



Planning Division

MINUTES**Planning Commission Meeting: December 14, 2020**

Application:	<u>RZ20-0011</u>: Request approval for a rezoning from MP-2 (Planned General Industrial), BP (Business Park), and CP-2 (Planned Community Center) Districts to M-2 (General Industrial) and BP (Business Park) Districts and revised preliminary site development plan for 175th Commerce Centre on approximately 223.03 acres; located north of W. 175th Street and west of S. Hedge Lane.
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Chair Vakas noted that Commissioner Allenbrand returned to the Council Chambers.

Jessica Schuller, Senior Planner presented a request for rezoning for 175th Street Commerce Center. The subject property is undeveloped and located north of 175th Street and west of S. Hedge Lane and east of I-35.

Ms. Schuller presented the staff report and explained that the applicant is proposing to rezone the entire site to the M-2 and BP districts, which shifts the existing industrial and business park zonings further south and eliminates the CP-2 District along 175th Street.

Ms. Schuller stated that the applicant proposes to construct three warehousing/storage wholesale and distribution facilities in the M-2 District and is proposing three office commercial or flex warehousing buildings in the Business Park District. She reviewed the development requirements of the proposed rezoning and informed the Commission that specifics of the roadway improvements, including phasing, are being discussed as part of a benefit district.

Ms. Schuller noted that the applicant is requesting one waiver from the perimeter landscaping requirements and proposing a width of 30 feet with 4-foot-tall berms, which staff supports. She explained that berms will provide better screening from such large-scale buildings and parking areas, which helps create a softer appearance than a decorative fence or wall for such long distances of site frontage.

Ms. Schuller reviewed the building design standards, stating that the buildings meet UDO requirements for articulation and Class 1 and 2 building materials. She added that the applicant is requesting one waiver, to reduce the number of materials required from three to two. Staff supports the request because the applicant is provided twice the amount of

required glass on the first floor and the color schemes and canopies provide additional architectural interests. All of the dock doors are facing away from roadways, and these buildings meet architectural requirements for industrial buildings in the UDO.

Ms. Schuller stated the Future Land Use Map designates the subject area as an Industrial area, Employment area and a Neighborhood Commercial Center. Removing the CP-2 zoning district from the site along 175th Street does not align with the Neighborhood Commercial designation; however, the zoning meets the standards of the Golden Criteria and aligns with policies of the Comprehensive Plan. Rezoning the property follows the goals of PlanOlathe by encouraging development in serviceable areas and by creating distinct employment districts.

Ms. Schuller stated that staff recommends approval of the Rezoning RZ20-0011, to the M-2 and BP Districts and the preliminary site development plan as stipulated.

Commissioner Corcoran asked if the property located immediately to the west was unincorporated or in Gardner.

Ms. Schuller stated the property is currently unincorporated.

Commissioner Corcoran asked if that property was intended to be annexed into the City of Olathe at some point.

Ms. Schuller stated the area to the northwest is located within a growth area.

Commissioner Corcoran asked whether Gleason Road or any other connectivity to east and west can be coordinated from a benefit district standpoint.

Ms. Schuller stated that the intricacies of the benefit district are being assessed with Public Works and Legal staff, and that all the improvements are part of that effort.

Mr. Nelson asked if there was a different expectation of islands for commercial parking like that or if there should be some islands in the trailer parking area.

Ms. Schuller explained that trailer parking areas are excluded from the parking lot requirements.

Chair Vakas opened the public hearing.

Mr. Curtis Holland, attorney with Polsinelli PC, 900 West 48th Place, Suite 900, Kansas City, Missouri, 64112, appeared on behalf of the applicant. He noted that the project was large, and he wanted to commend staff for working through many issues on the project as they have been working to bring forth a project for about 12 years. He reviewed the development of sewer, stating that there were additional infrastructure issues with roadways and the possibility of a benefit district is currently under discussion. They are working with Public Works and Legal staff the phasing components which should be resolved in time for the construction of their first building. He stated that the BP District use was shifted down to 175th Street to make room for some larger warehouse,

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distribution buildings. He felt they were beginning to see larger buildings today, as much of it is being built by the E-Commerce market, which is what they see coming into the subject site. He supported the staff report and agreed with their review of the rezoning, as well as the waivers and stipulations.

There were no questions for the applicant and no members of the public came forward to speak.

A motion to close the public hearing was made by Commissioner Allenbrand and seconded by Commissioner Youker. The motion passed by roll-call vote of 8 to 0.

Chair Vakas called for a motion on RZ20-0011.

A motion to approve RZ20-0011, rezoning and revised preliminary site development plan for 175th Street, was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed by a roll-call vote of 8 to 0, with no stipulations for the rezoning and the following stipulations for the revised preliminary site development plan:

1. A waiver from UDO 18.15.020.G.7 to allow two Class 1 and Class 2 materials on primary and secondary facades in the BP District in lieu of three Class 1 and Class 2 materials is approved as shown on the architectural elevations.
2. A waiver from UDO 18.15.125 and 18.15.130 for Site Design Categories 5 and 6 to allow a 4-foot berm with 30-foot buffer in lieu of fences or walls within the landscaped areas adjacent to S. Hedge Lane and W. 175th Street is approved as shown on the landscaped plan.
3. A final site development plan must be approved and a final plat recorded prior to building permit submittal.
4. Per UDO 18.130.160-2, a parking analysis for the M-2 District will be required at the time of Final Development Plan.
5. If a gate is installed on-site, additional on-site queueing at a rate approved by the City Engineer will be required.
6. A City of Olathe floodplain development permit will be required prior to approval of a final plat.
7. All applicable requirements of City of Olathe Title 17 must be addressed and are the responsibility of the applicant prior to issuance of building permits.
8. Any State and Federal approvals regarding stormwater are the responsibility of the applicant and must be obtained in writing and submitted to the City at the time of Final Development Plan.

9. At the time of Final Site Development Plan, code requirements for fire service features regarding buildings, structures, and premises shall be met, including but not limited to remoteness requirements for two required fire apparatus access roads per 2018 IFC, Appendix D, Sections D104.2 and D104.3.