utilizes the existing free-standing columns supporting the canopy, and encloses the existing car wash bays with glazing, which provides a walkway design for added architectural interest.
<i>Vertical Articulation</i>	<b><i>Each primary façade must provide vertical articulation every 50 linear feet of the façade.</i></b>  Vertical articulation is provided on the east and south primary façades through variations in parapet height ranging from 17 ½ feet to 20 feet to tall. The existing vertical columns of the building are being maintained to break up the facades.
<i>Façade Expression</i>	<b><i>One-story buildings must be a minimum of 17 feet tall and include a tower element or special vertical articulation to anchor the main entry or building corner.</i></b>  The building is 20 feet in height. The main entry includes a projection and raised parapet create a visual anchor at the southeast corner of the building.

Exceptions are being granted per UDO 18.60.020.F, to allow the dental office to revitalize and adaptively reuse the existing building in manner that matches the existing building design and materials. All new materials are decreasing the existing nonconforming building conditions by more closely aligning with current UDO requirements.

The existing building is comprised of stone, minimal amounts of glass, and EIFS with a flat roof and standing seam metal canopies. The updated building will be clad primarily in new stone veneer (Class 1), glass (Class 1), and the existing EIFS (Class 3) is proposed to remain. On the east façade, new Class 1 stone and Class 1 glass is being added, and the existing EIFS on the upper portion of the building will remain. On the south façade, new stone will wrap the existing columns, and the existing EIFS above the main entrance will be extended to provide a recessed entry.

Each façade will be repaired and refinished to modernize the structure. The existing stone will be replaced with a new cliff stone patterned stone veneer, all the existing bay openings will be infilled with a storefront glass system with Low-E glass coating for better performance, and the existing EIFS will be patched and repainted in off-white to compliment the stone. Blue accents are provided through metal trim features and roof to incorporate color throughout the design.

## 8. Public Notification and Neighborhood Meeting

The applicant mailed the required public notification letter to the surrounding property owners within 200 feet and posted a sign on the property per UDO requirements.

Neighborhood notice was also mailed to properties within 500 feet of the site, as required by the UDO. A neighborhood meeting was held on April 22, 2024. No members of the public attended. Neither staff nor the applicant has received any correspondence about this project.

## 9. UDO Rezoning Criteria



The future land use map of the Plan Olathe Comprehensive Plan identifies the subject property as a Neighborhood Commercial Center. Neighborhood centers are distributed throughout Olathe neighborhoods to provide local access to convenience goods and services, reduce the need for lengthy drives, and promote walkability. The proposed C-1 District aligns with this designation and compliments the surrounding land uses.

The application was reviewed against the UDO criteria for considering rezoning applications listed in UDO Section 18.40.090.G as detailed below.

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

The requested district directly aligns with the Neighborhood Commercial designation of the Comprehensive Plan. The proposed zoning request meets the following policy elements of the Comprehensive Plan:

**LUCC-1.1: Consistency with the Comprehensive Plan.** Land use proposals should be consistent with the vision of the Comprehensive Plan, as well as applicable local ordinances and resolutions.

**LUCC-6.1: Targeted Development.** With guidance from the Comprehensive Plan's Future Land Use Map, encourage targeted development, redevelopment, and infill so as to channel growth where it will contribute to the long-term community vision and improve access to jobs, housing, and services.

**ES-1.4: Support for Local Businesses.** Support the retention, expansion and entrepreneurial activities of existing local businesses and maintain a positive business climate.

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

***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 neighborhood is adjacent to the K-7/Parker Corridor and consists of a variety of uses that range from small single-story commercial and office uses, and both multifamily and single-family residential homes. The project fits with the surrounding properties style which include a wide variety of materials and designs including stone, brick, siding, stucco, and EIFS.

The proposed zoning and permitted use complement the surrounding uses by supporting neighborhood center-oriented uses.

***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.***

Properties to the north and west are zoned PD (Planned District), properties to the east are zoned to the CP-2 (Planned General Business) District, and properties to the south

are zoned C-3 (Regional Center) and R-3 (Low-Density Multifamily). The proposed use is in harmony with the zoning and uses of the surrounding properties, which include a mix of commercial and multifamily residential currently under construction within the planned development to the west.

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

The property is suitable for the land uses allowed in the existing CP-3 District; however, the requested C-1 District provides a more appropriate variety of neighborhood-oriented commercial uses of less intensity that are more compatible with the planned development to the north and west.

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

The property was zoned to the CP-3 District in 2004 and the car wash was constructed in 2005. The property has been vacant as zoned since 2023.

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

Staff has not received information indicating the proposed project will detrimentally affect nearby properties, which are zoned for similar uses. The proposal will significantly improve the underutilized property.

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

The development as proposed is not anticipated to have any detrimental impact on the value of surrounding properties which are zoned for similar uses. The property currently has a commercial zoning designation.

***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.***

This proposed use will not cause any adverse effect on traffic and safety of the road network. The proposed use will replace the existing auto-oriented use and reconfigure internal traffic circulation to improve safety. Onsite parking is provided exceeding minimum parking requirements.

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

The development is not anticipated to create pollution or other environmental harm. The development will follow all regulations and requirements pertaining to stormwater, air quality, noise, and other related items.

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

The proposed use will redevelop a currently vacant building and retain a well-established local business.

***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.***

The proposal does not negatively impact the public health, safety or welfare of the community as presented. Rezoning of the property is required prior to the redevelopment of the site due to the presence of two existing zoning districts.

**10. Staff Recommendation**

Staff recommends approval of the rezoning and preliminary site development plan (RZ24-0009) with the following stipulations:

- A. Staff recommends approval of RZ24-0009 for the following reasons:
  - 1. The proposed development complies with the policies and goals of the Comprehensive Plan.
  - 2. The requested rezoning to the C-1 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- B. Staff recommends approval of the rezoning to the C-1 District with the following stipulations:
  - 1. The following uses are prohibited:
    - a. Fast-Food or Carryout Restaurants
    - b. Animal Care Facilities with Outdoor Kennels
    - c. Any Distance Restricted Businesses as listed in Olathe Municipal Code Chapter 5.43.
- C. Staff recommends approval of the preliminary site development plan with the following stipulations:
  - 1. 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.



PLANNING  
ENGINEERING  
IMPLEMENTATION

Date: March 20, 2024

To: Olathe Planning Dept.

