



STAFF REPORT

Planning Commission Meeting: February 26, 2024

Application:	RZ24-0001: Request for a rezoning from the BP (Business Park) District to the C-3 (Regional Center) District and a preliminary site development plan for Midland Care Connection, Inc.
Location:	Southeast of College Blvd. and S. Ambassador St.
Owner:	Dave Sandir; Gateway Housing, LP
Applicant/Engineer:	Doug Ubben; Phelps Engineering Inc.
Developer:	Shawn Sullivan; Midland Care Connection, Inc.
Staff Contact:	Emily Carrillo; Senior Planner

Site Area:	<u>3.89 acres</u>	Proposed Use: <u>Medical Office / Clinic;</u> <u>Elderly service center,</u> <u>nonresidential</u>
Building Area:	<u>25,575 SF</u>	Plat: <u>Unplatted</u>
Existing Zoning:	<u>BP (Business Park)</u>	Proposed Zoning: <u>C-3 (Regional Center)</u>

	Plan Olathe Land Use Category	Existing Use	Existing Zoning
Site	Employment Area	Vacant	BP (Business Park)
North	Employment Area	Vacant	R-4 (Residential Low-Density Multifamily)
South	Employment Area	Child Daycare / Learning Center	BP (Business Park)
East	Conventional Neighborhood	Single-Family Residential & Two-Family Residential	R-1 (Single-Family Residential) & R-2 (Two-Family Residential)
West	Employment Area	Vacant	BP (Business Park)

1. Introduction

The applicant is requesting approval of a rezoning from the BP (Business Park) District to the C-3 (Regional Center) District and a preliminary site development plan located southeast of College Boulevard and S. Ambassador Street on approximately 3.89 acres.

The applicant is proposing a single-story, 25,575 square foot facility for Midland Care Connection, Inc., a non-profit community care provider aiming to improve the quality of life for our aging population and to keep older adults at home and independent. The services Midland Care provides include the Program of All-Inclusive Care for the Elderly (PACE), hospice, home health, private duty home health, meals on wheels, palliative care and grief and loss counseling services.

Midland Care PACE will be collaborating with Evergreen Living Innovations which is a senior living community that will be located two (2) lots over from Midland Care in the Prairie Ridge Plaza development. Together, this collaboration will provide a full spectrum of services to older adults in Johnson County including meals, housing, activities, doctor visits, specialist visits, therapy, transportation, chapel services, hospice services, and more.

The proposed medical office and clinic is not permitted by right within the BP (Business Park) District, nor is the elderly services Program for All-inclusive Care for the Elderly (PACE) component of this development. However, the existing zoning Ordinance 01-67 does permit all uses in the CO and CP-O Districts which includes the requested uses. While the uses are permitted, the applicant is pursuing a rezoning to the C-3 District in order to align with current zoning district standards, remove zoning stipulations related BP (Business Park) uses, and reduce the intensity of land uses adjacent to residential properties. The requested C-3 District also aligns with the related Evergreen application also included on this agenda.

2. History

The subject property was rezoned from the C-O (Office) and C-2 (General Business) Districts to the BP District (RZ-32-96) on December 17, 1996 (Ord. 96-105) with an associated preliminary site development plan. In 2001, a zoning amendment with a revised preliminary site development plan was (RZ-10-01) approved (Ord. 01-67) with a focus on multi-story office buildings expected to range from 2 to 4 stories in height for the Ridgeview Office Center. A preliminary plat (PP-04-05) showing six lots was approved in 2005, however, the office park was never developed, and the subject property remains undeveloped.

3. Existing Conditions

The existing site is vacant with rolling topography sloping to the south and west. A mature tree line is located along the eastern property lines that will be preserved and provide an additional buffer from adjacent residential homes.



View looking southeast from intersection of College Blvd. and S. Ambassador St.



Aerial view of the subject property outlined in yellow.

4. Zoning Standards

- a. **Land Use** – Medical office and clinic, and nonresidential elderly service center are permitted uses within the C-3 District. While the future land use map of the Comprehensive Plan (PlanOlathe) designates this area as an Employment area, the C-3 District is less intense than the existing BP District and slightly more compatible with the surrounding residential neighborhoods. The C-3 District provides the opportunity for a variety of commercial and retail uses located in proximity to neighborhoods, while still providing employment opportunities in alignment with the Employment Area designation.

