City of Olathe

Planning Division

MINUTES – Opening Remarks

Planning Commission Meeting: August 26, 2019

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

Recited Pledge of Allegiance.

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

A motion to approve MN19-0812, the meeting minutes from August 12, 2019, was made by Vice Chair Rinke and seconded by Comm. Corcoran and passed with a vote of 5-0.

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**PR19-0014** Revised preliminary site development plan for **Center of Grace Church**, located at 520 S. Harrison Street.

A motion to approve PR19-0014 on the Consent Agenda was made by Vice Comm. Rinke and seconded by Comm. Corcoran and passed with a vote of 5 to 0, with the following staff stipulations:

1. A final site development plan shall be approved prior to issuance of a building permit.
2. Vertical articulation shall be modified in the final site development plan to include a two-foot (2ft.) vertical parapet to the entry element located on the primary façade.
3. Curbing along the easternmost portion of the existing parking areas shall be included on a final site development plan for the Future Phase Building Expansion.
4. As proposed, the Future Phase Building Expansion will exceed stormwater requirements and shall be addressed at the time of submittal for a final site development plan for the Future Phase Building Expansion.
5. A third landscape island shall be added to the north parking pod, adjacent to the new building addition, and shall be included on a final site development plan for the Future Phase Building Expansion, per UDO 18.30.130.
6. Landscaping buffers will be added to screen parking from all adjacent streets and residential lots with a final site development plan for the Future Phase Building Expansion, per UDO 18.30.130.
7. As required by the UDO, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture.
8. Dead end water mains with fire hydrants are not permitted unless water supply calculations can be provided that demonstrate an adequate water supply provides the required fire flow or sprinkler demand, whichever is greater; otherwise, the water supply for hydrants is required to be looped to existing mains.
9. All new on-site wiring and cables shall be placed underground per UDO 18.30.250.

10. A photometric plan shall be submitted with the final site development plan per UDO 18.30.135.

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**PR19-0015** Preliminary site development for **Mahaffie Self-Storage** located along west side of S. Mahaffie Street, north of 153rd Court.

A motion to approve PR19-0015 on the Consent Agenda was made by Vice Comm. Rinke and seconded by Comm. Corcoran and passed with a vote of 5 to 0, with the following staff stipulations:

a. A final site development plan shall be approved prior to issuance of a building permit.

b. Metal paneling utilized on all secondary facades shall consist of architectural metal.

c. Downspouts located on the north and south elevations of the three-story building shall be enclosed.

d. All landscaping along east property line shall be located outside of the overhead powerline easement.

e. A photometric plan and detailed cut sheets of all pole and building lighting shall be submitted with the final site development plan per UDO Section 18.30.135.

f. A note shall be included on the final site plan and elevations "As required by the UDO, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture."

g. Sign permits are required for all wall and monument signs in accordance with UDO Section 18.50.190.

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**MP19-0012: Minor plat for Greystone Lake 2nd Plat**

A motion to approve MP19-0012 on the Consent Agenda was made by Vice Comm. Rinke and seconded by Comm. Corcoran and passed with a vote of 5 to 0, with the following staff stipulations:

a. Prior to recording the plat revise the signature name for the Planning Commission Chairman to "C.S. Vakas".

b. Prior to recording revise the plat name to "Greystone Lake 2nd Plat.

c. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**MP19-0013: Minor plat for Ranch Villas at Prairie Haven, Lot 21**

A motion to approve MP19-0013 on the Consent Agenda was made by Vice Comm. Rinke and seconded by Comm. Corcoran and passed with a vote of 5 to 0, 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. 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.I.

c. 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.I.

d. Developer shall fill in sidewalk gaps and replace non-ADA compliant asphalt sidewalk/ramps in this area when buildings are completed.

