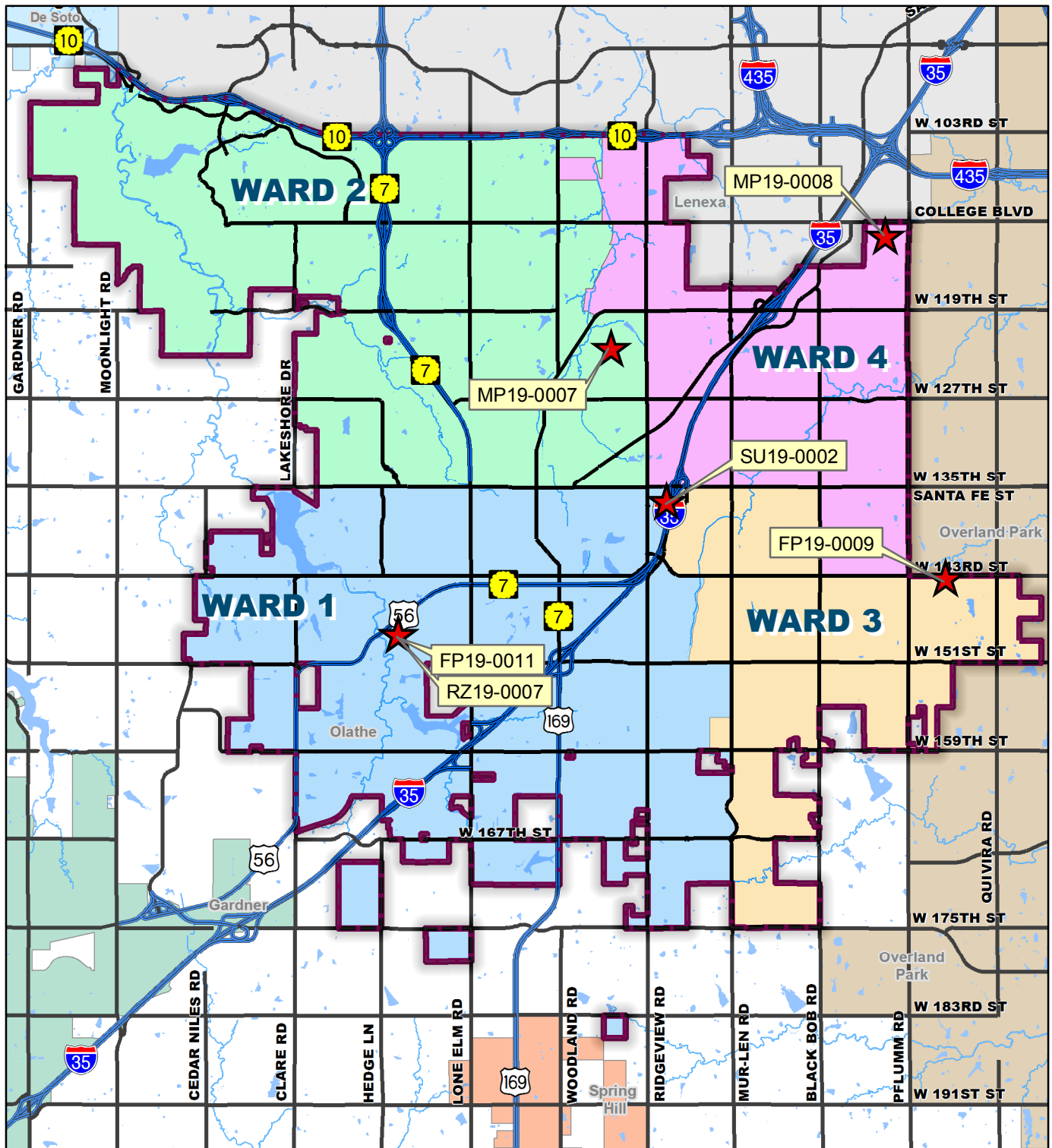


JUNE 24, 2019

OLATHE PLANNING COMMISSION

CASE LOCATIONS



User: jaredmd
Date: 06/18/2019





CALL TO ORDER

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

- A. **MN19-0513**: Standing approval of the minutes as written from the May 13, 2019 Planning Commission meeting.
- B. **MP19-0007**: Request approval for a minor plat for **Woods of Mahaffie Replat; Lots 13 and 14** containing 1 lot on 0.42± acres; located at 1570 N. Keeler Street.
Owner / Applicant: Stuart and Yvette Breyfogle
Engineer: Scott Confer; Phelps Engineering, Inc.
Developer: Mike Mackey; Mackey Custom Homes, Inc.
- C. **MP19-0008**: Request approval for a minor plat for **Willowbrooke Village 9th Plat (a replat of Tract A, Willowbrook Village, 8th Plat)** containing 16 lots and 1 tract on 1.28± acres; located at the southwest corner of W. 112th Terrace and S. Rene Street.
Owner / Applicant: Willowbrook Properties LLC
Engineer: Jason Loader; Kaw Valley Engineering
- D. **FP19-0009**: Request approval for a final plat for **Willow Crossing East Replat** containing 1 common tract and public street right-of-way on 0.40± acres; located along the south side of W. 143rd Street at the intersection with Parkhill Street.
Owner / Applicant: Brian Rodrock; Willows 143 LLC
Engineer: Tim Tucker; Phelps Engineering, Inc.

REGULAR AGENDA-NEW BUSINESS

- A. **UDO19-0002**: Discussion on Unified Development Ordinance amendments to Chapters 18.20, 18.30, 18.40, 18.50, and 18.60
Staff is requesting a continuance to a future Planning Commission meeting.
City of Olathe, Public Works - Planning Division

B. PUBLIC HEARING

RZ19-0007: Request approval for a rezoning from R-1 District and CTY RUR District to M-2 District and a preliminary site development plan for **Olathe Facilities Expansion** 70.51± acres; located in the vicinity of Old US-56 Highway and S. Robinson Street.

Owner / Applicant: Chad Foster; City of Olathe
Engineer: Tom Smith; McClure Engineering Company

C. FP19-0011: Request approval for a final plat for **Olathe Facilities Expansion** containing 1 lot on 70.51± acres; located in the vicinity of Old US-56 Highway and S. Robinson Street.

Owner / Applicant: Chad Foster; City of Olathe
Engineer: Tom Smith; McClure Engineering Company

D. PUBLIC HEARING

SU19-0002: Request approval for the renewal of a special use permit for **Motor Vehicle Sales** in C-3 District on 0.58± acres; located at 115 S. Fir Street.

Owner: Joey L. Hendrich; J & L Consulting, L.L.C.
Applicant: Bryan Nguyen; CarstoreUSA

ANNOUNCEMENTS**ADJOURNMENT**



CALL TO ORDER

Commissioner Freeman arrived shortly after the Call To Order.

Present	Chairman Dean Vakas, Commissioner Jeremy Fry, Commissioner Ryan Nelson, Commissioner Jose Munoz, Commissioner Chip Corcoran, and Commissioner Barry Sutherland
Absent	Vice-Chairman Michael Rinke, and Commissioner Ryan Freeman

PLEDGE OF ALLEGIANCE

QUORUM ACKNOWLEDGEMENT

CONSENT AGENDA

- A.** **MN19-0422:** Standing approval of the minutes as written from the April 22, 2019 Planning Commission meeting.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that MN19-0422 be approved. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

- B. MP19-0006:** Request approval for a minor plat for **The Villas of Asbury, 51st Plat** containing 2 lots on 0.53± acres; located at 15608 & 15584 S. Church Street.

A motion to approve MP19-0006 with the following staff stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.
- b. The setback lines shall be identified and labeled at the corners of each lot to identify the setback as it changes from the 75-foot building setback.
- c. All above ground electrical and/or telephone cabinets shall 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.
- d. A note shall be included on the building permit stating that all above ground mechanical equipment shall be screened according to UDO 18.30.130.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that MP19-0006 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

- C. FP19-0007:** Request approval for a final plat for **Church of the Resurrection West, Second Plat** containing 1 lot on 19.76± acres; located at 24000 W. Valley Parkway.

A motion to approve FP19-0007 with the following staff stipulations:

- a. The final plat is subject to traffic signal excise tax of **\$4,290.39**. The required excise tax shall be submitted to the Planning Division prior to recording the final plat.
- b. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- c. All above ground electrical and/or telephone cabinets shall be placed within the interior side or rear 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.

Motion by Commissioner Corcoran, seconded by Commissioner Sutherland, that FP19-0007 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke, and Freeman

REGULAR AGENDA-NEW BUSINESS

A. PUBLIC HEARING

RZ19-0005: Request approval for a rezoning from R-1 to R-3 and preliminary site development plan for **Legacy Senior Residences II** on 5.39± acres; located in the vicinity of the southwest corner of W. Harold Street and N. Parker Street.

Dan Fernandez, Planner II, appeared before the Planning Commission, summarizing this request for a rezoning from R-1 to R-3 and preliminary site development plan for Legacy Senior Residences II. He noted the applicants operate a similar complex near 119th and Sunset Drive. The property is located at the southwest corner of Harold and Parker Streets. Mr. Fernandez presented a zoning map of the surrounding area, noting adjacent properties zoned commercial on the west and residential to the east, and vacant property to the south.

Mr. Fernandez stated the applicant has held two neighborhood meetings, one on February 27, 2019, before the application was submitted, and the official meeting on April 17, 2019. Staff has not received any correspondence for or against the rezoning.

Mr. Fernandez presented the plans for open space, parking, landscaping and a large tree preservation area on the development. Active open space includes walking paths, garden areas, and a dog park. He added that the development also meets the goals of the City's Communities for All Ages initiative.

Access to the development comes from Parker Street, which is a sufficient distance from the Harold and Parker Street intersection. **Mr. Fernandez** reviewed the building materials and architectural features. **Mr. Fernandez** noted that throughout the review process, the applicant added additional variation to the roof line.

Mr. Fernandez addressed the waiver regarding the landscape buffer on the south property line. Type 3 buffer requires 20 feet, landscaped, with a six-foot fence on a berm. The plan shows an 18-foot landscape buffer with no fence or berm. Mr. Fernandez said staff is supportive of this request because it's only two feet narrower than what is required. Also, there will be a solid line of landscaping adjacent to church-owned property that is vacant. Also, they are in support of the waiver because of the low density of this development. Mr. Fernandez noted that the applicant has also improved the design of the garages by adding additional stone to the elevations, as well as roof pitches and breaks in the roof lines.

Mr. Fernandez reported that primary elevations are the east and north. The requirement is 25 percent glass; they are showing 15 percent glass which is a waiver request. Staff supports this reduction because of the high quality of materials being used. The applicant is meeting the 70 percent requirement for Category 1 materials on primary and secondary elevations. Also, the amount of glass is similar to other multifamily developments that have requested waivers for glass.

Mr. Fernandez said that Site Design Category 3 requires the finished floor elevation to be 18 inches above the sidewalk. He noted that although senior housing is considered multifamily, it is not really appropriate for a project with interior entrances. Therefore, staff also supports that waiver request. Staff recommends approval of RZ19-0005 and FP19-0010.

Comm. Nelson noted that the neighboring church sent correspondence in support of

this development. **Mr. Fernandez** agreed, but said there was no correspondence received from neighboring residents. Comm. Nelson asked if the flat-top units were going to be ground units for mechanical. Mr. Fernandez deferred that question to the applicant. Comm. Nelson then asked if staff was satisfied with the level of amenities, and if the detention area was considered part of the outdoor amenity/green space. Mr. Fernandez said it is not, but staff is satisfied with the amenities that will be provided.

Chair Vakas opened the public hearing and asked the applicant to come forward. **Judd Claussen, Phelps Engineering**, appeared on behalf of Cornerstone Associates, who is the purchaser of this property. He noted that members of the church are also present this evening. Mr. Claussen noted that the first project by Cornerstone was Legacy on Northgate, which has been very popular, and this project is intended to be a "sister" building to that project. This project is intended to be affordable senior living/independent living. Mr. Claussen noted that the previous project was in place prior to the current UDO, and with the new UDO, there are some upgrades to this facility, which Mr. Fernandez touched on. Mr. Claussen noted improvements to this project over the last one, including an increased amount of windows, the addition of a storm shelter, and a dog park.

Mr. Claussen pointed out gathering areas within the building, including a library and a community room. There is an area that opens out onto a patio on the southwest side of the building. He noted that the rendering does not show a walking path that has been added all the way around the building and connecting to the neighborhoods. He said there is a lot of excitement surrounding the project and they have received a lot of positive feedback.

There were no questions of Mr. Claussen. There being no one else wishing to speak, Chair Vakas called for a motion to close the public hearing.

Motion by Comm. Nelson, seconded by Comm. Sutherland, to close the public hearing.

Motion passed 7-0.

Motion to recommend approval of RZ19-0005, for the following reasons:

- (1) The proposed development complies with the policies and goals of the *Comprehensive Plan* for Housing and Neighborhoods (Principle HN-1.8 HN-2.1 and HN-2.5).
- (2) The requested rezoning to R-3 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.
- (3) The proposed development as stipulated meets composite design standards for **Site Design Category 3 (UDO 18.15.115)** and **Building Design Category B (UDO 18.15.030)**.

Motion includes recommending that the following stipulations be included in the ordinance:

- (1) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.
- (2) A final site development plan shall be approved prior to submitting for building permit.

Motion includes recommending that the following stipulations be included in the final site development plan:

- (1) A waiver shall be granted to permit 15% glass on the primary elevations (east and north) as shown on the elevations.
- (2) A waiver shall be granted to permit the residential finished floor

elevation to be less than 18 inches as required by Site Design Category 3.

(3) A waiver shall be granted to permit the Type 3 Buffer along the south property line to be 18 feet wide with the required Type 3 Buffer plantings.

(4) The landscaping along the south property line shall meet the required planting requirements of the Type 3 Buffer.

Motion by Commissioner Sutherland, seconded by Commissioner Munoz, that RZ19-0005 be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Freeman, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke

- B. FP19-0010:** Request approval for a final plat for **Legacy Senior Residences II** containing 1 lot on 5.39± acres; located at the southwest corner of W. Harold Street and N. Parker Street.

Please refer to RZ19-0005 for discussion of this application.

Motion to recommend approval of FP19-0010 with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- b. Prior to recording the final plat, the required street excise fee of \$5,431.93 shall be submitted to the City Planning Division.
- c. Prior to recording the final plat, the required traffic signal excise tax of \$93.48 shall be submitted to the City Planning Division.

