



STAFF REPORT

Planning Commission Meeting: May 12, 2025

Application:	PR25-0007: Preliminary Site Development Plan for Char Bar
Location:	Northwest of Santa Fe Street and N. Kansas Avenue
Owner:	City of Olathe and Sunflower Olathe 1 LLC
Applicant/Engineer:	Andrea Lemken, Renaissance Infrastructure Consulting
Architect:	Daniel Umscheid, Clockwork Architecture + Design
Staff Contact:	Nathan Jurey, AICP, Senior Planner

Site Area:	<u>2.93 ± acres</u>	Proposed Use:	<u>Sit-Down Restaurant</u>
Zoning:	<u>D (Downtown Core) District</u>	Building Area:	<u>26,271 sq. ft.</u>
Plat:	<u>Chamber District</u>		

1. Introduction

The applicant is requesting approval of a preliminary site development plan for Char Bar on a 2.93-acre property located northwest of Santa Fe Street and Kansas Avenue. The proposal includes the construction of a Char Bar restaurant that features smoked meats and an accessory recreational pickleball facility. In addition, the plan features an integrated outdoor area north of the building along Kansas Avenue, designed to accommodate al fresco dining and yard games, supporting a lively, pedestrian-friendly environment and contributing to downtown activation.

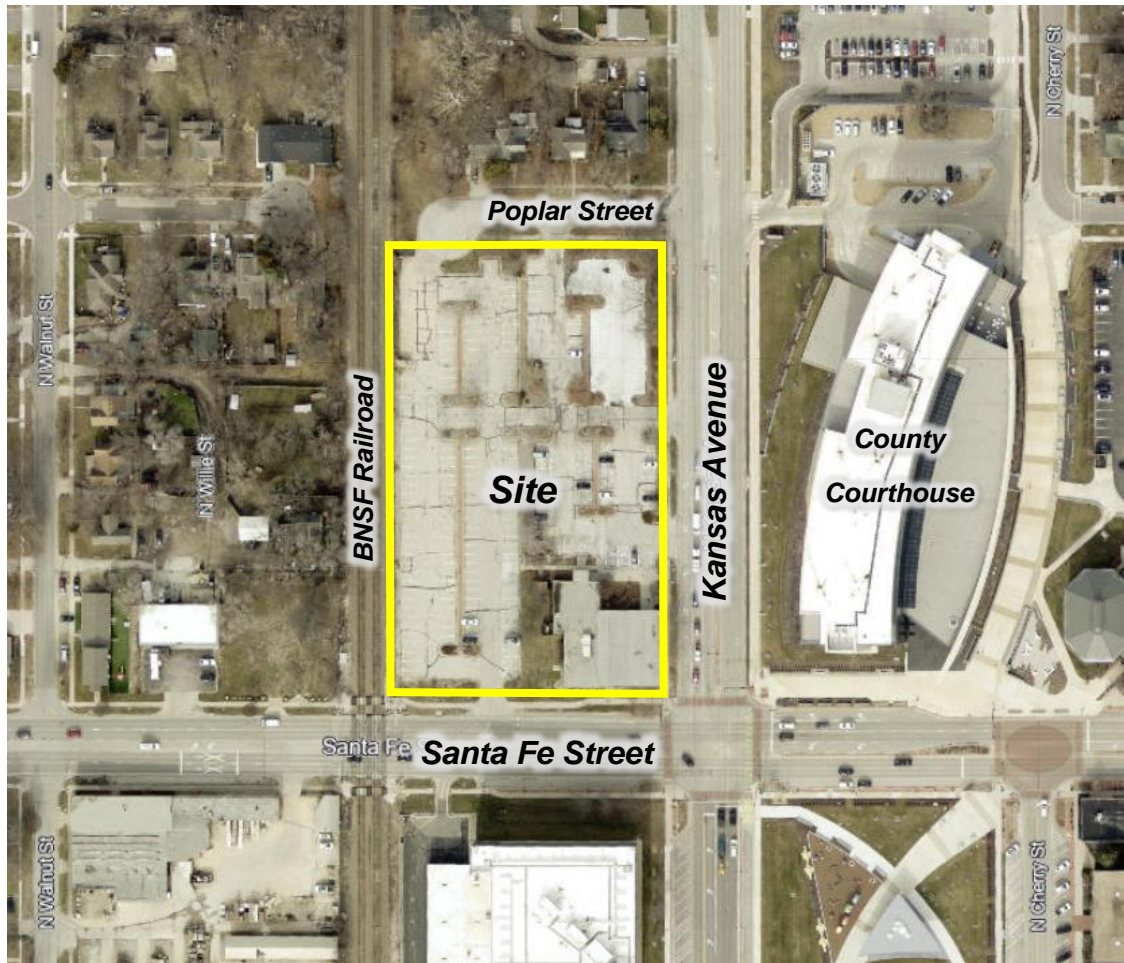
The proposed 26,271-square-foot building incorporates the reuse of the existing 4,062-square-foot concrete building, which will be integrated into the design as part of a new 22,209-square-foot expansion. The proposal is a major change from the existing development and Planning Commission review of this application is required by the Unified Development Ordinance (UDO) before any development may occur.

