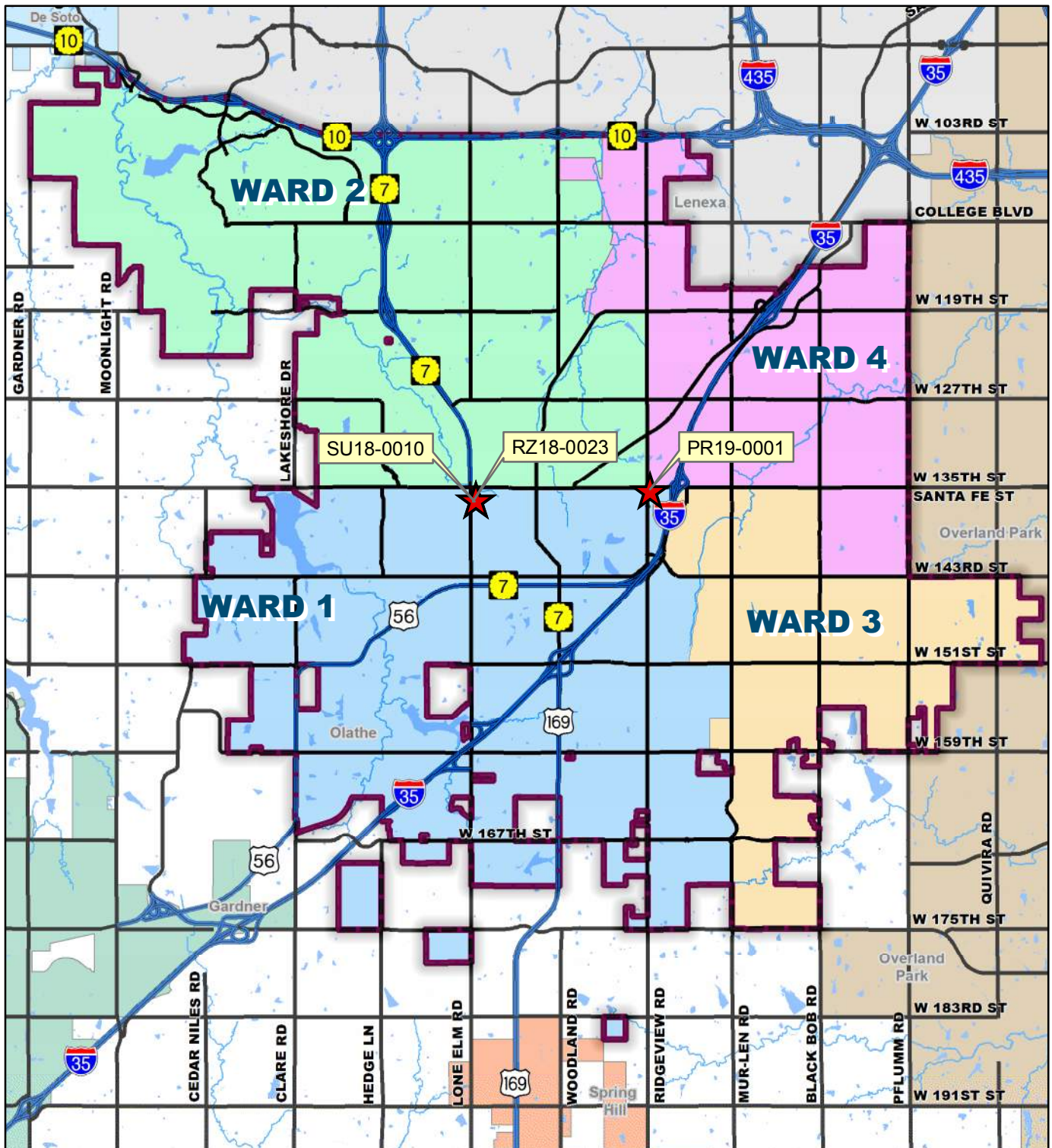


MARCH 11, 2019

OLATHE PLANNING COMMISSION

CASE LOCATIONS



User: jaredmd
Date: 03/06/2019





CALL TO ORDER

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

- A. **MN19-0225**: Standing approval of the minutes as written from the February 25, 2019 Planning Commission meeting.

REGULAR AGENDA-NEW BUSINESS

A. PUBLIC HEARING

UDO19-0001: Unified Development Ordinance amendments to Chapter 18.15, Composite Standards.

Applicant has requested a continuance to a future Planning Commission meeting.

Applicant: City of Olathe, Public Works - Planning Division

B. PUBLIC HEARING

RZ18-0023: Request approval for a rezoning from R-1 District to R-3 District for **Project 10 20**, on 1.43± acres; for the property specifically located at 725 W. Park Street.

Applicant has requested a continuance to a future Planning Commission meeting.

Owner: Marc McEver, M&M Investments
Applicant: Barb McEver, Project 10 20 Inc.
Engineers: Judd Claussen, Phelps Engineering Inc.

C. PUBLIC HEARING

SU18-0010: Request approval for a special use permit to allow a Homeless Shelter in the R-3 District; for **Project 10 20** at the property specifically located at 725 W. Park Street.

Applicant has requested a continuance to a future Planning Commission meeting.

Owner: Marc McEver, M&M Investments, LLC
Applicant: Barb McEver, Project 10 20 Inc.
Engineers: Judd Claussen, Phelps Engineering Inc.

- D. **PR19-0001**: Request approval for a revised preliminary site development plan for **Tint World** on 1.08± acres; located at 1301 E Santa Fe St.

Owner: Larry Dickerson; QuikTrip Corp

Applicant: Curtis Petersen; Polsinelli PC.

Architect: Kimball Hales; Finkle & Williams Architecture

ANNOUNCEMENTS

ADJOURNMENT



City of Olathe

City Planning Division

MINUTES – Opening Remarks

Planning Commission Meeting: February 25, 2019

The Planning Commission convened at 7:00 p.m. to meet in regular session with Chairman Dean Vakas presiding. Commissioners Chip Corcoran, Barry Sutherland, Jeremy Fry, Jose Munoz, Jr., Ryan Nelson and Ryan Freeman were present. Commissioner Mike Rinke was absent.

Recited Pledge of Allegiance.

The Chair made introductory comments. Regarding *ex parte* communication, the Chair asked that if a commissioner had something to report, that they specify the nature of the *ex parte* communication as that item is reached in the agenda.

A motion to approve MN19-0211, the meeting minutes from February 11, 2019, was made by Comm. Fry and seconded by Comm. Munoz and passed with a vote of 7-0.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: February 25, 2019

| | |
|--------------|---|
| Application: | <u>PR18-0060:</u> Preliminary Site Development Plan for Shield Storage |
|--------------|---|

A motion to approve PR18-0060 on the Consent Agenda was made by Comm. Fry and seconded by Comm. Munoz and passed with a vote of 7-0, with the following staff stipulations:

- A. The property shall be replatted prior to approval of the final site development plan, and the replat shall be recorded prior to issuance of a building permit.
- B. A final site development plan and final plat shall be submitted and approved prior to issuance of a building permit.
- C. Final details on the wall at the north of the subject property will be coordinated prior to final site development plan approval. The wall shall be made of a masonry and/or decorative metal material and shall require design features such as columns, steps, mixture of materials, banding, etc. No portion of the wall shall be shorter than 6 feet in height or taller than 8 feet as measured from grade.
- D. Final details for landscaping to be provided at the north of the subject property will be coordinated prior to final site development plan approval. Heavy landscaping will be required along the wall with a mixture of species and plant materials, including a combination of evergreen trees and deciduous shade trees. The landscape plan submitted with the final site development plan shall be sealed by a Kansas-licensed landscape architect.
- E. As required by the *UDO*, 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 or an architectural treatment compatible with the building architecture.
- F. A Fire Department Connections (FDC) is required within 100 feet of a hydrant for sprinklered buildings. The FDC is required to be accessible from a fire apparatus access road. The City of Olathe Fire Code Amendment 16.05.340 requires a 4-inch Storz quick coupling connection.
- G. Access control will be required for the Fire Department at entry gates to the property. Automatic entry devices to control access gates are required. These devices are required to be activated by the apparatus signal or OPTICOM signal from the fire apparatus. A Knox Box with keys/electronic key cards is required. Details shall be provided at the time of building permit submittal.
- H. The parking area provided to the northwest of the building shall be located outside of the minimum 30-foot parking/paving setback.

- I. All outdoor storage areas shall comply with requirements for screening per *UDO, Section 18.30.130.I.*
- J. Any/all roof-top units shall be screened from public view per *UDO, Section 18.15.020.F.*
- K. All new on-site wiring and cables shall be placed underground.
- L. All signage on site shall comply with the requirements of *UDO, Section 18.50.190.*



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: February 25, 2019

| | |
|---------------------|--|
| Application: | PP19-0001, Preliminary Plat for Parkview Apartments |
|---------------------|--|

Dan Fernandez, Planner II, appeared before the Planning Commission, summarizing this request for preliminary and final plats for Parkview Apartments. The presentation included an overview of the process and explanation of the history of the site to the Commission and Public in attendance.