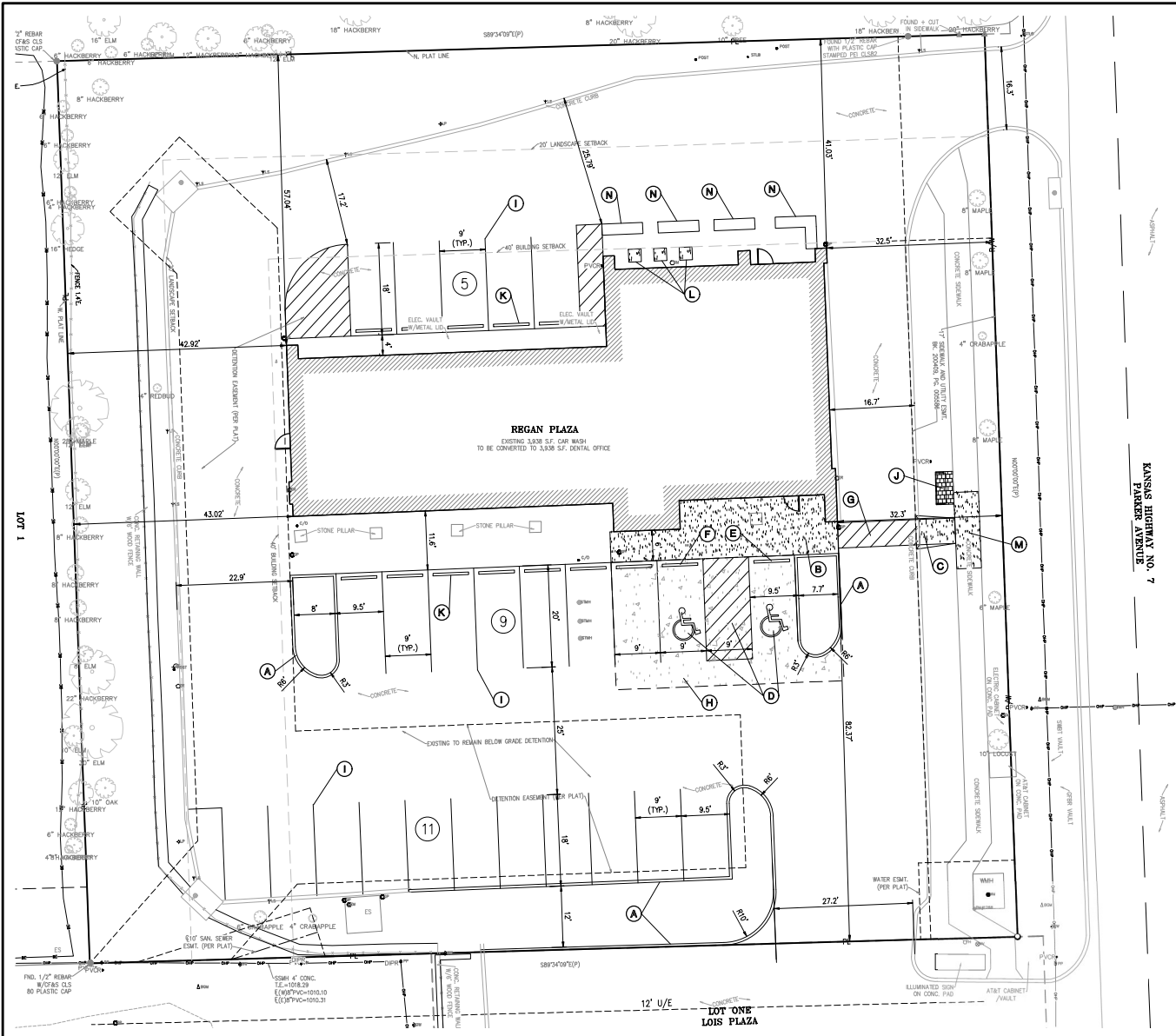
From: Daniel Finn, P.E.  
Phelps Engineering, Inc.

**Re: Statement of Purpose For Rezoning Request**  
**Kiene Dental**  
PEI #240055

This property consists of an existing carwash and is currently zoned CP-3 and R-1. The developer will be purchasing the property to re-model the existing carwash into a proposed dental office. Rezoning the property to C-1 will allow for the proposed carwash use to be acceptable based on the City's zoning code.

PHELPS ENGINEERING, INC.

1270 N. Winchester - Olathe, Kansas 66061 - (913) 393-1155 - Fax (913) 393-1166 - [www.phelpsengineering.com](http://www.phelpsengineering.com)



- ### SITE PLAN NOTES:
- All construction materials and procedures on this project shall conform to the latest revision of the following governing requirements, incorporated herein by reference:
    - City Ordinance 03-044, Regulations
    - The City of Olathe Technical Specifications and Municipal Code.
  - The contractor shall have one (1) signed copy of the plans (approved by the City) and one (1) copy of the appropriate Design and Construction Standards and Specifications at the job site at all times.
  - The contractor will be responsible for securing all permits, bonds and insurance required by the contract documents, City of Olathe, Kansas, and all other governing agencies (including local, county, state and federal authorities) having jurisdiction over the work proposed by these construction documents. The cost for all permits, bonds and insurance shall be the contractor's responsibility and shall be included in the bid for the work.
  - The contractor is responsible for coordination of his and his sub-contractor's work. The contractor shall assume all responsibility for protecting and maintaining his work during the construction period and between the various trades/sub-contractors constructing the work.
  - The demolition and removal (or relocation) of existing pavement, curbs, structures, utilities, and all other features necessary to construct the proposed improvements, shall be performed by the contractor. All waste material removed during construction shall be disposed off the project site. The contractor shall be responsible for all permits for hauling and disposing of waste material. The disposal of waste material shall be in accordance with all local, state and federal regulations.
  - Contractor shall be responsible for all relocations, including but not limited to, all utilities, storm drainage, sanitary sewer, irrigation, signs, traffic signs & poles, etc. as required. All work shall be in accordance with governing authorities specifications and shall be approved by each. All cost shall be included in base bid.
  - All existing utilities indicated on the drawings are according to the best information available to the Engineer; however, all utilities actually existing may not be shown. The contractor shall be responsible for contacting all utility companies for an exact field location of each utility prior to any construction. All underground utilities shall be protected at the contractor's expense. All utilities, shown and unshown, damaged through the negligence of the contractor shall be repaired or replaced by the contractor at his expense.
  - The contractor will be responsible for all damage to existing utilities, pavement, fences, structures and other features not designated for removal. The contractor shall repair all damages at his expense.
  - The contractor shall verify the low lines of all existing storm or sanitary sewer connections and utility crossings prior to the start of construction, notify the engineer of any discrepancies.
  - SAFETY NOTICE TO CONTRACTOR:** In accordance with generally accepted construction practices, the contractor shall be solely and completely responsible for the safety of all personnel and the safety of the general public during the performance of the work. This requirement will apply continuously and not be limited to normal working hours. Any construction observation by the engineer of the contractor's performance is not intended to include review of the adequacy of the contractor's safety measures. It is the contractor's responsibility to ensure that all safety measures shall be applied.