Uses allowed in the C-3 District include a variety of commercial uses that serve a more regional market. To ensure compatibility of land uses in the area, staff is recommending that four (4) uses be restricted on the property in addition to the uses currently restricted within the North Ridgeview Road Overlay District. Staff collaborated with the applicant on this list, and the applicant is amenable to restricting the following uses on the subject property:

1. Uses identified as prohibited for commercial districts in UDO Section 18.20.260.B of the North Ridgeview Road Corridor Overlay District are prohibited in this C-3 District.
 2. Convenience Store (includes fuel sales)
 3. Gas Station
 4. Recycling Centers
 5. Parking Lots, Surface, as Principal Use
- b. **Building Height** – Building heights within the C-3 District are limited to 40 feet. The proposed building is 24.5 feet measured at its tallest point, and therefore meets this UDO requirement.
- c. **Setbacks** – The proposed plan exceeds all setback requirements of the C-3 District. The proposed building sets approximately 78 feet from the nearest residential property line to the east.

The subject property is located within the North Ridgeview Road Corridor Overlay District which requires a (30) foot minimum parking and paving setback from the right-of-way of any public street or highway. The applicant is requesting a waiver to this setback requirement for the parking area located adjacent to Ambassador Street (see Waiver Request, Section 9).

- d. **Open Space** – The property is required to maintain 25% of the site as open space. The site provides 47% open space including open amenity space and natural vegetation, exceeding UDO requirements.

5. North Ridgeview Road Corridor (NRRC) Overlay District

The NRRC Overlay District encourages high quality design along Ridgeview Road from K-10 to 119th Street. Development within the Overlay District is subject to the design guideline standards for the NRRC area adopted pursuant to Resolution No. 01-1181 per UDO 18.20.260. The NRRC Design Guidelines ensure that developments utilize high-quality

building materials requiring minimal maintenance, decorative features and that developments are interconnected with cohesive and compatible site design.

To achieve these requirements, the applicant proposes additional plantings including a signature landscape area and pedestrian gateway, architectural wrought iron fencing, decorative pedestrian crosswalks, and parking lot landscape covering 13% of the area, exceeding the 6% requirement. Primary building materials are glass and face brick, incorporating 4-sided, high quality building design and architecture.

6. Development Standards

- a. **Access/Streets** – Access to the site will be provided from two (2) entrances connecting to the existing S. Ambassador Street. This collector street connects to both College Boulevard and S. Ridgeview Road to provide access to the arterial roadways. Turn lanes have already been constructed to serve Ambassador Street, accommodating traffic to and from the development.
- b. **Parking** – Per UDO 18.30.160, minimum parking required for both Medical Office / Clinic and Elderly Service Center, Nonresidential use is one (1) parking stall per 500 square feet. A minimum of 51 stalls is required and 105 are currently proposed.

Additionally, the NRRC Overlay District requires that parking areas for businesses should not exceed 125% of the minimum required off-street parking requirements of the UDO; which is 64 stalls. The applicant is requesting a waiver to the maximum parking requirement (see Waiver Request, Section 9).

- c. **Landscaping/Screening** – Non-residential landscaping and buffering is provided along the north edge of the property containing a mix of shrubs, deciduous, ornamental, and evergreen trees. The existing wooded area located along the eastern portion of the site will be preserved and provide screening from adjacent residential homes. Parking lot and building foundation landscaping will be provided in accordance with UDO requirements.
- d. **Tree Preservation** – A 40-foot tree preservation easement that runs the length of the east property line is being dedicated on the final plat (FP24-0001) on this agenda. Approximately 82% (0.42 acres) of existing trees on site will remain, significantly exceeding UDO requirements for tree preservation.
- e. **Stormwater/Detention** – A public stormwater system is constructed along Ambassador Street that carries stormwater runoff from the site to an existing detention basin at the corner of Ridgeview Road and 112th/Ambassador Street. The existing detention basin was approved with the adjacent Canterbury School in 2005 and will be expanded to include a new detention basin to account for the new runoff. Storm sewer will be constructed off-site to discharge the site runoff into the detention basins and to the stream channel located at the southern end of the Evergreen property to the south.
- f. **Public Utilities** – The property is located within the City of Olathe water and Johnson County Wastewater (JCWW) service areas. An existing public sanitary sewer main located on the west side of the project will serve this site. An existing 8" public water line runs parallel to S. Ambassador and connects to an 8" water main along College Boulevard and a 12" water main along Ridgeview Rd.

