MINUTES – Opening Remarks
Planning Commission Meeting:  August 24, 2020

The Planning Commission convened at 7:00 p.m. to meet in regular session with Acting Chair Jeremy Fry presiding. Commissioners Shirley Allenbrand, Barry Sutherland, Ryan Freeman, Ryan Nelson, Marcia Youker, and Taylor Breen were present. Chair Vakas and Commissioner Corcoran were absent.

Recited Pledge of Allegiance.

On behalf of the Planning Commission, Acting Chair Fry expressed his condolences in the passing of Mayor Michael Copeland and acknowledged Mayor Copeland’s commitment and contributions to the City of Olathe.

The Acting Chair made introductory comments. Regarding ex parte communication, the Acting 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 MN20-0810, the meeting minutes from August 10, 2020, was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed with a vote of 7-0.
Planning Division

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| Application: | FP20-0015: Request approval of a final plat for Prairie Farms XIII containing seventeen (17) lots and three (3) common tracts on approximately 7.14 acres; located in the vicinity of 135th Street and Persimmon Drive. |

A motion to approve FP20-0015 was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed with a vote of 7-0 subject to the following stipulations:

1. All new on-site wiring and cables must be placed underground.

2. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.

3. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities’ meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.
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| Application: | FP20-0017: Request approval of a final plat for Stonebridge Pointe, Second Plat containing twenty-nine (29) lots on approximately 9.51 acres; located in the vicinity of 165th Street and Lindenwood Drive. |

A motion to approve FP20-0017 was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed with a vote of 7-0 with no stipulations.
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| Application: FP20-0018: Request approval of a final plat for Willow Crossing, Fifth Plat containing twenty-five (25) lots and four (4) common tracts on approximately 18.75 acres; located in the vicinity of W. 143rd Street and Pflumm Road. |

A motion to approve FP20-0018 was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed with a vote of 7-0 subject to the following stipulations:

1. Affidavits of interest are required to be recorded for each residential lot to notify property owners of proximity to the Johnson County Executive Airport and effects of aircraft in the area.

2. The final plat must be approved by the Johnson County Airport Commission and Board of County Commissioners.

3. A sidewalk and address plat must be submitted prior to the issuance of building permits.

4. All above-ground electrical and/or telephone cabinets shall be placed within the interior side or rear building setback yards.

5. All new on-site wiring and cables must be placed underground.

6. 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 comparable with the building architecture.

7. The HOA agreement that describes the maintenance of the stormwater BMP’s and detention must be submitted to staff prior to the issuance of building permits.
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Application: FP20-0019: Request approval of a final plat for Woodland Hills, Third Plat containing thirty-two (32) lots and three (3) common tracts on approximately 9.35 acres; located in the vicinity of 115th Terrace and Woodland Road.

A motion to approve FP20-0019 was made by Commissioner Sutherland and seconded by Commissioner Allenbrand. The motion passed with a vote of 7-0 subject to the following stipulations:

1. All new on-site wiring and cables must be placed underground.

2. Above ground electrical equipment and telephone cabinets must be placed in the rear yard.

3. Exterior ground-mounted or building mounted equipment including but not limited to, mechanical equipment, utilities' meter banks and coolers must be screened from public view with three (3) sided landscaping or an architectural treatment compatible with the building architecture.

4. Prior to the plat being recorded, tree preservation fencing must be installed along the Tree Preservation Easement.
Kim Hollingsworth, Senior Planner, presented a rezoning request from the M-1 (Light Industrial) District to the R-3 (Residential Low-Density Multi-Family) District, for property located at 400 S. Rogers Road. Directly north is a daycare facility zoned R-5, to the east are offices in the CP-O District, and the existing KidsTLC campus is adjacent to the south in the RP-3 District. This request is being made in order to accommodate a use for KidsTLC who recently acquired the property, but the use is not permitted within the existing M-1 District.

Ms. Hollingsworth noted an existing approximately 32,000 square foot building located near the center of the 5.16-acre property, which previously served as an assisted living facility. The applicant proposes a community living facility, which is being considered through a special use permit request, which she will address in a separate application.

Ms. Hollingsworth presented a Future Land Use Map, showing the designation of this property and surrounding area as a mixed-density residential neighborhood. The proposed R-3 District aligns with this land use designation and meets the standards of the Golden Criteria.

Ms. Hollingsworth stated that the applicant held a neighborhood meeting on August 3, 2020, attended by one individual who wished to learn more about the proposal, but did not have specific questions for the applicant. All other notification requirements have been met and staff has not received any correspondence from the public. She added that staff recommends approval of this application.

Acting Chair Fry opened the public hearing. There were no questions for the applicant. No one else wished to speak on this matter. Acting Chair Fry called for a motion to close the public hearing.

A motion to close the public hearing was may by Commissioner Nelson and seconded by Commissioner Youker.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Youker, Breen, Fry (7)

No: (0)

The motion passed with a vote of 7-0.

Commissioner Allenbrand commented that this is a great use of the existing building and she is glad to see this application move forward.
A motion to approve RZ20-0006 as presented was made by Commissioner Allenbrand and seconded by Commissioner Sutherland, for the following reasons:

1. The proposed development complies with the policies and goals of the PlanOlathe Comprehensive Plan for Land Use (LUCC-6).

   Aye: Allenbrand, Sutherland, Freeman, Nelson, Youker, Breen, Fry (7)

   No: (0)

The motion passed with a vote of 7-0 with no stipulations.
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| Application: SU20-0005: Request for approval of a special use permit for a Community Living Facility for KidsTLC, Inc., on approximately 11.4 acres; located in the vicinity of S. Rogers Road and E. College Way. |

Kim Hollingsworth, Senior Planner, presented a special use permit request for the entire property owned by KidsTLC, located at 400 S. Rogers Road. The existing special use permit for the 6.25-acre existing campus is set to expire in 2021. Therefore, the applicant requests a special use permit combining the community living facility encompassing the existing campus and the newly acquired 5.16-acre property at the northern portion of the site. KidsTLC has been operating along Rogers Road with a special use permit since 1990.

Ms. Hollingsworth added that the applicant is also proposing an adaptive re-use of a former nursing facility at 400 S. Rogers Road. Interior renovations to the building would be made to accommodate housing for 60 adolescent residents and support space. A rezoning is necessary for the M-1 portion of the property and a special use permit is required for this type of use, regardless of the residential district it is considered under. Ms. Hollingsworth further stated that the requested use aligns with the Comprehensive Plan and meets several goals of the Olathe 2040 Strategic Plan. Staff recommends approval of this application with stipulations.

Acting Chair Fry opened the public hearing. There were no questions for the applicant. No one else wished to speak on this matter. Acting Chair Fry called for a motion to close the public hearing.

A motion to close the public hearing was made by Commissioner Sutherland and seconded by Commissioner Allenbrand.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Youker, Breen, Fry (7)
No: (0)

Motion passed with a vote of 7-0.

A motion to approved SU20-0005 as stipulated was made by Commissioner Sutherland and seconded by Commissioner Youker.

Aye: Allenbrand, Sutherland, Freeman, Nelson, Youker, Breen, Fry (7)
No: (0)
The motion passed with a vote of 7-0, subject to the following stipulations:

1. The special use permit for a Community Living Facility is approved for a ten (10) year period effective from the date of the Resolution.

2. Programming authorized by or licensed by the Kansas Department of Health and Environment for this residential center license is permitted with this special use permit.
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Acting Chair Fry commented on the passing of Mayor Mike Copeland. Comm. Sutherland echoed Acting Chair Fry’s comments.

There were no other announcements.

Meeting adjourned.