Chair Vakas asked commissioners if there was any discussion. There being none, Chair Vakas called for a motion.

Motion by Comm. Munoz, seconded by Comm. Nelson, to recommend approval of PP19-0001, with the following stipulations:

1. A final site development plan shall be submitted and approved prior to submitting for building permits. The final site development plan shall be consistent with the approve preliminary site development plan in accordance with Section 18.40.110 of the UDO
2. A public recreation easement within Tract A shall be dedicated prior to recording the plat in order to locate a future public trail within the tract.
3. A 25-foot tree preservation easement shall be dedicated along the north property line within Tract A with the final plat.
4. A phasing plan shall be submitted with the final site development plan submittal.

Aye: Sutherland, Freeman, Nelson, Fry, Munoz, Corcoran, Vakas (7)

No: (0)

Motion was approved 7-0.



City of Olathe

City Planning Division

MINUTES

Planning Commission Meeting: February 25, 2019

| | |
|---------------------|--|
| Application: | FP18-0047, Final Plat for Parkview Apartments |
|---------------------|--|

Dan Fernandez, Planner II, appeared before the Planning Commission, summarizing this request for preliminary and final plats for Parkview Apartments. The presentation included an overview of the process and explanation of the history of the site to the Commission and Public in attendance.

Chair Vakas asked commissioners if there was any discussion. There being none, Chair Vakas called for a motion.

Motion by Comm. Sutherland, seconded by Comm. Munoz, to recommend approval of FP18-0047, with the following stipulations:

1. Prior to recording the final plat, the required excise fee of \$279,744.50 shall be submitted to the City Planning Division.
2. Prior to recording the final plat, the required traffic signal excise tax of \$15,613.65 shall be submitted to the City Planning Division.
3. A final site development plan shall be submitted and approved prior to submitting for building permits. The final site development plan shall be consistent with the approved preliminary site development plan.
4. A public recreation easement within Tract A shall be dedicated prior to recording the plat in order to locate a public trail within the tract.
5. As required by the *UDO*, 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 or an architectural treatment compatible with the building architecture.
6. A 25-foot tree preservation easement shall be dedicated along the north property line within Tract A prior to recording the plat.

Aye: Sutherland, Freeman, Nelson, Fry, Munoz, Corcoran, Vakas (7)

No: (0)

Motion was approved 7-0.



City of Olathe
City Planning Division

MINUTES

Planning Commission Meeting: February 25, 2019

| | |
|---------------------|--|
| Application: | <u>SU18-0009</u> Special use permit for a funeral home (Oak Lawn Cemetery) |
|---------------------|--|

Aimee Nassif, Chief Planning and Development Officer, reported that a large volume of information was received as of late today from both the applicant and other interested parties. The Planning Staff wanted an opportunity to continue to vet those items and have discussions as necessary.

Ms. Nassif requested a continuance to a future Planning Commission Meeting; the Applicant has been contacted and is amenable to this continuance.

Motion by Comm. Nelson, seconded by Comm. Freeman, to continue SU18-0009 to a future date.

Aye: Sutherland, Freeman, Nelson, Fry, Munoz, Corcoran, Vakas (7)

No: (0)

Motion was approved 7-0.



City of Olathe
City Planning Division

MINUTES – Other Matters

Planning Commission Meeting: February 25, 2019

Chair Vakas noted that the next Planning Commission meeting is scheduled for Monday, March 11, 2019, at 7:00 p.m.

Meeting adjourned.



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: March 11, 2019

| | |
|-----------------------|---|
| Application: | <u>UDO19-0001</u> : Unified Development Ordinance Amendments – Chapter 18.15, Composite Design Standards |
| Applicant: | City of Olathe |
| Staff Contact: | Zachary Moore, Planner II |

Comments:

Staff is requesting a continuance from this scheduled public hearing to continue working with our consultant on updates to the architectural regulations of the Unified Development Ordinance, Chapter 18.15. A workshop with the Planning Commission will also be held prior to the public hearing.

This continuance is being requested in accordance with Section 18.40.070 of the UDO.

Staff Recommendation:

Staff requests continuation of this public hearing to a future Planning Commission meeting.



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: March 11, 2019

| | |
|----------------|---|
| Application: | <u>RZ18-0023</u> Request to rezone approximately 1.43 acres from R-1 (Residential Single-Family) to R-3 (Residential Low-Density Multifamily) for the property specifically located at 725 W. Park Street. |
| Location: | 725 W. Park Street |
| Applicant: | Barb McEver; Project 10 20, Inc. |
| Owner: | Marc McEver; M & M Investments, LLC |
| Staff Contact: | Zachary Moore, Planner II |

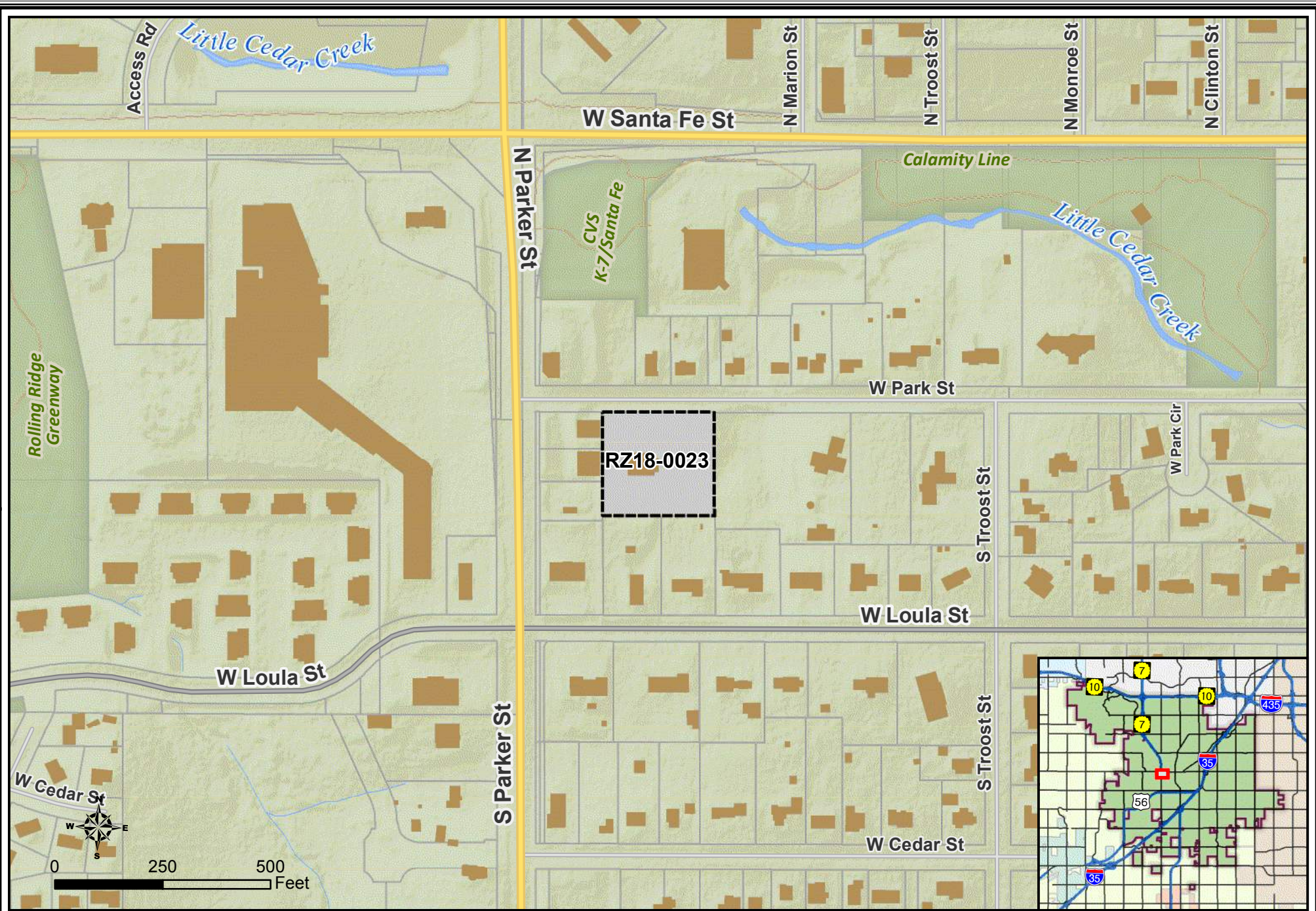
Comments:

The applicant's representative has requested a continuance to a future Planning Commission hearing date.

Applications are entitled to one continuance per the *Unified Development Ordinance (UDO)* and any additional continuances are at the discretion of the Planning Commission. This is the first continuance request for this application. Updated public notice letters shall be sent to the surrounding property owners and new public notice signs shall be posted on the site when the new public hearing date is scheduled, in accordance with the requirements of *UDO, Section 18.40.070.B*.