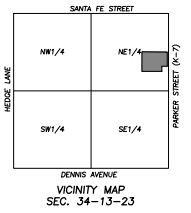
- ### SITE DIMENSION NOTES:
- BUILDING LINES SHOWN ARE TO THE OUTSIDE FACE OF PROPOSED WALLS. THE SUBCONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR SPECIFIC DIMENSIONS AND LAYOUT INFORMATION FOR THE BUILDINGS.
  - ALL DIMENSIONS SHOWN FOR THE PARKING LOT AND CURBS ARE MEASURED FROM BACK OF CURB TO BACK OF CURB.

- ### PAVEMENT MARKING AND SIGNAGE NOTES:
- PARKING STALL MARKING STRIPES SHALL BE FOUR (4") WIDE WHITE STRIPES. DIRECTIONAL ARROW AND HANDICAP STALL MARKINGS SHALL BE FURNISHED AT LOCATIONS SHOWN ON PLANS.
  - HANDICAP PAVEMENT MARKINGS AND SIGNS SHALL CONFORM TO ALL FEDERAL (AMERICANS WITH DISABILITIES ACT) AND STATE LAWS AND REGULATIONS.
  - TRAFFIC CONTROL DEVICES AND PAVEMENT MARKINGS SHALL CONFORM TO THE REQUIREMENTS OF THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES".
  - STOP SIGNS SHALL BE PROVIDED AT ALL LOCATIONS AS SHOWN ON PLANS AND SHALL CONFORM TO THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES". SIGNS SHALL BE 12" X 12" 16 GAUGE STEEL AND SHALL BE ENGINEER GRADE REFLECTIVE.
  - TRAFFIC CONTROL AND PAVEMENT MARKINGS SHALL BE PAINTED WITH A WHITE SHERWIN WILLIAMS S-W TRAFFIC MARKING SERIES B-2022 OR APPROVED EQUAL. THE PAVEMENT MARKINGS SHALL BE APPLIED IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS. APPLY ON A CLEAN, DRY SURFACE AND AT A SURFACE TEMPERATURE OF NOT LESS THAN 40°F AND THE AMBIENT AIR TEMPERATURE SHALL NOT BE LESS THAN 40°F AND REMOVAL COATS SHALL BE APPLIED.

### LEGEND

PL	PROPERTY LINE
LL	LOT LINE
R/W	RIGHT-OF-WAY
---	2" CURB & GUTTER
B/A	BUILDING SETBACK LINE
P/S	PARKING SETBACK LINE
L/S	LANDSCAPE SETBACK LINE
CONCRETE PAVEMENT	CONCRETE PAVEMENT
CONCRETE SIDEWALK	CONCRETE SIDEWALK

- ### SITE KEY NOTES:
- (A) CONSTRUCT PRIVATE 4" CURB (TYPICAL).
  - (B) CONSTRUCT PRIVATE CONCRETE SIDEWALK (TYPICAL).
  - (C) CONSTRUCT PRIVATE CONCRETE ACCESSIBLE SIDEWALK RAMP (UNTIL DETECTABLE WARNING).
  - (D) CONSTRUCT ACCESSIBLE PARKING SPACE, INSTALL PAVEMENT MARKINGS AND LANDOWN CURB. REFER TO ACCESSIBLE PARKING SPACE DETAIL.
  - (E) INSTALL ACCESSIBLE PARKING SIGN W/ VEHICULAR BOLLARD (1).
  - (F) INSTALL VAN ACCESSIBLE PARKING SIGN W/ VEHICULAR BOLLARD (1).
  - (G) INSTALL STRIPED ACCESSIBLE SIDEWALK.
  - (H) INSTALL FULL DEPTH CONCRETE PAVEMENT.
  - (I) RE-STRIPE PARKING LOT AS SHOWN ON PLAN (TYP).
  - (J) CONSTRUCT PEDESTRIAN GATEWAY AMENITY SPACE WITH BENCH, PAVERS, AND PLANTINGS (RE: LANDSCAPE PLAN).
  - (K) INSTALL CONCRETE WHEEL STOPS AT PARKING SPACES ON NORTH SIDE OF BUILDING (TYP).
  - (L) PROPOSED HVAC UNITS (RE: BUILDING PLANS).
  - (M) REMOVE & REPLACE EXISTING PUBLIC CONCRETE SIDEWALK TO ENSURE TURNING SQUARE MEETS ADA REQUIREMENTS.
  - (N) INSTALL 4 PLANTERS ON NORTH SIDE OF BUILDING (RE: ARCH AND LANDSCAPE).



**FLOOD NOTE:**  
 THIS PROPERTY LIES WITHIN ZONE X, BEING AN AREA DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLATHE, COMMUNITY NO. 200173, JOHNSON COUNTY, KANSAS, MAP NO. 2009IC0070C, AND DATED AUGUST 3, 2009.

**LEGAL DESCRIPTION:**  
 LOT 1, REGAN PLAZA, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS  
**GROSS AREA = 0.7398 ACRES / 322,226 SQ.FT.**

### SITE DATA

LOT 1	32,226 S.F. / 0.7398 AC.
ZONING	R-1, CP-3
EXISTING PROPOSED	C-1
EXISTING BUILDING (1-STORY)	3,936 S.F.
F.A.R.	0.1222

### PARKING SUMMARY

PROPOSED PARKING	22
STANDARD STALLS (9'-0" X 18'-0")	2
ACCESSIBLE STALLS	24
TOTAL STALLS	26
REQUIRED PARKING	13
PERSONAL CARE SERVICE SHOP - 1 STALL PER 300 S.F.	