7. Site Design Standards

The site is designated as **Employment Area** in the PlanOlathe Future Land Use Map; however, with the proposed C-3 (Regional Center) zoning designation, the site is subject to Site Design Category 4 (UDO 18.15.120). The following is a summary of the applicable site design requirements:

- a. **Landscape Options** – Developments within this site design category must provide landscape buffer areas abutting residential zoning districts. This development provides a 40' wide tree preservation easement with existing mature trees that exceeds this requirement.
- b. **Parking Pod Size** – The maximum parking pod size is 80 spaces. The parking lot is broken up into multiple pods with the largest pod containing 38 parking spaces, in compliance with UDO requirements.
- c. **Pedestrian Connectivity** – Developments must provide enhanced pedestrian connections to encourage pedestrian use. The site provides decorative crosswalks within the development, a new sidewalk will be constructed along S. Ambassador, and a connection is provided to the existing sidewalk along College Blvd.
- d. **Driveway Connectivity** – Driveway connections to adjacent properties are not needed as the development is separated from adjacent properties by Ambassador Street to the west, College Boulevard to the north, the daycare to the south, and established residential neighborhoods to the east.
- e. **Drainage Features** – No drainage features are proposed on the subject property. Regional detention is provided on the lot directly north of the site. This detention basin will be supplemented with landscaping along the northern property line in conjunction with the Evergreen project.

8. Building Design Standards

The proposed building is subject to Office Building Design standards of UDO 18.15.020.G.8 and the NRRC Design Guidelines. The office building is an approximately 25,000 square foot, single-story building with two (2) primary façades facing west and north, and two (2) secondary façades facing south and east. The following table lists the applicable design requirements and proposed design elements for Office Buildings for the proposed medical office and clinic:

Building Design Standard	Design Requirements Proposed Design
<i>Building Entryway</i>	<i>All common building entries must be defined by being covered by a projection from the façade or by being recessed.</i> Projected entry features are provided at both entrances located along College and Ambassador St.

<i>Façade Articulation</i>	<p><i>Horizontal articulation is required every 75 feet across the length of primary façades. Vertical articulation of at least 2ft. in height is also required every 75 feet across the length of primary façades.</i></p> <p>Horizontal articulation is provided through façade offsets and projections across all primary and secondary facades. This articulation breaks the façade into bays less than 75-feet in width, meeting UDO requirements.</p> <p>Vertical articulation is provided through variation of roof form, with angled roof features and varying parapet height alternated throughout.</p>
<i>Façade Expression</i>	<p><i>Buildings less than three (3) stories in height must include one (1) tower element or similar special vertical articulation to anchor the main entry or building corner.</i></p> <p>Tower features are being provided at main entry points, and façade expression is provided through changes in material between façade bays.</p>
<i>Glass</i>	<p><i>A minimum of 25% glass is required on primary facades, and a minimum of 15% glass is required on secondary facades.</i></p> <p>Both primary facades provide 25% and 26% clear glass, and the east secondary façade incorporates 21% glass. The south secondary façade does not meet requirement for secondary facades at 12.2%; however, the applicant has agreed to provide at least 15% glass with the final site development plan submittal. Staff is recommending a stipulation to reflect this revision.</p>

Buildings will be primarily finished with a mix of brick, stone veneer, genuine stucco, and glass with metal roof trim and cement fiber siding accents. The building materials meet UDO requirements for a minimum of 70% Class 1 and 2 materials on primary facades and 50% Class 1 and 2 materials on secondary facades.

9. Public Notification and Neighborhood Meeting

The applicant mailed the required certified public notification letters to surrounding properties within 200-feet and posted public notice signs on the property per UDO requirements.

A neighborhood meeting was held on January 25, 2024, in accordance with the UDO and the minutes of this meeting are included in the agenda packet. This meeting included the discussion of this project and three (3) other project applications in the area which are included on this same agenda (Evergreen, RZ24-0002), and final plat applications for Prairie Ridge Plaza Midland (FP24-0001) and Prairie Ridge Plaza Evergreen (FP-0002). Thirteen members of the public attended the meeting. Questions posed by the residents included lighting, traffic signals, grading and heights, blasting, and general construction, which were

responded to. Neither staff nor the applicant have received additional correspondence 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 submitted a justification statement for the requested waiver which is attached to this report. The applicant is requesting a waiver from:

1. **UDO 18.20.260.C** for the following site design criteria listed in the NRCC Design Guidelines:
 - a. *The parking and paving setback should be a minimum of (30) feet from the right-of-way (ROW) of any public street or highway.*
 - b. *Parking areas for businesses should not exceed 125% of the minimum required off-street parking requirements of the UDO.*

The applicant proposes a reduced parking and paving setback of (18) feet from Ambassador Street in order to accommodate the size of the building necessary for daily operations located on the site. and to accommodate the number of ADA parking stalls specific to the uses proposed. A reduced setback also allows for the preservation of the existing tree line and natural vegetation along the east property line, providing a natural buffer from the adjacent residential homes.

