



# City of Olathe

## COUNCIL AGENDA ITEM

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**MEETING DATE:** 5/18/2021

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**DEPARTMENT:** Economy, Planning Division

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

**SUBJECT:** RZ20-0014: Rezoning for Ridgeview Corporate Centre; Applicant: Curtis Holland, Polsinelli PC

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### **ITEM DESCRIPTION:**

Consideration of RZ20-0014, requesting approval of a rezoning from the BP (Business Park) District to the PD (Planned) District and a preliminary site development plan for Ridgeview Corporate Centre on approximately 32.6 acres; located at the northeast corner of College Boulevard and S. Ridgeview Road. Planning Commission recommends denial 7 to 1.

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### **SUMMARY:**

The applicant is requesting a rezoning from the BP (Business Park) District to the PD (Planned) District for Ridgeview Corporate Centre located northeast of College Boulevard and S. Ridgeview Road. The proposed development includes 2 apartment buildings with a total of 337 units and 3 commercial buildings with a total of 239,000 square feet of office space and 6,000 square feet of retail space.

This rezoning request fails to meet the goals of the PlanOlathe Comprehensive Plan, the North Ridgeview Road Overlay District and fails to meet 3 of the rezoning (Golden Criteria) identified in Unified Development Ordinance (UDO) Section 18.40.090. A detailed staff analysis is provided in the attached Planning Commission Packet and Minutes.

The property was rezoned to the BP (Business Park) District in 2008 and the Comprehensive Plan, last updated in 2016, identified this area as an Employment Area. Employment Areas consist of office buildings, medical facilities, light industrial and complimentary retail and service uses which all align with the current Business Park District. Furthermore, the property is located in the North Ridgeview Road Overlay District (UDO 18.20.260) which calls for nonresidential uses on this property. The Comprehensive Plan and the Ridgeview Road Overlay District do not support residential uses on this property.

As reflected in the UDO Golden Criteria analysis, there are significant incompatibilities between the proposed residential use and the adjacent Lenexa Logistics Centre industrial warehouse development to the east due to the drastically different intensity of land uses, scale of buildings and activities generated within the 1.7 million square foot industrial development.

The application fails to meet the expectations and standards for a Planned District as provided in UDO 18.20.220. Planned Districts are intended to encourage innovative land use planning with an

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integrated mix of uses and high-quality design in alignment with the vision and goals of the Comprehensive Plan. The applicant's phasing plan only has apartments being built at this time. All other Planned Districts that have been approved have aligned with the land use goals and policies of the Comprehensive Plan.

The applicant submitted a valuation advisory report which is attached as part of the Planning Commission meeting packet. Staff agrees with the findings of the report that there are many unknowns related to the short and long-term impacts on office development due to the COVID-19 pandemic. Therefore, staff does not recommend rezoning properties with an office designation for residential uses and zoning actions should continue to align with PlanOlathe. Zoning actions that do not follow the City's Comprehensive Plan are not recommended until more is known about the market and economic impacts from the pandemic.

The preliminary site development plan has been provided at the request of the applicant. However, if the rezoning is denied the associated plan automatically fails as the land uses shown on the plan would not be permitted. In addition, the applicant is seeking a Planned District which requires that all development and design standards are negotiated. If the Governing Body were to consider approval of this proposal, a continuance would be necessary in order for staff to return with an ordinance which establishes the development and design criteria.

The Planning Commission held a public hearing on April 26, 2021. The applicant provided a presentation and no other individuals spoke during the public hearing. After discussion, the Planning Commission voted 7-1 to recommend denial of RZ20-0014.

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**FINANCIAL IMPACT:**

None

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**ACTION NEEDED:**

1. Deny the rezoning request from the BP District to the PD District as recommended by the Planning Commission (4 positive votes required).
2. Overturn the Planning Commission's recommendation for denial and approve the rezoning request (5 positive votes required).
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 (4 positive votes required).

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**ATTACHMENT(S):**

- A. Planning Commission Packet
- B. Planning Commission Minutes