



City of Olathe

City Planning Division

## **MINUTES – Opening Remarks**

**Planning Commission Meeting: March 11, 2019**

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

*Recited Pledge of Allegiance.*

The Vice Chair made introductory comments. Regarding *ex parte* communication, the Vice 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 MN19-0225, the meeting minutes from February 25, 2019, was made by Comm. Fry and seconded by Comm. Sutherland and passed with a vote of 5-0.

Vice Chair Rinke stated that the Unified Development Ordinance entitles an applicant to one continuance, which is formally made through a motion by the Planning Commission. When a case is scheduled for a continuance, the public hearing is not open. Comments, recommendations or analysis on any case is not provided or discussed until the public hearing is open. This process ensures that anyone interested in the case has the opportunity to participate.



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| <b>Application:</b> | <b><u>UDO19-0001:</u></b> Unified Development Ordinance Amendments –<br>Chapter 18.15, Composite Design Standards |
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*Motion by Comm. Sutherland, seconded by Comm. Munoz, to continue UDO19-0001 to a future Planning Commission date.*

*Aye: Sutherland, Fry, Munoz, Corcoran, Rinke (5)*

*No: (0)*

*Motion was approved 5-0.*



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| <b>Application:</b> | <b><u>RZ18-0023</u></b> Request to rezone 1.43± acres from R-1 (Residential Single-Family) to R-3 (Residential Low-Density Multifamily) for the property specifically located at 725 W. Park Street. |
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*Motion by Comm. Fry, seconded by Comm. Corcoran, to continue RZ18-0023 to a future Planning Commission date.*

*Aye: Sutherland, Fry, Munoz, Corcoran, Rinke (5)*

*No: (0)*

*Motion was approved 5-0.*



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| <b>Application:</b> | <b><u>SU18-0010</u></b> Request for a special use permit to allow a Homeless Shelter in the R-3 District for Project 10 20 at the property specifically located at 725 W. Park Street |
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*Motion by Comm. Munoz, seconded by Comm. Sutherland, to continue SU18-0010 to a future Planning Commission date.*

*Aye: Sutherland, Fry, Munoz, Corcoran, Rinke (5)*

*No: (0)*

*Motion was approved 5-0.*



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| <b>Application:</b> | <b><u>PR19-0001:</u></b> Request approval for revised preliminary site development plan for Tint World on 1.08± acres; located at 1301 E. Santa Fe Street. |
|---------------------|--|

**Zachary Moore, Planner II**, appeared before the Planning Commission, summarizing this request for approval of the revised preliminary site development plan for Tint World. The subject property is located at 1301 East Santa Fe and is zoned C-3. Window tinting facilities are allowed in this district by right.

**Mr. Moore** presented an aerial view of the subject property advised that the City is developing a roadway improvement project for the intersection of Ridgeview Road and Santa Fe, which will have some impacts on this site.

**Mr. Moore** presented a picture of the existing building, which previously served as a QuikTrip. The shell of the building will remain and improvements to each façade will occur. **Mr. Moore** noted landscaping improvements that will occur when the site is redeveloped. He added that the applicant is requesting two waivers with this application.

**Mr. Moore** then spoke about another impact to this site due to the roadway improvement project. He noted that a temporary construction easement is adjacent to the right-of-way line, where much of the perimeter landscaping is required. The applicant has agreed to defer installation of landscaping in these areas until a certificate of occupancy has been issued. Such landscaping will be completed approximately 45 days after the roadway improvement project is completed, which is estimated to be Winter 2020.

**Mr. Moore** spoke of the proposed architecture of the building and presented each façade, stating that with the building materials met or exceeded the minimum standards.

**Mr. Moore** said the applicant is requesting a waiver on the eastern façade to allow an overhead door on a primary façade in Building Design Category D. Staff feels that with the additional design features the applicant is providing, the design provided is worthy of staff's support.

The second waiver request is to reduce the parking and paving setback along Ridgeview Road, from 15 feet to 10 feet. **Mr. Moore** presented a drawing that delineated where the new right-of-way line would be. Upon examination, staff found that extending the landscaping area in that setback to 15 feet as required by code would create an issue with fire code regarding drive aisle width. Also, the landscaping area along Ridgeview Road is required to be 10 feet wide, and with the reduced parking and paving setback, the applicant is still able to meet the landscaping requirement within that setback. Staff is supportive of this waiver request, as well.

In summary, **Mr. Moore** stated that staff is in support of the revised preliminary site development plan as stipulated, with two amendments as indicated below.

**Vice Chair Rinke** questioned the access on the southern portion of the property. He asked whether staff considered closing access that leads to the strip mall. **Mr. Moore** responded that with the City's roadway improvement project, a driveway would be located within a right turn lane, which would violate the City's Access Management Plan.

**Curtis Petersen, Polsinelli Law Firm**, 6201 College Boulevard, Overland Park, applicant's representative, approached the podium. He agreed with everything presented by Mr. Moore and was available for questions.

There were no questions. **Vice Chair Rinke** called for a motion.

*Motion by Comm. Sutherland, seconded by Comm. Munoz, to recommend approval of PR19-0001, with the following stipulations, as amended:*

- A. Staff recommends approval of the revised preliminary site development plan (PR19-0001) with the following stipulations:
  1. A final site development plan shall be approved prior to issuance of a building permit.
  2. A waiver shall be granted to allow an overhead door to be located on the eastern (primary) façade. The overhead door shall be made primarily of glass and shall have a minimum 4-foot canopy projecting above it, with support columns constructed of masonry as shown on the building elevations dated February 19, 2019.
  3. A waiver shall be granted to allow the reduction of the parking and paving setback from 15 feet to 10 feet on the western property line.
  4. Landscaping along the northern **and western** property line may be deferred until after a certificate of occupancy is issued, but the landscaping shall be installed according to the approved plans within 45 days of the completion of the roadway improvement project at the southeast corner of the intersection of Santa Fe Street and Ridgeview Road.
  5. All areas of asphalt and parking lot removal and all tie in points to existing and/or proposed conditions shall be identified on the final site development plan.
  6. The parking lot improvements, interior curb lines, and storm sewer work at the north of the site shall be completed prior to issuance of certificate of occupancy.
  7. All landscaping on site shall be irrigated.
  8. As required by the *UDO*, all exterior ground or building mounted equipment, including but not limited to mechanical equipment, utility meter banks and coolers, shall be screened from public view with landscaping or an architectural treatment compatible with the building architecture.
  9. The final site development plan shall reflect that the proposed Tint World tie-in inlets shall be **connected to the existing City stormwater system by Tint World as approved by the City, with the City connecting the existing Tint World tie-in inlets to the proposed City stormwater system at time of City construction expected in 2020.**
  10. All signage on the site and building shall comply with the requirements of *UDO, Section 18.50.190.*

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*Aye: Sutherland, Fry, Munoz, Corcoran, Rinke (5)*

*No: (0)*

*Motion was approved 5-0.*



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**MINUTES – Other Matters**

**Planning Commission Meeting: March 11, 2019**

**Vice Chair Rinke** noted that the next Planning Commission meeting is scheduled for Monday, March 25, 2019, at 7:00 p.m.

*Meeting adjourned.*