PHILIPS ENGINEERING, INC.  
 1001 N. Winchester  
 Olathe, Kansas 66061  
 (913) 765-9900  
 www.philipsengineering.com



**SITE PLAN**  
 KIENE DENTAL GROUP  
 REGAN PLAZA, LOT 1  
 355 S PARKER ST., OLATHE, KS 66061

PROJECT NO.	240005	DATE	11/14/2024
SCALE	1"=200'	DATE	11/14/2024
DATE	11/14/2024	DATE	11/14/2024
BY	AMEL	DATE	11/14/2024
REVISIONS		DATE	
1	REVISED PER CITY COMMENTS		

SHEET  
**C1**

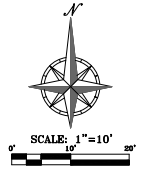
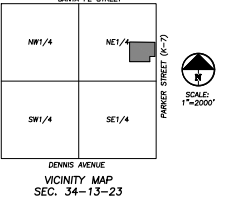
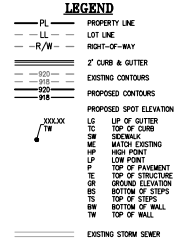
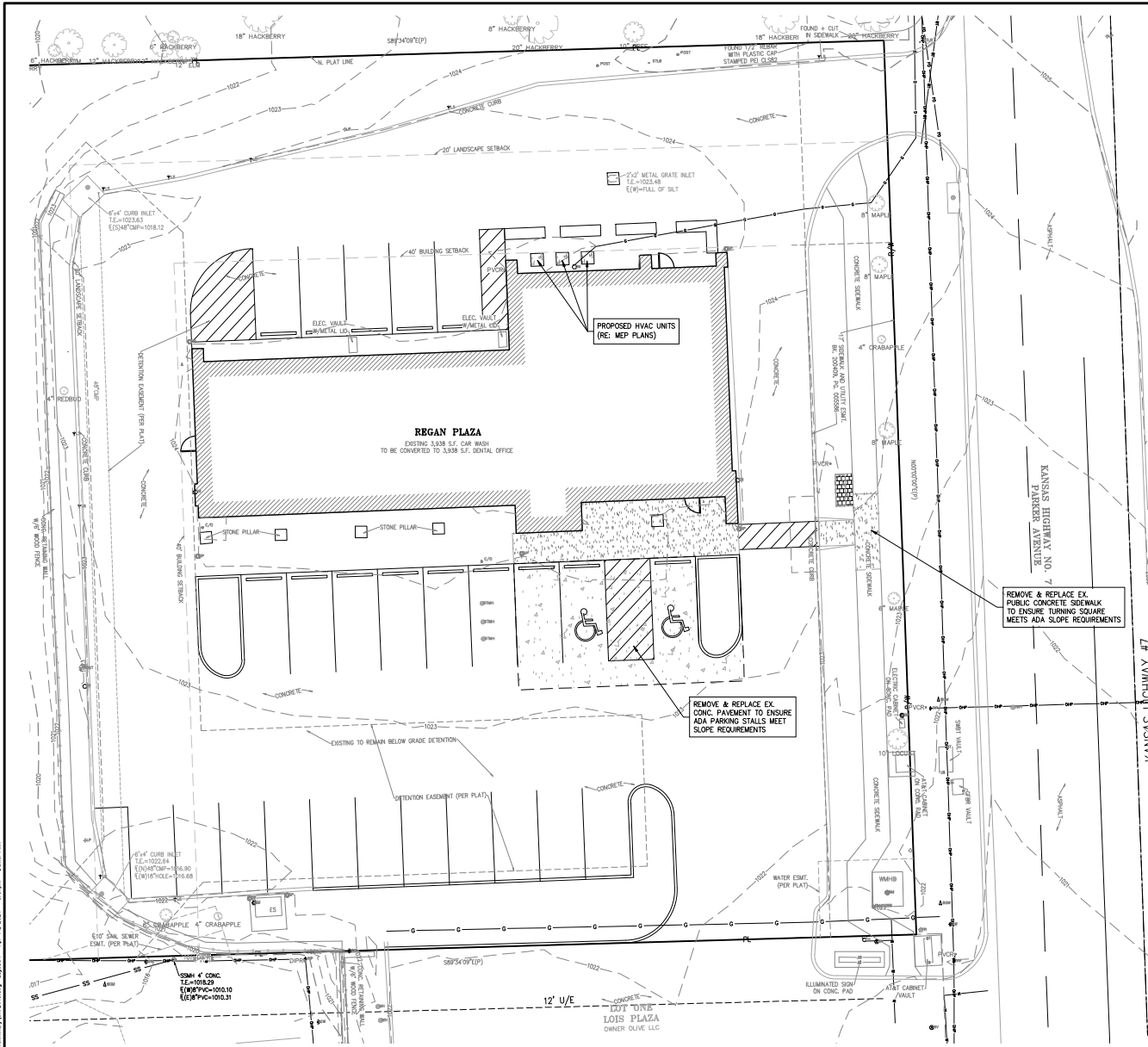
Project No. 240005 Date: 12/11/2024 11:00 AM  
 Client: KENNEDY CONSULTANTS, INC. 1000 N. PARKWAY, SUITE 100, OLAHIE, KS 66061  
 Engineer: JOHN W. HANCOCK, P.E. 1000 N. PARKWAY, SUITE 100, OLAHIE, KS 66061  
 Designer: JOHN W. HANCOCK, P.E. 1000 N. PARKWAY, SUITE 100, OLAHIE, KS 66061  
 Checker: JOHN W. HANCOCK, P.E. 1000 N. PARKWAY, SUITE 100, OLAHIE, KS 66061  
 Date: 12/11/2024  
 Scale: 1" = 10'

**811**  
 Know what's below.  
 Call before you dig.

**UTILITY NOTES:**  
 VISUAL INDICATIONS OF UTILITIES ARE AS SHOWN.  
 UNDERGROUND LOCATIONS SHOWN, AS FURNISHED BY THEIR  
 LESSORS, ARE APPROXIMATE AND SHOULD BE VERIFIED IN  
 THE FIELD AT THE TIME OF CONSTRUCTION. FOR ACTUAL  
 FIELD LOCATIONS OF UNDERGROUND UTILITIES CALL 811.

