



Planning Division

MINUTES

Planning Commission Meeting: June 11, 2018

Application	<u>RZ18-0003</u>: Rezoning from C-2 and M-1 to PD (Planned District), and preliminary development plan for Olathe Gateway II, a mixed-use development
--------------------	--

Kim Hollingsworth, Senior Planner, appeared before the Planning Commission, summarizing the request. The subject property is located at the southwest corner of 119th Street and Renner Road and consists of 51 acres; it is currently undeveloped. The property is zoned C-2 and M-1. The C-2 was put in place in 1987. Zoning districts in the area include Business Park to the north and south, CP-2 to the east, and M-2 to the west. Ms. Hollingsworth noted that *PlanOlathe* identifies this area as Gateway District. It is surrounded by additional commercial, intense districts, as well as mixed-use residential neighborhood, industrial to the south, and conventional neighborhoods to the southeast. According to PlanOlathe, these districts are intended to be intense areas, each with their own special character. The Gateway District is intended to provide a welcoming experience into Olathe from Kansas City and eventually serve as a major transit node. It is a considered a critical component to the image of Olathe. She outlined other special characteristics it should include, including superior design and site planning.

Ms. Hollingsworth presented photos of the site taken from different perspectives. She noted that the planned district establishes all standards typically seen within the UDO, including uses, site design standards, building design standards and landscaping. However, the applicant has chosen to incorporate base UDO requirements in certain areas. She referenced Exhibit A, which is a list of prohibited uses, including agricultural, low-intensity residential, and industrial uses. Staff and the applicant felt these were not appropriate for this district. There are other uses the UDO calls out for a planned district that are not appropriate.

Ms. Hollingsworth presented the site plan and noted that within the portion along 119th Street, there are typical out lot developments. She additionally mentioned the mixed-use development that includes retail with residential above. She pointed out sites for other retail and a proposed hotel, and along the west and south portion of the property, larger retail. She added that the preliminary development plan establishes density, distribution of uses, setbacks, buffering requirements, and quantity of parking, which are important elements to this development.

Ms. Hollingsworth referenced the design and planning narrative provided by the applicant. The applicant has used standards within the UDO for site design Category 3 as the base for the entire district, as well as Building Design Category C for the mixed-use portion and Building Design Category D for out lots and in-line retail portions. The narrative outlines the intent behind each of those. By final development plan, staff will have the full version of each building and will compare it against the standards. Additionally, she noted that the vision book provided images the applicant used to model

RZ18-0003 (PC Minutes)

June 11, 2018

Page 2

the development. She outlined some of the aspects of that, including how they invoked the warehouse feel of the surrounding properties, providing a modern and unique character for this area. The multi-family buildings have residential within them, and the applicant provided images to show masonry material that will be used, the focal points, glass, and so forth. Conceptual building elevations were also provided.

Regarding the commercial portions, **Ms. Hollingsworth** noted typical buildings for in-line retail and out lots. Additionally, she included applicant's images of the proposed brewery in the center of the site. Conceptual elevations further showed how the applicant has provided extra focal points throughout the development, including art and a clock tower. The commons will be a significant area within the site and includes pedestrian areas and features. Additional tenant spaces are provided in smaller, permanent buildings.

Ms. Hollingsworth presented the overall preliminary landscaping plan, including detailed sections of particular areas of development. She noted the perimeter landscaping along 119th and Renner. The applicant has provided 100 percent screening for parking, per the requirement. There is proposed landscaping and retaining walls along the west and south portions of the development to provide extra buffering to adjacent residential and the fire station. Extensive landscaping has been provided within pedestrian-oriented areas. Staff would like to see more detail, including landscaping and outdoor spaces. Screening is also provided for utility boxes per the code. Staff has asked for additional tree preservation near the fire station.

Ms. Hollingsworth noted that the applicant has listed minimum parking standards and general uses and how they are allocated through the development. The applicant is proposing 2,367 parking spaces for the entire development. The minimum typically required is 1,969 spaces. The applicant has proposed below-grade parking near the mixed-use areas. Staff would like to see less parking in the area near the larger retail spaces.

