



MINUTES

Planning Commission Meeting: September 22, 2025

Application:	<u>RZ25-0010:</u> Request for approval of a rezoning from the R-1 (Residential Single Family) District to the O (Office) District and preliminary site development plan for Advent Health, located southeast of W. 119th Street and Alcan Street.
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Commissioner Corcoran recused himself from discussion and action regarding RZ25-0010, as his company was involved in the application.

Andrea Morgan, Planner II, presented RZ25-0010, the request for approval of a rezoning and preliminary site development plan for a new Advent Health medical facility at 14345 W. 119th Street. She explained that the subject property was approximately four acres, currently zoned R-1 (Single-Family Residential), and formerly occupied by a vacant church. She stated that the applicant sought rezoning to the Office (O) District to allow for a medical office building.

Ms. Morgan noted that while the future land use map designated the area as a Conventional Neighborhood, the site was adjacent to a designated Commercial Neighborhood Center, part of which was rezoned to the R-3 (Low Density Multifamily Residential) District in 2024 and that the proposed Office District allows for commercial zoning to be retained along 119th Street. She stated that rezoning to Office District was consistent with other PlanOlathe policies promoting a mixture of complimentary land uses and economic sustainability. Due to nearby residential zoning to the north, east and south, staff recommended restrictions on higher-intensity land uses, to which the applicant agreed.

Ms. Morgan presented the proposed site plan which would retain the general layout but demolish existing structures to allow for the construction a two-story medical office building. The existing access from Alcan Street would remain, with a new southern access point added. A total of 105 parking spaces would be provided. The landscaping plan met all City standards, including perimeter plantings and buffers. A 20-foot Type 3 buffer with a 6-foot berm and double row of evergreens was planned along the east and part of the south property lines, with a 16-foot natural buffer along the remainder. She then described the building's design, which exceeded architectural requirements and featured limestone veneer, metal panels, and natural tones to blend into the environment.

Ms. Morgan confirmed that public notice requirements were met, with one resident attending the neighborhood meeting on August 28, 2025, expressing concerns including business operations, site layout, landscaping, stormwater, and site history. Staff received no written public comments. Staff recommended approval of the rezoning (RZ25-0010) and preliminary plan with stipulations. She added the applicant had no presentation but was available for questions.

Chair Creighton opened the floor for any commissioner questions.

Commissioner Terrones inquired about the neighborhood meeting, specifically if the sole attending resident raised any concerns.

Ms. Morgan confirmed the resident asked about landscaping and ambulance traffic.

Commissioner Bergida asked whether in Olathe, any medical or office buildings had previously received waivers to operate under R-1, R-2, or R-3 zoning.

Ms. Morgan stated she was not aware of any such cases.

Commissioner Lynn asked about a stipulation prohibiting laboratory research or testing, and inquired if diagnostic testing was included.

Ms. Morgan clarified that diagnostic testing would be an accessory use under the medical office category, as opposed to a standalone use, and was not affected by the proposed stipulation.

Commissioner Chapman confirmed that the use would be a medical office and asked about ambulance use.

Ms. Morgan responded it would be a medical office with a standalone emergency department and that ambulances would only be used for patient transfers to hospitals.

Commissioner Chapman then asked about the operating hours.

Ms. Morgan replied that outpatient services would operate Monday through Friday from approximately 7 or 8 a.m. to 5 p.m., while the ER department would operate 24/7.

Commissioner Chapman raised a question regarding a possible historic home on the site, associated with John *[sic]* Speer, asking if that had been evaluated.

Ms. Morgan confirmed she has discussed whether that house has historical significance with Historic Preservation staff liaison, Emily Carrillo, but no formal steps had been taken.

Commissioner Chapman asked, if the house does turn out to be a historic site for preservation, whether that would change considerations regarding the rezoning.

Emily Carrillo, Senior Planner and staff liaison to the Historic Preservation Board, explained that the property might have historical significance due to its association with a community figure, not necessarily its architecture, and that it would be reviewed further in coordination with the resident, who also serves on the Historic Preservation Board.

Commissioner Chapman followed up regarding access, asking whether Alcan Street would serve as the main ingress/egress for the facility and how it would connect to the nearby Olathe Commons development.

Ms. Morgan confirmed Alcan would be the main access point. She continued that the Olathe Commons development was responsible for traffic improvements that would allow Alcan to connect to 120th Street and Olathe Point with a signalized intersection at Shannon Lane.

Commissioner Chapman asked to confirm that Olathe Commons would have Alcan access and entrance/exit points to Olathe Pointe as well, which **Ms. Morgan** confirmed.