**BENCHMARK:**  
 VERTICAL DATUM = NAVD83 BASED ON JOHNSON COUNTY CONTROL NETWORK BMJ 282 DATE OF SURVEY  
 LIGHT AT SOUTHEAST CORNER OF K-7 AND LOLLA. ELEVATION = 1032.70  
 1. SET "X" OUT IN TOP NUT ON FIRE HYDRANT SOUTH OF CEDAR AND WEST SIDE OF PARKER.  
 ELEVATION = 1032.38  
 2. SET "R" ROAD SPIKE IN SOUTH SIDE OF POWER POLE WEST SIDE OF PARKER.  
 ELEVATION = 1028.31

**FLOOD NOTE:**  
 THIS PROPERTY LIES WITHIN ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL  
 CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL  
 EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLAHIE, COMMUNITY NO. 20013, JOHNSON COUNTY,  
 KANSAS, MAP NO. 2009100786, AND DATED AUGUST 3, 2009.



**SITE GRADING NOTES:**

- CONTOURS AND ELEVATIONS:** Existing and proposed contours are shown on plans of one foot (1') contour intervals, unless otherwise noted. Proposed contours and elevations shown represent approximate final grade. Contractor shall have been subgrade to allow for pavement and sub-base thickness.
- If the contractor does not accept existing topography as shown on the plans, without exception, he shall have made at his expense, a topographic survey by a registered land surveyor and submit it to the owner for review.
- CLEARING AND GRUBBING:** Prior to beginning preparation of subgrade, all areas under pavements or building shall be stripped of all grass, vegetation, large rock fragments (greater than 6 inches in any dimension) and any other deleterious material. The actual stripping depth should be based on visual examination during construction and the results of post-stripping operations. The root systems of all trees (not designated to remain) shall be removed in their entirety. Stripping materials shall not be incorporated into structural fill.
- TOPSOIL STRIPPING:** Prior to the start of the grading, the contractor shall strip all topsoil from areas to be graded, and stockpiled at a location not adjacent to the site as directed by the owner. At completion of grading operations and related construction, the contractor shall be responsible for redistribution of topsoil over all areas disturbed.
- TOPSOIL:** Topsoil shall be placed to a minimum depth of six inches (6") and in accordance with specifications for landscaping. At that time, and prior to the installation of landscaping or irrigation, all landscaped areas shall be visually inspected and accepted by the owner and ILL.
- Contractor shall adjust and/or cut existing pavement as necessary to ensure a smooth fit and continuous grade. Contractor shall ensure positive drainage away from building for all interior and paved areas.
- SUBGRADE PREPARATION:** Prior to placement of new fill material, the existing subgrade shall be profiled and approved under the direction of the Geotechnical Engineer or his representative.
- PROFILING:** Subsequent to completion of stripping and over-excavation, all building and pavement areas to receive engineered fill shall be systematically profiled using a tandem steel drum truck loaded to approximately 20,000 pounds per axle. Also, any finished subgrade areas to receive paving shall be profiled within 48 hours of paving. Unsuitable soils that are detected and that can not be reconstructed should be over-excavated and replaced with controlled structural fill.
- EARTHWORK:**
  - GEOTECHNICAL:** All earthwork shall conform to the recommendations of the Geotechnical Report. Said report and its recommendations are hereby incorporated into the project requirements by reference. Prior to beginning construction, the contractor shall obtain a copy of and become familiar with the geotechnical report. Unless specifically noted on the plans, the recommendations in the geotechnical report are hereby incorporated into the project requirements and specifications.
  - SURFACE WATER:** Surface water shall be intercepted and diverted during the placement of fill.
  - FILLS:** All fill shall be controlled controlled or structural fill and shall be free of vegetation, organic matter, topsoil and debris. In areas where the thickness of the engineered fill is greater than five feet, testability and pavement construction shall not commence until as authorized by the on-site geotechnical engineer to allow for consolidation.
  - BUILDING SUBGRADE:** As specified in the Geotechnical Engineering Report, the upper section of building subgrade shall consist of Low Shrink Change (LSC) material defined as approved, compacted granular fill or low to moderate plasticity cohesive soil materials stabilized with Class C Flyash. Granular fill shall consist of compacted granular materials with a maximum particle size of less than 1.18 inches or less, such as crushed stone screenings. Refer to geotechnical report for complete requirements.
  - EXISTING SLOPES:** Where fill material is to be placed on existing slopes greater than 5:1 (horizontal to vertical), existing slope shall be hand-dug providing a minimum vertical face of three inches (3"). The benches should be cut wide enough to accommodate the compaction equipment. Fill material shall be placed and compacted in horizontal lifts not exceeding nine inches (9") (over 10% moisture) unless otherwise approved by the Geotechnical Engineer.
  - COMPACTION REQUIREMENTS:** The upper 8 inches of pavement subgrade areas shall be compacted to a minimum density of ninety five percent (95%) of the material's maximum dry density as determined by ASTM D698 (standard proctor compaction). The moisture content of the fill of pavement and subgrade shall be within one (1%) below to six (6%) above optimum moisture content as defined by the standard proctor compaction procedure. The moisture contents shall be maintained within this range until completion of the work. Where compaction of earth fill is a large item in the project or undesirable, the earth fill shall be hand compacted with small vibrating rollers or mechanical tampers.
- All cut or fill slopes shall be 3:1 or better. All asphalt parking areas shall be a minimum of 1% slope but not more than 5% slope unless otherwise noted. All pavement within ADA parking areas shall not exceed 2% total slope. All grades around building shall be held down 6" from finish floor and slope away exterior 6" in 10 feet. Contractor shall notify engineer prior to final subgrade construction of any areas not within the slope requirements.
- TESTING AND INSPECTION:** Owner's independent Testing Laboratory (TLL) shall make tests of earthwork during construction and observe the placement of fill and other work performed on this project to verify that work has been completed in accordance with Geotechnical Engineering Report, Project Specifications and within industry standards. The TLL will be selected by the owner and the cost of testing will be the owner's responsibility.
- CLASSIFICATION:** All excavation shall be considered unclassified. No separate or additional payments shall be made for rock excavation.
- PERMANENT RESTORATION:** All areas disturbed by earthwork operations shall be seeded, unless shown otherwise by the landscaping plan or erosion control plan.
- UTILITIES:** The contractor is specifically cautioned that the location and/or elevation of existing utilities as shown on these plans is based on records of the utility utility companies, and where possible, measurements taken in the field. The information is not to be relied on as being exact or complete. The contractor must call the appropriate utility companies at least 48 hours before any excavation to request exact field location of utilities. It shall be the responsibility of the contractor to relocate of existing utilities which conflict with the proposed improvements shown on the plans.
- LAND DISTURBANCE:** The contractor shall adhere to all terms & conditions outlined in the EPA or applicable state NPDES permit for storm water discharge associated with construction activities. Refer to project S&P&P requirements.