Motion by Sutherland, seconded by Munoz, that this agenda item be approved as stipulated. The motion carried by the following vote:

Yes: Vakas, Freeman, Fry, Nelson, Munoz, Corcoran, and Sutherland

Absent: Rinke

ANNOUNCEMENTS

ADJOURNMENT

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	<u>MP19-0007: Woods of Mahaffie Replat, Lots 13 and 14</u>		
Location:	1570 N. Keeler Street		
Owner/Applicant:	Stuart and Yvette Breyfogle		
Engineer:	Scott Confer, Phelps Engineering, Inc.		
Developer:	Mike Mackey; Mackey Custom Homes, Inc.		
Staff Contact:	Shelby Ferguson, Planning Consultant		

Total Area:	<u>.42 Acres</u>	Proposed Use:	<u>Residential</u>
Current Zoning:	<u>RP-1</u>	Units/Lots:	<u>1</u>
		Tracts:	<u>0</u>

1. Comments:

This is a request for approval of a minor plat for Woods of Mahaffie, Lot 35 (a resurvey and replat of Lots 13 and 14, Woods of Mahaffie) on .42 acres, located at 1570 N. Keeler Street.

The rezoning (RZ04-0002) to RP-1 district and preliminary plat (PP04-0003) and final plat (FP04-0024) for Woods at Mahaffie were approved by the Planning Commission and City Council in 2004.

The proposed replat will combine two existing platted lots for one larger residential property and the proposed lot meets all Unified Development Ordinance (UDO) requirements for lot area and setbacks. No public easements or street right-of-way will be dedicated with this replat and therefore the plat will not require City Council acceptance.



Aerial of Site (site outlined in blue)



Photo of Site from Keeler Street, looking east

2. Final Plat Review

- a. **Lots/Tracts** – The replat includes two (2) lots for a total of one (1) lot with a total area of 18,401 square feet for a single-family residence.

The proposed lots exceed the minimum lot area of 7,200 square feet as required for the R-1 District

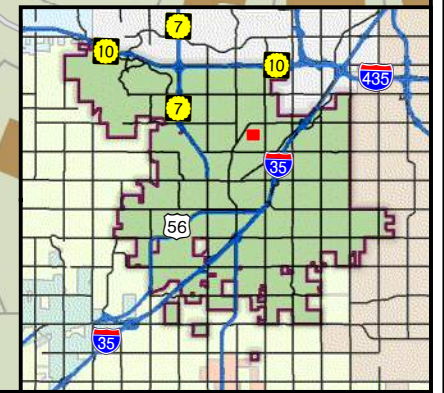
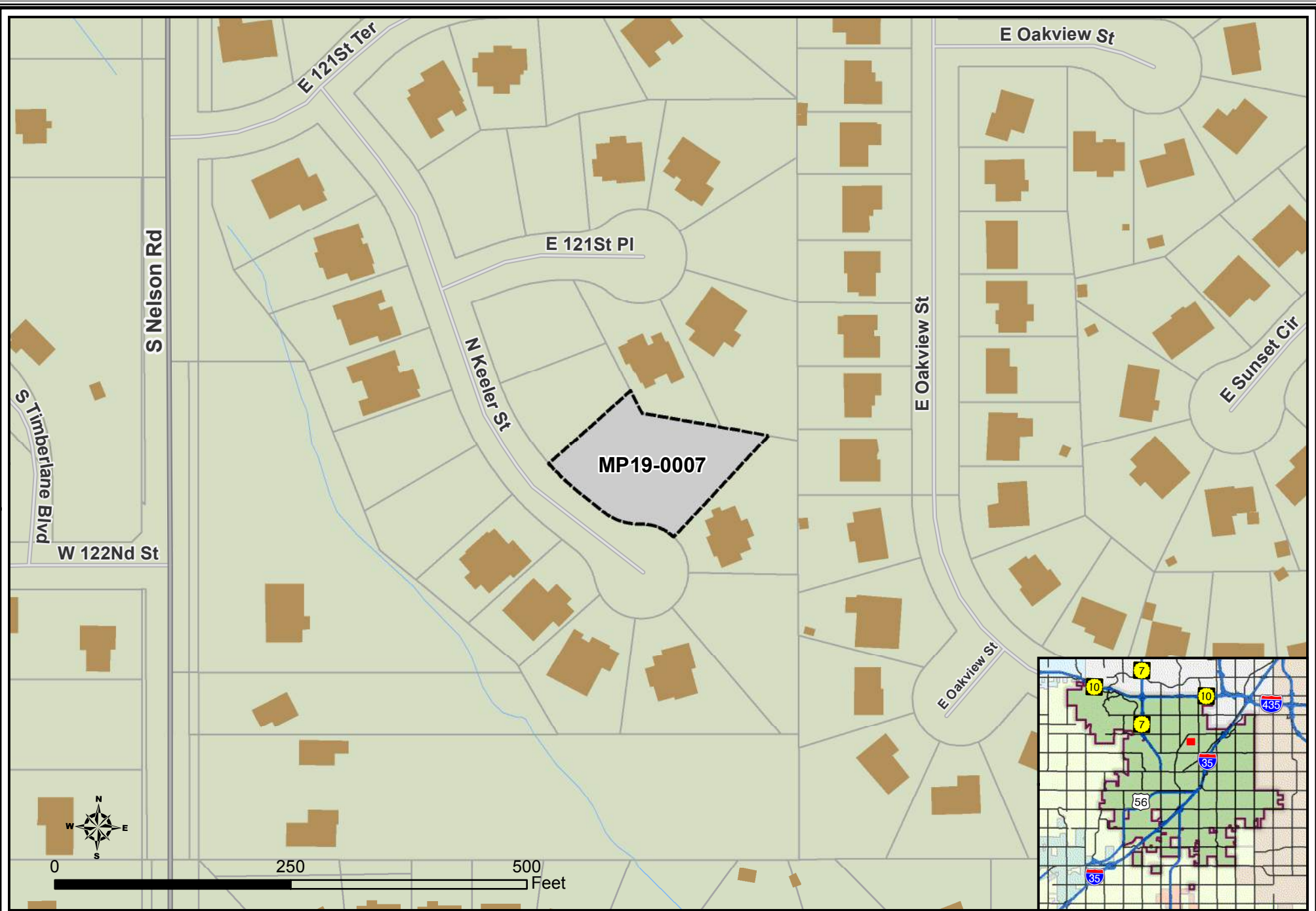
- b. **Utilities/Municipal Services** – The property is located in the City of Olathe Sewer and Water service areas. There are no proposed changes in utilities with this application.
- c. **Streets** – The single-family residence will have access to Nelson Road, via N. Keeler Street and 121st Terrace. There will be one new driveway for the proposed lot.

- d. **Street and Signal Excise Taxes** – No excise fees are due with this application since the property has already been platted.
- e. **Landscaping/Tree Preservation** – No new landscaping is proposed with this application. Street trees and interior lot trees will be required to be planted per UDO requirements.

3. Staff Recommendation:

Staff recommends approval of MP19-0007 with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.
- b. The developer is responsible for planting street trees and interior lot trees prior to final Certificate of Occupancy, subject to UDO 18.30.130.
- c. All above ground electrical and/or telephone cabinets shall 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.



User: jaredmd
Date: 06/18/2019

WOODS OF MAHAFFIE REPLAT MP19-0007



A RESURVEY AND REPLAT OF LOTS 13 AND 14, WOODS OF MAHAFFIE
CITY OF OLATHE, JOHNSON COUNTY, KANSAS

LEGAL DESCRIPTION

This is a resurvey and replat of all of Lots 13 and 14, WOODS OF MAHAFFIE, a subdivision in the City of Olathe, Johnson County, Kansas, containing 0.422 acres, more or less.

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "WOODS OF MAHAFFIE REPLAT".

DEDICATION

The undersigned proprietor of the above described tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

CONSENT TO LEVY

The undersigned proprietor of the above described land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietor has caused this instrument to be executed on this ____ day of _____, 20____.

STUART AND YVETTE BREYFOGLE

By: Stuart Breyfohle

By: Yvette Breyfohle

ACKNOWLEDGEMENT

[illegible]

BE IT REMEMBERED that on this ____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Stuart and Yvette Breyfogle, who are personally known to me to be such persons who executed the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

Approved by the Planning Commission of the City of Olathe, Johnson County, Kansas, this ____ day of _____, 20____

Chairman: C.S. Vakas

- LEGEND**
- DENOTES SET 1/2"x24" REBAR W/PHELPS CORP.
CLS-82 PLASTIC CAP IN CONCRETE
- DENOTES FOUND MONUMENT AS DESCRIBED
- B/L DENOTES BUILDING SETBACK LINE
- PUB/E DENOTES PUBLIC UTILITY EASEMENT

OWNER/DEVELOPER:

MACKEY HOMES, INC.
12105 S. NELSON ROAD
OLATHE, KANSAS 66061

TITLE NOTE:

TITLE INFORMATION WAS TAKEN FROM FIRST AMERICAN TITLE
INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO.
1517590 AND DATED APRIL 24, 2019 AT 8:00 A.M.

FLOOD NOTE:

THIS PROPERTY LIES WITHIN FLOOD ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE LIMITS OF THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE CITY OF OLAHIE, JOHNSON COUNTY, KANSAS, COMMUNITY NO. 200173, PANEL NO. 0064G, DATED AUGUST 3, 2009.

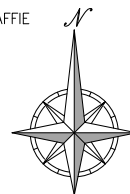
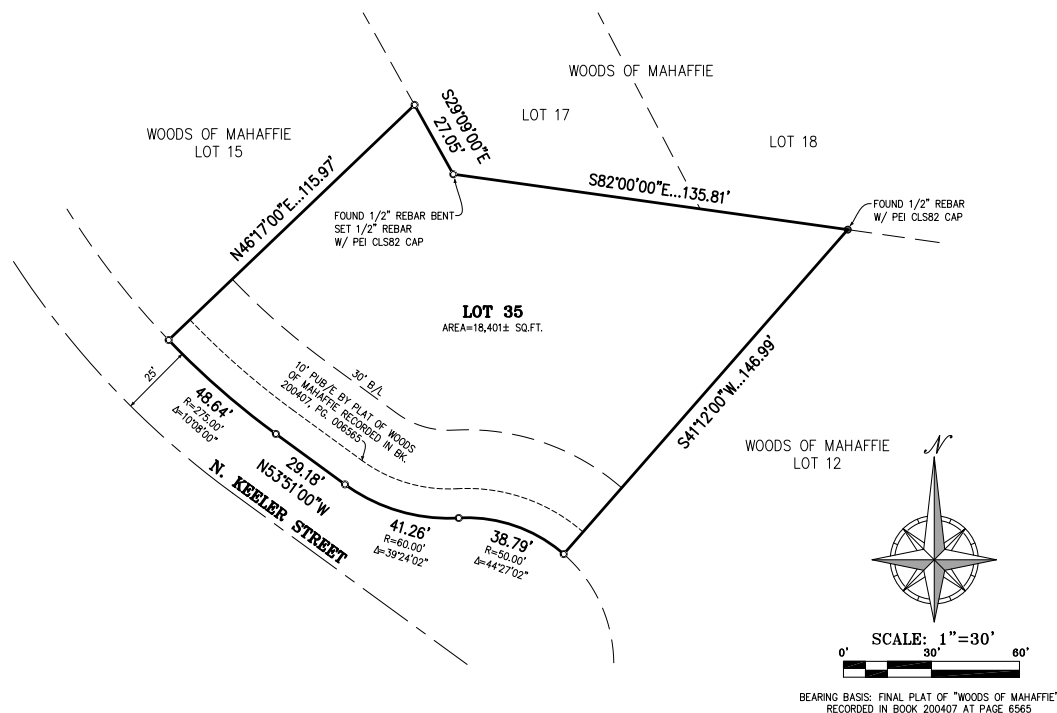
CERTIFICATE OF AUTHORIZATION
KANSAS
LAND SURVEYING - LS-82
ENGINEERING - E-391

CERTIFICATE OF AUTHORIZATION
MISSOURI
LAND SURVEYING-2007001128
ENGINEERING-2007005058

PHELPS ENGINEERING, INC.

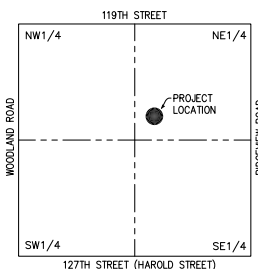
PLANNING
ENGINEERING
IMPLEMENTATION

1270 N. Winchester
Olathe, Kansas 66061
(913) 393-1155
Fax (913) 393-1166



SCALE: 1"=30'

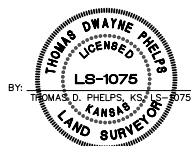
BEARING BASIS: FINAL PLAT OF "WOODS OF MAHAFFIE"
RECORDED IN BOOK 200407 AT PAGE 6565



SCALE:
1"=2000'

VICINITY MAP
SEC. 24-13-23

I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN MAY 2019, I OR SOMEONE UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

BY: LS-10/5



City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	<u>MP19-0008</u>: Willowbrooke Village, 9th Plat (a replat of Tract A, Willowbrooke Village, 8th Plat)		
Location:	Southwest corner of W. 112 th Terrace and Rene Street		
Owner/Applicant:	Willowbrooke Properties, L.L.C.		
Engineer:	Jason Loader, Kaw Valley Engineering		
Staff Contact:	Dan Fernandez, Planner II		
Acres:	<u>2.36± acres</u>	Proposed Use:	<u>Multi-family</u>
Current Zoning:	<u>RP-3</u>	Lots:	<u>16</u>
		Tracts:	<u>1</u>

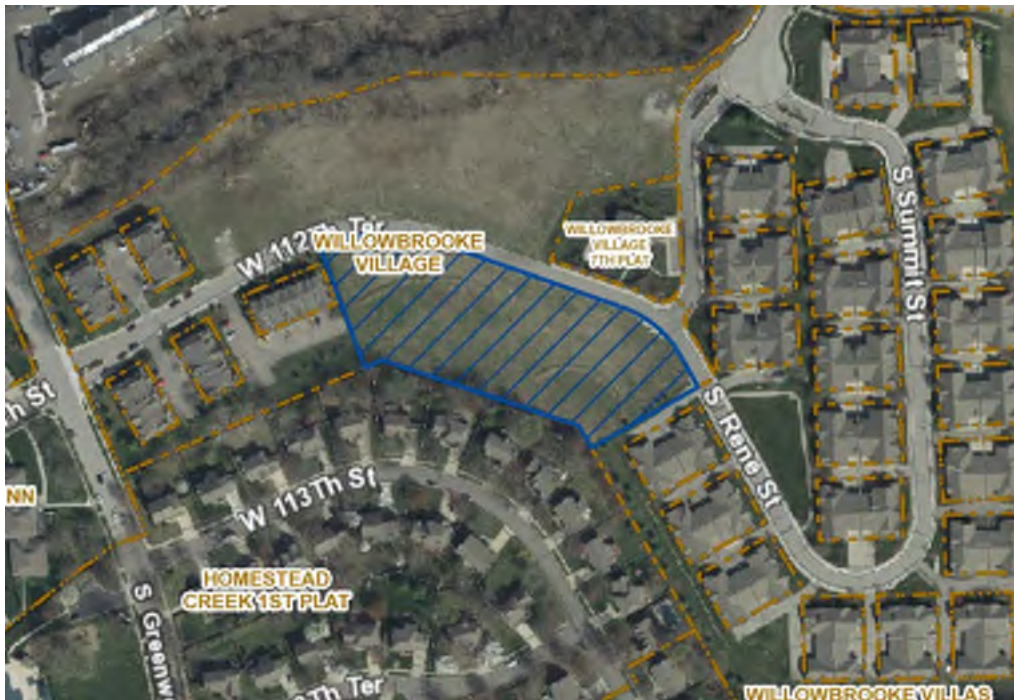
1. Comments:

This is a request for approval of a replat for Willowbrooke Village, 9th Plat, (a replat of Tract A, Willowbrooke Village, 8th Plat) on 2.36 acres located at the southwest corner of W. 112th Terrace and Rene Street.