Chair Creighton then asked whether there were similar-sized medical facilities adjacent to residential areas in Olathe, like Evergreen, and asked her to expound on the landscaping. Chair Creighton also asked whether neighborhood access, a long-standing concern, would remain closed.

Ms. Morgan confirmed that neighborhood access would remain closed, noting that an additional access point would be added along Alcan Street. Ms. Morgan acknowledged Evergreen facility and then cited a comparable facility at 151st Street and Quivira, which also featured significant buffering.

Chair Creighton asked whether emergency vehicles would enter from the front, minimizing disturbances to nearby residents.

Ms. Morgan affirmed that ambulances would enter via the front, with sirens off, using the southern access point to circle the building.

With no further questions from the commissioners at this point, **Chair Creighton** opened the public hearing, and invited the only speaker up, acknowledging he was a long time Olathe resident.

Tom Kearney, 11918 S Greenwood Street, stated he had lived in Olathe for nearly 73 years. He began by highlighting the historical significance of the property and explained that the full 29-acre area, including the subject property, was once part of the Speer family farm. He noted that across 119th Street, the Avignon and Homestead apartment complexes were also built on land that had belonged to the Speers and was once The Speer Kid Farm. He emphasized the importance of Hugh Speer, a local attorney who

played a role in the landmark *Brown v. Board of Education* case in 1954. Mr. Kearney urged the City to consider the historical context when making decisions about the site.

Mr. Kearney clarified that he was not necessarily opposed to the rezoning, but he believed the request to go from R-1 (Single Family Residential) to O (Office) zoning was a significant shift. He then provided historical background on his neighborhood's relationship with the site, particularly with the Ethiopian Christian Church, which was previously built there. He recalled that when the church was proposed, he and his neighbors (who live on five lots along Greenwood Street abutting the site) were assured that the 120th Street stub would remain closed. That promise was honored by the church and later reaffirmed by City officials, including Councilmember Marge Vogt, who Mr. Kearney reported had assured them that they "will never open up that street." Mr. Kearney stressed that the Planning Commission needed to be aware of that prior assurance, especially as development pressures increased. He then outlined several specific concerns and requests for the developer:

1. Detention Pond – The existing pond on the south end of the site had become overgrown and unusable. He requested that the developer clear and restore it to proper function.
2. Berm and Landscaping – While some evergreen screening remained behind his home, much of the promised buffer had deteriorated. He asked that a new, well-maintained berm and landscaping be included along the eastern property line.
3. Lighting – He asked the developer to ensure that exterior lighting followed City standards and would not affect nearby homes.
4. Drainage – He reported ongoing issues with stormwater runoff flowing into adjacent yards since previous development altered the land's natural drainage. He requested that this be addressed in the new site design.
5. Zoning Longevity – He expressed concern about the long-term success of the facility, citing a nearby AdventHealth location that closed shortly after opening. He questioned whether the property would remain zoned for Office use if the facility failed and asked whether it would be allowed to revert to R-1.

Mr. Kearney also expressed unease about emergency vehicle traffic operating 24/7 in a residential setting and asked the developer to minimize disturbances.

Chair Creighton confirmed that Mr. Kearney was the only speaker signed up. Before closing the public hearing, he invited Ms. Morgan back to address several key concerns raised, including the functionality of the existing detention area, drainage improvements, and berm construction. He also asked to confirm that if City Council approved the rezoning, the new zoning would remain in place even if the development did not proceed.

Ms. Morgan responded that the site would see a 13% increase in impervious surface. She answered that the applicant's stormwater report included improvements to the existing drainage area to address runoff concerns. She added the 6-foot berm and landscape buffer would be installed at the time of construction, not afterward. She concluded by confirming that a rezoning, once approved by City Council, would stay with the land permanently.

Commissioner Chapman asked about lighting concerns for adjacent homes.

Ms. Morgan explained that photometric plans would be reviewed during the final site development phase. She confirmed that, per the UDO, any building-mounted exterior lights must not be visible from residential properties.

Commissioner Chapman shared his own site visit experience and confirmed the detention area was, as the neighbor stated, overgrown and full of trees. He emphasized the need for it to be addressed during development.

Commissioner Brown asked how stormwater would reach the detention pond once 120th Street was constructed.

Chet Belcher, Chief Community Development Officer, explained that when 120th Street is built, stormwater would be collected via curb and gutter into underground pipes, rather than flowing freely across the surface.

Chair Creighton asked to reiterate that 120th Street would not connect into the adjacent residential neighborhood.

Mr. Belcher confirmed this.

Commissioner Bergida asked for procedural clarification, verifying that the public hearing could be closed while discussion continued.