2. History

The subject property is part of the original Town of Olathe plat recorded in 1866. The existing 8,976 square foot building was constructed in 1971 by the City as Fire Station 1 and most recently occupied by the Olathe Housing Authority. In 2017, the property was rezoned to the D (Downtown Core) District (RZ17-0016). In 2022, the Sunflower Development project obtained preliminary and final development plan (PR22-0013 & PAR22-0051) approval for a new 20,000 sq. ft. office building at the corner of Poplar Street and Kansas Avenue. The Chamber District plat (FP22-0032) was recorded in 2023 in preparation for the Sunflower Development, but the office development is no longer being pursued.

3. Existing Conditions

The 2.93-acre subject site is bound by Santa Fe Street, Kansas Avenue, Poplar Street and the BNSF Railroad. The existing one-story, 8,976 square foot building located in the southeast corner of the site consists of a 4,062 square foot concrete building and a 4,914 square foot brick addition. The remainder of the site is paved and used for public parking. Stormwater generally flows across the parking lot from the high point near Santa Fe Street to a low point near Poplar Street, where it is conveyed into the existing public stormwater system.



Aerial map of the subject site outlined in yellow.



View of subject site looking northwest from Santa Fe Street and Kansas Avenue.

4. Zoning Standards

- a. **Land Use** – The *Sit-Down Restaurant* use is permitted by right in the D (Downtown Core) District and the pickleball facility is an allowed accessory use. The Future Land Use Map of the PlanOlathe Comprehensive Plan identifies the property as Urban Center/Downtown for business, commercial and office uses, with which this use aligns.
- b. **Building Height** – The proposed building addition is a single-story structure that is 29 feet tall at its peak, complying with the height standards of the Downtown Core District.
- c. **Setbacks** – The proposal complies with the setback allowances of the Downtown Core District. Typically, a maximum front yard setback of five (5) feet is required in the Downtown District, but the Planning Official may alter this requirement when existing structures on the same block were built at a different setback. At time of final site development plan, the Planning Official may approve the proposed 12.5-foot front setback along Santa Fe Street for the building addition as the existing building to remain is setback 20 feet from Santa Fe Street and the existing building being removed is setback 12 feet. Additionally, a 12.5-foot setback is needed to accommodate the underground utilities.

To the east, the existing building to remain is setback 2.5 feet from Kansas Avenue and the proposed outdoor dining and yard area will maintain this existing setback. No buildings are proposed along Poplar Street to the north and no setback is required along the railroad to the west as the D District does not require a minimum side or rear yard setback.

- d. **Frontage Buildout** – The existing building is classified as a legal nonconforming structure as the building only spans 36% of the lot width along Santa Fe Street, whereas the Downtown Core District requires a minimum frontage buildout of 90%. The proposed building addition increases the frontage buildout from 36% to 51% of the lot width, bringing the structure closer to compliance as permitted by UDO 18.60.
- e. **Paving Setback** – All proposed parking areas are located to the side (west) and rear (north) of the building, which complies with the requirement to locate off-street parking behind or to the side of the building.