OLATHE
KANSAS

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**MP19-0014: Minor plat for Townhome at Fairfield Village, Forty-Seventh Plat**

A motion to approve MP19-0014 on the Consent Agenda was made by Vice Comm. Rinke and seconded by Comm. Corcoran and passed with a vote of 5 to 0, with the following staff stipulations:

1. Sidewalks shall be constructed on both sides of all public and private streets and drives as required by the RP-3 zoning ordinance.
2. The developer is responsible for planting street trees, subject to UDO 18.30.130 G. Such trees shall be planted at the completion of each phase of development.
3. 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.
4. Prior to recording the plat, a digital file of the final plat (pdf format) shall be submitted to the Planning Division.

OLATHE
KANSAS

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**RZ19-0012:** Request approval for a rezoning from R-1, RP-1, CTY A, and RP-4 Districts to R-1 District, and preliminary plat for **Prairie Canyon** on 73.19± acres; located in the vicinity of the southwest corner of the intersection of College Boulevard and K-7 Highway.

A motion to continue RZ19-0012 to a future Planning Commission meeting was made by Vice-Chairman Rinke and seconded by Comm. Fry and *passed with a vote of 5 to 0*.

City of Olathe
Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**RZ19-0014:** Request approval for a rezoning from R-1, RP-1, CTY A, and RP-4 Districts to R-2 District and preliminary site development plan for **Prairie Canyon** on 18.20± acres; located in the vicinity of the southwest corner of the intersection of College Boulevard and K-7 Highway.

A motion to continue RZ19-0014 to a future Planning Commission meeting was made by Vice-Chairman Rinke and seconded by Comm. Fry and *passed with a vote of 5 to 0.*

Planning Division

MINUTES

Planning Commission Meeting: August 26, 2019

Application:	**RZ19-0013 Rezoning from CP-2 to R-1 District and preliminary plat for Enclave at Boulder Hills**

Dan Fernandez, Planner II, presented this request for rezoning and preliminary plat for the Enclave of Boulder Hills, rezoning from CP-2 Planned General Business District to R-1 Residential Single-Family District. The proposed preliminary plat includes 91 single-family lots in the vicinity of 175th Street and Black Bob Road. The site is vacant and undeveloped. The surrounding area consists of R-1 to the north, RP-3 to the west, and County to the east and south. Upon review of the Future Land Use Map, staff believes single-family housing would be appropriate at this location.

Mr. Fernandez reported that the site was rezoned from County Rural to CP-2 in 2007. The associated preliminary site development plan included approximately 400,000 square feet of commercial uses. The applicant is proposing rezoning approximately 27 acres to R-1 with this submittal. The remaining commercial will require a revised site preliminary development plan prior to any development taking place.

Mr. Fernandez presented the proposed preliminary plat with 91 lots and the required 15 percent common space. The applicant also meets the requirement for 50 percent active open space per the UDO, providing a clubhouse with interior amenities, outdoor gathering spaces, and walking trails. Mr. Fernandez reported that some lots are less than 7,200 square feet, the minimum in an R-1 zoning. All homes will be required to meet Building Design Category A requirements and Site Design Category 1 requirements. Architectural requirements include front porches, garages set back from the primary façade, and having more than 70 percent Category 1 materials on primary elevations. Mr. Fernandez noted pedestrian connectivity to existing sidewalks and adjacent streets.

Mr. Fernandez presented a landscape plan, illustrating landscaping along the perimeter and required trees. Two waivers are being requested. The first is to reduce the side yard setback from 7 feet to 5 feet. The second is to use a Type 4A buffer instead of the required Type 4B buffer. Staff is supportive of both waiver requests as they meet the criteria for waivers. Also, a 5-foot buffer is appropriate for developments with smaller lot sizes and narrower widths. For the landscape buffer, the proposed plantings and berm will provide better screening than open space. Also, additional landscaping will be put in place when the commercial property develops to the south, and the remaining commercial acreage will consist of a smaller neighborhood commercial development instead of a large retail center.