Staff Recommendation:

Staff recommends continuing this application to a future Planning Commission meeting in accordance with *UDO, Section 18.40.070*.



PROJECT 10 20 COLD WEATHER SHELTER
RZ18-0023



User: jaredmd
Date: 03/06/2019





City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: March 11, 2019

| | |
|----------------|--|
| Application: | <u>SU18-0010</u> Request for a special use permit to allow a Homeless Shelter in the R-3 District for Project 10 20 at the property specifically located at 725 W. Park Street. |
| Location: | 725 W. Park Street |
| Applicant: | Barb McEver; Project 10 20 Inc. |
| Owner: | Marc McEver; M & M Investments, LLC |
| Staff Contact: | Zachary Moore, Planner II |

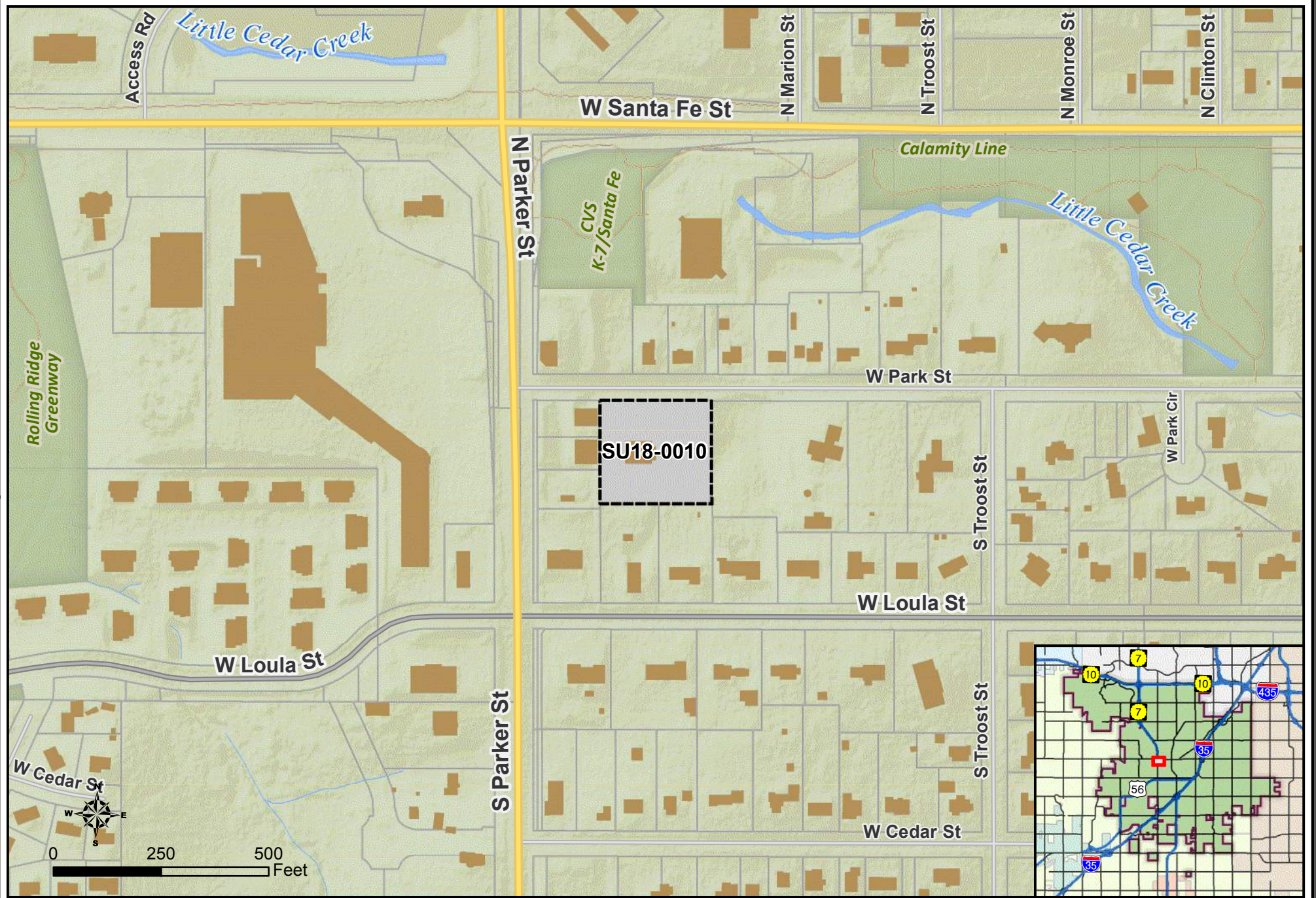
Comments:

The applicant's representative has requested a continuance to a future Planning Commission hearing date.

Applications are entitled to one continuance per the *Unified Development Ordinance (UDO)* and any additional continuances are at the discretion of the Planning Commission. This is the first continuance request for this application. Updated public notice letters shall be sent to the surrounding property owners and new public notice signs shall be posted on the site when the new public hearing date is scheduled, in accordance with the requirements of *UDO, Section 18.40.070.B*.

Staff Recommendation:

Staff recommends continuing this application to a future Planning Commission meeting in accordance with *UDO, Section 18.40.070*.



User: jaredmd
Date: 03/06/2019

PROJECT 10 20 COLD WEATHER SHELTER SU18-0010





City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: March 11, 2019

| | |
|-----------------------|---|
| Application: | <u>PR19-0001:</u> Revised Preliminary Site Development Plan for Tint World |
| Location: | 1301 E. Santa Fe Street (location of the former QuikTrip building) |
| Owner: | Larry Dickerson; QuikTrip Corporation |
| Applicant: | Curtis Petersen (on behalf of AEG, LLC); Polsinelli PC |
| Staff Contact: | Zachary Moore, Planner II |

| | | | |
|-----------------------|--------------------------|----------------------|--|
| Site Area: | <u>1.07± acres</u> | Proposed Use: | <u>Vehicle Painting and Body Shop (Window Tinting)</u> |
| Building Area: | <u>4,049 square feet</u> | Plat: | <u>QuikTrip Santa Fe Addition</u> |
| Zoning: | <u>C-3</u> | | |

| | Plan Olathe Land Use Category | Current Use | Current Zoning | Site Design Category | Building Design Category |
|--------------|---|--|----------------|----------------------|--------------------------|
| Site | Mixed Density Residential Neighborhood | Vacant Building (Former QuikTrip) | C-3 | 4 | D |
| North | Commercial Corridor | Car Care Facility & Auto Parts Store | C-3 | - | - |
| South | Commercial Corridor | Shopping Center/Car Wash | CP-2/C-3 | - | - |
| East | Commercial Corridor | Parking Lot | C-3 | - | - |
| West | Commercial Corridor | Bank | CP-2 | - | - |

1. Proposal:

The applicant is requesting approval of a revised preliminary site development plan for a window tinting facility to operate at the existing building located at 1301 E. Santa Fe Street

as an adaptive reuse of the existing building. The subject property is located at the southeast corner of the intersection of E. Santa Fe Street and Ridgeview Road.

Window tinting facilities are classified as Vehicle Painting and Body Shops, per *Unified Development Ordinance (UDO)* Section 18.20.500. Vehicle painting and body shops are a use allowed by right in the C-3 (Regional Center) commercial district. This revised preliminary site development plan requires consideration by the Planning Commission because the revisions constitute a “major change” per *UDO, Section 18.40.120*. Changes of architectural style and building materials that are proposed on a building which had a plan approved prior to codification of the effective UDO requirements (June 17, 2014) that are not consistent with the Composite Building Design standards, constitute the “major change” to the site development plan.

The City is currently developing a future roadway improvement project for the intersection at Santa Fe Street and Ridgeview Road, which will have impacts on the proposed redevelopment of the site including, but not limited to, installation of landscaping, curb and gutter installation, and parking and paving setbacks. The analysis provided in this report provides details on the impacts of this Roadway Improvement Project on this proposal.

2. History:

The subject property was annexed into the City and platted originally in 1887 as a part of the Lockwood Heights subdivision. Zoning was established on the property in 1970, when conventional zoning districts were first established in the City, and the property was zoned C-3 (Ord. 346-C) and remains zoned C-3 today. In 1995, the property was replatted (P-35-95) as the QuikTrip Santa Fe Addition and had a site development plan (PR-46-95) approved for a gas station with a convenience store (QuikTrip). The gas station and convenience store were constructed in 1996. The building that housed the former convenience store remains standing today, however the canopy that covered the gasoline pumps was demolished in July 2018.

3. Existing Conditions/ Site Photos:

The building on the subject site has remained vacant since the former QuikTrip convenience store relocated last year. The fueling station canopy that was previously located on the subject property has been removed and the site repaved. Photos of the site may be found on the following page.



View of the existing building, looking southwest



Aerial view of the subject property (gas canopy has been removed)

4. Neighborhood Meeting/Correspondence:

The applicant held a neighborhood meeting on February 13, 2019. There were no members of the general public in attendance and staff. has not received any correspondence or inquiries.