This property was rezoned from A, County Agriculture to RP-3 in March 2001 and an associated preliminary site development plan included 176 townhomes in 44 buildings. As the units are developed, the properties are replatted for separate ownership. The minor plat on this agenda will subdivide 4 buildings into 16 separate units.

A trail to the south of the subject townhomes was part of the final site development plan approval and an exhibit showing this trail has been included in the packet. The trail shall be completed prior to receiving certificates of occupancy for the townhomes.

No public easements or right-of-way will be dedicated with this replat and therefore the plat will not require City Council approval.



Aerial Map of Site



View looking southeast from W. 112th Terrace

2. Final Plat Review

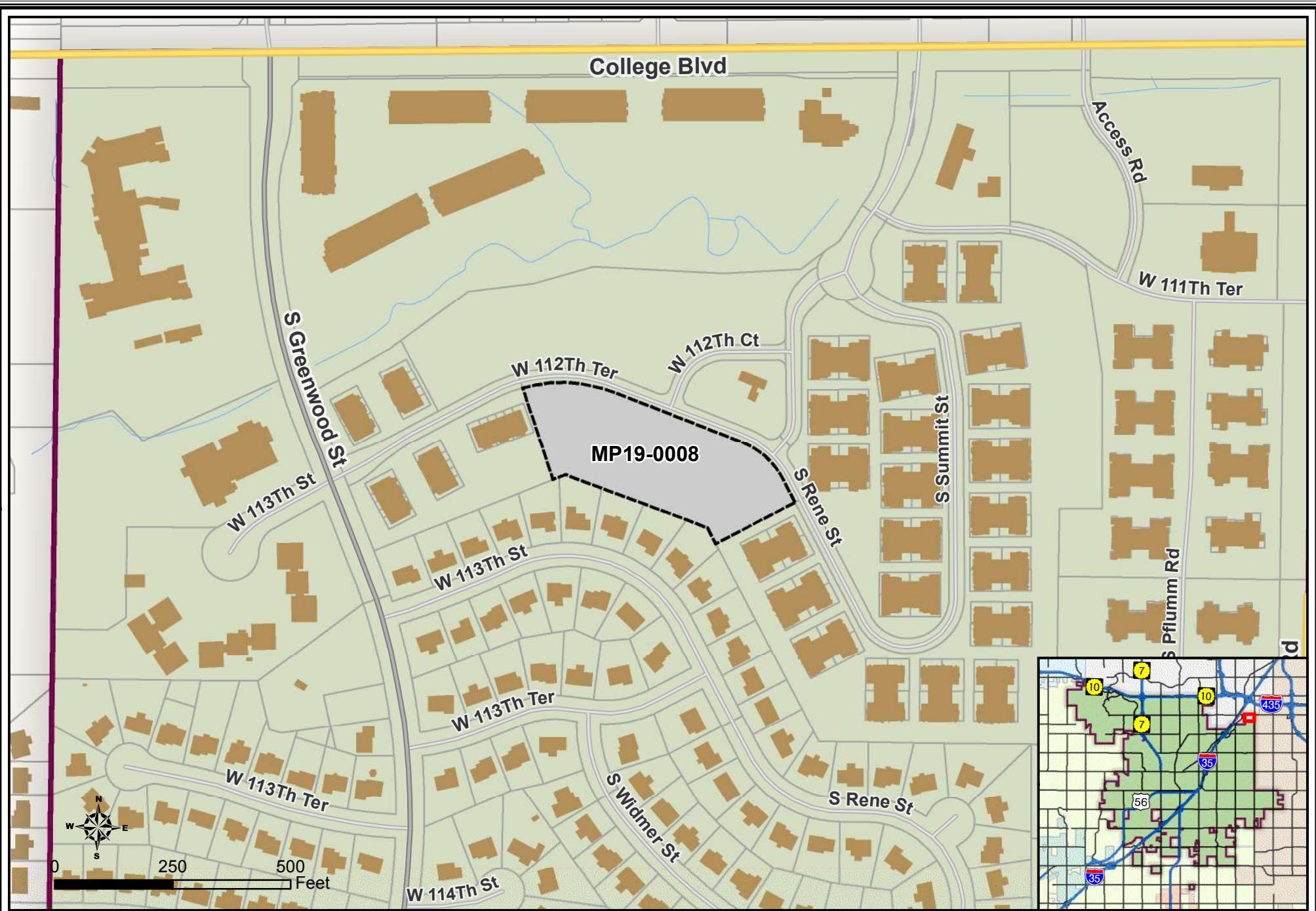
- a. **Lots/Tracts** – The replat includes 16 lots for 16 individual townhome units in 4 buildings. The replat has 1 tract, Tract A which is for access and common open space and is to be maintained by the homeowners' association.
- b. **Utilities/Municipal Services** – The property is located in the WaterOne water and the Johnson County Wastewater service areas.

- c. **Streets** – The units will have access to W. 112th Terrace through private drives. There are no proposed changes to the public right-of-way with this application.
- d. **Street and Signal Excise Taxes** – No excise fees are due with this application since the property has already been platted.

3. Staff Recommendation:

Staff recommends approval of MP19-0008, Willowbrooke Village, 9th Plat, with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- b. The trail located to the south of the subject units shall be constructed prior to issuance of certificates of occupancy.

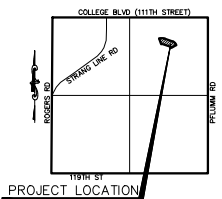
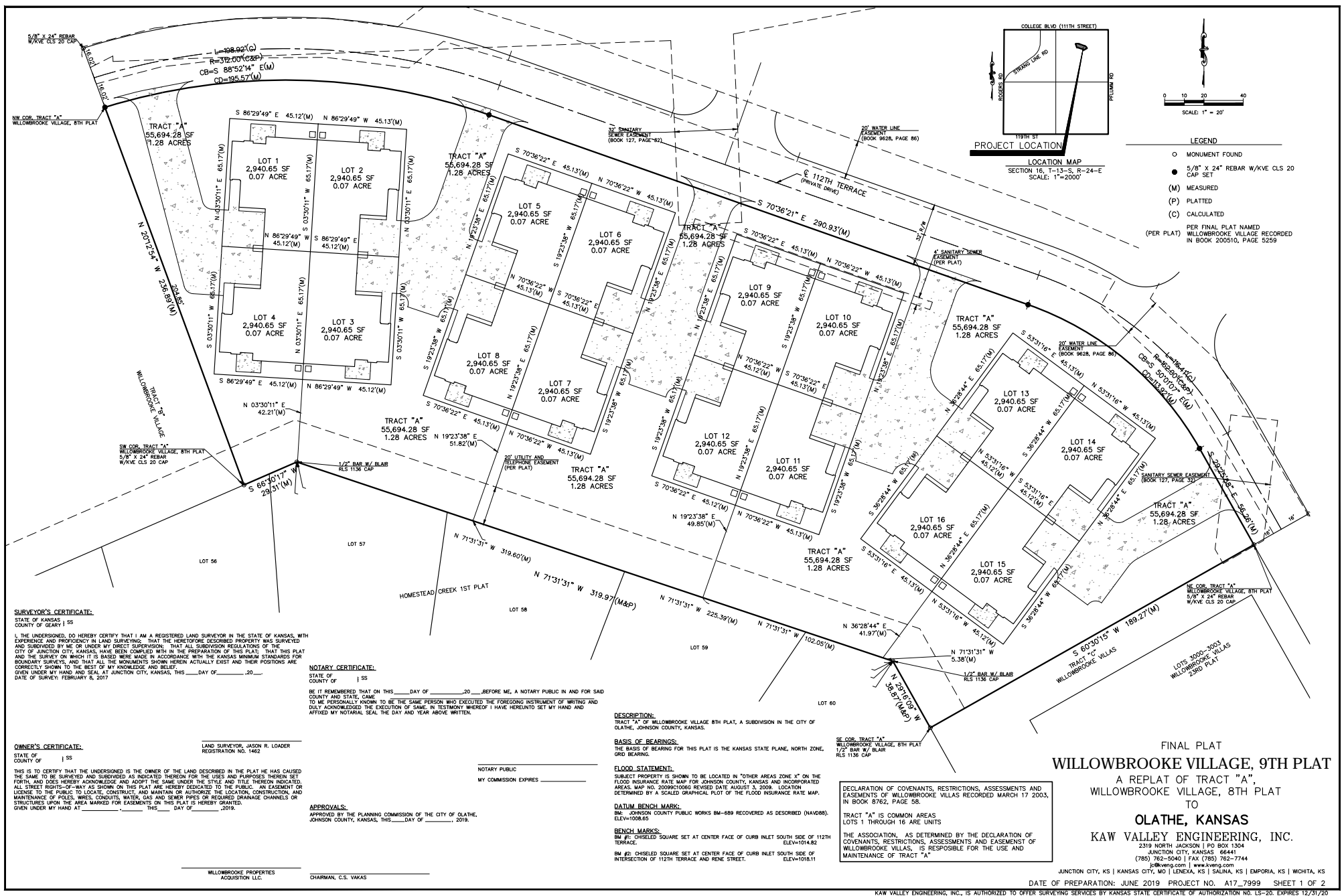


WILLOWBROOKE VILLAGE 9TH PLAT
MP19-0008



User: jaredmd
Date: 06/18/2019





- LEGEND**
- MONUMENT FOUND
 - 5/8" X 24" REBAR W/KVE CLS 20 CAP SET
 - (M) MEASURED
 - (P) PLATTED
 - (C) CALCULATED
- PER FINAL PLAT NAMED
WILLOWBROOKE VILLAGE RECORDED
IN BOOK 200510, PAGE 5259

SURVEYOR'S CERTIFICATE:
STATE OF KANSAS
COUNTY OF DEARIE | SS

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF KANSAS, WITH EXPERIENCE AND PROFICIENCY IN LAND SURVEYING. THAT THE HEREINFORO DESCRIBED PROPERTY WAS SURVEYED AND SUBDIVIDED BY ME OR UNDER MY DIRECT SUPERVISION; THAT ALL SUBDIVISION REGULATIONS OF THE CITY OF JUNCTION CITY, KANSAS, HAVE BEEN COMPLIED WITH IN THE PREPARATION OF THIS PLAT; THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE KANSAS MINIMUM STANDARDS FOR BOUNDARY SURVEYS, AND THAT ALL THE MONUMENTS SHOWN HEREIN ACTUALLY EXIST AND THEIR POSITIONS ARE CORRECTLY SHOWN TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GIVEN UNDER MY HAND AND SEAL AT JUNCTION CITY, KANSAS, THIS ____ DAY OF _____, 20____
DATE OF SURVEY: FEBRUARY 6, 2017

NOTARY CERTIFICATE:
STATE OF _____ | SS
COUNTY OF _____

BE IT REMEMBERED THAT ON THIS ____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME, IN TESTIMONY WHEREOF I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL, THE DAY AND YEAR ABOVE WRITTEN.

OWNER'S CERTIFICATE:
LAND SURVEYOR, JASON R. LOADER
REGISTRATION NO. 1462
STATE OF KANSAS
COUNTY OF _____ | SS

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNER OF THE LAND DESCRIBED IN THE PLAT HE HAS CAUSED THE SAME TO BE SURVEYED AND SUBDIVIDED AS INDICATED THEREON FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE TITLE AND TITLE THEREON INDICATED. ALL STREET RIGHTS-OF-WAY AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO THE PUBLIC, AN EASEMENT OR LIEN TO THE PUBLIC TO LOCATE, CONSTRUCT, AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION, AND MAINTENANCE OF POLES, WIRES, CABLES, WATER, GAS AND SEWER PIPES OR REQUIRED DRAINAGE CHANNELS OR STRUCTURES UPON THE AREA MARKED FOR EASEMENTS ON THIS PLAT IS HEREBY GRANTED.

GIVEN UNDER MY HAND AT _____ THIS ____ DAY OF _____, 20____.

APPROVALS:
APPROVED BY THE PLANNING COMMISSION OF THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS, THIS ____ DAY OF _____, 20____.

NOTARY PUBLIC
MY COMMISSION EXPIRES _____

DESCRIPTION:
TRACT "A" OF WILLOWBROOKE VILLAGE 8TH PLAT, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.

BASES OF BEARINGS:
THE BASES OF BEARING FOR THIS PLAT IS THE KANSAS STATE PLANE, NORTH ZONE, GROUND BEARING.

FLOOD STATEMENT:
SUBJECT PROPERTY IS SHOWN TO BE LOCATED IN "OTHER AREAS ZONE X" ON THE FLOOD INSURANCE RATE MAP FOR JOHNSON COUNTY, KANSAS AND INCORPORATED AREAS. MAP NO. 200610060 REVISED DATE AUGUST 3, 2009. LOCATION DETERMINED BY A SCALED GRAPHICAL PLOT OF THE FLOOD INSURANCE RATE MAP.