5. Site Design Standards

The site is located within the Urban Center/ Downtown designation of the PlanOlathe Comprehensive Plan and is therefore subject to Site Design Category 3 of the UDO (Section 18.15.115). The following is a summary of the applicable site design requirements:

- a. **Street Frontage Area** – Commercial and mixed-use buildings must maintain a maximum street frontage setback of 15 feet from street right-of-way. The proposal complies with this requirement, as the building addition is set back 12.5 feet from Santa Fe Street.
- b. **Façade Width in Frontage Area** -- The building façade width within the required street frontage area must be at least 30% of the lot width. The building façade located along Santa Fe Street spans 51% of the lot width, exceeding this requirement.
- c. **Parking Pod Size** – The largest proposed parking pod is 34 stalls, complying with the maximum parking pod size of 40 stalls. Additionally, all existing parking areas to remain use landscape aisles to divide parking into pods of 30 stalls or less.
- d. **Pedestrian Connectivity** – At least two (2) enhanced pedestrian connection options must be utilized and the project complies with this requirement by providing pedestrian gateways at each entrance to the outdoor area and by creating a cross-property sidewalk connection through the site from Kansas Avenue to Santa Fe Street.

- e. **Perimeter Landscaping** – The required perimeter landscape area is provided along the street frontage area where no building is proposed. Along Santa Fe Street, a 20-foot-wide landscape area is provided east of the proposed building. Along Kansas Avenue, a decorative aluminum fence with masonry columns and the required landscape area is provided north of the building. No changes are proposed to the existing perimeter landscape area along Poplar Street.

6. Development Standards

- a. **Access/Streets** – The site has one (1) existing drive on Santa Fe Street, two (2) on Kansas Avenue, and two (2) on Poplar Street. The proposal will remove the southern access drive on Kansas Avenue and no other changes to the existing access are proposed. No road improvements are required to accommodate this development. The existing public sidewalks located along all adjacent streets will be replaced where impacted by construction.
- b. **Parking** – Per UDO Section 18.20.210, off-street parking is not required within the D District. The development will retain 138 of the 233 existing stalls on site to provide a similar amount of parking to Char Bar's other restaurant locations. The west portion of the existing parking lot will be altered to improve circulation through the property.
- c. **Landscaping/Screening** – Existing street trees will be removed and replaced as needed to accommodate construction and utility work. New plantings will supplement the existing perimeter parking lot landscaping to comply with Downtown District requirements. Internally, existing trees in the north parking lot will be preserved and new trees will be added to the resurfaced parking area west of the building addition. Building foundation landscaping and landscaping along the perimeter of the outdoor area is proposed to soften those areas. The trash enclosure is sited along the railroad and will be screened from public view using a berm and landscaping.
- d. **Signage** – Signage is shown on the building elevations for illustrative purposes only. As required by UDO 18.50.190 and stipulated in staff's recommendation, signage must be reviewed and approved through a separate application.
- e. **Public Utilities** – The site is located within the City of Olathe water and sewer service areas. The proposed development will reuse the existing water and sewer connections, and all upgrades will be installed as required to accommodate the development.
- f. **Stormwater/Detention** – The proposed development does not increase the existing impervious area by more than 5,000 square feet. Therefore, no additional detention or stormwater quality measures are required. Stormwater will continue to be collected and conveyed into the existing stormwater infrastructure located on site.

7. Building Design Standards

The development will preserve the existing 4,062 square foot concrete building and construct a 22,209 square foot building addition. The building addition will have two (2) main use areas: 1) the restaurant addition, which is a light tan masonry building with a barbecue kitchen area clad in dark gray brick and 2) the pickleball building which is predominantly clad with dark gray metal panels and glass. North of the existing building is a well-furnished outdoor room that includes both covered and uncovered dining areas, fireplace seating with an architectural metal chimney stack, string lights, and an area for yard games.

