



# City of Olathe

## Legislation Details (With Text)

**File #:** G21-2169

**Type:** New Business      **Status:** Passed

**File created:** 1/19/2021      **In control:** City Council

**On agenda:** 4/6/2021      **Final action:** 4/6/2021

**Title:** Consideration of Ordinance No. 21-11, RZ20-0015, requesting approval for a rezoning from the RP-1 (Planned Single-Family Residential) District to the O (Office) District and a preliminary site development plan for the Olathe Health Quivira Campus on approximately 8.57 acres; located northwest of 151st Street and Quivira Road. Planning Commission recommends approval 8 to 0.

**Sponsors:** Aimee Nassif, Kim Hollingsworth

**Indexes:**

**Code sections:**

**Attachments:** 1. A. Planning Commission Packet, 2. B. Planning Commission Minutes, 3. C. Additional Public Comments, 4. D. Protest Petition Summary, 5. E. Ordinance No. 21-11

Date	Ver.	Action By	Action	Result
4/6/2021	1	City Council	approved	Pass

**FOCUS AREA:** Economy, Planning Division

**STAFF CONTACT:** Kim Hollingsworth, Senior Planner

**SUBJECT:** RZ20-0015: Rezoning and Preliminary Site Development Plan for the Olathe Health Quivira Campus, Applicant: Todd Allenbrand, Payne & Brockway

### ITEM DESCRIPTION:

Consideration of Ordinance No. 21-11, RZ20-0015, requesting approval for a rezoning from the RP-1 (Planned Single-Family Residential) District to the O (Office) District and a preliminary site development plan for the Olathe Health Quivira Campus on approximately 8.57 acres; located northwest of 151<sup>st</sup> Street and Quivira Road. Planning Commission recommends approval 8 to 0.

### SUMMARY:

The applicant is requesting a rezoning and preliminary site development plan for the Olathe Health Quivira Campus, located at the northwest corner of 151<sup>st</sup> Street and Quivira Road. The 67,327 square foot medical office building includes primary care, urgent care, an outpatient surgical center, physical therapy, pharmacy and imaging and diagnostic services.

As part of the rezoning consideration, the applicant and staff collaborated on several uses which will be prohibited as detailed within the attached Ordinance. These prohibited uses are being excluded from the district because they are incompatible with the character of the surrounding residential neighborhood and the applicant is amenable to this stipulation.

The proposed building is located close to the street intersection with an architectural design consisting of high-quality building materials including glass, stone and architectural metal panels. Two access points are proposed along with turn lane improvements on 151<sup>st</sup> Street at the intersection with Monrovia Street. Additionally, future commercial development with office and retail uses has been approved at the southwest corner of 151<sup>st</sup> Street and Quivira Road in Overland Park

thus establishing a neighborhood-focused commercial node at this intersection.

In response to requests from residents at the Planning Commission meeting, the applicant has increased the height of the proposed privacy fence to 8 feet. Two stormwater detention basins are proposed, and the stormwater runoff will be maintained at existing conditions or less in compliance with Olathe Municipal Code Title 17 requirements. The proposed development aligns with several policies of the Comprehensive Plan and the standards of the Golden Criteria, by which rezoning applications are considered.

The Planning Commission held a public hearing on March 8, 2021 and 8 individuals spoke in opposition to the application. Stated reasons for opposition included the stormwater runoff, safety of Quivira Road, light and noise pollution, safety of Morse Elementary students, the character of the neighborhood and the number of other healthcare facilities in the area. Additional comments received after the Planning Commission meeting were received by Staff and are included as Attachment C and reflect similar topics of concern.

After discussion, the Planning Commission voted 8-0 to recommend approval of RZ20-0015 as presented in the meeting minutes. After the meeting, a valid protest petition was filed with the City Clerk for this rezoning application. The City received 3 valid protest petitions which comprises 27.75% of the eligible land area within 200 feet of the subject property. Therefore, the vote required for approval of this zoning request is a  $\frac{3}{4}$  vote (6) of the City Council.

---

**FINANCIAL IMPACT:**

None

---

**ACTION NEEDED:**

1. Approve Ordinance No. 21-11 for a rezoning to the Office District as recommended by the Planning Commission (6 positive votes required due to the valid protest petition).
2. Deny Ordinance No. 21-11 for a rezoning to the Office District (5 positive votes required).
3. Return the zoning amendment application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove (4 positive votes required).

---

**ATTACHMENT(S):**

- A. Planning Commission Packet
- B. Planning Commission Minutes
- C. Additional Public Comments
- D. Protest Petition Summary
- E. Ordinance No. 21-11