Ms. Hollingsworth examined access and noted that traffic engineers have reviewed the traffic impact study provided by Olsson Associates. She noted five proposed access points, two off 119th Street and two off Renner Boulevard. The applicant has increased stacking from the arterial streets. The traffic impact study requested additional turn lanes, which have been provided by the applicant. Staff has stipulated that adequate public access be provided to the property southwest of the proposed rezoning area. This part of the property is owned by the applicant but not part of the rezoning or preliminary development plan. Therefore, staff has stipulated that access be provided per City standards to this site. Ms. Hollingsworth added that because the applicant is still working through specific details with the building design, they request that signs be reviewed at a later date. Staff hopes to see additional art provided throughout the site.

Ms. Hollingsworth presented the phasing plan for the development, which is established at rezoning. The greatest bulk of development will happen in Phase 1. Phase 2 includes retail with residential above. Phase 3 includes the larger area with retail. Phase 4 will be the apartments and hotel.

Ms. Hollingsworth concluded by saying staff recommends approval of RZ18-003, with stipulations.

RZ18-0003 (PC Minutes)

June 11, 2018

Page 3

There were no questions of staff. **Chair Vakas** opened the public hearing and asked the applicant to come forward. **John Petersen**, representing Maegrace, LLC, approached the podium. He felt staff made a thorough presentation. He noted that they have been working with staff since November 2017. He is proud of the team that put together this design and believes they have created a great project.

Mr. Petersen noted that phasing does not necessarily mean timing. He said pad sites could go in along Renner, possibly building the multi-family, and if the market responds, starting with the in-line portion. There could be cross-overs with phasing. However, he added that Phase 1 will include all road improvements and other infrastructure from the very beginning.

Mr. Petersen showed additional pictures of the proposed development. He noted that additional artwork and green space will be added. He noted the site where the former Benchmark business was situated, and is working out access. He has been working with the City and said they may dedicate a portion as public right-of-way. Mr. Petersen said traffic was thoroughly examined. They are in agreement with all stipulations.

Chair Vakas asked how many residential units will be included at full build-out. **Mr. Petersen** answered 377. **Comm. Rinke** asked when construction will begin. Mr. Petersen said they need to get approval from City Council and work through a few issues. He believes there is great demand for this project and have many interested parties. Comm. Rinke noted that stipulation b.1 says permitted and prohibited uses are established within Exhibit A, and asked if it should just say "prohibited." Mr. Petersen explained that they understood the context of those two words to be separate.

Comm. Nelson asked if the site will be managed by one company or individually. **Mr. Petersen** said it will depend, but Mayfield Development typically holds and manages its own projects. However, particular restaurants and hotels may wish to own and manage their own sites. He said the entire site will be comprehensively managed. He explained how issues such as maintenance and landscaping upkeep are handled.

Comm. Fry questioned prohibited uses such as laboratories or medical facilities. **Mr. Petersen** responded that the applicant is comfortable that the medical health offerings for this type of center would be allowed. Comm. Fry asked if there is an exception requested, what process does the City go through to allow or disallow it. **Aimee Nassif, Chief Planning and Development Officer**, responded that staff worked with the applicant and drilled down on every line item. If the applicant comes back with a prohibited use, they can meet with staff and consider and discuss compatibility within the confines of the development being built. That would go through the same public hearing process. However, she added that there may be uses that would be considered accessory or ancillary. If they are accessory to the primary use, that can be approved administratively. Mr. Petersen added that they are comfortable with the process and believes there is a good system in place.

Chair Vakas asked if anyone present wished to speak about this project. **Rich Cook, Stinson Leonard Street Law Firm**, 1201 Walnut, Kansas City, MO, approached the podium, appearing on behalf the neighbor to the west of the site, DH Pace Overhead Door Company of Kansas City. Chris Mann from DH Pace also came to the podium. His

RZ18-0003 (PC Minutes)

June 11, 2018

Page 4

address is 1901 East 119th Street, Olathe. **Mr. Cook** said they are reviewing the plan, traffic study and staff report. They met with Mr. Petersen last week and had a productive meeting. He said they want to be good neighbors, but have concerns that they raised with Mr. Petersen. Concerns include landscape buffering and screening, the height of the buildings, the potential service road, and truck-turning radiuses. A specific concern is that there is only one access point when driving west, and that potential patrons of the site will use the DH Pace parking lot to turn around if they miss their turn.

Mr. Cook added that another concern is that access to the southwest is essentially cut off from the rest of the development and believes that access could be improved. Otherwise, he believes the value of that site is diminished.