DATUM BENCH MARK:
BM #1 JOHNSON COUNTY PUBLIC WORKS 684-889 RECOVERED AS DESCRIBED (NAV68). ELEV=1008.65

BENCH MARKS:
BM #1 CHISELED SQUARE SET AT CENTER FACE OF CURB INLET SOUTH SIDE OF 112TH TERRACE. ELEV=1010.41
BM #2 CHISELED SQUARE SET AT CENTER FACE OF CURB INLET SOUTH SIDE OF INTERSECTION OF 112TH TERRACE AND RENE STREET. ELEV=1010.11

DECLARATION OF COVENANTS, RESTRICTIONS, ASSESSMENTS AND EASEMENTS OF WILLOWBROOKE VILLAS RECORDED MARCH 17 2003, IN BOOK 8762, PAGE 58.

TRACT "A" IS COMMON AREAS
LOTS 1 THROUGH 16 ARE UNITS

THE ASSOCIATION, AS DETERMINED BY THE DECLARATION OF COVENANTS, RESTRICTIONS, ASSESSMENTS AND EASEMENT OF WILLOWBROOKE VILLAS, IS RESPONSIBLE FOR THE USE AND MAINTENANCE OF TRACT "A"

FINAL PLAT
WILLOWBROOKE VILLAGE, 9TH PLAT
A REPLAT OF TRACT "A",
WILLOWBROOKE VILLAGE, 8TH PLAT
TO
OLATHE, KANSAS
KAW VALLEY ENGINEERING, INC.
2319 NORTH JADSON | PO BOX 1304
JUNCTION CITY, KANSAS 66441
(785) 762-5040 | FAX (785) 762-7744
jv@kvw.com | www.kvw.com



City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	FP19-0009, Final Plat for Willow Crossing East Replat		
Location:	Along the south side of W. 143 rd Street at its intersection with Parkhill Street		
Owner:	Brian Rodrock; Willows 143, LLC		
Applicant/ Engineer:	Tim Tucker; Phelps Engineering, Inc.		
Staff Contact:	Zachary Moore, Planner II		

Site Area:	<u>0.40 ± acres</u>	Use:	<u>Right-of-way and common tract</u>
Lots:	<u>0</u>		
Tracts:	<u>1</u>	Current Zoning:	<u>R-1</u>

1. Comments:

The following application is a final plat to replat a portion of Willow Crossing East, First Plat. This replat will dedicate public right-of-way, and establish one common tract, which is intended to be used for monument signage for the subdivision. The Willow Crossing East subdivision was rezoned from AG (Agricultural) to R-1 (Residential Single-Family) and had a preliminary plat approved in 2016. The subdivision was platted in October 2018 as Willow Crossing East, First Plat (FP18-0006).

2. Plat Review:

- Lots/Tracts** – The plat includes one common tract and approximately 0.36± acres of public street right-of-way. There are no lots within this plat. The common tract will be owned and maintained by the Willows Crossing Homes Association and the tract will be used for landscaping and monument signage. A sign permit will be required for the proposed monument sign in the tract and the sign shall comply with Unified Development Ordinance (UDO) requirements.
- Public Utilities** – The subject property is located within the City of Olathe Water and the Johnson County Wastewater service areas. A Utility Easement (U/E) and a Drainage Easement (D/E) are dedicated on Tract A with this plat.
- Streets/Right-of-Way** – Public street right-of-way was dedicated for Parkhill Street with the approval of Willow Crossing East, First Plat (FP18-0006) in 2018. All streets included with this plat are public streets. A street easement is dedicated over Tract A to grant the City rights to construct, repair, and maintain curbs and streets adjacent to the tract.

3. Excise Taxes

Chapter 3.35.050(B) of the Olathe Municipal Code states that any replat of previously platted land that was approved by the City is exempt from paying street and traffic signal excise taxes. Since this application is for a replat of previously platted property, no street or traffic signal excise taxes are required.



View of subject property, looking south from 143rd Street at Parkhill Street



Aerial view of site outlined in navy

4. Staff Recommendation:

Staff recommends approval of FP19-0009, final plat for Willow Crossing East Replat with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (.pdf format) shall be submitted to the Planning Division.
- b. A sign permit is required for any signage within Tract A and the sign shall comply with Unified Development Ordinance (UDO), Section 18.50.190.

W 143RD ST

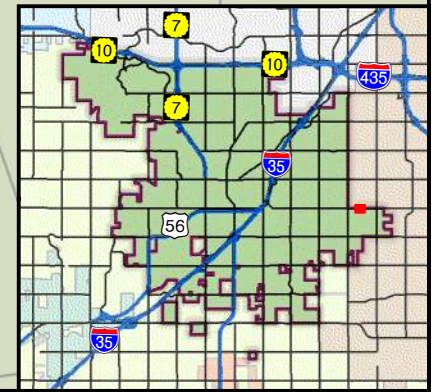
W 143RD ST

FP19-0009

IS Parkhill St



0 250 500 Feet



User: jaredmd
Date: 06/18/2019

WILLOW CROSSING EAST, REPLAT FP19-0009



FINAL PLAT OF WILLOW CROSSING EAST REPLAT

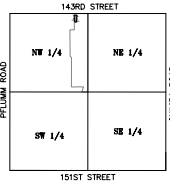
RESURVEY AND REPLAT OF PLATTED RIGHT-OF-WAY OF PARKHILL STREET, WILLOW CROSSING EAST, FIRST PLAT, A SUBDIVISION OF LAND IN THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 14 SOUTH, RANGE 24 EAST, IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS



SCALE: 1"=30'
0' 30' 60'
BEARING BASED RECORDED PLAT OF
"WILLOW CROSSING EAST, FIRST PLAT"

LEGEND

- DENOTES FOUND 1/2" REBAR W/HELPS CORP.
- DENOTES PLASTIC CAP
- U/E DENOTES UTILITY EASEMENT
- D/E DENOTES DRAINAGE EASEMENT

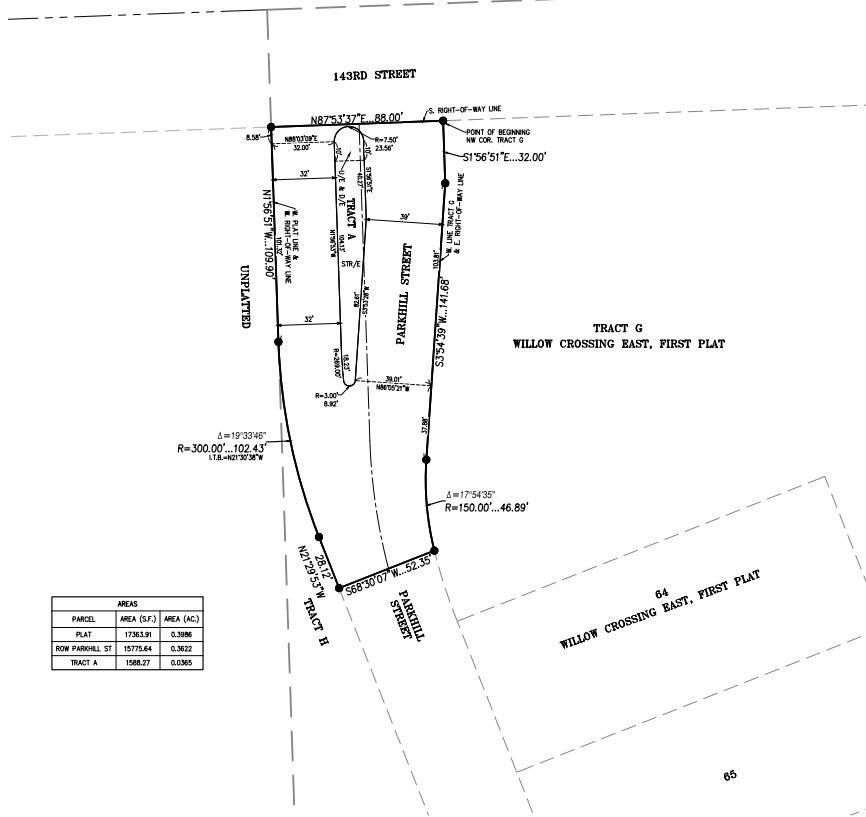


LOCATION MAP
SECTION 3-14-24



SCALE: 1" = 2000'

PARCEL	AREA (S.F.)	AREA (AC)
PLAT	17933.91	0.3986
ROW PARKHILL ST	15775.64	0.3622
TRACT A	1568.27	0.3565



LEGAL DESCRIPTION

Resurvey and replat of platted right-of-way of Parkhill Street, as now established and shown on the recorded plat of WILLOW CROSSING EAST, FIRST PLAT, a platted subdivision of land in the Northwest Quarter of Section 3, Township 14 South, Range 24 East, in the City of Olathe, Johnson County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of Tract G of said WILLOW CROSSING EAST, FIRST PLAT, said point also being the intersection of the South right-of-way line of 143rd Street, as now established and the Eastern right-of-way line of said Parkhill Street, thence along the Western line of said Tract G and the Eastern right-of-way line of said Parkhill Street, for the following three (3) courses; thence S 17°45'1\"/>

The undersigned proprietors of the above described tract of land have caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision and plat shall hereafter be known as "WILLOW CROSSING EAST REPLAT".

DEDICATION

The undersigned proprietors of the property shown on this plat do hereby dedicate for public use and public ways and thoroughfares, all parcels and parts of land indicated on said plat as streets, terraces, places, roads, drives, lanes, avenues, and alleys, not heretofore dedicated.

The undersigned proprietors of said property shown on this plat do hereby certify that all prior existing easement rights on land to be dedicated for public use and public ways and thoroughfares running to any person, utility, or corporation have been absolved except that same person, utility or corporation shall retain whatever rights they would have as if located in a public street.

The undersigned proprietors of the above described tract of land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land dedicated, shall remain a lien on the remainder of this land fronting and abutting on said dedicated public way or thoroughfare.

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, sewer pipes, poles, wires, surface drainage facilities, ducts, cables, etc., upon, over and under those areas outlined hereon and designated on this plat as "U/E" or "Utility Easement".

An easement or license is hereby granted to the City of Olathe, Johnson County, Kansas, to locate, construct and maintain or authorize the location, construction or maintenance and use of sanitary sewer lines and surface drainage facilities, including manholes, inlets, pipes, drains, etc., upon, over and under those areas outlined hereon and designated on this plat as "D/E" or "Drainage Easement".

Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code. Restrictions on the use or alteration of the said facilities may apply. This property is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City.

An easement or license is hereby granted to the City of Olathe for the purpose of construction, repair and maintenance of curbs, streets and for any restoration of any disturbed areas upon and across those areas outlined and designated on this plat as "Street Easement" or "STR/E". Tract "A" is dedicated as "STR/E".

Tract "A" shall be owned and maintained by the Willow Crossing Homes Association. Said tract is intended to be used for landscaping, and monuments.

RESTRICTIONS

All lots, parcels, tracts and properties in this subdivision shall hereafter be subject to the Declaration of Restrictions for "Willows Crossing", which instrument is recorded in the Office of the Register of Deeds of Johnson County, Kansas, and which shall hereby become a part of the dedication of this plat as though fully set forth herein.

CONSENT TO LEVY

The undersigned proprietors of the above described land hereby agree and consent that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessments, and that the amount of unpaid special assessments on such land so dedicated, shall become and remain a lien on the remainder of this land fronting or abutting on such dedicated public way or thoroughfare.

EXECUTION

IN TESTIMONY WHEREOF, undersigned proprietors have caused this instrument to be executed on this _____ day of _____, 20____.

WILLOWS 143, L.L.C.

By: _____
Brian E. Rodack, Member

ACKNOWLEDGEMENT

STATE OF KANSAS }
COUNTY OF JOHNSON } SS

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said County and State, came Brian E. Rodack, Member of WILLOWS 143, L.L.C., who is personally known to me to be such person who executed, as such officer, the within instrument on behalf of said company, and such person duly acknowledged the execution of the same to be the act and deed of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public: _____ My Appointment Expires: _____

Print Name: _____

APPROVALS

Approved by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 20____.

Chairman: C.S. Vokes

Approved by the Governing Body of the City of Olathe, Kansas, this _____ day of _____, 20____.

Mayor: Michael E. Copeland

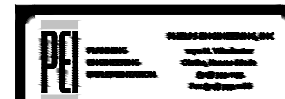
Attest:
City Clerk

NOTE: WILLOWS CROSSING SUBDIVISION IS LOCATED IN CLOSE PROXIMITY OF THE JOHNSON COUNTY EXECUTIVE AIRPORT AND AIRCRAFT INCLUDING BUSINESS JETS. OPERATING FROM THE AIRPORT SHOULD BE EXPECTED TO OVERFLY SE PORTION FROM, AND BE HEARD FROM THE PROPERTY ON A REGULAR BASIS.



I, THOMAS D. PHELPS, HEREBY CERTIFY THAT IN JANUARY 2018, OR THEREABOUTS, UNDER MY DIRECT SUPERVISION HAVE MADE A SURVEY OF THE ABOVE DESCRIBED TRACT OF LAND AND THE RESULTS OF SAID SURVEY ARE CORRECTLY REPRESENTED ON THIS PLAT.

CERTIFICATE OF AUTHORIZATION
KANSAS
LAND SURVEYING - LS-42
ENGINEERING - E-36
CERTIFICATE OF AUTHORIZATION
MISSOURI
LAND SURVEYING - 20070128
ENGINEERING - 20070058





City of Olathe
Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	<u>UDO19-0002:</u> Unified Development Ordinance (UDO) Amendments – Chapter 18.20, 18.30, 18.40, 18.50, and 18.60.
Applicant:	City of Olathe
Staff Contact:	Zachary Moore, Planner II

Comments:

Staff is requesting a continuance from this scheduled public hearing date for updates to Chapters 18.20, 18.30, 18.40, 18.50, and 18.60 of the UDO. This request for a continuance is to allow the aforementioned updates to be placed on the same Planning Commission agenda as the proposed updates to Chapter 18.15 of the UDO (UDO19-0001). The updates that are included within UDO19-0002 correlate with the updates that are proposed with UDO19-0001.

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

Staff Recommendation:

Staff recommends continuing this public hearing to a future Planning Commission meeting.



