



## **MINUTES – Opening Remarks**

### **Planning Commission Meeting: February 12, 2024**

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The Planning Commission convened at 7:00 p.m. to meet in regular session with **Chairman Wayne Janner** presiding. Commissioners Taylor Breen, Tony Bergida, Keith Brown, Ken Chapman, Jeffrey Creighton, Megan Lynn and Jim Terrones were present. Commissioner Chip Corcoran was absent.

*Recited Pledge of Allegiance.*

**Chair Janner** made introductory comments. Chair Janner directed commissioners to report if they have had ex parte communication when that item is reached in the agenda.

**Chair Janner** referenced the Planning Commission Consent Agenda, which includes ten 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 MN24-0108, Planning Commission meeting minutes of January 8, 2024, was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed 8 to 0.



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<b>Application:</b>	<b><u>MP23-0018:</u></b> Request for approval of a minor plat of Woodland Hills, Replat of Lot 95, containing one (1) lot on approximately 0.25 acres, located at 19213 W. 114th Terrace.
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A motion to approve MP23-0018 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>MP24-0001:</u></b> Request for approval of a minor plat for Olathe Entertainment District, Seventh Plat, containing four (4) lots on approximately 4.80 acres, located southeast of W. 119th Street and N. Renner Boulevard.
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A motion to approve MP24-0001 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>MP24-0002:</u></b> Request for approval of a minor plat for Schoonover, containing one (1) lot on approximately 0.55 acres, located at 443 and 457 E. Loula Street.
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**Commissioner Creighton** asked to pull Item D (MP24-0002) from the consent agenda for further discussion.

**Commissioner Creighton** stated, for transparency, he wanted to note the applicant is a Councilmember with an intention to demolish an existing structure and erect an accessory dwelling unit (ADU). Commissioner Creighton asked staff for further clarification about how ADUs are reviewed per the UDO.

**Ms. Kim Hollingsworth, Planning & Development Manager**, answered an ADU is an independent living unit, on the same property as the main structure. Generally, ADUs do not come before the Planning Commission; they are reviewed administratively through the building permit process. ADUs have been allowed by the UDO for over a decade; this particular one is before the Commission solely because the platting process requires approval by the Commission.

A motion to approve MP24-0002 was made by **Commissioner Creighton** and seconded by **Commissioner Chapman**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>MP24-0003:</u></b> Request for approval of a minor plat for Coffee Creek Meadows, 9th Plat, containing two (2) lots on approximately 0.35 acres, located northeast of S. Laurelwood and W. 164th Terrace.
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A motion to approve MP24-0003 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>MP24-0004:</u></b> Request for approval of a minor plat for Coffee Creek Meadows, 10th Plat, containing four (4) lots on approximately 0.50 acres, located at the northeast corner of W. 165th Street and S. Britton Street.
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A motion to approve MP24-0004 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>MP24-0005:</u></b> Request for approval of a minor plat for Coffee Creek Meadows, 11th Plat, containing two (2) lots on approximately 0.24 acres, located northwest of S. Laurelwood and W. 164th Terrace.
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A motion to approve MP24-0005 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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### Planning Commission Meeting: February 12, 2024

<b>Application:</b>	<b><u>FP23-0033:</u></b> Request for approval of a final plat of Heather Ridge South, 5 <sup>th</sup> Plat, containing 41 lots and six (6) tracts on approximately 14.84 acres, located southwest of W. 169th Terrace and S. Ridgeview Road.
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A motion to approve FP23-0033 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with no stipulations.



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<b>Application:</b>	<b><u>PP23-0004:</u></b> Request for approval of a preliminary plat of Stonebridge South Addition, containing 49 lots and three (3) tracts on approximately 38.39 acres, located east of S. Ridgeview Road and W. 169th Terrace.
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A motion to approve PP23-0004 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 with the following stipulations:

1. With the development of Phase 2 as shown on the preliminary plat dated February 2, 2024, Lindenwood Drive must be constructed for the full extent depicted in Exhibit C of the Road Cost Sharing Agreement dated August 22, 2023 and recorded with Johnson County in Book 202308 Page 005763.
2. 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 18.30.240



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<b>Application:</b>	<b><u>PP23-0005:</u></b> Request for approval of a revised preliminary plat of Stonebridge South, containing 69 lots and seven (7) tracts on approximately 25.09 acres, located southeast of W. 167th Street and S. Ridgeview Road.
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A motion to approve PP23-0005 was made by **Commissioner Breen** and seconded by **Commissioner Bergida**. The motion passed with a vote of 8 to 0 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 18.30.240.



