



# City of Olathe

## Legislation Details (With Text)

**File #:** G20-1743

**Type:** New Business-Planning      **Status:** Passed

**File created:** 6/23/2020      **In control:** City Council

**On agenda:** 7/7/2020      **Final action:** 7/7/2020

**Title:** Consideration of Ordinance No. 20-24, RZ20-0004, Requesting approval of a rezoning from CTY RUR (County Rural) to M-2 (General Industrial) District and preliminary site development plan for K-9 Acres on 9.7± acres; located at 16129 Lone Elm Road. Planning Commission recommends approval 9 to 0.

**Sponsors:** Aimee Nassif, Jessica Schuller

**Indexes:**

**Code sections:**

**Attachments:** 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Ordinance No. 20-24

Date	Ver.	Action By	Action	Result
7/7/2020	1	City Council	approved	Pass

**DEPARTMENT:** Public Works, Planning Division  
**STAFF CONTACT:** Jessica Schuller, Senior Planner  
**SUBJECT:** RZ20-0004: Rezoning and Preliminary Site Development Plan for K-9 Acres; Applicant: Brandon Sutherland, Emerald Properties, LLC

**ITEM DESCRIPTION:**

Consideration of Ordinance No. 20-24, RZ20-0004, Requesting approval of a rezoning from CTY RUR (County Rural) to M-2 (General Industrial) District and preliminary site development plan for **K-9 Acres** on 9.7± acres; located at 16129 Lone Elm Road. Planning Commission recommends approval 9 to 0.

**SUMMARY:**

The applicant is requesting a rezoning from CTY RUR (County Rural) to M-2 (General Industrial) and a preliminary site development plan for K-9 Acres, located south of 159<sup>th</sup> Street and east of Lone Elm Road.

The site was the previous location of Southwest Community Church. The existing 4,000 square foot building is proposed to remain on the property, in addition to a newly proposed 14,000 square foot building located on the eastern end of the existing parking lot. A related application requesting a special use permit for *Animal Care - Indoor or Outdoor Kennel* in the M-2 District is also on this agenda (SU20-0001).

The proposed development must follow Site Design Category 6 requirements (UDO 18.15.130). Future development will also meet all architecture standards. The building design requirements consists of an emphasis on high-quality building materials, building articulation, and façade expression tools that elevate the character of the structure.

The PlanOlathe Comprehensive Plan identifies the subject property as “Employment Center.” Staff is supportive of the proposed rezoning, as General Industrial is a use that relies on an increased amount of indoor and outdoor space, which this 9.7 acre lot provides; the M-2 District is also compatible with the zoning of the land to the south of the site. Staff finds the proposed rezoning to be compatible with the Golden Criteria established in the UDO.

On June 8, 2020, the Planning Commission held a public hearing for the proposed request. No neighboring property owners spoke at the public hearing or corresponded with staff. The Planning Commission voted 9-0 to recommend approval of RZ20-0004 with the stipulations outlined in the Planning Commission minutes.

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**FINANCIAL IMPACT:**

None

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**ACTION NEEDED:**

1. Approve Ordinance No. 20-24 for a rezoning from the CTY RUR (County Rural) District to the M-2 (General Industrial) District as recommended by the Planning Commission.
2. Deny Ordinance No. 20-24 for a rezoning from the CTY RUR (County Rural) District to the M-2 (General Industrial) District.
3. Return the rezoning application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body’s failure to approve or disapprove.

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**ATTACHMENT(S):**

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Ordinance No. 20-24