5. Zoning Requirements:

- a. **Building Height** – The maximum height allowed for buildings in the C-3 district is 3 stories at a maximum height of 40 feet. The height of the existing building is 14 feet and 10 inches, and the maximum height of the proposed building with improvements is 20 feet and 6 inches.
- b. **Setbacks** – Parking and paving areas within developments in the C-3 District are required to maintain a minimum setback of 15 feet from street right-of-way and 10 feet from property lines. A waiver has been requested with this proposal to reduce the parking and paving setback for the drive aisle that is located on the west side of the subject property. Analysis of this waiver request is provided in Section 10 of this report.

Minimum structure setback requirements are as follows:

| <i>UDO Requirement</i> | | <i>Proposed Plan</i> |
|------------------------|---|--|
| <i>Front Yard</i> | 40 feet from arterial ROW 15 feet from other ROW | 120 feet from Santa Fe Street 88 feet from Ridgeview Road |
| <i>Side Yard</i> | 10 feet from the property line | 25 feet |
| <i>Rear Yard</i> | 10 feet from the property line | 10 feet |

- c. **Open Space** – The C-3 District requires a minimum 25% open space to be provided. The proposal before the Planning Commission provides a total of 25.8% open space, thereby meeting this requirement.

6. Site Design Standards:

The subject property is located in the future land use designation of Commercial Corridor according to the *Comprehensive Plan* and the development is subject to **Site Design Category 4** (*UDO 18.15.120*). The following is a summary of the composite site requirements:

- a. **Parking Pod Size** – Parking for developments in Site Design Category 4 must be separated into pods no greater than 80 stalls. The largest parking pod that will be provided on this site is 27 stalls.

- b. **Pedestrian Connection** – Development in Site Design Category 4 must provide enhanced pedestrian connections from surrounding development, parking, and adjacent transit stops. There is an existing crosswalk which connects the sidewalk along the east side of Ridgeview Road to the sidewalk at the front of the building, which will remain with this redevelopment of the site.
- c. **Connections to Driveways on Adjacent Properties** – Connections to driveways on adjacent properties are required where possible for developments subject to Site Design Category 4 standards. There are existing connections from the subject property to adjacent properties within the shopping center at the southwest and northeast of the subject property.

7. Building Design Standards:

| <i>Building Design Standard</i> | <i>UDO Requirement (Category D)</i> Proposed Design |
|---|---|
| <i>Horizontal Articulation</i> | <i>A minimum of one horizontal articulation tool must be used a minimum of every 75 feet of linear façade width.</i> The proposed improvements to the building include wall projections on the north and west façades and projections and a wall offset on the east façade. |
| <i>Vertical Articulation</i> | <i>A minimum one vertical articulation tool must be used a minimum of every 75 feet of linear façade width.</i> The proposed improvements to the building provide variation in height on all façades |
| <i>Focal Point Element</i> | <i>All buildings in Building Design Category D must incorporate focal point design elements to help define the character of the structure.</i> The proposed improvements to the building include a raised element to serve as a focal point at the entry of the building. |
| <i>Ground Floor Pedestrian Interest</i> | <i>All buildings in Building Design Category D must use tools to promote pedestrian interest at the ground floor of the primary façade.</i> The proposed building improvement includes a combination of glass and planters to achieve the pedestrian interest requirement. |
| <i>Additional Façade Expression Tools</i> | <i>All buildings in Building Design Category D must incorporate additional façade expression to add visual interest</i> The proposed improvements to the building include an awning/canopy above transparent glass windows. |
| <i>Front Facing Entry Element</i> | <i>All buildings in Building Design Category D must incorporate a front-facing entry element to sign the connection between the sidewalk and the building.</i> A canopy that is 4-feet deep and at least 10-feet above the sidewalk below is being provided as the entry element to the building. |

| | |
|--|---|
| <i>Mix of Building Materials</i> | <p><i>The primary façades of all buildings in Building Design Category D must incorporate a mix of building materials.</i></p> <p>A mix of building materials is being provided on all primary façades of the building.</p> |
| <i>Transparent Glass</i> | <p><i>Minimum 20% transparent glass provided on primary façades</i></p> <p>The amount of glass being provided on primary façades ranges from 33% to 54%.</p> |
| <i>Overhead Doors on Primary Façades</i> | <p><i>Not allowed on primary façades in Building Design Category D</i></p> <p>The applicant is requesting a waiver to allow an overhead door to be located on the east (primary) façade. Architectural treatment is provided to soften the visual impact of the overhead door.</p> |

Proposed Building Materials

The existing structure of the building will remain, however, the exterior building materials on the structure will be altered, with the exception of the existing brick on the south façade. The materials that are proposed with the renovations to the building include stucco, glass, stone, and architectural metal panels with recessed seams. The stucco, glass, and stone that are proposed to be used are classified as Category 1 materials, and the architectural metal panels are classified as a Category 2 material.

| Primary Façade | Category 1 (min. 70%)* | Category 2 (max. 30%) |
|--|-----------------------------------|----------------------------------|
| North Elevation | 67% | 33% |
| East Elevation | 86% | 14% |
| West Elevation | 60%* | 40% |
| Secondary Façade | | |
| South Elevation | 100% | 0% |
| <p><i>*Per UDO, Section 18.15.040.I.3, a reduction of Category 1 materials on a primary façade to 60% is allowed if a mix of building materials is provided.</i></p> | | |

The architectural metal panels proposed for this building are primarily used to draw visual interest to a focal point on the building, which is a design improvement from the existing building. Staff is supportive of the reduction in Category 1 materials to 67% and 60% on the north and west façades respectively because the improvements to the building provide a more cohesive design to the building and draw greater visual interest to the entry of the building, than would occur if strict adherence to the 70% minimum Category 1 materials requirement were met. Additionally, the reduction to a minimum of 60% Category materials is allowed without consideration of a waiver if a mixture of building materials is provided. Both the north and the west façades that are employing this reduction include a minimum of 3 different materials on each façade.

8. Parking:

Parking for an adaptive reuse of a converted building is required at a minimum rate of 1 parking stall per 500 square feet of gross floor area. The existing building on site is a total of 4,049 square feet in size, and therefore, requires a minimum of 9 parking stalls.

The existing pavement area currently has a total of 43 parking stalls provided. With this application, required parking lot landscape islands will be added to the parking area and the total number of parking spaces will be reduced to 24. There is a total of 14 existing parking stalls that are existing along the western side of the subject property that will be removed with the City roadway improvement project. Along the northern parking and paving setback line, 15 parking spaces are shown.

9. Landscaping:

The applicant has provided a preliminary landscape plan with the revised development plan. The applicant is providing the required perimeter landscaping along the west and north property lines, adjacent to the arterial street right of way. Existing landscaping along the eastern property line south of the building provides the required plantings for the Type 1 buffer that is required. The applicant is providing a significant amount of new landscaping to the west of the building. The required foundation landscaping is provided at the north and south of the building, and the landscaping that is to be provided along the south of the building not only fulfills the requirement of foundation landscaping but will also provide screening for existing utility equipment at the rear of the building that was previously not screened.

The landscaping area at the north of the subject property along Santa Fe Street is located in an area that will be impacted with the City's roadway improvement project, and therefore would be damaged and/or removed throughout the work on the intersection of Santa Fe Street and Ridgeview Road. A stipulation has been recommended that all landscaping in this area at the north of the subject property may be deferred until after a certificate of occupancy is issued, but installation of the landscaping must occur within 45 days of the completion of the roadway improvement project at the southeast corner of the intersection of Santa Fe Street and Ridgeview Road.

10. Waiver Requests:

The applicant is requesting two waivers from the City's development standards regarding architecture and setbacks for parking and paved areas. The justification provided to support the waiver requests by the applicant can be found in the waiver request letter included in this packet.

1. Waiver from *UDO, Section 18.15.040.K – Request for a waiver to allow an overhead door to be located on a primary façade on a building subject to Building Design Category D standards.*
2. Waiver from *UDO, Section 18.20.150.B – Request for a waiver to allow a reduction in the minimum required parking and paving setback from the Ridgeview Road right-of-way from 15 feet to 10 feet.*

UDO, Section 18.40.240.D.2 states, "The Approving Authority may approve the Waiver if the applicant demonstrates one (1) or more of the following, and if the area proposed for modification is illustrated on the plat or site development plan."

- a) An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.
- b) Development restrictions imposed on the property to ensure low impact land uses, low scale buildings, and a site design arrangement in which adjoining residential properties will not be negatively impacted by any change in the applicable regulations.
- c) Existing topography, hedgerows, or natural features provide significant screening and an appropriate buffer for adjoining properties.
- d) Significant buffers are provided on adjoining residential properties and those properties will not be negatively impacted by any change in the applicable regulations.
- e) The regulations impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design, and building arrangements that are not possible. In such instances, findings shall be prepared that:
 - a. No private rights will be injured or endangered by the Waiver.
 - b. The public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

Staff Analysis of Waiver Requests:

Staff is supportive of the waiver request to allow the overhead door on a primary façade due to the proposal meeting the higher design quality criteria found in *Section 18.40.240.D* of the *UDO*. The proposed building design provides a higher architectural quality than what exists on the site today and also provides design qualities that mitigate the visual impacts of the overhead door. Rather than a typical garage door that might be solely composed of metal, the proposed overhead door incorporates a high amount of glass in its design (54% of the total east façade). There is a 4-foot canopy that extends over the overhead door and is supported on either side by masonry columns to provide screening of the overhead door. The applicant is also providing landscaping along the eastern portion of the northern façade to help mitigate the visual impact of the overhead door as seen from Santa Fe Street.