The building addition is subject to Commercial and Retail Building design standards (UDO 18.15.020.G.7). The south elevation and portions of the north and east elevations nearest the street are classified as primary façades. The west elevation and remaining portions of the north and east elevations located behind the outdoor room are considered secondary façades. The following table lists the building design standards applicable to Commercial and Retail Buildings and the elements of the proposed building that meet current requirements.

Building Design Standard	<i>UDO Commercial and Retail Building Design Requirements</i> Proposed Design
<i>Building Entryway</i>	<p><i>Each main building entry must be defined with a projection from the façade or a recessed area.</i></p> <p>A canopy or recessed area is provided above each main building entry as required by UDO.</p>
<i>Façade Articulation</i>	<p><i>Primary façades must be divided into vertical bays that are no greater than 50 feet in width using horizontal and vertical articulation options.</i></p> <p>All new primary façades are divided into vertical bays that are no greater than 50 feet as required. Horizontal articulation is provided using wall projections, or pilasters, that are at least 4-inches deep and 1-foot wide. Vertical articulation is provided with at least a 2-foot vertical change in the roofline.</p>
<i>Façade Expression</i>	<p><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></p> <p>The one-story building is a minimum of 18 feet tall and Char Bar's iconic smokestack provides a special vertical articulation element to create a visual anchor near the main entry.</p>
<i>Building Materials – Primary Facades</i>	<p><i>Primary facades must use three (3) different Class 1 and 2 materials on at least 80% of the façade, and a minimum of 25% glass.</i></p> <p>All new primary façade areas are clad with at least 95% Class 1 and 2 materials and 25% clear glass, exceeding this requirement. Additionally, at least three (3) different Class 1 and 2 materials are used, with a mixture of Class 1 brick, glass, and metal panels and Class 2 textured concrete and architectural masonry units.</p>
<i>Building Materials – Secondary Facades</i>	<p><i>Secondary facades must use three (3) different Class 1 and Class 2 materials on at least 50% of the façade.</i></p> <p>The new secondary façade areas of the north and west elevations use a combination of Class 1 brick, metal, and glass and Class 2 architectural masonry units on 93% and 51% of the façade area respectively, exceeding this requirement.</p> <p>The applicant is requesting a waiver to allow a minimum of 40% Class 1 and 2 materials on the east secondary façade (see <i>Section 10, Waiver Request</i>).</p>
<i>Roofing Materials</i>	<p><i>Class 1 or 2 roofing materials are required.</i></p> <p>A Class 1 standing seam metal roof is proposed on all sloped roof areas and a Class 2 nonvisible membrane roof is proposed on the flat roof portion of the building addition.</p>

In addition to the Commercial and Retail Building standards, the proposed building is also subject to the D (Downtown) District building design standards (UDO 18.20.210.C). The following table lists the building design standards applicable to buildings in the D (Downtown) District and the elements of the proposed building that meet current requirements.

Building Design Standard	<i>UDO Downtown District Design Requirements</i> Proposed Design
<i>Primary Entryway</i>	<i>Primary entrances must be oriented toward streets, parks, or pedestrian plazas.</i> A primary entrance into the outdoor yard area is oriented toward Kansas Avenue and the main building entrance is oriented towards the outdoor plaza area.
<i>Pedestrian Features</i>	<i>Street-facing façades must incorporate ground level pedestrian features along at least 60% of the façade length.</i> The north, south, and east street-facing facades all incorporate pedestrian features along at least 60% of the façade length through the use of windows, canopies, and entrances.
<i>Façade Articulation</i>	<i>Street-facing façades must incorporate at least one (1) change in wall plane that has a depth of at least three (3) percent of the façade width and extends at least 20% of the façade width.</i> The north, south and east street-facing façades all incorporate a change in wall plane that is deeper than 3% of the façade width and extends over 20% of the façade width as required.
<i>Façade Expression – Building Bays</i>	<i>Street-facing facades must incorporate architectural features or structural building systems that visually establish building bays for walls exceeding 30 feet in width.</i> The north, south and east street-facing façades are divided into building bays that are no greater than 30 feet in width through the use of pilasters, window bays, changes in wall plane, and changes in material to comply with this requirement.
<i>Façade Expression – Vertical Division</i>	<i>The building must have three (3) vertical divisions: a base, middle and top.</i> The restaurant addition uses traditional masonry techniques to form a water table foundation, pilasters, and roof corning that create a base, middle and top. The pickleball building uses window fenestration and changes in material to establish a base, middle and top as required.
<i>Building Materials for Street-Facing Facades</i>	<i>Street-facing facades must use Class 1 materials on at least 80% of the façade.</i> The new primary façade area on the north and east street-facing elevations are clad in 95% and 100% Class 1 materials respectively, exceeding this requirement. The applicant is requesting a waiver to allow a minimum of 69% Class 1 materials on the south primary façade (see <i>Section 10, Waiver Request</i>).