**PHASE 2 ENGINEERING, INC.**  
 JOHN W. HANCOCK, P.E.  
 1000 N. PARKWAY, SUITE 100  
 OLAHIE, KS 66061  
 TEL: 785.833.8888  
 WWW.PHASE2ENGINEERING.COM

**GRADING & UTILITY PLAN**  
 KIENE DENTAL GROUP  
 REGAN PLAZA, LOT 1  
 355 S. PARKER ST., OLAHIE, KS 66061

PROJECT NO. 240005	DATE: 12/11/2024	REVISIONS:
DRAWN BY: JOHN W. HANCOCK	DATE: 12/11/2024	REVISIONS:
CHECKED BY: JOHN W. HANCOCK	DATE: 12/11/2024	REVISIONS:
DATE: 12/11/2024		

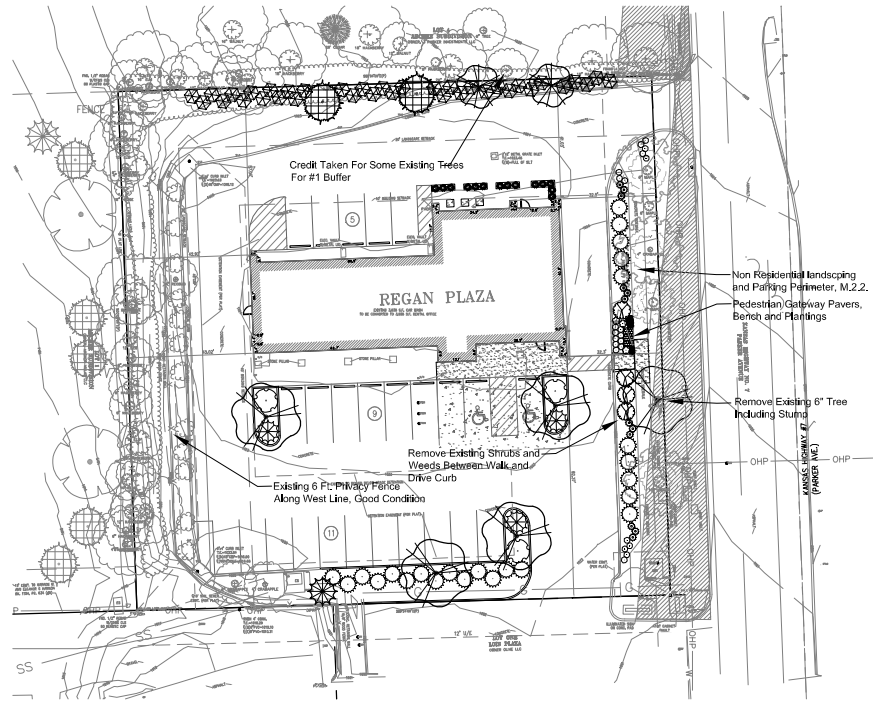
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**C2**

CONCEPT PLANT SCHEDULE

	MEDIUM SHADE TREES Skyline Honeysuckle, Lacebark Elm, Hedge Maple, Caddo Sugar Maple, Willow Oak, Prairie Gold Aspen	5
	EVERGREEN TREES Hillspre Juniper, White Pine	2
	NARROW EVERGREEN TREES Caneart Juniper, Vanderwolf Pyramidal Pine	1
	ORNAMENTAL TREE Autumn Brilliance Serviceberry, Oklahoma Redbud, White Fringetree, Golden raintree, Prairie Fire Crabapple, Springsnow Crabapple	2
	SPREADER EVERGREEN SHRUB Seagreen Juniper	24
	DECIDUOUS SHRUB I Grow Low Sumac	3
	DECIDUOUS SHRUB II Centerlow Ninebark, Tiger Eyes Sumac, Prairie Fire Sumac	4
	LOW SPREADING EVERGREEN Grey Owl Juniper	3
	ORNAMENTAL GRASS TALL Feathertop Grass	22
	ORNAMENTAL GRASS MEDIUM Shenendoah Switch Grass	14
	SMALL DECIDUOUS SHRUB Gem Box Inkberry Holly	3
	LARGE ORNAMENTAL SHRUB Tiger Eyes Sumac	36
	ORNAMENTAL GRASS TALL II Morning Light Eulalia Grass	12
	GROUNDCOVER I Purpleleaf Wintercreeper	10 sf

CITY REQUIRED NOTES:

- A. The developer, its successor and/or subsequent owners and their agents will maintain landscaping on the property on a continuing basis for the life of the development.
- B. Plant materials which exhibit evidence of insects, disease and/or damage must be appropriately treated. Dead plants must be promptly removed and replaced.
- C. All landscaping is subject to periodic inspection by the Planning Official or designee.
- D. The property owner will maintain landscape areas in good condition and in a way that presents a healthy, neat, and orderly appearance. This maintenance must include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
- E. The City may cause the removal of any dead or diseased trees, plants, and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City.
- F. No tree, shrub, or woody vegetation will be planted within a distance of 10ft. from any fire hydrant of fire department connection (FDC).
- G. No trees will be planted within 15ft. of a street light.
- H. Exterior ground mounted or building mounted utilities must be screened on 3 sides with plantings at least as tall as the utility box at the time of planting, or an architectural treatment compatible with the building.