City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	<u>RZ19-0007</u> Rezoning from R-1 and CTY RUR to M-2 district and preliminary site development plan for Olathe Facilities Expansion
Location:	In the vicinity of Old US-56 Highway and Robinson Street
Owner/Applicant:	Chad Foster, City of Olathe
Architect/Engineer:	Tom Smith, McClure Engineering Company
Staff Contact:	Dan Fernandez, Planner II

Site Area:	<u>70.51 ± acres</u>	Proposed Use:	<u>Parks Maintenance Building/Olathe Facilities Expansion</u>
Current Zoning:	<u>R-1, M-2, CTY RUR</u>	Proposed Zoning:	<u>M-2</u>
Building Area:	<u>23,000 sq. ft. (1 building)</u>	Plat:	<u>Unplatted (final plat on this agenda)</u>

	Plan Olathe Land Use Category	Existing Use	Current Zoning	Site Design Category	Building Design Category
Site	Industrial/Primary Greenway	Vacant	R-1, M-2, CTY RUR	6	F
North	Conventional Neighborhood/Primary Greenway	Single-family homes	R-1/CTY RUR	-	-
South	Industrial/Primary Greenway	Quarries	M-3	-	-
East	Industrial	City/County Facilities	MP-2	-	-
West	Primary Greenway	Vacant	M-2	-	-

1. Comments:

The applicant is requesting a rezoning from R-1 (Single-family residential) and CTY RUR (County Rural) to M-2 (General Industrial) and a preliminary site development plan for the Parks Maintenance Building. The subject property is located to the southwest of the Old US-56 Highway and Robinson Drive intersection. The preliminary site development plan includes the Parks Maintenance Facility which will include offices, interior storage, outdoor screened material storage and vehicle bays for equipment repair. The area around the Parks Maintenance Facility will develop as future facilities and training areas for the Public Works Department, Parks Department, Police Department and Fire Department.

Approximately 7 acres of the northern portion of the site was rezoned to R-1 in June 1970. The majority of the remaining area lies within the CTY RUR zoning district and was not rezoned to a City zoning district upon annexation to the City. A small portion of the property along the south property line has an M-2 zoning designation which was part of a rezoning on the adjacent property that was approved in 1989. There has been no development on the subject property or the adjacent M-2 property.

2. Existing Conditions/ Site Photos:



Aerial Map of Subject Property



View looking southwest from Old US-56 Highway

The site is currently undeveloped with existing trees covering the west and north portions of the site.

3. Public Notice/ Neighborhood Information:

The applicant mailed the required public notification letters to surrounding properties within 200 feet and posted signs on the subject property per Unified Development Ordinance (UDO) requirements.

A neighborhood meeting was held on May 14, 2019, in accordance with the UDO requirements. There were no attendees at the meeting and staff has not received any correspondence for or against the proposed rezoning and preliminary site development plan.

4. Zoning Requirements:

- a. **Setbacks** –The following table lists the minimum building setback requirements for developments in the M-2 District as well as the proposed setbacks for the parks maintenance building:

Building Setbacks	UDO Requirement (min.)	Proposed Plan
<i>Front Yard</i>	30 feet from property line	420 feet
<i>Side Yard</i>	10 feet from property line	1006 feet and 1231 feet
<i>Rear Yard</i>	10 feet from the property line	723 feet

Parking/paving setbacks for developments in the M-2 District are required to have a 30-foot setback from the public street right-of-way. The submitted plans are showing an over 300-foot parking/paving setback and any future development would be required to meet all setbacks for this district.

- b. **Building Height** – The maximum building height for projects subject to Site 6 and Building F Design Categories in the M-2 District is 55 feet from finished grade. The proposed building is approximately 29 feet in height.
- c. **Open Space** – The proposed development is well over the 15% open space requirement and at full buildout will be over this minimum percentage due to the floodway and tree preservation areas that will remain undeveloped.
- d. **Use** – The proposed use for a Parks Maintenance Building and future public works facilities are permitted in M-2 Districts, so a rezoning application is required as the property lies mostly in the R-1 and CTY RUR zoning districts.

A future land use site plan is included in the packet showing the different types of uses and phases of development.

5. Development Requirements:

- a. **Access/Streets** – The subject site will have one access drive onto Old US-56 Highway and this will be a private drive and not a public street. This drive will connect to the proposed Parks Maintenance Building and to the existing Robinson Public Works campus located to the southeast.
- b. **Parking/Lighting** – For industrial uses not specifically listed in the UDO, the parking requirement is 2.5 spaces per 1,000 square feet of building area. Based on the total area of the 23,000 square foot building, 58 parking spaces are required for this use. The preliminary site development plan for the Parks Maintenance Building shows over 100 parking spaces which exceeds the UDO requirement.

Parking for additional uses on this site will be reviewed with revised preliminary or final site development plan applications.

- c. **Landscaping/Buffers** – The site is heavily treed on the western side of the lot and along the north property line. The trees on the west side of the property will remain as they are located within a flood zone and the applicant has included a tree preservation area along the north property line for screening.

A landscape plan for the Parks Maintenance Facility will be required with the final site development plan application and will include landscaping in areas such as along the primary foundation, landscape islands and along the access drive.

- d. **Public Utilities** – The subject property is located within the City of Olathe water and sewer service areas.
- e. **Stormwater** - The development is providing stormwater detention along with stormwater quality and the applicant has submitted a conceptual stormwater plan with the application. The development will comply with all UDO and Title 17 requirements.

- f. **Mechanical Equipment**– All mechanical equipment will be screened per *UDO* requirements and a note shall be placed on the final site development plans stating that this requirement will be met.

6. Site Design Standards:

The proposed development is subject to composite design standards are **Site Design Category 6** (*UDO 18.15.130*). The following is staff's analysis of the design requirements.

Composite Site Design (Category 6)	Design Requirements	Meets Site Design Requirement
<i>Parking Pod Size</i>	Maximum parking pod size of 320 spaces <i>The parking pod sizes are below the maximum 320 parking spaces per pod</i>	Yes
<i>Open Storm Drainage/Detention Area</i>	Open storm drainage or detention areas shall be designed to reduce visual impacts and provide a pedestrian amenity <i>There are no open storm drainage or detention areas visible to the public</i>	Yes
<i>Landscape Buffer Area adjacent to arterial streets or non-industrial uses</i>	Landscape buffer area adjacent to arterial streets on non-industrial uses <i>A tree preservation easement is located along Old US-56 Highway and has been included on the associated plat</i>	Yes

7. Building Design Standards:

The proposed development is subject to **Building Design Category F** design guidelines (*UDO 18.15.050*). The building consists of split face CMU, architectural metal, pre-engineered metal and glass. The south elevation is considered primary as this is the main entrance to the building. The following is an analysis of the proposed apartments and required design standards.

Composite Building Design Standards (Category F)	Design Requirements	Meets Building Design Requirements
<i>Primary Façade Expression</i>	Primary faces shall incorporate façade expression tools such as wall offsets, variation in roof height, a minimum 20% glass <i>The primary façade (south) contains more than 20% glass</i>	Yes

<i>Building Materials on Primary Facade</i>	The primary facades require a minimum 20% Category 1, a minimum 60% Category 2 materials and a maximum 20% Category 3 materials <i>The south elevation is considered primary as this is the main entrance. This side of the building has 37% Category 1 materials, 43 % Category 2 materials and 20% Category 3 materials.</i>	Yes
<i>Building Materials on Secondary Facade</i>	Secondary facades require a minimum 20% Category 1 and 2 Materials and a maximum 80% Category 3 materials. <i>The secondary elevations (north, east and west) all have over 20% Category 1 and 2 materials</i>	Yes
<i>Transition to R-1 and R-2 Districts</i>	A building or portion of the building located within 200 feet of an R-1 or R-2 District may be no more than 35 feet or 2 stories in height <i>The building is not within 200 feet of an R-1 or R-2 District, however, the height is under 35 feet and 2 stories</i>	Yes
<i>Location of Overhead Doors for Vehicular Access</i>	Minimum 2-foot tall window on the overhead door if located on a primary elevation <i>2-foot windows located on the overhead doors located on the primary elevation (south)</i>	Yes

With this rezoning and preliminary site development plan submittal, only the elevations for the Parks Maintenance Building were included. Any additional buildings within this development, other than accessory buildings, will require a revised preliminary site development plan to be approved by the Planning Commission.

8. Comprehensive Plan Analysis:

The following are criteria for considering rezoning applications as listed in *Unified Development Ordinance (UDO) Section 18.40.090 G*.

A. The conformance of the proposed use to the Comprehensive Plan and other adopted planning policies.

The *Comprehensive Plan* identifies the subject property as Industrial and Primary Greenway. These land use designations consist of industrial developments and conservation areas respectively. The Parks Maintenance Building is an appropriate use within the Industrial Future Land Use Designation and the development will be conserving streamways within the property as well as trees along the north property line.

The proposed development also meets the goals of the Comprehensive Plan including being compatible with adjacent land uses (LUCC-8.2), preserving greenways and streamway corridors (ESR-1.3) and being consistent with the Comprehensive Plan (LUCC-1.1).

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 consists of properties zoned single-family residential, County Rural and heavy/general industrial. The surrounding existing uses are 2 single-family homes; however, those are located across Old US-56 Highway and the development will be providing a tree preservation easement along the highway for screening. The site is immediately adjacent to existing industrial uses including the City of Olathe Public Works Building and Maintenance Facility, the Johnson County Transit Facility and a quarry. The proposed use and proposed future uses are compatible with the surrounding area.

C. The zoning and uses of nearby properties, and the extent to which the proposed use would be in harmony with such zoning and uses.

There are a variety of uses in the area, however the development is immediately adjacent to other industrial uses which is in harmony with the proposed uses for this site. There are 2 single-family homes located north of the site but both houses are on the north side of Old US-56 Highway and the proposed development is including a tree preservation area for screening. Also, the building includes large setbacks from the public street right-of-way.

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

Approximately 7 acres of the site is zoned R-1 which would permit single-family residences and a small section of the property is zoned M-2 which permits industrial uses.

The majority of the site is zoned CTY RUR which is a County zoning designation. A rezoning to a City zoning designation is required prior to development taking place on property that still has County zoning.

Single-family homes would not be appropriate for this site as it is immediately adjacent to existing industrial uses. Since the site is within the Industrial Future Land Use designation and adjacent to existing industrial uses, an industrial zoning district is appropriate for this property.

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

The property was rezoned to R-1 in 1970 and the majority of the remaining property kept its County zoning designation when annexed into the City.

There has been no development on the site since the rezoning to R-1 and the annexation of the property into the City.

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

The proposed development is not expected to detrimentally affect nearby properties as the development is adjacent to existing industrial uses and the nearby single-family homes are located across the highway. The development is also including a tree preservation easement along the highway for screening.

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

The development is immediately adjacent to other industrial uses and the nearest existing residential is located across Old US-56 Highway. The preliminary site development plan is showing large setbacks for the proposed building and a tree preservation area along the highway for screening. Due to the location, setbacks and tree preservation area, the proposed development should not substantially harm the value of nearby 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.

The site will have access to Old US-56 which is an expressway built to handle a variety of traffic, including traffic. Also, the development is providing adequate on-site parking and any future development on the site will also be required to meet UDO requirements for parking.

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

Staff is not aware of any potential for unlawful levels of air, water or noise pollution with the proposed development. The development is required to comply with the City's stormwater requirements and provide best management practices for water quality.

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

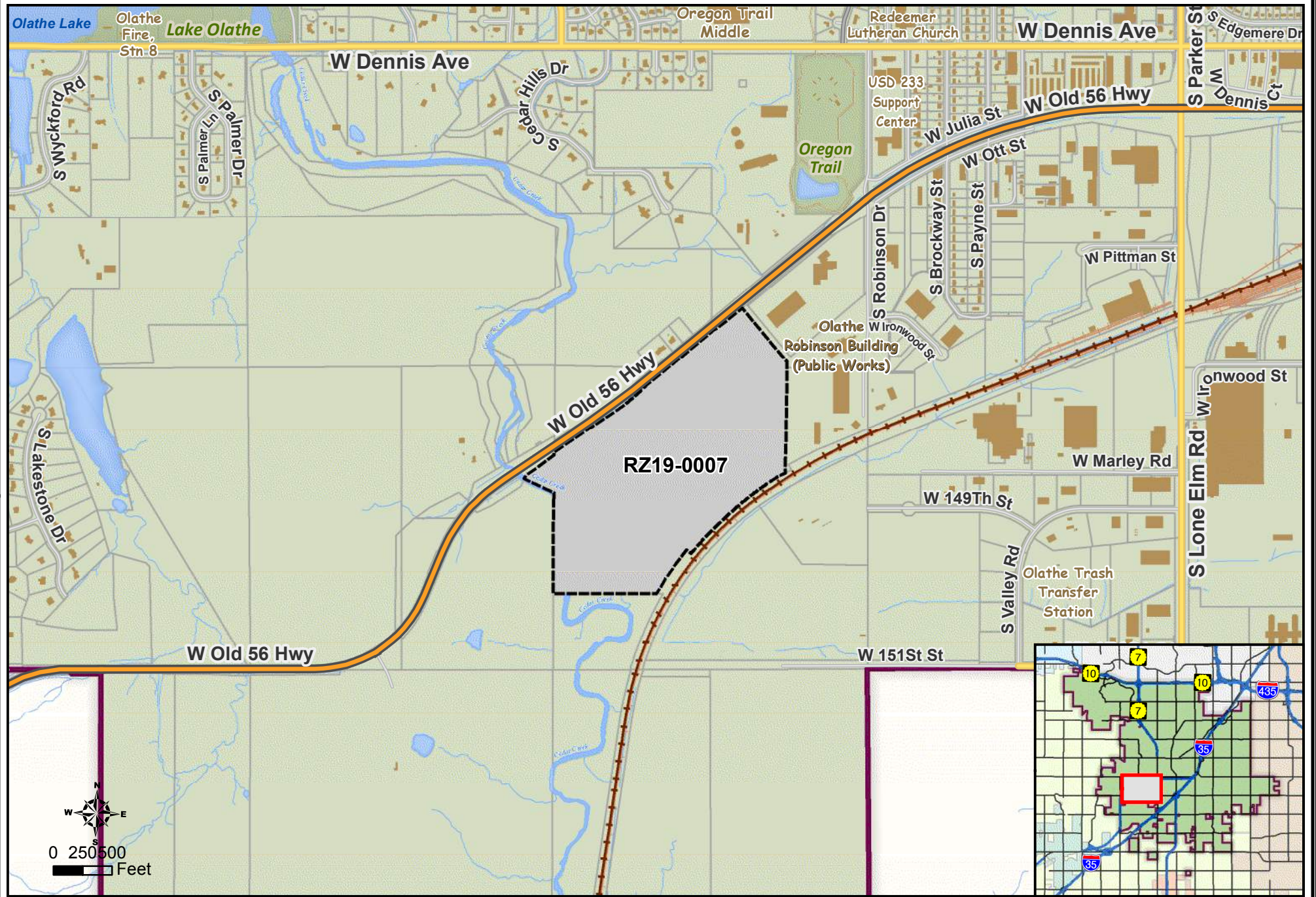
There will be no economic impact of the proposed use on the community.