Chair Vakas called for a motion to close the public hearing.

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

Motion passes 7-0.

Comm. Munoz commented that this is one of the best projects he has seen in his time as a commissioner. **Comm. Nelson** said there is one chance to do this right, and this is a very important development. He likes what he sees and hopes things can move ahead. **Chair Vakas** believes that in the history of Olathe, this is a magical moment, and looks forward to seeing this development follow through.

Motion by Comm. Rinke, seconded by Comm. Nelson, to recommend approval of RZ18-0003, for the following reasons:

- (1) The proposed development complies with the *Comprehensive Plan* for Land Use which calls for a Gateway District with a high-quality concentrated mix of uses. In addition, the proposal adheres to the policies and goals of the *Comprehensive Plan* for Land Use and Housing (Principles LUCC-3, LUCC-4, LUCC-7, HN-5).
- (2) The requested rezoning to PD district meets the *Unified Development Ordinance (UDO)* criteria for considering zoning applications.

Comm. Rinke's motion included recommending approval of RZ18-0003, with the following stipulations to be included in the ordinance, as follows:

- (1) Permitted and prohibited uses are established within Exhibit A. Any modifications to permitted uses must be requested through the zoning amendment process.
- (2) Overall density will not exceed the maximum density shown on the attached preliminary development plan.
- (3) The maximum square footage and general allocation of uses will be developed as shown on the attached preliminary development plan.
- (4) Lot size, open space, parking and paving setbacks, and structure setbacks will be as established on the attached preliminary development plan and as described in the Design & Planning Narrative received May 21, 2018 and attached as Exhibit B.

- (5) The maximum height for all structures will be reviewed and approved during final development plan review.
- (6) Parking is established per use category as shown on the attached preliminary development plan. For any development in the area noted within the phasing plan as Phase 3, additional opportunities for green space and outdoor amenities will be explored during final development plan review.
- (7) Landscaping, screening and buffering will be required as shown on the attached preliminary development plan package. Screening details shall be included within final site development plans and maintained to provide 100% screening through the use of shrubs, berms, or walls for parking/paving areas facing public streets per UDO 18.30.130.
- (8) A tree preservation buffer in the amount of 20 feet will be provided extending from the property lines adjacent to the City of Olathe Fire Station at 1725 N Renner Boulevard.
- (9) A comprehensive sign package, showing the details of all signage for this Planned District, will be approved by the Planning Commission prior to approval of a final development plan. The comprehensive sign package will follow the requirements of the UDO and will provide details describing the comprehensive look such as, materials, size, and colors of all signs creating a high quality and harmonious design.

Comm. Rinke's motion included recommending approval of RZ18-0003, with the following stipulations to be included in the preliminary development plan, as follows:

- (1) Final plats shall be approved and recorded prior to building permit.
- (2) Adequate public roadway access in accordance with city standards shall be provided to the portion of the lot located southwest of the rezoning boundary prior to recording any final plats for this development and shown on the relevant final development plan.
- (3) All street improvements shall be in accordance with the traffic impact study and as required by the City Engineer. A revised traffic study shall be submitted if there is a change in land use, as required by the City Engineer.
- (4) All public improvement plans shall be released for construction prior to issuance of a building permit.
- (5) This project site is subject to all *Olathe Municipal Code Title 17* requirements. A preliminary stormwater management report will be required with the final development plan submittal.
- (6) Sidewalks shall be provided on both sides of all arterial, private and service streets as shown within the attached preliminary development plan.
- (7) Public art, if required pursuant to City of Olathe Municipal Code, will be dispersed throughout the development in multiple, visible locations. The locations will be shown on final development plans.

RZ18-0003 (PC Minutes)

June 11, 2018

Page 6

- (8) The following site details will be reviewed during the final development plan review and adhere to the following sections of the UDO:
- a) Off-street loading areas will comply with UDO 18.30.160.
 - b) Details for trash enclosures or compactors will comply with UDO 18.30.130.
 - c) Photometric plans for parking lot lighting will comply with UDO 18.30.135.
 - d) All rooftop mechanical equipment shall be screened from public view. All exterior ground or building mounted equipment, including but not limited to mechanical equipment and utility meter banks shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture in compliance with UDO 18.30.130.

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

No: (0)

Motion was approved 7-0