LANDSCAPE REQUIREMENTS:

West Property Line Type 2 Buffer, 177'	Required	Provided
2 shade, per 100'	3.54 (4)	*
3 ornamental per 100'	5.31	*
2 evergreen per 100'	3.54 (4)	*
35 shrubs per 100'	61.95 (62)	*
North Property Line Type 1 Buffer, 162'		
1 shade per 100'	1.82 (2)	**
1 ornamental per 100'	1.82 (2)	2
1 evergreen per 100'	1.82 (2)	2
20 shrubs per 100'	36.4	36
South Property Line Type 1 Buffer 67/67'		
1 shade per 100'	1.34	1***
1 ornamental per 100'	1.34	2***
1 evergreen per 100'	1.34	1***
20 shrubs per 100'	26.8 (27)	14***

\*Existing wooded area more than satisfies required trees combined with proposed trees on the under construction apartments. Required shrubs are satisfied with existing shrubs and existing 6 ft. privacy fence in great condition.

\*\*Existing trees along the north property line will be used as credit for any required shade trees.

\*\*\*Existing wood fence negates need for any shrubs in the SW corner of the property backing up to back of adjacent apartments to the SW.

	Seagreen Juniper	24"-30" hgt. & sp.	5"/c.
	Heavy Metal Switch Grass	3 gal.	4"/c.
	Free Standing Transformer		
	Against Wall Small Box		
	Free Standing Small Box		
	Clustered Boxes		

Typical Utility Box Screening Details  
 No Scale Note: Quantities Not Included In Plant List  
 UTILITY BOXES SHALL BE CLUSTERED AS MUCH AS POSSIBLE

\* In case of transformer taller than 3 ft, replace Seagreens with 6 ft. Kollerei Junipers

Screening Notes:

During construction when utility boxes and wall mount locations are known the Landscape Architect shall be notified to determine if any modifications need to be made in screening of utility boxes and wall mount locations.

Shrubs used for screening of utility fixtures shall be installed at an initial size of equal to the mechanical equipment and spaced to provide substantial screening.

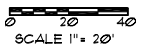
All exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping in accordance with the screening details shown on this sheet.

As noted on the utility plan, all above ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards where possible. Where above ground electrical and/or telephone cabinets are required to be in the front or corner side yards adjacent to street right-of-way they must be screened with landscape materials in accordance with the screening details shown on this sheet.

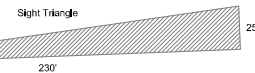


Existing and/or Proposed Trees

NOTE:  
 Details and specifications to be provided in construction documents.



SCALE 1" = 20'



Utility Note:

Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate localing service. In Kansas call 1-800-010-SAFE (344-7233) to have utilities located.

Preliminary Landscape Plan  
 Kiene Dental

355 Parker  
 Olathe, Kansas LS-1

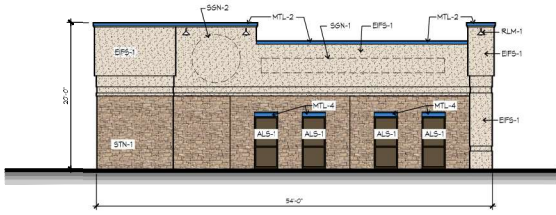


**Oppermann LandDesign, LLC**  
 Land Planning • Landscape Architecture  
 59 Delta Lane, Olathe, Kansas 66041  
 New Windsor, New York 10553  
 petra@oppermans.com 913.592.5598

04/15/2024



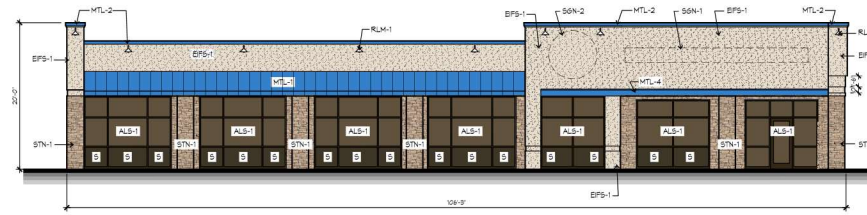
(X1) EXISTING EAST ELEVATION  
1/8"=1'-0"



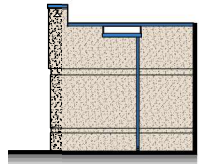
(1) PROPOSED EAST ELEVATION (PRIMARY)  
1/8"=1'-0"



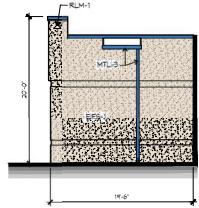
(X2) EXISTING SOUTH ELEVATION  
1/8"=1'-0"



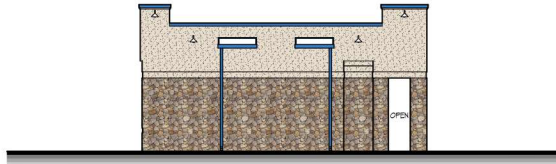
(2) PROPOSED SOUTH ELEVATION (PRIMARY)  
1/8"=1'-0"



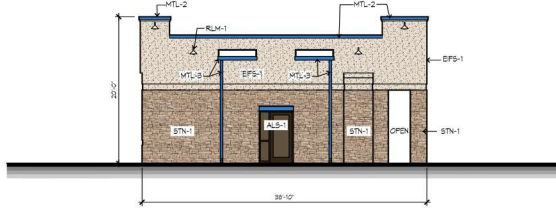
(X3) EXISTING WEST ELEVATION  
1/8"=1'-0"



(3) WEST ELEVATION (SECONDARY)  
1/8"=1'-0"



(X4) EXISTING WEST ELEVATION  
1/8"=1'-0"



(4) PROPOSED WEST ELEVATION (SECONDARY)  
1/8"=1'-0"



(X5) EXISTING NORTH ELEVATION  
1/8"=1'-0"



(5) PROPOSED NORTH ELEVATION (PRIMARY)  
1/8"=1'-0"