9. Staff Recommendation:

A. Staff recommends approval of RZ19-0007 for the following reasons:

- (1) The proposed development complies with the policies and goals of the *Comprehensive Plan* (Principle LUCC-1.1, LUCC-8.2 and ESR-1.3).
- (2) The requested rezoning to M-2 district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.

- B. Staff recommends approval of the preliminary site development plan with the following stipulations:
 - (1) Any new buildings within this development, other than accessory buildings, shall require a revised preliminary site development plan.



OLATHE FACILITIES EXPANSION RZ19-0007



User: jaredmd
Date: 06/18/2019

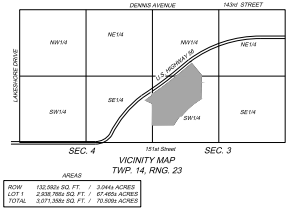


FLOOD NOTE:

This property lies within Flood Zone X, defined as areas determined to be outside the limits of the 0.2% annual chance flood plane. Flood Zone X (Future Base Flood), defined as areas of 1% annual chance flood based on future conditions hydrology, no base flood elevations determined. Flood Zone AE, defined as Base Flood Elevations Determined. Floodway areas in Zone AE, defined as the channel of a stream plus any adjacent floodway areas that must be kept free of encroachment, as shown on the Flood Insurance rate map prepared by the Federal Emergency Management Agency for the City of Olathe, Johnson County, Kansas, Community No. 200173, Panel No. 00002 and dated August 2, 2008.

Property Legal Description:

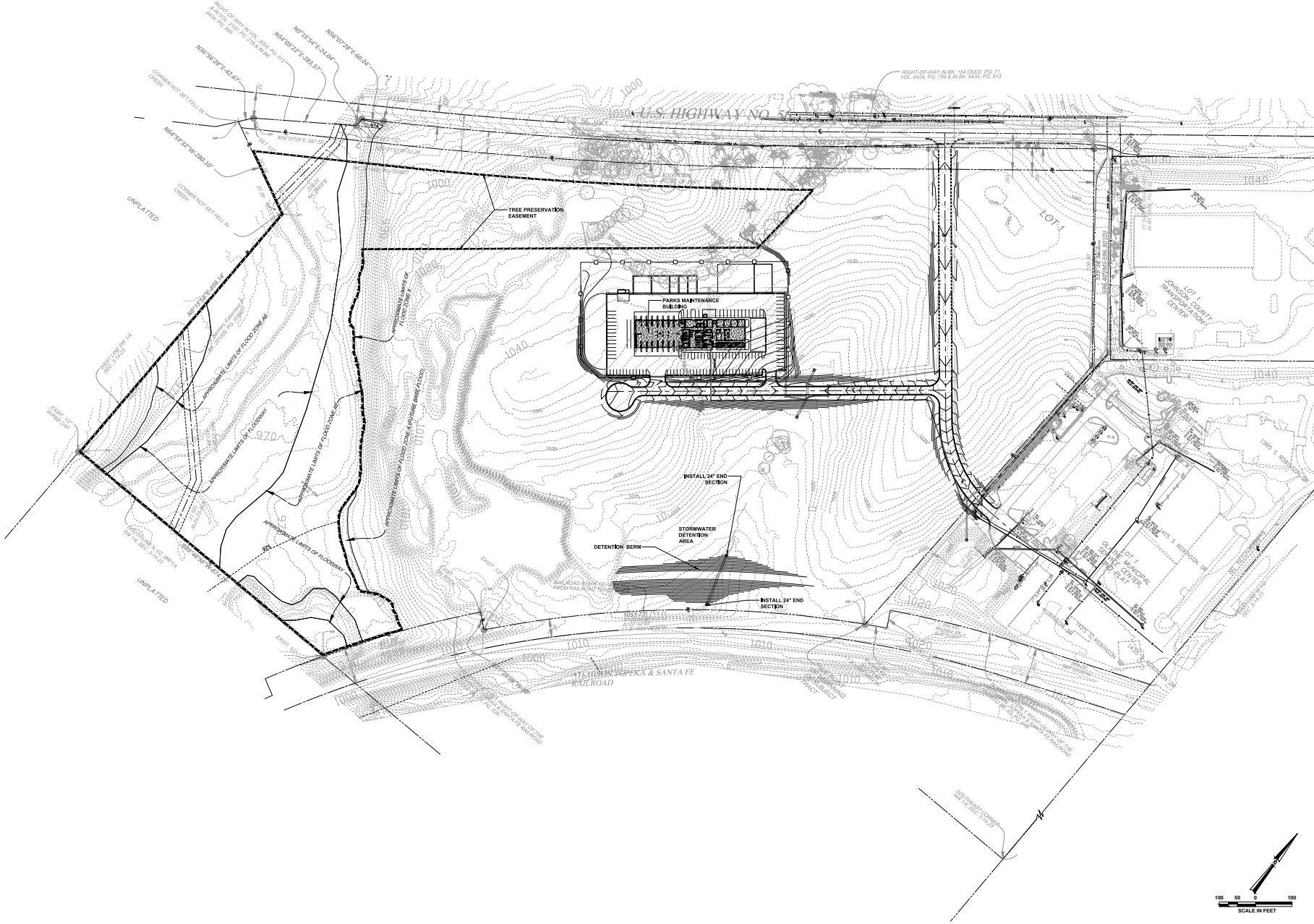
All that part of the W 1/2 of Section 3, Township 14, Range 23 and all that part of the E 1/2 of section 4, township 14, range 23, now in the City of Olathe, Johnson County, Kansas, more particularly described as follows: commencing at the Northeast corner of the NW 1/4 of said section 3; thence S 57° E, along the east line of the W 1/2 of said Section 3, a distance of 527.59 feet, to a point on the North right-of-way line of the Atchison, Topeka & Santa Fe railroad, as now established; thence S 67° 25' 25" W, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 589.25 feet, to a point of curvature; thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2964.93 feet and a central angle of 6° 51' 01", a distance of 354.49 feet; thence S 29° 25' 17" E, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 50 feet; thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2914.93 feet, a central angle of 1° 11' 40" and whose initial tangent bearing is S 80° 34' 24" W, a distance of 65.86 feet, to the True Point of Beginning of subject tract; thence continuing Southwesterly along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2914.93, a central angle of 20° 42' 34" and whose initial tangent bearing is S 59° 22' 38" W, a distance of 1053.73 feet; thence N 51° 20' 10" W, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 60 feet; thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2964.93 feet, a central angle of 6° 42' 59" and whose initial tangent bearing is S 59° 39' 54" W, a distance of 451.02 feet, to a point on the South line of the NW 1/4 of the SW 1/4 of said section 3; thence S 89° 48' 58" W, along the south line of the NW 1/4 of the SW 1/4 of said section 3, a distance of 674.72 feet, to the Southwest corner thereof; thence N 15° 54' E, along the west line of the SW 1/4 of said Section 3, a distance of 855.14 feet; thence N 64° 50' 32" W, a distance of 280.10 feet, to a point on the South right-of-way line of U.S. Highway No. 56, as now established; thence N 58° 32' 28" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 42.67 feet; thence N 41° 05' 22" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 283.57 feet, to a point on the West line of the SW 1/4 of said section 3; thence N 0° 15' 54" E, along the west line of the SW 1/4 of said section 3, and along the South right-of-way line of said U.S. Highway No. 56, a distance of 24.04 feet; thence S 50° 07' 28" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 85.04 feet, to a point of curvature; thence Northwesterly, along the South right-of-way line of said U.S. Highway No. 56, said line being on a curve to the left, having a radius of 11489.26 feet and a central angle of 6° 14' 04", a distance of 1159.99 feet, to a point of tangency; thence N 50° 22' 34" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 855.18 feet, to a point 50 feet Southwesterly of the Northerly extension of the Southwesterly line of lot 1, Johnson County transportation center, a subdivision of land now in the City of Olathe, Johnson County, Kansas; thence S 30° 38' 38" E, along a line 50 feet Southwesterly and parallel with the Southwesterly line of said lot 1, a distance of 596.40 feet; thence S 1° 09' 27" W, a distance of 848.51 feet, to the True Point of Beginning, except that part in road and highway.



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816 474-8217

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CONSULTANTS

SK
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Civil Engineers
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Overland Park, KS 66211
(913) 451-1818
fax (913) 451-7599
www.skdg.com



ReZoning & Preliminary Site Development Plan ReSubmittal

Olathe Parks Maintenance Facility
56 Hwy & S. Robinson Dr.
Olathe, Kansas 66061

TCEP No.: 812-006-18
Olathe #: 6-C-001-18
Olathe #: 6-C-031-18
May 20, 2019

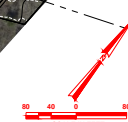
DRAFT
PREPARED FOR PRELIMINARY SUBMISSION AND REVIEW ONLY - NOT FOR CONSTRUCTION



Olathe Parks
Maintenance Facility
56 Hwy & S. Robinson Dr.
Olathe, Kansas 66061

DRAFT
PREPARED FOR PRELIMINARY
SUBMISSION AND REVIEW ONLY
NOT FOR CONSTRUCTION.

Z203









FUTURE LAND USE TABLE			
PARCEL	AREA	BUILDING SIZE	PROPOSED USE
PUBLIC WORKS 1	5.8 AC	50,000 SF	OFFICE, STORAGE, VEHICLE MAINTENANCE
PUBLIC WORKS 2	5.0 AC	50,000 SF	OFFICE, STORAGE, VEHICLE MAINTENANCE
PUBLIC WORKS 3	1.7 AC		FUEL BLDG
PARCELS 1	23.5 AC	7,500 SF	STORAGE AND MAINTENANCE EXPANSION
PARCELS 2	6.4 AC	N/A	TRAIL FARM AND STORAGE AREA
FIRE 1	1.8 AC	12,000 SF	VEHICLE STORAGE AND MAINTENANCE BUILDING
FIRE 2	7.9 AC	80,000 SF	TRAINING CLASSROOM AND STORAGE BUILDING
FIRE 3	9.1 AC		TECHNICAL OFFICE

Future Land Use
Site Plan Diagram
Z300



COMPOSITE BUILDING DESIGN CATEGORY F			
	MATERIALS CATEGORY 1	MATERIALS CATEGORY 2	MATERIALS CATEGORY 3
SOUTH ELEVATION PRIMARY	20%	60%	20%
SECONDARY FACADE	24%		76%
PRIMARY FACADE EXPRESSION	TRANSPARENCY		



	SPLIT FACE CMU	BRAND - COLOR - STYLE (M&H, RUNNING BOND)
	INSULATED METAL WALL PANEL 12'	METL SPAN OF ARCHITECTURAL CONCEALED FASTENER INSULATED METAL PANEL, HORIZONTAL
	INSULATED METAL WALL PANEL 8'	METL SPAN OF ARCHITECTURAL CONCEALED FASTENER INSULATED METAL PANEL, COLUMN COVERS
	BURNISHED BLOCK TRIM	BRAND - COLOR (SEE WALL SECTIONS FOR PROFILES)
	PRE-ENGINEERED (7.2) WALL PANEL SYSTEM	MICI 7.2 - EXPOSED FASTENER RISER PANEL SYSTEM COLOR: SLATE GRAY. SEE SPEC
	TRANSLUCENT WALL PANEL SYSTEM	KUWALL WINDOW SYSTEM. SEE SPEC

NOTE: MATERIALS LISTED ARE BASIS OF DESIGN
FOR THIS BRIDGE. SEE APPROVED MATERIALS



Exterior Elevations

Z400



TCEP No.: 812-006-18
Olathe #: 6-C-001-18
Olathe #: 6-C-031-18
May 20, 2019

Building Perspectives

Z401



City of Olathe

City Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	FP19-0011 Final Plat for Olathe Facilities Expansion
Location:	In the vicinity of Old US-56 Highway and Robinson St.
Owner/Applicant:	Chad Foster, City of Olathe
Engineer:	Tom Smith, McClure Engineering Company
Staff Contact:	Dan Fernandez, Planner II

Acres:	<u>70.51± acres</u>	Proposed Use:	<u>Parks Maintenance Building/Olathe Facilities</u>
Current Zoning:	<u>R-1, M-2, CTY RUR</u>	Lots:	<u>1</u>
Proposed Zoning:	<u>M-2</u>	Tracts:	<u>0</u>

1. Comments:

This is a request for approval of a final plat for Olathe Facilities Expansion on 70.51± acres, located in the vicinity of Old US-56 Highway and Robinson Street.

The site is being platted for a proposed rezoning and preliminary site development plan for Olathe Facilities Expansion. The related application for rezoning to the M-2 District (RZ19-0007) is also on the agenda and the proposed development consists of a Park Maintenance Building and future uses for Public Works and training areas for the Fire and Police Departments.

2. Final Plat Review

- a. **Lots/Tracts** – The final plat includes 1 lot which meets the area and setback requirements for M-2 Districts.

No tracts are being dedicated with this plat, however, the limits of the flood zone on the property is being shown and a tree preservation easement along Old US-56 is being dedicated to preserve existing trees along the highway and within the stream corridor.

- b. **Utilities/Municipal Services** –The property is located in the City of Olathe water and sewer service areas.

As much of the site is conceptual, utility and stormwater easements will be dedicated by separate instrument once it is known how the site will develop.

- c. **Access/Streets** – The subject site will have one access drive onto Old US-56 Highway. The access point will connect to an internal driveway and will not be a public street.

Additional right-of-way is being dedicated along Old US-56 Highway to meet UDO requirements.