With no further questions for the applicant, **Chair Creighton** called for a motion to close the public hearing.

Commissioner Bergida moved to close the public hearing, and **Commissioner Chapman** seconded the motion. The public hearing was closed 6 to 0 with 1 recusal.

Commissioner Bergida raised a follow-up question regarding the historical verification of Dr. Hugh Speer's former home on the site, asking what the process was to verify that.

Ms. Morgan deferred to **Ms. Emily Carrillo, Senior Planner & Preservation Board Liaison**, who explained that staff would verify any historical claim through property deed research.

If found historically significant, **Commissioner Bergida** asked what steps would then be taken.

Ms. Carrillo answered the City might pause demolition to allow for documentation, such as photos and archival research, even if the property was not architecturally significant.

Commissioner Bergida asked if the site could still be preserved or documented even after a rezoning approval.

Ms. Carrillo confirmed that preservation research could run concurrently with the rezoning process and that documentation and archiving would take place before demolition, if needed.

Commissioner Bergida asked whether there was a stronger mechanism to limit future uses beyond what was proposed today.

Chair Creighton pointed to Stipulation #10 in the staff report, which includes a significant list of prohibited uses.

Commissioner Bergida expressed concern that rezoning to Office now may open the door to future, more intense commercial uses, especially if the original project fails. He asked whether there was another mechanism, beyond the stipulations, to limit future uses beyond what is proposed today

Kim Hollingsworth, Planning and Development Manager, elaborated that the Office zoning district already has a limited use list, and the stipulations make that list even narrower. She explained that any future change to zoning or land use would still require a public process, including a hearing and Planning Commission recommendation.

Commissioner Bergida noted that while the stipulations offer some protection, future Commissions might not know or understand the intent behind the restrictions years later.

Commissioner Lynn asked whether this zoning request was truly for an office, since the use sounded more like a medical facility.

Ms. Morgan explained that the City does not have a specific zoning category for medical use, and that the Office District was determined to be the most appropriate and least intensive commercial zoning.

Ms. Hollingsworth added that Office zoning is the closest in intensity to residential zoning, even lower than the C-1 through C-4 commercial districts.

Commissioner Lynn followed up by expressing concern over the proposed 24/7 emergency services near residential homes.

Ms. Morgan responded that ambulance traffic was expected to be minimal, around once per week, based on AdventHealth data. The applicant intended to limit noise and lights after the regular office hours.

Commissioner Brown asked about the zoning of a similar medical facility (the former "ECHO Building") at 151st and Quivira.

Ms. Morgan confirmed that it was also zoned as "Office District."

Commissioner Chapman asked about the zoning of the former St. Luke's Hospital at 135th and Black Bob.

Ms. Hollingsworth stated that it was likely zoned C-2 Commercial, and staff would confirm prior to the City Council hearing.

Chair Creighton concluded that the proposed Office zoning was the least intrusive option for the area, especially compared to more intensive commercial zones. He asked if there were any remaining questions. There were none, so he called for a motion.

Commissioner Bergida moved to approve item RZ25-0010 with all staff-recommended stipulations, and **Commissioner Terrones** seconded the motion. The motion passed by a vote of 6 to 0 with 1 recusal as follows:

- A. Staff recommended approval of RZ25-0010, Advent Health, for the following reasons:
 - 1. The proposed development complies with the policies and goals of the Comprehensive Plan.
 - 2. The requested rezoning meets the Unified Development Ordinance criteria for considering rezoning applications.
- B. Staff recommended approval of the rezoning to the Office District with the following stipulation:
 - 1. The following land uses are prohibited:
 - a. Any Distance Restricted Business as listed in Olathe Municipal Code Chapter 5.43
 - b. Business Service Centers/Business Support
 - c. Catering/Food Service
 - d. Conference and Retreat Center
 - e. Courier and Messenger Services

- f. Data Processing, Hosting and Related Services
- g. Environmental Monitoring Stations
- h. Hotel, Boutique (50 Rooms Maximum)
- i. Hotel/Motel
- j. Laboratories – Research and Testing
- k. Laundry, Pick-up Only and Garment Services
- l. Nonstore Retail/Internet Retail
- m. Parking Lots, Underground Structure, as Principal Use
- n. Post Office and Postal Substations
- o. Postal Service Receptacle Pods Designated on a Plat/Plan
- p. Public Transportation Facility
- q. Radio and Television Broadcasting or Recording Studio
- r. Research and Development
- s. Rooming House (Includes Fraternity/Sorority Houses and Dorms)
- t. Schools, Colleges and Universities
- u. Woodworking Shops

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

1. Signage must be reviewed and approved through a sign permit.
2. 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.