



City of Olathe

Legislation Details (With Text)

File #: G24-4251

Type: New Business **Status:** Passed

File created: 2/21/2024 **In control:** City Council

On agenda: 3/19/2024 **Final action:** 3/19/2024

Title: Consideration of Ordinance No. 24-11 (RZ23-0008), requesting approval of a rezoning from the CP-2 (Planned General Business) District to the C-3 (Regional Center) District and a preliminary site development plan for B Street Collision Center on approximately 3.43 acres; located northeast of W. 151st Street and S. Pflumm Road.

Sponsors: Jamie Robichaud, Jessica Schuller

Indexes:

Code sections:

Attachments: 1. A. February 26, 2024 Planning Commission Packet, 2. B. February 26, 2024 Planning Commission Minutes, 3. C. Ordinance 24-11

Date	Ver.	Action By	Action	Result
3/19/2024	1	City Council	approved	Pass

FOCUS AREA: Economy, Planning Division

STAFF CONTACT: Jessica Schuller, Senior Planner

SUBJECT: RZ23-0008: Rezoning and Preliminary Site Development Plan for B Street Collision Center; Applicant: Robert Meurer, White Company Commercial Real Estate

TITLE:

Consideration of Ordinance No. 24-11 (RZ23-0008), requesting approval of a rezoning from the CP-2 (Planned General Business) District to the C-3 (Regional Center) District and a preliminary site development plan for B Street Collision Center on approximately 3.43 acres; located northeast of W. 151st Street and S. Pflumm Road.

SUMMARY:

On November 13, 2023 a public hearing was held for the proposed rezoning to the C-3 District for B Street Collision Center. Staff recommended denial of the rezoning. The Planning Commission recommended denial of the request by a vote of 8 to 0.

On December 5, 2023, the City Council heard the application and after discussion, remanded it back to the Planning Commission for review of the preliminary plans and staff's recommended stipulations. Since the December 5th meeting, the applicant worked with staff on revising the site development plans and building elevations based on City Council direction. The applicant is agreeable to all recommended stipulations if the City Council were to approve the rezoning ordinance and preliminary site development plan.

The revised preliminary plan includes 28,300 square feet of building area, with 152 parking spaces wrapping the building on all sides. Decorative site obscuring fencing is proposed along the north and east sides of the site. Landscape buffers exceed UDO requirements and provide additional evergreen landscaping to the east and southeast corner of the site. Offsite landscape buffers are also

proposed along the north and east property lines of the larger Executive Plaza, to be installed by the land owner. The project meets all UDO requirements for landscaping and architecture.

One waiver is requested to increase the maximum parking allowance in the C-3 District from a total of 85 parking spaces to 152 parking spaces. The proposed parking areas will accommodate 50 employees, customer parking, and vehicle storage areas. A stipulation is recommended that all vehicles awaiting repair will be brought indoors at night. Salvage vehicles being removed from the site are not included in this requirement; however, a stipulation is recommended that salvage vehicles will only be parked along the east property line.

During the February 26, 2024 Planning Commission meeting, staff maintained its recommendation of denial, but provided an overview of the revised preliminary plans and recommended stipulations based on City Council direction. There was discussion regarding the outdoor storage of materials, car parts and debris. Staff noted that there are already requirements in the Municipal Code prohibiting the outdoor storage of these items. The Planning Commission made a motion to recommend acceptance of all stipulations as provided by staff, and the motion failed 3-3.

In summary, both the rezoning request to the C-3 District and the revised preliminary plan are before the City Council for consideration this evening. An ordinance has been prepared by City staff for City Council's consideration. In accordance with KSA 12-757(d) and UDO Section 18.40.060.B.5, after the Planning Commission's reconsideration, a simple majority (4 votes) of the City Council is required to approve the rezoning ordinance and preliminary site development plan.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 24-11 for a rezoning to the C-3 (Regional Center) District (4 positive votes required).
2. Deny Ordinance No. 24-11 for a rezoning to the C-3 (Regional) District (if 4 positive votes to approve are not achieved).
3. Return the application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove (votes of a majority of the members present required).

ATTACHMENT(S):

- A. February 26, 2024 Planning Commission Packet
- B. February 26, 2024 Planning Commission Minutes
- C. Ordinance No. 24-11