Aerial Map of Subject Property

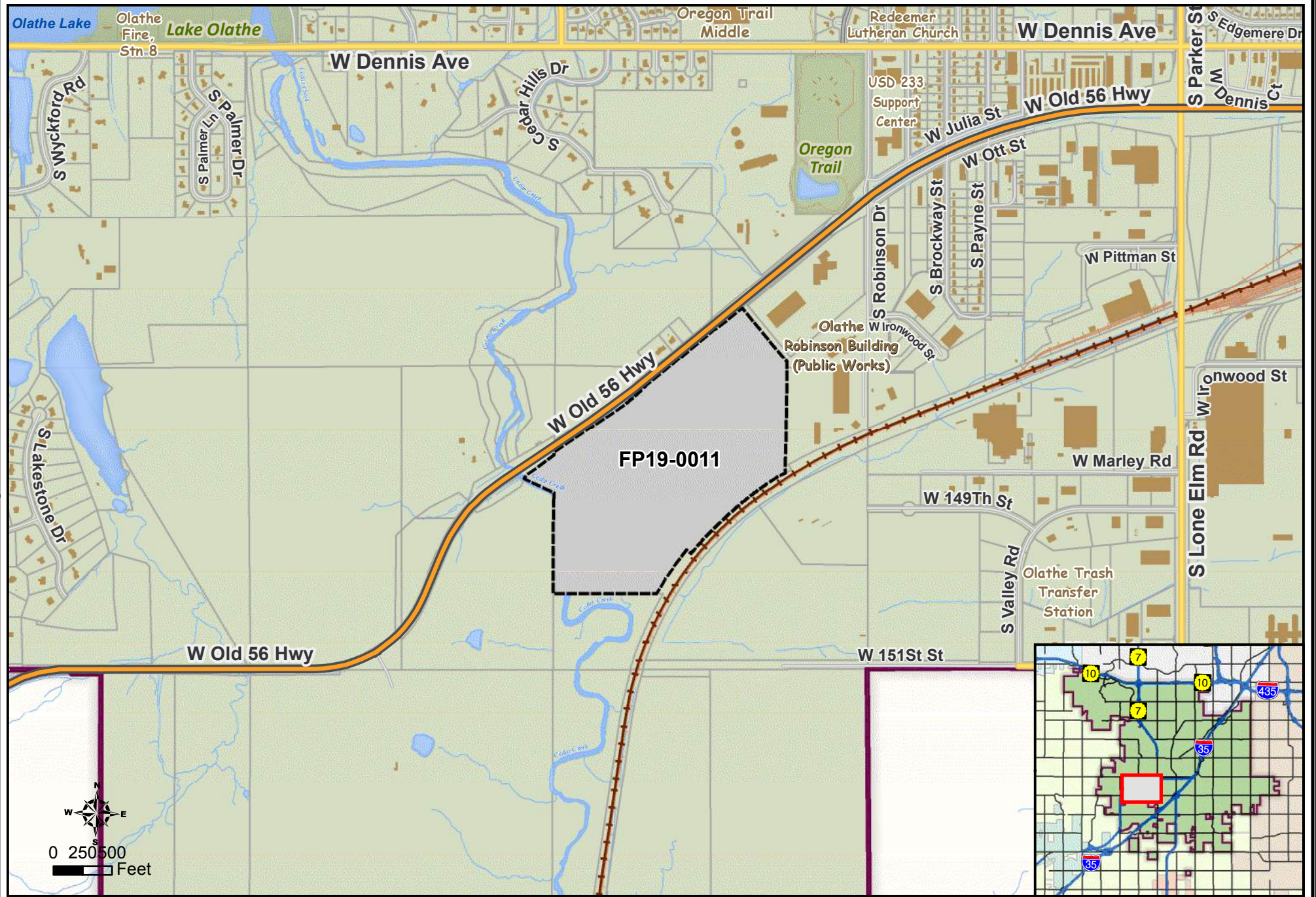


View of site looking southwest from Old US-56

3. Staff Recommendation:

Staff recommends approval of FP19-0011 with the following stipulations:

- a. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the City Planning Division.
- b. Tree preservation fencing shall be placed on site in accordance with Section 18.30.240 of the UDO.



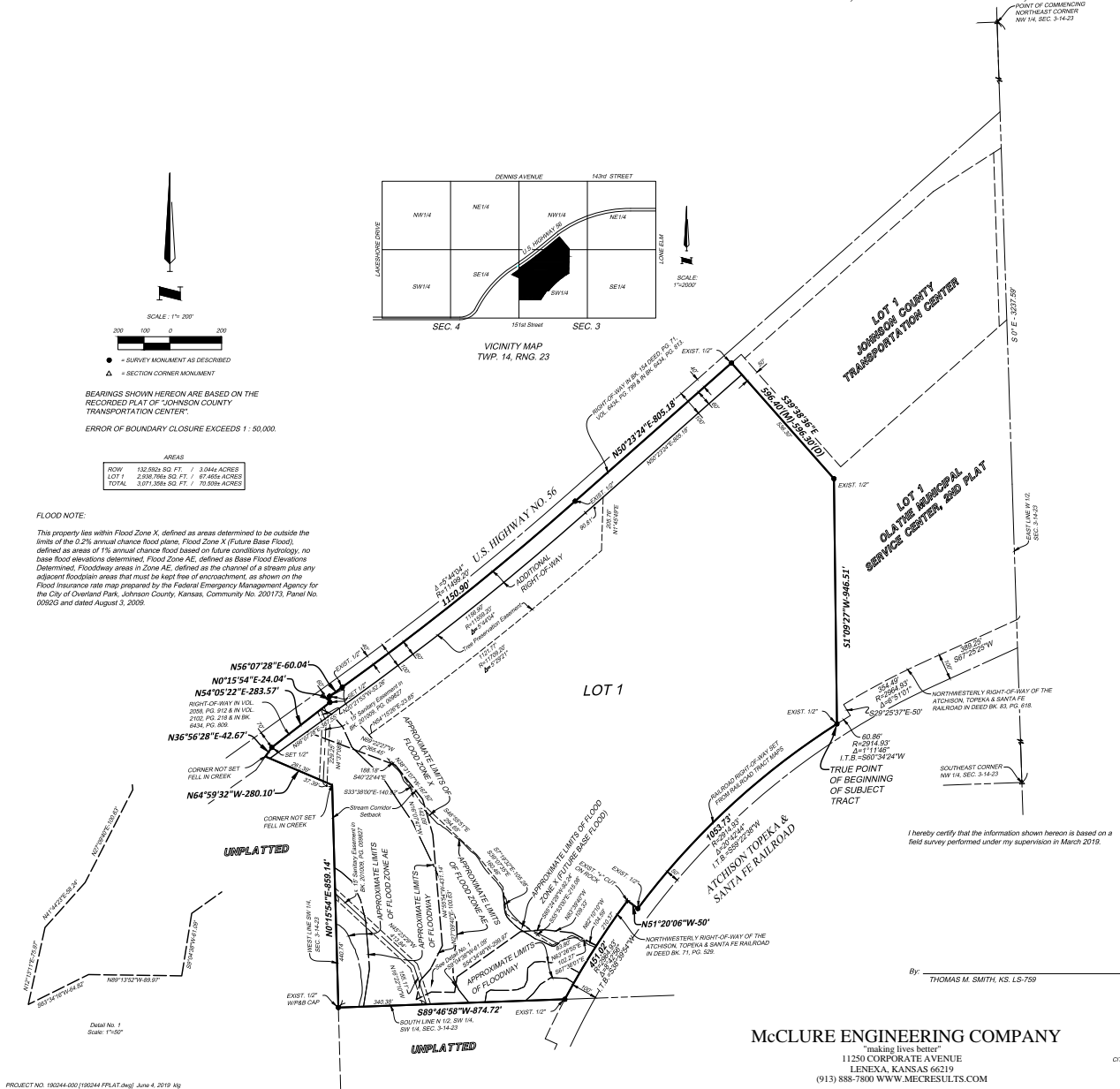
OLATHE FACILITIES EXPANSION FP19-0011



User: jaredmd
Date: 06/18/2019



FINAL PLAT OF
OLATHE FACILITIES EXPANSION
PART OF THE SECTION 3 & 4, TOWNSHIP 14, RANGE 23
CITY OF OLATHE, JOHNSON COUNTY, KANSAS



Description:

All that part of the W 1/2 of Section 3, Township 14, Range 23 and all that part of the e 1/2 of section 4, township 14, range 23, now in the City of Olathe, Johnson County, Kansas, more particularly described as follows: commencing at the Northeast corner of the NW 1/4 of said section 3; thence S 0° E, along the east line of the W 1/2 of said Section 3, a distance of 327.59 feet, to a point on the North right-of-way line of the Atchison, Topeka & Santa Fe railroad, as now established; thence S 67° 20' 25" W, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 389.25 feet, to a point of curvature; thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2964.93 feet and a central angle of 6° 51' 01", a distance of 354.45 feet; thence S 29° 23' 27" E, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 50 feet; thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2914.93 feet, a central angle of 11° 11' 48", and whose initial tangent bearing is S 60° 34' 24" W, a distance of 60.86 feet, to the True Point of Beginning of subject tract; thence continuing Southwesterly along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2914.93 feet, a central angle of 20° 42' 44", and whose initial tangent bearing is S 59° 22' 38" W, a distance of 1053.73 feet; thence N 51° 20' 06" W, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, a distance of 50 feet, thence Southwesterly, along the North right-of-way line of said Atchison, Topeka & Santa Fe railroad, said line being on a curve to the left, having a radius of 2964.93 feet, a central angle of 6° 42' 56", and whose initial tangent bearing is S 38° 39' 54" W, a distance of 451.02 feet, to a point on the South line of the N 1/2 of the SW 1/4 of said section 3; thence S 89° 46' 58" W, along the south line of the N 1/2 of the SW 1/4 of the SW 1/4 of said section 3, a distance of 874.72 feet, to the Southwest corner thereof; thence N 0° 15' 54" E, along the west line of the SW 1/4 of said Section 3, a distance of 859.14 feet; thence N 64° 59' 32" W, a distance of 280.10 feet, to a point on the South right-of-way line of U.S. Highway No. 56, as now established; thence N 36° 56' 28" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 42.67 feet; thence N 54° 05' 22" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 263.57 feet, to a point on the West line of the SW 1/4 of said section 2; thence N 0° 15' 54" E, along the west line of the SW 1/4 of said section 2 and along the South right-of-way line of said U.S. Highway No. 56, a distance of 24.04 feet; thence N 56° 07' 28" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 60.04 feet, to a point of curvature; thence Northwesterly, along the South right-of-way line of said U.S. Highway No. 56, said line being on a curve to the left, having a radius of 11499.20 feet and a central angle of 5° 44' 04", a distance of 1150.90 feet, to a point of tangency; thence N 50° 23' 24" E, along the South right-of-way line of said U.S. Highway No. 56, a distance of 805.18 feet, to a point 50 feet Southwesterly of the Northerly extension of the Southwesterly line of lot 1, Johnson County transportation center, a subdivision of land now in the City of Olathe, Johnson County, Kansas; thence S 39° 38' 36" E, along a line 50 feet Southwesterly and parallel with the Southwesterly line of said lot 1, a distance of 588.40 feet; thence S 1° 09' 27" W, a distance of 846.51 feet, to the True Point of Beginning, except that part in road and highway.

DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision shall hereafter be known as "OLATHE FACILITIES EXPANSION".

The undersigned proprietor of said property shown on this plat does hereby dedicate those portions of the streets and roadways shown as U.S. Highway 56, together with all other parcels and parts of land indicated on this plat, and not heretofore dedicated, as streets, terraces, roads, drives, lanes, avenues, courts, places, etc., for public use as public ways or thoroughfares; subject to the right hereby reserved to the present owner and its successors and assigns for the location, construction and maintenance of conduits, water, gas and sewer lines, poles and wires under, over and along said roadways.

An easement of license is hereby dedicated to the City of Olathe, Johnson County, Kansas, to enter upon, over and across those areas outlined and designated on this plat as "Tree Preservation Easement". Trees shall not be removed from a tree preservation easement without the city of Olathe's permission, unless such trees are dead, diseased or pose a threat to the public or adjacent property. Johnson County, Kansas or their designees, shall be responsible for the maintenance of the tree preservation easement, including but not limited to the removal of dead, diseased trees or trees posing a threat to the public or adjacent property. Additionally there shall be no structures placed in the easement without the City of Olathe's consent.

Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Olathe Municipal Code. Restrictions on the use or alteration of the said Facilities may apply. This property is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City.

Notice: This site lies within a protected Stream Corridor, as defined and regulated in the City of Olathe, Kansas, Municipal Code. Restrictions on the use or alteration of the Stream Corridor may apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement approved by the City.

STREAM CORRIDOR NOTICE

This property is located within or contains a Stream Corridor, as defined and regulated in the City of Olathe, Kansas, Municipal Code. Restrictions on the use or alteration of land within the Stream Corridor may apply. This property is also subject to the obligations and requirements of the Stream Corridor Maintenance Agreement (BK: _____) approved by the City.

The undersigned proprietor of the above tract of land hereby agrees and consents that the Board of County Commissioners of Johnson County, Kansas, and the City of Olathe, Johnson County, Kansas, shall have the power to release such land proposed to be dedicated for public ways and thoroughfares, or parts thereof, for public use, from the lien and effect of any special assessment, and that the amount of unpaid special assessments on such land so dedicated shall become and remain a lien on the remainder of the land fronting or abutting on such dedicated public way or thoroughfare.

IN TESTIMONY WHEREOF, the undersigned proprietor has hereunto subscribed his hand.

OWNER _____

By: _____

STATE OF _____)

COUNTY OF _____) J.S.S.

The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by _____ of _____

APPROVED by the Planning Commission of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 2019.

Notary Public: _____

C.S. Vukan, Chair

APPROVED by the Governing Body of the City of Olathe, Johnson County, Kansas, this _____ day of _____, 2019.

Mayor: Michael Copeland

Attest: Deputy City Clerk: David F. Bryant III, MMC

I hereby certify that the information shown hereon is based on a field survey performed under my supervision in March 2019.

By: THOMAS M. SMITH, KS. LS-759

McCLURE ENGINEERING COMPANY
"making lives better"
11250 CORPORATE AVENUE
LENEXA, KANSAS 66219
(913) 888-7800 WWW.MCCLURERESULTS.COM

DEVELOPER:
CITY OF OLATHE PUBLIC WORKS
1385 S ROBINSON
OLATHE, KS 66461
Phone: (913) 871-6445



City of Olathe
City Planning Division

STAFF REPORT

Planning Commission Meeting: June 24, 2019

Application:	<u>SU19-0002:</u> Renewal of a special use permit for motor vehicle sales (CarStore USA)
Location:	115 S. Fir St.
Owner:	Joey Hendrich, J & L Consulting, L.L.C.
Applicant:	Bryan Nguyen, CarStoreUSA
Staff Contact:	Dan Fernandez, Planner II

Site Area:	<u>0.58± acres</u>	Proposed Use:	<u>Motor Vehicle Sales</u>
	Land Use	Zoning	Comprehensive Plan Designation
Site	<u>Motor Vehicle Sales</u>	<u>C-3</u>	<u>Commercial Corridor</u>
North	<u>Motor Vehicle Sales</u>	<u>CP-3</u>	<u>Commercial Corridor</u>
East	<u>I-35 ROW</u>	<u>N/A</u>	<u>Commercial Corridor</u>
South	<u>Auto Repair</u>	<u>C-3</u>	<u>Commercial Corridor</u>
West	<u>Auto Repair</u>	<u>C-3</u>	<u>Commercial Corridor</u>

1. Comments:

This is a request for a renewal of a special use permit to allow motor vehicle sales at 115 S. Fir Street on 0.58± acres. The subject property is approximately ¼ of a mile south of Santa Fe Street and has a 1,400 square foot building located on the site. This address has a long and varied history with special use permits beginning in 2000 with a special use permit (SU-15-00) for vehicle rentals. Since that first special use permit, there have been several permits approved for this site including for motor vehicle sales and trailer sales. The last approved special use permit (SU14-0005) was for motor vehicle sales in August 2014.