Staff is supportive of the requested waiver for the parking setback and quantity of additional parking needs unique to the use and services provided on site. As provided in the NRRC design guidelines, the parking maximum is established to prevent large expanses of parking lot surfaces. The proposed parking is located adjacent the interior collector street internal to the site and is divided into smaller areas with landscaping disbursed throughout the parking lot. Overall, the applicant is proposing an alternative high-quality design that incorporates high-quality building materials and features and exceeds landscaping and tree preservation requirements.

11. UDO Rezoning Criteria

The future land use map of the PlanOlathe Comprehensive Plan identifies the subject property as an Employment Area, which supports office parks, light industrial and complementary retail uses. While the proposed C-3 District does not directly align with the future land use map, staff is supportive of the requested change in zoning, with the recommended use restrictions, which creates a less intense district adjacent to residential uses and allows for a greater number of commercial and retail uses which directly support neighborhoods.

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

LUCC-1.3: Integration with Adopted Community Plans. A variety of community plans exist to guide decision making. The City is committed to achieving a high level of coordination and integration in development and implementation of PlanOlathe, area plans, corridor plans, neighborhood plans and functional master plans.

LUCC-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.

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 in order to create greater vitality.

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 development meets several policies of PlanOlathe including Land Use and Economic Sustainability goals of providing high quality design and meeting the needs of aging populations. The site is also located within the North Ridgeview Road Overlay District which has guidelines ensuring quality development, outdoor amenities, and pedestrian linkages and connections, which this proposal aligns with.

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

The surrounding area includes a mixture of single-family homes, duplexes, apartments, a daycare and future senior living and care facilities. The area to the north is undeveloped but is anticipated to be a business park/employment area with multifamily residential. The architectural style of nearby residential is traditional siding with a mix of stone and stucco.

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 east and south are zoned R-1 and R-2 as well as R-3 to the west across Ridgeview Road. BP and R-4 zoning is directly north. The proposed use is compatible with the existing zoning districts and a natural buffer is provided from single-family to the east and south through mature wooded areas. The requested district decreases intensity and density of the current BP district which allows for more intense uses, higher density and taller buildings. Additionally, the requested C-3 District preserves the opportunity to create a commercial node at the intersection to support nearby neighborhoods.

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

The current BP District permits a variety of office, warehousing, and light industrial uses. Additionally, office uses including the requested medical office and elderly service center uses are permitted through the established ordinance specific to this property. The requested C-3 District creates a less intense district compatible with adjacent residential

uses and allows for a greater number of commercial and retail uses which directly support neighborhoods.

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

The property has remained vacant since it was rezoned to the BP District in 1996

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

The proposed rezoning will not have any detrimental effect on nearby properties. There are significant buffers provided to nearby residential properties and the proposed building is lower scale than previously approved buildings for this property.

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

Staff has not received information indicating that the development as proposed would lead to negative impacts on the value of surrounding properties.

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 property is adjacent to a four-lane divided roadway and improved intersection at S. Ridgeview Rd. and College Blvd. Additionally, the intersection at College Blvd and Ambassador St will be upgraded to a traffic signal when the development to the north of College Blvd. is completed.

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

The development will follow all regulations and codes pertaining to stormwater, air quality, noise, and other impacts on the environment. The applicant is maintaining over half of the existing open space and wooded area along the stream corridor.

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

The medical office and clinic will increase the property taxes generated on the property in addition to providing employment opportunities.

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

There is no gain or detriment to the public health, safety, or welfare if the application were denied. If the application were denied, the applicant would not be able to develop the property with the proposed uses within the existing BP District.

12. Staff Recommendation

- A. Staff recommends approval of RZ24-0001, Midland Care Connection, Inc., with the following stipulations:
 - 1. The following uses are prohibited:
 - a. Uses identified as prohibited for commercial districts in UDO Section 18.20.260.B of the North Ridgeview Road Corridor Overlay District are prohibited in this C-3 District.
 - b. Convenience Store (includes fuel sales)
 - c. Gas Station
 - d. Recycling Centers
 - e. Parking Lots, Surface, as Principal Use
- B. Staff recommends approval of the preliminary site development plan with the following stipulations:
 - 1. A waiver is granted from UDO 18.20.260.C, the North Ridgeview Road Overlay District, to reduce parking and paving requirements and allow for additional parking above the maximum requirement as shown on the preliminary site development plan dated February 19, 2024.
 - 2. The building elevations must be revised to meet minimum glass material percentages for secondary facades with submittal of the final site development plan.
 - 3. 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.
 - 4. All new on-site wiring and cables must be placed underground.