EXTERIOR MATERIAL LEGEND

	STN-1 REMOVE AND DISCARD EXISTING STONE VENEER. PROVIDE NEW THINSTONE VENEER IN BOLORADO GIFFESTONE PATTERN. COLOR = CREAM/TAN BLEND. CLASS = 1		MTL-1 REMOVE AND DISCARD EXISTING METAL ROOFING AND FASCIA. PROVIDE NEW STANDING SEAM ROOFING AND FASCIA. COLOR = BLUE. CLASS = 1		ALS-1 ALUMINUM STOREFRONT. DARK BRONZE ANODIZED 2" X 4"; THERMALLY BROKEN ALUMINUM STOREFRONT WITH 1" INSULATED LOW-E GLASS VISION PANELS WITH LIGHT BRONZE TINT. MARKS INDICATED BY "S" PROVIDE MATCHING SPANDREL PANEL IN LIEU OF VISION PANEL. CLASS = 3		S6N-1 DASHED LINE INDICATES PLACEHOLDER FOR FUTURE SIGN LOCATION TO BE APPROVED ADMINISTRATIVELY BY SEPARATE APPLICATION AND IS SUBJECT TO THE REQUIREMENTS OF 18.50.140.
	EPS-1 EXISTING TO REMAIN EXTERIOR FINISH SYSTEM TO BE THOROUGHLY CLEANED AND REFINISHED WITH NEW ACRYLIC SURFACE. COLOR = OFF WHITE. CLASS = 3		MTL-2 REMOVE AND DISCARD EXISTING GUTTER AND DOWNSPOUT. COLOR = BLUE. CLASS = 4		RLM-1 REMOVE AND DISCARD EXISTING AND REPLACE WITH NEW SILV GOSSENBERG BARN LIGHT FIXTURE. COLOR = WHITE		S6N-2 DASHED LINE INDICATES PLACEHOLDER FOR FUTURE SIGN LOCATION TO BE APPROVED ADMINISTRATIVELY BY SEPARATE APPLICATION AND IS SUBJECT TO THE REQUIREMENTS OF 18.50.140.
			MTL-3 GUTTER AND DOWNSPOUT. COLOR = BLUE. CLASS = 4				
			MTL-4 PREFINISHED BREAK METAL FLASHING. COLOR = BLUE. CLASS = 4				

ELEVATIONS GENERAL NOTES

- ALL EXTERIOR BRONZE MOUNTED AND ALL ROOFTOP BUILDING HVAC AND MECHANICAL EQUIPMENT, VENTS, PIPING, ROOF ACCESS LADDER AND UTILITY METERS MUST BE LOCATED OUT OF VIEW OR OTHERWISE SCREENED FROM PUBLIC VIEW. SCREEN MUST BE ACCOMPLISHED WITH LANDSCAPING, SCREEN WALLS, BUILDING ELEMENTS, OR A COMBINATION OF THESE METHODS.
- SIGNAGE IS APPROVED ADMINISTRATIVELY BY SEPARATE APPLICATION AND IS SUBJECT TO THE REQUIREMENTS OF 18.50.140.

MATERIAL CALCULATIONS

Material	Class	Area (SF)	Percentage
Stone Veneer, Synthetic (STN-1)	1	409.11	40.46%
Standing Seam Metal (MTL-1)	1	0.00	0.00%
EIFS (EIFS-1)	3	479.72	47.45%
Glass - Storefront (ALS-1)	3	90.77	8.98%
Metal Trim (MTL-2, 3, 4)	4	31.43	3.11%
<b>Totals</b>		<b>1011.03</b>	<b>100.00%</b>

Material	Class	Area (SF)	Percentage
Stone Veneer, Synthetic (STN-1)	1	240.59	12.33%
Standing Seam Metal (MTL-1)	1	200.56	10.28%
EIFS (EIFS-1)	3	672.98	34.50%
Glass - Storefront (ALS-1)	3	754.40	38.67%
Metal Trim (MTL-2, 3, 4)	4	82.36	4.22%
<b>Totals</b>		<b>1950.89</b>	<b>100.00%</b>

Material	Class	Area (SF)	Percentage
Stone Veneer, Synthetic (STN-1)	1	345.11	33.44%
Standing Seam Metal (MTL-1)	1	0.00	0.00%
EIFS (EIFS-1)	3	612.08	59.20%
Glass - Storefront (ALS-1)	3	33.44	3.24%
Metal Trim (MTL-2, 3, 4)	4	42.52	4.12%
<b>Totals</b>		<b>1032.15</b>	<b>100.00%</b>

Material	Class	Area (SF)	Percentage
Stone Veneer, Synthetic (STN-1)	1	378.58	20.02%
Standing Seam Metal (MTL-1)	1	79.07	4.18%
EIFS (EIFS-1)	3	667.07	35.27%
Glass - Storefront (ALS-1)	3	676.84	35.79%
Metal Trim (MTL-2, 3, 4)	4	89.83	4.75%
<b>Totals</b>		<b>1891.39</b>	<b>100.00%</b>



**GUY GRONBERG ARCHITECTS, P.C.**  
110 BEAUMONT ST., SUITE 200  
OLATHE, MO 64070  
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FAX: 816.524.8978

**OLATHE FAMILY DENTAL**  
355 S PARKER ST., OLATHE, KS 64061

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REV#	DATE	DESCRIPTION
1	03-21-24	QTY COMMENTS

Issue Date: 03-21-24  
Project #: 2326

ARCHITECTURAL ELEVATIONS  
**A1**





① EAST SIDE RENDERING  
N.T.S.



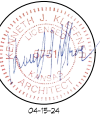
② SOUTH SIDE RENDERING  
N.T.S.



③ WEST SIDE RENDERING  
N.T.S.



④ NORTH SIDE RENDERING  
N.T.S.



**GUY GRONBERG  
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REV#	DATE	DESCRIPTION
1	04-18-24	CITY COMMENTS

Issue Date: 03-21-24  
Project #: 23036

EXTERIOR  
RENDERINGS  
**A2**



PLANNING  
ENGINEERING  
IMPLEMENTATION

Date: April 24, 2024

To: Olathe Planning Dept.

From: Daniel Finn, P.E.  
Phelps Engineering, Inc.

**Re: Neighborhood Meeting Minutes  
Olathe Family Dental  
City Case #RZ24-0009**

A neighborhood meeting was held on Monday, April 22, 2024, at 5:30 pm, at Fellowship Olathe Baptist Church located at 901 N Parker Street, Olathe, KS 66061 for the proposed Olathe Family Dental (Kiene Dental). No neighbors attended the meeting.

Sincerely,

A handwritten signature in blue ink that reads 'Daniel Finn'.

Daniel Finn, P.E.  
Phelps Engineering, Inc.

PHELPS ENGINEERING, INC.

1270 N. Winchester - Olathe, Kansas 66061 - (913) 393-1155 - Fax (913) 393-1166 - [www.phelpsengineering.com](http://www.phelpsengineering.com)