Mr. Fernandez concluded by saying that staff recommends approval of the rezoning and preliminary plat for reasons including meeting the goals of the Comprehensive Plan, and meeting UDO criteria for rezoning.

Vice Chair Rinke asked for further clarification on the side yard setbacks and increased building design requirements. **Mr. Fernandez** responded that because of the smaller lot sizes, they are subject to Building Design Category A.

Mr. Corcoran asked if the road to the west provides the first access into the site and where additional buffer area for Lot 87 will come from. **Mr. Fernandez** replied that it is and when the commercial development comes in, that will be reviewed.

Chair Vakas opened the public hearing and asked the applicant to come to the podium. **Travis Schram, Applicant, 11282 South Belmont Street, Olathe,** approached the podium. He believes this plan is a good fit for this site and a nice buffer to future commercial. He further believes that adding more residential will be good for the overall area.

There being no questions of the applicant, **Chair Vakas** called for a motion to close the public hearing.

Motion by Vice Chair Rinke, seconded by Comm. Freeman, to close the public hearing.

Motion passed 5-0.

Comm. Freeman is unsure about changing planned commercial development to residential, and asked if there is commercial zoning to the west near Mur-Len Road. **Kim Hollingsworth, Senior Planner**, noted that there is another area zoned CP-2 further west on 175th Street, adding that the Comprehensive Plan is designed to have small neighborhood centers along major arterial roads.

Vice Chair Rinke asked if there are any other areas along 175th Street that would be available for big-box commercial/retail development. **Ms. Hollingsworth** said there is another community commercial center in the 175th and Mur-Len vicinity reflected on the Comprehensive Plan.

Comm. Corcoran expressed concern about the setbacks and buffers and believes those issues should be addressed before this plan is approved. **Ms. Hollingsworth** stated that staff will be very cognizant of the buffer and access alignment on the revised preliminary development plan for the commercial development.

Motion to recommend RZ19-0013 for approval was made by Comm. Fry and seconded by Vice Chair Rinke, for the following reasons:

(1) The proposed development complies with the policies and goals of the *Comprehensive Plan* for Housing and Neighborhoods (Principles HN-3.1, LUCC-7.1 and LUCC-8.1).

(2) The requested rezoning to the R-1 district meets the Unified Development Ordinance (UDO) criteria for considering zoning applications, with exceptions to certain UDO requirements as noted in the waiver requests.

(3) The proposed development as stipulated meets composite design standards for **Site Design Category 1** (UDO 18.15.105*)* and **Building Design Category A** (UDO 18.15.025).

Comm. Fry's motion included recommending that the following stipulations be included in the ordinance:

(1) A waiver shall be granted to permit minimum five (5) foot side yard setbacks.

(2) A waiver shall be granted to permit a landscape buffer Type 4A adjacent to the commercial zoned property to the south with a minimum 6-foot berm used towards the 9-foot berm/fencing requirement.

(3) All lots shall be subject to Building Design Category A standards per UDO Section 18.15.025.

Comm. Fry's motion included recommending that the following stipulations be addressed with the final plat:

(1) A note shall be included on the final plat stating that all mechanical equipment shall be screened per UDO requirements.

(2) A note shall be added to the final plat stating that all homes built within this development are subject to Building Design Category A requirements.

(3) A master landscape and street tree plan in accordance with Section 18.30.130 of the UDO shall be submitted with the final plat.

(4) A final plat shall be approved and recorded, and all excise fees paid prior to issuance of a building permit.

Aye: Rinke, Fry, Vakas (3)

No: Freeman and Corcoran (2)

Motion was approved 3-2.

City of Olathe
Planning Division

MINUTES – Other Matters

Planning Commission Meeting: August 26, 2019

Chair Vakas announced that tonight is Vice Chair Mike Rinke's last meeting, having served on the Planning Commission for 10 years. Chair Vakas thanked him for his service.

The next Planning Commission is scheduled for Monday, September 9, 2019, at 7:00 p.m.

There were no other announcements.

Meeting adjourned.