8. Downtown Envision Olathe Plan and Historic Preservation

This proposal directly supports the goals of the City's Envision Downtown Plan by promoting thoughtful design and reactivating existing buildings with vibrant ground-floor restaurant uses. The project contributes to a walkable environment that enhances street-level activity and reinforces the urban fabric of downtown Olathe. In addition, the renovation and adaptive reuse of a portion of the existing building aligns with the objectives of the City's Historic Preservation Plan, which emphasizes preservation, maintenance, and reinvestment in existing buildings. By building upon the existing architectural character and integrating modern improvements, the proposal represents a balanced approach of historic continuity and downtown revitalization.

9. Neighborhood Meeting/Correspondence

Neighborhood notice was provided to property owners within 500 feet of the subject property as required by UDO. A neighborhood meeting was held on April 14, 2025 with two individuals in attendance that were supportive of the proposed development. Staff has not received any additional correspondence from the public regarding the project.

10. 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 has submitted a justification statement for the requested waivers, which is attached to this report. The applicant is requesting waivers from the following sections of the UDO:

1. UDO 18.20.210.C.11 (Downtown District standards), which requires that Class 1 materials comprise a minimum of 80% of any street-facing façade. The applicant is requesting a waiver to reduce the Class 1 material percentage from 80% to 69% for the south street-facing façade.
2. UDO 18.15.020.G.7.b.2 (Commercial and Retail Building Design standards), which requires that Class 1 and 2 materials comprise a minimum of 50% of any secondary façade. The applicant is requesting a waiver to reduce the Class 1 and 2 material percentage from 50% to 40% for the east secondary façade.

Staff is supportive of the two (2) requested waivers as the proposal results in a superior design than otherwise required. Staff is supportive of the first waiver request to reduce the minimum Class 1 material percentage from 80% to 69% for the south street-facing façade. In lieu of meeting this Downtown District building design standard, new façade area on the south elevation will be clad with 100% Class 1 and 2 materials, exceeding the minimum of 80% Class 1 and 2 materials required by UDO 18.15.020.G.7 (Commercial and Retail Building Design standards). Additionally, the west elevation facing the railroad provides 25% glass and a shroud around each window when no glass or window shroud is required on secondary façades.

Staff is supportive of the second waiver request to reduce the minimum Class 1 and 2 material percentage from 50% to 40% for the east secondary façade. In lieu of meeting this Commercial and Retail building design standard, a well-furnished outdoor room is located between the east façade and Kansas Avenue that will activate the street frontage with outdoor dining, yard games, and other amenities. Additionally, the east secondary façade provides 26% glass and a canopy above each window when no glass or canopies are required and a significant number of concrete panels are being replaced with glass on the existing building to further activate the street frontage, whereas alterations to an existing legal nonconforming building are not required.

11. Staff Recommendation

- A. Staff recommends approval of the preliminary site development plan (PR25-0007) for Char Bar with the following stipulations:
 - 1. A waiver is granted from UDO 18.20.210.C.11 to reduce the required Class 1 materials on the south primary façade from a minimum of 80% to 69% as depicted in the building elevations included in this agenda packet.
 - 2. A waiver is granted from UDO 18.15.020.G.7.b.2 to reduce the required Class 1 and 2 materials on the east secondary façade from a minimum of 50% to 40% as depicted in the building elevations included in this agenda packet.
 - 3. Signage must be reviewed and approved through a separate application.
 - 4. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.