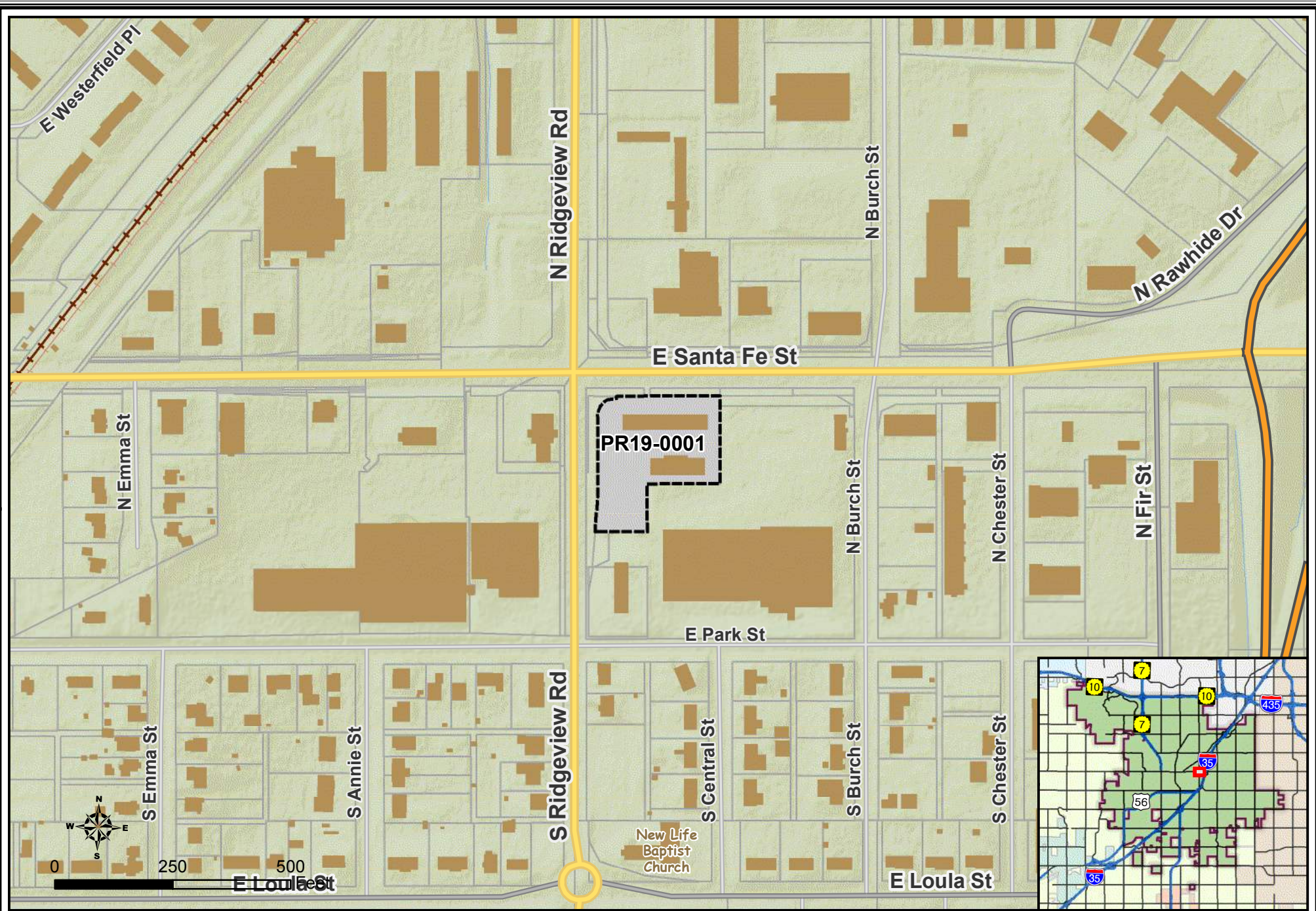
Staff is also supportive of the waiver request to reduce the parking and paving setback from the Ridgeview Road right-of-way from 15 feet to 10 feet. The building façade on the west side, which will face Ridgeview Road is significantly upgraded from its existing condition and meets or exceeds all minimum *UDO* requirements for building design. In addition, the paving area to the west of the subject property will be moved east from its existing location because of the City roadway improvement project, which required additional street right-of-way for Ridgeview Road. To increase the parking/paving area setback to the required 15-feet from the right-of-way, the drive aisle to the west of the existing building would not meet the minimum width requirement of the Fire Code (26 feet). The proposed width of the drive aisle is 29 feet, compliant with the Fire Code.

11. Streets/Right-of-way/Vehicular Access:

The subject property is located at the southeastern corner of the intersection of Santa Fe Street and Ridgeview Road. A City Roadway improvement project (3-C-083-15) is scheduled to begin in Spring 2020 and is anticipated to be completed in Winter 2020. The improvements that will occur with this project will impact the perimeter of the subject property and will delay some of the improvements on site that will occur. A temporary construction easement related to this project is located along the north side of the subject property. Also, with the roadway improvement project, the access that the site currently has along Ridgeview Road to the south of the subject property will be closed. Access will remain at the south of the subject property just west of the existing building to the shopping center, and the right-in/right-out access that exists on Santa Fe Street will remain as well.

12. Staff Recommendation:

- A. Staff recommends approval of the revised preliminary site development plan (PR19-0001) with the following stipulations:
1. A final site development plan shall be approved prior to issuance of a building permit.
 2. A waiver shall be granted to allow an overhead door to be located on the eastern (primary) façade. The overhead door shall be made primarily of glass and shall have a minimum 4-foot canopy projecting above it, with support columns constructed of masonry as shown on the building elevations dated February 19, 2019.
 3. A waiver shall be granted to allow the reduction of the parking and paving setback from 15 feet to 10 feet on the western property line.
 4. Landscaping along the northern property line may be deferred until after a certificate of occupancy is issued, but the landscaping shall be installed according to the approved plans within 45 days of the completion of the roadway improvement project at the southeast corner of the intersection of Santa Fe Street and Ridgeview Road.
 5. All areas of asphalt and parking lot removal and all tie in points to existing and/or proposed conditions shall be identified on the final site development plan.
 6. The parking lot improvements, interior curb lines, and storm sewer work at the north of the site shall be completed prior to issuance of certificate of occupancy.
 7. All landscaping on site shall be irrigated.
 8. As required by the *UDO*, 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 or an architectural treatment compatible with the building architecture.
 9. The final site development plan shall reflect that the existing tie-in inlets shall be converted to junction boxes.
 10. All signage on the site and building shall comply with the requirements of *UDO*, *Section 18.50.190*.