The renewal on this agenda is also for motor vehicle sales but the applicant will be a new operator for the site. CarStoreUSA is a Wichita based company that began in 2014 and the property at 115 S. Fir Street will be the business' second location. The Olathe store will only have motor vehicles for sale with no maintenance or repair done on site and the dealership will have 3 to 5 employees to start.



Aerial Map of Site



View of front of property from Fir Street

2. Parking:

The use requires 2 spaces per 1,000 square feet of indoor sales area and 1 space per 4,500 sq. ft. of outdoor sales area. The office within the building is about 500 square feet and there is approximately 8,600 square feet of outdoor sales area. Based on these numbers, the business requires 3 customer parking spaces which they are providing.

The remaining spaces can be used for vehicle sales, however, no vehicles for sale can be displayed in the customer parking stalls.

3. Site Improvements

Upon inspection of the site, staff noticed several zoning and code violations on the property. These violations included faded/chipped paint on the building, a fence in disrepair along the rear property line, Christmas lights around the wall sign, cracked pavement with potholes and no shrubs in the landscape area along the east foundation which is the main entrance.

Since notified of these violations, the applicant has painted the building, repaired the fence, removed the Christmas tree lights and planted 4 shrubs along the east foundation. The applicant has also submitted a contract with a local company to resurface the parking lot and the work shall be completed prior to the City Council meeting on July 16, 2019. The applicant has been very responsive, and we appreciate the communication with us to address these items.

4. Neighborhood Meeting/Public Notice:

A neighborhood meeting was not required as there is no additional development proposed with this renewal. The applicant notified all property owners within 200 feet of the subject site by certified mail, return receipt and posted a sign per Unified Development Ordinance (UDO) requirements.

Staff has not received any correspondence for or against this special use permit request.

5. Time Limit:

Per *Section 18.40.100.F.4* of the *UDO*, the Planning Commission may recommend, and the Governing Body shall grant or extend a permit for any period as is warranted under the circumstances.

The applicant is requesting a 5-year time limit which staff is supportive of as the applicant has been responsive to addressing site and building violations, having already made several improvements.

5. Staff Recommendation:

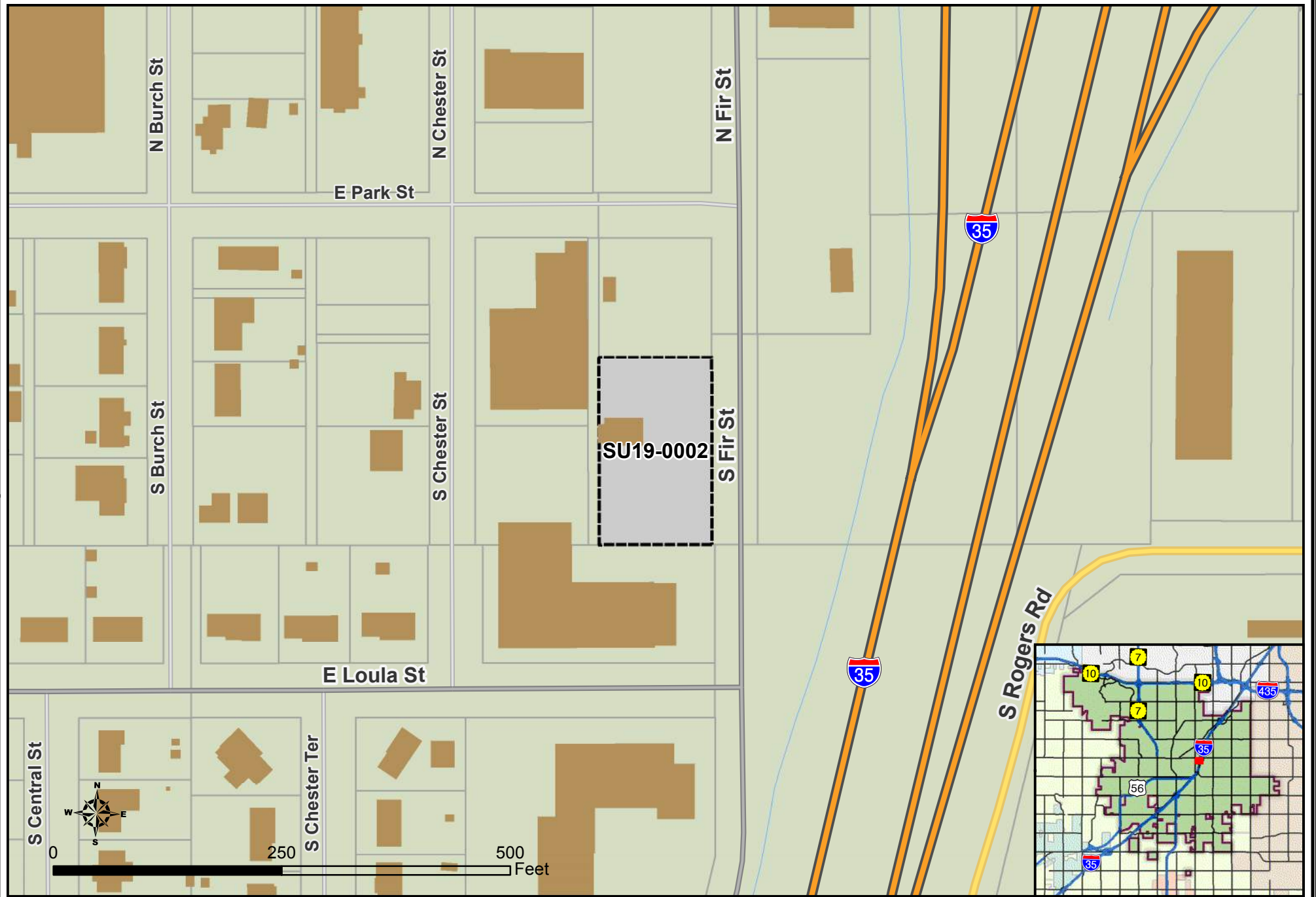
a. Staff recommends approval of SU19-0002, for the following reasons:

- (1) The proposal conforms to the Goals, Objectives and Policies of the *Comprehensive Plan*.
- (2) The proposal complies with the *Unified Development Ordinance (UDO)* criteria for considering special use permit requests.
- (3) The applicant has addressed all site items identified in Section 3 of this report.

b. Staff recommends approval of SU19-0002 subject to the following stipulations:

- (1) The Special Use Permit is valid for a period of five (5) years following Governing Body approval, with an expiration date of July 16, 2024.

- (2) Vehicles shall not be stored or displayed in customer parking stalls, drive aisles or in landscape areas.
- (3) No vehicle maintenance or repair shall be done at the subject property.



User: jaredmd
Date: 06/18/2019

SPECIAL USE RENEWAL - MOTOR VEHICLE SALES

SU19-0002

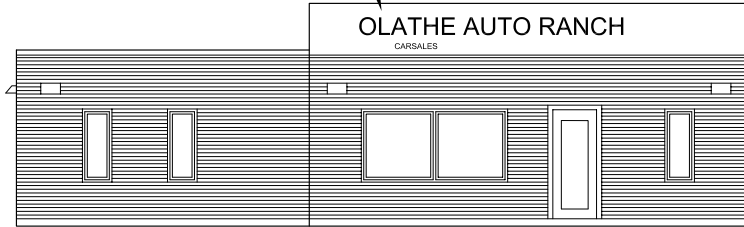


LEGAL DESCRIPTION:
LOCKWOOD HEIGHTS LOTS 159 THRU 165, AND THE NORTH 1/2 OF VACATED SCOTT STREET LYING SOUTH OF AND ADJACENT TO BLOCK 6, LOCKWOOD HEIGHTS, A SUBDIVISION IN THE CITY OF OLATHE, JOHNSON COUNTY, KANSAS.

ZONING DESIGNATION= C3

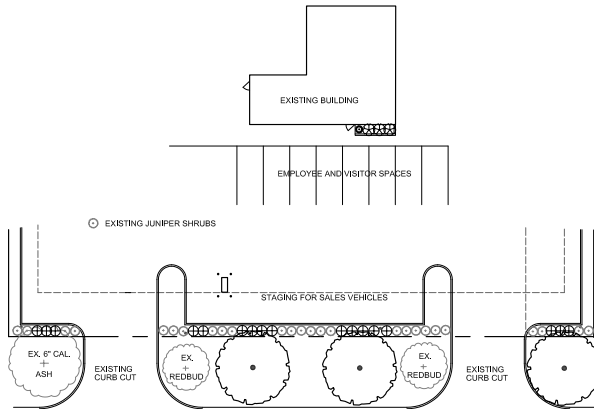
REQUIRED PARKING SPACES
GROSS BUILDING SQUARE FOOTAGE =1967 S.F.
4 SPACES PER 1000 S.F. = 4 X 1/2 = 6 SPACES
NUMBER OF SPACES PROVIDED = 31

NOTE: SIGNAGE MODIFIED TO
REFLECT THE CHANGE FROM
TRAILER SALES TO CAR SALES



2 EAST ELEVATION

1/4"=1'-0"

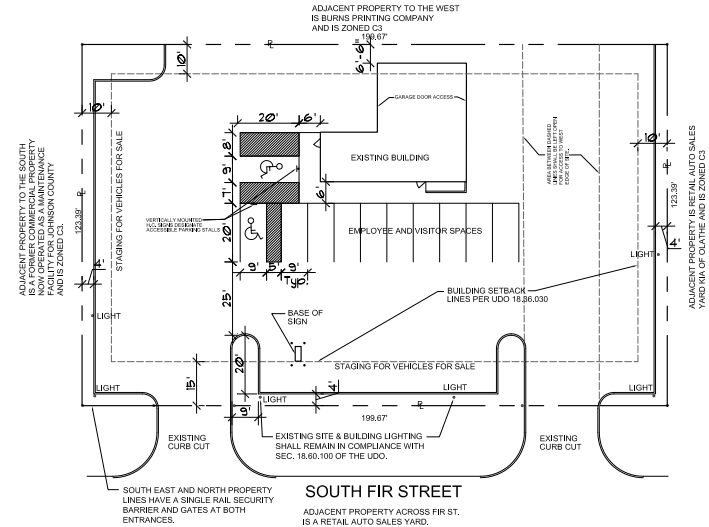


3 LANDSCAPE PLAN

1"=20'-0"

Utility Note:

Utilities shown on plan are diagrammatic and some may be missing. Before starting any construction call appropriate locating service. In Kansas call 1-800-DIG-DATE (344-7233) to have utilities located.



1 SITE PLAN

1"=20'-0"

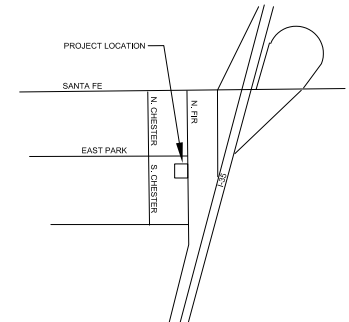
PLANT SCHEDULE



QTY	BOTANICAL NAME / COMMON NAME	CONT	CAL
3	Acer campestre 'Queen Elizabeth' / Queen Elizabeth Hedge Maple	B & B	2"Cal
QTY	BOTANICAL NAME / COMMON NAME	CONT	
1	Panicum virgatum 'Shenandoah' / Burgundy Switch Grass	2 gal	
3	Spiraea x bumalda 'Anthony Waterer' / Anthony Waterer Spiraea	3 gal	
17	Spiraea x bumalda 'Gold Flame' / Gold Flame Spiraea	3 gal	

LANDSCAPE REQUIREMENT NOTES:

- STREET TREES SHALL BE INSTALLED AS PER DIRECTED BY THE UDO SECTION 16.62.045.
- ALL PLANTINGS SHALL CONFORM WITH THE MIN. REQUIREMENTS PER SECTION 16.62.070.

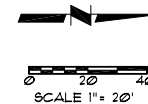


LOCATION MAP

SCALE 1"=300'

Site And Landscape Plan

**Olathe
Auto Ranch**
115 South Fir, Olathe, Kansas



Oppermann LandDesign, LLC
Land Planning & Landscape Architecture
18900 West 117th Street
Olathe, Kansas 66061
oppermannlanddesign.com
peter@oppermannland.com
913.894.9407

Statement of Purpose

CarStoreUSA
115 S Fir St
Olathe, KS 66061

CarStoreUSA began as Wichita Motor Company in downtown Wichita in 2014. The lot was small and could only fit 30 vehicles. Even with the limitations of the facilities we put our best effort forward and made the lot look representable as possible. We sold higher end bmw and Mercedes-Benz, mainly off lease models that were only a few years old. Our goal was to offer the customers a better value than the larger franchise dealerships. It paid off and we grew into CarStoreUSA.com. Now we have 250 plus vehicles in inventory and continue to provide a great value to our customers selling off lease vehicles of all makes and model. CarStoreUSA Wichita is in a 36000sqft facility with a full service and reconditioning center. We have over 25 full time associates and pride ourselves on offering the best working environments in the industry. Most of our associates have been with us for many many years and enjoy our growth. We continue to constantly find ways to make it better and to grow responsible. We want to be a positive in the community and city of Olathe. In Olathe, CarStoreUSA will only do vehicle sales at this location and will have 3-5 staff to start.

The violation have been or are in the process of being addressed.

Christmas lights are down.

Fences has been fixed.

Building has been painted

Asphalt repair is in process.

Sign was originally scheduled for 7-8th of June for completion. Now it will be the 11th.

Plant 3 shrubs along the foundation in dirt area on east elevation

For any questions please email me at Bryan@CarStoreUSA.com