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<b>Application:</b>	<b><u>SU23-0014:</u></b> Request for approval of a special use permit for a Telecommunications Facility for SBA Towers V LLC on approximately 0.06 acres; located at 395 N. K-7 Highway.
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A motion to continue SU23-0014 to a future Planning Commission meeting was made by **Commissioner Breen** and seconded by **Commissioner Bergida**.

The motion passed with a vote of 8 to 0.



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<b>Application:</b>	<b><u>RZ23-0015:</u></b> Request for approval of a rezoning from the CTY RUR (County Rural) District to the R-1 (Residential Single-Family) District and a preliminary plat for Abbey Valley on approximately 20.00 acres; located northeast of W. 167th Street and S. Ridgeview Road.
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**Ms. Andrea Fair, Planner II**, presented RZ23-0015, a request to approve a rezoning to from the County Rural District to the Residential Single-Family District, located north of 167<sup>th</sup> Street and east of Ridgeview Road. The property was annexed in 2002 and has been used historically for agricultural purposes. It is currently zoned County Rural and is surrounded on the north, south and east by R-1 zoning. PlanOlathe designates this area as a Conventional Neighborhood with Secondary Greenway. The rezoning request aligns with several goals and policies of PlanOlathe.

Ms. Fair presented the preliminary plat, which includes 51 single-family lots, a pickleball court, a landscaped area, and sidewalks. One new street connection to 167<sup>th</sup> Street is proposed with separated entrance and exit lanes and a landscaped median. Ms. Fair presented the landscape and tree preservation plans, which includes 56% tree preservation, which exceeds UDO requirements.

Ms. Fair provided that all public notice requirements have been met. A neighborhood meeting was held and attended by 12 residents, who had questions about amenities, stormwater detention, and tree preservation. Staff received correspondence from two individuals about traffic and access; staff responded to their questions.

Staff recommends approval of the rezoning with no stipulations. Staff recommended approval of the preliminary plat with stipulations, to which the applicant agrees.

**Commissioner Creighton** asked about when improvements to Ridgeview Road are planned to address safety from the north. **Ms. Fair** answered the project is included in the 2024 Capital Improvement Plan (CIP), though she does not know the exact timeline.

**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 8 to 0.

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

**Commissioner Chapman** moved to approve RZ23-0015 as stipulated by staff, and **Commissioner Bergida** seconded.

The motion passed with a vote of 8 to 0 as follows:

Staff recommends approval of RZ23-0015, Abbey Valley, for the following reasons:

1. The proposed development complies with the policies and goals of the Comprehensive Plan.
  2. The requested rezoning to the R-1 District meets the Unified Development Ordinance (UDO) criteria for considering zoning applications.
- A. Staff recommends approval of the rezoning to the R-1 District as presented with no stipulations.
- B. Staff recommends approval of the preliminary plat with the following stipulations:
1. A final site development plan must be approved prior to issuance of building permits for amenities and structures located within the subdivision.
  2. All above ground electrical and/or telephone cabinets must be placed within the interior side or rear building setback yards. However, such utility cabinets may be permitted within front or corner side yards adjacent to street right-of-way if cabinets are screened with landscape materials, subject to UDO 18.30.130.
  3. Tree protection fencing per UDO 18.30.240.E must be installed around all areas of tree preservation and is required to be maintained throughout construction activities. Grading is not permitted within areas designated for tree protection.



## **MINUTES – Closing Remarks**

### **Planning Commission Meeting: February 12, 2024**

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**Kim Hollingsworth, Planning and Development Manager**, reminded the Commission there will be a joint meeting with City Council on Thursday, February 15, 2024 from 6:00 pm to 8:00 pm at Eagles Landing, Lake Olathe. The meeting will not address particular development cases, but instead will provide information about the Comprehensive Plan kick-off and initiatives for the upcoming year.

*Meeting adjourned.*