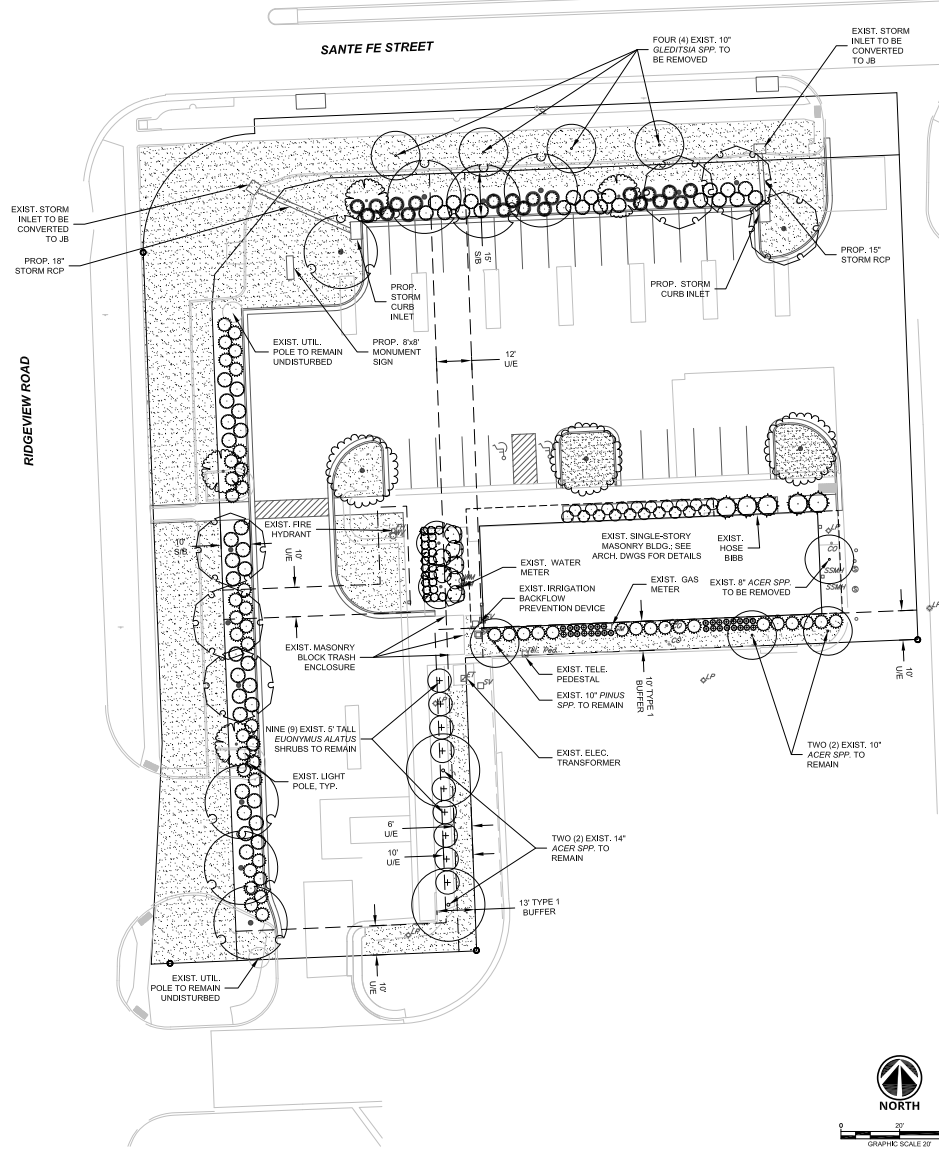
TINT WORLD
PR19-0001



User: jaredmd
Date: 03/06/2019







LANDSCAPE NOTES

- CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE COMMENCING WORK. CONTACT KANSAS ONE CALL AT 8-1-1 TO FILE A LOCATE REQUEST PRIOR TO ANY EXCAVATION. CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE TO UTILITIES RESULTING FROM LANDSCAPE OPERATIONS. ANY UTILITIES SHOWN ON PLAN ARE FOR REFERENCE ONLY AND MAY OR MAY NOT DEPICT THE ACTUAL LOCATION OF SERVICES.
- QUANTITIES OF MATERIALS SHOWN ON THE PLANTING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON THE PLANT MATERIAL SCHEDULE. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN PRIOR TO BIDDING.
- ALL LAND AREAS NOT PAVED OR COVERED BY BUILDINGS SHALL BE BROUGHT TO FINISH GRADE AND PLANTED WITH TURF, NATIVE GRASSES, OR OTHER APPROPRIATE GROUND COVERS.
- ALL PLANT MATERIAL SHALL BE WELL-FORMED AND DEVELOPED IN GOOD CONDITION, HEALTHY AND DISEASE-FREE, AND BE TYPICAL OF THE SPECIES. PLANTS SHALL COMPLY WITH ACCEPTABLE STANDARDS AS SET FORTH IN THE LATEST EDITION OF THE "AMERICAN STANDARD FOR NURSERY STOCK."
- ALL PLANT LOCATIONS ARE APPROXIMATE. ADJUST AS NECESSARY TO AVOID CONFLICTS. THE FOLLOWING APPLIES FOR GENERAL PLANT LOCATIONS:
 - CREeping GROUND COVER SHALL BE A MINIMUM OF 6 INCHES FROM EDGE OF PAVEMENT.
 - ALL TREES SHALL BE A MINIMUM OF 3 FEET FROM EDGE OF PAVEMENT.
 - EQUALLY SPACE ALL PLANTS OF THE SAME SPECIES FOR BEST VIEWING.
 - ALL SHRUBS SHALL BE A MINIMUM OF 2 FEET FROM EDGE OF PAVEMENT AND 3.5 FEET FROM BUILDINGS, UNLESS NOTED OTHERWISE.
- ALL LANDSCAPE AREAS SHALL BE IRRIGATED. THE OWNER IS RESPONSIBLE FOR PROVIDING ALL WATER, AS WELL AS ANY MATERIALS AND LABOR NEEDED TO SUPPLY WATER, TO MAINTAIN THE PROPOSED LANDSCAPING DURING A THREE (3) YEAR ESTABLISHMENT PERIOD.
- THIS SITE IS EQUIPPED WITH AN EXISTING UNDERGROUND AUTOMATIC IRRIGATION SYSTEM. THE CONTRACTOR IS RESPONSIBLE FOR UPGRADING AND EXTENDING THE SYSTEM, AS NEEDED, TO SERVE THE PROPOSED LANDSCAPING.
- ANY SUBSTITUTIONS PROPOSED FOR PLANTING MATERIALS LISTED AND SHOWN ON THIS PLAN MUST BE APPROVED BY THE LANDSCAPE ARCHITECT AND CITY OF OLATHE STAFF. COMPARABLE SUBSTITUTE PLANTING MATERIALS MUST BE MADE FROM THE LIST OF APPROVED SPECIES MAINTAINED BY THE CITY OF OLATHE.
- THE INSTALLATION OF ALL PROPOSED LANDSCAPE MATERIALS IN THE AREAS ADJACENT TO SANTA FE STREET AND RIDGEVIEW ROAD WILL BE DEFERRED UNTIL THE COMPLETION OF GEOMETRIC IMPROVEMENTS AT THE SOUTHEAST CORNER OF THE INTERSECTION OF SANTA FE STREET AND RIDGEVIEW ROAD.
- WHERE VISIBLE FROM A STREET, PARKING LOTS MUST BE SCREENED BY LANDSCAPING OR STREET WALLS BETWEEN THREE (3) AND FOUR (4) FEET IN HEIGHT, IN ACCORDANCE WITH U.D.O. SECTION 16.20.150 C.2.
- A MINIMUM OF ONE-THIRD (1/3) OF ALL PLANTINGS SHALL BE EVERGREEN SPECIES, IN ACCORDANCE WITH U.D.O. SECTION 16.30.130 D.2.2.
- EXTERIOR GROUND-MOUNTED OR BUILDING-MOUNTED EQUIPMENT INCLUDING BUT NOT LIMITED TO, MECHANICAL EQUIPMENT, UTILITIES METER BANKS AND COOLERS SHALL BE SCREENED FROM PUBLIC VIEW WITH LANDSCAPING OR WITH AN ARCHITECTURAL TREATMENT COMPATIBLE WITH THE BUILDING ARCHITECTURE.
- NO TREE SHALL BE PLANTED WITHIN 15 FEET OF A STREETLIGHT OR FIRE HYDRANT.

LANDSCAPE SUMMARY

BUFFERS

REQUIRED: TYPE 1 BUFFER ON SOUTHERLY BOUNDARY (255 LF);

10-FEET MINIMUM WIDTH

- 1 DECIDUOUS SHADE TREE PER 100 LINEAR FEET (3)
- 1 ORNAMENTAL TREE PER 100 LINEAR FEET (3)
- 1 EVERGREEN TREE PER 100 LINEAR FEET (3)
- 20 SHRUBS/ORNAMENTAL GRASSES PER 100 LF (50)

PROVIDED: 10-13 FEET CONTINUOUS WIDTH

- 4 EXISTING DECIDUOUS SHADE TREES
- 1 EXISTING EVERGREEN TREE
- 57 SHRUBS/ORNAMENTAL GRASSES

NONRESIDENTIAL LANDSCAPING

REQUIRED: CONTINUOUS 14'-0" LANDSCAPE AREA

- 1 DECIDUOUS SHADE TREE PER 50 FEET OF FRONTAGE (10)
- 1 ORNAMENTAL TREE FOR PER 3 SHADE TREES (3)

PROVIDED: CONTINUOUS 10-15 FEET WIDTH

- 11 DECIDUOUS SHADE TREES
- 4 ORNAMENTAL TREES

PARKING AND VEHICULAR USE AREAS

REQUIRED: SHRUBS FORMING A CONTINUOUS VISUAL SCREEN 3-FEET HIGH

- 1 LANDSCAPE ISLAND (165 SF) PER 20 PARKING SPACES (2)

- 1 SHADE TREE PER LANDSCAPE ISLAND (2)

PROVIDED: CONTINUOUS SCREEN OF SHRUBS 3-FEET IN HEIGHT

- 5 LANDSCAPE ISLANDS
- 5 SHADE TREES

BUILDING FACADE/FOUNDATION LANDSCAPING

REQUIRED: LANDSCAPE AREAS EQUIVALENT TO 25% OF EACH FACADE

- SANTA FE STREET 122 FEET * 0.25 = 31 FEET

- RIDGEVIEW ROAD 35 FEET * 0.25 = 9 FEET

PROVIDED: SANTA FE STREET 85 FEET (70%)

- RIDGEVIEW ROAD 25 FEET (71%)

PLANT SCHEDULE

EVERGREEN TREES

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT | CAL | SIZE |
|------|-----|---|-------|-----|------------|
| JT | 5 | TAYLOR EASTERN REDCEDAR / JUNIPERUS VIRGINIANA 'TAYLOR' | B & B | | 6 -7' TALL |

FLOWERING TREES

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT | CAL | SIZE |
|------|-----|--|-------|------|------|
| AG | 2 | 'AUTUMN BRILLIANCE' SERVICEBERRY / AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE' | B & B | 1.5" | CAL |
| CC | 4 | EASTERN REDBUD / CERIS CANADENSIS | B & B | 1.5" | CAL |

STREET TREES

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT | CAL | SIZE |
|------|-----|---|-------|------|------|
| AC | 6 | CADDY MAPLE / ACER SACCHARUM 'CADDY' | B & B | 2.5" | CAL |
| QA | 3 | SAWTOOTH OAK / QUERCUS ACUTISSIMA | B & B | 2.5" | CAL |
| TG | 7 | GREENSPIRE LITTLELEAF LINDEN / TILIA CORDATA 'GREENSPIRE' | B & B | 2.5" | CAL |

SHRUBS

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT |
|------|-----|---|-------|
| CA | 20 | KELSEY'S DWARF RED OSIER DOGWOOD / CORNUS SERICEA 'KELSEY' | 5 GAL |
| IV | 48 | HENRY'S GARNET SWEETSPICE / ITEA VIRGINICA 'HENRY'S GARNET' | 5 GAL |
| JCS | 50 | SEA GREEN JUNIPER / JUNIPERUS CHINENSIS 'SEA GREEN' | 5 GAL |
| PL | 22 | RUSSIAN SAGE / PEROVSKIA ATRIPICIFOLIA 'LACEY BLUE' | 5 GAL |
| PN | 7 | SUMMER VINE NINEBARK / PHYSCARPUS OPULIFOLIUS 'SUMMER VINE' | 5 GAL |
| TMD | 21 | DENSE YEW / TAXUS X MEDIA 'DENSIFORMIS' | 5 GAL |

GRASSES & PERENNIALS

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT |
|------|-----|--|-------|
| PS | 32 | SWITCH GRASS / PANICUM VIRGATUM 'SHENANDOAH' | 1 GAL |

GROUND COVERS

| CODE | QTY | COMMON NAME / BOTANICAL NAME | CONT |
|------|-----------|--|------|
| TF | 16,464 SF | TURF-TYPE TALL FESCUE / TURF SOD MARATHON II | SOD |

TINT WORLD

RIDGEVIEW AND SANTA FE,
OLATHE, KS

Project No.: 19052
Date: 4 February 2019
Issued For: PRELIM. DEV. PLAN

| REVISIONS | | |
|-----------|------|-------------|
| No. | Date | Description |
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REGISTRATION

NOT FOR CONSTRUCTION

PROJECT TEAM

| | |
|-------------|---------------------------------|
| ARCHITECT | FINKLE+WILLIAMS ARCHITECTURE |
| CIVIL | GBA |
| LANDSCAPE | LANDWORKS STUDIO |
| FOUNDATIONS | |

STRUCTURAL STAND STRUCTURAL
ENGINEERING

PLUMBING

MECHANICAL

ELECTRICAL

FIRE PROTECTION

CONTRACTOR

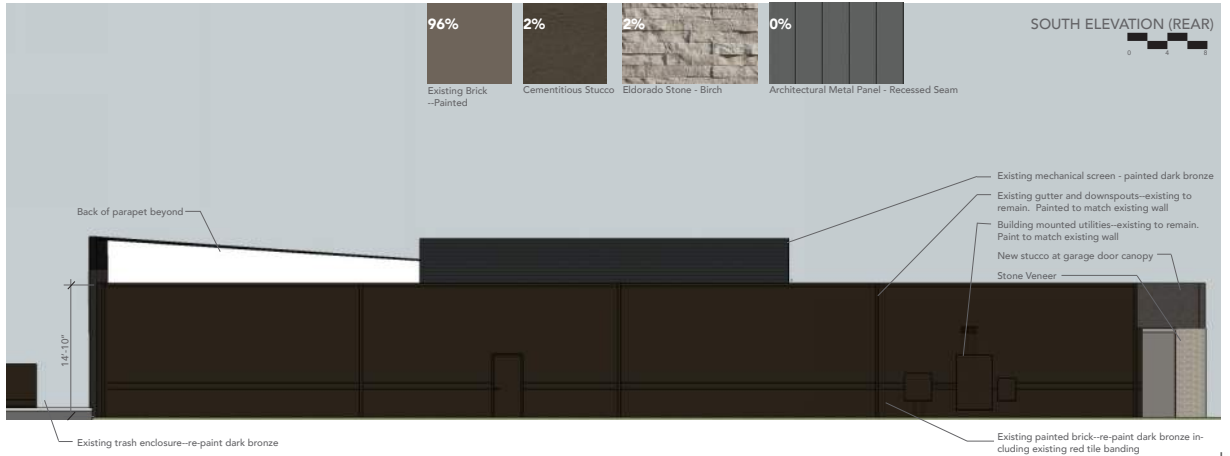
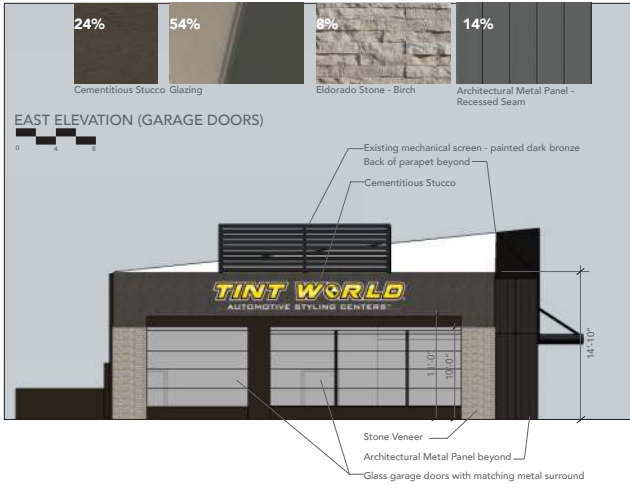
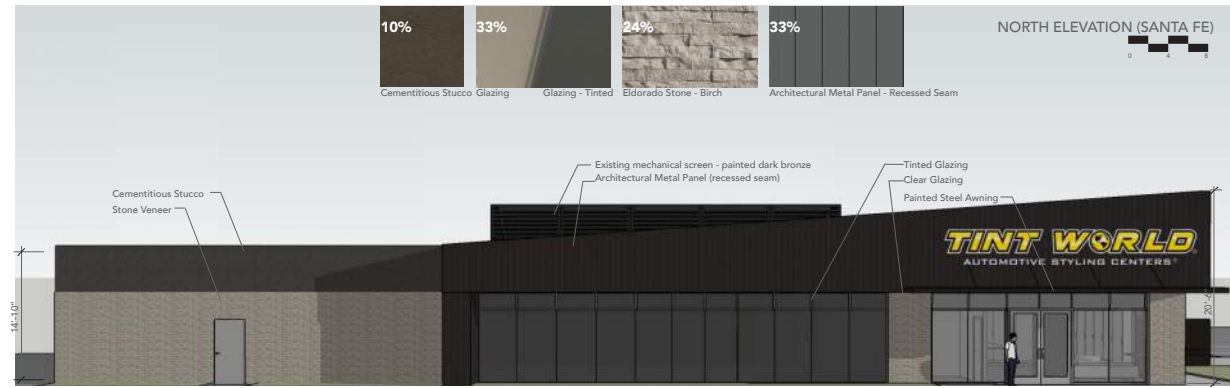


SHEET TITLE

LANDSCAPE PLAN

SHEET NUMBER

L1.00



TINT WORLD
SANTA FE & RIDGEVIEW
(Updated: 26 February 2019)



7007 College Blvd, Suite 415
Overland Park, Kansas 66211
913-498-1550

SHEET TITLE

**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A4.01

Tint World / PRE-18-0182
REQUEST FOR WAIVERS

In accordance with Olathe UDO Section 18.40.240, please see the following request for waiver:

Waiver #1. Section 18.15.040 (K) – Overhead Doors for Building Design Category D

Requirement: For overhead doors that are visible from a public street, include columns or similar architectural features that disguise the overhead doors by: (1) aligning along the outside edges of each overhead door; and (2) extending with the columns outside plane at least 4 feet from the primary building plane.

Request: Allow an overhead door on the east façade of the building.

The approving authority may approve the waiver if the applicant demonstrates one (1) or more of the following, and if the area proposed for modification is illustrated on the plat or site development plan:

(a) An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.

RESPONSE: The applicant has provided architectural elements to disguise the overhead door and minimize the visual impact to the public right-of-way. The applicant has provided quality building material in excess of the amount required under the City's UD and has provided additional landscape screening at the northeast corner of the building to soften this area and visually draw interest away from the overhead door.

(b) Development restrictions imposed on the property to ensure low impact land uses, low scale buildings and a site design arrangement in which adjoining residential properties will not be negatively impacted by any change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(c) Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.

RESPONSE: Not applicable.

(d) Significant buffers are providing on adjoining residential properties and those properties will not be negatively impacted by a change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(e) The regulations impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that:

(i) No private rights will be injured or endangered by the waiver.

(ii) The public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

RESPONSE: The subject building and parking lot exist today and will be renovated which limits the applicant's ability to modify the site layout. The applicant has chosen to add overhead doors to a façade that is not highly visible from the public street and has taken special care to treat that façade with high quality building materials and provide architectural materials to further reduce the visibility of the overhead door. No private rights will be injured or endangered by the waiver and the public will suffer no loss or inconvenience with the granting of this waiver request.

Waiver #2. Section 18.20.150 (B) – Dimensional Standards for District C-3

Requirement: Parking/Paving location must be a minimum of 15 feet from street right-of-way.

Request: To allow a reduced setback of 10' feet from the Ridgeview Road street right-of-way.

The approving authority may approve the waiver if the applicant demonstrates one (1) or more of the following, and if the area proposed for modification is illustrated on the plat or site development plan:

(a) An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.

RESPONSE: The subject building and parking lot exist today and will be renovated which limits the applicant's ability to modify the site layout. The applicant has provided quality building material in excess of the amount required under the City's UDO with no negative impacts to the nonresidential properties.

(b) Development restrictions imposed on the property to ensure low impact land uses, low scale buildings and a site design arrangement in which adjoining residential properties will not be negatively impacted by any change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(c) Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.

RESPONSE: Not applicable.

(d) Significant buffers are providing on adjoining residential properties and those properties will not be negatively impacted by a change in the applicable regulations.

RESPONSE: There are no adjacent residential properties to be impacted by the requested deviation.

(e) The regulations impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that:

(i) No private rights will be injured or endangered by the waiver.

(ii) The public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

RESPONSE: The City recently acquired additional right-of-way along Ridgeview Road and Santa Fe Street thereby decreasing the total land area of the subject property and thereby impacting the applicant's ability to meet the required setbacks for existing conditions. In addition, the applicant is providing the minimum required 25 feet drive aisle in this area to meet other UDO requirements. The granting of this waiver will not injure or endanger any private rights and will not cause the public to suffer any loss or inconvenience.



6201 College Boulevard, Suite 500, Overland Park, KS 66211 • 913.451.8788

February 1, 2019

Curtis J. Petersen
(913) 234-7458
(913) 451-6205 Fax
cpetersen@polsinelli.com

REGULAR MAIL

Property Owner

Re: 1301 E. Santa Fe Street / Case No. PR-19-0002 (former QT Building)

Ladies and Gentlemen,

This letter is to inform you that a neighborhood meeting has been scheduled for Wednesday, February 13, 2019 regarding the above-referenced site. We have filed applications for preliminary and final development plan approval to allow for the use of the property as an automotive styling center known as Tint World.

The meeting will be held at 6:00 p.m. at the **Olathe Community Center, Room A, 1205 W. Kansas City Road, Olathe, Kansas**. At that time, we will present our client's proposal for this site.

Please feel free to attend the meeting for an opportunity to learn more about the project and discuss any questions you may have. You may also contact my paralegal, Amy Grant, at (913) 234-7401 if you are unable to attend and have any questions.

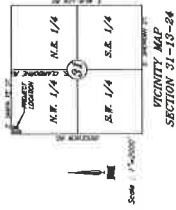
Sincerely,

Curtis J. Petersen

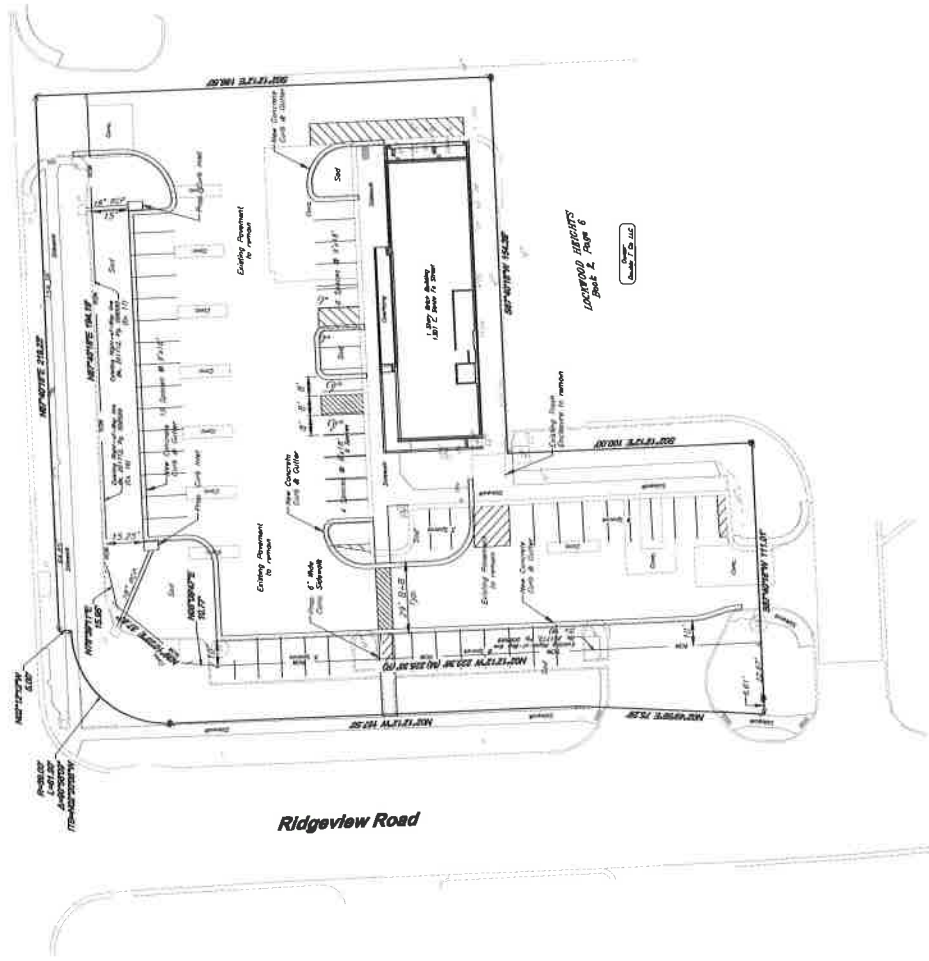
polsinelli.com

Atlanta Boston Chattanooga Chicago Dallas Denver Edwardsville Houston Jefferson City Kansas City Los Angeles
Nashville New York Overland Park Phoenix Raleigh St. Joseph St. Louis San Francisco Topeka Washington, D.C. Wilmington
Polsinelli PC, Polsinelli LLP in California

67128504.1



E. Santa Fe Street



Ridgeview Road

Legal Description

Tract 1 and Tract 2, Quarter Section 31, Township 20N, Range 10N, County of Davis, Kansas. EXCEPT that part donated to the City of Olathe, Kansas, a Memorial Corporation by deed of Dedication for a Public Street recorded 12/28/2017 at Document No. 2017128-000000 in Book 20172 of Page 000000. The remaining portion of the quarter section is being donated to the City of Olathe, Kansas for a Public Street recorded 12/28/2017 at Document No. 2017128-000000 in Book 20172 of Page 000000.

TINT WORLD

ROOSEVELT AND SANTA FE, OLAHE, KS

Client: Tint World
Project: Tint World
Location: Olathe, KS

| NO. | DATE | DESCRIPTION |
|-----|------------|------------------------|
| 1 | 12/28/2017 | Initial Design |
| 2 | 12/28/2017 | Final Design |
| 3 | 12/28/2017 | Construction Documents |
| 4 | 12/28/2017 | As-Built Documents |

NOT FOR CONSTRUCTION

| PROJECT TEAM |
|-------------------------------|
| ARCHITECT: FINKLE + WILLIAMS |
| CIVIL: FINKLE + WILLIAMS |
| LANDSCAPE: FINKLE + WILLIAMS |
| MECHANICAL: FINKLE + WILLIAMS |
| ELECTRICAL: FINKLE + WILLIAMS |
| PLUMBING: FINKLE + WILLIAMS |
| STRUCTURAL: FINKLE + WILLIAMS |
| INTERIOR: FINKLE + WILLIAMS |
| EXTERIOR: FINKLE + WILLIAMS |
| LANDSCAPE: FINKLE + WILLIAMS |
| AS-BUILT: FINKLE + WILLIAMS |



SHEET TITLE

SITE PLAN

SHEET NUMBER

C1.00



1 SITE PLAN

SCALE: 1" = 100'

15 January 2019
Dylin: Day plan

TINT WORLD
SANTAFE & RIDGEVIEW

FINKLE + WILLIAMS
LEGATIVES

7007 College Blvd., Suite 415
Overland Park, Kansas 66211
913/98-550

**EXTERIOR
ELEVATIONS**

SHEET NUMBER

A4.01

SHEET TITLE

SHEET NUMBER

A4.01